

Agenda Item	<b>6.9</b>
Report No	<b>PLS/074/19</b>

## HIGHLAND COUNCIL

**Committee:** South Planning Applications Committee  
**Date:** 17 September 2019  
**Report Title:** 18/05908/FUL: Albyn Housing Society Ltd  
Land 50M North of The Hermitage  
St Olaf Manor, Cawdor Road, Nairn  
**Report By:** Area Planning Manager – South

### **Purpose/Executive Summary**

**Description:** Erection of ten dwellings with associated garden and parking areas  
**Ward:** 18 - Nairn and Cawdor  
**Development category:** Local Development

**Reason referred to Committee:** More than 5 objections and objection from a statutory consultee (Community Council)

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

### **Recommendation**

Members are asked to agree the recommendation to **Grant** planning permission as set out in section 11 of the report.

## **1. PROPOSED DEVELOPMENT**

- 1.1 The application seeks permission for the erection of 10 single bedroom 'FIT' homes which are intended to provide accommodation designed to cater for tenants who have various medical needs and allow them to be supported while maintaining some independence. These houses are the new model for assisted care which in certain cases is replacing the requirement for prolonged hospital care. They will be designed for accessibility and flexibility of space to enable people to live "well" and to remain at home, as their health changes. The development is being progressed under the City Region Deal and comprises a joint project between Albyn, the NHS and The Highland Council. The development comprises single storey semi-detached units of a modular construction to be built off site. The units are positioned in a U shape layout which accommodates a central court yard area.
- 1.2 The site is to utilise the existing access which serves St Olaf's nursing home. Foul surface water drainage connections are available to the site.
- 1.3 Pre Application advice was sought which was largely supportive of the principle of development subject to the resolution of a number of issues around amenity.
- 1.4 Supporting Information:
  - 3D Models
  - Arboricultural Impact Assessment
  - Arboricultural Method Statement
  - Design Statement
  - Drainage Impact Assessment
  - Tree Constraints Data
- 1.5 Variations:
  - Amended Site Plan showing reconfigured site layout and increased red line boundary
  - Amended Elevational drawings
  - Updated Tree Information
  - Submission of Noise Assessment

## **2. SITE DESCRIPTION**

- 2.1 The site is located to the north of St Olaf Manor and Hermitage House within the grounds associated with the existing care home. The site is relatively level and overgrown with a number of self seeded and mature trees within the site providing a boundary between Nairn County Hospital which is located to the north and the sawmill which is located to the west of the site. Access will be taken from the

existing access to the care home which is located to the western side of Cawdor Road. The area of land to the east of the site currently has an extant permission for the erection of flatted accommodation, this area is grass covered.

### **3. PLANNING HISTORY**

3.1	15.10.2007	07/00048/OUTNA - Development of 4 care home units and 21 flats	Permission Refused
3.2	14.09.2009	08/00100/OUTNA - Development of 4 care home units (22 beds) and 17 flats	Permission Refused
3.3	20.10.2011	10/01660/PIP - Proposed Two Storey Care Home (22 beds) with associated flatted accommodation (12 units)	Permission Granted
3.4	06.10.2016	14/03721/FUL - Erection of 12 flats including alterations to existing access road	Permission Granted

### **4. PUBLIC PARTICIPATION**

4.1 Advertised: Unknown Neighbour

Date Advertised: Nairnshire Telegraph 22.01.2019 and 21.06.2019

Representation deadline: 02.07.2019

Timeous representations: 8

Late representations: 0

4.2 Material considerations raised are summarised as follows:

- a) Giant sequoia, Wellingtonia and Sycamore on site could be impacted this – Scottish Govt Control of Woodland Policy and SNH offer protection to trees with high nature conservation/landscape value
- b) Loss of other semi mature yew trees
- c) Loss of visual amenity from trees and subsequent loss of wildlife and ecological value
- d) Issues over amenity to residents from noise from the sawmill
- e) Concern over existing amenity in terms of overlooking and privacy of current residents
- f) Consider that the development is not compliant with Policies 28, 29 and 34 as there will be impacts on amenity – site is therefore not compatible with surrounding land uses
- g) Concern raised over increased traffic flow where there are vulnerable residents

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet [www.wam.highland.gov.uk/wam](http://www.wam.highland.gov.uk/wam).

## 5. CONSULTATIONS

5.1 **Nairn River Community Council** object to the proposal due to the removal of the Giant Sequoia and Sycamore (graded as BS Category A)

- Comment that they lean toward supporting the application but cannot do so if it means the Giant Sequoia is to be removed where a small re-design of the layout would avoid the need for this to be removed.
- Consider that the site is in danger of over-development as this is forcing the removal of the long-established trees.

5.2 **Environmental Health** confirms that it would remove its objection subject to conditions being added. Comments cover the information submitted by the applicant and the mitigation that is proposed in order to mitigate noise from the adjacent sawmill. It is concluded that while the mitigation is welcomed concern is still raised over the potential noise impact from the sawmill. This is due to the uncertainties around the submitted Noise Impact Assessment (NIA) noise barrier predictions. For example the NIA doesn't cover noise sources from immediately behind the barrier such as clattering noises, vehicles reversing alarms and banging noises. The following conditions are recommended in the event that permission is granted:

1. *The external daytime noise level (07:00 -19:00hours) within the amenity area of the residential properties within the proposed development must not exceed an external limit of  $L_{Aeq(1hour)}$  45dB when measured 3.5meters from the nearest façade.*
2. *The external night-time noise level (23:00 -07:00) within the gardens of any residential property within the proposed development must not exceed an external limit of  $L_{Aeq(15min)}$  35dB when measured 3.5meters from the nearest façade.*
3. *The internal night time level (23:00-07:00) with any bedroom of any residential property within the proposed development must not exceed an internal level of  $L_{Aeq(15min)}$  25dB with windows open for ventilation purposes*
4. *Prior to the residential properties within the proposed development being occupied, the applicant shall implement the scheme of noise mitigation identified as part of their Noise Impact Assessment as outlined below:*
  - *3m acoustic fence to the boundary with the sawmill (shown dotted red on site plan – Ref: DWG No 4441-02-100 Rev C)*
  - *3m acoustic fence along the north boundary with the hospital to address reflected noise from the hospital building (shown dotted red on site plan – Ref: DWG No 4441-02-100 Rev C)*

- *Additional sections of fencing or walling between the buildings at the sawmill side of the development to provide an additional sound barrier to the open space (shown dotted red on site plan – Ref: DWG No 4441-02-100 Rev C)*

5. *Prior to the residential properties within the proposed development being occupied, a noise monitoring survey and assessment shall be undertaken by the applicant to verify compliance with the noise levels specified in Conditions 1-3. The noise monitoring shall be done in accordance with BS7445:2003 - Description and measurement of environmental noise. Where the noise assessment identifies that the noise levels do not comply with condition 1-3 above, a scheme of additional noise mitigation requires to be implemented by the applicant to ensure the noise levels are achieved. The applicant shall repeat the noise assessment process until Conditions 1-3 are shown to be met. Any additional noise mitigation measures require to be implemented prior to the residential properties being occupied, or in a timescale otherwise agreed in writing with the Planning Authority.*

*The results of all the noise monitoring surveys and noise assessments shall be submitted to and approved by the Planning Authority prior to any of the residential properties within the development being occupied.*

- 5.3 **Flood Risk Management Team** has no objection subject to conditions. The FRM team consider that ground conditions are suitable for soakaways and therefore the drainage strategy is accepted. The final design of this should however be submitted for review (condition) and that details should be submitted on the name and address of party responsible for maintenance of the surface water drainage network (condition).
- 5.4 **Forestry Officer** does not object to the proposals following the submission of additional information around landscaping and trees including requiring the retention of the Giant Sequoia (Wellingtonia). A number of conditions are recommended to secure the necessary mitigation to retain as many trees as possible and secure compensator planting for those to be felled.
- 5.5 **Housing Team** confirms that it supports the proposals as they are for affordable housing.
- 5.6 **Transport Planning Team** has no objections. It comments that the access to the site is from an existing junction and that fifteen car parking spaces have been provided which meets with Council guidelines.
- 5.7 **Scottish Water** has no objections confirming that there is sufficient capacity in Inverness Water Treatment Works and Nairn Waste Water Treatment Works but that capacity cannot be reserved and connections will require direct application to Scottish Water.

## 6. **DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

## 6.1 **Highland Wide Local Development Plan 2012**

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 31 - Developer Contributions
- 34 - Settlement Development Areas
- 51 - Trees and Development
- 56 - Travel
- 58 - Protected Species
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage

## 6.2 **Inner Moray Firth Local Development Plan (2015):**

Located within Nairn Settlement Development Area

## 7. **OTHER MATERIAL CONSIDERATIONS**

### 7.1 **Highland Council Supplementary Planning Policy Guidance**

Access to Single Houses and Small Housing Developments (May 2011)  
Developer Contributions (Nov 2018)  
Flood Risk and Drainage Impact Assessment (Jan 2013)  
Sustainable Design Guide (Jan 2013)  
Trees, Woodlands and Development (Jan 2013)

### 7.2 **Scottish Government Planning Policy and Guidance**

Scottish Planning Policy (The Scottish Government, June 2014)

## 8. **PLANNING APPRAISAL**

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

### **Determining Issues**

8.2 This means that the 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**

8.3 The key considerations in this case are:

- a) compliance with the development plan and other planning policy
- b) siting, design
- c) residential amenity
- d) access and servicing
- e) trees and landscaping

- f) developer contributions
- g) any other material considerations.

### **Development plan/other planning policy**

- 8.4 The site lies within Nairn Settlement Development Area. The development of this site is largely in keeping with surrounding land uses such as care home and hospital. Policy 34 – Settlement Development Areas of the HwLDP applies a supportive approach to development in such areas where all other policies of the development plan are complied with. Policies relevant in assessing the proposal include Policy 28 – Sustainable Design which lists a number of criteria against which all developments are assessed. Of particular relevance to this proposal is the impact upon individual and community residential amenity; and, demonstration of sensitive siting and high quality design which is in keeping with local character and historic and natural environment and in making use of appropriate materials. It is also stated that development should accommodate the needs of all sectors of the community, including people with disabilities or other special needs and disadvantaged groups and any developments contribution to the social development of a community is also considered.
- 8.5 As there are trees within and adjacent to the site, consideration has to be given to Policy 51 – Trees and Development. This outlines that the Council will support development which promotes significant protection to existing hedges, trees and woodlands on and around development sites. There should be adequate separation distances between trees and development, where trees are removed the council will secure compensatory planting.
- 8.6 Subject to the proposal demonstrating sensitive siting and high quality design which is in keeping with local character and historic and natural environment, has no adverse impact on existing infrastructure, with no significant impact upon individual and community residential amenity, then it would comply with the development plan.

### **Siting and Design**

- 8.7 With regard to design, the layout has been amended in order to ensure that the Giant Sequoia tree is not impacted by the development. This includes the footprint of the buildings and associated infrastructure avoiding the root protection area of the tree as informed by the Landscaping Plans and Arboricultural Method Statements which have been agreed with the Forestry Officer. In order to ensure the retention of the tree it was necessary to have one block of cottage flats which reduces the footprint of the scheme. The single storey units are relatively modest and simple in design with a mix of render and Cedral cladding across the elevations, the roof is to be finished in dark profile sheeting. Further detail on external materials can be secured by condition.
- 8.8 The units also have recessed porch areas providing a covered area to the front of each unit. The two storey units largely replicate this design. The design is considered appropriate and there will be no direct overlooking which would significantly impact on the amenity of existing care home residents.

## **Residential Amenity**

- 8.9 The key issue for this development with regard to amenity is the potential noise impacts from the neighbouring sawmill. A Noise Impact Assessment was submitted in support of the application. This was reviewed by Environmental Health and the initial consultation response was an objection due to external noise levels and the potential impact on the amenity of future residents.
- 8.10 The applicant has submitted further Noise Impact Assessments that provide additional mitigation measures such as increasing the height of acoustic barriers at the site boundary and providing barriers between the units on the western side of the site. On the basis of this, Environmental Health is willing to remove its objection subject to the five planning conditions detailed in paragraph 5.2.
- 8.11 The conditions seek to secure further noise assessments prior to first occupation of the development. In practice this would mean the development being built before the noise assessments are undertaken. If the noise experienced 3.5m away from any of the units exceeds 45dB between 07.00 – 19.00 then further mitigation will require to be installed until such time as the desired 45dB limit is met. The applicants were asked whether they would be agreeable to the conditions being attached but are of the view that the conditions introduce uncertainty and risk to the project. For example; if the sawmill changed its operations and noise increased within the site it would be likely that the implementation of further mitigation would be for the applicant, and not the sawmill, to provide.
- 8.12 At present, the site, while overgrown and not in use as a garden area, is an external area associated with the nursing home. There is nothing to preclude this being used as a garden area/external area associated with a similar use on the site at the moment. Further to this, the site to the east of the application site has planning permission for residential development, which is currently live, and not subject to any noise related conditions. In addition, the previous approval on the site did not require to mitigate against noise from the sawmill. The applicant also submits that they have control over the site and manage who will be within the units. If there is an issue from a particular client over noise the housing authority can intervene. Admittedly this would not be relevant if the units were ever sold off and not kept within the control of the applicant.
- 8.13 Given the context there is a concern that the proposed conditions are unreasonable and would place an unacceptable burden on the developer to meet a noise level which may well be outwith their control to achieve. The developer may require to implement additional mitigation to occupy the development; mitigation which is unknown at this time, could have implication in terms of design and visual amenity and also impact on trees and tree roots.
- 8.14 Cognisance must also be given to the existing legal use of the site which is amenity ground associated with a care home and could therefore already be utilised by vulnerable users, subject to being cleared for that meaningful purpose. What is proposed as part of this development improves the situation for other current and future users and residents of the site.



### **Access and Servicing**

- 8.15 The existing access from Cawdor Road into the care home is to be utilised, with a private car parking area being accommodated to the front of the development which is consistent with car parking for the nursing home. It also allows a degree of separation from the nursing home to the proposed units. The Transport Planning Team confirm no objections and state that the fifteen spaces proposed is adequate and in line with Roads Guidelines. It is noted that other services will connect to the public network which is supported. There are no issues in this regard.

### **Trees**

- 8.16 There are a number of trees on site that have the potential to be impacted by the development, particularly one Wellingtonia Tree. This was reflected in objections made by the Community Council and other third parties which consider the tree an important asset. In order to ensure its retention a number of arboricultural assessments have been submitted in consultation with the Forestry Officer. Compensatory Planting has to be provided within and adjacent to the site in order to make up for any tree loss. The Forestry Officer recommends conditions to secure appropriate mitigation, re-planting and supervision of works affecting trees. It is recommended that these are attached to any permission granted.

### **Developer Contributions**

- 8.17 The applicant has agreed to pay a contribution of £10,220 (£1,022 per unit) to the expansion of Nairn Leisure Centre upfront. In the event that permission is granted this balance shall be cleared prior to a decision being issued.

### **Other material considerations**

- 8.18 There are no other material considerations.

### **Non-material considerations**

- 8.19 There are no non-material planning considerations.

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

- 8.20 None

## **9. CONCLUSION**

- 9.1 This is a development that is designed to address a particular need within the community; to provide assisted care which can replace the requirement for prolonged hospital care. The location of the proposal, within the grounds of an existing care home and adjacent to the County Hospital is appropriate. Furthermore the development is appropriately designed and sensitively sited so as to be compatible with its surroundings, ensuring protection of the existing mature trees on the site. There are no adverse effects on existing infrastructure and/or individual or community residential amenity.

- 9.2 Environmental Health has a significant concern which cannot be overcome with regard to external noise levels principally connected to noise experienced from the adjacent sawmill and the impact which this could have on the amenity of residents when using the courtyard area. The applicant has attempted to put in place further mitigation to address this but cannot agree to achieving an absolute level of 45dB. Constructing the development to then discover that it cannot be achieved, or only achieved through a requirement for mitigation on land outwith their control, places too much uncertainty and risk to the project.
- 9.3 A similar scheme has previously been granted on site and an adjacent site has a live permission; neither of which have any noise related conditions. Furthermore the current legal use of the land is an external amenity area associated with an existing care home, the residents of which may well experience the same level of impact. While the requirement for an absolute external noise limit is well placed, in order to protect the continued operation of the sawmill and the amenity of residents, Members need to be aware that the imposition of conditions, as recommended by Environmental Health, is likely to be challenged on the basis of their reasonableness given this context and the potential future risk to the development.
- 9.4 There is a demand for this type of development within the area. It is accepted that there is also a need to ensure that the continued operation of the sawmill is not unnecessarily compromised. Additional mitigation, beyond that originally proposed, has been secured to minimise external noise levels as far as practically possible. Given the existing use of this site it is not considered that this development will unreasonably impact on the sawmill. Requiring an absolute limit on external noise, within a site that is currently in use as amenity ground, could be considered unreasonable in this context. With this in mind, it is not recommended that the conditions requested by Environmental Health are added and that permission be granted contrary to its advice which is not to support the development.
- 9.5 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

## **10. IMPLICATIONS**

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

## 11. RECOMMENDATION

Action required before decision issued	Y	Developer Contribution due
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 full details of all foul and surface water drainage infrastructure (including treatment plant and soakaway locations) have been submitted, to, and approved in writing by, the Planning Authority. For the avoidance of doubt all surface water drainage provision with the application site shall accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Fourth Edition, or any superseding guidance prevailing at the time. Detail should include confirmation of the name and address of the party responsible for the operation and maintenance of the surface water drainage network. Thereafter, development shall progress in accordance with the approved details.

**Reason:** In order to allow further consideration to site specific detail and in order to ensure that water and sewerage infrastructure is carefully managed and provided timeously in the interest of public health and environmental protection.

2. No development or work shall commence until a detailed specification for all proposed external materials and finishes (including trade names and samples where necessary) has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

**Reason:** To ensure that the development is sensitive to, and compatible with, its context and local architectural styles.

3. With effect from the date of this permission, no trees other than those specifically agreed are to be cut down, uprooted, topped, lopped (including roots) or wilfully damaged in any way, without the prior written permission of the planning authority.

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

4. Prior to any site excavation or groundworks, all retained trees are to be protected against construction damage using protective barriers located as per the Tree Protection Plan and Arboricultural Method Statement, and in accordance with BS5837:2012 Trees in Relation to Design, Demolition and

Construction). Barriers are to remain in place throughout the construction period and must not be moved or removed without the prior written approval of the Planning Authority.

**Reason:** To ensure the protection of retained trees throughout the construction period.

5. A suitably qualified Arboricultural consultant must be employed by the applicant to ensure that the approved Tree Protection Plans and Arboricultural Method Statement (AMS) are implemented to the agreed standard. Stages requiring supervision are set out in the AMS for the written agreement of the planning authority and certificates of compliance for each stage are to be submitted for approval.

**Reason:** To ensure the protection of retained trees throughout the construction period.

6. No development shall commence until a robust and detailed Landscape Plan and maintenance programme has been submitted to and approved by the Planning Authority. Thereafter, approved Landscape Plan shall be implemented in full during the first planting season following commencement of development or as otherwise agreed in writing by the planning authority.

**Reason:** In the interest of residential and visual amenity and in order to ensure that an agreed level of compensatory planting is secured in and around the site.

7. A suitably qualified landscape consultant must be employed at the applicant's expense to ensure that the Landscape Plan is implemented to the agreed standard. Stages requiring supervision are to be agreed with the planning authority and certificates of compliance for each stage are to be submitted for approval.

**Reason:** To ensure that the mitigation measures identified within any approved arboricultural statement and tree protection plans are being complied with in the interest of amenity and to ensure the agreed retention of trees on site.

8. No development shall commence until a scheme for the storage of refuse and recycling within the application site has been submitted to, and approved in writing by, the Planning Authority. The approved scheme shall thereafter be implemented prior to the first use of the development and thereafter maintained in perpetuity.

**Reason:** To ensure that suitable provision is made for the storage of communal waste and recycling bins.

## **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.

## **Septic Tanks and Soakaways**

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

## **Local Roads Authority Consent**

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

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: <http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

[http://www.highland.gov.uk/info/20005/roads\\_and\\_pavements/101/permits\\_for\\_working\\_on\\_public\\_roads/2](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.

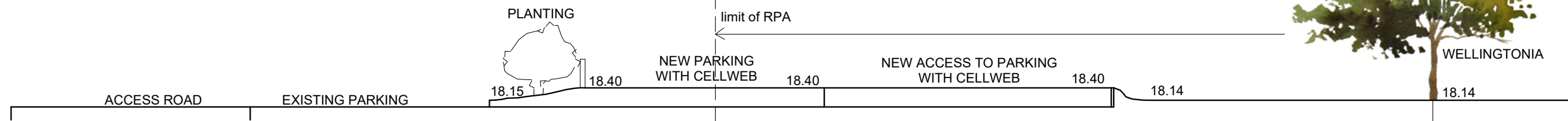
If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. 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](mailto: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](http://www.snh.gov.uk/protecting-scotlands-nature/protected-species)

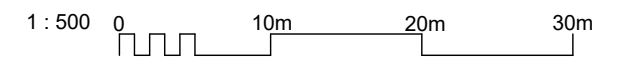
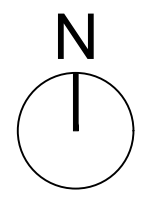
Signature: David Mudie  
Designation: Area Planning Manager – South  
Author: Laura Stewart  
Background Papers: Documents referred to in report and in case file.  
Relevant Plan: Plan 1 - 4441-02-100 Rev C – Site Layout Plan  
Plan 2 - 102.18 SL-01 REV F – Landscape Plan  
Plan 3 - 4441-01-102 – Floor/Elevation Plan  
Plan 4 - 104601-TPP – Tree Protection Plan  
Plan 5 - 4441-01-101 – Floor/Elevation Plan  
Plan 6 - 4441-01-002 Rev A – 3D Model





SECTION AT WELLINGTONIA

SCALE 1:100



REV	DATE	DESCRIPTION	DRN
C	22.08.19	Section added to show ground make up for Cellweb in RPA.	AMacR
B	25.07.19	Parking area slightly amended to reduce intrusion into RPA.	AMacR
A	31.05.19	Revised to retain trees and incorporate cottage flatted block.	AMacR

**Bracewell Stirling CONSULTING**

38 WALKER TERRACE, TILlicOLTRY, FK13 6EF 01259 750301  
 5 NESS BANK, INVERNESS, IV2 4SF 01463 233760  
 15 LOCHSIDE STREET, OBAN, PA34 4HP 01631 359054

**NEW HOUSING & FIT HOMES AT CAWDOR ROAD, NAIRN**  
**ALBYN HOUSING SOCIETY LTD**

**SITE LAYOUT**

STATUS:	<b>INFORMATION</b>		
SCALE:	1:500	DRAWN:	DW
PAPER SIZE:	A3	DATE:	May 2019
DWG No.	4441-02-100	REV.	C

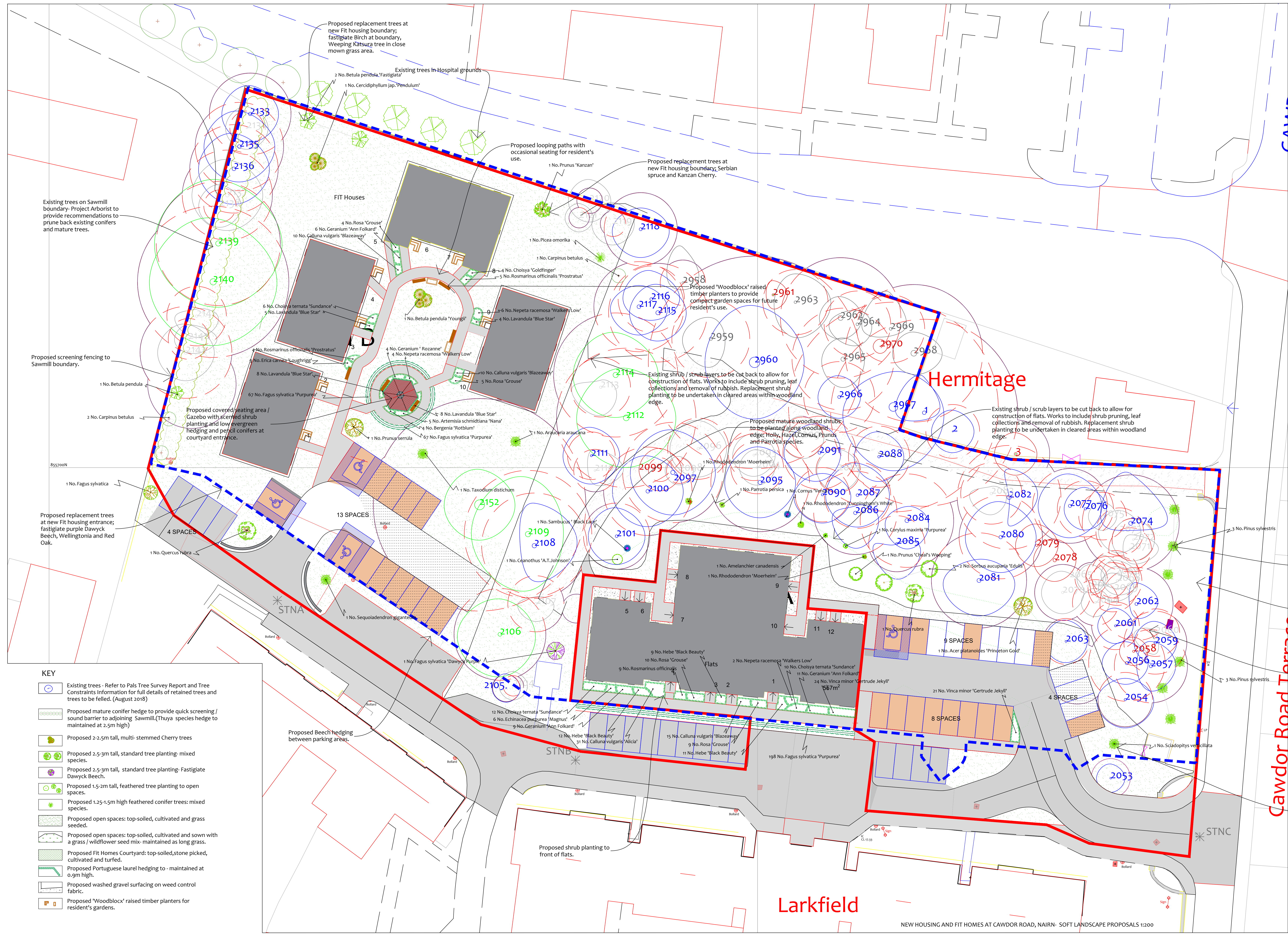


Species	Height	Grth	Pot Size	Specification	Density	Number
Fagus sylvatica 'Purpurea'	60-80cm		bareroot	1+2 Transplants 3 brks	1/m <sup>2</sup>	132 No.
Betula pendula	2.0-2.5m		bareroot	Feather 2 brks 2x	Counted	No.
Carpinus betulus	200-250cm		bareroot	Feather 2 brks 2x	Counted	No.
Betula sylvatica	200-250cm		bareroot	Feather 2 brks 2x	Counted	No.
Sorbus aucuparia 'Edulis'	250-300cm	8 room	bareroot	Standard 3 brks 2x	Counted	No.
Acer platanoides 'Princeton Gold'	250-300cm	10cm	Rootballed	Standard 3 brks 2x	Counted	No.
Quercus robur	250-300cm	10cm	Rootballed	Standard 3 brks 2x	Counted	No.
Fagus sylvatica 'Dawyck Purple'	250-300cm	10cm	Rootballed	Standard 3 brks 2x	Counted	No.
Prunus 'Black's Weeping'	250-300cm	10cm	Rootballed	Standard 3 brks 2x	Counted	No.
Betula pendula 'Fastigiata'	250-300cm	10cm	Rootballed	Standard 3 brks 2x	Counted	No.
Cercidiphyllum jap 'Pendulum'	250-300cm	10cm	Rootballed	Standard 3 brks 2x	Counted	No.
Prunus 'Kanzan'	250-300cm	10cm	Rootballed	Standard 3 brks 2x	Counted	No.
Prunus 'Serrula'	250-300cm	10cm	Multi-stemmed	Specimen	Counted	No.
Betula pendula 'Youngii'	200-250cm	10cm	450 bag	Weeping trees 3 brks 2x	Counted	No.

Species	Height	Pot Size	Specification	Density	Number
Larix laricina 'Blue Star'	20-30cm	2L	Bushy shrubs 15 brks	1/m <sup>2</sup>	15 No.
Alnus vulgaris 'Blazeaway'	15-20cm	1L	Bushy	1/m <sup>2</sup>	15 No.
Rosa 'Grouse'	40-60cm	1L	Bushy shrubs 3 stems min	1/m <sup>2</sup>	28 No.
Chionodoxa 'Sunderland'	10-40cm	1L	Bushy shrubs 3/5 brks	1/m <sup>2</sup>	28 No.
Rosmarinus officinalis 'Prostratus'	20-30cm	1L	Bushy	1/m <sup>2</sup>	4 No.
Chionodoxa 'Goldfinger'	10-40cm	1L	Bushy shrubs 3/5 brks	1/m <sup>2</sup>	4 No.
Vincica minor 'Gertrude Jekyll'	15-20cm	1.5L	Several shoots	1/m <sup>2</sup>	45 No.
Hebe 'Black Beauty'	20-30cm	1L	Bushy shrubs	4/m <sup>2</sup>	12 No.
Rosmarinus officinalis	20-30cm	1L	Bushy	4/m <sup>2</sup>	12 No.
Calluna vulgaris 'Alicia'	15-20cm	1L	Bushy	6/m <sup>2</sup>	31 No.
Parrotia persica	60-80cm	1L	Bushy 15 brks	Counted	No.
Cornus masiana 'Purpurea'	60-80cm	1L	Bushy 15 brks	Counted	No.
Rhododendron 'Moerhelm'	40-60cm	1L	Bushy 15 brks	Counted	No.
Lavandula distichum	60-80cm	1L	Bushy shrubs 15 brks	Counted	No.
Sambucus 'Black Lace'	40-60cm	1L	Bushy shrubs	Counted	No.
Cornus 'Nana'	60-80cm	1L	Bushy 15 brks	Counted	No.
Rhododendron 'Cunningham's White'	40-60cm	1L	Bushy 15 brks	Counted	No.
Calluna vulgaris 'Alicia'	60-80cm	1L	Bushy 15 brks	Counted	No.
Crataegus 'Laughing'	15-20cm	1L	Bushy	1/m <sup>2</sup>	12 No.

Species	Height	Pot Size	Specification	Density	Number
Berberis 'Bobium'	3L	Full Pot	1/m <sup>2</sup>	4 No.	
Artemisia schmidtiana 'Nana'	3L	Full Pot	1/m <sup>2</sup>	4 No.	
Nepeta racemosa 'Walkers Low'	3L	Full Pot	1/m <sup>2</sup>	10 No.	
Geranium 'Rogaine'	3L	Full Pot	1/m <sup>2</sup>	4 No.	
Geranium 'Ann Folkard'	3L	Full Pot	1/m <sup>2</sup>	4 No.	
Nepeta racemosa 'Walkers Low'	3L	Full Pot	1/m <sup>2</sup>	2 No.	
Crataegus 'Laughing'	3L	Full Pot	1/m <sup>2</sup>	1 No.	

Species	Height	Pot Size	Specification	Density	Number
Picea omorika	125-150cm	18L	Leader and laterals	Counted	No.
Sequoiadendron giganteum	100-125cm	18L	Leader and laterals	Counted	No.
Lavandula distichum	100-125cm	18L	Leader and laterals	Counted	No.
Pinus sylvestris	100-125cm	18L	Leader and laterals	Counted	No.
Salix caprea	80-100cm	18L	Leader and laterals	Counted	No.
Araucaria araucana	100-125cm	18L	Leader and laterals	Counted	No.



- KEY**
- Existing trees - Refer to Pals Tree Survey Report and Tree Constraints Information for full details of retained trees and trees to be felled. (August 2018)
  - Proposed mature conifer hedge to provide quick screening / sound barrier to adjoining Sawmill. (Thuya species hedge to be maintained at 2.5m high)
  - Proposed 2-2.5m tall, multi-stemmed Cherry trees
  - Proposed 2.5-3m tall, standard tree planting: mixed species.
  - Proposed 2.5-3m tall, standard tree planting: Fastigate Dawyck Beech.
  - Proposed 1.5-2m tall, feathered tree planting to open spaces.
  - Proposed 1.25-1.5m high feathered conifer trees: mixed species.
  - Proposed open spaces: top-soiled, cultivated and grass seeded.
  - Proposed open spaces: top-soiled, cultivated and sown with a grass / wildflower seed mix - maintained as long grass.
  - Proposed Fit Homes Courtyard: top-soiled, stone picked, cultivated and turfed.
  - Proposed Portuguese laurel hedging to - maintained at 0.9m high.
  - Proposed washed gravel surfacing on weed control fabric.
  - Proposed 'Woodblock' raised timber planters for resident's gardens.

- REVISIONS**
- A: 18.11.18 Landscape proposals amended with plant details, specification and schedule. Landscape maintenance regime prepared.
  - B: 18.12.18 Landscape proposals revised to new site plan with revised access road and flat level. Updated tree survey information (Dec 2018) added to drawing and proposals updated to suit. Tree and shrub planting amended to suit.
  - C: 19.01.19 Landscape proposals updated to revised site plan and revised tree retention proposals. Tree, hedge and shrub planting adjusted to suit, as requested.
  - D: 19.05.19 Landscape proposals amended to show existing trees in Hospital grounds, and replacement Monkey Puzzle tree added, as requested.
  - E: 11.07.19 Landscape proposals adjusted to suit proposed site drainage plan. Boundary to be screened with fencing, conifer hedging omitted. Planting specification reduced to client's requirements, as requested.
  - F: 11.07.19 Hedging reinstated between flats and existing parking area, as requested.

**KEITH L WOOD LANDSCAPE DESIGN**

1 Old Brunzies Cottage, Balmora, By Torrance, Glasgow, G64 4AL.  
Tel: 01750 620358 Mob: 07584 054586  
email: keithwood@btinternet.com  
www.keithwoodlandscapedesignscot

Project Title: CAWDOR ROAD, NAIRN NEW HOUSING AND FIT HOMES  
Client: ALBANY HOUSING SOCIETY  
Drawing Title: SOFT LANDSCAPE PROPOSALS

**PLANNING**

Scale: 1:200 @ A0 Date: 23.11.18  
Drawn: k wood Approved  
Drawing No: 102.18 SL-01 Rev: F



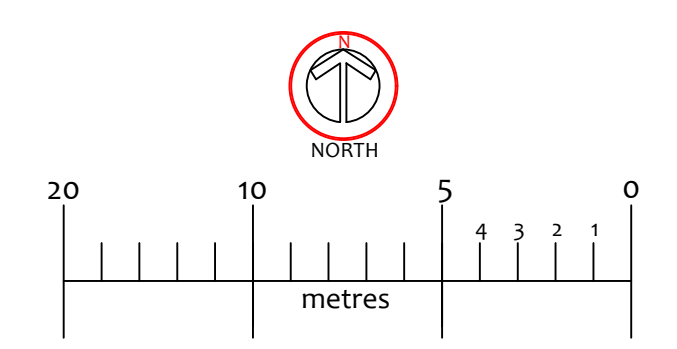
Example of covered Gazebo for Fit Homes Courtyard - Tuin Ltd. www.tuin.co.uk



Examples of 'Woodblock' raised timber planters for Fit Homes Gardens. www.woodblock.co.uk



Bench seating examples - recycled plastic - Furnitubes 'Aberdeen' or Goplastics 'Bonn'



**LANDSCAPE NOTES**

All areas to be soft landscaped to be litter picked and all site debris / stones etc to be removed from site. All subsoil areas to be thoroughly de-compacted to ensure that they are free draining. Landscape Consultant to inspect subsoil areas prior to placing of topsoil.

Shrub planted areas to be formed with 300mm depth of premium quality topsoil laid on clean de-compacted subsoil layer incorporating GREEN TREE PAK 100 soil improver/composted green waste at a rate of 35mm depth across topsoiled areas for shrub planting. On completion of shrub bed planting areas to be bark mulched with 50mm deep layer of composted bark mulching.

Hedge planting to be formed from 600x 450mm deep topsoiled trench, on clean de-compacted subsoil layer. Hedging trench to be backfilled with premium quality topsoil mixed with GREEN TREE PAK 100 soil improver (35mm deep layer spread over trench and worked into soil during planting). On completion of hedging planting areas to be bark mulched with a 50mm depth of composted bark mulching.

Selected standard tree planting pits to be formed to 900x900x450mm deep pits with base broken up for a further depth of 150mm and backfilled with premium quality topsoil, mixed with GREEN TREE PAK 100 soil improver (50mm deep layer spread over tree pit and worked into backfill). Where pits are found not to be free draining confirm from client prior to free draining and drainage pipework joining tree pits and leading to soakaway.

Selected standard trees to be staked with double 50mm diameter machine rounded stakes with Holdfast HSS40 spacer sleeves and HR40 Holdfast tree belting. Belting to be twice nailed to stake (50mm below top of stake).

Feathered and light standard trees to be staked with a single 50mm diameter machine rounded stake, 500mm high secured with Holdfast HB 2 rubber blocks and HR40 Heavy duty rubber belting. Block secured with galvanneal nail to top of stake (Tree pits 600 x 450mm deep, with base broken up for a further 150mm and backfilled with premium quality topsoil, mixed with GREEN TREE PAK 100 soil improver (50mm deep layer spread over tree pit and worked into tree pit).

Close mown grass areas to be formed with 150mm deep premium quality topsoil laid on clean de-compacted subsoil layer. Grassed areas to be seeded using a Blec two pass technique using the following seed mix sown at 50g/m<sup>2</sup>.

RM Welsh + Sons Ltd, 16 Shaded Areas and Under Trees mix.

Proposed turfed courtyard area to be formed with 150mm deep premium quality topsoil laid on a clean, de-compacted subsoil layer. Areas to be cultivated and Rolawn 'Medallion' or equivalent grade turf laid.

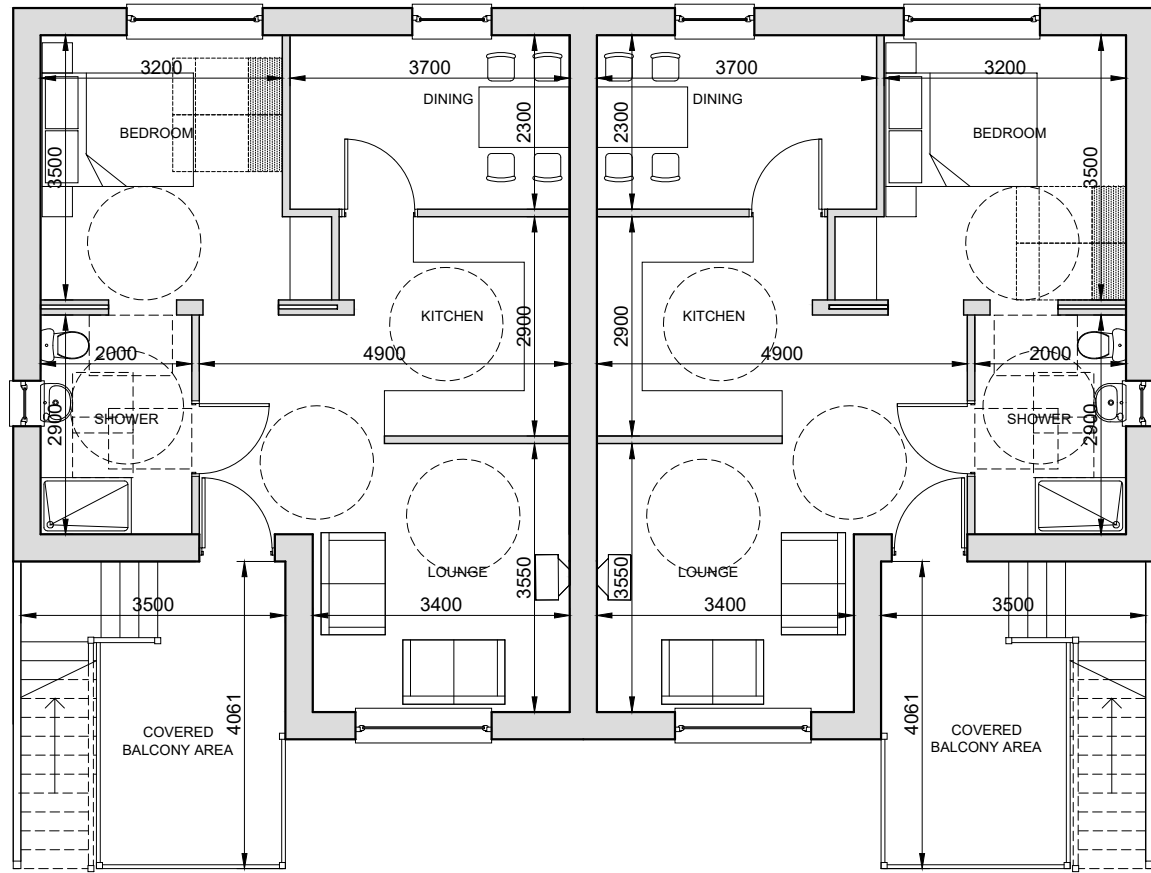
Hedging plants to be protected with Boddingtons Acorn or equivalent 38mm x 45cm clear spiral guards with low bamboo canes.

Any failures in planting within the first 5 years after planting to be replaced with plants of similar species / size (in the next following planting season). Refer to Landscape Maintenance schedule for details of proposed maintenance regime for the first five years after planting.

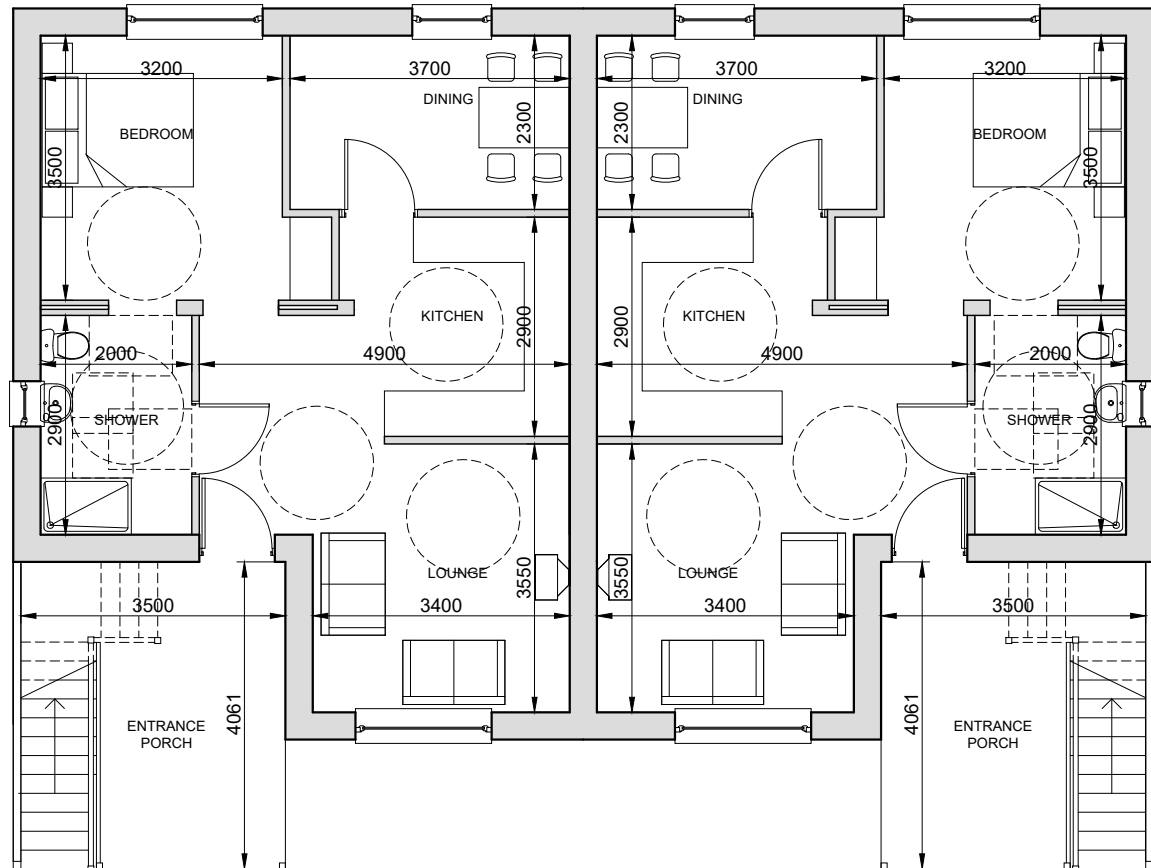
TOPSOIL - It is intended to salvage and retain the existing soil in temporary soil heaps and then re-use for the future house gardens and open spaces. Where additional topsoil is required, the supplied topsoil will require to comply with BS3882:2015.

GREEN TREE PAK 100 soil improver as supplied by Green Tree 01433 33000 - or equal and approved.





FIRST FLOOR - 54.2m<sup>2</sup>



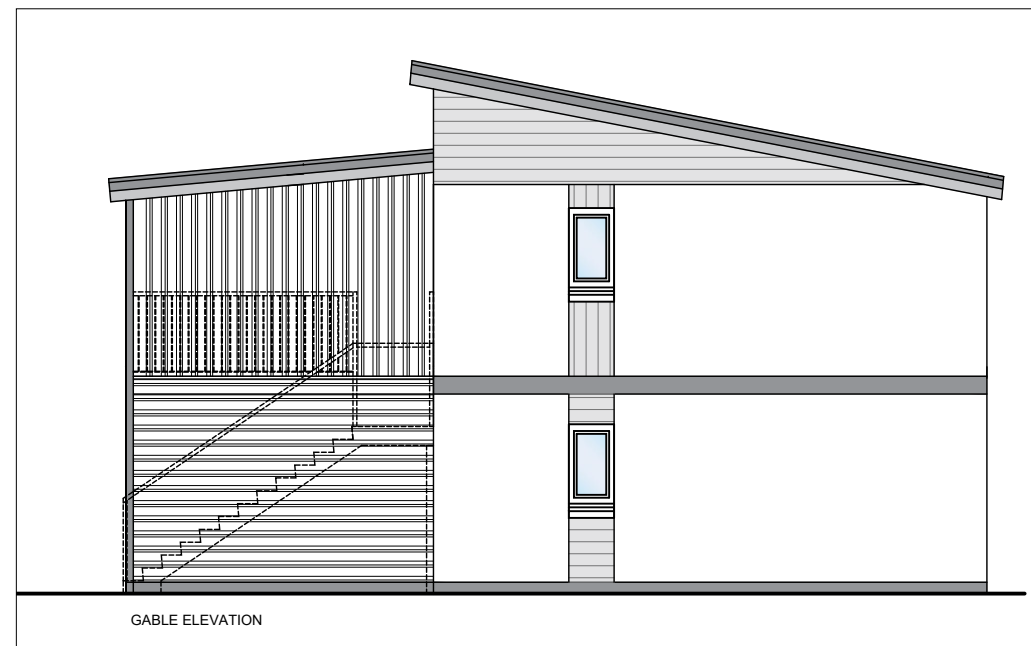
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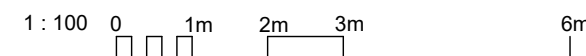
FRONT ELEVATION



REAR ELEVATION



GABLE ELEVATION



REV	DATE	DESCRIPTION	DRN
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## Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILlicOUNTRY, FK13 6EF 01259 750301  
 5 NESS BANK, INVERNESS, IV2 4SF 01463 233760  
 15 LOCHSIDE STREET, OBAN, PA34 4HP 01631 359054

NEW HOUSING & FIT HOMES AT  
 CAWDOR ROAD, NAIRN  
 ALBYN HOUSING SOCIETY LTD

FLOOR PLANS & ELEVATIONS - TYPE 3

STATUS: **PLANNING**



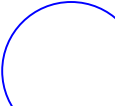




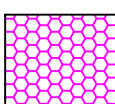

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PAPER SIZE: A3	DATE: Dec 2018

DWG No. 4441-01-102	REV.
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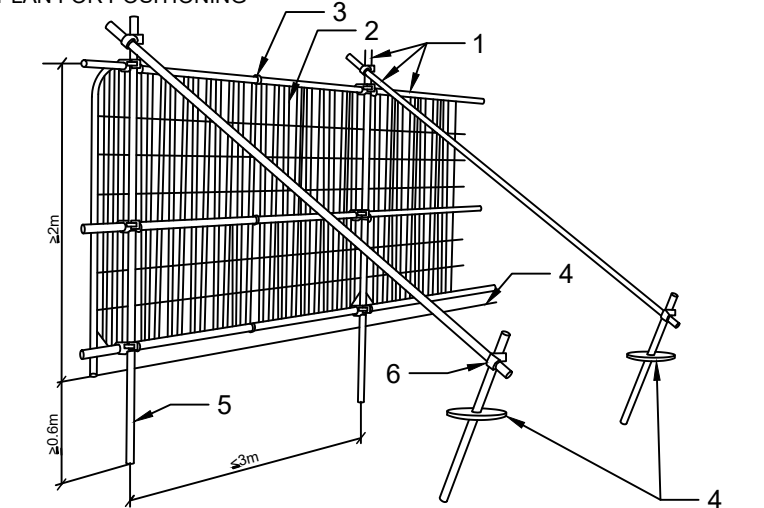


Tree Protection Plan showing tree categories and root protection zones.









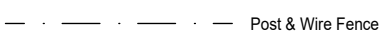



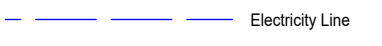



BS5837:2012 Tree Categories

-  Root Protection Area
-  Category A: Tree of high quality with a remaining life expectancy of at least 40 years.
-  Category B: Tree of high quality with a remaining life expectancy of at least 20 years.
-  Category C: Tree of low quality with a remaining life expectancy of at least 10 years.
-  Category U: Tree of poor quality with a remaining life expectancy of less than 10 years.
-  Tree for Removal
-  Tree protection Fencing
-  Geoweb Root Protection
-  Root trimming Area

DEFAULT TREE PROTECTION FENCING AS RECOMMENDED BY BS 5837:2012 SEE PLAN FOR POSITIONING

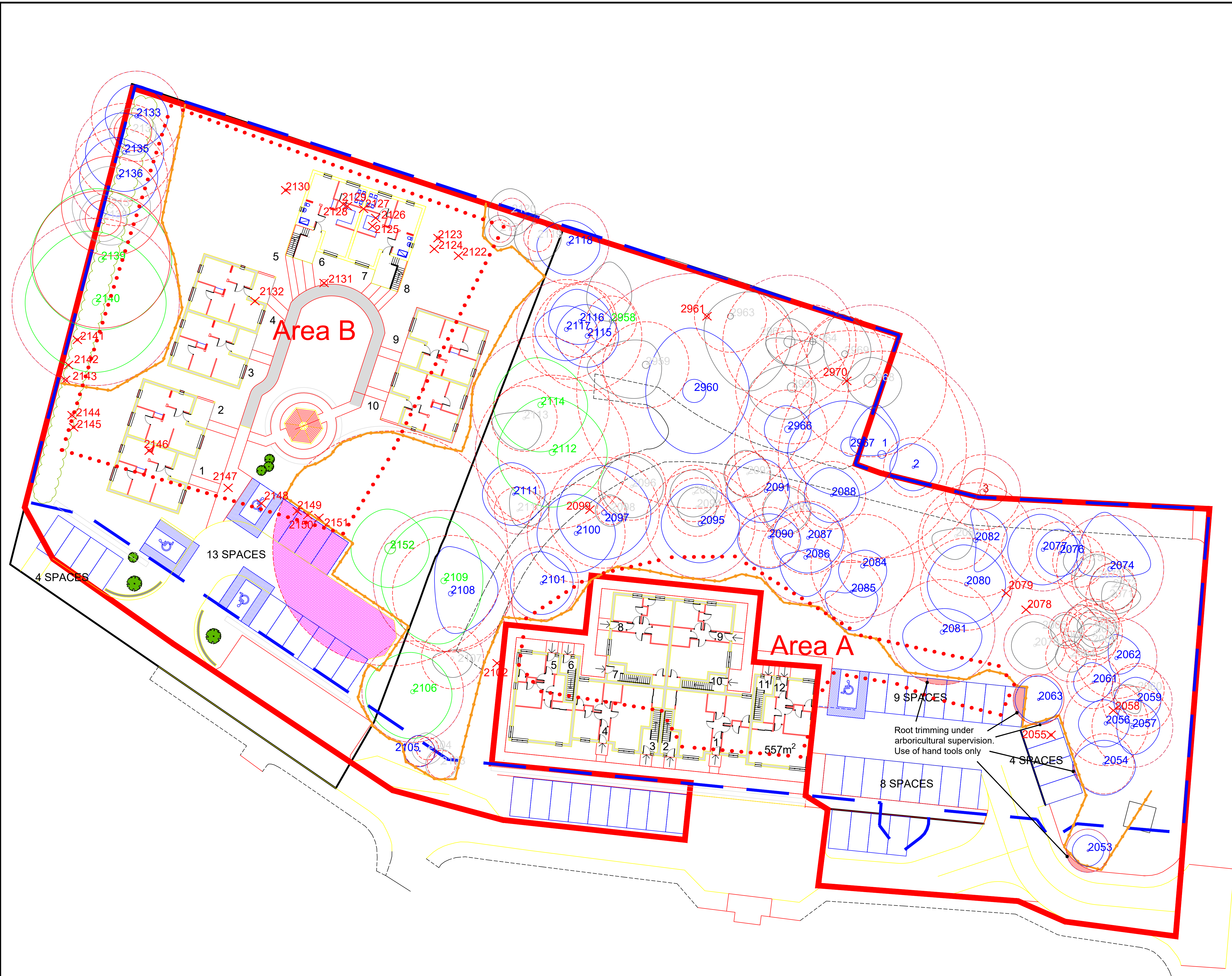


1. Standard scaffold poles
2. Heavy gauge 2m tall galvanised tube and welded mesh infill panels
3. Panels secured to uprights and crossed with wire ties
4. Ground level
5. Uprights driven into the ground until secure (minimum depth 0.6m)
6. Standard scaffold clamps

-  Survey Station
-  Sign / Stay
-  Lamp Post
-  Telegraph Pole
-  Electricity Pole
-  Stop Valve
-  Fire Hydrant
-  Marker Post
-  Post & Wire Fence
-  Chainlink Fence
-  Water Main
-  Gas Main
-  Telephone Line
-  Electricity Line
-  Wood / Tree Cover
-  Stream / Ditch

Cawdor Road  
Nairn  
Tree Protection Plan

Client: Bracewell Stirling 5 Ness Bank Inverness V2 4SF	Drawing No: <b>104601/a-TPP</b>
Scale: <b>1:250</b>	Surveyed by: HH / EH
Date: 25th July 2019	Checked by: HH
ACAD File No: 104601.DWG	Sheet: 1 of 1
Grid Used: Local Based on OS	Level Datum Used: Ordnance (GPS)

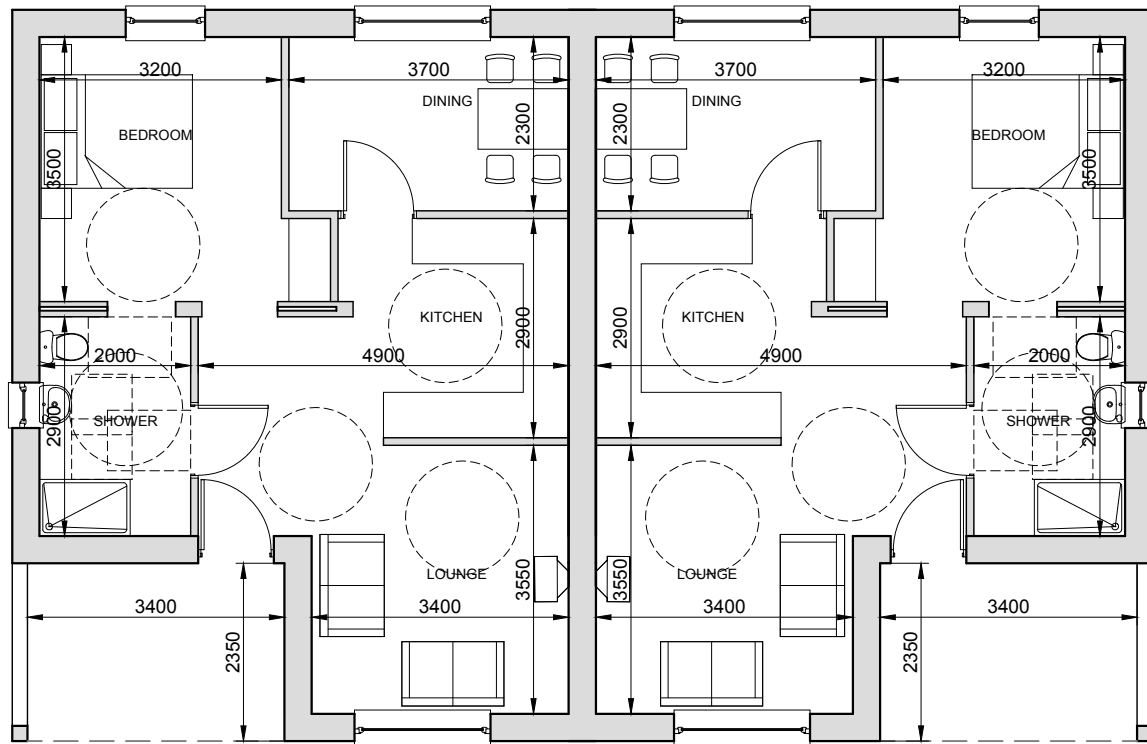


Root trimming under arboricultural supervision. Use of hand tools only.

Area A

Area B

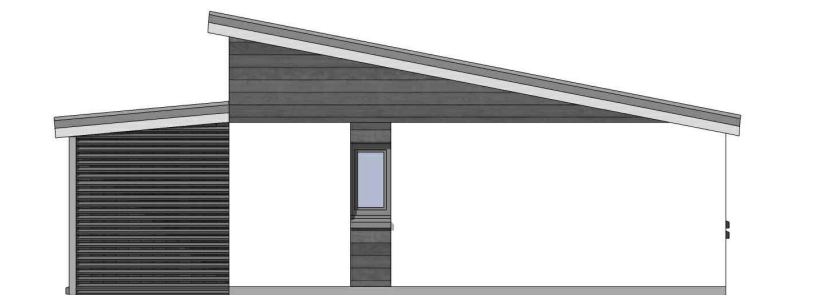




GROUND FLOOR - 54.2m<sup>2</sup>



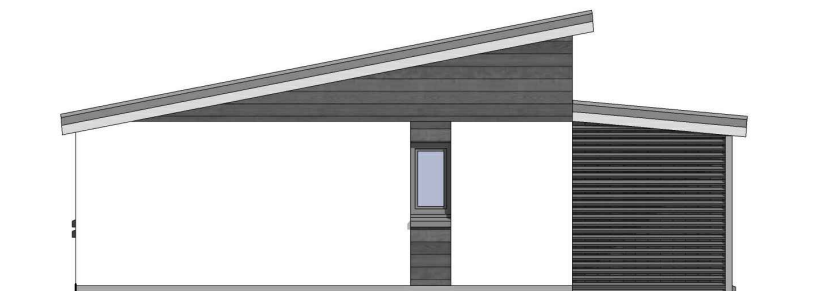
FRONT ELEVATION



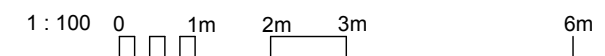
GABLE ELEVATION



REAR ELEVATION



GABLE ELEVATION



REV	DATE	DESCRIPTION	DRN
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NEW HOUSING & FIT HOMES AT  
 CAWDOR ROAD, NAIRN  
 ALBYN

FLOOR PLANS & ELEVATIONS - TYPE 2

STATUS: **PLANNING**

SCALE: 1:100 DRAWN: DW  
 PAPER SIZE: A3 DATE: Dec 2018

DWG No. **4441-01-101** REV.



VIEW OF APPROACH FROM ACCESS ROAD



VIEW LOOKING ACROSS NEW PARKING AND ENTRANCE FEATURE



VIEW FROM EXISTING BUILDING

A	31.05.19	Images altered to show revised proposals to retain trees.	AMacR
REV	DATE	DESCRIPTION	DRN

## Bracewell Stirling CONSULTING

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NEW HOUSING & FIT HOMES AT  
 CAWDOR ROAD, NAIRN  
 ALBYN HOUSING SOCIETY LTD

MODEL IMAGES

STATUS: **PLANNING**

SCALE:	DRAWN:	DW
PAPER SIZE: A3	DATE:	Dec 2018

DWG No.	4441-01-002	REV. A
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