Agenda Item	6.4
Report No	PLS-023-20

## HIGHLAND COUNCIL

**Committee:** South Planning Applications Committee

**Date:** 10 March 2020

**Report Title:** 19/052003/FUL: The Highland Council

Land to North of Torbreck, Inverness

**Report By:** Area Planning Manager – South

# **Purpose/Executive Summary**

**Description:** Erection of primary school and nursery and formation of access, car

park and MUGA sports pitch

Ward: 15 – Inverness Ness-side

**Development category:** Major

Reason referred to Committee: Major Development and more than 8 objections

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 is for Planning Permission for a new three stream primary school and nursery, catering for up to 851 pupils. The proposed school will be built in two phases comprising of the following:

## Phase 1

- 12 Classrooms to accommodate 333 primary school pupils;
- 3 Playrooms to accommodate 128 nursery pupils;
- Car parking;
- Covered cycle parking;
- Secure outdoor learning spaces;
- Sports pitches; and
- ancillary infrastructure inclusive of indoor sports hall, kitchen and dining facilities; breakout areas; nurture rooms; bathrooms, changing rooms, general practice rooms and staff welfare facilities.

### Phase 2

- 12 additional classrooms to accommodate a further 326 primary school pupils;
- 2 additional playrooms to accommodate a further 64 nursery pupils;
- Additional car parking; and
- Additional cycle parking.

The catchment for the new school comprises the Ness-side and Ness Castle areas of Inverness. The catchment was defined following a consultation undertaken by Care and Learning in 2017.

- 1.2 The development will be accessed via Brodie Road which connects to the B862 (Dores Road).
- 1.3 The applicant has undertaken a series of public consultation events and user group meetings. The first formal pre-application planning event was held on 11 June 2019 and the second on 21 August 2019.
- 1.4 The application has been supported by the following:
  - Design and Access Statement;
  - Transport Assessment;
  - Ecological Appraisal;
  - Flood Risk and Drainage Statement;
  - · Geotechnical and Contaminated Land Report;
  - Tree Survey;
  - · Access Management Plan;
  - Arboricultural Impact Assessment and Method Statement;
  - Archaeological Watching Brief;
  - Noise Impact Assessment;
  - Overshadowing Analysis; and
  - Tree Schedule.

- 1.5 A number of variations have been made to the application since submission in response to comments from the Planning Authority, consultees and public comments. These include:
  - Modification to the location of the playing field and multi-use games area
  - · Modifications of the access arrangements and landscaping;
  - Modification to path layout;
  - Modification to tree protection measures;
  - Modification to parking arrangement;
  - Provision of drop off area; and
  - Provision of additional cycle parking.

## 2. SITE DESCRIPTION

- 2.1 The site comprises an area of relatively flat ground which has been made up to its current level as a result of neighbouring development. The site contains a number of mature, semi-mature and young trees. None of the trees in the application site are subject to Tree Preservation Orders.
- 2.2 The site is located within the Ness Castle masterplan area and is bounded by residential development to the north and west. Further residential development is consented to the south of the site.
- 2.3 A bellmouth access has been provided into the site through the earlier phases of the housing development. There are no core paths running through the site but informal access has been taken across the site historically.
- 2.4 Ness Castle is a category A listed building and is located to the east of the site.

## 3. PLANNING HISTORY

3.1	08.07.2011	04/00585/OUTIN - Residential development including associated landscaping, access and infrastructure	
3.2	08.06.2015	15/01144/FUL - Formation of additional section of distributor road	Permission Granted
3.3	26.06.2018	17/03541/S42 - Section 42 Application for Non-compliance with Condition 1 of Planning Permission in Principle Application Ref No. 04/00585/PIP	
3.4	07.05.2019	19/01401/PAN - Development of a three stream primary school with nursery provision (Ness Castle Primary School)	Case Closed
3.5		19/02780/S42 - Section 42 Application for Non- compliance with Condition 1 of Planning	•

Permission in Principle Application Ref No.

17/03541/S42

3.6 05.09.2019 19/03649/SCRE - Erection of new three stream EIA Not

primary school with nursery provision Required

3.7 19/05065/S42 - Non-compliance with Condition Pending

17 of Planning Permission in Principle Consideration

17/03541/S42 (delivery of remote

footpath/cycleway connection)

## 4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour and Schedule 3 Development

Date Advertised: 27.12.2019

Representation deadline: 10.01.2019

Timeous representations: 1

Late representations: 24

- 4.2 Material considerations raised are summarised as follows:
  - a) Impact on tree cover within the site and loss of mature trees and veteran tree (including impact on climate change of tree loss, impact on ecology and biodiversity);
  - b) Impact on residential amenity (privacy, noise and daylight);
  - c) Impact of traffic;
  - d) Landscape plan considered in appropriate in terms of species choice:
  - e) Lack of active travel opportunities toward the site;
  - f) Lack of cycle parking.
- 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.

#### 5. CONSULTATIONS

5.1 **Holm Community Council** do not object to the application. It generally supports the application but raises a number of concerns that can be summarised as follows:

Impact on trees – concerns are raised about the impact on the biggest and oldest trees on the site. It requests that further work is undertaken to ensure that the trees are incorporated into the design and layout of the site and additional trees are preserved. It requests that any compensatory planting is of more established trees that are appropriate to the area. It requests that if trees require to be removed that all tree removals take places in advance of building commencing on the site as a whole and that protection of all retained trees should be put in place. In its further response, the Community Council agrees with the Forestry Officer's original comments on the application.

Impact on ecology – concerns raised regarding impact on protected species and that there was a lack of survey for red squirrels and deer. It requests a condition in relation to secure further survey work.

Impacts of Construction – it requests conditions to secure: no construction personnel parking in the residential streets; site construction hours will be adhered to; and use of the proposed nursery access for construction traffic is limited to exceptional events. In its further response it agrees with the Transport Planning Team request for a construction traffic management plan.

Impacts on amenity – concerns are raised in relation to the noise mitigation related to the playing fields and the impact this may have on the amenity of adjacent properties due to site levels. Additional mitigation is requested if a solid wall barrier is required for noise mitigation associated with the pitches. A condition is sought to ensure that if an impact of the noise from plant associated with the school becomes an issue then a further noise survey analysis will be required. Mitigation is requested in relation to the height and angle of any flood lighting to ensure that there is not an adverse impact on the adjacent homes. Privacy in relation to the proposed CCTV cameras is raised as a concern and a condition is requested to ensure that it is directed at the school grounds only.

Surface Water Drainage – concerns with regard to safety of the surface water drainage basin are raised and appropriate conditions are requested to manage the risk. In a further response, it highlighted Scotland's Drowning Prevention Strategy 2018-2026.

Parking and Access – it considers that the application provides too few car parking spaces for staff. It supports the design of the car parking area in the main car park but considers a similar design should be employed in the nursery drop off / parking area in the interests of road safety. It requests a condition to ensure that a drop off area within the school grounds is always available to avoid parking and drop off on Dornoch Road. It does not welcome the limited parking on the site and requests a condition to ensure there is adequate parking on the site. It fully supports the request from Transport Planning for a School Travel Plan.

Safe Routes to School – it requests conditions to secure street lighting at the junction between Dores Road and Brodie Road; delivery of a controlled crossing of Dores Road; a lights controlled crossing at the school entrance; and detailed plans for the safe route to school. It considers that the 30mph limit on Dores Road should be extended toward Dores.

- Access Officer does not object to the site. He is concerned that some of the accesses to the site include steps and requested that these are changed to ensure they are accessible for all. He requests a condition for a revised Access Management Plan.
- 5.3 **Contaminated Land Team** do not object to the application. It has identified that the submitted report shows an area of hydrocarbons within a part of the site and spoil from the surrounding construction site has been spread across the site. A condition is recommended to secure a scheme to deal with potential contamination on site.
- 5.4 **Development Plans** do not object to the application. It sets out that the Inner Moray Firth Local Development Plan identified the site as split between use for a school

(2.5ha) and use for a community playing field (1.5ha). It seeks clarification on how the community elements of the site will be delivered.

It highlights the need for active travel to the site to be a priority. It considers the layout to be dominated by road engineering requirements and requested design changes to soften the impact of these requirements. In doing so it requests a greater focus on travel to the site by means of sustainable transport and sought design and layout changes to facilitate this including the use of active travel accesses from the east and north of the site; provision of continuous footways across the junction coming toward the site; and an additional active travel connection via Dornoch Road.

It highlights that there should be further consideration of the relationship between the school and the surrounding houses with particular concerns being identified in relation to boundary treatments.

- 5.5 **Environmental Health** does not object to the application. Following clarification on the submitted noise assessment and further assessment of the modified proposal it is noted that the revised noise assessment has identified that a 1m barrier is required in order to meet the suggested maximum level of 50dB(A) at the façade of any noise sensitive property. EH is content that this can be delivered as a landscaped bund rather than a solid barrier. Conditions to secure noise limits on the use of the playing pitches out with school hours and that all plant and machinery associated with the school is limited to Noise Rating Curve 20 (NR20) is recommended. Where these limits are not met then an assessment of the noise in terms of BS 4142:2014 Methods for rating and assessing industrial and commercial sound will require to be undertaken.
- Flood Risk Management Team do not object following the submission of further information. It is content that the drainage network will be designed to manage a 1 in 200 year plus climate changes return period storm. It notes that there may be minor flooding within the site boundary but this can be managed. It requests a condition to secure final detailed design of the drainage scheme and how it will be managed.
- 5.7 **Forestry Officer** does not object to the application but does not support the application due to the loss of trees. Following the submission of the revised site layout and Tree Condition Survey Report he is content with the proposals for the five largest trees on the site but questions the requirement for a low fence around tree 5328 and the proposal to not undertake deadwooding. He has identified that 66 trees are proposed for removal on the site and notes that this is an improvement from the original layout which proposed 86 removals and did not safeguard some of the more mature trees.

Retention of the large and veteran trees require space for their long-term health and future maintenance. He considers that there should be no build up of material or construction in the root protection areas of the large mature trees.

He recommends that no more than 20% of the root protection areas of the retained trees are covered.

The level of compensatory planting proposed is welcomed. This comprises planting of 210 extra heavy standard broadleaf trees and an additional 6 large Scots pine.

Conditions are sought to secure: no removal to trees without prior written approval; provision of a Tree Protection Plan and Arboricultural Method Statement;

employment of an arboricultural consultant; provision of a revised landscaping plan; and employment of a landscape consultant.

Transport Planning Team do not object following the submission of revised plans and supporting information. It agrees with the findings of the Transport Assessment which identifies a requirement for signalisation of the junction between Dores Road and Brodie Road. This is requested to be in place prior to first occupation of the school.

It requests a condition to secure a construction traffic management plan which takes into consideration the approaches on the wider development site.

It supports the lack of vehicular connection through the site and requests a scheme of signage be submitted to direct staff and users of the school to the appropriate points of entry.

To facilitate active travel to the school, a condition is requested to deliver active travel priority crossings of Eilean Donan Road and the site accesses.

The Draft Travel Framework Plan for the site is welcomed as Transport Planning consider that the development and implementation will assist in managing the impacts of the proposed development. It notes that the parking provision for staff is below the standards in the Roads and Transportation Guidelines for New Developments. It welcomes the use of the Travel Plan to promote alternatives to access via private car but sets out that this must be reviewed prior to Phase 2 of the school. The review will be required to identify and mitigate any parking issues which may arise as a result of Phase 1 of the school. Further, a School Travel Plan is requested by condition. A condition is also sought to finalise the layout and design of the car parking within the site.

Conditions are sought to secure the required infrastructure to facilitate the delivery of a temporary 20mph speed limit along the access to the school. An informative is sought to secure the appropriate Traffic Regulation Orders.

Cycle parking at the site has been revised and Transport Planning are content that it meets the standards set out in the Roads and Transportation Guidance for New Development and it is better distributed across the site.

A Servicing Management Plan is requested by condition.

- 5.9 **Scottish Environment Protection Agency** do not object to the application subject to conditions being applied to secure a connection to the public sewer. Further it requests that the drainage plan becomes an approved drawing. It welcomes the retention of mature trees and that landscaping will include wildflower gardens.
- 5.10 **Scottish Water** do not object. It notes that there is capacity in the water and waste water networks to serve the proposed development.
- 5.11 **Transport Scotland** does not propose to advise against planning permission.

## 6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

## 6.1 Highland Wide Local Development Plan 2012

- 1 Completing the Unconstrained City Expansion Areas
- 28 Sustainable Design
- 29 Design Quality & Place-making
- 30 Physical Constraints
- 34 Settlement Development Areas
- 51 Trees and Development
- 56 Travel
- 57 Natural, Built & Cultural Heritage
- 58 Protected Species
- 59 Other important Species
- 60 Other Importance Habitats
- 61 Landscape
- 63 Water Environment
- 64 Flood Risk
- 65 Waste Water Treatment
- 66 Surface Water Drainage
- 72 Pollution
- 73 Air Quality
- 74 Green Networks
- 75 Open Space
- 76 Playing Fields and Sports Pitches
- 77 Public Access

# 6.2 Inner Moray Firth Local Development Plan

Policy 2 – Delivering Development

Allocation IN35 – Ness Castle (935 homes with requirement to safeguard a minimum of 2.5ha for a new primary school and 1.5ha of playing field area)

## 6.5 Highland Council Supplementary Planning Policy Guidance

Access to Single Houses and Small Housing Developments (May 2011) Construction Environmental Management Process for Large Scale Projects (August 2010)

Flood Risk & Drainage Impact Assessment (Jan 2013)

Green Networks (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Managing Waste in New Developments (March 2013)

Physical Constraints (March 2013)

Standards for Archaeological Work (March 2012)

Sustainable Design Guide (Jan 2013)

Trees, Woodlands and Development (Jan 2013)

Ness Development Brief (2007)

### 7. OTHER MATERIAL POLICY CONSIDERATIONS

# 7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (2014)

Creating Places (2013)

Designing Streets (2010)

PAN 1/2011 - Planning and Noise

### 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) design, layout and landscaping;
  - c) access, parking and servicing;
  - d) impact on the natural environment;
  - e) impact on amenity;
  - f) construction impacts;
  - g) any other material considerations.

# Development plan/other planning policy

- 8.4 Development Plan Policy is set out in the Highland-wide Local Development Plan (HwLDP), the Inner Moray Firth Local Development Plan (IMFLDP), and statutorily adopted supplementary guidance.
- 8.5 The site is located within the Inverness Settlement Development Area as defined within the IMFLDP. The wider site is identified as an unconstrained housing site in the Highland-wide Local Development Plan with a land safeguard for the delivery of a new primary school. The developer requirement for the site sets out that the safeguard for the new school should be split between use of the site for a primary school (2.5ha) and playing fields (1.5ha). This reflected the provisions of the legal agreement attached to the original planning permission in principle for the development at Ness Castle. This allocation and the planning history established the principle of a primary school development on this site.

- 8.6 When the catchment area was established, Care and Learning identified that an area larger than 2.5ha was required for delivery of the primary school. To facilitate delivery of a school of the required size, a new arrangement was reached with the owner of the site to remove the precise split between a primary school and provision of playing fields. In doing so the full 4ha was transferred to the Council for use of a primary school and associated infrastructure, which includes a playing field.
- 8.7 The applicant has committed to make the playing fields and the general practice rooms available for use through the School Lets Programme. It is considered that, subject to securing specific details on the management of these facilities by condition, this would meet the requirements of the Local Development Plan in relation to provision of community facilities.
- 8.8 The Development Plan contains a number of further policy tests that must be taken into account in determining this application; in particular matters related to layout, design, place-making and infrastructure provision. If there are no significant impacts arising from these matters, then the application would comply with the Development Plan and could be supported.

## Design, layout, and landscaping

- 8.9 The school is proposed as a two storey building with a shallow pitched roof to be delivered in two phases. The façade of the building is broken up into four "elevation types". Common between these elevation types is the use of brick piers which form a geometric pattern across the building. Within each of the frame created by the brick piers, either cladding boards with concealed fixings or glazing is proposed. Where the internal plant rooms are located perforated cladding is proposed to hide any louvres.
- 8.10 The school site is to be delivered in two phases. Following the advice provided by officers at the pre-application stage, the first phase of the building has been designed in a way which will allow it to appear as a stand alone building rather than an unfinished part of a wider development. This is welcomed.
- 8.11 The relationship between the proposed school building, the remainder of the school site and the existing and proposed housing development has been subject to significant discussion. To address the site constraints, particularly in relation the large feature trees on the site, the school has been located in the north of the site. This position also allows the applicant to take advantage of solar gain in the majority of the classrooms within the school.
- 8.12 As with the housing development at Ness Castle, the layout of the proposed school site has been heavily influenced by the tree cover on the site. There is a total of 90 trees on the application site of varying ages and quality. The applicant had aimed to retain the most prominent trees on the site but the originally submitted proposal did conflict with a number of trees identified through the Tree Survey as Category A and B trees as well as a veteran tree.
- 8.13 Policy 51 (Trees and Development) of the HwLDP sets out that the Council will support applications which promote significant protection of trees on development sites. Further Policy 51 states that the acceptable developable area of the site will

be influenced by impact on trees. Scottish Planning Policy (paragraph 216) considers that veteran trees should be protected from adverse impacts as a result of development.

- 8.14 Taking into account the national and local policy context, responses from the Council's Forestry officer, and members of the public, the applicant was asked to reconsider the layout of the site and the impact on trees. In doing so the applicant undertook a Tree Condition Survey Report for the five largest trees on the site: a veteran oak tree; a further oak tree; a beech tree; and two Scots pine trees. This survey identifies one of the Scots pine for removal based upon decay in two of the structural roots. However, it also makes recommendations for retention of the veteran oak on the site and other large trees. The recommendations range from crown pruning to de-compaction of ground and a low fence to be placed around a tree.
- 8.15 In responding to the recommendations, the contractors for the school site modified the layout to ensure that the majority of the larger trees and the veteran tree could be retained. To achieve this the location of the proposed playing field and MUGA have been re-located away from and outwith the root protection area of the veteran tree on the site. Other modifications to the site layout have included micro-siting of paths and use of cellular containment systems in the construction of paths within root protection areas. While these mitigation measures mean that the playing field is more remote from the school, this is not considered to be a significant factor and the retention of the trees outweighs this concern.
- 8.16 The trees to be retained on the site will however require management in the short term to ensure their longevity. The Forestry Officer agrees with the majority of the recommendations in the Tree Survey Report but questions the need for a low fence around the veteran tree and he questions the proposal to not carry out deadwooding of the veteran tree given it will be within school grounds. An Arboricultural Method Statement to secure details of any tree work which may be required on the site can be sought by condition.
- 8.17 While these older and more established trees, plus a further 20 trees on the site will be protected, 66 trees will be removed to accommodate the development. To compensate for this loss a total of 210 extra heavy standard broadleaf trees and 6 Scots pine trees measuring between 2m and 3m in height will be planted. In addition to this beech hedging and other shrubs and plants will be part of the overall landscaping strategy for the site, the final details of which can be conditioned. There is an area of the site adjacent to the future phase of housing development where no use has been identified to date. The applicant is looking to work with the community to identify a use, the details of this will be secured by condition.
- 8.18 While the building is set back from the road network, given its scale and design it will have a presence within the wider development. Concern was raised with the applicant about the negative effect of large-scale metal fencing around the school on the character and amenity of the wider area as well as having an adverse impact on the design quality of the school. Through negotiation with the applicant, the landscaping and boundary treatments for the site have been revisited with the aim of minimising fencing while not adversely impacting on the security of the school. In doing so, the amount and scale of boundary fencing has been reduced. Further to

mitigate the visual impact, beech hedging is proposed along the boundary with Brodie Road and Phase 3 of the adjacent housing development. This approach allows delivery of a civic space in front of the school building and provides a more appropriate attractive setting.

- 8.19 The site layout has been subject to discussion with the applicant to ensure that comments from consultees and the Community Council related to safe access for pedestrians and cyclists can be addressed. In doing so additional active travel opportunities have been provided and the location and design of the cycle parking has been refined and augmented.
- 8.20 While the Forestry Officer remains concerned with the removal of trees on the site, significant trees of character will be retained on the site. This is in line with the approach taken to the development of the wider Ness Castle development. It is considered that the design of the building and layout of the site, inclusive of the proposed landscaping which compensates for the loss of trees as a result of the development, is acceptable.

# Access, parking and servicing

- 8.21 The proposed school will have two vehicular accesses and, following negotiation with the applicant, five dedicated accesses for walking and cycling. The main vehicular access, which includes the majority of the staff car parking and the drop off area for the primary school will be via Brodie Road. The vehicular access for the nursery and for servicing of the school will be via Eilean Donan Road. There is no through route for vehicular access.
- 8.22 Representations have raised concerns with the provision of an access for the nursery from Eilean Donan Road on the basis that this was not in the original masterplan for the Ness Castle Development and that it will lead to congestion as a result of on street parking. The applicant has however progressed this secondary access to ensure that a segregated access for the nursery is available closer to its entrance. Through the use of appropriate road markings, signage strategies and a travel plan, it is considered that the access from Eilean Donan Road is acceptable. Such details can be conditioned. Holm Community Council has questioned the layout of the car parking arrangement and Transport Planning has requested that the final details of the layout of this car park is secured by condition.
- 8.23 The main school car park and access from Brodie Road has been designed to be delivered in two phases. Following discussions with Transport Planning, the applicant has provided a dedicated drop off area within the site as part of Phase 1, this is welcomed. Further, the car parking layout has been modified and additional spaces provided as part of the first phase of the school development. This is to ensure that an appropriate level of parking is provided. An area of the car park will be reserved for additional spaces to be delivered prior to occupation of Phase 2.
- 8.24 The parking levels at the school site are below the maximum levels set out in the Roads and Transportation Guidelines for New Developments. Further not all of the car parking required for the development is proposed to be delivered in Phase 1 to encourage the use of public transport and active travel by staff working at the school. As the level of parking is to be lower than the Council's promoted maximum

standards, a Travel Plan for the school will be required. The delivery of the Travel Plan, a scheme for monitoring its effectiveness, and a strategy for review will be required. Further, if the Travel Plan is not proving to be effective, mitigation will be required. Transport Planning have recommended that delivery of Phase 2 of the school is dependant on appropriate mitigation measures being identified and implemented following the review of the Travel Plan for Phase 1 of the development.

- 8.25 To encourage pupils and staff to cycle to school, a range of covered cycle parking facilities have been secured through negotiation with the applicant. These will require to be delivered prior to first occupation of the school.
- 8.26 The Transport Assessment which accompanies the application identifies that, as a result of the school, the junction capacity between Dores Road (B862) and Brodie Road will be breached. To address this matter, the applicant has identified a solution which involves signalising the junction. Transport Planning consider that this would improve flows at the junction and request that this is secured by condition. The 30mph speed limit on Dores Road will be extended by the housing development.
- 8.27 In order to promote safe walking and cycling routes to the school from both the Ness Castle and Ness-side developments, a plan for safer routes to school will be required. Physical interventions to support this are proposed as active travel priority crossing of the site accesses, and at either end of Eilean Donan Road. Further additional street lighting will be sought on a short length of Dores Road between the Dores Roundabout and the junction of Dores Road / Brodie Road. Holm Community Council requested a light controlled crossing of Dores Road as well, however this mitigation has already been secured via the planning permissions for the housing development at Ness-side, as has a light controlled crossing of the Inverness West Link.
- 8.28 As set out in paragraph 8.21 above, the site will be serviced via the access on Eilean Donan Road. Off this access the bin store, sub-station and sprinkler tank are located as well as the service access into the building for deliveries. The applicant has set out that service vehicles will only enter the site outwith school pick up and drop off times. In the interests of pedestrian safety this is supported. Transport Planning has requested that the details of all servicing provision be subject to condition.
- 8.29 Surface Water from the site will be drained via a Sustainable Drainage System (SuDS) comprising an infiltration basin in the north eastern corner of the site. Subject to final details being provided, the Flood Risk Management Team is content with the proposed arrangement. Holm Community Council has raised concerns about the location of a SuDS basin in proximity of the school in relation to safety. As it is an infiltration basin, it should not have standing water in the basin except in extreme flood events. The basin will be required to be delivered to Sewers for Scotland Fourth Edition, and if a fence is required based upon those technical standards one will be provided. The applicant has been made aware of Scotland's Drowning Prevention Strategy and it will be incumbent on the designers of the SuDS basin to ensure it is a safe facility.

8.30 Concerns had been raised by a resident in relation to the impact of the development on flows in the Essich Burn however, this part of the site will drain toward the Holm Burn and is not anticipated to have an impact on the Essich Burn.

## Impact on the natural environment

- 8.31 An ecology survey has been undertaken by the applicants and provided in support of the application. This focuses on the species present on the site and those likely to be present based upon the habitats in and around the site. No evidence of badger was found on the site. There is however suitable habitat for breeding birds, bats and a range of insects due to the presence of trees on the site. The survey recommends further survey work to be undertaken if the development is to take place in the bird breeding season (March September) or after 02 April 2020 then further mitigation measures in terms of detailed surveys in the form of tree climbing and inspection may be required. If bats are present in trees to be felled a licence would be required from SNH. A requirement for pre-commencement surveys and the employment of an Ecological Clerk of Works will be required by condition.
- 8.32 Holm Community Council has raised concerns regarding the lack of a survey for deer and squirrel which are known to frequent the site. These species would likely be displaced by any works on the site but it is considered that there is suitable habitat that will not be disturbed by development for these species. Nevertheless, when the pre-commencement survey is being undertaken the scope of this can be extended to deer and squirrels.

# Impact on amenity

- 8.33 Representations have raised a number of concerns regarding the potential of the school building to overshadow and impact on privacy of the adjacent properties. To assist in consideration of this matter, the applicant was asked to produce detailed site sections of the site and undertake an assessment of overshadowing.
- 8.34 The proposed site sections demonstrate that the school building will be slightly taller than the existing properties in Phase 2 of the adjacent housing development but lower than those in Phase 3. Where the school sits higher than the properties within the existing residential development, any opposing windows will be approximately 48m apart. Even when taking into consideration the difference in height, it is considered the separation distance is adequate. A path is also proposed to the rear of these properties, this is approximately 22m from the rear of the houses themselves and approximately 11m away from the rear garden fence line. To provide further mitigation to address concerns from residents regarding impacts on privacy as a result of the path network within the school ground, landscaping is proposed between the properties and the school.
- 8.35 The Overshadowing Analysis undertaken by the applicant demonstrates that the school would not change the shadowing currently experienced in the properties as a result of current trees and topography.
- 8.36 Holm Community Council sought a condition to ensure that the CCTV proposed for the site was not directed to any area outwith the school grounds. This appears to be

the case with the submitted plans for approval and any recordings will be used and stored in line with legislation covering this matter.

- 8.37 Noise as a result of use of the playing fields has been highlighted as an area of concern in representations. The applicant carried out an initial noise assessment based upon the originally submitted layout and a further submission based upon the layout now in front of Members. The revised Noise Assessment identifies the need for a 1m high landscaped bund adjacent to the playing field to help attenuate noise to a reasonable level (50dBA) within the gardens of neighbouring properties. Environmental Health agrees with the findings of the assessment and proposed mitigation. A condition to control noise limits is to be secured. The original mitigation included a solid concrete wall and Holm Community Council had sought additional mitigation in the form of a fence to reduce the impact of noise of balls being hit against such a feature. As a solid wall is no longer being pursued as a mitigation measure, the addition mitigation would not be required.
- 8.38 Due to the use of plant and machinery within the operation of the school it is proposed that a noise condition limiting any noise emanating from such plant is limited to Noise Rating Curve 20 when measured at any noise sensitive property. If the noise limits set by this condition and / or by the condition proposed in relation to noise from the playing field, are reported to be breached, a noise survey will require to be undertaken.
- 8.39 Flood lighting is proposed around the playing field and MUGA so that the facilities can be used by the community outwith school hours. The light spill analysis document submitted, which is based upon the use of 6 No. 10m high LED flood lights each producing 220,880 lumens, it is not anticipated that the light from the flood lights will spill into neighbouring properties.

## **Construction Impacts**

- 8.40 Holm Community Council and Transport Planning have both requested conditions to secure management of construction traffic, given the location and scale of the proposed development, it is agreed that his should be controlled by condition. This will be required to detail construction traffic routes and construction site operation times.
- 8.41 Furthermore, to protect the natural environment and the residents of adjacent properties a Construction Environmental Management Document approach should be undertaken on the site.
- 8.42 Should the development be granted permission, a Community Liaison Group should be set up to ensure that the community council and other stakeholders are kept up to date and consulted before and during the construction period.

#### Other material considerations

8.43 Some contamination has been identified within the site. As a result, a scheme for investigation and, if required, mitigation, should be secured by condition.

8.44 Archaeological features are present within the site. An archaeological written scheme of investigation has been submitted which recommends a programme of archaeological investigations. These will be secured by condition.

### 9. CONCLUSION

- 9.1 The application seeks to deliver the largest new primary school in the Highland Council area. In doing so it presents some challenges in relation to travel and the impact on the natural environment. Through working with the applicant, mitigation measures have been secured to minimise the impacts and safeguard the environment around the site. In particular, the safeguarding of veteran and mature trees as a result of design changes within the site is welcomed.
- 9.2 Overall, it is considered that the design and layout of the site strikes an appropriate balance between meeting the needs of the school estate, with the need to deliver a community based facility while protecting and enhancing the environment.
- 9.3 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: The application contains mitigation to limit its carbon footprint through the orientation of the building (solar gain), energy efficient design, provision of active travel links and through the proposed use of a travel plan that will promote travel to the school that is not car dependant.
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

## 11. RECOMMENDATION

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

## **Conditions and Reasons**

1. Planning Permission is hereby granted for a non-residential institution comprising 24 classrooms and playrooms and supporting infrastructure upon 4 hectares to be developed in accordance with the plans hereby approved in two sequential phases.

**Reason**: To clarify the terms of the permission

2. No development shall commence on each phase of the school building 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**: In order to enable the planning authority to consider this matter(s) in detail prior to the commencement of development; in the interests of amenity.

- 3. No development shall commence until an access management plan (including details of footpaths and cycle ways and lighting (existing, during construction and upon completion and information on temporary or permanent diversion or closure)) shall be submitted for the written approval of the planning authority for each phase or sub-phase of the development. The plan shall show:
  - a. All existing paths, tracks and rights of way and any areas currently outwith or excluded from statutory access rights;
  - b. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or curtilage in relation to proposed buildings or structures;
  - c. All paths and tracks proposed to be constructed for use by walkers, riders, cyclists, all-abilities users etc and how these will integrate with existing or proposed networks. Details shall include but not be limited to construction details of all paths, inclusive of material finishes and drainage details. All paths connecting outwith the site shall be shown with a minimum width of 3m;
  - d. Any diversion of paths, temporary or permanent proposed for the purposes of the development;

The Access Management Plan shall be implemented as approved and in accordance with the timetables outlined therein, unless otherwise approved in writing by the Planning Authority.

**Reason**: To ensure that the development is adequately connected with existing and proposed pedestrian and cycle routes and to accord with the Land Reform (Scotland) Act 2003.

- 4. No development shall commence on each phase or sub-phase, a scheme to deal with potential contamination within the phase will be submitted to, and approved in writing by, the Planning Authority. Each scheme shall include:
  - i) the nature, extent and type of contamination on site, identification of pollutant linkages and assessment of risk (i.e. Contaminated Land Risk Assessment and Remediation Plan). The scope and method of this assessment to be agreed in advance with the planning authority, and undertaken in accordance with PAN 33 (2000) and BS10175:2011+A1:2013 Investigation of Potentially Contaminated Sites – Code of Practice;
  - ii) the measures required to treat/remove contamination (remedial strategy) including a method statement, programme of works and proposed verification plan to ensure that the site is fit for the uses proposed;

- iii) measures to deal with contamination during construction works;
- iv) in the event that remedial action be required, a validation report that validates and verifies the completion of the approved decontamination measures;
- v) in the event that monitoring is required, monitoring statements submitted at agreed intervals for such time period as is considered appropriate in writing by the Planning Authority. Thereafter, no development shall commence within any phase until written confirmation that the approved scheme has been implemented, completed and, if required, on-going monitoring is in place, has been issued by the Planning Authority.

**Reason**: In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

- 5. No development shall commence within each Phase, or sub-Phase, until a Construction Environmental Management Document has been submitted to and approved in writing by the Planning Authority. The Document shall include:
  - a) An updated Schedule of Mitigation (SM) including all mitigation proposed in support of the planning application, other relevant agreed mitigation (e.g. as required by agencies) and set out in the relevant planning conditions
  - b) Processes to control / action changes from the agreed Schedule of Mitigation
  - c) The following specific Construction and Environmental Management Plans (CEMP):
  - (i) Habitat and Species Protection Plan
  - (ii) Pollution prevention plan
  - (iii) Dust management plan
  - (iv) Construction Noise, Vibration and Assessment and Mitigation Plan in accordance with BS5228 Code of practice for noise and vibration control on construction and open sites Part 1: Noise
  - (v) Site waste management plan;
  - (vi) Measures to protect private water supplies; including an emergency response plan;
  - d) Details of the appointment of an appropriately qualified Environmental Clerk of Works with roles and responsibilities.
  - e) Methods of monitoring, auditing, reporting and communication of environmental management on site and with the client, Planning Authority and other relevant parties.
  - f) Statement of responsibility to 'stop the job / activity' if in potential breach of a mitigation or legislation occurs.

The development shall proceed in accordance with the approved Construction Environmental Management Document.

**Reason**: To protect the environment and amenity from the construction and operation of the development.

6. No development shall commence within each Phase or sub-Phase until precommencement surveys to locate the presence or absence of protected species, including deer and squirrels, have been undertaken and copies submitted to both the Planning Authority. Should any of these species be found within or adjacent to an area likely to be affected by construction activities, appropriate mitigation measures shall be put in place by the developer prior to development commencing and be maintained for the duration of development, details of which shall first be submitted to, and approved in writing by, the Planning Authority.

**Reason**: To protect and enhance nature conservation from construction activities.

7. No development shall commence until full details of surface water drainage provision within the relevant Phase or sub-Phase and how that relates to the surface water drainage approach for the site as a whole (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in the CIRIA Manual and Sewers for Scotland Fourth Edition, or any superseding guidance prevailing at the time) have been submitted to and approved in writing by the Planning Authority. This shall ensure that greenfield run-off rates are maintained.

Thereafter, only the approved details shall be implemented and all surface water drainage provision shall be completed prior to the occupation of the relevant phase or sub-phase.

**Reason:** In the interests of amenity, to protect and enhance the natural environment, protect the water environment and prevent pollution.

8. The development shall not be occupied until details of the relevant person or party responsible for the maintenance of the on-site surface water drainage system have been provided to the Planning Authority. For the avoidance of doubt any part of the surface water drainage system not vested by Scottish Water or another responsible authority shall remain the responsibility of the developer and maintained in line with the scheme to be approved.

**Reason:** To ensure that the surface water drainage system is maintained by an appropriate party and that the party responsible for maintenance can be easily identified should any issue arise.

9. All plant, machinery and equipment associated with ventilation, air-conditioning, heating and refrigeration or similar mechanical services, including fans, ducting and external openings shall be installed, maintained and operated such that any operating noise complies with Noise Rating Curve 20 and details and a noise assessment of each installation will require to be submitted for the written approval of the planning authority.

If the above standard cannot be met, the applicant must undertake an assessment of the noise in terms of BS 4142:2014 Methods for rating and

assessing industrial and commercial sound which demonstrates that noise will not have an adverse impact on noise sensitive properties.

**Reason:** In the interests of amenity.

10. No development shall commence each phase until a Construction Traffic Management Plan (including a routing plan for construction vehicles, site operating times, and taking into consideration Construction Traffic Management Plans of the adjacent housing development) has been submitted to, and approved in writing by, the Planning Authority. The approved Construction Traffic Management Plan shall be implemented prior to development commencing and remain in place until the development is complete.

**Reason:** In the interests of road safety, to limit the impacts on the local road network and to limit the amenity impacts of the construction phase of the development on local residents.

11. No development shall commence on each phase of the car park until a detailed scheme for the car parking spaces and drop off area has been submitted to and approved in writing by the Planning Authority. The approved scheme shall be implemented prior to first occupation of the phase of the development to which it relates, thereafter being maintained for this use in perpetuity.

Reason: To ensure adequate provision of car parking

12. The secure and covered cycle parking spaces shall be formed in accordance with The Highland Council's Roads and Transportation Guidelines for New Developments prior to first occupation of the phase of the development to which it relates, thereafter being maintained for this use in perpetuity.

**Reason:** to ensure that the proposed cycle parking is safe and secure for use by the public.

13. The development shall not be occupied until a Servicing Management Strategy for each phase has been submitted to and approved in writing by the Planning Authority. This shall detail the approach to servicing of the all operational aspects of development. Thereafter the approved plan shall be implemented following first occupation of the school.

**Reason:** In the interests of amenity, to manage servicing and prevent pollution.

- 14. No development shall commence on each phase until a detailed scheme of hard and soft landscaping works related to each phase has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:
  - i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
  - ii. A plan showing existing landscaping features and vegetation to be retained;

- iii. The location and design, including materials, of any proposed walls, fences, gates, seating and other landscaping features, including 1:20 scale plans showing the detail of the feature;
- iv. The location, type and design, including materials product name and specification, of any proposed play and outdoor sports facilities equipment and associated safety features (if required), including 1:20 scale plans;
- 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; and
- vi. 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 that phase of development to which the scheme relates.

Any trees or plants which within a period of five years from the completion of the phase of development to which they relate, die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

**Reason:** In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

- 15. The development shall not be occupied until the following details have been submitted to and approved in writing by the Planning Authority:
  - a) a scheme for the installation of traffic lights to control traffic flows at the junction between Brodie Road and Dores Road. Thereafter, the scheme shall be implemented prior to first occupation of the school;
  - b) a scheme for the location, design and installation of the crossings designed to accommodate active travel at either end of Eilean Donan Road, and at the site access where the existing footpath network is required to cross an area of vehicular movement. Thereafter, the scheme shall be implemented prior to first occupation of the school;
  - c) a scheme for the installation of street lighting on Dores Road between the junctions of Dores Road / Holm Burn Place and Dores Road / Brodie Road. Thereafter, the scheme shall be implemented prior to first occupation of the school;
  - d) a scheme for the installation signage to direct staff and visitors to the primary and nursery facilities. Thereafter, the scheme shall be implemented prior to first occupation of the school;

e) a scheme for the design and implementation of measures to deliver a temporary 20mph speed limit on Brodie Road. Thereafter, the scheme shall be implemented prior to first occupation of the school.

**Reason**: To ensure that infrastructure is designed appropriately, timeously delivered and meets the needs of non-motorised and motorised users.

16. No development shall commence until details of the access and parking provision have been submitted to and approved in writing by the Planning Authority. Any details submitted shall show visibility splays of 4.5m x 90 at the school access and 4.5 x 30m at the nursery access.

Thereafter the approved details shall be approved prior to first occupation of the school.

**Reason**: To ensure that access and parking infrastructure is designed appropriately, timeously delivered and meets the needs of non-motorised and motorised users.

- 17. The development shall not be occupied until a School Travel Plan has been submitted to and approved in writing by the Planning Authority. The plan shall detail the following measures:
  - a) The name and contact details of an appointed Travel Plan Co-ordinator;
  - b) The proposed objectives and targets for staff and pupils including targets to reduce access being taken to the to the school by staff, pupils and visitors in private cars, encourage access to the school by sustainable and active transport and for avoiding parking overspill onto the adjacent public roads at drop-off and pick up times;
  - c) Details of measures to be taken to meet the proposed targets;
  - d) Details of monitoring that will be undertaken to measure the success of the Travel Plan against the approved targets;
  - e) Details of the reporting of the monitoring of the School Travel Plan, which shall be a minimum of bi-annually from the date of the first occupation of each phase of development. This report shall include details of any further mitigation measures required to ensure the targets in the School Travel Plan can be met.

Thereafter the School Travel Plan shall be implemented prior to first occupation of the school.

The School Travel Plan shall be reviewed by the developer prior to commencement of development of phase 2 or no longer than the 5 year anniversary of the first occupation of Phase 1. No development shall commence on Phase 2 of the development until the review of the School Travel Plan has been completed and any further mitigation requirements identified have been approved in writing by the Planning Authority. Thereafter Phase 2 of the development shall not be occupied until any and all mitigation

requirements have been implemented and the Phase 2 School Travel Plan implemented.

The Phase 2 School Travel Plan shall be monitored for a minimum period of 5 years following the first occupation of Phase 2 of the development. At the end of the 5 year period if the targets in the Travel Plan have not been met, a scheme of mitigation requires to be submitted to and approved in writing by the Planning Authority.

**Reason**: to reduce the reliance on private cars and encourage modal shift to sustainable and active transport.

18. The development shall not be occupied until a scheme of management for the school playing field, multi-use games area, and any other community facilities within the school has been submitted to and approved in writing by the Planning Authority. Thereafter the approved scheme shall be implemented within three months of the first occupation of the school.

**Reason**: to ensure appropriate access to the community based facilities in the interests of amenity.

19. Noise arising from the use of playing pitches out with school hours shall not exceed 50dB(A) within the garden of any noise sensitive property as measured as a free field 1h hour Leq.

If the above standard cannot be met, the applicant must undertake an assessment of the noise in terms of BS 4142:2014 Methods for Rating and Assessing Industrial and commercial sound which demonstrates that noise will not have an adverse impact on noise sensitive properties.

**Reason:** In the interests of amenity.

20. Prior to any site excavation or groundworks, a Tree Protection Plan and Arboricultural Method Statement is to be submitted to and subsequently approved in writing by the planning authority, in accordance with BS5837:2012 (Trees in Relation to Design, Demolition and Construction). All retained trees are to be protected against construction damage using protective barriers located beyond the Root Protection Area (in accordance with BS5837:2012 Trees in Relation to Design, Demolition & 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.

21. A suitably qualified Arboricultural consultant shall be employed by the applicant to ensure that the Approved Tree Protection Plans and Arboricultural Method Statement are implemented to the agreed standard. Stages requiring supervision are to be 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.

22. A suitably qualified landscape consultant shall be employed at the applicant 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: In the interests of amenity.

23. No development shall commence until a community liaison group is established by the developer, in collaboration with The Highland Council and affected local Community Councils (including Holm Community Council, Lochardil and Drummond Community Council and Dores and Essich Community Council) unless otherwise agreed in writing by the Planning Authority. The group shall act as a vehicle for the community to be kept informed of project progress and, in particular, should allow advanced dialogue on the provision of all transport-related mitigation measures and to keep under review the timing and type of development within future development phases. The liaison group, or element of any combined liaison group relating to this development, shall be maintained until the development has been completed and is occupied.

**Reason:** To assist project implementation, ensuring community dialogue and the delivery of appropriate mitigation measures throughout the construction period.

24. For the avoidance of doubt the site shall connect to the public water and waste water network.

**Reason:** To ensure the proposal accords with Policy 65 of the Highland-wide Local Development Plan.

25. For the avoidance of doubt the approved archaeological written scheme of investigation shall be implemented prior to any development on the site.

**Reason**: In the interests of recording, interpreting and protecting the archaeological features present within the site.

26. No development shall commence on the sports pitch until a detailed scheme of flood lighting has been submitted to and approved in writing by the Planning Authority. This shall include full specifications for the flood lights and measures to ensure that the lighting proposed does not illuminate areas beyond the sports pitch and multi-use games area. Thereafter the approved scheme shall be implemented prior to first use of the sports pitch and multi-use games area.

**Reason**: In the interests of 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.

- 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 & 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 & 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

In addition to the above consents and requirements, a Traffic Regulation Order will be required to progress the proposed temporary speed limit and the "School Keep Clear" road markings or any other proposed parking and / or loading restrictions proposed on the public road.

## Mud & Debris on Road

Please note that it 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: <a href="https://www.snh.gov.uk/protecting-scotlands-nature/protected-species">www.snh.gov.uk/protecting-scotlands-nature/protected-species</a>

Designation: Area Planning Manager – South

Author: Simon Hindson

Background Papers: Documents referred to in report and in case file. Relevant Plans: Plan 1 - (00) 001 REV A – Location Plan

Plan 2 - NCS STB 01 00 00400 REV C - Proposed Elevation

Plan - Phase 1

Plan 3 - NCS\_STB\_01\_00\_DR\_A\_00100 REV B Ground Floor

Plan - Phase 1

Plan 4 - NCS STB\_01\_00\_DR\_A\_00101 REV A First Floor

Plan - Phase 1

Plan 5 - NCS STB 01 02 DR STB 01 00 DR A 102 REV

A Roof Plan – Phase 1

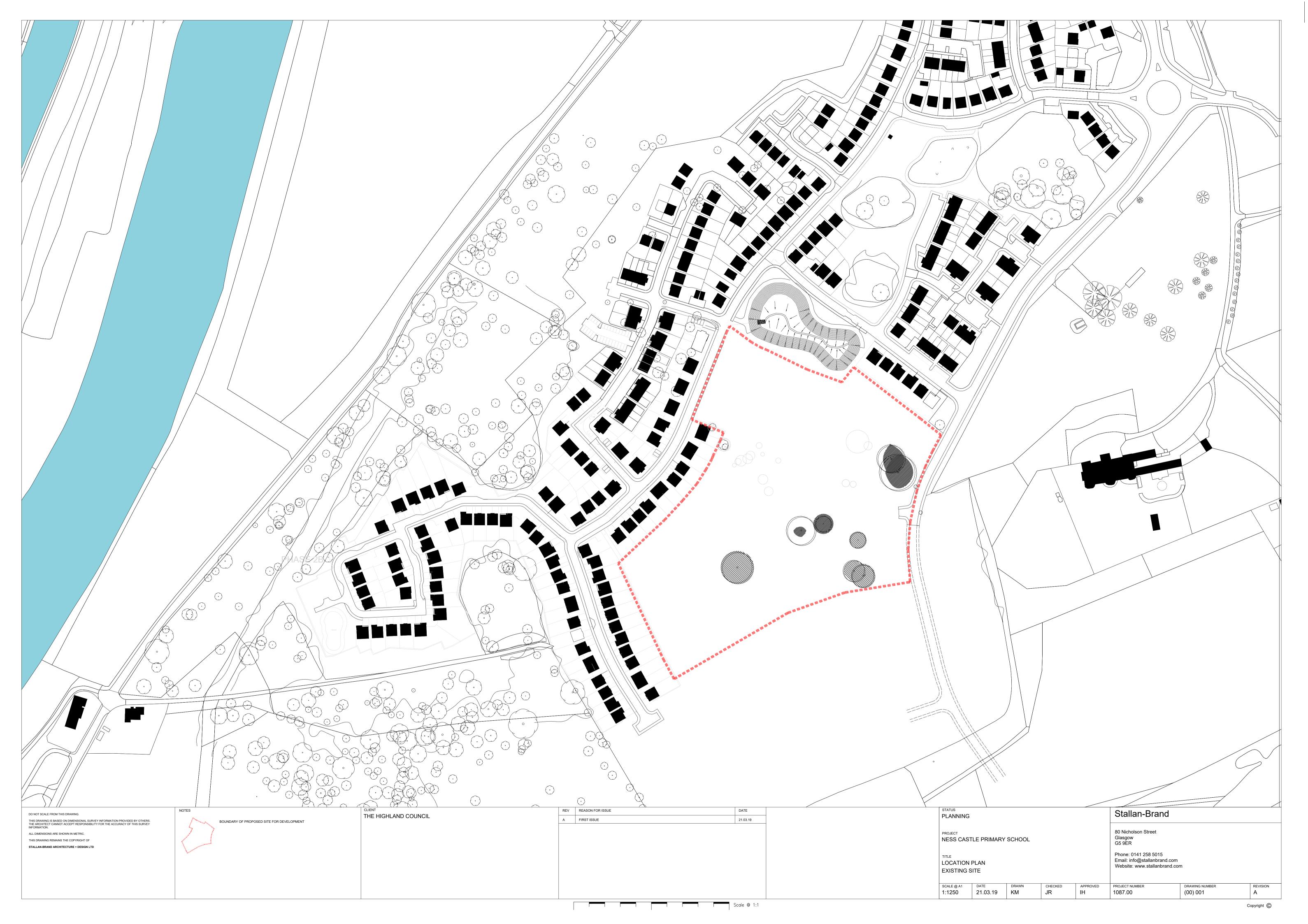
Plan 6 - NCS STB 02\_00\_00400 REV C - Proposed Elevation

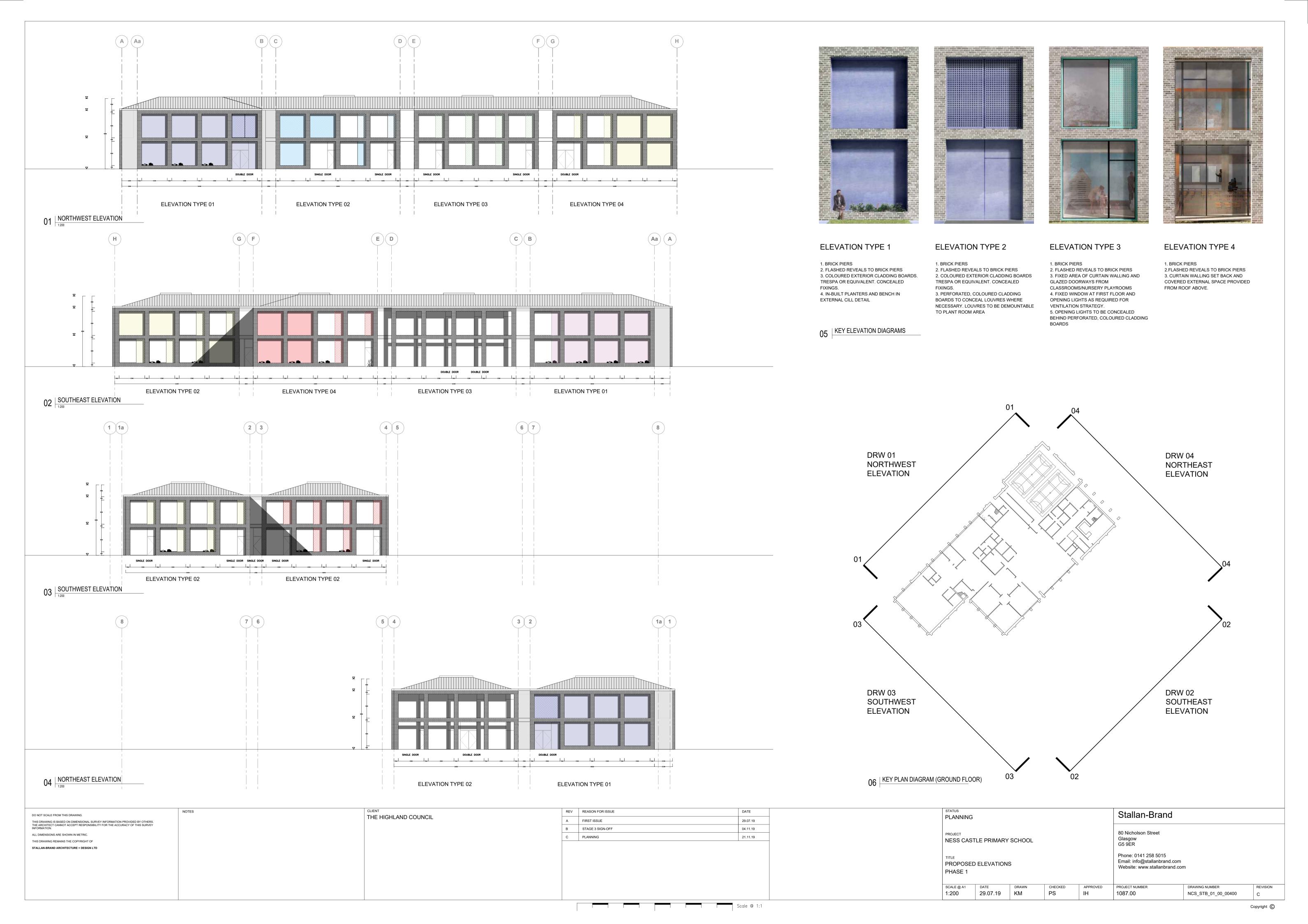
Plan – Phase 2

Plan 7 - NCS\_STB\_02\_00\_DR\_A\_00100 REV B Ground Floor

Plan - Phase 2

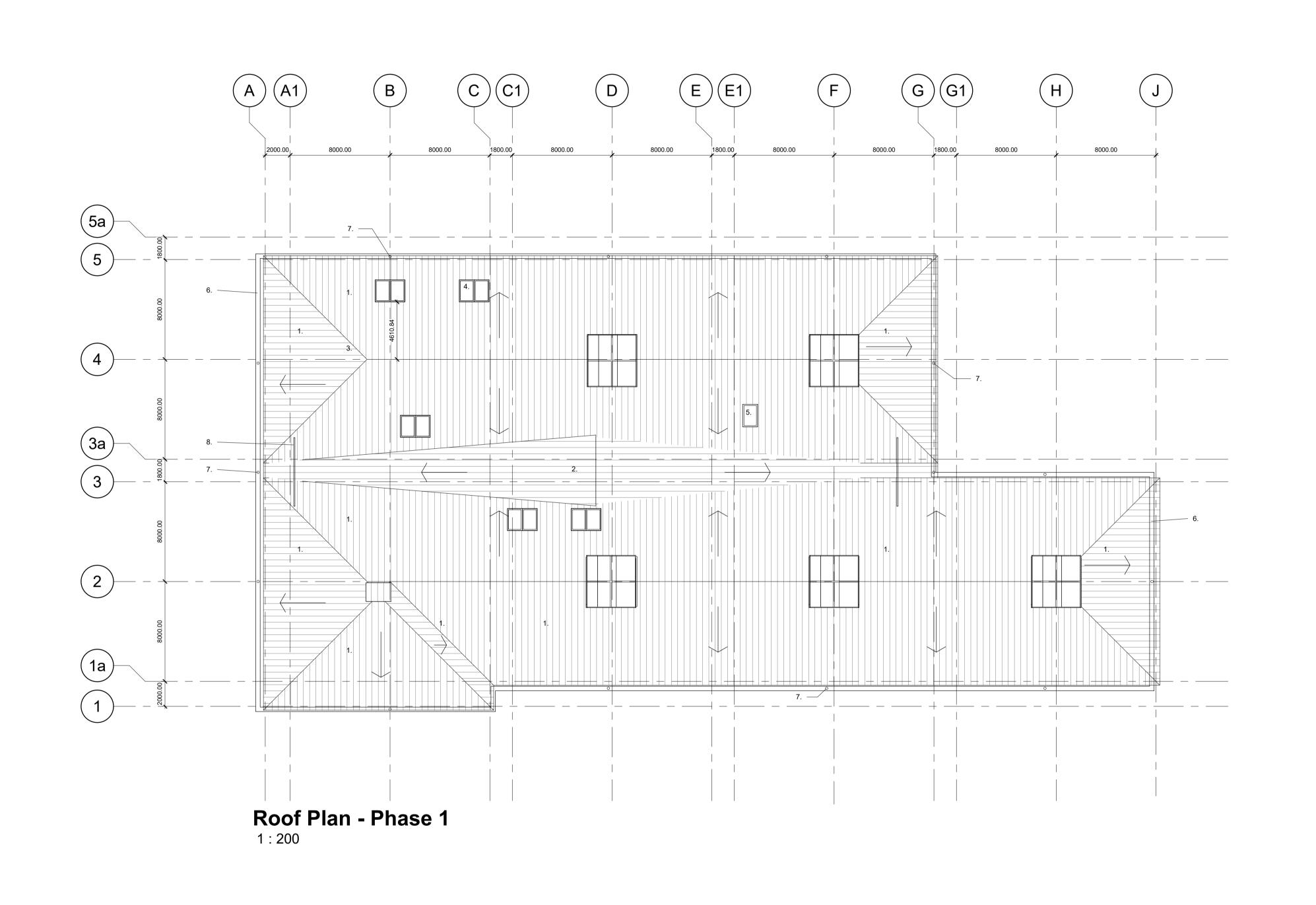
Plan 8	- NCS_STB_02_00_DR_A_00101 REV A First Floor Plan – Phase 2
Plan 9	- NCS_STB_02_02_DRSTB_01_00_DR_A_102 REV A Roof Plan – Phase 2
Plan 10	- NCS-OOB-ZZ-00-DR-L-0002 REV P19 Landscaping Plan
Plan 11	- NCS-OOB-ZZ-00-DR-L-0002 REV P13 Landscaping Plan
Plan 12	- NC_STB_01_00_DR_A_0005 REV E Site Layout Plan Phase 1
Plan 13	- NC_STB_02_00_DR_A_0005 REV E Site Layout Plan Phase 2
Plan 14	- NCS_STB_00_00_DR_A_00-311 – Proposed site sections
Plan 14	- NCS-OOB-ZZ-00-DR-L-0005 Rev P00 – Boundary Treatment Strategy

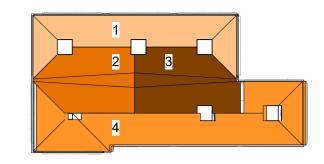












Area 1
Roof surface = 563m<sup>2</sup>
Gutter length = 85m (approx.)
Pitch = 15°

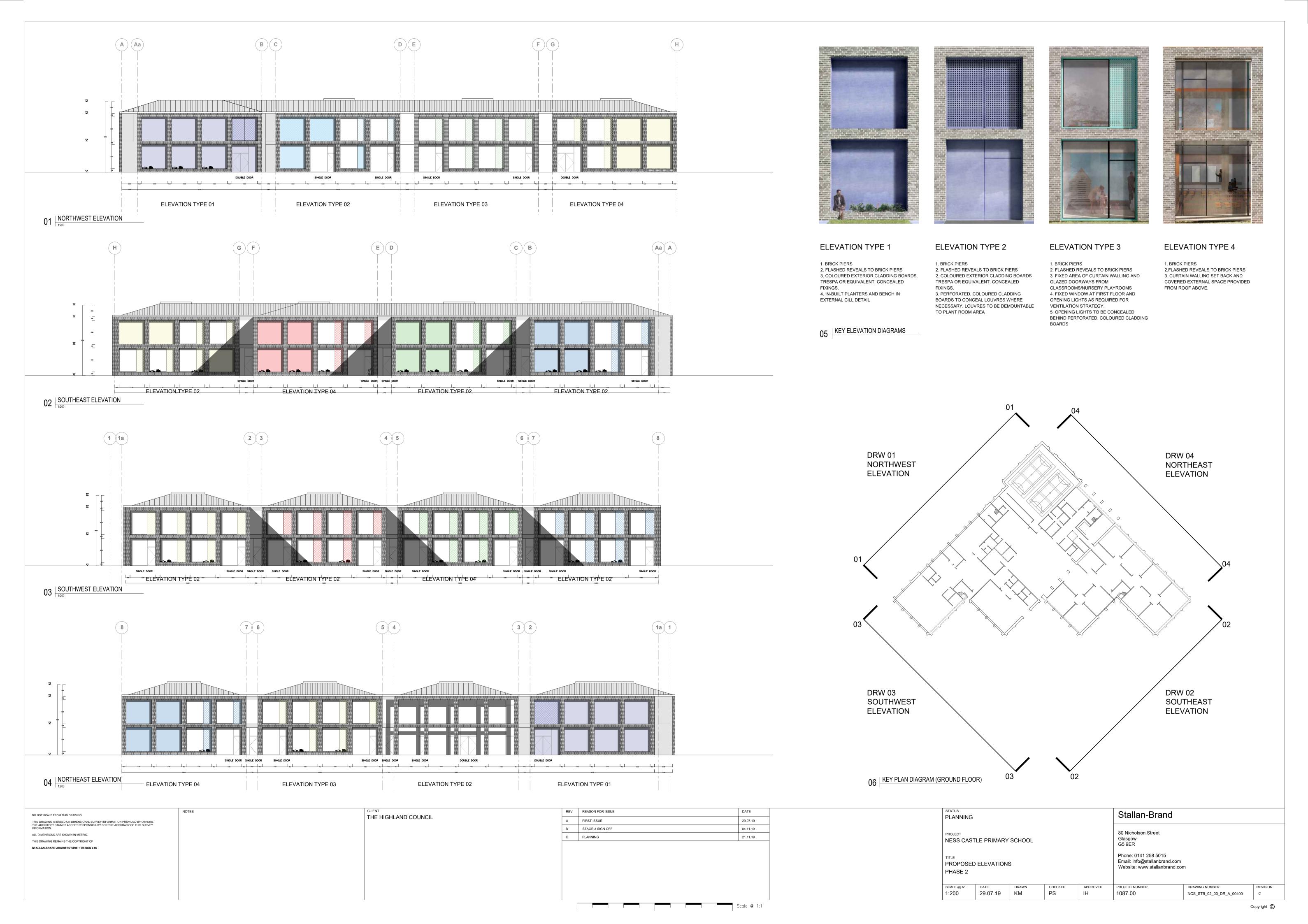
Area 2
Roof surface = 471m<sup>2</sup>
Gutter length = 1.4m (approx.)
Pitch = 15° / 1.5°

Area 3
Roof surface = 481m²
Gutter length = 1.4m (approx.)
Pitch = 15° / 1.5°

Area 4
Roof surface = 880m²
Gutter length = 121m (approx.)
Pitch = 15°

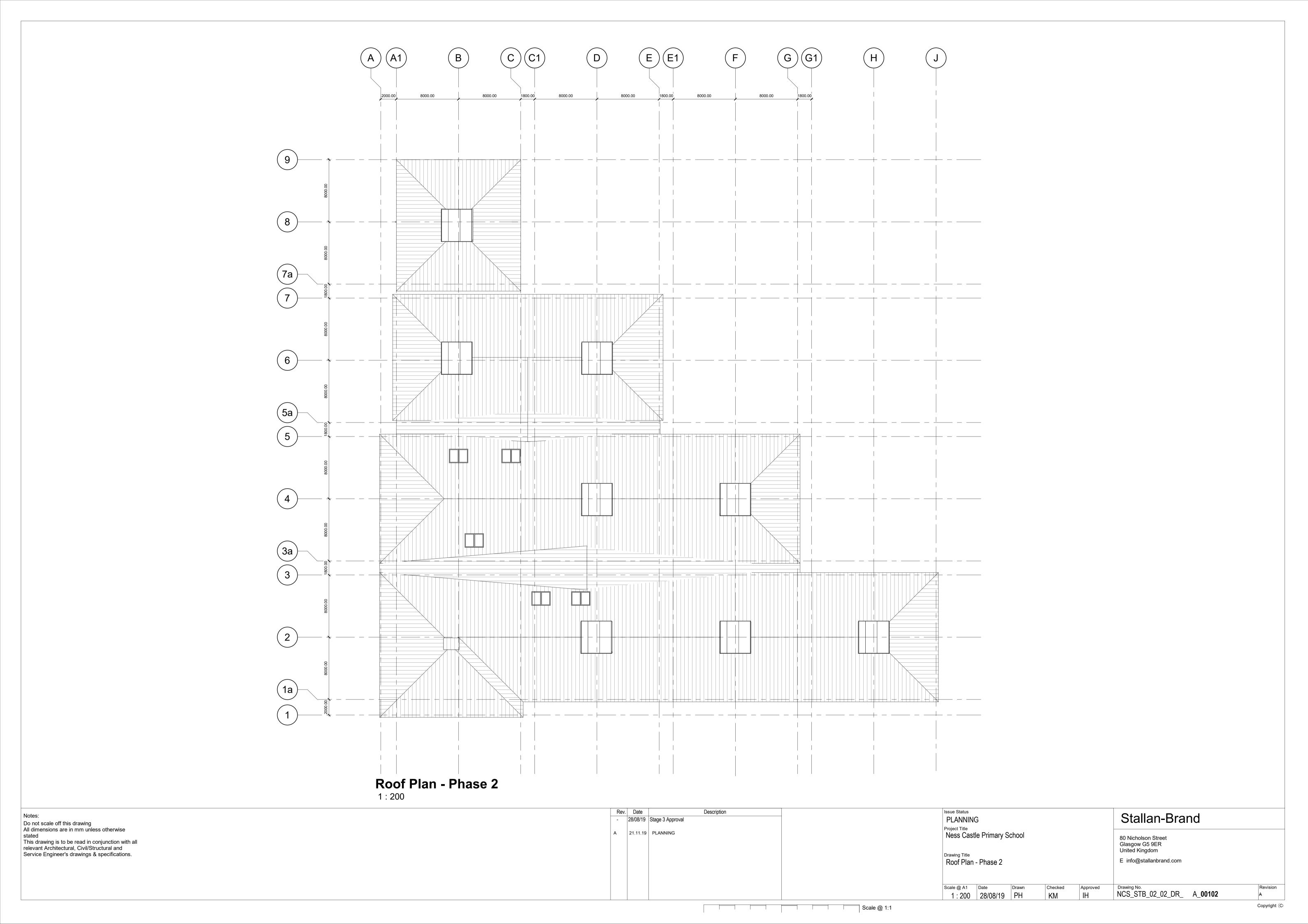
# Materials Key

Standing seam aluminium roof at 10°
Standing seam aluminium roof at 1.5°
Mono-pitch feature roof light
Centre-pivot, remote-operated roof window with rain sensor
Roof access hatch
Square profile PPC aluminium gutter
100mm diameter aluminium downpipe
Galvanised steel fixed protective barrier











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July 2019

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<sup>Client</sup> Kier Project Ness Castle Primary School

Title Landscape Plan Phase 1

Dwg. No. NCS- OOB- ZZ- 00- DR- L- 0001 Scale 1:500 @ A1 Revision P19

Planning



