

Agenda Item	5.3
Report No	PL3/14/22

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 22 March 2022

Report Title: 22/00576/PAN: Hazledene (Inverness) Ltd

Land South of The A9 Interchange, West of the A9 Including Field to the South of Macaskill Drive, Inverness

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Mixed use development including residential, commercial/business uses 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 7 February 2022. 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 Due to relaxations in COVID-19 restrictions the prospective developer proposes to hold face to face public event on the date noted below. They also intend to undertake a virtual event using online platform for public engagement to allow local people to express their views and to submit questions to the applicant's project design team for live discussion. The proposed events are due to take place at the following location and date:
- 3 March 2022 1800-1900hrs – online webinar
 - 29 March 2022 1000-1100hrs – online webinar
- 1.5 The virtual exhibition is available on a dedicated website:
<http://www.miltonofleysouth.co.uk/>
- 1.6 The online consultation will be publicised and advertised in accordance with the appropriate statutory requirements with adverts to be placed within Inverness Courier at least seven working days before each consultation event. 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, this states that a copy of the PAN was sent to the Inshes and Milton of Leys Community Council; Cradelhall and Westhill Community Council; Slackbuie Community Council; Culcabock and Drakies Community Council; and Hilton, Milton and Castle Heather Community Council, as well as, local Inverness South ward Councillors, the ward manager, 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 proposal comprises up to 400 open market and affordable homes and commercial and / or business uses.
- 2.5 The applicant has sought an Environmental Impact Assessment (EIA) Scoping Opinion for the development submitted on the 18th January 2022 (Ref: 22/00206/SCOP). The response was provided to the applicant in early March 2022 and was informed by the consultee responses, which outline the environmental and technical assessment requirements to help inform the design of the forthcoming proposal.

3.0 SITE DESCRIPTION

- 3.1 The PAN boundary comprises some 25.15 ha of land at located to the south and east of the existing residential development at Milton of Leys. The site is currently used for agricultural purposes, generally slopes from north to south and is bounded to the east by the A9 trunk road. The site could potentially be served by two accesses from existing roundabouts on the B9177 / Milton of Leys Distributor Road. There is a track to the south of the site which is predominantly used for recreational access. The north east of the site is traversed by overhead powerlines.
- 3.2 There are a number of trees within the site with a larger block of woodland to the western edge of the site. There are no known water courses within the site. There are a number of sites designated for natural heritage interests in the wider area but unlikely to be directly affected by the development.
- 3.5 There is one scheduled monument in proximity of the site. There are a number of listed buildings and archaeological records, identified within the Highland Historic Environment Record, which exist in wider proximity of the site.
- 3.6 The site predominantly lies within the Rolling Farmland and Woodland Landscape Character Type as identified by NatureScot. There are no regionally or nationally designated landscapes or gardens within 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)

- 1 – Completing the Unconstrained Expansion Areas
- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constrains
- 31 - Developer Contributions
- 32 – Affordable Housing
- 34 – Settlement Development Areas
- 41 – Business and Industrial Land
- 42 - Previously Used 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
72 - Pollution
73 - Air Quality
74 - Green Networks
77 - Public Access

4.2 Inner Moray Firth Local Development Plan 2015

The site is within the Inverness Settlement Development Area and is allocated for business use (Allocation IN69 – Bogbain East). Policy 2 – Delivering Development would also be applicable.

4.3 Inner Moray Firth Local Development Plan Review

The Inner Moray Firth Local Development Plan is under review. Following the publication of the Main Issues Report and consideration of feedback the Proposed Plan has been prepared and the contents was reported to the City of Inverness Area Committee in November 2021. This showed the site as being outwith the settlement development area and not allocated for development. The Proposed Plan will be published in March 2022 and at that time becomes a material consideration in the determination of planning applications.

4.4 Highland Council Supplementary Guidance

- Developer Contributions (Nov 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Physical Constraints (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)
- Standards for Archaeological Work (Mar 2012)
- Sustainable Design Guide (Jan 2013)
- Green Networks (Jan 2013)
- Open Space in New Residential Development (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)

4.4 Scottish Government Policy and Guidance

- Scottish Planning Policy (June 2014)

- National Planning Framework 3, NPF3 (June 2014) and consultive draft NPF4 (Nov 2021)
- Designing Streets (2010)
- Creating Places (2014)
- PAN 1/2021 – Planning and Noise (Mar 2011)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- PAN 68 – Design Statements (Aug 2003)
- Historic Environment Policy for Scotland (Apr 2019)

5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- a) Development Plan and other planning policy;
- b) Planning History;
- c) Noise;
- d) Design and layout;
- e) Roads and Transport;
- f) Natural Heritage including protected species, ornithology and designated sites;
- g) Built and Cultural Heritage;
- h) Soils and Peat;
- i) Economic Impact and Tourism;
- j) Outdoor Access and Recreation;
- k) Construction Impacts;
- l) Pollution;
- m) Impact on infrastructure (including education)
- n) 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. The policy considerations against which any future planning application will be considered have been summarised 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: Simon Hindson

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.

Applicant Hazledene (Inverness) Ltd Address.	Agent Alison Maguire Address
C/O Agent	Turley 7-9 North St David Street Edinburgh EH2 1AW
Phone	Phone 0131 524 9442
E-mail	E-mail Alison.maguire@turley.co.uk

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 Milton of Leys, bounded to the east by A9

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 including residential and commercial/business uses and associated 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.

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	Date Notice Served
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Inshes and Milton of Leys Community Council	07 February 2022
Cradlehall and Westhill Community Council	07 February 2022
Slackbuie Community Council	07 February 2022
Culcabock and Drakies Community Council	07 February 2022
Hilton, Milton and Castle Heather Community Council	07 February 2022

Names/details of any other parties	Date Notice Served
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Councillor Carolyn Caddick	07 February 2022
Councillor Ken Gowans	07 February 2022
Councillor Andrew Jarvie	07 February 2022
Councillor Duncan Macpherson	07 February 2022
Fergus Ewing MSP	07 February 2022
Drew Hendry MP	07 February 2022

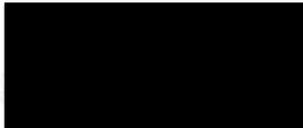
Please give details of proposed consultation

Proposed public event	Venue	Date and time
Consultation website	www.miltonofleypsouth.co.uk	From date of the public notice
Live Chat function	www.miltonofleypsouth.co.uk	9-5pm Monday to Friday during the week commencing 28 February and 28 March.
First Online webinar	www.miltonofleypsouth.co.uk	Thursday 3 March 2022
Second Online webinar	www.miltonofleypsouth.co.uk	Tuesday 29 March 2022

Newspaper Advert – name of newspaper	Advert date(where known)
Inverness Courier	1 week prior to each online consultation event.

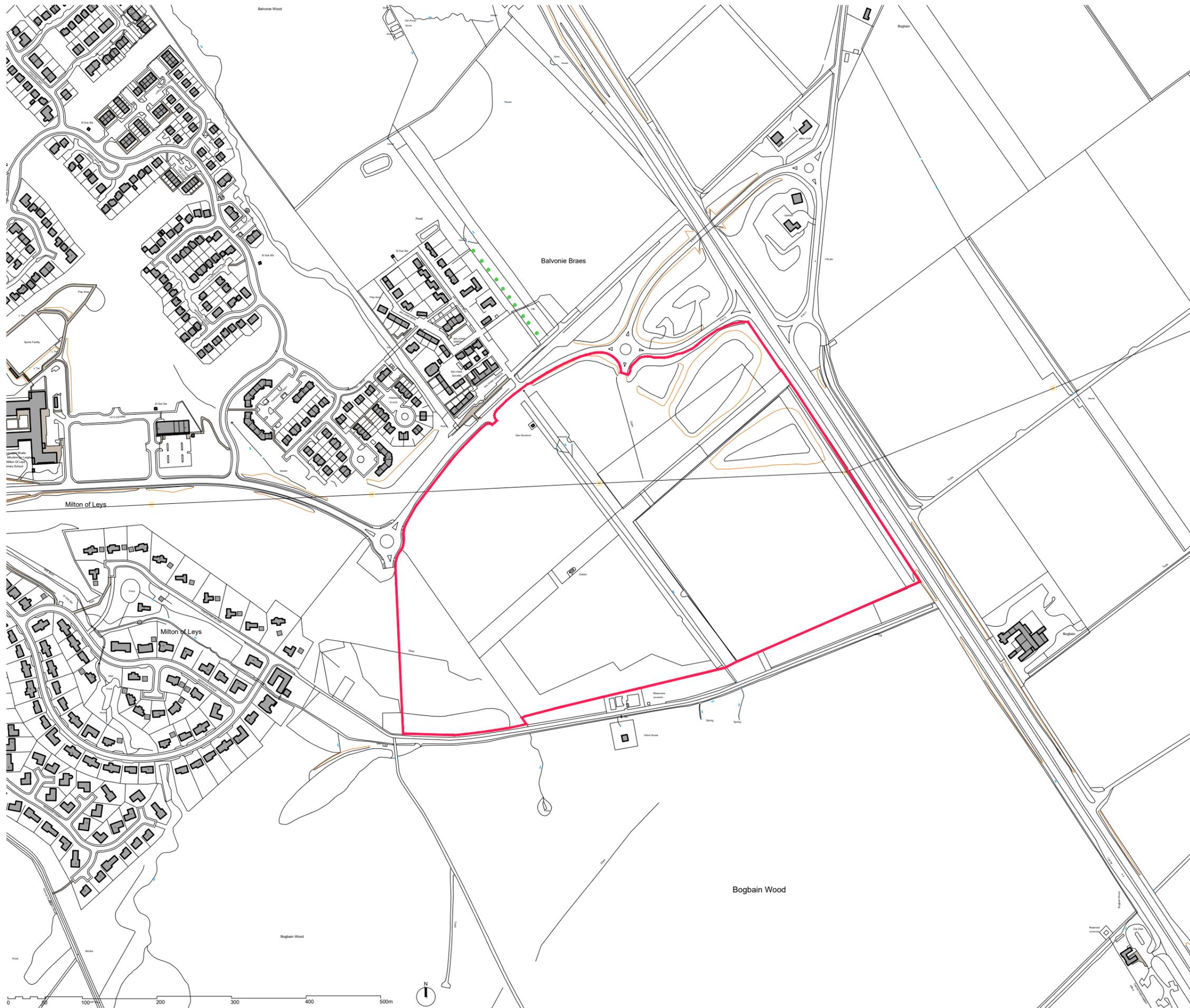
Details of any other consultation methods (date, time and with whom)

Information hosted on a dedicated website. Online feedback form. Distribution of a flyer promoting the online event 7 days prior to each online consultation event. Consultation email address: contact@miltonofleypsouth.co.uk

Signed ...  . Date 07 February 2022

All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately. Do not scale dimensions from this drawings. This drawing is copyright protected.

REVISION



Proposed Mixed Use Allocation

SCALE	DATE	DRAWN	CHECKED
1:5000	26.07.2019	BD	AM

PROJECT

Milton of Leys

DRAWING

Call for site plan:
Proposed Mixed Use Allocation

 Threesixty
Architecture

16-18 BANK STREET
INVERNESS
IV1 1QY

t 01463 729929
www.360architecture.com

DRAWING No.

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