

Agenda Item	5.1
Report No	PLN/084/19

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 26 November 2019

Report Title: 19/04890/PAN: Natural Land 4 LLP
Land 700M NE of North Lodge, Balnagown, Kildary

Report By: Acting Head of Development Management – Highland

1. Purpose/Executive Summary

1.1 Description: Mixed use development including commercial uses, leisure facilities and self catered holiday accommodation units

Ward: 07 – Tain and Easter Ross

1.2

2. Recommendations

2.1 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.

3. BACKGROUND

- 3.1 To inform the Planning Applications Committee of the submission of the attached Proposal of Application Notice (PAN).
- 3.2 The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was lodged on 18 September 2019 and made valid on 24 September 2019. Members are asked to note this may form the basis of a subsequent planning application
- 3.3 The submitted information attached includes:
- Proposal of Application Notice
 - Location Plan

4. DESCRIPTION OF PROPOSED DEVELOPMENT

- 4.1 The PAN provides notice of the developer's intention to submit a planning application for a proposed mixed use development. Based on the information submitted the proposed development will include up to 8796m² of commercial uses, mixed leisure facilities and up to 145 self catered holiday accommodation units.
- 4.2 The indicative design plan submitted with the proposal of application notice indicates that a large portion of the trees within the site will be retained and that the development would utilise, and upgrade, existing tracks.

5. SITE DESCRIPTION

- 5.1 The proposed development is at Balnagown, to the north side of Kildary. The site is located within a former sand and gravel quarry. The highest point on the site is approximately 58m AOD with some parts of the site dropping down to approximately 25m AOD.
- 5.2 The site lies to the northern side of the A9 Trunk Road which forms part of the North Coast 500 (NC500). The site access is anticipated from the C1059 (Pitmaduthy) road to the east of the site. This road served the former quarry operation. Within the site there are a number of paths. Within the area identified for development Core Paths RC25.05 and RC25.06, the latter also being the route of Public Right of Way HR85.
- 5.3 There are a number of sites designated for natural heritage interests in the wider area. The closest designated site is Pitmaduthy Moss Site of Special Scientific Interest. This is located approximately 635m to the north-east of the site.
- 5.4 Ancient and long-established woodland is present on the site. Since the quarry operations have ceased, the site has re-vegetated. The site contains waterbodies, the most substantial of which is Lochanan nan Tunnag.

5.5 The site lies within an area that is characterised as Forest Edge Farming Landscape Character Type, as identified by Scottish Natural Heritage, but is not located within any international or regional landscape designations.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

28 - Sustainable Design
29 - Design Quality and Place-making
30 - Physical Constraints
31 - Developer Contributions
32 - Affordable Housing
40 - Retail Development
41 - Business and Industrial Land
42 - Previously Used Land
43 - Tourism
44 - Tourist Accommodation
51 - Trees and Development
52 - Principle of Development in Woodland
53 - Minerals
55 – Peats and Soils
56 - Travel
57 - Natural, Built and Cultural Heritage
58 - Protected Species
59 - Other Protected Species
60 - Other Important Habitats
61 – Landscape
63 – Water Environment
64 - Flood Risk
65 - Waste Water Treatment
66 - Surface Water Drainage
72 - Pollution
77 – Public Access

6.2 Inner Moray Firth Local Development Plan (2015)

Policy 3 – Growing Settlements

The site lies within the Ross-shire Growth Area.

6.3 Highland Council Supplementary Planning Policy Guidance

Construction Environmental Management Process for Large Scale Projects (August 2010)

Developer Contributions (November 2018)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Green Networks (January 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Managing Waste in New Developments (March 2013)
Physical Constraints (March 2013)
Public Art Strategy (March 2013)
Standards for Archaeological Work (March 2012)
Sustainable Design Guidance
Trees, Woodlands and Development (Jan 2013)

6.4 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (June 2014)
National Planning Framework 3 (June 2014)
PAN 1 / 2011 – Planning and Noise;
Circular 1/2017 – Environmental Impact Assessment;
PAN 60 – Planning for Natural Heritage

7. POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- 7.1
- Development Plan;
 - National Policy;
 - Planning History;
 - Roads and Transport;
 - Water Environment (including private water supplies);
 - Flood Risk and Drainage;
 - Soils;
 - Natural Heritage (including protected species, ornithology and designated sites);
 - Trees and Forestry;
 - Built and Cultural Heritage;
 - Design, Landscape and Visual Impact;
 - Access and Recreation;
 - Economic Impact and Tourism;
 - Noise;
 - Construction.

8. CONCLUSION

- 8.1 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.

9. IMPLICATIONS

- 9.1 Resource: Not applicable

- 9.2 Legal: Not applicable
- 9.3 Community (Equality, Poverty and Rural): Not applicable
- 9.4 Climate Change/Carbon Clever: Not applicable
- 9.5 Risk: Not applicable
- 9.6 Gaelic: Not applicable

10. 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.

Designation: Acting Head of Development Management – Highland
Author: Claire Farmer
Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 - Application Form
Plan 2 - 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 -	<i>Natural Land 4 LLP.</i>	Agent -	<i>Trail Architects</i>
Address -	<i>51 Water Lane Wilmslow SK9 5BQ</i>	Address -	<i>12 Carpenter Street Perth, Scotland PH1 5LZ</i>
Phone No.-	<i>01625 416430</i>	Phone -	<i>01738 230360</i>
E-mail -	<i>s.mulvenney@naturalland.co.uk</i>	E-mail -	<i>info@trailarchitects.co.uk</i>

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 former Logie Quarry, Balnagown, near Kildary

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.

The proposal is for a mixed use development including 94,680sqft of commercial uses, 61 self catering units and 84 accessible eco-lodges.

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

Kilmuir & Logie Easter CC; Tain CC; Edderton CC; Ardross CC; Invergordon CC; Saltburn & Westwood CC; Nigg & Shandwick CC; Fearn CC; Inver CC.

31/10/19

Names/details of any other parties

Date Notice Served

Ward Councillors: Derek Louden, Alasdair Rhind, Fiona Robertson

Ward Manager: Helen Ross

31/10/19

Please give details of proposed consultation

Proposed public event

Venue

Date and time

Drop in Event at Royal Hotel, Tain, Ross-shire, IV19 1AB

Tuesday 12th November 14:00-18:00, Wednesday 13th November 11:00-16:00

Newspaper Advert – name of newspaper

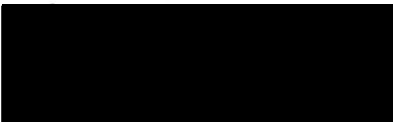
Advert date(where known)

Ross-shire Journal

Friday 1st November

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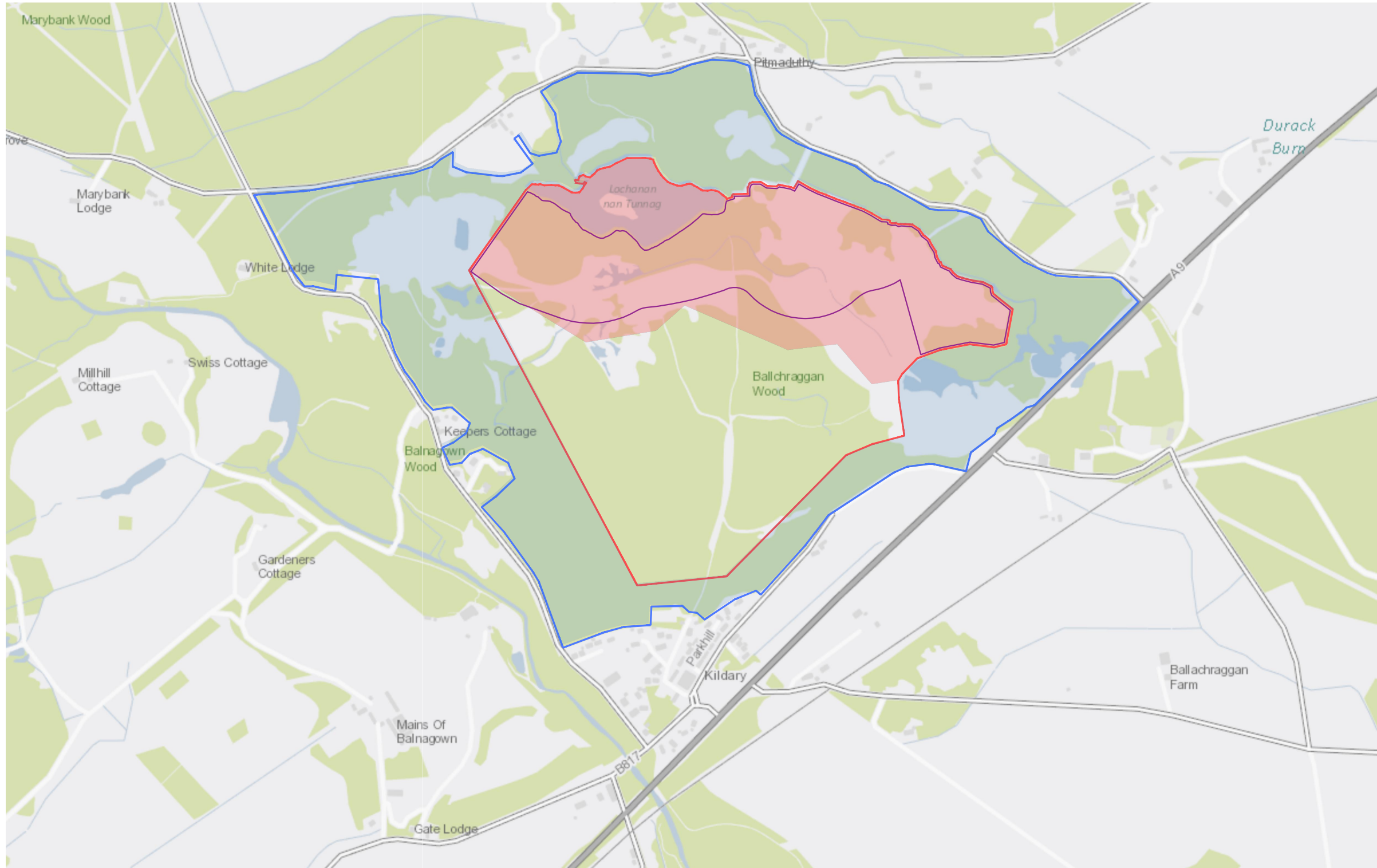
Signed



Date 31/10/19

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



LEGEND

- Site Boundary
- Lease Boundary
- Extent of Previous Pre-Application 15/02706/PREAPP
- Proposed Pre-Application Boundary

SCALE	DATE	DRAWN	CHECKED
1:10000	15.11.17	LC	JR

PROJECT
Logie Quarry, Kildary

DRAWING
Location Plan



12 CARPENTER STREET • PERTH • PH1 5LZ
 01738 230360
 WWW.TRAILARCHITECTS.CO.UK

DRAWING No.
18007-L(90)003