

Agenda Item	6.12
Report No	PLS-40-22

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 28 April 2022

Report Title: 22/00780/FUL: Loch Ness Homes Ltd

Carn Glas, Lewiston, Drumnadrochit

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Erection of 37 residential units, roads, landscaping and associated infrastructure (Re-design of Planning Permission - 19/00415/MSC)

Ward: 12 – Aird and Loch Ness

Development category: Local

Reason referred to Committee: Development comprising more than 30 residential units

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 for planning permission relates to the erection of 37 residential units as part of the Kilmore Farm development. The application comprises a mix of:

- 28 No. three bedroom houses; and
- 9 No. four bedroom houses.

The proposed development is a re-design of the development granted planning permission in March 2022 (19/00415/MSC) for 43 residential units. This application has been brought forward as the previous applicant has chosen to no longer take forward development of this area of the site. A further application for six residential units remains under consideration (22/01276/FUL).

1.2 The overall masterplanned development at Kilmore Farm did not include a total number of houses proposed in the description of development, nor was a limit on development applied by the Scottish Government Reporter when planning permission in principle was granted. The phases as delivered on the site permitted to date and the numbers set out in this application are set out below:

Phase	Unit Numbers	Status	Running Total
1	25	Constructed and occupied	25
2	0	Constructed and occupied (retail development)	25
3	24	Under construction and partially occupied	49
4 and 5	37	No construction (application subject to this report)	86
6	6	No construction (application under consideration)	92
7	12	Constructed and occupied	104

1.3 The access to the site is via Carn Glas and Dal of Borlum, residential streets which form part of phase 3 of the Kilmore Farm Development. These streets connect the site to the A82 (T) which runs to the south west of the site.

1.4 No formal pre-application advice was sought but informal advice on procedure and design matters was provided to the applicant's agent.

1.5 The application is supported by the following information:

- Drainage Impact Assessment;
- Tree Report;

- Landscape Maintenance Plan; and
- Supporting Design Statement.

1.6 Since the application was validated the following modifications have been made to the application:

- Provision of updated information on stopping sight distance for forward visibility splays;
- Provision of updated landscaping plan showing no sight lines are obscured by trees or hedges;
- Provision of updated information on visibility splays from the end of the private track to plots 25-27 onto road 1;
- Relocation of the build out on Road 1 to allow cars to reverse out of plot 17 with a minimum road width of 3.5m being provided;
- Relocate driveway of plot 2 so that cars are not reversing onto give way point at the junction;
- Changing the plot layout of plots 24-26 to relocate driveway of plot 25; and
- Widened access to plots 22 and 24.

2. SITE DESCRIPTION

2.1 The development sits within a wider site for development at Kilmore, Drumnadrochit.

2.2 The site is accessed from a network of roads within the wider masterplanned site which connects to the A82(T) at the roundabout provided as part of the wider development site.

2.3 There are some mature trees to the north east of the site on the boundary of Urquhard and Glenmoriston Church as well as forming the boundary of properties within Coiltie Crescent. No trees are proposed for removal as a result of the development.

3. PLANNING HISTORY

3.1	18.12.2012	12/04780/PAN - Erection of housing, affordable housing, homes for the elderly, mixed commercial uses, health car centre, public open space and associated infrastructure	Received
3.2	14.04.2015	13/03694/PIP - Mixed use development comprising housing, affordable housing, homes for the elderly, mixed commercial uses, health centre, public open space and associated infrastructure.	Planning Permission Granted
3.3	20.09.2017	16/05708/FUL - Erection of 20no. dwellings	Planning Permission

			Granted
3.4	06.12.2017	17/01702/FUL - Retail unit (Class 1) with four additional units (Class 1,2,3 and Sui generis-Hot food takeaway) with associated service yard, parking, coach bay, landscaping	Planning Permission Granted
3.5	07.09.2017	17/02492/MSC - Submission of information addressing Matters Specified in Conditions of Planning Permission 13/03694/PIP	Matters Specified in Conditions Approved
3.6	25.05.2018	17/05848/MSC - Submission of Matters Specified in Conditions 1, 3, 4, 17, 20, 23 and 38 of Planning Permission 13/03694/PIP - Erection of 24 houses and associated infrastructure	Matters Specified in Conditions Approved
3.7	18.03.2022	19/00415/MSC - Submission of Matters Specified in Conditions 1, 3, 4, 15, 17, 20, 22, 23, 24, 25, 27, 28, 29, 33, 37, 38 and 39 of Planning Permission 13/03694/PIP - Erection of 13 detached houses, 12 semi-detached houses, 8 terraced houses, 8 flats, 2 mid terrace houses and associated infrastructure works and landscaping	Matters Specified Approved
3.8	18.03.2022	19/04117/S42 – Section 42 application for non-compliance with Condition 1 of Planning Permission 17/05848/MSC Erection of 24 houses and associated infrastructure	Planning Permission Granted
3.9		22/01276/FUL - Erection of 6 houses and associated infrastructure	Pending Consideration

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour

Date Advertised: 11.03.2022

Representation deadline: 25.03.2022

Timeous representations: 4 (4 households – 3 objection, 1 general comment)

Late representations: 0

4.2 Material considerations raised are summarised as follows:

- Concern over timescale for delivery of paths between the Dal of Kilmore toward the shop, health centre and pharmacy;
- Impact on amenity (privacy, daylight, sunlight, visual amenity, construction impacts);
- Impact on water supply (lack of capacity);

- Impact on road network.

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 **Glenurquhart Community Council** did not respond to the consultation.

5.2 **Access Officer** does not object to the application but is disappointed that the delivery of the greenspace, and associated path network, is to be delayed until completion of phase 6 as a result of the area being used as a construction compound. Further detail on the specification for the parkland and associated maintenance of the paths is sought.

5.3 **Contaminated Land Team** do not object to the application and raise no concerns with regard to the previous use of the site.

5.4 **Development Plan Team** do not object to the application. It has highlighted that the proposal is likely to be in overall conformity with the Development Plan. It seeks provision of affordable housing. It has highlighted that developer contributions of £2041 (subject to being index linked from Q2 2018 to today's prices using BCIS All in Tender Indices) is required per property toward primary education capacity.

5.5 **Environmental Health Officer** do not object to the application. A construction noise assessment is sought if the works are to be carried out outwith Monday – Friday 8am-7pm or 8am-1pm on Saturdays. A condition relating to noise levels of the air source heat pumps is recommended.

5.6 **Flood Risk Management Team** do not object to the application. It requests a condition that the final surface water drainage design be submitted for review and approval.

5.7 **Historic Environment Team** do not object to the application. It has sought a condition to secure an archaeological watching brief for the site.

5.8 **Transport Planning** do not object to the application following submission of revised plans. It initially raised concern over matters related to visibility splays, driveway locations, traffic calming and plot access. Having been provided with updated drawings to address these matters. It has sought conditions to secure: visibility splays at junctions; forward visibility; finalised landscape drawings; and detailed drainage design. It has highlighted that there are other minor design issues such as the location of dropped kerbs, requirement for road markings, refuse collection points and location of gullies. It has confirmed that such matters can be addressed through the Road Construction Consent Process.

5.9 **Scottish Water** do not object to the application. It advises it cannot confirm capacity in the Glen Convith Water Treatment Works at this time and advises you to submit a Pre-Development Enquiry Form. It confirms there is sufficient capacity for a foul only connection to the Drumnadrochit Waste Water Treatment Works to

serve the development. It also advises that there is Scottish Water Infrastructure within the site and that the developer should liaise with Scottish Water on protection of those assets through construction.

5.10 **Transport Scotland** do not advise against the proposed development.

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 and Place-making
- 32 – Affordable Housing
- 34 - Settlement Development Areas
- 51 - Trees and Development
- 56 - Travel
- 57 - Natural, Built and Cultural Heritage
- 58 - Protected Species
- 59 – Other important Species
- 60 – Other Importance Habitats
- 61 – Landscape
- 63 – Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 72 – Pollution
- 75 – Open Space
- 77 – Public Access

6.2 Inner Moray Firth Local Development Plan

Within Drumnadrochit Settlement Development Area

DR6 - Land south west of Coiltie Crescent (Mixed Use – Residential, Business Community, Retail.)

Policy 2 – Delivering Development

6.3 Highland Council Supplementary Planning Policy Guidance

Construction Environmental Management Process for Large Scale Projects (August 2010)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Managing Waste in New Developments (March 2013)

Open Space in New Residential Developments (Jan 2013)

Physical Constraints (March 2013)

Standards for Archaeological Work (March 2012)

Sustainable Design Guide (Jan 2013)

Trees, Woodlands and Development (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Inner Moray Firth 2 Proposed Local Development Plan

- Placemaking Priorities 12 – Consolidate the village by supporting completion of its central development sites
- Allocation DR02 – Housing, Community, Business, Retail (Indicative Capacity 43)

7.2 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (The Scottish Government, June 2014)

National Planning Framework 3 (The Scottish Government, June 2014)

Creating Places (The Scottish Government, June 2013)

Designing Streets (The Scottish Government, 2011)

Draft National Planning Framework 4 (The Scottish Government, November 2021)

8. PLANNING APPRAISAL

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

Determining Issues

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

Planning Considerations

8.3 The key considerations in this case are:

- a) compliance with the development plan and other planning policy
- b) design and layout (including materials)
- c) transportation and access
- d) drainage and water infrastructure;
- e) construction impacts;
- f) Impact on infrastructure and services and proposed mitigation (developer contributions)
- g) any other material considerations.

Development plan/other planning policy

- 8.4 Development Plan policy has changed since the time of determination of the original planning permission in principle application. The Inverness Local Plan (2006) in relation to this site and the policy provisions have been superseded by the contents of the Highland-wide Local Development Plan (2012). The Inner Moray Firth Local Development Plan (2015) has also been adopted.
- 8.5 The Inner Moray Firth Local Development Plan, when allocating the site for 75 units identified a range of developer requirements. These, to an extent, have been overtaken by the grant of planning permission in principle for the mixed use scheme comprising housing and retail. In determining that application, the Reporter would have had regard to the proposed Inner Moray Firth Local Development Plan (IMFLDP) which included the indicative capacity and the phasing restrictions. However, in granting permission no limit was placed on the level of development nor its phasing.
- 8.6 In assessing this application, and the previous application to satisfy matters specified in conditions related to this phase of development, officers reviewed the original masterplan and the supporting information accompanying the permission in principle in order to establish the baseline of development and the appropriateness or otherwise of the level of development now proposed. The Transport Assessment for the planning permission in principle considered a development comprising the retail units and up to 80 residential units. The Transport Planning Team do not consider that the access to the site is inadequate for the level of development proposed. Transport Scotland has not advised against the development.
- 8.7 The appropriateness of the density of the development with regard to the layout is assessed elsewhere in this report. If this, and the remaining matters outlined in this report, do not have significant adverse impacts then the development can be seen to accord with the Development Plan.
- 8.8 The Inner Moray Firth 2 Proposed Local Development Plan was published on 25 March 2022. This allocates the area subject to this application, and an area to the south west of the application site, for a development comprising up to 43 residential units. It supports the development of the land in accordance with the previous planning permissions on the site, in particular matters related to phasing; timeous delivery of non housing uses; active travel connections to off-site facilities and adjoining greenspace. Archaeological survey and recording; high quality architectural design sympathetic to built heritage context. The Proposed Plan can be given weight in the decision making process as it is the settled view of the Planning Authority.

Design, Layout and Landscaping

- 8.9 The layout of the proposed development does not vary significantly from that previously approved under 19/00415/MS. Minor amendments have been made from the previously approved layout to include a short private driveway instead of provision of a parking court in the north-western part of the site.

- 8.10 A large open space continues to be provided at the north-western edge of the development. While concern had been raised by those making representations, and the Council's Access Officer, that this would not be delivered timeously, the applicant has confirmed that the open space will not be used for the site compound. The timeous delivery of the landscaping can be secured by condition. The remainder of the landscaping within the site provides an appropriate setting for the development. The proposed management and maintenance arrangements are via a factor. This is acceptable.
- 8.11 The key change in terms of housing mix is removal of the previously proposed two bedroom flats, located in the north west corner of the site. The mix of properties across this phase of development now comprises solely of three and four bedroom units, which are to be delivered in a variety of six different house styles of no more than two storey in height. There will be no blank gables facing the road and overlooking of the streets and open space appears to have drive the design of the development. This is welcomed.
- 8.12 The scale of the properties is considered to fit with the earlier phases of the Kilmore Farm development. The material finishes match those in Phase 1, where the palette consisted of white dry dash render, reconstituted stone and grey concrete roof tiles. While it will sit adjacent to Phase 3, where properties are finished in smooth course render and timber, it is not considered that the difference in material finishes between the phases is incompatible.
- 8.13 While concern has been raised in representation over impacts on privacy as a result of the proposed development, those properties in Phase 3 closest to this phase area a minimum of 17m window-to-window, with no directly opposing windows and fences providing screening at ground floor level. There is sufficient distance between the properties within the proposed development and those in earlier phases to avoid amenity issues in terms of daylight, sunlight or privacy.
- 8.14 Like the previously approved layout, there are clear routes through the development site for active travel and vehicles with different boundary treatments and house types being used to define the street hierarchy. The car parking is located to the side of properties to ensure that the majority of the primary street running though the site is free from on-street parking.
- 8.15 Overall, the layout of the site accords with the principles set out in the masterplan, compliments earlier phases of development and would be unlikely to lead to adverse amenity impacts on existing or future residents. It is accepted that the level of development proposed is higher than that anticipated in the IMFLDP, however, it is considered that the density of the development is appropriate and is lower than that previously accepted.

Traffic and transport

- 8.16 Through consideration of the application, Transport Planning has made a number of comments related to the visibility at junctions and forward visibility on the road network within the development. The applicant has made modifications to the proposal to ensure the relevant standards can be met and as a result the application now demonstrates accordance with the Roads and Transportation

Guidelines for New Development. It should however be noted that some matters of detail such as traffic calming details will be progressed through the Road Construction Consent process. Conditions will also secure visibility splays to be provided and maintained within the development.

- 8.17 A level of concern had been raised by Transport Planning in relation to the arrangement of driveways in proximity to the private driveway providing access to Units 24-26 (inclusive). To address these concerns, the applicant agreed to change the layout of plots and driveways in this area. As a result of this change, any conflict between traffic movements on the private driveway, the main street and driveways within plots has been removed. Transport Planning has confirmed that it is satisfied with the revised arrangement. No other matters related to roads and transport, which require to be dealt with as part of the planning application process, are outstanding.
- 8.18 Representations raised concern over the increase in traffic as a result of the proposed development both in terms of road safety and amenity. However, the level of development proposed is no greater than the previously approved development which was found to be within acceptable limits.
- 8.19 The street layout has footpaths adjacent to the carriageway. It also has a number of recreational paths which run through the development to adjacent open spaces, through the open space in the development and provide linkages from Coltie Crescent through the proposed development toward the shop, health centre and pharmacy. During construction a temporary path will be put in place to facilitate access between existing housing to the north of the site to the shop, health centre and pharmacy.
- 8.20 The strategy for waste management is acceptable and it has been demonstrated that a standard Council waste collection vehicle can manoeuvre through the site to all bin collection points.
- 8.21 As the properties all have their own private gardens communal bike stores within the development are not required. Car parking is in accordance with the Council's parking standards and parking has generally been provided to the side, rather than, front of properties where properties have in curtilage parking.

Drainage and Water Infrastructure

- 8.23 The surface water drainage solution for the site is unchanged and no concerns have been raised by either the Flood Risk Management Team or Transport Planning. Evidence has previously been provided that Scottish Water is satisfied with the proposed approach to surface water drainage and a waiver will be granted. The final surface water drainage solution will nevertheless be secured by condition.
- 8.24 The proposed development will connect to the public water and waste water network. Scottish Water responded to the consultation on the application advising that it could not confirm capacity in the water and waste water network at the time. Representations also raised concern over the capacity of the water network to serve this phase of development. However, the applicant has undertaken a Pre-

Development Enquiry with Scottish Water which has confirmed there is capacity in both the water and waste water networks to accommodate the proposed development.

Construction Impacts

- 8.25 Representations have raised concerns with regard to the amenity impacts of construction. These can however be managed through a Construction Environmental Management Plan and Construction Traffic Management Plan. Both of which can be secured by condition. The applicant has however confirmed that there will be no working outwith 8am-7pm Monday to Friday, 8am-1pm on a Saturday and no work will take place on the site on a Sunday. As this is the case a construction noise management plan is not required.

Impact on infrastructure and services and proposed mitigation (developer contributions)

- 8.26 The Developer Contributions Supplementary Guidance sets out that when further applications are brought forward on a site which previously benefited from planning permission the requirement for developer contributions can be reassessed.
- 8.27 At the time of the masterplan for Kilmore Farm being approved, there was no requirement for developer contributions to mitigate the impacts of development. The only matter secured via legal agreement at that time was the provision of affordable housing. Subsequently when the applications for phase 3 and phase 4 and 5 (the area covered by this application) were being considered it was identified that an appropriate crossing of the A82 toward the health centre had not been provided. As a result an agreement was reached with the developer to make contribution toward that infrastructure. That contribution has already been paid and therefore no further contributions toward that infrastructure is required as a result of the development proposed within phase 4 and 5.
- 8.28 The Development Plans Team has identified that to meet the required 25% affordable housing requirement across the Kilmore Farm site that additional affordable homes would be required. The applicant has committed to delivering these and the application for phase 6, if granted planning permission will provide six affordable homes. Based on the overall housing numbers for the site and the level of affordable homes already provided in Phase 1 this is accepted.
- 8.29 Since the original masterplan was granted planning permission, the school roll at Glenurquhart Primary School has increased. Based on the 2022 school roll forecasts, it is anticipated that Glenurquhart Primary School will be operating at over 90% of its capacity for more than five years of the forecasting period. As a result a two classroom extension is required. The Development Plans Team advised that developer contributions of £2041 (based on prices in Q2 2018) is required per property toward enhancement of primary education capacity. Index linking this to current prices, this equates to a contribution of £2216.30 per house. A total contribution of £82,003.10 is required. The applicant has agreed to pay this contribution up front.

Other Material Planning Considerations

- 8.30 The Council's Historic Environment Team consider that this is an area of archaeological potential and require an archaeological watching brief. This can be secured by condition.
- 8.31 In line with Council guidance, each property within the development with in-curtilage parking will have infrastructure installed to allow the installation of a electric vehicle charging point on the property.
- 8.32 The properties will be heated via air source heat pumps. As these can have noise associated with them, Environmental Health have sought a condition to ensure they are appropriately installed and maintained so that they operate within accepted noise limits.

Non-material considerations

- 8.33 Neither the loss of a view nor impact on ability to run a property as a short term let are material planning considerations.

Developer Contributions

- 8.34 Developer contributions toward enhancement of primary education capacity within the Glen Urquhart High School catchment area, in the first instance to provide a two classroom extension at Glen Urquhart Primary School will be sought to the value of £82,003.10. This will be paid by the applicant prior to planning permission being granted. No other developer contributions are required.

9. CONCLUSION

- 9.1 The proposed design and layout of the scheme is acceptable, consistent with the original masterplan and reflects the previously approved design and layout. While the proposed numbers within the development are beyond those envisaged in the adopted Local Development Plan, the increase is considered acceptable given the minimal additional impact on infrastructure and the layout and design of the development.
- 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: Electric vehicle charging infrastructure will be provided within the development and active travel link provided toward community

facilities from existing developments.

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued

Notification to Scottish Ministers N

Payment of developer contributions Y

Revocation of previous permission N

Subject to the above actions, it is recommended to **GRANT** the application subject to the following conditions and reasons

1. No development shall commence until a detailed scheme for the completion of all open spaces and landscaping within the site has been submitted to, and approved in writing by, the Planning Authority.

For the avoidance of doubt the scheme shall detail timescales for implementation in accordance with the following:

- Plots 34-37 (inclusive) shall not be occupied until the central open space, inclusive of tree planting and play equipment, has been delivered to the satisfaction of the Planning Authority in accordance with the scheme to be approved under condition 2 of this planning permission; and
- all other landscaping completed prior to occupation of the last house within the development.

Thereafter, the approved scheme shall be implemented in full.

Reason: To ensure that the open space within the site is delivered timeously and to ensure sufficient play and open space provision exists within the application site to serve future residents' needs.

2. No development shall commence until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:

i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;

ii. A plan showing existing landscaping features and vegetation to be retained;

iii. The location and design, including materials, of any existing or proposed boundary treatments inclusive of walls, fences and gates with none of the aforementioned boundary treatments being within visibility

splays specified under condition 3 at junctions or driveways or within areas which require forward visibility as set out in condition 4;

iv. A scheme for the layout, design and construction of all green spaces shown on the approved site layout, including the provision of natural and equipped play opportunities and recreation facilities (including specifications of any equipment, protection measures and boundary treatments). The submitted plans shall show any individual pieces of equipment or furniture at 1:20 scale.

v. A scheme for the layout, design and construction of all hard landscaping (inclusive of permanent and temporary paths) in public areas of the site as shown on the approved site layout, including the details of all street furniture (including specifications of any and all hard landscaping any equipment, protection measures and boundary treatments). The submitted plans shall show any individual pieces of street furniture at 1:20 scale.

vi. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and

vii. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme and the provisions of Condition 3 of this planning permission.

All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

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.

3. The junction between Road 1 and Road 2 (as shown on Drawing number 3796:101 Revision B) shall be provided with visibility splays of 45m x 2.4m (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 on the X dimension or anywhere along the Y dimension.

Reason: In the interests of road safety.

4. At all points on the road network within the development forward visibility splay shall be no less than 17m.

Within the stated forward visibility splay, at no time shall anything

obscure visibility.

Reason: In the interests of road safety.

5. None of the houses or flats shall be occupied until a scheme for the maintenance, in perpetuity, of all on-site green spaces and any other spaces, facilities, features or parts of the development that are not the exclusive property of any identifiable individual home owner (such as communal parking areas and estate lighting, and those elements of surface water drainage regimes not maintained either by the Council or Scottish Water), have been submitted to, and approved in writing by, the Planning Authority. Thereafter, the approved scheme shall be implemented in full and in accordance with the timescales contained therein.

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

6. No development shall commence until full details of all surface water drainage provision within the application site (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland 4, or any superseding guidance prevailing at the time and include details of the surface water drainage for the site) have been submitted to, and approved in writing by, the Planning Authority. The submission shall be supported by a revised Drainage Impact Assessment and Flood Risk Assessment (inclusive of any revised modelling) to ensure the final design does not have an adverse impact on the established principles of flood risk and drainage established through this application. Thereafter, only the approved details shall be implemented and all surface water drainage provision shall be completed prior to the first occupation of any of the development.

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

7. The development shall not be occupied until details of the relevant person or party responsible for the maintenance of the on-site surface water drainage system have been provided to the Planning Authority. For the avoidance of doubt any part of the surface water drainage system not vested by Scottish Water shall remain the responsibility of the developer and maintained in line with the scheme to be approved under Condition 10 above.

Reason: To ensure that all drainage infrastructure within the development is properly managed and maintained.

8. Prior to the first occupation of each house or flat within the development car parking spaces and cycle parking spaces (inclusive of communal cycle parking facilities as appropriate) shall be provided in line with the

standards contained within The Highland Council's Road and Transportation Guidelines. Thereafter, all car parking and cycle parking spaces shall be maintained for this use in perpetuity.

Reason: To ensure that appropriate levels of car and cycle parking are available for each plot.

9. No development shall commence on any phase or sub phase until a scheme has been submitted detailing the provision of electric car charging points within the development serving the associated phase or sub-phase. This shall include the location and design of each charging point and a timescale for implementation. The approved scheme shall be implemented in line with the approved timescales.

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

10. No development shall commence on site until a Construction Traffic Management Framework (including a routing plan for construction vehicles) has been submitted to, and approved in writing by, the Planning Authority. The approved Construction Traffic Management Plan shall be implemented prior to development commencing and remain in place until the development is complete.

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

11. No development shall commence until a Construction Environmental Management Document (CEMD), in accordance with The Highland Council's Guidance Note on Construction Environmental Management Process for Large Scale Projects (August 2010) (as amended, revoked or re-enacted; with or without modification), has been submitted to, and approved in writing by, the Planning Authority. The CEMD shall be submitted at least two months prior to the intended start date on site and shall include the following:

- i. Dust Management;
- ii. Noise and Vibration Mitigation;
- iii. Site Waste Management;
- iv. Surface and Ground Water Management
- v. Emergency Response Plans;
 - Measures to be taken when stockpiling soils to control runoff from the stripped ground and
 - Methods of removing stockpiles and measures to be taken to protect local watercourses from run-off;
 - Other relevant environmental management as may be

relevant to the development.

- Post-construction restoration and reinstatement of temporary working areas and, compounds;
- vi. Details for the appointment, at the developer's expense, of a suitably qualified Environmental Clerk of Works (ECoW), including roles and responsibilities and any specific accountabilities required by conditions attached to this permission;
- vii. A statement of responsibility to 'stop the job/activity' if a breach or potential breach of mitigation or legislation occurs; and
- viii. Methods for monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority and other relevant parties.

Thereafter, development shall be carried out in accordance with the approved Construction Environmental Management Document and any Construction Environmental Management Plans approved thereunder.

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/per

[mits 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>

Signature: David Mudie

Designation: Area Planning Manager – South

Author: Simon Hindson, Strategic Projects Team Leader

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

Relevant Plans:

- Plan 1 – Location Plan
- Plan 2 – Site Layout Plan
- Plan 3 – Landscaping Plan
- Plan 4 – Three Bedroom Detached Bungalow Elevations
- Plan 5 – Three Bedroom Semi - Detached Villa Elevations
- Plan 6 – Three Bedroom Detached Villa Elevations
- Plan 7 – Four Bedroom Detached Villa Elevations
- Plan 8 – Four Bedroom Detached Villa With Garage Elevations
- Plan 9 – Three Bedroom Detached Villa Elevations

Appendix 2

	COMPLETE FOR LEGAL AGREEMENTS AND UPFRONT PAYMENTS				REQUIRED FOR LEGAL AGREEMENTS ONLY				
Type	Contribution	Rate (per house)	Rate (per flat)	Total Amount*1	Index Linked	Base Date	Payment Trigger	Accounting Dates	Clawback Period
Schools									
Primary – Build Costs	Enhancement of primary education capacity in the Glen Urquhart High School Catchment Area, in the first instance toward a two class room extension at Glen Urquhart Primary School	£2,216.30	N/A	£83,003.10	BCIS	Q2 2022	upfront payment	n/a	n/a

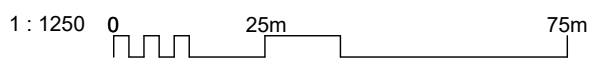
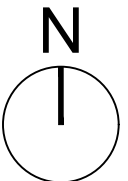
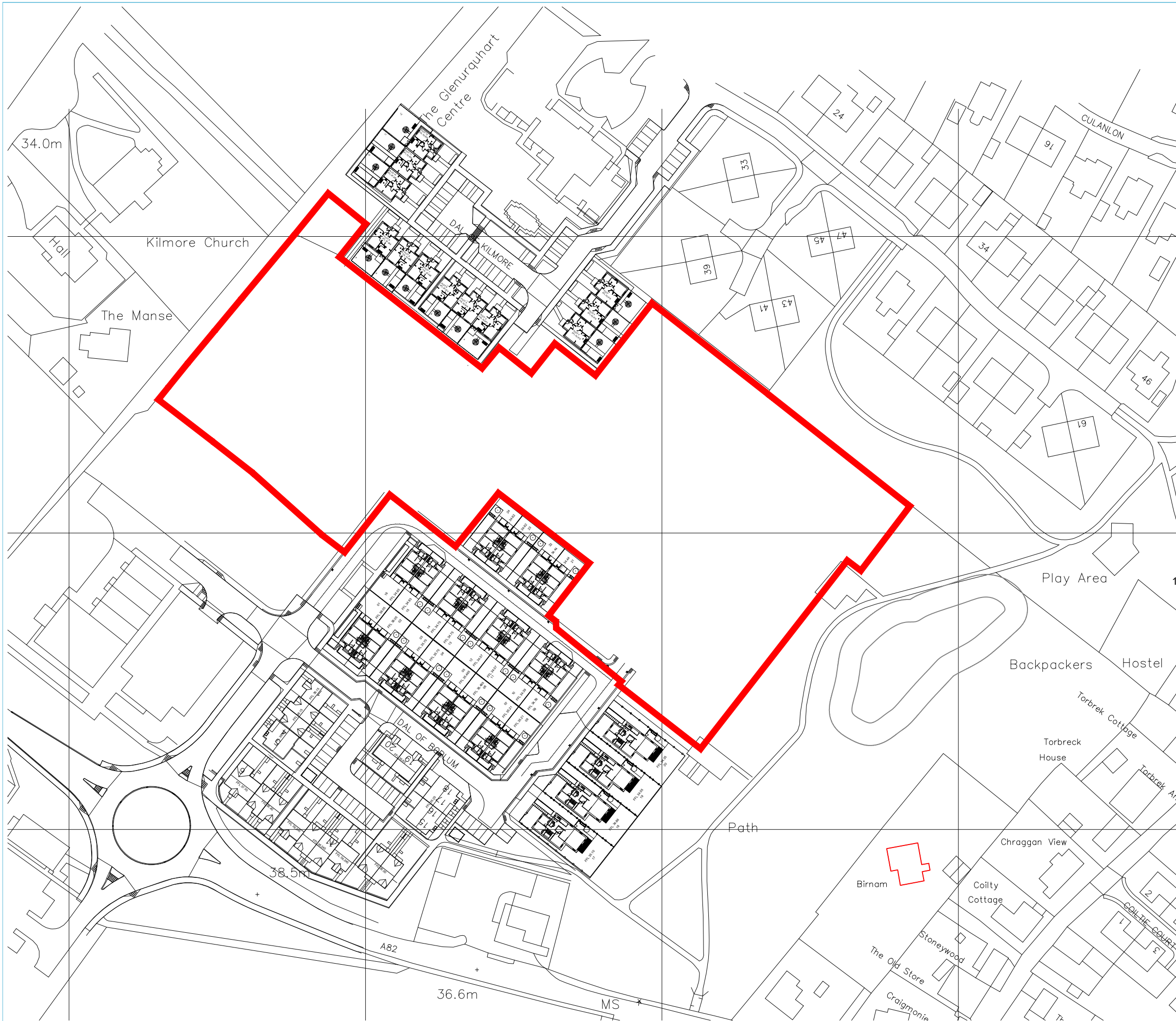
Note to Designers and Contractors

Under the CDM2015 regulations BSC has sought to eliminate or reduce risks where possible as part of the design process.

Significant residual risks, or areas of work that require special attention during construction, which have been identified by BSC, are indicated on project drawings by the following symbol ▲.

It is anticipated that other designers and contractors will co-operate to identify any potential construction hazards and to eliminate them where possible.

Measures to minimise residual hazards will be reviewed on a regular basis.



REV	DATE	DESCRIPTION	DRN

Bracewell Stirling CONSULTING

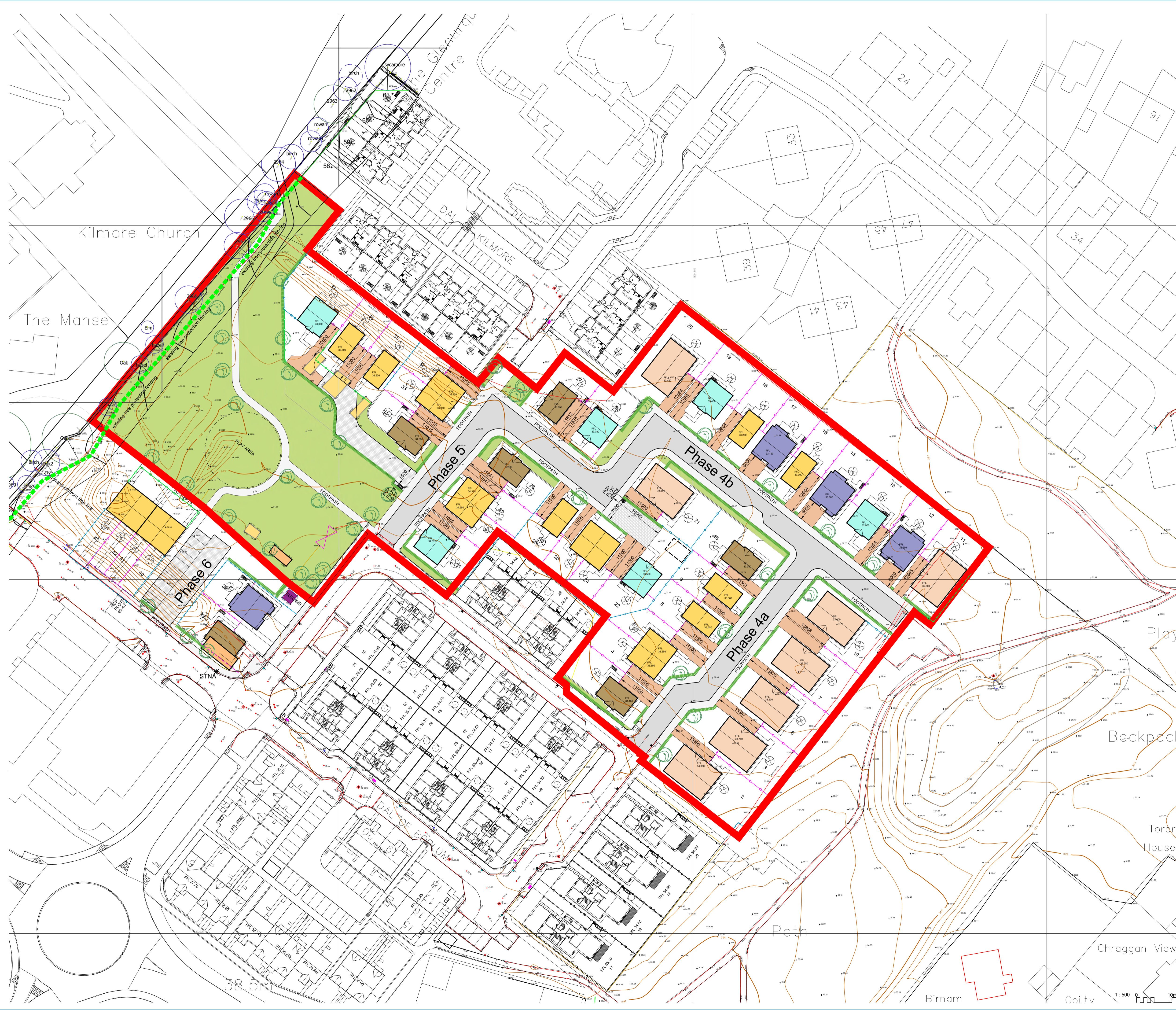
38 WALKER TERRACE, TILlicouLTRY, FK13 6EF 01259 750301
 5 NESS BANK, INVERNESS, IV2 4SF 01463 233760
 15 LOCHSIDE STREET, OBAN, PA34 4HP 01631 359054

DRUM PHASES 4 AND 5
37 NO NEW HOUSES
LOCH NESS HOMES LTD

LOCATION PLAN

SCALE:	1 : 1250	DRAWN:	--
PAPER SIZE:	A3	DATE:	Feb 2022

DWG No.	4836-01-001	REV.	
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HOUSE FOOTPRINTS AND LEVELS ARE TO BE READ IN CONJUNCTION WITH ENGINEER'S DRAWINGS.

SITE PERIMETER FENCES TO BE 1800mm HIGH. FENCES BETWEEN REAR GARDENS TO BE 900 HIGH UNLESS OTHERWISE NOTED LARCH BOARD AT GROUND LEVEL BETWEEN FRONT GARDENS.

DRIVEWAYS TO HAVE BLOCK PAVIOR FINISH

PRIVATE GARDEN PATHS TO BE CONCRETE SLABBED 900mm WIDE. COMMON PATHS TO BE CONCRETE SLABBED 1200mm WIDE. CONCRETE PLAT TO BE PROVIDED AT ACCESSIBLE ENTRANCE DOORS 1200X1200mm. PLAT TO OUTWARD OPENING FRENCH DOORS TO BE WIDTH OF DOOR AND EXTEND OUTWARDS 400mm BEYOND THE LEADING EDGE OF THE DOOR. PATH ACCESS TO ACCESSIBLE ENTRANCE TO BE 1 in 20 GRADIENT OR LESS WITH GROUND GRADED TO EITHER SIDE TO MEET FINISHED GROUND LEVELS. WHERE DRIVEWAY FORMS PART OF THIS ACCESS PATH IT SHOULD BE MIN 3.3m WIDE. SLABS TO BE PROVIDED UNDER EACH BIN, 3 NO PER PROPERTY. FRONT AND REAR GARDENS TO BE LAID TO GRASS. HANDRAIL REQUIRED WHERE CHANGE IN LEVEL BETWEEN FFL & FGL GREATER THAN 600mm.

300mm MOWING STRIP OF 19mm GRAVEL ON TERRAM WITH LARCH TIMBER BOARD EDGING ROUND PERIMETER OF EACH UNIT

ACCOMMODATION SCHEDULE - PHASES 4 & 5

	3BDV86 - 3 Bed Det Villa	7
	3BSV86 - 3 Bed Semi Villa	8
	3DB111 - 3 Bed Det Bungalow	5
	3BDV109 - 3 Bed Det Villa	8
	4BDV112- 4 Bed Det Villa	6
	4BDV122- 4 Bed Det Villa + Garage	3
TOTAL UNITS		37

- 1.8m high timber screen fence
- 6.0m high timber rail fence
- 0.9m high timber division fence
- 1.5m high screen wall

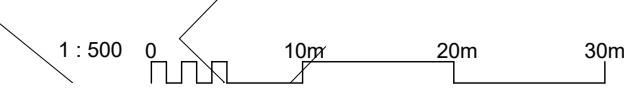
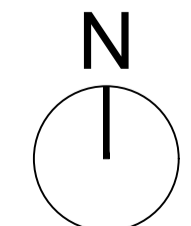
REV	DATE	DESCRIPTION	DRN
E	06.04.22	PLOT LAYOUT AT PLOTS 34-38 AMENDED TO ADDRESS TP COMMENTS.	AM
D	30.03.22	PLOT 2 AND BUILD OUT LOCATION AMENDED TO ADDRESS TP COMMENTS.	AM
C	01.03.22	AMENDMENTS TO FENCING AND KEY ADDED.	AM
B	23.02.22	SHOW TREES AND EXISTING TREE PROTECTION FENCING	AM
A	21.02.22	UPDATES TO HOUSETYPE FOOTPRINTS	GB

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 38 WALKER TERRACE, TILLCULTRY, FK13 6EF 01259 750001
 5 NESS BANK, INVERNESS, IV2 4SF 01463 233760
 15 LOCHSIDE STREET, OBAN, PA34 4HP 01631 359054

DRUM PHASES 4 AND 5
 37 NO NEW HOUSES
 LOCH NESS HOMES LTD

SITE LAYOUT 1-500

SCALE:	1: 500	DRAWN:	GB
PAPER SIZE:	A1	DATE:	Apr 2022
DWG No.	4836-02-002	REV.	E



Note to Designers and Contractors

Under the CDM2015 regulations BSC has sought to eliminate or reduce risks where possible as part of the design process.

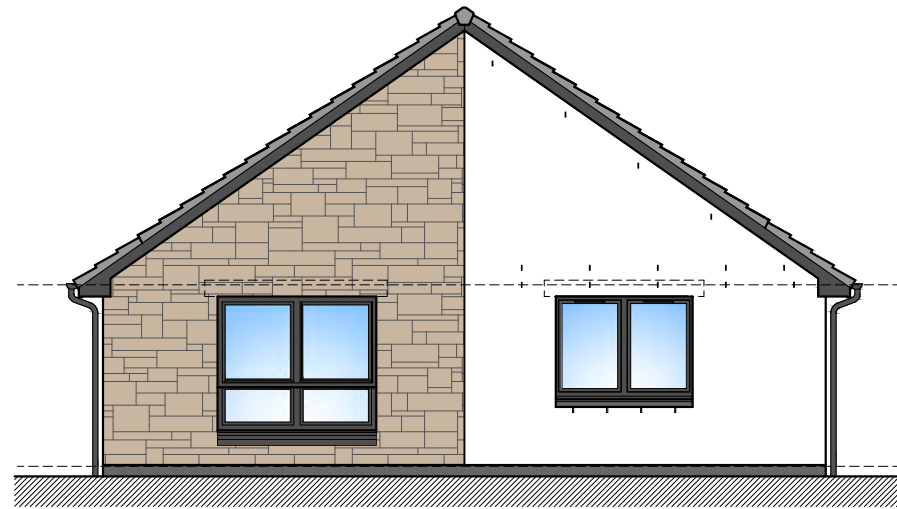
Significant residual risks, or areas of work that require special attention during construction, which have been identified by BSC, are indicated on project drawings by the following symbol ▲.

It is anticipated that other designers and contractors will co-operate to identify any potential construction hazards and to eliminate them where possible.

Measures to minimise residual hazards will be reviewed on a regular basis.

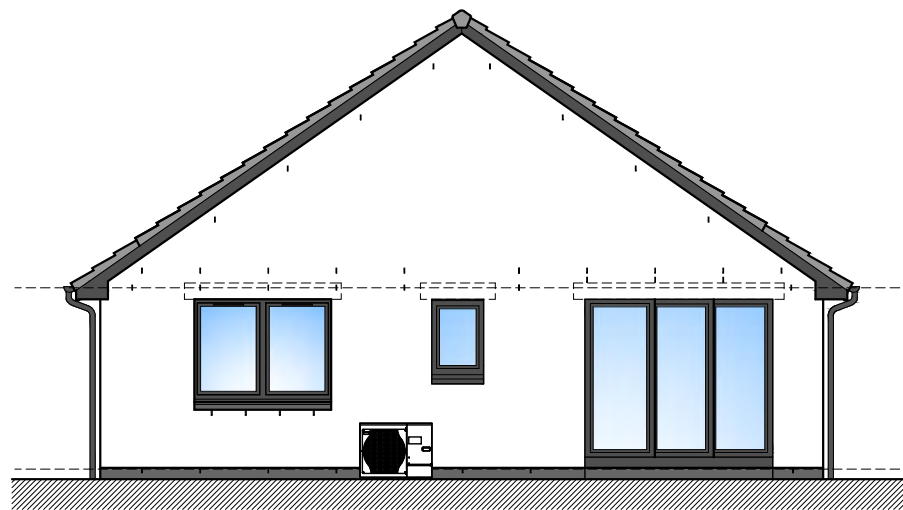


Front Elevation

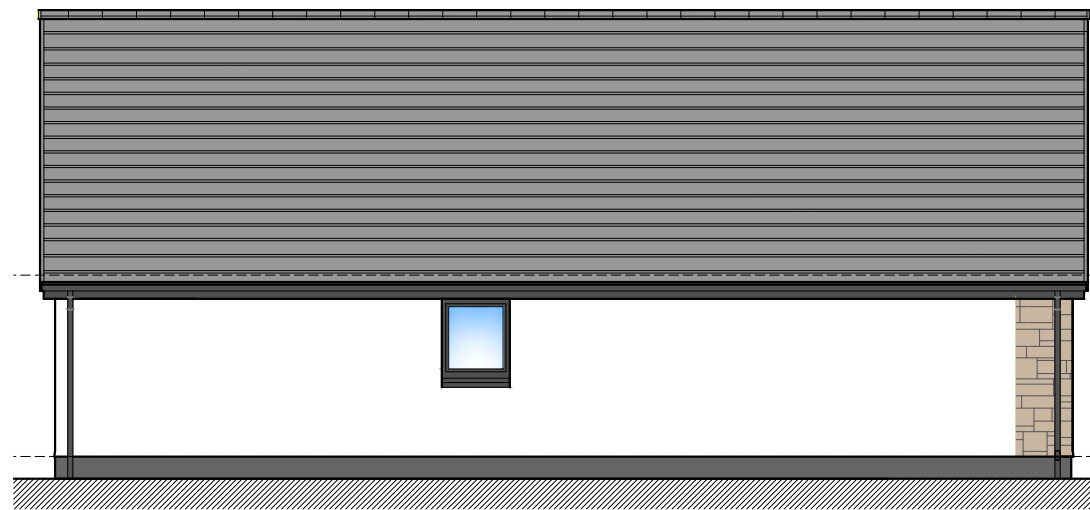


Gable Elevation

MATERIALS	
FEATURE STONE	Warm Grey Splitface
RENDER	White dry dash
WINDOWS	uPVC (dark grey)
EXT. DOOR	Composite Door (dark grey)
FASCIAS	uPVC (dark grey)
ROOF	Flat Roof Tiles (dark grey)
CANOPY	uPVC (dark grey)
RAINWATER	uPVC (black)

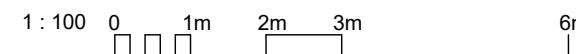


Gable Elevation



Rear Elevation

Elevations
[1:100]



REV	DATE	DESCRIPTION	DRN

Bracewell Stirling CONSULTING

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

DRUM PHASES 4 AND 5
37 NO NEW HOUSES
LOCH NESS HOMES

3DB111 - ELEVATIONS - 3 BED DETACHED BUNGALOW

SCALE:	1 : 100	DRAWN:	--
PAPER SIZE:	A3	DATE:	Feb 2022
DWG No.	4836-01-401		REV.

Note to Designers and Contractors

Under the CDM2015 regulations BSC has sought to eliminate or reduce risks where possible as part of the design process.

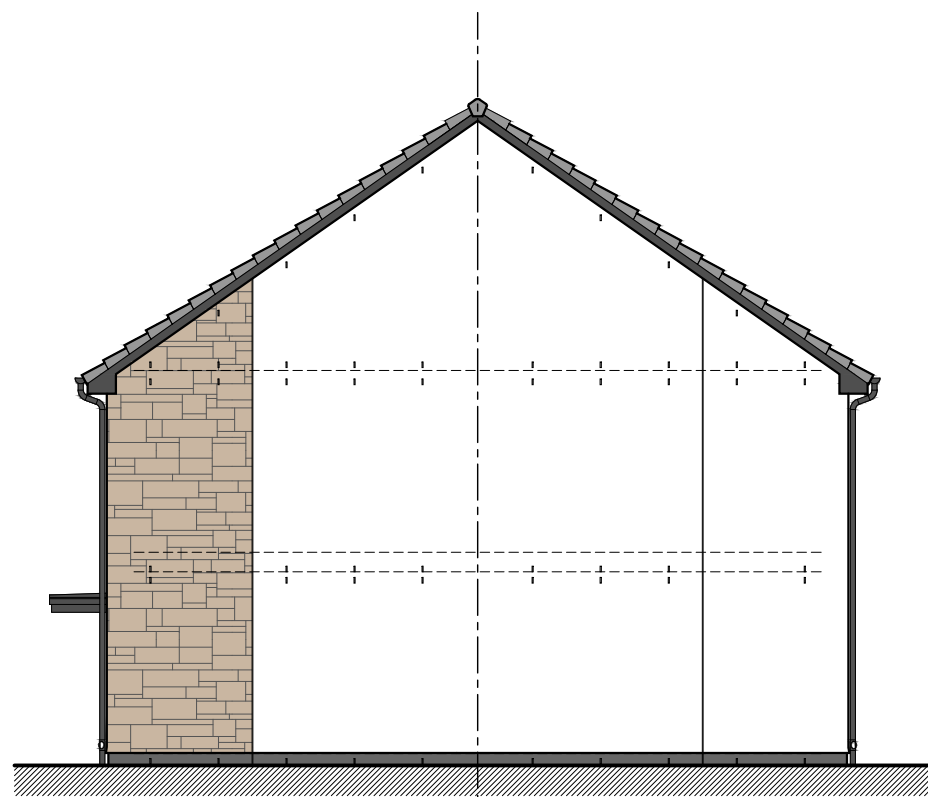
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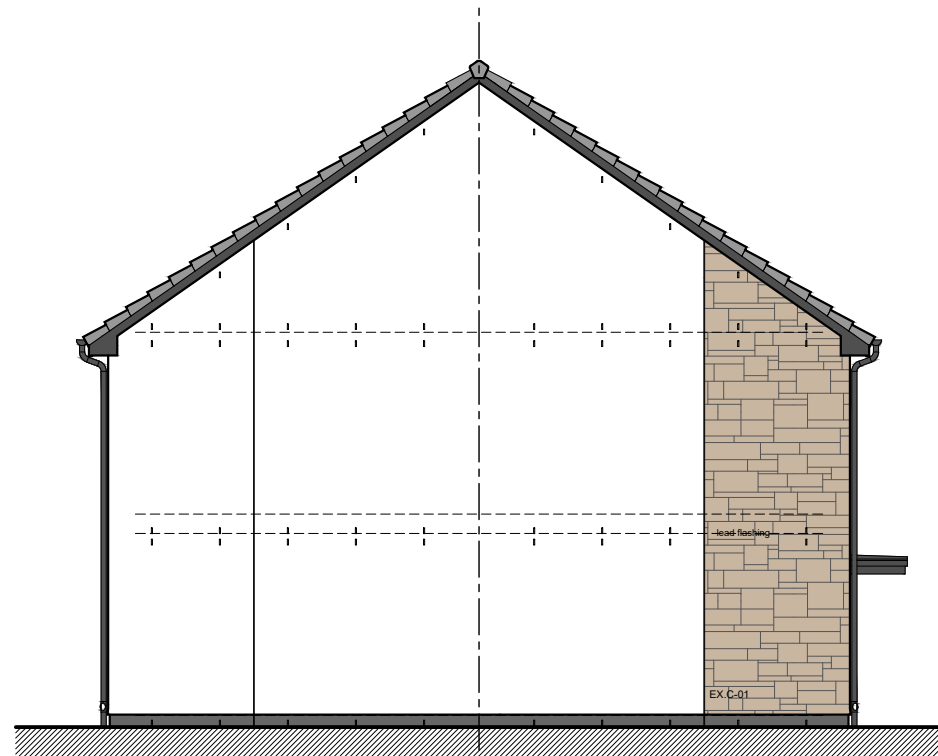
Measures to minimise residual hazards will be reviewed on a regular basis.



Front Elevation



Gable Elevation



Gable Elevation



Rear Elevation

MATERIALS	
FEATURE STONE	Warm Grey Splitface
RENDER	White dry dash
WINDOWS	uPVC (dark grey)
EXT. DOOR	Composite Door (dark grey)
FASCIAS	uPVC (dark grey)
ROOF	Flat Roof Tiles (dark grey)
CANOPY	uPVC (dark grey)
RAINWATER	uPVC (black)



REV	DATE	DESCRIPTION	DRN

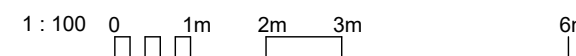
Bracewell Stirling CONSULTING

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

DRUM PHASES 4 AND 5
 37 NO NEW HOUSES
 LOCH NESS HOMES

3SV86 - ELEVATIONS - 3 BED SEMI VILLA

Elevations
 [1:100]



SCALE:	1 : 100	DRAWN:	--
PAPER SIZE:	A3	DATE:	Feb 2022
DWG No.	4836-01-201	REV.	

Note to Designers and Contractors

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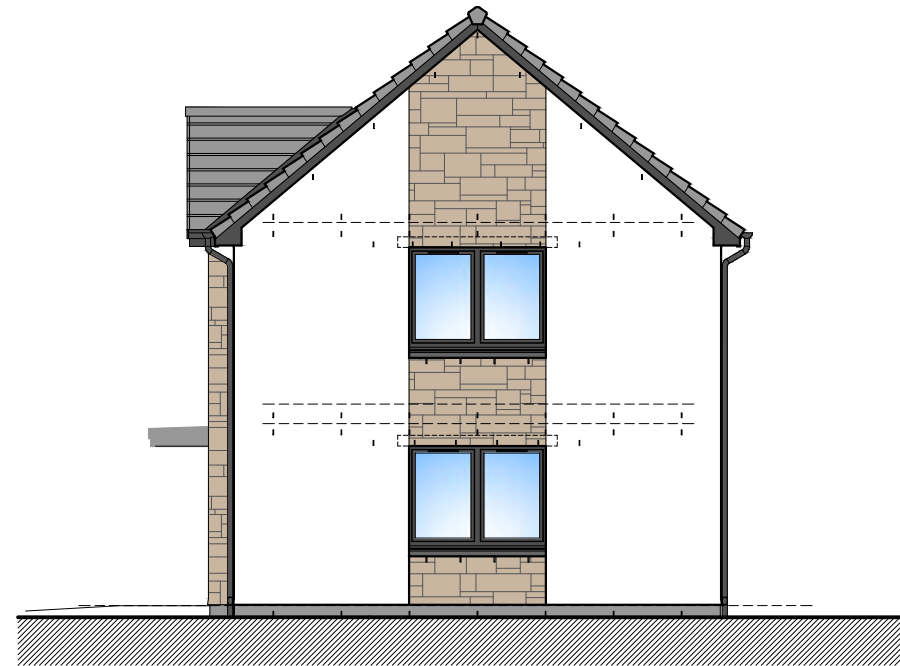
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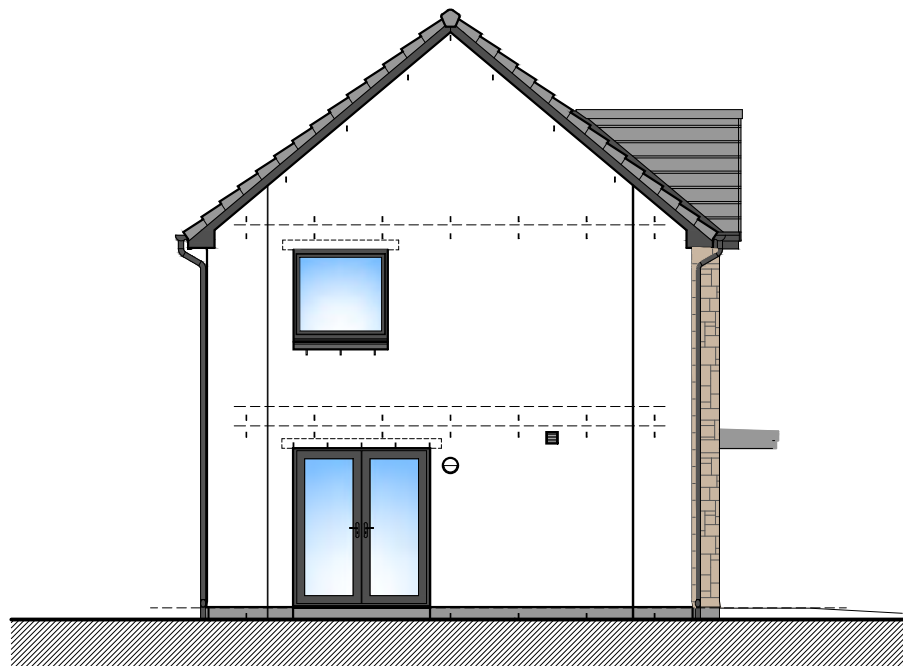
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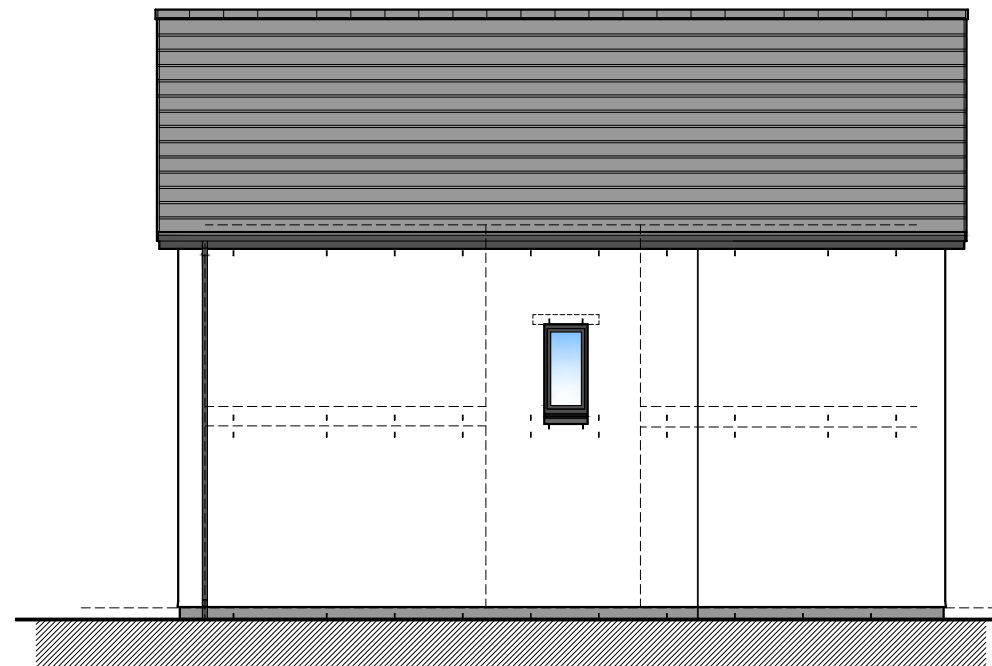
Front Elevation



Gable Elevation



Gable Elevation



Rear Elevation

MATERIALS	
FEATURE STONE	Warm Grey Splitface
RENDER	White dry dash
WINDOWS	uPVC (dark grey)
EXT. DOOR	Composite Door (dark grey)
FASCIAS	uPVC (dark grey)
ROOF	Flat Roof Tiles (dark grey)
CANOPY	uPVC (dark grey)
RAINWATER	uPVC (black)

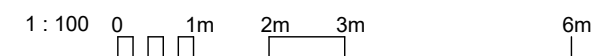
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Bracewell Stirling CONSULTING

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 15 LOCHSIDE STREET, OBAN, PA34 4HP 01631 359054

DRUM PHASES 4, 5 AND 6
 43 NO NEW HOUSES
 LNH
 3DV106- ELEVATIONS - 3 BED DETACHED VILLA

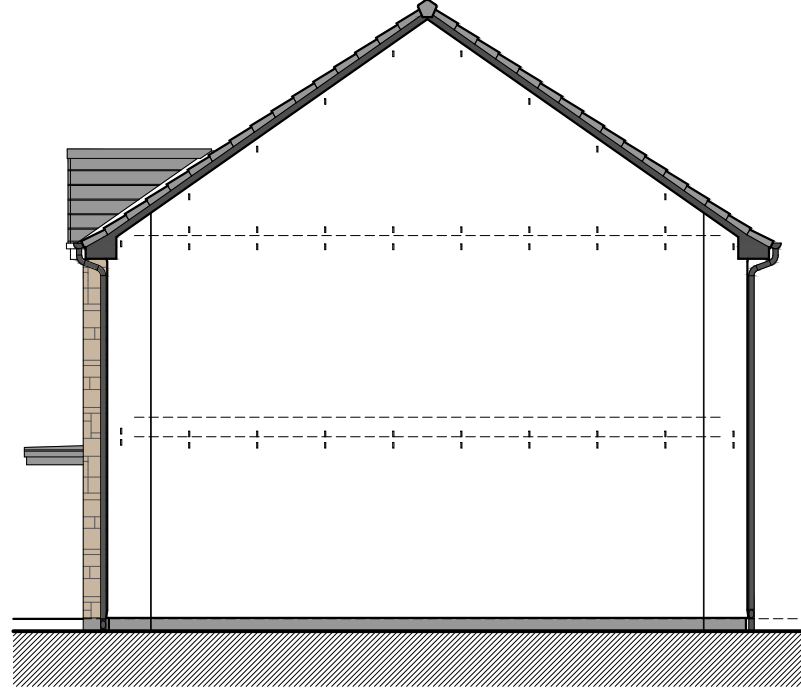
Elevations
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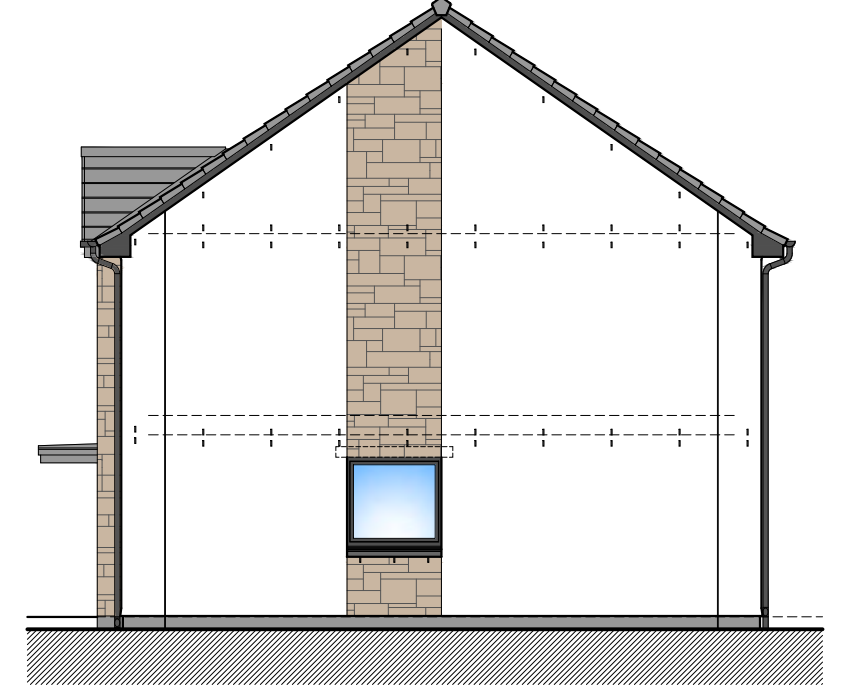
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DWG No.	4836-01-501		REV.



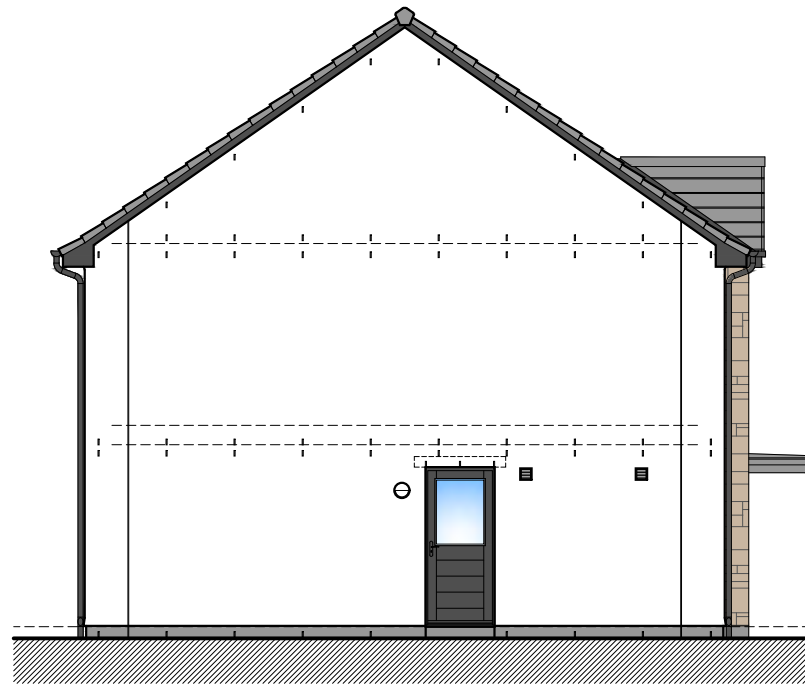
Front Elevation



Gable Elevation



Gable Elevation (corner plots 23 and 31 only)



Gable Elevation



Rear Elevation

MATERIALS	
FEATURE STONE	Warm Grey Splitface
RENDER	White dry dash
WINDOWS	uPVC (dark grey)
EXT. DOOR	Composite Door (dark grey)
FASCIAS	uPVC (dark grey)
ROOF	Flat Roof Tiles (dark grey)
CANOPY	uPVC (dark grey)
RAINWATER	uPVC (black)

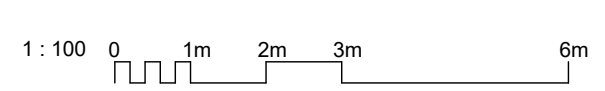
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Bracewell Stirling CONSULTING

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

DRUM PHASES 4 AND 5
 37 NO NEW HOUSES
 LOCH NESS HOMES

4DV112- ELEVATIONS - 4 BED DETACHED VILLA




SCALE:	1 : 100	DRAWN:	--
PAPER SIZE:	A3	DATE:	Feb 2022
DWG No.	4836-01-601		REV.

Elevations

[1:100]

Note to Designers and Contractors

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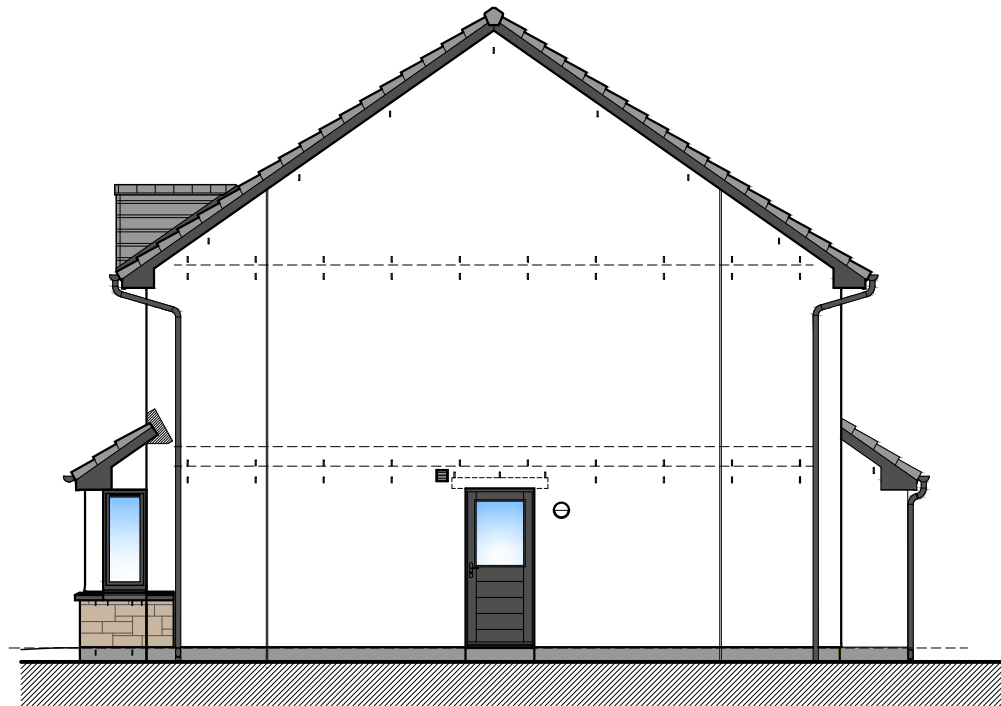
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Front Elevation



Gable Elevation

MATERIALS	
FEATURE STONE	Warm Grey Splitface
RENDER	White dry dash
WINDOWS	uPVC (dark grey)
EXT. DOOR	Composite Door (dark grey)
FASCIAS	uPVC (dark grey)
ROOF	Flat Roof Tiles (dark grey)
CANOPY	uPVC (dark grey)
RAINWATER	uPVC (black)



REV	DATE	DESCRIPTION	DRN

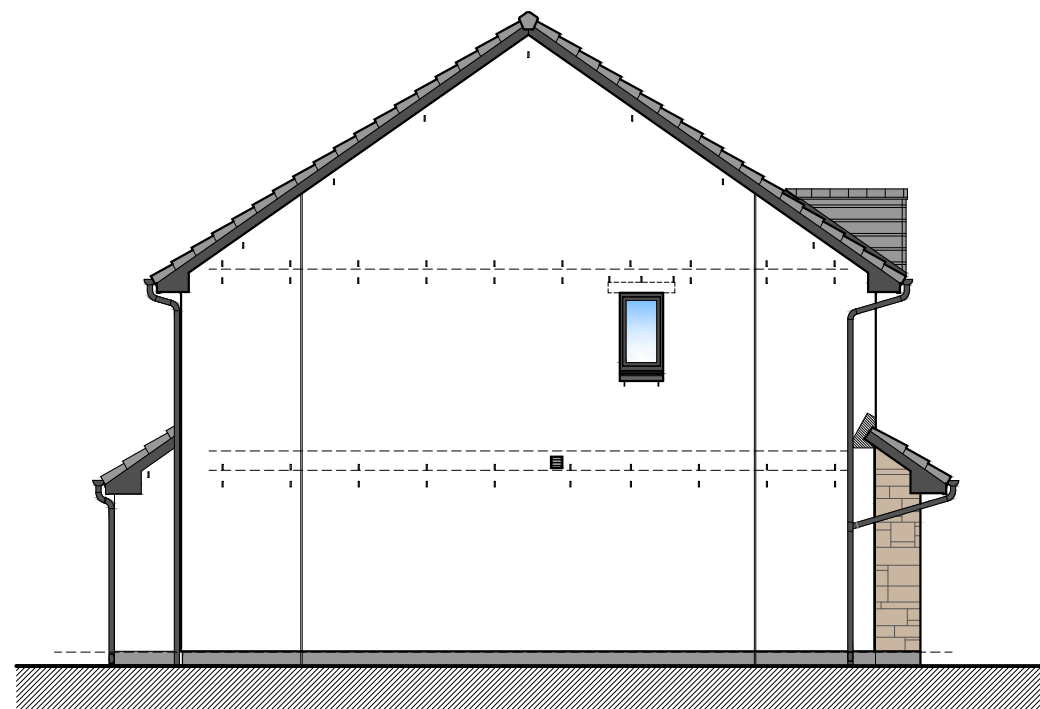
Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILlicOUNTRY, FK13 6EF 01259 750301
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 15 LOCHSIDE STREET, OBAN, PA34 4HP 01631 359054

DRUM PHASES 4 AND 5
 37 NO NEW HOUSES
 LOCH NESS HOMES

4DV122- ELEVATIONS - 4 BED DET VILLA WITH GARAGE

SCALE:	1 : 100	DRAWN:	--
PAPER SIZE:	A3	DATE:	Feb 2022
DWG No.	4836-01-701		REV.

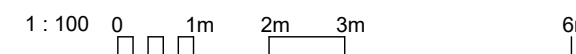


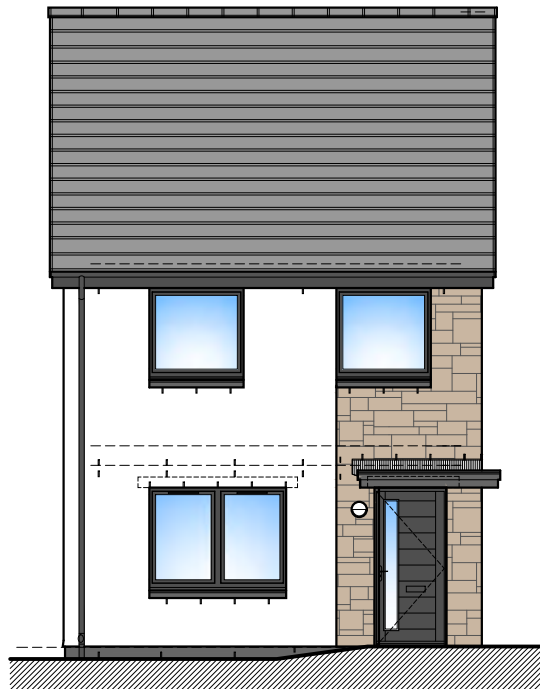
Gable Elevation



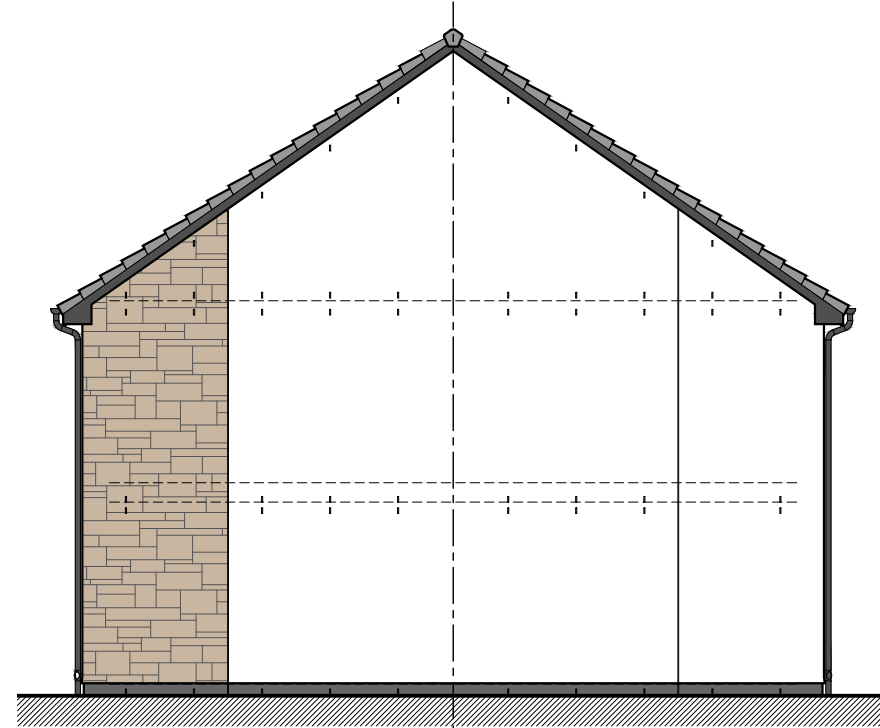
Rear Elevation

Elevations
 [1:100]

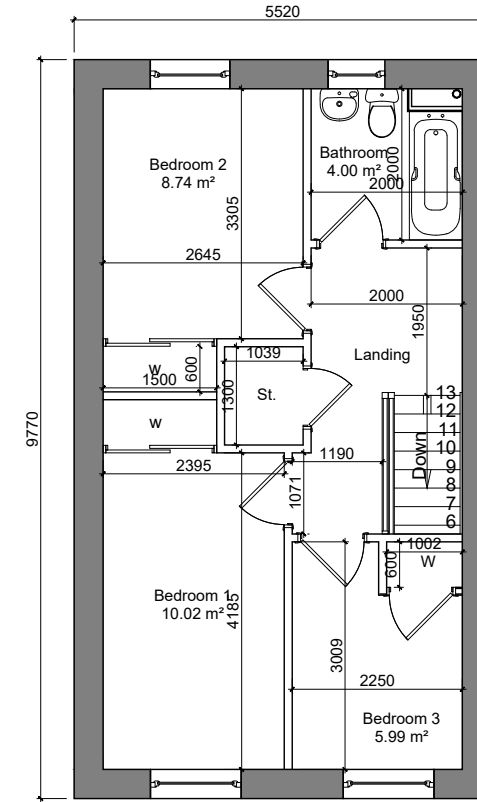




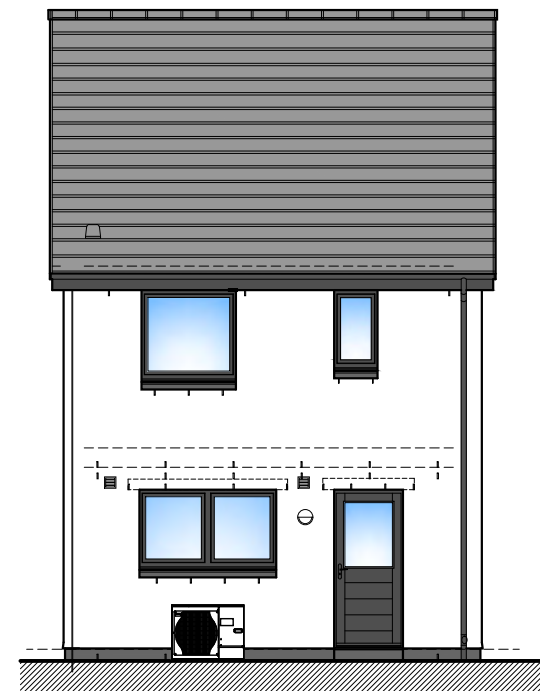
Front Elevation



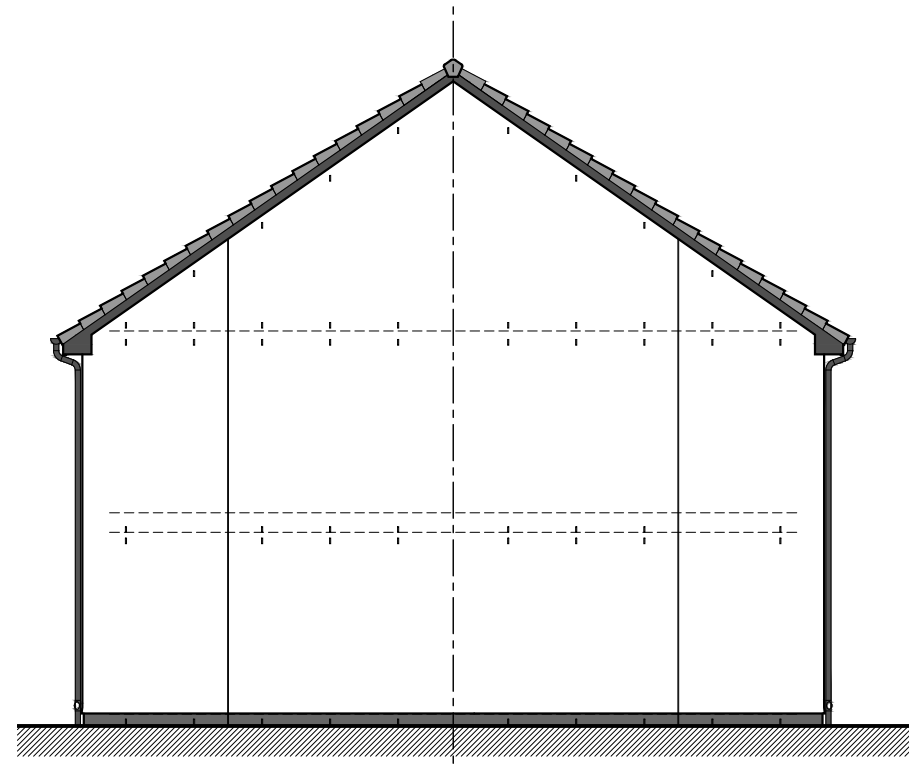
Gable Elevation



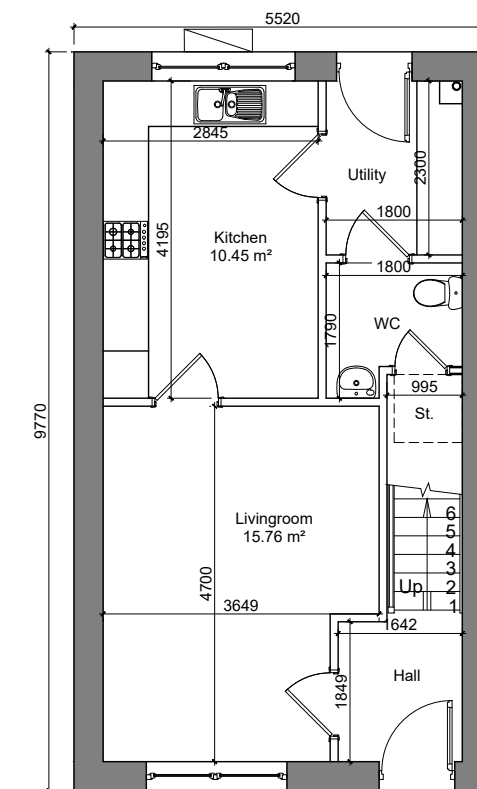
First Floor Plan



Rear Elevation



Gable Elevation



Ground Floor Plan
GIFA 86m²

MATERIALS	
FEATURE STONE	Warm Grey Splitface
RENDER	White dry dash
WINDOWS	uPVC (dark grey)
EXT. DOOR	Composite Door (dark grey)
FASCIAS	uPVC (dark grey)
ROOF	Flat Roof Tiles (dark grey)
CANOPY	uPVC (dark grey)
RAINWATER	uPVC (black)

REV	DATE	DESCRIPTION	DRN

Bracewell Stirling CONSULTING

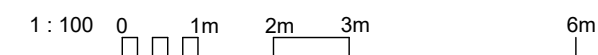
38 WALKER TERRACE, TILlicOUNTRY, FK13 6EF 01259 750301
 5 NESS BANK, INVERNESS, IV2 4SF 01463 233760
 15 LOCHSIDE STREET, OBAN, PA34 4HP 01631 359054

DRUM PHASES 4 AND 5
 37 NO NEW HOUSES
 LOCH NESS HOMES

3DV86 - 3 BED DET VILLA - PLANS AND ELEVATIONS

Floor Plans and Elevations

[1:100]



SCALE:	1 : 100	DRAWN:	--
PAPER SIZE:	A3	DATE:	Feb 2022
DWG No.	4836-01-100		REV.