

Agenda Item	5.1
Report No	PLS/021/19

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 12 March 2019

Report Title: 19/00409/PAN: Springfield Properties PLC
Land 230M West Of East Lodge, Achnagairn, Kirkhill

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Residential development and associated infrastructure

Ward: 12 – Aird and Loch Ness

Recommendation

Members are asked to note the submission of the PAN and highlight any material issues they wish to be brought to the attention of the applicant before the submission of the application for planning permission.

1. BACKGROUND

- 1.1 To inform the Planning Applications Committee of the submission of the attached Proposal of Application Notice (PAN).
- 1.2 The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was lodged on 25 January 2019. Members are asked to note this may form the basis of a subsequent planning application
- 1.3 The submitted information attached includes:
 - Proposal of application Notice
 - Location Plan
 - Copy of Event Notice
 - Covering Letter

The applicant has set out that their consultation event will be on 25 April 2019, however they have been advised that the consultation event needs to take place within the 12 week period from serving of the notice.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 Based upon the information provided, the development is likely to comprise of residential development and associated infrastructure on a site covering 7.85 hectares (ha).
- 2.2 The applicant is seeking pre-application advice from the Planning Authority via the Pre-Application Advice Service for Major Developments.

3. SITE DESCRIPTION

- 3.1 The site comprises of an area of relatively flat agricultural land which extends to approximately 7.85 ha. The site boundary also incorporates an adjoining, undeveloped gap site within the Mansefield Park housing development.
- 3.2 The site is located to the south west of Kirkhill, with the north/east boundary of the site immediately adjoining the residential properties of Mansefield Park. The site is bounded to the west by agricultural land and to the south/south-east by the B9164 public road.
- 3.3 A high voltage electricity power line runs from east to west across the site with a pylon in the far eastern corner of the site and another pylon towards the north western boundary.
- 3.4 While no details have been provided at this stage there are two potential accesses to the site: from the B9164 and via a gap site within Mansefield Park.
- 3.5 There are no scheduled monuments within the site. There is one historic environment record towards the north western boundary which identifies a ruinous farm steading. The B-Listed East Lodge of the Achnagairn estate is to the east of the site, adjoining the south side of the B9164. There are a number of other listed buildings within the vicinity of the site including two A Listed buildings at Old

Wardlaw Church.

- 3.6 There are a number of environmental designations in the wider area including the Beaully Firth Site of Special Scientific Interest, Special Area of Conservation, Special Protection Area and Ramsar site which lies just over 1km to the north of the site. The woodland which is immediately south of the B9164 forms part of Achnagairn estate and is covered by a Tree Preservation Order (TPO).
- 3.7 Within the eastern part of the site an area of approximately 0.4 ha is shown to be at risk of pluvial flooding.

4. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

4.1 Highland Wide Local Development Plan 2012

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 32 - Affordable Housing
- 34 - Settlement Development Areas
- 51 - Trees and Development
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 61 - Landscape
- 63 - Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 72 - Pollution
- 73 - Air Quality
- 74 - Green Networks
- 75 - Open Space
- 77 - Public Access

4.2 Inner Moray Firth Local Development Plan (2015)

Policy 2 – Delivering Development

4.3 Highland Council Supplementary Planning Policy Guidance

- Construction Environmental Management Process for Large Scale Projects (Aug 2010)
- Developer Contributions (Nov 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (Mar 2013)
Managing Waste in New Developments (Mar 2013)
Open Space in New Residential Developments (Jan 2013)
Physical Constraints (Mar 2013)
Public Art Strategy (Mar 2013)
Standards for Archaeological Work (Mar 2012)
Sustainable Design Guide (Jan 2013)
Trees, Woodlands and Development (Jan 2013)

4.4 **Scottish Government Planning Policy and Guidance**

Scottish Planning Policy (June 2014)
National Planning Framework 3 (June 2014)
Designing Streets (March 2010)
Creating Places (June 2013)

5. **POTENTIAL MATERIAL PLANNING CONSIDERATIONS**

- 5.1
- a) Development plan;
 - b) Planning history;
 - c) National policy;
 - d) Roads and transport;
 - e) Pedestrian and cycle links;
 - f) Water, flood risk, and drainage;
 - g) Natural heritage;
 - h) Built and cultural heritage;
 - i) Design and layout;
 - j) Landscape and visual impact;
 - k) Access and recreation;
 - l) Noise and light pollution;
 - m) Construction impacts;
 - n) Phasing;
 - o) Open space and landscaping;
 - p) Infrastructure capacity and delivery (including education provision); and
 - q) Any other material considerations raised within representations.

6. **CONCLUSION**

- 6.1 The report sets out the information submitted to date as part of the PAN. Summarised are the policy considerations against which any future planning application will be considered as well as the potential material planning considerations and key issues based on the information available to date. The list is not exhaustive and further matters may arise as and when a planning application

is received and in the light of public representations and consultation responses.

7. IMPLICATIONS

7.1 Resource: Not applicable

7.2 Legal: Not applicable

7.3 Community (Equality, Poverty and Rural): Not applicable

7.4 Climate Change/Carbon Clever: Not applicable

7.5 Risk: Not applicable

7.6 Gaelic: Not applicable

8. RECOMMENDATION

It is recommended the Committee notes the submission of the PAN and advises of any material issues it wishes to be brought to the applicant's attention.

Signature: David Mudie

Designation: Area Planning Manager – South

Author: Douglas Chisholm

Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 - Location Plan

PROPOSAL OF APPLICATION NOTICE

MOLADH BRATH IARRTAIS

The Town and Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) Act 2006
 Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

The Council will respond within 21 days of receiving the Notice. It will advise whether the proposed Pre-application Consultation is satisfactory or if additional notification and consultation above the statutory minimum is required. Please note that a planning application for this proposed development cannot be submitted less than 12 weeks from the date the Proposal of Application Notice is received by the Council and without the statutory consultation requirements having been undertaken. The planning application must be accompanied by a Pre-application consultation report.

Applicant Springfield Properties PLC.....Agent.....

Address Alexander Fleming House,.....Address

8 Southfield Road.....

Elgin, IV30 6GR.....

Phone No. 01343 552550.....Phone

E-mail stuart.morrison@springfield.co.uk.E-mail

Address or Location of Proposed Development Please state the postal address of the prospective development site. If there is no postal address, please describe its location. Please outline the site in red on a base plan to a recognised metric scale and attach it to this completed Notice

Land at Wester Kirkhill.

Description of Development Please include detail where appropriate – eg the number of residential units; the gross floorspace in m² of any buildings not for residential use; the capacity of any electricity generation or waste management facility; and the length of any infrastructure project. Please attach any additional supporting information.

Residential development and associated infrastructure.

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Pre-application Screening Notice

Has a Screening Opinion been issued on the need for a Proposal of Application notice by the Highland Council in respect of the proposed development?

If yes please provide a copy of this Opinion.

YES..... NO...X.....

Community Consultation [See checklist of Statutory minimum consultation attached]

State which other parties have received a copy of this Proposal of Application Notice.

Community Council/s Date Notice Served

Kirkhill and Bunchrew Community Council 25/01/2019

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Names/details of any other parties Date Notice Served

Local Ward Members and Ward Manager 25/01/2019

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Please give details of proposed consultation

Proposed public event Venue Date and time

Public exhibition at Kirkhill Community Centre on the 25th of April 2019 2pm to 8pm.....
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Newspaper Advert–name of newspaper Advert date(where known)

Inverness Courier

Details of any other consultation methods (date, time and with whom)

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Signed Stuart Morrison..... Date...25/01/2019.....