

Agenda Item	5.4
Report No	PLS-041-20

## HIGHLAND COUNCIL

**Committee:** South Planning Applications Committee

**Date:** 18 August 2020

**Report Title:** 19/05179/FUL: Tulloch Homes Ltd; Mackenzie Parks LLP; D&N Mackenzie LLP

Land 160M SW of 1 Parks Of Inshes, Old Edinburgh Road South, Inverness

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

### Purpose/Executive Summary

**Description:** Erection of 155no houses, roads, landscaping and infrastructure

**Ward:** 19 – Inverness South

**Development category:** Major

**Reason referred to Committee:** Major Development, more than eight objections and Community Council objection

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 the erection of 155 residential homes, comprising a mix of houses and flats, along with associated roads, open spaces and services.
- 1.2 The homes proposed include:
- 16x 1 Bedroom Flats
  - 6x 1 Bedroom Houses
  - 8x 2 Bedroom Flats
  - 23x 2 Bedroom Houses
  - 40x 3 Bedroom Houses
  - 37x 4 Bedroom Houses
  - 25x 5 Bedroom Houses
- 1.3 The development is intended to be constructed in four phases over a period of around five years. The phasing comprises:
- Phase 1 – 28 homes across the eastern area of the site, accessed from the roundabout between Inshes Road and Wade's Circle;
  - Phase 2 – 51 homes (Plots 77 to 127) across the north east of the site, accessed from a new road crossing of Old Edinburgh Road South to connect with the Inshes to Milton of Leys Distributor Road;
  - Phase 3 – 37 homes (Plots 1 to 37) across the south east of the site; and
  - Phase 4 – (Plots 38 to 76) across the south west of the site.
- 1.4 The proposed homes are a maximum of two storey in height and vary in their design. All houses have their own private garden grounds and associated parking.
- 1.5 The site will have one main point of vehicle access to the east onto roundabout between Inshes Road and Wade's Circle. A secondary emergency vehicle access is also to be formed to the north onto Old Edinburgh Road South. The development necessitates the crossing and stopping up / re-designation of Old Edinburgh Road South, with a new active travel crossing and alternative vehicle routing being proposed.
- 1.6 An existing uninhabited property, Parks Farm, situated centrally within Phase 1, would be demolished to make way for the development.
- 1.7 The applicant held a public consultation event on 15 February 2019. An on-line presentation was also made available in advance of the event. The applicant also utilised the Council's major pre-application advice service and obtained a Street Engineering Review prior to submitting the application. The pre-application advice provides set out that the principle of residential development is acceptable subject to matters of detail related to masterplanning, density, transport, access, drainage, and protected species being suitably addressed.
- 1.8 The application was supported by the following documents:
- Design Statement;
  - Pre-Application Consultation Report;
  - Transport Assessment;

- Access Management Plan;
- Construction Traffic Management Plan;
- Old Edinburgh Road and Road 1 Crossing Drawings;
- Bus Stop Walking Distance Drawing;
- Flood Risk Assessment;
- Drainage Impact Assessment;
- Tree Survey, Schedule, Protection Plans, Arboricultural Impact Assessment and Method Statement;
- Protected Species Survey;
- Badger Protection Plan;
- Preliminary Bat Roost Assessment;
- Landscape and Visual Impact Assessment;
- Landscaping Drawings;
- Archaeology Evaluation; and
- Geo-Environmental Assessment.

#### 1.9 Variations:

- Increased number of homes from 144 to 155 with the removal of detached properties and introduction of more single bedroom homes;
- Increased size of SuDS basins to provide additional storage capacity and re-design to minimise tree impacts;
- Relocated play area to a central location within the site for better surveillance;
- Active travel improvements onto Old Edinburgh Road South, northbound to Stevenson Road, through to Boswell Park;
- Active travel improvements to proposed path connections through the site connecting with Old Edinburgh Road South and to tie-in with upgraded path connecting through to Inshes and Milton of Leys Distributor Road;
- Old Edinburgh Road South emergency vehicle access layout and specification upgrades;
- Additional parking provision for flats;
- Amended house types and designs to improve appearance of gateway properties and better surveillance of open spaces;
- Amended layout to increase size of house plot's rear garden ground, removal of excessive slopes within garden ground and limit overshadowing;
- Amended layout and landscaping in the interest of protected species (badger); and
- Relocation of the site construction compounds to avoid impacts on watercourse and trees.

## 2. **SITE DESCRIPTION**

2.1 The 12.9ha site comprises predominantly agricultural land allocated for residential development. It is located in the southern area of Inverness at Druid Temple, situated between the residential area of Inshes to the north east and Milton of Leys to the south east with Fairways Golf Course being further to the west.

- 2.2 The site is split into two distinct east and west section by Old Edinburgh Road South which serves as a vehicle access for remote properties further to the south, as well as an active travel route towards Daviot Woods located further up the hillside.
- 2.3 The eastern areas of the site (Phase 1, forming part of site allocation IN43), measuring 3.3ha, includes the uninhabited two storey property, Parks Farm and associated outbuildings, with the surrounding remaining agricultural land sloping from south to north. Phase 1 is bounded by an existing farm access driveway and mature trees to the north which back onto the residential properties at Boswell Park; to the east lies existing trees, a watercourse and Inshes Road with its roundabout junction with Wade's Circle falling within the application site boundary. To the south lies a two storey residential development at Wade's Circle and a now unused secondary access into Parks Farm. Further to the south east, the site is bounded by three existing residential cottages which are accessed via Old Edinburgh Road South, with the southern boundary of the Phase 1 following the alignment of Old Edinburgh Road South which is banked by vegetation and is at a slightly lower level.
- 2.4 On the western side of the site (Phases 2, 3 and 4, forming site allocation IN50) the site includes 9.6ha of farmland which is split by a meandering watercourse within a deep cutting, with a secondary watercourse running within the eastern side of the site. The site levels fall from south to north with the southern upper areas of the site having an outlook northwards over Inverness. The land is accessed via an existing farm track to the north east onto Old Edinburgh Road South. Adjacent to the proposed access is an existing residential property (Glendruidh Cottage) and outbuilding which forms the northern boundary of the application site. Towards the north west of the site, the application site is bounded by mature trees on neighbouring steep sloping ground. A mature area of woodland on neighbouring ground within a deep ravine forms the western site boundary. The southern boundary of the site is bound by agricultural land, Druid Temple Farm and a further residential property. The eastern site boundary comprises Old Edinburgh Road South, which is banked by vegetation and is at a slightly lower level.
- 2.5 There are no natural or cultural heritage designations covering the site, however, the site is used by protects species, including badger and potentially bats. The site lies within the Rolling Farmland and Woodland Landscape Character Type (228) as defined by Scottish Natural Heritage.

### 3. PLANNING HISTORY

- |     |            |                                                                                                                                                         |                                      |
|-----|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| 3.1 | 08.11.2018 | 18/05234/PAN - Proposal of application notice for proposed housing development of up to 200 units with associated roads, infrastructure and landscaping | Closed                               |
| 3.2 | 16.03.2017 | 15/04169/FUL - Re-mix of Phase 1 to form 63 private dwelling and 39 affordable units (increase of 14 homes)                                             | Appeal Granted by Scottish Ministers |

3.3	01.03.2017	17/00297/S75M - Modify Section 75 legal agreement of permission 09/00313/FULIN	Modification Granted
3.4	24.03.2014	14/00728/FUL - Renewal of planning permission (10/03124/FUL) Erection of 3 no. bungalows	Planning Permission Granted
3.5	11.08.2011	11/02406/FUL - Re-mix of plots 30 to 52 in Phase Two with the erection of 4 additional units	Planning Permission Granted
3.6	16.05.2011	09/00313/FULIN - Housing development (341 units (as amended) including associated services infrastructure and landscaping	Planning Permission Granted
3.7	04.04.2011	10/03124/FUL - Erection of 3 no bungalows with associated works	Planning Permission Granted
3.8	13.05.2008	08/00239/FULIN - Proposed distributor road	Planning Permission Granted

#### 4. PUBLIC PARTICIPATION

##### 4.1 Advertised: Unknown Neighbour

Date Advertised: 13.12.2019 and 19.06.2020

Representation deadline: 27.12.2019 and 03.07.2020

Timeous representations: 35 representations from 29 households (28 objections and 1 neutral comment)

Late representations: None

##### 4.2 Material considerations raised are summarised as follows:

- a) Over development (housing numbers in excess of Local Development Plan allocations) and inadequate infrastructure to support this with catchment primary and secondary schools and healthcare facilities overcapacity; development beyond extent of site allocation IN43;
- b) Drainage and flooding of downstream properties experience drainage issues at present; Old Edinburgh Road South residents point out that drainage from Phase 1 (IN43) is being redirected into (IN50) before discharging to a different catchment with this flowing through neighbouring garden ground; concerns with proximity of SuDS ponds to neighbouring properties / land in the event of a failure;
- c) Road access and safety concerns (single point of access and increased pressure on surrounding road infrastructure due to increased housing numbers); proposal could facilitate further development to the south, resulting in more traffic; inadequate southern visibility splay (looking uphill when exiting

the site at Inshes Road / Wade's Circle roundabout junction) with the distributor road having problems with speeding;

- d) Inadequate safe routes to schools / active travel provision around Old Edinburgh Road South, Boswell Park, Stevenson Road, Southern Distributor Road and Milton of Leys; crossing of Old Edinburgh Road South would adversely affect the amenity of this popular recreational route; safety concerns relating to increased active travel use of Old Edinburgh Road South due to the route having poor visibility and a lack of a pavement, passing places, street lighting, drainage or gritting; safety and amenity concerns with new active travel links proposed from Old Edinburgh Road South through to Boswell Park;
- e) Lack of bus services;
- f) Suitability of the Old Edinburgh Road South emergency vehicle access not being independently assessed; the design impedes neighbouring property's service access and concerns raised with ground levels, trees root protection, drainage and light pollution;
- g) Inadequate parking;
- h) Surfacing / maintenance for new access to 1-3 Parks Farm Cottages not clarified and removal of communal septic tanks serving these properties;
- i) Impact on amenity (increased noise, vibration, air pollution, footfall and traffic congestion); position of new road crossing Old Edinburgh Road South too close to existing properties and construction traffic concerns;
- j) Visual impact and two storey house types resulting in loss of privacy / overlooking of existing properties and garden ground;
- k) Loss of amenity green space, inadequate landscaping and screening;.
- l) Loss of wildlife and habitats (including, but not limited to, disruption to bats, badger setts / routes) and onsite invasive species (Japanese Knotweed);
- m) Loss and impact on trees (including, but not limited to, opposite Wade's Circle and surrounding the Old Edinburgh Road South emergency vehicle access); and
- n) No increase proportion of affordable housing despite increase housing numbers.

#### 4.3 Non-material considerations raised

- a) Loss of an outlook / view from a private property;
- b) Where a marketing suit for the site may be located;
- c) Reduced housing demand due to Covid-19; and
- d) Adverse economic impact post construction (more competition for local employment opportunities).

4.4 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 **Inshes & Milton Of Leys Community Council** object to the application. Concerns include: increased housing density; site's topography and drainage leading to increased flood risk; loss of mature trees; wildlife impact; disagree with transport assessment's findings and question suitability of main site access roundabout; lack

of safe routes to schools; proposals for Old Edinburgh Road South inadequate and general lack of supporting infrastructure.

5.2 **Development Plans Team:** The principle of residential development on this site is accepted as the site is allocated for housing in the Inner Moray Firth Local Development Plan (IMFLDP). The proposal offers the potential to deliver a substantial quantity of housing to help meet the need in the city. A key concern was the initially proposed location for the play area; this has since been relocated to a more central position within the site which is welcomed. Developer contributions are required and include the provision of affordable housing, contributions towards: enhanced capacity in primary and secondary schools (Inches Primary and Millburn Academy for Phase 1 (IN43), and Hilton Primary and Inverness Royal Academy for Phases 2-4 (IN50)); Inshes Corridor Road Improvement Scheme; community facilities; Inshes Park; Playing Fields; and drainage infrastructure across the Inshes and Milton of Leys Development Brief Area.

5.3 **Flood Risk Team** do not object to the application subject to conditions to require the submission of the finalised drainage design demonstrating discharge limited to the agreed two year greenfield runoff rate, finalised watercourse crossing designs to accommodate the 1 in 200 year plus climate change flood event, and confirmation that Scottish Water shall adopt the drainage network. Note that the drainage design ensures that as a result of the development, there will be a net benefit in terms of reducing downstream flood risk.

5.4 **Transport Planning Team** do not object to the application, subject to further points of clarification / provision of further information, amendments to the site layout plan, conditions and securing a developer contributions towards the Inshes Corridor Road Improvement Scheme and public transport bus services.

The points of clarification / further information sought related to providing further justification for the assumed direction of traffic flows from other committed development (four sites at Milton of Leys / Balvonie), and undertaking a sensitivity test to increase these flows accordingly to ascertain what traffic impacts this may have on the capacity of the surrounding road network when combined with the traffic flows from the proposed development; particularly at the proposed upgraded Inshes Road / Wade's Circle roundabout.

The extent of requested amendments to the proposal include the following items which can be addressed through amendments to the site layout / design details provided, by planning conditions, or through the Road Construction Consent (RCC) process as indicated below:

- a) Design detail of 20mph zone road markings within Wade's Circle (RCC);
- b) Detailed design of the Old Edinburgh Road South crossing (condition);
- c) Table crossing on the new road crossing Old Edinburgh Road South design to be amended to avoid grounding refuse vehicles and to either allow single traffic flow with priority signage or widened to allow two way traffic flow (condition and RCC);
- d) Road adoption plans to include the Old Edinburgh Road South turning head, all roadside supporting embankments and for these to be designed to no steeper than 1:3 slopes, internal road junction visibility splays and additional areas of roadside verges (RCC);

- e) Internal road layout amendments including: street hierarchy re-classification for certain street sections; internal street visibility splays; extent of pavements and footway crossings; traffic calming features to achieve 20mph zones; grit bin provision and road level and swale / gully adjustments to aid road drainage (RCC);
- f) Widening of house plot's twin driveways (condition);
- g) Additional parking provision to meet the Council's minimum parking standards (amended layout);
- h) Upgrading of certain proposed remote footpaths (amended layout / design details, and condition maintenance and lighting);
- i) Old Edinburgh Road South active travel provisions to be enhanced, including: proposed pavement provision to be extended past the driveway entrance to Druid House; gateway signage; speed limit reduced to 20mph with repeater signage and roundel road markings; existing verges to be scraped back; and edge of carriageway road lining (amended layout / design details); and post scraping back of the verges investigate locations and designs for a series of small reinforced roadside verge areas where pedestrians could safely step off the carriageway when being approached by a vehicle (condition); and
- j) Old Edinburgh Road South active travel connection linking with Boswell Park at No. 20 to be re-designed or omitted (condition).

Additional matters to be conditioned include: prior approval of residents travel packs; prior approval of the extent of active travel improvements (with implementation of the agreed measures prior to occupation of any phase of development these measures are intended to serve); restricting routing of construction vehicle traffic access; prior approval of the detailed design of the Inshes Road / Wade's Circle roundabout upgrade and implementation prior to the commencement of works on the housing development; the delivery of the stopping up / re-designation of the section of Old Edinburgh Road South to prevent use by vehicles prior to development within IN50 (Phases 2-4); and the prior approval of the finalised design of the emergency vehicle access (Phases 2-4).

- 5.5 **Access Officer** does not object to the application. Further clarification was sought over how the public will be accommodated during active works around the crossing of Old Edinburgh Road South, and if a stopping up order is intended for this road. Other minor wording amendments to Access Management Plan are sought in relation to public access rights and he recommends specification upgrades for secondary internal paths within the site.
- 5.6 **Environmental Health** do not object to the application and advise that planning conditions are not used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. Sections 8 and 9 of the Construction Environmental Management Plan outline the proposed measures for monitoring and mitigation of dust and noise and expects the mitigation measures identified by the applicant to be put in place.
- 5.7 **Contaminated Land Team** do not object to the application subject to a condition requiring the submission of a scheme to deal with potential contamination on site, and be implemented and completed, with any applicable monitoring measures having been put in place prior to the commencement of any demolition work or development. Records indicate that localised parts of the site have historic uses which may have



resulted in land contamination with issues being present in the north of the site. The scheme requires to include the delineation and excavation of a localised area of contamination in one area, as well as asbestos sampling of remaining farm buildings and as risk assessment for the water environment.

- 5.8 **Forestry Officer** does not object to the application following submission of further information. Initial concerns related separation distances from proposed SuDS basins, footpaths and homes to trees and woodland, including Root Protection Areas (RPAs). Initial concerns were also expressed due to site servicing and drainage infrastructure, including the removal of redundant infrastructure, and the inappropriate siting of the eastern site construction compound due to resultant tree losses. The proposed site layout, site drainage arrangements and construction compound locations have since been amended which has resulted in a number of concerns haven been overcome with the impact on existing trees haven been greatly reduced. The landscape plans include the planting of a significant number of trees and shrubs in a range of sizes up to extra heavy standard, which is very welcome. There are still a number of technical aspects of tree protection/ construction in RPAs which need further clarification, but this could be required as conditions of consent. The recommended conditions include:
- a) Prior written approval of any tree works;
  - b) Revised Tree Protection Plan and Arboricultural Method Statement;
  - c) Installation of tree protective barriers during construction;
  - d) Employment of an arboricultural consultant and landscape consultant to supervise all tree and landscaping works; and
  - e) Landscape planting to be undertaken at the earliest possible opportunity following commencement of development.
- 5.9 **Historic Environment Team (Archaeology)** do not object to the application subject to a condition requiring a programme of work for the evaluation, preservation and recording of any remaining archaeological and historic features to be undertaken.
- 5.10 **Scottish Natural Heritage** did not provide any comment on the proposal. It was however contacted directly by the applicant's appointed ecologist to share the proposed Badger Protection Plan. SNH is however unable to provide any pre-licence application advice.
- 5.11 **Scottish Environment Protection Agency** do not object to the application subject to a condition that all new watercourse crossings be adequately sized to convey the 1 in 200 year design flow at each point without causing constriction of flow or exacerbation of flood risk elsewhere. It considers that sufficient information has been provided to demonstrate that the development is unlikely to be at risk of flooding, and welcome the approach taken to leaving wide undeveloped corridors through the site. SEPA initially advised that swales are detailed on the Drainage Layout Plans to make this aspect clear prior to their adoption as approved plans and SEPA's latest consultation response confirms that these are now shown.
- 5.12 **Scottish Water** do not object to the application. Advise that there is currently sufficient capacity at the Inverness Water Treatment Works and at the Allanfearn Waste Water Treatment Works to service the development. Notes that the proposal

impacts on existing Scottish Water assets and through construction of the development the applicant will be required to safeguard these assets.

## **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application:

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

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 32 - Affordable Housing
- 34 - Settlement Development Areas
- 42 - Previously Used Land
- 51 - Trees and Development
- 55 - Peat and Soils
- 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
- 70 - Waste Management Facilities
- 72 - Pollution
- 74 - Green Networks
- 75 - Open Space
- 77 - Public Access

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

Policy 2 – Delivering Development

Within Inverness Settlement Development Area

IN43: Parks Farm, allocation for 305 homes

IN50: Land at Druid's Temple, allocation for 96 homes

## 6.5 Highland Council Supplementary Guidance

- Inshes and Milton of Leys Development Brief (March 2004)
- Construction Environmental Management Process for Large Scale Projects (Aug 2010)
- Developer Contributions (Nov 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Managing Waste in New Developments (Mar 2013)
- Open Space in New Residential Developments (Jan 2013)
- Public Art Strategy (Mar 2013)
- Standards for Archaeological Work (Mar 2012)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)

## 7. OTHER MATERIAL POLICY CONSIDERATIONS

### 7.1 Scottish Government Planning Policy and Guidance

- Scottish Planning Policy (Jun 2014)
- National Planning Framework 3 (Jun 2014)
- Creating Places (Jun 2013)
- Designing Streets (Mar 2010)
- PAN 61 – Sustainable Drainage Systems (Jul 2001)
- PAN 68 – Design Statements (Aug 2003)
- PAN 75 – Planning for Transport (Aug 2005)
- PAN 77 – Designing for Safer Places (Mar 2006)
- PAN 1/2011 Planning and Noise (Mar 2011)

## 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) Development plan and other planning policy;
- b) Design and layout (including open space and landscaping);
- c) Roads, access, and parking;

- d) Water, flood risk and drainage;
- e) Amenity impacts;
- f) Natural heritage (including ecology and trees);
- g) Impact on infrastructure (including education); and
- h) Other material considerations.

### **Development plan and 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 principle of residential development on this site complies with the development plan as the vast majority of the site is allocated for housing.
- 8.6 The eastern areas of the site (Phase 1) forms a small part of wider IMFLDP allocation IN43. However, the unoccupied Parks Farm property and its associated outbuildings with this part of the site are neither allocated for development nor safeguarded from development. HwLDP Policy 34 (Settlement Development Areas) supports development within Settlement Development Areas subject to design, conformity with surrounding land use / pattern of development and other environmental constraints. The western part of the site (Phases 2-4) forms the entirety of IMFLDP allocation IN50.
- 8.7 The wider IN43 allocation is for 305 homes across 19.2ha, of which the eastern area of the application site is the last remaining parcel of land to be developed. The planning history for all of IN43 indicates that 359 homes have been consented to date, 18 homes of which were through re-mix applications. Within IN43, a layout for 22 homes was previously approved covering land immediately west of the Parks Farm house. Further the areas to the south east of the remaining farmhouse has had a planning permission for three bungalows, meaning that the principle of developing 25 new homes, plus the retention of the existing farmhouse buildings had previously been established. With the removal of the farmhouse buildings, the proposed development of 28 homes is therefore of a similar density to that previously proposed in this area and is in broad accordance with the indicative capacity envisaged by IMFLDP allocation IN43.
- 8.8 The proposed number of homes for the eastern area of the site (Phase 1) is also relatively low, with a density of less than 10 houses per hectare. This is due to a significant proportion of this area of land (3.3ha, based on the application site boundary) being required for forming the new access road to connect the western allocation IN50 with the Inshes and Milton of Leys Distributor Road, maintain a setback from existing mature trees and for the provision of a sizable SuDS basin. The reconfiguration of the site through the proposed demolition of the substantial farmhouse and outbuildings creates the opportunity for a master planned holistic approach to be taken, with the amended layout for IN43 facilitating the development of a new link road to serve the adjoining allocation.
- 8.9 IN50 is allocated for 96 homes across 9.6ha. The number of new homes proposed (127 homes) is higher than the indicative capacity shown in the IMFLDP, however, the Development Plans Team's consultation response, and IMFLDP Paras 2.12 and

2.13, explains that a different capacity maybe acceptable if a detailed design can demonstrate effective use of land, has taken account of the site conditions and has an acceptable layout.

- 8.10 In that regard it is clear that the indicative development capacity for the site was set relatively low at 10 houses per hectare, with this conservative density respecting the anticipated land take associated with setting development back from a number of constraints, including: the watercourses and habitats which run north the south across the site; the steeper sloping nature of the site falling south to north creating the need for site engineering works as well as additional drainage attenuation; and to allow for a sufficient setback from woodland around the site boundary.
- 8.11 Through the detailed modelling and further in-depth site analysis, the applicant has demonstrated how these development constraints have been incorporated in the finalised site layout. The resultant proposed number of homes within IN50 was initially 116 at the point of the application's submission, however, this has since been increased to 127. This amendment relates to alternative house types, the introduction of more single bedroom properties, and does not increase the footprint of the originally proposed developable areas within the site. The resultant increase in house numbers means that IN50's indicative capacity would be breached by around 32%, circa 10% of which can be attributed to the amended house types. The amended house types however are as a result of changing market conditions. Further, the scale of the properties brought forward through the amended (being single bedroom properties) are unlikely to put additional pressure on the local school infrastructure.
- 8.12 In considering the proposed density and conformity with the allocation, the density of development is still relatively low at 13 homes per hectare and the Development Plans Team have expressed support for housing site to maximise the use of available allocated land within the city for development, the increase in density is regarded a minor departure from the indicative capacity set within the IMFLDP. Further considerations are the current local and national trend toward increasing housing densities. This trend tends to reflect rising construction costs, increased site service infrastructure requirements and developer contribution requirements which place pressure on development viability.
- 8.13 The Development Plan's policy response highlights the IMFLDP's developer requirements for the site. For IN43 this includes development in accordance with planning permission 09/00313/FUL (the principal planning permission covering the wider allocation) and the completion of the west to east footpath connection from Old Edinburgh Road South. This relates to the footpath out with the application site within the previously developed estate further south, located between Wade's Circle and Kinraig Drive. For IN50, the developer requirements include: setback from watercourses and woodland; suitable connection to the Inshes and Milton of Leys Distributor Road through the Parks Farm development that protects the existing interests of users of Old Edinburgh Road South; badger survey and associated badger protection measures.
- 8.14 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 which have informed the relevant sub-sections of this report.

### **Design and layout (including open space and landscaping)**

- 8.15 The application is made in full, and therefore the layout, house designs, materials, levels, landscaping, boundary treatments, access, parking, and drainage all require to be assessed as part of this application. Policy 29 (Design Quality and Placemaking) of the HwLDP requires any application to make a positive, net contribution to the architectural and visual quality of the place within which it is proposed.
- 8.16 The layout of the site is driven primarily by the environmental constraints, the sloping topography and the deliverability of an access solution. The development requires a primary road connection linking the development to Wade's Circle / Inshes and Milton of Leys Distributor Road mini roundabout. This primary road would run east to west close to the southern boundary of IN43 and continues westwards with an at grade crossing of Old Edinburgh Road South into IN50. From here the primary road curves southwards to avoid the central watercourse. At this point the road continues southwards and a secondary road is formed to cross this watercourse with access serving the northern and south western areas of the site.
- 8.17 The pinch-point in this layout is the crossing of Old Edinburgh Road South which requires to be stopped up for vehicle use, with a new road connection to be formed onto the proposed primary road to serve users of Old Edinburgh Road South south of this crossing. The crossing of Old Edinburgh Road South has however been designed to prioritise active travel along Old Edinburgh Road South's original north to south alinement.
- 8.18 The primary roads through the site are designed with a separate 2m wide pavements to both sides and has a design speed of 20mph. Further tertiary roads are proposed to spur off the primary roads which are as shared surfaces and have a design speed of 10mph. It is considered that the routes are simple and easy to interpret. The layout allows for houses overlooking the street with their alignment and positioning reflecting the topography of the site with housing following the existing contours of the site. Several properties, particularly those further up the hillside in Phases 3 and 4 would benefit from having an attractive outlook with northward over Inverness, which would also obtained from the extensive area of open space provide within Phase 3. The orientation of several corner properties have also been turned to overlook areas of open space, SuDS and Old Edinburgh Road South in the interest of increased natural surveillance at the request of the case officer.
- 8.19 The layout has allowed for parking to be provided within curtilage, and in two discrete parking courts for the cottage flats with no on street parking haven been promoted within areas of shared space or on the primary road network, meaning that streets will be less dominated by car parking.
- 8.20 The application includes a landscape scheme, which is designed to ensure that the proposed development is of a high quality, including hedges, trees, areas of bulb planting to help define street edges, provide visual relief and enhanced amenity. This

also helps create a sense of place. More informal tree planting, and areas of meadow grass are proposed to form wildlife corridors throughout the site.

- 8.21 The Council's open space guidance requires the provision of high quality, fit for purpose and accessible open space in new residential developments. In applying the quantity standards in the guidance of 40sqm per person, there is a requirement for 13,800 sqm (1.38ha) of open space. Whilst there are areas of amenity greenspace, areas of planting, SuDS basins and open swales within each of the four phases of the development, the principal area of usable greenspace in the form of an amenity linear parkland would be provided within Phases 2 and 3 running the length of IN50 which offers around 16,500 sqm (1.65ha). The location of the primary area of greenspace is appropriate, since it links in to and extends the existing watercourse and habitat corridors running north to south through the site. This complies with HwLDP Policy 74 Green Networks, which seeks to improve routes for wildlife and for people.
- 8.22 In addition, to the linear parkland, a central area of equipped play space is proposed within Phase 2 . The type of play equipment envisaged is aimed towards imaginative play with climbing equipment, logs and boulders with this provision intended to complement the existing equipped play areas nearby to the east of Phase 1, across the Inshes and Milton of Leys Distributor Road, and to the north within Boswell Park where a recreational footpath access to provide more direct access to this play area would be provided; the detail of which can be conditioned. The delivery of the central play equipment could also be conditioned to ensure its timely delivery for children arising from Phase 2 of the development, with the linear parkland to be delivered in Phase 3.
- 8.23 The positioning of both SuDS basins has been derived to minimise the extent of engineering re-grading works with these being positioned at the lowest points of both IN43 and IN50. The layout of the development has ensured that these areas will be overlooked by housing with these areas being predominantly managed grassland to maintain natural surveillance and allow for servicing access. The SuDS basins are also reasonably well set back from neighbouring properties with the eastern basin within IN43 having been re-designed and relocated slightly further south to allow for greater root protection for the retained Parks Farm driveway tree belt. Similarly, the design of the IN50 basin has also been re-positioned to allow for greater root protection for the neighbouring boundary trees. The basins have been designed to enable these to be vested by Scottish Water, who will be responsible for certifying their structural integrity and be jointly responsible with the appointed development's factor for regular maintenance, as explained in the Drainage Impact Assessment.
- 8.24 A number of perimeter corridor / active travel and recreational paths are proposed, including the retention and upgrade of the treelined driveway leading from Old Edinburgh Road South to Parks Farm within Phase 1; perimeter watercourse footpaths running along the western side of the central watercourse and linking through to Old Edinburgh Road South via a surfaced emergency vehicle secondary access, as well as a remote path linking the southern areas of the site with Old Edinburgh Road South and connecting through to the east-west footpath leading towards the Inshes and Milton of Leys Distributor Road which is to be upgraded. A further remote recreational footpath and stepped access is also proposed linking the central play area to the properties at Wade's Circle, with attention haven been given

to the landscaping maintain visibility splays where these connections cross Old Edinburgh Road South. Through negotiation with the applicant, the specification for a number of these routes have been upgraded to ensure that all of the main active travel routes, including those to sever the most remote parts of the site are 2m wide, asphalt surfaced with appropriate drainage and lighting with their delivery to be conditioned.

- 8.25 The proposed landscaping strategy for the site has also sought to accommodate badgers with the provision of fenced crossing points, ledges and landscaped corridors from both north to south and east to west to maintain suitable routes and connections to adjoining area of woodland and habitats. These mitigation measures are set out within the Badger Protection Plan for the site.
- 8.26 The site layout has been designed to ensure that the amenity of neighbouring households has been taken into account. The houses proposed within Phase 1 are well set back from the existing neighbouring properties located to the north at Boswell Park, with the front elevations of the proposed houses measuring around 30m from the neighbouring rear garden fence and around 40m to the rear elevations of these houses. This generous setback is in the interest of tree route protection, with the site boundary deciduous trees offering an extra degree of privacy when in leaf. The long term management of these boundary trees has also to be conditioned, with the cost being borne by the applicant / future residents.
- 8.27 Representations raised concerns with the separation between the proposed development and the existing houses. It is generally accepted that a minimum distance of 18m should be retained between opposing windows to help preserve privacy of both properties. The proposed layout achieves this for the proposed houses and exceeds this distance for all existing neighbouring properties. Given the elevated and sloping nature of the site, substantially greater separation distances of around 40m between opposing windows have been achieved for properties at Boswell Park to the north which helps to also avoid overshadowing, particularly in winter months with this being a north facing site.
- 8.28 The closest neighbouring properties to the proposed homes are to the south, being the slightly elevated 1-3 Parks Farm Cottages, where the opposing window separation distance would be a minimum of 27m. The positioning of the proposed primary road network is also aligned close to the southern boundary of the site which adjoins the rear gardens of these existing cottages. Here the road's pavement measures 2.5m from the north east corner of No.3 Park's Farm Cottages garden ground with this property not having any boundary screening. The proposed site levels for the road are marginally below this property's garden ground, with the road level falling to around 3m below No.1 Parks Farm Cottage. The rear elevation of No.3 measures 14m from the road's nearside pavement with this increasing to 20m for No.1. Where space allows, additional landscape planting has been proposed to help screen the road from these properties, Nos.1 and 2, which already benefit from existing vegetation / hedge and tree. Where this is not possible is for No.3. A condition is therefore proposed for the applicant, at the request of the neighbouring property owner, to provide a boundary fence at the rear northern and eastern property boundary, or to provide further landscape planting, the detail of which requires to be prepared in consultation with the neighbouring property owner.



- 8.29 Elsewhere, the site layout has afforded a generous housing set back from properties to the north of IN50, the closest property of which is Glendruith Cottage, situated on the corner of Old Edinburgh Road South and an existing agricultural track access into IN50 which is proposed to be upgraded to form an emergence vehicular access and active travel connection onto Old Edinburgh Road South. The closest proposed new house, Plot 127, is a single storey bungalow and would result in there being 40m between opposing windows. Plot 127 is also orientated to face further west at around a 90 degree angle to the principal southern elevation of the existing neighbouring cottage. The finalised design detail for the 3.7m wide emergency vehicle access, including site levels, drainage, tree root protection, lighting and maintaining suitable neighbouring site boundary gate access has also been conditioned to safeguard neighbouring amenity.
- 8.30 The proposed housing utilises grey roofing tiles (with indicative areas haven been shown for photovoltaic panels), white and buff coloured dry dash walls, feature panels of weather board cladding, and vertically proportioned fenestration. This gives a sense of coherence between the different house types, whilst the variety in house types and scale helps to define the streets within the development. A condition should be used to achieve a palette of colour for the cladding panels and the entrance doors, to provide an opportunity for individuality and definition. The proposed house designs and layout will be of a quality akin to that achieved in the surrounding residential area and will create a place with considerable amenity value to future householders.

#### **Roads, access, and parking**

- 8.31 The application was supported by a Transport Assessment (TA) which looks at the impact of the development on the Inshes and Milton of Leys Distributor Road and assesses its capacity, as well as the wider road network, to accommodate the additional traffic in a safe manner.
- 8.32 The TA confirmed the need to restrict residential vehicle access onto Old Edinburgh Road South and identified the need to alter the main site access mini roundabout on the Inshes and Milton of Leys Distributor Road to increase the entry path curvature. This would provide a safer access by helping to reinforce the existing 30mph speed limit on the Inshes and Milton of Leys Distributor Road. Transport Planning agree that this will have a positive impact for road users of the Inshes and Milton of Leys Distributor Road. This would also be beneficial during the construction of the site and the roundabout would require to be upgraded prior to the commencement of works on the proposed housing development.
- 8.33 The TA also provides detailed analysis of the surrounding roads in the vicinity of the development site, including junctions up to the Southern Distributor Road to the north, as well as on the Inshes and Milton of Leys Distributor Road to the south with junction turning counts haven been undertaken in November 2018. The TA concludes that there are no clear road network deficiencies in the immediate surrounding area and that all of the junctions assessed have sufficient existing spare capacity to accommodate the traffic flows from the proposed development without causing any unacceptable levels of traffic congestion.

- 8.34 Predicted traffic flows from four other consented development sites further south at Milton of Leys / Balvonie were also accounted for in the TA. The distribution of trips from these other consented sites were however questioned by Transport Planning given that these initially indicated a low proportion of trips onto the Inshes and Milton of Leys Distributor Road, passing the application site towards the city centre. The applicant has since explained that the assessment undertaken was primarily based on the trip distribution set out within previous transport assessments / transport statements for these consented sites. At the further request of the Planning Authority the applicant has however undertaken additional sensitivity analysis to fully assess the potential for cumulative traffic impact to arise.
- 8.35 The sensitivity analysis undertaken altered the trip distribution for all consented developments, located further to the south of the site, to matched those predicted for the proposed development site so that more flows from these development bypass the application site on the Inshes and Milton of Leys Distributor Road. This did not however materially alter the findings of the TA, with there still being sufficient design capacity at all junction on the surrounding road network.
- 8.36 The TA, and Transport Planning Team, highlighted that a proportion of traffic flows from this development would lead onto the Southern Distributor Road and towards Inshes Corridor. As such, developer contributions towards the Inshes Corridor Improvement Scheme are required, as set out within Appendix 2 of this report.
- 8.37 The development of IN50 (Phase 2-4 of the development) necessitates the crossing and stopping-up / re-designation a section of Old Edinburgh Road South to avoid it being used by vehicles. Transport Planning have advised the applicant's design team on the detail of this at grade crossing which priorities pedestrian / cycle safety and active travel use of Old Edinburgh Road South, with the introduction of short ramp and as narrow a road crossing as possible, with vehicles access into IN50 being narrowed to single carriageway to reduce vehicle speeds. A separate new vehicle connection for Old Edinburgh Road South users is also proposed through Phase 1 of the development to connect with the Inshes and Milton of Leys Distributor Road. A separate Order under the appropriate legislation will be progressed following the determination of the planning application to stop-up / re-designate this section of Old Edinburgh Road South.
- 8.38 The suitability of the junction visibility splays have been assessed and additional clarification regarding these have been provided. For the Wade's Circle / Inshes and Milton of Leys Distributor Road roundabout, representations raised concerns with the extent of the visibility splay looking south uphill, due the presence of an existing grassed embankment. Whilst the height of this embankment is less than 1m, Transport Planning has advised that the precise detailed of the roundabout's design and the associated visibility splays should be conditioned. Should this visibility splay require improvement, it is considered that there would be sufficient scope for lowering the embankment within the extent of the adopted road verge, or to adjust the positioning of the roundabout.
- 8.39 A number of objectors have raised concerns that the proposed development may facilitate the release of further land to the south of the site. Any future expansion to the south of the site does not form part of the current application to be assessed.

The layout of IN50 has also precluded further access to the south of the site with no obvious space for a future access to be formed. An amendment to the layout to safeguard a future connection has not been sought by the Planning Authority on the basis that the land to the south of the site is not allocated for development and is designated as open space within the IMFLDP.

- 8.40 The applicant has proposed a series of off-site measures in the application to promote active travel and to mitigate the impacts of the development. This includes enhance measures to make Old Edinburgh Road South safer and attractive for pedestrians and cyclists. These measures are as per all of Transport Planning's requirements (set out at Para 5.4, bullet point i) which are to be delivered prior to the occupation of housing in Phase 2 of the development. Following the stopping-up of this road at the road crossing point to access IN50, the number of vehicles using this road will substantially reduce. The applicant has committed to the provision of a pavement where Old Edinburgh Road South joins Stevenson Road where this can be delivered within the adopted road verge. Beyond this point, Old Edinburgh Road South would then serve five existing properties. With the delivery of the mitigation measures through this application, this will make this route much more attractive for active travel use and will benefit occupants of the proposed development, as well as existing users of this route, a more direct link towards the city centre.
- 8.41 In the interests of promoting accessible and walkable neighbourhoods, additional off-site path connections through to Boswell Park were sought. The original design for this neighbouring estate was to restrict access onto Old Edinburgh Road South given its existing condition and level of vehicular use. Following the implementation of the active travel measures proposed for this route, this presents a clear opportunity to open up active travel connections through into Boswell Park for the benefit of existing residents and those of the proposed development.
- 8.42 Whilst two path connections through to this estate have been identified, this has raised several objections from residents within the closest effected streets. In response to these amenity concerns, the closed connection opposite No. 20 Boswell Park is no longer being pursued. The second connection through slightly further north, opposite No.10 Boswell Park is still however proposed to be provided, subject to clarification of any third party land ownership / title restriction. Transport Planning has not raised any concerns with the safety of this connection which could easily be delivered through removing a section of fencing at the end of this street. Whilst it is acknowledged that the design of this street is a shared space, there are only four houses on one side of the street to be passed before reaching the existing pavement. Any passing footfall would therefore encounter infrequent vehicle traffic with ample opportunity to step off the road on the northern grass verge to avoid any conflict, with the pedestrian desire line not being immediately adjacent to existing driveways or front gardens.
- 8.43 Other off-site measures secured through this application include:
- The provision of lighting for Old Edinburgh Road South where this abuts the application site boundary and northwards to Stevenson Road;
  - The introduction of a 20mph zone for streets within Wade's Circle; and
  - The upgrade of the existing remote footpath between Wade's Circle and Kingcraig Drive which would a better connection for more distant properties

within IN50 with Inshes and Milton of Leys Distributor Road and provides a more direct route to bus stops / schools.

- 8.44 As advised by the Council's Access Officer and Transport Planning Team, the specification of the southern remote footpaths within the site have been upgraded for these to be 2m asphalt surfaced paths with drainage provision. Similarly, the remote footpath running north to south through Phase 2 has also been upgraded to match this specification. A lighting strategy for these connections is also proposed to be conditioned.
- 8.45 The applicant has amended the layout of the site to incorporate additional parking as advised within the Transport Planning Team's consultation response. The parking now meets with the Council's parking standards. A condition is proposed to widen certain plot's driveway's from 5m to 5.5m to allow more space for side by side in-curtilage parking. Whilst every home will have its own private secure garden, dedicated cycle parking is specifically required for flats for use by residents and visitors with this provision to be conditioned.
- 8.46 The development will be served by existing bus service provision along the Inshes and Milton of Leys Distributor Road and from Stevenson Road. Distances to existing bus stops for much of the development would be in excess of SPP's recommended distance of 400m. However, there is no prospect of introducing a bus service or suitable infrastructure to support bus services within the development and the existing bus stop locations are optimal for the layout of Inshes and Milton of Leys Distributor Road. Improving accessibility to existing bus stops has therefore been prioritised and developer contributions towards bus service provision will be required for Phase 1, which falls within the Inshes Milton of Leys Development Brief area, as set out within Appendix 2.
- 8.47 The applicant proposes to provide each property that has in-curtilage parking with the ability to charge electric vehicles. It also confirms that ducting to allow electric charging points at communal car parking areas will be provided at a future date. This is appropriate in helping secure reduced emissions and a move toward a low carbon economy.
- 8.48 All other access and transport related matters that the Transport Planning Team wishes conditioned have been agreed with the applicant and suitably worded conditions to cover these remaining matters are proposed. A condition is also included to specify the proposed tie-in details, surface treatment and maintenance arrangement for the diverted section of Old Edinburgh Road South which provides vehicle access to 1-3 Parks Farm Cottages.
- 8.49 Overall, despite the challenges associated with a development with a single point of vehicular access, the application layout offers good connectivity within and beyond the site and provides for several attractive active travel routes adjoining neighbouring residential areas. This proposal therefore complies with HwLDP Policy 56, Travel, since it maximises opportunities for active travel, improves access to the bus network, provides suitable emergency vehicle access and incorporates an appropriate level of parking provision.

## **Water, flood risk and drainage**

- 8.50 The Council's Flood Risk Management Team (FRM) has reviewed the Flood Risk Assessment submitted for the site and is satisfied that a precautionary approach has been taken and that the development will be at low risk of flooding. The watercourse corridors have been incorporated into the layout as greenspace areas and the Flood Risk Management Team have no objection on grounds of flood risk. SEPA similarly has no concerns with regard to flood risk, subject to standard condition ensuring that all water crossings are appropriately sized.
- 8.51 The FRM Team had initially raised an objection to the drainage proposals for the site and requested further analysis of the natural drainage catchments with demonstration that there would be no increase in discharge (particularly during a two year return period storm) above the current greenfield rate to the central watercourse within IN50. The Drainage Impact Assessment was therefore updated with the drainage design having been amended to reduce the discharge rates. The FRM Team has subsequently withdrawn its objection and is now satisfied that the discharge from the site drainage network has been limited to the current two year greenfield rate.
- 8.52 This ensures that the development will not result in increased flows into the central watercourse within the site. As the rate is limited for all events up to and including the 200 year plus climate change storm, the FRM Team is satisfied that as a result of the development taking place, there will be a net benefit in terms of reduced downstream flood risk for neighbouring properties.
- 8.53 A condition is also proposed to ensure that the finalised drainage design is submitted for prior review and approval, with details of simulations of the full drainage network including the storage features and pipework for all storms up to the 200 year plus climate change event to be provided. All design shall also be in accordance with Sewers for Scotland with all discharge being limited to the agreed two year greenfield runoff rate. Scottish Water will also be required to adopt the drainage network under a section 7 agreement.
- 8.54 It is a requirement to connect to the public sewer to meet the requirements of HwLDP Policy 65. Scottish Water has confirmed that there is currently capacity in its network to service the development. The developer has also clarified that it is its understanding that the communal septic tanks serving properties 1-3 Parks Farm Cottages are redundant with these properties having an existing sewer connection. As this connection is to be removed, a new connection for these properties is proposed as per the proposed drainage layout plans.

## **Amenity impacts**

- 8.55 The vast majority of the site is allocated for development with IN50's IMFLDP's developer requirements including the formation of an access road through the Parks Farm development to connect to the Inshes and Milton of Leys Distributor Road. It is therefore inevitable that traffic at the Wade's Circle / Inshes and Milton of Leys Distributor Road junction will increase, along with traffic noise, disturbance, and pollution. Traffic calming along with a 20mph zone is proposed to ensure lower traffic

speeds, but this is primarily to promote safety, and will have limited impact on noise, disturbance, and pollution.

- 8.56 Construction inevitably results in disturbance, noise, and dust which can adversely impact upon the amenity of nearby residents. Construction traffic travelling through residential areas also raises safety issues. It is therefore appropriate that the applicant has provided Construction Environmental Management Plan (CEMP), as well as a Construction Traffic Management Plan (CTMP). These documents detail construction traffic routes which avoid the use of Old Edinburgh Road South and avoid all local primary schools. Considerate construction site operation times of Monday to Friday 0800 to 1800hrs, Saturday 0900 to 1300 and no Sunday Working are also proposed. A condition has also to be attached to updated the CEMP to also restrict construction work on bank holidays in Scotland.
- 8.57 The CEMP details the suitable siting of two proposed construction compound locations in central, unconstrained locations within IN43 and IN50. A range of other best practice measures are also to be deployed in terms of road sweeping, construction vehicle wheel washing, a 10mph speed restriction, soil management and water dust suppression. Further mitigation is also set out in relation to best practice measures to minimise construction noise, vibration and to manage surface water runoff.
- 8.58 An Access Management Plan has also been provided, the finalised detail of which is proposed to be conditioned. During Phase 1 all access to surrounding existing properties, and particularly for leisure users of Old Edinburgh Road South shall be maintained. During Phase 2 the crossing of Old Edinburgh Road South will necessitate a short section of this route be diverted, however, an alternative access will be maintained throughout.
- 8.59 The distances between properties and heights, combined with orientation, will combine to achieve adequate daylighting / sun lighting for both proposed and existing properties. As explained within the design and layout sub-section of this report, the development has also sought to ensure that there would not be any detrimental impacts in terms of privacy and overlooking. A condition has however been proposed for proposed house Plot 65, situated centrally within IN50 (Phase 4) with the requirement amend site levels or for the detail of a rear garden deck or raised patio to be submitted prior to development within this phase. This is in the interest of future resident's amenity and with this design to increase the proportion of usable garden ground and avoid overshadowing or overlooking of neighbouring properties.
- 8.60 The extension of the urban area will also result in the extension of the area which is lit during hours of darkness. Given the location of the site and existing light pollution from surrounding residential areas, the additional light from this development is not significant. The proposed lighting of Old Edinburgh Road South may also have a noticeable change for existing properties along this route, however, this is in the interest of safety for all users of this route and the positioning and specification of lighting is proposed to be conditioned in the interest of neighbouring residential amenity.

## **Natural heritage (including ecology and trees)**

- 8.61 HwLDP Policies 57-61 (Natural, Built and Cultural Heritage) require all development proposals to be assessed taking into account the level of importance and type of heritage features, the form and scale of the development, and any impact on the feature and its setting in the context of the policy framework of heritage features.
- 8.62 An ecological walkover survey has been carried out to determine whether any protected species are present, and to assess any potential impacts from the development on protected species on and around the site, as per the requirements of HwLDP Policy 58.
- 8.63 Whilst the value of the agricultural fields themselves is limited to foraging, the less disturbed woodland and watercourse areas within the site are home to protected species (badger sett), with the Parks Farm buildings and trees within and adjacent to the site having high potential to be used by bats.
- 8.64 A Badger Protection Plan has been prepared which has informed the design and layout of the development, with large areas of the site to remain undeveloped and to comprise managed grassland / parkland which increases the extent of primary foraging habitat for badgers by around 3ha. The badger sett is to remain in place with two new badger underpasses below roads and two badger ledges within watercourse crossings to be introduced to ensure suitable foraging routes are maintained. A 30m buffer has been identified from the badger sett, however certain construction works shall fall within this area which will require a separate protected species licence. A number of other badger related mitigation measures are proposed, the detailed delivery of which would be overseen by an onsite Ecological Clerk of Works.
- 8.65 A preliminary Bat Roost Assessment was also undertaken in April 2019. Whilst no bat roosts were found, three further activity surveys are required using up to four bat surveyors prior to any work or demolition of the Parks Farm buildings to establish the presence of protected species, the necessity for a bat licence and species protection plan.
- 8.66 Trees in and adjacent to the site boundary were also examined during the ecological walkover survey for bat roosting potential. Certain mature trees with such potential require further climb inspection checks for use ahead of any tree works or construction works in the vicinity. If found to be in use, a bat licence will be required ahead of any works taking place to ensure no bats are roosting in the trees. Further bat inspection surveys are therefore required prior to any work on site which has been covered within the CEMP for the site.
- 8.67 An assessment of foraging habitats and commuting routes for bats was undertaken with valuable habitats for foraging bats being apparent along the mature wooded boundaries of the site and surrounding watercourses. The development has therefore maintained a suitable setback from these areas wherever possible, incorporated wide green network corridors and has incorporated areas of new planting, trees, hedgerow and grassland for bat foraging and biodiversity interest.
- 8.68 There is potential for breeding birds across the site. It is an offence to destroy nests and deter birds from active nests. Mitigation is proposed in the form of toolbox talks

for all staff on breeding birds; checking habitats before alteration for any works carried out during the breeding season; and covering over all pipes and voids to avoid birds nesting in openings.

- 8.69 HwLDP Policy 51 (Trees and Development) of the Highland wide Local Development Plan states that the Council will support development which promotes significant protection to existing hedges, trees and woodlands on and around development sites. In this regard the applicant has provided a tree survey, schedule, protection plans and an Arboricultural Impact Assessment and Method Statement. Whilst the Council's Forestry Officer did express a number of concerns at the initial proposal's impact on trees within and adjacent to the site, through the provision of additional information and further amendments to the proposed site layout, the Forestry Officer's initial objection has been withdrawn.
- 8.70 Overall, the impact on existing tree has been greatly reduced through the redesign of the layout. The Forestry Officer notes that it has been reported that 114 trees and 16 groups of trees were surveyed across and adjacent to the site boundary, of which 7 individual trees and 2 groups of trees are proposed to be removed to accommodate the development with a further 8 trees to be removed due to their poor condition.
- 8.71 Of the individual trees identified for removal, one is a Category A apple tree (T2772) located to the east of the existing farmhouse, which would be situated too close to the house within proposed Plot 27 to enable its retention. Two good quality Category B trees would also be removed; (T2762) a common lime which is the first tree on the existing Park's Farm driveway off Old Edinburgh Road South, just to the north of the proposed IN43 SuDS basin where a new vehicle turning head is required for stopping-up Old Edinburgh Road South, and (T2777) an ash which is located immediately west of the farmhouse and would be situated centrally within the proposed new access road in front of proposed Plot 17. The remaining 4 individual trees to be removed to facilitate the development are of low quality, Category C, with these either being young trees or having a limited life expectancy.
- 8.72 By comparison, the landscaping plans include provision for the planting of some 539 trees, which are a range of sized up to extra heavy standard which is most welcome. The relatively low number of trees losses and impacts would therefore be more than compensated for with the retention of a significant number of existing trees assisting with the visual integration of the development.
- 8.73 A specific concern was raised through representations relating to Glendruidh Cottage, located to the north of the proposed emergency access route onto Old Edinburgh Road South from IN50, where the surfacing of this existing track may impact upon the Route Protection Areas (RPAs) of neighbouring garden ground trees and other existing trees within the site adjacent to this access. The Forestry Officer has since confirmed that the applicant has not currently included any RPA protection measures for the neighbouring garden ground trees or the Category C trees (T2879 – T2881 and G16) adjacent to the proposed emergency access within the site. The proposal would impact on a small proportion of these RPAs and construction could be possible without adversely affecting the trees through careful ground works under arboricultural supervision.



- 8.74 For greater comfort, the applicant could be required by condition to install a no-dig, cellular containment system for the access road construction, which would build upwards thus protecting the tree roots on both sides of the emergency access, but would elevate the running surface. This may in turn reduce the privacy afforded by the neighbouring property's boundary fence, with more footfall due to be passing the property. As such, a no-dig solution has not been conditioned at this stage as this may also have access implications for the existing track's culvert's should these need to be inspected or upgraded. The finalised design for the re-surfacing of the access road has been conditioned, the wording of which requires the applicant to further consider the impact on trees, update the tree protection plans for the site and update the arboricultural method statement with provision of additional screen planting should this be deemed necessary upon reviewing the finalised proposals.
- 8.75 There are still a number of other tree related technical queries which are to be investigated further with further clarification to be provided through conditions. Conditions are also to be imposed for the applicant to appoint an arboricultural consultant to oversee adherence with the finalised tree protection measures. Similarly, a landscape consultant must also be employed by the applicant to oversee the delivery of the proposed landscape planting.
- 8.76 The potential presence of invasive species (Japanese knotweed) within the site have been queried through representations. The applicant is aware of the small area in question which has been subject to three season's worth of remedial spraying treatment. Whilst the applicant is confident that this treatment has been effective, one further site visit may be required to ensure that this has been eradicated. The CEMP has therefore a section relating to the potential presence of invasive species with a further mitigation measures haven been outlined.

### **Impact on infrastructure and services (including education)**

- 8.77 HwLDP Policy 31 Developer Contributions and HwLDP Policy 32 Affordable Housing and the Developer Contributions Supplementary Guidance (DCSG) allows the Council to seek from the applicant a fair and reasonable contributions towards the additional costs or requirements for improved public services, facilities or infrastructure to enable development.

### **Affordable Housing**

- 8.78 The DCSG requires that at least 25% of all homes proposed must be affordable, rounded to the nearest whole number. The proposed increase in the number of homes is 155, less 1 for the existing farmhouse,  $154 \times 0.25 = 38.5$  affordable homes. A residual positive balance of 0.25 affordable homes is to be carried forward from the previous built out areas of the wider IN43 allocation. This has been added to the applicant's existing positive balance of 5 affordable homes which has been accrued through the built out of 100% affordable housing at IMFLDP allocation IN75 Caulfield Road, Cradlehall (planning permission 13/04797/FUL). The Council's Housing Service have not raised any concerns with the use of this residual affordable housing offsite balance and it has been accepted that the number of required affordable homes is 38.5, less 5.25 = 33.25 (rounded to 33 homes), which are to be provided within IN50 (Phase 2).

- 8.79 A Section 75 Agreement should be used to ensure that these affordable homes are provided, and delivered as early as possible. The Section 75 shall also set out that the affordable homes shall be retained as affordable housing units in accordance with policy requirements. The Council's Housing Service have also confirmed that the proposed mix and tenure for the affordable homes has been agreed by the intended delivery partner, Albyn Housing Society Ltd.

## **Education**

- 8.80 The site lies within two different school catchments. For IN43 (Phase 1), the catchment schools are Inshes Primary and Millburn Academy. For IN50 (Phases 2-4) the catchment schools are Hilton Primary and Inverness Royal Academy. As highlighted within a number of representations to this planning application, all of the catchment schools have capacity constraints triggering the need for developers within these catchments to make significant financial contributions towards either major school extensions or new schools, plus land costs. One bedroom homes are however exempt from school contributions.
- 8.81 The DCSG sets out that contributions are usually required when a school's capacity is over 90% for five or more years of the 15 year forecast; and that the contribution rate is based on the number of pupils above the 90% threshold. Based on the 2019/20 School Roll Forecasts (SRF):
- Inshes Primary has a capacity of 367 pupils and is currently at 94% capacity with a roll of 367 pupils. The roll is forecast to increase to around 399 pupils with the school breaching capacity in around 2027/28. As the 90% capacity threshold will be breached by more than 50 pupils by the end of the forecast period, major extension developer contribution rates apply;
  - Millburn Academy has a capacity of 1,195 pupils and is currently at 97% capacity with a roll of 1,162 pupils. The roll is forecast to increase to around 1,362 pupils with the school's breaching capacity next year. As the 90% capacity threshold will be breached by more than 50 pupils by the end of the forecast period, new school developer contribution rates apply, plus land costs with a new secondary school site haven been identified within the Inverness East Development Brief Area to serve both the existing Milburn Academy and Culloden Academy catchments;
  - Hilton Primary has a capacity of 342 pupils and is currently at 90% capacity with a roll of 307 pupils. The roll is forecast to increase to around 357 pupils with the school breaching capacity in around 2026/27. Whilst the published forecast indicates that the school's capacity will be breached by 49 pupils at the end of the forecast period, this is based on the assumption that the site would be built out as per IN50's allocated indicative housing capacity of 96 houses. The school roll forecast for this school has therefore been re-run to account for the proposed 127 homes being developed at this site, resulting in additional school pupils being generated and the school's 90% capacity being breached by more than 50 pupils by the end of the forecast period and major extension developer contribution rates therefore applying; and
  - Inverness Royal Academy has a capacity of 1,452 pupils and is currently at 85% capacity with a roll of 1,229 pupils. The roll is forecast to increase to around 1,635 pupils with the school's breaching capacity in 2026/27. As the

90% capacity threshold will be breached for more than 5 years and by more than 50 pupils by the end of the forecast period, major extension school developer contribution rates apply.

- 8.82 Any major extension to the catchment schools, or new school to serve these catchments, will need to be subject to a separate planning application. The location of any extension, and any subsequent loss of school grounds, would be assessed as part of any such application. As explained in the DCSG, the onus for the delivery of increased school provision and management of the school estate would be with Education Services who would be the recipients of the developer contributions to enable development.

### **Transport and Active Travel**

- 8.83 Active travel connections to adjacent residential communities, Inshes District Park and the wider path network are to be delivered site. A contribution is also required towards the Inshes Corridor Road Improvement Scheme. Whilst the Development Plans consultation response suggested this to be based on the rate set out within the Inverness East Development Brief, the applicable rate is that which is set out within the Inshes and Milton of Leys Development Brief (IMLDB) which covers IN43 (Phase1). The remaining phases of development across IN50 is located out with the brief boundary and falls within the historic Inverness Southern Distributor Road Agreement area. Given that the traffic flows from the site however would pass through the IMLDB area, and Transport Planning have identified the need to contribute towards the Inshes Corridor Road Improvement Scheme, it has been agreed that contributions from IN50 would be required towards Inshes Corridor Road Improvement Scheme at the prevailing rate set for IN43 and as per the IMLDB.
- 8.84 Active travel provision and better connections to existing bus service provision have also been priorities, with a financial contribution towards bus service provision also being required for Phase 1 as per the rate set within the IMLDB. This is necessary to clawback the cost of existing upfront bus service provision to serve the wider brief area and could be invested in shelter/stop infrastructure. Whilst the need for further contributions was considered for IN50, it was agreed with Transport Planning that residents from IN50 would help with improving the commercial viability of existing bus services.

### **Community Facilities, District Park, Playing Fields, Drainage, Public Art, Waste and Healthcare**

- 8.85 Developments of 4 or more houses are required to contribute towards the enhancement or creation of new community facilities where a deficiency has been identified. For IN43, the IMLDB identifies the need for contributions towards such infrastructure, including a community hall, as well as contributions towards other green infrastructure and drainage provision including Inshes District Park and playing fields amounting to around £2,700 per house. For IN50, the DCSG and IMFLDP Action Programme identifies that all housing developments within the Inverness Royal Academy catchment are expected to contribute towards the expansion of facilities at Hilton Community Centre at a rate of £1,019 per house. The applicant has agreed the heads of terms for these contributions, as per Appendix 2.

- 8.86 The development will also be expected to make provision for public art, which would be conditioned with further investigation being required as to the scope for the re-use of stone from the Parks Farm building and incorporating this within the central equipped play area, or to be used within the parkland area, site landscaping and possibly for the finalised design of the active travel crossing of Old Edinburgh Road South. A seating area is also proposed within the central parkland where panoramic views over Inverness would be obtained.
- 8.87 The proposed development is in excess of 100 homes meaning that the DCSG's threshold for new / improved glass recycling point provision would be reached. Following discussions with the Council's Waste Services, it is now understood that no such provision is required due to the proposed change in Scottish Government legislation to introduce a glass bottle deposit return scheme from 2021.
- 8.88 Representations have raised concerns with the development's impact on healthcare services. The Council's DCSG does not however identify a need for developers to contribute towards healthcare provision. Section 40A of The Planning (Scotland) Act 2019 contains provision for consideration to be given, before planning permission for a national development or a major development is granted, to the likely health effects of the proposed development. This part of the Act has not yet been enacted and it would not be reasonable to hold up determination of this application until those aspects of the Act are implemented. Having said that, as part of the current review of the Local Development Plan, officers have been in dialogue with NHS Highland over its future estates strategy, which includes GP premises. The requirement and safeguarding of sites for health purposes will likely be expressed through the Local Development Plan policies and site allocations in due course.

### **Other material considerations**

- 8.89 An Archaeological evaluation was carried out across part of the site in 2019 and although nothing of significance was identified, the remainder of the site still has archaeological potential. A condition is therefore required for a programme of work for evaluation, preservation and recording of any remaining archaeological and historic features to be undertaken.
- 8.90 The proposed layout for the development necessitates the demolition of the original Park's Farm buildings. As the existing property is not in a conservation area and is not listed, its demolition is acceptable where the plans for its replacement can be supported. Whilst the loss of an attractive older property is regrettable, there are no local development plan policies which insist upon its retention. The design of the replacement housing must however be assessed based upon a range of matters set out in HwLDP Policy 28, energy efficiency and demonstrating high quality design in keeping with local character of the area. These design related policy tests have been satisfied and the demolition of the remaining Parks Farm buildings is also to be the subject of a photographic record. It also been conditioned that the large sections of stone from the original farmhouse be used in preparing a public art strategy for the site or for use within the proposed equipped play area. A scheme to detail with potential on site contamination is also required ahead of any demolition works or development.

- 8.91 Representations objected to the loss of greenspace. Whilst the site comprises 'green' agricultural fields, this does not constitute 'greenspace' in policy terms, since it is farmed land and not specifically reserved for recreation or amenity open space purposes. The existing areas of 'greenspace' in terms of recreation or amenity open spaces within Inverness are not reduced as a result of this proposal, but are instead extended through the incorporation of additional 'greenspace' as part of this proposal.
- 8.92 There are no other material considerations.

### **Non-material considerations**

- 8.93 The issue of loss of an outlook / view from a private property is not a material planning consideration. The issue of where a marketing suit for the site may be located is a matter to be considered separately as any such proposed temporary facility would require a separate planning permission. The suggestion that Covid-19 has resulted in reduced housing demand is not material nor are the concerns raised for increased population results in increased competition for employment.

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

- 8.94
- a) Phase 1 (IN43) - Contributions to the delivery of enhanced Primary Education capacity within the Millburn Academy Catchment Area, in the first instance to an enhanced capacity at Inshes Primary School at major extension rate (£7,359 per house (28 houses));
  - b) Phase 1 (IN43) - Contributions to the delivery of enhanced Secondary Education capacity within the Millburn Academy Catchment Area, in the first instance to the delivery of a new school and/or major school extension to mitigate the impacts of the development (£3,482 per house (28 houses) plus new school land acquisition costs (£91 per house));
  - c) Phase 1 (IN43) - Contributions to the delivery of community facilities, bus services, district park, playing fields, and drainage (£2,912 per house (28 houses));
  - d) All Phases (IN43 and IN50) - Contributions towards Inshes Corridor Road Improvement Scheme (£626 per home (155 homes));
  - e) Phases 2-4 (IN50) - Contributions to the delivery of enhanced Primary Education capacity within the Inverness Royal Academy Catchment Area, in the first instance to an enhanced capacity at Hilton Primary School at a major extension rate (£7,359 per house (97 houses); £4,171 per two bedroom flat (8 flats); with single bedroom homes being exempt (22 homes));
  - f) Phases 2-4 (IN50) - Contributions to the delivery of enhanced Secondary Education capacity within the Inverness Royal Academy, in the first instance to the delivery of a major school extension to mitigate the impacts of the development (£3,482 per house (97 houses); £1,875 per two bedroom flat (8 flats); with single bedroom homes being exempt (22 homes)); (Q2 2018);
  - g) Phases 2-4 (IN50) – Contributions to the delivery of community facilities (£1,019 per home (127 homes)); and

- h) Minimum of 25% affordable housing to be delivered through a combination of on-site provision (33 homes) and off-site provision already delivered (5 homes).

8.95 All financial contributions quoted reflect Q2 2018 and are to be index linked using BCIS All-In TPI (excluding school land costs). A number of other offsite active travel related improvements are also proposed which are to be secured via planning conditions.

8.96 The applicant has four months from the date that the Council's solicitor writes to the Applicant/Applicant's solicitor indicating the terms of the legal agreement, to deliver to the Council a signed legal agreement. Should an agreement not be delivered within four months, the application shall be refused under delegated powers.

## **9. CONCLUSION**

9.1 The principle of providing housing on this site is supported by the IMFLDP. While the number of properties to be included within the proposed development is greater than that envisaged by the allocations in the IMFLDP, the details of the proposed scheme have been assessed against the provisions of the Development Plan and accord with the policies contained therein.

9.2 Impacts have largely been considered mitigated through the design and layout of the proposal with outstanding impacts able to be adequately mitigated through appropriately worded conditions and, where appropriate, secured through a S75 legal agreement.

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: mitigation has been secured to ensure that the proposed development enhances connectivity via means of active travel. Further mitigation has been secured to ensure the delivery of electric vehicle charging points.

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

## 11. RECOMMENDATION

Action required before decision issued Y

Conclusion of Section 75 Obligation Y

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

### Conditions and Reasons

#### Phasing

1. No development shall commence until a phasing plan outlining the phasing of the development has been submitted to, and approved in writing by, the Planning Authority. The phasing plan shall demonstrate adherence with the infrastructure delivery timescales set out within all other conditions of this permission. Thereafter, development shall be undertaken in accordance with this approved phasing plan.

**Reason:** To ensure that build-out of the development is phased so as to avoid adverse impact on local services and infrastructure until required improvements have been put in place.

#### House Design, Public Art and Streetscape

2. No development shall commence until details of the material palette, including a detailed specification of colour of entrance doors and feature cladding panels (with reference to RAL numbers and manufacturer specifications) has been submitted to and approved in writing by the Planning Authority.

**Reason:** to promote a sense of individuality and sense of place within the development, in the interests of visual amenity.

3. No development shall commence until details of public art and street furniture provision have been submitted to and approved in writing by the Planning Authority. The scheme shall incorporate the re-use of stone salvaged from the demolition of the Parks Farm buildings. Thereafter, the approved scheme shall be implemented in full and in accordance with the timescales contained therein.

**Reason:** In the interest of amenity in line with policy objectives set out within the Public Art Strategy and the Developer Contributions Supplementary Guidance.

4. No development shall commence within the south western area of the site, beyond Old Edinburgh Road, until amended house type or amended site layout details for house Plot 65 are submitted to and approved in writing by the Planning Authority. The amended details shall either:

- a) Alter the proposed site levels to create more usable rear garden ground; or

- b) Provide details of a rear garden deck or patio running the full width of the property, with provision of associated screening measures to provide adequate daylight, screening and privacy for neighbouring properties.

Thereafter, the works proposed shall be implemented in full prior to the occupation of the property with any agreed screening measures to be retained in perpetuity.

**Reason:** In the interest of privacy and neighbouring residential amenity

#### Open Space and Landscaping

5. No development shall commence until a scheme for the maintenance, in perpetuity, of all on-site green spaces, including all on-site woodland and trees, play areas and/or other spaces, paths, walls, fences, facilities, features or parts of the development that are not the exclusive property of any identifiable individual home owner (such as communal parking areas, the common entrances to flatted developments and estate lighting, and those elements of surface water drainage regimes not maintained either by the Council or Scottish Water), have been submitted to, and approved in writing by, the Planning Authority. Thereafter, the approved scheme shall be implemented in full and in accordance with the timescales contained therein.

**Reason:** To ensure that all communal spaces, facilities and landscaping areas are properly managed and maintained.

6. No development shall commence until details of recreational pedestrian access from the northern eastern boundary of the site (adjacent proposed house Plot 22) through to the equipped play area at Boswell Park, have been submitted to and approved in writing by the Planning Authority. The connection shall be designed to encourage recreational access only and include the provision of a new secondary access gate on the southern side of the fenced equipped play area, unless otherwise agreed with the Planning Authority. Thereafter, the approved details shall be implemented in full prior to the first occupation of any residential property.

**Reason:** In order to comply with the requirements of the Council's Open Space in New Residential Development Supplementary Guidance and to provide sufficient access to play equipment to serve future residents' needs.

7. No development shall commence within the western area of the site, beyond Old Edinburgh Road South, until a scheme for the layout, design, and construction of the central equipped play area (including specifications, protection measures, ground and boundary treatments) has been submitted to and approved in writing by the Planning Authority. The submitted plans shall show individual pieces of equipment or furniture at 1:20 scale. Thereafter, the approved scheme shall be implemented in full prior to the first occupation of any residential property within the western area of the site.

**Reason:** In order to comply with the requirements of the Council's Open Space in New Residential Development Supplementary Guidance and to ensure that sufficient play equipment exists to serve future residents' needs.



8. The south western area of the development shall not be occupied until the central linear parkland has been landscaped in full and is accessible for use by residents and other members of the public.

**Reason:** In order to comply with the requirements of the Council's Open Space in New Residential Development Supplementary Guidance and to ensure the timely delivery of open space within the development.

9. No development shall commence within any given phase until updated Landscape Plans for that phase have been submitted to and approved in writing by the Planning Authority. These updated plans shall be based on the provisions set out within the latest versions of these plans (Sheets 1 to 13, Drawing Refs: 383-03-01e to 383-03-13e, Rev E, dated July 2020) and include the following amendments / additions:
  - a) Proposed site boundary treatments and internal boundary treatments, including details of existing and proposed areas of vegetation / planting, walls, gates and fences, with dimensioned elevation drawings of any new means of enclosure, including material, colour, finish and future maintenance responsibilities. Agreement from The Highland Council's Structures Team shall be required for any significant retaining walls. Provision shall be made for safe badger access routes through to neighbouring land with details of badger fencing locations associated with underpasses and ledges.
  - b) At the request of the neighbouring property owner of No. 3 Parks Farm Cottages, provision of a boundary fence at the rear northern and eastern property boundary, or further landscape planting; the detail of which requires to be prepared in consultation with the neighbouring property owner;
  - c) Screening of any bin storage areas to avoid visibility from the street on non-collection days;
  - d) Screening for any onsite sub-station or other prominent site service related infrastructure; and
  - e) Public art and street furniture provision as required by Condition 3; and updated design details for the central equipped play area as required by Condition 7.

Thereafter, all landscaping works shall be carried out in accordance with approved Landscaping Plans. All planting, seeding or turfing as may be comprised in the approved plans shall be carried out in the first planting and seeding seasons following the commencement of the development, unless otherwise stated in the approved plans. Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

**Reason:** In the interest of amenity, protected species and to ensure that the site is appropriately landscaped.

10. No development or any works shall commence until a suitably qualified Landscape Consultant has been appointed by the developer. Their appointment and remit shall first be approved in writing by the Planning Authority. For the avoidance of doubt, the Landscape Consultant shall be appointed as a minimum for the period from the commencement of the development until the completion of the approved landscaping work. Their remit shall, in addition to any functions approved in writing by the Planning Authority, include:
- a) Ensuring that the approved Landscape Plans are implemented to the agreed standard;
  - b) Ensuring compliance with the Soil Management Plan to be contained within the updated Construction Environmental Management Plan; and
  - c) The preparation of Certificates of Compliance for each stage of work involved in the development, which shall be submitted to the Planning Authority upon completion of the stage to which they relate.

No development or any works shall commence until details of each stage of work to be overseen by the Landscape Consultant (including a general description of the type and extent of work to be carried out within that stage) have been submitted to, and approved in writing by the Planning Authority.

**Reason:** In order to ensure that the approved landscaping works are properly undertaken on site.

#### Roads, Access and Parking

11. No phase of development shall be occupied until all roads and pavements within the application site as they relate to each particular phase are formed to base course level. Thereafter, the final wearing surface shall be applied concurrently with the construction of the last residential home within the phase in question, or upon the expiry of a period of three years from the date of first occupation within that phase, whichever is the sooner.

**Reason:** To ensure that an adequate level of access is timeously provided for the development; in the interests of road safety and amenity.

12. No development shall commence until the detailed designs for the revised Wade's Circle / Inshes to Milton of Leys Distributor Road (Inshes and Milton of Leys Distributor Road) mini roundabout junction have been submitted to and approved in writing by the Planning Authority, in consultation with the Roads Authority. This submission must include drawings demonstrating the adequacy of the southern visibility splay up the Inshes and Milton of Leys Distributor Road. Thereafter, the approved works to the roundabout shall be implemented in full prior to any works commencing on the housing development areas within the site.

**Reason:** To ensure that an adequate level of access is timeously provided for the development; in the interests of road safety and amenity.

13. No development shall commence within the western area of the site, beyond Old Edinburgh Road South, until the following finalised design details have been submitted to and approved in writing by the Planning Authority, in consultation with the Roads Authority:
  - a) The vehicular crossing of Old Edinburgh Road South. The crossing's raised table design shall facilitate emergency and refuse vehicle access, whilst narrowing the width of the carriageway down to single lane with the introduction of signage so that it is clear only vehicles in one direction would be able to pass through at any given time; and
  - b) The Old Edinburgh Road South ramped active travel access. The ramp and intervening landscaping shall incorporate measures to encourage all route users to follow the alignment of the ramped access.
  - c) The alternative diverted Old Edinburgh Road South vehicular access, including construction tie-in details, surface treatment and maintenance arrangement for the diverted section of road, which provides vehicle access to 1-3 Parks Farm Cottages and properties further to the south of the site.
  - d) The northern emergency vehicle access off Old Edinburgh Road South. This shall be a minimum width of 3.7m and comprise of asphalt or bitmac. The submitted finalised design details shall include: vehicle tracking, existing and proposed site levels with cross sections, details of drainage, tree root protection, lighting, suitable neighbouring site boundary gate access, and any proposed new screen planting or replacement site boundary treatment. Any proposed impact on trees, including root protection areas, shall be reflected within updated site tree protection plans and an updated arboricultural method statement.

Thereafter, the approved works shall be implemented in full prior to any works commencing on the housing development areas within the western area of the site.

**Reason:** To priorities safe active travel use of Old Edinburgh Road South, reduce vehicle speeds, maintain suitable safe access through the site and ensure adequate emergency access provision.

14. No development or any works shall commence within the western area of the site, beyond Old Edinburgh Road South, until the stopping-up / re-designation of the section of Old Edinburgh Road South to prevent it being used by motor vehicles, with an alternative vehicular access haven been provided.

**Reason:** In the interest of maintaining suitable safe access through the site.

15. No development shall commence until an updated Access Management Plan for the site and updated Landscaping Plans have been submitted to and approved in writing

by the Planning Authority. The amended plans shall incorporate all of the following onsite and offsite works:

### ***Onsite Works***

- a) The detailed construction specification details for the implementation of all remote paths and watercourse crossings within all phases of development to Lowland Path Construction Guide standards;
- b) For the eastern area of the site, the specification for the northern remote path within the existing treelined driveway shall be prepared in consultation with the appointed Arboricultural Consultant;
- c) For the north western area of the site, beyond Old Edinburgh Road South, the remote path running south to north to connect with the emergency service access shall be 2m wide with drainage provision and have an asphalt or bitmac finish;
- d) For the north western area of the site, beyond Old Edinburgh Road South, the remote path connecting the central equipped play area with Old Edinburgh Road South / Wade's Circle shall be at least constructed to a 'recreational standard', 2m wide with a whin dust finish;
- e) For the south western area of the site, beyond Old Edinburgh Road South, the eastern remote paths shall be 2m wide with drainage provision and have an asphalt or bitmac finish, excluding the timber bridge watercourse crossing;
- f) For the south western area of the site, beyond Old Edinburgh Road South, the remote path running south to north shall be at least constructed to a 'recreational standard', 2m wide with a whin dust finish;
- g) For the south western area of the site, beyond Old Edinburgh Road South, provision and maintenance of suitable visibility splays at path connections onto Old Edinburgh Road South;
- h) Finalised lighting\* proposals and specification details for all streets and non-'recreational standard' remote paths within the site, including Old Edinburgh Road South for the length of the site boundary;
- i) Cross reference to the path, including the timber bridge crossing, maintenance schedules and details of responsible parties for undertaking that maintenance, as per the requirements of Condition 5; and
- j) Wording amendments to the Access Management Plan to provide:
  - further clarification of the crossing and works to Old Edinburgh Road South, notification procedures, temporary routing and fencing arrangements;
  - Section 3.3's title to state "*Core Path, Public Rights of way and Long Distance Route Diversions*"; and

- Section 4.4, Para 4.4.1 to state “Access rights will not apply to those areas exempted from those rights by Section(1)(b)(iv) and 7(5) of the Land Reform (Scotland) Act 2003” and Para 4.4.2 to state “No other exemptions from access rights are proposed for this development on completion of construction.”

Thereafter, all paths and associated onsite works shall be implemented in full prior to the occupation of any residential development within the given phase this infrastructure is intended to serve, with their delivery to be identified within the proposed site phasing plan required by Condition 1.

### **Offsite Works**

- k) New and improved traffic calming and active travel measures outwith the application site boundary. For Old Edinburgh Road South these details shall be based on the measures outlined on Drawing No. 3440:127, Rev C: Old Edinburgh Road Upgrades, dated 13 July 2020, and include further construction specifications and clarification of the following:
- i There shall be no new path or access formed adjacent to No. 20 Boswell Park onto Old Edinburgh Road South;
  - ii A 2m wide asphalt or bitmac surfaced path shall be formed adjacent to No. 10 Boswell Park, with bollards to restrict vehicle access, to link Boswell Park with Old Edinburgh Road South;
  - iii A 2m wide pavement shall be provided along the eastern road verge from Stevenson Road to past the driveway entrance to Druid House;
  - iv Street lighting\* shall be introduced from the site boundary to Stevenson Road;
  - v Speed limit shall be reduced to 20mph with provision of repeater signage, roundel road markings and a gateway feature;
  - vi Existing road verges shall be scraped back;
  - vii Edge of carriageway shall be road lined;
  - viii Grit bins shall be provided; and
  - ix Post scraping back of the verges, locations and designs for a series of small reinforced roadside verge areas, where pedestrians could safely step off the carriageway when being approached by a vehicle, shall be investigated and wherever feasible, shall be provided; and
- l) For Wade’s Circle these details shall be based on the measures outlined on Drawing No. 3440:101/01, Rev H: Road Layout Sheet 1 of 3, dated 13 July 2020, and include further construction specifications and details of following:
- i The stepped access path, with provision of a handrail, connecting Old Edinburgh Road South with Wade’s Circle, located south of the existing access road serving 1-3 Parks Farm Cottages;
  - ii The upgrading of the existing remote path running east to west linking Old Edinburgh Road South with the Inshes to Milton of Leys Distributor Road, located between Wade’s Circle and Kingcraig Drive. This path shall be 2m wide with drainage provision, have an asphalt or bitmac finish with and shall be lit\*; and

- iii Provision and maintenance of suitable visibility splays at step / path connections onto Old Edinburgh Road South.

*\*Lighting: All lighting details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to minimise any direct illumination, glare or light spillage within neighbouring residential properties.*

Thereafter, all of the offsite works specified within this condition shall be implemented in full prior to the first occupation of any of the residential home within the western area of the site, beyond Old Edinburgh Road, with their delivery to be identified within the proposed site phasing plan required by Condition 1.

**Reason:** In the interest of active travel, safety, amenity, tree root protection and protected species interests.

- 16. No development shall commence until amended Road Layout Drawings are submitted to and approved in writing by the Planning Authority, detailing:
  - a) Car parking space provision in accordance with The Highland Council's Roads and Transportation Guidelines for New Developments. Specifically, the amended drawings shall demonstrate accordance with Figure 6-1 of these guidelines with the widths of all twin driveways being widened to a minimum of 5.5m; and
  - b) Provision of an external bicycle storage locker within the curtilage of each proposed flat for use by residents, plus cycle parking provision for visitors in a safe, visible location to serve all proposed flats.

Thereafter, prior to first occupation of the element of the development to which it relates parking provision shall be formed in accordance with the approved details and be maintained for this use in perpetuity.

**Reason:** To ensure adequate provision for car and cycle parking.

- 17. No development shall commence on each phase or sub phase until a scheme detailing the provision electric vehicle charging points has been submitted to and approved in writing by the Planning Authority. The scheme shall include:
  - a) Identification of locations for communal electric vehicle charging points serving flatted developments in the associated phase or sub-phase and located in communal parking areas and these charging point locations are to be made available to The Highland Council or other public body for the installation of the charging point infrastructure;
  - b) The provision of infrastructure, defined as the provision of cabling from the consumer unit within the property to an external point, to allow charging of electric vehicles within the curtilage of each house in each phase or sub phase, where the house has in-curtilage car parking provision;

- c) A timescale for implementation for infrastructure within each phase or sub phase; and
- d) Outline detail of a communication pack to be provided to each household on first occupation explaining how they can access electric vehicle charging infrastructure.

Thereafter, the scheme shall be implemented in line with the approved timescales.

**Reason:** To facilitate the move toward the reduction in reliance of petrol and diesel cars.

18. No residential development shall be occupied until a detailed Residential Travel Pack for the relevant phase or sub-phase, which sets out options for residents for reducing dependency on the private car, has been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt this shall include:
- a) Timetables for all buses serving or passing close to the site;
  - b) Descriptive information and maps of active travel routes to nearby facilities and attractions and, public transport routes to those outwith walking distance;
  - c) Information relating to school travel;
  - d) Details of electric vehicle charging provision; and
  - e) City car club and taxi service details.

The Residential Travel Pack shall be provided to each property within the relevant phase on first occupation of each property.

**Reason:** In order to reduce dependency on the private car and to encourage greater use of public and more sustainable modes of transport.

#### Water and Drainage

19. For the avoidance of doubt, all new watercourse crossings shall be designed to enable them to convey the 1 in 200 year plus climate change flow with an appropriate freeboard, with their design not to constrict flow or exacerbate flood risk elsewhere.

**Reason:** To ensure that all water crossings are free from flood risk and do not exacerbate flood risk elsewhere.

20. No development shall commence until a final surface water drainage design and maintenance schedule is submitted and approved in writing by the Planning Authority. This shall include simulations of the full drainage network including the storage features and pipework for all storms up to the 200 year plus climate change event. The design shall accord with the principles of Sustainable Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland 4, or any superseding guidance prevailing at the time, be suitable for public adoption and / or vesting, be in accordance with any Scottish Water waiver in place at the time of

submission and include details of the surface water drainage for the site) have been submitted to, and approved in writing by, the Planning Authority. The submission shall be supported by a revised Drainage Impact Assessment to ensure the final design does not have an adverse impact on flood risk and drainage with all discharge rates not exceeding the agreed 2 year greenfield runoff rate.

Thereafter, all drainage provision within the application site shall be implemented and maintained in accordance with the finalised drainage design and, as it relates to, or is relied upon by, any individual phase, shall be completed prior to the first occupation of any of the development within that phase.

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

21. 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. Should this change prior to vesting by a responsible authority, this shall be notified in writing to the Planning Authority. For the avoidance of doubt any part of the surface water drainage system not vested by Scottish Water shall remain the responsibility of the developer and be maintained in line with the scheme to be approved under Condition 20.

**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.

22. For the avoidance of doubt, no residential home shall be occupied until connection has been made for that residential property to the public water and waste water network.

**Reason:** To ensure that the water and sewerage infrastructure is provided timeously.

#### Construction Management

23. No development shall commence until an updated Construction Environmental Management Document has been submitted to and approved in writing by the Planning Authority. The finalised document shall be based on the content of the latest version (Rev B, dated 19 November 2019), incorporating the following amendments / additions:
- a) An updated Schedule of Mitigation (SM) including all mitigation proposed in support of the planning application and set out in relevant planning conditions;
  - b) Processes to control / action changes from the agreed Schedule of Mitigation;
  - c) Details of the appointment of an appropriately qualified Environmental Clerk of Works with roles and responsibilities;



- d) Construction and demolition work or development associated with the proposed development shall only take place between the hours of 08:00 to 18:00 Mondays to Fridays and from 09:00 to 18:00 on Saturdays with no work on Sundays or Bank Holiday in Scotland (as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended)), unless otherwise agreed in advance in writing by the Planning Authority;
- e) Provision of Soil Management Plan quantifying the volumes of soil and overburden to be encountered during each phase of development. The plan shall detail areas for temporary or permanent soil and overburden storage and provide a method statement for their best practice handling, storage and final placement / use in the progressive landscaping the site, with details of final soil depths to meet the planting specifications set out within the approved Landscape Plans;
- f) Methods of monitoring, auditing, reporting and communication of environmental management on site and with the client, Planning Authority and other relevant parties; and
- g) Statement of responsibility to 'stop the job / activity' if in potential breach of a mitigation or legislation occurs.

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

**Reason:** To protect the environment and safeguard the amenity of neighbouring properties and occupants from the construction of the development and to secure the effective landscaping of the site.

24. No development shall commence until an updated Construction Traffic Management Plan has been submitted to and approved in writing by the Planning Authority. The finalised document shall be based on the content of the latest version (Ref. CTMP\_005, dated June 2020), incorporating the following amendments / additions:
- a) Construction and demolition work or development associated with the proposed development shall only take place between the hours of 08:00 to 18:00 Mondays to Fridays and from 09:00 to 18:00 on Saturdays with no work on Sundays or Bank Holiday in Scotland (as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended)), unless otherwise agreed in advance in writing by the Planning Authority;
  - b) There shall be no construction deliveries to or from the site taking place during peak school pick up / drop off times;
  - c) Construction traffic to and from the site shall be as presented within Section 4.4 and Figure 4-3 of the latest version of the Construction Traffic Management Plan; and

- d) For the avoidance of doubt, construction access shall only be taken from Wade's Circle with no access for any size of construction related vehicle to be taken from Old Edinburgh Road South.

Thereafter, the development shall proceed in accordance with the approved Construction Traffic Management Plan.

**Reason:** In the interest of road safety and to protect the amenity of neighbouring properties.

#### Natural Heritage

- 25. No development shall commence until an updated Badger Protection Plan has been submitted to, and agreed in writing by, the Planning Authority. The finalised document shall be based on the content of the latest version of this document (dated 12 July 2020), incorporating the following amendments / details:
  - a) The precise locations, designs and delivery timescales for all proposed underpasses, ledges and fence crossing points;
  - b) Updated crossing details for Location 4 (as shown within Appendix F of the latest plan) which shall take account of the finalised design of the active travel crossing details for Old Edinburgh Road South and provide a safe route to access the southern landscaped boundary of the eastern area of the site; and
  - c) Additional site boundary treatment details to enable badger access through to foraging areas east, south and west of the site.

Thereafter, all mitigation measures contained within the approved Badger Protection Plan shall be implemented in full within the timescales identified.

**Reason:** To ensure that the development does not have an adverse impact on protected species.

- 26. No development, or any works (including the demolition of the Parks Farm buildings), shall commence until a bat emergence and re-entry survey has been carried out. The Parks Farm buildings and trees in and adjacent to the site which have been identified with potential for roosting bats must be surveyed between May – September. The findings of the survey must be submitted to and approved by the Planning Authority, in consultation with SNH. Should bats be found to be roosting, a bat species protection plan shall also be submitted to identify suitable measures to ensure that the bat population is not adversely impacted by the development proposals. Thereafter, any agreed mitigation measures identified shall be implemented in full within the timescales identified.

**Reason:** To ensure that the development does not have an adverse impact on protected species.

27. No development shall commence until the Planning Authority has approved in writing the terms of appointment by the applicant of an independent Ecological Clerk of Works (ECoW) in consultation with SNH. The terms of appointment shall:
- a) Impose a duty to: monitor compliance with the ecological commitments set out in the Badger Protection Plan and oversee the bat survey work required by Conditions 25 and 26; and ensure compliance with all other ecological related information lodged in support of the application, including but not limited to the Construction and Environmental Management Plan, which identifies the need for a further pre-construction ecological site survey, and other plans approved (“the ECoW Works”);
  - b) Require the ECoW to report to the applicant’s nominated construction project manager any incidences of non-compliance with the ECoW Works at the earliest practical opportunity;
  - c) Require the ECoW to submit a report every two months to the Planning Authority, or monthly at the further written request of the Planning Authority, summarising progress with the development and environmental works undertaken on site;
  - d) Have power to stop to the job / activities being undertaken within the development site when ecological interests dictate and / or when a breach or potential breach of environmental legislation occurs to allow for a briefing of the concern to the applicant’s nominated construction project manager; and
  - e) Require the ECoW to report to the Planning Authority any incidences of non-compliance with the ECoW Works at the earliest practical opportunity.

The ECoW shall be appointed on the approved terms throughout the period from pre-construction survey work ahead of the commencement of development, throughout any period of construction activity.

### Trees

28. For the avoidance of doubt, with effect from the date of this permission no trees 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.

29. No development or any excavation or groundwork shall commence until revised Tree Protection Plans and a revised Arboricultural Impact Assessment and Method Statement are to be submitted to and approved in writing by the Planning Authority. These shall be in accordance with BS5837:2012 (Trees in Relation to Design, Demolition and Construction) and shall be based on the provisions set out within the document dated 2 June 2020 and plans, Dwg Ref. 107801-TPP, Sheets 1 to 4, dated 3 June 2020, incorporating clarification of works and amendments in relation to:

- a) The Root Protection Areas (RPA) of T2759 and T2760;

- b) Tree protection measures for trees T2879 – T2881, group G16, G15 and the northern end of G13; and
- c) Footpath construction details in the RPAs of trees T2750 and T2751.

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

30. No development or any excavation or groundwork shall commence until all trees to be retained have been protected against construction damage using protective barriers located beyond the Root Protection Area (in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction, or any superseding guidance prevailing at that time). These barriers shall remain in place throughout the construction period and must not be moved or removed during the construction period without the prior written approval of the Planning Authority.

**Reason:** In order to ensure the protection of retained trees, which are important amenity assets, during construction.

31. No development or any works shall commence until a suitably qualified Arboricultural Consultant has been appointed by the developer. Their appointment and remit shall first be approved in writing by the Planning Authority. For the avoidance of doubt, the Arboricultural Consultant shall be appointed as a minimum for the period from the commencement of the development (including any groundwork) until the completion of all excavation and construction works in the vicinity of all trees. Their remit shall, in addition to any functions approved in writing by the Planning Authority, include:

- a) Ensuring that the approved Tree Protection Plans and Arboricultural Impact Assessment and Method Statement (AIAMS) are implemented to the agreed standard;
- b) Ensuring stages requiring supervision are set out in the revised AIAMS for the written agreement of the Planning Authority; and
- c) The preparation of Certificates of Compliance for each stage of work involved in the development, which shall be submitted to the Planning Authority upon completion of the stage to which they relate.

**Reason:** In order to ensure the protection of retained trees, which are important amenity assets, during construction.

#### Archaeology and Contaminated Land

32. No development, or any work (including site clearance), shall commence until a programme of work for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation, has been submitted to, and approved in writing by, the Planning Authority. This shall include a photographic record of Parks Farm buildings prior to their demolition. The approved programme shall be implemented in accordance with the agreed timetable for investigation.

**Reason:** In order to protect the archaeological and historic interest of the site.

33. No development, or any work (including site clearance), shall commence until a scheme to deal with potential contamination on site has been submitted to and agreed in writing by the Planning Authority. The scheme shall include:
- a) The nature, extent and type of contamination on site and identification of pollutant linkages and assessment of risk (i.e. a land contamination investigation and risk assessment), the scope and method of which shall be submitted to and agreed in writing by with the Planning Authority, and undertaken in accordance with PAN 33 (2000) and British Standard BS 10175:2011+A2:2017 Investigation of Potentially Contaminated Sites - Code of Practice;
  - b) 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;
  - c) Measures to deal with contamination during construction works;
  - d) In the event that remedial action be required, a validation report that will validate and verify the completion of the agreed decontamination measures; and
  - e) In the event that monitoring is required, monitoring statements shall be submitted at agreed intervals for such time period as is considered appropriate by the Planning Authority.

There shall be no Commencement of Development or work until written confirmation has been received that the scheme has been implemented, completed and, if required, monitoring measurements are in place, all to the satisfaction of 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.

## **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 & 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.

### **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.

A Temporary Traffic Regulation Order (TTRO) shall be required for any mandatory speed limit change. Temporary construction-related signage and traffic management measures on the adopted public road will also need formal approval from the Local Roads Authority.

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 & 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, has been conditioned.

Work falling outside 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: Peter Wheelan  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 Dwg No.3212-02-001 - Location Plan  
Plan 2 Dwg No.4312-02-001, Rev P - Overall Layout Sites IN43 & IN50  
Plan 3 Dwg No.3440:127, Rev C - Old Edinburgh Road Upgrades  
Plan 4 Dwg No.3833-03-01e - Landscaping Proposal (Sheet 1 of 13)



## Appendix 2 – Details for Section 75 Agreement

Developer Contributions (Phase 1 - IN43)									
Type	Contribution	Rate (per house)	Rate (per flat)	Total Amount**1	Index Linked	Base Date*2	Payment Trigger*3	Accounting Dates*4	Clawback Period*5
<b>Schools</b>									
Primary – Build Costs	Major Extension / New School (Inshes PS catchment)	£7,359	N/A	£7,359	BCIS	Q2 2018	TOC/CC	Apr/Oct	15
Primary – Land Costs	N/A								
Secondary – Build Costs	New School (Milburn Academy catchment)	£3,482	N/A	£3,482	BCIS	Q2 2018	TOC/CC	Apr/Oct	15
Secondary – Land Costs	New School Land Costs	£91	N/A	£91	No		TOC/CC	Apr/Oct	15
<b>Community Facilities</b>	Community facilities to be spent within the Millburn Academy catchment <i>(As per Inshes and Milton of Leys Development Brief: Library/Service Point, Community Hall, and Neighbourhood Shop: £399.32 indexed from Q4 2004 to Q2 2018)</i>	£589	N/A	£589	BCIS	Q2 2018	TOC/CC	Apr/Oct	15
<b>Affordable Housing</b>	25% (155 homes proposed, less 1 for the existing farmhouse = 154 homes x 0.25 = requirement for 38.5 affordable homes. Combination of provision proposed: up front offsite provision at Caulfield Road (5 homes) and residual balance of 0.25 from previous development of IN43 = requirement for 33.25 (rounded down to 33) affordable homes, which are proposed within IN50.								
<b>Transport</b>									
Public Transport	Bus Services <i>(As per Inshes and Milton of Leys Development Brief: Public Transport: £134.27 indexed from Q4 2004 to Q2 2018)</i>	£198	N/A	£198	BCIS	Q2 2018	TOC/CC	Apr/Oct	15
Road Improvements	Inshes Corridor <i>(As per Inshes and Milton of Leys Development Brief: £424.48 indexed from Q4 2004 to Q2 2018)</i>	£626	N/A	£626	BCIS	Q2 2018	TOC/CC	Apr/Oct	15
Road Traffic Orders / Active Travel	Physical provision for active travel improvements on OER to Stevenson Road, as well as connections through to neighbouring residential streets. Developer to fund RTOs.								

<b>Developer Contributions (Phase 1 - IN43)</b>									
<b>Type</b>	<b>Contribution</b>	<b>Rate (per house)</b>	<b>Rate (per flat)</b>	<b>Total Amount*1</b>	<b>Index Linked</b>	<b>Base Date*2</b>	<b>Payment Trigger*3</b>	<b>Accounting Dates*4</b>	<b>Clawback Period*5</b>
Roundabout Upgrade	Physical provision of Wade's Circle / Inshes Road roundabout capacity enhancement.								
<b>Green Infrastructure</b>									
District Park	Inshes Park <i>(As per Inshes and Milton of Leys Development Brief: laying out cost £848 and maintenance cost £315 but <u>not</u> acquisition = £1,163 indexed from Q4 2004 to Q2 2018)</i>	£1,716	N/A	£1,716	BCIS	Q2 2018	TOC/CC	Apr/Oct	15
Playing Fields	Playing Fields <i>(As per Inshes and Milton of Leys Development Brief = £200.74 indexed from Q4 2004 to Q2 2018)</i>	£296	N/A	£296	BCIS	Q2 2018	TOC/CC	Apr/Oct	15
Onsite Open Space	Onsite provision and maintenance to be factored.								
Woodland	Woodland to be factored.								
<b>Water &amp; Waste</b>									
Drainage	Drainage <i>(As per Inshes and Milton of Leys Development Brief = £.76.68 indexed from Q4 2004 to Q2 2018)</i>	£113	N/A	£113	BCIS	Q2 2018	TOC/CC	Apr/Oct	15
SuDS	SuDS basin to be designed to adoptable standard by Scottish Water.								
Glass Recycling	N/A – Glass bottle deposit and return scheme due to commence in 2021 so no capacity issue anticipated.								
Public Art	Onsite provision.								
<b>Totals</b>									
<b>Total Per House (x 28, less 1 existing house = x 27)</b>	<b>£14,470</b>								
<b>Total for IN43</b>	<b>£390,690</b>								

<b>Developer Contributions (Phase 2 – IN50)</b>									
Type	Contribution	Rate (per house)	Rate (per 2 bed flat)	Total Amount*1	Index Linked	Base Date*2	Payment Trigger*3	Accounting Dates*4	Clawback Period*5
<b>Schools</b>									
Primary – Build Costs	Major Extension / New School (Hilton PS catchment)	£7,359	£4,171	£6,632	BCIS	Q2 2018	TOC/CC	Apr/Oct	15
Primary – Land Costs	N/A								
Secondary – Build Costs	Major Extension (Inverness Royal Academy)	£3,482	£1,875	£3,131	BCIS	Q2 2018	TOC/CC	Apr/Oct	15
Secondary – Land Costs	N/A								
<b>Community Facilities</b>	Community facilities to be spent within the Inverness Royal Academy Catchment	£1,019	£1,019 (rate also applies to 1 bed flat / 1 bed bungalow)	£1,019	BCIS	Q2 2018	TOC/CC	Apr/Oct	15
<b>Affordable Housing</b>	25% min. provision as set out above for IN43.								
<b>Transport</b>									
Road Improvements	Inshes Corridor (As per Inshes and Milton of Leys Development Brief: £424.48 indexed from Q4 2004 to Q2 2018)	£626	N/A	£626	BCIS	Q2 2018	TOC/CC	Apr/Oct	15
Road Traffic Orders / Active Travel	Physical provision for active travel improvements on OER to Stevenson Road, as well as connections through to neighbouring residential streets. Developer to fund RTOs.								
Roundabout Upgrade	Physical provision of Wade's Circle / Inshes Road roundabout capacity enhancement.								
<b>Green Infrastructure</b>									
Onsite Open Space	Onsite provision and maintenance to be factored.								
Woodland	Woodland to be factored.								
<b>Water &amp; Waste</b>									
SuDS	SuDS basin to be designed to adoptable standard by Scottish Water.								
Glass Recycling	N/A – Glass bottle deposit and return scheme due to commence in 2021 so no capacity issue anticipated.								
<b>Public Art</b>	Onsite provision.								
<b>Totals</b>									

<b>Developer Contributions (Phase 2 – IN50)</b>									
<b>Type</b>	<b>Contribution</b>	<b>Rate (per house)</b>	<b>Rate (per 2 bed flat)</b>	<b>Total Amount*1</b>	<b>Index Linked</b>	<b>Base Date*2</b>	<b>Payment Trigger*3</b>	<b>Accounting Dates*4</b>	<b>Clawback Period*5</b>
<b>Total Per House (x 97)</b>	<b>£12,486</b>								
<b>Total Per 2 Bed Flat (x 8)</b>	<b>£7,691</b>								
<b>Total Per 1 Bed Flat / 1 Bed Bungalow (x 22)</b>	<b>£1,645</b>								
<b>Total Average (x 127)</b>	<b>£10,306</b>								
<b>Total for IN50</b>	<b>£1,308,860</b>								
<b>Total for Development (IN43 &amp; IN50)</b>	<b>£1,699,550</b>								

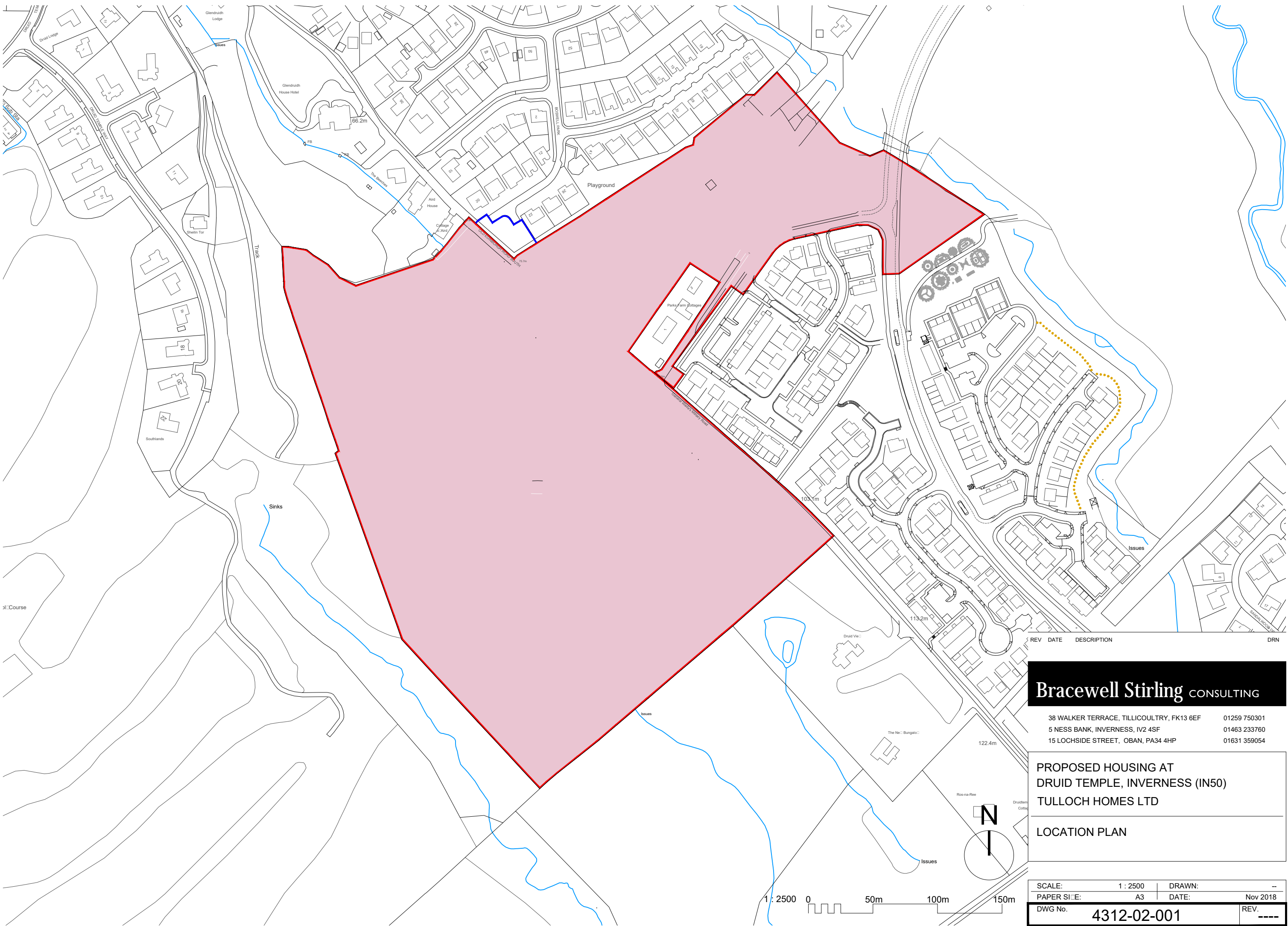
\*1 Adjust total to take account of flat exemptions and is average rate for all homes

\*2 Base Date – Set out in Developer Contributions Supplementary Guidance

\*3 TOC/CC – The earlier of the issue of either a temporary occupation certificate or a completion certificate – or specify alternative time if appropriate

\*4 Accounting dates - 1 April & 1 October each year of development

\*5 Clawback – 15 years for Major development



REV	DATE	DESCRIPTION	DRN

**Bracewell Stirling CONSULTING**

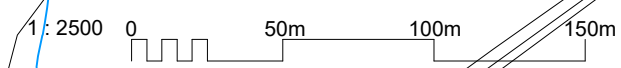
38 WALKER TERRACE, TILlicOLTRY, FK13 6EF 01259 750301  
 5 NESS BANK, INVERNESS, IV2 4SF 01463 233760  
 15 LOCHSIDE STREET, OBAN, PA34 4HP 01631 359054

**PROPOSED HOUSING AT  
 DRUID TEMPLE, INVERNESS (IN50)  
 TULLOCH HOMES LTD**

---

**LOCATION PLAN**

SCALE:	1 : 2500	DRAWN:	--
PAPER SIZE:	A3	DATE:	Nov 2018
DWG No.	<b>4312-02-001</b>	REV.	----





- Legend**
- Application Boundary
  - \* Indicates houses with enhanced gables
  - - - Plot division fence
  - - - Screen fence
  - Screen wall
  - Retaining structures/walls

REV	DATE	DESCRIPTION	DRN

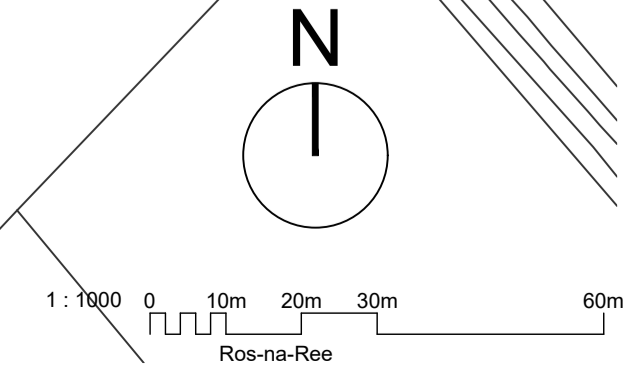
**Bracewell Stirling CONSULTING**

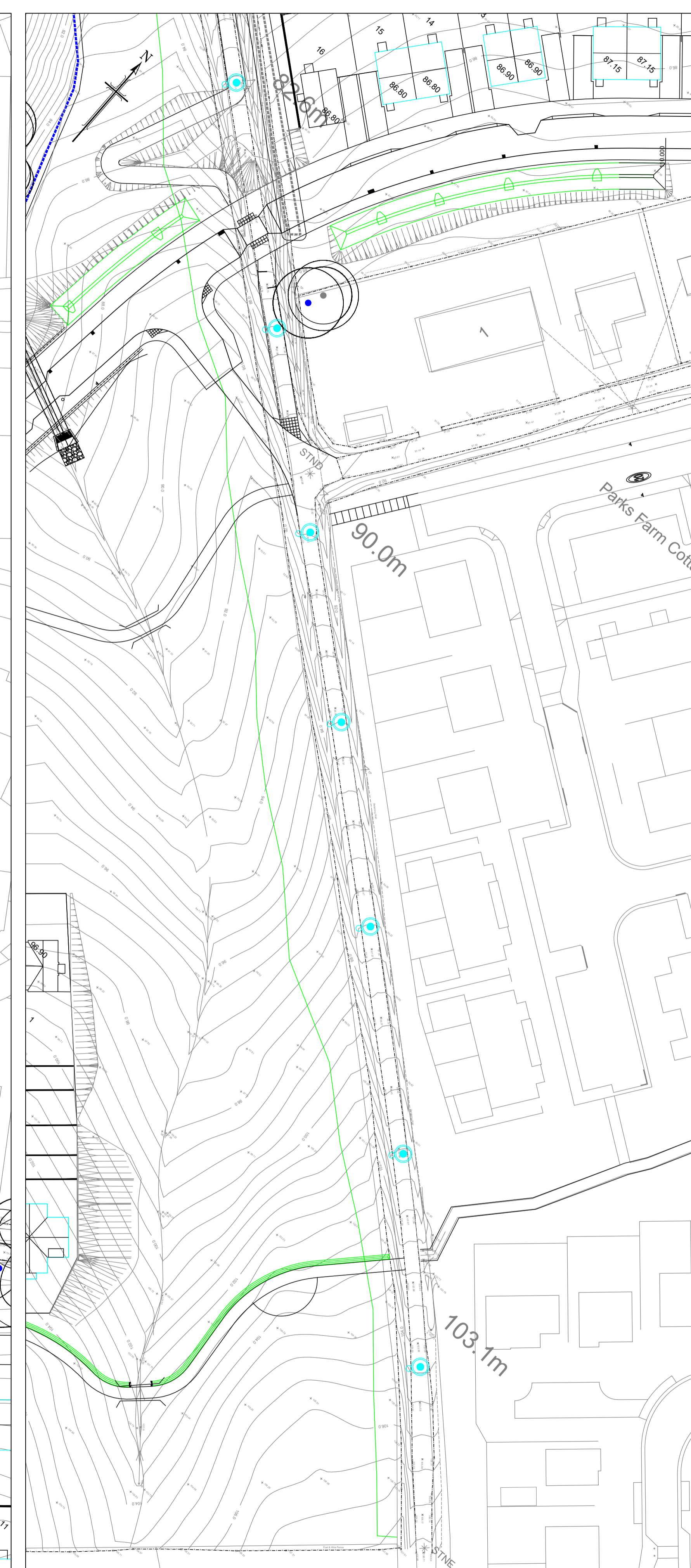
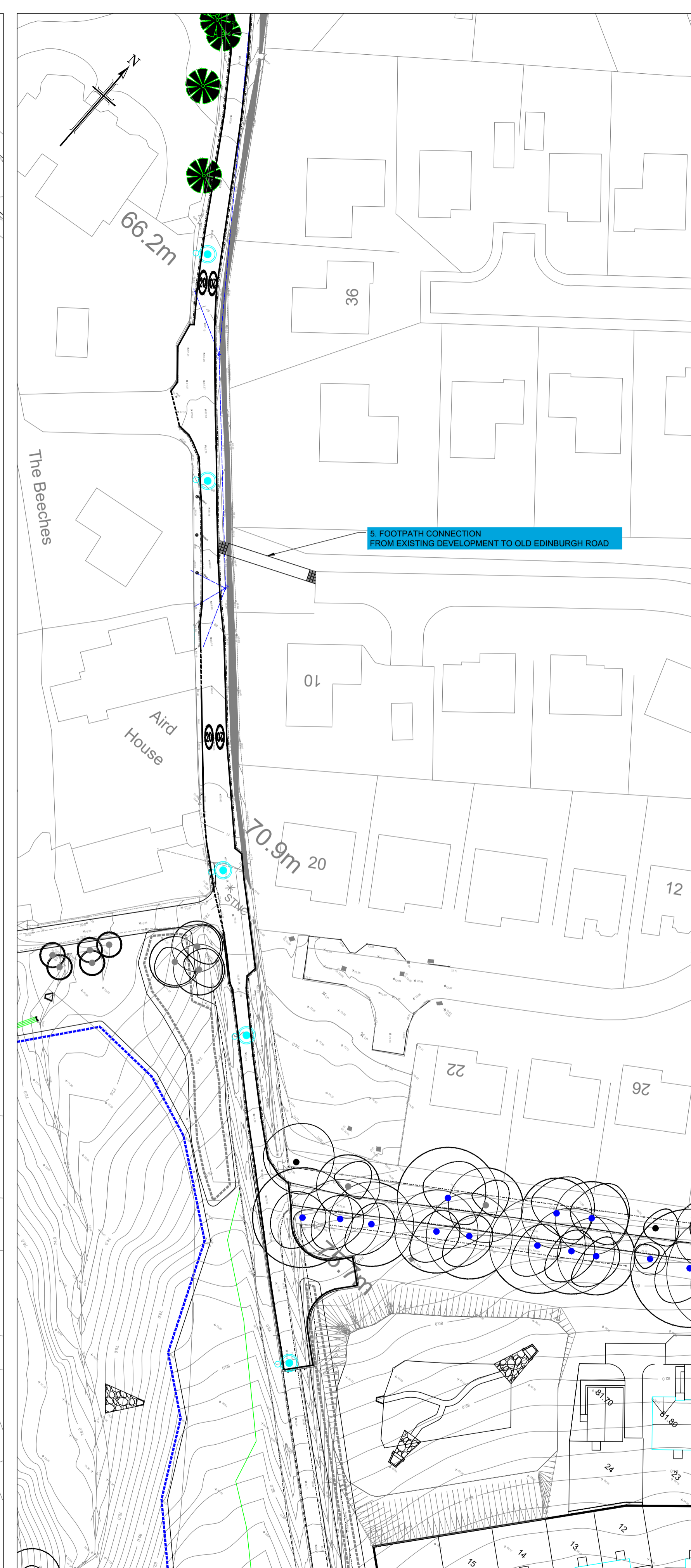
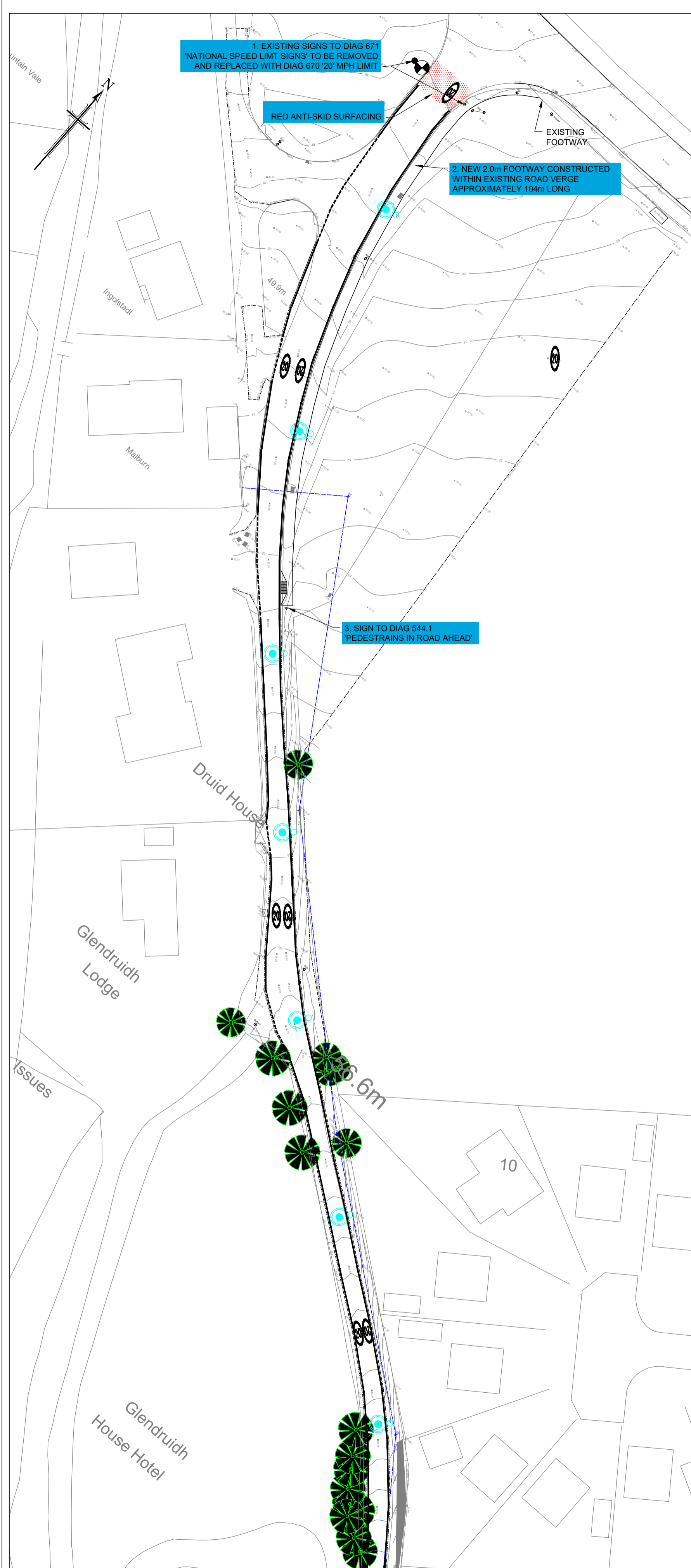
38 WALKER TERRACE, TILlicouLTRY, FK13 6EF 01259 750301  
 5 NESS BANK, INVERNESS, IV2 4SF 01463 233760  
 15 LOCKSIDE STREET, OBAN, PA34 4HP 01631 359054

**PROPOSED HOUSING AT  
 DRUID TEMPLE, INVERNESS (IN50)  
 TULLOCH HOMES LTD**

**OVERALL LAYOUT SITES IN43 AND IN50**

SCALE:	1: 1000	DRAWN:	—
PAPER SI. E:	A1	DATE:	Jul 2020
DWG No.	4312-02-001	REV.	P





LEGEND:

- EXISTING STREET LIGHTING COLUMN
- PROPOSED STREET LIGHTING (INDICATIVE LIGHTING COLUMN POSITIONS)

- KEY:
- EXISTING SIGNS TO DIAG 671 'NATIONAL SPEED LIMIT' TO BE REMOVED AND REPLACE WITH SIGN TO DIAOAG 670 '20 MPH WITH ADDITIONAL 20 MPH REPEATER ROAD MARKINGS TO DIAG 1065
  - PROPOSED 2.0m WIDE FOOTWAY, APPROX. 80m LONG FROM EXISTING FOOTWAY ON STEVENSON ROAD ALONG OLD EDINBURGH ROAD.
  - PROPOSED SIGN TO DIAG 544.1 'PEDESTRIANS IN ROAD AHEAD'
  - EDGE OF CARRIAGEWAY ROAD LINING TO RUN ALONG THE FULL LENGTH OF THE EXISTING ROAD.
  - 2No. PROPOSED FOOTPATH LINK CONNECTIONS FROM EXISTING DEVELOPMENT TO OLD EDINBURGH ROAD.

PLEASE NOTE:

- ONLY WORKS THAT DO NOT REQUIRE 3RD PARTY RIGHTS WILL BE DELIVERED BY TULLOCH HOMES LTD.
- EXISTING VERGE TO BE SCRAPPED BACK WHERE APPLICABLE TO SHOW FULL EXTENT OF THE EXISTING ROAD.

Drawing No.	Revision	
3440:127	C	
Revisions	Date	Drn.
A THL COMMENTS INCORPORATED	12.05.20	MC
B THC COMMENTS INCORPORATED	05.07.20	MC
C FOOTPATH CONNECTION TO BOSWELL PARK REMOVED FROM LAYOUT	13.07.20	MC

**APPROVAL  
DRAWING**

**TULLOCH HOMES LTD**

**DRUIDS TEMPLE, INVERNESS**

**OLD EDINBURGH ROAD  
UPGRADES**

Drawn: MC	Ck'd:	Scale: 1:500 (A1)
Date: MAY 2020	Date:	DO NOT SCALE

consulting engineers **hga**

HGA(UK) Ltd  
Darach House  
Stoneyfield Business Park  
Inverness IV2 7PA  
T: 01463 221717  
F: 01463 224275  
email: hga@hagagroup.co.uk

Drawing No.	Revision
3440:127	C

LAYOUT CONTINUED

LAYOUT CONTINUED



**BEECH HEDGE**

Fagus sylvatica	60 to 80cm 1+2	2772no
-----------------	----------------	--------

Beech hedge is to be planted in two alternate rows at 300mm centres either side of a 900mm high post and wire fence.

**ESCALLONIA HEDGE**

Escallonia 'CF Ball'	40 to 60cm 3L	1224no
----------------------	---------------	--------

Escallonia hedge is to be planted in one row, evenly spaced, at 300mm centres.

**PHOTINIA HEDGE**

Photinia x fraseri 'Red Robin'	40 to 60cm 3L	1046no
--------------------------------	---------------	--------

Photinia hedge is to be planted in one row, evenly spaced, at 300mm centres.

**HORNBEAM HEDGE**

Carpinus betulus	60 to 80cm 1+2	2639no
------------------	----------------	--------

Hornbeam hedge is to be planted in two alternate rows at 300mm centres either side of a 900mm high post and wire fence.

**NATIVE HEDGE (4924no)**

50% Crataegus monogyna	60 to 80cm 1+2	2462no
25% Prunus spinosa (Blackthorn)	60 to 80cm 1+1	1231no
25% Corylus avellana	60 to 80cm 1+2	1231no

Mixed hedge is to be planted in two alternate rows at 300mm centres either side of a 900mm high post and wire fence.

**HEDGEROW MIX (6550no)**

35% Crataegus monogyna (Hawthorn)	60 to 80cm 1+1	2294no
15% Ligustrum vulgare (Privet)	60 to 80cm 1+1	982no
15% Sambucus nigra (Elder)	60 to 80cm 1+1	982no
15% Corylus avellana (Hazel)	60 to 80cm 1+1	982no
10% Ilex aquifolium (Holly)	20 to 30cm Cell grown	655no
10% Prunus spinosa (Blackthorn)	60 to 80cm 1+1	655no

Hedgerow mix is to be planted in groups of 5 to 10 at 2m per m<sup>2</sup>. All unprotected edges are to be enclosed with a 900mm high timber post and 3 wire fence.

**WOODLAND MIX (400no)**

20% Betula pendula (Birch)	40 to 60cm 1+1	80no
20% Quercus petraea (Sessile Oak)	60 to 80cm 1+1	80no
15% Alnus glutinosa (Alder)	40 to 60cm 1+1	60no
15% Sorbus aucuparia (Rowan)	40 to 60cm 1+1	60no
15% Crataegus monogyna (Hawthorn)	60 to 80cm 1+1	60no
10% Pinus sylvestris (Scots Pine)	40 to 60cm Cell grown	40no
5% Larix x europaeis (European larch)	40 to 60cm Cell grown	20no

Woodland mix is to be planted in groups of 5 to 10 at 2m centres. All unprotected edges are to be enclosed with a 900mm high timber post and 3 wire fence.

**PROPOSED TREES**

Ag	Alnus glutinosa (Common Alder)	24no
Fs	Fagus sylvatica (Common Beech)	6no
Pa	Prunus avium	13no
Ps	Prunus sargentii (Ornamental Cherry)	5no
Qp	Quercus petraea (Sessile Oak)	18no
Qr	Quercus robur	29no
QRf	Quercus robur 'Fastigiata'	3no

All of the above trees to be Standard (10-12cm girth) single short-staked and root balled. Where trees are planted into turf, an area 1m dia, at the base of the tree, should be mounded slightly and kept clear of weeds and grass and other deleterious material.

**PROPOSED SHRUBS**

AJ	Aucuba japonica 'Crotonifolia'	30 to 40cm 3L	3m <sup>2</sup>	126no
CaE	Cornus alba 'Elegantissima'	60 to 80cm 3L	3m <sup>2</sup>	99no
CaS	Cornus alba 'Sibirica'	60 to 80cm 3L	3m <sup>2</sup>	120no
Ch	Chamaenerion 'Sundance'	30 to 40cm 3L	3m <sup>2</sup>	100no
CIR	Ceanothus thyrsiflorus	30 to 40cm 3L	4m <sup>2</sup>	139no
REP	'Repsens'	30 to 40cm 3L	4m <sup>2</sup>	139no
EEG	Euonymus fortunei 'Emerald 'n' Gold'	30 to 40cm 3L	4m <sup>2</sup>	86no
HGB	Hebe 'Blue Gem'	30 to 40cm 3L	4m <sup>2</sup>	100no
Hm	Hydrangea macrophylla sp	40 to 60cm 3L	3m <sup>2</sup>	70no
LAH	Lavandula angustifolia	20 to 30cm 3L	8m <sup>2</sup>	64no
LG	Lavandula 'Grappenhall'	20 to 30cm 3L	6m <sup>2</sup>	257no
PF	Potentilla fruticosa 'Katherine dykes'	20 to 40cm 3L	4m <sup>2</sup>	73no
PIOL'	Prunus laurocerasus 'Otto Luyken'	40 to 60cm 3L	3m <sup>2</sup>	59no
PT	Pachysandra terminalis	20 to 30cm 3L	5m <sup>2</sup>	39no
Sg	Senecio greyl 'Sunshine'	40 to 60cm 3L	3m <sup>2</sup>	177no
SJF	Scimnia japonica 'Fragrans'	40 to 60cm 3L	3m <sup>2</sup>	133no
Vb	Viburnum x bodanense 'Dawn'	45 to 60cm 3L	3m <sup>2</sup>	157no
Vd	Viburnum davidii	30 to 40cm 3L	4m <sup>2</sup>	84no
VmV	Vinca major 'Variegata'	30 to 40cm 3L	5m <sup>2</sup>	32no

**PROPOSED WILDFLOWER MIX**

APA	Acer palmatum atropurpureum	10L as spec.	2no
CaC	Corylus avellana 'Contorta'	15L as spec.	1no
PIP	Phlox tenax 'Purplemyst'	10L as spec.	2no
PV	Phlox tenax 'Variegata'	10L as spec.	2no
Ms	Magnolia stellata	15L as spec.	1no

Flowering Lawn Mix available from: <http://www.scotlaseeds.co.uk/shop/flowering-lawn-mix/>

Wet Meadow Mix available from: <http://www.scotlaseeds.co.uk/shop/wet-meadow-mix/>

**PROPOSED AMENITY GRASS MIX**

55%	Narcissus 'Yellow Trumpet'	2887no
-----	----------------------------	--------

Daffodils to be planted in natural groups into existing grass at approximately 25 per m<sup>2</sup> at a depth of 20-30cm.

45% Galanthus nivalis Snowdrops to be planted in natural groups into existing grass at approximately 25 per m<sup>2</sup> at a depth of 10-20cm.

**HEDGES**

- Hedge planting should be as for the shrubs, set out above. However, the planting bed should be established by using the line of the hedge as the length. The width will be the planted line of the hedge plus 300mm either side (ie a single line of hedge will be 600mm wide and a double, 900mm apart, will be 1100mm wide).
- After achieving the correct quality topsoil and, with the base broken up, if topsoil is imported, the soil shall be cultivated to ensure a ridge, into which the hedge is planted, set 150mm above the edge of the bed.
- Thereafter all of the above, fertiliser shall be applied and the hedge well watered in.
- After planting the hedge should be trimmed back to an even line, to encourage growth, with the amount of trimming dependent on species.

**WOODLAND / HEDGEROW MIX**

- The planting area shall be initially checked for quality of soil and risk of flooding. If there is a problem with either of these, remedial actions shall be taken.  
*(Note: It is the responsibility of the contractor to ensure that he is planting into the correct quality of material and not into waterlogged soil.)*
- The area shall be cultivated either by harrowing to produce a series of ridge and furrows or by 'Spot and Place' to ensure a series of raised mounds.
- The whips shall be placed at the highest point in each case.
- All plants are to be staked and tied, and protected with a 600mm high Tubex Standard tree shelter.
- Each plant is to be supported with a stake driven to a firm base, with a proprietary tie positioned at 500mm above ground, and with the stake a further 100mm above the tie. The tree should be planted ensuring that the stake will be on the windward side of the tree shelter. The tree shelter should then be carefully positioned over the tree, making sure not to damage the lateral branches and ensuring that the releasable ties slide over the stake. It should be pushed into the ground a minimum of 20mm. The thumb release ratchet ties should then be tightened to ensure that the tree shelter is firmly positioned. The tie end should then be tucked into the hole in the tree shelter.

**MAINTENANCE**

The developer will ensure, within the misses, that purchasers are responsible for common areas. On completion of the site, a Factor will be appointed who will assist in the establishment of a Residents' Association. The Residents' Association will thereafter ensure that the Factor organises the following maintenance regime:

**Grass:**

- Five grass cut 16 times per year.
- Grass/Wild flower areas cut once per year, after flowering or in spring with cuttings raked and removed from the site.
- Gravel areas: Make sure no over spilled gravel on the grass prior to grass cutting.

**Meadow Grass:**

- Areas of Meadow and Wetland Meadow are to be maintained as per supplier/seed merchant recommendations and guidelines.
- Early meadow cut in the first year ONLY if unwanted annual weeds appear and grow rapidly. Cut material should be removed. Cutting annual weeds may not be necessary if there is little growth, few weed plants or the appearance is acceptable. Annual weeds should disappear once the meadow is established.
- Meadows should be cut and the cuttings removed once a year at the end of the growing season (normally September). This should be the only maintenance required.

**Bulbs in grass:**

The grass shall be left uncut until the bulbs have flowered and the leaves have died back. (At least six weeks after flowering, usually at the end of June) cutting will then be carried out allow for 3 visits.

**Shrubs:**

The objective is to provide a full even cover and prevent overgrowth. To that end the site should be inspected once per year by a suitably qualified horticulturalist and the following regime followed:

- The shrub beds shall be kept clear of weeds, either mechanically or by using an approved herbicide.
- Shrubs shall be pruned up to twice per year, in Spring and Autumn depending on the species, to maintain their natural shape and habit. Any damaged, diseased or broken branches should be removed.
- In the first five years all dead and dying shrubs should be replaced by shrubs of similar size and species to those originally planted.
- From the second year beds should be inspected and thinned out where appropriate. Where suitable, these shrubs can be used to fill gaps in the planting area. Otherwise gaps should be filled with appropriate new plants as for 'a' above.
- After 10 years a systematic programme of replacement should be established.
- Note: Cornus require special treatment and should be cut back annually to 150mm high in early spring.

**Trees:**

Trees have been chosen for their appropriateness to their individual location. Pruning, other than for health and safety reasons, should not be necessary. They should, however, be inspected by a suitably qualified arboriculturalist annually.

- An area 1m diameter at the base of the trees shall be kept clear of weed and grass either mechanically or by using an approved herbicide.
- Tree stakes and ties should be inspected 3 times per year (Autumn, Winter and Spring).
- All dead and diseased branches, or those broken due to malicious action or wind damage should be cleanly removed and the scar cleaned up.
- All trees which have been removed or which are found to be dying, severely diseased or damaged will be replaced by trees of similar size and species to those originally planted. These should be replaced as soon as seasonal weather conditions allow.

**Hedgerow Mix:**

This has been designed to maintain a semi-natural, small-scale woodland cover. As the hedgerow matures it should encourage regeneration and ecological diversity. Pruning should therefore be kept to a minimum.

- Hedgerow is to be thinned once every five years for the first twenty years.
- The ground at the base of the hedgerow shall be kept clear of weeds, either mechanically or by use of an approved herbicide.

**Woodland Mix:**

The woodland has been designed to achieve a naturally regenerating full cover, mixed woodland with varying canopy heights and characteristics. The ground cover will be allowed to establish naturally, although this can be helped with appropriate maintenance.

- The woodland should be inspected annually by a qualified arboriculturalist.
- All dead and dying trees lost in the first five years shall be replaced by trees of similar size and species to those originally planted.
- After five years the woodland shall be assessed and thinned out by approximately 10 per cent. This should be repeated at five year intervals for the next fifteen years.

**All garden hedges:**

The objective is to produce a thick, healthy, impenetrable hedge. Pruning should be undertaken where necessary to achieve a neat and compact finish.

- All hedges are to be pruned back to an even hedge line to encourage thickening twice within the first growing season after planting and twice a year thereafter.

**Hardsurface:**

- Six visits per year to remove weeds from shrub beds and between pavements and within other hard standing areas. All weeds are to be removed from the site. Where herbicides are used extreme care should be taken to avoid damage to surrounding grass, avoiding spray drift.

**Removal of Litter and other Debris**

- 16 visits a year to remove litter and other debris from hard standing, grass and shrub bed areas in communal space.

**Playground Equipment & play surfacing:**

- Playground Equipment installation, play surfacing and maintenance of equipment & surfaces should be compliant with EU/AUK safety standards, applying BS EN 1176 and BS EN 1177.

**REVISIONS**

No.	Description	Date
1	Key Added	AM July 2020
2	Changes across site	AM May 2020
3	Minor changes & Play area moved	AM Feb 2020
4	As per New layout	JS Nov 2019
5	As per New layout	MY Aug 2019

**LANDSCAPE PROPOSAL (Sheet 1 of 13)**

**DRUIDS TEMPLE, INVERNESS**

Client: **TULLOCH HOMES**

No: **383-03-01e**

Dates: June 2019 to 1:1000@A1 Drawn: AK Checked: AM

**DWA Landscape Architects Ltd**