



**WESTERN ISLES  
LOCAL PLAN**

**SCHEDULE  
OF  
REPRESENTATIONS  
AND  
RECOMMENDED  
ACTIONS**

November 2006

## LIST OF THOSE MAKING REPRESENTATIONS

REP Ref	Name	Organisation	Address
1	Douglas Jamieson		10 East Street, Sandwick, Stornoway
2	Donald J Mackinnon		1 Hushinish, Isle of Harris, HS3 3AY
3	Brian and Kath Griffiths		9 Backhill, Berneray, North Uist, HS6 5BD
4	John Mackenzie		8 Breaclet, Bernera, Isle of Lewis, HS2 9LT
5	Angus McCormack		25 North Street, Sandwick, Stornoway, Isle of Lewis, HS2 0AD
6	Mrs A Mackay		20 Marybank, Isle of Lewis, HS2 ODD
7	Mr Tom Jourdan		Kyles House, Leverburgh, Harris, HS5 3TY
8	Mr R M Hitchcock		Hambledon, 16 Jackson Close, Epsom, Surrey KT18 7RA
9	Angus John & Christina Maclean		13 Cross Skigersta Road, Ness, Isle of Lewis HS2 OTB
10	Roddy Macleod	Manor Park Developments (Sty) Ltd	Duthus House, 46 Church Street, Stornoway, Isle of Lewis.
11	Mr Angus Campbell		27 North Street, Sandwick, Isle of Lewis
12	Ms Katie Adderley		The British Wind Energy Association 1 Aztec Row Berners Road London N1 OPW
13	Diane and Bevan Craddock		44 Haling Road, Penkridge, Stafford ST195DA
14	Trevor Koronka		Struiehill Cottage, Path Of Condie, Forgandenny, Perth, PH2 9DW
15	Christopher Buxton		Mulberry House, Little Wilbraham, Cambridge CB1 5LE
16	Alasdair Martin		27 Upper Shader, Barvas, Isle of Lewis, HS2 ORQ
17	Jack Macleod		2 Garynahine, Isle of Lewis, HS2 9DS
18	Carol Gilbert	Scotair Properties Ltd	54 Beach Road, Troon, Ayrshire, KA10 6SX
19	Bob Graham		Craigsview, Inchberry, Orton, Moray, IV32 7QH
20	Janet Pamment		Croitanna, 68 Lighthill, Back, Isle of Lewis, HS2 OLF
21	John Pamment		Croitanna, 68 Lighthill, Back, Isle of Lewis, HS2 OLF
22	Nicholas Pamment		Croitanna, 68 Lighthill, Back, Isle of Lewis, HS2 OLF
23	Katie Pamment		Croitanna, 68 Lighthill, Back, Isle of Lewis, HS2 OLF
24	Justin Busbridge		3 Tolstachaolais, Isle of Lewis, HS2 9DW
25	Stewart Wilson	Tighean Innse Gall	41A Point Street, Stornoway, Isle of Lewis, HS1 2XF
26	John Cable		Birchgrove, Lochdon, Isle of Mull, PA64 6AP
27	Donald Macleod	Co-Chomunn na Pairc	Ravenspoint Visitor Centre, Kershader, Isle of Lewis, HS2 9QA
28	C A Macdonald		Gisla Lodge, Gisla, Uig, Isle of Lewis, HS2 9EW
29	Anne Campbell	Mointeach gun Mhuileann	59 South Bragar, Isle of Lewis, HS2 9DD
30	Martyn Imrie		15 Marvig, Lochs, Isle of Lewis, HS2 9QP
31	Michael Robson		10 Port of Ness, Isle of Lewis, HS2 OXA
32	Catherine G Cowan		20 Newvalley, Isle of Lewis, HS2 ODN
33	Maurice J Cowan		20 Newvalley, Isle of Lewis, HS2 ODN
34	Fiona C Cowan		The Crofthouse, 20 Newvalley, Isle of Lewis HS2 ODN
35	James MacKay	SEPA	Graesser House, Fodderty Way, Dingwall, IV15 9XB
36	Stephen Cummings	Sportscotland	Caledonia House, South Gyle, Edinburgh

REP Ref	Name	Organisation	Address
			EH12 9DQ
37	Martin S Scott	RSPB	Office 2, Clintons Yard, Rigs Road, Stornoway, Isle of Lewis, HS1 2RF
38	Dr Jeremy Carter		2 Waterstein, Isle of Skye, IV55 8WT
39	Murdina Murray		49 North Galson, Isle of Lewis, HS2 OSJ
40	Malcolm S Murray		49 North Galson, Isle of Lewis, HS2 OSJ
41	Joan M Mackenzie		124 Cross Skigersta Road, Port of Ness, Isle of Lewis
42	Donald Mackenzie		124 Cross Skigersta Road, Port of Ness, Isle of Lewis
43	Murdo Morrison		114 Cross Skigersta Road, Port of Ness, Isle of Lewis
44	Mrs J M Imrie		16 Steinish, Isle of Lewis, HS2 OAA
45	David MacIennan	SNH	32 Francis Street, Stornoway, Isle of Lewis
46	Peter Clarke		264 Alexandra Park Road, London, N22 7BG
47	Murdo Maclean		62 South Bragar, Isle of Lewis, HS2 9DD
48	Morris Black Chair	Pairc Community Council	Hillhouse, 6 Garyvard, South Lochs, Isle of Lewis
49	Janet Clark		24 Annandale Street, Edinburgh, EH7 4AN
50	Colin N Maclean		17 South Bragar, Isle of Lewis, HS2 9DH
51	Catherine Morrison		45 South Bragar, Isle of Lewis, HS2 9DD
52	Jane Twelves Clerk	Locheynort Grazings Committee	Unasary, South Locheynort, South Uist, HS8 5SL
53	Angus John Corbett		12 Lionel, Ness, Isle of Lewis, HS2 OXB
54	J H Macleod		59 South Bragar, Isle of Lewis, HS2 9DD
55	Anne Christina Campbell		59 South Bragar, Isle of Lewis, HS2 9DD
56	Iain M Macleod		47 South Bragar, Isle of Lewis, HS2 9DD
57	Catherine Ann Macleod		47 South Bragar, Isle of Lewis, HS2 9DD
58	Glenn C Osborne		20 Upper Carloway, Isle of Lewis, HS2 9AG
59	Kirsty Macdonald		20 Upper Carloway, Isle of Lewis, HS2 9AG
60	Helen MacKenzie Chair	Ness Community Council	Ness Hall, North Dell, Isle of Lewis, HS2 OSW
61	John Smith		The Cottage, Garynahine, Isle of Lewis, HS2 9DS
62	Donald Macleod		52 North Shawbost, Isle of Lewis, HS2 9BQ
63	Iain A Macleod		22A Lower Shader, Barvas, Isle of Lewis, HS2 ORH
64	Michael Briggs		Bun-na-Gille, Bunabhainneadar, Isle of Harris HS3 3AL
65	Peggy Briggs		Bun-na-Gille, Bunabhainneadar, Isle of Harris HS3 3AL
66	D M Prentice		The Smiddy, Tibbermore, Perth, PH1 1QJ
67	Gail Campbell	G L Hearn for Co-operative Group	241 St Vincent Street, Glasgow, G2 5QY
68	Kenny Macleod		54 Leurbost, Lochs, Isle of Lewis, HS2 9NS
69	Malcolm Macphail	Scottish Water	Gleann Seilleach Business Park, Stornoway, Isle of Lewis, HS1 2EP
70	Robert Wemyss	Scottish Wildlife Trust	Willowglen House, Willowglen Road, Stornoway, Isle of Lewis, HS1 2EP
71	Alasdair MacEachen		15 Aird, Benbecula
72	Mark Swinbank		1 Rosebery Mews, Mentmore, Leighton Buzzard, Bedfordshire, LU7 OUE
73	D M Macaulay	Western Isles Enterprise	James Square, 9 James Street, Stornoway, Isle of Lewis, HS1 2QN
74	Samantha Sedgewick		Crannich Farm, Aros, Isle of Mull, PA72 6OP
75	Dr A J Macleod		Comann na Mara, Lochmaddy, North Uist, HS6 5AE

<b>REP Ref</b>	<b>Name</b>	<b>Organisation</b>	<b>Address</b>
<b>76</b>	Graham McLellan		29 Kenneth St, Stornoway, HS1 2DR
<b>77</b>	Colin Mackenzie		9 Melbost, Point, Isle of Lewis, HS2 0BG
<b>78</b>	Anthony J Morrison		Ensay, North Street, Sandwick, Stornoway. HS2 0AD
<b>79</b>	Mary Ann Morrison Grazing Clerk	North Street Common Grazing	Ensay, North Street, Sandwick, Stornoway. HS2 0AD

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Map3	Greater Stornoway Map	1/1	Support housing search areas in Sandwick/Parkend areas: makes Sandwickhill School more likely to stay open as roll should increase over longer term.	Support is noted.  <b>No related change to the Local Plan is recommended.</b>
32	Prop LP/ED7	1/2	Need for industrial estate in Stornoway. Creed Business Park too far from town.	The comment is noted. Although an alternative 'new' site to Creed Business Park is not identified in the plan a range of existing industrial areas are identified. The plan policy also indicates how the Comhairle will deal with applications for development on sites other than those identified in the plan.  <b>No change to Local Plan is recommended .</b>
38	Prop LP/HCL3	1/3	Bayhead Estuary needs to be developed soon to go some way to address parking problem in town centre.	Your comments are noted.  <b>No change to Local Plan is recommended.</b>
42	Prop LP/Trans 1	1/4	Option of roundabout at Sandwick Road/Seaforth Road, Mossend Junction to be considered. Mossend road needs widening – would assist future development of area.	The comments raised are not directly Local Plan matters.  <b>No change to the Local Plan is recommended. However, the comments will be passed to the Comhairle's Director of Technical Services for consideration.</b>
42	Prop LP/Trans 1	1/5	Traffic calming needed in Cromwell Street ; more pedestrianisation could be considered also.	The comments raised are not directly Local Plan matters.  <b>No change to the Local Plan is recommended. However, the comments will be passed to the Comhairle's Director of Technical Services for consideration.</b>
32	Prop LP/ED 6	1/6	Urgent need for more quality hotels in Stornoway Area.	This is not a specific Local Plan matter.  <b>No change to the Local Plan is suggested. However, the comment will be passed to Economic Development section for consideration.</b>

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		<b>2</b>	Expression of support.	Support noted.

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	Western Isles Structure Plan Proposal 6	<b>3/1</b>	Due to the potential increase in the volume of traffic, which a fixed link would encourage, especially at the height of the expanding tourist season. We would hope that the existing road through the township of Backhill, would not be considered as many houses are positioned close to the narrow single track, unpaved road, and this would disrupt the peoples quality of life – a major factor in island living. We would be happy if the link by-passes Berneray as the concept is sound.	The comments raised are not directly Local Plan matters.  <b>No change to the Local Plan is suggested. However, the comments will be passed to the Comhairle's Director of Technical Services for consideration.</b>

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	<b>Local Plan General</b>	<b>4</b>	No objection.	Support noted.

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Page No	Policy/Proposal	REP Ref	Representation	Planning Officers Comment and Recommended Action
38	Prop LP/HCL3 Bayhead Estuary	5/1	<p>I have great reservations about the merit of infill in this area in general. However I will restrict my observations to the following:</p> <p>a) I would prefer a wording that ensured that a substantial area of standing water was left here. I should hate to have the river flowing through a concrete embankment. I think at least two thirds of the area should be standing water.</p> <p>f) 'some' is a very vague term. The overview to the Castle Grounds is a very significant feature in this area as it is Cromwell Street. I should like a more definitive insertion here.</p>	<p>Your comments are noted:</p> <p><b>It is recommended that the wording of Prop LP/HCL3 criteria be amended as follows:</b></p> <p><b>a)replace "as a positive" with "to provide a substantial standing water feature".</b></p> <p><b>f) delete the word 'some'.</b></p> <p>The SEA process has highlighted the importance of the area.</p> <p><b>Accordingly an additional Prop LP/HCL3 criteria is recommended as follows:</b></p> <p><b>"i) an Environmental Impact Assessment is carried out."</b></p>
Map 4 (40)	Prop LP/HCL 6 Housing sites outwith Greater Stornoway (and Prop LP/ED/6)	5/2	<p>For clarity I refer to the areas of land marked in pink to the east of Plasterfield Housing Estate and north of Rathad a Mhaoir, and north of Sandwick Road and opposite Knockgarry; both parcels are on North Street Sandwick Grazings.</p> <p>I object to these being denoted as potential housing sites. North Street grazings amounts to c100 acres of good, well managed grazings. It currently supports 15 head of cattle and fifty sheep. The Grazings Committee manages the grazing well through park rotation, rush eradication, fertilising, drainage schemes and fence maintenance. It has not been slow to cooperate in council-led schemes in the public interest such as the widening of the main Sandwick Road and more recently road realignment at Plasterfield.</p> <p>The committee has recently entered into a five year grazings management plan sponsored by the College of Agriculture (Rural Stewardship Scheme) which meets several environmental categories and complies with the Comhairle's objectives on bio-diversity</p> <p>There have been approaches to the Grazings Committee by individuals seeking house sites. These have all been turned down and it is the view of the committee that should consideration of the granting of house sites ever be considered, then local people and their progeny should have first choice.</p> <p>I prefer the strategy used elsewhere where land which is not suitable for agricultural use is allocated for housing in the first instance. There is a need for a green belt between Stornoway and Point. Sandwick's well used and well run grazings serves that purpose.</p>	<p>Your comments are noted.</p> <p><b>In light of the information you and others have supplied. supplied it is recommended that the two housing search area sites to the east of Plasterfield Housing Estate and north of Rathad a Mhaoir, and north of Sandwick Road and opposite Knockgarry be deleted from Map 4 .</b></p>

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	Map 3	<b>6</b>	Expression of support.	Support noted.

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18	LP/ED5	<b>7/1</b>	Supporting caravan and camping sites is the worst possible way of increasing tourism revenue. Most campers bring most of their supplies with them and spend well below average during their visits.	A small number of sites are supported in the Western Isles. Your comments are noted.  <b>No change to the Local Plan is recommended.</b>
18	LP/ED5	<b>7/2</b>	Horgabost is a magnificent wild area and should not be used to make a permanent camping site.	This site refers to an extant planning approval.  <b>No change to the Local Plan is recommended..</b>
42	Prop LP/Trans 2 Spinal Route	<b>7/3</b>	The failure of the Council to ensure the completion of at least a two track road for the complete length of the islands is a disgrace. Commerce, tourism and leisure activity particularly rely on a high standard of road infrastructure which is absent in Harris.	The comments raised are not directly Local Plan matters.  <b>It is recommended that the proposal be updated in line with recent Comhairle policy to read:</b> <i>“It is proposed to upgrade the spinal route and the Comhairle will develop a programme and projects taking into account criteria based on national, regional and local transport objectives.”</i>  The comments made will be passed to the Comhairle’s Director of Technical Services for consideration.

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34	Prop LP/ED8	<b>8/1</b>	<p>Thank you for sending CD a good idea. Ensure use of site for LOCAL businesses. I would not like to see any large industrial expansion on this site.</p> <p>Generally satisfied with the proposals, as listed.</p>	<p>Your comments are noted.</p> <p><b>No change to Local Plan is recommended.</b></p>



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38	Prop LP/HCL 1: Former Macrae Hostel	10/1	<p>Manor Park Development (Stornoway) Limited strongly object to the proposal to designate the former MacRae Hostel site as 100% affordable housing (specifically social rented).</p> <p>As a group of local businessmen anxious to develop the site to enhance the Manor Park area, we feel that a mix of social and private housing would be more appropriate to the area.</p>	<p>The argument for a mix of housing in larger housing developments is supported by planning advice and relates to views expressed by TIG. However, the need to provide sufficient levels of affordable (and specifically social rented housing) to deliver the Comhairle's Local Housing Strategy is also compelling.</p> <p><b>To allow for a range of affordable housing tenures (including social rented) it is recommended that the words "(specifically social rented)" be deleted from Prop LP/HCL 1 a).</b></p>

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Map 4 (40)	Prop LP/HCL6 Housing Sites outwith Greater Stornoway (and LP/ED6)	11/1	<p>I refer to the areas of land east of Plasterfield Housing Estate and North of Rathaid a Mhaoir and North Street, Sandwick Road and opposite Knock Garry, both areas are on North Street, Sandwick Grazings.</p> <p>I object to those proposed developments of 100ha approx.</p> <p>This area supports 15 head of cattle and 50 sheep and is actively used.</p> <p>The grazings is also entered into a 5 year grazing management scheme (RSS).</p>	<p>Your comments are noted.</p> <p><b>In light of the information you have supplied it is recommended that the two housing search area sites to the east of Plasterfield Housing Estate and north of Rathad a Mhaoir, and north of Sandwick Road and opposite Knockgarry be deleted from Map 4 .</b></p>

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16	LP/ED3: Safeguarding Renewable Energy Resources	<b>12/1</b>	BWEA supports this policy and is confident that it successfully addresses the issue of safeguarding areas.  BWEA notes that the Comhairle has approved a separate guidance paper on renewable energy, and would be interested to know the status of this. Is it sufficiently robust, and is compliance statutory? If not, further guidance will be required.	Your comments are noted. In view of representations received and the ongoing national review of NPPG6 it is proposed to insert the following as a commitment:  <b>It is recommended that a new proposal on “Renewable Energy Supplementary Guidance” should be inserted in the Economic Proposals section stating that: “The Comhairle will review its supplementary planning guidance on renewable energy following the production of SPP6.”</b>  The following should be inserted at the end of the Appendix 1 ED2 response: “ ... safeguard areas. <i>Proposal LP/ED** outlines the position on new guidance.</i> ”
P32	(Proposals Economic Development)			
P46	Appendix 1: ED2 Local Plan response			

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16	WISP ED2 LP/ED3	13/1	<p>I would like to <b>lodge objection to the Finalised Western Isles Local Plan on the following grounds.</b></p> <ul style="list-style-type: none"> <li>The plan does not provide an adequate framework to control future development on the Western Isles, in respect of the protection of Community Amenity, Natural Heritage and Biodiversity, Cultural Heritage including archeology, Landscape, control of Renewable Energy Development, and protection of Tourism resources:</li> <li>Departures from Western Isles Structure Plan.</li> </ul> <p><b>Renewable Energy Resources:</b> <i>Structure Plan ED2 - Development of alternative and Renewable Energy Resources</i> states that, “<i>the Local plan will identify potentially suitable sites including the provision of safeguarding or exclusion areas to ensure that future neighbouring developments and activities do not undermine the viability of the energy resource.</i>”</p> <ul style="list-style-type: none"> <li>The Local Plan does not identify potential renewable energy development sites as stated. The CNES report “Considerations for Renewable Energy Developments” (November 2004), similarly, does not provide any form of strategic detailed land-use guidance for renewables. Renewable Energy developments should be defined in Policy and Proposals, (PAN 49, NPPG 6, para’s 46, 47, 48, 49, 50).</li> <li>LP/ED3 Safeguarding Renewable Energy Resources – only identifies the Arnish Wind Cluster project (Map 3), which has been consented. It is noted that safeguard area for Arnish Wind Cluster approaches 1km<sup>2</sup>. It is not made clear what ‘safeguarding the energy resource’ entails and what restrictions may apply to other forms of development. Given the extensive land-take of the other existing proposals, the potential safeguarding area that would be required, and what it entails, should be made explicit. This is of particular concern, where windfarm developments are in proximity to communities.</li> <li>The Local Plan, as proposed, does not provide an adequate framework to steer future development of potential renewable energy industry on the Western Isles. Land-use consideration of renewables projects should address the effects of development on community amenity, natural and cultural heritage, community renewable projects aspirations, and tourism development resources. Following the high levels of opposition recorded in relation to the current Lewis Wind Power and Beinn Mhòr Power proposals, it is paramount that the Local Plan provides an adequate consultation framework.</li> </ul>	<p>The Local Plan clearly points to the Structure Plan and taken together it is considered that they provide a robust framework within which development proposals can be assessed.</p> <p>Your comments are noted. In view of representations received and the ongoing national review of NPPG6 it is proposed to insert the following as a commitment:</p> <p><b>It is recommended that a new proposal on “Renewable Energy Supplementary Guidance” should be inserted in the Economic Proposals section stating that: “The Comhairle will review its supplementary planning guidance on renewable energy following the production of SPP6.” The following should be inserted at the end of the Appendix 1 ED2 response: “ ... safeguard areas. Proposal LP/ED** outlines the position on new guidance.”</b></p>
32	Proposals Economic Development			
P46	Appendix 1: ED2 Local Plan response			
16	LP/ED2 LP/ED3	13/2	<p><b>Community Amenity:</b> It is noted that LP/ED2 and LP/ED3 provide safeguarding for industrial and renewable developments, however no safeguards</p>	<p>Your comments are noted. In view of representations</p>

	<p>Proposals Economic Development</p> <p>(General Introduction)</p>		<p>are proposed for housing, community and leisure facilities. The Authority should consider additional safeguards in these areas. The plan should identify preferred development zones, which offer increased amenity protection for communities, and facilitate community development proposals. For example Perth and Kinross Council have provided the following indicators for noise protection:</p> <div data-bbox="574 324 1125 840" style="border: 1px solid black; padding: 5px;"> <p><i>Evaluation:</i> For the purposes of the assessment, and unless demonstrated to be otherwise, background noise levels in rural areas are assumed to be as shown in the table below:</p> <table border="1" data-bbox="590 459 1109 593"> <thead> <tr> <th></th> <th colspan="7">Windspeed (MS)</th> </tr> <tr> <th></th> <th>4</th> <th>5</th> <th>6</th> <th>7</th> <th>8</th> <th>9</th> <th>10</th> </tr> </thead> <tbody> <tr> <td>Back-ground dBA</td> <td>24</td> <td>25</td> <td>27</td> <td>29</td> <td>31</td> <td>33</td> <td>35</td> </tr> </tbody> </table> <p>The loss of amenity from noise will be assessed on the following basis:            – A difference of 3dB or less – insignificant: A difference of 4 to 6 dB – marginal loss of amenity: A difference of 7 to 9dB –significant loss of amenity: A difference of 10dB or more major loss of amenity            “Supplementary Planning guidance for Wind energy Proposals in Perth and Kinross” (2005)</p> </div> <p>In the absence of a detailed land-use strategy for renewable energy, developments may potentially result in significant effects on the areas designated under the Directives and therefore an appropriate assessment must be undertaken (European Court of Justice Decision, Case C-6/04).</p>		Windspeed (MS)								4	5	6	7	8	9	10	Back-ground dBA	24	25	27	29	31	33	35	<p>received and the ongoing national review of NPPG6 it is proposed to insert the following as a commitment:</p> <p><b>It is recommended that a new proposal on “Renewable Energy Supplementary Guidance” should be inserted in the Economic Proposals section stating that: “The Comhairle will review its supplementary planning guidance on renewable energy following the production of SPP6.”</b></p> <p>During the period since representations were made on the Local Plan the Scottish Executive have produced interim Guidance (May 2006) regarding the appropriate assessment of development plans to comply with the requirements of Article 6 of the Habitats Directive. The Comhairle will follow the guidance prior to the completion of the Local Plan process.</p> <p><b>To meet the requirements of Article 6 of the Habitats Directive the Local Plan will be assessed in line with Scottish Executive Interim Guidance.</b></p>
	Windspeed (MS)																											
	4	5	6	7	8	9	10																					
Back-ground dBA	24	25	27	29	31	33	35																					
12-15		13/3	<p><b>Natural Heritage and Biodiversity:</b> Although the boundaries of designated areas are identified, Natural Heritage is not included in “Resource Management”, which is a fundamental omission. The Local Plan should respond pro-actively to the opportunities offered by our rich natural heritage for its own sake, and in relation to employment, tourism education, recreation and amenity. The Local Plan policy and proposals should reflect the diversity and importance of designated areas on the Islands, and provide an adequate strategy for protection.</p>	<p>The Comhairle recognises the importance of the natural heritage and biodiversity of the islands.</p> <p>The Local Plan clearly points to the Structure Plan which contains a comprehensive series of policies (including RM2, RM8, RM9 and RM11) relating to the natural environment and the various nature conservation designations. It is considered that the Development Management policies within both the Structure Plan (including DM7) and the Local Plan (including LP/DM1)</p>																								

				<p>together with other relevant policies and national guidance provide a robust framework within which proposals which may affect the natural environment can be assessed.</p> <p><b>No change to the Local Plan is recommended.</b></p>
14		13/4	<p><b>Cultural heritage including archaeology:</b> The plan does not reflect the wealth and importance of the Western Isles archaeology and cultural heritage, and does not provide an adequate preservation policy. A system should be provided for identifying areas of archaeological sensitivity that may be sensitive to development. Positive policies and proposals should be designed to facilitate the development and promotion of archaeological and cultural heritage resources.</p>	<p>The Local Plan is linked to the approved Structure Plan and the latter recognises our rich built heritage and cultural traditions and provides an appropriate policy framework to safeguard and enhance these resources including RM12-15 and SC8.</p> <p>The Local Plan via LP/RM1 further strengthens and clarifies archaeology and identifies an Archaeologically Sensitive Area.</p> <p>Beyond the Local Plan further archaeological initiatives are being progressed. The Comhairle is also currently preparing an Outer Hebrides Cultural Strategy.</p> <p><b>No change to the Local Plan is recommended.</b></p>
12-15		13/5	<p><b>Landscape:</b> The importance of landscape, including the National Scenic Area is not adequately reflected in the plan. A framework should be provided including reference to relevant guiding documents such as the Western Isles Landscape Character Assessment.</p>	<p>The Comhairle recognises the importance of the natural heritage and biodiversity of the islands.</p> <p>The Local Plan clearly points to the Structure Plan which contains a comprehensive series of policies (including RM2, RM8, RM9 and RM11) relating to the natural environment and the various nature conservation designations. It is considered that the Development Management policies within both the Structure Plan (including DM7) and the Local Plan (including LP/DM1) together with other</p>



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	<p>(LP/ED5)</p> <p>(Proposals: Economic Development)</p>	15/1	<p>Your office has kindly sent me a CD containing the Local Plan and I have had an opportunity of reading it.</p> <p>Whilst I am not a resident of the Island I have spent more than 2 years there during the last 12 years. I am a great fan of the Island and everything that it provides and I have enabled 1000's of visitors to the Island during this period.</p> <p>I am not objecting to the draft plan but I am very surprised by 3 factors.</p> <p>1) Tourism. There is very little reference to the provision of tourist facilities and development. I believe tourism is a fundamental must for the island and more should be made of it in the plan.</p> <p>2) Renewable Energy. I am totally against the huge proposals which will ruin the Island but I am wholeheartedly for local facilities which will help village communities. I believe the Plan should strongly encourage Local Communities and strongly discourage wind factories.</p> <p>3) Natural Heritage and Landscape. I put these 2 together as the reason the Island is so popular. What exists is wonderful and should be protected as long as possible. Greater emphasis should be made in the plan.</p> <p>I hope you will take these thoughts into account when you finalise your plan. Good luck.</p>	<p>It is not a key role of the local plan to identify existing uses or to protect tourism uses against future development.</p> <p>The Local Plan taken together with the Structure Plan provides a framework for assessing development proposals and is sufficiently flexible to accommodate the changing needs of the tourism sector.</p> <p><b>The Outer Hebrides Tourism Strategy (and related action plan) is the most appropriate Strategy to initially consider your suggestions and the comments will be passed on to officers dealing with these matters.</b></p> <p><b>It is recommended that reference to the "Outer Hebrides Tourism Strategy" be inserted in the policy context column adjacent to LP/ED5.</b></p> <p>The comments are noted on renewables. In view of representations received and the ongoing national review of NPPG6 it is proposed to insert the following as a commitment:</p> <p><b>It is recommended that a new proposal on "Renewable Energy Supplementary Guidance" should be inserted in the Economic Proposals section stating that: "The Comhairle will review its supplementary planning guidance on renewable energy following the production of SPP6."</b></p> <p>The Structure Plan provides policies with regard to natural heritage and landscape and the Structure Plan (approved by Ministers in 2003) forms part of the Comhairle's Development Plan.</p>

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	Transportation Policy	<b>18/1</b>	<p>I refer to your letter of 28 October 2005 and thank you for the opportunity to comment on the Finalised Western Isles Local Plan.</p> <p>HIAL's remit from the Scottish Minister is to maintain and operate its 10 airports (including Stornoway, Benbecula and Barra within the Comhairle area), and to support economic development and social inclusion. Three key aims summarise HIAL'S objectives:</p> <ol style="list-style-type: none"> <li>1. To operate airports in support of economic and social development by:- providing fit for purpose airport infrastructure; Working to support existing levels of scheduled air connectivity including lifeline and welfare services; and Working with airlines and other stakeholders to develop new services and improved connectivity.</li> <li>2. To use resources efficiently to achieve continuity or enhancement of services:- Through rigorous analysis to achieve best value; and by prioritising outcomes with the greatest benefits to the region.</li> <li>3. To promote the vital role of aviation in terms of transport connectivity and strategy, and economic, social and environmental sustainability.</li> </ol> <p>The policies and proposals of the statutory Development Plan are of key importance to HIAL as it seeks to meet its aims and objectives. I attach representations and objections to a small number of policies and proposals, towards ensuring that the Local Plan may support the continuing development of the 3 airports. These representations cover</p> <ul style="list-style-type: none"> <li>• Additional policies needed to protect the safeguarded airspace and operation of the airports;</li> <li>• Suggested additions and refinements for the proposals on allocation of land within HIAL ownership which is considered surplus to operational need. This includes land at Benbecula and Stornoway airports;</li> <li>• Refined wording of Prop LP/Trans 3 Barra Airstrip to fully reflect ongoing investigations</li> </ul> <p>Please do not hesitate to contact me if I can provide any further explanation of the attached representations. HIAL and Scotair Properties would be pleased to attend a meeting with your department at your convenience if you consider this appropriate</p>	Your comments are noted. Suggested actions are covered under the other detailed responses to your representations.

42	Prop LP/Trans 3 Barra Airstrip	18/2	<p><b>Barra Airport</b>  <b>This proposal states that “it is proposed to identify land for the development of a new airstrip at Barra.” HIAL considers that this proposal is premature and does not fully reflect Structure Plan Policy T1 and Structure Plan Proposal 5 which states that ...” it is proposed that the Comhairle, in conjunction with the relevant agencies and the local community, give consideration to the necessary infrastructure to ensure the maintenance of the lifeline air service for the Isle of Barra.”</b></p> <p>HIAL is working with the Scottish Executive, and others to review and secure the best outcome for the continuation of the Public Service Obligation for Barra’s lifeline service, in terms of the Structure Plan Proposal.</p> <p>HIAL and Scottish Executive are also engaged in technical studies to investigate and establish the suitability of Traigh Mhor to accommodate the current and future demand for air services and to identify and evaluate other alternative sites to meet agreed objectives for the Barra service. These studies are continuing and have not been fully evaluated or concluded. It is therefore considered premature to identify specific alternative sites at this stage, pending a fuller understanding and appraisal of the issues and options.</p> <p>It is suggested that Prop LP/Trans 3 is reworded as .... “ CNES, in conjunction with the relevant agencies, will continue to investigate the infrastructure implications of maintaining the Barra lifeline air service.”</p>	<p>In the absence of conclusive studies, the Proposal does not identify any specific area of land for an airstrip in Barra. However the Comhairle is committed to the continuation of a direct air service serving the residents of Barra.</p> <p><b>Against the above background, no change is recommended to the wording of the Proposal.</b></p> <p>The Comhairle would appreciate an opportunity to input to the discussions for securing the best outcome for the continuation of the Public Service Obligation for Barra’s lifeline service. It would also welcome further involvement in the on-going investigations into the feasibility of Traigh Mhor to accommodate the current and future demand for air services and to identify and evaluate other alternative sites to meet agreed objectives for the Barra service.</p>
40  36	Prop LP/HCL 6,7 and 8  (Economic Development proposals)	18/3	<p><b>Benbecula Airport</b>  The Proposals for Housing, Community and Leisure section, Page 40, identifies requirements for additional facilities for Balivanich for school and community facilities and sites are identified on the proposals Plan. It is suggested that CNES and HIAL consider whether sites surplus to operational needs at Benbecula Airport may also be considered for their suitability to meet these identified needs.</p> <p>HIAL, in accordance with its published aims and objectives detailed in the accompanying letter, is developing long term master plans for its airports to ensure that they continue to meet aviation operational needs and to identify whether surplus land and facilities may be suitable to meet other community needs. It is suggested that CNES, with HIAL, consider whether land around terminal offers potential to meet identified needs since it is well located within Balivanich and adjacent to road, public transport and other services. Alternatively, should CNES consider there is no immediate requirement for the allocation of additional land, that a proposal is included to review, with HIAL, appropriate longer term land uses for sites surplus to operational need at Benbecula Airport..</p>	<p>The comments are noted.</p> <p>The Structure Plan includes Balivanich Airport within policy ED1.</p> <p><b>Taking into account your representation it is recommended that a new proposal be included in the Economic Development section for “Benbecula Airport” indicating:</b></p> <p><b><i>“The Comhairle will work with HIAL to finalise its proposed Airport Master Plan including the assessment of potential future uses of surplus land and facilities.”</i></b></p>
32  40	Prop LP/ED 6  And Prop LP/HCL 6	18/4	<p><b>Stornoway Airport</b>  While HIAL welcomes the principle of including a Proposal to cover Stornoway Airport which recognises the potential for redevelopment of</p>	<p>The comments are noted and taking into account your representation  <b>It is recommended that</b></p>

	Stornoway Airport		<p>land surplus to operational need, it is considered that the detailed criteria identified in Clauses A to F, are too specific to encourage redevelopment opportunities.</p> <p>These criteria reflect the CNES Stornoway Airport Planning Brief of October 1998 and are no longer fully compatible with emerging opportunities for the airport. The Council's recent approval of Planning permission for housing, hotel and business uses and the interest shown in housing sites at the airport, suggest that a generally drafted Proposal for the airport would be more likely to achieve development to benefit greater Stornoway and Melbost.</p> <p>HIAL is developing a long term Master Plan for Stornoway Airport to identify operational needs for the longer term and the alternative opportunities for land surplus to operational need. The success of the airport in attracting new air services and increasing its passenger numbers since the Planning Brief was prepared in 1998 means that it is important to both safeguard sufficient land to meet operational requirements, to provide a positive Planning context to support the development of facilities associated with a growing airport and to identify land for other uses to meet general community need.</p> <p>HIAL would welcome the opportunity of working with CNES to review its draft Master Plan in the context of the emerging Local Plan. Until these discussions are underway, it is suggested that prop/LP/ED 6 is simply reworded as:          "In assessing development proposals in and around Stornoway Airport account will be take of:</p> <ul style="list-style-type: none"> <li>a. The operational and ancillary needs of the airport identified in its (draft) Master Plan</li> <li>b. Housing, business, industrial and small scale retail uses in accordance with LP/DM1 Assessment of development Applications on opportunity sites identified in the airport's (draft) Master Plan.</li> <li>c. Aerodrome safeguarding requirements."</li> </ul>	<p><b>Prop LP/ED 6 be amended to read:</b></p> <p><i>"The Comhairle will work with HIAL to finalise its proposed airport Master Plan.</i></p> <p><i>In assessing development proposals in and around Stornoway Airport account will be taken of the operational needs of the airport and aerodrome safeguarding requirements. The following uses may be appropriate:</i></p> <ul style="list-style-type: none"> <li><i>a) business/industry</i></li> <li><i>b) hotel/conference facilities</i></li> <li><i>c) retail -where ancillary to the main airport uses and subject to no significant detrimental impact on Stornoway's role as the main retail centre. (A retail impact assessment may be required.)</i></li> <li><i>d) housing – subject to satisfactory integration with existing settlements patterns."</i></li> </ul>
8	<p>1. Proposals map key – Safeguarding Constraints</p> <p>2. LP/DM5 Telecommunicat ions</p> <p>3. Prop LP/ED6 Stornoway Airport</p> <p>(LP/DM1)</p>	18/5	<p><b>Airport Safeguarding</b></p> <p>The finalised Local Plan does not include a full policy on safeguarded areas for the airports at Benbecula and Stornoway. HIAL requests that airport safeguarding constraints are included in the Proposals Map Key together with supporting policy statements. Although MOD and HSE safeguarding constraints are shown in the proposals Map key, airport safeguarding constraints for Benbecula and Stornoway airports are not. Airport safeguarding should be protected through the development plan process to ensure safe operations and to advise potential developers of the safeguarding context of planning applications around airports. The reference to on-airport safeguarding in Prop LP/ED6 for Stornoway Airport is not considered sufficient.</p> <p>Planning Circular 2/2003 – "Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas" and "The Town and</p>	<p><b>It is recommended the Proposals Maps will be amended to show the outer extent of the airport safeguarding areas.</b></p> <p><b>Prior to the last paragraph of policy LP/ DM1 the following wording should be inserted:</b>  <i>"In addition to the safeguarding requirements set out in Structure Plan policy DM7 ix) account will be taken of guidance set out in Planning Circular 2/2003 with regard to aerodrome safeguarding areas."</i></p>

	(Glossary)	<p>Country Planning (Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas) (Scotland) Direction 2003” sets the regulations and processes for dealing with planning applications around airports. Both Stornoway and Benbecula are included as officially safeguarded aerodromes in terms of the Direction. While Barra is not, local procedures for safeguarding are established by HIAL.</p> <p>Responsibility for the official safeguarding of civil aerodromes has transferred from the Civil Aviation Authority to airport organisers – HIAL for Stornoway and Benbecula airports. The Direction obliges the Planning authority, before granting planning permission for the development of land forming the site of, or around, an aerodrome for which a safeguarding map has been given to the Planning authority and to the extent specified on their map, to consult the airport operator. Safeguarding maps have been prepared and given to CNES include both height limitations and the consultation zones for:</p> <ul style="list-style-type: none"> <li>• A 13 km bird strike circle</li> <li>• A 15 km outer horizontal surface circle and</li> <li>• A 30 km safeguarding map for wind turbine development (inclusive of the 13 and 15 km radii above).</li> </ul> <p>Circular 2/2003 states that Local Plans should indicate that officially safeguarded areas have been established for an airport, that certain planning applications will be the subject of consultation with the airport operator and that there may be restrictions on building height and design, or development that might create a bird hazard. The Circular states that the outer boundary of the safeguarded area (30 km) should be indicated on Local Plan proposals maps or in annex to the plan. The plan should also state why an area has been officially safeguarded and that it is neither the responsibility nor the proposal of the planning authority.</p> <p>It is requested that the 30 km wind turbine circle is shown on the relevant proposals maps and key, that a policy statement on the need for certain applications to be referred to HIAL is included, and that details of the established HIAL consultation process are also included.</p> <p>Policy LP/DM5 Telecommunications lists criteria for the consideration of applications for radio masts and other commercial telecommunications equipment. It is considered necessary to include an addition to Clause (d) ...”and no impact on airport safeguarding.”</p> <p>While HIAL is committed to working with developers and CNES to achieve satisfactory safeguarding outcomes, it is further requested that the Council include a policy confirming that it will refuse planning applications if airport safety is likely to be compromised by their approval. It would be appropriate to include such a policy within the Economic Development section.</p>	<p><b>Appropriate clarification on airport safeguarding will also be considered in the glossary.</b></p> <p>It should be noted digitised safeguard maps are now held.</p> <p>To support development plan and development management functions, improved constraint mapping information and/or cross referencing is being assessed.</p> <p>Together with other related Structure and Local Plan policies, the above amendments will further ensure that airport safeguarding and appropriate consultation requirements are picked in the development considerations of wind turbines and telecommunications.</p>
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6	Introduction	25/1	<p>Part Objection/part comment as described below:- generally the document will be supportive of Affordable housing but particular comments are made below regarding specific issues. I would urge the Comhairle to take these on board.</p> <p>1. Should Pan 74 (affordable Housing) be mentioned in the reference documents as it has a particular bearing on affordable housing planning decisions.</p> <p>2. Also, should the last para not also say the identification of housing search areas does not exclude other areas from consideration.</p>	<p>Only general reference is made to national guidance in the Introduction but specific SPP/NPPG/ PAN topic references are made subsequently in the Plan adjacent to relevant policies. Reference to PAN 74 is made adjacent to the Affordable Housing policy LP/HCL2.</p> <p>Housing search areas are mentioned in policy LP/STY1 and shown on the Proposals Map. The introduction already indicates development on other suitable sites not identified on the Proposal Maps will be considered. LP/STY 1 also allows for consideration of sites beyond proposal sites and search areas.</p> <p><b>It is recommended that the last sentence of the Introduction be amended to read:</b>  <i>“It is important to note that the identification of proposal sites and search areas does not exclude the consideration of development on other suitable sites not shown on the maps subject to conforming to Structure Plan and Local Plan policies.”</i></p>
8	LP/DM1	25/2	Should national policy context refer to Pan 74.	<p>PAN 74 is specifically highlighted later adjacent to the specific affordable housing policy LP/HCL2 rather than this general development policy.</p> <p><b>No change to Local Plan is suggested.</b></p>
10	LP/DM4	25/3	<p>Flood Risk Analysis. Have SEPA identified 'other' flood risk areas in the WI? Where are they if they have? Also will flood risk assessment be required where a site's boundaries may partially drop below the 5m line but where development is restricted to above the 5m contour? In addition, I would think that flood risk analysis is a specialist engineering function which is not currently available on the Islands which could certainly pose significant cost and time implications for developers. Is</p>	<p>In response to objections it is proposed to amend policy LP/DM4 to allow pre-application discussions to determine which developments will require FRA and the level of detail to be provided, in line with SPP7.</p> <p>While FRAs must be carried</p>

			<p>there guidance on what a flood risk analysis involves - can a template be provided or guidance given on what is being sought? Ideally we would want to retain this function on the island rather than outsource it to mainland consultants, thus the Comhairle may consider organising training for local engineers.</p>	<p>out to a competent standard the policy does not necessarily require professional consultants be employed to produce them.</p> <p><b>It is recommended that the Policy be amended to read: ‘Developers may be required to provide a FRA undertaken to a competent standard for proposals in areas between the 5m contour and MHWS, and in areas of medium or high flood risk which may be identified by SEPA. Developers should have early pre-application discussion with the Planning Authority to ascertain the requirements, if any, for their specific proposal. In line with SPP7 and current SEPA policy such assessments and studies will be used in determining the acceptability of the site and the proposed development, as well as any future flood risk implications arising from the development.’</b></p>
14	LP/RM2	25/4	<p>It is noted that prior to planning applications being determined archaeological evaluations are required within the archaeological sensitive area. Most developers will not own the land until the application is approved thus making it difficult to instruct such studies without the sellers permission. Perhaps it should simply be made a condition of planning?</p>	<p>NPPG 5 and PAN 42 indicate that where additional information is needed prior to determining a planning application, intrusive archaeological evaluation can and should be requested from a developer. Where the developer does not own the land this will require the sellers permission. The evaluation can help determine the acceptability of the site and development, noting that consent could ultimately be refused on archaeological grounds.</p> <p><b>In order to address your concerns in some way it is recommended that the policy be amended to: “Within the Stornoway Archaeologically Sensitive Area, as shown on the Proposals Map, developers may be required to arrange and fund an archaeological evaluation prior to the determination of planning applications if ground disturbance is envisaged as part of the development...”</b></p>

20	LP/HCL1 (Glossary)	25/5	<p>Housing Density Levels are mentioned and asterixed. The density levels given in the Glossary are considered low across all areas but particularly so for Stornoway. Some recent HA developments/planning applications are as follows:</p> <p>Mackay Court – 102 units/Ha  76a-c Keith St – 75 units/Ha  66 Keith St – 85 units/Ha  Haldane Hostel Site – 55units/Ha  Gibson Hostel (pre planning) – 31 units/Ha  Parkend – 48 units/Ha  44 newvalley – 23 units/Ha  blackwater Ph1 – 25 units/Ha  Torquil Terrace (developer led) – 110 units/Ha  Scott Rd Harris – 25 units/Ha  Drinishader Harris – 25 units/Ha</p> <p>These density levels are considered the minimum possible to make social housing feasible. To enforce reduced densities at the levels suggested will seriously jeopardise achieving the targets set within the Comhairle's LHS</p> <p>I would suggest that the minimum figure of 25 for Stornoway is further qualified and not seen as a reference level to be achieved. As can be seen from above developments the actual density levels are normally double the minimum suggested level in the centre of Stornoway. Perhaps a statement saying "upper limits will be discussed with the planning authority with reference to the necessary parking level determined for the proposal site. On the basis of the above figures I would suggest the density levels for outwith the core areas be adjusted to 20-30 units/Ha and the rural figures slide to 10-25 units/Ha. This suggestion is also given in light of the demographic changes in the WI which presents a need for many more single bedroom properties, thus requiring slightly more units per hectare than has previously been developed, to make schemes viable.</p>	<p>Comments are noted and partially accepted. It should be noted that the density guidance is not absolute and the wording reflects that.</p> <p><b>It is recommended that the density levels guidance be amended as follows:</b></p> <p><i>"Due to its urban nature, higher density levels than those acceptable in rural areas, are appropriate for Greater Stornoway. In relation to developments of 5 housing units or more:</i></p> <p><i>For the core area of Stornoway, as shown on the Proposals Map, a minimum of 25 units per hectare will be sought in the first instance.</i></p> <p><i>Outwith the core area of Stornoway a level in the region of 15 – 30 units per hectare is considered appropriate.</i></p> <p><i>For housing development in rural areas a reasonably low density level would be expected (generally up to 20 units per hectare)."</i></p>
20	LP/HCL2	25/6	<p>I would suggest that the 25% should apply to a number of units easily divisible by that figure. I would suggest 10.</p> <p>It may be of interest to note that Highland Council's policy takes the view that a threshold of 10 units is sensible, reducing to 4 units in very rural areas. These are based on a notional density for the site rather than as proposed by the developer (which may be a set to avoid the allocation threshold).</p> <p>A clause stating "The notional site density for calculating the number of units to be built for affordable housing should be agreed in discussion with the Planning Authority and officers dealing with strategic housing matters."</p>	<p>Threshold issues are noted.</p> <p><b>It is recommended that the policy be amended to 16 units.</b></p> <p><b>It is further recommended that the last sentence of the policy be deleted and replaced with:</b></p> <p><i>For developments of 15 units or less the proportion of affordable housing should be determined by the Planning Authority in relation to Local Housing Strategy priorities and where relevant in consultation with the relevant Registered Social Landlord."</i></p>
22	LP/HCL3	25/7	Reference should be made to LHS in context column.	<p>Agreed.</p> <p><b>It is recommended that a link to LHS is made in</b></p>

				<b>policy LP/HCL2 and LP/HCL3.</b>
24	Context	<b>25/8</b>	Housing Search areas on proposal maps – see comments.	See response to 25/25; 25/26; 25/28; 25/29.
24	LP/STY 1	<b>25/9</b>	A point c. should be added – “C. OR if a proposed development site is located outwith a search area but can be demonstrated to fit with the criteria set for search areas, then development will be permitted.”	Your comment is noted. The identification of Housing Search Areas has been developed in conjunction with key stakeholders and not to a particular set of firm criterion beyond the general policies of the Structure and Local Plan. Therefore the addition of third criteria as suggested would not be practical. The second criterion (b) allows for the consideration of sites not identified in the plan and is considered sufficiently flexible to allow for a range of sites to be brought forward.  <b>No change to the Local Plan is recommended. (See also Rep response 25/1.)</b>
24	LP/STY4	<b>25/10</b>	While I agree with the general principle of keeping industry separate, I would suggest there are sites at the edge of this area which would fall outwith the zone 2 of the Gas tanks’ safety zone, thereby being deemed acceptable by the H&S executive and could be considered for housing (e.g. at the edge of close to and including Ferry Rd, Shell St, Newton St. These areas would quite easily fit with the neighbouring residential properties.	Without a specific area suggested for exclusion it is difficult to assess. The boundary has been drawn to reflect existing industrial uses.  <b>No change to the Local Plan is recommended.</b>
30 (Map 4)	Prop LP/RM2 & 4	<b>25/11</b>	It appears that these two sites are wrongly identified on the map.	Your comments are noted.  <b>The proposal map will be amended accordingly.</b>
32	Prop LP/ED4	<b>25/12</b>	Is a flood risk assessment necessary if proposals were put forward to develop only at street/1 <sup>st</sup> floor level (i.e. above 5m) perhaps with an open area below?	<b>It is recommended that policy LP/DM4 be amended to allow prioritisation of developments that will require FRA and the level of detail to be provided.</b>  <b>See response to REP 25/3</b>
32 Map3	Prop LP/ED6  (Prop LP/HCL6)	<b>25/13</b>	c) perhaps housing, land use 9, should be included as proposals area for housing in this area.	Housing is covered by criterion d).  <b>However it is recommended that the specific area of the airport with the benefit of outline planning consent will be clarified under Prop LP/HCL6 e).</b>
38	Prop LP/HCL1	<b>25/14</b>	a) Perhaps this should read “100% affordable housing via local RSL but may include mixed tenure (i.e. rent/low cost home ownership)”	<b>It is recommended that the term “(specifically social rented)” be deleted for LP/HCL1 a) noting that</b>

			g) Labost lane – see P10 comments above re flood risk analysis.	<p><b>100% affordable still allows for a range of affordable elements including social rented.</b></p> <p><b>See response to REP25/3 on flooding.</b></p> <p>Further investigation of the need for FRA on relevant Local Plan proposal sites has been undertaken with SEPA and the outcome has appropriately informed proposed modifications to the Local Plan. <b>It is recommended that the following additional wording be inserted to Prop LP/HCL1 g): “A Flood Risk Assessment will be required to ensure that the layout and design addresses and proposes measures to remove any risk of flooding.”</b></p>
38	Prop LP/HCL2 e	<b>25/15</b>	e) Are infrastructure costs and elements to be agreed in consultation with Scottish water and CnES? I think it is wrong to write “any”. What does this mean? Primary assets, network or deep assets? (i.e. infrastructure on site to connect to main sewer or network to Bayhead, or Bayhead/Holm upgrades? You must specify here or else SW will simply require the developer to pick up the whole tab contrary to their investment promises).	<p>Your comments are noted.</p> <p><b>This general statement has provided some confusion. Therefore, as all service providers have clear policies on connection and infrastructure costs, it is recommended that criterion Prop LP/HCL2 e) be deleted.</b></p>
38	Prop LP/HCL3	<b>25/16</b>	See comments above re flood risk analysis capability on the island.	<b>See response to REP 25/3 and 25/14 on flooding.</b>
38	Prop LP/HCL6	<b>25/17</b>	e. Airport development should be noted as requiring 25% affordable housing in line with the policy above.  h. Should also note social housing.	<p>Noted. The airport already has outline approval and any subsequent details will be considered against Local Plan policies.</p> <p><b>No change to Local Plan is recommended.</b></p> <p>It is understood a mixed scheme including general housing/, serviced plots and affordable housing is now being considered at Bunavoneader.</p> <p><b>It is recommended that the following be added at the end of LP/HCL6 h) “...serviced plots and affordable housing.”</b></p>
48	Appendix 1: HCL1	<b>25/18</b>	‘Liveability’. Would be better replaced with ‘Housing for Varying Needs’ as this is the Executive’s guidance printed by HMSO.	<p>Your comment is noted</p> <p><b>It is recommended that in Appendix 1 HCL1 response, the term “Housing for Varying</b></p>

				<b>Needs” replace “liveability”.</b>
52	Appendix 3: (a)	<b>25/19</b>	Stornoway town area is not LP/STY4 this is Newton? Should read LPSty2.	Your comment is noted  <b>It is recommended that in Appendix 3 a) the term “LP/STY2” replaces “LP/STY4”.</b>
52	Appendix 3: Table	<b>25/20</b>	I would ask that some consideration is given to splitting the parking requirements for greater Stornoway/Main settlements and more rural areas. A number of centre developments have had a ratio 1:1 or 1:1.5. I would suggest a min of 1:1 for house developments in greater Stornoway development core and 1:2 outwith.	You will note that the car parking guidance does allow for relaxation concerning affordable housing developments and in many other instances.  <b>In response to your comments a change it is recommended that criteria a) be amended to read: “Development is located within the Stornoway Conservation Area (as defined on the Proposals Map.)”</b>
52	Appendix 3: Table	<b>25/21</b>	Commercial Parking – Need to define what GFA is being used. Internal or external? See RICS definitions.	<b>The GFA definition being used will be clarified as a minor amendment to the Local Plan.</b>
58	Appendix 3: Table	<b>25/22</b>	Residential Disabled Parking – a further note reading “OR design to Housing for Varying Needs guidance” could be added.	Noted.  <b>It is recommended that the Accessible Parking table residential comment column be amended to read: “Refer to Housing for Varying Needs guidance. Consult with Local Access Panels.”</b>
60	Appendix 3: introductory text	<b>25/23</b>	A further note next to the BS reference could read “OR for affordable housing design to Housing for Varying Needs Guidance”	Noted.  <b>It is recommended that the following additional wording be inserted:  “...-Code of Practice. With regard to residential design, reference should also be made to the Housing for Varying Needs Design Guide.”</b>
	(LP/HCL 6)  MAP 1	<b>25/24</b>	Maybe include Galson Old School as a housing proposal site.	Your comments are noted.  <b>Noting planning permission has now been approved the site will be included in the Local Plan as a proposal site at Prop LP/HCL6. Galson Old School housing site will be shown on the Proposals Map</b>
	MAP 3	<b>25/25</b>	Need to identify a housing search area at the	Housing Search Areas are

			<p>airport adjacent to the terminal and along the side of the road from the Braighe road to the airport roundabout.</p>	<p>specific to the Stornoway settlement area only.</p> <p><b>No change is suggested to the Local Plan. It is recommended that the site with outline consent be identified as a Housing Proposal site. See response 25/13 with regard to the Airport Housing.</b></p>
	MAP 4	<b>25/26</b>	<p>Greater Stornoway Settlement – Line. I would encourage you to include the area between Bakers Road and Bridge Cottages end up to just beyond the common grazing peat access track. This will enable potential development to take place should it be deemed appropriate.</p> <p>Housing proposal site – Old fire station on Keith St should be identified and made 50% social rented.</p> <p>Housing search area at Bridge Cottages should be enlarged to reflect current planning application.</p> <p>Search area at Sand Street should be extended up to the edge of Percival road.</p> <p>A possible further search area would be behind the Parkend Industrial Estate thus extending the search area noted adjacent to it.</p> <p>A possible further search area would be behind the Manor dairy &amp; Caberfeidh hotel could be identified.</p>	<p>Given the nature of the area it is not argued that it forms part of the existing settlement.</p> <p><b>No change to the Local Plan suggested.</b></p> <p>The development of the old fire station Keith St is a gap site and would gain policy support for the development for housing from elsewhere in the plan (LPSTY 1) – no need therefore to identify as a proposal site.</p> <p>Your comments are noted on the HSA at Bridge Cottages. it is understood that there are a number of potentially complex access and land ownership issues that may take some time to resolve. The early availability of the HSA land for housing is therefore questionable.</p> <p><b>It is recommended that the HSA at Bridge Cottages be removed from the Plan, notwithstanding the fact that housing proposals in and around the area may be viewed positively when evaluated against other Local Plan Policy.</b></p> <p>Search area at Sand Street - Agreed.</p> <p><b>It is recommended that the Local Plan will show modified HSAs including deletions and new additions.</b></p> <p>At present, there is not enough information on the Manor Dairy (behind) site to suggest it should be considered as a Housing Search Area.</p> <p>Regarding the extension of the HSA adjacent to Parkend Industrial estate, it is considered that there is already a significant area of land in the general locality</p>

				identified as Housing Search Areas.
	Map 8	<b>25/27</b>	<p>A housing search area in Scott Road Tarbert per the previous local plan, could be shown.</p> <p>A housing search area in Urgha on the left of the road as you leave Tarbert could be shown.</p> <p>A housing search area in Tarbert on the left of the road as you leave Tarbert south beyond the new house, could be shown</p>	<p>Housing Search Areas are specific to the Stornoway settlement area.</p> <p><b>No change is therefore recommended to the plan.</b></p>
	Map 10	<b>25/28</b>	Possible housing proposal site at the old school Berneray.	<p>The old school at Berneray is not identified in the plan for a particular use. Applications for development would be treated on their own merits and this approach offers flexibility with regard to end use – one of which could be housing.</p> <p><b>No change to the Local Plan is suggested.</b></p>
	MAP 11	<b>25/29</b>	<p>A housing search area in Castlebay at grid 65.8, 97.6 (i.e just to the side of the track leading to the radar station at the bay entrance).</p> <p>A housing search area in Castlebay at the top of Glen adjacent to the old tip.</p>	<p>Housing Search Areas are specific to the Stornoway settlement area. Further details on the proposals is invited.</p> <p><b>No change to the Local Plan presently recommended.</b></p>

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14		27/1	<p>On behalf of Co-Chomunn na Pairc, I am writing in respect of the Western Isles Finalised Local Plan.</p> <p>Chomunn na Pairc is an active community led organisation running the Ravenspoint Visitor Centre, Kershader, South Lochs. The centre is a focus for the community, providing a shop, tearoom and hostel accommodation for visitors to the area, and housing the Angus Macleod Archive and Hebridean Connections. We are also actively promoting sport fishing in the area. The local Community Development office is also located here. We have on-going plans to continue developing the centre's facilities, towards increasing tourist and visitor numbers to the area, and strengthening the services that we can provide to the community of Pairc.</p> <p>Pairc is identified within Structure Plan DM2 (IAAO, Remote and Peripheral Areas). As stated in the Structure plan, the tourism product of the Western Isles is reliant on the high quality of the environment and rich natural and cultural heritage, including archaeology. Within Pairc these resources are currently under-exploited. The Local Plan provides an opportunity to identify resources within the Pairc area, and provide a framework for their protection and promotion. We are therefore concerned about the limited scope of policies and proposals offered in the Finalised Western Isles Local Plan, which relate to both the Pairc area and our activities.</p> <p>We would wish the Ravenspoint centre to be identified as a tourist development site (Structure Plan ED5). We would also like you to give consideration to the findings of the archaeological survey undertaken by Northamptonshire Archaeology (2004), which suggest significant and undeveloped archaeology that is available to the Pairc Community, in addition to existing sites e.g. Eilean Chaluim Chille and Dun Cromore (LP/RM2). Also the Cromore Walk and Stemreway settlement that are proving to be popular, and drawing people into the area.</p>	<p>The approved Structure Plan and Local Plan recognise the importance of our natural and built heritage resources and cultural traditions and the policy framework seeks to safeguard, enhance and develop them in a sustainable manner.</p> <p><b>No change to the Local Plan is recommended. However, the detailed information provided is useful and will be passed to Archaeology, Economic Development and Countryside Access staff for consideration.</b></p>

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16	WISP ED2 LP/ED3	29/1	<p>On behalf of Mointeach gun Mhuileann (MWT), I thank you for this opportunity to comment on the finalised Local Plan. Once again, thank you for this opportunity to comment on the local plan. MWT looks forward to a further opportunity to comment in more detail on the substance of the plan when the necessary Appropriate Assessment and SEA are available. Please note that <b>MWT objects to the Local Plan</b> for the reasons outlined below.</p> <p>Page 46 and 47 of the local plan states that the local plan response to policy SP/ED2 is LP/ED3 together with the policy document <i>CNES Policy Considerations for Renewable Energy Developments in the Western Isles</i> November 2004, and the existing proposals for the Lewis Wind Power, Muaitheabhal Wind Farm and other projects.</p> <p>Since large-scale commercial wind power development is the declared policy of the Comhairle, wind power policy and the specific proposals are not described in sufficient detail in the plan, and the residents of the Western Isles have therefore not had any reasonable opportunity to comment upon them.</p>	<p>The Local Plan clearly points to the Structure Plan and taken together it is considered that they provide a robust framework within which development proposals can be assessed.</p> <p>Your comments are noted. In view of representations received and the ongoing national review of NPPG6 it is proposed to insert the following as a commitment:</p> <p><b>It is recommended that a new proposal on “Renewable Energy Supplementary Guidance” should be inserted in the Economic Proposals section stating that: “The Comhairle will review its supplementary planning guidance on renewable energy following the production of SPP6.”</b></p> <p>The following should be inserted at the end of the Appendix 1 ED2 response: “ ... safeguard areas. Proposal LP/ED** outlines the position on new guidance.”</p>
		29/2	<p><b>MWT objects</b> to the fact that the local plan is not transparent and comprehensive in this respect, and does not conform to policy SP/ED2, in contravention of Town and Country Planning (Scotland) Act 1997, S.11(5)b.</p>	<p>The Local Plan ‘conforms generally’ to the Structure Plan and does not contravene S.11 (5) b of the T&amp;CP (Scotland) Act 1997.</p> <p><b>No change to the Local Plan is suggested.</b></p> <p><b>See also response to Rep 29/1.</b></p>
		29/3	<p>Further, the policy and proposals in question have been included in the written statement pursuant to S.11(3)a of the Town and Country Planning (Scotland) Act 1997, accordingly <b>MWT objects</b> to the fact that they are not also shown on any proposals map, in contravention of S.11(3)b thereof.</p>	<p>The Local Plan identifies wind farm sites with planning approval on the Proposals Map and we believe that it does not contravene S.11 3(b) of the T&amp;CP (Scotland) Act 1997.</p> <p><b>No change to the Local Plan is suggested.</b></p> <p><b>See also response to Rep 29/1.</b></p>



		<p>planning permission to be determined in the light of the relevant land use plans, necessarily means that those plans may have considerable influence on development decisions and, as a result, on the sites concerned.</p> <p>56 It thus follows from the foregoing that, as a result of the failure to make land use plans subject to appropriate assessment of their implications for SACs, Article 6(3) and (4) of the Habitats Directive has not been transposed sufficiently clearly and precisely into United Kingdom law and, therefore, the action brought by the Commission must be held well founded in this regard.</p> <p>The relevant paragraphs of the judgment in C-127/02 Waddenvereniging and Vogelbeschermingsvereniging, cited above, are:</p> <p><i>43 It follows that the first sentence of Article 6(3) of the Habitats Directive subordinates the requirement for an appropriate assessment of the implications of a plan or project to the condition that there be a probability or a risk that the latter will have significant effects on the site concerned.</i></p> <p><i>44 In the light, in particular, of the precautionary principle, which is one of the foundations of the high level of protection pursued by Community policy on the environment, in accordance with the first subparagraph of Article 174(2) EC, and by reference to which the Habitats Directive must be interpreted, such a risk exists if it cannot be excluded on the basis of objective information that the plan or project will have significant effects on the site concerned (see, by analogy, inter alia Case C-180/96 United Kingdom v Commission [1998] ECR I-2265, paragraphs 50, 105 and 107). Such an interpretation of the condition to which the assessment of the implications of a plan or project for a specific site is subject, which implies that in case of doubt as to the absence of significant effects such an assessment must be carried out, makes it possible to ensure effectively that plans or projects which adversely affect the integrity of the site concerned are not authorised, and thereby contributes to achieving, in accordance with the third recital in the preamble to the Habitats Directive and Article 2(1) thereof, its main aim, namely, ensuring biodiversity through the conservation of natural habitats and of wild fauna and flora.</i></p> <p>Consequently, <b>MWT objects</b> that there is no Appropriate Assessment of the effects of the local plan on the European sites in question, in infringement of the Habitats Directive, Article 6.3.</p>	
	Intro	<p><b>29/5</b> Further, since the local plan sets the framework for development consent, it therefore also falls to be considered under the provisions of the Strategic Environmental Assessment (SEA) Directive, and under the transitional procedure of Article 13.3 thereof. MWT is of the opinion that the requirement for Appropriate Assessment will certainly result in the local plan being adopted after 21 June 2006, and that SEA is both feasible and necessary, not least because</p>	<p>A SEA of the Local Plan is being undertaken. A scoping exercise is complete and a draft Environmental Report is currently being prepared for public consultation.</p> <p><b>The following will be inserted into the</b></p>

			<p>of the absence of any other SEA or other cumulative assessment or other Appropriate Assessment whatsoever in respect of the Comhairle's and Scottish Executive's wind power policies and proposals. Consequently, <b>MWT objects</b> that there is no SEA for the local plan.</p> <p>In any event, <b>MWT objects</b> that the public has not been informed of any decision that SEA of the local plan is not feasible, in infringement of SEA Directive, Article 13.3.</p>	<p><b>Introduction to indicate:</b>  <b>"A Strategic Environmental Assessment is being undertaken on the Local Plan."</b></p>
		<b>29/6</b>	<p>In summary, <b>MWT objects</b> that:</p> <ul style="list-style-type: none"> <li>the local plan does not provide an adequate framework for development, or provide for the future needs of the residents of the Western Isles; and adoption of the local plan under current procedure would be ultra vires</li> </ul>	<p>On balance it is our view that the Local Plan, taken together with the Comhairle's approved Structure Plan, does provide an adequate policy framework to meet the needs of the Western Isles.</p> <p>The plan would be progressed to adoption in line with statutory requirements.</p> <p><b>No change the Local Plan is suggested. Please refer to our responses to your other comments.</b></p>
		<b>29/7</b>	<p>Once again, thank you for this opportunity to comment on the local plan. MWT looks forward to a further opportunity to comment in more detail on the substance of the plan when the necessary Appropriate Assessment and SEA are available.</p>	<p>Please see response to REP 29/4 and REP 29/5.</p>

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8	LP/DM1	35/1	<p>SEPA <b>objects</b> to this policy as it does not (nor does the cross-referred Structure Plan policy DM7) identify a need to take into account the Water Framework Directive, in conflict with SPP1 Paragraph 22.</p> <p>This objection can be addressed by the inclusion of a requirement that all development proposals take the requirements of the WFD into account.</p>	<p>The Local Plan is linked to the Structure Plan and should be used in conjunction with it. Structure Plan policy SC9 already states 'Account should be taken of the Water Framework Directive...'. Structure Plan policies SC6, SC10 and DM7 also highlight considerations potentially related to the Directive.</p> <p><b>It is recommended that the following additional references be inserted into the LP/DM1 policy context: 'Structure Plan SC6, SC9, SC10'.</b></p>
8	<p>LP/DM1</p> <p>Map General</p> <p>LP/DM1</p>	35/2	<p>SEPA <b>objects</b> to this policy as it omits consideration of contaminated land issues as a prerequisite to development in conflict with PAN 33 and Structure Plan policy DM4</p> <p>This can be addressed within this policy by making a direct link between contaminated land and potential effects on water resources ensuring that no development proceeds on such land until such time as a contaminated land study has been undertaken and remedial action agreed.</p> <p>SEPA offers the following comments with regard to specific sites.</p> <p>Prop LP/ED1 Glenn Seileach Business Park Extension</p> <ul style="list-style-type: none"> <li>- due to previous contaminative uses, the possibility of land contamination of the existing depots at Marybank will need to be taken into account if the area is to be redeveloped.</li> </ul> <p>Prop LP/ED2 Site at Bayhead/Matheson Road</p> <p>There is no mention of contamination issues despite the previous use of the site as a filling station, perhaps this is because the development is almost complete – the Plan should clarify the position regarding this site.</p> <p>LP/ED 5 Arnish</p> <p>There are contamination issues present at Arnish and these will need to be taken into account</p> <p>LP/ED 6 Stornoway Airport</p> <p>There are contamination issues present at Stornoway Airport and these will need to be taken into account.</p>	<p>Your comments are noted.</p> <p><b>It is recommended that the following sites will also be identified with the term 'possible contamination' on the Proposals Map:</b></p> <p><b>Prop LP/ED1 Glenn Seileach Business Park Extension</b>  <b>LP/ED 5 Arnish</b>  <b>LP/ED 6 Stornoway Airport</b>  <b>LD/ED 9a, b, c, d, e, Regeneration Sites</b>  <b>LP/STY 4 Newton Industrial Area</b></p> <p>The Dormitory site (prop LP/HCL2) has a long history of renewed outline consent for residential development (last renewed late 2004) and potential contamination aspects were not originally raised as an issue in this process. This background, and especially if development proceeds on a 'reserved matters' route, will constrain our ability to deal with potential contamination aspects. However, we will raise this matter at the point detailed development is progressed at which point SEPA can be consulted. Our Development Management and Contaminated Land sections are aware of the situation.</p>

46	Appendix 1: Structure Plan DM4 response		<p>LD/ED 9 Regeneration Sites</p> <p>Prop LP/HCL 2 Dormitory Site</p> <p>There is a possibility that parts of this area may be contaminated given its use as a storage compound by the current occupier. This will need to be taken into account in any development.</p> <p>LP/STY 4 Newton Industrial Area</p> <p>There are a significant number of previous uses of this area, which may well have caused and perhaps may still be causing land contamination; this will need to be taken into account in any development.</p> <p>Structure Plan Policy DM4 states, inter alia: "Local Plan allocations will be subject to a study of past contaminative uses to assess appropriate future uses, in line with the Comhairle's Contaminated Land Inspection Strategy." Appendix 1 of the Local Plan sets out Local Plan responses to issues highlighted in the Structure Plan. With regard to Structure Plan Policy DM4, the appendix states "Sites identified and the contaminated land register which will be cross-referenced to the local plan Proposals map. "However, no evidence is provided in the Local Plan of a systematic appraisal and cross-referencing as required by the Structure Plan.</p>	<p>Other clarifications are required with regard to issues raised.</p> <p><b>It is recommended that the following be inserted into Policy LP/DM1 prior to the last paragraph:</b>  <i>"...a planning brief may be required".</i>  <i>Where a site is regarded as potentially contaminated, developers should consult with the Comhairle to ensure a site specific risk assessment is undertaken and any proposed remediation measures complied with.'</i></p> <p><b>The following supplementary reference should be inserted into the LP/DM1 policy context:</b>  <i>'CnES Contaminated Land Strategy October 2001'</i></p> <p><b>It is recommended that the Appendix 1 Structure Plan DM4 response be amended to read:</b> <i>'Sites have been identified and the CnES Contaminated Land Strategy has been specifically highlighted. The proposal sites have been assessed and those that may potentially be contaminated are identified on the Proposal Maps.'</i></p>
10	LP/DM4 All Land Proposals	35/3	<p>SEPA <b>objects</b> to this policy and to all land proposals as there is no evidence that a flood avoidance approach has been adopted as required by SPP7.</p> <p>SEPA considers that this can be addressed in either of two ways, taking into account the limited flood risk information available for the Western Isles.</p> <p>This can be addressed by the addition of a sentence to each of the Land proposals listed in the local plan that a satisfactory Flood Risk Assessment is carried out prior to the granting of planning permission (as contained in Prop LPHCL 1 and 3).</p> <p>Alternatively, if the Western Isles Council were to undertake a more detailed, strategic, study of flood risk than that conducted by SEPA (as described below), and applied the findings of that study in order to assess flood risk to the land allocations and modify as appropriate, then SEPA would also be willing to remove its <b>objection</b>.</p> <p>The following information is provided by way of background information relevant to the decision to raise the foregoing objection</p>	<p>Your comments on FRA for allocations in the Local Plan are noted.</p> <p>Of the proposal sites below 5m and entirely within a high flood risk area, Scalpay (former fish processing factory) (Prop LP/ED9b), East Camp, Balivanich (Prop LP/ED9e) and Tarbert East Loch (WISP ED1*) are all developed sites. Brevig Harbour (Prop LP/ED8) and Ardveenish Pier (Prop LP/ED8gB) are responding to a locational need for business premises at these harbour sites and relocation to areas of low or nil flood risk is not practical. Bayhead Estuary (Prop LP/HCL3) is identified in response to a need for a mixed use site within the Stornoway town centre where there are limited development opportunities.</p>

	<p>Prop LP/ED9b, Prop LP/ED9e and Prop LP/HCL6</p> <p>Prop LP/ED4 Former Bus Station; Prop LP/HCL1 (Labost Lane plots); Prop LP/HCL4 (Bridge Centre); LP/STY1 (Housing search area to rear of Anderson road nurseries); LP/STY4 (Newton); LP/STY7 (Town Hall); Prop LP/RM4 (Cromwell Street Quay); Prop LP/ED8a (Kirkibost); LP/HCL8g (Balivanich Community Hall); prop LP/ED6 (Stornoway Airport); LP/ED8 – WISP ED1 (Balivanich, Castlebay, East Loch Tarbert).</p>	<p>SEPA <b>supports</b> policy LP/DM4 “Flooding” and the references to the other appropriate planning documents (such as Scottish Planning Policy, SPP 7, “Planning and Flooding” and Planning Advice Note PAN 69 “Planning and Building Standards Advice on Flooding”).</p> <p>With respect to the Local Plan’s land allocations, paragraphs 42 and 43 of SPP7 state that</p> <p>“42 The potential for sites to flood must be considered during the preparation and review of every local plan. Few if any local plan areas will be completely free from the threat of flooding. Flood plains, other land alongside watercourses, land with drainage constraints or otherwise poorly drained, and low lying coastal land should be assumed to be at risk. The consideration should take into account any areas identified in the Structure Plan, SEPA’s indicative flood risk maps, records of previous floods, other sources and advice from consultees. Flood risk assessments undertaken by developers or agents may also be available, though planning authorities may wish to validate them. FLAGs should be used to help identify and source the available information. These sources of information should usually be sufficient for local planning but a specific piece of work may occasionally be needed.</p> <p>43. Each Local Plan should:</p> <ul style="list-style-type: none"> <li>• for watercourse and coastal flooding set out policies and select development sites on the basis of the Risk Framework providing full justification if different probabilities are chosen;</li> <li>• consult adjacent authorities where different probabilities raise cross boundary issues;</li> <li>• indicate the circumstances where a freeboard allowance should apply;</li> <li>• identify sites or areas constrained by flood risk from other sources;</li> <li>• safeguard the flood storage capacity of functional flood plains;</li> <li>• set out policy for SuDS;</li> <li>• indicate the circumstances when a drainage assessment will be required on grounds of flood risk;</li> <li>• if appropriate describe where the promotion of managed coastal realignment or restoration of functionality to the flood plain could contribute to more sustainable flood management and natural heritage objectives; and</li> <li>• indicate the circumstances when water resistant materials and forms of construction will be appropriate.</li> </ul> <p>SEPA notes that, by requiring developer based Flood Risk Assessments for 3 sites in Greater Stornoway (Prop LP/HCL 1g, Prop LP/ED4, and Prop LP/HCL3; and SEPA <b>supports</b> the requirement for Flood Risk Assessments at these sites), the Western Isles Council has gone partway to meeting the requirements of SPP7 in assessing flood risk to land allocations.</p> <p>However, as only 3 sites have been identified, and there is no evidence that flood risk has been assessed for other allocations within the Local Plan, SEPA <b>objects</b> to the Local Plan.</p>	<p>and an FRA requirement is already recognised in the Proposal.</p> <p><b>For the above reasons the Comhairle is unlikely to remove any of the sites. However it is recommended that the Local Plan recommended that the following proposals Prop LP/ED9b, Prop LP/ED9e and Prop LP/HCL6 (additional housing East Loch Regeneration site) will be modified to indicate that “an FRA. will be required.”</b></p> <p>“</p> <p><b>With regard to sites below 5m <u>partially within</u> high flood risk areas it is recommended that the following wording: “A FRA will be required to ensure that the layout and design of the site addresses and proposes measures to remove any risk from flooding” be inserted against each of the relevant sites: Prop LP/ED4 Former Bus Station; Prop LP/HCL1 (Labost Lane plots); Prop LP/HCL4 (Bridge Centre); LP/ STY1 (Housing search area to rear of Anderson road nurseries); LP/STY4 (Newton); LP/STY7 (Town Hall) ; Prop LP/RM4 (Cromwell Street Quay); Prop LP/ED8a (Kirkibost); LP/HCL8g (Balivanich Community Hall); prop LP/ED6 (Stornoway Airport); LP/ED8 –WISP ED1 (Balivanich, Castlebay, East Loch Tarbert).</b></p> <p>A FRA has already been undertaken at Arnish yard (WISP ED1) and development at Eoligarry (Prop LP/HCL6) - is almost complete and the site may be deleted from the Plan.</p>
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		<p>The nature of SEPA's <b>objection</b> is that there is no evidence that flood risk has been assessed adequately for all of the land allocations.</p> <p>As regards the process of assessing flood risk to the land allocations, SEPA accepts that there is a lack of flood risk information for the Western Isles in comparison to the Scottish mainland.</p> <p>For example, as regards river flooding, the Centre for Ecology and Hydrology's (CEH) indicative floodplain maps (for floods with a 1 in 100 chance of occurring in any one year) only extend to the Scottish mainland.</p> <p>In addition, with respect to possible coastal flooding, it is currently difficult to readily obtain a plot of the 5 meters above ordnance datum (mAOD) contour line for the Western Isles. (The 5 MAOD contour line is identified as an indicator of possible flood risk in PAN 69. "Appendix B, Climate Change Summary of Climate change research for Scottish Executive by Werritty, Black, Duck, Finlinson, Thurston, Shackley and Crichton – February 2000 and August 2001" includes the statement that "Nevertheless, the effects of combining sea level rise with estimated storm surge effects lead to most of the Scottish coastline up to 4 – 5 m becoming vulnerable to low-risk coastal flooding by the 2050s, unless adequately protected by defences").</p> <p>SEPA has reviewed the Local Plan's proposal maps in an attempt to identify allocations, which might be at risk of coastal flooding. (SEPA currently has no information with which to assess river flooding adequately).</p> <p>SEPA has conducted this analysis for this particular Local Plan because flood risk data are so limited for this area of Scotland and it is hoped that this analysis will expedite a resolution to SEPA's <b>objection</b>.</p> <p>As the 5 mAOD contour line is not readily available for the western isles, the analysis is based upon a comparison between the location of the land allocations shown on the Proposal Maps and any level information shown upon the 1:50000 scale and 1:10000 scale Ordnance Survey maps for the Western Isles (e.g. spot heights on roads) together with the allocations' proximities to the sea.</p> <p>The analysis is therefore not exhaustive (e.g. further sites could be added on the basis of local knowledge such as that perhaps held by the Western Isles Council's Roads department), but represents a precautionary approach based upon the only readily available information.</p> <p>The allocations, which have been identified, are listed in the accompanying table.</p> <p>SEPA would be willing to remove its <b>objection</b> if a requirement for a Flood Risk Assessment is added as a condition to each of these allocations.</p> <p>The requirement for the Flood Risk Assessment could be worded as per the existing requirement for developer based Flood Risk Assessments for Prop LP/HCL 1g, Prop LP/ED4, and Prop LP/HCL3.</p> <p>Alternatively, if the Western Isles Council were to undertake a more detailed, strategic, study of</p>	
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flood risk than that conducted by SEPA (as described above), and applied the findings of that study in order to assess flood risk to the land allocations, and removed allocations at risk of flooding and substitute alternative sites (i.e implement a policy of flood risk avoidance) where appropriate, then SEPA would also be willing to remove its **objection**. Should the second generation flood maps (referred to in SPP7 and currently in process of production) become available to the Western Isles Council before the end of the local plan process, then these could be utilized in this process in addition to other information.

Map no.	Reference	Definition
Map 1	Structure Plan RM6	Coastal Development
Map 1	Structure Plan ED8	Mineral working
Map 2	Prop LP/ED9a	Regeneration: former pharmaceutical factory Breasclete
Map 2	Prop LP/ED8a	Business: Kirkibost, Bernera, Lewis
Map 3	Prop LP/ED8b	Business: Land at Brevig Harbour, Lewis
Map 3	Prop LP/ED5	Arnish
Map 4	Prop LP/ED6	Stornoway airport
Map 4	Prop LP/STY4	Newton Industrial Area
Map 4	Prop LP/Tans 1c	Evaluation of traffic management around Quay Street and Point Street
Map 4	Prop LP/ED2	Site at Bayhead/ Matheson Road
Map 4	Prop LP/HCL4	Bridge Center site, Bayhead
Map 4	LP/STY3 and Prop LP/ED5	Harbour regeneration and Arnish
Map 4	Prop LP/ED5	Arnish
Map 5	Prop LP/ED9a	Regeneration: former pharmaceutical factory, Breasclete
Map 5	Prop LP/ED8a	Business: Kirkibost, Bernera, Lewis
Map 5	Prop LP/ED5	Arnish

			<table border="1"> <tr> <td>Map 5</td> <td>Prop LP/ED 10c and Prop LP/ED5</td> <td>Caravan camping site, Ardrol, Lewis, and Arnish</td> </tr> <tr> <td>Map 9</td> <td>Structure Plan ED8</td> <td>Mineral working</td> </tr> <tr> <td>Map 9</td> <td>Prop LP/ED 10c</td> <td>Caravan and camping site, Ardrol Lewis</td> </tr> <tr> <td>Map 9</td> <td>Prop LP/ED8 and Structure Plan ED1</td> <td>Business sites and site for business development.</td> </tr> <tr> <td>Map 11</td> <td>Structure Plan ED8</td> <td>Mineral working</td> </tr> <tr> <td>Map 11</td> <td>Prop LP/HCL 8g</td> <td>New community hall, Balivanich, Benbecula</td> </tr> <tr> <td>Map 11</td> <td>Prop LP/ED9d</td> <td>Regeneration: former NAAFI, Balivanich – preferred uses are retail commercial or community</td> </tr> <tr> <td>Map 11</td> <td>Prop LP/ED 8 and Structure Plan ED1</td> <td>Business site and site for business development</td> </tr> <tr> <td>Map 11</td> <td>Prop LP/ED9E</td> <td>Regeneration: east camp, Balivanich</td> </tr> <tr> <td>Map 13</td> <td>Prop LP/ED8 (Structure Plan ED1)</td> <td>Business site</td> </tr> <tr> <td>Map 13</td> <td>Prop LP/ED8h</td> <td>Vatersay causeway, Barra</td> </tr> </table>	Map 5	Prop LP/ED 10c and Prop LP/ED5	Caravan camping site, Ardrol, Lewis, and Arnish	Map 9	Structure Plan ED8	Mineral working	Map 9	Prop LP/ED 10c	Caravan and camping site, Ardrol Lewis	Map 9	Prop LP/ED8 and Structure Plan ED1	Business sites and site for business development.	Map 11	Structure Plan ED8	Mineral working	Map 11	Prop LP/HCL 8g	New community hall, Balivanich, Benbecula	Map 11	Prop LP/ED9d	Regeneration: former NAAFI, Balivanich – preferred uses are retail commercial or community	Map 11	Prop LP/ED 8 and Structure Plan ED1	Business site and site for business development	Map 11	Prop LP/ED9E	Regeneration: east camp, Balivanich	Map 13	Prop LP/ED8 (Structure Plan ED1)	Business site	Map 13	Prop LP/ED8h	Vatersay causeway, Barra	
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34	Prop LP/ED8	<b>35/4</b>	<p>SEPA <b>objects</b> to this policy as it does not support sustainable waste management in conflict with NPPG 10, PAN 63 and other material considerations.</p> <p>The <b>objection</b> can be addressed by amending the wording of the policy from “identified for a range of business/industrial purposes” by appending “and waste management”</p>	<p>Disagree. Noting Prop LP/ED8 is a proposal not a policy, it identifies business sites along with other proposals in this economic development section. It does not identify the sites for specifically for waste management.</p> <p>However, as per NPPG10 and PAN63, the waste management aspects associated with all developments (including business developments) are covered by other policies in the Structure and Local Plans.</p> <p><b>No specific change is recommended but see general response to REP 35/6.</b></p>																																	

16	LP/ED2	<b>35/5</b>	SEPA <b>objects</b> to this policy as it does not support sustainable waste management in conflict with NPPG10, PAN 63 and other material considerations. The objection can be addressed by amending the title of the policy to “Safeguarding Industrial and Waste Management Activities” and the policy wording amended to “Existing or proposed general industrial/storage and waste management sites”	Agreed.  <b>It is recommended that the policy title be amended to: “Safeguarding Industrial and Waste Management Activities” and that the policy wording be amended to: “Development proposals (particularly for housing) adjacent to existing or proposed general industrial/storage (use classes 5 and 6) or waste management sites will be assessed ...”.</b>
LP/DM 1  App 2	8	<b>35/6</b>	SEPA objects to this policy as it does not support sustainable waste management in conflict with NPPG 10, Pan 63 and other material considerations.  The <b>objection</b> can be addressed by the insertion of a new sentence “All new development shall be required to consider how waste will be minimized and shall be designed to accommodate provision for collection, segregation, recycling and composting of waste.”	The Local Plan is linked to the Structure Plan and should be used in conjunction with it. Structure Plan policies SC9 and SC10 cover waste minimisation.  <b>It is recommended that Appendix 2 be amended to include new criteria wording “waste minimisation-development should consider provision for collection, segregation, recycling and composting of waste.”</b>
	Proposal Maps	<b>35/7</b>	SEPA <b>objects</b> to the proposal maps as they do not identify all the existing licensed waste site.  The <b>objection</b> can be addressed by identification of these sites on the relevant maps.  The following information is provided by way of background information relevant to the decision to raise the foregoing objections.  It is recognized that the Local Plan is to be read in conjunction with the existing Structure Plan, and effort has been made to create a very readable document which avoids duplication. The need for a policy framework which will support delivery of the objectives of the National waste Strategy, National Waste Plan and Area Waste Plan is SEPA’s main concern in order to facilitate the requirement to support sustainable waste management and provide clear positive support and direction for the public and developers  Structure Plan Context  The Structure Plan sets out a clear and welcome commitment to deliver these aforementioned objectives and requires the Local Plan to develop policies accordingly. The Structure Plan makes the important links between waste management and sustainable economic development opportunities. (This is recognized as good practice in the Scottish Executive’s recent research report “Local Plans – Meeting Area waste Plan Objectives”). Structure Plan policy contains a specific policy on waste management and there is already a strong strategic policy framework in place to	Your comments are noted.  <b>It is recommended that existing licensed waste sites be inserted on Proposal Maps and that the text be amended accordingly in Appendix 1 ED13 response.</b>

		<p>support developments which help deliver the “Best Practicable Environmental Option” (BPEO) as identified within the Western Isles Area Waste Plan for management and treatment of municipal waste. It is therefore recognized there is no need to duplicate this. However, the BPEO of the Area Waste Plan presently only relates to municipal waste and does not cover non municipal (i.e. commercial and industrial waste proposals) and some clear direction is required for such developments.</p> <p>Direction for Non Municipal Waste Management Proposals</p> <p>Whilst it is appreciated that in the Western Isles this sector may be limited, it is recommended that waste management be included within the business and industrial policies (e.g. LC/E, ED2 and Prop/ED8) to give some kind of direction for any new waste management proposals. This could be highlighted within the supporting text to the economic development section. This is considered to be important because at present waste management is a “sui generic” use class and therefore may not automatically be subject to the “standard” industrial policies. Such a change would provide the required direction for any future proposals by making it clear to potential developers and the public as to where waste management facilities could be sited. Outside of these industrial areas the Council’s standard policies could be applied in any event.</p> <p>Safeguarding of Existing Sites</p> <p>It is noted that the Structure Plan safeguards the Bennadrove (Stornoway) site and Rueval (Benbecula) site for waste management and recycling and the Local Plan identifies the Creed Enterprise Park for a waste management center. As planning consent is in place for the Anaerobic Digester it appears that all facilities required to deliver that BPEO of the Area Waste Plan have now been identified and safeguarded where needed. This practical approach by the Council is greatly welcomed and supported.</p> <p>Proposals Maps</p> <p>The proposals map omits many of the Licensed waste sites on the Islands (including Council owned). For example, Rueval Landfill site and the new Market Stance Waste Transfer Station are not shown on the map; however as there is a reference on the Map to a waste site near the latter presumably this is just a location error which can be easily rectified.</p> <p>However, there are many other WML sites which are not owned or operated by the Comhairle and which may not be included in the Area Waste Plan. These are still relevant from a land use planning perspective and the inclusion of these may be useful. With the extension of the Area Waste Planning process to consider commercial and industrial wastes the inclusion o facilities for the collection, treatment and storage of these and the consequent requirements to provide allocations would be a valuable addition.</p> <p>The Comhairle is now looking at the provision of proper Civic Amenity (CA) facilities throughout the Islands and there should therefore be an allocation made for the situation of these.</p>	
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			<p>These facilities are currently provided by a network of established community skip sites which could also have been included in the Plan as an indication of possible locations for full CA sites.</p> <p>Promotion of Waste Minimisation and Recycling</p> <p>National Planning policy and guidance seek promotion of waste minimisation and recycling/reuse within Local Planning policies. It is appreciated that Policy LP/RM1- Built Heritage Conservation highlights that the retention and reuse of buildings of local character will be encouraged. Also that Structure Plan policies SC10 and SC11 contain a commitment to waste minimisation and resource management. However it is considered that this commitment could be expanded to explicitly promote waste minimisation within all new developments. Other Councils (e.g. Highland) have sought to promote this through the use of sustainability checklists for new developments and this may be a useful approach in the Western Isles to highlight this issue to all developers.</p> <p>It is suggested that this could be readily included as a criteria of policy”LP/DM1 – Assessment of Development Applications” as this policy covers all new development. It is suggested that a sentence could be inserted here within policy LP/DM1 to require all new development to consider how waste will be minimized and that all new development be designed to accommodate provision for collection, segregation, recycling and composting of waste. For example within those parts of the Western isles where segregated collections are in place new development should be designed to facilitate the new methods of collections, whilst with the countryside areas provision could be made for composting. It would be extremely helpful if some guidance as to what was being sought were included for developers.</p>	
10	LP/DM3	35/8	<p>SEPA objects to this policy as it permits development to be served by private systems within publicly seweraged areas wherever a public wastewater system with sufficient capacity is not present. SEPA considers that this policy is in conflict with national planning policy and guidance and will lead to environmental harm.</p> <p>The policy also does not address the strategic planning issues raised by the presence of designated shellfish waters and bathing waters.</p> <p>This objection can be addressed by substitution of LP/DM3 with a policy that limits the usage of private systems such as the following.</p> <p><b>“Connection to the public sewer as defined in the Sewerage (Scotland) Act 1968 is a prerequisite for all new development proposals. The only exceptions to this will be:</b></p> <p><b>“A) In small-scale settlements or the countryside where either no collection system currently exists or a collection system serving only a few of the houses in the settlement exists, the first preference will be for the public collection system to be developed. If this is not achievable, i.e.</b></p>	<p>SEPA’s consultation draft on the ‘Provision of Waste Water in Sewered Areas’ (Dec 2005) and subsequent discussions with officials offers a potentially more positive and flexible approach for dispersed settlement and this was generally welcomed by the Comhairle. It is noted that beyond Stornoway the Western Isles settlements generally fall within the SEPA representation exception criteria A. Rural crofting settlements are small scale, dispersed in nature and where there are public sewerage systems these often cover only a small part of the settlement.</p> <p>As stated in LP/DM3 the Comhairle is already working closely with Scottish Water, SEPA and others to improve infrastructure</p>

		<p>through connection not being acceptable to Scottish Water or on account of technical constraints, then a private system will be permitted provided the settlement remains small-scale and the system does not pose or add to a risk of detrimental effect, including cumulative, to the natural and built environment, surrounding uses or the amenity of the general use.</p> <p>B) In areas where connection to the collection system is not permitted because there is no capacity but Scottish water has confirmed that investment to address this constraint has been specifically allocated within its investment programme, the following requirements will apply: - Systems must be designed and built to a standard which will allow adoption by Scottish Water.</p> <p>Systems must be designed such that they can be easily connected to Public sewer in the future. Typically this will mean providing a drainage line up to a likely point of connections. 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> <p>Private wastewater systems in areas adjacent to waters designated under EC shellfish Directives 79/923/EEC or 91/492/EEC or EC Bathing Waters Directive 76/160/Eec should normally discharge to land rather water.”</p>	<p>provision and secure investment to ensure constraint removal in wastewater systems.</p> <p>Noting its conformity with the approved Structure Plan policy and the emerging SEPA approaches to consideration of private systems within publicly sewered areas in dispersed settlements no change is suggested to the Local Plan.</p> <p>(See also response to REP 35/9)</p> <p>It is recommended that policy LP/DM3 be amended as follows “...In such areas, where private systems are <i>proposed</i>, treatment arrangements will be carefully assessed <i>especially to satisfy Building Regulation requirements. Private wastewater systems in areas adjacent to waters designated under EC Shellfish/Bathing Waters Directives should normally discharge to land rather than water.</i>” The following supplementary references should be inserted into the adjacent LP/DM3 policy context: “<i>EC Shellfish Directives 79/923/EEC or 91/492/EEC or EC Bathing Waters Directive 76/160/Eec</i>”</p> <p>The EC Shellfish Waters will be indicated on the Proposals Map.</p>
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Finalised Western Isles Local Plan  
 SCHEDULE OF REPRESENTATIONS & RECOMMENDED ACTIONS  
 Sustainable Development Committee 4 October 2006

Page No	Policy/Proposal	REP Ref	Representation	Planning Officers Comment and Recommended Action
20-21	HCL policies	36/1	<p>I refer to your letter and enclosures dated the 28<sup>th</sup> October 2005 inviting <b>sportscotland</b> to submit comments on the above and to my telephone conversation with Derek Laidlaw on the 8<sup>th</sup> December 2005.</p> <p>Paragraph 93 of <i>NPPG 11</i> advises that the preparation of a Local Plan should provide the opportunity for councils to assess local needs for sporting and recreational facilities in relation to local levels of provision; identify deficiencies; encourage the development of suitable sites for additional provision; and ensure that provision is properly co-ordinated with other forms of development and other land use policies.</p> <p>Like all local plans the Finalised Western Isles Local Plan proposes to allocate land for a variety of uses including operational developments such as housing and business uses. During my telephone conversation on the 8<sup>th</sup> December 2005, Derek Laidlaw confirmed that no sports pitches or playing fields are proposed to be allocated for development in the finalised local plan.</p> <p>The finalised local plan allocates land for, inter alia, housing. Such allocations are likely to have implications for the demand for community facilities including facilities for sport and recreation, whether indoor or outdoor, formal or informal. Paragraph 31 of National Planning Policy Guideline 11 entitled Sport, Physical Recreation and Open Space advises that every council should include in its development plan its views on the level of provision required for sporting and physical recreational facilities, including pitches and playing fields. Paragraph 32 of the guidance advises that it is important that council's should base their levels of provision on local surveys of provision and need.</p> <p>The outcome of local survey and analysis work referred to above should be locally derived standards. If deficiencies or poor quality exists, the analysis should identify this and inform where new/upgraded provision will be required and when developer contributions towards the provision of the new or upgraded facilities would be necessary. Contributions may be monetary (for facilities to be provided off site at locations where the need has been established through the findings of the survey and analysis) or in the form of direct provision from the developer. The nature of the contribution will depend on the nature and size of the development proposed. Many housing developments will be too small to warrant direct provision but the cumulative effect of a number of small developments can be significant and should not be ignored.</p> <p>I am aware that the Council have undertaken a</p>	<p>The Local Plan is linked to the Structure Plan and it is considered that the policies contained in the Plans provide a satisfactory framework for assessing and ensuring leisure and recreation needs related to future developments are taken into account.</p> <p><b>No change to the Local Plan is recommended. Your comments will be passed to the Comhairle's Sports &amp; Health section to inform future considerations. This will then appropriately be taken into account in future plans and strategies.</b></p>

			<p>pitch audit (2004) to support a capital funding programme with the stated aim to “provide additional playing field provision in areas of need and to upgrade existing sports fields to an acceptable standard.” Furthermore I am aware that the Council have a Sports Strategy and a Physical Activities Strategy and that the Council’s sports development officers should be working on sports specific development strategies. Such strategies will influence future demand for particular types of sports facilities. The facility requirements resulting from local plan allocations and the Council’s sports strategies should be assessed and appropriate allocations or policies included within the plan to secure the facilities required to deliver these strategies.</p> <p>Although no sports pitches or playing fields are proposed to be allocated for alternative development it is likely that there will be development pressure for development on open spaces, including playing fields. Paragraph 94 of NPPG11 advises that local plans should, inter alia, include policies to protect and enhance existing open space including playing fields. Policy HCL4 of the Structure Plan informs, inter alia, that existing sports and leisure facilities, including public open space, should be safeguarded from development unless acceptable alternative provision can be provided. However having regard to the content of Paragraph 94 of NPPG11 I would suggest that a policy designed to protect playing fields and sports pitches from development should also be included in the Local Plan. The wording for the policy should be taken from Paragraph 47 of NPPG 11.</p>	
18	LP/ED4	<b>36/2</b>	<p>In relation to section f) of policy ED4 <i>Aquaculture and Marine Planning Powers</i>, <b>sportscotland</b> considers it important that potential impacts on recreational interests are considered and proposals refused where they would have a significant detrimental impact on areas popular for recreational purposes.</p>	<p>Your comments are noted.</p> <p><b>An additional policy criterion is proposed:</b></p> <p><b><i>“g) the impact of development upon areas used for recreational purposes.”</i></b></p>
18	LP/ED5	<b>36/3</b>	<p>In relation to policy ED5 <i>Caravans and Camping for Tourism</i>, the policy does not appear to provide policy guidance on proposals that may be submitted for camping sites. If new camping site proposals are guided on in the Council’s Caravan Sites Policy, this should be made clear in the policy, otherwise policy guidance is needed in the plan.</p>	<p>The policy is quite clear that development should accord with the Comhairle’s approved Caravans Sites Policy.</p>
	WISP Proposal 3	<b>36/4</b>	<p><b>sportscotland</b> notes that the local plan has not identified Proposal 3 of the Structure Plan <i>The Western Isles Way</i> in the local plan on the basis that this will be done as part of core path planning work the Council will be undertaking. While it is recognised that the core path plan will still be in preparation, it is likely that core paths will be identified within the lifetime of this plan. <b>sportscotland</b> considers therefore that policy should be developed in the plan protecting such routes from development with additional policy providing for access provision as part of development proposals. Scottish Executive guidance to local authorities on access rights states that access rights will be material</p>	<p>Policy HCL 6 of the Structure Plan adequately covers the concerns raised.</p> <p><b>No change to the Local Plan is suggested.</b></p>

			considerations in considering planning applications, suggesting that policy on access rights should appear in local plans. Access rights came into effect in January 2005 so should be addressed in local plans.	
	WISP ED10	<b>36/5</b>	In relation to Structure Plan policy ED10 <i>Restoration and Reuse of Former Quarries</i> , <b>sportscotland</b> would like to see policy in the local plan which recognises the potential of such sites for sport and recreation purposes and which would look favorably on such proposals. Attached for your interest is our draft policy on the use of derelict and disused land for sport and recreation purposes.	ED10 is a Structure Plan policy, and previously approved, and does not form part of the Local Plan consultation process. However your comments are noted and policy ED10 is sufficiently flexible to allow for arrange of end uses.  <b>No change to the Local Plan is recommended.</b>
	Local Plan general	<b>36/6</b>	<b>Sportscotland</b> would not wish to formally object to the content of the Finalised Local Plan on the understanding that the comments in the preceding paragraphs will be given full and proper consideration.  If you wish to discuss any of the comments contained in this letter further please do not hesitate to contact me on the above number.	Noted.  It is considered that full and proper consideration has been given to representations and that Sportscotland can reconfirm it has no objection to the Local Plan.

Page No	Policy/Proposal	REP Ref	Representation	Planning Officers Comment and <b>Recommended Action</b>
	General	<b>37/1</b>	<p>Thank you for consulting RSPB Scotland on this Plan. While we welcome much of the plan, we wish to lodge an objection as set out in detail below.</p> <p><b>1. General Comments</b>            We note that the Local Plan should be read in conjunction with the Structure plan and that it seeks to avoid repetition. However, there are a number of areas where the strategic overview set out in the Structure Plan indicates that further details will be provided in the Local Plan and at this stage these are not apparent.</p> <p>It is our understanding that the Local Plan was produced following engagement with 'key stakeholders' but that there has not been the publication of a consultative draft plan. If this is an accurate assumption then it mirrors the procedures adopted in a number of pilot studies conducted across Scotland, for example, the Wester Ross Local Plan. As we understand it these pilots were designed to provide a more effective and efficient process of plan production including innovative community consultation and involvement.</p> <p>Our experience of the Wester Ross Local Plan was mixed. The preparation process involved a range of genuinely interesting and imaginative consultation exercises, which we are disappointed the Comhairle has not repeated. However, the absence of a consultative draft did lead to the exclusion of a number of stakeholders from the preparatory process and resulted in a Local Plan which failed to: <b><i>“set out detailed policies and specific proposals for development and use of land”</i></b> (para 37 Scottish Planning Policy 1). As it currently stands, the Finalised Western Isles Local Plan has many welcome policies but lacks the necessary detail required by SPP1.</p>	Noted. No change to Local Plan.
	Introduction	<b>37/2</b>	<p><b>2. Strategic Environmental Assessment</b>            Given that the intention to prepare a Local Plan was announced in June 2004 it is clear that the obligations arising from the Strategic Environmental Assessment (Scotland) Regulations 2004 do not apply unless the adoption of the Local Plan falls after the 21 July 2006. However, given that there is every possibility that the Local Plan could be delayed by a public inquiry or other circumstances (thereby making SEA a possible requirement) we are surprised that the Comhairle has decided not to undertake a SEA in order to aid policy development and accord with the spirit if not the letter of the law. Clearly, the Scottish Executive has taken a very broad approach to the application of SEA and has undertaken to use SEA in a range of circumstances where SEA is useful but not a legislative necessity, for example, the SEA of the first National Planning Framework.</p>	<p>A SEA of the Local Plan is being undertaken. A scoping exercise is complete and a draft Environmental Report is currently being prepared for public consultation.</p> <p><b>It is recommended that the following be inserted to the Introduction:</b>  <b><i>“A Strategic Environmental Assessment is being undertaken on the Local Plan.”</i></b></p>

			We would be happy to work with the Council on any SEA it decides to undertake.	
	Introduction	37/3	<p><b>3. Appropriate Assessment</b> More pressingly, the recent European Court of Justice decision C-6/04 from October 2005 ruled that in relation to land use plans:</p> <p><i>‘...that United Kingdom legislation does not clearly require land use plans to be subject to appropriate assessment of their implications for SACs [and SPAs] in accordance with Article 6(3) and (4) of the Habitats Directive.</i></p> <p><i>According to the Commission, although land use plans do not as such authorise development and planning permission must be obtained for development projects in the normal manner, they have great influence on development decisions. Therefore land use plans must also be subject to appropriate assessment of their implications for the site concerned.’ (paras 51 and 52)</i></p> <p>Given that this ruling has emerged since the adoption of the Structure Plan and given that many of the policies in both the Structure Plan and Local Plan are criteria based, with potential implications for designated sites, we believe that it is necessary for the Comhairle to undertake an appropriate assessment of the Finalised Local Plan.</p>	<p>During the period since representations were made on the Local Plan the Scottish Executive have produced Interim Guidance (May 06) regarding the appropriate assessment of development plans to comply with the requirements of Article 6 of the Habitats Directive. The Comhairle will follow the guidance prior to the completion of the Local Plan process.</p> <p><b>It is recommended that the following be inserted into the Introduction to indicate that the Local Plan: “will also be assessed in line with Scottish Executive Interim Guidance to meet the requirements of Article 6 of the Habitats Directive.”</b></p>
		37/4	<p><b>4. Biodiversity Duty</b> Since the approval of the Structure Plan in 2003 the Scottish Parliament has adopted The Nature Conservation (Scotland) Act 2004 which requires “all public bodies to further the conservation of biodiversity, having regard to (a) the Scottish Biodiversity Strategy and (b) the UNEP Convention on Biological Diversity”. The Planning System is an important way to meet this obligation and the Local Plan should reflect this duty through a suitably detailed policy, making specific reference to biodiversity in designated sites and the wider countryside.</p>	<p>The Local Plan is linked to the approved Structure Plan and in the latter policies DM7 and RM2 make specific reference to biodiversity.</p> <p>It is indicated that account will be taken of the Western Isles Local Biodiversity Action Plan which contains detailed actions.</p> <p><b>No change to the Local Plan is suggested.</b></p>
16	LP/ED3  WISP ED2   (Economic Proposals section)   App 1 ED2 response	37/5	<p><b>5. Comments on Local Plan contents</b> The comments below set out our detailed comments on the Local Plan as set out in the order they appear in the plan: 5.1 Our primary objection to the Local Plan arises from policy LP/ED3 and its relationship to Structure Plan policy ED2. NPPG 6: Renewable Energy states in paragraph 49 that:</p> <p><i>“In summary structure and local plan policies for renewable energy developments should:</i></p> <ul style="list-style-type: none"> <li>• <i>support the Scottish Ministers’ commitment to renewable energy and provide positively for its development;</i></li> <li>• <i>define broad areas of search suitable for wind and other renewable energy developments or, where appropriate, specific sites in local plans;</i></li> <li>• <i>safeguard, where appropriate, areas with potential for renewable</i></li> </ul>	<p>Your comments are noted.</p> <p>In view of representations received and the ongoing national review of NPPG6 it is proposed to insert the following as a commitment:</p> <p><b>It is recommended that a new proposal on “Renewable Energy Supplementary Guidance” should be inserted in the Economic Proposals section stating that: “The Comhairle will review its supplementary planning guidance on renewable energy following the production of SPP6.”</b></p> <p><b>The following should be inserted at the end of the</b></p>

			<p>energy projects;</p> <ul style="list-style-type: none"> <li>• indicate whether there are areas or sites which, after appropriate assessment and wide consultation, it is judged that for overriding environmental reasons, proposals for renewable energy development would only be considered in exceptional circumstances;</li> <li>• guide developers on the broad criteria they would be required to consider in any development proposal, including those falling outwith preferred areas; and provide a clear development control framework”</li> </ul> <p>In the Western Isles Structure Plan ‘ED2 - Development of Alternative and Renewable Energy Resources’ it is stated that <i>“the Local plan will identify potentially suitable sites including the provision of safeguarding or exclusion areas to ensure that future neighbouring developments and activities do not under mine the viability of the energy resource.”</i></p> <p>It would appear that policy LP/ED3 seeks to address the issue of safeguarding renewable energy resources but does not identify potentially suitable sites for renewable energy development. Consequently the Local Plan does not accord with the requirements of the Structure Plan and together neither of the plans serve to address the requirements of NPPG 6.</p> <p>Given the considerable opportunities and pressures on the Western Isles with regard to renewable energy developments we object to this policy on the basis that it is inadequate and that it fails to comply with national policy guidance. We recommend that the Comhairle adopt supplementary planning guidance in the form of a renewable energy strategy or a renewable energy Subject Plan in order to explore these issues in sufficient detail and in consultation with local communities and key stakeholders.</p> <p>Having recently undertaken a review of renewable energy policies in all development plans across the UK (produced after 2000) we will shortly be publishing a report highlighting some examples of good practice. These include the tiered approach adopted by Aberdeen/Aberdeenshire Council in their Structure Plan and the criteria based policies contained in East and West Lothian Council Local Plans.</p> <p>We would also recommend the inclusion of Energy Efficiency and Micro-renewable Policies. Given the strong and welcome commitment to sustainable development highlighted throughout both the Structure and Local Plans policies relating to these subjects would appear to strongly support the objectives of the Comhairle.</p> <p>At a local plan level Barrow-in-Furness provides a good example of an energy efficiency policy:</p> <p>“Developments that satisfy the other criteria of this plan will be approved if they show that reduction in energy consumption is being</p>	<p><b>Appendix 1 ED2 response:</b>  <b>“ ... safeguard areas. Proposal LP/ED** outlines the position on new guidance.”</b></p>
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			<p>optimised by means of layout, design, construction or alternative technology. Development will be refused where the Council is satisfied that by virtue of its location or layout or the type of development the amount of energy consumed is not justified by other benefits.”</p> <p>We also bring to the attention of the Comhairle the provisions of PPS 22 (English Planning Policy Statement), which states that:</p> <p>“.....planning authorities may include policies in local development documents that require a percentage of the energy to be used in new residential, commercial or industrial developments to come from on-site renewable energy developments”</p> <p>Indeed some parts of England and London have gone significantly further than this optional policy approach to include targets for on-site generation.</p> <p>As an ‘Energy Innovation Zone’ we believe that these locally relevant policy areas should be reflected in the Local Plan.</p>	
18	LP/ED4	<b>37/6</b>	5.2 We welcome policy LP/ED4 given the anticipated transfer of aquaculture consent regimes to the planning system.	Your comments are noted.
30	Prop LP/RM5	<b>37/7</b>	5.3 We welcome and support Prop LP/RM 5 Local Nature Reserve	Your comment is noted.  <b>No change to the Local Plan is suggested.</b>
	WISP RM4 (Appendix 1 RM4)	<b>37/8</b>	5.4 We query whether the requirements of Structure Plan policy RM4 Peat Extraction are being met given that the Local Plan does not identify any areas considered suitable for commercial peat extraction	<b>It is recommended that for clarification the Appendix 1 RM4 response should be amended to read “The identification of suitable areas applies only to commercial peat extraction. Noting that commercial demand is unlikely in the plan period individual applications will be considered on their merits and in line with other relevant policies and guidance.”</b>
	Maps	<b>37/9</b>	5.5 We support and welcome the inclusion of environmental designations on the maps, but note that they are not listed anywhere in the main text. We feel that local, national and international environmentally protected areas should be listed clearly within the main text, or as an appendix, in addition to being plotted on the maps. We also suggest that in the maps key, these areas should be noted in order of importance (i.e. commencing with local and ending with international natural heritage zones).	Information on designated sites is freely available and to place in a Local Plan as a list is not only repetition but also runs the risk of being out of date at some point.  <b>The map key will be changed to reflect your comments on importance of designated environmental areas.</b>
	Glossary	<b>37/10</b>	5.6 In the Glossary, items such as Tree Preservation Orders and Local Nature Reserves are listed as constraints, yet factors up held by international legislation e.g. European Birds and Habitats Directives are omitted. We are unclear why some designations, for example Local Nature Reserves, appear in both the Structure Plan and Local Plan Glossary while others such	Your comments are noted.  The Local Plan Glossary refers only to the text of the Local Plan and seeks not to repeat items covered in the Structure Plan. <b>The Glossary will be</b>

			as Special Protection Areas and Special Areas of Conservation do not.	<b>reassessed to appropriately reflect the content of the Local Plan.</b>
		<b>37/11</b>	<p><b>6. Conclusion</b></p> <p>The Finalised Local Plan, in its current format, does not provide an adequate framework to guide future development on the Western Isles. As shown by the level of debate and scrutiny generated by recently proposed renewable schemes it is paramount that either the Local Plan, Supplementary Planning Guidance or a Subject Local Plan provides an adequate consultation and decision-making framework which accords with national policy.</p>	<p>Your comments are noted.</p> <p>See other responses including 37/5.</p>

Page No	Policy/Proposal	REP Ref	Representation	Planning Officers Comment and Recommended Action
	Procedure  Introduction	<b>38/1</b>	<p><b>Infringement of Council Directive 92/43/EEC Art.6.3</b></p> <p>No appropriate assessment of plans and projects likely to have significant effects on the Natura 2000 Network, in particular upon UK9001571; UK9001572; UK9001741; &amp; UK0019815.</p> <p><b>Ground</b></p> <p>LP/Appendix 1/page 46/47, lower Boxes; specifies a local plan policy and proposals in response to SP/ED2, viz, LP/ED3; Lewis Wind Farm project; Muaitheabhal Wind Farm, and CNES Policy Considerations for Renewable Energy Developments in the Western Isles November 2004. The later policy makes reference to a number of further plans and projects, specifically; National Planning Framework; Beaulay-Lewis Electricity Transmission Infrastructure project; Western Isles Energy Innovation Zone; and Western Isles Structure Plan 2003.</p> <p>Said Local Plan policy is, on its own and in combination with other plans and projects, self-evidently likely to have significant impacts on Natura 2000. However, no appropriate assessment is in evidence for any of these plans and projects in respect of UK9001571; UK9001572; UK9001741; &amp; UK0019815.</p> <p><b>Precedent</b></p> <p>C-127/02 Wadenzee ECR 2004 Page I-07405, operative part, 3(a)(b); C-6/04 Commission v United Kingdom, paras 51-56.</p>	<p>During the period since representations were made on the Local Plan the Scottish Executive have produced Interim Guidance (May 2006) regarding the appropriate assessment of development plans to comply with the requirements of Article 6 of the Habitats Directive. The Comhairle will follow the guidance prior to the completion of the Local Plan process.</p> <p><b>It is recommended that the following be inserted into the Introduction to indicate that the Local Plan: “will also be assessed in line with Scottish Executive Interim Guidance to meet the requirements of Article 6 of the Habitats Directive.”</b></p>
	Introduction	<b>38/2</b>	<p><b>Infringement of council Directive 2001/42/EC Art.13.3</b></p> <p>No evidence of any a) Strategic Environmental Assessment, or b) credible reasons why one is not feasible, and in any event if so considered the public has not been informed of such decision.</p> <p><b>Ground:</b></p> <p>LP sets framework for development consent; LP's first formal preparatory act made on or around 28 June 2004; in view of the obligation to remedy the lacuna of absent appropriate assessment, LP will self-evidently be adopted more than 24 months after first formal preparatory act. However, there is no evidence of a) any SEA or b) any credible reasons why such assessment is not feasible. If b) the public has not been informed of such a decision, and no credible reasons have been disclosed.</p>	<p>A SEA of the Local Plan is being undertaken. A scoping exercise is complete and a draft Environmental Report is currently being prepared for public consultation.</p> <p><b>It is recommended that the following be inserted to the Introduction: “A Strategic Environmental Assessment is being undertaken on the Local Plan.”</b></p>
46	Appendix 1	<b>38/3</b>	<p><b>Breach of Town and Country Planning (Scotland) Act 1997 S.11(5)b</b></p> <p>The Local Plan policy and proposals specified in LP/Appendix 1/page 46/47, etc, do not conform to SP/ED2.</p>	<p>The Local Plan 'conforms generally' to the Structure Plan and does not contravene S.11 (5) b of the T&amp;CP (Scotland) Act 1997.</p>

				<p><b>No change to the Local Plan is suggested.</b></p> <p>The Local Plan identifies wind farm sites with planning approval on the Proposals Map and we consider that it does not contravene S.11 3(b) of the T&amp;CP (Scotland) Act 1997.</p> <p><b>No change to the Local Plan is suggested.</b></p>
		38/4	<p><b>Breach of Town and Country Planning (Scotland) Act 1997 S.11(3)b</b></p> <p>The Local Plan policy and proposals specified in LP/Appendix 1/page 46/47, etc, are not indicated on the proposals map.</p>	<p>The Local Plan 'conforms generally' to the Structure Plan and does not contravene S.11 (5) b of the T&amp;CP (Scotland) Act 1997.</p> <p><b>No change to the Local Plan is suggested.</b></p> <p>The Local Plan identifies wind farm sites with planning approval on the Proposals Map and we consider that it does not contravene S.11 3(b) of the T&amp;CP (Scotland) Act 1997.</p> <p><b>No change to the Local Plan is suggested.</b></p>



			<p>would be acceptable in relationship to scale and size of development.</p> <ul style="list-style-type: none"> <li>The Local Plan, as proposed, does not provide an adequate framework to steer future development of potential renewable energy industry on the Western Isles. Land-use consideration of renewables projects should address the effects of development on community amenity, natural and cultural heritage, community renewable projects aspirations, and tourism development resources. Following the high levels of opposition recorded in relation to the current Lewis Wind Power and Beinn Mhòr Power proposals, it is paramount that the Local Plan provides an adequate consultation framework. To this end particular and specific attention must be paid to all official or authorized existing research and data that is available at the time of application or approval of any project, that may state categorically what developments <u>are proved</u> to be without risk to human and/or animal health, and which developments may prove detrimental or hazardous in any way to an affected community. Failure to implement that basic requirement to protect the population and livestock from impact should be defined as a development proposal whose impact and risk factor can not be determined as there is insufficient data or research available to identify any potential risk to human health or well being, or to determine the impact it may have on the community, environment, built and natural heritage, landscape, archaeology, cultural heritage, basic amenities, housing and recreational facilities – whether built or natural.</li> </ul> <p>Any development proposal that cannot be <u>PROVED to be without risk or hazard</u> to the human, livestock, other animal or marine or freshwater life, or to the natural and built heritage or peatland resources and protected zones – including protected species and habitats, ancient sites and ruins and archeology – should not be consented or approved. The Western Isles contains some of the world's most precious natural environment and all that is contained therein. The Local Plan should be identifying ways to protect and preserve this environment, and make capital use of the wealth of history and heritage on our doorstep.</p> <p>There are many areas suitable for local-scale renewable projects, to feed and power our own grid system, which would ensure every individual connected to the grid would benefit. Only small-scale renewable projects that could easily fit into villages and communities should be given the green light. All other projects should be initially subject to full consultation and approval of the affected community, and then the entire local community before being submitted for consideration for planning.</p> <p>If the application fails to gain the consent and approval of the communities that would be most affected then that project should be automatically rejected. That way both council and community can work together for the greater good of the population.</p>	
16	LP/ED2 LP/ED3	39/2	<p><b>Community Amenity:</b> It is noted that LP/ED2 and LP/ED3 provide safeguarding for industrial and renewable developments, however no safeguards are proposed for housing, community and leisure facilities. The Authority should consider additional safeguards in these areas. The plan should identify preferred development zones, which offer increased amenity protection for communities, and facilitate community development proposals. For example</p>	<p>Your comments are noted.</p> <p>See response to REP 39/1.</p>

	Introduction		<p>Perth and Kinross Council have provided the following indicators for noise protection:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><i>Evaluation:</i> For the purposes of the assessment, and unless demonstrated to be otherwise, background noise levels in rural areas are assumed to be as shown in the table below:</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th rowspan="2"></th> <th colspan="7">Windspeed (MS)</th> </tr> <tr> <th>4</th> <th>5</th> <th>6</th> <th>7</th> <th>8</th> <th>9</th> <th>10</th> </tr> </thead> <tbody> <tr> <td>Back-ground dBA</td> <td>24</td> <td>25</td> <td>27</td> <td>29</td> <td>31</td> <td>33</td> <td>35</td> </tr> </tbody> </table> <p>The loss of amenity from noise will be assessed on the following basis:            – A difference of 3dB or less – insignificant: A difference of 4 to 6dB – marginal loss of amenity: A difference of 7 to 9dB –significant loss of amenity: A difference of 10dB or more major loss of amenity “Supplementary Planning guidance for Wind energy Proposals in Perth and Kinross” (2005)</p> </div> <ul style="list-style-type: none"> <li>In the absence of a detailed land-use strategy for renewable energy, developments may potentially result in significant effects on the areas designated under the Directives and therefore an appropriate assessment must be undertaken (European Court of Justice Decision, Case C-6/04). (See previous paragraph for definition)</li> </ul>		Windspeed (MS)							4	5	6	7	8	9	10	Back-ground dBA	24	25	27	29	31	33	35	<p>During the period since representations were made on the Local Plan the Scottish Executive have produced interim Guidance (May 2006) regarding the appropriate assessment of development plans to comply with the requirements of Article 6 of the Habitats Directive. The Comhairle will follow the guidance prior to the completion of the Local Plan process.</p> <p><b>It is recommended that the following be inserted into the Introduction to indicate that the Local Plan: “will also be assessed in line with Scottish Executive Interim Guidance to meet the requirements of Article 6 of the Habitats Directive.”</b></p>
	Windspeed (MS)																										
	4	5	6	7	8	9	10																				
Back-ground dBA	24	25	27	29	31	33	35																				
12-15		39/3	<p><b>Natural Heritage and Biodiversity:</b> Although the boundaries of designated areas are identified, Natural Heritage is not included in “Resource Management”, which is a fundamental omission. The Local Plan should respond pro-actively to the opportunities offered by our rich natural heritage for its own sake, and in relation to employment, tourism, education, recreation and amenity. The Local Plan policy and proposals should reflect the diversity and importance of designated areas on the Islands, and provide an adequate strategy for protection.</p>	<p>The Comhairle recognises the importance of the natural heritage and biodiversity of the islands.</p> <p>The Local Plan clearly points to the Structure Plan which contains a comprehensive series of policies (including RM2, RM8, RM9 and RM11) relating to the natural environment and the various nature conservation designations. It is considered that the Development Management policies within both the Structure Plan (including DM7) and the Local Plan (including LP/DM1) together with other relevant policies and national guidance provide a robust framework within which proposals which may</p>																							

				<p>affect the natural environment can be assessed.</p> <p><b>No change to the Local Plan is suggested.</b></p>
		39/4	<p><b>Cultural heritage including archaeology:</b> The plan does not reflect the wealth and importance of the Western Isles archaeology and cultural heritage, and does not provide an adequate preservation policy. A system should be provided for identifying areas of archaeological sensitivity that may be sensitive to development. Positive policies and proposals should be designed to facilitate the development and promotion of archaeological and cultural heritage resources.</p>	<p>The Local Plan is linked to the approved Structure Plan and the latter recognises our rich built heritage and cultural traditions and provides an appropriate policy framework to safeguard and enhance these resources including RM12-15 and SC8.</p> <p>The Local Plan via LP/RM1 further strengthens and clarifies archaeology and identifies an Archaeologically Sensitive Area.</p> <p>Beyond the Local Plan further archaeological initiatives are being progressed. The Comhairle is also currently preparing an Outer Hebrides Cultural Strategy.</p> <p><b>No change to the Local Plan is suggested.</b></p>
12-15		39/5	<p><b>Landscape:</b> The importance of landscape, including the National Scenic Area is not adequately reflected in the plan. A framework should be provided including reference to relevant guiding documents such as the Western Isles Landscape Character Assessment. The wilderness and open quality of the North Lewis Landscape and Peatlands is unique, (we have been assured at EU level) in the whole of the UK, and indeed in European terms. Visitors and tourists from all over the world have flocked to see this amazing moorland of ours. We have met many of those over the years, and formed friendships with some of them. Our moorlands attract walkers, rambles, environmentalists, conservationists, geologically and ecologically minded folk from all walks of life – year upon year they visit, and many return to visit every year. They are amazed, enthralled, enchanted and captivated by the natural phenomenon that is the Lewis moorland landscape and all it contains. They all leave our island with their lives enriched by what they have seen, heard and captures on camera – and all this is borne out by the number of people from mainland GB who have chosen to make Lewis their home, simply because of the unique environment it offers.</p>	<p>The Comhairle recognises the importance of the natural heritage and biodiversity of the islands.</p> <p>The Local Plan clearly points to the Structure Plan which contains a comprehensive series of policies (including RM2, RM8, RM9 and RM11) relating to the natural environment and the various nature conservation designations. It is considered that the Development Management policies within both the Structure Plan (including DM7) and the Local Plan (including LP/DM1) together with other relevant policies and national guidance provide a robust framework within which proposals which may affect the natural</p>

				<p>environment can be assessed.</p> <p>Structure and Local Plan policy criteria ensure development assessment takes account of key considerations including landscape. The Structure Plan DM7 highlights the Western Isles Landscape Character Assessment and landscape considerations are covered in LP/DM1 Appendix 2.</p> <p><b>No change to the Local Plan is suggested</b></p>
18	WISP ED5 LP/ED5	39/6	<p><b>Protection of Tourism resources:</b> Structure Plan ED5 Tourism Development states that “<i>the Local Plan will identify specific sites suitable for tourism developments and facilities including visitor attractions</i>”. Tourism is a major contributor to the Western Isles economy, and is particularly important in sustaining population and employment in rural areas, and is identified as a key economic driver in feasibility studies associated with ongoing community land purchases. This is not reflected in the plan, where economic policy LP/ED5 is restricted to ‘Caravan and Camping for Tourism’, and proposals restricted to three sites. The Local Plan should identify areas where tourist activity is established and areas of future tourism development. Local Plan policy should provide a framework for the protection and enhancement of tourism resources.</p>	<p>It is not a key role of the local plan to identify existing uses or to protect tourism uses against future development.</p> <p>The Local Plan taken together with the Structure Plan provides a framework for assessing development proposals and is sufficiently flexible to accommodate the changing needs of the tourism sector.</p> <p><b>The Outer Hebrides Tourism Strategy (and related action plan) is the most appropriate strategy to contain your suggestions and we will pass your comments on to colleagues dealing with these matters.</b></p> <p><b>It is recommended that reference to the “Outer Hebrides Tourism Strategy” will be included in the policy context column.</b></p>
	LP/ED5	39/7	<p>NB – I would like to submit, in the near future, more specific information to support this objection to the Local Plan, and will forward this as soon as the information is all to hand, and collated.</p>	<p>No further information submitted.</p>

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	Greater Stornoway Settlement delineation  WISP RM3    Map 4 (LP/STY1)	44/1	<p><b>Greater Stornoway Settlement delineation. This grandiose designation conflicts with Structure Plan Policy RM3 Safeguarding locally important Agricultural Land.</b></p> <p>Close scrutiny reveals that the Greater Stornoway Settlement delineation is a strategy to remove the best agricultural land for housing: it includes the best fields of Goathill Farm, the whole of Stewartfield, the whole of Steinish croft 14 (the highest croft in the village), all of Mossend Farm, a large part of Melbost Farm and the whole of Sandwick. This is the clearest indication that the Council planners department, are not maintaining the essential distinction between urban and rural settlement patterns, in contravention of the Structure Plan Policy “to encourage the low intensity land management techniques associated with crofting for the benefit of the natural environment.” The Greater Stornoway Settlement delineation should not include any farm or crofting land, so as to maintain a clear distinction between urban and rural settlement pattern. As it stands the GSS negates village identities, undermines the integrity of crofting tenure and the viability of local farms. There is an unrealistic emphasis on the need for new housing development around town. The emphasis should be on planned de-centralisation of population from the Stornoway area back into the rural villages to revitalise remote communities.</p> <p>Conflicts with, pre-empts and is prejudicial to proper planning consultation set out in Policies: Policy RM1 Development on Crofts</p> <p>The Comhairle will normally support development proposals on crofts where it can be demonstrated that the proposal will contribute positively to progressive crofting activities and will not: i) adversely affect the overall character or crofting viability of the township; ii) have a detrimental impact on adjacent uses.</p> <p><b>Policy RM3 Safeguarding Locally Important Agricultural Land</b></p> <p>The Comhairle will only support development proposals that would result in a loss of locally important agricultural land when all the following are met: i) the applicant has demonstrated that the development must proceed on the site identified (i.e there is no alternative option that utilises lower quality land) ii) the proposal does not threaten the viability of the township within which the proposal is located. Smaller scale development proposals, which may incrementally result in a large loss of locally important agricultural land will also not normally be supported. The Local Plan will avoid identifying locally important agricultural land for development when a suitable alternative is available.</p>	<p>The Greater Stornoway Settlement delineation, the proposals sites and search areas present a strategy for settlement development in the settlement area of Stornoway and surrounding townships. It reflects the objectives of the Local Housing Strategy and is a requirement of the Structure Plan policy DM1.</p> <p>Given the significant constraint of land availability in and around Stornoway it has been considered necessary to propose some housing search areas on Locally Important Agricultural Land. Such a Development Plan led strategy for settlement development is supported in national planning guidance. However, that does not simply open the door on large scale use of Locally Important Agricultural Land beyond the Housing Search Areas.</p> <p><b>Notwithstanding the above, in considering all representations received it is recommended that the following search areas are deleted:</b></p> <p><b>Steinish croft 14.</b></p> <p><b>North of North Street /East of Plasterfield.</b></p> <p><b>North Street Grazings North of Knockgarry.</b></p>
24	LP/STY 1 Housing Search Areas conflicts with Western	44/2	<p><b>Western Isles Structure Plan RM3: Safeguarding locally important agricultural land.</b> The Local Plan should identify these important agricultural areas in their entirety. The Local Plan prejudices the integrity of locally important agricultural land by inserting designated areas for “housing search”</p>	<p>The Local Plan proposals maps identifies all the MacAulay Institute Land use Classification – Class 4.1 or above as</p>

24	<p>Isles Structure Plan RM3: Safeguarding locally important agricultural land</p> <p>Greater Stornoway Context</p> <p>Map 4</p>	<p>(LP/STY 1 Housing Search Areas) on the following locally important land: a Steinish croft, Goathill Farm, Mossend Farm, Sandwick common grazings, Melbost Farm and Holm Farm. All of these sites are located on the Stornoway beds (of sandstone derivation unlike the rest of Lewis) on a 19<sup>th</sup> century agriculture landscape of improvement. RM3, designated by the Macaulay Institute, should only be built on as a last resort when no land of poorer quality is available. It certainly should not be prejudiced by being pre-determined for housing as in this local plan. Therefore these areas should be erased as pre-determined housing search areas. Stornoway town is bounded on the north and east by the “green belt” of farm and croft land developed on the undulating sandstone beds which skirt the Cockle Ebb and Broad Bay, from Goathill Farm through Steinish and Melbost Farm to the Braighe and Holm: this finite swathe of fertility should be retained for agriculture. Indeed the Local Plan contains no positive provision for protecting the future of this unique agricultural area, far less any acknowledgement of its true value as a significant factor in the local economy and way of life. These areas are essentially rural in character and should remain so. Elsewhere on the peat and gneiss there is plenty of low quality land more suitable for housing schemes. In Lewis there is a finite amount of agricultural land and we can’t afford to put it under concrete and tarmac. Melbost Farm is unique in Lewis, yet has been unscrupulously targeted for housing and industrial “development”.</p> <p>I also object to the underhand way in which “housing search” areas are shown on the map, not clearly labeled, appearing as oval blobs suggestive of natural features rather than built-up areas; and the coloring does not quite match key, creating a further obstacle to interpretation by the consultees.</p>	<p>Locally Important Agricultural Land.</p> <p>In order to implement the objectives of the Local Housing Strategy and to consolidate housing within reasonable distances from services and amenities a number of Housing Proposals sites and Housing Search Areas have been identified in the plan. Given the significant constraint of land availability in and around Stornoway it has been considered necessary to propose some Housing Search Areas on Locally Important Agricultural Land. Such a Development Plan led strategy for settlement development is supported in national planning guidance. However, that does not simply open the door on large scale use of Locally Important Agricultural Land beyond the Housing Search Areas.</p> <p>The Structure Plan already deals with the safeguarding of Locally Important Agricultural Land. To avoid confusion between the documents this is not repeated in the Local Plan although it is appropriately referred to.</p> <p>Housing Search Areas merely provide an initial focus for the search for housing land in the longer term subject to a range of factors.</p> <p><b>It is recommended that the following amendment be inserted to the Greater Stornoway Context to clarify the role of the Housing Search Areas.</b></p> <p><b>“In addition to the proposed housing sites in the Local Plan, areas have also been identified on the proposal maps to focus the search for</b></p>
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				<p>housing land in the longer term subject to a range of factors. <i>These areas do not constitute firm proposals for future use but are aimed to help initially guide future investigations into the location of housing development in the Greater Stornoway Area. Although much of the search area...</i></p> <p>The colours of the key and proposals maps will be clarified. The shapes of the HSA reflect their indicative areas of search role. The clarification on their role should also aid interpretation.</p> <p><b>It is also recommended that in response to your objection that each HSA area will be named and referenced on the Proposal Map.</b></p>
32	Prop LP/ED6 Stornoway Airport conflicts with Structure Plan RM3	44/3	<p><b>LP/ED6 conflicts with Structure Plan RM3 Stornoway Airport is earmarked for the wrong sort of development. It is really a machair/agricultural zone, not an industrial zone.</b></p> <p>The yellow cross-hatched area of locally important Agricultural Land should extend right across Melbost Farm instead of most of Melbost Farm being colored solid blue for economic development. A sliver of cross-hatching does appear on Map 3 but is missing from Melbost Farm on the corresponding adjacent inset Map 4.</p> <p>Similarly, the airport land should be cross-hatched to show that it covers machair land, which is a globally important finite resources. Only a small part of the airport is covered with tarmac runways while the rest is grazing or hay/grassland, which used to be grazed between flights. We Steinish villagers used to make hay on the Drome annually. As we discussed with the SNH representative at the Access consultation meeting, it is important for the bio-diversity of the machair that the grass should be cut; and the natural right to make hay on the traditional village grazings should be restored to the Steinish villagers. That would be an economic development, which would enhance the natural biodiversity and support the local crofting community.</p>	<p>The shading used for Stornoway Airport could be improved as it does give the impression of the whole area being promoted. LP/ED6 is a general policy for the airport and does not propose the whole area as an industrial zone.</p> <p><b>The Locally Important Agricultural land is obscured by the airport shading and this will be clarified.</b></p> <p><b>Locally Important Agricultural land is as defined by the Macaulay Land Classification class 4.1 or above and the full extent of that will be clearly marked on the plan.</b></p>
	Key aim: improved quality of life	44/4	<p><b>Commercial exploitation of Steinish common grazings</b></p> <p>Steinish is a small crofting village of originally 9 crofts later subdivided into 14. During World War 2, Steinish had 140 acres requisitioned by the Air Ministry including 114 acres of machair links and 8 acres of arable. It therefore follows that much of the area-designated LP/ED6 Stornoway Airport consists of the original Steinish common grazings. The</p>	<p>The land identified within LP/ED6 boundary is owned/under control of HIAL and is currently primarily utilised for airport activities along with a range of other appropriate uses as outlined in LP/ED6 and</p>

			original Steinish grazings were a priceless asset now reduced to only 57 acres formerly rented from the MOD but lately reverted to the Stornoway Trust. There is a historical injustice in the current commercial exploitation of this requisitioned crofting land and there is the strongest case that all the land taken from Steinish but no longer necessary for the airport should be restored to the village. All the derelict buildings on the site of the former bomb-dumps should be knocked down and removed. It is not a suitable site for industrial or housing development. It should revert to what it was meant to be, the common grazings of a coastal village.	Structure Plan ED1.  Your comments are noted. However, as they concern ownership issues they are generally beyond the considerations and scope of a Local Plan.  <b>No change to the Local Plan is recommended.</b>
	Prop LP/ED6 Stornoway Airport makes no provision for Structure Plan policy HCL6 Countryside and Coastal Access	44/5	<b>The local plan contains no equivalent provision to Structure Plan policy HCL6, which appears to have been dropped.</b> Steinish residents attended the statutory consultation on coastal access where the planning officer promised to advance our case for access to Steinish beach. The airport development plans also prejudices the neglected problem of Steinish village access to Steinish Beach, that miles-long strand along Broad Bay to which the extension of the main runway has blocked our access. This is a shocking denial of a human right and I can think of nowhere else in Britain where the local authority could get off with such a restriction on the movement of citizens of a free society. The Steinish grazings formerly stretched to Strupair Point at the Melbost End of the beach and there is every reason why we should be free to walk over there whenever we wish. I look forward to the Western Isles Council waking up to the actual erosion of the quality of life in the local community and finally taking action to redress this injustice.	The Local Plan clearly points to the approved Structure Plan. Taken together they set out the Comhairle's attitude to the development of land and provide a robust framework within which development proposals can be assessed. There is no need to repeat in the Local Plan what is contained in the Structure Plan.  <b>Your comments will be passed to the Countryside Access Manager.</b>
32	Prop LP/ED6 Stornoway Airport conflicts with Structure Plan RM9 natural heritage designations.  Key aim: improved quality of life	44/6	<b>Proposal LP/ED6 also conflicts with the designated SSSI Tong Saltings, which, extends from Tong all round the Cockle Ebb and Steinish foreshore to Strupair Point. Map 4 does not show the SSSI.</b> Also missing from the development map is any indication that the main runway extends into an SSSI down nearly to the low water mark. While NATO defence strategy may have required a runway of this length, it is certainly far too long for commercial requirements and the extension should be fenced off to allow public access above high water mark to the beach. There should be a public inquiry into the sale of the airport lands by the MOD to a commercial company. The airport was requisitioned from common land in a national emergency. Now that it is not required for the national defence, the surplus should be restored to the villagers from whom it was requisitioned. Crofting and land use are the most vital and stabilising aspect of the islands' socio-economic structure, and this local plan make remarkably little provision for its future. Instead of taking away more and more good land for buildings, the emphasis should be on bringing more people into bona fide crofting, even creating new crofts wherever possible, including Steinish.	Map 4 correctly shows the Tong Saltings SSSI.  Map 3 correctly shows the runway extending into the SSSI.  Your other supplementary comments are noted with interest.
	Structure Plan Policy ED14 Neighbour Amenity DM6 drainage	44/7	There is nothing in the local plan about the management of road sites, verges and drains. Could we please have a policy to prevent council developments spreading noxious weeds along the verges and to ensure restoration of distinctive vegetation such as gorse hedges where council "development" has ruined them. As a result of recent council "development" the Steinish road has lost its gorse hedges and the verges are now a slummy mess of thistles, brambles, ragwort (illegal),	The maintenance of existing road verges and drains is not specifically covered in the Local Plan.  <b>While no change is recommended to the Local Plan, the issues of road verge</b>

			docks, the road is awash with runoff, and the drains are stagnant. Every roadside development should require contractors to restore verges to a weed-free condition and plant them with grass and clover seed.	<b>maintenance and drainage will be passed to the Comhairle's Technical Services Department for consideration.</b>
38	Prop LP/HCL 3	<b>44/8</b>	I take this opportunity to object in the strongest terms to the infilling of the Bayhead Estuary, LP/HCL3. This encroachment on nature will change the character of the town for the worse.	<p>Your comments are noted. The development of the infill is well established as a planning proposal through the adopted Broadbay Local Plan. Support for the infill has also been expressed during the consultation exercise. However, the Western Isles Local Plan puts forward specific tests for development to be assessed against before approval would be considered.</p> <p><b>No change is therefore suggested to the plan.</b></p> <p>The SEA process has highlighted the importance of the area.</p> <p><b>An additional criterion is recommended :</b></p> <p><b>i) an Environmental Impact Assessment is carried out.</b></p>
	Structure Plan Policy LP/ED3  Economic Proposals section  Appendix 1 ED2 response:	<b>44/9</b>	I object to the omission of detailed locations relating to windfarm development LP/ED3 and all its ramifications – roads, tracks, pylons, quarries, power-stations, jetties. It must surely be a breach of law and common courtesy to issue a local plan, which omits such hugely problematic developments from public consultation.	<p>Your comments are noted. In view of representations received and the ongoing national review of NPPG6 it is proposed to insert the following as a commitment:</p> <p><b>It is recommended that a new proposal on “Renewable Energy Supplementary Guidance” should be inserted in the Economic Proposals section stating that: “The Comhairle will review its supplementary planning guidance on renewable energy following the production of SPP6.”</b></p>

				<p><b>The following should be inserted at the end of the Appendix 1 ED2 response: “ ... safeguard areas. Proposal LP/ED** outlines the position on new guidance.”</b></p>
	<p>Structure Plan Policy RM 8-11 SC8 ED6</p>	<p><b>44/10</b></p>	<p>I object to the omission of proper provision for wild-life, biodiversity, landscape, SSIs, tourism, crofting, farming, conservation, walking routes, cultural uniqueness.</p> <p>The consultation document has the flavor of being written by people preoccupied with extrapolations from population statistics and trendy ideas on “in-migration” and “development” while lacking a true appreciation of the value of the land and its natural assets. The document and its many inexcusable omissions does not present a realistic vision of the best management of land use for the future.</p>	<p>The Local Plan is linked to the Structure Plan and together with related guidance they provide a robust and comprehensive policy framework to safeguard, enhance and develop in a sustainable manner the natural, built and cultural heritage issues covered.</p> <p>Beyond the Plan much work is being done by the Comhairle and others to developing a range of the topics mentioned including archaeology, countryside access, crofting and cultural activities.</p> <p><b>No change to the Local Plan is recommended.</b></p>

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	General	45/1	<p><b>General Comment</b></p> <p>In general, the plan has taken a very streamlined and focused approach. We note that it concentrates almost entirely on development, but that it presents no aspirations, nor vision for the promotion or enhancement of the natural heritage. NPPG 14 recommends a list of interests which should be afforded policy protection in the local plan, including policies for the protection of designated sites, areas of wild land character, native woodlands, biodiversity, etc. Whilst there are no proposals that recognise the value of the natural heritage, we note that there are regular references to the Structure Plan, which does contain detailed policies for the natural heritage.</p>	<p>The Local Plan is closely linked to the approved Structure Plan. The latter already sets out planning objectives and policies that recognise, safeguard and seek to enhance natural heritage resources. In order to produce a focused Local Plan this has not been repeated though appropriate references have been made. This said, the Local Plan does include some particular policies and proposals as well as considerations in Appendix 2 that relate to natural heritage.</p> <p><b>No specific change to Local Plan is recommended.</b></p>
6	Introduction	45/2	<p><b>Development Sites</b></p> <p>The local plan however, is intended to guide development into appropriate locations and away from sensitive ones and the main mechanism for this is via proposals map. The plan has taken a very positive approach to encouraging development by stating early on that 'It is important to note that the identification of proposal sites does not exclude the consideration of development on other suitable sites not shown on the map.' (page 6). This would benefit from some clarification as to what a 'suitable site' is to avoid applications being submitted in inappropriate locations.</p>	<p>Your comments are noted.</p> <p><b>It is recommended that the following be inserted at the end of the last sentence: "It is important to note that the identification of proposal sites does not exclude the consideration of development on other suitable sites not shown on the maps subject to conforming to Structure Plan and Local Plan policies."</b></p>
8-11	Development Management	45/3	<p><b>Settlement Boundaries</b></p> <p>The Structure Plan clearly states Policy DM1 – 'The Local Plan will show settlements and address the scope for their future development. Coalescence of settlements will be resisted.' Policy HCL 1 – The Local Plan will also: i).....iii) show settlement and townships and address their scope for future development'. With the exception of Stornoway, there are no settlement or township boundaries shown nor any indication of the scope for their future development. The main mechanism for guiding housing and other development in and around settlements is through the guidance in Appendix 2 and other design guidance in preparation. Without a comprehensive approach to the mapping of</p>	<p>Settlement development needs and potential have been assessed and have informed the guidance set out in the Local Plan policy and proposal framework.</p> <p>Outwith Stornoway a number of proposal sites have been identified. Policies including detailed Appendix criteria have</p>

			<p>settlement boundaries, there is a risk that settlements may develop in a piecemeal fashion. This could have significant impacts on the landscape character and setting of the villages and townships. One of the main benefits of identifying areas for settlement expansion, even very minimal expansion proposals, is that these can be considered in a public and accountable manner, particularly by statutory agencies. SNH would not want to be consulted on every individual application that might affect a settlement, but we might have concerns about the incremental changes if these were occurring in the absence of a local plan overview. A development plan should identify the broad parameters affecting capacity for expansion of a settlement. From a landscape perspective this would include, a consideration of opportunities and constraints for that settlement and identify sites;</p> <ul style="list-style-type: none"> <li>• That would maintain and enhance the positive characteristics of the existing settlement; following existing patterns for infill which emphasise existing character.</li> <li>• Sites, which would create a new settlement, pattern which would have a strong identity. These new patterns should almost always be linked to an area of distinctive containing landform, or built around a key landscape feature, either manmade or natural, which already creates a focal point in the landscape.</li> <li>• Identify areas where development should be discouraged, in particular where development would disrupt or obscure important views, where development would be unrelated to landform, and where the existing landform, land use or vegetation pattern contributes positively in its own right to landscape or settlement character and would be compromised by built development.</li> </ul>	<p>been provided to assess and guide development, noting the latter generally is relatively small scale (e.g. individual house on croft). Policy criteria will adequately ensure development takes account of key considerations including landscape. The Structure Plan already highlights landscape considerations including SNH's Western Isles Landscape Character Assessment (DM7). The Local Plan indicates that further local Design Guidance is currently being developed. The suggested REP 45/5 response along with other Structure/Local Plan policies would allow for assessment of the cumulative effect of development including consideration of development capacity issues.</p> <p><b>No specific change to the Local Plan is recommended regarding settlement boundaries. (See also response to other Reps including 45/5.)</b></p>
38-41	HCL	45/4	<p><b><u>Western Isles Way</u></b> The Structure Plan states that the Local Plan will identify off-road stretches suitable to form appropriate links for the Western Isles Way, where possible linking to local path networks. This has not been carried through to the Local Plan and instead the intention appears to be that this will be assessed as part of any proposed core path networks. This has not been carried through to the Local Plan and instead the intention appears to be that this will be assessed as part of any proposed core path network. This is only mentioned in the appendices and not as a main proposal in the plan itself. This is disappointing given the commitment in the Structure Plan. The more strategic route of the proposed Western Isles way should be included in the Local Plan as a key proposal and if it is to be linked in to the development of the core path networks, then this should be clearly stated as a Proposal in the Plan and not left as a brief mention in an appendix.</p>	<p>Your comments are noted. The development of a long distance route has long been an aspiration of local agencies. Unfortunately, the concept has not developed far enough to be in a position to mark down a proposed route in the Western Isles Local Plan. A Local Plan is not a document which can easily dictate a timetable for such a development as it is not an 'action plan'.</p> <p>I can however confirm that the Outer Hebrides tourism strategy action plan and the Comhairle Outdoor Access strategy both make positive reference regarding progressing the route. It will also be considered in the development of any</p>

				<p>Core Path Network for the area.</p> <p>I trust that you appreciate that we are not in a position to make commitments in the Local Plan (other than in the Structure Plan) as the necessary development work has not been completed. Hopefully, the work of the tourism and access strategies will ensure that a route is delineated in the next Local Plan for the Western Isles.</p>
8	<p>Policy LP/DM1</p> <p>Appendix 2</p>	45/5	<p>The distinction between small-scale development and larger scale development in this policy needs clarification. The policy states that ‘In assessing small-scale development of all types the potential incremental impact of development on the area as a whole will be considered’. It goes on to state: <i>“For larger scale developments and sensitive sites, detailed plans and drawings will be required prior to consideration of full planning approval”</i>. The incremental impact of development will be equally applicable to large scale developments and sensitive sites as there may also be a need for detailed plans for some smaller scale proposals – is there a definition of large and small scale?</p>	<p>Structure Plan policy DM1 sets out development location considerations including the ability of proposals – small or large scale –to be absorbed without harming the local social, economic or environmental characteristics.</p> <p><b>Comments noted and for clarification it is recommended policy LP/DM1 paragraph 3 is amended to read “In assessing developments potential cumulative impacts will be considered on the area as a whole.” Paragraph 4 should be deleted.</b></p> <p><b>In Appendix 2 the following new second paragraph should be inserted: “Submitted application plans/drawings should be of a satisfactory quality. In particular circumstances, supplementary information or a planning brief may be required.”</b></p> <p><b>In Appendix 2 the Housing development in Settlements criterion vii) should be amended to read: “Any cumulative impacts on the wider area arising from individual proposals should be assessed to ensure significant detrimental effects are</b></p>

				<b>avoided.”</b>
16	Policy LP/ED1	<b>45/6</b>	SNH suggests there is a further clause added following b) to read c) there are no adverse environmental impacts.	Environmental impacts would be covered by other policies, in particular within the Structure Plan.  <b>No change to the Local Plan suggested.</b>
20	Policy LP/HCL1	<b>45/7</b>	This general housing policy does not give clear guidance on where housing development might be acceptable and where it would be unacceptable. See comments in paragraph 5 above. ( <i>Rep 45/3</i> ). This policy does not consider development outwith the ‘settlement’ and the definition of settlement might not readily be applied to many of the townships and clusters of development in the islands ‘the main physical concentration of houses, related buildings, gardens, boundary enclosures and street furniture’. Part 3 of this policy states that the Comhairle will work with landowners grazing committees etc to identify additional land for housing. SNH suggests that this should have been done as part of this development plan process.	It is our view that the policy, taken together with policy LP/DM1 and Appendix 2, sets out a reasonable framework to guide and assess housing proposals.  Policy DM1 of the Structure Plan deals with development outwith settlements.  Placing a definition on settlement is a complex matter. However, it is considered that the definition in the plan is adequate for the assessment of applications. As you suggest no one definition or approach fits all circumstances and there will be future balanced planning judgments which will inevitably need to be considered on a case by case basis.  Your comment on working to identify land is noted. It is suggested that this text has provided confusion with regard to its status as policy and would be best dealt with under the context section.  <b>It is recommended that the third paragraph of LP/HCL1 be relocated to the preceding Context section with the following wording.</b> <i>“In addition to local plan policy, the Comhairle will continue to work with local communities, landowners, grazings committees and other agencies to identify additional land suitable for housing, particularly in areas of identified need.”</i>

28	Policy LP/STY3 Harbour Regeneration	<b>45/8</b>	This reads more like a proposal than a policy.	Your comment is agreed.  <b>It is recommended that LP/STY3 be changed from a policy to proposal to read: "Regeneration of the waterfront areas will be encouraged and particularly assisted through: ..."</b>  The SEA exercise has also highlighted considerations on this policy/proposal. I will contact in due course regarding any further suggested actions or amendments.
32	Prop LP/ED3 Lews Castle	<b>45/9</b>	Proposals for the development of the Lews Castle should take full account of its settings within the context of the Lews Castle and Lady Lever Park Designated Landscape. The Castle forms a key part of the designated landscape, it dominates views from Stornoway and the bay, and the paths and drives provide the access routes for peoples immediate experience of the designed landscape. Any proposals for the Castle should be considered in term of the possible effects that they might have on the contribution that the Castle and other buildings make in this landscape, and the experience of the designed landscape from the various paths and driveways.	Your comments are noted.  <b>It is recommended that additional wording is inserted at end of proposal: ...Proposals for the Castle should be assessed against the contribution they make to the experience of the Historic Garden and Designed Landscape.</b>
34	Prop LP/ED8 Business Sites	<b>45/10</b>	Some of the proposed sites sit within National Scenic Areas. SNH would welcome the opportunity to be engaged at an early stage on the development of these sites with respect to siting, design and landscaping.	Your comments are noted.  <b>No change to Local Plan is recommended.</b>
36	Prop LP/ED11a Piers and Harbours	<b>45/11</b>	The Lochmaddy Pier is within the Loch nam Madadh SAC. Any proposals that may have a significant effect on the SAC will require to have an appropriate assessment undertaken.	Noted. The Local Plan is linked to the approved Structure Plan which sets out policies RM8 and DM7, covering SAC and development assessment matters.  <b>Noting the SEA exercise also raised the Lochmaddy Marine SAC the Local Plan Proposal a) will be modified to include "...and appropriate assessment of the Marine SAC."</b>
38	Prop LP/HCL3	<b>45/12</b>	SNH recommends that a design brief be prepared for Bayhead Estuary Site.	Your comments are noted. The development of the infill is well established as a planning proposal through the adopted Broadbay Local Plan. Support for the infill has been expressed during the consultation exercise also.

				<p>However, the Western Isles Local Plan now puts forward specific tests for development to be assessed against before approval would be considered.</p> <p><b>No change to the Local Plan is suggested. This does not rule out the Comhairle as planning authority seeking a design brief from any prospective developer at the appropriate time. As the area is adjacent to the Conservation Area, any development would be required to take the Conservation Area Management Plan into account.</b></p> <p>The SEA process has highlighted the importance of the area.</p> <p><b>An additional criterion is recommended as:</b></p> <p><b>i) an Environmental Impact Assessment is carried out.</b></p>
40	Prop LP/HCL6	<b>45/13</b>	The number and design of housing units should relate to the space available as defined by the local landscape character, and in particular landform and land cover. Siting and design should follow the guidance for the siting and design of housing in the Western Isles.	<p>Your comments are noted.</p> <p><b>No change to Local Plan is recommended.</b></p>
42	Prop LP/Trans2 Spinal Route	<b>45/14</b>	We recognise the priority that the Council has assigned to upgrade the spinal route (SP policyT1). SNH is mindful that the experience of traveling through the Western Isles is related in part to the quality of the immediate roadside environment. The planning and design of road upgrading proposals should be undertaken in a way that respects and responds to the nature and variation of local landscape character.	<p>The comments raised are not directly Local Plan matters.</p> <p><b>No change to the Local Plan is recommended.</b></p> <p><b>However, your comments are to be passed to the Comhairle's Director of Technical Services for consideration.</b></p>
42	Prop LP/Trans3 Barra Airstrip	<b>45/15</b>	This does not seem to be shown on the proposals map.	<p>No site has yet been identified.</p> <p><b>No change to Local Plan is recommended.</b></p>

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	HCL	46/1	<p>Thank you for the opportunity to comment on the Western Isles Local Plan. I congratulate the Comhairle on an excellent and comprehensive document.</p> <p>I wish, however, to object to the proposal drafted on Western Isles Way (Proposal 3 on page 48). I am pleased that the plan commits the Council to: "identify off-road stretches suitable to form appropriate links" for the Western Isles Way which will be "assessed as part of any proposed Core Path Network".</p> <p>I am objecting to this part of the plan because I want to see a stronger commitment to creating the Western Isles Way. I ask for an amendment to the Plan to include a timetable or deadline of 2008 for the creation of the Way.</p> <p><b>Background</b>          The commitment to a Western Isles Way has been contained in the Western Isles Structure Plan since 1988. The 1988 edition committed the Council to "investigate the establishment of a long distance footpath route in the Western Isles ". The updated Structure Plan published in 2003 commits the Council to "work with other appropriate agencies to identify a route suitable for development as a strategic path through the Western Isles."          Some Local Plans (for example those for Barra and Vatersay, Uist and Benbecula) have included proposed sections of the Western Isles Way but for your Council has yet to complete its plan for the route. Too much of the route proposed for North Uist, for example, is along roads. The opening of the Harris Walkway in 2001 takes the project a step closer to reality as does the appointment of Access Officers by the Council in 2004.          I have held meetings with the Access Officer, Mr Rhodri Evans, and support and encourage his work. I have a copy of his report to the Sustainable Development Committee 2 February 2005. This sets out an excellent programme of work.          My objection to the Local Plan is aimed at focusing the Council on the task of creating a long distance footpath route through the islands. I would be pleased if the Council would commit to achieving this goal by 2008, twenty years after first committing itself to the idea.</p> <p><b>The Outer Hebrides. The timeless way*</b>          I believe that a practical plan can be drawn up for creating a Way by 2008. My own research, conducted over the past twenty years, shows how this can be done. It is about to be published in my book The Outer Hebrides. The Timeless Way. The book shows how it is possible to walk from the Butt to Heillanish using off road tracks or quiet roads. Over 50% of the 230 miles route is off road. It is not a matter of creating new footpaths but mainly re-discovering old ways. In other words the Way already exists on the ground.          The way is largely unobstructed by fences because much of it is still in common use. The proposed</p>	<p>Your comments on the plan are welcome and your interest in a long distance route in the Western Isles noted. The development of a long distance route has long been an aspiration of local agencies. Unfortunately, the concept has not developed far enough to be in a position to mark down a proposed route in the Western Isles Local Plan. A Local Plan is not a document which can easily dictate a timetable for such a development as it is not an 'action plan'.</p> <p>I can however confirm that the Outer Hebrides tourism strategy action plan and the Comhairle Outdoor Access strategy both make positive reference regarding progressing the route. It will also be considered in the development of any Core Path Network for the area.</p> <p>I trust that you appreciate that we are not in a position to make commitments in the Local Plan (other than in the Structure Plan) as the necessary development work has not been completed. Hopefully, the work of the tourism and access strategies will ensure that a route is delineated in the next Local Plan for the Western Isles.</p> <p><b>No change to the Local Plan is recommended. However your response will be passed to the Comhairle's Countryside Access Manager for his information.</b></p>

		<p>route crosses privately owned moors; much used as common grazing and skirts croft land. I am not claiming to have found the definitive route. I recognise that a lot of discussion and negotiation will have to take place with landowners and crofters before a route could be designated but because much of the way already exists on the ground it may be used. The existence of historic navigational markers, standing stones, posts, lines of stones on the fords and cairns will guide today's walkers just as they have always guided walkers, in the timeless way.</p> <p>I have walked the Outer Hebrides for over 30 years. I first visited in 1973 when I was introduced to the Gatliff Hostels at Rhenigidale, Harris and Howmore, South Uist and been a Trustee of the Gatliff Trust since 1980. I am currently Vice Chair of the Gatliff Hebridean Hostels Trust and Secretary of the Gatliff Trust. I bought my own home in North Uist in 1990</p> <p><b>Case of the Outer Hebrides Way</b></p> <p>I believe the Way has tremendous potential for encouraging visitors to the islands and increasing awareness of the island's unique communities, their history and natural environment. Walking in this timeless way allows people to explore the whole beauty of the island chain, to gain insight into the historic context of Island life and to understand better contemporary Hebridean society. This is the window in time, the timeless way, a window on the past, a light on the present.</p> <p>Island roads have improved the speed and frequency of communication, reducing the risk from tides, swollen rivers and extreme weather but they have thankfully by-passed the timeless way. In the absence of a marked way visitors make their way through the islands using the roads. The existence of a Way would encourage visitors to explore the islands more thoroughly and as a result spend more time in the islands.</p> <p>The route described by the book is, of course, not without risks. Crossing the tidal fords and the moors were among the most exciting parts of the walk but must be treated with the respect, the caution, they deserve. The Hebridean moors are among the last remaining wilderness in Great Britain. The walker must plan their day mindful of the risks and ensure they are properly equipped. The walker must always respect the wishes of the crofters and leave untouched the abundant wild life.</p> <p>As it is possible to walk through the islands by the Outer Hebrides Way, it is possible to design the route as a Statutory Long Distance Route. Designation will bring the route to people's attention, will secure its future, including its historic markers and encourage people to visit the islands. A wider understanding of the islands within the United Kingdom is important to everyone in the United Kingdom.</p> <p>The aim of the book is to open eyes, visitors' and local eyes, to the possibilities. This is the best way of ensuring the preservation of the island's unique environment and historic artifacts. This is far better than the slow decline and steady decay of neglect through lack of understanding or attention, or preserving the islands for the privileged few, be they lairds or nature lovers. Statutory Designation guarantees the maintenance of all these checks and balances. It will also protect the interests of the crofters.</p> <p>At 230 miles the route is longer than the Southern Upland Way and over twice the length of the West Highland Way and the Offa's Dyke Path on the</p>	
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			<p>Welsh border. But it is shorter than the Pennine Way. It will be a challenge to those who enjoy long distance walking. The growing popularity of the Western Isles Challenge, a multi-sport team endurance race from Barra to Lewis, which takes place over several days in May, supports this view. I know many who love the outdoors who regard the Outer Hebrides as their ultimate goal. I just hope that walkers who rise to this challenge will give themselves, chance to become imbued with the spirit of the islands.</p> <p>Map extract included in representation.</p>	
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40-41	Prop LP/HCL 8 Community Facilities	<b>48/1</b>	The Pairc area at present is carrying out a consultation exercise, on the needs of the community and the general consensus is that a sports/recreation facility is required in the area as no indoor facilities are available to cater for the health and well being of the area. We would seek to include this proposal within the document.	As far as we are aware a proposal site has not been identified and the suggestion does not feature on the Comhairle capital programme for works. If progressed the matter could be addressed in a future Local Plan.  <b>No change to the Local Plan is recommended.</b>
34-35	Prop LP/ED 8 Business Site	<b>48/2</b>	We would seek to include the site at Habost, South Lochs, within this section of the proposal.	The site is already included in Structure Plan policy ED1 and indicated on the Local Plan Proposals Map 6.  <b>Therefore no change to Local Plan is recommended.</b>
40-41	Prop LP/HCL 6 Housing Sites outwith Greater Stornoway	<b>48/3</b>	The area at the moment seeking funding to carry out a study into the housing situation within the Pairc Area we would seek to include this with in the document. The area of Pairc is in need of general housing. As many of the young have managed to secure employment on the island and are willing to stay in the Pairc Area, however due to the extortionate price increase in the property market and the changes made to the crofter housing grant/loan scheme all created by outside influences. The young cannot compete on a level playing field due to wage structure on the island. If we are to retain our people we must address this situation.	Your comments are noted. The fact that a study is being proposed or carried out is not something specific to the Local Plan as a land use document. However, I would encourage your Community Council to feed the information to the Housing Team within the Comhairle in order that they can consider the matter in connection with the Local Housing Strategy.  <b>Although no changes to the Local Plan are recommended, your comments will be passed to the Housing Team.</b>

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48-49	HCL6 (Structure Plan)  Local Plan Appendices Proposal 3	<b>49/1</b>	<p>We are pleased to see the Council's commitment to Countryside and Coastal Access. We understand that Local Access Forums have been established and are in the process of identifying Core Path Networks, and offer whatever support we can.</p> <p>The National Catalogue of Rights of Way is very incomplete for the Western Isles, only recording 19 routes. The CPNs may well, in due course, bring to light others, which could be added to the Catalogue.</p>	<p>No specific action required.</p> <p><b>Information will be passed to the Comhairle Countryside Access manager.</b></p>

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32-37	(WISP ED7)	<b>52/1</b>	ED8 in the Structure Plan of the Local Plan refers to Ormiclate Quarry. The quarry has recently been increased in size and now half the area it covers is the Locheynort Township Common Grazings. I would be grateful if the quarry could be referred to as the 'Ormiclate and Locheynort Quarry' in the Local Plan.	Your comment is noted. This matter is for consideration in any review of the Structure Plan.  <b>No change to the Local Plan is suggested.</b>

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	30-31	<b>53/1</b>	Our Grazing Committee's view is that Lionel Machair should be classed as prime agricultural land.	<p>The Local Plan and existing approved Structure Plan are closely related. The Local Plan Proposals Maps set out 'Locally Important Agricultural Land' as already defined in the approved Structure Plan. That is land classed as Class 4.1 or higher under the MacAulay Institute Land use Classification. The land at Lionel is not included in Class 4.1.</p> <p>It is appreciated land areas outwith the class 4.1 land may be of local crofting value. Local Plan policies LP/HCL1 and LP/DM1 (Appendix 2 criteria) together with Structure Plan policies DM1, DM7 and RM1 provide a satisfactory framework for safeguarding agricultural land and crofting viability.</p> <p><b>To clarify matters and avoid potential confusion It is recommended that the Structure Plan definition of Locally Important Agricultural Land should also appear in the Local Plan Glossary. Your comments will be passed to other relevant officers including those covering Crofting and Biodiversity interests for consideration.</b></p>

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	Map 2	<b>55/7</b>	Map 2 – The machair land of Bragar (NB2848) which is intensively and traditionally cultivated and ecologically diverse, should be shown as locally important agricultural land.	The Proposal Maps sets out 'Locally Important Agricultural Land' as identified in the Structure Plan, which is defined as land classed as Class 4.1 or higher under the MacAulay Institute Land use Classification. The land at Bragar does not fall within this specific classification.  <b>Given the potential for confusion the definition of Locally Important Agricultural Land should also appear in the Local Plan Glossary</b>
	Map 2	<b>55/8</b>	Map 2 – Many archaeologically sensitive areas have been omitted from the local plan maps. For example, in the Bragar area, Bronze Age remains at NB3044, the site of a nationally important find at NB2945, the sites of at least 177 shielings within the area bounded by NB2844, NB3444, NB2838 and NB3438, the ancient walls of Garradh a Mharc (NB2948), Garradh na Croit (NB2947), An Garradh Droma (NB2945) and An Garradh Mor (NB2944). None of these sites have yet been studied. They should all be shown on the Local Plan.	Noted – the proposals maps identifies all Scheduled Ancients Monuments (SAMs) and we will check that the information presented on the map is accurate. We are not in a position to place all areas of archaeological interest (that are not scheduled) on the maps.  <b>No change is suggested to the Local Plan; however information is available through the Western Isles Archaeologist and the Sites and Monuments Records.</b>

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	General	<b>60/1</b>	<p>We at Ness Community Council are in receipt of a CD Copy of this plan. The information was only brought to discussion last week, this date being the first Community Council Meeting following receipt of the information.</p> <p>We feel that the deadline for comment of December 9<sup>th</sup> is far too close to allow a proper appraisal of the document(s). It would appear that much effort has gone into the preparation of this Plan and we are aware that the Plan has been some years in the making. To rush the Plan through without proper consultation with all interested parties makes a mockery of the aforementioned work and will leave the document/plan with little in the way of any real value. This strategy of lack of proper consultation is all too prevalent within CnES and, yet again, we see likelihood of CnES getting their fingers burned on this issue.</p> <p>The correct way to promulgate this information would be, in our view, to go out to each community in the Western Isles and present the Plan. Thereafter, a period of minimum 3 months should be given to allow ample time for review and comment.</p> <p>We hope that these comments may be made note of and that the correct course of action is taken.</p>	<p>The statutory period of 6 week period was allowed for consultation on the Finalised Local Plan. At the outset of this period all Community Councils, key stakeholders in the process, were specifically contacted and invited to respond.</p> <p>A reasonable extension of time for responses was afforded to those who requested it.</p> <p><b>No change to the Local Plan is recommended.</b></p>

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	LP/ED8 LP/ED4	67/1	<p>The Co-operative Group has retail interests throughout the Local Plan area which include the following stores:-</p> <ul style="list-style-type: none"> <li>• Market Town Store, 8 Macaulay Road, Stornoway, Isle of Lewis;</li> <li>• Market Town Store, 37 Cromwell Street, Stornoway, Isle of Lewis;</li> <li>• Market Town Store, Creagorry, Isle of Benbecula, South Uist;</li> <li>• Market Town Store, 292 Daliburgh, South Uist;</li> <li>• Market Town Store, Castlebay, Isle of Barra;</li> <li>• Cash and Carry Warehouse, Seaforth Road, Stornoway, Isle of Lewis</li> </ul> <p>The above stores offer a wide range of goods in order to meet the main food shopping demands of residents throughout the Western Isles. The following representation considers the Finalised Western Isles Local Plan and we offer comment on a number of policies and specific allocations. Our key concern related to the lack of policy support for five of the established Co-op stores and the lack of an appropriate retail policy framework within the Draft Plan. We consider that the emerging Plan should also provide further detailed information in relation to Policy LP/ED8 'Business Sites' and Policy LP/ED4 'Former Bus Station Site' and should include an effective policy framework which supports future redevelopment, in accordance with the HSE, following the relocation and subsequent removal of the Health and Safety Safeguarded zone in Stornoway.</p>	<p>The Local Plan is interrelated to and should be used in conjunction with the approved Structure Plan. Policies have not been repeated. The Local Plan is also cross referenced to national (inc SPP8) and local policy guidance (see column adjacent topic policies). Taken together with the Structure Plan (and other relevant guidance) it is considered that the Local Plan sets out a framework whereby proposals for retail development can be satisfactorily considered within the context of the Western Isles. Specific policy support for one single retailer is not considered appropriate.</p> <p>The timescales for any depot relocations and therefore potential HSE constraint removal are not currently known may well be the Local Plan period. Accordingly it would not be appropriate to contain policies or guidance on the 'relocation works' or redevelopment approaches at this moment in time. It is however likely that if relocation is to take place the Comhairle would review its policy affecting the area.</p>
	Economic Development Policies	67/2	<p><b>Provide Planning Policy Support for Established Retail Uses</b></p> <p>Following our review of the draft Proposals Map for</p>	<p>Taken together with the Structure Plan, including policies ED11 and DM1, it is</p>

			<p>Stornoway, we wish to raise concern that there is no specific policy allocation for the existing Co-operative Market Store on Macaulay Road, Stornoway. The draft Local Plan does not afford this existing retail location any protection, an issue which we consider to be of significant concern if, Stornoway is to maintain its role as the main retail centre in the Western Isles. In addition, the draft Plan fails to offer policy support for the other Co-op Market Stores in North Uist, South Uist, Benbecula and Barra.</p> <p>We consider that it is appropriate for the Local Plan to recognise the existing retail use of these sites as the Co-op stores act as main food shopping destinations and are an integral component of retail provision in the Western Isles. These stores provide an essential facility, reducing the requirement for the local community to travel to the mainland for shopping and are also utilised by tourist visiting the settlements. In addition, these stores have significant social and economic functions as they promote social inclusion through increasing access for local communities and also serve to retain expenditure within the islands.</p> <p>National Planning Policy on retailing is outlined in NPPG8: 'Town Centres and Retailing'. NPPG8 considers shopping in small towns and rural areas, setting out that planning policies should be supportive of local facilities in small towns, which provide an effective and valuable service to the local community. In addition, paragraph 67 of NPPG8 identifies that existing food stores and supermarkets often play a vital role in maintaining the quality and range of shopping and they also provide an essential service not only to the town itself but often to the surrounding rural hinterland.</p> <p>NPPG8 provides further planning policy advice in relation to the Development Plan and specific consideration is identified in relation to the role of the Local Plan. Paragraph 89 identifies that Local Plans should provide local detail and a sharper focus to the structure plan framework and states they should '<i>Aim to safeguard and support existing town centre and other retail facilities, such as local centres and village shops, where they are serving the local community well</i>'.</p> <p>National Planning Policy on economic development is outlined in SPP2: 'Economic Development'. One of the key themes of SPP2 is that as part of the planning system's role is to promote a competitive Scotland, Planning Authorities should support existing and new small businesses and provide for development in small towns and rural areas.</p> <p>Consequently, in order to ensure consistency with national policy contained in NPPG8 and SPP2, we consider that the emerging Local Plan should offer more explicit policy support for existing supermarkets in small towns through designating existing retail facilities with an appropriate retail allocation.</p>	<p>considered that the Local Plan sets out a framework whereby proposals for retail development can be satisfactorily considered within the context of the Western Isles. Specific policy support for one single retailer is not appropriate.</p> <p><b>No change to the Local Plan is recommended. See also response to Rep 67/1.</b></p>
34	Prop LP/ED8	67/3	<p><b>Policy LP/ED8 'Business Sites'</b></p> <p>Policy LP/ED8 'Business Sites' identifies that '<i>In addition to the sites listed in Structure Plan policy ED1, the following sites have been identified for a range of business/industrial purposes:</i></p> <ul style="list-style-type: none"> <li>a) <i>Kirkibost, Bernera, Lewis</i></li> <li>b) <i>Land at Brevig Harbour, Lewis</i></li> <li>c) <i>Drinishader Old School, Harris</i></li> </ul>	<p>LP/ED8 not specifying Use Classes was an omission in the plan and the SEA process also highlighted this weakness.</p> <p><b>It is recommended that the predominant</b></p>



			<p><i>appropriate, at the edge-of-centre;</i></p> <ul style="list-style-type: none"> <li>• <i>include criteria based policies to provide guidance to developers who may propose new developments outwit the framework of preferred sites in the development plan, and indicate how such developments will be assessed; and</i></li> <li>• <i>include related policies for transport, car parking and for improving the environmental quality of town centres, retails and commercial leisure developments, and specify design criteria and standards against which proposals will be judged, including those in out-of-centre locations.</i></li> </ul> <p><i>In each case the plan should set out clear policies for development control decisions on retailing and related development’.</i></p> <p>In accordance with the provisions of NPPG8 we consider that the Western Isles Local Plan should be amended to include a robust retail policy framework. This policy framework should provide specific policy protection for existing local shopping facilities, which serve the local communities throughout the Plan area.</p>	<p><b>amended to include “In addition to other Structure and local plan policies as well as national guidance, ...”</b></p> <p><b>The adjacent policy context column should include “Structure Plan policy DM1” and “NPPG8” should be replaced with “SPP8”.</b></p>
26	LP/STY4  Glossary	67/6	<p><b>Medium Term Relocation of the HSE Safeguarding Zone</b></p> <p>The Co-operative Group Property Division operate a cash and carry warehouse at Seaforth Road, Stornoway. The Finalised Western Isles Local Plan proposals map identifies that the site is affected by Policy LP/STY4 ‘Newton Industrial Area’ and lies within the designated ‘Safeguarding Zone (HSE)’.</p> <p><i>Policy LP/STY4 ‘Newton Industrial Area’ identifies that ‘Development within this area will be for business, retail, financial, professional and other services where it can be demonstrated that such proposals meet all of the following criteria:</i></p> <p><i>a) constitute an improvement in the quality and environment of the area;</i></p> <p><i>b) do not result in congestion problems arising on from on-street vehicle parking;</i></p> <p><i>c) take account of advice from the Health and Safety Executive .....’.</i></p> <p>The Finalised Plan identifies that the subject site is located within the designated ‘Safeguarding Zone (HSE)’. The designated Safeguarded Zone has been implemented as a consequence of the LPG supply pipeline, which runs through to town to an operational storage depot at Sandwick Road. The depot site contains a group of large horizontal gas storage cylinders, some above ground and others under earth moulding, with associated car parking and servicing areas and an administrative block.</p> <p>The HSE consultation zones restrict the type, form and location of development permissible up to 500 metres from the depot boundary. Although the Proposals Map identifies the Safeguarding Zone (HSE), there is no specific policy contained within the Plan, which identifies the restrictions applicable to the</p>	<p>While highlighting key constraints is appropriate, trying to outline the fine detail to every development constraint in the Plan would not be in the interests of keeping the plan focused and reasonably brief. It is noted that clarification on the detail of the HSE constraint is available from the Planning Authority or the HSE.</p> <p>The timescales for any depot relocations and therefore potential HSE constraint removal are not currently known and may well be beyond the Local Plan period. Accordingly it would not be appropriate to contain policies or guidance on the ‘relocation works’ or redevelopment approaches at this moment in time. It is however likely that if relocation is to take place the Comhairle would review its policy affecting the area.</p>

			<p>zone. Consequently, we consider that the emerging Local Plan should provide further clarity in relation to this issue.</p> <p>The Stornoway Bulk Cargo Import Study (November 2004), which was undertaken by Halcrow Group Ltd, was commissioned in July 2004 to investigate the future of hazardous bulk cargo import into Stornoway. The Study concluded that the relocation of the hazardous bulk cargo import and storage facilities <i>to the West Harbour near Arnish Point offers the best potential for a co-ordinated approach to the future of bulk cargo import. It removes health and safety concerns from Stornoway (but only if the LPG and oil depots also relocate)</i>.</p> <p>Comhairle nan Eilean Siar have advised that the proposed relocation of the existing LPG land and the subsequent removal of the HSE Consultation Zone is expected in the medium term, within the next 3-5 years. Given that SPP1 'The Planning System' identifies that Local Plans should be kept up-to-date and reviewed on a no more than a 5-year cycle, it is likely that the proposed relocation will be undertaken within the timeframe of the Western Isles Local Plan.</p> <p>Despite this, the draft Local Plan does not include any policies or guidance in relation to the proposed relocation works. In accordance with SPP1, which established that Local Plans must identify effective opportunities for development and encourage investment in an area, we consider that the emerging Local Plan should establish a policy framework, which supports redevelopment following the relocation and subsequent removal of the HSE zone. This policy framework should identify the potential redevelopment options for the area currently located within the zone and establish specific end uses.</p>	<p><b>No change to Local Plan is presently recommended.</b></p>
16-17	Economic Development Policies	<b>67/7</b>	<p>In summary, our clients operate a significant number of convenience stores throughout the Western Isles Local Plan area, which provide a valuable local service as well as providing for people's main food shopping needs. The overall retail strategy of the Local Plan should provide an effective policy framework which addresses the above issues. We request that Comhairle nan Eilean Siar carefully consider our responses to the Western Isles Local Plan and support the changes proposed.</p>	<p>See above responses to REPs 67/1-67/6.</p>

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38-41	HCL Proposals (WISP SC5  WISP DM2, DM3, HCL4, HCL5)	<b>68/1</b>	<p>Lochs Football and Recreation Club object to its plans for a Playing Field not being included in the Western Isles Local Plan. The plans have been in at the Council Offices for the past 12 months and should be included under SC5 (Social Inclusion and Equality) in the Structure Plan.</p> <p>As we are a designated Iomairt Aig An Oir area, we would come under the headings DM2 as remote and DM3 as a regeneration area. I have attached a copy of the Sports and Community Plans, which should come under HCL4 (Provision of Community and Leisure Facilities) and HCL5 (Multi-Use of Community Facilities). Map attached.</p>	<p>The development relates to the development of an existing use and therefore there is no need for a specific mention in the Local Plan.</p> <p>IAAO areas are identified on the proposals maps and the Lochs area is highlighted. HCL4 and 5 are Structure Plan polices, previously approved and do not form part of the Local Plan consultation process.</p> <p><b>No change to the Local Plan is recommended.</b></p>

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	24 LP/STY 1	<b>69/1</b>	Further to our meeting yesterday on the draft consultation process regarding the above I confirm the following as my comments: - We have flooding issues at Craggan's Corner, Newmarket where flows from three directions converge on one wastewater manhole. As part of the solution a sewer re-hab project at Newvalley should have been in place by now as should a new CSO but with both projects deferred I have no option but to limit development to single house applications until a new CSO is in place and the sewer re-hab work is undertaken. This will effectively constrain development at the three large proposed sites (approx 150 properties).	Your comments on what would appear to be short term constraints are noted.  <b>No change to the Local Plan is suggested.</b>
34	Prop LP/ED7	<b>69/2</b>	Creed Business Park Waste Management Facility is giving cause for concern as engagement between SW and Earthtech has been sporadic. CNES have been unclear on how to proceed in terms of effluent disposal and SW have issues with both quality and quantity in terms of acceptance. Limited scheme details presented so far show SW above and below ground assets require upgrading to accommodate flows/loads.	Your comments are noted.  <b>No change to Local Plan is suggested.</b>
	10 LP/DM3	<b>69/3</b>	Existing infrastructure requires modeling to ensure sufficient capacity is available to accommodate flows.	Your comment is noted.  <b>No specific change to the Local Plan is suggested.</b>
34	Prop LP/ED8	<b>69/4</b>	Daliburgh works may have to be upgraded to accommodate development.	Your comment is noted.  <b>No specific change to the Local Plan is suggested.</b>
40	Prop LP/HCL6	<b>69/5</b>	(a) Gearraidh Guirm - WW pumphouse requires upgrading, (c&d) issues with WW infrastructure and treatment works (e) Airport development - water and wastewater infrastructure requires upgrading (including a WWPS) as does the WWTW to accommodate the development. (g) Leurbost West - discharges into a shellfish water. (i) Howmore - requires infrastructure upgrade and new WWTW.	Your comments are noted.  <b>No change to the Local Plan is suggested.</b>

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	Resources Management Section	70/1	<p>The Scottish Wildlife Trust objects to a major omission from the Resources Management Section. There is an absence of policies relating to the protection of the internationally important designated areas (SAC, SPA and RAMSAR) and policies relating to the protection of nationally important designated areas (SSSI and NSA). This is not in accordance with Government guidance (e.g. NPPG 14) The situation in relation to the European Habitats Directive sites is particularly crucial not only in relation to the importance of the protection of the natural heritage within these areas from unacceptable development, but also in relation to the assessment of the impact and efficacy of the Local Plan Policies and Proposals generally in relation to these designated sites.</p> <p>The importance given to these international and national designations in the Structure Plan is not reflected in more detailed measures in the Local Plan and this compares unfavourably within the Local Plan to the protection afforded to important elements of the built environment in Local Plan Policy LP RM1 and Appendix 5.</p> <p>The Trust would like to see included in the Local Plan, details of the specific considerations to be taken into account in determining planning proposals within designated natural heritage areas and appropriate guidance to potential developers on the assessment of development proposals that would impact on designated sites. This has added importance as the Local Plan has failed to provide the site-specific guidance indicated in the Structure Plan for developments such as commercial peat extraction.</p>	<p>The Comhairle recognises the importance of the natural heritage and biodiversity of the islands.</p> <p>The Local Plan clearly points to the Structure Plan which contains a comprehensive series of policies (including RM2, RM8, RM9 and RM11) relating to the natural environment and the various nature conservation designations. It is considered that the Development Management policies within both the Structure Plan (including DM7) and the Local Plan (including LP/DM1) together with other relevant policies and national guidance provide a robust framework within which proposals which may affect the natural environment can be assessed.</p> <p><b>No change to the Local Plan is recommended.</b></p>
	LP/ED3 (App 1 ED2)  Economic Proposals section  Appendix 1 ED2	70/2	<p>There is an absence of important pro-active spatial guidance in the context of the most appropriate locations for renewable energy developments and a lack of concomitant policies for the protection of the natural heritage where these developments will have a significant impact. The Local Plan is therefore not in accordance with Government Policy and in particular NPPG 6. Guidance on the identification of potentially suitable sites in the Local Plan was also indicated as forthcoming in the approved Structure Plan (Policy ED2).</p> <p>The present policy in the Local Plan is inadequate in relation to the identification of suitable renewable energy development locations and requires to be replaced with a policy or policies that would allow a detailed and critical assessment to be made of potential renewables proposals. This requires to be supplemented with details of the issues in the natural environment that would be taken into account in the determination of any application for this type of development.</p>	<p>The Local Plan clearly points to the Structure Plan and taken together it is considered that they provide a robust framework within which development proposals can be assessed.</p> <p>Your comments are noted. In view of representations received and the ongoing national review of NPPG6 it is proposed to insert the following as a commitment:</p>

	response:			<p>It is recommended that a new proposal on <i>“Renewable Energy Supplementary Guidance”</i> should be inserted in the Economic Proposals section stating that: <i>“The Comhairle will review its supplementary planning guidance on renewable energy following the production of SPP6.”</i> The following should be inserted at the end of the Appendix 1 ED2 response: <i>“ ... safeguard areas. Proposal LP/ED** outlines the position on new guidance.”</i></p>
30	Prop LP/RM5	<b>70/3</b>	<p>The Scottish Wildlife Trust supports this proposal as it has considerable benefit to the local community as an educational and interpretative resource for the natural heritage and as an additional attraction for visitors to the Western Isles.</p> <p>It would however, have been beneficial in relation to other parts of the Western Isles for the reasons given above, for other suitable locations for Local Nature Reserves to have been identified in accordance with Structure Plan Policy RM10.</p>	<p>Your comments are noted.</p> <p><b>No change to the Local Plan is recommended.</b></p>

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10	DM4 Flooding	71/1	Practically all Uist and most of Barra applications will be required to provide a professionally prepared Flood Risk Assessment. Very onerous requirement – and what is the criteria – stop all developments below 5 m contour if there is a flood risk? Would it not be better to carry out thorough inspection of vulnerable areas and then develop a policy based on that information for the purpose of determining planning applications?	<p>In response to a number of objections it is proposed to amend policy LP/DM4 to allow pre-application discussions to determine which developments will require FRA and the level of detail to be provided. While FRAs must be carried out to a competent standard the policy does not necessarily require professional consultants be employed to produce them.</p> <p><b>It is recommended that the Policy be amended to read: ‘Developers may be required to provide a FRA undertaken to a competent standard for proposals in areas between the 5m contour and MHWS, and in areas of medium or high flood risk which may be identified by SEPA. Developers should have early pre-application discussion with the Planning Authority to ascertain the requirements, if any, for their specific proposal. In line with SPP7 and current SEPA policy such assessments and studies will be used in determining the acceptability of the site and the proposed development.’</b></p>
36	Prop LP/ED 10 Tourism Sites	71/2	Shellbay, Lincilate, although established could do with improved ‘development’. Somewhat similar to Horgabost, some areas experience long standing wild camping – for example Sandhill Berneray and Eoligarry (adjacent to Airport) Barra. Should serviced short stay tourist sites be developed in such areas?	The Local Plan does not attempt to identify all areas where attention may be desirable. It merely identifies these sites where there is fair degree of certainly

				with regard to future development. The development of further sites would be considered on their own merits and within the framework of the Local Plan. <b>No change to the Local Plan is recommended.</b>
40	Prop LP/HCL 8 Community Facilities	<b>71/3</b>	Add Northbay Hall, Barra? (St Barr's) I think that Northbay Development Group have advanced plans for extension/improvement. Vatersay Hall may also be considering enhanced community facilities at the Hall.	<b>It recommended that the proposal be amended to include "Northbay and Vatersay" and term inserted "extension to existing Community Hall."</b>

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16	WISP ED2 LP/ED3	<b>72/1 to 72/6</b>	<b>As response for 13/1 to 13/6.</b>	

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10	DM4 Flooding	73/1	<p>The requirement to undertake Flood Risk Assessments to a professionally competent standard for any development will be onerous and unpractical in many cases. Recent experience of Flood Risk Assessments has confirmed there is insufficient data available for professional advisers to make accurate forecasts and offer practical, cost-effective recommendations. Flooding issues should be dealt with by the Comhairle on the basis of pre-application discussions/screening in areas considered to be at risk, otherwise many applicants could be subjected to significant unnecessary expenditure.</p>	<p>In response to objections it is proposed to amend policy LP/DM4 to allow pre-application discussions to determine which developments will require FRA and the level of detail to be provided.</p> <p>While FRAs must be carried out to a competent standard the policy does not necessarily require professional consultants be employed to produce them.</p> <p><b>It is recommended that the Policy be amended to read: <i>'Developers may be required to provide a FRA undertaken to a competent standard for proposals in areas between the 5m contour and MHWS, and in areas of medium or high flood risk which may be identified by SEPA. Developers should have early pre-application discussion with the Planning Authority to ascertain the requirements, if any, for their specific proposal. In line with SPP7 and current SEPA policy such assessments and studies will be used in determining the acceptability of the site and the proposed development.'</i></b></p>
10	<b>Comments</b> LP/DM3 Service Infrastructure	73/2	<p>WIE would welcome opportunities for improved communication and liaison with service providers, in particular, utility authorities to ensure effective joint and forward planning takes place to enable co-ordinated investment and economies of scale to be achieved.</p>	<p>Agreed.</p> <p><b>No specific change to the Local Plan is recommended.</b></p>

10	DM5 Telecommunications	73/3	Any new lattice or equivalent commercial telecommunications masts erected should be structurally capable of accommodating other users' telecommunications equipment, particularly equipment serving the same geographical area. In addition, there should be encouragement for the erection of small community masts to provide broadband and other compatible communication services to difficult to serve communities.	PAN 62 Annex G 8 indicates that masts shall be structurally capable of being shared by additional radio telecommunication equipment. This requirement is attached as a condition to relevant telecommunications development applications in the Western Isles.  Structure Plan policy ED4 and supporting text recognises the potential benefits and supports the provision of telecommunications across the Western Isles.  <b>To provide further clarification and guidance it is recommended that the following be inserted in the policy context column adjacent to LP/DM5: "Circular 5/2001 Town &amp; Country Planning (General Permitted Development) (Scotland) Amendment (No2) Order 2001" and that criterion a) be removed as it is not specifically required to assess proposals.</b>
14	LP/RM2 Archaeology	73/4	WIE welcomes a commitment to consider developments to enhance the area's tourism product.	Support for the Local Plan is noted.
16	Economic Development	73/5	The Local Plan should acknowledge that Creating Communities of the Future is a (Community Planning) partnership document.	Creating Communities of the Future is referred to in page 6 of the plan.  <b>No change to the Local Plan recommended.</b>
18	ED4 Aquaculture (Policy)	73/6	Given the significant impact that aquaculture activities have on the area's GDP, the economic output and employment potential/retention of a proposed or extended development should also be a consideration.	Your comments are noted.  <b>No change to the Local Plan is recommended.</b>
18	LP/ED5 Caravans & Camping for Tourism (Policy)	73/7	In light of the growing visitor interest in such facilities, are there any prevailing industry standards that should be highlighted?	Such 'standards' would be matters of detail which would be dealt with when a planning application and licensing is considered.

				<b>No change to the Local Plan is recommended.</b>
20	LP/HCL2 Affordable Housing (Policy)	<b>73/8</b>	WIE would be concerned that this requirement could constrain independent speculative housing development by private sector commercial developers.	The policy is developed from national planning guidance which the Local Plan is required to take into account.  <b>No change to the Local Plan is suggested.</b>
32	Prop LP/ED4 Former Bus Station	<b>73/9</b>	Scope for mixed development including other (than retailing) commercial in this prime town centre location.	Noted. The proposal will allow for that.  <b>No change to Local Plan is suggested.</b>
36	Prop LP/ED11 Piers & Harbours	<b>73/10</b>	Lochboisdale Harbour should be included.	Your comment is noted and accepted.  <b>The Local Plan will be amended to include the following proposal</b> <b><i>“Lochboisdale Harbour –improved harbour and fishing facilities together with related development of business, tourism and housing.”</i></b>

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WISP ED2 LP/ED3	16	<b>74/1 to 74/6</b>	<b>As response for 13/1 to 13/6.</b>	

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	General	<b>75/1</b>	Comunn na Mara welcomes the plan and congratulates those who have laboured on it. Several features require updating.	Your comments are noted.
24	Greater Stornoway Context	<b>75/2</b>	?Undue emphasis on Stornoway area.	Your comments are noted.  <b>No change to the Local Plan is considered appropriate as this section of the Local Plan specifically deals with the Greater Stornoway area and reflects both the strategies of the approved Structure Plan and Local Housing Strategy.</b>
12-15	Resource Management	<b>75/3</b>	Feel that more should have been made of the waters round the Islands.	The Local Plan is closely linked to the approved Structure Plan which sets out a range of policies covering coastal and marine resources insofar as there is a planning remit.  <b>No change to the Local Plan is recommended.</b>
12-15	Resource Management	<b>75/4</b>	Would welcome more on Biodiversity.	The Local Plan is linked to the approved Structure Plan and in the latter policies DM7 and RM2 make specific reference to biodiversity. It is indicated that account will be taken of the Western Isles Local Biodiversity Action Plan which contains detailed actions.  <b>No change to the Local Plan is recommended.</b>



			I look forward to a positive outcome for all parties.	
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	Map 4	77/1	The Draft Local Plan shows a small search area for Housing in a field bounding with Sand Street and Anderson Road. The local plan should identify the whole field as suitable for Housing as well as the remainder of Goathill Farm. If identified all land would be made available.	Your comments are noted.  The availability of the land remains uncertain. <b>However, in lieu of other housing search areas being recommended for deletion in the Plan and the strong need for housing land it is recommended that further parts of Goathill Farm along Perceval Road/Anderson Road/Sand St (although not all the Farm) be included as a Housing Search area on the Proposals Map.</b>

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(Map 4) 24	LP/STY 1  (LP/HCL1, Prop HCL 6, Prop LP/ED6)	<b>78/1</b>	I refer to the areas of land in pink to the east of Plasterfield housing estate and north of Rathad a Mhaoir, and north of Sandwick road and opposite Knockgarry; both areas of land are on North Street Common Grazings. I object to the potential loss of good quality land for future housing development.	Your comments are noted.  <b>In light of the information you and others have supplied it is recommended that the two housing search area sites to the east of Plasterfield Housing Estate and north of Rathad a Mhaoir, and north of Sandwick Road and opposite Knockgarry be deleted from Map 4.</b>

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(Map 4) 24	LP/STY 1  (LP/HCL1, Prop HCL 6, Prop LP/ED6)	<b>79/1</b>	I refer to the areas of land in pink to the east of Plasterfield housing estate and north of Rathad a Mhaoir, and north of Sandwick road and opposite Knockgarry; both areas of land are on North Street Common Grazings. I object to the potential loss of good quality land for future housing development.	Your comments are noted.  <b>In light of the information you and others have supplied it is recommended that the two housing search area sites to the east of Plasterfield Housing Estate and north of Rathad a Mhaoir, and north of Sandwick Road and opposite Knockgarry be deleted from Map 4 .</b>