

Agenda Item	5.3
Report No	PLS-018-21

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 27 April 2021

Report Title: 21/01347/PAN: Kirkwood Homes
Land 170M SW Of Magdalen, Druid Temple Road, Inverness
(Fairways Loch Ness Golf Course)

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Mixed use development comprising: up to 800 houses; primary school / community campus, office and retail / commercial development; 9 hole golf course; woodland planting, amenity open space and associated infrastructure.

Ward: 19 – Inverness South

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 an application for planning permission.

1.0 BACKGROUND

- 1.1 This report informs 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 made valid on 19 March 2021. The PAN is a statutory requirement for planning applications for major or national developments and must be lodged at least 12 weeks prior to the submission of a planning application. 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 (Application Form)
 - Application Form Addendum
 - Location Plan
- 1.4 In line with Covid-19 public health advice and temporary modifications made to the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, the prospective developer proposes to undertake an online public consultation. Virtual events will allow members of the public to engage in live discussion. Two events are due to take place on 31 March 2021, 1500 - 1800hrs; and Event 2 – 19 May 2021, 1500 - 1800hrs.
- 1.5 The virtual event webpage details are: www.fairwaysconsultation.co.uk
- 1.6 The consultation will be publicised and advertised in accordance with the appropriate statutory requirements with adverts to be placed within the Inverness Courier and the Press and Journal. An invitation maildrop will also be undertaken by the applicant to make people aware of the proposed development. The catchment for its distribution has been agreed with the Planning Authority and will cover a 300m radius. Details of all notified parties are contained and appended to the PAN form, and include all nearby Community Councils, Inverness South, Ness-side and Millburn local ward Councillors, MSPs, MP, local School Parent Councils and other community and business interest groups. Additional public notices for both events will be placed as appropriate in the local area, including the Fairways Golf Centre and the ASDA supermarket.
- 1.7 The forthcoming application will be accompanied by a Pre-Application Consultation (PAC) report explaining the consultation undertaken, feedback received, and any resultant amendments made to the planning application.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The PAN provides notice of the developer's intention to submit a planning application classified as a Major Development. The prospective mixed use development comprises: up to 800 houses; primary school / community campus, office and retail / commercial development; 9 hole golf course; woodland planting, amenity open space and associated infrastructure.

- 2.2 The developer outlines that a landscape led masterplanned approach is proposed and that a hybrid application(s) will be forthcoming covering areas for Planning Permission in Principle and areas for detailed Planning Permission. The development is intended to be phased and built out over a nine year period, with the priority being afforded to the early availability of land for employment uses and affordable housing.
- 2.3 The developer has recently sought pre-application advice from the Planning Authority through the Pre-Application Advice Service.

3.0 SITE DESCRIPTION

- 3.1 The PAN boundary comprises 83ha of land which includes the Fairways Loch Ness Golf Course located within southern Inverness. The site is bound by, and includes, a section of Sir Walter Scott Drive (the Southern Distributor Road) to the north. To the east is the residential area of Druid Temple, including areas of woodland and agricultural land, which has planning permission for residential development. To the south, the site is bound by a belt of woodland which adjoins agricultural land. To the east of the site lies the residential area of Slackbuie, with the site including sections of local roads, including Upper Slackbuie, Slackbuie Way and Morning Field Road. To the west the site is bound by Fairways Business Park, with the golf course clubhouse, driving range, and leisure facilities and associated parking being located within the site.
- 3.2 The south western area of the site, along with the wider residential areas of Slackbuie, falls within the Leys Castle Designed Landscape (GDL00264) which is associated with the Category A listed Leys Castle and Garden Terraces (LB8053). The rest of the site is not located within or close to any natural or built heritage designation. Woodland within the site, is included in the ancient woodland inventory and there a number of core paths throughout the site. There are also areas of fluvial flood risk associated with the Ault na Skiach burn which flows south to north through the centre of the site.

4.0 DEVELOPMENT PLAN

The following policies are relevant to the assessment of the proposal:

4.1 Highland Wide Local Development Plan (2012)

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constrains
- 31 - Developer Contributions
- 32 - Affordable Housing
- 34 - Settlement Development Areas
- 37 - Accommodation for An Ageing Population
- 40 - Retail Development
- 41 - Business and Industrial Land
- 42 - Previously Used Land
- 51 - Trees and Development
- 52 - Principle of Development in Woodland

55 - Peat and Soils
56 - Travel
57 - Natural, Built & Cultural Heritage
58 - Protected Species
59 - Other Important Species
60 - Other Important Habitats
61 - Landscape
63 - Water Environment
64 - Flood Risk
65 - Waste Water Treatment
66 - Surface Water Drainage
70 - Waste Management Facilities
72 - Pollution
73 - Air Quality
74 - Green Networks
75 - Open Space
77 - Public Access

4.2 **Inner Moray Firth Local Development Plan (2015)**

The site is located within the Inverness Settlement Development Area boundary within the Inner Moray Firth Local Development Plan (IMFLDP) where it is identified as Open Space. The following policies of the IMFLDP also apply:

- IMFLDP Policy 1 – Promoting and Protecting City and Town Centres.
- IMFLDP Policy 2 – Delivering Development.

The IMFLDP is currently undergoing review with consultation on the Main Issues Report (MIR) ongoing with a Proposed Plan anticipated in early 2022. The MIR identifies the site as 'non-preferred site' where development is not supported.

4.3 **Highland Council Supplementary 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)
- Roads and Transport Guidelines for New Developments (May 2013)
- Standards for Archaeological Work (Mar 2012)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)

4.4 Scottish Government Policy and Other Guidance

- Scottish Planning Policy (Jun 2014 and as amended Dec 2020)
- National Planning Framework 3, NPF3 (Jun 2014) and the emerging content of NPF4
- Energy Efficient Scotland Route Map (May 2018)
- Scotland's Energy Strategy Position Statement (Mar 2021)
- Historic Environment Policy for Scotland (Apr 2019)
- PAN 1/2021 – Planning and Noise (Mar 2011)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- PAN 61 – Sustainable Drainage Systems (Jul 2001)
- PAN 68 – Design Statements (Aug 2003)
- PAN 75 – Planning for Transport (Aug 2005)
- PAN 77 – Designing for Safer Places (Mar 2006)
- Inverness Southern Distributor Road Minute of Agreement (June 1999)

5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- a) Development Plan and Other Planning Policy;
- b) Design and Layout (including Landscape and Visual Impact);
- c) Open Space and Landscaping;
- d) Roads, Access and Parking;
- e) Impact on Infrastructure (including education);
- f) Natural Heritage (including protected species, ornithology and trees);
- g) Built and Cultural Heritage;
- h) Water Environment, Flood Risk and Drainage;
- i) Amenity Impacts (including during construction); and
- j) Any Other Material Considerations Raised within Representations.

6.0 CONCLUSION

6.1 The report presents 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.

7.0 IMPLICATIONS

7.1 Not applicable.

8.0 RECOMMENDATION

8.1 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.

Designation: Area Planning Manager – South

Author: Peter Wheelan

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

Relevant Plans: Plan 1 - Location Plan

PROPOSAL OF APPLICATION NOTICE

Town and Country Planning (Scotland) Act 1997 (Section 35B)
The Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013 (Regulations 4 -7)

To be completed for all developments within the national or major categories of development

Name of Council

Address

Proposed development at [Note 1]

Description of proposal [Note 2]

Notice is hereby given that an application is being made to

[Note 3] Council by [Note 4]

Of [Note 5]

In respect of [Note 6]

To take place on [Note 7]

[Note 8] The following parties have received a copy of this Proposal of Application Notice

[Note 9] For further details contact

on telephone number

And/or at the following address

[Note 10] I certify that I have attached a plan outlining the site

Signed

On behalf of

Date



Addendum to Proposal of Application Notice (PoAN):

Description of Proposal: “Mixed use development comprising up to 800 houses (private and affordable), primary school / community campus, office and retail / commercial development; 9 hole golf course; new woodland planting, amenity open space with associated infrastructure, access, drainage and SUDS”.

Address: Land at Fairways, Sir Walter Scott Drive, Inverness, IV2 6AA.

Applicant: Kirkwood Homes

Agent: Emac Planning

Proposed Consultation:

- PoAN sent to the parties listed in Appendix 1 on 19th March 2021.
- Statutory Advert to be placed in the Press and Journal on 22nd March 2021 and the Inverness Courier on 23rd March 2021.
- Traditionally the applicants would have carried out a public exhibition at a locally convenient venue but in light of Covid-19 restrictions this is not possible and therefore an alternative solution has been devised in the form of an online consultation website and two online consultation events. As well as inviting local community and other stakeholders, the applicants will also publicise the events in the local press and social media with an extended display period for the website. Members of the public will have the opportunity to ask questions and provide feedback through the consultation website. This is all in keeping with current legislation and guidance provided by the Scottish Government.
- The website will go live on 22nd March 2021:
www.fairwaysconsultation.co.uk

- The first online interactive consultation event will held on 31st March 2021 (3pm to 6pm) and details will be advised via the web site.
- The second online interactive consultation event will held on 19th May 2021 (3pm to 6pm) and details will be advised via the web site.
- Additional public notices for both events will be placed as appropriate in the local area, including the Fairways Golf Centre and the local ASDA supermarket.
- Additional press and social media releases will also be issued as appropriate.
- Comments on the proposals for the first event can be submitted up to 16th April 2021 and for the second event up to 4th June 2021.

APPENDIX 1:

The Highland Council

Community Councils:

- **Slackbuie Community Council:**
 - Chair: Mark Lindley-Highfield of Ballumbie Castle
- **Inshes and Milton of Leys Community Council:**
 - Chair: Norman Cordiner
- **Lochardil Community Council:**
 - Chair: Maria De La Torre
- **Hilton, Milton and Castle Heather Community Council:**
 - Chair: Jean Slater
- **Culcabock and Drakies Community Council:**
 - Chair: Etta Mackay

Inverness South Ward Councillors:

- Councillor Carolyn Caddick
- Councillor Ken Gowans
- Councillor Andrew Jarvie
- Councillor Duncan Macpherson

Inverness Ness-side Councillors:

- Councillor Alasdair Christie
- Councillor Ron MacWilliam
- Councillor Callum Smith

Inverness Millburn Councillors:

- Councillor Ian Brown
- Councillor Jimmy Gray
- Councillor Isabelle MacKenzie

MSP (Inverness and Nairn - Constituency):

- Fergus Ewing

MSPs (Highlands and Islands – Regional)

- Donald Cameron
- John Finnie
- Rhoda Grant
- Jamie Halcro Johnston
- Edward Mountain
- David Stewart
- Maree Todd

MP (Inverness, Nairn, Badenoch and Strathspey):

- Drew Hendry MP

School Parent Councils:

- Inverness Royal Academy
- Hilton Primary School
- Cauldeen Primary School

Neighbouring Properties:

- All properties within 300 metres of the site

Additional Community / Business Consultees:

- Inverness Chamber of Commerce
- Inverness Access Panel
- Inverness Business Improvement District
- Additionally, the notified Community Councils have been asked to suggest other local groups as appropriate