

Issue 13		Tornagrain	
Development plan reference:		Policy 13 (Para 12.4, Page 44)	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number)			
Network Rail (32), Health and Safety Executive (HSE) (53), Mary Harrison (73), Scottish Natural Heritage (SNH) (118), Westhill Community Council (147), Julian Walford (155), Highlands & Islands Green Party (168, 533), Turnberry Consulting (Moray Estates) (171), Mrs Annie Stewart (172), C Stafford (272), Scottish Wildlife Trust (285), Scottish Property Federation (291), Mrs Sally Melville (313), Scottish Environment Protection Agency (SEPA) (326), Lance Hill (343), J Merrouni (397), Scottish Association for Public Transport (446), Robin Buchanan (451)			
Provision of the development plan to which the issue relates:		Allocation for new settlement at Tornagrain	
Councils summary of the representation(s):			
<u>Concerns regarding the principle of development:</u>			
<ul style="list-style-type: none"><li>• Totally against the Tornagrain development because Nairn is being expanded and Stratton Farm has just received permission in principle (343)</li><li>• Still question the sustainability of a new town here but if it is to go ahead it should serve as a community in its own right (172)</li><li>• Development of Tornagrain will increase congestion and negate any improvements to the A96. Would prefer additional development of existing settlements rather than new towns which have a poor record for public transport (446)</li><li>• Issue with and object to the inclusion of Section 12 and policy Statement 13 on Tornagrain because of contradictory statements between HwLDP statements and the A96 Corridor Transport Study (i.e. the A96 study assumes a later starting date on 2016) and minimal description of the relationship of Tornagrain to the SSCI process. A Scottish Minister wrote that submissions to the SSCI were assessed under criteria related to the potential of a project to deliver long term sustainability through communities that engage positively with the environment. It was a requirement for any project that was not already allocated within a development plan to demonstrate a practical approach to delivery. This approach had to be in line with all statutory procedures and SSCI status does not in any way pressurise decisions on planning matter (272)</li><li>• The Highland Council must provide high quality analysis of population and employment statistics that address much more precisely the amount and type of housing actually needed in the area. Nothing we have seen to date has been more than aspiration or 'finger in the air' numbers (451)</li><li>• The Highland Council has not effectively addressed the issue of eliminating the horrendous incrementalism of their approach where development is proposed for Croy, Tornagrain ,Culloden, Sunnyside, Ardersier, Nairn, etc without actually adding it all up and considering</li></ul>			



the total negative effect on infrastructure, the environment, employment, quality of life and other issues (451)

- The Highland Council has not effectively addressed the issue of avoiding the hollowing out of Inverness (and Nairn) just like the USA and England did to their cities and towns in the 60s and 70s when everyone fled to the suburbs leaving city centres as crime spots (451)
- Have the Council offered any alternative locations for these developments that would be welcomed by those local communities who need the development as opposed to those who live in the Tornagrain/Croy/Dalcross communities? (451)
- Support the development of the site and the contribution it will make to meeting housing need (291)

Concern regarding level of community consultation:

- The Highland Council has not clarified the strength of support and opposition for these developments from local people whose interests they are supposed to represent. At one village meeting I went to for example out of about 100 people present at least 80 spoke or applauded speakers against the Tornagrain proposal. The council refer to getting 'buy-in'. This is the same cynical nonsense that the American charette attempted. We don't need the council to get us to buy-in. We need them to listen to us and respond constructively and specifically to each of our objections and concerns until either a large majority of us are convinced or they drop these poorly thought through ideas (451)

Concern regarding the provision of facilities:

- Questions why is there only provision for a secondary school in the period 2026-31, no provision for leisure facilities and only minimal provision for commercial/business facilities but then only after 2021 (533)
- The area does not have sufficient medical facilities for increased population (313)
- Development should service Inverness by providing largely residential development with small retail units, the planned primary school and health centre by 2021. The main commercial and business development should be around the airport with an airport hotel (172)
- I have no problem with the Tornagrain proposals, but only if the employment opportunities match the residential development. I would object to Tornagrain if it is only a commuter suburb for Inverness, or a new out-of-town retail site (155)
- Overall, we conclude that if the Plan's provisions for Tornagrain (and East Inverness) are retained, the upshot will be piece-meal, patchy developments lacking the necessary infrastructure - notably local shops, schools, and thereby repeating the same, well-known planning problems that have concerned many Inverness residents in recent years (147)
- The Highland Council has not effectively addressed the issue of demographic issues, particularly provision of health and other services



for older people and education for children (451)

Concern regarding impact of development on traffic/roads:

- Road upgrades should be completed prior to any new development on the A96 corridor (343)
- Wish to object to the Tornagrain development as the A9, A96 and all the minor roads are quite inadequate for the increased traffic (313)
- Agree with permitting the development of early phases with just localised improvements to the transport network (291)
- Disappointed to see the retaining provision for the development at Tornagrain (and East Inverness). We see no need at all for these two massive developments. Traffic congestion around the area and into Inverness will increase significantly, and cannot see from where the required public finance for necessary infrastructure development will come from (147)
- Tornagrain should not be allowed to proceed until the A96 airport roundabout and the road to Croy has been upgraded (xref Policy 20:Croy) (73)
- It is not sufficient to just highlight the Mid-Coul roundabout, which is actually quite a high capacity new roundabout anyway. As Map-7 clearly shows, the new settlement is actually centred not at Tornagrain, but on the Croy to Mid-Coul road where the early phases will be developed. This road must be specifically upgraded (155)
- The Highland Council has not effectively answered the questions about re-routing the A96 and all the other traffic issues that arise from developing an area with already high traffic demands or how they propose to address all the problems caused by the actual building works. While it goes on builders and their lorries will be adding to traffic and pollution problems for example (451)

Concerns regarding the loss of agricultural land:

- Development would be concomitant with the destruction of vital agricultural land (147)
- The Highland Council has not effectively addressed the issue of building on greenfield prime agricultural land at a time when food security is becoming increasingly important (451)
- Should remain designated as agricultural land or designated as open space, including provision for parkland, and arboretum (168)

Concern regarding impact of development on tourism industry:

- The development will have a potentially damaging effect on tourism (313)
- Disappointed at the loss of trees, and with Tornagrain's close vicinity to the airport our gateway will welcome visitors to the Highlands with bland housing (397)
- The Highland Council has not effectively answered the question as to how much damage to tourism will be caused by these proposals. Why



would people from the built up areas of the Central Belt, England or America want to go for a holiday in the Highlands when it will just look like more of the same urban/suburban blight they are trying to get a holiday from? (451)

Concern regarding the impact of developments on other settlements:

- Concern about Tornagrain's potential impact on Croy (397)
- If Tornagrain is developed it will provide 844 houses in 10 years, so why does Croy need 100 in this period. It seems like even more development pressure (73)

Concern regarding the Dalcross Level Crossing:

- Of direct concern to Network Rail is Dalcross Level Crossing (Location plan submitted). The level crossing is a public crossing and has auto half barriers. The level crossing has been identified as one at risk. In 2005, Network Rail and the Council tried to close it but issues were raised during consultation that the Council felt they could not reasonably resolve and so the crossing was left open. However the proposed development at Tornagrain will over time substantially increase traffic over the crossing and therefore safety risk (32)

Concern regarding the level of development & phasing:

- Object to the terms of the policy as being unduly restrictive by virtue of the cap placed on the development of phases and number of units over a prescribed period of time. The automatic restriction beyond Phases 1 & 2 restricting any further development prior to major infrastructure upgrades and, in particular, prior to significant improvements to the strategic transport network east of Inverness. There is thus no scope to account for changing circumstances such as if the predicted travel growth does not occur at the levels or within the time-frame predicted. This could lead to a failure to meet future demand despite there being sufficient infrastructure capacity, as such further developments would technically be contrary to the policy as it stands (171)

Concern regarding the proposed development's proximity to airport:

- The Highland Council has not effectively addressed the issue of building a town next to an airport with all the noise, traffic, and safety issues that that raises (451)

Concern regarding the financing of the proposed development:

- The Highland Council has not effectively addressed the issues raised regarding finance. At the meeting mentioned above the planner seemed to say that developers would not be liable to pay for/finance certain critical costs thus putting the burden on local tax payers. Who picks up the tab if it all goes pear-shaped financially—the UK



government?, the Scottish Government?, or Highland Council? Developers go bust. Costs over-run. Costs appear that nobody thought of and nobody is responsible for paying (451)

Concern regarding potential local impacts:

- The Highland Council has not effectively addressed the issues raised by residents and others around light pollution, noise pollution, wildlife disturbance, fly tipping, crime, trespass, and all the usual problems associated with major developments in the countryside (451)
- The Highland Council has not effectively explained how they are going to recompense local businesses and others damaged by these proposals (451)

Concerns regarding impact of proposed development on flooding and water environment:

- SEPA object to this policy unless there is a requirement that dependent on the specific location in relation to any watercourses development proposals should be 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. This is because we consider that there may be a risk of flooding from the tributary of the Ardersier Burn and other small watercourses within this allocation (326)
- In relation to the protection of the water environment and River Basin Management Planning SEPA note that the burn crossing the allocation has sections of partial and total realignment. We would promote channel restoration in development of this area. In order to meet the requirements of the Water Framework Directive (200/60/EC), planning authorities are designated “responsible authorities” by the Water Environment and Water Services (Designation of Responsible Authorities and Functions) Order 2006 (326)

Concerns regarding provision of infrastructure:

- Connection to Public Waste Water Network - SEPA object to the provision in Policy 13 that Phase 1 and Phase 2 would, in the first instance, be connected to a private water treatment system and that thereafter it should be connected to the public water and waste water networks. SEPA maintain our position that all phases of development at Tornagrain should connect to the public waste water network. Further details expressed are contained within SEPA’s submission (326)
- The Highland Council has not effectively addressed the need for both clean and dirty water services that don’t drain Loch Ness or overwhelm local sewage works (451)
- The Highland Council has not effectively addressed the issue of the need for gas and electricity infrastructure or outlined a sensible time



phased plan where the infrastructure is put in first not last (451)

#### Other

- The proposal and policy should be subject to Habitats Regulations Appraisal (118)
- The wording “due consideration should be given to Kildrummie Kames SSSI” lacks clarity, the wording should be similar to that describing SAC and SSSI in Policy 12 (285)
- This area may have either hazardous installations and/or pipelines whose consultation distances may encroach on development areas (53)

#### **Modifications sought by those submitting representations:**

##### Dalcross Level Crossing

- Welcome that the Policy recognises that developer contributions will be required for infrastructure improvements but would like this Level Crossing to be closed and as a last resort, developer funding to significantly improve the infrastructure. Request that this is addressed specifically in the Policy or at the very least the inclusion of an appropriate bullet point under ‘Transport’. *Request that Policy 13 is amended to include specific guidance to developers in relation to the Level Crossing identifying it as a physical constraint to development proceeding which must be addressed through consultation with the Highland Council and Network Rail.* (32)

##### Level of Development & Phasing

- Paragraph 12.4.1 should be amended as follows
- Amend the second paragraph to read “This spatial strategy supports the development at Tornagrain over the plan period on a phased basis where capacity exists in the supporting infrastructure”;
- Modify the development schedule table to show only the total amount of floorspace/units to be provided under each use class;
- Amend the final paragraph to read “The development of the later phases of Tornagrain will be supported as long as capacity exists in the strategic transport network” (171)

##### Provision of Facilities

- Policy must clarify the provision for secondary school in 2026-2031, provision of leisure facilities and minimum provision for commercial/business facilities (533)
- Policy should allow for the development to be largely residential with small retail units, the planned primary school and health centre by 2021. The main commercial and business development should be



around the airport with an airport hotel (172)

#### Allocation

- Removal of allocation for Plan (assumed) (147,313)
- Policy to specify development will not be permitted until A96 airport roundabout and the road to Croy have been upgraded (assumed) (73, 343)
- Removal of allocation & amendment to overall strategy to allow additional development of existing settlements (assumed) (446)

#### Flood Risk & Water Environment

- Policy should include a requirement that, dependant on the specific location in relation to any watercourses, development proposals should be subject to a Flood Risk Assessment before any application is determined and that no development takes places in an area subsequently found to be within a functional floodplain as defined by Scottish Planning Policy (326)
- Policy should promote channel restoration of the burn (326)

#### Infrastructure

- Policy should be amended to state that all phases of development should connect to the public waste water network (326)

#### Roads

- Policy needs to specify that the Croy to Mid-Coul Road will be upgraded (155)

#### Policy

- Policy/ supporting text must address discrepancies between the HwLDP and A96 Corridor Transport Study and the minimal description of the relationship to the SSSI (272)

#### Other

- Wording relating to the SSSI should be amended to be similar to that describing SAC and SSSI in Policy 12 (285)
- Policy must be subject to a Habitats Regulation Appraisal (118)



## Summary of responses (including reasons) by Planning Authority:

### Rationale for Development

- The Council is supportive of the development at Tornagrain as part of a wider growth strategy for the A96 Corridor. The principle of a new settlement at this location was confirmed in the A96 Corridor Framework, which was adopted by the Council as Supplementary Planning Guidance, pending the preparation of this Local Development Plan. Many of the matters raised in this consultation (including the proximity to the airport) have been addressed in earlier consultations, and reported to the Council Committee at that time. Background information on the A96 Strategy and the role of Tornagrain within it is available on the Council's web-site.
- [National Planning Framework 2](#) (Para. 214, Page 85) identifies the A96 Corridor between Inverness and Nairn as an Area for Co-ordinated Action and the main focus for growth in the Inner Moray Firth. The proposed development at Tornagrain is therefore consistent with Scottish Government's national spatial strategy for long term development to deliver increased sustainable economic growth. Detailed figures regarding housing need and demand are available in the Council's [Housing Need and Demand Assessment](#) as well as referred to in the Schedule 4 referring to Population and Housing (Issue 86).
- Tornagrain was also chosen as one of the Scottish Government's Scottish Sustainable Communities Initiative sites.
- The Tornagrain proposal is subject of a current planning application ([09/00038/OUTIN](#)) which will not be determined by the Council until such time as the outcome of the Examination is known. The Council has developed the proposed Plan policy to put in place a phased development strategy of the new settlement which will reflect the fact that this is a long term development opportunity which will take many years to build out. A lot of the information submitted with the planning application and subsequently by Moray Estates shows how the site will develop in distinct phases, with the appropriate community facilities being provided at the appropriate time. The information submitted also shows the landscape framework which will ensure separation from Croy and indeed integration with the Inverness Airport Business Park, which is part of the long term employment land supply for the area.
- The consolidated [Scottish Planning Policy](#) states that development on prime agricultural land will not be permitted unless it is an essential component of the settlement strategy. The proposed development at Tornagrain is an fundamental component of the A96 Corridor Growth Strategy that will help to work towards meeting a backlog of housing need and demand within this area.



### Provision of Facilities

- The Council believes adequate provision has been made for a range of facilities that will allow Tornagrain to become a self sustained and sustainable community. In terms of education, discussions between the developer and the Council are ongoing in this regard and the intention is that education provision will be funded by the developer. A health centre is proposed for the initial phase between 2011 and 2016. Provision has also been made within the first phase for various commercial and retail opportunities (including café, bar/restaurant, retail units) and over the long term Tornagrain's proximity to the forthcoming development of the Airport Business Park will provide sustainable employment opportunities.

### Sustainability

- The town design is underpinned by a series of design principles that will ensure the development will be compact, diverse, mixed use and sustainable. Development thereby will be of sufficient scale to support employment, commercial and community needs. The location and structure should reduce the need for car based travel and increase the potential for people to live and work in close proximity, particularly through the inclusion of live-work units.

### Impact on Local Roads

- The Council acknowledge such a significant development will undoubtedly have an impact on roads, for this reason the developer requirements outlined in the Plan aim to ensure the initial phases of development are self contained/self sufficient in order to minimise any negative impact to any surrounding roads. To further minimise impact, the Council has outlined developer requirements to improve bus services and provide for active travel linkages to key community facilities to make public transport as attractive as possible and thereby reducing car usage. Over the longer term the development of the later phases will not be supported in advance of significant improvements to the strategic transport network to the east of Inverness, and a full assessment of other services and infrastructure required. This approach is supported by Transport Scotland and will allow the delivery of early phases of development to progress prior to significant investment in the trunk road network.

### Foul Drainage

- Discussions have been held between Moray Estates and Scottish Water regarding the scale and costs associated with improvements that would be necessary to take the foul drainage from the boundary of the site to the treatment works at Ardersier. Such a scheme would be best addressed collectively with the Inverness Airport Business Park



given the obvious economies of scale and joint benefit. The preference is that a connection to the public network is made as part of the development.

#### Dalcross Level Crossing

- The Council would be happy for the policy to be amended to include a developer requirement to address this issue, albeit that the delivery of a solution in this area will be dependent on working with Network Rail, the Council and the community. It is not anticipated that this issue is fundamental to the early development of the site, but this can be clarified in further discussion.

#### Habitats Regulation Appraisal

- The Council is progressing the Plan's Habitats Regulations Appraisal (HRA) in conjunction with SNH. The Council accepts that this allocation should not be screened out and should be subject to full HRA. Details of appropriate mitigation will be confirmed through this process.

#### **Any further plan changes commended by the council**

None.

#### **Reporter's conclusions:**

#### **Reporter's recommendations:**