

THE HIGHLAND COUNCIL

**CAITHNESS, SUTHERLAND & EASTER ROSS
PLANNING APPLICATIONS COMMITTEE – 1 JUNE 2010**

Agenda Item	
Report No	

**08/00477/FULSU : The Ross Estates Company
Land to north-east of The Haven, Station Road, Edderton**

Report by Area Planning and Building Standards Manager

SUMMARY

Description : Formation of 26 building plots (amended from 22) with associated roads and drainage.

Recommendation - GRANT

Ward : 5 - East Sutherland and Edderton

Development category : Local

Pre-determination hearing : None

Reason referred to Committee : Advertised as Potential Departure. Part of the application site is identified as lying within the Hinterland of Towns as defined by the Highland Structure Plan policy H3 Housing in the Countryside, where new housing is the exception. Accordingly, the application must be referred to Committee as approval is recommended. No hearing has been requested.

1. PROPOSED DEVELOPMENT

- 1.1 The proposal is in detail for the formation of 26 serviced housing plots (amended from 22) with associated roads and drainage infrastructure.
- 1.2 Pre-application discussions were undertaken with the Planning Authority and Historic Scotland due to the archaeological interests of the area to the west side of the site and also to the west side of Station Road. As a result, the application has been adjusted since the original submission in order to address these concerns, with a consequent increase in the number of proposed houses from 22 to 26.
- 1.3 There is no access or drainage infrastructure currently on the site.
- 1.4 A Drainage Impact Assessment has been submitted in support of the planning application.

2. SITE DESCRIPTION

- 2.1 The site is located to the east side of Station Road and to the north of the main part of Edderton village. The ground is relatively flat, although to the eastern side of the site it slopes gently towards the Dornoch Firth. The 2.2ha field is currently used for agriculture.

3. PLANNING HISTORY

- 3.1
- No previous planning applications have been submitted for the site.
 - Land to the south-west of Station Road has planning permission for 40 houses (06/00483/FULSU). Approved 05.02.2008.
 - Land to the north-east of the site over the railway - 09/00236/FULSU. Construction of new wastewater treatment works including underground plant and new access onto unclassified public road. Approved 05.10.2009.

4. PUBLIC PARTICIPATION

- 4.1 Advertised : Potential Departure from Policy, Neighbour Notification

Representation deadline : 19 February 2010

Timeous representations : 3 – 1 support; 2 objections

Late representations : 0

- 4.2 Material considerations raised are summarised as follows:

Objection

- Hours of working on site
- Landscaping and screening of the site is required
- Proposal will jeopardise the viability of the adjacent site (Caledonian Forestry, 06/00483/FULSU, approved 5 February 2008)
- Over-supply of housing development sites within the village
- Inadequate mains sewerage
- Part of application site is not allocated for housing

Support

- Further housing in the village. Better site than that to the south (Caledonian Forestry, 06/00483/FULSU, approved 5 February 2008).

- 4.3 All letters of representation can be viewed at the Area Planning Office and will be available for inspection immediately prior to the Committee Meeting.

5. CONSULTATIONS

- 5.1 **Edderton Community Council:** Support the proposal provided that:

1. The infrastructure (roads and lighting) is constructed to the standard that Highland Council requires if it was to adopt it.

2. The developer guarantees the future maintenance of the communal amenity area on the site.
3. The management of the extra traffic generated on Station Road is reviewed, particularly if both this development and the Stoneyfield development are completed.
4. Developer guarantees the future maintenance of the Scheduled Monument (stone circle) in accordance with Historic Scotland requirements.

5.2 **Council Archaeologist:** The amended access poses less of a direct impact on the Cairn and the visual impact will not be significantly different from what is currently on site. An archaeological condition (ARC1 – archaeological evaluation of the site) is required. Further archaeological work may be needed.

5.3 **Housing Development Manager:** Would expect that the affordable housing policy should be complied with, giving a minimum of 7 affordable units, but note that the developer may wish to make this 8. However, it is very unlikely that development funding will be available in the next 3 or 4 years. A variety of affordable housing delivery options are being explored with the applicant at present.

5.4 **Area Roads and Community Works Manager:** No objection in principle, subject to the developer entering into a Road Construction Consent agreement for the development with the Roads Authority.

No objection to the area designated as shared surface to be re-designed to be a conventional carriageway. However, the location of the turning area adjacent to the amenity area is questioned.

The following technical details must be complied with:

- A 2m wide footway is required to connect with the village and to the Edderton Inn, with associated road drainage.
- Visibility of 2.5m x 70m required from the proposed junction with Station Road (this may require some re-engineering of the existing alignment of Station Road).
- Depending on the level of play area provision (no details provided), a play area contribution per dwelling may be required to provide improvement of facilities at an appropriate alternative location.
- For avoidance of doubt, the open spaces will not be adopted by the Council unless the 40x multiplier is agreed and paid to the Council.
- A 2m wide footway, contiguous with the carriageway, is required from the parking area to the Scheduled Ancient Monument. It will be adopted by the Council. The car parking area, for avoidance of doubt, will not be adopted by the Council.
- Traffic calming and pedestrian safety improvements on the A836. These would be covered by the Roads Construction Consent (RCC) agreement. It should be noted that formal consultation and/or a Traffic Order will be required prior to providing these measures.

5.5 **Access Officer:** No pedestrian footway currently exists on Station Road from the entrance of the site to the boundary of 9 Station Road (approximately 125m). While a full size footway would not fit within the exiting roadside verge, a reduced footway width (as seen at the road side by 9 Station Road) should be considered as part of the development of the plots. Any footway should be built to Roads Authority standards.

5.6 **Development Plans:** The site identified within the application is contained entirely within the Settlement Development Area boundary of the new Sutherland Local Plan. The land is not specifically allocated as a housing allocation but has the potential for the development of infill housing to augment the housing allocation identified as providing the key growth for Edderton and surrounding area.

Development of houses utilising the track to the rear of Carriclair Crescent has removed the potential for the development of this access to serve wider development. The availability of an access point on Station Road through 'Struie View' does allow for access to allow further infill development.

However, the proposal is for a significant development of 26 units and is not in line with proposals contained within the Plan. The main allocation within the settlement is already the subject of a planning approval and at this point has not progressed to development as a result of the continuing lack of capacity at the waste water treatment works. Scottish Water has now secured planning permission for a new waste water treatment works to the east side of the railway line to the east of the site and will address the constraint. Advice from Scottish Water should be sought as to the capacity of the new works to accommodate all housing proposals.

The allocation to the west of Station Road is intended to serve the substantive part of housing need and demand for this area. The potential for housing within the application site was perceived as having an infill role. Considered in the context of housing demand and supply the approval of this site would see the potential for excessive expansion of the settlement over a short period.

In consideration of the application west of Station Road (Caledonian Forestry, 06/00483/FULSU) the capacity of school accommodation was investigated and the adequacy of facilities relating to car parking/drop off and school canteen were highlighted and a contribution to mitigate the impacts formed a condition to the approval. The current proposal will be equally likely to have an impact on the supporting facilities to the school and should therefore be subject to a level of contribution commensurate with the impact of the development.

In regard to policy the development of a further substantive housing proposal within the village does not accord with the current policy direction of either the RACE LP or the emerging Sutherland LP and would lead to the excessive unplanned growth of the settlement and I would consider the proposal premature in this respect.

If Members are minded to approve this application then it is suggested a scheme of phasing for the proposal is sought to provide a gradual delivery of development over a period of time and also consideration of developer contribution towards deficiencies in general school facilities.

- 5.7 **Education Service:** Developer contributions would be required to mitigate the impact of the development on the school. Further discussions are required between the developer and the Service. Similar arrangements are expected to those agreed with the developer of the site to the west of Station Road (Caledonian Forestry, 06/00483/FULSU).
- 5.8 **Historic Scotland:** The revised proposal mitigates the potential impact of the development on the setting of Carriehill stone circle and cist, which is a Scheduled Ancient Monument (SAM) of national importance. The relocation of the access road to the east and the intended use of low level lighting has been important in mitigating these impacts. Furthermore, it is noted that the boundary fence will not impact on the Scheduled area. For the avoidance of doubt, this fence should be located outwith the Scheduled area of the monument. We welcome the provision of car parking space within the development for visitors to the monument and the intention to provide interpretative signage at the site.
- 5.9 **Scottish Water (22.12.2008):** No objections. Due to the size of the proposal, the developer will have to submit a Development Impact Assessment to Scottish Water. There is presently limited capacity at the Edderton Septic Tank to serve this new demand.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Structure Plan 2001

G1	Conformity with Strategy
G2	Design for Sustainability
BC1	Preservation of archaeological sites
BC2	Archaeology, tourism and education
H5	Affordable Housing

6.2 Sutherland Local Plan (As Modified/Intention to Adopt)

1 Settlement Development Areas

3 Wider Countryside

5 Affordable Housing

6 Designing for Sustainability

7 Waste Water Treatment

14 Surface Water Drainage

15 Developer Contributions

18 Design Quality and Place Making

6.3 **Ross and Cromarty East Local Plan**

Settlement Housing 1

7. **OTHER MATERIAL CONSIDERATIONS**

7.1 **Draft Development Plan**

Not applicable

7.2 **Highland Council Supplementary Planning Policy Guidance**

Not applicable

7.3 **Scottish Government Planning Policy and Guidance**

Scottish Planning Policy

Scottish Historic Environment Policy

8. **PLANNING APPRAISAL**

8.1 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.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

8.3 The proposal is in detail for 26 serviced housing plots (amended from 22) with associated roads and drainage infrastructure. Members should note that if the proposal is approved then the access road and drainage infrastructure could then be constructed.

8.4 **Local Plan** - The current Local Plan is the **Ross and Cromarty East Local Plan**. This allocates most of the application site under a Housing use. The new **Sutherland Local Plan (As Modified/Intention to Adopt)** policies are a strong material consideration in the assessment of the application. In particular, Members will note that the main part of the site is identified as lying within the Edderton Settlement Development Area (SDA) (policy 1) and therefore accords with the Local Plan policy in this respect. However, there is an area within the northern and western parts of the application site which is not within the SDA. This area encompasses ground to the north and west of the access road as well as units 1 to 6 and the front gardens of units 19-26.

8.5 The Development Plans team has suggested that when considered in the context of housing demand and supply the approval of this site would see the potential for excessive expansion of the settlement over a short period. Notwithstanding this, Members will note that the development of sites with planning approval is one for the market to influence. If a site is not brought forward after receiving planning permission then that is a matter for the developer, rather than the Planning Authority to consider.

The Planning Authority must assess applications on their individual merit. If sites allocated by the Development Plan also have planning permission then the advancement of these to the actual build on the ground is a matter for the developers.

- 8.6 Notwithstanding this however, Members will note that there is a large allocated Housing site (H1) identified by the Ross and Cromarty East, and the Sutherland Local Plan (As Modified/Intention to Adopt). This site has detailed planning permission for houses and has been identified by Scottish Water as taking up capacity within the water and sewerage infrastructure in the village. It would be reasonable in the circumstances for the developer of this site to expect that that approval was ahead of the current application for obtaining connection to the Scottish Water infrastructure. The current application site is not specifically allocated as a housing site, only being noted by the Local Plan as within the Settlement Development Area (policy 1) and therefore capable of being developed for infill housing rather than a larger scale housing development. The site may have been expected to develop in a more incremental and organic fashion over a longer period of time with occasional houses, rather than with a single planned development as is now being proposed.
- 8.7 That being said, I do not consider that the development of this site should be constrained by the fact that there is also an approval for housing on an adjacent site, which may or may not be brought forward to actual build on the ground. On balance therefore, I consider that the development of the site as is proposed is acceptable and does not constitute a departure from Development Plan policy.
- 8.8 The original application was submitted with a smaller site area. **Access to the site** was formed tight up against the boundary of the existing house, 'Struie View' on Station Road. Historic Scotland expressed strong concerns about the impact that this original layout would have on the setting of the Scheduled Ancient Monument (SAM - Carriehair stone circle and cist) and as a result an amended planning application was lodged. This amended application adjusts the access into the site by the demolition of 'Struie View', thus moving the access further to the south and away from the SAM and improving visibility splays onto Station Road from the site. Whilst this is considered to have resulted in a much better application, there is also an increase in the number of units proposed from 22 to 26 using the space provided by the demolition of 'Struie View' and the re-use of its large curtilage area.
- 8.9 The **layout shows a range of building footprints**. These include 6 blocks of semi-detached units; 6 L-shaped units; and 8 single houses. Whilst the application is in detail for a serviced plot layout and shows the footprints of houses, Members should note that a further application would have to be submitted in order to allow any housing to be actually built on site, as no details of house types or materials have been specified with this application. In order to control this, conditions are suggested relating to design and materials which may be appropriate for the site, as well as landscaping and screening.
- 8.10 Members may wish to consider a **phased development** on the site to allow for a gradual development over a period of time as outlined by the Development Plans team. However, this could interfere with the development of the site, particularly when consideration is given to the lack of any phasing of the adjacent housing site.

- 8.11 The plan shows that there is an element of shared surfaces within the site, so that there is less distinction between road and footpath. Members will note that the details of this and traffic calming measures are yet to be agreed and can be controlled by condition. There is an open amenity area to the eastern side of the site. The layout plan also shows 6 car parking spaces provided to the western side of the site, close to the site entrance, to assist in providing access to the SAM adjacent. These parking spaces are to be informally laid out.
- 8.12 I would advise Members that in line with current practice, the Planning Authority would expect that various matters are subject to appropriate levels of **developer contribution**. These contributions will help to offset the impact that the development would otherwise have on the village. The two main areas for developer contributions are:
1. Impact on the road network - TEC Services have indicated that the proposal is acceptable, subject to the road infrastructure being constructed under a Road Construction Consent. This would cover the internal road layout, plus various off-site works (see section 5.4). Members will recollect that these works were also required as part of the planning approval for the land to the south west of the site (west side of Station Road - Caledonian Forestry, 06/00483/FULSU).
 2. Impact on the school – The Education Service have advised that the proposal is acceptable, subject to an appropriate developer contribution being made in order to mitigate the impact of the development on the school.
- 8.13 Members will note that the on- and off-site road works for the whole development will be subject to a **Road Construction Consent** agreement for which the developer must apply to the Roads Authority. This mechanism for delivering both on- and off-site access works is the same as was agreed for the adjacent housing site (see section 3.1 - 06/00483/FULSU). Given that the proposal is likely to have many of the same traffic impacts as this adjacent site, I would advise Members that the provision of such works is a necessary pre-requisite to allow the development to proceed (see section 5.4). Members should be aware that some of the ground on which the requisite works identified by TEC Services are to be undertaken is not within the control of the applicant, but that of third parties.
- 8.14 Following various discussions between the applicant and technical consultees, I would advise Members that there are now no technical difficulties with the application. Issues relating to access and the Carri Blair stone circle and cist SAM have been resolved.
- 8.15 **Waste Water:** The applicant's supporting Drainage Impact Assessment indicates that due to the topography of the site, 11No. houses to the east side of the site would have individual private waste water treatment plants, with the remainder of the houses connecting to the public sewer network. Members will note that planning permission has been granted to Scottish Water for a new Waste Water Treatment Works on land to the south-east of the application site (east of the railway).

- 8.16 Work has recently started on the waste water treatment works for the village. It is designed to accommodate new development in the village over and above improving the treatment quality for the existing housing feeding into it. Connection to Scottish Water infrastructure is however a matter for negotiation between a developer and Scottish Water. Members will note that confirming the exact (planned and designed) capacity at the new Edderton Waste Water Treatment Works, and its ability to connect both the consented site (06/00483/FULSU) and the current proposal, has proved very difficult to establish with Scottish Water. The applicant's agent has advised that discussions with Scottish Water have indicated that Scottish Water will not conduct investigations into wastewater capacity for the site until "the developer confirms that development ... has full planning permission." Scottish Water confirmed to the agent that they are only obliged to design for capacity for existing properties and sites which have full planning permission. Furthermore, Scottish Water have made no confirmation of the availability of a connection for the application. The agent has also advised that in discussions with Scottish Water on other sites they have intimated that if planning permission was likely to be refused purely on the grounds of a lack of wastewater capacity, Scottish Water would provide connection and would make whatever alterations were necessary to the treatment plant involved to give the necessary capacity.
- 8.17 The agent has noted that their discussions with Scottish Water have been primarily informal and that it has been difficult to obtain anything in writing other than the official response referred to above of the requirement to meet Scottish Water's "five criteria" before they will "raise the correct paperwork to begin growth investigation."
- 8.18 It is therefore difficult to advise Members whether there is, or is not, capacity in the proposed waste water treatment works for the village for both of the housing developments – the approved one and/or the proposed one.
- 8.19 Notwithstanding this, I consider that it is good practice for all housing in a development such as this to be connected to the mains sewage system. Individual private foul drainage systems are not judged to be good practice, particularly within a relatively built up area where the provision of such systems could lead to longer-term amenity difficulties. In my view, connection to the public sewer is the only acceptable foul drainage solution for this site. Such an approach would be consistent with Structure Plan policy G2 and the Sutherland Local Plan policy 7. I would recommend a condition to control this element of the proposal.
- 8.20 **Representations** relate to the following issues:
- Hours of working on site – This can be controlled by conditions.
 - Landscaping and screening of the site is required – This can be controlled by conditions.
 - Proposal will jeopardise the viability of the adjacent site; over-supply of housing development sites within the village – Commercial competition and the market viability of two competing sites is not a material planning consideration.
 - Inadequate mains sewerage – An improved mains sewerage provision will shortly be available for new connections in the village.

- Part of application site is not allocated for housing – The majority of the site is allocated for housing by the new Sutherland Local Plan, which has just been examined by a Reporter.

8.13 **Matters to be secured by Section 75 Agreement**

In order to meet the requirements of the Council's Affordable Housing Policy (Structure Plan policy H5) 25% of the housing on the site must be 'affordable' as set out by the policy. Members will note from section 5.3 that a minimum of 7 affordable units are expected to be provided, but that the developer may wish to make this 8. A section 75 legal agreement would be required to secure this affordable housing.

The section 75 agreement would also cover

- an appropriate financial contribution to mitigate the impact of the proposal on the school;
- a developer contribution for the improvement of play area provision at an appropriate alternative location; and, if appropriate
- ongoing maintenance for the open public amenity space, including that adjoining the stone circle Scheduled Ancient Monument. Members will note that open spaces will not be adopted by the Council unless the 40x multiplier is agreed and paid to the Council.

9. **CONCLUSION**

9.1 The proposal is considered to generally accord with the new Sutherland Local Plan (As Modified/Intention to Adopt) and the more general strategic policies of the Highland Structure Plan. The majority of the site is allocated for housing, albeit infill. Although the northern and western parts of the application site are not within the SDA, their inclusion helps facilitate the provision of safe access into the site, whilst reducing the impact of the proposal on the Scheduled Ancient Monument. Accordingly, the proposal is not considered to be a departure from policy. The development will also help to open up the SAM to public viewing and assessment, particularly with the provision of 6No. car parking spaces adjacent to house plot No.1. This helps to add value to the development. I am therefore satisfied that whilst part of the area to the north and west of the site is not specifically allocated by the new Local Plan for housing, its inclusion in the application site allows for the proposal to come forward and be deliverable in a considered manner. The demolition of 'Struie View' helps to open the site access up and reduces the proximity of the developable area of the site to the SAM, which is considered to be beneficial.

9.2 On this basis, I would advise Members that the proposal is considered to be acceptable, subject to conditions and subject to the prior conclusion of a legal agreement (under section 75 of the Act) to cover the matters described at 8.13 above.

10. RECOMMENDATION

Action required before decision issued	n
Notification to Scottish Ministers	n
Notification to Historic Scotland	n
Conclusion of Section 75 Agreement	y
Revocation of previous permission	n

Subject to the above, it is recommended the application be **GRANTED** subject to the following conditions and reasons:

1. The development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice.

Reason: In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

2. Except as otherwise provided by the terms of this permission, the developer shall construct and operate the development in accordance with the plans and supporting information submitted with the application and docketed as relative hereto with no deviation therefrom unless otherwise approved in writing by the Planning Authority.

Reason: In order to clarify the terms of the permission hereby granted and to ensure that the development is implemented as approved.

3. No development shall start on site until the completed Notice of Initiation of Development (NID) form attached to this decision notice has been submitted to and acknowledged by the Planning Authority. From the date of acknowledgement, the Site Notice attached to it shall be posted in a publicly accessible part of the site until the development is completed.

Reason: In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

4. Upon completion of the development the completed Notice of Completion form attached to this decision notice shall be submitted to the Planning Authority.

Reason: In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

5. Prior to the commencement of development, details of the lighting system designed for the development shall be submitted to and require the approval in writing of the Planning Authority in consultation with the Roads Authority in order to limit urban sky glow and light spillage onto surrounding areas. The approved details shall thereafter be implemented prior to any part of the development being brought into use.

Reason: In the interests of residential amenity, in order to avoid light pollution and for the avoidance of doubt.

6. Prior to the commencement of development, a programme of archaeological work 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: In order to ensure the protection of the archaeological interest of the site.

7. All surface water drainage arrangements shall be provided to the satisfaction of the Planning Authority, in consultation with the Scottish Environment Protection Agency, the Water Authority and Building Standards Authority. Prior to the commencement of development, detailed proposals for the disposal of surface water from the site, which shall require to meet the Best Management Practice Guidelines of the Scottish Environment Protection Agency, shall be submitted to and require the approval in writing of the Planning Authority in consultation with the Roads Authority and SEPA. All proposals thereby approved shall be implemented prior to occupation of the houses.

Reason: In order to ensure that the site is properly drained, as no details have been provided and for the avoidance of doubt.

8. All foul drainage arrangements shall be provided to the satisfaction of the Planning Authority, in consultation with the Scottish Environment Protection Agency, the Water Authority and Building Standards Authority. For the avoidance of doubt, foul drainage shall be by means of a connection to the public sewer. All proposals thereby approved shall be implemented prior to occupation of the houses. For the avoidance of doubt, no development shall commence on site until evidence is exhibited to the Planning Authority that an agreement has been reached by the applicant with Scottish Water for the provision of a foul drainage and/or water scheme to serve the development.

Reason: In order to ensure that the site is properly drained, in order to maintain the amenity of the village, in the interests of public health, to ensure that the necessary pre-condition(s) for commencement of use of the development are met, and for the avoidance of doubt.

9. All access arrangements shall be provided to the satisfaction of the Planning Authority in consultation with the Roads Authority. For the avoidance of doubt, all roads and footpaths shall be constructed to the adoptive standards of the Roads Authority and no buildings shall be constructed until such time as Road Construction Consent has been granted for the site access roads. No house shall be occupied until the works agreed as part of the Roads Construction Consent have been undertaken and completed to the satisfaction of the Planning Authority in consultation with the Roads Authority. Unless otherwise approved in writing by the Planning Authority in consultation with the Roads Authority, the development shall provide for the following, all in accordance with drawings which shall be submitted to and require the approval in writing of the Planning Authority in consultation with the Roads Authority:

- A 2m wide footway to connect the site with the village and to the Edderton Inn, with associated road drainage.
- Visibility splays of 2.5m x 70m from the proposed junction with Station Road (this may require some re-engineering of the existing alignment of Station Road).
- A 2m wide footway, contiguous with the carriageway, over the full length of all new roads except where shared surfaces are provided or where this is not permitted by statutory consultees such as Historic Scotland.
- Traffic calming and pedestrian safety improvements on the A836.

Reason: In the interests of road safety and for the avoidance of doubt.

10. Unless otherwise approved in writing by the Planning Authority, hours of operation on the site shall be restricted to 7.30am to 7.00pm Monday to Friday and 7.30am to 1pm on Saturdays, with no Sunday working.

Reason: In the interests of residential amenity, in order to avoid disturbance and nuisance, and for the avoidance of doubt.

11. Within 6 months from the date of this permission, the developer shall submit for the approval in writing of the Planning Authority a detailed landscaping plan, including boundary treatments, to include details of phasing; a maintenance programme specifying weed control, adjustment / replacement of shelters, stakes and ties, formative pruning, and replacement of failures; and a method statement 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. All trees shall be retained in perpetuity and any failures shall be replaced within the next planting season, unless otherwise agreed in writing with the Planning Authority. The landscaping measures thereby approved shall be planted out in accordance with the approved phasing.

Reason: In the interest of residential amenity and for the avoidance of doubt.

12. A further detailed planning application(s) shall be submitted to the Planning Authority to detail the siting, design, external materials and finishes of houses; boundary treatments, landscaping, screening and planting (including species mix and scheme of maintenance); means of maintenance of open and amenity areas; access, traffic calming, and road surfaces and footpaths. Prior to the submission of any detailed application(s) for housing on the site, the developer shall have submitted and have had agreed in writing by the Planning Authority, a Design Brief. This shall set out, amongst other things, house heights, roof pitches, layout and external finishes including boundary treatments and finished floor levels. The development of each plot thereby approved shall comply with the terms of the agreed Design Brief.

Reason: As no details have been submitted, in the interests of amenity and road safety, in order to adequately screen the site and for the avoidance of doubt.

13. For the avoidance of doubt, any boundary fence shall be located outwith the scheduled area of the adjacent Carri Blair stone circle and cist Scheduled Monument.

Reason: In order to ensure the protection of the Scheduled Monument.

FOOTNOTE TO APPLICANT RELATIVE TO APPLICATION 08/00477/FULSU

Please note: Your attention is drawn to the conditions attached to this permission. Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to meet these conditions may invalidate your permission or result in formal enforcement action.

Flood Risk: It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (of emanating from) the application site. As per Scottish Planning Policy 7: Planning & Flooding, planning permission does not remove the liability position of developers or owners in relation to flood risk.

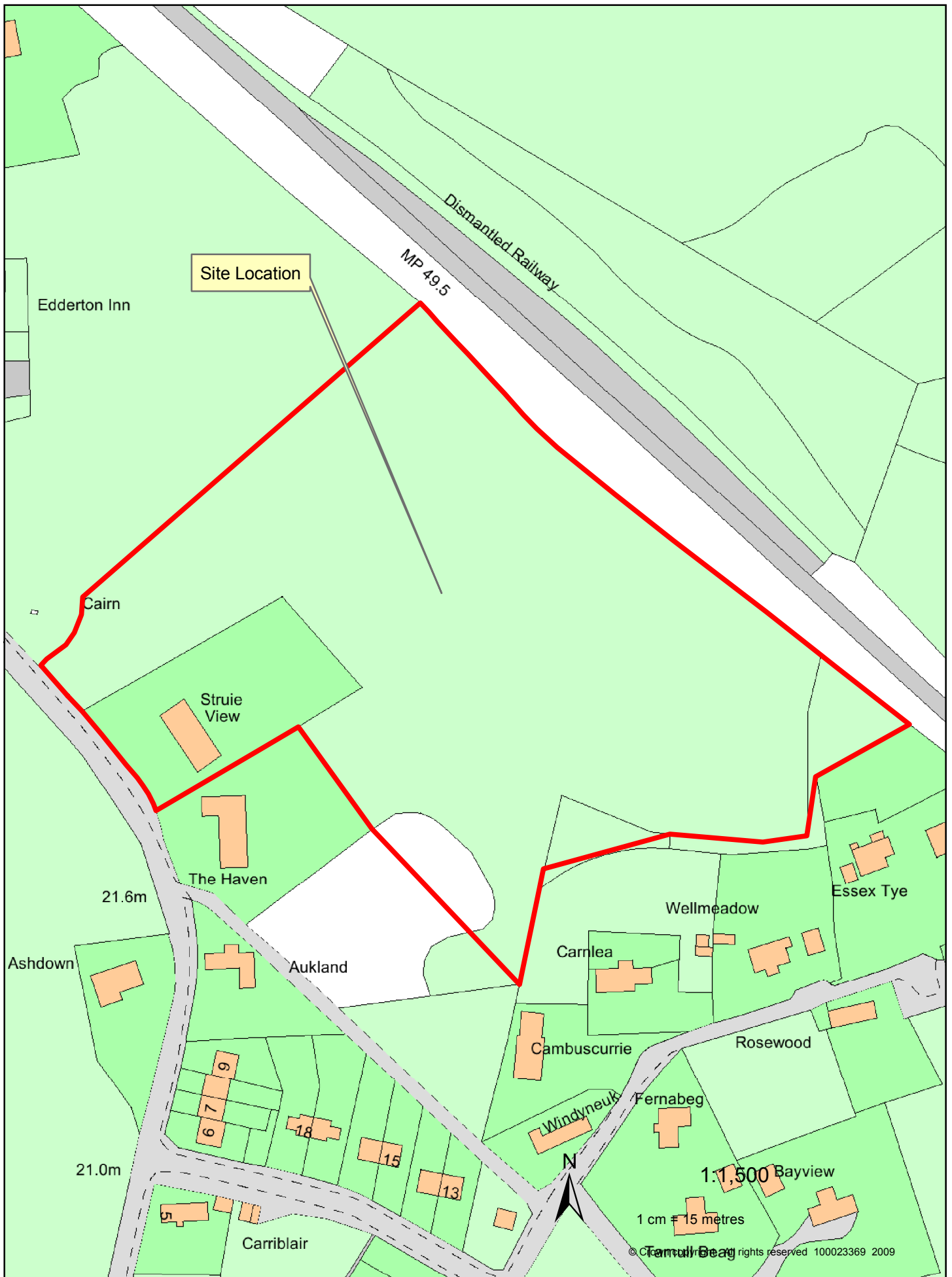
Road Openings Permit / Road Construction Consent: You may require consent from the Roads Authority prior to the commencement of this development. You are therefore advised to contact them direct to discuss the matter.

Street Names: In line with the Council's Gaelic Language Plan and Policies, you are encouraged to consider the adoption of Gaelic or Gaelic-influenced street names in this development. For further guidance, you may wish to contact the Council's Gaelic Development Manager (01463 724287) or Comunn na Gàidhlig (01463 234138).

Scottish Water: You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

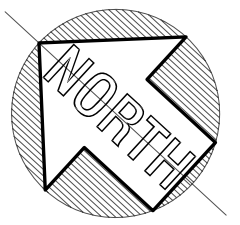
Section 75 Legal Agreement: You are advised that this planning permission has been granted subject to a Section 75 Legal Agreement. The terms of the agreement must be read in conjunction with the planning permission hereby approved. The terms of the Agreement may affect further development rights or land ownership and you are therefore advised to consult with the Planning Authority if considering any further development.

Signature: Allan J Todd
Designation: Area Planning & Building Standards Manager
Caithness Sutherland and Easter Ross
Author: Bob Robertson
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Site Layout 3435-P-050 Rev A (November 2008)
Plan 2 – Drainage Impact Assessment and SuDS Strategy (8 December 2008)



08/00477/FULSU
 Formation of 26No. building plots with associated roads and drainage
 (Amended from 22No. building plots) at Land to the North East of
 The Haven, Station Road, Edderton.

The Ross Estates Company
 Per Bracewell Stirling Architects
 5 Ness Bank
 Inverness,



Rev A Access road relocated and additional units added in plot of Strive View. Dec 09

Bracewell Stirling Architects

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

Proposed Housing development
 Station Road, Edderton
 Balnagowan Estates

Site Layout

SCALE 1:500 DATE Nov 08 BY SGM

DWG NO 3435 - P- 050 REV A