

THE HIGHLAND COUNCIL

SOUTH PLANNING APPLICATIONS COMMITTEE
28 June 2016

Agenda Item	6.2
Report No	PLS 041/16

15/03626/FUL: Castle Stuart Golf LLP

Site 240m North of Castle Stuart, Auld Petty, Dalcross, Inverness

Report by Area Planning Manager – South/Major Developments

SUMMARY

Description: Construction of 2nd Championship Golf Course at Castle Stuart.

Recommendation: GRANT

Ward: 18-Culloden and Ardersier

Development category: Major Development

Pre-determination hearing: Not required

Reason referred to Committee: Major Application

1. PROPOSED DEVELOPMENT

- 1.1 The proposal is for the construction of a second 18 hole championship Golf Course at Castle Stuart including all access, drainage, earthworks shaping and irrigation systems required. The golf course development will be similar in size and scale to the existing championship course and will involve earth moving and shaping and the formation of bunds particularly adjacent to course boundaries with Castle Stuart Bay and the Inner Moray Firth. In addition, the existing Lonnie Burn will be diverted and a new pond for irrigation purposes will also be formed. The form of the course will be similar to the existing course in terms of vegetation and layout and employ many of the construction techniques learnt from the processes involved in the development of the first course.

The construction of the course will be undertaken over a period of 2 years and will be developed as a links course with initial development involving the construction of protection measures around all sensitive areas and creating an artificial dune ridge bund on the north western boundary of Castle Stuart. Elsewhere within the site, the course itself will be constructed involving cut and fill as necessary to create the tees, greens, fairways and bunkers followed by a comprehensive planting schedule incorporating predominantly locally sourced plants and grasses.

Vehicular access will be taken from the B9039 utilising the existing main access to serve both courses with the Clubhouse being focal to each course. Further internal

access tracks will link the existing buildings at Scottack and Lonnie.

- 1.2 The proposal was the subject of the Council's pre application consultation process for Major Developments in April 2015 where general support for the principal and scope of the development was given. In addition, the proposal was both the subject of a Screening and Scoping Opinion from which, in terms of the EIA Regulations 2011, the need for an Environmental Impact Assessment was identified. The specific issues to be considered related to the potential significant impact the development could have on the Inner Moray Firth SSSI/SPA and Ramsar designation of Castle Stuart Bay, each in respect of the impact on the qualifying bird species and particularly over wintering birds.

Prior to submission, in accordance with the requirements of a Major category of development, a Pre Application Notice was submitted in March 2015. A public consultation exercise was undertaken in June 2015 at Ardersier and this was followed by a presentation to Ardersier Community Council in July. Appropriate public advertisements were placed in local newspapers.

- 1.3 The application includes the following supporting documents:

- EIA Technical Statement
- EIA non Technical Statement
- Design and Access Statement
- Pre Application Consultation Report and Appendices
- Planning Support Statement
- Planning Design Statement
- Flood Risk Assessment
- Drainage Impact Assessment
- Water Abstraction Strategy
- Arboricultural Impact Assessment

- 1.4 The application was assessed in the context of the Town and Country Planning (Environmental Impact Assessment (Scotland)) Regulations 2011 and as with the 2005 planning application, EIA was deemed necessary given the 'likely adverse impact of the development on the qualifying species'.

The EIA includes detailed analysis of the following matters:

- Archaeology
- Ecology
- Ornithology – coastal and terrestrial habitats
- Landscape and visual amenity
- Drainage
- Water Abstraction
- Flood Risk
- Transport and Traffic

Each has been assessed together with suggested appropriate measures of mitigation.

2. SITE DESCRIPTION

- 2.1 The site is located 550m to the north east of Lonnie Farm, Dalcross and lies immediately to the south of the existing 'paired' development of Castle Stuart Golf Course, clubhouse and car park. The site comprises 91.51 hectares (226 acres) and is of mainly gently undulating arable agricultural land. The southern part of the

site comprises a ridge that reaches elevations of over 40m, with steep slopes descending to a raised beach along the Moray Firth. The northern part of the site comprises a low-lying area fringing Castle Stuart Bay, backed by a terrain up to approximately 10m. Castle Stuart, a category A listed building dating to the 17th Century, is situated to the north east of the site and although excluded from the development site, will be flanked on all sides by the proposed golf course. In addition, the farmhouse and buildings (category B listed) are located outwith and to the east of the site whilst the existing farmhouse at Lonnie is sited to the south west of the site. The small hamlet at Old Petty incorporating houses and church is located on the higher ground to the north.

The site extends westwards towards an existing field boundary and is defined on the north and east sides by the Moray Firth and Castle Stuart Bay respectively. These are ecologically important features with designations of SSSI, SPA, SAC and Ramsar, the latter an international designation. The Inner Moray Firth and Castle Stuart Bay are important wetlands supporting 'nationally scarce plants' and supporting up to 20,000 waterfowl as an important over wintering and roosting site.

The site is dissected to the west and east by the Rough and Lonnie Burns and is defined to the south by the main east coast rail line. A small wooded area on elevated ground is situated to the west, while to the south west of Lonnie crop marks define archaeological remains including an area classified as a Scheduled Ancient Monument (SAM)

- 2.2 The site is currently served by one main road, the B9039, which is also a key access route to and from Inverness airport and links into the A96 trunk road to the south.

3. PLANNING HISTORY

- 3.1. Planning permission was granted in 2005 (05/00316/FULIN) for two golf courses and associated accommodation on land at Castle Stuart. As is evident, the first course is now complete and has been in use for several years attracting important national and international competitions. A clubhouse, storage and green keeping facilities, conversion of an existing cottage and farm buildings to form residential and office accommodation have each been implemented although to date, although remaining valid, no further accommodation has commenced on site. The principle of a second course was confirmed on the grant of the earlier consent albeit that the details and layout of the course require a separate consent, now the subject of this application. The current application boundary has increased and now extends further south towards the railway embankment.

4 PUBLIC PARTICIPATION

- 4.1 Advertised: Inverness Courier, Edinburgh Gazette expiry date 04/12/2015.
Representation deadline: 30/10/2015

Timeous representations: One anonymous comment has been received in which the need for further golf facilities in the general area is questioned.

Late representations : 0

- 4.2 Material considerations raised are summarised as follows:

The need for a further golf course is questioned.

- 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 **Development Plans:** Overall assessment of the proposal against the policies of the individual development plans specified identifies that the proposal is in overall conformity. The proposal will bring additional economic benefits to the area and it is **Forestry Officer:** subject to appropriate mitigation, required no policy reasons which would justify other than a positive recommendation.
Access Officer: No objection.
- 5.2 **Forestry Officer:** detailed information has been provided including an **Flood Risk Team:** No objection. Having detailed site assessment to the Rough Burn includes thickets of woodland interspersed with gorse. Clearance of these areas is **Historic Environment Team:** No objection but additional information is required which make an important contribution to the landscape setting. These large mature trees **Archaeology:** No objection and parkland type planting and are of an age commensurate with this. A detailed assessment of these trees has identified that a **Environmental Health:** The subject trees are located within the grounds of Castle Stuart but are of poor health and it is considered their removal can be supported **Aberdeen and Petty Community Council:** No objection. The provided conditions are removed are requested by the developer in order to enable the development of the course. Subject to further appropriate replacements, there are no objections to the **Scottish Government:** No objection that the important avenue of trees flanking the main driveway to the Castle will not be affected by the development. A long **Transport Scotland:** No objection required and all remaining trees will be subject to appropriate tree protection throughout the construction period.
Highlands and Islands Airports Limited (HIAL): No objection provided **Access Officer:** it is noted that the first course included a network of footpaths providing access through the site from Westerton in the east to Castle Stuart Bay in the **Historic Environment Scotland:** No objection. not proceeded meantime, not all paths have been provided. This proposal is an opportunity to provide an improved **Network Rail:** No objection provided and it is a direct delivery of the Coastal Trail. The paths will be of sufficient standard to also enable use by cyclists. The **Transport Planning & Access Management Plans:** requires continued input but subject to a condition addressing these points, there are no objections.
SEPA: No objection provided conditions are met.
- 5.4 **Flood Risk Team:** initial concerns regarding the content of the Flood Risk **SNH:** No objection provided conditions adverse impact upstream have now been addressed. It is noted that the Lonnie Burn is to be diverted for a small section and **Scottish Water:** No objection as proposed. These are not of concern subject to compliance with appropriate conditions.

The Drainage Impact Assessment addresses surface water drainage and is largely supported with final details to be submitted but this can similarly be dealt with by appropriate conditions.

- 5.5. **Historic Environment Team:** two aspects of the proposal are considered. The site includes a SAM, located in the south west corner. HET is satisfied, following pre-application advice, that the layout of the course has taken the presence of the SAM into account and seeks to minimise all earthwork within the vicinity of the monument. A condition will be required to ensure there is no interference with the monument and care taken during construction. In addition, HET has considered the impact of development on Castle Stuart a grade A listed 17th century property. Its

dominance within the course is recognised as an important feature. The Castle is set within modest grounds bounded by a mature beech hedge. It is not considered that the development will have an adverse impact on the Castle or its setting.

- 5.6 **Archaeology:** No objection subject to appropriate conditions as noted.
- 5.7 **Environmental Health:** No objection, no concerns raised.
- 5.8 **Transport Planning:** the use of the existing access to serve the new course is considered acceptable. The applicant has demonstrated to the satisfaction of the Council that additional road improvements at the junction with the B9039 are not required based on the likely increase in traffic generated. This will however be subject review. The existing 96 space car park is also considered sufficient to accommodate any increase in use. Cycle storage facilities will however be required.
- The existing access which serves the maintenance compound is substandard and requires to be improved. This had been a requirement of the original consent should a second course be developed. Details of the improvements required will be subject to a suspensive condition. A second access is also to be formed for use by construction traffic and this will be closed off following completion. A Travel Plan, Events Management Plan and Construction Traffic Management Plan will each be required.
- Subject to the satisfactory provision and implementation of these matters, there are no objections.
- 5.9 **Ardersier and Petty Community Council:** the community council were involved at pre application consultation stage and made comments in that regard. The community council are supportive of the development. Issues are raised with regard to the provision of cycle and pedestrian links through the site as set out in first course and that consideration is given to their provision in association with this development. Traffic matters are raised with regard in particular to the access to the site and the impact of any additional traffic generated by the proposal.
- 5.10 **Scottish Government:** consulted as an EIA development. No objections or concerns have been raised.
- 5.11 **Transport Scotland:** Note that the development has the potential to significantly increase traffic but raise no concerns or objections.
- 5.12 **Highlands and Islands Airports Limited (HIAL):** No objection but require due account to be had for safety aircraft safety. The site is beneath the flight path and full consultation with HIAL will be required during construction. Details of any lighting and use of cranes or similar equipment during construction must first be agreed to by HIAL. Landscaping should take into account the potential for bird strike and void berry laden species. The irrigation pond should be designed to minimise use by birds and potential for bird strike.
- 5.13 **Historic Environment Scotland:** no particular concerns are raised. The layout of the course is considered to be sensitive towards ensuring protection of the SAM. A recent survey has indicated the potential for additional archaeological remains associated with the SAM but it is noted that the development of the golf course has the potential to minimise earth disturbance, potentially less so than as a result of ploughing and is therefore welcomed. No disturbance of the ground within or

adjacent to the SAM will be permitted.

With regard to the possible impact of the development on Castle Stuart, the only matter raised relates to the continued protection of the existing trees, particularly those defining the avenue.

5.14 **Network Rail:** No objections provided due diligence is undertaken during construction to protect the rail line. No surface water drainage should be directed to the rail line embankment and trespass proof fence will be required. any landscaping must not result in debris falling onto the line. These matters can be addressed by appropriate conditions.

5.15 **Scottish Water:** no objections. No part of the development seeks connection to either a public water supply or foul drainage.

5.16 **SNH:** identify that the proposal can be progressed with appropriate mitigation but in the absence of such has the potential to affect the qualifying bird interest of the Inner Moray Firth Special Protection Area (SPA). Objections will not be raised if permission is granted subject to rigorous conditions so that all works are undertaken in accordance with the agreed programme of mitigation. In particular, two bunds will be required, one adjacent to the Inner Moray Firth, the other adjacent to Castle Stuart Bay. Both areas are important for their habitats and any part of the development which would undermine the integrity of the areas and resultant negative impact on the qualifying bird species would be unacceptable. The provision of bunds as required together with a strict limitation on all construction work during the winter months (between October and March) will provide the necessary safeguards required by SNH. In addition, the applicant has indicated that use of the golf course will be restricted to outwith this period and this too is supported by SNH.

5.16 SNH are concerned to ensure that the special designations of SSSI, SPA, SAC and Ramsar are not adversely affected by the development and are satisfied, with SEPA's input regarding water course management, that the proposal can proceed. The planning authority is required to undertake an appropriate assessment, the basis of which is provided in the assessment of the application. An Access Management Plan will also be required to limit disturbance to birds on Castle Stuart Bay. This will be addressed by appropriate condition.

Land surveys for protected species have identified the presence of bats, badgers, and otters and appropriate mitigation will be required to safeguard their habitat. This too will be addressed by conditions.

5.16 **SEPA:** initial objections based on the original submissions have now been resolved following detailed discussion with SEPA and the applicant and the submission of revised details. In particular, SEPA are concerned to ensure that there is no adverse impact on watercourses within and adjacent to the site. The formation of the irrigation pond associated with water abstraction from the realigned Lonnie Burn has been adjusted to ensure that the pond remains offline. The proposed stream crossings and culverts are acceptable provided they are constructed in accordance with SEPA guidelines.

In addition, SEPA while generally satisfied that the proposed Flood Risk Assessment, Drainage Impact Assessment, Construction Environment Management Plan and protection of water courses meets their requirements, final

details will require to be submitted and should cover the following matters:

- Provision of a heavily vegetation buffer of at least 5 m width between highly managed planting areas and the top of the banks of the Lonnie and Rough Burns;
- Updated Golf Management Plan;
- Finalised surface water drainage plan ;
- Finalised construction of SUDS ;
- Adherence to agreed mitigation measures;
- Site specific CEMP;
- Employment of Environmental clerk of works throughout construction
- Finalised details of watercourse engineering works and crossings
- Finalised Flood Risk Assessment based on finalised layout, to demonstrate no increase in flood risk to any local sensitivities.

Subject to these matters being addressed, each of which can be dealt with by appropriate condition, SEPA has no objection to the proposal.

6. DEVELOPMENT PLAN

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 Placemaking
Policy 30	Physical Constraints
Policy 31	Developer Contributions
Policy 36	Development in the Wider Countryside
Policy 41	Business and Industrial Land
Policy 43	Tourism
Policy 51	Trees and Development
Policy 55	Peat and Soils
Policy 56	Travel
Policy 57	Natural, Built and Cultural Heritage
Policy 58	Protected Species
Policy 59	Other Species
Policy 61	Landscape
Policy 64	Flood Risk
Policy 66	Surface Water Drainage
Policy 74	Green Networks
Policy 75	Open Space
Policy 77	Public Access
Policy 78	Long Distance Routes

6.2 Inner Moray Firth Local Development Plan 2015

Policy CS1 - Castle Stuart – Business, Tourism and Leisure uses. The policy lists a number of criteria to be met if development is to be successful. These include a transport assessment and appropriate mitigation including traffic management measures. Flood Risk Assessment, species surveys and a recreation/access management plan will be required in support of development

Policy 2 Delivering Development

6.3 Highland Council Supplementary Guidance

The following Supplementary Guidance forms a statutory part of the development plan and is considered pertinent to the determination of this application.

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

Highland Historic Environment Strategy: Supplementary Guidance (March 2013)

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

Sustainable Design Guide: Supplementary Guidance (January 2013)

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

Highland Statutorily Protected Species: Supplementary Guidance (March 2014)

Developer Contributions: Supplementary Guidance (March 2013)

7. OTHER MATERIAL CONSIDERATIONS

7.1 Draft Development Plan

Not applicable

7.2 Scottish Government Planning Policy and Guidance

SPP Scottish Planning Policy

PAN 43 – Golf Courses and Associated Developments

8. PLANNING POLICY APPARISAL

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

8.3 Development Plan Policy Assessment

The proposal represents an opportunity to build on the success of the existing championship golf course to provide a further high quality course. The 2005 planning permission granted consent for a second course but reserved all matters associated with its development for future consideration. This application now seeks to provide those details and sets out the design and construction of the course. As with the first course, the existing arable land will be moulded to form a links type 18 hole course to championship standard. The application site boundary has altered from the previous 2005 consent and now extends southwards towards the existing rail line. As previously detailed, the course will be defined by the foreshore of the Inner Moray Firth and Castle Stuart Bay and extend northwards to incorporate Castle Stuart as a focal point. The remainder of the course extends toward the existing course providing easy access between the two courses and will be served by the existing the main vehicular access, car park and club house. The previous consent granted permission for associated facilities including hotel, lodges

and dormy accommodation. To date, these facilities have not been constructed.

The relevant policies of the development plan cover a wide range of issues. Significantly, the Inner Moray Firth Local Development Plan (IMFLDP) allocates the site for development giving support to the current proposal. In addition SPP and PAN 43 are supportive of development which enhances existing facilities and introduces new uses to the wider benefit of the area particularly where, as here, significant economic benefit will be derived from the proposed development. Other issues covered by the development plan are noted in the preceding sections but particular attention is drawn to the policies which govern the extent to which a proposal may have an adverse impact on the habitat or environment. For this reason, given that the principle of development was confirmed in the previous permission, the assessment has concentrated on seeking to ensure that all matters relating to the protection of the habitats protected by the special designations, have been properly assessed.

The proposal has required an Environmental Impact Assessment and this has enabled a full assessment of the various potential adverse impacts created by the development of the second course. A key consideration has therefore been to ensure that the qualifying criteria within the SSSI, SPA and Ramsar designations have been assessed appropriately.

The proposal is considered to have met the terms of the relevant development plan polices and guidance as referred to in the preceding sections. The lessons learnt from developing the first course have been taken into account and guided the scope of development now proposed particularly in terms of the protection of habitats and protected species, designing the layout of the course to minimise disturbance to the coastline habitat.

Given the development plan designation and the extant planning permission which establishes the principle of use of the land for a second golf course, there are no policy matters which would preclude the grant of permission for the development as proposed.

8.4 Material Considerations

The over riding material consideration in the assessment of the proposed development has been to ensure that the special designations at Castle Stuart Bay and the Inner Moray Firth which include Ramsar, SSSI and SPA, are not adversely impacted by any part of the development, and that should an impact be identified, appropriate mitigation can be achieved to address it to the satisfaction of the regulatory bodies of SEPA and SNH.

The proposal was the subject of very detailed analysis by both SEPA and SNH. SNH in particular is concerned to ensure that the special habitats of the Inner Moray Firth SPA are not damaged by the development. Castle Stuart Bay supports a significant proportion of the qualifying interests of the SPA and any displacement of birds in this area is not acceptable. In addition, the saltmarsh at the head of the Bay is important for roosting birds. The golf course has the potential to have a significant effect on these special interests and this has required mitigation. The position of holes 7 and 14 has been adjusted so as not to over fly the Bay while it will also be essential to form a bund along the Bay and barrier along the boundary of the SSSI and SPA. The applicant is aware of this requirement which is similar in some respects to the mitigation required for the first course. An Access Management Plan will also be required to limit disturbance to birds on Castle Stuart Bay but also meeting the requirements of enabling public access. A further mitigation involves restricting construction to between March and October with the

course also out of play during the over wintering period. With these mitigations in place, SNH has confirmed that they do not object to the proposal.

SEPA has assessed the development to ensure there is no adverse impact on existing water courses and the Firth to take into account the risk of coastal, fluvial and pluvial flood risk, drainage schemes, the direct impact on the water environment and details regarding abstraction of water to serve the course development.

Initial objections have been resolved by appropriate mitigation and a revised proposal for the minor realignment of Lonnie Burn. The change to the proposed irrigation pond which now promotes off line water abstraction from existing water sources is also welcomed. A Flood Risk Assessment has been submitted and this now demonstrates that there will be no impact on sensitive receptors elsewhere. Additional mitigation measures will be addressed by condition and submission of further information relating to the water abstraction, construction management proposals and details of surface water drainage will be required. SEPA are however satisfied that the current details are satisfactory and no adverse impacts on the area will result from the development subject to adherence to the conditions required.

Historic Environment Scotland has identified that the site includes a Scheduled Ancient Monument and potential for other archaeological finds. The applicants have taken this into account and adjusted the position of the closest holes to ensure that there is minimal excavation or ground remodelling in the general area of the SAM. Historic Environment Scotland are supportive of this approach and note that the relative minimal interference a golf course will create has the potential to be beneficial to the protection of the SAM. Other concerns relate to the loss of existing trees around and within the castle grounds. The applicant has confirmed that none of the important trees which form the avenue along the main drive will be affected. Three trees within the garden to the west of the castle will be felled. These are poor quality species and replacement trees are proposed. Elsewhere, to the west of the castle within the golf course, two additional trees are to be removed where their contribution to the landscape is of limited value. Replacement planting is proposed within these areas. The Forestry Officer is satisfied that the removal of the few trees proposed will not impact on the setting of the castle and is satisfied that the replacement species are appropriate.

Historic Environment Scotland's preference that all trees are retained is noted and the important large sycamores and avenue trees are to be retained and included in a long term management plan. None of the trees elsewhere on site are to be felled and it is considered that the proposed removal of no more than 8 mature trees within the entire site will not adversely impact on the setting of the castle.

An Access Management Plan will be required to ensure public access is provided through the site extending from Westerton to Old Petty and Castle Stuart Bay. The Access Officer is satisfied that the revised scheme does provide the public access opportunities required.

The comments and general support of the Community Council is welcomed and subject to appropriate condition it is considered that the impact of additional traffic can be managed without detriment to the area.

8.5 Other Considerations – not material

All relevant matters have been taken into account. None of the consultees have raised issues which have not otherwise been addressed.

8.6 Matters to be secured by Section 75 Agreement

The previous planning permission included a S75 agreement which included the current application site. Restrictions are in place to prevent the sale or separation of the lodges or dormy accommodation from their function as ancillary to the use of the site as a golf course. These restrictions apply to the current proposal and no further amendment of the existing S75 is required.

9. CONCLUSION

The proposal as amended to take into account the concerns of consultees, is considered acceptable subject to the conditions noted below. The development of the second championship golf course at Castle Stuart is to be welcomed and will be of economic benefit to the area enhancing a well established existing facility. The key environmental issues associated with this development are similar to those of the first course and the applicant has demonstrated through construction and operation of the existing course an understanding of the need to ensure that the habitat, flora and fauna of the area is protected in accordance with the relevant regulations and guidance. The course will provide an opportunity to expand existing facilities with the potential to encourage tourists to the area.

Provided the course is constructed and managed in accordance with the terms of this planning permission, there should be no adverse impact on the qualifying species and habitat and will result in a high quality development to the benefit of the area.

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.

A number of conditions attached to the 2005 permission remain relevant to this application and together with site specific conditions are included within the recommendation.

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 and reasons / notes to applicant:

1. For the avoidance of doubt, the golf course hereby granted planning permission shall comprise a single planning unit together with the existing golf course and associated infrastructure and neither shall be separated one from the other or

disposed off separately unless the approval of the planning authority is obtained.

Reason: in order to comply with the terms of the extant planning permission and in the interest of the good management of the facility.

2. No development shall commence on site unless details of the vegetation buffer required between highly managed planting areas and the tops of the banks of the Lonnie and Rough Burns has been submitted to and agreed in writing by the planning authority in consul attain with SEPA and thereafter is implemented in accordance with the approved layout and agreed timescales all to the satisfaction of the planning authority. The buffer shall be maintained in perpetuity.

Reason: in the interest of the protection of the existing water courses.

- 3.. No development shall commence on the construction of the course hereby granted consent unless an updated Golf Management Plan is submitted to and agreed in writing by the planning authority in consultation with SEPA and thereafter implemented in accordance with the agreed plan to the satisfaction of the planning authority.

Reason: in order to ensure the proper management of the golf course.

4. No development shall commence on site unless details of a surface water drainage plan are submitted to and agreed in writing by the planning authority in consultation with SEPA and thereafter implemented in accordance with the details and timescales set out in the approved plan all to the satisfaction of the planning authority

Reason: in order to ensure that surface water drainage is managed to an acceptable level on site.

5. No development shall commence on site unless details of construction SUDS are submitted to and agreed in writing by the planning authority in consultation with SEPA and thereafter implemented in accordance with the timescales and details set out in the agreed plan to the satisfaction of the planning authority.

Reason: in order to ensure there is no discharge of surface water during construction on existing water courses.

6. No development shall commence on site unless it has been demonstrated that a Ecological Clerk of Works has been employed for the duration of the construction works, the details of which should be submitted to and agreed in writing by the planning authority in consultation with SEPA and thereafter implemented in accordance with the agreed scheme to the satisfaction of the planning authority.

Reason: in the interest of good management of the construction of the course.

7. No development shall commence on site unless a site specific CEMP is submitted to and agreed in writing by the planning authority in consultation with SEPA and thereafter implemented in accordance with the terms of the CEMP to the satisfaction of the planning authority. For the avoidance of doubt, all mitigation measures so identified shall be implemented in accordance with the agreed CEMP to the satisfaction of the planning authority.

Reason: in order to ensure the protection of the environment.

8. Construction of the course will proceed in accordance with the mitigation measures

identified in the Environmental Statement in Tables 1.2, 1.3.2, 1.3.6, 1.3.7 and 1.3.8 (or as may otherwise be agreed) to the satisfaction of the planning authority.

Reason: in the interests of protecting the environment.

9. No development shall commence on site until details of the finalised design of the watercourse crossings and related watercourse engineering works have been submitted to and agreed in writing by the planning authority in consultation with SEPA and thereafter implemented in accordance with the approved design to the satisfaction of the planning authority.

Reason: in order to protect the existing watercourses and to comply with SEPA Regulations.

10. No development shall commence on site until a finalised Flood Risk Assessment is submitted to and agreed in writing by the planning authority in consultation with SEPA has been submitted and agreed in writing and thereafter implemented in accordance with the agreed scheme to the satisfaction of the planning authority.

Reason: in order to ensure that there is no increase flood risk to local sensitive receptors.

11. No development shall commence on site until details of a bund including the method of construction which will be created along the foreshore of the Inner Moray Firth and adjacent to Castle Stuart Bay to protect bird roosts from disturbance together with timescales for construction, has been submitted to and agreed in writing by the planning authority in consultation with SNH and thereafter implemented in accordance with the agreed details. For the avoidance of doubt the bund shall be constructed outwith the key wintering bird period 1 October to 31 March inclusive. For the further avoidance of doubt, no development shall commence on the construction of the golf course unless the bund is constructed and completed to the satisfaction of the planning authority.

Reason: in order to afford appropriate protection of bird roosts.

12. No development shall commence on site until an Access Management Plan which will include details of the routes to provide access through the entire site to direct non golf recreational visitors away from the foreshore and to minimise disturbance to birds using Castle Stuart Bay extending from Westerton through to the east boundary of the current application site has been submitted to and agreed in writing in consultation with SNH and thereafter implemented in accordance with the agreed timescales and details to the satisfaction of the planning authority.

Reason: in order to provide access to the public through the site.

13. No development shall commence on site until details of the timings on phasing of the construction of the course has been submitted to and agreed in writing by the planning authority has been submitted and agreed in writing by the planning authority in consultation with SNH and thereafter implemented in accordance with the agreed phasing. For the avoidance of doubt, unless otherwise agreed in writing by the planning authority in consultation with SNH, there shall be no construction work undertaken during the wintering bird season (1st October – 31st March) to the satisfaction of the planning authority.

Reason: in order to protect the qualifying bird species.

14. The use of the course for play shall be restricted to between the months of 1 April –

30 September inclusive unless otherwise agreed by the planning authority in consultation with SNH.

Reason: in order to protect the over wintering roosts of qualifying species of bird.

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

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

16. No development shall commence on site until details of the means by which the Scheduled Ancient Monument is to be protected from earthworks and ground modelling to the satisfaction of the planning authority in consultation with Historic Environment Scotland. Thereafter the agreed details shall be implemented to the satisfaction of the planning authority.

Reason: in order to afford the necessary protection of the SAM.

17. No development shall commence on site until details of all tall structures to be used in connection with construction has been submitted to and agreed in writing by the planning authority in consultation with HIAL.

Reason: in the interest of safety.

18. No development shall commence on site until details of a trespass proof fence adjacent to the rail line has been submitted to and agreed in writing by the planning authority in consultation with Network Rail and thereafter implemented in accordance with the agreed scheme to the satisfaction of the planning authority and maintained in perpetuity.

Reason: in the interest of public safety.

19. No development shall commence on site until a Recreational Access Management Plan is submitted to and approved in writing by the planning authority in consultation with SNH. The purpose of the plan shall be to identify the route, design, promotion and delivery of the Inverness to Nairn Coastal Trail through this course, Castle Stuart and connections to neighbouring properties. The plan will also show other routes and access furniture proposed for public access management and identify those areas over which access rights will apply before, during and after construction. The approved Recreational Access Management Plan shall thereafter be implemented in accordance with the approved details.

Reason: in order to secure appropriate public access.

20. No development on the construction of the course shall commence until the access to the maintenance compound area is upgraded, constructed and completed in accordance with details which are to be submitted to and agreed in writing by the planning authority.

Reason: in the interests of public safety

21. No development shall commence on site until details of the road layout design at the U2358 cross roads to include new access proposals to the site have been submitted to and agreed in writing by the planning authority. Thereafter the new access will be constructed and completed before development commences on site all to the satisfaction of the planning authority.

Reason: in the interests of public safety.

22. Construction of the proposed new U2358 access to the maintenance compound for the southern half of the compound shall be used only during construction and will on completion thereafter be removed and prevented from use by vehicles to the satisfaction of the planning authority.

Reason: in the interest of public safety

23. No development shall commence on site until details of the construction access arrangements have been submitted to and agreed in writing by the planning authority and implemented in accordance with the agreed timescales. The existing access to Lonnie shall be stopped up on completion of the development should the construction access be retained all to the satisfaction of the planning authority. For the avoidance of doubt, the construction access, if retained, shall be modified to accommodate residential traffic only on completion or first use of the golf course hereby granted planning permission.

Reason: in the interest of public safety.

24. The use of the golf course shall not be implemented until cycle storage facilities are provided within the main car park to the satisfaction of the planning authority, the details of which shall be submitted to and agreed in writing by the planning authority.

Reason: in order to provide cycle storage facilities in accordance with the Council's standards.

25. No development shall commence on site until a Travel Plan, Construction Traffic Management Plan and Outline Events Management Plan have been submitted to and agreed in writing by the planning authority. Thereafter all matters so agreed shall be implemented in accordance with the agreed plans all to the satisfaction of the planning authority.

Reason: in order to promote appropriate levels of traffic management.

26. No development shall commence on site until details of landscaping of the site has been submitted to and agreed in writing by the planning authority. For the avoidance of doubt, the details shall include details of the sourcing of all plants and seeds, together with details of any fertilizers to be used. Only plants and seeds from the agreed source shall be used.

Reason: in the interests of protecting the amenity and habitat of the area.

27. With effect from the date of this permission, no trees within the site shall be lopped, topped, felled or otherwise damaged unless otherwise approved in writing by the Planning Authority. Where agreement is given for removal of trees, none shall be felled until details for their replacements have been submitted to and agreed in

writing by the planning authority. Thereafter the replacement trees shall be replanted in accordance with the agreed methodology within the first planting season following removal all to the satisfaction of the planning authority.

Reason: in the interest of the amenity of the area.

28. No development, site excavation or groundwork shall commence until a suitably qualified Arboricultural Consultant has been appointed by the developer. Their appointment and remit shall first be approved in writing by the Planning Authority. For the avoidance of doubt, the Arboricultural Consultant shall be appointed prior to the commencement of the development and as a minimum retained until the completion of the development and their remit shall, in addition to any functions approved in writing by the Planning Authority, include:
- i. Ensuring that the approved Tree Protection Plan and approved Arboricultural Method Statement are implemented to the agreed standard; and
 - i. The preparation of Certificates of Compliance for each stage of work involved in the development, which shall be submitted to the Planning Authority upon completion of the stage to which they relate. Prior to development, site excavation or groundwork commencing, details of each stage of work (including a general description of the type and extent of work to be carried out within that stage) shall be submitted to, and approved in writing by the Planning Authority.

Reason: in the interests of protecting retained trees.

29. No development, site excavation or groundwork shall commence until all retained trees have been protected against construction damage using protective barriers located beyond the Root Protection Area (in accordance with BS5837:2012 Trees in Relation to Design, Demolition & Construction, or any superseding guidance prevailing at that time). These barriers shall remain in place throughout the construction period and must not be moved or removed during the construction period without the prior written approval of the Planning Authority.

Reason: in order to ensure the protection of trees on site.

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.

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

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

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

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

Protected Species - Halting of Work

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

Protected Species - Contractors' Guidance

You must ensure that all contractors and other personnel operating within the application site are made aware of the possible presence of protected species. They must also be provided with species-specific information (incl. guidance on identifying their presence) and should be made aware of all applicable legal requirements (incl. responsibilities and penalties for non-compliance).

Protected Species - Ground Nesting Birds

Construction/demolition works have the potential to disturb nesting birds or damage their nest sites, and as such, checks for ground nesting birds should be made prior to the commencement of development if this coincides with the main bird breeding season (April - July inclusive). All wild bird nests are protected from damage, destruction, interference and obstruction under the Wildlife and Countryside Act 1981 (as amended). Some birds (listed on schedule 1 of the Wildlife and Countryside Act) have heightened protection where it is also an offence to disturb these birds while they are in or around the nest. For information please see: www.snh.org.uk/publications/online/wildlife/law/birdseggs.asp

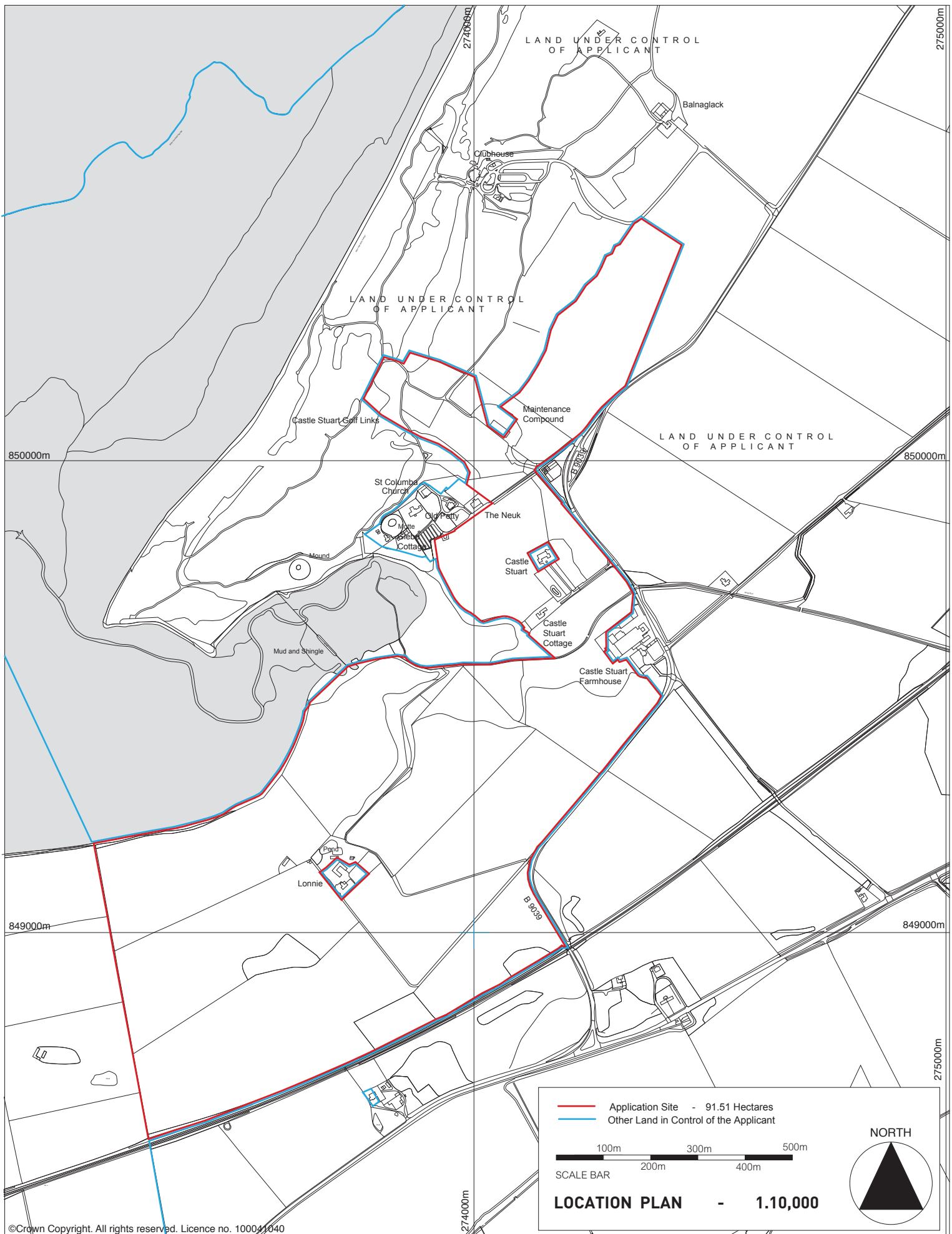
Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

- Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, contact details below:

Network Rail Asset Protection Engineer
151 St. Vincent Street, GLASGOW, G2 5NW
Tel: 0141 555 4087
E-mail - AssetProtectionScotland@networkrail.co.uk

Signature: Nicola Drummond
Designation: Area Planning Manager – South/Major Developments
Author: Nicola Drummond
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Location Plan
Plan 2 – Site Plan
Plan 3 – Site layout plan
Plan 4 – Tree Constraints Plan
Plan 5 – Drainage plan
Plan 6 - Access Plan



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Revision Notes

A Red line revised
B Red line revised
C Key revised

27 03 2015
25 06 2015
25 06 2015

Project
Tribute Golf Course
Castle Stuart
Dalcross
Inverness

Drawing Title
Location Plan

G1 Architects
3rd Floor West
211 Dumbarton Road
Glasgow G11 6AA

t 0141 33 44 88 1
f 0141 334 50 60
e info@g1architects.com
w www.g1architects.com



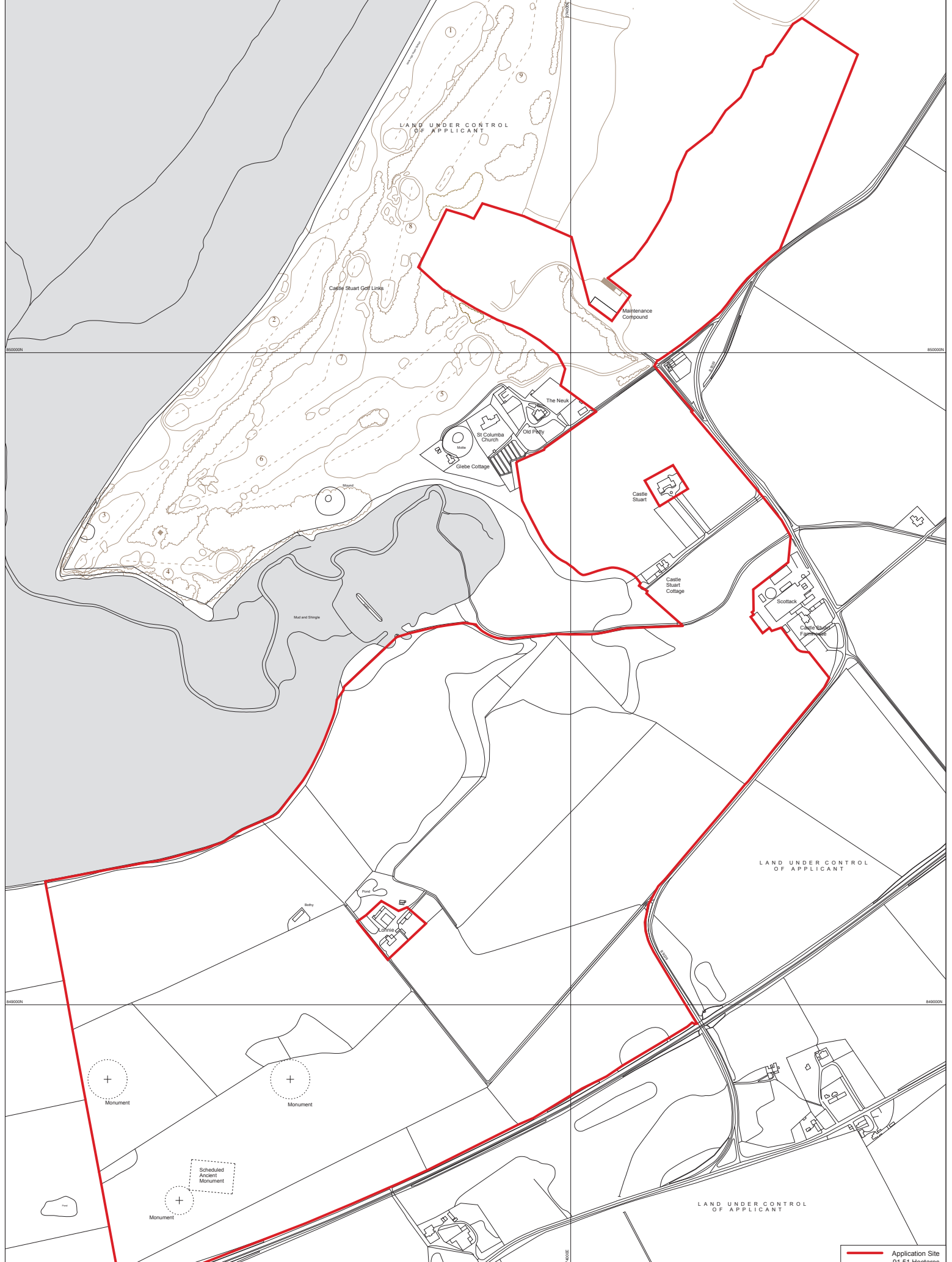
G1 Architects

Drawing Status

PLANNING

Scale 1:10000
Drawn SJT
Date 24/03/2015

Drawing No 103(21) 3 LP01
Revision C
Size A4



Application Site
91.51 Hectares

Revision Note	
A	Red line revised
B	Red line revised at 18 green + to 555 boundary

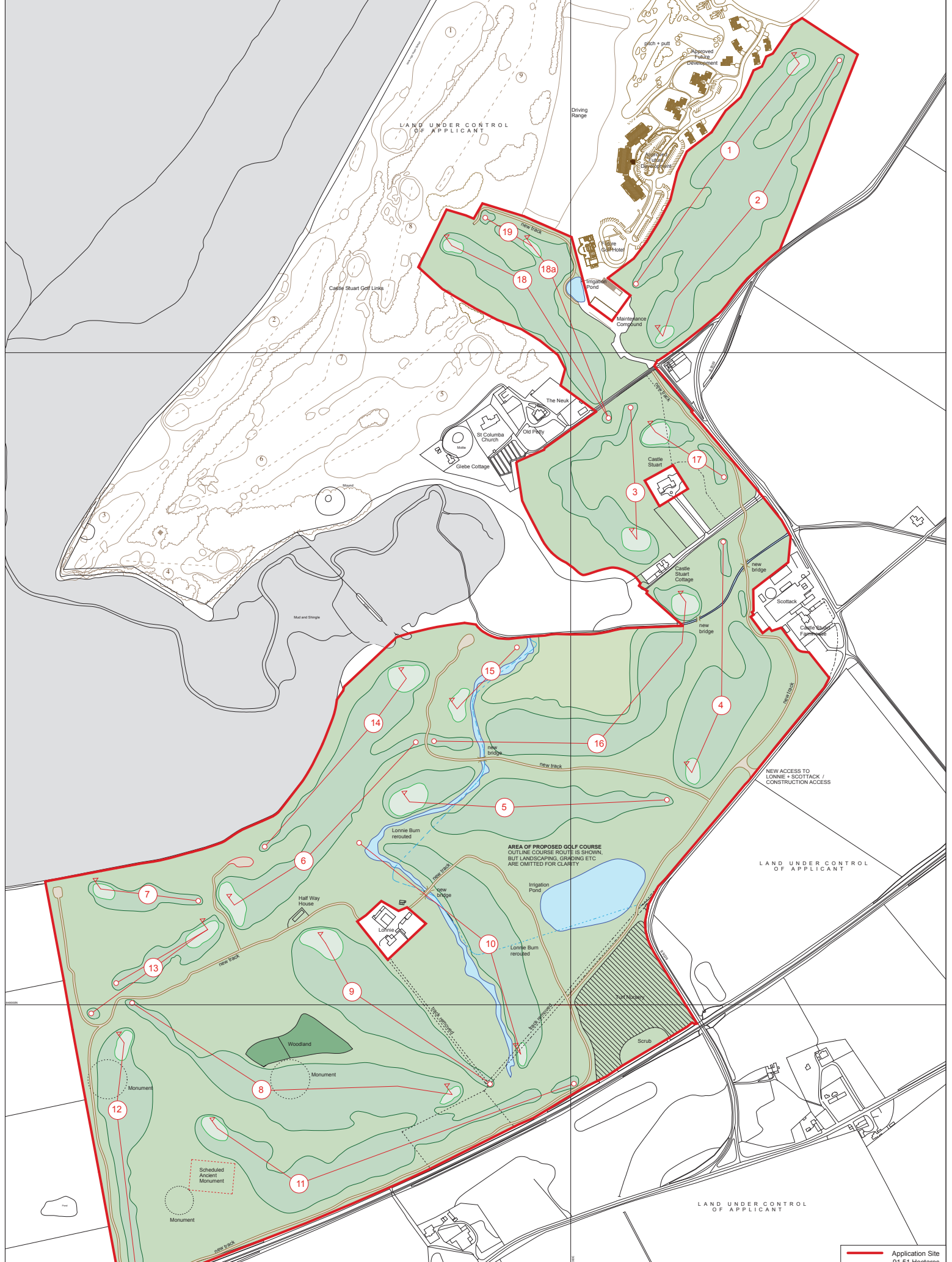
Project
Lonnie Golf Course
Castle Stuart Golf Links
Dalross
Inverness

Drawing Title
Site Plan as Existing

G1 Architects
3rd Floor West
211 Dumbarton Road
Glasgow G11 6AA
t 0141 33 44 88 1
f 0141 334 50 60
e info@g1architects.com
www.g1architects.com



Drawing Status		
PLANNING		
Scale	Drawn	Date
1:2500	5JT	25/03/2015
Drawing No	Revision	Size
103(21)3 SP01	B	A1

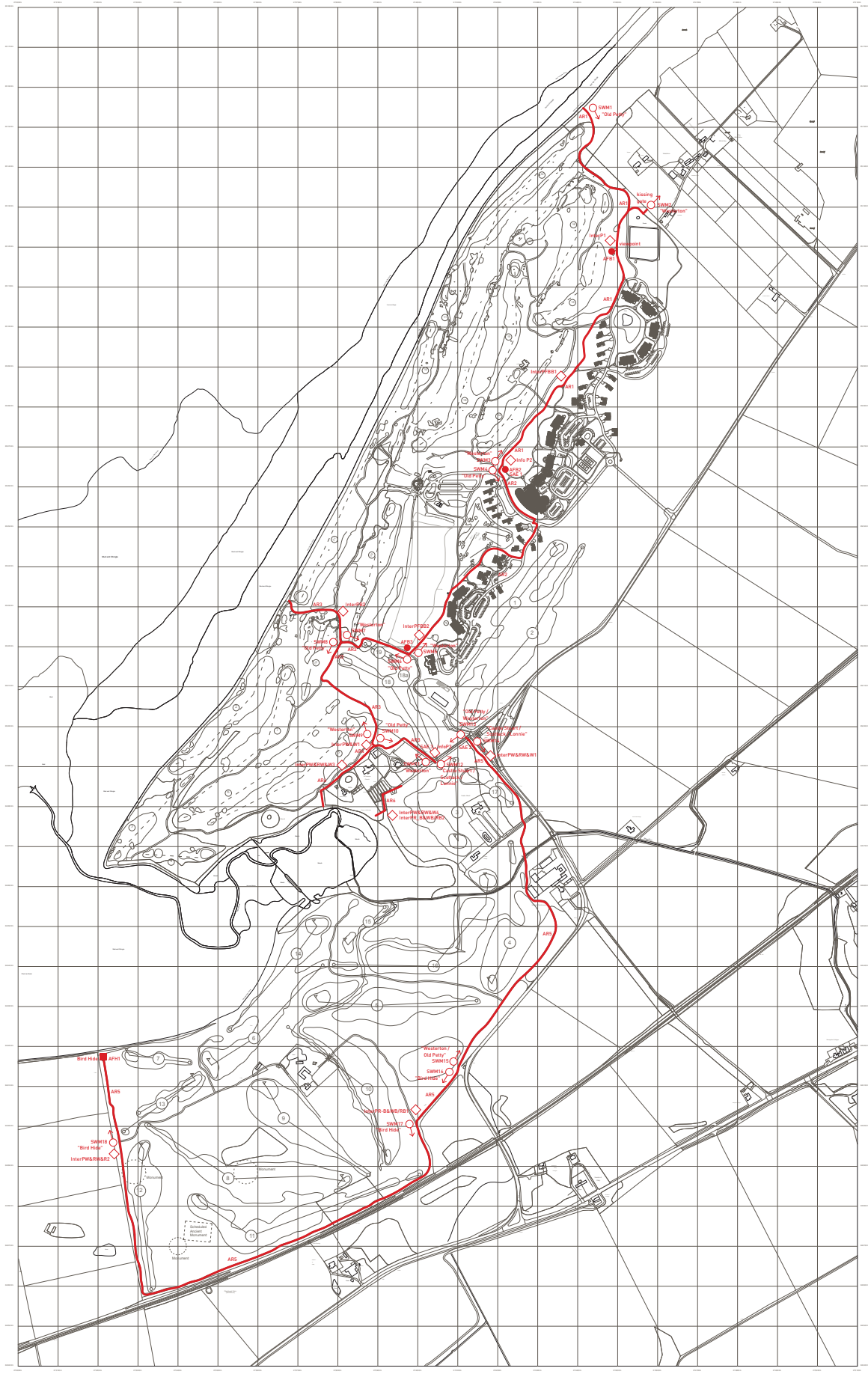


AREA OF PROPOSED GOLF COURSE
OUTLINE COURSE ROUTE IS SHOWN.
BUT LANDSCAPING, GRUBBING ETC
ARE OMITTED FOR CLARITY

Application Site
91.51 Hectares

Revision Note	Project	Drawing Title	Drawing Status
A. Clarifier (plan and) not included	27/02/2015	Tribute Golf Course	G1 Architects
B. Irrigation pond added, new access added, existing battery added,	17/02/2015	Site Plan with	3rd Floor West
C. Soft nursery identified	23/01/2015	Castle Stuart	211 Dumbarton Road
D. Irrigation pond added, new access added, existing battery added,	23/01/2015	Dalrossie	Glasgow G11 6AA
E. Soft nursery identified	13/01/2015	Inverness	
F. Soft nursery identified	26/01/2015		
G. Soft nursery identified	26/01/2015		
H. Soft nursery identified	26/01/2015		
I. Irrigation pond to maintenance area, hole 18a in line of 19, increased	14/01/2015		
J. Irrigation pond to maintenance area, hole 18a in line of 19, increased	14/01/2015		
K. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
L. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
M. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
N. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
O. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
P. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
Q. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
R. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
S. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
T. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
U. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
V. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
W. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
X. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
Y. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		
Z. Irrigation pond to maintenance area, hole 18a in line of 19, increased	18/01/2015		

G1 Architects
103(21)3 SP02
Revision J
Date 25/03/2015
Scale 1:2500
Drawn SJT
Site A1



NOTE
 Routes as indicated are in some instances not yet implemented and / or to be implemented as part of the Tribute Golf Course project or future phases of the Castle Stuart development programme and as such routes depicted should be considered indicative only.

KEY

1 ACCESS ROUTES & ACCESS FURNITURE	2 SIGNAGE
ARS 1-3 Specifications to be determined	SWM11 "Old Pasty" SWM12 "Westerlorn" SWM13 "Castle Stuart / Scottack / Lornie" SWM14 "Old Pasty / Westerlorn" SWM15 "Castle Stuart / Scottack / Lornie" SWM16 "Westerlorn / Old Pasty" SWM17 "Bird Hide" SWM18 "Westerlorn"
AFB 1-3	
AFH 1	

3 INFORMATION - INTERPRETATION POINTS
Information: 1 Inter-P1 (plus info P2 and P3) Interpretation: 1 Inter-P1 2 Inter-PFB1 (plus PFB2) 3 Inter-PFB2 4 Inter-PFB & RW & W1 & 2 (plus Inter-PFB & RW & W5 & 4) 5 Inter-PFB, S & W1 & W2 & 4
4 ACCESS ETIQUETTE
SAE 1 SAE 2 SAE 3

Revision Notes

Project
 Tribute Golf Course
 Castle Stuart
 Dalriada
 Inverness

Drawing Title
 Provisional Access
 Management Diagram

G1 Architects
 3rd Floor West
 211 Dumbarton Road
 Glasgow G11 6AA

☎ 0141 334 88 1
 ☎ 0141 334 50 60
 ✉ info@g1architects.com
 www.g1architects.com

G1 Architects

Drawing Status
PLANNING

Scale 1:5000	Drawn SJT	Date 29/01/2016
Drawing No 103 21 3 SP04	Revision	Size A1