

Glascairn Community Project – May 2017 Consultation Report

Executive Summary

The report sets out the full background of an approach by Tulloch Homes, to the Culbokie Community Trust (CCT), to enter an agreement for mutual benefit to secure the integrated development of the community-inspired Glascairn Community Project and the land zoned for housing. This consultation sought to ascertain community views on the proposed agreement and resulting alterations to the layout of the community site.

A consultation event took place on 11th May 2017 which had been promoted by a leaflet to every home in the CCT area. 54 individuals took part in that event which included a drop-in session, a presentation and a community Q&A. Feedback sheets were provided to everyone attending leading to 28 formal responses. Further feedback was sought after the event from those who hadn't attended which elicited a further 22 responses.

The tenor of the public event was positive and constructive. Of those attending the event and registering a view, 25 supported the proposed agreement, 3 didn't express a view and no one registered opposition. A full note of the Q and A session is included in the report.

Those responding who had not attended the event were less positive about the proposed agreement with 13 of the 22 registering opposition. Of these, 6 people did not give the reason for their opposition. The range of reasons given by the remaining 7 is included in the full report. Density of housing, parking and traffic issues, financial issues, pond safety issues and design issues were the most frequent reasons given for opposition.

Each comment about the proposed agreement from all the feedback sheets has been recorded and these have been grouped in the report (where possible) along with a response from CCT.

The consultation feedback sheet asked for views about the need for a 'planning required' equipped playpark at Glascairn. This uncovered a range of issues about the existing playpark situation in Culbokie of which CCT had not been fully aware. This has led to further discussions with existing playpark owners and managers which is still ongoing and so not part of this report. CCT now believes that a village-wide approach should be taken to equipped playparks before decisions are made on future investments. It has therefore asked Ferintosh Community Council to assist with this and developments are awaited. Meanwhile CCT's view on the need for a 'planning required' playpark at Glascairn will remain open so long as a decision isn't forced by events beyond our control. In that instance we will go with the view of the majority. All detailed comments about the playpark have been recorded and grouped in the report (where possible) along with a response from CCT.

The report concludes by noting that all comments and suggestions relating to the community site and the proposed agreement will be taken into account, both in our negotiations with Tulloch Homes and later in the development of the detailed plans.

The remainder of the comments related either to the Tulloch Homes' development or matters which will be determined by the Planning Authority and the statutory consultees. These have therefore either been passed on to Tulloch Homes for them to consider in their detailed development plan, or will be dealt with through the normal planning process in due course. The eventual planning application will have to go through the normal community consultation process as part of the planning system.

1) Background

The Culbokie Community Trust (CCT) purchased 0.5ha of land in the centre of the village in 2015 under the 'Community Right to Buy' legislation for the development of a new heart to the village including a community hub building and public open space. This land has 'planning permission in principle' for a community development. The remaining 2.5ha of land surrounding the community owned site remains under private ownership and has been for sale since early 2016 for housing development through selling agent Graham and Sibbald. The land has 'planning permission in principle' for 30 houses.

Planning conditions on both sites require:

- access to the new developments from the Glascairn Road
- improvement of the junction at Glascairn Road
- widening of the Glascairn Road
- the creation of new pavements along the total length of site boundaries
- suitable parking arrangements

All of these works must meet Highland Council's Roads and Transportation Guidelines for New Developments

Planning conditions for the housing site only also include:

- the provision in internal roads to adoptable standards
- the provision of parking spaces within the curtilage of each dwelling

...both in accordance with the Council's Road and Transport Guidelines, and

- the provision of a fully equipped play park

From a planning perspective it is clear that the two sites are tied together with similar conditions for infrastructure and in addition there is a planning requirement for the integrated development of the whole site. Both sites also require a Sustainable Urban Drainage Scheme (SUDS) to deal with the quantity and quality of surface water runoff.

In February 2017, CCT was approached by Graham and Sibbald who wished to introduce us to Tulloch Homes who are interested in purchasing the housing land. This led to a 'draft agreement' being proposed to CCT by Tulloch Homes with the following Heads of Terms:

- a. Tulloch Homes would build 33 private housing units in a mix of 2 & 3 Bedroom bungalows on the adjacent site. 8 of the units would be affordable as required under planning regulations.

- b.** Tulloch would construct the SUDS on the corner of the community site nearest the shop. This could be either a dry basin or a 'safe' pond and would be designed as a high amenity facility in keeping with its village centre position. They would give us equivalent (or slightly more) land further to the west in compensation. The main reasons for selecting this location for the SUDS are:
- This is the lowest point of the combined sites and is the best location from an engineering point of view
 - The site corner needs to be kept free of development for road safety reasons
 - CCT can create a larger green area in the village centre by combining the SUDS with the planned open space
 - CCT can 'plug into' the SUDS for its own drainage needs and therefore does not need to use space and money to create its own separate drainage system.
- c.** Tulloch would, at their own cost:
- Form our open space (with or without a playpark – see below)
 - Put in all external footpaths around the edges of the sites
 - Upgrade the main road junction
 - Provide the new shared access, putting it on their own land and thereby releasing more space for community use.
 - Provide connection points for our basic services and drainage.
- d.** Tulloch would apply for planning, inclusive of the indicative design (to be agreed) for our site, at their own cost. Detailed design of the community site thereafter would be the responsibility of CCT.
- e.** CCT and Tulloch would support each other's proposals/aspirations for the site and work together at planning stage.
- f.** In effect the deal would give CCT a larger site, part landscaped and ready for development, at no cost.

These Heads of Terms are supported by three 'test layouts' (Annex 1). These fix the location of the SUDS basin, show a single draft design for the new private housing and give an indication of three options for the layout of the community site to demonstrate that the proposal can meet CCT's main development requirements.

If agreement can be reached, a legal document will be drawn up as a basis for the development of both sites. To enter an agreement involving a change in our land ownership, CCT requires the consent of the Scottish Government and the Scottish Land Fund.

The Board considered it essential to carry out a community consultation before any further progress was made to test community support for the draft agreement and the resulting design alterations to the community development plan. In preparation for the consultation, CCT posted a 'Frequently Asked Questions' document (Annex 2) on their web site. Everyone invited to be involved in the consultation was given the link to view this document.

2) The Consultation

2.1 Design and Method

The main consultation took place on May 11th 2017 at Findon Hall. The programme was as follows:

2pm – 7pm - Drop-in session. See the plans, meet representatives of development partners and put forward your views.

7pm - Presentation and Q&A - Hear a brief presentation on the plans and take part in a community Q&A session.

The three main project development partners were present throughout as follows:

The Culbokie Community Trust – representing plans for the Glascairn Community Project

Tulloch Homes – the company putting forward plans for developing private housing at Glascairn

Birchwood Highland – the proposed partner for running the café as a social enterprise

Graham and Sibbald, representative of the current owner of the housing site, also put up a display and attended the Q&A session.

A feedback sheet (Annex 3) was prepared and handed to everyone participating in the event. This clearly set out the terms of the agreement that Tulloch Homes has proposed, asked for views about the proposal, sought feedback on the layout options and also asked for views on whether there should be another 'planning required' playpark in the village. Options for returning the sheets included:

- Handing them in immediately
- Scanning and e-mailing them
- Returning them to a postal address in the village

A deadline for responses was set for Friday 26th May.

During the consultation we became aware of quite a complex situation regarding the existing playparks in the village which we felt needed to be explored further. This led to discussions with the existing playpark owners and managers which represent two 'planning required' playparks (one with the equipment now removed and one out of use) and the Culbokie Football and Recreation Club who own the main playpark in the village (maintained by Highland Council).

One person had indicated that they would not be available on the day of the consultation and requested to see the information and feedback sheet. Since others were likely to be in this situation we decided to distribute the drawings and feedback sheet that had been used at the event into the community through available e-mail networks (see below) to ensure that everyone has a full opportunity to participate.

2.2 Promotion

The consultation event was promoted in the following ways:

- A leaflet was manually posted into every household (541 homes) in the CCT area using our volunteer delivery team.
- A poster was put up at the shop, the school and at Findon and Ferintosh Halls
- E-mails were sent to all CCT members (224)
- E-mails were sent to Ferintosh Community Council contact list (around 600 contacts)
- E-mails were sent to members of the Community Forum (27 members)

2.3 Participation

- The overall total number of people that participated was 76. This represents just over 7% of the adult population. The main issues that emerged are likely to represent wider views but percentage results should be treated with some caution.
- Total number attending the consultation event – 54
- Total hits on the FAQs posted on the web site over course of consultation - 117
- Total number of feedback forms received – 45 including 10 forms representing 5 couples and five forms representing the joint view of couples (10 individuals) giving 50 formal responses.
- 28 out of the 54 attending the consultation we represented by feedback sheets leaving 26 who were not represented
- The remaining 22 formal responses were submitted by those not attending the event

3 Consultation Results

3.1 Results of Q&A Session

Below is a record of the discussion:

Q. What is the back-up plan if no deal with Tullochs? (The question was asked in order to highlight the importance of reaching a deal with Tullochs and the questioner approved of the deal).

A. CCT would consider going on its own in the full knowledge that the development would take longer and run a higher risk of failure because of the extra difficulty of finding all the funding. Tulloch pointed out that the only key issue to agree about is the land swap and therefore consider the likelihood of agreement as high.

Comment: There is a desire for the development to go ahead and go ahead with a clear finish point. A second comment on the same theme was that grant funding is difficult to obtain and although a first phase is funded, there could be long delays or even failure in the subsequent phases.

Response: CCT agrees with these observations. The main source of funding is likely to be the Community Assets Fund (part of Big Lottery) which is able to fund up to £1M. Without that then certainly more difficult. A wide range of other grant aiding bodies exist to help make up a funding package focussing on different elements and benefits – including, for example, the mental health angle brought in by Birchwood Highland. CCT has set up its own fund raising team with an objective of £50K (5% capital costs) to help lever in other funds.

Q. In relation to CCT's proposed housing development, is it wise for CCT to become a landlord? A clear alternative is to sell the now-to-be-serviced land to a Housing Association.

A. This is only one scenario being looked at and not yet developed is the business plan for that development. A key issue is to ensure the 'community housing' is safeguarded for the long term benefit of the community through a local allocations policy.

Comment: It's good to see that the plans have progressed considerably since the previous consultation.

Q. How much land is CCT gaining in the proposed land swap?

A. It hasn't been quantified but consists of two elements. The first is a bit more in the swap of the SUDS for the SW extension. The second is that Tullochs is taking the whole access road on to their site.

Comment: The maintenance of the SUDS area should be assumed to be a challenge and managed accordingly. If the maintenance of the SUDS depends on factoring arrangements, then great care will need to be taken with details of the contract.

Q. The village scout group need somewhere to store all their camping and other equipment. Might there be an opportunity to develop suitable storage on the site?

A. This wasn't addressed at the meeting but CCT will consider their position on this at the next Board meeting.

Q. If there is to be no play park, can the developer's contribution be put to improving the football park's play area?

A. Tullochs has not included a contribution in the current proposals. If THC insists on contribution, it is important to ensure that funds are earmarked for local improvements and are not lost in THC funds.

Q. Why can't the access road be taken further away from the shop to allow for the cafe /business developments to be adjacent to the shop and make the access to the B9169 safer?

A. If the current adopted road was no longer used as an access road, THC would no longer adopt, and ownership would revert (riparian rules) to previous landowners (1,2 or many). Tullochs would not accept that complication which could delay the development by years.

Q. How is the increased traffic flow and pedestrian safety on the Glascairn Road to be managed?

A. A raised table across the road, set back from the junction by several car lengths, would significantly reduce vehicle speed for pedestrians crossing.

Comment: The provision by Tullochs, at their expense, includes footpaths along two roads, widening of the Glascairn road, improved visibility splays at the junction, SUDS and grassing, provision of water and sewers. There is no electrical provision.

Q. How long is all this going to take?

A. The quickest possible outcome for the private housing would be 18 months from signing an agreement to the first turf being cut. The road improvements would be carried out in the first year of the development thereafter to service the first phase of housing (that done by the Housing Association). Realistically, add 12 to 18 months to these figures. The development rate of the other 25 houses, will depend on the state of the market but Tullochs are expecting to sell them within two years. CCT should ensure a clause in the agreement to safeguard our position should Tullochs fail to develop the site in a reasonable timescale (i.e. to prevent land-banking).

3.2 Results from Feedback Sheets

The Tulloch Proposed Agreement - Summary of Analysis:

- Total number responding – 50 people
- Those indicating support for the agreement – 30 people representing 60% of responses
- Those indicating opposition to the agreement – 13 people representing 26% of responses. 6 of these respondents did not give a reason for their opposition.
- Those neither expressing support or opposition – 7 people representing 14% of responses
- Those who prefer design Option 1 – 9 people
- Those who prefer design Option 2 – 2 people
- Those who prefer design Option 3 – 1 person
- Those who prefer a combination of Option 1 and 3 - 3 people
- Many didn't state a preferred option or were happy with all.

All the feedback at the consultation event was very helpful and positive with lots of useful insights and suggestions provided. Feedback from those not benefiting from attendance at the consultation event was less positive about the proposed agreement as indicated in the following table.

	Yes to agreement	No to agreement	Neither	Total
Respondents attending event	25	0	3	28
Respondents not attending event	5	13	4	22
Total	30	13	7	50

The main reasons given for opposition to the agreement by the 7 people that commented were:

- Density of housing and comments about '3 extra houses' - 6

- Traffic and parking issues related to housing - 4
- CCT being driven by financial considerations - 4
- Pond safety issues - 3
- Tullochs doing too well out of the agreement - 3
- Poor design of community site - 3
- Community project too expensive - 1

The Tulloch Proposed Agreement – Detailed Comments

A number of key issues were identified by those both ‘supporting’ and ‘opposed to’ the agreement. These are highlighted in the table below with a response from CCT:

Issue	Number	%	CCT Comment
Don't agree with location of SUDS	3	6	The proposed location is at the lowest part of the site which is most practical from an engineering point of view. By putting it here it will be available for use by both CCT and Tulloch. Its location at the corner of Glascairn road will also help retain site lines from the junction and it will contribute a larger public open space in the village centre. CCT does not believe that the location of the SUDS will compromise the aims of the community development.
Concerned about safety of animals and children if there is a pond	8	16	CCT accepts that there is enough concern about the safety of a pond to children and animals to conclude that the high amenity SUDS should not include a pond.
SUDS needs sustainable long term management and must look attractive	8	16	This is a valid concern and CCT will take legal and technical advice on design and long term management of the SUDS. It must form a visually attractive part of the site and future management arrangements must take account of management quality, cost of management and public liability.
There isn't enough parking at the business units	1	2	The final design for the CCT development will be subject to Highland Council Roads and Transportation Guidelines for New Developments. This will ensure that sufficient parking is provided.
Tulloch Homes are doing too well out of the proposed agreement	3	6	CCT will be taking legal advice before entering into an agreement and the proposal will be vetted by a surveyor as part of the Heads of Terms. This will help us ensure the agreement is fair to all parties. The agreement will need to be approved by the Scottish Government and the Scottish Land Fund who will be seeking to protect their investments in the community project to date.
Issues relating solely to the design of the Community site: <ul style="list-style-type: none"> • Noise issues including community housing affected by traffic noise and business units. • Larger covered area needed 	3	6	The layouts provided by Tulloch are ‘trial layouts’ to show that CCT’s plans are feasible following the land exchange but they are not a final design. CCT will draw up its own plan within the constraints of any infrastructure elements of the agreement. The issues identified are all valid and will be fully considered during the design process and CCT will be taking professional advice on this.

<ul style="list-style-type: none"> Proximity of parking to buildings Layout of open space must encourage people to walk through it 			
CCT should not be entering an agreement with Tulloch Homes which is about money for CCT and more houses for Tulloch	4	8	CCT has always known that development of the community land without a housing development partner would be at risk due to the high cost of the infrastructure. An agreement with a developer provides the best possible opportunity to unlock the site for the benefit of the whole community – and there is only the one deal on the table for us to consider. We will appoint legal and valuation advisers as necessary to help ensure the agreement is fair.
<p>Issues relating solely to housing site:</p> <ul style="list-style-type: none"> Too many houses / too dense Driveways exiting onto Glascairn Road Traffic on Glascairn Road Tulloch should build smaller houses 	8	16	<p>The proposed housing design, parking and transportation issues will be scrutinised through the normal planning process and the Councils Roads and Transport Department. Consultees will include Ferintosh Community Council and near neighbours. This process will ensure that local views are heard and that the new housing meets all regulations. CCT is not competent to comment on the technical detail of the design. It does however support the development of smaller two and three bedroom bungalows which meet a key need for downsizing by older people identified in our recent Housing Needs Analysis undertaken by the Highland Small Communities Housing Trust.</p>
	4	8	
	7	14	
	2	4	
Public transport in the village is poor and this will affect people living in the new houses and particularly those in the affordable and community housing	5	10	We agree with this but the site has already been approved for housing leaving no scope to address this within the context of this development. CCT will work constructively with other bodies in the village to seek ways to improve the situation.
The path to Glascairn Wood identified in the drawings will emerge on privately owned land that is part of core path network. This is unacceptable to the land-owners	2	2	CCT would like to encourage access on foot from the Community Hub into Glascairn Wood (for the purposes of healthy leisure and recreation) by a short route cutting through the new housing and so avoiding the Glascairn Road. The proposed route will not lead to any additional walkers crossing the private land / core path network in question since the old route via the Glascairn Road passes the same way. It could however remove some foot traffic from the private land in front of two other houses (also on the core path network). In our view the proposed route offers clear benefits for both walkers and 2 homeowners. However, we understand that this is a historic dispute. We will therefore seek guidance from Highland Council. The alternative route would use the new pavement along the Glascairn Road before joining the existing route along a private road on the core path network in front of three existing houses.

Access to the site should be off the main road	1	2	The Local Plan and outline planning consents require the access to be taken off the Glascairn Road. As noted in the Q&A session, if the current adopted road was no longer used as an access road, THC would no longer adopt, and ownership would revert (riparian rules) to previous landowners (1,2 or many). This complication is unacceptable to Tulloch Homes as it could delay the development by years.
Bus layby needed	1	2	The outline planning consent for the housing site requires a contribution from the developer towards the installation of a bus shelter and real time bus timetable information. The Highland Council Roads and Transport Department will determine requirements for a layby.
Sheltered/ assisted housing needed	1	2	We agree that this should be fully investigated. We have reserved land on the community owned site for small houses which could be suitable for those in the community needing high levels of care.
Church café must be acknowledged	1	2	We agree. The Tuesday afternoon Church Café is an important focal point for the village. . The café at Glascairn will not be open on Tuesdays and customers will be directed to the church café on Tuesday afternoons.
Need to prioritise infrastructure before buildings	1	2	Agreed. The outline planning consent requires infrastructure to be in place prior to any other development or prior to the occupation of the buildings.
Concern about unviable business units being empty	1	2	There is always some risk to any business development. CCT will mitigate this risk by developing a realistic business plan based on rents achievable by local businesses. This means that the building will only be procured if finance is available to meet the business plan requirements.
Should have left Tulloch Homes to do the whole thing	1	2	We do not believe that any commercial housing developer could deliver the same plan as CCT. This is because CCT is a community development company and a charity. It has been supported by the Scottish Government, Highlands and Islands Enterprise, Highland Council, the BIG Lottery Fund and the Development Trusts Association for Scotland and is eligible for support by many other Trusts and Foundations. Development by a commercial developer would have been subject to normal commercial market pressures and development for community use comparable to our plans would be virtually impossible.
Independent monitoring is needed to ensure build quality and reduce future burdens	1	2	Agreed. CCT will take advice from selected professionals.
Other community members do not support the CCT plan	1	2	We do not agree. The previous and current evidence shows that the vast majority support the plan.
Traffic calming is needed at the entrance of the village to deal with extra traffic	1	2	CCT supports slow traffic speeds in the village and will work with other groups in the village to achieve this. However, the new housing has already been approved in principle so unless this is required by Highland Council Roads and Transportation Department it is outside the scope of this development.

The Playpark - Summary of Analysis

- Those who wish to avoid a 'planning required' playpark on the site – 27 people representing 54% of respondents
- Those who support a 'planning required' playpark – 19 people representing 38% of respondents
- Those not expressing a view – 4 people representing 8% of respondents

The Playpark – Strategic Issues

As a result of the consultation we uncovered much information about existing playparks and a situation more complex than we had expected. This led us to extend our consultation to all those responsible for playpark management. This process is still ongoing at the time of writing and so those discussions cannot be included.

Our view at present is that there is a need for a village-wide approach to playparks to help ensure that scarce resources are used most effectively to secure high quality provision for local children in keeping with our rural location. We have therefore approached Ferintosh Community Council to ask if they would consider looking into this. They too had perceived this need and we hope that they will be able to assist in the near future.

Meanwhile CCT's view on the need for a 'planning required' playpark at Glascairn will remain open so long as a decision isn't forced by events beyond our control. In that instance we will go with the view of the majority.

The Playpark - Comments Received

The strategic issues overwhelmed matters of detail in our consultation. However, all comments have been recorded to aid future decision making and these have been grouped in the table below along with a CCT response.

Issue	Number	%	CCT Response
The privately owned football ground playpark could do with more support	7	14	See strategic issues above.
Playpark inspection, maintenance and insurance issues need to be taken into account	3	6	CCT agrees. We would be seeking legal advice before entering into any agreement,
Alternative play options could be considered	4	8	We agree that an equipped playpark is not the only option for play opportunities at Glascairn. Simpler and less onerous (for maintenance and insurance) play opportunities could be considered.
The football club is being used as a pawn and should have been consulted	2	4	We do not believe the football club is being used as a pawn. The issues regarding the playpark at Glascairn are more complex than we anticipated and the football club is now being consulted.

Travel between the two ends of the village to use the existing playpark encourages community cohesion	1	2	This could be considered as part of a village-wide review.
Invest in the community instead of a playpark	1	2	If playpark facilities are considered inadequate any funds earmarked for a playpark would have to be allocated to that use first.
Parents are willing to drive to facilities	1	2	We agree there is evidence for this.
New residents won't want to pay for a playpark	1	2	We agree there is evidence of this.
New residents should pay to encourage civic pride	1	2	This can be true. We also know that residents can feel aggrieved if they are paying for facilities that are available for use by children from beyond their housing estate.
Developer contributions could disappear into a THC pot	1	2	We understand that developer funds can be allocated to 'off-site works' and CCT will be cognisant of this risk.
With an aging population and facilities for children at home and school a playpark is not needed	1	2	While this is true, we believe there is a demand for communal facilities that are different and complimentary to those available at home or school.
A blanket approach is not applicable in a community empowerment environment	1	2	Agree. A bespoke solution that takes a village-wide view would be helpful.
CCT should be able to get THC to maintain any new playpark at Glascairn	1	2	TCH has taken the decision not to adopt most new on-site facilities because of long term implications for its revenue budget.

4) Conclusions

CCT received many helpful comments from its public consultation, the majority of which supported the proposed relationship between the Tulloch Homes' outline development plans and those of CCT. The comments about CCT's proposed community development included thoughts about the SUDS (position, type, maintenance), car parking (quantity, position), playpark (need, type) and community housing (nature, position). CCT has responded to these issues in the report and all will be taken into account both in our negotiations with Tulloch Homes and later in the development of the detailed plans.

CCT has taken two immediate decisions as a result of the consultation as follows:

- Decision to pursue a high amenity SUDS without a pond in the interests of child and animal safety
- Decision to ask FCC to assist by taking a village wide view of the equipped playpark situation

The remainder of the comments, related either to the Tulloch Homes development, or matters which will be determined by the Planning Authority and the statutory consultees. These have therefore either been passed on to Tulloch Homes for them to consider in their detailed development plan, or will be dealt with through the normal planning process in due course. The eventual planning application will have

to go through the normal community consultation process as part of the planning system.