

THE HIGHLAND COUNCIL

**SOUTH PLANNING APPLICATIONS COMMITTEE
19 May 2015**

Agenda Item	6.2
Report No	PLS/032/15

**14/04795/FUL: Marine Harvest (Scotland) Ltd
Inchmore Fish Farm, Glenmoriston**

Report by Area Planning Manager - South

SUMMARY

Description: Redevelopment of land based fish hatchery facility - amendment to previous planning permission 13/01237/FUL granted 30 August 2013.

Recommendation - GRANT

Ward : 13 - Aird and Loch Ness

Development category : Major

Reason referred to Committee : Major

1. PROPOSED DEVELOPMENT

- 1.1 The proposal relates to the existing Inchmore hatchery for parr and smolts and involves the removal of the rearing tanks and feedstore/workshop to erect a building to accommodate all aspects of the fish hatchery process. This will result in a large building extending to 165 m in length by 83 m in depth (although this varies). The building is broken up so the height varies with the highest roof pitch, 10.8m to the ridge, for the elevation facing the A887. The front elevation contains a 2 storey element comprising staff accommodation (changing rooms, canteen, offices and workshop) on the ground floor and grading and vaccination facilities at first floor level. The main building comprises rearing tanks for fry and smolts, water treatment works, sterilisation tanks and incubation units. The proposed floorspace is 13,390m² compared to the previous approval in 2013 of 5391m² - an increase of 8000m².
- 1.2 Finishes - Composite panels were chosen for the building envelope to provide a robust / low maintenance finish. The roof has a light coloured finish to prevent overheating in summer and takes into account the fact that the hatchery operates at a relatively low ambient temperature. The gables are clad alternately in olive green and camouflage green composite cladding, to help break down the apparent mass of the building. Both colours were carefully chosen to complement the forest setting. Timber cladding is used to define the building entrance.

- 1.3 The aim of the development is to build a facility which is capable of producing 6.5 million large parr and 4.5 million smolts per year. This is a significant increase in output on the existing facility and a notable increase in the capabilities of the proposals granted per consent 13/01237/FUL. This development is a key part of Marine Harvest's long-term plans for continued growth on the West Coast of Scotland. The new proposals differ from those approved in 2013 in that all tanks will be housed within a building: there will be no outdoor fish tanks. This change, combined with an increase in capacity, means that the overall footprint of both the building and the site is larger than that previously consented. The new building would cover a large proportion of the footprint of the existing facility and would also extend to the edge of the unused open grassland/scrubland which surrounds the existing facility. Other than the scale of the development, the most significant change in the new proposal is that it will operate entirely on a recirculation basis. This means that water taken into the facility will be internally recycled with minimal abstraction and minimal discharge required, in comparison to the total volume and flow within the fish tanks.
- 1.4 As a major application (the site exceeds 2 hectares) the applicants were required to undertake a mandatory public consultation exercise. The application details include a summary of the pre-application consultation report incorporating comments made during the public drop-in session for both the previous application and this application in October 2014 -14/03203/PAN.
- 1.5 There is a single vehicular access to the site and existing water treatment tanks.
- 1.6 The application includes the following documents and supporting information:
- Pre-application Consultation Report
 - Supporting Statement
 - Design/Access Statement
 - Pearl Mussel Survey Report (application 13/01237/FUL)
 - Otter Survey Report (application 13/01237/FUL)
 - Traffic Management Plan
 - Effluent Treatment Method Statement
 - Flood Risk Assessment
 - Odour Management Plan
 - Photomontages – existing and proposed
- 1.7 **Variations:** Amendments to Flood Risk Assessment after consultation with SEPA and the Flood Team

2. **SITE DESCRIPTION**

- 2.1 The existing hatchery occupies the south west corner of the development site, and consists of a collection of poly-tunnel type structures, external tanks and water tower. To the north and east of the existing facility there is an area of unused, open grassland/scrubland. The site falls gradually from south to north, towards the River Moriston - from a high point of 119 AOD adjacent to the A887, down to a low point of 114 AOD at the top of the river embankment. It is screened to view by existing birch woodland on the south east boundary fronting the A887 and trees on the edge of the River Moriston help to screen the building to view from the northwest. There is only one house which is in direct view of the site and even then the distance is substantial.

3. PLANNING HISTORY

- 3.1 Various consents for the existing fish farm facility dating from 1978 as detailed below:
- IN/1978/129 & 519 – Fish Hatchery & Staff Accommodation
 - IN/1978/193 – House & office/flat; IN/1979/953 – 2 garages & extension to powerhouse
 - IN/1985/785 – Extension to foodstore
 - IN/1986/9 – 32 rearing tanks
 - IN/1987/1002 – 120 rearing tanks & feedstore/workshop
 - IN/1990/578 – Central Heating Gas Tanks
 - IN/1990/713 – Chill Store
 - IN/1993/584 – ponds
 - IN/1996/412 – 2 polytunnels & oxygen storage tank
- 3.2 13/01237/FUL - Re-development of Marine Harvest's existing land based fish farm facility granted 30.08.2013
- 3.3 14/02958/SCRE - screening request submitted for this proposal and conclusion reached that EIA was not necessary.

4. PUBLIC PARTICIPATION

- 4.1 Advertised : Unknown neighbour 06.02.2015
Representation deadline : 06.02.2015
- Timeous representations : 1
Late representations : 0
- 4.2 Material considerations raised are summarised as follows:
- 1 representation has been received from a local resident based at Inch More Cottage.
 - They commented previously on application 13/01237/FUL. Their concerns over access, visual impact and noise/smell pollution have been addressed in the planning conditions attached to that consent. The increase in size with this application raises the same concerns over the scope and extent of the development.
 - The public meeting at the site to which they were invited was useful to discuss and received details on how their concerns and subsequent planning conditions would be incorporated into the current planning application.
 - On the traffic management there appears to be inconsistencies in the application on identification of a through transport route and the plans do not show any new access onto the A887 crucial to such a proposal.
 - Details on visual impact mitigation such as bund and planting to screen the building are included but micro detail such as local native planting eg juniper

etc have been missed.

- Concerns that it is not possible to view details on downlighting of the site but the use of ancillary air to ensure lorry engines are switched off have been included.
- There is comment in the transport plan on the number of lorry movements for fish movements and the necessity for 7 day working. Need assurances within the transport plan that the routine oxygen and sludge deliveries are restricted to Mon-Fri during working hours 7am-5pm and there should be no need for 7 day working.

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. Access to computers can be made available via Planning and Development Service offices.

4.4 Supporting information submitted by applicants in response to representations:

Visual amenity – The development can be screened through the use of an earth bund in combination with trees and shrubs. The building would be coloured in non-reflective finishes and with colours chosen to blend with the surroundings.

Light pollution – Outside lighting would be kept to a minimum and there would be no increase in outside lighting arising as a result of this development. Although there would be a period of construction, during which noise levels would be elevated to some extent, once completed the redeveloped facility would be no noisier than the existing. This is largely due to the technology employed within the new design which would be far more efficient than that of the ageing existing facility.

Noise – Alarms are used at the site to alert staff to any problems which, if unattended, could lead to fish mortality. For the outside alarm, a pager system may be implemented to negate the need for a sounding outdoor alarm. If sounding alarms are used then the levels would be tested to ensure that the volume is reduced to a minimum. Lorries would have access to the site for pick-ups and drop-offs and therefore there would be no requirement for lorries to wait on the main road with engines turned on. There would be no increase in odour arising from the site as the bulk of operations would take place within the building. Planning to redevelop the sludge plant which would further help to reduce odour emissions. This would be achieved by using aeration to keep sludge digestion aerobic and there would also be more regular uplift of sludge due to the larger quantities produced.

Vehicular access - The access to the site from the main road would not be altered and the tree line adjacent to the A887 would not be reduced as a result of the construction.

Environmental Impacts and CAR Licence - There will be minor changes to the assessment of impacts which were reviewed as part of the original proposal. In terms of ecological impact all areas likely to be affected by the new proposal were assessed as part of the 2012/13 planning application. This focused on the effects of abstraction/discharge and made a detailed assessment on the presence of otters and pearl mussels and deemed the impacts of the proposal to be

acceptable. On the basis of the information submitted, there are no specific issues of concern and the matters relating to surface water storage and flooding have been resolved satisfactorily to both SEPA and Flood Team's satisfaction.

5. CONSULTATIONS

5.1 **Transport Planning:** The Council's local road network is not affected by this development. Vehicular access to the above development site is directly from the A887 Trunk Road which is owned and maintained by Transport Scotland.

5.2 **Flood Team:** A recent meeting was held between the Flood Team, SEPA and the applicants to address the above. Agreement has been reached between the Flood Team and the applicants as to the engineering design solution for the surface water drainage and flooding potential. It is recognised that the ground levels of the attenuation pond are within the 1 in 200 year floodplain but a design solution can be achieved to address this matter to the satisfaction of both SEPA and the Flood Team. This can be achieved by appropriate pre-commencement conditions. [An update on this will be provided at Committee.]

5.3 **Planning Gains Officer:** This assessment is made against the Highland-wide Local Development Plan Policy 31: Developer Contributions and the Highland Council's "Developer Contribution Supplementary Guidance". Planning obligations are sought to mitigate the impact of any development which cannot be mitigated through the planning process or through the use of planning conditions. Any planning obligations sought must accord with Planning Circular 3/2012 Planning Obligations and Good Neighbour Agreements.

Transport - The proposed development is intensifying the use of the site and is expected to support approximately 25 jobs. The Rural and Community Transport Officer has expressed concern that the site is not served by public transport. It may be that a financial contribution is required towards the provision of public transport infrastructure. The proposed solution by the applicant seems reasonable given there is little demand from the public for such a service.

Public Art - The provision of public art is required and can be provided on site and can take many forms, such as incorporating it into the site design or boundary treatment. Ideally it should be provided on site and secured by condition.

5.4 **Aquaculture Officer:** No further comments to make on this application as these were previously addressed within the previous application 13/01237/FUL.

5.5 **Development Plans:** There are no site-specific development plan policies applicable to this redevelopment proposal. The Highland-wide Local Development Plan's general heritage and water environment policies are applicable in terms of potential woodland loss, flood risk and impact on the adjoining SAC. These issues have been addressed in comments from the various agencies.

It is noted that Transport Scotland has indicated a requirement to upgrade the junction to the trunk road to take account of the potential for increased traffic associated with the development. Any requirement to implement further improvements to the road network has not been sought although arguably it would have been an option to consider the future twin tracking of the A887. This is not however considered necessary or appropriate by Transport Scotland and it would not be reasonable for the Planning Authority to impose such a requirement.

Without adequate frontage screen planting, this development and the yard opposite could create an industrial gateway to upper Glen Moriston and Cluanie beyond.

- 5.6 **SEPA:** Have no objection following additional information submitted by the applicant and a site visit. A finalised Flood Risk Assessment (FRA) (Report K0563/1 dated March 2015) has been submitted which includes details on the proposed flood compensatory storage at the site. A table has been included in the finalised FRA which clearly demonstrates the design flows and flood levels for the site. As such it is noted that the design flood levels at the site are 115.39 metres Above Ordnance Datum (mAOD), 115.61 mAOD and 115.95 mAOD for the 1 in 100, 1 in 200 and 1 in 200 (plus climate change) respectively. As such, the proposed finished floor level of 117.7 mAOD is in excess of the recommended 500mm–600mm freeboard.

Evidence of sensitivity analysis has now been provided along with the relevant cross sections of the River Moriston. These have been extracted from the 2009 FRA undertaken by Mott Macdonald, however given the low vulnerability of the development and that the finished floor level is proposed to be approximately 2m above the 1 in 200 year design flood level for the site, it is accepted that the appropriate sensitivity analysis has been undertaken.

A map has been provided which clearly illustrates the design flood extent at the site for the 1 in 200 and 1 in 200 (plus climate change) floods which confirms that the more vulnerable parts of the site, such as the office, will be situated to the south, outwith the functional flood plain. The proposed compensatory storage areas have hydraulic connectivity with the functional flood plain and are considered acceptable.

- 5.7 **SNH:** The previous responses are still relevant. This case involves the re-development of an existing facility in Glenmoriston, together with some changes in the discharge to the River Moriston Special Area of Conservation (SAC). The River Moriston SAC is designated for its Atlantic Salmon and Freshwater pearl mussel interest. In relation to water quality within the river, SNH would defer to SEPA's position, and advise strict pollution control measures are put in place. There are no concerns regarding the otter survey but it will be a requirement if otter activity is observed on site during construction that work should stop immediately.
- 5.8 **Scottish Water:** No objections although it is noted that there are no public sewers in the vicinity of the proposed development. There are no public water mains within the vicinity of the proposed development site. The nearest water supply is across the River Moriston within the Invermoriston Water Treatment Works supply zone.
- 5.9 **Transport Scotland:** No objections but have recommended conditions as detailed in recommendation below.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland-wide Local Development Plan 2012

29	Design Quality and Place Making
50	Aquaculture
57	Natural, Built and Cultural Heritage
58	Protected Species
59	Other Important Species
63	Water Environment
64	Flood Risk
66	Surface Water Drainage

6.2 Inverness Local Plan (as continued in force 2012)

7. OTHER MATERIAL CONSIDERATIONS

7.1 Draft Inner Moray Firth Local Development Plan

Not applicable

7.2 Highland Council Supplementary Planning Policy Guidance

Not applicable

7.3 Scottish Government Planning Policy and Guidance

Not applicable

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 Planning permission was granted in 2013 per consent 13/01237/FUL for the redevelopment of the existing salmon hatchery facility. There has been an expansion in Marine Harvest's seawater site portfolio, and as a result they wish to increase the size of the Inchmore facility to replicate their newly built hatchery facility at Lochailort. The site was selected due its combination of resources: land availability, secure water supply, sufficient electrical supply, suitable transport links and staff expertise. It remains the ideal location for the new proposals. The site also contains existing staff housing facilities and is located conveniently close to

the company's Fort William base and seawater operations.

- 8.4 The development will be capable of producing 6.5 million large parr and 4.5 million smolts per year. This is a significant increase in output on the existing facility. This development is a key part of Marine Harvest's long-term plans for continued growth on the West Coast of Scotland. The new proposals differ from those approved in 2013, in that all tanks will be housed within a building: there will be no outdoor fish tanks. This change, combined with an increase in capacity means that the overall footprint of both the building and the site is larger than that previously consented. The new building will, as a result, cover a large proportion of the footprint of the existing facility and would also extend to the edge of the unused open grassland/scrubland which surrounds the existing facility. Other than the scale of the facility, the most significant change in the new proposals is that it will operate entirely on a recirculation basis. This means that water taken into the facility will be internally recycled with minimal abstraction and minimal discharge required, in comparison to the total volume and flow within the fish tanks.

8.5 **Development Plan Policy Assessment**

- 8.5.1 Policy – The proposal is supported by Policy 50 in relation to Aquaculture where the Council supports the sustainable development of fin-fish and shellfish farming subject to there being no significant adverse effect on several criteria.
- 8.5.2 The first relevant criterion is the natural, built and cultural heritage, where the landscape character and scenic and visual amenity have to be taken into consideration. In terms of SNH's Landscape Character Assessment it would be classified as Wooded Glen. The photomontages show the proposed building in its setting and while located on land next to the River Moriston its impact is mitigated by the birch woodland surrounding the site. The topography of the land surrounding the site means the site is only readily visible close up rather than at any long distance. The south elevation will be screened to view from the A887, and bunding and landscaping will be carried out to reduce the visual impact. The north elevation will be screened to view from the road leading through Dalchreichart. Bunding and landscaping will be carried out in the gaps to further reduce any visual impact from the various vantage points. The design of the proposed building seeks to break up the massing of the building as far as possible with the use of different materials and finishes.
- 8.5.3 The second relates to habitats and species, including designated sites and protected species. Where proposals are located on a suitable site they will also need to show appropriate operational and site restoration arrangements (including management of noise and lighting impacts, public health and safety, and the effective control of pollution, fish farm escapes, predator interaction and disease). The affected species in this instance are the pear mussels and otters. In terms of the surveys carried out, the conclusion reached is that the River Moriston here is unlikely habitat for pearl mussels. No traces of otter were found at the site.

8.6 **Material Considerations**

Economic Benefits - The new proposal will see the creation of a fish farm that would support 20 new jobs (25 including existing jobs). The applicant advises the expansion of the Inchmore facility would bring a similar benefit in terms of direct

employment during construction and would also result in on-going creation and support of many other jobs throughout the company.

Access - The existing site access is directly off the A887 trunk road which provides excellent links to all parts of the west coast via the Kyle road and the Great Glen. The existing access will be upgraded with regard to junction width and improved visibility sight lines as requested by Transport Scotland. Within the site, a road will run round the perimeter of the new facility, providing a one way loop for delivery vehicles and improving general vehicular circulation within the site.

Transport - The applicant has prepared a Traffic Management Plan to cover fish transport lorries, oxygen delivered, and sludge uplifts and feed delivery. It is appreciated that the delivery/despatch of fish outwith the hours of 7.00am to 7.00pm may be an issue for neighbours. Any condition however to restrict deliveries/collections for fish transport lorries would pose a problem for the applicant and 6.30am is considered a more realistic start time. The design and layout of the building and its curtilage means the fish transport lorries can undertake collection and deliveries under cover of the canopy which is clad with the same insulated cladding as the rest of the building. This will reduce the noise generated and the internal one way circulation for vehicular traffic removes the need for reversing or multiple manoeuvres of lorries.

Public art - The applicant will commission a local artist to create a sculpture of a salmon and it will be located at the site access points.

Surface water and flooding matters - These have been the subject of detailed assessment by both the Council's Flood Team and SEPA and the submitted Flood Risk Assessment has also been revised to take account of initial concerns raised by SEPA. Although additional details are currently awaited regarding aspects of the flood alleviation issues, these are not considered to be significant and an update will be provided at Committee. It is anticipated that any issues that may arise will be addressed by appropriate conditions.

Nuisance - With regard to light pollution and noise nuisance, it is inevitable, given the nature of the facility, that lighting of the site will be required. Lighting will however be kept to the minimum necessary and should not be operated outwith normal working hours.

The high potential for mortality of the parr should any part of the system fail requires an alarm system but again this is not anticipated to be operated on a regular basis.

8.7 Matters to be secured by Section 75 Agreement

None

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. This is an important development for the area and the

proposal to increase and upgrade the existing facility is considered acceptable. There has been a fish hatchery on this site since 1978 and the most recent application (13/01237/FUL) sought to upgrade the facility given the importance of the operation to the business based at Loch Ailort. This represents a major investment on a site of strategic importance for the applicant's operations. The previous consent had a smaller floorspace and the new design represents a net increase of 8000m². Although this represents a substantial increase it enables the whole process to be contained within the expanded building compared to the previous proposal which retained some facilities outwith the building. The applicant has sought to address the concerns expressed by the closest neighbour to the site not least by the soundproofing of the building and associated landscaping. It is recommended that permission be granted subject to the conditions noted below.

10. RECOMMENDATION

Action required before decision issued N

Notification to Scottish Ministers N

Notification to Historic Scotland N

Conclusion of Section 75 Agreement N

Revocation of previous permission N

Subject to the above, it is recommended the application be **Granted** subject to the following conditions:

1. The development hereby approved shall not be occupied unless all works to provide compensatory flood storage have been completed in accordance with the approved scheme, and the compensatory flood storage is maintained in perpetuity.

Reason : In order to ensure a suitable scheme of compensatory flood storage is implemented on site in order to minimise any loss of floodplain storage as a result of the development.

2. The proposed access shall join the trunk road at a new junction which shall be constructed by the applicant to a standard as described in the Department of Transport Advice Note TD 41/95 (Vehicular Access to All-Purpose Trunk Roads) (as amended in Scotland) complying with Layout 6. The junction shall be constructed in accordance with details that shall be submitted and approved by the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority, before any part of the development is commenced.

Reason : To ensure that the standard of access layout complies with the current standards and that the safety of traffic on the trunk road is not diminished

3. The use of the building shall not be implemented unless visibility splays are provided and maintained on each side of the access to the satisfaction of the

Planning Authority, in consultation with Transport Scotland, as the Trunk Roads Authority. These splays are the triangles of ground bounded on 2 sides by the first 4.5 metres of the centreline of the access driveway (the set back dimension) and the nearside trunk road carriageway measured 215 metres (the y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a driver's eye height of between 1.05 metres and 2.00 metres positioned at the set back dimension to an object height of between 0.26 metres and 1.05 metres anywhere along the y dimension.

Reason : To ensure that the standard of access layout complies with the current standards and that the safety of traffic on the trunk road is not diminished and to ensure that vehicles entering or exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on the trunk road.

4. The width of the access shall be at least 7.3 metres wide for a distance of 15 metres from the nearest edge of the trunk road carriageway, the details of which shall be submitted to and agreed in writing by the Planning Authority before development commences on site, and thereafter implemented in their entirety before first use of the facility.

Reason : To ensure that the access is wide enough to allow vehicles to enter and exit the access at the same time without conflict.

5. Within 3 months of the date of this consent, a scheme detailing two levels of sustainable drainage (SUDS) surface water treatment (with the exception of roof water where one level is acceptable) has been submitted to and approved in writing by the Planning Authority, in consultation with SEPA. Thereafter all work shall be carried out in accordance with the approved scheme before first use of the facility. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C697).

Reason : To ensure adequate protection of the water environment from surface water run-off.

6. Within 3 months of the date of this consent, full details of the landscaping plan for the site shall be submitted to and approved in writing by the Planning Authority. Such details shall show additional boundary tree planting, internal site planting and seeding proposals, and reinstatement proposals for the area of the existing facility, together with a schedule for the implementation of the landscaping works and a maintenance scheme. The plan shall include the formation of a bund on the south boundary of the site with the A887, the location, height and design to be approved by the Planning Authority. Thereafter the development shall be fully undertaken in accordance with the approved details no later than the first planting season following completion of the development hereby granted planning permission.

Reason : In the interests of visual amenity in order to help assimilate the proposal into its landscape setting and secure the visual benefits from removal and

reinstatement of the existing facility.

7. Within 3 months of the date of the consent, full details of any external lighting to be used within the site and/or along its boundaries and/or access shall be submitted to, and approved in writing by, the Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light 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 the interests of visual and residential amenity and to prevent light pollution within this rural area.

8. No permission is hereby granted for the external storage of materials or equipment within the site, beyond the construction phase, without the prior written permission of the Planning Authority.

Reason : In the interests of visual amenity in order to prevent unsightly external storage, the removal of which is one of the mitigating factors supporting this development.

9. 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. This shall include investigation into the use of a pager system and/or an external audible alarm with the noise minimised as far as practicable. 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 the interests of residential amenity.

10. Within 3 months of the date of this consent details of the public art to be provided on site shall be submitted to, and approved in writing by, the Planning Authority and this shall be provided on site within 6 months of the building coming into use.

Reason : To comply with the Supplementary Guidance on Public Art.

11. There shall be no vehicle deliveries to, or the unloading or loading of delivery vehicles within, the application site outwith the hours of 06:30 to 19:00 inclusive, unless otherwise approved in writing by the Planning Authority as an exceptional instance for operating outwith these hours.

Reason : In the interests of residential and community amenity.

12. Within 3 months of the date of the consent, a detailed specification for all proposed

external materials and finishes (including trade names and samples where necessary) has been submitted to, and approved in writing by, the Planning Authority and shall be designed to minimise reflection and glare. Thereafter, development and work shall progress in accordance with these approved details.

Reason : In the interests of visual amenity.

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 LIMITS

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission 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.

Septic Tanks & Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

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.

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 such as otters 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.

Signature: Allan J Todd
Designation: Area Planning Manager - South
Author: Keith Gibson
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Site Layout Plan
Plan 2 - Ground Floor Plan
Plan 3 - First Floor Plan
Plan 4 - Elevation Plan
Plan 5 - Section Plan
Plan 6 - Access Layout
Plan 7 - Road Layout Plan
Plan 8 - Landscaping Plan
Plan 9 - Drainage

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