

Agenda item	6.8
Report no	PLN/038/18

THE HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: Tuesday 5 June 2018

Report Title: 17/05309/PIP – Land 165m NE of Hilton of Cadboll Primary School, Hilton of Cadboll

Report By: Area Planning Manager – North

1. Purpose/Executive Summary

1.1 Sangster Electrical Ltd

Housing Development of 32 houses (indicative)(in phases) and associated infrastructure works; form new access from public road and construct school parking area.

07 – Tain and Easter Ross

Major Development

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.

2. Recommendation

2.2 Members are asked to agree the recommendation to approve as set out in section 11 of the report

3. PROPOSED DEVELOPMENT

- 3.1 The application seeks permission in principle for the erection of 32 houses and associated infrastructure including access, drainage and landscaping. It is also proposed to construct a new parking area for the neighbouring Hilton of Cadboll Primary School. It is intended that the site will be developed in four phases.
- 3.2 Major Pre Application Advice was sought in respect of the development where there was a broadly supportive approach to proposals. A subsequent Proposal of Application Notice was submitted prior to the submission of the application.
- 3.3 There is no existing infrastructure on site.
- 3.4 Supporting Information
- Design Brief
 - Design Statement
 - Drainage Impact and SUDs Assessment
 - Public Consultation Report
- 3.5 **Variations:** Submission of Drainage Information.

4. SITE DESCRIPTION

- 4.1 The site is approx. 3.4 ha in size. It is a relatively flat area of land which is grass covered and currently utilised for grazing. The surrounding area to the east and south east is residential with the Inner Moray Firth located beyond. To the north and north west is open agricultural land. The site shares the southern boundary with the public road and seven residential properties front the street adjacent. The western boundary is shared with Hilton of Cadboll Primary School with Hilton of Cadboll Farm located to the east.

5. PLANNING HISTORY

- 5.1 08/00170/FULRC – Erection of thirty eight houses (including ten affordable houses) (Detail) (Resubmission) – Approved 27.02.2009 under delegated powers, development never commenced.
17/02327/PREAPP – Phased Housing Development (20.no houses) Closed 23.06.2017
17/03056/PAN - Housing Development (32no. Houses provisionally) built in several Phases – Closed 14.09.2017

6. PUBLIC PARTICIPATION

- 6.1 Advertised : Unknown Neighbour – Expiry Date 15.12.2017
Representation deadline : 15.12.2017
Timeous representations : 1
Late representations : 0

6.2 Material considerations raised are summarised as follows:

- Concern raised relating to the use of the track adjacent to the property known as Piccolo Mundo for construction traffic and the weight of vehicles which would utilise it could be an issue. Egress is also a known issue.

Planning Comment - The detail of upgrading this access will be conditioned and will have to be included in any subsequent detailed or matters specified in conditions application.

6.3 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.

7. CONSULTATIONS

7.1 **Access Officer:** Initial comments included a 1.5m wide gap being created between Piccolo Mundo and Hillcrest. Suggested that a remote path on the scrubland south of the development to allow the development to connect to King Street. Conditions are suggested. The applicant commented that they could not provide this as it is not within land in their ownership. It is suggested that Developer Contributions should commit to providing this link in order to reduce short car journeys and that the path could be constructed to a stone sub-base surface.

7.2 **Development Plans:** Commented in relation to Developer Contributions.

- No requirement to contribute in terms of education
- Consideration should be given the transport and active travel including the requirements outlined by the Access Officer and Transport Planning.
- 1,912sqm of useable open space should provided. Only 400 sqm appears to be allocated within the site plan. Justification is sought as to why the full amount of open space is not necessary.
- Justification should be given as to why it is not intended to provide play facilities.
- Advice should be sought on provision toward Community facilities.
- Public art can be secured by planning condition.
- An affordable housing contribution for 8 properties would be required.

7.3 **Flood Risk Management Team:** 01.12.2017 – Initially objected due to a lack of information relating to whether ground conditions were suitable for the proposed drainage arrangements. No issues regarding Flood Risk.

18.04.2018 – Commented on further information submitted. It was noted that all surface water drainage for the development is to be by means of infiltration. The proposed drainage strategy is accepted and a condition is recommended and will be attached to the permission.

7.4 **Historic Environment Team:** The site is located in an area of archaeological potential, a condition is recommended to secure an evaluation of the site to establish archaeological content and potential.

- 7.5 **Housing Officer:** 8 units should be secured by a Section 75 Legal Agreement, if for any reason the developer cannot attract funding to begin phase 2 of the development within 5 years then a commuted sum payment is likely to be sought. Once the 5 years has lapsed the housing Office would like to be able to decide at that point whether to have the units delivered on site or by a commuted sum. This will require to be agreed through the Legal Agreement.
- 7.6 **Estates Manager:** Commented relating to current community facilities in the area, it is noted that the concrete playground area to the rear of the school is relatively small and that more space would enable the school to put out white lines needed for playground practice. Otherwise it is understood that the village is well serviced.
- 7.7 **Transport Planning:** Visibility splays at junctions with the public road both temporary and permanent should be provided and maintained.
- The access alongside Plot 16 shall require to incorporate an SDB2 designed service lay-by.
 - The existing 30mph speed limit will require to be shifted eastwards to an agreed location; a Traffic Order will require to be obtained.
 - A footway of 1.8m minimum shall be provided along the roadside frontage of Plot 16 to connect to the existing footway fronting East and West Cottages.
 - A design speed of 20mph shall apply within the development and all roads and path for adoption by the Council will require Road Construction Consent.
 - Cycle storage shall be provided.
 - Detail on arrangements for the maintenance of landscaped areas including road side verges and remote paths will be required
 - Street lighting will require to be provided to the satisfaction of the Council's Area Lighting Engineer
 - Construction Traffic Management Plan will require to be established to the satisfaction of the Council's Roads Operations Manager.

03.05.2018 – Following further discussion an amended drawing was submitted which extends the public footpath from East Cottage to Aith Voe and an SDB 2 Service Lay-by included. Other matters raised above are to be controlled by condition. Transport Planning agreed that this was acceptable however requested that parallel in curtilage parking 5m long by 5.5m wide should be provided in accordance with Roads Guidelines which would allow each parking space to be accessed independently to discourage on street parking.

- 7.8 **Scottish Water:** No objections, there is currently sufficient capacity in the Assynt Water Treatment Works and Balintore Waste Water Treatment Works to serve the development however this cannot be reserved and an application must be made directly to Scottish Water to utilise infrastructure.
- 7.9 **SEPA:** the development falls below the threshold on which site specific advice would be given. Note that a Drainage Impact Assessment has been submitted and SEPA are supportive of environmental betterment with SUDs.

8. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

8.1 **Highland Wide Local Development Plan 2012**

28	Sustainable Design
29	Design Quality and Place-making
31	Developer Contributions
32	Affordable Housing
34	Settlement Development Areas
56	Travel
57	Natural, Built and Cultural Heritage
65	Waste Water Treatment
66	Surface Water Drainage
75	Open Space

8.2 **Inner Moray Firth Local Development Plan (2015):**

Located within Seaboard Villages Settlement Development Area – allocated site SB2.

9. **OTHER MATERIAL CONSIDERATIONS**

9.2 **Highland Council Supplementary Planning Policy Guidance**

Developer Contributions (March 2013)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Standards for Archaeological Work (March 2012)

Sustainable Design Guide (Jan 2013)

Draft Developer Contributions Supplementary Guidance Consultation Document (2018)

Public Art Strategy Supplementary Guidance (March 2013)

Open Space in New Residential Development (January 2013)

9.3 **Scottish Government Planning Policy and Guidance**

Paras 109 – 122 – Enabling Delivery of New Homes

Paras 270 – 291 – A Connected Place

Designing Streets Policy Statement (2010)

10. **PLANNING APPRAISAL**

- 10.1 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.

10.2 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.

10.3 **Development Plan Policy Assessment**

The site is located within the Seaboard Villages Settlement Development Area as defined in the adopted Inner Moray Firth Local Development Plan. This also forms an allocated site (reference SB2 – Land East of Primary School) which has an indicative housing capacity of 38 units. It is outlined that any development should be in accordance with 08/00170/FULRC and include a programme for archaeological work, landscaping scheme, larger school car park and the provision of a play area prior to the occupation of the first 10 plots. The site benefitted from planning permission which has since lapsed. Due to the site being allocated for housing within a defined Settlement Development Area, under the provisions of Policy 34 – Settlement Development Areas it is considered that the principle of development can be supported subject to compliance with all other relevant policies of the development plan.

10.4 Policy 28 – Sustainable Design lists a number of criteria which all applications are assessed against. Of relevance to this proposal includes compatibility with public service provision, impact on individual and community residential amenity, demonstration of sensitive siting and a high quality design which is in keeping with local character and environments in making use of appropriate materials and contribution to the economic and social development of communities. Policy 29 – Design Quality and Place-making outlines that new development should be designed to make a positive contribution to the architectural and visual quality of the place it is located. This includes through use of public art. It is also stated that design and layout of new residential development proposals should focus on the quality of places and living environments for pedestrians rather than movement of vehicles.

10.5 Consideration has to be given to Policy 31 – Developer Contributions and Policy 32 – Affordable Housing. This is due to the number of houses proposed requiring a contribution in terms of affordable housing and the potential increase in residents is considered to create the need for new and improved public facilities which will also require a contribution.

10.6 Policy 56 – Travel states that development proposals which involve travel generation must include sufficient information with the application to enable the Council to consider any likely on and off site transport implications. It also states that development should be well served by sustainable modes of transport, opportunities for walking and cycling will be maximised. Development must be designed for the safety and convenience of all potential users and incorporate an appropriate level of parking provision having regard to different travel modes and services.

10.7 Policies 65 and 66 require appropriate provision to be made for foul and surface water drainage, with Sustainable Drainage Systems (SUDs) being a requirement in relation to surface water.

10.8 Policy 75 – Open Space outlines the Council’s long term aim for open space provision. This states that where any new residential development of 4 or more dwellings is proposed the developer will be required to provide publicly accessible open space in line with the quantity, quality and accessibility requirements set out in the Open Space in New Residential Development Supplementary Guidance.

10.9 **Siting and Design**

The site previously had permission for 38 houses. This has been reduced to 32 houses which allows for slightly larger curtilages which is more in keeping with surrounding development in the village. This is supported. The principle of development is accepted subject to an appropriate layout and design being demonstrated in any subsequent formal planning application(s). An indicative layout is proposed and it is proposed to develop the site in 4 phases.

10.10 **Design Brief**

A Design Brief has been submitted in support of the application which identifies the appropriate design principles. This takes into account the exposed coastal nature of the site. The general character proposed is for strong gable forms with appropriately sized fenestration. Ridges will generally be parallel to the shoreline except where there are potential issues of overlooking. Materials include wet dash roughcast materials, it is specified that no dry dash shall be utilised; areas of cladding are also likely to be incorporated into the development. Roofs shall be finished in natural slate, or dark coloured substitute. The general principles outlined in the design brief are consistent with Council Design Guidance and considered appropriate. Formal applications shall comply with the brief and this will be conditioned to secure.

10.11 **Phasing of Development**

Phase one is to include the development of four residential properties located to the eastern side of the site.

Initially four plots will be developed to the north eastern side of the site. The school car parking area will be provided and the new access into the site to the south west.

The second phase will extend the internal road layout, development of an additional three plots and delivery of four affordable housing units. The SUDs basin will also be completed as part of Phase 2.

In Phase 3 a further four plots and four affordable houses will be developed, this phase will also include the completion of open space.

Finally the fourth phases will involve the completion of the internal road layout and the final 9 plots will be developed.

The affordable housing contribution equates to 25% of the development and the delivery of this will be agreed in a Section 75 Legal Agreement.

10.12 **Access and Servicing**

Initially the northern eastern side of the development will be served by the access which currently serves the property known as ‘Aith Voe’ this is to be upgraded and will temporarily serve the development through its construction phases.

The access will be retained to continue serving Aith Voe and Plot 17. It will also be required for maintenance access. The means of closing the access and when it will be closed to the wider development will be conditioned to secure.

The main site access to be utilised to the western side of the site will include the access to the school parking area and provide access to the affordable housing sites adjacent in the first instance. The western access to the site which serves the primary school has splays of 2.4 x 90m in each direction. No objections were raised to the principle of the parking area, and to the permanent road design being of 5.5m in width with a 2m footpath at each side for the majority of the development. Further detail on lighting, road signage, relocation of the 30mph limit, construction traffic management plan and cycle storage shall be conditioned to secure.

- 10.13 A Drainage Impact Assessment and SUDs Strategy was submitted in support of the application and reviewed by the Flood Risk Management Team. The proposed strategy for the sites includes individual soakaways and permeable paving to deal with in-curtilage surface water. Road drainage will be collected by road gullies and discharged into a new road drain. This will then be conveyed into the infiltration basin (SUDs pond). It has been demonstrated through percolation test results that the site has sufficient drainage capable of accommodating the proposed drainage solution. The Flood Team had no objections to the proposals and accordance with this design will be conditioned to secure. A condition will be required for the submission of a maintenance agreement should the Council not adopt the proposals.

10.14 **Open Space**

It is noted from the Development Plans response above that a shortfall in the required amount of open space should be justified. It was clarified by the developer that the development has been designed to provide a series of interconnecting greenspaces along the main footpath routes which form a natural corridor. This includes to the west of the site and strip running alongside the new footpath and road behind the existing houses which connects the area of open space and Adventure Trail with the SUDs basin through the site. The developer has suggested a linear adventure trail which would run parallel to the footpath. The Community Services Team were consulted to confirm whether this was acceptable. It was confirmed that the principle is acceptable however the route of the trail may require to be revised. As the application is in principle the finer detail of the trail and play area and equipment can be addressed by condition. It is noted that the total area of green space is approx. 1,935 square metres which is considered acceptable in this instance given the sites location and size of the plots.

10.15 **Developer Contributions**

The developer is to provide 8 affordable housing units on site, or by Commuted Sum, the details of which shall be included within a Section 75 Agreement. The provision of the school parking area will help to address current traffic congestion on the road in the mornings and afternoons. This is to be constructed in the first phase of development and will be conditioned to secure. The Access Officer requested a link from the development across an area of scrubland opposite the site to take pedestrians to the shop and other village facilities.

The permission will be conditioned to secure provision of a footpath across the front of the development site adjacent to the public road to link the site, school and wider village. A linkage between the development down to the public road adjacent to the property known as Piccolo Mundo has been identified. The developer confirms they are agreeable to this in principle and further detail on public access can be conditioned by permission. Unfortunately, due to third party landownership this may not be deliverable without evidence of any agreement of the landowner. Given that this entails a connection where there are public paths at present which provide access into Balintore it is not considered reasonable for this provision in this instance.

- 10.16 Development Plans had identified that the area of Open Space to be provided fell short of that which was required in the Developer Contributions Supplementary Guidance. It was clarified by the developer that there was one smaller area of open space; however the development had been designed to include landscape strips with woodland planting. The developer has agreed to provide an adventure play trail which will interconnect and make useable these areas of open space within the development. This is intended to allow pedestrian links and connect the area of open space with woodland located adjacent to the SUDs basin. This is considered acceptable, further detail on the design and equipment will be conditioned to secure. The adventure trail play equipment shall be installed prior to occupation of the 10th plot. This will also be conditioned to secure.
- 10.17 The Highlife Highland Estates manager had identified that the village was relatively well serviced in terms of community facilities with good space for cross country running, rugby, football and a good sized hall for indoor activities. It was suggested that an extension to the play ground in order to allow for line painting for cycle practice would be beneficial to the community. This appears to relate to an educational requirement over provision of community facilities as the provision of an extended playground would benefit the school only. The developer notes that they do not have land within their control to extend the play area however they are willing to provide line painting within the existing playground in order to allow for cycle practice, this in turn will help to promote active travel and is considered appropriate. Further detail and the provision of this will be conditioned to secure.
- 10.18 As above the developer has agreed that the mechanism for delivery of the playground line painting, public art, car parking area and open space and play area are to be by condition. The timescales for providing these will be indicated within the conditions. The provision of the link between the site and King Street and provision of either the delivery or commuted sum towards affordable housing shall be agreed through a Section 75 Legal Agreement between the Council and developer.
- 10.19 **Conclusion**
- The site has previous permission for the erection of 38 houses, it is an allocated site within a Settlement Development Area, and therefore the principle of development is accepted subject to a detailed planning application incorporating an appropriate design and resolution of all outstanding issues within the conditions attached to this report.

10.20 **Material Considerations**

No other material considerations.

10.21 **Other Considerations – not material**

Not applicable.

10.22 **Matters to be secured by Section 75 Agreement**

- Provision of 8 Affordable Housing Units

The applicant will have four months from the date that the Council's solicitor writes to the Applicant/Applicant's solicitor indicating the terms of the legal agreement, to deliver to the Council a signed legal agreement. Should an agreement not be delivered within four months the application will be refused under delegated powers.

11. 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.

12. **IMPLICATIONS**

12.1 Resource – Not applicable

12.2 Legal –Not applicable

12.3 Community (Equality, Poverty and Rural) –Not applicable

12.4 Climate Change/Carbon Clever –Not applicable

12.5 Risk – Not applicable

12.6 Gaelic – Not applicable

13. **RECOMMENDATION**

Action required before decision issued Y

Conclusion of Section 75 Agreement Y

Subject to the above, it is recommended the application be **Approved** subject to the following conditions and reasons:

1. No development shall commence within a phase, or relating to a phase, until all of the matters specified below, as they relate to or are relied upon by that phase, have been approved on application to the Planning Authority:
 - i. a detailed layout of the site of the proposed development (including site levels as existing and proposed);
 - ii. the design and external appearance of the proposed development;

- iii. landscaping proposals for the site of the proposed development (including boundary treatments);
- iv. details of access and parking arrangements; and
- v. details of the proposed water supply and drainage arrangements

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

2. Any details pursuant to Condition 1 above shall show a development designed in accordance with the Design Guidelines identified within the Design Brief submitted in support of the application which is hereby approved.

Reason: To ensure that a high quality design which is sympathetic to the surrounding houses and reflects the traditional highland vernacular is achieved on site.

3. Any details pursuant to condition 1 above shall show the existing site access located to the west of the property currently known as 'Aith Voe' shall be upgraded and constructed in accordance with The Highland Council's Access to Single Houses and Small Housing Developments guidelines and the attached Access Schedule (dated 14.05.2018), with:

- i. the junction formed to comply with drawing ref. SDB 2; and
- ii. visibility splays of 2.4m x 90m (the X dimension and Y dimension respectively) in each direction formed from the centre line of the junction.

No other development shall commence until the junction has been constructed in full and within the stated visibility splays, at no time shall anything obscure visibility between a driver's eye height of 1.05m positioned at the X dimension and an object height of 0.60m anywhere along the Y dimension.

For the avoidance of doubt this access shall not be utilised to serve the wider development and detail shall be provided on the means and timescale for closing this off to the north of Aith Voe and Plot 16.

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

4. No development shall commence until a Traffic Order has been made which will extend the 30mph speed limit eastwards of the existing access junction which is located to the west of the property currently known as 'Aith Voe'. Re-location of all signage of the new limit shall be provided at the expense of the developer.

Reason: The development would not be acceptable without the extension of the 30mph speed limit as there would be a danger to road traffic as a result of the existing speed limit over the current access.

5. The upgrading of the school car parking area and footpath fronting the car parking area shall be completed prior to the first occupation of any dwelling house constructed in Phase 1 of the 'Construction Phasing' plan drawing no. 1714.03.011 Rev A.

Reason: In order to ensure that the car parking area for the school is delivered timeously and to minimise further conflict between resident and school road users in the interest of road safety.

6. Any details pursuant to condition 1 above shall show car parking spaces provided within the curtilage of each of the dwellinghouses and formed in accordance with The Highland Council's Roads and Transport Guidelines for New Developments Figure 6.1 prior to first occupation of the dwellinghouse to which it relates, thereafter being maintained for this use in perpetuity. For the avoidance of doubt the provision of car parking spaces shall exclude garages.

Reason: To ensure that sufficient space is provided within the application site for the parking (and, where necessary, turning) of cars, so they do not have to park within or reverse onto the public road.

7. Any details pursuant to Condition 1 above shall include a construction phase Traffic Management Plan (including a routing plan for construction vehicles). The approved traffic management plan shall be implemented prior to development commencing and remain in place until the development is complete.

Reason: To ensure the safety of other road users given the proximity of the development to a primary school and nursery.

8. Any details pursuant to condition 1 above shall include details of a covered and secure communal bicycle storage/racking system. The storage/racking system shall be installed in accordance with these approved details prior to the first occupation of the development.

Reason: In order to facilitate the use of a variety of modes of transport.

9. Any details pursuant to condition 1 above shall include full details of wheelie/kerbside recycling bin storage areas located out with any visibility splays. The storage area shall be constructed in accordance with the details approved by the Planning Authority prior to the first occupation of the development and thereafter maintained in perpetuity.

Reason: To ensure that waste on the site is managed in a sustainable manner.

10. Any details pursuant to condition 1 above shall show surface water drainage provision within the application site which accords with the principles of Sustainable Urban Drainage Systems (SUDS) and is designed to the standards outlined in Sewers for Scotland Second Edition (or any superseding guidance prevailing at the time).

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

11. Any details pursuant to condition 1 above shall include a scheme for the maintenance, in perpetuity, of all on-site green spaces and woodland and play areas and other spaces, facilities, features or parts of the development that are not the exclusive property of any identifiable individual home owner (such as communal

parking areas, and those elements of surface water drainage regimes not maintained either by the Council or Scottish Water), have been submitted to, and approved in writing by, the Planning Authority. Thereafter, the approved scheme shall be implemented in full and in accordance with the timescales contained therein.

Reason: To ensure that all communal spaces, facilities and landscaping areas are properly managed and maintained.

12. Any details pursuant to Condition 1 above shall include full details of the location, form and programme for delivery of a minimum of 1 fully equipped play area within the application site. Thereafter, the play areas shall be installed by, and at the expense of, the developer in line with these approved details and their on-going upkeep shall be included in a factoring agreement (or similar). For the avoidance of doubt the play area shall be installed prior to the first occupation of the 10th plot to be developed on site.

Reason: In order to comply with the requirements of the Council's Open Space in New Residential Development supplementary planning guidance (adopted January 2013) and to ensure that sufficient play equipment exists within the application site to serve future residents' needs.

13. Any details pursuant to Condition 1 above shall include full details of the design and location of a feature of Public Art to be provide on site in compliance with the Council's Public Art Strategy supplementary guidance; and proposals for its installation and maintenance; have been submitted to and approved in writing by the Planning Authority. The Public Art feature shall thereafter be installed and maintained in accordance with such details.

Reason: In accordance with the Highland wide Local Development Plan Policy 31 (Developer Contributions) and associated supplementary planning guidance on Developer Contributions, Open Space and Public Art Strategy.

14. Any details pursuant to condition 1 above shall include a detailed Landscape Plan and Maintenance Programme which shall include any remote paths within the development. The Landscape Plan shall be implemented in full during the first planting season following commencement of development, with maintenance thereafter being carried out in accordance with the Maintenance Programme. For the avoidance of doubt, any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason: In order to secure high-quality open spaces in compliance with Council Supplementary Planning Guidelines.

15. Within a period of 28 days following the completion of each phase of the development, a Notice of Completion in accordance with Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) must be submitted in writing to the Planning Authority.

Reason: In order to accord with the statutory requirements of Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) and in order to allow the Planning Authority to monitor progress of the development

16.

Any detail pursuant to condition 1 shall include a detailed Outdoor Access Plan of public access across the site (as existing, during construction and following completion). The plan shall include details showing:

- i. All existing access points, paths, core paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;

The approved Outdoor Access Plan, and any associated works, shall be implemented in full prior to the first occupation of any part of Phase 2 of the development or as otherwise may be agreed within the approved plan.

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

REASON FOR DECISION

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

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION IN PRINCIPLE

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

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

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

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

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

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

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

Accordance with Approved Plans and Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (p.198), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Septic Tanks and Soakaways

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

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area 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:

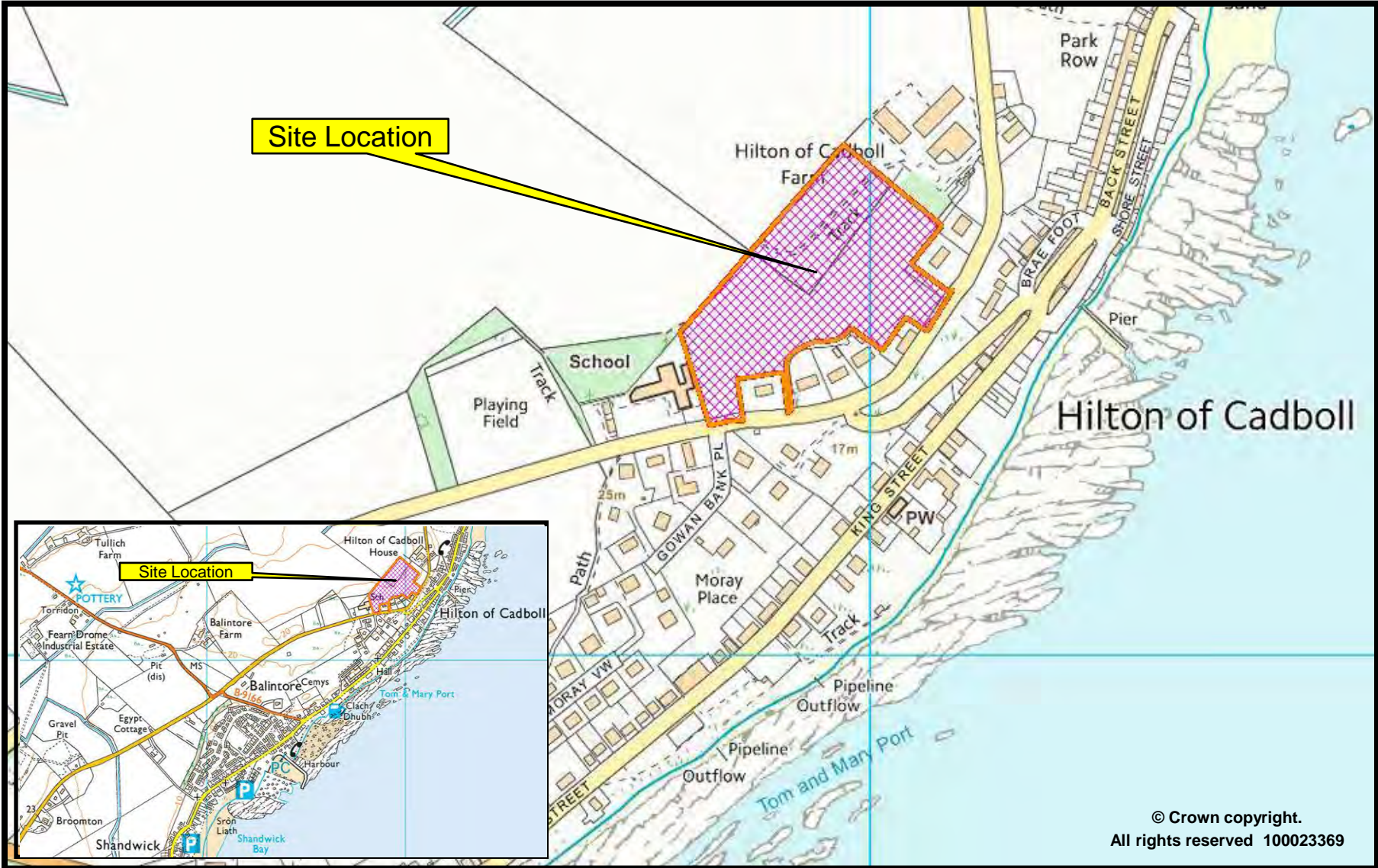
http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_or_working_on_public_roads/2

Mud and Debris on Road

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

Designation: Area Planning Manager - North
Author: Laura Stewart
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Location Plan – drawing no. 1714.03.001 Rev A
Plan 2 – Site Layout Plan – drawing no. 1714.03.010 Rev A
Plan 3 – Site Layout Phasing Plan – drawing no. 1714.03.011 Rev A
Plan 4 – Road Layout Plan – drawing no. 1714.03.012 Rev A
Plan 5 – Landscaping Plan – drawing no. 1714.03.014 Rev A

Site Location



Hilton of Cadboll

Site Location

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17/05309/PIP

Housing Development of 32 houses (indicative)(in phases) and associated infrastructure works; form new access from public road and construct school parking area at Land 165m NE of Hilton of Cadboll Primary School, Hilton of Cadboll.



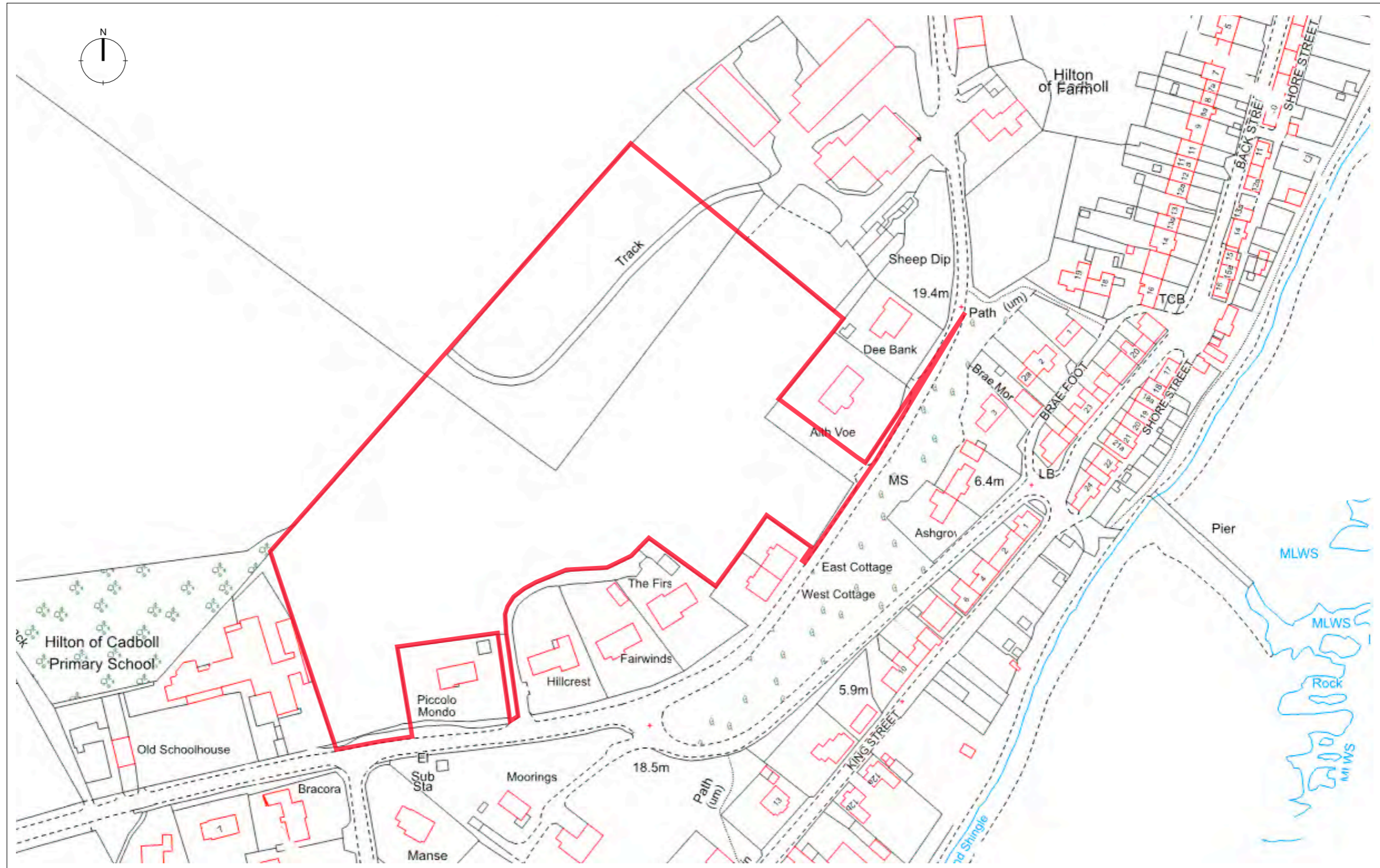
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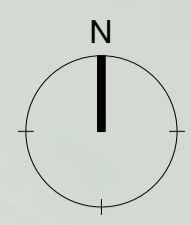


The Highland Council
Comhairle na Gàidhealtachd

Development & Infrastructure Service

May 2018

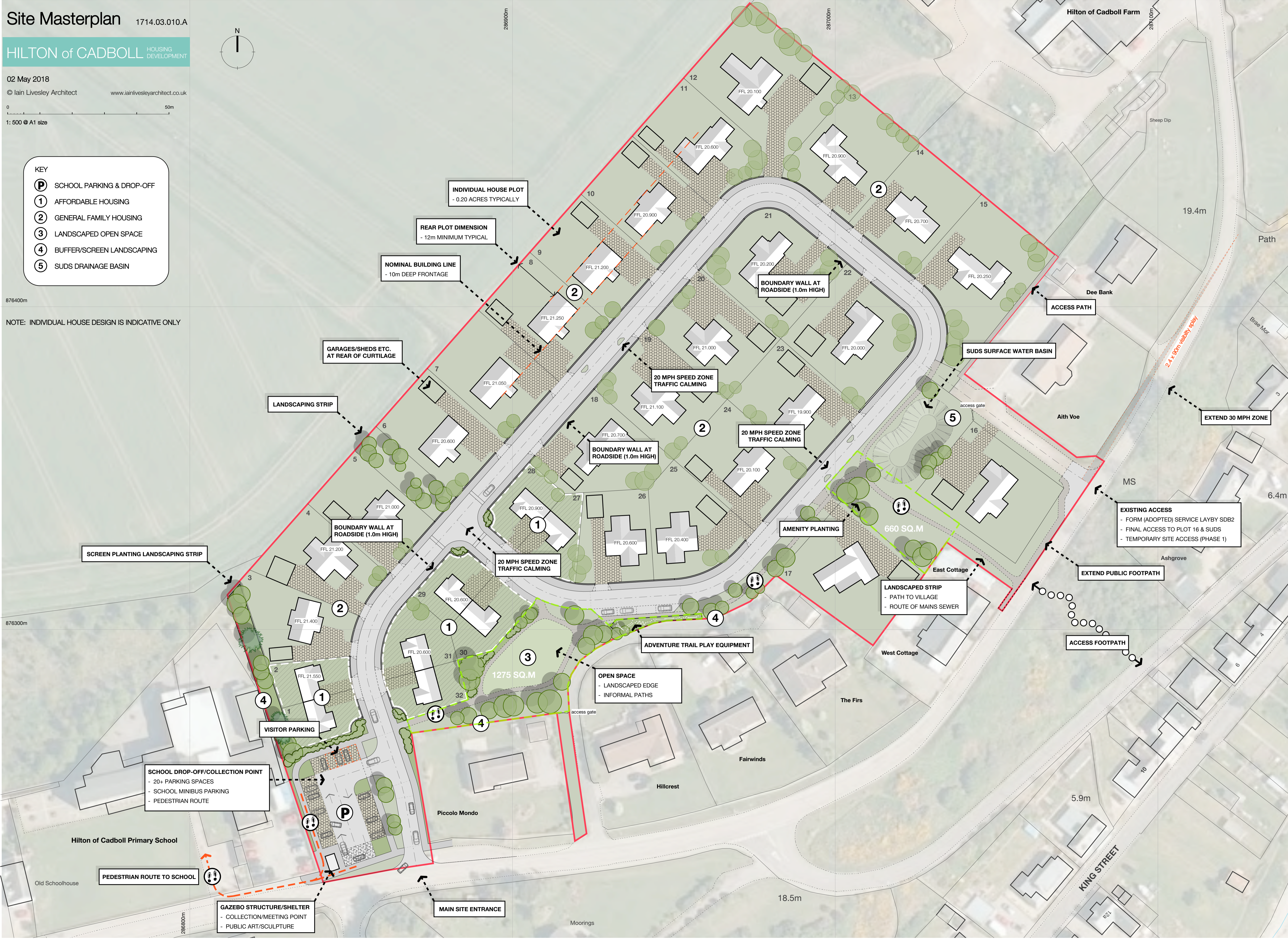




KEY

- (P)** SCHOOL PARKING & DROP-OFF
- (1)** AFFORDABLE HOUSING
- (2)** GENERAL FAMILY HOUSING
- (3)** LANDSCAPED OPEN SPACE
- (4)** BUFFER/SCREEN LANDSCAPING
- (5)** SUDS DRAINAGE BASIN

876400m
NOTE: INDIVIDUAL HOUSE DESIGN IS INDICATIVE ONLY



INDIVIDUAL HOUSE PLOT
- 0.20 ACRES TYPICALLY

REAR PLOT DIMENSION
- 12m MINIMUM TYPICAL

NOMINAL BUILDING LINE
- 10m DEEP FRONTAGE

GARAGES/SHEDS ETC.
AT REAR OF CURTILAGE

LANDSCAPING STRIP

SCREEN PLANTING LANDSCAPING STRIP

VISITOR PARKING

SCHOOL DROP-OFF/COLLECTION POINT
- 20+ PARKING SPACES
- SCHOOL MINIBUS PARKING
- PEDESTRIAN ROUTE

PEDESTRIAN ROUTE TO SCHOOL

GAZEBO STRUCTURE/SHELTER
- COLLECTION/MEETING POINT
- PUBLIC ART/SCULPTURE

MAIN SITE ENTRANCE

BOUNDARY WALL AT ROADSIDE (1.0m HIGH)

BOUNDARY WALL AT ROADSIDE (1.0m HIGH)

BOUNDARY WALL AT ROADSIDE (1.0m HIGH)

BOUNDARY WALL AT ROADSIDE (1.0m HIGH)

LANDSCAPED STRIP
- PATH TO VILLAGE
- ROUTE OF MAINS SEWER

OPEN SPACE
- LANDSCAPED EDGE
- INFORMAL PATHS

ADVENTURE TRAIL PLAY EQUIPMENT

AMENITY PLANTING
660 SQ.M

SUDS SURFACE WATER BASIN

20 MPH SPEED ZONE
TRAFFIC CALMING

20 MPH SPEED ZONE
TRAFFIC CALMING

ACCESS PATH

EXTEND PUBLIC FOOTPATH

ACCESS FOOTPATH

EXISTING ACCESS
- FORM (ADOPTED) SERVICE LAYBY SDB2
- FINAL ACCESS TO PLOT 16 & SUDS
- TEMPORARY SITE ACCESS (PHASE 1)

EXTEND 30 MPH ZONE

5.9m

19.4m

Path

Hilton of Cadboll Farm

Sheep Dip

Dee Bank

Aith Voe

MS

Ashgrove

East Cottage

West Cottage

The Firs

Fairwinds

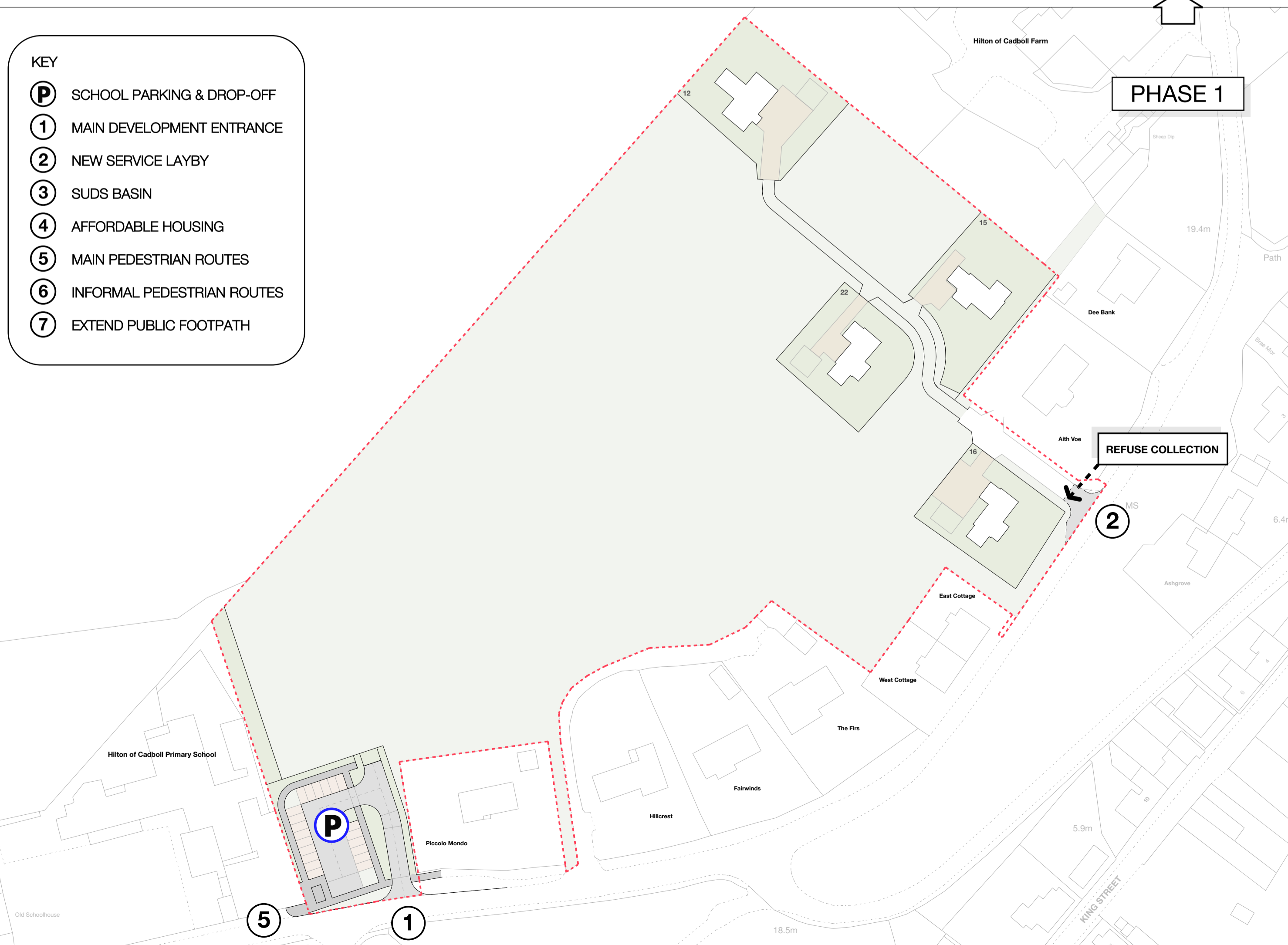
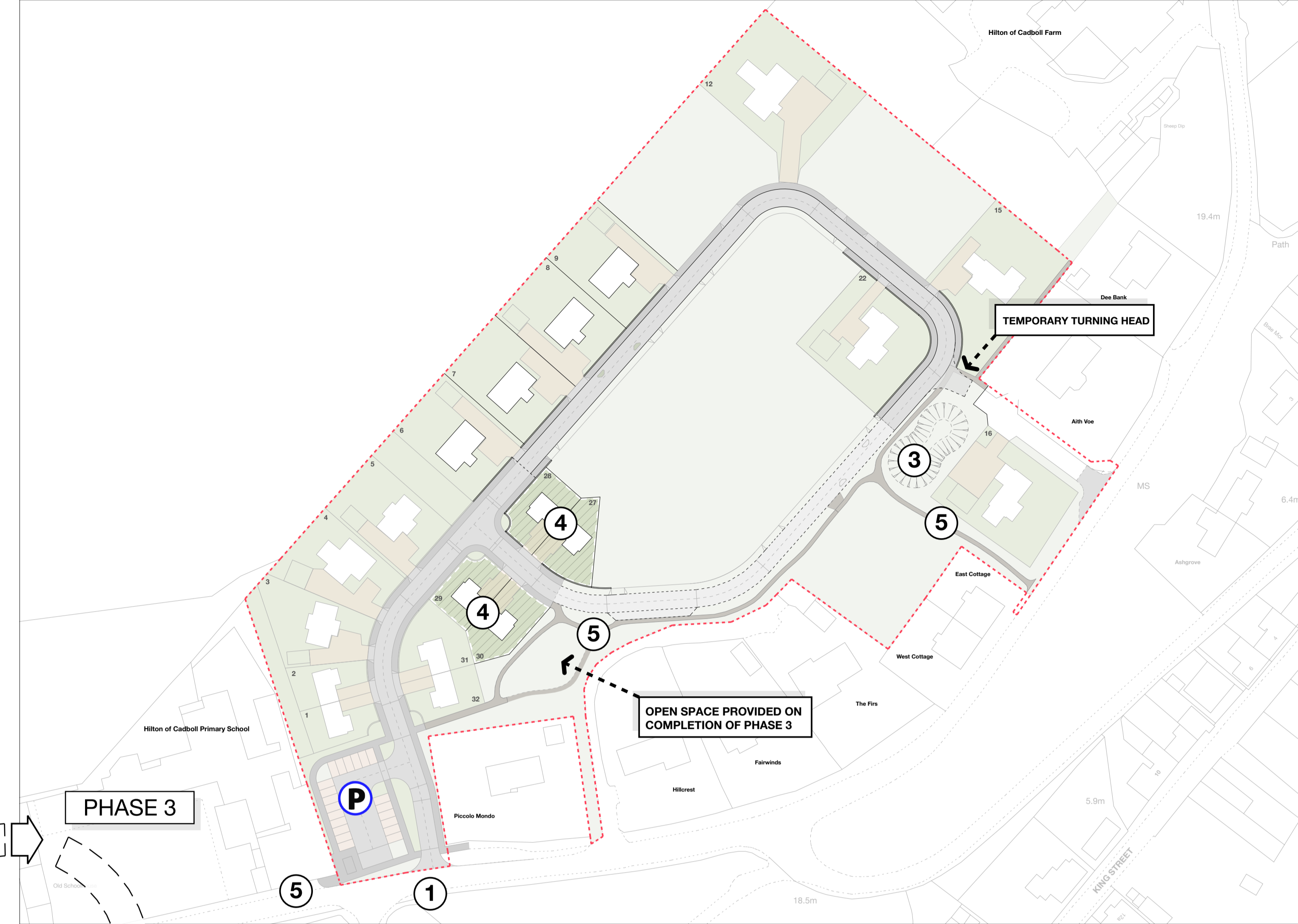
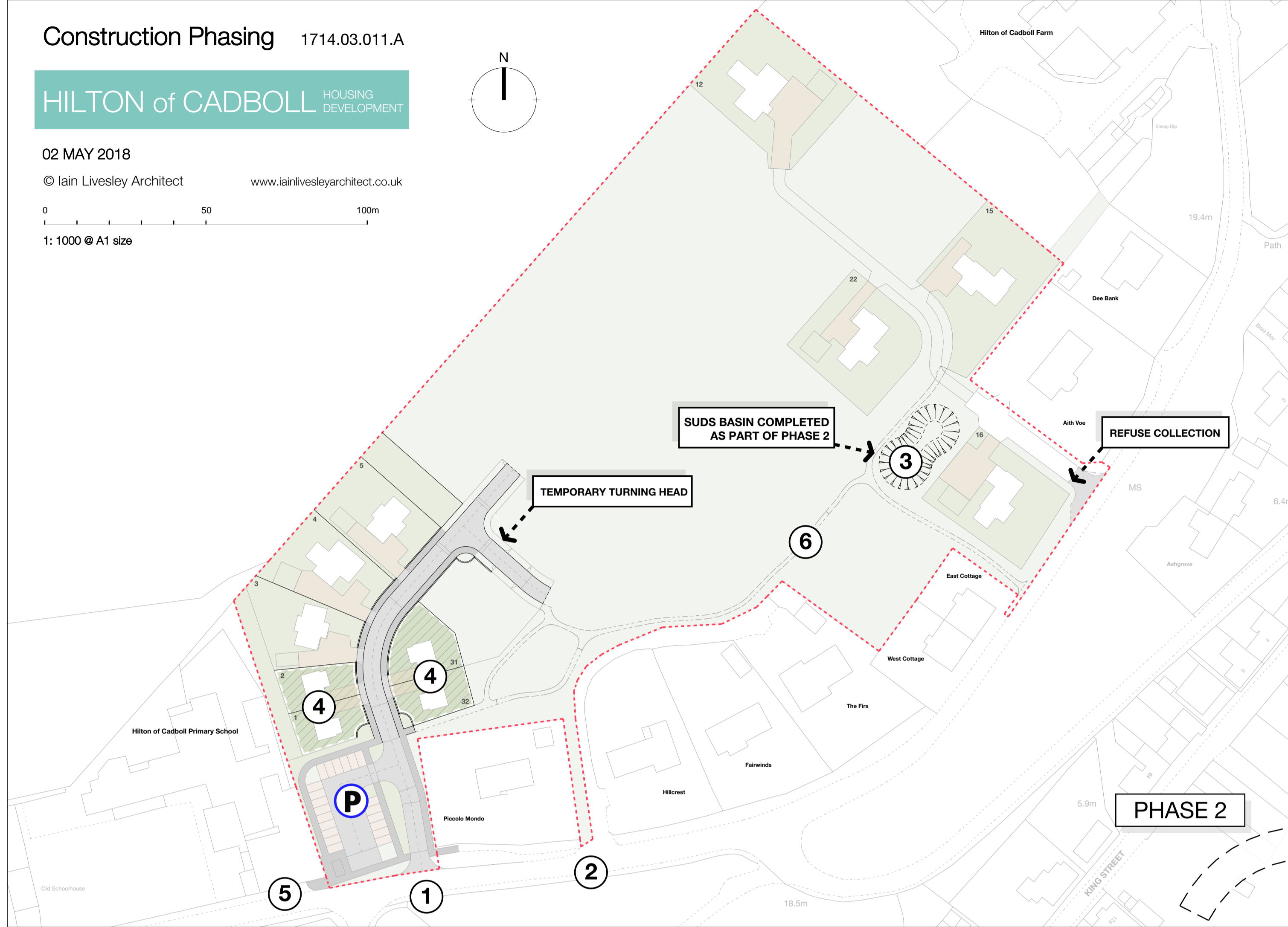
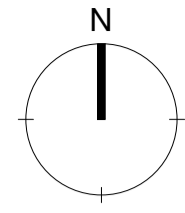
Hillcrest

Piccolo Mondo

Moorings

KING STREET

125



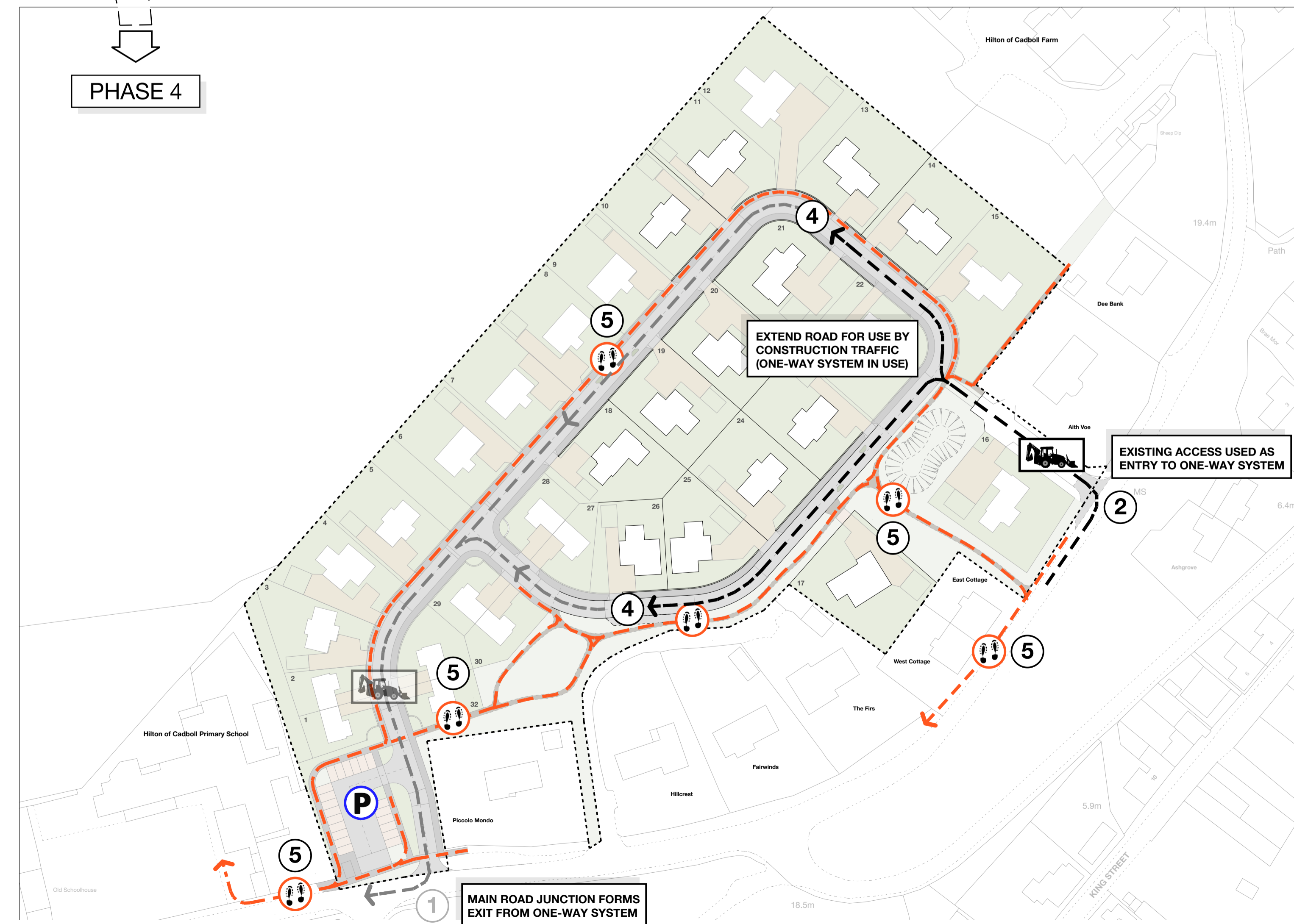
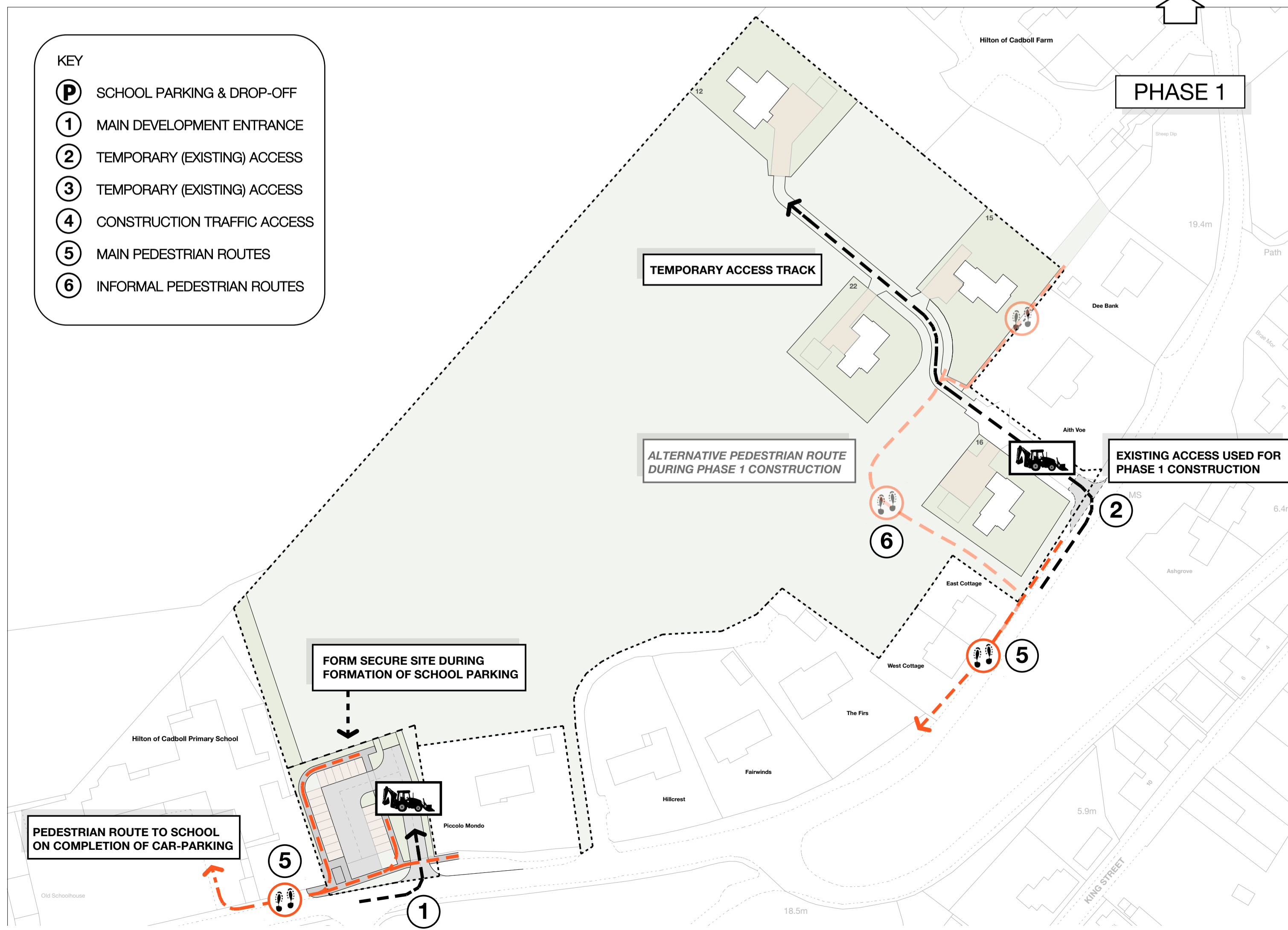
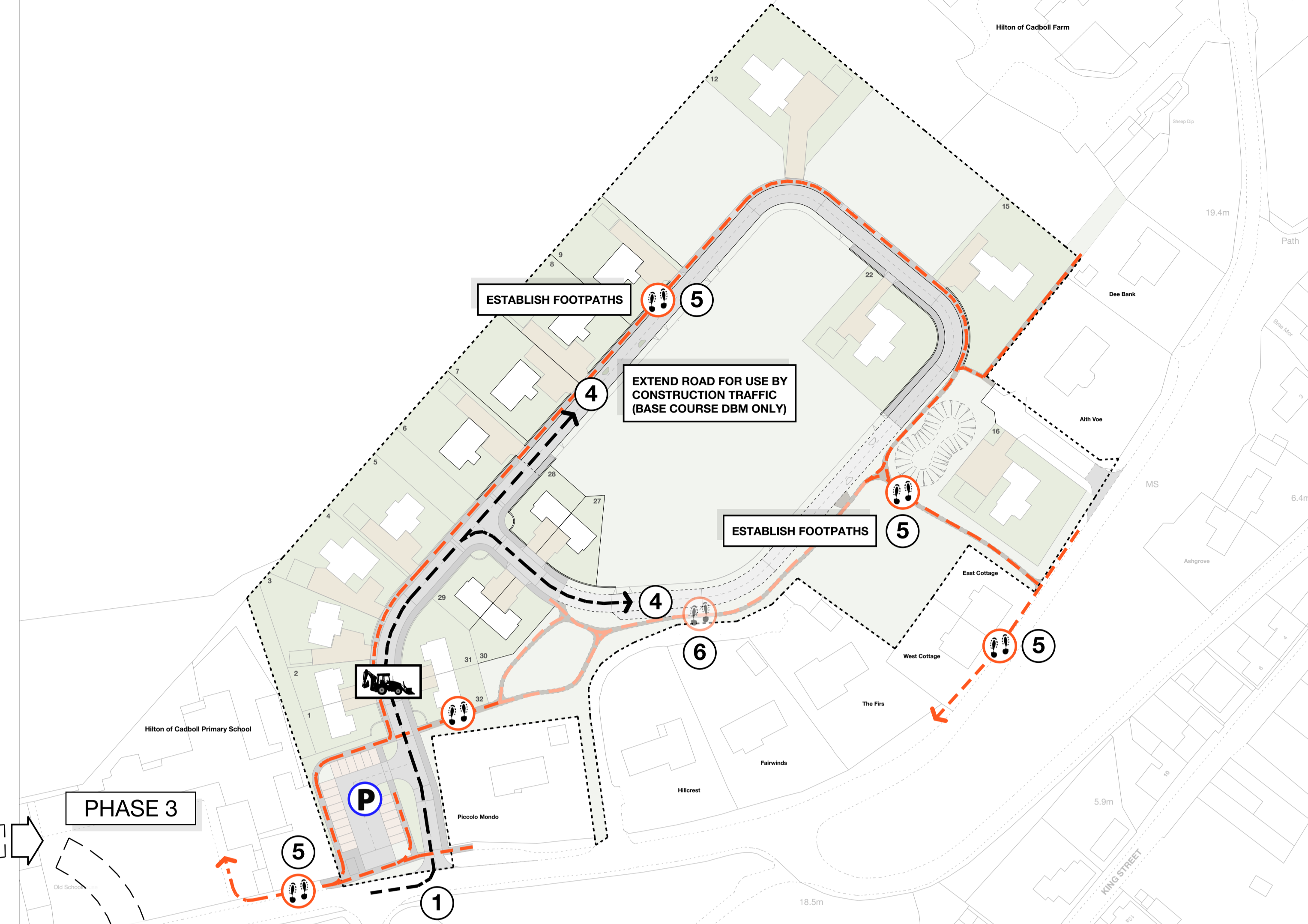
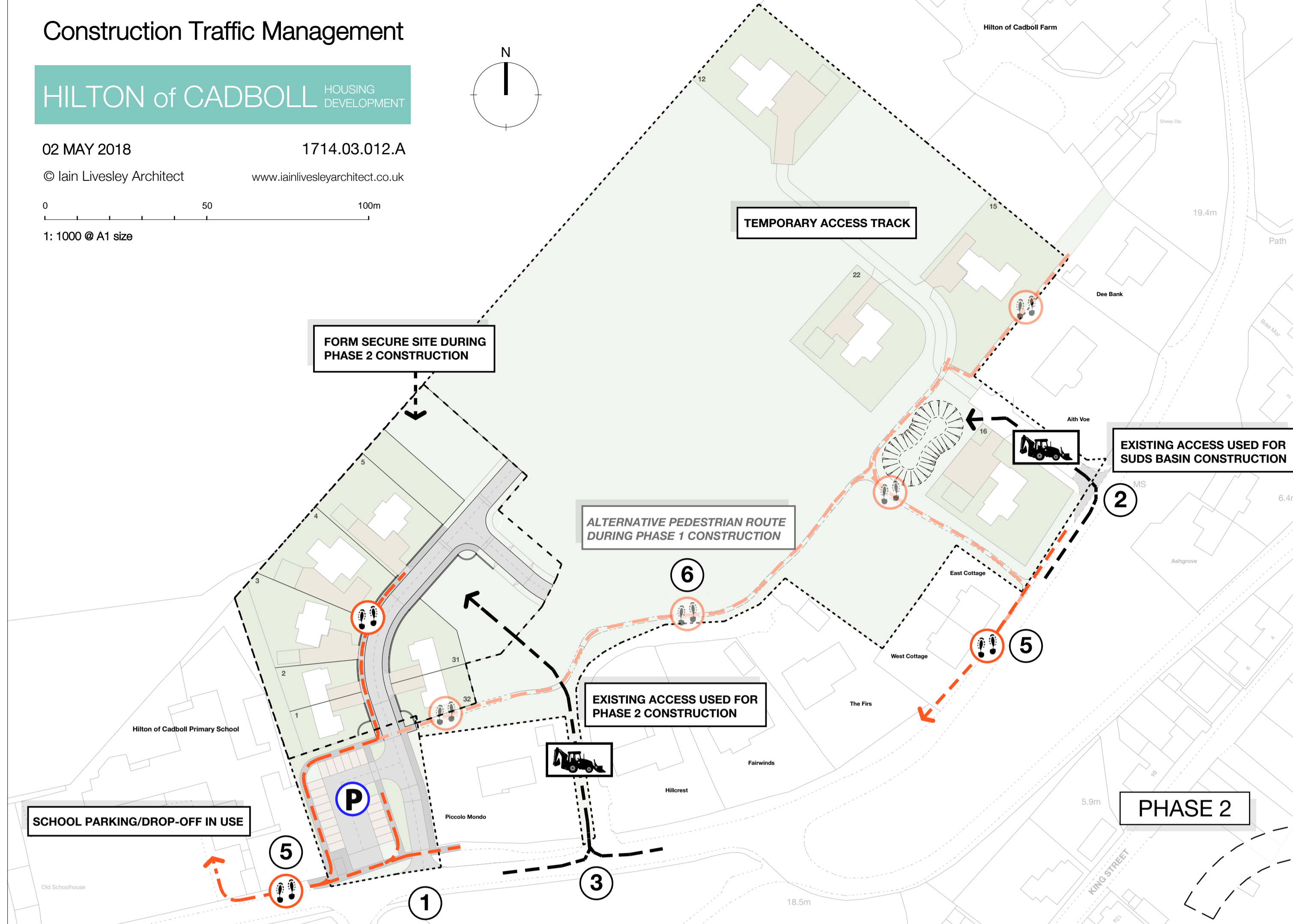
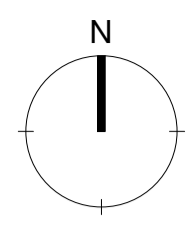
- KEY
- (P) SCHOOL PARKING & DROP-OFF
 - (1) MAIN DEVELOPMENT ENTRANCE
 - (2) NEW SERVICE LAYBY
 - (3) SUDS BASIN
 - (4) AFFORDABLE HOUSING
 - (5) MAIN PEDESTRIAN ROUTES
 - (6) INFORMAL PEDESTRIAN ROUTES
 - (7) EXTEND PUBLIC FOOTPATH

Construction Traffic Management

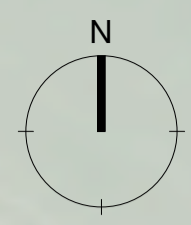
HILTON of CADBOLL HOUSING DEVELOPMENT

02 MAY 2018 1714.03.012.A
 © Iain Livesley Architect www.iainlivesleyarchitect.co.uk

0 50 100m
 1: 1000 @ A1 size



- KEY
- P** SCHOOL PARKING & DROP-OFF
 - 1** MAIN DEVELOPMENT ENTRANCE
 - 2** TEMPORARY (EXISTING) ACCESS
 - 3** TEMPORARY (EXISTING) ACCESS
 - 4** CONSTRUCTION TRAFFIC ACCESS
 - 5** MAIN PEDESTRIAN ROUTES
 - 6** INFORMAL PEDESTRIAN ROUTES



- KEY**
- (P)** SCHOOL PARKING & DROP-OFF
 - (1)** LANDSCAPED ENTRANCE VERGE
 - (2)** ENTRANCE/JUNCTION FEATURES
 - (3)** LANDSCAPED OPEN SPACE
 - (4)** BUFFER/SCREEN LANDSCAPING
 - (5)** SUDS DRAINAGE BASIN
 - (6)** LANDSCAPED RESERVE

876400m
NOTE: INDIVIDUAL HOUSE DESIGN IS INDICATIVE ONLY

