

Agenda Item	5.1
Report No	PLS-063-21

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 21 September 2021

Report Title: 21/040006/PAN: Springfield Properties PLC
Land 5M East Of Nairn Pet Crematorium, Grigorhill Industrial Estate,
Nairn

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Mixed Use Development Including Residential, Business, Retail, Community Facilities (Including a New School Site) and Associated Supporting Infrastructure

Ward: 18 – Nairn and Cawdor

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 17 August 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
- 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 – 02 September 2021, 1600 - 1900hrs; and
 - Event 2 – 07 October 2021, 1600 - 1900hrs.
- 1.5 The virtual event webpage details are to be circulated to the Planning Authority ahead of the first event taking place.
- 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 Nairnshire Edition. 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 500m 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: residential, business, retail, community facilities (including a new school site) and associated supporting infrastructure.
- 2.2 The prospective applicant is yet to obtain pre-application advice from the Planning Authority in respect of the proposal. 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 146ha of predominantly undeveloped arable agricultural land located to the south east of Narin. To the north, the site bound and includes part of the A96, adjoins an existing retail park, as well as an existing residential area including properties on Bakmakeith Park and Nairn Cemetery. To the east, the site includes the B9111 junction onto the A96, with the site boundary following an arable field boundary and area of forestry (Russell's Wood). To the south, the site includes an existing sawmill and part of Granny Barbour's Road, with the site boundary follows an existing arable field boundary. To the west, the site is bound by and includes the A939, wraps around and excludes existing properties at Househill Mains and at Househill and follows the eastern bank of the River Nairn. The site also encompasses Grigorhill Industrial Estate, including substation, connecting overhead electricity lines, pet crematorium, as well as an isolated residential property.
- 3.2 The topography of the site is generally gently sloping from south to north with the site draining to the Auldearn Burn to the north and into the River Nairn to the west. The major it of the site is free from flood risk, with the exception of isolated areas adjacent to the River Nairn falling within the 1 in 200 year fluvial flood event, and small low lying areas of the site being at pluvial flood risk as mapped by SEPA. The site is intersected and served by a medium pressure gas pipeline. The south eastern perimeter of the site also falls marginally within the Historic Battlefield (Auldearn 9 May 1645) with there being various identified historic environment records including, crop marks and ring ditches present elsewhere within the site. The site does not fall within or is in close proximity to any other environmental 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
- 35 - Housing in the Countryside (Hinterland 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
- 78 - Long Distance Routes

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

The vast majority of the site is located outwith the Inner Moray Firth Local Development Plan (IMFLDP) Settlement Development Area boundary for Nairn. The exception to this is the western area of the site beyond Granny Barbour's Road, including land use allocation NA9: Grigorhill, which covers the pet cemetery. The following policies are also relevant:

- IMFLDP Policy 1 – Promoting and Protecting City and Town Centres.
- IMFLDP Policy 2 – Delivering Development.
- IMFLDP Policy 4 – Water and Waste Water Infrastructure in the Inverness to Nairn Growth Area

The IMFLDP is currently undergoing review and the Main Issues Report was subject to consultation earlier this year. The MIR identifies the site, as a 'non-preferred site' where development is not being supported for a mix of uses. 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**

- 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: Springfield Properties PLC Address: Alexander Fleming House, 8 Southfield Road, Elgin, IV30 6GR</p> <p>Phone: 07810056054 E-mail: stuart.morrison@springfield.co.uk</p>	<p>Agent: Farningham Planning Ltd Address: 15 Oswald Road, Grange, Edinburgh EH9 2HE</p> <p>Phone: 07768 952610 E-mail: alan.farningham@farnmac.co.uk</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 at Granny Barbour's Road, Nairn (closest postcode IV12 5RX, NGR NH 89186 55283).

Description of Development

Please include detail where appropriate – e.g 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 including Residential, Business, Retail, Community facilities (including a new school site) and associated supporting infrastructure.

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.

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	Date Notice Served
Nairn River Community Council	17.08.21
Auldearn Community Council	17.08.21
Names/details of any other parties	
Councillor Laurie Fraser	17.08.21
Councillor Tom Heggie	17.08.21
Councillor Liz MacDonald	17.08.21
Councillor Peter Saggars	17.08.21
Drew Hendry MP	17.08.21
Fergus Ewing MSP	17.08.21
Ward Manager Emma Tayler	17.08.21

Please give details of proposed consultation

Proposed public event	Venue	Date and time
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Two online consultation events have been arranged for the 2nd of September, 2021, 4pm to 7pm and the 7th of October, 2021, 4pm to 7pm.

Newspaper Advert – name of newspaper	Advert date(where known)
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Inverness Courier Nairnshire Edition	24th August 2021
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Inverness Courier Nairnshire Edition	28th September 2021
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Details of any other consultation methods (date, time and with whom)

See attached cover letter

Signed Stuart Morrison on behalf of Springfield Properties.....
Date 17.08.21.....