

Agenda Item	6.2
Report No	PLS 040/19

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 11 June 2019

Report Title: 18/05939/MSC: The Highland Council

Land 400M NE of Blar Mor Industrial Estate, Lochyside, Fort William

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Erection of 117 unit residential development and associated infrastructure - approval of matters specified in conditions 2, 6, 7, 9 , 13, 16, 17, 21, and 22 of Planning Permission 18/03647/PIP

Ward: 11 – Caol and Mallaig

Development category: Major

Reason referred to Committee: Approval of Matters Specified in Conditions that is 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.

Recommendation

Members are asked to agree the recommendation to **Approve** matters specified in conditions as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 This submission seeks approval for a number of the matters specified in conditions attached to planning permission 18/03647/PIP granted on 19 December 2019 in respect of the Blar Mor development to allow the delivery of Phase 1 of the residential development comprising 117 homes. The mix of units comprise:
- 30 x 2 Bedroom Semi Detached Houses;
 - 32 x 3 Bedroom Semi Detached Houses;
 - 7 x 4 Bedroom Detached Houses;
 - 4 x 2 Bedroom Accessible Bungalows;
 - 2 x 3 Bedroom Accessible Bungalows;
 - 12 x 2 Bedroom Cottage Flats; and
 - 30 x 1 Bedroom Flats.
- 1.2 The overall masterplanned development at Blar Mor comprises 250 homes, Hospital (Class 8), STEM Centre (Class 10), commercial (Classes 1 & 2) and community uses. The residential development will be in 2 sequential phases.
- 1.3 This submission forms the first phase of residential development as part of the Blar Mor Masterplan. It has been guided by the original masterplan (18/03647/PIP).
- 1.4 This submission seeks approval of the following conditions:
- 2 (a) - siting and design
 - 2 (b) - sustainable design considerations
 - 2 (c) – means of access to the site
 - 2 (d) – layout of the site
 - 2 (e) – road layout
 - 2 (f) – car parking
 - 2 (g) – cycle parking
 - 2(h) – details of open space
 - 2(j) – landscaping
 - 2(k) – management and maintenance
 - 2(l) – boundary treatment
 - 2(m) – goods vehicles
 - 2 (n) – surface water drainage
 - 2 (o) – water and waste water connections
 - 2(p) – waste management
 - 2(q) – trees to be retained
 - 2(r) – site levels
 - 2(s) – finished floor levels
 - 2(t) – street lighting
 - 6 – surface water drainage
 - 7 – strategic drainage
 - 9 – access management plan
 - 13 – waste strategy
 - 16 – car parking
 - 17 – cycle parking
 - 22 – Tree retentions
- 1.5 The applicant sought pre-application advice through the Pre-Application Advice Service for Major Developments.
- 1.6 This submission has been supported by the following information:

- Design and Access Statement;
- Drainage Strategy;
- Masterplan Phasing Plan;
- Landscape Specification;
- Access Management Plan;
- Report on potential for carbon release.

1.7 During the processing of the matters specified in conditions a number of variations have been made to address issues raised by consultees and the Case Officer including:

- Modifications to locations of bin collection points;
- Modifications to cycle parking provision, including increased provision and changes to location of stores;
- Modifications to increase footpaths, modify locations and widths;
- Modifications to boundary treatments;
- Clarification provided on the drainage for the site;
- Submission of Access Management Plan;
- Modifications to landscaping to include areas for play;
- Modifications to building design in relation to fenestration and material usage.

2. SITE DESCRIPTION

2.1 The site comprises an area of ground to the north east of the A830. Works are ongoing on the site in relation to management of peat in line with the approved peat management plan. The main site access is in place following its completion under a previous planning permission and the required traffic and transport mitigation (on-site and off-site). Fort William Police Station is located to the west of the site.

2.2 The development site is largely level and is covered in low vegetation. The site is predominantly made up of peat. The deepest areas of peat are to the north of the site where development will not take place.

2.3 There are no natural or cultural heritage designations covering the site. There are sites of archaeological interest recorded in the Highland Historic Environment Record within the vicinity of the site.

2.4 There are no areas of fluvial flood risk within the site. There is an area of pluvial flood risk within the site.

2.5 There are largely open views from the site. The site is not covered by any national, regional or local landscape designations. The site lies within the Settled Lochs Landscape Character Type as identified by Scottish Natural Heritage.

3. PLANNING HISTORY

3.1 14.07.2010 10/01590/PAN - Planning permission in principle Case Closed for mixed-use scheme including use classes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and sui generis (police

station), associated roads, junctions, servicing, drainage, landscaping and infrastructure

3.2	02.03.2011	10/02634/PIP - Planning permission in principle for:- Class 1 (Retail) Class 3 (Food & Drink) Class 5 (General Industrial) Class 8 (Residential Institution- Hospital) Class 10 (Non-residential Institution - School) Class 11 (Assembly & Leisure - All Weather Sports Pitch) Sui Generis (Police Station) plus associated roundabouts, roads, infrastructure, utilities, landscaping and engineering works (details of new A830(T) roundabout and internal spine road brought forward for approval now).	Permission Granted
3.3	01.02.2012	11/03484/MSC - Approval of Conditions 4 (part), 7, 8, 9, 10, 12, 14, 15, 17, 19 and 21 in relation to Phase 1 of development (10/02634/PIP)	Permission Granted
3.4	05.01.2012	11/03567/MSC - Application for Matters Specified in Condition, pursuant to condition 2 of PIP 10/02634/PIP to discharge conditions 4 (part) and 18 in so far as they relate to the class 1 retail store and petrol filling station site and related access roads, servicing, landscaping, recycling and parking.	Permission Granted
3.5	10.05.2012	12/00333/MSC - Approval of condition 26 of 10/02634/PIP (class 1 retail store, petrol filling station site, access roads, servicing, landscaping, recycling and parking)	Permission Granted
3.6	06.08.2012	12/01892/MSC - Application for Matters Specified in Condition, pursuant to condition 2 of PIP 10/02634/PIP to discharge conditions 4 (part) and 18 in so far as they relate to the class 11 Sui Generis (Police Station with Ambulance Station)	Permission Granted
3.7	06.08.2012	12/01900/MSC - Application for Matters Specified in Condition, pursuant to condition 2 of PIP 10/02634/PIP to discharge conditions 4 (part) and 8 to prepare land for development and establish landscape amenity bund (in part).	Permission Granted
3.8	23.04.2018	18/01823/PAN - Proposed development includes residential (approx. 200 units), commercial, hospital & community use, the site also includes peat bog & habitat area & landscaped areas	Case Closed
3.9	05.06.2018	18/02352/SCRE - Mixed use masterplan comprising 200-250 residential units, commercial,	EIA Not Required

hospital & community use

3.10	17.07.2018	18/03314/MSC - Submission of Matters Specified in Conditions 4J (Hard and Soft Landscaping) and Condition 8 (Peat Management Plan) of Planning Permission in Principle ref 10/02634/PIP	Pending Consideration
3.11	18.12.2018	18/03647/PIP - Mixed-use masterplan comprising residential (Class 9 and flatted), Hospital (Class 8), STEM Centre (Class 10), commercial (Classes 1 & 2) and community uses	Permission Granted
3.12	29.04.2019	18/05654/FUL – Construction of new college building to form a Centre for Science and Technology	Permission Granted

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour

Date Advertised: 28 February 2019

Representation deadline: 14 March 2019

Timeous representations: 0

Late representations: 0

5. CONSULTATIONS

5.1 **Kilmallie Community Council** object to the application on the following grounds:

- Lack of masterplan for developments on the Blar Mor resulting in the loss of opportunity to maximise the benefits of projects through co-ordinated developments;
- Lack of estimates of CO₂ emissions associated with peat disturbance on the site;
- The application is car focused;
- Inadequate attention to sustainability and reduction in overall carbon footprint.

In addition to the above grounds of objection the Community Council also make the following observations:

- housing that relies on cars and fossil fuels will not serve future generations;
- The car focussed nature of the development and lack of other facilities within the development would lead to increased traffic on the road network;
- The proposed bus route will degrade the service for current users;
- Lack of pedestrian / cycle access to the south east of the site;

- Seeking enhancement to the off-site cycle connection to Fort William Town Centre via the Soldiers Bridge;
- There is a need for upgrades to the route to Caol via the underpass under the railway;
- The amenity spaces are small and no inspiring with a lack of play areas;
- Limited outdoor storage for the flatted development;

5.2 **Development Plan Team** do not object to the application. It considers that; there should be better connectivity to the wider area from this part of the masterplan site including toward the health centre, Lochaber High School and the community use site; further consideration should be given to the frontage onto the A830; and the open space should be useful and sufficient to meet the needs of the residents.

5.3 **Flood Risk Management Team** do not object to the application following submission of additional information related to drainage. It notes that the regional surface water drainage system basin will have sufficient capacity to accommodate this development.

5.4 **Transport Planning Team** do not object to the application following points of clarification being addressed and modifications to the layout to ensure: that the road layout within the application site meets technical standards; the active travel routes through and to the site are of appropriate design and in appropriate locations; parking and cycle provision is appropriate; and waste management provision meets the relevant standards.

5.5 **Access Officer** does not object to the application following submission of the access management plan. He seeks modifications to the access management plan to ensure that the whole life costs of the path network are minimised.

5.6 **Lochaber Access Panel** do not object to the application. It sought a meeting with the applicant. A meeting was held on 09 May 2019 and was used to inform the final layout of the application.

5.7 **Scottish Environment Protection Agency** do not object to the application.

5.8 **Transport Scotland** do not object to the application.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 32 - Affordable Housing
- 34 - Settlement Development Areas
- 40 - Retail Development

- 42 - Previously Used Land
- 47 - Safeguarding Inbye/Appportioned Croftland
- 51 - Trees and Development
- 53 - Minerals
- 54 - Mineral Wastes
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 61 - Landscape
- 62 - Geodiversity
- 63 - Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 72 - Pollution
- 74 - Green Networks
- 75 - Open Space
- 77 - Public Access

6.2 West Highland and Islands Local Plan 2010 (as continued in force)

Policy 2 – Development Objectives and Developer Requirements

Allocation MU4 – Mixed Use (300 houses, business, community, leisure and urban district)

6.3 Proposed West Highland and Island Local Development Plan 2017

Policy 2 – Delivering Developments

Allocation FW08 – Mixed Use (130 houses, Community, Business, Retail)

6.4 Highland Council Supplementary Planning Policy Guidance

Construction Environmental Management Process for Large Scale Projects (August 2010)

Developer Contributions (November 2018)

Flood Risk & Drainage Impact Assessment (Jan 2013)

Green Networks (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Housing in the Countryside and Siting and Design (March 2013)

Managing Waste in New Developments (March 2013)

Open Space in New Residential Developments (Jan 2013)

Physical Constraints (March 2013)

Public Art Strategy (March 2013)

Standards for Archaeological Work (March 2012)

Sustainable Design Guide (Jan 2013)

Trees, Woodlands and Development (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (The Scottish Government, June 2014)

National Planning Framework 3 (Scottish Government, 2014)

Creating Places (Scottish Government, 2013)

Designing Streets (Scottish Government, 2010)

PAN 42 Archaeology

PAN 61 Planning for Sustainable Urban Drainage Systems (SUDS)

PAN 68 Design Standards

PAN 74 Affordable Housing

PAN 77 Designing Safer Places

PAN 79 Water and Drainage

8. PLANNING APPRAISAL

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

Determining Issues

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

Planning Considerations

8.3 The principle of the development has been established through the previous permission. This submission seeks to approve matters specified in conditions of the planning permission in principle. In order to address the determining issues therefore, Committee must consider the extent to which the proposal continues to comply with development plan policy, the provisions of the conditions attached to the planning permission in principle and take into consideration any other material considerations.

Development plan/other planning policy

8.4 The West Highlands and Islands Local Plan is under review and its replacement, the West Highland and Islands Local Development Plan (WHILDIP) is at a very advanced stage as the examination by the Reporter appointed by the Scottish Ministers has been received by the Council in early May 2019. This has confirmed the application site is on an allocated site and that the use proposed matches that of the planning permission in principle. The WHILDIP will be adopted by the Council in September 2019.

8.5 The overall Development Plan policy has not changed since the determination of planning permission in principle. The Fort William 2040 Masterplan has now

been adopted by the Council and will help deliver a shared vision for the future of Fort William and Lochaber. This identifies the Blar Mor site as an opportunity to connect the “old” and “new” town with integrated vehicular and active travel. The development proposed by this application is identified as a project within the Fort William 2040 Masterplan. Subject to detail set out later in this report the submission for the approval of matters specified in conditions accords with the provisions of the Development Plan.

- 8.6 The remainder of this report will consider the submissions made in relation to the relevant conditions attached to the planning permission in principle and assess its compatibility with the Development Plan.

Layout, Siting and Design (Conditions 2(a), 2(b), 2(d), 2(l), 2(r), 2(s))

- 8.7 The site layout follows the principles of the masterplan for Blar Mor for this phase. It utilises a series of connected streets based around a clear street hierarchy with frontages of properties facing onto all streets and landscaped areas.
- 8.8 The higher density development is closer to the A830 in the form of three-storey flatted blocks. In response to concerns raised by consultees active travel linkages and enhancements to spaces and places have been secured and it is now considered that the key principles of Designing Streets have been met.
- 8.9 Therefore, the defining matters in relation to layout and design were points of detail. In particular, the relationship between the buildings and the streets and the design of the individual houses and blocks of flats. The layout has been amended through negotiation with the applicant at the pre-application stage and through the application to improve the relationship between the buildings and the street.
- 8.10 Generally, where buildings are adjacent to primary streets and open spaces there are active frontages onto these streets and spaces. Concern was raised in relation to the frontage onto the A830 by the Development Plans Team. Having reviewed the layout, it was considered that the lack of connectivity between the blocks and visibility of the car parking within the development from the A830 was not appropriate. The applicant sought to re-design the blocks in this area to change the interaction between the landscaped area adjacent to the A830. In doing so while the blocks have not changed in external appearance, the internal layout has been altered to have active rooms overlooking the landscaped area. Further the building line has been reinforced through the use of walls connecting the flatted blocks. This will also screen the parking within the development from the A830.
- 8.11 Overall, the design of the houses and flats provides a modern take on traditional architecture. The mass and design of the buildings accord with the provisions of the masterplan submitted with the planning permission in principle.
- 8.12 The house types are a mix of single and two storey buildings some of which are to be designed and built for specific housing needs. The majority of the houses along the primary street are two storey, helping to provide a sense of enclosure and definition to the street. The range of house types in the application is

considered acceptable and delivers a series of character, in part defined by the street hierarchy, to add interest to the street scene.

- 8.13 Kilmallie Community Council raised concerns over the lack of outdoor storage space. Each of the houses has space in the garden for the erection of further storage if it is required. The flatted blocks however do not have further outdoor storage beyond bike and bin stores. The stores within the communal areas of the flatted blocks have been designed in a manner where they are flexible and could be used for storage of other items if they are not required for bikes.
- 8.14 The material palette across the application site reflects that set out in the Area Development Brief and comprises of render and cement board. The roofs will all be finished in a dark grey concrete tile. The mix of materials is considered acceptable.
- 8.15 The application details the proposed boundary treatments within the development. A combination of timber fencing, render walls, stock proof fencing and metal railings are proposed. There are no high fences facing the primary streets within the development and all front gardens will be enclosed with metal railings. The use of stock proof fencing is limited to the areas adjacent to parking courts on the northern edge of the development. The types and locations of the boundary treatments are acceptable.
- 8.16 The general layout of the development is one which takes advantage of the site's location, natural features and orientation. This combined with designing in active travel connections has sufficiently demonstrated that sustainable design has been taken into consideration. In addition the applicant submitted a sustainability statement setting out how the houses will incorporate sustainable technologies. The houses will however be heated by gas. While this is fossil fuel, the infrastructure put in place in the site would not prohibit the change to an alternative source of heating in the future.

Access, Parking and Servicing (Conditions 2(e), 2(f), 2(g), 2(m), 2 (p), 7, 13, 16, and 17)

- 8.17 The site will be accessed from the consented and built Blar Mor distributor road via a new junction to be created. The principle of this access solution has been accepted through the Masterplan. Kilmallie Community Council has raised concerns over the impact of increased traffic on the road network. This matter was assessed through the planning permission in principle application where the traffic impacts were found to be acceptable. This application does not increase the level of development beyond that assessed through the planning permission in principle. Transport Scotland has not objected to the application.
- 8.18 This is one of the first developments to be brought forward as part of the masterplan. The masterplan aspires to deliver enhanced active travel connections in the area. However, when the application was submitted it was considered that appropriate connections for non-motorised users had not been made. Therefore, through negotiation with the applicant, the following connections have been provided:

- Connections to the A830 to be provided to adoptable standard providing links to Lochaber High School and other facilities (including shops) to the south east of the site;
- Access to the future community use site;
- Access to the health centre should an agreement be reached for access at a future date.
- Active travel connection around the surface water drainage feature at the south west of the site.

- 8.19 Overall, the promoted active travel route that links this development with the Fort William Town Centre is to the south and after crossing the A830 heads over Soldiers Bridge. The applicant has committed to working with Sustrans to seek improvements to this connection which forms part of the National Cycle Network.
- 8.20 The applicant has submitted an Access Management Plan which has been used to inform the design and layout of the site. This shows a number of connections beyond the site as part of the wider masterplanned site. Some of these will be delivered through this application, but many would not be deliverable until later phases of development. The Council's Access Officer has commented on the detail of path construction and their width. The applicant will be required to deliver paths in accordance with the comments set out by the Access Officer. This will be secured through the Road Construction Consent Process.
- 8.21 Following a number of changes related to technical requirements including car parking arrangements, junction radii and clarification on visibility Transport Planning are content with the road layout within the development.
- 8.22 Kilmallie Community Council has raised concerns over the perceived car dominance within the development. Car parking is in accordance with THC Standards. There are no large car parking areas and car parking courts have been broken up by the use of landscaping and are screened from view. Parking for individual houses has generally been provided to the side, rather than, front of properties. The aforementioned mitigation is considered to reduce the dominance of cars within the development.
- 8.23 The strategy for waste management is acceptable and it has been demonstrated that a standard Council waste collection vehicle can manoeuvre through the site to all bin collection points. This has required modification to the location of bin collection points within the development. The proposed locations balance operational need with delivery of a sense of place to ensure that bin stores and collection points are not dominant features within the street
- 8.24 A combination of bike storage within ground floor flats and communal bike stores, in the form of stand alone buildings, is being provided. The overall cycle provision is in accordance with THC Standards given the provision is predominantly communal.

Open Space; Landscaping and Management and Maintenance (Conditions 2(h), 2(i), 2(k), and 22)

- 8.25 There is a strong green framework through the site as a whole and connectivity to the areas for recreation which will be opened up via the wider masterplan.
- 8.26 Kilmallie Community Council and the Council's Development Plans Team raised concerns over the type of open space to be provided within the development. Through negotiation with the applicant, improvements have been made to the open space within the development to provide more inviting and useable spaces. The open spaces are now designed with an emphasis put on delivery of areas for imaginative play using natural features. The open spaces are well located, proportioned and designed, and therefore accord with the vision for open space set out in the Open Space in New Residential Developments Supplementary Guidance.
- 8.27 Timing of the delivery of these spaces is critical to the creation of a sense of place within the development at the point of occupation of the homes. Therefore a condition requiring the completion of open spaces in accordance with the approved details prior to occupation of particular plots will be placed on any approval.
- 8.28 Details have been provided setting out that the landscaping and open spaces will be maintained by a factor. This is inline with the Council's preferred approach as set out in the Open Space in New Residential Developments Supplementary Guidance. It will be incumbent on the applicant to ensure that they comply with the requirements of the Property Factors (Scotland) Act 2011.
- 8.29 There are no trees within the application site therefore no submission was required in relation to condition 22. Properties within the development are set back from the trees at the eastern and western boundaries. This ensures that the trees will not be affected by the development but also ensure that the amenity of the properties within the development will not be adversely affected by the trees.

Flooding and Drainage (Conditions 2(n), 2(o), 6, 7, 8)

- 8.28 Following consideration of the information provided and historic records the Flood Risk Management Team has confirmed that the site is not at risk of fluvial or coastal flooding.
- 8.29 The drainage strategy for the site comprises the use of infiltration basins for surface water flow which then connects into the surface water drainage system for the wider site. The discharge rates and attenuation proposed is to the satisfaction of the Flood Risk Management Team. They note that the regional surface water drainage basin has capacity to deal with this phase of development.
- 8.30 Both Transport Planning and the Flood Risk Management Teams recommend that the regional basin is upgraded to ensure it can be vested by Scottish Water. The applicant has confirmed that they are in negotiation with Scottish Water on

the matter of surface water drainage. A separate planning application has been submitted in respect of the remodelled regional surface water drainage basin.

- 8.31 The development will connect to the public water and waste water drainage system.

Other material considerations

- 8.32 The Control of Pollution Act provides powers which may be used in relation to construction noise if it is required.

- 8.33 A Scheme of Investigation has been submitted in relation to Archaeological interests. This has been confirmed as acceptable by the Historic Environment Team and investigations are currently being undertaken on site.

- 8.34 Street lighting is a detailed matter for Road Construction Consent, however the applicant has set out the type and approximate location of the street lighting to satisfy condition 2(t) This is inline with the Council's approach to street lighting. This is adequate for the provisions of the condition to be met given the further consents required. The applicant is in discussion with the Council's Street Lighting Team over the final design.

- 8.35 Kilmallie Community Council has objected due to lack of clarity on carbon release as a result of peat disturbance associated with this development. Through the planning permission in principle, it was established that by appropriate measures being put in place to manage the peat, there will be no release of carbon as a result of the development of the site. The applicant has been asked to address this matter in regard to this phase of development. A supporting statement has been submitted to the Planning Authority setting out the measures which are being undertaken on site to avoid carbon release through the development. This includes the management of peat on the site and ensuring that the peat does not dry out. When peat dries out it releases carbon, when the moisture content is kept at the appropriate level and the peat is stored correctly it does not release carbon. This is how the peat is being managed on the Blar Mor site. Further peat restoration is being undertaken within the wider site to mitigate the impacts of poor peat management by the previous owners of the site.

Other relevant conditions not covered by the application

- 8.36 The following conditions require to be addressed by the applicant prior to a start on site. These matters do not require to be submitted via a matters specified in conditions submission but will be required in line with the timescales set out in the relevant conditions attached to the planning permission in principle:

- 3 – Construction Environment Management
- 4 – Contamination
- 5 – Pre-commencement
- 15 – Construction Traffic Management Plan
- 24 – Traffic Regulation Order
- 27 – Community Liaison

protected species surveys

Group

- 2(i) Public Art

Matters to be secured by Section 75 Agreement

8.37 The proposed development is required to meet the provisions of the Legal Agreement attached to the Planning Permission in Principle (18/03647/PIP). This includes contribution to primary education and community facilities.

9. CONCLUSION

9.1 The development has been subject to a significant level of pre-application discussion with the Planning Authority. Following submission of the application the applicant was receptive to the proposed modifications put forward by the Planning Authority to address on site constraints. As a result the proposal will deliver a high quality development, in accordance with the principles of the Blar Mor Masterplan. Furthermore it will deliver one of the projects identified in the Fort William 2040 Masterplan.

9.2 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.

10. IMPLICATIONS

10.1 Resource: Not applicable

10.2 Legal: Not applicable

10.3 Community (Equality, Poverty and Rural): Not applicable

10.4 Climate Change/Carbon Clever: Not applicable

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued No

Subject to the above, it is recommended that matters specified in conditions as set out in the description of development be **APPROVED** subject to the following:

Conditions and Reasons

1. For the avoidance of doubt the following open spaces which have been designed for play and shown on approved drawing 1468-11 Revision A shall be completed in accordance with the following timescales:
 - Plots 37-38A as shown on approved drawing 17015IA-360-P1-ZZ-DR-A-0031 Rev P8, shall not be occupied until Play Area 1 shown on approved drawing 1468-11 Revision A, incorporating the amenity area and natural play space between the aforementioned properties has been delivered to the satisfaction of the Planning Authority.
 - Plots 66, 70 and 73 as shown on approved drawing 17015IA-360-P1-ZZ-DR-A-0034 Rev P10, shall not be occupied until Play Area 2 shown on approved drawing 1468-11 Revision A, incorporating the amenity area and natural play space between the aforementioned properties has been delivered to the satisfaction of the Planning Authority.

Reason: To ensure that the open space within the site is delivered timeously and to ensure sufficient play and open space provision exists within the application site to serve future residents' needs.

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 APPROVAL OF MATTERS SPECIFIED IN CONDITIONS

The development to which Phase 1 of the planning permission in principle relates must commence no later than TWO YEARS from the date on this decision notice.

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.

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 (paragraph 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 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/permissions_for_working_on_public_roads/2

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.

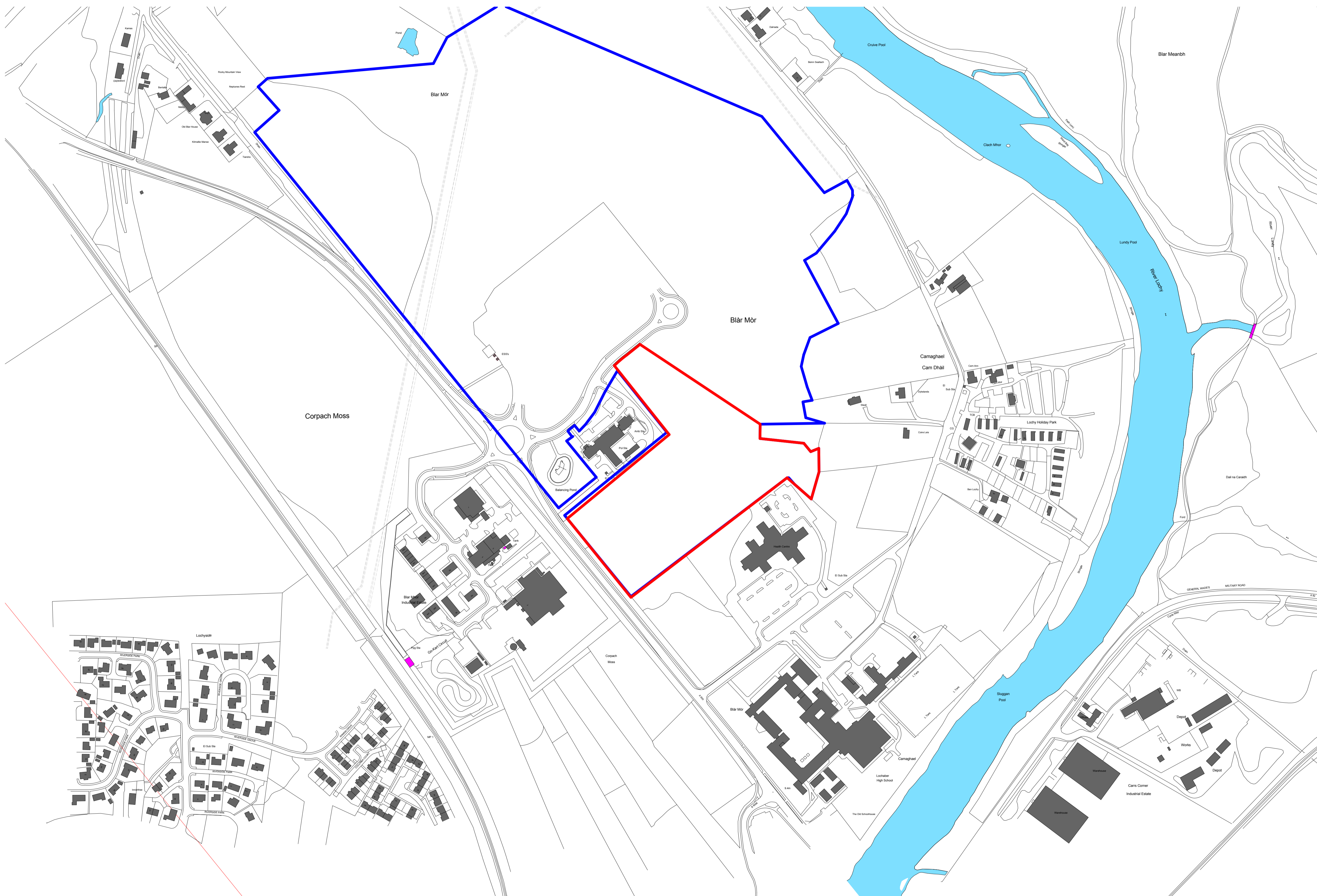
Protected Species – Halting of Work

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

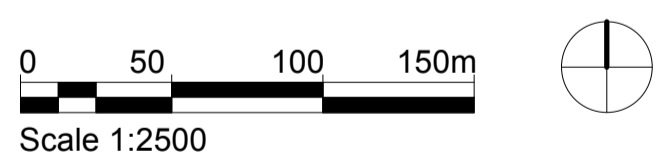
Designation: Area Planning Manager – South
Author: Simon Hindson
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location Plan (121359-1000)
Plan 2 - Site Layout Plan (17015IA-360-P1-XX-DR-A-0003 REV P19)
Plan 3 - Street Elevations (17015IA-360-P1-XX-DR-A-0016 REV P6)

All levels and dimensions to be checked on site prior to construction/fabrication; report discrepancies immediately. Do not scale dimensions from this drawing. This drawing is copyright protected.

Rev	Description	Date	Dr by	App by
P1	PIP issue	01.08.18	SG	RK
P2	MSC application issue	18.11.09	SG	RK
P3	Revised site boundary	13.02.19	SG	RK



- Application Boundary
- Land within the ownership of the applicant



SCALE	DATE	DRAWN	CHECKED
1 : 2500 @A1	18/05/18	SG	RK

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 PROJECT
Blar Mór Masterplan

DRAWING
Location Plan

Threesixty Architecture
 MORAY HOUSE
 16-18 BANK STREET
 INVERNESS
 IV1 1QY
 t 01463 729929
 www.360architecture.com

DRAWING No.
170151A-360-ZZ-XX-DR-A-0001
 REVISION
P3 PLANNING

C:\Users\stuartg\Documents\170151A-360-ZZ-XX-DR-A-0001_ StuartGraham@360architecture.com.rvt

All levels and dimensions to be checked on site prior to construction/fabrication; report discrepancies immediately. Do not scale dimensions from this drawing. This drawing is copyright protected.

Rev	Description	Date	Dr by	App by
P1	Drawing number revised. Overall application boundaries revised. House type references added. Buffer strip added to health centre boundary - house type numbers revised accordingly.	18.05.18	SG	RK
P2	Maintenance amended due to house type changes	02.07.18	AO	RK
P3	PIP issue	01.08.18	SG	RK
P4	Unit references updated. General revision to layout and addition of new house types. Roads updated. Fences added	04.09.18	SG	RK
P5	Pumping station relocated. Roads updated to suit swept path	12.09.18	SG	RK
P6	Revised car parking arrangement to avoid driveways within 15m of junction	25.09.18	SG	RK
P7	Orientation of flats revised. Raised table locations amended. Pumping station area realigned. Minor alterations to car parking etc	17.10.18	SG	RK
P8	Waste management added. Unit amenities added. Layout amended.	18.10.18	CF	SG
P9	Revised to accord with engineer's plans. Various minor changes to road layout. Addition of SUDS basins. Revised path to south to allow for possible below ground gas tanks.	18.11.08	SG	RK
P10	MSC application issue	18.11.09	SG	RK
P11	Added cycle shelters to flats	15.02.19	SG	RK
P12	Added cycle shelters and accessible parking spaces for flats. Warrant issue	18.02.19	SG	RK
P13	Tender issue	20.03.19	SG	RK
P14	Flats and bin stores updated. Paths and walls added. 2 No. Raised tables added, 1 No. removed.	05.04.19	CF	SG
P15	Bin stores updated. Bicycle parking removed. Fencing amended. Plot 68 updated. Planning issue.	11.04.19	CF	SG
P16	Added plot numbers	23.04.19	SG	RK
P17	Paths and patios revised.	25.04.19	SG	RK
P18	Revised layout to ensure proximity of parking to all units. Notes added on parking numbers. Revised parking bays to allow for continuity of footpaths to front.	16.05.19	SG	RK
P19	Revise paths at visitor parking	16.05.19	SG	RK

Drawing to be read in conjunction with house type drawings, landscape strategy and engineering drawings.

Ph1 - Schedule of Accommodation

Unit Type Ref	Count	Total Number of Units	Description
AA	20	20	2 Bed, semi detached
AB	10	10	2 Bed, semi detached
BA	24	24	3 Bed, semi detached
BB	8	8	3 Bed, semi detached
C	7	7	4 Bed, detached
D	4	4	2 Bed, accessible bungalow
E	2	2	3 Bed, accessible bungalow
K	6	12	2 bed cottage flats
M	5	30	1 bed flats
Grand total		117	



Scale 1:1000

SCALE	DATE	DRAWN	CHECKED
1: 500	@A1	15/05/18	SG RK

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Blar Mor Masterplan

DRAWING
Phase 1 Site Plan



MORAY HOUSE
16-18 BANK STREET
INVERNESS
IV1 1QY
t 01463 729929
www.360architecture.com

DRAWING No.
170151A-360-P1-XX-DR-A-0003

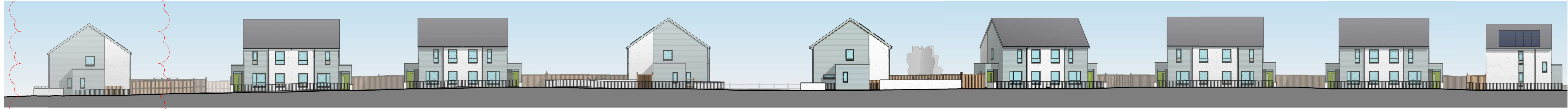
REVISION
P19 PLANNING



1 Phase 1 Site Plan
1: 500

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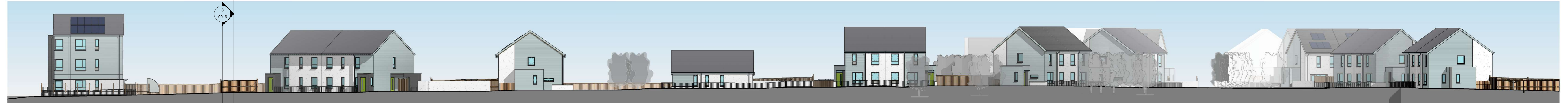
Rev	Description	Date	Dr by	App by
P1	Updated as per house type revisions and alterations to site layout	18.09.18	SG	RK
P2	Revised car parking arrangement to avoid driveway within 5m of junction	25.09.18	SG	RK
P3	Indicative PV panels added to roofs	18.10.20	SG	RK
P4	MSC application raise	18.11.09	SG	RK
P5	Warrant stage 1	26.11.18	SG	RK
P6	Revised price 1 & 2	16.05.19	SG	RK



1 Street Elevation 1
1 : 200



2 Street Elevation 2
1 : 200



3 Street Elevation 3
1 : 200



4 Street Elevation 4
1 : 200



5 Street Elevation 5
1 : 200



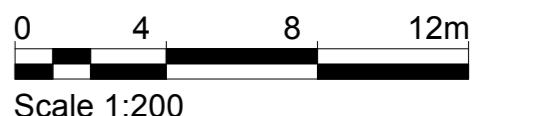
6 Street Elevation 6
1 : 200



7 Street Elevation 7
1 : 200



8 Street Elevation 8
1 : 200



Scale 1:200

SCALE DATE DRAWN CHECKED

1 : 200 @A1 03/09/18 SG RK

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Street Elevations



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P6 WARRANT

Issue Status