

The Highland Community Planning Partnership

CPP Board
11th September 2015

Agenda Item	5.
Report No	CPB 12/15

Development Plans and Community Planning

Paper by Director of Development & Infrastructure, Highland Council

Summary

This paper introduces new responsibilities for the CPP Board in the process of preparing and delivering Local Development Plans that reflect shared priorities for community planning. It seeks buy-in from Community Planning Partners at key stages of preparing these plans and their associated Action Programmes. This approach aims to strengthen the framework for coordinating their delivery and monitoring against the Single Outcome Agreement (and its successor).

As a first step in introducing these arrangements approval is sought from the CPP Board for the Highland-wide Local Development Plan Main Issues Report and emerging issues for the Caithness & Sutherland Proposed Local Development Plan.

1. Background

- 1.1 There is growing recognition across Scotland that new-style Development Plans can play a unique role in addressing shared priorities for community planning. This has led a number of Councils, together with Community Planning Partnerships (CPPs), to take greater ownership of Development Plans as a means to help achieve community planning outcomes. CPPs are playing a key role in preparing and approving Development Plans, and are using accompanying Action Programmes as a tool for overseeing their delivery.
- 1.2 Importantly, this approach is seen as a method for coordinating the efficient use of public assets and services whilst planning for growth. By acknowledging Development Plans as key documents to support the Single Outcome Agreement, this approach would directly address the requirements of current and emerging land-use planning and community planning legislation for greater collaboration in shaping the future of communities and services.
- 1.3 In Highland, our Development Plans are already being shaped around the Highland Single Outcome Agreement by identifying shared outcomes and priorities for the future. With significant effort made to engage partner organisations and communities in the preparation process, Development Plans are aiming to reflect the aspirations of communities and organisations they represent. In addition, Action Programmes that accompany LDPs provide details of how policies and proposals contained in the Development Plan will be delivered and where responsibilities for action lie. They are updated at least every two years and provide the ideal framework for a more coordinated approach to improving and creating places, and an audit trail back to the SOA. Yet, they are not being used to their full potential and there is no formal

process for coordinating actions for delivery. The CPP Board could provide a strong steer for delivery.

- 1.3 In light of the above, the conditions are ideal for the CPP to adopt a similar joined-up approach to the preparation and delivery of Development Plans to plan for growth and make optimal use of assets and infrastructure, whilst also delivering against community planning outcomes. Development Plans and accompanying Action Programmes also provide the means for communicating regular updates to communities about how public sector partners are delivering improvements.
- 1.4 Examples of where this approach could prove useful are:
- coordinating services and partners to deliver major infrastructure requirements associated with new development;
 - enabling vacant or under-used assets to be better utilised by public sector partners;
 - Addressing linkages between the CPP's Biodiversity Plan and the Green Networks proposed in Area LDPs;
 - Cross-agency coordination of regeneration initiatives and funding opportunities, and maximising shared benefits.

2 The role of the Community Planning Partnership

- 2.1 On 13th August the Chief Officers Group agreed to the introduction of new arrangements for securing buy-in from the Community Planning Partnership (and Chief Officers Group) to the process of preparing and delivering Development Plans in Highland. This would elevate the status of Development Plans as corporate, partnership documents which represent member organisations' shared priorities and outcomes for the future of the Highlands. This would add significant value to the robustness of these plans and to the remit of the CPP and COG.
- 2.2 In Highland, the Development Plan comprises four Local Development Plans - the Highland-wide Local Development Plan which sets out the main planning policies for assessing planning applications; and three Area Local Development Plans that show where and how development can be delivered (in the Inner Moray Firth, Caithness & Sutherland, and West Highland & Islands).
- 2.3 A summary of the suggested roles and responsibilities of the COG and CPP for each Plan is described in Appendix 1. For each Plan, there are three main stages for consideration by the CPP:

LDP stage and status	Items for approval
<p>Main Issues Report</p> <p>Issues and options</p>	<ul style="list-style-type: none"> - Vision and Outcomes (linked to the SOA) - Overall strategy - Preferred options for dealing with Main Issues - Note background evidence in the Monitoring Statement - Board members to consider implications for each partner organisation

<p>Proposed Plan & Proposed Action Programme</p> <p>Settled view of the Council</p>	<ul style="list-style-type: none"> - Provide formal sign-off alongside Council approval (subject to detailed comments) to ensure that the Plan integrates with the SOA and optimises the delivery of public services. - Agree actions for delivery in Action Programme
<p>Adopted Plan & Action Programme</p> <p>Carries full weight as the Development Plan for decision making</p>	<ul style="list-style-type: none"> - Actions for delivery for each organisation - Review and agree implications for partners' investment priorities - Annual review of Action Programme to assess delivery against outcomes and the SOA.

2.4 The various stages of preparing Local Development Plans and for public consultation are set out in statute. In seeking to achieve consensus in preparing plans the public and partners are encouraged to have an input early on in the plan process.

3 Benefits

3.1 There are a number of potential benefits of this approach:

- a) The **ability to demonstrate how the Community Empowerment Act and the new duties for CPPs strategically and locally are being implemented** in Highland.
- b) Securing buy-in from the CPP and COG would result in a more **robust and deliverable Development Plan** and provide a **structured framework to support new local community planning approaches** being developed.
- c) Development Plan documents can be agreed as the **shared vision for land-use planning** that all member organisations can work towards.
- d) **Shared outcomes would provide an audit trail** for policies, proposals and any other public or private sector interventions to be traced back to the SOA/LOIP. In Area Local Development Plans shared outcomes would be tailored to the local area, and provide a land-use planning framework within which communities can prepare their own Community Plans and thereby contribute to the SOA/LOIP. In the Highland-wide Local Development Plan, shared outcomes would provide an audit trail to show how planning decisions contribute to SOA/LOIP priorities.
- e) The Development Plan and Action Programmes would provide the CPP and COG with a **platform for communicating how our communities and services will be managed and improved**. It would also provide a valuable **tool for monitoring and delivering against SOA/LOIP priorities**, and the coordination of public assets and services, for example through the Council's Capital Programme.
- f) This will also help to **streamline the development plan process**.

4 Development Plans for approval

4.1 As a first step in introducing this approach, approval is sought from the CPP for the following:

- The Main Issues Report for the Highland-wide Local Development Plan (HwLDP) enclosed separately at Appendix 2. This has been approved by the Council's Planning, Development and Infrastructure Committee subject to feedback from the CPP Board.
- The emerging Caithness and Sutherland Proposed Local Development Plan (CaSPlan) which is summarised at Appendix 3.

4.1 Approval of these items by the CPP Board will enable full public consultations to be carried out, with the HwLDP Main Issues Report scheduled for consultation between September and December this year, and CaSPlan scheduled to be reported to PDI Committee for approval in November this year.

Recommendation

The CPP Board is asked to:

- i. Agree the role and responsibilities for the CPP Board at Appendix 1;
- ii. Agree the following elements of the Highland-wide Local Development Plan Main Issues Report at Appendix 2 and provide feedback on implications for partner organisations:
 - Vision and Outcomes (linked to the SOA) – pages 1-2
 - Overall strategy – inside cover, and pages 4-6
 - Preferred options for dealing with Main Issues - throughout
 - Note background evidence including the Monitoring Statement available at http://consult.highland.gov.uk/portal/dp/hwldp2/hwldp2_mir?tab=files;
- iii. Agree the emerging Caithness and Sutherland Proposed Local Development Plan summarised at Appendix 3, and provide feedback on any implications for partner organisations, and provide sign-off of the Proposed Plan at Chief Executive level by Friday 9th October; and
- iv. Note that Action Programmes will be key to delivering these plans and will be subject to discussion at officer level and reported to subsequent CPP Board meetings.

Author: Scott Dalgarno, Development Plans Manager, 01463 702592
 Date: 2 September 2015

Role of the Community Planning Partnership Board and Chief Officers Group in preparing and delivering Development Plans

LDP stage	Chief Officers Group	Community Planning Partnership
Call for Sites & Ideas	n/a	n/a
Main Issues Report and Monitoring Statement	<ul style="list-style-type: none"> • Review and agree the Monitoring Statement as shared evidence for the future of the plan area. • Review and agree Outcomes for alignment with Service priorities / Council Programme • Review and agree Preferred Options • Consider implications for Service Delivery and likely cross-service benefits and partnership working required 	<ul style="list-style-type: none"> • Review and agree the Monitoring Statement as shared evidence for the future of the plan area. • Review and agree Outcomes for alignment with SOA • Review and agree Preferred Options • Consider implications for Service Delivery and cross-agency working required to deliver
Proposed Plan and Proposed Action Programme (9-12 months after MIR)	<ul style="list-style-type: none"> • Note Proposals & Policies • Agree Actions for delivery and consider implications for services / infrastructure • Consider implications for the Council's Capital Programme 	<ul style="list-style-type: none"> • Review draft Policies & Proposals • Agree Actions for delivery and implications for investment and service / infrastructure planning • 'Ownership' of Plan by the CPP Board • Provide signature & declaration of approval for inclusion in Proposed Plan
Examination	n/a	n/a
Adopted Local Development Plan with: Final Action Programme (within 3 months of LDP adoption)	<ul style="list-style-type: none"> • Draft to be circulated in advance for comment prior to submission to S.Govt • Responsible officers to provide comments on actions for delivery • Review and agree implications for Council's Capital Programme 	<ul style="list-style-type: none"> • Draft to be circulated in advance for comment prior to submission to S.Govt • Responsible organisations to provide comments on actions for delivery • Review and agree implications for partners' investment priorities

Appendix 2

Highland-wide Local Development Plan

Am Planna Leasachaidh Air Feadh na Gàidhealtachd

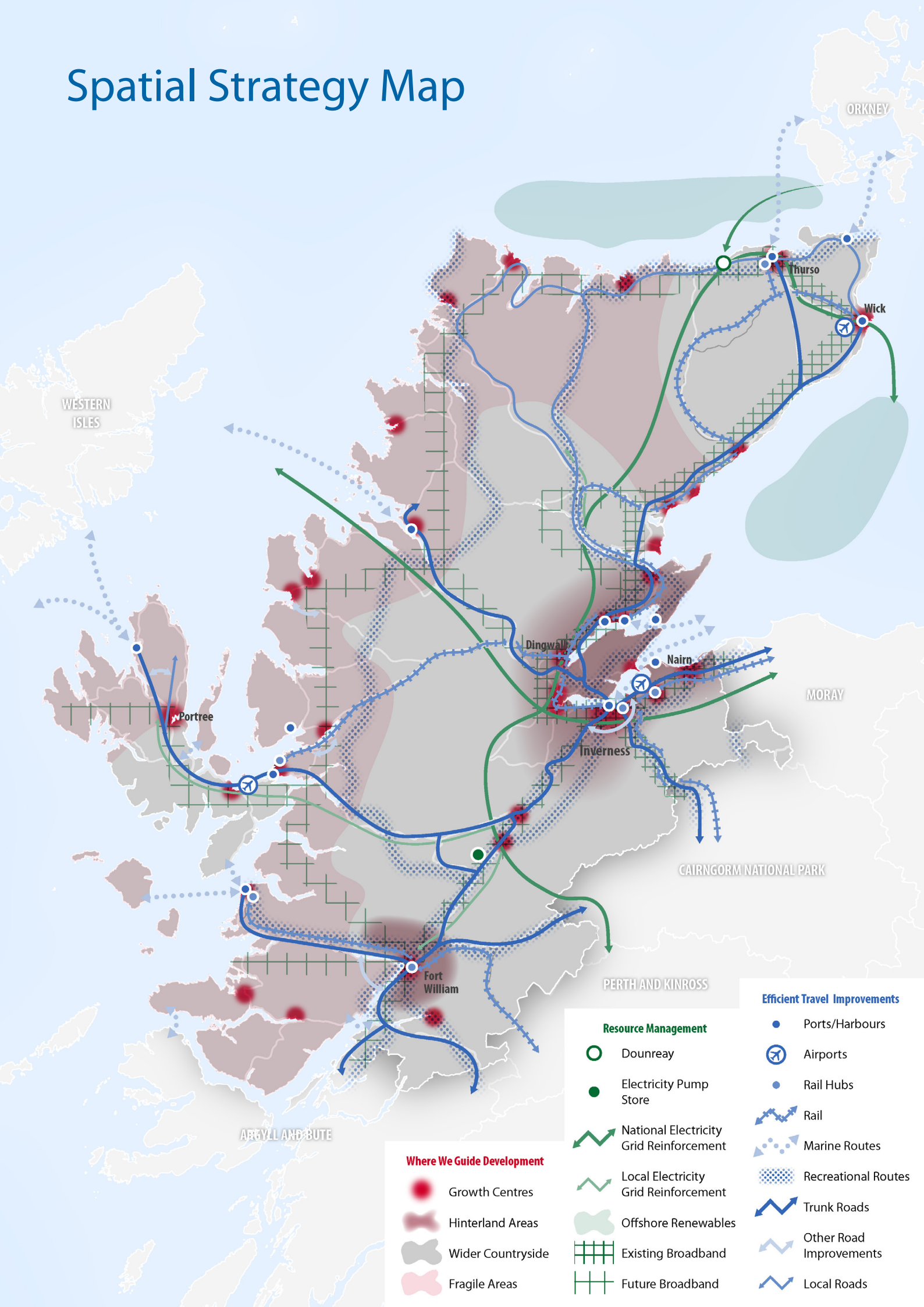
Main Issues Report Aithisg nam Prìomh Chúisean

**Draft for Committee
Approval**

August 2015

www.highland.gov.uk

Spatial Strategy Map



Where We Guide Development

- Growth Centres
- Hinterland Areas
- Wider Countryside
- Fragile Areas

Resource Management

- Dounreay
- Electricity Pump Store
- ↗ National Electricity Grid Reinforcement
- ↗ Local Electricity Grid Reinforcement
- Offshore Renewables
- Existing Broadband
- Future Broadband

Efficient Travel Improvements

- Ports/Harbours
- Airports
- Rail Hubs
- ↔ Rail
- ↔ Marine Routes
- Recreational Routes
- ↔ Trunk Roads
- ↔ Other Road Improvements
- ↔ Local Roads

Foreword

"The Highland-wide Local Development Plan (or HwLDP) is a vital tool in shaping our future and for making the Highlands a more prosperous growing region of Scotland. It describes how we can manage the high quality built and natural environment and how places can adapt to provide homes, jobs and services that we need. This Main Issues Report marks the first stage in reviewing the HwLDP.

Recently, the Council has made good progress in preparing Area Local Development Plans that guide where development can happen. This means that this new HwLDP can become a policy only Plan to guide how development should happen.

It sets out the main issues and options for updating the HwLDP to take account of new issues and advice from Scottish Government. We also want this new Plan to reflect the priorities and aspirations of communities, businesses and key agencies. For the first time it has been based on the outcomes identified in the Community Planning Partnership's Single Outcome Agreement. In doing so, we hope that it represents a shared view of how we can work together to address the priorities for communities across Highland.

This is the best stage in the process to influence the new Plan and shape planning policy. I encourage anyone with an interest in the future of the Highlands to have their say on this document."



Audrey Sinclair

Chair of the Planning, Development and Infrastructure Committee

Purpose and Scope of this Document

Purpose and Scope of this Document

The Council have a duty to provide up to date Local Development Plans (LDPs) for the whole of the [Highland Council area](#)⁽¹⁾. These plans are used to set a clear vision and spatial strategy of how the City, towns, villages and countryside should develop. They are also the main documents against which planning applications will be assessed.

In Highland, we will have four LDPs. An overarching Highland-wide Local Development Plan (HwLDP) which will be a planning policy only Plan, and three Area Local Development Plans (Area LDPs) delivering land use allocations.

This Main Issues Report (MIR) is the first consultation stage in the preparation of the replacement HwLDP, which we are calling HwLDP2. A replacement Plan is needed in the next 2 years, by 2017. The Plan will provide an updated vision and spatial strategy with planning policies to guide development in Highland over the next 20 years. As the new style Plan will be policy based, the existing HwLDP site specific [Policies 1 to 27](#) and the associated spatial content will not be taken forward.

This MIR identifies key development and land use issues facing the area, sets out the Council's preferred options, and reasonable alternatives for guiding future development. This document is not however a 'draft Plan' and does not contain all of the exact content of the replacement Plan's vision, strategy and policies. This level of detail is still evolving and your feedback is vital to shaping the content of the Plan.

The Main Issues

This MIR includes a series of questions about the main issues affecting people across Highland with options for dealing with these, including a preferred option, for your consideration. These are the questions and options which the Council are seeking views on through this consultation and are set out on the contents page of this document. These main issues have been informed through discussions and feedback received from a series of consultation workshops with Council Members, key agencies, and various Council departments across Highland.

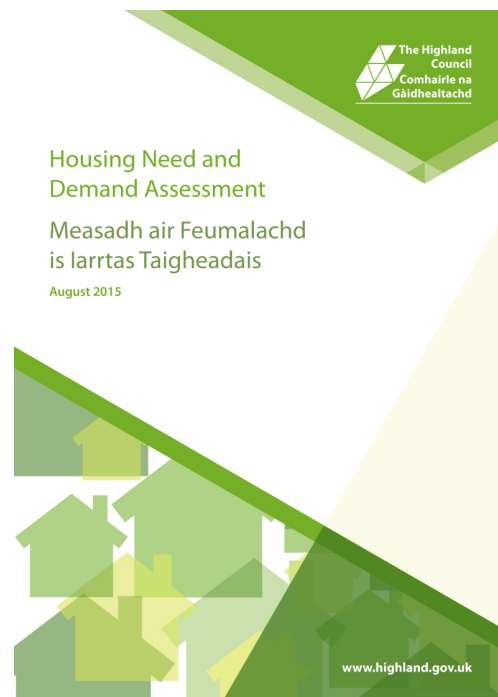
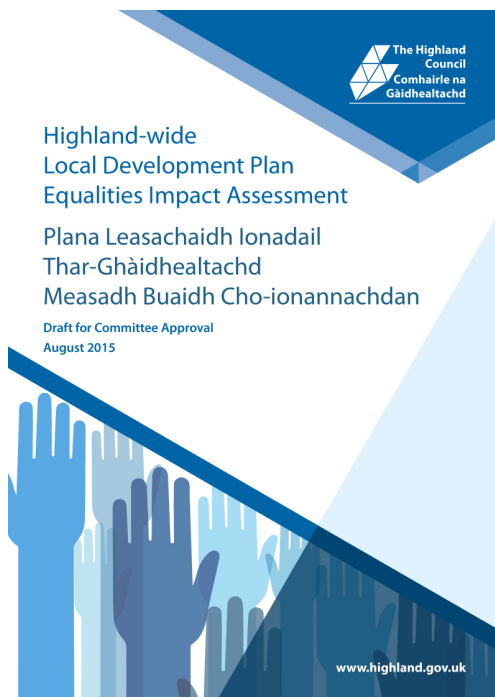
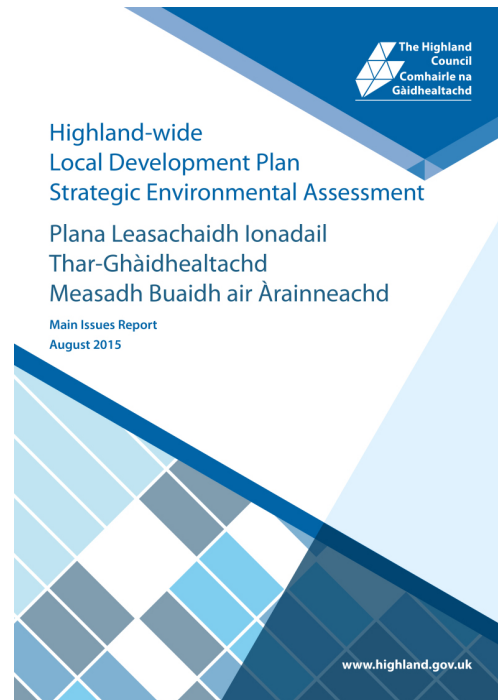
**The X week consultation period for this MIR closes at
12 noon on X DATE [TBC].**

1 This excludes the National Park, where the Cairngorms National Park Authority are responsible for the preparation of their own LDPs.

Purpose and Scope of this Document

Appendices and Background Documents

Appendix A provides a glossary of terms and abbreviations used in this MIR. [Statutory Supplementary Guidance](#) (SG) relating to the HwLDP is also due for renewal and forms part of the Development Plan. It is intended that SG will be revised and updated during the preparation and currency of the HwLDP2 and will be subject to separate consultation arrangements. Other background documents which have helped inform this MIR are available for review and comment and can be found here:



Contents

1	Vision and Strategy	1
	Issue 1a) Vision	1
	Issue 1b) Spatial Strategy	4
2	Where we Guide Development	7
	Issue 2a) Settlement Hierarchy	7
	Issue 2b) Enhancing the City and Town Centres	9
	Issue 2c) Deciding How Smaller Settlements Can Grow	11
	Issue 2d) Housing in the Countryside	13
	Issue 2e) Supporting Rural and Fragile Areas	20
3	Placemaking, Design & Travel	22
	Issue 3a) Design Requirements	23
	Issue 3b) Sustainable Travel	26
	Issue 3c) Green Infrastructure	29
4	Resource Management	31
	Issue 4a) Carbon Clever Energy	31
	Issue 4b) The Historic and Natural Environment	33
	Issue 4c) Heat Networks and Waste Strategy	36
	Issue 4d) Minerals	40
5	Delivering Development & Supporting Infrastructure	43
	Issue 5a) Planning Obligations	43
	Issue 5b) Water, Flooding and SuDS	46
6	Other Amendments	48
	Appendix A - Glossary of Abbreviations and Terms	54
	Contact Us	60

1 Vision and Strategy

1.1 The adopted HwLDP sets out a single vision for Highland, along with separate visions and spatial strategies for each sub-area: the Inner Moray Firth, Caithness and Sutherland, and West Highland and Islands. This section of the MIR presents a suggested approach to refreshing the vision and spatial strategy for Highland to cover the next 20 years. The remaining sections of the MIR explain the issues that need to be addressed in the Plan in order to deliver the preferred vision and spatial strategy.

Issue 1a) Vision

1.2 The Highland Council believe that LDPs should reflect wider communities' interests for how the Highlands should grow. For the first time this MIR has been developed in collaboration with the Community Planning Partnership from whom we will seek endorsement of this MIR as a reflection of how the land use planning system can assist in delivering the latest Single Outcome Agreement 3 ([SOA3](#)). The policies, structure and overall vision within this MIR have been shaped around SOA3 priorities and outcomes.

1.3 The outcomes below represent the Council's preferred vision for Highland that this plan seeks to deliver. These outcomes illustrate what the Plan will have delivered by the end of the Plan period 2037 should all the policies and strategies be successfully delivered. It describes this vision under four main themes, which we intend to use as the Plan's structure. The outcomes below have been based on the existing HwLDP and then reviewed against the Highland SOA to ensure their compatibility with community planning priorities. In addition, more recent updates to Scottish Planning Policy ([SPP](#)) and National Planning Framework ([NPF3](#)) (both adopted June 2014) are key considerations for the vision and outcomes. The [Monitoring Statement](#) which accompanies this MIR provides further details of the background influences.

1.4 The Plan will assist in the delivery of the SOA3 and help to sustain population growth and promote balanced communities. This includes the provision of over 20,000 new homes over the next 20 years, many of which will be affordable. The majority of this growth will be directed to our most sustainable locations, utilising existing infrastructure capacity and services. This will deliver well planned settlements that maximise opportunities for sustainable and active travel, offer potential for future heat networks and are resilient to the effects of climate change.

1.5 To attract a skilled workforce to Highland, the quality of public services must continue to improve with further investment in key industries such as the renewable energy sector, life sciences, creative industries, food, drink and tourism. The Plan will help to broaden the economic base through supporting the development of a network of successful places to live and work, including promoting large scale employment growth sites such as Scrabster, Nigg, Inverness Campus, Ardersier and Kishorn. This will help deliver and sustain new jobs for years to come. The policies to be contained in the Plan will foster the responsible use of resources and maintain the outstanding natural heritage of the Highlands whilst supporting the well-being of rural communities.

1 Vision and Strategy

Preferred Vision

HwLDP Themes	Outcomes	This MIR - Go To:
Where we Guide Development	<i>A network of successful, sustainable communities where people want to live, which provide the most convenient access to services, education and employment within a strong and diverse economy with a wide labour market that is competitive, adaptable and prosperous.</i>	Section 2, Page 7
Placemaking, Design and Efficient Travel	<i>Healthy, sustainable places to live and work that integrate high standards of design and green infrastructure and prioritise easy access to services by active travel and public transport.</i>	Section 3, Page 22
Resource Management	<i>World class low carbon energy and resource management which strikes a balance between a secure energy supplies, maximising the responsible use of our resources, and protecting and celebrating our outstanding natural and historic assets, resulting in lasting economic and environmental benefits for all communities.</i>	Section 4, Page 31
Delivering Development	<i>Provision of services and resilient infrastructure that enables development to happen with constraints being overcome through the integration of Council, developer and community initiatives and investment.</i>	Section 5, Page 43

Reasons: This is intended to make the Plan a more user-friendly document and to make clear which outcome each policy is supporting. These four outcomes are our preferred vision for Highland because we think they would best support the Council's Programme and the SOA3. They are based on the existing HwLDP vision, which is just over 3 years into its 20 year cycle, adjusted to respond to current challenges and opportunities.

Non-Preferred Vision

Carry forward the existing [HwLDP vision](#) unaltered, as summarised below:

By 2030, Highland will be one of Europe's leading regions. We will have created sustainable communities, balancing population growth, economic development and the safeguarding of the environment across the area, and have a fairer and healthier Highlands. In land use planning terms this means:

- *Communities* - Increasing population, supporting an ageing population, transparent use of developer contributions, linking with the Council and partner agency development programmes.
- *Environment* - Development of renewables, safeguarding the special qualities of the natural and cultural environment, reducing greenhouse gases, climate change adaptation and sustainable waste management.
- *Economy* - Create new employment, focusing on specific key sectors, delivering infrastructure improvements, and the Local Transport Strategy ([LTS](#)), reduce the need to travel, promote tourism and associated accommodation, support a stronger communications network and managing the extraction and use of natural resources.
- *Health* - Support development which promotes a healthier life style, with open space, access to the outdoors and an enhance the green network.
- *Equality* - Support investment and diversification in the economy, in our deprived areas and those at risk of long term unemployment as a result of changes in the wider economy.

Reasons: This option is not favoured as the existing HwLDP vision has not been prepared with the benefit of the [SOA3](#).

Question 1a)

Do you agree with the preferred vision and the idea of structuring the replacement Plan around the four themes?

1 Vision and Strategy

Issue 1b) Spatial Strategy

1.6 The HwLDP spatial strategy reflects planned strategic infrastructure investment and regionally important land uses to be supported. It focuses on economic development that is core to Highland's future. The spatial strategy is supported through a number of HwLDP policies to secure effective implementation.

1.7 The currently spatial strategy is divided across three separate area based vision and spatial strategy maps. We intend to replace these with one overarching [Spatial Strategy Map](#) which is of an illustrative nature. Complementary area specific strategy maps are intended to be included within each Area LDP to provide additional detail on more locally important infrastructure priorities. Where future policies in the replacement Plan dictate, additional policy specific strategy maps may be required.

1.8 To ensure the revised strategy provides a reasonable degree of certainty about the future direction for development in Highland, projects are proposed to be divided into medium term deliverable projects to be implemented within 10 years post Plan approval (2027), and other longer term ambitions giving an indication of the scale and direction of growth up to year 20 (2037). We propose that the HwLDP2 will be closely linked to the Council's Capital Programme and make much more use of the Plan's Action Programme to set out the role and responsibilities for the delivery of these regionally important projects.

1.9 The existing [Proposals Map](#) identifies existing policies which have a spatial element. It is proposed that this will be updated to become an online mapping tool. This will be updated on a regular basis to reflect changes in designations and other defined boundaries, covering matters such as how different settlements are defined in the Settlement Hierarchy through Area LDPs (see issue 2a). As the new style Plan will be policy based, the existing HwLDP site specific [Policies 1 to 27](#) and the associated spatial content will not be taken forward. All spatial land use allocations and placemaking priorities will be set out in Area LDPs.

Housing

1.10 A fundamental part of the updated spatial strategy is the delivery of accurate housing supply targets. The existing HwLDP's overall housing land requirement at 2012 is set out in the existing [HwLDP Table 1](#). The Plan will update these figures to reflect the latest Housing Need and Demand Assessment ([HNDA](#)) and will present the Council's housing supply target in accordance with SPP. The updated baseline housing targets are presented in Table 1 for each Housing Market Area (HMA). These figures represent a lower housing targets contained in the existing Plan. This is a result of changes in the projected population and household growth for the area over the next 20 years alongside a revised definition for the backlog of need for affordable housing. The HNDA sets out the current position on the components of need.

Table 1 - Housing Supply Targets (Number of Homes)⁽¹⁾

HMA	2015/16 - 2019/20		2015/16 - 2034/35	
	Affordable ⁽²⁾	Market Sector	Affordable ⁽³⁾	Market Sector
Caithness	130	124	255	242
Inverness	1,474	1,430	5,276	5,673
Lochaber	261	177	859	667
Nairn	182	166	613	603
East Ross	331	247	1,009	824
Mid Ross	340	304	1,091	1,090
West Ross	108	85	335	273
Skye & Lochalsh	205	145	608	475
Sutherland	117	87	291	219
Highland⁽⁴⁾	3,148	2,765	10,337	10,066

1. These figures include a backlog of affordable housing need based on the Highland Housing Register, accounting for 2,144 homes, to be delivered within the first 10 year period. The figures will be updated in due course to reflect a 5 and 20 year housing supply target from the point of the replacement Plan's adoption.
2. Includes below market rent.
3. Includes below market rent.
4. Excluding Badenoch & Strathspey: The Council is not the Planning Authority for the CNPA area still has responsibility for the remainder of the Badenoch & Strathspey area. The population of the proportion of remaining houses outwith the CNPA is too small to derive accurate statistics for this area.

1.11 Area LDPs will continue to provide a generous supply of housing land. Table 1 provides the basis for Area LDPs to set the Housing Land Requirement (HLR). To establish the HLR the housing supply targets will be increased to take account of non-effective housing stock⁽²⁾ and a further margin of 10 to 20% to provide flexibility and choice of sites within the housing market. Section 8.1 of the Monitoring Statement sets out the current housing land supply as contained in the 2014 Housing Land Audit.

Preferred Spatial Strategy

- The preferred [Spatial Strategy Map](#) is shown on the inside cover of this document and will form the Proposals Map which will be supported by a new online mapping tool.
- The housing supply targets for each HMA shown at Table 1 will be delivered through Area LDPs.

2 Non-effective housing stock are homes which remain vacant, or are second homes / holiday homes and do not contribute to addressing housing need.

1 Vision and Strategy

Reasons: We believe that the preferred spatial strategy provides an effective illustration for the future of the Highland area. Given that the previous spatial strategy was designed to guide development until 2032 and has run for only a period of 3 years, we do not foresee good reason to substantially deviate from this at this time. We also think the updated strategy should include housing supply targets for each HMA. An online mapping tool will reflect the most up to date position on features and designations that need to be considered in decisions on planning applications, and provide an intuitive guide to users of the policies that affect them.

Non-Preferred Spatial Strategy

To maintain the existing [HwLDP Spatial Strategy Maps](#) unaltered.

Reasons: This would provide a greater level of detail than what could be provided on a single overarching Spatial Strategy Map. This is not our preferred option because we think Area LDPs should provide more detailed spatial strategies and want to make sure the overarching spatial strategy reflects progress being made since its last publication and picks up on other regional and national infrastructure priorities, including those set out within NPF3.

Question 1b)

i) Do you agree with the preferred spatial strategy? Is anything missing?

ii) Do you agree with the concept of an online mapping tool?

2 Where we Guide Development

2.1 Planning should direct the right development to the right place. This section sets out our proposed approach to managing development within a range of areas from urban through to rural. Issue 2a introduces a proposed hierarchy for managing development and issues 2b to 2e explain the implications this would have for planning applications. Applying this methodology will provide the best opportunity to achieve the vision and spatial strategy set out in Section 1.

Issue 2a) Settlement Hierarchy

2.2 [SPP](#) and the existing HwLDP direct the majority of new development within existing settlements and town centre locations. This approach to managing growth is also reflected in our emerging Area LDPs and has a number of benefits including:

- Reducing the need to travel.
- Making the best use of capacity in existing infrastructure.
- Supporting community facilities and services.
- Minimising impacts on the landscape and natural environment.

2.3 This approach is covered by several policies in the existing HwLDP without clear explanation of how each of the policies relate to each other. In the replacement Plan we want to make sure that the approach to managing development is better understood and clearly presented. The proposed hierarchy below explains the preferred approach.

Preferred Approach

Introduce the following Settlement Hierarchy for guiding development:

As Existing	As Proposed	Description of Proposed Policy Changes
Retail Development - Policy 40	i. Town Centres First	Replace Policy 40 with a new policy that seeks to deliver the Town Centres First principle. This will apply to all significant footfall generating uses (see issue 2b).
Settlement Development Areas (SDAs) - Policy 34	ii. Settlement Development Areas	Policy 34 to remain largely unaltered, with SDAs to remain as the places where the majority of development takes place (see issue 2d). The Plan will emphasise that development in the countryside close to SDA boundaries will not be supported where proposals undermine the setting, character and development pattern of a settlement. Area LDPs will identify the settlements to be defined as SDAs.
Business and Industrial Land - Policy 41	iii. Business & Industrial Land	Update Policy 41 to promote and safeguard employment, business, industry and infrastructure related development opportunities in specific

2 Where we Guide Development

As Existing	As Proposed	Description of Proposed Policy Changes
		locations, including Economic Development Areas (EDAs) (see issue 6).
N/A	iv. Growing Settlements	New policy covering the criteria that determine how this group of smaller settlements can grow, including placemaking priorities identified in Area LDPs (see issue 2c).
Housing in the Countryside (Hinterland) - Policy 35	v. Housing in the Hinterland	Policy 35 to be merged with Policy 36 to introduce a single policy for assessing applications for housing in the countryside (see issue 2d) which proposes a three tier approach:
Wider Countryside - Policy 36	vi. Housing in the Countryside	<ul style="list-style-type: none"> - No change to the extent of the Hinterland Areas where the criteria for housing development will remain more restrictive (see amended criteria at issue 6); - Reinforce and clarify the sequential approach that encourages single house developments within settlements, housing groups and/or brownfield sites ahead of individual sites in the Wider Countryside; and - Introduces a more relaxed approach for housing proposals in Fragile Areas.
	vii. Rural Economic Development	A new policy to support Rural Economic Development (see issue 2e).
Coastal Development - Policy 49	viii. Coastal & Marine Planning	Replacement Policy 49 which integrates terrestrial and marine planning (see issue 6).
New Settlements - Policy 38	n/a	Policy 38 to be deleted as any proposed new settlements require to be considered through Area LDPs.

Other forms of development that have a legitimate locational need to be situated in a certain area, such as renewable energy, waste and mineral related developments, will be subject to separate topic policies within the replacement Plan.

Reasons: This is considered to provide the best approach to ensuring that any development is appropriate to the location where it is proposed, and in achieving the proposed vision and spatial strategy for the replacement Plan.

Non-Preferred Approach

We have not considered any alternatives to the hierarchy set out above. However, issues 2b to 2e set out alternatives for each policy area.

Question 2a)

Do you agree with our preferred approach? Does it strike the right balance between promoting development opportunities whilst protecting important assets across Highland?

Issue 2b) Enhancing the City and Town Centres

2.4 SPP recognises that town centres are at the heart of communities and should be hubs for a wide range of activities. This has introduced the requirement for Development Plans to adopt a Town Centre First approach to support town centres. In response, the Inner Moray Firth LDP ([IMFLDP](#)) and the emerging Caithness and Sutherland LDP ([CaSPlan](#)) have each included policies for promoting and protecting our settlement centres. However, the review of the HwLDP provides an opportunity to introduce a single Highland-wide policy to address this issue.

2.5 Section 9.2.1 of the Monitoring Statement considers that a single overarching Town Centre First policy would be an appropriate response. The preferred approach below therefore proposes a policy that would ultimately supersede the Town Centre First policies set out in adopted or emerging Area LDPs.

2.6 The preferred approach includes a list of land uses that generate significant footfall and are best suited to the City and town centre locations.

Preferred Approach

- Provide a new policy which directs all significant footfall generating uses towards defined town centres.
- Area LDPs to identify and define town centre boundaries for certain SDAs.
- Explore options for defining and monitoring the health of our town centres.

Introduce the following policy which would supersede existing HwLDP [Policy 40](#) Retail Development and related previous town centre first policy versions outlined in adopted or emerging Area LDPs:

"Town Centre First

Development that generates significant footfall will firstly be expected to be located within the City or town centres as identified by Area LDPs. When identifying sites a sequential assessment will be required demonstrating that all opportunities for regeneration through

2 Where we Guide Development

reuse or redevelopment of existing sites or buildings have been fully explored. Should the scale and type of proposal not be suitable for these locations, edge of City or town centre locations are favoured second, followed by other commercial centres identified in the Area LDPs, and finally out of centre locations that are, or can be made, easily accessible by choice of transport modes. This sequential approach does not apply to established uses and land allocations.

Significant footfall developments include:

- *Retail*
- *Restaurants*
- *Commercial leisure uses*
- *Offices*
- *Hotels*
- *Community and cultural heritage facilities*
- *Public buildings, including libraries, education and healthcare facilities*

If the Council considers that a proposal may result in an adverse impact on the vitality and viability of any defined town centre, the developer will be required to produce a retail impact assessment, tailored to reflect the scale and function of the town centre in question. The Council will only support proposals accompanied by competent assessments that demonstrate no significant adverse impacts.

A flexible and realistic approach will be required when applying this sequential assessment, however, developers need to consider how appropriate the nature of their proposal is to the scale and function of the centre within which it is proposed. Exceptions may be made for any ancillary uses that support existing and proposed developments."

The Council wish to see the use of all floorspace in town centres maximised. To support this, suggested wording below may be an appropriate addition to this policy:

"Proposals for conversion of buildings to residential use in the City or town centres may be supported, providing there is no loss of existing or potential viable footfall generating use(s). Proposals for conversion to residential use must demonstrate that the property has been marketed for its existing use at a reasonable price / rent without success for a minimum period of 12 months. For vacant upper floor conversions (excluding hotels) support may be given without the requirement for marketing where it can be demonstrated that the proposals would contribute towards a balanced mix of uses."

Reasons: Town centres play an important role in public and community life and they should be the focal point for facilities and services. We believe that the suggested policy wording accurately reflects [SPP](#) by prioritising town centre development and encouraging a mix of uses which support their vibrancy, vitality and viability.

Non-Preferred Approach

- Devolve this policy matter to be addressed within each Area LDP.
- Town centres boundaries could be identified for all settlements, including every SDA and Growing Settlement.

Reasons: Devolving this issue to Area LDPs would create three separate policies for a topic that more suitably covered by a single policy in the HwLDP. By introducing town centre boundaries for all settlements this would guide all significant footfall generating uses to these locations in the first instance. This would not be appropriate because these uses are better supported in our larger settlements which have established town centres with better sustainable and active travel connections and a wider range of goods and services, thereby maximising opportunities for linked trips.

Question 2b)

i) Do you agree with the preferred approach for town centres?

ii) What do you think about the list of uses this policy should apply to?

Issue 2c) Deciding How Smaller Settlements Can Grow

2.7 The existing policy approach to growth of settlements has focused on defining SDA boundaries to contain development within existing towns and settlements and on individual allocated sites. This means more detail is provided for the larger settlements where more development is being directed and where we wish to be more prescriptive about how these areas should grow. Alongside SDAs emerging Area LDPs have introduced a new approach to the growth of smaller settlements, described as '[Growing Settlements](#)' (or '[Other Settlements](#)' in IMFLDP).

2.8 The approach to managing these Growing Settlements is being reconsidered through this MIR, because as with the Town Centre First policy we think there should be a single overarching Highland wide policy that covers this issue. The proposed policy lists criteria that would apply to all development proposals for the development of Growing Settlements identified through Area LDPs.

2.9 The proposed Growing Settlements policy criteria for assessing development proposals set consistent standards for accessibility, layout, density and servicing and refer to unique placemaking priorities identified through Area LDPs tailored to each settlement. This will mean that whilst certain settlements are no longer identified as SDAs they will still have clear and consistent criteria for determining the suitability of development proposals. The placemaking priorities will also be used as the framework for the community and partners to work together in preparing any future community plan, development brief or masterplan.

2 Where we Guide Development

Preferred Approach

Introduce the following policy which would supersede previous versions outlined in adopted and emerging Area LDPs:

"Growing Settlements

Development proposals that are contained within, round off or consolidate the Growing Settlements (as identified in Area LDPs) will be assessed against the extent to which they:

- *take account of any issues, placemaking priorities and development factors identified for the individual Growing Settlements in the Area LDPs;*
- *are likely to help sustain, enhance or add to facilities with proposals being located within active travel distance of any facility present;*
- *are compatible in terms of use, spacing, character and density with development within that settlement and demonstrate high quality design;*
- *can utilise spare capacity in the infrastructure network (education, roads, other transport, water, sewerage etc.) or new/ improved infrastructure can be provided in a cost efficient manner, taking into account the Council's requirement for connection to the public sewer other than in exceptional circumstances;*
- *avoid a net loss of amenity / recreational areas significant to the local community; and*
- *would not result in an adverse impact on any other locally significant heritage feature, important public viewpoint/vista or open space.*

Proposals which demonstrate overall conformity with the above criteria will be in accordance with this policy. These criteria will also be used to determine the suitability of development proposals and as the framework for preparing any future Development Briefs or Masterplans for development in Growing Settlements identified in Area LDPs."

Reasons: A single policy for development in Growing Settlements is considered to be the most effective approach to managing development in these locations. A balanced approach with SDAs and Growing Settlements is vital to having up to date Development Plans which are fit for purpose, providing a proportionate policy framework for guiding development to the correct locations.

Non-Preferred Alternatives

Option 1: A More Localised Approach - Each Area LDPs could come forward with individual area based Growing Settlements policies, tailored to attract development within growing settlements which are unique to particular parts of Highland.

Reasons: In order to keep our Development Plans as easy to use as possible, we want to encourage the majority of planning policies to be contained within the HwLDP2. The preferred approach ensures consistency of decision making when considering proposals but still allows for a degree of local variation through Area LDPs still defining individual placemaking priorities. However, this non-preferred approach would offer greater flexibility for Area LDPs to take a stricter or more flexible approach in determining how smaller settlements can grow.

Where we Guide Development 2

Option 2: SDAs for All Settlements - The intention to pursue Growing Settlement could be abandoned with the Development Plan reverting back to only having SDAs for all settlements.

Reasons: This suggested approach would provide developers and communities with a clearer understanding of which areas of land are allocated for development. Unfortunately this would also lead to much longer Development Plans and associated preparation timescales, resulting in outdated plans which are ineffective in responding to emerging development pressures. Reverting back to this traditional, more rigid approach would result in an increasing number of development proposals not conforming to outdated land use allocations, resulting in less certainty for developers and communities. That said, we still believe that SDAs are the best way to guide development within our most development pressurised areas.

Question 2c)

i) Are you supportive of our balanced approach to directing development through a combination of SDAs and Growing Settlements?

ii) Do you agree with the preferred Growing Settlements policy wording?

Issue 2d) Housing in the Countryside

2.10 The existing policy framework for determining proposals for new houses in the countryside is a two tier approach covering Hinterland Areas and then all other areas of Wider Countryside. The preferred approach outlined below explains the transition to a three tier approach covering Hinterland, Wider Countryside, and Fragile Areas.

Hinterland

2.11 Within areas known as Hinterland (see Map 2.1, Page 18) there are ongoing pressures for housing development and it is important to protect against unsustainable growth in car-based commuting and inappropriate housing in the countryside as well as providing protection for environmental assets, and supporting traditional land management / the rural economy. Within Hinterland areas [Policy 35](#) "Housing in the Countryside (Hinterland Areas)" applies which presumes against new housing subject to a number of exceptions (see proposed amendments described at issue 6).

2.12 Section 4.2 and Table 4-4 of the [Monitoring Statement](#) indicate that this policy is generally achieving its objectives, with around 90%⁽³⁾ of housing completions within the Hinterland taking place within settlements, and only 10% in the surrounding Hinterland. In certain circumstances planning permission is granted subject to a legal agreement. For example where planning permission for a house is justified to support a rural business or land management (including croft houses) a legal agreement is often required to tie the home to the use of the land. This helps to ensure that the aims of the Hinterland policy are being met, and safeguards against a proliferation of housing in the countryside.

3 Based on the extent of currently mapped Hinterland boundaries.

2 Where we Guide Development

2.13 Concerns have been raised regarding the use of legal agreements for new croft houses due to associated costs, legal burdens and the potential availability of finance. We have therefore carefully examined this issue in recommending how to proceed with all types of Hinterland development in the new HwLDP. If we were to dispense with the need for legal agreements this would carry a number of risks including:

- Unsustainable patterns of housing development, with particular impacts on landscape and supporting infrastructure and services.
- Set a precedent for the removal of legal agreements for new houses required to support rural businesses.
- For crofting proposals, potential increases in the subdivision of croftland thereby threatening future viability of traditional croft holdings.

2.14 Removing the requirement for legal agreements would therefore introduce too much flexibility for housing in Hinterland Areas. The preferred approach set out below recommends the continued use of legal agreements with no changes to this effect in Policy 35 or the associated [Housing in the Countryside Siting and Design SG](#).

2.15 To continue to achieve the objectives of Policy 35, minor wording amendments are proposed to its current exceptions that outline when a new house in Hinterland Areas may be acceptable (see issue 6).

2.16 Related to the above exceptions, [Policy 44](#) Tourist Accommodation currently allows self catering units as an exception to Policy 35. However, Section 3.6.2 of the Monitoring Statement indicates that occupancy levels for self-catering units in Highland have been declining in recent years, resulting in requests for occupancy restrictions to be removed to allow for self catering units to become permanent dwellings. As there is a diminishing demand for self catering units, and with the market appearing to have reached saturation point, the preference is to remove this exception from the Hinterland policy. All future proposals of this nature would therefore be treated in the same manner as a proposal for a new house in the Hinterland.

Wider Countryside

2.17 In all other areas of the countryside proposals for most forms of development (including housing) are determined against [Policy 36](#) "Development in the Wider Countryside" which takes a more permissive approach compared to Hinterland Areas. Section 9.2.3 of the Monitoring Statement reveals uncertainties as to whether Policy 36 is achieving a sustainable pattern of development. In the past 15 years, outwith Hinterland areas, almost 30% of homes have been built outwith settlements, an average 110 homes per annum. This has resulted in a large number of new single houses in the countryside, particularly in Caithness, Sutherland and Wester Ross. There are several long term sustainability issues arising from this. In particular, increased levels of car-based commuting, adverse impacts on sensitive landscapes, and increased costs to the Council for service provision including education and refuse collection. This poses a challenge to our spatial strategy that aims to direct the majority of new housing development to SDAs and allocated sites defined in Area LDPs.

2.18 The associated Housing in the Countryside Siting and Design SG requires applicants to undertake an assessment of site options. This assessment requires potential sites within settlements and housing groups to be considered before new individual house sites. Should applicants be able to demonstrate that no sequentially preferable sites are suitable for development, new

Where we Guide Development 2

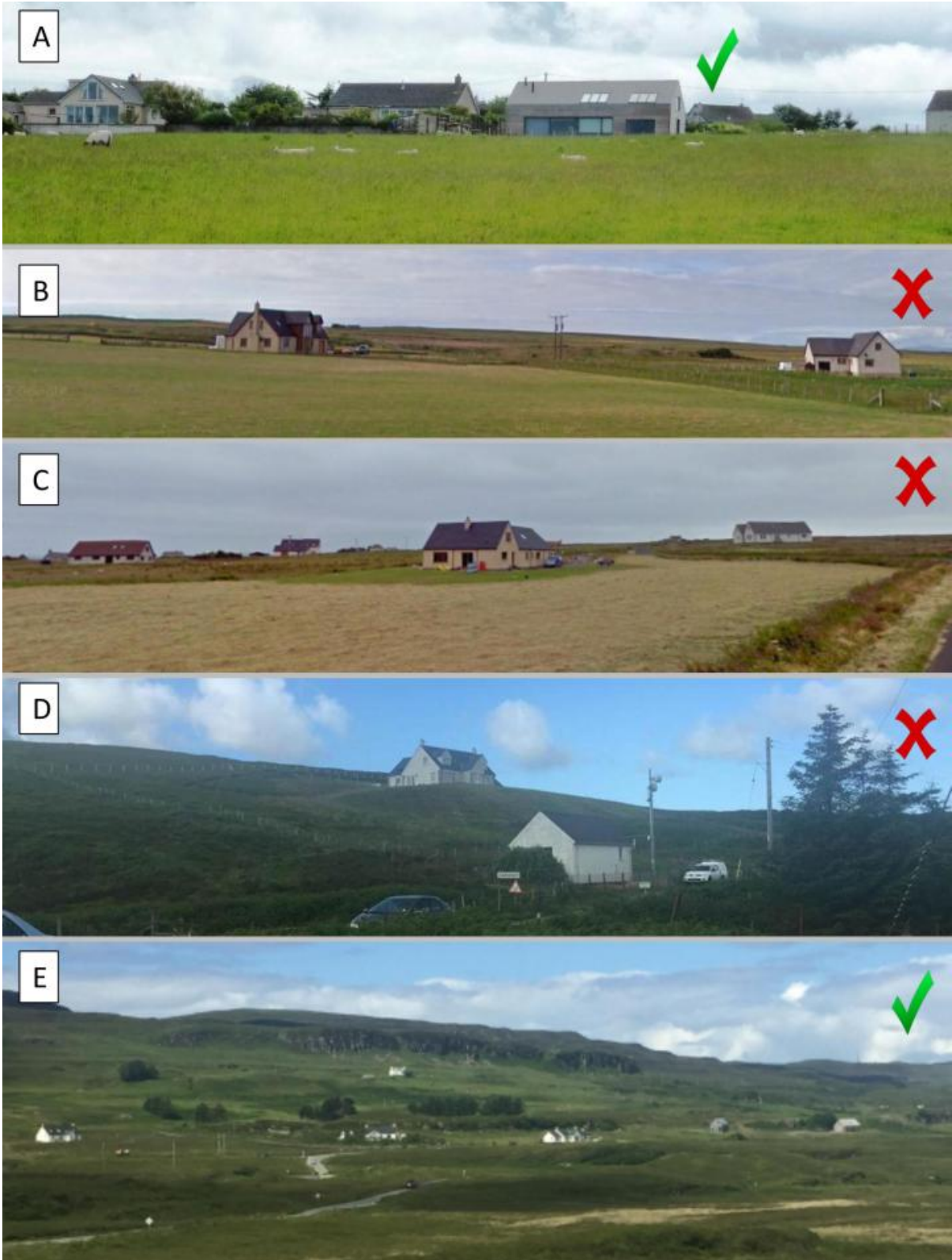
individual house sites may still be acceptable subject to meeting criteria set out in the revised SG. This differs from Hinterland Areas where a presumption against new individual house sites remains. The requirement for a sequential approach to site selection in the Wider Countryside is a key policy principle which should be carried forward to the replacement Plan in order to promote sustainable forms of development.

Fragile Areas

2.19 The requirement for applicants to demonstrate that alternative sites have been considered in settlements or housing groups currently applies to all communities including those in Fragile Areas. In the interests of maintaining and growing communities in the most Fragile Areas of Highland we think it would be appropriate to introduce a more relaxed approach to housing in these areas. The approach set out below suggests removing this requirement in Fragile Areas. The proposed approach to economic development in Fragile Areas is covered in issue 2e.

2.20 Here are some examples of housing in the countryside from different areas across Highland. Image A is in the Wider Countryside and illustrates an appropriate consolidation of an existing housing group, particularly in terms of siting, scale and massing. Images B, C and D are examples of dispersed housing in the Wider Countryside, these appear prominent, lacking integration with the surrounding countryside and intrude on the skyline. Image E shows a dispersed crofting township in a Fragile Area. The traditional scale, massing and materials of the houses allow it to integrate well with the surrounding countryside.

2 Where we Guide Development



Preferred Approach

Introduce a single policy with a three tier approach for managing housing in the countryside. The areas affected are shown on Map 2.1, Page 18 and are outlined below:

Hinterland Areas	The policy would retain a presumption against new single house sites in Hinterland areas, subject to a number of specified exceptions which are to be subject to minor amendments as described in issue 6. The use of legal agreements would be maintained in order to tie homes to new or existing rural businesses or land, including new croft houses. The exception that allows self catering units within Hinterland Areas is proposed to be removed, with proposals being treated the same as a new house in the Hinterland.
Wider Countryside	The policy would require applicants to undertake an assessment of site options. This assessment requires potential sites within settlements and housing groups to be considered before new individual house sites. This requirement is to be carried forward from the Housing in the Countryside Siting and Design SG to this policy. This requirement would not apply to new croft houses. In addition, the exceptions applicable in Hinterland Areas would also apply in the Wider Countryside (see issue 6).
Fragile Areas	Introduce a more relaxed approach to single house proposals with text to explain the criteria where housing in Fragile Areas will be supported.

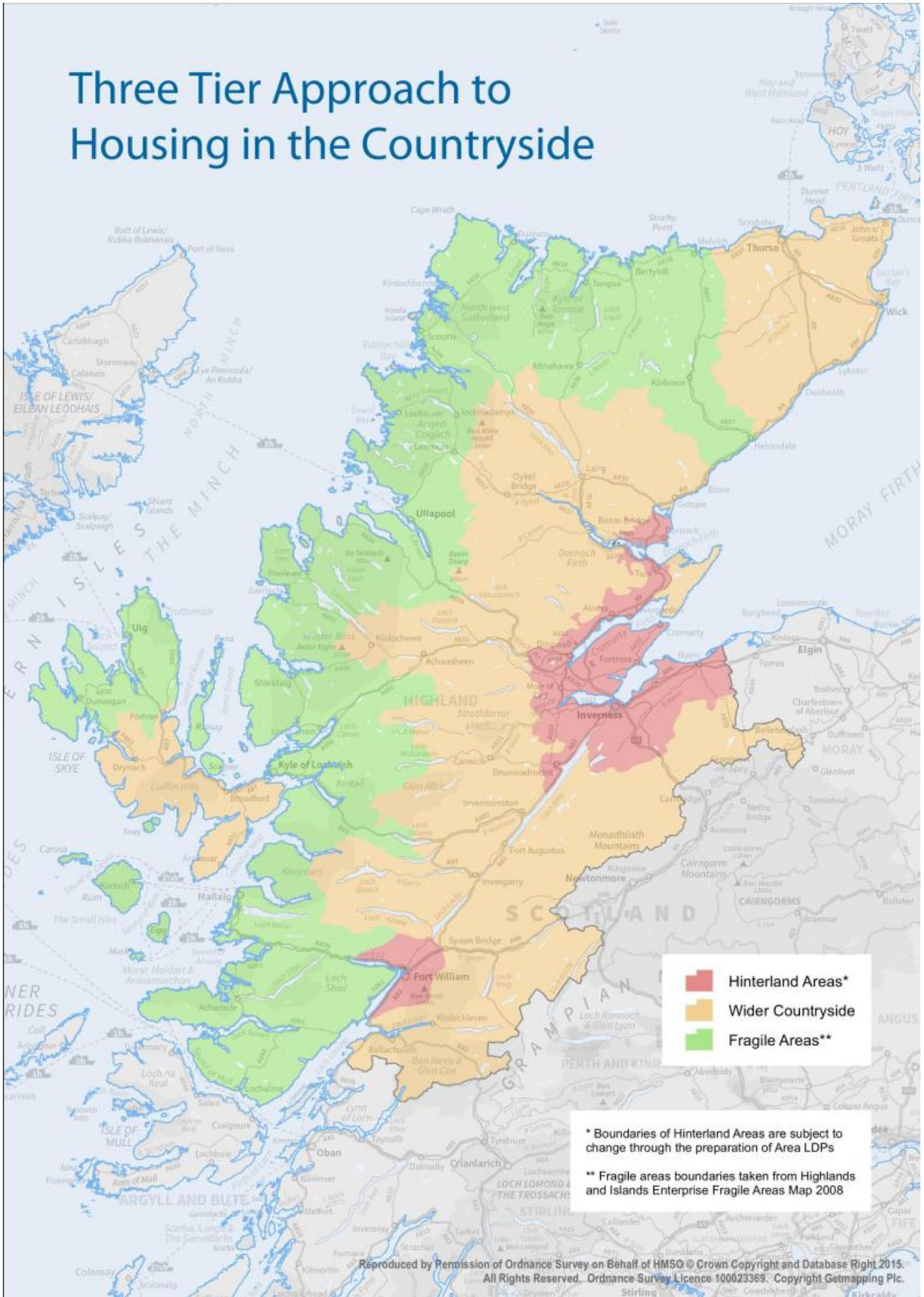
The policy will emphasise that development in the countryside close to SDA boundaries will not be supported where proposals undermine the setting, character and development pattern of a settlement.

The Housing in the Countryside Siting and Design SG, adopted as part of HwLDP, would be divided into two separate documents - one to deal with the implementation of the policy and another to cover siting and design.

Reasons: We think this approach would best achieve a plan-led pattern of housing development in the most sustainable locations, and that the policy requirements for housing in the countryside are made sufficiently clear to users of the Plan. This would effectively manage demand for new housing in our most accessible countryside areas around the city and larger towns and support rural and fragile communities.

2 Where we Guide Development

Map 2.1 Three Tier Approach To Housing In The Countryside



Non-Preferred Alternatives

Option 1: A More Restrictive Approach - This would involve introducing new Hinterland Areas around settlements in the Wider Countryside that are facing high levels of development pressure and widening the extent of existing Hinterland Areas.

Reasons: This approach would result in less housing in the countryside surrounding our larger settlements and beyond. This is considered in an overly restrictive approach as Hinterland Areas are only considered to be required for the most pressurised areas of Highland. Monitoring of housing completions will confirm whether there is a requirement to modify the extent of Hinterland Areas with this being considered during the preparation of Area LDPs.

Option 2: A More Relaxed Approach For The Wider Countryside - This would involve the retention of Hinterland Areas but allowing for housing in the Wider Countryside to be developed without following any sequential approach to site selection.

Reasons: This would result in more single house sites in the Wider Countryside. We do not support this option as it is likely to result in: a pattern of development with significant landscape impacts and increased pressure on limited infrastructure and result in increased costs to provide public services.

Option 3: A More Relaxed Approach For Croft Houses In Hinterland Areas - This would involve removing any requirement for legal agreements that tie new croft houses to the use of the land.

Reasons: Whilst this option would help resolve issues around the availability of finance and legal burdens it would carry a number of risks as set out in Para 2.13.

Question 2d)

i) Do you agree with our preferred approach to housing in the countryside?

ii) Do you agree that legal agreements should still be required for housing in the Hinterland, including croft houses?

iii) Do you agree with our policy support to encourage re-populating our most Fragile Areas?

2 Where we Guide Development

Issue 2e) Supporting Rural and Fragile Areas

2.21 We want to support vibrant rural, coastal and island areas, with growing, sustainable communities supported by new opportunities for employment. Paragraph 74 of SPP places emphasis on maintaining and growing communities in remote and Fragile Areas by encouraging development that provides sustainable economic activity, while preserving important environmental assets that underpin tourism and quality of place.

2.22 Strengthening the labour market and the economic and social wellbeing of rural and fragile communities form part of the key outcomes of the [SOA3](#). This is also one of [Highland and Islands Enterprise's \(HIE\) four main priorities](#). To deliver these priorities HIE support the enhancement of community capacity and confidence, empower communities to acquire, manage and exploit community assets and help to enable sustainable growth.

2.23 Our support for rural economic development is not clearly presented within the existing HwLDP. At present existing [Policy 36](#) Development in the Wider Countryside aims to give general support for development subject to meeting a number of criteria. We think that there is a need to introduce a new policy which specifically sets out our support for rural economic development. Housing in the countryside will be dealt with separately to this new policy as set out in issue 2d.

Preferred Approach

A new Rural Economic Development policy is proposed to protect and support rural and Fragile Areas. This will:

- Promote employment related development that is appropriate to the character and natural assets of the particular rural area and support tourism and traditional land management industries.
- Recognise the differences between rural/Fragile Areas and more urban areas. For example, we will still require development which generates significant footfall by the general public to be located in town centres in order to support the services which they provide. However, all other types and scales of development will be strongly supported in Growing Settlements and in rural and Fragile Areas.
- Support the retention of rural services and facilities through careful consideration of proposals for changes of use.
- Encourage community-led development and community owned land and assets.

Reasons: We think that the preferred approach will help to provide greater support for economic development in rural and Fragile Areas. This in turn makes rural communities more resilient and sustainable.

Non-Preferred Approach

Leave the policy structure unaltered as per the existing HwLDP. This would mean [Policy 36](#) Development in the Wider Countryside, [Policy 41](#) Business and Industrial Land and [Policy 43](#) Tourism being the key policies for determining development proposals in rural areas.

Reasons: We think that at present our support for rural development is not clearly presented in HwLDP and requires improvement.

Question 2e)

i) Do you agree with our preferred approach to supporting rural and Fragile Areas?

ii) Are there any other features that a Rural Economic Development policy should include?

3 Placemaking, Design & Travel

3 Placemaking, Design & Travel

3.1 This section sets out options for how best to plan for healthy and sustainable places to live and work. It explores how our planning policies can help to ensure that these places reflect high standards of design, encourage active and sustainable travel and incorporate green infrastructure.

3.2 [SPP](#) defines placemaking as *“a creative, collaborative process that includes design, development, renewal or regeneration of our urban or rural built environments.”* Successful placemaking creates great places where people want to live, work, visit and enjoy. SPP introduces Placemaking and Sustainability as principal policies that set a presumption in favour of sustainable development, and seek to create high quality places through a design-led approach. It emphasises the importance of the location, layout and design of new development and identifies six qualities of a successful place:



Welcoming: lively public space that has the ability to make strangers feel welcome



Easy to move around and beyond: puts the needs of people before the movement of motor vehicles



Adaptable: can accommodate future changes and alternative uses



Safe and pleasant: clear distinction between public and private space



Distinctive: distinct character



Resource efficient, sustainable: capable of mitigating and adapting to climate change

3.3 Feedback gathered through the preparation of this MIR indicates that the replacement Plan should be more proactive in promoting these qualities and in encouraging travel by active and sustainable modes. This is consistent with the Mode Hierarchy being emphasised in a number of national publications.

Issue 3a) Design Requirements

3.4 The existing HwLDP sets out requirements for the design of buildings and places in [Policy 28 Sustainable Design](#) and [Policy 29 Design Quality and Placemaking](#). Policy 28 is currently widely used in assessing planning applications as it covers a wide range of social, economic and environmental considerations. The policy is considered to work well in practice but feedback shows that it lacks sufficient emphasis on promoting active travel to reduce dependency on private cars wherever possible.

3.5 Policy 28 will continue to provide the Council's response to Section 72 of the [Climate Change \(Scotland\) Act 2009](#). This requires planning authorities to include policies to ensure all new buildings minimise greenhouse gas emissions resulting from their use. This includes consideration of the installation and operation of low and zero-carbon generating technologies.

3.6 Whilst Policy 29 refers to six emerging placemaking qualities which are now included in SPP, the policy lacks sufficient clarity and detail to embed these qualities into the criteria for assessing development proposals. This makes it difficult to evaluate whether or not development proposals comply with placemaking objectives and means the policy is not widely applied. Since the HwLDP was adopted SPP has reinforced the requirement for development plans and decision making to be driven by placemaking principles. This presents the opportunity to create a policy that better promotes and implements national design policies from SPP and [Designing Streets](#).

3.7 [Policy 56 Travel](#) deals with some of the issues that influence the transport infrastructure requirements for development. Feedback gathered in preparing this MIR indicates that this policy could do more to influence good design and effective development layout to better influence how people travel. Across Highland there are a range of examples of developments which make the case for encouraging higher quality design standards in future development. These are illustrated below.

3 Placemaking, Design & Travel



Poor quality open space



Standardised design



Car domination



Barriers to movement



Inadequate public transport



Poor response to topography



Shortage of services



Poor infrastructure for walking /cycling



Inappropriate location

3.8 Section 9.3.2 of the [Monitoring Statement](#) summarises discussions held at the workshop sessions which highlighted the close inter-relationship between placemaking and sustainable travel and a need to attach greater priority to active travel in decision making. Too often we encounter development that discourages active travel by prioritising vehicle movement over people travelling by bicycle or on foot, and by failing to promote public transport.

3.9 Design and Placemaking strongly influence our travel behaviour and similarly, the way we travel changes our perception, experience and sense of place. The two are interrelated and are applicable to all development. For this reason we believe that they must be considered together to shape better places and lifestyle choices. For Highland, as population continues to grow, the places we live in and the way we travel must continuously improve for our businesses and communities to prosper.

Preferred Approach

Introduce a consolidated policy on Design Requirements which merges current Policies 28 and 29. This would build upon the design criteria set out in Policy 28 to identify key principles and design standards for placemaking and sustainability with a particular emphasis on the six qualities of successful place.

This policy would also focus on Functional Trips (refer to issue 3b); addressing commuting trips to and from work / education with sustainable and active travel potential. Additional criteria for the Design Requirements policy and associated new Design and Layout SG will be developed in the context of existing SPP provisions. We propose to include criteria which reflect the following issues:

- Ensuring most homes and places of work are located within active travel (walking and cycling) distances of services, reducing the need to travel by car; this requires an increased focus on mixed use development.
- Delivering a high quality external environment, including attractive open space and greenspace for play, recreation and community events.
- Promoting easy access to public transport establishing, where necessary, the appropriate circumstances for public transport provision.
- Ensuring that development creates or contributes to a hierarchy of connected routes and spaces that, in turn, are well-linked to surrounding movement routes.
- Promoting safe access, convenient active travel routes and outdoor environments that are not dominated by vehicles.

The consolidated policy would also clarify types and scales of development requiring a Sustainable Design Statement, make new references to woodland, soils and drainage requirements and set out how public art should be incorporated into new development.

Reasons: This will bring Council policy in line with SPP and *Designing Streets* to place stronger emphasis on achieving high standards of sustainable design. We also need to ensure our built environment takes an active role in promoting healthy lifestyles and limiting car dependency wherever possible. In rural areas, it is acknowledged that active travel opportunities may be limited.

Non-Preferred Approach

Maintain separate policies on travel, sustainable design, design quality and placemaking.

Reasons: This approach does not integrate these closely-related aspects of good design and is likely to cause duplication over shared objectives such as resource efficiency and the need to promote active travel. It also misses an important opportunity to emphasise our up front commitment to raising design standards through a single "catch all" Design Requirements policy applicable to all development.

3 Placemaking, Design & Travel

Question 3a)

Do you agree with the preferred approach to raising the importance of placemaking, sustainable design and efficient travel for all development?....Is anything missing?

Issue 3b) Sustainable Travel

3.10 [Policy 28](#) Sustainable Design includes assessment criteria relating to how well developments are accessible by public transport, cycling and walking as well as the car. [Policy 56](#) Travel supports the provision of sustainable modes of travel, however, the supporting text states that due to the rural nature of Highland, significant car journeys will still be expected. [Policies 77](#) Public Access and [78](#) Long Distance Routes make provision for the protection of recreational routes with enhancement being promoted wherever possible.

3.11 Section 9.3.2 of the [Monitoring Statement](#) indicates that the Highland Council's [LTS](#), August 2010, is not widely used to inform decisions on planning applications. The preferred option below proposes that the LTS be reviewed alongside the HwLDP and published as SG, giving it much more weight in decision making. Other Highland specific transport related guidance which are intended to remain material considerations for the determination of planning applications include:

- [Road and Transport Guidelines for New Developments](#), May 2013.
- [Access to Single Houses and Small Housing Developments](#), May 2011.
- [Guidelines for Transport Assessments](#), November 2014.
- [Active Travel Audits and Masterplans](#).

3.12 As Highland continues to develop, we must ensure that the Development Plan follows SPP's order of travel Mode Hierarchy: walking; cycling; public transport; and then cars. The [Climate Change \(Scotland\) Act 2009](#) sets a target of reducing greenhouse gas emissions by at least 80% by 2050 (and at least 42% by 2020) and recognises that transport makes a significant contribution to existing emissions. SPP emphasises that development should consider place and people before vehicle movement. Higher densities and mix of uses that enhance accessibility are encouraged to reduce reliance on cars and help prioritise sustainable and active travel modes, whilst reducing the need to travel.

3.13 Section 6.1 and Table 6-1 of the Monitoring Statement, refers to the [2011 Census](#) which indicates that the way we travel in Highland is not significantly changing. Private car ownership continues to rise, whilst the proportion of trips to and from work made by car has marginally decreased, partly due to an increase in home working and studying. Around 52% of people continue to use the car for work / study on a regular basis (2% above the national average). Meanwhile the proportion of trips to/from work on foot has increased and, although the overall proportion of trips by bike has decreased, trips to/from work by bike in Inverness are still the highest in Scotland. For many day to day journeys, especially in urban areas where journeys are less than 5km in length, there is an opportunity for Highland to lead the way in embracing cycling and walking as viable modes of transport, and better integrating different modes of travel.

3.14 The preferred approach below recognises the various functions that the transport network serves and the differing needs of Highland communities and the economy. We recognise that the car remains a lifeline for many people in Highland, especially those who work and support our rural communities. We also realise that travel by car is vital for the economy and tourism. A balanced policy stance is needed which promotes better-connected people friendly places, maximises the proportion of journeys made by sustainable and active modes and reduces dependence on private car journeys, resulting in healthier and sustainable communities.

Preferred Approach

- The LTS to be adopted as SG to the HwLDP, with a replacement LTS published alongside the Plan.
- Policies for travel to be structured according to how we use the network for each type of journey we make, as follows:

1 - Functional (Utility) Trips: Day-to-day trips to and from work / education / shops / services.

Priorities include:

- To include criteria for assessing the suitability of development proposals in terms of the likely implications for day-to-day Functional Trips in the Design Requirements policy (see issues 3a), including how walking, cycling and public transport are provided for future residents/users. This would also include criteria for suitable design speeds and the provision of appropriate access for business, commercial and larger retail development including their servicing requirements. The Design Requirements policy would replace most of the existing Policy 56 Travel.
- LTS to include modal shift targets for each Area LDP.
- Active Travel Masterplans to be integrated with the LTS and active travel infrastructure requirements to be set out in Area LDPs. Key destinations for active travel mode shift include schools, other educational establishments and offices that would benefit from initiatives such as [Safer Routes to School](#).
- A Design and Layout SG to be prepared alongside the HwLDP providing more detailed guidance on applying design requirements to development proposals.

2 - Strategic Transport: Journeys on the strategic network of rail, road, port/water and air routes.

Priorities include:

- To introduce a new Strategic Transport policy which supports the connectivity of Highland communities and businesses, by safeguarding existing assets and routes, and identifying and promoting improvements.
- Action Programmes for HwLDP and Area LDPs to identify interventions for delivering improvements and monitor progress.
- Creating links to the LTS, the Council's Capital Programme and programmes of other bodies e.g. Transport Scotland, Network Rail etc.

3 Placemaking, Design & Travel

3 - Recreational Routes: Trips made on recreational routes including long distance walking routes, cycle networks, core paths, equestrian networks, water users, including harbours and other tourist travel related recreational routes.

Priorities include:

- Merge Policy 77 Public Access and Policy 78 Long Distance Routes to form a new Recreational Routes policy which safeguards our recreational routes and assets, maximises their accessibility and promotes their enhancement.
- Introduce criteria that promote recreational tourist routes such as the [Great Glen Way](#) and the [North Coast 500](#) with these routes being mapped within the replacement Plan.
- The revision of [Core Path Plans](#) are to be undertaken and consulted on in parallel with the preparation of Area LDPs.

The Role of Other Transport Guidance

We intend to continue to make full use of other transportation guidance to support the implementation of the three HwLDP themes for managing travel. These documents will fulfil the role of providing the necessary detail for matters such as road access standards, with headline recurring transportation issues being highlighted within the HwLDP policy supporting text.

Reasons: The preferred approach introduces a more proactive approach to improving the transport network and would:

- Assist in creating high quality places.
- Provide better conditions for maximising sustainable and active travel.
- Provide the transport assets and infrastructure necessary to support a high performing Highland economy businesses and communities.
- Help to maximise our network of recreational routes.

Non-Preferred Approach

The alternative would be to retain the status quo and maintain Policy 56 wording unaltered. This together with the retention of Policies 77 and 78 would remain the policy framework to assess travel impacts arising from development.

The replacement LTS could also remain separate to the Development Plan.

Reasons: At present this relationship between the design and transportation are within different sections of the Plan and would benefit from being merged to some degree. Our suggested Design Requirements Policy (issue 3a) integrates Functional Trips. This would allow the Design Requirements Policy to be applied to all development on a regular basis and not for only larger scale development proposals which tends to be the case for existing Policy 56. For more strategic infrastructure, we want to make clear our approach through new policies on Strategic Transport and Recreational Routes.

Without the LTS forming part of the Development Plan as statutory guidance, this would fail to highlight the importance of delivering modal shift targets and assessing development proposals in line with Active Travel Plan priorities. Without sufficient integration developers would be unclear of the Council's requirements and which Active Travel Plans development would be expected to contribute towards to assist delivery through physical provision or financial contributions (refer to issue 5a).

Question 3b)

Do you agree with our preferred approach to delivering efficient travel for Highland?...Is anything missing?

Issue 3c) Green Infrastructure

3.15 This section deals with how we take forward policies relating to different types of green infrastructure and open space. The aim of green infrastructure is to create connections for both people and wildlife, enhance accessibility and well-being and to achieve high quality places. The existing HwLDP identifies five areas of green network around the corridors connecting Nairn-Inverness-Tain, Helmsdale-Dornoch, and Wick-Thurso, as well as areas surrounding Fort William and Portree. Separate policies deal with open space provision for new development and the protection of playing fields and sports pitches.

3.16 Feedback set out at Section 9.3.1 of the [Monitoring Statement](#) shows that there needs to be better understanding of the different types of green infrastructure and the benefits it can bring. Our preferred option below proposes that the four existing policies covering different types of green infrastructure are brought together under two policies. It is also proposed that the requirements for protection and enhancement of green infrastructure are applied to all scales of development.

Preferred Approach

- A new Green Infrastructure policy, integrating existing [Policy 60](#) Other Important Habitats with [Policy 74](#) Green Networks. The policy will incorporate key aspects of Article 10 Features, designated and non designated sites and components.
- Update the Open Space policy by amalgamating existing [Policy 75](#) Open Space and [Policy 76](#) Playing Fields and Sports Pitches. Apply the open space requirements to all types and scales of development. Include a cross reference to [SPP](#) requirements for safeguarding playing fields/sports pitches.
- Area LDPs to identify strategic and settlement-wide Green Networks and key areas of open space in mapping and placemaking priorities. This means that the Highland Council's Audit of Greenspace will no longer be required.

3 Placemaking, Design & Travel

Reasons: These two policies will improve the understanding of the benefits of green infrastructure and better inform the layout and siting considerations of development proposals. The policies will create a more comprehensive green infrastructure section, which concisely recognises all elements of green infrastructure.

Non-Preferred Approach

To carry forward separate policies for each type of green infrastructure and green networks mapping from the existing HwLDP.

Reasons: This approach does not integrate these closely related policies which will make the delivery of effective green infrastructure more challenging.

Question 3c)

i) Do you agree with our preferred approach to green infrastructure? Can you suggest any alternatives?

ii) Should open space provision be required for all scales and types of development? Including single house developments contributing proportionately?

4 Resource Management

4.1 This section focuses on striking a balance between securing energy supplies, maximising the responsible use of our resources and protecting and celebrating our outstanding natural and historic assets.

Issue 4a) Carbon Clever Energy

4.2 The Council is committed to working with communities, businesses and partners to mitigate our impact on climate change by reducing greenhouse gas emissions, maximising renewable energy contributions and adapting to the impacts of climate change. This commitment is reflected in the Council-led [Carbon CLEVER](#) initiative which aims for a "carbon neutral Inverness in a low carbon Highlands" by 2025.

4.3 The interventions proposed through Carbon CLEVER range from protecting carbon-rich natural resources, promoting alternative sources of energy and reducing greenhouse gas emissions including those from new buildings. These interventions, coupled with a commitment to delivering Section 72 of the [Climate Change \(Scotland\) Act 2009](#), need to be supported throughout the new Plan. This section focuses on balancing the maximisation of renewable energy against the implications for communities and natural heritage assets.

4.4 The Highland area includes numerous onshore wind and hydro developments, and various other developments are being progressed including offshore wind and tidal energy. The wide range of renewable energy types being deployed in Highland adds value to the area's contribution to renewable energy targets. For example, the existing and consented pump storage schemes help to secure energy supply. The maturing renewable energy generation, together with significant electricity network improvements, are serving both the energy needs of Highland and make a significant contribution towards meeting the UK energy demand.

4.5 The most contentious issue regarding the promotion of renewable energy is the large number of planning applications being submitted for wind turbines. The Council has been proactive in supporting proposals considered to be in appropriate locations, but has also refused those considered to have an adverse impact. There are strong and differing opinions on this subject, ranging from those concerned about the adverse cumulative impact of these proposals and the resultant impacts on the landscape, the amenity of communities, tourism and the economy, and those who view turbines as an appropriate modern option for satisfying renewable energy targets.

4.6 Highland makes a significant contribution to the Scottish Government's ambitious national target to generate the equivalent of 100% of gross annual electricity consumption from renewable sources by 2020, with an interim target of 50% by 2015. By 2014, 49.8% of gross electricity consumption in Scotland was met from renewables ([Energy Statistics Summary- Scottish Government, June 2015](#)). The Scottish Government is also aiming to achieve at least 500 MW of renewable energy in community and local ownership by 2020 and are working to secure greater benefits from commercial-scale developments.

4.7 To help meet these ongoing targets we need to provide a policy framework that enables proposals that come forward to be considered on their merits and which assists in identifying areas of opportunity for development, including for onshore wind energy. There are signs that the

4 Resource Management

arrangements for subsidising renewable energy are changing and it remains to be seen what the full impacts will be. This could lead to changes to the pressure from various renewable energy development types.

4.8 The replacement policies for renewable energy will reflect recent updates to national policy ([SPP](#)), including changes to how we are to produce a Spatial Framework to identify the areas likely to be most appropriate for onshore wind farms, which we are required to provide either within the LDP or SG. A [Consultation Paper](#) on the review of Onshore Wind Energy SG was published in March 2015 and set out a preferred approach for managing onshore wind energy in Highland. We have considered comments received and the [draft Onshore Wind Energy SG](#) is published for consultation alongside this MIR. Our preferred approach for renewable energy policies takes account of the consultation paper and the feedback received. This includes issues such as the threshold for the size of wind energy development to which the Spatial Framework will apply and our intentions for community separation. The draft SG also strengthens our expectation for details of proposed or likely electricity transmission infrastructure to be submitted with any onshore wind energy proposals.

4.9 The policies for renewable energy will clarify the role of the [Highland Renewable Energy Strategy](#), including whether it can be used now to identify areas capable of accommodating other types of renewable energy projects, e.g. hydro.

4.10 The preferred approach below proposes having a policy that will encompass all types of onshore renewable energy development, including specific support for appropriate community renewable energy development, as well as a separate policy for offshore renewable development.

4.11 The current [interim Onshore Wind Energy SG](#) and [Policy 67](#) Renewable Energy Developments clearly outline that proposals should have regard to any significant effects on amenity at sensitive locations, including residential properties. Our preference is to carry this approach forward. SPP requires that only settlements with a boundary in LDPs will have a Community Separation Area of up to 2km identified in the Spatial Framework for the consideration of visual impact. There is concern that the removal of certain SDA boundaries from Area LDPs will put the areas around those communities under heightened pressure from wind energy development. However, under our preferred approach we aim to clarify that, irrespective of their status in the Area LDP and the Spatial Framework, all communities will be afforded safeguarding through the new HwLDP policies and the Onshore Wind Energy SG.

Preferred Approach

Introduce two policies for renewable energy development – one for onshore and another for offshore:

- Onshore Energy Policy - To include updates to the existing Policy 67 carried forward and an associated updated Onshore Wind Energy SG to be prepared alongside this Plan. Provide clarity on the 'requirement' for wind energy proposals to take account of the Spatial Framework. Going forward the Spatial Framework will be set out in the replacement Plan. The online mapping tool will also be used to illustrate the Spatial Framework which can be updated as and when individual mapped features change, for example natural heritage designations. The new policy will broadly encourage community

Resource Management 4

renewables (in place of existing [Policy 68](#) "Community" Renewable Energy Developments) with reference to national targets for community renewables and the potential for considering the level of community support alongside the planning merits of any proposal.

- Offshore Energy Policy - Linking terrestrial and marine planning, and national plans, providing a guide for offshore renewables.

Reasons: This approach will help to distinguish between onshore and offshore developments. It will better reflect the national policies and local priorities and provide clearer context for associated guidance. It will also provide a more robust support for appropriate community renewable energy developments.

Non-Preferred Approach

Option 1: Carry forward and improve existing HwLDP Policies 67 and 68.

Option 2: As per preferred option, but instead have separate onshore policies for "wind" and "other" types of renewables.

Reasons: This would go some way to addressing concerns about current policies but there would be a less clear and/or logical distinction between different types of renewables and their associated assessment criteria.

Question 4a)

i) Do you agree with our preferred approach for renewable energy?

ii) Do you agree with our preference to include the Spatial Framework for onshore wind energy in the replacement Plan?

iii) Which parts of the Highland Renewable Energy Strategy do you consider to remain useful?

Issue 4b) The Historic and Natural Environment

4.12 Development proposals and their effect on the natural, built and cultural environment are currently assessed using [Policy 57](#) Natural, Built and Cultural Heritage and an accompanying [appendix](#) which categorises features into a three tier hierarchy: international, national, and local/regional.

4.13 For the natural environment this policy continues to provides an effective framework for assessing proposals, and only requires minor updates to include new features that have emerged since HwLDP was adopted.

4 Resource Management

4.14 For built and cultural heritage (the historic environment) the current approach which categorises features into a hierarchy is unhelpful. For example, Listed Buildings are incorrectly categorised into local/regional and national importance, when in fact all categories of Listed Building are treated equally under legislation.

4.15 Policy 57 is also limited because of the broad range of features (natural and historic) it is required to cover. The policy does not provide sufficiently detailed criteria to effectively assess development proposals, and this causes greater reliance on SG such as the [Historic Environment Strategy](#). As a priority, the updated HwLDP must clearly set out how we value, safeguard and, where appropriate, enhance our historic environment. This can be achieved through the preferred approach below.

4.16 Biodiversity is an important part of the natural environment and is covered by existing Policies [58](#) Protected Species, [59](#) Other Important Species, [60](#) "Other Important Habitats and Article 10 Features", and the [Highland Statutory Protected Species SG](#). The Council has a statutory duty to further the conservation of biodiversity. The Development Plan currently contributes to this overarching obligation by guiding development to the best locations that minimise or avoid impacts on biodiversity. Currently, biodiversity enhancements are generally only considered when unavoidable direct losses require mitigation. Development is strongly encouraged to enhance biodiversity wherever possible, and this must be clearly stated in updated policy, as set out in the preferred approach below.

4.17 Updated Policy 57 supporting text is also proposed to explain that environmental damage caused by non-native invasive species can be irreversible and that proposals should respect and where possible, prevent the spread of non-native invasive species.

Preferred Approach

Separate Policy 57 into two replacement policies: Historic Environment and Natural Environment.

Historic Environment - The aim of the policy will be to safeguard features by explaining how development proposals will be required to take account of and respect the historic environment, setting out specific detail for the following features:

World Heritage Sites (to future proof the Plan)	Gardens and Designed Landscapes
Listed Buildings	Historic Battlefields
Conservation Areas	Historic Marine Protected Areas
Historic landscapes	Archaeology and other historic environment assets (Scheduled Ancient Monuments, Highland Historic Environment Record and other non-listed buildings/features)

The policy will also set out the intention for the new policy to update elements of the Historic Environment Strategy and create new topic-based SG, including: Shop Fronts, Doors and Windows, and Redundant Farm Buildings. It is intended that the Historic Environment Strategy will be re-adopted alongside the replacement Plan and this may be replaced by new SG.

Natural Environment - This policy will continue to use a three tier hierarchy for natural heritage, and will incorporate biodiversity issues Policies 58 and 59.

The natural environment hierarchy will be revised as set out below:

- International sites and European Protected Species.
- National sites and protected species.
- Local/regional sites and other priority species.

A range of new features and designations that have emerged since the adoption of HwLDP. These will be included in a updated list of features in the policy's appendix, based on Policy 57's existing appendix, but excluding historic environment features.

The policy remains largely valid, however will undergo minor amendments to ensure consistency with [SPP](#). The current policy commitment to preparing SG on Wild Land will not be carried forward in light of Scottish Natural Heritage (SNH) preparing national guidance. For protected species, the necessary licensing tests will also be referred to.

Reasons: The preferred approach provides a constructive framework for assessing development proposals and their potential effects on the environment. This will help us to set out how we value our environmental assets and our expectations for managing change.

Non-Preferred Approach

Continue with a combined natural and historic environment (based on existing Policy 57) largely unaltered with a separate policy dealing with biodiversity.

Reasons: SPP covers the historic and natural environments separately. This non-preferred approach would continue to merge these two different policy areas confusing how these different features should be managed. As biodiversity is a central element of the natural environment, combining it with other natural environment features is logical and enables all natural environment issues to be covered under one universal policy.

Question 4b)

Do you agree with the preferred approach to managing the historic and natural environment, including biodiversity?.....Is anything missing?

4 Resource Management

Issue 4c) Heat Networks and Waste Strategy

4.18 Effective waste management brings with it the potential to generate an economic resource, including generating heat and electricity for supply to consumers via networks. Waste is however only one of many potential heat sources and its availability for supplying existing or potential heat networks is dependent on the disposal options progressed under the Council's emerging replacement Waste Management Strategy. The approach to heat networks and managing waste is therefore a major issue that the new HwLDP will need to address, and for which we set out options below.

Heat Networks

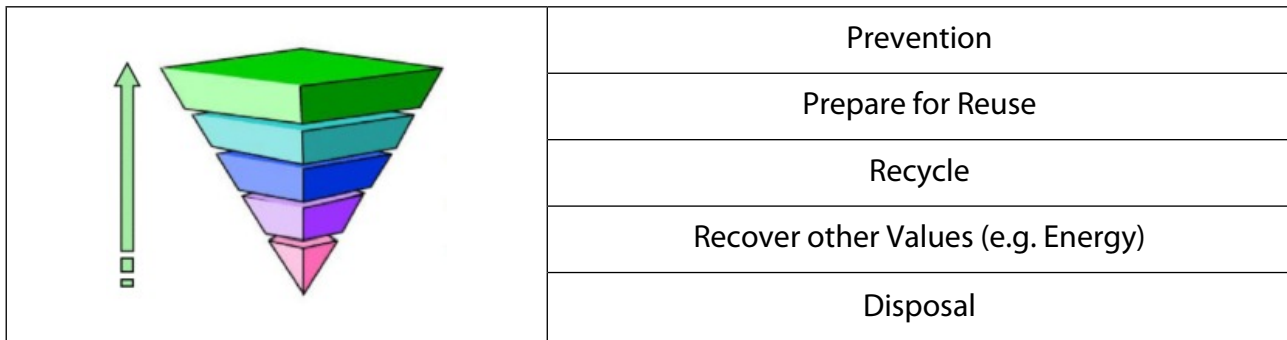
4.19 There is a national drive to reduce the carbon impact of our energy demands, as part of a commitment to meet ambitious climate change targets. The Scottish Government is committed to largely decarbonising our energy needs by 2050, at an affordable price to consumers through maintaining and developing secure supplies of energy. Heat is the biggest element of our energy use (over 55%), and the largest source of our emissions (47%), and is a significant cost for our homes and businesses.

4.20 The Scottish renewable heat sector is growing. To support this, Scottish Government has published a Heat Policy Statement ([HPS](#)) "*Towards Decarbonising Heat: Maximising the Opportunities for Scotland*" (June 2015), which sets out a Heat Hierarchy: reducing the need for heat, supplying heat efficiently and at least cost to consumers, and using renewable and low carbon heat. SPP also sets out that LDPs should support the development of heat networks in as many locations as possible. It also says that LDPs may include a requirement for new development to include infrastructure for connections to and use of heat networks. Furthermore, where heat networks are not viable, micro-generation and heat recovery technologies associated with individual properties should be encouraged.

4.21 Renewable heat has the potential to make a substantial contribution to the reduction of carbon emissions in Highland, and will be crucial in achieving the goals of the [Carbon CLEVER](#) initiative. Existing [Policy 28](#) Sustainable Design encourages maximising energy efficiency and renewable sources of energy, and this is supported by the [Sustainable Design Guide SG](#). Feedback gathered in reviewing the HwLDP identified that this policy could be strengthened to better fulfil the heat requirements of SPP. The preferred approach below therefore recommends how this can be achieved alongside our waste strategy.

Waste Strategy

4.22 Waste is a potential economic resource to be managed rather than a disposal burden. Planning plays a vital role for the provision of waste management infrastructure to meet Scotland's national zero waste targets of recycling 70% of household waste and no more than 5% going to landfill by 2025. Additionally, the [Waste \(Scotland\) Regulations 2012](#) passed into law a ban on the landfilling of biodegradable public waste effective from 1st January 2021. Work is therefore required to deliver infrastructure at appropriate locations and prioritising development delivery in line with the Waste Hierarchy.

The Waste Hierarchy

4.23 SPP states that Councils should provide a network of waste management facilities and set out how waste will be managed. The adopted HwLDP identifies potential strategic waste management sites at [Longman Landfill](#), [Seater Landfill](#), [Portree and Glen Nevis Business Park](#). However, at this stage none of these sites have brought forward any Energy from Waste (EfW) facilities or thermal treatment plants and there are no such operational facilities in Highland. In any case these sites may not be best suited to the development of waste infrastructure given the prevailing ground conditions and locations.

4.24 Good quality data on local authority collected waste, including waste composition, is available both from the Council and through the Scottish Environmental Protection Agency (SEPA). However, data on waste collected by the private sector is not as well documented. Approximate waste arisings managed by the Council in 2014 are shown in Table 2 albeit that data for a single year is of limited value whereas trends over a longer term would be more useful. Unfortunately, due to various factors, it is not practicable to estimate with accuracy waste arisings over the long term which makes waste investment decisions more challenging.

Table 2 - Current Waste Management and Disposal Arrangements

Type	In Highland	Outwith Highland
Landfill	60% (48,000 tpa)	40% (32,000 tpa)
Recyclate (Green Waste and Rubble)	100% (26,000 tpa)	0%
Recyclate (paper, cans etc.)	Sorting only.	100% (16,000 tpa)
Total	52% (74,000 tpa)	48% (48,000 tpa)

4.25 Council collected waste is estimated to represent around 30% of solid (household, commercial and industrial) waste generated in Highland. Commercial and industrial waste generated from development is minimised wherever possible through the requirement to provide Site Waste Management Plans as set out within existing Policy 28.

4.26 Therefore, without significant infrastructure being built, Highland's ability to meeting Scotland's zero waste targets will be dependant on facilities outwith the area. The Plan together with the Council's Waste Management Strategy will set out a clear approach to waste management moving forward. The [Waste Management Strategy \(2009\)](#) is undergoing review and is looking at the following options:

4 Resource Management

- Develop three local EfW Plants in Skye, Caithness and Inverness.
- Develop a pre-treatment waste facility at central location in Highland, with treated waste then being transported out with Highland for further treatment and disposal.
- Develop waste transfer stations to transport untreated waste out with Highland for treatment and disposal elsewhere.

4.27 Existing [Policy 70](#) Waste Management Facilities provides options for where waste management facilities could be supported including a number of named sites as well as other existing or allocated industrial sites (Class 5 and 6). A recent appeal decision on a planning application (Reference: [PPA-270-2112](#), Feb 2015) has indicated that under the existing Policy 70 named sites for waste management should be considered ahead of other existing or allocated industrial sites. In order to respond to the waste management challenge set out above, and in compliance with [SPP](#), the preferred approach below introduces greater flexibility as to where these facilities could be brought forward. This is considered to be an appropriate response to the need to provide a network of waste management sites. Existing [Policy 71](#) Safeguarding Waste Management Sites will be retained as this continues to have an important role in safeguarding existing waste management operations from other forms of incompatible development.

4.28 One final issue is to improve waste storage and collection arrangements for all new residential, commercial, retail or industrial developments. At present there are collection and storage capacity constraints in Inverness city centre which highlights the need to improve waste management in all new developments in order to meet the requirements of the Waste (Scotland) Regulations 2012. Policy 70 and the [Managing Waste in New Developments SG](#) will therefore be strengthened to make sure that suitable space for source segregated waste collection and storage is clearly identified at the planning application stage, forming an integral part of site layout plans.

Preferred Approach

Heat Networks

Develop a new policy supportive of the development of heat networks and, where these are not viable, encourage microgeneration and heat recovery technologies. Set the policy context for the identification of site-specific heat network opportunities and requirements in Area LDPs. Refer to [Scotland's Heat Map](#) as a tool which proposals should take account of.

Waste Strategy

To help implement the Council's Waste Management Strategy we propose to amend Policy 70 to apply equal weight to the following preferred locations for directing waste management facilities:

- Existing / allocated waste management sites to be identified in Area LDPs.
- Existing / allocated industrial, storage and distribution sites - Classes 5 and 6, (in accordance with SPP).
- Existing / allocated mineral sites (for temporary construction and demolition waste only).

Waste facilities in other locations may also still be appropriate. The suitability of any facility will be based on a set of assessment criteria updated from those already specified in Policy 70. Revised criteria will include a focus on how heat is to be used as a resource, ensuring energy or heat generation takes full account of:

- Scotland's Heat Map.
- Other planned development with district heating potential.
- Other beneficial heat users in an effort to de-carbonise.

Proposals for preferred locations will therefore not be automatically suitable for all treatment types and technologies.

A network of waste strategy allocations will be identified in Area LDPs through a combination of named sites and industrial, storage and distribution site allocations.

Policy 70 to also require the provision of more space within developments for source segregated waste collection and storage with further details to be set out in the updated Managing Waste in New Developments SG.

Reasons: The inclusion of a heat networks policy will raise the profile of heat issues and help drive consideration through the planning process of how the heat requirements of development may be met and maximising the use of existing and future heat resources. The waste policy amendments support the development of a network of waste management sites for Highland.

Non-Preferred Approach

Heat Networks

The Plan could deal with heating matters solely within the new Design Requirements policy and through associated SG.

Reasons: This approach would highlight the requirement to consider heating matters alongside all other design requirements. This approach may not however give sufficient profile to this relatively new planning issue and it is anticipated that it would be less effective at addressing heat provision and helping tackle fuel poverty.

Waste Site Selection

Area LDPs could specify types of waste treatment facilities and their capacity that would be acceptable in existing and allocated industrial sites. This could include separation buffers from other land uses and other mitigation criteria for each site.

Reasons: This approach would in theory give more certainty to communities and developers of what types of waste facility would be appropriate on a site by site basis. However, waste treatment technology is advancing and will change significantly over time. We therefore need to make sure that our Development Plan facilitates the development of a wide range of technologies and can respond to market requirements. Proposals will also need to be assessed

4 Resource Management

against the [Zero Waste Plan](#), SEPA's [Thermal Treatment of Waste Guidelines 2014](#), SEPA's [Planning and Climate Change Position Statement](#), and SEPA's [New Technologies Factsheets](#), all of which are material planning considerations.

Waste treatment capacity limits for site allocations are not preferred, but rather, developers would be directed to SEPA's [Regional Capacity Tables](#) to consider likely future waste streams to be treated. There remains a requirement for new waste management facilities until the national annual capacity to meet Zero Waste Plan targets have been met.

SEPA will not provide advice on the appropriateness of specific buffer zones and therefore the preferred policy assessment criteria approach for all sites is favoured.

Question

i) Do you agree with our preferred approach for heat networks?

ii) Do you agree with our preferred approach to determining waste management proposals?

iii) Are there any amendments needed to the existing mapped waste sites (HwLDP [Map 17 to 20 and Figure 9](#))?

Issue 4d) Minerals

4.29 Highland is rich in a wide range of mineral resources which are important to our economy, providing materials for construction, energy supplies and other uses which all support employment. If not carefully managed, working these resources can however have long lasting significant adverse environmental effects. Robust policy provision is therefore needed to support the industry, safeguard the special qualities of our environment and protect communities.

4.30 We have reviewed our existing planning policies and the public sector's responsibilities for supporting and regulating the industry. There are three areas for improvement for our minerals policies in the replacement HwLDP: understanding our reserves, maintaining an effective supply, and securing restoration.

4.31 The availability of sufficient reserves is essential to supporting local construction to prevent materials being transported extensive distances. With economic conditions steadily improving, we must ensure that the minerals industry is prepared, with competitive local supplies keeping construction costs down. Clarity about the amount of aggregate reserves can allow for a sequential approach (set out in existing [Policy 53 Minerals](#)) to be followed which prioritises: extensions, re-opening of dormant sites and extracting reserves underlying a proposed development of a different land use, ahead of any new sites. However, no up to date audit for local Minerals reserves is available. Until the current level of reserves is fully understood through a minerals audit, the sequential approach to site selection is difficult to enforce as the demonstration of need for new sites cannot be verified.

4.32 In terms of maintaining supply for all other types of minerals, Policy 53 currently limits the opening of new sites where similar resources are already being actively worked elsewhere in Highland. As such, this policy appears to be at odds with the [SOA3](#) business and employment outcomes, and Scottish Government's [national objective](#) to increase all exports by 50% by 2017 to Europe and international markets.

4.33 In order to safeguard against mineral restoration failings, proposals for mineral extraction should only be permitted where proper provision has been made for progressive restoration and aftercare to the highest standards. This will seek to ensure no future liability from land instability or cost to the public purse will arise from inadequate engineering and operational practice. Policy 53 currently states: 'A financial guarantee may be sought'. This does not provide enough certainty as to when a guarantee will be required to secure progressive site restoration.

Preferred Approach

Reword Policy 53 to:

- Ensure a minimum 10 year construction aggregate supply in all market areas during the entire currency of the Plan.
- Allow more non-aggregate sites to be opened.
- Secure financial guarantees for all scales of development requiring restoration. Specify which types of guarantee will be accepted and what level of technical information will be required to demonstrate that adequate site restoration safeguards have been put in place. This is likely to include applicants providing an independent valuation of potential site restoration costs with operators funding associated annual monitoring requirements.
- Widen the scope of the policy to cover other extractive industries to future proof the replacement Plan.

Complete the minerals supply audit⁽⁴⁾ alongside the new HwLDP. If this shows a plentiful supply we will take steps to strengthen our policy support for maximising the use of reserves at existing sites. Use the audit to identify local market areas and remote locations where borrow pits may still be required in line with [SPP](#).

Merge existing [Policy 54](#) Mineral Wastes with Policy 53 to limit the number of policies within the Plan.

Consider the preparation of SG for Minerals for improving the quality of applications and securing restoration.

Reasons: We believe that the above measures will help to ensure a sufficient supply of aggregate mineral reserves. Whilst it is important to guide development toward sites which have not been fully restored and those suitable for re-working or extension, we want to make sure that Highland remains open for business. Appropriate proposals for new quarries and associated activities should therefore also be supported. The proposed restoration and monitoring requirements will provide suitable measures to ensure the responsible extraction of our resources.

⁴ This requires analysis of all extant planning permissions, engaging with mineral operators to provide details of consented reserves / extraction rates and engaging with neighbouring planning authorities to cover importation and exportation markets.

4 Resource Management

Non-preferred Approach

- Disregard the preferential locational hierarchy for sites and allow the minerals industry to self-regulate levels of mineral supply.
- Do not require financial guarantees in all instances, with smaller scale operations being considered on a case by case basis.
- Do not require annual site monitoring reports and leave the Council to undertake site monitoring.

Reasons: This would be a more flexible approach to support the expansion of the minerals industry. This is non-preferred because the industry may prefer to operate new sites in less sustainable locations and previous industry failings have identified that the minerals industry can be ineffective in self regulation. Excessive oversupply may also pressurise the viability of existing marginal sites which may not benefit from modern site restoration guarantees.

Question 4d)

i) Do you agree with the preferred approach? Does it go far enough to support the mineral and construction industries?

ii) Do you agree that financial guarantees should be required for all scales of development requiring restoration?

iii) Given that the planning application fees do not cover the full costs of effective site monitoring, do you agree that site operators should fund annual monitoring reports and associated Council site visits?

Delivering Development & Supporting Infrastructure 5

5 Delivering Development & Supporting Infrastructure

5.1 The HwLDP performs a fundamental role in delivering development and supporting infrastructure. This section deals with the role of the public sector and developers in delivering high quality places.

Issue 5a) Planning Obligations

5.2 One of the most contentious issues for delivering development is the timely delivery of appropriate infrastructure, such as schools, community facilities, waste management and the transport network. The Settlement Hierarchy aims to direct development towards areas where existing facilities or infrastructure can be utilised before any new infrastructure is required. Most major infrastructure is paid for by the public sector and the Plan will support a range of infrastructure improvements shown on the [Spatial Strategy Map](#). However, where development is shown to have an impact developers can be asked to provide, or make financial contributions, for the provision or enhancement of new services or infrastructure. These are known as planning obligations, which are intended to enable development, not to resolve existing infrastructure deficiencies.

5.3 Where planning obligations are sought the role of the HwLDP is to set out robust policies to secure and justify them. The current approach is set out at [Policy 31 Developer Contributions](#) and the associated [Developer Contributions SG](#) which sets out a wide range of development types (housing, business / tourism, retail, industrial - including renewable energy developments) and the circumstances where planning obligations will be sought. Alongside, Area LDPs identify the items that larger developments are likely to have to deliver or contribute towards financially.

5.4 Under this approach, the Developer Contributions SG requires little or no planning obligations for smaller developments. This currently does not address the issue of cumulative impacts that smaller developments can have. Cumulative impacts from smaller scale developments occur over time and in some cases are difficult to account for. In such cases, the subsequent provision or enhancement of new services or infrastructure will need to be funded and delivered by the Council from existing budgets. Should funding not be available, infrastructure or service deficiencies will persist to the detriment of local communities.

5.5 The Plan proposes to address funding shortfalls by seeking fair and reasonable planning obligations from all scales of development, including 1 to 3 house developments. This will be achieved through amended policy wording, the revised Developer Contributions SG and through the identification of infrastructure and service deficiencies in Area LDPs. This will require identification of existing capacity constraints that could be overcome through cumulative planning obligations to assist in funding the delivery of specific projects or services. This approach would be based on the unique circumstance of each case, and would seek to avoid compromising the viability of development proposals. Through establishing a fairer framework we believe that the Council's existing budget can be focused towards sustaining and improving existing levels of service provision.

5.6 Using housing as an example, over the past 10 years, small 1 to 3 house developments outwith land use allocations have accounted for around 2,900 homes, 24% of all housing completions in Highland. In some HMA, these smaller developments account for over half of all homes built as shown in Table 3. Under the current approach these are not subject to any planning

5 Delivering Development & Supporting Infrastructure

obligations. As new Area LDPs are identifying less settlements with defined boundaries and site allocations, this means the proportion of these smaller scale developments is likely to increase. This provides further rationale for the preferred approach.

Table 3 - Homes Delivered by HMA - Currently Exempt from Planning Obligations

Development Outwith Land Use Allocations	Caithness	East Ross	Inverness	Lochaber	Mid Ross	Nairn	Lochalsh & Skye	Sutherland	West Ross
1 House	452	126	434	307	143	100	368	305	283
2 Houses	36	50	60	36	24	14	20	20	28
3 Houses	9	9	15	6	3	6	6	12	9
1-3 House Developments as a %age of Total Houses Built	50%	21%	10%	43%	15%	21%	38%	55%	65%

5.7 Affordable housing is just one of a range of requirements that are addressed by planning obligations. The existing [Policy 32](#) Affordable Housing and Developer Contributions SG seeks a 25% contribution towards the delivery of affordable housing, in line with national requirements, but only from developments of 4 or more homes. Although the policy has been effective in delivering affordable housing, a backlog still remains as set out in the [HNDA](#). The preferred approach to apply planning obligations to all scales of development would provide additional resources to assist in addressing affordable housing need.

5.8 This is not a unique approach to the delivery of affordable housing. For example, the Cairngorm National Park Authority (CNPA) apply a rate of £1,250 per unit for 1 and 2 house developments and a rate of £18,750 for 3 house developments. Based on the figures in Table 3 this approach could secure around £445,000 per year⁽⁵⁾ towards affordable housing provision in Highland. Whilst this approach requires resources to manage financial payments, advice on the practicalities of this would be sought from the CNPA.

Preferred Approach

Introduce a revised policy for Planning Obligations (based on existing Policy 31 Developer Contributions) to address the cumulative impact of development. A Planning Obligations SG (based on the existing Developer Contributions SG) would be prepared alongside the Plan to set out the implications for all types and scales of development, including updated methodology for obligations. The proposed policy wording is as follows:

5 Excluding Caithness as this area is currently exempt from Policy 32 due to the adequacy affordable housing in this area and limited need.

Delivering Development & Supporting Infrastructure 5

“Planning Obligations

Planning obligations will be sought where development (or combination of developments) creates a need for new, extended or improved infrastructure, services or facilities. The need to seek contributions towards additional infrastructure will be determined through considering existing capacity as well as cumulative development pressures arising from other proposals in Area Local Development Plans.

Such contributions in cash or in kind will be sought in a fair and reasonable manner secured through planning obligation or legal agreement where necessary. Contributions will be proportionate to the scale and nature of the development and will be determined in accordance with the Council’s Supplementary Guidance: Planning Obligations, Area Local Development Plans and site specific Council adopted Development Briefs.”

Existing Policy 32 Affordable Housing will also be updated to reflect this policy being applicable to all scales of housing development.

Reasons: This will ensure that the cumulative impact of development is understood and appropriately managed, to help secure reasonable and proportionate contributions to enable development to happen without undue impact. This will allow for reasonable contributions to be sought for all scales of development that do not currently contribute. This provides the best prospects of minimising the pressure on / securing new infrastructure and services to deliver high quality development.

Non-Preferred Approach

Retain existing Policy 31 unaltered and continue with the current approach to planning obligations.

Reasons: This would continue to focus on securing development obligations to facilitate only the larger allocated sites and those covered by development briefs. This option is non-preferred because only certain locations in Highland are subject to development pressures which result in relatively large scale allocations. We believe that individual developments, including single houses, place cumulative pressure on our existing levels of infrastructure and service provision. Without introducing the preferred approach, these impacts would continue go unmitigated, making it increasingly difficult to sustain existing levels of service and infrastructure provision.

Question 5a)

i) Do you agree with the preferred approach to planning obligations?

ii) Do you have any comments on the proposed Planning Obligations policy wording?

5 Delivering Development & Supporting Infrastructure

Issue 5b) Water, Flooding and SuDS

5.9 Existing policies on the water environment are to allow for development that helps to protect water quality and avoiding / reducing risks of flooding. In some cases this requires off site works requiring the be secured through planning obligations. Legislation, available data and best practice have moved on since the existing Plan was adopted. Our water environment policies therefore require updating and improvement. Many of these policy amendments will be of a technical nature and more detail will be set out in the revised [Flood Risk and Drainage Impact Assessment SG](#).

5.10 Some of the issues to be addressed include: the need to take a more precautionary approach to flood risk, obtaining planning obligations towards Council led strategic flood schemes, addressing Sustainable Urban Drainage Systems (SuDS) device failings due to these not being built to the approved specification and lack of maintenance, safeguarding the expansion of certain water treatment related facilities, and resolving cumulative private foul water treatment facility impacts on sensitive areas of water.

5.11 There are certain new water environment issues that have been highlighted at national level, including the need for undertaking Strategic Flood Risk Assessment (SFRA). We do not believe such an assessment is require for the Plan because it would not add any significant meaning or value at the Highland wide level. SFRAs will however be considered for Area LDPs.

Preferred Approach

Introduce new water environment policies to replace existing HwLDP Policies: [63](#) Water Environment, [64](#) Flood Risk, [65](#) Waste and Water Treatment, and [66](#) Surface Water Drainage.

New policy matters to be covered include:

- Developers undertaking a Flood Risk Assessment for land identified on SEPA's latest mapping to be at flood risk to inform potential land use allocations in Area LDPs. This involves making sure that sites are not subject to unacceptable flood risk before the principle of developing them is accepted by the Council.
- Developers to make financial or in-kind contributions (such as gifted land transfer) to assist with the implementation and delivery of strategic flood schemes where the Council can demonstrate that the developer's development potential will be enhanced as a result. Such planning obligations would reflect the uplift in development land value.
- Developments with SuDS to require a financial guarantee to secure their satisfactory completion. The preference will be for SuDS to be designed for Scottish Water adoption. Should this not achievable in every instance, SuDS may be design for Council adoption providing the developer makes a financial payment to cover lifetime maintenance. Alternatively, the responsibility for SuDS maintenance could be covered by factored maintenance fees, similar to the approach taken for open space maintenance.
- Development to be set back from certain larger pumping stations and sewage works to allow for future expansion of plant equipment and to safeguard against odour issues. Separation distances are to be set out in Area LDPs.
- Development in the catchment of a very sensitive area of water to provide private foul water treatment facilities that will ensure net betterment across the catchment.

Existing HwLDP policy matters which would not be taken forward include:

Delivering Development & Supporting Infrastructure 5

- Matters covered by other legislation, government policy, SEPA advice or flood risk / river basin management plans.
- A preference for natural flood scheme measures ahead of engineered solutions.
- Criteria to inform assessment and selection of flood schemes.
- Specific reference to SEPA endorsed cumulative drainage impact areas.

The Flood Risk and Drainage Impact Assessment SG would be updated to:

- Require self or third party certification by consulting engineers of developer Flood Risk Assessments.
- Assessments to address flooding from groundwater and sewers as better data becomes available.
- Introduce a streamlined initial check to see whether a Flood Risk Assessment is required for very small developments (involving basic topographic survey and site photographs).

Reasons: The above changes will reduce the risk of flooding and improve water quality.

Non-Preferred Approach

Maintain the status quo and roll forward existing policies unaltered.

Reasons: We believe that Highland's policies should be improved to take account of new evidence, latest best practice and new legislation in relation to the water environment.

Question 5b)

i) Do you agree with the preferred approach for the water environment?

ii) Do you have any other suggestions to reduce the risk of flooding or improve water quality?

6 Other Amendments

6 Other Amendments

6.1 This section sets of other amendments and tidy-up actions for the Plan which have not been fully covered elsewhere in this MIR. The policies covered in this section are being carried forward with only minor changes and merging of related planning policies. Due to the minor nature of these amendments no non-preferred approaches have been identified and the proposals below are to be considered the preferred approach.

Housing in Hinterland Areas

6.2 Issue 2d deals with proposed changes to existing [Policy 35](#) relating to housing in hinterland areas. As part of this approach, we intend to introduce new policy criteria for handling requests to remove planning obligations or conditions that tie new houses to the use of the land. This change will clarify that such proposals will only be supported if the applicant can demonstrate the business is no longer viable. We also intend to clarify and simplify the number of exceptions for housing in hinterland with further explanation to be provided in SG. The proposed amendments include:

Existing Policy Exceptions	Proposed Policy Exceptions	Description of Change
The proposal meets the Council's criteria for acceptable expansion of a housing group or development within garden ground.	i. Expansion of a group of at least three existing houses. ii. Subdivision of garden ground.	This exception has been divided into two for clarity.
<i>The house proposed is a replacement of an existing dwelling which does not meet the requirements for modern living and where the costs of upgrading are not justified on economic or environmental grounds (subject to the existing dwellings being demolished).</i>	iii. Renovation or replacement of houses: - Renovation will be required where the building is of architectural or historic merit. Where it can be demonstrated that such a building is not suitable of renovation and/or alteration or extension to meet modern living conditions, it must be retained and renovated for an ancillary use to a new replacement house. - Replacement will only be supported where the existing house is not worthy of retention or is not capable of renovation at an economic cost (subject to the existing dwelling being demolished).	Amended policy to favour renovation or reuse when a building is of architectural or historic merit. This is to help restore and reuse traditional and attractive buildings. Wording omits reference to environmental grounds as this exception is too imprecise.

Other Amendments 6

Existing Policy Exceptions	Proposed Policy Exceptions	Description of Change
<i>The proposal involves the conversion or reuse or traditional buildings or the redevelopment of derelict land; development of 'brownfield' sites will be supported where a return to a natural state is not readily achievable and where a wider environmental benefit can be achieved through development.</i>	iv. Brownfield land that has evidently been previously developed, is now disused and redundant for its designed purpose. This includes land which cannot be readily returned to its natural state and where a wider environmental benefit can be gained through development.	Wording has been strengthened to only support those proposals that are genuinely brownfield land. Wording relating to conversion or reuse of buildings has been moved to the exception above.
<i>A house is essential for land management or family purposes related to the management of the land.</i>	v. A house is essential for daily management of existing or new agricultural, horticultural or leisure businesses that requires a countryside location.	Introduces a requirement for a house to be essential for 'daily' land management. The requirement for 'family purposes' has been deleted as this does not serve a legitimate planning purpose and can be misinterpreted.
<i>The dwelling is for a retiring farmer and their spouses; or for a person retiring from other rural businesses on land managed by them for at least the previous ten years, where their previous accommodation is required for the main operator of the farm, or rural business.</i>	vi. A house is for a retiring rural business manager on land managed by them for at least the previous ten years, where their current accommodation is required for the main operator of the farm, or rural business. The new house must be located within the general locality of the rural business currently managed.	This requirement has been simplified to use the collective term 'rural business manager' which includes farmers. Whilst the word spouse has been deleted, the updated SG will explain that a single house will be permitted for a retiring rural business manager and any dependants. The requirement for the new house to be located in the 'general locality' of the rural business rather than on the rural business, is to allow for tenanted landholdings where land ownership may restrict where a new house can be built.
<i>Affordable housing required to meet a demonstrable local affordable housing need.</i>	vii. Affordable housing of a limited scale to meet a local need with involvement of a recognised affordable housing provider where it can be demonstrated that no suitable sites are available	To make clear that affordable housing must be provided with the involvement of a recognised affordable housing provider; that it must be of a limited scale and it will only be supported where it can be demonstrated no suitable sites

6 Other Amendments

Existing Policy Exceptions	Proposed Policy Exceptions	Description of Change
	within settlements or planned expansion areas.	are available within settlements or planned expansion areas.
<i>Housing is essential in association with an existing or new rural business.</i>	To be deleted.	This is now catered for in the exception (v.)
<i>The potential for new housing relating to crofting is restricted; wider public benefit must be clearly demonstrated and meet the criteria set out in New/Extended Crofting Township Policy 48. Single house proposals on crofts must comply with the criteria in the Housing in the Countryside Siting and Design Supplementary Guidance and/or Policy 47: Safeguarding Inbye/Appportioned Croftland.</i>	To be deleted.	New housing relating to crofting is not an exception to the existing hinterland policy. This cross reference to Policy 48 is confusing as this should not have been listed as an exception.

Crofting

6.3 The preferred approach is to combine and simplify existing [Policy 47](#) Safeguarding Inbye-Appportioned Croftland and [Policy 48](#) New Extended Crofting Townships. This replacement policy will retain a presumption against new croft houses on the best parts of a croft and support the principle of new / extended crofting townships.

Specialist Accommodation, HMOs and Gypsies / Travellers

6.4 Existing [Policy 37](#) Accommodation for an Ageing Population needs revised to accommodate the range of needs for specialist accommodation that have been identified in the Chapter 5 of the [HNDA](#) and discussed in Section 9.2.8 of the [Monitoring Statement](#). Considering will also be given to the preparation of SG to support the siting, location and delivery of specialist needs accommodation.

6.5 Existing [Policy 33](#) Houses in Multiple Occupancy (HMO) and the associated [HMO SG](#) will be retained. The HNDA forecasts an increase in demand from students and graduates for accommodation in the private rented sector due to delays in the delivery of dedicated student accommodation. This may increase pressure for HMOs in certain areas. We will therefore continue to monitor the position to accurately inform decisions on future HMOs, respecting the desire to maintain balanced communities.

6.6 Existing [Policy 39](#) Gypsies / Travellers will be retained. The HNDA forecasts a likely shortfall in future provision and sites to meet this need will be identified in Area LDPs. The policy will also be broadened to consider the need for temporary sites for Travelling Showpeople.

Business and Industry

6.7 Existing [Policy 41](#) Business and Industrial Land focuses on strategic development and will be updated to better reflect the current drivers of the Highland economy. Business and industrial sites in Highland will be set out as follows:

<p>Strategic Highland-wide Sites: The list of named strategic sites contained in the existing policy have been refined to include those identified in NPF3 and others which we regard as being of Highland-wide economic importance. The preferred list of sites to be identified in Area LDPs include: 1) Ardersier Port 2) Corpach 3) Delny, Invergordon 4) Dounreay 5) Highland Deephaven 6) Invergordon 7) Inverness Campus 8) Inverness Airport Business Park 9) Kishorn 10) Longman East 11) Nigg 12) Scrabster 13) Wick Harbour</p>	
<p>EDAs: The CaSPlan MIR introduces the concept of having EDAs which are significant business and industrial sites of strategic importance located outwith settlements. Area LDPs will identify EDAs, however, not all of these may have defined site allocation boundaries in order to accommodate emerging industry requirements. Development of these sites will be managed through a set of guiding principles in Area LDPs or Development Briefs.</p>	<p>Other Allocations: Area LDPs will also allocate a wide range and scale of other business and employment sites within settlements to meet employment needs.</p>

6.8 The revised policy will also be broadened to safeguard all existing business and industrial sites from other incompatible forms of development.

Tourism

6.9 Existing [Policy 43](#) Tourism and [Policy 44](#) Tourist Accommodation will be merged to take a more coordinated approach to delivering the aims of the latest national strategy [Tourism Scotland 2020](#) and [Highland Tourism Action Plan](#). In addition, the new Town Centres First policy would establish a preference for hotels to be located in town centres (see issue 2b) and new Housing in the Countryside Policy proposes to remove the current exception to Hinterland Policy 35 which allows for holiday homes in Hinterland areas (see issue 2d).

Coastal and Marine Planning

6.10 Existing [Policy 49](#) Coastal Development seeks to protect views over open water. This relates to particular areas of coast and seeks to ensure coastal development is located in the most appropriate locations. Elements of this policy are outdated due to being based on coastal characterisation that is no longer applied in [SPP](#). Publication of the [National Marine Plan](#) and planning [Circular 1/2015](#) in 2015 require Development Plans to give due consideration to the integration of land use and marine planning. These two planning systems overlap between Mean Low Water Springs and Mean High Water Springs respectively. A replacement policy is therefore proposed to ensure appropriate integration of land and marine planning. This will help ensure the special qualities of largely unspoilt area of coast are safeguarded.

6 Other Amendments

Aquaculture

6.11 The existing [Policy 50](#) Aquaculture is proposed to be streamlined to reflect the detailed provisions to be set out within the forthcoming Aquaculture SG, a consultative draft of which can be found on our [LDP webpage](#).

Landscape

6.12 Existing [Policy 61](#) Landscape covers all landscapes, not just those designated, providing an effective framework for assessing potential effects of development on the landscape resource and visual amenity. Several updates will help to clarify the Council's expectations under this policy. These include emphasising the role of SNH's Landscape Character Assessments (LCA). These are a useful starting point to help establish the baseline landscape characteristics and special qualities of an area but proposals also require more detailed site specific assessment. All proposals must also be accompanied by an assessment proportionate to the scale and nature of development and its potential effects. Detailed revised policy requirements for assessments include:

- For these to be concise, drawing clear understandable conclusions with technical information to be presented where necessary in appendices.
- Visual receptors (groups of people experiencing visual and landscape changes) to be clearly identified, their sensitivity to change to be described, based on the nature of their movement through, and duration in, the landscape.
- The nature of landscape change and effects on visual amenity to be clearly described.
- To have regard to the wider development context, taking account of cumulative effects.

Trees and Woodland

6.13 Existing [Policy 51](#) Trees and Development and [Policy 52](#) Principle of Development in Woodland manage the effects of development on trees, woodland and forestry. The revised policies will be improved by creating a new replacement Plan section on Trees and Woodland. This will set out the following:

- Better explanation of the role and purpose of [Highland Forest and Woodland Strategy](#).
- Emphasise the importance of trees for improving quality of design and placemaking in new developments.
- Updates to align with [SPP](#) making reference to the Scottish Government's [Control of Woodland Removal Policy](#).

Peat, Soils and Geodiversity

6.14 Existing [Policy 55](#) will be strengthened to state that disturbance to peat and carbon rich soils should be avoided. Where development on peat has been demonstrated to be unavoidable the policy will require carbon rich soil protection plans rather than a Peatland Management Plan. The updated policy will require applicants to demonstrate how the release of greenhouse gas emissions will be minimised where developments are happening on land where peat or other carbon rich soils are present. The updated policy will also seek to minimise unnecessary damage such as erosion and compaction of soils. We also propose to address development affecting good quality agricultural land with assessment criteria reflecting [SPP](#) and local circumstances. This issue may be set out in replacement Policy 55 or elsewhere in the Plan.

6.15 Existing [Policy 62](#) Geodiversity will undergo limited change. A specific reference to geomorphology, a key component of geodiversity, will be added. More emphasis will also be placed on the potential for development proposals to be supported where they create opportunities for scientific study/ educational interpretation of the geological record. For example, by exposing geological features when excavating sites.

Pollution and Air Quality

6.16 Issues relating to noise, air, water and light pollution are all addressed within existing [Policy 72](#) Pollution. This policy should also have a clear requirement that developments should demonstrate measures to minimise pollution. The current policy only refers to significant levels of pollution with this being proposed to be extended to cover all scales of pollution. The updated policy will be informed by a series of publications offering guidance on the various aspects of pollution. General air quality issues will be addressed through Policy 72 rather than in the revised [Policy 73](#) Air Quality which will focus on Air Quality Management Areas, currently there is only one such area in Highland situated in the Academy Street/Queensgate area in Inverness city centre.

Physical Constraints and Previously Used Land

6.17 Existing [Policy 30](#) Physical Constraints and the [Physical Constraints SG](#) highlight a number of areas that are already covered by other policy areas. Policy is therefore to be renamed "Other Physical Constraints". The SG primarily acts as a signpost to other sources of information and may form an appendix to the replacement Plan. Existing [Policy 42](#) Previously Used Land will be redrafted to make reference to national planning advice ([PAN 33](#)) and to other developer guidance notes provided by Council services such as Environmental Health and Contaminated Land.

Communications Infrastructure, Siting and Design

6.18 Existing [Policy 45](#) Communications Infrastructure and [Policy 46](#) Siting and Design of Communications Infrastructure are to be merged into a single policy. The replacement policy will reflect [SPP](#) and provide updated assessment criteria which will include a clear requirement for high quality design. The policy will provide encouragement for the provision of digital infrastructure to new homes and business premises as an integral part of development. Furthermore, investment in digital infrastructure including the "Digital Fibre Network" (a National Development defined by [NPF3](#)) is vital to sustainable economic growth and will be strongly supported in the replacement Plan.

Electricity Transmission Infrastructure

6.19 Existing [Policy 69](#) Electricity Transmission Infrastructure will be improved to cover energy storage and distribution infrastructure. A more comprehensive policy is proposed outlining expectations for the preparation and assessment of proposals for electricity infrastructure. National Developments (defined by [NPF3](#)) will be supported in principle with transmission routing options being fully considered under this policy as well as the detail of proposals. The updated policy will set the context for any site-specific matters that may be picked up in Area LDPs. We invite the submission of information from the energy industry to help us identify areas for national and local electricity network improvement (as illustrated on the [Spatial Strategy Map](#)), as well as areas for potential decentralised and mobile energy storage installations.

Appendix A - Glossary of Abbreviations and Terms

Appendix A - Glossary of Abbreviations and Terms

Below is a list of abbreviations / terms used in this MIR and in the related background documents. Please note the explanations given are not intended as legal definitions of the planning terms used.

Abbreviation	Description
Area LDPs: - CaSPlan - IMFLDP - WHILDP	Area Local Development Plans: - Caithness and Southerland Local Development Plan - Inner Moray Firth Local Development Plan - West Highland and Island Local Development Plan
CNPA	Cairngorm National Park Planning Authority
EDAs	Economic Development Areas
EfW	Energy From Waste
HLR	Housing Land Requirement
HMA	Housing Market Area
HwLDP /	Highland-wide Local Development Plan
LCA	Landscape Character Areas
LDP	Local Development Plans
LTS	Local Transport Strategy
HIE	Highlands and Islands Enterprise
HNDA	Housing Need and Demand Assessment
HMO	Houses in Multiple Occupancy
MIR	Main Issues Report
NPF3	National Planning Framework 3
SDA	Settlement Development Area
SEPA	Scottish Environmental Protection Agency
SFRA	Strategic Flood Risk Assessment
SNH	Scottish Natural Heritage
SOA3	Single Outcome Agreement 3

Appendix A - Glossary of Abbreviations and Terms

Abbreviation	Description
SPP	Scottish Planning Policy
SuDS	Sustainable urban Drainage Systems
SG	Supplementary Guidance

Term	Description
Action Programme	A working document developed in consultation with key stakeholders and sets out, in very broad terms, how and by whom the key elements of the Local Development Plan's strategy will be implemented.
Affordable Housing	Broadly defined as housing of a reasonable quality that is affordable to people on modest incomes. In some places the market can provide some or all of the affordable housing that is needed, but in other places it is necessary to make housing available at a cost below market value to meet an identified need with the support of subsidy.
Allocations	Land identified in a Local Development Plan as appropriate for a specific use or mix of uses.
Area Local Development Plans	There are three Area Local Development Plans being prepared for Highland (IMFLDP, CaSPlan and WHILDP) which will deliver land use allocations and more area specific policies and detailed land use strategies.
Article 10 Features	Wildlife habitat features which provide 'corridors' or 'stepping stones' between habitat areas and that help plants and wildlife to move from one area to another. Examples include rivers and their banks, areas of woodland and traditional field boundaries. Protecting and managing these areas through the land use planning system is promoted in Article 10 of the EC Habitats and Species Directive 1992.
Active Travel Plans	Plans which help establish a network for walking, cycling and access to public transport. These identify a core active travel network and prioritised actions in certain settlement locations which serve as a framework for future investment and new development. Active Travel Plans are currently in place for: Alness and Invergordon, Dingwall, Fort William, Inverness, Tain, Nairn, Thurso and Wick.
Brownfield Land	Land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused buildings, and developed land in a settlement boundary where further intensification of use is considered acceptable.
Carbon CLEVER	An initiative aimed at achieving a carbon neutral Inverness and a low carbon Highlands by 2025, toward which the Council has committed resources from its capital budget.

Appendix A - Glossary of Abbreviations and Terms

Term	Description
Circular	Contains Scottish Government advice on the implementation of legislation or procedures.
Council's Capital Programme	The Highland Council's programme of capital expenditure on specific infrastructure projects and services to 2016/17.
Core Path Plans	The key paths in our area are called core paths, and give the public reasonable access throughout the area. The paths cater for all types of users, for example walkers, cyclists, horse riders, canoeists, people with disabilities.
Council's Programme	This is the Council's Programme of priorities for delivery over the period 2015-2017. The programme sets out 62 commitments across a range of themes.
Commercial Centres	Distinct from town centres in terms of range of uses and commercial centres with a more specific focus on retailing or on retailing and leisure uses. Commercial centres are to be identified within Area LDPs.
Community Planning Partnership	The Highland Community Planning Partnership includes The Highland Council, NHS Highland, Police Scotland, Scottish Fire and Rescue Service, Scottish Natural Heritage and a number of voluntary, community public and private sector organisations.
Croft House	A house on a unit of land subject to the Crofting Acts and recorded in the Crofting Commission's Register of Crofts.
Cumulative	Proposals will be assessed for cumulative impact which is changes caused by a proposed development in conjunction with any other developments (not just similar developments) or as the combined effect of a set of developments, taken together. This includes proposals which have been permitted as well as those that have been submitted and are pending determination. It can relate to landscape and visual effects as well as a wider range of social, economic and environmental effects. These cumulative impacts may be positive as well as negative.
Development Brief	A detailed document for an area allocated for development in a Local Development Plan. The brief provides information to possible developers on issues such as the preferred siting, design and layout of buildings, and the need for associated infrastructure and services.
Development Plan	Sets out how we think land should be used over the next few years. By law the Council need to produce a Development Plan for its area.
Economic Development Areas	These refer to places, outwith the main settlements, which we believe will continue to be important economic centres within Highland with further development potential guided by Area LDPs.
Energy from Waste	Energy that is recovered by thermally treating waste.

Appendix A - Glossary of Abbreviations and Terms

Term	Description
European Protected Species	Species of animal and plant listed respectively in Schedule 2 and Schedule 4 of the Conservation (Natural Habitats &c) Regulations 1994 as amended.
Fragile Areas	Areas which are in decline or in danger of becoming so as a consequence of remoteness and socio-economic factors, such as population loss, erosion of services and facilities and lack of employment opportunities. In some areas the natural heritage is a dominant influence on appropriate land management.
Functional Trips	A term often also referred to as Utility Trips.
Growing Settlements / Other Settlements	These refer to settlements which we think would benefit from a set of guiding factors to direct development to the best locations rather than setting it out as a Settlement Development Area and site allocations. This should provide a greater level of flexibility in these settlements.
Highlands and Islands Enterprise	The Scottish Government's economic and community development agency for the Highlands and Islands.
Hinterland Areas	Areas of land around settlements that fall under pressure from commuter driven housing development.
Housing Market Areas	A geographical area which is relatively self-contained in terms of housing demand.
Housing Need and Demand Assessment	Provides the evidence base to inform the policy discussions and decisions in relation to the delivery of affordable housing and market housing. It employs the recommended approach to analysing housing need and demand over the next 20 years.
Inbye-Apportioned Croftland	Normally arable ground on which a crofter's house is usually built.
Local Transport Strategy	Sets the framework for transport in Highland and guides decision making on transport issues.
Key Agency	A national or regional organisation that has an important role in planning for the future of an area. Key Agencies are defined in the Town and Country Planning (Development Planning) (Scotland) Regulations 2008.
Members	Highland Council elected councillors who are responsible for agreeing policies about provision of services and how money is spent.
Modal Shift	The change in people's travelling habits towards use of more sustainable transport methods such as cycling, or public transport. An example would be when somebody stops travelling to and from work by car and starts using public transport.
Mode Hierarchy	Travel mode in the following order of priority: walking, cycling, public transport, and then cars.

Appendix A - Glossary of Abbreviations and Terms

Term	Description
Monitoring Statement	Monitors how the Highlands has changed since the HwLDP was adopted in April 2012.
National Planning Framework	Is the Scottish Government's strategy for Scotland's long term spatial development.
Planning Advice Note	Provides Scottish Government advice and information on technical planning matters.
Planning Obligations and other legal agreements	Planning obligations (previously known as developer contributions or planning agreements) are a mechanism used to secure physical works or financial payments to the Council, or another agency, to contribute towards additional infrastructure or improved services. These relate to improvements necessary to make a development acceptable in planning terms. Planning obligations are a form of contract. The most common type is an agreement under Section 75 The Town and Country Planning (Scotland) act 1997, as amended, and are only necessary to secure the obligations and where successors in title need to be bound by the required obligation. For example, where phased contributions to infrastructure are required. In other instances, other legal agreements can be used where one-off financial payments are made in advance of planning permission being issued.
Renewables	Technologies that utilise renewable sources for energy generation.
Restoration	A process of returning land and/or buildings to a state comparable to that prior to development/degradation.
Scottish Planning Policy	The statement of Scottish Government policy on nationally important land use planning matters.
Sequential Approach	The sequential approach requires developers to search for a suitable site for their proposal following a sequential list of possible locations. For example, developers of large scale retail developments are required to look first of all at the City and town centre locations.
Settlement Development Areas	Reflects the built up area and allocated expansion areas for mapped settlements. These areas are preferred areas for most types of development.
Sustainable Development	Defined as <i>"development that meets the needs of the present without compromising the ability of future generations to meet their own needs"</i> .
Sustainable Design Statement	A statement encouraged to be submitted with development proposals which sets out how proposals: conserve and enhance the character of the area, use resources efficiently, minimise adverse environmental impacts and enhance viability of communities. Please see the Sustainable Design Guide SG for further details.
Single Outcome Agreement 3	An agreement between the Highland Council, community planning partners and the Scottish Government which sets out 16 commitments to identify

Appendix A - Glossary of Abbreviations and Terms

Term	Description
	areas of improvement and to deliver better outcomes for the people of the Highlands. This helps to align different public service providers better in their joint working and is the third Single Outcome Agreement for the Highlands covering the period 2013/14 to 2018/19.
Waste Facility	Facilities for the sorting, recycling, treatment and disposal of municipal and commercial waste.
Wider Countryside	All areas of land located outwith defined Hinterland areas and Fragile areas.
Wild Land	Those areas where wildness qualities are best expressed, defined by the Scottish Government as <i>"Uninhabited and often relatively inaccessible countryside where the influence of human activity on the character and quality of the environment has been minimal"</i> .

Contact Us

Contact Us

If you would like to speak with a member of the Development Plans Team please contact us:

Email: hwldp@highland.gov.uk

Call the Service Centre: 01349 886606

Post:

Development Plans Team
Development & Infrastructure Service
The Highland Council
Glenurquhart Road
Inverness
IV3 5NX

We look forward to receipt of your comments which must be received by 12 noon on X DATE [TBC].

Thank you in advance for your participation.



**The Highland
Council
Comhairle na
Gàidhealtachd**

Summary of Caithness and Sutherland Proposed Local Development Plan (CaSPlan)

About CaSPlan

The Council is at an advanced stage of preparing the new Caithness and Sutherland Proposed Local Development Plan (CaSPlan). The Proposed Plan will be considered for publication by the Planning, Development and Infrastructure Committee on 4 November 2015. A consultation stage will follow to provide opportunity for formal representations to be made by the public. Primarily CaSPlan will provide local detail to guide development and be used alongside the Highland-wide Local Development Plan (HwLDP) which contains general planning policies. The plans are designed to complement each other, rather than duplicate, and once adopted they will have the same status when the Council makes planning decisions. The Council is required to review each LDP at least every five years.

Public & Stakeholder Engagement

We have taken a proactive approach to engaging local communities and stakeholders in the preparation of CaSPlan. This has included: conducting a 'Call for Sites and Ideas' exercise which encouraged the public to submit sites for inclusion in the Plan; carrying out whole-town design workshops ('charrettes') for Wick and Thurso; exercises held with North Highland College UHI and secondary schools across the Plan area; and a separate call for sites undertaken in relation to employment land requirements to support growth of the marine renewables sector. These all fed into preparation of options and preferences set out in the Main Issues Report (MIR) which we consulted on, with a series of drop-in events and workshop meetings held around the Plan area.

Outcome Focused

The emerging Plan contains a 20-year vision, expressed as four outcomes, for how the area should develop. These outcomes have been distilled from the priorities which the Council and community planning partners have agreed with the Scottish Government through the Single Outcome Agreement (SOA) 3. We also discussed and agreed these outcomes with a number of partner organisations representing the Caithness and Sutherland area, including a number of organisations represented on the CPP Board.

The outcome-based approach has helped to make the Plan more meaningful to the public and the reasons for decisions more transparent.

The Emerging Vision	
Employment	A strong, diverse and sustainable economy characterised by a renowned centre for renewable energy, world class engineering, traditional land and sea based industries and a tourist industry that combines culture, history and adventure.
Growing Communities	A network of successful, sustainable and socially inclusive communities where people want to live, which provide the most convenient access to key services, training and employment and are the primary locations for inward investment.

Appendix 3

Connectivity and Transport	Enhanced communications, utilities and transport infrastructure that support communities and economic growth, with development anchored to existing or planned provision.
Environment and Heritage	High quality places where the outstanding environment and natural, built and cultural heritage is celebrated and valued assets are safeguarded.

Strategy Headlines

The Plan includes a 'spatial strategy' which sets out the main locational components of the plan's vision for the area. We intend to slightly amend the Assets and Spatial Strategy map shown in the MIR (page 6) to reflect some of the comments submitted to us during the MIR consultation stage such as including additional important local assets in central Sutherland. The main spatial strategy elements identified in the MIR are listed below and will be explained in more detail within the Proposed Plan:

- Focusing new development within the Key Settlements
- Increasing the vibrancy and vitality of town centres
- Improving the transport infrastructure along the East Coast
- Maximising the benefits of Energy Business Expansion in the north east
- Protecting and enhancing the unique natural environment
- Promoting and supporting Tourism along the East Coast Corridor and within the Sustainable Rural Development Corridor
- Strengthening the links between marine and terrestrial planning.

Settlement Hierarchy

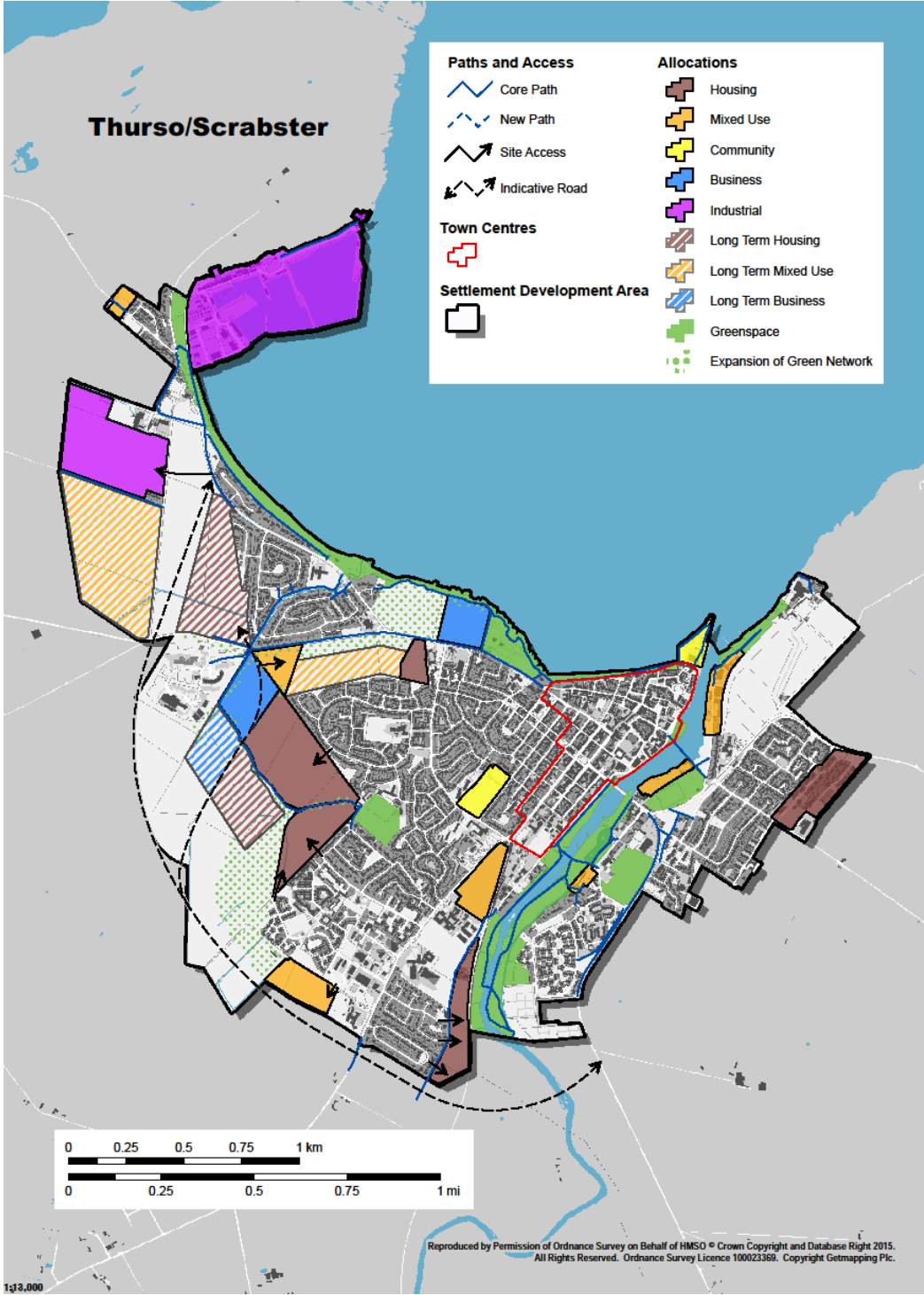
Reflecting both Scottish Government and Highland Council priorities, CaSPlan directs the majority of new development to existing settlements and town centre locations. Our emerging approach is to adopt a three tier hierarchy for managing new development through CaSPlan:

1. Identifying sites suitable for development, known as development allocations, within specific Settlement Development Areas (SDA).
2. For the 'Growing Settlements' and Economic Development Areas new development proposals will be assessed against a list of considerations and guiding criteria
3. Development proposals occurring in the wider countryside will be assessed against other relevant general policies which are set out in the HwLDP.

For each settlement we set out the key issues, place making priorities and developer requirements. An example of the emerging Thurso map is shown below. It includes:

- Expansion of green networks along the coast and river corridors which will promote healthy living and improve the natural environment
- Long term expansion of the town to the west with land identified for housing and employment uses and significant improvements to the transport infrastructure.
- A range of sites identified for 'Community' uses such as Viewfirth Park (for a new sports centre) and Thurso Harbour (for a water sports facility). There are also further opportunities for community uses within larger housing site allocations.
- A town centre boundary to help direct development to the centre and support the 'town centre first' principle.

Draft Settlement Map for Thurso/Scrabster



Action Programme

We are also required to prepare an Action Programme to help deliver proposals set out in the Plan. This provides the opportunity to continue to work together with partner organisations to prepare a framework for delivering the proposals set out in the Plan and for communicating progress. We will develop a Draft Action Programme and partners will have opportunity to consider and comment on it in due course.