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All Ordnance Survey Maps used in this Development Brief are the latest available at the time of production. They may not reflect exactly what is on the ground at present, but they have not been altered in any way by the Council.

## PANEL

Key Forecast

Standard/Requirement

Formula

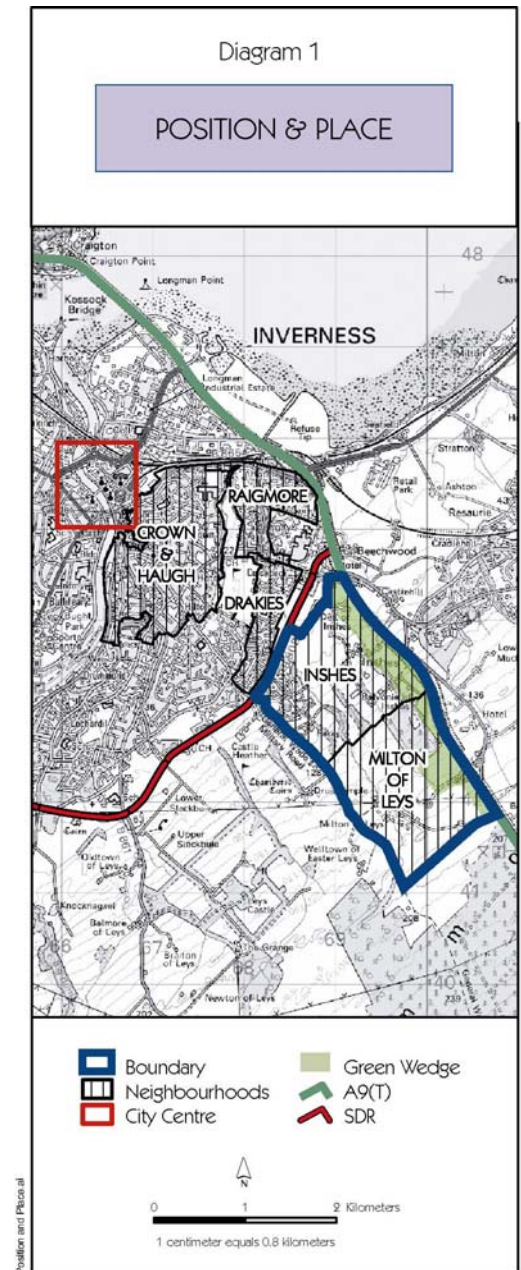
Developer Contribution

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## OBJECTIVES

- 1.1 This Brief has been prepared to guide the continuing development of land at Inshes and Milton of Leys as part of the City's expansion strategy. Its purpose is to:
- review the framework for the development;
  - identify related infrastructure and community facilities;
  - set out a revised protocol for developer contributions.
- 1.2 Development at Inshes and Milton of Leys has been underway for a considerable time. Some 1,050 houses have been completed or committed together with roads, open space and utility networks. However, changes in the housing market, traffic deficiencies and factors affecting the release of further building land and the delivery of community facilities, require to be co-ordinated and set against a formula for calculating the developer contributions the Council may wish to negotiate in association with the development of remaining land. This will take account of extant planning permissions and developer agreements concluded to date.
- 1.3 This Brief derives from the Inverness Local Plan and will be regarded as supplementary policy guidance in respect of development proposals at Inshes and Milton of Leys and in the wider district.



## POSITION AND PLACE

- 2.1 The developing neighbourhoods at Inshes and Milton of Leys embrace approximately 390 ha. of land on the southern periphery of Inverness, some 3 km. from the City Centre (see Diag 1). Together with the older/core and established neighbourhoods of Crown-Haugh and Raigmore-Drakies, these urban communities will comprise the City's Millburn district. Inshes and Milton of Leys comprise part of a *vision* for the City which foresees five major expansion areas adjoining the outer edge of a City Distributor Road, each connected to the centre by main transport arteries and to one another by strategic tracts of countryside and a network of cycle/footpath routes.
- 2.2 Inshes and Milton of Leys are bounded by the A9 to the east and the Southern Distributor Road to the north. The intersection of these routes has created a major focus for regional and sub-regional facilities. Inshes Retail Park, Beechwood Business Park, Raigmore Hospital and the Northern Constabulary HQ therefore occupy a central and pivotal position in the district.
- 2.3 The Inshes lands occupy the lower part of the adjoining north facing slope; and Milton of Leys the upper reaches. Drummossie Muir and Bogbain Wood mark the limits of the City's growth to the south, and the Loch Ness Golf Course together with remnant farmland and small holdings form important "green wedges" and the immediate setting for the neighbourhoods to the east and west. It is proposed to complete development of Inshes and Milton of Leys as contiguous, sustainable, mixed-use residential neighbourhoods.

Key Forecast: Population 2013		
Millburn	Inshes	Milton of Leys
12,239	3,254	1,461

Key Forecast: Housing Stock 2013		
Millburn	Inshes	Milton of Leys
6,089	1,619	727

Key Forecast: Remaining Capacity (Houses) 2003	
Inshes	Milton of Leys
760	483

## POLICY

- 3.1 The adopted Inverness, Culloden and Ardersier Local Plan (1994) (see Diag 2) identifies some:
- 160 ha. of land at Inshes for housing and related community facilities. It stated that “Developers/landowners will be expected to enter into formal agreements to safeguard important natural heritage, to provide land for educational, community and recreational purposes and endow a major central park...82 ha. is allocated with a capacity of approximately 1,500 houses.”
  - 230 ha. of land at Milton of Leys for a major residential and leisure development. This embraced outline planning permission for 1,150 houses and an indicative capacity for some 1,020 dwellings on 65.5 ha. of land.

The Proposals Map established the distribution of land uses, infrastructure and amenity provisions and has provided a firm basis for development in each locality to date.

- 3.2 The Inverness Local Plan (Deposit Draft) reaffirms the allocation of land for mixed use residential neighbourhoods at Inshes and Milton of Leys (see Fig. 1). The following policies underpin the objectives of this Brief:

### *“LAND ALLOCATIONS*

*Major land allocations are made as follows for the completion or development of mixed use/residential neighbourhoods. The requirements referred are considered to affect the timing and phasing of development and are not intended to represent the totality of developer contributions. Development will therefore be subject in each case to an agreed Development Brief/Master Plan, to be prepared in consultation with the public, agencies and others with an interest. This will set out comprehensive developer requirements including the commitment of land for community facilities and common infrastructure, all to be secured through Section 75 Agreement as*

*appropriate. The requirement for developer contribution towards additional Secondary School capacity will be dependent on phasing and monitoring of roll projections:*

*INSHES: 80.0 ha. of land subject to trunk sewer and distributor road links, reservation of 2 ha. for a primary school, 22 ha. towards the formation of a "district" park and phasing of development from the north. Redevelopment/conversion of the existing farm steadings for commercial/community or housing use will be promoted...*

*Further to the major land allocations above, the Council will expect residual land comprising part of any identified "Green Wedge" to be committed by Section 75 Agreement if necessary, for public use and management...*

#### *DEVELOPER CONTRIBUTIONS*

*The Council will seek developer contributions towards resolving deficiencies in infrastructure and services, including affordable housing, transport and roads, education, community facilities, recreation and other public infrastructure, in order to facilitate development. Where necessary, these will be secured by Section 75 Agreement compliant with Circular 12/96, relate in scale and kind to the development proposed and be proportionate to the deficit or additional burden arising from the impact of the development proposed on the respective City district and neighbourhood. The timing of related works may be dependent upon the aggregation of resources, including where applicable, the allocation of funding by the Council or relevant agency. Insofar as these principles relate to the City's Expansion areas and Regeneration sites, such requirements, where possible, will be set in the context of a Development Brief/Master Plan as identified. They will be accompanied by a Protocol identifying expected financial contributions and developer*

*requirements. These provisions will apply to all land within the City of Inverness allocated for housing, business/industry, special and community uses in this Local Plan, and in other circumstances where the Council is minded to grant planning permission.*

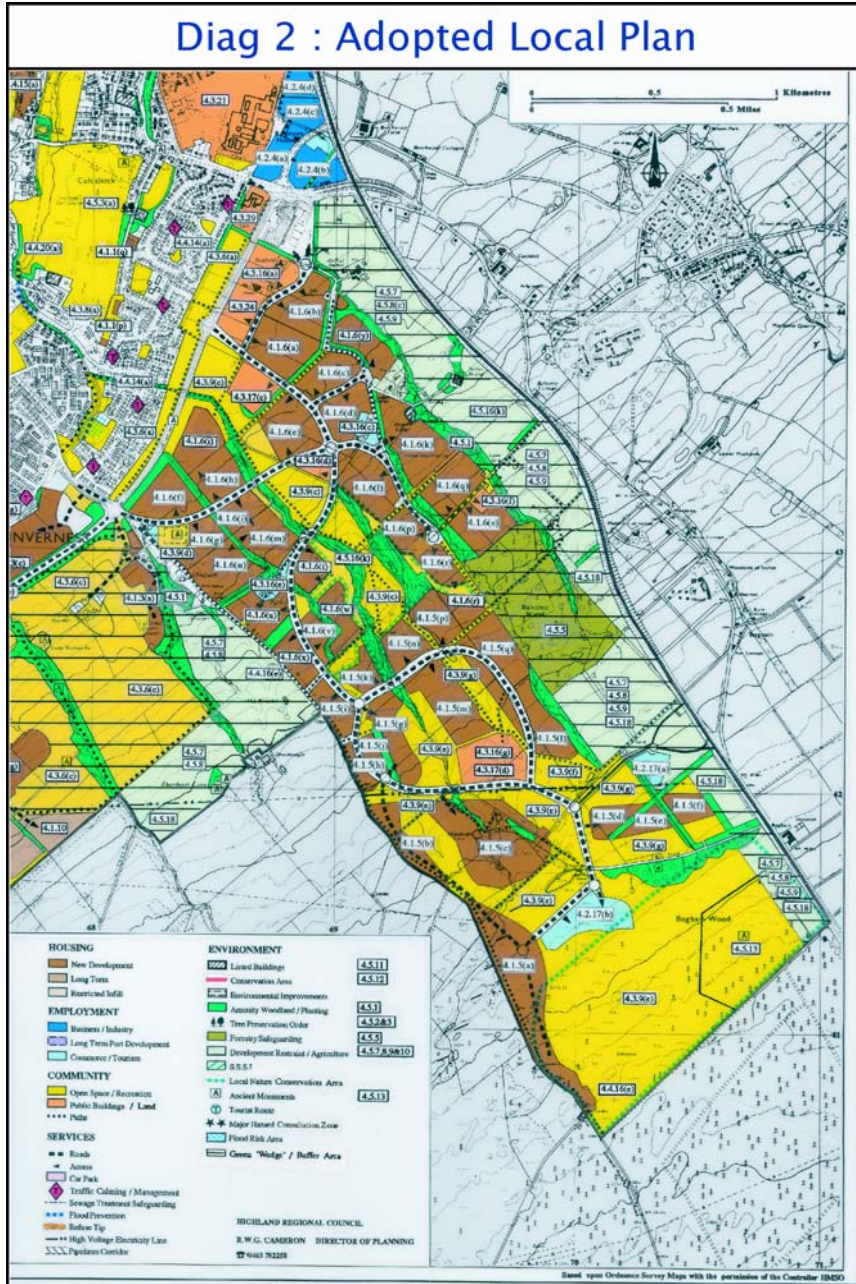
*Such Developer Contributions will be distinguished from other planning obligations for which developers will be wholly and entirely responsible and which the Council will expect to be fulfilled as an integral part of development proposals, whether on or off-site. Where a development proposal involves more than one landowner/developer, these obligations will be expected to be met by individual interests on a fair and equitable basis and in proportion to their share of the overall development potential. In these circumstances all parties will be expected to enter into an appropriate agreement transferring land and quantifying the extent of works or financial commitments. This will be accompanied by definitive plans relating to ground for roads and other public purposes which it is anticipated will be transferred at zero consideration to the Council or other agency as appropriate.”*

- 3.3 The Council (Planning, Development, Europe and Tourism Committee) agreed at its meetings on 29 May 2002 and 19 March 2003 that the terms of the Deposit Draft Local Plan and subsequent proposed Modifications would be a material consideration to be taken into account in conjunction with the Adopted Local Plan for the purpose of development control within the Inverness Area.

Fig. 1: Inverness Local Plan: Policies

Policy GP2	Urban Structure
Policy 16	30 ha. of land allocated at Milton of Leys – business/commercial
Policy 20	District/ Neighbourhood Centres/Parks
Policy 33	Surface Water Drainage
Policy 36(i)	Land allocation at Inshes
Policy 37	Developer Contributions
Policy 38	Districts/Neighbourhoods
Policy 41(v)	Green Wedges
Policy 42	Community Trust
Policy 44	Public Access
Policy 45	Trees and Parks
Policy 46	Badger Survey
Policy 79	Four housing allocations
Policy 80	Outline Planning Permission at Milton of Leys
Policy 86	0.2 ha. of land at Miller Road allocated for community/commercial use
Policy 89	Inshes Primary School
Policy 90	Community facilities at Milton of Leys
Policy 92	District Park at Inshes

### Diag 2 : Adopted Local Plan





## PROJECTIONS AND PROGRESS

### House-building

- 4.1 Some 3,600–3,800 houses are expected to be built in Inverness and Culloden during the next decade. With a substantial land supply being opened up for residential development, as much as 80% of projected needs are likely to be met on the City's peripheral expansion sites. Fig 2 indicates that land capable of development without significant on-costs represents the equivalent of approximately 10 years supply. Given a completion rate of 300–320 dwellings per annum and that the bulk of house-building in Inverness in the short-medium term is expected to be distributed substantially at Inshes/Milton of Leys and Culduthel/Slackbuie, it is reasonable to assume that the Inshes and Milton of Leys neighbourhoods at a sustained, average completion rate of 100–125 houses per annum will be nearing completion by 2013.

Fig. 2: City of Inverness (excl. Culloden): Land Stocks 2003

	Short-Medium Term		Intermediate Term*		Long Term	
Capacity	2,990		3,600		5,100	
Expected durability (years)	9.3	9.9	11.2	12	15.9	17

\*includes part Ness Castle/Craig Dunain

- 4.2 The early phases of house-building have resulted in the completion of 536 homes at Inshes and 120 at Milton of Leys. A further 323 and 124 dwellings are under construction or committed through the grant of planning permission in each neighbourhood respectively. Fig. 3 summarises the take-up of land identified in the

adopted (Inverness, Culloden and Ardersier) Local Plan and presents revised capacity estimates for remaining land stocks taking account of changing housing densities and forecasts in the interim and the principles of the Master Plan (accompanying the outline planning permission IN/97/92) which provides an updated assessment of the remaining potential for house-building at Milton of Leys. A density for future house-building at Inshes and Milton of Leys is therefore adjusted at an average of slightly under 20 dwellings per ha.

Fig. 3: Inshes and Milton of Leys: Land Stocks and Development Potential (2003)

	Built	Committed	Remaining	Ha.	Revised Average Density (dw./ha.)
Inshes	536	323	683		
			+77		
<b>Total</b>			760	42.3	18
Milton of Leys	120	124			
<b>Total</b>			483	30.8	16



house-building at Inshes

- 4.3 Remaining land with potential for development extends at Inshes to 43.2 ha. with capacity for 760 houses; and at Milton of Leys to 25.5 ha. (483 houses). These revisions take account of the grant of planning permission for the development of Film Studios, Hotel, Visitor Centre and related facilities at Milton of Leys and the forfeiting of 18.6 ha. of land identified in the adopted Local Plan with capacity for approximately 195 houses in that regard.

## Infrastructure

- 4.4 The supply of water to the southern periphery of the City is gravity fed from Loch Ashie. Two parallel mains running west-east across Inshes/Milton of Leys. These supply existing storage tanks at Druid Temple (2) and Bogbain; reinforced by a new

mains network contiguous with the Southern Distributor Road. A further tank to be installed at Bogbain to enable development at Milton of Leys to be completed has been secured by bond (see 4.8 below). The on-site distribution network will continue to be extended as development proceeds.

- 4.5 A trunk sewer link serving Milton of Leys and Inshes was installed to enable the initial phases of house-building at Milton of Leys during the late 1980's. A second trunk sewer is being constructed to serve building east of the Mill Burn. The intention – as development continues to proceed in a northerly and southerly direction – is to link up these “branch” mains as they are extended. Both systems will connect with a recently installed trunk sewer extension located adjacent to the Southern Distributor Road which enables onward transmission of foul drainage to the City's treatment and recycling facility at Allanfearn.
- 4.6 The Mill Burn (west) and the Dell Burn (east) together with the adjoining water courses comprise the main elements of the natural drainage regime. There have been significant incidences of flooding particularly in the lower parts of Inshes/Drakies and downstream through the wider district. Consultants for the Council have designed a flood mitigation scheme associated with the Mill Burn at an estimated cost of £1m. Subject to economic assessment, these will be funded wholly by the Scottish Executive. Further to recent consultation, the Council is preparing the necessary Flood Prevention Order to enable these works to proceed as a priority. The Council has commissioned Consultants to report on measures associated with the Dell Burn. These involve improved drainage at Raigmore interchange and water attenuation works upstream at an estimated cost of £1.5m. The distribution of costs for this work, which will be subject to economic assessment, will require confirmation from the Scottish Executive in relation to trunk road-related works. A 50% contribution

from the Scottish Executive could require a shortfall of £250,000–£750,000 to be met by the Council. The Council may seek developer contribution towards such works (see 7.11–13).

- 4.7 The neighbourhoods of Inshes and Milton of Leys are to be served by a continuous distributor road network connecting the Southern Distributor Road to the north and the A9 to the south. This network will cater for vehicles, cyclists and pedestrians. This is being constructed in phases by developers as an integral component of their development schemes as these proceed from the north and the south. In similar terms as the foul drainage network, this route will be completed as remaining land in the southern parts of Inshes is developed. However, the outline planning permission (IN/1997/92) establishes a threshold of 600 houses at Milton of Leys pending a distributor road link through Inshes to the SDR. This would also become a factor affecting the phasing of development in the event that land with planning permission for other uses – FULIN/02/130 – reverts to housing or traffic deriving from such activities or other development (not the subject of extant planning permission) exceeds the equivalent generated by 600 houses. In these circumstances further traffic assessment may be necessary.
- 4.8 The outline planning permission (IN/1997/92) at Milton of Leys is subject to a bond which vests the responsibility for all related infrastructure and open space with the landowner/developer. Water and foul drainage networks installed or committed in this context provide sufficient capacity for completion of the neighbourhoods. Beyond the site-related servicing requirements which necessitate extension of distributor road, water, foul drainage and other utility networks and will be expected of developers as an integral part of further proposals, there are understood to be no further common site-based utility commitments eligible for developer contribution. developer obligations in respect of the distributor road network are detailed at below.

Developer obligations in respect of community facilities and off-site infrastructure are dealt with in paras. – .

## Community Facilities

- 4.9 As part of the outline planning permission (IN/1997/92) at Milton of Leys, 5.6 ha. of land – fully serviced – has been secured by developer contribution for a primary school (2.5 ha.) and community facilities.

## Open Space

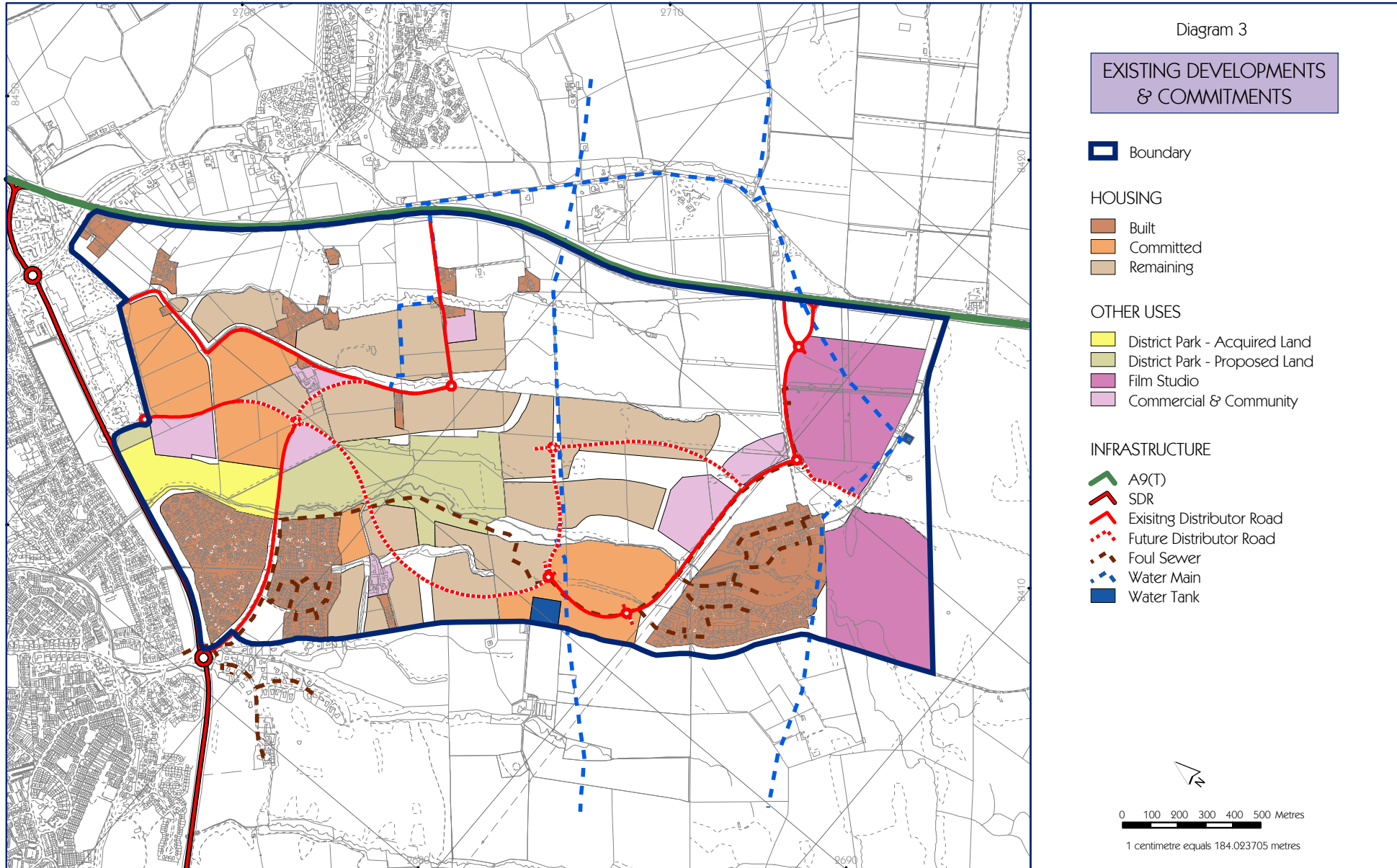
- 4.10 Of some 27.0 ha. of land at Inshes reserved for a District Park, 3.57 ha. has been obtained by the Council in conjunction with the grant of planning permission attaching to the early phases of house-building. Existing Section 75 Agreements are in the process of securing the developer contribution of £380,380 in association with 286 houses, based on a contribution of £1,330 per dwelling (RPI adjusted) dedicated for this purpose. This derives from an agreed layout for the park, estimated construction cost of £1.29m. and contributions attaching to the completion of 970 dwellings – administered through the Council’s Working Group and the appropriate Area Service Committees – and which embrace land acquisition, engineering/formation works and future maintenance.



newly constructed Inshes Church

Fig. 4: District Park – Developer Contributions

Developer	Contribution	No. of houses
Barratt Construction Ltd	£156,940	118
Tulloch Homes Ltd	£115,710	87
R F More Properties	£107,730	81
Total	£380,380	286



Existing Developments and Commitments.ai

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## PRINCIPLES AND FRAMEWORK

### Purpose

- 5.1 The adopted Local Plan (Inverness Culloden and Ardersier) sets out the statutory framework for development and use of land at Inshes and Milton of Leys, providing a basis for subsequent planning decisions and the initial phases of development, related infrastructure and activities. This Brief rolls-forward the established framework in order to secure land for community facilities and identify infrastructure improvements, and to calculate *negotiable* developer contributions against land not yet committed by planning permission.

### Ownership

- 5.2 At Inshes, remaining land allocated for development is owned by five parties; and at Milton of Leys, by one party, Drumossie Ltd. Figs. 4 and 4(a) set each landholding in the context of its potential for development. These include an adjustment for residential land to take account of the actual density of building on sites completed since the Inverness Culloden and Ardersier Local Plan was adopted. For the purposes of calculating developer contributions in respect of all future development not granted planning permission at 18 August 2003, a residential equivalent factor is applied in respect of land identified for commercial/business and community purposes, based upon standard housing densities. In this regard, it is anticipated that some 50% of land identified for community purposes will be developed for non-commercial activities.

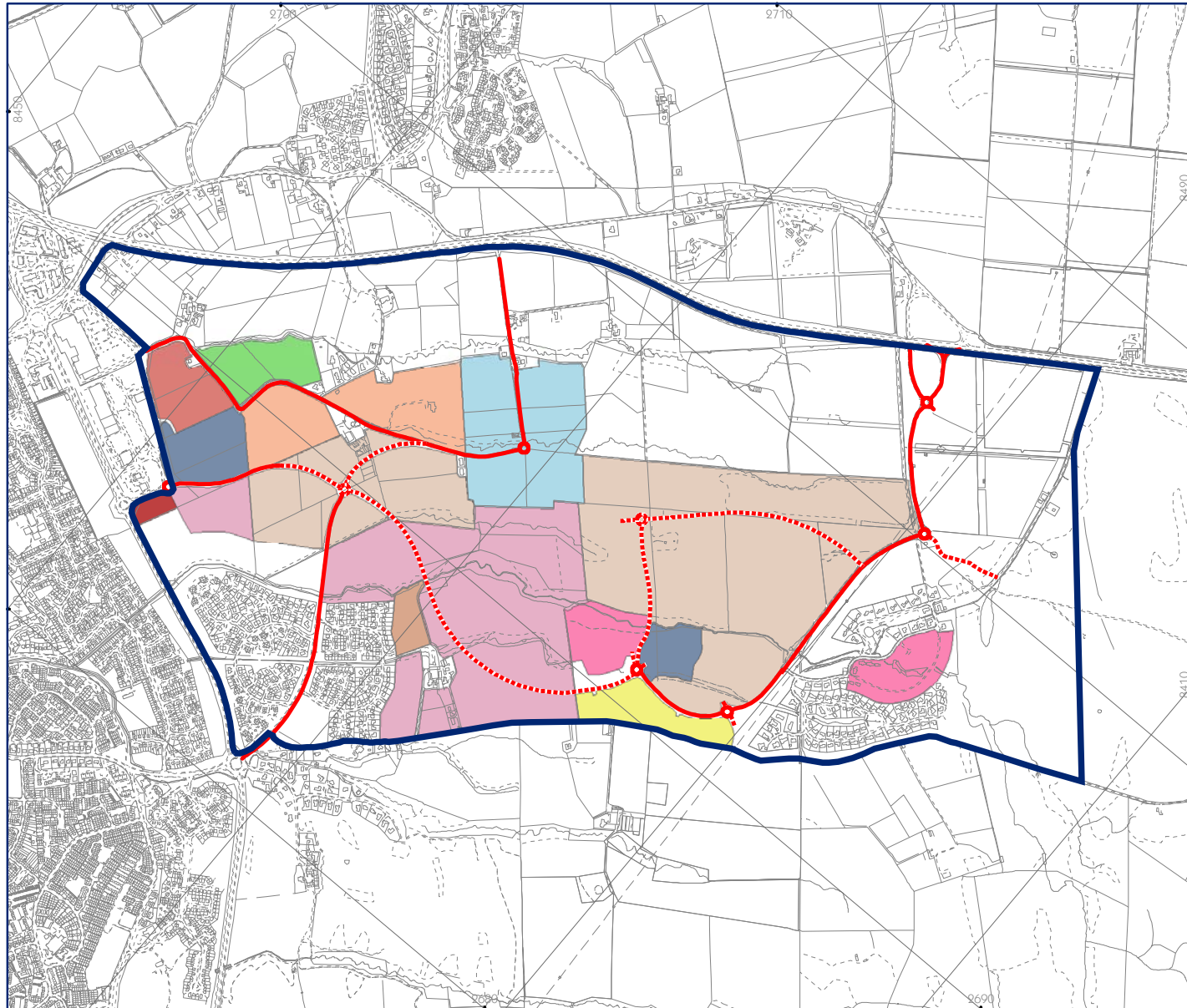


Diagram 4

**LAND OWNERSHIP**

Boundary

**INSHES & MILTON OF LEYS**

- Mr. J. Reid & Mrs. M. Duncan
- O'Brien Properties
- Capital Homes
- Mr. I. H. Grant
- Mr. F. Stephen
- R. F. More Properties
- Tulloch Homes
- Mr. D. MacKenzie
- Scotia Homes
- Cameron & Patterson
- Barratt Construction Ltd.

**INFRASTRUCTURE**

- Existing Distributor Road
- Future Distributor Road



0 100 200 300 400 500 Metres  
 1 centimetre equals 184.023705 metres

LandOwnership.ai

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Fig. 4 Inshes: Uncommitted Land – July 2003

Owner	Local Plan Ref.	Built/ Committed	Future	Commerce/ Business ha. (housing equivalent)	Community ha. (housing equivalent)	Open Space Ha.
D.I. MacLean/ Tulloch Homes	4.3.9(c)					1.3
	4.1.6(e)	86				
	4.1.6(l)		81			
	4.1.6(d) part		50			
	4.3.16(d)				1.2 (12)	
	4.3.16(c)				0.6 (12)	
D. MacKenzie	4.3.9(c)					24.4
	4.3.9(d)					1.7
	4.1.6(n)		44			
	4.1.6(t)		36			
	4.1.6(u)		50			
	4.1.6(v)		17			
	4.1.6(w)		49			
	4.1.6(x)		34			
	4.1.6(f)	112				
	4.1.6(h)	174				
	4.1.6(i)					
	4.1.6(g)	79				
	4.1.6(n) part					
	4.1.6(j)	85				
4.1.6(m) part						

Owner	Local Plan Ref.	Built/ Committed	Future	Commerce/ Business ha. (housing equivalent)	Community ha. (housing equivalent)	Open Space Ha.
	4.1.6(m) part	16				
	4.1.6(n) part		40			
	4.3.16(e)			0.7 (14)		
	4.3.17(c)				3.3*	
J. Reid and M. Duncan	4.1.6(q)		71			
	4.1.6(s)		66			
	4.1.6(p)		41			
	4.1.6(r)		51			
	4.3.16(f)				0.7 (7)	
F. Stephen	4.1.6(y)		33			
R.F. More	4.1.6(c)	81				
	4.1.6(d) part					
	4.1.6(k)		97			
A. Munro	4.1.6(a)	118				
	4.1.6(b)	108				
<b>Total</b>		859	760			

\*housing equivalent rate: commercial/business – standard housing densities (excludes community shop (see 7.9))

community – 50% standard housing densities reflecting proportion non-commercial uses

Fig. 4(a) Milton of Leys: Uncommitted Land – July 2003

Owner	Local Plan Ref.	Built/ Committed	Future	Commerce /Business Ha.	Community Ha.	Forfeited
Tulloch Homes/ Scotia Homes	4.1.5(b)	120				
	4.1.5(c)					
Tulloch Homes/ Barratt Cons./ Scotia Homes	4.1.5(g)	79				
Cameron/ Patterson	4.1.5(h)	27				
Tulloch Homes	4.1.5(j)	18				
Drumossie Ltd	4.1.5(k)		26			
	4.1.5(l)		217			
	4.1.5(m)		102			
	4.1.5(n)		48			
	4.1.5(p)		40			
	4.1.5(q)		50			
	4.1.5(a)					117
	4.1.5(d)					62
	4.1.5(e)					28
	4.1.5(f)					30
	4.3.16(g)					
	4.3.17(d)				5.6	
	Total		244	483		

\*not adjusted

## SITE ANALYSIS

### Features

- 6.1 Land at Inshes and Milton of Leys is distinctive for a range of physical, infrastructural and heritage features. These bear upon the design of the neighbourhoods and the layout and arrangement of uses and activities, as follows:
- the configuration of Inshes and Milton of Leys and the gradient which prevails over much of the area indicates that community facilities should be located within reasonable walking distance (1.0 km.) of each home. A central location should be reserved in each neighbourhood to ensure these continue to evolve as safe, convenient and sustainable places;
  - existing groups of farm buildings are capable of conversion or redevelopment. Potential exists to adapt these as a focus for non-residential uses, possibly commercial/community activities where such uses accord with policy and occupy a nodal position;
  - the steeper, more elevated land at Inshes and across Milton of Leys appears less conducive to intensive development. Buildings of a higher density and form should be held to the lower, flatter areas where massing could help provide “landmarks” and give definition to “centres” or public uses;
  - the “buffer” lands adjacent to the SDR, give separation to neighbouring housing. These lands present scope for open space with safe connection for pedestrians and cyclists across the SDR;

- General Wades Road marches with the south–west boundary providing an important public access link towards Drum Mossie and Strathnairn. Wester Inshes road is a similar pedestrian/cyclist artery. These should be intersected by east–west routes connecting into and through Inshes and Milton of Leys to the adjoining “green wedges” some of which are identified as part of the Paths Around Inverness project. Opportunities exist to combine these with 10m–wide safeguarding strips for the existing water mains;
- wooded dens and burns and the belts of mature trees at Bogbain forming strong north–west to south–east features are partially protected together with adjoining open grassland and heath as a non–statutory conservation site. This habitat supports badgers and should be acknowledged and strengthened as part of the landscape structure linked to the wider countryside via green access “corridors”. The management of such features should seek to increase bio–diversity;
- this, together with other open land, could form additional semi–naturalised habitats with scope for surface water attenuation. A minimum of 15m. margin either side of the water courses – to be determined with regard to the need to protect riparian woodland and embrace adjacent topography and habitats – should be protected for access/engineering/maintenance works;
- remnant parts of the existing farm units, small holdings, Bogbain and Balvonie Woods together with the “arboretum” adjoining Inshes House are part of the City’s setting and present recreational, public access, and conservation opportunities for the adjoining neighbourhoods. The City “vision” foresees assets of this kind managed through a Community Trust. It is important to seek to secure such land contiguous with development proposals;

- views out over the City and the Moray Firth become more exceptional, and exposure more pronounced, with altitude. Strong planting is needed to blend the higher reaches of Milton of Leys with the setting and a lattice of looser planting introduced horizontally across the slope; and
- archaeological sites are known to exist at a number of sites across Wester Inshes, Milton of Leys and at Bogbain. Suitable reconnaissance of the wider area should proceed with development.

## Affordable Housing

6.2 The Local Housing Strategy (The Highland Council 2002) identifies a requirement for approximately 3,588 affordable homes in the Inverness Area in the period 2002–07. The supply of affordable housing through the programmes of the agencies – the Council, Communities Scotland and the Housing Associations – is expected to add a further 1,540 homes to the overall stock through a mix of new build, re-use of vacant properties and re-letting of existing public/Housing Association accommodation. A projected 2,040 shortfall of demand over supply therefore requires to be tackled and a proportion of these needs will require to be met in partnership with the private sector. Affordable Housing will be secured by Section 75 (or other appropriate agreement/mechanism), and will involve either the transfer of serviced land at zero consideration or the provision of an agreed number, type and mix of units.

Affordable Housing	285 homes
Inshes	190
Milton of Leys	60

6.3 In accordance with the Council's approved Development Plan Policy Guideline: Affordable Housing (March 2003) and the following estimate of needs, the Council will seek developer contribution towards the provision of affordable homes at a rate of 25% of private sector completions. This rate will be applied to the number of units capable of being developed at standard density levels. Accordingly, within the City of Inverness between 770–820 affordable homes will be expected to be secured through private

sector contribution. Given an indicative capacity of 1,240 houses at Inshes and Milton of Leys and applying a 50% discount in the case of the latter, 250 affordable homes would be appropriate within these neighbourhoods by developer contribution. These include a minimum of 190 units as part of the development of remaining land at Inshes.

- 6.4 Where planning permission has been given for housing since October 1998, developer contribution in respect of affordable housing – at Milton of Leys only – will be sought at a rate of 50% for a period of 5 years – in this case until 6 October 2008. Thereafter, the terms of policy and the Council’s approved Supplementary Guideline will apply in full.

### District Facilities

- 6.5 Facilities supported by some 11–12,000 people, established at various locations within the Millburn district, include a superstore/PFS/Post Office, Business Park and secondary school and church. However, significant deficiencies occur. In accordance with the Council’s policy relating to the development of sustainable urban communities, land should be reserved for development of a health centre and library/service point (Fig. 5) together with “district” playing fields in future (see 8.9–11 below). Although limited land is reserved in the Inverness Local Plan for community uses and leisure at Inshes Retail Park (where larger scale shopping and leisure uses predominate), there is otherwise a lack of building opportunity either centrally in the district or adjacent to the Retail Park. Land at accessible locations within the Inshes neighbourhood may therefore provide suitable locations for such activities, which could be sited with compatible “local” facilities.

Fig. 5: District Facilities

District Facilities	Developed/ Undeveloped	Ha.
Business Park	✓	
Supermarket/PFS	✓	
Secondary School	✓	
Health Centre	✗	0.2
Library/Service Point	✗	0.1
District Park	✓	

District Facilities Land/Location	0.3 ha.
Inshes	0.3 ha.
Milton of Leys	n/a

NEGOTIABLE DEVELOPER CONTRIBUTIONS: District	
Total Cost: <b>£300,000</b>	Negotiable Contribution: <b>£61,229</b>
Education, Culture and Sport	<b>Library/Service Point</b>
INSHES	<b>£37,437</b>
cost per house	<b>£49.26</b>
MILTON OF LEYS	<b>£23,792</b>
cost per house	<b>£49.26</b>

6.6 Major employment opportunities within the District derive from Inshes Retail Park, the Hospital, Police HQ and Beechwood Park. Provision for economic development at Milton of Leys – currently progressing as part of proposed Film Studios and related uses – should continue to be recognized (see Fig. 4(a) Milton of Leys: Uncommitted Land – July 2003). In the event that the Film Studios do not proceed, the land allocations contained in the adopted Local Plan for housing and business/tourism will be reverted to.

### Neighbourhood Facilities

6.7 Fig. 6 sets out the range of facilities expected to be supported or provided at “neighbourhood” level together with their respective “land-take”. Such facilities should be afforded the opportunity, where feasible, to locate centrally and together, in order to derive the interaction and economies which might assist viability and enable shared services, and allow facilities to be established within convenient walking distance of every home. Whilst it is conceivable that the demand for neighbourhood facilities especially at Inshes may – to some extent, be subsumed by proximity to the Inshes Retail Park – it would be prudent to ensure, given the dynamics of consumer demand and accessibility to services, that such provisions are capable of being met within the neighbourhoods at Inshes and Milton of Leys, as they evolve.

### Primary Schools

6.8 In accordance with policy the Council will continue to make provision for primary schools at “neighbourhood” level. When fully developed it is expected that the neighbourhoods at Inshes and Milton of Leys will together generate upwards of 440 primary school pupils. Changes in household size and formation – and the implication for the pupil product arising from new housing – require to be carefully monitored against the capacity and provision of education facilities.

Fig. 6: Community Facilities

Neighbourhood Facilities	Inshes	Milton of Leys	Ha.
Shops/PO (incl. Surgery, Nursery)	✓/x	x	0.3–0.6
Public House/Hotel	x	x	0.05
Primary School	x	x	2.0
Day Care	x	x	0.7
Park Playing Fields (incl. NEAP)	x	x	5.0–5.4
Community Hall/Church	✓	x	0.1
Bus Route	x	x	n/a

Neighbourhood Facilities Land/Location	Ha.
Inshes	0.75–1.2 ha.
Milton of Leys	3.2 ha.*

\*committed

NEGOTIABLE DEVELOPER CONTRIBUTIONS: Neighbourhood	
Total Cost: <b>£600,000</b>	Negotiable Contribution: <b>£183,671</b>
Education, Culture and Sport	<b>Community Hall</b>
INSHES	<b>£76,045</b>
cost per house	<b>£100.06</b>
MILTON OF LEYS	<b>£107,626</b>
cost per house	<b>£222.83</b>

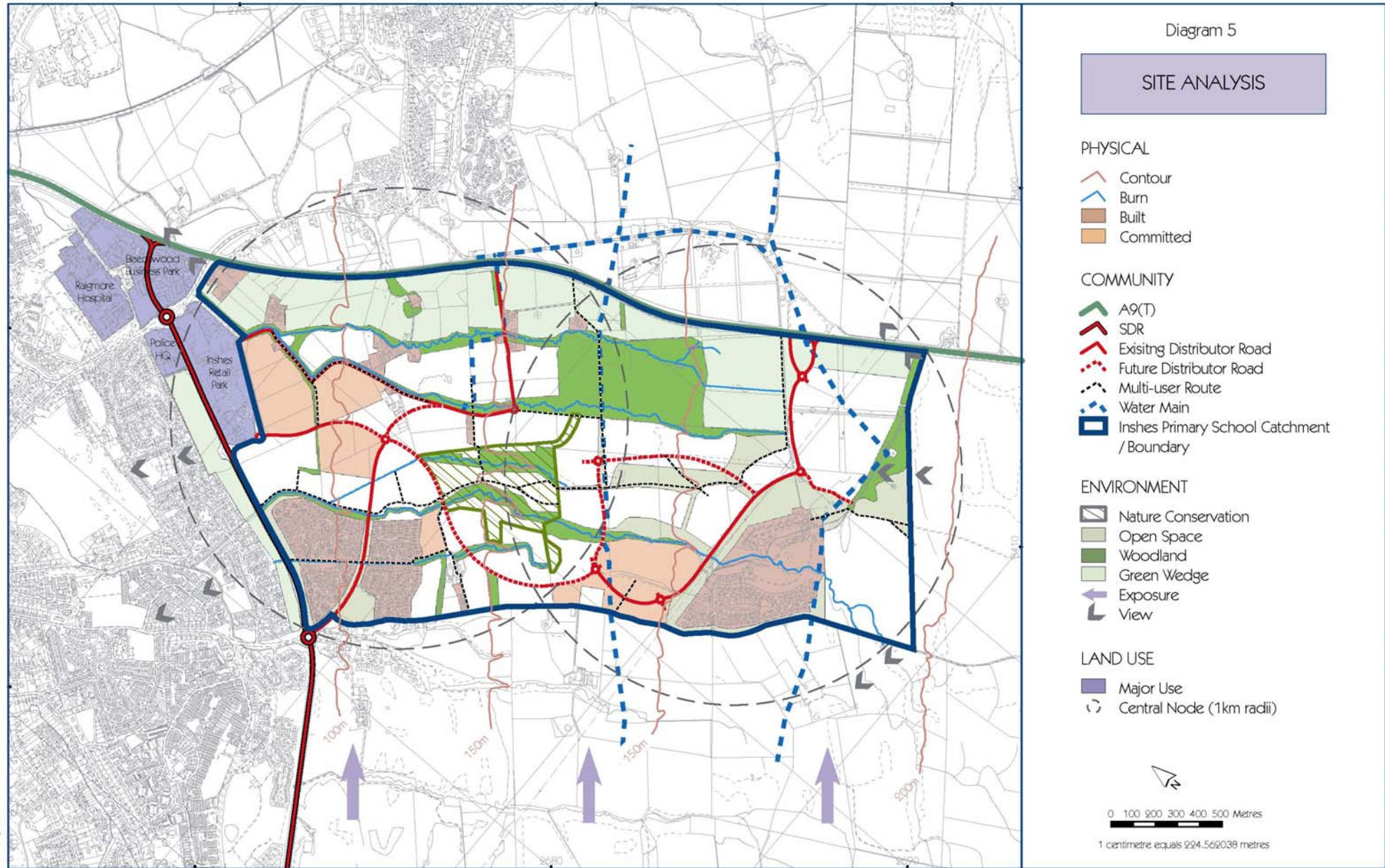


- 6.9 At Inshes, the Council proposes to build a new Primary School as part of its second PPP programme. This is expected to commence in 2004 and is earmarked for completion for the start of the academic year 2005, at a total cost of some £5.5–6.0m. 2.5 ha. of land at Inshes already allocated, is reaffirmed for this purpose. This school will be designed with capacity for 300 pupils including pre-school accommodation and with the capability of being extended, should the need arise. For the present, the catchment area of the school has been delineated to include the entirety of the Inshes and Milton of Leys neighbourhoods. This will relieve pressure on the established primary schools at Drakies and Cradlehall which have absorbed pupils generated as a result of the early phases of development at Inshes and Milton of Leys.
- 6.10 At Milton of Leys, 2.4 ha. of land for a primary school has been legally committed as part of the outline planning permission (IN/1997/92). This is fully serviced and transferred into the Council's ownership. Whilst the nature and phasing of a primary school in the medium–longer term are for consideration as development proceeds, it is essential that this "commitment" is held in reserve, pending monitoring of local needs.
- 6.11 It could be appropriate to seek developer contributions towards the cost of any future extension to Inshes Primary School or a second Primary School at Milton of Leys. A 50% increase in primary education capacity would require some £2.0m

Primary Schools: Projected School Pupils Generated 2013			
Land (Ha.)	Pupil Product	Inshes	Milton of Leys
2.5/5.0	0.4	628	252
	0.3	472	189
	0.2	314	126

source: The Highland Council

NEGOTIABLE DEVELOPER CONTRIBUTIONS: Neighbourhood	
Total Cost: <b>£2,000,000</b>	Negotiable Contribution: <b>£1,058,426</b>
Education, Culture and Sport	<b>Primary School/Extension</b>
INSHES	<b>£647,147</b>
cost per house	<b>£851.51</b>
MILTON OF LEYS	<b>£411,279</b>
cost per house	<b>£851.51</b>



Site Analysis.ai

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## DEVELOPMENT AND LAND USE

### Purpose

- 7.1 The Figs. 4 and 4(a) identify land at Inshes and Milton of Leys for different uses. Diag. 6 provides a framework for the layout and arrangement of development and circulation. These provisions and the following principles will be expected to be adhered to as part of subsequent proposals and will be the subject of Section 75 Agreement as necessary. Agreements under Section 75 will require to be made prior to the grant of planning permission, accompanied by plans which vest with the Council or other appropriate agency, all land required for public purposes including services, utilities and non-commercial community facilities.

### Phasing

- 7.2 To enable development to proceed in both neighbourhoods, it would be preferable for the next phase of building at Inshes to ascend the slope on land west of the Mill Burn. This will enable the logical extension of the distributor road network and interim water and drainage connections to Milton of Leys should these be necessary to activate the remaining building capacity. Pending an Inshes-Milton of Leys distributor link with the SDR/A9, potential for further house-building at Milton of Leys will be limited to some 360 dwellings (see 4.7 above).

## Housing

### Form

- 7.3 The following principles will be applied in pursuit of a high quality mixed use/residential environment in respect of the layout and design of the neighbourhoods as a whole and their concomitant housing compartments:

- a gradation of form will be sought with higher density development towards the “centre” and more spacious layout towards the edges. This principle should be applied to create punctuation and legibility and could be achieved by introducing higher intensity uses or accommodation with taller buildings to create “focal” points or landmarks;
- a mix of house types, tenures and sizes. Affordable housing (see 6.2 above) will be expected to be provided evenly across the neighbourhoods and to a standard and annual rate of completion comparable and concurrent with private sector housing. A tenure mix of some two-thirds in the social rented and one-third in the low cost owner-occupation sectors will be sought for affordable homes;
- particular emphasis will be placed upon the “street scene” and the quality of the development “frontage” to the main thoroughfares, consistent with the principle of safe access to individual properties. In the context of the overall *gradation* above, there should be variety and diversity in form with buildings/groups of buildings stepping up/down to adjacent properties. Notably, copious presentation of timber fencing to “public” corridors will be discouraged;
- residential enclaves served from the distributor network should be designed on 20 mph *Home Zones* principles to enable streets to function as safe places for a variety of uses. Measures should be employed on the main distributor network to encourage traffic speeds compatible with a predominantly residential area. Sheltered cycle and bin storage facilities will be required within flatted development for residents;
- The Council will apply its approved Road Guidelines for New Development (1996) in respect of parking standards at Inshes and Milton of Leys;

- convenient and accessible play facilities should be provided within housing areas prior to dwellings being occupied. These should be, laid out to adoptable standards and vested with the Council in agreed terms to include maintenance details. These will embrace:
  - (a) LEAP (Local Equipped Area for Play) within 5 minutes/400 m. of every house extending to 400 sq. m. with 5 types of play equipment (to be agreed) and seating, located within the District Park or other suitable open lands;
  - (b) LAPS (Local Area for Play) within one minute/100 m. of every house extending to 100 sq.m. comprising grass/hard surface with seating, located centrally within groups of 25–50 houses.
- space for waste to be collected, sorted and transported including for the equivalent of three bins per dwelling for segregated waste and provision for combined facilities attaching to flatted developments.

## Design

- 7.4 Further to A Policy Statement for Designing Places in Scotland: Scottish Executive 2002 and PAN 68 developers will be expected to demonstrate as part of a comprehensive Design Statement for accompanying future proposals that the tenets of sustainability and good design are applied in all aspects of the site's layout and construction.
- 7.5 Specifically, the indicative capacity estimates represented in Figs 4 and 4(a) are for the purposes of establishing indicative developer contributions. Further to the design advice at 7.4 above, the actual number of houses to be accommodated will be subject to the grant of planning permission. This will not prejudice an acceptable increase in dwellings overall subject to appropriate layout and design. In this event, any proposed

in dwellings over the indicative capacity estimates (Figs 4 and 4(a)) will be eligible for a pro-rata developer contribution.

## Commercial/Community

7.6 Further to 6.4–5 above, 2.5 ha. of land is identified for a primary school at Inshes. Provision is also made at Inshes to reserve 1.0 ha. of land adjoining the main distributor roundabout for:

- 0.4–0.7 ha. – local shops, a surgery and hall;
- 0.3 ha. – a health centre, library/service point.

This will either comprise land to the south or east of the roundabout which must be secured for these uses by Section 75 agreement prior to any planning permission for other uses on any of these parcels. Scope exists also to amalgamate compatible commercial/community uses within the same building. Further land is identified at Parks Farm and the adjoining ground; and at Balvonie for free-standing/specialist activities, reflecting in part their allocation for commercial/community use. These sites could offer alternatives for Day Care facilities, a hotel/public house or similar community activity. Such community facilities should be attractive to customer/employee access by cycle.

7.7 Approximately 5.6 ha. of land is identified at Milton of Leys for community facilities:

- 2.4 ha. – a primary school;
- 3.2 ha. – local shops, surgery, hall/church, public house and day care facilities;
- 2.5 ha. – playing field.

7.8 Since certain community facilities may not be viable or required until land at Inshes and Milton of Leys is fully developed, this land – suitably maintained in the interim – is reserved against future needs pending full assessment by the community at that time. The Council will not permit development of this land – for other purposes unless



Milton of Leys site for community facilities

appropriate provision for community facilities is made – in advance of the completion of the final phases of house-building at Inshes and Milton of Leys and will continue to reserve such opportunities thereafter. It is possible however, that certain facilities – primary school and library/health centre and surgery could be amalgamated. Such arrangements will be monitored and may, exceptionally allow departure from the terms above.

### Neighbourhood Shop – Tariff

- 7.9 Since the provision of commercial facilities in residential neighbourhoods is usually determined by market forces and a viable operating threshold, such facilities often become established on or after completion of the final phases of house-building. In order that related “lifestyle” and environmental benefits accrue to the communities as they evolve, the Council wishes to pursue an initiative aimed at securing a neighbourhood shop as an anchor facility at an earlier stage, and in so doing create conditions which are attractive to house-buyers and occupiers, and supporting commercial facilities.
- 7.10 Given that the neighbourhoods at Inshes and Milton of Leys are 50% complete (1,100 dwellings), that a building rate of 100–125 dwellings per year is anticipated and that a contribution of £200–250 per house could accrue an operating subsidy of some £125,000 over a 5-year period, it would be reasonable to aim to establish a neighbourhood shop – in this case – on completion of 75% of the overall house-building capacity (1,650 houses). Accordingly the Council will also seek Agreement with the owner/developer of land identified for community facilities to undertake:
- (i) negotiations with a commercial operator/property company to secure, within 2½ years (by April 2006), a contractual arrangement to build and occupy premises within 5 years (i.e. October 2008); or

<b>NEGOTIABLE DEVELOPER CONTRIBUTIONS:</b>	
<b>Neighbourhood</b>	
Operating Subsidy: <b>£125,000</b>	Negotiable Contribution: <b>£125,000</b>
<b>NEIGHBOURHOOD SHOP TARIFF</b>	
INSHES & MILTON OF LEYS	<b>£125,000</b>
cost per house	<b>£250</b>

- (ii) prior to April 2006, transfer of land for such premises to the Council at nil cost to enable the Council to invite developer proposals. In this regard, the value of such land will be regarded as a discounted developer contribution.

7.11 It is assumed that such operating subsidy would relate to a store of some 180–190 sq. m. In the event that a larger neighbourhood shop is proposed or the timescale for agreement/provision is brought forward, this may require to be augmented. In these circumstances, scope may exist to “borrow” a contribution from an alternative source, i.e. primary education (see), since (for the purposes of extension to Primary School facilities or provision of a second Primary School) this is unlikely to be required within 10 years.

### District Park

7.12 The Council has agreed a structural framework for the provision of a District Park at Inshes. This embraces the burns and adjoining land from the 35m –120m contours and will connect with open/amenity land at Milton of Leys. It earmarks;

- to the north (lower): recreational parkland including playing fields with indigenous woodland and trees towards the edges, part of a surfaced spine footpath/cycleway and connecting east–west links adjacent to the primary school and pedestrian route;
- middle: an informal events space with similar edge treatment, parking, interpretation and play facilities;
- to the south (upper): open grassland, native woodland and other habitats managed for nature conservation, merging with public access into Milton of Leys.

It is proposed that this land could be acquired in phases as development proceeds from north–south. Early consideration to a design specification, implementation programme and management maintenance regime will be pursued by the Council’s

NEGOTIABLE DEVELOPER CONTRIBUTIONS: District	
Total Cost: <b>£1,290,000</b>	Negotiable Contribution: <b>£1,233,360</b>
Education, Culture and Sport	<b>District Park</b>
INSHES	<b>£1,233,360</b>
cost per house	<b>£1,713</b>
MILTON OF LEYS	n/a
cost per house	n/a

assumes 720 houses at Inshes.



ECS and TEC Services and in consultation with agency and community interests. Layout of the park will require planning permission.

- 7.13 Developer contributions being secured currently at the equivalent of £1330 per house should be revised to take account of the building capacity adjustments at 4.3 above and the wider range of infrastructure and services identified as part of this Brief. NOTE: The Negotiable Developer Contribution in respect of the District Park is based on 720 houses and excludes 4.1.6(n) part as identified in the Adopted Local Plan (40 houses).

## Infrastructure

### Services and Circulation

- 7.14 Services and utility networks will be installed or extended wholly by developers in accordance with the requirements of the appropriate agencies, as an integral part of development proposals and are not regarded as developer contributions. Land or wayleaves required for infrastructure or services – namely, distributor road, multi-user routes, water supply, foul drainage, surface water networks or provisions and any other utilities will be expected to be conveyed – in association with development proposals – **to the boundaries of the landholding (not the development site)**, at nil cost to the Council or appropriate agency. This is to secure timeous development of the neighbourhoods as a whole and avoid any “ransoming” of land or related access.
- 7.15 The structure of multi-user routes set out in Diag. 6 will be expected to be completed as an integral part of development proposals, consistent with the ownership of landholdings and the design of the District Park. Such routes should be sufficiently wide and, where appropriate lit thoroughfares. Opportunities should be taken to provide links with the main north-south routes provided by the Wester Inshes road and General Wades Road which abut the neighbourhoods. An allowance will be made

NEGOTIABLE DEVELOPER CONTRIBUTIONS: District		
Total Cost: <b>£1,500,000</b>	Negotiable Contribution: <b>£153,100</b>	Negotiable Contribution: <b>£51,025</b>
TEC Services	<b>Drainage Contingency:</b> <b>£250,000 – £750,000</b>	
<i>range</i>	<i>£750,000</i>	<i>£250,000</i>
INSHES	<b>£93,609</b>	<b>£31,198</b>
cost per house	<b>£123.17</b>	<b>£41.05</b>
MILTON OF LEYS	<b>£59,491</b>	<b>£19,827</b>
cost per house	<b>£123.17</b>	<b>£41.05</b>

for continued use of the Wester Inshes road for access to existing properties where necessary. *Cycling By Design 2002: Scottish Executive* sets optimum standards in respect of construction for all users.

### Surface Water Drainage

- 7.16 Provision should be made consistent with SUDS (Sustainable Urban Drainage Systems) and in agreement with SEPA for the disposal of surface water. This will include any necessary means of attenuation and treatment at locations which relate to the natural pattern of drainage and with the distribution and function of open land within or adjacent to the development lands at Inshes and Milton of Leys, or involve other acceptable measures. Specifically, the allowable discharge of surface water to the existing burns within or adjoining the site will be calculated on the basis of the existing run-off and must not exceed the capacity of the watercourses, or increase the risk of flooding or erosion downstream.
- 7.17 Landowners/developers are required to prepare a comprehensive and integrated SUDS strategy in association with the remaining development lands at Inshes and Milton of Leys in order to maximise benefits in relation to land use, future management of SUDS and improvement of conditions throughout the wider district. This should be founded on assessment of a range of flood return periods to calculate the sensitivity of the catchment to flooding. Where necessary, design requirements may relate to the 200 year flood return period, and will be expected to incorporate 30% additional capacity, consistent with the Council's wider anti-flood objectives. SUDS which fail to meet these standards will not comply with this Development Brief. Such measures will be expected to be designed in accordance with the CIRIA Manual and PAN 61. Culverting or other similar engineering works to existing water courses or lochans should be avoided. Further to (4.6 above), given the requirement for flood mitigation measures associated with the Dell Burn and that related funding will be subject to economic assessment, a

contingency developer contribution would be appropriate in the event that works are not wholly funded by the Scottish Executive. Notwithstanding, scope may exist to investigate whether such remedial measures might be addressed as part of a comprehensive SUDS arrangement as an alternative to financial contribution by developers.

- 7.18 Details of the maintenance of SUDS will be agreed with the developer as part of any planning permission which will not permit buildings within the margins of water courses. Provisions must be designed to meet the Council's requirements and, in agreement with SEPA, those of Scottish Water in order to secure a comprehensive maintenance arrangement vested with the respective bodies for the disposal of surface water according to their statutory responsibilities.

## Setting

### Landscape

- 7.19 A landscape structure incorporating shelter and amenity planting and open space should be completed with each development proposals in accordance with the framework conveyed in Diag. 6 and an appropriate planting/management plan for the entirety of individual land holdings; together with suitable arrangements for maintenance vested with the Council or by other agreed means. These will be expected to demonstrate due regard for enhancing bio-diversity notably in the provision, treatment and management of open spaces, water courses, woodland and trees and other habitats, gardens and "corridor" features such as water courses, paths and cycle-routes. The Council will encourage specialist landscape advice and discussion with Scottish Natural Heritage about related specification and other details prior to planning applications being submitted. Broad-leaved woodland in these areas may contain bats. This is a European Protective Species [Schedule 2 of the (Conservation) (Natural Habitats) Regulations 1994] and protected under Regulation 39 of the Regulations. It

may be an offence to disturb the species, or damage or destroy its breeding or resting sites. Any action contrary to Regulation 39 may require licence under Regulation 44. The Council will consult Scottish Natural Heritage in respect of planning applications.

### **Heritage**

- 7.20 The following will be secured as part of development proposals:
- safeguards for the badger sett and migration routes to and from the countryside/green wedges adjoining Inshes and Milton of Leys. “Green corridors” should be reserved between development compartments to enable north–south and east–west movement;
  - evaluation and recording of the areas archaeological interest prior to development, any significant features to be integrated with development or the subject of mitigation measures as necessary;
  - a management plan to secure the long term future of the historic landscape at Bogbain.

### **Green Wedges**

- 7.21 In association with development proposals, the Council will expect to agree with developers/landowners the conveyance at an appropriate time and at a value consistent with the use of such areas for amenity purposes, of land located within defined “green wedges” and comprising the remnant parts of agricultural units, small holdings, woodland or other parcels. This is to secure such land in public custody, in the interests of the City’s setting, public access and recreational needs and other compatible functions. This principle will be applied retrospectively and contribution sought in kind in the event that land has been transacted after 18 August 2003. Management plans will be sought in appropriate circumstances.

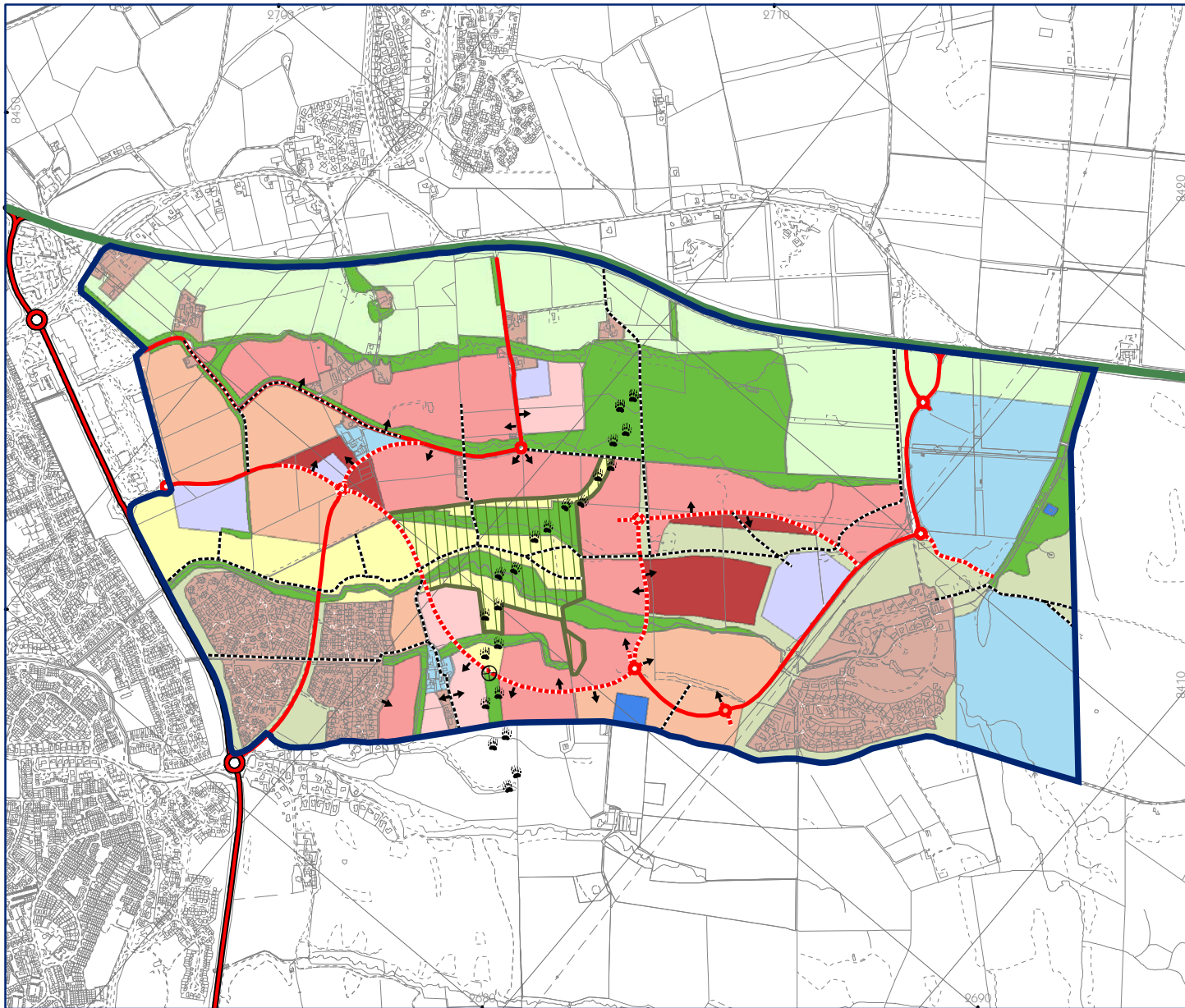
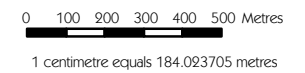


Diagram 6

**DEVELOPMENT & LAND USE**

- Boundary
- HOUSING**
  - Built
  - Committed
  - Future - Higher Density
  - Future - Medium Density
  - Future - Lower Density
- COMMUNITY**
  - Facilities
  - District Park
  - Business Opportunities
- SERVICES**
  - A9(T)
  - SDR
  - Existing Distributor Road
  - Future Distributor Road
  - Multi-user Route
  - Water Tank
  - Access Point
- AMENITY**
  - Open Space
  - Woodland
  - Green Wedge
  - Nature Conservation
  - Badger Crossing
  - Badger Corridor



Development and Land Use.ai

## DISTRICT ASSESSMENT

- 8.1 The addition of a further 1,240 houses at Inshes and Milton of Leys will stretch the existing network of off-site infrastructure and community facilities, offer scope to address deficiencies and upgrade services (see Diag 7). The following are considered to be priorities necessary to achieve a satisfactory *fit* of development within the district. The Council believes that appropriate developer contributions are eligible for consideration as part of Section 75 Agreements (or other appropriate agreement/mechanism) attaching to the grant of planning permission in future, in accordance with the terms of Circular 12/96.

### Distributor Roads

- 8.2 It is anticipated that the bulk of traffic generated from Inshes and Milton of Leys will flow through the Inshes Roundabout, bound for the A9/A96 and key City destinations including the City Centre, Inverness Retail and Business Park and the Longman. With the Inshes roundabout expected to exceed its design capacity by 2006 priority must be given to upgrading. Further to an investigation by Consultants, works to reconfigure the roundabout, improve access to Inshes Retail Park, Raigmore Hospital and the Police HQ, fully signalise the junction and provide for cyclists and pedestrians is provisionally costed at £975,000. Approximately £350,000 has been committed or is in the process of being negotiated by the Council with developers of land which will increase the loading of traffic onto the roundabout.
- 8.3 Addyn Traffic and Transport Consultants have carried out a Traffic Generation Assessment (July 2003) in respect of projected development at Inshes and Milton of Leys. This estimates that the proportion of traffic (peak flows) deriving from these neighbourhoods will comprise some 32% of all traffic using the Inshes roundabout by



district facilities at Inshes

2021. Accordingly, some 32% of the outstanding cost of upgrading the roundabout (i.e. £975,000) is considered to be eligible for contribution from the developers of land at Inshes and Milton of Leys, some 30% of which should derive from development at Inshes.

- 8.4 Notwithstanding, the works identified above, the long term impact of traffic on the arterial road network within the “district” requires to be carefully monitored. A series of “Route Action Plans” may be appropriate basis for future management measures. Old Perth Road between Raigmore Hospital and Culcabock roundabout (Kingswell) is identified as a potential “pinch-point” and future flows between the SDR and A9 through Inshes and Milton of Leys will require to be assessed. The scope and options for improvement at this location require to be investigated, with some £25,000 likely to be the cost of engaging Consultants. In addition, automatic traffic counters installed at six key locations in the “district” (total cost £21,000) would provide a basis for the consideration of further adjustments as necessary.

### Strategic and Multi-User Routes

- 8.5 Opportunities exist to provide important links to the ISCRN and multi-user routes. The Council has recently installed a crossing of the SDR to link Drakies with Inshes. A connecting footpath (north of the SDR) is the subject of a Drakies Primary School bid for £21,900 from the Safer Routes fund. Further crossing points within the main neighbourhood distributor road network will be considered as desire-lines are established. Developer contributions will be sought in respect of:
- a new bridge over the Dell Burn en-route to Beechwood/Raigmore (est. cost £10,000);
  - extension of the route west of Raigmore interchange (est. cost £15,000);
  - a new link between the neighbourhoods on the south and south-west side of the City with the Inverness Retail and Business Park (60,000).

The impact of the neighbourhoods on future movement across the A9 at points other than the existing “crossings” at Inshes and Milton of Leys will require monitoring. Scope may exist to address any related measures as part of the Paths Around Inverness initiative/Highland Access Project.

8.6 General Wades Road is a planned alternative route to the National Cycle Network with opportunities to link south into Strathnairn. Given that this is capable of meeting the needs of pedestrians and cyclists between Inshes/Milton of Leys and Inverness, and that contributions are earmarked from developers towards completing priority links with the City-bound network, resources for upgrading General Wades Road should be pursued through other sources. These include the *Paths Around Inverness* initiative/*Highland Access Project*.

### Public Transport

8.7 The future neighbourhoods at Inshes and Milton of Leys should be served by a good quality, convenient bus service. This will be facilitated by the internal distributor road and connected to the wider City network and destinations via the arterial network of established public transport routes. Accordingly, developer contributions will be sought in respect of an:

- investigation of the scope for priority bus services to these parts of the City (est. cost £15,000);
- operating subsidy for an initial 5-year period (est. cost £300,000); and
- improvements to infrastructure on Old Edinburgh Road and Old Perth Road (est. cost £20,000).

<p>Formula: Distributor Roads:</p> $\frac{\text{traffic generated}}{\text{total flow}} \times \text{total cost}$
--

NEGOTIABLE DEVELOPER CONTRIBUTIONS: District	
TEC Services	<b>Inshes roundabout: upgrading; Old Perth Road–Culcabock: feasibility/traffic counters; Beechwood–Raigmore; Inverness Retail and Business Park–B9006: strategic cycle routes; Public Transport: local bus service</b>
Total Cost: <b>£1,126,000</b>	Negotiable Contribution: <b>£337,341</b>
INSHES	<b>£322,604</b>
cost per house	<b>£424.48</b>
MILTON OF LEYS	<b>£14,737</b>
cost per house	<b>£30.51</b>

NEGOTIABLE DEVELOPER CONTRIBUTIONS: Neighbourhood	
Total Cost: <b>£315,000</b>	Negotiable Contribution: <b>£166,871</b>
TEC Services	<b>Public Transport: local bus service</b>
INSHES	<b>£102,046</b>
cost per house	<b>£134.27</b>
MILTON OF LEYS	<b>£64,852</b>
cost per house	<b>£134.27</b>



## Secondary School

- 8.8 Millburn Academy is identified in the Council's PPP2 Facilities Project Programme and is proposed to be re-built, by 2008/9 with capacity for 1,100-1,250 pupils. The current roll of 1,075 is expected to rise to 1,140 by 2013. Facilities will be available for community use. Some 450 pupils can be expected to be living within the neighbourhoods at Inshes and Milton of Leys when complete.
- 8.9 Redevelopment of Millburn Academy is a Council proposal and does not derive as a result of development at Inshes and Milton of Leys.



City of Inverness from Milton of Leys

## Recreation

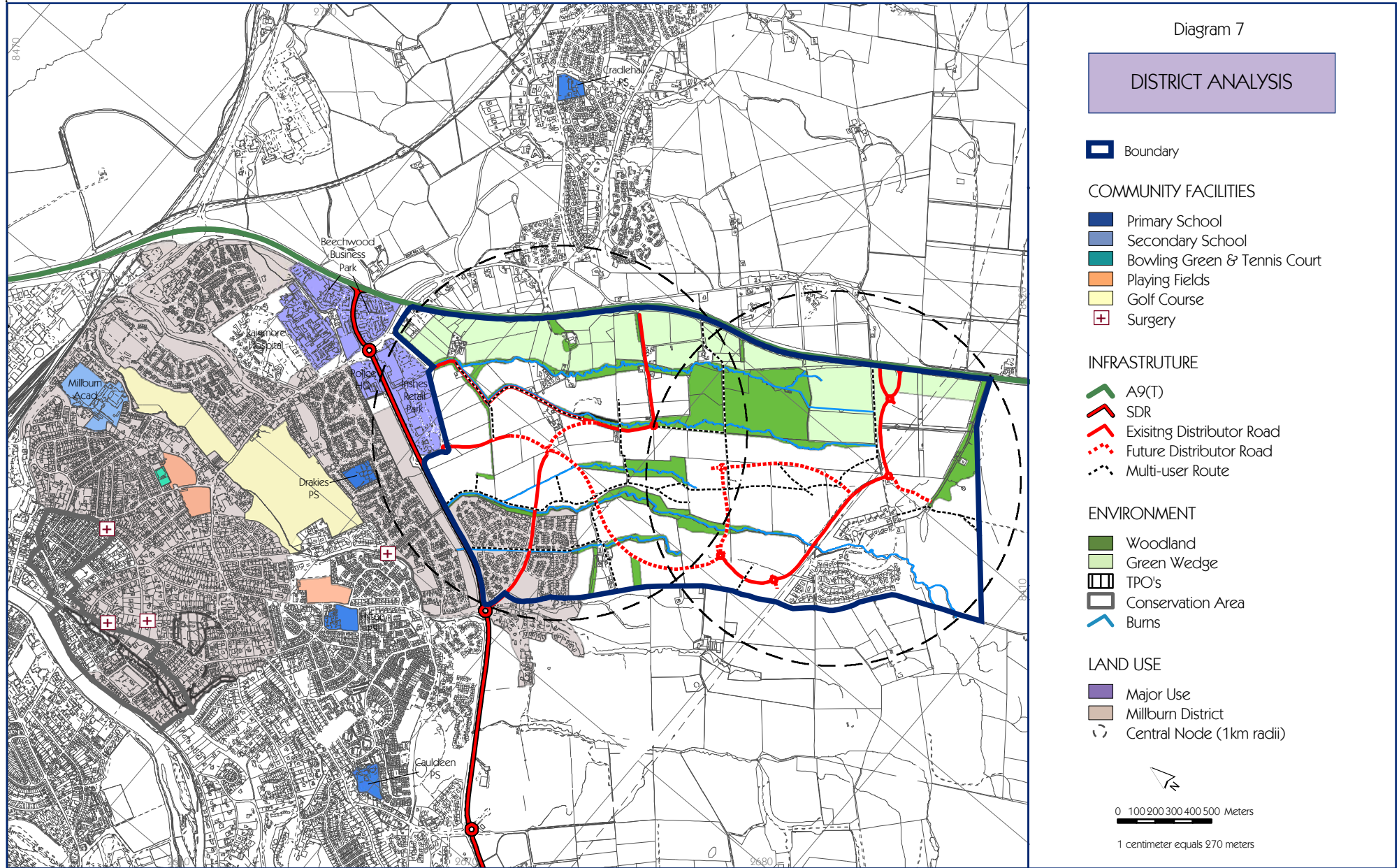
- 8.10 When completed, Inshes and Milton of Leys can be expected to support a population of 4,600, bringing the number of residents in the Millburn district to 12,240. At district level some 19–21 ha. of playing fields, courts and/or greens should be available for youth/adult use to comply with NPPG 11 (Sport, Physical Recreation and Open Space). Current provision stands at 12.2 ha., a shortfall of some 7.5 ha. which equates with the combined neighbourhood requirement for Inshes and Milton of Leys.
- 8.11 Hitherto, the District Park and “buffer” lands adjoining the Southern Distributor Road – parts of which are already in the Council’s ownership – have not been promoted for such activities. However, opportunities to recover this deficit may arise in association with the District Park and/or future management of the A9/Beechwood “green wedge”, subject to a mechanism for the transfer of land into public custody.
- 8.12 Developer contribution towards the cost of making up this deficiency (as opposed to the reservation of land) for such facilities should not exceed the equivalent provision of 1.6–1.8 ha. per 1000 residents i.e. the equivalent of 4.2 ha. at Inshes and 2.4 ha. at Milton of Leys. Pitches, greens or courts will require to be laid-out to adoptable standards, and vested with the Council (or other agreed factoring arrangement) together with an appropriate capital contribution, (currently a capitalised sum equivalent to 40x the annual maintenance costs).

Recreation: playing fields – youth/adult use		
1.6–1.8 ha. per 1000 population (contribution pro-rata with the demand generated by new development) + changing facilities/maintenance		
Millburn: 7.5 ha.	Inshes: 5.0 ha.	Milton of Leys: 2.5 ha.
cost:	cost:	cost:
Source: NPPG 11 / National Playing Field Association Standards / Inverness Local Plan		

NEGOTIABLE DEVELOPER CONTRIBUTIONS: District/Neighbourhood	
Total Cost: <b>£1,241,256</b>	Negotiable Contribution: <b>£249,526</b>
Education, Culture and Sport	<b>Playing Fields</b>
INSHES	<b>£152,562</b>
cost per house	<b>£200.74</b>
MILTON OF LEYS	<b>£96,957</b>
cost per house	<b>£200.74</b>

Formula: Recreation :

$$\frac{\text{capacity (houses) Inshes/Milton of Leys} \times \text{total cost}}{\text{total houses Millburn 2013}}$$



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## DEVELOPER CONTRIBUTIONS

- 9.1 This Brief sets out the obligations on developers of land at Inshes and Milton of Leys for which the Council will expect to negotiate developer contributions in association with future planning applications. This excludes contributions in relation affordable housing for which the developer(s) will be expected to negotiate separately with the appropriate agencies.
- 9.2 The calculations set out in the *Panel* (Developer Contributions) are indicative and for the purposes of assisting negotiations with developers. In that context the Brief identifies a maximum indicative developer contribution of £3,095,570–£3,248,670 potentially deriving from remaining development, £2,312,325–£2,405,934 of which could accrue in association with house–building at Inshes and £783,245–£842,736 of which could accrue from house building at Milton of Leys. These equate to average contributions of £3,042.53–£3,165.70 per house at Inshes and £1,621.62–£1,744.79 per house at Milton of Leys. Actual developer contributions, index linked (RPI), will be the subject of agreement attaching to the specific grant of planning permission. Developer contributions will be sought on a cost per house basis. In circumstances where the capacity of land as identified indicatively in the Brief alters by virtue of the grant of planning permission, that planning permission will provide the basis on which the Council will expect to negotiate developer contributions. Such cost–per–house contributions relate to open space, education, transport and community facilities as set out in the Brief, and do not include the costs of construction of the distributor road network which is regarded as a developer obligation (see 9.6).
- 9.3 Further, these developer obligations do not include the provision or upgrading of infrastructure and services, landscaping and for which the developer(s) of land at Inshes and Milton of Leys will be wholly and entirely responsible and which the Council

NEGOTIABLE DEVELOPER CONTRIBUTIONS	
	Total
INSHES	£2,664,902–£2,727,313
cost per house	£3,764–£3,850
MILTON OF LEYS	£801,573–£841,237
cost per house	£1,780–£1,866
Total	£3,466,475–£3,568,550

will expect to be implemented as an integral part of development proposals subject to planning permission, or concluded “bond” as appropriate.

- 9.4 The Council will normally expect to negotiate and secure developer contributions by Section 75 Agreement with other landowner/developer(s) and any relevant third parties, prior to the grant of planning permission. Consistent with Circular 12/96 and this Development Brief, the Council considers that such Agreement is required to make the development of land at Inshes and Milton of Leys acceptable in land use terms and essential to the grant of planning permission. The purpose of Section 75 Agreement is to enable development to proceed, and reduce, eliminate or compensate for any negative impacts on infrastructure, services and the environment. Whilst the purpose of the Brief is to set out clearly the Council’s expectations in respect of infrastructure and service provisions, these may require some prioritising. In the event that parties present – as part of any negotiations – exceptional circumstances which the Council accept as justification for relaxing the negotiable developer contributions defined, it would intend to afford:
- greatest weight to contributions which relate to immediate/short term requirements and infrastructure or facilities for which there is no alternative source of funding; and
  - due weight to contributions which relate to medium/longer term requirements and infrastructure or facilities for which there are alternative sources of funding.
- 9.5 The Council will expect to assemble funds to carry out and complete related works in similar terms and in association with proposals to develop all land in and adjoining the Millburn district of the City allocated for housing, business/industry, special and community uses in the Inverness Local Plan and in other circumstances where the Council is minded to grant planning permission on an equivalent cost per house basis. Whilst negotiated Agreements must enable some flexibility in the composition of

future infrastructure/service projects, related contributions will require to be “ring-fenced” for the purposes set out in the Development Brief. It will be incumbent on the Council however, to monitor the aggregation of monies over time and to consider whether it requires to make provision within its capital programme to ensure that deficiencies are timeously met. Whilst appropriate land reservations must be secured, developer contributions would normally be appropriate only where the Council has an agreed strategy or programme for the provision of infrastructure or facilities.

- 9.6 All developer contributions will be expected to be apportioned on a fair and equitable basis against each landholding, according to its potential for development. Whilst this principle is applied on a cost per house basis, circumstances may arise whereby balancing payments are necessary to compensate landowner/developers for upfront costs borne to enable development to proceed and from which subsequent landowner/developers could benefit. In this regard, consideration will be given to the means by which the costs of construction of the on-site distributor road network are shared. *Table 1: Inshes: Distributor Road Network Indicative Pro-rata Developer Costs* sets out a basis for the equal apportionment of developer obligations in respect of such infrastructure.

Table 1: Inshes: Distributor Road Network Indicative Pro-rata Developer Costs

	Residential Capacity	Total Construction Cost Apportionment	Share of Road Cost	Share of Road to be Built (m)
Tulloch Homes Ltd	131	17.2%	£495,745	487
R.F. More Properties	97	12.8%	£367,078	361
J Reid & M Duncan	229	30.1%	£866,607	852
D Mackenzie	270	35.5%	£1,021,764	1005
F Stephen	33	4.3%	£124,882	123
	<b>760</b>	<b>100%</b>	<b>£2,876,076</b>	<b>2,828</b>

The construction costs are indicative and based on an estimated average unit cost per metre.

In the event that these estimates are not borne out in practice, actual developer costs to be incurred in each case may be re-calculated on the basis of this methodology. In the event that the distributor road is built and its costs are not met on this basis, the Council will seek an appropriate contribution of funds as set out in Table 1 to enable reimbursement where necessary as part of planning permissions granted subsequently. The Council has prepared a *Protocol* governing developer contributions. This includes referral to the District Valuer in the event that the Planning Authority and relevant other interests are unable to reach agreement in respect of the stated developer contributions or those required in relation to specific development proposals.

- 9.7 Section 75 Agreement will be accompanied, as necessary, by land plans which will delineate all land to be transferred to the Council or other agency(ies) for the purposes of *securing* infrastructure and services and the maintenance thereof. This will include all distributor roads and structural cycle/pedestrian routes; all public open space and land for affordable housing.

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