

HIGHLAND COUNCIL

Committee: Isle of Skye and Raasay Committee

Date: 5 March 2018

Report Title: West Highland and Islands Local Development Plan

Report By: Report by Director of Development and Infrastructure

1. Purpose/Executive Summary

- 1.1 This report presents the outcome of consultation on the proposed West Highland and Islands Local Development Plan and seeks agreement on the Council's finalised position to enable officers to submit the Plan to Scottish Ministers for Examination. **Appendix 1** contains the detail of this information.

2. Recommendations

2.1 Members are asked to:

- i. note the issues raised in representations received on the Proposed Plan as they relate to the Isle of Skye and Raasay Committee area and agree the recommended Council response to these issues as set out in **Appendix 1**;
- ii. authorise officers to undertake the statutory procedures required to progress the Plan to Examination including the submission of the **Appendix 1** to Scottish Ministers; and
- iii. authorise the Director of Development and Infrastructure, in consultation with the chairs of the local committees, to make non-material changes to **Appendix 1** prior to its submission to the Scottish Government.

3. Background

- 3.1 Members will recall that the West Highland and Islands Proposed Local Development Plan will become the area local development plan for determining planning applications and other development and investment decisions in the West Highland area. The Plan area comprises Wester Ross, Skye and Lochalsh, Lochaber and a small, mountainous part of Badenoch.
- 3.2 The three relevant local committees approved the West Highland and Islands Proposed Local Development Plan as the settled view of the Council at meetings in early 2017. The Plan was then issued for public consultation between May and June 2017.
- 3.3 Over 300 comments have been received from over 100 respondents. Around a third of these relate to Lochaber, a third to Skye and the final third concern Wester Ross, Lochalsh and general issues.
- 3.4 The purpose of this Committee item is now to agree the finalised Council position in order to allow the Plan to be submitted to Scottish Government for Examination along with any remaining unresolved issues raised in representations. The options for this Committee are set out in detail in paragraph 5.1 below.

4. Issues Raised In Comments Received

- 4.1 In August 2017, Committee Members were emailed with a webpage link to view the full version of all comments received. The comments have been available to view since then.
- 4.2 **General issues** (relevant to the Local Committee area)
 - *Vision* - various organisations requested greater recognition in the Plan's *Vision* for their respective interests: Gaelic language, culture and identity; protection of natural heritage; and renewable energy developments (in particular onshore wind developments). One organisation requested Council support for three new national parks that would overlap a large part of the Plan area.
 - *Settlement Hierarchy* - several respondents queried the Council's hierarchy, variously seeking no hierarchy, the down scaling of development potential at Sleat, and the inclusion of Waternish as a community plan settlement.
 - *Housing Requirements* - one respondent queried whether the figures took account of the expected employment led growth in Fort William, and the Scottish Government sought clarification of the Plan's housing figures particularly whether the windfall (development on unallocated sites) assumption was an underestimate.
 - *Economic Development Areas* - four respondents commented on the Ashaig Airstrip Economic Development Area, two of which were supportive, and SEPA requested better safeguards for flood risk, wetland and peatland issues. The other sought exclusion of a neighbouring property from the allocation boundary.
 - *Transport* - SSE sought greater recognition of its role in financing improvements and the Scottish Government sought greater Plan references to active travel and electric vehicle charging points.
 - *Environment* - one body sought a general policy to oppose any development on all peatland.

4.3 Isle of Skye and Raasay Settlements

- *Broadford* – attracted a mix of comments both in favour of and opposed to further development. The Co-op, Corry Estate, FEI, HIE and Gordon Macphie sought consolidation and expansion of development opportunities. Other neighbours sought a reduction in development potential and/or more specific safeguards. Other parties requested greater recognition for and protection of natural heritage and other interests and factual corrections.
- *Dunvegan* – RSPB sought greater Plan reference to green networks outwith the village and MacLeod Estate requested re-allocation of the former caravan and camping site for development.
- *Kyleakin* – only two comments were received, one sought greater safeguards as a neighbour of the site adjoining the playing field and the other from RSPB sought a more accurate reference to the legal protection afforded to the neighbouring nature conservation designation.
- *Portree* – attracted comments from 11 respondents that queried the route of and developer contributions towards the Portree link Road, the lack of car parking provision at Bayfield, the impact of a road around the Lump, the loss of greenspace and other natural heritage at Home Farm, the loss of croft land at Kiltaraglen and Achachork, the loss of peatland and wetland at Kiltaraglen, Achachork, Struan Road and the Auction Mart, and the proposed community use close to the shinty pitch.
- *Sleat* – attracted the most comments of any Skye settlement. The vast majority opposed development most notably at Teangue where loss of productive agricultural land was cited as the primary ground of objection. Those respondents that suggested an alternative location for development supported existing allocations at Armadale and Kilbeg plus affordable housing in the outlying townships, on community owned land outwith any settlement and/or a continuation of single house developments within all crofting townships. Otherwise the comments sought minor amendments to site allocations and their listed developer requirements.
- *Staffin* – raised opinions from three respondents. The Crofting Commission expressed a clear preference for future development to take place on the common grazings allocated site (west of the primary school) not on those allocations including in bye land. Scottish Natural Heritage (SNH) requested the opposite for visual and landscape impact reasons. A local resident queried whether any affordable housing development in the village would meet its objectives.
- *Uig* – only attracted one comment from SEPA which requested a flood risk safeguard for the allocation north of Earlish.
- *Other Settlements* – comments were also received from Diageo requesting greater Plan support for the consolidation of the distillery at Carbost, from Mountaineering Scotland opposing any expansion of wind farm activity near Edinbane, from SNH and RSPB seeking clearer and more accurate referencing of natural heritage interests at Glendale and Inverarish, and from Glendale Community Council opposing any reference to development at Lephin.

5. Recommended Council Position

5.1 Many parts of the Plan are resolved in that they are not subject to outstanding representations. However, the Council must decide how to proceed with unresolved matters, i.e. issues raised in representations that remain unresolved. There are three options available to the Council:

- (i) pass the Plan to Scottish Ministers as previously approved by committee but to

indicate within the **Appendix 1** schedules on which issues and sites the Council will be amenable to the Reporter making changes and to specify what those changes could be;

- (ii) accept that significant changes (such as a deletion of a development site) are needed in light of comments received and re-issue the Plan for another round of public consultation with these 'modifications' highlighted; and
- (iii) accept that fundamental changes to the Plan's strategy are needed (such as there being a significant under or over provision of housing or employment land) which necessitate the whole or a large part of the Plan being redrafted and re-issue a new Proposed Plan for a round of public consultation.

5.2 **It is recommended that the Council proceed as described in option 5.1(i) above as there is no convincing planning justification to divert from the Council's settled view agreed by Members at committee in early 2017.** For example, many of the objectors to development sites have repeated the same grounds they expressed in response to the Plan's Main Issues Report and these concerns have already been considered by committee.

5.3 Option (ii) would cause a Plan process delay of 6-8 months and option (iii) a delay of 12 months. Both of these options would also incur additional Plan production and publicity costs.

5.4 Option (i) still allows for a degree of adjustment of the Council's position. **Appendix 1** contains several sites and issues where officers have endorsed possible Plan amendments for the Reporter's consideration and decision. Members should also be reassured that all comments are passed to the Reporter whether the Council agrees with them or not so everyone's concerns are given independent consideration.

5.5 **General issues**

- *Vision* – **Appendix 1** suggests to the Committee / Reporter a series of minor adjustments to the Plan's Vision but no significant change of direction because the Plan should be as concise as possible and not overly representative of any particular agenda, issue or sectoral interest. The decision on the designation of new national parks rests with Scottish Ministers and there is enough doubt about their effect on the social and economic prosperity of an area to not justify a statement of positive support within the Plan.
- *Settlement Hierarchy* – all councils are required by statute to formulate a spatial strategy for their area and a do-nothing approach would be likely to increase the fragility of the remoter areas of Highland and "overheat" the more popular locations in terms of infrastructure network capacity. Sleat is an area of high development pressure which should be managed and has a range of employment and other facilities that can accommodate growth. It should therefore be retained as a Main Settlement within the hierarchy. The Waternish community has yet to formulate its community plan in detail and the new Planning Act will provide a more timeous opportunity to do so.
- *Housing Requirements* – the comments received do not justify any significant change in the Plan's overall housing requirements and land supply. There is sufficient allocated land within Fort William to accommodate the expected pace of employment led growth in the short to medium term and the Scottish Government significantly underestimates the contribution that single house developments make to the overall housing land supply within West Highland.
- *Economic Development Areas* – minor adjustments to the Ashaig Airstrip developer requirements are recommended to reflect SEPA's concerns but the neighbour's site boundary reduction request is not because it would undermine the

principle of a future runway extension should that be needed.

- *Transport* – the additional references sought by SSE and Scottish Government are not appropriate content for an area local development plan.
- *Environment* – an embargo for any development on peatland would rule out several Plan allocations that are the most suitable locations for development in terms of other planning site selection criteria.

5.6 Isle of Skye and Raasay Settlements

- *Broadford* – **Appendix 1** details a series of minor adjustments to the Plan's content suggested to both the Committee and Reporter. These include better referencing of environmental constraints, minor expansion of allocation boundaries and diversification of the acceptable mix of land uses at Corry Estate, Riverbank and Broadford Industrial Estate, plus a specific safeguarding of access rights at the existing hospital site. The Co-op's request for the Plan to consolidate its pre-eminent position in Broadford is rejected as inappropriate.
- *Dunvegan* – one minor adjustment to better reference green networks is recommended but the request to re-allocate the former camping and caravan site is not supported given its size and location.
- *Kyleakin* - one minor adjustment to better reference the adjoining nature conservation designation is recommended but the detailed design issue raised by a neighbour of the development site adjoining the playing field is best dealt with through the pending planning application process.
- *Portree* – no change is recommended to the Portree Link Road alignment which is long established via completion of previous phases and tested through two previous development plan processes. Its funding is likely to come through a mix of Council and developer monies but this should be left flexible given the current uncertainty in terms of development industry and Council finances. SNH opposition to the longer term possibility of a road around the Lump is rejected given the previous community and Member recognition of the benefits of such a scheme and the opportunity to mitigate its negative impacts. Minor adjustments are suggested in terms of bat interests at Home Farm, the need for more car parking at Bayfield and recognition of peatland and wetland issues at Kiltaraglen, Achachork, Struan Road and the Auction Mart . Concerns raised in other comments are already addressed by the existing Plan wording or are overstated.
- *Sleat* – the housing site at Teangue that engendered the most opposition is suggested for removal from the Plan because the owner has indicated in writing that it is no longer available for development. No new development sites are recommended given that respondents have not been specific on where building should go and/or the suggested alternatives are unsuitable in planning terms. Otherwise, some minor adjustments to the developer requirements of sites are recommended largely to offer clarification.
- *Staffin* – only one minor adjustment is recommended to accept that the degree of use of a croft should not be a specific criterion of Council planning policy. Otherwise, it is proposed to reject the conflicting opinions of the Crofting Commission and SNH and retain the existing allocations as a reasonable balance of the community's aspirations for more development, minimising the loss on in-bye croft land, and landscape considerations.
- *Uig* – SEPA's requested reference to flood risk at the allocation north of Earlish is endorsed.
- *Other Settlements* – better referencing of environmental constraints is commended for Glendale and Inverarish, but the existing Plan wording is considered sufficient in terms of support for the distillery at Carbost. The Plan does not contain policy in respect of onshore wind farm development and the community council's opposition

to development at Lephin, Glendale is in contrast to the community trust that proposed the site at the start of the Plan process. The Plan's support for development at Lephin is general not specific and the community council's opposition is not evidenced. Accordingly, no adjustment is recommended.

6. Next Steps

- 6.1 When all three local committees approve their respective elements of the Plan, it is intended to submit the Plan, the schedules in **Appendix 1** and other related material to the Scottish Government. Soon after, at least one reporter would be appointed to consider the issues raised in representations; the Directorate for Planning and Environmental Appeals then has a target timescale of 6-9 months to complete the Examination process, at the end of which the Reporter's Report is published containing binding recommendations on how the Plan should be changed prior to its final adoption by full Council decision. If one or more of the local committees resolve to proceed in the way described in paragraph 5.1(ii) or (iii) then the process will be longer (as described in paragraph 5.2).

7. Implications

- 7.1 **Resource:** Resources to complete statutory processes for the Plan are allowed for within the service budget.
- 7.2 **Legal:** the Plan could be subject to legal challenge but due process has been and will be followed in completing the procedures to adoption and therefore the Council will have a defensible position in the event of any challenge.
- 7.3 **Community (Equality, Poverty and Rural):** An Equalities Impact Assessment (EqIA) screening report has been undertaken and placed on the Council's website and found that a full EqIA is not required. The vast majority of the Plan area is rural and therefore there will be no bias or other implications in respect of this issue. Poverty issues are addressed by the Plan's support for employment, district heating and affordable housing opportunities, and improved accessibility to facilities via free or cheaper travel modes.
- 7.4 **Climate Change / Carbon Clever:** The Plan has been subject to several rounds of environmental assessment including Habitats Regulations Appraisal (HRA) and Strategic Environmental Assessment (SEA) informed through consultation with Scottish Natural Heritage and other consultation authorities. Suitable mitigation text has been incorporated into the wording of the Plan. This requires developers to undertake further environmental and other assessment work.
- 7.5 **Risk:** There are no known significant risks associated with the Plan.
- 7.6 **Gaelic:** the Plan contains headings and a foreword in Gaelic.

Designation: Director of Development and Infrastructure

Date: 22 February 2018

Authors: Scott Dalgarno, Tim Stott, Douglas Chisholm - Development Plans

Background Papers:

1. West Highland and Islands Proposed Local Development Plan: May 2017
2. Lochaber Committee Minutes: 18 January 2017
3. Isle of Skye and Raasay Committee Minutes: 27 February 2017
4. Ross and Cromarty Committee Minutes: 12 January 2017
5. Full version of comments via the Council's consultation portal:
<http://consult.highland.gov.uk/portal/westplanpp?pointId=4160778>

The above documents are available via: www.highland.gov.uk

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| Issue 1 | VISION & SPATIAL STRATEGY | |
| Development plan reference: | Headline Outcomes, Vision & Strategy, Pages 6-9 | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <p>Argyll and Bute Council (1104961) Bord na Gaidhlig (1105087) Charles Chisholm (967723) Gwyn Moses (997166) Mountaineering Scotland (964649) RSPB (1104965) Scottish National Parks Strategy Project (930044) Scottish Natural Heritage (909933) SSE Renewables (1104522) Susan Johnston (1104731)</p> | | |
| Provision of the development plan to which the issue relates: | Headline Outcomes, Vision and Spatial Strategy Map, Fort William Hinterland | |
| Planning authority's summary of the representation(s): | | |
| <p>Headline Outcomes / Vision <u>Argyll and Bute Council (1104961)</u> General, no objection, support for whole Plan.</p> <p><u>Bord na Gaidhlig (1105087)</u> Growing Communities – wants more Plan focus on sustaining rural communities especially in terms of housing availability and employment/economic opportunities because this is where many Gaelic speakers reside. Employment - requests specific reference to Ar Stòras Gàidhlig because it evidences the economic, social and educational value of Gaelic. Connectivity and Transport – wants recognition that the growth in community owned assets has demonstrably increased community capacity with a crossover benefit in terms of the growth of Gaelic language and culture. Environment and Heritage – wants more emphasis on cultural (Gaelic) as well as natural heritage</p> <p><u>Charles Chisholm (967723)</u> Believes that South Ballachulish site BH02 will contribute to the delivery of the Plan's Vision.</p> <p><u>Mountaineering Scotland (964649)</u> Supports priority to “safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.”</p> <p><u>RSPB (1104965)</u> Environment and Heritage – seeks a Plan wording that will offer a greater degree of protection of natural heritage because this will be clearer and more consistent with Scottish Planning Policy Outcome 3 (below paragraph 19). Also suggests that the first bullet point</p> | | |

about sustainable travel is more suited to the "Connectivity and Transport" outcome than Environment and Heritage.

Scottish National Parks Strategy Project (930044)

Requests that the Plan should endorse and promote the principle and benefits of designating more National Parks because national parks: are an issue of national importance; help achieve the Environment and Heritage outcomes; would be a great, cost effective success; inspire pride and passion amongst local people and visitors; provide a wide range of environmental, social and economic benefits to local residents, visitors and Scotland as a whole; bring additional resources to places which deserve it; strengthen Scotland's international standing for environmental protection and support our crucial tourism industry; have substantial national and local public support; generate a high profile; support the active management as well as the protection of an area; encourage integrated planning and management by all public bodies; invest additional national resources in helping both residents and visitors to enjoy the landscape whilst conserving it for future generations; and, have substantial political support (four of the five political parties represented in the Scottish Parliament support the designation of more National Parks). Believes 3 areas meet the criteria for national parks: Wester Ross; Ben Nevis/Glen Coe/Black Mount; and, a Coastal and Marine National Park centred on Mull, but possibly also including the Small Isles or Ardnamurchan.

Scottish Natural Heritage (909933)

Seeks stronger Plan wording in the Environment and Heritage section of the Vision to better recognise the value and importance that nature and landscapes have to play in contributing to all of the Proposed Plan objectives and the creation of successful communities.

SSE Renewables (1104522)

Seeks greater Plan recognition of the opportunities for renewable energy developments of all forms on land where appropriate because: SSE is the UK's leading generator of electricity from renewable sources and operates the UK's most diverse portfolio of renewable generation; the Scottish Government recently outlined an ambitious new target for reducing greenhouse gas emissions by 66% by 2032, alongside a fully-decarbonised electricity sector; renewable energy is one of the best tools to combat the urgent environment threat posed by climate change; more weighting should be given within planning to the wider economic and social benefits of development. Seeks greater Plan support for onshore wind development in particular because: it delivers a number of secondary, yet direct benefits to the communities and regions in which they are located, including job creation, skills training opportunities, community volunteering, road and other infrastructure improvements and local supply chain opportunities; SSE is the leading developer and operator of renewable energy in the UK and during the 2015/16 financial year, contributed an estimated £1.6bn to the Scottish economy, supporting around 17,300 jobs in Scotland; SSE has been building and operating renewable energy developments in the Highlands for nearly 70 years and is a proud and longstanding part of the Highland business community; the renewables industry is a significant employer, investor, land user and contributor to the local economy within the Highlands area providing meaningful socio economic opportunity in rural communities; it will safeguard existing and encourage further investment; this will better align with Scottish Planning Policy and National Planning Framework 3 (quotes parts of NPF3 and SPP that are supportive of renewables developments); and SSE has supported over 5,000 community projects through community benefit funds, to the value of almost £20million and is currently exploring community

ownership options and this will support the Plan's objective of building community empowerment.

Vision & Spatial Strategy Map

Charles Chisholm (967723)

Supports the inclusion of South Ballachulish as a Main Settlement on the Map and considers that site BH02 will help to reinforce this status.

SSE Renewables (1104522)

Seeks greater clarity regarding how much weight will be attached to 'community or neighbourhood plans'. Believes the Plan should be explicit in this respect so as to avoid any ambiguity. Also seeks confirmation that the areas defined as 'fragile' in the Proposed Plan are only labelled as such because of their 'relatively poor accessibility to services, facilities and employment opportunities' again to avoid any ambiguity.

Fort William Hinterland

Gwyn Moses (997166)

Seeks reasoning for western extent of Fort William Hinterland boundary. Concerned that the boundary does not follow a precise geographic feature.

SSE Renewables (1104522)

Requests a positive policy in respect of onshore wind proposals because: Scotland has some of the best conditions in Europe and substantial average wind speeds; onshore wind continues to be the cheapest, low carbon form of generation that can be built; it can be deployed quickly, and it has the potential to support an indigenous supply chain along with wider socio-economic benefits; and it would be in the best interest of customers, and for Scottish Government economic ambitions, for onshore wind development, including repowering and life extensions, to be supported in order to meet decarbonisation targets and deliver economic benefits on a local, regional and national level.

Susan Johnston (1104731)

Believes all communities should be allowed to grow organically rather than a Council trying to direct growth to particular settlements. Believes that planned communities don't work.

Modifications sought by those submitting representations:

Headline Outcomes / Vision

Argyll and Bute Council (1104961)

None.

Bord na Gaidhlig (1105087)

Additional Plan references to Gaelic language and heritage and a general duty on the Council and developers to have regard to Gaelic in planning matters including how development proposals can support Gaelic language and heritage. Specifically, wants: more Plan focus on sustaining rural communities especially in terms of housing availability and employment/economic opportunities; reference to document Ar Stòras Gàidhlig; and, Plan recognition that the growth in community owned assets has demonstrably increased community capacity with a crossover benefit in terms of the growth of Gaelic language and culture.

Charles Chisholm (967723)

None.

Mountaineering Scotland (964649)

Additional and specific Plan outcome to “safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities” (assumed).

RSPB (1104965)

That in the second “Environment and Heritage” outcome, “respectful of heritage resources” is replaced by “protects and enhances natural and cultural assets”.

That the first bullet point about sustainable travel be moved from the “Environment and Heritage” outcome to the “Connectivity and Transport” outcome.

Scottish National Parks Strategy Project (930044)

Additional Plan content to endorse and promote the principle and benefits of designating more National Parks in general and specifically for Wester Ross; Ben Nevis/Glen Coe/Black Mount; and, a Coastal and Marine National Park centred on Mull, but possibly also including the Small Isles or Ardnamurchan.

Scottish Natural Heritage (909933)

That the following wording to be inserted into the Environment and Heritage section of the Vision (Table 1 in the proposed Plan):

“High quality places where the outstanding environment and natural, built and cultural heritage is celebrated and valued assets are safeguarded.”

SSE Renewables (1104522)

Additional and stronger Plan references to the opportunities for all forms of renewable energy developments across the Plan area and greater Plan support for onshore wind development in particular (assumed).

Vision & Spatial Strategy Map

Charles Chisholm (967723)

None.

SSE Renewables (1104522)

Explicit clarification of what decision making weight the Council will attach to any community plan. Confirmation that the areas defined as ‘fragile’ are only labelled as such because of their ‘relatively poor accessibility to services, facilities and employment opportunities’.

Fort William Hinterland

Gwyn Moses (997166)

Additional Plan text to clarify why the Fort William Hinterland boundary doesn’t follow clear physical feature boundaries (assumed).

SSE Renewables (1104522)

Requests a positive policy in respect of onshore wind proposals within the Hinterland (assumed).

Susan Johnston (1104731)

A revised spatial strategy with no settlement hierarchy (assumed).

Summary of responses (including reasons) by planning authority:

Headline Outcomes / Vision

Argyll and Bute Council (1104961)

Support noted.

Bord na Gaidhlig (1105087)

The Highland Council has an established track record of developing and implementing policies to promote Gaelic language and culture but chooses to do this corporately (via publication and implementation of a Gaelic Language Plan) rather than via its development plan. As the respondent points out, Gaelic should be promoted across all aspects of Highland life. It is therefore more sensible to achieve this aim via a document with a wider remit than just land use planning. The Gaelic Language Plan does contain Council commitments with implications for planning policy and practice. For example, it includes a commitment to increase the visibility of Gaelic in retail, commercial development and small business signage at the formal planning stage. The Council's development plan for the wider Highland area (the Highland wide Local Development Plan) would be a better location for any general planning policy on this issue. It is scheduled to continue its review during 2018/19 and the respondent could raise the matter again at that stage. Another possible avenue would be to suggest that the Council's Supplementary Guidance on Public Art be reviewed to incorporate a developer requirement that public art provision could include art that contributes or is relevant to Gaelic language and culture. The Plan's Outcomes and Spatial Strategy are written to be concise and not overly representative of any particular agenda, issue or sectoral interest and therefore a fundamental re-write in favour of Gaelic interests would not be appropriate. However, if the Committee / Reporter is minded to agree then one addition would provide a greater but not disproportionate reference to Gaelic interests. A reference to the document *Ar Stòras Gàidhlig* could be made in the 5th bullet point of paragraph 1.41 which highlights the economic potential of Gaelic culture and heritage.

Charles Chisholm (967723)

Support noted.

Mountaineering Scotland (964649)

Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan including the Outcomes. The wording it has used is similar or identical to that used by the Council in referencing landscape as an issue in settlement Placemaking Priority text. The Council has been selective by only using this wording where it is a particular issue for that locality – e.g. where there is at least one landscape designation and a potential tension with development proposals supported within the Plan. The Plan's Outcomes and Spatial Strategy are written to be concise and not overly representative of any particular agenda, issue or sectoral interest and therefore the suggested addition would not be appropriate. The Council's wider approach to landscape issues is explained in section 1.4 of the Plan and the Council believes this offers adequate coverage of these issues.

RSPB (1104965)

The Plan's Outcomes and Spatial Strategy are written to be concise and not overly representative of any particular agenda, issue or sectoral interest and therefore the suggested wording would not be appropriate. However, the additional text suggested by Scottish Natural Heritage below is more measured and with a minor amendment will not be prejudicial to other interests. If the Committee / Reporter is minded to agree then the following text could be added as a fourth bullet point within the Environment and Heritage Headline Outcome, "High quality places predominate where the outstanding environment and natural, built and cultural heritage is celebrated and valued assets are safeguarded." Promoting more sustainable travel will help achieve both of the "Environment and Heritage" and "Connectivity and Transport" outcomes. On balance, the Council believes it will do marginally more for climate change than for connectivity. For example, modal shift to active travel will reduce emissions but will not necessarily be faster for the user.

Scottish National Parks Strategy Project (930044)

The decision whether to propose designation of a part of the Highland Council area as an additional National Park rests with Scottish Ministers under the National Parks (Scotland) Act 2000. Therefore any Plan support for additional National Parks would be a lobbying statement or recommendation to government rather than a policy. The Council believes that the two existing National Parks have afforded a greater degree of environmental protection and tourism promotion than would have otherwise occurred without the designations and corresponding authorities. However, it also appears that within the Highland Council area that the Cairngorms National Park has reduced or displaced population, household and economic growth. For example, some housing demand has been deflected from Badenoch and Strathspey to Inverness. Designation of the three suggested areas would be likely to achieve these same outcomes. Although there would be some sustainability and cost effective public service provision benefits of redirecting population and housing growth to the largest west coast settlements and to the Inner Moray Firth, the Council also recognises that the designations would be likely to reduce the normally resident population of some of the most remote and economically and socially fragile parts of the Plan area. More arguably, National Park designations also tend to increase house prices at a higher rate than would otherwise occur. Wester Ross already suffers from affordability issues in terms of average house prices compared to average local incomes. In short, the Council believes that the benefits of further designations do not demonstrably and sufficiently outweigh their likely adverse effects. Therefore the Council does not believe that the Plan should contain a positive, lobbying statement on this issue.

Scottish Natural Heritage (909933)

The Plan's Outcomes and Spatial Strategy are written to be concise and not overly representative of any particular agenda, issue or sectoral interest. However, the text suggested by Scottish Natural Heritage is measured and with a minor amendment will not be prejudicial to other interests. If the Committee / Reporter is minded to agree then the following text could be added as a fourth bullet point within the Environment and Heritage Headline Outcome, "High quality places predominate where the outstanding environment and natural, built and cultural heritage is celebrated and valued assets are safeguarded."

SSE Renewables (1104522)

The Highland Council recognises the importance of renewable energy developments to Highland and has a comprehensive suite of policy guidance on this issue. The Council's Highland wide Local Development Plan and related Supplementary Guidance provide adequate policy coverage. Any amendment to the policy presumption for or against

renewable energy development would most appropriately be addressed across Highland as a whole, through the review of the Highland wide Local Development Plan. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Vision & Spatial Strategy Map

Charles Chisholm (967723)

Support noted.

SSE Renewables (1104522)

Paragraphs 1.18 and 1.19 of the Plan explain the Highland Council's intentions in respect of the status of community plans within the Plan area. Ultimately, they are intended as statutory Supplementary Guidance to the West Highland and Islands Local Development Plan. However, to achieve this status the community must ensure that its plan addresses the issues and Placemaking Priorities outlined in the Council's Plan. Moreover the community must evidence to the Council that it is carried out inclusive and effective public consultation on its draft plan and responded appropriately to comments made before asking the Council to adopt the plan as interim Supplementary Guidance. This adoption as Council approved guidance is made by the appropriate area committee of the Highland Council. Following adoption of the West Highland and Islands Local Development Plan all related community plans will be collated and submitted to Scottish Ministers for clearance for final adoption as statutory Supplementary Guidance. The Highland Council assists with / undertakes the environmental assessment / appraisal processes associated with the production and adoption of the guidance. As the new Planning Bill and its secondary legislation progresses through parliament then new procedures will come into effect. Paragraph 1.9 states that the areas defined as 'fragile' are labelled as such because of their 'relatively poor accessibility to services, facilities and employment opportunities'. For the avoidance of doubt, these areas are not based on environmental sensitivity / fragility. They are based on data including population loss, drive time to higher order facilities, median household income and unemployment rate. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Fort William Hinterland

Gwyn Moses (997166)

The Fort William Hinterland like others within the Highland Council area was first formulated in the 1990s and embodied within the Highland Structure Plan in 2001. The intention of the policy that accompanies the boundary and area is to control the adverse service network, water environment and landscape capacity effects of unrestricted housing demand close to Highland's major work centres. Similar to green belt policy, some control of commuter led housing demand is promoted within the Hinterland open countryside. The original (2001) hinterland areas were very simple, fixed distance radii shapes measured from the centre of each work centre. Since that time each Hinterland shape has evolved and been fine tuned through each subsequent local plan or local development plan review. That fine tuning has included some clipping of the boundary to specific geographic features but only where requested. More fundamental amendments were made to better reflect drive times to the work centre. The respondent's particular concern relates to the Hinterland edge near Kinlocheil. Council document [*] demonstrates that this particular edge of the Hinterland does follow the fence line of the property Kinloch House. If the Committee / Reporter is minded to agree then a further fine tuning of the boundary at this location may be appropriate. The Reporter may wish to ask the respondent to provide further, mapped

information on the changes requested.

SSE Renewables (1104522)

The Council offers the same answer (above) to the respondent's representation on the Plan's Headline Outcomes / Vision section. The Council's Hinterland policy relates solely to housing development. If it has any relevance then one purpose of the Hinterland is to ration the limited landscape capacity of the open countryside around major work centres to favour development with a land management or similar justification. On shore wind energy development in general has no locational imperative to be within the Hinterland. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Susan Johnston (1104731)

National legislation and planning policy requires local planning authorities to produce local development plans that "direct the right development to the right place." A plan must contain a spatial strategy and individual planning decisions should be plan-led. Therefore a council cannot produce a "do-nothing" plan of allowing every community to grow organically without any attempt at direction of development. Moreover, the absence of any direction would lead to some popular areas becoming over developed and other areas undeveloped. Public and private investment in infrastructure and community facility networks would be less efficient. New towns and communities have a long tradition in Scotland and the wider world and once established and mature they can offer high quality places to live and work. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Reporter's conclusions:

Reporter's recommendations:

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| Issue 2 | SETTLEMENT HIERARCHY & HOUSING REQUIREMENTS | |
| Development plan reference: | Growing Communities section, Pages 10-18 | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <p>Ballachulish Community Council (969774) Charles Chisholm (967723) Duror and Kentallen Community Council (1105221) Glencoe & Glen Etive Community Council (997398) Gwyn Moses (997166) Kinlochleven Community Council (1105214) Nether Lochaber Community Council (968651) Scottish Government (1101467) RSPB (1104965) SSE Renewables (1104522) Susan Johnston (1104731) Waternish Community Council (1103457)</p> | | |
| Provision of the development plan to which the issue relates: | Growing Communities Sub Outcome, Settlement Hierarchy, Housing Requirements, Policy 1 Town Centre First, Policy 2 Delivering Development, Policy 3 Growing Settlements | |
| Planning authority's summary of the representation(s): | | |
| <p>Proposed Settlement Hierarchy <u>Ballachulish Community Council (969774), Duror and Kentallen Community Council (1105221), Glencoe & Glen Etive Community Council (997398), Kinlochleven Community Council (1105214), Nether Lochaber Community Council (968651)</u></p> <p>Record concerns about sewerage provision and capacity in the Loch Leven communities. In particular, believe North Ballachulish waste water treatment plant is either at full capacity, very close to it, or slightly over capacity. Dispute Scottish Water's figure for the extant capacity of the plant because: it does take account of tourism development committed by planning permission; sewage is tankered out for treatment elsewhere and therefore the figure is misleading as well as adding unnecessary HGV movements to the local and trunk road networks; and, it differs from the figure of 50 housing units quoted by Highland Council. Believe that because of this sewerage capacity constraint that the Plan should be explicit in supporting future development of a scale of 5 houses or more only if that development incorporates modern, on-site wastewater treatment facilities such as UV processing, or a 'Microbac Reactor', and greywater management as integral parts of the planning application and development construction. Believe that the North Ballachulish waste water treatment plant should not be expanded because it would: have an adverse impact on the National Scenic Area; not be cost effective; and, not be feasible given its proximity to the coastline, the A82, a scheduled ancient monument and privately owned grazing land. Believe that any spare capacity at North Ballachulish should be reserved for the Inchree area where current and committed development is serviced via private septic</p> | | |

tank / soakaway arrangements. This development should be connected to North Ballachulish via a new public sewer.

Charles Chisholm (967723)

Supports inclusion of South Ballachulish as a Main Settlement within the Proposed Settlement Hierarchy and considers that site BH02 will help to reinforce this status.

SSE Renewables (1104522)

Request Plan clarification as to status of community plans.

Waternish Community Council (1103457)

Requests that Waternish is added to the list of potential community plan settlements because: some preparatory work already undertaken by community; the plan will reflect community wide comments, observations and concerns and can make Waternish an even better place to live and work; sound research and robust engagement has already been undertaken; and, of the desire for the community to produce a document that will be a material consideration in any development decisions. Suggests that the priorities and issues are: Infrastructure - roads, broadband; Tourism - positive and negative aspects; Affordable Housing - local and your people; and, Local Businesses and Crofting - need to support and encourage small scale business growth and the continuation of crofting.

Housing Land Requirements

Charles Chisholm (967723)

States that site BH02 can make a meaningful contribution to meeting the Plan's housing land requirement for Lochaber.

Gwyn Moses (997166)

Seeks clarification whether the housing numbers within the table include housing for people in Lochaber if plans for expansion of the smelter occur as planned and if so asks where the houses for potentially 900 workers and others are likely to be located.

Susan Johnston (1104731)

Believes that the Plan should not support any further development on croft land (other than that already committed through decrofting applications and/or planning permissions) because: crofting is essential to the identity and prosperity of communities; that development will make the crofting way of life unsustainable; and, the crofting landscape and its contribution to cultural identity is important for tourism (assumed).

Scottish Government (1101467)

Seeks further clarification of the methodology used to produce the published housing land requirements because: a full explanation is required by Scottish Planning Policy and the requirements set out in the Plan are potentially contradictory with those set out in the approved Highland wide Local Development Plan and Housing Need and Demand Assessment. Queries whether and how the Plan can maintain a 5-year land supply if the high rate of assumed windfall development doesn't materialise. Suggests that an annual windfall monitoring commitment should be made and mitigation put in place to comply with Scottish Planning Policy. Seeks a table that demonstrates that the sites allocated for housing add up to the 2,292 figure set out in paragraph 1.24 of the Plan to ensure compliance with Scottish Planning Policy. Seeks a statement on how the Plan will deliver on affordable housing targets as this is required by other Highland and national planning

policy.

SSE Renewables (1104522)

Seeks a more positive Plan approach to the delivery of affordable housing especially for young people because this can affect major employer's ability to attract and retain local young people in employment in remote regions.

Policy 2: Delivering Development

Charles Chisholm (967723)

Believes that site BH02 is deliverable provided that specific developer requirement changes are made (detailed within the North Ballachulish, Glenachulish and South Ballachulish Schedule 4)

Policy 3: Growing Settlements

RSPB (1104965)

Requests that in the last criterion of Policy 3, "locally important heritage feature" is replaced by "locally important natural or cultural heritage feature" to make it clearer that natural and cultural assets are covered by this criterion.

Modifications sought by those submitting representations:

Proposed Settlement Hierarchy

Ballachulish Community Council (969774), Duror and Kentallen Community

Council (1105221), Glencoe & Glen Etive Community Council (997398),

Kinlochleven Community Council (1105214), Nether Lochaber Community Council (968651)

That the Plan, within the combined, listed community council areas, should be explicit in supporting future development of a scale of 5 houses or more only if that development incorporates modern, on-site wastewater treatment facilities such as UV processing, or a 'Microbac Reactor', and greywater management as integral parts of the planning application and development construction. A Plan statement to presume against any expansion of the North Ballachulish waste water treatment plant with any spare capacity reserved for the Inchree area where current and committed development are serviced via private septic tank / soakaway arrangements and a commitment to lobby Scottish Water to connect this area to the North Ballachulish plant via a new public sewer (assumed).

Charles Chisholm (967723)

None.

SSE Renewables (1104522)

Clarification as to the decision making status the Council will afford to community plans.

Waternish Community Council (1103457)

Waternish added to the Plan as a potential community plan settlement with the supplied list of issues and priorities.

Housing Land Requirements

Charles Chisholm (967723)

None.

Gwyn Moses (997166)

Plan clarification whether or not the housing numbers within Table 3 include the additional 900 unit demand related to the smelter expansion and where this demand will be accommodated.

Susan Johnston (1104731)

A Plan policy that presumes against any further development on croft land (other than that already committed through decrofting applications and/or planning permissions) (assumed).

Scottish Government (1101467)

Requests: additional clarification of the methodology used to produce the housing land requirements; an annual windfall monitoring commitment and mitigation to resolve under supply if necessary; a table that demonstrates that the sites allocated for housing add up to the 2,292 figure set out in paragraph 1.24 of the Plan; and, a statement on how the Plan will deliver on affordable housing targets.

SSE Renewables (1104522)

Additional policies and proposals seeking to improve access to affordable housing for people in the Highlands, especially young people.

Policy 2: Delivering Development

Charles Chisholm (967723)

None, provided that site-specific developer requirement changes are made (detailed within the North Ballachulish, Glenachulish and South Ballachulish Schedule 4)

Policy 3: Growing Settlements

RSPB (1104965)

Replacement of the last criterion of Policy 3, "locally important heritage feature" by "locally important natural or cultural heritage feature".

Summary of responses (including reasons) by planning authority:

Proposed Settlement Hierarchy

Ballachulish Community Council (969774), Duror and Kentallen Community

Council (1105221), Glencoe & Glen Etive Community Council (997398),

Kinlochleven Community Council (1105214), Nether Lochaber Community Council (968651)

The Council accepts (referenced in paragraph 2.20) that the Loch Leven communities have limited public sewerage capacity and this acts as a constraint on the scale of future development that the Plan can support. Therefore, the Plan allocates very few housing sites within the "sewered area" catchment of the North Ballachulish waste water treatment plant. The Council also agrees that development not connected to the public sewer should have adequate private treatment facilities in place in order to protect the wider water environment. Policy 65 of the Highland wide Local Development Plan, Waste Water Treatment provides adequate Highland planning policy coverage of this issue. The Plan does not allocate land for the expansion of the North Ballachulish plant and therefore offers no positive support for such an expansion. However, public sewerage capital programme investment decisions are made by Scottish Water and not by the Council. Similarly, the judgment on the technical acceptability or otherwise of a larger scale, private drainage arrangement in terms of the quality of its water discharge is a matter for the Scottish

Environment Protection Agency. This judgment about the level of treatment required varies with the specifics of the development and site conditions. Moreover, this level of treatment can be achieved via a variety of waste management systems and therefore SEPA does not prescribe a generic system for all sites. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue. **Insert Scottish Water response.**

Charles Chisholm (967723)

Comment noted.

SSE Renewables (1104522)

Paragraphs 1.18 and 1.19 of the Plan explain the Highland Council's intentions in respect of the status of community plans within the Plan area. Ultimately, they are intended as statutory Supplementary Guidance to the West Highland and Islands Local Development Plan. However, to achieve this status the community must ensure that its plan addresses the issues and placemaking priorities outlined in the Council's Plan. Moreover the community must evidence to the Council that it is carried out inclusive and effective public consultation on its draft plan and responded appropriately to comments made before asking the Council to adopt the plan as interim Supplementary Guidance. This adoption as Council approved guidance is made by the appropriate area committee of the Highland Council. Following adoption of the West Highland and Islands Local Development Plan all related community plans will be collated and submitted to Scottish Ministers for clearance for final adoption as statutory Supplementary Guidance. The Highland Council assists with / undertakes the environmental assessment / appraisal processes associated with the production and adoption of the guidance. As the new Planning Bill and its secondary legislation progresses through parliament then new procedures will come into effect. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Waternish Community Council (1103457)

Paragraph 1.18 of the Plan explains that the Council will support communities in preparing their own plans where they have positive land use change ideas. The Council has politely declined requests from communities who have worthwhile community development ideas but ones that don't have direct land use implications – e.g. training programmes for young local unemployed people. Similarly, communities wishing to promote a more restrictive approach to development than the Council's general policies within the approved Highland wide Local Development Plan would allow have not been offered any encouragement. Unfortunately, Waternish Community Council's request and justification for a community plan is very nebulous. It is unclear whether the community have positive land use ideas with potential sites and funding opportunities in mind or whether it simply wishes to place on record a list of issues affecting its area. Accordingly, the Council does not believe that the representation currently provides sufficient justification to include within the Plan a set of priorities and issues for Waternish. However, the new Planning Bill passing through Parliament is likely to offer greater opportunity for community plans (local place plans) without the need for formal endorsement within the Council's local development plan and therefore the respondent may still achieve its aim. In the interim, it will have time to better research, formulate and consult upon its proposals. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Housing Land Requirements

Charles Chisholm (967723)

Comment noted.

Gwyn Moses (997166)

The Proposed Plan's housing land requirements are based upon nationally estimated population and household figures for the Highland area and don't take account of changes likely to result from the smelter site's expansion. These figures are largely based on an extrapolation of past trends in birth rates, death rates and household sizes. The Highland Council has some flexibility in deciding upon the housing land requirement that results from these figures but the overall methodology is checked by Scottish Government. Accordingly, we cannot manipulate the population and household forecasts to take account of the likely smelter expansion, which would result in additional jobs, people and houses. If and when the smelter site's expansion happens it will be reflected in actual population numbers and will be part of the "past" trend and influence the future forecast. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Susan Johnston (1104731)

The respondent's requested change to the Plan is unclear but is founded upon a desire to better protect croft land from housing development proposals. The Council's Highland wide Local Development Plan contains a general policy on this issue. Policy 47 Safeguarding Inbye / Apportioned Croftland sets out the Council's approach of minimising the loss of the more agriculturally productive croft land across all of Highland. The Council, in its choice of allocations in the Plan has also sought to identify land not in crofting tenure or croft land of poorer agricultural quality wherever possible. However, the planning system in general and the Plan's allocation site selection process in particular, has to weigh up development considerations other than land capability for agriculture. Accordingly, the Council does not agree that a new policy is needed to place an additional or more restrictive presumption against housing development on croft land.

Scottish Government (1101467)

Paragraphs 1.20 to 1.24 and Table 3 provide a simplified but adequate account of how the Plan's housing supply targets and housing land requirements have been determined. This topic has limited interest to most Plan users and the Highland Council's longstanding policy commitment to identify a generous housing land supply across all of Highland has meant that the development industry has rarely challenged the Council's approach. A more pertinent issue to debate is the deliverability of the figures. The Plan area is affected by more deliverability constraints than would be typical within many other, particularly urban, parts of Scotland. Issues such as crofting tenure, larger estate management practices, higher than average site preparation and construction costs, poorer infrastructure network capacity, and greater environmental constraints, all create challenges to activating housing sites. For the Scottish Government's clarification, the totals in Table 3 are derived from the "Continued Growth" scenario column of Table 4-5 of the 2015 Housing Need and Demand Assessment (HoNDA) and adjusted in 3 ways. First, because the Plan area only encloses 74% of the West Ross Housing Market Area only 74% of the "Continued Growth" figure for West Ross is applied. Second, a future ineffective housing stock allowance is added. This percentage allowance is based on the recently estimated proportion of ineffective stock as set out in Table 3-2 of the HoNDA. Finally, an additional 20% allowance is included to allow for market choice of sites and to take account of the deliverability issues listed above. These three adjustments take the Plan area total from 3,059 in the HoNDA to 4,354 units as the Plan's 20 year housing land requirement. Table 3 of the Plan is compatible with Table 1 (Housing Supply Targets) of the Highland wide Local Development Plan Main

Issues Report September 2015, which updates the approved Highland wide Local Development Plan 2012. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Paragraph 1.23, makes clear that the Council proposes to assume that 50% of future house completions will be on sites not specifically allocated for that purpose in the Plan. This 50% figure is far more likely to be an under-estimate not an over-estimate of this Council definition of windfall development. The Council has analysed the location of the 3,720 house completions over the years 2000 to 2017 inclusive within the West Highland and Islands Plan area, relative to the boundaries of sites allocated for development in the previous development plans and found that 3,150 of those completions were outwith those allocations. This equates to an 84.7% windfall level. As paragraph 1.23 explains, this trend is likely to continue because demand for single, private, rural plots drives the housing market within the Plan area. The Council's policy intent is to guide a higher proportion of future development within the larger settlements and to the larger allocations within those settlements. However, as already stated, the deliverability of the larger allocations depends upon a range of issues which often includes the need for significant up-front infrastructure investment. This investment often requires a public subsidy which is not always forthcoming. Moreover the Plan contains fewer allocations than the plans it will supersede so again, if anything, the future windfall percentage level will be higher not lower than previous. The Council monitors and publishes house completion information as a matter of course and this will highlight the need for any review. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Similarly, Paragraph 1.24 and Table 3 make clear that the total housing capacity of the Plan allocations is 2,292 and 50% of the 20 year housing land requirement is 2,177. A schedule of all sites and their individual capacities will not add value to the Plan and lengthen what is already a substantial document. The Council collates and publishes very similar information via its Housing Land Audit [*]. If the Reporter requires clarification then a further information request could be issued through the Plan's Examination process.

Predicting a precise number of affordable houses that will be delivered over the next 20 years within the Plan area is impractical. That number will vary as the level of central government funding for such provision varies. Therefore the Council simply states that it will achieve its 25% target. We believe this is reasonable because of the virtual absence of private, volume housebuilder interest in the Plan area. Most if not all of the larger allocations in the Plan will be affordable housing developer led. Moreover the Council has recently announced its intention to lower the threshold from 4 units to 1 unit for its developer contributions policy in respect of affordable housing. Once implemented, this will capture affordable provision from the smaller scale developments. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

SSE Renewables (1104522)

The Council agrees with the sentiment expressed by the respondent and is doing all it can to deliver affordable housing development within Highland. The allocations policies of registered social landlords are a matter for individual providers, the Scottish Government and ultimately the courts but not for the local planning authority. A policy of favouring younger people in preference to those from other age groups of equivalent or greater housing need is likely to be impracticable. The Council believes that the best way forward is to allocate a plentiful and diverse range of size, location and ownership of sites that

accommodate all sizes, types and tenures of housing units. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Policy 2: Delivering Development

Charles Chisholm (967723)

The respondent's commitment to implement an allocated site is welcomed. The North Ballachulish, Glenachulish and South Ballachulish Issue Schedule provides the Council's response in respect of the detail of the particular site's developer requirements.

Policy 3: Growing Settlements

RSPB (1104965)

The wording of this criterion of Policy 3 is very similar across the Council's three area local development plans. As such, any change would create inconsistency or the need to update other local development plans across Highland. The Council believes that most Plan readers will infer that the word "heritage" covers natural, built and cultural heritage. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue and should remain unaltered.

Reporter's conclusions:

Reporter's recommendations:

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| Issue 3 | ECONOMIC DEVELOPMENT AREAS | |
| Development plan reference: | Employment section, Pages 19-24 | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <p>Aileen Grant (995776) Fearann Eilean Iarmain (995590) Jane Mackay Lynch (1096377) Kilmallie Community Council (1104950) Scottish Natural Heritage (909933) SEPA (906306) SSE Renewables (1104522)</p> | | |
| Provision of the development plan to which the issue relates: | Employment Sub Outcome, Economic Development Areas at Ashaig Airstrip (EDA01), Glencoe Ski Centre Base Station (EDA02), Inverloch Castle Estate (EDA03), Kishorn Yard (EDA04) and Nevis Forest and Mountain Resort (EDA05) | |
| Planning authority's summary of the representation(s): | | |
| <p>Ashaig Airstrip <u>Fearann Eilean Iarmain (995590)</u> Believes the potential expansion of business and tourism uses at the airstrip would be beneficial for Skye and the adjacent mainland. With momentum building recently for reopening scheduled air services, it is important that land is allocated for supporting services and developments.</p> <p><u>Jane Mackay Lynch (1096377)</u> Disputes inclusion of respondent's property within allocation boundary. The property is a domestic house and garden and the respondent has no intention to pursue a business proposal.</p> <p><u>SEPA (906306)</u> Seeks specified amendment to better address flood risk because: the site is adjacent to the sea and has a river and other watercourses running through it and therefore parts of the site are at risk of flooding; Scottish Planning Policy and the Flood Risk Management Act require that people and property are protected from flood risk; that the mitigation measures identified in the Plan's Environmental Report are implemented; and, to ensure consistency with other similar developer requirements within the Plan.</p> <p>Seeks specified amendment to better address carbon rich soils and wetlands because: the Environmental Report identifies that most of the site is located on carbon rich soils and wetlands and SEPA's data confirms this; impacts on carbon rich soils should be minimised in line with paragraph 205 of Scottish Planning Policy; impacts on wetlands should be minimised in line with the Water Framework Directive; and to ensure consistency with other similar developer requirements within the Plan.</p> | | |

SSE Renewables (1104522)

Comments that the respondent is working with Transport Scotland and The Highland Council to upgrade the junction at the Ashaig Airstrip, Broadford, Skye as part of the Bhlaraidh Wind Farm project and that this is a good example of how SSE has worked with the Highland Council to help achieve strategic low carbon ambitions while furthering economic investment in the region.

Glencoe Ski Centre Base Station

SEPA (906306)

Seeks specified amendment to better address flood risk because: the site has watercourses running through it and therefore parts of the site are at risk of flooding; Scottish Planning Policy and the Flood Risk Management Act require that people and property are protected from flood risk; and, to ensure consistency with other similar developer requirements within the Plan.

Inverloch Castle Estate

Kilmallie Community Council (1104950)

Seeks reduction in allocation where its boundary lies close to the River Lochy because a greater development set back from the river would retain and enhance its green corridor function.

Kishorn Yard

Aileen Grant (995776)

Objects to Plan's promotion of further industrial development at Kishorn on the grounds of sustainability because: Kishorn is isolated and remote; the development already generates more heavy goods vehicle trips by road than by sea; there is insufficient local road capacity and no certainty about future improvements such as Lochcarron Bypass; tourism employment will be affected and this is more important to the local economy; the site has other potential including tourism-related development; the new biosphere designation is a material change which requires the future of Kishorn Yard to be reassessed; industrial development will reduce the quality of life and environmental assets in the area.

Scottish Natural Heritage (909933)

Seek Plan update to reflect a new natural heritage designation. The Loch Carron Marine Protected Area (MPA) could be affected by the allocation because marine based activities and operations arising from development that either create pollution, disturb the sea bed or alter the flow of water and so sediment deposition have the potential to affect the species and habitats of the MPA.

Nevis Forest and Mountain Resort

Scottish Natural Heritage (909933)

Seeks specified amendment to better reference natural heritage constraints. These interests should be listed in the developer requirements to ensure adequate protection should the masterplan not be adopted as statutory Supplementary Guidance and/or alternative proposals come forward.

SEPA (906306)

Seeks specified amendment to better address carbon rich soils and wetlands because: the

Environmental Report identifies that most of the site is located on carbon rich soils and wetlands and SEPA's data confirms this; impacts on carbon rich soils should be minimised in line with paragraph 205 of Scottish Planning Policy; impacts on wetlands should be minimised in line with the Water Framework Directive; and to ensure consistency with other similar developer requirements within the Plan.

Modifications sought by those submitting representations:

Ashaig Airstrip

Fearann Eilean Iarmain (995590)

None.

Jane Mackay Lynch (1096377)

Exclusion from site of land owned by the respondent at Lusa/Rubha Lusa at east end of airstrip.

SEPA (906306)

Developer requirements amendments to read: "In particular, assessment and potentially mitigation will be required of: flood risk (Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures)." Also: "Peat management plan to demonstrate how impacts on peat have been minimised and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit area that can be developed."

SSE Renewables (1104522)

Recognition that SSE has worked with the Highland Council to help achieve strategic low carbon ambitions while furthering economic investment in the region for example to upgrade the junction at the Ashaig Airstrip, Broadford, Skye as part of the Bhlairidh Wind Farm project (assumed).

Glencoe Ski Centre Base Station

SEPA (906306)

Developer requirements amendments to read: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)". Also: "Retain and integrate watercourse as natural features with the development; no culverting."

Inverloch Castle Estate

Kilmallie Community Council (1104950)

Reduced allocation boundary where it passes close to the River Lochy and wider green corridor notation adjacent to river.

Kishorn Yard

Aileen Grant (995776)

Deletion of industrial use option from site and change to support lower impact uses such as tourism. As a fall back position if support for industrial uses is maintained then a new developer requirement to make further industrial development of the site conditional upon existing transport links being fully upgraded including the Lochcarron Bypass and a link road to the site (all assumed).

Scottish Natural Heritage (909933)

Developer requirements addition. Insert at end: “development proposals must demonstrate that the impacts of marine based activities and operations arising from development will not adversely affect the integrity of the Loch Carron Marine Protected Area (MPA)”

Nevis Forest and Mountain Resort

Scottish Natural Heritage (909933)

Developer requirements addition. Insert “avoid adverse impacts on the Parallel Roads of Lochaber Site of Special Scientific Interest (SSSI) and the Glen Roy & the Parallel Roads of Lochaber Geological Conservation Review (GCR) site”

SEPA (906306)

Developer requirements amendments to read: “Peat management plan to demonstrate how impacts on peat have been minimised and vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit area that can be developed.”

Summary of responses (including reasons) by planning authority:

Ashaig Airstrip

Fearann Eilean Iarmain (995590)

The Plan’s existing provisions are supportive of the respondent’s wishes for the site. Accordingly, the Council believes that the existing Plan content is sufficient in respect of this issue.

Jane Mackay Lynch (1096377)

The allocation’s extent is identical to that “rolled-forward” from the approved development plan (the West Highland and Islands Local Plan [as continued in force] 2012). The inclusion of the domestic property is necessary because in the event of the runway being extended to the east then the property may be affected by the runway’s operational use and associated safety margins. As the Plan text makes clear, any such extension would be subject to several assessments and a planning application. Currently, it is unlikely that there will be sufficient funding to progress the runway extension and therefore alternatives are being looked at such as using aircraft that can operate within the existing runway length. However, it would be imprudent to rule out the longer term possibility of the extension. Accordingly, the Council believes that the existing Plan content should be retained unaltered in respect of this issue.

SEPA (906306)

The suggested change would ensure consistency with the approach taken with other site allocations and therefore would be appropriate subject to the agreement of the Committee / Reporter.

SSE Renewables (1104522)

Although SSE’s investment in Highland’s infrastructure network is welcomed it would be inappropriate to reference it in a local development plan. Many other developers have invested in that network often just to offset the impact of their particular proposals. Moreover, the Plan looks ahead not back so reference to contributions and direct developer provision of improvements is about what should happen in the future not what did happen in the past. Accordingly, the Council believes that the existing Plan content should be retained unaltered in respect of this issue.

Glencoe Ski Centre Base Station

SEPA (906306)

The suggested change would ensure consistency with the approach taken with other site allocations and therefore would be appropriate subject to the agreement of the Committee / Reporter.

Inverlochy Castle Estate

Kilmallie Community Council (1104950)

It would be sensible to make a minor amendment to the allocation's western boundary. It currently follows the owner's fenceline but this encloses land within the 1 in 200 year fluvial flood event flood risk area. Excluding the flood risk area from the allocation would also achieve the respondent's wish to have a greater development setback and expanded green corridor adjacent to the River Lochy. If the Committee / Reporter is minded to agree then the allocation boundary could be amended as described above and the green network notation could be extended to meet this boundary on the Fort William Settlement Map.

Kishorn Yard

Aileen Grant (995776)

The Kishorn allocation encloses a long established, largely brownfield area accommodating a variety of existing and operational industrial uses and benefits from various planning permissions. It would be impracticable suddenly to reverse this planning history and substitute tourism or other similar less intensive uses. Moreover the site's relatively unique combination of existing deep water berthing and dry dock facilities led to its inclusion in the National Renewables Infrastructure Plan as a potential shorebase to service the offshore renewables sector. It would not be sensible to erode this opportunity. The site's planning permission includes a travel mode monitoring condition and allows for the possibility of local road network improvements. However, expansion of the site is not dependent upon construction of Lochcarron Bypass. The Plan content and planning permission conditions contain adequate environmental safeguards (excepting the additional reference requested by Scottish Natural Heritage below).

Scottish Natural Heritage (909933)

The suggested change would update the Plan and therefore would be appropriate subject to the agreement of the Committee / Reporter.

Nevis Forest and Mountain Resort

Scottish Natural Heritage (909933)

The suggested change would ensure consistency with the approach taken with other site allocations and therefore would be appropriate subject to the agreement of the Committee / Reporter.

SEPA (906306)

The suggested change would ensure consistency with the approach taken with other site allocations and therefore would be appropriate subject to the agreement of the Committee / Reporter.

Reporter's conclusions:

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| Reporter's recommendations: |
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| Issue 4 | TRANSPORT | |
| Development plan reference: | Connectivity and Transport, Pages 25-27 | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <p>Ann Leitch (995969) Donald Donnelly (990970) Gwyn Moses (997166) Lochaber Environmental Group (1105232) Scottish Government (1101467) SSE Renewables (1104522)</p> | | |
| Provision of the development plan to which the issue relates: | Connectivity and Transport Sub Outcome, Transport Improvements Table | |
| Planning authority's summary of the representation(s): | | |
| <p>Transport Improvements Table</p> <p><u>Ann Leitch (995969)</u> Objects to the potential Caol Link Road scheme because of its closeness to the respondent's property, that it may involve compulsory purchase of the property, and that the other road safeguard route (A82 "bypass") shown on the Fort William Settlement Map would be a cheaper and easier option as it doesn't involve building a bridge over the River Lochy.</p> <p><u>Donald Donnelly (990970)</u> Objects to the Caol Link Road corridor because: more achievable transport solutions for the Fort William area are available such as better active travel connections, a first phase of the Link Road simply to connect the A830 to Lochyside and, the A82 bypass which will be better at relieving A82 congestion which is the primary problem; no funding is identified for the scheme and therefore the scheme is an unrealistic aspiration within the lifetime of the Plan; no detailed feasibility work has been commissioned for the route in 40 years; the level of developer contributions likely to result from the scheme will be very low in proportion to its total cost; the safeguarding corridor stymies development that could otherwise help meet local housing supply targets; the Plan's Transport Background Paper lists and accepts the Caol Link Road has drawbacks; the scheme has a poor Benefit Cost Ratio because local congestion is only a seasonal issue; traffic levels have not been increasing since 2006; modal shift to active travel alternatives will happen because of increasing fuel prices thus reducing congestion; moving destination uses such as the hospital to Blar Mor will ease traffic flow; and, reopening the An Aird to Inverlochty Village bridge could ease flows in the case of a temporary blockage of the A82.</p> <p><u>Gwyn Moses (997166)</u> Suggests a list of road improvements to counter A82/A830 congestion relief within the wider Fort William urban area. No specific reasons stated.</p> | | |

Lochaber Environmental Group (1105232)

Welcomes and supports plans to improve active travel networks across all communities. Suggests that these networks should be connected, accessible and safe. States safety concerns about two sections of the A82 that are frequently used by long distance cyclists between Onich and Fort William and the A82 from Fort William to Inverness.

Scottish Government (1101467)

Requests that an exemplar walking and cycling friendly settlement should be identified in the Plan and developed because this is required by paragraph 5.14 of NPF3. Similarly, asserts that the Plan should identify locations for and promote electric vehicle charging points because this is required by paragraph 165 of SPP and paragraph 5.30 of NPF3.

SSE Renewables (1104522)

Requests Plan recognition that SSE has historically undertaken significant improvements of key transport links within the Highlands and will continue to work closely with Transport Scotland and The Highland Council to deliver transport infrastructure improvements through the development of major infrastructure projects where possible.

Modifications sought by those submitting representations:

Transport Improvements Table

Ann Leitch (995969)

Removal of Caol Link Road from Plan (assumed).

Donald Donnelly (990970)

Relocation or deletion of Caol Link Road Corridor from Plan.

Gwyn Moses (997166)

Amendment to A82/A830 proposal to include upgrading of River Nevis bridge and roundabout to Glen Nevis. Also a new road bridge across the Lochy next to the Old Inverlochy Castle. Also a bypass from the Morrisons roundabout, past Inverlochy village to join at the New North Road development roundabout. Also a spur road across the River Lochy to join the roundabout where the police station is located and the hospital may be sited.

Lochaber Environmental Group (1105232)

More Plan support for connected active travel networks to ensure any infrastructure built is widely accessible and provides safe travel links for both pedestrians and cyclists. For example, the A82 between Onich and Fort William and the A82 from Fort William to Inverness.

Scottish Government (1101467)

Identification of an exemplar walking and cycling friendly settlement. The identification of locations for and promotion of electric vehicle charging points.

SSE Renewables (1104522)

Plan reference to SSE's previous and likely future funding of significant improvements of key transport links (assumed).

Summary of responses (including reasons) by planning authority:

Transport Improvements Table

Ann Leitch (995969), Donald Donnelly (990970), Gwyn Moses (997166)

Relief of Fort William congestion including that on the A830 and A82 is a defined improvement within the Plan and seen by the Council and most Plan respondents as a desirable objective. However, the precise nature of the transport interventions that will be most effective in reducing congestion in Fort William is subject to further transport appraisal work. The Plan's Fort William Settlement Map depicts two indicative routes for "relief roads", one connecting the A830 at Blar Mor with the A82 at An Aird and the other providing an alternative to the existing A82 between An Aird and Carr's Corner. To better define which transport interventions are necessary, feasible and will require developer contributions, the Highland Council and its partners have, through Hi-Trans, commissioned AECOM consultants to undertake a Fort William Pre-Appraisal transport Study. This will set transport objectives for the greater Fort William urban area and then formulate and sift transport intervention options that can help meet these objectives. This sifting process will include reference to the views of a wide variety of stakeholders (including public engagement), the best available data on transport and related matters, and analysis of local transport problems and opportunities. One of the key deliverables of the Study will be a short list of transport interventions requiring further, more detailed, appraisal. It is hoped that the Study will be completed by May 2018. The issues raised by objectors cannot be satisfactorily resolved until the Study is undertaken. The Fort William Schedule contains further information on the specifics of particular sites affected by possible transport interventions. If and when any transport interventions are chosen and progressed then they will involve separate public consultation and (most likely) objection procedures. Therefore, it is not possible, at this stage to offer a definitive policy statement or decision on the choice, detailed design or timing of any particular transport intervention. The Council's Transport Background Paper accepts and lists brief pros and cons of certain interventions but further appraisal work is required to reach a fully considered conclusion on this matter. Accordingly, the Council believes the Plan should remain unaltered in respect of these representations pending the completion and publication of the Fort William Pre-Appraisal transport Study. The Council suggests for the Reporter's consideration that the Study be a "further information" document during the Examination process and that respondents on this issue be allowed an opportunity to comment on it through the process.

Lochaber Environmental Group (1105232)

Support welcomed. The Council recognises the limitations of several sections of the longer distance national cycle routes within Highland and the particular problems associated with the A82 trunk road. The physical constraints of Highland and the lack of funding available to the relevant public agencies hampers the search for effective solutions. Given the recent UK Supreme Court judgment in respect of strategic transport developer contributions, seeking contributions towards a long distance cycle route would be open to challenge. Therefore the Council, through the Plan, concentrates on improvements to local networks most notably by setting requirements for developers to ensure and improve connectivity.

Scottish Government (1101467)

Paragraph 5.14 of NPF3 announces a Scottish Government commitment to encourage

local authorities to develop exemplar walking and cycling friendly settlements. It does not specify where within the local authority area these settlements should be. The Council has progressed active travel masterplans / audits for 9 settlements across Highland including Fort William. These identify a core active travel network and prioritised action plans for each settlement which serve as a framework for future investment and new development. These documents inform each local development plan within Highland and justify particular active travel related developer requirements within this Plan area. The installation of a standard electric vehicle charging point in a suitable location does not require planning permission. Moreover the funding for such provision currently comes from Scottish Government grant not from the local authority or private sector. Also, live, updated information on the location, type and availability of charging points is best accessed by the ChargePlace Scotland website. For all these reasons it would be inappropriate at this time for the Plan to reference this issue. However, the Council is reviewing its Highland-wide Developer Contributions Supplementary Guidance and is considering future provision. The Council, in partnership with Hi-Trans are developing an E-Vehicle Charging Strategy and developers may be expected, in the future, to contribute towards the delivery of this strategy through the provision of e-vehicle parking spaces and charging point infrastructure. If so then the issue is best addressed through the review of Highland wide policy. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

SSE Renewables (1104522)

Although SSE's investment in Highland's infrastructure network is welcomed it would be inappropriate to reference it in a local development plan. Many other developers have invested in that network often just to offset the impact of their particular proposals. Accordingly, the Council believes that the existing Plan content should be retained unaltered in respect of this issue.

Reporter's conclusions:

Reporter's recommendations:

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| Issue 5 | ENVIRONMENT | |
| Development plan reference: | Environment and Heritage, Pages 28-31 | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <p>Lochaber Environmental Group (1105232) Scottish National Parks Strategy Project (930044) SSE Renewables (1104522)</p> | | |
| Provision of the development plan to which the issue relates: | Environment and Heritage Sub Outcome, Special Landscape Areas (SLAs), Efficient Use of Heat | |
| Planning authority's summary of the representation(s): | | |
| <p>Special Landscape Areas and Other Environment Issues <u>Lochaber Environmental Group (1105232)</u> Supports Plan content regarding green networks and outcomes to better manage heritage resources. Objects to any new developments on peatlands because peatlands are vulnerable habitats that support important native species and help mitigate climate change via long term carbon storage. Requests a clear Plan definition of what is considered good environmental practice, when taking environmental considerations into account.</p> <p><u>Scottish National Parks Strategy Project (930044)</u> The respondent repeats the same objection, grounds and modifications sought as summarised in the Vision and Spatial Strategy Schedule.</p> <p><u>SSE Renewables (1104522)</u> Requests a written, technical justification for the proposed extension to the SLA at Ardgour to allow potentially affected parties to respond.</p> | | |
| Modifications sought by those submitting representations: | | |
| <p>Special Landscape Areas and Other Environment Issues <u>Lochaber Environmental Group (1105232)</u> Deletion of all development sites on peatland, a policy to oppose any development on peatland and a clear definition of what is considered good environmental practice, when taking environmental considerations into account (assumed).</p> <p><u>Scottish National Parks Strategy Project (930044)</u> The respondent repeats the same objection, grounds and modifications sought as summarised in the Vision and Spatial Strategy Schedule.</p> <p><u>SSE Renewables (1104522)</u> A written, technical justification for the proposed extension to the SLA at Ardgour.</p> | | |
| Summary of responses (including reasons) by planning authority: | | |

Special Landscape Areas and Other Environment Issues

Lochaber Environmental Group (1105232)

The approved Highland wide Local Development Plan 2012, Policy 55: Peat and Soils, sets out the Council's approach to development and peatland across Highland. It establishes a policy presumption against a development proposal that would cause unnecessary and/or unacceptable disturbance of peat unless there are social, environmental or economic benefits arising from the proposal that would outweigh the adverse effects of that disturbance. Where disturbance is unavoidable then the policy requires that its adverse effects are assessed, minimised and mitigated. The Council accepts that since 2012 the position of the Scottish Government and its relevant agencies such as SNH and SEPA has moved towards greater protection and is now best expressed through Scottish Planning Policy and Scotland's National Peatland Plan. The Council's review of the Highland wide Local Development Plan has progressed as far as a completed Main Issues Report consultation stage. It endorses a similar direction of travel to that expressed nationally in strengthening the degree of protection of peatland. The Council believes that its general policy on peatland and development should be contained within a Highland wide Local Development Plan not within the area local development plan for west Highland. Other settlement schedules address site-specific peatland issues. The Council's development plans, suite of supplementary guidance and other guidance notes contain detailed and sufficient definition of good environmental practice for particular topic areas. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Scottish National Parks Strategy Project (930044)

As the respondent simply repeats the same objection, grounds and modifications sought as summarised in the Vision and Spatial Strategy Schedule, the Council's response is identical to that contained in that Schedule and for brevity's sake is not repeated here.

SSE Renewables (1104522)

Paragraph 1.53 of the Plan contains a sufficient, written justification for the very minor proposed change. The purpose of the change is simple: to complete the process that was progressed through the SLA citation process (The Assessment of Highland Special Landscape Areas) which was completed in 2011. One function of this process was to eliminate any small gaps or overlaps between SLAs and National Scenic Areas (NSAs). SLA and NSA boundaries were first formulated at different times, using different output map scales, by different organisations and using data of different spatial accuracy. Therefore, when overlain, the combined boundaries revealed many overlaps and some small gaps. Having two landscape areas covering the same land but each carrying a different degree of planning policy protection made little sense. Similarly, thin slithers of land between areas with similar landscape qualities and characteristics to land within those areas but carrying no protection was/is illogical. The land affected in this case is a small section of a complex ridgeline between the summits of Sgurr Ghiubhsachain and Sgorr Craobh a' Chaorainn south east of Loch Shiel. It is land which is very unlikely to attract any type of development proposal but has similar landscape qualities and characteristics to that adjoining. The proposed change is technical in nature and unlikely to have any material implications for any future planning application. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Reporter's conclusions:

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| Reporter's recommendations: |
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| Issue 14 | BROADFORD | |
| Development plan reference: | Broadford Settlement Chapter, Pages 102-111 | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <p>Barbara Williams (1105513) Broadford and Strath Community Company (1105071) Fearann Eilean Iarmain (995590) Fiona Wood (1105135) Gordon Macphie (1104982) Highlands and Islands Enterprise (968745) Jeanne-Marie Gescher (1104904) Martyn Ayre (1102133) Robert Stradling (1105017) RSPB (1104965) SEPA (906306) Sportscotland (1069318) The Co-op (1103683)</p> | | |
| Provision of the development plan to which the issue relates: | Placemaking Priorities, Settlement Maps, Site Allocations with Developer Requirements | |
| Planning authority's summary of the representation(s): | | |
| <p>Placemaking Priorities <u>Barbara Williams (1105513)</u> Believes Plan provisions should be included for continuous and dedicated cycle routes, extra pedestrian crossings, reinstatement of its tourist office/Visit Scotland office because Broadford is the second largest settlement on Skye. Points out factual inaccuracy because Broadford no longer hosts a bank but is served by a mobile unit.</p> <p><u>RSPB (1104965)</u> Requests better, fuller more specific references to natural heritage and crofting interests because they are important constraints to development that developers should be made aware of. Believes the integrity of crofting land with agricultural potential is important for future generations. Asserts that the Broadford coastline is an internationally significant and crucial stop-over point for a range of long distance migrant birds breeding in the high Arctic and wintering in the sub-tropics. Concerned that any further land reclamation would increase flooding risk for low lying coastal properties and destroy intertidal habitat that provides a valuable food resource for wildlife.</p> <p><u>The Co-op (1103683)</u> Seeks Plan changes to reaffirm the pre-eminence of its store in Broadford so that it has certainty in proceeding with further investment either by refurbishment and extension or full redevelopment because the Co-op store: serves a vital role in Broadford, providing a modern high quality shopping facility and petrol sales; is a significant local employer and community facility; Policy 40 of the HwLDP establishes that retail development proposals</p> | | |

will be favourably considered where they are within identified city/town/village centres in preference to edge of city/town/village centre locations and out of centre locations; Policy 16 (Commerce) of the adopted WHILP goes on to further establish that the Council will encourage retail, office and leisure development (Use Classes 1-3, 7, 10 & 11) within the various identified centres, with Broadford identified therein as Sub-Area/Local Centre; the WHILP specifically identifies the Co-op store in Broadford within a 'Commerce Centre' allocation; the WHILP Examination Reporter's conclusions referenced Broadford as having 'advantages of trunk road visibility and central location', and that if proposed retail developments in Portree are not implemented 'Broadford would be a possible alternative location for further retail development' (the referenced proposals in Portree have not come forward); and, expansion of the existing store would meet the stated Placemaking Priority of 'consolidating the centre of Broadford at its western end' and a requirement for 'high quality siting and design for development along the A87'. Requests a reintroduced and contracted commerce / town centre boundary with the existing Co-op within it, for Broadford because: the lack of a boundary is at odds with the position established through the WHILP Examination; it should only enclose the core commercial area at and around the Co-op as this is the functional centre of Broadford, with the immediate environs of the Co-op accommodating public car parks, tourist information centre, hotels, churches and other shops; this would be in line with the stated Placemaking Priority of consolidating the centre of Broadford as its western end; and, the eastern end includes an established residential area and the western extremity, which includes a Council Roads Depot, a Jewsons and housing at Riverbank, which are not uses that would be expected or required within a 'centre'.

Glen Road (West) (BF03)

Martyn Ayre (1102133)

Objects because: it is unnecessary to extend the existing footprint of the village while there is so much brownfield land available for houses within the existing footprint; infill development is not problematic; and, the site has poor ground conditions, underlying geological issues, is steep and has no safe access from the single track Elgol road.

Cnoc na Cachaille (BF05)

Jeanne-Marie Gescher (1104904)

Seeks stronger developer requirements to better control the impact of the development of the site including: a high quality of siting and design to respect the Red Hills and other features of natural beauty; uses and a design that is closely integrated with the natural peace and environmental security of Broadford Bay including its bird interests; and, protection and enhancement of the tourist value of the site and surrounding area.

South of Cnoc na Cachaille (BF06)

Broadford and Strath Community Company (1105071)

Request change to allocation boundary to align with its ownership and the edge of Broadford Community Woodland (map supplied by respondent).

Jeanne-Marie Gescher (1104904)

Believes there should be a buffer between areas of economic activity and areas of nature, including either retention of existing trees or replanting carefully considering number, location, species and sequencing. The buffer and/or any tree felling should be agreed in consultation with neighbours, the community and community organisations responsible for the environment and wildlife. Development should have regard to maintaining the peace,

tranquillity and environmental security of the area, including the impact on neighbouring areas of natural beauty and heritage importance, including Corry Estate.

Existing Hospital Site (BF07)

Fiona Wood (1105135)

Seeks reduction in site area to exclude existing woodland and additional requirement that housing should be reserved for hospital workers and/or local people because: this will protect the peace and quiet and wildlife of the locality; the amenity value of the lane as a dog walking route; and, the ancient woodland.

Jeanne-Marie Gescher (1104904)

Seeks expansion of site (map supplied by respondent) and amended developer requirements because: greater heritage safeguards are needed particularly of the wooded lane between the hospital and the new pier; the land has potential to provide physical, servicing and design ethos integration between employment, tourism and community uses; the listed buildings at Corry and their setting should be protected; existing trees should be protected and any replacement or new planting should be of native species; housing should be prioritised for local need and/or key workers; a live-work scheme including shared work spaces would be compatible with the adjoining business park; the existing hospital building could be used as a care home whilst also introducing housing opportunities for younger people, creating a mixed community; greater detail on local drainage is required as the stream feeding the old mill up the lane and around the hospital should be protected as it is an important feature of local water management; and, the allocation boundary should be expanded but not including the native woodland as this would optimise the viability of the mixed use area, give potential for collaboration with development on site BF06, strengthen employment and livelihood opportunities, support the protection of the natural environment, and the listed building status at Corry Lodge estate.

Robert Stradling (1105017)

Seeks amendments to developer requirements to safeguard respondent's interests as neighbouring property owner. Requests that existing legal right of access is safeguarded because NHS Highland is obliged to retain vehicular and pedestrian access through to Corry Lodge, and the respondent has no other servitude right of access from the property to the public highway. Also seeks requirements to address: any water environment contamination from the incinerator at the hospital; the protection of local heritage because of its nature conservation value; the archaeological heritage of the wider area which is of significance; and, the need for housing and community developments to fully address the needs of all sections of our community.

South of Library (BF08)

Gordon Macphie (1104982)

Supports site but requests its southward extension (map supplied by respondent) and its use mix broadened to include Use Classes 5 and 6 because; it already adjoins industrial uses, the alternative employment land at Broadford Industrial Estate has ground conditions and other feasibility challenges, there is an unmet demand for space from local businesses, and the extension land is not subject to unacceptable flood risk.

Jeanne-Marie Gescher (1104904)

Supports high quality, heritage based, tourism development on this site subject to good siting and design. Cites adjoining Café Sia as an exemplar that should be followed.

The Co-op (1103683)

Seeks amendment to Plan wording to clarify that a single retail use of the site will not be acceptable. Also believes that the allocation should not be included within any defined commence centre.

North of Village Hall (BF10)

Fearann Eilean Iarmain (995590)

The landowner (FEI) supports the Mixed Use allocation. FEI has recently invested in various technical reports which prove the deliverability of development at this location. Proposals are being developed for a mixed use development and continued allocation of the site is important.

The Co-op (1103683)

Seeks amendment to Plan wording to clarify that a single retail use of the site will not be acceptable. Also believes that the allocation should not be included within any defined commence centre.

Glen Road West of School (BF11)

Sportscotland (1069318)

Concerned that the allocation includes both the school and the playing field. The grass pitch was extended and redeveloped in 2015 with a financial contribution from Sportscotland. Unclear what the balance of the mix of uses will be. Seeks a safeguard for the playing field because this would be in line with Policy 76 of the Highland-wide Local Development Plan.

Land Adjoining Health Centre (BF12)

Jeanne-Marie Gescher (1104904)

Seeks high quality of design and siting so there is no adverse impact on the heritage and natural environment of Shore Road and the beauty of Broadford Bay. Housing for medical staff also needs to be considered.

Robert Stradling (1105017)

Seeks amendments to developer requirements to safeguard respondent's interests as neighbouring property owner. Requests that existing legal right of access is safeguarded because NHS Highland is obliged to retain vehicular and pedestrian access through to Corry Lodge, and the respondent has no other servitude right of access from the property to the public highway. Also seeks requirements to address: any water environment contamination from the incinerator at the hospital; the protection of local heritage because of its nature conservation value; the archaeological heritage of the wider area which is of significance; and, the need for housing and community developments to fully address the needs of all sections of our community.

Ashaig Cemetery (BF13)

SEPA (906306)

Concerned that the cemetery proposal may have a detrimental impact on groundwater and this needs to be assessed via intrusive ground investigation. Seeks an additional developer requirement to address this issue including the consideration of alternative locations.

North of Industrial Estate (BF14)

Highlands and Islands Enterprise (968745)

Requests that south eastern corner of allocation be separated off as a mixed use allocation with access from either High Road or through the existing industrial estate because this land has the commercial advantage of visibility from the A87 and is close to the village centre.

Jeanne-Marie Gescher (1104904)

Requests additional developer requirements to ensure that the industrial expansion area is adequately buffered from existing and proposed adjoining uses because of the need to protect local natural and built heritage. This minimum buffer area should be established in consultation with neighbours and should include immediate and long term screening. Felling of trees needs to be carefully scrutinised, accompanied with compensatory replanting which includes traditional native species and bushes, taking account of the time lag between planting and growing.

Modifications sought by those submitting representations:

Placemaking Priorities

Barbara Williams (1105513)

Additional priorities for continuous and dedicated cycle routes, additional pedestrian crossings and reinstatement of Tourist Office/ Visit Scotland centre. Amendment of preamble text to clarify that Broadford no longer hosts a bank just a mobile unit.

RSPB (1104965)

That the second sentence of paragraph 3.3 is replaced with "The Cuillin Hills SPA including the Red Hills to the west as well as nature conservation interests in the bay to the north, Ob Lusa to Ardnish SSSI to the east and the Mointeach nan Lochan Dubha SAC and SSSI to the south, all limit suitable directions for growth". Addition of the following text to paragraph 3.2: "The coastal fringe around Broadford Bay provides some of the best and most extensive in-bye land in south Skye. Care should be taken to ensure that any housing and other developments do not compromise the integrity of land with agricultural potential for future generations." Addition of the following text to paragraph 3.3: "Although undesignated, the shoreline and intertidal zone within Broadford Bay provide an internationally significant staging area for migrant wading birds and wildfowl to rest and feed before continuing their onward long distance migration. This is a crucial stop-over point for a range of long distance migrant birds breeding in the high Arctic and wintering in the sub-tropics." Ninth Placemaking Priority amended to "Retain the traditional crofting pattern of development and protect croft land essential to safeguard crofting activity". Additional Placemaking Priorities: "Ensure that the natural heritage interests that surround the settlement are not compromised." and "Avoid any further land reclamation that would increase flooding risk for low lying coastal properties and destroy intertidal habitat that provides a valuable food resource for wildlife."

The Co-op (1103683)

Addition of a 'commerce centre' allocation to include only the core commercial area at and around the Co-op (map submitted by respondent).

Glen Road (West) (BF03)

Martyn Ayre (1102133)

Deletion of allocation.

Cnoc na Cachaille (BF05)

Jeanne-Marie Gescher (1104904)

More specific reference(s) in Plan about the importance of both respecting the peace and security of the area and of the long term careful management of the relationship between human beings and the natural world.

South of Cnoc na Cachaille (BF06)

Broadford and Strath Community Company (1105071)

Allocation boundary changed to align with respondent's ownership and edge of Broadford Community Woodland (map submitted by respondent).

Jeanne-Marie Gescher (1104904)

Additional developer requirement to ensure a buffer between areas of economic activity and areas of nature, including either retention of existing trees or adequate replanting not only in the form of the number of trees planted but also location, species and sequencing.

Additional developer requirement to maintain the peace, tranquility and environmental security of the area, including the impact on neighbouring areas of natural beauty and heritage importance, including the Corry Estate.

Existing Hospital Site (BF07)

Fiona Wood (1105135)

Additional developer requirement to prevent any impact on woodland and preference that new housing should go to locals, doctors, nurses working at new hospital.

Jeanne-Marie Gescher (1104904)

Amended site provisions and developer requirements (all assumed) as follows: appropriate design principles; protection of the peaceful enjoyment and natural features (trees and wildlife, including birds) of the wooded lane between the hospital and the new pier and no significant increase in traffic on this lane; development sympathetic to, and supportive of, the heritage of the area, including the listed buildings at and around Corry; environmental design of any housing, both in terms of architectural aesthetic and environmental soundness; protection of existing trees and a commitment to maintaining the high quality of traditional species of woodland; protection of the drainage system that runs from the stream feeding the old mill up the lane and around the hospital; expansion of the allocation to the north (as far as the northern boundary of Laoghras), west (as far as the boundary with the industrial/business park), and east, around the hospital and down to, but not including, the native woodland; any rezoning should not include the wooded land adjacent to the lane leading from the hospital to the new pier whose natural environment should be preserved (see map supplied of suggested boundary change); existing hospital site zoned for a care home and housing for local, younger people and key public sector workers; land safeguard for a live-work scheme including shared work spaces; and, employment and livelihood opportunities in environmental services and skills.

Robert Stradling (1105017)

Additional developer requirements to: safeguard existing right of road and pedestrian access to their property at Corry Farm Road; ensure that when existing buildings are demolished any contamination which may have occurred in the past due to the absence of an incinerator at the hospital will not leach into adjacent water courses; protect the valuable natural habitat and ecology of the lands surrounding the development; and, ensure services

to this part of Broadford are suitably upgraded to meet the increased demand caused by a larger hospital, the additional planned buildings and the increased housing capacity.

South of Library (BF08)

Gordon Macphie (1104982)

Expansion of allocation boundary (map supplied by respondent) and more diverse mix of uses to include Classes 5 and 6.

Jeanne-Marie Gescher (1104904)

Additional developer requirement to ensure development balances economy and natural and heritage environment.

The Co-op (1103683)

Deletion of option of wholly retail use from allocation BF08 and exclusion from commerce centre boundary.

North of Village Hall (BF10)

The Co-op (1103683)

Deletion of option of wholly retail use from allocation BF10 and exclusion from commerce centre boundary.

Glen Road West of School (BF11)

Sportscotland (1069318)

Additional developer requirement to safeguard the playing field.

Land Adjoining Health Centre (BF12)

Jeanne-Marie Gescher (1104904)

Additional developer requirement to ensure that the heritage and natural environment of the Shore Road is not impacted.

Robert Stradling (1105017)

Additional developer requirements to: safeguard existing right of road and pedestrian access to their property at Corry Farm Road; ensure that when existing buildings are demolished any contamination which may have occurred in the past due to the absence of an incinerator at the hospital will not leach into adjacent water courses; protect the valuable natural habitat and ecology of the lands surrounding the development; safeguard the rich archaeological heritage in BF-12 and surrounding areas; and, ensure services to this part of Broadford are suitably upgraded to meet the increased demand caused by a larger hospital, the additional planned buildings and the increased housing capacity.

Ashaig Cemetery (BF13)

SEPA (906306)

That wording "Intrusive Ground condition investigations which may necessitate consideration of alternative land closeby" be deleted and replaced with: "Intrusive ground investigations to be undertaken in line with SEPA guidance on assessing the impacts of cemeteries on groundwater. Findings of the investigation may indicate that the site, or parts of it, is not suitable for a cemetery due to an unavoidable impact on groundwater. This may necessitate consideration of alternative land close by."

North of Industrial Estate (BF14)

Highlands and Islands Enterprise (968745)

Reallocation of southern portion of site for village centre, mixed compatible uses. Road access would be envisaged to be from High Road or from the existing estate.

Jeanne-Marie Gescher (1104904)

Amended developer requirements to create buffers for watercourses and sensitive parts of the natural environment. Tree / woodland retention wherever possible and if tree loss essential then compensatory replanting using traditional native species including quick growing shrubs to provide short term screening. New mixed use allocation to the east of BF14 beginning from the boundary with the industrial estate/business park as far as the northern boundary of Laoghra, and east, around the hospital and down to, but not including, the native woodland. Site to exclude woodland adjacent to the lane leading from the hospital to the new pier whose natural environment should be preserved. (see map submitted by the respondent).

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Barbara Williams (1105513)

For Broadford the Plan already includes a Placemaking Priority which promotes the improvement of active travel links to the village centre. Several allocations also include developer requirements to provide active travel connections or create permeable layouts.

In addition, Policies 29 Sustainable Design and 56 Travel of the HwLDP aim to ensure that active travel links are formed wherever possible. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue. Tourist information centres are administered by Visit Scotland and it is not within the power of the Council to determine where these centres will be. The Council appreciates the importance of tourism for Broadford and within the Placemaking Priorities expansion of recreational tourism activity to the west of the village is promoted as well as including the airstrip at Ashaig as an Economic Development Area. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue. The Council acknowledges that the statement about there being a bank in Broadford is no longer correct and is content to make the textual, factual update should the Committee/Reporter agree.

RSPB (1104965)

The Council's approach to Plan content has been to make specific references to development factors and constraints where they are particularly relevant to a community, can be written in a concise way, and are not overly representative of any particular agenda, issue or sectoral interest. RSPB's requested changes have merit but could be made in a more general and concise way. For example, the reference to "nature conservation interest to the east" is not just to the Ob Lusa to Ardnish SSSI but also to designations such as the Loch Ashaig SSSI, Kinloch and Kyleakin Hills SAC. If the Committee / Reporter agree then the settlement text could be expanded to read "...nature conservation interest to the *north and east*..." Similarly, there is already a Placemaking Priority which recognises the importance of the crofting landscape. However, if the Committee / Reporter is so minded then the ninth Placemaking Priority could be amended to: "Protect inbye croftland and retain traditional crofting pattern of development and land use, particularly in the eastern part of the settlement". Again, the existing Plan text at paragraph 3.3 already recognises the importance of Broadford Bay for wildlife, particularly along the shoreline. However, if the

Committee / Reporter agree then an additional, specific Placemaking Priority could be added: "Ensure that the natural heritage interests that surround the settlement, particularly those around the shoreline, are not compromised". The suggested additional Placemaking Priority relating to avoidance of land reclamation that would impact on flood risk or wildlife is not considered necessary. Safeguards are in place through HwLDP policies relating to flood risk and impact on the natural environment and proposals can be assessed if and when a planning application is submitted. Furthermore the potential amendments suggested by the Council listed above (including amendments to the settlement text and the additional Placemaking Priority) would help to highlight the importance of the shoreline area.

The Co-op (1103683)

The Council accepts that the Co-op is an important community facility, local employer and that a company requires a degree of certainty in making investment decisions. Whilst the Co-op store is not within an allocated site, it sits within the Broadford Settlement Development Area where there is a presumption in favour of the principle of development. Policy 40 Retail of the HwLDP directs retail developments to city, town or village centre locations which means that the principle of further investment in the current store/site would likely be supported given its central location, good transport links and being close to other facilities. The 'commerce centre' notation was not carried forward from the WHILP because of the dispersed nature of the settlement and commercial development within it. The Co-op already enjoys a pre-eminent position across Skye and Lochalsh in terms of foodstore provision and its stores overtrade during the summer high tourist spend months. Given this context it would be inappropriate for the Council as planning authority to artificially restrict competition by amending its development plan to reduce the supply of potential other supermarket sites within Broadford and elsewhere within Skye and Lochalsh. Accordingly, the Council believes the existing Plan content is sufficient in respect of this issue and should remain unaltered.

Glen Road (West) (BF03)

Martyn Ayre (1102133)

The site is identified for long term housing which provides only an indication of the likely preferred direction for growth beyond the Plan period. The site forms part of a larger area of land allocated within the adopted WHILP [*] for housing development (reference H1). The site has been included because it benefits from significant investment in the formation of the Glen Road access, not being inbye croftland, and being centrally located and close to amenities. Should the allocated sites within Broadford be built out and/or there is a need to allocate further housing land during a future review of the Plan, then a full assessment of the site's suitability will be carried out prior to the decision to include it as an allocation. This will include the identification of necessary developer requirements to mitigate any adverse impacts. The respondent's concerns are overstated. It is technically feasible to achieve a road connection to the Elgol Road, to overcome ground conditions not expected to be any different to other development sites across the West Highland area, and to design around the moderate slope that affects part of the site. The Council supports the principle of redeveloping brownfield land and promotes, where possible, suitable brownfield development opportunities. However, wider Broadford is a collection of crofting townships with few if any larger brownfield redevelopment opportunities. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Cnoc na Cachaille (BF05)

Jeanne-Marie Gescher (1104904)

Whilst the Council recognise the concerns over the sensitive nature of the site for both wildlife and as a recreational area, it is considered that the existing developer requirements will ensure that any development proposals address the main issues raised by the respondent, including access, peat and wetland management, protection and enhancement of watercourses and natural features, protected species surveys and high quality siting and design. In terms of tree felling, the developer will be required to do this in accordance with The Scottish Government's Policy on Control of Woodland Removal [*]. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

South of Cnoc na Cachaille (BF06)

Broadford and Strath Community Company (1105071)

The boundary was amended (extended northwards) following the Main Issues Report to better reflect the community buyout ownership. The additional suggested change by Broadford and Strath Community Company is a further refinement of the boundary but is not considered to have any other consequential impacts. If the Committee / Reporter is so minded the Council is content for the boundary of BF05 to be amended (and the subsequent changes to the boundaries of BF06 and BF14 which adjoin the site) to reflect the ownership of Broadford and Strath Community Company.

Jeanne-Marie Gescher (1104904)

The Council recognises that there may be compatibility issues between the adjoining allocations BF06 (Mixed Use – Community Business/Tourism) and BF14 (Industry). The listed developer requirements already include the sewage works setback (cordon sanitaire) and this could be broadened, if the Committee / Reporter agree, to add “and other setbacks between incompatible adjoining uses” after “sanitaire”. The precise location and width of setbacks is best considered at the planning application stage when more is known about the arrangement of different uses within the sites. Flexibility is also required in the absence of detailed information that will influence precise layouts such as flood risk, ground conditions and topography.

Existing Hospital Site (BF07)

Fiona Wood (1105135) Jeanne-Marie Gescher (1104904)

The Council and registered social landlords must allocate residential accommodation on the basis of need. A connection with the local area by residency, relationship or employment can be taken into account but not as an overriding factor. Many of the other issues raised by the respondent are already adequately addressed by the Plan's developer requirements. However, the suggested enlargement of the allocation has merit because it opens up joint site servicing improvement opportunities. The proposed industrial estate extension (BF14) and the existing hospital potential redevelopment opportunity (BF07) are both constrained in terms of requiring improved road access. A larger allocation including land owned by Corry Estate opens up other road access routes and the possibility of cost sharing. If the Committee / Reporter agree then the Council would be content that the allocation be expanded as suggested by one of the respondents. A more specific safeguard for the trees bordering the hospital to Corry Lodge road would also be appropriate given their heritage and amenity value. If the Committee / Reporter agree then the Council would support the addition after “green network” of “and safeguards the trees bordering the hospital to Corry Lodge road”. It is not necessary to add in a developer requirement relating to a specific drainage channel as a Drainage Impact Assessment will accompany any future application and more properly assess this issue across a wider area. The allocation even if expanded

as requested is sufficiently distant from the listed structures not to impact on their setting.

Robert Stradling (1105017)

Most issues raised by the respondent are adequately addressed within the existing developer requirements for the site. However, the safeguarding of existing legal rights of access could be added for reassurance and clarity. If the Committee / Reporter is so minded then the following developer requirement could be added: "Layout should preserve or provide acceptable alternative rights of access to the public road network".

South of Library (BF08)

Gordon Macphie (1104982)

There is a shortfall in employment land / building supply within Skye's second largest settlement. The respondent's proposal could create use compatibility issues within the site and affect the amenity of the adjoining housing at Riverbank. Moreover, the 1 in 200 year flood event risk area encroaches into the southern corner of the existing allocation. However, with a setback to the existing houses at Riverbank, the site's extension to the south west, and the deletion of housing as an option within the use mix then an amendment may be desirable. If the Committee / Reporter agrees then the Council would support an extension of the site boundary [*], the deletion of housing as an acceptable use within the allocation's mix, the addition of industry as an acceptable use but with an additional developer requirement requiring that any such use be limited to the south west portion of the site with a landscaped setback to existing and proposed other uses.

Jeanne-Marie Gescher (1104904)

Comments highlighting the sensitive nature of this site are noted. There is already a Placemaking Priority which seeks high quality siting and design for any new development along the A87. However, to strengthen this position, if the Committee / Reporter agrees then an additional developer requirement could be added "High quality of architectural design and siting in respect of development fronting the A87".

The Co-op (1103683)

The site lies at the heart of the concentrated part of the crofting townships that make up the wider Broadford settlement and is therefore an appropriate location for town / village centre uses such as a supermarket. The Co-op already enjoys a pre-eminent position across Skye and Lochalsh in terms of foodstore provision and its stores overtrade during the summer high tourist spend months. Given this context it would be inappropriate for the Council as planning authority to artificially restrict competition by amending its development plan to reduce the supply of potential other supermarket sites within Broadford and elsewhere within Skye and Lochalsh. Accordingly, the Council believes the existing Plan content is sufficient in respect of this issue and should remain unaltered.

North of Village Hall (BF10)

Fearann Eilean Iarmain (995590)

The support for the continued allocation of the site from the landowner and its intention to progress a development is noted.

The Co-op (1103683)

The site lies close to the heart of the concentrated part of the crofting townships that make up the wider Broadford settlement and is therefore an appropriate location for town / village centre uses although in practice the site's size, access limitations and visual sensitivity

make it unsuitable for a large format foodstore. The Co-op already enjoys a pre-eminent position across Skye and Lochalsh in terms of foodstore provision and its stores overtrade during the summer high tourist spend months. Given this context it would be inappropriate for the Council as planning authority to artificially restrict competition by amending its development plan to reduce the supply of potential other supermarket sites within Broadford and elsewhere within Skye and Lochalsh. Accordingly, the Council believes the existing Plan content is sufficient in respect of this issue and should remain unaltered.

Glen Road West of School (BF11)

Sportscotland (1069318)

Whilst the allocation includes the sports field it is not anticipated that it would be affected by development. However, if the redevelopment of the school and hall area does require the use of this land then equivalent playing field provision within the allocation boundary would be required. Accordingly, if the Committee / Reporter agree then the Council would support the following additional developer requirement: "Sports field to be retained or relocated within allocation boundary to an equivalent or better standard".

Land Adjoining Health Centre (BF12)

Jeanne-Marie Gescher (1104904)

There is already a developer requirement highlighting the need for a high quality of siting and design. Similarly, the wider issue of the heritage value of the shoreline is addressed in respect of RSPB's representations within this schedule.

Robert Stradling (1105017)

Most issues raised by the respondent are adequately addressed within the existing developer requirements for the site. However, the safeguarding of existing legal rights of access could be added for reassurance and clarity. If the Committee / Reporter is so minded then the following developer requirement could be added: "Layout should preserve or provide acceptable alternative rights of access to the public road network".

Ashaig Cemetery (BF13)

SEPA (906306)

The Council accepts that the additional developer requirement suggested by SEPA would be appropriate given the potential groundwater pollution risk. Accordingly if the Committee / Reporter agrees then the Council would be content with the existing Developer Requirement "Intrusive Ground condition investigations which may necessitate consideration of alternative land closeby" being deleted and replaced with: "Intrusive ground investigations to be undertaken in line with SEPA guidance on assessing the impacts of cemeteries on groundwater. Findings of the investigation may indicate that the site, or parts of it, is not suitable for a cemetery due to an unavoidable impact on groundwater. This may necessitate consideration of alternative land close by."

North of Industrial Estate (BF14)

Highlands and Islands Enterprise (968745)

The requested change is in accord with a change of use planning permission granted by the Council [*]. Accordingly if the Committee / Reporter agrees then the Council would be content with the requested change to separate that part of BF14 that lies south and east of Pairc Nan Craobh to create a new mixed uses allocation which would mirror the terms of this planning permission in terms of the range of acceptable uses and the developer requirements taken from its principal conditions notably the need for replacement native

species planting.

Jeanne-Marie Gescher (1104904)

Whilst there is already a developer requirement for compensatory planting, the provision of a woodland buffer on the eastern side of the allocation would help to screen and reduce noise from any industrial development and safeguard green network connectivity.

Therefore if the Committee / Reporter agree then the following addition could be made, after "Compensatory Planting may be required" add "including a native species woodland buffer along the eastern boundary of the site."

Reporter's conclusions:

Reporter's recommendations:

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| Issue 15 | DUNVEGAN | |
| Development plan reference: | Dunvegan Settlement Chapter, Pages 112-118 | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| MacLeod Estate (1105407) RSPB (1104965) | | |
| Provision of the development plan to which the issue relates: | Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements | |
| Planning authority's summary of the representation(s): | | |
| <p>General <u>MacLeod Estate (1105407)</u> Requests, as owners of 'Old Dunvegan Campsite', that this area is allocated for mixed use development (map supplied by respondent) because it is allocated for this purpose in the adopted WHILP (assumed).</p> <p>Placemaking Priorities <u>RSPB (1104965)</u> Requests amendment to fourth Placemaking Priority because the existing wording implies that the protection and expansion of green networks is the only way in which the natural and built heritage of the wider area is to be safeguarded, promoted and enhanced. It is also important to recognise that the wider area (beyond the immediate confines of the settlement boundary) is important for its natural heritage which needs to be safeguarded and enhanced – Loch Dunvegan for example.</p> | | |
| Modifications sought by those submitting representations: | | |
| <p>General <u>MacLeod Estate (1105407)</u> Inclusion of mixed use allocation at the site of the former Dunvegan caravan and camping site with same boundary, capacity and requirements as adopted local plan allocation reference MU6 (assumed).</p> <p>Placemaking Priorities <u>RSPB (1104965)</u> Fourth Placemaking Priority amended with the addition of two words so that it reads "Safeguard, enhance and promote the natural and built heritage of the <i>wider area</i>, <i>including</i> through the protection and expansion of green networks through and around the village."</p> | | |
| Summary of responses (including reasons) by planning authority: | | |

General

MacLeod Estate (1105407)

The site was not taken forward as an allocation in the Plan because: it had not been progressed since its allocation in the 2010 adopted local plan; it is relatively distant from the settlement's facilities; a clustered development form in this location would not be wholly compatible with the adjoining settlement pattern; and, the site has poor active travel connections to the rest of the village. The site remains within the SDA for Dunvegan and is previously developed in part so would still therefore carry a positive planning policy presumption if an application were lodged for a small scale development within the site. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this representation.

Placemaking Priorities

RSPB (1104965)

The fourth Placemaking Priority has been included to reflect the sensitivity of the local environment to certain types of development, particularly those areas covered by natural heritage designations. It is recognised that the wording could be improved to help clarify that the Placemaking Priority refers to areas beyond those depicted as green networks. However, the Council do not agree with the reference to the 'wider' area because this text only applies to the Dunvegan SDA and its immediate surroundings. If the Committee / Reporter is minded to agree then the following amendment to the Placemaking Priority could be made: "Safeguard, enhance and promote the natural and built heritage of the area, *including* through the protection and expansion of green networks through and around the village."

Reporter's conclusions:

Reporter's recommendations:

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| Issue 16 | KYLEAKIN | |
| Development plan reference: | Kyleakin Settlement Chapter, Pages 119-123 | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Catherine Grant (1105197) RSPB (1104965) | | |
| Provision of the development plan to which the issue relates: | Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements | |
| Planning authority's summary of the representation(s): | | |
| <p>Placemaking Priorities <u>RSPB (1104965)</u> Seeks Plan amendments to offer more specific, exact and legally correct protection to natural heritage interests because: paragraph 196 of Scottish Planning Policy confirms that international, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans; the word "Reefs" has been omitted from the name of the SAC heritage designation; and, that in the relevant legislation there is no significance test for an adverse effect on the integrity of an SAC designation.</p> <p>Land Adjoining Playing Field (KA02) <u>Catherine Grant (1105197)</u> Supports the allocation but objects to flats being built. Respondent's main water supply and underground power cables come through this land.</p> | | |
| Modifications sought by those submitting representations: | | |
| <p>Placemaking Priorities <u>RSPB (1104965)</u> Addition of following text to Paragraph 3.12: "South of Loch nam Beiste, the Kinloch and Kyleakin Hills SAC is designated for its rich plant communities." Correction of typographical error in the first Placemaking Priority for Kyleakin – "Lochs Duich, Long and Alsh SAC" should be "Lochs Duich, Long and Alsh Reefs SAC". In the second Placemaking Priority for Kyleakin, "significant adverse impact" should be replaced with "adverse effect".</p> <p>Land Adjoining Playing Field (KA02) <u>Catherine Grant (1105197)</u> Developer requirements amended to clarify that flats will not be built within the site (assumed).</p> | | |
| Summary of responses (including reasons) by planning authority: | | |

Placemaking Priorities**RSPB (1104965)**

Paragraph 3.12 refers to built and natural heritage features which sit within or immediately adjacent to Kyleakin. Kinloch and Kyleakin Hills SAC sits to the south of Kyleakin. The SAC was screened into the HRA but only against Ashaig Airstrip. Through the subsequent Appropriate Assessment the factors currently influencing the SAC were identified as: over-grazing; invasive species; forestry activities; and dumping or spreading of materials on site. The HRA screened out all the allocations in Kyleakin. The HwLDP provides adequate policy coverage to address proposals outwith the Kyleakin SDA. Therefore, the Council does not consider that a reference should be made to the Kinloch and Kyleakin Hills SAC and the Plan content should remain unaltered in respect of this representation. In terms of the suggested deletion of the word “significant” if the Committee / Reporter agree then the Council would support this change for the sake of consistency with the HRA and relevant legislation. Similarly, the Council accepts that the typographical error in the first Placemaking Priority and “Lochs Duich, Long and Alsh SAC” should be changed to “Lochs Duich, Long and Alsh Reefs SAC”.

Land Adjoining Playing Field (KA02)**Catherine Grant (1105197)**

The specific types and design of housing proposed on any site are only known and considered if and when a planning application is lodged. The development management process allows adequate consideration of representations on this issue. In any event, the site area extends to 2.6 hectares and an indicative housing capacity of 26 has been set which equates to 10 houses per hectare. This is a low average density for a rural village with a clustered settlement pattern. An application on part of the site [*] for 18 houses (including 8 cottage flats) was submitted in October 2017. Several representations were made on the application raising concerns about the density as the proposed development only covers 0.9 hectare of the site. As of February 2018 the application is still awaiting decision. The extension of existing mains water supply and underground power cables or the protection of these is the responsibility of the developer and the utility provider. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

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

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| Issue 17 | PORTREE | |
| Development plan reference: | Portree Settlement Chapter, Pages 124-138 | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <p>Crofting Commission (955042) D & C Stammers (986876) Fearann Eilean Iarmain (995590) George McLean (997237) Honey Pie (1104096) Margaret Burr (1097604) Neil Henning (1104907) Planning and Architecture Division Scottish Government (1101467) Scottish Natural Heritage (909933) SEPA (906306) Shona Cameron (995772)</p> | | |
| Provision of the development plan to which the issue relates: | Placemaking Priorities, Settlement Maps, Site Allocations with Developer Requirements | |
| Planning authority's summary of the representation(s): | | |
| <p>Route of Link Road <u>Shona Cameron (995772)</u> Believes the Link Road alignment should be changed to connect Home Farm to the Staffin Road further to the north (assumed in the vicinity of the Achachork junction) than depicted on the Portree North East Settlement Map because: the existing proposed route passes through existing residential development; traffic speeds could be high even if a limit is imposed which will raise safety issues for children and animals; and, the road will attract freight and tourist traffic.</p> <p>Placemaking Priorities <u>Honey Pie (1104096)</u> Questions the logic of promoting development sites within the village centre because of the increasing lack of parking facilities. Suggests that land at Bayfield should be allocated for a low level multi storey car park.</p> <p><u>Scottish Government (1101467)</u> Seeks amendment to paragraph 3.20 to clarify that the Portree Link Road developer contributions guidance is intended to be future statutory supplementary guidance because Circular 6/2012 states that exact levels of developer contributions and methodologies for their calculation should be in statutory not more informal guidance.</p> <p><u>Scottish Natural Heritage (909933)</u> Objects to the Placemaking Priority referencing the possibility of a road around the Lump because the Lump: contributes to the distinctiveness of Portree as a place, as well as providing greenspace for people and biodiversity; it is recognised in the Proposed Plan as a</p> | | |

“cherished green space”and as part of the green network; and, such a road would therefore undermine the principles of good placemaking by having a negative impact on a key greenspace that makes this part of Portree so distinctive.

North of Storr Road (PT02)

D & C Stammers (986876)

Objects to loss of greenspace, quiet residential amenity, bird habitat, land for grazing, and accessible recreational space used by children, walkers and dog walkers.

North of Storr Road (PT02) and Kiltaraglen South (PT03)

Shona Cameron (995772)

Objects to principle of development because: the land is currently unique, cherished community greenspace and is not unused/derelict space; of loss of habitat for a range of wildlife; there is no other suitable, locally available outdoor recreational space; sites PT15 and PT16 are better suited for housing development because they are currently derelict land. Questions how and where the Plan will deliver its aim of ‘...extend[ing] Portree's green networks’. Supports preserving the wooded areas and burn sides but these have different value and use to open green networks such as PT02 and PT03. Disagrees that the Plan is delivering SNH's definition of green network.

Kiltaraglen (South) (PT03)

George McLean (997237)

Requests that the developer requirements be amended to include reference to an obligatory protected species survey because a bat colony is still in residence on the site.

Kiltaraglen (North) (PT04)

Crofting Commission (955042)

Concerned that the development of the site would result in the loss of a significant area of croft land. The Crofting Commission is required by Crofters (Scotland) Act 1993, as amended, to have regard to the impact of changes to the overall area of land held in crofting tenure on the sustainability of crofting. This land is on the fringe of the settlement and therefore presently little affected human activity from neighbouring development.

SEPA (906306)

Requests additional developer requirements to address peat, wetland and flood risk issues because: part of the allocation is defined as peatland and wetlands are present; paragraph 205 of Scottish Planning Policy requires that impacts on carbon rich soils and wetlands; and, this would ensure consistency with other similar developer requirements within the Plan. Suggests that the indicative housing capacity should be reassessed in light of the flood risk, peatland and wetland issues affecting the site.

South of Achachork (PT06)

Crofting Commission (955042)

Concerned that the development of the site would result in the loss of a significant area of apportioned croft land contrary to the Council's policy of minimising the loss of inbye / apportioned croft land.

Neil Henning (1104907)

Objects because: the name is incorrect; it will have a significant adverse impact on the township of Achachork as a crofting community; it will lead to the coalescence of Achachork

and Portree; of the loss of hunting land used by birds of prey; loss of other wildlife habitat; of significant financial impact on several local tourist accommodation businesses which depend upon the unique combination of being close to the amenities of Portree whilst also having a distinctly rural feel; and, of a lack of capacity along Staffin Road which is the only used route to the Old Man of Storr creating road safety issues.

Margaret Burr (1097604)

Objects because of: loss of peatland, wildlife habitat and resultant potential adverse species impacts; coalescence of two separate settlements; and, adverse impact on local tourist accommodation businesses which depend upon the rural tranquillity of the location.

SEPA (906306)

Requests additional developer requirements to address peat, wetland and flood risk issues because: part of the allocation is defined as peatland and wetlands are present; paragraph 205 of Scottish Planning Policy requires that impacts on carbon rich soils and wetlands; and, this would ensure consistency with other similar developer requirements within the Plan.

West of College, Struan Road (PT08)

SEPA (906306)

Requests additional developer requirement to address peat and wetland issues because: part of the allocation is defined as peatland and wetlands are present; paragraph 205 of Scottish Planning Policy requires that impacts on carbon rich soils and wetlands; and, this would ensure consistency with other similar developer requirements within the Plan and with the Environmental Report.

Land South of Shinty Pitch (PT19)

Fearann Eilean Iarmain (995590)

Clarifies that there is a proposal being currently progressed for an important community use on this land and therefore it is important that the Plan makes provision for this development, which will meet local need and consolidate other sports, recreation and leisure uses in this part of Port Righ.

Auction Mart (PT20)

SEPA (906306)

Requests additional developer requirement to address peat and wetland issues because: part of the allocation is defined as peatland and wetlands are present; paragraph 205 of Scottish Planning Policy requires that impacts on carbon rich soils and wetlands; and, this would ensure consistency with other similar developer requirements within the Plan and with the Environmental Report.

Modifications sought by those submitting representations:

Route of Link Road

Shona Cameron (995772)

Realignment of Portree Link Road to connect with Staffin Road at Achachork junction (assumed).

Placemaking Priorities

Honey Pie (1104096)

Additional priority for a low level multi storey car park at Bayfield (assumed).

Scottish Government (1101467)

The word 'may' should be replaced with 'will' in paragraph 3.20.

Scottish Natural Heritage (909933)

Removal of the fourth Placemaking Priority of "Safeguard a route for the possibility of a longer term service access to the harbour from the A855 and around the south of the Lump."

North of Storr Road (PT02)

D & C Stammers (986876)

Deletion of allocation (assumed).

Shona Cameron (995772)

Deletion of allocation

Kiltaraglen (South) (PT03)

Shona Cameron (995772)

Deletion of allocation (assumed).

George McLean (997237)

Amendment to developer requirements that a protected species survey must be undertaken in respect of the local bat colony.

Kiltaraglen (North) (PT04)

Crofting Commission (955042)

Deletion of allocation (assumed).

SEPA (906306)

That the following addition be made: "Peat management plan to demonstrate how impacts on peat have been minimised; Vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit areas that can be developed." Reduced (undefined) indicative housing capacity.

South of Achachork (PT06)

Crofting Commission (955042)

Deletion or reduction of allocation (assumed).

Neil Henning (1104907)

Deletion of allocation (assumed).

Margaret Burr (1097604)

Deletion of allocation (assumed).

SEPA (906306)

That the following addition be made: "Peat management plan to demonstrate how impacts on peat have been minimised; Vegetation survey to demonstrate how impacts on wetlands have been avoided. Presence of deep peat and wetlands may limit areas that can be developed."

West of College, Struan Road (PT08)

SEPA (906306)

That the following addition be made: "Presence of deep peat and wetlands may limit areas that can be developed."

Land South of Shinty Pitch (PT19)

Fearann Eilean Iarmain (995590)

Allocation for a specific (undefined) community use (assumed).

Auction Mart (PT20)

SEPA (906306)

That the following addition be made: "Presence of deep peat and wetlands may limit areas that can be developed."

Summary of responses (including reasons) by planning authority:

Route of Link Road

Shona Cameron (995772)

The suggested alternative alignment was considered when the alignment of the link road was being considered during the 1990s [*]. It offers a different mix of positives and negatives to the route indicated on the Portree North East Settlement Map. The Achachork junction connection route is longer and more expensive to complete, crosses the ownership of a party opposed to its construction but does "bypass" more of the section of Staffin Road that has capacity constraints. Completion of the depicted route will divert extraneous traffic from the most congested part of the village centre including the most constrained parts of the radial route (Bosville Terrace and Mill Road), crosses the ownership of parties likely to release land for its construction, and has a construction cost estimate that is achievable given the funding likely to be available from the public sector and from developer contributions. The effective enforcement of a speed limit is a matter for the police not for the development plan but the design of the road and its junctions can be engineered to slow speeds. The short length, gradient and curvature of the depicted route will all militate against high traffic speeds. The depicted route is very similar to that already endorsed within the adopted WHILP. In the much longer term, then a road connection through site PT04 to connect with Staffin Road at the Achachork junction could be a possibility and the Plan's provisions do not inhibit this option. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Placemaking Priorities

Honey Pie (1104096)

The Council accepts that there is summer tourist season shortfall in public car parking within central Portree. The mixed use allocation PT13 (Bayfield) references the need for additional parking as a developer requirement of that site, which is particularly suitable for multi storey parking because of its difference in levels. Allocated land in the northern part of the settlement (PT07 and PT25) provides an opportunity to relocate long stay coach and service bus parking demand out of the village centre which would free up more general needs parking bays. If the Committee / Reporter agrees then an additional reference would highlight the Council's support for the improvement of car parking provision in Portree. An additional Placemaking Priority could be added to state: "Improve public car parking and coach/bus drop-off provision within the village centre and encourage relocation of longer stay needs to more peripheral locations".

Scottish Government (1101467)

The Council accepts that if this type of guidance is prepared then it should be statutory. The word “may” was intended to reflect a degree of uncertainty about the balance of funding being available from the public purse for the larger transport schemes such as Portree Link Road. For example, in the event of the balance of the funding being cut from the Council's current capital programme then the planning authority would not proceed in preparing a detailed financial protocol to secure developer contributions. If the Committee / Reporter believes an amendment is necessary then the Council suggests the deletion of the last sentence before the bullets in paragraph 3.20 and its replacement with: “If appropriate then the Council will produce further, statutory Supplementary Guidance on this matter which will set out details on:”.

Scottish Natural Heritage (909933)

The road around the Lump has been a long standing community aspiration and is extant development plan policy. It is an integral part of the provisions of the adopted WHILP. Its justification is founded upon providing an alternative vehicular route to Portree Harbour which has severe and otherwise insurmountable access constraints. At present the junction at Bank Street and Harbour Quay is very tight, with Harbour Quay becoming immediately steep and narrow. Given the amount of traffic and pedestrians in the area, particularly during summer months, it has the potential to lead to major conflicts between pedestrians and motorised vehicles. The specific proposal to construct the connection and its related land allocations have not been followed through to the Proposed WestPlan because of significant doubts about its economic feasibility. It would not lever any sizeable developer contributions and would therefore be dependent upon undefined public money. A previous scheme failed in a European funding bid and it does not feature in the current capital programme of any public agency. Hence now that the proposal is only referenced as a long term aspiration. A road connecting Bayfield with the harbour would be predicated on a new seawall combined with inert infilling of land behind it to create room for the road, a new active travel promenade, and other desirable proposals such as additional parking at Bayfield and the harbour, and more back up land at the harbour for existing users and to attract additional recreational sailing and cruise ship tender craft. Environmental effect issues can be assessed and mitigated and the adopted development plan provisions were subject to strategic environmental assessment. The proposal would have no direct effect on the Lump greenspace and indeed would create a new route from which the landform and its planting can be appreciated. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

North of Storr Road (PT02) and Kiltaraglen South (PT03)

Shona Cameron (995772) and D & C Stammers (986876)

The land covered by allocations PT02 and PT03 have formed part of the Council's development plan and its strategy for the expansion of Portree since the 1990s. Both sites are now bordered by residential development can assist in the completion of the Portree Link Road and would round-off the existing settlement edge at this location. The fields have been managed for agriculture, are close to human activity and therefore have limited habitat value, and do not comprise formal public open space. However, the Council recognises the ecological importance of the field margins and in particular of the woodland along these margins. These green networks have been depicted on the Portree Town Centre Settlement Map and are referenced in the developer requirements of the sites. The two sites which the respondent suggests as alternative housing sites are already allocated for community uses. Planning in principle was granted for site PT15 for a church and

community centre and a new full application for the church was submitted in 2017 and is currently awaiting decision. PT16 is allocated for open ground community uses only due to the steepness of the site and large areas which are at risk of flooding. In a village or small town the size of Portree, where the open countryside and coastline permeates around and within the settlement then that surrounding greenspace is sufficiently accessible particularly where there is a network of wooded burnside and other paths to connect to it. Accordingly, the Council believes the Plan content should remain unaltered in respect of sites PT02 and PT03.

George McLean (997237)

Bat roosts are typically located within old buildings, underground caves/tunnels and within holes in trees. There may be a bat interest within the mature trees that border sites PT02 and PT03. If the Committee / Reporter are minded to agree then the Council would support an additional / amended developer requirement for both sites to state "Protected species survey".

Kiltaraglen (North) (PT04)

Crofting Commission (955042)

The Council's Highland wide Local Development Plan contains a general policy, Policy 47 Safeguarding Inbye / Apportioned Croftland, which sets out the Council's approach of minimising the loss of the more agriculturally productive croft land across all of Highland. However, croft land quality is only one factor in local development plan site selection which must be weighed against the pros and cons of other potential settlement expansion sites. The current Plan process has sought to identify and undertake a comparative assessment of Portree's settlement expansion site options. This was done through the Plan's Call for Sites and Main Issues Report phases. The adopted WHILP and its predecessor plan identified land at Sulaisaidar [*] as the next residential expansion area for Portree when Home Farm was completed. However, during WestPlan's preparation an assessment has been made of the deliverability of this area and it has been found to have severe ownership constraints. Two of the three ownership interests do not wish to release land for development and the principal and most feasible access connection route has a ransom issue. Moreover a large part of the land is productive grazing land and actively worked by a local crofter. Accordingly, the Council turned its intention to other alternatives. Loch Portree constrains expansion options to the south of the settlement and steeper ground plus landscape setting issues restrict growth to the east and west. Northward expansion of Portree is the only sensible option. An existing landfill site, other industrial uses and deep peat issues curtail the scope for residential development close to the A87. More of the Kiltaraglen croft land would have been identified for development in previous development plans but the previous owner-occupier crofter was very opposed to its release. The Council understands that the new owner is less opposed to the release of site PT04 in the medium to longer term. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

SEPA (906306)

If the Committee / Reporter agrees then the Council would support the additional developer requirements requested by SEPA. In terms of the indicative housing capacity, the current figure equates to a gross density of less than 4 dwellings per hectare. Portree is the largest settlement on Skye and the island capital and might typically for other similar Highland settlements be expected to accommodate developments averaging 20-25 dwellings per hectare (gross). This very low capacity was set to reflect the flood risk, peatland and wetland constraints referenced by SEPA. At the masterplanning / planning application stage

these constraints can be better assessed and addressed in terms of the detailed layout of the area. Accordingly, the Council believes the Plan's content should remain unaltered in respect of the capacity issue.

South of Achachork (PT06)

Crofting Commission (955042)

The Council's Highland wide Local Development Plan contains a general policy, Policy 47 Safeguarding Inbye / Apportioned Croftland, which sets out the Council's approach of minimising the loss of the more agriculturally productive croft land across all of Highland. However, croft land quality is only one factor in local development plan site selection which must be weighed against the pros and cons of other potential development sites. The Achachork site is rolled forward from the adopted WHILP, has limited grazing value and could assist in achieving road improvements in the north of the settlement. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Neil Henning (1104907) and Margaret Burr (1097604)

The Achachork site is rolled forward from the adopted WHILP, has limited grazing value and could assist in achieving road improvements in the north of the settlement. The site's developer requirements could lead to improvements being delivered to the local road travel network, including enhancement of Staffin Road, extension of the footpath on Staffin Road and connecting it with the houses north of the allocation boundary at Achachork. The Council does not dispute that the land may occasionally be used by birds such as raptors nor that it may be a loss of potential habitat for certain species. However, the land is open rough grazing land which is prevalent throughout West Highland and would therefore not have any significant impact on the population of these species. Concerns regarding the impact on the unique, crofting township character of Achachork are overstated given that many of the nearby properties have been developed over recent decades, are suburban in character and few if any are associated with actively worked crofts. The scale and impact of the development will also not be as significant as might be assumed from the size of the site. It is envisaged that development would be of a similar density to the surrounding properties (approximately 10-20 homes per hectare) which, taking into account the indicative capacity of 50 homes, would mean that only about one third of the site will be built on and as a result a degree of horizontal (and vertical given the levels difference) separation could be achieved between the new and existing development. Achachork is not unique in terms of tourist accommodation. Other coastal locations have similarly attractive outlooks and existing enterprises are not close enough to the village centre to offer an easy walkable connection to Portree's facilities. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

SEPA (906306)

If the Committee / Reporter agrees then the Council would support the additional developer requirements requested by SEPA because they would offer useful clarification and consistency with other parts of the Plan.

West of College, Struan Road (PT08)

SEPA (906306)

If the Committee / Reporter agrees then the Council would support the additional developer requirement requested by SEPA because it would offer useful clarification and consistency with other parts of the Plan.

Land South of Shinty Pitch (PT19)

Fearann Eilean Iarmain (995590)

The community use allocation in the Plan offers positive but general support for any community use not specific support for any particular community proposal. Overcoming the site's road access constraints without adversely affecting adjoining community facilities is the most relevant issue. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

Auction Mart (PT20)

SEPA (906306)

If the Committee / Reporter agrees then the Council would support the additional developer requirement requested by SEPA because it would offer useful clarification and consistency with other parts of the Plan.

Reporter's conclusions:

Reporter's recommendations:

| | | |
|---|---|------------------|
| Issue 18 | SLEAT | |
| Development plan reference: | Sleat Settlement Chapter, Pages 139-146 | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <p>Alan and Wendy Richmond (997715) Andrew Milner (1103156) Andrew Prendergast (1029023) Armelle Sandeman (1105140) B Thompson (1103290) Cathy Black (997342) Christopher Marsh (997494) Clan Donald Lands Trust (1105772) Cornelia Hetterich (1104123) Duncan MacInnes (992306) Fearann Eilean Iarmain (995590) Geoffrey Stephenson (1100908) Hazel Morrison (1100930) Heather Dodgson (995910) Keith Butler (991408) Kevin Donnelly (997567) Kevin Williams (1028162) Maggie Zerafa (1029963) Norman Sandeman (1099724) Olena Beal (994167) Philip Taylor (994165) Roveana Cleland (1116579) RSPB (1104965) Sleat Community Council (1104998) Sleat General Grazings Committee (997691) Steve Hall (1103275) Stephen Heap (1029961)</p> | | |
| Provision of the development plan to which the issue relates: | Placemaking Priorities, Settlement Maps, Site Allocations with Developer Requirements | |
| Planning authority's summary of the representation(s): | | |
| <p>General <u>Kevin Donnelly (997567)</u> Asserts that "East Sleat" should not be classified as a Main Settlement in the hierarchy because the presence and success of the Gaelic College, Sabhal Mòr Ostaig and its related employment is fragile and could be undermined by large scale development in the surrounding area, which would swamp the college and the wider community's Gaelic-speaking environment that underpins its success.</p> <p><u>Keith Butler (991408)</u></p> | | |

Objects to Teangue and the Sleat Peninsula being classed as a Main Settlement (assumed) for the following reasons: poor internet services; few general resources e.g. service stations, grocery facilities, shops; no local shops in Teangue; medical services already stretched and if more retired people move to the area this will stretch services further; shortage of dentists; few veterinary services; difficult to recruit professional staff to a rural area; infrequent bus services; impact of light pollution; ferry traffic passes through this area which with increased congestion due to visitors to the new distillery will increase the risk of road accidents; and, the attraction of this rural area is the beauty and uncluttered views of the hills and sea and if it becomes a housing estate then the term 'The Garden of Skye' will be irrelevant and the appeal to tourists will diminish.

Sleat General Grazings Committee (997691)

Objects to Plan's presumption against single house development on croft land and the concentration of larger new developments within existing SDAs. Reports that the community council supports an alternative approach of continued single house developments on in-bye croft land and anything larger (particularly groups of affordable housing for local young people) should be community led on sites outwith settlements. Accepts that this approach might be inhibited by a lack of services including no public transport and the poor condition of single-track roads, many of which need urgent attention.

Placemaking Priorities

Andrew Milner (1103156)

Objects to the first Placemaking Priority because this means that farmland is used for development which is detrimental to the viability of the local farm. Objects to Teangue being described in the second Placemaking Priority as an area with existing clusters of development as there are only a few moderately sized buildings above the hotel and the area proposed for development is in excess of the area occupied by this small cluster.

Kevin Donnelly (997567)

Objects to the reference to Teangue in the second bullet point in the Placemaking Priorities as it is a scattered settlement, there are no shops or facilities, the bus service is poor and the new Torabhaig Distillery will only support 2 or 3 full time jobs.

Andrew Prendergast (1029023)

Agrees with the general presumption of preserving croft land from single house speculative development and steering major developments away from outlying townships towards the Main Settlement area. However, believes the Plan should recognise and make exception for small-scale community led developments, including affordable housing, outwith the Main Settlement because concentrating affordable housing in main settlements is gradually emptying the outlying townships of young people and families and without them traditional land management activities are unable to continue. Also because mainstream social landlords tend only to develop in Main Settlements so any affordable housing in outlying townships will need to be community led and therefore the Plan should not hinder this sort of development.

RSPB (1104965)

Requests an additional Placemaking Priority regarding green networks to ensure consistency with other settlements. Seeks amendment to second Placemaking Priority because in the relevant legislation there is no significance test for an adverse effect on the integrity of an SAC designation.

Manse Field (ES01)

Sleat Community Council (SCC) (1104998)

Objects for the following reasons: approval has recently been given for a single dwelling house within ESO1 (site reference 16/01528/FUL) which SCC objected to on landscape and loss of agricultural land reasons; the land is prime agricultural land which is actively used for the grazing of livestock; it forms part of the last working farm in Sleat; in comparison with, for example, areas on the east coast of Scotland, there is very little prime agricultural land left in the Sleat peninsula; 65% of Sleat is under crofting tenure; there are many other potential sites for housing development in the Sleat area without the need to utilise good farming land; there are already planning permissions for 11 houses at Exhibition Cottage adjacent to the Sleat Medical Centre and other housing development at the new Kilbeg village; and, the Teangue / Ferrindonald SDA (north east boundary) should be reduced to protect a significant area of farmland.

Sleat General Grazings Committee (SGGC) (997691)

Objects because: site borders croft land and is used by crofters; site has similar if not better agricultural productivity than other in bye land within Sleat (the fields have been classed as Region 1 by SGRPID which is the highest category of land quality and which attracts the highest support payment); of loss of crofting identity and lifestyles; other better alternative sites at Armadale, the Gaelic College and Kilbeg, the latter which already has planning permission for 91 houses; of adverse impact on crofting landscape which tourists come to see; of loss of biodiversity because of loss of improved pasture habitat; and, the reduced viability of farm unit that uses site.

Norman Sandeman (1099724), Heather Dodgson (995910), Hazel Morrison (1100930), Kevin Donnelly (997567), Alan and Wendy Richmond (997715), Duncan MacInnes (992306), B Thompson (1103290), Andrew Milner (1103156), Steve Hall (1103275), Stephen Heap (1029961), Philip Taylor (994165), Olena Beal (994167), Christopher Marsh (997494), Armelle Sandeman (1105140), Cathy Black (997342), Roveana Cleland (1116579)

Respondents object to allocation for one or more of the following reasons: site is worked by a local crofting family and is therefore against the spirit of the Council's policy of protecting better croft and other agriculturally productive land; site is good quality arable land; prime agricultural land must be protected; a young Gaelic speaking family have farmed the land for many years and should be encouraged to continue; croftland must be protected, especially actively used land; land is an attractive and prominent site and the unspoilt nature adds to the visitor experience of the area; views such as from the Cnoc Castle would be adversely impacted upon; there is no demand for additional houses in this area; many housing plots remain undeveloped; there is strong local opposition to the site being developed; the landowner is the only person to benefit for the development of the site; the landowner holds large areas of land and there are plenty of alternative sites which are better suited for development, e.g. near the Hub at Isle Ornsay; the site is an important habitat for wildlife including bats which are protected species; Japanese Knotweed borders the site which could undermine its development; development of 3.4 ha of land would be out of keeping with the settlement pattern of the local area, which is scattered homesteads; few new houses have been built alongside the main road; there is a lack of supporting infrastructure for the development of the site, including limited water supply, broadband network, elderly care provision, primary school capacity and poor public transport provision; the increase in housing in the area is already causing more frequent problems with surface

water drainage; it would lead to a dramatic and unwanted increase in light pollution (including the possibility of introducing street lighting); the local community are proud and protective of their Dark Night status; there isn't enough employment to support the new residents; the new distillery will require very few employees; and, road access will be on to the A851 which is already a fast and potentially dangerous corner at the bottom of a downhill section.

West of Youth Hostel (ES02)

Sleat Community Council (SCC) (1104998)

Supports the site being allocated for housing, including open-market, affordable, special needs and sheltered housing, due to its proximity to services, transport, shops and employment opportunities.

Andrew Prendergast (1029023)

Supports allocation because it is close to services such as post office, shop, transport etc. and would be suitable location for supported housing for older people, which is not currently available in Sleat, but which is needed. A community-led development would be best. Agrees with the indicative capacity and the developer requirements to respect the existing mature treeline around the eastern and southern edges of the field, as well as set back from the landscape planting established along the roadside and the requirement to safeguard public access to the beach.

Kevin Williams (1028162)

Supports allocation.

Maggie Zerafa (1029963)

Supports allocation, its capacity and its developer requirements.

Between the Potteries (ES03)

Sleat Community Council (SCC) (1104998)

References terms of previous planning permission.

Fearann Eilean Iarmain (FEI) (995590)

Reports that, as landowner, it is preparing development proposals for this site and that these have been amended to take account of the results of community engagement. Reports that this may include business and retail uses, however the flexibility and deliverability of a development on this site would be enhanced by the addition of some housing, including live/work, as an additional use.

Maggie Zerafa (1029963), Andrew Prendergast (1029023)

Supports business and commercial uses on the site but not housing because Armadale is a great trading location and this is one of the last remaining opportunities to locate new businesses and employment creation activities in the area. Supports the developer requirements to protect woodland along Armadale Bay and the integrity of the green network treelines along the shore and the eastern edge.

Armadale Bay (ES04)

Sleat Community Council (SCC) (1104998)

Reports the aspiration of the Scottish Government via Caledonian Maritime Assets Ltd and CalMac Ferries Ltd for future expansion of Armadale Harbour which will include an enlarged marshalling and car parking area. A paper has been produced for Highland

Council from the Sleat Transport Forum and SCC welcomes the opportunity to contribute to these discussions and ask that indicative sums be added to future capital plans. Supports the developer requirement relating to the protection of the Minches SAC.

Kevin Williams (1028162)

Supports the allocation.

Maggie Zerafa (1029963)

Supports marine leisure and tourism related development as long as it recognises the need to protect the woodland along the shoreline and the Bay and the need to protect the view from the sea coming into Armadale.

Andrew Prendergast (1029023)

Conditionally supports the principle of marine leisure and tourism related development, but development proposals should also demonstrate that there would be no adverse impact on the integrity of the wooded shoreline, both from a landscape and local amenity perspective.

Geoffrey Stephenson (1100908)

Seeks clarification on what "Northern access may require upgrading or new access formed; Retain beach access." Means. If it means opening up the northern end of Allt a 'Tuath road end, then claims that all residents of the Allt a 'Tuath development will object to it as evidenced by their response to a previous consultation (undefined).

Kilbeg Village (ES05)

Sleat Community Council (SCC) (1104998)

Supports the allocation, particularly for low-cost accommodation and sheltered housing.

Clan Donald Lands Trust (1105772), received 26 July 2017

Supports the allocation for mixed use development.

Kevin Donnelly (997567)

Conditionally supports allocation but only if its development is managed and nurtured to happen gradually and organically, in full consultation with the college, thus allowing a mainly Gaelic-speaking community to grow up naturally around the college because the success of the College is fragile and depends upon the preservation of a Gaelic-speaking environment. If not then "a forced" development it could "kill" the College. The indicative capacity of 93 houses over the lifetime of the Plan is too high. The main need is for rented accommodation, particularly accommodation suitable for families, owned and managed by the College as this might enable students to stay in the area and find employment.

Land Adjacent to Kilbeg Village North of A851 (ES06)

Sleat Community Council (SCC) (1104998)

Supports site for longer-term development opportunities (assumed).

Clan Donald Lands Trust (1105772), received 26 July 2017

Seeks extension (map supplied by respondent) of allocation to include all of the fields at this location. Queries why part of the fields have been excluded from the allocation boundary.

Duncan MacInnes (992306)

Objects for the following reasons: land is crossed by two private water supplies and a

private storage tank at the northern end; land is crossed east to west by the main water supply to Ardvasar which limits the amount of land that could be built on; it is divided by a north south covered stream which is open at the top and bottom and must have a 6 metre exclusion zone; it can not be screened from the A851 road; it is good agricultural land which only appears as unsuitable for agriculture due to 40 years of neglect by the land-owner; it shows no consideration for the local community and there been no communication about what is being proposed; and, development will lead to greater water flow from ground drains which will have an impact on land downstream and this cannot be mitigated.

Kevin Donnelly (997567)

Conditionally supports allocation but only if its development is managed and nurtured to happen gradually and organically, in full consultation with the college, thus allowing a mainly Gaelic-speaking community to grow up naturally around the college because the success of the College is fragile and depends upon the preservation of a Gaelic-speaking environment. If not then “a forced” development it could “kill” the College. The site is visible from the start of the walk up to Tarskavaig road, which is a popular walk and therefore good design and tree planting will be necessary.

Christopher Marsh (997494)

Objects because this allocation will lead to the loss of good grazing ground (agricultural activity and economic impacts), will have an adverse visual impact on the whole area, and there is already a substantial area being proposed for residential development at ES05 Kilbeg.

Knock (ES07)

Sleat Community Council (SCC) (1104998)

Supports the allocation and the employment the distillery provides (assumed).

Armelle Sandeman (1105140)

Queries whether there is any more development potential beyond the planning permission that has been implemented. Opposes further development.

Olena Beal (994167)

Opposes further development on allocation because: this is an area of unsurpassable views down the Sound of Sleat and across to Knoydart and across the farmland to Knock Bay and Knock Castle, which should all be protected; the distillery needs surrounding rural space to remain a special sensitive development; and, the term “mixed use” is an unspecified item.

Kevin Donnelly (997567)

Opposes much more development at this site for the following reasons: it is prominent in views from Tenague and Saasaig; it is a beautiful area; its is adjacent to Knock Castle, a popular viewpoint for tourists; its is adjacent to the sea and Knock beach and beaches are scarce in Skye; it is within a dark sky area; and, significant development could detract from the visitor experience and economy of the new Torabhaig distillery.

Modifications sought by those submitting representations:

General

Kevin Donnelly (997567), Keith Butler (991408)

Deletion of Sleat as a Main Settlement (assumed).

Placemaking Priorities

Andrew Milner (1103156)

Delete first placemaking priority (assumed).

Kevin Donnelly (997567), Keith Butler (991408), Andrew Milner (1103156)

Remove reference to Teangue from the second bullet point in the Placemaking Priorities (assumed).

Andrew Prendergast (1029023)

More positive policies for small-scale community led developments in the outlying townships of Sleat (assumed).

Alan and Wendy Richmond (997715)

Remove allocations for development at Teangue (assumed).

RSPB (1104965)

Include additional Placemaking Priority: Preserve and extend Sleat's green networks. In the second Placemaking Priority, "significant adverse impact" should be replaced with "adverse effect".

Manse Field (ES01)

Norman Sandeman (1099724), Heather Dodgson (995910), Hazel Morrison (1100930), Kevin Donnelly (997567), Alan and Wendy Richmond (997715), Duncan MacInnes (992306), B Thompson (1103290), Andrew Milner (1103156), Steve Hall (1103275), Stephen Heap (1029961), Philip Taylor (994165), Olena Beal (994167), Christopher Marsh (997494), Armelle Sandeman (1105140), Cathy Black (997342), Roveana Cleland (1116579)

Deletion of allocation ES01.

Between the Potteries (ES03)

Fearann Eilean Iarmain (995590)

Broadening of the list of acceptable uses to include housing and/or live/work space.

Armadale Bay (ES04)

Maggie Zerafa (1029963)

Amended developer requirements: protect the woodland along the shoreline and the Bay; protect the view from the sea coming into Armadale (assumed).

Andrew Prendergast (1029023)

Amended developer requirements: no adverse impact on the integrity of the wooded shoreline both from a landscape and local amenity perspective (assumed).

Geoffrey Stephenson (1100908)

Deletion of allocation if access is to be taken from the northern end of allt a 'tuath road end (assumed).

Kilbeg Village (ES05)

Kevin Donnelly (997567)

Lower indicative capacity (assumed).

Land Adjacent to Kilbeg Village North of A851 (ES06)

Clan Donald Lands Trust (1105772)

Extend the boundary to the extent of the respondent's ownership.

Duncan MacInnes (992306), Christopher Marsh (997494)

Deletion of allocation (assumed).

Kevin Donnelly (997567)

Addition of developer requirement: "good design; and tree planting will be necessary".

Knock (ES07)

Armelle Sandeman (1105140), Olena Beal (994167)

Deletion of allocation (assumed).

Summary of responses (including reasons) by planning authority:**General**

Kevin Donnelly (997567), Keith Butler (991408)

The Plan's settlement hierarchy has been determined looking at a range of criteria including: the size of the existing population and housing stock; the size, catchment and spare capacity of existing and proposed infrastructure provision; and, the need and demand for development (particularly the buoyancy of the local housing market expressed through recent house completions and housing need expressed through the Common Housing Register "waiting list" numbers). The crofting and other settlements that occupy the eastern coastal margins of Sleat, collectively, meet these criteria for classification as a main settlement. For example: the A851 spine road has seen significant recent investment and is a primary tourist route; the local housing waiting list figures are higher than many other parts of Skye and Lochalsh; the area continues to be subject to significant (relative to the rest of Skye and Lochalsh) development pressure as evidenced by 127 new house completions in Sleat between 2000 and 2014; and Sleat benefits from a diverse range of employment opportunities and community / commercial facilities (a primary school, a college, a health centre, local shops and hotels). Although some of the local facilities and infrastructure networks (notably water and sewerage) have capacity issues, the Council believes Sleat (compared to other settlements) is well placed to accommodate limited growth. No part of the Highland Council area has spare capacity in all of its community and commercial facilities and infrastructure networks. Mr Butler's expected range of facilities would be more akin to that available within a very accessible and well served urban area. It is more reasonable to expect a level of service, facility and infrastructure provision proportionate to the remoteness of a location and the population catchment it can offer to public and commercial service providers. Classification as a Main Settlement means that that growth is subject to more specific development plan guidance and should therefore be better directed and managed. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Sleat General Grazings Committee (997691)

The views of the Grazings Committee (and the reported views of Sleat Community Council) are shared by many community groups across Highland. West Highland in particular has a tradition of dispersed rather than clustered development and a settlement pattern based on crofting townships served by rural parish-wide catchment facilities. This means that many settlements lack a defined, nucleated core. Unfortunately, this pattern is not replicated in

many other parts of Scotland and is not environmentally and commercially sustainable in the modern world and therefore national planning guidance does not favour its repetition or continuation in terms of the location of new development. Instead national, and to a degree Highland-wide guidance, supports the principle that most new development should occur within established settlement boundaries because, other things being equal, this will be more sustainable in environmental terms and more cost efficient in terms of existing and new public infrastructure and private commercial facility provision. For example, scattered groups of affordable housing will generally cost more to connect to a road, a public sewer, to broadband, to a bus route, to a suitable water supply, and will not all be within a walkable distance of a school, health centre, shop and other facilities. Again, other things being equal, scattered groups of houses unrelated to any existing settlement, tend to have greater landscape impacts. This context explains why the Plan takes the approach it does of guiding new development to existing settlements and locations where at least some landscape, facility and infrastructure capacity exists. In terms of single house developments then the Highland Council's collective development plan policies do not preclude single house developments on crofting in-by land. Instead, they seek to minimise the loss of the better land. Sleat, on certain crofts for example at Ferrindonald, has experienced the worst effects of a proliferation of single house developments. These include steep, unadopted side roads serving several houses, a suburbanisation of the crofting landscape, and local sub soils and watercourses that are having to carry pollution from an excessive density of individual septic tank and soakaway private foul drainage facilities. Given these constraints then the Council believes that a more permissive approach for single house developments within the SDAs would be inappropriate. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Placemaking Priorities

Andrew Milner (1103156), Kevin Donnelly (997567)

Given the Council's suggested, amended position in respect of allocation ES01 (see below) then if the Committee / Reporter agrees then the Placemaking Priorities should be amended. The first should read: "Protect in by croft land from larger development proposals." The second should read: "Consolidate existing clusters of development and facilities at Armadale and Kilbeg."

Andrew Prendergast (1029023)

Support for the first Placemaking Priority is noted (but see change commended above). The Council recognises the importance of crofting to environmental management and to the social structure of an area. As set out in Policy 48 New/Extended Crofting Townships of HwLDP, the Council supports the creation of new crofts and opportunities exist for the development of new croft houses on worked land where the proposal can meet the required criteria, such as its compatibility with the landscape character, the economic viability of service delivery and there is a need to live close on the croft. Therefore the principle of limited development within the Sleat townships that lie outwith the Main Settlement SDAs is supported by the provisions of the HwLDP. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

RSPB (1104965)

It was not considered necessary to include a Placemaking Priority relating to green networks as the largest SDA for Ferrindonald and Teangue covers an extensive area and has a scattered enough existing and proposed settlement pattern to not block connectivity along existing burnsidings and other corridors. Particular connectivity issues are picked up in

the site allocations for the other SDAs. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue. In terms of the suggested deletion of the word “significant”, if the Committee / Reporter agrees then the Council would support this change for the sake of consistency with the HRA and relevant legislation.

Manse Field (ES01)

Sleat Community Council (SCC) (1104998), Sleat General Grazings Committee (SGGC) (997691), Norman Sandeman (1099724), Heather Dodgson (995910), Hazel Morrison (1100930), Kevin Donnelly (997567), Alan and Wendy Richmond (997715), Duncan MacInnes (992306), B Thompson (1103290), Andrew Milner (1103156), Steve Hall (1103275), Stephen Heap (1029961), Philip Taylor (994165), Olena Beal (994167), Christopher Marsh (997494), Armelle Sandeman (1105140), Cathy Black (997342), Roveana Cleland (1116579)

Since the site’s inclusion in the Proposed Plan, the landowner’s agent has confirmed in writing [*] that the owner no longer wishes to release the land for development. The Council would not use its compulsory purchase powers to activate a housing site where other credible alternatives exist. Accordingly, the site is very unlikely to contribute to the effective land supply and if the Committee / Reporter agrees then it should be deleted from the Plan. The loss of its 13 unit capacity is unlikely to be prejudicial to matching supply, demand and housing need within Sleat or across the housing market area as a whole and therefore the Council does not believe it necessary to allocate a replacement site. The Council believes that the land on which the allocation sits together with that to its north and east, should remain within the Ferrindonald Teangue SDA as it could and should still be capable of accommodating development with a land management requirement. This wider area of land should not be embargoed from development for the following reasons: the land is classified identified as 5.1 in terms of its capability for agriculture and is therefore not prime farmland; built development in close proximity to the A851 is a common feature of the Main Settlement area and replicating this pattern would be appropriate; it is south / south east facing and sheltered from the prevailing westerly winds; ground conditions are good for construction and foul drainage; woodland and other nature conservation features would not be affected by development of the land; there is currently sufficient capacity within the existing primary school (Bun-sgoil Shlèite school roll stands at 69% of the total capacity of 100 pupils) and secondary school (Portree High which is at 52% of a total capacity of 982 pupils); it is located alongside the main A851 road to Armadale; it benefits from being close to a reasonable bus service; and light pollution issues can be mitigated by suitable layout, design and management.

West of Youth Hostel (ES02)

Sleat Community Council (SCC) (1104998), Andrew Prendergast (1029023), Kevin Williams (1028162), Maggie Zerafa (1029963)

Support for the allocation and its provisions are welcomed. To address concerns expressed towards ES04 regarding the potential upgrading of the pier access road, if the Committee / Reporter is so minded, then the Council would be content with the following Developer Requirement being added to ES02 “Development of ES02 should allow for improved access to ES04”. This will help to ensure that a coordinated approach is taken to improving access to the pier which should remain accessible to users and the wider public.

Between the Potteries (ES03)

Sleat Community Council (SCC) (1104998), Maggie Zerafa (1029963), Andrew

Prendergast (1029023)

Support for business and retail uses on the site is noted, as is the support for the developer requirements relating to the green network and safeguarding woodland.

Fearann Eilean Iarmain (FEI) (995590)

Whilst the Council recognises the need for all allocations to be viable within the lifetime of the Plan, the site is one of very few in Sleat that has the competitive commercial advantage of frontage to the A851 tourist route and close proximity to the ferry waiting area with its “captive” market of ferry passengers waiting for the next available sailing. The Council (as reflected in its Placemaking Priorities) wishes to promote a chain of tourist facilities and enterprises along the A851 route to increase its collective interest as part of making the A830 and A851 an attractive alternative “Route to the Isles” alongside the A87 Skye Bridge route. There could be opportunity for living space to be provided above business and retail premises but not at ground level. ES02 provides a suitable and adequate allocation for housing at Armadale. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Armadale Bay (ES04)

Sleat Community Council (SCC) (1104998), Kevin Williams (1028162), Maggie Zerafa (1029963), Andrew Prendergast (1029023)

The allocation does not include much of the woodland area along the bay. The woodland around the shoreline, part of which falls into the northern tip of the allocation, is shown as part of the green network. If the Committee / Reporter is so minded, then the Council would be content for a developer requirement to be added which recognises the importance of protecting the woodland, such as “Protect and where possible enhance the woodland within and bordering the allocation”. Concerns over the impact of development on the views of the bay are accepted. Developer requirements for high quality siting and design have typically been included for sites which are in prominent location in order to minimise the visual impact of any new built development. To protect the views of the Bay, if the Committee / Reporter is so minded then the following Developer Requirement could be added: “High standard of architectural siting and design”.

Geoffrey Stephenson (1100908)

The Developer Requirement “Northern access may require upgrading or new access formed” relates to the land at the former youth hostel. The land adjoining the current access road to the pier is in a separate ownership to the former youth hostel. Therefore, it was considered that if the existing road cannot be upgraded then a potential developer may need to consider a new access from the A851. It is not the intention that access to the harbour would be taken from the housing at Allt A’Tuath. To help clarify this position, if the Committee / Reporter is so minded then the Council would be content with the developer requirement “Northern access may require upgrading or new access formed” being deleted and replaced with “Existing vehicular access to the pier may require upgrading or new access formed from the A851 (access from Allt A’Tuath will not be accepted)”.

Kilbeg Village (ES05)

Sleat Community Council (SCC) (1104998), Clan Donald Lands Trust (1105772),
Support noted and welcomed.

Kevin Donnelly (997567)

The indicative housing capacity identified in the Plan is reflective of the remaining capacity

of the planning permission (10/04329/PIP) which was granted in 2012. As development has commenced on part of the site the permission is extant and not time limited. The planning system cannot (and perhaps should not) control the specific occupiers of a development or their (choice of) first language. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

Land Adjacent to Kilbeg Village North of A851 (ES06)

Sleat Community Council (SCC) (1104998)

Support noted.

Kevin Donnelly (997567)

The planning system cannot (and perhaps should not) control the specific occupiers of a development or their (choice of) first language. Due to the undulating land and mature woodland surrounding the site it is relatively well screened. However, some parts of the site are prominent from the short section of the A851 to the south. Therefore, if the Committee / Reporter is so minded then the Council would be content with the following additional developer requirement: "High quality of architectural siting and design". There is already a large number of trees and bushes bounding the site and a developer requirement is in place to "Protect and enhance boundary trees".

Clan Donald Lands Trust (1105772)

The additional area of land requested by the respondent was rejected due to its surface water flooding issues and likely poor ground conditions. Most likely the area would be required to accommodate increased surface water run-off from the allocated site. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

Duncan MacInnes (992306), Christopher Marsh (997494)

The presence of water supply infrastructure is a detailed layout consideration but is not relevant to the principle of development because enough land is developable to make it a viable site. Water infrastructure can be designed around or diverted. If the Committee / Reporter feels it necessary to draw this issue to the attention of prospective developers then the Council would be content that the following developer requirement be added: "Safeguard mains water supply pipeline". The Council already recognises the impact that the development could have on watercourses and a developer requirement is included for a minimum 6 metre buffer between watercourses and development. The Council does not accept that the site needs additional screening from the A851. There is already a developer requirement to protect and enhance boundary trees. The site sits close to the Gaelic College and other development fronting the A851. The allocation is classed as 5.1 in terms of its Land Capability for Agriculture ("improved grassland") which is not recognised as prime or of other high agricultural value. The land management practices of a particular owner are not a matter for the Plan. The Council accepts that surface water drainage issues exist hence the allocation boundary and developer requirement for a Drainage Impact Assessment. The site is within active travel distance to the Sabhal Mor Ostaig college campus, which is a major employer in the area, and has good links onto the A851 but provides housing site choice for those not wishing to live directly on campus.

Knock (ES07)

Sleat Community Council (SCC) (1104998)

Support noted.

Olena Beal (994167), Kevin Donnelly (997567), Armelle Sandeman (1105140)

The site is allocated for defined mixed uses (including Community, Business/Tourism) to provide support for the new distillery and any associated development. The distillery commenced production of whisky in January 2017 but the visitor facilities, including the café and shop, are expected to open in 2018. The Council propose to retain the allocation to provide ongoing support for the remaining undeveloped components of the planning consent and any required but related expansion. Any further development will also be subject to the proposals meeting other planning considerations such as visual and landscape impact and compatibility with the Listed Building. Any potential light pollution issues can be mitigated by suitable layout, design and management. Accordingly, the Council believes the Plan content should remain unaltered in respect of these issues.

Reporter's conclusions:

Reporter's recommendations:

| | | |
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| Issue 19 | STAFFIN | |
| Development plan reference: | Staffin Settlement Chapter, Pages 147-151 | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| Crofting Commission (955042) Simon Gilkes (955191) Scottish Natural Heritage (909933) | | |
| Provision of the development plan to which the issue relates: | Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements | |
| Planning authority's summary of the representation(s): | | |
| <p>Placemaking Priorities <u>Scottish Natural Heritage (909933)</u> Reiterates its advice on the Main Issues Report (MIR) [*] and asks that the Council revisits its approach to site identification and preference in Staffin so that it better considers impact on the special qualities of the NSA. Believes that very small scale developments on less prominent land would be far more preferable than the Council's choice of allocations. For example, single house developments would better fit the established settlement pattern and that if larger, clustered development is needed then it should be alongside existing clusters such as Trotternish Avenue.</p> <p><u>Simon Gilkes (955191)</u> Concerned that new housing development will be lost to the second home / tourist accommodation market and will therefore do nothing to reverse the decline of the permanent year round population of Staffin. Believes that the delivery of affordable housing is not really a priority for the wider community and that any occupants of such housing would not be able to afford to stay in the area given the lack of facilities. Supports limited harbour upgrade but not any significant access road upgrades to support a major new fish processing plant.</p> <p><u>Crofting Commission (955042)</u> Request amendment of third Priority to delete reference to the degree of use of croft land because assessment of land management practices can be subjective and the relevant HwLDP policy does not include such a criterion.</p> <p>North East of Trotternish Avenue (SF01) <u>Scottish Natural Heritage (909933)</u> Requests amended developer requirement because the existing text does not adequately recognise the sensitivities of the location or safeguard the special quality of the NSA. Staffin is located within the Trotternish NSA. The distinctive crofting settlement pattern is characterised by the low height and low density of buildings, which contributes to "the human dimension of crofting settlement" special quality of the NSA. Considers that, in principle, sympathetic development of the parts of SF01 closest to the main road would be in keeping with the established settlement pattern in the centre of Staffin. Development</p> | | |

consistent with the existing type, pattern and scale of buildings is required to ensure that the special quality of "The human dimension of crofting settlement" is maintained.

Crofting Commission (955042)

Concerned that allocation includes in-bye croft land and that this is contrary to the Council's stated intention to minimise the loss of such land.

West of Trotternish Avenue (SF02)

Scottish Natural Heritage (909933)

Requests amended developer requirement because the existing text does not adequately recognise the sensitivities of the location or safeguard the special quality of the NSA. Staffin is located within the Trotternish NSA. The distinctive crofting settlement pattern is characterised by the low height and low density of buildings, which contributes to "the human dimension of crofting settlement" special quality of the NSA. Development consistent with the existing type, pattern and scale of buildings is required to ensure that the special quality of "The human dimension of crofting settlement" is maintained. Considers that, in principle, sympathetic development of the parts of SF02 closest to the main road would be in keeping with the established settlement pattern in the centre of Staffin.

Crofting Commission (955042)

Concerned that allocation includes in-bye croft land and that this is contrary to the Council's stated intention to minimise the loss of such land.

Stenscholl Common Grazings (SF03)

Scottish Natural Heritage (909933)

Requests amended developer requirement because the existing text does not adequately recognise the sensitivities of the location or safeguard the special quality of the NSA. Staffin is located within the Trotternish NSA. The distinctive crofting settlement pattern is characterised by the low height and low density of buildings, which contributes to "the human dimension of crofting settlement" special quality of the NSA. Development consistent with the existing type, pattern and scale of buildings is required to ensure that the special quality of "The human dimension of crofting settlement" is maintained. The proposed development site would be contrary to the current settlement pattern, which is defined by a distinction between crofting settlement and open moorland, and reflected in the Scattered and Linear Crofting Landscape Character Type (LCT) contrasting with Open Moorland LCT. This distinction contributes to "the human dimension of crofting settlement" special quality of the NSA. Development at this location would adversely impact on the appreciation of this special quality in views from the settlement and the main A855 road. It would also be seen in views looking over Staffin from the Quiraing hill road and from the core path above the Columba Centre. SNH objected to this site being allocated in the previous local plan due to adverse impacts on the Trotternish NSA. The Reporter at the previous examination agreed with SNH's concerns, deleted the allocation and moved the settlement boundary to exclude this area. SNH has recently provided advice on a planning application at this location. The application is evidence of increasing pressure for development outwith the current LDP allocations. Such development will change the settlement pattern - a special quality of the NSA. Whilst recognising the demand for development at Staffin, considers that development at this location will have an adverse effect on "the human dimension of crofting settlement" special quality of the NSA. Further development that is contrary to the current settlement pattern is likely to lead to an adverse

impact on the integrity of the NSA.

Simon Gilkes (955191)

Objects to site as it remains largely unchanged from the proposed allocation during the West Highland and Islands Local Plan (2010) [*] which was removed by the Reporter following objections from SNH.

Crofting Commission (955042)

Supports the site because it includes common grazing land and prevents the use of in-bye croft land in line with Council policy.

Land at Village Hall (SF04)

Scottish Natural Heritage (909933)

Requests amended developer requirement because the existing text does not adequately recognise the sensitivities of the location or safeguard the special quality of the NSA. Staffin is located within the Trotternish NSA. The distinctive crofting settlement pattern is characterised by the low height and low density of buildings, which contributes to “the human dimension of crofting settlement” special quality of the NSA. Development consistent with the existing type, pattern and scale of buildings is required to ensure that the special quality of “The human dimension of crofting settlement” is maintained. Given the pressure for development at Staffin, welcomes that this allocation has been changed to preferred from un-preferred in the MIR. We consider that sympathetic development of this allocation would be in keeping with the established settlement pattern.

Modifications sought by those submitting representations:

Placemaking Priorities

Crofting Commission (955042)

Seeks deletion of the term ‘actively used’ (assumed).

North East of Trotternish Avenue (SF01)

Scottish Natural Heritage (909933)

An amended developer requirement by adding the text below to the current “High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA” text:

“ - the scale, design and phasing of development should be discussed with the Council in consultation with SNH at the earliest opportunity to ensure that development is consistent with the existing type, pattern, density and scale of buildings, that the visual prominence of development on high ground is taken in to consideration, and that access and curtilages are in keeping with rural surroundings, particularly boundaries towards the adjacent open crofted landscape and the core path.”

Crofting Commission (955042)

Deletion of site SF01 from the Plan (assumed)

West of Trotternish Avenue (SF02)

Scottish Natural Heritage (909933)

An amended developer requirement by adding the text below to the current “High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA” text:

“ - the scale, design and phasing of development should be discussed with the Council in consultation with SNH at the earliest opportunity to ensure that development is consistent with the existing type, pattern, density and scale of buildings, that the visual prominence of development on high ground is taken in to consideration, and that access and curtilages are in keeping with rural surroundings, particularly boundaries towards the adjacent open crofted landscape and the core path.”

Crofting Commission (955042)

Deletion of site SF02 from the Plan (assumed)

Stenscholl Common Grazings (SF03)

Scottish Natural Heritage (909933)

An amended developer requirement by adding the text below to the current “High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA” text:

“ - the scale, design and phasing of development should be discussed with the Council in consultation with SNH at the earliest opportunity to ensure that development is consistent with the existing type, pattern, density and scale of buildings, that the visual prominence of development on high ground is taken in to consideration, and that access and curtilages are in keeping with rural surroundings, particularly boundaries towards the adjacent open crofted landscape.”

Simon Gilkes (955191)

Deletion of site SF03 from the Plan.

Crofting Commission (955042)

None.

Land at Village Hall (SF04)

Scottish Natural Heritage (909933)

An amended developer requirement by adding the text below to the current “High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA” text:

“ - the scale, design and phasing of development should be discussed with the Council in consultation with SNH at the earliest opportunity to ensure that development is consistent with the existing type, pattern, density and scale of buildings, that the visual permeability and open aspect towards the ridge is maintained, and that access and curtilages are in keeping with rural surroundings, particularly boundaries towards the adjacent open landscape.”

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Scottish Natural Heritage (909933)

The Council has taken a strategic approach to development site identification and selection across the settlement. The difference from SNH’s analysis is that the Council’s process must take account of factors other than visual and landscape impact. A Council should endeavour to identify sites that have a reasonable chance of being developed within the Plan period. The sites should have a reasonable chance of being released by the landowner / tenant and be capable of economic development by the private sector or by a

public body at reasonable level of subsidy. A Council must balance all relevant planning considerations and where they conflict reach a judgment on whether any particular consideration should outweigh others. The Council believes that the allocated sites, with suitable mitigation, will not have an adverse impact on the special qualities of the NSA. Any adverse impacts will be minor and localised and should not outweigh the positive considerations that they are available and capable of economic development. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Simon Gilkes (955191)

It is possible to impose a Rural Housing Burden to restrict the onward sale and use of affordable housing properties but this a matter for the relevant housing agencies not for the Plan. The Scottish Government and Highland Council have affordable housing targets that should be met within all communities including those that have challenges in terms of remoteness from other facilities and low income levels. The Plan supports the limited harbour upgrade suggested by the respondent. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Crofting Commission (955042)

The Placemaking Priority includes the term 'actively used' croft land because the Crofting Commission in making decrofting application and other decisions takes account of the degree of use of a croft and demand for croft land in the wider local community. However, the Council accepts that a general reference to such a land management practice without evidence is inappropriate. Accordingly, if the Committee / Reporter is minded to agree, then the reference to 'actively used' could be removed.

North East of Trotternish Avenue (SF01)

Scottish Natural Heritage (909933)

The Council recognises the sensitivity of the special qualities of the Trotternish National Scenic Area and the need for careful siting and design of development within Staffin. This led to the second Placemaking Priority being added to "protect the traditional croftland landscape and special qualities of the village and Trotternish NSA through securing high standards of siting and design." In addition, the following developer requirement was added to each of the allocations within Staffin: "High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA." Both these safeguards were formulated whilst taking consideration of the comments made during the MIR, including those of SNH. It is not considered necessary to include the suggested additional text as the Council already encourages and promotes early engagement with the Council through the use of its pre-application advice service. This ensures that the applicant understands how planning policy will apply to the proposed development and can identify the need for specialist input at an early stage. The planning policies in HwLDP, particularly Policy 28 Sustainable Design, Policy 29 Design Quality and Place-Making, Policy 36 Wider Countryside alongside the Housing in the Countryside and Siting and Design Supplementary Guidance and Policy 57 Natural, Built and Cultural Heritage, are likely to be relevant to developments in the Staffin area and cover in greater detail the issues raised in SNH's suggested additional text. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Crofting Commission (955042)

Policy 47 Safeguarding Inbye / Apportioned Croftland sets out the Council's approach of minimising the loss of the more agriculturally productive croft land across all of Highland.

The Council, in its choice of allocations in the Plan has also sought to identify land not in crofting tenure or croft land of poorer agricultural quality wherever possible. For example, following the consideration of comments submitted during MIR stage both sites SF01 and SF02 were reduced in size to limit the impact on the landscape and on in-bye croftland. However, the planning system in general and the Plan's allocation site selection process in particular, has to weigh up other development considerations other than land capability for agriculture. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

West of Trotternish Avenue (SF02)

Scottish Natural Heritage (909933)

The Council recognises the sensitivity of the special qualities of the Trotternish National Scenic Area and the need for careful siting and design of development within Staffin. This led to the second Placemaking Priority being added to "protect the traditional croftland landscape and special qualities of the village and Trotternish NSA through securing high standards of siting and design." In addition, the following developer requirement was added to each of the allocations within Staffin: "High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA." Both these safeguards were formulated whilst taking consideration of the comments made during the MIR, including those of SNH. It is not considered necessary to include the suggested additional text as the Council already encourages and promotes early engagement with the Council through the use of its pre-application advice service. This ensures that the applicant understands how planning policy will apply to the proposed development and can identify the need for specialist input at an early stage. The planning policies in HwLDP, particularly Policy 28 Sustainable Design, Policy 29 Design Quality and Place-Making, Policy 36 Wider Countryside alongside the Housing in the Countryside and Siting and Design Supplementary Guidance and Policy 57 Natural, Built and Cultural Heritage, are likely to be relevant to developments in the Staffin area and cover in greater detail the issues raised in SNH's suggested additional text. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Crofting Commission (955042)

Policy 47 Safeguarding Inbye / Apportioned Croftland sets out the Council's approach of minimising the loss of the more agriculturally productive croft land across all of Highland. The Council, in its choice of allocations in the Plan has also sought to identify land not in crofting tenure or croft land of poorer agricultural quality wherever possible. For example, following the consideration of comments submitted during MIR stage both sites SF01 and SF02 were reduced in size to limit the impact on the landscape and on in-bye croftland. However, the planning system in general and the Plan's allocation site selection process in particular, has to weigh up other development considerations other than land capability for agriculture. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

Stenscholl Common Grazings (SF03)

Scottish Natural Heritage (909933), Simon Gilkes (955191)

The Council recognises the sensitivity of the special qualities of the Trotternish National Scenic Area and the need for careful siting and design of development within Staffin. However, the Council is also required to seek to identify effective housing and other development land in each main settlement across the Plan area. Staffin is a wider parish name now linked with a collection of crofting townships with a semi-clustered centre at An

Clachan. This centre accommodates the primary school, the community hall, shop and limited other facilities. The local community engaged with the Council during the current Plan process seeking to identify viable sites for affordable housing development at or close to this centre. The community sought professional assistance in its need identification, site search and site selection process. This resulted in a study prepared by The Highlands Small Communities Housing Trust [*] which found that the continued significant lack of affordable housing was resulting in some people having to leave the community to find a home. It concluded that addressing the problem could make a substantial positive impact on local businesses, the primary school and the future sustainability, cohesion and prosperity of the community. Analysis of recent housing development shows that only three houses have been completed within Staffin SDA since the WHILP Plan was adopted in September 2010 and none of these were built on either of the two allocated sites (site MU 'Land at Village Hall' and site AH 'West of Nurses Cottage'). The Monitoring Report [*] categorised the north east Skye housing market as "unaffordable". With Skye becoming an increasingly popular tourist destination and rising demand for tourism accommodation it is likely that issues with affordability will worsen. The Monitoring Report also highlighted that Staffin and the north east Skye region is one of the most fragile areas in the Plan area. North east Skye was identified as having experienced one of the greatest declines in population (-8.8%) and has a very low primary school roll (currently at 34% capacity but dropped as low as 16% during 2014/2015). Portree, on the other hand, experienced a notable increase in population during the same period. This suggests that people are moving from rural communities to Portree and the problems with housing affordability may be a contributing factor. The north east of Skye was also recorded as being within the 15% most deprived areas of Highland. Therefore the proposal to construct modern business space which could offer new employment opportunities could have a significant positive impact on the local community. The proposed site benefits from being located within close proximity to many of the key facilities, including Staffin primary school (less than 200 metres), playing fields (approximately 70 metres), shop, church and community hall (all within 500 metres). The proposed footpath from the development to the school would address the relevant Developer Requirement as set out in WestPlan and ensure that there is continuous footpath/active travel connection to key facilities in the area. As with many other settlements in west Highland, development site options are often limited due to various physical constraints. Although several sites in Staffin have been allocated in the Proposed WestPlan, many have specific constraints which may ultimately prohibit development. The land at Stenscholl common grazings appears to offer the greatest potential for development as its availability has been confirmed, it benefits from being close to key facilities and is free of major constraints. Policy 57 of HwLDP requires all development proposals to be assessed taking into account the level and importance of heritage features, the form and scale of the development and any impact on the feature and its setting. Much of the content of the Proposed Plan has been shaped by SNH's comments regarding potential impacts on the environment and landscape. For example sites referenced SFH2 and SFH3 in the MIR (SF01 and SF02 respectively in the Proposed Plan) were reduced in size as larger scale and greater concentration of development is not reflective of the settlement pattern. In addition, land West of Nurses Cottage (referenced SFH1 in the MIR) was not taken forward as it would have had a greater impact on the NSA given it being at the forefront of views from the A855. It remains the Council's position, however, that in terms of the land at Stenscholl common grazings the impact on the landscape is not an overriding constraint. With application of appropriate mitigation, particularly by ensuring a high standard of siting and design and by limiting the scale, development can be accommodated on the site. Although the site is visible in views

northwards from the A855 towards the Trotternish ridge, it is at a sufficient distance that development of a high quality of siting and design would not detract from the view. There is also existing built development adjoining the site, including the primary school, and further development is arguably a natural extension of the township. In addition, the townships of Stenscholl, Brogaig, Balmeanach, Glasphein and Digg provide a backdrop of scattered clusters of housing, commercial and agricultural buildings. This helps to present a context as to how development has evolved in the area. As set out in the Proposed Plan, development in Staffin must be of a high quality of architectural siting and design and avoid adverse impacts on the Trotternish NSA. Development will therefore be expected to complement the existing pattern of development in the area. This is typically modestly proportioned houses in linear forms, with some clustering around key facilities, and extending outwards from the main road (A855). It is not considered necessary to include the suggested additional Developer Requirements text as the Council already encourages and promotes early engagement with the Council through the use of its pre-application service. This ensures that the applicant understands how planning policy will apply to the proposed development and can identify the need for specialist input at an early stage. The planning policies in HwLDP, particularly Policy 28 Sustainable Design, Policy 29 Design Quality and Place-Making, Policy 36 Wider Countryside alongside the Housing in the Countryside and Siting and Design Supplementary Guidance and Policy 57 Natural, Built and Cultural Heritage, are likely to be relevant to developments in the Staffin area and cover in greater detail the issues raised in SNH's suggested additional text. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

At present there is a planning application (17/01699/FUL) awaiting determination for six houses, two Class 4 business units and one Class 6 storage unit. The internal policy response on the application [*] commented that the proposal is of high siting and design standard and complements this settlement pattern. The houses fit well within the plots and the associated office/workshops and storage units provide greater context for the rural community.

Crofting Commission (955042)

Support noted and welcomed.

Land at Village Hall (SF04)

Scottish Natural Heritage (909933)

The Council recognises the sensitivity of the special qualities of the Trotternish National Scenic Area and the need for careful siting and design of development within Staffin. This led to the second Placemaking Priority being added to "protect the traditional croftland landscape and special qualities of the village and Trotternish NSA through securing high standards of siting and design." In addition, the following Developer Requirement was added to each of the allocations within Staffin: "High quality of architectural siting and design that will avoid adverse impacts on the special qualities of the Trotternish NSA." Both these safeguards were formulated whilst taking consideration of the comments made during the MIR, including those of SNH. It is not considered necessary to include the suggested additional text as the Council already encourages and promotes early engagement with the Council through the use of its pre-application service. This ensures that the applicant understands how planning policy will apply to the proposed development and can identify the need for specialist input at an early stage. The planning policies in HwLDP, particularly Policy 28 Sustainable Design, Policy 29 Design Quality and Place-Making, Policy 36 Wider Countryside alongside the Housing in the Countryside and Siting and Design

Supplementary Guidance and Policy 57 Natural, Built and Cultural Heritage, are likely to be relevant to developments in the Staffin area and cover in greater detail the issues raised in SNH's suggested additional text. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

Reporter's conclusions:

Reporter's recommendations:

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| Issue 20 | UIG | |
| Development plan reference: | Uig Settlement Chapter, Pages 152-156 | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| SEPA (906306) | | |
| Provision of the development plan to which the issue relates: | Placemaking Priorities, Settlement Map, Site Allocations with Developer Requirements | |
| Planning authority's summary of the representation(s): | | |
| <p>North of Earlish (UG02) <u>SEPA (906306)</u> Seeks an additional developer requirement in relation to flood risk because: watercourses pass through the site; of the need to ensure that people and property are protected from flood risk in line with Scottish Planning Policy and the Flood Risk Management Act; and, to ensure consistency with other similar developer requirements within the Plan.</p> | | |
| Modifications sought by those submitting representations: | | |
| <p>North of Earlish (UG02) <u>SEPA (906306)</u> Additional developer Requirement for UG02: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)"</p> | | |
| Summary of responses (including reasons) by planning authority: | | |
| <p>North of Earlish (UG02) <u>SEPA (906306)</u> The Council accepts that such a requirement would be appropriate in terms of clarity and consistency. Therefore, if the Committee / Reporter is so minded then the Council is content for the following developer requirement to be added: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)"</p> | | |
| Reporter's conclusions: | | |
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| Reporter's recommendations: | | |
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| Issue 21 | SKYE & RAASAY GROWING & COMMUNITY PLAN SETTLEMENTS | |
| Development plan reference: | Skye & Raasay Growing & Community Plan Settlements, Pages 157-163 | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| <p>Diageo (Scotland) Ltd (986106) Glendale Community Council (1102988) Mountaineering Scotland (964649) RSPB (1104965) Scottish Natural Heritage (909933)</p> | | |
| Provision of the development plan to which the issue relates: | Issues and Placemaking Priorities for Carbost, Edinbane, and Inverarish (Raasay) | |
| Planning authority's summary of the representation(s): | | |
| <p>Carbost <u>Diageo (Scotland) Ltd (986106)</u> Supports the Placemaking Priorities and suggests that the Plan should encourage the continued support and safeguarding of the existing operation and any potential future expansion of the Talisker Distillery in Carbost.</p> <p>Edinbane <u>Mountaineering Scotland (964649)</u> The Plan should contain a presumption against any further expansion of wind farms or additional turbines in the area due to the potential for detrimental cumulative impacts on the wider landscape of Skye.</p> <p>Inverarish (Raasay) <u>Scottish Natural Heritage (909933)</u> Seeks amendment to Issues text specifically identify the Inner Hebrides & the Minches Special Area of Conservation (SAC) because protected areas are designated for different interests, which in turn are affected differently by development. By identifying which protected areas have the potential to be affected, adequate safeguards can be incorporated into proposals from the outset.</p> <p>Glendale <u>Glendale Community Council (1102988)</u> Glendale Community Council does not support the proposed site at Lephin as suitable for development (no reasons stated).</p> <p><u>RSPB (1104965)</u> Requests that the Inner Hebrides and the Minches Special Area of Conservation (SAC) is specifically mentioned by name in the fourth Placemaking Priority because paragraph 196 of Scottish Planning Policy confirms that international, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans.</p> | | |

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

Diageo (Scotland) Ltd (986106)

Clarification that the Plan will continue to support and safeguard land for the existing operation and any potential future expansion of the Talisker Distillery in Carbost (assumed).

Edinbane

Mountaineering Scotland (964649)

A Plan presumption against any further expansion of wind farms or additional turbines in the area due to the potential for detrimental cumulative impacts on the wider landscape of Skye (assumed).

Inverarish (Raasay)

Scottish Natural Heritage (909933)

Amendment of the text of the final bullet point under Issues, to read: "Adjoining Inner Hebrides & the Minches Special Area of Conservation (SAC), designated for harbour porpoise; ..."

Glendale

Glendale Community Council (1102988)

Deletion of reference to development at Lephin in first Placemaking Priority (assumed).

RSPB (1104965)

Amendment to fourth Placemaking Priority to read "To safeguard local natural heritage interests including the harbour porpoises in the adjoining Inner Hebrides and Minches SAC and the harbour seals in the neighbouring Ascrib, Isay and Dunvegan SAC."

Summary of responses (including reasons) by planning authority:**Carbost**

Diageo (Scotland) Ltd (986106)

The third Placemaking Priority offers clear and adequate Plan support for the existing operation and any potential future expansion of the Talisker Distillery in Carbost. Accordingly, the Council believes the existing Plan wording is sufficient in respect of this issue and should remain unaltered.

Edinbane

Mountaineering Scotland (964649)

The Council's policies in respect of on-shore wind farm developments are set out within Policy 67: Renewable Energy Developments of the Highland wide Local Development Plan and its related Supplementary Guidance. Any request for an embargo on such development within any area of Highland should have been or should in the future be made through the review of those documents. Accordingly, the Council believes the existing West Highland and Islands Local Development Plan wording is sufficient in respect of this issue and should remain unaltered.

Inverarish (Raasay)

Scottish Natural Heritage (909933)

The suggested change would provide a more specific reference without adding unduly to the length of the Plan and would therefore be appropriate subject to the agreement of the Committee / Reporter.

Glendale

Glendale Community Council (1102988)

The Glendale (community) Trust submitted several “Call for Sites” proposals at the outset of the Plan process including seeking the Council’s endorsement of a development site at Lephin to accommodate a small affordable housing development and a single commercial unit. Lephin is very central to the collection of crofting communities that span the wider Duirinish area, already accommodates several “parish catchment” facilities such as the community hall and is well placed to accommodate further development that has good reason to be at the heart of the community. The Trust’s feasibility assessment [*] is detailed and professional and presents a good justification for development at Lephin. Given the Community Council have not stated any reasons to delete the reference to potential development at Lephin then the Council believes the Plan should remain unaltered in respect of this issue.

RSPB (1104965)

The suggested change would provide a more specific reference without adding unduly to the length of the Plan and would therefore be appropriate subject to the agreement of the Committee / Reporter.

Reporter’s conclusions:

Reporter’s recommendations:

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| Issue 28 | OTHER ISSUES RAISED (GENERAL, APPENDICES & OTHER) | |
| Development plan reference: | Other Issues Raised (General, Appendices & Other), Pages 1-5, Appendices and Plan as a whole | Reporter: |
| Body or person(s) submitting a representation raising the issue (including reference number): | | |
| RSPB (1104965) Scottish Government (1101467) Scottish Natural Heritage (909933) | | |
| Provision of the development plan to which the issue relates: | Introduction, Appendices, Plan as a whole, Miscellaneous | |
| Planning authority's summary of the representation(s): | | |
| <p>Introduction: How To Use The Plan <u>Scottish Government (1101467)</u> Seeks additional and particular reference to national marine planning policy because the Marine (Scotland) Act 2010 and UK Marine and Coastal Access Act 2009 requires that public authorities taking authorisation or enforcement decisions that affect or might affect the marine area must do so in accordance with the National Marine Plan and any subsequent regional marine plan once adopted, unless relevant considerations indicate otherwise. This includes decisions on terrestrial planning applications and enforcement action which affect the UK marine area. Also public authorities when making decisions which are capable of affecting the marine area which are not authorisation or enforcement decisions, must have regard to National and regional marine plans. This applies to the preparation and adoption of terrestrial development plans. The Highland wide Local Development Plan reflects the role the marine plans will have in informing decision making, but since it was published before the National Marine Plan, there is merit in making reference to marine planning policy.</p> <p>Appendix 2: Glossary of Terms <u>RSPB (1104965)</u> Requests that: SAC Special Area of Conservation, SPA Special Protection Area and SSSI Site of Special Scientific Interest are added to the list of abbreviations/acronyms with a definition (supplied).</p> <p><u>Scottish Natural Heritage (909933)</u> Seeks additional glossary explanation of natural heritage designations and acronyms such as SAC, SPA, NSA, SSSI, particularly because these are referenced in an inconsistent manner throughout the proposed plan (e.g. sometimes SAC, sometimes Special Area of Conservation).</p> | | |
| Modifications sought by those submitting representations: | | |
| <p>Introduction: How To Use The Plan <u>Scottish Government (1101467)</u></p> | | |

Under the section 'How to use the Plan' on page 2 add: "WestPlan takes account of a wide range of other factors which can also influence the outcome of planning decisions, including: National planning legislation, policy and guidance including marine planning policy."

Appendix 2: Glossary of Terms

RSPB (1104965)

Addition of abbreviations/acronyms for SAC: Special Area of Conservation, SPA: Special Protection Area and

SSSI: Site of Special Scientific Interest and that these terms are defined as follows.

"Special Area of Conservation: A strictly protected site designated under the EC Habitats Directive (Directive 92/43/EEC). Special Areas of Conservation are classified for habitats and species (excluding birds) listed in Annexes of the Habitats Directive (as amended) which are considered to be most in need of conservation at a European level. These sites, together with Special Protection Areas, are called Natura sites."

"Special Protection Area: A strictly protected site classified in accordance with Article 4 of the EC Birds Directive (Directive 2009/147/EC). Special Protection Areas are classified for rare and vulnerable birds (as listed on Annex I of the Directive), and for regularly occurring migratory bird species. These sites, together with Special Areas of Conservation, are called Natura sites."

"Site of Special Scientific Interest: Sites of Special Scientific Interest (SSSIs) are those areas of land and water (to the seaward limits of local authority areas) that Scottish Natural Heritage considers to best represent our natural heritage - its diversity of plants, animals and habitats, rocks and landforms, or a combination of such natural features. They are the essential building blocks of Scotland's protected areas for nature conservation. Many are also designated as Natura sites. SNH designates SSSIs under the Nature Conservation (Scotland) Act 2004."

Scottish Natural Heritage (909933)

Seeks additional glossary explanation of natural heritage designations and acronyms such as SAC, SPA, NSA, SSSI.

Summary of responses (including reasons) by planning authority:

Introduction: How To Use The Plan

Scottish Government (1101467)

The suggested addition is concise and would provide a useful update for Plan users pending a review of the Highland wide Local Development Plan. Accordingly, it is commended to the Committees and if they agree then also to the Reporter.

Appendix 2: Glossary of Terms

RSPB (1104965)

Scottish Natural Heritage (909933)

The suggested additions and definitions would provide useful clarification for Plan users. Accordingly, they are commended to the Committees and if they agree then also to the Reporter.

Reporter's conclusions:

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| Reporter's recommendations: |
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