

The Highland Council

**South Planning Applications Committee
17 May 2016**

Agenda Item	5.2
Report No	PLS/033/16

16/01293/PAN: Scottish Prison Service

Land south of the A9 Interchange, west of the A9, Milton of Leys, Inverness

Report by Head of Planning and Building Standards

Proposal of Application Notice

Description: Erection of Prison

Ward: 20 Inverness South

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 22 March 2016. Members are asked to note this may form the basis of a subsequent planning application.
- 1.3 The following information was submitted in support of the Proposal of Application Notice:
 - Site Location Plan; and
 - Proposal of Application Notice which includes:
 - Description of Development;
 - Details of Proposed Consultation; and
 - Details of any other Consultation Methods

2.0 Description of Proposed Development

- 2.1 Based upon the information provided, the development is likely to comprise of the following:
 - Erection of prison accommodation;
 - Prison gatehouse;
 - Visits building;
 - Family help hub;
 - Regimes and facilities building;
 - Community integration unit;
 - Vehicular access and car park.

3.0 Site Description

- 3.1 The site lies approximately 4.6km to the south east of Inverness City Centre. The site extends to approximately 9.58 hectares. The proposed development would be set back from the A9 on an area of land which is in agricultural use. The residential area of Milton of Leys is to the north and north-west of the site.
- 3.2 The site will be accessed via the existing slip road from the A9 utilising existing infrastructure on the local road network.
- 3.3 There are a number of sites designated for natural heritage interests in the wider area but unlikely to be directly affected by the development.
- 3.4 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.
- 3.5 The north east corner of the site is traversed by overhead powerlines.
- 3.6 The site is not adjacent to any water courses.
- 3.7 The site is not located within any international or regional landscape designations.
- 3.8 Bogbain Wood is located to the south of the site and there are a number of trees along the western boundary of the site adjacent to the A9.

4.0 Development Plan Policy

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

4.1 Highland Wide Local Development Plan 2012

Policy 1	Completing the Unconstrained City Expansion Areas
Policy 28	Sustainable Development
Policy 29	Design, Quality and Place Making
Policy 30	Physical Constraints
Policy 31	Developer Contributions
Policy 34	Settlement Development Areas
Policy 42	Previously Used Land
Policy 51	Trees and Development
Policy 56	Travel
Policy 57	Natural, Built and Cultural Heritage
Policy 58	Protected Species
Policy 59	Other Important Species
Policy 60	Other Important Habitats
Policy 61	Landscape
Policy 63	Water Environment
Policy 65	Waste Water Treatment
Policy 66	Surface Water Drainage
Policy 72	Pollution

Policy 74 Green Networks
Policy 77 Public Access

4.2 Inner Moray Firth Local Development Plan July 2015

Allocation IN69 - Bogbain (East)

4.3 Inverness Local Plan (As Continued in Force) April 2012

The general policies of the Local Plan pertinent to this application have been superseded by the policies of the Highland-wide Local Development Plan.

4.4 Adopted Supplementary Planning Guidance

- Flood Risk and Drainage Impact Assessment: Supplementary Guidance (January 2013);
- Highland Historic Environment Strategy: Supplementary Guidance (March 2013);
- Sustainable Design Guide: Supplementary Guidance (January 2013);
- Trees, Woodlands and Development: Supplementary Guidance (January 2013);
- Green Networks: Supplementary Guidance (January 2013);
- Managing Waste in New Developments: Supplementary Guidance (March 2013);
- Developer Contributions: Supplementary Guidance (March 2013);
- Physical Constraints: Supplementary Guidance (March 2013);
- Public Art Strategy: Supplementary Guidance (March 2013) and
- Highland Statutorily Protected Species: Supplementary Guidance (March 2013).

5.0 Potential Material Planning Considerations

- ##### 5.1
- Conformity with the development plan;
 - National policy;
 - Consideration of alternative(s);
 - Roads and transport;
 - Pedestrian and cycle links;
 - Water (including private water supplies), flood risk, and drainage;
 - Natural heritage;
 - Contaminated land;
 - Trees and forestry;
 - Built and cultural heritage;
 - Design and layout;
 - Landscape and visual impact;
 - Access and recreation;
 - Residential amenity including privacy, noise and light pollution;
 - Construction;
 - Masterplanning;
 - Open Space and Landscaping;

- Infrastructure Delivery;
- Other Relevant Planning Documents including but not limited to:
 - Scottish Government Planning Policy (June 2014);
 - National Planning Framework for Scotland 3 (June 2014);
 - Designing Streets (2011); and
 - Creating Places (June 2013).
- Any other material considerations within representations.

6.0 Conclusion

6.1 The report sets out 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

7.1 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: Malcolm MacLeod
Designation: Head of Planning and Building Standards
Author: Simon Hindson
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 <u>Scottish Prison Service c/o AGENT</u>	Agent <u>Colliers International</u>
Address	Address <u>1c Exchange Crescent</u> <u>Conference Square</u> <u>Edinburgh, EH3 8AN</u>
Phone No.	Phone <u>0131 240 7500</u>
E-mail	E-mail <u>meabhann.crowe@colliers.com</u>

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 to the south of Milton of Leys, west of the A9, Inverness

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.

It is proposed to replace the existing prison at HMP Inverness with a new fit-for-purpose prison development on the site at Milton of Leys. The characteristics of the existing prison site do not support redevelopment alongside normal prison operations and therefore a new site is required for the planned development of HMP Highland. The existing prison has been criticised for ‘overcrowding and a lack of facilities’ in various reports by Her Majesty’s Chief Inspector of Prisons for Scotland and these issues will be addressed as part of the proposals. This new prison will be capable of holding offenders in purpose designed accommodation units and provide the following supporting facilities:

- Gates, Visits Building, and Family Help Hub;
- Regimes and Facilities Building;
- Community Integration Unit;
- External car parking for staff and visitors

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
Inverness South Community Council	Tuesday 22nd March 2016
Westhill Community Council	Tuesday 22nd March 2016


Names/details of any other parties	Date Notice Served
Milton of Leys Residents Association	Tuesday 22nd March 2016
Local Ward (Ward 20) Councillors	Tuesday 22nd March 2016

Please give details of proposed consultation

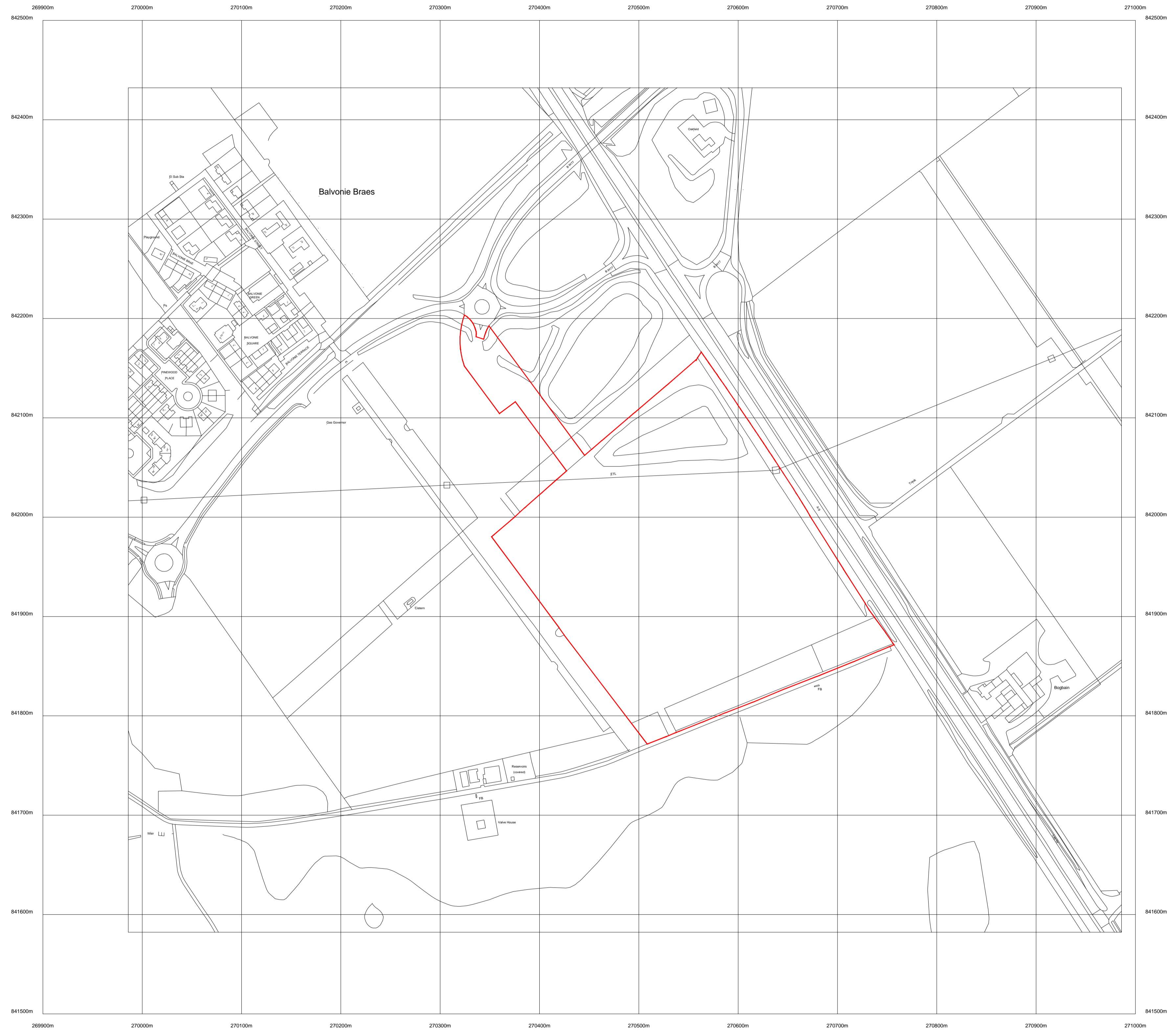
Proposed public event	Venue	Date and time	
Staffed Public Drop-in Event	Milton of Leys Primary School	26.05.2016 2-7pm	These details are subject to change. If changes are required further details will be provided by press advert and direct communication to listed bodies..This information will also be made available on the Council's Planning Portal
Staffed Public Drop-in Event	Inshes Church	08.06.2016 2-7pm	

Newspaper Advert – name of newspaper **Advert date(where known)**
 Press & Journal TBC - The advert will be placed at least 7 days in advance of the proposed consultation event. Further details will be provided by press advert and direct communication to listed bodies..This information will also be made available on the Council's Planning Portal.
 Inverness Courier TBC, as above

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

Signed 
 HEAD OF PLANNING
 COLLIERIES INTERNATIONAL

Date..... 22/03/16



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sv	date	by	revision

Job title:
H.M.P. HIGHLAND

Drawing title:
SITE LOCATION PLAN

scale	date	drawn	checked
1:2500 @ A1	20th Dec 2016		

Job no:
26-HL-PAN-001

Drawing no:
26-HL-PAN-001

SCOTTISH PRISON SERVICE