

Agenda Item	6.2
Report No	PLS-054-20

HIGHLAND COUNCIL

Committee: South Planning Applications Committee
Date: 03 November 2020
Report Title: 20/00381/PIP & 20/00382/PIP: Rural Projects and Developments Ltd
Land at Balmacaan Road, Drumnadrochit
Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Erection of house x 2
Ward: 12 - Aird and Loch Ness

Development category: Local

Reason referred to Committee: More than 5 representations against the proposal.

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 in principle as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 The proposals, which are in principle, are for the erection of a single house on each of two adjacent sites:
1. Land 55M South of 125 Balmacaan Road Drumnadrochit (20/00381/PIP); and
 2. Land 60M SE of 125 Balmacaan Road Drumnadrochit (20/00382/PIP)
- 1.2 There is an existing agricultural field gate and access from Balmacaan Road to the western edge of the site adjacent and to the south of 125 Balmacaan Road.
- 1.3 Pre-Application Consultation: None
- 1.4 Supporting Information:
- Drainage Impact Assessment (28.01.2020)
 - Ecological Walkover Survey and Scoping Report (28.01.2020)
- 1.5 Variations: None

2. SITE DESCRIPTION

- 2.1 The site is located between Balmacaan Road and Lewiston in Drumnadrochit. It comprises of an open field which slopes south east from Balmacaan Road.
- 2.2 The neighbouring land to the north and southeast is residential, while to the northeast and southwest, the ground is agricultural. A long-established screen of trees runs along the rear of the housing at Lewiston.
- 2.3 The nearby housing on Balmacaan Road, which is elevated above the site, is relatively modern, with a succession or relatively recent housing. The housing stock at Lewiston is generally older.
- 2.4 A footpath from Balmacaan Road to Lewiston runs along the western edge of the site.

3. PLANNING HISTORY

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|-----|-------------|---|-----------------------------|
| 3.1 | 04 Oct 2019 | 19/02518/PIP Erection of house and formation of access at Land 55M South Of 125 Balmacaan Road Drumnadrochit. | Planning permission refused |
| 3.2 | 04 Oct 2019 | 19/02519/PIP Erection of house and formation of access at Land 60M SE Of 125 Balmacaan Road Drumnadrochit. | Planning permission refused |
| 3.3 | 04 Oct 2019 | 19/02520/PIP Erection of house and formation of access at Land 85M SE Of 125 Balmacaan Road Drumnadrochit. | Planning permission refused |

3.4	04 Oct 2019	19/02521/PIP Erection of dwelling house and formation of site access at Land 120M East Of 125 Balmacaan Road Drumnadrochit	Planning permission refused
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4. PUBLIC PARTICIPATION

4.1 Advertised: Inverness Courier. Unknown neighbour

Date Advertised: 14 February 2020

Representation deadline: 28 February 2020

Timeous representations: 7 against

Late representations: 0

4.2 Material considerations raised are summarised as follows:

- a) Strategic gap between Lewiston and Drumnadrochit
- b) Impact on view, amenity and privacy
- c) Site below mains drainage system – pumping of sewage
- d) Wildlife
- e) Additional traffic
- f) Pedestrian safety
- g) Schools at capacity
- h) Housing should be single storey
- i) Dry stone wall on Balmacaan Road should be continued along boundary
- j) Reduce plot sizes
- k) Set back (20m) from Lewiston housing tree screening
- l) Land drainage
- m) s75 to prevent future garden subdivision

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

5. CONSULTATIONS

5.1 **Transport Planning Team** advise that "Balmacaan Road (U1620) which is a residential road with footways on both sides, street lighting and is subject to a 30mph speed limit. Most of the houses in Balmacaan Road are accessed via private tracks although four cul-de-sacs are adopted (St Drostans, Woodside) and the odd numbered houses 1 through 77 on the east side of the road)."

It recommends that access to the site needs to be designed as a vehicle crossing to ensure the continuity of the footway and give pedestrians priority over vehicles as promoted in Designing Streets.

Also recommended is an area for the standing of bins awaiting collection adjacent to Balmacaan Road.

As the road serves less than 5 houses Transport Planning do not require the applicant to put the road forward for adoption by the Council. However, it does recommend a formal management system for the maintenance of the private access is set up.

The applicant is required to demonstrate how surface water from the private access road will be prevented from flowing onto the public road or vice versa.

5.2 **Flood Risk Management Team** has not commented on the application.

5.3 **Development Plans Team** advise that the application shows a large degree of conformity with the approved development plan.

It confirms that the site boundary is allocated for two houses as DR3 in the Inner Moray Firth Local Development Plan. In its view, the proposed use, boundary and capacity is compliant with the development plan. The site's principal development requirement, the provision of a visually continuous and permanent green corridor, is shown but only on an indicative site layout, which carries no commitment from the future developer.

It considers that "a PIP doesn't move things on from the current development plan allocation which already endorses the principle of this scale of housing development at this location. To make progress, the siting and design of the houses need to be defined and in particular their relationship to the green network buffer. So too, does the width, specification and future maintenance of that buffer."

Advice is provided on Developer Contributions as follows:

Education

The site lies within the catchment area of Glenurquhart Primary School which is currently at 75% of its physical capacity (113 pupils on the roll and a physical capacity of 150). The roll projected to 2034/2035 breaches the school's 90% threshold in 2024/2025 and continues this breach to the end of the forecasting period with a maximum breach of 26 pupils. The education investment solution is therefore a two classroom extension for which developer contributions will be sought. For secondary school provision the site lies within the catchment area of Glenurquhart High School. It has no forecast capacity issues. This advice is offered at a point in time and Care and Learning's advice should be sought closer to the time of determination of any future application to see whether this assessment still applies (e.g. Gaelic education space requirements at the primary school may lead to a further reduction in the total "workable" physical capacity of the school accommodation).

Cumulative Transport Contributions

No cumulative transport contributions have been identified to date and the site is not in a Development Brief area.

Site Specific Transport Contributions

Transport Planning will offer consultee comment.

Public Art

Given the proposal's small scale and lack of public prominence then no public art contribution is required.

Community Facilities

No contribution required.

Waste

No contribution required.

Green Infrastructure

A visually continuous and permanent green corridor should be provided on-site. The PIP only includes an indicative site layout, which carries no commitment from the future developer.

Payments & Indexation

An upfront payment is encouraged wherever possible. This option is often desirable when the time and legal costs to set up a planning obligation are disproportionate to the level of contribution required. Where a planning obligation is entered into, developers may have the option to phase payments over the lifetime of a development.

It is the Council's standard that twice yearly payments are made on the 1 April and 1 October each year based on the number of homes completed in the six months preceding these dates. Invoices are issued by the Council to request payment shortly after these dates.

Developer contributions are subject to indexation¹ and will be re-calculated to reflect the current BCIS All-in Tender Price Index at the time of payment with the costs set out within this response reflecting Q2 2018.”

- 5.4 **Forestry Officer** comments that “within the plot there is mature mixed broad leaf woodland with juvenile to mature ash, elm, sycamore and cherry in the southern corner. The tree cover continues over the fence outwith the site to the south and along the fence to the east and along the fenceline to the south-west.

Policy 51 (Trees and Development) of the Highland wide Local Development Plan notes that The Council will support development which promotes significant protection to existing hedges, trees and woodlands on and around development sites. The acceptable developable area of a site is influenced by tree impact, and adequate separation distances will be required between established trees and any new development.

The site is in land zoned for housing (DR3 Land at West Lewiston) in the IMFLDP. In the LDP it states - Maximum capacity of 2 houses; provision of visually continuous and permanent green corridor through the site and adjoining land.

The applicant has provided a Site Plan which shows the existing tree at the entrance to the site, but it does not identify the trees along the fenceline to the south-west, the existing woodland in the southern corner of the site or the crowns of the adjacent trees which overhang into the site, as is required in the Trees section of the planning application form. The site layout is still indicative so there is no confirmation of adequate separation between existing mature trees and proposed residential development. There are also no tree protection proposals to demonstrate how the site could be developed without adversely affecting existing trees on and adjacent to the site.

On the Site Plan there is a 15m wide Landscape Strip which appears to be proposed new planting, but there is no further detail and this area largely overlaps with existing woodland cover or is under the canopy of existing trees so planting here would most likely not be successful.

While we appreciate this is a PIP application, the applicant will need to provide a drawing showing the actual extent of tree root protection areas and crown spreads along with tree protection measures for all existing trees on and adjacent to the site. The applicant will also need to provide details of the species and numbers of trees and shrubs to be planted along with the size of planting stock, means of protection and five year maintenance programme. Once we have this we would then be in a position to recommend planning conditions.”

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
57 - Natural, Built & Cultural Heritage
64 - Flood Risk
65 - Waste Water Treatment
66 - Surface Water Drainage

6.2 Inner Moray Firth Local Development Plan 2015

DR3 Land at Lewiston. Area 1.1ha. Maximum capacity of 2 houses; provision of visually continuous and permanent green corridor through the site and adjoining land

6.3 Highland Council Supplementary Planning Policy Guidance

Developer Contributions (March 2013)
Flood Risk and Drainage Impact Assessment (Jan 2013)
Public Art Strategy (March 2013)
Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (June 2014)

8. PLANNING APPRAISAL

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

Determining Issues

- 8.3 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, including that in respect of the historic environment, and all other material considerations relevant to the application.

Planning Considerations

- 8.4 The key considerations in this case are:
- a) compliance with the development plan and other planning policy
 - b) design and layout
 - c) impact on amenity and privacy
 - d) impact on trees and wildlife
 - e) traffic and pedestrian safety
 - f) school capacity
 - g) drainage
 - h) any other material considerations

Development plan/other planning policy

- 8.5 The Development Plan consists of the Highland-wide Local Development Plan and the Inner Moray Firth Local Development Plan.
- 8.6 The development sits within the village of Drumnadrochit. The most relevant Development Plan policy is the allocation DR3 Land at Lewiston in the IMFLDP 2015. This notes that the site has an area of 1.1ha, with a maximum capacity of 2 houses; and the provision of a visually continuous and permanent green corridor through the site and adjoining land.
- 8.7 In addition, the proposal has to be assessed against the more general policies in the HWLDP:
- HwLDP Policy 28 (Sustainable Design) assesses development against a number of criteria and the most relevant in this case are: impact on cultural heritage; and sensitive siting and high quality design.
 - HwLDP Policy 29 (Design Quality and Place Making) seeks the design of new development to make a positive contribution to the architectural and visual quality of the place.
 - HwLDP Policy 57 (Natural, Built & Cultural Heritage) in respect of the form and scale of development and the impact on its setting. Provided the proposed development will not have an unacceptable impact on the amenity and heritage resource, it will be supported.
- 8.8 The general policies of the Highland-wide Local Development Plan support development that is accessible by public transport, cycling and walking, and can

demonstrate sensitive siting and high-quality design that is compatible with surrounding land uses.

- 8.9 Subject to the proposal having no significant detrimental impact on townscape, cultural heritage assets, existing infrastructure and community and residential amenity the proposal would comply with the Development Plan.

Design and layout

- 8.10 The two sites are located between Balmacaan Road and Lewiston in Drumnadrochit. On plan, the existing character of these streets comprises a linear pattern of low density housing located either side of this agricultural field. However, on the ground, the development sites relate more to Balmacaan Road rather than Lewiston given the well-established screen of trees to the north (rear) of the Lewiston houses. The existing houses adjacent to the site at Balmacaan Road are single storey with wet harl finishes and slate effect concrete roof tiles.
- 8.11 The applications are in principle only and show an indicative plot layout with an access to the south of 125 Balmacaan Road. This would use the existing field gate, and is opposite No.s 94 and 96 Balmacaan Road to the west. The western site (20/00381/FUL) shows the indicative line of the internal access road along its northern boundary adjacent to the rear of 125 Balmacaan Road. This then continues into the eastern site (20/00382/PIP), which lies to the rear of 119 and 121 Balmacaan Road. The two sites are large, at around 0.55ha each.
- 8.12 As the applications are in principle only, the layouts, which identify the alignment of an access road and the placement of a building footprint, are indicative only. Further applications would be required to confirm the details, along with building designs, and landscaping.
- 8.13 While the housing would be located in a backland position in relation to the properties in Balmacaan Road, the site is allocated for two houses and the access point is fixed. It is considered that what the plans submitted demonstrate is that the positioning of each house within each plot could achieve a siting that is appropriate to ensure a good degree of protection for existing amenity enjoyed by the houses on both Balmacaan Road, and at Lewiston.
- 8.14 The footprint of the existing houses adjacent to the site at Balmacaan Road are similar to the indicative footprints shown on the submitted plans for the two plots. A design of building on each site that is complementary to the character of these existing houses, single storey with wet harl finishes and slate effect concrete roof tiles, would be appropriate.
- 8.15 There are feature stone dykes along much of Balmacaan Road and this design feature, which helps to characterise the road, would be appropriate to continue along the site boundary onto the road. This can be controlled by condition.
- 8.16 The established tree screen is to the south of the plots, and the indicative building positions within them. Accordingly, the visually continuous and permanent green corridor through the site to the adjoining fields to the northeast and southwest, as identified by the IMFLDP allocation DR3, will be retained.

Impact on view, amenity and privacy

- 8.17 Due to the sloping nature of the field it would be expected that the detailed proposals for the plots would include topographic survey details / levels of the existing field, and the proposed houses, all in order for the exact positioning of each house, and their impact on the slope and neighbouring properties to be fully understood and assessed. Due to the size of the plots and the slope of the site, it is considered that the ground can be developed without significantly impacting on the existing amenity and privacy currently enjoyed from the houses at Balmacaan Road over the site towards the east. These matters can be considered further when considering the matters specified in conditions applications that will follow.

Trees and wildlife

- 8.18 The sites form part of the agricultural fingers of land in the village and undoubtedly provide a resource to wildlife. However, the low density of housing proposed, along with the existing area of mature trees to the southeastern side of the sites will still allow for the passage of animals through and around the proposed housing.
- 8.19 The submitted plans indicate a landscape strip containing existing trees to the southern edge of the sites. It is considered appropriate for a safeguarding barrier to be installed to protect these trees before the commencement of any development on the sites. Again, this can be controlled by condition.

Traffic and Pedestrian Safety

- 8.20 There will be additional construction traffic on the road for a short period of time. Thereafter, the ongoing number of vehicle movements associated with this is considered to be low. Balmacaan Road is twin track and has pavements on both sides. This will assist in encouraging active travel, with the sites being around 800m from the A82 along Balmacaan Road, and 500m from the school. Subject to achieving suitable detailing at the entrance junction there will be no significant impact on traffic and pedestrian safety.

School Capacity

- 8.21 The site lies within the catchment area of Glenurquhart Primary School which is currently at 75% of its physical capacity. The education investment solution is therefore a two-classroom extension for which developer contributions will be sought. For secondary school provision the site lies within the catchment area of Glenurquhart High School. It has no forecast capacity issues.

Drainage

- 8.22 The applications are in principle only, and accordingly the drainage details for each site are not yet determined. However, as the sites are within the village, it would be expected that foul drainage would connect to the mains sewerage system, and that surface water drainage would be provided through in-curtilage surface water drainage. Representations have highlighted that existing properties on Balmacaan Road have to pump sewerage to the public sewer. This may have to be undertaken

for these sites; however, such details would be confirmed by a detailed planning application and details to be agreed with Scottish Water.

Developer contributions

- 8.23 Policy 31 requires that, where development proposals create a need for new or improved public services, facilities or infrastructure, the Council will seek from the developer a fair and reasonable contribution in cash or kind towards these additional costs or requirements.
- 8.24 Subject to acceptance by Members, contributions will be required as set out within Appendix 2 – with cash payment only required for a 2 class extension to Glenurquhart Primary. It is anticipated that this will be secured through upfront payment.

Other material considerations

- 8.25 Representations made by Glen Urquhart Community Council suggest that a s75 agreement is concluded to prevent subdivision of any garden space in the future. This is not considered appropriate in this instance as any future development of this nature can be controlled by consideration of a future planning application(s).

Non-material considerations

- 8.26 None

Matters to be secured by Section 75 Agreement

- 8.27 On the basis that the Developer Contributions will be paid upfront, a legal agreement is not required. The Agent has indicated that they are agreeable to this.

9. CONCLUSION

- 9.1 The applications are for 2 housing plots on land allocated by the Inner Moray Firth Local Development Plan, as site DR3, for two houses. The allocation notes that there should be provision of a continuous and permanent green corridor through the site and adjoining land. This can be achieved. It is considered that this existing agricultural field can be developed in accordance with the requirements of the allocation as set out in the two presented applications.
- 9.2 It cannot be said that the proposed house plots respect the existing pattern of development of the area. However, the site is allocated for two houses nonetheless. There is no design criteria set out within the allocation to assist. Having said that, it has been demonstrated that there is sufficient space within the plots to achieve a design of housing that would be capable of respecting the form of surrounding houses without any significant adverse impact on amenity.
- 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: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued Y

Notification to Scottish Ministers	N
Conclusion of Section 75 Obligation	N
Revocation of previous permission	N
Payment of Developer Contribution	Y

Subject to the above, it is recommended that:

- A.** Planning permission in principle be **GRANTED** for application **20/00381/PIP** subject to the following;

Conditions and Reasons

1. No development shall commence until all of the matters specified below have been approved on application to the Planning Authority:
 - i. a detailed layout of the site of the proposed development (including site levels as existing and proposed);
 - ii. the design and external appearance of the proposed development;
 - iii. landscaping proposals for the site of the proposed development;
 - iv. details of access and parking arrangements; and
 - v. details of the proposed water supply and drainage arrangements.

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

2. Any details pursuant to Condition 1 above shall depict a development featuring the following elements:-
 - i. walls finished predominantly in a white/off-white wet dash render/smooth coursed cement render/natural stone/natural timber;

- ii. a roof covering of natural slate or good quality slate substitute/metal roofing with a minimum 40° pitch;
- iii. single storey or 1½ storeys in height;
- iv. windows with a strong vertical emphasis;
- v. a principal elevation facing towards Balmacaan Road.

Reason: In order to respect the vernacular building traditions of the area and integrate the proposal into its landscape setting; in the interests of visual amenity.

3. The house shall not be occupied until the provision for the parking and turning of two cars within the curtilage of the house is made and shall be maintained at all times thereafter.

Reason: In the interests of road safety.

4. No development shall commence on site until details of boundary enclosures have been submitted to, and approved in writing by, the Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

Reason: In the interests of visual amenity.

5. No development shall commence until a scheme for positioning of refuse and recycling bins for collection has been submitted to, and approved in writing by, the Planning Authority. The refuse collection point should be situated adjacent to the public road, but outwith visibility splays and the approved scheme shall be implemented prior to the first use of the development and thereafter maintained in perpetuity.

Reason: To ensure that waste on the site is managed in a sustainable manner.

6. Any details pursuant to condition 1 above shall include a detailed Landscape Plan and Maintenance Programme. The Landscape Plan shall be implemented in full during the first planting season following completion of development, with maintenance thereafter being carried out in accordance with the Maintenance Programme. For the avoidance of doubt, 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 order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

7. The house shall not be occupied until the vehicular access to the site (from Balmacaan Road) has been located, designed, constructed and completed to the standards and specifications in the "Access to Single Houses and Small Housing Developments", plan detail SDB2, as specified by the Planning Authority in conjunction with the Roads Authority unless otherwise

agreed with the Planning Authority. For the avoidance of doubt, the boundary frontage at Balmacaan Road shall be finished in a natural stone wall to match the existing wall to the northeast at 125 Balmacaan Road.

Reason: In the interests of road safety and visual amenity.

8. Foul drainage shall be provided by a connection to the public mains to the satisfaction of the Planning Authority in consultation with Scottish Water.

Reason: In order to clarify the terms of the permission hereby granted, in the interests of individual and community residential amenity.

9. Surface Water drainage shall be provided by in curtilage SuDS.

Reason: In order to clarify the terms of the permission hereby granted.

10. No development shall commence until a supplementary plan outlining the extent of the residential curtilage to be associated with the development hereby approved has been submitted to, and approved in writing, by the Planning Authority. Thereafter, all land included within the residential curtilage delineated on the approved supplementary plan shall be taken as being the area to which any change in use of land permitted by this Planning Permission applies. For the avoidance of doubt, the use of any land lying outwith the residential curtilage delineated on the approved plan shall remain unchanged by this Planning Permission. The 15m 'landscaping strip' shall not be included within the curtilage of the house.

Reason: In order to ensure that the footprint of the development, and any associated development in the future, is carefully managed and does not have an adverse impact on the amenity or character of the area.

11. No built development shall be undertaken within a buffer zone to the north side of the 'landscape strip' to the southeastern boundary of the site, as shown on approved Plan No.38 4-PL-002 docquetted hereto. For the avoidance of doubt, the buffer zone shall be protected by temporary fencing for the duration of any development works, the full written and plan details of which shall be submitted for the approval in writing of the Planning Authority prior to the commencement of any development on site..

Reason: In order to protect the existing landscaping strip and to clarify the terms of the permission.

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 PERMISSION

In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended), an application or applications for the approval of matters specified in conditions attached to this planning permission in principle must be made no later than whichever is the latest of the following:

- i. The expiration of THREE YEARS from the date on this decision notice;
- ii. The expiration of SIX MONTHS from the date on which an earlier application for the requisite approval was refused; or
- iii. The expiration of SIX MONTHS from the date on which an appeal against such refusal was dismissed.

The development to which this planning permission in principle relates must commence no later than TWO YEARS from the date of the requisite approval of any matters specified in conditions (or, in the case of approval of different matters on different dates, from the date of the requisite approval for the last such matter being obtained), whichever is the later. If development has not commenced within this period, then this planning permission in principle shall lapse.

AND;

- B.** Planning permission in principle be **GRANTED** for application **20/00382/PIP** subject to the following;

Conditions and Reasons

1. No development shall commence until all of the matters specified below have been approved on application to the Planning Authority:
 - vi. a detailed layout of the site of the proposed development (including site levels as existing and proposed);
 - vii. the design and external appearance of the proposed development;
 - viii. landscaping proposals for the site of the proposed development;
 - ix. details of access and parking arrangements; and
 - x. details of the proposed water supply and drainage arrangements.

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

2. Any details pursuant to Condition 1 above shall depict a development featuring the following elements:-
 - vi. walls finished predominantly in a white/off-white wet dash render/smooth coursed cement render/natural stone/natural timber;
 - vii. a roof covering of natural slate or good quality slate substitute/metal roofing with a minimum 40° pitch;
 - viii. single storey or 1½ storeys in height;
 - ix. windows with a strong vertical emphasis;
 - x. a principal elevation facing towards Balmacaan Road.

Reason: In order to respect the vernacular building traditions of the area and integrate the proposal into its landscape setting; in the interests of visual amenity.

3. The house shall not be occupied until the provision for the parking and turning of two cars within the curtilage of the house is made and shall be maintained at all times thereafter.

Reason: In the interests of road safety.

4. No development shall commence on site until details of boundary enclosures have been submitted to, and approved in writing by, the Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

Reason: In the interests of visual amenity.

5. No development shall commence until a scheme for positioning of refuse and recycling bins for collection has been submitted to, and approved in writing by, the Planning Authority. The refuse collection point should be situated adjacent to the public road, but outwith visibility splays and the approved scheme shall be implemented prior to the first use of the development and thereafter maintained in perpetuity.

Reason: To ensure that waste on the site is managed in a sustainable manner.

6. Any details pursuant to condition 1 above shall include a detailed Landscape Plan and Maintenance Programme. The Landscape Plan shall be implemented in full during the first planting season following completion of development, with maintenance thereafter being carried out in accordance with the Maintenance Programme. For the avoidance of doubt, 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 order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

7. The house shall not be occupied until the vehicular access to the site (from Balmacaan Road) has been located, designed, constructed and completed to the standards and specifications in the "Access to Single Houses and Small Housing Developments", plan detail SDB2, as specified by the Planning Authority in conjunction with the Roads Authority unless otherwise agreed with the Planning Authority. For the avoidance of doubt, the boundary frontage at Balmacaan Road shall be finished in a natural stone wall to match the existing wall to the northeast at 125 Balmacaan Road.

Reason: In the interests of road safety and visual amenity.

8. Foul drainage shall be provided by a connection to the public mains to the satisfaction of the Planning Authority in consultation with Scottish Water.

Reason: In order to clarify the terms of the permission hereby granted, in the interests of individual and community residential amenity.

9. Surface Water drainage shall be provided by in curtilage SuDS.

Reason: In order to clarify the terms of the permission hereby granted.

10. No development shall commence until a supplementary plan outlining the extent of the residential curtilage to be associated with the development hereby approved has been submitted to, and approved in writing, by the Planning Authority. Thereafter, all land included within the residential curtilage delineated on the approved supplementary plan shall be taken as being the area to which any change in use of land permitted by this Planning Permission applies. For the avoidance of doubt, the use of any land lying outwith the residential curtilage delineated on the approved plan shall remain unchanged by this Planning Permission. The 15m 'landscaping strip' shall not be included within the curtilage of the house.

Reason: In order to ensure that the footprint of the development, and any associated development in the future, is carefully managed and does not have an adverse impact on the amenity or character of the area.

11. No built development shall be undertaken within a buffer zone to the north side of the 'landscape strip' to the southeastern boundary of the site, as shown on approved Plan No.38 4-PL-002 docquetted hereto. For the avoidance of doubt, the buffer zone shall be protected by temporary fencing for the duration of any development works, the full written and plan details of which shall be submitted for the approval in writing of the Planning Authority prior to the commencement of any development on site..

Reason: In order to protect the existing landscaping strip and to clarify the terms of the permission.

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 PERMISSION

In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended), an application or applications for the approval of matters specified in conditions attached to this planning permission in principle must be made no later than whichever is the latest of the following:

- iv. The expiration of THREE YEARS from the date on this decision notice;
- v. The expiration of SIX MONTHS from the date on which an earlier application for the requisite approval was refused; or
- vi. The expiration of SIX MONTHS from the date on which an appeal against such refusal was dismissed.

The development to which this planning permission in principle relates must commence no later than TWO YEARS from the date of the requisite approval of any matters specified in conditions (or, in the case of approval of different matters on different dates, from the date of the requisite approval for the last such matter being obtained), whichever is the later. If development has not commenced within this period, then this planning permission in principle shall lapse.

FOOTNOTE TO APPLICANT FOR BOTH APPLICATIONS

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Septic Tanks & Soakaways

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

Local Roads Authority Consent

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

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

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

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

http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2

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, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Protected Species – Halting of Work

You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: www.snh.gov.uk/protecting-scotlands-nature/protected-species

Designation: Area Planning Manager – South
Author: Bob Robertson
Background Papers: Documents referred to in report and in case file.

Relevant Plans: 20/00381/PIP
384 PL-101 Location Plan
384-PL-102 Site Layout Plan
384-PL-002 Site Layout Plan - Master

20/00382/PIP
384 PL-201 Location Plan
384-PL-202 Site Layout Plan
384-PL-002 Site Layout Plan - Master

Appendix 2

Type	COMPLETE FOR LEGAL AGREEMENTS AND UPFRONT PAYMENTS				REQUIRED FOR LEGAL AGREEMENTS ONLY				
	Contribution	Rate (per house)	Rate (per flat)	Total Amount* ¹	Index Linked ¹	Base Date* ²	Payment Trigger* ³	Accounting Dates* ⁴	Clawback Period* ⁵
Schools²									
Primary – Build Costs	2 class extension (Glenurquhart)	£448.00		£896.00	N/A	N/A	N/A	N/A	N/A

*¹ Adjust total to take account of flat exemptions

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

*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 (if the contribution is to be paid on a basis other than related to units completed in the preceding 6 months (e.g. lump sum on a specific date) then indicate this instead of the Apr/Oct payment dates)

*⁵ Clawback – 15 years for Major development; 20 years for Local development

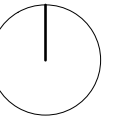
¹ If the contribution is to be used towards infrastructure projects involving building e.g. new school, new cycle route etc BCIS ALL IN TENDER will be the index, if it doesn't involve building then another appropriate index may need to be chosen with the agreement of Team Leader

² Indicate whether or not 1 bed houses/flats are exempt



NOTES:
 1. Do not scale from drawings, if in doubt seek clarification from architect.

M 1:1000
 0 [m] 20 40 60



- 90 metre sightline
- New SDB2 Bellmouth
- Existing tree at entrance retained
- Hardstanding for bins at entrance
- Drainage to mains sewer

REV	DESCRIPTION	BY	DATE
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R.HOUSE

6A Drynoch, Crossal, Isle of Skye, IV47 8SP
 tel 01478 612 899 studio@ruralhouse.net
 © rural house ltd

Project: Proposed Housing Development at Balnacan Road, Lewiston

Client: RPDL

Drawing: Site Plan Master

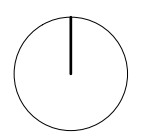
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Status: Planning	Date: Dec 19	REV:

Drawing No: **384-PL-002**



NOTES:
 1. Do not scale from drawings, if in doubt seek clarification from architect.

M 1:5000
 0 [m] 100 200 300



REV	DESCRIPTION	BY	DATE
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Client: RPDL

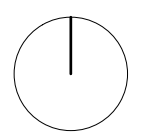
Drawing: Location Plan Plot 1

Scale: 1:5000@A3	Drawn: AT	Checked: —
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Status: Planning	Date: Jan 20	REV:
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Drawing No: **384-PL-101**

NOTES:
 1. Do not scale from drawings, if in doubt seek clarification from architect.



- New SDB2 Bellmouth
- Existing tree at entrance retained
- Hardstanding for bins at entrance
- Drainage to mains sewer

REV	DESCRIPTION	BY	DATE
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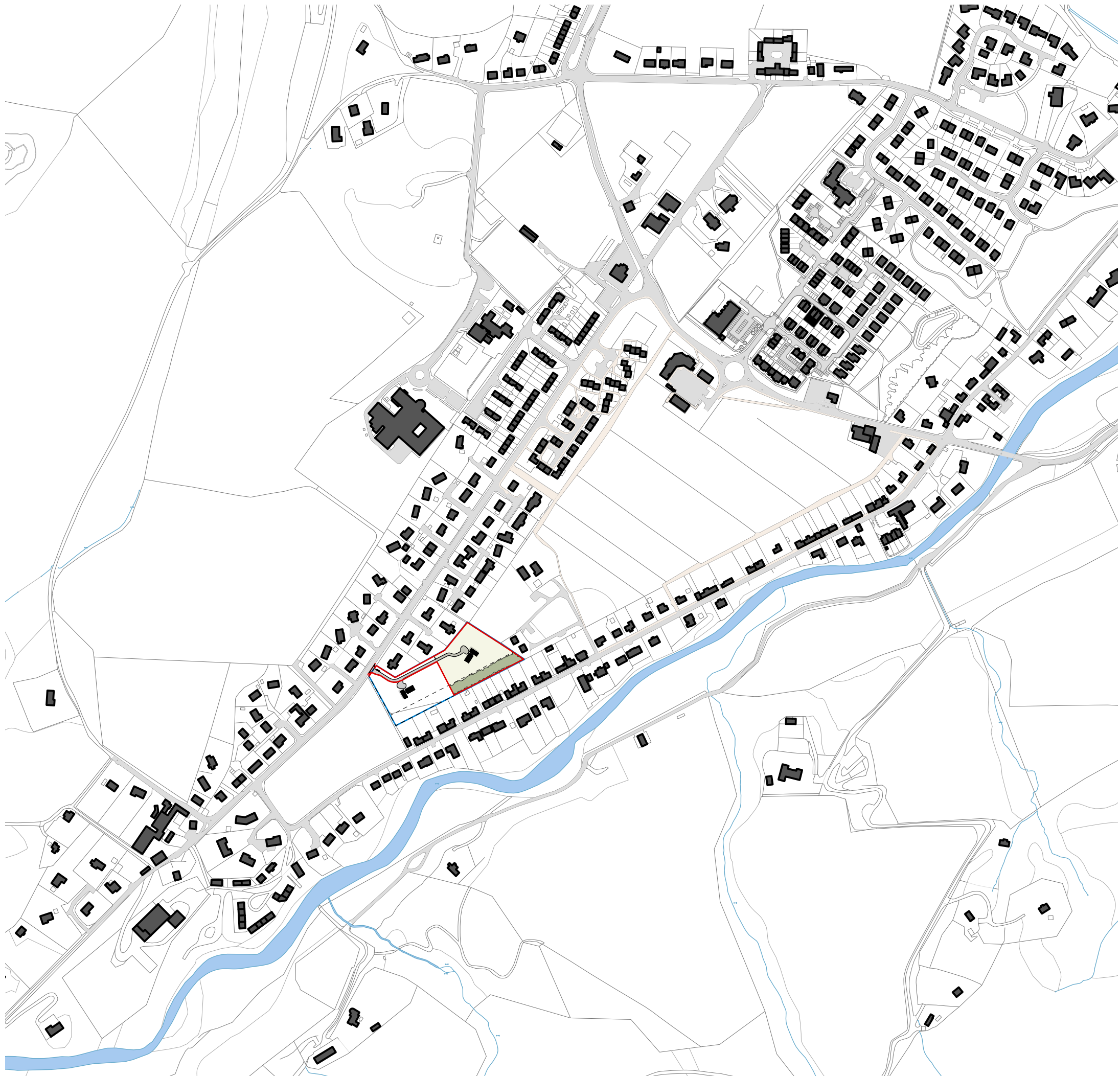
Client: RPDL

Drawing: Site Plan Plot 1

Scale: 1:1000@A3	Drawn: AT	Checked: —
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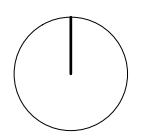
Status: Planning	Date: Jan 20	REV:
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Drawing No: **384-PL-102**



NOTES:
 1. Do not scale from drawings, if in doubt seek clarification from architect.

M 1:5000
 0 [m] 100 200 300



REV	DESCRIPTION	BY	DATE
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Project: Proposed Housing Development at
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Client: RPDL

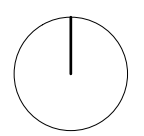
Drawing: Location Plan Plot 2

Scale: 1:5000@A3	Drawn: AT	Checked: —
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Status: Planning	Date: Dec 19	REV:
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Drawing No: **384-PL-201**

NOTES:
1. Do not scale from drawings, if in doubt seek clarification from architect.



- New SDB2 Bellmouth
- Existing tree at entrance retained
- Hardstanding for bins at entrance
- Drainage to mains sewer

REV	DESCRIPTION	BY	DATE
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Project: Proposed Housing Development at Balmacan Road, Lewiston

Client: RPDL

Drawing: Site Plan Plot 2

Scale: 1:1000@A3	Drawn: AT	Checked: —
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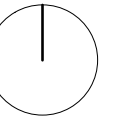
Status: Planning	Date: Jan 20	REV:
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Drawing No: **384-PL-202**



NOTES:
 1. Do not scale from drawings, if in doubt seek clarification from architect.

M 1:1000
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- New SDB2 Bellmouth
- Existing tree at entrance retained
- Hardstanding for bins at entrance
- Drainage to mains sewer

REV	DESCRIPTION	BY	DATE
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R.HOUSE

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Project: Proposed Housing Development at Balnacan Road, Lewiston

Client: RPDL

Drawing: Site Plan Master

Scale: 1:1000@A3	Drawn: AT	Checked: —
Status: Planning	Date: Dec 19	REV:

Drawing No: **384-PL-002**