

**Nairn East - Springfield Properties PLC Response to Public Comment – 23.11.2021**

**The Scale of Proposed Development and the Non-Preferred Status of the Site in both the adopted IMFLDP and evolving IMFLDP2**

It is acknowledged that the proposed site falls out-with the defined settlement boundary for Nairn as delineated in the adopted IMFLDP and that it has non-preferred status in the Main Issues Report of the replacement IMFLDP2.

With respect to the latter, the proposed site is described as follows:-

*“Whilst the large site put forward at Granny Barbour Road compares reasonably well against other large site options in terms of viability, there are certain factors which result in it being Non-Preferred. These include the scale of development proposed exceeds what is required, it requires a relatively high level of new infrastructure and the areas at risk of flooding push development to the outer reaches of the site furthest removed from the existing settlement.”*

It should be noted that Springfield in promoting the proposed site for future development, not only submitted a comprehensive supporting document to the IMFLDP 2 ‘Call for Sites’ exercise, but also a carefully considered response to the IMFLDP 2 ‘Main Issues Report’ which specifically addressed the high levels of new infrastructure required to facilitate the scale of development proposed at this location including both technical and environmental issues such as flood risk, drainage (both foul and surface water), transport, active travel, noise, archaeology and ecology. These submissions are available from the Council for members of the general public to review and scrutinise.

At the time of writing, all of the technical reports which accompanied these submissions are being updated by Springfield’s Project Consultant Team and will form the basis of a future application for planning permission in principle including a further comprehensive submission to the IMFLDP 2 Proposed Plan when it is published at the end of March 2022 for public consultation, as currently scheduled by the Council.

The scale of proposed development is currently being reviewed and will be very much influenced not only by the market demand for houses in Nairn, as evidenced by the accelerated rate of sales at Springfield’s Lochloy development, but also by the content of the new Housing Needs and Demand Assessment (HNDA), which it is understood will accompany the Proposed Plan when published in March next year.

The issues of housing need, support infrastructure including flood risk and the scale of potential development pre-Nairn bypass delivery are addressed in greater detail below under separate headings.

## **Flood Risk**

This is a common concern with all proposed housing developments and needs to be carefully considered by Springfield within the planning process. Scottish Planning Policy is clear on the need to fully address flood risk including drainage issues in any future proposed development.

A Flood Risk Assessment (FRA) will be prepared for the proposed site that will assess all sources of flood risk. The assessment will map the floodplains of the watercourses close to the site and housing will not be allowed within the 200 year floodplain extent. Development will also need to be designed so that it is not at risk from a 200 year + climate change event. There is extensive guidance provided by SEPA and the Highland Council regarding the requirements of any FRA and the report submitted by Springfield will be comprehensively scrutinised by SEPA and the Council's Flood Risk teams. The report will include mathematical flood modelling of the Auldearn Burn. This work will include an assessment of existing flood issues in Balmakeith with the key aims of assessing whether culvert capacities are causing flooding issues and, to ensure that future proposed development does not increase flows at this location. Springfield would be happy to liaise with community groups to obtain information on historical flooding in the area and to provide model outputs that they can use to identify flood mitigation measures from existing risks. This could then be discussed with the Council.

Springfield will also need to prepare a Surface Water Management Plan or Drainage Strategy that will demonstrate how it will effectively manage surface water generated by rainfall on hardstanding areas of the proposed site. This site run-off will need to be captured and routed to Sustainable Urban Drainage Systems (SuDS) before discharge to a watercourse. The rate that water will be allowed to discharge to the watercourse will be constrained to greenfield rates, with approvals for SuDS and discharge rates needing to be obtained from the Highland Council. The Plans/Strategies will need to clearly demonstrate that properties are not at risk during the 200 year and 200 year + climate change events and that the proposed development will not increase flood risk downstream.

Nairn River Community Council provided a specific comment related to the Nairn East PVA. The identification of Potentially Vulnerable Areas (PVAs) is undertaken by SEPA as part of the Flood Risk Management (Scotland) Act 2009. Once identified, SEPA develop flood management strategies under the Act and then local authorities develop Local Flood Risk Management Plans. The aim of this work is to help prioritise investment in flood management measures. This is a separate process to the process. There are many hundreds of PVAs identified throughout Scotland. If a site is located within a PVA, this does not necessarily preclude future development of the site. However, as outlined above, any proposed development needs to be carefully considered and addressed within the context of Scottish Planning Policy and the numerous guidance and policy documents related to flood risk and drainage.

## **Housing Need**

Put simply, if there was not a strong market demand and need for housing of all types in Nairn, Springfield would not be promoting a future extension of the town. Such a scenario would not make economic and commercial sense.

Based on detailed feedback from its Sales Teams, there is a very strong demand for private market homes in Nairn. Springfield took over the development at Lochloy back in 2013 and since then has handed over 278 homes at a rate of 1.5 sales per week. In the last few months, following the completion of the last phase, there have been over 50 enquiries for new homes in Nairn.

Below also provides an extract from the Council’s Demand and Supply Tool for Nairn Central which articulates a portion of the affordable housing waiting list.

Property Type	Existing Provision	Waiting List
1 bed bungalow	33	316
1 bed ground floor flat	16	243
1 bed upper floor flat	26	174
1 bed house	6	257
1 bed sheltered	20	55
2 bed bungalow	18	117
2 bed ground floor flat	33	58
2 bed upper floor flat	34	54
2 bed house	28	114
3 bed bungalow	1	63
3 bed house	24	77
4 bed bungalow	2	30
4 bed house	7	34

**Source: Highland Council Demand and Supply Tool – Nairn Central**

Affordable housing forms an integral element of Springfield’s proposals with the provision of at least 25% of the total number of houses proposed. Such provision will not be delivered without the subsidy provided by the general needs market housing which also form a key part of the proposals

As highlighted above, Springfield is currently reviewing the scale of its housing proposals for the site and in addition to its own market research, will be comprehensively scrutinising the content of the new HNDA to be published with the IMFLDP 2 Proposed Plan in arriving at a definitive figure going forward.

#### **Planning Permission in Principle Submission Timetable and Further Associated Public Consultation**

The current programme aims to submit an application for planning permission in principle to the Highland Council in the early part of 2022. As residents will be aware, there have been two online public consultation events held to date and Springfield are proposing to hold another interactive online event early in the New Year **prior** to the formal submission of a planning application.

Residents will also be aware that current legislation (the Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020) temporarily suspends the ability for Springfield to hold a face-to-face public consultation events, hence the online approach taken to date. Springfield would prefer the former but are precluded from doing so on account of the above noted legislation.

The current legislation is scheduled to remain in place until the end of March 2022. Assuming restrictions are no longer in place after this time- a further public consultation event (face-to-face) will be organised in the Nairn Community & Arts Centre. In the circumstances, it is likely that this additional event will be held **after** the formal submission of the application for planning permission in principle. However, depending on timing, a further consultation at this time (post submission) would have the likely benefit of detailed consultation responses having been received from statutory and non-statutory consultees to help inform further discussions, which would be a genuine benefit to all parties.

## **Transport including the Nairn Bypass, Local Road Improvements, Public Transport Provision and Economic Considerations.**

As part of the Council's 'Call for Site's stage of the IMFLDP 2 process, a Transport Assessment (TA) was undertaken by ECS Transport Planning which considered the transportation aspects of the proposed site if developed for a range and mix of land uses.

It is intended that the Concept Development Framework area would be developed over a period of time in various phases with an element of the proposed development likely to be completed following/prior to the start of works on the Nairn Bypass. To provide a robust assessment within the TA, it was assumed that 300 units could be developed in advance of the Nairn By-Pass with the remainder following after completion. Springfield advised that the actual level of development to be realised prior to the By-pass would more likely be in the region of 100 dwellings which ensures the assessment is robust.

The junction analysis presented within the TA demonstrates that the road network can accommodate 300 dwellings in advance of the By-pass as the junctions were all found to be within the practical capacity threshold as outlined by Scottish Government Guidance.

It should be noted that neither The Highland Council Transportation Team nor Transport Scotland engage in the technical work undertaken by consultants at the 'Call for Sites' stage. In this regard, as the development proposals progress to a planning application, both the Council's Transport Team and Transport Scotland are consulted in detail on proposed methodology and scope of an updated TA and agreement reached before a revised TA is formally submitted in support of the application.

The detailed junction analysis undertaken as part of the existing TA demonstrates that there will be no requirement to undertake off-site junction modifications to support up to 300 dwellings in advance of the By-pass. Following the completion of the By-pass, there will be a significant reduction in vehicle numbers within the town which will result in reserve capacity at all junctions. As a result, it is envisaged that the additional traffic associated with the overall proposals could be accommodated by the existing road network without the need for improvement.

As previously stated, the Council's Transportation Team and Transport Scotland will be consulted on the scope and methodology of the revised TA which will support the future planning application. This process has been instigated but is still to be completed. The traffic generation and distribution will be agreed with the Roads Authorities and the necessary level of junctions analysed to reflect peak traffic conditions. Background traffic data from before the Covid pandemic is available which ensures that an accurate reflection of traffic conditions can be presented. The assessment of the road network will be undertaken in accordance with the Scottish Government's document, Transport Assessment Guidance to ensure a robust assessment.

Should this process identify that off-site mitigation were to be required, it would be provided on a phase-by-phase basis to ensure that the impact of the development related traffic was satisfactorily mitigated as per the requirement of Scottish Government Guidance.

With respect to active travel links, a full review of the core paths, footways and public transport infrastructure will be undertaken to ensure that these can accommodate the uplift associated with the proposed development. Should the need for specific improvements be identified, these will be presented within the TA along with an indication of timing.

Economic considerations and concerns raised by local businesses will also be addressed in the revised TA and ECS Transport Planning and Springfield would welcome further dialogue with affected businesses to better understand the issues so that such matters can be assessed as thoroughly as possible in the new transport document.

### **Potential Impacts on the Existing Granny Barbour's Industrial Estate (Roads and Noise)**

Granny Barbour's Road will be improved as part of the development proposals with the infrastructure designed to accommodate the large vehicle types which frequent the businesses on the east side.

As the proposed development will result in an intensification of vehicle and active travel trips on the route, the road will be designed to ensure that all users can navigate the route safely and efficiently. The route will be designed with appropriate footways, crossing facilities and be sufficiently wide to accommodate the HGV's that frequently utilise the route.

The Noise Report produced by Resound Acoustics Limited that accompanied the 'Call for Sites' submission (titled *A Noise Assessment for Land at Granny Barbour's Road, Nairn* (reference RA00624-Rep 1, Rev 0, dated 28<sup>th</sup> August 2019) indicated that there were no industrial or commercial noise sources emanating from the industrial estate that were identifiable at the proposed site, other than activities associated with the sawmill, in particular a dryer.

The noise assessment presented a number of options for reducing noise from the sawmill, including liaison with the sawmill operators to explore the opportunities to reduce the noise at source using a quieter piece of equipment, use of an intervening barrier structure, and use of building materials within the proposed housing development to maintain suitable noise levels within the properties. It is anticipated that a combination of these measures would provide the most appropriate solution, which would be finalised at the detailed planning stage and covered by an appropriately worded planning condition at the 'in principle' stage.

Bringing housing closer to the industrial estate has the potential to pose a constraint to future expansion of the estate, if no consideration is given to the appropriate control of noise. There are however numerous examples of similar industrial estates in close proximity to housing across the UK, and such a relationship is highly unlikely to pose an insurmountable problem, providing good acoustic design and appropriate mitigation is factored into any expansion. The sawmill is currently the only industrial process close to the site that generates identifiable noise, and it is likely that the sawmill is at the upper end of the range of commercial noise sources, i.e. it is likely to be among the noisiest possible sources. The majority of other industrial or commercial activities close to the proposed site are likely to be quieter than the sawmill.

The potential impacts of proposed housing close to existing industrial/commercial activities in respect of noise nuisance and possible curtailment of existing operations has been raised by a number of businesses in the existing industrial park. Springfield has offered to meet any concerned businesses to discuss their concerns and allay any fears of potential future restrictions.

## **The Delivery of Affordable Housing**

Springfield is fully committed to helping the Scottish Government achieve its aim to deliver 100,000 affordable homes over the next decade, through its dedicated affordable housing company, Springfield Partnerships. Springfield Partnerships deliver a wide range of affordable homes across the country with delivery partners, primarily Local Authorities and Registered Social Landlords, with over 2,000 homes having been built to date.

In addition to Springfield's standard house types, Partnerships has worked on unique projects including a specialist care home for children, and an innovative care facility for dementia patients which won Premier Guarantee's Social Housing Development of the Year in 2017. Flexibility is the key. The Partnerships Team are always happy to explore new ways of working and would welcome input from community groups.

In terms of where Partnerships is on the proposal, it is at such an early stage that a delivery partner has not yet been identified and it does not yet have sufficient detail to confirm the location and timing of affordable homes. Springfield is in the process of refining the Concept Development Framework Plan, following the recent public consultation events, with a view to defining phases of development. It is usually through the submission of a detailed planning application that the location and type of affordable housing (chosen by the delivery partner, based on the waiting list) is finalised.

## **Non-Housing Elements**

The Concept Development Framework Plan is currently being reviewed and refined following the extensive feedback Springfield has received from residents. In terms of the type and range of uses proposed, in addition to a wide variety of private and affordable homes, a centrally located community hub will provide a focused opportunity, for a new primary school, community facilities including health and social care and neighbourhood scale retail.

Following discussions with residents during the online public consultation events and an assessment of the comments received afterwards, there was a strong view expressed that the range and type of the proposed non-housing elements, should not detract from the amenities provided in Nairn town centre. Springfield is also very much aware that Town Centre First philosophy runs through the Highland Council's Main Issues Report. The proposals will be reviewed to take account of the concerns raised on these aspects to ensure there is no conflict or prejudice to established town centre businesses, services and facilities.

With respect to defining phases of development, this aspect is currently being reviewed as part of the overall approach to the proposals. However, based on the work Springfield has done to date, it is proposing to deliver the linear park and the community hub in the first phases of development so such elements will be available to the public as early as possible as part of the evolving development. Springfield would welcome early engagement with community groups on what type and form of recreational space would be most appropriate in these areas.

## **Infrastructure Provision**

Utility services including water, gas, telecoms and drainage

Detailed assessments of the existing infrastructure and utility services (water, gas, telecoms and drainage) are currently being undertaken to assess capacity within the respective networks, and to model the demands that would be placed on them from the proposed development. This will highlight any infrastructure upgrades and new infrastructure required to fully service and accommodate the development. For a project of this size, Springfield from experience, would anticipate some upgrades to the existing networks being required along with new utility networks to service the development. At this stage, Springfield don't know exactly what specific infrastructure provision will be required. However, it can be assumed that new sub-stations will be required within the new development and that a new waste water pump station to discharge sewage will also be needed

## **Education Provision**

Although Springfield has not yet had direct advice from the Highland Council on this matter, based on the Highland Council's School Roll Forecasts, Springfield can confirm Auldearn Primary is currently at 98% of capacity and is predicted to rise to 108% in the forecasting period to 2035/36. It will remain above its 90% operating capacity for the duration. Millbank Primary School is currently at 81% of capacity and is predicted to rise to exceed its operating capacity of 90% in 2030/31 and rise to 93% of capacity for 5 years before the end of the forecasting period.

On this basis, Springfield has concluded that a new primary school will be required to accommodate children from the new development at Nairn East; existing developments in these catchments; and the prescribed allowance of out-of-catchment transfers. This exact nature of the intervention i.e. the requirement for a new primary school will obviously need to be confirmed by the Council's Education Service but the data shows quite clearly that this is the case.

A site for a new primary school forms part of the proposed community hub highlighted in the Concept Development Framework Plan.

## **Electricity**

As part of the utility assessments, the total demands of the new development will be calculated by the Electric Network Operator (SSE), including the heating systems that will be installed within the new properties. This will allow SSE to advise on what upgrades/modifications will be required to ensure there is adequate capacity for the new development as well as existing properties.

## **GHG Emissions in Development**

Springfield has always had a positive attitude to new research and development within the construction industry and recognises the need to reduce emissions from construction and from buildings, and thereby protecting the environment for future generations to come. Improving the energy performance of homes is vital to achieving net-zero emissions by 2045 and the revisions to the building standards will be welcomed to ensure our new homes are energy efficient and greener to help reduce energy bills and help reduce greenhouse gas emissions.

Springfield has built quality homes to a standard beyond the minimum building standards required at the time of construction, and together with the building fabric and air-tight envelope, heat loss is

reduced to a minimum. Air and acoustic tests have been carried out on all sites for over 10 years, and the results demonstrate effective construction details and build quality.

Springfield has been installing air source heat pumps into new homes for over 15 years, and currently install both full air source and hybrid heating systems. The introduction of new standards will remove the use of fossil fuels to heat our homes in the future, and all homes will be heated using air source heat pumps and other renewable and low carbon systems.

A large number of houses have been fitted with solar panels for many years now, which help reduce energy usage, the carbon footprint, and energy costs for the home-owner. The use of photovoltaic panels on roofs of new homes is to increase to meet the new standards being introduced in 2022 and 2024.

Ventilation systems have been introduced into our homes to improve efficiency and air quality, and Springfield has installed heat recovery ventilation systems into some of our homes. The first development using heat recovery systems was introduced 11 years ago.

Springfield has also included EV charging cabling within all new homes for over 2 years to meet the growing demand for electric vehicles. EV charging cabling installation will also be included in all communal parking areas to future proof all new developments.

Springfield are also looking at waste-water heat recovery installations which transfer heat from discharged shower waste into the incoming water supply placing less energy load on the boiler.

All these individual environmental improvements contribute to a greener home which will reduce household bills and help to safeguard the environment.

20 tonnes of waste plastic were used to complete a new road on one of Springfield's developments. It is hoped that this type of innovation will become more common and accepted by local authorities across all regions.

Springfield has always delivered homes that exceed the current building standards and has been ahead of many developers in using new technology and innovation. Air source heat pumps have been installed for over 15 years in all affordable homes, and this was also introduced into private homes in 2011. Renewable or low carbon heating systems such as air source will replace gas boilers.

Springfield are currently installing and planning new heating systems with heat pumps in Elgin, Forres, Nairn, Ardersier, Inverness, Dornoch, and Beaulay.

Gas boilers will be phased out as new Scottish government guidance in 2024 kicks in to help tackle climate change and achieve zero carbon targets.

Building fabric also exceeds the current building standards, and the construction details and fabric/materials are reviewed and improved at every update of the Scottish Building Standards. Springfield do not try to avoid new legislation or the introduction of new standards but embrace the changes and support the moves towards a brighter greener future.

## **Developer Contributions and Community Benefits**

It is important to note the difference between Developer Contributions or Planning Gain (as it is also referred to) which are a legal requirement of the planning process and governed and implemented by way of Section 75 Agreements, as opposed to Community Benefits, which are a goodwill contribution(s) voluntarily donated by the developer. In respect of the latter, given the scale of the proposed development, there is certainly scope for collaboration between Springfield and the local community to deliver a wide range of benefits both within the proposed site and beyond within the wider community. Springfield would welcome early engagement with local community groups to understand what is required locally in this context.

## **Miscellaneous**

In terms of future delivery of the required support infrastructure and completion of the development as approved, such aspects will be addressed through a combination of developer contributions, bonds and a legally binding Section 75 agreement.

## **Lochloy**

Springfield believe that a lot of the issues relating to infrastructure adoption within Lochloy are a result of the nature and layout of the development, where multiple phases are essentially reliant on a single point of access/connection to existing adopted infrastructure on Lochloy Road. With many of the phases being constructed by different developers, later phases of the development were dependent on the earlier phases being adopted and where this had not happened, due to developers for whatever reasons not fulfilling their obligations to bring their part of the overall asset into an adoptable condition, there was a knock-on effect for subsequent phases. Although security for roadworks (road bonds) can be used to complete unfinished roads where developers do not fulfil their obligations, the process of calling in bonds and arranging completion of works is extremely difficult and takes time. There is no similar security arrangement for the completion of other elements of infrastructure such as sewers and water mains.

With respect to the adoption of roads within the Lochloy scheme, this was an issue for residents as it is understood the Council would not adopt certain core roads prior to the majority of construction work on the whole site being completed in order to avoid finished, adopted roads being subject to abnormal amounts of wear and tear and other damage due to continuous use by construction traffic. The position taken by the Council is common practice as it does not wish to take on an additional maintenance burden should the road be damaged or deteriorate in any way as a result of construction traffic. As the Lochloy scheme has a large percentage of the dwellings being accessed from a single junction and therefore spine road, this resulted in sections of the road not being suitable for adoption till late in the build programme. This is unfortunately a common scenario with schemes which can only provide a single point of access to the existing adopted road network.

Springfield has demonstrated at Lochloy (and on all of its construction sites) a co-operative approach to working with the Council and other agencies such as Scottish Water to ensure assets are constructed to the appropriate standard and to progress adoption processes as soon as is reasonably practical on completion of development work. Road bonds at a level appropriate to the status of the road are in place for all of its sites including each of its phases within the Lochloy development. Having unadopted infrastructure in a development is essentially in no-one's interests.

The Nairn East Masterplan area benefits from extended frontage with the A96(T) and Granny Barbour Road which will enable a more flexible approach to construction. The use of segregated

haulage routes will be employed, where possible, to remove the need for construction traffic to use established residential streets within the development. The phasing of housing will be considered to facilitate the easy integration of haulage routes and separate construction compounds which will allow the Council to start the adoption process for the residential streets at a much earlier stage. Springfield will work with the Council and Transport Scotland to agree a strategy for the implementation of segregated haulage access to the site and this will form part of a future Construction Traffic Management Plan.

Springfield is of the view that by having multiple access options from the A96(T) and Granny Barbour's Road; segregating construction traffic from residential traffic; ensuring infrastructure is constructed to the correct standard; providing road bonds to an appropriate level; and taking a proactive approach to the adoption of infrastructure will avoid the problems that have been witnessed at Lochloy.

In respect of other matters, Springfield was recently notified of a drainage issue and responded timeously to resolve the matter. With regard to the loss of the Primary School at Lochloy, this decision was taken by the Highland Council before Springfield secured the land.

The issues that have been experienced at Lochloy in relation to roads, drainage and the loss of the school are down to a unique set of circumstances that were established before Springfield bought the remaining phases of the development. Lessons have clearly been learned and Springfield are confident that such issues will not prevail at Nairn East.