

**The Highland Council**

**South Planning Applications Committee  
10 November 2015**

Agenda Item	7.8
Report No	PLS/084/15

**15/02422/PIP: The Highland Council  
Land South Of Golf View Terrace, Torvean, Inverness**

**Report by Head of Planning and Building Standards**

**Summary**

**Description:** Erection of 160 homes

**Recommendation: Grant Planning Permission in Principle**

**Wards:** 14 – Inverness West

**Development category:** Major

**Pre-determination hearing:** None

**Reason referred to Committee:** Major Application

**1.0 Proposed Development**

- 1.1 This application relates to the delivery of 160 homes, a combination of houses and flats, and supporting infrastructure, at Torvean, Inverness.
- 1.2 To access the site, traffic will likely travel from the A82 onto General Booth Road where the site access is proposed. A shared use path will link into the site from the reconfigured Torvean Golf Course.
- 1.3 The applicant anticipates that project will be delivered on a phased basis with the earthworks and site access being formed (subject to a separate detailed planning application).
- 1.4 Information submitted in support of the application includes:
  - Drainage Impact Assessment
  - Flood Risk Assessment
  - Design Statement
  - Transport Assessment
  - Pre-Application Consultation report

## 2.0 Site Description

- 2.1 The site is currently agricultural land used for grazing. Residential development is located to the north of the site, the existing Torvean Golf Course is located to the east of the site and the land to the south and west of the site is, at present, predominantly in agricultural use. The re-configured Torvean Golf Course, will wrap around the west, south and east of the site.
- 2.2 The watercourse known as the Torvean Ditch runs through the north east of the site. It is understood that this discharges into a soakaway adjacent to the Caledonian Canal.
- 2.3 There are no natural or cultural heritage designations covering the site.
- 2.4 The development site is not covered by any international, national, regional or local landscape designations. The site lies within the *Rolling Farmland and Woodland* Landscape Character Type (LCTs) identified in the Inverness District Landscape Character Assessment (LCA) (SNH, 1999).
- 2.5 Within the application boundary, there are no sites of archaeological interest recorded in the Highland Historic Environment Record. However, investigations associated with this project and the Inverness West Link are ongoing.
- 2.6 Tomnahurich Cemetery, to the east of the proposed development, is listed in the National Inventory of Historic Gardens and Designed Landscapes. No listed buildings are located within the application boundary or are likely to be affected by the development.

## 3.0 PLANNING HISTORY/BACKGROUND

- 3.1 10.11.2015 Earthworks/Enabling Works including scrape/modelling of the site, removal of topsoil for use in forming adjacent new golf course, stockpiling, SUDS basin, culvert and access road formation (15/02423/FUL Application to be determined at SPAC on 10 November 2015).
- 02.04.2015 Proposal of Application Notice for Residential Development of 160 new houses (15/01283/PAN)
- 02.04.2015 Proposal of Application Notice for Groundworks associated with new housing & golf course (15/01286/PAN)

## 4.0 PUBLIC PARTICIPATION

- 4.1 Advertised: 10 July 2015 in the Inverness Courier.

Representation deadline: 24 July 2015

Timeous representations against:	3
Comments:	2
Representations in support:	0

Non-timeous representations 0  
against:

4.2 The following issues have been raised in objection to the application:

- Adverse impact on ecology;
- Impact on trees;
- Loss of greenspace;
- Construction impact including construction traffic and amenity;
- Traffic Impact on Golf View Road;
- Scale of housing next to properties on Golf View Road;
- Impact on flood risk;
- Development is too dense.

4.3 The following issues have been raised in general comments on the application:

- Design of development to be of a scale in keeping with the existing housing;
- Proximity and orientation of houses adjacent to Golf View Road;

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

## 5.0 CONSULTATIONS

5.1 Ballifeary Community Council: No response received.

5.2 Inverness West Community Council: No response received

5.3 Muirtown Community Council: No response received

5.4 Transport Planning Team has not objected to the application. Conditions are sought to secure the development as a 20mph zone, positioning of bus stops, active travel linkages, car and cycle parking standards, sustainable drainage, construction traffic management, and residential travel plan.

5.5 Historic Environment Team has not objected to the application. A condition is sought to secure a programme of work for the evaluation, preservation and recording of any archaeological and historic features on the site.

5.6 Access Officer has not objected to the application. A condition is sought to secure an Outdoor Access Management Plan.

5.7 Flood Team has not objected to the application. Conditions are sought to secure the final design of the culvert, final design of the SuDS, maintenance of the drainage system, and accommodation of flow rates of the drainage system to accommodate climate change.

- 5.8 Planning Gain Officer has not objected to the application. Conditions and a legal agreement are sought to secure planning obligations conforming with the requirements of the Torvean and Ness-side Development Brief.
- 5.9 Scottish Water has not responded to the application.
- 5.10 Scottish Environment Protection Agency (SEPA) has not objected to the application. SEPA have requested conditions, surface water drainage, foul drainage, pollution prevention and environmental management.
- 5.11 Transport Scotland (Trunk Roads and Bus Operations) has not objected to the application.

## **6.0 Development Plan Policy**

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

### Highland-wide Local Development Plan (April 2012)

- 6.2
- |           |   |
|-----------|---|
| Policy 1  | Completing the Unconstrained City Expansion Areas |
| Policy 28 | Sustainable Design                                |
| Policy 29 | Design Quality and Place-making                   |
| Policy 34 | Settlement Development Areas                      |
| Policy 56 | Travel  |
| Policy 57 | Natural, Built and Cultural Heritage              |
| Policy 58 | Protected Species                                 |
| Policy 59 | Other Important Species                           |
| Policy 60 | Other Important Habitats                          |
| Policy 61 | Landscape   |
| Policy 64 | Flood Risk  |
| Policy 65 | Waste Water Treatment                             |
| Policy 66 | Surface Water Drainage                            |
| Policy 74 | Green Networks                                    |
| Policy 75 | Open Space  |
| Policy 77 | Public Access                                     |
| Policy 78 | Long Distance Routes                              |

### Inner Moray Firth Local Development Plan (July 2015)

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

Inverness Local Plan (Adopted 2006, As Continued in Force 2012)

- 6.4 The provisions of the Inverness Local Plan have been superseded in relation to this application by the adoption of the Inner Moray Firth Local Plan.

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

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

Green Networks: Supplementary Guidance (January 2013)

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

Highland Historic Environment Strategy: Supplementary Guidance (March 2013)

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

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

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

Physical Constraints: Supplementary Guidance (March 2013)

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

Sustainable Design Guide: Supplementary Guidance (January 2013)

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

Open Space in New Residential Developments: Supplementary Guidance (January 2013)

- 6.11 This Supplementary Guidance reflects the policy advice given in Policy 75 Open Space of the Highland-wide Local Development Plan and seeks to secure, high quality, accessible and fit for purpose open space within new residential developments.

Torvean and Ness-side Development Brief (November 2013)

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

**7.0 Other Material Planning Policy**

Scottish Government Planning Policy and Guidance

- 7.1
- National Planning Framework 2
  - Scottish Planning Policy
  - Designing Places
  - Creating Places
  - PAN 60 – Planning for Natural Heritage
  - PAN 61 – Planning and Sustainable Urban Drainage Systems
  - PAN 65 – Planning and Open Space
  - PAN 69 – Planning and Building Standards Advice on Flooding
  - PAN 75 – Planning for Transport
  - PAN 1/2011 – Planning and Archaeology

**8.0 Planning Appraisal**

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

Determining Issues

- 8.2 The determining issues are:

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

Planning Considerations

- 8.3 Development Plan policy as set out in the Highland-wide Local Development Plan,

Inner Moray Firth Local Development Plan and the Torvean and Ness-side Development Brief with regard to the allocation of this site for development is clear. The key issue therefore is whether the scheme submitted provides an acceptable level of development and addresses the requirements set out within the development plan. In order to address the determining issues, the Committee must consider:

- a) Potential design and layout;
- b) Vehicular access and parking;
- c) Flood risk, drainage, and water;
- d) Landscaping and Open Space
- e) Natural and cultural heritage;
- f) Landscape and Visual Impact;
- g) Access and recreation;
- h) Amenity impact;
- i) Construction;
- j) any other material considerations.

#### Potential Design and Layout

- 8.4 The application is accompanied by an Outline Design Statement. This includes an indicative master plan for the development and a number of design principles which are intended to be taken forward. It is clear from this document that the analysis of the site and its context has largely led the design.
- 8.5 The indicative layout demonstrates the capacity of the site. The number of units is higher than that proposed through the Torvean and Ness-side Development Brief which identified the site for between 130 - 156 houses. The indicative master plan includes a higher density section at the heart of the development and lower density development around the edges where there will be views across the proposed golf course and where the development adjoins the existing Golf View Road development. Due to taking this approach, recognising the constraints and opportunities of the site, it is considered that the increased density would not represent over development of the site.
- 8.6 A “Designing Streets” approach to the indicative master plan has been adopted. A clear street hierarchy has been defined with a close relationship proposed between the buildings and the streets on the main streets, with more of a set back from the road on the secondary and tertiary streets. This will facilitate the creation of a sense of place and identify for the development. The matters pertinent to road layout, access and parking are considered further in sections 8.10 - 8.15 of this report.
- 8.7 The indicative layout considers the relationship with the adjacent housing and proposes adequate set backs to ensure privacy of the existing development is not affected. In addition, the Outline Design Statement seeks that the housing along the northern boundary is limited to one storey to protect the residential amenity of houses to the northern boundary. This mitigation can be secured by condition. As the design of the adjacent golf course is required, by planning condition, to ensure that the centreline of play of any hole must be 60m away from the golf course

boundary, it is not considered that the development of housing adjacent to the golf course would be conflicting.

- 8.8 Visualisations of how the houses might look have been submitted within the Outline Design Statement. These are not however for approval. The design of the houses will be subject to future applications. It is important that the design of houses is of a high quality befitting the location of this development at the western gateway into Inverness. The detailed design of the buildings, including scale, and materials within the development will be subject to condition and future applications for matters specified in conditions.
- 8.9 Overall, it is considered that the concept design and layout of the development is likely to achieve a development of high quality. It is recommended that the indicative master plan is approved as part of any planning permission in principle which may be granted. This is to ensure that any future matters specified in conditions application brought forward will accord with the indicative master plan and the associated design principles as set out in the Outline Design Statement.

#### Vehicular Access and Parking

- 8.10 The main access to the site will be from General Booth Road, with a secondary access from Golf View Road. The access from General Booth Road will also serve the reconfigured Torvean Golf Club.
- 8.11 The Transport Assessment assumes that the development will be completed by 2019/2020. The conclusions of the Transport Assessment state that the local junctions assessed will operate well under capacity following completion of this development. In addition it states no localised junction improvements, above those already proposed to access the development, are required.
- 8.12 The Torvean and Ness-side Development Brief indicates that development in this area should be limited until Stage 2 of the Inverness West Link (IWL) is built and operational, unless otherwise demonstrated that there is capacity in the existing network by a Transport Assessment. The development is coming forward in advance of the phasing anticipated by Development Brief. The Council has consistently maintained the view that development on the west side of the canal should await construction of the West Link. While the phasing of the development proposed is contrary to that contained within the Development Brief, given the results of the Transport Assessment it is considered that the development of this site can be permitted to be progressed with a condition restricting occupation until after completion of Stage 1 of the IWL. Neither Transport Planning nor Transport Scotland has objected to the application.
- 8.13 Representations have raised concerns over the increase in the level of traffic in this area as a result of this development. The Transport Assessment has shown that the day to day operation of the development will not significantly increase traffic in the area and there will be significant remaining capacity within the local and trunk road network.



- 8.14 The indicative master plan is considered to accord with Designing Streets principles. This includes a layout which appears to reduce the speed of traffic through the layout of roads and the positioning of buildings to create deflections in the street network. Following Designing Streets principles will help create a development which is safe and attractive for pedestrians and cyclists. While designed as a development where it would be difficult to travel in excess of 20mph, it is considered that the development should be a 20 mph zone throughout. This will require Traffic Regulation Orders and an appropriate level of signage and road markings. This should be undertaken at developers expense and can be secured by condition.
- 8.15 Car parking will be required to be provided in line with current THC Standards. The indicative master plan shows a mix of off street parking and parking courts. This mix of approach is welcomed as it helps to deliver a better relationship between buildings and street. Car parking can be secured by condition.
- 8.16 Covered cycle parking spaces should also be provided within the development. While not a particular issue within the areas of the development proposed to be houses, the areas of flatted development may require external secure cycle storage for residents and visitors. Again this can be secured by condition.

#### Flood risk, drainage, and water

- 8.17 The application has been supported by a Flood Risk Assessment and Drainage Impact Assessment. These take into consideration the changes to the site as a result of the development and of the Inverness West Link. Neither the Council's Flood Team nor SEPA has objected. SEPA accept that the development, including the re-profiling of ground levels to form the development site and the SUDS basin, will not result in an increase in flood risk elsewhere, beyond the wider golf course site where increases in flooding are to be accepted as part of the redevelopment works to enable the wider development brief for the area.
- 8.18 The development will be required to connect to the public water and waste water network by planning condition. This ensures that the proposal accords with Policy 65 of the Highland-wide Local Development Plan. The connection will however be dependent on spare capacity in the network at the time of application to Scottish Water for a network connection.
- 8.19 The development will be required to incorporate a sustainable drainage system (SuDS). The SuDS pond forms part of a separate application for the earthworks for the development. Further SuDS infrastructure may be required within the site, details of this can be secured by condition.
- 8.20 A drainage ditch, believed to be an underground un-piped culvert, runs through the site. SEPA had requested that a condition is attached to ensure that this is opened out into a water course to facilitate its flow. However, following the submission of further information SEPA are content that a larger culvert could be used within the site to ensure a larger flow of water could be accommodated, thus reducing the surface water flood risk in the area. This approach is considered appropriate, however the detail of the culvert will be secured by condition.

### Landscaping and Open Space

- 8.21 The site does not contain a significant mix of vegetation as it is currently in agricultural use. The indicative master plan shows limited open space. In terms of quantity, there is a lower level of open space than the quantity standards set out in the Open Space in New Residential Developments Supplementary Guidance. However, given the availability of access to the surrounding countryside, golf course, and play facilities this is considered acceptable. The concept of open space at the centre of the development is welcomed. It is considered that this should be designed as a flexible, multi-use space designed for social interaction and play. Details of the open space provision in the site, including arrangements for management and maintenance and delivery will be secured by condition.
- 8.22 It is considered that the landscaping within the site should be delivered to a high quality both in terms of hard and soft landscaping to enhance the character and setting of this development. The use of trees in front gardens is welcomed, however further detail on the management and maintenance of these will be required. The boundary treatments around the development should reflect the character of the existing site and the wider area. As such the use of hedging and natural stone walls will be most suitable. The detailing of landscaping and boundary treatments can be secured by condition.

### Natural and Cultural Heritage

- 8.23 During the surveys of the wider area for the development of the Torvean Golf Course, protected species surveys were undertaken. These identified limited species on the site. With that said, it is appropriate to ensure pre-commencement protected species survey are undertaken and any subsequent mitigation implemented.
- 8.24 The application lies within an area where important prehistoric and historic remains have been identified in the past and there is potential for further finds as a result of this development. A programme of work for the evaluation, preservation and recording of any archaeological and historic features can be secured by condition.

### Landscape and Visual Impact

- 8.25 As with any development, the proposal will have a physical impact on the landscape. At present the landscape in which the development sits is classed as Rolling Farmland and Woodland and Suburban Fringe Landscape Character Types. It is likely that the increase in development would change the entire site to the Suburban Fringe subtype. While there is a likely change in the landscape character type it is not considered that this would be out of keeping with the landscape of the wider area, which will not be adversely affected.
- 8.26 The magnitude of visual change as a result of this development is unlikely to be significant due to the presence of housing in this area already. However the use of appropriate boundary treatment and material palette will be key to the visual

integration of the site into the surrounding area. These will be secured by condition and will form part of any future matters specified in conditions application.

#### Access and Recreation

- 8.27 There are a number of paths running through this area, and further paths are proposed to connect into this site as part of the Torvean Golf Course development. These linkages will be important to ensure the site is accessible by active travel. As such any future matters specified in conditions applications must be informed by a suitable Outdoor Access Management Plan, Active Travel Plan and make appropriate linkages into the existing and proposed path network of the area.

#### Amenity impact

- 8.28 Concerns have been raised as to the impact of construction on residential amenity. Developers have to comply with reasonable operational practices with regard to construction noise so as not to cause nuisance, which is then tackled via the Council's Environmental Health services under Section 60 of the Control of Pollution Act 1974 which can set restrictions in terms of hours of operation, plant and equipment used and noise levels etc. Should the application be granted, an informative will be set out to invite the developer to discuss the construction noise with relevant Council officers.
- 8.29 Street lighting will be required in the development. In this edge of city location, a balance needs to be struck to ensure the development does not have an adverse impact on the amenity of sensitive receptors and avoids sky glow as much as practicably possible. A scheme for street lighting supported by a street lighting strategy can be secured by condition.

#### Construction and Phasing

- 8.30 The information which supports the application anticipated that the development will be completed by 2019 / 2020. No information is provided on Phasing. However it is anticipated that given the scale of development the development will be phased rather than built out all at once. Therefore a phasing plan will be secured by condition to give certainty to the Planning Authority over the anticipated level of development proposed in particular timescales to ensure that the appropriate level of mitigation is delivered at the appropriate time. The phasing must be set out within the context of the master plan for this site and the rest of the Torvean and Ness-side Development Brief area.
- 8.31 While construction of the residential elements of the development are not anticipated to start imminently, the earthworks, access road and SuDS basin associated with the development is likely to commence in 2016 subject to planning permission being granted.

#### Other Material Considerations

- 8.32 The Torvean and Ness-side Development Brief contains a developer contributions protocol to secure the necessary level of infrastructure support the development of

this site and others within the development brief area. This includes 25% affordable housing, which will be delivered on site. The planning gain negotiator has indicated that contributions, in line with the protocol should be secured by the implementation of a planning obligation. This is in the process of being drafted by Legal Services.

- 8.33 If granted, this will be the first development site permitted within the Torvean and Ness-side Development Brief area. Therefore it is essential that the full suite of obligations, as required to support the development, is secured and obtained over the lifetime of the development.

## **9.0 Conclusion**

- 9.1 As this application is for planning permission in principle only, the detail of the development will come forward through further planning applications. However, the indicative master plan gives a clear indication of the level and type of development which can be accommodated on this site.

- 9.2 The proposal provides an opportunity for the delivery of a housing development, on an allocated site. The development of this site will facilitate the consolidation of the City in line with strategy for Inverness as set out in the Highland-wide Local Development Plan and help meet the housing need and demand in the City. The location of the development and the approach taken to date is consistent with the approved Torvean and Ness-side Development Brief, which forms part of the statutory Development Plan for the area.

- 9.3 All relevant matters have been taken into account when appraising these matters specified in conditions. It is considered that overall the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

## **10.0 Recommendation**

- 10.1 It is recommended that:

- 10.1a subject to the conclusion of a planning obligation to secure:

- 25% affordable housing
- Education contribution to primary and secondary provision
- Contribution to Inverness West Link Road
- Provision of new and relocated bus stops
- Contribution to Sports Hub
- Contribution to public art

- 10.1b that **planning permission in principle be granted** subject to the following conditions and reasons:

1. For the avoidance of doubt, Planning in Permission in Principle is hereby granted for a maximum of 160 residential units, open space and landscaping, including, and site infrastructure in accordance with the approved Indicative Master Plan. The development shall be undertaken sequentially, in accordance with the agreed

Phasing Plan required by condition 2 of this permission or in Sub-Phases as may be approved in writing by the Planning Authority. A Sub-Phase means any part of any Phase of Development the subject of an Approval of Matters Specified in Conditions issued by the Council following an application in that behalf, or otherwise subject of any equivalent planning approval following an application in that behalf.

Reason: In order to clarify the terms of the permission and to ensure that the overall layout and design is satisfactory for the site.

2. 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 the 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.

3. No development shall commence within each Phase, or sub-Phase, until an application, or applications, for the approval of matters specified in conditions as they relate to or are relied upon by that Phase or sub-Phase has been submitted to and approved by the Planning Authority in respect of the following matters, insofar as they relate to the details of the proposed development taking full account of the approved Indicative Master Plan:-
  - a) a detailed Master Plan and Design Code using the principles set out in the Outline Design Statement;
  - b) the siting, design and external appearance of all buildings and other structures with no buildings on the site exceeding two storeys in height and no buildings adjacent to the northern boundary of the site exceeding one storey;
  - c) details of sustainable design considerations including possible use of solar gain design, solar energy use, grey water recycling and rain water harvesting, external lighting to minimise sky glow, and energy conservation generally;
  - d) the layout of the site in line with Designing Streets principles;
  - e) the means of access to the site including connections to General Booth Road and Golf View Road for all modes of transport;
  - f) road layout including the road hierarchy, junction layouts and design with projected traffic figures supported by traffic modelling, junction visibility requirements, vehicle tracking at junctions and standard radii, details of any bus routes and relocated bus stops on General Booth Road, details of provision for cyclists and pedestrians including carriageway crossings, provision for disabled users, details of safer routes to school;
  - g) the provision of car parking including in-curtilage parking, communal parking areas, parking courts and on-street parking;
  - h) the provision of cycle parking including resident parking in houses and communal cycle parking at flats and external visitor cycle parking at flats;
  - i) public transport provision including new and extended bus services;

- j) the provision of public open space, including allotments in accordance with the Highland Council's Open Space in New Residential Development Supplementary Guidance (or any superseding guidance prevailing at the time of submission);
- k) details of public art provision in accordance with the Highland Council's Public Art Strategy Supplementary Guidance (or any superseding guidance prevailing at the time of submission);
- l) details of management and maintenance arrangements of the areas identified in (g), (h), (j) and (k) above;
- n) details of all boundary treatments within the development. For the avoidance of doubt these should be formed with timber fences, beech hedging or natural stone walling;
- o) means of dealing with domestic waste in accordance with the Highland Council's 'Managing Waste in New Developments' Supplementary Guidance' (or any superseding guidance prevailing at the time of submission) including provision of communal composting and recycling facilities;
- p) details of existing trees, shrubs and hedgerows to be retained;
- q) details of all proposed trees, shrubs, hard and soft landscaping to be included within the development site;
- r) details of existing and proposed site levels with fall direction arrows; and
- s) details of finished floor levels;
- t) Sections through the site encompassing the 'overflow channel' to the west and south in relation to the development;
- u) detailed designs (including sections and elevations) of the proposed culvert, inlet (overflow), outlet headwalls to the receiving watercourse and diversion channel all in accordance with Sewers for Scotland 2, accounting for a 20% increase in flows as a result of climate change;
- v) details of management and maintenance arrangements of the drainage infrastructure identified in (u) above;

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

4. Any details pursuant to Condition 3 above shall ensure the SuDS basin is constructed such that its storage capacity is not compromised by potential flooding from the East Torvean Ditch, or pluvial ponding within the Golf Course and is able to receive the 1:200 year storm water runoff from the development site.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing within each phase and to ensure that all flood mitigation infrastructure, required in order to reduce the risk of flooding occurring both within and out with the application site, is provided timeously.

5. Any details pursuant to Condition 3 above shall be informed by final drainage design and supporting calculations for the network, flow control chamber, SUDS pond and filter trenches.

Reason: Planning permission is granted in principle only and these specified

matters must be approved prior to development commencing within each phase and 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.

6. No part of the development shall be occupied until Traffic Regulations Order(s), limiting the speed of traffic to no more than 20mph, have been submitted to and approved in writing by the Roads Authority. For the avoidance of doubt any Traffic Regulation Order(s) and any required signage and road markings shall be at the expense of the developer.

Reason: In the interests of safety of all road users in the residential development.

7. No development shall commence within each Phase or sub-Phase until pre-commencement surveys to locate the presence of any protected species have been undertaken and copies submitted to both the Planning Authority and SNH. Should any of these species be found within or adjacent to an area likely to be affected by construction activities, appropriate mitigation measures shall be put in place by the developer prior to development commencing and be maintained for the duration of development, details of which shall first be submitted to, and approved in writing by, the Planning Authority in consultation with Scottish Natural Heritage

Reason: To protect and enhance nature conservation from construction activities.

8. No development shall commence on a particular Phase, or sub-Phase until full details of surface water drainage provision within the relevant Phase or sub-Phase (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Second Edition, or any superseding guidance prevailing at the time) have been submitted to, and approved in writing by, the Planning Authority. Thereafter, only the approved details shall be implemented and all surface water drainage provision for the relevant phase or sub-phase shall be completed prior to the final occupation of the relevant phase or sub-phase.

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

9. All Phases of the development shall be connected to the public waste water system and the public water supply.

Reason: In the interests of public health, to protect and enhance the natural environment, protect the water environment and prevent pollution.

10. Notwithstanding the provisions of Article 3 and Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), no development shall take place within 10m of the Torvean Ditch without planning permission being granted on application to the Planning Authority.

Reason: To ensure that development which is normally permissible without the need for a planning application is carefully managed and does not encroach onto riparian buffer strips. Such buffer strips are required a) for the maintenance of watercourses within and adjacent to the application site, b) to account for natural watercourse migration, and c) in order to safeguard property from flood risk.

11. No development shall commence within each Phase or sub-Phase until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by the Planning Authority for that particular Phase or sub-Phase. 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 the 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.

12. Before the first occupation of each Phase, or sub-Phase, a scheme for the maintenance in perpetuity of all on-site green spaces and/or woodland and/or sports facilities, features or parts of the development that are not the exclusive property of any identifiable individual house owner such as communal parking areas, the common entrances to flatted developments and estate lighting, and those elements of surface water drainage regimes not maintained either by the Highland Council or Scottish Water for that Phase or sub-Phase, shall be submitted to and agreed in writing by the planning Authority. The agreed scheme, which shall accord with the Highland Council's adopted standards contained within 'Open Space in Residential Development', shall be implemented thereafter to the satisfaction of the planning authority.

Reason: In the interests of amenity and to ensure that open space and recreational facilities are maintained in accordance with the Council's standards.



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

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

14. Any details pursuant to condition 3 above shall show car parking spaces provided and formed in accordance with The Highland Council's Roads and Transportation Guidelines for New Developments prior to first occupation of the dwellinghouse to which it relates, thereafter being maintained for this use in perpetuity.

Reason: In order to ensure that the level of car parking is adequate.

15. Any details pursuant to condition 3 above shall show secure, covered cycle parking provided formed in accordance with The Highland Council's Roads and Transportation Guidelines for New Developments prior to first occupation of the dwellinghouse to which it relates, thereafter being maintained for this use in perpetuity.

Reason: In order to ensure that the level of cycle parking is adequate.

16. No development shall commence until a detailed Outdoor Access Plan of public access across the site (as existing, during construction and following completion) has been submitted to, and approved in writing by, the Planning Authority. 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 during the construction phase of the development.

17. The Great Glen Way Long Distance Footpath running to the north of the site shall remain accessible and free from obstruction throughout the construction phase of the development.

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

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

- i. An updated Schedule of Mitigation (SM) drawing together all approved mitigation proposed in support of the application and other agreed mitigation (including that required by agencies and relevant planning conditions attached to this permission);
- ii. Change control procedures to manage/action changes from the approved SM, CEMD and Construction Environmental Management Plans;
- iii. Construction Environmental Management Plans (CEMPs) for the construction phase, covering:
  - a. Habitat and Species Protection;
  - b. Pollution Prevention and Control;
  - c. Dust Management;
  - d. Noise and Vibration Mitigation;
  - e. Site Waste Management;
  - f. Surface and Ground Water Management;
    - i. Drainage and sediment management measures from all construction areas including access track improvements; and
    - ii. Mechanisms to ensure that construction will not take place during periods of high flow or high rainfall.
  - g. Water Course Management;
  - h. Emergency Response Plans;
    - i. Measures to be taken when stockpiling soils to control runoff from the stripped ground and
    - ii. Methods of removing stockpiles and measures to be taken to protect local watercourses from run-off;
  - i. Other relevant environmental management as may be relevant to the development.

- iv. Post-construction restoration and reinstatement of temporary working areas and, compounds;
- v. Details for the appointment, at the developer's expense, of a suitably qualified Environmental Clerk of Works (ECoW), including roles and responsibilities and any specific accountabilities required by conditions attached to this permission;
- vi. A statement of responsibility to 'stop the job/activity' if a breach or potential breach of mitigation or legislation occurs; and
- vii. Methods for monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority and other relevant parties.

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

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

19. No development shall commence on site until a construction phase Traffic Management Plan (including a routing plan for construction vehicles) has been submitted to, and approved in writing by, the Planning Authority. The approved traffic management plan shall be implemented prior to development commencing and remain in place until the development is complete. For the avoidance of doubt no construction traffic may access the site via Golf View Road.

Reason: In the interests of road safety.

20. No development shall commence until a Travel Plan, which sets out proposals for reducing dependency on the private car, has been submitted to, and approved in writing by, the Planning Authority. The Travel Plan shall include:
  - i. Measures for extending and/or increasing the active travel opportunities in the area;
  - ii. Details for the management, monitoring, review and reporting of these measures; and
  - iii. Details of the duration of the Travel Plan.

The approved Travel Plan shall thereafter be implemented from the date of first occupation of any part of the development.

Reason: In order to reduce dependency on the private car and to encourage greater use of active travel.

21. No development shall commence until full details of any street lighting system to be used within the site has been submitted to, and approved in writing by, the

Planning Authority. Such details include a Street Lighting Strategy which includes 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 out with the intended areas of lighting. 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'.

22. No part of the development shall be occupied until Stage 1 of the Inverness West Link (Dores Road Roundabout to Queens Park Roundabout) has been completed and is operational.

Reason: In order to ensure free flow of traffic on the local and strategic road network prior to completion of strategic improvements to the road network.

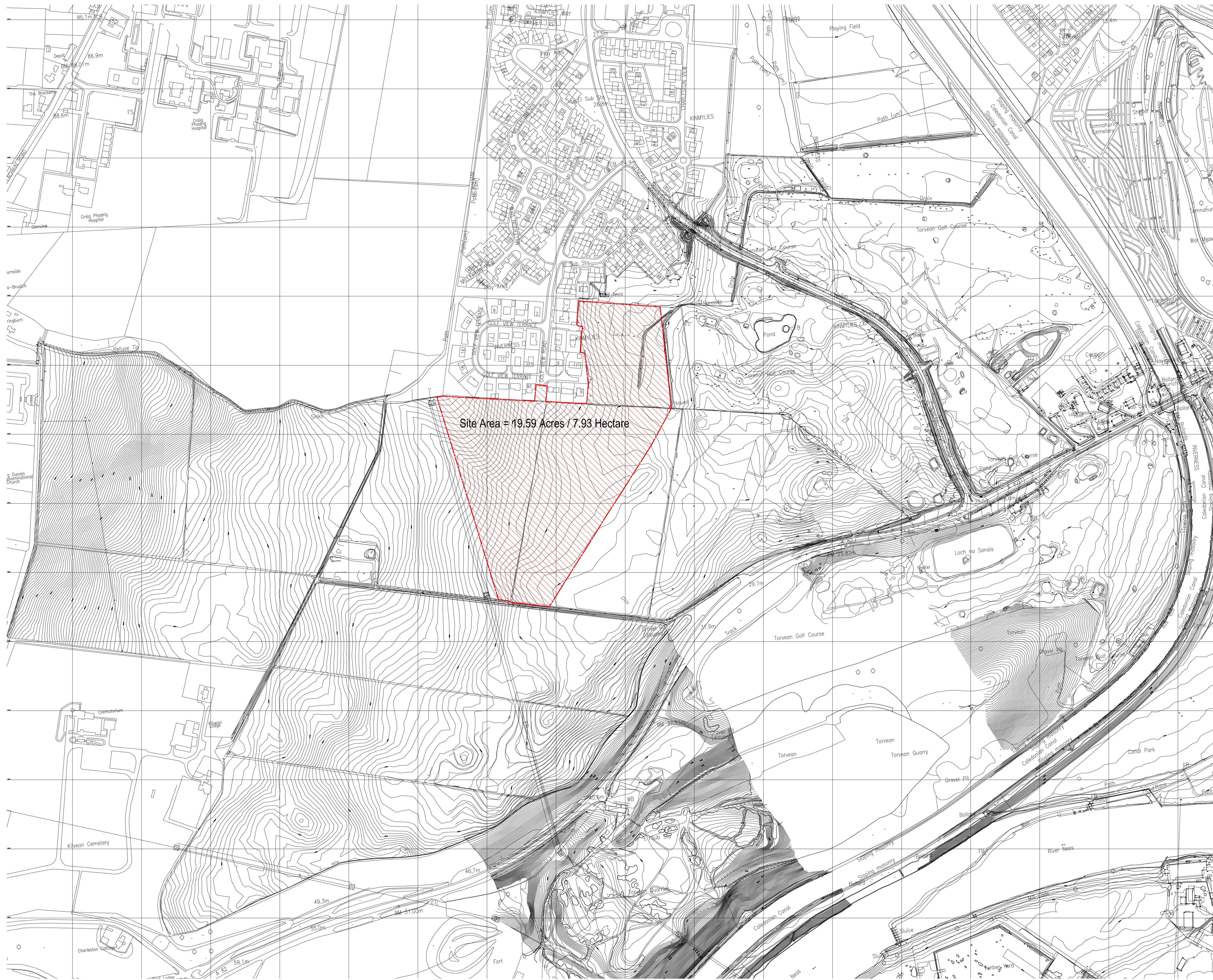
Designation: Head of Planning and Building Standards

Author: Simon Hindson

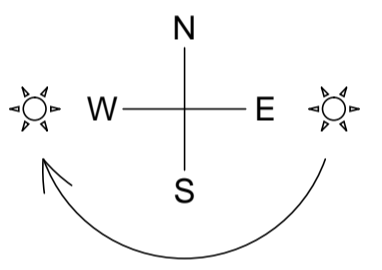
Background Papers: Documents referred to in report and in case file.

Relevant Plans:

<u>Drawing No.</u>	<u>Title</u>
AL(0)001	Location Plan
AL(0)01 Rev P	Indicative Master Plan



Site Area = 19.59 Acres / 7.93 Hectare

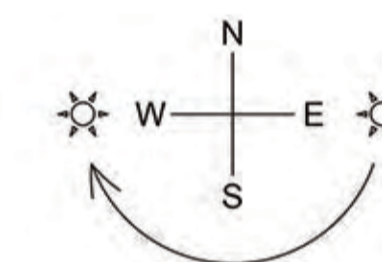
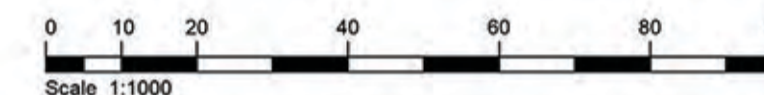


Application Site  
19.59 Acres / 7.93 Hectare

Rev	Date	Details	Drawn	Checked
Issued for:				
<b>PLANNING</b>				
Project/Client:		Project No:		
TORVEAN HOUSING		130038		
INVERNESS		Dwg No:		
		AL(0)001		
Rev:		-		
Drawing:		Scale:		
HOUSING DEVELOPMENT		1:2,500 @A1		
LOCATION PLAN		Drawn By:      Date:		
		Checked By:      Date:		

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P | JUNE 15 | ISSUED FOR PLANNING | A, H | GD

Rev.	Date	Details	Drawn	Checked

Issued for: **PLANNING**

Project/Client: <b>TORVEAN HOUSING INVERNESS</b>	Project No: <b>130038</b>
	Dwg No: <b>AL(0)01</b>
	Rev: <b>P</b>

Drawing: <b>SITE LAYOUT PLAN</b>	Scale: <b>1:1000 @A1</b>
Drawn By:	Date:

Checked By:	Date:
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