

Agenda Item	7.3
Report No	PLN/043/22

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 15 June 2022
Report Title: 22/01716/PAN: Cairngorm Properties Ltd
Land at Knockbreck Farm and Burgage Farm, Knockbreck Road, Tain
Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Mixed use development comprising up to 250 residential units, community uses, business/tourism uses, open space and ancillary infrastructure
Ward: 07 – Tain and Easter Ross

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 19 April 2022. 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 The prospective developer held an in-person event 29 May 2022 at the Duthac Centre in Tain, which was advertised in the Ross-shire Journal on 13 May 2022 in excess of the minimum statutory 7day period required. The applicant has been advised to undertake a letter drop to households within 500m of the application site to advertise the event at the request of the Council. The applicant has also been advised that to accord with the provisions of the temporary regulations related to the Coronavirus Act 2020, that they are required to undertake a virtual event as well.
- 1.5 The Proposal of Application Notice has also been served on Tain Community Council along with several businesses and community interest groups with an interest in the development and landholdings that comprise the application site.
- 1.6 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 application will be for a masterplanned mixed-use development of up to 250 residential units along with community, business, and tourist facilities, open space, and associated roads and drainage infrastructure. The development corresponds with the masterplan previously approved under applications refs. 10/02217/PIP (Masterplan for proposed mixed use development approved on 22 October 2013) and 16/03969/PIP (Masterplan for proposed mixed use development on expansion area).
- 2.2 Pre-application advice through the Council's Pre-Application Advice Service was provided to the applicant prior to the 2010 application under reference 09/01729/PREAPP. The applicant will be advised that they should utilise the Pre-Application Advice Service on the basis of their proposal. In addition, the applicant will be advised to utilise the Council's Street Design Review Service in advance of submission.

3.0 SITE DESCRIPTION

- 3.1 The PAN site boundary land comprises gently sloping agricultural land with the site divided into two distinct areas by Knockbreck Road, the main access into Tain from the A9 to the town's the south east.
- 3.2 The western area lies on the north side of the A9 trunk road with the site wrapping around the Asda Supermarket with the land falling in an easterly direction from 51.5 metres (m) Above Ordnance Datum (AOD) in the most westerly corner to 36.5m AOD in the north eastern corner and 35.5m AOD in the south eastern corner on Knockbreck Road, forming a gradient of less than 1 in 25. The land cover is principally rough grass with a beech hedge along part of the eastern boundary, a shelterbelt along the southern boundary to the A9. Beyond the north eastern boundary and along Knockbreck Road are some woodland / mature trees. An area of mixed woodland provides shelter to the main open space area for the housing estate served by Seaforth Road. The boundary with Knockbreck Road is formed of a dry-stone wall and timber post fencing runs almost the whole length of the boundary with.
- 3.3 The eastern part of the site lies to the north east of Knockbreck from where it falls in a north easterly direction from 36.5m AOD to around 29m AOD at the top of the raised beach/escarpment. These slopes are around 1 in 19 at steepest. The land cover is arable having been cropped in recent years. There are mature beech trees along the boundary with Knockbreck Road, some field boundary trees to the north west edge and some scrub vegetation on the north eastern boundary at the top of the raised beach. An overhead power line runs through the eastern portion of the site and an old dry-stone wall/bank runs along part of the boundary with Knockbreck Road. The application site includes the tennis courts, club house and car park but excludes the wooded grounds of Knockbreck House and Gardens along with the existing residential properties at this location to the south east. Further to the south east the site comprises an open agricultural field that runs parallel with the A9 trunk road on which a joinery workshop and showroom with service yard has recently been approved (ref. 21/01171/FUL).
- 3.4 There are no Scheduled Ancient Monuments or Conservation Areas within the application site. However, a number of features of historic features within vicinity of the site as identified in the Highland Historic Environment Record. Various listed structures are located around Knockbreck Farm which is located to the east of the site.
- 3.5 There are no national or local landscape designations within the application site boundary. The Dornoch Firth National Scenic Area lies to the north of the site.
- 3.6 The site is not within any site designated for natural heritage. It does however have connectivity to the Dornoch Firth and Loch Fleet Special Protection Area (SPA) and Ramsar site.

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
- 47 - Safeguarding Inbye/ Apportioned Croftland
- 51 - Trees and Development
- 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
- 74 - Green Networks
- 75 - Open Space
- 77 - Public Access

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

The site corresponds with the allocated site TN5 Knockbreck Road with the overall site allocated for Mixed Use – housing, business, commercial, and community uses. Policy 2: Delivering Development is applicable. Indicative capacity for housing development of site refers to approved masterplan (Permission in Principle 10/02217/PIP). Remainder of site holds potential for additional mixed use development.

Developer requirements for the site are:

- Development of masterplanned area to be in accordance with the approval including suitable access into, through and across the site;
- provision of new/extended bus service(s);
- programme of archaeological work;
- consideration of reuse of Toll Booth listed building;
- Tree Protection Plan;
- Bat Surveys (if trees are removed);
- avoidance of any adverse effect on the integrity of Dornoch Firth and Loch Fleet SPA/Ramsar through preparation of a Recreation Access Management Plan.

4.3 **Inner Moray Firth Local Development Plan 2**

The review of the IMFLDP is currently at Proposed Plan stage. The Proposed Plan is a material consideration in the assessment of the application and can be afforded weight as it represents the settled view of the Council. However, it may be subject to change following consultation or through the Examination process. The site is not included as an allocated site within the Proposed Plan.

4.4 **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 Historic Environment Strategy (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)

4.5 **Scottish Government Policy and Guidance**

- Scottish Planning Policy (Jun 2014)
- National Planning Framework 3 (Jun 2014)
- Draft National Planning Framework 4 (November 2021)
- Historic Environment Policy for Scotland (Apr 2019)
- PAN 1/2011 – 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)
- PAN 83 – Master Planning (Sept 2008)

5.0 **POTENTIAL MATERIAL PLANNING CONSIDERATIONS**

- a) Development Plan
- b) National Policy
- c) Planning History
- d) Design and layout;
- e) Landscape and visual impact;
- f) Amenity impacts (including construction noise, operational noise and lighting);
- g) Open space and landscaping;

- h) Roads, access and parking;
- i) Active travel connectivity;
- j) Wider access (impact upon the Core Path network)
- k) Developer contributions;
- l) Infrastructure Capacity (including primary and secondary school capacity);
- m) Natural heritage (including protected species, impact upon trees and green network);
- n) Water environment, flood risk and drainage; and,
- o) 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: Mark Fitzpatrick

Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 – Proposal of Application Notice

Plan 2 – Location / Site Layout 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.

<p>Applicant: Cairngorm Properties Ltd</p> <p>Address: Ghuilbin House Grampian Rd Aviemore PH22 1RH</p> <p>Phone: per agent E-mail</p>	<p>Agent: GH Johnston Building Consultants Ltd - Planning & Design</p> <p>Address: Willow House, Stoneyfield Business Park, Inverness, IV2 7PA</p> <p>Phone: 01463 237229 E-mail: admin@ghjohnston.co.uk</p>
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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

Knockbreck and Burgage Farm, Knockbreck Road, Tain, IV19 1LX

Description of Development

Please include detail where appropriate – e.g. 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.

Planning Permission in Principle for Master Plan for expansion of Tain comprising land for up to 250 houses, associated community uses, open space and business/tourist related uses.

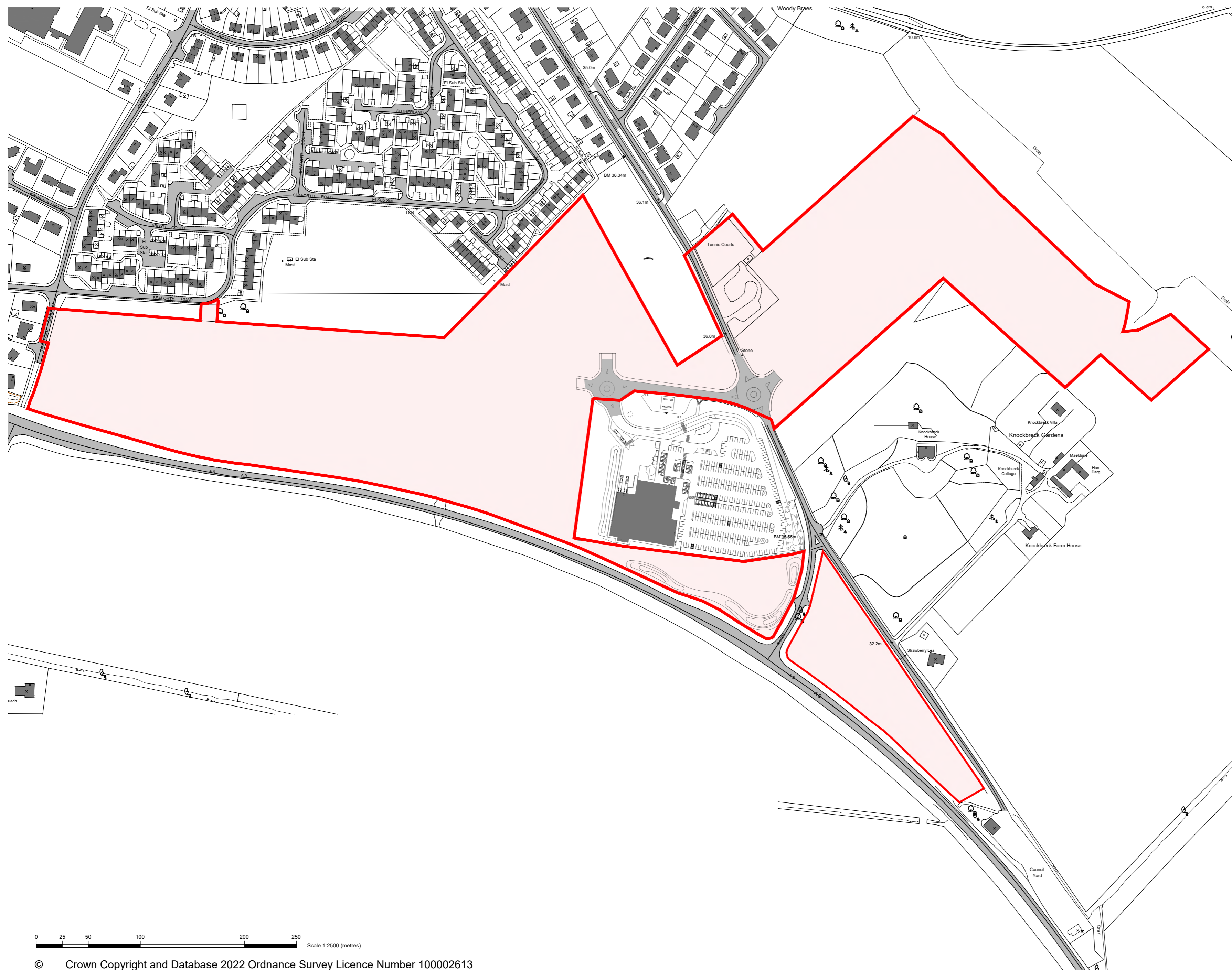
Pre-application Screening Notice

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?

NO



site area : 18.2303 ha



Rev.	Description	Drawn	Date
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Client
Cairngorm Properties Ltd

Project
**Proposal of Application Notice
 Knockbreck & Burgage Farm,
 Tain**

Drawing
Site Plan

Status
SKETCH

Scale 1:2500 Date 06/04/22

Sheet A2 Drawn by CL

Drawing No:
10154 / Sk001

