

Agenda Item	6.1
Report No	PLN/058/19

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 31 July 2019

Report Title: 18/01883/MS: Albyn Housing Society
Land 200m SE of Alness Academy, Alness

Report By: Acting Head of Development Management – Highland

1. Purpose/Executive Summary

1.1 **Description:** Erection of housing development, road network and associated infrastructure to provide 115 houses (45 houses Phases 5A & 5B and 70 serviced plots)

Ward: 06 – Cromarty Firth

Development category: Major

Reason referred to Committee: Major Application

1.2 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.

2. Recommendations

2.1 Members are asked to agree the recommendation to Approve Matters Specified in Conditions as set out in section 11 of the report.

3. PROPOSED DEVELOPMENT

- 3.1 Planning Permission in Principle for a development of 200 houses (being developed in eight phases) was granted in May 2013. A first phase of 25 affordable houses was considered in tandem and detailed Planning Permission was granted in September 2012. A second phase of 12 affordable houses, including two wheelchair accessible units was approved in January 2014. All houses are complete and occupied and have a simple conventional design and finish with rendered walls and timber feature panels and predominantly concrete tiled roofs with metal roofs to car port extensions. The access road is formed and tarred and landscaped open space areas and a children's play area have been established.
- 3.2 In 2016/2017 development progressed with a third phase of 16 modular assisted living units, between Phase 2 and the B817 public road. The concept of this small courtyard of single storey units is to allow 'homes for life' which allow people with deteriorating or long-term health issues to live independently in their own home for as long as possible, without the need to be hospitalised. All units are now occupied. A fourth phase of 32 affordable houses was approved last year, directly to the south of Phase 2 and this development is currently under construction.
- 3.3 The current application covers the remainder of the original site and is a Matters Specified in Conditions application, seeking to discharge many of the outstanding conditions attached to the original 2013 Planning Permission in Principle. The detailed submission comprises two further phases of affordable housing. Phase 5A sits directly to the west of Phase 1 and includes 8 flats and 15 houses (one wheelchair accessible) plus associated infrastructure and open space. Phase 5B comprises 22 houses, infrastructure and open space and lies directly to the south of Phase 4. In addition, the layout shows the remainder of the site to be developed as 70 serviced house plots.
- 3.4 The site is served by an adopted public road which joins the road to Alness Academy close by its junction with the B817 opposite the Morrisons and Lidl's supermarkets and close to the junction with the A9 on the south-eastern edge of Alness. Connection to the public water and waste water networks is proposed.
- 3.5 Pre Application Consultation: No formal pre-application consultation.
- 3.6 Supporting Information: Flood Risk and Drainage Impact Assessment; Design Statement; Design Brief; Roads details/sections and swept path analysis.
- 3.7 Variations: Amended drawings submitted 17 July 2018; 05 October 2018; 01 November 2018; 15 May 2019; and 12 June 2019.

4. SITE DESCRIPTION

- 4.1 The site comprises approximately 7.5ha of relatively flat former agricultural land situated between Alness Academy and the edge of the raised escarpment lying above the A9 trunk road on the southern edge of the town of Alness. It is contained to the south by the tree lined private road serving Dalmore House. The

site lies to the immediate south and south-west of the existing housing development at Dalmore, comprising David Ross Street, Hugh Mackenzie Avenue and David Oag Grove.

5. PLANNING HISTORY

- 5.1 11/00328/PAN: Masterplan proposals for the development of housing and related issues. To establish a framework for the development of approximately 200 housing units of varying high to low densities comprising a high percentage of affordable housing mixed with private housing. Proposed to be developed out in phased portions of approximately 20 - 30 units over several years.
- 5.2 8 May 2013 11/03018/PIP Erection of housing development, road network and associated infrastructure to provide up to 200 houses in a phased development from a designated access on Academy Road. PERMISSION GRANTED
- 5.3 28 September 2012 11/03020/FUL Erection of 25 houses (Phase 1) PERMISSION GRANTED
- 5.4 15 January 2014 13/03104/FUL Erection of 12 houses (Phase 2) PERMISSION GRANTED
- 5.5 22 December 2016 16/02008/FUL Erection of 16 semi-detached houses (assisted living) (Phase 3) PERMISSION GRANTED
- 5.6 23 January 2018 17/03628/FUL Erection of 32 houses (Phase 4) PERMISSION GRANTED

6. PUBLIC PARTICIPATION

- 6.1 Advertised: Schedule 3 and Unknown Neighbour
Date Advertised: 11 May 2018
Representation deadline: 25 May 2018
Timeous representations: None
Late representations: None

7. CONSULTATIONS

- 7.1 **Alness Community Council:** No response.

- 7.2 **Flood Risk Management Team:** No objections. Note that the flood risk from all sources is low. The FRM team has reviewed the Flood Risk and Drainage Impact Assessment and accepts the principles therein. A condition is requested requiring full details of the design of the aspects of the drainage network dealing with roof and driveway surface water to be provided to and approved by the FRM team prior to construction commencing.
- 7.3 **Transport Planning Team:** No objections. Initially asked for substantially more information to allow a full response. Since then there has been a meeting involving the applicant's consultant engineers and an extensive exchange of correspondence to resolve all outstanding issues. It has also been made clear that in discharging the roads related conditions attached to the PIP, these can only be done in relation to detailed Phases 5A and 5B as insufficient information has been provided for the serviced house plots. A condition can therefore be attached requiring submission and approval of further information prior to any development (including road access) commencing on part of this wider site area. Applications for Road Construction Consent for Phases 5A and 5B have been submitted and are pending consideration.
- 7.4 **Forestry Officer:** No objections. Initially lodged a holding objection and noted that insufficient information had been provided to discharge Conditions 18 – 20. In this regard, amended drawings have now been submitted which show how the proposed development can be achieved taking account of the 25m holdback distance from retained trees on the site boundaries. The applicant advises that pre-start conditions relating to the submission and approval of a tree protection plan; and the submission and approval of details of an arboricultural consultant to ensure that such plan (and landscaping plan) is implemented; should be applied to the MSC permission. This is considered acceptable.
- 7.5 **Scottish Water:** No objections. Advises that there is sufficient capacity in the public Water and Waste Water networks. In addition it is highlighted that existing SW assets cross the site and that the developer should contact the SW Asset Impact Team directly prior to work commencing. An informative note can be added to the planning permission.
- 7.6 **SEPA:** No objections. Advises that the surface drainage proposals comply with the latest CIRIA manual in terms of water quality and that the Council's Flood Risk Management team should be consulted on water quality; and also on flood risk.
- 7.7 **Transport Scotland:** No objections.

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

51 – Trees and Development
56 – Travel
64 – Flood Risk
65 - Waste Water Treatment
66 - Surface Water Drainage
75 - Open Space
77 - Public Access

8.2 **Inner Moray Firth Local Development Plan 2015**

Policies : Within Alness Settlement Development Area – Allocated for housing (AL 5 Dalmore)

8.3 **Highland Council Supplementary Planning Policy Guidance**

Developer Contributions (November 2018)
Flood Risk and Drainage Impact Assessment (Jan 2013)
Open Space in New Residential Developments (Jan 2013)
Standards for Archaeological Work (March 2012)
Sustainable Design Guide (Jan 2013)
Trees, Woodlands and Development (Jan 2013)

9. **OTHER MATERIAL POLICY CONSIDERATIONS**

9.1 **Scottish Government Planning Policy and Guidance**

Scottish Planning Policy (The Scottish Government, June 2014)

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.

Determining Issues

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.

Planning Considerations

10.3 The key considerations in this case are:

- a) compliance with the development plan and other planning policy;
- b) servicing;
- c) landscaping and tree protection;
- d) developer contributions.

Development plan/other planning policy

10.4 The principle and master planned elements of this large 200 unit housing development on the edge of Alness were established by the Planning Permission in Principle granted in 2013 and carried through into the allocation in the Inner

Moray Firth Local Development Plan in 2015. To date, 53 houses have been completed and a further 32 are currently under construction. All are affordable and include wheelchair accessible and assisted living units.

- 10.5 The current Matters Specified in Conditions application includes 45 units within two further phases of affordable housing; plus roads and drainage infrastructure; and associated open space/landscaping; together with proposals to set the remainder of the site aside for 70 future private plots.
- 10.6 The proposed development therefore complies with development plan policy, specifically with the allocation in the adopted Inner Moray Firth Local Development Plan and with HwLDP policies 28, 29, 32 and 34.

Details of Phases 5A and 5B (Affordable Housing)

- 10.7 Phase 5A to the immediate west of Phase 1 on the northern boundary of the site forms a continuation of Hugh Mackenzie Avenue and comprises a mix of flats, terraced and semi-detached houses; extension of the existing play area and formation of a SuDS system including an infiltration basin on open space between this Phase and Phase 4 to the south-east. The units are substantially two storeys in height but include four bungalows (one wheelchair accessible). Finishes proposed are wet rendered walls with Eternit board feature panels in grey, burnt red and beige; with anthracite roof tiles and anthracite metal sheeting. The scale, massing and finished appearance of the units will relate well to established development adjacent. The layout has been amended to include a wedge of open space around a footpath link to the continuation of the footpath running along the north site boundary and the safeguarding of established mature trees in this location.
- 10.8 Phase 5B to the immediate south of Phase 4 on the southern boundary of the site forms a continuation of David Ross Street and comprises a mix of two storey flats and semi-detached houses; with the SuDS system including an infiltration basin on open space next to the existing Waste Water Pumping Station to the north-east. Finishes proposed are wet rendered walls with Eternit board feature panels in grey, burnt red and beige; with anthracite roof tiles and anthracite metal sheeting. The scale, massing and finished appearance of the units will relate well to established development adjacent. The siting of units on Plots 36 – 45, along the southern boundary of the site, has been informed by the required 25m holdback separation from the avenue of mature trees which run along the private road to Dalmore house to the south.

Future Private Plots

- 10.9 The submission also shows the proposed access roads and private plot layout over the western part of the site although it is accepted that as the finalised detail of the roads and drainage have not been prepared and therefore not assessed by the Council's Transport Planning and Flood Risk Management teams then this layout may require to be adjusted as details of the future development of this part of the site come forward. This can be secured by condition. Also, in relation to this private plot layout, a Design Brief has been submitted however until the layout has been finalised after detailed appraisal of roads, access and drainage details, this cannot be approved. The main thrust of principles within the Design Brief

appears generally acceptable. However there are a few items listed which may require to be fine tuned, such as a preferred set back of 25m from any mature trees (as opposed to 20m stated); and a preference for natural slate roofs, particularly on any properties alongside the driveway to Dalmore House and at the far western end of the site nearest to this Listed Building.

Servicing

- 10.10 As noted above, the application has been pending for some time, as the details relating to access and surface water drainage have been adjusted by the applicant's engineers in consultation with the Council's Transport Planning team. The details relating to Phases 5A and 5B have been agreed and applications for Road Construction Consent are currently being processed in relation to those phases. The SuDS proposed include Infiltration basins within the large wedges of open space between the various phases of development. Connection to the public water and waste water networks is proposed.

Landscaping, Tree Protection and Public Access

- 10.11 Landscaping details have been submitted for the whole site and as noted by the Council's Forestry Officer in his response, it is important that the perimeter native woodland edge, including the footpath to the north is established early as opposed to being implemented in stages in relation to each phase. This would enable early establishment of the perimeter landscaping and footpath links, creating a more consistent landscape feature being planted at the same time rather than over a number of years. This may also provide an adequate buffer, removing the need as time progresses for tree protection barriers. A condition is attached requiring the establishment of this landscaped edge as part of the delivery of Phase 5A.
- 10.12 Further to discussions with the applicants, the proposed landscaping to be carried out as part of Phase 5B has been increased to include the open space area to the south and east of Phase 3 to secure the outstanding landscaping work required in association with this previous phase of development, which was not done as the company involved in delivering the assisted living units went into liquidation.
- 10.13 The landscaping proposals include footpath links from the site onto the private road serving Dalmore House (Core Path RC03.06), which joins Core Path RC03.10 to extend northwards through the grounds of Alness Academy and over the railway bridge to the town centre; and to tie in with the footpath/cycleway (Core Path RC03.08) alongside the railway line. As with the landscaping along the northern boundary of the wider site, it is considered appropriate that the continuation of this footpath link along the northern boundary is delivered early as part of the development of Site 5A to help establish this link into the core path network and provide an alternative walking/cycling route to the school and town centre.

Developer Contributions

- 10.14 With regard to the Council's adopted HwLDP Policy 31 and associated Supplementary Guidance on Developer Contributions, as this application comprises a Matters Specified in Conditions submission in relation to an extant

Planning Permission in Principle, there is no requirement for any additional contributions. A Section 75 Legal Obligation is in place relating to the permission in principle, which has secured public transport improvements, this has been paid; and a minimum of 25% affordable housing, which has already been exceeded. As the permission is for a total of 200 houses, if any change to this number is sought through further detailed planning applications in the future relating to the private plot development, then developer contributions would require to be reviewed in line with the most recently approved Supplementary Guidance (November 2018).

Matters secured by Section 75 Agreement

- 10.15 As noted at para. 10.14 above, there is a Section 75 Legal Obligation in place relating to Planning Permission in Principle 11/03018/PIP, which has already secured a contributions towards public transport and a minimum of 25% affordable housing.

11. CONCLUSION

- 11.1 It is considered that the drawings and information submitted, as amended through the application assessment and consultation process is now sufficient to grant permission discharging many of the outstanding PIP conditions, subject to appropriate conditions being attached. This will allow the development of the affordable housing within Phases 5A and 5B together with associated infrastructure and landscaping. Additional information, including detailed roads and drainage details, remains to be submitted in respect of the private plots on the western part of the site. This can be secured by condition.
- 11.2 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.

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 N issued

Subject to the above, it is recommended that matters specified in condition be **APPROVED**, subject to the following:

Conditions and Reasons:

1. Prior to the commencement of development, a programme of archaeological work for the preservation and recording of any archaeological features affected by the proposed development, including a timetable for investigation, shall be submitted to and require the approval in writing of the Planning Authority. All arrangements thereby approved shall be implemented by the developer at his expense in accordance with the approved timetable for investigation.

Reason: In order to ensure the protection of the archaeological interest of the site.

2. At least two months prior to the commencement of any development on site, a site specific environmental management plan shall be submitted for the written approval of the Planning Authority in consultation with SEPA and all work shall subsequently be carried out in accordance with the approved plan.

Reason: To ensure that suitable measures are put in place to manage pollution prevention and waste management issues.

3. No development shall commence on the private plot part of the site (the area outwith Phases 5A and 5B) until the following matters have been submitted to, and approved in writing by, the Planning Authority by way of a detailed planning application/s:
 - I. A detailed layout of the site (including site levels as existing and proposed)(based on the layout details submitted as part of this application);
 - II. The design and external appearance of the proposed development;
 - III. Landscaping proposals for the site (based on the landscaping details submitted as part of this application);
 - IV. Details of access and parking arrangements (See Condition 7, 8 and 9 below);
 - V. Details of proposed water supply and drainage arrangements (see Conditions 4 and 7 below);
 - VI. If it is intended to sell off private plots for individual private self build then a revised Design Brief shall be submitted (based on the Design Brief submitted with this application but to include the requirement for a 25m holdback from mature boundary trees; and the preference for natural slate roofs).

Reason: As such details have not been approved as part of this consent and must be approved by the Planning Authority prior to development commencing.

4. No development shall commence on the private plot part of the site (the area outwith phases 5A and 5B) until full details of all surface water drainage provision within this part of the application site, to be SuDS-compliant and designed to Scottish Water's adoptive standards (where necessary), have been submitted to, and approved in writing by, the Planning Authority in consultation with the Roads Authority, the Council's Flood Risk Management team and with SEPA. Thereafter, development shall progress in accordance with these approved details and all surface water drainage provision, as it relates to an individual phase, shall be completed prior to the first occupation of any of the houses within that phase.

Reason: To ensure that acceptable surface water infrastructure is provided on site.

5. No development shall commence on Phases 5A or 5B until full details (including supporting calculations) of the detailed design of the aspects of the drainage network which deals with roof and driveway surface water is submitted to, and approved in writing by, the Planning Authority after consultation with the Council's Flood Risk Management Team. Development shall thereafter proceed on this basis.

Reason: To ensure that acceptable surface water infrastructure is provided timeously in order to reduce the risk of flooding occurring both within and outwith the application site.

6. No development shall commence on the commencement of any phase of the development until a construction phase traffic management plan for such phase (including a routing plan for construction vehicles), has been submitted to, and approved in writing by, the Planning Authority in consultation with the Roads Authority. Thereafter, development shall progress in accordance with the approved construction management plan, unless otherwise agreed in writing by the Planning Authority. Care should be taken to ensure that there are no heavy vehicle movements over the section of the access road shared with Alness Academy during school starting and finishing times and over school lunch breaks.

Reason: To ensure that construction has minimal impact on road infrastructure in the local and wider area and in the interests of road and pedestrian safety.

7. All internal roads, footways and associated infrastructure within the application site shall be subject to Road Construction Consent and shall be roads over which the public have a right of access in terms of the Roads (Scotland) Act 1984. They shall be constructed to the standards outlined in the Council's Roads Guidelines for New Developments, in consultation with the Roads Authority. For the avoidance of doubt, no development shall commence on the private plot part of the site (outwith Phases 5A and 5B) until full details of roads, footways and associated infrastructure for this part of the site have been submitted to and approved in writing by the Planning Authority, after consultation with the Roads Authority.

Reason: To ensure that all roads within the application site are constructed to acceptable, adoptable standards.

8. All roads and footways shall be completed to adoptable standard, in accordance with the relevant approved Road Construction Consent, unless subject to the prior written approval of the Roads Authority, prior to first occupation of any of the houses within the phase to which they relate.

Reason: To ensure that all roads within the application site are constructed to acceptable, adoptable standards.

9. All parking bays and forecourt parking areas shall be constructed in full, to the standards outlined in the Council's Roads Guidelines for New Developments, unless subject to the prior written approval of the Roads Authority, prior to the first occupation of any of the houses within the phase to which they relate.

Reason: To ensure that adequate parking provision is provided timeously in the interests of road safety.

10. All landscaping works and associated footpath links shall be carried out in accordance with the scheme and plans approved as part of this permission (Drawings Ref. 1019-DM-GA-01 REV B; 1019-DM-LP-01 REV B; 1019-DM-LP-02 REV B; 1019-DM-LP-03 REV B; 1019-DM-LP-04 REV B; 1019-DM-LP-05 REV B; and DM-LP-02). All planting, seeding or turfing as may be comprised in the approved scheme and plans shall be carried out in the first planting and seeding seasons following the commencement of the relevant phase of development, unless otherwise stated in the approved scheme. Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species. For the avoidance of doubt, in respect of Phase 5A, the landscaping to be carried out as part of this phase shall comprise all landscaped areas shown on the Site Layout Plan for this phase (Drawing Ref. 4393-01-002 Ref F); together with all landscaping shown within the associated SuDS drainage area (Drawings Ref. 920-01 and 920-02); together with the proposed perimeter native woodland edge, including continuation of the footpath to the north, as far as its connection with the Core Path RC03.10. For the avoidance of doubt, in respect of Phase 5B, the landscaping to be carried out as part of this phase shall comprise all landscaped areas shown on the Site Layout Plan for this phase (Drawing Ref. 4393-01-003 REV E); together with all landscaping shown within the associated SuDS drainage area (Drawings Ref. 1020-1 and 1020-02); together with all outstanding landscaping required to the east and south of the assisted living units as detailed on Drawing Ref. 1009-DM-LP-02.)

Reason: In order to ensure that the approved landscaping works and footpath links are properly and timeously undertaken on site, to secure high-quality open spaces and footpath/cycle links in compliance with Council Policy and Supplementary Guidelines.

11. No development shall commence on any phase of development until a detailed Tree Protection Plan for such phase has been submitted to, and approved in writing by, the Planning Authority, in accordance with BS5837:2012 (Trees in Relation to Design, Demolition and Construction). Development shall thereafter proceed on the basis of the Tree Protection Plan as approved.

Reason: To ensure the protection of retained trees during construction.

12. No development shall commence on any phase of development until a suitably qualified Arboricultural consultant has been employed by the developer to ensure that the Tree Protection Plan and Landscape Plan are implemented to the agreed standard. Stages requiring supervision shall be agreed with the Council's Forestry Officer in advance and completion certificates for each stage shall be submitted for the approval of the Planning Authority to ensure compliance with Conditions 10 and 11 above. For the avoidance of doubt no trees shall be felled, lopped, topped or otherwise damaged unless specifically approved by the Council's Forestry Officer.

Reason: To ensure the protection of retained trees during construction and to ensure that the approved landscaping works are properly and timeously undertaken on site.

13. A minimum separation of 25 metres is required between retained trees and any proposed development in order to avoid future conflict due to safety concerns and restricted light or views. The layout of each phase of development shall respect this minimum safeguarding distance. Please note the restriction on Permitted Development rights as referred to in Condition 14 below.

Reason: In order to secure a safe distance between existing trees and any new development.

14. Notwithstanding the provisions of Article 3 and Classes 1A, 1B, 3A, 3B, 3C, and 3D of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), no development of a type identified in the aforementioned classes shall take place within the rear curtilage of the houses on Plots 36 - 45 (Phase 5B) without planning permission being granted on application to the Planning Authority.

Reason: In order to enable the Planning Authority to retain effective control over future development within the rear gardens of those plots so that it is carefully managed and does not impinge on the tree protection holdback area as referred to in Condition 13 above.

15. Prior to the first occupation of any of the houses hereby approved in any particular phase, a scheme for the maintenance in perpetuity of all green spaces and other spaces within such phase, including any specified additional areas of associated landscaping, which are not the exclusive property of any identifiable individual house owner (such as communal parking areas, the common entrances to flatted developments and estate lighting, and those elements of surface water drainage regimes not maintained either by the Council or Scottish Water), shall be submitted to, and agreed in writing by, the Planning Authority. Please note that

for Phases 5A and 5B see Condition 10 above which details the extent of landscaping to be delivered as part of those Phases. The agreed scheme, which shall accord with the adopted standards contained within the Council's Open Space in New Residential Development Supplementary Planning Guidance (adopted January 2013), shall be implemented prior to the first occupation of any of the houses hereby approved.

Reason: To ensure that all public spaces within the application site are subject to an ongoing maintenance agreement; in the interests of amenity and in accordance with the Council's Open Space in New Residential Development Supplementary Planning Guidance.

16. For the avoidance of doubt, the proposed extension to the existing play area, as detailed on approved Drawing Ref. 1019-DM-LP-01 Rev B shall be fully installed before the occupation of any 15th house in Phase 5A; and shall be maintained thereafter as part of the wider open space/landscaped areas as required by Condition 15 above.

Reason: In order to comply with the requirements of the Council's Open Space in New Residential Development Supplementary Planning Guidance and to ensure that sufficient play equipment 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 PLANNING PERMISSION

The development to which this planning permission in principle relates (11/03018/PIP) 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.

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.

Schedule 3 Development Site Notice

Prior to the commencement of this development, the attached Site Notice must be posted in a publicly accessible part of the site and remain in place until the development is complete. This is a statutory requirement of the Town and Country Planning (Scotland) Acts and associated regulations.

Permitted Development Rights

Please note that certain permitted development rights have been removed from the land covered by the permission, as explained in the conditions above. This means that certain developments, for which an application for planning permission is not ordinarily required, will now require planning permission. You are therefore advised to contact your local planning office prior to commencing any future developments.

Section 75 Obligation

You are advised that the original Planning Permission in Principle (11/03018/PIP) relating to the MSC application was granted subject to a Section 75 Obligation. The terms of the obligation must be read in conjunction with the planning permission hereby approved. The terms of the obligation may affect further development rights or land ownership and you are therefore advised to consult with the Planning Authority if considering any further development.

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.

According to Scottish Water records, the development proposals impact on existing Scottish Water assets. The developer should contact the SW Asset Impact Team at service.relocation@scottishwater.co.uk. The developer should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

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_for_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.

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.

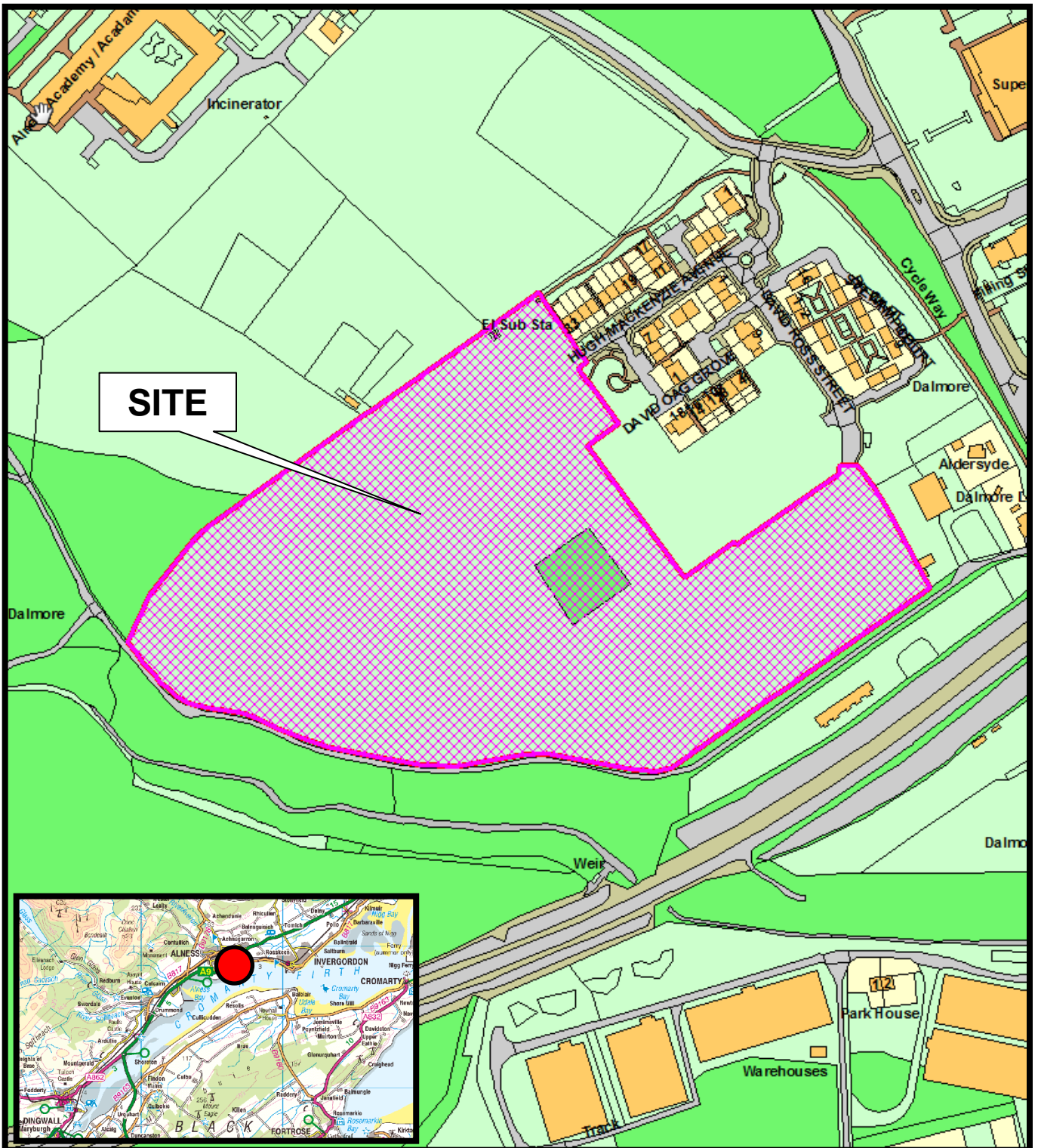
If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. 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: Acting Head of Development Management – Highland
Author: Dorothy Stott
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location Plan
Plan 2 - Site Layout Plan 1393-02-007
Plan 3 - Site Layout Plan Phase 5A 4393-01-002 Rev E
Plan 4 - Site Layout Plan Phase 5B 4393-01-003 Rev D
Plan 5 - Landscaping Plan 1019-DM-GA-01
Plan 6 - Landscaping Plan 1009-DM-LP-02
Plan 7 - Elevation and Floor Plan (Flats) 4393-01-100 Rev D
Plan 8 - Elevation and Floor Plan (Bungalows) 4393-01-107 Rev C
Plan 9 - Elevation and Floor Plans (Terraced) 4393-01-109 Rev B
Plan 10 - Elevation and Floor Plan (Semi-D) 4393-01-106 Rev C



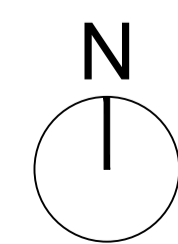
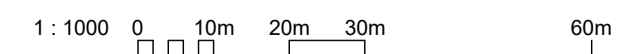
The Highland Council
Comhairle na Gàidhealtachd

Planning & Development Service

18/01883/MSC

Erection of housing development, road network and associated infrastructure to provide 115 houses (45 houses Phases 5A & 5B and 70 serviced plots) at Land South East of Alness Academy, Alness





REV	DATE	DESCRIPTION	DRN

Bracewell Stirling CONSULTING
 38 WALKER TERRACE, TILlicoultry, FK13 6EP 01259 750301
 5 NESS BANK, INVERNESS, IV2 4SF 01463 233760
 15 LOCHSIDE STREET, OBAN, PA34 4HP 01631 359054

**DALMORE ALNESS
 PHASE 5A & 5B
 ALBYN HOUSING SOCIETY**
 OVERALL LAYOUT PLAN

STATUS:	INFORMATION		
SCALE:	1:1000	DRAWN:	--
PAPER SIZE:	A1	DATE:	Apr 2019
DWG No.	4393-02-007	REV.	-

- 1B 2P Flats 8 - no
- 2B 4P Bungalows 2 - no
- 2B 4P Villas 4 - no
- 3B 5P Bungalows 2 - no (1 WC)
- 3B 5P Villas 7 - no

TOTAL UNITS 23

- INCURTAILAGE PARKING 14
- PRIVATE PARKING 36
- ACCESSIBLE PARKING 3

PHASE 5A 23 UNITS

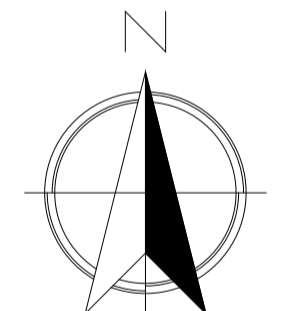
SCHOOL PLAYING FIELDS



LEGEND

- Tarmac
- Pavious
- Turf
- Gravel
- Shrubs
- Meadow Grass
- Metal Roof
- "No Dig" Zone

- Tree Protection Fencing
- 25 m hold back line



1:250 0 5m 10m 15m

E	22.02.19	Amendments to road layout for comment	MJ
D	20.09.18	RCP indicated, no dig area indicated	AF
C	11.09.18	street layout revised to match engineer's	AF
B	22.08.18	Plot 16 - path connecting to car park added	AF
A	01.06.18	Layout Revised	AF
REV	DATE	DESCRIPTION	DRN

Bracewell Stirling CONSULTING

- 38 WALKER TERRACE, TILlicOLTRY, FK13 6EF
TEL: 01259 752365
- 5 NESS BANK, INVERNESS, IV2 4SF
TEL: 01463 233760

DALMORE ALNESS
PHASE 5A & 5B
ALBYN HOUSING SOCIETY

TITLE
PHASE 5A 23 UNITS

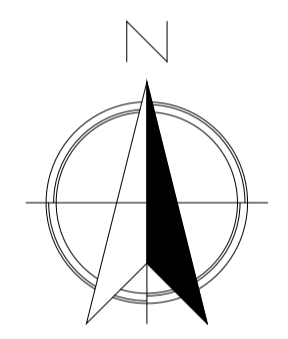
SCALE	1:250	DATE	19/11/2018	BY	---
DWG NO.-REV		PURPOSE	---	PAPER	A1

4393-02-002 E



- LEGEND**
- Tarmac
 - Pavours
 - Turf
 - Gravel
 - Shrubs
 - Meadow Grass
 - Metal Roof

- Tree Protection Fencing
- 25 m hold back line



PHASE 5B 22 UNITS

- 1B 2P Bungalows 6 - no
- 2B 4P Flats 6 - no
- 3B 5P Villas 8 - no
- 3B 6P Villas 1 - no
- 4B 6P Villas (GFB) 3 - no

- TOTAL UNITS 22
- INCURTLAGE PARKING 38
- PRIVATE PARKING 8
- ACCESSIBLE PARKING 2

REV	DATE	DESCRIPTION	DRN
D	22.02.19	Amendments to road layout for comment	MJ
C	20.09.18	RCP indicated	AF
B	21.08.18	plot 35 path connecting to carpark added	AF
A	01.06.18	Layout Revised	AF

Bracewell Stirling CONSULTING

- 38 WALKER TERRACE, TILLCOLTRY, FK13 6EF
TEL: 01259 752365
- 5 NESS BANK, INVERNESS, IV2 4SF
TEL: 01463 233760

DALMORE ALNESS
PHASE 5A & 5B
ALBYN HOUSING SOCIETY

TITLE
PHASE 5B 22 UNITS

SCALE	DATE	BY
1 : 250	19/11/2018	---
PURPOSE	PAPER	A1

DWG NO.-REV 4393-02-003 D

1019 DM LP 05

1019 DM LP 01

1019 DM LP 03

1019 DM LP 04

1019 DM LP 02

- Masterplan Boundary
- Phased Boundaries
- Root Protection Area (footpaths through RPAs to be constructed using approved cellular confinement system - tree safety works to existing trees as instructed by Arboriculturalist)
- Tree planting (with root barrier for street trees/near utilities)
- Beech/hornbeam hedgerow (maintained at max 1m high along post and wire fence if necessary)
- Shrub and groundcover planting
- Shrub and groundcover planting (detail TBC as remaining plots are finalised)
- Native tree and shrub / woodland edge mix planting
- Amenity turf
- Amenity turf (garden layouts TBC)
- Amenity grass seeding
- Species rich grass seeding
- Timber Bench (450x450x2000mm - treated softwood timber benches, root fixed, as used in Phase 1)
- Cycle Stands (Black powder coated Sheffield style cycle stands, root fixed, as used in Phase 1)
- Litter Bins (as used throughout Phase 1)

Amendments to layout informed by RCC	25.09.18	B
Amendments to layout as requested by Client	03.08.18	A
Revision	Date	No.



horner + maclennan
landscape architects

Client **Albyn Housing Association**

Project **Dalmore MSC Application**

Drawing Title		Revision	
Landscape Proposals		B	
General Arrangement			
Drawing No	1019 DM GA 01	Drawn By	KW
Status	PLANNING	Checked By	RM
Scale @ A1	1:750	Date	24.04.18

1 Dochfour Business Centre Dochgarroch
Inverness IV3 8GY tel 01463 861 460
inv@hornermacclennan.co.uk

Planting Schedule for detailed Phase 5 as outlined with dashed blue line.

PLANTING SCHEDULE

species	supply height	root	girth	form	
Specimen Trees					
AcW - <i>Acer campestre</i> 'Street Wise'	200 - 250	RB	10 - 12	light standard	
Ac - <i>Acer campestre</i>	200 - 250	RB	10 - 12	light standard	
AgG - <i>Acer platanoides</i> 'Cleveland'	350 - 400	RB	12 - 14	standard	
Bp - <i>Betula pendula</i>	350 - 400	RB	12 - 14	standard	
Fs - <i>Fagus sylvatica</i>	350 - 400	RB	12 - 14	standard	
Pr - <i>Prunus avium</i>	200 - 250	RB	10 - 12	light standard	
Qr - <i>Quercus robur</i>	350 - 400	RB	12 - 14	standard	
SJR - <i>Sorbus</i> 'Joseph Rock'	200 - 250	RB	10 - 12	light standard	
species	supply height	root	size (L)	form / habit	density (m2)
Ornamental Grasses, Perennials, and Ground Cover Planting					
Ajuga reptans 'Burgundy Glow'	10 - 15	C	1	mat-forming	7
Ajuga reptans 'Cathin's Giant'	15 - 20	C	1	mat-forming	5
Euthyrinus tartarus 'Emerald Galaxy'	30 - 40	C	2	bushy	4
Lonicera nigda 'Spassatca Gold'	30 - 40	C	2	bushy	3
Habo 'Red Edge'	30 - 40	C	2	bushy	4
Hebe 'Sutherland'	30 - 40	C	2	bushy	4
species	supply height	root	form		
Hedging					
<i>Fagus sylvatica</i> (maintained at 0.5-1.0m once established, depending on location)	60-100cm (immediately cut back to 50-75cm upon planting to promote bushiness)	B	transplant		
species	supply height	root	form		
Native Tree and Shrub Mix (1 - 1.5m cts in single species groups of 4-9, irregular layout)					
15% <i>Acer campestre</i>	60 - 80	B	transplant		
5% <i>Alnus glutinosa</i>	60 - 80	B	transplant		
15% <i>Betula pendula</i>	60 - 80	B	transplant		
10% <i>Corylus avellana</i>	60 - 80	B	transplant		
15% <i>Castanea monogyna</i>	60 - 80	B	transplant		

5% <i>Malus sylvestris</i>	60 - 80	B	transplant
10% <i>Pinus sylvestris</i>	60 - 80	C	bushy
5% <i>Pinus spaeosa</i>	60 - 80	B	transplant
5% <i>Salix caprea</i>	60 - 80	B	transplant
5% <i>Sambucus nigra</i>	60 - 80	B	transplant
10% <i>Sorbus aucuparia</i>	60 - 80	B	transplant
Garden Turf			
Rowlawn Medialion Turf			
Amenity Grassland			
Germinal A19 All Purpose 50g/m ²			
Species Rich Grassland (on low fertility soils - limit degree of topsoil used)			
Germinal WFG4 Neutral Soils 50g/m ²			
NOTE: Further species to be included in planting schedule for later phases of development, as shown as indicative on Landscape Proposals.			

PLANTING SCHEDULE

Specimen Trees

species	supply height	root	girth	form
Ag - <i>Alnus glutinosa</i>	200 - 250	RB	10 - 12	light standard
Bp - <i>Betula pendula</i>	200 - 250	RB	10 - 12	light standard
Sa - <i>Sorbus aucuparia</i>	200 - 250	RB	10 - 12	light standard

Amenity Grassland

Geminal A19 All Purpose 50g/m²

Species Rich Grassland

(on low fertility soils - limit degree of topsoil used)

Geminal WFG4 Neutral Soils 5g/m²

Species Rich Wet Grassland

(on low fertility soils - limit degree of topsoil used)

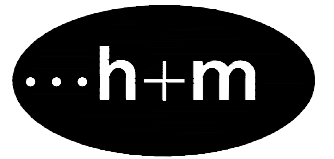
Scotia Seeds Wet Meadow Mix 3g/m²



Legend

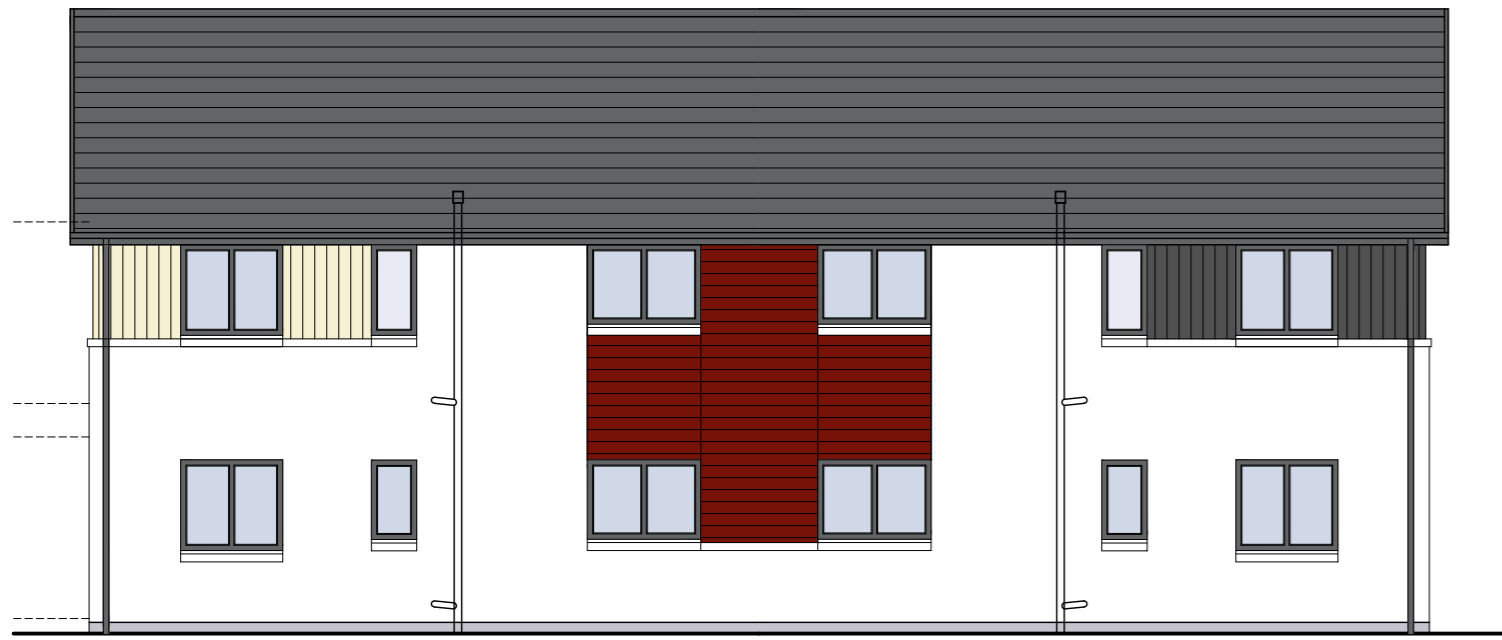
- Additional phase 4 landscaping boundary
- Boundary of previous phases
- Amenity grass seeding
(high maintenance amenity grass seeding - treat existing ground with suitable herbicide and leave fallow for min 2 weeks or as recommended by manufacturer - fully cultivate and reseed with amenity grass seed - mow 12no. times per year)
- Existing wildflower meadow
(retain and manage with 2no. cuts per year (spring and autumn) - spot treat broadleaf weeds including dock and nettles with suitable herbicide, following manufacturers recommendations)
- Wildflower seeding (low maintenance)
- Wet wildflower seeding (low maintenance)
- Area of existing trees and shrubs to be relocated
(relocate all healthy trees and tree and shrub mix specimens - during November to March to agreed locations, as shown)
- Proposed area for relocation of trees and shrubs
- Native tree planting
6no. *Alnus glutinosa* (Ag)
7no. *Betula pendula* (Bp)
6no. *Sorbus aucuparia* (Sa)

NOTE: to be read with Outline Landscape Specification and Maintenance

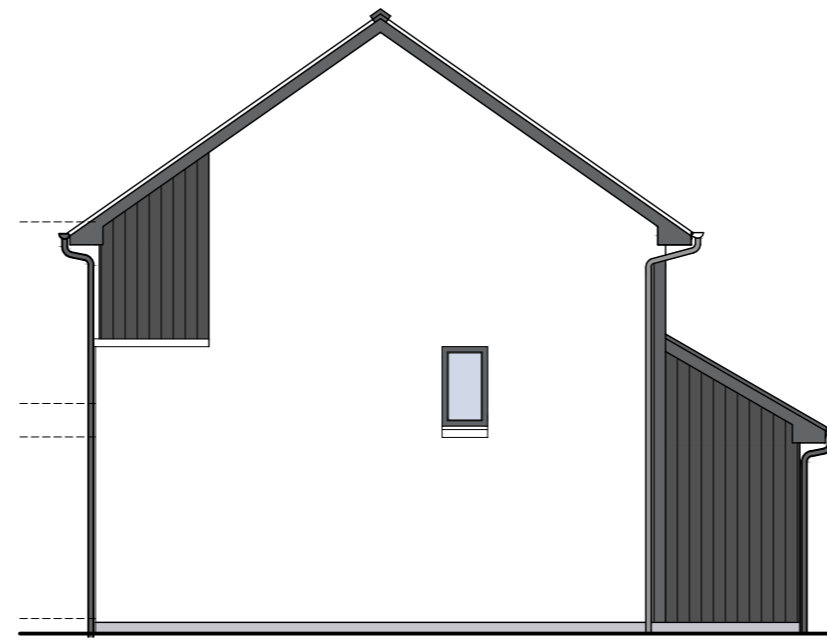


horner + maclellan
landscape architects

Rev. No.	Date	By	Description
Client	Albyn Housing Society	Date	03.06.2019
Project	Dalmore, AIness	Status	PLANNING
Drawing Title	Additional Phase 4 Landscaping	Drawing No	1009/DM/LP/02
		Scale	1: 500 at A3



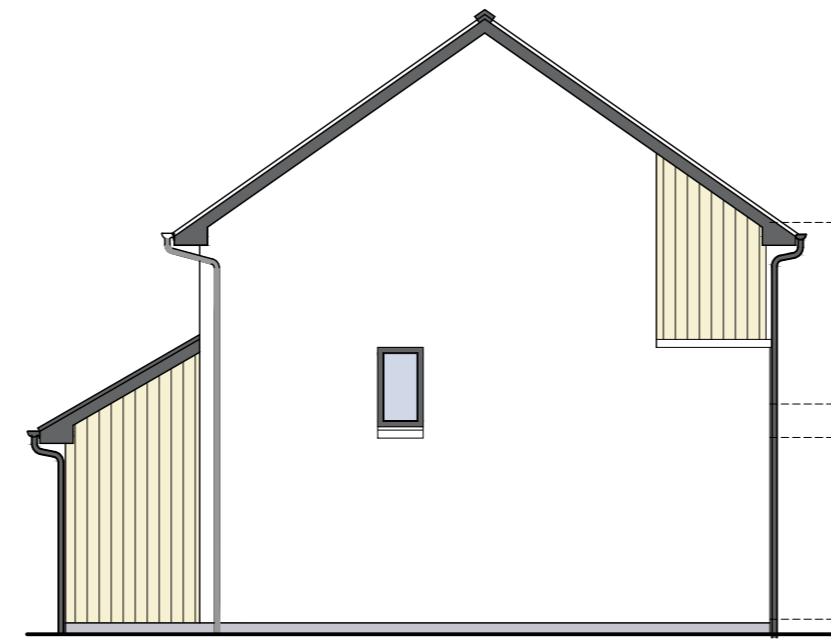
REAR ELEVATION



SIDE ELEVATION



FRONT ELEVATION



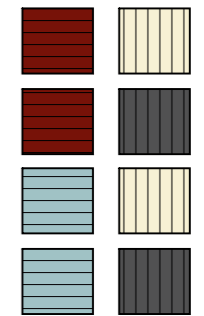
SIDE ELEVATION

Roof	Concrete interlocking roof tiles Colour - Anthracite
	Proprietary dry verge Colour - Anthracite
	uPvc soffits/fascias Colour - Grey
	uPVC rainwater goods Colour - Grey
	Metal Roof where indicated Kingspan Ks1000 Colour Anthracite
Windows	High performance uPvc double glazed units Colour - Grey
Doors	High performance Dimond Composite DM14 front door and DMG3 rear door
	Colour - Grey
Wall	Wet dash roughcast - K rend or similar Colour - White
	Eternit Cladding

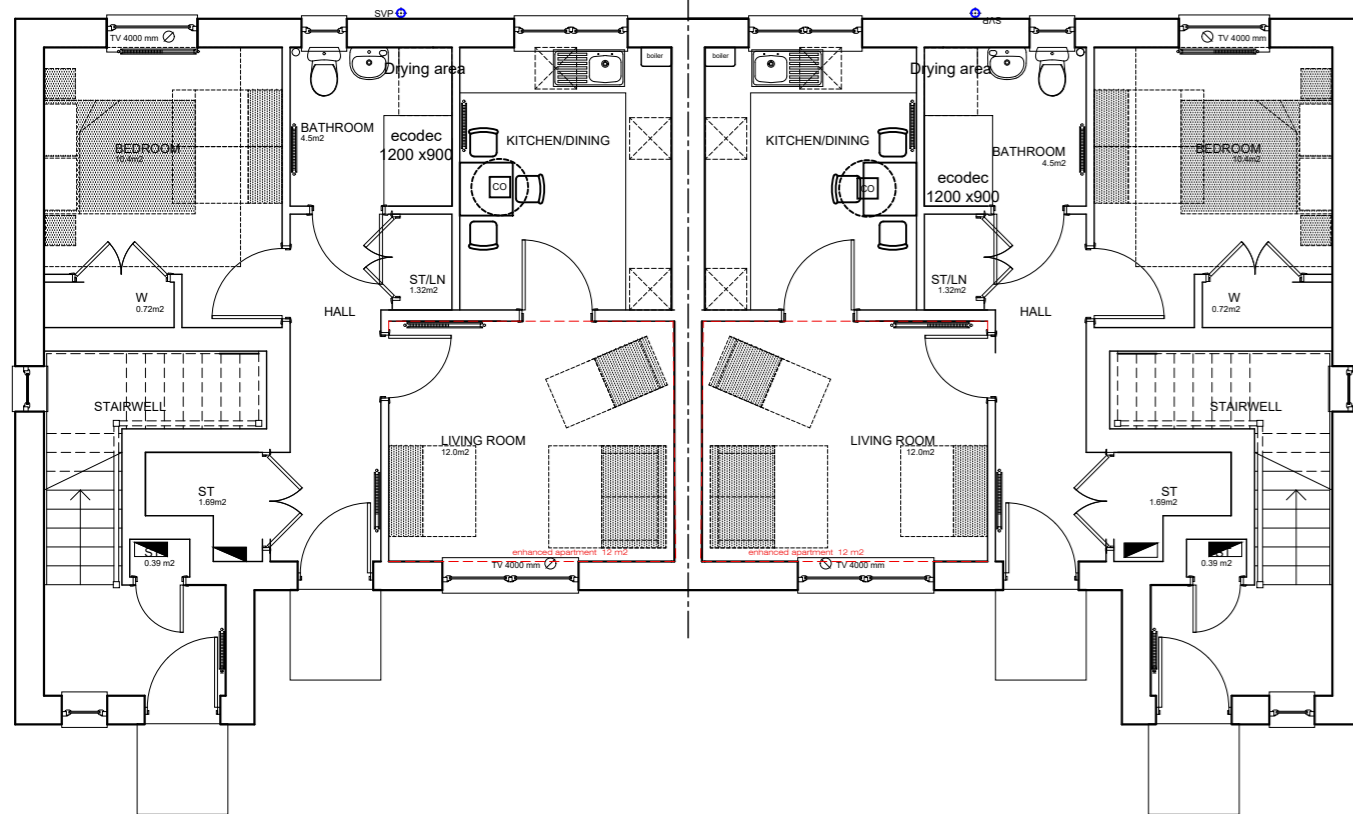
1b2p flat

eternit board colours:

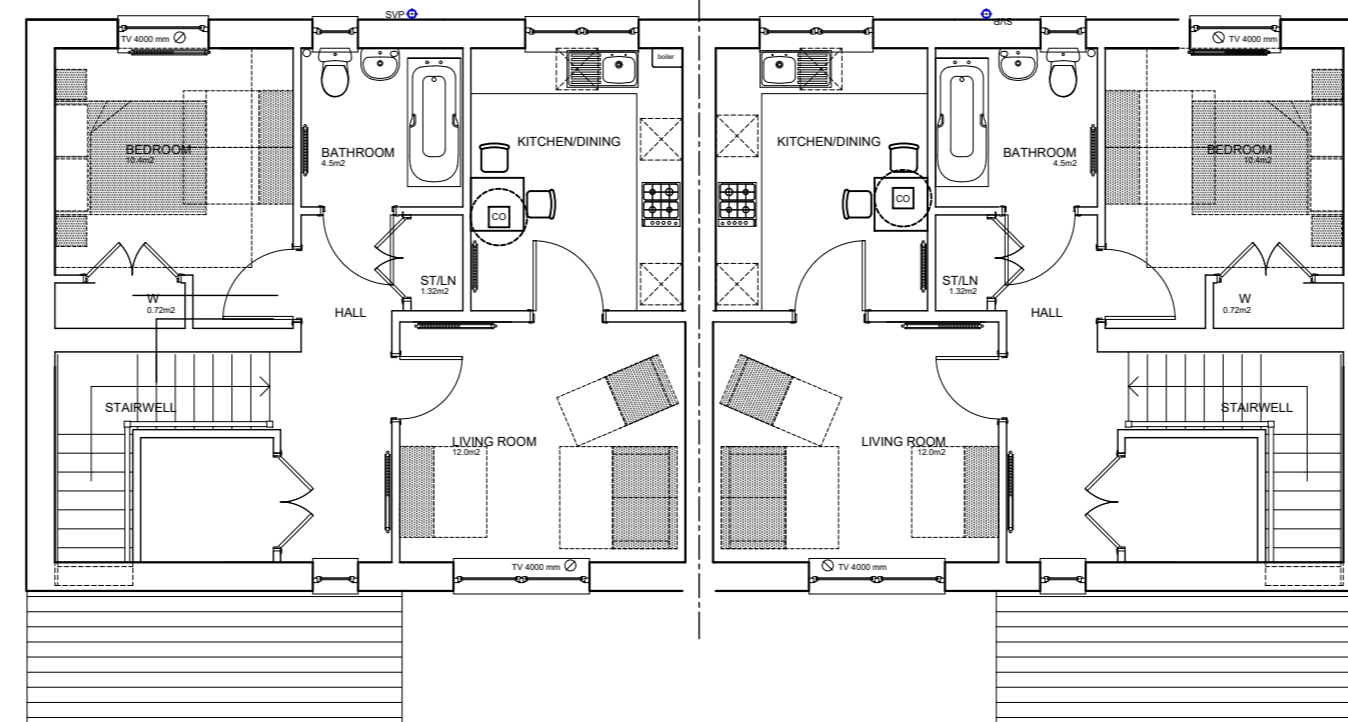
- plot 1-2 C61 burn red ; C02 beige
- plot 3-4 C61 burn red ; C15 dark grey
- plot 20-21 C10 blue grey ; C02 beige
- plot 22-23 C10 blue grey ; C15 dark grey



Final colours TBC



GROUND FLOOR



FIRST FLOOR

D	10:05:19	ASHP Removed	MJ
C	05:10:18	ASHP Indicated	AF
B	22:08:18	ecodec showers at GF	AF
A	12:07:18	1bed 2p flats instead of 2p 4bed villa	AF
REV	DATE	DESCRIPTION	DRN

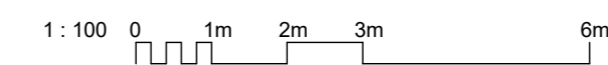
Bracewell Stirling CONSULTING

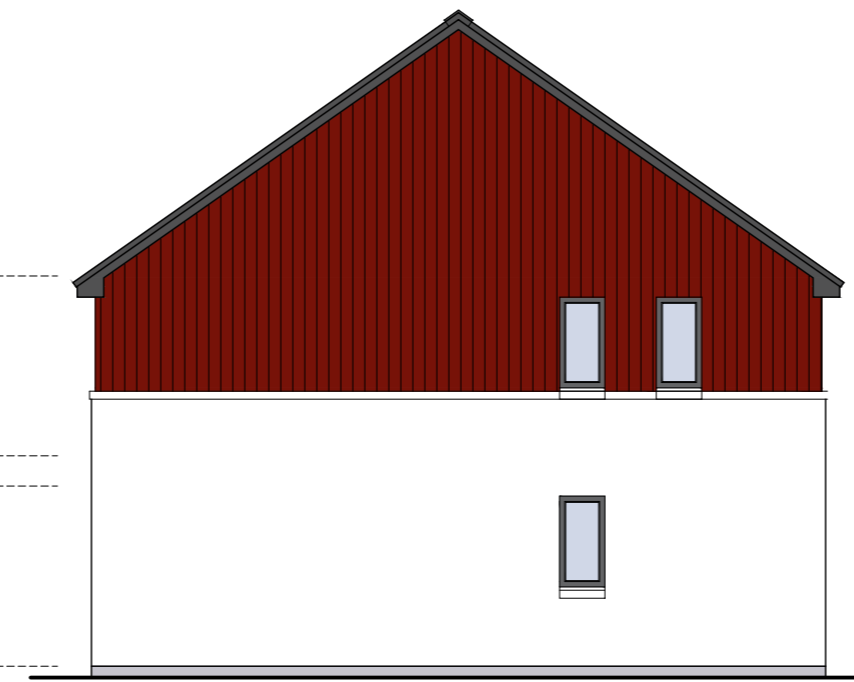
- 38 WALKER TERRACE, TILlicOLTRY, FK13 6EF
TEL: 01259 752365
- 5 NESS BANK, INVERNESS, IV2 4SF
TEL: 01463 233760

DALMORE ALNESS
PHASE 5A & 5B
ALBYN HOUSING SOCIETY

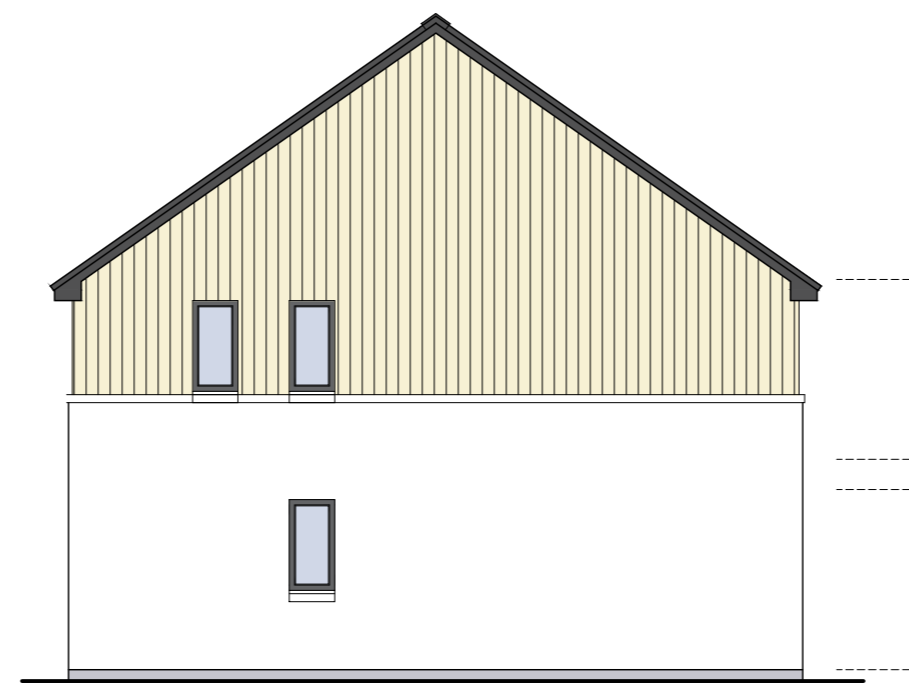
TITLE
1BED2P FLATS

SCALE	DATE	BY
1 : 100	26/04/2018	---
DWG NO.-REV	PURPOSE	PAPER
4393-01-100 D	-----	A2



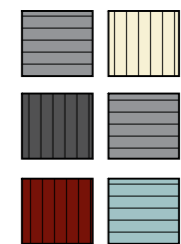


Roof	Concrete interlocking roof tiles Colour - Anthracite
	Proprietary dry verge Colour - Anthracite
	uPvc soffits/fascias Colour - Grey
	uPVC rainwater goods Colour - Grey
	Metal Roof where indicated Kingspan Ks1000 Colour Anthracite
Windows	High performance uPvc double glazed units Colour - Grey
Doors	High performance Dimond Composite DM14 front door and DMG3 rear door Colour - Grey
Wall	Wet dash roughcast - K rend or similar Colour - White Eternit Cladding

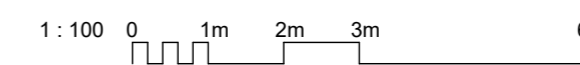
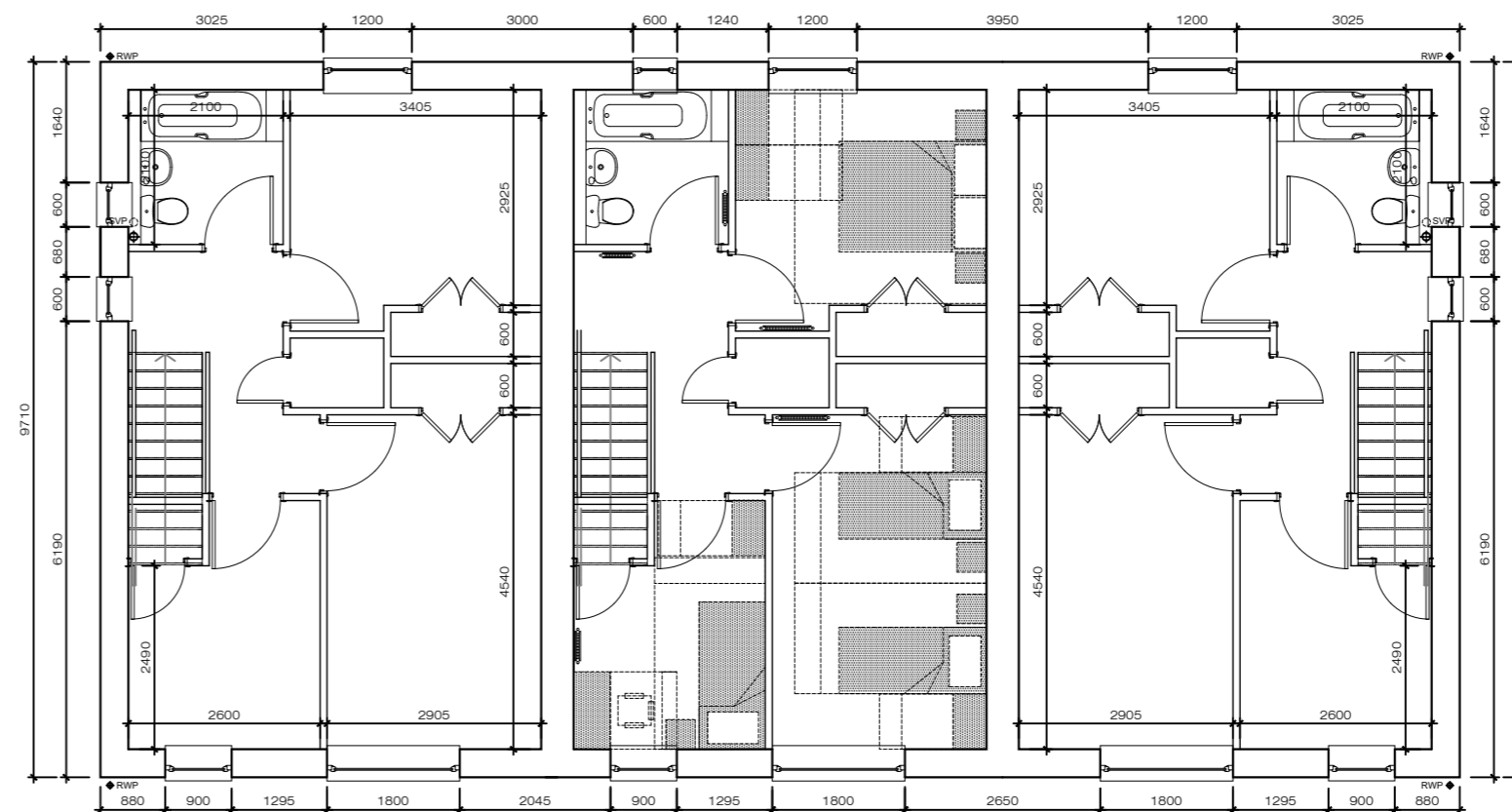
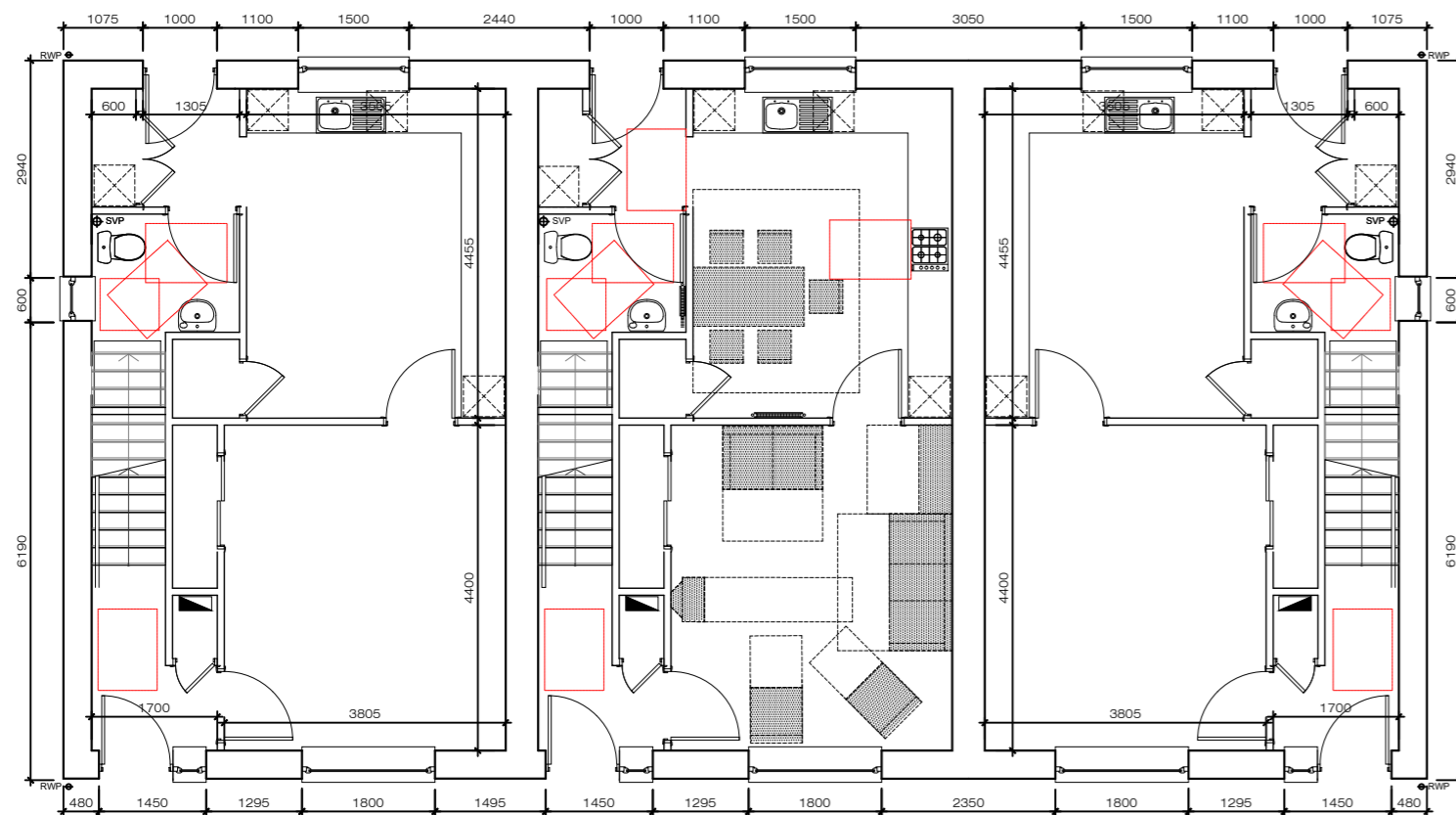


eternit board colours:

- plot 17 C51 silver grey ; C02 beige
- plot 18 C15 dark grey ; C10 blue grey
- plot 19 C61 burnt red ; C10 blue grey



Final colours TBC



B	10:05:19	ASHP Removed	MJ
A	05:10:18	ASHP indicated	AF
REV	DATE	DESCRIPTION	DRN

Bracewell Stirling CONSULTING

- 38 WALKER TERRACE, TILlicOLTRY, FK13 6EF
TEL: 01259 752365
- 5 NESS BANK, INVERNESS, IV2 4SF
TEL: 01463 233760

DALMORE ALNESS PHASE 5A & 5B ALBYN HOUSING SOCIETY		
TITLE 3B5P VILLA 3 UNITS BLOCK		
SCALE 1 : 100	DATE 28/04/2018	BY ---
DWG NO.-REV	PURPOSE ---	PAPER A2
4393-01-109 B		

