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| Agenda Item | 5.1 |
| Report No | PLS-02-22 |

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 08 February 2022

Report Title: 21/05714/PAN: Mrs Mary M Duncan
Land at Inches Farm, Inshes, Inverness, IV2 5BB

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Residential development comprising up to 165 residential units 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 13 December 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 – 03 February 2022, 1400 - 1600hrs; and
 - Event 2 – 24 February 2022, 1400 - 1600hrs.
- 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. 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 from the site boundary. Details of all notified parties are contained and appended to the PAN form, and include the Inshes and Milton of Leys Community Council and Inverness South ward Councillors. Additionally, the Planning Authority has requested that the local MSP and MP are also notified.
- 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 residential development comprises 165 housing units in a mix of house types with associated residential streets, landscaping, and infrastructure.
- 2.2 The prospective applicant is yet to obtain pre-application advice from the Planning Authority in respect of the proposal but has made enquires to do so.

3.0 SITE DESCRIPTION

- 3.1 The proposed application boundary comprises around 9.76 ha of predominantly undeveloped arable agricultural land within the southern area of Inverness at Wester Inshes Farm located near Milton of Leys. The site falls within the Settlement Development Area of Inverness with the northern half of this site, 4.8ha, being allocated for residential development (Inner Moray Firth Local Development Plan allocation IN46) with the rest of the site being neither allocated nor safeguarded from development.
- 3.2 The site is bound to the north and south by residential development. The sites eastern boundary is defined by the Dell of Inshes Road, agricultural land, cleared forestry and a small watercourse. To the west lies mature woodland and watercourse forming part of Inshes Park. The current site access is via the Dell of Inshes Road.
- 3.3 The site is not located within or close to any natural or built heritage designation, however, the adjacent woodland appears on the ancient woodland inventory, described as long establish woodland of plantation origin. The woodland adjacent to the existing site access road to the north east of the site boundary also forms part of the Wester Inshes Tree Protection Order. There is also one historic environment record located within the residential development adjacent to the south west corner of the site.
- 3.4 The topography of the site is generally gently sloping from south to north. The site itself is free from flood risk however there are two adjacent watercourses running north to south in parallel to the site that are at risk of surface water flooding based on the indicative flood risk mapping provided by SEPA. The site lies within Rolling Farmland and Woodland Landscape Character Area as identified by NatureScot.

4.0 DEVELOPMENT PLAN

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

Highland Wide Local Development Plan (2012)

- 4.1 28 - Sustainable Design
29 - Design Quality & Place-making
30 - Physical Constrains
31 - Developer Contributions
32 - Affordable Housing
34 - Settlement Development Areas
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
74 - Green Networks
75 - Open Space
77 - Public Access

Inner Moray Firth Local Development Plan (2015)

- 4.2 The northern part of the site comprises Inner Moray Firth Local Development Plan (IMFLDP) allocation IN46: Wester Inshes Farm (south) which allocates the land for residential development. The plan identifies an indicative site capacity of 95 homes with the developer requirements identifying the need for a Flood Risk Assessment to be undertaken and for the development to accord with the Inshes to Milton of Leys Development Brief.
- 4.3 The remaining area of the site, measuring around 5ha, extends beyond the site allocation to the south. This area is neither allocated nor safeguarded for development and falls within the Inverness Settlement Development Boundary. Development in this location therefore requires to be assessed against the policies contained within the HwLDP and principally HwLDP Policies 34 Settlement Development Area and 28 Sustainable Design.
- 4.4 The IMFLDP is currently under review. Main Issues Report consultation has been undertaken. The MIR identifies the extent of the existing allocation of the Wester Inshes Farm South (MIR site reference IN55), as 'Alternative site' where development is being supported for residential use should other preferred sites prove not to provide an effective housing land supply. The remainder of the site falls within the MIR Settlement Development Area.
- 4.5 The Council has been working through the IMFLDP MIR issues and key decisions have recently been made by its committees on the content for the Proposed Plan, which is expected to be published in March 2022. As reported to the 18 November 2021 City of Inverness Area Committee and the 2 December 2021 Economic and Infrastructure Committee, it is intended that the IMFLDP Proposed Plan continues to allocate the northern half of the site for housing, however it is anticipated that the Settlement Development Area boundary is to be drawn inwards to exclude the southern half of the site. Should this materialise, development proposed in this southern area would not benefit from any support under HwLDP Policy 34, but instead be assessed against HwLDP 35 Housing in the Countryside (Hinterland Areas).

Highland Council Supplementary Guidance

- 4.6
- Inshes and Milton of Leys Development Brief (Mar 2004 - non statutory planning guidance)
 - Construction Environmental Management Process for Large Scale Projects (Aug 2010 – non statutory planning guidance)
 - Developer Contributions (Nov 2018)
 - Flood Risk and 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)

Scottish Government Policy and Other Guidance

- 4.7
- Scottish Planning Policy (Jun 2014)
 - National Planning Framework 3, NPF3 (Jun 2014) and consultative draft NPF4 (Nov 2021)
 - Energy Efficient Scotland Route Map (May 2018)
 - Scotland's Energy Strategy Position Statement (Mar 2021)
 - Historic Environment Policy for Scotland (Apr 2019)
 - PAN 1/2011 – 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)

5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- 5.1
- a) Development Plan and Other Planning Policy;
 - b) Planning History;
 - c) Design and Layout (including Landscape and Visual Impact);
 - d) Open Space and Landscaping;
 - e) Roads, Access and Parking;
 - f) Impact on Infrastructure (including education);
 - g) Natural Heritage (including protected species, ornithology and trees);
 - h) Built and Cultural Heritage;
 - i) Water Environment, Flood Risk and Drainage;
 - j) Amenity Impacts (including during construction); and
 - k) 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 – Proposal of Application Notice

Plan 2 – 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.

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| <p>Applicant: Mrs Mary M Duncan & Upland Development Ltd</p> <p>Address: per agent</p> <p>Phone</p> <p>E-mail: per agent</p> | <p>Agent: Norr Architects</p> <p>Address: 5 Longman Road Inverness IV2 3NT</p> <p>Phone: 01463 729 307</p> <p>E-mail: bruce.wright@norr.com</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 Inches Farm, Inshes, Inverness. IV2 5BB

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.

Proposed residential development comprising a mix of house types with associated residential streets, landscaping, and infrastructure. The development is intended to deliver 165 houses.

Site Area = 9.76 hectares

Site identified as IN46 in the adopted Inner Moray Firth Local Development Plan 2015, and the Inshes & Milton of Leys Development Plan

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 **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 |
|--|--------------------|
| Inshes & Milton of Leys Community Council | 13/12/2021 |
| Names/details of any other parties | Date Notice Served |
| Councilor Carolyn Caddick | 13/12/2021 |
| Councilor Andrew Jarvie | 13/12/2021 |
| Councilor Ken Gowans | 13/12/2021 |
| Councilor Duncan Macpherson | 13/12/2021 |

Please give details of proposed consultation

| Proposed public event | Venue | Date and time |
|-----------------------|-------|---------------|
|-----------------------|-------|---------------|

Virtual Event 1 – Date: Thursday 3rd February 2022, 2 - 4pm
Presentation and Q&A with architects, held via Microsoft TEAM / Zoom or similar

Virtual Event 2 – Date: Thursday 24th February 2022, 2 - 4pm
Presentation and Q&A with architects, held via Microsoft TEAM / Zoom or similar

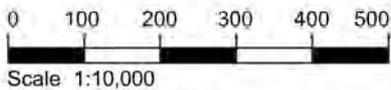
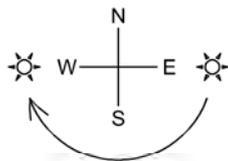
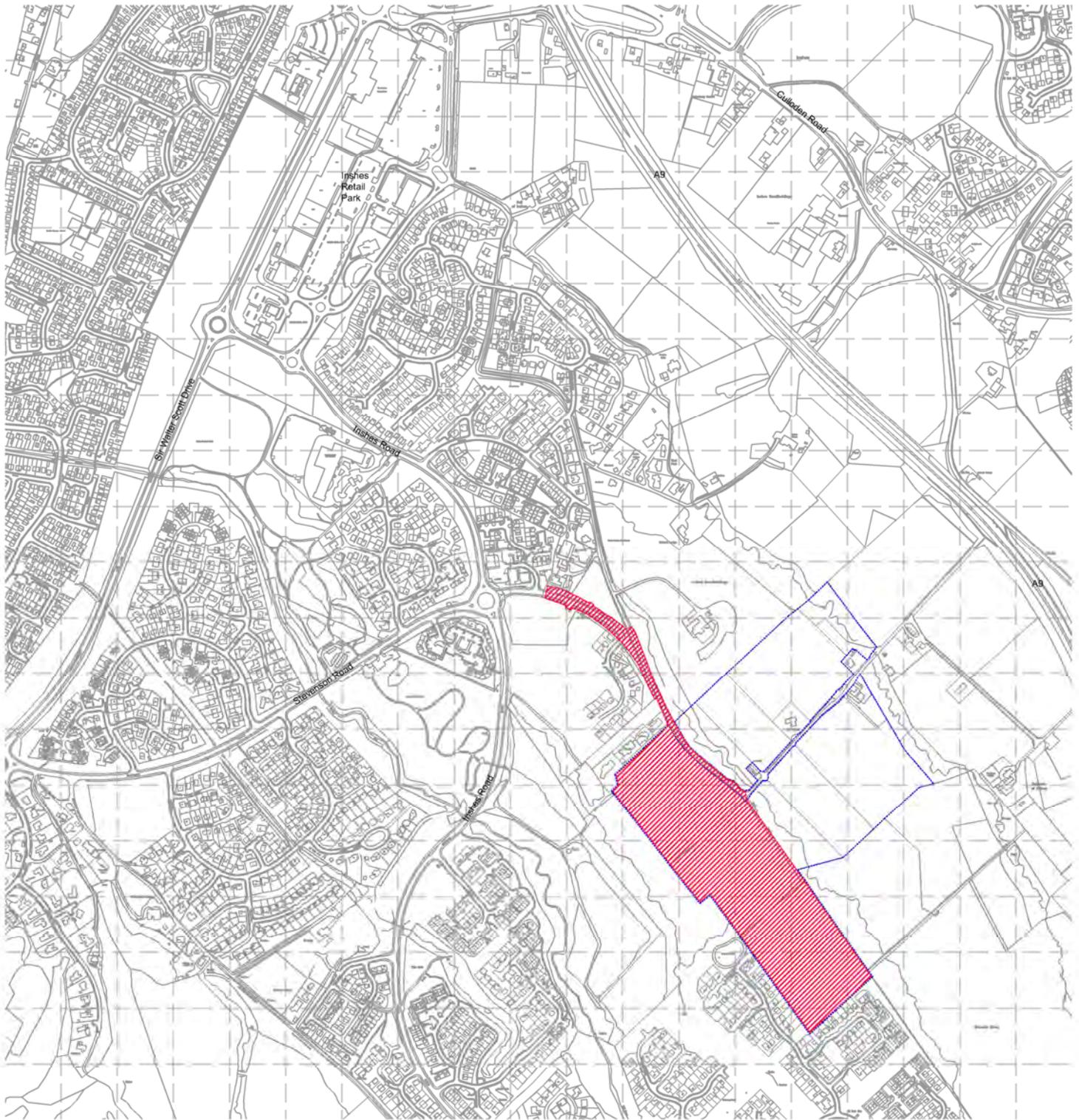
Website & Online Comments (web address TBC);
All plans etc will be made available on a dedicated website with a feedback / comments form; details of virtual events; and contact details of architects.
– Date: on or around Friday 21st January & remaining line until Friday 4th March 2022

Newspaper Advert – **Inverness Courier** Advert date: **Friday 21st January 2022**

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

Leaflet drops to immediate neighbors (500m radius of site), with details of virtual events; dedicated website; and contact details of architects (for people unable to access virtual event / website, to find out more about the proposal, and to provide feedback)
- Date: on or around Friday 21st January

Signed**Bruce Wright** Date.....**13/12/21**.....



| Rev. | Date | Details | Drawn | Checked |
|---------------------|------|-------------|----------|---------|
| Issued for: | | | | |
| FOR APPROVAL | | | | |
| Project/Client: | | Project No: | | |
| INSHES FARM | | IAIV21-0049 | | |
| | | Dwg No: | | |
| | | DR-A-00101 | | |
| | | Rev: | | |
| | | P02 | | |
| Drawing: | | Scale: | | |
| LOCATION PLAN | | 1:10000@A4 | | |
| | | Drawn By: | Date: | |
| | | BW | 26-11-21 | |
| | | Checked By: | Date: | |
| | | GD | 26-11-21 | |

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|----------|-------------------------------|-----|----|----|
| 01-12-21 | Updated to include both sites | P02 | BW | GD |
| 26-11-21 | First Issue | GD | BW | GD |