

Agenda Item	5.1
Report No	PLN/075/21

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 19 October 2021

Report Title: 21/04199/PAN: Springfield Properties PLC
Bogroy Farmhouse, Bogroy, Tore, Muir Of Ord, IV6 7RY

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Mixed-Use Development including Residential, Business, Retail, Community facilities (including a new primary school site) and associated infrastructure

Ward: 08 – Dingwall and Seaforth

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 30 August 2021. 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 In line with Covid-19 public health advice and temporary modifications made to the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, the prospective developer proposes to undertake an online public consultation. Virtual events will allow members of the public to engage in live discussion. Two events are due to take place on:
- Event 1 – 16 September 2021, 1600 - 1900hrs; and
 - Event 2 – 21 October 2021, 1600 - 1900hrs.
- 1.5 The virtual event webpage is: www.springfield.co.uk/tore
- 1.6 The consultation will be publicised and advertised in accordance with the appropriate statutory requirements with adverts to be placed within the Ross-shire Journal. 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 specified by the Planning Authority and will cover a 500m radius. Details of all notified parties are contained and appended to the PAN form, and include the host Killearnan Community Council, Dingwall and Seaforth local ward Councillors, 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 prospective mixed use development comprises: residential, business, retail, community facilities (including a new primary school site) and associated supporting infrastructure.
- 2.2 The prospective applicant is yet to obtain pre-application advice from the Planning Authority in respect of the proposal. Any submitted details and pre-application advice given is expected to remain confidential until such a time an application is submitted.

3.0 SITE DESCRIPTION

- 3.1 The PAN boundary comprises 87ha of predominantly undeveloped agricultural land located to the south of Tore. To the north, the site includes the Tore roundabout and part of its connecting roads, including the A9, the A835 to the west and A832 to the south west and east. To the east the site includes agricultural fields located between built up areas and forestry on the eastern side of the A9, with an area of forestry falling within the south eastern site boundary. The south of the site follows and includes a local minor road which is bound by forestry across either side of the A9 which splits the site in two. The western boundary is defined by a mature tree belt and forestry, with the site covering predominantly agricultural land, including Bogroy Farm and isolated residential properties, with the existing residential properties located at Bogroy to the south of the Tore roundabout being excluded from the site.
- 3.2 The topography of the site is generally gently sloping from south to north with field drainage being directed towards to the south west. The site is free from fluvial flood risk with small low lying areas of the site being at pluvial flood risk as mapped by SEPA. The site is intersected by several roads, including the A9 and is crossed by an overhead electricity line to the south east. There are also a number of existing utility connections serving existing properties. The forestry surrounding the eastern, southern and western perimeter of the site appears in the ancient woodland inventory, as being long established (of plantation origin). A dismantled railway line and Tore Farmhouse is recorded within the central western area of the site, with these features appearing in the Council's Historic Environment Records.

4.0 DEVELOPMENT PLAN

The following policies are 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 Constrains
- 31 - Developer Contributions
- 32 - Affordable Housing
- 34 - Settlement Development Areas
- 35 - Housing in the Countryside (Hinterland Areas)
- 37 - Accommodation for An Ageing Population
- 38 – New Settlements
- 40 - Retail Development
- 41 - Business and Industrial Land
- 42 - Previously Used Land
- 51 - Trees and Development
- 52 - Principle of Development in Woodland
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built and 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
70 - Waste Management Facilities
72 - Pollution
73 - Air Quality
74 - Green Networks
75 - Open Space
77 - Public Access
78 - Long Distance Routes

4.2 **Inner Moray Firth Local Development Plan (2015)**

The vast majority of the site is located outwith the Inner Moray Firth Local Development Plan (IMFLDP) Settlement Development Area boundary for Tore. The exception to this is part of the eastern area of the site beyond the A9, including:

- land use allocation TR3: West of Kilcoy House, which is a community use allocation for amenity open space;
- unallocated 'grey' land to the south of this which does not form part of any land use allocation; and
- further south again, the northern half of land use allocation TR4: North of the Grain Mill, which is an industrial allocation.

IMFLDP Para 4.182 also explains that major developments in Tore all require connection to the public sewer and due to poor ground connections/drainage problems this will most likely require provision of a connection from the existing waste water treatment works in Tore to Muir of Ord. Early discussions with Scottish Water are therefore advised and to ensure sufficient capacity can be secured at the Assynt Water Treatment Works. Across the village a Great Crested Newt survey is also required for any development on sites where a water body is present. The following policies are also relevant:

- IMFLDP Policy 1 – Promoting and Protecting City and Town Centres; and
- IMFLDP Policy 2 – Delivering Development.

The IMFLDP is currently undergoing review and the Main Issues Report (MIR) was subject to consultation earlier this year. The MIR identifies the vast majority of the site, as a 'non-preferred site' where development is not being supported for a mix of uses. The exception to this is existing allocation TR4 (MIR reference TR02) which remains a preferred site for industry. Responses to the Main Issues Report are under consideration and the Proposed Plan will be reported to the relevant area committees, prior to consultation being undertaken in early 2022.

4.3 **Highland Council Supplementary Guidance**

- Construction Environmental Management Process for Large Scale Projects (Aug 2010)
- Developer Contributions (Nov 2018)

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

4.4 **Scottish Government Policy and Other Guidance**

- Scottish Planning Policy (Jun 2014)
- National Planning Framework 3, NPF3 (Jun 2014) and the emerging content of NPF4
- Historic Environment Policy for Scotland (Apr 2019)
- PAN 1/2021 – Planning and Noise (Mar 2011)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- PAN 61 – Sustainable Drainage Systems (Jul 2001)
- PAN 68 – Design Statements (Aug 2003)
- PAN 75 – Planning for Transport (Aug 2005)
- PAN 77 – Designing for Safer Places (Mar 2006)

5.0 **POTENTIAL MATERIAL PLANNING CONSIDERATIONS**

- a) Development Plan and Other Planning Policy;
- b) Design and Layout (including Landscape and Visual Impact);
- c) Open Space and Landscaping;
- d) Roads, Access and Parking;
- e) Impact on Infrastructure (including education);
- f) Natural Heritage (including protected species, ornithology and trees);
- g) Built and Cultural Heritage;
- h) Water Environment, Flood Risk and Drainage;
- i) Amenity Impacts (including during construction); and
- j) 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.

Designation: Area Planning Manager – North

Author: Peter Wheelan

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: Springfield Properties PLC Address: Alexander Fleming House, 8 Southfield Road, Elgin, IV30 6GR Phone: 07810056054 E-mail: stuart.morrison@springfield.co.uk	Agent: Farningham Planning Ltd Address: 15 Oswald Road, Edinburgh, EH9 2HE Phone: 07768 952610 E-mail: alan.farningham@farmac.co.uk
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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 Bogroy Farm, Tore, IV6 7RY (NGR NH 60181 51955)

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, Business, Retail, Community facilities (including a new primary school site) 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.

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

Killlearnan Community Council **30/08/21**

Names/details of any other parties Date Notice Served

Councillor Graham Mackenzie	30/08/21
Councillor Alister Mackinnon	30/08/21
Councillor Angela MacLean	30/08/21
Councillor Margaret Paterson	30/08/21
Councillor Gordon Adam	30/08/21
Councillor Jennifer Barclay	30/08/21
Councillor Craig Fraser	30/08/21
Ian Blackford MP	30/08/21
Kate Forbes MSP	30/08/21
Ward Manager Diane Agnew	30/08/21

Please give details of proposed consultation

Proposed public event Venue Date and time

Two online consultation events have been arranged on the 16th September 2021, 4pm to 7pm and the 21st October, 4pm to 7pm.

Newspaper Advert – name of newspaper Advert date(where known)

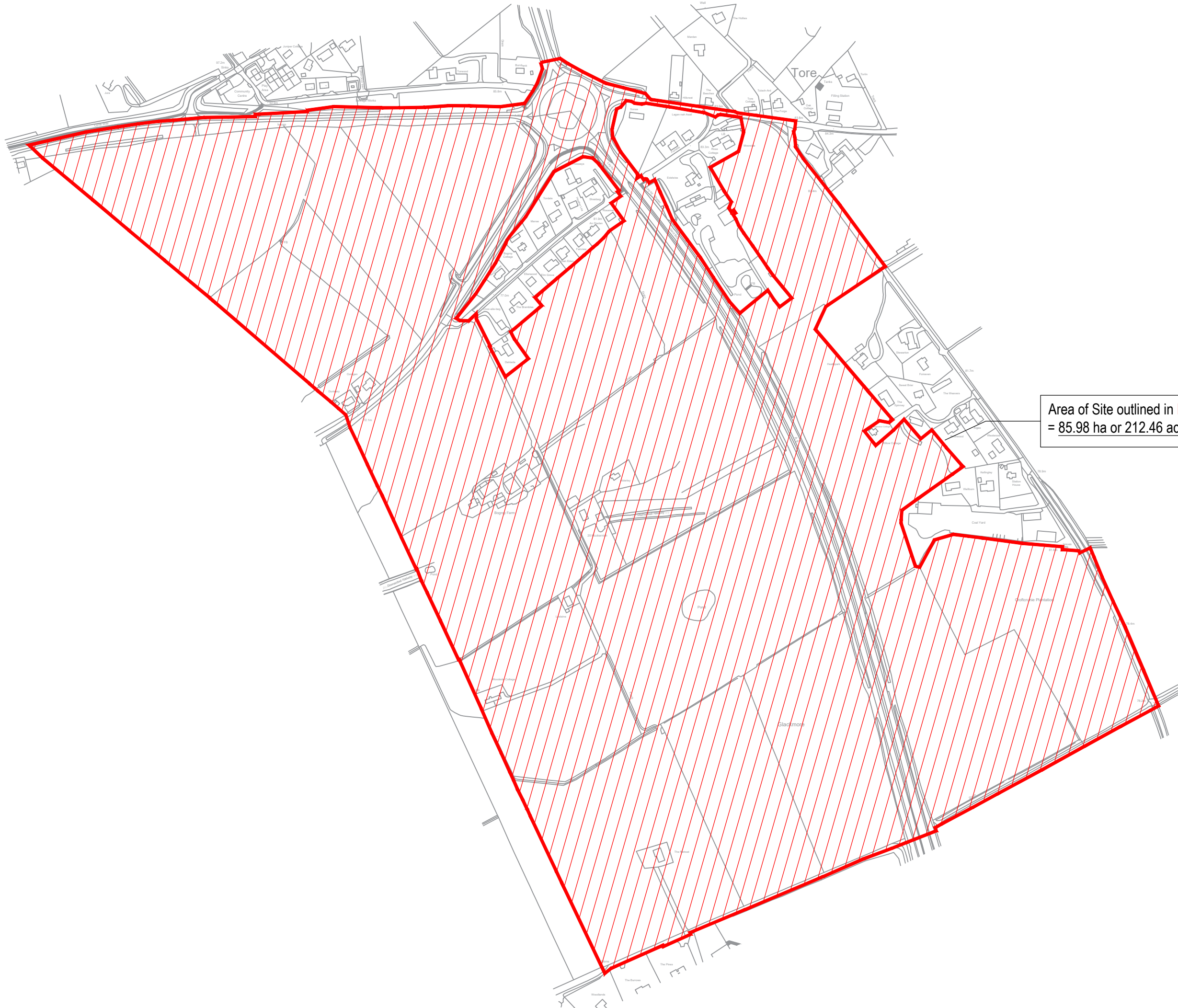
Ross-shire Journal **3rd September 2021**

Ross-shire Journal **8th October 2021**

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

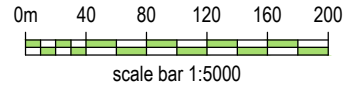
See attached cover letter

Signed Stuart Morrison on behalf of Springfield Properties PLC.....
Date...30/08/21.....



Area of Site outlined in Red
= 85.98 ha or 212.46 acres

Important notes for clients / contractors
No works are to commence on site until all relevant approvals have been obtained. Any deviations to the approved plans have to be reported to this office. Contractors to check all dimensions on site prior to commencement of work. Given dimensions only to be used. "DO NOT SCALE". The copyright of this drawing and design remain the sole property of Springfield Properties Plc and must not under any circumstance be reproduced in any way without express written consent.



Legend
— PoAN application line

Rev	Date	Remarks	By	Ch.
A	19.08.21	Boundary amended	AT	MH

Revisions



Springfield Properties Plc

Elgin Office
Alexander Fleming House,
8 Southfield Drive,
Elgin, Moray,
IV30 6GR
Tel: 01343 552 550
Fax: 01343 551 776
Email: info@springfield.co.uk

Larbert Office
Springfield House,
3 Central Park Avenue,
Larbert,
FK5 4RX
Tel: 01324 555 536
Fax: 01324 574 890
Email: larbert@springfield.co.uk

Project
Tore South

Drawing
PoAN boundary

Scale	Date	Drawn by	Checked by
1:5000	July 2021	AT	BW

Drawing no.	Rev
TS(-)_PoAN_01	A