

HIGHLAND COUNCIL

Committee: Lochaber Area

Date: 11 April 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 Lochaber 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 **Appendix 1** to Scottish Ministers;
- 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;
- iv. agree the work carried out on the emerging Fort William 2040 vision enclosed at **Appendix 2**; and
- v. agree that consultation on the Fort William 2040 vision at **Appendix 2** takes place with the outcomes being brought back to this Committee for final approval.

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, a webpage link to view the full version of all comments received was emailed to Committee Members. 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 commented on where growth should be directed to, variously seeking: no hierarchy with organic growth everywhere; a more definitive boundary for the Fort William Hinterland; support for South Ballachulish as a main settlement; and, a restriction on significant growth in all Loch Leven settlements because of a lack of sewerage capacity at North Ballachulish.
 - *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 overestimate.
 - *Economic Development Areas* – SNH and SEPA sought better referencing of natural heritage, flood risk, peatland and wetland issues at the Glencoe Ski Station and Nevis Forest sites. Kilmallie Community Council sought a reduced development area and wider green network adjoining the River Lochy at Inverloch Castle Estate.
 - Transport – several parties commented on potential solutions to Fort William's congestion issues. Two favoured removal of the Caol Link Road safeguard in favour of a firmer commitment to an A82 'bypass'. The Scottish Government sought greater Plan references to active travel and electric vehicle charging points.

Lochaber Environmental Group wanted greater active travel route investment throughout the district.

- *Environment* – the Lochaber Environmental Group sought a general policy to oppose any development on all peatland and SSE query the justification for the very minor proposed change to the boundary of a special landscape area in Ardgour.

4.3 Lochaber Settlements

- *Fort William* – attracted the majority of Lochaber comments including: property interests sought abandonment of the Caol Link Road safeguard; Kilmallie community groups wished more areas to be safeguarded from development; Liberty British Aluminium / GFG Alliance requested Plan recognition of their proposals; landowners and their agents sought new or increased development at the former Caol sewage works, Lundavra Road, Upper Achintore, Blar Mor, Annat and Glen Nevis Business Park; and, neighbours of development sites sought greater safeguards to remove or control the impacts of development.
- *Glencoe* – several respondents objected to the Plan allocation north of the primary school because of the loss of croft land, the availability of better alternatives for housing and a village hall, and the perceived impact on tourism and the landscape.
- *Kinlochleven* – Mountaineering Scotland supported Plan references to landscape and other natural heritage issues (this generic representation was made in relation to most settlements throughout the Plan area).
- *Mallaig* – attracted several supportive landowner comments save a request for a green network notation to be removed from land with planning permission at Gordon Brown Place. The sites at Glasnacardoch and near the water storage facility attracted objections relating to road access and other feasibility and amenity issues.
- *North Ballachulish, Glenachulish and South Ballachulish* – the housing site at West Laroch prompted polarised responses for and against its development with the land's value as open space being debated. The landowner wishes to increase its capacity and minimise developer contributions. Similarly, two parties disagree about the suitability for development of the three Plan allocations at Glenachulish.
- *Spean Bridge and Roy Bridge* – Spean Bridge, Roy Bridge and Achnacarry Community Council expressed concern about the lack of affordable housing provision within Spean Bridge but also about too much housing. The co-owners of land zoned at Roy Bridge sought a higher housing capacity and amended pedestrian access for their site. Otherwise, residents objected to the two sites in Spean Bridge subject to recent planning applications.
- *Strontian* – minor factual and flood risk amendments were requested and one respondent sought the deletion of the business / tourism site at East of Otterburn.
- *Other Settlements* – SNH and RSPB requested better referencing of natural heritage issues for Acharacle, Duror, Kilchoan, Lochaline, Rum, Eigg and Canna. Other comments included requests for improved Plan reference to: Morar as a growing settlement; protecting croft land within Ardgour; a Corran crossing; National Cycle Network Route 78; and placemaking priorities for Eigg that reflect limited infrastructure capacity on the island.

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; or,
- (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. Similarly no changes are promoted for the Fort William Hinterland boundary at Kinlocheil because it already follows definitive geographic features at this location or to South Ballachulish’s position in the settlement hierarchy. Both Scottish Water and SEPA offer a different opinion on the justification and solution for foul water treatment issues for the Loch Leven settlements to that put forward in the collective community council comment. It is SEPA’s responsibility to vet private treatment facilities for larger development sites and it does not favour a generic solution. Scottish Water has confirmed that the North Ballachulish works includes two waste water treatment plants with a combined spare capacity of 535 housing units and therefore there is no sewerage plant capacity constraint relative to the capacity of the Plan’s allocations.

- *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* – the better referencing of natural heritage, flood risk, peatland and wetland issues at Glencoe Ski Station and Nevis Forest sites are sensible and endorsed and the community council suggested change is also commended because it would also address flood risk issues.
- *Transport* – potential solutions to Fort William’s congestion issues are being tested through the current Pre-Appraisal transport Study and it is recommended that the Study’s conclusions be passed to the Reporter to be considered during the Examination process. The additional references sought in relation to long distance cycle routes and electric vehicle charging points would better be addressed in a Highland-wide policy document.
- *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 and is therefore not supported. A justification for the special landscape area boundary change is already in the Plan but is re-stated.

5.6 Lochaber Settlements

Implications of Liberty British Aluminium / GFG Alliance Proposals

GFG Alliance’s existing and proposed future investment in Lochaber will help diversify the local economy and increase the number of skilled job opportunities but will also have land use implications. Council and other agency officers have considered these implications and the key question of whether, and if so to what degree, the Plan should be amended to reflect these implications. Discussions with the Scottish Government and other stakeholders are ongoing but the Council believes that the Plan’s content is sufficient for at least the next 5 years. In particular, the Council believes the capacity of its Fort William land use allocations are sufficient to accommodate the increased housing demand that will result from the proportion of the new workforce that will require new build accommodation within that time frame. Similarly, sufficient land has been reserved for increasing school and health facility capacity. As stated above, there is also an ongoing assessment of transport implications.

- 5.7 However, the Council does recognise that this investment will have significant land use effects in the medium and longer term on Fort William and wider Lochaber and therefore the Plan and its related action programme should signpost what could and should happen beyond the current Plan period. **Appendix 1** contains several minor, suggested, site-specific adjustments to the existing Plan’s content which will maximise short term flexibility but significant changes (notifiable modifications) to the Plan should await its next review.
- 5.8 The Committee should also note the *Fort William 2040: Development and Assets* future vision document which is currently being formulated by relevant stakeholders and enclosed at **Appendix 2** for Committee approval. **Appendix 1** suggests to the Reporter that the Fort William Placemaking Priorities be amended to reference the existing and proposed investment by GFG and to include cross reference to the vision document. The Committee should note the intention to submit the vision document to the Reporter for wider consideration through the LDP Examination. This vision

document will not form part of the emerging Local Development Plan itself but, subject to Committee agreement, will be subject to public consultation and, when completed, be included within the action programme that accompanies the plan. The action programme is a live document aimed at delivery of the Plan's outcomes and it is therefore important that the FW2040 vision document - as a graphical representation of the future investment intentions of a range of public and private agencies - be included and updated as necessary. It will also allow a wider audience to appreciate the investments taking place within the town and further promote it as a great place to work, live and invest in. Members are asked to endorse the work undertaken thus far, and to agree to further engagement on its content over the course of this year.

- 5.9
- *Fort William - Appendix 1* recommends that the road corridor safeguards in the Plan be retained pending the outcome of the ongoing Pre-Appraisal transport Study and that the Study is sent to the Reporter when completed with a suggestion that Plan respondents are able to comment on it during the Examination process before the Reporter reaches his/her conclusions. An additional greenspace safeguard is proposed to be referred for consideration at Guisach Terrace but not at Neptune's Staircase, where low key tourism or recreational proposals may be suitable. Of the new / expanded development site proposals: the former Caol Sewage Works site is inappropriate because of flooding; the Lundavra Road site boundary could be expanded but not its housing capacity; land at Upper Achintore has peatland, road capacity and drainage constraints that mean the site capacity should remain unchanged subject to further assessment(s) being undertaken; the site at Blar Mor could be expanded to provide access and land use flexibility; the suggested new housing site at Annat is too distant from suitable road access and facilities, and adjoins incompatible uses; and, employment land allocations at and south of the smelter should be expanded to reflect new circumstances. It is recommended to address relevant neighbour concerns by additional developer requirements text within the Plan.
 - *Glencoe* – the central mixed use allocation is recommended for retention because there are no better and available development sites and the objectors concerns are either overstated or can be addressed.
 - *Kinlochleven* – Mountaineering Scotland's comments are generic, supportive and don't require changes to the Plan.
 - *Mallaig* – the land at Gordon Brown Place has planning permission and therefore a factual change should be made. Similarly, the Plan should clarify that road access to the sites at Glasnacardoch should not be direct from the A830. Otherwise the objectors' concerns are adequately addressed by the existing Plan content.
 - *North Ballachulish, Glenachulish and South Ballachulish* – the West Laroch site issue is recommended for retention and referral of its polarised opinions to Examination for the Reporter's decision. The one commended change is to remove the community's effective veto on development if it chose not to accept the greenspace that the landowner intends to gift. Similarly, the Glenachulish sites will require an independent arbiter but the Council's discussions with SNH have reduced the scale and impact of the Plan's proposals relative to those debated and rejected through the last local plan process.
 - *Spean Bridge and Roy Bridge* – the Council's Highland-wide policy is being amended to better ring fence affordable housing provision to particular settlements not just to a wider housing market area. Otherwise respondents' concerns have not led to commended changes because they are already addressed by the sites' developer requirements, have been addressed by the recent planning application decision, are better addressed through the future development management process and/or are overstated.

- *Strontian* – the factual and flood risk amendments are commended but the deletion of the site at East of Otterburn is not since it has a measure of community support and is for a business / tourism development associated with the slipway not a village expansion housing site and should, with suitable implementation of the site's developer requirements, be assimilated within the landscape.
- *Other Settlements* – most requested Plan amendments are commended for inclusion because they are concise, offer useful clarification and/or provide a factual update / correction.

6. Next Steps

- 6.1 When all three local committees approve their respective elements of the Plan then 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 and the Directorate for Planning and Environmental Appeals then have a target timescale of 6-9 months to complete this 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 5.3).

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: 29 March 2018

Authors: Scott Dalgarno, Tim Stott, Peter Wheelan - 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

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:

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. Scottish Water have confirmed [*] that the North Ballachulish works includes 2 waste water treatment plants with a combined spare capacity of 535 housing units. The plant serving North Ballachulish and Onich has a spare capacity of 270 housing units and the plant serving Glenachulish, South Ballachulish and Glencoe has a spare capacity of 265 housing units. Therefore there is no sewerage plant capacity constraint relative to the capacity of the Plan's allocations. Accordingly, the Council believes that the existing Plan's content should remain unaltered in respect of this issue.

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:

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:

Reporter's recommendations:

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:

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:

Reporter's recommendations:

Issue 6	FORT WILLIAM	
Development plan reference:	Fort William Settlement Chapter, Pages 32-50	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Ann Leitch (995969) Ardgour Community Council (1103772) Boyd Brothers Haulage Limited (1105200) BSW Timber Group (1105115) Calum-Ruairidh Foxley (1105262) Cameron (1104805) Christopher O'Brien (1098822) Don Michie (993020) Donald Donnelly (990970) Fiona Sorley for Highlands Small Communities Housing Trust (1095508) (late representation) G H Johnson Building Consultants Ltd for M Cameron (964726) James Ramsay (1105176) Kilmallie Community Company (992492) Kilmallie Community Council (1104950) Liberty British Aluminium (1105244) Linnhe Lochside Holidays Ltd (1105213) Lochiel and Achnacarry Estates (1105774) Margaret MacRae (1105217) Mark Linfield (995168) Michael Foxley (1103411) Mountaineering Scotland (964649) Samantha Thomson (1104826) Sarah Ferguson (1102559) Sarah Kennedy (1105051) Scottish Government (1101467) SEPA (906306) Sportscotland(1069318) Susan Brown (1104546) Tony Laidler (1101521)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities, Transport Developer Contributions, Settlement Maps, Site Allocations with Developer Requirements	
Planning authority's summary of the representation(s):		
<p>Placemaking Priorities / General <u>Ann Leitch (995969)</u> Concerned about compulsory purchase as the planned route of the Caol Link Road passes behind respondent's house on St John's Road. Notes support for an alternative route going from Inverloch Black Park area, Inverloch Castle and over to the A82 near where a new roundabout is already being constructed and believes this option would cheaper and easier</p>		

as it doesn't involve building a bridge over the River Lochy.

Cameron (1104805)

Supports the Placemaking Priorities but objects to the resulting Map 2.1 of the Fort William area (detail of objection within representation made for FW08).

Don Michie (993020)

Objects, as owner and potential developer, to the non-inclusion as a 13 unit housing allocation within the Plan of the former Caol sewage works site. Objects to the Plan's Caol Link Road safeguard which inhibits the development of this site. Asserts that the site is worthy of allocation because it is: in a single ownership and control; brownfield land, being part of the site of the former Caol sewage works; flat and free from existing development; free from contamination; subject to a recent flood risk assessment and capable of being incorporated within the proposed River Lochy and Caol Flood Protection Scheme; adjacent to the existing Caol settlement and other consented residential development, and forms a natural extension to the village; close to existing amenities and employers; subject to an established vehicular access and readily connected to water, drainage, telecom and other infrastructure and services; and, available and effective land which would contribute to the urgent need for housing, and particularly low cost housing, within the Fort William settlement area. Other reasons include: the additional, unforeseen within the Plan, need to have additional housing land to meet employment led growth at the Fort William smelter; the need to provide housing site choice and flexibility; the low cost of servicing site compared to allocated alternatives; conformity with national policy; and, there is spare capacity in education, health, infrastructure or other services in the area. The reasons for refusal of the previous planning application are not relevant because: the site is not within a flood risk area; an updated flood risk assessment could be undertaken and mitigation provided; the site could benefit from a realigned River Lochy and Caol Flood Protection Scheme; that realignment could be achieved at no cost to the Council; since the refusal of planning permission, a new house has been built between the site and Caol village and planning permission granted for a further three houses on land adjacent to the site thus making the site a natural extension of the existing settlement; and, the density proposed is compatible with other affordable housing developments closeby, economically viable for low cost housing and would make efficient use of the available land. The associated development of detached villas on the eastern portion of the Site will enable the provision of low cost housing on the remainder of the Site.

Objects to Plan including reference to the Caol Link Road and its mapped safeguard corridor for the following reasons: Circular 6/2013 states that plans should be realistic and deliverable and yet the route has no prospect of being financed or delivered; realistic and deliverable alternatives to it exist; inclusion of the safeguard would continue to blight potential development land; no detailed feasibility work has been undertaken; the Council's own Transport Background Paper concedes that it has deliverability constraints and that alternatives should be considered; its route requires 2 expensive bridge crossings of the River Lochy and Mallaig railway line; part of the route falls within the 1 in 200 year flood event area; part of the route has poor ground conditions; the route is in multiple landownerships with an overlay of crofting interests which will result in complex, lengthy and costly acquisition; the route crosses and conflicts with the Caol / Lochside Flood Protection Scheme; the route will need to be elevated and is therefore more likely to have an adverse visual impact; the road scheme is not included in Highland Council or Scottish Government capital programmes; it will only lever minimal developer contributions; its

benefit cost ratio is likely to be poor compared to alternatives; the Kennels A82 realignment / bypass is a far more effective alternative because it has far fewer constraints and is cheaper; and, it is unreasonable again to defer the decision on its future waiting for the results of a transport appraisal that may not reach any definitive conclusions.

Donald Donnelly (990970)

Objects, as owner of land at 104/105 Lochyside, to the Caol Link Road corridor depicted on the Fort William Settlement Maps. Seeks that the proposed road is either relocated or deleted from the Plan for the following reasons: 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 Inverlochy Village bridge could ease flows in the case of a temporary blockage of the A82.

Kilmallie Community Company (992492)

Requests extension to cherished greenspace area to include ground which was/is the play park at the east end of Guisach Terrace in Corpach plus a textual addition to preserve public access from the east end of Guisach Terrace to the play park and through it to the pine wood because although the path network in the pine wood is not designated as a Core Path it is important for local residents.

Kilmallie Community Council (1104950)

Seeks extension to cherished greenspaces to include the area around Neptune's Staircase car park covering the triangle between the B8004, A830 and Caledonian Canal because: there are not many examples of this type of open grass area in Kilmallie; it is extensively used for a number of activities in a similar way to a village green; there is also an active group, Friends of Banavie Park who are working towards development of better play park facilities there; community events have confirmed support for this change; area is within easy walking distance of bus stop, train station and Great Glen Core Path, so is easily accessible by public transport, walking and cycling; and, this would contribute to the place making priority to safeguard an area of high public amenity. Also seeks cherished greenspace safeguarding for woodland to the north of Old Banavie Road and Bad Abrach, and along the SDA boundary between Farrow Drive in the west and Banavie Quarry in the east because of its value as a wildlife corridor. Supports SDA but requests tighter adherence to it in making individual planning application decisions at Banavie. Queries reasons for differences between Housing Land Audit site boundaries and Plan boundaries.

Liberty British Aluminium (1105244)

Requests that the Plan acknowledges the significant change of circumstances associated with the GFG Alliance acquisition of the Lochaber smelter and associated interests which

present a major opportunity for the Fort William, Highlands and Scottish economies. Reports that this initiative protects existing economic activity and presents significant opportunities for investment, job creation and regeneration across the plan area. Suggests that the Council consider how best to accommodate potential GFG development projects in the LDP. Reports the intention to develop an alloy wheel plant at the Lochaber Smelter, involving an investment in excess of £120 million. Other development potential at this site includes scope for an aluminium sheet rolling mill forming a longer term second phase. These projects require construction and temporary accommodation, housing for employees and associated community infrastructure. Across the wider estate there is scope for regeneration and redevelopment of estate property with local enterprise opportunities. Other aspirations include a Fort William Helipad, Corpach Port enhancements, Gas supply - plant and community requirements, a Tailrace watersports facility; and tourism, sporting and recreational interests. Housing requirements will place pressure on community infrastructure, and the delivery of new housing will require to consider direct provision, and where appropriate, enhancement of existing community infrastructure to service the increase in the population of the town.

The proposed alloy wheel plant is anticipated to generate 400 direct permanent jobs with many of these requiring to be filled through recruitment from outwith Fort William given current labour supply constraints. Delivery of direct employment will result in additional indirect and induced employment opportunities through the growth in economic activity from the investment in the facilities. This in turn will place additional pressures on housing supply and needs to be considered in the context of the effective housing and employment land supply. The housing need and demand analysis is based on 2012 population projections, at which time the GFG Alliance investment proposals were not anticipated and so cannot have been taken into account. There will be a significant impact on housing requirements as a result of employment retained, new jobs created and the wider supplier and income effects. These will be over and above those anticipated in the 2015 assessment. It is also acknowledged that THC are currently consulting on the 2017 Housing Land Audit, and a detailed review of this document will be required to inform the proposed approach and understanding on the effectiveness of existing allocated sites. Highlights the following socio-economic implications of their investment proposals and how these should be considered: population growth is likely to be higher than recent trends as a result both of people retained in the area and new people attracted by the new economic opportunities; effects on population will be on the working age population in particular, which currently makes up a smaller proportion of population than the Scottish average; employment created will be high added value and so this would be expect to increase average annual household incomes; associated increase in demand for housing, over and above that anticipated in 2015, based on 2012 population projections; and, higher percentage of house buyers may be from outwith Lochaber than has been the case, but these will be working age people moving for employment reasons, rather than retirees or second home buyers. Reports that the likely implications of their investment will be: a more balanced age profile; an opportunity to tackle deprivation in Fort William; and, a necessary increase in supply of housing to match increased demand from GFG and other employers and address housing affordability issues.

Seeks a reference in the Plan's Vision to: industrial opportunities surrounding the aluminium smelter in Lochaber and the wider supply chain and economic multiplier effects given the scale of the investment; and, reference to settlements providing the quality of life that will retain and attract people in the area to ensure that full advantage is taken of the

employment opportunities that are expected to be generated.

Mountaineering Scotland (964649)

Supports a Placemaking Priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.

Scottish Government (Transport Scotland) (1101467)

Requests removal of reference to any specific transport intervention for Fort William within the Plan and accompanying Action Programme because no intervention has been justified through an appropriate transport appraisal and Transport Scotland has not endorsed any appraisal or intervention. Scottish Planning Policy in paragraph 274 and 275 requires such endorsement. The Transport Background Paper published alongside the Main Issues Report in April 2016 was and is insufficient justification for the trunk road schemes depicted within Fort William. However, recognises that emerging transport appraisal work may provide better information.

Annat Farm (FW01)

Lochiel and Achnacarry Estates (105774) (late representation)

Supports the identification of the land for large scale residential development, as part of wider settlement expansion proposals.

SEPA (906306)

Seeks amended developer requirement to better reflect likely reduction in development potential attributable to presence of peatland and wetland because 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.

Former Lochyside RC Primary School (FW03)

Sportscotland (1069318)

Complains at lack of consultation on related planning application because Sportscotland should have been a statutory consultee for a site involving the loss of a playing field.

Lundavra Road (FW05)

G H Johnson Building Consultants Ltd (964726)

Seeks (on behalf of owners) enlargement of site boundary and capacity to 10.0ha and 150 units respectively [*]. Requests a developer requirement amendment to state that the limits of development to the north and the potential for appropriate buffer uses on the intervening land towards housing at the lower level should be determined by the developer's masterplan. Provides the following justification: the site capacity has been diminished from the provisions in the adopted WHILP; a pre-application process has demonstrated that a higher capacity and larger boundary are acceptable; the Plan site boundary does not reflect the topography, i.e. does not enclose all gently sloping and developable land; it should be left to further masterplanning and technical analysis to determine a precise boundary; a masterplan could also address the positioning, orientation and design of buildings which would address matters of residential privacy /overlooking; an enlarged site would still maintain a buffer to existing neighbouring housing at the lower level, and that the separation distance between properties (existing and proposed) would be 85m-150m (these distances are generous and respectful of residential amenity; the enlargement land appears to offer very favourable ground conditions for development; there is not any precedent for land instability or slippage, or undue threat to properties lower down the slope that needs

be exacerbated as a result of development; if anything, it is conceivable that a measure of betterment will arise from surface water provisions integrated within a development proposal; the Council needs to expand its housing land supply to meet employment led growth of Fort William; the land involves two parties and therefore presents the opportunity for shared servicing costs, flexibility in phasing of development and market choice; and, the reduced site area diminishes / excludes any role for the land outwith the allocation in the provision of open space, sustainable urban drainage, structural landscaping (including in the burn gullies which would be characteristic of the area) or connection to footpaths/cycle routes and the waterfront, all of which the Council and its partners had placed considerable emphasis on as integral to a housing development in this location.

Lochside Common Grazings (FW06)

Liberty British Aluminium (1105244)

Suggests site should be considered for housing development in the immediate to short / medium term given the shortage of developable sites.

Lochiel and Achnacarry Estates (1105774) (late representation)

Supports allocation as owner. Reports that its agent has recently submitted to the Council a pre-application request for residential development for the strip of land off MacQuarrie Court, Caol.

Upper Achintore (South) (FW07)

Lochiel and Achnacarry Estates (1105774) (late representation)

Supports the allocation but considers it could be delivered within the initial Plan period. Reports that there have been some advance discussions regarding a development proposal to include the site.

Christopher O'Brien (1098822)

Objects to principle of development because: of adverse impact on tourism businesses; depreciation in property prices; adverse environmental impact; increase in noise pollution and traffic levels; loss of private, direct access to peat track; and, loss of peat track to Cow Hill which is well used by tourists and locals) a track that many tourists to my business use on a daily basis. If development is to proceed then requires thorough impact assessment and mitigation of all adverse effects.

Blar Mor (FW08)

Cameron (1104805)

Requests extension to mixed use allocation and expansion of SDA to enclose land owned by respondent at Camaghael [*] because: land forms part of mixed use allocation and is within SDA in adopted WHILP and there has not been a material change in circumstances to justify the changes; the land would help deliver the Plan's Placemaking Priorities by providing additional connectivity from Camaghael to Blar Mor; the land is not required for peat management in connection with the Blar Mor development; it is unfair that all the buildable Miller Construction Ltd land remains allocated for mixed use development but the adjacent private individual(s) land is no longer allocated; the land is not peat but contains well drained, compact ground presently used for grass and is better building ground conditions than some of the peaty areas retained within the adjacent mixed use allocation; and, the respondent's second field should be included within the SDA because the River Lochy would be a more natural and definitive line for the SDA boundary.

Upper Achintore (North) (FW13)

Fiona Sorley for Highlands Small Communities Housing Trust (1095508) (late representation)

Reports, as owner, intention to develop allocation for affordable housing only and seeks higher (in excess of 400 units) indicative capacity and a less onerous distributor loop road requirement because: of significant pressure to deliver affordable housing in the Fort William area; a feasibility study was carried out in late 2016 which indicated scope for the site to accommodate 353 to 412 homes; the site is very expensive site to develop, mainly due to ground conditions and infrastructure and it is therefore critical that unit numbers are maximised in order to maintain development viability; a mixed use designation will significantly compromise the deliverability of the site for affordable housing; association will deliver tenure diversity; the land required to construct the desired loop road is not in the respondent's ownership and a suitable alternative loop could be constructed.

Tony Laidler (1101521)

Seeks retention, as local resident, of green network that runs to the south of Glasdrum Road and Glasdrum Court so that the link between the two depicted cherished greenspaces is maintained. This strip contains trees and shrubs that wildlife (including migratory and resident birds, roe deer and pine marten) use for feeding and breeding. Similarly, the Core Path that runs within and beside the green network strip must be maintained because it is used by large numbers of people transiting between the Plantation and Upper Achintore.

Former Upper Achintore Primary School (FW14)

Mark Linfield (995168)

Supports allocation and its requirements.

West of Corpach (FW15)

Lochiel and Achnacarry Estates (1105774) (late representation)

Supports allocation for long term mixed use development.

James Ramsay (1105176)

Seeks reassurance that all ancient and semi-natural woodland and/or areas depicted as green networks and cherished greenspaces will not be developed because these areas provide habitat for: many native trees, shrubs, herbs, and other plants including Oceanic Bryophytes; a variety of protected mammals, such as Pine Martens, and birds like Buzzards and woodland nesters such as Siskins; and, invertebrates, for instance butterflies and dragonflies and a range of soil invertebrates.

Fort William Gaelic Primary School (FW17)

Michael Foxley (1103411)

Reports that the Gaelic School was designed to allow its extension from the current 4 classrooms to 6 and then 8 plus a community facility.

North of Lochaber High School (FW18)

Liberty British Aluminium (1105244)

Requests site be considered for housing development.

Corpach Locks (FW19)

James Ramsay (1105176)

Requests additional developer requirement to reference and safeguard otter interests because otters are using this area along the shoreline, in the sea and around the exit of a larger freshwater burn and going up it, throughout the year. Any development would need to include adequate access to the freshwater burn and the resting places upstream. If the burn is to include culverted sections these would need to have otter ledges and be sufficiently large to be navigable by otter with young.

Glen Nevis Business Park (FW21)

Liberty British Aluminium (1105244)

Seeks Plan changes that would support business and industrial development across a wider area at this locality because of the proposals to progress an alloy wheel plant and because alternative business only sites are available or could be identified.

Fort William Waterfront (FW22)

Sarah Kennedy (1105051)

Supports redevelopment of waterfront because: it is vital for the regeneration and economic security of Fort William and wider Lochaber, Fort William is the only town on the West Coast of Scotland that doesn't utilise its loch; there is an unmet demand from the growing marine tourism industry; Fort William is at the Heart of the Highlands of Scotland and has so many amazing locations for people to visit and see that are so unique; it is a vital marine visitor reception area; and, an active waterfront will stop people bypassing the town and its centre.

Heathercroft Drive (FW23)

Sarah Ferguson (ID: 1102559)

Objects, as local resident because: the allocation boundary is inaccurate and should be updated to reflect the boundaries of houses built on the former Angus Centre site; the roof design of the business units will obstruct views from respondent's property; respondent was told of impact of adjoining development in taking property from Council; this locality is a residential area with no public transport; of concern over type of future unit occupiers and crime; of risk to children playing in locality; of adverse impact on local habitats and species; and, loss of green space.

Annat, Former Paper Mill and Adjoining Land (FW24)

Alice Cameron (1104920)

Objects, as owners of tourism business in Achaphubuil, to existing and any future expansion of industrial activities at this location because: of noise pollution (existing timber operations and dispatch of logs makes a horrendous bounding sound); possible loss of planting in front of timber plant, which it was agreed with the local community council would be retained; of increased light pollution which would have a detrimental impact on the respondent's business as it relies upon being in a rural quiet location with scenery and wildlife; and, of adverse effect on value of respondent's property. Accordingly, requests mandatory impact assessments are undertaken in relation to the environment, noise, pollution and lighting.

Ardgour Community Council (1103772)

Objects to any further development of the Corpach and Annat industrial zone because of existing noise issues, which the Council have failed to address which means there is no confidence that the amenity of local residents will be protected or have any bearing on these operators or their future plans.

Boyd Brothers Haulage Limited (1105200)

Broadly supports allocation but concerned about any pier/ jetty development in the throat of the narrows due to the tidal flows and the problems this could create for vessels manoeuvring and navigating in the area.

BSW Timber Group (1105115)

Supports allocation of the land south and east of Allt Dogha for industrial use. However, seeks 10 hectares of land to the west of Allt Dogha to be allocated for mixed tenure housing development with an indicative housing capacity of 90-115 units. States the following reasons as justification for this change: site is in a single ownership and available for development immediately; could be justified by further technical studies and supporting reports; there is a clear need for more housing to support the growth of Fort William and in particular the workforce growth at the smelter and other local businesses servicing and supplying larger employers; housing at this site would fit better with the Placemaking Priorities for Fort William, rather than industrial use; land south and east of Allt Dogha would also meet the Placemaking Priority of increased loading capacity at Corpach quayside, including buildings, land and lay down space surrounding the BSW sawmill; site lies within an area of mixed uses and the Plan allocates land for further housing and community developments to the north and east; housing and related uses at this site would help consolidate the settlement and ensure that it is better connected with the waterfront than would be achieved with further large scale industrial development; alternative road and active travel access from the A830 could be provided to serve the housing area (not defined in any detail); there are bus stops to the north on the A830; core path improvements could be made; local education provision capacity can be assessed; other site drainage and servicing requirements can be assessed and if necessary addressed; the SEPA flood map indicates only minimal areas of risk and a topographic survey has been undertaken which broadly supports this indicative SEPA information; a more detailed flood risk assessment could be undertaken; the site should have adequate load bearing capacity for typical housing development; a walkover survey suggests that the site is not significantly constrained by peat unlike a number of other allocations; further ground investigation could be undertaken to assess any potential contamination; a detailed habitat and species survey could be undertaken and appropriate mitigation incorporated; a sensitive relationship between development and the surrounding landscape can be achieved; areas of woodland and open space can be retained and enhanced; there is potential for strong green network connections, attractive open space provision and community uses; the site could become a most desirable housing waterfront neighbourhood; there is an opportunity to utilise local timber resources for construction and in this location, houses with timber finishes would be highly appropriate and attractive, and such lighter timber structures would be more sustainable; there is potential for a district heating system (as supported by the Plan) serving this site and other developments in the area, in conjunction with the BSW plant to the east, which produces a significant amount of timber by products suitable for biomass energy; and, the respondent has recent experience of delivering housing development in the area and is keen to retain an interest in the development of this site, in order to achieve a high standard of design, layout and place quality.

Calum-Ruairidh Foxley (1105262)

Objects to any expansion of industrial operations in particular on Eilean nan Craobh because: of potential adverse visual impact in the context of existing lochside visual damage caused by the wood yard and loading dock developments; of noise pollution, which

already effects quality of life through interrupted sleep and continuous noise throughout some days (existing operating hours are protracted and noisy - the sounds of alarms, horns and heavy machinery are hellish at the best of times and often extend into unsociable hours, either late into the night on weekdays or early in the morning over the weekdays); of adverse impacts on local property values; and, of the effect of increased noise on the already ravaged local wildlife, which is only now reviving after the rampant pollution of the pulp mill which previously was on the site. Accordingly, demands a full ecological survey to make sure that no further harm comes to the local ecosystem, on which local fisheries and agriculture rely.

Kilmallie Community Council (1104950)

Concerned that the Plan should not endorse further industrial development at this site because: existing noise levels cause adverse mental and physical health effects to residents within Corpach and south of Loch Eil; there are ongoing enforcement issues; and, there is no evidenced operational need for expansion. Suggests greater safeguards are added to Plan to maximise woodland retention around boundary of site for green network connections and visual screening and to reduce noise impact. Also that a strip of land of sufficient width is designated along the shoreline to allow for a significant woodland corridor to provide a visual barrier and reduce noise propagation. This strip should include the whole foreshore within FW24 except for the pier area. Also that any further development be subject to a Landscape and Visual Impact Assessment and full Environmental Impact Assessment.

Linnhe Lochside Holidays Ltd (1105213)

Concerned, as neighbouring tourism operator, about any expansion of industrial area because: existing noise and impact from the new sawmill is already attracting adverse comments in customer reviews; of adverse environmental impact as this area has a large amount of peat which manages a substantial water table and is home to a thriving population of animal and birdlife; and, the adjoining strip between the properties was originally intended as a (noise) buffer.

Margaret MacRae (1105217)

Objects because: existing operations cause noise and light pollution which is not adequately mitigated and has adverse health effects for local residents; expansion of the operations would magnify these adverse effects and bring them closer to houses; and of other adverse effects on marine wildlife, aspects of local history, and the wider group of marine users including prawn fishermen, mussel farmers, and yacht owners.

Michael Foxley (1103411)

Objects to Plan's support for expansion of industrial operations at Corpach because: existing port users already cause adverse effects in terms of noise, light and marine pollution; some existing activities are unauthorised and inadequately monitored and enforced against; neighbouring residential and tourism properties suffer serious and severe environmental impacts from existing operations at Annat; of loss of bookings of tourist accommodation; of loss of 150 metres of trees screening between the BSW site and Loch Eil that used to provide a visual and sound barrier and was secured by planning condition; of inadequate mitigation of noise, visual, light and marine pollution issues; Eilean na Craobh was the earliest known residence of the Camerons of Loch Eil and is an important archaeological site; and, of the adverse effect on the entrance setting of the Caledonian Canal which is a Scheduled Ancient Monument.

Samantha Thomson (1104826)

Objects because of adverse effects: from noise and light pollution; on nearby residents' physical and mental health; and, visual impact on the shore front.

Susan Brown (1104546)

Objects, as local resident, because: of a recent increase in noise from the industrial operations; of loss of 150 metres of trees screening between the BSW site and Loch Eil that used to provide a visual and sound barrier and was secured by planning condition; of lack of enforcement action following recent neighbour complaints; noise pollution is amplified over water and now there is no space to add effective mitigation measures along the shoreline at Corpach; of significant negative impact on quality of life; and, of lack of neighbour notification of Achaphubuil residents.

North of Blar Mor Industrial Estate (FW25)

Liberty British Aluminium (1105244)

Suggests allocation land could be suitable for housing development.

Aluminium Smelter and Adjoining Land (FW26)

Liberty British Aluminium (1105244)

Supports allocation and seeks modification to boundary to reflect pre-application submission for alloy wheel plant. Suggests that loss of business land to industrial use would not be significant because adequate alternatives exist within the wider landholding or at Blar Mor.

Modifications sought by those submitting representations:

Placemaking Priorities / General

Ann Leitch (995969)

Removal of Caol Link Road safeguard from Plan (assumed).

Cameron (1104805)

Extension of allocation boundary to include land at Camaghael. Expansion of SDA boundary to include this land and further land at Camaghael as detailed in supplied document [*].

Don Michie (993020)

New housing allocation on site of the former Caol Sewage Treatment Works with an indicative housing capacity of 13 units (10 low cost units and three detached villas). Deletion of Caol Link Road textual and map references from Plan. Inclusion of an alternative road scheme (commonly referred to as the "Kennels" route) to connect the A82 and A830.

Donald Donnelly (990970)

Caol Link Road corridor relocated or deleted.

Kilmallie Community Company (992492)

Expansion of cherished greenspace to cover the piece of ground which was/is the play park at the east end of Guisach Terrace in Corpach. Plan requirement to preserve pedestrian access from the east end of Guisach Terrace to the play park and through it to the pine

wood.

Kilmallie Community Council (1104950)

Expansion of cherished greenspace area around Neptune's Staircase car park covering the triangle between the B8004, A830 and Caledonian Canal. Additional cherished greenspace notation to cover woodland along the SDA boundary between Farrow Drive in the west and Banavie Quarry in the east.

Liberty British Aluminium (1105244)

Plan allocations and policies to accommodate the implications of the GFG group's investment in the area (assumed).

Mountaineering Scotland (964649)

None.

Scottish Government (1101467)

Remove the "Proposed Road Safeguards" from the Proposed Plan and Fort William Settlement Maps. Remove reference to specific interventions around Fort William within the Action Programme until an appropriate transport appraisal has been carried out.

Annat Farm (FW01)

Lochiel and Achnacarry Estates (105774) (late representation)

None.

SEPA (906306)

Amendment of developer requirements to read: "Presence of deep peat and wetlands may limit areas that can be developed."

Former Lochyside RC Primary School (FW03)

Sportscotland (1069318)

None.

Lundavra Road (FW05)

G H Johnson Building Consultants Ltd (964726)

Expansion of allocation boundary and increase in its capacity as per supplied document [*]. New site area to be 10.0 ha and new indicative housing capacity 150 units. Amended developer requirements as follows: insert after "Developer to prepare masterplan" "which will determine the limits of development to the north and the potential for appropriate buffer uses on the intervening land towards housing at the lower level"....and must address...

Lochyside Common Grazings (FW06)

Liberty British Aluminium (1105244)

Change in classification of allocation to support short / medium term housing development.

Lochiel and Achnacarry Estates (1105774) (late representation)

Allocation for short term housing development of a narrow strip of land off MacQuarrie Court, Caol (assumed).

Upper Achintore (South) (FW07)

Lochiel and Achnacarry Estates (1105774) (late representation)

Change in classification of allocation to support short term residential development (assumed).

Christopher O'Brien (1098822)

Preservation of existing, private, direct, pedestrian access to hill track. Greater Plan definition of the type of development proposed. A developer requirement for an environmental impact study and mitigation to offset that impact. Retention of peat track to Cow Hill.

Blar Mor (FW08)

Cameron (1104805)

Extension of allocation boundary to include land at Camaghael. Expansion of SDA boundary to include this land and further land at Camaghael as per supplied document [*].

Upper Achintore (North) (FW13)

Fiona Sorley for Highlands Small Communities Housing Trust (1095508) (late representation)

Higher indicative capacity of above 400 units. Change from mixed use allocation to housing only. Amendment to developer requirement for a road connection through to Lundavra Road to only require an alternative loop road connection.

Tony Laidler (1101521)

Greater Plan protection or clarification of existing protection of the green network strip that runs to the south of Glasdrum Road and Glasdrum Court and the core path that runs within and beside the green network.

Former Upper Achintore Primary School (FW14)

Mark Linfield (995168)

None.

West of Corpach (FW15)

Lochiel and Achnacarry Estates (1105774) (late representation)

None.

James Ramsay (1105176)

Plan clarification that the ancient and semi-natural woodland within and close to the allocation will be protected and more generally the areas marked as "Green Network" and "Cherished Open Space" will not be developed (assumed).

Fort William Gaelic Primary School (FW17)

Michael Foxley (1103411)

None.

North of Lochaber High School (FW18)

Liberty British Aluminium (1105244)

Change in acceptable use(s) of allocation to support housing development.

Corpach Locks (FW19)

James Ramsay (1105176)

Additional developer requirement to include adequate otter access to the freshwater burn

and other resting places upstream.

Glen Nevis Business Park (FW21)

Liberty British Aluminium (1105244)

Amendment to allocation boundary to reflect recent alloy wheel plant proposals at the smelter and to support industrial uses on land currently shown for expansion of Glen Nevis Business Park.

Fort William Waterfront (FW22)

Sarah Kennedy (ID: 1105051)

Early implementation of the allocation (assumed).

Heathercroft Drive (FW23)

Sarah Ferguson (ID: 1102559)

Deletion of allocation and safeguarding of area as greenspace (assumed).

Annat, Former Paper Mill and Adjoining Land (FW24)

Alice Cameron (1104920), Ardgour Community Council (1103772), Calum-Ruairidh Foxley (1105262), Margaret MacRae (1105217), Michael Foxley (1103411), Samantha Thomson, (1104826), Susan Brown (1104546)

Deletion of allocation or Plan presumption against any increase in industrial operations at site (assumed).

Boyd Brothers Haulage Limited (1105200)

Clarification that the Plan doesn't support a pier/ jetty development in the throat of the narrows (assumed).

BSW Timber Group (1105115)

New 10ha housing allocation on land to the west of Allt Dogha as per supplied document [*] with an indicative housing capacity of 90-115 houses.

Kilmallie Community Council (1104950)

Amended developer requirements to better enforce retention of boundary woodland and/or require significant, new boundary planting along the whole foreshore within FW24 except for the pier area. Also requirements that any further development is subject to Landscape and Visual Impact Assessment and full Environmental Impact Assessment.

Linnhe Lochside Holidays Ltd (1105213)

Developer requirements clarified and amended to ensure that land between its property and the allocation be maintained as a noise buffer (assumed).

North of Blar Mor Industrial Estate (FW25)

Liberty British Aluminium (1105244)

Change in classification of allocation to support housing development.

Aluminium Smelter and Adjoining Land (FW26)

Liberty British Aluminium (1105244)

Amendment to allocation boundary to reflect recent alloy wheel plant proposals at the smelter.

Summary of responses (including reasons) by planning authority:

Placemaking Priorities / General

Ann Leitch (995969), Donald Donnelly (990970), Don Michie (993020), Scottish Government (1101467)

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. These have been rolled forward from the adopted local plan but the Council accepts that they are corridors rather than definitive alignments, should be subject to further appraisal, and may have suitable alternatives. Therefore, 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 list of transport interventions requiring further, more detailed, appraisal. It is hoped that the Study will be completed by May 2018. Accordingly, the issues raised by objectors cannot be satisfactorily resolved until the Study is undertaken. Other parts of this schedule contain 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 Committee's / 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.

Cameron (1104805)

Support noted. See Council response to specific representation made for FW08.

Don Michie (993020)

The site was suggested by the respondent as a new housing site in response to the Plan's Main Issues Report consultation during spring / summer 2016. It and other potential development sites were published as part of the West Highland and Islands Local Development Plan Additional Sites Consultation during autumn 2016 to gauge public and agency reaction. That consultation stated brief positives and negatives for each potential new site. For this land, the remediation of a brownfield site (the former sewage works) as part of the proposed site area would be a benefit. However, the site is also subject to coastal flood risk and would stymie any sensible, detailed alignment for the Caol Link Road

along the route indicatively depicted on the Plan's Fort William settlement maps. In response to that consultation SEPA recorded a conditional objection to the site's potential inclusion [*] because it is subject to coastal flood risk and because housing is a land use highly sensitive to flood risk. In 2008/9 the suggested site was also subject to a planning application for 10 affordable homes which was refused under delegated powers and the appeal to the review body was dismissed in March 2010 for the same reasons: conflict with the road corridor safeguarded in the development plan; a location and layout incompatible with the locality's settlement pattern; overdevelopment; and, coastal flood risk. As stated in the response to the Caol Link issue above, the Caol Link Road safeguard is subject to review via a transport appraisal but even if this constraint is overcome then the settlement pattern and coastal flood risk arguments remain. The Caol Flood Protection Scheme will be published in 2018 and is scheduled for completion in 2020. It does not protect this suggested development site and it is not the function of a flood scheme to create additional development land. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Kilmallie Community Company (992492)

The former play park at the eastern end Guisach Terrace is not a viable redevelopment site but currently is also not useable public open space. Given the community's interest and that the land could be returned to useable condition then if the Committee / Reporter is minded to agree then the land could be identified as cherished greenspace. With regard to safeguarding local access, given that there are no development proposals or allocations in this area, the safeguard of public access through this land is not a matter requiring specific reference within the Plan.

Kilmallie Community Council (1104950)

The area around Neptune's Staircase car park covering the triangle between the B8004, A830 and Caledonian Canal has not been identified as cherished open space because: it is used infrequently but importantly for major event parking; it may have very limited development potential for tourism related facilities; and, the areas of grass and trees although attractive are not strategic in scale. Small scale, incidental use changes such as better play facilities don't require a specific Plan designation or allocation. The Council's Highland-wide Local Development Plan Settlement Development Areas policy would apply to this unallocated land within the urban area and this policy supports the principle of such changes. With regard to the woodland along the SDA boundary between Farrow Drive in the west and Banavie Quarry in the east, all larger woodland areas falling within the SDA have been identified as cherished greenspace with areas of woodland beyond the SDA boundary that are important in terms of continuity of wildlife and human movement being identified as forming part of the green network. The reason that many green networks straddle the SDA boundaries is that they are about preserving movement corridors for people and wildlife rather than being specific delineated areas requiring specific protection from development. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Liberty British Aluminium (1105244)

The Council welcomes GFG Alliance's existing and proposed future investment in Lochaber. That investment will help meet many of the objectives of the Highland Council's approved and emerging development plans including diversification of the local economy, expanding business opportunities at locations that have a competitive commercial advantage and the creation of skilled job opportunities. However, the Council also accepts

that this investment will have land use implications. Council and other agency officers have considered these implications and the key question of whether and if so to what degree the Plan should be amended to reflect these implications. Discussions with the Scottish Government and other stakeholders are ongoing but the Council believes that the Plan's content is sufficient for at least the next 5 years. In particular, the Council believes the capacity of its Fort William land use allocations are sufficient to accommodate the increased housing demand that will result from the proportion of the new workforce that will require new build accommodation. Similarly, sufficient land has been reserved for increasing school and health facility capacity. As evidenced elsewhere in this schedule there is also an ongoing assessment of transport implications.

However, the Council does recognise that this investment will have significant land use effects in the medium and longer term on Fort William and the wider Lochaber area and therefore the Plan and its related action programme should signpost what could and should happen beyond the current Plan period. This schedule contains several minor, suggested, site-specific adjustments to the existing Plan's content which will maximise short term flexibility but significant changes (notifiable modifications) to the Plan should await its next review. It is also suggested for the Committee's / Reporter's consideration that Fort William's Placemaking Priorities be amended to reference GFG's existing and proposed investment and to cross reference a *Fort William 2040: Development and Assets* future vision document currently being formulated by relevant stakeholders. This vision document would not form part of the current Plan but will, when completed, be included within its action programme and furnished to the Reporter for wider consideration through the Examination process. The Council sees the action programme as a live document aimed at delivery of the Plan's outcomes and it is important therefore that *Fort William 2040: Development and Assets*, which will be a graphical representation of the future investment intentions of a range of public and private agencies be included and updated as necessary. It is suggested that the following text be added to the end of the second Fort William placemaking priority bullet: "Recent and expected future investment at the smelter will result in a step-change in employment opportunities within Fort William and the wider Lochaber area. In the short term, the Plan should maximise the opportunities resulting from such growth but also safeguard land to accommodate its implications. Beyond the initial 5 year Plan period, additional land and investment will be needed and the Council and other relevant stakeholders are formulating a future vision document, *Fort William 2040: Development and Assets* which will signpost and coordinate the future investment intentions of a range of public and private agencies necessary to achieve the Plan's outcomes and priorities."

Mountaineering Scotland (964649)

No modifications sought. The Council believes the Plan's content should remain unaltered.

Annat Farm (FW01)

Lochiel and Achnacarry Estates (105774) (late representation)

No modifications sought. The Council believes the Plan's content should remain unaltered.

SEPA (906306)

The suggested amendment would ensure consistency with the approach taken with other site allocations and therefore, subject to the agreement of the Committee / Reporter, it would be appropriate to include the following text additions within the developer requirement: Presence of deep peat "*and wetlands*" may limit areas that can be developed.

Former Lochyside RC Primary School (FW03)

Sportscotland (1069318)

No modifications sought. The Council believes the Plan's content should remain unaltered.

Lundavra Road (FW05)

G H Johnson Building Consultants Ltd (964726)

The current site allocation area was reduced compared to that covered by allocation H3 within the adopted WHILP to exclude the now completed primary school and the lower slopes of the site which have steeper gradients and therefore have greater land stability, overlooking and surface water drainage implications. The respondent has undertaken a topographic survey and produced a test layout [*] that demonstrates that the current allocation boundary could be expanded on to gently sloping land without undue, additional implications for these three issues. Therefore, if the Committee / Reporter is so minded then the allocation boundary could be expanded to include an additional area of 1.4ha to the north west. Similarly, it would be sensible to remove the existing property and its associated land holding (0.2ha) on the eastern boundary of the allocation bringing the total allocation area to 9.9ha. However, the Council does not accept the respondent's requested increase in the allocation's indicative capacity to 150 units. The respondent's test layout [*] does not take account of the land take required to tackle the site's sloping nature, to address any peat management issues and to make provision for surface water drainage devices within the site boundary. For example, ground conditions are unlikely to support within curtilage infiltration. The adjoining primary school development had to resort to a complex and "land hungry" surface water drainage solution. It is appropriate therefore that the Plan's indicative capacity remain unchanged at least pending further masterplanning and feasibility work prior to determination of any future application.

Lochyside Common Grazings (FW06)

Liberty British Aluminium (1105244)

The site benefits from a long standing allocation for housing within the Council's successive development plans. It is central to the wider urban area, close to existing and proposed community facilities and represents a large but natural infill opportunity. It was later phased during the current Plan review because of doubts about its effectiveness. It is flat, central and has public sewer connectivity but otherwise has severe constraints. These include: it's poor ground conditions which present a challenge in terms of surface water drainage; a common grazings crofting interest the removal of which requires negotiation with several parties; peat depths of up to 3 metres, the management of which will increase costs or lead to loss of developable area if retained on-site; a broad corridor of land that requires to be safeguarded for the Caol Link Road including embankments close to bridging over the Fort William to Mallaig railway line; and, a lack of strategic road capacity without the Link Road. Although the site was subject to a previous planning application for 301 houses in 2008 this was ultimately withdrawn, primarily due to development viability issues. The landowner has responded to the Plan but only to suggest a piecemeal release of a narrow strip of land off MacQuarrie Court. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this site.

Lochiel and Achnacarry Estates (1105774) (late representation)

In July 2017, the Council provided pre-application advice [*] for the potential development of a narrow strip of land off MacQuarrie Court, Caol. The release of this strip of land for affordable housing was considered to be contrary to the development plan and would not

be supported. This is in the interests of safeguarding fit for purpose open space which is important to local residential amenity (HwLDP Policy 75); design and layout concerns with this site having insufficient plot depth to deliver sufficient space for footpath provision and amenity garden ground (HwLDP Policy 29) and loss of existing trees (HwLDP Policy 51). This area of land has however been incorporated into the long term housing site allocation to reflect the potential for this area of open space to be reconfigured and properly master planned, forming part of the wider longer term development proposals for this area. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this site.

Upper Achintore (South) (FW07)

Lochiel and Achnacarry Estates (1105774) (late representation), Christopher O'Brien (1098822)

The landowner's views are noted but are not evidence of a serious intent to develop the land or release it to another party for development. The land benefits from a mixed use allocation within the adopted WHILP but has lain undeveloped for many years. Most sensibly, it would be developed as a final phase of the adjoining FW13 allocation to allow completion of a loop road through it to Lundavra Road. However, site FW13 will take several years to complete and it is very unlikely that the additional capacity offered by FW07 will be required within the Plan's initial 5 year time period. In any event, an earlier application could be considered if a proven and unmet housing demand / need was evidenced. In terms of the neighbour's concerns then no developer requirements have been set for any of the long term sites identified in the Plan. It is however likely that a number of the concerns raised could be addressed through developing site specific developer requirements during a future plan review or through the development management process in the event of an earlier application. Matters relating to environmental impacts, paths access, noise and safeguarding residential amenity could all be addressed. Any loss of view / resultant loss in value of the neighbouring B&B premises are not considered to be sufficient overriding reasons for not identifying the long term housing development potential of this site. Accordingly, the Council believes the Plan content should remain unaltered in respect of this site.

Blar Mor (FW08)

Cameron (1104805)

The Plan's SDA boundary was drawn in at this location compared to that defined within the adopted WHILP to restrict the potential for further speculative housing development accessed off the Camaghael loop road, which is single track and has capacity constraints. Similarly, the mixed use allocation at Blar Mor was reduced to minimise the loss of peatland and to better identify developable areas. The character of land adjoining the River Lochy at Camaghael is more rural in nature and is therefore more appropriate to tourism and crofting uses than as a settlement expansion area. Moreover the land does not benefit from mains sewerage provision and part of it is subject to fluvial flood risk. Notwithstanding the above the respondent's requests for a minor extension to the allocation and SDA have merit. A road connection through an extended allocation linking to the Camaghael loop road would provide an alternative vehicular to this area and similarly offers the possibility of a mains sewer connection from Blar Mor. If the Committee / Reporter is so minded, Field 1 [*] and the adjoining field to the south could be included within the SDA boundary [*]. In addition, if the Committee / Reporter is so minded Field 1 [*] could be included within allocation FW08 providing that this area is master planned with the wider allocation and provides a road access onto the single track road to the east and road access through the wider site to join

the A830. The resultant site area for allocation FW08 would be increased by 1.3ha to 21.9ha and given the good ground conditions in this field, allowing for boundary tree retention and structural landscaping, the indicative housing capacity of FW08 could be increased from 130 to 155, reflecting a housing density of 25 homes per hectare. This additional area of relatively unconstrained land could also assist with infrastructure costs / development viability of delivering the wider site. With regard to the further areas out with allocation FW08 to the north and north west, beyond land earmarked for peat storage / structural landscaping and areas for retained habitat, these areas would not be contiguous with the built up area of FW08 which is proposed to define the SDA boundary in this area. In isolation, with no infrastructure improvements in this area, it is considered that these areas be defined as forming part of the green network and remain part of the landscaping buffer to the outer edge of site allocation FW08.

Upper Achintore (North) (FW13)

Fiona Sorley for Highlands Small Communities Housing Trust (1095508) (late representation)

Following submission of this representation, Lochaber Housing Association (LHA) submitted a major application pre-application enquiry [*] for the proposed development of 400 affordable homes on this site. The Council's response [*] stated its view that the suggested capacity of 400 units could not be supported unless a future application and its related package of assessments and mitigation measures demonstrated no overall net detriment to the locality's visual, landscape, environmental and servicing capacity. The Plan's proposed indicative site capacity of 220 takes account of issues such as limitations in the local road network, peat management, flooding and watercourse retention and set back, as well as enhanced green networks and the provision of local amenities, including a local commercial unit. The Council believes that given the scale of the allocation and lack of convenience retail provision in the wider area, this would be a welcome and viable addition. The Plan's indicative housing capacity for this 23.3ha site has been set based upon assuming a housing use area of 17.5ha. 5.8ha of the site has therefore been indicatively reserved for the following: 2.2ha comprising the existing 42 houses completed on the lower area of the site with this area also incorporating a setback for the adjacent footpath and green network corridor between Glasdrum Road and Glasdrum Court; adjacent to this is an 0.7ha area of peat stores; 1.4ha comprises the watercourse and embankment development setback; and finally 1.5ha has been reserved for future local shop(s) / community building which incorporates an allowance for access, parking and associated peat storage. Of the residual 17.5ha reserved for housing, 40% of this is anticipated to be required for future peat stores with this percentage being based upon the extent of peat stores required for the initial area of housing development completed to date. In addition, a further 10% of this 17.5ha area is anticipated to be required for the road connection through the site to Lundavra Road. In the aforementioned pre-application response the Council's Transport Planning Team stated a clear preference for this to be through site FW07, however, have intimated that should the adjoining landowner not be willing to engage, an alternative through route may be considered. The Plan's developer requirements wording allows for either scenario, requiring "a road connection through the site to Lundavra Road will need to be completed", with the decision on routing to be informed through undertaking a Transport Assessment. The land take associated with this road connection is yet to be proven, however, a provisional 10% is considered to be a reasonable allowance based on the land take associated with the extent of the loop road completed to date on-site. This leaves a residual net developable area for housing of circa 8.75ha. With an assumed housing density of 25 units per hectare, this equates to an indicative site capacity of 218.75,

rounded to 220 homes. Any significant increase in capacity of the allocated sites in this area, such as that suggested by LHA, would also place additional pressure on the new Lundavra Primary School. Whilst this school has excess capacity at present, the 2017/18 School Roll Forecast [*] identifies that this school will reach 100% capacity in around 10 years time. This forecast is based on a proportion of the adopted WHILP sites coming forward and an assumption that the build out rate in this area will significantly accelerate within the Plan period resulting from jobs lead growth arising from the smelter expansion proposals. Should build out rates or site capacities increase further, this may generate the need to review school catchment boundaries and / or trigger the need to consider the provision of a new primary school. No specific provision for this has been made in this southern area of the Plan, however, sufficient primary school extension / new school site options are safeguarded for the northern area of Fort William through allocations FW08 and FW17. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this site.

Tony Laidler (1101521)

The area in question falls within allocation FW13, however, it is also identified on the Plan's mapping as forming part of the green network and the existing core path is defined. The indicative housing capacity for the site has been set based upon retaining this area of green network and the developer contributions for this site also requires the protection and enhancement of mature trees with integration of the green network, protected species survey, land safeguard for open space provision, active travel connections and high quality design which minimises impacts from the adjoining core path network. This offers a sufficient degree of environmental protection for this part of the allocation. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this site.

Former Upper Achintore Primary School (FW14)

Mark Linfield (995168)

No modifications sought. The Council believes the Plan's content should remain unaltered.

West of Corpach (FW15)

Lochiel and Achnacarry Estates (1105774) (late representation)

No modifications sought. The Council believes the Plan's content should remain unaltered.

James Ramsay (1105176)

The site is a long term mixed use allocation and provides only an indication of the likely preferred direction for future growth. Its suitability for development has not been subject to recent and detailed assessment. Therefore no developer requirements have been listed. However, it is likely that the respondent's concerns regarding woodland could be addressed through developing site specific developer requirements during a future plan review or through the development management process in the event of an earlier application. The Council accepts the nature conservation and amenity value of the woodland in this area and has added a green network notation to the relevant Fort William settlement map in this respect. However, the woodland area is intermittent not continuous and could therefore happily coexist with future development subject to appropriate safeguarding and setback. The woodland is not a defined and publicly accessible greenspace and is therefore not shown as such on the Plan's mapping. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this site.

Fort William Gaelic Primary School (FW17)

Michael Foxley (1103411)

No modifications sought. The Council believes the Plan's content should remain unaltered.

North of Lochaber High School (FW18)

Liberty British Aluminium (1105244)

This site comprises sports pitches associated with Lochaber High School and the south eastern area of this site has planning permission [*] for the development of an indoor training and community centre. Although the site allocation extends to cover the wider playing fields, there is no anticipated surplus land for housing release / disposal, especially with pupil numbers for the High School anticipated to rise in the latest 2017/18 School Roll Forecast [*]. Accordingly, the Council believes the Plan's content should remain unaltered.

Kilmallie Community Council (1104950)

No modifications sought. The Council believes the Plan's content should remain unaltered.

Corpach Locks (FW19)

James Ramsay (1105176)

The developer requirements for this site include the requirement to undertake a protected species survey which would include surveying for otter interests. The requirement for associated mitigation measures, such as otter access and resting places would therefore be informed by this. Accordingly, adequate provision has been made and the Council believes the Plan's content should remain unaltered.

Glen Nevis Business Park (FW21)

Liberty British Aluminium (1105244)

Since the preparation of the Proposed Plan, the Council has granted planning permission [*] for the development of an alloy wheel manufacturing facility at the smelter which covers the vast majority of allocation FW21 as well as part of allocation FW26. If the Committee / Reporter is minded to agree then these allocations could be merged for industrial use with the addition of 3.0ha of presently unallocated land situated to the south east between these allocations to round off this merged allocation, tying it in with the extent of the SDA boundary as detailed on [*]. The merged allocation could also retain the developer requirements for allocation FW26 which could remain largely unaltered with the exception of the addition of the following introductory text to the site developer requirements: *"Development in accordance with planning permission 17/0502/FUL. Alternative or additional proposals require the..."* The site area of this merged allocation would extend to 86.6ha. The loss of business land is not significant. As described in the Plan's Glossary of Terms under Uses - 'Industry' comprises Class 4 Business, Class 5 General Industrial and Class 6 Storage and Distribution. As such business and employment uses would be encouraged and we are not aware of any other proven demand for the creation of additional Class 4 Business Park sites. Provision for such uses is also being made within several industrial and mixed use allocations within the wider Fort William area.

Fort William Waterfront (FW22)

Sarah Kennedy (ID: 1105051)

No modifications sought. The Council believes the Plan's content should remain unaltered.

Heathercroft Drive (FW23)

Sarah Ferguson (ID: 1102559)

The business allocation benefits from a partially implemented and therefore extant planning

permission for business unit development [*]. That permission does not overlap the boundary of the adjoining housing development. The Council has georeferenced the consented planning permission site layout plan with the neighbouring residential properties [*]. This indicates a c.14m setback will be achieved from the closed residential elevation/window to the elevation of the consented business unit. Concerns relating to the loss of a private view are not a material planning consideration. Concerns relating to the proposed business uses not being well served by public transport provision are not accepted. The site is located within 250m of an existing bus stop on Lochaber Road and the site is situated approximately 1km of Fort William Town Centre which is within active travel distance, albeit that this hillside location makes walking and cycling a less attractive option. In any event, the scale of the allocation is intended to serve the local community and would not generate a significant number of trips. Concerns relating to crime are unsubstantiated and provision for open space is to be made on the adjacent site allocation FW13 and substantial areas of cherished open space are to be safeguarded in the surrounding area. Similarly, there is no evidence of any protected species on this site however should any protected species be encountered during construction, it is the responsibility of the developer to ensure that the contractor is made aware of all applicable protected species related legal requirements. Accordingly, the Council believes the Plan content should remain unaltered in respect of this issue.

Annat, Former Paper Mill and Adjoining Land (FW24)

Alice Cameron (1104920), Ardgour Community Council (1103772), Calum-Ruairidh Foxley (1105262), Margaret MacRae (1105217), Michael Foxley (1103411), Samantha Thomson, (1104826), Susan Brown (1104546)

The majority of this land is already allocated for business and industrial uses (Use Classes 4, 5 and 6) within the adopted WHILP. The proposed Plan's allocation is not significantly changing the extent of this allocation, with the exception of incorporating additional land to the east, the island of Eilean nan Craobh and the existing Annat Industrial Estate. The Council's response to each principal issue raised in representations follows.

Noise

The Council's Planning Enforcement officers are working in partnership with the Council's Environmental Health officers to investigate and seek proportionate solutions over the amenity issues arising from the operational and proposed development on the site. The investigations to date, suggest the need for enforcement action during 2018. If the Committee / Reporter is so minded then an additional developer requirement could be added requiring "a cumulative noise assessment" to be undertaken. This would take into consideration existing developments on the site with identification of mitigation measures to be implemented as part of any development brought forward. With the inclusion of this requirement, noise mitigation measures could be introduced to limit impacts on neighbouring residential amenity.

Lighting

Any additional site lighting requirements would be considered as part of any future planning application. However, if the Committee / Reporter is so minded then the existing developer requirements wording could be amended to read "site boundary treatment and lighting to respect neighbouring residential and caravan park amenity".

Landscape and Visual Impacts

This issue is already referenced in the site's developer requirements. The majority of the land is in current or is of former industrial use and lies within the previously developed limits of the settlement. It also provides significant local employment and many of the local

businesses have a locational imperative to be on the shoreline being reliant upon transport of raw materials and product by sea. Therefore it is reasonable to expect that some further development will be on or close to the shoreline, which will inevitably result in some landscape and visual impact. Industrial uses are long established at this location and part of its landscape character. Moreover the site and surrounding area are not covered by any natural heritage designations with the nearest landscape designation being the Ben Nevis and Glen Coe National Scenic Area which is located around 4km to the south east at the opposite end of Fort William. In terms of the potential of additional local residential visual amenity impacts, these are likely to be greatest for a limited number of residents of Achaphubuil to the south. Any impacts would however be considered at the planning application stage with any significant industrial development likely to require the undertaking of a LVIA which may result in alterations to proposals to limit / mitigate such impacts wherever possible.

Marine (wildlife, fishing / aquaculture and leisure)

In terms of any future development within the scope of terrestrial planning, significant development proposals are likely to be accompanied by a hydrological assessment to fully assess any potential surface water runoff or discharges to watercourses (which may have an impact on marine wildlife, fishing and aquaculture). The Council would be guided by SEPA and SNH with regard to the acceptability or otherwise of any residual effects. In addition, the developer requirements for the site include the need for a protected species survey to be undertaken. Impacts on leisure uses would also be considered as part of any requirement for a marine licence application. Whilst there are proposals to develop a marina at allocation FW19, at the connection with the Caledonian Canal, this is approximately 500m east of the site allocation and the majority of leisure craft are anticipated to enter and exit the marina from the south, i.e. not bypassing this industrial site.

Built Heritage

Given the context of existing and historic industrial operations and infrastructure at Corpach Port and Eilean nan Craobh, the allocation of this land is not anticipated to give rise to any significant impacts on the setting of the Caledonian Canal Scheduled Ancient Monument and Historic Environment Scotland have not raised any concerns with this allocation. With regard to development on Eilean nan Craobh, whilst there is a Historic Environment Record entry [*] covering the island relating to the Locheil Chiefs family residence in the 16th and 17th centuries, there is no trace of this dwelling remaining and the presence of this record does not preclude development. This Island was more recently used to form a jetty to serve the former Scottish Pulp and Paper Mill [*].

Accordingly, with the exception of an additional developer requirement for a cumulative noise assessment to be undertaken and a minor amendment to the site boundary treatment and lighting developer requirements to respect neighbouring residential amenity, the Council believes the Plan's content should remain unaltered in respect of these issues.

Boyd Brothers Haulage Limited (1105200)

The Plan supports the intensification of industrial uses at the port. Any resultant proposals for a pier / jetty development and issues relating to shipping manoeuvring and navigational safety issues would be carefully assessed through any subsequent marine licence application, which would be considered concurrently with any further planning application. At this stage further environmental assessment is likely to be required. Accordingly, the Council believes the Plan's content should remain unaltered.

BSW Timber Group (1105115)

The Council believes this land is better suited to industrial development but including retention of a landscaped buffer to adjoining incompatible uses. As referenced in the Fort William Placemaking Priorities, improving Corpach port and back up land facilities is important to enhancing local employment prospects and the more sustainable seaborne transport of raw materials and product. The loss of potential industrial land at this location, which is an established industrial area with existing quayside, to housing (a use that would be a sensitive receptor to existing and potential future industrial operations) would not be sensible. The land is unsuitable for housing development for other reasons such as transport and education. The nearest primary school is at Banavie and it is impracticable to create a safe active travel route to this school from the suggested housing area. The respondent has not suggested a new school on-site or closer than Banavie. Whilst the respondent has considered preliminary options for road access there are no clear solutions presented. A new rail bridge will be of a cost disproportionate to the development return on the number of houses proposed. Network Rail has a national policy of insisting on new bridges have sufficient line clearance to allow future electrification and have stated that the Fort William to Mallaig line cannot be treated as an exception. Network Rail is also resistant in principle to new level crossings because of their increased safety risk, signalling costs and journey time effects. The other option of taking a housing development access through the existing sawmill site to use the existing A830 access(es) raises similar operational and safety issues. An alternative access solution could potentially be taken via the caravan park further to the west but this has no agreement from the park owner and would result in an even longer journey to local facilities. As stated by respondents for site FW24, the sawmill's operations create noise and to allow new housing in close proximity to the source of existing and potentially increased future noise would be inappropriate. Noise mitigation could be introduced in the form of close boarded fencing, amenity bunding and woodland retention but these may not be wholly effective and there is no overriding shortage of housing land which cannot be met on other allocated sites. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Kilmallie Community Council (1104950)

The existing developer requirements address the issue of noise and visual screening to the extent that it is reasonable to do so given that this is a long established, strategic, industrial area which has a locational imperative to be close to the shoreline. The Council believes that a section of existing vegetation adjacent to the rail halt has recently been felled but that the sawmill operator is erecting a 3 metre high acoustic fence along the southern perimeter of the site. If the Committee / Reporter is so minded then an additional developer requirement could be added requiring "a cumulative noise assessment" to be undertaken. This would inform the requirement for further mitigation. With regard to the suggested requirement for a Landscape and Visual Impact Assessment (LVIA) for any additional development in this area, the requirement for this, forming part of an Environmental Impact Assessment, would be subject to the scale of any development proposal. The requirement for this would be considered at the planning application stage as part of EIA Screening and Scoping. However, the development requirements for this site do highlight the likely requirement for an LVIA to accompany any proposed infrastructure at Eilean nan Craobh.

Linnhe Lochside Holidays Ltd (1105213)

The area of ground between the caravan park and the allocation comprises a strip of woodland and vegetation which extends to approximately 150 metres in width. This area is intended to remain as a noise and visual buffer from the industrial allocation. The suggestion that the western area of the allocation be omitted on grounds of noise, visual

amenity and impact on ecology is not accepted by the Council. The developer requirements for this site already include provision for "site boundary treatment and lighting to respect neighbouring caravan park amenity". In addition, the developer requirements require a "protected species survey" to be undertaken. However, if the Committee / Reporter is so minded then an additional developer requirement could be added requiring "a cumulative noise assessment" to be undertaken. This will inform the requirement for further mitigation or development setback from the caravan park.

North of Blar Mor Industrial Estate (FW25)

Liberty British Aluminium (1105244)

The site is considered unsuitable for housing use because it is bordered by incompatible uses:- a busy trunk road, a railway line, and an industrial estate. The site lends itself far better to a natural extension of the industrial estate and has planning permission in principle for business and industrial uses [*]. Accordingly the Council believes that the Plan's content should remain unaltered in respect of this issue.

Aluminium Smelter and Adjoining Land (FW26)

Liberty British Aluminium (1105244)

Refer to Council's response provided for FW21.

Reporter's conclusions:

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Reporter's recommendations:

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Issue 7	GLENCOE	
Development plan reference:	Glencoe Settlement Chapter, Pages 51-55	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Crofting Commission (955042) John Roy (1099967) Mountaineering Scotland (964649) Ruth Malcolm (1103163) Stephen Chomiak (995318) Susan Johnston (1104731)</p>		
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>Mountaineering Scotland (964649)</u> Supports the priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.</p> <p>North of Glencoe Primary School (GC03) <u>Crofting Commission (955042)</u> Concerned that loss of site to development would significantly affect the viability of a crofting unit (almost all of the holding is within the allocation boundary) and reduce the availability of in-bye croft land. Both of these effects would be contrary to the Council's stated policies on croft land safeguarding.</p> <p><u>John Roy (1099967)</u> Objects because this land: has a long established crofting use; is a relatively large area to lose; and, crofting is important to the cultural heritage of the area.</p> <p><u>Ruth Malcolm (1103163)</u> Objects because: it will have an adverse visual and landscape impact undermining tourism employment; in particular it will have an adverse impact on the much photographed view of Glencoe from the Ballachulish bridge; the land supports both wildlife such as Canada geese, deer and local crofters livestock; the servicing works for this site would be comprehensive as the area is waterlogged for most of the year; there is a better alternative housing site outwith the village on forestry land that could be gifted; a longer walk to school would improve the health of schoolchildren; and, the existing village hall is adequate and doesn't need a replacement only refurbishment.</p> <p><u>Stephen Chomiak (995318)</u> Objects because of: adverse visual and landscape impact; loss of croft land; adverse impact on wildlife; loss of cultural identity that is important to tourists; flood risk; poor viability; the adequacy of the existing village hall which could be refurbished if necessary;</p>		

and, inadequate and expensive to improve water, sewerage, road and communications capacity.

Susan Johnston (1104731)

Objects because: this site is all long established crofting land and is the largest cohesive piece of crofting land left in the community and should be kept intact; a clustered development would be alien to the established linear settlement pattern; the offer of a village hall is a “sweetener” and the site is unsuitable because it is on an isolated housing estate; the existing village hall site is more central and therefore more compliant with the Council’s Town Centre First Policy; if necessary then the existing hall could be refurbished; the adverse visual impact of the development will undermine tourism and the employment it brings; allocations GC01 and GC02 are preferable because they have a lesser visual impact; the site is a wildlife corridor and a habitat for Red Deer.

Modifications sought by those submitting representations:

Placemaking Priorities

Mountaineering Scotland (964649)

No modifications sought (assumed).

North of Glencoe Primary School (GC03)

Crofting Commission (955042), John Roy (1099967), Ruth Malcolm (1103163), Stephen Chomiak (995318), Susan Johnston (1104731)

Deletion of allocation (assumed).

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Mountaineering Scotland (964649)

Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. 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. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

North of Glencoe Primary School (GC03)

Crofting Commission (955042), John Roy (1099967), Ruth Malcolm (1103163), Stephen Chomiak (995318), Susan Johnston (1104731)

The Council and its Plan recognise that the four main settlements surrounding Loch Leven have significant constraints to development and have therefore limited the capacity of allocations within these settlements to a total of just 60 homes across: North Ballachulish (0), Glenachulish (20), South Ballachulish (20), and Glencoe (20). Almost all land is constrained by topography, ground conditions, flood risk, viability, landowner attitude to release, settlement pattern, crofting and/or other factors. Recent housing development in all four communities has been piecemeal; i.e., single private houses most often on in-bye croft land. Although this form of development is usually more socially acceptable to adjoining residents than a larger housing scheme it is not comprehensively serviced and causes a “drip-drip” adverse impact on sub soil soakaway, unadopted side road, and crofting

capacity. More arguably a 10 unit well designed housing scheme in a village centre has less adverse visual and landscape impact than 10 separate plots spread throughout a village.

Allocation GC03 has the potential to deliver land for community, business/tourism use and around 10 homes. The Council accepts that the land is in crofting tenure and has moderate land capability for agriculture. The affected crofting family wish to release the land for a mixed use development that will benefit the wider community. There is a de-crofting application affecting the same land which is understood to be pending consideration by the Crofting Commission. 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 all development considerations, including land capability for agriculture and crofting heritage interests. In this instance, the loss of croft land is considered to be justified given the lack of suitable alternatives not in crofting tenure.

The current allocation forms two existing allocations in the adopted WHILP (site references H1 and B2) and has been carried forward into the Plan. To reflect the presence and importance of the Ben Nevis and Glen Coe NSA, housing numbers for this allocation have been reduced from 20 units to 10 units and the developer requirements include the need for high quality of siting and design that will avoid adverse impacts on the special qualities of the Ben Nevis and Glen Coe NSA. The site is also situated fairly centrally within the built up area of Glencoe and therefore considered unlikely to have any adverse affect on the special qualities of this area. It is not, as respondents assert, prominent in any principal public view and is very distant from the A82 Ballachulish Bridge viewpoint. The developer requirements for the site also require the retention of existing trees and additional planting to create shelter and enhance the green network. This planting, together with careful siting and design will help to filter views of the development, both from within the village looking north and long distance views of Glencoe from the Ballachulish Bridge looking east.

The allocation also includes scope for business/tourism uses and therefore could have a positive impact for visitors. In terms of habitats and species, the developer requirements for this site include the requirement for a protected species survey to be undertaken. In terms of flood risk, it is acknowledged in the developer requirements that part of the site (western part) could be susceptible to coastal flood risk and a Flood Risk and Drainage Impact Assessment is therefore required to inform the layout and design of the site. In terms of infrastructure capacity, the village of Glencoe is served by part of the waste water treatment plant at North Ballachulish which has capacity to accommodate this and other allocated development [*]. Access to the site could be formed via the B863 and active travel connections are specified within the developer requirements, including provision of a direct linkage to the adjacent school. There is not considered to be a need to provide a road access direct to the village centre which is within easy walking distance. The local water treatment works has sufficient spare capacity and a potential new connection is within easy reach of this site. There are no known abnormal electricity supply or communication connection issues to be overcome and, with the exception of the potential area of coastal flood risk, there are no other development constraints which would adversely affect development viability. In its representation made to the WHILDLP MIR, Glencoe & Glen Etive

Community Council expressed a need for a replacement village hall and suggest that it be located on the allocated site. This allocation is the largest in the village and therefore, it is considered appropriate that land on this site for such a future community use is reserved.

In terms of alternative, preferable development sites, the Council has through the Plan process considered all reasonable options including the suggested Forestry Commission site on the Clachaig Inn loop road. The Council's assessment of the alternative sites considered, together with the feedback received at these consultation stages and the Council's responses were presented to the 18 January 2017 Lochaber Area Committee [*]. The forestry site was non-preferred by the Council because of: the loss of woodland (and/or restocking opportunity) listed on the Ancient Woodland Inventory; the adverse impact on the enjoyment of the footpath (core path) which intersects the site; the lack of daylight unless woodland is cleared; the green network continuity that could be interrupted by development; and, the distance to the village's facilities including the lack of a safe route to school.

For all the reasons stated above, the Council believes that the Plan's content should remain unaltered in respect of this issue.

Reporter's conclusions:

Reporter's recommendations:

Issue 8	KINLOCHLEVEN	
Development plan reference:	Kinlochleven Settlement Chapter, Pages 56-59	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Mountaineering Scotland (964649)		
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>Mountaineering Scotland (964649)</u> Supports the priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.</p>		
Modifications sought by those submitting representations:		
<p>Placemaking Priorities <u>Mountaineering Scotland (964649)</u> No modifications sought (assumed).</p>		
Summary of responses (including reasons) by planning authority:		
<p>Placemaking Priorities <u>Mountaineering Scotland (964649)</u> Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. 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. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.</p>		
Reporter's conclusions:		
Reporter's recommendations:		

Issue 9	MALLAIG	
Development plan reference:	Mallaig Settlement Chapter, Pages 60-65	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Colin MacNeill (1103355) Mountaineering Scotland (964649) Nevis Estates Ltd (998593) Scottish Government (1101467)		
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>Mountaineering Scotland (964649)</u> Supports the priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.</p> <p><u>Nevis Estates Ltd (998593)</u> Objects to the Green Network designation as it is depicted at land north of Gordon Brown Place within the settlement boundary because it benefits from planning permissions [*] for 2 dwelling houses and the Green Network designation should be amended to exclude these areas given that they will not be delivered for that purpose. One of these properties is currently under construction and the other site is currently subject to a revised planning application [*].</p> <p>Coteachan Hill (MA01) <u>Nevis Estates Ltd (998593)</u> Welcomes and supports changes made to the MIR allocation boundary to reflect the area of land being brought forward for development with the Highlands Small Communities Housing Trust. Also supports the indicative capacity of 20 houses.</p> <p>North and West of Reservoir (MA02) <u>Colin MacNeill (1103355)</u> Concerned about impact of development of site on neighbours because of: the lack of demand for residential development in and around Mallaig; the site's inaccessibility from existing roads; potential surface water drainage issues, the need to connect to mains sewerage; the potential loss of amenity and adverse visual impact; and, the potential adverse impact on the track/path from the road out of Mallaig to Loch an Nostarie, which is widely used by locals and visitors alike.</p> <p><u>Nevis Estates Ltd (998593)</u> Welcomes and supports changes made to the MIR and the indicative capacity of 45 houses.</p>		

South of Glasnacardoch (MA05)

Colin MacNeill (1103355)

Concerned that: any increased traffic on the B8008 (old road leading out of Mallaig to Glasnacardoch) would be detrimental to the existing residents of the area, so all access in and out of any proposed sites should be on the main A830; and, the amenity of what is a local area of beauty (in particular the track/path leading from the site to Loch an Nostarie, which is widely used by locals and visitors) should not be adversely affected.

Scottish Government (1101467)

Objects to the Plan's possible support for either allocation MA05 or MA06 taking a new access to the trunk road network because SPP Para 278 states; "*New junctions will only be considered if they are designed in accordance with DMRB and where there would be no adverse impact on road safety or operational performance.*" Also because this section of the A830 trunk road is a climbing lane layout and is within the national speed limit, approximately 1.5 km away from the start of the 30 mph limit at Mallaig. Any new access at this location would most likely have a significant adverse impact on road safety and operational performance.

East of Garage (MA06)

Scottish Government (1101467)

Objects to the Plan's possible support for either allocation MA05 or MA06 taking a new access to the trunk road network because SPP Para 278 states; "*New junctions will only be considered if they are designed in accordance with DMRB and where there would be no adverse impact on road safety or operational performance.*" Also because this section of the A830 trunk road is a climbing lane layout and is within the national speed limit, approximately 1.5 km away from the start of the 30 mph limit at Mallaig. Any new access at this location would most likely have a significant adverse impact on road safety and operational performance.

Modifications sought by those submitting representations:**Placemaking Priorities**

Mountaineering Scotland (964649)

No modifications sought (assumed).

Nevis Estates Ltd (998593)

Removal of Green Network notation from land with planning permission for housing development close to Gordon Brown Place (as per map supplied by respondent).

Coteachan Hill (MA01)

Nevis Estates Ltd (998593)

No modifications sought.

North and West of Reservoir (MA02)

Colin MacNeill (1103355)

More onerous / effective developer requirements to ensure that road access, surface water drainage and all other services (in particular sewerage) are fully thought out and implemented to avoid any detrimental effect to existing residents (assumed). Also a requirement to ensure that the amenity of the area (in particular the track/path from the road out of Mallaig to Loch an Nostarie, which is widely used by locals and visitors alike) is

preserved (assumed).

Nevis Estates Ltd (998593)

No modifications sought.

South of Glasnacardoch (MA05)

Colin MacNeill (1103355)

Developer requirements to ensure all road access in and out of any proposed sites should be on the main A830 (assumed). Also a requirement to ensure that the amenity of the area (in particular the track/path from the road out of Mallaig to Loch an Nostarie, which is widely used by locals and visitors alike) is preserved (assumed).

Scottish Government (1101467)

Deletion of the text that makes reference to the possibility of a new access to the trunk road network.

East of Garage (MA06)

Scottish Government (1101467)

Deletion of the text that makes reference to the possibility of a new access to the trunk road network.

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Mountaineering Scotland (964649)

Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. 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. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Nevis Estates Ltd (998593)

The extant and partially complete permissions should be reflected on the Plan's mapping. If the Committee / Reporter is so minded then the Council would support the removal of the green network notation from the land north of Gordon Brown Place enclosed within these permissions.

Coteachan Hill (MA01)

Nevis Estates Ltd (998593)

Support noted – no modifications sought.

North and West of Reservoir (MA02)

Colin MacNeill (1103355)

Mallaig is a long standing and important rail, ferry and port arrival / departure point. As a result it supports a wide range of community and commercial facilities for its size and has several affordable and private housing areas. There is no lack of private housing demand or housing need just a severely constrained supply of effective land to accommodate it. Mallaig has very difficult topography, flood risk issues, trunk road and side road capacity

problems, and high ground conditions resolution costs. To not allocate a sizeable development site within the village would only serve to divert pressure to the surrounding crofting communities which have similar constraints and are less sustainable locations for those working in Mallaig. In this regard, Mallaig Harbour has significant expansion plans to serve both the growing tourism market and a fishing industry that may expand post Brexit.

It is accepted that road access to this site will be challenging and the associated engineering works are likely to be expensive to undertake. However, this has been true of all sites in Mallaig and has not proven an insurmountable constraint. The site's aspect and its exceptional outlook make it particularly suitable for higher value private plots. The site size and capacity should aid viability. A proposed access solution involving the creation of a new access road next to the existing private access off Annie's Brae (which serves nine existing houses and a Scottish Water facility) was previously considered as part of a planning application [*] for 18 homes across the southern area of the allocation. This application received a minded to grant decision at the Council's relevant committee. The applicant failed to resolve the issues required to sign a S75 legal agreement and therefore the permission was never issued. However, this previously proposed site access solution was acceptable to the Council's Roads Engineer and the proposed developer requirements for this allocation also highlight the need for improved road access.

Given the topography of the site and the local climate, surface water runoff and drainage concerns are valid and therefore the developer requirements require a Flood Risk and Drainage Impact Assessment to be undertaken. A public sewer connection is also being insisted upon and there is scope to connect to the existing network with pipework passing through the site. Other service connections such as water and electricity are not considered to result in any abnormal costs or significant detrimental effects on existing residential properties. The retention of the existing track / footpath will be an important design consideration for the site and the developer requirements set out the need for active travel connections within the site as well as open space provision. Wider public access rights for the site will also be considered by the Council's Access Officer at the planning application stage. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Nevis Estates Ltd (998593)

Support noted – no modifications sought.

South of Glasnacardoch (MA05)

Colin MacNeill (1103355)

See commended amendment below regarding access from the A830 trunk road. Therefore access to this site must be from the B8008. Given the site's small size and immediate proximity to an existing trunk road junction, this site access solution will not have any discernible impact on the local road network. In terms of the existing footpath through the site, the developer requirements stipulate the retention of active travel connections to the settlement centre and a landscaping scheme which looks to retain and augment trees and woodland on site. Accordingly, the amenity value of this route should not be adversely affected and the Council believes that the Plan's content should otherwise remain unaltered.

Scottish Government (1101467)

The Council accepts that it would be useful for the Plan to clarify that no new access should

be taken from the trunk road. If the Committee / Reporter is so minded then the developer requirements for site MA05 could be amended as follows: “~~Justification required for any~~ No new access onto the A830 trunk road, safeguard road access through to site MA06 and maintain and enhance active travel connections to settlement centre;”.

East of Garage (MA06)

Scottish Government (1101467)

The Council accepts that it would be useful for the Plan to clarify that no new access should be taken from the trunk road. If the Committee / Reporter is so minded then the developer requirements for site MA05 could be amended as follows: “~~Justification required for any~~ No new access onto the A830 trunk road, safeguard road access through to site MA06 and maintain and enhance active travel connections to settlement centre;”.

Reporter’s conclusions:

Reporter’s recommendations:

Issue 10	NORTH BALLACHULISH, GLENACHULISH & SOUTH BALLACHULISH	
Development plan reference:	North Ballachulish, Glenachulish & South Ballachulish Settlement Chapter, Pages 66-74	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Ballchulish Community Company (930563) Charles Chisholm (967723) Cyril Bonnett (1029661) G H Johnson Building Consultants Ltd (964726) Gordon MacIntyre (992482) Hilda Bransby (1101085) John Roy (1099967) Marjorie Thornton (1102013) Mountaineering Scotland (964649) Nigel Wombell (1102843) Paul McFtridge (994169) RSPB (1104965) Scottish Natural Heritage(909933)</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>Charles Chisholm (967723)</u> Believes site BH02 fits the settlement's Placemaking Priorities, the Plan's Vision and delivery of its outcomes. Also believes it will help meet Lochaber's Housing Land Requirement.</p> <p><u>Cyril Bonnett (1029661)</u> Suggests an additional development area between the end of Maccoll Terrace to the new housing association houses in West Laroch.</p> <p><u>Gordon MacIntyre (992482)</u> Seeks stronger presumption against non crofting related development on croft land. In particular wants in-bye croft land removed from Ballachulish SDA. Suggests that Glenachulish should be considered jointly with South Ballachulish not North Ballachulish. Believes North Ballachulish should be considered jointly with the rest of Nether Lochaber.</p> <p><u>Mountaineering Scotland (964649)</u> Supports the 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> Believes that important natural heritage designations should be given specific reference</p>		

within the Plan because they should be taken into account when considering development proposals and because SPP Paragraph 196 requires such reference.

West Laroach (BH02)

Ballchulish Community Company (930563)

Objects to any development on this land because of the lack of appropriate discussion and consensus from the community.

Charles Chisholm (967723)

Conditionally supports the site BH02 as it will contribute towards the effective housing land supply required by SPP. Requests higher indicative site capacity and clarified arrangements for open space provision. In line with SPP, the indicative capacity of the site should be increased to make more efficient use of the land. The adjoining area of housing between Croft Road and West Laroach to the west provides a suitable reference point for assessing potential capacity. That area, including allowance for road access and the area of open space at its western extremity, comprises approximately 1.2ha/2.96 acres. There are 26 houses, which equates to approximately 8.78 houses to the acre or 0.11 acre per house. The developable area of BH02, excluding that portion identified in the Flood Risk Assessment as being at risk of flooding, is approximately 0.8 ha / 2.08 acres. Taking the density of adjoining development as a reference point, this would translate into approximately 19 houses. As long as there is at least 6m between the boundary of gardens and the top of the river bank there is no reason why parts of the garden area of some houses cannot be within the flood risk area. SEPA has stated that it would not object to this as long as boundaries are permeable to allow water flow and consideration would be given at application stage on the possible removal of permitted development rights. Taking account of the density of adjoining development and the scope for parts of garden areas to be allowed within the flood risk area, it is proposed that the indicative capacity be raised to 20 units. Raising the indicative capacity will increase the contribution towards meeting the overall Lochaber housing land requirement. This would also raise the number of affordable housing requirement from 4 units to 5. It is understood that the Highlands Small Communities Housing Trust / Lochaber Housing Association are keen to look more closely at the site. The Ballachulish Community Action Plan 2016-2021 has a 2025 Vision which includes affordable housing and a good mix of tenure and type of housing. Theme 5 of the Action Plan has development of affordable housing as a priority. Respondent offers to the community a significant area of land for open space outwith site BH02 as defined on map supplied by respondent [*]. However, respondent wants the Plan to clarify that the development of the site is not dependent on the community's acceptance or otherwise of this offer.

Comments on other developer requirements as follows: the riparian woodland will be within the area given to community and therefore its retention and enhancement should be a matter for the community or the trees secured via a Tree Preservation Order; the developer should also not be required to carry out further landscaping outwith BH02; it is unreasonable for the developer to have to make on and off site provision of open space especially since there are adequate alternatives closeby; site BH02 is not informal open space and therefore its loss does not need to be compensated for whereas the land being offered to the community is informal open space; the Plan does not show or take account of the full extent of the land offered as a gift to the community; and, the totality of the developer contributions should not make the site unviable.

Requests amendment to Proposed Action Programme in relation to the Ballachulish South Community Park to clarify the linkage between the development of BH02 and transfer of land to the community at nil cost, and to remove the requirement for developer contributions over and above the gift of the land. Queries Revised Environmental Report's Table of Sites with Significant Effects on p38 that indicates BH02 has significant positive effects before and after mitigation. The entry against 10a shows a single -ve under positive effects, it is assumed this should be a single +ve? Also questions: whether there will be a minor loss of non-designated interests; the statement that the site is identified as open space in the current local plan and forms part of a wildlife and connectivity corridor because only part of BH02 is allocated as open space in the current local plan and the river corridor will remain intact and maintain connectivity; and, whether the overhead line is a constraint that can't be mitigated.

Hilda Bransby (1101085)

Objects: to loss of cherished and historic green space in the middle of the village which contributes greatly to the character of the village and the wellbeing of its residents; to impairment of sustainable walking options; because there are alternative, and, more suitable development sites in the Plan and suggested by the community council. If the principle of development is accepted then there must be some corresponding gain for residents to offset this. What is needed is affordable housing in Ballachulish. The development, if it is to take place, must be required to include significantly more than just the minimum 25% affordable housing and the rest of the development must only comprise small homes suitable for the mid-range demand of local families living and working in the area. There is no demand and no desire for the village to be dominated by large, higher-cost houses and second-homes. All the houses should be small and low profile and built in a consistent style and pattern to minimise the negative visual influence, thus maintaining the characteristics of this National Scenic Area. The community should be consulted with further details of the development when this is known - housing types, numbers, style etc. before it is at planning application stage.

John Roy (1099967)

Objects because: site is a cherished green space, and should remain so; the land to be donated to the community is prone to flooding and would be onerous for the community to maintain; and, the green spaces in Ballachulish contribute immensely to its desirability as a tourist destination.

Marjorie Thornton (1102013)

Objects to any housing being built on this site because: it should be classed as an amenity area for the benefit of the community of Ballachulish as it has always historically been used for this purpose; its subject to flood risk which will only increase with climate change; of loss of wildlife habitat; and, of loss of road safety whichever route is taken, be it via Croft Road or West Laroach.

Nigel Wombell (1102843)

Objects because of additional traffic on West Laroach road which has capacity issues (the bridge over the River Laroach is a narrow single lane and there is a blind/ tight bend at the end of West Laroach road. Also concerned about the size and type of houses being proposed because they will not be suitable for the needs of the local community.

West of A82/A828 Junction (BH03)

G H Johnson Building Consultants Ltd (964726)

Comments on behalf of the landowners of the site, Linden Ltd and Morrison Construction Ltd (Linden Homes Strategic Land is part of Galliford Try plc as is Morrison Construction Ltd). Supports this allocation and neighbouring allocations because: there is market demand for housing at this location; the land is central to network of Loch Leven communities; the land is accessible to the national trunk road network and prime long-distance visitor routes; development here could contribute to the Plan's housing and economic development priorities; together the sites are a viable development opportunity; and, the Plan's developer requirements can be met via the owners' commitment to undertake masterplanning and community consultation.

Paul McFatridge (994169)

Objects because: this land was excluded from the adopted version of the adopted WHILP by the Reporter on grounds of adverse visual and landscape, and excessive scale; the sites are too large to be allocated and would therefore totally transform and destroy the existing settlements; land is physically separate from any existing settlement; it would be impossible to control what was developed on the sites (because of national rather than local leadership and control); the sites would be handed over to national building companies who would then destroy the sites because they have no interest in the local area or its economy and are only interested in maximizing the value of the sites; these companies would bring in their own workforce from the central belt with no local benefit; there is no local requirement for a hotel with tourism demand low; any national hotel chain proposal would put existing smaller hotels and B&B's at risk; there is no shortage of hotel jobs available locally and there is indeed a shortage of local workers; the sites are very sensitive and scenic; of the adverse visual impact of development on the views of the Pap of Glencoe; adverse impact on the designated NSA; this would be development between a trunk road and views over the loch; the land is unsuitable for affordable housing with no amenities (shops, schools, employment) within walking distance; Transport Scotland are likely to object because of an adverse impact on the trunk road network; there is no safe route to St Brides School in North Ballachulish and it is too close to allow free public transport to it; of the loss of agriculturally productive land; and, there are better sites (closer to facilities and outwith the NSA) owned by Lochaber Housing Association that should be developed.

Scottish Natural Heritage (909933)

Conditionally supports site but seeks a change to developer requirements to be clear that building heights should not exceed 1½ storeys to ensure that development is of an appropriate scale and height, which should help avoid adverse impacts on the special qualities of the NSA.

North of A82/A828 Junction (BH04)

G H Johnson Building Consultants Ltd (964726)

Supports allocation for same reasons stated for site BH03. In circumstances where the open character of land BH04 contributes to the setting for development, its potential for related uses (whether business/tourism or community based) including possibly a strategic viewpoint, is acknowledged. Respondent supplies Landscape Statement [*] which endorses the need to set back development from the A82/A828 and enable views into and through the site.

Paul McFatridge (994169)

Objects to the allocation for the same reasons stated for site BH03.

Scottish Natural Heritage(909933)

Conditionally supports site but seeks a change to developer requirements to address that this allocation is in a particularly sensitive and prominent location within the Ben Nevis & Glen Coe NSA. Amending the text would clarify that only small scale development that does not adversely impact on views is suitable for this location would ensure that development is of an appropriate scale, density and height. This should help avoid adverse impacts on the special qualities of the NSA.

East of A82/A828 Junction (BH05)

G H Johnson Building Consultants Ltd (964726)

Supports allocation for same reasons stated for site BH03. The land has a unique competitive advantage because of its location and outlook and this can reinforce and expand the local tourism economy and help meet the economic objectives of the Plan.

Paul McFatridge (994169)

Objects to the allocation for the same reasons stated for site BH03.

Scottish Natural Heritage(909933)

Conditionally supports site but seeks a change to developer requirements to address that this allocation is in a particularly sensitive and highly visible location, close to the shore within the Ben Nevis & Glen Coe NSA. The site is central to key views around Loch Leven. Development in this location would detract from these key views, in particular when looking from the east to the west (such as from Glencoe peninsula) where development would form a central focus as the loch narrows at the Ballachulish bridge. It would also be prominent when looking down from the Ballachulish bridge into Loch Leven, and when seen from across the wider surrounding area, including from roads, settlements and by people on the loch (e.g. on boat trips). Amending the text to identify that views of the development from the wider area need particular consideration at the siting and design stage would ensure that development is sympathetically sited and designed from the outset. This should help avoid adverse impacts on the special qualities of the NSA.

Modifications sought by those submitting representations:

Placemaking Priorities

Charles Chisholm (967723)

No modifications sought.

Cyril Bonnett (1029661)

Inclusion for development of land between the end of Maccoll Terrace to the new housing association houses in West Laroch (assumed).

Gordon MacIntyre (992482)

Additional Placemaking Priority to say that planning applications for any development on agricultural and crofting land (other than a croft house and or byre) would normally be refused. Removal of North Ballachulish crofting land from the SDA. Plan format amended so that Glenachulish is associated with South not North Ballachulish and that the whole of Nether Lochaber is considered not just North Ballachulish.

Mountaineering Scotland (964649)

No modifications sought (assumed).

RSPB (1104965)

Insert after “the Ben Nevis and Glen Coe National Scenic Area” in the first placemaking priority, the “Glen Etive and Glen Fyne Special Protection Area and Onich to North Ballachulish Woods Special Area of Conservation”.

West Laroach (BH02)

Ballchulish Community Company (930563), Nigel Wombell (1102843)

Deletion of allocation (assumed).

Charles Chisholm (967723)

Increase in indicative site capacity to 20 units, change in extent of cherished open space shown on the Proposals Map, amended developer requirements relating to open space to clarify that the developer will not fund the laying out and maintenance of off-site public open space provision, and associated amendments to the Proposed Action Programme and the Revised Environmental Report to justify and explain these modifications.

Hilda Bransby (1101085)

Deletion of allocation and replacement with cherished greenspace notation. Failing this then a housing development with a high percentage of affordable units and small units for working, local families. Developer requirement to prevent higher-cost houses and second-homes. Also requirement for all houses to be single storey. (All assumed).

John Roy (1099967), Marjorie Thornton (1102013)

Deletion of allocation and replacement with cherished greenspace notation (assumed).

West of A82/A828 Junction (BH03)

G H Johnson Building Consultants Ltd (964726)

No modifications sought.

Paul McFatridge (994169)

Deletion of allocation and exclusion of land from Settlement Development Area (assumed).

Scottish Natural Heritage (909933)

Developer Requirements wording to be amended to read: “...form of up to one and a half storey in height, ...”

North of A82/A828 Junction (BH04)

G H Johnson Building Consultants Ltd (964726)

No modifications sought.

Paul McFatridge (994169)

Deletion of allocation and exclusion of land from Settlement Development Area (assumed).

Scottish Natural Heritage (909933)

Text added to the existing Developer Requirements “High quality of siting and design that will avoid adverse impacts on the special qualities of the Ben Nevis and Glen Coe NSA” to state:

“ - development requires to be small in scale and number, so that it does not block views from the A82/A828 over Loch Leven and the surrounding scenery of the NSA, or impact on key views from around Loch Leven (such as from the Ballachulish bridge and the wider surrounding area, including roads, settlements and by people on the loch e.g. on boat trips)”

East of A82/A828 Junction (BH05)

G H Johnson Building Consultants Ltd (964726)

No modifications sought.

Paul McFatridge (994169)

Deletion of allocation and exclusion of land from Settlement Development Area (assumed).

Scottish Natural Heritage(909933)

Text below to be added to the Developer Requirements after the existing “...benefit from an exceptional outlook over Loch Leven” text:

“..., the location and design must also consider key views of the development from the loch and surrounding area to ensure that the development does not become a focal point or otherwise detract from the special qualities of the NSA, ...”

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Charles Chisholm (967723)

Support noted – no modifications sought.

Cyril Bonnett (1029661)

The land between the end of Maccoll Terrace and West Laroch was considered through the Additional Sites Consultation [*], after being suggested by Ballachulish Community Council and others as a suitable alternative housing site to others allocated in Ballachulish. Part of the justification was that a new access road through the site would have provided a safer road access to the primary school and land for it to be revamped. The Additional Sites Consultation prompted responses for this site that expressed concern about increased traffic in the village, overshadowing from the hillside, a history of landslides on the hillside, and the risk of increased runoff causing flooding. This site suggestion was reported to the 18 January 2017 Lochaber Committee [*] and the site was not recommended to be allocated for development because: that with the exception of the southern small area of croft land, the majority of this land falls within the Glen Etive and Glen Fyne Special Protection Area (SPA) which is designated for ornithology interests; RSPB advised that the loss of this habitat is likely to have significant adverse effects on the qualifying interests of this designation (Golden Eagle); SNH advised that the loss of habitat would likely have a significant effect requiring further assessment; a replacement school is not anticipated to be forthcoming within the lifetime of the Plan; the suggested site road access point is unsuitable with a 6m pinch point between gardens via West Laroch; the site has a steep gradient for new access road and works may result in loss of trees; and, the length and extent of road access works, site enabling works and watercourse crossings make this site unlikely to be viable for development. The Committee decided to undertake a site visit on 6 February 2017 to consider the suitability of the northern part of this site for development, as well as allocation BH02. The site visit was attended by all Ward 22 Committee Members and it was determined at the subsequent 6 February 2017 Lochaber Ward Business

Meeting [*] to exclude the proposed allocation from the Proposed Plan due to the restricted access from MacColl Terrace, the difficult access from the rear of Leven Terrace and the challenging site conditions / topography. Members did however agree that the SDA boundary should remain unaltered and includes the northern area of the suggested site. In summary, the Council has fully considered the suitability of this land for allocation and have concluded that an allocation for development would not be inappropriate. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Gordon MacIntyre (992482)

The Council's general policy on development on croft land is set out at HwLDP Policy 47 Safeguarding Inbye / Apportioned Croftland. This 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. In addition, HwLDP Policy 28 Sustainable Design and SPP look to offer a greater protection for Prime Agricultural Land, Class 3.1 or above – none of which is apparent across this area of Highland. 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. An additional layer of local policy protection for important, good quality agricultural land is not considered to be required, especially given the local context, in an area where there are very few sites suitable for development. The extent of SDA boundaries, including the North Ballachulish SDA, are intended to reflect an envelope of established settlement where additional development may be supported, subject to addressing other development constraints, such as croft land which is assessed against HwLDP Policy 47. The SDA is drawn to allow some expansion without compromising the existing settlement pattern. This expansion is to be of a similar density and character to that adjoining and would therefore in North Ballachulish be of limited scale. Accordingly, the Council does not consider it necessary to amend the North Ballachulish SDA and the Plan should remain unaltered in respect of this issue.

In terms of the Plan's grouping of Loch Leven settlements, the Council has given more priority to physical proximity and land use connections than historic parish and community council affiliations. Highland's community council, school catchment, housing market area, healthcare, parliamentary and council ward boundaries don't align with each other and are subject to change. In any event, the Plan's grouping of settlements is not a matter of policy and doesn't affect the status of any given settlement in the hierarchy. North Ballachulish has been identified as a Main Settlement because it accommodates several community and commercial facilities including a primary school, Loch Leven's waste water treatment plant and an industrial estate. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Mountaineering Scotland (964649)

Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. 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. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

RSPB (1104965)

The Plan is written to be concise and not overly representative of any particular agenda, issue or sectoral interest and therefore the listing of every natural heritage designation would be disproportionate. Particular reference is given to the Ben Nevis and Glen Coe National Scenic Area, given its' sensitivity to built development, even within SDAs. However, the suggested additional reference is relatively short and relevant and so if the Committee / Reporter is so minded then the Council would accept the inclusion of the requested additional text.

West Laroach (BH02)

Ballchulish Community Company (930563), Hilda Bransby (1101085), John Roy (1099967), Marjorie Thornton (1102013) and Nigel Wombell (1102843)

This site is defined in the adopted WHILP as open space to the north and housing, allocation for 6 units across 0.3ha to the south. The Plan looks to increase the extent of this allocation to 1.2ha into land depicted as open space in the adopted WHILP. This is one of very few housing sites allocated in the Plan proposed within the four main settlements surrounding Loch Leven. Collectively, the Plan only makes provision for 60 homes across: North Ballachulish (0), Glenachulish (20), South Ballachulish (20), and Glencoe (20). Whilst there is demand for housing in this wider area, opportunities for development and suitable sites are scarce with the prospect of growth being heavily constraint by natural heritage designations, limited service infrastructure, drainage and flood risks, as well as topography. Flatter well drained areas of land are almost all under crofting tenure if not practice. Moreover many adopted WHILP sites have not come forward due to land ownership, crofting and high up-front site preparation and servicing costs. In order to maximise sustainability and minimise landscape and visual impacts, the Council's strategy has been to seek to allocate land close to the centre of each main village. Perhaps most importantly, the Council has had to better ensure that the new Plan allocations are effective and viable including at least an indication that the landowner / crofter will release the land for development. Allocation BH02, has the potential to delivery around 15 homes and in lieu of on-site open space provision, the landowner is intending to gift a considerable area of land [*] to the community. Whilst 15 units may not appear significant, deliverable housing sites in this area are few and far between and this area of ground is not subject to any crofting constraints. The Council's response to each of the principal grounds of objection follows.

Open Space Loss

The allocation extends to 1.2ha. The northern area of the site, circa 0.4ha is subject to flood risk and therefore the net developable area is circa 0.8ha, of which, 0.3ha is already allocated for housing development. As such, the proposal represents a loss of 0.5ha of land defined as open space within the adopted WHILP. The land itself has been used for grazing and does not have worn pathway across it. That said, this land does contribute towards local visual amenity and character and is adjacent to if not part of the green corridor along the River Laroach and its margins. Regardless of its status, should the community wish, the landowner is prepared to gift adjoining land of equivalent or higher quantity and quality as green space. As such, this relatively minor loss of open space is considered to be justifiable in this context and should not preclude the site from being developed.

Community Consensus

Whilst consensus from the local community may not have been reached, the initial proposals were presented to the local community council by the landowner's agent and the

site has been consulted upon through the various stages of the Plan process. The 18 February 2017 Lochaber Committee decided to undertake a site visit on 6 February 2017 to consider the suitability of this site for inclusion in the Proposed Plan. The site visit was attended by all Ward 22 Committee Members and it was determined at the 6 February 2017 Lochaber Ward Business Meeting to allocate the site for housing [*]. Given that the development will be of a local scale, there are no provisions within the Act to insist that a developer consult the local community in advance of submitting a planning application.

Alternative Sites

The suggestion that there are better sites for development is not accepted. A number of development sites were considered through the MIR and Additional Sites Consultation and only the most viable and effective sites which in the round, result in the least environmental impacts have been allocated in the Proposed Plan.

Flood Risk

A flood risk assessment has been undertaken and was submitted at the MIR stage to demonstrate that the majority of the site is free of unacceptable risk for the housing use proposed.

Wildlife

The developer requirements for the site include the requirement for Protected Species Survey to be undertaken.

Access / Traffic

Concerns relating to road safety and traffic are addressed through the developer requirement to prepare and submit a Transport Statement (including details of the most suitable site access point achieving appropriate junction sight-lines, active travel connections linking with the riverside open space and contribution to safer routes to school).

House Types

Concerns related to the house sizes and types not being suitable for the needs of the local community are unfounded. At least 25% of homes are to be affordable and the developer requirements specify that these affordable homes must be delivered on site due to the lack of alternative sites in the locality. Whilst a higher proportion of affordable housing could be developed on site, the HwLDP Policy 32 requires a minimum of 25% and this requirement will be met. Insisting on a higher percentage may render the development site unviable. There are no other allocations across Highland which require a higher percentage with a minimum of 25% being in line with SPP. High quality siting and design is also specified as a developer requirement to avoid impacts on the NSA. This, together with the developer requirement for a privacy / amenity setback from existing houses should be sufficient to inform suitable house sizes for this site without specifying a precise storey limit.

Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Charles Chisholm (967723)

The landowner's agent has suggested that based on a net developable area of 0.8ha. and the neighbouring settlement pattern that the site may be capable of delivering up to 20 homes. Whilst the Council are supportive of the efficient use of land and ensuring development viability, the suggested increased indicative capacity is also based on permitting certain property gardens to fall within the 6m setback required from the top of the river bank and the removal of permitted development rights. Such a suggestion may be agreeable in principle to SEPA, however, the removal of permitted development rights would be challenging for the Council to monitor, placing an unnecessary burden on the

Council to enforce and could result in future flooding issues if, for example, close boarded fences are introduced. In addition, in calculating a suitable indicative site capacity, an allowance requires to be made for achieving a suitable privacy / amenity setback from existing neighbouring houses, setback to allow for mature tree root protection / site landscaping, new footpaths and active travel connections, SuDS, as well as on-site open space provision in the event that agreement with the Council / community cannot be reached in relation to the transfer of land and associated open space enhancements. Without sight of an indicative site layout plan, the Council are uncomfortable with agreeing to the suggested increased site capacity. The Council's indicative housing capacity for this site has been calculated based on developing around 80% of the 1.2ha site at 15 units per ha which is considered to be a realistic estimate and reflective of the larger rural settlement densities applied across other housing allocations in the Plan. In terms of open space provision and the area which could be gifted to the community, the entirety of this area is not shown on the settlement map because this map is only intended to show development sites and areas to be protected from development not land transfers that may occur in connection with a development site. In the event that the community does not accept the gift of the land then the Council agrees that this should not preclude the site from being developed. Therefore, if the Committee / Reporter is so minded then the open space developer requirement should be reworded as follows:

“Compensate for loss of existing informal open space through off-site open space provision. This will require land in the same ownership to the north of the site and alongside the River Laroch to be transferred to the community at nil cost. Alternatively, in the event that the community do not wish to take ownership of the land to be gifted, open space is required to be provided and maintained either on or off-site. In addition, as well as physical off-site works or financial developer contribution towards undertaking public access improvements/play space provision/riverside parkland habitat improvements.” ~~On the above basis, on-site open space provision will not be required.”~~

In respect of the requirement for the landscaping scheme that protects and enhances the trees and woodland surrounding the site boundary and enhances the green network, this is considered to be reasonable given that this land is within the landowner's control and would form a suitable and attractive boundary treatment. It is not envisaged that the off-site landscaping works would be extensive but should cover replacement planting / condition improvements to neighbouring site boundary trees which are helping to screen the development and limit wider landscape and visual impacts within the NSA. With regard to the reference in the developer requirements to “compensate for loss of existing informal open space”, with the exception of the removal of the word “informal” the reference to open space is not proposed to be altered. The land in question contributes towards the local visual amenity and character of the area and is in direct connectivity with a green corridor comprising woodland to the north, and trees and the River Laroch to the east. It should therefore remain referred to as “open space” in the Plan and the associated Revised Environmental Report. The suggestion that the Plan does not take full account of the area to be transferred to the community is not accepted. The flood risk assessment makes clear that the area to be gifted is subject to flood risk and therefore has limited development potential. It is considered that there will be ongoing maintenance liabilities associated with this land and without an active community taking it forward, it may not be effectively managed. In this respect, it is considered entirely appropriate to require an element of enabling physical works or developer contributions to instigate the formation of a “community park”. When considering and negotiating the extent of physical works or

proportionate financial contributions, the adequacy of open space in the surrounding area will be considered alongside any known community aspirations for this area. Other developer contributions to enable this development site are expected to be limited (for example there are no education contributions anticipated to be required) and there are no foreseeable abnormal site enabling costs. Therefore, this requirement is not considered to be unreasonable and should not significantly adversely impact upon development viability. With regard to the Proposed Action Programme, in the event that the community does not accept the gift of the land, this should not preclude the site from being developed and if the Committee / Report is so minded then the wording for the "Ballachulish South Community Park" could be revised in line with the suggested revised open space developer requirements wording outlined above.

With respect to the wording of the Revised Environmental Report, the Council are content that no amendments are required to:

p38 (entry 10a) In respect of this site, a minor negative score is justified given the potential impact on the quality and/or quantity of existing open space, especially if the village park element of the proposal does not come to fruition.

p626 5c. A minor negative pre-mitigation score is justified given that the site borders native woodland to the north and whilst this area is subject to flood risk, it could still be used for SuDS, the earthworks for which could impact upon tree root protection areas.

p627 5f. A minor negative pre-mitigation score is justified on the basis that the site provides connectivity between the river and the wider areas of open space / grassland habitat to the west. Development of the site is therefore likely to result in some fragmentation of this corridor. The fact that part of the site is already allocated, does not alter this position and it is justified that an element of compensatory habitat enhancement on land to be transferred to the community is provided.

p629 9a. A minor negative pre-mitigation score is justified to reflect the existence of the overhead line and that this requires to be addressed when considering the site's layout and design.

p630 9d & p631 10a. References to the loss of open space and the requirement for contributions to enhance the land to be gifted to the community is justified as explained previously.

Accordingly, with the exception of minor wording amendments to the developer requirements text relating to open space provision (and the associated Action Programme text), the Council believes the Plan's content should remain unaltered in respect of this issue.

West of A82/A828 Junction (BH03)

G H Johnson Building Consultants Ltd (964726)

Support noted - No modifications sought.

Paul McFatridge (994169)

The Council carefully considered the previous Reporter's conclusions but taking account of the evidence available to him and the circumstances prevalent at that time. That consideration led to discussions with Scottish Natural Heritage (SNH) as to how the scale, location and layout of development at Glenachulish can be controlled to mitigate any adverse visual and landscape impact. SNH's current, expressed, conditional support for the allocations demonstrates that an acceptable way forward exists. The extent of the current Plan proposals for built development are now limited. Site allocations BH03 and collectively

extend to only 4.4ha, with no scope for significant built development being identified for the intervening allocation BH04. Collectively, these sites look to deliver 20 homes and limited business / tourism and community uses. The extent of built development proposed is therefore limited to approximately one third of the land previously allocated. In addition, the scale of development has been reduced to circa 20% of the number of homes previously proposed with limited areas identified for business / tourism development. As such, the scale of the proposals is now commensurate with the size of Glenachulish, are sensitive to the site's location in the NSA and given the relative prominence of this site in views from the trunk road, the north side of Loch Leven and Ballachulish Bridge, areas of built development have been carefully considered and devised in consultation with SNH. Therefore, limited weight should be attributed to the previous Reporter's findings when assessing the appropriateness of site allocations BH03, BH04 and BH05.

The following responses are given to the other grounds of objection.

Extent of Land for Development

This allocation forms a natural extension of the housing areas immediately to the west, is not considered excessive and reflects the scale of future growth envisaged for Glenachulish. The site is allocated with an indicative housing capacity of 20 homes. Therefore, the objector's supposition that 'hundreds of houses' would be developed is erroneous.

Lack Development Control / National Builder

The developer requirements for the site are specific and it is not accepted that these are in anyway vague or would be insufficient to regulate development across this site. It is not considered appropriate to only allocate land which is under local / housing association ownership. Similarly it is not appropriate to dictate who the future developer of a site may be or the origin of the construction workforce.

Lack of Need for a Hotel

Whilst site BH03 is allocated for housing only, the adjacent site BH05 is being allocated for business/tourism use, which could include a hotel use given its advantageous setting and outlook for such a use. Existing hotel businesses do not receive preferential planning support unless they are situated within a defined Town Centre and only then in terms of collective support for that centre not an individual business. Tourist visitor numbers to Highland are increasing. From 2009 to 2016 Highland Council has experienced an increase of 16.6% [* Page 24]. More recently reported visitor attraction numbers for 2017 were also up 8.4% from 2016 [* Page 5]. Visit Scotland have also identified particular gaps in accommodation around "honey pot" locations including Fort William which is only 14 miles / circa 20 mins drive from Glenachulish [* Para 2.49-2.58]. This report explains that these gaps include hotels / country house hotels and high quality self catering developments. Para 2.51 sets out that where possible, proposals for new accommodation should form part of a wider mixed use development, maximising the opportunity for enabling development to cross fund the tourism project. Paras 2.57-2.58 also explain that influencing factors for new resorts to attract investment include the high quality scenic value of the area, as well as the relative ease of access to transport infrastructure. Sites near NSAs are considered possible locations subject to further stakeholder involvement, especially with SNH, prior to considering allocations in the local development plan. It is noteworthy that SNH conditionally support this allocation.

Lack of Local Services / Amenities

It is accepted that there are limited services which are within easy walking distance of this site and that children arising from this development will require a bus service to access

Ballachulish Primary and Kinlochleven High. This is the case for all school children in Glenachulish and no children would be required to cross the bridge. Given that the site is however located circa 3km from the catchment primary school and circa 15km from the secondary school, the developer requirements for the site include a Transport Statement which requires the developer to investigate the possibility of bus stop provision and an A828 trunk road crossing. The site's developer requirements also require active travel connections to local facilities within Glenachulish and there is an existing core path along the A82 which links to the south of the village towards the golf course and if you remain on the A82, there is a footpath which leads towards the bridge and provides a route down towards the Ballachulish Hotel and other local businesses. It is also hoped that over time, other employment opportunities will emerge as part of the business/tourism allocation at BH05.

Road Access

No objections to the site allocation have been raised either by Transport Scotland or the Council's Transport Planning Team and the developer requirements for the site highlight the need for a Transport Statement, including an improved site access onto the A828 trunk road.

Loss of Agricultural Land

HwLDP Policy 28 Sustainable Design and SPP look to offer a greater protection for Prime Agricultural Land, Class 3.1 or above but none of this exists across the Plan area. 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.

Better Alternative Sites

As part of the Plan making process, a number of alternative sites were considered in neighbouring villages for development, however, only the most suitable sites for development remain allocated in the proposed Plan. For clarification, all of the objector's suggested alternative villages (Onich, North Ballachulish, South Ballachulish and Glencoe) fall within the Ben Nevis and Glencoe NSA.

Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Scottish Natural Heritage (909933)

If the Committee / Reporter is so minded then the Council would support the suggested rewording of the developer requirements as per SNH's representation as follows: "To avoid adverse effects, development to reflect a traditional form of *up to one and a half storey in height* and typically ~~one and a half storey in height~~".

North of A82/A828 Junction (BH04)

G H Johnson Building Consultants Ltd (964726)

Support noted - No modifications sought.

Paul McFatridge (994169)

Please refer to Council's response provided for site BH03 which is also applicable for site BH04.

Scottish Natural Heritage(909933)

If the Committee / Reporter is so minded then the Council would support the suggested rewording of the developer requirements as per SNH's representation as follows: after "High quality siting and design that will avoid adverse impacts on the special qualities of the

Ben Nevis and Glen Coe NSA; *development requires to be small in scale and number*". The Council does not however consider that it is appropriate to include the remaining SNH suggested developer requirements wording given that this level of detail can be agreed through the proposed developer requirements to "prepare a non-statutory development brief to be agreed by the Council and prepared in consultation with SNH" and through the provision of a "Landscape and Visual Impact Assessment with key views and receptors to be agreed with the Council and SNH before an assessment is carried out".

East of A82/A828 Junction (BH05)

G H Johnson Building Consultants Ltd (964726)

Support noted - No modifications sought.

Paul McFatridge (994169)

Please refer to Council's response provided for site BH03 which is also applicable for site BH05.

Scottish Natural Heritage(909933)

The Council does not consider that SNH's additional developer requirements text is appropriate or required. The Council considers that the proposed developer requirements to "*prepare a non-statutory development brief to be agreed by the Council and prepared in consultation with SNH*" and through the provision of a "*Landscape and Visual Impact Assessment with key views and receptors to be agreed with the Council and SNH before an assessment is carried out*" provides sufficient opportunity to consider this degree of site detail. The Council also consider that the presence of an attractive, well designed, high quality building in this location as a focal point, could be a beneficial addition to the landscape, rather than detract from it.

Reporter's conclusions:

Reporter's recommendations:

Issue 11	SPEAN BRIDGE AND ROY BRIDGE	
Development plan reference:	Spean Bridge and Roy Bridge Settlement Chapter, Pages 75-81	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Mountaineering Scotland (964649) Peter McIntosh (965167) Philip Dart (1105243) Rachel Matthews (988537) Ron MacLennan (1105256) Rose Turvey (1104195) Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870) Tony Turvey (812756)</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>Mountaineering Scotland (964649)</u> Supports the priority to safeguard, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities.</p> <p><u>Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870)</u> Suggests additional Placemaking Priority to state that there should be no more commuted payments in lieu of on-site affordable house provision. The village currently suffers from a lack of affordable housing and developers' monies have been used to provide affordable units elsewhere.</p> <p>Transport Workshops (SB01) <u>Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870)</u> Planning Permission reference 15/03220/FUL for 9 homes at this location has two A82 junctions. This allocation for 20 homes has three A82 junctions. Objects because this will create unnecessary ribbon development, extending the village boundary by half a mile. Despite former planning permissions, no homes have been built indicating a lack of demand for extending the site. The development plan should only provide sufficient land for housing for 5 years but the Council's 2017 Housing Land Audit suggests that the current approval will last until 2022/2026. An active off road travel link is a developer requirement for this site, connecting the development and neighbouring houses with the village centre, but the A82 between the western edge and the Bridge Café is particularly narrow, and a footway of the minimum width will not be practicable. As this stretch is also outwith the 30mph speed limit a crash barrier would be needed to separate road traffic from pedestrians further reducing the width available. No provision has been made for public transport. Plan does not include an extension of the speed limit, and as the extended site is on a straight and one of the few passing places on the A82 between Fort William and Inverness believes extra accesses will only increase the incidence of road traffic accidents.</p>		

As the site is currently used as a log storage facility, and is a brownfield site, a much better use of the land would be to zone it as mixed use with retail or business units augmenting planning permission reference 15/03220/FUL.

West of Stronlossit Inn, Roy Bridge (SB06)

Rose Turvey (1104195)

Supports allocation as co-owner of site because: it has been designated as a housing development site since the 1970's; it is currently rough scrub land; any future housing development would be sensitive to the existing natural local environment; and, the 10 unit capacity could be increased if desired. However, feels that an access path from the allocation site through the hotel grounds to access the school and station is problematic as there are two hotel ponds and a busy hotel car park en route. This would create a health and safety issue for pedestrians - especially young children. An alternative solution would be to provide access paths from SB06 to the already existing footpath which connects the village to the school and station. This existing path might require upgrading but has the advantage of existing street lighting.

Tony Turvey (812756)

Supports allocation as co-owner of site because: it is available for development and there is an intention to build; it is not agriculturally productive land; an outline planning permission for housing was approved in the 1980s; there would be no significant loss of natural wildlife habitat; it is a natural infill site; and the site could accommodate 14 plots. Concerned about active travel connection proposal because the proposed route would have to pass close to the hotel ponds (depth unknown) and a car park entrance both raising safety issues for primary school children using a path. Currently there is a good path separated from the main road by a grass bank street with street lighting so providing a well lit pathway all year round for walkers. Also this has with enough width to upgrade to a combined walking/cyclepath. A small path from houses in SB06 could connect to the existing path providing access to the school/station area etc.

North of Bridge Café (SB07)

Rachel Matthews (988537)

Objects as neighbour because: the site has surface water drainage, watercourse and topography constraints; the developer may not adhere to the Plan's requirements (for example planning application reference 16/01837/PIP uses 1.9ha of the available 4.4ha but proposed up to 24 of the 25 units set as the indicative housing capacity for the entire site); of loss of habitat and adverse impact on protected species and other wildlife; of the loss of woodland contrary to the Council's policy on this issue; local services are limited, schools are all at full capacity, there are no medical i.e. doctors, dentist and optician facilities, insufficient public transport and only one small supermarket and post office; of the lack of local need for housing (some properties have been on the market for over 3 years, so obviously there is no demand for more); the development does not promote a high standard of siting that fronts the village's tourist route; of adverse visual impact which will harm tourism and its related employment; of loss of village identity; and, of the lack of new employment or a tourist attractor within the proposal. Suggests alternative zoning for community / tourist use including much needed tourist seating, habitat for the wildlife, parking facilities and toilet facilities because the village needs somewhere for the visitors to sit and relax and eat a spot of lunch instead to just staying around the Mill Car Park. Believes that affordable homes would better be placed within Fort William where services, infrastructure and employment is available.

Burn Bank (SB08)

Peter McIntosh (965167)

Objects because: this would represent ribbon development whilst existing brownfield sites within village have remained undeveloped; Spean Bridge is dependent upon tourism and it is essential to maintain an attractive compact village feel; ribbon development dilutes buyer demand for the remaining brownfield sites; there is local opposition to the planning application on the site; the site's capacity has been increased from 8 to 10 units; and, the development will result in the loss of woodland.

Philip Dart (1105243)

Objects because: the indicative site capacity has been increased from 8 to 10 homes; the site was non-preferred at MIR stage; there is local opposition to the planning application on the site; the related application includes a wholly inappropriate semi-industrial unit of gigantic proportions; and, the principle of the allocation should await the planning application decision.

Ron MacLennan (1105256)

Objects because: site was non-preferred at MIR stage; there is local opposition to the planning application on the site; the indicative site capacity has been increased from 8 to 10 homes; and, the principle of the allocation should await the planning application decision.

Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870)

Objects because: concerned that the non housing element will not be delivered; concerned that the development will not contribute to the enhancement of the village at this "gateway" location which is pivotal to creating a favourable visitor impression of the village; the WHILP Reporter shared the community council's concern that the level of housing proposed did not relate to locally generated demand (suggest that if the site is developed then a Section 75 agreement secures on-site not commuted payment provision of affordable housing); the MIR non-preferred the site citing "Creates unnecessary ribbon development, and extension of the settlement" but that this position was reversed following receipt of a planning application; the site capacity has been increased from 8 to 10 units without justification; of a lack of demand for housing (only one site of 5 units out of 70 units allocated in WHILP has been developed); and, neither current nor anticipated future demand would suggest the need for a 29% increase overall.

Modifications sought by those submitting representations:**Placemaking Priorities**

Mountaineering Scotland (964649)

No modifications sought (assumed).

Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870)

Additional place making priority to state that there should be no more commuted payments in lieu of on-site affordable housing provision.

Transport Workshops (SB01)

Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870)

Rezoning as mixed use site for retail or business units and housing but with that housing capacity and area limited to the terms of planning application reference 15/03220/FUL.

West of Stronlossit Inn, Roy Bridge (SB06)

Rose Turvey (1104195) & Tony Turvey (812756)

Increased capacity to 14 units and developer requirements amended to clarify that the best footway connection is to existing roadside footway not through the hotel (assumed).

North of Bridge Café (SB07)

Rachel Matthews (988537)

Deletion of allocation. Possible replacement with allocation for community and tourism (wildlife habitat / parking / toilets) (assumed).

Burn Bank (SB08)

Peter McIntosh (965167), Philip Dart (1105243), Ron MacLennan (1105256)

Deletion of allocation and removal from Settlement Development Area or in worst case revert to original capacity of 8 units (assumed).

Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870)

Deletion of allocation (assumed).

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

Mountaineering Scotland (964649)

Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. 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. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870)

Current Highland Council practice is to ring-fence the use of commuted affordable housing developer contributions to the relevant Housing Market Area – in this case the Lochaber district. However, the Council does recognise that more targeted provision would be appropriate in certain circumstances and therefore it is reviewing its Highland-wide policy on this issue. The Council's draft Developer Contributions Supplementary Guidance [* paragraph 4.19] proposes to introduce the following requirement: *"Where 16 or more units are proposed the affordable housing provision must be delivered within that settlement provided that it is an area of need. Where no suitable sites can be found within that settlement the provision must be provided as close as possible to the settlement and ideally within a five mile radius. For developments of less than 16 units the commuted sum may be spent within the local housing market area."* This provision is subject to further consultation ahead of the replacement draft guidance being adopted in due course. However, this will not require a change at area local development plan level and accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Transport Workshops (SB01)

Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870)

The extension to this adopted WHILP allocation (reference H4) is justifiable because it infills

a gap between the former railyard area and an existing housing group to the west. The land is in part previously developed and has no productive existing use being constrained between the A82 to the north and the railway line to the south. Development of the site could deliver an off road active travel connection along the western and southern boundaries of the site connecting the adjacent houses with the village centre. Part of this gap site already benefits from a planning permission [*]. For the avoidance of doubt, this off road connection would not be along the frontage to the A82, but to the rear of the proposed houses. This configuration would therefore not require a 30mph speed limit restriction or crash barrier pedestrian measures. It would also provide an adequate connection to bus stops located along the A82 further east, within 375m from the proposed allocation boundary which is within SPP Paragraph 287 defined walking distance to public transport networks. In terms of the number of access junctions, Transport Scotland [*] has agreed in principle to the provision of three junctions onto the A82 providing that suitable visibility splays can be achieved which is a developer requirement for this site. No extra accesses are being proposed as this land is already served by four existing junctions which are used by timber lorries. In terms of the suggested alternative mix of land uses, retail or business units are likely to generate a higher trip rate than housing use and could raise more of a transport safety concern. Adequate land for such mix use opportunities has also been made within the adjacent WHILD Proposed Plan allocation SB07. In terms of the claimed lack of housing demand, past within village house completion numbers have been low because of landowner attitudes to the release of land. However, house completion rates within the wider area (combined Spean Bridge and Roy Bridge settlement zones) have been reasonably buoyant averaging 11 units per annum over the period 1999/2000 to 2017/2018. The Council's approach, in line with national guidance on directing new development to the most sustainable locations, is to provide an adequate choice of larger sites within the larger villages as a means of redirecting pressure from the surrounding countryside. The Fort William schedule provides details of the proposed employment expansion at the smelter and its likely knock-on implications in terms of increased housing demand. With this context, maintaining a choice of main village sites is entirely appropriate and therefore the Council believes the Plan's content should remain unaltered in respect of this issue.

West of Stronlossit Inn, Roy Bridge (SB06)

Rose Turvey (1104195) & Tony Turvey (812756)

Historically planning permission may have been granted for up to 14 plots, however the capacity of this 1.2ha site has been based the prevailing settlement density of 10 units per hectare with an allowance made for protecting existing trees and minimising impacts on peat and wetland areas which are likely to limit the area that can be developed. Therefore, an indicative site capacity of 10 units is considered to be more realistic and achievable. With regard to active travel connections, the developer requirement wording notes "potential" for an off-road connection to the neighbouring Stronlossit Inn. Equally, this may neither be deliverable due to land ownership issues nor desirable for the hotel operator. Alternatives could be explored at the planning application stage. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

North of Bridge Café (SB07)

Rachel Matthews (988537)

The objector raises concerns with a previous planning application, which has subsequently been withdrawn. It is the Council's understanding that a revised proposal is being prepared for this site. This will be in excess of 2ha and will therefore be classified as a major application and require pre-application consultation. Concerns relating to the loss of wildlife

have been addressed as the developer requirements for this site include the requirement to undertake a protected species survey which will inform the proposed design and layout for this site. Similarly, the developer requirements for the site include the protection / enhancement of existing trees, woodland and the green network (wherever possible). It is accepted that there will be a degree of tree loss at the site access to achieve suitable visibility splays, however losses would be kept to an absolute minimum. It is acknowledged that Spean Bridge benefits from a high level of tourist trade and that there is an opportunity for part of this site to be used for business/tourism and to create local employment opportunities. The allocation is for a wider mix of development rather than just housing, however, early phases of development may be housing providing that this is accompanied with sport pitch provision and land with commercial frontage to the A82 is reserved for business / tourism. With a suitable setback from the trunk road and the developer adhering to the requirement for high quality siting and design, developing this land for a mix of uses will not have an adverse impact on local tourism. The suggestions for what mix of business / tourist uses could be acceptable are welcome, however, the Council maintains that a mix of uses are appropriate and the site is suitable to help meet local housing needs. In terms of affordable housing provision, it is the Council's preference for larger sites such as this to secure on-site provision wherever possible and affordable housing needs are apparent in many small settlements and well as the larger towns such as Fort William. It is not accepted that all affordable housing provision should be in Fort William and it is important that local communities have a mix of housing types and tenures. Whilst local services in Spean Bridge are of a limited scale, the allocations proposed are proportionate to the size of the village and will help to improve the viability of introducing additional services / local shops and other facilities. Other concerns relating to topography and drainage can be addressed and the site is subject to a number of developer requirements, one of which requires a privacy / amenity setback from existing houses. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Burn Bank (SB08)

Peter McIntosh (965167), Philip Dart (1105243), Ron MacLennan (1105256) and Spean Bridge, Roy Bridge, and Achnacarry Community Council (1104870)

The representations suggest that the lodging of planning application 16/05283/FUL prompted a change in the WHILDP between its MIR and Proposed Plan versions. This change was however triggered by reviewing the Cammac Developments Ltd [*] representation made at the MIR stage with the landowner and prospective developer requesting that the adopted WHILP site be re-included in the Proposed Plan. The site forms extant WHILP allocation MU1 for mixed use (business and 8 houses) development. The site had been allocated for many years and had not come forward for development. The decision at the MIR to identify the site as non-preferred was largely based on the Council's mistaken belief that the landowner had no intention of releasing the land for development. The Cammac Developments Ltd representation confirmed that the landowner was prepared to release the land which was evidenced through progressing a detailed planning application for the site, reference 16/05283/FUL, which was presented to the 30 January 2018 South Planning Applications Committee and received a minded to grant decision subject to the conclusion of a Section 75 legal agreement. This allocation therefore should not be ruled out on availability grounds. The Council do however accept that the site still has other challenges in terms of its edge of settlement location, woodland, trunk road crossing and access. However, the Council believes that these challenges are addressed via the Proposed Plan developer requirements, which have informed the conditions set out within the minded to grant decision committee report [*]. To support the implementation of

this pending planning permission (or any future amended scheme), the Council considers that this allocation should be retained.

In terms of the claimed lack of housing demand, past within village house completion numbers have been low because of landowner attitudes to the release of land. However, house completion rates within the wider area (combined Spean Bridge and Roy Bridge settlement zones) have been reasonably buoyant averaging 11 units per annum over the period 1999/2000 to 2017/2018. The Council's approach, in line with national guidance on directing new development to the most sustainable locations, is to provide an adequate choice of larger sites within the larger villages as a means of redirecting pressure from the surrounding countryside. The Fort William schedule provides details of the proposed employment expansion at the smelter and its likely knock-on implications in terms of increased housing demand. With this context, maintaining a choice of main village sites is entirely appropriate. In terms of the site's capacity, this is not considered to have significantly changed from WHILP allocation as all of the indicative housing figures in the Lochaber section of the Proposed Plan have been rounded to the nearest 5 units. Whilst the WHILP Reporter agreed with the Council that the indicative housing capacity for the site would need to be adjusted downwards from 16 to 8 units to allow for sufficient space for business/tourism uses, rounding this to 10 units is not considered to be detrimental to the delivery of a mixed use development.

The Council also does not consider that developing this site would adversely impact the attractiveness of the village, destroy its character or overwhelm its facilities and services. The Council consider that the development of a mix of uses at this site would help to reinforcing Spean Bridge as a local service centre. Both the Plan's Placemaking Priorities and the developer requirements for this site demand high quality siting and design and sympathetic boundary treatments are sought through retaining boundary woodland where it will provide direct amenity benefit.

In terms of affordable housing provision, HwLDP Policy 31 and the adopted Developer Contributions Supplementary Guidance (DCSG) states that all developments of 4 or more dwellings will be required to contribute 25% equivalent of affordable housing in areas of need. The development of 10 homes would therefore generate a need for 2.5 (3) affordable homes. As per Para 3.12 of the DCSG, this figure is always rounded up to the nearest whole number of units. The Council applies a sequential approach to affordable housing provision, with the first preference being for delivery on site. Due to the practical difficulties of managing the delivery of very small numbers of affordable units, options remain available for alternative provision as set out in the DCSG. This includes the Council's last resort of commuted affordable housing payments. In terms of planning application 16/05283/FUL, affordable housing provision will be secured through a Section 75 legal agreement and the applicant has indicated a willingness for this to be delivered on site.

In terms of securing the phasing of development to ensure that an appropriate mix of uses is achieved, this minded to grant decision includes a condition requiring no more than 5 homes to be constructed before the farm shop / café is constructed on site. If the Committee / Reporter is so minded then the Council would not object to the requirement for the developer requirements for the site to state "*Development in accordance with minded to grant decision / planning permission 16/05283/FUL. Alternative proposals must address...*"

In summary, with the exception of the reference to the recent minded to grant decision for planning application 16/05283/FUL, the Council believes the Plan's content should remain unaltered in respect of this issue.

Reporter's conclusions:

Reporter's recommendations:

Issue 12	STRONTIAN	
Development plan reference:	Strontian Settlement Chapter, Pages 82-86	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Michael Foxley (1103411) Mountaineering Scotland (964649) RSPB (1104965) SEPA (906306)</p>		
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>Mountaineering Scotland (964649)</u> Supports the 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> Highlights a typographical error in paragraph 2.24 in the Strontian section – “Moidart Ardgour Special Protection Area” should be “Moidart and Ardgour Special Protection Area”.</p> <p>Drimnatorran (South of High School) (SR03) <u>Michael Foxley (1103411)</u> Supports the statement on high quality siting and design but concerned that this did not apply in the granting of planning permission for the wood clad houses adjacent to the High School access road. Community put a huge amount of effort into the layout and design of Ardnamurchan High School and its setting is being harmed by these recent houses that “look like poultry sheds”.</p> <p>Drimnatorran (South East) (SR04) <u>SEPA (906306)</u> Objects unless developer requirements are amended to better address flooding and drainage issues because: people and property should be protected from flood risk in line with SPP and the Flood Risk Management Act; mitigation measures identified in the Environmental Report should be implemented; and, of the need for consistency with other similar developer requirements within the Plan.</p> <p>East of Otterburn (SR06) <u>Michael Foxley (1103411)</u> Objects because: there has been long standing local opposition to all development east of the War Memorial (with the exception of an additional house adjacent to Carnoch Farmhouse and buildings); Glen Tarbert is the entrance to Ardnamuchan and Morvern and should be safeguarded; and, the Sitka Spruce plantations, when felled, should be replaced with native broad leaved planting.</p>		

Modifications sought by those submitting representations:**Placemaking Priorities**

Mountaineering Scotland (964649)

No modifications sought (assumed).

RSPB (1104965)

Correction of typographical error in paragraph 2.24 in the Strontian section – “Moidart Ardgour Special Protection Area” should be “Moidart and Ardgour Special Protection Area”.

Drimnatorran (South of High School) (SR03)

Michael Foxley (1103411)

No modifications sought (assumed).

Drimnatorran (South East) (SR04)

SEPA (906306)

Amended developer requirements to state: “...Drainage Impact Assessment (no development in areas shown to be at risk of flooding)”

East of Otterburn (SR06)

Michael Foxley (1103411)

Deletion of allocation (assumed).

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

Mountaineering Scotland (964649)

Mountaineering Scotland has lodged the same or similar comments in respect of many parts of the Plan. 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. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

RSPB (1104965)

The Council agrees that the typographic error should be corrected at Para 2.24: “Moidart and Ardgour Special Protection Area”.

Drimnatorran (South of High School) (SR03)

Michael Foxley (1103411)

The permission has been granted and the Plan has no locus.

Drimnatorran (South East) (SR04)

SEPA (906306)

The suggested wording would offer clarification and consistency and therefore if the Committee / Reporter is so minded then the Council would support the requested rewording.

East of Otterburn (SR06)

Michael Foxley (1103411)

Through consultation on this site at the MIR stage, it was agreed that this site was not suitable for housing, however some support was expressed for tourism and recreational uses associated with the slipway. The proposed business/tourism allocation is subject to a significant number of developer requirements, including high quality siting and design and advanced structural tree planting (particularly on the eastern site boundary). This will assist in preserving the visual attractiveness of this gateway location. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Reporter's conclusions:

Reporter's recommendations:

Issue 13	LOCHABER GROWING & COMMUNITY PLAN SETTLEMENTS	
Development plan reference:	Lochaber Growing & Community Plan Settlements, Pages 87-101	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Ardgour Community Council (1103772) Camille Dressler (1104467) Michael Foxley (1103411) Nevis Estates Ltd (998593) RSPB (1104965) Scottish Natural Heritage (909933) Sustrans Scotland (1103343)</p>		
Provision of the development plan to which the issue relates:	<p>Issues and Placemaking Priorities for Acharacle, Arisaig, Ardgour and Clovullin, Duror, Invergarry, Kilchoan, Lochaline, Morar, Rum, Eigg, Canna, Inverie (Knoydart), Achnacarry Bunarkaig and Clunes</p>	
Planning authority's summary of the representation(s):		
<p>Acharacle <u>Scottish Natural Heritage (909933)</u> Seeks factual correction to second Placemaking Priority. The natural heritage interests in this location are land based and therefore the reference to offshore is erroneous.</p> <p>Ardgour and Clovullin <u>Ardgour Community Council (1103772)</u> Supports further housing development as long as good crofting ground is not destroyed. Believes there is ample poorer agricultural land quality ground such as forestry land. Requests that the aspiration to have a fixed link across Corran Narrows be added.</p> <p><u>Michael Foxley (1103411)</u> Requests Plan reference to the need for a low level bridge, with an opening middle section, across the Corran Narrows because the current ferry is often beyond capacity, the spare ferry is very old and inadequate, and a bridge proposal was included in previous Local Plans. Seeks additional / augmented Placemaking Priorities to safeguard locally important vernacular buildings, archaeology and locally important croft arable land. Poorer land can now be used for development because modern machinery makes this possible.</p> <p>Duror <u>Scottish Natural Heritage (909933)</u> Seeks that the final Placemaking Priority be amended to identify the specific natural (and built) heritage interests in the area because the 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>		

Sustrans Scotland (1103343)

Seeks an enhanced reference to the National Cycle Network Route 78 and its connection to Duror because this would highlight the potential for further improvement (such as connections from the trunk road) and highlight the opportunity for new or enhanced tourist facilities taking advantage of the trunk road and national cycle network tourist routes.

Kilchoan

RSPB (1104965)

Requests that the Inner Hebrides and the Minches Special Area of Conservation (SAC) is specifically mentioned by name in both the "Issues" section and the Placemaking Priorities section for Kilchoan 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.

Scottish Natural Heritage (909933)

Seeks amendment to fourth Placemaking Priority to identify the specific 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.

Lochaline

RSPB (1104965)

Requests that the Inner Hebrides and the Minches Special Area of Conservation (SAC) is specifically mentioned by name in both the "Issues" section and the Placemaking Priorities section for Lochaline 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. Also seeks factual correction in the last Placemaking Priority.

Scottish Natural Heritage (909933)

Seeks amendment to fourth Placemaking Priority to identify the specific 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.

Morar

Nevis Estates Ltd (998593)

Requests that Morar is listed as a Growing Settlement in the Plan because it benefits from a train station, school, community facilities and businesses and is therefore likely to fulfil a rural centre role and is likely to be subject to development pressure that would not be possible under the "Housing in the Countryside" Policy.

Rum

RSPB (1104965)

Requests that the Small Isles Marine Protected Area (MPA), Rum Special Protection Area (SPA), Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) are all specifically mentioned by name and that the MPA, SPA, SAC and SSSI are also mentioned by name in the third 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.

Scottish Natural Heritage (909933)

Seeks additional Placemaking Priority to add a generalised safeguard for all natural heritage interests on and around Rum because the island of Rum and surrounding sea is covered by a number of areas protected for or otherwise important for nature conservation and landscapes, which are sensitive to pollution, habitat damage, increased human activity causing disturbance and/or landscape impacts from built development. Recognises this makes it impractical to list them all in the proposed LDP. By identifying that protected areas have the potential to be affected, adequate safeguards can be incorporated into proposals from the outset.

Eigg

Camille Dressler (1104467)

Supports most Placemaking Priorities but seeks amendments to reflect the following issues. Believes that “securing a collective, master planned crofting community development of any township expansion area” would be best done through a specific Eigg community plan facilitated by Highland Council, which would take into account development opportunities and economic sustainability of the island by ensuring a balance between the number of holiday homes and permanent residences as well as registering issues to do with electricity and water supply. Crofting activity is limited to the north end of the island and therefore other residents rather than just crofters need to participate in decision making on the island's development prospects. Eigg's electricity supply, which is based on renewable energy, is currently close to capacity and therefore the prospects for new development is constrained. Similarly the local water supply has limited capacity which will constrain future development.

RSPB (1104965)

Requests that the Small Isles Marine Protected Area (MPA) is specifically mentioned by name in the Eigg text 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.

Canna

RSPB (1104965)

Requests that the Canna and Sanday Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and the Small Isles MPA are specifically mentioned by name in the Canna text 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.

Modifications sought by those submitting representations:

Acharacle

Scottish Natural Heritage (909933)

Removal of the word “offshore” from the second Placemaking Priority.

Ardgour and Clovullin

Ardgour Community Council (1103772)

Stronger priority to protect good croft land (assumed). Additional priority to have a fixed link across Corran Narrows.

Michael Foxley (1103411)

Additional priority to provide a low level bridge, with an opening middle section, across the Corran Narrows. Also additional priorities to safeguard: locally important vernacular buildings; archaeology and locally important croft arable land.

Duror

Scottish Natural Heritage (909933)

Final Placemaking Priority to be amended as follows: "Safeguard natural and built heritage interests including the Glen Etive & Glen Fyne Special Protection Area (SPA), Ardsheal Hill & Peninsula Geological Conservation Review (GCR) site, native/ancient woodland, listed buildings and scheduled monuments."

Sustrans Scotland (1103343)

Additional textual references to the National Cycle Network Route 78 and its connection to Duror through amended Issues and Placemaking text, as follows:

"the very limited capacity of the A828 trunk road junctions through the settlement, the cost of improving or rationalising these junctions and the need to improve cycle access through the village"

"the tourism potential of the Caledonia Way national cycle network route which passes through the village at the school and has recently been improved"

"create a more cohesive village centre close to the principal village junction, subject to rationalisation and improvement of road and cycle track access from the trunk road"

"new developments will be required to improve the connectivity of the village through improved active travel and green network links"

Kilchoan

RSPB (1104965)

Specific reference to the Inner Hebrides and the Minches Special Area of Conservation (SAC) in both the 'Issues' section and the Placemaking Priorities section for Kilchoan.

Scottish Natural Heritage (909933)

Amend the fourth Placemaking Priority as follows: "To protect the adjoining Inner Hebrides & the Minches Special Area of Conservation (SAC) and other local natural conservation designations."

Lochaline

RSPB (1104965)

Specific reference to the Inner Hebrides and the Minches Special Area of Conservation (SAC) in both the 'Issues' section and the Placemaking Priorities section for Lochaline. Correction of typographical error in the last Placemaking Priority for Lochaline – "natural conservation designations" changed to "nature conservation designations".

Scottish Natural Heritage (909933)

Amendment to the fourth Placemaking Priority as follows: "To safeguard the adjoining Inner Hebrides & the Minches Special Area of Conservation (SAC) and other local natural conservation designations."

Morar

Nevis Estates Ltd (998593)

Morar listed as a Growing Settlement in all relevant parts of the Proposed Plan.

Rum

RSPB (1104965)

That the Small Isles Marine Protected Area (MPA), Rum Special Protection Area (SPA), Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) are all specifically mentioned by name after the text “natural and built heritage constraints that surround and overlap the village including Kinloch Castle” in the Issues section. Also that the MPA, SPA, SAC and SSSI are also mentioned by name in the third Placemaking Priority.

Scottish Natural Heritage (909933)

Additional Placemaking Priority to state: “Safeguard natural heritage and landscape interests found on Rum and the surrounding marine environment.”

Eigg

Camille Dressler (1104467)

Clarification that the identification of future expansion areas would best be done through a specific Eigg community plan facilitated by Highland Council. Amended priorities as follows: “to secure a collective, master planned, community development of any township expansion area, including the crofting area; to require developers to engage with the island's local electricity provider at the earliest stages of any development; to identify and act on a master plan for water supply to enable future development to occur without compromising existing ones.”

RSPB (1104965)

That the Small Isles Marine Protected Area (MPA) is specifically mentioned by name in the text for Eigg.

Canna

RSPB (1104965)

That Canna and Sanday Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) and the Small Isles MPA are specifically mentioned by name after the text “natural and built heritage constraints that surround and overlap the island” in the Issues section for Canna.

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

Scottish Natural Heritage (909933)

The requested modification is a sensible factual correction. If the Committee / Reporter is minded to agree then the Council would support the removal of the word “offshore” from the second Placemaking Priority.

Ardgour and Clovullin

Ardgour Community Council (1103772)

The Council's Highland wide Local Development Plan contains a general policy on the protection of croft land. 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 and Placemaking Priorities in the Plan has also sought to direct development to 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 other development considerations other than land capability for agriculture. The first Placemaking Priority references the need to protect croft land at Clovullin. Accordingly, the Council believes the existing Plan wording is sufficient in respect of this issue and should remain unaltered. Table 4 of the Plan, Transport Improvements lists the Corran Narrows Crossing and references the need to consider a land safeguard so as not to stymie future crossing options. It is difficult to translate this general consideration into a more specific land safeguard priority within the settlement text given that no recent feasibility work has been undertaken into bridge or tunnel designs and their likely land take. If the Committee / Reporter is minded to agree then the Council would support a similar generalised reference to the crossing as in Table 4, inserted as an additional Placemaking Priority.

Michael Foxley (1103411)

The Corran Narrows crossing issue is reflected within Table 4 of the Plan, Transport Improvements. The restrictions of the current ferry service are recognised but could be addressed via a new ferry and better timetabling. There is also no evidence to suggest that a low level opening bridge is the preferred and a practicable financial and engineering solution to the crossing. However, if the Committee / Reporter is minded to agree then the Council would support a similar generalised reference to the crossing as in Table 4, inserted as an additional Placemaking Priority. The Placemaking Priorities reference locally significant croft land and built heritage interests. An unspecific reference to archaeology would not add value to the Plan. Accordingly, the Council believes the existing Plan wording is sufficient in respect of this issue and should remain unaltered.

Duror

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.

Sustrans Scotland (1103343)

The suggested, enhanced references to the National Cycle Network Route 78 would be appropriate given its importance to the settlement and would therefore be appropriate subject to the agreement of the Committee / Reporter.

Kilchoan

RSPB (1104965), Scottish Natural Heritage (909933)

The change suggested by Scottish Natural Heritage 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.

Lochaline

RSPB (1104965), Scottish Natural Heritage (909933)

The change suggested by Scottish Natural Heritage would provide a more specific

reference without adding unduly to the length of the Plan and the modification requested by RSPB is a sensible factual correction. Both would be appropriate subject to the agreement of the Committee / Reporter. Similarly, the settlement's list of development factors omits a factual reference to the existence of the local sand mine and its underground workings which pose a risk of subsidence. If the Committee / Reporter is minded to agree then a short, factual reference to the mine workings and their associated risk could be added to the first bullet of the Issues section.

Morar

Nevis Estates Ltd (998593)

Morar is listed as a Growing Settlement in all relevant parts of the Plan. The Council's policy is to apply this settlement hierarchy status in making all relevant planning application decisions. Accordingly, the Council believes the existing Plan content is sufficient in respect of this issue and should remain unaltered.

Rum

RSPB (1104965), Scottish Natural Heritage (909933)

The change suggested by Scottish Natural Heritage 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.

Eigg

Camille Dressler (1104467)

The Plan highlights that Eigg is a potential community plan settlement and supports preparation of such a document. The stated Placemaking Priorities provide a framework and the guiding principles for that community plan and would allow it to be adopted as statutory supplementary guidance or under the new system proposed by the Planning Bill as a compatible Local Place Plan. The suggested modifications to the Placemaking Priorities are useful in better reflecting local issues and would with minor amendment be appropriate subject to the agreement of the Committee / Reporter. The three relevant priorities should be amended as follows: "to secure a collective, master planned, community development of any expansion area, including the crofting area; to require developers to engage with the island's local electricity provider at the earliest stages of any development to ensure spare capacity exists or can be created; to improve water supply capacity to enable future development to occur without compromising the supply to existing properties."

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.

Canna

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:

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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

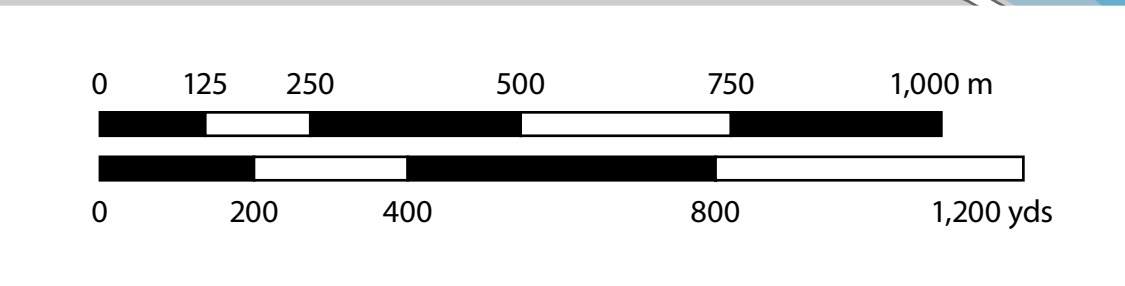
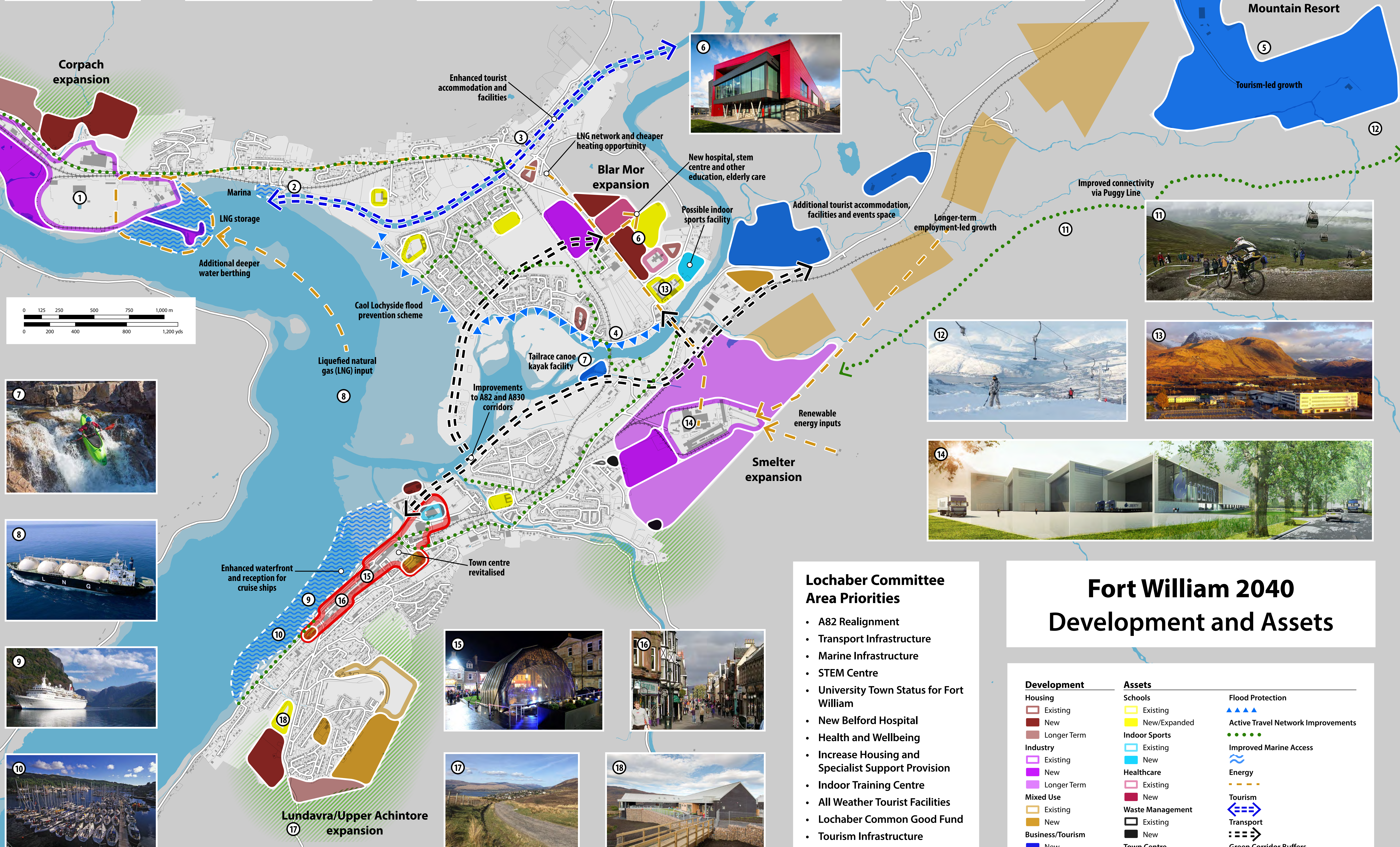
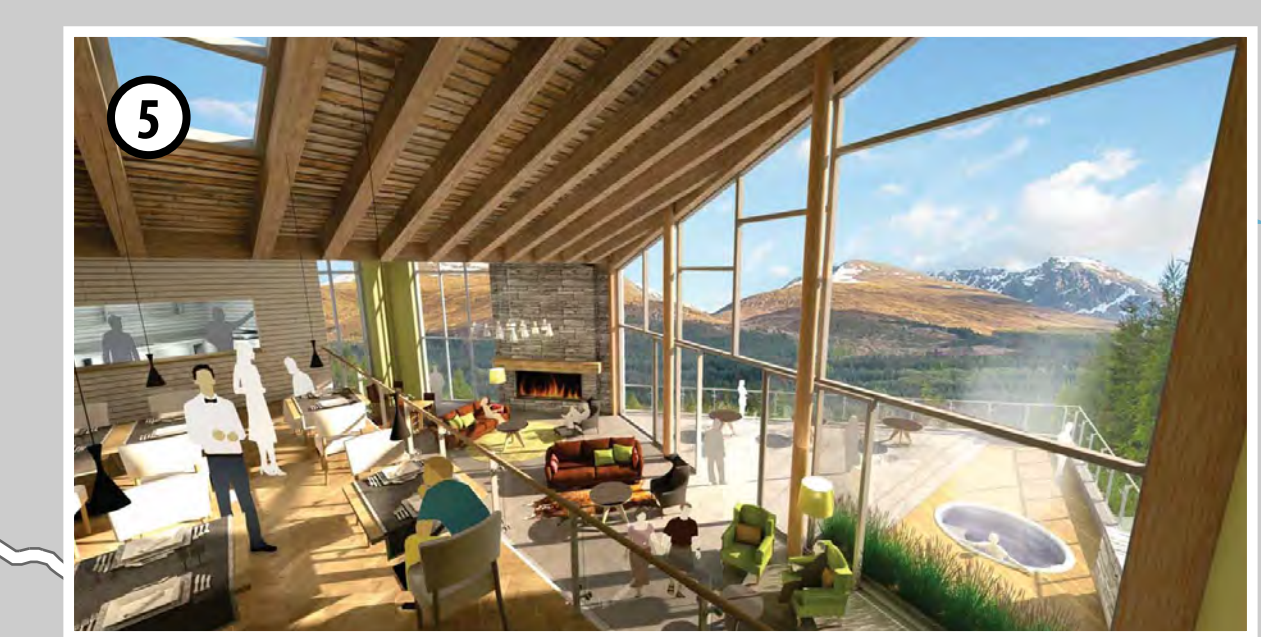
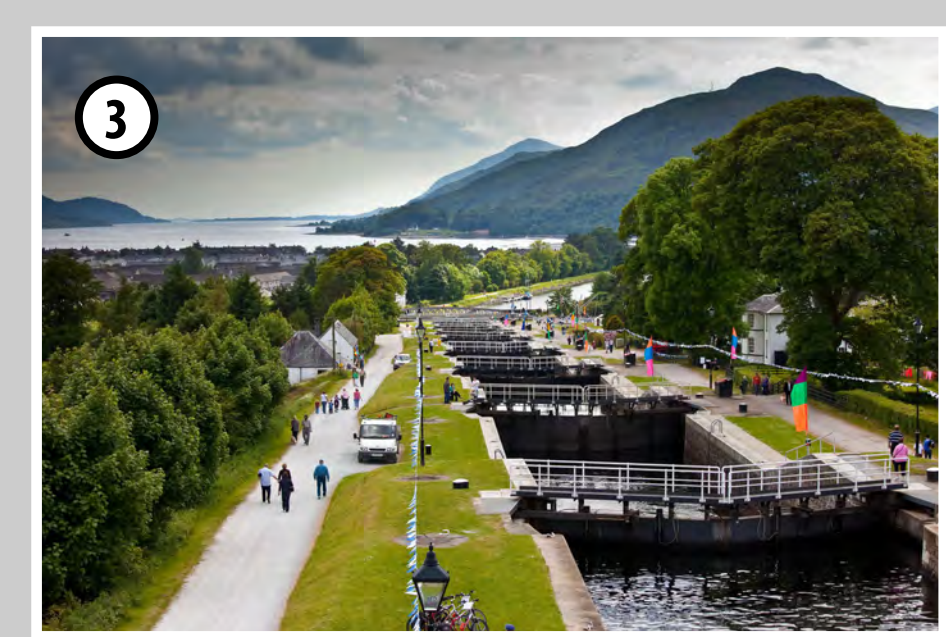
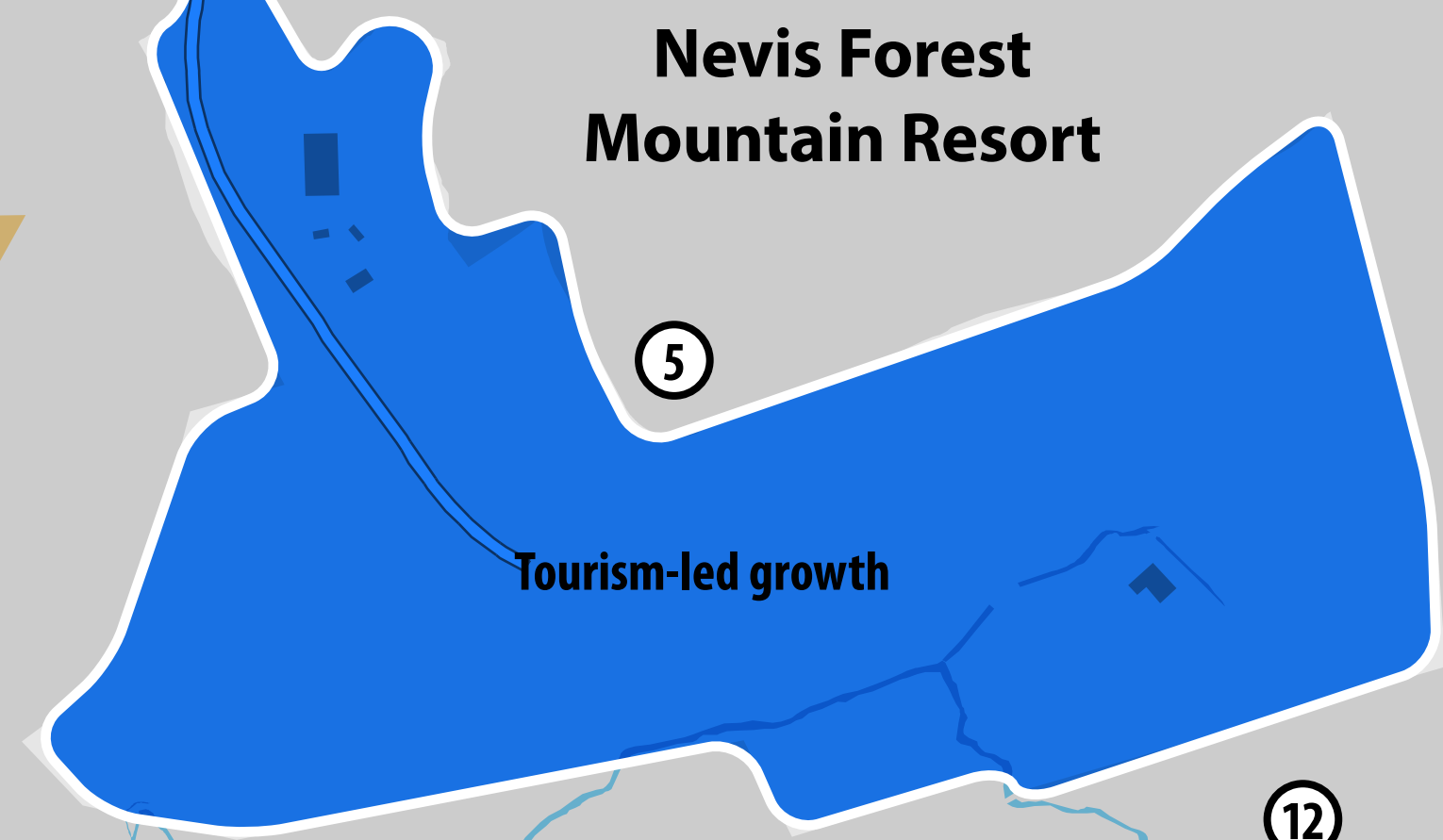
RSPB (1104965)

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:

Reporter's recommendations:



- ### Lochaber Committee Area Priorities
- A82 Realignment
 - Transport Infrastructure
 - Marine Infrastructure
 - STEM Centre
 - University Town Status for Fort William
 - New Belford Hospital
 - Health and Wellbeing
 - Increase Housing and Specialist Support Provision
 - Indoor Training Centre
 - All Weather Tourist Facilities
 - Lochaber Common Good Fund
 - Tourism Infrastructure
 - City/Islands Deal Status for Lochaber

Fort William 2040 Development and Assets

Development	Assets	Flood Protection
Housing	Schools	Flood Protection
Existing	Existing	▲▲▲▲
New	New/Expanded	Active Travel Network Improvements
Longer Term	Indoor Sports	●●●●
Industry	Existing	Improved Marine Access
Existing	New	⋈
New	Healthcare	Energy
Longer Term	Existing	---
Mixed Use	New	Tourism
Existing	Waste Management	⋈
New	Existing	Transport
Business/Tourism	New	⋈
New	Town Centre	Green Corridor Buffers
		///

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