

Agenda Item	6.11
Report No	PLN/075/19

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 10 September 2019

19/02828/PIP: Miss Fiona Matheson

Report Title: Land 35m SE of 56 Feddon Hill Fortrose

Report By: Acting Head of Development Management – Highland

1. Purpose/Executive Summary

1.1 **Description:** **Erection of house and garage**

Ward: **09 - Black Isle**

1.2 **Development category:** **Local**

Reason referred to Committee: More than five letters of representation from five different addresses.

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 Grant planning permission as set out in section 11 of the report.

3. PROPOSED DEVELOPMENT

- 3.1 Planning permission in principal is sought for the erection of a house and garage. The application site extends to 656sq m, or thereby, and would take access directly off the public road which forms the northern boundary to the site.
- 3.2 There is no existing infrastructure.
- 3.3 Pre Application Consultation: None
- 3.4 Supporting Information: Response from agent to third party contributors.
- 3.5 Variations: None

4. SITE DESCRIPTION

- 4.1 The site consists of part of a larger area of private land that lies on the south side of the cul de sac which serves the properties of 55-58 and 62 Feddon Hill all of which are situated within the established residential neighbourhood of Feddon Hill, Fortrose. A footway runs along the full length of the northern boundary and immediately to the west of the site boundary is the hammerhead for the cul de sac, beyond which is the property No 62. No's 55-57 Feddon Hill lie on the northern side of the road, opposite the application site. No 58 Feddon Hill is located on the same side of the road as the application site and lies some 30m, or thereby, to the east of the eastern boundary of the plot.

The land is covered with vegetation. From the roadside the ground falls away very steeply from north to south across the full depth of the site to the rear of the properties No's 86-91 Feddon Hill which are at a much lower level.

5. PLANNING HISTORY

- 5.1 RC/1988/1107 – Erection of five houses, one of which included the land which is the subject of the current application. Granted 20.02.1989

6. PUBLIC PARTICIPATION

- 6.1 Advertised: Unknown Neighbour
Date Advertised: 05.07.2019
Representation deadline: 20.07.2019
Timeous representations: 7 representations from 7 households
Late representations: None
- 6.2 Material considerations raised are summarised as follows:
- a) Site forms part of an area of amenity land which should be preserved as it provides habitat for bird life and small animals which is to the benefit of the whole of Feddon Hill. Development of the land will result in a loss of this habitat. It is identified as part of the green network/open space in the Inner Moray Firth Local Development Plan.

- b) Lack of information on the style of property that would be built.
- c) Development of site will lead to overlooking, a loss of privacy and in some cases a loss of daylight to neighbouring properties.
- d) Site constraints will result in traffic parking on the pavement and in the turning area as providing a usable driveway would be it is problematic.
- e) Development which would result in much of the vegetation being removed will only exacerbate the existing problems associated with surface water running off from the site into the garden ground of the properties below; No's 87-89 Feddon Hill.
- f) Construction works may impact on the stability of the hillside behind No's 87-89 Feddon Hill.
- g) Planning officer previously advised that planning permission was unlikely to be forthcoming due to impact on amenity to surrounding properties.

6.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

7. CONSULTATIONS

7.1 **Development Plans Team: No objections.** The site lies within allocated Open Space as identified in IMFLDP inset map for Fortrose and Rosemarkie which establishes a general presumption against development. However, the planning history of residential development permission is also a relevant consideration.

Where an application affects Open Space Policy 75 Open Space of the HwLDP is a key consideration. Policy 75 states that:

Existing areas of high quality, accessible and fit for purpose open space will be safeguarded from inappropriate development and enhancement will be sought, where appropriate. All sites identified in the Highland Council's Audit of Greenspace will be safeguarded unless:

- it can be suitably demonstrated that the open space is not fit for purpose;
- substitute provision will be provided meeting the needs of the local area; or
- development of the open space would significantly contribute to the spatial strategy for the area.

The site (and adjacent plots) does not feature in the Greenspace Audit for Fortrose and although it has been allocated as Open Space the Policy requirement for the safeguarding of existing open space is qualified as to whether or not the area of Open Space (the site and adjacent plots) is high quality, accessible and fit for purpose. If it is found not to be as, development that is otherwise appropriate could be supported despite the allocation.

It is possible, at the preparation of the IMFLDP that due to the undeveloped and unmaintained nature of the application site (and adjacent plots), combined with the topography and pattern of development the land was considered as an extension of the Craig Burn open/green space. In practice its value may be considered to be limited primarily to providing some general amenity value to the adjacent properties alone, without holding wider benefit.

Permission ref: RC/1988/1107 clearly demonstrates that the site (and adjacent plots) was not intended to form open space and that this was accepted in planning terms at the time. The subsequent identification of the land as part of Open Space within development plan documents may not have taken full account of that planning history.

7.2 **Forestry Officer: No objections.** No trees of particular quality lie within the site. Preferable to retain the existing trees along the southern boundary. Recommend that a landscape plan is secured in order to soften any excavation/stabilisation works required at the bottom of the slopes.

7.3 **Scottish Water: No objections.** There is currently sufficient capacity in the Assynt Water Treatment Works and Fortrose Waste Water Treatment. However, further investigations may be required to be carried out once a formal application has been submitted to Scottish Water. For reasons of sustainability and to protect customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into the combined sewer system. There may be limited exceptional circumstances where they would allow such a connection for brownfield sites only, however this will require significant justification taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused. Applicants are required to contact Scottish Water at the earliest opportunity where a surface water discharge to our combined sewer system is proposed.

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
34 - Settlement Development Areas
75 - Open Space

8.2 Inner Moray Firth Local Development Plan 2015

Fortrose Settlement map indicates that the site is open space.

Highland Council Supplementary Planning Policy Guidance

Developer Contributions (November 2018)
Flood Risk & Drainage Impact Assessment (Jan 2013)

9. OTHER MATERIAL POLICY CONSIDERATIONS

9.1 Scottish Government Planning Policy and Guidance

SPP - A Successful, Sustainable Place - Enabling Delivery of New Homes

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) Layout, siting and Design.
 - c) Impact on individual and community residential amenity.
 - d) Access and parking.
 - e) Developer contributions
 - f) Any other material considerations.

Development plan/other planning policy

- 10.4 Development plan policy is set out in the Highland wide Local Development Plan (HwLDP), the Moray Firth Local Development Plan (IMFLDP), and adopted supplementary guidance. The site is within the Fortrose settlement development area within which there is a general presumption in favour of development, subject to the individual merits of the proposals as assessed against policies 28 and 34 of the HwLDP.
- 10.5 The Fortrose inset map of the IMFLDP identifies the site, the adjoining land to the west and east and the treed corridor of land along the Craig Burn to the west of the site as open space and therefore Policy 75 of the Highland wide Local Development Plan (HwLDP) appears to apply. In their consultation response the Development Plans team have set out the likely scenario that led to the open space designation whereby it is considered that at the preparation of the IMFLDP, due to the undeveloped and unmaintained nature of the application site (and adjacent plots), combined with the topography and pattern of development, the land was considered as an extension of the Craig Burn open/green space. However in practice its value may be considered to be limited primarily to providing some general amenity value to the adjacent properties alone, without holding wider benefit.

Policy 75 states that:

Existing areas of high quality, accessible and fit for purpose open space will be safeguarded from inappropriate development and enhancement will be sought, where appropriate. All sites identified in the Highland Council's Audit of Greenspace will be safeguarded unless:

- it can be suitably demonstrated that the open space is not fit for purpose;

- substitute provision will be provided meeting the needs of the local area; or
- development of the open space would significantly contribute to the spatial strategy for the area.

10.6 The site (and adjacent plots) does not feature in the Greenspace Audit for Fortrose and although it has been allocated as Open Space the Policy requirement for the safeguarding of existing open space is qualified as to whether or not the area of Open Space (the site and adjacent plots) is high quality, accessible and fit for purpose. If it is found not to be so, development that is otherwise appropriate could be supported despite the allocation. It is considered that the topography of the site and adjacent land, the unmaintained nature of the site and the lack of public accessibility means that this area of ground does not meet the above criteria and therefore in this instance policy 75 can be set aside in the determination of the application.

10.7 As set out above in paragraph 10.4 there is a general presumption in favour of development within settlement development areas. The neighbourhood of Feddon Hill was under development for more than twenty five years, the final phase of terraced houses and flats being completed in late 2012. The planning history for the land that lies to the south of the public road and includes the current application site is documented in section 5 above. Planning permission RC/1988/1107 was granted for the erection of five houses in 1989. It appears from historic planning files that development commenced in relation to this planning permission. Two of the plots were built; No's 58 and 62 Feddon Hill. The remaining three houses were not completed at that time. The site layout plan submitted with the current application relates to the middle plot of the remaining three plots. It is noted that the plot boundary between No 62 and the adjacent undeveloped plot appears to have altered slightly since this house was built. The three these plots correlating to Nos 59-61 of permission ref: RC/1988/1107. The design of houses approved by this earlier planning permission was for split- level properties with a garage area under the main house, slightly below the level of the road and thereafter accommodation provided over a number of levels to address the sloping topography. Based on the evidence available from historic files it is considered that planning permission RC1988/1107 would appear to be extant. On this basis it should be noted the applicant could proceed to develop the approved house design on the plot without any further planning consent being required.

10.8 Permission ref: RC/1988/1107 clearly demonstrates that the site (and adjacent plots) was not intended to form open space and that this was accepted in planning terms at the time of the application's determination. The subsequent identification of the land as part of Open Space within development plan documents may not have taken full account of the planning history. It is considered that the principle of development is consistent with the previous planning approval and that a further house within the established residential neighbourhood is compatible with the character of the area.

Layout, Siting and Design

10.9 Notwithstanding that there appears to be an extant permission on the site which the applicant could proceed to develop they, have chosen to submit an application for planning permission in principal and consequently no details of the final house design or the layout of the site have been submitted. It is acknowledged that layout and design of the house will be dictated by the severity of the slope and it

is anticipated that the use of a split level design, which presents a single storey to the road frontage, remains the most appropriate solution. Consideration and assessment of these matters will be the subject of an application for matters specified in conditions or a full application. Such an application will be the subject of statutory neighbour notification and publicity procedures which will afford third parties the opportunity to consider and comment upon the final design in detail.

- 10.10 Similarly, details of changes in ground levels, retaining structures, surface water drainage proposals, landscaping and access and parking arrangements will require to be detailed in any subsequent application which follows on from a planning permission in principal. It is customary for these matters to be specified in the conditions attached to any planning permission in principal.

Impact on individual and community residential amenity

- 10.11 It is acknowledged that the development of this site will bring change to the area and that this change will mostly affect the immediate neighbouring properties which lie to the north of the application site and those to the south No's 55-58, 62 and 86-91 respectively. Comment has been made by a number of third parties regarding a loss of privacy as a result of overlooking of the front windows of the houses on the north side of the road and the rear windows and gardens of the houses which lie to the south below the plot. It is considered that the site is of sufficient size to ensure that a minimum of 18m can be achieved between habitable windows on all elevations. Such a distance is comparable with that of the surrounding properties and is also currently accepted as offering sufficient separation between directly opposing windows of habitable rooms to maintain an acceptable level of privacy. In order to ensure that there is no significant loss of amenity to the garden ground of the properties Nos 86-91, any subsequent application will require to be supported by cross sections, finished floor levels and details of boundary treatments, these matters will be specified in conditions. Concern has also been expressed about a loss of daylight to these properties. The rear gardens of Nos 86-91 Feddon Hill have a northerly aspect and are at the bottom of the hillside slope this current situation means that direct sunlight will be limited. It is considered that the site can be developed for a single house without significantly affecting the amount of sunlight available to the rear of these properties.

Access and Parking

- 10.12 Access will be taken across the footway, which forms part of the public road. The formation of an access raises no issues in terms of road safety. The road was designed taken into consideration the five houses previously approved. The access will require to comply with current road guideline standards and this matter will be dealt with by way of a condition.
- 10.13 With respect to parking once again the level of parking will require to meet current guideline standards which are based around the number of bedrooms contained with the house which also includes an allowance for visitor parking. The concerns raised by third parties about the use of the turning head will be addressed by the use of a condition which will require the parking arrangements to satisfy the appropriate guidelines standards.

Developer contributions

- 10.14 The recently adopted development Guidance on Developer Contributions applies to single house applications. The applicant has confirmed that a single up front payment will be forthcoming which covers the contributions towards the 2 classroom extension required at Avoch Primary School. Details of the contribution are contained within the appendix attached to this report.

Other material considerations

- 10.15 Comment has been made by a third party about comments attributed to an officer of the planning service in 2004 verbally expressing an opinion about the development potential of the vacant land which was covered by the previous planning permission RC/1988/1107. These third party comments are noted. In determining the planning application it is important to undertake a comprehensive assessment of all the information available including the planning history that can be attributed to the site and which may not have been readily available in 2004. Such an approach ensures that the recommendation now put forward for this current application is based on full knowledge of all material considerations. The acceptability or otherwise of developing the remaining land on either side of the current application site which were approved as two further plots would require to be considered on its own merits through the planning application process. It is acknowledged that the land to the west between this site and No 62 Feddon is potentially challenging in a number of respects including the impact of development on the privacy of this property and the means of access to the land. In relation to the current application as set out above in the preceding paragraphs it is considered that a suitability designed house which takes account of the challenging topography of the site and the established amenity of the immediate neighbouring properties can be constructed in this location and therefore the principal of development is supported.
- 10.16 Matters relating to engineering works associated with the construction of a house as raised in the third party contributions will require to be addressed by the developer of the site. Details of any retaining walls and landscaping will be dealt with by way of a condition and will therefore be assessed as part of any application(s) for approval of matters specified in conditions. The final engineering solution would ultimately form part of the application for building warrant approval.
- 10.17 The unmanaged condition of the site clearly lends itself to supporting local wildlife. An inspection of the National Biodiversity Network (NBN) atlas for Scotland contains a record of a red squirrel being sighted on occasions in the vicinity of the site. Given the proximity to the woodland that lies to the west of No 62 Feddon Hill such a siting is not considered unusual. The woodland is likely to be of considerably more value as habitat for any red squirrels rather than the application site. The site is not protected by any specific conservation designations and no other species are recorded on the NBN atlas. It is considered therefore the impact on wildlife and loss of habitat are insufficient reasons to withhold planning permission. An informative shall be added to any planning permission granted that highlights the legal responsibilities of the developer towards protected species.

Non-material considerations

- 10.18 Comments have been made regarding the potential loss of southerly views from the properties on the north side of the public road towards the Beaully Firth. The issue of views over third party land is not a material planning consideration. As set out above in paragraphs 8.11 it is considered that the site can be developed in a manner that will protect the amenity of these properties, No's 55-57 Feddon Hill. The stability of the hillside and how any engineering works impacts on the fabric of a neighbouring property as a result of construction works would be a civil legal matter for the developer to address.

Matters to be secured by Section 75 Agreement

- 10.19 None

11. CONCLUSION

- 11.1 The development plan policies direct the majority of development towards existing settlements. The site provides an opportunity to deliver a single house within an established residential area of Fortrose on a site which appears to have an extant planning permission. For the reasons set out above in paragraph 10.5-10.8 it is considered that policy 75 carries little weight in the assessment of the application. The land is not considered to be high quality, accessible and fit for purpose open space. A well considered and sympathetic design of house which deals with the topography of the site and the amenity of the neighbouring properties is considered achievable.
- 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 issued	Y	Upfront payment of developer contribution
Notification to Scottish Ministers	N	
Conclusion of Section 75 Obligation	N	

Revocation of previous permission N

Subject to the above, it is recommended that planning permission be **GRANTED** subject to the following:

Conditions and Reasons

1. No development shall commence until all of the matters specified below have been approved on application to the Planning Authority:
 - i. a detailed layout of the site of the proposed development (including site levels as existing and proposed);
 - ii. the design and external appearance of the proposed development (including finished floor levels in relation to a fixed datum point) ;
 - iii. landscaping proposals for the site of the proposed development (including boundary treatments);
 - iv. details of access and parking arrangements; and
 - v. details of the proposed water supply and foul drainage arrangements.
 - vi. details of the proposed surface water drainage arrangements.
 - vii. details of the location and design, including materials, of all proposed walls, including any retaining structures, fences and gates.

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

2. Any details pursuant to Condition one above shall show a development featuring the following elements:
 - i. split level design of house which has a single storey frontage to and a ridgeline that runs parallel with the public road to the north.
 - ii. the ridge height of the house and garage no greater than the ridge height of the neighbouring property 58 Feddon Hill excluding its garage.
 - iii. external finish that uses a palette of materials that match those of the surrounding properties.

Reason: In order to respect the established character of the area and integrate the development into its setting in the interest of visual amenity.

3. Any details pursuant to condition one above shall show the site access formed in accordance with drawing No SDB 3 of The Highland Council's Access to Single Houses and Small Developments prior to first occupation.

Reason: In the interest of road safety.

4. Any details pursuant to condition one above shall show car parking spaces provided within the curtilage of the dwellinghouse and formed in accordance with The Highland Council's Access to Single Houses and Small Developments prior to first occupation, thereafter being maintained for this use in perpetuity. Provision, which shall exclude garages, shall be as follows:
- i. Two spaces per 1 to 3 bedrooms;
 - ii. Three spaces per 4 to 5 bedrooms; and
 - iii. Four spaces per 6 or more bedrooms.

Reason: In order to ensure that the level of off-street parking is adequate

5. Any details pursuant to condition one above shall show details of a scheme of all hard and soft landscaping works. Details of the scheme shall include:
- i. Cross sections through the site from north to south from a fixed datum point on the road to the north of the site to a point in the road in front of No88 Feddon Hill.
 - ii. All earthworks and existing and finished ground levels in relation to the identified fixed datum point;.
 - iii. A plan showing existing landscaping features and vegetation to be retained;
 - iv. The location and design, including materials, of all hardstanding, decking and /or patio areas.
 - v. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities;
 - vi. All retaining walls, railings and hard boundary landscape treatments; and
 - vii. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

Reason: In order to safeguard the privacy and amenity of adjacent residents and the wider visual appearance of the area.

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

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

REASON FOR DECISION

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.

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

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

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

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

Accordance with Approved Plans and Conditions

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

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (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.

For reasons of sustainability and to protect customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into the combined sewer system. Greenfield sites will not be considered and a connection to the combined network will be refused. Applicants are required to contact Scottish Water at the earliest opportunity where a surface water discharge to our combined sewer system is proposed.

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: Erica McArthur

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

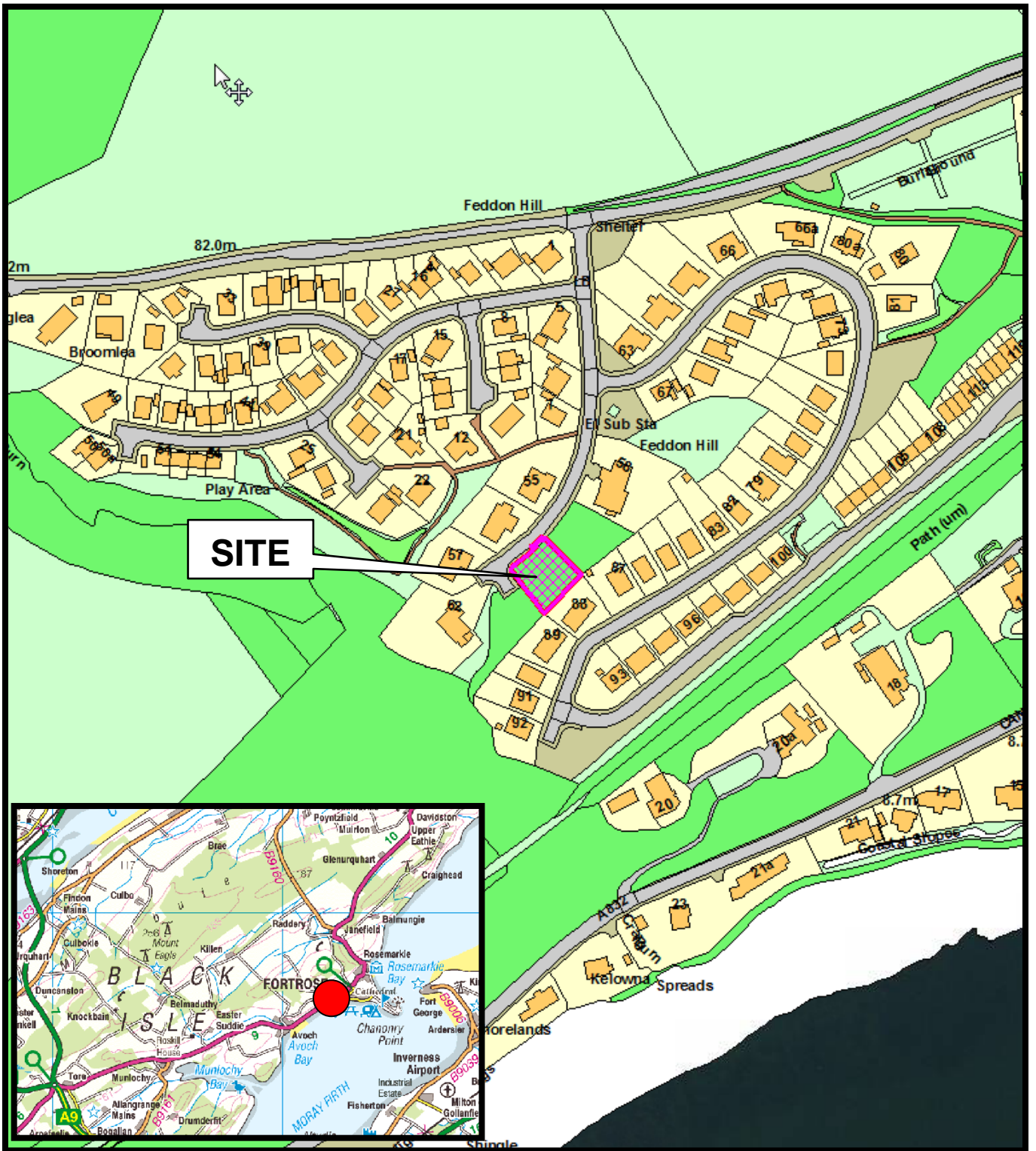
Relevant Plans: Plan 1 - LOCATION PLAN

Plan 2 - SITE PLAN

Appendix – details of Up front payment required to cover developer contributions

Infrastructure / Service Type	Select Answer	Contribution Rate Per Home (a small scale housing discount has already been applied)
Number of Homes Proposed	1	
Schools - Primary-Avoch		
Build Costs	2 classroom extension	£428
Major Extension / New School - Land Costs	None - No land costs required	£0
Primary Total		£428
Schools - Secondary		
Build Costs	None - No capacity constraints	£0
Major Extension / New School - Land Costs	None - No land costs required	£0
Secondary Total		£0
Affordable Housing		
CNPA	No	£0
Cumulative Transport		
Development Brief / Agreement Area	None - No cumulative transport costs required	£0
Breakdown	N/A	N/A
	N/A	N/A
	N/A	N/A
Total Per Home		£428
Total for Development		£428

All costs are subject to indexation (BCIS All-In TPI) and have been indexed to the appropriate quarter.



The Highland Council
Comhairle na Gàidhealtachd

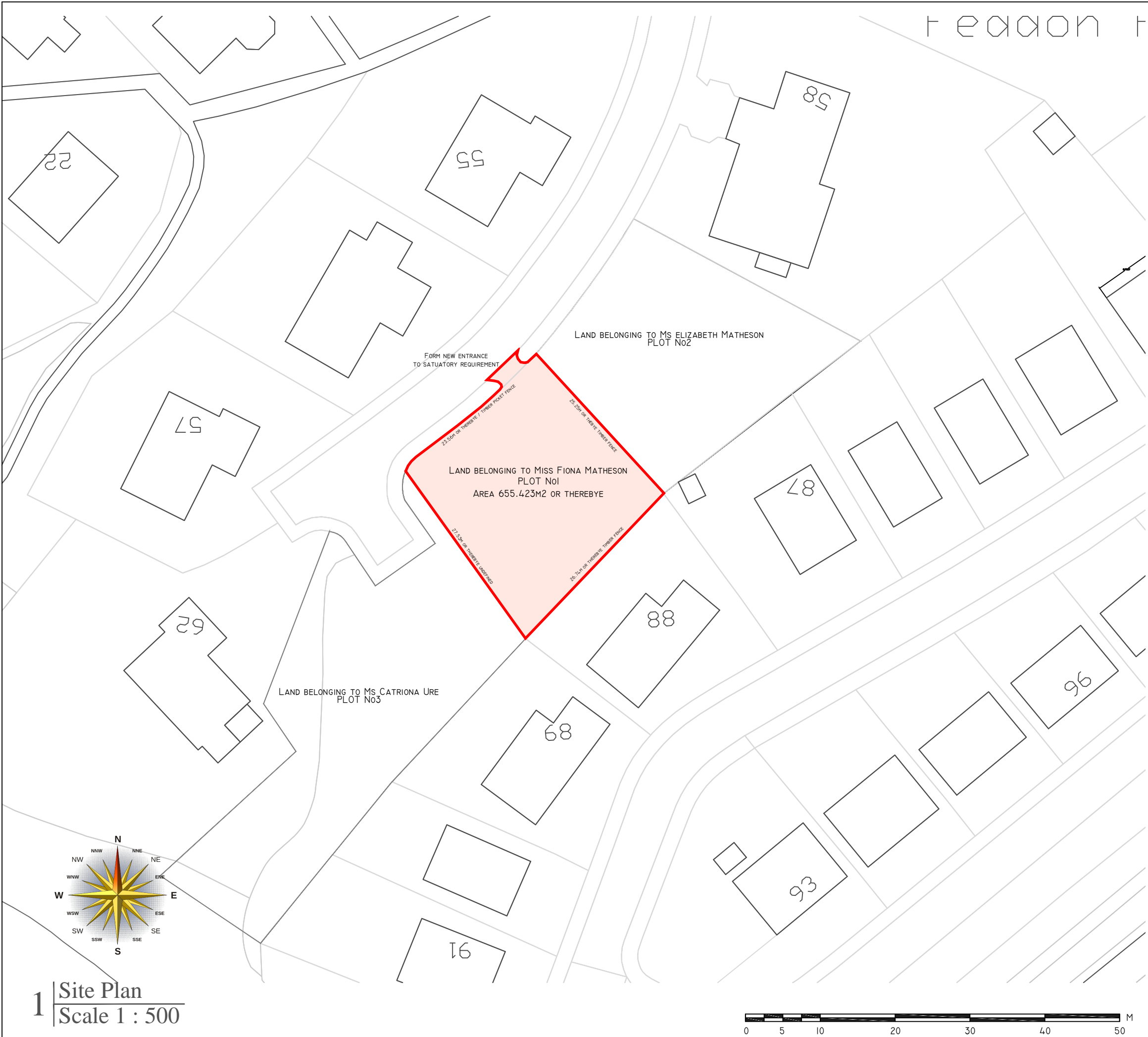
Planning & Development Service

19/02828/PIP

**Erection of house and garage
 at Land 35m South East of
 56 Feddon Hill, Fortrose**



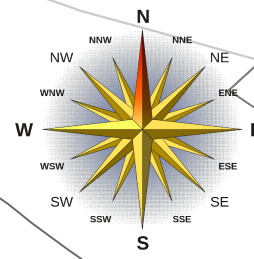
F E D D O N H I L L



Notes

Rev.	Purpose of issue.	IMC	Checked	Date
A	PPP_TITLE	-		21.06.19
-	-	-		-

CLIENT Miss Fiona Matheson 12 Belmaduthy Gardens, Munloch IV8 8AD			
CONTACT Iain M. Campbell MCIAT (Agent) 01463 711029 / Mob: 07388016310			
PROJECT PPP - New Dwelling House & Garage - (Detail to FPP) Site: Plot No1, Feddon Hill, Fortrose, IV10 8SP			
DRAWING TITLE Site Plan			
PURPOSE OF ISSUE Planning Permission in Principle			PAPER A3
SCALE 1 : 500	DATE 07.06.19	DRAWN BY IMC	CHK'D BY
		DATE	DATE
	PROJECT NUMBER	SERIES	UNIQUE NO. REVISION
DRAWING NUMBER	FH / PPP / FM - 06/19		A101 A



1 Site Plan
Scale 1 : 500

