

Agenda Item	7.4
Report No	PLN/044/22

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 15 June 2022

Report Title: 22/02037/PAN: Tulloch Homes Ltd
Land South of Riverford Farmhouse, Conon Bridge

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Proposed mixed use development including up to 75 residential units and 1.3 ha allocated for business use, with all associated infrastructure, open space and landscaping

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). This new submission follows from a previous PAN on the same site, reference 21/03693/PAN, made valid on 10 August 2021, for a mixed-use development of 45 residential units and 1.3 ha of business use.
- 1.2 The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was made valid on 12 May 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
 - Cover Letter and Emails
 - Mail Drop Address List (carried forward from previous PAN submission)
- 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 developer proposes to undertake online public consultation. This went live via a dedicated web link, <https://www.mga-architecture.co.uk/riverford-public-consultation>, from Monday 23 May 2022. Two online exhibitions will be held, using Microsoft Teams. The events include a presentation and live chat session. The information from the events will also then be made available on a dedicated page on the agent's website, which will remain open for 21 days after the first event, until Monday 20 June.
- A link will be provided to leave further comments. Events took place as follows:
- Event 1: Monday 30 May 2022, between 4pm and 7pm
 - Event 2: Wednesday 8 June 2022, between 4pm and 7pm
- 1.5 The consultation will be publicised and advertised in accordance with the appropriate statutory requirements with an advert to be placed within the Ross -Shire Journal. The advert was placed in this newspaper on Friday 20 May 2022. Additionally, a telephone contact will be provided for those who are otherwise unable to attend or contribute via the online events and channels. An invitation maildrop was also undertaken, during the week commencing Monday 16 May 2022, incorporating the press advert text, to make local residents aware of the proposed development. The catchment for its wider distribution was agreed with the Planning Authority and covers a radius of 500m from the proposed site. The PAN form also indicates that the Conon Bridge Community Council will be notified in line with the statutory requirements.
- 1.6 In addition to the PAC requirements, the applicant also agreed to hold an 'in person' event, in the Maryburgh Amenities Centre, on Wednesday 1 June 2022.

- 1.7 Any 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 proposed scheme comprises residential development and associated infrastructure. The site is located within the Settlement Development Area (SDA) for Conon Bridge and is covered by the land allocation CB5 – Riverford in the Inner Moray Firth Local Development Plan (IMFLDP) (2015). This is a mixed-use allocation, with an indicative capacity of 45 homes and 1.3Ha of business development. No further details of the proposed development, in terms of access, phasing, and design and types of housing, are provided.
- 2.2 The developer has sought formal pre-application advice from the Planning Authority through the Pre-Application Advice Service for Major Developments.
- 2.3 The developer had submitted an EIA Screening Request in respect of the previously proposed development and was advised under 21/05108/SCRE that an Environmental Impact Assessment would be required.

3.0 SITE DESCRIPTION

- 3.1 The PAN boundary comprises 6.75 ha of agricultural land. The site is approximately wedge shaped and is bounded to the west by the Inverness - Dingwall railway line and to the east by the A862 public road. To the north is located the Riverford Farmhouse as well as dwellings on Brahan View. To the south lies a small cluster of development around the Riverford Garage, incorporating several detached dwellings.
- 3.2 There is existing vegetation which runs along the southern, eastern and western boundaries. The Conon Riverside path, which is a designated Core Path runs parallel to the western boundary of the site, beyond the railway line.
- 3.3 There are no statutory natural heritage designations within the site boundary. The nearest are the Lower River Conon Site of Special Scientific Interest (SSSI), designated for its wet woodland and fen land and the Conon Islands Special Area of Conservation (SAC), designated for its Alder woodland on a floodplain. Both designations are located approximately 45m to the west of the application site, at its closest point on the western boundary. The River Conon is connected to the Cromarty Firth, which is designated as a Special Protection Area (SPA) / RAMSAR site.
- 3.4 There are no national or local landscape designations within the application site boundary.

- 3.5 There are no Scheduled Ancient Monuments, Listed Buildings or Conservation Areas within the application site. However, the Conon Bridge Henge Scheduled Monument, is located some 270m from the northern boundary. The nearest listed building is Riverford House, a Category C listed building, which is located adjacent the PAN site boundary to the north.

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 Constraints
- 31 - Developer Contributions
- 32 - Affordable Housing
- 34 - Settlement Development Areas
- 51 - Trees and Development
- 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
- 74 - Green Networks
- 75 - Open Space
- 77 - Public Access

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

- 4.2 The site is located within the defined settlement development area (SDA) for Conon Bridge. The following constraints are listed in the plan in relation to the settlement
- Across the village, all new residential development in the catchment of Ben Wyvis Primary School will be required to make a contribution to the provision of community facilities and any future required expansions of Ben Wyvis Primary School.
 - All developments must contribute to upgrade of the A835 / Corntown junction.
 - Early engagement to take place between developers and Scottish Water, to ensure any additional capacity demands at Assynt Water Treatment Works and Conon Bridge Water Treatment Works in the future can be delivered in line with development.

- A great crested newt survey is required for all development sites containing a water body.
- Allocation CB5 is one of several in Conon that that will be required to ensure avoidance of any adverse effect on the integrity of the Conon Islands SAC and Cromarty Firth SPA. These sites should include a comprehensive sustainable urban drainage system to deal with surface water run-off.

4.3 As stated above the land is allocated (site reference CB5) in the IMFLDP partly for housing (Class 9), with an indicative capacity of 45 units. 1.3 ha of the site are also allocated for business uses (Class 4) The Developer Requirements are to provide:

- A footpath connection to Conon Bridge Rail Halt; access to be taken from the A862.
- Provision of a landscaped buffer between the end of Brahan View and any new development.
- A landscaped buffer between the existing Riverford Garage and any new development.
- Provision of a landscaped buffer along the A862.
- A Safer Routes to School Plan.
- Extension of 40mph speed limit to the southern boundary of the site;
- A comprehensive Sustainable Urban Drainage (SUDS) system.
- A scheme for avoidance of any adverse effect on the integrity of Conon Islands SAC and / or Cromarty Firth SPA / Ramsar Site.

Inner Moray Firth Proposed Local Development Plan (2022)

4.4 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.

4.5 Highland Council Supplementary Guidance

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

4.6 Scottish Government Policy and Other Guidance

- Scottish Planning Policy (Jun 2014 and as amended Dec 2020)
- National Planning Framework 3 (Jun 2014)
- 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 and other planning policy;
- b) Design and layout;
- c) Landscape and visual impact;
- d) Amenity impacts (including construction noise, operational noise and lighting);
- e) Open space and landscaping;
- f) Roads, access and parking;
- g) Active travel connectivity;
- h) Wider access (impact upon the Core Path network)
- i) Developer contributions (including contributions towards upgrading the A835 / Corntown junction)
- j) Infrastructure Capacity (including primary and secondary school capacity);
- k) Natural heritage (including protected species and impact upon trees);
- l) Water environment, flood risk and drainage; and
- m) 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. 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 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: Michael Kordas

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

Relevant Plans: Plan 1 – Proposal of Application Notice

Plan 2 – Location Plan PAN02 REV A

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.

<p>Applicant Address.</p> <p>Tulloch Homes Ltd Stoneyfield House Stoneyfield Business Park Inverness IV2 7PA</p> <p>Phone E-mail</p>	<p>Agent Address</p> <p>MGA Architecture Ltd 22 Rubislaw Terrace Aberdeen AB10 1XE</p> <p>Phone 01224 643117 E-mail office@m-g-a.co.uk</p>
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Address or Location of Proposed Development

Land South of Riverford Farmhouse, Conon Bridge, Highland, IV7 8AH

Description of Development

Proposed mixed use development including up to 75 residential units and 1.3 ha allocated for business use, with all associated infrastructure, open space and landscaping.

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
Conon Bridge Community Council

Date Notice Served
28 April 2022

Names/details of any other parties

Councillors for Dingwall and Seaforth Ward 08

Date Notice Served

28 April 2022

Please give details of proposed consultation

Proposed public event

Venue

Date and time

**Virtual exhibition and public event at
www.mga-architecture.co.uk**

1st event: **25 May 2022 4-7pm**

2nd event: **08 June 2022 4-7pm**

2 events total

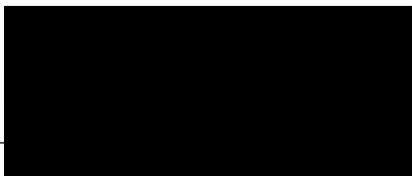
Newspaper Advert – name of newspaper

Ross-Shire Journal

at least 7 days before the first event

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

Signed ...



..... Date.....29 April 2022.....



MGA ARCHITECTURE
www.mgaarchitecture.co.uk

Project
**Mixed Use Development at Riverford
Conon Bridge, Highland
for The Gairloch and Conon General
Partnership**
Drawing
Site Location Plan

Date **April 2022** Scales **1:2500@A3**

Project Nr. **1405** Drawing Nr. **PAN02** Rev. **a**

1:2500 0m 50m 100m

