

THE HIGHLAND COUNCIL

SOUTH PLANNING APPLICATIONS COMMITTEE
8 April 2014

Agenda Item	6.2
Report No	PLS/021/14

14/00049/PIP: The Highland Council
Torvean, Inverness

Report by Head of Planning and Building Standards

SUMMARY

Description: The proposal is a mixed use development consisting of (1) an 18 hole golf course, practice area, new golf club house and maintenance building, (2) the formation of a 'Sports Hub' comprising sports pitches, fitness trails, car parking, and a building to accommodate changing/shower facilities, (3) Parkland areas and ancillary works at Torvean, Inverness.

Recommendation: GRANT PLANNING PERMISSION IN PRINCIPLE

Wards: 14 – Inverness West

Development category: Major

Pre-determination hearing: None

Reason referred to Committee: Managers Discretion

1.0 PROPOSED DEVELOPMENT

1.1 This application relates to the delivery of enhanced sports and recreational facilities in the west of Inverness. The application forms part of a wider project in the south west of Inverness related to the delivery of the Inverness West Link.

1.2 The application seeks planning permission in principle (although it is accompanied by an indicative layout). The proposed development is best described in more detail if broken down into the 4 distinct elements of the original application as follows:

1. An 18 hole golf course, practice area, new golf club house and maintenance building

1.3 The planning application sets out two options for the golf course:

- Option 1 – this layout seeks to deliver all 18 holes of the reconfigured golf course to be to the north of the A82 bounded by General Booth Road to the

- east and Kilvean Cemetery to the west; and
- Option 2 – this layout seeks to deliver the majority of the golf course to the north of the A82 and west of General Booth Road with some holes remaining in the area south of the A82 in the area currently occupied by holes 5-8.

The golf course development is proposed to be accompanied by a new golf clubhouse, new maintenance facilities, car parking and a series of paths. With both option 1 and option 2 the supporting infrastructure and facilities for the reconfigured golf course would be located to the north of the A82. A new practice area would be located in the area currently occupied by holes 12 and 13 of the existing golf course.

Following a decision to purchase additional land for the delivery of the golf course, the Council has now committed to bringing forward option 1. This has been confirmed by the applicant and therefore it is now only option 1 which is under consideration through this application.

2. Formation of a 'Sports Hub' comprising sports pitches, fitness trails, car parking and building to accommodate changing/shower facilities

- 1.5 The planning application seeks planning permission in principle for a 'Sports Hub' on an area of land currently occupied by holes 9-14 of Torvean Golf Course to the east of a realigned General Booth Road. This will comprise:
- 4 sports pitches each measuring 120m x 70m A changing facility comprising 8 changing rooms (with potential for club house facilities):
 - Parking for cars, mini-buses, coaches and service vehicles;
 - Fitness trails comprising of a number of inter connected paths within the red-line boundary. It is the intention that these would connect with established walking/cycling/running routes outwith the site boundary.

3. Parkland areas

- 1.6 The area which currently comprise holes 5-8 of Torvean Golf Course (south of the A82) has been identified as an area for parkland or to remain in use as part of the golf course. As set out earlier in this report the Council has committed to delivering a new golf course to the north of the A82, therefore the land to the south of the A82 is no longer needed for golf course purposes. With this in mind the area to the south of the A82 is now only under consideration as parkland. This will involve some landscaping of the area to remove the existing golf course features such as golf tees and bunkers.

4. Kilvean Cemetery Extension

- 1.7 The planning application, when originally submitted, indicated an area to the north of the existing Kilvean Cemetery for future expansion of the cemetery. Following consideration of comments by consultees (particularly SEPA) on this element of the application, the applicant asked that the proposed cemetery expansion be withdrawn from the application. Commitment has however been made to submit a future detailed planning application for the expansion of cemetery provision in a

slightly different location to the south of the existing cemetery, subject to satisfactory completion of further ground investigation works.

1.8 In support of the application the following studies / assessments have been submitted:

- Environmental Statement addressing Cultural Heritage, Ecology and Nature Conservation, Road Drainage and Water Environment, Geology and Soils, and Cumulative Effects;
- Planning Statement;
- Design and Access Statement;
- Transport Assessment;
- Pre-Application Consultation Report; and
- Sustainable Design Statement.

2.0 SITE DESCRIPTION

2.1 The site is currently occupied by two main uses, the existing Torvean Golf Course and agricultural land used for grazing. The existing Torvean Golf Course is split into distinct areas by the A82 and General Booth Road. Holes 1-8 are to the south of the A82 with holes 1 – 4 of the existing golf course directly affected by the delivery of the proposed Inverness West Link. Holes 16-18 and a practice area are located to the north of the A82 and west of General Booth Road. Holes 9-15 are located to the east of General Booth Road and will be affected by the re-alignment of General Booth Road. The existing golf club house and parking area are located to the south of the A82.

2.2 There are a number of small watercourses and water bodies across the application site. The site is bounded by the Torvean Landforms to the south, the Caledonian Canal to the east and a residential area to the north. Major roads in the form of the A82 and General Booth Road split the site into three areas.

2.3 An area of Long Established Woodland is located to the south of the A82 and is within the site boundary. There are no other natural heritage designations covering the site. Torvean Landforms Special Scientific Interest (SSSI) lies directly to the south of the proposed development.

2.4 The development site is not covered by any international, national, regional or local landscape designation. The site lies within the *Rolling Farmland and Woodland* and *Suburban Fringe* Landscape Character Types (LCTs) identified in the Inverness District Landscape Character Assessment (LCA) (SNH, 1999).

2.6 The Caledonian Canal (SM-6499) Scheduled Ancient Monument forms part of the eastern boundary of the development but is not directly affected by the proposed developments.

2.7 Within the application boundary, a further 3 sites of archaeological interest are recorded in the Highland Historic Environment Record. These records include find sites for Neolithic axe heads and a post medieval dwelling house.

2.8 Tomnahurich Cemetery, to the west of the proposed development, is listed in the National Inventory of Historic Gardens and Designed Landscapes. No listed buildings are located within the application boundary or are likely to be affected by the development.

3.0 PLANNING HISTORY/BACKGROUND

3.1 EIA

13/01329/SCRE Screening Opinion sent to applicant 13.05.2013 advising EIA is required.

13/02649/SCRE Screening Opinion sent to applicant 02.08.2013 advising EIA is required.

13/03060/SCOP Scoping Opinion sent to applicant 15.11.2013.

4.0 PUBLIC PARTICIPATION

4.1 Proposal of Application Notice (PAN) submitted (13/3090/PAN) 14.08.2013

Previous PAN's submitted 13/01540/PAN submitted 22.04.2013

13/01334/PAN submitted 10.04.2013

The application has been subject to a series of pre-application consultation events which included the following public exhibitions:

- Public exhibition at Kinmylies Church, Inverness on 17.04.2013
- Public exhibition at Culduthel Christian Centre, Inverness on 18.04.2013
- Public exhibition at The Eastgate Centre, Inverness on 4.05.2013
- Public exhibition at Kinmylies Church, Inverness on 04.09.2013

4.2 Advertised: 17 January 2014 in the Inverness Courier and Edinburgh Gazette.

Representation deadline: 17 February 2014

Timeous representations against:	0
Comments:	0
Representations in support:	1
Non-timeous representations against:	1

4.3 No material considerations to the determination of this application have been raised through representations. The non-material points raised are as follows:

- Support for the delivery of the Inverness West Link Road as it will reduce congestion;
- Application is a waste of public money;
- New facilities aren't needed if a different route for the Inverness West Link is pursued;
- This application supports, the delivery of the application for the Inverness West Link which will compound traffic congestion at Inshes roundabout;

- No work should be undertaken on this proposal until after the A9/A96 trunk link road is completed and Inshes roundabout is addressed.

4.4 A list of all those who made representation is provided in Appendix 1 of this report. All letters of representation can be viewed via the Council's e-planning portal <http://wam.highland.gov.uk> .

5.0 CONSULTATIONS

5.1 Ballifeary Community Council – No response received.

5.2 Inverness West Community Council: Broadly supportive of the proposal. Concerns raised over drainage needed in the area of proposed cemetery expansion (now withdrawn).

5.3 TEC Services (Roads and Transportation): No objection. A number of issues have been raised which TEC Services (Roads and Transportation) ask to be addressed by condition. These include:

- Securing the delivery of pedestrian and cycle connections;
- Replacement of bus shelter on General Booth Road.
- Design and construction of accesses to the golf course and sports hub
- Separation of maintenance vehicles from general parking access
- Detailed parking layouts for the golf club and sports hub
- Submission of information at Matters Specified in Conditions stage on Construction Traffic Management Plan, Cycling and Access Audits and an Access and Parking Strategy for the golf club and sports hub.

5.4 TEC Services (Environmental Health) No objection. A number of issues have been raised which TEC Services (Environmental Health) ask to be addressed by condition. These include:

- Construction Environmental Management Plan to be submitted and include mitigation related to noise and vibration as set out in the Environmental Statement;
- Submission and approval of a dust management plan during construction;
- Submission and approval of a Noise Management Plan for the Sports Hub;
- Flood lighting at the sports hub to follow the Institute of Lighting Engineers "Guidance Note for the Reduction of Obtrusive Light".
- Details of any proposed kitchen ventilation extraction system at the Golf Club House to be submitted and approved prior to commencement of development;
- Noise from any plant, machinery or equipment within the Golf Club House to not exceed NR20 when measured from noise sensitive properties;
- Location of the grounds maintenance facilities.

5.5 TEC Services (Flood Team) Following submission of additional information, no objection. A number of issues have been raised which TEC Services (Flood Team) seek to be addressed by condition. These include:

- 6m development free buffer zone from the top of any water bodies on site;
 - Submission of further information related to drainage.
- 5.6 TEC Services (Contaminated Land) No objection. TEC Services (Contaminated Land) seek a condition related to site investigations given the historic use of a small area of land within the area identified as parkland as a small refuse tip.
- 5.7 Access Officer No objection. A condition is requested that ensures the submission and approval of an Access Management Plan for the whole site with the first detailed application to address the issues raised in the Access Officers' response.
- 5.8 Conservation Officer – No comments as the application seeks to address the principle of development. Detailed comments/observations will be made when any application(s) for matters specified in conditions are made.
- 5.9 Archaeology – No objection. A condition has been sought to secure a programme of work for the evaluation, preservation and recording of any archaeological and historic features.
- 5.10 Forestry Officer – No objection. A number of issues have been raised which the Forestry Officer seeks to be secured by condition. These include:
- No trees to be cut down, uprooted, topped, lopped or wilfully damaged without consent;
 - Submission and approval of plans, surveys, assessment and statements in accordance with BS5837: 2012 – Trees in Relation to Design, Demolition and Construction.
- 5.11 Scottish Water: No objection.
- 5.12 Scottish Environment Protection Agency (SEPA) Object unless conditions are attached to:
- Require submission and approval of a revised flood risk assessment showing proposed buildings outwith the flood risk area;
 - Ensure all development is connected to the public sewer;
 - Require submission and approval of a surface water drainage plan detailing all surface water drainage devices which in total will provide two levels of treatment;
 - Submission and approval of a scheme detailing engineering within the water environment;
 - Submission and approval of a site specific Construction Environmental Management Plan;
 - No new private water supplies are created as part of this proposal.
- 5.13 Scottish Natural Heritage (SNH) No objection.
- 5.14 Transport Scotland (Trunk Roads and Bus Operations) No objection.
- 5.15 Historic Scotland No objection
- 5.16 SportScotland No objection. A number of issues have been raised which

SportScotland seek to be secured by condition. These include:

- The golf club having 18 holes capable of play at all times during construction of the new course;
- The golf club having access to a clubhouse with ancillary facilities (including parking) at all times during construction;
- The golf club having access to the existing range of practice facilities at all times during construction;
- The provision of mitigation to minimise the risk of golf balls going outwith the existing and redesigned golf course and practice area. This mitigation should reflect the phased nature of the scheme;
- The golf course designed and construction overseen by a suitably qualified specialist golf course designer;
- The provision of ball stop fencing at the sports hub.

6.0 DEVELOPMENT PLAN POLICY

6.1 The following policies are relevant to the assessment of the application:

Highland-wide Local Development Plan (April 2012)

6.2	Policy 28	Sustainable Development
	Policy 29	Design, Quality and Place Making
	Policy 34	Settlement Development Areas
	Policy 43	Tourism
	Policy 51	Trees and Development
	Policy 55	Peat and Soils
	Policy 56	Travel
	Policy 57	Natural, Built and Cultural Heritage
	Policy 58	Protected Species
	Policy 59	Other Important Species
	Policy 60	Other Important Habitats
	Policy 61	Landscape
	Policy 64	Flood Risk
	Policy 65	Waste Water Treatment
	Policy 66	Surface Water Drainage
	Policy 70	Waste Management Facilities
	Policy 74	Green Networks
	Policy 75	Open Space
	Policy 76	Playing Fields and Sports Pitches
	Policy 77	Public Access
	Policy 78	Long Distance Routes

Inverness Local Plan (As Continue in Force 2012)

6.3 The vast majority of the general polices and land allocations of the Local Plan pertinent to this application have been superseded by the policies of the Highland-wide Local Development Plan. However a number of land allocations/proposals still remain in force. These include:

- Policy 8(ii) Action Areas Regeneration – Torvean
- Policy 29 A9-A82 Trunk Road Link

- Policy 32 Park and Ride
- Policy 41 Green Wedges
- Policy 41(ii) Green Wedges – Torvean / Muirtown
- Policy 43 Golf Course – Charleston
- Policy 46 Badger Survey

Flood Risk and Drainage Impact Assessment: Supplementary Guidance (January 2013)

- 6.4 This Supplementary Guidance reflects the principles set out in Policy 64 Flood Risk and Policy 66 Surface Water Drainage of the Highland-wide Local Development Plan. In addition it also reflects further advice and guidance provided by SEPA and other bodies related to flooding and drainage.

Green Networks: Supplementary Guidance (January 2013)

- 6.5 This Supplementary Guidance reflects the principles set out in Policy 74 Green Networks of the Highland-wide Local Development Plan. It also contains priorities and projects for the Inverness to Nairn Green Network which this development sits within.

Highland Historic Environment Strategy: Supplementary Guidance (March 2013)

- 6.6 This Supplementary Guidance reflects the cultural heritage principles of Policy 57 Natural, Built and Cultural Heritage of the Highland-wide Local Development Plan. It contains a series of Strategic Aims to ensure the protection and enhancement of the built and cultural heritage of Highland.

Managing Waste in New Developments: Supplementary Guidance (March 2013)

- 6.7 This Supplementary Guidance provides a set of standards which the Council expects to be met to enable the effective and efficient management of waste in Highland.

Physical Constraints: Supplementary Guidance (March 2013)

- 6.8 This Supplementary Guidance sets out what The Highland Council consider to be physical constraints to development reflecting Policy 30 Physical Constraints of the Highland-wide Local Development Plan.

Sustainable Design Guide: Supplementary Guidance (January 2013)

- 6.9 This Supplementary Guidance provides advice and guidance promoting the use of sustainable design concepts within the design of developments. This reflects the principles set out in Policy 28 of the Highland-wide Local Development Plan.

Trees, Woodlands and Development: Supplementary Guidance (January 2013)

- 6.10 This Supplementary Guidance reflects the policy advice given in Policy 51 Trees and Development of the Highland-wide Local Development Plan and Policy 52 Principle of Development in Woodland and generally follows the advice within Scottish Government Control of Woodland Removal policy.

Torvean and Ness-side Development Brief (November 2013)

- 6.11 This Development Brief was statutorily adopted as Supplementary Guidance to Policy 8 Ness-side and Charleston of the Highland-wide Local Development Plan. The Development Brief sets out a framework for the development of this area following analysis of the areas constraints and opportunities based around a shared vision for the area.

7.0 OTHER RELEVANT PLANNING POLICY

Proposed Inner Moray Firth Local Development Plan (November 2013)

- 7.1 Proposed Allocation IN24 Torvean and Ness-side (Northern Part) – Mixed Use (Homes, Business, Retail, Tourism, and Community).

Scottish Government Planning Policy and Guidance

- 7.2
- National Planning Framework 2
 - Scottish Planning Policy
 - Designing Places
 - Creating Places
 - PAN 43 – Golf Courses and Associated Developments
 - PAN 58 – Environmental Impact Assessment
 - PAN 60 – Planning for Natural Heritage
 - PAN 61 – Planning and Sustainable Urban Drainage Systems
 - PAN 65 – Planning and Open Space
 - PAN 69 – Planning and Building Standards Advice on Flooding
 - PAN 75 – Planning for Transport
 - PAN 1/2011 – Planning and Archaeology

8.0 PLANNING APPRAISAL

- 8.1 Section 25 and of the Town and Country Planning (Scotland) Act 1997 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

Determining Issues

- 8.2 The determining issues are:

- do the proposals accord with the development plan?
- if they do accord, are there any compelling reasons for not approving them?
- if they do not accord, are there any compelling reasons for approving them?

Planning Considerations

- 8.3 In order to address the determining issues, the Committee must consider a) compliance with the development plan, b) compatibility with national policy, c) Proposed Inner Moray Firth Local Development Plan, d) roads and transport, e) flood risk and drainage, f) impacts on trees, g) the impact on natural heritage, h) the impact on built and cultural heritage, i) the visual impact and impact on landscape, j) access and recreation, k) amenity impact; and l) any other material considerations.

Development Plan and Supplementary Guidance

- 8.4 For the avoidance of doubt the Development Plan comprises of the Highland-wide Local Development Plan, Inverness Local Plan (As continued in Force) and all associated statutorily adopted Supplementary Guidance.
- 8.5 The Highland-wide Local Development Plan sets out a Spatial Strategy for Inverness. In this spatial strategy, the Ness-side and Charleston areas are identified as 'Future Expansion Sites'. This strategy also identifies the Inverness West Link as part of the spatial strategy for the City. Taking this through into land allocations, Policy 8 – Ness-side and Charleston sets out support for a masterplanned approach to the development of the area to be taken forward in tandem with work to identify options for the river and canal crossings.
- 8.6 The masterplanned approach as referred to in Policy 8 of the Highland-wide Local Development Plan resulted in the production and subsequent statutory adoption of the Torvean and Ness-side Development Brief as part of the Development Plan. The Development Brief sets out a Vision for the area which amongst other things seeks the *'Delivery of a green gateway with a clear identity'* and *'An enhanced sporting hub for the city that can be used by a wide range of users'*. This application directly addresses this vision by seeking planning permission in principle for a reconfigured golf course, sports hub (including sports pitches and fitness trails) and parkland. The application was accompanied by an indicative layout for these facilities which largely accords with the layout as presented in Maps 4 and 5 of the Development Brief, with modifications to address flood risk, drainage and ground water issues. The main differences between the adopted development brief and the planning application considered by this report are as follows:
- The area for cemetery expansion has been withdrawn and will be subject to a future planning application to the south east of the existing cemetery;
 - The area identified in the Development Brief for cemetery expansion has been shown as golf course; and
 - The area identified in the development brief for Golf Course or Parkland to the south of the A82 is now solely to be considered for Parkland.
- 8.7 The need for and delivery of the development is directly tied to the construction of the Inverness West Link road scheme. The road link and associated land use developments is a key element of the Torvean and Ness-side Development Brief. The Development Brief sets out clear phasing of development for the reconfigured sporting uses in the area. Those relevant to this application are:
- Phase 2 – Reconfiguration of the golf course to be completed prior to construction of Stage 2 of the West Link Road;
 - Phase 3 – Delivery of the Sports Hub and parkland to be delivered once all the reconfigured golf course is playable.
- In order to achieve this phasing of delivery and address concerns raised in the response by SportScotland about the usability of the course construction of the new golf course, conditions will be used to ensure compatibility with the development plan and ensure no net detriment to the users of the existing facilities. This is considered in more detail later in this report.

- 8.8 The Inverness Local Plan (As Continued in Force) contains a number of supportive policies in relation to the golf course. Much of the area covered by this application is identified as an action area for regeneration with a pre-requisite of any development being the delivery of a reconfigured Torvean Golf Course. This is also supported by Policy 43 which specifically allocates around 55ha of land for a reconfigured golf course.
- 8.9 While the above considers the applicable land allocations to which the proposed development relates, the general policies as set out in paragraph 6.2 of this report is, need to be considered to fully assess the proposal against the development plan. Those most pertinent to the determination of the application will be considered in paragraphs 8.19 - 8.50.

National Policy

- 8.10 Scottish Planning Policy (SPP) sets out a broad policy framework to facilitate the delivery of high quality development. Much of the policy set out in SPP has been interpreted at a local level by the Highland-wide Local Development Plan.
- 8.11 SPP requires planning authorities to support, protect and enhance open space and opportunities for sport and recreation. SPP also sets out the benefits of open space and physical activity and the importance of interlinked areas of good quality open space. Due to the nature of this proposal, and the clear links to surrounding existing open space provision, it is considered that it addresses these provisions of SPP.
- 8.12 SPP also sets out a policy approach to playing fields. This is replicated in the Policy 76 – Playing Fields and Sports Pitches of the Highland-wide Local Development Plan. It is widely recognised that there is a need for additional pitches in Inverness to meet demand. SPP sets out that where there is demand for additional sports pitches, the Local Development Plan should identify sites where they can be located. In this area of Inverness this has been carried out through the Torvean and Ness-side Development Brief which identifies land which can be developed to provide a net gain of 4 pitches across the brief area.
- 8.13 The SPP approach to open space and physical activity is supported by PAN 65 – Planning for Open Space, however this is largely concerned with the production of open space audits and strategies.
- 8.14 While there is no specific reference to golf courses in SPP, they are also covered by the open space and physical activity section of SPP. There is detailed guidance available in PAN 43 – Golf Courses and Associated Developments. While this document is now dated, and the location and design of golf courses is now largely guided by other documents, there remains relevance in terms of the development of a proposed new course within the landscape, heritage and biodiversity of the area. These are matters of detail which are not required to be determined by this application but which form part of the more detailed planning applications for matters specified in conditions.

- 8.15 Paragraph 97 of SPP considers the impact of development on prime quality agricultural land and seeks to safeguard these areas from development which would not allow the land to be restored to its former state. This policy approach is replicated through supporting text in the Highland-wide Local Development Plan. For clarity no part of the application site is considered to be prime quality agricultural land, however the area into which the golf course reconfiguration will expand is of better quality (Class 3.2). The development of a golf course is however considered reversible in the longer term, therefore the effect on the agricultural quality of the site is limited.
- 8.16 Other relevant national policy is listed in para 7.2 of this report, but is not considered pertinent to the determination of this application given that it is an application for planning permission in principle only.

Proposed Inner Moray Firth Local Development Plan

- 8.17 The Inner Moray Firth Local Development Plan is at an advanced stage. The Proposed Plan (published November 2013) is considered to be the fixed view of the Council and as such, should be afforded significant weight in the decision making process. The Proposed Plan proposes an allocation for mixed use development (IN24) which accords with the boundary and mix of uses set out in the Torvean and Ness-side Development Brief. As discussed in paragraphs 8.6 - 8.7, the proposed development is considered to accord with the provisions of the Torvean and Ness-side Development Brief and therefore due to the nature of the allocation in the Proposed Inner Moray Firth Local Development Plan is considered to accord with the provisions of the Proposed Plan.
- 8.18 Considering the stage of the plan, it is also appropriate to give due consideration to any representations made to the Proposed Inner Moray Firth Local Development Plan. These are included as Appendix 1 to this report. The issues raised through these representations are either not material to the determination of this application or are dealt with elsewhere in this report.

Roads and Transport

- 8.19 As explained earlier in this report, this development is directly linked to the provision of the proposed Inverness West Link and associated road re-alignments/improvements. In bringing forward this application the applicant has prepared and submitted a Transport Statement which considers the affect of the proposed development on both the local and trunk road network. As set out in paragraph 5.3 and 5.13 of this report The Highland Council TEC Services Roads and Transport Scotland have not raised objections to the proposals. TEC Services Roads have requested conditions to be attached to any consent which may be granted.
- 8.20 The Transport Assessment which supports the application indicates that the majority of people are likely to travel to the development either as a car driver or passenger, with a more limited number of trips made by bicycle. It is however anticipated that there will be a high proportion of trips to the proposed development by pedestrians.

8.21 The developments proposed in this application will have separate access points to each of the individual elements:

- The golf course will be accessed via a re-aligned General Booth Road below the housing on Mile End Place;
- The sports hub will be accessed via a re-aligned General Booth Road to the east-south-east of the existing underpass on General Booth Road; and
- The parkland would be accessed via a new access to the canal which is being proposed as part of the Inverness West Link. This is the link which will also serve the relocated Jacobite Cruises base.

The locations of each of the above proposed accesses allow the technical visibility requirements of a new access onto the public road to be met. The design and layout of each of the new accesses will be secured by condition and details provided in any future matters specified in conditions planning application.

8.22 In terms of car parking, there are two new car parks proposed as part of this application:

- Golf Course car park with 70 spaces (increase of 20 spaces above existing provision) including disabled parking provision; and
- Sports Hub car park with 150 car spaces, 6 disabled spaces, 4 coach spaces and 4 minibus/service vehicle spaces.

The Council's parking standards are set out in the Roads and Transport Guidelines for New Developments (May 2013). The proposed levels of parking exceed those set out in the above guidance. It is likely that there will be additional pressure on these facilities when there are large events being held at the sports hub/golf course. To ensure this does not have an impact on road safety a parking and access management plan will have to be agreed. This can be secured by condition.

8.23 The Transport Assessment acknowledges that there is not likely to be significant demand for cycling to the proposed development due to the need for users to bring their own equipment. However, the Transport Assessment does suggest that users of the sports hub and staff at both the golf course and sports hub may wish to cycle to the facility. There is also likely to be people cycling to the parkland. As this is the case it is appropriate to secure cycle parking, by condition, to the standards set out in Roads and Transport Guidelines for New Developments (May 2013).

8.24 The area is well served by public transport. At present there is a bus stop close to the entrance of the sports hub. In order to provide access to the sports hub and to achieve the re-alignment of General Booth Road, the existing bus stop will need to be relocated. The re-provision of the bus stop will be secured by condition.

Flood Risk and Drainage

8.25 Scottish Planning Policy, Policy 64 – Flood Risk of the Highland-wide Local Development Plan and the Flood Risk and Drainage Impact Assessment: Supplementary Guidance give very clear policy and advice on dealing with flood risk and drainage in new developments. The applicant submitted a flood risk assessment with the application and this identified instances where mitigation would be required for each element of the proposed development. These are addressed in turn below:

- Golf Course, associated club house and maintenance building – the site is at little to no risk from fluvial or coastal flooding, however the site is identified as being at low risk to flooding from artificial sources, sewers and groundwater and is at high risk from surface water flooding. As the application is for planning permission in principle the applicant proposed mitigation to be carried out at the detailed design stage. Following consideration of the indicative layout and consultation responses from SEPA and the Council's Flood Team, it was considered that the mitigation proposed in relation to movement of the proposed golf club house should be carried out prior to the determination of this application. A revised indicative layout as shown in appendix 3 was submitted for further consideration. SEPA and the Council's Flood Team are now satisfied that these flooding issues have been resolved and the original objections have been removed. All other issues related to flood risk can be secured by condition;
- Sports Hub – the site is at little to no risk from fluvial or coastal flooding, however the site is identified as being at low risk to flooding from artificial sources, sewers and groundwater and is at high risk from surface water flooding. Following consideration of the indicative layout and consultation responses from SEPA and the Council's Flood Team, it was considered that the mitigation proposed in relation to movement of the proposed changing room building at the Sports Hub should be carried out prior to the determination of this application. A revised indicative layout as shown in appendix 3 was submitted for further consideration. SEPA and the Council's Flood Team are now satisfied that these flooding issues have been resolved and the original objections have been removed. All other issues related to flood risk can be secured by condition; and
- Parkland – the proposed development will not be at risk from flooding or have an impact on flood risk therefore no flood risk management is proposed.

8.26 As part of the Flood Risk Assessment a sustainable Drainage System (SuDS) Statement / Conceptual Drainage Strategy has been prepared for the golf course and sports hub elements of the proposal. This sets out a range of proposed mitigation, however given that this is an application for planning permission in principle only, these are not described in significant detail. It is therefore proposed that conditions are attached to any planning permission which may be granted to require the submission and approval of detailed SuDS proposals before development commences. To address waste water drainage in line with Policy 65 – Waste Water Treatment of the Highland-wide Local Development Plan, a condition will be attached to any planning permission which may be granted to require the golf club house, golf course maintenance building and the sports hub to connect to the public waste water network.

Impact on trees

8.27 Policy 51 – Trees and Development of the Highland-wide Local Development Plan and the Trees, Woodlands and Development: Supplementary Guidance set out the Council's approach to development which may affect the woodland resource. The application is accompanied by an Arboriculture Site Overview Appraisal. This concluded that the presence of trees within the application site should not be a

significant constraint to the proposed development and recommends a tree survey be completed prior to the detailed design stage of the proposals. This is a view shared by the Council's Forestry Officer who has sought conditions to secure a number of surveys/ assessments and plans to accompany any future matters specified in conditions application.

- 8.28 The development may result in the loss of some trees but due to the scale and nature of the proposal it is considered that compensatory planting can be achieved within the detailed design of the site and this should again be informed by the proposed tree surveys/assessments and secured by condition.
- 8.29 The parkland element of the proposal contains an area of Long Established Woodland. Given the proposal for the parkland involves only landscaping the existing golf course, it is not considered that the proposed development will have an adverse impact on this designation.

Impact on natural heritage

- 8.30 While the proposed development does not directly affect any sites designated for nature conservation there are a number of habitats on the site in which protected and/or other important species may reside. Policy 58 – Protected Species, Policy 59 – Other Important Species and Policy 60 – Other Important Habitats of the Highland-wide Local Development plan set the policy framework for the determination of applications which may affect protected/important habitats and species.
- 8.31 The application is accompanied by a series of habitat suitability and species surveys (Great Crested Newt, Badger and Bat). These identify mitigation proposals which can be secured within the detailed design of the proposed development and conditions attached to any planning permission that may be granted. In the case of badgers, while mitigation in terms of avoidance is proposed if this is not achievable a licence to disturb a badger sett may be required. Both the badger and bat surveys suggest that the impact on the local populations will be limited and occur mainly during the construction phase. Whilst this is the case, it is considered appropriate that the impacts are monitored for a period post construction to ensure the proposed development has not had an adverse impact.
- 8.32 There are a number of suitable habitats for Great Crested Newts across the development site. The reptile survey has concluded that there would be a negligible adverse impact on the population on the local reptile population. The survey conclusion recommends that further surveys are undertaken at a number of locations prior to commencement of development. This can be secured by condition.
- 8.33 The type of development proposed, when in operation, is unlikely to have an impact on birds and waterfowl. There are a number of habitats present across the site which have the potential for bird nesting and foraging, therefore there may be an impact during the construction period. To avoid this impact it is appropriate to limit, by condition, the times of year when scrub clearance can take place.

- 8.34 Given the early stage of this proposal it is considered appropriate that further surveys should be completed before development commences on each separate element of the proposed development. It would also be appropriate to undertake monitoring of these species for a period post-completion of development. This will be secured by condition.

Impact on built and cultural heritage

- 8.35 The proposed development is adjacent to a stretch of the Caledonian Canal Scheduled Monument. In addition the Tomnahurich Cemetery Designed Landscape and Torvean Motte are close by. These are identified as a feature of national importance in Policy 57 – Natural, Built and Cultural Heritage of the Highland-wide Local Development Plan. In responding to the application, Historic Scotland have not raised any specific concerns with regard to the proposed uses and are content with the assessment of impacts on their interests and findings of the assessments submitted in support of the application. Given the nature of the proposed developments, there is unlikely to be a material change in the setting of these built and cultural heritage features. At the detailed design stage there will need to be careful consideration of the design and location of any part of the development which may impact on the views out of or into the Tomnahurich Cemetery Designed Landscape.
- 8.36 The impacts on the more local features are also covered by Policy 57 of the Highland-wide Local Development Plan. The applicant submitted an archaeological desk-based assessment and walkover survey with the application. This suggests that through detailed design of the proposals impact on the known archaeology can be avoided. Further survey work should be carried out both prior to the detailed design stage and before construction commences to ensure all possible efforts are made to protect the built and cultural heritage of the area. This should include investigations for buried archaeology and top soil clearance to be under the supervision of an archaeologist. This mitigation can be secured by condition, and requires that the development area is subject to a programme of trial trenching 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 will be backed up by desk-based research to produce a report setting out the results and any required mitigation strategy.

Visual impact and impact on landscape

- 8.37 The site is located at the urban fringe of Inverness and a large part of it is already used for sport and recreation. The expansion of sporting uses in the area will maintain a green gateway at this important entrance to Inverness from the south west and is not considered to have an adverse impact on the landscape. An indicative landscaping plan has been submitted providing outline details of proposed landscaping. The landscaping detail will be secured by condition.
- 8.38 As with any new development there will be a visual impact arising from the proposed development. The proposals, which form part of this application, will of course be subject to further applications and in doing so there is an opportunity to limit the visual impact of the proposals. This will be achieved through consideration

of the detailed layouts of the proposals and design of any built development taking into account the local landscape and context. A number of conditions will be attached to any planning permission which may be granted to secure the delivery of a development which enhances the visual amenity of the area.

Access and Recreation

- 8.39 A key element of this proposal is the protection and enhancement of public access and recreation facilities. This includes compensation for the loss of facilities due to development of the Inverness West Link. Policies 74 – 78 of the Highland-wide Local Development Plan directly address the issues raised in relation to access and recreation.
- 8.40 This area of Inverness has been mapped as part of the Inverness-Nairn Green Network, through the Green Networks: Supplementary Guidance. The green network is focused on the interconnected nature of green spaces for environmental, social and economic benefits. The proposed development does not fundamentally alter the green network in the area and offers an opportunity to enhance the network through the creation of interconnected green spaces. The environmental element of the green network can be further enhanced through the proposed development by suitable landscaping and planting across the site. This is in line with the provisions of Policy 74 – Green Networks of the Highland-wide Local Development Plan and the associated Supplementary Guidance.
- 8.41 Policy 75 – Open Space of the Highland-wide Local Development Plan seeks to protect and enhance high quality, fit for purpose open space from inappropriate development. This policy includes a safeguard for all sites identified within the Highland Greenspace Audit unless at least one of the exceptions are met. The existing Torvean Golf Course is identified as an outdoor sports facility in the Highland Greenspace Audit 2010. The role that the proposed developments play in facilitating a mix of compatible land uses around the Inverness West Link, and the enhanced provision which will be delivered, means that the following tests are considered to be met and as a result, the proposed development is in accordance with the policy:
- Substitute provision will be provided meeting the needs of the local area; and
 - Development of the open space would significantly contribute to the spatial strategy for the area.
- 8.42 Policy 76 – Playing Fields and Sports Pitches is mainly focused on safeguarding playing fields and sports pitches from development. While this proposal in itself does not affect any sports pitches or playing fields it is linked to a proposal which does. As a result of the construction of the Inverness West Link Road there will be a of a pitch at canal park. This application will provide 4 new pitches in the area and as such will provide compensation for the loss of a pitch at canal park. This application therefore meets the provisions of Policy 76, and the provisions of SPP, in relation to the Inverness West Link.
- 8.43 The area is rich in both formal and informal public access opportunities. The proposed development includes provision for the enhancement of these through

the development of additional paths and fitness trails. Many of these will extend beyond the red-line boundary of this application and join the wider path network in the area. There will be opportunities when detailed designs for this part of the sport hub to further enhance the access in the area and realise the opportunities set out in the response to the application by the Council's Access Officer such as provision of cross-country running and mountain bike trails and greater access to the Great Glen Canoe Trail. These can be secured by condition and it is proposed that a detailed access management plan should be submitted alongside the first detailed application to ensure that the opportunities in this area can be met.

- 8.44 The Great Glen Way passes through this site at present and will continue to do so in future. It is not proposed that any change to the route of the Great Glen Way will be necessary to facilitate the sports hub development.
- 8.45 This development will lead to enhancement of the sporting facilities in this part of Inverness. To allow different sports to co-exist in the sports hub, and to protect other existing or future surrounding uses, management measures have to be considered at this stage. These measures, which can be secured by condition will include:
- Ball stop fencing between the proposed golf practice area and the proposed sports hub;
 - Ball stop fencing at locations along the A82 and General Booth Road;
 - Provision of a buffer zone between the edge of the golf course and areas allocated for housing; and
 - Provision of a golf course design which runs parallel to rather than towards any proposed housing.
- 8.46 While not covered by a specific policy in the Development Plan, the uninterrupted use of the golf course and facilities during the construction of phase 2 of the West Link Road will have to be secured. This has been raised in the consultation response from SportScotland. SportScotland have asked for all elements of the golf course to be available for use during construction. The reconfiguration/building of the new course will require to be carried out in phases. This will allow for no disruption to the majority of the facilities currently available to Torvean Golf Club, however there will be disruption to the existing practice facilities. The applicant has discussed this with the Golf Club who are prepared to not have a practice area during this construction phase which will allow the construction of the course to be completed in a more efficient manner with less disruption. All other facilities should remain in place until the reconfigured/new elements of the course are completed and available for use/play. This can be secured by condition.

Amenity Impacts

- 8.47 There are likely to be impacts in terms of noise, vibration and dust during construction of the proposed development. To address these issues a noise and vibration assessment and a dust management plan should be prepared as part of the Construction Environment Management Plan and submitted for approval by the Planning Authority in consultation with the relevant bodies.
- 8.48 During operation, amenity impacts are likely to arise from noise during the use of

the pitches and from flood lighting at the sports hub. In order to identify the required noise mitigation, it is appropriate to seek the submission and agreement of a noise management plan alongside the future detailed planning application for the sports hub. With regard to flood lighting of one of the pitches as proposed by the application, the amenity impact on residential properties should be managed through the application of the Institute of Lighting Engineers "Guidance note for the Reduction of Obtrusive Light". This can be secured by condition.

- 8.49 The golf club house is to be provided on a like for like basis, which includes catering facilities. These facilities require suitable ventilation systems which can deal with odours and are designed as to not have an adverse affect on neighbouring properties. The details of any ventilation system should be submitted to and agreed in writing before the start of development on the golf club house to ensure no amenity impact. This will be secured by condition. Associated with this is the potential noise impact arising from the ventilation systems, air conditioning, heating etc. Environmental Health has requested that any associated operating noise does not exceed NR20 when measured from within the noise sensitive premises with windows open for ventilation. Potential noise from the maintenance facility has also been raised as a concern. The indicative layout shows the proposed maintenance building approximately 120m from the nearest noise sensitive property. While this is the case the exact location of the building will be secured by condition and the potential noise impact arising from the proposed maintenance building will be assessed through any future matters specified in conditions application.

Other material considerations

- 8.50 No other material considerations pertinent to the determination of this application have been identified.

9.0 CONCLUSION

- 9.1 The Highland Council have made a commitment to the delivery of the Inverness West Link. The application presented here provides an opportunity to bring forward a mix of sport and recreational uses which will firstly compensate any loss of sports facilities as a result of the West Link development and secondly enhance sports provision within the already established sports hub. This is entirely in line with the approved Torvean and Ness-side Development Brief, which forms part of the statutory Development Plan for the area.
- 9.2 While there have been limited public comments on the application, the breadth and depth of comments from consultees has been significant in shaping the proposed development and addressing some of the key determining issues.
- 9.3 If approved, the conditions attached to the planning permission in principle will be used to guide the delivery of a high quality development at this important gateway to Inverness.
- 9.4 The proposed development is supported by the provisions of the Inverness Local Plan, Highland-wide Local Development Plan, Torvean and Ness-side

Development Brief and the emerging Inner Moray Firth Local Development Plan subject to conditions to ensure accordance with some general policies. There are no material considerations which would warrant the refusal of the application.

10.0 RECOMMENDATION

10.1 It is recommended the application be **GRANTED** subject to the following conditions and reasons:

1 Planning Permission in Principle is hereby granted for a development, on the area of land detailed on plan PL02 Revision A, to be developed in three phases, comprising:

- Phase 1 – Formation of reconfigured 18 hole golf course, practice area, golf club house, maintenance building and car parking;
- Phase 2 – Formation of Sports Hub comprising sports pitches, fitness trails, car parking and a building to accommodate changing/shower facilities
- Phase 3 – Formation of Parkland and ancillary works at Torvean.

Reason: To ensure that build-out of the development is phased so as to avoid adverse impact on existing services and facilities.

2 No development shall commence within a phase, or relating to a phase, until all of the matters specified below, as they relate to or are relied upon by that phase, have been approved on application to the Planning Authority:

- i. a detailed layout of the site of the proposed development (including site levels as existing and proposed);
- ii. landscaping proposals for the site of the proposed development (including boundary treatments);
- iii. details of access and parking arrangements;
- iv. the design and external appearance of any built development. This includes but is not limited to any clubhouse, changing facilities or maintenance buildings;
- v. details of the proposed water supply and drainage arrangements.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing.

3 No development shall commence affecting an existing golf course hole(s), part of an existing golf course hole(s), golf club house, golf course maintenance building or parking area until a replacement hole(s), golf club house, golf course maintenance building, or car parking area are provided, be fully operational and available for use. The replacement facility/facilities shall be designed and construction overseen by a recognised golf course designer, in consultation with Torvean Golf Club and SportScotland.

Reason: To ensure Torvean Golf Club have 18 holes available to play at all times and all other facilities currently available as part of the course during construction of the re-configured golf course.

- 4 Any details pursuant to Condition 2 above shall show a development no built development within a 12m corridor from the centre of the overhead power lines running across the site.

Reason: In order to avoid conflict between built development and the electrical infrastructure of the area.

- 5 Any details pursuant to Condition 2 above shall show a development featuring a minimum buffer of 60m from the centre line of play on any proposed golf course hole to the boundary of any neighbouring land;

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing add to avoid conflict between users of the re-configured golf course and neighbouring uses both current and proposed.

- 6 Any details pursuant to Condition 2 above shall include a mitigation scheme to minimise the risk of golf balls going outwith the reconfigured golf course and practice area. This shall be submitted and agreed by the Planning Authority, in consultation with SportScotland, and thereafter implemented prior to first occupation of the golf course. The mitigation shall reflect the phased nature of the scheme and shall be amended as required in relation to the replacement of sections of the golf course. Mitigations works shall be designed in consultation with Torvean Golf Club.

Reason: in order to avoid conflict between uses and for reasons of health and safety.

- 7 Any details pursuant to Condition 2 above shall detail the routes, materials and any proposed boundary treatments of the proposed fitness trails.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing.

- 8 Any details pursuant to Condition 2 above shall show the accesses to the site constructed in accordance with The Highland Council's Roads and Transportations Guidelines for New Developments.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing and in the interests of road safety.

- 9 Any details pursuant to Condition 2 above shall include details of covered and secure communal bicycle storage/racking systems within both the curtilage of the golf club house and the sports hub changing facility for one bicycle per eight car parking spaces. The storage/racking systems shall be installed in accordance with these approved details prior to the first occupation of the development.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing and to encourage

bicycle access to the facilities.

- 10 No development shall commence on site until an operation phase Traffic and Access Management Plan has been submitted to, and approved in writing by, the Planning Authority taking into consideration events which may be held at the golf club and sports hub that may attract a large number of spectators. The approved traffic and access management plan shall be implemented prior to development commencing.

Reason: In the interests of road safety.

- 11 No development shall commence on site until a construction phase Traffic Management Plan (including a routing plan for construction vehicles) has been submitted to, and approved in writing by, the Planning Authority. The approved traffic management plan shall be implemented prior to development commencing and remain in place until the development is complete.

Reason: In the interests of road safety during construction.

- 12 No development shall commence until cycle and access audits have been completed and agreed by the Planning Authority. Thereafter any mitigation identified should be implemented.

Reason: To ensure cycle and access opportunities provided are fit for purpose.

- 13 Any details pursuant to Condition 2 above shall show car parking spaces provided within the curtilage of the golf club house and formed in accordance with The Highland Council's Roads and Transportation Guidelines for New Developments prior to first occupation, thereafter being maintained for this use in perpetuity. Provision shall be as follows:

- i. Two spaces per hole plus one space per three members of staff; and
- ii. Minimum of one car parking space for disabled persons per 20 spaces or 6% of maximum standard size, whichever is the greater.

Reason: To ensure the proposal complies with the Council's parking standards.

- 14 Any details pursuant to condition 2 above shall show car parking spaces provided within the curtilage of the sports hub and formed in accordance with The Highland Council's Roads and Transportation Guidelines for New Developments prior to first occupation, thereafter being maintained for this use in perpetuity. Provision shall be as follows:

- i. A maximum of 150 car parking spaces;
- ii. A minimum of 6 disabled car parking spaces,
- iii. A minimum of 4 coach spaces; and
- iv. A minimum of 4 minibus/service vehicle spaces.

Reason: To ensure the proposal complies with the Council's parking standards.

- 15 Any details pursuant to Condition 2 above shall show surface water drainage provision within the application site which accords with the principles of Sustainable Urban Drainage Systems (SUDS) and is designed to the standards outlined in Sewers for Scotland Second Edition (or any superseding guidance prevailing at the time).

Reason: To ensure that surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment.

- 16 Notwithstanding the provisions of Article 3 and Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), no development shall take place within 6 metres of any watercourse without planning permission being granted on application to the Planning Authority.

Reason: To ensure future maintenance access to the watercourses and to uphold bank stability,

- 17 Any details pursuant to Condition 2 above shall show arrangements for potable water and sewerage infrastructure to serve the site (including a programme for implementation). No part of the development shall be occupied until sewer connections and potable water storage infrastructure, as required, have been completed in accordance with the approved arrangements. For the avoidance of doubt no new private water supplies will be permitted as part of this development.

Reason: In order to ensure that water and sewerage infrastructure is carefully managed and provided timeously, in the interests of public health and environmental protection.

- 18 Any details pursuant to Condition 2 above shall show a design and layout informed by a revised flood risk assessment for the reconfigured golf course and proposed sports hub, with any built development being located outwith the flood risk area shown within the revised flood risk assessment. Any measures included within the design and layout for the purposes of mitigating and/or protecting properties and/or land from flood risk shall be completed prior to the first occupation of the development.

For the avoidance of doubt and for the purpose of this Condition built development comprises the proposed golf club house, proposed golf maintenance building and proposed sports hub building.

Reason: To ensure that all flood mitigation infrastructure, required in order to reduce the risk of flooding occurring both within and outwith the application site, is provided timeously.

- 19 No development shall commence until a scheme of proposed works within the water environment is submitted for the written approval of the Planning Authority in consultation with SEPA. This should include any proposed buffers, watercourse crossings, and habitat enhancement proposals. Thereafter all work shall be carried out in accordance with the proposed scheme.

Reason: In order to protect the water environment.

- 20 Any details pursuant to Condition 2 above shall detail ground levels, access, egress routing and drainage for the written approval of the Planning Authority. The development shall thereafter be carried out in accordance with the approved plans.

Reason: To ensure that there are suitable means of access and egress from the site in the event of flooding.

- 21 Any details pursuant to Condition 15 above shall include an irrigation plan for the golf course. This shall include details of any water abstraction required from water bodies and/or watercourses within the reconfigured golf course. The approved irrigation plan shall be implemented prior to development commencing.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing.

- 22 Any details pursuant to Condition 2 above shall include a detailed Landscape Plan and Maintenance Programme. The Landscape Plan shall be implemented in full during the first planting season following commencement of development, with maintenance thereafter being carried out in accordance with the Maintenance Programme. For the avoidance of doubt, any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason: In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

- 23 Any details pursuant to Condition 2 above shall be informed by:

- i. Arboricultural Assessment;
- ii. Tree Constraint and Protection Plan
- iii. Arboricultural Method Statement;
- iv. Tree and Woodland Management Plan for existing woodlands

Such details should be in accordance with BS5837:2012 - Trees in Relation to Design, Demolition and Construction (or any superseding document prevailing at the time).

Reason: In order to ensure the protection of retained trees, which are important amenity assets, both during construction and thereafter.

- 24 A minimum stand-off distance of 30m shall be maintained at all times between the edge of the working area of the development and the nearest badger sett and at no time shall built development take place within 30m of a badger sett.

Reason: To protect and enhance the nature conservation interests of the area, mitigating any effects on Badgers and their habitat.

25 No development shall commence until pre-commencement protected species surveys have been undertaken and a report of each survey has been submitted to, and approved in writing by, the Planning Authority. The survey shall cover both the application site and the immediate surrounds. The report of survey shall include mitigation measures where any impact, or potential impact, on protected species or their habitat has been identified. Development and work shall progress in accordance with any mitigation measures contained within the approved report of survey and the timescales contain therein.

Reason: In order to ensure the protected species which may be present on the site are not adversely affected.

26 With effect from the date of this permission, no trees are to be cut down, uprooted, topped, lopped (including roots) or wilfully damaged in any way, without the prior written permission of the planning authority.

Reason: To ensure the protection of retained trees during construction and thereafter.

27 No development or work (including site clearance) shall commence until a programme of work for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation, all in accordance with the attached specification, has been submitted to, and approved in writing by, the Planning Authority. The approved programme shall be implemented in accordance with the agreed timetable for investigation.

Reason: In order to protect the archaeological and historic interest of the site.

28 No development shall commence until a detailed Outdoor Access Plan of public access across the site (as existing, during construction and following completion) has been submitted to, and approved in writing by, the Planning Authority with the first matters specified in conditions application on the site. The plan shall include details showing:

- i. All existing access points, paths, core paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;
- ii. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to proposed buildings or structures;
- iii. All proposed paths, tracks and other routes for use by walkers, riders, cyclists, canoeists, all-abilities users, etc. and any other relevant outdoor access enhancement (including construction specifications, signage, information leaflets, proposals for on-going maintenance etc.);

- iv. Any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the development (including details of mitigation measures, diversion works, duration and signage).

The approved Outdoor Access Plan, and any associated works, shall be implemented in full prior to the first occupation of the development or as otherwise may be agreed within the approved plan.

Reason: In order to safeguard public access both during and after the construction phase of the development.

- 29 The Great Glen Way Long Distance Footpath running between General Booth Road and the A82 shall remain accessible and free from obstruction throughout the construction phase of the development.

Reason: In order to ensure that access to the Great Glen Way Long Distance Footpath is not obstructed as a result of this development.

- 30 No development shall commence until a scheme for the storage of refuse and recycling within the application site has been submitted to, and approved in writing by, the Planning Authority. The approved scheme shall thereafter be implemented prior to the first use of the development and thereafter maintained in perpetuity.

Reason: To ensure that waste on the site is managed in a sustainable manner.

- 31 All plant, machinery and equipment associated with ventilation, air-conditioning, heating and refrigeration services or similar and including fans, ducting and external openings shall be so installed, maintained and operated such that any associated operating noise does not exceed NR 20 when measured or calculated within any noise-sensitive premises with windows open for ventilation purposes. For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other development the lawful use of which a) falls within Classes 7 (Hotels & Hostels), 8 (Residential Institutions) or 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), or b) is as a flat or static residential caravan.

Reason: In order to ensure that the use of the premises remains compatible with the character of the surrounding area, and that no activities or processes take place which may be detrimental to its amenities.

- 32 No development shall commence until full details of all external ducting and other elements of the proposed ventilation system have been submitted to, and approved in writing by, the Planning Authority. Thereafter, development shall progress in accordance with these approved details.

Reason: In order to ensure that the use of the premises remains compatible with the character of the surrounding area, and that no activities or processes take place which may be detrimental to its amenities.

- 33 No development shall commence until full details of any floodlighting system to be used within the site has been submitted to, and approved in writing by, the Planning Authority. Such details shall be designed following the Institute of Lighting Engineers "Guidance Note for the Reduction of Obtrusive Light" and include full details of the location, type, angle of direction and wattage of each floodlight which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

Reason: In order to ensure that any lighting installed within the application site does not spill beyond the intended target area, does not impact adversely upon the amenity of adjacent properties and does not result in 'sky glow'.

- 34 No development of the sports pitches shall commence until a Noise Management Plan has been submitted to, and approved in writing by, the Planning Authority. The Management Plan and any supporting assessments shall be carried out by a suitably qualified and competent person and shall assess the likely impact of noise emanating from the development on neighbouring properties. Furthermore, the following should comprise part of the assessment:-

- i. A description of the proposed development in terms of noise sources and the proposed locations and operating times of the same;
- ii. A description of any noise mitigation methods that will be employed. The effect of mitigation methods on the predicted levels should be reported where appropriate;
- iii. A detailed plan showing the location of noise sources, noise sensitive premises and survey measurement locations;
- iv. A survey of current ambient (LAeq) and background (LA90) noise levels at appropriate locations neighbouring the proposed site;
- v. A prediction of noise levels resultant at neighbouring noise sensitive premises, for the operational phase of the proposed development. The raw data and equations used in the calculations should be provided; and
- vi. An assessment of the predicted noise levels in comparison with relevant standards.

Development shall progress in accordance with the approved Noise Impact Assessment and all approved mitigation measures shall be implemented prior to the first occupation/use of the development, or as otherwise may be agreed in writing by the Planning Authority.

Reason: To avoid loss of amenity to nearby noise sensitive properties.

- 35 No development shall commence until a Construction Environmental Management Document (CEMD), in accordance with The Highland Council's Guidance Note on Construction Environmental Management Process for Large Scale Projects (August 2010) (as amended, revoked or re-enacted; with or without modification), has been submitted to, and approved in writing by, the Planning Authority (in consultation with SEPA, SNH and TECS). The CEMD shall be submitted at least two months prior to the intended start date on site and shall include the following:

- i. An updated Schedule of Mitigation (SM) drawing together all approved mitigation proposed in support of the application and other agreed mitigation (including that required by agencies and relevant planning conditions attached to this permission);
- ii. Change control procedures to manage/action changes from the approved SM, CEMD and Construction Environmental Management Plans;
- iii. Construction Environmental Management Plans (CEMPs) for the construction phase, covering:
 - a. Habitat and Species Protection;
 - b. Pollution Prevention and Control;
 - c. Dust Management;
 - d. Noise and Vibration Mitigation;
 - e. Site Waste Management;
 - f. Surface and Ground Water Management;
 - i. Drainage and sediment management measures from all construction areas including access track improvements; and
 - ii. Mechanisms to ensure that construction will not take place during periods of high flow or high rainfall.
 - g. Water Course Management;
 - h. Public and Private Water Supply Protection Measures; and
 - i. Other relevant environmental management as may be relevant to the development.
- iv. Special Study Area plans for:
 - a. Species habitat identified within the Environmental Statement and/or raised by consultees; and
 - b. Any other specific issue identified within the Environmental Statement, Schedule of Mitigation and/or conditions attached to this permission;
- v. Post-construction restoration and reinstatement of temporary working areas, compounds and borrow pits;
- vi. Unless conditioned separately as part of this permission, details for the appointment, at the developer's expense, of a suitably qualified Environmental Clerk of Works (ECoW), including roles and responsibilities and any specific accountabilities required by conditions attached to this permission;
- vii. A statement of responsibility to 'stop the job/activity' if a breach or potential breach of mitigation or legislation occurs; and
- viii. Methods for monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority and other relevant parties.

Thereafter, development shall be carried out in accordance with the approved Schedule of Mitigation, Construction Environmental Management Document and any Construction Environmental Management Plans approved thereunder.

Reason: To ensure that the construction of the proposed development is carried out appropriately and does not have an adverse effect on the environment.

- 36 No development shall commence on phase 3 until a scheme to deal with potential contamination within the area identified for parkland on approved drawing PL01 Rev. A has been submitted to, and approved in writing by, the Planning Authority. The scheme shall include:
- i. the nature, extent and type of contamination on site and identification of pollutant linkages and assessment of risk (i.e. a land contamination investigation and risk assessment), the scope and method of which shall be first submitted to and approved in writing by with the Planning Authority, and undertaken in accordance with PAN 33 (2000) and British Standard BS 10175:2011+A1:2013 Investigation of Potentially Contaminated Sites - Code of Practice;
 - ii. the measures required to treat/remove contamination (remedial strategy) including a method statement, programme of works and proposed verification plan to ensure that the site is fit for the uses proposed;
 - iii. measures to deal with contamination during construction works;
 - iv. in the event that remedial action be required, a validation report that validates and verifies the completion of the approved decontamination measures;
 - v. in the event that monitoring is required, monitoring statements submitted at agreed intervals for such time period as is considered appropriate in writing by the Planning Authority.

Thereafter, no development shall commence until written confirmation that the approved scheme has been implemented, completed and, if required, on-going monitoring is in place, has been issued by the Planning Authority.

Reason: In order to ensure that the site is suitable for redevelopment given the nature of previous uses/processes on the site.

- 37 Any details pursuant to Condition 2 above shall include a mitigation scheme to minimise the risk of balls going outwith the area of the proposed new sports pitches known as the sports hub. This shall be submitted and agreed by the Planning Authority, in consultation with SportScotland, and thereafter implemented prior to first occupation of the sports pitches.

Reason: in order to avoid conflict between uses and for reasons of health and safety.

38 Any details pursuant to Condition 2 above shall detail the orientation, run-off areas and surface finishes and any proposed boundary treatments of the proposed sports pitches.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing.

Appendix 1 – Letters of Representation

OBJECTORS

Mr Alexander Kidd – 16 Boswell Road, Inverness, IV2 3EJ

SUPPORTERS

Miss Karen Thorburn, Glendhu Cottage, Dingwall, IV7 8LL

Appendix 2 – Representation to Site IN24 (Northern Part) of the Proposed Inner Moray Firth Local Development Plan – Summary of representations by the Planning Authority

Note: The number in brackets is the customer number of the person/organisation making the representation

(00655)

Requests additional requirements because Plan should have more explicit support for enhancing the visitor experience at a key tourist gateway at Torvean. Supports early completion of West Link road project.

(04485)

Supports early completion of West Link road project.

(04200)

Requests more Plan detail because: there is insufficient clarity for neighbours to assess if and how they will be affected; potential concerns about loss of privacy if the new houses are too close to the back of 55/57 Millerton Avenue, and; fear of worsening surface water drainage flooding which was exacerbated during the upslope Robertson development at Westercraigs.

(04490)

Complains that the Plan contains insufficient detail to make meaningful comment. Concerned about the loss of existing green space and the lack of plans for more public green space.

(03985)

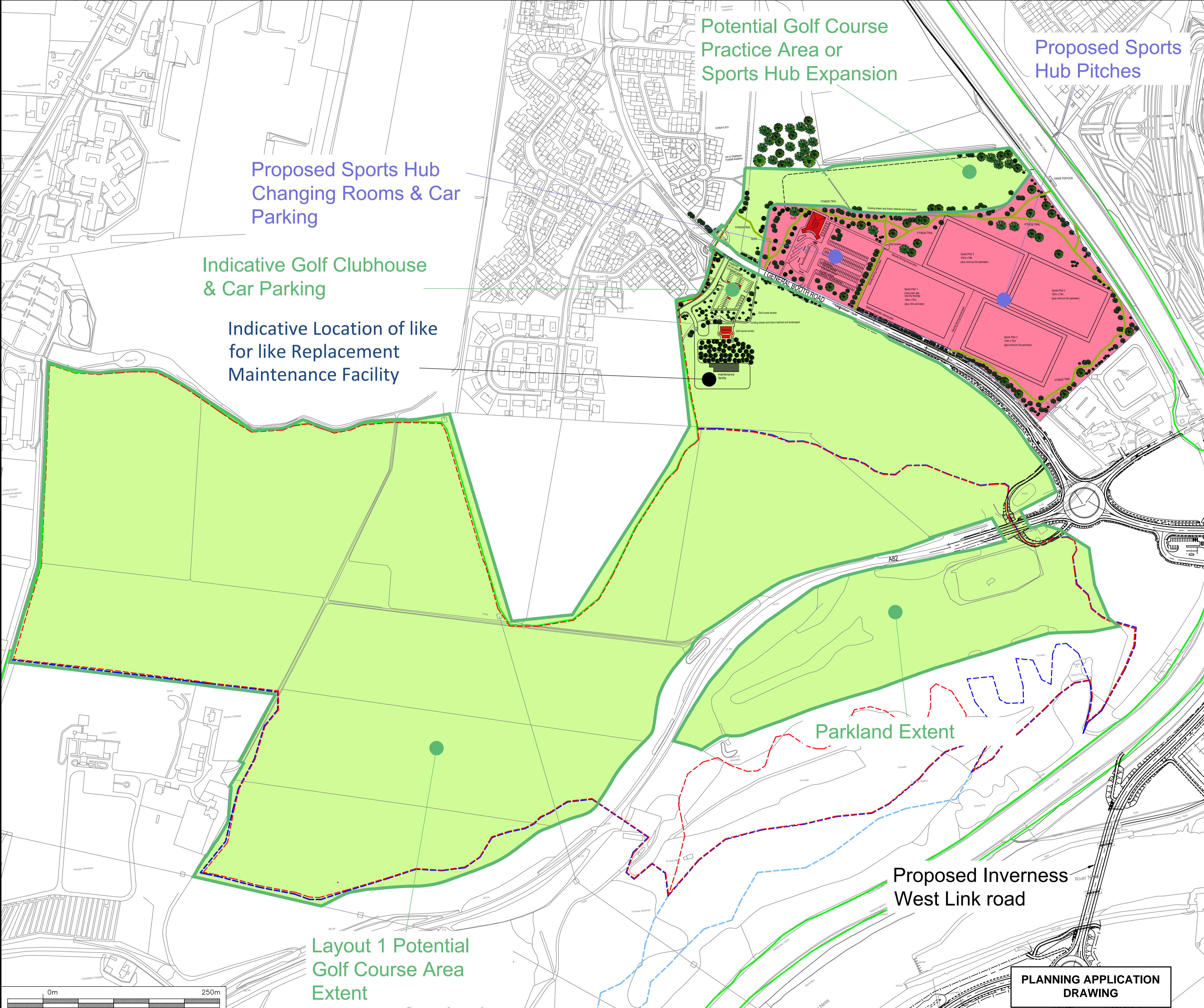
Objects to development between Torvean Quarry and former Craig Dunain Hospital because: of destruction of Yellow Hammer and Sky Lark nesting sites as well as habitat hunting ground for Kestrel, Sparrowhawk, Tony Owl and Red Kite; these species are in decline at the UK level, and; of adverse visual impact on key tourist views. Compensatory, conserved habitat must be safeguarded and provided if development is allowed.

(02203)

Seeks a more positive and explicit commitment to support improved and extended facilities for rowing at Torvean because: the Club feels it is threatened and blighted by the West Link Road scheme; the Club is working with the rugby and golf clubs to have a joint approach to enhancement of all facilities; the absence of such support will continue a long period of uncertainty which has blighted the Club's ability to forward plan and attract funding for new/expended facilities; the Council has offered enhancement of all sporting facilities not just like for like replacement; the recent Charrette resulted in a consensus to establish a sports hub at Torvean, and; a detailed specification of facilities to be provided is required to progress further feasibility and funding work.

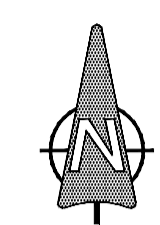
Appendix 3 – Plans

T:\CS065586 Inverness Sports Hub\B Work Activities\1 Drawings\1 Working\HRS_138_PL01A_general Arrangement Plan.dwg



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The Highland Council: 2013 100023369



CEMETRY EXTENSION REMOVED AND GENERAL ARRANGEMENT UPDATED	TC	11/03/2014
Revision Details		By Date

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Project
TORVEAN GOLF COURSE, SPORTS HUB & PARKLAND

Title
GENERAL ARRANGEMENT PLAN

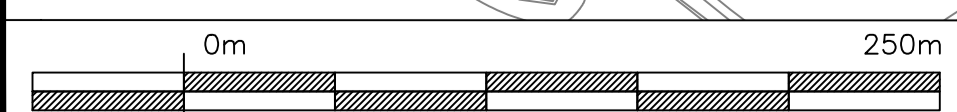
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Drawn	TC	Date	11/03/2014
Checked	JR	Date	11/03/2014

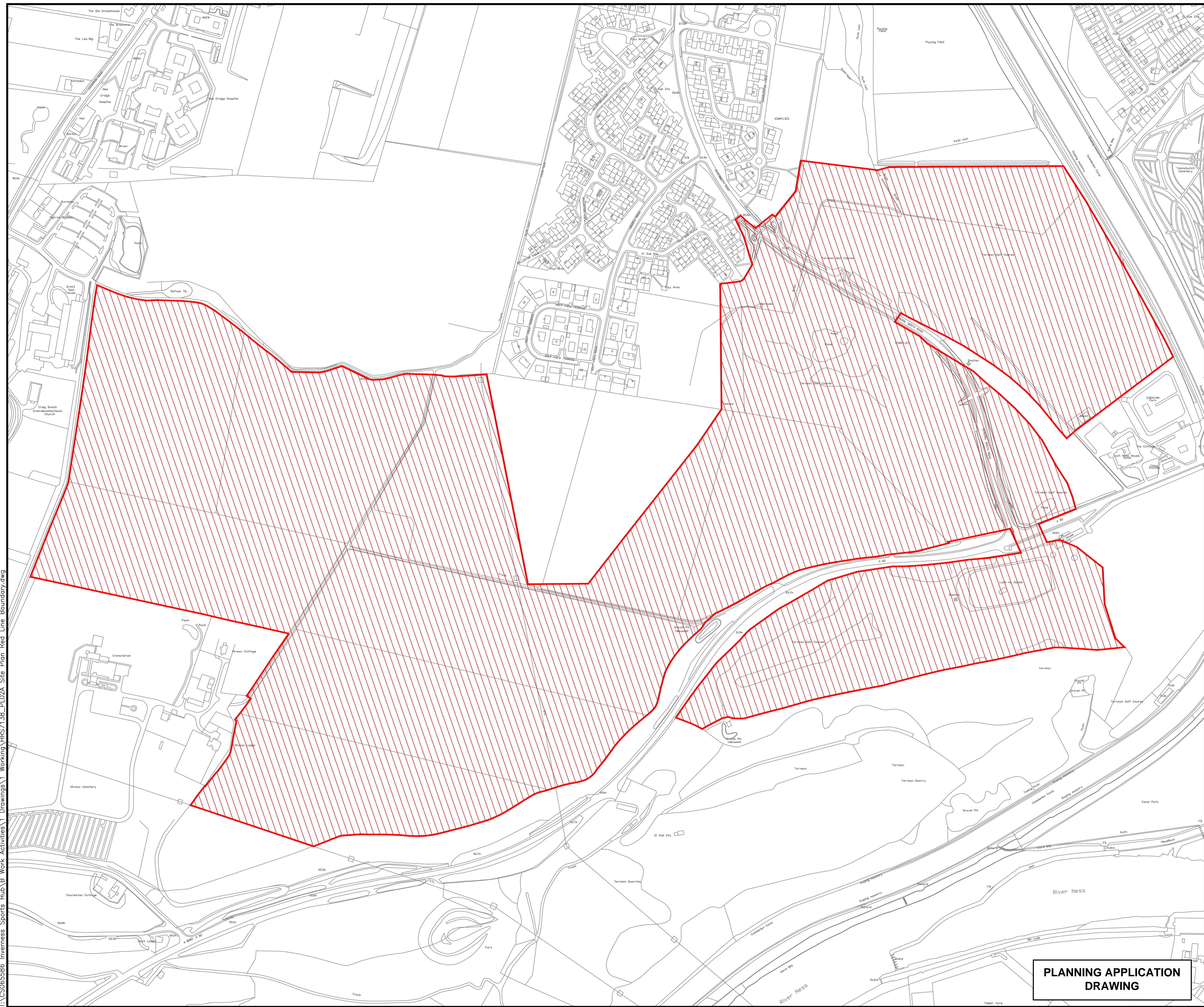
Project No: HRS7138 Status:

Drawing No: PL01 Rev: A

PLANNING APPLICATION DRAWING

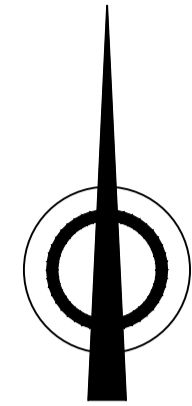


T:\CS065586 Inverness Sports Hub\B Work Activities\1 Drawings\1 Working\HRS7138_PLO2A Site Plan Red Line Boundary.dwg

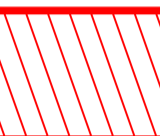


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KEY

 EXTENT OF PLANNING BOUNDARY

AREA OF RED LINE BOUNDARY 819,099m²

RED LINE BOUNDARY UPDATED	TC	11/03/2014
Revision Details	By	Date

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Project
TORVEAN GOLF COURSE, SPORTS HUB & PARKLAND

Title
SITE PLAN (RED LINE BOUNDARY)

Scale (at A1)
1:2500

Drawn	TC	Date	11/03/2014
Checked	JR	Date	11/03/2014

Project No: HRS7138 Status:

Drawing No: PLO2 Rev: A

PLANNING APPLICATION DRAWING