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[REDACTED]

Our ref: A14552091
10 June 2016

Dear Carrie

THE HIGHLAND COUNCIL, WEST HIGHLANDS AND ISLANDS LOCAL DEVELOPMENT PLAN, MAIN ISSUES REPORT

I refer to your correspondence of 4 April 2016 regarding the West Highlands and Islands Main Issues Report. Please find our comments below. Transport Scotland's comments are in Appendix 1. Some of the comments do not specifically address the questions asked in the document, as such we are providing the response by way of letter.

Issue 3.6 Economic Development Areas

We have no specific concerns with the proposed sites as identified, however, we would want to make the following points to supplement the proposed spatial strategy. Please note that these are generally consistent with our comments on other Highland Local Development Plans.

With regards to the tourism economy - clarity is required, in line with SPP paragraph 100, as to what degree the proposals outlined for tourism in the Tourism Development Framework have been taken into account.

We would recommend inclusion of reference to the following in the plan:

- Home working (SPP, para 95); this could be particularly relevant in remote rural areas, avoiding the need to travel.
- Reallocation of employment sites where existing sites are underused (SPP, para 103)
- Integration of energy and waste within business environments (SPP, para 96)
- Consideration of the location of development which generates significant freight movements on sites accessible to suitable railheads, harbours, or strategic road network.

Housing

Diagram 1 of SPP sets out the terminology and method for establishing housing numbers in development plans. The Local Development Plan should clearly set out the HNDA housing estimates, the Housing Supply Target and the Housing Land Requirement as set out in Diagram 1 of SPP.

In addition, it is not clear where the figures used in the MIR are derived from as they do not match the figures in the Monitoring Statement. A link between the figures set out in the Proposed Plan and associated background information / evidence will be helpful .

There are ten Housing Market Areas across Highland, as reported in the HNDA. However, the MIR appears to have collapsed these into three broad areas. Paragraph 115 of SPP requires the HST to be reported at HMA level, therefore, we would recommend that this be amended. SPP also requires that the HST is separated into market and affordable for each HMA, which should be shown as separate figures in the table. Table 3 only gives one figure for each HMA.

The MIR does not address the issues of Specialist Housing (as evidenced in the HNDA), as required by SPP, and there is no reference to Gypsy/Travellers or Traveling Showpeople. The needs of Travelling Showpeople are different to those of Gypsy/Travellers and should be considered separately. If the HNDA shows no need in the area, then it would be helpful if this was clearly stated in the plan.

Developer Contributions (paras 4.46 and 4.79)

Circular 6/2013, Paragraph 139 sets out appropriate topics for inclusion within the plan and supplementary guidance. We would expect the Proposed Plan to go into some more detail about the types of development and locations where financial contributions will be sought. In particular, the catchment zone within which contributions will be sought (e.g. for education and transport contributions) should ideally be in the plan to allow consultation and potential scrutiny at examination. In addition, links to the methodology for defining the catchment zone and how the interventions relate to the contributing developments, should be within plan.

Paragraphs 4.46 and 4.79 of the MIR refers to the preparation of a protocol to sit alongside the LDP. The Proposed Plan should be clearer what format the protocol will take, e.g. Supplementary Guidance, taking into account the comments above. Please also see advice regarding connections to supplementary guidance at the end of this letter.

Circular 3/2012 is clear that planning obligations should not be used to resolve existing deficiencies in infrastructure provision. Where a planning obligation is considered essential, it must have a relevant planning purpose and must always be related and proportionate in scale and kind to the development in question. The Proposed Plan should indicate how contributions will be sought, and where section 75 planning obligations will be used, that this will be in line with Circular 3/2012.

Glossary, p.157; definition of planning obligations and other legal agreements.

Planning obligations are a legal agreement secured through section 75 of the 1997 Act (as amended). They are a contract between a person with an interest in the land and Local Authority; other third parties including agencies cannot enter into such an agreement directly. Where planning permission cannot be granted without some restriction or regulation, the use of planning conditions and alternative legal agreements should be considered before using

planning obligations. We would recommend that consideration is given to revising the definition for the Propsoed Plan.

Town Centres and Retail

Of the main settlements that are mentioned we would recommend identifying those which are 'towns': Ullapool, Portree and Fort William appear on the USP as towns (www.usp.scot). We would also expect the Proposed Plan to set out a Town Centres First approach in line with SPP paras 60-69.

Active Travel

We would encourage the plan to identify at least one exemplar walking and cycling friendly settlement, to form a node on the national walking and cycling network as per the requirements of paragraph 5.14 of the NPF. In addition, we would expect the plan to promote electric charging vehicle points, which may be an important consideration given the car based dependency of the region.

Supplementary Guidance

We would highlight the importance of the plan having appropriate connections to proposed supplementary guidance which is to be brought forward as part of the plan. Specifically, these are the requirements set out in section 27 (2) of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008.

Please contact me should you wish to disuss the above.

Yours sincerely

Jane Tennant
Graduate Planner

APPENDIX 1

Transport Scotland

Having reviewed the settlements and proposed allocation sites Transport Scotland have identified one which requires specific comment at this stage and this is provided below. For other preferred sites where it is suggested that a new or upgraded access to the trunk road is required or may be necessary, we support the stated position of early engagement with Transport Scotland.

Within the Mallaig settlement area, we would not be supportive of creating a new access as suggested for site MAB2. From the information available it appears that sites MAB 1, 2 and 3 may be suitably accessed from the existing local road which joins the A830 without the need for a new trunk road junction. We would be happy to discuss the implication of this with the Council in due course.

With regard to transport interventions, the MIR and the Transport Background Paper outline the potential Caol Link Road (A82 to A830). On page 5 the Transport paper suggests that the road “*would be likely to lever a limited amount of developer contributions*” and the “*preliminary assessment identifies a number of other factors that present risks for the delivery of the road*”. An indicative cost has been estimated at between £54m - £78m.

We understand the Transport Background Paper is an initial overview providing little detailed or robust information. However, we would have concerns over the inclusion of this scheme in the plan due to the limited amount of information pertaining to its justification and/or any funding and delivery mechanism. Therefore, we would advise that if the Council are considering taking the scheme forward for inclusion within the LDP, then it should be identified through a robust appraisal exercise which would assess all modes of travel as part of an objective led approach. The identification of transport interventions should result from the assessment of evidence based transport problems and opportunities of a specific area. A range of transport alternatives should be considered and not focussed on a particular solution.

As detailed in recent correspondence the Council intend progressing with the LDP transport appraisal in accordance with DPMTAG principles. We would be happy to review emerging thinking on this and provide informal comments or advice prior to publication or incorporation within the Proposed Plan. As mentioned previously we are working collaboratively with other local authorities who are at varying stages of the plan process and associated transport appraisal. Each appraisal is different and is being undertaken and reported in a different manner depending on the nature and scale of potential development and the needs of the local authority. It may therefore, be beneficial to the LDP process for the Council to pass on emerging approaches and draft text for review and discussion.

With regards to the various ports and harbours improvements flagged on the Vision and Spatial Strategy map and throughout the MIR it is suggested that the potential implications of these be discussed with the relevant teams within Transport Scotland as more detail becomes available. When thinking is at an appropriate stage the development planning team would be happy to facilitate an exchange of information and possibly meetings with the relevant teams.

Further discussion is requested on the potential conversion of the airstrip at Broadford to accommodate scheduled flights along with the potential works required to the trunk road network.

