

Agenda Item	6.8
Report No	PLN/097/21

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 7 December 2021
Report Title: 21/04244/FUL: Highland Housing Alliance
Phase 2, St Andrews Road, Dingwall
Report By: Acting Head of Development Management

Purpose/Executive Summary

Description: Application for landscaping, drainage and pathway design on land adjacent to St Andrews Road
Ward: 08 - Dingwall And Seaforth
Development category: Local
Reason referred to Committee: More than five objections

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

Recommendation

Members are asked to agree the recommendation to **GRANT** the application as set out in section 11 of the report

1. PROPOSED DEVELOPMENT

- 1.1 This application is for landscaping, drainage and pathway design further to planning permission 20/03812/FUL Erection of 34 housing units (14 houses and 20 flats) Phase 2, on land adjacent to St Andrews Road, Dingwall. The current application seeks to provide: clarification on the siting of proposed SUDS basin, remedying a discrepancy between the approved planning drawings and engineering drawings; a corresponding amendment to the 'Safe Routes to School' link path within the site; and provides some further landscaping details.
- 1.2 The current application seeks to improve and enhance the environment immediately adjacent to the proposed 'Safe Routes to School' path link between Scott Crescent and Macintyre Place. The position of the path is amended from 20/03812/FUL, located slightly to the north of that previously approved around the top of the re-sited SUDS basin.
- 1.3 The landscaping scheme information submitted includes low maintenance wild meadow flower and grass seed mix, alongside the planting of native tree groups including native broadleaves, silver birch and whitebeam. Lighting will be provided and the path will be separated from the SUDS basin perimeter by a post and wire fence. The northern landscaping proposals will also include low maintenance meadow flower grass seed mix and native tree groups and will provide a visual buffer to the north of the development at the boundary with the Tulloch Farm Courtyard. The introduction of further landscape initiatives outlined in this application seek to further improve the attenuation of water on site with soft landscaping.
- 1.4 The site will be served by the existing public water and waste water systems as per existing planning permission 20/03812/FUL.
- 1.5 The drainage and surface water design submitted and described as part of this application, remains unchanged from that consented under application 20/03812/FUL. The position of the SUDS basin and connections are to be as per the approved engineer's drawings that were active at the time that 20/03812/FUL was granted. There is however a discrepancy between the engineer's drawing and the original planning submission drawings at the time of consideration of 20/03812/FUL, which showed the SUDS basin in a different position. This application seeks to have approved planning drawings in line with the original engineering drawings. The position of the SUDS basin shown on the current application drawings is located approximately 14m to the West and 5m to the South of the position shown on the approved drawings for 20/03812/FUL, but largely overlaps with the originally approved position.
- 1.6 As with 20/03812/FUL, roads and roof water will be collected and below ground gravity sewers will discharge to the existing burn south of the site via a detention basin and swale located close to the southern boundary, above the sawmill. This system will be designed to attenuate and discharge flows at the 1 in 2 year pre development run off rate with no flooding for all storm events up to the 1 in 30 year return period (as required for Sewers for Scotland).
- 1.7 To protect the site from pluvial flooding cut off drains will be provided along the northern boundary of the site to intercept run off from above the site; at the toe of the slopes to the rear of the five houses above the road/along the top side of the

new road to the east; along the western boundary and below the houses all discharging to cut off ditches along the south and south west boundaries which lead to an attenuation area to allow discharge rates to the existing water course below the site to be controlled to pre-development rates. Any field drains found will be incorporated into this system. Sufficient storage is to be provided to ensure post rate discharge is limited to the 1 in 2 year pre development flow for all storms up to 1 in 200 year + 35% climate change allowance.

1.8 Pre Application Consultation: None

1.9 Supporting Information:

- Design Statement
- Drainage Impact Assessment, and detailed comments in relation to issues raised with regard to drainage:

1.10 **Flood Risk** - This assessment was produced as part of the wider drainage strategy which has been reviewed by The Highland Council Flood Risk Management Team and consented under the adjacent housing application 20/03812/FUL and remains unchanged within the context of this application. Within this document, a comprehensive assessment of the site's flood risk had been carried out and addressed as part of the site wide drainage strategy.

1.11 **Flooding caused by historical construction works and movement of earth –**

It is understood that historical construction activity and resultant earth movement may have had an adverse effect on water run off across this site and was of concern to properties down the hill. The drainage strategy for this development was carefully developed by the engineer, using the original topographical information, to regrade the site topography and introduce a series of cut off drains across the sloped site, to channel surface run off across the site to the new SUDS basin proposed. The drainage design for this application seeks to complete this for the balance of the vacant land.

The introduction of further landscape initiatives outlined in this application, seek to further improve the attenuation of water on site with soft landscaping.

The overall drainage strategy was reviewed by The Highland Council Flood Risk Management Team and consented under application 20/03812/FUL, and full drawings showing the overall strategy can be viewed via the ePlanning case file for 20/03812/FUL. The consented drainage design reduces the maximum discharge of surface water from the site to a rate equivalent to a 1 in 2 year storm for all rainfall events up to a 1 in 200 year storm. This is achieved by provision of an oversized detention basin and a flow control device.

Maintenance Scheme for all aspects of drainage proposals to be considered

This has previously been covered by condition under permission 20/03812/FUL. A full maintenance scheme for each aspect of the drainage design has been discussed in liaison with Scottish Water and details of this will be submitted to planning for consideration in order to discharge this condition. The foul sewers and manholes will be vested by Scottish Water. The surface water sewers which accept both curtilage and road run off will be vested by Scottish Water together with the detention basin and the flow control device.

Sizing of Equipment, SUDS basin volume, capacity of culverts etc -

Calculations are included as part of Drainage Impact Assessment in support of the drainage strategy to address this. Again, this is a site wide design to link all previously vacant land.

Flooding Capacities to be assessed with Climate Change -

The Drainage Impact Assessment includes results of a simulation assessing flooding as a 1 in 200 year event with a 35% provision for climate change.

1.12 Variations: None

2. SITE DESCRIPTION

2.1 The application site boundary of the current application varies from 20/03812/FUL, excluding the actual housing site and extending further eastwards from the SUDS basin, taking in an overall irregular shape. The wider site is bounded to the north by the access road to Tulloch Farm and the Tulloch Farm listed building courtyard beyond; 1 – 1 1/2 storey detached houses at Carnegie Court to the north east; detached and semi-detached 1 1/2 - 2 storey houses and flats at MacBeth Court to the east; young woodland with Dingwall Sawmill beyond and detached bungalows at Castlehill Road to the south and semi-detached 2 storey houses at Macintyre Place and detached and semi-detached 1 1/2 and 2 storey houses and flats within the recent development to the west.

2.2 The land slopes steeply from north to south with a fall of 27.5m overall and has large areas of spoil deposited in the south west area and elsewhere within the site. There is a small group of mature Oak trees below the proposed road with the appearance of a single tree at the eastern end of the site and mixed woodland is located beyond the site boundary beside the sawmill.

3. PLANNING HISTORY

11.5.21	05/00734/OUTRC - Outline Planning Permission for Outline Five Hundred Housing Development, including 25% consent Affordable Houses, Associated Open Space, Commercial Development and Associated Road and Infrastructure	Granted
11.10.2006	05/00894/FULRC - Formation of 56 House Plots, Open Space & Play Area (Detail)	Withdrawn
1.9.2010	09/00306/REMRC - Formation of distributor link road (ARM)	Granted
31.3.21	16/04218/FUL - Erection of 15 houses with associated roads and infrastructure	Withdrawn
2.3.21	20/03812/FUL - Erection of 34 housing units (14 houses and 20 flats)	Granted

21/04390/FUL - Erection of two blocks of flats Pending
with associated parking provision and
improved wider landscape provision
(Amendment to planning permission
20/03812/FUL)

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown neighbour

Date Advertised: 24 September 2021

Representation deadline: 8 October 2021

Timeous representations: 8

Late representations: 0

4.2 Material considerations raised are summarised as follows:

- Flood risk assessment should be undertaken for surface water. Previous episodes of flooding.
- Flooding is becoming more frequent as a result of ongoing works and the increase in surface water areas that are impermeable to water
- The plans show the water from the new SUDS being diverted into woodland behind houses without regard for consequences
- The plans submitted seem to show that the water leaving the SUDS will be allowed to flow unchecked downhill, which would overwhelm the old and inadequate drainage system situated at the bottom on the slope and not shown on the plan submitted with the application.
- The 'Full-Drainage-Layout-Sheel2_oC2-2488423.pdf expresses that the new area will be drained down into the existing watercourse. It also shows that the drainage of this new area will be connected to the existing area above. This will increase the catchment area much further than just the scope of the supplied works. The combined result will be a lot more water being fed into the "existing watercourse". The stream, identified as being the recipient of all the extra water flows directly under a property and chokes and overflows in storms and requires maintenance. It is expected that a considerably large volume of water can be drained into this already congested pipe with no thought to upgrading the existing groundworks to protect existing homes from flooding. SEPA maps show this waterway is a flood risk for 10 homes and goes into the corner of the primary school grounds. The development does have potential to increase flood risk elsewhere.
- Full details of the drainage proposals need to be available. A strict and detailed maintenance programme including provision for all the SUDS, culverts, headwalls etc to be protected from blockages, as well as road drains

- Consideration should be given to widening the burn to ensure a greater volume can be handled
- The worst storm case scenario should be updated in line with predictions for climate change.
- The drainage from Phase 1 was planned to be controlled by a SUDS but this appears to be only partially completed.
- Previous flooding episodes in Dingwall due to blocked culverts.
- At present the area is covered with dense areas of thistle and willowherb. Any attempt to plant low maintenance wildflower/meadowgrass will result in the thistles etc coming back in even greater numbers after a season or two.

Non material considerations to current application

Lack of play area

As part of the previously consented housing application 20/03812/FUL, a new play area has been proposed on this site. Details of which are to be agreed in liaison with the team at The Highland Council.

Macbeth Court Link

The exploration of a path link to Macbeth Court has been conditioned as part of the original application. This is being explored in discussion with the Council.

- 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 Forestry Officer

The proposed site is an extension of the existing St Andrew's Road development. The land is steeply sloping to the south with mature woodland forming a good part of the southern boundary adjacent to the sawmill and along the eastern boundary with Scott Crescent. This woodland is listed in SNH's Inventory of Ancient Woodland as 2b Long Established Woodland of Plantation Origin. This means that it appears as woodland on the first edition Ordnance Survey maps dating back to the 1860's.

A mature group of oak trees are located between the proposed houses and SUDS basin. In recognition of the importance of these trees, a protective barrier was installed during the previous phase of development and this has remained in place.

Scottish Planning Policy 2014 (A Natural, Resilient Place; Valuing the Natural Environment) gives guidance on how the Scottish Executive's policies for the conservation and enhancement of Scotland's natural heritage should be reflected in land use planning. Section 216 (Woodland) states that:

Ancient semi-natural woodland is an irreplaceable resource and, along with other woodlands, hedgerows and individual trees, especially veteran trees of high nature conservation and landscape value, should be protected from adverse impacts resulting from development.

The Highland-wide Local Development Plan (April 2012) explains the Highland Council's vision and sets out how land can be used by developers for the next 20 years. The HwLDP highlights the multiple benefits provided by trees and woodlands throughout the Highlands and in recognition of this there is a strong presumption in favour of protecting the existing woodland resource.

Policy 51 (Trees and Development) of the Highland-wide Local Development Plan states:

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 Council will secure additional tree/hedge planting within a tree planting or landscape plan to compensate removal and to enhance the setting of any new development. In communal areas a factoring agreement will be necessary.

The amendment to Plots 12-14 and the landscaping around the parking bays cannot be addressed in this current application as they have been excluded from the site boundary. It would make more sense to deal with these issues as part of this application.

Surprisingly there does not appear to be a Landscape Plan submitted with this application. There is a Site Plan (Drg No. 19001B_PL(90)003) which shows indicative landscape proposals, but this lacks the detail and quality that is required for a Landscape Plan. As stated in Condition 16 of 20/03812/FUL, a maintenance schedule and details of a factoring arrangement are also required.

It is recommended that the applicant employs a suitably qualified landscape architect to prepare this information. There is a significant area of communal space within this development which provides the opportunity for an imaginative landscaping scheme.

As stated in the landscaping condition attached to 20/03812/FUL, an Arboricultural Impact Assessment (AIA) is required to identify the least damaging route for the off-site drainage through the woodland to the south. A proposed route has been indicated on the Drainage Layout (Drg No. 3547:105/02 Rev D), but this has not been informed by an AIA. Once an acceptable route has been agreed, then a Tree Protection Plan and Arboricultural Method Statement will be required.

There are no concerns over the route of the proposed footpath, but no specification for the path has been submitted.

The landscaping condition attached to 20/03812/FUL requires to be reimposed.

5.2 **Flood Team** – no objection

Based on this information contained in the updated Drainage Impact Assessment (DIA) the Flood Team are content that the application will not impact on the Flood Risk and Drainage measures approved as part of application 20/03812/FUL. The same conditions attached to that application will be required and original comments repeated.

Flood Risk:

The current proposal includes a series of cut-off drains/ditches to intercept runoff from above and at the toe of slopes within the site. This will ultimately direct the flows into the existing watercourse to the south of the development, which is the natural, pre-development runoff route based on the topography.

Space has been set aside to accommodate an attenuation area on the downstream end of the land drainage network, prior to discharge into the watercourse. FRM require a condition that full details of the land drainage design and proposed discharge rates are submitted for review and approval prior to any works commencing on site. The network should be designed to accommodate runoff from a 1 in 200 year plus climate change storm event and discharge rates limited to mimic the pre-development situation. The details shall include confirmation that suitable access for maintenance/inspection will be available.

Provisions should be put in place to ensure that any land drains encountered during construction are directed into the new land drainage infrastructure. This will ensure that any previous or existing land drainage is retained.

The maintenance responsibility for the land drainage will be passed to an appointed factor. FRM Team would expect the land drainage to be located within publicly accessible areas of the development to allow access for maintenance/inspection purposes. The cut-off drain at the rear of plots 1 to 5 will be located within the plot boundaries. However, it has been stated that these plots will remain in the ownership of a single responsible party and so right of access for maintenance/inspection will be retained. FRM Team recommends that provisions are put in place to ensure that right of access for the party responsible for the land drainage infrastructure within these plots is retained in perpetuity.

The FRA recommended that finished floor levels (FFLs) of the proposed buildings should be a minimum of 150mm above finished ground levels; the applicant has confirmed that FFLs will be 150mm above finished ground level and we request that this is secured through a condition.

Drainage:

The proposed drainage design will limit all discharge into the watercourse to the 1 in 2 year return period greenfield runoff rate. The drainage infrastructure will be put forward for adoption by Scottish Water and The Highland Council; with the maintenance responsibilities being shared with an appointed factor. FRM Team recommends that the Council's Transport Planning team is consulted on the suitability of the maintenance proposals and the road drainage arrangements. We would also recommend that it is confirmed that Scottish Water are prepared to enter into a section 7 agreement based on the current design. This will require the design to be in accordance with Sewers for Scotland and the applicant is advised that a Scottish Water waiver is likely to be required.

The discharge point for the drainage infrastructure is approximately 50m north of the watercourse. A new ditch is proposed to connect the existing surface water discharge from Macbeth Court and the land and surface water drainage from the proposed development to the watercourse. This will allow for much easier access for maintenance and inspection purposes. However, it should be noted that the route is on private land (though it is understood to be the same landowner as for the existing discharge route) and is outwith the current application boundary.

FRM Team require a condition that the final surface water drainage design is submitted for review and approval. Discharge shall be limited to the 1 in 2 year greenfield runoff rate for all storms up to and including the 1 in 200 year plus climate change event. Written confirmation that Scottish Water are prepared to enter into a Section 7 agreement to vest the network should be included with the submission.

5.3 **Transport Planning** - no objection

Conditions attached to previous application should be reimposed.

5.4 **Access Officer**

There are no pre-existing designated paths within this site. The area would, however, have general public access rights for which some mitigation would be expected. The construction of a path along the southern boundary of the site linking Scott Crescent with Macintyre Place is particularly welcomed. Whilst this provides a safer route to school it also provides a shorter and more appealing route for residents to access the town's facilities. Whilst the documents mention a linking path to Macbeth Court, this has not been shown on the layout plan. I would expect this link path to be as important for affected residents. A gap site to the west of plot 45 in Macbeth Court provides the obvious terminus of the link path, admittedly down a gradient but not beyond engineering solutions.

These paths given the potential high demand should be constructed with a sealed surface, e.g bitmac or similar. Details of construction specifications and the Macbeth Court link path should be submitted for approval before commencement.

5.5 **Archaeology** - no objection

The application lies within an area of archaeological potential. It is considered that there remains the potential for buried features or finds to be impacted by this development. While the risk of encountering buried deposits is not such as to warrant a full excavation, it is important that the nature and extent of any features is identified and recorded before destruction. Site clearance work should be done under archaeological supervision so that if necessary, any recording can be done without causing undue delay or inconvenience for the development. A condition should be attached to secure this.

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

31 - Developer Contributions

32 - Affordable Housing
34 - Settlement Development Areas
51 - Trees and Development
57 - Natural, Built & Cultural Heritage
61 - Landscape
64 - Flood Risk
65 - Waste Water Treatment
66 - Surface Water Drainage
75 - Open Space
77 - Public Access

6.2 **Inner Moray Firth Local Development Plan (IMFLDP) (Adopted July 2015)**

Site comprises allocated site DW5 Dingwall North allocated for housing with indicative capacity of 71 units. This capacity figure is however erroneous and refers to the number of units already approved on the site.

Requirements listed in the plan are as follows:

- Contributions towards Kinnardie Link Road
- Delivery of the Dingwall North Distributor Road through the site
- Contribution towards a Multi Games Use Area
- Safer Routes to School Audit
- Landscape Plan
- Tree Protection Plan including a 20m set back from mature trees
- Stone dyke to north of the site retained and repaired.

Highland Council Supplementary Planning Policy Guidance

Developer Contributions (March 2018)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Sustainable Design Guide (Jan 2013)

Developer Contributions

HwLDP Policy 31 requires that, where developments create a need for new or improved public services, facilities or infrastructure, the developer makes a fair and reasonable contribution in cash or kind towards these additional costs or requirement.

Appropriate developer contributions were secured under planning permission 20/03812/FUL. As this application is for amendments to the siting of the SUDS basin and for amendments to path route and landscaping, no additional contributions are required.

7. OTHER MATERIAL CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance Scottish Planning Policy (as amended December 2020)

8. PLANNING APPRAISAL

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

Determining Issues

- 8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

- 8.3 The key considerations in this case are:
- a) compliance with the development plan and other planning policy
 - b) Suitability of SUDS basin siting and path siting and landscaping details
 - c) any other material considerations.

Development plan/other planning policy

- 8.4 The principle of development of the site is established under IMFLDP allocation DW5 and through the existing planning permission 20/03812/FUL. This application seeks an amendment to the position of the previously consented SUDS to remedy a discrepancy between the original engineer's drawings and the approved planning drawings under 20/03812/FUL. It is not proposed to change the design of the consented SUDS, only to amend the position of the basin on the planning drawings to bring these into accordance with the engineering drawings. Along with this is a corresponding amendment to the route of the previously agreed and consented 'Safer Routes to School' path and identification of basic landscaping details for the wider site. The principle of the proposal is therefore considered to be in accordance with planning policy and the existing planning permission.
- 8.5 The amended siting of the SUDS basin is considered acceptable in technical terms as per consultation responses from the Council's Flood Risk Management Team and Transport Planning Team. The siting does not raise any landscape or amenity concerns.
- 8.6 The route of the path is a minor deviation, to the North of that previously approved and does not raise any access, landscape or amenity concerns. Submission of details of the path construction is required by condition prior to commencement of development (as it was previously for 20/03812/FUL).
- 8.7 The detail of landscaping information submitted is basic but is sufficient to show the areas proposed to be landscaped and the principle of the introduction of further landscape initiatives to further improve the attenuation of water on site with soft landscaping. The submission of further detailed information is required by condition prior to the commencement of development (as it was previously for 20/03812/FUL).

Other material considerations

- 8.8 A number of third-party representations have been submitted highlighting concerns about flooding and drainage. These largely follow on from objections and concerns raised during the processing of 20/03812/FUL. The current proposal has been subject to technical consultation with the Council's Flood Risk Management Team and Transport Plan Team. As outlined in sections 5.2 and 5.3 above, no objections are raised on the basis that the current proposal will not impact on the Flood Risk and Drainage measures approved as part of application 20/03812/FUL.

Regrettably the current planning application, as originally submitted, did not make clear that the proposal relates to the change in position of the SUDS basin rather than an amendment to the overall design of the scheme.

Matters to be secured by Section 75 Agreement

- 8.9 None.

9. CONCLUSION

- 9.1 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

Notification to Scottish Ministers N

Subject to the above actions, it is recommended to

GRANT the application subject to the following conditions and reasons

1 No development or work (including site clearance) shall commence until proposals for an archaeological watching brief to be carried out during site clearance and excavation works, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the watching brief shall be implemented as approved.

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

2 No work shall commence on site until full details of the land drainage design and proposed discharge rates are submitted to, and approved in writing by, the Planning Authority in consultation with the Flood Risk Management Team. The network shall be designed to accommodate runoff from a 1 in 200 year plus climate change storm event and discharge rates limited to mimic the pre-development situation. The details shall include:

- confirmation that suitable access for maintenance/inspection will be available and that
- any land drains encountered during construction shall be directed into the new land drainage infrastructure to ensure that any previous or existing land drainage is retained.

Reason: To reduce the risk of flooding.

3 A right of access for maintenance/inspection purposes for the party responsible for the land drainage infrastructure shall be retained to the cut-off drain located at the rear of plots 1 to 5, which will be located within the plot boundaries, in perpetuity.

Reason: To ensure the ongoing maintenance of the drainage system to reduce the risk of flooding.

4 Prior to the occupation of the first house contact details for a factor appointed to be responsible for the maintenance of the land drainage system shall be provided to the Planning Authority and the Flood Risk Management Team.

Reason: To ensure the ongoing maintenance of the drainage system to reduce the risk of flooding.

5 The finished floor levels (FFLs) of the proposed buildings shall be a minimum of 150mm above finished ground levels. Any variation shall required the prior written approval of the Planning Authority.

Reason: to reduce the risk of flooding and in the interests of visual amenity.

6 No work shall commence on site until full details of the final surface water drainage design have been submitted to, and approved in writing by, the Planning Authority in consultation with the Flood Risk Management Team and Transport Planning. Discharge shall be limited to the 1 in 2 year greenfield run off rate for all storms up to and including the 1 in 200 year plus climate

change event. Written confirmation that Scottish Water are prepared to enter into a Section 7 Agreement to vest the network shall be included in the submission.

Reason: To reduce the risk of flooding.

7 No development shall commence until a Construction Environmental Management Plan which shall include the following:

- details of the volume of earthworks;
- the routeing and numbers for HGV traffic on the public road;
- embargos on HGV traffic movement during school start and finish periods;
- advisory speed limits;
- an agreement to address damage to the public roads (a wear and tear agreement)
- a noise management plan including:
- best practicable measures to reduce impact of noise upon existing domestic residents, and any residents who move into the first properties within the development;
- working hours;
- reversing alarms;
- community liaison;
- control of noise from multiple tonal alarms;
- dust suppression measures

has been submitted to, and approved in writing by, the Planning Authority, in consultation with Transport Planning and Environmental Health. Thereafter the development shall be undertaken in accordance with the approved details. The approved CEMP shall be implemented prior to development commencing and remain in place until the development is complete.

Reason: In the interests of road traffic and pedestrian safety, to reduce the risk of noise and dust nuisance and ensure the proper disposal of any waste materials from the site.

8 No development or work (including site clearance) shall commence until full details at a scale of 1 :500 of the path linking Scott Crescent to Macintyre Place construction specification, including a link into Macbeth Court, are submitted to and approved in writing by the Planning Authority in consultation with the Access Officer and Transport Planning. Particular attention shall be paid to these details in the vicinity of the SUDS pond and the plans shall include proposals for fencing the path in this area. For the avoidance of doubt the path shall have a sealed surface such as bitmac and be lit. Thereafter the paths shall be completed in accordance with the approved details before the houses adjoining the path are occupied.

Reason: In the interests of promoting active travel.

9 No development shall commence until a scheme for the maintenance, in perpetuity, of all on-site path links, green spaces and the play area, 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 landscaped areas are properly managed and maintained.

10 No development shall commence, including tree felling or site excavation, until the following information has been submitted to and approved in writing by the planning authority, in accordance with 885837:2012 (Trees in Relation to Design, Demolition and Construction). These documents shall be prepared by, and subsequently implemented under the supervision of a suitably qualified arboricultural consultant, approved by the planning authority.

- Arboricultural Impact Assessment
- Tree Protection Plan and Arboricultural Method Statement
- Landscape Plan (this shall include:
 - the southern boundary of Plots 12-14 being pulled back from group of mature oak trees following the contour from the corner of the proposed turning head below Plot 11, around the north of the tree group and joining with the SW corner of 1 Macbeth Court.
 - landscaping features to break up the parking bays off the lower road
- Maintenance schedule
- Factoring arrangement

For the avoidance of doubt, the current alignment of the drainage through tree Groups B & E and the position of the southern boundaries for Plots 12-14 have not been agreed and will need to be amended for the approval of the planning authority. Thereafter the development shall be undertaken in accordance with the approved documents and plans.

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

11 No development shall commence until evidence is exhibited to the Planning Authority that an agreement has been reached between the Developer and Scottish Water for the provision of a drainage scheme to serve the development.

Reason: In the interests of public health to ensure the adequate provision of water/sewerage infrastructure.

REASON FOR DECISION

The proposal accords with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

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.

INFORMATIVES

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.

Archaeology

Further to condition 1, a controlled topsoil strip will ensure that any features uncovered will be adequately recorded, while causing minimum delay to the development. The developer will need to engage the services of a professional archaeologist. The work will result in a report which will be lodged in the Highland Historic Environment Record (HER), where it may be consulted for research.

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 NatureScot 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 NatureScot: <https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species>

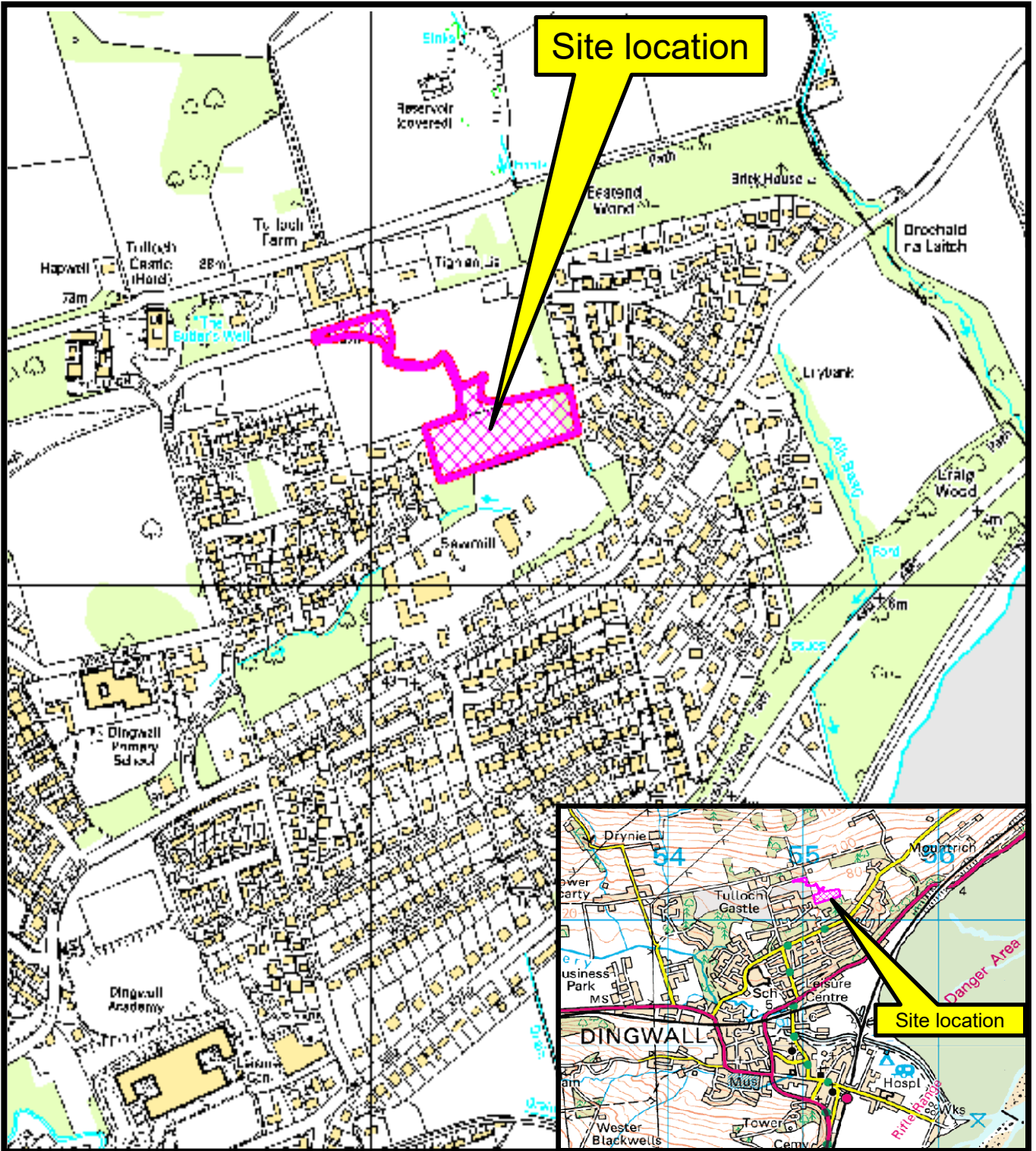
Designation: Acting Head of Development Management

Author: Emma Forbes

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

Relevant Plans:

Plan 1 – 19001B_L(90)002	Location Plan
Plan 2 – 19001B_L(90)003	Site Plan
Plan 3 – 19001B_(90)004	Site Sections
Plan 4 – 3547:105-02 REV D	Drainage Layout
Plan 5 - 3547:130-01 REV G	Site Sections 1
Plan 6 – 3547:130-02 REV G	Site Sections 2



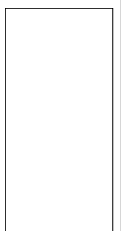
The Highland Council
Comhairle na Gàidhealtachd

Development & Infrastructure Service

21/04244/FUL

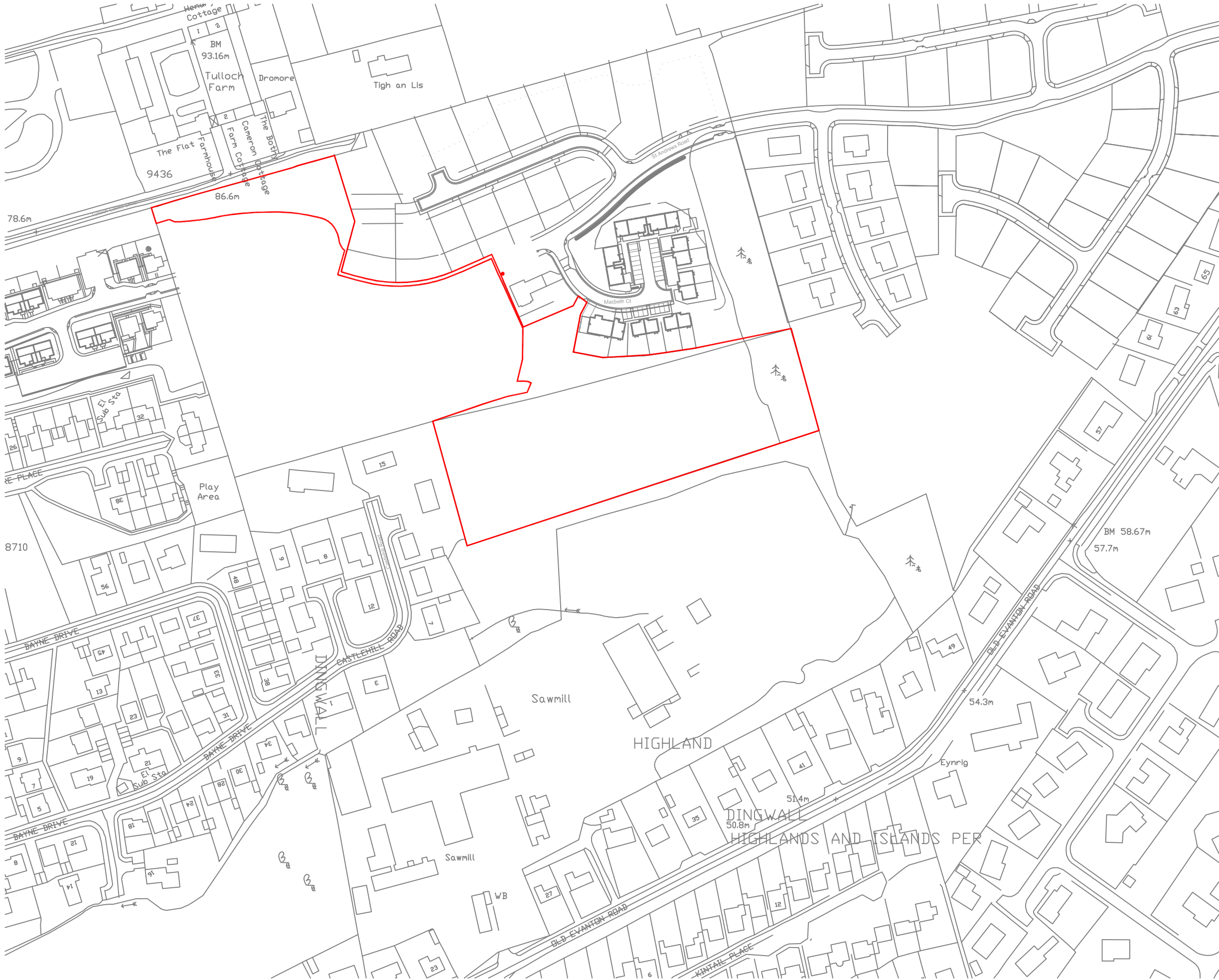
Application for landscaping, drainage and pathway design on land adjacent to St Andrews Road Phase 2, St Andrews Road, Dingwall

December 2021



All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately. Do not scale dimensions from this drawings. This drawing is copyright protected.

REVISION



PLANNING

— Site Boundary

SCALE	DATE	DRAWN	CHECKED
1:2000	06.09.21	LM	

PROJECT
**Land at St Andrews Road
 Dingwall
 Landscaping Proposals**

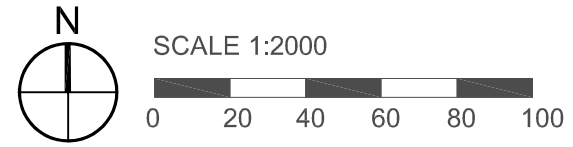
DRAWING
Site Location Plan



12 CARPENTER STREET • PERTH • PH1 5LZ
 01738 230360
 WWW.TRAILARCHITECTS.CO.UK

DRAWING No.
19001B_L(90)002

Site Location Plan



All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately. Do not scale dimensions from this drawings. This drawing is copyright protected.

REVISION A



PLANNING

EXISTING TREES

SITE BOUNDARY

SCALE 1:500

SCALE	DATE	DRAWN	CHECKED
1:500	06.09.21	LM	

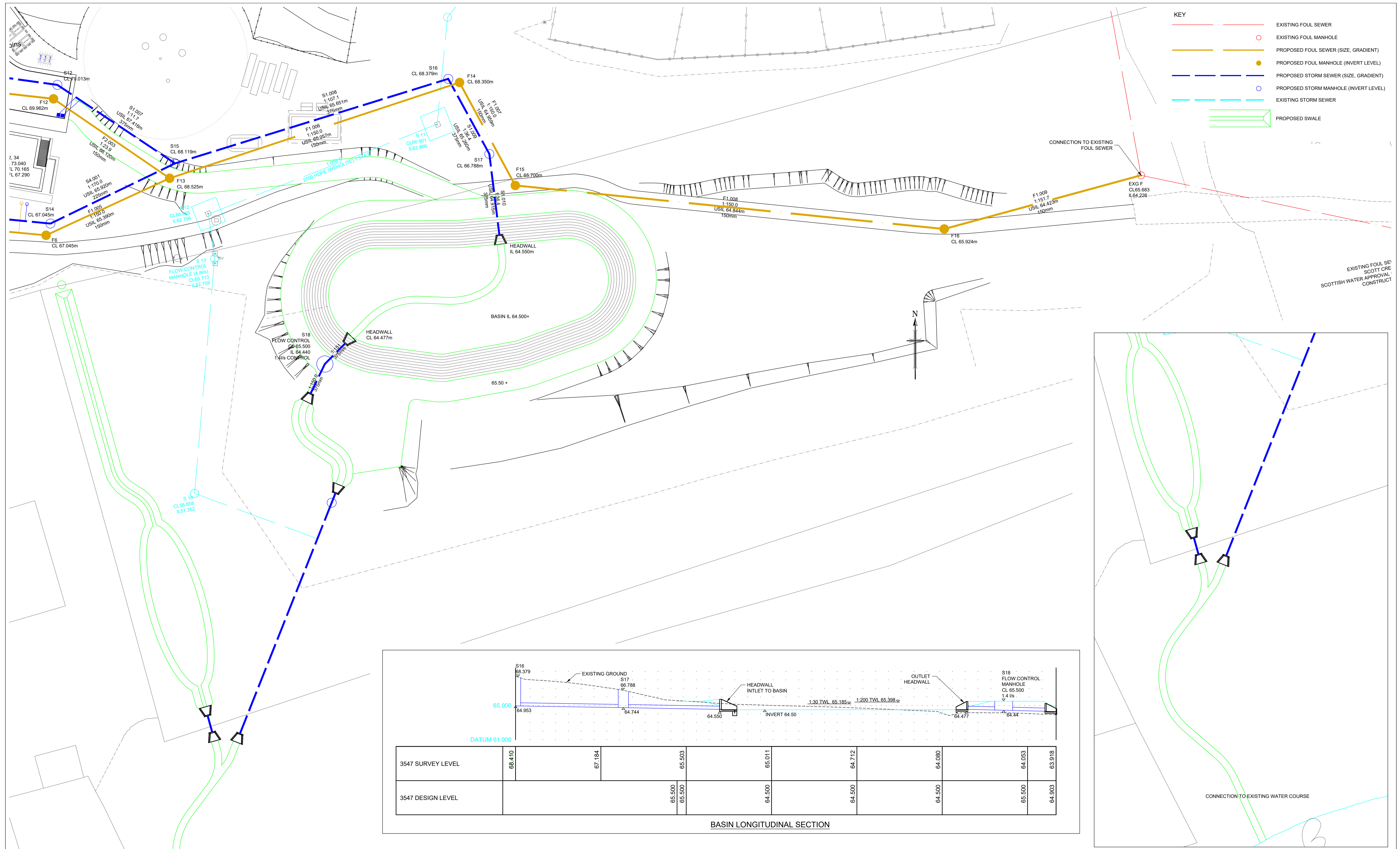
PROJECT
**Land at St Andrews Road
 Dingwall
 Landscaping Proposal**

DRAWING
Site Plan

TRAIL ARCHITECTS

12 CARPENTER STREET • PERTH • PH1 5LZ
 01738 230360
 WWW.TRAILARCHITECTS.CO.UK

DRAWING No.
19001B_PL(90)003



- Notes**
- ALL FINISHED FLOOR LEVELS ARE MINIMUM LEVEL TO ENSURE CONNECTION TO PROPOSED SEWERS.
 - LEVELS ARE RELATIVE TO OS DATUM.
 - FOR DRAINAGE LONG SECTIONS REFER TO DRAWING 3547-106 & 107.
 - ALL DRAINAGE TO BE CONSTRUCTED IN ACCORDANCE WITH SEWERS FOR SCOTLAND.
 - ALL EXISTING DRAINAGE LINES AND LEVELS TO BE CONFIRMED ON SITE AND ANY DISCREPANCY REPORTED TO HGA.
 - ALL PIPEWORK TO BE STRUCTURED WALL UPVC TO WIS 4-35-01 UNLESS NOTED OTHERWISE.
 - BEDDING TO UPVC PIPEWORK TO BE IN ACCORDANCE WITH WIS 4-08-02.
 - TYPE 'A' AND TYPE 'B' MANHOLES TO BE PRE CAST CONCRETE WITH 675x875 DI COVERS TO BS EN 124 CLASS D400. ALL IN ACCORDANCE WITH SCOTTISH WATER STANDARDS DETAILS. FOR MANHOLES TYPES SEE LONG SECTION DRAWINGS.
 - FOR ALL OTHER MANHOLE TYPES REFER TO SPECIFIC NOTES ON LONG SECTIONS.
 - DISCONNECTING MANHOLES TO BE 450mm DIA PP WITH CAST IRON COVER TO BS EN 124 CLASS B125 UNLESS NOTED OTHERWISE. WHERE DEPTH EXCEEDS 1.2m, DIAMETER OF OPENING TO BE REDUCED TO 350mm DIA WITH SCREW DOWN COVER.
 - ON COMPLETION OF WORKS CONTRACTOR TO PROVIDE AS BUILT SURVEY TO INCLUDE ALL MANHOLE LOCATIONS, COVER AND INVERT LEVELS AND PIPE SIZES.
 - ON COMPLETION OF WORKS CONTRACTOR TO PROVIDE CCTV SURVEY AND REPORT IN A FORMAT SUITABLE FOR SUBMISSION TO SCOTTISH WATER.
 - ALL WORKS TO BE INSPECTED AND APPROVED BY SCOTTISH WATER.

Revisions	Date	Drn.
A LAYOUT AND LEVELS REVISED	14.05.20	IM
B LAYOUT REVISED FOR PLANNING ISSUE	10.09.20	IW
SK SKETCH FOR DISCUSSION	21.01.21	IM
C LAYOUT UPDATED	19.02.21	IM
D FOUL DRAINAGE REVISED	24.03.21	IM

HIGHLAND HOUSING ALLIANCE

APPROVAL DRAWING

St ANDREWS ROAD DINGWALL

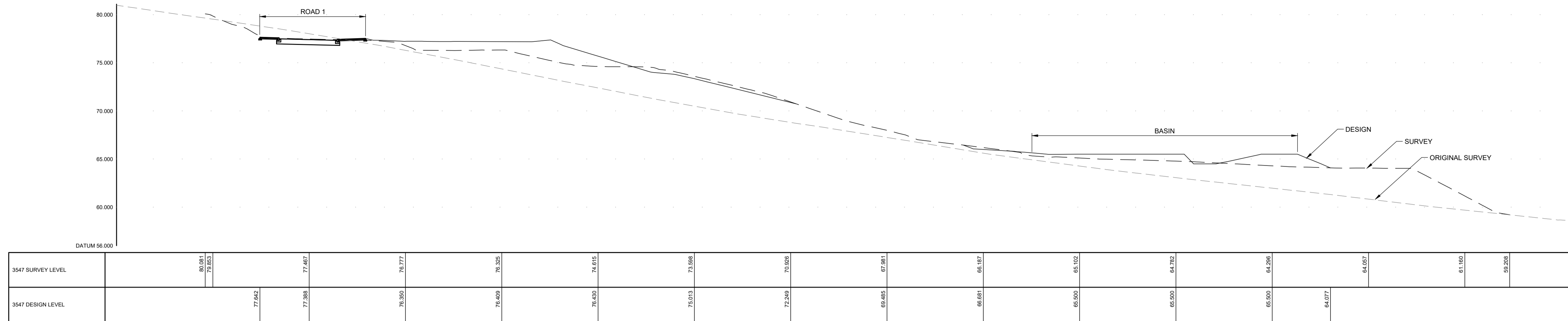
hga consulting engineers

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

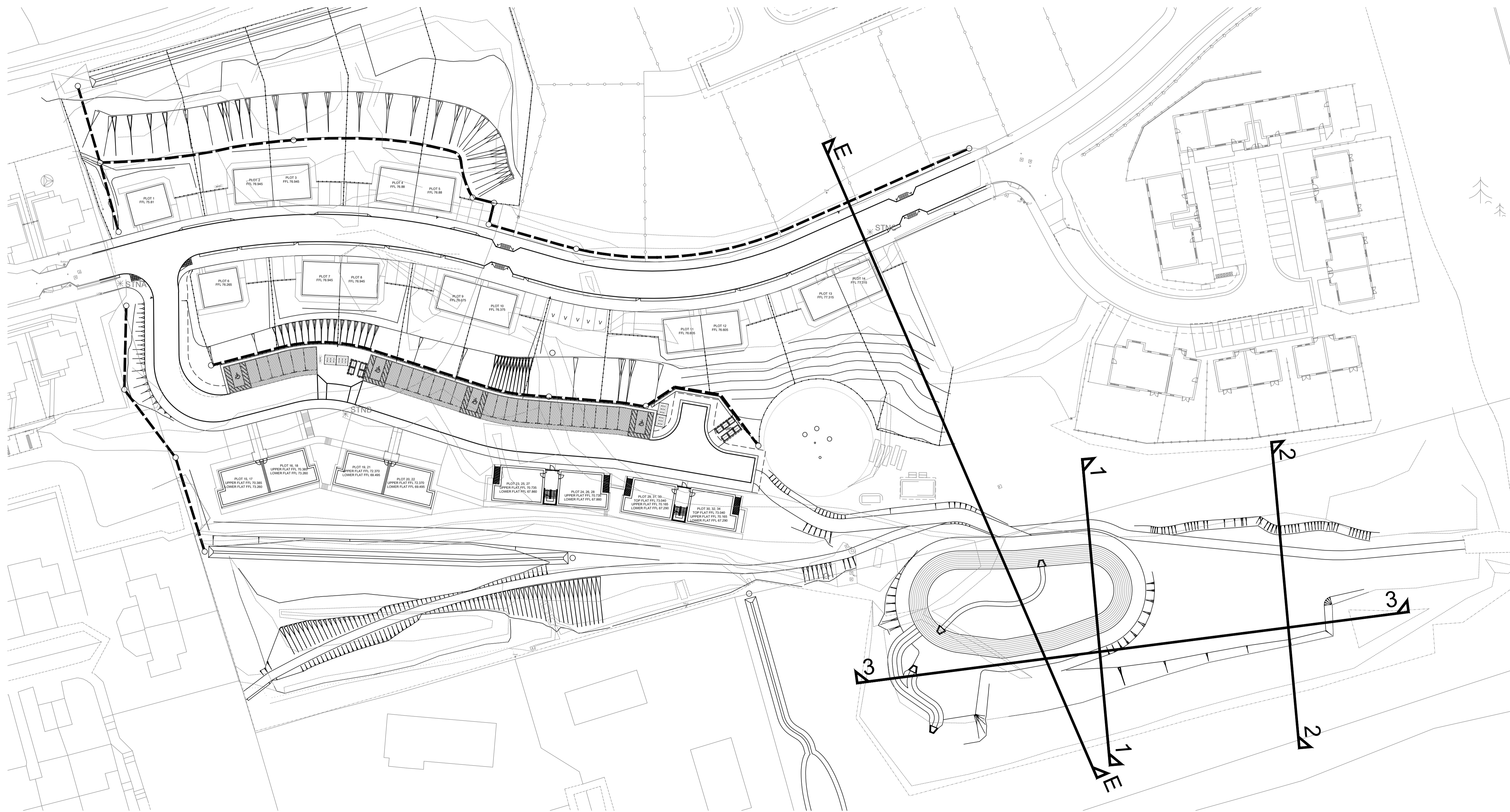
DRAINAGE LAYOUT SHEET 2 OF 2

Drawn: IM CK'd: Scale: 1:250
Date: April 2020 Date: DO NOT SCALE

Drawing No. 3547:105/02 Revision D



E



Drawing No.		Revision	
3547:130/01		G	
Revisions	Date	Drm.	
C LAYOUT REVISED	05.06.20	IM	
D ORIGINAL SURVEY LEVELS ADDED	19.02.21	IM	
E EAST FOOTPATH REVISED	19.03.21	IM	
F HC COMMENTS INCORPORATED	02.07.21	IM	
G SECTIONS REVISED	03.09.21	IM	

**APPROVAL
DRAWING**

**HIGHLAND HOUSING
ALIANCE**

**St ANDREWS ROAD
DINGWALL**

**SITE SECTIONS
SHEET 1 OF 2**

Drawn: IM	Ck'd: Date:	Scale: 1:250 (A1) DO NOT SCALE
Date: April 2020		

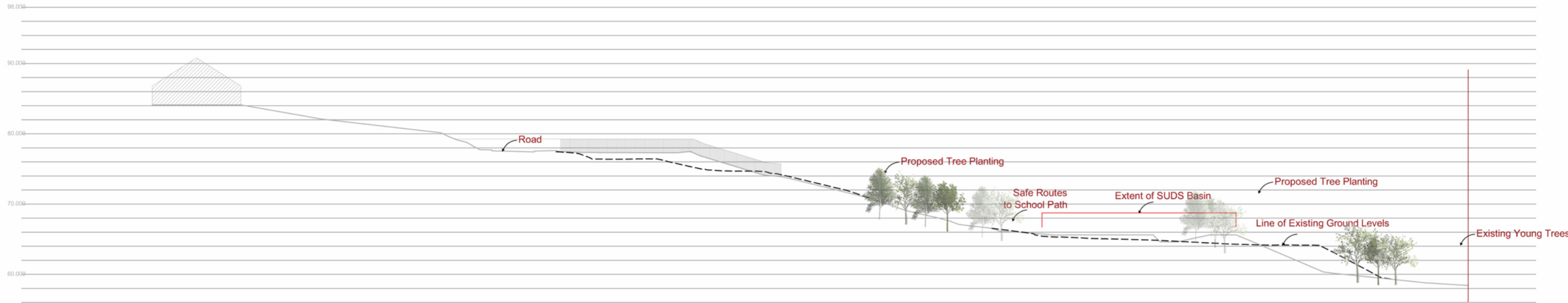
consulting engineers
hga

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

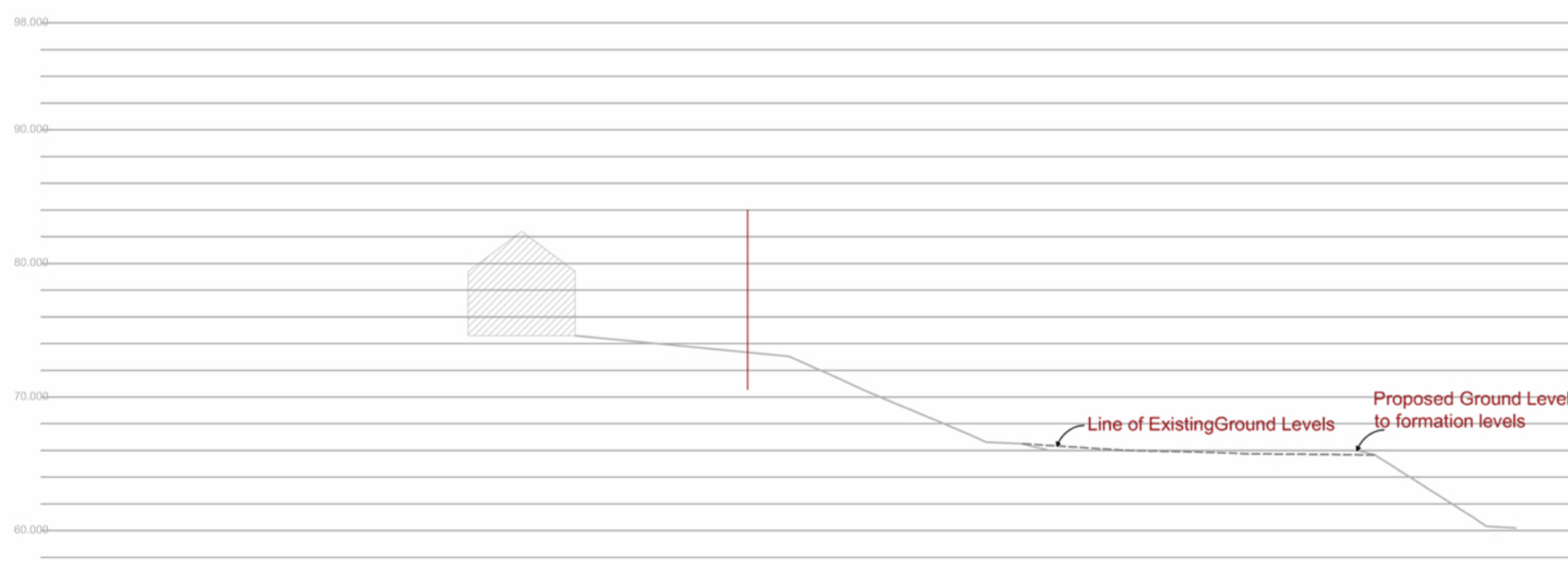
Drawing No.		Revision	
3547:130/01		G	

All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately. Do not scale dimensions from this drawings. This drawing is copyright protected.

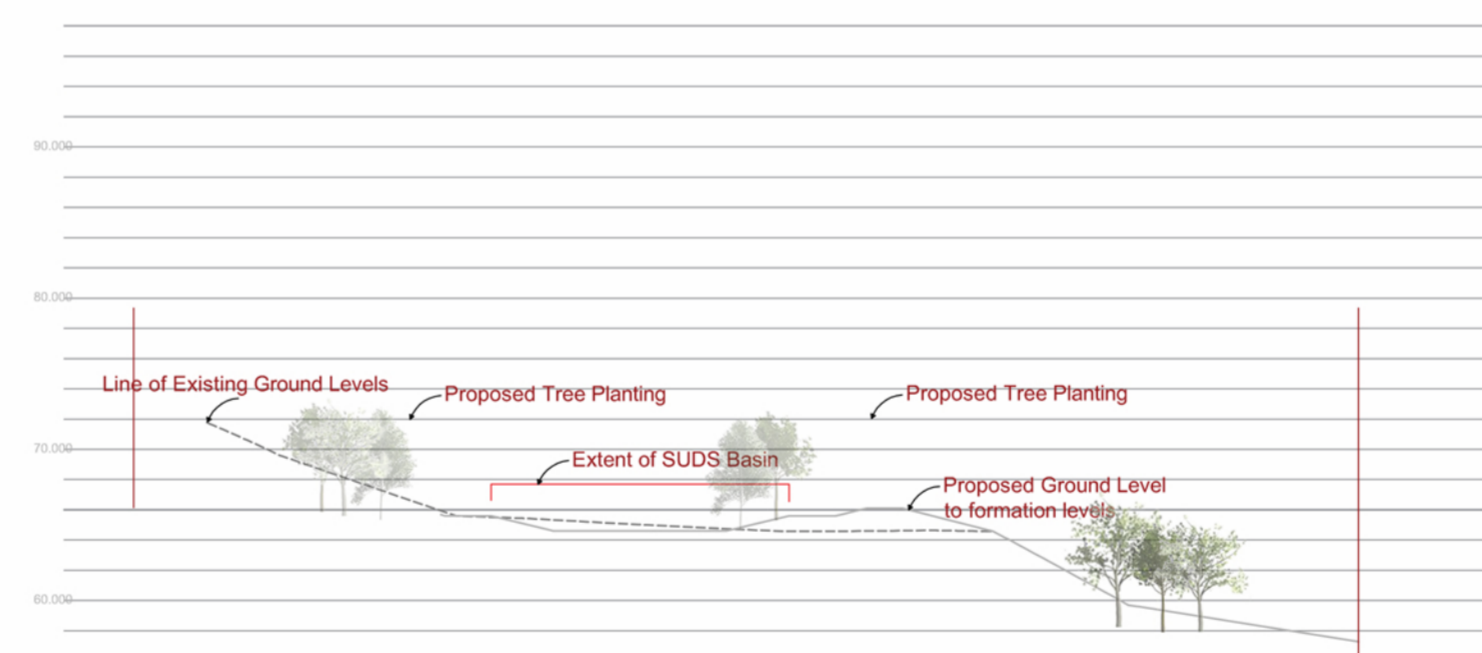
REVISION



SECTION A-A



SECTION C-C

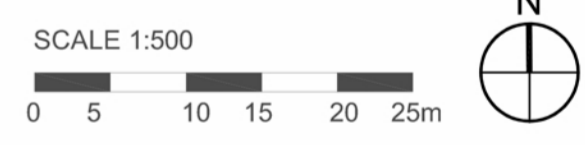


SECTION B-B

PLANNING

*To be read in conjunction with SE information

EXISTING GROUND LEVELS - - - - -
 PROPOSED LEVELS - - - - -
 SITE BOUNDARY - - - - -

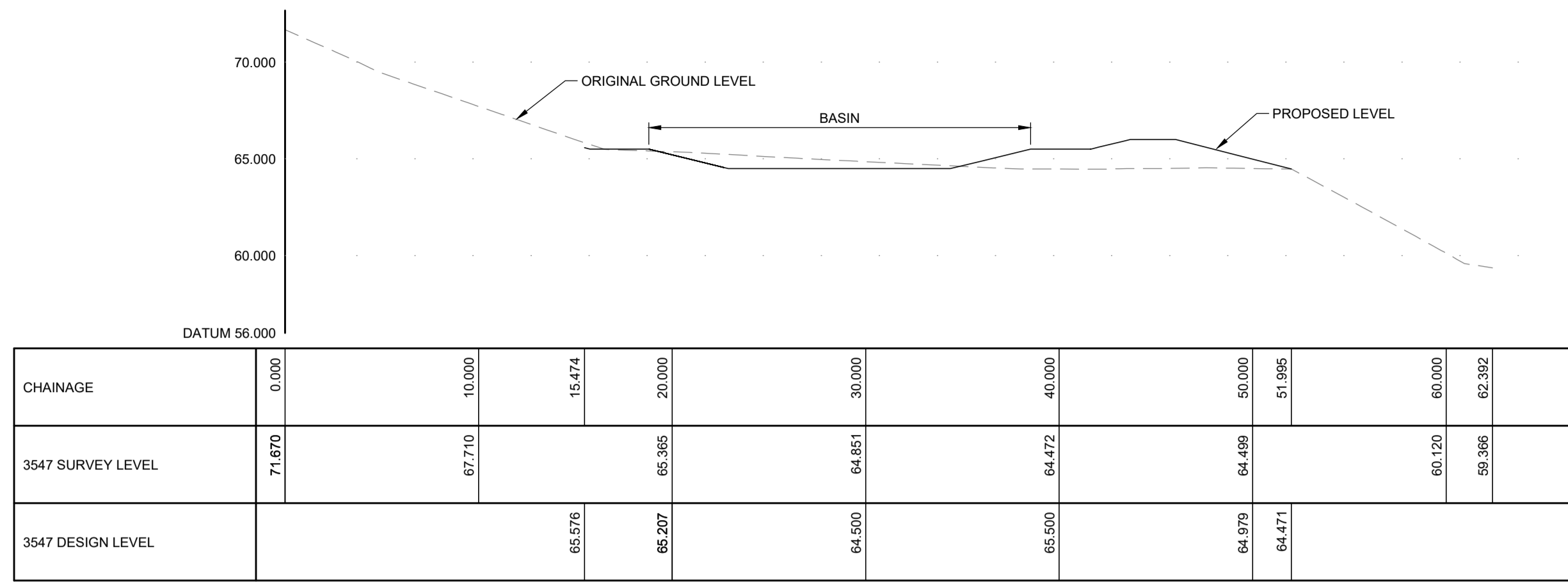


SCALE	DATE	DRAWN	CHECKED
1:500	06.09.21	LM	

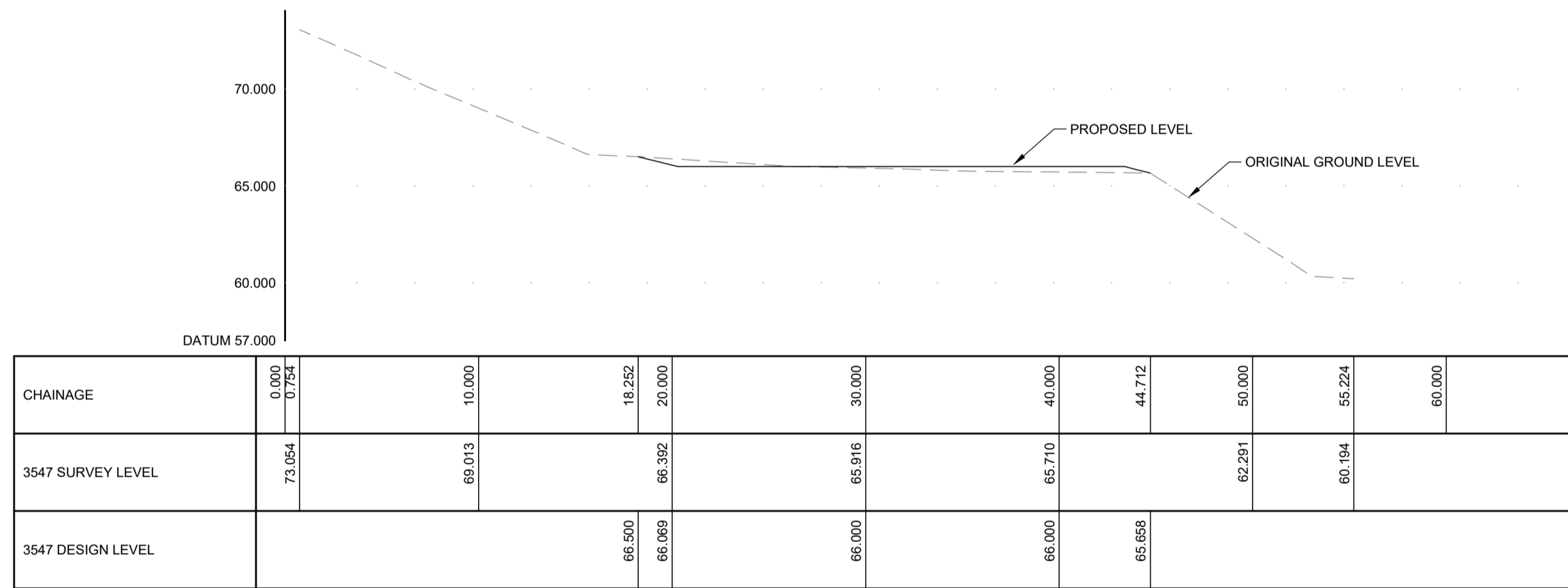
PROJECT
 Land at St Andrews Road
 Dingwall
 Landscaping Proposals
 DRAWING
 Site Sections

TRAIL
 ARCHITECTS
 12 CARPENTER STREET • PERTH • PH1 5LZ
 01738 230360
 WWW.TRAILARCHITECTS.CO.UK

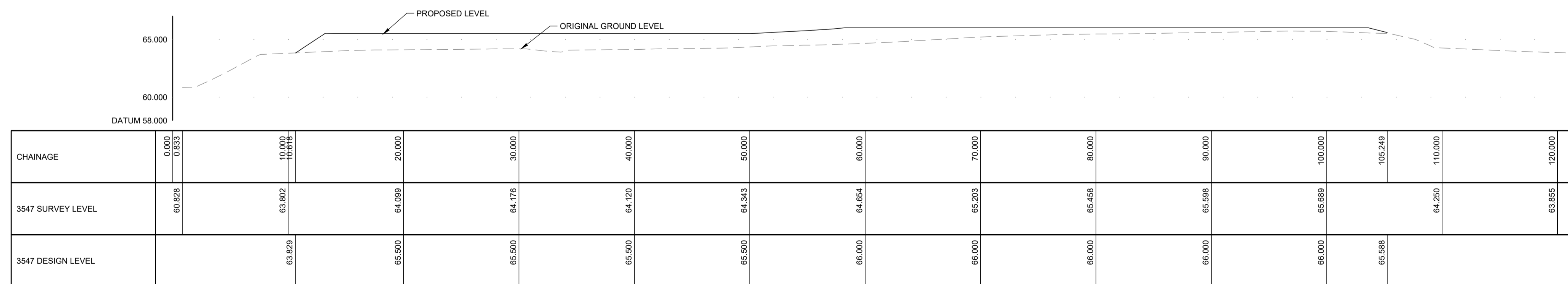
DRAWING No.
 19001B_PL(90)004



1-1



2-2



3-3

Drawing No.	Revision	
3547:130/02	G	
Revisions	Date	Drn.
C LAYOUT REVISED	05.06.20	IM
D ORIGINAL SURVEY LEVELS ADDED	19.02.21	IM
E EAST FOOTPATH REVISED	19.03.21	IM
F HC COMMENTS INCORPORATED	02.07.21	IM
G SECTIONS REVISED	03.09.21	IM

**APPROVAL
DRAWING**

**HIGHLAND HOUSING
ALLIANCE**

St ANDREWS ROAD
DINGWALL

SITE SECTIONS
SHEET 2 OF 2

Drawn: IM	CR'd:	Scale: 1:250 (A1)
Date: April 2020	Date:	DO NOT SCALE



Drawing No.	Revision
3547:130/02	G