

**THE HIGHLAND COUNCIL**

**SOUTH PLANNING APPLICATIONS COMMITTEE**  
**18 November 2014**

Agenda Item	7.1
Report No	PLS/084/14

**12/04506/PIP : Mr and Mrs R Campbell**  
**Land 180M North East of Glasnacardoch Lodge, Mallaig**

**Report by Area Planning Manager – South**

**SUMMARY**

**Description :** Erection of 18 houses (amendment to 10/04529/PIP)

**Recommendation - GRANT**

**Ward :** 12 - Caol and Mallaig

**Development category :** Local

**Pre-determination hearing :** Not required

**Reason referred to Committee :** Number of representations.

**1. PROPOSED DEVELOPMENT**

- 1.1 This is an application for permission in principle for the erection of 18 houses. A layout has been submitted with the application showing the properties detached, with provision for individual garages. Details have been submitted of the sections through the site which also show single/one and half storey houses. A new access road is to be formed to serve the new houses and the existing houses on Fank Brae.
- 1.2 Discussions were held as part of the previous application, with further information being requested in relation to flood risk and vehicular access.
- 1.3 There is an existing private access off the public road which serves nine existing houses and a Scottish Water facility. The site is served off Annies Brae/Fank Brae which is the village high road which extends from the West Highland Hotel in Mallaig, past the School and over to Glasnacardoch where it re-joins the trunk road. The area is served by public water main and public sewer. There is an existing watercourse to the north of the site, which the proposed access road crosses, which passes under the public road via an existing culvert.
- 1.4 A Flood Risk Assessment has been submitted in support of the application, together with a Drainage Statement.
- 1.5 **Variations:** Access road repositioned.

## **2. SITE DESCRIPTION**

2.1 The site comprises an area of elevated ground to the rear of existing residential development served off a private road at Fank Brae in Mallaig. The site area extends to approximately 1.9ha. The site is located at the southern end of Mallaig on the upper village road. The site is on the upper (east) side of the public road. Between the public road and the site there is an existing private road that serves four roadside houses off a lower spur and five houses off an upper spur. The private road continues up in an easterly direction to the Scottish Water reservoir.

The site itself is an undulating hillside which wraps around the back of the existing houses and then slopes down at the southern end towards Glasnacardoch Lodge and back towards the railway line. The northern part of the site forms a shoulder of land, which then drops away to the east. The land beyond rises again towards the reservoir. Areas of cut and fill are proposed, these being the most significant within the northern portion of the site.

A new access road to the site is to be formed. This will start at a point adjacent to the existing private access. It will then swing to the north, crossing the watercourse, then turn to the east, where it will cross back over the watercourse, across the private road and cut up the side of the shoulder of the site to access the wider site. Two links will be provided to maintain access to the existing houses.

## **3. PLANNING HISTORY**

3.1 10/04529/PIP : Erection of 20 houses, land 180m north east of Glasnacardoch Lodge, Mallaig ; Application closed due to unresolved issues.

## **4. PUBLIC PARTICIPATION**

4.1 Advertised : Yes

Representation deadline : 10.1.13 - re-notification of neighbours extended deadline to 24.10.13

Timeous representations : 11 letters from five addresses

Late representations : 0

4.2 Material considerations raised are summarised as follows:

- 1) Impact on trees
- 2) Concern regarding construction/engineering works - extent of works and safety issues from potential blasting
- 3) Loss of privacy (refers to plots 1, 2 and 18)
- 4) Overshadowing of existing properties (refers to house 18)
- 5) If granted, fire fighting provisions should be made (fire hydrant) as history of fires in this area
- 6) Concerns over safety of proposed access
- 7) Impact on wildlife (deer, badger and bat habitat)

- 8) Ownership issues over the road and access to sewer pipe - it is claimed that the existing access road is owned by the residents of Fank Brae and the applicant has no right of access
- 9) Concerns over surface water drainage
- 10) Proposal will spoil the overall view of the area
- 11) Concerns over future development in this area
- 12) Concerns over capacity of existing public sewer
- 13) Concerns over the urban type layout proposed
- 14) Questions over where the electricity cables will go
- 15) Questions over the scale of the development and whether the wider development of this area is in the best location, and what the arrangement will be for community benefit.

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet [www.wam.highland.gov.uk/wam](http://www.wam.highland.gov.uk/wam). Access to computers can be made available via Planning and Development Service offices.

## 5. CONSULTATIONS

5.1 **Mallaig Community Council** : Neutral response, but raises following points:

1. Looking at the proposed site layout the houses seem to be sizeable detached houses. The Community Council is concerned that the house prices may well be beyond the reach of many of the local residents and asks if any of the houses will be affordable housing?
2. Will the houses be built in one development or on separate plots which may mean plots left vacant?
3. Road Access - A safety concern - looks too close to adjacent existing road.

5.2 **Housing Service** : Applicant to discuss requirements for affordable housing - granting of consent should include Section 75 Obligation to secure affordable housing.

5.3 **Flood Team** : Original objection withdrawn following the submission of further information in relation to the surface water drainage strategy, and subject to submission of full detailed SUDS design at matters specified stage.

5.4 **Transport Planning** : Following objections raised to original layout, the Principal Engineer has advised that the amended layout is acceptable.

5.5 **Scottish Water** : No objections raised. Connection to the water main and the public sewer would be subject to separate permission from Scottish Water.

5.6 **SEPA** : Originally objected on basis of flood risk. Flood risk assessment now undertaken and further Addendum submitted. SEPA have removed their objection on flood risk grounds provided conditions are imposed requiring a finalised site layout to taken into account the flood contour and finalised culvert design, both derived from a set design flow of 2.09m<sup>3</sup>/s.

5.7 **Lochaber Disability Access Panel** : No response.

## 6. **DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### 6.1 **Highland Wide Local Development Plan 2012**

28	Sustainable Design
29	Design Quality and Place Making
32	Affordable Housing
34	Settlement Development Areas
51	Trees and Development
55	Peat and Soils
56	Travel
58	Protected Species
61	Landscape
64	Flood Risk
65	Waste Water Treatment
66	Surface Water Drainage
75	Open Space
77	Public Access

### 6.2 **West Highland and Islands Local Plan 2010 (as continued in force)**

Policy 2	Land Allocation - H3. Identifies an area of 7.9ha at Fank Brae for an indicative housing capacity of 70 units.
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## 7. **OTHER MATERIAL CONSIDERATIONS**

### 7.1 **Draft Development Plan**

Not applicable

### 7.2 **Highland Council Supplementary Planning Policy Guidance**

Flood Risk and Drainage Impact Assessment (Jan 2013)

Managing Waste in New Development (March 2013)

Sustainable Design Guide (Jan 2013)

Developer Contributions (March 2013)

Open Space in New Residential Development (Jan 2013)

### 7.3 **Scottish Government Planning Policy and Guidance**

Scottish Planning Policy (June 2014)

Planning Advice Note 44 : Fitting New Housing Development into the Landscape

Planning Advice Note 61 : Planning and Sustainable Urban Drainage Systems

Planning Advice Note 69 : Planning and Building Standards Advice on Flooding

Planning Advice Note 75 : Planning for Transport

Planning Advice Note 79 : Water and Drainage

## **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 Development Plan Policy Assessment**

The site lies within the settlement development area in Mallaig, which is the preferred area for new development. The site comprises the southern portion of a wider area specifically allocated within the development plan for new housing development (part of allocation H3, which has an indicative capacity of 70 units in a total area of 7.9ha). The general principle of housing development on this site has been established by virtue of this allocation within the development plan, although support is subject to the proposal meeting developer requirements set out in the adopted Plan.

#### **8.3.1 Layout and design**

The allocation for this site requires exceptional siting and design quality. The layout submitted at this stage is indicative, being a 'permission in principle' application, however it demonstrates how the access and density of development can be achieved on site, and shows the general degree of cut and fill required to accommodate the development. The number of houses has been reduced from 20 to 18 since the previous application. The layout shows a generally linear pattern of development which is acceptable given the existing settlement pattern and the sloping ground, although if granted matters specified would require further assessment of the individual plot levels and arrangement to ensure integration into the landscape and to protect residential amenity, particularly of the properties shown on the plans as Craighill, Vair-Me-O, and Caladh. There will be a loss of privacy and amenity to these properties which currently enjoy vacant land to their rear however it is considered that this can be kept to acceptable levels through detailed positioning and orientation of the new houses.

The design of properties within the area follows a fairly traditional form; generally rectangular, pitches roofs, gable ends. The site will be visible on the edge of the village, and will be open to public view from the trunk road on the approach to Mallaig. It is important to ensure the design and finish of the houses are of a high standard to reflect their prominence, and design cohesion between the individual houses also needs to be sought.

Concerns have been raised over the impact this development will have on the overall view of the area, and the level of future development in this area. The development will introduce visual change into this southern area of Mallaig, increasing the existing level of density. This however has been planned for as part of the Local Plan which considered the future development needs of Mallaig and specifically allocated this site and adjacent land for housing development.

### 8.3.2 Access

The Local Plan allocation for this site (including the wider land included in the allocation) indicates a single access point in the vicinity of the access as proposed as part of this application. The detail of the access has been the subject of negotiation with the Council's Roads Engineer and has subsequently been amended to satisfy his requirements in terms of visibility and gradient. The Council's Roads Engineer has confirmed the current scheme is acceptable. The access road will require to be constructed to adoptive standards which will be secured through a road construction consent. Visibility splays of 90m to the north and 75m to the south, both from a set back distance of 4.5m, are required. These are achievable on land owned by the applicant, Nevis Estate, Scottish Water and on road verge. These interested parties have been notified as landowners. It has been contended that the applicant does not own or have right to access the private road serving the existing houses. This point has been raised with the applicant who has sought legal advice. The advice provided indicates that the applicant's company owns the road. Although the majority of the new access road is beyond the boundaries of the existing private road there are points where the proposed works will cross this this access. In order to undertake the works the developer will need to ensure that the necessary legal rights are in place to do so. This extends to all elements of the development.

### 8.3.3 Flooding and Surface Water Drainage

SEPA and the Council's Flood Team originally objected to the application on the grounds of lack of information on flood risk. The site lies adjacent to a watercourse, and proposals also included culverting the watercourse and land reprofiling, all of which had the potential to be subject to or cause flooding. As such, a flood risk assessment was required, together with a drainage impact assessment. A flood risk assessment, and later addendum, has since been submitted. SEPA have now advised they are in a position to remove their objection subject to appropriate conditions being imposed. These include setting a design flow level and full details of the proposed culvert.

The Local Plan allocation required the development to retain and integrate watercourses as natural features within the development. In order to achieve the vehicular access to the site and wider development a need for a section of culvert has been identified by the agent. Given the need to facilitate access, the principle of culverting a section of the watercourse may be acceptable. This element would need authorisation under the Controlled Activities Regulations (CAR) administered by SEPA. The developer would need to justify the need for a culvert as part of the CAR application, and SEPA have advised this is applied for before proceeding with a detailed planning application.

Scottish Water has advised that a totally separate drainage system will be required with the surface water discharging to a suitable outlet.

The Council's Flood Team considered the flood risk assessment, but maintained their objection based on lack of submission of a drainage statement. Given the steepness of the site there is a significant risk of overland flows impacting on the lowest lying properties. The FRA states that the risk of pluvial flooding will be dealt with through the drainage design, therefore the Flood Team needed details of the surface water drainage arrangements to fully assess the implications.

Further details have now been submitted in respect of the strategy for surface water drainage. This shows three separate areas of surface water drainage – two attenuation tanks with soakaways, and one with an outfall to the existing water course. It has not been possible to undertake percolation tests at present due to current weather/ground conditions, however the applicant has provided information to the Flood Team to indicate that there are alternatives available for the finalised scheme. On the basis of the information provided, the Flood Team have removed their objection to the proposal subject to detailed design of the proposed surface water drainage system being submitted as a matter specified, and supported by pre- and post-runoff calculations as well as results from percolation testing, demonstrating the suitability of the ground to receive runoff.

#### 8.3.4 Services

The development plan requires development on this land to be connected to the public sewer. Scottish Water has raised no objection to the proposal, but has highlighted that at present there is limited capacity to serve this new demand and has advised the developer to discuss the proposals direct with Scottish Water. A suspensive condition could be imposed preventing any development on site until permission from Scottish Water to connect to the sewer had been granted.

It is also proposed to connect to the public water main. Scottish Water has advised there is currently capacity to serve the proposed development.

#### 8.3.5 Landscape, Wildlife & Open Space

There are few trees on the site, generally restricted to trees within or adjacent to nearby gardens. Indicative landscaping has been shown as part of the proposal, however the detail of this would be a matter specified and dealt with as part of a further application.

Concerns have been raised over impact on wildlife, including deer, bats and badgers. Although development of the land will change the immediate area for wildlife, there is no evidence of specific harm to protected species as a result of the development. The scheme does not affect habitat suitable for roosting bats, and SNH have no record of badgers immediately within the area, although they have been found in similar habitat to the application site. Badgers tend to be more dispersed, mobile and live in smaller groups in the Highland. Setts can be inactive for relatively long periods, and small satellite setts are more common than in more agricultural areas. A pre-development survey for badgers is recommended.

Open space provision will need to be incorporated into the scheme, in accordance with Policy 75 and the Open Space in New Residential Development Supplementary Guidance. The indicative layout shows provision for a play area. A condition is recommended to secure appropriate provision.

#### 8.4 **Material Considerations**

11 letters of representation have been received from 5 addresses. The points raised have been summarised in section 4.2 and considered in the assessment above.

#### 8.5 **Other Considerations – not material**

A question has been raised over community benefit. Community benefit is not sought as part of the planning process. The development will be subject to developer contributions towards affordable housing provision (25%). A question has been raised over the arrangement for the electricity cables. This will be subject to permission from Scottish and Southern Energy. A request has been made for a fire hydrant to be installed. This matter would be considered by Building Standards. Concerns were raised over the impacts of construction works, in terms of safety and nuisance. These elements are covered by Health and Safety legislation, and Environmental Health and Pollution Prevention legislation.

#### 8.6 **Matters to be secured by Section 75 Obligation**

In accordance with the Supplementary Planning Guidance on Developer Contributions, 25% affordable housing contribution will be required as part of this development. This can be secured by Section 75 Obligation.

### 9. **CONCLUSION**

9.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

### 10. **RECOMMENDATION**

**Action required before decision issued** Y

Conclusion of Section 75 Agreement Y

**Subject to the above**, it is recommended the application be **Granted** subject to the conditions and reasons and notes to applicant below:

If the Section 75 Obligation is not concluded within a period of four months, or an extended period as may be agreed in writing with the Planning Authority, then the application is recommended for Refusal for the following reason:

The development is contrary to Policy 32 of the Highland-wide Local Development Plan as the applicant has failed to conclude a Section 75 Obligation to secure a contribution towards the delivery of affordable housing.



1. No development shall commence until all of the matters specified below have been approved on application to the Planning Authority:
  - i. a detailed finalised layout of the site of the proposed development (including site levels as existing and proposed);
  - ii. the design and external appearance of the proposed development;
  - iii. landscaping proposals for the site of the proposed development (including boundary treatments);
  - iv. details of access and parking arrangements; and
  - 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.

2. Any details pursuant to Condition 1 above shall show a development featuring the following elements:
  - i. walls finished predominantly in a white/off-white wet-dash render/smooth coursed cement render/natural stone;
  - ii. a roof covering of natural slate;
  - iii. single storey or 1½ storeys in height;
  - iv. windows with a strong vertical emphasis;
  - v. a roof symmetrically pitched of not less than 35° and not greater than 45°;
  - vi. predominantly rectangular in shape with traditional gable ends; and
  - vii. window openings shall have a vertical emphasis and no interfacing openings shall be within 18 metres of one another other than for bathroom, shower room or WC windows with obscure glazing.

**Reason** : To ensure the character of the development relates well to existing buildings within the vicinity and to contribute to levels of privacy within the development in accordance with Policies 28 and 34 of the Highland-wide Local Development Plan.

3. In terms of the matters specified in condition 1, the site access and internal roads and footpaths shall be designed to the standard required by the Council to allow adoption. **No development shall commence** until evidence has been submitted to and approved in writing by the Planning Authority that demonstrates that all necessary consents and bonds are in place for the road.

**Reason** : a) in the interests of road safety and b) to ensure a standard of access commensurate with the scale of development in accordance with Policy 28 of the Highland-wide Local Development Plan.

4. **No development shall commence on site** until evidence has been submitted to the Planning Authority that Scottish Water has granted consent for the development to connect to the public sewer.

**Reason:** In order to ensure public infrastructure has the capacity to accept the additional development.

5. **No development shall commence on site** until a badger pre-commencement survey has been undertaken and a report of survey has been submitted to, and approved in writing by, the Planning Authority. The survey shall cover both the application site and an area of 1km in all directions from the boundary of the application site, and the report of survey shall include mitigation measures where any impact, or potential impact, on badgers 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:** To ensure that the site and its environs are surveyed and the development does not have an adverse impact on protected species or habitat.

6. Any details pursuant to condition 1 above shall show a design and layout informed by the flood risk assessment approved as part of this planning permission. 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, the finalised site layout shall be based on a design flow of 2.09m<sup>3</sup>/s, and shall include the flood contour derived from this flow.

**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.

7. Any details pursuant to condition 1 above shall show full details of the design of the proposed culvert under the new access road. Thereafter, the culvert shall be fully installed in accordance with the approved details.

**Reason:** To ensure that all water crossings are free from flood risk and do not exacerbate flood risk elsewhere.

8. No development shall commence until a Phasing Plan outlining details of the phasing of the development has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development shall be undertaken in accordance with this approved Phasing Plan.

**Reason:** To ensure that build-out of the development is phased so as to avoid adverse impact on local services and infrastructure until required improvements have been put in place.

9. Any details pursuant to condition 1 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 adequate surface water drainage management and prevent localised flooding in accordance with Policy 66 of the Highland-wide Local Development Plan.

10. Any details pursuant to condition 1 above shall include full details of the location, form and programme for delivery of an equipped play area within the application site. Thereafter, the play area shall be installed by, and at the expense of, the developer in line with these approved details, and its on-going upkeep shall be included in a factoring agreement (or similar), unless otherwise first agreed in writing by the Planning Authority.

**Reason:** To ensure that adequate measures for the delivery and future maintenance of sufficient play space have been provided in accordance with Policy 31 of the Highland-wide Local Development Plan.

11. Any details pursuant to condition 1 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:** To ensure the provision of planting and landscaping at appropriate times during the development of the site and for replacement when required, in accordance with Policies 28, 29 and 34 of the Highland-wide Local Development Plan.

### **REASON FOR DECISION**

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

### **TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION IN PRINCIPLE**

In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended), an application or applications for the approval of matters specified in conditions attached to this planning permission in principle must be made no later than whichever is the latest of the following:

- i. The expiration of THREE YEARS from the date on this decision notice;
- ii. The expiration of SIX MONTHS from the date on which an earlier application for the requisite approval was refused; or

- iii. The expiration of SIX MONTHS from the date on which an appeal against such refusal was dismissed.

The development to which this planning permission in principle relates must commence no later than TWO YEARS from the date of the requisite approval of any matters specified in conditions (or, in the case of approval of different matters on different dates, from the date of the requisite approval for the last such matter being obtained)., whichever is the later. If development has not commenced within this period, then this planning permission in principle shall lapse.

## **FOOTNOTE TO APPLICANT**

### **Initiation and Completion Notices**

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

### **Accordance with Approved Plans & Conditions**

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). 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 adhere to this permission and meet the requirements of all 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 (or emanating from) the application site. As per Scottish Planning Policy (p.259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

### **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.

### **Local Roads Authority Consent**

In addition to planning permission, you may require one or more separate consents (such as dropped kerb consent, a road openings permit, occupation of the road permit etc.) from TECS Roads prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local TECS Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at:  
<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm>

### **Mud & Debris on Road**

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

**Construction Hours and Noise-Generating Activities:** You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact [env.health@highland.gov.uk](mailto:env.health@highland.gov.uk) for more information.

**Building Regulations:** Please note that Building Regulations and/or a Building Warrant may be applicable to some or all of the works described in this decision notice. You must check with the Council's Building Standards service prior to work commencing to establish what compliance or approval is necessary. If a warrant is required, you must not commence work until one has been applied for and issued. For more information, please contact Building Standards at [BuildingStandards@highland.gov.uk](mailto:BuildingStandards@highland.gov.uk) or on 01349 886606.

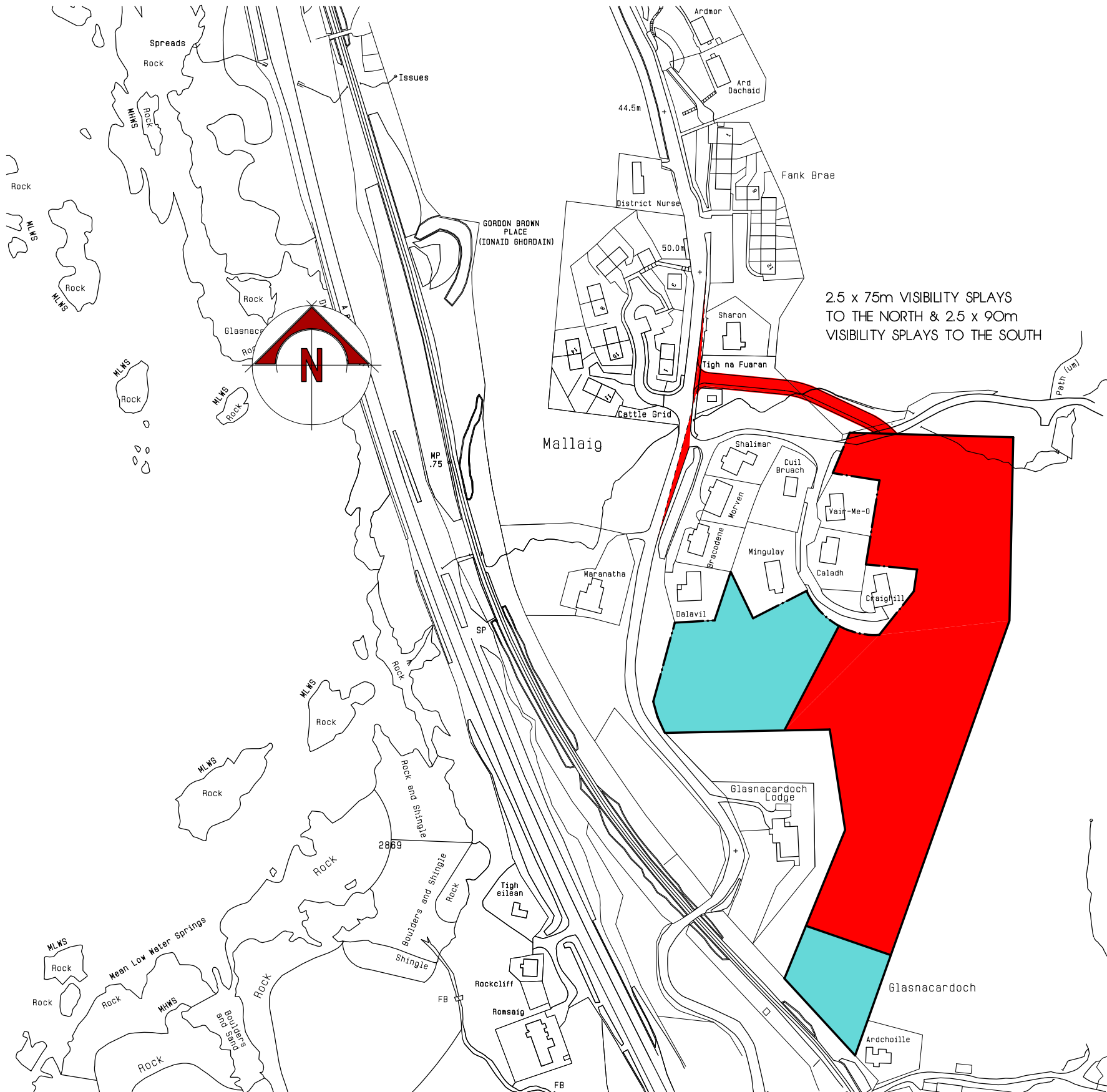
### **Protected Species - Halting of Work**

You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: [www.snh.gov.uk/protecting-scotlands-nature/protected-species](http://www.snh.gov.uk/protecting-scotlands-nature/protected-species)

### **Surface Water Drainage**

The developer's attention is drawn to the comments from SEPA and the Council's Flood Team with respect to the design of the surface water drainage scheme. Condition 9 requires full details of the surface water drainage scheme to be submitted as a matter specified, and this will require to be supported by pre- and post-run off calculations as well as results from percolation testing, demonstrating the suitability of the ground to received runoff.

Signature: Allan J Todd  
Designation: Area Planning Manager - South  
Author: Susan Macmillan  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 – Location Plan - L303 REV C  
Plan 2 – Site Plan - 400E  
Plan 3 – Site Section - 301  
Plan 4 - Site Section 302 REV D



2.5 x 75m VISIBILITY SPLAYS  
TO THE NORTH & 2.5 x 90m  
VISIBILITY SPLAYS TO THE SOUTH

Note  
The contractor will be held to have checked all dimensions before commencing with any works and, in the event of discrepancies, is to refer them directly to this office for clarification prior to commencement of work.

Written dimensions are to be taken in all cases. Drawings should not be scaled for dimensions. In case of doubt refer to this office.

This drawing is copyright and all rights are reserved. No unauthorised copying of this drawing is permitted.

- REV. A.  
DRAWING AMENDED TO SHOW ACCESS ROAD SHADED RED  
- JJ (12.11.10)
- REV. B.  
DRAWING AMENDED TO SHOW NEW ACCESS POSITION  
- JJ (23.11.12)
- REV. C.  
VISIBILITY SPLAYS ADDED - JJ (11.12.12)

project  
**PROPOSED HOUSING DEVELOPMENT AT  
GLASNACARDOCH, MALLAIG**

client  
**MR. CAMPBELL**

detail  
**LOCATION PLAN**

**DKD**  
**D KELLY DESIGN**  
Architectural Consultant

Queen Anne House • 111 High Street  
Fort William • PH33 6DG  
Tel: 01397 700999 • Fax: 01397 700888

scale 1 : 2500		date 30 : 10 : 10	
job no. 09/105	drg no. L303 C	drawn J. CORBETT	

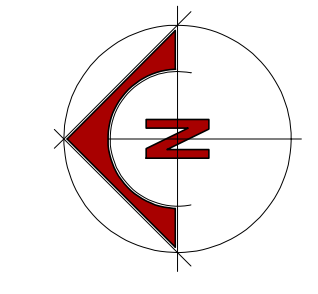


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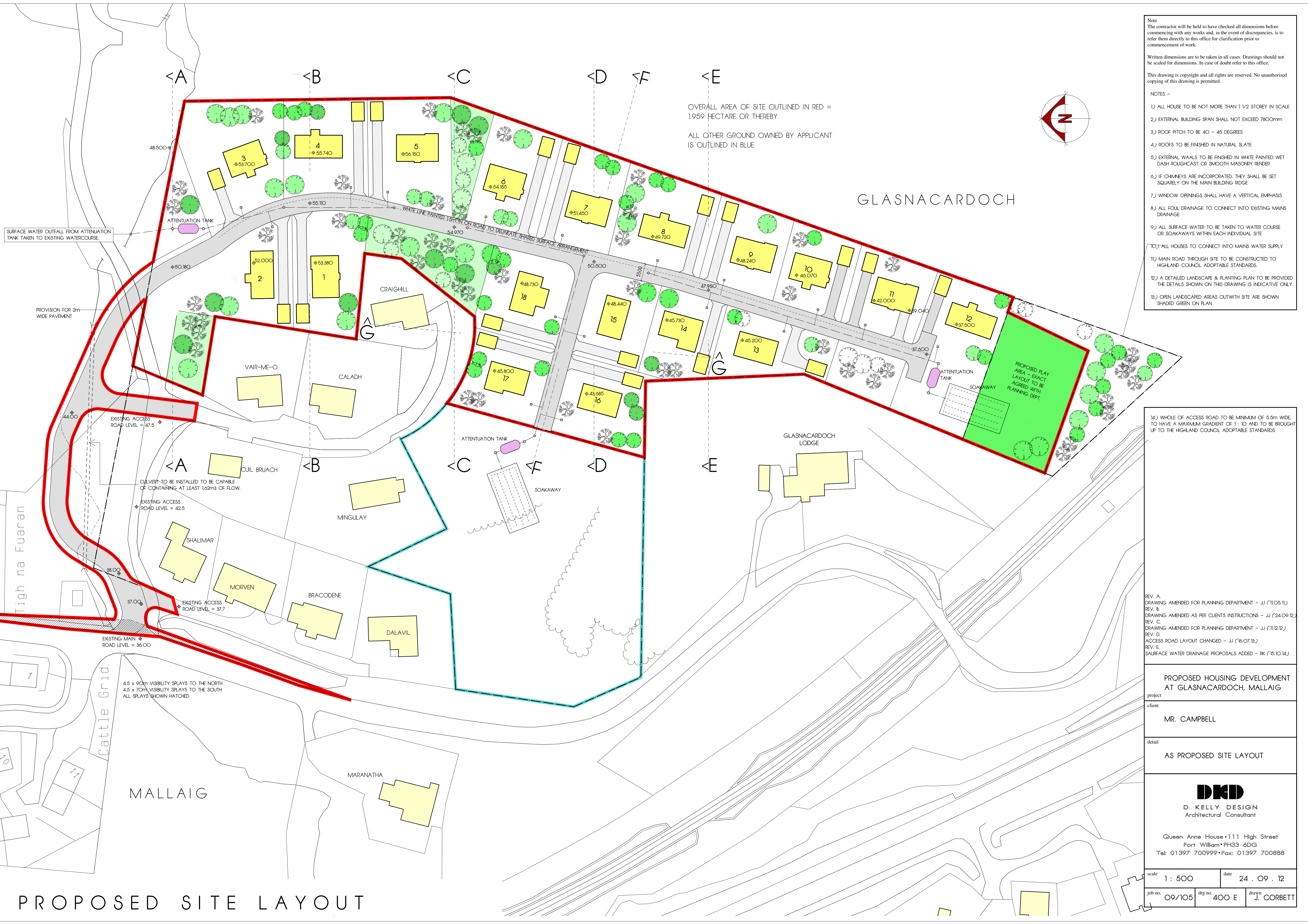
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- NOTES -
- 1) ALL HOUSE TO BE NOT MORE THAN 1 1/2 STOREY IN SCALE
  - 2) EXTERNAL BUILDING SPAN SHALL NOT EXCEED 7800mm
  - 3) ROOF PITCH TO BE 40 - 45 DEGREES
  - 4) ROOFS TO BE FINISHED IN NATURAL SLATE
  - 5) EXTERNAL WAALS TO BE FINISHED IN WHITE PAINTED WET DASH ROUGHCAST OR SMOOTH MASONRY RENDER
  - 6) IF CHIMNEYS ARE INCORPORATED, THEY SHALL BE SET SQUARELY ON THE MAIN BUILDING RIDGE
  - 7) WINDOW OPENINGS SHALL HAVE A VERTICAL EMPHASIS
  - 8) ALL FOUL DRAINAGE TO CONNECT INTO EXISTING MAINS DRAINAGE
  - 9) ALL SURFACE WATER TO BE TAKEN TO WATER COURSE OR SOAKAWAYS WITHIN EACH INDIVIDUAL SITE
  - 10) ALL HOUSES TO CONNECT INTO MAINS WATER SUPPLY
  - 11) MAIN ROAD THROUGH SITE TO BE CONSTRUCTED TO HIGHLAND COUNCIL ADOPTABLE STANDARDS
  - 12) A DETAILED LANDSCAPE & PLANTING PLAN TO BE PROVIDED THE DETAILS SHOWN ON THIS DRAWING IS INDICATIVE ONLY.
  - 13) OPEN LANDSCAPED AREAS OUTWITH SITE ARE SHOWN SHADED GREEN ON PLAN



OVERALL AREA OF SITE OUTLINED IN RED = 1.959 HECTARE OR THEREBY  
ALL OTHER GROUND OWNED BY APPLICANT IS OUTLINED IN BLUE

# GLASNACARDOCH



14) WHOLE OF ACCESS ROAD TO BE MINIMUM OF 5.5m WIDE, TO HAVE A MAXIMUM GRADIENT OF 1:10 AND TO BE BROUGHT UP TO THE HIGHLAND COUNCIL ADOPTABLE STANDARDS

- REV. A DRAWING AMENDED FOR PLANNING DEPARTMENT - JJ (10.05.11)
- REV. B DRAWING AMENDED AS PER CLIENTS INSTRUCTIONS - JJ (24.09.12)
- REV. C DRAWING AMENDED FOR PLANNING DEPARTMENT - JJ (11.12.12)
- REV. D ACCESS ROAD LAYOUT CHANGED - JJ (16.07.13)
- REV. E SURFACE WATER DRAINAGE PROPOSALS ADDED - RK (15.10.14)

PROPOSED HOUSING DEVELOPMENT AT GLASNACARDOCH, MALLAIG

client  
MR. CAMPBELL

detail  
AS PROPOSED SITE LAYOUT

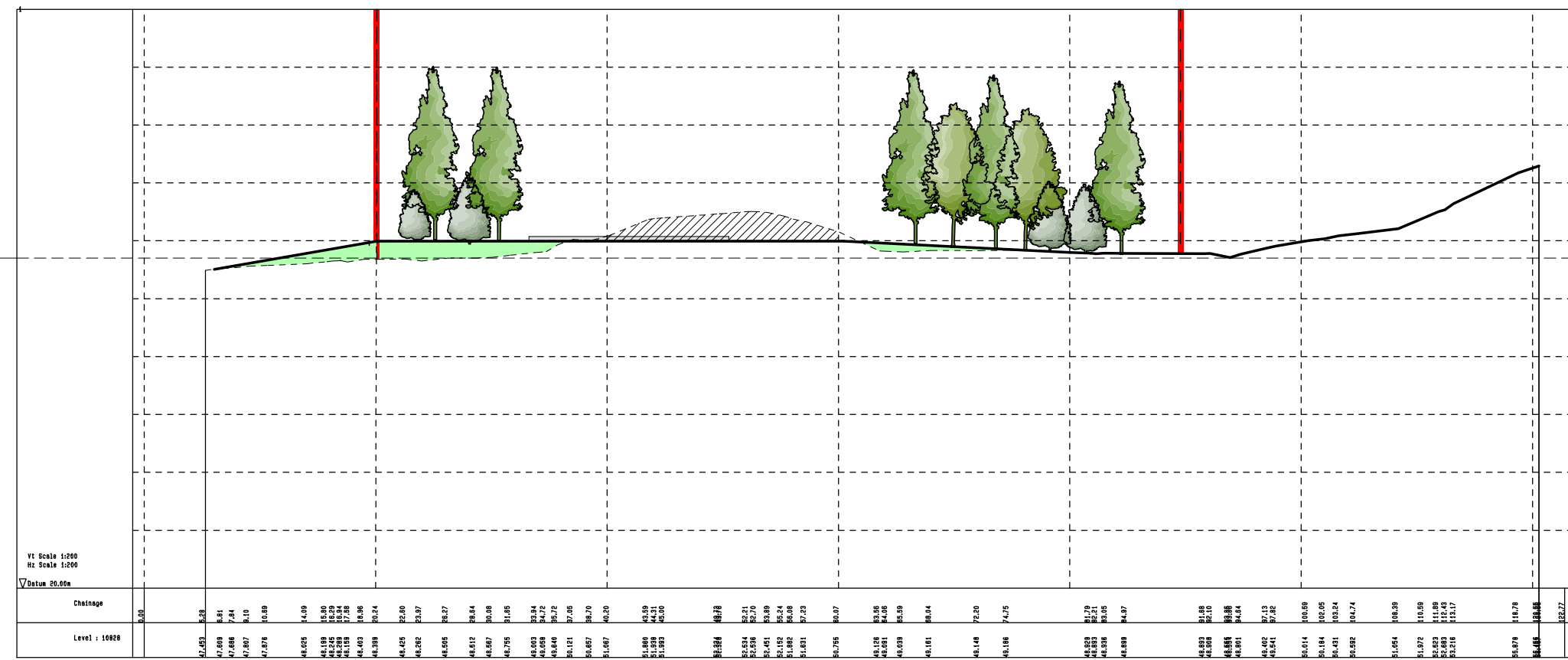
**DKD**  
D KELLY DESIGN  
Architectural Consultant  
Queen Anne House • 111 High Street  
Fort William • PH33 6DG  
Tel: 01397 700999 • Fax: 01397 700888

scale 1:500 date 24.09.12  
job no. 09/105 drg no. 400 E drawn J. CORBETT

# PROPOSED SITE LAYOUT

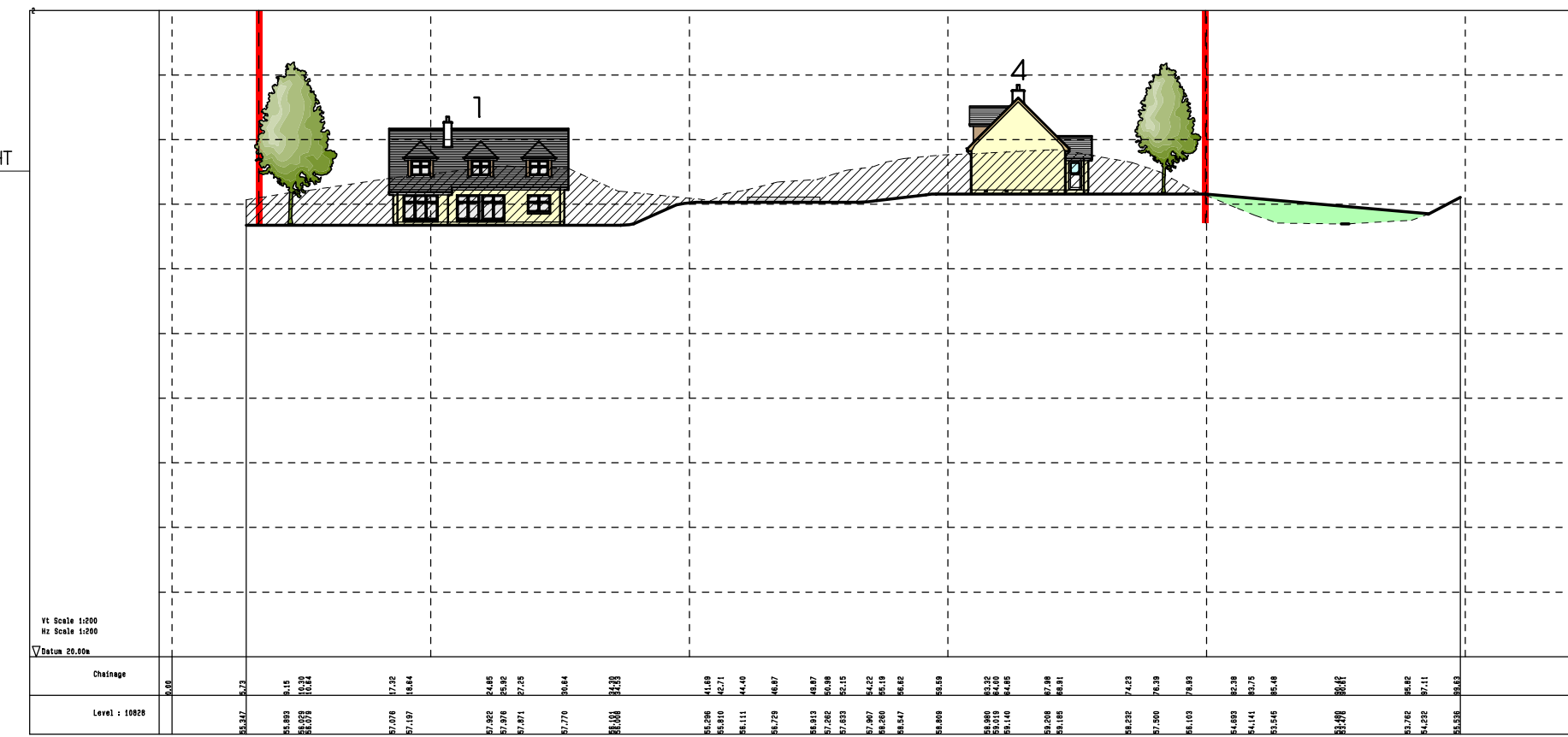


HIGHEST POINT OF BURN AT REAR BOUNDARY = 48.5m

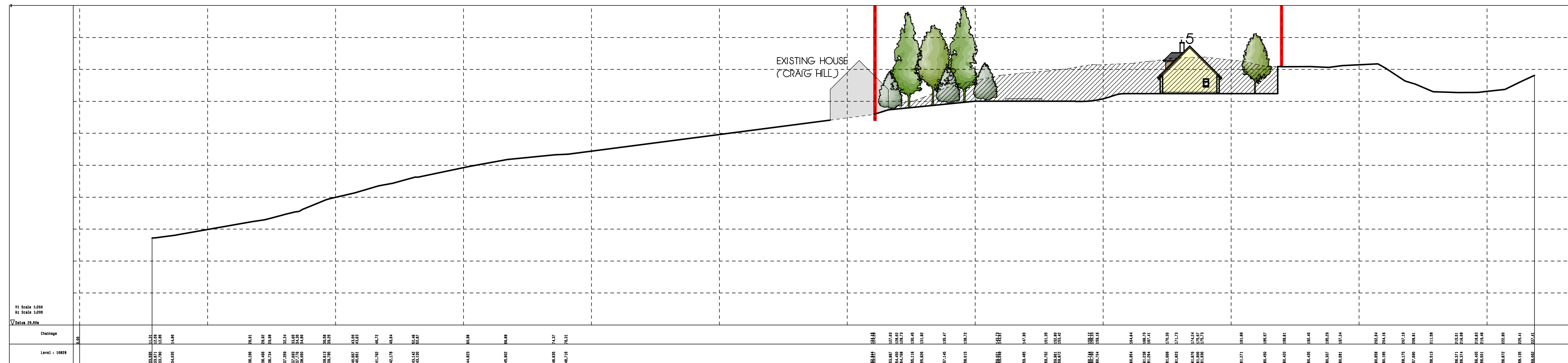


SECTION AA

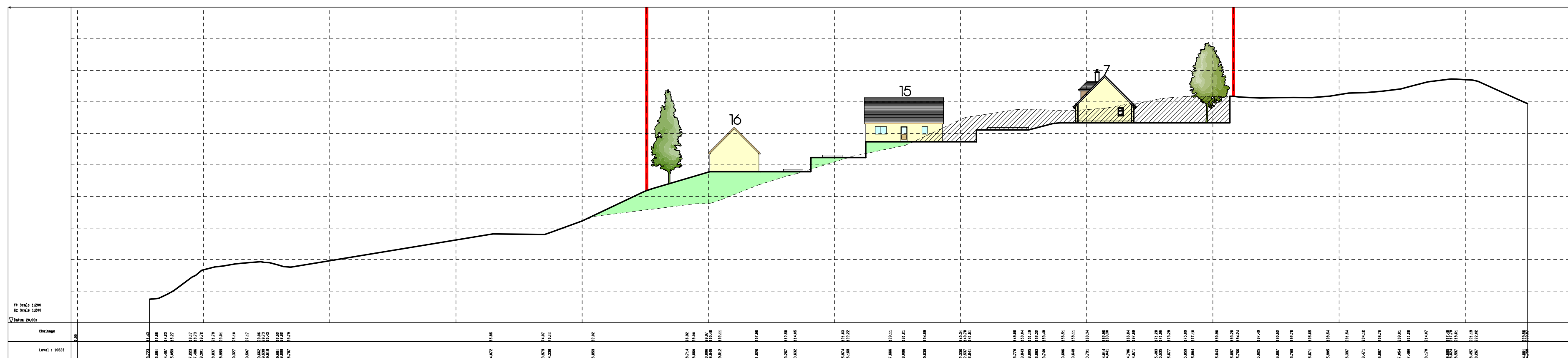
EXISTING HOUSE RIDGE HEIGHT



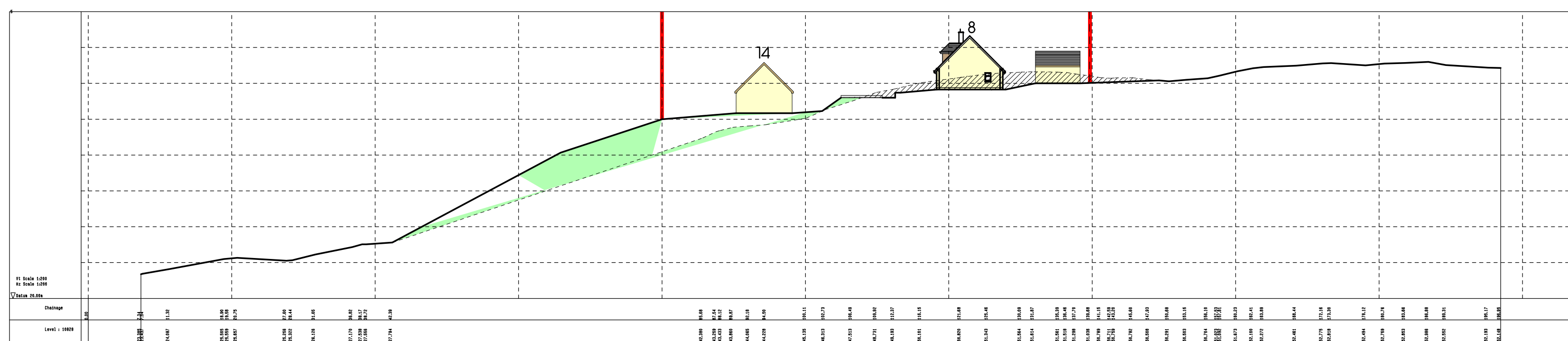
SECTION BB



SECTION CC



SECTION DD



SECTION EE

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- GROUND TO BE INFILLED
- GROUND TO BE REMOVED

project  
PROPOSED HOUSING DEVELOPMENT  
AT GLASNACARDOCH, MALLAIG

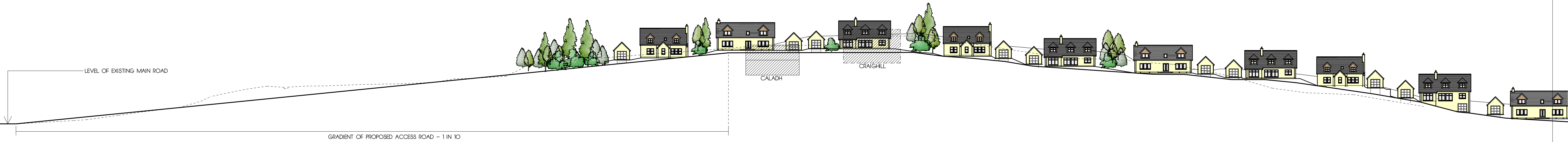
client  
MR. CAMPBELL

detail  
AS PROPOSED SITE SECTIONS

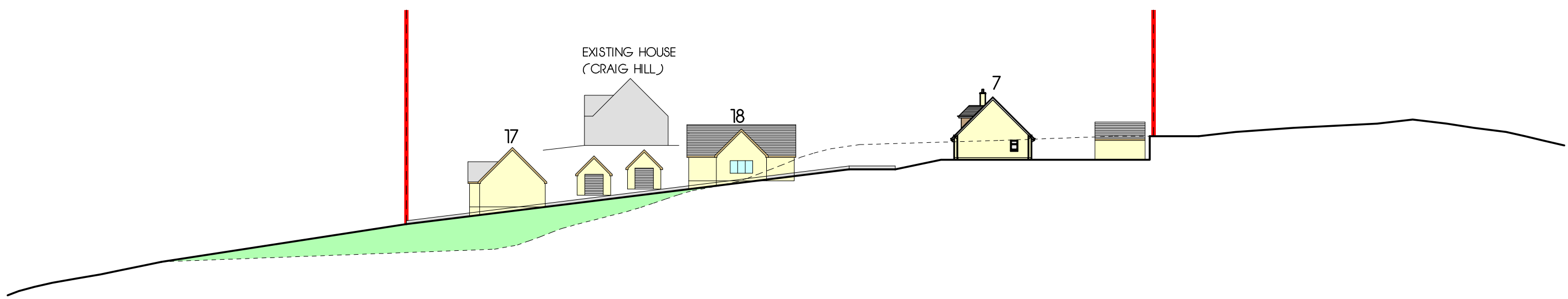
**DKD**  
D KELLY DESIGN  
Architectural Consultant  
Queen Anne House • 111 High Street  
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Tel: 01397 700999 • Fax: 01397 700888

scale 1 : 500 date 30 : 10 : 10  
job no. 09/105 drg no. 301 drawn J. CORBETT

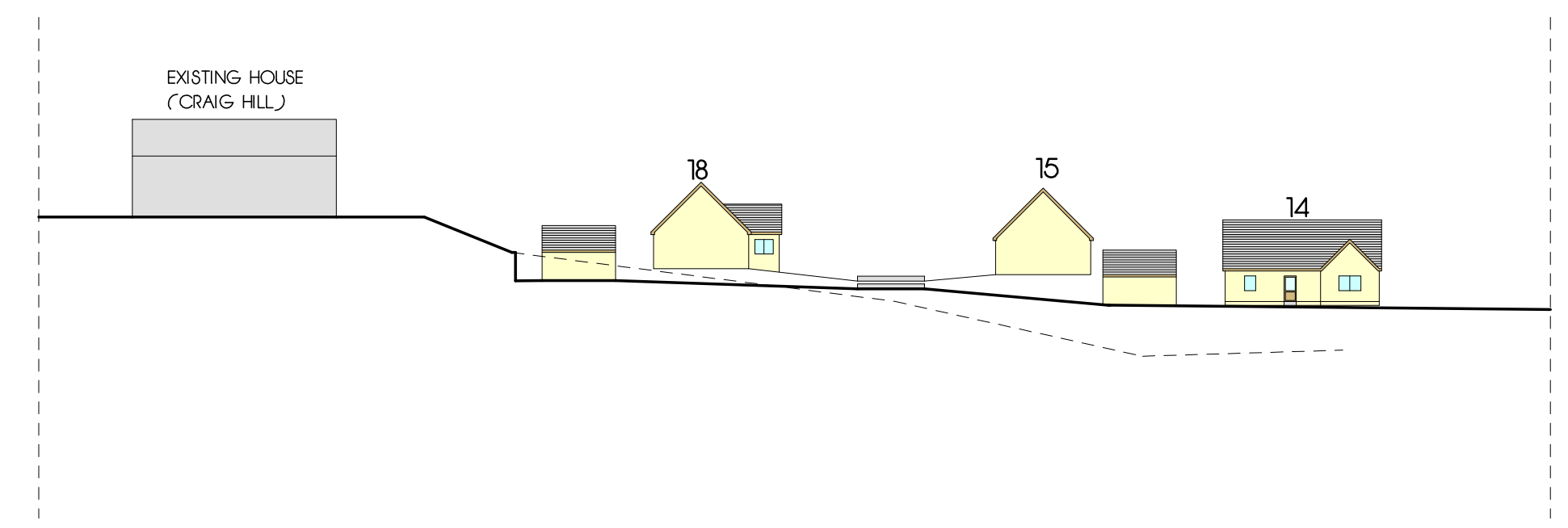
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SECTIONAL ELEVATION (CENTRE - LINE OF PROPOSED ACCESS ROAD)



SECTION FF



SECTION GG

REV. A  
 DRAWING AMENDED TO SHOW PROPOSED SITE ENTRANCE GRADIENT - JJ (11.06.11)  
 REV. B  
 DRAWING AMENDED TO SHOW NEW ACCESS/AMENDED HOUSE POSITIONS - JJ (27.11.12)  
 REV. C  
 DRAWING AMENDED FOR PLANNING DEPARTMENT - JJ (11.12.12)  
 REV. D  
 ACCESS ROAD GRADIENT CHANGED - JJ (27.06.13)

project		PROPOSED HOUSING DEVELOPMENT AT GLASNACARDOCH, MALLAIG	
client		MR. CAMPBELL	
detail		AS PROPOSED SITE SECTIONS NO. 2	
 <b>DKD</b> D KELLY DESIGN Architectural Consultant			
Queen Anne House • 111 High Street Fort William • PH33 6DG Tel: 01397 700999 • Fax: 01397 700888			
scale	1 : 500	date	30 : 10 : 10
job no.	09/105	drg no.	302D
		drawn	J. CORBETT