

Agenda Item	5.2
Report No	PLS-053-21

HIGHLAND COUNCIL

Committee: South Planning Applications Committee
Date: 17 August 2021
Report Title: 21/02777/PAN: Lidl Great Britain Ltd
Land 180M SW Of Police Headquarters, Old Perth Road, Inverness
Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Mixed use development comprising foodstore (approx. 1900 sq m GFA) and residential development including affordable housing (approx. 39 units), car parking, servicing, new access, landscaping and SUDS
Ward: 16 – Inverness Milburn

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 21 June 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)
 - Location Plan
 - Accompanying Letter
- 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:
- Event 1 – 28 July 2021, 1600 - 1900hrs; and
 - Event 2 – 18 May 2021, 1600 - 1900hrs.
- 1.5 The virtual event webpage details are: <https://rapleys.com/consultation/inverness/>
- 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 an 800m radius. Details of all notified parties are contained and appended to the PAN form, and include all nearby Community Councils, Inverness South and Millburn local ward Councillors, MSP and MP.
- 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: retail food store (approx. 1,900 sqm gross floor area) and residential development including affordable housing (approximately 39 units), car parking, servicing, new access from Sir Walter Scott Drive, landscaping and SUDS.
- 2.3 The prospective applicant has obtained pre-application advice from the Planning Authority (20/02316/PREAPP) in respect of the food store element of the proposal only and has been encouraged to utilise this service again to enable the Planning

Authority to provide further advice on all aspects of the development, its intended access solution, as well as the design and configuration of any proposed housing. The proposer is yet to confirm if further formal pre-application advice will be sought. Any submitted details and pre-application advice given is expected to remain confidential until such a time an application is submitted.

3.0 SITE DESCRIPTION

3.1 The PAN boundary comprises 2.1ha of undeveloped arable agricultural land located to the south of the Police Scotland HQ at Inshes, Inverness. The site is also bound and includes part of Sir Walter Scott Drive (the Southern Distributor Road), with Inshes Retail Park being located further to the east. To the south lies Drakies park with the residential area of Drakies being located to the west. There is a small watercourse and a number of mature trees located along the northern and western perimeter of the site, with younger trees and low vegetation located along the eastern perimeter. The topography of the site is relatively level with SEPA's constraint's mapping identifying the north western area of the site, and its eastern boundary, as being at risk of pluvial flooding within the 1 in 200 year flood event. The site is not situated within or close to any natural or built heritage designation.

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
- 51 - Trees and Development
- 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

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

The site is located within the Inner Moray Firth Local Development Plan (IMFLDP) Settlement Development Area boundary for Inverness. The site forms part of site allocation IN67: Land at Raigmore / Beechwood which is identified for development for business use to be informed through a development brief. In addition to the allocation the following policies would also be relevant:

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

The IMFLDP is currently undergoing review and the Main Issues Report was subject to consultation earlier this year. The MIR identifies the site, as well as Drakies Park to the south, as a 'preferred site' where development is supported for housing and greenspace. Responses to the Main Issues Report are under consideration and the Proposed Plan will be reported to the relevant area committees, prior to consultation being undertaken in late 2021 / early 2022.

4.3 **Highland Council Supplementary Guidance**

- Inshes and Raigmore Development Brief (Feb 2015) - The northern half of the site falls within this development brief area, identifying part of the site for Class 4 business use
- 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'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)
- National Planning Framework 3, NPF3 (Jun 2014) and the emerging content of NPF4
- 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.

Signature: David Mudie

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

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.

<p>Applicant Lidl Great Britain Ltd</p> <p>Address 1 Coddington Crescent Motherwell Scotland ML1 4YF</p> <p>Phone E-mail</p>	<p>Agent Hargest Planning Ltd</p> <p>Address PO Box 28822 Edinburgh EH14 9AX</p> <p>Phone 07977 982357 E-mail k [REDACTED]</p>
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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 west of Sir Walter Scott Drive and south of Police Scotland HQ,
Inshes, Inverness**

Description of Development

Please include detail where appropriate eg the number of residential units; the gross floorspace in m 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.

Mixed use development comprising foodstore (approx. 1900 sq m GFA) and residential development including affordable housing (approx. 39 units), car parking, servicing, new access, landscaping and SUDS.

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

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

Culcabock and Drakies Community Council
Inshes and Milton of Leys Community Council

Date Notice Served

02/06/2021
02/06/2021

Names/details of any other parties

Cllr Ian Brown
Cllr Jimmy Gray
Cllr Isabelle MacKenzie
Cllr Carolyn Caddick
Cllr Ken Gowans
Cllr Andrew Jarvie
Cllr Danny Macpherson
Fergus Ewing MSP
Drew Hendry MP

Date Notice Served

All 02/06/2021

Please give details of proposed consultation

Proposed public event

Venue

Date and time

Online public consultation events on 28th July and 18th August 2021
Full details set out in accompanying letter.

Newspaper Advert – name of newspaper

Inverness Courier
Press and Journal

Advert date(where known)

mid-July (to be confirmed)
mid-July (to be confirmed)

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

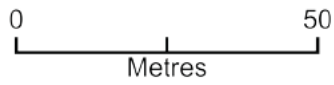
See accompanying letter.

Signed



Date: 2nd June 2021

Land west of Sir Walter Scott Drive, Inverness



Plan Produced for: Lidl Great Britain Ltd

Date Produced: 27 May 2021

Plan Reference Number: TQRQM21147142621189

Scale: 1:1250 @ A4