

## Appendix A18.1 Planning Policy Context for Environmental Assessment

### 1 Introduction

- 1.1.1 The following sections provide a summary of the key planning policies that are relevant to Chapters 7 to 17 in this Environmental Impact Assessment Report (EIAR).
- 1.1.2 An assessment of compliance of the proposed scheme in relation to these policies is provided in Appendix A18.2 (Assessment of Development Plan Policy Compliance) and is summarised in Chapter 18 (Policies and Plans).
- 1.1.3 Where policies relevant to a chapter have been identified by a previous chapter, the ‘Summary of Policy’ directs readers to the first reference to avoid repetition of information.

### 1.2 Chapter 7: Air Quality

- 1.2.1 Key principles of Scottish Planning Policy (Scottish Government 2014) (hereafter referenced as SPP) on air quality are:
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
  - avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality; and
  - supporting climate change mitigation and adaptation.
- 1.2.2 SPP states that the relationship between transport and land use has a strong influence on sustainable economic growth, and this should be taken into account when preparing development plans and in development management decisions. Policy indicates that a reduction in emissions from transport sources requires more sustainable modes of transport. It is suggested that the planning system should support a pattern of development which reduces the need to travel, encourages active travel and facilitates movement by public transport.
- 1.2.3 Circulars and Planning Advice Notes (PANs) published by the Scottish Government provide further guidance on specific topics. Documents of relevance to air quality are summarised in Table 1.

**Table 1: National Planning Guidance and Advice**

Reference	Title	Summary of Document
PAN 51 (Revised 2006)	Planning, Environmental Protection and Regulation (Scottish Executive 2006a)	The main function of this PAN is to support the existing policy on the role of the planning system in relation to the environmental protection regimes, including air quality. PAN 51 summarises the statutory responsibilities of the environmental protection bodies, as well as informing these bodies about the planning system. The document also provides information on European and domestic legislation and policy frameworks for ambient air quality.

- 1.2.4 Table 2 provides a summary of the key development plan policies that are of relevance to effects on air quality.

**Table 2: Development Plan Policy for Air Quality**

Reference	Title	Summary of Policy
<b>Highland-wide Local Development Plan (2012)</b>		
Policy 28	Sustainable Design	The Council will support developments which promote and enhance the social, economic and environmental wellbeing of the people of Highland. Proposed developments will be assessed on the extent to which they: <ul style="list-style-type: none"> <li>• are compatible with public service provision (water and sewerage, drainage, roads, schools, electricity);</li> <li>• are accessible by public transport, cycling and walking as well as car;</li> <li>• maximise energy efficiency in terms of location, layout and design, including the</li> </ul>

Reference	Title	Summary of Policy
		<p>utilisation of renewable sources of energy and heat;</p> <ul style="list-style-type: none"> <li>• are affected by physical constraints described in Physical Constraints on Development: Supplementary Guidance;</li> <li>• make use of brownfield sites, existing buildings and recycled materials;</li> <li>• demonstrate that they have sought to minimise the generation of waste during the construction and operational phases. (This can be submitted through a Site Waste Management Plan);</li> <li>• impact on individual and community residential amenity;</li> <li>• impact on non-renewable resources such as mineral deposits of potential commercial value, prime quality agricultural land, or approved routes for road and rail links;</li> <li>• impact on the following resources, including pollution and discharges, particularly within designated areas habitats; freshwater systems; species; marine systems; landscape; cultural heritage; scenery; and air quality.;</li> <li>• demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environment and in making use of appropriate materials;</li> <li>• promote varied, lively and well-used environments which will enhance community safety and security and reduce any fear of crime;</li> <li>• accommodate the needs of all sectors of the community, including people with disabilities or other special needs and disadvantaged groups; and</li> <li>• contribute to the economic and social development of the community.</li> </ul> <p>Developments which are judged to be significantly detrimental in terms of the above criteria will not accord with this Local Development Plan.</p> <p>All development proposals must demonstrate compatibility with the Sustainable Design Guide: Supplementary Guidance, which requires that all developments should:</p> <ul style="list-style-type: none"> <li>• conserve and enhance the character of the Highland area;</li> <li>• use resources efficiently;</li> <li>• minimise the environmental impact of development; and</li> <li>• enhance the viability of Highland communities.</li> </ul> <p>Compatibility should be demonstrated through the submission of a Sustainable Design Statement where required to do so by the Guidance.</p> <p>All developments must comply with the greenhouse gas emissions requirements of the Sustainable Design Guide.</p> <p>In the relatively rare situation of assessing development proposals where the potential impacts are uncertain, but where there are scientific grounds for believing that severe damage could occur either to the environment or the wellbeing of communities, the Council will apply the precautionary principle.</p> <p>Where environmental and/or socio-economic impacts of a proposed development are likely to be significant by virtue of nature, size or location, The Council will require the preparation by developers of appropriate impact assessments. Developments that will have significant adverse effects will only be supported if no reasonable alternatives exist, if there is demonstrable over-riding strategic benefit or if satisfactory overall mitigating measures are incorporated.</p>
Policy 57	Natural, Built and Cultural Heritage	<p>All development proposals will be assessed taking into account the level of importance and type of heritage features, the form and scale of the development, and any impact on the feature and its setting, in the context of the policy framework detailed in Appendix 2 of the LDP. The following criteria will also apply:</p> <ul style="list-style-type: none"> <li>• For features of local/regional importance we will allow developments if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment, amenity and heritage resource.</li> <li>• For features of national importance we will allow developments that can be shown not to compromise the natural environment, amenity and heritage resource. Where there may be any significant adverse effects, these must be clearly outweighed by social or economic benefits of national importance. It must also be shown that the development will support communities in fragile areas who are having difficulties in keeping their population and services.</li> <li>• For features of international importance developments likely to have a significant effect on a site, either alone or in combination with other plans or projects, and which are not directly connected with or necessary to the management of the site for nature conservation will be subject to an appropriate assessment. Where we are unable to ascertain that a proposal will not adversely affect the integrity of a site, we will only allow development if there is no alternative solution and there are imperative reasons of overriding public interest, including those of a social or economic nature. Where a priority habitat or species (as defined in Annex 1 of the Habitats Directive) would be affected, development in such circumstances will</li> </ul>

Reference	Title	Summary of Policy
		<p>only be allowed if the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment, or other reasons subject to the opinion of the European Commission (via Scottish Ministers). Where we are unable to ascertain that a proposal will not adversely affect the integrity of a site, the proposal will not be in accordance with the development plan within the meaning of Section 25(1) of the Town and Country Planning (Scotland) Act 1997.</p> <p>Note: Whilst Appendix 2 groups features under the headings international, national and local/regional importance, this does not suggest that the relevant policy framework will be any less rigorously applied. This policy should also be read in conjunction with the Proposal Map.</p> <p>The Council intends to adopt the Supplementary Guidance on Wild Areas in due course. The main principles of this guidance will be:</p> <ul style="list-style-type: none"> <li>to provide mapping of wild areas;</li> <li>to give advice on how best to accommodate change within wild areas whilst safeguarding their qualities;</li> <li>to give advice on what an unacceptable impact is; and</li> <li>to give guidance on how wild areas could be adversely affected by development close to but not within the wild area itself.</li> </ul> <p>In due course the Council also intends to adopt Supplementary Guidance on the Highland Historic Environment Strategy. The main principles of this guidance will ensure that:</p> <ul style="list-style-type: none"> <li>future developments take account of the historic environment and that they are of a design and quality to enhance the historic environment bringing both economic and social benefits; and</li> <li>it sets a proactive, consistent approach to the protection of the historic environment.</li> </ul>
Policy 72	Pollution	<p>Proposals that may result in significant pollution such as noise (including aircraft noise), air, water and light will only be approved where a detailed assessment report on the levels, character and transmission and receiving environment of the potential pollution is provided by the applicant to show how the pollution can be appropriately avoided and if necessary mitigated.</p> <p>Where the Council applies conditions to any permission to deal with pollution matters these may include subsequent independent monitoring of pollution levels.</p> <p>Major Developments and developments that are subject of Environmental Impact Assessment will be expected to follow a robust project environmental management process, following the approach set out in the Council's Guidance Note 'Construction Environmental Management Process for Large Scale Projects' or a similar approach.</p>
Policy 73	Air Quality	<p>Development proposals which, individually or cumulatively, may adversely affect the air quality in an area to a level which could cause harm to human health and wellbeing or the natural environment must be accompanied by appropriate provisions, such as an Air Quality Assessment, (deemed satisfactory to the Local Authority and SEPA as appropriate) which demonstrate how such impacts will be mitigated.</p> <p>Some existing land uses may have a localised detrimental effect on air quality. Any proposals to locate development in the vicinity of such uses and therefore introduce receptors to these areas (e.g. housing adjacent to busy roads) must consider whether this would result in conflict with the existing land use. Proposals which would result in an unacceptable conflict with the existing land use to air quality impacts will not be approved.</p>

## 1.3 Chapter 8: Noise and Vibration

### 1.3.1 Key principles of SPP on noise and vibration are:

- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality; and
- supporting good design and the six qualities of successful places.

### 1.3.2 Circulars and PANs published by the Scottish Government provide further guidance on specific topics. Documents of relevance to noise and vibration are summarised in Table 3.

**Table 3: National Planning Guidance and Advice**

Reference	Title	Summary of Document
PAN 1/2011	Planning and Noise (Scottish Government 2011a)	This PAN promotes the principles of good acoustic design and a sensitive approach to the location of new development. It promotes the appropriate location of new potentially noisy development, and a pragmatic approach to the location of new development within the vicinity of existing noise generating uses, to ensure that quality of life is not unreasonably affected and that new development continues to support sustainable economic growth.

1.3.3 Table 4 provides a summary of the key development plan policies that are of relevance to effects on noise and vibration.

**Table 4: Development Plan Policy for Noise and Vibration**

Reference	Title	Summary of Policy
<b>Highland-wide Local Development Plan (2012)</b>		
Policy 28	Sustainable Design	See Table 2 above for full policy details
Policy 72	Pollution	See Table 2 above for full policy details

## 1.4 Chapter 9: Landscape

1.4.1 Key principles of SPP on landscape impacts are:

- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality; and
- supporting good design and the six qualities of successful places.

1.4.2 SPP indicates that landscapes and the natural heritage are sensitive to inappropriate development and encourages planning authorities to ensure that potential effects, including the cumulative effect of incremental changes, are considered when preparing development plans and deciding planning applications.

1.4.3 Transport Scotland has produced Fitting Landscapes guidance which has the overarching vision to, *'promote the more sustainable design, implementation, maintenance and management of the transport estate and ensure that the landscapes we create and manage are of high quality, well integrated, bio-diverse, adaptable and deliver a meaningful contribution to national sustainability targets.'* (Transport Scotland 2014).

1.4.4 It is recognised in SPP that whilst the protection of the landscape and natural heritage can impose constraints on new development, *'developers should seek to minimise adverse impacts through careful planning and design, considering the services that the natural environment is providing and maximising the potential for enhancement.'* (Scottish Government 2014).

1.4.5 Circulars and PANs published by the Scottish Government provide further guidance on specific topics. Documents of relevance to landscape and visual impacts are summarised in Table 5.

**Table 5: National Planning Guidance and Advice**

Reference	Title	Summary of Document
PAN 60	Planning for Natural Heritage (Scottish Executive 2000)	Provides advice on how development and the planning system can contribute to the conservation, enhancement, enjoyment and understanding of Scotland's natural environment and encourages developers and planning authorities to be positive and creative in addressing natural heritage issues. It complements the policy in SPP, with examples of good planning practice in relation to natural heritage drawn from across Scotland highlighted in a number of case studies.

1.4.6 Table 6 provides a summary of the key development plan policies that are of relevance to effects on landscape.

**Table 6: Development Plan Policy for Landscape**

Reference	Title	Summary of Policy
<b>Highland-wide Local Development Plan (2012)</b>		
Policy 28	Sustainable Design	See Table 2 above for full policy details
Policy 29	Design Quality and Place-Making	<p>New development should be designed to make a positive contribution to the architectural and visual quality of the place in which it is located, where appropriate, and should consider the incorporation of public art as a means of creating a distinct sense of place and identity in line with the Council's Public Art Strategy for the Highlands. Applicants should demonstrate sensitivity and respect towards the local distinctiveness of the landscape, architecture, design and layouts in their proposals.</p> <p>The design and layout of new residential development proposals should focus on the quality of places and living environments for pedestrians rather than movement of vehicles, and should incorporate all of the six qualities of successful places. Further guidance on this policy topic will be provided in the Council's Residential Layout: Supplementary Guidance.</p> <p>Where relevant, the Council will judge proposals in terms of their contribution to place-making. Proposals should have regard to the historic pattern of development and landscape in the locality and should, where relevant, be an integral part of the settlement. The Council will examine proposals to ensure that people of all abilities can move safely and conveniently within the development and, where appropriate, to facilities in other parts of the settlement.</p>
Policy 30	Physical Constraints	<p>Developers must consider whether their proposals would be located within areas of constraints as set out in Physical Constraints: Supplementary Guidance. The main principles of the guidance are:</p> <ul style="list-style-type: none"> <li>to provide developers with up to date information regarding physical constraints to development in Highland; and</li> <li>to ensure proposed developments do not adversely affect human health and safety or pose risk to safeguarded sites.</li> </ul> <p>Where a proposed development is affected by any of the constraints detailed within the guidance, developers must demonstrate compatibility with the constraint or outline appropriate mitigation measures to be provided.</p>
Policy 51	Trees and Development	<p>The Council will support development which promotes significant protection to existing hedges, trees and woodlands on and around development sites. The acceptable developable area of a site is influenced by tree impact, and adequate separation distances will be required between established trees and any new development. Where appropriate a woodland management plan will be required to secure management of an existing resource.</p> <p>The Council will secure additional tree/hedge planting within a tree planting or landscape plan to compensate removal and to enhance the setting of any new development. In communal areas a factoring agreement will be necessary.</p> <p>The Council's Trees, Woodland and Development Supplementary Guidance will be adopted as statutory supplementary guidance. The guidance will identify the main principles for the protection and management of trees and woodland in relation to new development. It will:</p> <ul style="list-style-type: none"> <li>identify key relevant legislation and regulation;</li> <li>establish the key factors for assessment of development sites in relation to the presence of trees;</li> <li>give guidance on preparation of tree protection, management, planting and landscape plans;</li> <li>for developments involving a significant element of woodland, give advice on the need for a woodland management plan;</li> <li>provide advice for development within existing woodland on the potential for</li> </ul>

Reference	Title	Summary of Policy
		<p>woodland removal and need for compensatory planting; and</p> <ul style="list-style-type: none"> <li>generally support well planned developments which are designed to create and coexist with significant areas of new woodland.</li> </ul>
Policy 52	Principle of Development in Woodland	<p>The applicant is expected to demonstrate the need to develop a wooded site and to show that the site has capacity to accommodate the development. The Council will maintain a strong presumption in favour of protecting woodland resources.</p> <p>Development proposals will only be supported where they offer clear and significant public benefit. Where this involves woodland removal, compensatory planting will usually be required.</p> <p>The Council will consider major development proposals against their socio economic impact on the forestry industry within the locality, the economic maturity of the woodland, and the opportunity for the proposals to coexist with forestry operations.</p> <p>For housing proposals within existing woodland, applicants must pay due regard to its integrity and longer term management.</p> <p>In all cases there will be a stronger presumption against development where it affects inventoried woodland, designated woodland or other important features (as defined in Trees, Woodland and Development Supplementary Guidance).</p> <p>All proposals affecting woodland will be assessed against conformity with the Scottish Government's Policy on Control of Woodland Removal. The current Highland Forest and Woodland Strategy will be considered as a material consideration. It is the intention that future reviews of the strategy will be adopted as supplementary guidance.</p> <p>The Highland Forest and Woodland Strategy reflects the strategic directions of the Scottish Forest Strategy developing its priorities for action at the regional level and through its key principles seeks to:</p> <ul style="list-style-type: none"> <li>ensure sustainability;</li> <li>increase the community benefit from forestry and woodlands;</li> <li>identify opportunities for forest and woodland expansion compatible with other interests;</li> <li>improve existing forests and woodland to enhance forestry's contribution to the economy and environment of Highland;</li> <li>work with partners to address economic and infrastructure issues; and</li> <li>retain and enhance the level of funding for forestry in Highland.</li> </ul>
Policy 57	Natural, Built and Cultural Heritage	See Table 2 above for full policy details
Policy 61	Landscape	<p>New developments should be designed to reflect the landscape characteristics and special qualities identified in the Landscape Character Assessment of the area in which they are proposed. This will include consideration of the appropriate scale, form, pattern and construction materials, as well as the potential cumulative effect of developments where this may be an issue. The Council would wish to encourage those undertaking development to include measures to enhance the landscape characteristics of the area. This will apply particularly where the condition of the landscape characteristics has deteriorated to such an extent that there has been a loss of landscape quality or distinctive sense of place. In the assessment of new developments, the Council will take account of Landscape Character Assessments, Landscape Capacity Studies and its supplementary guidance on Siting and Design and Sustainable Design, together with any other relevant design guidance.</p> <p>Note: The principles and justification underpinning the Council's approach to sustainable developments are contained in the supplementary guidance: "Sustainable Design". The key principles underlying this guidance are set out in Policy 28: Sustainable Design.</p>

## 1.5 Chapter 10: Visual Impact

### 1.5.1 Key principles of SPP on visual impacts are:

- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality; and

- supporting good design and the six qualities of successful places.

- 1.5.2 SPP indicates that landscapes and the natural heritage are sensitive to inappropriate development and encourages planning authorities to ensure that potential effects, including the cumulative effect of incremental changes, are considered when preparing development plans and deciding planning applications.
- 1.5.3 It is recognised in SPP that whilst the protection of the landscape and natural heritage can impose constraints on new development, *'developers should seek to minimise adverse impacts through careful planning and design, considering the services that the natural environment is providing and maximising the potential for enhancement.'* (Scottish Government 2014).
- 1.5.4 Circulars and PANs published by the Scottish Government provide further guidance on specific topics. Documents of relevance to landscape and visual impacts are summarised in Table 7.

**Table 7: National Planning Guidance and Advice**

Reference	Title	Summary of Document
PAN 60	Planning for Natural Heritage (Scottish Executive 2000)	Refer to Table 5 for full details.

- 1.5.5 Table 8 below provides a summary of the key development plan policies that are of relevance to effects on Visual Impact.

**Table 8: Development Plan Policy for Visual Impact**

Reference	Title	Summary of Policy
<b>Highland-wide Local Development Plan (2012)</b>		
Policy 28	Sustainable Design	See Table 2 above for full policy details
Policy 29	Design Quality and Place-Making	See Table 6 above for full policy details
Policy 52	Principle of Development in Woodland	See Table 6 above for full policy details
Policy 57	Natural, Built and Cultural Heritage	See Table 2 above for full policy details
Policy 61	Landscape	See Table 6 above for full policy details

## **1.6 Chapter 11: Ecology and Nature Conservation**

- 1.6.1 Key principles of SPP on ecology and nature conservation are:
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.
- 1.6.2 SPP sets out subject policy guidance on natural heritage in 'Valuing the Natural Environment' (paragraphs 193 to 218). SPP indicates that planning authorities should adopt a broad approach to natural heritage rather than just conserving designated or protected sites and species through taking into account ecosystems and natural processes in their area. SPP also states that planning authorities should support opportunities for enjoyment and understanding of natural heritage.
- 1.6.3 Circulars and PANs published by the Scottish Government provide further guidance on specific topics. Documents of relevance to ecology and nature conservation are summarised in Table 9.

**Table 9: National Planning Guidance and Advice**

Reference	Title	Summary of Document
PAN 60	Planning for Natural Heritage (Scottish Executive 2000)	Refer to Table 5 for full details.

1.6.4 Table 10 provides a summary of the key development plan policies that are of relevance to effects on ecology and nature conservation.

**Table 10: Development Plan Policy for Ecology and Nature conservation**

Reference	Title	Summary of Policy
<b>Highland-wide Local Development Plan (2012)</b>		
Policy 9	A96 Corridor – Phasing and Infrastructure	Developments set out in the early period of this Local Development Plan (2011-2016) will only be supported subject to the provision of interim infrastructure improvements as set out in the Plan. In respect of water supply and waste water treatment, the infrastructure improvements for development provided for in this plan should not adversely affect the integrity of the Moray Firth SAC, Loch Ashie SPA, River Moriston SAC and Urquhart Bay Wood SAC either alone or in combination with other plans or projects. When planning applications are being determined for these early phases they will be assessed against the policies set out in this Plan and identified developer contributions. Conditions and/or legal agreements will be attached to any permission to determine phasing. For larger mixed-use sites, the Council will require that each site is masterplanned and each phase of development will need to show its relationship to this initial masterplan and demonstrate how the required developer funded infrastructure can be delivered. Where there are anticipated increases which create a need for new or improved services, facilities or infrastructure resulting from a development in this area, the principles of Policy 31 — Developer Contributions will be applied.
Policy 28	Sustainable Design	See Table 2 above for full policy details
Policy 30	Physical Constraints	See Table 6 above for full policy details
Policy 51	Trees and Development	See Table 6 above for full policy details
Policy 52	Principle of Development in Woodland	See Table 6 above for full policy details
Policy 57	Natural, Built and Cultural Heritage	See Table 2 above for full policy details
Policy 58	Protected Species	<p>Where there is good reason to believe that a protected species may be present on site or may be affected by a proposed development, we will require a survey to be carried out to establish any such presence and if necessary a mitigation plan to avoid or minimise any impacts on the species, before determining the application. Development that is likely to have an adverse effect, individually and/or cumulatively, on European Protected Species (see Glossary) will only be permitted where:</p> <ul style="list-style-type: none"> <li>• there is no satisfactory alternative;</li> <li>• the development is required for preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; and</li> <li>• the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.</li> </ul> <p>Development that is likely to have an adverse effect, individually and/or cumulatively, on protected bird species (see Glossary) will only be permitted where:</p> <ul style="list-style-type: none"> <li>• there is no other satisfactory solution; and</li> <li>• the development is required in the interests of public health or public safety.</li> </ul> <p>This will include but is not limited to avoiding adverse effects, individually and/or cumulatively, on the populations of the following priority protected bird species:</p>

Reference	Title	Summary of Policy
		<ul style="list-style-type: none"> <li>Species listed in Annex 1 of the EC Birds Directive.</li> <li>Regularly occurring migratory species listed in Annex II of the Birds Directive.</li> <li>Species listed in Schedule 1 of the Wildlife and Countryside Act 1981 as amended.</li> <li>Birds of conservation concern.</li> </ul> <p>Development that is likely to have an adverse effect, individually and/or cumulatively (see glossary), on other protected animals and plants (see Glossary) will only be permitted where the development is required for preserving public health or public safety.</p> <p>Development proposals should avoid adverse disturbance, including cumulatively, to badgers and badger setts, protected under the Protection of Badgers Act 1992 (as amended by the Nature Conservation (Scotland) Act 2004.</p>
Policy 59	Other Important Species	<p>The Council will have regard to the presence of and any adverse effects of development proposals, either individually and/or cumulatively, on the Other Important Species which are included in the lists below, if these are not already protected by other legislation or by nature conservation site designations:</p> <ul style="list-style-type: none"> <li>Species listed in Annexes II and V of the EC Habitats Directive.</li> <li>Priority species listed in the UK and Local Biodiversity Action Plans.</li> <li>Species included on the Scottish Biodiversity List.</li> </ul> <p>We will use conditions and agreements to ensure detrimental effect on these species is avoided.</p>
Policy 60	Other Important Habitats	<p>The Council will seek to safeguard the integrity of features of the landscape which are of major importance because of their linear and continuous structure or combination as habitat "stepping stones" for the movement of wild fauna and flora. (Article 10 Features). The Council will also seek to create new habitats which are supportive of this concept.</p> <p>The Council will have regard to the value of the following Other Important Habitats, where not protected by nature conservation site designations (such as natural water courses), in the assessment of any development proposals which may affect them either individually and/or cumulatively:</p> <ul style="list-style-type: none"> <li>Habitats listed in Annex I of the EC Habitats Directive.</li> <li>Habitats of priority and protected bird species (see Glossary).</li> <li>Priority habitats listed in the UK and Local Biodiversity Action Plans.</li> <li>Habitats included on the Scottish Biodiversity List.</li> </ul> <p>The Council will use conditions and agreements to ensure that significant harm to the ecological function and integrity of Article 10 Features and Other Important Habitats is avoided. Where it is judged that the reasons in favour of a development clearly outweigh the desirability of retaining those important habitats, the Council will seek to put in place satisfactory mitigation measures, including where appropriate consideration of compensatory habitat creation.</p>
Policy 74	Green Networks	<p>Green networks should be protected and enhanced. Development in areas identified for the creation of green networks should seek to avoid the fragmentation of the network and take steps to improve its connectivity, where this is appropriate. The detailed identification of green networks around regional and sub regional centres (see Figure 10) will be carried out by the Council using the methodology described in the document "Green Networks: Supplementary Guidance". Pending identification by the Council of green networks, both within the study areas and elsewhere, developers should identify, protect and enhance the existing network of green spaces and green corridors which link built-up areas to the surrounding countryside, using the methodology in the supplementary guidance. The main principles of the guidance are to:</p> <ul style="list-style-type: none"> <li>help promote greenspace linkages and to safeguard and enhance wildlife corridors in and around new and existing developments;</li> <li>set out a methodology for identifying the Highland Green Network;</li> <li>enable new development to take advantage of the outstanding landscape in the area while also preserving areas of significant landscape value; and</li> <li>set out mechanisms for delivery of projects to maintain and enhance the existing green network.</li> </ul>
<b>Inner Moray Firth Local Development Plan (2015)</b>		
Policy 4	Water and Waste Water Infrastructure in the Inverness to Nairn Growth Area	<p>In line with Policy 65 of the HwLDP all allocated developments in the Inverness to Nairn Corridor will be required to connect to the public sewer (as defined in the Sewerage (Scotland) Act 1968).</p> <p>Improvements to the strategic waste water infrastructure in the area will be required in order to accommodate the level of development supported in this plan. Such improvements must ensure that there will be no adverse effect on the integrity of the bottlenose dolphin qualifying interest of the Moray Firth Special Area of</p>

Reference	Title	Summary of Policy
		Conservation in terms of the level of waste water treatment, either alone or in combination with other plans or projects. In considering the need to increase the level of abstraction from existing sources, or the need for other sources of abstraction to accommodate the level of development supported by this Plan, there must be no adverse effect on the integrity of the River Moriston SAC, Urquhart Bay Wood SAC and/or Loch Ashie SPA as a result of reduced water levels/flows on the relative qualifying features either alone or in-combination with other plans or projects. A developer assessment of these effects will be required.

## 1.7 Chapter 12: Geology, Soils, Contaminated Land and Groundwater

1.7.1 Key principles of SPP on geology, soils, contaminated land and groundwater are:

- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment; and
- making efficient use of existing capacities of land, buildings and infrastructure.

1.7.2 PANs published by the Scottish Government provide further advice on specific topics. PAN 33 is applicable to contaminated land, details are summarised in Table 11.

**Table 11: National Planning Guidance and Advice**

Reference	Title	Summary of Document
PAN 33	Development of Contaminated Land (Scottish Government 2016)	Provides advice on the implications of the contaminated land regime for the planning system; and the development of, and approach to, contaminated land in development plans. It also contains guidance on the determination of planning applications when the site is, or may be, contaminated.

1.7.3 Table 12 provides a summary of the key development plan policies that are of relevance to geology, soils, contaminated land and groundwater.

**Table 12: Development Plan Policy for Geology, Soils, Contaminated Land and Groundwater**

Reference	Title	Summary of Policy
<b>Highland-wide Local Development Plan (2012)</b>		
Policy 28	Sustainable Design	See Table 2 above for full policy details
Policy 30	Physical Constraints	See Table 6 above for full policy details
Policy 54	Mineral Wastes	The Council will encourage the minimisation and positive re-use/recycling of mineral, construction and demolition wastes. Waste management is an issue to be addressed for new or existing extractions to the satisfaction of the Council for the prevention or minimisation, treatment, recovery and disposal of waste with a view to minimising waste generation and its harmfulness. A Waste Management Plan should be provided to show this information.
Policy 55	Peat and Soils	Development proposals should demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils. Unacceptable disturbance of peat will not be permitted unless it is shown that the adverse effects of such disturbance are clearly outweighed by social, environmental or economic benefits arising from the development proposal. Where development on peat is clearly demonstrated to be unavoidable then the Council may ask for a peatland management plan to be submitted which clearly demonstrates how impacts have been minimised and mitigated.  New areas of commercial peat extraction will not be supported unless it can be shown that it is an area of degraded peatland which is clearly demonstrated to have been significantly damaged by human activity and has low conservation value and as a result restoration is not possible.  Proposals must also demonstrate to the Council's satisfaction that extraction would not adversely affect the integrity of nearby Natura sites containing areas

Reference	Title	Summary of Policy
		of peatland.
Policy 57	Natural, Built and Cultural Heritage	See Table 2 above for full policy details
Policy 62	Geodiversity	Development proposals that include measures to protect and enhance geodiversity interests of international, national and regional/local importance in the wider countryside, will be supported. The Council will also support improvement of accessibility and interpretation as an educational or geo-tourism resource, where it is possible to integrate sympathetically development, geodiversity and other existing interests.
Policy 72	Pollution	See Table 2 above for full policy details

## 1.8 Chapter 13: Road Drainage and the Water Environment

1.8.1 Key principles of SPP on road drainage and the water environment are:

- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality;
- supporting climate change mitigation and adaptation including taking account of flood risk;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities; and
- having regard to the principles for sustainable land use set out in the Land Use Strategy.

1.8.2 SPP sets out subject policy guidance in Flood Risk and Drainage (paragraphs 254 to 268). SPP encourages planning authorities to take the probability of flooding from all sources (coastal, fluvial (water course), pluvial (surface water), groundwater, sewers and blocked culverts) and the risks involved with such flooding into account when preparing development plans and determining planning applications.

1.8.3 The following PANs published by the Scottish Government provide further advice on specific topics. PANs relevance to road drainage and the water environment are summarised in Table 13.

**Table 13: National Planning Guidance and Advice**

Reference	Title	Summary of Document
PAN 61	Planning and Sustainable Urban Drainage Systems (Scottish Executive 2001)	Provides good practice advice for planners and the development industry on the implementation of Sustainable Drainage Systems (SuDS) to aid the introduction of more sustainable developments.
PAN 79	Water and Drainage (Scottish Executive 2006b)	Clarifies the role of the planning authority in setting the direction of development to inform the planning and delivery of new water infrastructure in a coordinated way. It explains the roles of Scottish Water and SEPA and encourages joint working in order to ensure a common understanding of capacity constraints and agreement on the means of their removal. It advises on the appropriateness of private schemes and the handling of Scottish Water developments.
Online Planning Advice on Flood Risk	Scottish Government (2015a)	This online planning advice provides background information and best practice advice in support of The Flood Risk Management (Scotland) Act 2009 and SPP.

1.8.4 Table 14 provides a summary of the key development plan policies that are of relevance to effects on road drainage and the water environment.

Table 14: Development Plan Policy for Road Drainage and the Water Environment

Reference	Title	Summary of Policy
<b>Highland-wide Local Development Plan (2012)</b>		
Policy 28	Sustainable Design	See Table 2 above for full policy details.
Policy 30	Physical Constraints	See Table 6 above for full policy details.
Policy 63	Water Environment	The Council will support proposals for development that do not compromise the objectives of the Water Framework Directive (2000/60/EC), aimed at the protection and improvement of Scotland's water environment. In assessing proposals, the Council will take into account the River Basin Management Plan for the Scotland River Basin District and associated Area Management Plans and supporting information on opportunities for improvements and constraints.
Policy 64	Flood Risk	<p>Development proposals should avoid areas susceptible to flooding and promote sustainable flood management. Development proposals within or bordering medium to high flood risk areas, will need to demonstrate compliance with Scottish Planning Policy (SPP) through the submission of suitable information which may take the form of a Flood Risk Assessment.</p> <p>Development proposals outwith indicative medium to high flood risk areas may be acceptable. However, where:</p> <ul style="list-style-type: none"> <li>• better local flood risk information is available and suggests a higher risk;</li> <li>• a sensitive land use (as specified in the risk framework of Scottish Planning Policy) is proposed, and/or;</li> <li>• the development borders the coast and therefore may be at risk from climate change;</li> <li>• a Flood Risk Assessment or other suitable information which demonstrates compliance with SPP will be required.</li> </ul> <p>Developments may also be possible where they are in accord with the flood prevention or management measures as specified within a local (development) plan allocation or a development brief. Any developments, particularly those on the flood plain, should not compromise the objectives of the EU Water Framework Directive.</p> <p>Where flood management measures are required, natural methods such as restoration of floodplains, wetlands and water bodies should be incorporated, or adequate justification should be provided as to why they are impracticable.</p>
Policy 65	Waste Water Treatment	<p>Connection to the public sewer as defined in the Sewerage (Scotland) Act 1968 is required for all new development proposals:</p> <ul style="list-style-type: none"> <li>• either in settlements identified in the plan with a population equivalent of more than 2000; or</li> <li>• wherever single developments of 25 or more dwellings (or equivalent) are proposed;</li> <li>• In all other cases a connection to the public sewer will be required, unless the applicant can demonstrate that;</li> <li>• the development is unable to connect to a public sewer for technical or economic reasons; and</li> <li>• that the proposal is not likely to result in or add to significant environmental or health problems.</li> </ul> <p>The Council's preference is that any private system should discharge to land rather than water. Within areas of cumulative drainage impact (as defined by SEPA), applicants will be required to submit evidence to SEPA and the Council that their proposal will not result in or add to significant environmental or health problems. For all proposals where connection to the public sewer is not currently feasible and Scottish Water has confirmed public sewer improvements or first time public sewerage within its investment programme that would enable the development to connect, a private system would only be supported if:</p> <ul style="list-style-type: none"> <li>• the system is designed and built to a standard which will allow adoption by Scottish Water; and</li> <li>• the system is designed such that it can be easily connected to a public sewer in the future.</li> </ul> <p>Typically this will mean providing a drainage line up to a likely point of connection. The developer must provide Scottish Water with the funds which will allow Scottish Water to complete the connection once the sewerage system has been upgraded.</p>
Policy 66	Surface Water Drainage	All proposed development must be drained by SuDS designed in accordance with The SuDS Manual (CIRIA C697) and, where appropriate, the Sewers for Scotland Manual 2nd Edition. Planning applications should be submitted with information in accordance with Planning Advice Note 69: Planning and Building Standards Advice on Flooding paragraphs 23 and 24 (Scottish Executive 2004). Each drainage scheme design must be accompanied by particulars of proposals for ensuring long-

Reference	Title	Summary of Policy
		term maintenance of the scheme.
Policy 72	Pollution	See Table 2 above for full policy details
<b>Inner Moray Firth Local Development Plan (2015)</b>		
Policy 4	Water and Waste Water Infrastructure in the Inverness to Nairn Growth Area	See Table 10 above for full policy details

## 1.9 Chapter 14: Cultural Heritage

1.9.1 Key principles of SPP on cultural heritage are:

- protecting, enhancing and promoting access to cultural heritage, including the historic environment.

1.9.2 SPP sets out subject policy guidance on cultural heritage in Valuing the Historic Environment (paragraphs 135 to 151) which includes policies relevant to Scheduled Monuments, Listed Buildings, Gardens and Designed Landscapes and Historic Battlefields.

1.9.3 The Historic Environment Policy for Scotland (HEPS) and the Managing Change in the Historic Environment Guidance Note series, both published by Historic Environment Scotland, set out national policies for the historic environment and provide a framework that informs the work of a range of organisations that have a role and interest in managing the historic environment.

1.9.4 A summary of the HEPS and other national guidance and advice of relevance to cultural heritage is provided in Table 15.

Table 15: National Planning Guidance and Advice

Reference	Title	Summary of Document
HEPS	Historic Environment Policy for Scotland (Historic Environment Scotland 2019)	The policy statement seeks to direct decision making that affects the historic environment. The HEPS sets out how to approach decision in the planning system affecting the historic environment. The six policies of the new policy statement are: <ol style="list-style-type: none"> <li>1. Decisions affecting the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.</li> <li>2. Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.</li> <li>3. Plans, programmes, policies and strategies and the allocation of resources should be approached in a way that protects and promotes the historic environment. If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.</li> <li>4. Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate. If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.</li> <li>5. Decisions affecting the historic environment should contribute to the sustainable development of communities and places.</li> <li>6. Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. Decision-making processes should be collaborative, open, transparent and easy to understand.</li> </ol>
Guidance Note Series	Managing Change in the Historic Environment (Historic	The series describes how to apply the policies contained in the Scottish Historic Environment Policy (2009) (SHEP) and Scottish Planning Policy (2010). The guidance notes that are of particular relevance to the proposed scheme are 'Demolition' and 'Setting'. These documents set out the principles that apply to the demolition of listed buildings and unlisted buildings in conservation areas and those

Reference	Title	Summary of Document
	Environment Scotland 2010-2019)	principles that apply to developments affecting the setting of historic assets or places.
<b>PANs</b>		
PAN 2/2011	Planning and Archaeology (Scottish Government 2011b)	This PAN accompanies Scottish Planning Policy (SPP), Scottish Historic Environment Policy (SHEP) and the Managing Change in the Historic Environment Guidance Notes, which together set out the Scottish Ministers' policies for planning and the historic environment. The PAN includes guidance on archaeological assessments and field assessments as well as arrangements for mitigation. The PAN promotes the protection and preservation of archaeological sites and monuments, and their settings, in situ wherever feasible. Where preservation in situ is not possible, advice is provided on an appropriate level of excavation, recording, analysis, publication and archiving which should be carried out before and/or during development.
PAN 78	Inclusive Design (Scottish Executive 2006c)	PAN 78 Supports the government's aim of promoting more equality in the areas where we live and work. The PAN aims to explain the importance of inclusive design, identify the nature of the problems experienced in designing inclusive environments and describe the legislative context. It also outlines the roles of the different stakeholders in delivering inclusive design and identifies the particular challenges of applying inclusive design when altering the historic environment to ensure accessibility for all users.

1.9.5 Table 16 provides a summary of the key development plan policies that are of relevance to effects on Cultural Heritage.

**Table 16: Development Plan Policy for Cultural Heritage**

Reference	Title	Summary of Policy
<b>Highland-wide Local Development Plan (2012)</b>		
Policy 28	Sustainable Design	See Table 2 above for full policy details
Policy 29	Design Quality and Place-Making	See Table 6 above for full policy details
Policy 57	Natural, Built and Cultural Heritage	See Table 2 above for full policy details

## 1.10 Chapter 15: People and Communities: Community and Private Assets

1.10.1 Key principles of SPP on community and private assets are:

- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting delivery of accessible housing, business, retailing and leisure development;
- promoting regeneration and the full and appropriate use of land, buildings and infrastructure;
- having regard to the principles for sustainable land use set out in the Land Use Strategy; and
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation.

1.10.2 SPP sets out subject policy guidance on Community and Private Assets in Supporting Business and Employment (paragraphs 92 to 108). SPP indicates that the fundamental principle of sustainable development is that it integrates economic, social and environmental objectives. The aim is to achieve the right development in the right place. SPP provides that the planning system should promote development that supports the move towards a more economically, socially and environmentally sustainable society.

1.10.3 Table 17 provides a summary of the key development plan policies that are of relevance to effects on community and private assets.

**Table 17: Development Plan Policy for People and Communities: Community and Private Assets**

Reference	Title	Summary of Policy
<b>Highland-wide Local Development Plan (2012)</b>		
Policy 7	Inshes and Raigmore	<p>The Council will produce a development framework for the Inshes and Raigmore areas (as identified on Map 4), which will be brought forward as supplementary guidance. The guiding principles for such guidance will be:</p> <ul style="list-style-type: none"> <li>to promote, co-ordinate and best utilise improvements to strategic road capacity;</li> <li>to build consensus with the community and stakeholders;</li> <li>to achieve no net detriment to the existing surface water drainage regime and attendant flood risk;</li> <li>the reconfiguration of the Raigmore Medical Campus to allow better public transport and active travel connectivity and to assess the potential for additional primary care facilities in place of staff accommodation;</li> <li>the southern expansion of the Police Headquarters;</li> <li>the reconfiguration and potential expansion of Inshes Retail Park provided that expansion helps deliver improvements in strategic road capacity; and</li> <li>provision for mitigation measures in relation to any identified environmental issues.</li> </ul>
Policy 10	Beechwood Campus	<p>The Council supports the development of the first phase of Beechwood Campus during the period 2011-2016 and the second phase after 2016. Any development at this location for the second phase will be supported by a detailed masterplan for campus related uses to the west of the railway and for business and commercial to the east of the railway line. The masterplan should also make provision for a public transport interchange, with consideration being given to the opening of a new rail halt and park and ride facility.</p> <p>The development of the first phase will be accompanied by the following developer requirements:</p> <p><u>Transport</u></p> <ul style="list-style-type: none"> <li>Pedestrian and cycle bridge links towards Inverness city centre, Inverness retail and business park, and the later phases of the campus site;</li> <li>Two vehicular accesses with an entrance from Culloden Road and an exit point on Caulfield Road North;</li> <li>Delivery of recreational access to the site;</li> <li>Reservation of land for the potential route of the A96-A9 Trunk Road;</li> <li>Provide active travel linkages to Inverness City Centre and Inverness Retail and Business Park;</li> <li>Contribution towards the improvement of Inshes roundabout;</li> <li>Contribution towards public transport improvements;</li> <li>Contribution towards improved active travel in the area including cycle lane at Milburn Road;</li> <li>A Green Travel Plan will be required;</li> <li>Accesses should be provided to the edge of allocation and no ransom strips should be created;</li> <li>Local and trunk road improvements will be required subject to discussion with the relevant body; and</li> <li>Car parking should be designed to be safe for all users.</li> </ul> <p><u>Waste</u></p> <ul style="list-style-type: none"> <li>Any development at this allocation will be expected to meet the Council's requirements within Managing Waste in New Residential Developments.</li> </ul> <p><u>Green Networks &amp; Open Space</u></p> <ul style="list-style-type: none"> <li>Linkage to the green network both within the site and linking to the wider green network of adjacent sites, including contribution towards strategic access improvements; and</li> <li>Open space should be delivered in line with the requirements of</li> </ul>

Reference	Title	Summary of Policy
		<p>Open Space in New Residential Developments: Supplementary Guidance.</p> <p><u>Natural, Cultural &amp; Built Heritage</u></p> <ul style="list-style-type: none"> <li>• Consideration should be given to the treatment of monuments and events identified in the Historic Environment Record;</li> <li>• Ashton Farm SAM should be carefully considered and appropriate mitigation put in place;</li> <li>• Safeguarding of habitats for protected species;</li> <li>• A badger survey and protection plan will be required; surveys for other protected species and mitigation plans as required should also be carried out;</li> <li>• No culverting of water courses will be permitted;</li> <li>• Landscape Framework is required; and</li> <li>• Avoidance of any adverse effects on the integrity of the Inner Moray Firth SPA and Ramsar site.</li> </ul> <p><u>Design</u></p> <ul style="list-style-type: none"> <li>• A design framework will be required to ensure development fits with the landscape character of the area.</li> </ul> <p><u>Education</u></p> <ul style="list-style-type: none"> <li>• Any residential development on this site may be required to provide developer contributions towards education provision in line with Education and New Residential Development: Supplementary Guidance.</li> </ul> <p><u>Housing</u></p> <ul style="list-style-type: none"> <li>• Any residential development on this site will be required to deliver a minimum of 25% affordable housing.</li> </ul> <p><u>Miscellaneous</u></p> <ul style="list-style-type: none"> <li>• Specific drainage strategy and Flood Risk Assessment to demonstrate safeguarding of watercourses and flood plain; and</li> <li>• Limited use of street lighting.</li> </ul> <p>As well as those set out above, development of the second phase will also require to meet the following developer requirements:</p> <p><u>Transport</u></p> <ul style="list-style-type: none"> <li>• Contribution towards the A9-A96 Link road (or alternatives arising from the design work being carried out);</li> <li>• Contribution in line with an amended A96 Protocol towards strategic infrastructure; and</li> <li>• Contribution toward local road improvements.</li> </ul> <p><u>Green Networks &amp; Open Space</u></p> <ul style="list-style-type: none"> <li>• Contributions toward the A96 Green Network as set out in Highland Green Network: Supplementary Guidance.</li> </ul>
Policy 11	Inverness Retail and Business Park	<p>The Council will support the development of additional bulky goods retailing in the period from 2011-2016 at Inverness Retail and Business Park on the site allocated on the East Inverness map) subject to the following developer requirements:</p> <p><u>Transport</u></p> <ul style="list-style-type: none"> <li>• Improvements to the A96 Trunk Road roundabout including enlargement and signalisation and any other improvements required by Transport Scotland;</li> <li>• Improvements to the internal road layout within the Retail and Business Park;</li> <li>• Provision of unfettered access to the land adjacent to the Retail and Business Park in the interests of enabling future developments in east Inverness;</li> <li>• Provision of access to the development at Stoneyfield Business</li> </ul>

Reference	Title	Summary of Policy
		<p>Park to ensure a free flow of pedestrian and cycling access throughout the area;</p> <ul style="list-style-type: none"> <li>• A contribution will be required to identified trunk and local road improvements required associated with this development;</li> <li>• Provide active travel linkages to &amp; from the site, including to Beechwood Business Park and Campus; and</li> <li>• Car parking should be designed to be safe for all users.</li> </ul> <p><u>Waste</u></p> <ul style="list-style-type: none"> <li>• Any development at this allocation will be expected to meet the Council's requirements within Managing Waste in New Residential Developments.</li> </ul> <p><u>Green Networks &amp; Open Space</u></p> <ul style="list-style-type: none"> <li>• Linkage to the green network both within the site and linking to the wider green network of adjacent sites, including contribution towards strategic access improvements;</li> </ul> <p><u>Natural, Cultural &amp; Built Heritage</u></p> <ul style="list-style-type: none"> <li>• Safeguarding of habitats for protected species;</li> <li>• Consideration should be given to the treatment of monuments and events identified in the Historic Environment Record;</li> <li>• A badger survey and protection plan will be required; surveys for other protected species and mitigation plans as required should also be carried out;</li> <li>• Due consideration should be given to making the best use of the site taking into account existing and planned adjacent uses and the topography of the site; and</li> <li>• No culverting of water courses will be permitted.</li> </ul> <p><u>Design</u></p> <ul style="list-style-type: none"> <li>• High quality design will be a key consideration.</li> </ul> <p><u>Miscellaneous</u></p> <ul style="list-style-type: none"> <li>• A sustainable drainage system plan will be required;</li> <li>• Protection of natural watercourses, including flood plain;</li> <li>• Limited use of street lighting; and</li> <li>• All development on the site will be strictly limited to bulky goods retailing.</li> </ul>
Policy 12	Stratton	<p>The Council will support the long term development at Stratton in East Inverness subject to the following phasing of development. Only that development outlined in the table below will be supported in the 2011-2016 period, subject to the developer requirements set out below.</p> <p><u>Transport</u></p> <ul style="list-style-type: none"> <li>• Dualling of the A96 between the Smithton and Inverness Retail and Business Park roundabouts;</li> <li>• Developer Contributions to Milburn Road cycle lane;</li> <li>• Provision of local distributor roads developed to the boundaries of the site which will provide unfettered access for later phases of development in East Inverness;</li> <li>• Provision of a Park and Ride site;</li> <li>• Car parking should be designed to be safe for all users;</li> <li>• Contributions towards local road improvements arising from the impacts of this development at Inshes roundabout;</li> <li>• Improvements to Smithton Roundabout;</li> <li>• Signalise all arms and changing lanes markings at Raigmore Interchange;</li> <li>• Lane markings will be required on the B865 approaches to Millburn roundabout;</li> <li>• Signalisation and lane improvements at Longman roundabout;</li> <li>• Improvements to West Seafield roundabout;</li> <li>• Provision of a right turn lane at the signalised junction between Barn Church Road and Tower Road;</li> <li>• Provide active travel linkages to key community facilities;</li> <li>• Provide active travel linkages within and out with the site;</li> <li>• Developer contributions will be sought towards public transport improvements;</li> <li>• Developer contributions will be sought towards transport infrastructure interventions; and</li> </ul>

Reference	Title	Summary of Policy
		<ul style="list-style-type: none"> <li>Upgrade of Barn Church Road.</li> </ul> <p><u>Waste</u></p> <ul style="list-style-type: none"> <li>Any development at this allocation will be expected to meet the Council's requirements within Managing Waste in New Residential Developments;</li> </ul> <p><u>Green Networks &amp; Open Space</u></p> <ul style="list-style-type: none"> <li>Linkage to the green network both within the site and linking to the wider green network of adjacent sites, including contribution to the Inverness-Nairn Coastal and Landward trails;</li> <li>Open space should be delivered in line with the requirements of Open Space in New Residential Developments: Supplementary Guidance;</li> </ul> <p><u>Natural, Cultural &amp; Built Heritage</u></p> <ul style="list-style-type: none"> <li>Landscape Framework is required;</li> <li>Consideration should be given to the treatment of monuments and events identified in the Historic Environment Record;</li> <li>Avoidance of any adverse effects on the Inner Moray Firth SPA/Ramsar site and Longman and Castle Stuart Bays SSSI;</li> <li>A badger survey and protection plan will be required; surveys for other protected species and mitigation plans as required should also be carried out;</li> <li>Recreation Management Plan will be required;</li> </ul> <p><u>Miscellaneous</u></p> <ul style="list-style-type: none"> <li>Specific drainage strategy and Flood Risk Assessment to demonstrate safeguarding of natural watercourses and flood plain.</li> </ul> <p>In addition to contributions with the issues raised above, development of the later phases of Stratton will also require to meet the following developer requirements:</p> <ul style="list-style-type: none"> <li>Contribution towards the A9-A96 Link road (or alternatives arising from the design work being carried out).</li> </ul>
Policy 28	Sustainable Design	See Table 2 above for full policy details.
Policy 29	Design Quality and Place-Making	See Table 6 above for full policy details
Policy 34	Settlement Development Areas	<p>We will support proposals within Settlement Development Areas (as defined in the existing local plans and future area local development plans) if they meet the requirements of Policy 28: Sustainable Design and all other relevant policies of the plan.</p> <p>We will also judge proposals in terms of how compatible they are with the existing pattern of development and landscape character, how they conform with existing and approved adjacent land uses, and the effect on any natural, built and cultural heritage feature (see Policy 57, Appendix 2, the Proposals Map and background maps within the relevant (area) local development plan(s)).</p> <p>Developments which are judged to be significantly detrimental in terms of the above criteria will not be supported unless there are clear material considerations which would justify permission being granted.</p>
Policy 40	Retail Development	<p>Retail development proposals will be favourably considered when the following criteria are met:</p> <ol style="list-style-type: none"> <li><b>within identified city/town/village centres</b> <ul style="list-style-type: none"> <li>Proposals should aim to maintain or enhance the quality of existing centres, taking into account Policies 28 and 29. Within that policy framework new development should seek to consolidate traditional high streets, respecting visual impact and built form, and any settlement statement and supplementary guidance relating to that settlement.</li> </ul> </li> <li><b>for edge of city/town/village centre locations</b> <ul style="list-style-type: none"> <li>where there is no suitable site within the city/town/village centre in line with the sequential approach; and</li> <li>Where there would be no detrimental impact on the vitality and viability of the city/town/village centre.</li> </ul> </li> <li><b>for out of centre locations</b> <ul style="list-style-type: none"> <li>Where there are no suitable sites within the city/town/village centre or within edge of town centre locations in line with the sequential approach;</li> </ul> </li> </ol>

Reference	Title	Summary of Policy
		<ul style="list-style-type: none"> <li>Where there would be no detrimental impact on the vitality and viability of the city/town/village centre; and</li> <li>Where good active travel and public transport accessibility exists or can be secured.</li> </ul>
Policy 41	Business and Industrial Land	<p>The Council will support the development of strategic business and industrial sites/locations as indicated on the Proposals Map and listed below. Area local development plans will further identify and specify business and industrial sites within the settlements listed below and elsewhere. The Council will safeguard each site from other competing uses unless a development plan review concludes that the site is no longer required or suitable for business and industrial purposes. Scrabster, Forss, Thurso Business Park, Murkle Bay, Wick, Brora, Golspie, Dornoch, Tain, Nigg, Delny, Cromarty Industrial Park, Inverbekie, Alness Business Park, Highland Deephaven, Evanton Industrial Estate, Dingwall Business Park, Muir of Ord, Kishorn, Lochalsh Business Park, Portree Industrial Estate, Broadford Industrial Estate, Corpach, Blar Mor Industrial Estate, Glen Nevis Business Park / Ben Nevis Industrial Estate, Kinlochleven Business Park, Carse Industrial Estate, Inverness East, Inverness Airport Business Park, Nairn South, Balmakeith.</p> <p>In the first instance, proposals for new business and industrial development will be directed to these sites and other land already allocated for or accommodating an existing employment use. However, the Council will also support the principle of business and industrial proposals outwith these sites/areas if the land requirement is from an emerging industry with uncertain size and locational characteristics (such as marine renewables) or there is another unforeseen element to the requirement (such as a large inward investment). Developers will have to demonstrate that their proposals cannot reasonably be accommodated on existing allocated industrial and business sites. Such proposals will also still need to be assessed against other parts of the development plan and should set out and follow principles which accord with the vision and spatial strategy of this Plan.</p> <p>Supplementary Guidance which follows this approach may be prepared where time allows and the complexity of the issue suggests it appropriate.</p>
Policy 43	Tourism	<p>Proposals for tourist facilities will be assessed as to whether:</p> <ul style="list-style-type: none"> <li>the scale of the proposal is proportionate to its location/settlement;</li> <li>the site is within a settlement boundary and whether it will complement existing/allocated tourist facilities within that settlement;</li> <li>the proposal will increase the length of peoples stay, increase visitor spending or promote a wider spread of visitors;</li> <li>the proposal will safeguard, promote responsible access, interpretation and effective management or enhancement of natural, built and cultural heritage features; and</li> <li>Area local development plans will identify more specific opportunities for enhancement of existing tourism facilities and areas where a co-ordinated approach to tourism is needed.</li> </ul>
Policy 52	Principle of Development in Woodland	See Table 6 above for full policy details.
Policy 75	Open Space	<p>The Council's long term aim for open space provision is for:</p> <ul style="list-style-type: none"> <li>the creation of sustainable networks of open space of high quality;</li> <li>areas of local open space that are accessible by foot and linked to a wider network;</li> <li>fit for purpose greenspaces and sports facilities that support and enhance biodiversity; and</li> <li>open spaces that improve the quality of life of residents and visitors.</li> </ul> <p>To achieve these aims any new residential development of 4 or more dwellings will be required to provide publicly accessible open space in line with the quantity, quality and accessibility requirements set out in the Open Space in New Residential Development: Supplementary Guidance.</p> <p>Existing areas of high quality, accessible and fit for purpose open space will be safeguarded from inappropriate development and enhancement will be sought, where appropriate. All sites identified in the Highland Council's Audit of Greenspace will be safeguarded unless:</p>

Reference	Title	Summary of Policy
		<ul style="list-style-type: none"> <li>it can be suitably demonstrated that the open space is not fit for purpose;</li> <li>substitute provision will be provided meeting the needs of the local area; or</li> <li>development of the open space would significantly contribute to the spatial strategy for the area.</li> </ul>
Policy 76	Playing Fields and Sports Pitches	<p>Playing fields will be safeguarded from development and should not be redeveloped, except where:</p> <ul style="list-style-type: none"> <li>The proposed development is ancillary to the principal use of the site as a playing field;</li> <li>The proposed development involved a minor part of the playing field which would not affect its use and potential for sport and training;</li> <li>The playing field which would be lost would be replaced by a new playing field of comparable or greater benefit for sport in a location which is convenient for its users, or by the upgrading of an existing playing field to provide a better quality facility either within the same site or at another location which is convenient for its users and which maintain or improved the overall playing capacity in the area; or</li> <li>It can be clearly demonstrated that there is an excess of sports pitches to meet current and anticipated future demand in the area, and that the site could be developed without detriment to the overall quality of provision.</li> </ul>
<b>Inner Moray Firth Local Development Plan (2015)</b>		
Policy 1	Promoting and Protecting City and Town Centres	<p>The Council will not support any proposal for development that is likely to have an adverse effect on the vitality and viability of any of the centres listed below (includes Inverness, Nairn and Tornagrain) and highlighted on the maps in Section 4 of the LDP.</p> <p>Developers of proposals that generate footfall (visits by the general public) should consider sites that are suitable, in terms of the scale and type of development proposed, within those centres listed below. Developers should also consider how appropriate the scale and type of their proposed development is to the hierarchical scale and function of the centre within which it is proposed. If the Council considers that a proposal may result in an adverse impact on the vitality and viability of any of these centres then the developer will be required to produce a retail impact assessment. If this demonstrates an adverse impact then the development proposal will not be supported.</p>
Policy 2	Delivering Development	<p>Development of the locations and uses specified in Section 4 of the Plan will be supported subject to provision of the necessary infrastructure, services and facilities required to support new development proposed as indicated in this Plan.</p> <p>Larger sites must be appropriately masterplanned. Each phase of development will need to show its relationship to this overall masterplan and demonstrate how the required infrastructure will be delivered.</p> <p><u>Other Settlements</u></p> <p>While the Plan focuses the majority of its growth on larger settlements in the area, there are a number of smaller settlements where encouragement of further, limited development may help sustain one or more local facilities such as the local primary school or village hall. These settlements are shown on Map 3 of the IMFLDP, and Policy 3 outlines the criteria to guide development in these locations.</p>

## 1.11 Chapter 16: People and Communities: Effects on All Travellers

1.11.1 Key principles of SPP relevant to assessing effects on all travellers including effects on vehicle travellers (e.g. view from the road, driver stress) and effects on pedestrians, cyclists and equestrians are:

- supporting good design and the six qualities of successful places;
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;

- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment; and
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies.

1.11.2 PANs published by the Scottish Government provide further guidance on specific topics. Details of relevant PANs are summarised in Table 18.

**Table 18: National Planning Guidance and Advice**

Reference	Title	Summary of Document
PAN 75	Planning for Transport (Scottish Executive 2005)	Aims to create greater awareness of how linkages between planning and transport can be managed. It highlights the roles of different bodies and professions in the process and points to other sources of information on the overlap of the two sectors.
PAN 77	Designing Safer Places (Scottish Executive 2006d)	Aims to create greater awareness of how linkages between planning and transport can be managed. It highlights the roles of different bodies and professions in the process and points to other sources of information on the overlap of the two sectors.
PAN 78	Inclusive Design (Scottish Executive 2006c)	Refer to Table 15 for full details.

1.11.3 Table 19 provides a summary of the key development plan policies that are of relevance to effects on effects on all travellers.

**Table 19: Development Plan Policy for People and Communities: Effects on all Travellers**

Reference	Title	Summary of Policy
<b>Highland-wide Local Development Plan (2012)</b>		
Policy 28	Sustainable Design	See Table 2 above for full policy details.
Policy 29	Design Quality and Place-Making	See Table 6 above for full policy details.
Policy 30	Physical Constraints	See Table 6 above for full policy details.
Policy 43	Tourism	See Table 17 above for full policy details.
Policy 56	Travel	<p>Development proposals that involve travel generation must include sufficient information with the application to enable the Council to consider any likely on- and off- site transport implications of the development and should:</p> <ul style="list-style-type: none"> <li>• be well served by the most sustainable modes of travel available in the locality from the outset, providing opportunity for modal shift from private car to more sustainable transport modes wherever possible, having regard to key travel desire lines;</li> <li>• in particular the Council will seek to ensure that opportunities for encouraging walking and cycling are maximised;</li> <li>• be designed for the safety and convenience of all potential users;</li> <li>• incorporate appropriate mitigation on site and/or off site, provided through developer contributions where necessary, which might include improvements and enhancements to the walking/cycling network and public transport services, road improvements and new roads; and</li> <li>• incorporate an appropriate level of parking provision, having regard to the travel modes and services which will be available and key travel desire lines and to the maximum parking standards laid out in Scottish Planning Policy or those set by the Council.</li> </ul> <p>When development proposals are under consideration, the Council's Local Development Strategy will be treated as a material consideration. The Council will seek to ensure that locations with potential for introducing bus priority measures are protected from development.</p> <p>The Council will seek the implementation and monitoring of Green Travel Plans in support of significant travel generating developments. Development proposals that are likely to affect the operation of any level crossing will be considered in accordance with the relevant part of the supplementary guidance associated with</p>

Reference	Title	Summary of Policy
		<p>Policy 30: Physical Constraints.</p> <p>Where site masterplans are prepared, they should include consideration of the impact of proposals on the local and strategic transport network. In assessing development proposals, the Council will also have regard to any implications arising from the relevant Core Paths Plan and will apply the terms of Policy 77: Public Access.</p>
Policy 77	Public Access	<p>Where a proposal affects a route included in a Core Paths Plan or an access point to water, or significantly affects wider access rights, then The Council will require it to either:</p> <ul style="list-style-type: none"> <li>retain the existing path or water access point while maintaining or enhancing its amenity value; or</li> <li>ensure alternative access provision that is no less attractive, is safe and convenient for public use, and does not damage or disturb species or habitats.</li> </ul> <p>For a proposal classified as a Major Development, the Council will require the developer to submit an Access Plan. This should show the existing public, non-motorised public access footpaths, bridleways and cycleways on the site, together with proposed public access provision, both during construction and after completion of the development (including links to existing path networks and to the surrounding area, and access point to water).</p>
Policy 78	Long Distance Routes	<p>The Council, with its partners, will safeguard and seek to enhance long distance routes (as indicated on Figure 11), and their settings. Consideration will be given to developing/improving further strategic multi user routes both inland and along the coast with due regard to the impact on the Natural Heritage features along these routes.</p>
<b>Inner Moray Firth Local Development Plan (2015)</b>		
Policy 2	Delivering Development	See Table 17 above for full policy details.

## 1.12 Chapter 17: Materials

1.12.1 Key provisions of SPP on design and materials are:

- to support sustainable development;
- to encourage the use of sustainable and recycled materials in construction; and
- promote development design that would contribute positively to the built and natural environment.

1.12.2 PANs published by the Scottish Government provide further guidance on specific topics. Details of relevant PANs are summarised in Table 20.

**Table 20: National Planning Guidance and Advice**

Reference	Title	Summary of Document
Scottish Government Advice and Guidance	Planning and Waste Management Advice (Scottish Government 2015b)	This advice on Planning and Waste Management replaced the former PAN 63 – Waste Management Planning (2002), although it possess the same function. It complements NPF3, SPP and Scotland's Zero Waste Plan. The aim of the guidance is to provide step-by-step advice on development planning and development management regarding waste. It outlines and provides guidance on the waste hierarchy and achieving zero waste.

1.12.3 Table 21 provides a summary of the key development plan policies that are of relevance to effects on Materials.

**Table 21: Development Plan Policy for Materials**

Reference	Title	Summary of Policy
<b>Highland-wide Local Development Plan (2012)</b>		
Policy 28	Sustainable Design	See Table 2 above for full policy details.
Policy 53	Minerals and Soils	<p>The Council will support the following areas for mineral extraction:</p> <ul style="list-style-type: none"> <li>• Extension of an existing operation/site;</li> <li>• Re-opening of a dormant quarry;</li> <li>• A reserve underlying a proposed development where it would be desirable to extract prior to development</li> </ul> <p>Before a new site for minerals development will be given permission, it must be shown that other existing reserves have been exhausted or are no longer viable or, for construction aggregates, amount to less than a ten-year supply of permitted reserves.</p> <p>The Council will support borrow pits which are near to or on the site of the associated development if it can be demonstrated that they are the most suitable source of material, are time limited and appropriate environmental safeguards are in place for the workings and the reclamation.</p> <p>Geodiversity will also be considered when assessing proposals; the Council may set out conditions covering working methods, restoration and after use to safeguard the geodiversity value. Geodiversity value may occur outwith designated sites. The Council will encourage opportunities to enhance geodiversity in all relevant development proposals including the potential to create, extend or restore geodiversity interests e.g. during mineral working and restoration.</p> <p>The Council will safeguard all existing economically significant, workable minerals reserves/operations from incompatible development which is likely to sterilise it unless:</p> <ul style="list-style-type: none"> <li>• There is no alternative site for the development; and</li> <li>• The extraction of mineral resources will be completed before the development commences.</li> </ul> <p>All minerals developments will have to provide information on pollution prevention, restoration and mitigation proposals. Restoration should be carried out in parallel with excavation where possible. Otherwise it should be completed in the shortest time practicable. Planning conditions will be applied to ensure that adequate provision is made for the restoration of workings. The Council will expect all minerals developments to avoid or satisfactorily mitigate any impacts on residential amenity, the natural, built and cultural heritage, and infrastructure capacities. After uses should result in environmental improvement rather than just restoring a site to its original state. After uses should add to the cultural, recreational or environmental assets of an area. A financial guarantee may be sought.</p>
Policy 54	Mineral Wastes	See Table 12 above for full policy details.
Policy 72	Pollution	See Table 2 above for full policy details.

## **2**      **References**

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