

Issue 7		Inshes and Raigmore	
Development plan reference:		Policy 7 (paras. 9.18-9.20, pages 30-31)	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number)			
Health and Safety Executive (HSE) (53), Pritchett Planning for Scottish Widows Investment Partnership Property Trust (SWIP) (228), Graham and Sibbald for Mr and Mrs Grant (231), Turnberry Consulting Ltd for Highlands and Islands Enterprise (HIE) (240), Scottish Environment Protection Agency (SEPA) (326), NHS Highland (411), Halliday Fraser Munro for RF More Properties Ltd (RF More) (479), Tesco Stores Limited (520).			
Provision of the development plan to which the issue relates:		Inshes and Raigmore Mixed Use Allocation	
Councils summary of the representation(s):			
<u>HSE (53)</u> <ul style="list-style-type: none">Reports its duty to ensure that unsuitable (in terms of type and scale) developments are not proposed within the consultation distances of major hazard sites and pipelines. This site is in the general proximity of both a high pressure gas pipeline and an aviation fuel pipeline. Quotes legal support for position from EC Directive 96/82 which requires the UK to take account of the objectives of preventing major accidents and limiting the consequences of such accidents in land use policies. Sensitive uses are residential and those frequented by the public (53).			
<u>SWIP (228)</u> <ul style="list-style-type: none">Requests specific delineation and clarification of commercial role and importance of Inshes District Centre. Requests that centres such as Inshes which are already identified within the adopted local plan should be prioritised ahead of new allocations as this would fit with the Plan's theme of and priority for consolidation within the City. Also requests clarification of Council's future policy intentions for the area.			
<u>Mr and Mrs Grant (231)</u> <ul style="list-style-type: none">Clarify that they wish their land to be developed in the future rather than form part of the distributor road open space buffer. Mention support for this view from adopted local plan and record that they will comment in further detail during the forthcoming Inner Moray Firth Local Development Plan process.			
<u>HIE (240)</u> <ul style="list-style-type: none">Agrees that improving Inshes Roundabout is an important priority but suggests the Plan should clarify that the development of Beechwood Farm is not dependent upon this improvement.			
<u>SEPA (326)</u> <ul style="list-style-type: none">Objects to allocation unless the policy includes a developer requirement that any development proposals are subject to a flood risk assessment before any application is determined and that no development takes place in an area subsequently found to be within the functional floodplain as defined by Scottish Planning Policy. Believes the allocation is subject to small watercourse flood risk in particular from the Inshes Burn.			
NHS Highland (411)			

- Reports that NHS Highland is likely to review its Raigmore campus functions and facilities in the short term. The review will consider several options ranging from relocation of all existing facilities to a new greenfield site to redevelopment within the existing site. Wants the Raigmore allocation to keep all options open at present.

RF More Properties Ltd (479)

- Seeks inclusion of land south of Inshes District Centre within the Policy 7 mixed use allocation. Reports it owns part of the suggested land and will also progress the detail of the suggestion through discussions and representation on the Inner Moray Firth Local Development Plan.
- Gives the following reasons for the land's inclusion. It fits with the Plan's Vision for the Inner Moray Firth of focusing growth where infrastructure exists. There is limited scope within the allocation for development. An access from the Southern Distributor Road has already been formed. It is important to make a strategic allocation in this area with capacity for development. The land is underused and makes no visual or environmental contribution to the area. The land's development will benefit the local community. The land is accessible, marketable and deliverable. It could be developed for a use that would enhance the commercial success of Inshes District Centre.

Tesco (520)

- Disputes the Map 4 allocation of Inshes District Centre as mixed use. Asserts that the adopted Inverness Local Plan allocates Inshes as a commercial district centre and that this better matches its function, role and uses (which are primarily retail and leisure). Believes that any future development will also be retail. Suggests that different uses will cause conflict to the "operational characteristic" of the centre and that a retail district centre allocation would ensure compatibility with Scottish Planning Policy.

Modifications sought by those submitting representations:

- Amendment to policy to exclude possibility of residential use and any others that include congregation of the public within the consultation distance of the gas pipeline (assumed) (53).
- Amendment to Map 4 to specifically delineate Inshes District Centre as an existing, high priority, commercial centre. Also requests clarification of Policy 7 and supporting text (assumed) (228).
- Clarification in Policy 7 and supporting text that development at Beechwood Farm is not dependent upon improvements to Inshes Roundabout (assumed) (240).
- Policy 7 should include a developer requirement that any development proposals are subject to a flood risk assessment before any application is determined and that no development takes place in an area subsequently found to be within the functional floodplain as defined by Scottish Planning Policy (326).
- Policy 7 should be flexible in terms of the future uses and configuration of NHS Highland's interests at Raigmore (assumed) (411)
- Map 4 mixed use allocation should be extended on its southern boundary to include part of land between Inshes District Centre and Inshes Primary

School (479).

- Map 4 mixed use allocation should be removed and replaced (as it relates to Inshes District Centre) with an allocation as a district centre (520).

Summary of responses (including reasons) by Planning Authority:

HSE (53)

- The northern tip of the allocation is approximately 450 metres from the route of the Aberdeen to Conon Bridge high pressure gas pipeline at its closest point. That pipeline has a band of interest of 90 metres either side of its course. Scotland Gas Network Ltd's (the pipeline operator) consultation interest relates to civil engineering works within specified distances. The closest of which are 15 metres for piling operations and 150 metres for demolition. The only operation with an applicable consultation distance would be mining which carries a 1km distance but this is irrelevant to the uses existing and proposed.
- Similarly, the Inverness to Lossiemouth aviation fuel pipeline comes within approximately 425 metres of the northern tip of the allocation. This pipeline doesn't carry an official, operator consultation distance but the Council has informally agreed a 100 metre distance with the operator Babcock Facilities Management.
- Accordingly, the Plan allocation is not proposing any relevant use within any applicable, hazard consultation distance.

SWIP (228)

- The Council's intention is to roll forward the existing local plan's (the [Inverness Local Plan: Adopted 2006](#)) (various pages and City Inset Map) provisions for this general area but to highlight the intention to prepare supplementary guidance in the form of an updated land use strategy so that there can be future statutory supplementary guidance hooked on a policy in an approved local development plan. The only substantive change is to recognise that a more comprehensive approach to transport improvements and contributions is needed in this area.
- This comprehensive approach is required because circumstances have changed significantly since the adoption of the local plan in 2006. The Scottish Government's Strategic Transport Projects Review now includes a commitment as part of the A96 Inverness to Nairn Upgrade to provide a dual carriageway link between the A9 and A96. Lifescan Scotland has continued its expansion at Raigmore which has also accommodated the new Centre for Health Sciences. The University for the Highlands and Islands new campus at Beechwood (east of the allocation) has also been confirmed. All these changed circumstances have or will place severe constraints on the road network in this area in particular on Inshes Roundabout.
- Accordingly, the Council wishes to promote a co-ordinated approach to resolving these constraints. This is likely to involve the re-configuration and/or relocation of existing uses but also the possibility of limited new build development - all aimed at achieving a net benefit to the local and strategic road networks. However, because the detailed nature of these road improvements has yet to be decided it is not possible to provide

further clarification at this stage. A development brief / framework plan for the area or if necessary the Inner Moray Firth (area) Local Development Plan will provide the most appropriate way to decide on these details.

- The issue of the relative priority for bulky goods retail of Inshes District Centre vis-à-vis the Inverness Retail and Business Park new allocation is covered under the Issue 11 schedule: Inverness Retail and Business Park.

Mr and Mrs Grant (231)

- Mr and Mrs Grant's support is welcomed and the re-affirmation of their previous position is noted.

HIE (240)

- The Plan's Policy 10, Beechwood Campus clarifies the Council's position that developer contributions are required toward the improvement of Inshes Roundabout from the development of that allocation. The Campus now benefits from a "minded to grant" [Committee decision](#) (Item 3.1). Issue of a permission is subject to ongoing negotiation of a section 75 agreement. HIE have agreed in principle to make financial contributions toward this improvement. For clarification, the Campus proposal is not dependent upon prior completion of the Inshes junction improvement only a legal commitment to pay a contribution proportionate to its impact on that junction and to the improvement cost.

SEPA (326)

- Specific developer requirements are not appropriate to a strategic allocation, which is only intended to roll forward the provisions of the approved development plan and better co-ordinate strategic transport contributions and improvements.
- The Plan's general Policy 65 Flood Risk, already sets out adequate policy coverage. It includes the requirement for a Scottish Planning Policy (SPP) compliant flood risk assessment (FRA) for developments within any 1 in 200 year flood risk area. Policy 65 also triggers an SPP compliant FRA where "better local flood risk information is available and suggests a higher risk".
- The Council accepts that localised flood events have taken place in this area and these and information resulting from the Dell Burn Flood Study would justify a developer funded FRA for any significant development. Provision of water storage attenuation areas and watercourse improvements have taken place in recent years but further FRAs would be appropriate. However, this doesn't require an amendment to Policy 7 when Policy 65 already provides an adequate FRA trigger.

NHS Highland (411)

- The flexibility of future use and configuration requested is embodied within the existing policy. The Council would welcome further joint working with NHS Highland as its option appraisal work continues.

RF More Properties Ltd (479)

- The suggested extension land has a complex planning history. The

decision letter from [DPEA appeal reference PPA-270-294](#) dated 17 February 2005 gives the principal background. Lidl then lodged another foodstore application for this suggested extension land. It was refused by the Council in June 2010. No appeal has been lodged. The land also has planning permission for a district park and for an access to a 5-a-side soccer complex.

- The suggested extension land is allocated for amenity use within the [adopted local plan](#) (City Inset Map). This is as a mixture of formal and informal open space. The formal element relates to the Inshes District Park proposal, work on which is about to begin.
- The Council's general amenity policy in the adopted local plan safeguards areas "from development not associated with their purpose and function." Accordingly, the extension land suggested may have very limited potential as a gateway to the new district park or as a landscaped drop-off and turning area to the adjacent primary school but is not suitable for commercial buildings.
- The Council agrees that land should be allocated to support commercial growth. However, the Inverness Local Plan, the Highland wide Local Development Plan, extant permissions and minded to grant Committee decisions provide sufficient land for commercial development within the City. There are also vacant and under-used sites within Inshes District Centre (albeit there is a title restriction on further food retail within the centre).
- The suggested extension land does contribute to the amenity of the area providing a green buffer and set-back between distributor roads and housing / district park areas.

Tesco (520)

- The mixed use allocation promotes flexibility and certainly does not exclude further retail development within the Inshes District Centre. The title restriction imposed at the request of Tesco does far more to restrict (food) retail within the Centre.
- There is already a community church within the Centre which doesn't cause conflict to its "operational characteristic." To prevent other community uses would not be appropriate particularly where they too would benefit from district centrality and good public transport accessibility.

Any further plan changes commended by the council

None.

Reporter's conclusions:

Added by Reporter at later date.

Reporter's recommendations:

Added by Reporter at later date.