

Agenda Item	5.1
Report No	PLS-10-24

HIGHLAND COUNCIL

Committee: South Planning Applications Committee
Date: 19 March 2024
Report Title: 23/05713/PAN: Pat Munro (Alness) Ltd
Land 200M SW of Blackpark farm, Westhill, Inverness
Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Development for self-build residential plots including up to 25 homes
Ward: 19 – Inverness South

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 the application for planning permission.

1. BACKGROUND

- 1.1 To inform 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 lodged on the 30 November 2023. 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
 - Location Plan
- 1.4 The prospective developer held a first public event on 13 December 2023 at the Drumossie Hotel, Old Perth Road, Inverness; with a second event following at the Barn Church, Culloden on 08 February 2023. The advertisement for the first event was published in the Inverness Courier on 05 December 2023, and for the second event in the Inverness Courier on 30 January 2023. In addition to the public events, the applicant has published details on a project website for viewing at www.blackparkfarmdevelopment.net
- 1.5 The applicant has intimated that the Proposal of Application Notice has been served on the host Cradlehall and Westhill Community Council, as well as local Elected Members, and MSPs.
- 1.6 Any subsequent 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. 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 proposed development seeks to create a serviced site to allow for the development of custom-build and self-build housing plots. The indicative layout plan produced by the developer as shown on their project website envisages 17 detached houses with an area of open space either side of the main access road leading from the B9006. However, the submitted PAN indicates provision of up to 25 houses.

3. SITE DESCRIPTION

- 3.1 The site is an area of farmland, approximately 11 hectares in size that is located between Westhill to the west and Blackpark Farm to the east. The southern boundary of the site is formed by the B9006 public road, with Culloden Wood to the north. It is roughly 'L' shaped encompassing two agricultural land parcels.
- 3.2 The site lies wholly within the Culloden Muir Conservation Area and just outwith the designated Inventory Battlefield.

4. DEVELOPMENT PLAN

The following policies are relevant to the assessment of the application.

4.1 National Planning Framework 4 (2023)

- 1 – Tackling Climate Change
- 2 – Climate Mitigation and Adaptation
- 3 – Biodiversity
- 6 – Forestry, woodland and trees
- 7 – Historic assets and places
- 12 – Zero waste
- 13 – Sustainable transport
- 14 – Design, quality and place
- 15 – Local living and 20 minute neighbourhoods
- 16 – Quality homes
- 17 – Rural homes
- 21 – Play, recreation and sport
- 22 – Flood risk and water management
- 29 – Rural development

4.2 Highland Wide Local Development Plan 2012

- 28 – Sustainable Design
- 29 – Design Quality & Place-making
- 31 – Developer Contributions
- 32 – Affordable Housing
- 35 – Housing in the Countryside (Hinterland areas)
- 51 – Trees and Development
- 56 - Travel
- 57 – Natural, Built and Cultural Heritage
- 58 – Protected Species
- 59 – Other Important Species
- 61 – Landscape
- 64 – Flood Risk
- 65 – Waste Water Treatment
- 66 – Surface Water Drainage
- 75 – Open Space
- 77 – Public Access

4.2 Inner Moray Firth Local Development Plan 2015

No site specific policies apply.

4.3 Other (Planning Policy) Material Considerations

Inner Moray Firth Proposed Local Development Plan (IMFLDP2)

The emerging area local development plan (the IMFLDP2) has completed its Examination, and it is intended that the Council will make the decision to adopt the plan at the Full Council meeting on 9 May 2024. This timetable is subject to clearance to adopt from Scottish Government. The Examination included

consideration of the same land area as that covered by this PAN, submitted by the same proponent, for housing development. The Scottish Government appointed Reporter rejected this “promoted site” proposal. Consequently, the site will not be allocated for development within the replacement plan and will continue to fall outwith the Settlement Development Area for Inverness City and remain within the Hinterland countryside. The IMFLDP2 also contains refined general policies that would also likely affect any future application. For example, there is a biodiversity net enhancement requirement policy that adds more detail to that set out in NPF4. This policy cross refers more detailed Biodiversity Planning Guidance, which the Council intends to approve in May 2024.

4.4 Highland Council Supplementary Planning Policy Guidance

- 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)
- Standards for Archaeological Work (Mar 2012)
- Trees, Woodlands and Development (Jan 2013)
- Sustainable Design Guide (Jan 2013)

4.5 Scottish Government Planning Guidance

- Designing Streets (2010)
- Creating Places (2013)
- PAN 1/2011 - Planning and Noise (2011)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- PAN 61 Planning for Sustainable Urban Drainage System (SuDs)
- PAN 68 Design Statements
- PAN 77 Designing Safer Places
- Circular 1/2017: Environmental Impact Assessment Regulations (2017)
- Developing with Nature Guidance (NatureScot 2023)

5. POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- 5.1
- (a) Development Plan and other planning policies;
 - (b) Roads and transport;
 - (c) Flood risk and drainage impacts;
 - (d) Trees and woodland;
 - (e) Built, natural, and cultural heritage;
 - (f) Siting, layout and design;
 - (g) Culloden Muir Conservation Area;
 - (h) Inventory Battlefield
 - (i) Core path

6. CONCLUSION

- 6.1 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.

7. IMPLICATIONS

- 7.1 Resource: Not applicable
- 7.2 Legal: Not applicable
- 7.3 Community (Equality, Poverty and Rural): Not applicable
- 7.4 Climate Change/Carbon Clever: Not applicable
- 7.5 Risk: Not applicable
- 7.6 Gaelic: Not applicable

8. 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.

Signature: David Mudie
Designation: Area Planning Manager – South
Author: John Kelly
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Location Plan

The Town and Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) Act 2006 and Planning (Scotland) Act 2019

Town and Country Planning (Pre-Application Consultation) (Scotland) Regulations 2021

The Council will respond within 21 days of validation 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.

The Proposal of Application Notice will be valid for a period of 18 months from the date of validation of the notice by the Council.

Data Protection

Your personal data will be managed in compliance with the Data Protection legislation. You can read our privacy notice for planning related certificates on the Council's website at: https://www.highland.gov.uk/directory_record/1052173/planning_applications_consents_and_notice_of_review

I have read and understood the privacy notice.

Contact Details

Applicant	Pat Munro (Alness) Limited	Agent	THE Architecture + Planning
Address	Averon House 3 Dail Nn Rocas Teaninch Industrial Estate Alness IV17 0PH	Address	24 North Silver Street Aberdeen AB10 1RL
Phone	01349 800019	Phone	01224586277
Email	Mark.toland@patmunro.co.uk	Email	info@the-ap.co.uk

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 to West of Blackpark Farm, Culloden, Inverness

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.

Proposed development for self-build residential plots including up to 25 homes.

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

State which other parties have received a copy of this Proposal of Application Notice.

Community Council/s**Date Notice Served**

Cradlehall and Westhill Community Council

29 November 2023

Local Elected Members**Date Notice Served**

Colin Aitken

colin.aitken.cllr@highland.gov.uk

Ken Gowans

Ken.Gowans.cllr@highland.gov.uk

Duncan Macpherson

duncan.macpherson.cllr@highland.gov.uk

Andrew Sinclair

andrew.sinclair.cllr@highland.gov.uk

29 November 2023

Members of Scottish Parliament and Members of Parliament**Date Notice Served**

Fergus Ewing

Fergus.Ewing.msp@parliament.scot

Ariane Burgess

Ariane.Burgess.msp@parliament.scot

Rhoda Grant

Rhoda.Grant.msp@parliament.scot

Edward Mountain

Edward.Mountain.msp@parliament.scot

29 November 2023

Douglas Ross Douglas.Ross.msp@parliament.scot Donald Cameron Donald.Cameron.msp@parliament.scot Jamie Halcro Johnston Jamie.HalcroJohnston.msp@parliament.scot Emma Roddick Emma.Roddick.msp@parliament.scot	
Names / details of other parties	Date Notice Served

Details of Proposed Consultation		
Proposed Public Event 1	Venue	Date and Time
	Drumrossie Hotel, Old Perth Road, Inverness IV2 5BE	13 December 2023 3pm to 7:30pm
Proposed Public Event 2 <i>(at least 14 days after Public Event 1)</i>	Venue	Date and Time
	The Barn Church Culloden Culloden House Avenue Inverness IV2 7AB	8 February 2023 3pm to 7:30pm

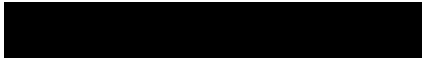
Publication of Event		
Newspaper Advert	Name of Newspaper	Advert Date
Event 1	The Inverness Courier and Public Notice Portal	5 December 2023
For Event 1 Notice to be issued to properties within 500m distance to the site.		5 December 2023

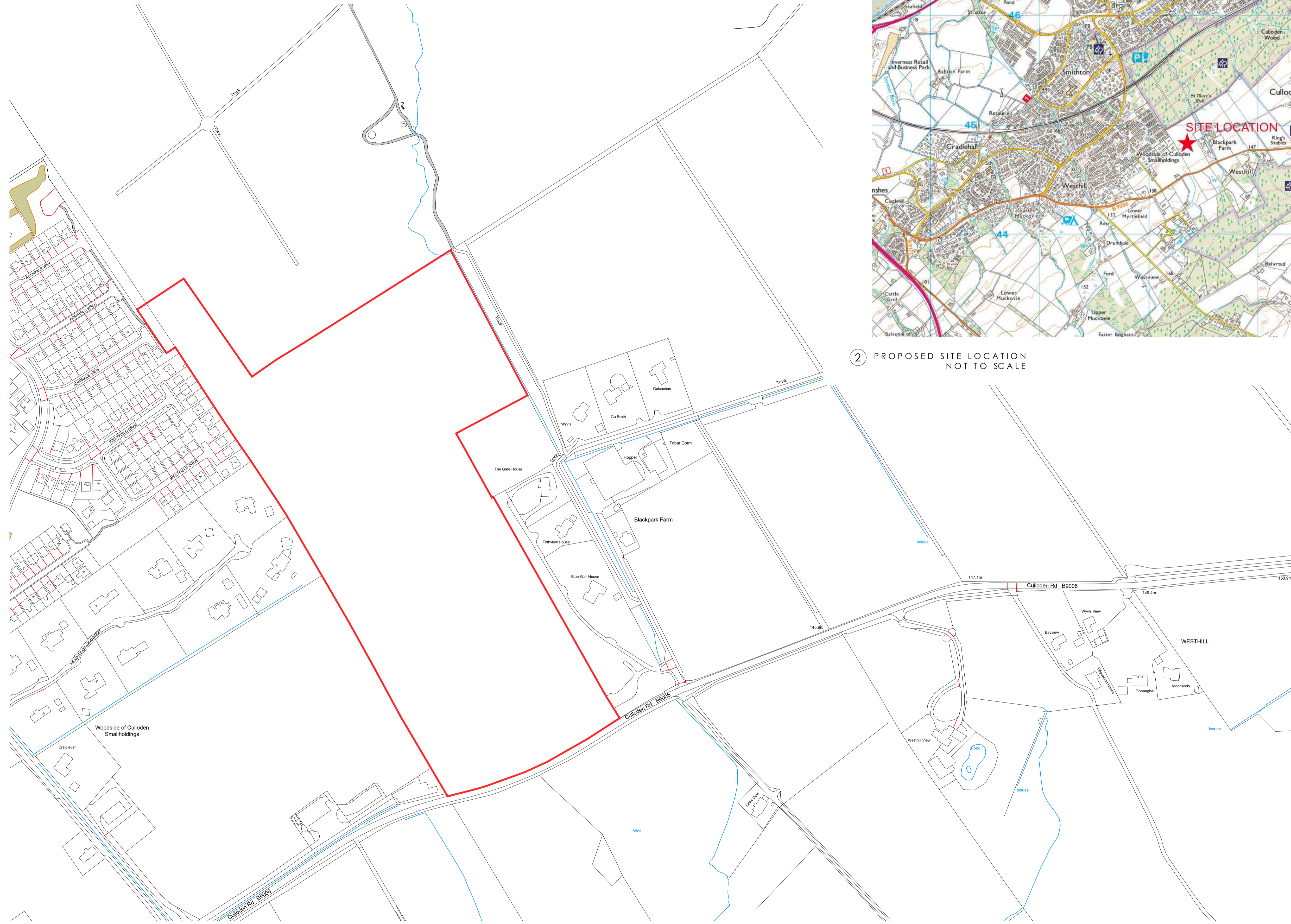
Event 2	The Inverness Courier and Public Notice Portal	30 January 2023
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Details of any other consultation methods (date, time and with whom)

In addition to the public events the display information will be published on-line following the meeting to allow for viewing at www.blackparkfarmdevelopment.net

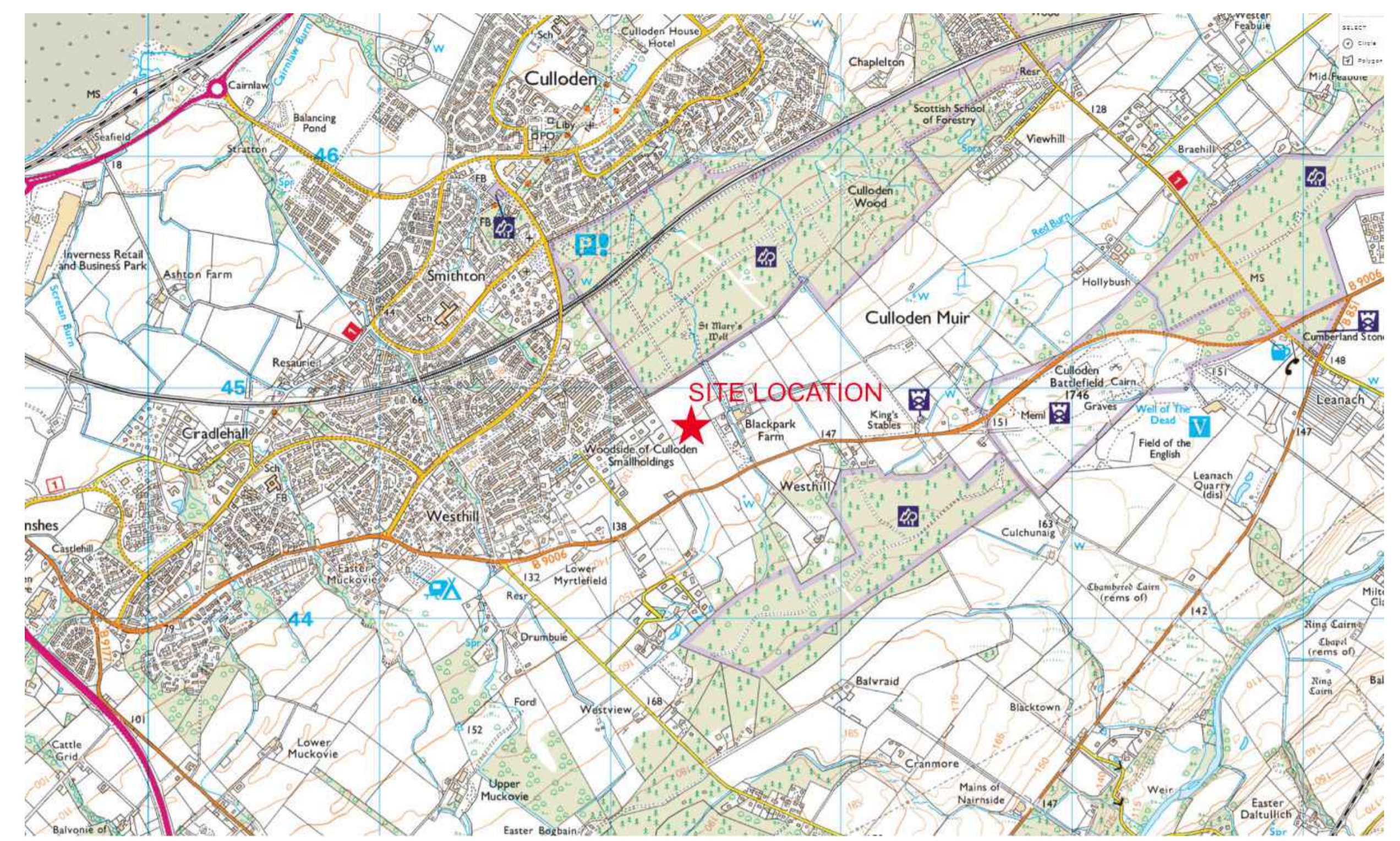
Engagement in addition to public event with Castlehall and Westhill Community Council

Signed		Date	29/11/2023
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1 PROPOSED SITE PLAN
1:2000

NORTH



2 PROPOSED SITE LOCATION
NOT TO SCALE

Rev.	Date	Details	Drawn	Checked
Issued for:				
INFORMATION				
Project/Client:			Project No: 22-0019	
Proposed residential Development, Blackpark Farm West Culloden for Pat Munro Homes			Drawing No: A0-00-01	
Drawing:			Revision:	
PROPOSED LOCATION PLAN			Scale: 1:2000 @ A1	
			Drawn by: Date: LG NOV.2023	
			Checked by: Date:	

