

THE HIGHLAND COUNCIL

SOUTH PLANNING APPLICATIONS COMMITTEE

18 August 2015

15/02680/PAN: Ziran Land (Nairn) Ltd

Proposed retail development

Land 215m east of Sainsbury's Supermarkets Ltd, Nairn

Report by Area Planning Manager – South

Agenda Item	5.4
Report No	PLS/056/15

Proposal of Application Notice

Description : Proposed retail development

Ward : 19 – Nairn

1.0 BACKGROUND

- 1.1 To inform 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 lodged on 8 July 2015. 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
 - Location Plan
 - Covering Letter

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The proposal is for a retail development.

3.0 SITE DESCRIPTION

The site is an area of land on the south side of the A96 opposite Balmakeith Industrial Estate and immediately east of the entrance to the existing Sainsbury's superstore located further to the west.

4.0 DEVELOPMENT PLAN

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

4.1 Highland-wide Local Development Plan 2012

28 Sustainable Design

29 Design Quality and Place-Making

30	Physical Constraints
31	Developer Contributions
36	Wider Countryside
40	Retail Development
55	Peats & Soils
56	Travel
57 – 61	Heritage
64	Flood Risk
72	Pollution
74	Green Networks
77	Public Access

4.2 **Inner Moray Firth Local Development Plan – adopted July 2015**

Policy 1 - Promoting and Protecting City and Town Centres

Policy 2 - Delivering Development

4.3 **Highland Council Supplementary Guidance (SG)**

Developer Contributions

Physical Constraints

Sustainable Design Guide

Flood Risk & Drainage Impact Assessment

Public Art Strategy

5.0 **POTENTIAL MATERIAL PLANNING CONSIDERATIONS**

The site is not allocated for development in the adopted Inner Moray Firth Local Development Plan. The relevant policies in the Highland-wide Local Development Plan are noted in the sections above.

Key considerations will be to take into account and to assess the suitability of the site for the development proposed having due regard to the relevant policies of the Development Plan, Supplementary Planning Guidance and Scottish Planning Policy and Guidance. In addition, the following issues will be taken into account:

- The proposed use and the town centre first principle;
- Retail Impact Assessment;
- Scale, form and layout of development;
- Transport issues, including parking, traffic management, impact on trunk road;

- Flood risk;
- Developer contributions;
- Other relevant Scottish Government planning policy and guidance including Scottish Planning Policy (June 2014).

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 RECOMMENDATION

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: Allan J Todd
Designation: Area Planning Manager - South
Author: John Kelly
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Location Plan

PROPOSAL OF APPLICATION NOTICE MOLADH BRATH IARRTAIS

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 .. Ziran Land (Nairn) Limited..	Agent ... Adam Richardson, Savills (UK) Ltd.
Address .. 1st Floor, Mulberry House ..	Address .. Wemyss House ..
..... John Street 8 Wemyss Place ..
..... Stratford upon Avon, CV37 6UB Edinburgh, EH3 6DH ..
Phone No. c/o Agent ..	Phone [REDACTED] ..
E-mail c/o Agent ..	E-mail [REDACTED] ..

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 Forres Road, Nairn IV12 5QF ..

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Description of Development Please include detail where appropriate – eg the number of residential units; the gross floorspace in m² 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 retail development ..

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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....X.....

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	03 July 2015

Names/details of any other parties	Date Notice Served
Ward Councillors	03 July 2015
Ward Manager, Liz Cowie	03 July 2015


Please give details of proposed consultation

Proposed public event	Venue	Date and time
Public Exhibition	Nairn Community & Arts Centre	28 August 2015

Newspaper Advert – name of newspaper	Advert date(where known)
Nairnshire Telegraph	Date TBC

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

Meeting with Nairn River Community Council	Date TBC
Briefings of key stakeholders – see attached covering letter	

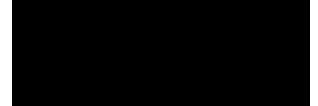
Signed . 

Date... 03 July 2015

03 July 2015
15 07 03 Nairn POAN Cover Letter



Planning & Development Service
Highland Council Headquarters
Glenurquhart Road
Inverness
IV3 5NX



Wemyss House, 8 Wemyss Place
Edinburgh EH3 6DH
T: +44 (0) 131 247 3700
savills.com

Dear Sirs

Land at Forres Road, Nairn – Proposal of Application Notice

We write on behalf of Ziran Land (Nairn) Limited and hereby submit a Proposal of Application Notice (POAN), under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, in connection with the retail development proposal for land at Forres Road, Nairn.

The notice includes:

1. A description of the development to be carried out (in general terms);
2. A description of the site location;
3. A plan showing the outline of the site at which the development is to be carried out and sufficient to identify the site;
4. Details as to how the prospective applicants may be contacted and corresponded with; and
5. An account of what consultation the applicants intend to undertake, when such consultation is intended to take place, with whom and what form it will take.

The description in general terms of the development to be carried out is as follows: *'Proposed retail development.'*

The site is located at the east of Nairn on land off Forres Road, adjacent to the existing Sainsbury's superstore and Balmakeith Industrial Estate. We have attached a location plan showing the site outlined in red within which the development is to be carried out.

There is a requirement under the regulations to consult with every community council any part of whose area is within or adjoins the land where the proposed development is situated. The site is located within Nairn River Community Council area. We have sent a copy of the POAN to Nairn River Community Council by email and post. A meeting with the Community Council will be arranged at a date and time of their convenience.

We have also sent a copy of the POAN to the Ward Councillors (Laurie Fraser, Stephen Fuller, Michael Green and Liz MacDonald) and Liz Cowie, Ward Manager for Nairn, Badenoch and Strathspey.

A public consultation event previously took place on Friday 26 September 2014 (alongside a formal pre-application meeting with Highland Council on 29 October 2014). A second public exhibition event will take place at the Nairn Community & Arts Centre (King Street, Nairn) on Friday 28 August. It is intended that the exhibition will be manned for the duration of the public event to allow interested parties to make their comments in an appropriate manner and ask questions of the project team. We will advise Highland Council of any changes and on the timing of the public exhibition. Details of the public event will be advertised in the

local press in accordance with Part 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008. Key identified stakeholders will also be briefed and advised of the event in early course, including Drew Hendry MP, Fergus Ewing MSP, Regional MSPs, surrounding Community Councils (Nairn Suburban, Auldearn, East Nairnshire and Nairn West) and the Association of Nairn Businesses.

We trust that you find this Proposal of Application Notice to be in order and that you can confirm that the statutory 12 week pre-application consultation period has commenced. Should there be any further queries relating to the notice, these should be directed to myself at the above address in the first instance.

Yours faithfully



Adam Richardson
Associate

Enc.

Cc Ziran Land Limited (by email)
Nairn River Community Council (by email)
Ward Councillors Laurie Fraser, Stephen Fuller, Michael Green and Liz MacDonald (by email)
Liz Cowie, Ward Manager – Nairn, Badenoch & Strathspey (by email)