

Agenda Item	5.1
Report No	PLS 028/19

## HIGHLAND COUNCIL

**Committee:** South Planning Applications Committee  
**Date:** 30 April 2019  
**Report Title:** 19/01063/PAN: Tulloch Homes Ltd  
Land 130M NE of 60 Newton Park, Kirkhill  
**Report By:** Area Planning Manager – South

### **Purpose/Executive Summary**

**Description:** Proposed housing development with associated boundary treatment, landscaping and infrastructure  
**Ward:** 12 Aird and Loch Ness  
**Development category:** Major  
**Reason referred to Committee:**

### **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 the application for planning permission.

## **1. BACKGROUND AND PROPOSED DEVELOPMENT**

- 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 the 08.11.2018. 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
- 1.4 Based upon the information provided, the development is likely to comprise of residential development, with associated boundary treatment, landscaping and infrastructure on 5.6ha of land.
- 1.5 The applicant has not yet sought pre-application advice from the Planning Authority via the Pre-Application Advice Service for Major Developments.

## **2. SITE DESCRIPTION**

- 2.1 The site comprises a large open field which connects with existing housing to the south and west. A band of mature trees mark the south eastern boundary of the site and further open fields to the north east.
- 2.2 It is anticipated that access to the site will be from Redcastle View to the west of the site and Newton Park to the south.
- 2.3 There are no sites designated for natural heritage interests in the wider area that are likely to be affected by the development.

## **3. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **3.1 Highland Wide Local Development Plan 2012**

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 32 - Affordable Housing
- 34 - Settlement Development Areas
- 51 - Trees and Development
- 52 - Principle of Development in Woodland
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance 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
- 75 - Open Space
- 77 - Public Access

### **3.2 Inner Moray Firth Local Development Plan 2015**

- Policy 2 – Delivering Development
- KH5 – Groam Farm East

### **3.3 Highland Council Supplementary Planning Policy Guidance**

- Construction Environmental Management Process for Large Scale Projects (August 2010)
- Developer Contributions (March 2013)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (March 2013)
- Managing Waste in New Developments (March 2013)
- Open Space in New Residential Developments (Jan 2013)
- Physical Constraints (March 2013)
- Public Art Strategy (March 2013)
- Standards for Archaeological Work (March 2012)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)

## **4. OTHER MATERIAL POLICY CONSIDERATIONS**

### **4.1 Scottish Government Planning Policy and Guidance**

- Scottish Planning Policy (June 2014)
- National Planning Framework 3 (June 2014)
- Designing Streets (March 2010)
- Creating Places (June 2013)

## **5. POTENTIAL MATERIAL PLANNING CONSIDERATIONS**

- 5.1
  - a) Development Plan;
  - b) Planning History;
  - c) National Policy;
  - d) Roads and Transport;
  - e) Pedestrian and Cycle Links;
  - f) Water, Flood Risk, and Drainage;
  - g) Natural Heritage;
  - h) Built and Cultural Heritage;

- i) Design and Layout;
- j) Landscape and Visual Impact;
- k) Access and Recreation;
- l) Noise and Light Pollution;
- m) Construction Impacts;
- n) Phasing;
- o) Open Space and Landscaping;
- p) Infrastructure Capacity and Delivery (including education provision); and
- q) Any other material considerations raised within representations.

## **6. 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. IMPLICATIONS**

- 7.1 Resource: Not applicable
- 7.2 Legal: Not applicable
- 7.3 Community (Equality, Poverty and Rural): Not applicable
- 7.4 Climate Change/Carbon Clever: Not applicable
- 7.5 Risk: Not applicable
- 7.6 Gaelic: Not applicable

## **8. 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: David Mudie  
Designation: Area Planning Manager – South  
Author: Elaine Watt  
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 ..... Tulloch Homes Ltd	Agent ..... Bracewell Stirling Consulting
Address ..... Stoneyfield House ..... Stoneyfield Business Park ..... Inverness IV2 7PA	Address ..... 38 Walker Terrace ..... Tillicoultry ..... FK13 6EF
Phone No. .... 01463 229300	Phone ..... 01259 750301
E-mail .....	E-mail ..... sam.sweeney@bracewell-stirling.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

Site KH5 Land adjacent to Redcastle View and Newton Park, Kirkhill

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**Description of Development** Please include detail where appropriate – eg the number of residential units; the gross floorspace in m<sup>2</sup> 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 housing development with associated boundary treatment, landscaping and

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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
Kirkhill and Bunchrew Community Council	05.03.2019
.....	.....

Names/details of any other parties	Date Notice Served
.....	.....
.....	.....

**Please give details of proposed consultation**

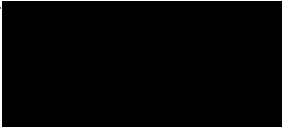
Proposed public event	Venue	Date and time
Public exhibition of proposals	KirkhillCommunity Centre	TBC
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Manned drop-in event for one to one discussion.	TBC
.....	.....

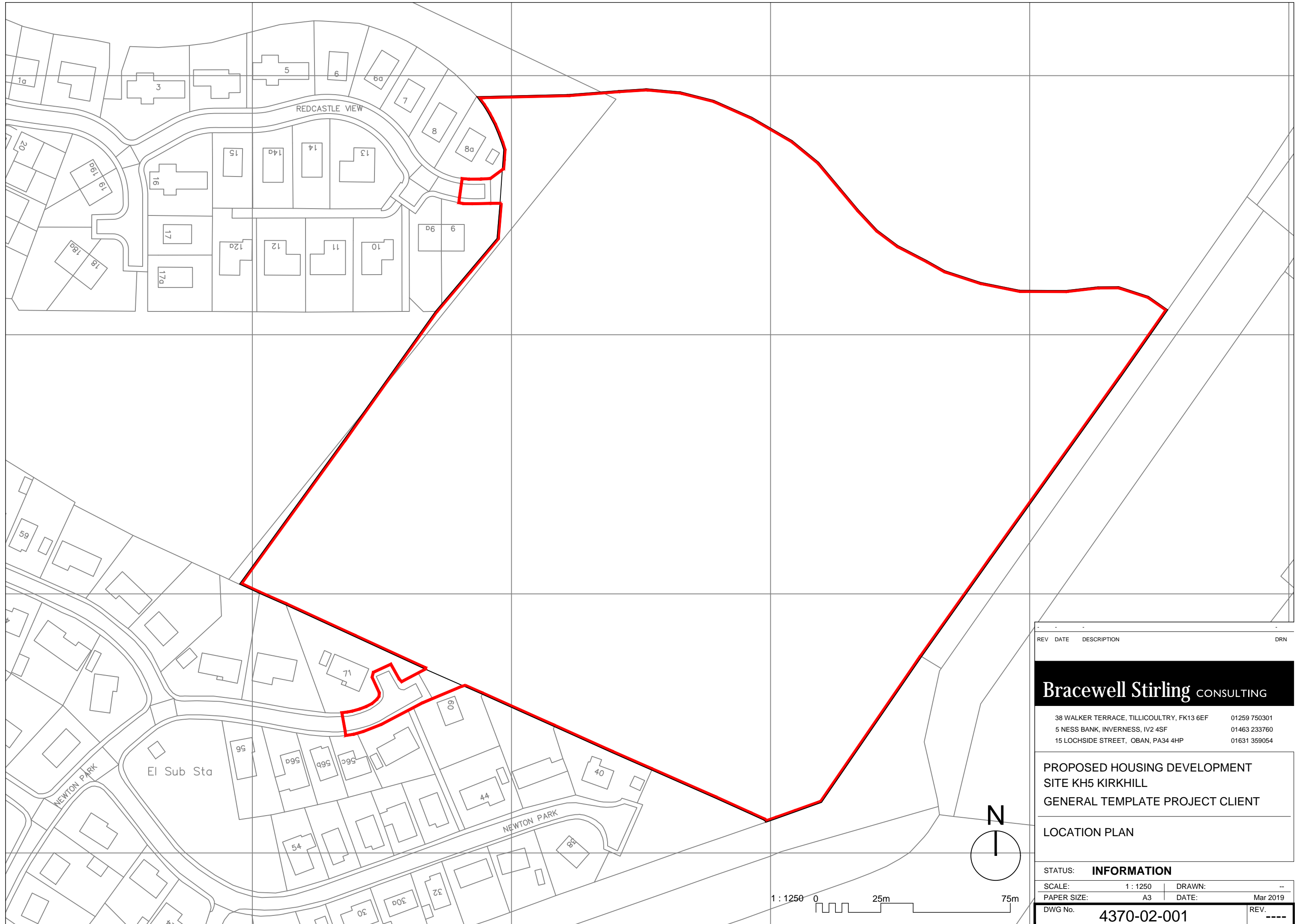
Newspaper Advert – name of newspaper	Advert date(where known)
Press and Journal	TBC
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Details of any other consultation methods (date, time and with whom)

Exhibiting proposals on web link for public access.	Mid March -Mid April
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Signed  .....

Date..... 05.03.2019 .....



REV	DATE	DESCRIPTION	DRN

**Bracewell Stirling** CONSULTING

38 WALKER TERRACE, TILlicOUNTRY, FK13 6EF 01259 750301  
 5 NESS BANK, INVERNESS, IV2 4SF 01463 233760  
 15 LOCHSIDE STREET, OBAN, PA34 4HP 01631 359054

**PROPOSED HOUSING DEVELOPMENT**  
**SITE KH5 KIRK HILL**  
**GENERAL TEMPLATE PROJECT CLIENT**

**LOCATION PLAN**

STATUS: **INFORMATION**

SCALE: 1 : 1250 DRAWN: --  
 PAPER SIZE: A3 DATE: Mar 2019

DWG No. **4370-02-001** REV. ----

