

THE HIGHLAND COUNCIL

INVERNESS, NAIRN, BADENOCH AND STRATHSPEY PLANNING APPLICATIONS COMMITTEE - 12 JUNE 2007

Agenda Item	2.9
Report No	PLI-12/07

DEVELOPMENT OF A SUPERSTORE, PETROL FILLING STATION, 5 SMALL RETAIL UNITS AND ASSOCIATED WORKS ON LAND AT SLACKBUIE FARM, INVERNESS.

06/00686/OUTIN

Report by Director of Planning and Development

SUMMARY

The proposal is to develop a Class 1 retail superstore, petrol filling station, 5 small retail units and associated works at Slackbuie Farm, Inverness (Site 1). A parallel application to develop adjacent land (Site 2) for a hotel and health centre was submitted simultaneously. In combination these outline applications are claimed to accord with the district centre provision for Culduthel – Slackbuie as outlined within the adopted Inverness Local Plan.

The retail impact assessment for the superstore identifies a primary catchment area that extends beyond the City of Inverness as far as Beauly, parts of the Black Isle, Dalcross, Croy and rural communities along the A9 and Loch Ness. The secondary catchment area encompasses the whole of Highland and beyond. A store of this scale is not seen as commensurate with local needs and could diminish the prospect of district scale retailing in other district centres identified in the Local Plan and is therefore contrary to Policy 7 of the recently adopted Inverness Local Plan.

The proposed store will generate significant levels of new car journeys including a high proportion from outside the immediate area. The impact of this traffic will lead to unacceptable congestion particularly at Inshes roundabout. It is not currently possible to increase the capacity of the existing Inshes roundabout to deal with the projected traffic congestion and for this reason a store of this scale is considered unacceptable.

It is recommended that this application is **refused** planning permission.

Council Ward 20 Inverness South

The application is subject to the Council's hearing procedures.

1 PROPOSAL

1.1 Outline planning permission is being sought to develop land at Slackbuie Farm, Inverness for:

- a Class 1 Retail Unit (superstore) totalling 70,000 sq ft gross floorspace (6,510m²),
- an unmanned / automated petrol filling station,
- 5 small class 1 retail units totalling 13,000 sq ft gross floorspace (1,209m²),
- car parking and
- site associated works including landscaping, water course diversion, sustainable urban drainage systems (SUDS) and new pedestrian links.

1.2 The superstore proposed is to have a gross floorspace of 70,000 sq ft, offering 45,000 sq ft net floor space for sales. The net floorspace is anticipated to offer 25,000 sq ft (2,323 m²) for convenience (food) goods and 20,000 sq ft (1,859 m²) comparison (non food) goods. This application is accompanied by a series of documents providing supplementary information including: -

- **A Retail Impact Assessment.** Plan B attached to this report illustrates the expected primary catchment area for the proposed store.
- **A Transport Assessment.** The assessment recognises that the application promotes development which exceeds the anticipated retail floorspace envisaged for the area in the planning and design of the then Southern Distributor Road. The initial assessment was then supplemented with further traffic assessments agreed between the applicant's transport advisers (Fairhurst) - and the Council's TEC Services using VISSIM micro-simulation. (VISSIM is a microscopic, behaviour-based multi-purpose traffic simulation program.)
- **Landscape Resource and Visual Amenity Appraisal**
- **Hydrological Assessment.** This report addresses the drainage and other implications of this development, recognising that the existing watercourses have a risk of flooding that the development proposes diversion of two watercourses and provision of compensatory floodplain storage.

To allow Members relate the size of these proposals to current retail premises The Morrison store at Eastgate offers 6,375 sq metres gross floor space. Tesco at the Retail and Business Park offers 10,600 sq meters gross floor space.

1.3 The site comprises agricultural land formerly attached to Slackbuie Farm on the south eastern edge of Inverness. The farm is now being developed as part of the 50 ha Culduthel – Slackbuie expansion area for the City of Inverness as proposed in the adopted Inverness Local Plan. The site is bounded on the north by the Trunk Road Link, to the east by the recently built Slackbuie Access Road (Slackbuie Way), Fairways Business Park and Castle Heather Golf Course and to the south and west by agricultural land which has been earmarked for future development.

1.4 Whilst this is an outline application, an indicative layout plan for the 4.6 ha site is submitted, subsequently revised in December 2006 – Plan A attached. This illustrates the main access point for the development being taken off the roundabout on the Inverness Trunk Road Link, which also serves the Council's new Gaelic school. A further new roundabout on the western edge of the site offers access into the site of the application and for future development of land immediately to the west. Service vehicles for the retail units are expected to use the Slackbuie Access road and enter via a secondary access point from the south eastern corner of the site offering rear servicing to both retail blocks.

1.5 The revised indicative layout proposes a superstore located on rising ground in the south eastern corner of the site. It is proposed to excavate and level the southern part of this site on a lower profile more consistent with the Trunk Road Link. The smaller and separate retail units are more centrally located on the southern boundary of the site, with car parking for both lying on the lower northern part of the site, extending almost the full length from the eastern site boundary to the north western corner where a petrol filling station is located.

1.6 The re-profiling of the site to accommodate the retail activity at a lower level than the

adjacent Site 2 will introduce a “stepped” development from the proposed hotel and health centre. The re-profiling of the site also involves re-channelling of the existing watercourses through the site to the west and eastern boundaries and thereafter along the north boundary of the site. The proposal includes the development of a SUDs facility to accommodate higher levels of surface water run off.

- 1.7 The application provides car parking totalling 508 parking spaces, including 24 dedicated to parent and child and 29 for disabled users. Three separate pedestrian links are provided two to the west of the site and one on the east side. A new bus pull in stop is provided on the western access road and a new north bound only bus stop on Slackbuie Way is proposed on the east.

2 PLANNING HISTORY

- 2.1 The site has been the subject of two previous planning applications setting out a masterplan for a much larger development area at Slackbuie. The initial application 00/00190/OUTIN was granted on 7th October 2000 in accordance with the provisions of the then adopted Local Plan. Approval was given on the basis of a legal agreement to bind landowners to make a contribution to Phase 3 and Phase 4 of the Southern Distributor Road – Trunk Road Link.
- 2.2 A more recent application, with a masterplan, was received by the Council (Ref 03/00104/OUTIN) was approved in September 2004. The layout within the master plan departed from the developing Inverness Local Plan in that it relocated the commercial land allocation to land immediately to the south side of the Trunk Road Link.
- 2.3 A further application (ref 06/00687/OUTIN) granted permission for a 100 bedroom hotel and health centre of 15,000 sq ft (1,395m²) on Site 2. These applications are claimed to fulfil, in part, the provision of a District centre as presented within the adopted Local Plan.
- 2.4 A range of housing developments have been approved to the south of this site, where development is well underway. These proposals are shaping the development of the adjacent land including principal access routes, servicing, landscape corridors and boundaries.

3 PUBLIC PARTICIPATION

- 3.1 The application was advertised on as a potential departure from the provisions of the Development Plan with a 21 day period allowed for representations to be made.
- 3.2 Two timeous letters of representation were received. Two out of time representations objecting to the application were received.
- 3.3 The objections focus upon a number of concerns: -
 - Impact on local residential amenity.
 - Impact on local and city centre retailing
 - Conflict with Council’s adopted retail policy
 - Scale of development is excessive to local need - with detrimental impact on local services – traffic, flooding, etc.
 - Traffic impact- particularly at the Inshes Roundabout.

- 3.4 Out of time representations have also been made by Crown Community Council and Hilton, Milton and Castle Heather Community Council in support of the application.
- 3.5 All letters of representation are available for inspection in the Planning and Development Service at Headquarters, Glenurquhart Road, Inverness and will be available at the Committee meeting.

4 CONSULTATIONS

- 4.1 Inverness South Community Council: - are not against the development but would point out the following concerns:
- Is the drainage adequate through Lochardil to the River Ness?
 - Is there a need for a comprehensive road plan for the area including the A96, A9 and Trunk Road Link. Impact on the road network could be neutral with traffic coming through the Inshes roundabout cancelled by the reduced traffic from the Holm, Lochardil and Slackbuie areas not having to travel to Inshes. Delivery lorries to Asda should avoid peak traffic flows.
 - The proposed tree planning and shrubs must be implemented.
- 4.2 Council's Archaeology Unit – Lying within a wider area with significant archaeological remains, the site requires an archaeology evaluation. This can be secured by condition.
- 4.3 TEC Services – Environmental Health: - No objections, subject to conditions being attached to any consent relating to noise and dust management issues during construction and noise and workplace design addressing the needs of adjacent users, pedestrians and vehicle movements.
- 4.4 TEC Services Roads and Community Works – Surface Water: - The site is in a catchment with severe downstream flood problems that will only be resolved once the South West Inverness flood relief channel is in place. It is accepted that the two new diversion channels and a flood attenuation basin by the Trunk Road Link are the only immediate flood controls and that these proposals offer some betterment. The proposed flood prevention and SUDS measures are expected to remain privately owned / operated. The Council should accept this situation only if there is an approved management plan, prepared and implemented by an agreed operator.
- 4.5 TEC Services Roads and Community Works – Roads: - Objects to the application at the scale proposed. The proposed Asda store will generate significant levels of new car journeys including a high proportion from outside the South District area. The impact of this traffic will lead to unacceptable congestion particularly at Inshes roundabout. Moreover it is not possible to increase the capacity of the existing Inshes roundabout to deal with the projected traffic congestion. Until such time as a significant upgrading of the Trunk Road Link is in place the traffic impacts of the proposed development are unacceptable.

Although this is an outline application, the indicative layouts as submitted are not acceptable and would require to take the following matters into account: -

- The requirement for possible future dualling of the Trunk Road Link.
- In connection with the development of the Trunk Road Link the potential removal of the 'Gaelic School' roundabout and its replacement with a priority junction with left in/ left out.

- Improved accessibility for pedestrians, cyclists and those using public transport. This should be achieved by emphasising the links to the Slackbuie Link Road, the pedestrian/cycle path to the south east and the developing housing areas to the south.
- Access arrangements for the adjacent development site to the south (shown on Dwg No. 8461-L002 as 'Area for Future Development') shall be agreed with the Roads Authority in order to ensure that accessibility is maintained.

4.6 Trunk Roads Network Management Division: - Recommend the application be refused. The applicant has been asked to provide additional information including an assessment of the A9(T) / B8082 interchange, the location of committed residential development and a travel plan framework. The applicant's transport adviser's response to this request was to decline to supply the information as it was envisaged that an assessment would produce results which indicate significantly longer queues as a consequence of the inability to provide mitigation at the signalised junction. TRNMD are not in a position to determine the acceptability of the traffic impact / mitigation measures of the proposed development on the A9(T).

4.7 Scottish Natural Heritage: - No objection. However, the impacts of the development are likely to be considerable and SNH would recommend conditions addressing the needs of local badgers, plant choice within new landscaped areas and weed eradication.

4.8 Scottish Water – No objection to this development however planning approval does not guarantee a connection to its infrastructure. A totally separate drainage system will be required with the surface water discharging to a suitable outlet. The developer is encouraged to use a sustainable urban drainage system (SUDS) in the surface water drainage design.

4.9 Scottish Environment Protection Agency: - No objection to this application. SEPA welcome the development of a designed watercourse. Model testing to the Parkman 1-200 year return is required.

4.10 Historic Scotland: - No objection to this application in terms of impact on a nearby scheduled ancient monument and the landscaped gardens of Leys Castle.

5.0 POLICY

5.1 The statutory development plans consist of the Highland Structure Plan (approved March 2001) and the Inverness Local Plan (adopted March 2006). The following policies have a bearing on the current proposals.

5.2 Highland Structure Plan (2001)

Policy G1	Conformity with Strategy.
Policy G2	Designed for Sustainability
Policy G3	Impact Assessment
Policy R1	Shopping Hierarchy
Policy R2	Everyday Shopping Needs
Policy R4	Major Foodstores
Policy R5	Town Centre Shopping
Policy S1	Services and Facilities

Policy T2 Tourism Developments
Policy TC3 Integrated Local Transport Strategy
Policy TC9 Car Parking
Policy TC11 Public Transport

5.3 Inverness Local Plan (2006)

Background Policy 3
Settlement Policy 3 Business
Settlement Policy 5 Special Uses
Settlement Policy 6 Expansion

General Policy 1 Design Principles
General Policy 2 Urban Structure
General Policy 5 Developer Contributions
General Policy 9 Transport
General Policy 12 Water and Waster Water
General Policy 13 Flood Risk
General Policy 14 Surface Water Drainage
General Policy 15 Contaminated Land
General Policy 22 Bio- Diversity Initiative
General Policy 23 Habitats and Species

Policy 1 City Centre Uses
Policy 7 Retailing outwith the City Centre
Policy 15 (ii) District Centres - Culduthel Slackbuie
Policy 22 District / Neighbourhood Centres/ Parks – Culduthel-Slackbuie
Policy 23 Nodal / Central Locations
Policy 29 A9 – A82 Trunk Road Link
Policy 31 Urban Distributor Roads
Policy 35 Surface Water Drainage
Policy 38 (ii) Expansion Land Allocations – Culduthel Slackbuie
Policy 39 District neighbourhoods – Future
Policy 40 Office Location
Policy 46 Badger Survey

5.4 National Planning Policy

SPP1 The Planning System
SPP8 Town Centres and Retailing
SPP17 Planning For Transport
NPPG 5 Archaeology and Planning
NPPG 14 Natural Heritage

5.5 Planning Advice Notes

PAN 57 Transport and Planning
PAN 78 Inclusive Design.
PAN 79 Water and Drainage

6 PLANNING APPRAISAL

- 6.1 The **determining issues** are: -
- whether the proposal accords with the development plan?
 - If they do accord, are there compelling material considerations for not approving them?
 - If they do not accord, are there any compelling material considerations for approving them?
- 6.2 To address the determining issues, the Committee must consider the Development Plan and material considerations which might arise from the under-noted issues:-
- a) National Planning Policy and Guidelines.
 - b) impact upon existing transport infrastructure.
 - c) local accessibility.
 - d) impact upon flooding and local drainage services
 - e) impact on wildlife and local archaeological interests.
 - f) impact on the amenity of neighbouring activities.
 - g) representations

Principle

- 6.3 The Highland Structure Plan sets the policy context for retailing in Highland. Policy R4 'Major Foodstores' encourages, in the largest settlements, localised provision of food retailing where it is well related to existing and proposed housing. The policy continues however, where major foodstore proposals are adjudged to pose a potential risk to the vitality and viability of local services, the development will not normally be permitted.
- 6.4 More detailed planning policy for retail development in Inverness is contained within the adopted Inverness Local Plan. The Local Plan seeks to accommodate the growth of Inverness within suitable sustainable city districts. For retailing, this means that facilities must be convenient to the residential population and aim to minimise cross-city transport movements. The Local Plan retail strategy is designed, while maintaining the City Centre as the main focus for retail activity particularly for comparison non food goods, to direct new convenience (food) retailing to identified district centres that are accessible places within the developing city districts at Culloden, Culduthel / Slackbuie within the South District and at Ness-side within the Ness District. This is consistent with SPP8 which requires Development Plans to identify a network of centres, reflecting circumstances appropriate to the particular area. These district centres are intended to operate at a scale, consistent with the sustainable policies of the local plan, whereby the individual role of each centre supports and is supported by the role of the others.
- 6.5 Although the site of this application does not fully accord with the land allocation set out in the adopted Local Plan, it is consistent with the revised masterplan layout granted outline approval through planning application 03/00104/OUTIN in September 2004. The approved master plan exchanged the allocated district centre site for residential development, leaving a significant area of land at Slackbuie, south of the Trunk Road Link for commercial use including the proposed district centre. Provision of a foodstore and other services, including those promoted within the hotel and health centre application for Site 2, within this expanding community would be

appropriate and consistent with the allocation of the Local Plan and approved Masterplan for Slackbuie.

- 6.6 However the adopted Inverness Local Plan Policy 7 'Retailing outwith the City Centre' in allocating district centres clearly states that, in permitting convenience shopping this should be 'in accordance with local needs' along with provision of other services where deficiencies have been identified. The scale and format of development need not be the same in each district centre location and with this being determined by consideration of factors such as size of catchments, proximity to alternative facilities, transport capacity, as well as the overall effect on the existing and proposed structure of retailing in the city.
- 6.7 The Local Plan states that the South District, incorporating the neighbourhoods of Drummond – Lochardil, Hilton - Balloan and Culduthel – Slackbuie, has an existing population of 9,400 people, which is likely to grow to by a further 900 houses, lifting the population towards 12,000 when fully built. The rate of development in this area is substantial, increasing the requirement for the provision of additional community services. However the scale of the proposal as presented in this application seeks to provide food to a much wider area and a substantial level of non food services to the Inner Moray Firth market and beyond. SPP8 requires that that any retail analysis should consider the relationship with the network of centres identified in the development plan.
- 6.8 Within the Retail Impact Assessment supporting this application it is clear that the applicant wishes to be able to compete with existing superstores located at the Inshes, the Inverness Retail and Business Park and or in the Town Centre. In effect the applicant dismisses the intentions of the Local Plan. A store limited to the convenience expenditure generated within the South District would require only 60% of the convenience goods floorspace of the current proposal, approximately 2,600 m² gross floor area. A store of this size, it is argued by the applicant, would be unable to sustain significant comparison goods floorspace, would not be able to compete with other commercial areas in the city and would be commercially unviable.
- 6.9 Assuming the growth and development of the city as set out in the local plan following public local inquiry and taking into account the closure of the Morrison's Rose Street store (2,500m² net) and the existing permission at Ness-side (1,100m² net), the Council might expect to approve up to 8,600m² net new convenience floorspace throughout Inverness between now and 2011. While this retail capacity might be allocated equally to each of the three undeveloped district centres highlighted in the Local Plan, this would not reflect the key requirement of Policy 7 of the Local Plan. This policy states that the provision for convenience shopping will be made within district centres in accordance with their function and commensurate with local needs. Members will be aware of a recent decision of Planning Authority to refuse an application for a district centre including a superstore, unit shops, petrol filling station and sites for a hotel and doctors' surgery on land at Ness-side. One of the reasons given for the refusal was that the proposed foodstore was not seen to be commensurate with the scale and function of the Ness district and to an extent where it would diminish the prospect of district scale retailing in other district centres identified in the Local Plan.
- 6.10 Whilst the applicant does not seek to justify this development as a convenience store that meets the needs of the South district, it could be concluded that the level of

convenience floorspace proposed is acceptable in policy terms. The impact assessment seems to suggest the key impacts would be on other similar stores throughout the city and would not significantly impact on the network of centres promoted through the Structure and Local Plan in this respect.

- 6.11 The key risk to the retailing strategy in Inverness and the wider highlands represented by the application is the level of general **comparison** (non food) retailing which is equivalent to the amount of food floorspace within the proposal. The level of comparison floorspace (44% net floorspace) is substantially in excess of what might be reasonably be expected on the basis of similar stores elsewhere. For example the new store being advanced by Asda in Tain has a mix of 70% convenience floorspace with 30% comparison floorspace. The Morrison's store at Eastgate has a ratio of 90% food to 10% non – food.
- 6.12 The supporting retail impact assessment states that the impact on the city centre comparison goods will be minimal and the majority of impact will be in other retail parks across the city. However, the Local Plan strategy as set out in Policy 1, consistent with SPP 8 is for the Council to direct all new general comparison retail floorspace to the city centre in the first instance. The Council would however recognise that there would always be some ancillary comparison floorspace in superstores.
- 6.13 The development of the Culduthel-Slackbuie District Centre site for a store with this level of comparison retailing is clearly contrary to the Local Plan strategy as set out in Policy 7. This is a strategy which was subject to a full Public Local inquiry at the time of the Local Plan preparation. With such a significant level of non-food floorspace, there is a risk that the balance of provision across the city will be affected and a precautionary approach should be adopted. There is around 1,000 sq m (net) vacant floorspace in the Eastgate Centre at the moment, a key part of the city centre. The economic health of the city centre should be seen as a vital component of an attractive city for residents and visitors alike, and members may wish to send out a strong message in this respect.
- 6.14 There is also the potential that the current proposal simply marks a first phase of development. This site is not a regional centre, but rather was identified as a district centre to meet local needs. If the city were to require further major out of centre retail development this should be dealt with within a review of the current local plan, which extends through to 2011, and in the context of the balance of development being advanced along the A96 corridor.

Transport Infrastructure

- 6.15 In proposing a significantly larger development than proposed in the adopted Local Plan, the catchment for the store is greatly increased by the trade draw with a resultant increase on the traffic impact on the road network. The transport assessment indicates that 50% of traffic will originate from outside Inverness and some 73% will approach via the Inshes roundabout. Prior to the completion of the Trunk Road Link the majority of this traffic will approach the store from the north east, along the Trunk Road Link from Inshes roundabout. Significant numbers of additional vehicles will therefore be drawn into this area for the sole purpose of visiting the store. This will put additional traffic into the Inshes area which is currently subject to congestion. The Trunk Road Network Management requested in January 2007 that

the applicant supply additional information to enable further assessment of the potential impact of the application on their network. This currently remains the position, resulting in their recommendation that the current application be refused.

- 6.16 Traffic impact of the proposed development on the Trunk Road Link has been modelled using a VISSIM model extending from the Leys roundabout to the Inshes Roundabout. Two assessments have been made comprising a realist and worst case scenarios based on VISSIM distribution. The fundamental difference between the two cases is that the 'realistic case' allows redistribution of traffic away from severely congested areas at Inshes roundabout to find alternative routes for example along Dores Road / Island Bank Road and through the City centre. The Council's TEC Services has advised that this is clearly undesirable and would result in congestion elsewhere. The modelling demonstrates that in 2011 congestion will have increased in any case but if the Asda development were in place it will become significantly worse with an adverse effect on the road network. As congestion increases at Inshes roundabout traffic will divert in order to find alternative routes through the City with resulting congestion elsewhere.
- 6.17 The applicant's transport advisers have concluded that it is not possible to provide any significant relief at the Inshes roundabout by localised improvements and that the results of the model testing do not assist the planning application. As an alternative they suggest that the Highland Council consider addressing future transport challenges posed by all developments along this corridor and implement these through developer contribution towards public transport and junction capacity improvement in the wider Inverness area. However there is no explanation as to how this approach would impact on potential access to the Asda store and is in stark contrast to the proposals contained in the transport assessment which indicate that the store is to be predominantly accessed by car. The transport assessment does not include any details of a proposed Travel Plan, as required by SPP17, which might assist, in part, with this problem. The site already lies within the area for which a contribution is due in respect of the construction of phases III and IV of then Southern Distributor Road.
- 6.18 In view of the impact of the Asda development on traffic, the road network and the lack of any realistic mitigation measures, it is concluded that the road network at Inshes roundabout would be unable to accommodate the proposed development until such time as more far reaching proposals for road improvements are brought forward in line with the study which is currently being undertaken into the Trunk Road Link on behalf of the Council by Scott Wilson. Until the results of this study are available and improvements implemented, the proposed development is considered unacceptable.
- 6.19 This study is currently being undertaken on behalf of the Council into the completion of the Trunk Road Link and potential upgrading to dual carriageway. In order to facilitate future widening to dual carriageway the Council require that a zone extending to a minimum of 16.5m from the back of the existing footway should remain undeveloped, (notwithstanding that the applicant does not take cognisance of the existing road embankment and ditch which are in the ownership of the Roads Authority). In conjunction with the development of the Trunk Road Link it is envisaged that there will be a requirement to remove the roundabout which currently serves the new Gaelic School and is also proposed to be used to access the development. In the event that this occurs the access is likely to be remodelled as a priority junction with left in/left out. These are issues which should be taken into account at the

detailed design stage.

Local Accessibility

- 6.20 In line with the Council's Local Plan, SPP 17 and PAN 57 development of the district centre should be easily accessible by local residents on foot cycle and public transport in addition to the car. The closest parts of the catchment which are likely to generate the most walking and cycling trips are to the south and east in the residential areas which are currently being developed. It is disappointing that the transport assessment does not consider the desire lines of those accessing the store other than by car. The indicative layout is car dominated with the retail units fronting onto the car park having only limited provision for pedestrian and cycle access. The proposed layout therefore does not fit well with the role of a district centre or with the aspirations to promote non car modes of transport. The 479 car parking spaces provided (excluding disabled) are in excess of the SPP17 maximum standard and should be reduced to comply.
- 6.21 Development of this site at the detailed design stage needs to give greater consideration for enlarging the area given over to pedestrians and those using public transport and providing direct access to the front of the store. Features such as the siting of the retail units around a pedestrian court create an environment conducive to walking and need to be encouraged. Greater emphasis also needs to be given to enhancing accessibility from the adjacent housing areas to the south and east, including different ways of incorporating the development within a sloping site that allow for much easier accessibility to non car users and integration with other adjacent developments.
- 6.22 The revised layout shows narrow (2-3metre) footways connecting the site to the Slackbuie Distributor Road and to the TRL adjacent to the Slackbuie roundabout. It is not clear whether these are intended to be used by both pedestrians and cyclists but it is unlikely that they will be suitable for both purposes. While the amended layout is an improvement on the original proposals it does not achieve the objective of giving priority to walking and cycling in accordance with SPP17 Planning for Transport and the sustainable objectives of local plan. These weaknesses can be addressed at the detailed design consideration of any future application on this site.

Drainage

- 6.23 Although the application falls within an area identified for development within the local plan, there are servicing issues that require to be taken into account by individual developments. Scottish Water have highlighted sufficient water supply and drainage treatment capacity however localise network issues may require developer contributions to be made to resolve these matters, minimising impact on existing customers.
- 6.24 The application is supported by a hydrological assessment that recognises local flooding concerns and drainage issues arising from proposals to divert the local water courses via a designed natural watercourse, with SUDS. TEC Services have discussed a number of issues with the applicant's advisors on these matters and is generally content with the hydrological details as presented. The proposal is seen to slightly improve on the existing situation by providing controlled water attenuation at a location where there is uncontrolled ponding at present. However there are some

concerns over the pace of improvements that might or might not be made by housing developments and surface water improvements proposed upstream. These concerns can however be addressed at any detailed design stage, particularly on the “pass forward” flow through the culvert on the SDR – Trunk Road Link.

- 6.25 It should be noted that for larger storm events, water attenuation will involve water lying on some of the car park. SEPA have requested that consideration at the detailed design stage be given for a greater separation between the proposed petrol filling station and the adjacent water course to minimise the risks of pollution.

Natural and Cultural Heritage

- 6.26 Both the local plan and previous planning consents affecting this site recognise badger interest in the area and thereby the requirement to adopt particular design and layout practices that protect these natural heritage interests. Informed choices on landscaping will enhance the quality of the environment for a range of wildlife providing food and or habitat for a range of species around the site. Similarly there is potential for the survival of buried archaeological remains.
- 6.27 A feature of this application is the creation of new watercourses within a wider SUDS scheme. Such works require existing ecological interests to be sustained with the prospect of improved opportunities also being accommodated through a sympathetic and good quality design. When planning consent is granted for the development of this site, it is important that conditions are attached to develop earlier planning conditions applied across this site, allowing the authority and developers to more assuredly address local natural heritage and archaeology interests.

Design / Amenity

- 6.28 Although only an outline application, the proposal is supported by an indicative layout, highlighting:-
- Integration with the an adjacent outline proposal
 - Integration with future development areas.
 - Principal and other means of road access
 - Future Road Improvement safeguards and circulation.
 - Linkages with pedestrian networks, etc.
 - Distribution of land uses within the site
 - Landscaping
 - Diversions of the local water courses
 - Petrol filling station
 - SUDs, etc
- 6.29 Many elements of the indicative design have already been the subject of discussion with the applicant, with certain elements highlighted within earlier paragraphs of this report, suggesting safeguards and significant design improvements. This raises some concerns about the overall capacity of this site to accept the current design, however there is further undeveloped land which could yet be incorporated into this proposal. The construction and operation of this site will have considerable amenity impact on the local community such as traffic noise, noise from plant and machinery, light, signage, etc. Many of these impacts can also be ameliorated by good design, softened with good landscaping, real integration of compatible uses, good quality maintenance and site management, etc. Although the area has already been

identified for large scale development, the Council nevertheless expect good “core” design concepts and principles to come through from initial design schemes for this site.

- 6.32 The Council and many other parties, including major retailing companies like Asda, have an increasing interest in sustainable design incorporating for example solar gain, grey water systems, recycling and a range of measures promoting energy efficiency. Taken together there is a huge opportunity to considerably enhance the layout design and built design, not only of this site but for the development and operation of the wider area of Culduthel / Slackbuie and South District. The current application does not give a lot of confidence in this regard.

Representations

- 6.33 The principal issues of concern raised on time by those objecting to the application have been addressed within the paragraphs above. A later representation has highlighted that the application at Ness-side, noted in para 6.9 above, was in part refused on account that that proposal was seen as premature pending completion of Phase V of the Inverness Trunk Road Link. The ambitions of the adopted Local Plan for a district centre at Culduthel / Slackbuie were not tied to the completion of the Trunk Road Link. However a proposal which is more extensive than that envisaged for the district centre, by an applicant looking to serve a much wider community than the south District of Inverness, allows Members to consider this additional factor when determining the current application.

7 CONCLUSION

- 7.1 This application, together with the parallel application, for the first time, begins to set down a developer’s idea for the proposed Culduthel - Slackbuie district centre as identified within the adopted Local Plan. The principle of development on this site is acceptable but not at this scale, nor serving a much wider area than the south district of Inverness. Nevertheless it is accepted that an appropriate sized local district centre is increasingly required given the spate of housing building within the locality.
- 7.2 Notwithstanding the illustrative plans in support of this outline application there are a number of detailed issues that have been raised with this application. These matters have not raised any serious development constraints over the site, only the need for competent and detailed attention to design matters within any detailed plans for the development on this site.
- 7.3 That said the scale of the current retail application is clearly much greater than that required for the South District of the City of Inverness. Most particularly the level of comparison floorspace being sought with this application is well in excess of that which could be regarded as ancillary to a modern convenience goods (food) supermarket. The scale of development as proposed by this application is anticipated to both adversely impact on the City centre and the planned retail framework for the City as set out in the adopted Inverness Local Plan but also at a wider area. It is not the role of planning to discourage competition but the physical extent and proposed catchment of the comparison goods sales proposed in the application is likely to draw customers from across the Highlands to the detriment not only of Inverness but over a much wider area.

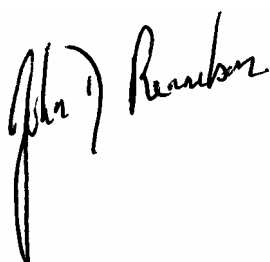
7.4 It is the scale of the development which has raised a number of very significant concerns by both Trunk Road and Council's Roads advisors, particularly with regard to access off the A9 Trunk Road and at the Inshes Roundabout. With 50% of traffic anticipated to originate outwith the city and 73% of shoppers to travel through the Inshes roundabout, highlights their concerns in the face of current congestion problems. It also suggests that the proposal is less about serving the needs of the local district population.

7.5 Drawing on the above assessment, the application is recommended for refusal.

RECOMMENDATION

That planning permission is **REFUSED** for the following reasons: -

1. The proposal is contrary to the Highland Structure Plan (Policy R4) and Inverness Local Plan (Policies 1, 7 and 15 (ii) in respect of retailing and urban structure (Policy GP2). The proposed superstore is of an excessive scale and the amount of comparison floorspace is not commensurate with the scale and function of the South district of Inverness. Further it is of a size where it would diminish the prospect of district scale retailing in the other district centres identified in the Local Plan.
2. The proposal, particularly the scale of comparison retailing, is contrary to the Inverness Local Plan (Policies 1) and SPP 8 which seeks to direct all new general comparison retail floorspace to the city centre in the first instance.
3. The proposal is contrary to the Inverness Local Plan Policy GP3 and Policy G2 of the Highland Structure Plan in respect of sustainable construction and design. Developers need to demonstrate that account has been taken of important aspects such as location, transport and accessibility, orientation, urban design, and ecology.
4. The proposal will generate substantial additional traffic, particularly off the A9 Trunk Road and upon the Inshes Roundabout, which are already subject to congestion, without any adequate mitigation proposals.



Signature

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Date 31/05/2007

Background Papers 1. Planning Application File 06/00686/OUTIN