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| Agenda Item | 5.2 |
| Report No | PLN/052/22 |

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 10 August 2022
Report Title: 22/02547/PAN: Tulloch Homes
Braes Of Conon-South, Conon Bridge
Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Erection of up to 160 residential units 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 1 June 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
 - Covering Emails
 - Mail Drop Extent 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 developer proposes to undertake online public consultation. Two online engagement events were held, using the Zoom platform. The events included a presentation and live chat session. The information from the events was also then made available on a dedicated page on the agent's website, which went live on Thursday 16 June 2022 at <https://www.tulloch-homes.com/braesofcononsouth> and remained open until 4 August 2022. A link was provided to leave further comments. The online engagement events took place as follows:
- Event 1: Wednesday 22 June 2022, between 4pm and 7pm
 - Event 2: Thursday 21 July 2022, between 4pm and 7pm
- 1.5 The consultation was publicised and advertised in accordance with the appropriate statutory requirements with adverts placed within the Ross -Shire Journal on 17 June and 15 July 2022. Additionally, a telephone and postal contact was 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 13 June 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 covered a radius of 500m from the proposed site. The PAN form also indicates that the Conon Bridge Community Council was 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 29 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 CB2 - Braes of Conon in the Inner Moray Firth Local Development Plan (IMFLDP) (2015). This is a housing allocation, with an indicative capacity of 115 homes. No further details of the proposed development, in terms of access, phasing, and design and types of housing, are provided, other than that the development will incorporate both affordable and open market housing.
- 2.2 The developer has sought formal pre-application advice from the Planning Authority through the Pre-Application Advice Service for Major Developments.

3.0 SITE DESCRIPTION

- 3.1 The PAN boundary comprises some 9.85 ha of agricultural land. The site is approximately wedge shaped and is bounded to the north by the earlier phases of the applicant's development at Conon Braes, also allocated in the IMFLDP as site CB4. To the east the site is bounded by the A835 Trunk Road, to the south by a single-track road connecting to the Conon Brae Farm and to the west by further modern housing development on the periphery of the Conon Bridge settlement.
- 3.2 The site is generally of an open aspect, although sections of the original field boundaries and shelter belts remain, most pronouncedly, on the northern boundary.
- 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 1km distant, to the southwest of the site. 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. The nearest local designation is the Ben Wyvis Special Landscape Area (SLA) which at its closest point, is approximately 11km to the north-west of the site.
- 3.5 There are no Scheduled Ancient Monuments, Listed Buildings or Conservation Areas within the site.
- 3.6 Parts of the site are designated as at a potentially medium risk of pluvial (surface water) flooding on the SEPA maps.

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 Conan 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 CB2 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 CB2) in the IMFLDP for housing (Class 9), with an indicative capacity of 115 units. The Developer Requirements are as follows;

- Landscaping Plan to include planting to the eastern and southern boundary to form a boundary to the development;
- Development should not commence until 80% of the Braes of Conon (Site CB54 is completed);
- A comprehensive Sustainable Urban Drainage System
- The development must avoid any adverse effect on the integrity of Conon Islands SAC and/or Cromarty Firth SPA/Ramsar alone or in combination with other developments.
- A Flood Risk Assessment as well as a Traffic Assessment of the impact on the B9163/A835 trunk road junction.

Inner Moray Firth Proposed Local Development Plan (2022)

4.4 The site is continued in the draft plan, but under a different allocation reference, CB04 and as a mixed-use allocation, with the same indicative housing capacity of 115 units. The stated Developer Requirements are as follows;

- A developer masterplan is required, which should address retention and naturalisation of adjoining watercourse as an enhanced green network;
- Flood Risk and Drainage Impact Assessments (no development in areas shown to be at risk of flooding);
- Public sewer extension and a connection;
- Retention of, setback of development from and added planting along the riparian strip and other site boundaries;
- Visualisations to assess and mitigate landscape and visual impact;
- Transport Assessment and mitigation including, new/improved active travel links to village facilities (especially to Ben Wyvis Primary School and Conon Bridge rail halt),
- Extension of the distributor loop road through site;
- Assessment of the safety and capacity of the nearby A835 junction;
- Contribution to Conon Bridge to Muir of Ord strategic link;
- Details of phasing including early availability of serviced sites for non-housing use.

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)
- Draft National Planning Framework 4 (November 2021)
- Designing Streets (2010)
- Creating Places (2013)
- 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

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.

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| <p>Applicant Tulloch Homes Ltd Address.Stoneyfield House, Stoneyfield Business Park, Inverness IV2 7PA</p> <p>Phone 01463 229300 E-mail: hello@tulloch-homes.com</p> | <p>Agent Suller & Clark Address Scoutbog steading, Oldmeldrum, Inverurie, Aberdeenshire, AB51 0BH</p> <p>Phone 07930 566336 E-mail karen@sullerandclark.com</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

Braes of Conon (south) Conon Bridge

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.

Planning permission for approx. 160 affordable and private homes with associated infrastructure, open space, access 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? **No**

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 Conon Bridge Community Council
Date Notice Served 1/6/22

Names/details of any other parties Date Notice Served

- Cllr. Sean Kennedy
 - Cllr. Graham McKenzie
 - Cllr. Angela McLean
 - Cllr. Margaret Paterson
 - Ian Blackford MP
 - Kate Forbes MSP
- All served
1/6/22

Please give details of proposed consultation

| Proposed public event | Venue | Date and time |
|-----------------------|--------------------------|-----------------------|
| Public exhibition | Marywell Activity Centre | 29/6/22 between 4-7pm |

| Newspaper Advert – name of newspaper | Advert date(where known) |
|--------------------------------------|--|
| Ross- Shire Journal | w/c 13 th and 20 th June and the 11 th July 2022. |

Details of any other consultation methods (date, time and with whom)
Two online public engagement events will be undertaken: on Wednesday 22 June 2022 and Thursday 21st July 2022, both from 4-7pm.

On line exhibition will be available at <https://www.tulloch-homes.com/braesofcononsouth> between 16/6/22 to 4/8/22. An on line feedback form will be available on the web site or by contacting Tulloch Homes Ltd on 01463 898670, or in writing at Tulloch Homes Ltd, Stoneyfield, Stoneyfield Business Park, Inverness, IV2 7PA,

Signed ...Karen Clark..... Date...7/6/22.....



| REV | DATE | DESCRIPTION | DRN |
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Bracewell Stirling CONSULTING

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

SITE CB2, BRAES OF CONON
 CONON BRIDGE
 TULLOCH HOMES LTD

LOCATION PLAN

STATUS: **INFORMATION**

SCALE: 1 : 2500 DRAWN: --
 PAPER SIZE: A3 DATE: May 2022

DWG No. **4576-01-001** REV. **A**

