

**The Highland Council**  
**Sutherland County Committee**  
**Caithness Committee**  
**30 August 2016**  
**31 August 2016**

Agenda Item	<b>9.</b>
Report No	<b>CC/ 16/16</b>

**Caithness and Sutherland Local Development Plan**  
**Report by Director of Development and Infrastructure**

**Summary**

This report presents a summary of issues raised in comments received on the Proposed Caithness and Sutherland Local Development Plan (CaSPlan) and seeks approval for the Council's response to these issues and next steps. In accordance with the Council's Scheme of Delegation, the two Local Committees are asked to consider the report and decide on these matters.

The recommended Council position is to defend the Proposed Plan, subject to only minor modifications, which would mean that the next stage would be submission to Ministers and progression to Examination. Other options would involve further consultation on a Modified Plan. The report explains the implications of each way forward.

**1. Background**

- 1.1 The Caithness and Sutherland Local Development Plan (CaSPlan) is the second of three area local development plans to be prepared by the Highland Council. Together with the Highland-wide Local Development Plan (HwLDP) and more detailed Supplementary Guidance, CaSPlan will form part of the Council's Development Plan against which planning decisions will be made in the Caithness and Sutherland area.
- 1.2 The Proposed Plan consultation for CaSPlan ran from 22 January to 18 March 2016. Around 201 organisations or individuals responded, raising around 636 comments. This includes a few comments received on the associated Proposed Action Programme. All these comments have been published on the development plans consultation portal [consult.highland.gov.uk](http://consult.highland.gov.uk). The following two matters are drawn to the attention of Members:
- the portal indicates a response date for some comments which is after the close of consultation; however, all the comments seen on the portal were received on time and the dates displayed are a consequence of administrative processes that the Council has had to undertake after the close of consultation; and
  - on the portal, some comments on specific sites appear against the general settlement text rather than the specific sites; however the site reference number is given in each instance and future consultations on

plans will be designed such that this issue does not re-occur.

- 1.3 Additionally there was one late representation received, from HiTrans which is a Key Agency in the development plan process. This has been included in **Appendix A** to this report, under the Connectivity and Transport issue, and the Local Committees are asked to agree to take the comments of HiTrans into consideration and to ask the Reporter(s) holding the subsequent Examination to likewise consider them. Any other correspondence received from any party has not been registered as representations but referred to where appropriate and relevant in our consideration of the issues raised in representations.
- 1.4 Some comments are classified as objections because they either clearly state or imply that they seek modifications to particular parts of the Proposed Plan. There are other comments that are clearly in support of particular parts of the Proposed Plan. **Appendix A** (which is available on the Council's website, in the Members' Library and at Caithness House and Drummuie) sets out a full summary of the issues raised during the consultation, including any modifications that were sought to the Plan by those who commented, and officers' recommended response. In accordance with the Council's Scheme of Delegation (as amended in May 2016) it is now for the two Local Committees to consider the issues and agree the Council's response. Each Local Committee is asked to consider the general issues for the Plan as well as the issues, settlements and sites directly within their area.
- 1.5 **Appendix B** (attached) provides an extract of Scottish Government's Planning Circular 6/2013: Development Planning, which explains the plan-making process including aspects that are covered by statute as well as good practice and Scottish Government expectations. In considering the issues for CaSPlan and taking account of the Circular, officers have borne in mind that there are a number of types of decision that could be made:
- defending the Proposed Plan: if we do nevertheless see merit in a representation we may say so in our response, whilst defending that part of the Proposed Plan, and we would leave the Reporter(s) holding the Examination to make appropriate recommendations;
  - making non-notifiable modifications (i.e. only minor modifications such as minor wording or typographical changes, not significant modifications); or
  - making notifiable modifications (i.e. those that add, remove or significantly alter any policy or proposal in the plan); notifiable modifications trigger a requirement for further consultation before proceeding with the Plan.
- 1.6 Bearing in mind that there are a number of issues to consider, in its entirety the Council's response could involve some or all of these decision types. It should be noted that if any notifiable modifications are agreed by either Local Committee this would trigger further consultation on the whole of the Modified Plan, not just the Modifications. In preparing any such Modified Plan, we would also need to prepare for publication alongside it an addendum to the Revised

Environmental Report and, if the proposed modifications changed the Plan's housing land provisions, an update to the Housing Background Paper.

## 2. Proposed Plan Preparation and Consultation Processes

- 2.1 In May 2015 the single predecessor Caithness and Sutherland Area Committee received a report on the results of consultation on the Main Issues Report and agreed an Interim Position on the issues. In line with that Interim Position, officers then prepared the Proposed Plan which was considered and approved for consultation by the Planning, Development and Infrastructure Committee on 4 November 2015. Scottish Ministers expect the Proposed Plan to represent the planning authority's settled view as to what the final adopted content of the plan should be.
- 2.2 During the Proposed Plan consultation a number of external parties raised concerns that they felt that the length of consultation and/or publicity of it was insufficient. Some also expressed concern about the emphasis the Council was placing on use of its consultation portal for the submission of comments.
- 2.3 The period of consultation on the Proposed Plan was 8 weeks, which exceeded the statutory minimum of 6 weeks for Local Development Plans. All statutory requirements for the consultation were met, and in some cases exceeded, in terms of making the document available and public advertising and direct notifying of the consultation. Additionally, members of the team attended Community Council training events to help raise awareness of the consultation amongst Community Council representatives and how to take part. This was particularly valuable given Community Council elections held within the immediate run-up to the consultation.
- 2.4 With regard to the use of our online consultation portal, we have been keen to encourage people to submit comments by that method if they can, given the benefits for customers and the Council. Around 84% of comments on the Proposed Plan were submitted using the online portal. Members of the team provided advice to customers who contacted us for assistance in using the portal, often resulting in online submissions. For those who were unable to submit comments using it, we provided alternative methods of submission. Any comments not received via the portal have subsequently been entered onto the portal by officers.

## 3. Highlights of the Issues

- 3.1 **Appendix A** (which is available on the Council's website, in the Members' Library and at Caithness House and Drummuie) contains full details of the recommended Council position on all of the issues raised on the Proposed Plan, including reasons for the recommendations, that need to be considered and agreed by the Local Committees. It will be the Reporter(s) who hold the independent Examination who will make final decisions on the issues. The following are highlights only (Community Council comments are highlighted in **bold**):

### ***Vision and Strategy***

- **Vision** – General support for this section. Several suggestions to provide more detail in the outcomes, however recommend against this as all four outcomes must be read together and alongside the rest of the Proposed Plan.
- **Spatial Strategy** – Recommend continuing to show National Cycle Route 1 on the Strategy map as it is, rather than identifying it as a sustainable/green travel tourism route as suggested by **Ardgay and District Community Council**.
- **Settlements to which the Policy 3: Growing Settlements will apply** – Recommend against the suggestions from Laid Grazings and Community Committee and **Bower Community Council** that Laid and Bower respectively be identified as additional Growing Settlements within the Plan (or that Bower be identified as a Settlement Development Area), as it is considered that general policies within the Highland-wide Local Development Plan and associated Supplementary Guidance provide a suitable and flexible framework within which to support appropriate developments within these dispersed settlements that have relatively low pressure for development.
- **Housing Land Supply** – Whilst the generous amount of housing allocations is noted the housing land supply is suitable and justified and assisted by the phasing of larger sites and the identification of longer term sites.
- **Employment** – Despite comments suggesting otherwise, the strategy set out in the Plan is considered to provide the best prospects for future economic growth of the area.
- **Environment and Heritage** - General support for this section. Recommend against the requests to designate new SLAs, amend Wild Land Area 35 and extend Kyle of Tongue NSA, as such actions are outwith CaSPlan's remit.
- **Connectivity and Transport** - Recommended to include additional text noting potential for increased pressure on the road network as a key challenge in rural areas.

### ***Caithness***

- **Castletown CT01 (Land North of Harland Road)** – Whilst many of the neighbouring residents objected to the inclusion of the Long Term Housing site we recommend defending the Plan against its removal as it is consistent with the previous Local Plan and the Castletown Masterplan and is only an indication of the likely preferred direction for growth in the long term, not an allocation.
- **Castletown CT02 and CT06 (Castlehill/Shelley Hill)** – Taking account of the issues raised by the landowners/developers we recommend defending the Plan whilst indicating that if the Reporter is so minded then the Council would be content for some amendments to be made to CT02 and that part of the land currently identified as long term site CT06 could be allocated in the Plan for Mixed Use (Housing and Community) adjoining Castletown at Traill Street.

- **Halkirk** - The allocation HK02 (West of Bridge Street) received mixed response but we recommend that we defend the Plan as it will help to coordinate development of the area.
- **Thurso Strategic Transport Improvements** – Following an objection from Transport Scotland it is recommended that the Council defends its inclusion of the relief road/‘bypass’ in the Plan but also indicate that if the Reporter is so minded, the Council would be agreeable to the section of the proposed road from Ormlie Road/B784 eastwards to the A9 being removed from the Plan as this would take away the relief road/‘bypass’ element of the proposal.
- **Thurso TS04, TS12 and TS14 (Pennyland sites)** – Due to the range of comments received and complexity of the development area, several options are presented for consideration to help establish the Council’s position on the sites (see the Thurso West section of Appendix A). We recommend to defend the Plan with only minor modifications to these plan proposals.
- **Thurso TS05 (Former Mart Site)** – Mix of comments were received. We recommend to defend the Plan’s allocated uses with additional Developer Requirements suggested to the Reporter relating to: improvements to transport arrangements at the High School; sympathetic streetscape design at the northern part of the site; and retail and town centre impact assessments.
- **Thurso TS11 (Viewfirth Park)** – Whilst objections were raised to the sports hub proposal we recommend to defend the Community allocation in the Plan. The detail and suitability of any proposal, including transport issues and impact on amenity of neighbouring residents, will be fully assessed at planning application stage.
- **Wick, New site suggestions** – We recommend as follows:
  - That if the Reporter is so minded, the Council would be agreeable to inclusion of land north of the former Hillhead Primary School as a Housing allocation, given it appears to have planning permission;
  - That if the Reporter is so minded, the Council would be agreeable to inclusion of land east of Murray Avenue as a Housing allocation, due to it forming the last phase of Broadhaven development;
  - To defend the Plan against the request for inclusion of land at Milton as a Housing allocation due to **Tannich and District Community Council** indicating in a recent letter to the Council that it does not support it, its peripheral location and no need to allocate additional housing land;
  - To defend the Plan against the request for inclusion of land at Old Wick as a Housing allocation due to its peripheral location and that there is no need to allocate additional housing land.
- **Wick WK23 (Wick Industrial Estate)** – In response to some of the points raised within a petition we recommend that an existing area of greenspace within WK23 at its southern end is also shown as Expansion to the Green Network.

### **Sutherland**

- **Ardgay** – we recommend to defend the Plan against Network Rail’s request to include “Industrial” as a use for AG03 Ardgay Railway Station Yard North. We recommend to accept the changes sought by **Ardgay and District Community Council** to amend text relating to Gearrchoille Ancient Woodland and land behind the public hall.
- **Brora** – we recommend to defend the Plan against **Brora Community Council’s** request to include Lower Fascally as an allocation, but instead include additional text. Also recommend to defend the Plan against what we take as a request for removal of BR03 East Brora Muir.
- **Dornoch** – we recommend to defend the Plan against the suggestion to extend DN01 Meadows Park Road westwards. Recommended to accept the request to include “leisure” as a use for DN03 Dornoch South Abattoir Site.
- **Edderton** – we recommend to defend the Plan against **Edderton Community Council’s** request to extend SDA boundary south of the A836 to the extent of the 30mph speed limit and street lighting.
- **Lairg** – we recommend to defend the Plan against what we take as **Lairg Community Council’s** suggestion to allocate the Former Sutherland Transport and Trading Company site for community uses, but instead include additional text. Also recommend to defend the Plan against their suggestion to include “care home” as an additional use for LA03 Former Sutherland Arms site.
- **Helmsdale** – we recommend to defend the Plan against any change to site HD05 East of Industrial Estate for industry as it is currently allocated in the Sutherland Local Plan and continues to provide an effective site for industry.
- **Tongue** – we recommend to defend the Plan against any change to the current mixed use allocation for site TG04 South of St. Andrew’s Church, which includes the potential to provide a replacement health and care facility, now confirmed by NHS Highland to be the preferred location in the Kyle of Tongue.

## **4. Status of CaSPlan and its Relationship to the Highland-wide Local Development Plan (HwLDP)**

- 4.1 The Proposed Plan already carries some weight as a material consideration in decision-making on planning applications. Relevant representations to the Proposed Plan together with the Council’s response to those representations would also be a material consideration. Only once CaSPlan is statutorily adopted will it be constituted as part of the Development Plan and hence carry full weight. The Caithness Local Plan and the Sutherland Local Plan (each as continued in force 2012) continue to form part of the Development Plan until CaSPlan is statutorily adopted and at that point replaces them.
- 4.2 The Proposed Plan explained that any allocation and/or text in the HwLDP that relates to sites within the CaSPlan area will be updated by CaSPlan’s content. It also explains that the Council is undertaking a review of the HwLDP and that the MIR (on which consultation closed on 29 January 2016) proposes to provide consistent planning policies for the whole of Highland, including

policies for "Town Centre First" and "Growing Settlements". The Proposed Plan explained that in the meantime CaSPlan contains policies on these two important issues but that ultimately they will be superseded by the new HwLDP policy framework in due course.

## 5. Next Steps

- 5.1 **Appendix B** (attached) provides an extract of Scottish Government's Planning Circular 6/2013: Development Planning, which describes at paragraph 86 the possible ways forward (numbered 1 to 4) at this point in the process under the legal procedures for Local Development Plan preparation. Taking account of the comments received, the implications of these options for CaSPlan are set out below.
- 5.2 The way forward outlined as number (1) would see the Council submitting the Plan with only minor modifications if any, to the statutory adoption process as the next key step. However, this approach is very unlikely to apply to CaSPlan as we have objections to it and officers' advice is that not all of those objections would be satisfied by minor modifications to the Plan or otherwise would be withdrawn, hence an Examination will be required.
- 5.2 The way forward outlined as number (2) would see the Council submitting the Plan with only minor modifications if any, to Scottish Ministers for Examination as the next key step. Work programming to date, including the Council's annual Development Plan Scheme and regular monitoring of plan preparation progress by the Directorate of Planning and Environmental Appeals (DPEA) who would run the Examination, has been on the basis that CaSPlan would follow approach number (2). This fits with Scottish Ministers' expectation (outlined at paragraph 87 of the Circular) that the planning authority's priority from the Proposed Plan stage will be to progress to adoption as quickly as possible. We estimate that the Plan could be adopted late 2017.
- 5.3 The way forward outlined as number (3) would see the Council prepare and publish for consultation a Modified Plan incorporating more significant modifications as well as any minor ones, in essence adding in an optional extra stage in the plan process as the next key step. Significant modifications on contentious issues where there are currently both supporting representations and objections would be likely to again attract objections and supporting representations, from the opposite parties. The Council would then need to consider the results of that consultation and its position, which would likely then be followed by an Examination. It is unlikely that the contentious issues would be resolved prior to Examination, and likely therefore that they would still need to be considered and decided upon by the Reporter(s) through the Examination. The length of delay that would result to the plan process is uncertain and would require reconsideration of work priorities, but could be around an 8 month delay.
- 5.4 The way forward outlined as number (4) is unlikely to be required for CaSPlan as officers feel it is unlikely that the Council would be making modifications that change the underlying aims or strategy of the Plan. It would see the

Council prepare and consult on a new Proposed Plan, in essence going back a stage in the process as the next key step. The length of delay that would result to the plan process is uncertain and would require reconsideration of work priorities, but could be around a 12 month delay.

- 5.5 If the Local Committees follow officers' recommendations on the issues as set out in this report then the Plan is expected to follow approach number (2). The outstanding issues would be considered by independent Reporter(s) through the Examination process. The Reporter(s) would then decide whether the Plan should be modified before being adopted. Any delays to the Plan in respect of approaches (3) and (4) could be significantly greater than the estimates given above if the DPEA were not in a position to provide Reporter(s) to start work on the Examination soon after our request for one, due to changed timescales for the Plan. It should also be noted that in respect of approaches (3) and (4), it may not prove possible to report back to the Local Committees for further decisions prior to the Council elections in May 2017.

## **6. Implications**

### 6.1 Resource

Resources to deliver the Local Development Plan are available from the Development and Infrastructure Service budget. However, it may be noted that any decision to propose notifiable modifications would result in additional costs for publication and consultation which is unlikely to be offset by a reduction in costs of the Examination and would also result in us having to revisit the team's work programme, with consequences for progression of other work (including projects set out in the Development Plans Scheme).

### 6.2 Legal

The Proposed Plan is already treated as a material planning consideration for development management purposes, to be accorded appropriate weight in each case. Relevant representations to the Proposed Plan together with the Council's response would also be a material consideration.

### 6.3 Equalities

An Equalities Impact Assessment screening was undertaken for the MIR and was revisited for the Proposed Plan.

### 6.4 Climate Change/Carbon Clever

In combination with the HwLDP and SG, CaSPlan will help deliver the Carbon Clever initiative. Strategic Environmental Assessment, integral to the production of the Proposed Plan, assessed the potential impacts of development options and helped to steer development towards the most suitable locations. We consulted on the Revised Environmental Report alongside the Proposed Plan. We have taken account of comments received; this has fed into our responses on the issues for CaSPlan and will be reflected in a Finalised Environmental Report and Post Adoption Statement in due course. We also prepared a Habitats Regulations Appraisal draft record and published it alongside the plan. We have taken account of comments received on it; some amendments to CaSPlan have resulted. These are limited to



changes to wording such as developer requirements rather than changes to site boundaries. We will seek SNH's sign-off of a revised HRA record in due course as we move towards the Examination. As part of finalising SEA and HRA we will need to consider any implications for the additional Natura sites recently proposed; however, we do not anticipate those raising need for any additional changes to CaSPlan.

#### 6.5 Risk

Making significant modifications to CaSPlan at this stage would necessitate additional consultation. The resultant delay ultimately to adoption of the Plan would prolong the period before full 'development plan' weight can be given to it as the up-to-date Plan to guide decision-making. Furthermore, the prolonged process would result in delays to the progression of other work by the Development Plans Team.

#### 6.6 Gaelic

Main headings in the Proposed Plan were provided in Gaelic.

#### 6.7 Rural

CaSPlan will complement the Highland-wide Local Development Plan in addressing a range of development-related rural issues.

### **Recommendation**

The Area Committees are invited to:-

- note the comments received on the Proposed Plan;
- agree to take the comments of Hitrans into consideration and to ask the Reporter(s) holding the subsequent Examination to likewise consider them;
- consider the issues raised through representations on the Plan and agree the Council position as set out in **Appendix A** (the 'Schedule 4s') and highlighted in Section 3 of the report;
- authorise officers to proceed with the statutory procedures required to progress the Proposed Plan to Examination, including the submission of all Schedule 4s for 'unresolved issues' to Scottish Ministers; and
- authorise the Director of Development and Infrastructure, in consultation with the Chairs and Vice Chairs of the Local Committees, to make non-material changes to the Schedule 4s prior to their submission to the Directorate for Planning and Environmental Appeals.

Designation: Director of Development and Infrastructure

Date: 22 August 2016

Author: Scott Dalgarno (Development Plans Manager) 01463 702592

David Cowie (Principal Planner) 01463 702827  
Julie-Ann Bain, Douglas Chisholm, Craig Baxter

### **Appendices**

Appendix A - Full summary of issues raised and the recommended Officer response

- Available at: [www.highland.gov.uk/casplan](http://www.highland.gov.uk/casplan)

Appendix B - Extract of Scottish Government's Planning Circular 6/2013:  
Development Planning

- Attached to the report, overleaf.

### **Background Papers:**

The following are all available on the consultation portal [consult.highland.gov.uk](http://consult.highland.gov.uk)

- CaSPlan Proposed Plan + responses
- CaSPlan Proposed Plan: Errata
- CaSPlan Proposed Action Programme + responses
- CaSPlan Monitoring Statement addendum: Housing Background Paper
- CaSPlan Revised Environmental Report + responses
- CaSPlan Proposed Plan EQIA Screening
- CaSPlan Habitats Regulations Appraisal Draft Record + responses
- CaSPlan Special Landscape Area Maps
- CaSPlan Statement of Conformity with Participation Statement

Documents relating to earlier stages in the plan process are available on

[www.highland.gov.uk/casplan](http://www.highland.gov.uk/casplan)

Scottish Government Planning Circular 6/2013: Development Planning

<http://www.gov.scot/Publications/2013/12/9924/downloads>

## EXTRACT OF PLANNING CIRCULAR 6/2013: DEVELOPMENT PLANNING

**Modifications**

85. Section 18(3) to 18(9) and regulations 12 and 15 deal with pre-Examination modifications. Following the close of the period for representations on the Proposed Plan, planning authorities may make modifications, but only so as to take account of representations, consultation responses or minor drafting and technical matters.

86. There are four possible ways forward:

- (1) Where **no representations** have been received, **or all representations have been withdrawn or fully taken account of by 'non-notifiable modifications'** (i.e. only minor modifications such as minor wording or typographical changes):
- the authority are to publish the plan, submit it to Scottish Ministers and advertise their intention to adopt it.

Where there are **unresolved representations and the authority:**

- (2) **decides not to make 'notifiable modifications'** (i.e. makes no significant modifications):
- they are to publish the plan (they may make non-notifiable modifications such as minor wording or typographical changes), and submit it to Scottish Ministers;
- (3) **decides to make 'notifiable modifications'** (defined in Regulation 15 as those that add, remove or significantly alter any policy or proposal in the plan):
- section 18(5) of the Act sets out that the planning authority are to publish the proposed local development plan as modified – i.e. not just a list of the modifications.
  - The minimum publication requirements are the same as at the Main Issues Report stage, as set out at paragraph 73 above.
  - The making of 'notifiable modifications' brings with it a further opportunity to make representations. The modified version of the whole of the Proposed Plan will be subject to consultation, although the authority may wish to separately highlight the modifications.
  - Where the planning authority proposes notifiable modifications, they are required (under Regulation 15(2)) to give notice to the owner, lessee or occupier of any premises situated on a 'relevant site' or on neighbouring land. Relevant site means land in respect of which a modification removes, alters or introduces a specific proposal for the development of that land which if implemented would be likely to have a significant effect on the use or amenity of that land or neighbouring land (Regulation 15(4)).
  - A form is provided in Schedule 3 to the Regulations for the planning authority to use to as the form of notice for 'Notification of modifications made to the proposed local development plan' when notifying the owner, lessee or occupier of any premises situated on a 'relevant site' or on neighbouring land. It should also be accompanied by a map showing the location of the relevant site in question (Regulation 15(3)).

The authority must specify a date (at least 6 weeks ahead) by which further representations may be made.

- The authority would also have to update the Environmental Report, considering the potential environmental impacts of the modifications.
- Following receipt of any representations on the modified plan, the authority may then further modify the plan or submit it to Ministers.

**(4) intends to make modifications that change the underlying aims or strategy of the Proposed Plan:**

- they are required to prepare and publish a new proposed LDP.

Following the preparation of a new Proposed Plan, there would be publication and notification requirements, including notifying the owners, lessees and occupiers of all sites specifically proposed in the plan to be developed, and the neighbour notification of the owners, lessees and occupiers of the neighbouring land as set out in paragraphs 82–83 above.

87. From the Proposed Plan stage, Scottish Ministers expect an authority's priority to be to progress to adoption as quickly as possible. Pre-Examination negotiations and notifiable modifications can cause significant delay and so should not be undertaken as a matter of course, but only where the authority is minded to make significant changes to the plan. However, if authorities do wish to support a significant change to the plan, this should be done by pre-Examination modification, as set out in paragraph 86 (3) above. The Examination also provides an opportunity to change the plan, so if authorities see merit in a representation they may say so in their response to the reporter, and leave them to make appropriate recommendations.

**APPENDIX A**

**SUMMARY OF ISSUES RAISED AND RECOMMENDED OFFICER RESPONSE**

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<b>Issue 1</b>	<b>VISION</b>	
<b>Development plan reference:</b>	Vision page 1	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mountaineering Council Of Scotland (Mr David Gibson) (964649)  SNH (909933)  Emac Planning LLP on behalf of Scotia Homes Ltd (640333)  London and Scottish Investments Limited (Mr Chris Collins) (979770)  Mr Kenneth Nicol (977530)  Mrs Jacqueline Ridgley (930800)  Mr David Doohan (980228)  Mrs Amelia Walker (931321)  RSPB Scotland (956544)  Scrabster Harbour Trust (Mr Sandy Mackie) (980302)  Jones Lang LaSalle Ltd on behalf of SSE Plc (983775)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Vision text and outcomes	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Vision General</u></b></p> <p><u>Emac Planning LLP on behalf of Scotia Homes Ltd (640333), London and Scottish Investments Limited (Mr Chris Collins) (979770), Mr David Doohan (980228), Mrs Amelia Walker (931321)</u>  Supports the vision.</p> <p><u>Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800)</u>  There should be a statement to increase the attractiveness of the area as a place to live, work and invest.</p> <p><u>Jones Lang LaSalle Ltd on behalf of SSE Plc (983775)</u>  The vision should give recognition that onshore wind energy development within Caithness is a significant land use and contributor to the local economy. The relationship between the development of renewable energy and in particular onshore wind, employment and climate change, would benefit from recognition.</p> <p><b><u>Growing Communities Outcome</u></b></p> <p><u>RSPB Scotland (956544)</u>  Supports the outcome but "sustainable" should include consideration of the natural environment as well as economic and social factors. The protection and enhancement of natural resources should be specifically referred to in the Plan's Vision.</p>		

**Employment Outcome****RSPB Scotland (956544)**

The protection and enhancement of biodiversity should be an integral part of economic development in Caithness and Sutherland. Wildlife tourism should be included. RSPB Scotland seeks modifications to the Vision as follows: The addition of “wildlife” to the “Employment” part of the Vision, so that it ends with “...and a tourist industry that combines wildlife, culture, history and adventure”.

**Mountaineering Council Of Scotland (Mr David Gibson) (964649)**

“... an internationally renowned centre for renewable energy” should read, “for marine renewable energy” since onshore wind and hydro development is short-term construction activity which does not produce the local technological intellectual capital needed to create profitable exporting enterprises. The final sentence should be amended to, “... a tourist industry that combines culture, history, scenic landscapes and adventure.” Scenic landscapes are a major factor in visits to the area.

**Scrabster Harbour Trust (Mr Sandy Mackie) (980302)**

Oil and gas sector should be specifically mentioned in the vision as activity west of Shetland and on the Atlantic Frontier is increasing. Caithness, through its ports and developed engineering supply chain, is already supporting this increase and there is further opportunity for this sector to grow. Companies have plans for West of Shetland that extend beyond the next forty years and the plan should acknowledge this opportunity.

**Environment and Heritage Outcome****SNH (909933)**

Supports the outcome. Welcomes recognition of the unique natural environment and its contribution to the success of communities in the plan area.

**RSPB Scotland (956544)**

The addition of “and enhanced” at the end of the “Environment and Heritage” part of the Vision, so that it reads “High quality places where the outstanding environment and natural, built and cultural heritage is celebrated and valued assets are safeguarded and enhanced.”

**Modifications sought by those submitting representations:****Vision General****Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800)**

Amend vision to include a statement to increase the attractiveness of the area as a place to live, work and invest.

**Jones Lang LaSalle Ltd on behalf of SSE Plc (983775)**

Amend vision to state that in Caithness onshore wind energy development is a significant land use and contributor to the local economy.

**Growing Communities Outcome****RSPB Scotland (956544)**

Include consideration of the natural environment.

**Employment Outcome****RSPB Scotland (956544)**

The addition of “wildlife” to the “Employment” part of the Vision, so that it ends with “...and a tourist industry that combines wildlife, culture, history and adventure”.

**Mountaineering Council Of Scotland (Mr David Gibson) (964649)**

Amend outcome to read, “an internationally renowned centre for marine renewable energy”.

Final sentence amended to, “... a tourist industry that combines culture, history, scenic landscapes and adventure.”

**Scrabster Harbour Trust (Mr Sandy Mackie) (980302)**

Specifically mention the oil and gas sector.

**Environment and Heritage Outcome****RSPB Scotland (956544)**

The addition of “and enhanced” at the end of the outcome.

**Recommended summary of responses (including reasons) by planning authority:**

The four outcomes reflect the priorities identified in the Community Planning Partnership’s Single Outcome Agreement. All four outcomes must be read together and alongside the rest of the Proposed Plan. It is acknowledged that the outcomes are high level, but this is intentional and therefore not everything is specified and listed. Having been distilled from various partner and community planning priorities during the plan preparation, the outcomes reflect a shared view of what any development or investment should help to achieve for the Caithness and Sutherland area. The subsequent chapters of the plan show how the plan will address these outcomes.

**Vision General**

The general support for the vision from some of the representees is noted.

The Council feels that the combination of the four Outcomes and in particular the Growing Communities Outcome generally covers the idea of making Caithness and Sutherland an attractive area to live, work and invest. No modification is proposed by the Council.

Paragraph 53 in the employment section refers to renewable energy delivering economic benefits for the area and the Council feels that this is sufficient recognition of the role of onshore wind energy development in the plan area, without the need to add a more explicit



reference to this and other key sectors in the four outcomes/vision. CaSPlan needs to be read alongside the Highland-wide Local Development Plan and the Onshore Wind Energy Supplementary Guidance scheduled to be approved for adoption in summer 2016. The plan must be read as a whole and in particular the outcomes must be read with the strategy map. No modification is proposed by the Council.

### **Growing Communities Outcome**

The Council acknowledges that the RSPB feel that “sustainable” should include consideration of the natural environment. However the Environment and Heritage Outcome clearly refers to the outstanding environment and that valued assets in the natural environment should be celebrated and safeguarded. The four outcomes need to be read together and are not intended to be stand alone. It should also be noted that CaSPlan needs to be read alongside the Highland-wide Local Development Plan which contains Policy 28 Sustainable Design which is relevant to all development proposals. No modification is proposed by the Council.

### **Employment Outcome**

The word “sustainable” was added to this outcome following comments received at MIR stage.

The environment and heritage outcome already states that the natural environment should be celebrated and valued assets safeguarded. Wildlife tourism is not mentioned per se but the Council does accept that wildlife tourism is a key part of the area’s tourism ‘offer’. Therefore if the Reporter is so minded to add wildlife to the end of the outcome after “adventure”, the Council would be agreeable to this.

The Council does not feel that it is appropriate to narrow the reference to renewable energy to just marine renewables at this high and over-arching level. In terms of adding “scenic landscape” in the final sentence, the environment and heritage outcome refers to the outstanding natural environment which is celebrated and safeguarded. No modification is proposed by the Council.

The outcomes are designed to be overarching and to be read alongside the strategy map and the rest of the plan. Within the employment section of the plan in paragraph 66, there is acknowledgment that the plan supports employment-generating uses like offshore industries and encourages growth of the area’s ports and harbours. The Council feels that this includes the oil and gas sector and does not feel it is necessary to provide an explicit reference within the outcome. No modification is proposed by the Council.

### **Environment and Heritage Outcome**

The support from SNH is noted.

Paragraph 15 bullet point 1 refers to protecting and enhancing the unique natural environment and the Council feels that this is the most appropriate place to have this, rather than in the environment and heritage outcome. During the plan making process the Council has discussed the wording of the outcomes with SNH and they are supportive of the outcome as it currently reads. No modification is proposed by the Council.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 2</b>	<b>SPATIAL STRATEGY</b>	
<b>Development plan reference:</b>	Spatial Strategy pages 2 - 5	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mr John Wright (968665) Strutt &amp; Parker on behalf of Balnagown Castle Properties (968666)  Scottish Water (Mr William Paton) (953627)  Mr Kenneth Nicol (977530)  Mrs Jacqueline Ridgley (930800)  Ardgay &amp; District Community Council (951607)  Mr David Doohan (980228)  Mrs Amelia Walker (931321)  Crofting Commission (955042)  Scrabster Harbour Trust (Mr Sandy Mackie) (980302)  Jones Lang LaSalle Ltd (983768) on behalf of SSE Plc (983775)  Gills Harbour Ltd (Mr Bill Mowat) (962325)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Spatial Strategy text and Strategy Map	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Strategy General</u></b></p> <p><u>Mr David Doohan (980228), Mrs Amelia Walker (931321)</u>  Due diligence is required for projects and to improve the outcomes.</p> <p><u>Crofting Commission (955042)</u>  Generally supportive of the main spatial elements identified in the strategy. Restricting specific site locations to the main settlements is an improvement from previous Plans that have sought to identify potential development sites in smaller settlements. The social, economic and cultural significance of crofting should continue to be recognised.</p> <p><u>Jones Lang LaSalle Ltd (983768) on behalf of SSE Plc (983775)</u>  Renewable energy development is a very important economic industry for the area and should be reflected in the plan. The policy approach for marine renewables is specifically supported; however when the plan is read as a whole it does not provide adequate encouragement and support for appropriately sited renewable energy development. The 'Area for Energy Business Expansion' is a positive start to enhancing the policy position of support for renewable energy and related developments within a strategically defined geographical area. However it is unclear exactly what form of development would be supported within this area. Paragraph 54 states that marine renewables development within the Area for Energy Business Expansion is likely to be considered acceptable in principle; however, this is not recognised by the definition of the Area for Energy Business Expansion in the glossary or at paragraph 13. Nowhere within the plan is there direct support for onshore renewable energy development within the Area for Energy Business Expansion.</p>		

Further clarity on the intentions of the Area for Energy Business Expansion is required. The plan should clearly align with the emerging Onshore Wind Energy Supplementary Guidance. The Strategy Map needs to be clear what form of development is envisaged for the grey area. There are also settlements within this area and the Strategy map does not appear to envisage development within or adjacent to these settlements. Additional explanatory text is required.

### **Paragraph 8**

Scrabster Harbour Trust (Mr Sandy Mackie) (980302)

There should be a specific reference to the ports.

### **Paragraph 9**

Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800)

Implies that new homes are needed, however any development should take account of demand. If an area is showing a declining population then additional major housing will not be required.

### **Paragraph 13 - Employment**

Scrabster Harbour Trust (Mr Sandy Mackie) (980302)

Supports the acknowledgements of the important part that ports can play and that the major growth area is energy related.

### **Strategy Map**

Mr John Wright (968665) Strutt & Parker on behalf of Balnagown Castle Properties (968666)

Supports the identification of Ardgay and Edderton as settlement development areas and Rosehall as a growing settlement on the map.

Ardgay & District Community Council (951607)

Supports the reference to the unique tourism potential that Central Sutherland has to offer. National Cycle Route NC1 is shown as a purple line but it could be enhanced with shading to designate it as a sustainable/green travel tourism route.

Gills Harbour Ltd (Mr Bill Mowat) (962325)

The 'offshore renewables' caption off the North Sutherland coast on the 'Strategy Map' represents wishful thinking and should be deleted and re-sited in the Pentland Firth to the East of the 'median' line of the 2 kms wide Merry Men of Mey tide-race, as this is where all four of the Crown Estate tidal-stream seabed leases in the Pentland Firth proper are sited. The 'Offshore Renewables' caption off East Caithness is justified by the strong interest in offshore wind-farms there.

### **Paragraph 12 Growing Communities**

Scottish Water (Mr William Paton) (953627)

Welcomes the approach, however Scottish Water appreciates that sustainable development and natural growth are essential within the rural setting and is willing to work

with both rural and urban developers to explore how Scottish Water can assist such development within Scottish Water's remit and funding structure.

### **Paragraph 15 Environment and Heritage**

Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800)

Consideration should be given to other aspects of promoting tourism other than historic e.g. natural environment and adventure sports tourism.

### **Modifications sought by those submitting representations:**

#### **Strategy General**

Jones Lang LaSalle Ltd (983768) on behalf of SSE Plc (983775)

The importance of renewable energy should be reflected in the plan.

Clarify the intentions of the "Area for Energy Business Expansion".

Clear alignment with the emerging Onshore Wind Energy Supplementary Guidance.

Clarify what is envisaged for the "grey" area on the map.

### **Paragraph 8**

Scrabster Harbour Trust (Mr Sandy Mackie) (980302)

Include a reference to the ports.

#### **Strategy Map**

Ardgay & District Community Council (951607)

Add shading to NCR1 line and designate as a sustainable/green travel tourism route.

Gills Harbour Ltd (Mr Bill Mowat) (962325)

Move the "offshore renewables" caption off the North Sutherland coast and re-site in the Pentland Firth to the east of the "median" line of the 2kn wide Merry Men of Mey tide-race.

### **Paragraph 15 Environment and Heritage**

Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800)

Include natural environment and adventure sports tourism.

### **Recommended summary of responses (including reasons) by planning authority:**

#### **Strategy General**

The comment on due diligence is noted.

The support from the Crofting Commission is noted. The Highland-wide Local Development Plan contains policies relevant to crofting and these will be updated in partnership with the Crofting Commission through the on-going Highland-wide Local Development Plan review.

The "Area for Energy Business Expansion" is not intended to be used as a land use allocation for energy developments. It is not intended to show where renewables devices would be acceptable on the ground, but rather it is intended to show where the Council

would be particularly supportive of the necessary supporting terrestrial infrastructure, including associated business and industrial developments. It is also intended to promote the energy sector within the area and help to generate local jobs. Paragraph 13 bullet point two states that the plan seeks to maximise opportunities arising from the energy sector. The role of this plan is not to identify specific opportunities for wind energy developments. Any proposals would be considered on their merits through planning applications and pre-application advice, with reference to the Development Plan as a whole. However, to provide further clarity of what the Area for Business Expansion is intended for, if the Reporter is so minded the Council would be agreeable to the following change being made to paragraph 13 bullet point 2: remove “the energy sector” and replace with “offshore renewables and oil and gas”.

The purpose of the emerging Onshore Wind Energy Supplementary Guidance is to set out the Spatial Framework and other guidance against which all onshore wind developments will be assessed. This is set against Highland-wide Local Development Plan Policy 67 Renewable Energy Developments. It is not intended for CaSPlan to include the Spatial Framework for onshore wind developments, but to be used alongside it, both as part of the Development Plan. Each is prepared having regard to other parts of the Development Plan (LDPs and Supplementary Guidance).

The “grey” area on the map is part of the wider countryside as explained within the Growing Communities section. Any proposals for development within this area would be assessed against the policies within the Highland-wide Local Development Plan. Many aspects of the Spatial Strategy in paragraphs 12-15 cover the whole, or at least wider “grey” areas. The map only identifies SDA and Growing Settlements. Any other settlements are considered as part of the wider countryside. This is explained in the three tiered approach to managing development in the Growing Communities section of the plan.

### **Paragraph 8**

The final sentence of paragraph 8 refers to Census data, set out in the Monitoring Statement which accompanied the MIR and Proposed Plan, which outlines the main sectors of employment that people in Caithness and Sutherland work in. Harbours are specifically mentioned in paragraph 12 bullet point two. No modification is proposed by the Council to paragraph 8.

### **Paragraph 9**

The housing supply target for Caithness and Sutherland is informed by the Council’s Housing Needs and Demand Assessment which indicates how much housing is required over the next twenty years. The issue of housing supply is covered in more detail in the Schedule 4 for Growing Communities. No modification is proposed by the Council to paragraph 9.

### **Paragraph 13 - Employment**

Support from Scrabster Harbour Trust is noted.

**Strategy Map**

The support for identifying Ardgay and Edderton as settlement development areas and Rosehall as a growing settlement on the strategy map is noted.

The support for the reference to the tourism potential of Central Sutherland on the strategy map is noted.

The National Cycle Route was added to the strategy map following comments received to the Main Issues Report. The final bullet point of paragraph 13 refers to promoting and supporting tourism and specifically mentions the National Cycle Network and the Council feels that this is sufficient without the need to shade the route and designate as a sustainable/green travel tourism route. No modification is proposed by the Council.

The “offshore renewables” caption along the north Sutherland coast is there to reflect the aspiration for offshore renewable energy developments, over the next twenty years. It is recognised that current activity is further to the east but the strategy map is not just reflecting what is happening at present. If the Reporter is so minded however, the Council would be agreeable to an additional “offshore renewables” caption being added to the map north of Gills Harbour.

**Paragraph 12 - Growing Communities**

The support of Scottish Water is noted.

**Paragraph 15 Environment and Heritage**

The outcome for Employment mentions various kinds of tourism that are important to Caithness and Sutherland. Each outcome (and part of the strategy) should not be read in isolation, they are intended to be read as a whole, together with the rest of the plan. No modification is proposed by the Council.

**Reporter’s conclusions:****Reporter’s recommendations:**

<b>Issue 3</b>	<b>GROWING COMMUNITIES</b>	
<b>Development plan reference:</b>	Growing Communities pages 6 - 13	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Laid Grazings and Community Committee (Mr Hugh Maclellan) (978867)  Bower Community Council (979709)  Sportscotland (933432)  Mr Ian Walker (979716)  Mr Bill Badger (967160)  Emac Planning LLP (640333) on behalf of Scotia Homes Ltd (909099)  Mr Kenneth Nicol (977530)  Mrs Jacqueline Ridgley (930800)  Mr David Doochan (980228)  Mrs Amelia Walker (931321)  Scottish Government (963027)  Scrabster Harbour Trust (Mr Sandy Mackie) (980302)  Caithness Chamber of Commerce (Mr David Swanson) (983321)  Scottish Natural Heritage (909933)  Mr Guy Newson (978598)  RSPB Scotland (956544)  Mr John Wright (968665) Strutt &amp; Parker on behalf of Balnagown Castle Properties (968666)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Growing Communities text, Policy 1: Town Centres First and supporting text, Policy 2: Delivering Development and supporting text, Policy 3: Growing Settlements and supporting text.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Growing Communities - General</u></b>  <u>Laid Grazings and Community Committee (Mr Hugh Maclellan) (978867)</u>  Would like Laid identified as a Growing Settlement. There are plans to develop a distillery on the Laid Common Grazings which would create appropriate development and employment opportunities for the village.</p> <p><u>Bower Community Council (979709)</u>  Object to Bower not being included as either an SDA or a Growing Settlement. Would dispute that there has been little development in Bower since 2002 - there is a thriving farming community, a Primary School almost at full capacity, a well used community centre, local businesses have expanded and new businesses are planned.</p> <p><u>Sportscotland (933432)</u>  We have endeavoured to identify, using aerial imagery where available, those sites proposed for allocation where it is likely that we will be a statutory consultee if they become the subject of a planning application, i.e. sites which appear to contain or impact upon Outdoor Sports Facilities as defined in the Development Management Regulations 2013.</p>		



We have found there to be only two of such sites - Dornoch DN05 and Lybster LY03. Sportscotland is satisfied that their interests in DNO5 have been taken account of. A separate comment has been made against Lybster. In the event that Sportscotland has failed to identify any other such site, the consultation requirements of the Development Management Regulations will still apply, and, where we are consulted, we will consider proposals against the provisions of Scottish Planning Policy paragraph 226.

Mr Ian Walker (979716)

This has the potential to open the door to anything.

Mr Bill Badger (967160)

Supports the idea of “socially inclusive communities”. Supports the text in paragraph 26 about managing growth in and around existing settlements. Supports the checklist approach set out in paragraph 36.

### **Growing Communities – Housing Land Supply**

Emac Planning LLP (640333) on behalf of Scotia Homes Ltd (909099)

The strategy of the Plan to direct new development to places which can support community facilities and services that local people regularly use is supported. Scotia Homes Ltd is a willing partner in the delivery of this strategy and would support a generous housing land supply in the Caithness Housing Market Area (HMA) to provide flexibility and choice, in accordance with Scottish Planning Policy (SPP), 2014.

We support the additional flexibility allowance of 20%, added to the number of houses identified in the Housing Need and Demand Assessment (HNDA), which is consistent with national policy contained in paragraph 116 of SPP. The objective of this national policy is to “order to ensure that a generous supply of land for housing is provided” and we are therefore disappointed that this objective is undermined by then removing 20%, to take account of 'windfall' housing development. Paragraph 117 of SPP states that “Any assessment of the expected contribution to the housing land requirement from windfall sites must be realistic and based on clear evidence of past completions and sound assumptions about likely future trends.” Paragraph 21 of the CaSPlan identifies that the housing supply target for Caithness and Sutherland is informed by a range of factors including the Monitoring Statement and in particular the Addendum: Housing Background Paper and the Council's HNDA, however, neither of these papers appear to provide an analysis of windfall sites.

In the apparent absence of an analysis of the contribution of windfall sites in the background papers to the Proposed CaSPlan, Scotia Homes would support the conclusions of Table 4-4 of the Addendum: Housing Background Paper on the HLR, which is provided below. The table identifies the following HLR taking into account allowances for ineffective stock and flexibility / market choice:

Housing Market Area	2016-2020	2021-2025	2026-2030	2031-2035	20 Year Total
Caithness	325	250	92	0	666 (amended to 667)*
Sutherland	291	251	148	43	733 (amended to 733)*

Source: Highland Council Housing Need and Demand Assessment 2015

Note\* - Scotia Homes would query whether the 20 Year Total Figure is correct and have inserted an amended figure in brackets.

It is noted that the Addendum: Housing Background Paper projects the HLR from 2016 and it is considered that the CaSPlan HLR in paragraph 22 should be updated from 2015 to 2016 to reflect the updated information.

By adopting the position of Table 4-4 above, the HLR for Caithness HMA increases from 270 to 325 up to 2020, and from 260 to 342 from 2021-2035. The total increase in the HLR over the 20-year period would be 137 units, taking into account the correction highlighted in red. The inclusion of Table 4-4 in the CaSPlan would result in a total 20-year HLR (as corrected) of 1,400 units compared to the 1,140 housing land supply target currently aspired to in the Proposed CaSPlan in paragraph 22.

Paragraph 24 of the Proposed CaSPlan concludes that the supply of 1,498 units is generous compared to the target and identifies why it is important to have such a generous margin. Scotia Homes Ltd supports these reasons for having a generous HLS, but considers that if the HLR of 1,400 units is accepted, the HLS of 1,498 is less than generous, with only 98 units more than the HLR being available.

Scotia Homes Ltd would therefore support an increase in the HLR and HLS and the allocation of further housing land within the CaSPlan period. Within this context, Scotia Homes Ltd has also submitted separate site-specific representations on land in their ownership and control at Castletown which support bringing forward further land at Castletown into the first 10-year period of this CaSPlan to augment the HLS and meet a more realistic HLR, which can fulfill the stated vision and land use strategy of the LDP.

Scotia Homes Ltd supports the identification of Castletown as a Settlement Development Area (SDA), and the principle for identifying allocations for development within its boundaries. In addition, the commitment that other small-scale infill developments may also be suitable within the SDA boundary is also supported.

Mr Kenneth Nicol (977530) and Mrs Jacqueline Ridgley (930800)

Paragraph 21 states that 530 houses will be required in Caithness. The basis for this would suggest an increase above the current population. Given lower rate of renewable development, the need for this is probably too high. As all the current future development for offshore wind is for Wick, emphasis should be on housing development in the Wick area to support this industry and reduce the need for people to commute, which would align with paragraph 26. Significant housing development in Thurso is not required given the decommissioning of Dounreay, decline of oil and gas sector and little prospect of significant new industry. Paragraph 24 states that many larger housing sites in Caithness have either stopped or progressing slowly therefore why allocate land for three times the anticipated demand. There is a significant risk of developers putting in infrastructure for housing which does not materialise.

Mr Ian Walker (979716), Mrs Amelia Walker (931321), Mr David Doohan (980228)

The Housing Needs and Demand Assessment shows that there is no demand for the volume of houses stated in the plan. In Thurso there are already enough areas to adequately provide for housing requirements. There needs to be a hard view taken to supply affordable housing or low rent housing.

Mr David Doohan (980228)

There is a shortage of land for affordable housing and some of this can be placed in the area where the Viewfirth Building once stood (TS11). This area could be gifted to a Housing Association and progressed.

Scottish Government (963027)

Paragraph 21 refers to the total Housing Supply Target (HST) for the Caithness and Sutherland area (1,140), but the terminology is not clear in the table below Paragraph 22 (pg 6) of the Proposed Plan. The table should be amended to include the heading 'Housing Supply Target 2015-2020 and 2015-2035'. Paragraph 24 states that a generous housing land supply has been included in the plan, and that the 'total land allocated' for housing is 1,498. This appears to be the total 'Housing Land Requirement' (HLR) for the Caithness and Sutherland Area, but this is not clear. The wording 'total land allocated' should be amended in Paragraph 24 to 'Housing Land Requirement' to reflect the established terminology used in Scottish Planning Policy. In addition to this, the table on page 6 of the Proposed Plan should be amended to include an additional column on the Housing Land Requirement for the periods 2015-2020 and 2015-2035. Table 4 of the recently published Draft Planning Delivery Advice: Housing and Infrastructure provides guidance on how the key aspects of housing figures (HST and HLR) should be presented in Local Development Plans (outwith city regions).

It appears that a generous margin of 31.4% (358 homes) has been added to the HST (1140) to arrive at a HLR of 1498 homes. However, this is not clearly explained within Paragraph 24. The reasoning for choosing this level of generosity should be clearly explained in the Proposed Plan. Paragraph 116 of SPP requires that a robust explanation should be provided.

Scrabster Harbour Trust (Mr Sandy Mackie) (980302)

Remove the double negative in paragraph 22.

**Policy 1: Town Centres First**

Mr Ian Walker (979716)

Supports the policy as long as the processes are adhered to when considering a planning application which is contrary to the policy, including adverse impact on the vitality and viability of the centre, sequential approach, brown field before green field sites, unused/derelict buildings are considered and that all necessary assessments have been carried out.

Mr David Doohan (980228)

This policy has been largely ignored over the past decades as many developments have been allowed on the periphery of towns. The multi purpose developments have led to the destruction of town centres and the closure of small family owned businesses. There will be no improvement until this policy is adhered to.

Mrs Amelia Walker (931321)

Generally supports the policy. However in small places like Thurso, large developments can crush the local environment and only attract jobs from other businesses. It is not advisable to build these developments just for the sake of land value gain.

Scottish Government (963027)

There does not appear to be reference to town centre strategies within the Proposed

CaSPlan, or its proposed Action Programme. Scottish Planning Policy (SPP) (paragraphs 64- 65) expects Local authorities, working with community planning partners, businesses and community groups as appropriate, to prepare a town centre health check. Following that, town centre strategies should be developed to deliver improvements to the town centre. SPP states (in paragraph 66) that the spatial elements of town centre strategies should be included in the development plan or supplementary guidance. We would wish to see the inclusion of a 'hook' or 'connection' in the development plan, to allow the spatial elements of the town centre strategies to be developed into supplementary guidance as and when they are prepared. This will allow the spatial elements of the eventual town centre strategies to gain the formal status of being part of the development plan as envisaged in SPP. The Scottish Government would also like to see commitment in the Action Programme that the Council will, in line with SPP, progress the development of town centre health checks and strategies. Would like the following modifications:

- Amend the plan to provide a suitable statement to set out that, following the preparation of town centre health checks, town centre strategies will be prepared to deliver improvements to the town centres, and that Supplementary Guidance will be brought forward to cover the spatial elements of town centre strategies. - This statement should provide a suitable connection between the LDP and the supplementary guidance, as required by Regulation 27 of The Town and Country Planning (Development Planning) (Scotland) Regulations 2008. - It would be appropriate to include this statement with paragraphs 38 or 39 on town centres.
- Insert into the Action Programme a new action setting out that the Council will carry out town centre health checks and develop town centre strategies and Supplementary Guidance.

Caithness Chamber of Commerce (Mr David Swanson) (983321)

Welcomes the policy and that the Proposed Plan recognises the importance of town centres. Is supportive of the following:

- Encouraging developers to first look at opportunities to regenerate town centres through redevelopment or reuse of existing buildings
- Considering the potential impact on the viability and vitality of a town centre when considering new developments
- Recognition that a "flexible and realistic approach" will need to be taken here – it is important to strike a balance between protecting and regenerating town centres and discouraging investment in the area due to excessive red tape

However, concerned about the conversion of redundant retail space to residential use. The caveat that the property must have been "marketed for its existing use at a reasonable price / rent without success for a minimum period of 12 months" is welcomed but concerned that outright conversion of retail space (particularly to residential use) is likely to impact on potential future business growth within town centres. Would like the policy modified to encourage community, charitable or cultural usage of vacant retail space, with conversion to residential use considered as a last resort.

**Policy 2: Delivering Development**

Scottish Natural Heritage (909933)

Masterplanning can be a useful tool to achieve sustainable development. However it would be useful to specify what is meant by "larger sites" to provide clarity for which sites are likely to require masterplanning.

Emac Planning LLP (640333) on behalf of Scotia Homes Ltd (909099)

The flexibility provided in paragraphs 42 and 43 is supported. Would like the last sentence of the policy 2 modified to read, "However, sites identified in the Plan as "Long Term" *will be invited for development within this Plan period and where allocated sites within Settlement Development Areas are developed.*"

Mr Ian Walker (979716)

The statement in paragraph 43 about how indicative site capacities have been calculated shows that the figures from the HNDA have been ignored.

Mr David Doohan (980228)

A more constructive approach should be explored to try and place large developments on appropriate sites as the positioning of sites in areas where they should not really be, seems to prevail.

Mrs Amelia Walker (931321)

Development should be directed to partially developed sites and vacant properties and green field sites should not be allocated.

Caithness Chamber of Commerce (Mr David Swanson) (983321)

Welcomes development in Caithness but it must be done sensitively so that new developments do not have negative impacts on existing businesses.

Mr Bill Badger (967160)

Supports the policy.

**Policy 3: Growing Settlements**Mr John Wright (968665) Strutt & Parker on behalf of Balnagown Castle Properties (968666)

Supports the wording of policy with the exception of the final bullet point which is vague and lacks clarity. If the words "public view point/vista" or "open space" are to be used in the policy then they require a definition. When dealing with "open space" now that the "right to roam" is a well-known and used feature in our society more and more of Scotland's countryside is being considered as open space and so we prefer to see this identified as "designated open space". However objects to the inclusion of the policy in this LDP as it is supposed to be a land allocation document and not deal with or duplicate policy issues in the Highland-wide Local Development Plan.

Scottish Natural Heritage (909933)

For clarity and ease of use, it would be useful for the policy to list the settlements intended to be covered by the policy. Recommend amending the wording slightly in the final bullet point, to recognise natural heritage features and to better reflect the international and national importance of some natural heritage features in proximity to some of the settlements, "...would not result in an adverse impact on any other important heritage feature (natural or built), important public viewpoints/vista or open space". This would ensure natural heritage interests are taken into account and any potential impacts appropriately addressed.

RSPB Scotland (956544)

Broadly supportive of the policy but would like to see the following amendments:

- Include an explicit commitment to the protection of the natural environment and biodiversity. SPP states at paragraph 77 that in remote and fragile areas, the emphasis should be on maintaining and growing communities by encouraging development that provides suitable sustainable economic activity, while “preserving important environmental assets such as landscape and wildlife habitats that underpin continuing tourism visits and quality of place.”
- Bullet point 6 should read, “would not result in an adverse impact on any important natural or built heritage feature, important public viewpoint/vista or open space.” This policy refers to “locally important heritage feature” but it should be made clear that it refers to both built and natural heritage. It should also seek to protect all natural heritage features of importance, not just ones of local importance.

Mr Guy Newson (978598)

Need to be more specific about the areas where new build is permitted. There is a tendency to allow houses to be built as infill in otherwise green areas and usually this has been manipulated in the planning application to look like in-fill for a group of houses. Murkle is a prime example. Developers should be asked to do environmental impact assessments on flora and fauna.

Mr Ian Walker (979716), Mr David Doohan (980228)

In broad terms supports the policy especially bullet points 5 and 6.

Mrs Amelia Walker (931321)

Supports the policy. The protection of scenic views should take precedence over inappropriate development on green field sites.

Caithness Chamber of Commerce (Mr David Swanson) (983321)

A flexible and realistic approach is required so that investment is not discouraged.

Mr Bill Badger (967160)

Supports the policy.

#### **Modifications sought by those submitting representations:**

##### **Growing Communities - General**

Laid Grazings and Community Committee (Mr Hugh Maclellan) (978867)

Add Laid as a Growing Settlement.

Bower Community Council (979709)

Add Bower as either an SDA or a Growing Settlement.

Emac Planning LLP (640333) on behalf of Scotia Homes Ltd (909099)

Increase in the housing land requirement figure and the housing land supply target.

Mr Ian Walker (979716), Mrs Amelia Walker (931321), Mr David Doohan (980228), Mr Kenneth Nicol (977530) and Mrs Jacqueline Ridgley (930800)

Reduction in the overall housing land supply target.

Scottish Government (963027)

Amend the heading of the table on page 6 to 'Housing Supply Target 2015-2020 and 2015-2035'.

Replace wording 'total land allocated' with 'Housing Land Requirement'.

Include an additional column the table on page 6 on the Housing Land Requirement for the periods 2015-2020 and 2015-2035.

The reasoning for choosing this level of generosity should be clearly explained in the Proposed Plan.

Scrabster Harbour Trust (Mr Sandy Mackie) (980302)

Remove the double negative in paragraph 22.

### **Policy 1: Town Centres First**

Scottish Government (963027)

Amend the plan to provide a suitable statement to set out that, following the preparation of town centre health checks, town centre strategies will be prepared to deliver improvements to the town centres, and that Supplementary Guidance will be brought forward to cover the spatial elements of town centre strategies. - This statement should provide a suitable connection between the LDP and the supplementary guidance, as required by Regulation 27 of The Town and Country Planning (Development Planning) (Scotland) Regulations 2008. - It would be appropriate to include this statement with paragraphs 38 or 39 on town centres.

Insert into the Action Programme a new action setting out that the Council will carry out town centre health checks and develop town centre strategies and Supplementary Guidance.

Caithness Chamber of Commerce (Mr David Swanson) (983321)

Policy modified to encourage community, charitable or cultural usage of vacant retail space, with conversion to residential use considered as a last resort.

### **Policy 2: Delivering Development**

Scottish Natural Heritage (909933)

Specify what is meant by "larger sites" to provide clarity for which sites are likely to require masterplanning.

Emac Planning LLP (640333) on behalf of Scotia Homes Ltd (909099)

Change the last sentence of policy 2 to read, "However, sites identified in the Plan as "Long Term" *will be* invited for development within this Plan period *where* allocated sites *within Settlement Development Areas are developed.*"

### **Policy 3: Growing Settlements**

Mr John Wright (968665) Strutt & Parker on behalf of Balnagown Castle Properties (968666)

If the words "public view point/vista" or "open space" are to be used in the policy then they

require a definition. When dealing with “open space” now that the “right to roam” is a well-known and used feature in our society more and more of Scotland’s countryside is being considered as open space and so we prefer to see this identified as “designated open space”.

Scottish Natural Heritage (909933)

The policy should list the settlements intended to be covered by the policy.

Amend the wording slightly in the final bullet point to “...would not result in an adverse impact on any other important heritage feature (natural or built), important public viewpoints/vista or open space”.

RSPB Scotland (956544)

Include an explicit commitment to the protection of the natural environment and biodiversity.

Bullet point 6 should read, “would not result in an adverse impact on any important natural or built heritage feature, important public viewpoint/vista or open space.”

Mr Guy Newson (978598)

Need to be more specific about the areas where new build is permitted.

**Recommended summary of responses (including reasons) by planning authority:**

**Growing Communities - General**

Growing Settlements

*Laid*

As part of the preparation of the Main Issues Report and the emerging Growing Settlements Policy an assessment was made of potentially suitable settlements which would be identified as Growing Settlements. This looked at features such as the range of existing facilities, settlement pattern and levels of development pressure. It is recognised that Laid is an established community. However, the settlement has limited facilities and is dispersed along the A838. Moreover there has been limited development in the area during the lifetime of the Sutherland Local Plan. Therefore it is considered that general policies are sufficient to guide future development, including the potential for a community-owned distillery and provide a more flexible approach.

*Bower*

As part of the preparation of the Main Issues Report and the emerging Growing Settlements Policy an assessment was made of potentially suitable settlements which would be identified as Growing Settlements. This looked at features such as the range of existing facilities, settlement pattern and levels of development pressure. It is recognised that Bower has community facilities, including a primary school and church and that there are two major employers in the area. However, the settlement is dispersed across a wide area and there has been very limited development in Bower since the existing Caithness Local Plan was adopted in 2002. As a result it was considered that general policies would be sufficient to guide future development as it would provide a more flexible approach.

*Canisbay*

As part of the preparation of the Main Issues Report and the emerging Growing Settlements Policy an assessment was made of potentially suitable settlements which would be



identified as Growing Settlements. This looked at features such as the range of existing facilities, settlement pattern and levels of development pressure. It is recognised that Canisbay has community facilities, including a primary school, church, post office and medical centre. However, the settlement is dispersed across a wide area and there has been very limited development in Canisbay itself since the existing Caithness Local Plan was adopted in 2002. As a result it was considered that general policies would be sufficient to guide future development as it would provide a more flexible approach.

### **Growing Communities – Housing Land Supply**

There are a number of comments about the Plan’s housing land provisions:

- Seeking clearer explanation of it;
- Indicating that too much housing land is being identified;
- Challenging the figures and the windfall assumption and suggesting that greater housing land provision is required.

The Proposed Plan included the following table:

#### **Proposed Plan – Table (page 6):**

Housing Market Area	2015 - 2020			2015 – 2035		
	Affordable	Market	Total	Affordable	Market	Total
Caithness	138	132	270	272	258	530
Sutherland	140	104	244	348	262	610
<b>Total (high scenario)</b>	278	236	<b>514</b>	620	520	<b>1140</b>

In response to comments received seeking clearer explanation of the Plan’s housing land provisions, it is recommended that the table be amended as follows:

- Correct the year “2015” to “2016” – this amendment has no effect on the housing numbers presented but expresses the time period covered correctly;
- Include the term “Housing Supply Target” in the table, being the number of homes that need to be able to be delivered;
- Include the “Housing Land Requirement” figures, being the Housing Supply Target + 20% flexibility allowance. The addition of the allowance of 20% to the Housing Supply Target to provide the Housing Land Requirement ensures some generosity of housing land supply. A 20% flexibility allowance was applied and described in the Proposed Plan and in the Housing Background Paper but was not shown in the table in the Proposed Plan (as above).

**Recommended modified version of Table:**

Housing Market Area	2016 – 2020				2016 – 2035			
	Housing Supply Target			Housing Land Requirement*	Housing Supply Target			Housing Land Requirement*
	Affordable	Market	Total	Total	Affordable	Market	Total	Total
Caithness	138	132	270	324	272	258	530	636
Sutherland	140	104	244	293	348	262	610	732
<b>Total (high scenario)</b>	278	236	<b>514</b>	<b>617</b>	620	520	<b>1140</b>	<b>1368</b>

\* Housing Land Requirement = Housing Supply Target + 20% flexibility allowance

Given that clearer explanation, with regard to the comments challenging the figures and the windfall assumption and suggesting that greater housing land provision is required the Council responds as follows.

The 20-year Housing Land Requirement of 1368 (Caithness 636 and Sutherland 732) is met by the Proposed Plan, in total and for each Housing Market Area. Based on the indicative housing capacities for housing allocations and mixed use allocations, the site allocations of the Proposed Plan are sufficient to accommodate 1498 homes (Caithness 770 and Sutherland 728).

It should be noted that the Council expects that some homes will be built on other, non-allocated sites known as ‘windfall’ sites. As indicated in the Proposed Plan (paragraph 22) the windfall rate has been assumed at 20%, taking into account past trends and providing certainty over supply. The Monitoring Statement (section 7.1) indicates that, out of 2111 completions from 2000 to September 2013, 63% of all completions were effectively windfall. It also showed that the windfall rate varied across the Plan area. The majority of completions in Thurso and Wick were on allocated sites (74% and 62% respectively) and a significant proportion was on non-allocated land within Settlement Development Areas (SDAs). This shows that the majority of development has been in broadly sustainable locations including some which has been shown as windfall. The position in other settlements was variable with no particular trends with the size or location of settlement. There is now a renewed focus on tightening up housing development in the countryside. A new approach is being considered as part of the HwLDP review.

The Proposed Plan is supportive of some continuing housing development in appropriate locations outwith housing and mixed use allocations but it would be inappropriate to assume windfall development would continue at such a high level. Also, the Proposed Plan is seeking to provide some certainty over supply and this is facilitated by the identification and allocation of specific sites that are to accommodate new homes.

For these reasons it is considered that the assumed windfall rate of 20% is reasonable and that there is sufficient housing land identified within the Plan to ensure generous supply. If 20% of the Housing Supply Target were met by windfall developments, the windfall completions over the 20-year period would be 228 (Caithness 106 and Sutherland 122). The Council would be agreeable for additional explanation to be added to the Plan, based on the above explanation and the Council’s publications. It is agreed that in paragraph 22: “However, not all houses will not be built on allocated land” should be corrected to read “However, not all homes will be built on allocated land”.

With regard to affordable housing provision, the table above indicates the split of the Housing Supply Target between 'affordable' and 'market' homes. The HwLDP contains affordable housing policy and our overall development plan policy framework provides the means for considering the merits of any particular proposals that come forward, be they sites allocated for housing development or not.

With regard to comments indicating that too much housing land is being identified, the Council is satisfied that the housing land provisions are appropriate and justified. The [Housing Background Paper](#) explains that the Housing Supply Targets in the Proposed Plan are based on the Housing Need and Demand Assessment 2015 (HNDA 2015) and the Highland-wide Local Development Plan Main Issues Report 2015 (HwLDP MIR 2015). The HNDA 2015 was prepared in compliance with national guidance and, since the Housing Background Paper was prepared for CaSPlan, the parts of the HNDA 2015 that are within the scope of that guidance have been 'signed off' as robust and credible by the Centre for Housing Market Analysis. Those parts of the HNDA 2015 form the basis for a further scenario set out in the HNDA 2015 and described in the HwLDP MIR 2015 as the 'high' scenario. Importantly that further scenario provides for 'continued growth' and is the one chosen by the Council as appropriate for its Local Development Plans. The Housing Background Paper therefore indicates that the Proposed CaSPlan uses the continued growth figures and that reasons in support of this approach are provided within the Council's documented response on the issue of "Housing needs in Caithness & Sutherland", following consultation on the CaSPlan Main Issues Report (Planning, Development and Infrastructure Committee, November 2015).

Therefore, in response to the comments that were received on the Proposed Plan, the Council would be agreeable to a summation of its reasons for using the continued growth scenario being provided in the Plan itself. The Council's reasons include the following:

- The Monitoring Statement showed that despite an expected fall in the overall population over the coming 20 years, additional new houses will still be required to meet the demand from mainly a combination of falling household sizes and, in Sutherland, eradicating the backlog of need for affordable housing.
- Successive Council administrations, together with our Community Planning Partners, have been committed to achieving our economic potential. The principles are given in our administration programme Highland First<sup>1</sup> and our Single Outcome Agreement<sup>2</sup>, which include a target of delivering 5,000 houses in Highland in the five years starting in 2012, 1,700 of these affordable. It is believed that the high scenario (continued growth) is most closely aligned to these objectives.
- The HNDA figures show 'high' and 'low' growth projections. The Council considers that for the Caithness and Sutherland LDP the high growth scenario projections are the most suitable as a basis for the continued growth scenario. This is due to the changing nature of the economy whereby several emerging growth industries have been identified. The waters around Caithness and north Sutherland have been shown to have around a quarter of Europe's offshore renewable energy generation potential. Although the onshore wind and hydro industry has been progressing over the past 10 years, there is also significant potential for offshore wind. Due to its relatively remote location there is also potential for large scale location-sensitive

<sup>1</sup> [http://www.highland.gov.uk/downloads/file/4611/programme\\_of\\_the\\_highland\\_council](http://www.highland.gov.uk/downloads/file/4611/programme_of_the_highland_council)

<sup>2</sup> [http://www.highland.gov.uk/downloads/file/4613/single\\_outcome\\_agreement\\_3](http://www.highland.gov.uk/downloads/file/4613/single_outcome_agreement_3)

developments, e.g. the nuclear energy development at Dounreay has reshaped the economy over the past 60 years. The expected decline in the Dounreay workforce will also not drop off as soon as anticipated as the timescales for decommissioning reaching the Interim End State was recently extended to a date range of 2030-2033.

- There are some positive signs that the marine renewables sector is starting to take off and will play a significant role in the economic future of the area. This includes: MeyGen reaching Phase 1A of the construction of the world's largest tidal energy project with funding identified for Phase 1B; the final investment decision on SSE's £2.6b Beatrice offshore wind farm was approved in May 2016 and Wick were confirmed as the service base for the construction and maintenance stages; planning permission being granted for industrial plots and new access at the Enterprise Area at Scrabster Farm.
- The aim is also to continue to diversify the Caithness and North Sutherland economy. Growing the tourism industry is a key objective at a regional and national level. The tourism industry is also considered as being an underdeveloped asset which could generate significant numbers of jobs. Initiatives such as the North Coast 500 and Venture North are already helping to coordinate and promote the assets which exist across the north of Highland. Proposals such as those put forward by Wildland Ltd during the Main Issues Report consultation also show the potential for large scale leisure/tourism development in more rural areas.
- The growth of these sectors would bring new investment and job opportunities which could have significant effects on retaining young people and reversing the population decline.

In further response to the comments about the generous housing land supply, the Council considers that there are several further reasons for taking a generous approach to the housing land provisions in the Plan:

- Firstly, there are a large number of brownfield sites in the plan area which the Council is keen to promote for redevelopment. This reflects both a key aim of CaSPlan and Scottish Planning Policy (2014) which states that development plans should direct development to brownfield land before greenfield. There are many brownfield sites in Caithness and as they often hold prominent locations their redevelopment could have wide ranging positive impacts on the settlement. Elsewhere in the country such sites may be identified by a local authority for specific uses. However, as the regeneration of these sites is a priority the Council has been more flexible in the list of acceptable uses, including housing, to encourage redevelopment.
- In Wick, for example, planning permission exists for housing developments at Hill of Man (extant capacity of 55 houses), land south of Kennedy Terrace (extant capacity of 44 houses) and south of Carnaby Road (extant capacity of 23 houses) and north of Coghill Street (extant capacity of 45 houses), totalling approximately 167 houses. All of the remaining site allocations are brownfield sites within the town with a combined indicative capacity of 83 houses. (Figures are as reported to Planning, Development and Infrastructure Committee, November 2015.)
- In Thurso/Scrabster, very little of the allocated housing land is new to this Plan. The majority of the housing supply is associated with the long term strategy for the expansion of the settlement to the west which has formed a central part of the development plan for at least 13 years. The housing land forms part of wider expansion which includes the delivery of short term and long term strategic transport

infrastructure improvements together with opening the area up for much needed business and other commercial uses. Due to the level of development and the infrastructure (e.g. distributor/relief road) and facilities (e.g. public park) the Plan requires a masterplan/development brief to be prepared. Prior to the economic downturn there was developer interest in the site and a planning application was consented in 2006 for the extended site at Pennyland including 400 houses, business space and contributions towards the bypass. Although this has since expired the site requires a strategic planning approach. Several other sites in Thurso are brownfield sites which offer redevelopment and regeneration opportunities such as the industrial sites at the river and former mart site.

- Many settlements of Sutherland are much more dispersed than elsewhere in Scotland. The settlements are also relatively small and so too is the level of growth forecast. However, it is essential that the key settlements are supported and strengthened to be more sustainable. As development is typically quite small scale, the housing land allocated needs to be flexible to ensure that areas which are constrained do not prohibit potential housing development. This helps ensure that housing demand is met and supports young people, families and elderly to remain in the area. Therefore, for more rural settlements the Plan is generous in the approach to housing land supply.

The Council therefore considers that overall a generous housing land supply is suitable and justified, but is mindful of the issue of ‘oversupply’. The Proposed Plan therefore avoids further increasing that supply, whilst also phasing larger sites and identifying some areas as longer term. This will leave the option open for future plan reviews to allocate the land if, at that point, additional (or alternative) land is required. These sites are not allocations and development will not be supported on them unless and until a Plan review includes them as allocations. Nevertheless it is intended that the long term sites will help to provide greater transparency regarding the longer term growth of the area.

**In conclusion**, the Council considers that the housing land supply of the Plan (including its basis on a continued growth scenario, the flexibility allowance, the windfall assumption and the amount of land allocated) is appropriate but requires fuller, clearer explanation in the Plan itself, as outlined above.

### **Policy 1: Town Centres First**

Support for the proposed policy is noted. The Town Centre First policy was only first introduced in Highland as part of the adopted Inner Moray Firth Local Development Plan in 2015 and Policy 1 in CaSPlan provides a more refined and updated version. Therefore it provides a new policy framework for encouraging the regeneration of our town centres.

Concerns regarding the impact large commercial developments can have on the town centre are noted. The Policy seeks to direct all significant footfall generating uses to the town centre. The sequential approach does not apply to established uses and land allocations. The Plan seeks to deliver the vision set out at the beginning of the document, which is about both providing for growth in a planned way and enhancing the local environment. The policy as shown in the Proposed Plan states that “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.” The Council recognises concerns about the impact which other uses may have on the town centre. In addition, the Council is minded to consider the response by the Scottish Government (January 2016) to the Main Issues Report for the Highland-wide Local Development Plan review. The Scottish Government highlights Scottish Planning Policy (SPP) paragraph 71 which indicates that development proposals, including retail, leisure, business and public buildings, which are outwith town centres should be thoroughly assessed and demonstrate that the impact on the existing town centre is acceptable. The Town Centre First Policy in the Proposed Plan sets out the need for a sequential assessment to determine opportunities for regeneration. However, to ensure that applications for uses other than retail can be assessed for their impact on town centres a requirement for a town centre impact assessment could be imposed. As such, if the Reporter is so minded, the Council would be content with amending the Policy wording to: “...required to produce a retail or town centre impact assessment...”

#### *Town centre strategies and health checks*

Although there have been no recent formal ‘town centre health checks’ carried out in Caithness and Sutherland, other work has taken place. Charrettes were carried out in Wick and Thurso in February 2013. One of the outcomes from Wick was a desire for regeneration in the heart of the town and in Thurso one of the outcomes was the desire to reinforce the town centre. The Dornoch Economic Masterplan examined the key challenges to Dornoch’s town centre and how these challenges could be addressed.

Preparing town centre health checks for each of the town centres across Highland would be a considerable undertaking. Whilst the Council are not minded to include a commitment to carry out health checks for each settlement centre, if the Reporter is so minded then the Council would be content to state in the Plan that town centre health checks and strategies may be produced as and when appropriate, and to include a flexible and non place specific commitment in the Action Programme.

The Council recognise that in some circumstances conversion from retail to residential is potentially detrimental to the vitality and vibrancy of the town centre. However, the condition for applicants to demonstrate that the property has been marketed for sale for at least 12 months is considered to be suitable. As a result the Council are not minded to make the modification to amend the wording of the policy in regard to this request.

The Caithness Chamber of Commerce comments relating to impact on existing businesses is noted.

#### **Policy 2: Delivering Development**

The support for the policy is noted.

#### *Policy*

The size of sites that would require masterplanning and the “level” of masterplanning required will depend on the local context and circumstances of each site. Masterplanning requirements for a site need to be proportionate and reasonable. The Delivering Development Policy in the adopted Inner Moray Firth Local Development Plan (IMFLDP) (2015) has the same requirement and does not provide a definition of what is considered to be ‘larger sites’. The IMFLDP has been through Examination and was adopted in July 2015.

No modification is proposed by the Council.

The suggested modification to the final sentence of the policy is not considered appropriate by the Council. It would significantly change the thrust of the policy as it would indicate that Long Term sites are being invited for development during the lifetime of this Plan. The Plan is clear that sites allocated as Long Term are not intended to be developed during the lifetime of the Plan; they are intended to show the Council's likely preferred direction of growth beyond the period covered by this Local Development Plan. Paragraph 44 states that allocated sites are expected to be delivered before any long term sites can be considered. The housing supply provided by the allocated sites in the Plan is adequate for 20 years and Long Term sites are not included in these housing supply figures. The inclusion or removal of the sites will be considered at Plan reviews which are at least every five years. No modification is proposed by the Council.

#### *Site Capacities*

The support for the flexibility provided in paragraphs 42 and 43 is noted.

The concern about how indicative site capacities have been calculated is noted. However, paragraph 43 explains how the Council estimates capacity, in the interests of efficient use of land and to enable the Council to check, by adding up the indicative capacities, that the Council is providing sufficient supply in terms of the number of homes that could be accommodated.

#### *General*

The comment about large developments not being positioned on appropriate sites is noted. The Proposed Plan was prepared following the Call for Sites and Ideas and the Main Issues Report engagement, as well as the Wick and Thurso Charrettes. There has been input from various Council teams and by external bodies such as SEPA and SNH, so the site identification/allocation process has been given careful consideration. The Council considers that the Proposed Plan identifies the most appropriate sites.

The comment about directing development to partially developed sites and vacant properties and not allocating greenfield sites is noted. The Proposed Plan's Strategy, both overarching and at settlement level, provides for development opportunities on both. Inclusion of some green field opportunities for development is appropriate and is required in order to provide sufficient capacity and a range of effective sites.

The comment from the Caithness Chamber of Commerce is noted.

#### **Policy 3: Growing Settlements**

Support for the policy is noted.

The suggestion that public viewpoints and vistas should be defined in the policy is not considered necessary as these aspects of a proposal will be considered on a case by case basis. Open space referred to in the policy is as defined in the Glossary of the plan. No modification is proposed by the Council.

It is not considered necessary to include the list of settlements to which the policy applies as suggested because it already refers to the list provided in the supporting text. No

modification is proposed by the Council.

The suggestion to amend the wording of the policy to specifically refer to natural heritage features is not considered necessary. It is implicit in the policy text that 'important heritage feature' may refer to any relevant natural or built heritage assets. Policy 57 of HwLDP also sets out specifically how natural heritage features are safeguarded. Any relevant key national and international heritage features near a particular Growing Settlement were identified through the Strategic Environmental Assessment (SEA) process and feature in the Issues or Placemaking Priorities of the Growing Settlements. No modification is proposed by the Council.

The comment that development in Growing Settlements could impact upon open space or landscape and visual qualities of the settlement is noted. However, these issues are already addressed specifically in the criteria set out in the policy. No modification is proposed by the Council.

Where appropriate, relevant assessments required to safeguard heritage features will be undertaken as part of the development management process, and set out in HwLDP. No modification is proposed by the Council.

**Reporter's conclusions:**

**Reporter's recommendations:**



<b>Issue 4</b>	<b>EMPLOYMENT</b>	
<b>Development plan reference:</b>	Employment pages 14 - 15	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Wind Prospect Ltd (Mrs Sophie Nioche) (971514)  Mr William Marshall (941627)  Carl Beck (980040)  Mr Ian Walker (979716)  Mr David Doohan (980228)  Mrs Amelia Walker (931321)  RSPB Scotland (956544)  Caithness Chamber of Commerce (Mr David Swanson) (983321)  Mr Bill Badger (967160)  Scottish Government (963027)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Employment text	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Employment General</u></b>  <u>Wind Prospect Ltd (Mrs Sophie Nioche) (971514)</u>  Welcomes that renewable energy is recognised as an important contribution to a strong, diverse and sustainable economy in Highland and that paragraph 53 recognises that investment in renewable energy generation in North Highland is delivering economic benefits, as well as contributing to national climate change targets.</p> <p><u>Mr William Marshall (941627)</u>  The reference to HMS Vulcan in paragraph 61 needs updated to NRTE Vulcan.</p> <p><u>Carl Beck (980040)</u>  Supports the North Coast 500 referred to in paragraph 57.</p> <p><u>Mr Ian Walker (979716), Mr David Doohan (980228)</u>  Employment is important but in Caithness and Sutherland many developments have been instigated, funded and then shut down. More severe due diligence should be applied by the Planning department in assessing future applications. The plan needs to be realistic - the oil, wind and wave energy sectors are declining, Dounreay and Vulcan being decommissioned and jobs from offshore renewables have not yet come to fruition for Thurso.</p> <p><u>Mrs Amelia Walker (931321)</u>  Agrees that employment is vital but over the years it has become increasingly difficult to advance and retain industry as the population is too small. There is also a tendency to drift everything towards Inverness and the South. Caithness does not get a fair share of revenue</p>		

and facilities, medical, administrative and transport has all been diminished.

Caithness Chamber of Commerce (Mr David Swanson) (983321)

Welcomes the recognition given to the marine renewables energy sector and the planned support for this. However would caution against an over-reliance on this sector for employment, particularly in the long term. Agree that tourism plays an important part in the local economy and welcomes the supports for opportunities in this area. While it is good to see the Plan encouraging communities “to work together to formulate a tourism plan for their own area”, we would recommend that the Council work with organisations such as the Chamber and Venture North to ensure that these plans fit into an overarching strategy for development of tourism in the region.

Mr Bill Badger (967160)

Need to ensure that a wide range of jobs are available to encourage young people to stay in the area. Supports renewable energy but it must be balanced against the loss of the natural environment that can occur when policies are not thought out properly.

RSPB Scotland (956544)

RSPB Scotland supports appropriately sited renewable energy projects as climate change is currently the greatest threat to biodiversity. However the area of East Caithness identified in the plan as suitable for “energy business expansion” includes a number of designated European sites that are intended for the protection of wildlife. Not clear what “energy business expansion” covers but RSPB Scotland is concerned that the cumulative impact of continued development of wind energy in this area will adversely impact on the qualifying interests of these European sites. There are also large areas of deep peat within Caithness which are important carbon stores and that should be protected from development. In planning for the marine renewables industry, Highland Council must take full account of the importance of the Caithness and Sutherland shoreline and adjacent waters for bird life. RSPB Scotland notes that there are major opportunities for the promotion of wildlife tourism in Caithness and Sutherland and for the integration of biodiversity protection and enhancement with the creation of employment opportunities. In planning for an increase in tourism and visitor numbers, due attention must be given to the protection of important biodiversity assets as well as the opportunities for increasing public access to, and knowledge of, the natural heritage of Caithness and Sutherland. Seeking a modification in the form of the addition of text to paragraph 54 along the lines of, “Energy development (including wind turbines) in the Area for Energy Business Expansion must not adversely affect the integrity of any designated nature conservation site nor have an adverse impact on the population of any bird species listed in Birds of Conservation Concern, and should avoid areas of deep peat. Appropriate assessment will be required for any proposal which could have a significant effect on a Special Protection Area or Special Area of Conservation.” Also seeking a modification to the second last sentence of paragraph 57 to encourage the wider development of wildlife tourism, “Communities are encouraged to work together to formulate a tourism plan for their own area that makes the most of their natural and cultural heritage.”

**Marine Planning**

Scottish Government (963027)

Welcomes the references made to the National Marine Plan, however the Proposed Plan is

not clear on the status of the National Marine Plan, the role it will play in decision making and its relationship with non-statutory marine plans. This section of the plan should be modified as follows: Paragraph 65 should be amended and brought together with the final sentence of Paragraph 67 to read: "The policy framework for marine planning is evolving at both national and regional levels with the publication of the National Marine Plan (March 2015) and the development of Regional Marine Plans. The National Marine Plan applies from Mean High Water Springs and covers both Scottish inshore waters (out to 12 nautical miles) and offshore waters (12 to 200 nautical miles). The National Marine Plan has statutory effect for any public authority taking decisions which can affect the marine area. Statutory Regional Marine Plans will be delivered by Marine Planning Partnerships once established. The Council, in partnership with Marine Scotland and Orkney Islands Council, is also developing a non-statutory Pilot Pentland Firth and Orkney Waters Marine Spatial Plan which will be used as a material consideration in assessing relevant planning applications along the north Caithness and Sutherland coastline. Key elements....." If this change is accepted by the Reporter, it is suggested that the first sentence of Paragraph 67 which reads "The HwLDP includes policy in support of marine renewables, aquaculture, the integration of coastal and marine planning and links to relevant supplementary guidance" is moved to follow the last sentence of Paragraph 66.

**Modifications sought by those submitting representations:**

Mr William Marshall (941627)

Replace reference to HMS Vulcan in paragraph 61 with NRTE Vulcan

RSPB Scotland (956544)

Add additional text to paragraph 54 along the lines of: "Energy development (including wind turbines) in the Area for Energy Business Expansion must not adversely affect the integrity of any designated nature conservation site nor have an adverse impact on the population of any bird species listed in Birds of Conservation Concern, and should avoid areas of deep peat. Appropriate assessment will be required for any proposal which could have a significant effect on a Special Protection Area or Special Area of Conservation."

Add additional text to the last sentence of paragraph 57: "Communities are encouraged to work together to formulate a tourism plan for their own area that makes the most of their natural and cultural heritage."

Scottish Government (963027)

Welcomes the references made to the National Marine Plan, however the Proposed Plan is not clear on the status of the National Marine Plan, the role it will play in decision making and its relationship with non-statutory marine plans. This section of the plan should be modified as follows: Paragraph 65 should be amended and brought together with the final sentence of Paragraph 67 to read: "The policy framework for marine planning is evolving at both national and regional levels with the publication of the National Marine Plan (March 2015) and the development of Regional Marine Plans. The National Marine Plan applies from Mean High Water Springs and covers both Scottish inshore waters (out to 12 nautical miles) and offshore waters (12 to 200 nautical miles). The National Marine Plan has statutory effect for any public authority taking decisions which can affect the marine area. Statutory Regional Marine Plans will be delivered by Marine Planning Partnerships once established. The Council, in partnership with Marine Scotland and Orkney Islands Council,

is also developing a non-statutory Pilot Pentland Firth and Orkney Waters Marine Spatial Plan which will be used as a material consideration in assessing relevant planning applications along the north Caithness and Sutherland coastline. Key elements....." If this change is accepted by the Reporter, it is suggested that the first sentence of Paragraph 67 which reads "The HwLDP includes policy in support of marine renewables, aquaculture, the integration of coastal and marine planning and links to relevant supplementary guidance" is moved to follow the last sentence of Paragraph 66.

**Recommended summary of responses (including reasons) by planning authority:**

Support for the recognition of the importance of renewable energy is noted.

The Highland Council is content with the reference to HMS Vulcan being replaced with The Vulcan Naval Reactor Test Establishment (NRTE). The site was formally known as HMS Vulcan. This change will be made as a non-notifiable modification.

**Economic prospects in north Highland**

CaSPlan is focused on supporting greater diversification of the economy. It recognises that the economy of Caithness and North Sutherland has been driven largely by Dounreay for more than 50 years but that this is now in the process of being decommissioned (the Interim End State was recently extended to a date range of 2030-2033). CaSPlan provides a strategy for supporting other industries which have been identified as being important growth sectors, particularly in marine renewables and tourism.

Although it is recognised that the growth of marine renewables has been slower than some initial forecasts there have been positive signs over more recent times that it will attract significant investment and deliver employment opportunities. MeyGen's tidal power project, located in the Pentland Firth, has attracted a range of investment streams and with the grid connection now completed the next milestone involves the installation of the first turbines. When fully operational the scheme is expected to generate 400MW of electricity and employ an increasing number of people. SSE has confirmed the Final Investment Decision for the £2.6billion Beatrice Offshore Windfarm project in the Outer Moray Firth which has been considered as one of the largest private investments ever made in Scottish infrastructure. The 588MW, 84 turbine windfarm is expected to power approximately 450,000 homes. SSE has also confirmed around £10million of investment in Wick Harbour which will be used as the Service Base during the construction and operation stages. This is expected to have wider benefits across Wick and the whole county.

The decline in the price of oil and gas has had repercussions across the world. Businesses in Caithness do not appear to have experienced the same impact as others in the sector with reports that Scrabster Harbour's role in servicing the west of Shetland oil and gas fields is growing. Although it is clear that some businesses operating in the North Sea are scaling back operations the industry is also preparing for the emergent decommissioning industry (estimated to be worth up to £50 billion by 2040). This is expected to co-exist with continued exploration and production activity. With improvements to the harbours the area will be in a better position to attract new opportunities which arise from this growth industry.

The tourism industry is also becoming an important growth sector across Caithness and Sutherland. The North Highland Initiative's North Coast 500 coastal route has proved to be a great success including being identified as one of the world's greatest road trips by travel

writers/publications. Recent publicity has shown that visitor numbers have risen substantially across much of Caithness and Sutherland. The Proposed Action Programme also outlines a number of projects which will also enhance tourism and recreational facilities.

Other **emerging industries** are also attracted to Caithness and Sutherland. HIE have held talks with parties interested in developing a satellite launching facility in north west Sutherland. Initial results from a feasibility study have shown that the site has the specific requirements suitable for such a facility. In addition, Wildland Ltd's proposals for exclusive visitor facilities around north west Sutherland could lead to a range of new employment opportunities being created.

The points raised by RSPB Scotland about wildlife tourism are noted and comments made by the Chamber of Commerce in regard to communities formulating their own tourism plan for their area is noted. Paragraph 19 states that the Council is supportive of communities working together to create/implement their own Community Plan that complements the CaSPlan Vision. If the Reporter is so minded a similar reference could be made in Paragraph 57 such as "work together to formulate a tourism plan for their own area that makes the most of their natural and cultural heritage and complements the CaSPlan Vision".

#### **Area for Energy Business Expansion**

The "Area for Energy Business Expansion" is not intended to be used as a land use allocation for energy developments. It is not intended to show where renewables devices would be acceptable on the ground, but rather it is intended to show where the Council would be particularly supportive of the necessary supporting terrestrial infrastructure, including associated business and industrial developments. It is also intended to promote the energy sector within the area and help to generate local jobs. Therefore the Council does not feel that the modification suggested by RSPB Scotland is necessary.

#### **Due Diligence**

The effectiveness of sites is assessed as part of the preparation of the LDP. This may include the existing and proposed levels of infrastructure and services which would be required to support development to go ahead. Supply and demand of particular land uses is also assessed and helps to inform the sites recommended for inclusion in the Plan. References to the Planning Authority carrying out due diligence for planning applications is not appropriate. Planning applications are not specifically determined on whether due diligence has been carried out prior to a planning application being submitted.

#### **Marine Planning**

Support for the references made to the National Marine Plan are noted.

The Council would be content for the following non-notifiable change to be made to paragraphs 65 and 67 as follows:

"The policy framework for marine planning is evolving at both national and regional levels with the publication of the National Marine Plan (March 2015) and the development of Regional Marine Plans. The National Marine Plan applies from Mean High Water Springs

and covers both Scottish inshore waters (out to 12 nautical miles) and offshore waters (12 to 200 nautical miles). The National Marine Plan has statutory effect for any public authority taking decisions which can affect the marine area. Statutory Regional Marine Plans will be delivered by Marine Planning Partnerships once established. The Council, in partnership with Marine Scotland and Orkney Islands Council, is also developing a non-statutory Pilot Pentland Firth and Orkney Waters Marine Spatial Plan which will be used as a material consideration in assessing relevant planning applications along the north Caithness and Sutherland coastline. Key elements....."

Move the first sentence of Paragraph 67 which reads "The HwLDP includes policy in support of marine renewables, aquaculture, the integration of coastal and marine planning and links to relevant supplementary guidance" to follow the last sentence of Paragraph 66.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 5</b>	<b>CONNECTIVITY AND TRANSPORT</b>	
<b>Development plan reference:</b>	Connectivity and Transport page 16	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Carl Beck (980040)  Wind Prospect Ltd (Mrs Sophie Nioche) (971514)  Mrs Brenda Herrick (966977)  Network Rail (Ms Pam Butler) (980184)  Mr Ian Walker (979716)  Mr David Doohan (980228)  Mrs Amelia Walker (931321)  Caithness Chamber of Commerce (Mr David Swanson) (983321)  Mr Bill Badger (967160)  Neil MacRae – Hitrans – late response from a Key Agency (17 May 2016)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Connectivity and Transport text	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Carl Beck (980040)</u>  Supports the North Coast 500 referred to in paragraph 57 but thinks the road infrastructure is inadequate as a major tourist attraction and requires major improvements to fulfil the tourist potential.</p> <p><u>Wind Prospect Ltd (Mrs Sophie Nioche) (971514)</u>  Objects to bullet point 3 of paragraph 70 and would like it recognised that renewables projects provide an opportunity for better roads, as the projects fund repairs &amp; upgrades, and planning conditions ensure no net degradation of the road system as a result of a project.</p> <p><u>Mrs Brenda Herrick (966977)</u>  Transport in Caithness is deteriorating rapidly. The train service is appalling but probably outwith Council control. Bus service is deteriorating partly due to the Council policy of awarding contracts to the lowest bidder which has the knock-on effect of reducing Stagecoach routes. Roads are in a bad state and getting worse, in some cases also due to Council policy of using Caithness as a rubbish dump for other parts of Highland. This is supposed to reduce cost of building more landfill sites but has not taken into consideration the damage to roads along the route. Materials used to repair roads now are not fit for purpose. The delay to the Berriedale Braes work is causing problems and at worst dangerous. How is industry and tourism supposed to flourish in these conditions? Efficient transport infrastructure by rail and road is essential for any economy. There seems to be no joined-up thinking.</p> <p><u>Network Rail (Ms Pam Butler) (980184)</u>  There are a wide range of fronts upon which climate change needs to be tackled including</p>		

the need to protect the existing infrastructure as we all adapt to more severe weather events. In addition to addressing climate change through sustainable development there is a need to recognise that some major infrastructure (i.e. communications, utilities, roads and railways) are currently located in vulnerable areas (such as the Caithness and Sutherland coastline) and represent considerable public investment. Plans which anticipate and support the need to protect the significant investment in existing infrastructure foster sustainable development and policy support should be given for enhancements where required. This section should be changed to add: CaSPlan addresses these challenges by; Supporting the functional and operational requirements of providers of existing infrastructure to maintain and repair transport and communications networks.

Core Path Plans can be adapted as circumstances change and where development or the operations of statutory undertakers may dictate. The Plan should note this and the following clause should be added to this section: "The Council may remove or amend paths in the Core Paths Plan and this is most likely to occur on proposed development sites. If this happens an amendment to the plan will be published in accordance with set procedures."

Network Rail broadly supports the last bullet point of paragraph 71 as the concentration of development, directed towards settlements with railway stations/transport hubs, is a sustainable approach to demand.

Mr Ian Walker (979716)

Caithness and Sutherland is largely dependent on private companies prepared to apply themselves to rural areas which are generally not profitable and therefore place the burden of transport costs on the poorer and more remote areas of the Highlands.

Mr David Doohan (980228)

Better roads are required and a more reliable train service.

Mrs Amelia Walker (931321)

Supports this section of the plan. Employment is a vital factor to any area. Over the years it has become increasingly difficult to advance and retain industry because the population is too small. There is also a tendency to drift everything towards Inverness and the South. Caithness does not get a fair share of revenue and facilities, medical, administrative and transport has all been diminished.

Caithness Chamber of Commerce (Mr David Swanson) (983321)

Agree that this is a key issue for the continued success and growth of Caithness and Sutherland and any support that the Plan can provide with regards to key transport infrastructure in the region is welcome. The Council should engage with groups such as Caithness Transport Forum and Wick John O'Groats Airport Consultative Committee to ensure that developments in this area are aligned with the priorities of local stakeholders. Agree in general that any proposed developments should look at existing infrastructural connections, but not all developments may be able to do so and flexibility should be applied when considering any proposed development. Agree that communities can play a key role in providing transport solutions in areas with limited infrastructure but would caution against over-reliance on community-provided transport and note that it remains the responsibility of the Council to ensure that socially necessary public transport is provided for those living in remote areas.



Mr Bill Badger (967160)

Generally supportive of this section of the plan. Suggested that perhaps not all single tracks roads need to be twin tracked.

Neil MacRae – Hitrans – late response Key Agency (17 May 2016)

Welcome reference in Thurso and Wick to the need for new development to consider Active Travel town Audit/masterplans. Hitrans is currently out to consultation on a Region-wide Active Travel Strategy and the final version will hopefully incorporate reference to the need to improve Active Travel provision along the A9 corridor especially on sections where the link between communities such as Golspie and Brora is commutable.

Include more references to the trunk road network in strategy diagrams and under the connectivity and transport section. In particular with regard to the Far North Line which has suffered from very poor performance in recent years.

Note reference to Branchliner and challenges posed by timber extraction on fragile local road network.

Highlight opportunities for improving connectivity with Orkney especially whereby improved connectivity between Caithness and Orkney could lead to increased market size and opportunities for business. Also context of implications around new Northern Isles Ferry Services contract and increased traffic/business if Road Equivalent Tariff ferry fares introduced on Pentland Firth plus the need for national government to ensure an integrated approach with rail and bus linking with new services.

**Modifications sought by those submitting representations:**Carl Beck (980040)

Acknowledge investment is required in the North Coast 500 road infrastructure.

Wind Prospect Ltd (Mrs Sophie Nioche) (971514)

Paragraph 70 bullet point 3 should acknowledge that renewables projects provide an opportunity for better roads.

Network Rail (Ms Pam Butler) (980184)

Add the following text: “CaSPlan addresses the challenges of climate change by; Supporting the functional and operational requirements of providers of existing infrastructure to maintain and repair transport and communications networks.”

Add the following: “The Council may remove or amend paths in the Core Paths Plan and this is most likely to occur on proposed development sites. If this happens an amendment to the plan will be published in accordance with set procedures.”

Neil MacRae – Hitrans – late response Key Agency (17 May 2016)

Include reference to Active Travel potential along the A9 corridor, in particular between Brora and Golspie.

Include more references to the trunk road network in strategy map and in connectivity and transport chapter.

Highlight opportunities for improving connectivity with Orkney.

**Recommended summary of responses (including reasons) by planning authority:**

The general support for this section from some respondees is noted.

The North Highland Initiative's (NHI) North Coast 500 coastal route is focused on encouraging more people to visit the north of Highland. It is acknowledged that this will also result in higher numbers of vehicles using the road network, including many narrow single track roads. Concerns over traffic volumes, road safety and general etiquette on rural roads have been raised in the local press recently. As a result on the North Coast 500 website the NHI have included a section dedicated to driving safely and responsibly on the route and particularly on single track sections. The Local Development Plan cannot make commitments for road infrastructure investment at this point; however if the Reporter is so minded, the Council would be agreeable to the following extra bullet point being added to paragraph 70 which highlights transport 'challenges': "The continued growth of the tourism industry may put increased pressure on the road network, particularly in rural areas."

Paragraph 70, bullet point three currently only says that the renewables industry may put increased pressure on the road network. It is acknowledged that the renewables industry can provide an opportunity for enhancing sections of roads through projects which fund repairs and upgrades. Planning conditions attached to developments often also ensure no net degradation of the road system. As a result the Council would be agreeable to the Reporter adding the following text to the end of this bullet point: "In some cases renewable energy projects may result in repairs and upgrades but it is essential that the Council ensures there is no net degradation to infrastructure from these projects."

Connectivity and transport is recognised as central to the economy and the communities across Caithness and Sutherland. This is reflected in it forming a core part of the Plan's Vision and Strategy. The section on Connectivity and Transport (page 16) outlines the key challenges and identifies the ways in which the local development plan can address these issues. The existing issues with public transport provision is noted. As a result if the Reporter is so minded the Council would be content with the first bullet point in paragraph 71 being amended to include reference to the challenges in the provision of public transport.

The Plan already acknowledges the importance of infrastructure and that forms a key part of the Vision and Connectivity and Transport outcome. In paragraph 71 bullet point four sets out how the planning authority will direct development "to locations easily linked to existing connections in the transport network, and utilities and communications infrastructure..." As a result the Council are not minded to make the Rail amendments suggested by Network Rail to paragraph 71.

It is acknowledged that sometimes the development of a site can result in the route of a Core Path having to be moved. However the review of Core Paths is a separate process from Local Development Plans, with a separate consultation to the Local Development Plan. Therefore the Council does not accept that the suggested additional text is necessary in the Plan. No modification is proposed by the Council.

Network Rail's support for the last bullet point of paragraph 71 is noted.

The first bullet point under paragraph 70 acknowledges that limited transport options and a high dependency on car ownership is a fundamental challenge for many people living within the CaSPlan area.

The comments made by the Caithness Chamber of Commerce are noted. The Plan recognises that not all development can be linked to existing infrastructure but it highlights that development will be directed in the first instance to locations which benefit from infrastructure. The reference to "communities continuing to play a key role in addressing this issue..." is intended to promote community initiatives such as Transport for Tongue as making positive change in a rural area. It is recognised that this may appear to put emphasis on the community as the group responsible for addressing the issue. As a result if the Reporter is so minded the Council would be content with amending the sentence to read "communities *can* play a key role in addressing this issue..."

Response to: Neil MacRae – Hitrans – late response Key Agency (17 May 2016)

The Plan identifies the need to provide better active travel connections and the comments from Hitrans are welcomed. The provision of a link between Brora and Golspie is recognised as both useful and feasible given the short distance between the two settlements. As a result if the Reporter is so minded the Council would be content with the third bullet point in paragraph 71 being amended to read "Promoting active travel opportunities, particularly between settlements such as Brora and Golspie..."

The Highland-wide Local Development Plan contains a map on page 108 which shows the Road Hierarchy. It is not felt necessary to repeat this within CaSPlan. At paragraph 71 bullet point one, the Plan already refers to the fact that it aligns with the Highland Local Transport Strategy and supports projects to be delivered by partner agencies. The problems faced by the operators of the Far North Line are noted. As a result the Council would be content if the Reporter is so minded to amend the first bullet point in paragraph 71 to: "...for Berriedale Braes on the A9, and Network Rail's enhancements to the Far North Line".

The comment on the Branchliner Project (Action Programme – Aspirational programme) is noted.

In terms of highlighting opportunities for improving connectivity with Orkney, the Plan already recognises at paragraph 68 that the area needs to be well connected to be a competitive and successful place. Paragraphs 13 and 54 also highlights the Pentland Firth and Orkney Waters Energy Hub - Area for Co-ordinated Action as identified in NPF3. The Council does not think it is necessary to include any further references. No modification is proposed by the Council.

In terms of the implications around the new Northern Isles Ferry Services contract and Road Equivalent Tariff ferry fares, it is more appropriate for these matters to be considered during a review of the Local Transport Strategy. No modification is proposed by the Council.

**Reporter's conclusions:**

<b>Reporter's recommendations:</b>

<b>Issue 6</b>	<b>ENVIRONMENT AND HERITAGE</b>	
<b>Development plan reference:</b>	Environment and Heritage pages 17- 20	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mrs Amelia Walker (931321)          Caithness Chamber of Commerce (Mr David Swanson) (983321)          Mr Bill Badger (967160)          Mr Ian Walker (979716)          Halliday Fraser Munro (966464) on behalf of Wildland Limited (Mr Thomas MacDonell) (983561)          Wick Harbour Authority (980257)          Wind Prospect Ltd (Mrs Sophie Nioche) (971514)          Mr David Doohan (980228)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Environment and Heritage Text (Including Special Landscape Areas information)	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Environment and Heritage – General</b>  <u>Mrs Amelia Walker (931321)</u>          Supports this section of the plan. In particular feels that the natural and cultural heritage is at the forefront in Thurso when approaching from the west and should be left undisturbed.</p> <p><u>Caithness Chamber of Commerce (Mr David Swanson) (983321)</u>          Has no specific comment on this section of the plan.</p> <p><u>Mr Bill Badger (967160)</u>          Supports this section of the plan. The environment should be celebrated and safeguarded and not put at risk by indiscriminate windfarm development. Tourism is compromised by poorly thought out development.</p> <p><u>Mr Ian Walker (979716)</u>          Environment and heritage has been protected by the strength of the current Thurso Local Plan. Open vistas, historic areas including Pennyland House and the B Listed Smith Memorial are in jeopardy from a development which would destroy the environment and heritage of Thurso West.</p> <p><u>Halliday Fraser Munro (966464) on behalf of Wildland Limited (Mr Thomas MacDonell) (983561)</u>          Would like Kyle of Tongue National Scenic Area extended or at the least for the Council to advocate a formal Landscape Assessment carried out by SNH, with a view to designation at the LDP. Supports the western extension of the Eriboll East and Whiten Head Special Landscape Area. The Special Landscape Area overlaps/coincides with two areas of 'Coastal Zone' – one being isolated coast around the A'Mhoine Peninsula and the other being undeveloped coast along the margins of Loch Eriboll and the Kyle itself, reflecting the</p>		

scattered crofting and fishing communities along those parts of the coast. These designations all overlap with SPA, Ramsar, SAC, NNR and SSSI designations over much of this same area of land. Notes the recent addition of Wild Land Areas. Would like to extend Wild Land Area 35 to cover the whole of the A'Mhoine Peninsula. The A'Mhoine might be the foreground between Hope and Loyal and the sea, but it is only when the reverse view is considered from the Pentland Firth that the true scale of the grandeur can be fully assessed. The A'Mhoine peninsula is the second longest area of mainland Scotland without a road, only exceeded by Knoydart. Would like to see the extension of the Cape Wrath Way explored by the Council and HIE. Notes the North Coast 500 and the benefit it has in terms of rural development and tourism in the plan area.

### **Conservation Areas**

#### Wick Harbour Authority (980257)

Would like clarity on what the review of the Wick Pultneytown Conservation Area would involve.

### **Climate Change**

#### Wind Prospect Ltd (Mrs Sophie Nioche) (971514)

Paragraph 83 should further acknowledge that new onshore wind and hydro energy developments will also be emerging between now and 2025.

### **SLAs**

#### Mr Ian Walker (979716)

With the amount of coast from Kinlochbervie to John O'Groats already under the umbrella of SLAs, it would be logical to include the whole of the coastline, including Thurso and Murkle Bays as Caithness has already been described as having a unique coastal character. Would also like to see the areas originally numbered TS06 and TS18 in the MIR (TS04 and TS12&14 respectively in the Proposed Plan) considered as Special Landscape Areas.

#### Mr David Doohan (980228)

The area viewed from Scrabster Hill east over the panoramic area to Dunnet Head should be a Special Landscape Area as it is a better vista than some areas already covered by the designation.

#### Mrs Amelia Walker (931321)

The area between Melvich and Dunnet Head should be designated as a Special Landscape Area as the scenic value is as good if not better than areas already designated. In your production for the plan, at page 100, the definition of open space is as follows: "areas of high quality, accessible and fit for purpose open space. These areas are protected from inappropriate development consistent with the HwLDP Policies 75 and 76." These should be advanced to the Thurso Bay area.

#### Mr Bill Badger (967160)

Generally in agreement with the approach to Special Landscape Areas, however they are limited in size and by their existence appear to give the green light to inappropriate development in the much larger areas that are not designated as Special Landscape Areas.

The Council should take all impacts into consideration both within and outwith Special Landscape Areas.

**Modifications sought by those submitting representations:**

**Environment and Heritage – General**

Halliday Fraser Munro (966464) on behalf of Wildland Limited (Mr Thomas MacDonell) (983561)

Extend Kyle of Tongue NSA.

Extend Wildland Area 35 to cover all of A'Mhoine Peninsula.

Commit to exploring the extension of the Cape Wrath Way (assumption of linking it with North Highland Way).

**Climate Change**

Wind Prospect Ltd (Mrs Sophie Nioche) (971514)

Amend paragraph 83 to acknowledge that new onshore wind and hydro energy developments will also be emerging.

**SLAs**

Mr Ian Walker (979716)

Designate entire coastline from Kinlochbervie to John O'Groats as an SLA.

Areas originally numbered TS06 and TS18 in the MIR (TS04 and TS12&14 respectively in the Proposed Plan) should be SLAs.

Mr David Doohan (980228)

Designate the area from Scrabster Hill east over to Dunnet Head as a Special Landscape Area.

Mrs Amelia Walker (931321)

Designate the area between Melvich and Dunnet Head as a Special Landscape Area.

Designate land at Thurso Bay as Open Space.

**Recommended summary of responses (including reasons) by planning authority:**

**Environment and Heritage – General**

The general support for this section from a number of the representees is noted.

The Council assumes that Caithness Chamber of Commerce is content with this section of the plan.

Issues surrounding potential adverse impact on the environment and cultural heritage from development at Thurso West are being considered in the Schedule 4 for Thurso West.

The responsibility to designate (or extend) an NSA lies with Scottish Ministers, therefore the Council will not be extending Kyle of Tongue NSA through this plan. The Council does not think it is necessary to ask SNH to carry out a formal landscape assessment; the NSA and SLA and Wild Land Area identification processes all involved extensive landscape assessment. SNH has already produced Landscape Character Assessments covering all

areas. Landscape is also afforded policy protection through Policy 61 Landscape in the Highland-wide Local Development Plan which states that new developments should be designed to reflect the landscape characteristics and special qualities identified in the Landscape Character Assessment of the area in which they are proposed. Therefore the Council feels there has already been sufficient landscape assessment carried out. No modification is proposed by the Council.

The support for the western extension of the Eriboll East and Whiten Head SLA is noted.

SNH prepared a map of Wild Land Areas in 2014 and it is not within the power of the Council to amend or alter these areas. No modification is proposed by the Council.

Cape Wrath Trail is an unofficial, unmarked long distance route. The suggestion for the Council and HIE to explore the idea of extending it i.e. linking it to the North Highland Way, has been passed to the Council's Access Officer. The following website <http://www.outdoorhighlands.co.uk/long-distance-trails/> is used by the Council's Rangers to promote both the North Highland Way and the Cape Wrath Trail.

### **Conservation Areas**

In relation to the query from Wick Harbour Authority about Wick Pultneytown Conservation Area, it is the statutory duty of Highland Council to determine which parts of their area are of special historical or architectural interest and designate such areas as conservation areas. Wick Pultneytown Conservation Area has its own unique character. Careful and controlled management of the Conservation Area is essential to ensure that the special character is protected. Ongoing and continued monitoring and review of conservation areas is essential and allows for the formulation of enhancement schemes and may from time to time result in amendments to boundaries. Paragraph 77 sets out that appraisals may be undertaken for Conservation Areas and Management Plans prepared. Details of when this may happen for Wick Pultneytown Conservation Area are not available as the work is not yet programmed, but there will be public consultation during any review.

### **Climate Change**

Paragraph 83 is acknowledging that onshore wind and hydro are well established in the area and that offshore and marine energy developments are emerging. Paragraph 81 also states that the Council is committed to maximising renewable energy contributions. Therefore the Council does not feel that it is necessary to add extra wording into paragraph 83 saying that new onshore wind and hydro energy developments will also emerge between now and 2025. However, if the Reporter is so minded, the Council would be agreeable to the following amendment: "with many onshore wind and hydro energy developments well established" being amended to: "with onshore wind and hydro energy sectors well established".

### **SLAs**

The reference to the definition for open space on page 100 of the plan does not match with what is on page 100 in the Proposed Plan or any of the supporting documents. The open space definition quoted, apart from one minor wording difference, is the same as the definition provided in the Glossary alongside the MIR. It should be noted that the Proposed



Plan has a different definition for Open Space. The representee wishes to see an Open Space allocation for land at Thurso Bay. The Proposed Plan Thurso map shows existing greenspaces around Thurso Bay to be safeguarded (see “greenspace” definition in the glossary). If the public park proposal were to be delivered then it would qualify for Greenspace/Open Space safeguard. Blanket “no development” across a wider area is not appropriate. No modification is proposed by the Council.

Support for the western extension of the Eriboll East and Whiten Head SLA is noted above, under “Environment and Heritage – General”. SLAs are regionally valuable landscapes identified to protect and enhance landscape qualities and promote their enjoyment. Sites identified in the MIR as TS06 and TS18 and as TS04 and TS12&14 respectively in the Proposed Plan, are both pieces of land within the SDA for Thurso. It would therefore not be appropriate to designate individual pieces of land within a settlement as SLAs. The areas in between SLAs do not give a green light to inappropriate development. In many instances land around (and within) SLAs is covered by other designations. Even if land is not covered by a designation, all development proposals are assessed against the policies in the Highland-wide Local Development Plan, including consideration of any impact of development on any nearby SLAs. There have however been suggestions for some new SLAs and for the whole of the coast from Kinlochbervie to John O’Groats to be an SLA. The consultation on the SLAs through the CaSPlan Main Issues Report was concerned with “fine-tuning” of boundaries - relatively minor adjustments to boundaries of existing SLAs to ensure they enclose areas of similar landscape and/or to ensure that the boundary did not inadvertently sever a landscape feature, having regard to the SLA Citations and SNH’s Landscape Character Assessments. The consultation was not aimed at identifying new SLAs. The original methodology used for SLAs selection/identification was challenged through Highland-wide Local Development Plan (HwLDP) Examination and the Reporter supported the current SLAs, subject to the Council considering any boundary amendments through the Area Local Development Plans. This was the approach followed by the Inner Moray Firth Local Development Plan (adopted July 2015) and it was accepted by the Reporter during its Examination process. It would be a significant piece of work to re-evaluate SLAs across Highland and possibly identify new criteria and scoring for their identification. Having considered the above the Council is happy with the boundaries of the existing SLAs and the conclusions of the HwLDP Examination on this issue. Therefore the Council considers that there should be no new SLAs identified in this Plan.

**Reporter’s conclusions:**

**Reporter’s recommendations:**

<b>Issue 7</b>	<b>CASTLETOWN</b>	
<b>Development plan reference:</b>	Castletown, page 22.	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ms Heather Calder-Macphee (977117)  Mr Eddie Todd (978135)  Mr Angus Cowap (970363)  Mr Neil Redgate (978151)  Mr Paul Vincent Tait (979013)  GH Johnston Building Consultants Ltd (979522) on behalf of Mr George Campbell (979545)  Scottish Water (953627)  SEPA (906306)  Emac Planning LLP (640333) on behalf of Scotia Homes Ltd (909099)  Mrs Audrey Young (979993)  Ms Gina Grunskis (980243)  Ms Susan Parmenter (981495)  Caithness Chamber of Commerce (983321)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Castletown settlement text and site allocations.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Castletown General</b>  <u>Mr Angus Cowap (970363)</u>  Greater clarity over the plans for green corridors, particularly the possibility of connecting Thurso and Castletown by off-road shore line cycle and walking route as articulated in the Prince's Regeneration Trust Masterplan of 2007 to facilitate access to the leisure and tourism assets of Castlehill Policies, Harbour, Heritage Centre, Beach, Dunnet Bay and forest by families on cycles and foot rather than motor vehicles.</p> <p>Provision of WC facilities near the small parking area at the western end of the beach as none exists at the moment for visitors.</p> <p>Improvement/maintenance works to footpath along dunes Dunnet Bay beach, at moment you have to walk some parts along A836 road due to degradation</p> <p>Application for clean beach accreditation</p> <p><u>Mr Neil Redgate (978151)</u>  Respondent argues that the Plan is 'incomplete' and 'not fit for purpose' due to the Proposed Plan not showing the sites which were not taken forward from the Main Issues Report, i.e. MIR site refs CT05, CT10 and CT12.</p> <p><u>Caithness Chamber of Commerce (983321)</u></p>		

Respondent has clicked Object but stated “We have no specific comments on any of the proposals or priorities.”

**CT01 – Land North of Harland Road (Long Term Housing site)**

Ms Heather Calder-Macphee (977117), Mr Eddie Todd (978135), Mrs Wendy Shearer (978313), Mr Neil Redgate (978151), Mr Paul Vincent Tait (979013), Mrs Audrey Young (979993), Ms Gina Grunskis (980243), Ms Susan Parmenter (981495)

Objects to the inclusion of the long term housing site for one or more of the following reasons:

- The eastern boundary does not fit any natural or existing boundaries and would be a hard and ugly boundary to the village.
- No demand for additional housing in Castletown, more housing will reduce house prices in the area. Many houses currently on the market.
- There are better alternative sites in village and planning permission exists for 48 houses in other areas of the village.
- Lack of employment opportunities to attract/retain people, e.g. Dounreay, oil sector.
- The noise, pollution and general disruption would compromise residents quality of life as well as potentially decrease the value of neighbouring property.
- Taking access from Harland Road and increased traffic levels will make it more dangerous for children. The new road layout would be used inappropriately by boy racer and could be used as a rat run. The access point is already tight and busy with traffic. The access proposed from Harland Road would impact on residents who currently take access from and park their cars along this part of the road.
- CT01 does not fulfil the first placemaking priority on promoting opportunities for redevelopment, infill within the village centre and brownfield sites. It does not protect the farmland and woodland landscape of the village.
- It would result in piecemeal development
- There have been regular flooding issues on certain parts of CT01
- The land at CT01 is a haven for wildlife and provides a corridor between the woodlands. The green corridors are insufficient and development would damage the ancient/long established woodland at Burns of Strangergill and Garth.

Other concerns raised include:

- about the timescales of development,
- extent of greenspace setback from the existing houses; and
- why not all residents in Harland road received the neighbour notification.

Mr Neil Redgate (978151)

The boundary of the SDA has been drawn up incorrectly with respect to Burn of Garth woodland. It cuts across the woodland on the south east side of the settlement whereas the woodland extends northwards to the small power cable exchange building. If this was included within the SDA then the parameters of CT01 would have been different.

No explanation has been made in the Plan for CT01 being included as a long term housing site.

A better site would be to the east of Harland Road as it fits with the infill requirement and minimises impact on the woodland connectivity. This is a much smaller plot of land tucked away, on level ground, not prone to flooding and also falls within the existing field boundaries.

Another plot of land suitable for infill is the farmland, on the south side of B876, between the Primary School and former surgery and connects the village (and school) to the disjunct group of houses at the edge of the village boundary. It also is neatly defined by existing field boundaries.

Any housing in the CT01 area would impact on the mental health and well-being of respondent's wife. She does not leave the house very much and relies on and enjoys the wide open views of woodland, coastline, dunes and farmland.

#### Scottish Water (953627)

Although the site has been designated as Longer Term site, Scottish Water would recommend that any current or prospective developers interested in delivering the site, to make contact with Scottish Water as early as possible to understand any specific infrastructure of investment requirements required by either party.

#### **CT02 – Castlehill Steading and CT06 – Land at Shelley Hill**

GH Johnston Building Consultants Ltd (979522) on behalf of Mr George Campbell (979545)

The client, who owns the land between Castletown and Castlehill has supported planned development of the land since the drafting of the Caithness Local Plan. Scotia Homes subsequently purchased land near the steading for development. They received planning permission in March 2013 for 28 new build houses and conversion of the steading. Scotia Homes also have an option to purchase adjoining land for further development.

Respondent objects to the provisions of the Proposed Plan for the Castlehill/Shelley Hill area of Castletown insofar as they do not accurately reflect the:

- (a) agreed Castletown Master Plan;
- (b) adopted Highland wide Local Development Plan;
- (c) Main Issues Report of the CaSPlan; and
- (d) development approved under 11/00403/FUL.

A. Agreed Castletown Master Plan. The Castletown Village Masterplan is endorsed in the Highland wide Local Development Plan, notably in Policy 26. The phasing plan shown in the Masterplan is not fully reflected within the Proposed Plan. The masterplan shows Phase 1 including Castlehill Steadings and associated quality new build (OPA granted) 40-50 new houses, plus conversion/re-use of steadings." However, the Proposed Plan allocation CT02: Castlehill Steading only allocates land with a capacity for 28 houses, as per the new build element of the permission granted under 11/00403/FUL. The agent considers that the inclusion of additional land for potential development of "40-50 new houses, plus conversion/re-use of steadings" in the Plan period would be more in keeping with the Masterplan.

In relation to Phase II:

- (1) Part of the Phase I land at Castlehill is indicated for longer term development in the Proposed Plan.

- (2) The north eastern and south eastern parts of the Phase II land adjacent to the existing village do not form part of the longer term mixed uses area under CT06 in the Proposed Plan.
- (3) Not all of the eastern (Later Phases) section of the development land in the open field south of Castlehill is included in the CT06 area.
- (4) The desired Place-making Priority of a better connection of the village with Castlehill and the harbour from the centre of Castletown is shown in conjunction with the long term potential for mixed use expansion. However, the Masterplan phasing plan clearly shows this as part of Phase I.
- (5) Most of the route of this link will serve as a vehicular access for development on both sides. As such it would generally be constructed in conjunction with the phased development of land extending both from the village and Castlehill directions, indicated as Phases I and II in the Masterplan. Earlier completion of the whole link in advance of adjacent longer term development will depend on farming operations either side.

B. The Council's intention "to adopt the guidance following consultation and possible amendment as supplementary guidance to this plan". As the Proposed Local Development Plan is not consistent with the guidance contained in the Castletown Masterplan it does not comply with the Highland wide Local Development Plan.

C. The MIR fully embraced the Castletown Masterplan. It is noted that in response to the comments received on the MIR the Council agreed that the amount of land allocated in the Masterplan was too much and the growth rate was too optimistic. However, the Proposed CaSPlan, in attempting to split up the overall allocation into Plan period and longer term development areas key parts of the Masterplan land have been left out altogether with little thought to the practicalities of how the land at Castlehill and Shelley Hill can be developed. In addition, Scotia Homes Ltd recently submitted a further planning application to renew the permission granted at Castlehill in March 2013. The respondent believes that the commencement of development of this land within the Plan period will help generate interest in further development over nearby land. The CaSPlan needs to remain flexible and allocate the additional land in a manner that is more in keeping with the agreed Masterplan.

Comments specific to CT02: Castlehill Steading:

- (1) This allocation shown on the Castletown Inset Map does not accurately reflect the area granted planning permission in March 2013 under 11/00403/FUL. The southern boundary of this approved development site is actually a bit further south than indicated in the Inset Map. The "Site Access" arrow is not in the location of the approved main access to the site.
- (2) The application was for 28 new build dwellings plus a further 6 through conversion/restoration of the steading to the north. The indicative housing capacity should therefore be for more than 28 dwellings.
- (3) The 3.9 ha. of allocated land extends well beyond the boundaries of the area granted permission into the area of the demolished Castlehill House and its immediate environs. To avoid confusion and reflect the additional development potential indicated in the Castletown Master Plan, it is suggested that the land not covered by the 11/00403/FUL permission should form a separate allocation for mixed use.
- (4) The approved development area should be a stand alone allocation but for housing. Apart from the retail ground floor use approved on one of the plots, the development

is in all other respects residential.

- (5) The allocation should also exclude the Heritage Centre, which is an existing use in part of the Castlehill steading.
- (6) Whilst a Tree Protection and Management Plan together with a protected species walkover survey are developer requirements, the existing allocation does not specifically safeguard the woodland between the former Castlehill House site and the open field to the south. This area should therefore be indicated as Green Space.

#### Comments specific to CT06: Land at Shelley Hill

- (1) This allocation does not accurately reflect the Castletown Masterplan. Whilst the blanket allocation indicated in the Main Issues Report (CT01) is not requested, in breaking this down into smaller allocations the Proposed Plan should at least have accounted for the key development areas and components of the Masterplan.
- (2) No account is taken of the potential for development immediately adjacent to Castletown that replicates part of the grid pattern of the existing village.
- (3) The boundaries of the allocation should also account for the single plot depth development potential either side of the proposed avenue to connect the village to the harbour.
- (4) The allocation should also extend to the edge of the woodland on the eastern side and not leave a narrow triangle of ground, which would be difficult to cultivate if retained in agricultural use.
- (5) As indicated at 4.2 above, the approved Scotia Homes site at Castlehill is the subject of renewed interest. Whether or not development of this area commences in the short term, it is considered that additional land that allows for a choice of housing sites and complements this higher density form of development within the Plan period is an omission from the Proposed Plan.
- (6) It is requested the inclusion of the strip of land immediately north east of the village edge, in line with the Castletown Masterplan. In addition to meeting shorter term local demand for medium density housing development close in to the village and existing amenities, the western part of this land has more potential for additional uses such as a residential care home.
- (7) The longer term allocation of all of this land, as indicated in Proposed Plan CT06 allocation, will hinder such demand being met. This in turn will place more pressure on the surrounding countryside for un-planned single house developments that are often at odds with the settlement pattern and continued farming operations on adjacent land.
- (8) The upper and lower parts of this field can be serviced by existing infrastructure, notably drainage and roads without prejudicing the connecting development strip and avenue in the longer term. It would be more cost effective for these areas to be connected by gravity to the existing foul drainage system than CT03, which requires the pumping of effluent.
- (9) The eastern part of the strip of land, north east of MacKay Street offers potential for further housing, perhaps beyond the Plan period.
- (10) There is also scope to include provision for amenity open space and/or allotments between the existing built up area and new development.
- (11) The potential to form vehicular accesses at each end of this land, consistent with the Castletown Master Plan, should be indicated. This will allow development to progress in the event that the current open area of land adjacent to MacKay Street is not made available or its use as a vehicular access is objected to. In this latter regard the Community Council had expressed concerns in response to the Main

Issues Report.

- (12) Development of the field either as indicated in the Proposed Plan or in the manner now requested will leave two smaller fields. These would not be viable to retain in agricultural use in the longer term. However, until the land is developed retaining it in agriculture is the best way of managing it in the interim. The indication for expansion of the 'green network' would be appropriate but it is suggested that the Plan is more specific about the range of potential future uses such as open space for formal and informal use and community allotments.

The respondent provided an attached plan of Castletown illustrating the requested modifications.

Emac Planning LLP (640333) on behalf of Scotia Homes Ltd (909099)

Scotia Homes Ltd objects in relation to specific proposals at Castletown and respectfully requests modifications to the allocations at CT02: and CT06: Land at Shelley Hill, both in relation to the settlement text and to the boundaries of the allocations.

It is considered that the allocations in the Proposed CaSplan fail to accurately reflect the planning history of land at Castlehill and are inconsistent with both the development plan context for Castletown and the Castletown Village Masterplan, 2007. The following modifications are suggested having regard to this context, which is set out in further detail below.

Scotia Homes object to the boundaries of both CT02 and CT06 and would suggest the following modifications are made to the designations:

- CT02: Castlehill Steadings should be divided into two sites, that is, CT02A: Castlehill Steading Phase 1 and CT02B: Castlehill Steading Phase 2. Site CT02A should reflect the boundary of Planning Permission Ref: 11/00403/FULL, illustrated as Site 1 in Figure 1 above. This boundary could also take in the heritage visitor centre. Site CT02B should incorporate within its boundary the second phase to this approved development, together with the creation of a connecting access road from Castlehill to Castletown, illustrated as Site 2 in Figure 1 above.
- CT06: Land at Shelley Hill should be extended to include land to the east and west, illustrated as Site 3 in Figure 1 of the attachment, with future development guided through a more detailed masterplan for the site.

The supporting text should be amended as follows:

- CT02A: Castlehill Steading Phase 1 should be identified with an indicative housing capacity of 34 on an area of 1.7 hectares to reflect the planning approval on the site, which now contributes to the effective housing land supply. The site should be designated for 'housing' not 'mixed use' development, again to reflect the planning consent for the site, which comprises only 1 no. commercial unit.
- CT02B: Castlehill Steading Phase 2 should be identified with an indicative housing capacity of 35 on an area of 1.5 hectares, with developer requirements similar to CT02, but also including a requirement to deliver the road connection to Casteltown.
- CT06: Land at Shelley Hill, which extend to approximately 14.5 hectares (including to road corridor), should be brought forward into the period of this CaSplan and the reference to 'long term' removed. The supporting text should incorporate a requirement that development of this land will be guided through a masterplanning

process, having regard to the Castletown Village Masterplan, 2007, allowing flexibility on the future boundary for built development and green networks.

The main reasons for these suggested modifications include:

- Planning history - Planning Permission (Ref: 11/00403/FUL) was granted in 2013 for the conversion of the existing derelict steading to provide 6 no. residential units, the erection of 28 no. new residential properties, including a mix of flats and houses, together with a 1 no. commercial (shop) unit. The application submission and Design and Access Statement clearly identified that the application formed Phase 1 of the development at Castlehill Steadings and that Phase 2 would continue on land to the east. Phase 2, together with the connecting access road to future mixed use development, was approved as a drawing by Highland Council. An application for the renewal of this permission was lodged in February 2016 (16/00927/FUL). In addition, the Highland Housing Land Audit, 2014 allows for 16 units at Castlehill Steading and 29 units on land to the south allocated in the adopted Local Plan for up to 25 units. It is considered that the planning history relating to this site and the clear commitment to its delivery by Scotia Homes Ltd, supports the allocation of Site 1 and Site 2 identified in Figure 1 for housing development in the period covered by this CaSplan.
- A further commitment to the allocation of land to the north of Castletown, on land identified as Site 3 in the attachment, in the period covered by this CaSplan, is also supported on the basis that this land forms an intrinsic part of the overall Masterplan vision for Castletown, with the connecting road offering the opportunity to secure further housing along its route together with some additional housing to the north of Castletown, again in accordance with the Masterplan vision for the area.
- Development Plan context - Caithness Local Plan (2002) illustrates that Sites 1 and 2, are allocated for housing and CaSplan should reflect this site specific allocation and increase the capacity of the site to reflect the consented layout for 29 houses and the additional capacity for a further 35 houses.
- Policy 26 of the HwLDP supports the delivery of the Castletown Masterplan. CaSplan is not consistent with the Castletown Village Masterplan and therefore conflicts with the requirements of the HwLDP. Paragraph 17.8.2 of the Highland Wide Local Development Plan (HwLDP) confirms that the Masterplan for Castletown (Map 16) will provide a framework for considering proposals in advance of the new Area Local Development Plan being prepared.
- The HwLDP had anticipated possible amendments to this guidance, following consultation, and although this revision has not taken place Policy 26 identifies a number of principles to be established within this future masterplan. Key principles relevant to these sites include protecting and enhancing the character of the village, establishing a stronger connection between Castletown and Castlehill and setting out phasing as a guide to growth and providing a clear steer on the direction(s) and emphasis for long term growth proposals. It is considered that both the proposals map and text, relating to Shelley Hill, are too prescriptive and that the location of new development and its phasing should be guided by the Masterplan and amendments to it, rather than through the designations in the Proposed CaSplan, which may preclude the delivery of the key principles of Policy 26
- The land in Scotia Homes' ownership and control illustrated in Figure 1 forms an integral part of the vision identified in the Masterplan for Castletown prepared by the Princes' Foundation for the Built Environment and The Prince's Regeneration Trust, as part of the North Highland Initiative. The proposals within the Masterplan are



underpinned by the Enquiry by Design (EbD) Process undertaken for Castletown in the summer of 2007. The report provides a future vision for Castletown, based on a regeneration and heritage action plan, with the completed Masterplan illustrated in Figure 7: Enquiry by Design Completed Masterplan. In order for CaSplan to be consistent and accord with both Policy 26 and the Masterplan, it is considered that residential development, should be allocated in accordance with the completed Masterplan

- Proposed CaSplan, may not be the most appropriate and it is suggested that the nature of the allocation requires further reconsideration or justification through a masterplanning process, not least the splitting up of the field, leaves divorced parcels of land on either side which would have an adverse effect on the ability to farm this remaining land.

Mr Angus Cowap (970363)

Respondent is at an advanced stage of purchasing the western part of CT02. Objects to the proposed paths shown as crossing the middle of CT02 east to west and north to south as this would negate the development of this particular small space for mixed use. A better route would be to take the path through a gap in the stone wall at the western edge as shown rather than straight through the middle of the only usable structure on the site the old stone built vaulted harbour frontage. Understands that a Programme of Archaeological Work and Tree protection and Management plan has already been carried out on this site.

SEPA (906306)

The northern boundary of CT02 is adjacent to the Coastal Flood Map and a small watercourse runs through the south east section of the site. Parts of the site are therefore at risk of flooding. As a result we object unless the following developer requirement text is added: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)." This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk. It will also ensure that the mitigation outlined in the Environmental Report is delivered in the Plan.

Scottish Water (953627)

Although CT06 has been designated as Longer Term site, Scottish Water would recommend that any current or prospective developers interested in delivering the site, to make contact with Scottish Water as early as possible to understand any specific infrastructure of investment requirements required by either party.

**CT03 – Former Castlehill Gardens**

Scottish Water (953627)

Due to the potential requirement for a pumped water supply in relation to the site

topography, it is recommended that any developer progressing with the site makes contact with Scottish Water Customer Connections to determine the specific requirements in line with what is being built.

**SEPA (906306)**

A small watercourse runs through the site. There are groundwater features in close vicinity of the site which may indicate a shallow water table and potential for groundwater flooding. Parts of the site are therefore at risk of flooding. As a result we object unless the following developer requirement text is added to the plan: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)." This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk. It will also ensure that the mitigation outlined in the Environmental Report is delivered in the Plan.

**CT05 – Former Free Church, Main Street**

GH Johnston Building Consultants Ltd (979522) on behalf of Mr George Campbell (979545)

A path is indicated connecting Main Street with the former flagstone quarry/landfill area towards Castlehill. Please be aware that just beyond the north eastern boundary of this allocated site there is a steep drop into the former quarry. This currently presents a danger and therefore the formation of a path in this location is not advisable.

**Modifications sought by those submitting representations:**

**Castletown General**

Mr Angus Cowap (970363)

Greater clarity on green corridors, particularly an active travel link connecting Thurso and Castletown.

Inclusion of toilet facilities at the western end of Dunnet Beach

**CT01 – Land North of Harland Road (Long Term Housing site)**

Ms Heather Calder-Macphee (977117), Mr Eddie Todd (978135), Mrs Wendy Shearer (978313), Mr Neil Redgate (978151), Mr Paul Vincent Tait (979013), Mrs Audrey Young (979993), Ms Gina Grunskis (980243), Ms Susan Parmenter (981495)

Removal of CT01 from the Plan

Mr Neil Redgate (978151)

Land east of Harland Road to be identified as a long term housing site (before CT01). Another alternative site is west of the primary school.

**CT02 – Castlehill Steading**Mr Angus Cowap (970363)

Removal of the proposed paths shown as crossing the middle of CT02 east to west and north to south. An alternative is proposed through a gap in the stone wall at the western edge of the site.

Removal of Developer Requirement for an Archaeological Work and Tree protection and Management plan

SEPA (906306)

Add the following developer requirement “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

**CT02 – Castlehill Steading and CT06 – Land at Shelley Hill**GH Johnston Building Consultants Ltd (979522) on behalf of Mr George Campbell (979545)

Better reflect the phasing strategy as shown in the Castletown Masterplan.

An alternative plan is proposed (see agent’s attachment) which sets out land uses and access points.

Separate CT02 to reflect the two different land ownerships – Scotia Homes Ltd and Castlehill Policies.

Enlarge the allocation to include the full extent within Scotia Homes Ltd ownership which also reflects the live planning permission 11/00403/FUL. Also increase the indicative housing capacity and amend location of the Site Access point to reflect the planning permission. Change Scotia Homes Ltd site from Mixed Use to Housing only. Remove the Heritage Centre from the allocation.

Include reference to the Council’s intention to “adopt the guidance following consultation and possible amendment as supplementary guidance” to be consistent with HwLDP.

Remove the woodland between the former Castlehill House site and the open field to the south from the allocation and identify as Greenspace. Remove the developer requirement for a Tree Protection and Management Plan and species walkover survey (assumed).

Emac Planning LLP (640333) on behalf of Scotia Homes Ltd (909099)

Separate CT02 to reflect the two phases set out in the planning permission 11/00403/FULL and the connecting access road from Castlehill to Castletown.

Castlehill Steading Phase 1 should be identified with an indicative housing capacity of 34 on an area of 1.7 hectares to reflect the planning approval. The site should be reallocated as Housing rather than Mixed Use.

Castlehill Steading Phase 2 indicative housing capacity for 35 on an area of 1.5 hectares, with developer requirements similar to CT02, but also including a requirement to deliver the road connection to Casteltown.

CT06 should be allocated for development within the Plan period and enlarged to include all the land at Shelley Hill (as shown in the MIR)

The Castletown Masterplan in order to guide new development should be amended as necessary and then adopted as supplementary guidance.

The Plan should be more specific about the potential future uses of the area shown as Expansion of the Green Network.

### **CT03 – Former Castlehill Gardens**

SEPA (906306)

Add the following developer requirement “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

### **CT05 – Former Free Church, Main Street**

GH Johnston Building Consultants Ltd (979522) on behalf of Mr George Campbell (979545)

Remove the “Proposed Path” between Main Street and the former flagstone quarry/landfill area towards Castlehill.

## **Recommended summary of responses (including reasons) by planning authority:**

### **Castletown General**

Thurso and Castletown are located along the North Highland Way which is an unofficial walking route from John O Groats to Cape Wrath. Although the Council recognises the potential recreational and tourism benefits of enhanced connections and long distance travel routes there are no plans to formalise it at present. The comment has been passed to the Council’s Access Officer for consideration. No modification is proposed to the Plan.

Although new toilet facilities would be desirable, existing toilet facilities are provided on a seasonal arrangement towards the eastern end of the beach. Given the [reductions in the Council’s budget](#) for public conveniences from £1.233m to £639k by 2018 it is unlikely that new toilet facilities will be built on the western side of the beach.

The submission of an application for clean beach accreditation is not a planning issue.

The comment that the Plan is ‘incomplete’ and ‘not fit for purpose’ due to it not showing all the Main Issues Report (MIR) sites is incorrect. The MIR is a discussion document intended to show all the site options which were made available at that time, including all those submitted during the Call for Sites process. The Proposed Plan is considered as the settled view of the Council, and sets out the agreed vision, strategy and site allocations.

### **CT01 – Land North of Harland Road (Long Term Housing site)**

*Planning context*

The existing Caithness Local Plan (2002) identifies the land north of Harland Road as the main expansion area for Castletown. Potential development sites in Castletown were reassessed as part of the preparation for The Prince’s Trust Castletown Masterplan in 2007 which aimed to formalise a vision and strategy with engagement and consultation from the

local community. Policy 26 in the Highland-wide Local Development Plan (2012) provided weight to the masterplan stating that it would provide a framework for considering proposals in advance of the new area Local Development Plan.

Given this context the Castletown Masterplan formed the basis of the preferred strategy set out within the Main Issues Report with preferred sites at both Shelley Hill and north of Harland Road. The results of the CaSPlan Monitoring Report and further analysis of housing development trends make it clear that the levels of growth were not attainable during the Plan period. Consequently a smaller allocation was identified at Harland road than in the Caithness Local Plan.

The Proposed Plan identifies CT01 as a Long Term Housing site. This was mainly due to the revised HNDA which showed less demand for new housing in Caithness than previously anticipated and alternative sites elsewhere in the village were considered more appropriate including the former steading at Castlehill which has live consent for a housing development. By identifying it as a Long Term site the Council is indicating the likely preferred direction for growth beyond the period covered by this Local Development Plan. The suitability of these sites for development has been subject of initial consideration through the preparation of this Plan. However, they are not being invited for development within this Plan period and allocated sites are expected to be developed before any long term sites can be considered. During future reviews of the Plan we will consider bringing forward long term as allocations (subject to further assessment and identification of any developer requirements) or whether they still reflect the likely preferred direction for growth and should remain proposed as long term sites. As a Long Term site the boundary shown is only indicative. Should the site come forward as an allocation in a future review of the Plan then a more appropriate boundary may be drawn. The identification of specific Developer Requirements and suitable access points will also be made at this point.

Anyone wishing to suggest alternative housing sites (e.g. land east of Harland Road) should submit these to the Council at the beginning of the plan review period to be fully considered.

In respect to wider issues raised in regard to housing supply and demand please see Issue 3 Growing Communities under the Housing Land Supply section. This sets out a more detailed response on housing figures and the approach to allocating the housing land supply.

#### *Economic concerns*

In respect to the issues raised in regard to the current and future economic prospects for the area please see Issue 4 Employment. This outlines the main industries which are considered to have significant growth potential and are supported by the strategy and land allocations in the Plan.

#### *Prioritising brownfield sites*

The first Placemaking Priority for Castletown promotes opportunities to develop brownfield and infill sites. This clearly displays the Council's support in principle for redeveloping brownfield sites and aims to reduce the pressure on greenfield land. It is recognised that it is not always appropriate to limit development opportunities to brownfield sites as these often pose additional constraints and the sites available may not be suitable for the type of development. Consequently there is a need to allocate suitable alternative greenfield sites

to ensure that valuable investment in the area is not discouraged.

*Amenity concerns*

Concerns raised about noise and general disruption are addressed as part of the planning application process. Planning conditions and informatives would be included to ensure that noise and other issues would be kept at acceptable levels during and after the construction stages.

Although the Council are sympathetic to health concerns of people who live next to potential development sites the right to a private view is not a material consideration in the planning system. Due consideration will be given at the planning application stage to any impact on residential amenity and through the HwLDP Policy 28 Sustainable Design.

*Piecemeal development*

One of the main aims of including Long Term sites is to provide a longer term vision for an area and therefore avoiding piecemeal development.

*Environmental issues*

The area shown as Expansion of the Green Network behind the houses at Harland Road provides separation between the existing houses and any new development. The area shown is indicative only and would be further defined if and when the site is included in future development plans as an allocation or a planning application is lodged.

*Flood risk*

The risk of flooding on parts of the site was identified as part of the SEA site assessment. If the site is taken forward as an allocation at future plan reviews it is expected that a Flood Risk Assessment would be included as a developer requirement.

*Impact on the wildlife*

The areas of woodland are recognised as being important to the setting of Castletown for supporting a range of wildlife. As the last Placemaking Priority states the Council will seek to enhance access and protect these from development. HwLDP Policy 74 Green Networks will ensure that any development proposals for CT01 will be expected to help promote greenspace linkages and safeguard/enhance wildlife corridors.

*Neighbour notification*

The Council notified everyone within 30 metres of an allocated site in the Plan, going beyond the minimum 20 metre Neighbour Notification requirement.

In addition to this the Council has undertaken a wide range of publicity at each stage of the plan making process, including press releases, public adverts and leaflet mail-drop to every property in Caithness and Sutherland.

The Council are therefore not minded to remove the site from the Plan. However, if the Reporter considered the site to be unnecessary then the Council would not averse to the site being removed from the Plan and the settlement boundary amended to exclude the site.

The Council notes the comment from Scottish Water regarding early engagement. Should the site be considered at future Plan reviews for allocation or prospective developers come forward the Council will look to promote early engagement with Scottish Water regarding

specific infrastructure requirements.

### **CT02 – Castlehill Steading**

It is acknowledged that the Proposed Path running southwards from the harbour through the arched building to Castlehill Estate may be an unreasonable requirement for a prospective developer since it is the only useable structure on property. If the Reporter is so minded the Council would be content for this section of the Proposed Path to be removed. The Proposed Path running east/west is an important pedestrian link and as it is only indicative the Council is not minded to make this modification.

#### *Developer Requirements*

The Developer Requirements for a Programme of Archaeological Works and a Tree Protection and Management Plan have been included to ensure that the heritage features and mature woodland are protected. Previous survey work may still be applicable and submitted at application stage to satisfy the Developer Requirement. Accordingly, the Council believes the Developer Requirements relating to archaeology and tree protection/management should be retained without modification.

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding)". This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance.

#### *Castletown Masterplan (2007)*

The Prince's Trust prepared the Castletown Masterplan in 2007 to formalise a vision following engagement and consultation with the local community. Comments relating to inconsistencies and conflicts with the requirements set out in the HwLDP are not accepted. Policy 26 in the HwLDP states the masterplan will provide a framework for considering proposals in advance of the new area Local Development Plan. The masterplan is almost 10 years old and the Council is required to have a Development Plan which is up-to-date and enables the delivery of the right development in the right place. Many of the core principles identified in the masterplan have been carried forward and form the basis of CaSPlan but there have been major changes in the economy and the development sector since the masterplan was produced. As part of the preparation of the Proposed Plan the sites considered as most appropriate have been taken forward, based on a judgement on the effectiveness of the site, environmental and landscape impacts and potential regeneration and heritage value from redevelopment.

#### *Castletown Masterplan as Supplementary Guidance*

The Council does not intend to take the Castletown Masterplan (2007) forward as Supplementary Guidance. The key principles of the masterplan have formed the basis for several of the Placemaking Priorities and the site allocations. The relatively low levels of development pressure in the area indicate that the approach taken in the Proposed Plan will provide a generous land supply for a range of uses over the course of the Plan period. It should be noted that the Castletown Masterplan will remain as a material consideration in determining relevant planning applications.

*Allocation to reflect planning permission (16/00927/FUL)*

The southern boundary of CT02 was intended to be drawn around the first phase of the planning permission. Having re-examined this it is apparent that the first phase extends approximately 30m further south. If the Reporter is so minded the Council would be content with the boundary being redrawn to include this area.

Having re-examined the indicative housing capacity figure for CT02 it is noted that it does not properly reflect planning permission 16/00927/FUL. Therefore if the Reporter is so minded the Council would be content to increase the capacity by 6 houses to provide greater clarity. This figure does not form part of the overall housing figures as shown on page 6 of the Proposed Plan. Therefore should the extra housing units be added then the overall housing figures will need adjusted.

The south eastern boundary of CT02 was chosen to reflect phase 1 of planning permission 16/00927/FUL. The second phase of development was excluded due to the revised HNDA which shows a Housing Supply Target figure of 530 houses across Caithness and the Plan already exceeds this figure. Concerns over allocating just the first phase of development are noted. It is recognised that the entire site was an allocated site within the existing Caithness Local Plan (2002). The recent renewal of the original application also shows a level of commitment to the development of the site and indicates it may be more effective than others sites. The proposal has also been designed to a high standard and its delivery would help to regenerate an important historic site in Castletown and generate interest in further development of nearby sites. Scotia Homes Ltd have also identified an area of amenity land which is greater (approx. 1700sqm than required for the first phase (619sqm) to satisfy future development of the area. Therefore if the Reporter is so minded, then the Council would be content with the allocation being extended to include the later phase of the planning consent. This would add another 35 units to the indicative housing capacity of the site. Should this occur then a Developer Requirement should be added to ensure that the connection between Castletown and Castlehill which falls within the site is appropriately delivered.

Having re-examined the road access shown on the Castletown map the site access identified in the planning application is approximately 20 metres to the north. If the Reporter is so minded, the Council would be content with the access point being amended to better reflect the planning permission.

The Tree Protection Plan and Tree Management Plan are listed as conditions of the planning permission and as a result the Council are not minded to remove this Developer Requirement.

*Request to split CT02 based on landownership*

The allocation boundaries shown in the Proposed Plan were identified at the Main Issues Report stage and based on layouts set out in the Castletown Masterplan. Since then, however, it has been noted that the former steading and north west section of the field at Shelley Hill (i.e. relating to planning permission 11/00403/FUL) is under different ownership of Castlehill which is in the advanced stages of being purchased by another party. Therefore if the Reporter is so minded the Council would be content with separating the site in two to help provide greater clarity about the potential future development of the area. The Developer Requirements relating to tree protection, protected species walkover survey and programme of archaeological works should be carried over to both allocations.



In addition, as the Castlehill Heritage Centre is outwith the ownership of Scotia Homes Ltd and is now fully redeveloped the Council would be content should the Reporter be minded to remove the area from the allocation.

The area was identified as a Mixed Use allocation due to the mix of uses which would be acceptable on the site and the retail unit included within the planning permission. If Scotia Homes Ltd wish to amend their proposals the Mixed Use allocation provides a greater level of flexibility.

### **CT03 – Former Castlehill Gardens**

The responsibility of ensuring an appropriate water supply connection lies with the developer and Scottish Water. However, previous discussions with Scottish Water suggest that depending on the type and scale of the development proposal a water connection may require significant additional infrastructure. To help raise awareness of this to any prospective developers the Council would be content with the following text being added to the Developer Requirements should the Reporter be so minded: “Early engagement with Scottish Water is recommended to determine potential requirement for pumped water supply.”

The Council believes that SEPA’s request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: “Flood Risk Assessment (no development in areas shown at risk of flooding)”. This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance. It will also ensure that the mitigation outlined in the Strategic Environmental Assessment is delivered in the Plan.

### **CT05 – Former Free Church, Main Street**

The map in the Proposed Plan shows the path aspiration identified in the Castletown Masterplan to enhance linkages between the Main Street and the trails within the former quarry. Although the line shown is only intended to be an indicative route it is recognised that the topography to the north west of the site may be more appropriate. Therefore to provide greater clarity on what may be expected of a developer if the Reporter is so minded the Council would be content with the Proposed Path route being moved approximately 25-30 metres to the west and the following Developer Requirement being added: “If feasible, provide access through the site to allow for connections with the Core Path network within the former quarry”.

### **CT06 - Land at Shelley Hill**

Although CT06 is only identified as a Long Term the site shown on the map is not centred on the proposed wide, tree-lined street from Mackay Street to Castlehill. If the Reporter is so minded the Council would be content with rotating the allocation westwards by approximately 40 metres to correct this.

*Requested Mixed Use allocation and Long Term Housing site north east of Castletown*

The Council notes that the agents for the landowner and Scotia Homes Ltd request additional areas of land at Shelley Hill be included as either allocations or Long Term sites. The allocations for Castletown in the Proposed Plan show the areas which were considered to be either the most effective (e.g. CT02) or offer significant regeneration opportunities (e.g. CT03 and CT04). The Long Term Mixed Use site CT06 and the second Placemaking Priority were included to indicate the Council's likely support for development beyond the Plan period and reflect the Masterplan's vision of a better connection between Castletown and Castlehill. As shown in [Appendix B of the report to the Caithness and Sutherland Committee in May 2015](#) outlining the interim position, we recognise there is merit in providing an opportunity for development in the short term adjoining Castletown and extending northwards to Castlehill. Due to the revised Housing Need and Demand Assessment which showed a reduction in the amount of land needed for housing the Proposed Plan did not take the area forward as an allocation. Instead it was shown as part of the larger CT06 Long Term Mixed Use site.

However, the Council recognise that the site would help to provide a greater number of options for development in Castletown and deliver key elements of the masterplan, such as the tree lined boulevard connection from Traill Street to Castlehill. In addition, with relation to the request for the allocation of land for a new residential care home, although there is not a proven need for such a facility in Castletown it may help to support the projected aging population. Therefore, if the Reporter is so minded the Council would be content with the inclusion of a Mixed Use allocation adjoining Castletown at Mackay Street. This could include both Housing, with a suggested indicative capacity of 30 houses, and Community uses to provide support for a residential care home. Should the Reporter be so minded then a Developer Requirement could also be added to ensure that the tree lined boulevard connection from Traill Street to Castlehill which falls within the site is appropriately delivered.

The points put forward in support of the suggestion of additional land being allocated for development adjoining Castletown at Harbour Road and the A836 are noted, including the ability to establish road access points and that the land would not experience the same water and waste water connection issues as sites around Castlehill. As a result should the Reporter be so minded then the Council would be content with areas of land extending from Castletown at Harbour Road and the A836 being identified as Long Term Mixed Use. It is suggested that if this occurs then indicative access points could be added to the east and west end of the site and approximately 25 metres of Expansion of the Green Network shown alongside the existing houses at Castletown.

#### *Additional Long Term sites*

The Council is not minded to agree with suggestions for additional areas of Long Term sites at Shelley Hill. At present the allocations exceed the housing supply target and the existing areas of Long Term sites show an indication of the Council's support for further development in the future. Should there be reason to allocate further land at future plan reviews then additional areas can then be considered.

#### *Allocation of single plots*

The request for single plot depth development along the proposed avenue connecting Castletown and Castlehill is not considered appropriate. This would result in housing development taking a ribbon form which can have a significant impact on the landscape. Due to the limited demand for housing land additional or extensions to exiting housing

allocations are also not required at this time.

*Triangle of land north east of CT06*

The small triangle of land to the north east of CT06 is identified as Expansion of the Green Network. Should the site CT06 be developed in the future then the remaining section of the field could be set aside for greenspace or amenity use.

*Scottish Water*

Scottish Water's comments flagging up early engagement of current or prospective developers are noted. Should the site be considered at future development plan reviews for allocation or prospective developers come forward the Council will promote early engagement with Scottish Water regarding specific infrastructure requirements.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 8</b>	<b>HALKIRK</b>	
<b>Development plan reference:</b>	Halkirk	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mr Richard Brannan (967640)  Mrs Helen Campbell (970271)  Mr Peter Knight (976437)  Scottish Water (953627)  Ulster Arms Hotel (979625)  SEPA (906306)  Mr Kenneth Nicol (977530)  Mr Paul Lockhart (980218)  Hugh &amp; Joan Lockhart (980776)  Mr Alan Jones (984820) on behalf of North Highland Initiative (983130)  Caithness Chamber of Commerce (983321)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Halkirk settlement text and site allocations.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Halkirk General</b>  <u>Mr Peter Knight (976437)</u>  Suggests a footpath from the railway bridge along the east bank of the river to reach the Old Mill and Milton Farm access road beside Ulster Arms Hotel.</p> <p><u>Mr Alan Jones (984820) on behalf of North Highland Initiative (983130)</u>  The respondent objected to the Plan and requests that reference should be made to Halkirk Sports Foundation working to deliver a new Healthy Living Centre akin to a small sports centre and changing rooms but available for wider than sports activities be added to the Plan. Circa £1/5m. This also will Grow Communities and create employment.</p> <p><u>Caithness Chamber of Commerce (983321)</u>  "We have no specific comments on any of the proposals or priorities."</p> <p><b>HK01 – Comlifoot Terrace</b>  <u>Mrs Helen Campbell (970271)</u>  Objects to HK01 due to the area being prone to flooding and the impact it has on the neighbouring properties. The respondent highlights that the SEA site assessment states that the HK01 is not located within an identified flood risk area and there is no history of flooding and therefore the post mitigation score is '0'. However, the respondent disagrees and confirms that there is definitely a history and continuing issue of pluvial flooding within and around HK01. The respondent has submitted supporting information which clearly shows there is a problem with flooding in the area and that it is having a significant impact on their property. The causes appear to be associated with the drainage network, the</p>		

topography and the soil conditions. Additional houses will only put further strain on the sewer network, displace more water into the respondents property and lead to further flooding issues if no mitigation works are carried out.

SEPA (906306)

The River Thurso runs along the southern boundary of the site. SEPA hold records dating from 2006 which demonstrate flooding to the north of the site boundary. SEPA are have also been informed of more recent flooding and drainage issues in the area. Parts of the site are therefore at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)." This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

**HK02 – West of Bridge Street**

Mr Richard Brannan (967640)

Objects to HK02 as it forms the eastern boundary of the Moss of Halkirk. A housing development within this area is not in accordance with the Council guidelines. There are sufficient infill areas within Halkirk which could easily support the proposed indicative capacity of 35 houses. There are well recognised drainage issues in the area which need addressing. No reason to drain this ancient landscape which cannot be replaced.

Mr Peter Knight (976437)

Supports the inclusion of HK02 as it reflects the views and intention of a number of residents and landowners of properties to the west of Bridge Street. Supportive of it not being dependent on an extension of the grid-iron pattern. Surprised that HK02 does not extend further south to the railway line as there have been approvals for single houses.

Scottish Water (953627)

With reference to the 'contaminated land' designation it should be noted that a similar documented report will be required prior to any water connection being approved and this may require any associated supply pipe being of an approved barrier material or ductile iron depending upon the level of any documented contaminant.

SEPA (906306)

Both the information SEPA hold and the assessment outlined in the Environmental Report indicates that this site is on peat soils. As a result SEPA object unless the following developer requirement text is added to the plan: "Peat assessment and management plan". This amendment will ensure compliance with paragraph 205 of Scottish Planning Policy which states "Where peat and other carbon rich soils are present, applicants should assess

the likely effects of development on carbon dioxide (CO<sub>2</sub>) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO<sub>2</sub> to the atmosphere. Developments should aim to minimise this release.” It will also ensure consistency with other allocations on peat in the plan.

Mr Paul Lockhart (980218)

Supportive of HK02. As a Halkirk resident the respondent believes that the village has a shortage of houses, and it would be of great benefit to the community to have more land available for house building.

Hugh & Joan Lockhart (980776)

Fully supports HK02 in Halkirk as there is ample access to the site and already some development and it seems logical to further develop. At the CASPLAN meeting in the Ross Institute Halkirk, (25-11-14) Councillor Coghill stated there is a desperately serious housing shortage in Caithness; therefore development in Halkirk should help to solve the housing shortage.

**HK03 – North East of Old Parish Church**

Mr Peter Knight (976437)

The proposed footpath through HK03 will pass through garden grounds. The respondent, who owns one of the properties is quite supportive of this but assumes his neighbours are unaware of the proposals. Although his garden is outwith the flood plain he suspects the properties to the west may not be. There is an opportunity to extend the proposed path network at HK03 over to Braal Castle and reinstate the old footbridge over the river. The respondent also highlights that it is possible to walk along the river from Halkirk to Thurso and a formal path network should be promoted through the Plan.

Mr Kenneth Nicol (977530)

Supportive of the proposal to protect areas around the river from development and thus safeguarding the attractiveness of the area for recreational activities. The allocation should include Public Park option.

**HK04 – South West of Ulbster Arms Hotel**

Scottish Water (953627)

As this site requires a contaminated land survey, Scottish Water will require a similar report to establish the materials required for the protection of any water connection.

Ulbster Arms Hotel (979625)

The owners and operators of the hotel support the allocation in the Plan as it aligns with the natural settlement boundary line and the field boundary to the west. The allocation also allows for the hotel business to further develop its tourism related businesses, encourage more people to the village and create long term and skilled employment within the hospitality and salmon fishing sectors.

**Modifications sought by those submitting representations:****Halkirk General**Mr Peter Knight (976437)

Add a Proposed Path from the railway bridge along the east bank of the river to reach the Old Mill and Milton Farm access road beside Ulbster Arms Hotel.

**HK01 – Comlifoot Terrace**Mrs Helen Campbell (970271)

Removal of HK01 as a Housing allocation.

SEPA (906306)

Add the following developer requirement “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

**HK02 – West of Bridge Street**Mr Richard Brannan (967640)

Removal of HK02 as a Housing allocation.

SEPA (906306)

Add the following developer requirement “Peat assessment and management plan”.

**HK03 – North East of Old Parish Church**Mr Peter Knight (976437)

Extend the Proposed Path to include the potential reinstatement of the footbridge over the river to Braal Castle.

Mr Kenneth Nicol (977530)

Add public park to the list of allocated uses.

**Recommended summary of responses (including reasons) by planning authority:****Halkirk General***Suggested footpath to the west of Halkirk*

A footpath running alongside the east bank of the river would be a valuable addition to the overall path network in Halkirk. The path leading westwards along the railway line is identified as a core path, however, the area leading northwards alongside the river does not to have any formalised path. Several of the fields alongside the river are used for keeping livestock by the farmer and the involvement/agreement of the farmer would be appropriate to ensure that greater access to the land would not conflict with the farming operations. As there has been no engagement with the landowner or any other representations made requesting this change the Council are not minded to add in the additional path at this time. The request to include this path as a core path has been forwarded to the Access Officer in the Council to be considered in the continuing review of the Core Path

*Suggested Halkirk Sports Centre*

Although there has been no past engagement from the Halkirk Sports Foundation it appears that there is a [formalised campaign](#) to construct a leisure centre in Halkirk. Should the Reporter be so minded the Council would be content with reference being made to the proposal within the Aspirational List in the Action Programme.

### **HK01 – Comlifoot Terrace**

The respondent's comments relating to flooding at Donellen have been noted. SEPA and the Council's Flood Team provided the Council with advice in 2014 during the early stages of the preparation of CaSPlan. It was noted at that time there was a history of flooding on the north east corner of the site and they advised that a flood risk assessment may be required at planning application stage. It is apparent, however, that this was not reflected in the Council's response to Question 3a of the SEA site assessment. The flooding and drainage issues in Halkirk are well known and despite the answer recorded to question 3a being incorrect the advice provided was taken into consideration when assessing the sites at that time.

HK01 already has a planning consent for housing development which was granted in 2012 and as some form of development has commenced on site it is now 'locked-on'. The permission will not expire and could be implemented at any time. Although the Council is now limited in its ability to influence the details of the permission a drainage infrastructure plan (which includes a sustainable urban drainage system (SuDS) retention basin) was approved by SEPA as part of the planning application. These are typically designed to channel and manage surface water to reduce the risk of flooding elsewhere on the site.

Following the respondent's submission which clearly shows significant localised flooding issues in the area and given that the Council presented incorrect information in the SEA site assessment for HK01 further discussions on the flooding/drainage issues at Comlifoot were held with SEPA, the Council's Flood Team and Scottish Water. This mainly focused on determining whether there would be any implications for the Plan and whether the advice which they provided remains appropriate, i.e. that the site is suitable to be allocated in the Plan for development subject to the findings of a flood risk assessment which would need to be submitted alongside a planning application.

Following this and a reassessment of the site the Council still consider that the site is suitable for housing development subject to a flood risk assessment at planning application stage being carried out to identify areas at risk of flooding and to inform suitable drainage infrastructure mitigation. Development can often be used to help address issues such as this and deliver positive changes for an area which may not be achievable if it was to remain undeveloped.

Therefore, if the Reporter agrees the Council will be content with the following Developer Requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding)."

### **HK02 – West of Bridge Street**

The responses in support of the allocation are noted.

The suitability of the land further southwards from the boundary of HK02 was assessed.



Although the area benefits from being largely back land crofting plots which are no longer used and there are several potential access points it was not considered necessary to extend the allocation further at this point in time. The site can be reassessed at future plan reviews.

Concerns about flood risk have been addressed as part of the Strategic Environmental Assessment and appropriate mitigation has been included within the Developer Requirements. The allocation extends only as far as the stone dyke which has been associated with the properties on Bridge Street for over a hundred years. The wetlands at Moss of Halkirk will be outwith the Settlement Development Area and protected from development under HwLDP policies.

Directing development towards infill sites is an important Placemaking Priority within Halkirk. However, it is not suitable to rely upon all the infill sites being made freely available. Therefore other areas need to be allocated to ensure effective sites are available to prospective developers.

The area west of Bridge Street has also been allocated to help ensure that development is delivered in a coordinated and consistent way. There has been considerable pressure for single house development west of Bridge Street since the existing local plan was adopted in 2002. With several proposals being granted planning permission it has been argued in the past that this has now set a precedent. The allocation HK02 recognises this pressure and attempts to manage this in a more coordinated approach in the future.

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Peat assessment and management plan." This will protect any peat or other carbon rich soils which may be present and ensure consistency with the Strategic Environmental Assessment.

The comments by Scottish Water are noted. In terms of a similar study to accompany a contamination survey prior to connection to the water supply, this is the responsibility of the developer and Scottish Water.

### **HK03 – North East of Old Parish Church**

The support for the allocation is noted.

The site has been allocated for Community uses to safeguard it for the future expansion of the cemetery. The remaining land is considered suitable for publically accessible greenspace including new path connections along the river and an Expansion of the Green Network.

The support for the Proposed Path running through HK03 and alongside the river is noted. The extension of the Proposed Path to Braal requires a new footbridge. This will require a significant level of investment and as there are no formal plans to deliver this the Council are not minded to include it as a Proposed Path in the Halkirk Map.

### **HK04 – South West of Ulbster Arms Hotel**

Support for the Business allocation is noted.

In terms of the contamination survey prior to connection to the water supply, this is the responsibility of the developer and Scottish Water.

**HK05 – Site at Camilla Street**

Discussions with the Council's Community Works Team have indicated that, from local knowledge, the site allocation HK05 may be at risk of flooding/drainage issues. Therefore if the Reporter is so minded, the Council would be agreeable to a Developer Requirement being added, asking for a flood risk assessment.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 9</b>	<b>LYBSTER</b>	
<b>Development plan reference:</b>	Lybster page 30 - 32	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Joanne Bowd (979221) Iaroslav Bodiu (967307) SportScotland (933432) SEPA (906306) Crofting Commission (955042) Caithness Chamber of Commerce (983321)		
<b>Provision of the development plan to which the issue relates:</b>	Lybster settlement text, placemaking priorities and site allocations.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>General text</b></p> <p><u>Joanne Bowd (979221)</u>          Support for settlement due to its cultural heritage assets that offer potential for tourism, but notes potential threats to assets from nearby onshore wind energy proposals.</p> <p><u>Caithness Chamber of Commerce (983321)</u>          Agreement with support for settlement centre and recognition of tourism potential.</p> <p><b>LY01 – Young Crescent</b>  <u>Iaroslav Bodiu (967307)</u>          Support for allocation but proposes an additional access to site via Village Road immediately south of The Old Police Station.</p> <p><u>Crofting Commission (955042)</u>          Zoned land forms part of in-bye croft land, but its relative isolation in the context of other parts of the croft and the settlement pattern may be a consideration.</p> <p><b>LY02 – The Cross</b>  <u>SEPA (906306)</u>          Object unless additional developer requirement is added for a flood risk assessment to protect people and property from floodrisk. There are small drains along eastern and southern boundaries of the site and records of flooding due to blocked culverts and surface water flooding. This addition will ensure compliance with SPP, raise awareness of potential floodrisk issues to developers and ensure developer requirements are consistent throughout plan.</p> <p><b>LY03 – South of Golf Club House</b>  <u>Elaine Fotheringham, SportScotland, (933432)</u>          Since site is directly adjacent to Lybster Golf Course, add developer requirement to consider the playability of the golf course in the development of the site, specifically</p>		

consider if any mitigation is required to prevent adverse impacts caused by development and to prevent impacts on development from golf balls being played out of the course.

SEPA (906306)

Object unless additional developer requirement is added for a flood risk assessment to protect people and property from floodrisk. There are small drains along eastern and southern boundaries of the site and records of flooding due to blocked culverts and surface water flooding. This addition will ensure compliance with SPP, raise awareness of potential floodrisk issues to developers and to ensure developer requirements are consistent throughout plan.

#### **Modifications sought by those submitting representations:**

##### **LY01 – Young Crescent**

Iaroslav Bodiu (967307)

Include additional access from Village Road to Young Crescent.

##### **LY02 – The Cross**

SEPA (906306)

Developer requirements should include a Flood Risk Assessment.

##### **LY03 – South of Golf Club House**

Elaine Fotheringham, SportScotland, (933432); SEPA, (906306)

Developer requirements should include consideration of mitigation to prevent impacts on new development from neighbouring golf course (e.g. from golf balls) and a Flood Risk Assessment.

#### **Recommended summary of responses (including reasons) by planning authority:**

##### **General text**

Note support for settlement's tourism potential, and potential for impacts from onshore wind energy developments.

##### **LY01 – Young Crescent**

Whilst it is considered that an additional access to Young Crescent could improve permeability, it is not considered necessary for the amount of potential housing on site. Young Crescent access is of an acceptable standard and is suitable for extending north. Future planning applications could still propose forming an additional access and this could be considered on its merit.

Note comments from the Crofting Commission that part of the site is in-by-e croftland, but that the site is consistent with the settlement's development pattern.

No modification is proposed by the Council.

##### **LY02 – The Cross**

If the Reporter is so minded, the Council is agreeable to including the following text to the

Developer Requirements: “Flood Risk Assessment (no development in areas shown to be at risk of flooding)”.

**LY03 – South of Golf Club House**

If the Reporter is so minded, the Council is agreeable to including the following text in the Developer Requirements: “Consider potential for impacts on new development from neighbouring golf course and any necessary mitigation; Flood Risk Assessment (no development in areas shown to be at risk of flooding)”.

**Reporter’s conclusions:**

**Reporter’s recommendations:**

<b>Issue 10</b>	<b>THURSO</b> see Issue 11 for Thurso West	
<b>Development plan reference:</b>	Thurso	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Caithness Chamber of Commerce (Mr David Swanson) (983321) Eric Livingstone (979698) Federation of Small Businesses H &amp; I Region (Amanda Frazer) (980130) John Gunn and Sons Ltd (Mr David Sutherland) (984009) Lambert Smith Hampton (980278) on behalf of Co-operative Group (980279) Leslie Rowe (981069) Liz Hale (967473) London and Scottish Investments Limited (979770) Messrs Swanson (973397) Miss Karen McLean (979677) Mr Anthony Ridgley (979975) Mr David Doohan (980228) Mr Ewan Henderson (984004) Mr Gary Stronach (980340) Mr George Mitchell (983251) Mr Ian Mackay (978586) Mr Ian Walker (979716) Mr Jamie Henderson (980168) Mr Kenneth Nicol (977530)</p> <p>Mr Michael Arkley (960859) Mr Michael Bowden (980202) Mr Neil McDonald (978550) Mr Peter Knight (976437) Mr Walter Mclachlan (979426) Mr Willie Steven (980239) Mrs Amelia Walker (931321) Mrs Anne Dunlop (978180) Mrs Dorothy Anderson (980209) Mrs Helen Livingstone (968685) Mrs Jacqueline Ridgley (930800) Mrs Janetta Christie (975843) Mrs Kathleen Macdonald (980253) Mrs Sheena Mclachlan (960835) North Hotels Ltd (Miss Beverley Egan) (980280) RSPB Scotland (956544) Scottish Water (953627) Scrabster Harbour Trust (980302) SEPA (906306) Thurso Bay Trading Co (Mr Raymond Taylor) (980395) Timothy Ridgley (979979) Mrs Jane Telfer (979224)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Thurso settlement text, placemaking priorities and site allocations excluding Thurso West distributor/relief road, TS04, TS12 and TS14	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Thurso General</b> <u>SNH (909933), Mrs Sheena Mclachlan (960835)</u> Paragraph 113: Clarification required: Refers to the Wick charrette and "Wick's future". Should this read "Thurso" rather than "Wick"?</p> <p><u>Scrabster Harbour Trust (980302)</u> Objects to the lack of detail given in terms of the current port and future prospects of Scrabster Harbour. This is not consistent with the sections elsewhere on Wick Harbour and Gill Harbour where the draft plan state that growth these ports /harbours will be encouraged. There should be a similar statement for Scrabster Harbour.</p>		

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Supports the aims of paragraphs 110 to 113 and highlights that this will be achieved by focusing expansion on the western side of the town.

Mr Peter Knight (976437)

Respondent has walked along the riverside from Thurso to Halkirk (Braul Castle) and would suggest that this route is promoted/pursued within the overall framework of the plan - show the link between Halkirk and Thurso to riverside and/or Geise Farm.

Mrs Anne Dunlop (978180)

More consistency should be show in the town centre. In relation to the recent application at the former mart site, the Plan should not discourage large retailers from locating there. There are too many food outlets on Princes Street as most have tacky displays and gaudy signage in a conservation area and attract antisocial behaviour.

Mr Ian Walker (979716)

Objects to the fourth Place Making Priority as it is irrelevant. A footpath can be established as it is at present and the community woodland is not viable due to being too difficult to maintain because of the weather.

RSPB Scotland (956544)

In planning for development of Thurso and Scrabster Harbours, appropriate consideration must be given to the importance of the local marine area to foraging seabirds throughout the year in order to avoid adverse impacts on a wide range of species. Modification sought: RSPB Scotland seeks a modification in the form of the following addition to the list of 'Placemaking Priorities' for Thurso: "Development must not have an adverse impact on the North Caithness Cliffs Special Protection Area nor on populations of foraging seabirds."

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Requests the Highland Council, if not plead with them, to understand how difficult in these financial times it is to develop and deliver anything of significance. If developer requirements are too onerous, particularly during early phases, things will be very tough and the town would run the risk of development stagnation. Respondent hopes that his idea of taking almost half his land holding and putting it in public benefit will go a long way to satisfying most early planning gain and developer requirements. The benefit to the town of a large community woodland and 20 acre public park, if delivered, cannot be underestimated, now or in the future.

Scrabster Harbour Trust (980302)

Strongly support the comments made in sections 112 and 114, and the first bullet point of the Placemaking Priorities.

Leslie Rowe (981069)

Objects to the Plan not identifying a site new community hall. The existing town hall was converted into Caithness Horizons several years ago and a new hall is very much needed. Possible sites include the tennis courts on Orlig Street or Sinclair Street drill hall.

Mr George Mitchell (983251)

Not enough consideration has been given to the routing of buses and HGVs through the town. This will become increasingly important as the harbour expands.

Caithness Chamber of Commerce (Mr David Swanson) (983321)

Welcomes the recognition of the potential for growth of employment in the area due to the energy industry and encourage any support that can be given in this area. Pleased to see that regeneration of the town centre and the Thurso Harbour area are key priorities, and hope that all support necessary is given to encourage the tourism potential of Thurso.

Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800)

Respondent questions the assumption made in para 110 that the marine renewables sector presents significant growth opportunities. All the companies developing wave energy generation in the Pentland Firth has gone into administration and only one company remains active in the tidal industry which is progressing slower than first thought.

Para 114 states that there is opportunity for a relief road to be created. However this is misleading as the Council is not in a financial position to deliver it.

**Direction of Strategic Expansion**Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800)

Para 112 promotes the western expansion of the town but the enterprise area is unlikely to ever be developed given the lack of progress with marine renewables sector. Together with the unlikely delivery of the relief road the direction of growth is not logical and would lead to traffic congestion. The town should grow to the east instead given that the WWTW is in east Thurso.

Mr David Doohan (980228)

Objects to the strategy for Thurso being focused on the west. Believes further consideration should be given to the east.

Messrs Swanson (973397)

Objects to para 112 identifying the focus of future town expansion to Pennyland and High Ormlie. The focus should be land which the respondent holds (TS01 and TS10) as it meets the expected demand and is less controversial than developing Pennyland.

**Allocation of Land for a Hotel**Mr David Doohan (980228)

Para 108 states "Land uses which compete with town centre businesses and risk impacting on the vibrancy and vitality will be restricted by the new Town Centre First Policy." However allocating land for hotels outwith the town centre will undermine this as the existing town centre hotels are only running at 50% capacity at present. The Development Plan should be used to protect town centres not just because a landowner promotes development elsewhere.

North Hotels Ltd (Miss Beverley Egan) (980280)

Para 111. Whilst the aim of improving the tourism experience is an excellent one, adding another hotel to Thurso would be very detrimental to the delicate balance of business we currently have. Thurso is already better supplied with hotels than any other town in Caithness. The effect of this is a lower price per room than Wick, Halkirk and Castletown and the closing at the end of the season of some hotels because there is not sufficient



business to sustain them through the autumn and winter months. There are several hotels within the area that are up for sale and some that have closed their doors completely. This is a strong indicator of how hard it is for the hotel trade within Caithness. To upgrade the hotel stock we have is perhaps a more sensible option. All the time we have a short season of May to September and banks are actively avoiding the hospitality trade this is a huge challenge for hoteliers. Hotels need to generate sufficient capital in the summer season to enable them to cover costs over the winter months and allow maintenance and upgrade to their businesses.

With the introduction of National Living Wage and pensions many hotels are taking additional costs that cannot be passed directly onto the customer in terms of a price increase.

The greatest help to improve the quality of hotels in Caithness is to find ways of extending the main season and giving visitors a reason to visit the area outside the months of May to September. The country music festival, surfing competitions, water kayaking etc are all attractions that have drawn people to the area. This allows the businesses - not just hotels, to generate sufficient capital to re-invest in their businesses and the town. The benefits are also seen in longer term employment and income to the area.

The building of a new hotel in Thurso, whether it is a high quality hotel or a budget hotel such as Travelodge the impact is going to be the same. There will be hotels in Thurso that will not survive the impact. The existing built heritage of the town should be respected and supported not destroyed.

Mrs Jane Telfer (979224)

While the plan indicates a commitment to improve the town centre there is only one proposed development within the bounds of the designated town area. This would appear to be a missed opportunity. The majority of the plan seems more intent on new development for surrounding environment and scenery and no thought appears to have been given to the redevelopment of the town centre itself. This results in the plan being unlikely to meet any of its aspirations regarding improving the vibrancy and vitality of the town. Without direct action in the town centre it is unclear how the Council will achieve the goals set out in this Plan.

Given the disparate ownership and intent of the proposed development sites it is unclear under what auspices this plan can achieve a co-ordinated result in the terms of the aims of Highland Council and in attaining any benefit for the residents.

Federation of Small Businesses H & I Region (Amanda Frazer) (980130)

Objects to the inclusion of para 111. The respondent recognises that a level of competition is good but there is no demand for additional bed spaces in Thurso. Were another hotel to be built it would seriously damage the existing hotels which operate in the town centre. Hotel occupancy is already low and many hotels close during the winter months. Rather than helping to "open the area up for the enjoyment of both residents and visitors", and "provide more tourist facilities which will ultimately help to retain visitors in the area for longer", he believes that a new hotel will force at least one existing hotel to close for good, damage employment prospects in the town, and do nothing to retain visitors for longer.

Proposals to allocate land for hotel developments outwith the town centre do not accord

with the Council's policy or SPP's guidance on Town Centres First.

Please note also that Visit Scotland can find no record of the Strategy referred to in paragraph 111.

North Hotels Ltd (Mr James Buchanan) (980003)

Whilst Visit Scotland identify the need for more quality hotels in Caithness, there are at present a significant number of hotels for sale, two of which are at the quality end of the market, the balance are at the 2 star, 3 star section of the market, the majority of these hotels have been for sale for some considerable period of time, in the present financial market none of these are selling, this would indicate that there is no great desire from operators to enter the Caithness market at present. Thurso has sufficient hotel beds to cover the market, the tourist season is short, at a peak for only six to eight weeks maximum, the overall season being from the beginning of May to the end of September, during which the number of days where beds can not be found in the town are not significant.

At present the market is seeing an uplift from commercial requirements related to reinforcement of the electricity distribution grid, this is not expected to last for more than a couple of years, and the demand has been met by the rental market as well as the hotels, the hotels are able to provide an increase in capacity in comparison to the availability 10 years ago as the "British Coach Tour" market has reduced considerably.

In the past few years two of Thurso's hotels have operated on a seasonal basis, this has allowed the remaining hotels to run with a reasonable level of demand, thus ensure that rates do not get too depressed and out of season operating costs can either be covered or losses minimised, although demand this year has meant that one of the hotels has stayed open for the winter, this has had an overall effect on the market, and occupancy levels have seen some reduction.

The rates obtainable in Thurso are lower to the comparable hotels in Wick, typically some 20%, and significantly lower than those available in Inverness, 25 to 30%. If the hotels in the town are unable to generate reasonable levels of operating profits they will not be able to allocate funds to improve the quality of accommodation, if an additional hotel is added to the town with a large number of beds, 55 plus chalets, the result will either be a race to the bottom in terms of rates with the associated lack of investment and upgrade, or the closure of one or more of the hotels in the town, either of these would result in damage to the built heritage of the town, and the loss of jobs. It is the Council's responsibility to ensure that there is not a significant over supply of accommodation in the town, to allow this would not achieve some of the key "Placemaking Priorities" of the Local Development Plan. Outside Inverness, Thurso is one of the Highland regions best provisioned towns in terms of hotel accommodation. At present Thurso has sufficient Hotel accommodation to meet the requirements for the period ending 2020, if there is an unforeseen increase in the demand for hotel accommodation the Plan should be reviewed and adjusted as required, any additional space should be accommodated within the existing hotels or sites within the existing town footprint.

Leslie Rowe (981069)

Objects to paragraph 111 stating that more quality hotels are needed as many have been on the market for a long period of time. Questions the judgement of the Visit Scotland

tourism strategy referred to.

### **TS01 – East of Juniper Drive**

Mrs Amelia Walker (931321), Kenneth Nicol (977530), Mr Michael Bowden (980202), Mr Ian Walker (979716)

Supports the Housing allocation.

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Objects to Housing allocation as there is no benefit to the town in the short to medium term in comparison to TS14 and TS04 which would deliver greater long term strategy of connectivity and mixed use development.

### **TS02 - Site at Mount Pleasant**

Kenneth Nicol (977530), Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Support the proposed plan for small housing development in this area

Mr Ian Walker (979716), Mrs Amelia Walker (931321)

Objects to the extent shown as non-preferred within the MIR not being taken forward to the Proposed Plan as a Housing allocation. Development here would have less of a landscape impact than at Pennyland.

Mr David Doohan (980228)

Questions why Councillor Willie Mackay's comments on the MIR in support of a larger housing development at Mount Pleasant have not been taken into account. The reason given was that it would have wider landscape impacts but that could be argued about the allocations at Pennyland.

### **TS03 - West of Upper Burnside**

Scottish Water (953627)

Whilst these have been designated as Longer Term sites, Scottish Water would recommend that any current or prospective developers interested in delivering these sites, to make contact with Scottish Water as early as possible to understand any specific infrastructure or investment requirements required by either party.

Kenneth Nicol (977530)

This small area should be considered in the short to medium term and could provide around 40 houses. This would be preferable compared to large allocation of land at TS04 for housing.

Mr Ian Walker (979716), Mrs Amelia Walker (931321),

Supports Housing (objects to Long Term Status – assumed) on TS03 as the respondent understands a developer is negotiating to build on the site soon in the near future.

Mr David Doohan (980228), Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Supports the area for Long Term Housing

John Gunn and Sons Ltd (Mr David Sutherland) (984009)

The MIR shows the site was preferred for housing development with the proposed bypass road to the West. The Proposed Plan now shows both a bypass line going through the site linking the A836 to the A9 as well as the proposed bypass line to the west. Respondent attaches a site layout drawing which shows that they had been progressing development plans for the site based on the MIR. Respondent states that they are in the advanced stages of preparing the site for housing development and ready to conclude the purchase of the ground shown. Unfortunately with the Proposed Plan showing the new road through the site, it does not make their development viable and will have to deliberate as to whether they terminate the plans. Respondent requests that the Council reconsider and remove this link road to allow development to proceed.

#### **TS04 – See Issue 11 Thurso West**

#### **TS05 – Former Mart Site**

London and Scottish Investments Limited (979770)

The landowner/developer currently has a planning application lodged with the Highland which they state meets the expectation of CaSPlan.

Support that the site is allocated for hotel uses as this reflects current market interest, it would be a more suitable location than any alternative greenfield site and it is located close to Thurso train station.

Respondent is broadly supportive of the outcomes and proposals identified at the Thurso charrette but flags up that a large retail development has already been approved on the site and the design and layout principles have already been established.

Any masterplan approach for Thurso itself or large sites therein should reflect viable, deliverable uses for such sites that deliver sustainable economic growth in the area in the short to mid-term.

Mr Jamie Henderson (980168), Mr Ian Walker (979716), Mr David Doohan (980228), Mrs Amelia Walker (931321), Miss Karen McLean (979677), Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800), Mrs Janetta Christie (975843)

Supports the inclusion of TS05 for one or more of the following reasons:

- There is a demand for such uses
- It would expand what the town has to offer
- Allocating land on this brownfield site would mean that the Plan does not have to allocate land for a hotel on greenfield land, i.e. TS14
- The area would be perfect for relocation of the businesses that will need moved eventually from TS07
- The developer requirements ensure that new development will complement the surrounding area and provide a 'welcome' entrance into the town by rail.

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Car parking for the train station and school need to be included.

Lambert Smith Hampton (980278) on behalf of Co-operative Group (980279)

Objects to the retail allocation on TS05. The Developer Requirements state that

development should be in accordance with the planning permission for a large format food store 08/00494/REMCA. This has now lapsed and the planning application which is now pending for a mixed use development is not compatible with the Proposed Plan.

The Proposed LDP should not be establishing requirements for a site based on a planning permission which no longer exists and instead it should offer greater clarity on the scale of retail floorspace which is supported on the former Mart site as part of a mixed use development.

As the former Mart site lies outwith the defined Thurso town centre boundary, issues relating to retail capacity, impact and the sequential approach to site selection are all relevant to any support for new retail floorspace at this location. However, we are not aware of the Proposed LDP being supported by any evidence base which considers the requirement for new retail floorspace in the plan area. As a minimum requirement Scottish Planning Policy (Para 64) establishes that local authorities, working with community planning partners, businesses and community groups, should prepare a town centre health check to inform emerging development plans and decisions on planning applications. We are not aware of Highland Council having fulfilled this important requirement of SPP. SPP also requires that development plans adopt a sequential town centre first approach when planning for uses which generate significant footfall, including retail and commercial leisure uses, offices, community and cultural facilities and, where appropriate, other public buildings such as libraries, and education and healthcare facilities. Again, there is no evidence base to suggest that this process has been followed in allocating the Former Mart site for town centre uses. It is certainly not acceptable for the Council to be relying on lapsed proposals dating from 2007 as any retail deficiency that was identified then may not exist now and the scale and nature of the impacts are likely to be quite different.

Mr Alastair Chisholm Christie (980596)

Objects to allocation for a large supermarket but supports land for housing and small businesses. Supports a new safer route to school, additional parking space for the rail station and a new telephone box.

#### **TS06 - Former Mill Site at Millbank**

Lambert Smith Hampton (980278) on behalf of Co-operative Group (980279)

Objects to TS06. The Proposed LDP is silent on the scale and nature of retail floorspace which would be acceptable on the Millbank site. As this site lies outwith Thurso town, issues relating to retail capacity, impact and the sequential approach to site selection are all relevant to any support for new retail floorspace at this location. We are not aware of the Proposed LDP being supported by any evidence base which considers the requirement for new retail floorspace in the plan area or Highland Council fulfilling the requirements of SPP (paragraph 64) in respect of development planning and retail development. Consider that the support for retail development on this site should be removed on the basis that there is no evidence base to support an unquantified scale of retail floorspace on this out of centre site.

Mr Ian Walker (979716), Mrs Amelia Walker (931321)

Supportive of Housing use.

Mr David Doohan (980228)

Respondent considers that the site may be suitable for a hotel as it has views out to sea.

Kenneth Nicol (977530)

This area not suitable for retail or business given the location and other buildings in the area.

Mr Ian Walker (979716), Thurso Bay Trading Co (Mr Raymond Taylor) (980395), Mrs Janetta Christie (975843)

Supports Mixed Use allocation. Development which complements the surroundings would be an asset to the town.

Mrs Janetta Christie (975843)

Some protection may be needed from the nearby river and old mill lade.

Mr Alastair Chisholm Christie (980596)

Objects to the inclusion of the site in the Plan as it is an area identified at risk of flooding, development could have an adverse impact on the mill lade and eel trap and greenbelt areas are gradually disappearing.

#### **TS07 - Land at Sir Archibald Road**

Kenneth Nicol (977530)

Preference for housing development along the riverside.

Mr Alan Simmonite (979043)

The road down past the football park could be incorporated with the current path at the end of Sir Archibald Road to form a coastal walk. This would provide access to the Thurso East surfing area and beyond. Discontinuing use of the area for industrial use would enhance the appearance of the river side area. It would be more appropriate to have industrial use outside the town at locations such as the Janetstown site.

Mr David Doohan (980228), Mrs Amelia Walker (931321)

Objects to Mixed Use allocation and considers the site suitable for a hotel facility as it is a brownfield site.

Thurso Bay Trading Co (Mr Raymond Taylor) (980395), Mrs Janetta Christie (975843)

Supportive of Mixed Use allocation as shops, café, housing etc would be a real attraction and boost to the town. The existing residents at the site need to be carefully considered as part of the development process.

#### **TS08 – Land at Bridgend**

Mrs Janetta Christie (975843)

Supportive of the allocation but is highlights the potential risk of flooding. A protective wall around Bridgend House could possibly be extended to cover the site.

Mrs Amelia Walker (931321)

Supports proposed uses.

Mr Alan Simmonite (979043)

Supports relocation of industrial uses from the site to other most suitable locations. Highlights the need to protect and enhance the coastal path to Thurso East for walkers and surfers.

Kenneth Nicol (977530)

Objects to Mixed Use allocation. The focus here should be on housing. The Charrette identified the river as an important feature of Thurso. Business / retail development in this area will detract from the presence of the river. The area beside the river has already seen industrial development which gives a negative impact of the area.

Mr Ian Walker (979716)

Objects to mix of uses not including potential for a hotel development as this would protect the greenfield land at Pennyland.

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Concerned about feasibility of development on the site given its location to the river and restricted access. Respondent suggests a car park would be more suitable and would allow for greater connectivity along the coast and river areas.

Mr Alastair Chisholm Christie (980596)

Objects to the inclusion of the site in the Plan as it is an area identified at risk of flooding, development could have an adverse impact on the mill lade and eel trap and greenbelt areas are gradually disappearing.

**TS09 - North of Scrabster Community Hall**

Mr David Doohan (980228), Kenneth Nicol (977530), Mr Ian Walker (979716), Mrs Amelia Walker (931321)

Supports the site for Housing.

SEPA (906306)

The Coghill Burn runs through the site. Parts of the site are therefore at risk of flooding. As a result we object unless the following developer requirement text is added to the plan: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)." This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

**TS10 North west of Dunbar Hospital**

Messrs Swanson (973397)

As landowners of the site they object to it being long term rather than an allocation because:

- It is an existing land allocation
- It is next to a business/retail park
- There are good views which would lend itself to housing development
- It has potential for it to be developed in the relative short term and there is interest from developers
- The proposed bypass would split the farm and the land would become unmanageable
- Being a relatively small site it makes it more effective than the other larger sites which are unlikely to get developed.

Kenneth Nicol (977530)

Objects to long term status. It should be a Housing allocation with an indicative capacity of 15.

Mr Ian Walker (979716), Mr David Doohan (980228), Mrs Amelia Walker (931321)

Objects to the long term status of the site and questions the reasons for the site being reduced in size from the Caithness Local Plan as the respondent understands there is a developer wanting to build it out in the near future and it would benefit from panoramic views over Caithness.

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Objects to inclusion of TS10 as Long Term Mixed Use as it will be of no benefit to the town in the short to medium term.

Mrs Janetta Christie (975843)

It is essential to have bus-stops included in the plans for the site.

**TS11 – Viewfirth Park**

Mr Michael Arkley (960859), Mrs Helen Livingstone (968685), Mr Walter Mclachlan (979426), Mrs Jacqueline Ridgley (930800), Mr Anthony Ridgley (979975), Mr Ian Walker (979716), Timothy Ridgley (979979), Jason Ridgley (980223), Liz Hale (967473), Mr David Doohan (980228), Eric Livingstone (979698), Mrs Sheena Mclachlan (960835), Mrs Kathleen Macdonald (980253), Mr Gary Stronach (980340), Mr Ewan Henderson (984004)

Objects to proposed sporting facilities at TS11 for one or more of the following reasons:

**Amenity issues**

- It's a residential neighbourhood, surrounded by housing. It will have a significant impact on the amenity of the neighbouring houses including a loss of privacy and overshadowing. Residents closest to the sports building will effectively be looking out at a wall and in particular during the winter months their properties will be in shadow the majority of the day.
- There will be a significant visual impact as the re-levelling of the field would require a fall of approx. 3m across the width, a large chain link fence is proposed, light pollution from flood lights, the building would not be in character with the surrounding area
- Noise pollution extending into the evening/night due to likely long opening hours.



- The central location of Viewfirth makes it unsuitable for such a facility.

#### **Inadequacy of facilities**

- The proposed facility is inadequate for its stated purpose. The site restricts it to only 4 lanes. There is no space for spectators. There is no storage spaces identified for all the activities and staff which are proposed. There would be no room for any further expansion of the facility in the future.
- It is one of the last multi-purpose spaces in Thurso which can be used for a variety of uses such as festivals, football, cricket, scouts.
- The town will lose access to an important green space as the new facility will be fully regulated with restricted access.
- The proposal does not meet the requirements of SportsScotland as set out in their response to the MIR as the site is a local Community recreational space, not exclusively used for sports, therefore the development is a change of use not ancillary to the principal use of the site. The development involves the entire area not a minor part and would affect its use as the adopted Shinty pitch. The proposed development of the Viewfirth Green would mean the playing field/sports pitch for the Caithness Shinty Club who have made use of the playing field for the past few years would not be safeguarded, which would be detrimental to that sport in Thurso.
- The Highland Council's commissioned a report 'Site Appraisal for the provision of a six lane running track' dated December 2013. (cited in the Hub Information hand out) The report stated "With the combination of the perimeter fencing and the visual intrusion of flood lighting, it is anticipated that utilising the park (Viewfirth) for athletics will not be feasible." In its summary it further stated "Not recommended due to restricted size and close proximity of housing" "The park boundaries on the south east and southwest are lined with mature deciduous trees. The root protection zone of these trees will require accurate plotting if this option is taken forward to minimise any risk of the roots disturbing the track construction or vice versa." The summary identified the old golf range as being more suited.

#### **Site options**

- Support shown for investing in a sports facility but not in this location and one which does not meet the original expectations.
- Alternative sites have not been fully investigated. The original aim was to identify a site for a 6-lane running track. The Plan should secure a site which can accommodate this not a second rate facility. Any major sports development in the town should be backed up by a rigorous site options appraisal exercise before plumping for one site or the other.
- The 2002 Local Plan refers to Sports Scotland having carried out a feasibility study and identified two site options for a Regional Sports Centre the first the existing Dounreay facilities (note not the Viewfirth Highland Council land) and Millbank. Questions the reasons for Millbank now being discounted. There are other sites within the town which should be considered for a Regional Sports Centre or Sports Hub and the updated Local Plan should refer to this aspiration rather than ignore it as it now appears to do. CaSPlan should set out the different site options and establish which site offers the greatest community benefit. a significant sports facility may be best sited at the High School or UHI where it would be of greatest use. Scottish Government policy now encourages education facilities to serve as a community campus for just this reason

- As it is a regulated and largely indoor facility it should utilise a brownfield site rather than openspace.
- "Caithness Community Leisure and Sports Facilities – Facility Review and Enhancement Proposal" also proposed that a new sports hall should be constructed adjacent to the linked sports hall at Thurso High School.

#### **Access**

- There is insufficient parking provision identified and parking in the the neighbouring streets is already at a premium.
- Transport issues. Restricted access to the site and the transport impacts could result in health and safety issues. The Thurso Active Travel identifies that there are a high number of pedestrian accidents around Ormlie Road, the High School and the town centre. With 16 clubs and 1700 members interested in using the facility it would result in significant increases in traffic.

#### **Other issues**

- The shinty team has stated that they do not have an alternative playing field and that if Viewfirth was developed they could fold if another site is not found.
- The north part of the site should be allocated for affordable housing.
- Thurso needs to consider what it wants from its education provision for the next 25 - 50 years which again is what the Local Plan should be about. I would contend the town cannot support 3 ageing primary schools with falling school roles and for example the mart site would be deal for a new primary school campus which links in with the high school, UHI and a community sports facility.

#### Mr Walter Mclachlan (979426)

Any development on the site should be no higher than the previous building.

#### Mr Ian Mackay (978586)

It is very much under utilised but it would be good to see it landscaped as a public park with pathways, trees, park bench etc.

#### Mr Kenneth Nicol (977530)

Supports the allocation but would like to see it include a public park. Concerned about the lack of car parking and the impact on the transport network.

#### Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Supportive of a new sports facility but concerned about the proposed location at TS11. Questions whether another sports facility is being planned at Halkirk. Millbank seems a much more sensible option for a sports hub as it would complement/utilise the swimming pool, rugby club and gym already there.

#### **TS12 – East of Burnside see Issue 11 Thurso West**

#### **TS13 - Thurso Harbour**

Mr Kenneth Nicol (977530), Mr Ian Walker (979716), Mr David Doohan (980228), Mr Willie Steven (980239), Mrs Amelia Walker (931321), Thurso Bay Trading Co (Mr Raymond Taylor) (980395), Mrs Janetta Christie (975843)

Supports Community allocation for water sports facilities as this will help to promote surfing and watersports.

SEPA (906306)

Part of the site is within the Coastal Flood Map and we have a developer-prepared flood risk assessment which suggests that nearly all of the site may be at risk of flooding. We note that this allocation is for development of a harbour for community and recreational facilities. In line with the risk framework of Scottish Planning Policy, exceptions to flood risk avoidance may arise if the location is essential for operational reasons, such as navigation and water based recreation uses. We are content that this exception could be applied in this case. Implementation of the current developer requirement “Flood Risk Assessments may be required (no development in areas shown to be at risk of flooding)” is likely to result in development of the site not being possible. As a result we recommend the above developer requirement is deleted and replaced with “Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures.” Such an approach is in line with the mitigation proposed in the Environmental Report. This amendment will ensure that development of the site can be delivered and the development type complies with the flood risk framework outlined in paragraph 263 of Scottish Planning Policy.

**TS14 – Land West of Caravan Park see Issue 11 Thurso West**

**TS15 – Scrabster Harbour**

SNH (909933)

The text should refer to the North Caithness Cliffs SPA, rather than a generic “Natura site”, and be amended in line with other text referring to such sites within the LDP, eg to read “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the North Caithness Cliffs SPA.” SNH also recommend that the potential for impacts of major, disturbing development activity at TS15 to take account of noise and vibration (eg from piling) impacts on migrating salmon from the River Thurso SAC. SNH therefore recommend the addition of text such as “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the River Thurso SAC, for example (but not limited to) through noise and vibration caused by major construction activities such as piling.”

SEPA (906306)

Part of the site is within the Coastal Flood Map and therefore is likely to be at risk of flooding. We note that this allocation is for development of a harbour for industrial use. In line with the risk framework of Scottish Planning Policy, exceptions to flood risk avoidance may arise if the location is essential for operational reasons such as navigation, transport and utilities infrastructure. We are content that this exception could be applied in this case. Implementation of the current developer requirement “Flood Risk Assessments may be required (no development in areas shown to be at risk of flooding)” is likely to result in development of the site not being possible. As a result we recommend the above developer requirement is deleted and replaced with “Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures.” Such an approach is in line

with the mitigation proposed in the Environmental Report. This amendment will ensure that development of the site can be delivered and the development type complies with the flood risk framework outlined in paragraph 263 of Scottish Planning Policy.

Mr Ian Walker (979716)

Supportive of Industrial allocation. However, this area is not shown on the most recent map of the Thurso/Scrabster area

Mrs Amelia Walker (931321), Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Supports Industrial allocation.

### **TS16 - Land at Scrabster Mains Farm**

Mr Ian Walker (979716)

Supports Industrial allocation. However, this area is not shown on the most recent map of the Thurso/Scrabster area

Mrs Amelia Walker (931321), Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Supports Industrial allocation.

### **TS17 - North West Of Thurso Business Park**

Mr Ian Walker (979716), Mr David Doohan (980228), Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Supports inclusion of Long Term Industrial site as it is the direction that the town should expand and it would facilitate the by pass delivery.

Mr Michael Bowden (980202), Mrs Dorothy Anderson (980209)

Objects to inclusion of TS17.

Mrs Amelia Walker (931321)

Objects to Long Term Industrial status. This area should be prioritised for development for leisure and business sites.

### **Modifications sought by those submitting representations:**

#### **Thurso General**

SNH (909933), Mrs Sheena Mclachlan (960835)

Change reference from Wick Charrette to Thurso Charrette

Scrabster Harbour Trust (980302)

Requests more detail on the current and future prospects of Scrabster Harbour.

Mr Peter Knight (976437)

Requests the walk from Thurso to Halkirk along the riverside is promoted within the Plan.

Mrs Anne Dunlop (978180)

More consistency in planning decisions in relation to Thurso town centre.

Mr David Doohan (980228), Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800)

Change the direction of growth, as shown in paragraph 112, from the west to the east of Thurso

North Hotels Ltd (Miss Beverley Egan) (980280), Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800), North Hotels Ltd (Mr James Buchanan) (980003), Leslie Rowe (981069)

Remove of the reference, in paragraph 111, to the need to build more quality hotels in Caithness and the allocation of land for a quality hotel at Pennyland.

Messrs Swanson (973397)

Change the direction of growth, as shown in paragraph 112, from the west to the Thurso to TS01 and TS10.

Mr Ian Walker (979716)

Removal of fourth Placemaking Priority relating to the expansion of the green network in Thurso West.

RSPB Scotland (956544)

Add the following addition to the list of 'Placemaking Priorities' for Thurso: "Development must not have an adverse impact on the North Caithness Cliffs Special Protection Area nor on populations of foraging seabirds."

Leslie Rowe (981069)

Requests that the Plan should identify land for a new community hall.

### **TS01 – East of Juniper Drive**

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Removal of the allocation TS01 from the Plan

### **TS02 - Site at Mount Pleasant**

Mr Ian Walker (979716), Mrs Amelia Walker (931321)

The area should be enlarged to include the area shown as non-preferred within the MIR.

### **TS03 - West of Upper Burnside**

Kenneth Nicol (977530), Mr Ian Walker (979716), Mrs Amelia Walker (931321), John Gunn and Sons Ltd (Mr David Sutherland) (984009)

Change TS03 from a Long Term Housing site to a Housing allocation.

### **TS05 – Former Mart Site**

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

Car parking for the train station and car parking for the High School should be included as a Developer Requirement (Assumed).

Lambert Smith Hampton (980278) on behalf of Co-operative Group (980279)

Removal of Retail as part of the Mixed Use allocation.

Mr Alastair Chisholm Christie (980596)

The Mixed Use allocation should only include Business and Housing uses.

**TS06 - Former Mill Site at Millbank**

Lambert Smith Hampton (980278) on behalf of Co-operative Group (980279)

Removal of Retail as part of the Mixed Use allocation.

Kenneth Nicol (977530)

Change from a Mixed Use allocation to a Housing only allocation.

Mr David Doohan (980228)

Add Hotel to the Mixed Use allocation.

Mr Alastair Chisholm Christie (980596)

Removal the allocation TS06 from the Plan.

**TS07 - Land at Sir Archibald Road**

Mr David Doohan (980228), Mrs Amelia Walker (931321)

Add Hotel to the Mixed Use allocation.

Mr Alan Simmonite (979043)

Inclusion of Proposed Path to Thurso East and additional Developer Requirement for improved path network (assumed).

**TS08 – Land at Bridgend**

Mr Alan Simmonite (979043)

Inclusion of Proposed Path to Thurso East and additional Developer Requirement for improved path network (assumed).

Kenneth Nicol (977530)

Change from Mixed Use to Housing only allocation.

Mr Ian Walker (979716)

Add Hotel to the Mixed Use allocation.

Mr Alastair Chisholm Christie (980596)

Remove the allocation TS08

**TS09 - North of Scrabster Community Hall**

SEPA (906306)

Add the following Developer Requirement “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

**TS10 North west of Dunbar Hospital**

Messrs Swanson (973397), Kenneth Nicol (977530)

Change from Long Term Mixed Use site to a Mixed Use allocation.

Mr Ian Walker (979716), Mr David Doohan (980228), Mrs Amelia Walker (931321)  
Change from Long Term Mixed Use site to a Mixed Use allocation. Extend the site to the area shown in the Caithness Local Plan.

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)  
Remove the Long Term site TS10 from the Plan.

Mrs Janetta Christie (975843)  
Add a requirement for new bus stops to be created as a Developer Requirement.

### **TS11 – Viewfirth Park**

Mr Michael Arkley (960859), Mrs Helen Livingstone (968685), Mr Walter Mclachlan (979426), Mrs Jacqueline Ridgley (930800), Mr Anthony Ridgley (979975), Mr Ian Walker (979716), Timothy Ridgley (979979), Jason Ridgley (980223), Liz Hale (967473), Mr David Doohan (980228), Eric Livingstone (979698), Mrs Sheena Mclachlan (960835), Mrs Kathleen Macdonald (980253), Mr Gary Stronach (980340), Mr Ewan Henderson (984004)  
Remove the Community allocation TS07

Mr Walter Mclachlan (979426)  
Add Developer Requirement that development should be no higher than the previous building.

### **TS13 - Thurso Harbour**

SEPA (906306)  
Replace existing Developer Requirement for a FRA with the following text: “Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures.”

### **TS15 – Scrabster Harbour**

SNH (909933)  
Refer to the North Caithness Cliffs SPA, rather than a generic “Natura site”, and be amended in line with other text referring to such sites within the LDP, eg to read “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the North Caithness Cliffs SPA.”

Add the following Developer Requirement: “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the River Thurso SAC, for example (but not limited to) through noise and vibration caused by major construction activities such as piling.”

SEPA (906306)  
Replace existing Developer Requirement for a FRA with the following text “Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by

resilience measures.”

**TS17 - North West Of Thurso Business Park**

Mrs Amelia Walker (931321)

Change from a Long Term Industrial site to an Industrial allocation.

**Recommended summary of responses (including reasons) by planning authority:**

**Thurso General**

*Incorrect Reference to Thurso Charrette (paragraph 113)*

It is recognised that in paragraph 113 (Thurso settlement supporting text) it mistakenly referred to Wick Charrette instead of Thurso Charrette. This mistake was noticed shortly after publication of the Proposed Plan and featured on the errata. It is agreed that this non-notifiable change will be made to prior to Examination.

*Reference to Scrabster Harbour Expansion Plans*

The settlement text for Thurso highlights the role of Scrabster Harbour and the Enterprise Area in the future expansion of the town. The first of the Placemaking Priorities for Thurso states the support for the growth of employment uses related to the energy industry through the allocation of strategically important business and industrial sites. This implicitly refers to Scrabster Harbour given that the only two industrial allocations are Scrabster Harbour and Scrabster Mains Farm. Despite this, to be more explicit and consistent with the level of support given to other harbours in the Plan, if the Reporter agrees the Council would be content with amending the Placemaking Priorities to: “Support the expansion of Scrabster Harbour, development of the Enterprise Area and extension of the Business Park to attract energy related opportunities which will create new employment opportunities.”

*Footpath from Thurso and Halkirk*

The second last Placemaking Priority identifies the opportunity for improvements to the wider green network and footpath connections southwards. As there are no community groups or other organisations formally seeking ways to deliver a formal route from Thurso to Halkirk along the river the existing statement is considered adequate.

*Food outlets in the Town Centre*

The Town Centre First Policy within CaSPlan sets out the Council’s aim of encouraging retailers and other businesses that generate significant footfall into the town centre. The quantity of food outlets in a given area is a licencing issue which is a matter for Trading Standards and the Licencing Committee.

*Quality of development in the Conservation Area*

The Council is required to implement appropriate controls over development, demolition and advertising to safeguard and enhance conservation areas. Most works to the outside of a building or structure in a conservation area require planning permission and listed building consent. Development including shop front and advertisements must comply with a number of standard conditions and regional and national guidance.

*Protection for other bird species*

The comments made by RSPB Scotland are noted. Other species of birds that are not qualifying interests of the SPA are undoubtedly important, however, they are not defining



factors of whether development can/cannot occur. Therefore, the text in the Plan (together with any additional amendments suggested by SNH during the Proposed Plan consultation) is considered to be the most appropriate wording for complying with Natura Habitats Directive. Development proposals not connected to Natura sites should be adequately protected by EIA (e.g. for large developments) and/or the HwLDP policies on wildlife (e.g. for EIA and smaller developments).

#### *Community hall allocation*

The Plan does not specifically identify a site for a new community hall as there are no community groups or other organisations formally seeking ways to deliver such a facility. Although the sites suggested at Orlig Street and Sinclair Street were submitted too late in the plan making process to be considered they are located within the identified town centre boundary where there is a presumption in support of footfall generating uses such as a community hall. There are also several sites allocated for Community uses in Thurso which would support a community hall proposal.

#### *Comments in Support*

Support from the landowner of Pennyland for paragraphs 110 and 113 is noted.

Support from Scrabster Harbour Trust for paragraphs 112 and 114 is noted.

The Caithness Chamber of Commerce's comments in support of promoting the energy and tourism sectors and support of the regeneration of the town centre and harbour area are noted.

#### **Direction of Strategic Expansion**

The main direction of growth for the town is well established, being allocated in the Caithness Local Plan in 2002. Sufficient land is identified in the West for housing and employment uses together with suitable infrastructure improvements. Although the location of the waste water treatment works is an important consideration there are many other facilities situated on the west of the river. There is also capacity in the network to support the growth proposed within the Plan period. Upgrading of the network may be required if all the sites in the plan are built out.

At present there is no reasonable justification for changing the direction of growth and expanding to the east or south. If such reasons were presented then other sites may be preferable such as land at Oldfield as it could help to round off and provide a better entrance into the town.

#### **Hotel Market – Supply and Demand**

The following few sections address the comments received on the role of the tourism industry, the hotel market in Caithness and the implications of allocating land for a new hotel in Thurso. Comments on site specific hotel proposals are addressed in detail within the relevant site allocation section of this Schedule 4 Issue and Issue 11 Thurso West.

#### *Tourism is key growth sector*

Tourism is widely recognised as a sector which has significant growth potential in Caithness and could create a range of employment opportunities. It is identified as a priority sector

within the Single Outcome Agreement and the Council's Programme. Highlands and Islands Enterprise (HIE) also include tourism as one of their core Growth Sectors with an aim of promoting a "strong range of high quality tourism products".

The strategy set out in CaSPlan is reflective of this, promoting and supporting tourism growth within the Vision, the Employment outcome and sites allocated for Tourism and Leisure uses. The Spatial Strategy also defines the East Coast Connectivity and Tourism Corridor (from Thurso and John O Groats to the Dornoch Bridge) which highlights the area shown to have particular untapped tourism potential. The Council's capital programme outlines a range of projects which will help to enhance tourism and recreational facilities and many of these are included within Proposed Action Programme.

*Visit Scotland's development opportunities report*

The '[Tourism Development Framework for Scotland: role of the planning system in delivering the Visitor Economy](#)' published by Visit Scotland in July 2013 sets out the way forward to assist and promote growth in Scotland's visitor economy to 2020. It supports the national tourism strategy ('[Tourism Scotland 2020](#)') produced by the Tourism Leadership Group in 2012.

Visit Scotland's '[Aspirations and Ambitions... our development opportunities](#)' report which was referred to in the Proposed Plan supports the delivery of these strategies by presenting opportunities for each planning authority to consider in future development plans. As part of the strategy of 'Improving the Customer Journey' the report identifies "opportunities for mid range hotels... in Caithness". The report also notes that "North Highland Initiative Tourism identifies opportunities to develop the food and drink offering in the Highlands - this requires a clear plan and agreed priorities." The allocation TS12 and TS14 at Pennyland for a high quality hotel, restaurant and spa are considered to help the delivery of these opportunities. As a result the Council do not propose any modification to the Plan.

*Recent growth in demand for tourism accommodation*

The tourism sector has experienced a major boost since the launch of the North Highland Initiative's North Coast 500 (NC500) coastal route. The NC500 along with other tourism initiatives could have the potential to genuinely transform the tourism industry in Highland by attracting more visitors and developing a range of inter-related opportunities. The NC500 has already been identified as one of the world's greatest road trips by travel writers/publications. Recent publicity suggests that some areas along the route, particularly in Caithness and Sutherland, have experienced significant increases in visitor numbers.

The business travel market has also been buoyant over recent years and has provided more year round activity. Several major construction projects in Caithness (including two new schools and the National Nuclear Archive Centre in Wick and various wind farm developments) have boosted visitor numbers over recent years. It is recognised that the continuation of the business tourism market is difficult to predict. However, with steady growth in the marine renewables sector and the decommissioning of Dounreay expected to last now until a date range of 2030 to 2033 the trade from business visitors is expected to continue for at least the short to medium term.

The rise in both the business travel market and the rise in leisure tourism has resulted in increasingly frequent periods where securing any accommodation is difficult. There is a danger that these supply and demand conditions will cause prices to increase and act as a

deterrent to some leisure visitors. This would in turn impact on the economic development of the area.

It is noted that there are a high number of hotels across Highland which are currently being advertised for sale. To an extent this reflects market conditions and challenges of operating in a more rural part of the mainland. However, more recently several appear to have been purchased, including The Pentland Hotel in Thurso, Castle Arms Hotel in May, Ackergill Tower near Wick and the Portland Arms Hotel in Lybster. This indicates that confidence in the Caithness hotel market may be growing.

#### *Existing accommodation supply*

The Highlands and Islands Enterprise (HIE) led programme "[A framework for destination development. Ambitious for Tourism Caithness and North Sutherland](#)" (2011) review recognised a perceived deficit in terms of accommodation supply, as symptomatic of a wider level of inertia in terms of tourism development across the region: "... the area has failed to evolve its product/destination experience offering, in line with the changes currently taking place in the market and envisaged to take place over the medium/longer timeframe, i.e. 5 to 10 years. This is evident in the accommodation sector in particular, where there is a shortfall in certain types of product and quality of offering, e.g. selfcatering/ smaller scale resort facilities and those with supporting leisure facilities, etc."

#### *Accommodation as 'attractors'*

Despite claims that hotels do not attract visitors to an area the report mentioned above also identified that in most cases overnight accommodation is an 'attractor' in its own right. It states that visitor accommodation "pull[s] people into the area just as much as it is a 'support[s]' service to those who choose to enter the area to participate in a particular pastime/activity, etc." Although the report highlights that accommodation as an attractor is more apparent in other more established tourism centres in the Highlands and other locations across rural Perthshire it indicates that overnight accommodation, particularly high quality hotels, attract people into an area.

#### *Current review of visitor accommodation*

Although the study on visitor accommodation in Caithness which is being commissioned by Highlands and Islands Enterprise (HIE) has yet to be published (as of July 2016) an advanced draft has been considered as part of this response. It is noted that the issues raised within the study appear to correlate with many of the comments raised by objectors, including: concerns over the potential decline of demand from business travel; susceptibility in relation to cyclical trends; and seasonality of leisure visitors. However, the findings also back up the reasons for a higher quality hotel development with leisure facilities including: momentum generated from successful tourism initiatives; continuation of high levels of business travel customers; opportunities arising from growth in the energy/renewables industry; and dissatisfaction with the range of accommodation and facilities on available.

#### *Concluding remarks*

The Council believes that the tourism industry has a key part to play in the future of the Caithness economy and that improving the range of tourism facilities is necessary for the potential growth to be realised. As a result the Council are not minded to remove all hotel allocations from the Plan.

**TS01 – East of Juniper Drive**

Support for the site is noted. The sites at Pennyland and High Ormlie form the basis for strategic expansion of the town and will help to deliver improved transport infrastructure. However sites such as TS01 are important to provide a level of flexibility to developers. In addition, TS01 may present a more effective housing site in the short term than some parts of TS04 Thurso West which requires significant investment to open it up for development. Therefore, the Council is not minded to remove the site allocation.

**TS02 - Site at Mount Pleasant**

Support for the site is noted.

Housing development at Mount Pleasant has been supported in the past and a degree of capacity still remains within TS02. However, the large site which featured as non-preferred in the MIR was not taken forward as it would represent a significant expansion of the town to the east. This would go against the agreed approach to continue to support the well established strategy to expand the town to the west. The rationale to expand westwards has been set out above. There is also sufficient housing land allocated in the west and in other locations in the town and at present there is no need to identify further housing land.

**TS03 - West of Upper Burnside**

Support for the Long Term Housing site is noted.

The site forms part of the long term expansion strategy of the town and would be important to the delivery of the distributor road linking Ormlie Road with the A9 at Scrabster. Due to the amount of housing land put forward for development the Council has had to prioritise land allocated for housing. The link between Provost Cormack Drive and the Business Park is the most important component of the distributor road. The section at TS03 would then represent the later phase. As a result TS03 has been identified as a Long Term site.

The potential relief road route was a topic of discussion during the charrette. A general consensus was reached that the preferred route should continue to connect with the B784 immediately south of Dunbar Hospital but pass on the west of the Business Park rather than the gap to the east (i.e. as per the Caithness Local Plan (2002) and Thurso West Development Brief(2003)). As a result the new road line was shown within the Main Issues Report. Although comments received were generally supportive of the route given that no technical assessment has been prepared to identify the suitability of the proposed route the line shown in the existing Development Plan has also been shown to ensure it remains as an option. Developers of TS04 will be required to deliver the early phases of the distributor road which will service the western expansion areas and help to connect up several areas in Thurso west.

The Council notes the comment from Scottish Water regarding early engagement. However, the responsibility of ensuring an appropriate water supply connection lies with the landowner/developer and Scottish Water.

**TS04 – See Issue 11 Thurso West**

### **TS05 – Former Mart Site**

The reasons given in support for the inclusion of the Mixed Use allocation is noted, including: the potential demand for such uses; the potential to expand the range of facilities the town has to offer; and the regeneration of a prominent brownfield site.

#### *Planning application status*

In response to comments regarding the status of the previous planning permission, the principle of retail development was established on the site as part of the planning consent given to Tesco in 2008 (08/00494/REMCA). This consent is now 'locked on' as Tesco provided evidence that a 'meaningful start' has been made. As a result the Council are not minded to remove reference to the planning permission 08/00494/REMCA.

The new landowners of the site lodged a planning application (15/04656/FUL) for the erection of 2 retail units including a garden centre and new car parking area for Thurso rail station. Due to a lack of information submitted by the applicant, as of August 2016 the application is still pending determination.

#### *Masterplanning and development proposals*

Policy 2: Delivering Development of CaSPlan states that "larger sites must be appropriately masterplanned. Each phase of development will need to show its relationship to this overall masterplan and demonstrate how the required infrastructure will be delivered". Given the size of TS05 and that the whole site is in the single ownership of the applicant a masterplan should be prepared to address issues such as future development opportunities, siting and design principles, active travel and transport infrastructure etc. This will also help present an overall vision for the site. To clarify this requirement if the Reporter was so minded the Council would be content with the following Developer Requirement being added: "Developer-led masterplan to accompany any planning application".

The aspirations for the redevelopment of the Former Mart Site were discussed at the Thurso Charrette. As shown on page 74 of the Charrette Report, it was established that a Mixed Use site would be the most suitable. It was also considered that an office type development should be located on the north western side, which adjoins the train station, as this would "lend some presence to the site when viewed from the town centre up Princes Street". The illustration on page 75 also provides an example of the type of building design which was envisaged, making a sympathetic and valuable contribution to the street. To address comments relating to streetscape design and ensure that the principles above are incorporated within any proposals for the site, if the Reporter is so minded the Council would be content with the following Developer Requirement being added: "Sympathetic streetscape siting and design and street frontage on the northern part of the site to reflect its immediate surroundings, proximity to heritage features and prominent location".

#### *Transport concerns*

In response to comments about improvements to the site and the High School, it is recognised that the current road layout along Ormlie road leads to potential conflicts between different modes of transport. Development of TS05 has the potential to exacerbate the situation, particularly for access and parking arrangements associated with the High School. As a result, if the Reporter is so minded then the Council would be content with the following Developer Requirements being added: "Transport Assessment"; and "Improvements to the current access and parking arrangements associated with the

High School and Ormlie Road”.

*Tourism and Leisure allocations on Former Mart Site*

The planning application (15/04656/FUL) on the northern section of the site for large retail units is currently pending. However, some aspects of this application are not considered to represent the expected site layout, siting and design. They show little consideration of the local context and of the aspirations set out in the Charrette.

The subsequent response from the landowner to the Proposed CaSPlan consultation requests that the site should also be allocated for a hotel development. The range of uses identified for TS05 Former Mart Site includes Business, Tourism and Leisure; these would support the principle of a hotel development. Given the landowner wishes to develop retail on the northern part of the site any future hotel development would then be located to the south. However, we would consider that the best location for a hotel would be on the northern part of the site. This would be closer to the town centre and adjacent to the railway station and would lend its self more to a street frontage which integrated well with the surrounding area. It is also believed that the southern part of the site could be less attractive for a hotel development due to its neighbouring uses and would appeal more to a budget/branded level hotel.

The Council is also minded to consider the response by the Scottish Government (January 2016) to the Main Issues Report for the Highland-wide Local Development Plan review. The Scottish Government highlight Scottish Planning Policy (SPP) paragraph 71 which indicates that development proposals, including retail, leisure, business and public buildings, which are outwith town centres should be thoroughly assessed and demonstrate that the impact on the existing town centre is acceptable. Taking this into account and the site layout issues described in the above paragraph, and if the Reporter is so minded, the Council would be content with the an additional Developer Requirement being added for a Town Centre Impact Assessment to be carried out to assess the economic impacts of a new hotel on the town centre hotel market.

*Retail allocation*

In response to the objection on behalf of the Co-Op to the retail allocation, the site has been allocated for retail as it currently has a live, locked on planning permission for a supermarket. However, the large retailer has since withdrawn interest and the site has been sold the supermarket proposal is not likely to now go ahead. As a result to help clarify this position if the Reporter is so minded the Council would be content with amending the Developer Requirements to: “Planning permission 08/00494/REMCA remains live. Any future applications on TS05 must address: active travel route to be established...”

The response to comments on the Council’s approach to Town Centre Health Checks is outlined in Issue 3 Growing Settlements.

A retail impact assessment was carried out as part of the original application process and it was considered not to have an undue adverse impact on the town centre. As the market will have changed since then and the type and scale of any retail development on the site is likely to be different. To highlight that retail proposals of a certain type or size would require a retail impact assessment to be carried out if the Reporter is so minded the Council would be content with the following Developer Requirement being added: “Retail impact assessment may be required”.

See Issue 3 Growing Communities for the response to issues relating to the allocation of land for retail uses outwith town centres.

*Replacement of telephone box*

Maintenance/replacement of telephone boxes is not a planning issue but the responsibility of BT. No modification is proposed to the Plan.

**TS06 - Former Mill Site at Millbank**

Support for the Mixed Use allocation is noted.

The site covers the C-Listed foundry which is a collection of traditional 19<sup>th</sup> Century industrial buildings made using local Caithness materials. The foundry has local heritage value and benefits from an attractive setting next to the river. Therefore the site has been allocated for a mix of uses to encourage its redevelopment/regeneration. The redevelopment of the adjoining former mill building into the Old Mill Theatre has been a great success and provides a valuable asset to the town. Given the heritage value and attractive setting of TS06 small retail/craft units and/or a small hotel would help to improve the appearance of the area and contribute to the tourism offer. As the building is C-Listed and the neighbouring building is B-Listed it is expected that the scale of development will be modest and not detract from existing businesses in the town centre.

Although the scale of development is not considered to be a threat to the town centre, Policy 1 Town Centre First states that “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.”

See Issue 3 Growing Communities for the response to issues relating to the allocation of land for retail uses outwith town centres.

In respect to comments on the allocation of retail sites outwith town centre boundaries please see Issue 4 Employment. This provides a more broad response on the implementation of the Town Centre First Policy.

The risk of flooding was identified as part of the Strategic Environmental Assessment and a flood risk assessment has been included as a Developer Requirement. This will ensure that appropriate mitigation is identified to inform any development proposals.

**TS07 - Land at Sir Archibald Road**

Support for the Mixed Use allocation is noted.

The aspiration to redevelop and enhance the appearance of the east bank of the river was first identified within the Caithness Local Plan (2002). It was an issue which was also discussed in detail at the Thurso Charrette where the replacement of employment uses with residential and mixed use regeneration could greatly enhance the river corridor. The Charrette Report noted that “This would create more natural landscapes and habitats whilst

providing amenity for local people and visitors with focused areas for leisure, recreation and culture.” This is reflected by the Mixed Use allocation in the Plan.

The limitations of encouraging existing industrial businesses to relocate are acknowledged. However given the desire within the community of redeveloping the area and its prominent location this should remain as part of the Plan.

The suggestion that the site could help connect footpath provision along the coast is noted. The enhancement of active travel connections through the site is already identified as a Developer Requirement. However, if the Reporter is minded a Proposed Path could be added to the Thurso map as this may provide greater clarity to prospective developers and the community.

Concerns over protection for existing residents at the site are noted. The allocation includes several residential properties which are not envisaged as being redeveloped. Therefore to help protect these houses and give residents assurance the Council would be content were the Reporter minded to remove these from the allocation.

It may be noted that the respondents who object to the range of uses allocated not including hotel appear to be suggesting it as an alternative to development of TS14. However, these sites are arguably less attractive for a quality hotel given the adjoining uses and limited views. As this site was also not suggested by the landowner or potential developer then the Council are not minded to modify the Plan to include hotel as one of the mix of uses.

#### **TS08 – Land at Bridgend**

Support for the Mixed Use allocation is noted.

The aspiration to redevelop and enhance the appearance of the east bank of the river was first identified within the Caithness Local Plan (2002). It was an issue which was also discussed in detail at the Thurso Charrette where the replacement of employment uses with residential and mixed use regeneration could greatly enhance the river corridor. The Charrette Report noted that “This would create more natural landscapes and habitats whilst providing amenity for local people and visitors with focused areas for leisure, recreation and culture.” This is reflected by the Mixed Use allocation in the Plan.

The site is considered to be effective and presents a suitable development opportunity. Much of the site has been cleared and the estate agent’s website appears to show that it has recently been purchased. The site is not considered suitable for a public car park given potential access constraints and the Council is unlikely to be in a position to deliver such a facility, particularly given the ongoing budgetary constraints the Council is facing.

The suggestion that the site could help connect footpath provision along the coast is noted. The enhancement of active travel connections through the site is already identified as a Developer Requirements. However, if the Reporter is minded a Proposed Path could be added to the Thurso map as this may provide greater clarify to prospective developers and the community.

The risk of flooding was identified as part of the Strategic Environmental Assessment and a



flood risk assessment has been included as a Developer Requirement. This will ensure that appropriate mitigation is identified to inform any development proposals.

It may be noted that the respondents who object to the range of uses allocated not including hotel appear to be suggesting it as an alternative to development of TS14. However, these sites are arguably less attractive for a quality hotel given the adjoining uses and limited views. As this site was also not suggested by the landowner or potential developer then the Council are not minded to modify the Plan to include hotel as one of the mix of uses.

### **TS09 - North of Scrabster Community Hall**

Support for the Housing component of the Mixed Use allocation is noted.

Shortly before the publication of the Proposed Plan the owner of the northern part of TS09 was in contact with the Council to inform that they had no intention of developing the site for the proposed uses. It appears that the land was put forward at Call for Sites stage as part of a larger suggestion by the neighbouring landowner who would require access through TS09 to develop their site. The owner of TS09 has gained planning consent for a large domestic shed on the area north of St Clair Avenue. Although the owner did not submit a representation during the consultation if the Reporter agrees the Council would support the removal of site from the Plan.

The Council believes that SEPA's request is based on sound evidence. Therefore, should the Reporter not opt to remove the site and if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding)". This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance.

### **TS10 North west of Dunbar Hospital**

#### *Long Term site*

The site at Dunbar Hospital was identified in the existing Caithness Local Plan (2002) for longer term expansion of the settlement. It states that the site along with land at Pennyland should only come forward when all other allocations have been developed. As part of the Thurso West Development Brief (2003) the site was also identified as the last phase of development. Although several of the allocations identified the Caithness Local Plan (2002) have since been built out the land at Pennyland remains undeveloped and continues to be the strategic expansion area for Thurso.

The points raised by the landowner in support of the site are noted and the Council agrees that the site presents a reasonable housing option. However, with sufficient existing capacity at Pennyland and other brownfield sites the land at Dunbar Hospital is not required within the timescales of CaSPlan. Consequently the Council are not minded to allocate the land for Housing but for it to remain as a Long Term Housing site.

#### *Site boundary*

The western side of the site shown in the Caithness Local Plan does not follow field

boundaries or obvious topographic features. It appears to be indicative due to the longer term nature of the site. The area shown within CaSPlan uses the same southern boundary line as Dunbar Hospital and it extends up to the former driving range. As a Long Term site it shows only the likely direction of growth beyond the Plan period. Therefore the exact allocation boundary will be confirmed if the site is considered suitable at future plan reviews.

#### *Additional bus stops*

The need for additional bus stops will be determined if the site is taken forward as an allocation in a future plan review or at planning application stage.

### **TS11 – Viewfirth Park**

There has been a long held desire by many in the local community for the development of a dedicated high quality sports facility. Within the existing Caithness Local Plan (2002) the need for a sports facility in the town was highlighted and potential site options for it were identified, including Viewfirth Park.

Over recent years Thurso Community Sports Hub (TCSH) has been working on delivering a running track and indoor sports facility in Thurso. TCSH has been promoting Viewfirth Park as the most suitable site, citing its central location, proximity to schools, the site being relatively flat, and its financially available given its land ownership. No other sites were suggested to the Council by any of the key stakeholders as potential alternative locations for the facility.

The site was re-assessed as part of the preparation of CaSPlan and it featured as a potential Community allocation within the Additional Sites and Ideas Consultation for CaSPlan (March to April 2015). The response from the public and many of the local sports clubs was overwhelmingly positive.

The Proposed Plan allocates Viewfirth Park for Community uses as it is an established sports and recreational site and to show the continued support for such uses. Transport issues and potential impacts on the amenity of local residents are recognised as being potential constraints to large scale development of Viewfirth Park. To ensure that transport issues are fully considered a Developer Requirement has been included for a Transport Assessment to be carried out with a particular focus on the local transport network, access and parking arrangements. Although the right to a private view is not a material consideration in the planning system due consideration will be given at the planning application stage to any impact on residential amenity including the height of any buildings. Any planning application will also be considered against relevant HwLDP policies, such as Policy 28 - Sustainable Design, Policy 29 - Design Quality and Place-Making, Policy 51 - Trees and Development, Policy 75 - Open Space and Policy 76 - Playing Fields and Sports Pitches.

Should the sports hub proposal be progressed further then at planning application stage it would need to demonstrate that the site can adequately accommodate the development and there would be no undue adverse impacts on the local community.

At this stage the Council may also seek to consult Sportscotland on the suitability of the proposed facilities (e.g. the number of running lanes and adequate space for spectators). It

is also assumed that given the proposal will require funding from sources such as Sportscotland that the adequacy of the facilities will be thoroughly assessed to secure funding for the project to proceed.

For these reasons the Council are not minded to remove the Community allocation at Viewfirth Park.

**TS12 – East of Burnside see Issue 11 Thurso West**

**TS13 - Thurso Harbour**

Support for the allocation and a water sports facility is noted.

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being deleted and replaced with "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures."

**TS14 – Land West of Caravan Park see Issue 11 Thurso West**

**TS15 – Scrabster Harbour**

Support for the Industrial allocation is noted.

SNH has suggested revising the mitigation in the Appropriate Assessment to read: "Development proposals will be required to demonstrate that there would be no adverse effect on the integrity of the North Caithness Cliffs SPA". SNH also request the following Developer Requirement is added: "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the River Thurso SAC, for example (but not limited to) through noise and vibration caused by major construction activities such as piling." As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for this developer development to be added to this site.

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being deleted and replaced with "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures."

**TS16 - Land at Scrabster Mains Farm**

Support for the Industrial allocation is noted.

**TS17 - North West Of Thurso Business Park**

The area was identified at the Thurso Charrette for employment purposes, more specifically as a long term expansion of the Enterprise Area site TS16. It is recognised that inclusion of

additional land south of TS16 likely exceeds the requirements for business and industrial land during the Plan period. Nevertheless the inclusion of the site indicates the longer term vision for the area and the support for the growth of employment uses. Business and Leisure uses are not considered suitable for this site due to the neighbouring industrial allocation at TS16 and suitable Business and Leisure land being allocated elsewhere in Thurso.

**Reporter's conclusions:****Reporter's recommendations:**

<b>Issue 11</b>	<b>THURSO WEST</b>	
<b>Development plan reference:</b>	Thurso West	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mr Gary Parker (968625)	Mr Ronald Paterson (979807)	
Caithness Chamber of Commerce (Mr David Swanson) (983321)	Mr Sean Miller (980259)	
Cartwright (979956)	Mr Sinclair Manson (975023)	
David Lord (980210)	Mr Stephen Anderson (983269)	
Donald Mackay (981995)	Mr Steven Grant (980189)	
Jason Ridgley (980223)	Mr Stuart Andrew (980221)	
London and Scottish Investments Limited (979770)	Mr Stuart Liddle (980236)	
Lyndall Leet (983272)	Mr Stuart Vines (967328)	
Michelle Fraser (979884)	Mr Walter Mclachlan (979426)	
Miss Amanda Gun (980290)	Mr William Marshall (941627)	
Miss Amanda Gunn (980290)	Mr William Walker (979718)	
Miss Eilidh Paterson (980233)	Mr Willie Steven (980239)	
Miss Emma Budge (980201)	Mrs Agnes Macdonald (980230)	
Miss Emma Gunn (979970)	Mrs Amelia Walker (931321)	
Miss Fiona Mackie (978748)	Mrs Carol Paterson (979637)	
Miss Gayle Rennie (980274)	Mrs Carol Taylor (971783)	
Miss Karen McLean (979677)	Mrs Caroline Steven (980245)	
Miss Katelin Mackenzie (979954)	Mrs Cecilia Brands (979454)	
Miss Rebecca Paterson (979904)	Mrs Cynthia Calder (980214)	
Mr & Mrs Tom Jackson (981229)	Mrs Donna Flowerday (979953)	
Mr Alan Loomes (980235)	Mrs Fiona Doohan (980015)	
Mr Alan Ritchie (980220)	Mrs Jacqueline Ridgley (930800)	
Mr Alastair Chisholm Christie (980596)	Mrs Jane Foster (980307)	
Mr Andrew Bremner (980248)	Mrs Jane Telfer (979224)	
Mr Andrew Fraser (983996)	Mrs Janetta Christie (975843)	
Mr Andrew Mackay (979985)	Mrs Jill Falconer (979729)	
Mr Anthony Ridgley (979975)	Mrs Karen Risbridger (980206)	
Mr Colin MacDonald (980226)	Mrs Linsey MacDougall (980035)	
Mr Colin Paterson (979739)	Mrs Margaret Smedley (930596)	
Mr Danny Calder (983991)	Mrs Margaret Smedley (930596)	
Mr David Doohan (980228)	Mrs Marjory Lord (980210)	
Mr Dean Craig (980100)	Mrs Sheena Mclachlan (960835)	
Mr Dean Craig (980100)	Mrs Tanya Sutherland (979994)	
Mr Derek Taylor (980213)	Mrs Tanya Sutherland (979994)	
Mr Don Mackay (979822)	Mrs Tanya Sutherland (979994)	
Mr Euan Sinclair (980244)	Ms Amanda Robertson (983266)	
Mr Gary Angus (980227)	Ms Carol Murray (983145)	
Mr George Mitchell (983251)	Ms Elizabeth Mackay (983255)	
Mr Grant Maxwell (979898)	Ms Isabel Kay (983245)	
Mr Hamish Robertson (979473)	Ms Jean Alexander (981921)	
	Ms Kathleen Faulds (983151)	
	Ms Kirsten Murray (979696)	

Mr Ian Mackay (978586)	Ms Lindsay Kay (983250)
Mr Ian Walker (979716)	Ms Louise Smith-Dasar (981718)
Mr Jamie Henderson (980168)	Ms Phyllis Nicol (980599)
Mr Jamie Mackay (980254)	North Hotels Ltd (980003)
Mr John Barkham (981629)	North Hotels Ltd (Miss Beverley Egan) (980280)
Mr John Faulds (983248)	North Hotels Ltd (Mr James Buchanan) (980003)
Mr Kenneth Nicol (977530)	Park Hotel (Mr Richie Campbell) (980293)
Mr Lee MacDougall (980312)	Scottish Government (963027)
Mr Lee MacDougall (980312)	Sheila Finlayson (979790)
Mr Lee Parnell (979688)	SNH (909933)
Mr Michael Arkley (960859)	Stephen Beckett (980229)
Mr Michael Bowden (980202)	Timothy Ridgley (979979)
Mr Nick Russel (979216)	
Mr Robert Falconer (980046)	
<b>Provision of the development plan to which the issue relates:</b>	Thurso West distributor/relief road, TS04, TS12 and TS14
<b>Planning authority's summary of the representation(s):</b>	
<p><u>Mr Andrew Mackay (979985), Mr Ian Walker (979716), Mrs Amelia Walker (931321), Donald Mackay (981995), Elizabeth Mackay (983255)</u></p> <p>The main company employed to draw up the MIR and facilitate the Charrettes on behalf of the council is then the company subsequently employed by the landowner at area TS14 to draw up the plans and proposals for the Hotel on this site - is this a conflict of interest.</p> <p><b>Thurso West distributor/relief road</b> <u>Scottish Government (963027)</u></p> <p>Objects to Thurso - Settlement Statement Text and Map. The Proposed Plan Settlement Statement Map for Thurso includes indicative lines for potential routes and road connections with the A9 trunk road. However, there is no information on the appraisal and rationale for the new links and neither are there details on funding, phasing or delivery provided in the Proposed Plan. The Proposed Plan and accompanying Action Programme do not give a clear understanding of what is required to provide access to the new development areas, what is being suggested to alleviate the issues highlighted in the town centre or what steps will be taken to better understand the options. The indication of potential routes and the policy protecting land at this early stage of considering options are therefore considered to be premature and does not accord with SPP paragraphs 274 / 275. Modifications Sought: Transport Scotland advises that the need for any alternative routes around Thurso connecting with the trunk road should be established through a robust appraisal exercise. This position was previously stated in response to the Main Issues Report consultation. This type of appraisal would assess all modes of travel as part of an objective led approach. The identification of transport interventions should result from the assessment of evidence based transport problems and opportunities of a specific area. A range of transport alternatives should be considered and not focussed on a particular solution.</p> <p><u>Mr Stuart Liddle (980236)</u></p>	

The provision of a bypass route to Scrabster is laudable, but should not impinge upon the existing built up areas of the town, as this would only move potential areas of congestion and HGV traffic to closer proximity to schools, hospital and college.

Mr John Barkham (981629)

Objects to the inclusion of the Thurso West Distributor/Relief Road because it is not needed. During the construction and operation of Dounreay and Vulcan the road network has coped and the decommissioning of Dounreay has resulted in and will continue to see a decrease in traffic through the town. Harbour related traffic would not use a bypass. A bypass has the potential to remove vital tourist footfall from the town centre. The topography of the proposed bypass from Provost Cormack Drive is unsuitable as it will create a blind summit, close to existing junctions, which faces due south into the midday sun.

Mrs Jane Telfer (979224)

The proposed distributor road should be situated west of its designated route to avoid crossing through the community woodland as marked on the plan due to health and safety issues and expected high traffic levels. The proposed site access road runs past the Ormlie Community Playpark, and this will impact on the safety of children, especially if the proposed distribution road is not implemented. Since the purpose of the bypass is to remove traffic from the centre of the town, where is the forward thinking in proposing a bypass that encircles the town on two of its available sides, severely restricting any further expansion of the town. This would lead to there being a further need for a new bypass when this current new bypass has become absorbed into the town. Finally as the bypass requires a new bridge to be built over the river the fact that access to the A9 can be achieved without the need for a bridge, this would appear to be an extravagance in a time of austerity.

Mr Alastair Chisholm Christie (980596), Mrs Janetta Christie (975843)

Para 114, A by-pass has been promised for years. It should now be a priority as the roads in town can no longer cope with the heavy traffic passing regularly through the town.

Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800)

Para 114 states that there is opportunity for a relief road to be created. However this is misleading as the Council is not in a financial position to deliver it.

**TS04 – Thurso West**

Mr Gary Parker (968625), Mr William Marshall (941627), Mr Michael Arkley (960859), Mr Hamish Robertson (979473), Mr Lee Parnell (979688), Mr Colin Paterson (979739), Sheila Finlayson (979790), Mrs Jane Telfer (979224), Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800), Timothy Ridgley (979979), Mr Anthony Ridgley (979975), Mr Andrew Mackay (979985), Mrs Tanya Sutherland (979994), Mrs Tanya Sutherland (979994), Mr Walter Mclachlan (979426), Mr William Walker (979718), Mr Ian Walker (979716), Mrs Linsey MacDougall (980035), Mr David Doohan (980228), Mr Stuart Andrew (980221), Mr Gary Angus (980227), Mr Alan Loomes (980235), Mrs Amelia Walker (931321), Miss Gayle Rennie (980274), Mr Lee MacDougall (980312), Mrs Jane Foster (980307), Mrs Agnes Macdonald (980230), Mrs Margaret Smedley (930596), Mr Stuart Vines (967328), North Hotels Ltd (Mr James Buchanan) (980003), Stephen Beckitt (980229), David Lord (980210), Jason Ridgley (980223), North Hotels Ltd (Miss Beverley Egan) (980280), Mrs

Janetta Christie (975843), Mrs Cecilia Brands (979454), Miss Karen McLean (979677), Ms Kirsten Murray (979696), Mrs Sheena Mclachlan (960835), Michelle Fraser (979884), Mrs Donna Flowerday (979953), Mr Michael Bowden (980202), Mr Robert Falconer (980046), Mr Stuart Liddle (980236), Ms Phyllis Nicol (980599), Mr & Mrs Tom Jackson (981229), Mr John Barkham (981629), Ms Louise Smith-Dasar (981718), Ms Jean Alexander (981921), Donald Mackay (981995), Ms Carol Murray (983145), Ms Kathleen Faulds (983151), Ms Isabel Kay (983245), Mr John Faulds (983248), Ms Lindsay Kay (983250), Ms Elizabeth Mackay (983255), Ms Amanda Robertson (983266), Mr Stephen Anderson (983269), Lyndall Leet (983272), Mrs Cynthia Calder (980214), Mr Danny Calder (983991), Mr Andrew Fraser (983996), Mrs Fiona Doohan (980015)

**Objects** to the inclusion of TS04 for one or more of the following reasons:

Housing

- Since the plan for the western expansion of Thurso was first put forward in the 1990s the case for such proposals has weakened significantly including the economic arguments, demographic projections and infrastructure requirements.
- There is no demand for the level of housing development being allocated for. The HNDA shows that housing demand in Caithness and Sutherland is at a negligible level. There is also very little demand for affordable/ council houses in Thurso and the waiting list for them is very short. There are already a large number of empty and vacant houses available. Many houses stay on the market for long periods of time. House prices are already some of the lowest in the Highlands, approximately 60% of similar houses in Inverness.
- Demographic changes show that there is no need for further major housing development in Thurso. The latest census shows there has been a declining and ageing population in Thurso (4% decline between 1991 and 2011 and a 0.9% fall between 2001 and 2011 which is the 3<sup>rd</sup> highest rate of decline in Highland). Young people are moving away from the area and the school roll is declining (the High School roll declined 18% since 2009/10 and it is expected to decline a further 14% by 2020). The Council's Ward Information identifies that there is a low supply of new housing being built in Thurso and the overall supply is adequate. With the expected demographic changes this is likely to remain the same.
- All the new housing required could be accommodated on brownfield sites or on housing sites TS01, TS02 or TS03 instead of TS04.
- The allocation of housing land west of Pennyland House and a commercial allocation east of the business park would leave a gap site which would provide opportunity for complete discretion by the developer.
- Questions the reasons for reducing the number of houses located on land between High Ormlie and the Business Park by 50% but that a new allocation is identified for 20 houses to the west of Pennyland House.
- Housing development west of Pennyland House would not be viable after the necessary investment in services.
- The previous planning permission for 400 houses has expired which shows there is no real demand for more housing. Council figures show that there were only 170 houses built in Thurso between 2006 and 2010. The housing figures show that the majority of new housing is in Landward Caithness meaning people are choosing/wishing to live in the countryside, not in the main towns. Based on the Council's report from Feb 2014 only 95 houses are needed in Thurso. These could be located in other, more suitable sites than the proposed allocations alongside the A9 at Pennyland.



### Economic Issues

- The economy is expected to decline due to the decommissioning of Dounreay and Vulcan facilities which will see the loss of hundreds of jobs. Marine renewables is put forward as driving growth in Caithness in the future but there has been a lack of progress in the industry. All the tidal companies have gone out of business or withdrawn their interest in the area. Marine renewables will not be a labour intensive industry and will provide little new employment opportunities. Any new employment opportunities from the marine renewables sector will be focused on Wick. With the dramatic fall in oil prices the oil and gas industry is shrinking.
- Another filling station is not needed in the town. There are already 3 in Thurso including one on the NC500 route. Another filling station would not be financially viable and would likely force one of the existing ones out of business. Two of the town's filling stations were recently for sale with the one at Pennyland being on the market for a very long period before it was bought by Lidl and cleared as part of their store expansion.
- A large proportion of the previous filling station customers were going to and from the harbour and therefore the siting of the proposed filling station would be against the flow of traffic. This would create unnecessary traffic issues, particularly during peak traffic times from Dounreay/Vulcan and ferry arrivals. The proposed location of the filling station would result in a higher risk of hydrocarbon pollution in the soil.
- A vacant site sits opposite TS04, next to the Weigh Inn, which was the location of the former garage. This site should be redeveloped instead of a greenfield site adjoining it being developed. A better location for an additional filling station would be on the A9 on the east of the river (assumed).
- Commercial development should be focused on existing business parks or the identified Enterprise Area at Scrabster.
- There are already too many built up housing developments in Thurso which have resulted in the emergence of particular social problems. Development of TS04 would have adverse social impacts for the town.
- Without regeneration of the town centre it would result in a doughnut effect, with activity around the periphery and nothing in the middle.
- The existing Caithness Local Plan (2002) currently provides opportunity for commercial development related to the renovation of the B-Listed steading.

### Planning history

- There have been strong objections to developing the site for almost two decades. Previous Public Local Inquiries of 1994, 2001 (as part of the preparation of the Caithness Local Plan) and 2007 have concluded that the area should be protected as openspace as development would diminish the amenity and character of the area. It is highlighted that one Inquiry Reporter concluded that "*Available land and a willing owner does not justify development through either local plan use allocation or the granting of planning permission.*"

### Environmental and Heritage Issues

- The sense of openness of the area and the green spaces are important to the setting of the town. The area adds character to the north west of Thurso and the approach into the town and through to the centre. It will create an overdeveloped feel which will destroy what makes the place attract people who want to relocate to the area. The entry point into the town from the west will become increasingly important given its position on the NC500 route. Thurso needs to retain its openspaces to make the town attractive. The land could be opened up for amenity

and recreational based tourism purposes, e.g. footpaths and cycle tracks. The land is green belt and must be protected. There will be no open spaces left in Thurso.

- The ground between Pennyland and Burnside is prime agricultural land and as such should be protected from adhoc development.
- The current Amenity allocation must be preserved. The current local plan states that the Council will explore the availability of funding to develop open land to the north of Pennyland Farm as a public park and playing fields.
- It will result in the coalescence between Burnside and Thurso. A reason being provided for joining Burnside to Thurso is that there is a lack of amenities in Burnside. However, on close inspection of the new CaSPlan, it would actually appear that there are no plans to build any new amenities once the two areas are joined.
- The areas shown as Expansion of the Green Network would not stand up to the harsh weather conditions. The best land use for practical maintenance is agricultural/grazing. There is no detail on who is to provide and maintain the openspace proposed on TS04, particularly around the A9 and A836.
- The moors contain a wide range of flora and fauna, many of which are endangered species. Since grazing on the moors has stopped a natural woodland is beginning to be established. The moors provide an easily accessible outdoor and recreational asset to the town.
- Reference to positive environmental and recreational features at Wolf Burn are not clear and the expansion of greenspace on the map appears to be placed away from the burn.
- The site is highly exposed and is not suitable for housing as it is on a north west slope facing the prevailing winds from the north coast.
- The moorland at High Ormlie is an important tourism and recreational asset as it has uninterrupted views across the Pentland Firth and out towards Sutherland.
- The ground conditions north of Provost Cormack Drive have been deemed unsuitable for development so the Plan should indicate what additional works would be required by a developer to ensure development is structurally secure. Land at High Ormlie contains a number of underground natural springs which would increase problems of any construction undertaken as well as contribute to increased localised flooding and exacerbate drainage issues for existing householders in High Ormlie. Drainage – Rainfall water flows down the moors towards the houses at Pennyland. Development of TS04 could make this worse.
- There is at least one archaeologically significant site which could provide a potential heritage/tourism attraction.
- The housing site west of Pennyland House is not suitable for modern house building given it adjoins the B-Listed steading and house (which the landowner has allowed the steading to significantly deteriorate and has now become an eyesore). Proposed development would adversely impact the cultural heritage of the area, including the B-Listed Pennyland House and commemorative plaque to Sir William Alexander Smith.
- Development west of Rockwell Crescent would cause a reduction in light to the existing neighbouring houses.
- One respondent requests that if development was to go ahead then there should be at least a 30 metre setback from properties at Pennyland Estate and housing should be restricted to single storeys.

### **Infrastructure**

- Access to the proposed houses west of Pennyland House would cause major traffic problems involving Pennyland School, Castlegreen Road, Pennyland Drive and Forss Road. There are no suitable access points via Castlegreen Road as only one very narrow passage exists, next to the houses for the elderly, which is not wide enough nor acceptable given its adjoining use. It is also very close to both the junction to the A9 and the junction into Lidl. As a result it would add significantly to congestion in the area.
- The proposed access from Forss Road is currently too narrow with no option to widen it. The entrance into Forss Road is used by residents to park their cars and further development off it would result in major safety issues. Pennyland Drive is also a narrow, congested road and there are existing traffic issues due to the proximity to the primary school. Previous proposals on the site have shown that Forss Road is too narrow for access.
- Proposed access from Pennyland Drive would result in the loss of an important playpark.

#### Other issues raised

- Modernising the town should focus on redeveloping vacant buildings and brownfield sites. All new development should be restricted to suitable brownfield sites.
- The Town Centre First Policy directs all new housing and commercial development towards the town centre, not on the outskirts.
- One of reasons for purchasing the house was open views over Thurso Bay.
- There is enough justification for the land at Pennyland to be given Special Landscape Areas status.

#### Other concerns raised:

- If this draft CaSPlan goes through, the development of houses and a hotel will be given outline planning permission. This rules out the local community being able to object in the future before the development begins.
- Questions the reasons for developer requirements referring to TS01, TS02 and TS03 which does not appear to make sense.
- The indicative capacity identifies 180 houses but the Developer Requirements show 180 at High Ormlie and another 20 west of Pennyland House.

Miss Fiona Mackie (978748), Mr Nick Russel (979216), Mrs Carol Paterson (979637), Mr Colin Paterson (979739), Mr Don Mackay (979822), Miss Rebecca Paterson (979904), Miss Katelin Mackenzie (979954), Cartwright (979956), Mr Dean Craig (980100), Mr Jamie Henderson (980168), Mr Steven Grant (980189), Mrs Carol Taylor (971783), Mr Grant Maxwell (979898), Mrs Karen Risbridger (980206), Mr Alan Ritchie (980220), Miss Eilidh Paterson (980233), Mr Willie Steven (980239), Mr Jamie Mackay (980254), Mr Sean Miller (980259), Mrs Caroline Steven (980245), Mr Andrew Bremner (980248), Miss Amanda Gunn (980290), Mr Ronald Paterson (979807), Miss Emma Gunn (979970), Mr Euan Sinclair (980244), Miss Emma Budge (980201)

**Supports** the inclusion of TS04 for one or more of the following reasons:

- There is a need for quality new housing in Thurso. More choice is needed in the housing market.
- There is growing demand for commercial space at the business park due to the success of the existing businesses. Development of TS04 will increase capacity for the future growth of the business park and stimulate the local economy.

- It provides a natural expansion of the town's existing residential and business areas.
- It will provide a stimulus to the rest of the town, including its retail profile.
- Supportive of the return of a petrol station at Thurso West.
- A mix of land uses would form a good approach to the town.
- The area is within walking distance of the town centre and its amenities.
- The planned enhancement of Ormlie moors and creation of a community woodland would be very useful recreational areas.
- There are few existing amenities within walking distance for residents of Gills and Burnside and it would give them a greater sense of community. It would provide better connections between Thurso and Scrabster.

CastleGlen Properties (Aberdeen) Ltd on behalf of Tulloch Homes Ltd (979063)

Tulloch Homes Ltd are joint owners of a major portion of the Thurso west site and confirm their intention to participate in the future master planning of the area and the development of same. Tulloch Homes note that the south west boundary of the site to include phase VIII per the Thurso Western Expansion Framework Plan (page 65 of the current adopted Caithness Local Plan) appears to have been amended providing a lesser extent of development land although from discussions with the Council's planning officials understand the line to be indicative and the boundaries and uses will be borne out through a proper master planned approach. With regards indicative housing and business capacities along with locations of uses the plans comments should not be overly prescriptive as the quality and suitability of the design solution for the site is a more appropriate determining factor.

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

The landowner states that the points raised in his submission to the MIR are still relevant. These focused on: Thurso Charrette providing a good basis for CaSPlan; community debate on and general support of the sites over recent years; mix of housing, commercial and greenspaces providing a long term strategy for the town; and commercial interest in the proposals.

The energy and positivity taken from the Charrette, with the input from John Thompson & Partners, was a breath of fresh air. This vision, which the town contributed to, was carried forward to the MIR and now the planning officials' recommendations. Landowner agrees wholeheartedly with the ambition and holistic approach adopted through the Charrette process, especially as it was run by an independent team that had no prior involvement or interest in the planning of the area. Planning at a local level should be inclusive and set like this in the future, as was the case at the Thurso and Wick Charrettes. This was a positive step forward in Scottish planning policy.

Supportive of the general vision for Thurso as it will transform Thurso into a sustainable, ecologically friendly area, where outside space is as important as inside space, an area to be enjoyed by residents and visitors alike.

Landowner provides following reasons in support of TS04 and TS14:

- Development in this western part of Thurso will help make the town a more diverse, exciting, healthy and great place to live and work.
- Sensibly scaled and well connected mixed-use development will serve existing

residents and those who will settle here in the future.

- The landowner has commissioned John Thompson & Partners to prepare a first phase masterplan to be submitted during the summer of 2016.
- The proposed hotel and leisure facility and park, would go a long way to reversing the isolation and lack of amenity that is evident in these communities - adding new places for people to meet and enjoy indoor and outdoor activities – and hopefully strengthening the sense of local community in the process.

Objects to Retail and Hotel not being included as allocated uses of TS04.

#### SEPA (906306)

Add the following developer requirement “The Wolf Burn should be protected by a 25 m development exclusion buffer. Note that discharges to this watercourse are unlikely to be acceptable.”

#### SNH (909933)

The “Developer Requirements” text for the TS04 allocation is confusing as it refers to TS01 – TS03, but not TS04. If the text should be referring only to the allocation TS04, then the developer requirements reference to the River Thurso SAC and SSSI can be removed. This is due to the distance and lack of connectivity to the SAC/SSSI, meaning it is extremely unlikely that there would be impacts on either protected area.

#### Scottish Water (953627)

Scottish Water ask that should the Council become aware of the potential non-domestic usages upon these mixed-use sites, that Scottish Water Development Planning be made aware to augment our Growth Modelling activities and to inform our investment programme where applicable. Again, any site with a contaminated land designation will require a similar report prior to any connection to the water supply being approved.

### **TS12 – East of Burnside**

Mr William Walker (979718), Mr Ian Walker (979716), Mr David Doohan (980228), Mrs Amelia Walker (931321), Mr Michael Bowden (980202), Mr Stuart Liddle (980236), Mr Stephen Anderson (983269), Mrs Sheena Mclachlan (960835), Mr Walter Mclachlan (979426)

**Objects** to the inclusion of TS12 for Community uses for one or more of the following reasons:

- Weather conditions would be a constant issue for the maintenance of any landscaping which would result in a high financial burden.
- The area should be protected from any development.
- Key finding from the Charrette Report page 68 states “Working from the Thurso Bay out to the countryside, the wider masterplan starts with the designated open amenity area at the cliff top that bounds the A9 to the north. It is considered that this land should remain open as part of the setting of the town, aspect and prospect, and as part of the open aspect to Thurso Bay as the town is approached from the west.” This land should remain open aspect.
- The views over Thurso Bay should be protected.
- It will add to the coalescence of Thurso and Burnside.
- The MIR stated it would “Safeguard land for open amenity”. Respondent questions why this has changed.

- There is no need for a public park in this area. It will not get used by local residents.
- The park area has only been added to enhance the Plan.

Mr Kenneth Nicol (977530), Miss Rebecca Paterson (979904), Mr Don Mackay (979822), Mrs Marjory Lord (980210), Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

**Supports** the allocation for Community/Public Park for one or more of the following reasons:

- Will be of benefit to the community.
- Preserve the view out over Thurso Bay.
- Will form part of future development plans for the area.

Mrs Carol Taylor (971783)

Supports the proposal for a public park as it would make more of one of the town's greatest assets by allowing people to enjoy the area rather than simply drive past it. As a local B&B owner she knows there is demand for greater number of quality bed spaces. There is also the new 'North Coast 500' tourist route which has really taken off and has introduced more tourists to the area and Thurso as a stopover.

Mr Alastair Chisholm Christie (980596)

There is an attractive structure built (near Burnside) by the late George Wylie. It was without using mortar yet manages to stand up to the frequent gales in the area. Unfortunately, it is almost hidden by an overgrowth of weeds. When plans are being drawn up for this area this structure should be given a prominent position for all to see.

SNH (909933), Mr Ian Walker (979716), Mr David Doohan (980228)

Similar to TS04, the text for allocation TS12 also refers to TS01 – 03, which is also confusing. The text would benefit from revision to refer only to TS12/make it clear why reference to TS01 – 03 is being made.

#### **TS14 – Land West of Caravan Park**

Mr Alan Loomes (980235), Mr Lee MacDougall (980312), Mrs Jane Foster (980307), Mrs Margaret Smedley (930596), Mr Lee Parnell (979688), Mrs Sheena Mclachlan (960835), Mrs Jane Telfer (979224), Mrs Jacqueline Ridgley (930800), Timothy Ridgley (979979), Mr Anthony Ridgley (979975), Mr Andrew Mackay (979985), Mrs Tanya Sutherland (979994), Mr Walter Mclachlan (979426), North Hotels Ltd (Mr James Buchanan) (980003), Mr William Walker (979718), Mrs Marjory Lord (980210), Mr Ian Walker (979716), Jason Ridgley (980223), Mr David Doohan (980228), Mr Kenneth Nicol (977530), Mrs Amelia Walker (931321), Mr Colin MacDonald (980226), North Hotels Ltd (Miss Beverley Egan) (980280), Mrs Cecilia Brands (979454), Ms Kirsten Murray (979696), Michelle Fraser (979884), Mrs Fiona Doohan (980015), Mrs Jill Falconer (979729), Mrs Karen Risbridger (980206), Mr Robert Falconer (980046), Mr Stuart Liddle (980236), Mr Alastair Chisholm Christie (980596), Ms Phyllis Nicol (980599), Mr & Mrs Tom Jackson (981229), Ms Louise Smith-Dasar (981718), Donald Mackay (981995), Ms Carol Murray (983145), Mrs Linsey MacDougall (980035), Ms Kathleen Faulds (983151), Mr John Faulds (983248), Mr George Mitchell (983251), Ms Lindsay Kay (983250), Ms Amanda Robertson (983266), Mr Stephen Anderson (983269), Lyndall Leet (983272), Mrs Cynthia Calder (980214), Mr Danny Calder (983991), Mr Andrew Fraser (983996)

**Objects** to the inclusion of TS14 for one or more of the following reasons:

Planning history

- The hotel proposal on the site has been dismissed by Government Reporters previously (1994, 1996, 2001 and 2007) and the circumstances have not changed since. One Reporter, in reasons for rejection stated *“approval of the proposal would represent an unacceptable intrusion into an area of established character and identity”* and goes on to say *“a precedent would also be set for the development of the remaining area between Thurso and Burnside.”* Claims in the PDI Report from Nov 2015 that previous PLIs were not relevant to the decision today are disputed as they were site specific not site comparisons as stated. Decisions made against the proposal should remain no matter how many years pass.
- It will lead to the coalescence of Thurso and Burnside which has been a defining factor in previous PLIs and there is a presumption against it in planning decisions today.
- It was a flawed approach to base the planning strategy on the outcome of a charrette. Most Thurso residents had no idea this was taking place and were unaware of the likely impact on the drawing up of a new local Plan.

Economic issues

- There is no demand for further hotels in the area. There are 8 hotels in Thurso (with 2 closing during the winter months) and several luxury hotels in the wider area. Many of the existing hotels are currently for sale and currently operate on a seasonal basis. One hotel is in the centre of Thurso and is in a poor state of repair. This should be rectified before a new hotel is built.
- Creation of another hotel would result in at least one of the existing hotels going out of business causing another empty building in the town centre. This would then have an adverse impact on the tourism market.
- Whether it is a high quality hotel or a budget hotel the impact would be the same on the existing businesses. The existing businesses should be supported not destroyed.
- The reported upsurge in demand for hotel accommodation in Caithness is only temporary and linked to current construction projects such as energy related developments.
- A high quality hotel on its own does not attract tourists. It is other attractions such as the attractiveness of the town, scenery and landscapes.
- The proposals for a high quality hotel with spa would result in a decrease in tourism to the town. It would encourage people to stay within the facility and not venture into the town. It would damage the landscape which people come to see.
- The adjacent uses to the site (caravan park, supermarket and disused commercial unit) do not lend themselves to the setting of a luxury hotel.
- The allocation for a hotel contradicts Policy 1 of CaSPlan, Town Centres First. There are existing hotels/sites within the town centre where development and investment should be directed.
- New hotel developments tend to be located close to business parks rather than in very prominent locations such as TS15, e.g. near Thurso Business Park or the former mart site TS05.
- The landowner had planning permission to convert the former steading but it has been left to fall into disrepair.
- The proposal for the hotel, spa and park are not financially viable. The landowner

has expressed that to help fund the hotel development a housing development on land west of Pennyland House is needed.

#### Environmental issues

- The view across Thurso Bay towards the Orkney Islands is one of Thurso's outstanding features and presents an attractive gateway into the town. The landscape will be darkened by the building and the open views to the west and to Dunnet Head, a beautiful feature of Caithness, will be largely blocked. It would be a clear breach of Highland Council declared policy on land providing open views to seascapes.
- The MIR stated it would "Safeguard (the TS14) for open amenity". Questions why this has changed.
- Despite the developer requirement for sensitive siting and design, any development on the site would have a massive adverse impact on the landscape. Concerns expressed over the height proposed when it comes to planning application stage.
- It is too close to the cliff edge with unstable ground conditions and which is constantly being eroded. The rock formation around the site is sensitive and should not be jeopardised by development. The following is a quote from the "Coastal Planning" paper (page 9) from the Scottish Office(Aug 1997) "*Development which does not require a coastal location shall not be permitted on the coast*". TS14 should therefore be permanently protected.
- A key finding from the 'Charrette' page 68 states '*Working from the Thurso Bay out to the countryside, the wider masterplan starts with the designated open amenity area at the cliff top that bounds the A9 to the north*'. It is considered that this land should remain open as part of the setting of the town, aspect and prospect, and as part of the open aspect to Thurso Bay as the town is approached from the west. We should not be building on important greenfield sites if there is no need to.
- Information from a local RSPB representative states that Curlews are nesting in this particular field. The two fields on Pennyland Farm, which are adjacent to the Victoria Walk are important wintering areas for Curlew and as such should not be considered for development. The Curlew has recently been given Red List Status because of its dramatic decline in numbers and some experts consider that it may be heading for extinction unless a concerted effort is made to halt this decline. Loss of habitat is the most serious threat to these birds and even a small site such as this is important in maintaining and stabilising this population.
- There is enough justification for the land at Pennyland to be given Special Landscape Area (SLA) status.
- There is a nearby residential care home and the building of a hotel on TS14 would adversely impact on the elderly residents.
- Drainage issues should be addressed as heavy rain showers result in water running over Victoria Walk and causing large puddles.

#### SEPA (906306)

The boundary of the site is adjacent to the Coastal Flood Map and there is a small watercourse adjacent to the site. Parts of the site are therefore at risk of flooding. As a result we object unless the following developer requirement text is added: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)." This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which



states that "Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

Caithness Chamber of Commerce (CCC) (Mr David Swanson) (983321)

CCC object to the allocation of TS14 for a hotel development. They are concerned that this may have a negative impact on existing businesses in the region. CCC feel it is important to get a better understanding of the potential demand for hotel rooms in the area before any additional development is approved. CCC note that Highlands and Islands Enterprise are currently carrying out a study on accommodation needs in Caithness, and would urge the Highland Council to hold off on any decision relating to this matter until the results of this study are available.

Mrs Janetta Christie (975843)

Not opposed to the development of a new hotel (if it is really needed) but respondent objects to the positioning of it, i.e. near the cliff edge.

Park Hotel (Mr Richie Campbell) (980293)

The hotelier does not in theory object to the provision of more hotel rooms in Thurso but does have reservations that after the land is designated as having planning permission for a hotel to be erected it will end up in the hands of a large hotel chain. This won't have the effect of providing any more jobs in the town as it will simply 'replace' other hotels. This in turn may lead to a large vacant building somewhere else in the town. If there were some kind of guarantee of a "quality" hotel then respondent would not have any objection. If a mass produced hotel were to pop up on this site then all it would lead to is further rate depression in Thurso, which in turn would lead to cost cutting by hoteliers. The single biggest cost in hospitality? Staff. Easy to see where the cost cutting would arise.

Mrs Amelia Walker (931321)

It is strange that the designations of all the sites in Thurso have more or less remained as they were in the MIR, apart from the areas at Pennyland. To specifically state where a hotel, houses and a filling station are to be located, is tantamount to handing outline planning permission to the developer. The general public could comment on the size, shape etc., of the hotel, but they cannot say there should be NO hotel as the plan determines the area.

London and Scottish Investments Limited (979770)

The owners of the mart site (TS05) object to the allocation of TS14 for a hotel and argue that TS05 presents a better site for a hotel as it is a brownfield site which is adjacent to the train station. TS14 is a prominent coastal greenfield site which is detached from the town centre.

Mr Andrew Mackay (979985)

Operator of Royal Hotel in Thurso wholeheartedly agrees with one of the Plans main aims in improving the tourism experience however disagreed that a hotel at TS14 would achieve this objective. Respondent agrees that the development of John O'Groats and the success

of our North Coast 500 have helped to move the offering for tourists visiting the area forward but it does not equate to the plan of building a 55 bedroom hotel in a town where there is a rich offering of accommodation, where two hotels cannot make profit in the winter months to warrant staying open. The Royal Hotel has a 50% occupancy in 2014 and 57% in 2015, no hotel occupier would be willing to invest in a new hotel at these levels and the challenges extra bedspace in the market would bring. The other hotel that closes is the St Clair and they monitor the business levels closely as they operate the Station Hotel in Thurso and would be well placed to open the St Clair if there was enough sustained demand. Believe the development of a new hotel in Thurso would pose a serious threat to the existence of at least one of our town's hotels if not two. At these occupancy levels it would be unsustainable and a new hotel will not bring more tourists. Hotels alone do not bring extras visitors to an area. The proposal would be anti competitive rather than fostering keen competition. If a brand new hotel comes into a saturated market and cannot achieve its target of attracting luxury guests to enjoy its expensive offering it will reset its target market to a lower spend market and would achieve this target as it would offer better value for the guest's pound so it would then be competing in the lower end of the hotel sector. This would result in more empty properties in the town centre and contradict the aim of the town centre first policy. Respondent claims neither him or Visit Scotland can identify the reference in paragraph 111 to need for quality hotels in Caithness. Ackergill Tower, which is a luxury 5 star hotel, has dwindling occupancy, cannot make a sufficient profit and is currently also on the market. Respondent seeks clarification on the definition of a 'quality' hotel.

The hotel operator is concerned for the viability of the business which he has recently invested in. As a Caithnessian and a tourist professional he has worked hard to improve the quality of the experience the visitor gets when coming to this beautiful area of the Highlands but this is not a proposal that does this, it is a proposal that jeopardises livelihoods, Thurso town centre, the quality of living for local residents and a gorgeous greenfield site that has a long history of being an asset to Thurso.

Mr George Mitchell (983251)

Opposed to the allocation but if it gets approved then any building should be located close to the A9 and not by the cliff.

Miss Amanda Gunn (980290), Mr Ian Mackay (978586), Miss Fiona Mackie (978748), Mr Nick Russel (979216), Mrs Carol Paterson (979637), Mr Colin Paterson (979739), Mr Don Mackay (979822), Miss Rebecca Paterson (979904), Miss Katelin Mackenzie (979954), Mr Dean Craig (980100), Mr Jamie Henderson (980168), Mr Steven Grant (980189), Mrs Carol Taylor (971783), Mr Grant Maxwell (979898), Mr Stuart Andrew (980221), Miss Eilidh Paterson (980233), Mr Willie Steven (980239), Mr Sean Miller (980259), Mrs Caroline Steven (980245), Mr Andrew Bremner (980248), Miss Gayle Rennie (980274), Mr Ronald Paterson (979807), Mr Derek Taylor (980213), Mr Alan Ritchie (980220)

**Supports** the inclusion of TS14 for one or more of the following reasons:

- There are not enough bed spaces in the town during the peak tourist season. There is a demand for better quality business/conference space.
- A new hotel would attract more people and encourage people to stay in the town and county. Lodges and a leisure spa would cater for different markets than just the hotel further attracting people to the area.
- As someone working in local hospitality, the respondent states there is a chronic shortage of quality accommodation for visitors in Thurso.

- Tourism is becoming increasingly recognised as a key component of the economy.
- It is an ideal site for a high quality hotel and lodges.
- If the hotel was high quality, sensitively designed, low level and does not obscure the view of Thurso Bay it would be a real asset to the town. A low level design with a grass roof is important to minimise the visual impact of the building. The town needs development such as this to progress and to deliver the vision set out in CaSPlan.
- It should have been allocated in the previous local plan.
- Good infrastructure and amenities attract inward investment and so then create jobs - not the other way around.
- Improvements to Victoria Walk would be beneficial.

Mrs Carol Taylor (971783)

As a local B&B owner, respondent knows there is demand for greater number of quality bed spaces. There is also the new 'North Coast 500' tourist route which has really taken off and has introduced more tourists to the area and Thurso as a stopover.

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)

The landowner states that the points raised in the submission to the MIR are still relevant. Respondent refers to social media and Caithness.org forums to highlight public comment on the proposals. The Council understands the importance of tourism to the future of the town. This site is within easy walking distance of the town centre and will be "open" for all to use, tourist and resident alike. The hotel facilities and public park will make this area the lungs of the town. A fantastic site for the proposed uses. It's an "amenity" at present only enjoyed by a few walkers, passing traffic and some sheep. Visit Scotland's tourism strategy identifies the need for more quality "hotels" in Caithness.

**Modifications sought by those submitting representations:**

**Thurso West distributor/relief road**

Scottish Government (963027), Mr John Barkham (981629)

Removal of the indicative lines shown in the Thurso Settlement Plan and the settlement text for potential routes and road connection with the A9 trunk road.

Mrs Jane Telfer (979224)

The proposed distributor road should be situated west of its designated route to avoid crossing through the community woodland as marked on the plan.

**TS04**

Mr Gary Parker (968625), Mr William Marshall (941627), Mr Michael Arkley (960859), Mr Hamish Robertson (979473), Mr Lee Parnell (979688), Mr Colin Paterson (979739), Sheila Finlayson (979790), Mrs Jane Telfer (979224), Mr Kenneth Nicol (977530), Mrs Jacqueline Ridgley (930800), Timothy Ridgley (979979), Mr Anthony Ridgley (979975), Mr Andrew Mackay (979985), Mrs Tanya Sutherland (979994), Mrs Tanya Sutherland (979994), Mr Walter Mclachlan (979426), Mr William Walker (979718), Mr Ian Walker (979716), Mrs Linsey MacDougall (980035), Mr David Doohan (980228), Mr Stuart Andrew (980221), Mr Gary Angus (980227), Mr Alan Loomes (980235), Mrs Amelia Walker (931321), Miss Gayle Rennie (980274), Mr Lee MacDougall (980312), Mrs Jane Foster (980307), Mrs Agnes Macdonald (980230), Mrs Margaret Smedley (930596), Mr Stuart Vines (967328),

North Hotels Ltd (Mr James Buchanan) (980003), Stephen Beckett (980229), David Lord (980210), Jason Ridgley (980223), North Hotels Ltd (Miss Beverley Egan) (980280), Mrs Janetta Christie (975843), Mrs Cecilia Brands (979454), Miss Karen McLean (979677), Ms Kirsten Murray (979696), Mrs Sheena Mclachlan (960835), Michelle Fraser (979884), Mrs Donna Flowerday (979953), Mr Michael Bowden (980202), Mr Robert Falconer (980046), Mr Stuart Liddle (980236), Ms Phyllis Nicol (980599), Mr & Mrs Tom Jackson (981229), Mr John Barkham (981629), Ms Louise Smith-Dasar (981718), Ms Jean Alexander (981921), Donald Mackay (981995), Ms Carol Murray (983145), Ms Kathleen Faulds (983151), Ms Isabel Kay (983245), Mr John Faulds (983248), Ms Lindsay Kay (983250), Ms Elizabeth Mackay (983255), Ms Amanda Robertson (983266), Mr Stephen Anderson (983269), Lyndall Leet (983272), Mrs Cynthia Calder (980214), Mr Danny Calder (983991), Mr Andrew Fraser (983996), Mrs Fiona Doohan (980015)

Respondents sought one or more of the following modifications to the Plan:

- Removal of the allocation for 20 houses west of Pennyland House
- Removal of the allocation for a filling station

Some respondents want the complete removal of the Mixed Use allocation TS04.

Thurso Bay Trading Co (Mr Raymond Taylor) (980395)  
Add Retail/Leisure to the list of uses in TS04.

SEPA (906306)

Add the following developer requirement: "The Wolf Burn should be protected by a 25 m development exclusion buffer. Note that discharges to this watercourse are unlikely to be acceptable."

SNH (909933)

Amend the Developer Requirements text for the TS04 allocation with regards to reference to sites TS01 – TS03. If the text should be referring only to the allocation TS04, then the developer requirements reference to the River Thurso SAC and SSSI can be removed.

Scottish Water (953627)

Any site with a contaminated land designation will require a similar report prior to any connection to the water supply being approved.

### **TS12 – East of Burnside**

SNH (909933), Mr Ian Walker (979716), Mr David Doohan (980228)

Amend the Developer Requirements text for the TS12 allocation with regards to reference to sites TS01 – TS03.

Mrs Sheena Mclachlan (960835), Mr Walter Mclachlan (979426), Mr William Walker (979718), Mr Ian Walker (979716), Mr David Doohan (980228), Mrs Amelia Walker (931321), Mr Michael Bowden (980202), Mr Stuart Liddle (980236), Mr Stephen Anderson (983269)

Removal of allocation TS12 from the Plan.

### **TS14 – Hotel**

Mr Alan Loomes (980235), Mr Lee MacDougall (980312), Mrs Jane Foster (980307), Mrs Margaret Smedley (930596), Mr Lee Parnell (979688), Mrs Sheena Mclachlan (960835), Mrs Jane Telfer (979224), Mrs Jacqueline Ridgley (930800), Timothy Ridgley (979979), Mr Anthony Ridgley (979975), Mr Andrew Mackay (979985), Mrs Tanya Sutherland (979994), Mr Walter Mclachlan (979426), North Hotels Ltd (Mr James Buchanan) (980003), Mr William Walker (979718), Mrs Marjory Lord (980210), Mr Ian Walker (979716), Jason Ridgley (980223), Mr David Doohan (980228), Mr Kenneth Nicol (977530), Mrs Amelia Walker (931321), Mr Colin MacDonald (980226), North Hotels Ltd (Miss Beverley Egan) (980280), Mrs Cecilia Brands (979454), Ms Kirsten Murray (979696), Michelle Fraser (979884), Mrs Fiona Doohan (980015), Mrs Jill Falconer (979729), Mrs Karen Risbridger (980206), Mr Robert Falconer (980046), Mr Stuart Liddle (980236), Mr Alastair Chisholm Christie (980596), Ms Phyllis Nicol (980599), Mr & Mrs Tom Jackson (981229), Ms Louise Smith-Dasar (981718), Donald Mackay (981995), Ms Carol Murray (983145), Mrs Linsey MacDougall (980035), Ms Kathleen Faulds (983151), Mr John Faulds (983248), Mr George Mitchell (983251), Ms Lindsay Kay (983250), Ms Amanda Robertson (983266), Mr Stephen Anderson (983269), Lyndall Leet (983272), Mrs Cynthia Calder (980214), Mr Danny Calder (983991), Mr Andrew Fraser (983996), Caithness Chamber of Commerce (CCC) (Mr David Swanson) (983321), London and Scottish Investments Limited (979770)

Removal of allocation TS14 from the Plan. Some respondents requested that the area should be safeguarded as Greenspace.

Mrs Janetta Christie (975843), Mr George Mitchell (983251)

Requests that if allocated then the hotel be positioned close to the road and not by the cliff edge.

SEPA (906306)

Add the following as a Developer Requirement "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

#### **Recommended summary of responses (including reasons) by planning authority:**

##### **Conflict of Interest**

The Council followed all the correct procedures and do not accept that there has been any conflict of interest. The Council applied to the Scottish Government's Charrette Mainstreaming Programme in 2012 to carry out whole town charrettes for Wick and Thurso. It was intended that the charrettes would support and inform the Main Issues Report (MIR) and be a key element in the preparation of the Local Development Plan.

The consultant team was selected by a mini-competition to work with the Scottish Government and the local project delivery team at The Highland Council to provide the expertise and organisation required to facilitate and deliver the charrettes in line with pre agreed timetables and the programme outputs. As part of the tendering process the Scottish Government acted as Contract Manager for the Council to establish the most suitable consultant team for the project, and following an interview John Thomson & Partners were appointed.

After the Wick and Thurso Charrettes had concluded a private landowner in Thurso subsequently approached John Thomson & Partners to carry out consultancy work. John

Thomson & Partners then contacted the Council to check if there were any issues. We established at that stage that there was no conflict of interest as there was no ongoing or outstanding work to be carried out in regard to the charrette nor was there any anticipation that JTP would be commissioned to carry out any further work on this matter for the Council. As a private sector consultancy, JTP was available to anyone that wished to employ their services.

### **Thurso West distributor/relief road**

Support for the Thurso West distributor/relief road is noted.

With advice from the Council's Transport Planning Team, it is established that there is a clear rationale for the inclusion of the distributor/relief road in the local development plan:

- One of the main constraints within Thurso is the reliance on a single road crossing of the River Thurso. This leads to congestion problems during particular situations.
- It would help relieve traffic congestion in the town centre. The A9 Trunk Road runs through the centre of the town. However the town centre is not suitable for HGVs or transporting large haulage items due to the narrow roads and sharp corners. Traffic is regularly forced to stop or roads closed when large vehicles move through the town centre.
- The traffic congestion and HGV movement is likely to increase due to the expansion of commercial activities at Scrabster Harbour and at the Enterprise Area at Scrabster Mains Farm which the Scottish Government is actively promoting in the National Planning Framework 3. The expansion of the marine renewables industry and increase in business from the oil and gas industry in the area will also put greater pressures on local roads.
- Developments such as that proposed at Pennyland and Scrabster may require further access points off the A9 trunk road and other proposed development will increase traffic onto the A9 via existing junctions. Together these will contribute to traffic congestion moving through the town on the trunk road.
- The creation of a distributor road is required to open up housing and employment allocations in the west of Thurso. Although these are some of the most suitable expansion sites many have been held back due to the need for investment in transport infrastructure. It is important that the road is designed to be potentially upgraded to relief road status and sufficient land is safeguarded.
- Identifying potential routes for strategic improvements will help to ensure that they are safeguarded from development which may impact on the feasibility of its delivery in the future. The bypass route identified in the Caithness Local Plan was challenged in the past. A Public Local Inquiry was carried out in 1995 which concluded that the route should be preserved and confirmed the western edge of the housing estate at Upper Burnside.

The potential relief road route was a topic of discussion during the charrette. A general consensus was reached that the preferred route should continue (as per the Caithness Local Plan 2002) to connect with the B784 immediately south of Dunbar Hospital but pass on the west of the Business Park rather than the gap to the east (i.e. as per the Caithness Local Plan and Development Brief). However given that no technical assessment has been prepared to identify the suitability of the route the line shown in the existing Development Plan has also been shown to ensure it remains as an option. Developers of TS04 will be required to deliver the early phases of the distributor road which will service

the western expansion areas and help to connect up several areas in Thurso West. Sections of the distributor road should be designed to be able to be readily upgraded to provide additional capacity.

In relation to the connections with the A9, Transport Scotland highlighted that SPP states that spatial strategies should be deliverable. Although it is recognised by the Council that there is no commitment by the organisations who may deliver such strategic transport improvements this position is also widely understood by other stakeholders. Despite this there is a strong desire by the Council and the local community (shown during the charrette and in response to the Main Issues Report) for the routes to be shown in the Plan, and to address transport issues highlighted above.

The Council's Transport Planning Team note that the Caithness Local Plan indicated that ultimately the western distributor road could connect to the A9 via a new river bridge to the south of the town. The construction of the bridge would inevitably be dependent on the availability of public funding. The construction of a new bridge would provide an alternative access from the A9 to the development areas to the west avoiding the town centre and would also provide an alternative route for traffic heading to/from the harbour at Scrabster or places to the west such as Dounreay. The road would therefore act as a 'relief road' removing traffic from the town centre, rather than a 'bypass'.

It was also noted that CaSPlan shows a major area of proposed development at Pennyland, to the west of Thurso. While some of the eastern parts of this area could be accessed from existing residential streets this will not be possible for areas to the west. Additionally Business allocations in the western part of the site will require additional access. A road network will therefore be required from the existing A836 into the site and this could form the basis of the type of western distributor envisaged in the 2002 Local Plan.

The Transport Planning Team concluded that the approach set out in the 2002 Local Plan is reasonable. It allows the provision of a western distributor road to serve the development areas to the west funded by the developers and in the longer term can form the basis of a new river crossing and connection over the railway line to the A9 to the south. This will inevitably require public funding but when completed will provide an alternative route to the town centre for heavy traffic. In the meantime it is recommended that land is not being allocated on the route or. The connection to complete the route to Scrabster will require safeguarding of route options each side of the long term housing site as shown in the Proposed Plan.

If the route is not included within the Development Plan then there is no framework in place for protecting land for a potential relief/distributor road in the future. The result of this could be hugely detrimental to the future growth and sustainability of the area, especially considering the expectations at both regional and national levels for the expansion of the offshore renewables sector.

In view of the comments seeking removal of the indicative distributor/relief road from the Plan, for the reasons set out above we do not consider this modification to be necessary. However, if the Reporter agrees then the Council would be content with removing the section east of the B784 (Ormlie Road) which connects with the A9. This would remove the relief road/bypass element of the road with only the distributor connection remaining

and be potentially deliverable without funding from Transport Scotland. As a result this would also remove any conflict with SPP paragraphs 274 and 275. Whilst such an approach would not necessarily prevent future consideration of linkage to the A9, it may reduce expectation for such a connection and may make it more difficult to maintain options for such future connections.

#### **TS04 – Thurso West**

The allocation of sites TS04, TS12 and TS14 was the most controversial component during the plan consultation. It is recognised that valid points both for and against development were raised during the consultation. The full responses to each of the issues raised, including the recommended position on any modifications which were sought to the Plan, are set out below and grouped under headings relating to the issues raised. Whilst taking account of the issues raised in relation to TS04 the recommended position is to retain the set as is set out in the Proposed Plan. However, to ensure that a clear agreement is reached by Committee on the preferred outcome several options for sites TS04, TS12 and TS14 are presented at the end of this Schedule 4 Issue.

The comments made in support of the inclusion of TS04 are noted, including: support for the charrette process in providing a vision for the area; provision for more business space adjoining the Business Park; and, the enhancement of amenity greenspaces and entrances into the town.

#### Housing

In respect to the range of issues raised in regard to housing supply and demand please see Issue 3 Growing Communities under the Housing Land Supply section. This sets out the reasons why we consider there to be need for the amount of housing land identified in the Plan.

#### *Housing site west of Pennyland House*

The area between the housing site west of Pennyland House and the commercial allocation east of the Business Park is identified as a Long Term Mixed Use site within the Developer Requirements. As explained at paragraph 25 in the Plan sites identified as "Long Term" indicate the likely preferred direction for growth beyond the plan period. The suitability of these sites for development has been subject to consideration through the preparation of this Plan. However, they are not being phased for development within this Plan period and allocated sites are expected to be developed before any long term sites can be considered. During future reviews of the Plan the Council will consider bringing forward any of those sites as allocations (subject to further assessment and identification of developer requirements) or remain as long term sites.

Concerns over the effectiveness of the Housing allocation on land west of Pennyland House appear unjustified as the SEA site assessment did not show any major constraints which would be limiting factors to development. If over time the site proves to be ineffective then the site's inclusion in the Plan can be reconsidered at future Plan reviews.

#### *Indicative Housing Capacity Figure*

In relation to comments on the indicative housing capacity for TS04, the figure reflects the strategic nature of the site and the extent of infrastructure needed to open up the site that will be delivered within the plan period. The areas identified as Long Term Housing sites



are dependant on the allocated sites being developed beforehand. Consequently the indicative housing capacity figure of 180 reflects the amount of land which is considered to be available within the Plan period.

### Economic Issues

In respect to the range of issues raised in regard to the current and future economic prospects for the area please see Issue 4 Employment. This outlines the main industries which are considered to have significant growth potential and are supported by the strategy and land allocations in the Plan.

#### *Allocation of land for Filling Station*

The filling station allocation is in a strategic position for the western expansion of Thurso, including being located next to the new distributor road and close to the Enterprise Area. Should these developments be delivered there may be greater need for an additional filling station in that area. The filling station together with expansion of the Business Park provides for greater scope to enable wider development of TS04 by contributing towards infrastructure provision..

Although the former filling station on Ormlie Road has recently been bought over and re-opened the filling station at Castlegreen Road was recently demolished to make way for Lidl's supermarket expansion. This means there are three filling stations in Thurso: on Ormlie Road, Mansons Lane and the A9 at Bridgend.

There would be a presumption in favour of redeveloping the former garage site next to the Weigh Inn as it is located within the Settlement Development Area boundary and classified as a brownfield site. However, given that it was not suggested by the landowner or potential developer the site may not be effective in the short term. The Council considers that the site should remain unchanged and no modification is proposed.

#### *Commercial allocation at Pennyland Steading*

The allocation in the existing Caithness Local Plan identifies the area west of Pennyland House for a hotel with the B-Listed Pennyland House and Steading forming part of the allocation. Since then Pennyland House has been established as a successful B&B and there has been no interest in progressing with development on the hotel allocation (site reference 21 in the Caithness Local Plan). This was taken into account when proposing to reallocate the land for Housing. Although the Council remains in favour of retaining and incorporating the steading into other proposals, e.g. tourism or housing, it is not considered appropriate to be part of the allocation. The Council is not minded to make any modification to the Plan.

#### *Town Centre Regeneration*

Objections to the inclusion of TS04 on the grounds that development must be directed to the town centre are not considered as appropriate. The Plan promotes the regeneration of Thurso town centre and enhancing its vitality and vibrancy is shown as one of the key Placemaking Priorities. The introduction of the Town Centre First Policy also directs all significant footfall generating uses within the identified town centre boundary. The Council recognises, however, that it is not appropriate to direct all development to the town centre. Also due to the potentially high additional costs involved in redeveloping town centre sites alternative opportunities outwith the town centre need to be identified to ensure that important investment in the area is not discouraged. As a result no

modification is proposed to the Plan.

#### *Directing commercial development to existing centres*

The Plan already focuses commercial development towards existing or recognised future commercial centres. For example, the Business components of TS04 are located next to the Business Park and the only Industrial allocations in Thurso are at Scrabster Harbour and the Enterprise Area. Business uses form part of several other Mixed Use allocations in Thurso (e.g. TS05 and TS06) but these provide greater flexibility for the redevelopment of brownfield sites which are also relatively close to the town centre. As a result no modification is proposed to the Plan.

#### Planning History

Planning history, including previous decisions, is relevant background and provides context for the current situation in Thurso west. However, the citing of previous planning decisions as a reason for not allocating land is not appropriate. The development plan review allows for the opportunity to look at new development proposals, including those being put forward on sites where previous decisions were unfavourable to particular development proposals. The previous Public Local Inquiries, held in 1996 and 2001, examined the suitability of development on the fields at Pennyland and have been fully considered in the preparation of the Proposed Plan.

The sites at Pennyland were put forward for discussion during the Thurso Charrette in 2013. The land south of the A9 was envisaged as having potential for residential and mixed use development given its proximity to the town centre and fine northerly views. The land north of the A9 was also considered at the charrette which looked at potential hotel locations in Thurso West with options on land west of Pennyland House and to the north of the A9, west of the caravan park. The final Charrette Report envisaged a mixed use development south of the A9 (with potential for a hotel) and the area north of the A9 was recognised as being a high amenity cliff-top site.

The sites were also suggested to the Council during the CaSPlan Call for Sites (Aug – Oct 2014), for development by the landowner for safeguarding as openspace by members of the public. As with all sites that were suggested during this stage the Council reassessed the suitability of each of them. Following careful consideration it was agreed that some forms of development could be accommodated at Pennyland with appropriate mitigation to minimise the visual impact while also maximising public benefits. Many of the proposals are important for economic development, improving access to quality public open space and delivering strategic transport improvements.

Overall, the planning history of the site provides useful background information but the site is considered suitable for development for the reasons outlined in this document. As a result the Council are not minded to make any modifications to the Plan.

#### Environmental Issues

##### *Sense of Openness*

The concerns expressed over the impact on the sense of openness in the west of Thurso are recognised. However, it is considered that certain areas of Pennyland could be acceptable if sufficient land is safeguarded to form high quality of accessible amenity spaces and areas of natural environment are protected/enhanced. Areas have been identified as Expansion to the Green Network alongside the A9/A836 with corridors

running continuously through the site to the east and south. The moors at High Ormlie are an important feature but some parts have suffered from a lack of investment/maintenance and anti-social behaviour. Development of TS04 can help to improve the recreational and environmental quality of the area.

As shown in the Developer Requirements, the areas of development alongside the A9/A836, will also be expected to provide a particularly high quality of siting and design. This will ensure that it presents an attractive entrance into the town from the west and is well integrated with the areas shown as forming part of the green network. Any developer would be required to submit a Landscaping Management Plan which will set out in detail features such as planting and maintenance of any vegetation/shrubs/trees for the site. This will ensure that any landscaping will be suitable to the weather conditions and is well maintained.

#### *Coalescence*

The objections over coalescence between Burnside and Thurso are not justified as Burnside is considered as a suburb of Thurso rather than an established or historic stand-alone community. Burnside is a relatively modern housing estate (built during the 1990s and 2000s) and has never had any facilities/services such as shops, school, post office, library or community hall. As a result the coalescence between the two areas does not raise significant planning concerns.

Despite this, the proposed Expansion of the Green Network on the section of TS04 immediately south of the A9/A836 and the proposed public park on TS12 will mean that a sufficient gap remains between the two areas to maintain a sense of openness. These areas will also serve as parts of the green network serving as a continuous green, active travel corridor from the sea, through Pennyland, to the moorland at High Ormlie and out past the golf course. No modifications are proposed to the Plan on the grounds of coalescence.

#### *Improving Amenity Value*

Other than being open agricultural fields with views across Pennyland and out over Thurso Bay the land itself has limited amenity value for residents or visitors. The Caithness Local Plan sets out aspirations for the areas marked as 'Amenity' for enhancing the public amenity of land north and south of the A9 at Pennyland including the creation of a public park, playing field and pitch and putt course. It also noted that "where possible, the siting of all ancillary building will be rigorously controlled to ensure that the panoramic view across this area is maintained in its entirety." Over the past 15 years since the existing local plan was adopted there has been no attempt to deliver these facilities by the landowner, community or the Council. The delivery of the scheme was also not tied to any of the proposals set out in the Thurso West expansion strategy (as identified in the Caithness Local Plan or Thurso West Development Brief). The proposals set out in CaSPlan present a mechanism for achieving the delivery of greater public access to and provision of amenity space in the area.

#### *Impact on Listed Buildings*

Concerns over the impact of development on the adjoining the B-Listed Pennyland House (which includes the commemorative plaque to Sir William Alexander Smith) have already been addressed with Developer Requirements to provide a high quality siting and design and any development to be low level/density. However, to provide greater clarity and

reflect other sites adjoining Listed Buildings, if the Reporter is so minded, the Council would be content with the following Developer Requirement being added: "Sensitive siting and design required due to proximity to Listed Building".

#### *Prime Agricultural Land*

Whilst this site does involve some loss of Caithness' prime agricultural land (rated 3.2 within the Land Capability for Agriculture classification), it lies close to the town centre, and is considered the most appropriate option for strategic growth. It therefore forms a component of the settlement strategy and accords with Scottish Planning Policy with regard to loss of prime agricultural land. Therefore no modifications are proposed to the Plan on the grounds of impact on prime agricultural land.

#### *Development Setback*

The Expansion to the Green Network notation on the map shows that a setback from properties at Pennyland Drive will form part of the proposals for TS04. It is considered more appropriate to set the specific separation distance as part of the preparation of the Development Brief or developer led masterplan (which ever comes first). The Plan already identifies as a Developer Requirement that the houses should be a 'low level' development. Therefore no change is felt necessary to the Plan.

#### *Enhancing Wolf Burn for Wildlife and Recreation*

Concerns raised about the clarity of proposals for Wolf Burn are noted. However, the Plan identifies that as part of the development of TS04 the area along Wolf Burn should be made into a positive environmental and recreational area. On the map the notation for the Expansion of the Green Network covers a wider area to show that this is expected to be a wide corridor including not just the burn itself and the footpath. Further detail of the greenspaces and expansions of the green network will be identified as part of the proposed Development Brief or by a masterplan if it is taken forward in advance of the Development Brief. No modification is proposed to the Plan.

#### *Prevailing Wind*

The impact from the prevailing wind is considered as part of the SEA site assessment. However it forms part of a wide range of factors which are taken into account in assessing the suitability of a site. In this case, as the site adjoins the town to the south and east the existing built environment provides some level of protection for much of the site. The site also provides an important role in the strategic expansion and delivery of improved transport infrastructure in Thurso. As a result no modification is proposed to the Plan.

#### *Ground conditions*

Concern over the unsuitable ground conditions and underground natural springs at the south eastern section of TS04 is noted. However, no evidence has been provided to back this up and it was not raised by any internal or external agency which we consulted in the preparation of the SEA Environmental Report and the Plan itself. As a result no modification is proposed to the Plan.

#### *Archaeology*

The Council's Historic Environment Team (HET) and Historic Environment Scotland (HES) were both consulted during the preparation of the SEA Environmental Report. As some historic environment records were identified on the site a Programme of Archaeological works was included as a Developer Requirement. As a result no modification is proposed

to the Plan.

### *Protected Species*

The potential impact on protected species such as otters is recognised and a Protected Species Survey is already included as a Developer Requirement. The developer of the site will be required to provide additional appropriate information at planning application stage to demonstrate that proposals meet the general policies set out in HwLDP, including Policy 57 Natural, Built and Cultural Heritage and Policy 63 Water Environment. In relation to concerns about 'endangered' species in Ormlie moors no modification is proposed to the Plan.

### Infrastructure

#### *Housing West of Pennyland House*

Concerns regarding the potential access from Forss Road and Castlegreen Road to serve the Housing allocation west of Pennyland House are noted. To ensure that the level of housing development is suitable the Council would be content with the existing reference in the Developer Requirements ("...accessed via Castlegreen Road or Forss Road") being replaced with the following text "Access from Castlegreen Road and/or Forss Road, with scale of development dependant upon the access arrangements that can be achieved."

#### *Access from Pennyland Drive*

The Plan identifies potential road access points to TS04 including an access south westwards from Pennyland Drive. This is only indicative and a Transport Assessment will be required to inform the final road layout. Should a road access to be taken from Pennyland Drive, resulting in the removal of the existing children's play park, then a new facility of equal or better quality would be required nearby to meet Policy 75 Open Space in HwLDP. As a result no modification is proposed to the Plan.

#### *Impact on Residents of Rockwell Crescent*

The impact on neighbouring residents was considered as part of the site assessment process. As the area between Rockwell Crescent and the Business Park slopes downwards from the existing houses development should not impinge on daylight levels of neighbouring residents. Amenity issues such as these will also be addressed in further detail at planning application stage and possibly at Development Brief/masterplan stage. Therefore no modification is proposed to the Plan.

### Other Issues Raised

#### *Social Problems Resulting from Housing Developments*

Public sector housing developments from around the 1960s and 1970s, such as at Pennyland, were often large, single tenure estates which have since been shown to lead to certain social issues. However, new housing developments are designed to provide sustainable communities where there is mix of house types and tenures and residents have appropriate access to facilities and amenities that help bring communities together and reduce social problems.

#### *Redeveloping Brownfield Land*

The Council supports the principle of redeveloping brownfield land and promotes, where possible, suitable brownfield development opportunities. The Plan aims to reduce the pressure on greenfield sites and achieve regeneration by identifying key brownfield sites, such as TS06, TS07, TS08 and TS09, and directing development to town centres.

However, due to the potentially high additional costs involved some greenfield sites need to be identified to ensure that important investment in the area is not discouraged and in order to provide sufficient supply of land and range of development opportunities.

#### *Promoting Town Centre Development*

The Town Centre First Policy seeks to direct all significant footfall generating uses towards designated town centres. The policy also supports the conversion of buildings providing there is no loss of existing or potential viable footfall generating use. The Plan recognises that it is not appropriate or feasible to direct all housing or commercial development to town centres. As a result the Plan allocates land outwith the town centre.

#### *Impact on Private View*

Whilst the Council consider the impact on neighbouring residents, the right to a private view is not a material consideration in the planning system. Due consideration will be given at the planning application stage to any impact on residential amenity, through the HwLDP general policy 28 Sustainable Design and at the Development Brief/masterplan stage. As a result no modification is proposed to the Plan.

See Issue 6 Environment and Heritage for the response to the request for Pennyland to be designated as a Special Landscape Area.

### **Other Concerns**

#### *Implications of an Allocation in the LDP*

It is not the case that should a site be allocated in the Local Development Plan a developer would be automatically granted outline planning. Although the allocation in the Plan does show that the Council would support in principle the allocated land uses a developer would still be required to submit an application, either for planning in principle or a full planning application. Interested parties, including the general public, would then have the opportunity to make comments on the application.

#### *Indicative Housing Capacity*

The 20 house allocation next to Pennyland House was included in the total allocated housing land figure shown in the Growing Communities section (paragraph 24). However it is recognised that the indicative housing capacity figure shown for TS04 (180) only included that for the Housing component south west of Pennyland Drive. The total figure for TS04 should have been 200 and therefore it is agreed to amend this as a non-notifiable modification.

#### *Protecting Wolf Burn Water Quality*

The site is upstream of the recently constructed Wolf Burn Distillery which takes its water from the burn. Therefore, to protect the integrity of the distillery business, if the Reporter is so minded, the Council is content for the suggestion made by SEPA to be made, namely to add the following developer requirement: "The Wolf Burn should be protected by a 25 metre development exclusion buffer. Note that discharges to this watercourse are unlikely to be acceptable".

#### *Incorrect Site Referencing*

The site references included within the Developer Requirements for TS04, TS12 and TS14 were recognised as being wrong shortly after the consultation started. The errata for the

Proposed Plan noted this error and included the correct site referencing (referring to TS04, TS12 and TS14 rather than TS01, TS02 and TS03). It is therefore agreed to amend this as a non-notifiable modification.

#### *South Western Boundary of TS04*

The south western boundary of TS04 takes a slightly tighter line than that identified as part of the existing Development Brief. As a result it excludes a small section of the field adjoining Ormlie moors which was previously allocated. Although this section of TS04 is identified for Long Term Housing the site forms part of the wider strategic expansion of Thurso and is expected to be developed in the future. However, if the Reporter is so minded the Council would be content for the boundary to be moved outwards to include the whole field. This would provide greater clarity over the extent of development supported and better reflect the existing Thurso West Development Brief (2003) and subsequent planning permission (now lapsed).

#### *Other Land Uses Suggested*

Retail is not considered to be a suitable use as part of the Mixed Use allocation TS04 as it does not accord with the Town Centre First Policy which directs all significant footfall generating uses towards the town centre. Given the topography and prominent nature of the land south of the A9 large retail development would also have a significant impact on the landscape. The Council do not propose to modify the Plan to include Retail as one of the uses.

An additional Hotel allocation near the Business Park is also not supported as it is arguably a less appealing location for attracting a quality hotel given the adjoining uses and a more restricted view. If a budget hotel was to take the site forward then it could present significant direct competition with town centre hotels. The Council do not propose to modify the Plan to include Hotel as one of the uses.

#### *Scottish Water*

The request for the Council to make Scottish Water aware if and when potential non-domestic usages are known on the sites is noted. In terms of a similar study to accompany a contamination survey prior to connection to the water supply, this is the responsibility of the developer and Scottish Water. No modification proposed to the Plan.

#### **TS12 – East of Burnside and TS14 – Land West of Caravan Park**

Comments in support of the allocation TS12 East of Burnside are noted, including: the benefits a public park could bring to the community and provide for a rise in tourists, ensuring that part of the vista over Thurso Bay is preserved and that it forms part of a wider vision for Thurso.

Comments in support of the allocation TS14 Land West of Caravan Park are noted including: the continuing growth in the tourism industry; demand for additional higher quality tourist accommodation and business/conference space; an appropriately designed building could fit well on the site and be an asset to the town; the hotel creating employment opportunities; and it close to the town centre.

In respect to issues raised in regard to the planning history of sites at Pennyland and the coalescence between Thurso and Burnside see the response to site allocation TS04

above.

In respect to issues raised in regard to the role of the tourism industry, the hotel market in Caithness and the implications of allocating land for a new hotel in Thurso see Issue 11 Thurso.

#### *Role of the Charrette*

The Council disputes that not enough was done to publicise the Charrette and its role in the preparation of the Plan. The Charrette was intended to provide an additional means of gaining community involvement in the early stages of the preparation of the local development plan. It provided a chance for local people to shape the future of their community and aimed at reaching consensus over preferred and alternative land use strategies to feed into the CaSPlan Main Issues Report. The Council and the consultant team adopted a range of methods to publicise the charrettes. Event invitations were distributed to various people and provided supplies of leaflets at key locations. The events were advertised in local newspapers and banners, posters and leaflets were displayed at key locations within the town. Meetings were also held with local community groups and other key stakeholders in the lead up the event. Local schools, the North Highland College (UHI) and members of the Highland Youth Voice and Scottish Youth Parliament were also targeted. As a result the Council continue to believe that the outcomes of the Charrette are appropriate to form a strong basis for the strategy in the Plan.

Concerns regarding the apparent change in position from that shown in the Charrette Report are noted. The Charrette played a key role in supporting and informing the Main Issues Report (which is the key discussion stage in the plan making process), however, a wide range of issues were discussed at the Charrette. The Post-It Workshops “Thurso Today” & “Thurso Tomorrow” highlighted issues such as the lack of good quality hotels, an untapped tourism potential and with coalescence between Scrabster and Thurso. The views along the coast and the greenspaces were also raised during the charrette. The Hands-On Planning workshop ‘Thurso Western Expansion’ discussed site options for a new hotel. This focused on land south of the A9 at Pennyland House and land north of the A9 which was also marked as being cliff-top open amenity land.

Through further analysis of the sites at Pennyland it was considered that the land north of the A9 was suitable for a hotel if the majority of the land was safeguarded for a public park. The hotel has been allocated on the east of the site to minimise the visual impact and protect vistas out over Thurso Bay, including out towards Dunnet Head from the western approach and Scrabster/Holborn Head from the east. This would ensure that TS12 is safeguarded from development and with provision of a public park that a greater level of public access and amenity value is achieved. Opening up TS12 as a public park with car parking would encourage more people to stop and enjoy the space and the spectacular vistas.

#### *Impact on existing businesses*

The general response to the hotel market is outlined within Issue 10 Thurso. This refers to the expected growth of the tourism sector, continued demand from business visitors and the need to continue to improve the tourism product and accommodation on offer in Caithness. Whilst the concerns for the hotel proposal on TS14 are noted the Council does not believe the proposal will lead to undue competition with existing town centre businesses. Although the site is outwith the Town Centre Boundary the proposal for a



high quality hotel, spa and restaurant on TS14 are considered as being mainly location dependant. It is expected that a specific selling point of a hotel, spa and restaurant would be its cliff top location, looking over Thurso Bay. Together with the Developer Requirements for high quality, low level siting and design the proposal would likely appeal more to the higher end of the market which is not being properly provided for at present. There are also footpaths along the A9 and Victoria Walk which lead directly (less than 350 metres) to the town centre. As a result the Council do not propose to make any modifications to the Plan. However, if the Reporter is so minded the Council would be content with amending range of uses from "Tourism, Leisure" to "Hotel and ancillary leisure facilities" to be more specific about what the Council would support on the site. The inclusion of lodges/chalets as part of the allocation has been referenced by the landowner and members of the public. Although the allocation as shown in the Proposed Plan is for 'Business (Tourism, Leisure)' uses the Developer Requirement text and paragraph 111 refers specifically to a hotel development. The Council does not believe a strong case has been made to support the inclusion of chalet development and if brought forward on its own the scale of development may not be sufficient to deliver the public park elements of the proposal. In addition, given its prominent location the site is considered to be more suitable to a well designed hotel development. As a result the Council does not propose to modify the Plan to specify reference to support for lodges/chalets development.

In addition, to help provide greater protection to existing businesses if the Reporter was so minded the Council would be content with "Town centre impact assessment" being added to the list of Developer Requirement as this can be used to ensure that the development would not have undue competition on the existing businesses.

Concerns over the ability to ensure a high quality hotel is delivered are noted. Although the Council has the ability to influence the quality of the siting and design of any building on the site it is recognised that there is no control over specific hotel operators. The range of Developer Requirements, particularly those relating to the siting and design, landscaping and other environmental improvements, are considered to discourage more budget level and chain brands and appeal more to a higher quality/boutique type hotel which requires an attractive setting and greater investment in the surrounding area.

#### *Impact on landscape and views of Thurso Bay*

The views out over Thurso Bay to Scrabster, Dunnet Head and Orkney are recognised as being important features and valuable assets of Thurso. To ensure a higher quality hotel development which minimises the impact on the landscape, the developer will be required to produce a masterplan for the site which will address issues, including the siting and design of the hotel, provision of a public park area, landscaping, access from the A9, enhanced active travel connections and coastal walk improvements. High quality, low level design is essential and the inclusion of features such as stone dykes can also help to integrate the development within its surroundings. The visual impact is minimised by the hotel allocation being located on the eastern side of TS14, adjoining the existing caravan park. The hotel allocation is also restricted to 3ha which includes an area identified for Expansion of the Green Network along the coastal edge. This will allow for the protection of 6.5ha of land at TS12 for the provision of a public park which will preserve open views to Dunnet Head and Scrabster Harbour. The public park and hotel development could help to provide a more attractive entrance into the town centre and remove the focus of the buildings on the seaward side of the A9 being mainly centred on the existing caravan park. Overall the Council believes that the allocation and the Developer Requirements are

sufficient to ensure that any hotel proposal will have an acceptable impact on the landscape. As a result no modification to the Plan is proposed.

To provide greater clarity over the Council's expectation that a high quality of siting and design is required on the site, if the Reporter is so minded, the Council would be content with adding in the following text to paragraph 111: "Visit Scotland's Tourism Strategy identifies a need for more quality hotels in Caithness and to help meet this land is allocated at Pennyland. *Given its prominent and sensitive location it is essential that a hotel in this location is delivered to the highest of standards. A low level building with features such as a green roof would help reduce the visual impact.* The development...."

In response to concerns over the resilience of any planting on TS12 or TS14, the developer of the hotel would be required to submit a Landscaping Management Plan which will set out in detail features such as planting and maintenance of any vegetation/shrubs/trees for the site. This will ensure that any landscaping will be suitable to the weather conditions and is well maintained. To provide greater clarity of what will be expected of a developer, if the Reporter is so minded, the Council would be content with the existing Developer Requirement "Landscaping" being replaced with "High quality landscaping set out within a Landscaping Management Plan".

The Council recognise the George Wylie sculpture as being an important feature of the local area but it is not appropriate to require the adjoining developer to maintain/enhance access to it. Despite this, landscaping and improvements to the coastal walk are noted as part of the Developer Requirements for TS12. Therefore, there may be opportunity to consider potential enhancement of the George Wylie sculpture at planning application stage. No modification is propose to the Plan.

The Council believes that SEPA's request for an additional Developer Requirement is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding)". This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance.

#### *Concluding remarks on TS12 and TS14*

The development of a high quality hotel, spa, restaurant and safeguarding land for a public park could help to deliver the Plan's aim of supporting the growth of the tourism industry. As shown above the impacts on the landscape can be mitigated through siting and design and landscaping. There also appears to be sufficient demand in the hotel market for higher quality accommodation with associated facilities and that competition with existing town centre businesses is not as severe as suggested when taking account of appropriate mitigation. Consequently it is recommended that the Council maintain the allocations TS12 and TS14 as set out within the Proposed Plan without modification.

#### Other Hotel site suggestions

Suggestions of other possible sites for a new hotel were submitted. The Landowner of Pennyland Farm suggested that, as well as the hotel allocation on TS14, land should be allocated for another hotel closer to the Business Park. It was suggested that this would be targeted more towards national chain hotels. However it is considered that this type of

proposal would be more suitable within the town centre. The allocation of land at TS14 was mainly due to its attractive cliff top location and that Developer Requirements could be added which ensure that a high quality development is delivered. A development next to the Business Park, however, would not be location dependant and would likely attract a budget hotel. This would then compete more directly with the existing town centre businesses. Therefore the suggested hotel allocation near the Business Park is not supported and no modification is proposed to the Plan.

Several other sites were suggested to the Council including TS07 and TS08. The respondents who suggested these sites appear to do so as alternatives to development of TS14. However, these sites are arguably less attractive for a quality hotel given the adjoining uses or limited views. Of the sites suggested to the Council TS14 was considered as the most suitable for a hotel as it would appeal more towards the higher end of the hotel market which in turn would not present significant direct competition with town centre budget hotels.

For the response to the suggestion of a hotel allocation on TS05 Former Mart Site see Issue 10 Thurso.

#### Other Issues Raised

##### *Implications of an Allocation in the LDP*

It is not the case that should a site be allocated in the Local Development Plan a developer would be automatically granted planning in principle. Although the allocation in the Plan does show that the Council would support in principle the allocated land uses a developer would still be required to submit an application, either a planning in principle or a full planning application. Interested parties, including the general public, would then have the opportunity to make comments on the application. The hotel development is specifically identified in the site allocation table as to clearly set out the type of development which the Council would support and thereby discourage any other proposals coming forward on the site.

##### *Incorrect Site Referencing*

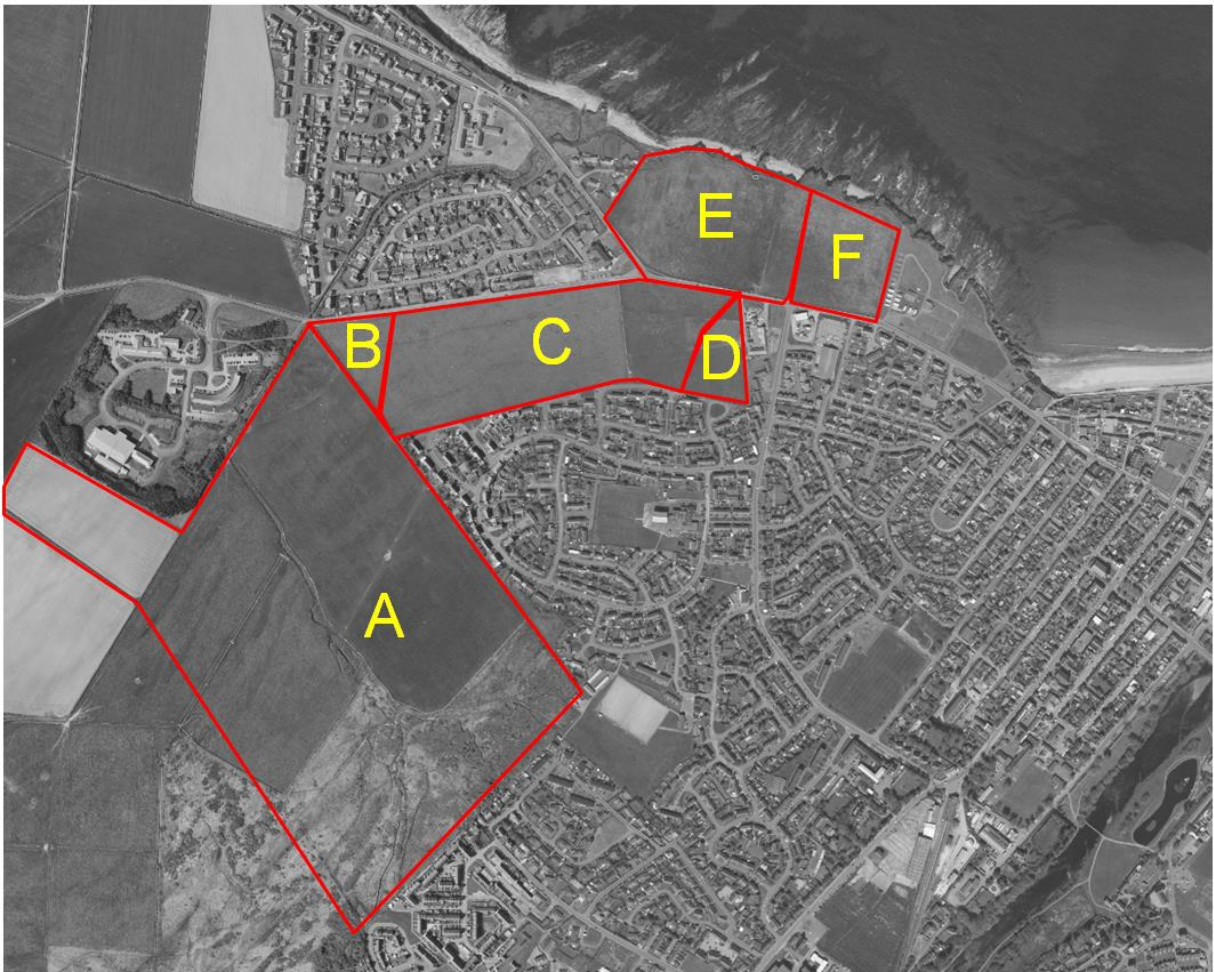
The site references included within the Developer Requirements for TS04, TS12 and TS14 were recognised as being wrong shortly after the consultation started. The errata for the Proposed Plan noted this error and included the correct site referencing (referring to TS04, TS12 and TS14 rather than TS01, TS02 and TS03). It is therefore agreed to amend this as a non-notifiable modification.

## DECISIONS FOR COMMITTEE

This section presents two decisions that need to be made on the site allocations in the Thurso West area. It sets out options for two particular issues for consideration and decision by Committee. The options presented respond to a wide range of issues raised during the Proposed Plan consultation. It is important that clear decisions are reached by Committee on the Council's proposed strategy and development allocations in the area. It should be noted that, depending upon which options are chosen, this could lead to significant modifications to the Plan.

To assist the discussion and decisions for this area the map below shows the relevant areas:

- Area A – Mixed use allocation in the Proposed Plan, predominately reflecting the existing Local Plan (2002) allocations
- Area B – Allocated in the Proposed Plan for a filling station and small business units
- Area C – Identified in the Proposed Plan as Long Term Housing and Amenity land
- Area D – Allocated in the Proposed Plan for up to 20 houses
- Area E – Community allocation (public park) in the Proposed Plan
- Area F – Allocated in the Proposed Plan for Business (Tourism, Leisure), with specific reference to an opportunity for a hotel



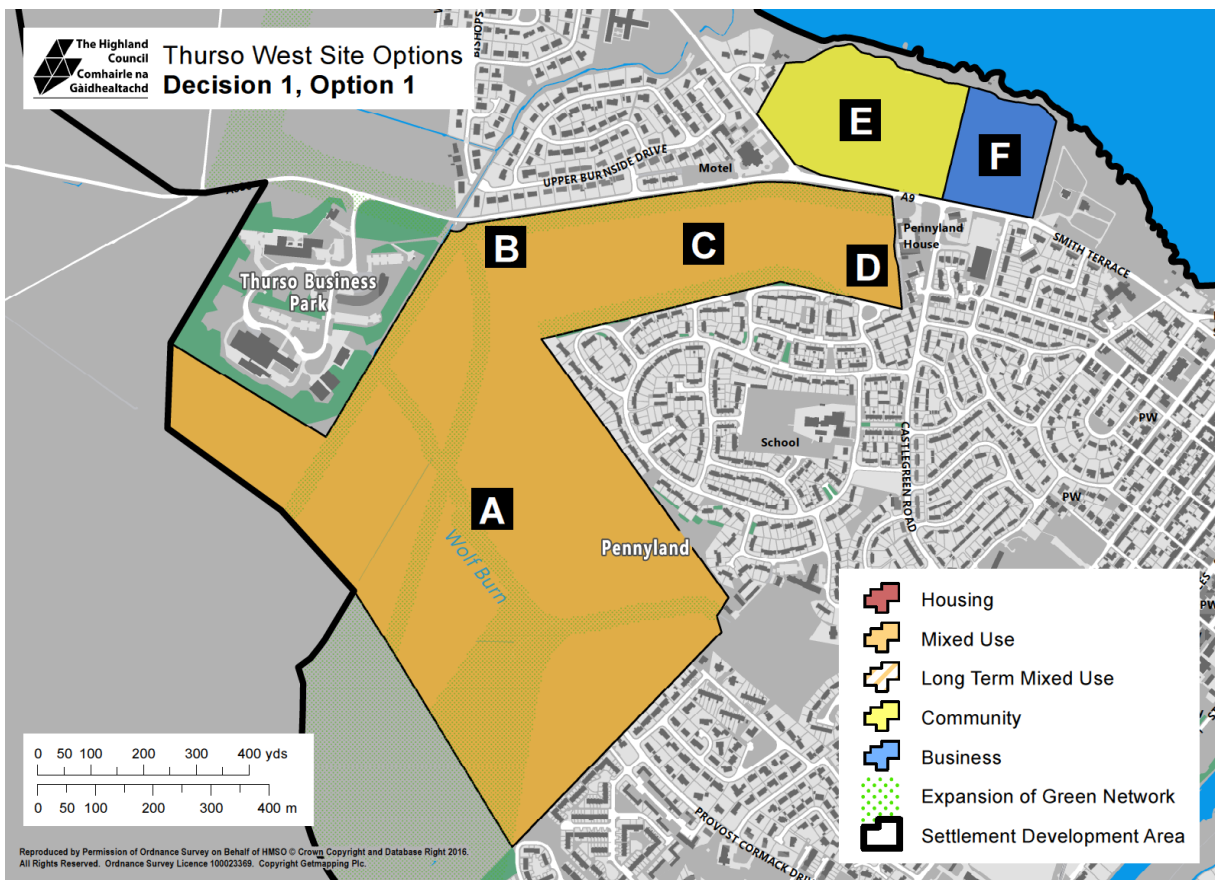
**DECISION 1 – Presentation of TS04 (Areas A, B, C and D)**

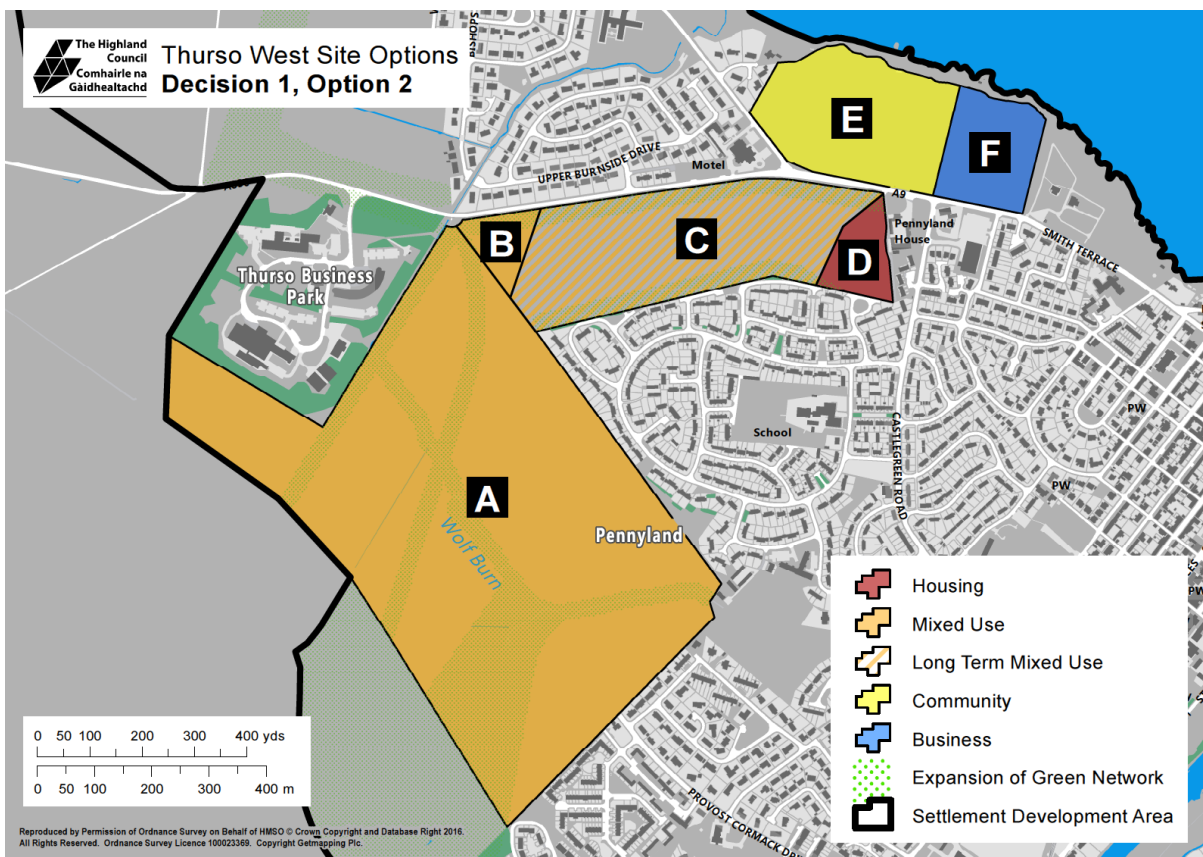
The first decision relates to the way in which site TS04 is presented in the Plan.

The large single site boundary of allocation TS04 (covering A, B, C and D) was identified to reflect the extent of the proposed review of the Thurso West Development Brief and/or developer-led masterplan. Although this remains the recommended position there is an option to break down TS04 into the components shown in the map below, identifying these as such in the Plan itself.

Committee is being asked to choose between two options:

- Option 1 – retain TS04 as a single large allocation as shown in the Proposed Plan; or
- Option 2 - separate TS04 into its key components as shown in the map below.





**It is recommended that Committee chooses Option 1 to retain TS04 as a single allocation** as it would better reflect the extent covered by the forthcoming review of the Thurso West Development Brief. Future plan reviews can then confirm the mix of development across the site.

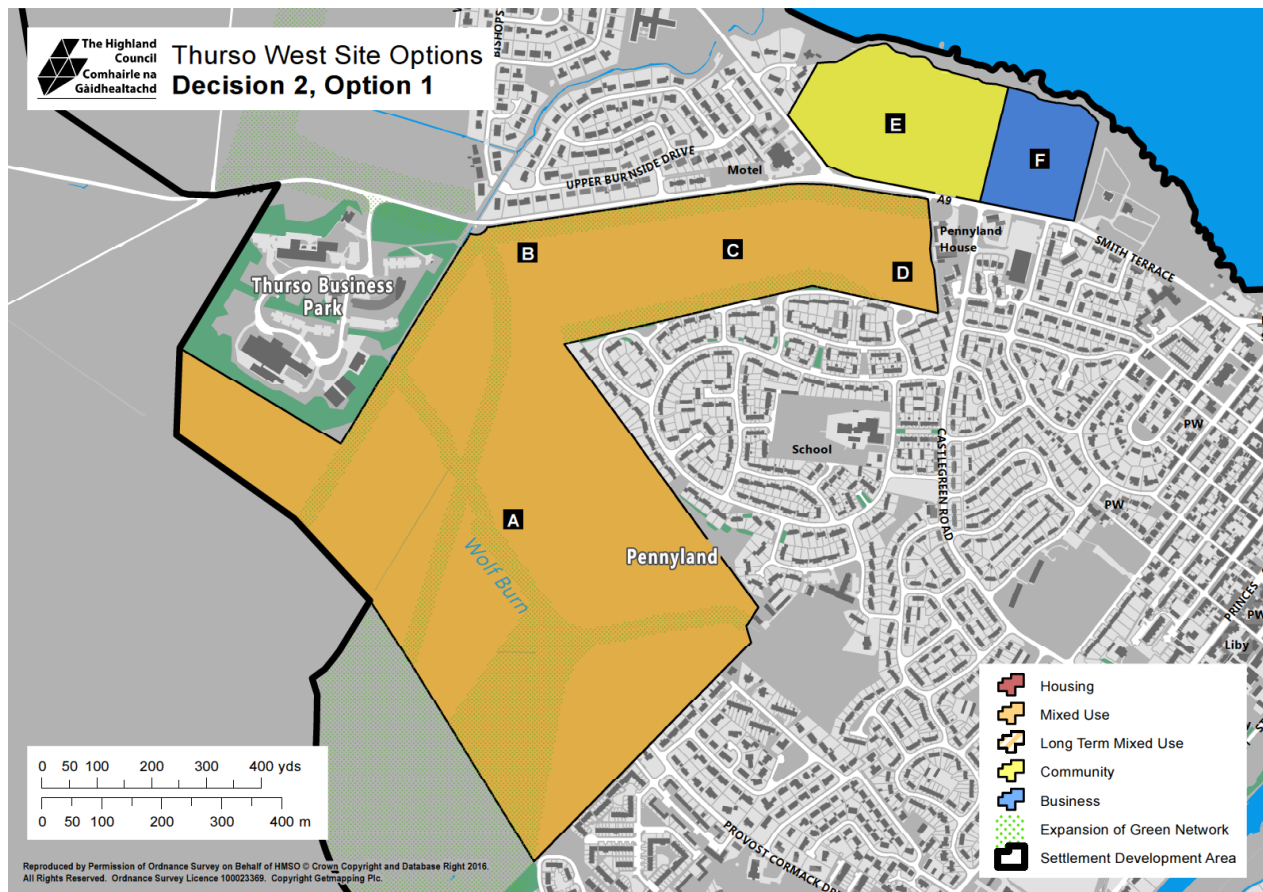
If Committee decides on Option 2 then we would ask the Reporter to accept this as essentially a presentational change rather than a significant modification to the Plan.

## DECISION 2 – Fields north of the A9 at Pennyland (Areas E and F)

Decision 2 presents the following three options for how land at Pennyland (areas E and F) is shown in the Plan.

### Option 1 – Position presented in the Proposed CaSPlan (E and F)

This option represents the strategy and site allocations identified in the Proposed Plan and agreed at Committee in November 2015 as the settled view of the Council. On balance this is considered to be the most suitable option for the future of the area.



The arguments both for and against this option have been fully considered. The proposals will result in a change to the landscape and reduce views from particular positions out towards Thurso Bay. There are also concerns from existing hotel operators about potential impacts on the hotel market in Thurso and local residents about a change in standpoint from previous planning decisions. However, as set out in the recommended response above the proposal offers a range of potential benefits. The allocation forms part of a long term vision for Thurso and the hotel allocation would provide a mechanism for helping to deliver and safeguard land for a public park. The tourism market is continuing to grow (particularly within initiatives such as NC500) and a high quality hotel with leisure facilities and restaurant could help address shortcomings in the current hotel inventory and extend the duration of visits.

It is **recommended that Committee agrees with Option 1** (as shown in the map above) and retain the proposals as set out in the Proposed Plan. On balance the proposals have

the potential to deliver wider benefits to the area and the impacts of development can be suitably mitigated.

Choosing this option would not involve significant modifications to the Plan. This would mean moving straight to preparing for the submission to Scottish Ministers for Examination rather than face delay in the process. The Reporter(s) would consider and decide on the outstanding issues.

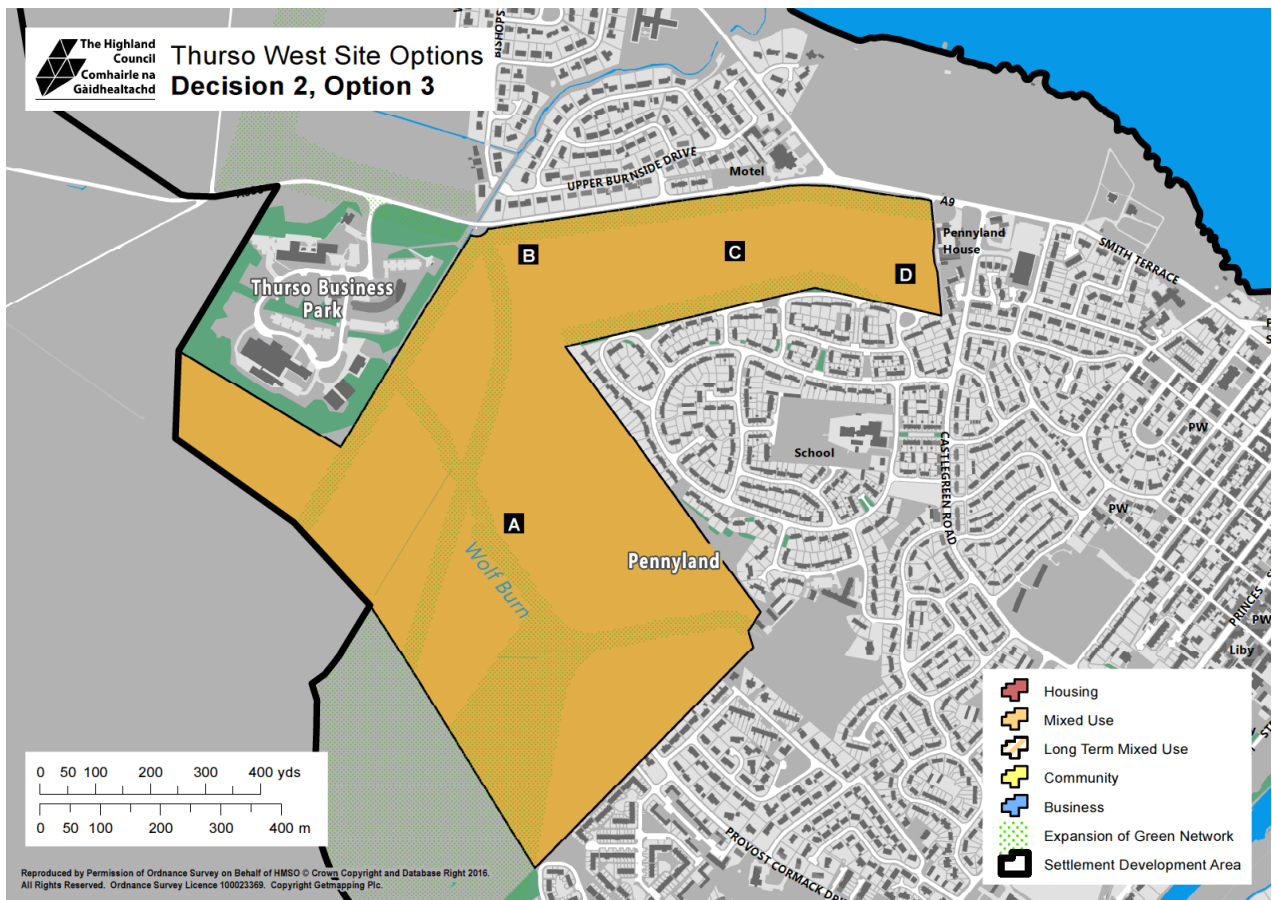
#### Option 2 – Retain areas E and F but amend uses

The Committee may wish to consider maintaining the allocation of Areas E and F but to change the specific uses in respect of Area F, e.g. from a hotel to 'visitor accommodation' or 'chalets/lodges'. **We do not recommend that Committee selects this option** because a well designed hotel is considered to be more suitable for this location.

If Committee decides on Option 2 then we would ask the Reporter to accept the change rather than a significant modification to the Plan's proposals.

#### Option 3 – Removal of allocations for public park (E) and hotel opportunity (F)

Many objections were raised during the consultation to the allocation of land for a hotel and associated leisure facilities at Pennyland. If the hotel proposal (Area F) was removed there would be no clear way of delivering the public park on site TS12 through the Plan. As a result officers advise that if Area F were to be removed, Area E should also be removed.



It is acknowledged that there are some advantages and disadvantages of this option.



Option 2 may better reflect the masterplan which was shown in the final Charrette Report. It would also reduce landscape change and avoid any potential impact on existing hotel businesses. On the other hand, as Option 1 points out, the proposals form part of a long term vision for Thurso West and the allocations provide a mechanism for helping to deliver and safeguard land for a public park. The tourism market is continuing to grow (particularly with initiatives such as NC500) and a high quality hotel with leisure facilities and restaurant could help address shortcomings in the current hotel inventory and extend the duration of visits.

On balance **Option 2**, as shown in the map above, **is not recommended to Committee** as a well designed hotel could deliver wider benefits for the town and the impacts can be suitably mitigated.

This would be a significant modification of the Plan, necessitating consultation on a Modified Plan with consequential delay to progression and adoption of the Plan and additional costs.

#### **CONCLUDING REMARKS**

The sites at Pennyland have been the most controversial element of the Proposed Plan with a range of issues raised for and against the allocations. The recommended position is to retain the strategy for the area which is set out in the Proposed Plan. However, in recognition of the issues raised several options are presented. It is important that clear decisions are made by Committee on the Council's proposed strategy for the area including proposed allocations.

#### **Reporter's conclusions:**

#### **Reporter's recommendations:**

<b>Issue 12</b>	<b>WICK</b>	
<b>Development plan reference:</b>	Wick page 41	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Robert Turner (983587)  Mrs Elder (967345)  SNH (909933)  Mr Clive Teuchert (976184)  MM Miller (976780)  John Russell (978206)  Scottish Water (953627)  SEPA (906306)  Historic Environment Scotland (964857)  Iain Banks (980087)  Mr David Dunnett (980064)  Wick Harbour Authority (980257)  Dr Ian and Mrs Katie Burns (980855)  Mrs Sandra Macgregor (972167)  Mr Graham Begg (978528)  Mr Graeme Sutherland (976344)  Caithness Chamber of Commerce (983321)  Jones Lang LaSalle Ltd (983768) on behalf of SSE Plc (983775)  Mr George Connor (983538)  Ms Jan Haines (984013)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Wick settlement text, placemaking priorities and site allocations	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Wick General</b>  <u>Dr Ian and Mrs Katie Burns (980855)</u>  The neighbouring property is currently being cleared and it is understood that the purchaser intends to make this into private dwelling. The respondent questions whether they can expect to see and comment on the plans beforehand.</p> <p><u>Caithness Chamber of Commerce (CCC) (983321)</u>  Welcomes the recognition of the growth potential of Wick due to developments in renewable energy and other developments such as the National Nuclear Archive.  CCC are also pleased to see the adoption of a flexible approach to encourage reuse or redevelopment of Council-owned buildings.</p> <p><u>Jones Lang LaSalle Ltd (983768) on behalf of SSE Plc (983775)</u>  In terms of the position set out within the Proposed LDP relating to Wick Harbour and BOWL, the agent confirms that paragraphs 118 and 119 capture the likely requirements for Wick Harbour arising from the BOWL development.</p>		

**New Site Suggestions**Mr Clive Teuchert (976184)

Objects to the land to the east of Murray Avenue at North Head not being taken forward as a Housing allocation because it was allocated for development since the 1990s. It is not costing the Council any money being in the Plan and it is not an eye sore. Removing the site would reduce the choice of sites for prospective homebuyers.

MM Miller (976780)

Objects to the area of land next to Murray Avenue in Broadhaven no longer being allocated for housing. The site was previously allocated for housing and MM Miller obtained planning permission (shown on the attached drawings) for developing this area. While developing Murray Avenue MM Miller invested a substantial sum of money in drainage works, undergrounding overhead cables and obtaining planning permission with a view to extending the housing development into this field.

Mr George Connor (983538)

Objects to land at Milton to the west of Wick not being taken forward as a Housing allocation (area shown in the attachment). There are frequently requests by the general public asking for plots of land to buy in order to build houses. The respondent attached a letter from 2008 which shows an expression of interest from a developer in developing the land if it was allocated in the Development Plan.

Mr Graham Begg (978528)

The respondent owns the farm south of WK02 and requests the land be allocated for housing there due to the large amount of new houses which will be needed if the offshore wind proposals go ahead. At present there is not enough land identified for long term housing.

**WK01 - Hill of Man**Mr David Dunnnett (980064)

The site was bought by Pentland Housing Association and was going to be made available for single house plots, not just affordable houses.

**WK01, WK02, WK03, WK17, WK19 and WK22**SNH (909933)

Although the main text for Wick recognises the need to avoid an adverse effect on the integrity of the East Caithness Cliffs SPA, the developer requirements should also specify what is required. We therefore recommend adding text such as "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA through increased disturbance caused by increased recreational use of the area by residents of the new housing."

**WK03 - East Of Carnaby Road**SEPA (906306)

As identified in the Environmental Report, the Mill Lade watercourse which runs through the site is the water supply for a local distillery. As a result SEPA object unless the following developer requirement is added to the plan: “25 m development setback from watercourse; Avoid any discharge into the watercourse.” This amendment will help protect significant local water users and ensure consistency with other allocations in similar catchments elsewhere in the plan.

#### **WK04 - North Of Coghill Street**

##### SEPA (906306)

A small watercourse runs along the boundary of the site. Parts of the site are therefore at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that “Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable” and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

##### Historic Environment Scotland (HES) (964857)

HES supports the requirement for a minimum 20m buffer from the scheduled monument The Pap broch 350m E of Hillhead (Index no. 578) as well as the requirement to consider the setting of the monument through sensitive siting and design.

##### Ms Jan Haines (984013)

Respondent reports frequent drainage issues in their property as a result of the development WK04 and is concerned about the impacts further development will have. A garage development within the neighbour’s garden has exacerbated the problem.

##### Mr Graeme Sutherland (976344)

The landowner and developer of WK04 objects to the current allocation boundary and requests that it be extended to include the land to the north of Hillhead School. The whole site was granted planning permission in 2002 which is now ‘locked on’ as development commenced on site before it expired. It has been a mistake by the planning team not allocating it for development. The site is located in a good part of the town and WK04 is being steadily built out. The developer argues that they have invested a lot of money in upgrading the site with the intention of continuing development into the area above Hillhead Primary School. There are a lot of brown sites in Wick in less desirable areas and which probably will not be developed in the future.

#### **WK06 - West of Coronation Street**

##### SEPA (906306)

The site is adjacent to River Wick and is at risk of flooding from high tides combined with storm surges and high river levels. There are also local records of flooding. As a result we object unless the following developer requirement text is added to the plan: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk. Such an approach is in line with the mitigation proposed in the Environmental Report.

#### **WK07 - Land at Broadhaven Farm**

Mr Clive Teuchert (976184)

The landowner of WK07 supports the site for future housing development (assumed long term housing). The only other site on the North Head (WK04) is not offering single plots for sale.

John Russell (978206)

Objects to WK07 (assumed) as Broadhaven is already over developed, there is a large amount of fast traffic along Broadhaven Road, the residents of the neighbouring nursing home will lose their view, it will lead to the coalescence of Wick with Papigoe and Staxigoe. Girnigoe Castle is a tourist attraction and the more rural the appearance of the area the better. Housing development should be directed to the west side of Wick to benefit from the proximity to the new school.

#### **WK09 - North of Wick North Primary School**

SEPA (906306)

A drain runs along the boundary of the site. Part of the site is therefore at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk. Such an approach is in line with the mitigation proposed in the Environmental Report.

**WK10 - North of Wellington Avenue**Wick Harbour Authority (980257)

Objects to the Mixed Use allocation. Consideration should be given to this area being zoned as Industry rather than Mixed Used in order to support Wick Harbour's long term development plans.

Mrs Sandra Macgregor (972167)

Respondent objects to development of WK10 due to the rural feel of the area which would be adversely impacted by development. The respondent has enjoyed the view from her property of the fields and Wick Harbour for several decades. The respondent would like to see the space promoted as a greenspace as lots of people walk their dogs there.

SNH (909933)

The text recognises the potential for an impact on "environmental designations", but does not specify which protected areas. It would be useful to identify the East Caithness Cliffs SPA and MPA as the environmental designations with the potential to be affected.

**WK11 – Site at The Shore**Scottish Water (953627)

Contaminated land may require a specific pipe material prior to approval for connection to the public water supply.

Dr Ian and Mrs Katie Burns (980855)

Supports the range of uses but has concerns regarding the height of development if it were to be higher than the height of the embankment behind. Also concerned about the impacts development may have on the historic stone abutments which are acting as a support for the embankment.

**WK12 – Lower Pulteneytown**

Mr Turner submitted a petition objecting to the former MacCaughey's Boat Building yard within WK12. The following people signed the petition:

R Turner, Wick, B Ashand, Wick, S Smyth, Wick, W Feinhals, Wick, M Gill, Wick, J Scollay, Wick, G Scollay, Wick, B Scollay, Wick, R Turner, Wick, Kev McDonald, Wick, Donna E Loughlin, Wick, Louise Robertson, Thurso, Christine Robertson, Thurso, Sonia MacDonald, Wick, John Oman, Wick, James McCaughey, Wick, Annette Durrand, Wick, Jo Sutherland, Wick, Dane Sutherland, Wick, Alan Youngson, Wick

The petition raised the following concerns:

1. The existing building was just over one storey high and did not block out sunlight. The petitioners request that any future development of the site should not exceed one storey.
2. Lower Pulteney has conservation area status and any future building should reflect that and the Harbour heritage.
3. Noise and privacy should be considered, such that any planning permission is not given to any building erected on this site which would contravene the current noise

regulations for private property.

4. The working times applicable to any commercial building erected on this site should also comply with normal working hours, and evening, night-time or Sunday industrial working is expressly forbidden in any planning approval.

The allocation allows for both industrial and housing uses which often do not make appropriate neighbouring uses. Also there are many heritage sites nearby which means the site has considerable tourism appeal.

#### **WK14 – Hillhead School**

Mrs Elder (967345)

Objects to the Mixed Use allocation due to the site being surrounded by residential properties. The respondent supports Housing uses on the site but is concerned about the uncertain future use which a Mixed Use allocation allows.

SEPA (906306)

There is a small watercourse on the boundary of the site. Therefore part of the site is at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that “Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable” and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

#### **WK15 - Wick High School Building**

Scottish Water (953627)

Contaminated land may require a specific pipe material prior to approval for connection to the public water supply.

#### **WK16 - Land at Francis Street**

SEPA (906306)

SEPA note that the developer requirement includes the need for a Flood Risk Assessment; however, SEPA are not aware of any flooding in this area and it is not identified as an issue in the Environmental Report. In addition SEPA have checked with your flood prevention authority colleagues and they have not identified the need for a Flood Risk Assessment for this site.

As a result, unless the Council hold information SEPA are not aware of, SEPA recommend that you reconsider whether a Flood Risk Assessment is required for this allocation.

**WK18 - West of George Street**Scottish Water (953627)

Contaminated land may require a specific pipe material prior to approval for connection to the public water supply.

Iain Banks (980087)

Supportive of the allocation and would like to see it brought back into use. Respondent raises the issue that bats may be present on the buildings along Robert Street.

**WK19 - East of Wick Burial Ground**SEPA (906306)

The site is adjacent to the fluvial flood map and may be at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:...set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

Mr Graham Begg (978528)

The landowner of WK19 has not been involved in promoting this site and is unaware of the reasons being allocated for Community uses.

**WK20 and WK21**Caithness Chamber of Commerce (983321)

With regards to the two sites at which installation of Real-Time Information displays for buses are mentioned, CCC would welcome the opportunity to provide input on this matter to ensure that any areas identified for this kind of investment are aligned with the priorities of local stakeholders.

**WK22 - Wick Harbour**SEPA (906306)

Part of the site is within the Coastal Flood Map and is at risk of flooding.

SEPA note that this allocation is for development of a harbour for industrial use. In line with the risk framework of Scottish Planning Policy, exceptions to flood risk avoidance may arise if the location is essential for operational reasons such as navigation, transport and utilities infrastructure. We are content that this exception could be applied in this case.

Implementation of the current developer requirement "Flood Risk Assessments may be



required (no development in areas shown to be at risk of flooding)” is likely to result in development of the site not being possible. As a result SEPA recommend the above developer requirement is deleted and replaced with “Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures.” Such an approach is in line with the mitigation proposed in the Environmental Report.

This amendment will ensure that development of the site can be delivered and the development type complies with the flood risk framework outlined in paragraph 263 of Scottish Planning Policy.

SNH (909933)

The text recognises the potential for an impact on “environmental designations”, but does not specify which protected areas. It would be useful to identify the East Caithness Cliffs SPA and MPA as the environmental designations with the potential to be affected.

Mr David Dunnett (980064)

Need to make sure the right of way stays open to the public and that the path network is maintained to a safe standard.

Wick Harbour Authority (WHA) (980257)

WHA seek clarity on what the requirements are for the Master Plan / Development Brief. Also the Plan states that existing core paths should be safeguarded. WHA would welcome a discussion with Highland Council as to how this might be achieved as to drive a path through an industrial site will be nearly impossible. Therefore WHA need to have some provision to permit re-routing/improving existing paths to provide reasonable access to roam within reason and HSE requirements.

Jones Lang LaSalle Ltd (983768) on behalf of SSE Plc (983775)

Objects to the Developer Requirement for the masterplanning of the harbour as it appears to be overly onerous. It would be appropriate for the LDP to specifically note that the planning requirements that would apply to Wick Harbour will be proportionate to the scale of development envisaged.

**WK23 – Wick Industrial Estate**

Robert Turner (983587)

Respondent submitted a petition objecting to WK23. The following people signed the petition:

D Smith, Wick, E Christie, Wick, Corris Leasor, Wick, Sheila Miller, Wick, Anne Taylor, Wick, V Gunn, Wick, H Bank, 22 Loch Street, J Sutherland, 12 WellingtonStreet, C Macleod, 15 Breadalbane Terrace, P Bruce, 45 Argyle Square, M Taylor, 8 Murray Avenue, M Apperly, 20 Robertson Crescent, E Shearer, Wick, V Mackay, Wick, H Mackay, Wick, Jo Sutherland, Wick, M Cormack, Wick, James Bruce, 15 Newton Road, D Rosie, 32 Kinnaird Street, P Darmag, Breckster, Camster, R L Silverwood, Wick, Donald McGregor, Wick, E M Scolley, Wick, R Dunbar, 4 Weir Crescent, Milton, S Szyfelbain, Wick, M Szyfelbain, Wick, Keith Macadie, 4 Hill Avenue, L Macadie, 4 Hill Avenue, W Szyfelbain, Wick, RA Szyfelbain, Wick, Rona Plowman, Wick, Kayrn Swan, Wick, Lynn Morrison, Wick, Kimberly Leith, Wick, Grace Sutherland, Wick, Merran Gunn, Wick, Fiona Miller, Wick, Katie Mackaie, Wick, Catherine McGregor, Wick, Jenny Cormack, Wick, Annette Durrand, Wick, Catherine Duffy, Wick, Claire Robertson, Wick, Barbara McLeod, Wick, Kimberly Leith,

Wick, Heather Miller, Wick, Angela Johnstone, Wick, Loredana Neculau, Wick, Valerie Webster, Wick, Stephanie Webster, Wick, Margaret Webster, Wick, Stacey Webster, Wick, R Turner, Wick, B A Shand, Wick, C Bain, Wick, M Stewart, Wick, J Houston, Wick, John Deverson, Wick, Lorraine Mackay, Wick, Jennifer Scott, Wick, Andrew Scott, Wick, R Turner, Wick, Louise Robertsson, Thurso, Christine Robertson, Thurso, Sonia MacDonald, Wick John Oman, Wick, Alexander Mackay, Wick, Andrew Bruce, Wick, Elizabeth Richard, Wick, Margaret Richard, Wick, Tracy Macgregor, Wick, Graham Scollay, Wick, Colin Stirling, Wick, Amanda Stirling, Wick, A Johnston, Wick, R Johnston, Wick, J Nicolson, Wick, Anne Stewart, Alness, Jamie Stewart, Alness, Janis Scollay, Wick, Diane Mackenzie, Halkirk, Martin Mackenzie, Halkirk, Elizabeth Innes, Wick, John Forbes, Wick, Margaret Harper, Wick, Joy Robertson, Wick, Isobel Miller, Wick, J Ferrier, Wick, Brian Scollay, Wick, Annette Sutherland, Wick, Sharon Bremner, Wick, Allan Campbell, Wick, Catherine Miller, Wick, H Deverson, Keiss, Isobel Polson, North Keiss, Tom Bungay, Sarclet, Angela Davis, Wick, Mandy Wilson, Wick, Adam Polson, Wick, James Carter, Wick, Kristeen Campbell, Wick, Martin Campbell, Wick

The main points raised within the petition include:

1. Remove the section of land which is currently green space to the south of WK23. Realign the southern boundary of the site to be in line with the road through the industrial estate (as shown in the attachment). There are a number of vacant sites within the industrial park which can accommodate development rather than the area requested to be safeguarded as Greenspace. Industrial uses are also not suitable so close to residential properties.
2. Requests that the existing greenspace area is classified as protected Greenspace, safeguarding it from any built development. The area is well used by local residents and school children, helps provide privacy and prevents noise pollution from the industrial estate. It is understood that the area was safeguarded as greenspace in the 1980's/early 90's but the residents are unable to access the Council's archives to confirm this.
3. Requests that the existing businesses which would be included within the Greenspace area are notified that this is now a protected greenspace, and that no further building, development work, or change of use will be allowed to any building currently in this area. Furthermore, any trees currently on their sites will require regular upkeep and maintenance in accordance with relevant guidelines.
4. The greenspace area contains a number of trees which are rare and precious in Caithness. Request that the conservation of these trees is addressed and that the area is adopted by the Council, and that all such forestry work as is necessary to conserve and develop these trees is commenced in the forthcoming Financial Year 2016/2017 and is maintained in a correct conservatory manner. The area is the only main urban woodland within the Wick SDA boundary.
5. The proposed Greenspace currently collects and holds a considerable amount of rainfall as surface water. It is requested that the Council addresses the drainage for this area as part of the development plan process, and that the Council renew or alter the drainage as applicable to safeguard the trees.

**Modifications sought by those submitting representations:****Wick General**SNH (909933)

Add the following suggested text as a Developer Requirement “Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA through increased disturbance caused by increased recreational use of the area by residents of the new housing.”

**New Site Suggestions**Mr Clive Teuchert (976184) and MM Miller (976780)

Inclusion of land to the east of Murray Avenue as a Housing allocation.

Mr Graham Begg (978528)

Inclusion of land to the south of WK02 as a Housing allocation.

Mr George Connor (983538)

Inclusion of land at Milton as a Housing allocation.

**WK01, WK02, WK03, WK17, WK19 and WK22**SNH (909933)

Add the following Developer Requirement: “Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA through increased disturbance caused by increased recreational use of the area by residents of the new housing.”

**WK03 - East Of Carnaby Road**SEPA (906306)

Add the following developer requirement “25 m development setback from watercourse; Avoid any discharge into the watercourse.”

**WK04 - North Of Coghill Street**SEPA (906306)

Add the following developer requirement text “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

Mr Graeme Sutherland (976344)

Inclusion of land west of WK04 as a Housing allocation.

**WK06 - West of Coronation Street**SEPA (906306)

Add the following developer requirement text “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

**WK07 - Land at Broadhaven Farm**John Russell (978206)

Removal of Long Term Housing site WK07 (assumed).

**WK09 - North of Wick North Primary School**SEPA (906306)

Add the following developer requirement "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

**WK10 - North of Wellington Avenue**Wick Harbour Authority (980257)

Reallocate from Mixed Use to Industrial.

Mrs Sandra Macgregor (972167)

Removal of Mixed Use allocation and safeguard as Greenspace.

SNH (909933)

Identify the East Caithness Cliffs SPA and MPA as the environmental designations with the potential to be affected.

Dr Ian and Mrs Katie Burns (980855)

Developer requirements to ensure bank stability is not jeopardised by development and that any building is no higher than the embankment (assumed).

**WK12 – Lower Pulteneytown**Robert Turner (983587)

Removal of Industry being part of the Mixed Use allocation on part of WK12. Developer requirements limiting height to one storey, restrictions on any noise generated and operating times and protection of privacy for neighbouring residents (assumed).

**WK14 – Hillhead School**Mrs Elder (967345)

Change from a Mixed Use allocation to Housing only.

SEPA (906306)

Add the following developer requirement text "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

**WK16 - Land at Francis Street**SEPA (906306)

Reconsider whether a Flood Risk Assessment is required for this allocation.

**WK19 - East of Wick Burial Ground**

SEPA (906306)

Add the following developer requirement text “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

**WK22 - Wick Harbour**SEPA (906306)

Replace existing FRA developer requirement with “Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures.”

Wick Harbour Authority (980257)

Developer requirement relating to protection of existing core path should allow for potential rerouting of the path.

Jones Lang LaSalle Ltd (983768) on behalf of SSE Plc (983775)

Removal of the Developer Requirement for the masterplanning of the harbour expansion.

SNH (909933)

Developer requirement to identify the East Caithness Cliffs SPA and MPA as the environmental designations with the potential to be affected.

**WK23 – Wick Industrial Estate**Robert Turner (983587)

Remove the area south of the road through Wick Industrial Estate, including the existing businesses, from site WK23. Safeguard this area as Greenspace. Requests that the Council and businesses take responsibility for maintaining the trees. The Development Plan to address existing drainage issues within this area.

**Recommended summary of responses (including reasons) by planning authority:****Wick General**

In relation to the comment querying a neighbouring development this is more likely to be a matter for the planning application process. Neighbour notifications at planning application stage are dealt with by Development Management rather than as part of the Development Plan preparation. Neighbours within 20 metres of the red line boundary are notified of planning applications. No modification is proposed by the Council.

Supporting comments by the Chamber of Commerce are noted.

Supporting comments by Jones Lang LaSalle relating to paragraphs 118 and 119 are noted.

Paragraph 118 refers to the ‘pending’ final investment decision which has now been made and the construction work of the project approved. It would be helpful for the Plan to reflect this updated position and therefore it is proposed that the following non-modifiable amendment would be made to the plan; replace existing wording with: “This is reinforced by the announcement that Wick will serve as the service base....”.

### **New site suggestions**

#### *Land East of Murray Avenue*

The site was not taken forward to the Proposed Plan as the planning consent (08/00474/OUTCA) which was approved in 2009 has since expired. In addition, the Housing Need and Demand Assessment (HNDA) 2015 and the Housing Background Paper identifies a lower level of housing land supply needed for the Wick area over the Plan period than previously forecast. Although the site has some constraints, such as being close to a wastewater treatment works and on the fringes of Wick, it is recognised that there are arguments for the inclusion of the site including those raised by the landowner and the developer. These include that the site was intended to be the last phase of the development of the North Head and the road layout allows for access to be taken from Murray Avenue. As it lies within the Settlement Development Area (SDA) the principle of development is likely to be acceptable but to give greater certainty to both the neighbouring residents and the developer, and to gain greater control of its delivery, if the Reporter is so minded, the Council would be agreeable for the site to be included as a Housing allocation. If the Reporter chooses to include the site, Developer Requirements should be added to ensure the provision of suitable openspace and safeguarding of a development buffer of at least 100m from the WWTW.

#### *Land at Milton, Wick*

A large area at Milton, which was suggested to the Council by the landowner during Call for Sites stage, was assessed as part of the SEA site assessment process. It was recognised that the site benefits from being relatively close to the new high school and community campus and there is a pavement leading into Wick.

However, as part of the site assessment process it is not considered to be a suitable for inclusion in the Plan. The strategy set out in the Proposed Plan for Wick reflects the vision identified at the Wick Charrette by focusing on regeneration and consolidation of the town rather than growing in any particular direction. The Proposed Plan has taken forward only those sites which already have planning permission or which are important brownfield regeneration sites. The Proposed Plan did not allocate any new greenfield sites in Wick. The site goes against the strategy of consolidation as it lies outwith and separated from Wick and it is greenfield land. Overall there are also other sites in Wick which are considered more suitable for housing development in the short term.

The representation from the landowner at Milton included a letter from a local developer from 2008 expressing their interest in building houses on the site. Although developer interest in a site indicates a certain level of effectiveness of the site it is not a defining factor in determining its suitability. It is also noted that the letter is over 8 years old now and the developer did not submit a representation in support of the site during any of the consultation stages of CaSPlan.

As part of the review of the Development Plan the Council took a fresh look at the supply and demand for new housing in Wick. The Housing Need and Demand Assessment (HNDA) and the Housing Background Paper identifies a lower level of housing land supply needed for the Wick area over the Plan period than previously forecast. It was noted that the existing Caithness Local Plan allocates a generous amount of housing land. Although planning consent has been granted for many of the sites allocated in the Caithness Local Plan they still contain considerable development capacity (planning permission exists for at least 167 houses). This existing capacity alone satisfies the housing land supply target for

Wick with no need to allocate any other sites.

In addition, it was recently brought to the attention of the Development Plans Team that the development proposal at Milton was raised at the local community council (Tannach and District) meeting. A note distributed after the meeting stated that the community council members are strongly opposed to any development on the site.

For these reasons the Council are not minded to make the suggested modification to include the site in the Plan.

*Land south of WK02*

The suggested site may have some planning merit but has been lodged too late in the Plan's process to be considered. The Plan is at an advanced stage and has already included two opportunities for submissions via the Call for Sites stage in late 2013 and to the Main Issues Report in late 2014. The respondent did not lodge comment at either of these times despite extensive publicity. The new Plan-led process in Scotland relies upon early and effective consideration of the environmental effects of Development Plan proposals and, in a similar way, an early and effective opportunity for the public and other potentially prejudiced parties to be able to lodge comments on development sites. The Plan is on a 5 year review cycle so a fresh Call for Sites stage is likely to commence in 2 or 3 years time which will provide an opportunity for the site to be considered for inclusion.

In addition, at this time there is no need to allocate any further development sites in Wick. The Housing Need and Demand Assessment (HNDA) and the Housing Background Paper identifies a lower level of housing land supply needed for the Wick area over the Plan period than previously forecast. It was noted that the existing Caithness Local Plan allocates a generous amount of housing land. Although planning consent has been granted for many of the sites allocated in the Caithness Local Plan they still contain considerable development capacity (planning permission exists for at least 167 houses). This existing capacity alone satisfies the housing land supply target for Wick with no need to allocate any other sites. There may be some planning merit in the proposal but at this time no new greenfield sites have been taken forward for Wick. Therefore the Council does not support the inclusion of land south of WK02. No modification is proposed by the Council.

**WK01 – Hill of Man**

The comment made in relation to landownership and their intention for the site is noted.

**WK01, WK02, WK03, WK17 and WK19**

To help safeguard the integrity of the SPA, if the Reporter is so minded, the Council would be agreeable with the following Development Requirement being added "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA through increased disturbance caused by increased recreational use of the area by residents of the new housing."

**WK03 - East Of Carnaby Road**

The Council believes that SEPA's request is based on sound evidence. If the Reporter is

so minded, the Council would be agreeable with the following Developer Requirement being added: “25 m development setback from watercourse; Avoid any discharge into the watercourse.” This will help protect significant local water users, particularly the distillery downstream, and ensure consistency with other allocations in similar catchments elsewhere in the Plan.

#### **WK04 - North Of Coghill Street**

Following further discussion with the Council’s Community Services it has been noted that there are surface water flooding issues arising due to run off from the field above. As a result if the Reporter is so minded, the Council would be agreeable with a requirement for a Drainage Impact Assessment being added to the Developer Requirements. This would also address the flood risk concerns of a neighbouring resident who made a representation on the Plan.

The Council believes that SEPA’s request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: “Flood Risk Assessment (no development in areas shown at risk of flooding)”. This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance.

Historic Environment Scotland’s support for the Developer Requirement is noted.

#### *Land West of WK04*

Although the site falls within the SDA in the adopted Caithness Local Plan (2002) it was not suggested to us as a development site during previous stages of the preparation of CaSPlan. The Plan is now at an advanced stage and has already included two opportunities for submissions via the Call for Sites stage in late 2013 and responses to the MIR in late 2014. The respondent did not lodge comment at these times despite extensive publicity.

Given the large amount of potential Housing land identified at the call for sites stage only the most effective sites were taken forward. The points raised by the developer have been noted including previous investment in infrastructure to service the proposed site. Although the effectiveness of some of the brownfield allocations in Wick may be questionable they are in prominent locations and would greatly benefit the town if they were redeveloped.

Further investigation appears to show that the land west of WK04 formed part of the original application for WK04 and may have a live, ‘locked-on’ planning permission for housing development. Therefore, if the Reporter is so minded, the Council would be agreeable to identifying the site as either an extension of WK04 Housing allocation or a Long Term Housing site. This could help to give greater certainty to the neighbouring residents and the developer. It would also allow the Council to have greater control of its delivery.

Despite open space provision being part of the original Development Brief for the area no open space was delivered. It was agreed with the developer at the last phase of WK04 that they would be required to deliver open space during the next phase. If the site were to be extended then openspace provision may be best provided near the existing play area north



of the form Hillhead Primary School. Therefore, if the Reporter is so minded, the Council would be content to amend the existing Developer Requirement to “Open space to be provided in the next phase of development”.

#### **WK06 - West of Coronation Street**

The Council believes that SEPA’s request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: “Flood Risk Assessment (no development in areas shown at risk of flooding”. This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance. Such an approach is in line with the mitigation proposed in the Environmental Report.

#### **WK07 - Land at Broadhaven Farm**

Support for the site is noted.

It should be noted that the site is a Long Term Housing site which provides only an indication of the likely preferred direction for growth beyond the plan period. The suitability of these sites for development has been subject of initial consideration through the preparation of this Plan. However, they are not being invited for development within this Plan period and allocated sites are expected to be developed before any long term sites can be considered.

Development of the site is not considered to lead to the coalescence of Wick, Papigoe and Staxigoe but help to round off the north eastern edge of Wick. The Settlement Development Area has been drawn in from the boundary shown in the existing local plan which will help to protect the setting of Papigoe and Staxigoe (including Girnigoe Castle) and prevent continued sprawl of Wick to the north east.

The concerns over existing traffic issues are noted. As the site was suggested to the Council at the Call for Sites stage a site assessment was carried out as part of the SEA process. Mitigation was identified to address impacts from increased levels of traffic, including extending the 20mph limit further along Broadhaven Road and creation of traffic calming measures. As the site has been identified as a Long Term Housing site no Developer Requirements have been set. If the site was taken forward as an allocation in the future it is likely that such transport requirements would be added and would address concerns raised. No modification is proposed by the Council.

#### **WK09 - North of Wick North Primary School**

The Council believes that SEPA’s request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: “Flood Risk Assessment (no development in areas shown at risk of flooding”. This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance.

**WK10 - North of Wellington Avenue**

The mix of uses which the site has been identified for include only Business and Industry. This reflects the support for employment generating uses and it is anticipated that these would be associated with harbour related activities. The allocation of both Business and Industry provides a more flexible approach for future development. Given that the requirements of the marine renewables sector and the harbour expansion are still uncertain this approach is considered to be suitable. No change is proposed to the site allocation.

Although the Council are sympathetic to concerns of people who live next to potential development sites the right to a private view is not a material consideration in the planning system. Due consideration will be given at the planning application stage to any impact on residential amenity and through the HwLDP general policy 28 Sustainable Design.

Resulting from discussions with SNH regarding the HRA the following mitigation was identified: "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA caused by development of and activities arising from development of the harbour area (for example, measures to ensure no additional disturbance to birds using the cliffs and minimise effects on feeding and resting grounds out to sea)." As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for this developer requirement to be added to this site.

SNH had requested to replace the reference to "surrounding environmental designations" with "East Caithness Cliffs SPA and MPA". Recent discussions with SNH regarding the HRA have provided mitigation which supersedes the reference to the SPA. Should the Reporter be so minded the Council are content with the following Developer Requirement being added with reference to the East Caithness Cliffs MPA "Demonstration that there will be no adverse effect on the East Caithness Cliffs MPA".

**WK11 – Site at The Shore**

The comment from Scottish Water is noted. It is expected that the pipe material for a water supply would be identified at planning application stage.

The support for the Mixed Use allocation is noted.

The Council are not minded to add any additional Development Requirements in terms of the height of the building, residential amenity or the stability of the cliff as these are issues which will be given due consideration at the planning application.

No modifications are proposed by the Council.

**WK12 – Lower Pulteneytown**

In response to the points raised in the petition:

1. The Council are not minded to add any additional Development Requirements in terms of the height of the building or residential amenity as these are issues which will be given due consideration through any planning application.

2. The Council agrees with the statement regarding development within conservation areas. The Council is required to implement appropriate controls over development, demolition and advertising to safeguard and enhance conservation areas. Most works to the outside of a building or structure in a conservation area require planning permission and listed building consent. Development must comply with policies set out within the HwLDP and national guidance.
3. Residential amenity and construction operation hours are issues which will be given due consideration at the planning application stage.
4. Residential amenity and commercial operation hours are issues which will be given due consideration at the planning application stage.

Due to the heritage value of Lower Pulteneytown the allocation already identifies Tourism as a potential use. A wide range of uses were identified to provide flexibility and encourage renovation and redevelopment of key vacant and derelict sites.

No modifications are proposed by the Council.

#### **WK14 – Hillhead School**

The range of uses which have been included in the allocation seek to encourage its redevelopment. The uses taken forward have also been identified as suitable for residential areas. It is recognised that Housing is likely to be the most attractive use to a developer given its location. No modification is proposed by the Council.

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding)". This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan in Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance.

#### **WK15 – Wick High School Building**

The comment from Scottish Water is noted. It is expected that the pipe material for a water supply would be identified at planning application stage. No modification is proposed by the Council.

#### **WK16 - Land at Francis Street**

The Council believes that SEPA's comments are based on sound evidence. If the Reporter is so minded, the Council is content for the developer requirement for a Flood Risk Assessment to be removed, based on the advice from SEPA and the Council's Flood Risk Team.

#### **WK18 – West of George Street**

The comment from Scottish Water is noted. It is expected that the pipe material for a water supply would be identified at planning application stage.

Support for the Mixed Use allocation is noted. A bat survey is already identified as a Developer Requirement.

No modification is proposed by the Council.

#### **WK19 - East of Wick Burial Ground**

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding)". This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance. Such an approach is in line with the mitigation proposed in the Environmental Report.

The site was suggested to the Council by the Community Services section of the Council as a possible extension to the cemetery. As a result the site has been taken forward as Community allocation in the Plan. No modification is proposed to the Plan.

#### **WK20 and WK21**

The comments by the Chamber of Commerce are noted.

#### **WK22 - Wick Harbour**

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being deleted and replaced with "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures."

Resulting from discussions with SNH regarding the HRA the following mitigation was identified: "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA caused by development of and activities arising from development of the harbour area (for example, measures to ensure no additional disturbance to birds using the cliffs and minimise effects on feeding and resting grounds out to sea)." As the HRA requires to be signed off by SNH for the plan to be adopted, if the Reporter is so minded, the Council is content for this Developer Requirement to be added to this site.

SNH had requested to replace the reference to "surrounding environmental designations" with "East Caithness Cliffs SPA and MPA". Recent discussions with SNH regarding the HRA have provided mitigation which supersedes the reference to the SPA. Should the Reporter be so minded the Council are content with the following Developer Requirement being added with reference to the East Caithness Cliffs MPA "Demonstration that there will be no adverse effect on the East Caithness Cliffs MPA".

The existing core path which runs through WK22 Wick Harbour has been a popular coastal path. However the former quarries at the South Head form important parts of the long term

expansion plans of Wick Harbour Authority. Given the importance of harbour for the future growth of the local economy it is recognised that imposing a requirement to safeguard the existing core path may hinder development proposals. Due to its location close to the coast the path is also prone to storm damage. As a result if the Reporter is so minded the Council would be content with the Developer Requirement being amended to: "Safeguard and improve core path where possible, re-routing may be appropriate".

The Developer Requirement for a masterplan/development brief reflects Policy 2 Delivering Development in CaSPlan which requires all larger developments to be appropriately masterplanned. Paragraph 48 of the plan notes that masterplanning of larger developments can make a positive contribution to the creation of high quality, sustainable and successful places. It is an effective tool for engaging the community and others in the planning process to deliver high quality environments, good transport connections and well designed developments. As such, the Plan encourages a masterplanned approach to new developments which should be carried out at the earliest possible opportunity and taken into consideration at all stages of the planning application process. Each phase of development will need to show its relationship to the overall masterplan and demonstrate how the required infrastructure will be delivered. The requirements of the masterplan must be appropriate to the type and scale of development proposed for WK22 and should be agreed in advance of any planning application coming forward.

### **WK23 – Wick Industrial Estate**

The Industrial Estate was create several decades ago and is now well established. However, with the potential need for business and industrial sites resulting from the growing offshore renewables industry the site was allocated for Industrial uses in the Proposed Plan to promote the development opportunities which still exist. The industrial estate benefits from large areas of greenspace including both undeveloped industrial plots and a network of green spaces which run through the estate.

The woodland to the south provides an important buffer between the residential properties at Hill Avenue and the Industrial Estate. It is also recognised that it is of local importance as an amenity area. However, the suggested realignment of the southern boundary of WK23 to the road running through the estate and the identification of the land as the area as Greenspace is not appropriate given commercial properties/businesses which currently operate there. The request that existing businesses will not be permitted to carry out any further development is unreasonable and could unnecessarily constrain local businesses. Issues arising from further development (such as the impact on the amenity of local residents) would be considered at planning application stage and determined against Council and national policies.

If the Reporter is so minded, the Council would be content with the area between the existing businesses at the industrial estate and the properties of Hill Avenue remaining within the Industrial allocation but with the existing woodland (excluding the recently approved application 15/03666/FUL) being identified as Expansion of the Green Network. In addition the following Developer Requirement could be added: "Development at the southern part of the WK23 must avoid and where appropriate enhance the woodland area". This will ensure that the area is safeguarded from development and, where possible, development could be used to enhance the woodland area.

The petition also indicated a desire to set up a community group to enhance and manage the woodland. As this is not yet a formalised community initiative the Council do not propose to amend the Plan. However if a community group is established before the Examination, the Council would be content to add it to the Aspirational List in the Action Programme, if the Reporter was so minded.

**Reporter's conclusions:****Reporter's recommendations:**

<b>Issue 13</b>	<b>ECONOMIC DEVELOPMENT AREAS</b>	
<b>Development plan reference:</b>	Dounreay page 47, Forss Technology and Business Park page 49, Georgemas Junction page 50, Gills Harbour 51, Seater Waste Management Facility page53.	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Network Rail (980184)  Mrs Brenda Herrick (966977)  Scottish Natural Heritage (909933)  London and Scottish Investments Limited (Mr Chris Collins) (979770)  Halliday Fraser Munro (966464) on behalf of Wildland Limited (Mr Thomas MacDonell) (983561)  RSPB Scotland (956544)  Gills Harbour Ltd (Mr Bill Mowat) (962325)  Abbey Ecosse Limited (Mr Andy Brand) (959810)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Dounreay, Forss Technology and Business Park, Georgemas Junction, Gills Harbour, Seater Waste Management Facility.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Dounreay</b>  <u>Wildland Limited (983561)</u>  Supports the ambition and foresight set out in Dounreay Planning Framework 2. Wildland Limited supports the position set out in the plan. Dounreay is the logical place to focus industrial and business development.</p> <p><b>Forss Technology and Business Park</b>  <u>Abbey Ecosse Limited (Mr Andy Brand) (959810)</u>  Abbey Ecosse Limited have recently bought over the site and have now rebranded it Forss Business and Energy Park in order to, as supported by the draft plan, seek to promote investment at the site from the energy sector. Request that CaSPlan adopts the new name.</p> <p>Support the identification of the Forss Business and Energy Park as an Economic Development Area (EDA) and are pleased to see, following previous comments, that the potential for expansion to the west of the Park is supported by the Council.</p> <p>On balance, respondent supports the Council's approach in not seeking to allocate a boundary around the EDA as this enables flexibility in relation to the delivery of the remainder of the site. Satisfied with the Placemaking Priorities.</p> <p><u>Scottish Natural Heritage (909933)</u>  Any development here would need to consider the known use of the site by geese connected with the Caithness Lochs Special Protection Area (SPA). Development would also need to ensure the maintenance of the Scottish Primrose (Primula scotica) population</p>		

found in this location. This plant is nationally scarce and endemic, only found in the Orkney islands and the northern coast of Caithness and Sutherland. This should be added to the issues/placemaking text. This will ensure that developers are aware of the need to consider the SPA and other environmental interests.

London and Scottish Investments Limited (Mr Chris Collins) (979770)

Forss Wind Farm lies immediately to the west of Forss Technology and Business Park so it is difficult to see how it could be expanded to the west. It is assumed that any expansion will be further to the west of the wind farm. The suitability of such a proposal should be assessed in relation to the potential sensitivity of any such land from an ecological and ornithological perspective.

**Georgemas Junction**

Network Rail (980184)

The inclusion of this site is supported as a key freight hub, which is subject to ongoing investment.

**Gills Harbour**

Scottish Natural Heritage (909933)

Any development would need to consider the potential direct and indirect impacts that development such as a marine renewables service base could have on the various environmental interests in the area (such as, but not necessarily limited to, the North Caithness Cliffs SPA). This should be included in the "Issues" text. This would ensure that developers are aware of the need to consider the SPA and other environmental interests.

RSPB Scotland (956544)

Appropriate consideration should be given to the importance of the local marine area to foraging seabirds throughout the year in order to avoid adverse impacts on a wide range of species. Therefore, RSPB Scotland would like the following added to the placemaking priorities: "Development should not have an adverse impact on populations of foraging seabirds in the area."

Gills Harbour Ltd (Mr Bill Mowat) (962325)

Supports Gills Harbour being listed as an Economic Development Area, which cements its designation by the Council as a 'Port for Action' in the context of 'marine renewables'. Gills Harbour is best-known as the Caithness terminal of Scotland's most successful 'Mainland to Island Group' ROPAX service operated by its lessee Pentland Ferries Ltd. The private sea-transport firm has constructed a modern multi-million pound terminal at Gills, on land/foreshore leased from GHL and on seabed rented from the Crown Estate. It is a considerable employer with shore-base staff, while its year-round construction/maintenance squad is based at Gills. It is preparing to install a Marine Scotland-consented 70-metre extension to its 116 metre-long breakwater/berth at Gills in the 2016 spring/early summer. The potential access constraints mentioned in the "issues" should be amended to reflect that the spur road onto the A836 carries 50-tonne HGVs on a daily basis and "abnormal loads" studies have been undertaken.

There is an important crofting background to Gills Harbour and its immediate area, one which ought to be encouraged to prevail. The Council's housing policy in this area should



be positively encouraging persons to 'put down roots' to try and stop depopulation of the area. It is not clear what criteria are being used when it comes to defining 'remote and rural areas' or what 'fragile' means, but the Council should take a 'flexible approach' to new housing.

### **Seater Waste Management Facility**

Mrs Brenda Herrick (966977)

Objects to the site continuing to be used for waste from outwith Caithness. The access route is not suitable for continued use from heavy lorries and is becoming increasingly dangerous. Queries whether anything is in place for beyond 2020.

### **Modifications sought by those submitting representations:**

#### **Forss Technology and Business Park**

Abbey Ecosse Limited (Mr Andy Brand) (959810)

Rename the EDA to Forss Business and Energy Park following the rebranding of the site.

Scottish Natural Heritage (909933)

Add reference in Issues or Placemaking Priorities for developers to consider the use of the site by geese connected with the Caithness Lochs Special Protection Area (SPA) and to ensure the maintenance of the Scottish Primrose (*Primula scotica*) population found in this location.

London and Scottish Investments Limited (Mr Chris Collins) (979770)

Remove support for western expansion of the business park until an environmental assessment has been completed to inform its suitability. (Assumed)

#### **Gills Harbour**

Scottish Natural Heritage (909933)

Add reference in Issues section for developers to consider the potential direct and indirect impacts that development such as a marine renewables service base could have on the various environmental interests in the area (such as, but not necessarily limited to, the North Caithness Cliffs SPA).

RSPB Scotland (956544)

Add to the Placemaking Priorities "Development should not have an adverse impact on populations of foraging seabirds in the area".

Gills Harbour Ltd (Mr Bill Mowat) (962325)

Potential access constraints mentioned in the "Issues" should be amended to reflect that the spur road onto the A836 carries 50-tonne HGVs on a daily basis and "abnormal loads" studies have been undertaken.

Gills Harbour Ltd (Mr Bill Mowat) (962325)

Provide greater clarity on the Council's intentions for amending the Housing in the Countryside policy. The Council should take a 'flexible approach' to new housing.

**Seater Waste Management Facility**

Mrs Brenda Herrick (966977)

Remove the site from the Plan. (Assumed)

**Recommended summary of responses (including reasons) by planning authority:****Dounreay**

Support for the EDA is noted.

**Forss Technology and Business Park**

Support for the EDA is noted.

The Council agrees to amend as a non-notifiable modification the name of the EDA to Forss Business and Energy Park to reflect the rebranding of the site.

If the Reporter is so minded, the Council would be agreeable to adding the following additional Placemaking Priority, or similar text: "Consideration of geese connected with the Caithness Lochs Special Protection Area (SPA) required. Ensure maintenance of the Scottish Primrose (*Primula scotica*) population found in this location."

It is considered that there may be potential for a degree of expansion between the business park and the wind turbines. It should be noted that in the Placemaking Priorities it states only that there *may* be potential. Support for this will be dependant on addressing the Issues and Placemaking Priorities set out in CaSPlan and the general policies set out in the HwLDP.

**Georgemas Junction**

Support for the EDA is noted.

**Gills Harbour**

If the Reporter is so minded, the Council would be agreeable to adding the following additional Placemaking Priority (rather than as an 'Issue', ensuring consistency with other references throughout the Plan): "Consideration required of potential direct and indirect impacts that development could have on the various environmental interests in the area (such as, but not necessarily limited to, the North Caithness Cliffs SPA)."

The comments made by RSPB Scotland are noted. Other species of birds that are not qualifying interests of the SPA are undoubtedly important, however, they are not defining factors of whether development can/cannot occur. Therefore, the text in the Plan (together with additional amendments suggested by SNH during the Proposed Plan consultation which includes a more general reference to consideration of environmental interest) is considered to be the most appropriate wording. Development proposals not connected to Natura sites should be adequately protected by EIA (e.g. for large developments) and/or the HwLDP policies on wildlife (e.g. for EIA and smaller developments).

The third Issue refers to the road from A836 down to the harbour which has a sharp bend

and is narrow in places. If the Reporter is so minded, the Council would be agreeable to the following text, or similar: "Current access arrangements may need to be addressed to accommodate expansion of harbour facilities". This is to reflect the fact that it may be possible to address the issues with land reclamation.

The comments on the Council's planning policy for housing in the countryside appear to relate to the recent publication of the Main Issues Report for Highland-wide Local Development Plan which is currently being reviewed. The comments have been passed to the Officer responsible for HwLDP and will be considered as part of the preparation of the Proposed Plan.

### **Seater Waste Management Facility**

Scottish Planning Policy (SPP) requires planning authorities to identify strategic waste management facilities within Local Development Plans. The landfill at Seater is a strategic waste management facility for The Highland Council, being one of the two landfill sites in operation in Highland, the other being in Granish, Badenoch and Strathspey. Although significant capacity exists legislation will prevent municipal waste going to landfill after 2020. The Council is currently reviewing its Municipal Waste Management Strategy and the range of waste management services which are undertaken. As an established waste management facility it is considered to be a prime location for future waste management transfer or treatment. It is also considered to be a potentially suitable site for energy from waste if associated with a high heat demand development that would make use of the heat generated. Should such proposals emerge then issues such as impact on the road network will be assessed at planning application stage. For these reasons the Council are minded to maintain the inclusion of Seater Waste Management Facility as an Economic Development Area.

### **Reporter's conclusions:**

### **Reporter's recommendations:**

<b>Issue 14</b>	<b>GROWING SETTLEMENTS - CAITHNESS</b>	
<b>Development plan reference:</b>	Dunbeath page 54, Dunnet page 55, John O'Groats page 56, Keiss page 57, Latheronwheel page 58, Reay page 59, Thrumster page 60, Watten page 61	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Scottish Natural Heritage (909933)  Scottish Water (953627)  Crofting Commission (955042)  RSPB Scotland (956544)  Barbara L. Hiddleston (962464) on behalf of Dunnet &amp; Canisbay Community Council  Alan Jones Associates on behalf of North Highland Initiative (983130)  Mr Robert Christie (967644)  Mrs Dorothy MacDonald (978176)  Mr Pete Baker (Bidwells) (980295) on behalf of Mr John Swanson (980308)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Dunbeath, Dunnet, John O'Groats, Keiss, Latheronwheel, Reay, Thrumster, Watten	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Dunbeath</b>  <u>Crofting Commission (955042)</u>  Dunbeath has significant areas of crofting interest, none of which appear to be directly impacted by identified priorities.</p> <p><u>Scottish Water (953627)</u>  Should development exceed the current capacity of the WWTW, then Scottish Water is currently funded to meet the demands of domestic growth. However other mechanisms such as the Memorandum of Understanding with SEPA and capital maintenance interventions may also provide a solution to meet moderate increases above current capacity.</p> <p><u>Scottish Natural Heritage (909933)</u>  To ensure that developers are aware of the need to consider the relevant environmental interests, any development would also need to consider the potential direct and indirect impacts on the East Caithness Cliffs MPA.</p> <p><b>Dunnet</b>  <u>Crofting Commission (955042)</u>  It is noted that the area of proposed development is proximate to an area of croft land. However, the settlement pattern is acknowledged.</p> <p><u>RSPB Scotland (956544)</u></p>		

Planned developments, particularly in relation to tourism, based in or around Dunnet should take account of the importance of Dunnet Head to breeding seabirds and the following should be added to the placemaking priorities, "Development should take account of the importance of Dunnet Head to breeding seabirds, and must not have an adverse impact on the North Caithness Cliffs Special Protection Area."

Barbara L. Hiddleston (962464) on behalf of Dunnet & Canisbay Community Council

The area is a key part of The North Coast 500. In November 2015 The Community Council published 'The Community Development Plan for Dunnet & Canisbay'. Sections of this plan should be incorporated into the final version of CaSPlan. It shows that the area is still suffering from de-population and remedial measures from the Council may be appropriate. Canisbay should also be included as a growing settlement. In Dunnet and Canisbay the Council should routinely take a flexible approach to planning applications for new homes, with a policy of 'positive encouragement' for younger people wishing to settle in the area. The Plan should also be clear about the potential positive impacts from renewable energy being generated in the Pentland Firth and should promote the creation of jobs. The Plan should adopt a policy of having an 'Around the Caithness Coastline' long-distance walking way constructed and maintained, perhaps with an extension southwards to the outskirts of Inverness and westwards toward Durness. CaSPlan should highlight the amount of archaeology in Caithness and should provide facilities for tourists. The Community Council feels the area covered by CaSPlan is too large and is disappointed that a public meeting was not held in the Community Council area.

**John O'Groats**

Crofting Commission (955042)

There is a significant level of land held in crofting tenure within this settlement, but we do not envisage the identified priorities having an adverse impact upon this.

Alan Jones Associates on behalf of North Highland Initiative (983130)

North Highland Initiative would like the following mentioned in the plan: The restoration of John O Groats Mill as a new visitor attraction which would showcase a working mill and include an interpretation and heritage centre. It would meet all four outcomes of the plan. Also considering housing a collection of classic cars as part of the overall visitor attraction.

**Keiss**

Crofting Commission (955042)

The priority to focus development within the existing village is supported. It is noted that the village is closely surrounded by relatively good quality croftland. The intent to prevent ad hoc development on such land is supported, albeit with the caveat that where there are justifiable reasons in terms of croft management, a relevant development should not be prohibited.

**Latheronwheel**

Scottish Natural Heritage (909933)

To ensure that developers are aware of the need to consider the relevant environmental interests, include a reference to the Dunbeath to Sgaps Geo SSSI in the last point.

Crofting Commission (955042)

There continues to be significant croft landholdings within the surrounding area that should be appropriately considered should future proposals emerge. We would expect this to be considered within the stated context of complementing the existing settlement.

**Reay**Crofting Commission (955042)

Does not consider that there is anything in the specific priorities that will impact adversely on crofting interests.

**Thrumster**Mr Robert Christie (967644)

The sea cliffs of Sarclet are becoming well known in rock climbing circles as the best sea cliff climbing in Scotland. More people should be aware of this as an attraction in the Thrumster area.

RSPB Scotland (956544)

Would like the following added to the placemaking priorities, "Development should minimise encroachment into open farmland, in order to avoid impacts on breeding waders such as lapwing, curlews and oystercatcher."

Crofting Commission (955042)

Much of the village centre is surrounded by croftland. The intimated development potential north of Stewart Crescent could potentially impact upon some of this.

**Watten**Mrs Dorothy MacDonald (978176)

Direct access to the 4 acre field to the north of Watten primary school site is now available and there are intentions to apply for full planning for this development.

Mr Pete Baker (Bidwells) (980295) on behalf of Mr John Swanson (980308)

Objects to the prohibition of further linear development along the B870 north of Henderson Square. Proposes limited continuation of sensitive development along the B870 north of Henderson Square, which would promote growth and make best use of existing community infrastructure, enhancing the existing local community services and facilities. There is potential for development to the east of B870 south of Watten Hall to meet the need for local housing requirements. Objects to the safeguarding of the whole of the countryside in the immediate vicinity around the village as it limits opportunities to provide new housing. Appreciates the need to protect valuable agricultural land but there is limited opportunity for infill development in Watten.

**Modifications sought by those submitting representations:****Dunbeath**Scottish Natural Heritage (909933)

Add reference for developers to consider the potential direct and indirect impacts on the East Caithness Cliffs MPA.

**Dunnet**

RSPB Scotland (956544)

Add the following to the Placemaking Priorities, "Development should take account of the importance of Dunnet Head to breeding seabirds, and must not have an adverse impact on the North Caithness Cliffs Special Protection Area."

Barbara L. Hiddleston (962464) on behalf of Dunnet & Canisbay Community Council

Incorporate sections of the Community Council's 'The Community Development Plan for Dunnet & Canisbay' into CaSPlan including measures to address depopulation, more flexible approach to housing in the countryside for young people, encourage growth of marine renewables industry, include aspiration of a Caithness coastline long-distance walking route and highlight the rich archaeology and provide tourist facilities.

Include Canisbay as a Growing Settlement.

**John O'Groats**

Alan Jones Associates on behalf of North Highland Initiative (983130)

Add reference to the restoration of John O Groats Mill as a new visitor attraction.

**Keiss**

Crofting Commission (955042)

Amend second last Placemaking Priority to include a caveat "where there are justifiable reason is terms of croft management".

**Latheronwheel**

Scottish Natural Heritage (909933)

Include a reference to the Dunbeath to Sgaps Geo SSSI in the last Placemaking Priority.

**Thrumster**

RSPB Scotland (956544)

Would like the following added to the Placemaking Priorities, "Development should minimise encroachment into open farmland, in order to avoid impacts on breeding waders such as lapwing, curlews and oystercatcher."

**Watten**

Mr Pete Baker (Bidwells) (980295) on behalf of Mr John Swanson (980308)

Remove the Placemaking Priority relating to the prohibition of further linear development along the B870 north of Henderson Square.

Remove the Placemaking Priority "Safeguard the countryside around the village which is relatively high quality agricultural land." (Assumed)

**Recommended summary of responses (including reasons) by planning authority:****Dunbeath**

Comments by the Crofting Commission are noted.

Comments by the Scottish Water are noted.

The Council would be content if the Reporter agrees to add in the following additional text to the fifth Placemaking Priority (additional text italicised): “Protect natural heritage features along the north bank of Dunbeath Water, development should avoid any adverse effect of East Caithness Cliffs SPA, *MPA* and SAC or Dunbeath Water SSSI.”

**Dunnet**

Comments by the Crofting Commission are noted.

The Council would be content if the Reporter agrees to add in the following additional Placemaking Priority “Consideration required of potential direct and indirect impacts that development could have on the various environmental interests in the area (such as, but not necessarily limited to, the North Caithness Cliffs SPA and the Dunnet Links SSSI).” This would make it more consistent with other references throughout the Plan.

The comment on the long distance route around the coast of Caithness is noted. An unofficial coastal route from John O’Groats to Cape Wrath, known as the North Highland Way, already exists. There was also an announcement in June 2016 by a local campaign group that a new walking route could be established between Inverness and John O’Groats. As there are no details available regarding how the routes will be funded the Council are not minded to make any modification to the Plan.

The recently published Community Development Plan for Dunnet & Canisbay was taken into consideration by the Council during the preparation of the Proposed Plan. Many of the issues included within the Community Plan were also identified in as issues affecting communities across the Plan area and addressed within the strategy section. The Growing Communities section of the Plan highlights the need to retain services and attract new ones to retain/attract young people and families to the area. The Employment section of the Plan clearly sets out support for the growth of the renewables industry and the tourism sector and associated employment opportunities which it could bring. The Issues and Placemaking Priorities also pick up specific proposals such as taking advantage of Dunnet’s strategic position on tourist routes including the NC500 and John O’ Groats to Lands End. Although the Community Plan holds a large amount of detailed analysis and set out aspiration for the area, on balance, the Council do not propose any modifications to the Plan.

The Council’s approach to dealing with housing in the countryside is set out in HwLDP Policy 35 Housing in the Countryside (Hinterland areas) and Policy 36 Development in the Wider Countryside and the Housing in the Countryside / Siting and Design: Supplementary Guidance. Since the removal of the Hinterland designation around Thurso and Wick the area has had a relatively flexible planning framework. This is reflected by the high levels of house completions and population growth in Landward Caithness. The existing planning policies are currently under review as part of the revision of the HwLDP. There will be



opportunity for engagement in the review of HwLDP, which is the most appropriate place to address these issues. As a result the Council do not propose any modification to the Plan.

As part of the preparation of the Main Issues Report and the emerging Growing Settlements Policy an assessment was made of potentially suitable settlements which would be identified. This looked at features such as the range of existing facilities, settlement pattern and levels of development pressure. It is recognised that Canisbay has community facilities but there has been limited development in the settlement since the existing Caithness Local Plan was adopted in 2002. Many new houses have been built in areas around Canisbay, such as Gills, and Upper Gills. As a result it was considered that general policies would be sufficient to guide future development as it would provide a more flexible approach. Similar requests were made for Laid and Bower, but these can be read in the Growing Communities Schedule 4. As a result the Council do not propose any modification to the Plan.

### **John O'Groats**

Comments by the Crofting Commission are noted.

The Council acknowledge the heritage value of the John O Groats Mill and proposals by The Prince's Regeneration Trust and the North Highland Initiative to develop a new heritage-led regeneration project to convert it into a visitor centre. If the Reporter is so minded, the Council will be content to add in the following reference to the mill within the Placemaking Priorities: "The restoration of John O' Groats Mill has the potential to form the focus for a range of cultural, commercial and community activities".

### **Keiss**

The Council would be content if the Reporter agrees to add the following text to the Placemaking Priority "Protect and restrict further built encroachment along the strand line of Sinclair's Bay at Stain unless there are justifiable reasons in terms of croft management." This will help ensure that crofting operations are not restricted unnecessarily around the settlement.

### **Latheronwheel**

The Council would be content if the Reporter agrees to add the following text to the last Placemaking Priority "...and Dunbeath to Sgaps Geo SSSI."

Comments by the Crofting Commission are noted.

### **Reay**

Comments by the Crofting Commission are noted.

### **Thrumster**

Comments regarding the popularity of rock climbing in the area is noted.

The comments made by RSPB Scotland are noted. Other species of birds that are not

qualifying interests of the SPA are undoubtedly important, however, they are not defining factors of whether development can/cannot occur. Therefore, the text in the Plan (together with any additional amendments suggested by SNH during the Proposed Plan consultation) is considered to be the most appropriate wording for complying with the Natura Habitats Directive. Development proposals not connected to Natura sites should be adequately protected by EIA (e.g. for large developments) and/or the HwLDP policies, in particular Policy 57 Natural, Built and Cultural Heritage, Policy 58 Protected Species, and Policy 59 Other Important Species (e.g. for EIA and smaller developments). No modification is proposed by the Council.

Comments by the Crofting Commission are noted.

### **Watten**

The Plan already identifies potential housing development opportunities on the north of the A882. However, to give greater clarity on where this may occur, and if the Reporter agrees, the Council would be content with replacing "...north side of the A882" with "land immediately north west of the primary school".

Some small scale development may be appropriate to the south of Watten Hall but it is not identified in the Plan due to access constraints. No modification is proposed by the Council.

Sufficient housing development opportunities have been identified adjoining the built development of Watten. In addition, given that the farmland around Watten is some of the highest quality in Caithness, the Council are not minded to remove the Placemaking Priority to safeguard the countryside around the village.

The respondent requests the Plan allows for a 'continuation of sensitive development along the B870'. However, the first Issue and the fourth Placemaking Priority look to protect the setting of the village and Loch Watten from what is considered to be recent insensitive and inappropriate development. No modification is proposed by the Council.

### **Reporter's conclusions:**

### **Reporter's recommendations:**

<b>Issue 15</b>	<b>ARDGAY</b>	
<b>Development plan reference:</b>	Ardgay page 64	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Ardgay & District Community Council (951607) Mr John Wright (968665) Strutt & Parker on behalf of Balnagown Castle Properties (968666) Mrs Dowling (976043) Scottish Natural Heritage (909933) Network Rail (980184) SEPA (906306)		
<b>Provision of the development plan to which the issue relates:</b>	Ardgay settlement text and site allocations.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Ardgay General</b>  <u>Mr John Wright (968665) Strutt &amp; Parker on behalf of Balnagown Castle Properties (968666)</u>  We support the continued identification of Ardgay as a settlement and are encouraged to see the continuation of housing and economic development proposals there to the new plan. If there is any change proposed to this through the Examination process we would like to be involved in the discussion.</p> <p><u>Ardgay &amp; District Community Council (951607)</u>  Seeks the text about the Gearrhoille Ancient Woodland in paragraph 129 to be updated to reflect community ownership: it should be changed from, "The Gearrhoille Ancient Woodland is in the care of the local community" to "The Gearrhoille Ancient Woodland is owned by and is in the care of the local community."</p> <p>Paragraph 128 refers to land behind the public hall; this is currently a green space with occasional vehicles parked at it. It is contiguous with the Lady Ross site (AG02) therefore it would make more sense to consider how this area is used to meet needs when drawing up the plans for the regeneration of the Lady Ross site rather than being piecemeal and definitive about at this stage. Funding has been found for the regeneration of the AGO2.</p> <p><b>AG02 Lady Ross</b>  <u>Mrs Dowling (976043)</u>  Feels strongly that something needs to be done with the site, but it must be something that is suitable for the local area. Access should only be taken from the front of the site off the main road. Housing is the preferred option, industrial units would not be suitable.</p> <p><b>AG03 Ardgay Railway Station Yard North</b></p>		

**Scottish Natural Heritage (909933)**

For consistency and clarity, the “Developer Requirements” should include text that “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC.”, rather than just requiring an otter survey.

**Network Rail (980184)**

This site is in continuous use for operational railway purposes; however there are potential 3rd party activities which would suit this location. The proposed ‘Business’ allocation is too restrictive and given the site’s present use, it is demonstrably suitable for Class 5 activities. Either Class 4 Business or Class 5 General Industrial should be encouraged for the site; subject to the requirements stated.

**AG04 Ardgay Railway Station Yard South****Scottish Natural Heritage (909933)**

For consistency and clarity, the “Developer Requirements” should include text that “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC.”, rather than just requiring an otter survey.

**SEPA (906306)**

In line with Policy 65 of the Highland Wide Local Development Plan, connection to the public sewer is required for development unless the development is unable to connect for technical or economic reasons and the proposal is not likely to result in or add to significant environmental or health problems. Such an approach is also generally supported by SEPA’s Policy and Supporting Guidance on Provision of Waste Water Drainage in Settlements (available from [www.sepa.org.uk/media/59942/policy-37-policy-and-supporting-guidance-on-provision-of-waste-water.pdf](http://www.sepa.org.uk/media/59942/policy-37-policy-and-supporting-guidance-on-provision-of-waste-water.pdf)). Therefore SEPA objects to the developer requirement “Private waste water system should discharge to land and not water; Further development should explore the possibility of connecting to the public sewer” and ask that it be removed. This amendment will ensure that this allocation is dealt with in the same manner as all other sites in settlements served by a public sewer i.e. it will be expected to connect. Policy 65 allows for exceptions where an alternative solution may be acceptable.

**Modifications sought by those submitting representations:****Ardgay General****Ardgay & District Community Council (951607)**

Delete wording, “The Gearrhoille Ancient Woodland is in the care of the local community” and replace with, “The Gearrhoille Ancient Woodland is owned by and is in the care of the local community.”

At paragraph 128 include working which states the land behind the public hall could also be considered when plans are being drawn up for the regeneration of the Lady Ross site.

**AG03 Ardgay Railway Station Yard North****Scottish Natural Heritage (909933)**

Developer requirements should include the following: “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC.”, and delete the requirement for an otter survey.

Network Rail (980184)

Industrial should be added to the range of acceptable uses for this site.

**AG04 Ardgay Railway Station Yard South**

Scottish Natural Heritage (909933)

Developer requirements should include the following: “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC.”, and delete the requirement for an otter survey.

SEPA (906306)

Remove the following from the developer requirements: “Private waste water system should discharge to land and not water; Further development should explore the possibility of connecting to the public sewer”

**Recommended summary of responses (including reasons) by planning authority:**

**Ardgay General**

The support for the continued identification of Ardgay as a settlement along with the continuation of housing and economic development proposals, are noted.

If the Reporter is so minded, the Council is agreeable to the following text, “The Gearrhoille Ancient Woodland is in the care of the local community” being replaced with, “The Gearrhoille Ancient Woodland is owned by and is in the care of the local community.”

With reference to paragraph 128, during the MIR consultation Ardgay and District Community Council asked for the site behind Ardgay Public Hall to be included as a site for mixed use for tourism, open space, business, access and community. This site was then subject to an additional period of consultation. One comment received thought that there was ample housing stock in the area and all the other respondents thought it would be best used as additional car parking. The site is in Council ownership, so there could be potential to transfer the site to a group, but these issues would need to be explored further in detail. If the Reporter is so minded, the Council is agreeable to extra text being added to paragraph 128 which says that the area of land could also be considered when plans are being drawn up for the regeneration of the Lady Ross site.

**AG02 Lady Ross**

Note the (assumed) support for the allocation of this site. Industry is not one of the uses specified in the mixed use allocation. There is already a developer requirement which limits the site to one access point. It is worth noting that an application for part of this site has been submitted (16/02633/FUL) for construction of a new village square with associated parking and landscaping and refurbishment of derelict barn to create a business hub and offices.

**AG03 Ardgay Railway Station Yard North**

This site was not included in the draft HRA but SNH has advised that it should be screened in for potential impacts on the Dornoch Firth and Morrich More SAC alone and in combination. The Council will amend the HRA and complete the necessary Appropriate Assessment. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for the Reporter to add the following developer requirement to the allocation: "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC." The subsequent deletion of the text asking for an otter survey would also be acceptable to the Council.

The site is currently allocated in the Sutherland Local Plan for business use only. The adjacent uses including residential may not be good neighbours for industrial use. No modification is proposed by the Council.

**AG04 Ardgay Railway Station Yard South**

This site was not included in the draft HRA but SNH has advised that it should be screened in for potential impacts on the Dornoch Firth and Morrich More SAC alone and in combination. The Council will amend the HRA and complete the necessary Appropriate Assessment. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for the Reporter to add the following developer requirement to the allocation: "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC." The subsequent deletion of the text asking for an otter survey would also be acceptable to the Council.

In order to ensure consistency with Policy 65 of the Highland wide Local Development Plan, the Council is content for the following to be deleted from the developer requirements, if the Reporter is so minded: "Private waste water system should discharge to land and not water; Further development should explore the possibility of connecting to the public sewer".

**Reporter's conclusions:****Reporter's recommendations:**

<b>Issue 16</b>	<b>BONAR BRIDGE</b>	
<b>Development plan reference:</b>	Bonar Bridge page 68	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Crofting Commission (955042) SNH (909933)		
<b>Provision of the development plan to which the issue relates:</b>	Bonar Bridge site allocations	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>BB01 Cherry Grove</b> <u>SNH (909933)</u></p> <p>The "Developer Requirements" for BB01 should include text that "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth &amp; Morrich More SAC or the River Oykel SAC.", rather than just requiring an otter survey. As this site is within the Dornoch Firth NSA, the "Developer Requirements" should include explicit reference to the location being within the NSA. For example, the text could be amended to read "...Design Statement, which includes a landscaping plan, to be prepared to safeguard the landscape features and setting that contribute to the special qualities of the Dornoch Firth NSA. "</p> <p><u>Crofting Commission (955042)</u></p> <p>This allocation appears to consist of in-bye croft land. Most of the land above the village is croft land.</p> <p><b>BB02 South Bonar Industrial Estate</b> <u>SNH (909933)</u></p> <p>As potential development at BB02 is "limited to previously developed areas" it is unlikely that the interests of the Dornoch Firth &amp; Morrich More SAC will be affected. Therefore the "Developer Requirement" for an otter survey can be removed.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>BB01 Cherry Grove</b> <u>SNH (909933)</u></p> <p>Add the following to the developer requirements:</p> <ul style="list-style-type: none"> <li>• "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth &amp; Morrich More SAC or the River Oykel SAC.", rather than just requiring an otter survey.</li> <li>• "...Design Statement, which includes a landscaping plan, to be prepared to safeguard the landscape features and setting that contribute to the special qualities</li> </ul>		

of the Dornoch Firth NSA.”

**BB02 South Bonar Industrial Estate**

SNH (909933)

Remove developer requirement for an otter survey.

**Recommended summary of responses (including reasons) by planning authority:**

**BBO1 Cherry Grove**

The comments from the Crofting Commission are noted. The allocation is allocated in the Sutherland Local Plan as a Mixed Use allocation for housing and community uses and the new Migdale Hospital has been built on part of the site since the Sutherland Local Plan was adopted. Therefore the Council feels the site allocation should remain unchanged.

This site was not included in the draft HRA but SNH has advised that it should be screened in for potential impacts on the Dornoch Firth and Morrich More SAC and the River Oykel SAC, alone and in combination. The Council will amend the HRA and complete the necessary Appropriate Assessment. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for the Reporter to add the following developer requirement to the allocation, “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC or the River Oykel SAC”. The subsequent deletion of the text asking for an otter survey would also be acceptable to the Council.

The place making priorities for Bonar Bridge already reflect the settlement’s location within the Dornoch Firth National Scenic Area and the need for sensitive siting and design. The developer requirements for the site already ask for sensitive siting and design and for a Design Statement. The Council considers this is sufficient, however, if the Reporter is so minded the Council is agreeable to the suggestion made by SNH for a more explicit reference being added to the developer requirements which reads: “Design Statement, which includes a landscaping plan, to be prepared to safeguard the landscape features and setting that contribute to the special qualities of the Dornoch Firth NSA.”

**BB02 South Bonar Industrial Estate**

If the Reporter is so minded, the Council is content for the requirement for an otter survey to be deleted.

**Reporter’s conclusions:**

**Reporter’s recommendations:**



<b>Issue 17</b>	<b>BRORA</b>	
<b>Development plan reference:</b>	Brora page 71	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Brora Community Council (Mrs Lee Bright) (967669)          Brora &amp; District Action Group (Brora &amp; District Action Group Lindsay) (980301)          SNH (909933)          Network Rail (Ms Pam Butler) (980184)          SEPA (906306)          CastleGlen Properties (Aberdeen) Ltd Mr Scott Strachan (978990) on behalf of Tulloch Homes Ltd (Mr George Fraser) (979063)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Brora settlement text, placemaking priorities and site allocations	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Brora General</b>  <u>Brora Community Council (Mrs Lee Bright) (967669)</u>          The Community Council agrees with the placemaking priorities but objects to there being no mention of the existing tourist facilities such as James Braid Golf Course, river and loch fishing, award winning beaches, surfing beaches, caravan sites etc.</p> <p>Support (assumed) for the content of paragraph 138 - regeneration of the town centre should remain of paramount importance. The condition of these buildings is an area of ongoing local concern.</p> <p>Objects to Lower Fascally not being a separate allocated site. Access to Core Path at Lower Fascally should be protected. Improving the existing recreational area and changing rooms in Lower Fascally would be useful (paragraph 141).</p> <p><u>Brora &amp; District Action Group (Brora &amp; District Action Group Lindsay) (980301)</u>          Support (assumed) for text in paragraph 139. Brora &amp; District Action Group provide administrative support to the local Harbour Users Group for their project to provide pontoons to enhance the service provision for visitors to the harbour.</p> <p>Objects to the following visitor attractions not being mentioned in the plan: Brora Golf Club; Clynelish Distillery with its visitor tours and retail area; sea and river fishing, sandy beaches; and easily accessible local and hill walks.</p> <p><b>BR01 Rosslyn Street</b>  <u>SNH (909933)</u>          Objects to the following wording in the developer requirements, "Avoid intrusion into</p>		

adjacent SSSI". Recommends replacing it with, "Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site". This will ensure that developers are aware of the need to consider the relevant environmental interests.

Brora Community Council (Mrs Lee Bright) (967669)

Supports the allocation and agrees with the developer requirements. Affordable housing should form part of the site (assumed).

**BR02 Old Woollen Mill**

Brora Community Council (Mrs Lee Bright) (967669)

Supports the allocation as it enables working from home. Affordable housing should form part of the site (assumed).

CastleGlen Properties (Aberdeen) Ltd Mr Scott Strachan (978990) on behalf of Tulloch Homes Ltd (Mr George Fraser) (979063)

Supports the allocation. Tulloch Homes Ltd as owners of the site confirm their intention to progress development of the remaining phase of the Old Woollen Mill site in Brora where redevelopment to form 20 units has already been completed and a further 23 remain to be built per the existing planning consent.

**BR03 East Brora Muir**

Brora Community Council (Mrs Lee Bright) (967669)

Object to the site for the following reasons:

- Lack of alternative access, particularly emergency access to Golf Road and the houses beyond i.e. Ben Mailey Gardens, Victoria Drive, Victoria Crescent, Muirfield Drive, Muirfield Road. Currently the sole access is under the railway bridge from the A9. An alternative access has been an ongoing issue in this area of Brora.
- The area has grown exponentially.
- A water table survey was done some time ago and the area is known to flood.

**BR04 Former Radio Station Site**

Brora Community Council (Mrs Lee Bright) (967669)

Supports allocation as it is important for tourism and recreation.

Network Rail (Ms Pam Butler) (980184)

Supports the inclusion of the developer requirement for a Transport Assessment to fully assess the potential impacts of the site's development on the level crossing. It is essential that a Transport Assessment is submitted in support of any planning application to quantify in detail the likely impacts on the rail network.

**BR05 Scotia House**

SEPA (906306)

Objects to the inclusion of a developer requirement for a Flood Risk Assessment. SEPA is not aware of any flooding in this area and it is not identified as an issue in the

Environmental Report. In addition SEPA has checked with the Council's Flood Team and they have not identified the need for Flood Risk Assessment for this site. Unless the Council holds information SEPA is not aware of, it is recommended that the Flood Risk Assessment requirement is reconsidered.

### **BR06 Former MacKay's Garage**

SNH (909933)

Objects to the following wording in the developer requirements, "Avoid intrusion into adjacent SSSI". Recommends replacing it with, "Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site". This will ensure that developers are aware of the need to consider the relevant environmental interests.

CastleGlen Properties (Aberdeen) Ltd Mr Scott Strachan (978990) on behalf of Tulloch Homes Ltd (Mr George Fraser) (979063)

Generally supports the allocation. Tulloch Homes Ltd as owners of the site confirm their intention to progress development of the Former MacKay's Garage, Brora. The economic downturn of 2008 onwards affected the progress of many Highland development opportunities in the smaller towns and villages however as market conditions continue to prove more favourable it is important that opportunities exist to provide both private and affordable housing along with business opportunities. However the indicative housing capacity should not be overly prescriptive as the quality and suitability of the design solution for the site is a more appropriate determining factor.

### **BR07 Upper Fascally**

Brora Community Council (Mrs Lee Bright) (967669)

Supports developer requirements. Funding is currently being sought by a community group to redevelop the recreation/play area in Upper Fascally. This is an opportunity to regenerate the area for the community and for recreational uses.

### **BR08 Adjoining Industrial Estate**

Brora Community Council (Mrs Lee Bright) (967669)

Supports allocation as it is needed in the local community. The existing industrial estate has been there since 1961 (assumed).

### **Modifications sought by those submitting representations:**

#### **Brora General**

Brora Community Council (Mrs Lee Bright) (967669) and Brora & District Action Group (Brora & District Action Group Lindsay) (980301)

Include the following tourism facilities in the general text: Golf course; river, sea and loch fishing; award winning beaches; surfing beaches; caravan site; Clynelish Distillery with its visitor tours and retail area; and easily accessible local and hill walks.

Brora Community Council (Mrs Lee Bright) (967669)

Include Lower Fascally as an allocation. Include text stating that access to the core path at Lower Fascally will be protected.

**BR01 Rosslyn Street**SNH (909933)

Remove the following developer requirement, “Avoid intrusion into adjacent SSSI” and replace with, “Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site”.

**BR03 East Brora Muir**Brora Community Council (Mrs Lee Bright) (967669)

Remove allocation (assumed).

**BR05 Scotia House**SEPA (906306)

Remove the developer requirement for a Flood Risk Assessment.

**BR06 Former MacKay's Garage**SNH (909933)

Remove the following developer requirement, “Avoid intrusion into adjacent SSSI” and replace with, “Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site”.

CastleGlen Properties (Aberdeen) Ltd Mr Scott Strachan (978990) on behalf of Tulloch Homes Ltd (Mr George Fraser) (979063)

Make the indicative housing capacity more flexible.

**Recommended summary of responses (including reasons) by planning authority:****Brora General**

The support from Brora Community Council for the placemaking priorities and in particular promoting the regeneration of the town centre is noted.

The support from Brora and District Action Group for the inclusion of text about the harbour at paragraph 139 is noted.

The purpose of paragraph 140 was to highlight the importance of tourism to Brora and was not intended to list all the tourism facilities/attractions. Therefore the Council do not feel it is necessary to include a list of these in the settlement text. However, if the Reporter is so minded the Council would be agreeable to some extra tourist facilities being listed in paragraph 140.

Land at the Lower Fascally - or as it is referred to in the plan the Former River Fascally recreation area – is not allocated for development in the Proposed Plan. It is however included in the settlement text for Brora at paragraph 141. It was identified as a potential development site during the Call for Sites and Ideas. It was then included in the Main Issues Report as a non –preferred site. The site is at high risk of flooding and SEPA has advised that because of this it is unsuitable for most forms of development. It is also separate from the rest of the settlement, with no footpath link. The site has historically been

used for recreation use and this use can continue. The Council considers that it is not appropriate to allocate it as a site in the plan and therefore no modification is proposed by the Council. However if the Reporter is so minded, the Council would be agreeable to additional text being added to paragraph 141 to reflect the presence of the Core Path as shown on the settlement map.

### **BR01 Rosslyn Street**

Policy 57 in the Highland-wide Local Development Plan already provides protection for natural, built and cultural heritage features and sets out tests against which all developments must be assessed. Therefore together with this, the Council feels that the developer requirement, "Avoid intrusion into adjacent SSSI" is sufficient. However if the Reporter is so minded, the Council is content for this developer requirement to be deleted and replaced with, "Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site" as it would help ensure that developers are aware of the need to consider the relevant environmental interests.

The support from Brora Community Council for the allocation and developer requirements is noted. As per Policy 32 in the Highland-wide Local Development Plan, where four or more houses are to be built on a site, there is an expectation that 25% of them will be affordable, taking into account market and site conditions and the financial viability of the proposal.

### **BR02 Old Woollen Mill**

The support from Brora Community Council for the allocation is noted. As per Policy 32 in the Highland-wide Local Development Plan, where four or more houses are to be built on a site, there is an expectation that 25% of them will be affordable, taking into account market and site conditions and the financial viability of the proposal. The site is covered by an extant planning permission and affordable housing on site is a condition of the planning permission.

The support from Tulloch Homes Ltd as the owner of the site is also noted.

### **BR03 East Brora Muir**

The site is currently allocated in the Sutherland Local Plan and there has been no housing completions in or around the site since this plan was adopted.

There is a developer requirement for a Transport Statement to assess impact on existing residential streets and extent of any mitigation required. Traffic calming remote from the site is also noted as potentially being required. There is no objection from Transport Scotland and Transport colleagues in the Council are content with the developer requirements for the allocation.

We are requiring a masterplan for the site to try and prevent piecemeal development. This will also ensure that the scale of development on the site can be appropriate to the nature of the roads accessing the site.

SEPA advised that there is a small part of the site which is at risk from surface water flooding but advised that a Flood Risk Assessment was not required. Advice from the Council's Flood Team confirmed that no flood risk assessment is required.

No modification is proposed by the Council.

### **BR04 Former Radio Station Site**

The support for the allocation for tourism and recreation uses is noted. The support for the Transport Assessment requirement is also noted.

**BR05 Scotia House**

If the Reporter is so minded, the Council is content for the developer requirement for a Flood Risk Assessment to be removed, based on the advice from SEPA and the Council's Flood Risk Team.

**BR06 Former MacKay's Garage**

Policy 57 in the Highland-wide Local Development Plan already provides protection for natural, built and cultural heritage features and sets out tests against which all developments must be assessed. Therefore together with this, the Council feels that the developer requirement, "Avoid intrusion into adjacent SSSI" is sufficient. However if the Reporter is so minded, the Council is content for the this developer requirement to be deleted and replaced with, "Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site" as it would help ensure that developers are aware of the need to consider the relevant environmental interests.

The support of the site owner is noted and the Council welcomes their statement that they intend to progress with development of the site. Indicative site capacities are given for each allocated site and are based on the need to promote efficient use of land. It is expected that planning applications will be generally consistent with the indicative capacity. It is however recognised that a different capacity than that specified may be acceptable subject to detailed design that demonstrates efficient use of land and satisfactory site layout. This is set out in the supporting text to Policy 2 Delivering Development and therefore it is not felt that any change needs to be made to the indicative capacity for this site.

**BR07 Upper Fascally**

Support from Brora Community Council is noted.

**BR08 Adjoining Industrial Estate**

Support from Brora Community Council is noted.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 18</b>	<b>DORNOCH</b>	
<b>Development plan reference:</b>	Dornoch page 75	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
SNH (909933) Mr Alexander Thomson (978228) Royal Dornoch Golf Club (Mr Neil Hampton) (978818) Halliday Fraser Munro (966464) on behalf of ANM Group Ltd (979952)		
<b>Provision of the development plan to which the issue relates:</b>	Dornoch site allocations	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>DN01 Meadows Bank Road</b> <u>SNH (909933)</u> Although the main text for Dornoch recognises the need to avoid an adverse effect on the integrity of the Dornoch Firth &amp; Morrich More SAC and the Dornoch Firth &amp; Loch Fleet SPA, for clarity, the developer requirements should also specify what is required. Therefore the following text should be added to the developer requirements, "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth &amp; Morrich More SAC and the Dornoch Firth &amp; Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing."</p> <p><u>Mr Alexander Thomson (978228)</u> Notes the developer requirements set out for this site if a new planning application is submitted. The representee has a problem with disposal of surface water from their garden and the developer of the site has had to do drainage work in some of the gardens of people already living on houses built on the site. Representee is not against new development on the site, but thinks it is important that all future planning applications on the site are properly scrutinised for water drainage and flood problems so that new development does not impact on properties already constructed on the site.</p> <p><u>Royal Dornoch Golf Club (Mr Neil Hampton) (978818)</u> Would like to see the site boundary extended west into land owned by Dornoch Golf Club for three reasons: it could help with the diversification of the golf club's income should there be a downturn in the golf business; It would allow for other developers to work in the area; and it would give greater choice to those who wish to buy or build properties in Dornoch.</p> <p><b>DN02 Bishopsfield</b> <u>SNH (909933)</u> Although the main text for Dornoch recognises the need to avoid an adverse effect on the integrity of the Dornoch Firth &amp; Morrich More SAC and the Dornoch Firth &amp; Loch Fleet SPA,</p>		

for clarity, the developer requirements should also specify what is required. Therefore the following text should be added the developer requirements, “Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing.”

### **DN03 Dornoch South Abattoir Site**

SNH (909933)

Although the main text for Dornoch recognises the need to avoid an adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA, for clarity, the developer requirements should also specify what is required. Therefore the following text should be added the developer requirements, “Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing.”

Halliday Fraser Munro (966464) on behalf of ANM Group Ltd (979952)

Welcomes the allocation of the site for mixed use development. This site is the key brownfield site in Dornoch. The site has lain derelict since 2010 when it’s use as an abattoir site ceased. The buildings were demolished in 2015. Both Highlands and Islands Enterprise and the site owners, ANM Group Ltd, are committed to this site being redeveloped into new uses for the benefit of Dornoch and the local economy. One key output to date has been the production of a Masterplan for Dornoch South by Halliday Fraser Munro on behalf of ANM Group Ltd and Highlands and Islands Enterprise in January 2015. The Masterplan process confirmed the site’s development potential, and the community and business support for a mix of uses, including: Business; Leisure; Commercial; Community, and Residential development. It has been demonstrated through the Masterplan process that a golf-based leisure use would be a good fit in the southern part of the site. This use has synergies with the surrounding land owned by Royal Dornoch Golf Club and overcomes any potential flood related development constraints. A Proposal of Application Notice was also submitted to the Highland Council in February 2016 for the southernmost area of the site for leisure uses (principally golf-related), a shop and café. A Public Consultation Event was undertaken in March 2016. A planning application for student accommodation is currently under consideration by the Highland Council (Reference: 16/00887/FUL), a Use that is acknowledged in the proposed allocation (student accommodation, Business, Community, Open space, Recreation). Would like “leisure” added to the mix of uses to provide certainty in the Development Management process following on from the allocation of the site in line with the Masterplan findings and latest planning application proposals.

### **DN04 Dornoch North**

SNH (909933)

Although the main text for Dornoch recognises the need to avoid an adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA, for clarity, the developer requirements should also specify what is required. Therefore the following text should be added to the developer requirements, “Development proposals will



require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing.”

**Modifications sought by those submitting representations:**

**DN01 Meadows Bank Road SNH (909933)**

Add the following additional developer requirement, “Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing.”

**Mr Alexander Thomson (978228)**

Inclusion of a drainage impact assessment to the developer requirements.

**Royal Dornoch Golf Club (Mr Neil Hampton) (978818)**

Extend allocation westwards.

**DN02 Bishopsfield**

**SNH (909933)**

Add the following additional developer requirement, “Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing.”

**DN03 Dornoch South Abattoir Site**

**SNH (909933)**

Add the following additional developer requirement, “Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing.”

**Halliday Fraser Munro (966464) on behalf of ANM Group Ltd (979952)**

Include “leisure” as a use.

**DN04 Dornoch North**

**SNH (909933)**

Add the following additional developer requirement, “Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by

increased recreational use of the area by residents of the new housing.”

**Recommended summary of responses (including reasons) by planning authority:**

There were no representations received on the following sites: DN05; DN06; DN07.

**DN01 Meadows Bank Road**

SNH has suggested revising the mitigation in the Appropriate Assessment to read: “Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing,” and subsequently add it to the developer requirement for sites DN01, DN02, DN03 and DN04. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for this developer requirement to be added to this site.

It is noted that the objection is not to the current development but is for any future planning applications that may be lodged for the site. Policy 66 in the Highland-wide Local Development Plan deals with Surface Water Drainage and states that all proposed development must be drained by Sustainable Drainage Systems (SuDS) and if there are any new planning applications for this site they would be assessed against this policy. There is also a relevant developer requirement for any new planning applications. There is adopted Supplementary Guidance on Flood Risk and Drainage Impact and one of the aims of this is to improve the design and implementation of developments and their related drainage arrangements. The site is in the process of being built out by a developer.

The suggestion to extend the boundary of this site westwards to incorporate land in the ownership of Royal Dornoch Golf Club is not supported by the Council. The Council has a responsibility to ensure that sites are effective for development. There are already three sites in Dornoch (DN01, DN02, DN04) allocated for housing or with housing as an element of a mixed use allocation, with a combined indicative capacity of 310 houses. There are masterplans in place for DN02 and DN04. Therefore the Council feels that is sufficient land allocated for housing to offer choice and to meet demand. Some land to the west of site DN01 was suggested by a different party during the call for sites; it was shown as non-preferred in the Main Issues Report (site ID DN09) and has not been included in the Proposed Plan. It may be noted that it also lies partly within the Dornoch Firth NSA. No modification is proposed by the Council.

**DN02 Bishopsfield**

SNH has suggested revising the mitigation in the Appropriate Assessment to read: “Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing,” and subsequently add it to the developer requirement for sites DN01, DN02,

DN03 and DN04. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for this developer requirement to be added to this site.

### **DN03 Dornoch South Abattoir Site**

SNH has suggested revising the mitigation in the Appropriate Assessment to read: "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing," and subsequently add it to the developer requirement for sites DN01, DN02, DN03 and DN04. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for this developer requirement to be added to this site.

The mixed use allocation for this site covers the uses of student accommodation, business, community, open space and recreation. In the developer requirements, the Council is very clear that the site is at flood risk which will limit the extent and type of development suitable for the site. It is stated that greenfield areas of the site are only suitable for types of recreation uses which are less vulnerable to flood risk, such as a golf driving range or car park. Therefore the Council feels that this already provides sufficient certainty for the development management process. However, if the Reporter is so minded, the Council is content for "leisure" to be added to the range of uses and under bullet point 2 in the developer requirements, for "and leisure" to be added after "only suitable for types of recreation...".

### **DN04 Dornoch North**

SNH has suggested revising the mitigation in the Appropriate Assessment to read: "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing," and subsequently add it to the developer requirement for sites DN01, DN02, DN03 and DN04. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for this developer requirement to be added to this site.

#### **Reporter's conclusions:**

#### **Reporter's recommendations:**

<b>Issue 19</b>	<b>EDDERTON</b>	
<b>Development plan reference:</b>	Edderton page 80	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mr John Wright (968665) Strutt & Parker on behalf of Balnagown Castle Properties (968666) Edderton Community Council (Mrs Phyllis Ross) (979848) Historic Environment Scotland (964857)		
<b>Provision of the development plan to which the issue relates:</b>	Edderton general text and site allocations	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Edderton General</b>  <u>Mr John Wright (968665) Strutt &amp; Parker on behalf of Balnagown Castle Properties (968666)</u>  Supports the continued identification of Edderton as a settlement and is encouraged to see the continuation of housing proposals. If there is any change proposed to this through the Examination process, would like to be involved in the discussion.</p> <p><u>Edderton Community Council (Mrs Phyllis Ross) (979848)</u>  The Community Council supports the Proposed Plan for Edderton. However would like to see the village boundary amended to include the area to south enclosed by the 30mph speed limit and the street lighting. This would include the Primary School and the sports area across the road, the development at Balleigh Wood and 10 other houses.</p> <p><b>ET01 North-East of Haven</b>  <u>Historic Environment Scotland (964857)</u>  Supports the developer requirement for sensitive design in response to the scheduled monument Carriblair stone circle &amp; cist (Index No. 2971), particularly in relation to access requirements for the site.</p> <p><b>ET02 West of Station Road</b>  <u>Historic Environment Scotland (964857)</u>  Supports the developer requirement for the retention of the line of site from the scheduled monuments Carriblair stone circle &amp; cist (Index No. 2971) and the scheduled monument Clach Chairidh, symbol stone (Index No. 1673) to the hills to the west and south west.</p>		

**Modifications sought by those submitting representations:****Edderton General**

Edderton Community Council (Mrs Phyllis Ross) (979848)

Amend SDA boundary to include the area to the south enclosed by the 30mph speed limit and the street lighting, including the Primary School and the sports area across the road, the development at Balleigh Wood and 10 other houses.

**Recommended summary of responses (including reasons) by planning authority:****Edderton General**

The support for the Proposed Plan, including from Edderton Community Council, is noted.

Settlement Development Areas (SDAs) are the preferred areas for most types of development as it makes best use of existing infrastructure and services and protects the character of the surrounding countryside. This is supported by Policy 34 in the Highland-wide Local Development Plan. The SDA is not intended to identify where the perceived extent of a settlement or community is in the widest terms, its purpose is to help make assessments of proposed developments. The suggested extension of the SDA for Edderton is to the south of the SDA in the Proposed Plan. It is acknowledged that there is street lighting and a pavement as far as the Primary School but the road is single track with passing places and therefore it is not the best place for additional housing. It would also greatly increase the extent of the SDA boundary and would in essence mean that a lot of what is currently surrounding countryside would have the principle of development established where included within such an extension. Edderton sits within the Tain Hinterland. This hinterland has been identified as where pressure for commuter based housing development is greatest. Through Policy 35 of the Highland-wide Local Development Plan, the Council presumes against housing in the open countryside in the hinterland subject to certain exceptions. If the SDA for Edderton was to be extended, it would support housing in areas which are currently countryside in the hinterland area. The Council does not support extending the SDA boundary and therefore no modification is proposed.

**ET01 North-East of Haven**

The support from Historic Environment Scotland for the developer requirement for sensitive design in response to scheduled monument is noted.

**ET02 West of Station Road**

The support from Historic Environment Scotland for the developer requirement for the retention of the site line is noted.

**Reporter's conclusions:****Reporter's recommendations:**

<b>Issue 20</b>	<b>GOLSPIE</b>	
<b>Development plan reference:</b>	Golspie page 83	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mr Adam Sutherland (977580) Mr Scott Strachan (978990) CastleGlen Properties (Aberdeen) Ltd on behalf of Tulloch Homes Ltd (Mr George Fraser) (979063)		
<b>Provision of the development plan to which the issue relates:</b>	Golspie settlement text and site allocation GP02	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Golspie General</b>  <u>Mr Adam Sutherland (977580)</u>  Objects to there only being two sites allocated for housing in Golspie – Sibell Road (GP02) and Mackay House Hostel Site (GP04). Of these two sites one requires costly drainage infrastructure and the other has an owner who has little interest in selling the land. This limits the amount of choice in Golspie and restricts Golspie's potential to grow. There are only a few vacant plots available at Drummie (GP03). Would like to see at least one other site allocated for housing to broaden the scope for developers and add choice. The current allocations for housing have been there since the last local plan so it is unlikely that they will ever be developed.</p> <p><b>GP02 Sibell Way</b>  <u>Mr Scott Strachan (978990) CastleGlen Properties (Aberdeen) Ltd on behalf of Tulloch Homes Ltd (Mr George Fraser) (979063)</u>  Generally supports the allocation. Tulloch Homes Ltd as owners of the site confirm their intention to progress development. The economic downturn of 2008 onwards affected the progress of many Highland development opportunities in the smaller towns and villages however as market conditions continue to prove more favourable it is important that opportunities exist to provide both private and affordable housing. However the indicative housing capacity and the developer requirement relating to the retention of existing trees, should not be overly prescriptive as the quality and suitability of the design solution for the site is a more appropriate determining factor.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>Golspie General</b>  <u>Mr Adam Sutherland (977580)</u>  Include more housing allocations (no particular sites suggested).</p>		

**Golspie GP02 Sibell Way**

Mr Scott Strachan (978990) CastleGlen Properties (Aberdeen) Ltd on behalf of Tulloch Homes Ltd (Mr George Fraser) (979063)

Make the indicative housing capacity and the developer requirement relating to the retention of existing trees, more flexible.

**Recommended summary of responses (including reasons) by planning authority:****Golspie General**

The representee objects to there only being two sites allocated for housing – namely GP02 Sibell Road and GP04 Mackay House Hostel Site. There are in fact two other sites allocated for housing – GP01 Woodland Way and GP03 Drummuie. The indicative housing capacity for these four sites is 79. The number of houses built in the East Sutherland and Edderton Ward (which includes Golspie and also Helmsdale, Brora, Dornoch and Edderton) between 2000 and 2012 was 363. The amount of land allocated for housing is based on the Council's Housing Need and Demand Assessment; therefore the Council feels that the amount of land allocated for housing is sufficient. The owner of site GP02 has confirmed their intention to progress with development of the site. At the Main Issues Report stage there were three non-preferred sites for housing identified. No comments were received for these sites and they were not taken forward in the Proposed Plan. No modification is proposed by the Council.

**GP02 Sibell Way**

The support of the site owner is noted and the Council welcomes their statement that they intend to progress with development of the site. Indicative site capacities are given for each allocated site and are based on the need to promote efficient use of land. It is expected that planning applications will be generally consistent with the indicative capacity. It is however recognised that a different capacity than that specified may be acceptable subject to detailed design that demonstrates efficient use of land and satisfactory site layout. This is set out in the supporting text to Policy 2 Delivering Development and therefore it is not felt that any change needs to be made to the indicative capacity for this site. The site is adjacent to semi natural woodland and there are trees at the northern end of the site. Whilst doing the Strategic Environmental Assessment of the site it was felt that removal of trees on site could have an adverse impact habitat connectivity and wildlife corridors therefore it would be preferable to retain some of the existing trees on site and extend the tree belt eastwards with new planting of appropriate species which would provide a wildlife corridor. The developer requirements regarding trees are based on this assessment and discussions with SNH and are not considered to be overly prescriptive. No modification is proposed by the Council.

**Reporter's conclusions:****Reporter's recommendations:**

<b>Issue 21</b>	<b>HELMSDALE</b>	
<b>Development plan reference:</b>	Helmsdale page 87 – 90	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mr John Murray (906905) Mrs Kathy Mitchinson (931273) SEPA (Ms Susan Haslam) (906306) Ms Shona Blance (951829)		
<b>Provision of the development plan to which the issue relates:</b>	Helmsdale site allocations	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>HD02 North of Rockview Place</b>  <u>Mr John Murray (906905)</u>  Site should be expanded to include land between the eastern portion of site and A9, as land now not large enough for viable croft. Portion of HD02 built out or with extant planning permission.</p> <p><b>HD03 Simpson Crescent</b>  <u>Mrs Kathy Mitchinson (931273)</u>  Objects to inclusion in the plan due to recreational amenity, hazardous access, visibility from tourist route, distance to village centre, and a lack of safe active travel links to the primary school. Suggests land west and adjacent to primary school should be explored and that brownfield sites within the village should be used for future housing. Recommends allocating site as Greenspace.</p> <p><u>Crofting Commission (955042)</u>  Site may include some croft land.</p> <p><b>HD04 Shore Street</b>  <u>SEPA (Ms Susan Haslam) (906306)</u>  Recognises that site is partially located in a harbour. Recommends text be amended to allow for harbour related uses in the floodplain area.</p> <p><b>HD05 East of Industrial Estate</b>  <u>Mrs Kathy Mitchinson (931273)</u>  Objects to inclusion in plan unless requirements to screen off entire industrial estate due to visibility from tourist route.</p> <p><u>Ms Shona Blance (951829)</u>  Owner and tenant of field that is eastern part of the site. Objects to inclusion in plan due to</p>		



concerns about safety of access through housing sites. Would prefer eastern part of site be allocated for business or housing use.

#### **Modifications sought by those submitting representations:**

##### **HD02 North of Rockview Place**

Mr John Murray (906905)

Extend allocation north to A9 adjacent to HD05.

##### **HD03 Simpson Crescent**

Mrs Kathy Mitchinson (931273)

Remove the site allocation from the Plan.

##### **HD04 Shore Street**

SEPA (Ms Susan Haslam) (906306)

Include text to clarify that harbour related uses could be compatible in areas shown to be at risk of flooding.

##### **HD05 East of Industrial Estate**

Mrs Kathy Mitchinson (931273)

Remove the site allocation from the Plan or screen off entire industrial estate from A9 tourist route.

Ms Shona Blance (951829)

Allocate eastern part of site for business or housing use.

#### **Recommended summary of responses (including reasons) by planning authority:**

##### **HD02 North of Rockview Place**

The Council do not support the suggestion to extend the site north. Whilst it is noted that the site has built and consented development on it, there remains sufficient housing land for the settlement on allocated sites (HD01, HD02 and HD03). Moreover extending the site in this direction could add additional constraint to development of the industrial allocation at HD05. It is important to ensure that the industrial allocation is not stymied by neighbouring development by becoming surrounded with housing, particularly in light of there being limited industrial land available. No modification is proposed by the Council.

##### **HD03 Simpson Crescent**

Concerns about landscape and visual impacts and limited safe active travel links to the Primary School are noted. However, the Developer Requirements set out specific considerations for layout and landscaping treatments that are sensitive to the setting and residential amenity. Developer Requirements also set out expectations for enhanced connectivity of the site including a new footpath along roadside boundaries. No modification is proposed by the Council.

Note crofting commission comments that part of site may contain croft land. However, part of the site is already allocated for housing in the current adopted Sutherland Local Plan. Therefore the Council feels the site allocation should remain unchanged. No modification is proposed by the Council.

#### **HD04 Shore Street**

If the Reporter is so minded, the Council is agreeable to modification of the Developer Requirements as follows (additional text italicised): “Flood Risk Assessment (*only harbour-related uses permissible* in areas shown to be at risk of flooding)”.

#### **HD05 East of Industrial Estate**

The site is currently allocated in the adopted Sutherland Local Plan for industrial use. It should continue to be allocated for this purpose to ensure an effective supply in the settlement. Efforts to identify other suitable sites for industrial land were made but a range of constraining factors (e.g. flood risk, incompatible neighbouring land uses, access constraints) meant HD05 remained the favoured site.

The site relates well to the existing neighbouring industrial land uses. It is considered that allocating the eastern portion of the site for housing would not be compatible with the industrial allocation. The southern boundary of the site is already adjacent to a housing allocation and to add further housing along the eastern boundary could add additional constraint to future development. It is important to ensure that the industrial allocation is not stymied by neighbouring development by surrounding the industrial allocation with housing, particularly given the limited amount of industrial land available. Within the site’s use as ‘Industry’, Class 4 Business uses (including office uses), could be permitted (under The Town and Country Planning (Use Classes) (Scotland) Order 1997).

Developer Requirements for the site set out that landscaping, and sensitive siting and design should ensure residential neighbours and the trunk road (tourist route) are given due regard. No modification is proposed by the Council.

#### **Reporter’s conclusions:**

#### **Reporter’s recommendations:**

<b>Issue 22</b>	<b>LAIRG</b>	
<b>Development plan reference:</b>	Lairg page 91	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mr Alasdair Marshall (966589) SNH (909933) Lairg and District Community Initiatives (Mrs Magda Macdonald) (979792) Lairg Community Council (Mary Goulder) (979971)		
<b>Provision of the development plan to which the issue relates:</b>	Lairg settlement text and site allocation LA03	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Lairg General</b> <u>Mr Alasdair Marshall (966589)</u> Objects to the placemaking priorities mentioning the River Oykel as it is the River Shin which runs from Lairg.</p> <p>Objects to the considerable emphasis placed upon flooding within Lairg. Would like to know how this is determined as the loch is man made. Questioning if information used to inform the development plan has been out of date or not investigated properly. Notes there was flooding previously due to a surge wave breaching the large dam, however SSE completed engineering works to prevent this happening again. Any flooding would only come from rain or snow melt and would be mitigated by the diversion dam.</p> <p><u>SNH (909933)</u> Due to the distance (~9km) and man-made barriers between Lairg and the River Oykel SAC, it is extremely unlikely that it would be affected by the proposed allocations. Reference to the SAC can therefore be removed from the general text about Lairg.</p> <p><u>Lairg and District Community Initiatives (Mrs Magda Macdonald) (979792) and Lairg Community Council ( Mary Goulder) (979971)</u></p> <p>Lairg and District Community Initiatives and the Community Council view the Former Sutherland Transport and Trading Company site on the corner of Main Street and the A836 (referred to in paragraph 170) as a focal point of the village and object to it just being allocated for environmental improvement. There has been discussion within the community as to possible future uses. Would anticipate a modest but aesthetically interesting development providing some car parking but not just a car park per se. Local feedback for the following suggested uses has been positive and supportive:</p> <ul style="list-style-type: none"> <li>• Some form of development on the site which would be of practical use to the village and surrounding area whilst also addressing the environmental improvement issue.</li> <li>• A tourist information and local craft type/hub development with a focus on linking the north, east, south and west.</li> </ul>		

- Picnic area and children's play area.

There have been recent improvements to the adjacent Church Hill wooded path which introduces visitors to spectacular views to the west, and improvement work here is ongoing. Would like any new development to link with and complement this path and help consolidate the village centre as an area of high amenity for the benefit of locals and tourists.

Lairg and District Community Initiatives (Mrs Magda Macdonald) (979792)

The A836 public footpath is well used by locals and visitors, not just as a section of the principal pedestrian route linking the village with the railway station but also as part of a circular path alongside the river with access across the lower dam to the Invershin road on the west side, returning to the village. In order to help with future project funding applications we would like to see this route identified formally as part of the Core Footpath Network.

**LA03 Former Sutherland Arms Site**

Lairg Community Council ( Mary Goulder) (979971)

The Community Council has canvassed the community over the last three years and the local community would like to see this site used for the development of a care home.

**Modifications sought by those submitting representations:**

**Lairg General**

Mr Alasdair Marshall (966589)

Placemaking priorities should refer to River Shin and not River Oykel.

Removal of reference to flood risk (assumed).

SNH (909933)

Remove reference to River Oykel SAC.

Lairg and District Community Initiatives (Mrs Magda Macdonald) (979792) and Lairg Community Council ( Mary Goulder) (979971)

Allocate the Former Sutherland Transport and Trading Company site referred to in paragraph 170 for community uses (assumed).

Lairg and District Community Initiatives (Mrs Magda Macdonald) (979792)

Identify the A836 public footpath as a Core Path.

**LA03 Former Sutherland Arms Site**

Lairg Community Council ( Mary Goulder) (979971)

Include additional use of care home.

**Recommended summary of responses (including reasons) by planning authority:****Lairg General**

The reference in the placemaking priorities is to the River Oykel SAC, not the River Oykel per se. Connectivity to the River Oykel SAC was identified through the Strategic Environmental Assessment (SEA) work for the plan. However whilst preparing the Habitats Regulations Appraisal (HRA) for the plan, all the allocations in Lairg were screened out. The Council accepts the opinion expressed by SNH that due to the distance and man-made barriers between Lairg and the SAC, it is extremely unlikely that it would be affected by the allocations. If the Reporter is so minded the Council is content for the reference to the River Oykel SAC to be removed from the placemaking priorities.

The Council takes advice on flood risk from SEPA and uses SEPA's Flood Maps which show where there are certain levels of risk of flooding from rivers, the sea and surface water. Based on this advice Flood Risk Assessments are listed as developer requirements for sites LA01, LA02, LA04 and LA05. Not all potential flooding is from Little Loch Shin, there is also potential flood risk from watercourses within sites. By requiring Flood Risk Assessment the Council is enabling better planning decisions to avoid unnecessary development in flood risk areas. The Council does not therefore believe that there is unnecessary emphasis placed upon flooding within Lairg and therefore does not propose any modifications to the developer requirements of sites LA01, LA02, LA04 and LA05.

The Former Sutherland Transport and Trading Company site is not an allocated site within the Proposed Plan but it sits within the SDA and is mentioned in the settlement text at paragraph 170 in terms of welcoming environmental improvements. Two of the placemaking priorities for Lairg are to assist and promote economic development and to support additional tourist facilities. The Council agrees that it is a focal point for the village, but considers that the existing text in the plan is sufficient to allow for a wide range of additional enhancing uses that the community may wish to pursue. However if the Reporter is so minded the Council would be agreeable to additional wording being added to paragraph 170: "The area is a key focal point for Lairg and the local community is keen to enhance the range of facilities on the site for both the community and tourists. Some car parking should be retained, but there may be potential to provide picnic tables, children's play area, tourist information point/interpretation and a local craft hub. The opportunity should be taken to link into the recently improved Church Hill wooded path."

The request to include the A836 Public Footpath in the Core Path Plan has been forwarded to the Access Officer in the Council to be considered in the continuing review of the Core Path Plan. The existing Core Path Plan was adopted by the Council in September 2011 after the plan had been through the statutory consultation process. The review of the Core Paths is being carried out as a separate process with a separate consultation to the Local Development Plan. No modification to the Local Development Plan is proposed by the Council.

**LA03 Former Sutherland Arms Site**

This is a key entrance site into Lairg which has been vacant for a considerable time. The mixed use allocation in the Proposed Plan allows for housing, community, tourism and retail. The community use would cover a potential care home development, so there is no need to add care home to the range of uses covered under the mixed use allocation. No

modification is proposed by the Council.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 23</b>	<b>LOCHINVER</b>	
<b>Development plan reference:</b>	Lochinver page 95 – 98	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Natural Heritage (909933) Mr T Vestey (980092) Mr & Mrs Durrant & Maysie Macleod (967261) SEPA (906306) Mr Bill Badger (967160)		
<b>Provision of the development plan to which the issue relates:</b>	Lochinver site allocations	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>LV01 Former Sheep Pens North of Inver Park</b>  <u>Scottish Natural Heritage (909933)</u>          For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "...safeguard sensitive landscape setting...".</p> <p><u>Mr T Vestey (980092)</u>          Supports site. There is a clearly identified housing need in Lochinver and this site can meet part of that need.</p> <p><b>LV02 Cnoc A' Mhuilin</b>  <u>Scottish Natural Heritage (909933)</u>          For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "...safeguard sensitive landscape setting...". Welcomes that advice on density and height of development has been taken into account however recommends the following modification to the developer requirements text to make it clear what interests SNH would be seeking to be covered by the design statement: "Design statement to be prepared to safeguard the landscape features that contribute to the special qualities of the Assynt-Coigach NSA, in particular the landform and landscape setting of the surroundings. Separately, the design statement should address, to the satisfaction of the Highland Council, the setting in relation to the nearby listed buildings. ..."</p> <p><u>Mr T Vestey (980092)</u>          Supports site. There is a clearly identified housing need in Lochinver and this site can meet part of that need.</p> <p><u>Mr &amp; Mrs Durrant &amp; Maysie Macleod (967261)</u>          Concerned about this site for the following reasons: noise and disruption from neighbours and traffic; light pollution; lack of privacy with neighbours looking down onto their property. Does not want a through road passing through the area of development as it would create noise and disruption. Need to allow space for movement of wildlife. Suggest up to 3 plots in</p>		

line with Hillhead Cottage, at the same level. Any further development to be further back out of the main view and entered from either the Fank across from Inver Park at LV01 or off the B869 across the cattle grid. The area from LV01 stretches through a gentle uphill wide valley to the B869, allowing the potential of very long term growth of a great number of housing when and if they were needed. This would not encroach on existing properties nor spoil the views of the approach to Lochinver.

### **LV03 Canisp Road**

#### Scottish Natural Heritage (909933)

For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "...safeguard sensitive landscape setting...".

#### SEPA (906306)

There is a small watercourse on the boundary of the site. Therefore part of the site is at risk of flooding. Therefore SEPA objects to the site unless the following developer requirement text is added to the plan: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)." This amendment will help protect people and property from flood risk and ensure compliance with the flood risk avoidance position in Scottish Planning Policy, ensure that developers are aware that flood risk may be a constraint on development and ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan.

#### Mr Bill Badger (967160)

Supports the allocation as it appears consistent with the overall strategy.

### **LV04 Culag Road**

#### Scottish Natural Heritage (909933)

For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "...safeguard sensitive landscape setting...".

#### SEPA (906306)

This large site is adjacent to the coastal flood map and the south eastern boundary is adjacent to the fluvial Flood Map. Therefore small parts of the site may be at risk of flooding. As a result SEPA objects unless the following developer requirement text is added to the plan: "Flood Risk Assessment may be required (no development in areas shown to be at risk of flooding)." This amendment will help protect people and property from flood risk and ensure compliance with the flood risk avoidance position in Scottish Planning Policy, ensure that developers are aware that flood risk may be a constraint and ensure developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan.

Both the information held by SEPA and the assessment outlined in the Environmental Report indicates that this site is on peat soils. Therefore SEPA objects unless the following developer requirement text is added to the plan: "Peat assessment and management plan". This amendment will ensure compliance with Scottish Planning Policy. It will also ensure consistency with other allocations on peat in the plan.

#### Mr Bill Badger (967160)



Supports the allocation. Environmental education is important and agrees that the landscape is highly sensitive to development.

#### **LV05 West of the Coastguard Station**

Scottish Natural Heritage (909933)

For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "...safeguard sensitive landscape setting...".

#### **LV06 Land Adjacent to Assynt Leisure Centre**

Scottish Natural Heritage (909933)

For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "...safeguard sensitive landscape setting...".

SEPA (906306)

Notes the developer requirement includes the need for a Flood Risk Assessment; however SEPA is not aware of any flooding in this area and it is not identified as an issue in the Environmental Report. SEPA has also checked with the Council's flood prevention team and they have not identified the need for Flood Risk Assessment for this site. As a result, unless you hold information we are not aware of, we recommend that you reconsider whether a Flood Risk Assessment is required for this allocation.

#### **LV07 Culag Harbour**

Scottish Natural Heritage (909933)

For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "...safeguard sensitive landscape setting...".

SEPA (906306)

Part of this site is within the Coastal and Fluvial Flood Map and therefore is likely to be at risk of flooding. Notes that the allocation is for industry and is located in a harbour. Whilst SEPA supports the principle of the developer requirement "Flood Risk Assessment, part of the site in coastal flood zone, in this area only water-related uses permissible" we recommend that this be amended to "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures." This amendment will ensure that the development type complies with the flood risk framework outlined in Scottish Planning Policy. It will also ensure consistency with the rest of the plan.

#### **Modifications sought by those submitting representations:**

#### **LV01 Former Sheep Pens North of Inver Park**

Scottish Natural Heritage (909933)

Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting.

#### **LV02 Cnoc A' Mhuilin**

Scottish Natural Heritage (909933)

Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting.

Amend developer requirement regarding design statement to reflect the priority to safeguard the National Scenic Area as well as Listed Buildings.

Mr & Mrs Durrant & Maysie Macleod (967261)

Restrict development of site to three plots and direct future growth of the settlement north from LV01.

### **LV03 Canisp Road**

Scottish Natural Heritage (909933)

Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting

SEPA (906306)

Developer requirements should include a Flood Risk Assessment.

### **LV04 Culag Road**

Scottish Natural Heritage (909933)

Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting.

SEPA (906306)

Developer requirements should include a Flood Risk Assessment.

Developer requirements should include a Peat Assessment and peat management plan.

### **LV05 West of the Coastguard Station**

Scottish Natural Heritage (909933)

Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting.

### **LV06 Land Adjacent to Assynt Leisure Centre**

Scottish Natural Heritage (909933)

Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting.

SEPA (906306)

Remove developer requirement for a Flood Risk Assessment.

### **LV07 Culag Harbour**

Scottish Natural Heritage (909933)

Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting.

SEPA (906306)

Amend developer requirement for Flood Risk Assessment to ensure only low vulnerability or operationally essential uses are permitted with resilience measures.

**Recommended summary of responses (including reasons) by planning authority:****LV01 Former Sheep Pens North of Inver Park**

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text (additional text italicised): “Careful siting, design and layout to safeguard sensitive *landscape* setting”.

Note the support for the site due to the identified need for housing in Lochinver.

**LV02 Cnoc A' Mhuilin**

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text: “Design statement to be prepared to safeguard the landscape features that contribute to the special qualities of the Assynt-Coigach NSA, in particular the landform and landscape setting of the surroundings. Separately, the design statement should address, to the satisfaction of the Highland Council, the setting in relation to the nearby listed buildings”.

Concerns from neighbouring residents about potential for development to impact on setting, residential amenity, and environmental qualities of the settlement are noted. However, the Indicative Housing Capacity for the site is 10 houses, options for access are from either Baddidaroch Road or the A837 and there are restrictions on development height to 1.5 storeys. It is considered that these requirements are sufficient to address the concerns raised and will maintain residential amenity. No modification is proposed by the Council.

The suggestion to focus expansion north from site LV01 is not supported because the existing sites offer development potential within the settlement envelope that is sufficient to meet current demand. No modification is proposed by the Council.

Note the support for the site due to the identified need for housing in Lochinver.

**LV03 Canisp Road**

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text (additional text italicised): “Design statement and sensitive layout to include planting to safeguard sensitive *landscape* setting”

If the Reporter is so minded, the Council is agreeable to including the following text in the Developer Requirements: “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

Note support for site to help deliver the overall strategy for the Plan.

**LV04 Culag Road**

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text (additional text italicised): “Design statement to safeguard the sensitive *landscape* setting”.

If the Reporter is so minded, the Council is agreeable to including the following text in the Developer Requirements: “Flood Risk Assessment may be required (no development in areas shown to be at risk of flooding)”.

If the Reporter is so minded, the Council is agreeable to including the following text in the Developer Requirements: “Peat assessment and management plan may be required”. The inclusion of the word ‘may’ goes beyond the modification sought by SEPA (906306) because this site is allocated for community uses restricted to ‘off-grid’ structures and there may be proposals where assessment is not required.

Note support for the allocation and the potential for environmental education.

#### **LV05 West of the Coastguard Station**

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text (additional text italicised): “Careful siting, design and layout to safeguard sensitive *landscape* setting”

#### **LV06 Land Adjacent to Assynt Leisure Centre**

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text: “Careful siting, design and layout to safeguard sensitive landscape setting”

If the Reporter is so minded, the Council is content for the developer requirement for a Flood Risk Assessment to be removed, based on the advice from SEPA (906306) and the Council’s Flood Risk Team.

#### **LV07 Culag Harbour**

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text: “Careful siting, design and layout to safeguard sensitive landscape setting”

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text: “Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures.”

#### **Reporter’s conclusions:**

#### **Reporter’s recommendations:**

<b>Issue 24</b>	<b>TONGUE</b>	
<b>Development plan reference:</b>	Tongue page 99 – 102	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mr Jon Baggs (967461)  Mr John Ferguson (968144)  Wildland Limited (Mr Thomas MacDonell) (966464)  Crofting Commission (955042)  Scottish Natural Heritage (909933)  Caladh Sona Action Group (Mrs Ngaire Mingham) (979708)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Tongue settlement text and site allocations	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Tongue General</b>  <u>Mr Jon Baggs (967461)</u>  The café and gift shop at Rhitongue should be mentioned.</p> <p><u>Mr John Ferguson (968144)</u>  The allocations will help Tongue develop as a strategic service and tourism centre, whilst protecting the Kyle of Tongue NSA and the Council has recognised the importance of these factors to the community.</p> <p><u>Wildland Limited (Mr Thomas MacDonell) (966464)</u>  Supports the statement in paragraph 182.</p> <p><b>TG01 South of Loyal Terrace</b>  <u>Crofting Commission (955042)</u>  Site is part common grazing land and apportioned croft land. Objections have been received to decrofting applications within this vicinity in recent years. The area immediately adjacent to Loyal Terrace remains common grazing land and was left as such for the purpose of access when other parts were apportioned in 1970. We are not aware that this remains a current requirement, and given the length of time it is doubtful that it remains relevant.</p> <p><b>TG02 North of Varrich Place</b>  <u>Scottish Natural Heritage (909933)</u>  For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "...safeguard sensitive landscape setting...".</p> <p><b>TG01 South of Loyal Terrace and TG02: North of Varrich Place</b></p>		

Mr John Ferguson (968144)

TG01 together with TG02 make substantial provision for housing while maintaining the linear development pattern of the settlement. These allocations also avoid development projecting outwards and intruding into the surrounding open landscape of the Kyle of Tongue NSA.

**TG03 East of the Fire Station**Mr John Ferguson (968144)

This is a coherent allocation that maintains the linear settlement development between the two main roads. It would have good access to both roads and the services in the village centre. It would link between the main village and the shop/garage/petrol cluster on the other side of the lower road. The nature of the site allows a variation in height that would give an attractive environment for the residents, and allow the housing to blend in to the landscape.

**TG04 South of St. Andrew's Church**Mr John Ferguson (968144)

Supports this allocation as it links in with existing community and housing provision and has good access to the main road.

Mr Jon Baggs (967461)

Object to the site being used for a business use as there are ample businesses in Tongue and the surrounding areas. Object to any uses which may displace their nearby café and shop. Any proposed business use has the potential to harm or displace existing businesses in the area. Any Business Displacement may be against the E.U. human rights act unless compensations is given and may contravene the E.U. Competition Laws if state run. Believe this site was bought at a peppercorn rate for community uses.

Caladh Sona Action Group (Mrs Ngaire Mingham) (979708)

This site should be allocated and protected for community use. There has been extensive consultation between the NHS and THC regarding the site for the proposed building to replace the two THC Care Homes, Caladh Sona (Melness) and Sinclair Court (Melvich). The Kyle of Tongue has been identified as the preferred area for the new build and if Tongue is the location selected then TG04 is the most suitable site being directly alongside the Health Centre and adjacent to the Kyle Centre. This land needs to be protected for this purpose or future Health and well-being facilities. There was considerable concern when this piece of land was put up for sale on the open market recently and only withdrawn by the CEO when it was drawn to his attention the suitability of this piece of land for the proposed new residential Care and Nursing facility/Health Hub. There is consensus in the community that even if this land is not chosen for the new build Health Hub that it should be retained for community development purposes due to its strategic position.

**TG05 North of Fire Station**Mr John Ferguson (968144)

Has the potential as a good site for the wider business community, including those living in the extended communities across the Kyle causeway bridge, who could come to work in business premises sited in this location.

Mr Jon Baggs (967461)

Object to the site being used for a business use as there are ample businesses in Tongue and the surrounding areas. Object to any uses which may displace their nearby café and shop. Any proposed business use has the potential to harm or displace existing businesses in the area. Any Business Displacement may be against the E.U. human rights act unless compensations is given and may contravene the E.U. Competition Laws if state run. Believe this site was bought at a peppercorn rate for community uses.

**Modifications sought by those submitting representations:****Tongue General**Mr Jon Baggs (967461)

Add text to the introductory section that mentions the café and gift shop at Rhitongue.

**TG02 North of Varrich Place**Scottish Natural Heritage (909933)

Developer requirements should include requirement to safeguard qualities of the National Scenic Area by mentioning the sensitive landscape setting.

**TG04 South of St. Andrew's Church**Mr Jon Baggs (967461)

Remove 'Business' from list of site uses to safeguard existing businesses in the area.

Caladh Sona Action Group (Mrs Ngaire Mingham) (979708)

Remove 'Housing' and 'Business' from list of site uses to safeguard site for replacement care facility for Caladh Sona (Melness) and Sinclair Court (Melvich).

**TG05 North of Fire Station**Mr Jon Baggs (967461)

Remove 'Business' from list of site uses to safeguard existing businesses in the area.

**Recommended summary of responses (including reasons) by planning authority:****Tongue General**

The Council do not support the suggestion to mention individual private businesses. The Plan deals with land allocations and not with promoting specific private interests. However, the Plan does recognise the role Tongue serves as a service and tourist centre for the area and is therefore generally supportive of the contribution that local businesses make to supporting this role. No modification is proposed by the Council.

**TG01 South of Loyal Terrace**

The comments from the Crofting Commission are noted. The allocation is included in the adopted Sutherland Local Plan for housing and by continuing to allocate it in the Plan, it will provide a suitable option for future housing development.

**TG02 North of Varrich Place**

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text (additional text italicised): “Development should be supported by a Design Statement to safeguard the sensitive *landscape* setting”.

**TG01 South of Loyal Terrace and TG02: North of Varrich Place**

The support for the allocations to continue the existing linear form of the settlement and safeguard the sensitive landscapes of the NSA is noted.

**TG03 East of the Fire Station**

Note the support for the site to continue the existing linear form of the settlement and the assertion that the site has good access, could help consolidate the settlement and fit well into the landscape.

**TG04 South of St. Andrew’s Church**

Support for the allocation and assertion that it has good access and could consolidate the settlement is noted.

Note objection on the basis of potential threats to existing businesses in the area. However, the site is allocated for mixed use, including business, to offer a flexible supply of land for future uses. This is in response to a range of emerging development proposals in the area (e.g. Wild Land Ltd. proposals, North Coast 500 Route etc.) and the need to ensure a land supply to meet potential future needs. The Plan deals with land allocations and not with specific business proposals, and therefore it is not anticipated that the Plan will cause displacement of existing businesses. No modification is proposed by the Council.

Note the aspiration for the site to be safeguarded for use by NHS Highland as a replacement health and care facility for Caladh Sona (Melness) and Sinclair Court (Melvich). It is noted that NHS Highland have indicated that a location in the Kyle of Tongue is preferred, but that further consultation on options is still required: <http://www.nhshighland.scot.nhs.uk/News/Pages/KyleofTongueareaproposedfornewhealthandsocialcarefacility.aspx> . The site is currently allocated for mixed use and given that no particular site has yet been identified by NHS Highland, it is considered that ensuring a mix of uses to meet the range of potential needs for Tongue is an appropriate approach. Should this site emerge as NHS Highland’s preferred location for a replacement facility it may not occupy the entire allocated site and the remainder may therefore be appropriate for additional uses, including housing and business. No modification is proposed by the Council.

**TG05 North of Fire Station**

Note the support for the site to provide potential employment opportunities for the wider area.

Note objection on the basis of potential threats to existing businesses in the area. However, the site is allocated for mixed use, including business, to offer a flexible supply of land for future uses. This is in response to a range of emerging development proposals in the area



(e.g. Wild Land Ltd. proposals, North Coast 500 Route etc.) and the need to ensure a land supply to meet potential future needs. The Plan deals with land allocations and not with specific business proposals, and therefore it is not anticipated that the Plan will cause displacement of existing businesses. No modification is proposed by the Council.

**Reporter's conclusions:****Reporter's recommendations:**

<b>Issue 25</b>	<b>GROWING SETTLEMENTS - SUTHERLAND</b>	
<b>Development plan references:</b>	Bettyhill page 103, Durness page 104, Embo page 105, Kinlochbervie page 107, Melness page 108, Melvich page 110, Portskerra page 111, Rosehall page 112, Scourie page 113.	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mr Duncan Allan (972556)  Scottish Natural Heritage (909933)  Mr Robert Tomkinson (978561)  Crofting Commission (955042)  Laid Grazings and Community Committee (978867)  RSPB Scotland (956544)  Mr John Wright (968665) Strutt &amp; Parker on behalf of Balnagown Castle Properties (968666)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Bettyhill, Durness, Embo, Kinlochbervie, Melness, Melvich, Portskerra, Rosehall, Scourie	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Bettyhill</b>  <u>Crofting Commission (955042)</u>  Crofting land tenure remains an important feature of the area.</p> <p><b>Durness</b>  <u>Crofting Commission (955042)</u>  Land under crofting tenure an important feature of settlement.</p> <p><u>RSPB Scotland (956544)</u>  Would like Placemaking Priorities to include: "Development should minimise the loss of traditionally crofted inbye land which provides suitable habitat for corncrake."</p> <p><u>Laid Grazings and Community Committee (972556)</u>  Would like to create a distillery on Common Grazings lands in the settlement.</p> <p><b>Embo</b>  <u>Mr Duncan Allan (972556)</u>  Objects to there being no mention of a new golf course on the Embo Links. The proposals to have small holdings on the outskirts of the village will have a bad effect on the environment and therefore will degrade the visual aspects of the area which could have an impact on tourism.</p>		

**Kinlochbervie**Crofting Commission (955042)

Acknowledges the recognition given to the role of crofting within this settlement. Notes the proposal to direct development to infill sites and prevent ad hoc development in the surrounding countryside but would expect necessary developments on croft land to be exempt from such restriction.

**Melness**Crofting Commission (955042)

Agrees with the recognition of crofting's important role contained within the Placemaking Priorities.

**Melvich**Crofting Commission (955042)

Agree that the historic crofting settlement pattern should be maintained wherever possible, but also that the significance of croft land within the settlement should also be recognised.

**Portskerra**Crofting Commission (955042)

Acknowledges the intent to maintain the historic crofting settlement pattern, but also notes the significance of crofting land tenure within the settlement.

**Rosehall**Scottish Natural Heritage (909933)

Welcomes the inclusion of their April 2015 advice in relation to sewage treatment to minimise potential impacts on the River Oykel SAC.

Mr John Wright (968665) Strutt & Parker on behalf of Balnagown Castle Properties (968666)

Had previously sought the retention of Rosehall as a settlement, failing which, identification of it as a growing settlement. Therefore supports Rosehall being included as a growing settlement due to the services present and the wider catchment that it serves. If there is any change proposed to this through the Examination process, would like to be involved in the discussion. However, objects to the wording of two of the placemaking priorities:

- Would like the first placemaking priority amended to read, "Development that would have an adverse impact on the River Oykel Special Area of Conservation will be discouraged";
- Would like the second placemaking priority amended to read, "Development between the road and the river that would have an adverse effect on the River Oykel Special Area of Conservation will be required to connect to mains sewage...".

Mr Robert Tomkinson (978561)

Rosehall needs superfast broadband in order to develop and this is not envisaged within the plan.

**Scourie**Crofting Commission (955042)

Agrees that the traditional crofting landscape in the centre of the village should be safeguarded, but it should also be noted that the area primarily consists of crofting land.

**Modifications sought by those submitting representations:****Durness**Crofting Commission (955042)

Crofting should be recognised as an important feature of the settlement.

RSPB Scotland (956544)

Include the following additional Placemaking Priority: "Development should minimise the loss of traditionally crofted inbye land which provides suitable habitat for corncrake."

Laid Grazings and Community Committee (972556)

Include reference to developing a distillery on Common Grazings lands.

**Embo**Mr Duncan Allan (972556)

Plan should mention new golf course on the Embo Links.

In placemaking priorities remove the reference to development of new crofts.

**Melvich**Crofting Commission (955042)

Include text that recognises the significance of croft land within the settlement.

**Portskerra**Crofting Commission (955042)

Include text that recognises the significance of croft land within the settlement.

**Rosehall**Mr John Wright (968665) Strutt & Parker on behalf of Balnagown Castle Properties (968666)

First placemaking priority amended to: "Development that would have an adverse impact on the River Oykel Special Area of Conservation will be discouraged".

Second placemaking priority amended to: "Development between the road and the river that would have an adverse effect on the River Oykel Special Area of Conservation will be required to connect to mains sewage...".

Mr Robert Tomkinson (978561)

Include the need for superfast broadband.

**Scourie**

Crofting Commission (955042)

Include text to highlight that the area consists primarily of crofting land.

**Recommended summary of responses (including reasons) by planning authority:**

**Bettyhill**

The comment from the Crofting Commission is noted and the final bullet point under the issues reflects the important role of crofting in the area.

**Durness**

The Council agrees that crofting is an important feature of Durness and therefore if the Reporter is so minded, the Council would be agreeable to an extra placemaking priority being added using the following or similar text: “ Crofting in the parish of Durness should continue to be recognised as playing an important role for the community”.

The additional placemaking priority suggested by RSPB is unnecessary. The Corncrake is listed on Schedule 1 of the Wildlife and Countryside Act 1981 which affords it special protection. Policy 58 (Protected Species) of the Highland-wide Local Development Plan sets out what the Council would expect a developer to do if there was good reason to believe that a protected species may be present on a site or may be affected by a proposed development. No modification is proposed by the Council.

Whilst we note that the idea of a distillery on Common Grazings lands is being considered, it would not be appropriate to include a reference to it in the Plan. The most appropriate way forward would be for a proposal to be submitted as a planning application. No modification is proposed by the Council.

**Embo**

Whilst we note that a proposal is being prepared for a golf course at this location, there has been no planning application submitted for a golf course at Embo Links, nor has a developer approached the Council about including it as a proposal within the Plan. If an application is submitted in the future it will be assessed against all relevant planning policies. Therefore the Council considers it premature to include a reference to a golf course at this location. No modification is proposed by the Council.

The representee would like the reference to the development of new crofts on the outskirts of the village removed as he is concerned about visual impacts and potential detrimental impacts on the environment. Matters such as these will be dealt with at the detailed planning application stage and assessed against all relevant policies on crofting and development in the countryside, in the Highland-wide Local Development Plan. No modification is proposed by the Council.

**Kinlochbervie**

The support from the Crofting Commission is noted. Any proposed developments on croft

land would be assessed against the relevant policies in the Highland-wide Local Development Plan.

### **Melness**

The support from the Crofting Commission is noted.

### **Melvich**

The support from the Crofting Commission for the final placemaking priority is noted and the Council acknowledges that the role of crofting in the settlement is significant. Therefore, if the Reporter is so minded, the Council would be agreeable to an extra placemaking priority being added using the following or similar text: "Crofting should continue to be recognised as playing an important role for the community".

### **Portskerra**

The support from the Crofting Commission for the final placemaking priority is noted and the Council acknowledges that the role of crofting in the settlement is significant. Therefore, if the Reporter is so minded, the Council would be agreeable to an extra placemaking priority being added using the following or similar text: "Crofting should continue to be recognised as playing an important role for the community".

### **Rosehall**

The support from SNH on the inclusion of the second placemaking priority that development between the road and the river will be required to connect to mains sewerage is noted.

The first placemaking priority is intended to discourage development close to the River Oykel SAC due to the potential for connectivity and therefore impacts on the SAC. Amending it as suggested by the representee would mean that the emphasis would change from discouragement of all development, to only discouraging development that would have an adverse impact.

Equally the suggested amendment to the second placemaking priority for it to apply only to development that would have an adverse effect on the SAC, would change the emphasis from it being essential that all development between the road and river connect to mains sewerage to only those developments which would have an adverse effect on the SAC. Any development between the road and the river has the potential to impact on the SAC.

The Council feels that these two placemaking priorities as written are an appropriate approach to dealing with potential impacts to the SAC, considering that Rosehall is a Growing Settlement with no allocations and as such, no specific proposals have been subject to Habitats Regulation Appraisal including Appropriate Assessment.

The Connectivity and Transport Outcome outlines that CaSPlan supports National Planning Framework's national development of a Digital Fibre Network and part of this is by supporting Highlands and Islands Enterprise's roll out of superfast broadband. Therefore it is not necessary to specifically mention the need for superfast broadband in Rosehall.

No modifications are proposed by the Council.

**Scourie**

The support from the Crofting Commission for the 2<sup>nd</sup> bullet point in the placemaking priorities is noted. The 2<sup>nd</sup> bullet point under “Issues” states that “the settlement has retained a range of its traditional Highland forms like crofting rigs...”. The Council believes that this, coupled with the 2<sup>nd</sup> bullet point under placemaking priorities supporting the traditional crofting landscape in the centre of the village, is sufficient to ensure that the reader is aware that the area consists primarily of crofting land. No modification is proposed by the Council.

**Reporter’s conclusions:****Reporter’s recommendations:**

<b>Issue 26</b>	<b>OTHER ISSUES RAISED</b>	
<b>Development plan reference:</b>	Other issues raised	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mr David Doohan (980228)  Mrs Amelia Walker (931321)  Donald Mackay (981995)  Ms Elizabeth Mackay (983255)  Ms Amanda Robertson (983266)  Mr Bill Badger (967160)  Barbara L. Hiddleston (962464) on behalf of Dunnet and Canisbay Community Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	Other issues raised	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Mr David Doohan (980228), Mrs Amelia Walker (931321), Donald Mackay (981995), Ms Elizabeth Mackay (983255), Ms Amanda Robertson (983266)</u>  Questions why site numbers changed between the Main Issues Report and the Proposed Plan. This is not user friendly and has confused the general public. What has happened to the comments made on the MIR?</p> <p><u>Mrs Amelia Walker (931321), Donald Mackay (981995), Ms Amanda Robertson (983266)</u>  Minimal effort has been put into advertising and publicising. It was mentioned in the local paper, but it was very small and was hidden away within the paper rather than on the front page. The bare minimum is being done by the Council to allow the public to view and comment on the Plan. The website is difficult to navigate and only allowing responses to be made online is discriminating against those who do not own a computer or are not proficient at using one. The views of local residents are being ignored or disregarded. The public should be given more time and easier access to the process.</p> <p><u>Mr Bill Badger (967160)</u>  The policies of linking urban with rural and rural with rural are in the forefront of modern planning principles. Moves in this direction are to be applauded. They are surely the way ahead.</p> <p><u>Barbara L. Hiddleston (962464) on behalf of Dunnet and Canisbay Community Council</u>  Dunnet and Canisbay Community Council feel the area covered by CaSPlan is too large.</p> <p>Dunnet and Canisbay Community Council are disappointed that a public meeting was not held in the Community Council area.</p>		



**Modifications sought by those submitting representations:**

Mrs Amelia Walker (931321), Donald Mackay (981995), Ms Amanda Robertson (983266)  
Extend consultation period (assumed).

**Recommended summary of responses (including reasons) by planning authority:**

Comments on the Main Issues Report and on the Additional Sites and Issues Consultation were used to inform the Proposed Plan. The comments received and copies of the responses are all available on the Council's website. The link below is to the Planning, Development and Infrastructure Committee (4 November 2015). Item 8 appendix A provides all the comments and responses.

[http://www.highland.gov.uk/meetings/meeting/3587/planning\\_development\\_and\\_infrastructure\\_committee](http://www.highland.gov.uk/meetings/meeting/3587/planning_development_and_infrastructure_committee)

With reference to the comments about changing site reference numbers, within Appendix A there is also a table showing the site referencing as it evolved from Main Issues Report to Proposed Plan stage. This site referencing table was also included as a supporting document to the Proposed Plan consultation. This was included to ensure that people would not be confused about the change in site referencing.

A Statement of Publicity and Consultation was produced as a supporting document to the Proposed Plan and is available via the Council's consultation portal. It sets out how CaSPlan has been prepared in line with the consultation commitments the Council made in the Development Plan Scheme's Participation Statement. The Proposed Plan was on consultation for 8 weeks rather than the statutory 6 weeks. It was available to view on the Council's consultation portal and a paper copy was available to view in each public library and Council Service Point in the CaSPlan area. Public adverts were placed in the Northern Times and the John O'Groats Journal, it was publicised online through Facebook, Twitter and the Council's website. A series of press releases were also issued. Respondents to the Main Issues Report and Additional Sites and Issues consultations were directly notified and we wrote to everyone on our consultee database that has registered an interest in the CaSPlan area. We also notified everyone within 30 metres of an allocated site in the Plan, going beyond the minimum 20 metre Neighbour Notification requirement. We wrote to all Community Councils in the area asking them to help promote the consultation and to put the consultation on their meeting agendas. Planning Officers attended Community Council training events to promote the Proposed Plan consultation.

The consultation portal used for the Proposed Plan consultation is a new online consultation system. It provides an environment to interact with the plan and submit comments online. A user guide was available online which explained how to register and make comments and information leaflet was also produced. Everyone was encouraged to submit comments via the portal but anyone who was unable to submit comments this way was provided with an alternative method to submit comments. Members of the CaSPlan team provided assistance in viewing and commenting on the Plan in the consultation portal to customers who contacted us.

The Caithness and Sutherland Local Development Plan (CaSPlan) is the second of three area local development plans to be prepared by the Highland Council. Together with the

Highland-wide Local Development Plan and more detailed Supplementary Guidance, CaSPlan will form the Council's Development Plan against which planning decisions will be made in the Caithness and Sutherland area.

No modifications or additional consultation measures are proposed by the Council.

**Reporter's conclusions:**

**Reporter's recommendations:**

<b>Issue 27</b>	<b>ACTION PROGRAMME</b>	
<b>Development plan reference:</b>	Action Programme (separate document)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
SportsScotland (933432)		
<b>Provision of the development plan to which the issue relates:</b>	Action Programme (separate document)	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>SportsScotland (933432)</u>  SportsScotland is listed alongside the Council as a delivery partner (assumed to mean funder) in relation to the Dornoch Sports Centre, but has not had any discussion to date with the Council. Whilst SportsScotland is content to be listed as a potential source of funding and/or a potential partner with regard to providing design advice, it is not a committed funding partner and this should be clarified in the Action Programme. Content with the reference to SportsScotland at 3.4 Thurso – Upgrading of Thurso Pool.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><u>SportsScotland (933432)</u>  Clarify that SportsScotland is not a committed funding partner.</p>		
<b>Recommended summary of responses (including reasons) by planning authority:</b>		
<p>If the Reporter is so minded, the Council is content for the Action Programme to be amended so that it is clearly indicated that SportsScotland has not committed to providing funding for the Dornoch Sports Centre.</p>		
<b>Reporter's conclusions:</b>		
<b>Reporter's recommendations:</b>		