

**THE HIGHLAND COUNCIL**  
**CAITHNESS, SUTHERLAND & EASTER ROSS**  
**PLANNING APPLICATIONS AND REVIEW COMMITTEE –**  
**18 December 2007**

Agenda Item	4.1
Report No	41/07

**07/00543/OUTRC**

**Report by Area Planning and Building Standards Manager**

**SUMMARY**

This application is in outline and was originally for the erection of 54 houses and associated access roads, services and amenity space on land to the north of Darroch Brae, Alness. The site is allocated for housing and amenity use in the adopted Ross & Cromarty East Local Plan. The proposal has been advertised as a Potential Departure from policy and 182 representations were originally received. Further to amended plans being lodged for a total of 52 houses and revised notification taking place, 20 further letters have been received.

Ward: 7 – Cromarty Firth

Applicant: Highland Housing Alliance

**The recommendation is to grant outline planning permission subject to conditions.**

**A formal hearing is necessary in this case.**

**1. PROPOSAL**

- 1.1 The outline application is for a mixed housing development on scrub land which formerly formed part of a commercial plantation to the north of and taking access from Darroch Brae in Alness. Indicative proposals accompanying the application as originally submitted illustrated a total of 54 units. Further to consideration of representations received, amendments were made to the indicative layout, reducing the overall number of houses to 52. This is broken down into 18 detached houses; 18 semi-detached houses; and 16 flats or terraced houses. The applicants advise that at least 16 of the units would be provided by Albyn Housing Society as affordable housing.
- 1.2 The site is relatively level but slopes down gradually from the commercial forestry and associated track to the immediate north. The site has previously been clear felled and is now covered in significant predominantly birch regeneration. Within this there are a few groups of mature trees which have been retained as part of the clear felling operations. An existing overgrown forest road forms the northern boundary and housing at Darroch Brae lies to the south. The western boundary is partly wooded and includes the north-east

corner of the Contullich Burn Tree Preservation Order.

- 1.3 Vehicular access is proposed from Darroch Brae to the south. The indicative layout plan shows substantial amenity space and existing trees being retained within the site along its southern and western boundaries, together with corridors of planting around the footpath links to be retained into the woodland to the north and west. Open space is also proposed to be retained between the existing houses and the proposed new development on the eastern side of the site.

## **2. PLANNING HISTORY**

- 2.1 There are no previous planning applications relating to this site.

## **3. PUBLIC PARTICIPATION**

- 3.1 The application was advertised under Section 34 of the Act and as a Potential Departure from the Development Plan, with an expiry date of 15 June 2007. 182 representations from 146 households were received. Further to amended plans being submitted on 16th November, formal owner and neighbour notices being re-served and all previous representees also notified, 20 further letters have been received.

- 3.2 The original representations expressed concern over the following issues:
- Loss of amenity area where people enjoying playing, walking and observing wildlife – suggestion that tree preservation order should be placed on all of Coulhill Woods;
  - Increase in traffic and provision of roundabout will generate traffic hazards on a distributor road with existing parking problems and impact on safe routes to school;
  - Loss of regenerated forest and habitat;
  - Road system not suited to heavy construction traffic and no thought has been given to bus route to serve this area;
  - Existing alternative brownfield and greenfield sites closer to services which should be developed first;
  - Existing pipes and cables cross site and previous proposals to develop even a play area were prevented because of this;
  - Proposals contrary to development plan;
  - Increase in number of houses and concern that this number will rise again;
  - All houses should take access from new service road and not from existing roadway;
  - Suggestions that access should be taken from the Corkscrew Road or from the other side of Coulhill;
  - Objection to sale of land from Council to Highland Housing Alliance;
  - Suggestion that water and drainage infrastructure cannot cope with increased house building;
  - Impact on privacy of adjoining houses particularly if two storey dwellings are constructed on adjacent sites;
  - Footpaths should not adjoin existing development but should be integral

- to new development;
- Existing mature trees should be retained and the old dry stone dyke rebuilt where necessary;
- Impact on value of adjoining properties;
- Whilst submitted on the grounds of providing affordable housing, less than half will be reasonably priced.

In relation to the amended plans lodged, the following additional concerns are made:

- Despite removal of proposed housing from the land owned by residents adjacent to Darroch Brae, the proposed use as an amenity or play area is opposed as there is no such agreement with the owners;
- The proposed access and paths over this amenity land is opposed and again no agreement for this is in place;
- Surface and ground water problems since the forestry was cleared causing flooding of the site;
- Highland Housing Alliance have acted without consultation with the residents who own the amenity land;
- Affordable housing being used as a lever to justify development.

## 4. CONSULTATIONS

4.1 **Ainess Community Council:** No response received.

4.2 **Internal consultees:**

4.2.1 **TEC Services (Transport):** No objections in principle. The following points require to be addressed:

- There will need to be a roundabout constructed at the junction of Burnside and Darroch Brae which should be of a design to effectively slow down traffic yet let large goods vehicles through. Parking on the approaches may be an issue to consider.
- The internal layout indicates that this will be the limit of development of such roads. This will need to be confirmed.
- The principle of a shared surface on the east leg is satisfactory; the principle of a shared surface on the two western legs will need further consideration due to the low density and relatively straight sections of road.
- There are link footpaths shown and responsibility for these will need to be identified. Link footpaths must join two adopted roads and those to be adopted will need to comply with Highland Council road guidelines.
- There are remote footpaths shown which would not normally be adopted. These terminate at the site boundary and no indication is given as to their termination.
- It is noted that SuDS facilities are outwith the site boundary and that no access arrangements are shown.
- The alignment of the current Darroch Brae is adequate to support this development. There are however concerns over the structure of the

road. The first section of the road between Burnside and the site will probably be acceptable but the final section will not be capable of taking the extra traffic. It is suggested that an appropriate solution may be to plane and resurface this section with some form of reinforcement.

- The Darroch Brae access will not be suitable for construction traffic associated with the development unless reinforcement works are carried out to the last section of Darroch Brae as referred to above. Earlier discussions suggested a construction access from the Struie Road which would be a suitable alternative, however works will be required.
- It is noted that all open spaces are to be maintained by a factoring agreement; a new play facility is required or augmentation of existing.
- It is noted that Scottish Water is to be asked to adopt the surface waters and pond, however it is not clear what will happen to the discharge from the pond.
- The levels shown on the access track to the north of the site show that it undulates leaving low points. This track will attract water from the land above as well as on the track itself and will discharge into the houses below at the low points. A system will need to be put into place to prevent this and deal with water.
- Roads will need to be constructed to an adoptable standard under a Road Construction Consent. This will also require to cover the roundabout, improvements to Darroch Brae and the Corkscrew road.

4.2.2 **Archaeology Unit:** The application lies in a wider area where significant archaeological remains are recorded; the application site covers an area where there is high potential for the survival of buried archaeological remains. Please attach an ARC 1 Condition (Programme of Archaeological Work) to any consent issued. The development area will require to be the subject of an archaeological evaluation in order to establish the archaeological content and potential. Dependent on the results of this work further study may be required in advance of, and during, construction works. The evaluation would be conducted by a qualified archaeologist and backed up by desk-based research to produce a report setting out the results and any required mitigation strategy.

4.2.3 **Forestry Officer:** Following a meeting on-site with the applicants' agents, there are no objections to the proposals. The main concern relates to the retention of the more intact group of mature trees to the north of the five proposed plots adjacent to the existing road. While the indicative layout has been amended to try and account for this, the proposed affordable housing is still close to the existing trees which are likely to cause shading issues being located immediately to the south. The agents have confirmed that these trees will be accurately plotted and the layout amended, if necessary, to ensure their retention. Given that this is an outline application, there are no objections subject to appropriate conditions being attached as advised. This includes any detailed application being supported by a Tree Constraints Plan which will inform the layout and ultimately dictate the capacity of the site. Once the layout has been agreed, a Tree Protection Plan and Landscaping Plan must be submitted for approval, prior to any detailed planning consent being issued.

4.2.4 **Development Plans:** The proposed development site covers two areas of land allocated within the adopted Local Plan. The proposal is for the development of 54 houses, some 19 units over the indicative capacities for the site. The element to be sited on Darroch Brae is consistent with the capacity indicated in the Local Plan, albeit on a slightly smaller site. It does appear that the extent of the site has been extended northwards, presumably in order to accommodate the required setback from the water main. The bulk of development is contained within the Coulhill Forest allocation, seeking a 49-house development. The site requirement indicated within the Local Plan seeks a lower density of development than that proposed with the provision of significant planted areas and integration of recreational paths. This sought to retain some of the amenity value that was previously held prior to the deforestation of the site, although there is now significant regeneration taking place. In terms of the overall level of development, consultation with the Forestry Officer is necessary in regard to retention of the more mature specimens on site and potential for enhancement of footpath and amenity areas indicated within the Plan. Further requirements within the adopted Local Plan indicated the provision of a roundabout at Coulhill Road. There may also be a need for some road improvements to accommodate additional traffic.

4.2.5 **Access Officer (Ross & Cromarty):** The plan indicates where a number of paths are to be located and appears to take account of routes for both recreation and sustainable transport. The plans show insufficient detail to comment fully however it is recommended that the paths are constructed with a bitmac sealed surface, 2 metres wide, appropriate for cycle and pushchair use. Some paths that link to the wider path network would require fingerpost signs. It is asked whether there is an opportunity for the developers to improve the sections of linking routes that border this development to the north and south.

#### 4.3 **External consultees:**

4.3.1 **Scottish Environment Protection Agency:** No objections. As the risk of pollution from surface water drainage from small scale residential developments is lower, SEPA does not itself regulate through Controlled Activities Regulations such discharges provided a satisfactory scheme is proposed. Therefore subject to compliance with General Binding Rules 10 and 11 of the Water Environment (Controlled Activities)(Scotland) Regulations 2005 for both the construction phase and final surface water scheme, then the applicants are not required to contact SEPA for authorisation.

4.3.2 **Scottish Water:** Assynt Water Treatment Works currently has sufficient capacity to service this proposed development. Ainess Waste Water Treatment Works currently has sufficient capacity to service this proposed development. Scottish Water and the developer are in discussions regarding the wastewater infrastructure problems constraining this development. If an agreement can be reached in implementing a suitable mitigation scheme, then a connection to the network will be granted. A separate drainage system will be required with the surface water discharging to a suitable outlet. Scottish

Water supports the principle of a sustainable urban drainage system and the developer should consider utilising this in the surface water drainage design. It is important to note that Scottish Water will not adopt surface water drainage systems that require the flows to be pumped.

4.3.3 **Scottish Natural Heritage:** SNH has no objection to the proposed development but recommends the following conditions:

- Surveys are undertaken by suitable qualified and experienced mammal consultants for the following species: bats, red squirrels and badgers prior to any ground or tree works commencing.
- Mature trees within the development site and broadleaf strip are retained and incorporated into the development design where possible.
- The developers provide a detailed landscape plan which would include a planting plan and aftercare management plan utilising native species of trees, shrubs, flowers and grasses of local provenance.
- The developer incorporates a footpath network within the development design to allow for access to Coulhill Wood from the existing and proposed new housing.

## 5. POLICY

5.1 The following policies are relevant to the assessment of the proposal:

### **The Highland Structure Plan (2001):**

- Policy G1 Conformity with Strategy
- Policy G2 Design for Sustainability
- Policy H1 Housing Allocations for Areas 1998-2017
- Policy H4 Affordable Housing
- Policy H5 Affordable Housing
- Policy H7 Housing for Varying Needs

### **Ross and Cromarty East Local Plan (Adopted February 2007):**

- GSP1 Design and Sustainable Construction
- GSP8 Affordable Housing
- GSP9 Housing Site Capacities
- Alness Settlement Policy H12 and H16
- Alness Settlement Policy A36

5.2 The proposal also requires to be assessed against the following relevant Scottish Planning Policies (SPP); National Planning Policy Guidelines (NPPG); and Planning Advice Notes (PAN).

- SPP1 The Planning System
- SPP3 Planning for Housing

## 6. PLANNING APPRAISAL

- 6.1 **Determining issues** - Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 The proposal requires to be assessed against the appropriate policies of the Development Plan, supplementary guidance and National Planning Policy and Guidelines as referred to in the Policy section. In particular, the proposal requires detailed assessment of the following fundamental issues:
- whether the principle of development is appropriate in terms of policy
  - whether the layout of development is appropriate
  - the impact on the amenity of the area and residents
  - other material issues raised by the objectors
- 6.3 **Policy** The adopted Local Plan allocates the majority of the site for residential use in two parcels with an indicative total capacity of 35 units. An area to the western side of the allocated land has been included as part of the application site, however it is proposed to remain in amenity use. A small section of the allocated land off Darroch Brae, again on this western boundary, has been excluded from the application site. Whilst the indicative layout submitted includes substantial areas of amenity land, this does not adhere exactly with the boundary of the amenity space shown in the Local Plan and this together with the proposal for 54 units resulted in the application being advertised as a potential departure from policy. The Local Plan shows a preferred access point from Darroch Brae and the indicative plan submitted respects this, albeit that the position of the access is moved marginally eastwards to ensure that it is offset from existing junctions opposite.
- 6.4 The submission accords generally with Local Plan policy however exceeds the **indicative** capacity by more than 50%. In accordance with Policy GSP9, any proposal which exceeds the indicative capacity by 10% or more will require to be considered in relation to its location in the settlement, the level of affordable/low cost needs housing, the quality of layout and design, infrastructure capacity and the extent to which it contributes to the sustainability objectives of the plan. In respect of the indicative layout submitted, it is recognised that the density of development is comparable with the density of development within Darroch Brae to the south. The proposal retains the existing amenity space to the west and will establish a landscaped corridor between the established development on Darroch Brae itself and the remainder of the site. Furthermore, a corridor of open space alongside the main access road into the site will flank one of the footpath links from Darroch Brae into Coulhill Wood to the north.

- 6.5 As a Highland Housing Alliance submission, it is envisaged that a higher than required proportion will be allocated for affordable housing needs. Already it has been confirmed that 16 units (30%) will be developed by Albyn Housing Society and the indicative layout also shows that half the remainder (18 houses) will be semi-detached, to provide a variety of housing types within Darroch Brae which presently consists only of detached houses on private plots. Whilst the developer's specific housing mix will be subject to further detailed applications, the outline proposal has demonstrated adequately that the number of housing units proposed can be accommodated in a manner which is consistent with existing development, retaining considerable amenity and thereby in accordance with the thrust of housing policies at national, strategic and local level.
- 6.6 **Public Concerns** The concerns which have been expressed over the principle of development on this site cannot be substantiated in view of its allocation within the newly adopted Ross & Cromarty East Local Plan. This allocation was not challenged throughout the preparation of the Plan and the allocation for 5 plots off the existing road has been continued from the previous adopted Local Plan. Notwithstanding this, during consideration of the application, it became evident that this parcel of land adjoining Darroch Brae was not owned by Highland Council as had first been assumed, but had been gifted by the former Ross and Cromarty County Council to the residents of Darroch Brae in 1974. Accordingly, the proposed five plots along this road frontage have now been deleted.
- 6.7 The level of development within the site has been questioned, however as clarified under Paragraph 6.4 above, it is considered that the density is consistent with the development surrounding the site and the indicative layout has demonstrated that the numbers of units proposed can be accommodated without overdevelopment of this area, retaining large areas of amenity space around the margins of the development as well as integral to it.
- 6.8 Whilst the public concerns regarding the loss of habitat and amenity are acknowledged, the allocation for housing must be recognised and the indicative design retains all the routes for walking which currently exist and will continue to link the development with adjacent housing and open space. Confirmation has been received from the applicants that a detailed tree survey and tree protection plan would be submitted with any reserved matters application and would determine the finished layout. They have also agreed to SNH's recommendation that a wildlife survey would be carried out to ascertain the impact of the development on various wildlife species and that this again would be reflected within the finished layout and phasing of the proposed development.
- 6.9 With regard to concerns over access, TEC Services confirm they are satisfied that the existing road into Darroch Brae is adequate, subject to some reinforcement work and the provision of a roundabout at the junction with the Coulhill distributor road. There is no substance to the suggestion that this area of road is any more dangerous than other roads within a residential area



and design measures can be introduced to regulate speeds and further limit on-street parking, if this is deemed necessary by TECS and Safer Routes to School. The position of the access road off Darroch Brae is close to the position identified in the Local Plan. It is situated on the inside of the bend which allows for maximum visibility in both directions and this complies with the Roads Guidelines requirements. The alternative access as suggested by some off Corkscrew Road is not suitable for the main development as it is single track and has very poor alignment. It is understood the road is being upgraded at present due to damage caused by water run-off and flooding and, after such repairs are complete, the road may be suitable as an alternative access for site traffic during the construction period.

- 6.10 It is proposed by the developer that the remote footpaths within the development be maintained as part of the factoring agreement which would be paid for annually by the residents and in operation in perpetuity. The applicant's proposals to retain a rural character to these paths must be married with the Access Officer's recommendation that these be suitable for cycle and pushchair use. It is therefore important that a compromise solution is found which addresses both such requirements. The applicant submits that the main safe route to school would be the bitmac footpath to either side of the main road which would be 2 metres and street lighting provided. With regard to TEC Services comments on the requirement to upgrade the road surface on Darroch Brae, this has been agreed and will be included within any Road Construction Consent application.
- 6.11 The developer is fully aware of the water main locations in the area and has taken this into account in the indicative layout. Confirmation has been received that prior to commencement of any construction works, the location of all services within the developed area will be ascertained by the contractor. With regard to surface water drainage, a drainage impact assessment has been carried out by consulting engineers on behalf of the applicant and submitted with the application. This concludes that the development would create no adverse effect and general SuDS proposals have been lodged with the application. Further to this, consultation with Scottish Water has confirmed that there are not any issues in connection to the foul and surface sewer networks. As Scottish Water has confirmed that it does not have the funds to upgrade any main sewer routes, this will be the responsibility of the developer to fund if necessary.
- 6.12 The amenity area to the western and southern sides of the site will include an equipped play area. The applicant indicates that it is intended to design the equipment with a rustic theme in keeping with the rural nature of the development on the outskirts of the town and its proximity to the woodland area to the north. Confirmation of the final position of this play area would be submitted with any reserved matters application and it would be intended that the facility be adopted and maintained on completion by TEC Services as a facility for the use of the wider community.
- 6.13 With regard to Local Plan Policy, the representations received are acknowledged and reference is made to Paragraphs 6.3 – 6.5 above. The

applicant submits that the layout as submitted is of mixed density but has a relatively low density overall. It provides a mix of affordable homes under the management of a Housing Association, smaller starter homes for sale to local people and larger units which could be plots or larger family homes for sale. Certain areas of the layout are denser to provide smaller semi-detached starter homes and higher densities are required to make it possible to sell these at below market value. The applicant submits that with demand for houses escalating, it is responsible development strategy to maximise the use of land which is allocated for development to avoid further urban spread into greenfield sites. Furthermore, the developer recognises that whilst there are other areas of land allocated for development, these are not available at present. The area of land being in the control of the Highland Housing Alliance it is likely to be developed in a more inclusive and integrated way with mixed tenure which would not necessarily be the case if the proposal was in the control of a private developer.

- 6.14 The developer has confirmed that whilst single to two storey heights were noted in the application this was to allow maximum flexibility for the development. It is suggested one and a half to two storey properties on the larger plots against the woodland to the north of the site will not adversely affect any existing residents. However, the applicant confirms that for the sites lower down on the site which are next to existing properties, houses should be restricted in height or have no overlooking windows and would expect this to be covered as a condition of any consent.
- 6.15 In relation to the amended plans which were lodged, the principal additional concerns expressed relate to the proposals to include the land adjacent to Darroch Brae within the site as amenity land and also to cross this land with an access to serve the 52 houses now proposed. It is however clear from the deed of disposition to the householders in 1974 that a right of vehicular and pedestrian access was retained across this amenity land. Thus, whilst it is acknowledged that any maintenance of the amenity ground will require the householders' permission, such requirement does not have any material bearing on determination of this current application.

## **7. CONCLUSION**

7.1 The application was advertised as a Potential Departure from the Development Plan because part of the site originally proposed to be developed encroached within an area safeguarded for amenity purposes and the overall number of houses proposed exceeds the indicative capacity in the adopted Ross & Cromarty East Local Plan. The first of those reasons has now been removed and I can confirm that the amended layout clearly contains all built development within land allocated for housing. With regard to density, the balance of assessment in this case is to ensure that the development is compatible with the pattern, density and layout of adjoining development whilst ensuring the amenity importance of the area is incorporated within the layout thus respecting the thrust of the Local Plan policy.

7.2 It is acknowledged that there is a large number of representations made to the application, however many of the issues raised relate to the principle of

development which has been established through the allocations within the Local Plan. Substantial amenity space is demonstrated within the indicative layout and a network of pedestrian links provided from Darroch Brae to retain popular routes into the nearby woodland. Indeed many of these routes will become much easier to negotiate for all users as at present the overgrown nature of the site and surface water makes this very difficult. The western extremity of the site is proposed to accept the SuDS attenuation within associated amenity ground. It is also anticipated that this area would include a robust rustic play area for use by the wider community. Consultation with the Council's Forestry Officer has highlighted the important trees to be retained and the developer has accepted that a condition could be attached which will ensure that a tree report and protection plan will form part of any detailed application and will help shape the finished layout.

7.3 There are no technical objections to the development which it is submitted conforms with adopted Council policy. Access arrangements have been agreed with TECS (Transport) and this will involve any detailed submission incorporating a roundabout at the junction of Darroch Brae and the Coulhill Distributor Road together with upgrading works to Darroch Brae itself. Alternative arrangements for construction traffic are being investigated and the preferable option would appear to be using a temporary access onto the Corkscrew Road to the north west for the majority of traffic movements which would create less disruption for existing residents of Darroch Brae whilst spreading the load of traffic between two approaches. A detailed drainage impact assessment has detailed the principles which would shape a SuDS design for the site and this will be incorporated within any reserved matters submission. There are no objections to the approach taken from either the Scottish Environment Protection Agency or Scottish Water.

7.4 It is therefore recommended that permission is granted, subject to the conditions listed below which address detailed issues.

#### **RECOMMENDATION**

It is recommended that outline planning permission be granted subject to the following conditions and reasons:

1. Standard Outline Condition and Reason.
2. Prior to the commencement of development, a programme of archaeological works for the preservation and recording of any archaeological features affected by the proposed development, including a timetable for investigation, all in accordance with the attached specification, shall be submitted to and require the approval in writing of the Planning Authority. All arrangements thereby approved shall be implemented by the developer at his expense in accordance with the approved timetable for investigation.

Reason: To preserve the archaeological and historical interests of the site.

3. The development hereby approved shall not exceed 52 houses (maximum) and shall incorporate a minimum number of 16 affordable units. No development shall commence on site until the developer has entered into a design and built contract with a social housing provider or equivalent to deliver the affordable housing units within Community Scotland benchmark costs and built to Community Scotland housing for variable needs standards unless otherwise first agreed in writing by the Planning Authority.

Reason: In accordance with the indicative plan submitted as part of the application for outline planning permission and in the interests of securing compliance with the Council's Affordable Housing Policy as contained in the Development Plan.

4. For the avoidance of doubt, whilst the detailed layout shall be based generally on the indicative layout plan submitted as part of this application, the total number of houses and their exact location shall be determined further to submission of a Tree Constraints Plan, in accordance with BS 5837:2005 (Trees in Relation to Construction), which will inform the layout and ultimately dictate the capacity of the site. The proposed layout shall be superimposed onto the Tree Survey, clearly identifying all mature trees both for retention and removal. The Root Protection Areas (RPA) of all retained trees shall be accurately plotted to identify an exclusion zone, to be fenced off during the construction phase. The recommended holdback distance (separation between new housing and trees) shall also be shown which takes into consideration above ground constraints such as restricted daylight (supported by a shadow analysis), growth potential and future safety implications. Any roads, services or changes in level (existing and proposed) shall also be taken into account when producing the Tree Constraints Plan. Once a layout has been agreed, a Tree Protection Plan and Landscaping Plan shall be submitted for approval, prior to any reserved matters or detailed planning consent being issued. In the meantime, no trees are to be lopped, topped, felled or damaged in any way without the written permission of the Planning Authority.

Reason: In the interests of protecting the established amenity of the site and its relationship with adjoining development.

5. Prior to any site excavation, all retained trees shall be protected against construction damage using Herras fencing secured to fixed posts and located beyond the Root Protection Area in accordance with BS 5837:2005 (Trees in Relation to Construction). Fencing shall be inspected and approved in writing by the Forestry Officer prior to commencement of ground works.

Reason: In the interests of protecting the established amenity of the site and its relationship with adjoining development.

6. Prior to approval of reserved matters, a detailed landscape plan shall be submitted for approval specifying the quantity, position, size, species and protection measures (tree shelters, stakes and ties) of all trees/shrubs to be planted together with an indication of how they integrate with the proposal in the long term. Existing natural regeneration is abundant across the site and should be utilised wherever possible (native species only). A maintenance programme shall be submitted for approval specifying weed control; adjustment/replacement of shelters, stakes and ties; formative pruning; and replacement of failures. Planting shall be carried out during the first year following practical completion of any phase of the development. All trees shall be retained in perpetuity and any failures shall be replaced within the next planting season unless otherwise agreed by the Planning Authority.

Reason: In the interests of protecting the established amenity of the site and its relationship with adjoining development.

7. Taking into account Condition 4 above, the detailed layout referred to at Condition 1 shall be based generally on the indicative layout plan submitted as part of this application and shall incorporate the following:
- A children's play area providing equipment for primary and secondary age school children of robust timber construction within the large amenity area to the west of the development site;
  - Road and housing layout that embrace concepts of sustainability and homezone principles;
  - The provision of a roundabout or alternative junction arrangement to be agreed with TECS (Transport) at Darroch Brae/Coulhill Road junction and the upgrading of Darroch Brae where required by TECS (Transport). For the avoidance of doubt, there shall be no general vehicular access from Corkscrew Road to the west, however this route shall be investigated as an alternative for construction traffic to minimise disturbance within Darroch Brae itself;
  - A SuDS scheme to accept all surface water drainage from the site which shall include details of any incoming water to the site from adjacent land including the forest track and forestry to the immediate north;
  - A comprehensive phased plan of roads and services completion as well as details of house building (phased intentions);
  - A Design Brief detailing house types, house finishes, building lines, plot ratios, boundary and landscape treatment to apply to any serviced plots;
  - Houses shall have a designed frontage to the service road and shall reflect the scale and density of adjoining development. For the avoidance of doubt, the houses on plots 1 - 12 shall be single storey or one and a half storeys maximum, designed to ensure that there are no windows at upper floor level overlooking the established properties at Darroch Brae.
  - A footpath network which links Coulhill Wood with the existing and proposed housing areas, designed for all users.

Reason: In the interests of relating the development to adjacent land uses and constraints.

8. The roads and footpaths shall be designed to adoptive standards (in accordance with homezone principles) and a Road Construction Consent and Road Bond will apply with no work commencing on any houses until this is in place, confirmed in writing.

Reason: In the interests of ensuring satisfactory provision of services.

9. Prior to the commencement of development, the developer shall lodge with the Planning Authority a valid Bond of Caution, for such sum, in such terms and by such guarantor as shall have been approved by the Planning Authority, guaranteeing performance of (a) the obligations to construct, equip and maintain the play area as stipulated in Condition 7 hereof; (b) the obligation to construct and maintain footpath links stipulated in Condition 7 hereof; and (c) the obligation to maintain the landscaping under Condition 6 hereof.

Reason: In order to ensure that the play area, footpaths and landscaping areas are provided and maintained timeously.

10. Operations for which noise is audible at the boundary of any residential property may only be carried out between 08:00 hours – 18:00 hours Monday to Friday; 08:00 hours – 13:00 hours on Saturdays; and not at all on Sundays unless prior consent is obtained from the Planning Authority.

Reason: In order to reduce the risk of noise nuisance in the interests of residential amenity.

11. Prior to the commencement of any works including site preparation on any phase, a management report detailing the methods and practices for on-site construction including identification of the proposed compound and storage areas and the hours of operation, shall be submitted to and approved in writing by the Planning Authority. Construction shall thereafter accord with the terms of such report. The access roads leading to the site shall be maintained to the satisfaction of the Planning Authority in consultation with the Roads Authority with the surface being regularly cleared of mud from construction vehicles.

Reason: In the interests of road safety.

12. A Safer Routes to School plan shall be submitted with the reserved matters application, to the satisfaction of the Planning Authority in consultation with the Roads Authority.

Reason: In the interests of road safety.

13. Prior to any ground or tree works commencing on site, surveys shall be undertaken by suitable qualified and experienced mammal consultants for the following species: bats, red squirrels and badgers. The findings of such surveys shall be implemented as part of the development to the satisfaction of the Planning Authority in consultation with Scottish Natural Heritage.

Reason: In order to minimise disturbance to established habitat and protect endangered species.

## INFORMATIVES

The application must make a separate application with Scottish Water Planning & Development Services Team for permission to connect to the public waste water system and public water network at the appropriate time. It is important to note that the granting of planning consent does not guarantee a connection to Scottish Waters assets. The connection to the network is dependent on the spare capacity at the time of application.

**In accordance with Scottish Executive Development Department Circular 5/2007 (Notification of Planning Applications), if Members are minded to grant outline planning permission, the application will require to be referred to Scottish Ministers in view of the Highland Council's financial interest in the site.**

Note The Council owns a small part of the application site.

Signature:

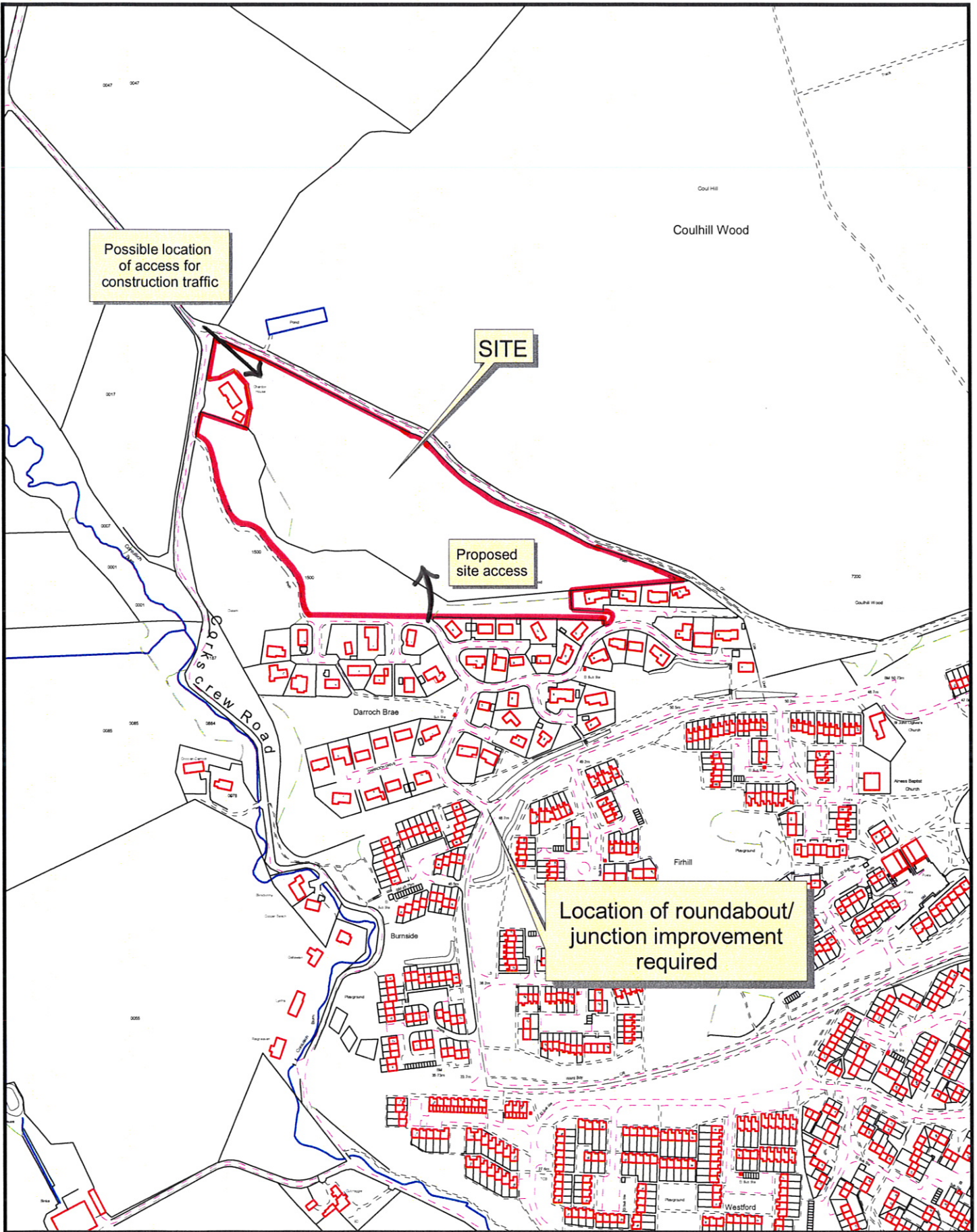


Designation: Area Planning & Building Standards Manager

Author: Dorothy Stott (Tel. 01349 864991)

Background Papers: As referred to in the Report above and Case File Reference No. 07/00543/OUTRC.

Date: 7 December 2007



## Land to North of Darroch Brae, Ales

07/00543/OUTRC

SUPPLIED BY THE HIGHLAND COUNCIL

Centre coordinates: 264356mE 869953mN



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**NEW HOUSING AT DARROCH BRAE, ALNESS  
 HIGHLAND HOUSING ALLIANCE**

**SITE LAYOUT**

SCALE	1:500	DATE	Apr 06	BY	AMacR
DWG NO	3085-P-050	REV	A		

KEY

Affordable Units	16No.
Private Houses & Plots	38No.
<b>TOTAL</b>	<b>54No.</b>



STATION 5184  
 264123.699 E  
 870642.669 N  
 62.392m

STATION 8  
 264211.384 E  
 870173.469 N  
 68.961m

STATION 9  
 264277.994 E  
 870156.788 N  
 71.048m

STATION 11  
 264340.150 E  
 870089.586 N  
 69.496m

STATION 12  
 264430.521 E  
 870042.250 N  
 69.648m

STATION 13  
 264489.909 E  
 870179.527 N  
 69.579m

STATION 175  
 264417.449 E  
 870040.417 N  
 69.579m

STATION 4  
 264476.467 E  
 869955.902 N  
 69.771m

**EXISTING  
 9" WATER MAIN**

**NEW 2M WIDE ADOPTED BITMAC FOOTPATH**

12m EXCLUSION LINE FROM WATER MAIN

remote footpath link

remote footpath link

remote footpath link

approximate position of pine trees to be retained

existing stone dyke

Path

Counhill Wood

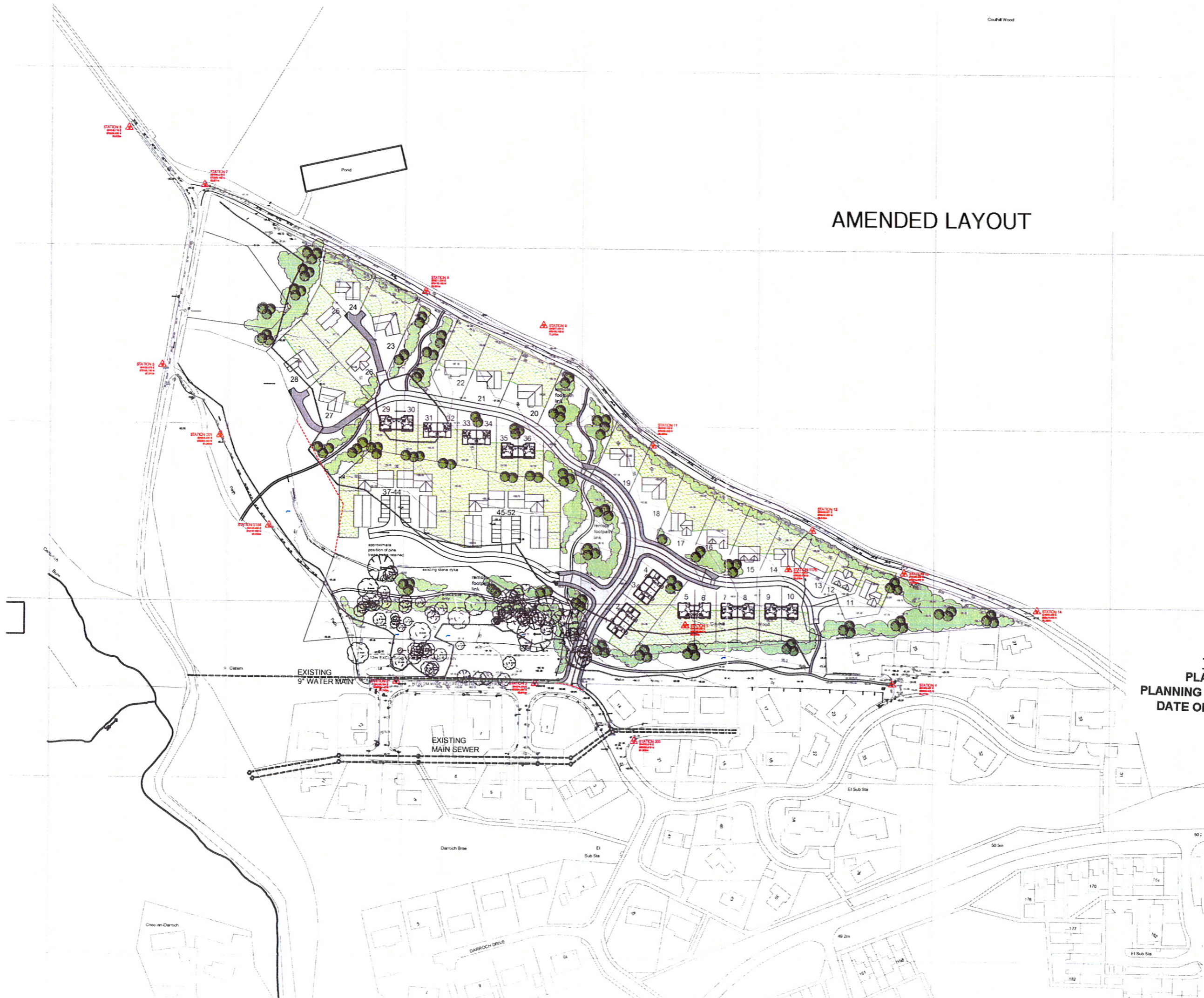
Path

stern

RECEIVED  
16 NOV 2007



# AMENDED LAYOUT



KEY	
Affordable Units	16No.
Private Houses & Plots	36No.
TOTAL	52No.

**THE HIGHLAND COUNCIL**  
**PLAN 1 OF 2 SUBMITTED WITH**  
**PLANNING APPLICATION NO: 07/00543/OUTRC**  
**DATE OF RECEIPT: 16th November, 2007**

**Bracewell Stirling Architects**

- 5 NESS BANK, INVERNESS, IV2 4SF  
TEL: 01463 233760 FAX: 01463 233785
- 38 WALKER TERRACE, TILlicOLTRY, FK13 6EF  
TEL: 01259 750301 FAX: 01259 752365

**NEW HOUSING AT**  
**DARROCH BRAE, ALNESS**  
**HIGHLAND HOUSING ALLIANCE**

**SITE LAYOUT**  
 SCALE 1:2000 @ A3 DATE Apr 06 BY AM  
 DWG NO 3085-P-LOC REV

**ROSS & CROMARTY EAST LOCAL PLAN**  
ADOPTED PLAN - FEBRUARY 2007

**INSET 8 : ALNESS**

PLANNING & DEVELOPMENT SERVICE

