

Agenda Item	6.5
Report No	PLN/007/22

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 25 January 2022

Report Title: 21/02630/PIP: Margaret Grigor

Land To South Of Roth-Ach
Cemetery Brae, Avoch

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Erection of a house and formation of an access

Ward: 09 - Black Isle

Development category: Local

Reason referred to Committee: 5 public representations have been received pertaining to this application.

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 Planning permission in principle is sought to erect a house approximately 50 metres west of Henrietta Street, Avoch. Existing dwellings abut the application site's northern and southern sides. Indicative plans depict the house to occupy a 'T'-shaped floorplan of approximately 115 square metres in area. As this is an application for permission in principle, no further details have been provided. An indicative site layout plan features two vehicle parking spaces.

1.2 Scottish Water has indicated that there is sufficient capacity to accommodate the proposed development at both Assynt Water Treatment Works and Avoch Waste Water Treatment Works. No solution has however been proposed regarding surface water drainage; this will be requested via an attached condition.

Access would be taken via 'Cemetery Brae', a single-track road which passes along the application site's western side.

A streetlight and telegraph pole both stand within the application site's boundary.

1.3 Pre Application Consultation: none.

1.4 Supporting Information: site photos; site investigation report prepared by Fleming Engineering Ltd which contains findings of an intrusive investigation carried out by Blake Geoservices Ltd.

1.5 Variations: none.

2. SITE DESCRIPTION

2.1 The site is a sloping piece of ground on the lower side of Cemetery between existing houses. Trees cover a large segment of the application site.

2.2 The application site slopes downwards initially gradually but much more steeply thereafter descending from its western roadside down towards the coastline to its east.

2.3 SEPA's Flood Risk Management Map does not identify the application site to be at any risk of flooding. A significant area identified at high risk of coastal flooding sits approximately 50 metres east of the application site, representing the Moray Firth shoreline.

3. PLANNING HISTORY

3.1 2.10.2008 08/00475/OUTRC | Erection of house (Outline) Application Permitted

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour

Date Advertised: 11.06.2021

Representation deadline: 25 June 2021

Timeous representations: 6 from 6 households

Late representations: none

4.2 Material considerations raised are summarised as follows:

- No SuDS details have been included in submitted drawings. No Drainage Impact Assessment, Soil Survey, Ecological Survey or assessment of the hillside's stability have been submitted alongside this application.

Planning Officer comment: This is a Planning in Principle (PIP) application. Sufficient details have been submitted to allow consideration of the site for development including a Ground Investigation Study.

- There is a concern that surface rainwater which flows off the application site's hillside into private gardens along Henrietta Street would be impeded by this development. A wetter hillside could lead to a more unstable hillside.

Planning Officer comment: Sufficient details have been submitted to allow consideration of the site for development. These aspects would require to be fully addressed under the detailed permission and also under the Building Warrant.

- The application site forms part of a potentially unstable hillside, which involved a large landslide in approximately May 2021. Further development might exacerbate this instability and lead to a repeat landslide. This situation remains unresolved.

Planning Officer comment: A Ground Investigation Survey has been submitted at Officer's request, as it was deemed necessary to establish whether the application site is capable of being developed – this is explained below in Sections 8.8–8.9.

- The hillside around the application site forms a sort of wildlife corridor, which is enjoyed by a diverse array of wildlife.

Planning Officer comment: There are no nature conservation designations in place on the site.

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 **Scottish Water:** no objections raised. Current capacity to serve the proposal at Assynt Water Treatment Works confirmed. Also sufficient capacity confirmed for a foul-only connection to Avoch Waste Water Treatment Works. Existing Scottish Water assets potentially affected: a water main and combined sewer run through the application site. Scottish Water would not accept any surface water drainage into its combined sewer system.

5.2 **Forestry Officer:** no objection. The trees on this site serve an important purpose. They form a prominent backdrop to Avoch Conservation Area, provide a valuable wildlife corridor, create a visual separation and privacy between the properties

along Gallow Hill road and Henrietta Street, reduce water run-off and help stabilise the steep slope. This is a challenging site, given its steep gradient. Retention of existing trees to the proposed dwelling's south and east appears to be proposed. Any proposal to remove these trees would also need to be assessed against Policy 52 and the Scottish Government's policy on the Control of Woodland Removal. It is unlikely that current proposals would meet the acceptability criteria for the proposed change in land use. The removal of these trees may jeopardise any subsequent detailed planning application and it is therefore essential that they are retained as a condition of any consent. Any detailed planning application will need to be supported by an Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement. Attachment of conditions requested.

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
- 34 - Settlement Development Areas
- 51 - Trees and Development
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage
- 61 - Landscape
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage

6.2 Inner Moray Firth Local Development Plan (2015)

Site is located within Avoch's Settlement Development Area.

Avoch lies within the Hinterland area around Inverness.

Avoch Conservation Area lies immediately to site's east, as do several Category 'B' listed buildings.

6.3 Highland Council Supplementary Planning Policy Guidance

Access to Single Houses and Small Housing Developments (May 2011)

Developer Contributions (March 2018)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Housing in the Countryside and Siting and Design (March 2013)

Sustainable Design Guide (Jan 2013)

Trees, Woodlands and Development (Jan 2013)

Rural Housing (draft – September 2021)

7. OTHER MATERIAL CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy
National Planning Framework 3
Designing Streets
Creating Places

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 application site for residential development (site gradient and stability)
 - c) Heritage
 - d) Access and visibility arrangements
 - e) Any other material considerations.

Development plan/principle of development

- 8.4 The application site lies within a Settlement Development Area, meaning that its development would be supported if it meets the requirements of Policy 28 and other Development Plan policies, in accordance with Policy 34. The application site may be considered to accommodate 'infill' development, being surrounded on three sides by existing dwellings.

In relation to Policy 28, the proposal is affected by physical constraints and involves a greenfield site. An impact on community residential amenity may be introduced, if the application dwelling increased surface water run-off reaching the curtilage of dwellings along Henrietta Street. Policy 28 notes that when "assessing development proposals where the potential impacts are uncertain, but where there are scientific grounds for believing that severe damage could occur either to the environment or the wellbeing of communities, the Council will apply the precautionary principle". As is explained later, however, a ground investigation report uncovered no matters of concern.

- 8.5 Although each application is determined on its own merits, the historic approval of a similar outline application for a residential dwelling (08/00475/OUTRC) on this site acts as a material consideration in the determination of this case. It is however acknowledged that this case was determined in relation to a different set of policies prior to 2012, when the current Highland-wide Local Development Plan was adopted. The application site lies in effect within a gap site within the Settlement Development Area boundaries of Avoch between existing houses.

Site Gradient

- 8.6 The site slopes from the roadside downwards. Initially the slope is gradual but the eastern half of the application site drops steeply. 'Physical Constraints' supplementary guidance cautions against "areas of excessive slope", stating that "alterations to areas where the slope of the land is more than a gradient of 1 in 7 [approximately 15%] can result in increased erosion, landslides as well as an increased fire hazard". This has been mitigated as much as possible by indicatively proposing to site a dwelling on the flatter part of the site, by 'Cemetery Brae', which reflects the siting of existing dwellings along this road. The steepest part of the site would largely therefore be avoided. Given the topography of the site it lends itself to a stepped approach for a split level property.
- 8.7 While care must be taken not to jump ahead to detailed consideration while determining this application for permission in principle, it is considered that given the gradient of the site it would result in a reduced quantity of useable amenity space being provided. Its provision would however be commensurate with those of adjacent plots.

Site Stability

- 8.8 A matter which required to be considered at this stage, in order to determine whether the application site is indeed capable of being developed, is that of ground stability. Several objectors' comments make reference to recent land slippages. It is understood that while these land slippages originated from the same elevated land mass on which the application site sits, the application site itself was not the source of these slippages. It is considered that a recommendation to grant this application could not be offered without establishing whether the application site's ground concerns could be overcome.
- 8.9 To this end, further information was sought to establish whether the site could be developed which resulted in a desktop and walkaround surveys including drilling four intrusive boreholes and the submission of a ground investigation report. These surveys and investigations have concluded that no historical information would hint at the application site's instability or land slippage potential. Borehole investigation found that existing strata is compact, rather than loose; experts concluded that this ground composition would be "more than suitable for house foundations. From the findings of the intrusive investigation, it is not anticipated that there will be any potential land slippage or instability at the site". Following professional recommendations, it is therefore considered that ground conditions are suitable for a new dwelling as proposed – its construction would be unlikely to exacerbate a long-standing problem of land slippage in its vicinity. Clearly the development of the site will present challenges, but it is considered that this can

be undertaken. In this instance it is considered appropriate that any detailed design for development within the site should be accompanied with a further ground investigation report for that proposal, this will be conditioned.

Heritage

8.10 It is required by Policy 57 of the Highland-wide Local Development Plan (2012) to consider this proposal's impact on natural, built and cultural heritage features. As this application is located in proximity to a Conservation Area and a group of Category 'B' listed buildings, Policy 57.1 states that developments are deemed suitable where they can be demonstrated not to have an unacceptable impact on the protected amenity and heritage resource. As noted above, the application site sits outwith but in the context of a Conservation Area and several listed buildings. The application site's trees bear a relationship to Avoch Conservation Area. A condition is attached preventing works to any trees within the application site until this matter can be considered in detail at a later stage.

8.11 The planning authority has a statutory obligation to "preserve or enhance" the character and/or appearance of Conservation Areas, as set out in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. A development located outside a Conservation Area's boundary might on occasion create a visual impact within it, although that is considered to be unlikely in this case – the proposed development would probably only be fleetingly visible from Henrietta Street, glimpsed through a gap between 'The Old Slipway' and '45 Henrietta Street'. The proposed development would therefore not unacceptably impact Avoch Conservation Area or its listed buildings, in accordance with Policy 57.

Access and Visibility Arrangements

8.12 Access would be taken via 'Cemetery Brae', immediately west of the application site, which is a single-track road with passing places. 'Cemetery Brae' is a short, undulating road (approximately 300 metres in total length), serving four dwellings (five, if including that proposed here) and Avoch New Cemetery. It falls within Avoch's 20mph zone; in any event, its narrow nature would prevent vehicles from gaining any significant speed. Site visibility splays as existing extend approximately 25 metres northwards and approximately 75 metres southwards. Table 5.2.1 of 'Access to Single Houses' supplementary guidance requires a minimum of 25 metres' visibility each way on minor residential roads limited to 20mph, meaning that access and visibility arrangements generally appear to comply with current adopted guidance. A condition is attached, requiring a service bay and access point of SDB1 standard.

8.13 Privacy and Overlooking

While these matters cannot be considered in depth in the absence of detailed plans, it is acknowledged that two dwellings immediately abut the application site's northern ('Roth-Ach') and southern ('Belmont') sides. Overlooking issues are especially pertinent, given that a conservatory attached to 'Roth-Ach' immediately faces onto the application site. Given the orientation of the site relative to 'Belmont' the risk of overlook overlooking risk is lessened. A condition is attached to require either a programme of soft planting or fencing along the application site's northern side, to allow 'Roth-Ach's current level of privacy to be maintained. With these mitigation measures in place, no unacceptable risk to

existing residents' privacy is anticipated. With regard to the properties situated on Henrietta Street, given the change in levels and separation distance it is considered that subject to screening there should not be any detrimental impact on the residents there.

Other material considerations

8.14 Issues which should be addressed and considered at a subsequent detailed planning consideration stage include but are not limited to:

- Surface water drainage / SuDS – details are required by an attached condition;
- Design, massing and other aesthetic considerations, bearing in mind the application site's location adjacent to a Conservation Area;
- Quality and quantity of proposed amenity space, on receipt of a detailed proposed site layout plan;
- Detailed Access and parking provision.

The above issues have not been considered in depth at this stage; as only permission in principle is sought but will be required for any detailed submission but it is considered that the application site is capable of accommodating the proposed development.

Non-material considerations

8.15 Construction noise affecting the amenity of nearby guest house patrons.

Tree removal – the trees on site have become more established since permission was originally granted. No significant works to the trees have been explicitly proposed, and that this is an application for permission in principle rather than a detailed submission. The trees serve to contribute to both screening and help bind the soil as well as contribute to the setting of the wider area. As detailed by the Forestry Officer an Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement is required and will be conditioned.

Surface water or 'run-off' drainage will be addressed via an attached condition, bearing in mind that this application only seeks permission in principle. Foul and other drainage are able to be addressed via public infrastructure assets.

Ecology: one objector has mentioned flora and/or fauna but as over half of the application site would remain undeveloped, it is considered that any wildlife would remain unimpacted.

Matters to be secured by Section 75 Agreement

8.16 None.

8.17 Developer contributions are required to be paid on this application's approval. 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 requirements. Appendix 2 below provides a breakdown of the financial

contribution to be paid on determination of this application – Avoch Primary School would be the main beneficiary. The applicant has 28 days from the date that the Council sends the invoice for developer contributions to be paid to make a payment of the developer contributions set out in this report.

9. CONCLUSION

- 9.1 The principle of development on this site has previously been established. It is acknowledged the ground conditions are challenging and the concerns outlined are understood however the site is capable of being developed. It is recommended that this application for planning permission in principle should be granted. The proposed development complies with HwLDP Policies 28, 34, 55 and 57, among other policies and adopted supplementary guidance. It would sit within a Settlement Development Area and benefits from the precedent of an historic planning permission (albeit granted over 13 years ago). It would present no threat to Avoch's rich local built heritage. Recent detailed investigation has found that the site is structurally capable of accommodating a new dwelling, while all other matters are capable of being addressed via conditions and considered in detail during the determination of a detailed planning application once submitted to the Planning Authority.
- 9.2 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	No
Conclusion of Section 75 Obligation	No
Revocation of previous permission	No

Subject to the above actions, it is recommended to

GRANT the application subject to the following conditions and reasons:

- 1 The size, orientation and location of the dwellinghouse as shown on the approved plans is indicative only and 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, showing the house sited in a manner that is compatible with the local settlement pattern (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 (including boundary treatments);
 - iv. details of access and parking arrangements;
 - v. details of the proposed water supply, flood mitigation measures, and both surface and foul drainage arrangements; and,
 - vi. details of the extent of residential curtilage to be associated with the development.
 - vii. Boundary details to address screening
 - viii. A ground investigation report relative to the proposed house, access and parking.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing in order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

- 2 Any details pursuant to Condition 1 above shall show a development featuring the following elements:
 - i. walls finished predominantly in a white/off-white wet-dash render or natural stone;
 - ii. a roof covering of natural slate or good slate substitute;
 - iii. single storey or 1½ storeys in height;
 - iv. windows with a strong vertical emphasis;
 - v. a roof symmetrically pitched of not less than 40° and not greater than 45°; and,

vi. predominantly rectangular in shape with traditional gable ends.

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

- 3 Any details pursuant to Condition 1 above, shall show a minimum of two cross sections through the site running north west to south east, showing the existing land contours and the proposed finished levels of the ground, the floor levels of the proposed house and its exposed underbuilding, the associated garden area and car parking/turning area, and Cemetery Brae, all relative to a fixed datum point, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed in strict accordance with such details as are approved.

Reason: In the interests of visual amenity in order to integrate the proposal into its surrounding landscape setting.

- 4 Any details pursuant to Condition 1 above shall ensure that the access has been designed in accordance with The Highland Council's Access to Single Houses and Small Housing Developments guidelines and the attached Access Schedule SDB1 (dated 10.01.2022) with:

- i. the junction formed to comply with drawing ref. SDB1; and,
- ii. visibility splays of at least 2.4m x 25m (the X dimension and Y dimension respectively) in each direction formed from the centre line of the junction.

Within the stated visibility splays, at no time shall anything obscure visibility between a driver's eye height of 1.05m positioned at the X dimension and an object height of 0.60m anywhere along the Y dimension.

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

- 5 Any details pursuant to Condition 1 above shall show car parking spaces provided within the curtilage of the dwellinghouse and formed in accordance with The Highland Council's Access to Single Houses and Small Developments prior to first occupation, thereafter being maintained for this use in perpetuity. Provision, which shall exclude garages, shall be as follows:

- i. Two spaces per 1 to 3 bedrooms;
- ii. Three spaces per 4 to 5 bedrooms; and,
- iii. Four spaces per 6 or more bedrooms.

Reason: In order to ensure that the level of parking is adequate for the scale of the development.

- 6 Any details pursuant to Condition 1 above shall show a vehicle turning area within the application site formed in accordance with The Highland Council's Road Guidelines for New Developments. The turning area shall be provided prior to the first use of the development and thereafter maintained as a turning area in perpetuity.

Reason: In order to ensure that sufficient vehicle manoeuvring space is contained within the development site.

- 7 Any details pursuant to Condition 1 above shall include a detailed Landscape Plan and Maintenance Programme. This shall include native soft screen planting along the application site's northern boundary. The Landscape Plan shall be implemented in full during the first planting season following commencement 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.

- 8 Any details pursuant to Condition 1 above shall show surface water drainage provision within the application site which accords with the principles of Sustainable Urban Drainage Systems (SUDS) and is designed to the standards outlined in Sewers for Scotland Fourth Edition (or any superseding guidance prevailing at the time).

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

- 9 Any detailed application shall require the following information to be submitted and subsequently approved in writing by the planning authority, in accordance with BS5837:2012 (Trees in Relation to Design, Demolition and Construction):

1. Arboricultural Impact Assessment
2. Tree Protection Plan
3. Arboricultural Method Statement
4. Details of Site Supervision and Compliance Monitoring
5. Tree Management Plan

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

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

REASON FOR DECISION

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

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

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.

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 - North

Author: Craig Simms

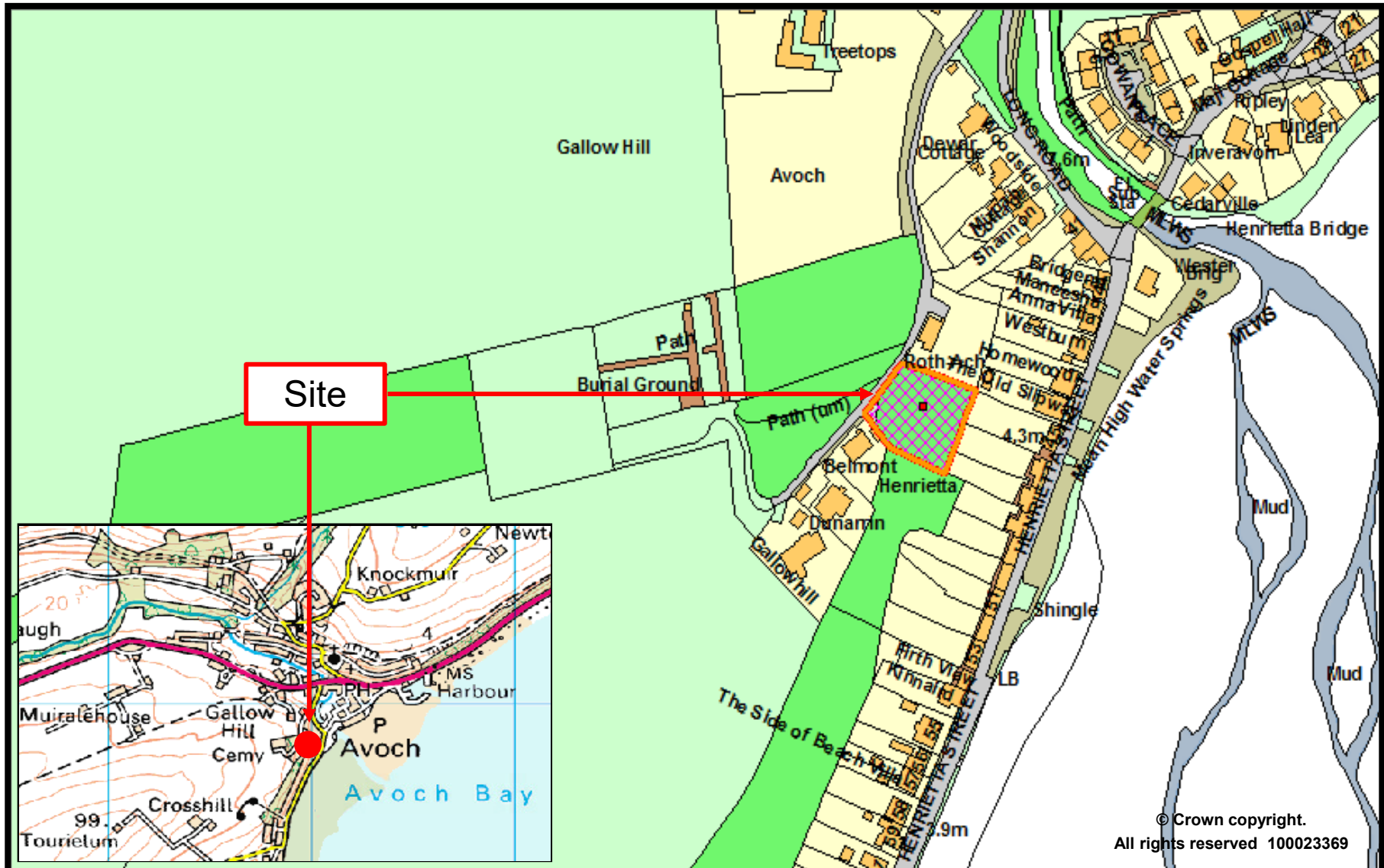
Background Papers: Documents referred to in report and in case file.

Relevant Plans:

Document Type	Document No.	Version No.	Date Received
Location Plan	1	1061-PIP-01	28/05/21
Proposed Site Layout Plan	2	1061-PIP-02	28/05/21

Appendix 2 – Summary of Developer Contributions

Summary of Developer Contributions		
Infrastructure / Service Type	Select Answer	Contribution Rate Per Home (a small scale housing discount has already been applied)
Number of Homes Proposed	1	
Avoch Primary School		
Build Costs	Major extension / new school	£1,683
Major Extension / New School - Land Costs	None - No land costs required	£0
Primary Total		£1,683
Fortrose Academy		
Build Costs	None - No capacity constraints	£0
Major Extension / New School - Land Costs	None - No land costs required	£0
Secondary Total		£0
Affordable Housing		
CNPA	No	£0
Cumulative Transport		
Development Brief / Agreement Area	None - No cumulative transport costs required	£0
<i>Breakdown</i>	N/A	N/A
	N/A	N/A
	N/A	N/A
Total Per Home		£1,683
Total for Development		£1,683



The Highland Council
Comhairle na Gàidhealtachd

Planning and Development Service

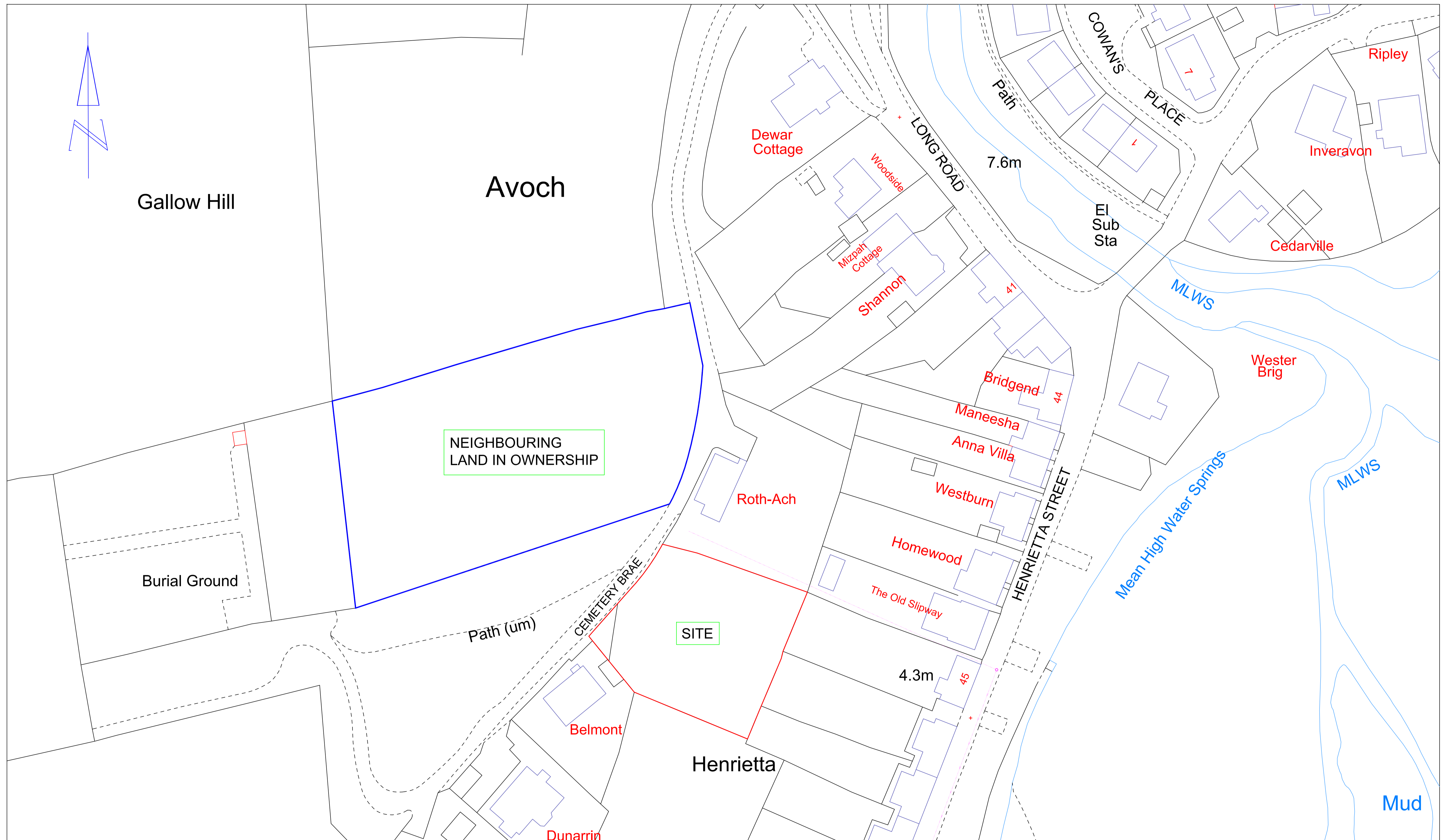
Location Plan
21/02630/PIP

Erection of a house and formation of an access

January 2022



Scale:

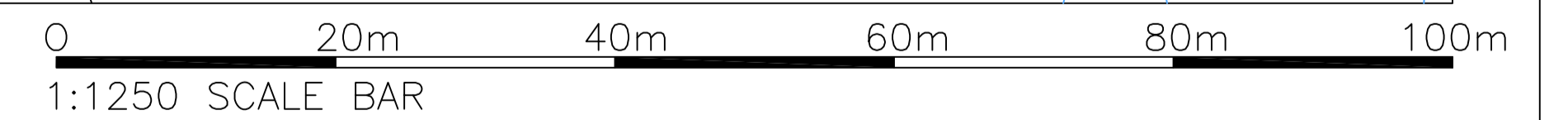


Location & Land Ownership Plan 1:1250

GRID REF: NH 69962 54782

NOTES: SITE BOUNDARY OUTLINED IN RED - 1474 sq.m or thereby

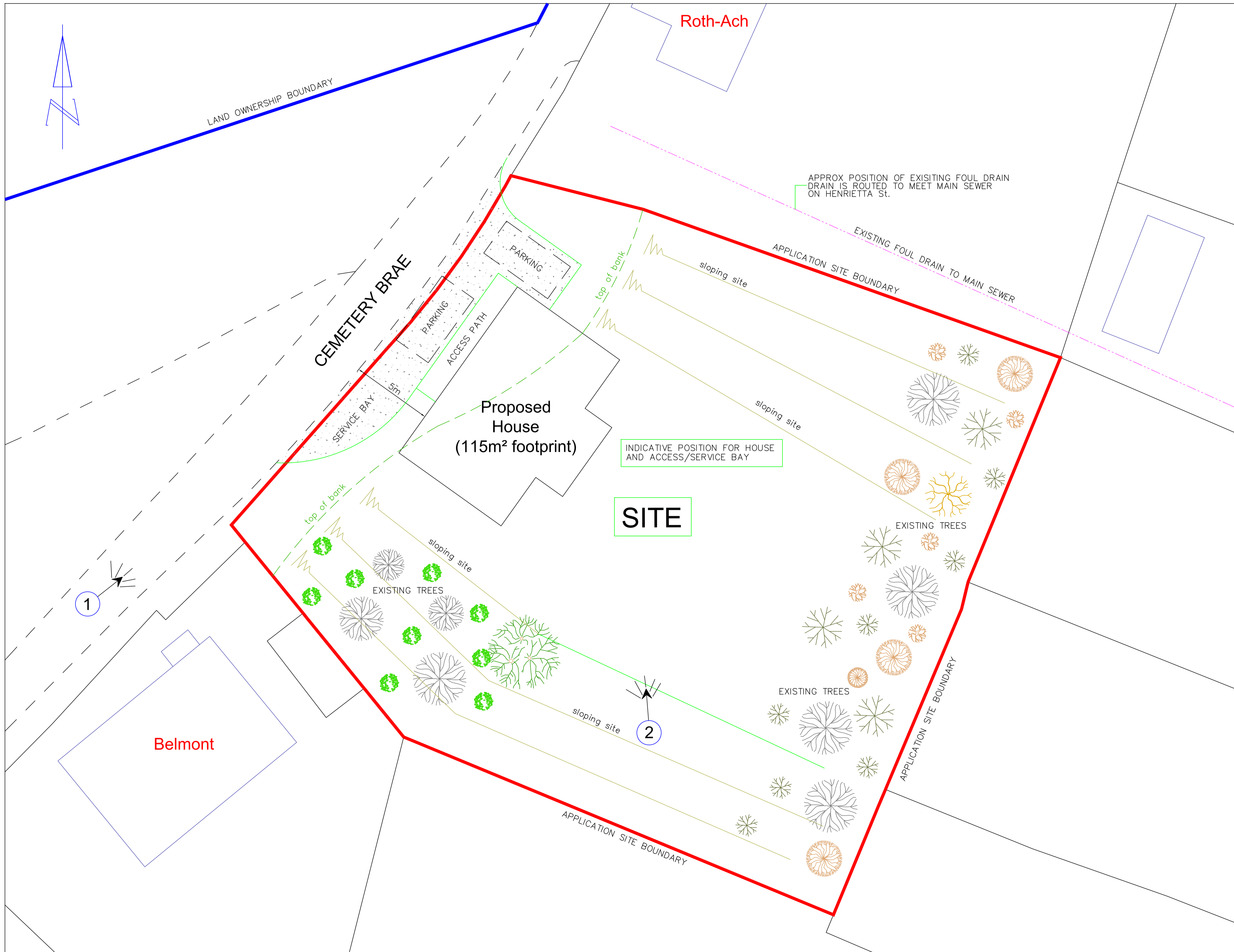
- BLUE LINE DENOTES LAND OWNERSHIP BOUNDARY
- RED LINE DENOTES APPLICATION SITE BOUNDARY



Drawing : 1061/PIP/01

Erection of house (In Principle) AT Land
 South of Roth-Ach
 Cemetery Brae, Avoch,
 IV9 8QS

May 2021



SITE PLAN KEY

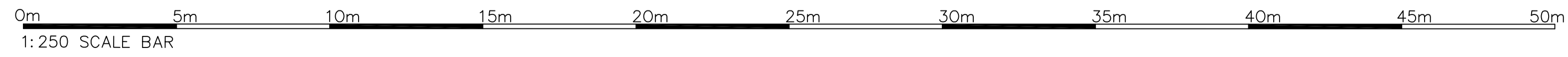
- DENOTES SITE BOUNDARY
- DENOTES LAND OWNERSHIP
- - - - FOUW WATER DRAIN
- TARMAC FINISH
- POSITION OF WHERE IMAGE TAKEN (REFER TO 'ILLUSTRATED DOCUMENT')

NOTES

IMAGE DESCRIPTIONS –
 IMAGE 1 – VIEW EAST FROM CEMETERY BRAE
 IMAGE 2 – VIEW NORTH FROM SOUTHERN BOUNDARY

SITE DESCRIPTION –
 THE SITE IS A VACANT HOUSE PLOT ACCESSED FROM CEMETERY BRAE, PREVIOUSLY APPROVED WITH OUTLINE PLANNING UNDER REF: 08/00475/OUTRC.
 DUE TO THE TOPOGRAPHY THE SITE, IT IS PROPOSED TO POSITION THE HOUSE TO THE TOP OF THE SITE SIMILAR TO NEIGHBOURING PROPERTIES ON EITHER SIDE OF THE HOUSE PLOT

Proposed Site Plan 1:250
 SITE AREA = 1474 sq.m or thereby



PROJECT	Erection of house (In Principle) AT Land South of Roth-Ach Cemetery Brae, Avoch, IV9 8QS	
DRAWING	Proposed Site Plan	
CLIENT	Mrs M Grigor, Cearnach, Redfield, North Kessock IV1 3XD	
Drg. no.	1061/PIP/02	Revision
Scale	as shown	Date May 2021

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