

**Highland wide Local Development Plan - Main Issues Report
Consultation Summary and Actions Sheet**

Reference Number:	HWLDP-MIR-171
Organisation/Individual:	Turberry Consulting – Moray Estates

Action:

Immediate Response Required	
Meeting required with Respondent	x
Issue for Area Local Development Plan	
Further Information Required	
Other (Please Specify)	

If no box ticked - issues raised will be dealt with in preparation of the Proposed Plan.

Issues Raised in Response:

Purpose of Main Issues Report	
NPF2 for Scotland	x
Vision for the Highlands	x
Inverness and A96	x
The A96 Corridor	x
Phasing of Development	
Developer Contributions	x
East Inverness	
Nairn	
Tornagrain	x
Smaller Settlements in A96	
Caithness and North Sutherland	
Easter Ross and Nigg	
Development of Local Centres	
Wider Countryside and Fragile Areas	
Population and Housing	
Housing in the Countryside	
Affordable Housing	
Planning for an Ageing Population	
Gypsies/Travellers	
Retailing	
Developer Contributions	
Natural, Built and Cultural Heritage	

Previously used Land	
Wild Land	
Water Environment	
Renewable Energy	
Flooding	
Waste Management	
Air Quality	
Sustainable Design	
Business and Industrial Land	
Accessibility and Transport	x
Agricultural Land	
Subdivision of Existing Crofts	
Allocation of Inbye Land	
New Crofting Township	
Small Scale New Crofts	
Coastal Development	
Forestry and Woodland	
Minerals	
Open Space and Physical Activity	
Access to the Outdoors	
Comments on Consultation Process (+ve)	
Comments on Consultation Process (-ve)	

Key:

Background	Spatial Strategy	Policy Options	Consultation
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Notes:

New settlement at Tornagrain could be more expressly referred to
 Concern that there may be "alternatives" to the A96 Corridor Development
 General support for preferred options – wishes to ensure the details of the spatial strategy enable Tornagrain to develop in a timely fashion
 Meeting required?

Action Sheet Completed by:	GW
Date:	09/12/09

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Planning & Development Service
The Highland Council
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TurnberryConsulting

05 November 2009

Our ref THC (5.11.09) MEDCoT – LDP

Dear Mr MacLeod

**CONSULTATION RESPONSE TO THE HIGHLAND LDP (MAIN ISSUES REPORT) 2009:
On behalf of Moray Estates, in respect of Tornagrain Planning Application 09/00038/OUTIN**

Please find enclosed the response (five copies) which we have prepared on behalf of our client, Moray Estates Development Company Limited, in respect of their interests in the development of a new town at Tornagrain, as identified in:

1. *National Planning Framework 2* (June 2009);
2. The Planning Authority's Draft LDP Policy, *The A96 Growth Corridor Development Framework* (March 2009); and
3. our Planning Application No. 09/00038/OUTIN (as amended March 2009).

We should be grateful if you could take due consideration of the enclosed representations in the preparation of your Proposed LDP, which I understand is due in March 2010.

Please do not hesitate to contact me should you wish to discuss any of the issues contained in the enclosed production(s).

Thank you.

Yours sincerely, 



D L Black

Tornagrain

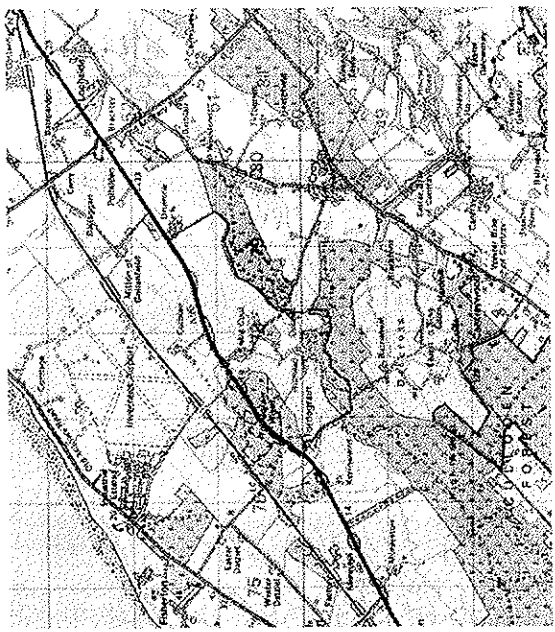
A Planned Town for the Highlands

The Highland wide Local Development Plan (Main Issues Report) 2009

Consultation Response from Moray Estates in
respect of its Proposed Tornagrain New Town

5th November 2009

1. Introduction	3	
(a) Summary	3	This is the response of Moray Estates Development Company Ltd (Moray Estates) to the Main Issues Report (MIR) of the Highland wide Local Development Plan (the LDP) in respect of its proposal for a new settlement at Tornagrain.
(b) Consultation on Local Development Plan Main Issues Report	3	
(c) The Tornagrain Proposal	3	
(d) Tornagrain Planning Policy Context	4	
(e) Salient H.LDP Main Issues Report Options	4	
(f) Format	4	
2. Tornagrain Planning Application	5	
(a) The Site	5	
(b) The Application Context	6	
(c) The Proposal	6	
(d) Advertisements and Certificates	6	
(e) Local Community	6	
(f) Statutory Consultees	6	
(g) Conclusion	6	
3. Planning Policy Context (2009)	7	
(a) Planning Application Submission	7	
(b) Draft LDP Planning Policy Document	7	
(c) National Planning Framework for Scotland 2 Publication	7	
(d) LDP (Main Issues Report)	7	
4. Medco (Tornagrain) Response To LDP (Main Issues Report)	8	
(a) Chapter 1: Purpose of the LDP's Main Issues Report	8	
(b) Chapter 2: National Planning Framework 2	8	
(c) Chapter 3: The Vision for the Highlands	9	
(d) Chapter 4: Spatial Strategy	9	
Strategy Map	9	
Q1 (Inverness)	10	
Q2 (The A96 Corridor)	10	
Q3 (Developer Contributions in the A96 Corridor)	10	
Q6 (Tornagrain)	12	
(e) Chapter 5: Policy Options	13	
Q12 and Q13 (Housing Allocation / Design)	13	
Q14 (Affordable Housing)	13	
Q17 (Retail)	13	
Q18, Q19, Q22, Q24, Q25, Q26 and Q27 (Developer Contributions, Safeguarding The Environment, Promoting Sustainable Development, Renewable Energy, Flood Risk Mitigation, Waste Management, Air Quality and Sustainable Design)	14	
Q28A (Competitive, Sustainable and Adaptable Highland Economy)	14	
Q28B (Transport and Transport Strategy Map)	14	
Q29 (Prime Agricultural Land)	14	
Q35 (Woodland)	14	
Q36 (Minerals)	14	
Q37 and Q38 (Open Space)	14	
5. Summary and Conclusion	15	



The site location

at The Highland Council and on the Tornagrain website – www.tornagrain-newtown.co.uk

(d) Tornagrain Planning Policy Context

The National Planning Framework 2 (2009) (NPF2) is a key part of the modernised planning system, providing a national policy context for the new generation of development plans and determination of planning applications. It provides the strategy to inform Government decisions on spending, and public agency and local authority programmes; supported by an Action Programme for implementation which identifies lead partners and delivery agencies.

NPF2 provides the national spatial strategy for long-term development to deliver the increased sustainable economic growth, to which The Scottish Government is committed, to deliver 'a more successful Scotland', as confirmed by the Cabinet Secretary for Finance and Sustainable Growth, John Swinney MSP.

NPF2 identifies "where things need to happen to make that possible", and provides the spatial guidance of the national of policies for economic development, planning, climate change, transport, energy, housing and regeneration, waste management, water and drainage protection and reduced carbon emissions. It identifies such national developments as key strategic infrastructure projects and:

"embodies the Scottish Government's continuing commitment to realising the potential of places, highlighting economic and environmental opportunities in each and every part of Scotland".

2. Tornagrain Planning Application

The Scottish Government's *National Planning Framework 2* (2009) (NPF2) sets out the strategic development framework for Scotland, as a nation. As such, it is the first tier of development plans in Scotland. This provides the National Planning Framework context within which the Highland Local Development Plan should comply, including the identification of Tornagrain as the site for the creation of a new settlement.

NPF2 identifies the A96 Corridor, between Inverness and Nairn, as an *Area for Co-ordinated Action* and the main focus of growth in the inner Moray Firth. The application site boundary and proposed development phasing timescale is also consistent with that identified in the *A96 Growth Corridor Development Framework* to which the National Planning Framework refers.

Consequently, the planning application site and the proposed principle, scale and phasing of development, has been led by, and is consistent with, the Scottish Government's *national spatial strategy* for long-term development to deliver the increased sustainable economic growth. It constitutes one of the strategic locations "where things need to happen to make that possible", to deliver 'a more successful Scotland'.

The Tornagrain proposal is also consistent with the Development Plan (2001 Structure Plan) Policy which promotes comprehensively planned new settlements linked to business opportunities associated with the airport.

Although not allocated in the Local Plan when the application was submitted in January, the site was also expressly allocated for a new town in the planning authority's adopted Supplementary Planning Guidance (SPG), *The A96 Growth Corridor Development Framework 2007* (subsequently adopted by the planning authority as Draft LDP Policy), and as expressly identified in NPF2.

(e) Salient HLDP (Main Issues Report) Options

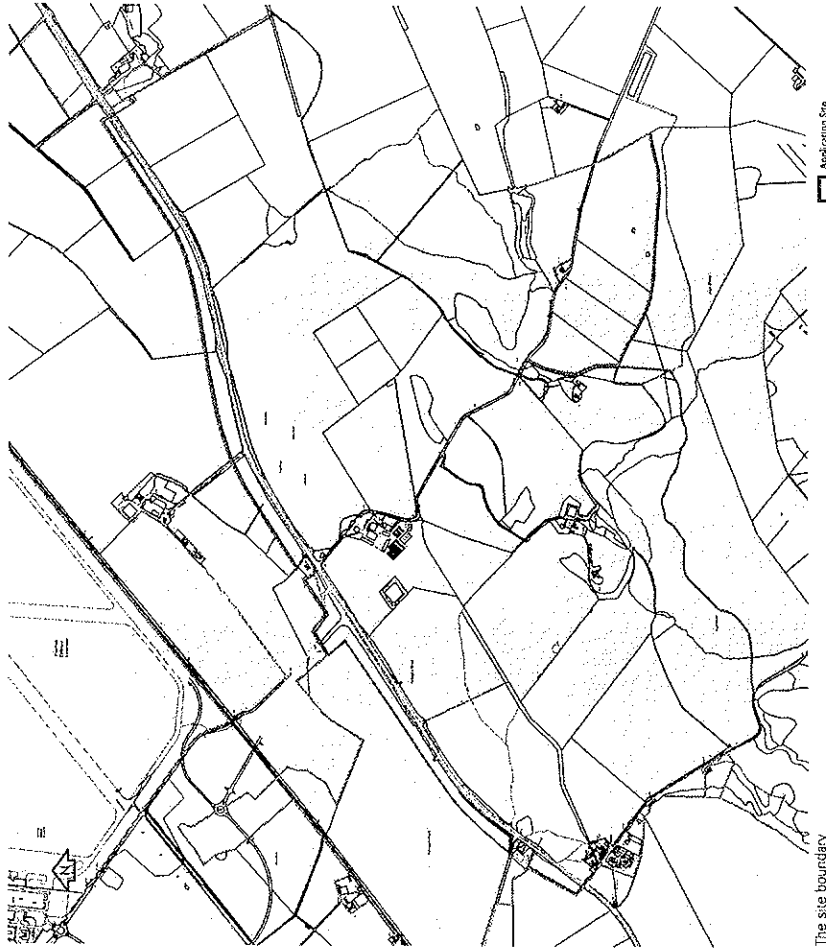
The LDP's main issues with which Moray Estates are principally concerned, in respect of its Tornagrain proposal, are contained in Chapters 2 (NPF2), 3 (Vision) and 4 (The Spatial Strategy: Inverness and the A96 Corridor).

However, there are also a number of issue-specific options which are also relevant to Moray Estates' proposals for Tornagrain, such as: housing allocations; housing in the countryside; affordable housing; retail; developer contributions; heritage; sustainable energy and climate change; waste; sustainable design; the economy; transport; agricultural land and woodland; minerals; open space; and access.

(f) Format

This Introduction will be followed by:

- an outline of Moray Estates' planning application for Tornagrain, and current position;
- the relevant policy context in which the application was submitted, and its subsequent evolution;
- Moray Estates' response to the MIR's outline with particular regard to:
 - The Purpose
 - NPF2
 - The Vision
 - The Spatial Strategy;
 - Thematic policy options; and a
 - summary and conclusion.



The site boundary

(a) The Site

The application site (TCLZA) lies primarily to the south of the A96 Trunk road, half way between Inverness and Nairn (whose centres are both some seven miles distant), and a mile south of Inverness Airport. It extends marginally to the north of the A96, into the Inverness Airport Business Park (IABP) site, to facilitate the appropriate interface with the adjacent planned IABP development. The nearest villages to the site are Croy, a mile to the south east, and Ardersier, two miles to the north east. Castle Stuart Golf Links and the Norbord OSB factory lie approximately two and one miles

away (respectively) to the west, and the former Whiteness Fabrication Yard (which has outline planning permission for a residential/marina scheme) lies a further two miles beyond Ardersier.

The application site extends along the A96 in a north-eastwardly direction, from the cluster of dwellings which comprises the existing settlement of Tornagrain (and Petty Church) to the western edge of Drumme steading buildings, a distance of some 1.8 miles. The site varies in width between 500-1,000m for most of this length, reaching 1,400m at its widest point, a mile to the north of the village of Croy.

3. Planning Policy Context (2009)

(b) The Application Context

The site lies within the A96 Corridor, which was identified in The Scottish Government's National Planning Framework 2 (Proposed Framework) December 2008, as an Area of Co-Ordinated Action. It identified the Corridor, between Nairn and Inverness, as the main focus for growth in the Inner Moray Firth, and Highland Council's A96 Growth Corridor Development Framework, including the creation of a new settlement at Tornagrain, to deliver the co-ordinated action for growth over the next 35 years.

The Development Plan comprises The Highland Structure Plan 2001 and the Inverness Local Plan 2006. The application site is identified for a new settlement in The A96 Growth Corridor Development Framework, which was approved by THC in September 2007.

As the site was allocated for a new settlement in the approved A96 Growth Corridor Development Framework, the accompanying Planning Statement primarily concentrated on the details of the outline proposal within this context and salient national and local planning policies. This application also paid due regard to the Developer Contributions Protocol, which THC also approved in September 2007, for the delivery of the requisite infrastructure to serve development along the A96 Corridor.

The application site lies to the immediate south of land which is the subject of an Outline Planning Application 08/00215/OUTIN for the Inverness Airport Business Park (IABP). A co-ordinated planning approach has been taken to demonstrate how the new settlement at Tornagrain could be fully integrated with the business park. The Castle Stuart Golf Links opened in August 2009 and construction is expected shortly on its associated development of hotel, hotel apartments, fractional ownership units, spa centre and second golf course. Outline Planning Permission 05/01294/OUTIN was also granted on 2nd November 2007, for a residential development of 1,950 units, including a hotel, marina and associated facilities, and sewage treatment plant, at the former Fabrication Yard, Whiteness Head, by Airdersier.

(c) The Proposal

Outline Planning Permission is sought for a new town comprising up to 4,960 housing units, supporting community facilities (18,222m²), retail (20,000m²), business (7,000m²), general industry (1,000m²), storage and distribution (1,000m²), hotels (4,000m²).

residential institutions (5,000m²), leisure (3,000m²), petrol stations (1,500m²) and associated landscaping, open space, infrastructure (including formation of access and associated junction works) and services.

(d) Advertisements and Certificates

The planning application was validated by The Highland Council on 19th January and, under The Environmental Impact Assessment Scotland Regulations advertised locally on the 30th January, inviting comments by 2nd March; and re-advised in The Edinburgh Gazette on 13th March, with an extended period for responses to 17th April.

(e) Local Community

The planning authority has received six letters of support for the application. Objections have been received from Grey and Culloden Moor Community Council and from 52 local residences or community representatives.

The grounds of these objections essentially related to issues of principle of the allocation of the site for a new settlement. The issues raised are similar to those addressed by the planning authority in its Strategic Environmental Assessment and Green Framework for the A96 Corridor, and the associated public consultation process which led to the site's subsequent allocation in the planning authority's subsequent adoption of the SPG in 2007, and its allocation in the National Planning Framework and NPF2. The planning authority has consulted such agencies as appropriate for their expert advice on other issues raised by responses and comments received from the local community.

(f) Statutory Consultees

The Highland Council released consultations on the application, in January, to internal departments and external organisations. The Highland Council is still receiving responses from the Councilors on these matters.

(g) Conclusion

The Tornagrain planning application was submitted within the context of its allocation in NPF2 and the planning authority's approved SPG for the A96 Corridor and Finalised Green Framework. The application is advancing through the development control process which will inform the position regarding technical issues.

(a) Planning Application Submission

The planning application was submitted following an extensive public consultation exercise, within the context of:

1. Scottish Government's NPF:

- a. Designation of the A96 Growth Corridor as an Area for Co-Ordinated Action;
- b. Identification of the role of The A96 Growth Corridor Development Framework and Tornagrain new town in delivering the Co-Ordinated Action;

2. Planning Authority's:

- a. 2001 Highland Structure Plan's promotion of comprehensively planned new settlements linked to business opportunities associated with the airport;
- b. 2003 Inverness City-Vision's encouragement to the creation of new communities strategically located along the trunk/rail route to Nairn; and
- c. 2007 allocation of the site for a new town in its adopted SPG, The A96 Growth Corridor Development Framework.

The proposal was also designed, as instructed by the SPG, in accordance with the provisions of the 2006 Inverness Local Plan's Policies GP1 and GP2 in respect of standards for new development related to creating places for people, making connections, mixed use, landscape integration, managing investment and flexibility, urban structure, place hierarchy, density, capacity, open space, and recreation.

(b) Draft LDP Planning Policy Document

In late April, Moray Estates received notification from The Highland Council that it had resolved to confirm the status of The A96 Growth Corridor Development Framework through the planning modernisation agenda, and the Local Development Scheme, from an Adopted Supplementary Planning Guidance to the Local Plan to draft LDP policy, in doing so, the authority expects any planning applications to be considered

within the terms of the progression of the Framework through the emergence of the LDP, established on the 31st August, by its allocation in the LDP's Main Issues Report.

The A96 Growth Corridor Development Framework benefits from the support of the preparation and policy-formulation process (not least, its Strategic Environmental Assessment and Landscape Framework bases) and its comprehensive completed public consultation process. This status is maintained in the planning authority's progression of The A96 Growth Corridor Development Framework, from Local Plan SPG to draft LDP planning policy document, (The provisions of NPF2 (June 2008), the Structure Plan and the Inverness City Vision, with respect to the Tornagrain proposal, also remain extant.)

(c) National Planning Framework for Scotland 2 Publication

National Planning Framework for Scotland 2 (NPF2) was published by the Scottish Government in June 2009.

(d) LDP (Main Issues Report)

September saw the subsequent release of the consultative Main Issues Report of the LDP, into which the provisions of The A96 Growth Corridor Development Framework have been developed and incorporated, and upon which this statement has been prepared as Moray Estates' response in respect of its application for Tornagrain.

4. MEDCo (Tornagrain) Response To LDP (Main Issues Report)

(a) Chapter 1: Purpose of the LDP's Main Issues Report

Moray Estates supports the planning authority's preparation of the MifR and the development of a clear Highland-wide vision of the region's development over the next 20 years. This as a replacement for the Structure Plan and as the main document against which planning applications will be assessed, and to meet the revisions to the principal act, as introduced by the Planning etc (Scotland) Act 2006.

Moray Estates also supports the LDP's strategic role of setting out the main growth areas, together with guidance on how these should be developed through the future publication of the Proposed Plan and the Inner Moray Firth LDP.

(b) Chapter 2: National Planning Framework 2

NPF2 takes its statutory foundation from the Planning etc. (Scotland) Act 2006. Planning authorities are required to take the Framework into account when preparing development plans (and as a material consideration in determining planning applications). The scope and content of NPF2 has been widely discussed with stakeholders and considered by the Scottish Parliament.

The NPF has been subject of a Strategic Environmental Assessment (SEA), which included an interim assessment of the alternatives considered during strategy development and a fuller assessment of the discussion draft National Planning Framework.

It sets out Scotland's strategic development priorities to support its 'central purpose' of 'sustainable economic growth', plays a key role in "co-ordinating policies with a spatial dimension and aligning strategic investment priorities", and progresses the Government Economic Strategy's spatial aspects and the importance of 'place'. It also identifies investment priorities to enable Scotland's regions' to play to their strengths.

NPF2 provides the starting point for 'collaboration' in wider spatial planning initiatives, identifying key issues and drivers of change, to set out a vision to 2030, and identifies specific strategic priorities and opportunities for the wider Highlands and Islands.

NPF2 focuses on the priorities for the improvement of infrastructure to support long-term development. It promotes the National Transport Strategy, incorporating the Strategic Transport Projects Review (STPR), identifying strategic priorities for investment in transport, energy and drainage infrastructure, and the priority attached to the development of a strategic network of waste management installations.

NPF2 states that while it is not a spending document: *it is closely linked to the Government's Infrastructure Investment Plan and will inform the investment programmes of public agencies and infrastructure providers.*

The Highlands and Islands Spatial Perspective, which extends across the 12 'Highlands and Islands' Councils.

Moray Estates believes that the LDP's Chapter 2 should reflect, more specifically, the significant strategic development framework issues set out within the section entitled *Highlands and Islands Spatial Perspective*, which apply within the area of Highland Council's LDP.

Paragraph 214 of NPF2's *Highlands and Islands Spatial Perspective*, is particularly pertinent to Moray Estates' interests at Tornagrain:

The A96 corridor between Inverness and Nairn is the main focus of growth in the inner Moray Firth. Highland Council's A96 Corridor Development Framework includes proposals designed to accommodate an additional 30,000 people in the area over 35 years. These include significant expansion to the East of Inverness and at Nairn, the creation of a new settlement at Tornagrain, and a residential and marina development at Whiteress. Development on this scale will require substantial investment in transport and water and drainage infrastructure and the creation of supporting green infrastructure. The STPR has identified the need to dual the A96 between Inverness and Nairn and provide a new rail station, airport interchange

For reasons expressed in much more detail in its planning application, Moray Estates' aspirations and proposals for Tornagrain will make a significant contribution to these principles and the Council's overarching objective. Tornagrain will make a significant and effective contribution to delivering better opportunities for investment and diversification in the economy and a more competitive, sustainable, adaptable and fairer economy.

and park-and-ride facilities at Dalcross. It has also identified a package of improvements to the Aberdeen - Inverness rail line which would reduce journey times between the two cities by 20 minutes and improve the connectivity of communities along the route.

Moray Estates supports the planning authority's contextual reference to the lead of The Scottish Government's national policy and proposals, as contained in NPF2, and appreciates the first bullet point reference to the A96 Corridor, as an Area for Co-Ordinated Action for development.

However, Moray Estates believes that, as the planning authority are obliged to ensure that the LDP is in compliance with the National Planning Framework which specifically refers to Tornagrain as the site of a major development of strategic significance within the context of the wider Highlands and Islands, its significance within the region of Highland Council is such that that Chapter 2 should be revised to expressly refer to "the creation of a new settlement at Tornagrain".

(c) Chapter 3: The Vision for the Highlands

Moray Estates supports the Council's overarching objective to deliver one of Europe's leading regions by 2030 which promotes economic and population growth through sustainable, fairer and healthier communities.

As reflected by The Scottish Government's expressed support for Tornagrain, through the Scottish Sustainable Communities Initiative, Tornagrain will serve as an exemplar of sustainable development, whilst paying the highest regard to safeguarding the environment, in the delivery of a wide range of housing within a highly attractive environment contributing to employment opportunities, creating a healthier and fairer economy, and promoting healthy lifestyles and opportunities.

(d) Chapter 4: Spatial Strategy

Moray Estates shares The Highland Council's view that Tornagrain represents one of the key opportunities in developing the region over the next 20 years, its identification of The A96 Corridor, as an area of focus arising from its development pressure where the Local Plan is out of date, and the role of the Highland wide LDP to replace the Local Plan's provisions for housing in the A96 Corridor. It shares the LDP's statement of the need, promoted by *Firm Foundations: The Future of Housing in Scotland*, to identify a long term supply of land for housing and other uses, so that the wider region can continue to prosper. Tornagrain's proposed phasing is consistent with the Spatial Strategy's proposal for a need for new major expansions from 2011.

Strategy Map

Moray Estates supports the LDP's Strategy Map which identifies the A96 Corridor as a 'Key Development Area' within Inverness's 'Pressurised Hinterland Area'.

Q1. Inverness

Moray Estates generally supports the LDP's Preferred Option of (a) updating the city vision, (b) highlighting the major development sites, (c) preparing masterplans for highlighting opportunities/provide guidance on development/phasing of the A96 Corridor, and (d) incorporation of the Local Transport Strategy.

However, we are concerned with the specific wording of the third bullet point "for alternative", which may imply there may be alternatives to the principles of the development in the A96 Corridor, and more specifically Tornagraim, which has already been established in NPF2. The planning authority has already established that there are no alternatives to Tornagraim through its due consideration of such, through its Landscape Framework, SEA, Collaboration for Success, public consultation process, which reached the conclusions expressed in the subsequently adopted *The A96 Growth Corridor Development Framework*. We suggest there need be no further consideration of 'alternative' A96 Corridor key developments, as those identified in the LDP have been established through the comprehensive and exhaustive planning policy process which resulted in the Council's approval of the allocations in *The A96 Growth Corridor Development Framework* draft LDP policy.

Tornagraim represents a large, planned, co-ordinated development, which has received The Scottish Government's support for its 'sustainable community' and place-making qualities, been the subject of an extensive pre-application consultation (including charrette) process, is at an advanced stage of design and progression through the development management process and, as such, represents an excellent opportunity for the timely delivery of this significant development opportunity.

These qualities are further enhanced by the site's integration with IABP, the Local Plan's principal allocation of future employment growth. This will further enhance Tornagraim's sustainability benefits with respect to the quality of the interface between, linkages with, and inter-relationship of the two developments and associated supporting services.

Whilst it is appreciated that existing sites in Inverness should be encouraged to come forward at the earliest opportunity, the A96 developments should

also be brought forward in a sensibly phased manner to promote long term supply, within an up-to-date City Vision, to provide choice and meet undersupply in the city area.

For the reasons outlined above, Moray Estates supports the Council's alternative suggestion to focus efforts on opening up the opportunity within the A96 Corridor, to bring forward Tornagraim together with the early consolidation and development of the existing areas identified within the city, to ensure the long term land supply sought by Firm Foundations and the Council's overarching priority, whilst continuing to progress consolidation within Inverness.

Q2. (The A96 Corridor)

Moray Estates shares the Council's conclusion that development to the east of the city is the most deliverable medium to long term growth opportunity. The A96 Corridor as an Area for Co-ordinated Action, and the designation of Tornagraim as a principal centre for growth, as defined in the LDP's figure, *Key Developments in the A96 Corridor*. It also supports the conclusion as to the need for more housing in this area.

We share the concern of the Council that development along the A96 Corridor should proceed in a co-ordinated and phased manner to ensure the adequate and timely delivery of associated supporting infrastructure and services, as identified in the NPF2, the Strategic Transport Projects Review and the Council's *Green and Growth Corridor Frameworks*.

For these reasons, Moray Estates has already commenced extensive consultations with major infrastructure and service providers.

Moray Estates encourages the delivery of NPF2's focus on the priorities for the improvement of infrastructure to support long-term development in the Corridor, identifying strategic priorities for

investment in strategic transport and drainage infrastructure, the Government's Infrastructure Investment Plan and its implications for the investment programmes of public agencies and infrastructure providers. Moray Estates seeks greater clarity and commitment from the LDP in respect of the delivery of this infrastructure, particularly in respect of ensuring the timely delivery of Tornagraim proposed phased development.

As the LDP's time horizon extends for 20 years, Moray Estates would encourage the Council to ensure that the LDP makes appropriate allocation for development to that timeframe. The Tornagraim masterplan has been designed to ensure a co-ordinated planned scheme to deliver the optimum sustainable community for long-term growth.

Q2 – Moray Estates supports The Highland Council's Preferred Option to identify Tornagraim as a principal development site, as set out within the A96 Corridor Framework in the Proposed Plan, and the principle of supporting such phases of development as may be demonstrated can progress in advance of the completion of major infrastructure. However, we believe that the LDP should make further allocation for development for its 20 year time horizon to extend such development allocation to that which may subsequently progress where requisite infrastructure improvements can be demonstrated and delivered to permit further defined growth. The Tornagraim planning application also contains proposals for the phased delivery of other supporting infrastructure, commensurate with the development, such as local roads, schools, community facilities, open space and facilities to accommodate and promote, through the delivery of a design which facilitates public transport.

For these reasons, Moray Estates generally supports the Council's Preferred Option for the A96 Corridor (with specific reference to Tornagraim), whilst ensuring that the allocation will enable continued growth of the new settlement, beyond the plan period.

It is essential that the LDP makes sufficient provision for flexibility to ensure the timely delivery of development to meet the NPF and the Council's principle objective of sustainable economic growth. The detailed wording in the Preferred Option does not appear to accommodate this and for the reasons summarised in 1 and 2, below, the following bullet-point revisions are proposed:

1. additional (currently unforeseen) capacity in terms of infrastructure; and

2. the potential prejudicial constraints in progression which may arise from circumstances outwith Moray Estates' control such as:

- a. timely delivery of drainage infrastructure; or
 - b. delayed progression by the developers of pre-requisite development sites within Inverness.
- Identify the development sites set out within the A96 Corridor Framework in the Proposed Plan;
 - Support early (2011-2016) phases of development across the corridor before major infrastructure is completed but subject to commitments in principle from the development industry and agencies like Transport Scotland and Scottish Water to ensure that all types of infrastructure (Whether that be roads, public transport, schools or community facilities) are in place, or such alternative interim infrastructure provision as may be otherwise agreed, when they are needed, and such additional development as may be demonstrated as being adequately supported by existing infrastructure (or such requisite infrastructure improvements as may be agreed);
 - Set out in the Proposed Plan the amount of development which will be allowed to proceed within the 2011-2016 and 2016-2021 periods across the corridor; and

- Set out in the Proposed Plan the preferred areas for anticipated growth at Tornagraim from 2022-2031, and beyond; and

- Link the phasing of development to the outcomes of our work on the existing sites in Inverness (as set out in the previous section), insofar as they do not unduly defer the timely progression of the provision of accommodation for growth or delay due progression of alternative development allocations in the Plan.

Whilst Moray Estates recognises the logic of an orderly phased succession of development which commences in the Inverness area, it is also aware of the practical issues which may arise beyond the planning authority's control or influence which may prejudice the delivery of the requisite pace of development. Consequently, it is suggested appropriate terms are incorporated into policy to provide the Council with flexibility to respond accordingly in such eventuality.

Moray Estates believes that the proposed additional detailed text, above, in no way prejudices the provisions of the Council's Preferred Option, whilst providing:

1. a long term co-ordinated masterplanning approach to Tornagraim to ensure that the settlement builds out to achieve the scale/threshold necessary to deliver the self-contained sustainable new town, envisaged in the masterplan; and
2. flexibility, at the planning authority's future discretion, to ensure that appropriate alternative arrangements may be available to ensure the timely phased progression and delivery of Tornagraim's sustainable economic growth.

These proposed revisions also address the planning authority's concern over an alternative, incremental development model (as expressed in the MIR), by maintaining the strategic overview provided by the A96 Framework, reducing pressure for development on green space in and around Inverness, and minimising undue environmental effects of incremental developments of a more dispersed growth option.

Finally, the planning authority is required to prepare a NPF2 compliant LDP. As such an LDP which contained alternatives to the key provisions of NPF2 for the A96 Corridor (e.g. 'dispersed growth option') would be unlikely to be NPF2-compliant.

Q3 (Developer Contributions in the A96 Corridor)

Moray Estates supports The Highland Council's principle of developer contributions for major infrastructure in the A96 Corridor, as reflected in the Framework's Developer Protocol.

As already stated, Moray Estates is keen to see the LDP demonstrate and encourage the requisite design, programming and commitment to the necessary infrastructure to ensure the timely phasing of development in accordance with the Scottish Government's principal planning policy of promoting sustainable economic growth. NPF2's focus on the priorities for the improvement of infrastructure to support long-term development in the Corridor, and its implications for the

investment programmes of public agencies and infrastructure providers. Moray Estates seeks greater clarity and commitment from the LDP in respect of the delivery of this infrastructure.

Q3 – Moray Estates supports the principle of the Council's Preferred Option for developer contributions in the A96 Corridor to facilitate the orderly and timely progression of the development of Tornagraim. It is however, important that a flexible approach is taken with the Protocols so as to ensure the progression of any one development opportunity is not unduly frustrated by activities from others. To this end, Moray Estates would welcome the opportunity to become involved in the Council's review of the protocol, and establish the details of its terms, in advance of its proposed policy inclusion in the Proposed Plan.

Q6 (Tornagraim)

The National Planning Framework (NPF2) set out Scotland's strategic development priorities to support the Government's central purpose of sustainable economic growth, whilst co-ordinating policies aligning strategic investment priorities and the importance of 'place'. The planning authority is obliged to take the National Planning Framework into account when preparing its development plans.

The A96 Corridor is one of only six designated Areas for Co-ordinated Action for development in Scotland's National Planning Framework, and "the creation of a new settlement at Tornagraim" is a key deliverer of NPF2's Spatial Perspective for the 12 Councils within the 'Highlands and Islands' region.

All alternatives have already been considered and dismissed by the NPF2 SEA and the local planning authority's SEA, and associated studies, which led to its adoption of its A96 Growth Corridor Development Framework – in which it identifies Tornagraim.

For these reasons, Tornagraim is a key deliverer of the NPF, a national planning obligation upon the planning authority, and as a result of its own conclusions from the extensive local studies and consultations which led to the identification of the

site through its A96 Growth Corridor Framework. Consequently, Moray Estates welcomes the MIR's identification of Tornagraim as the site for a new town with the capacity to provide 5000 houses over the next 30-40 years, and its selection as one of The Scottish Government's Sustainable Community initiative exemplars. It also supports Tornagraim's role in diverting development pressures from more inappropriate locations to contribute to the retention and creation of green spaces and networks, support the case for transport and access improvements and deliver homes, employment and services within a compact and sustainable new town.

Moray Estates also recognises the importance of ensuring that the necessary infrastructure is in place to support the development as it progresses, and the maintenance of the highest standards of design quality for a sustainable community for the 21st century, and beyond. These matters were addressed in some detail in the submitted planning application.

Q6 – We agree with the Council's conclusion that there are no reasonable alternatives to the Preferred Option to support the role of Tornagraim as a means of meeting the long term housing needs of the area, as has been established by its extensive Strategic Environmental Assessment, Green Framework, Growth Framework and public consultation exercise, and the subsequent identification in NPF2.

Moray Estates also recognises the importance of the need to ensure that the development proceeds in a phased manner to ensure the delivery of the necessary supporting services for the community through its phased growth.

While Moray Estates appreciates the MIR's support for early development before major infrastructure is completed for the period 2011-2016, and the importance of provision of the supportive infrastructure, we are concerned that this is subject to the proviso that this should also be subject to commitments from the development industry and agencies like Transport Scotland in advance of a conclusion as to the extent to which there may be development capacity within existing infrastructure, or potential interim capacity improvements which may be made. To address this we would refer to the explanation and comments already outlined in response to Q2 and, for the same reasons suggest the Preferred Option be revised along the following lines:-

- Support the role of Tornagraim as a means of meeting the long term housing needs of the area;
- Ensure appropriate phased delivery of supporting services and community facilities commensurate with the scale of development; and

- Support early (2011-2016) phases of development at Tornagraim before major infrastructure is completed but subject to commitments in principle from the development industry, and agencies like Transport Scotland and Scottish Water to ensure that all types of infrastructure (whether that be roads, public transport, schools or community facilities) are in place, or such alternative interim infrastructure provision as may be otherwise agreed, when they are needed, and such additional development as may be demonstrated as being adequately supported by existing infrastructure for such agreed infrastructure improvements as may be requested. This phasing strategy will be an important part of our Proposals Plan, which will also set out the preferred areas for anticipated growth at Tornagraim from 2022-2031, and beyond.

(e) Chapter 5: Policy Options

Moray Estates generally supports the LDP/MIR's salient policy issues relevant to Tornagraim.

Q12 and Q13 – We support the Council's positive approach to effective delivery of allocated housing land to address the highest rate of projected population and household growth; identifying areas of particular pressure, and supporting the development of well sited and designed houses in the countryside.

Q14 – Moray Estates supports the principle of developers' provision of Affordable Housing, consistent with the provisions of PAN74, its obligations upon 'negotiating developer contributions', and our discussions and subsequently agreed 25% affordable housing provision with The Highland Council's Housing Officers in 2008.

We are, however, concerned that the Tornagraim proposal should not be prejudiced by the Council's intention of seeking increased affordable units in the future as the design of Tornagraim was based on the context of the 25% affordable housing contribution which was extant at the submission of the application, and as discussed and agreed with the Council's Housing Department, consistent with the provisions of PAN74.

In the interests of protecting the integrity of the plan, Moray Estates would wish to see the planning authority's clear justification, within the terms of PAN74, for increasing the agreed and confirmed position in the case of Tornagraim.

Q17 – Moray Estates supports the Preferred Option that supports the role of a Tornagraim shopping hierarchy and a town centre to meet its shopping needs, within a masterplan which also ensures delivery of local retail facilities.

5. Summary and Conclusion

This document has been prepared on behalf of Moray Estates in response to The Highland Council's consultation on its Highland wide Local Development Plan (Main Issues Report), in respect of the proposed new town at Tornagrain.

- In terms of overall strategy:
- THC policy has supported the concept of a new settlement.
 - The A96 Strategy identified a new settlement at Tornagrain.
 - This in turn has been confirmed by NPF2.
 - Moray Estates has submitted a planning application which is currently being processed.
 - The site is in single ownership and can be phased to meet end infrastructure requirements of the A96 corridor.

In this report Moray Estates generally supports the LDP's Preferred Options, insofar as they affect its interests in respect of its aspirations to establish a new settlement at Tornagrain, as allocated in NPF2, within a designated Area for Co-ordinated Action, supported by The Scottish Government's *Scottish Sustainable Communities Initiative*, and proposed by the LDP Spatial Strategy, following the planning authority's Strategic Environmental Assessment, Green Framework, Growth Framework and public consultation process on its strategy for the A96 Corridor.

Moray Estates supports the LDP's Strategy Map which identifies the A96 Corridor as a 'Key Development Area' within Inverness's 'Pressurised Hinterland Area'. We share The Highland Council's view that Tornagrain represents one of the key opportunities in developing the Highlands over the next 20 years, its identification of The A96 Corridor, as an area of focus arising from its development pressure where the Local Plan is out of date, and the role of the Highland wide LDP to replace the Local Plan's provisions for housing in the A96 Corridor. We agree with the Council's conclusion that there are no reasonable alternatives to the Preferred Option to support the role of Tornagrain as a means of meeting the long term housing needs of the area.

However, Moray Estates recommends that Tornagrain's allocation in NPF2 should be acknowledged in Chapter 2's summary of the provisions of NPF2 for Highland and, in the interests of the timely and co-ordinated delivery of Tornagrain, we propose some minor detailed changes to the text of Preferred Options for the Spatial Strategy's provisions for the A96 Corridor (Q1, Q2, Q3, Q6), to provide the planning authority with:

Q29 - Moray Estates has no objection to the Preferred Option for the general protection of prime agricultural land subject to its understanding, through the NPF2's allocation, and the Council's Strategic Environmental Assessment, Green Framework and Growth Framework having established that the application site meets the criteria of the Preferred Option's second bullet point; i.e. to allow the development of that prime agricultural land within the Tornagrain site because the development has been established as an *essential component of the settlement strategy and to meet an established need*.

Q35 - Moray Estates supports the Preferred Option on woodland and has designed Tornagrain in a manner by which woodland will be managed to maximise its multiple benefits to allow it to continue to integrate well with the incoming land-use mix and to the wider benefit of the local community.

Q36 - Moray Estates recognises the important role of minerals as a natural resource and that economic reserves should generally be safeguarded except where, as in the case of Tornagrain:

1. the site has already been established through NPF2's allocation, and the Council's Strategic Environmental Assessment, Green Framework and Growth Framework;
2. The LDP has confirmed that there are no reasonable alternatives to Tornagrain as a means of meeting the long term housing needs of the area;

3. Mineral extraction would damage the new settlement's local environment, residential amenity and infrastructure capacities;

4. Mineral extraction would be contrary to the recommendations of SEPA's response to the planning application; and

5. The Tornagrain proposal includes provision for the mitigation and restoration of the former minerals working within the site.

For the reasons above, Moray Estates propose that the Preferred Option's first bullet point should be extended to add "except where this would conflict with the LDP's development allocations or there are other overriding planning considerations".

Q37 and **Q38** - Moray Estates generally supports the MIR's Preferred Options to promote open space, physical activity and properly managed access to the outdoors at Tornagrain.

Q18, Q19, Q22, Q23, Q24, Q25, Q26 and **Q27** - We support the Preferred Options for Developer contributions, safeguarding the environment, promoting sustainable development, renewable energy, flood risk mitigation, waste management, air quality, sustainable design and a competitive, sustainable and adaptable highland economy.

Q28(A) - Moray Estates support the Preferred Options for a competitive, sustainable and adaptable highland economy. We particularly support the planning authority's identification of strategic economic development sites, such as the continued allocation of the Local Plan's economic development initiative at Dalross (the subject of a 2008 planning application for Inverness Airport Business Park). Moray Estates would also support, and highlight, the planning authority's principles expressed in Preferred Option Bullet Point No.5, which identifies the importance of encouraging developers to prepare masterplans to bring forward large scale mixed use residential schemes which demonstrate appropriate levels of associated business and commercial development, as delivered in the Tornagrain planning application productions

Q28(B) - Moray Estates' approach to the Tornagrain application was led by the provisions of Scottish transport policy and advice (SPP17 and PAN75) and these principles have been discussed in more detail in its accompanying Planning and Statement. The application is consistent with these provisions in terms of the site's selection from a study of all alternatives, through the NPF2 and the planning authority's SEAs and associated analyses and consultations, and in design terms by the early application of sustainable transport principles in leading the details of the indicative masterplan.

Moray Estates supports the LDP's *Transport Strategy Map's* proposed Dalross Park and Ride, and generally agrees with the Preferred Option for Transport (Q28B) subject to a developer's obligation being constrained to such infrastructure as is reasonably related to the development. In the case of Tornagrain, we have made provision for direct infrastructure, education, community facilities and open space, whilst designing a layout to accommodate the strategic transport authority's implementation of A96 improvements and Hi-Trans Park and Ride. However, we would object to the Transport Preferred Option's suggestion that, as developer, we should fund wider public infrastructure which is not directly and reasonably related to the development.

1. allocations for the LDP's 20 year horizon;
2. a long-term co-ordinated masterplan approach to the phased delivery of Tornagrain new town as a fully sustainable community; and
3. the flexibility, to apply at its own discretion, in such unforeseen future circumstances in which:
 - a. pre-requisite developments do not proceed expeditiously;
 - b. additional development, which may subsequently be demonstrated to be supported by the requisite infrastructure may progress; and
 - c. where interim infrastructure facilities may be required to be introduced to avoid undue delay on delivery.

Moray Estates also generally supports the other policy Preferred Options, insofar as they are consistent with the LDP's Spatial Strategy for the A96 Growth Corridor and Tornagrain new town and, where appropriate, has proposed some minor detailed text alterations to the requisite Preferred Options, to provide such flexibility as to ensure consistency of the LDP's Spatial Strategy with its policy options and the terms of our pre-application agreement with The Highland Council on the Tornagrain's housing mix (which influenced the subsequent quality of design), and upon which Moray Estates has sought confirmation from The Highland Council of consistency.

We trust that The Highland Council shares our concerns to ensure that the details of the LDP's Spatial Strategy and policies enable Tornagrain to develop in a timely and co-ordinated fashion, within the terms of an approved masterplan, to provide a phased development, which builds-out over the next 30-40 years, to deliver a fully sustainable new town; and incorporate the minor detailed revisions which we have suggested will provide the planning authority with the flexibility, at their discretion, to ensure such delivery.


Moray Estates would be pleased to respond to any subsequent enquiries for further clarification or discussion that The Highland Council may wish to pursue in respect of any of the issues raised in this response to the LDP's Main Issues Report, which should, in the first instance be referred to David Black, Turnberry Consulting Ltd, 41/43 Maddox Street, London W1S 2PD.

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