

THE HIGHLAND COUNCIL

**NORTH PLANNING APPLICATIONS COMMITTEE –
09 June 2015**

Agenda Item	7.2
Report No	PLN/033/15

**14/01808/PIP : NATURAL RETREATS
Land NW Of Seaview Hotel
John O'Groats**

Report by Area Planning Manager

SUMMARY

Description : Permission in principle for mixed use development masterplan including residential and commercial

Recommendation - GRANT

Ward : 04 - Landward Caithness

Development category : Major

Pre-determination hearing : n/a

Reason referred to Committee : Major development

1. PROPOSED DEVELOPMENT

- 1.1 The proposal is for a schematic masterplan for the partial re-development of the site from the seafront to the existing chalet site, and new development from here into John O'Groats village 'centre' at the junction of the A99 (which forms the eastern boundary of the site) with the A836.
- 1.2 The application was subject to a proposal of application notice, 13/02841/PAN, with a public consultation period
- 1.3 The site is served by existing infrastructure, with the A99 terminating at the existing roundabout known as the 'end-of-the-road-roundabout', and other services on the developed site.
- 1.4 A Design Guide has been submitted as supplementary information to the layout plan. The application is also subject to a processing agreement.
- 1.5 **Variations:** An amended layout plan and design guide was submitted on 09.04.2015 for re-consultation. This focussed on addressing concerns from the community regarding the loss of the large car-park and changes to the 'end-of-the-road' roundabout feature/layout. The plan originally submitted had shown a detailed layout for new buildings in six zones, with the removal of the main car-park

and no indication of the roundabout. The new plan maintains the main car-park, to a reduced size, and introduces four other car-parking areas; the 'end-of-the-road' is indicated as an area to be re-designed and includes a coach drop-off and disabled parking.

2. SITE DESCRIPTION

2.1 The existing site is a complex arrangement of buildings and uses, under a variety of ownerships. The A99 forms the eastern boundary to the site, the seafront and harbour forms the northern boundary; to east and west the area is bounded by farmland, with the caravan/camp-site on the NE edge. The southern boundary is formed by the A836, with existing houses, hotel and a fire-station on its southern side. The topography is sloping gently down to the sea from the south, and the site affords panoramic vistas of the Pentland Firth, Orkney, the Island of Stroma and the Pentland Skerries.

John O'Groats is one of the principal tourist destinations in the north of Scotland, but it remains a somewhat remote and underutilised site which offers limited visitor attractions. On the approach from the village, the first development is the 23 new chalets which were consented under 10/03502/FUL and take-up the central and NW sections of the site. These are contemporary buildings with mono-pitch roofs, timber cladding and expansive glazing towards the sea-views. North of this is the derelict 'hexagon' site which has been built up to floor-level and then abandoned, forming something of an eyesore; this site is excluded from the proposal as it is not within the applicants control. West of this and central to the northern half of the overall site is the existing Craft Village, eight commercial units forming a courtyard and facing onto the existing car-park; only two of the units are currently occupied but two more are due to re-open shortly.

The large car-park north of the Craft Village is one of the dominant features of the site, with 107 car-spaces and 8 coach bays; on the northern edge of this, from east to west, are: the old lighthouse store; knitwear shop and tea-room; gift-shop/tourist information and; public toilets. Beyond this the A99 sweeps round to terminate in the 'end-of-the-road' roundabout, with an access road continuing down to the harbour. On the roundabout's western edge is the Storehouse Café, beyond which is the old hotel which is now converted and extended to provide holiday apartments.

The seashore frontage is grassed/landscaped and includes a copy of the John O'Groats directional sign, with foreshore footpaths to east and west. The harbour area, not included within the proposal site (not within the applicant's control) has a take-away food portacabin in the car-park and a tourist-souvenir shop on its eastern edge. East of this is the 'Last House' which has been extended and converted to an outdoor clothing shop. The NE boundary to the site is formed by two car-parks, the northern being closed and the lower providing 80 spaces for Orkney passenger-ferry parking.

3. PLANNING HISTORY

3.1 10/03502/FUL was consented on 16.11.2010 for alterations, extension and change of use of hotel to holiday apartments, erection of detached holiday chalets (23no), alteration and extension to existing journey's end cafe bar with ancillary services building.

12/00210/SCRE was submitted for an environmental assessment of the redevelopment of external areas surrounding John O'Groats sign post, including gardens, terrace and view points.

13/02268/FUL was an amendment to 10/03502/FUL, granted on 06.08.2013.

15/01045/FUL was granted on 07.05.2015 for the erection of a public artwork 'Nomadic Boulders'.

15/01293/FUL has been submitted to convert Unit 3 in the Craft Village from a shop to a bistro.

4. PUBLIC PARTICIPATION

4.1 Advertised : John O'Groat Journal; unknown neighbour.

Representation deadline : 27.06.2014 and 15.05.2015 (re-consultation)

Timeous representations : 61 in total.

Late representations : 1, and a petition from JOG Knitwear shop with 201 signatures, 103 of whom live within Highland.

4.2 Material considerations raised are summarised as follows:

- Loss of main car-park which is vital for visitors.
- Loss of 'end-of-the-road' roundabout which is an iconic feature and essential for visitor drop-off and coach-turning.
- Loss of coach-parking.
- Restricted access to harbour.
- Large-scale development is inappropriate for this site; over-development of area.
- Impact on historic significance/buildings.
- Impact on character of area and natural environment.
- Site includes building/land that is not owned by Applicant.
- Impact on visibility, servicing and viability of existing commercial units.
- Proximity of Zone 6 housing, safety of accesses.
- Scale of proposed buildings.

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.

5. CONSULTATIONS

5.1 **Landscape Officer** : No objection. Suggests careful use of Caithness flag-stones, careful building siting to avoid obscuring the last house, with revelation and framing of views.

- 5.2 **Transport Planning** : No objection. Note the lack of information submitted, relative to a schematic proposal; a strategic Transport Assessment will be required via condition with detailed proposals.
- 5.3 **Historic Environment Team** : No objection. Archaeological surveys have been carried out for previous development.
- 5.4 **Environmental Health** : No objection. In zone 5 there is an opportunity to install fixed toilets and catering provision.
- 5.5 **Flood Team** : No objection. Request drainage impact assessment (DIA) and SUDS design at detailed application stage.
- 5.6 **Contaminated Land Team** : No objection. Note that Condition 17 of 10/03502/FUL should be applied to the former petrol filling station site.
- 5.7 **Access Officer** : No objection.
- 5.8 **Transport Scotland** : No objection.
- 5.9 **SEPA** : No objection, subject to conditions requiring all foul drainage be connected to the public foul sewer, and SUDS for surface water drainage.
- 5.10 **SNH** : no comment.
- 5.11 **Scottish Water** : no comment.
- 5.12 **Dunnet and Canisbay Community Council** : Objection, to the loss of the main car-park and the 'end-of-the-road' roundabout.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

Policy 28 - Sustainable Design

Policy 29 - Design Quality and Place-making

Policy 34 - Settlement Development Areas

Policy 36 - Development in the Wider Countryside

Policy 40 - Retail Development

Policy 41 - Business and Industrial Land

Policy 42 - Previously Used Land

Policy 43 - Tourism

Policy 44 - Tourist Accommodation

Policy 57 - Natural, Built and Cultural Heritage

Policy 64 - Flood Risk

Policy 65 - Waste Water Treatment

Policy 66 - Surface Water Drainage

6.2 **Caithness Local Plan 2002 (as continued in force):**

NB. This local plan is relevant only insofar as it continues in force post-adoption of the Highland-wide Local Development Plan. More information at: <http://www.legislation.gov.uk/ssi/2012/90/made>

7. **OTHER MATERIAL CONSIDERATIONS**

7.1 **Draft Development Plan**

n/a

7.2 **Highland Council Supplementary Planning Policy Guidance**

Access to Single Houses and Small Housing Developments (May 2011)

Developer Contributions (March 2013)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Managing Waste in New Developments (March 2013)

Sustainable Design Guide (Jan 2013)

7.3 **Scottish Government Planning Policy and Guidance**

PAN 83 Masterplanning

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**

This proposal is for a schematic masterplan of the wider John O'Groats tourism site; no detail has been shown for any of the phased areas, merely indicative blocking to allow each to be designed in detail at a later stage. A Design Guide has been submitted along with the plan, which allows for more indicative themes to be expanded for each of the six zoned areas.

JOG2/Natural Retreats first became involved with John O'Groats in 2009, since when they have overseen investment of £7.5m into the site which has regenerated and extended the dilapidated hotel into apartments, developed 23 luxury chalets and opened the Storehouse café and Outfitters shop. The wider site is in a complex array of ownerships, with the main car-park, roundabout and western foreshore being leased from Highland Council.

The six proposed zones are as follows:

Zone 1: is the foreshore area, including the re-designed 'end-of-the-road', the existing 'Last House' and a potential new visitor centre; the latter should be designed to have a minimal impact on the setting of the (already extended) Last House, which is one of the oldest original buildings in the area. Enhanced landscaping and pathways are key to the revitalisation of this zone. The re-designed 'end-of-the-road' is one of the key aspects of the whole proposal, being a vital element of the visitor experience and pivotal to the iconic nature of the site; this element, which includes coach drop-off and disabled parking, needs particularly sensitive consideration.

Zone 2: is the central core area which includes the existing car-park as well as the craft village. The proposal is to maintain a central car-park with some new buildings around it to create a new 'market square', with an open link to the foreshore and a link through to the existing craft village. The scale of this car-park will be a key issue to the overall proposal, to ensure that adequate provision is maintained in the heart of the site. The proposed new buildings should also be scaled back to ensure that they are not blocking-out visibility of the existing craft village; the scale of the buildings should also not exceed 1.5-storey in height.

Zone 3: is the existing chalets site, reduced to remove the four eastern units. This zone is just proposing enhanced landscaping and planting.

Zone 4: is the central eastern zone, facing onto the A99, which is proposed for small business units; the scale and design of commercial buildings on this site will be a key issue to reduce visual/landscape impacts. This zone also includes three further areas of public car-parking.

Zone 5: maintains a large section of the existing southern field as an 'events field' for community use, with the potential for a focus 'pavillion' building as well as a walled-garden and greenhouses. A large parking area is included which will include the coach-parking; this is approximately 200m from the existing coach-park.

Zone 6: is a strip of residential development along the A836. This should be designed to reflect the scale and spacing of the existing houses opposite, to ensure compliance with the established development pattern and character of the village.

General issues:

a) schematic nature of the plan: the plan is deliberately vague with regard to proposed buildings, open spaces and car-parks. This does not give the Applicant a free-reign to develop as they wish, but rather leaves all the detailed design development to the subsequent applications for each phase/zone, every one of which shall be subject to intensive consultation and scrutiny.

b) Its worth noting the intended pedestrian connectivity through the site, from the seafront into the centre of John O'Groats village. Should someone not be driving or cycling to the frontage, they would currently walk down the pavement by the side of the A99. The proposal takes a pathway through all six zones of the proposal to create better linkage and pedestrian access.

8.4 Material Considerations

- Loss of main car-park which is vital for visitors.

This, along with the perceived loss of the end-of-the-road roundabout, are the two key issues raised by most of the representations. The issue of adequate car-parking is viewed as absolutely key to the re-development of John O’Groats, and the Applicant has accepted this community view in their amended plan. Transport Planning have required a strategic Transport Assessment which relates to parking, access, and public transport needs for the existing situation and projected requirements. This will be a key requirement in future detailed applications to justify the re-arrangement of parking and road layouts. It is accepted that the scale, design and dominant nature of the existing car-park is not viewed as a positive environmental contributor to the site, and this can certainly be improved-upon.

- Loss of ‘end-of-the-road’ roundabout which is an iconic feature and essential for visitor drop-off and coach-turning.

This is accepted as a key element for the success of the overall site, and will be a central element for consideration in any detailed proposals for Zone 1. The existing situation, while it is perfectly functional, is low in design quality and fails to live up to expectations for its iconic nature. An enhancement of this element will be welcomed, but this must still maintain its practical uses as a coach turning-point/drop-off as well as disabled parking.

- Loss of coach-parking.

This is to be eventually re-located 200m to the south, while still maintaining a drop-off point within Zone 1.

- Restricted access to harbour.

Access to and use of the harbour will remain unchanged, as the harbour and its access road are not included within the red-line site boundary.

- Large-scale development is inappropriate for this site; over-development of area.

As a major tourist attraction/destination, John O’Groats is considered to be capable of re-development to a scale that will help to develop its sustainable economic future. Key to any proposals will be their scale, design and visual/landscape impacts, which will require to be appropriate for the character of the area and its iconic nature/function.

- Impact on historic significance/buildings.

Two original buildings remain on the site, that at the ‘Last House’ and the Lighthouse Store next to the woollen-shop; the setting of these should be carefully considered by any proposals. This will be assessed in future as further detailed proposals are submitted.

- Impact on character of area and natural environment.

The importance of the site and its iconic nature will require the highest levels of building and landscape design, to ensure that the character of the area and its natural environment are not compromised but are enhanced by any of the subsequent detailed proposals.

- Site includes building/land that is not owned by Applicant.

The buildings within the craft village are included within the overall site area as it would be impractical to exclude them from the overall site-planning considerations. In terms of the planning assessment of this application, any new development/layout will be required to enhance the existing buildings/businesses; the Applicant would be unable to alter/develop on buildings/land not in their ownership.

- Impact on visibility, servicing and viability of existing commercial units.

This is a valid concern, given the indicative layout for the new market square; the detailed proposals for this site will require to ensure that new development does not obscure any of the existing units. It's worth noting that existing units 1-3 do effectively block visibility of units 4-8 in the rear square to prospective customers, but a clear route is signified through to them by the canopied feature.

- Proximity of Zone 6 housing, safety of accesses.

The development within Zone 6 will be viewed as distinct from the larger tourism development in Zones 1-5, with a direct relationship to the existing John O'Groats development that borders the south side of the A836. This being the case, any detailed proposals for development within this zone will be required to reflect the scale, spacing and character of existing development opposite. New vehicular accesses onto the A836 will be subject to consultation with Transport Planning and compliance with Council standards.

- Scale of proposed buildings.

The scale of all buildings within this proposal will be carefully considered at the detailed application stage for their visual and landscape impacts, to ensure that the overall/cumulative impacts arising from the proposal are not seen as overly prominent/incongruous within the character of the John O'Groats community area.

8.5 Other Considerations – not material

- John O'Groats is a ghost-town from October to April, how is this development justifiable/sustainable?
- There is a lack of promotion and funding for the existing businesses on the site.
- Is the Council's 99-yr lease of the car-park site legal?
- There is no need for this proposal as the existing commercial units on the site are empty.
- The over-commercialisation of this site is inappropriate for John O'Groats.
- Parking should remain free.
- Will the harbour ownership and its usage rights remain unchanged?
- What happens to the existing shops/units and their leases?

8.6 Matters to be secured by Section 75 Agreement

n/a

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. The amended plan/design guide have removed the detailed layout of new buildings and retained the main car-park (with a slightly reduced area) and 'end-of-the-road' turning area. The schematic outline masterplan, with its indicative zoning, is considered to be acceptable in principle; each zone will however require further detailed applications to be submitted for full consultation and assessment.

10. RECOMMENDATION

Action required before decision issued N

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

1. No development shall commence within a zone (as identified in the approved masterplan), or relating to a *zone*, until all of the matters specified below, as they relate to or are relied upon by that zone/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. 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;
 - v. details of the proposed water supply and drainage arrangements;
 - vi. details of external lighting; and
 - v.i.i details of outdoor access

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

2. Any details pursuant to Condition 1 shall include a strategic Transport Assessment (TA) covering the site hereby approved. The TA shall set-out a comprehensive assessment for the transport and parking needs of the overall site, existing and proposed, . The TA shall be prepared in accordance with the requirements of the Transport Scotland document - Transport Assessment Guidance and the Council's Guidance on the Preparation of Transport Assessments (copy attached). Prior to its preparation, the detailed scope of the TA shall be agreed with the Council's Transport Planning team. Thereafter, development shall progress in accordance with the approved details and timescales unless agreed otherwise in writing with the Planning Authority,

Reason : To ensure that an adequate level of access and parking is timeously provided for the development; in the interests of road safety and amenity.

3. Any details pursuant to Condition 1 shall include a sustainability statement detailing commitments to reducing energy consumption and waste disposal within the application site. Matters to be considered within the statement shall include:

- i. the use of "grey water" recycling for toilet flushing, vehicle washing and similar uses;
- ii. the use of renewable energy technologies and wood fuel where possible;
- iii. heat recycling and ventilation;
- iv. measures for energy efficiency; and
- v. materials minimisation, composting and recycling.

Thereafter, the development shall incorporate the approved sustainability commitments and these shall be implemented prior to the first occupation of the development unless agreed otherwise in writing with the Planning Authority,

Reason : To ensure that the development utilises sustainable building, infrastructure and services methodologies and reflects the principles of the Council's designing for sustainability guidance.

4. Any details pursuant to Condition 1 shall include a scheme of hard and soft landscaping works within the application site . Details of the scheme shall include:

- i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
- ii. A plan showing existing landscaping features and vegetation to be retained;
- iii. The location and design, including materials, of any existing or proposed walls, fences and gates;
- iv. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and
- v. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

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.

5. Any details pursuant to Condition 1 shall include a scheme to deal with potential contamination at the former petrol station within the application site. 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 within the application site 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.

6. Any details pursuant to Condition 1 shall include full details of any external lighting to be used within the application site and/or along its boundaries and/or access.. 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 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'.

7 Any details pursuant to Condition 1 shall include scheme for the storage of refuse and recycling within the application site. 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.

8 Any details pursuant to Condition 1 shall include a comprehensive Drainage Master Plan covering the site hereby approved with full details of all surface water drainage provision within the application site. This shall accord with the principles of Sustainable Urban Drainage Systems (SUDS), incorporating a Drainage Impact Assessment (DIA) and be designed to the standards outlined in Sewers for Scotland Second Edition, or any superseding guidance prevailing at the time, including The SUDS Manual (C697)). Thereafter, only the approved details shall be implemented and all surface water drainage provision, as it relates to, or is relied upon by, an individual phase, shall be completed prior to the first occupation of any of the development within that phase. The DIA shall ensure that post development runoff rate is no greater than pre-development runoff rate (i.e. greenfield runoff) for all return periods up to the 1:200 year event (Including allowance for Climate Change).

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

9 For the avoidance of doubt, all foul drainage shall be connected to the public foul sewer prior to first occupation and maintained in perpetuity

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

10 Any details pursuant to Condition 1 shall include a detailed Outdoor Access Plan of public access across the application site (as existing, during construction and following completion, 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.

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 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 and 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.198), 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 and 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>

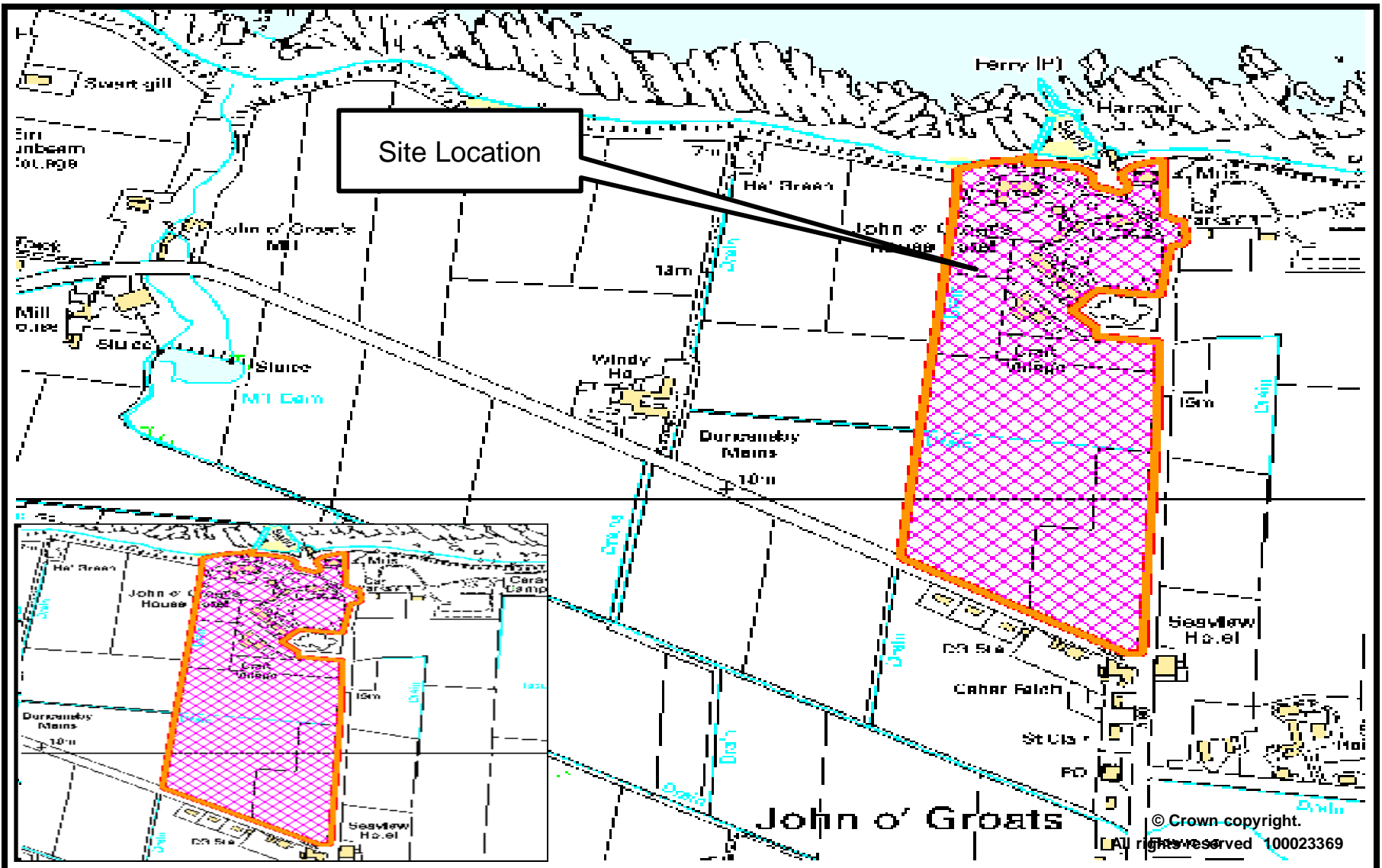
Application forms and guidance notes for access-related consents can be downloaded from:

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

Mud and 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.

Signature: Dafydd Jones
Designation: Area Planning Manager North
Author: Norman Brockie
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Masterplan Block Plan
Plan 2 – Design Guide, version 3



The Highland Council
Comhairle na Gàidhealtachd

Planning and Development Service

Case No: 14/01808/PIP
Permission in principle for mixed use development masterplan including residential and commercial

9th June 2015





Redesigned End of Road and Public Realm to include coach drop off, disabled parking & harbour access

Existing car park
Approx 30 spaces




Market Square

Existing ferry car park
Approx 80 spaces

Park and Play Area

Walled Market Garden

Events Field

-  Proposed building areas
-  Public open spaces
-  Car parking