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Sent: 13 April 2008 22:18
To: NPF Team
Subject: response to NPF2

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Response to Consultative Draft National Planning Framework 2.

Ref para 298 - With particular reference to Highland Council's intention to have the A96 Corridor included as a National Development in the National Planning Framework

Highland Council recently agreed at a PED meeting on 19th March 2008, to put to NPF2 the proposal that the A96 Corridor Development Framework be included as a National Development.

I object most strongly to the inclusion of the A96 Corridor Development Framework being included as a National Development and in particular the inclusion of the proposed new town of Tornagrain for the following reasons:

- a. No proper community consultation at stage 1 of the proposed development framework with the results of same being misrepresented to councillors, resulting in the 'transport' option being chosen. This option includes the proposed new town of Tornagrain. (See annex 1). Myself and others in the community have lodged a complaint with the SPSO with regard to the lack of consultation and misrepresentation of community and community council views in this respect.
- b. At stage 2 of the consultation, Inverness East and Nairn were highlighted along with the green framework for the centre of the corridor. The proposed new town of Tornagrain was only given a brief mention and not given any apparent status. In the summary of representations to this stage 2 consultation a great many people wrote in with concerns in respect of Tornagrain. It appears to the local community that these were dismissed.
- c. After representations from a local action group - Action for Planning Transparency - Highland Council Planning Dept agreed to remove from the document The A96 Growth Corridor Development Framework dated September 2007 the statement 'supported by the communities of the corridor' as they and many other local people did not believe this was a true statement. (see annex 2) Highland Council were asked to inform all recipients of the document of this deletion. I am not aware that they have done so.
- d. Within the A 96 growth corridor development framework document, there are discrepancies in the naming of areas which may lead to confusion. (see section 8 - delivery) Map 1 describes 5 zones , one of which is Tornagrain Development zone. The accompanying tables do not use this named development zone, using instead the name 'Dalcross'. This does not inspire confidence in the competence of the rest of the document, nor indeed in the standards used in compiling and investigation of the results of the consultations used to achieve this document.

IN GENERAL.

Infrastructure:

In respect of water and sewage provision for the proposed A96 corridor, and indeed for any future great increase in development in the Inverness region, no specific proposals have been brought forward as yet. The proposals of waste water disposal to date, in particular in relation to the Whiteness development near Nairn, is akin to the story of the Dutch boy sticking his finger in the dyke. The developer apparently cannot now afford to build a waste water treatment plant at Whiteness and the proposal is to improve and expand the treatment plant at Ardersier at public expense. This is surely contradictory to para 239 and 241 where forward planning was not properly considered. Neither does it appear to be so for the future. See para 187 - safeguarding marine and coastal ecosystems - The Moray Firth has a National Heritage designation and this must be treated with the greatest respect when dealing with effluent disposal on this coastline.

With reference to raw water supply, see paras 22, 238, 239 and 240, Scottish Water in its A96 Corridor Interim report stage 3 - water supply dated 10/01/07 stated in part 5 conclusions 'The current water supply and treatment capacities appear to be approaching their upper limits with headroom in the existing service reservoirs and distribution mains very limited and unable to be distributed due to trunk mains sizing.' And 'The current abstraction from existing sources is greater than the estimated yield at times of maximum demand. There is therefore an urgent requirement to investigate and develop an additional raw water source.'

In a recent letter from Scottish Water in response to enquiries from myself Scottish water states 'Further raw water sources are currently being considered as a supplement source, of which Loch Ness is the main option due to its close proximity to Inverness WTW'

Infrastructure such as this needs to be proven to be sustainable and deliverable before permission is given for the A96 corridor development framework is given the status of a National Development.

Waste Management: see Para 75,233 and 234

No consideration has been given to the sustainable disposal and management of waste from the proposed A96 Corridor Development. At present all our waste is being transported outwith the area. With such a proposed increase in population, this can only increase the amount of waste produced and therefore increasing the problem. Given that the Government is urging us to be 'waste aware' the lack of forward thinking in this respect is most disappointing.

Highlands and Islands:

Ref para 270 and 272.

270 states 'there is a need to develop models of sustainable development which are applicable to the geography and settlement pattern of the area, including the needs of island and crofting communities'

272 states 'The A96 corridor between Inverness and Nairn is the main focus of growth in the inner Moray Firth'

These two statements tend to contradict each other in respect of Highland Council area. Highland Council appears to be concentrating all development in A 96 Corridor to the future detriment of the rest of the highlands. This is not a sustainable proposal for the future of the whole Highlands as the result will be the further depopulation of the many small communities who are at present struggling to survive and who would benefit far more from economic inward investment than an already vibrant Moray Firth area. (see also paras 18, 47,49,142,150, 158 and 160)

On page 88 of NPF2 discussion draft - Creation of Sustainable Communities states that 'proposals for the creation of sustainable communities....and have been the subject of discussion with local communities' Tornagrain within the A96 Corridor Framework may have been the subject of discussion but is not welcomed by this community. By including this proposal in the National Planning Framework the local communities affected by this development will then be denied further representation by for example a PLI. On many occasions in the past we have been told in letters from the now retired Director of Planning that we will be able to have opportunity for future community engagement in this particular development as a result of a local planning enquiry.

Also on this page ' In bringing forward proposals certain locations should generally be avoided.....areas which are subject to high levels of noise, for example from aircraft,..or trunk roads:....or would see the loss of a significant area of prime quality agricultural land' Tornagrain qualifies for all three of these reasons for avoiding

Development in this location.

Ref para 23 and 298 -

In response to a request from a member of the community, the NPF team stated that 2300 people across Scotland were sent a letter when this consultation was launched. Statutory bodies and stakeholder groups were asked to cascade the information. Highland Council did not appear to publicise this information widely, if at all. Community Councils who were members of the Scottish Association of Community Councils were the only ones informed of this consultation. In Highland Council area only 20 community councils are members of this organisation out of approx 140 community councils in total.

Ref para 23 - The population in Scotland was just over 5 million in 2006. The people informed and

consulted in this case amounts to a tiny percentage of the population as a whole and is not in the spirit of PAN81.

I myself only discovered about this consultation due to a casual remark by a friend who had signed up for planning updates.

With reference to para 298 - we are all stakeholders in the future of planning in our relative part of Scotland.

It is disappointing in the extreme that, given the Scottish Government appears to wish communities to become more involved in planning within their communities, the National Planning Framework 2 consultation is unable to set the standard in community engagement.

Yours sincerely,

Alison Lowe

Attachments to representation:

Annex 1

1. At stage 1 of the proposal, community engagement was very poor indeed. The firm of F.G. Burnett, were tasked by Highland council to undertake the stage 1 consultation and sub contracted some of the work to Craigforth Consultancy.

There were initially 8 options to be taken forward for the A96 corridor, which were then reduced to four by the time the community was consulted.

I myself was a participant in one of the four focus groups run by the Craigforth consultancy late in 2004 held at Inverness Airport. I attended the fourth and final session.

There were no minutes taken and the meeting had an informal approach. I understood much later that this was because this was seen to be a 'scoping' meeting of a cross section of the public and a general view was being sought. At no time during this meeting was I, or anyone else attending that I knew there and spoke to later, under the impression that the 'transport' option came out as the preferred option of four presented to us.

In a publication dated June 2005 Highland Council produced an 'Information Sheet' entitled 'A96 Corridor Masterplan' in which it stated under the heading 'conclusion', that: " This shows that the land use and transport options received a strong support from the technical and stakeholder assessments. However, when community considerations were taken into account, the most broadly supported option was Transport - a new settlement in the centre of the Corridor."

It also stated that , under the heading 'selection' "these options were tested by....taking a sample of local views through a Community Councils' conference and focus groups"

I subsequently discovered after talking to other members of the community and a great deal of joint investigation - for example looking at the Craigforth report, that these claims were false. In fact I believe the statements above contained in this 'Information Sheet' are a misrepresentation of the views of the Focus groups in general, and in particular of the so called Community Councils' conference at which Community Councillors were told that they were only there as informed individuals and not as Community Councillors.

I attended a public meeting in Croy Public Hall in July 2005 which I believe was a part of the 'consultation' asked for by some Councillors. At this meeting the 'Information Sheet' referred to above was made available and a presentation given by Mike Greaves (Highland Council Planner). At this meeting we were left in no doubt that the only option available that evening for consideration was the 'Transport' option.

It was apparent that a decision had already been made, with the justification for the decision being the misrepresented views of four focus groups and one Community Council 'conference'. This was before going to PDET committee for agreement to continue the master planning exercise on 17th August 2005

There were 120 members of the public at the meeting in Croy and I do not recollect there being anyone in favour of the 'Transport' option except for the Highland Council Planners present that evening. The only minute I believe to have been taken of this meeting was by Croy Community Council.

Highland Council PDET Committee made a final decision in August based on the flawed results of scoping groups totalling approx 62 members of the public (albeit containing some 12 Community Councillors acting as informed members of the community) (see Craigforth report) and it therefore had no due regard to the wishes and representations of the community neither in the past nor it seemed in the future. The opinions of us as a community were therefore, to us, immaterial and unworthy of due consideration. We have a right to have our opinions sought and having had them sought, to be given due regard. This has not happened.

This misrepresentation of our views has caused the A96 Masterplan with the 'Transport' option included to continue unabated, with no regard to community concerns and a great deal of public money being spent on consultants fees on this one option, decided at a very early stage regardless of Craigforth report recommending further public consultation.

Annex 2 - Letter from Highland Council their ref: ER26.2.2



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Date: 17 March 2008

A96 CORRIDOR

Attention has been drawn to the text contained in the acknowledgement section of the A96 Growth Corridor Development Framework, which was approved by the Planning Environment and Development Committee in September 2007.

This acknowledgement section of the Framework sets out the project team responsible for the production of the document (Highland Council, Halcrow, and various other advisors) and then under this states as follows:

"SUPPORTED BY

With collaboration from the stakeholders across the Corridor including Scottish Natural Heritage, Scottish Environmental Protection Agency, Historic Scotland, Scottish Water, Highlands and Islands Enterprise, University of the Highlands, Transport Scotland, Hitrans, Cawdor Estate, Cawdor Maintenance Trust, Moray Estates, Inverness Estates, the Whiteness Development Company, the communities of the Corridor and others"

The intention in setting out this list in the acknowledgement section was to clearly state that others had contributed information and views to the ongoing preparation of the document and thereby assisted in its development. In these terms they supported (i.e. assisted) with the work carried out. It was not intended to mean that everyone so listed actually agreed with the content in totality.

The press release issued with the document in December 2007 made this clear in the following terms:

"Some concerns have been raised by other public bodies – most notably the Scottish Environment Protection Agency. Following discussions with the Council, the agency is now supportive of the Framework being brought forward to the next stage, on the basis that further work is undertaken to ensure that the detailed masterplans that come forward avoid areas of flood risk, and that the proposals for water supply and wastewater treatment are progressed in tandem with developments coming forward.

A number of objections have been received to the proposals contained within it, including some from local Community Councils and a newly formed action group. In taking the development proposals for this area forward through the Local Development Plan, further community participation is seen as fundamental. Both councillors (Councillor Sandy Park, Convener and Drew Hendry, Chairman of the Planning Environment and Development Committee) are committed to involving as many people as possible in developing the strategy for the A 96 corridor".

it has been pointed out by your group that there is room for misunderstanding as to what the use of the word "supported" refers to, this was not intentional, however we are happy to amend this in future to avoid any further misunderstanding and would apologise for any inconvenience caused. In order to ensure clarity and to help focus attention on the actual content of the Framework, the Council has decided that future printed versions of the document and the version available on the Council's web-site will be altered to remove the phrase "supported by", but retain reference to the fact that the work carried out over the last few years has involved collaboration with a range of different groups.

