Agenda Item	6.3
Report No	PLN/060/22

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 10 August 2022

Report Title: 18/02212/FUL: Clark Construction Ltd.

Station Hotel Car Park, Bridge Street, Avoch

Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Erection of 3 houses

Ward: 09 - Black Isle

Development category: Local development

Reason referred to Committee: Number of Objection from Community Council.

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 is sought for a terraced development of three houses. The terraced row is rectangular in plan and measures approximately 19m in width across the street frontage x 10m in depth, with a height to the roof ridge of approximately 7.6m. The proposals are gable roofed and 1¾ storeys in form, with a cross gable element on the central of the three properties, the other two being fitted with front and rear dormers with dormers. The proposals will be finished in white dry-dash harl, with a natural slate roof treatment, timber windows and doors and white painted timber soffits and window surrounds.
- 1.2 The site is accessed via an existing junction onto Rose Street that is shared with an existing council car park and the row of properties around the Station Hotel on Bridge / High Streets. A connection to the public water supply and wastewater network is understood to be available.
- 1.3 As originally submitted in 2018, planning permission was sought for a terraced development of three houses, with amended proposals for 2 detached houses on the same site submitted in February 2021. The current proposals for three terraced houses, submitted in April 2022, represents the outcome of design discussions between the applicant, case officer and Historic Environment Team, (Conservation)
- 1.4 Pre-Application Consultation: none
- 1.5 Supporting Information: 3D visualisations, Surface water soakaway specification
- 1.6 Variations:
 - Amended site layout and general plans for two houses: 5 February 2021
 - Amended site layout and general plans for three houses: 19 April 2022
 - Amended elevations, site layout and access details: 13 June 2022
 - Amended drainage details: 22 June 2022

2. SITE DESCRIPTION

2.1 The application site is an area of vacant land on the edge of Avoch Town Centre, currently open as informal car parking. Vehicle access is from an existing junction onto Rose Street, shared with a council car park and the row of properties around the Station Hotel on Bridge / High Streets. The site is contained by Rose Street to the east and Bridge / High Street to the North, to the south by a council car park and access lane and to the west by a terraced row of traditional buildings. These drop down from 2 storeys at the Station Hotel building, which is Category C listed, to 1 ½ storeys directly adjacent the site.

3. PLANNING HISTORY

3.1 25 March 2011 11/00430/FUL, Erection of six private Permission apartments (Renewal of planning permission Granted 05/01073/FULRC)

- 3.2 26 November 13/03427/FUL, Erection of six apartments Permission 2013 (Renewal of planning permission Granted 11/00430/FUL)
- 3.3 7 December 17/02432/FUL, Erect 6 no. 2 bedroom flats Application Withdrawn

4. PUBLIC PARTICIPATION

4.1 Advertised: Ross-shire Journal - Section 65 - Affect Con Area 21 Days

Date Advertised: 25 May 2018 (Original), 29 April 2022 (Re-advertisement)

Representation deadline: 28 June 2022

Timeous representations: 4 from 4 households

1 objection comment from Avoch and Killen Community Council received through the public

comments system.

Late representations: None

- 4.2 Material considerations raised are summarised as follows:
 - Concerns over the impact on the visual amenity of the Conservation Area of the proposals and over the appropriateness of the design submitted.
 - Concerns over impact on traffic congestion and safety in Avoch, through removal of the existing informal car park.
 - Concerns that the new development would act as an impediment to pedestrian circulation and other active travel connectivity in the town centre.
- 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

- Avoch and Killen Community Council objected to the original proposals in 2018 as a consultation response and the revised 2022 proposals through the public comments system. Both objections raised concerns over the appropriateness of the proposal design for the conservation area and over lack of information regarding access and parking, drainage and bin storage details.
- Flood Risk Management Team initially objected to the application based on lack of drainage details. Following the submission of further drawings, showing how a soakaway can be accommodated within the wider application site, this objection was withdrawn.
- 5.3 **Historic Environment Team (Archaeology)** did not object to the application and recommended a condition be attached to secure an archaeological watching brief in advance of development commencing.

- 5.4 **Historic Environment Team (Conservation)** initially objected to the proposals based on the originally submitted design. This objection was withdrawn following meetings between the Historic Environment Team, applicant and case officer, to agree the current design.
- 5.5 **Transport Planning Team** initially objected to the application based on a lack of detail on drainage, parking and servicing measures for the new development, as well as a lack of detail relating to visibility splays. On submission of further details, this objection was withdrawn.
- 5.6 **Scottish Water** confirmed no objections, advising that there is sufficient capacity in the local water supply and public sewer network to service the proposals. They advised that the development may impact upon existing Scottish Water assets and that the applicant should contact Scottish Water directly to ensure that any potential conflict can be identified.
- 5.7 **Transport Scotland** did not object to the application during the initial consultation, or the re-consultation on the amended proposals for three houses in 2022. They requested a condition to secure developer contributions for vehicle que detectors and signage at the A9 / B9161 Munlochy Junction.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

- 28 Sustainable Design
- 29 Design Quality & Place-making
- 31 Developer Contributions
- 34 Settlement Development Areas
- 42 Previously Used Land
- 57 Natural, Built & Cultural Heritage
- 64 Flood Risk
- 65 Waste Water Treatment
- 66 Surface Water Drainage

6.2 Inner Moray Firth Local Development Plan 2015

Within the Avoch Conservation Area

6.3 Inner Moray Firth Proposed Local Development Plan 2022

Within the Avoch Conservation Area

6.4 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)

Highland Historic Environment Strategy (Jan 2013)

Managing Waste in New Developments (March 2013)

Public Art Strategy (March 2013)

Roads and Transport Guidelines for New Developments (May 2013) Standards for Archaeological Work (March 2012) Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance
Scottish Planning Policy (as amended December 2020)
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) impact on the historic environment
 - c) residential amenity
 - d) servicing and access
 - e) Impact on infrastructure and services and proposed mitigation (developer contributions)
 - f) any other material considerations.

Development plan/other planning policy

8.4 The application site is located within the Settlement Development Area (SDA) and so Policy 34 of the Highland-wide Local Development Plan (HwLDP) applies. Policy 34 supports development proposals if they are not judged to be significantly detrimental in terms of the following matters: siting and design, pattern of development and servicing, particularly roads. Policy 28 requires sensitive siting and high-quality design in keeping with local character and historic and natural environments, and the use of appropriate materials. This Policy also requires proposed developments to be assessed on the extent to which they are compatible with service provision, as well as their impact on individual and community residential amenity. Policy 29 repeats the emphasis on good design in terms of compatibility with the local landscape setting and in terms of place making. Policy 31 requires an assessment for Developer Contributions. Under Policy 42, the Council will support proposals that bring previously used land into a

new, productive use, provided that the relevant site assessments have been undertaken and demonstrate that the site is capable of being brought into a condition suitable for the proposed development. The application site is located within the Avoch Conservation Area. Policy 57 of the adopted Highland wide Local Development Plan requires proposals to take into account the heritage features and to demonstrate that the proposal will not have an unacceptable impact on the heritage resource. Policy 64 requires proposals to be assessed to the extent that they are at risk of or could exacerbate flooding. Policies 65 and 66 require foul and surface water drainage to meet standards that minimise the risk of pollution and flooding.

Principle of development

As noted in the planning history, the site has several past approvals for housing, all now lapsed. Since the last planning permission, in 2013, the former Ross and Cromarty East Local Plan (as remained in force at the time of determination) has been superseded by the Inner Moray Firth Local Development Plan. The site remains in the Settlement Development Area (SDA) as defined in this plan, as is also the case with the current Inner Moray Firth Proposed Plan. As such, given that the SDA's remain the preferred location for development under the Highland wide Local Development Plan, and cognisant of the previous planning history, the principle of residential development on the site is acceptable, subject to consideration of the impacts on the conservation area setting, as discussed in more detail below.

8.6 Impact on the historic environment

Section 64 of the Planning (Listed Building & Conservation Area) (Scotland) Act 1997 states "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area" by planning authorities. The representation comments are acknowledged in that the proposals would lead to significant change in a prominent site in the conservation area. However, a sensitively designed development provides the opportunity to restore the settlement pattern and provide frontage around the junction of Bridge / High and Rose Streets.

8.7 In this respect, the proposed terrace design, with first floor dormers as well as chimneys and skews, echoes the forms common along Bridge / High Streets, with the mix of roof forms adding punctuation to the streetscene. The finishing materials also complement those established by several of the High Street properties, including the Category C Listed Avoch Village High Street Congregation Manse, opposite the site to the northeast. The Historic Environment Team are satisfied with the design of proposals as currently stands, which is the result of discussions between the Team, applicant and case officer. As such, the impact on the historic environment is considered acceptable in terms of HwLPD Policy 57.

Impact on residential amenity

8.8 The proposed houses do not raise any loss of privacy issues with the neighbouring residential dwellings. All overlooking from the new properties would

either be onto Bridge Street, directly to the north or onto the lane and car park to the south. Due to the orientation of the proposed terraced row, any overshadowing would fall mainly onto Bridge Street to the north. The proposed properties do not have private gardens, but a small provision of amenity space is indicated, wrapping round the property to the front and side. The proposals are within the village centre and it is acknowledged in this respect, that design restrictions are imposed by the conservation area setting and the narrow form of the site. Many of the properties in the surrounding village Centre and Conservation Area, especially those to the south within the traditional Fishertown, are also frequently double fronted and do not have private garden space. The existing bus shelter on Bridge Street will be retained, adjacent the frontage of one of the new properties, but buffered by the frontal part of the amenity space. As such, the proposed arrangement is considered acceptable in the context of HwLDP Policies 28 and 29.

Access, servicing and drainage

The proposal will take vehicle access from the existing junction onto Rose Street. 8.9 This serves the application site, which is currently used for informal car parking as well as an existing council car park and the rear service areas of the row of properties around the Station Hotel on Bridge/High Streets. While the objection comments over the loss of the informal parking are acknowledged, the Transport Planning Team has raised no objections on this issue or other road safety grounds. Given the site location, a condition is attached to secure a Construction Phase Traffic Management Plan (CTMP) in advance of development starting, to manage vehicle access and pedestrian safety during the build out period. It should also be noted that access for informal parking on the application site could have legally been withdrawn at any time. The applicant has shown how six standard car parking spaces can be provided on land within the application site to the south, in compliance with the standards in the Council's Access to Single Houses and Small Housing Developments, for the proposed three-bedroom houses. This parking can be accompanied without prejudice for service access to the row of properties around the Station Hotel on Bridge / High Streets. The existing lane allows space for vehicles to turn to exit the site in forward gear. Covered bicycle storage, in the form of a steel framed timber clad unit, will also be provided adjacent the new parking area to the east. The proposals would not alter the arrangement of the pavement at the frontage and sides and the existing bus shelter on Bridge Street will be retained as proposed. Suitable space is shown available within the application site for storage of refuse bins, in accordance with the Managing Waste in New Developments guidance. A condition is attached to finalise details of a covered bins storage area, in advance of development commencing. The applicant has shown how a surface water soakaway can be accommodated within the application site for runoff from the house roofs. The proposals will connect into the public water supply and sewer network.

Other material considerations

8.10 The representation comments raised concerns over the level of detail in the application drawings, considering the setting within the conservation area. The plans submitted are generally considered to convey enough detail to determine the application and revised drawings have been submitted as the design of the

proposals has developed, in response to the representations and through communication with the case officer. The exact specifications of materials and finishes will be agreed by condition, in advance of any development commencing on site. One of the representations raised the prospect that the development might restrict access to the properties to the west. The proposals show that a standoff distance of over 1m can be maintained between the common boundary with the existing housing along Bridge Street, allowing for maintenance access for both these properties and the proposals. As noted below, the application drawings also generally reflect the ownership boundaries indicated by the Registers of Scotland. The representations also noted that provision should be included for softening the visual impact of the development through tree or shrub planting. A condition is attached to ensure a detailed landscaping plan is submitted for the approval of the planning authority, prior to development commencing.

Non-material considerations

8.11 The representation comments raised the issue of the ability of the ground in the area to take the new development: this is not a material planning consideration, but will be a matter for Building Standards, should the proposals progress to warrant stage. It was noted that the site is underlain by electricity cables. The developer will be responsible for liaising with the relevant authorities to ensure these are protected during construction, should the proposals reach the building warrant stage. The representations also questioned the extent of the applicant's land ownership of the site. The applicant's drawings generally correspond to the ownership boundaries as indicated by the Registers of Scotland. At this stage, any disagreement over the actual ownership, or any wayleaves, is a private legal matter between the parties concerned, and not a material planning consideration. One of the representations was made on the basis of the impact of the proposals on a private view: this is not a material planning consideration.

Matters to be secured by Section 75 Agreement

- 8.12 In order to mitigate the impact of the development on infrastructure and services the following matters require to be secured prior to planning permission being issued, as detailed in Appendix 2 of this report:
 - a) developer contributions to support the expansion of Avoch Primary School

The applicant has four months from the date that the Council's solicitor writes to the Applicant/Applicant's solicitor indicating the terms of the legal agreement or other appropriate mechanism to secure mitigation for the impacts of the development agreed by the Planning Service, to deliver to the Council a signed legal agreement. Should an agreement or other appropriate mechanism to secure the mitigation agreed by the Planning Service not be delivered within four months, the application may be refused under delegated powers for the following reason:

"The proposed application has failed to conclude a legal agreement required to secure reasonable and proportionate contributions to secure mitigation for the impacts of the proposed development. As such the application is contrary to the provisions of Policy 31 of the Highland-wide Local Development Plan

and Policy 2 (Delivering Development) of the Inner Moray Firth Local Development Plan."

9. CONCLUSION

- 9.1 The proposed development will help regenerate a key gap site within Avoch Town Centre and Conservation Area, providing further housing in the settlement in accordance with HwLDP Policy 34. The design and layout of the properties generally complement the Conservation Area Setting in terms of HwLDP Policy 57 and can be accomplished without detriment to road safety, parking provision and flood risk in accordance with HwLDP Policies 28, 29, 65, and 66.
- 9.2 The current scheme is the result of sustained discussions with the applicant, between the case officer and Historic Environment Team (Conservation) and as a result, the scale and design of the scheme has significantly improved from the point that it could not originally be supported, to the current resolution, suitable for the setting within the Avoch Conservation Area.
- 9.3 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued

Notification to Scottish Ministers N

Conclusion of Section 75 Y

Obligation

Revocation of previous permission N

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

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

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

2 No development or work shall commence until a detailed specification for all proposed external materials and finishes (including trade names and samples where necessary) has been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt, the roof covering shall be natural slate. Thereafter, development and work shall progress in accordance with these approved details.

Reason: To ensure that the development is sensitive to, and compatible with, its context within the Conservation Area and local architectural styles.

No development shall commence until a detailed specification for all proposed road and path materials and finishes (including trade names and samples where necessary) has been submitted to and approved in writing by the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

Reason: To ensure materials are of an appropriate standard which facilitates the creation of place.

4 No development shall commence until a scheme for the storage of refuse and recycling within the application site has been submitted to, and approved in writing by, the Planning Authority. This shall include full details of a covered communal wheelie/kerbside recycling bin storage area, capable of accommodating bins for up to 3 properties, located outwith any visibility splays. The storage area shall be constructed in accordance with the details approved by the Planning Authority prior to the first occupation of the development and thereafter maintained in perpetuity.

Reason: To ensure that suitable provision is made for the storage of communal waste and recycling bins.

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

Reason: to ensure that construction traffic is manged to avoid adverse impact on road safety and residential amenity.

- 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:
 - 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 walls, fences and gates;
 - iv. 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
 - v. 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. 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.

Prior to the first occupation of the development hereby approved, the car parking and access arrangements detailed on approved plans ref. RS-0022-007 REV A and RS-0022-010 REV A, shall be completed in full and made available for use. Thereafter, all car parking spaces and the access shall be maintained for this use in perpetuity.

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

8 Prior to the first occupation of the development hereby approved, an agreement under Section 48 of the Roads (Scotland) Act 1984 between the developer and the Trunk Roads Authority, Transport Scotland for an agreed proportionate contribution to the cost of the vehicle queue detectors and signage installed at the A9/B9161 Munlochy junction shall be concluded and the contribution paid.

Reason: The vehicle queue detectors and signage have been installed at the A9/B9161 Munlochy junction to secure the safety and free flow of through traffic and in recognition of the impact of additional traffic

turning right from the A9, which will be exacerbated by this and other housing developments, identified in the Inner Moray Firth Local Development Plan, on the south side of the Black Isle.

REASON FOR DECISION

The proposed development will help regenerate a key gap site within Avoch Town Centre and Conservation Area, providing further housing in the settlement in accordance with HwLDP Policy 34. The design and layout of the properties generally complement the Conservation Area Setting in terms of HwLDP Policy 57 and can be accomplished without detriment to road safety, parking provision and flood risk in accordance with HwLDP Policies 28, 29, 65, and 66.

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.
- 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 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 available NatureScot: developer responsibilities is from https://www.nature.scot/professional-advice/protected-areas-andspecies/protected-species

Designation: Area Planning Manager North

Author: Michael Kordas

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

Relevant Plans:

Document Type	Document No.	Version No.	Date Received
Location / Site Layout Plan	RS-0022-001	REV B	13 June 2022
Floor Plan	RS-0022-002		13 June 2022
Elevations	RS-0022-003	REV A	13 June 2022
Elevations	RS-0022-005	REV A	13 June 2022
Elevations	RS-0022-006	REV A	13 June 2022
Visibility Splay Plan	RS-0022-007	REV A	13 June 2022
Site Layout Plan	RS-0022-010	REV A	13 June 2022
Drainage Layout Plan	RS-0022-008	REV C	22 June 2022
Drainage Details	RS-0022-017	REV A	22 June 2022
Topography Plan	RS-0022-009		13 June 2022
General Plan – Bicycle Storage	RS-0022-011	REV A	13 June 2022
Bin Collection Plan	RS-0022-016		13 June 2022

Appendix 2

	COMPLETE FOR LEGAL AGREEMENTS AND UPFRONT PAYMENTS					REQUIRED FOR LEGAL AGREMEENTS ONLY			
Туре	Contribution	Rate (per house)	Rate (per flat)	Total Amount*1	Index Linked ¹	Base Date*2	Payment Trigger*3	Accounting Dates*4	Clawback Period* ⁵
Schools ²									
Primary – Build Costs	Major Extension / New School	£2863	£0.00	£8,589	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Primary – Land Costs	Not required	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Secondary – Build Costs	Not required	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Secondary – Land Costs	Not required	£0.00	£0.00	£0.00	No		TOC/CC	Apr/Oct	15 or 20
Community Facilities	Not required	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Affordable Housing									
On-site provision ³	Not required	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Off-site provision ⁴	Not required	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Commuted Sum ⁵	Not required	N/A	N/A	£0.00	N/A	N/A	Insert specific payment date	N/A	5 Years
Agreement for Delivery Needed	Not required	N/A	N/A	N/A	N/A	N/A	Insert date for submission to Planning Authority	N/A	N/A
Transport									
Active Travel	Not required	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Safer Routes to Schools	Not required	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Public Realm	Not required	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Wayfinding	Not required	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20

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

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

³ Indicate whether a penalty payment due for late delivery (and, if so, what it is based upon).

⁴ As above

⁵ Indicate whether a penalty payment is due for late payment of commuted sum (and, if so, what it is based upon)

Public Transport	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
School Transport	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Road Improvements	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Parking	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
EV Charging	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Traffic Signals	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Lighting	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Road Traffic Orders	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Cumulative Transport	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Contributions								
Green Infrastructure								
Open Space	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Green Network	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Built/Natural Heritage	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Water and Waste								
Catchment Improvement	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Works								
Strategic Flood Scheme	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Maintenance of SuDs	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Off Street Waste Storage	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Recycling Point Provision	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Glass Banks	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
		£0.00	£0.00	£0.00				
Public Art	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Other (Please Specify)	Not required	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20

^{*1} Adjust total to take account of flat exemptions

Base Date – Set out in Supplementary Guidance on Developer Contributions

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

Accounting dates - 1 April and 1 October each year of development (if the contribution is to be paid on a basis other than related to units completed in the preceding 6 months (e.g. lump sum on a specific date) then indicate this instead of the Apr/Oct payment dates)

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

Appendix 2

	COMPLETE FOR LEGAL AGREEMENTS AND UPFRONT PAYMENTS					REQUIRED FOR LEGAL AGREMEENTS ONLY			
Туре	Contribution	Rate (per house)	Rate (per flat)	Total Amount*1	Index Linked ⁶	Base Date*2	Payment Trigger*3	Accounting Dates*4	Clawback Period*5
Schools ⁷									
Primary – Build Costs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Primary – Land Costs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Secondary – Build Costs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Secondary – Land Costs	Insert what contribution is for	£0.00	£0.00	£0.00	No		TOC/CC	Apr/Oct	15 or 20
Community Facilities	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Affordable Housing									
On-site provision ⁸	X units. Insert details of unit size and timescale for delivery if agreed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Off-site provision ⁹	X units. Insert details of location, unit size and timescale for delivery if agreed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Commuted Sum ¹⁰	£0.00 per affordable unit not delivered on/off site. Insert expected timescale for payment - can be in installments	N/A	N/A	£0.00	N/A	N/A	Insert specific payment date	N/A	5 Years
Agreement for Delivery Needed	Y/N. If delivery for affordable housing has not yet been agreed, enter Y and specify the date/timescale that the scheme for delivery is to be	N/A	N/A	N/A	N/A	N/A	Insert date for submission to Planning Authority	N/A	N/A

-

⁶ If the contribution is to be used towards infrastructure projects involving building e.g. new school, new cycle route etc BCIS ALL IN TENDER will be the index, if it doesn't involve building then another appropriate index may need to be chosen with the agreement of Team Leader

⁷ Indicate whether or not 1 bed houses/flats are exempt

⁸ Indicate whether a penalty payment due for late delivery (and, if so, what it is based upon).

⁹ As above

¹⁰ Indicate whether a penalty payment is due for late payment of commuted sum (and, if so, what it is based upon)

	submitted for approval							
Transport								
Active Travel	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Safer Routes to Schools	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Public Realm	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Wayfinding	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Public Transport	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
School Transport	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Road Improvements	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Parking	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
EV Charging	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Traffic Signals	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Lighting	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Road Traffic Orders	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Cumulative Transport	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Contributions								
Green Infrastructure								
Open Space	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Green Network	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Built/Natural Heritage	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Water and Waste								
Catchment Improvement	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Works								
Strategic Flood Scheme	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Maintenance of SuDs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Off Street Waste Storage	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Recycling Point Provision	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Glass Banks	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
		£0.00	£0.00	£0.00				
Public Art	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Other (Please Specify)	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20

Adjust total to take account of flat exemptions

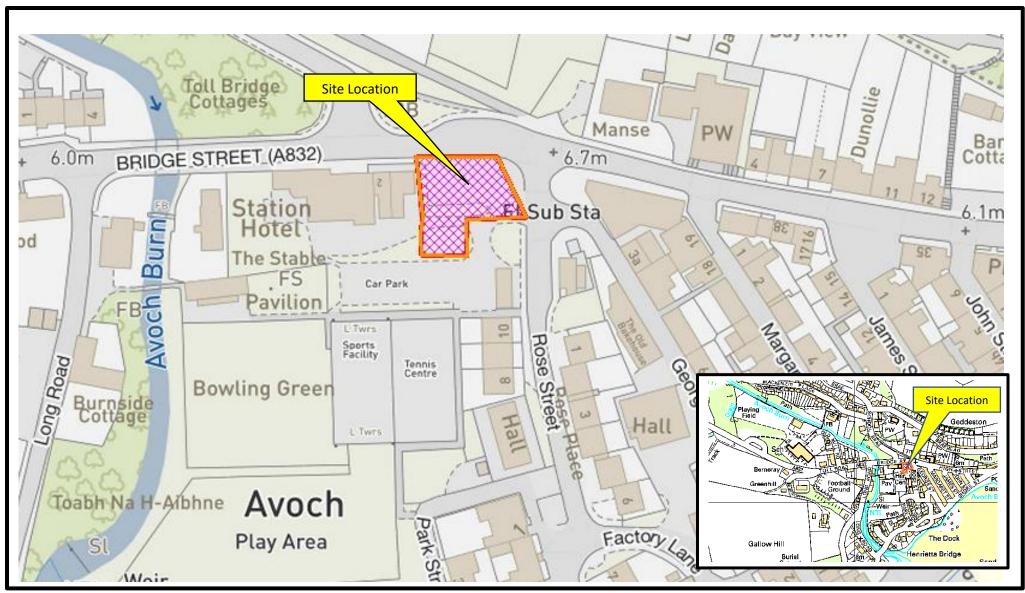
Base Date – Set out in Supplementary Guidance on Developer Contributions

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

Accounting dates - 1 April and 1 October each year of development (if the contribution is to be paid on a basis other than related to units completed in the preceding 6 months (e.g. lump sum on a specific date) then indicate this instead of the Apr/Oct payment dates) Clawback – 15 years for Major development; 20 years for Local development

Other Legal Agreement requirements

Туре	Details
Bond	Describe the purpose of the Bond
	Specify the amount to be secured
	3. Restriction on Bond provider
	4. Set the review date and mechanism for review
	5. Describe the call on circumstances
	6. Any other relevant details
Habitat Management Plan	Describe what the Plan is to cover
Trabitat Mariagement Flan	Describe the area the Plan is to cover (and provide a plan)
	3. Set the timetable for submission of the Plan
	4. Set the timescale for implementation of the Plan
	5. Describe requirements to consult third parties
	6. Specify the financial contribution (if any)
	7. Specify the clawback period (if any)
	8. Any other relevant details
Road Survey	Specify the timescale for the initial survey
	Describe which roads are to be surveyed (provide a plan)
	3. Specify an interim survey date (if required)
	Specify the final survey requirements and timescale
	5. Any other relevant details
Land and Asset Transfer	Describe the area of land / asset to be transferred (provide a plan)
	2. Describe the use of the land / asset
	3. Specify the cost of transfer
	4. Any other relevant details





Infrastructure and Environment Service

18/02212/FUL

Erection of 3 houses at Station Hotel Car Park, Bridge Street, Avoch.

August 2022







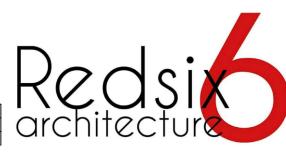


BLUE LINE DENOTES LAND IN CLIENTS CONTROL. RED HATCH DENOTES APPLICATION SITE.

ALL SIZES TO BE TAKEN AND CHECKED ON SITE BY THE CONTRACTOR PRIOR TO PREPARATION OF SHOP DRAWINGS OR F TO BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE DESIGNER. COPYRIGHT OF DESIGN AND DRAWING RESERVED

	В	Planning Response	AM	24-05-22
	Α	Planning Response	AM	19-04-22
RTS. THIS DRAWING SHOULD NOT BE SCALED. ANY DISCREPANCIES	REV	DESCRIPTION	BY	DATE

SITE PLAN 1:200



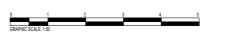
,			20	
CLIENT	Bryan Clark		STATUS Planning	
PROJECT	Bridge Street, Avoch			
TITLE	Site and Location			
JOB NO	0022	SCALE NOTED @ A3		
DRAWN	AM	DATE 05-04-2022	RS-0022-001	В
			DRG. No.	REV



2 First Floor
1:50

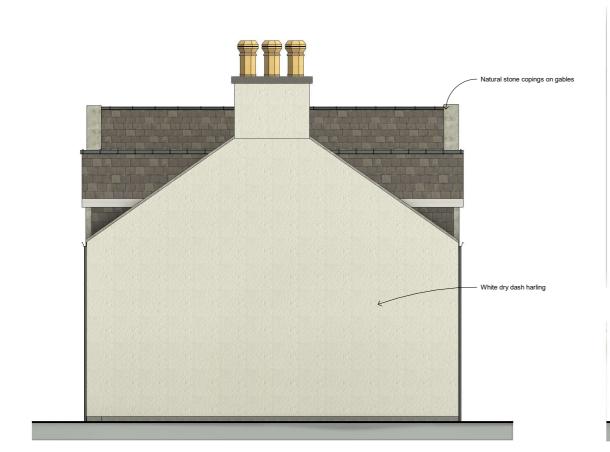


Ground Floor
1:50





LIENT	Bryan Clark			STATUS Planning
ROJECT	Bridge Street, Avoch			
TLE	Floor Plans			
OB NO	0022	SCALE	Noted @ A1	
RAWN	AM	DATE	05-04-2022	RS-0022-002 -





1 East 1:50

Conservation lead ridge

White dry dash harling

4 West
1:50

2 North 1:50



3 South 1:50



CLIENT	Bryan Clark	STATUS Planning			
PROJECT	Bridge Street, Avoch				
TITLE	Elevations				
JOB NO	0022	SCALE	Noted @ A1		
DRAWN	AM	DATE	05-04-2022	RS-0022-003	Α



1 North 1:50



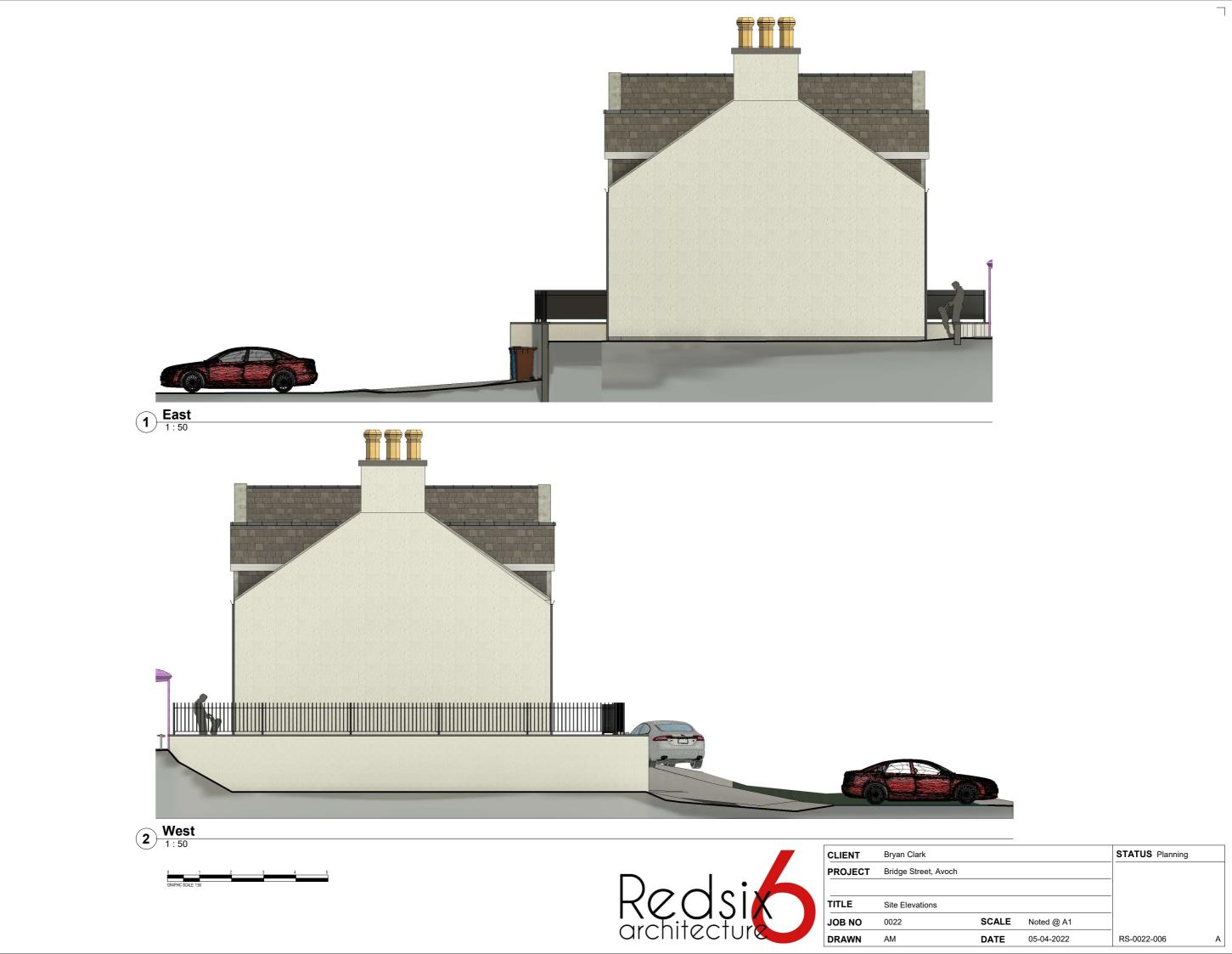
2 South 1:50

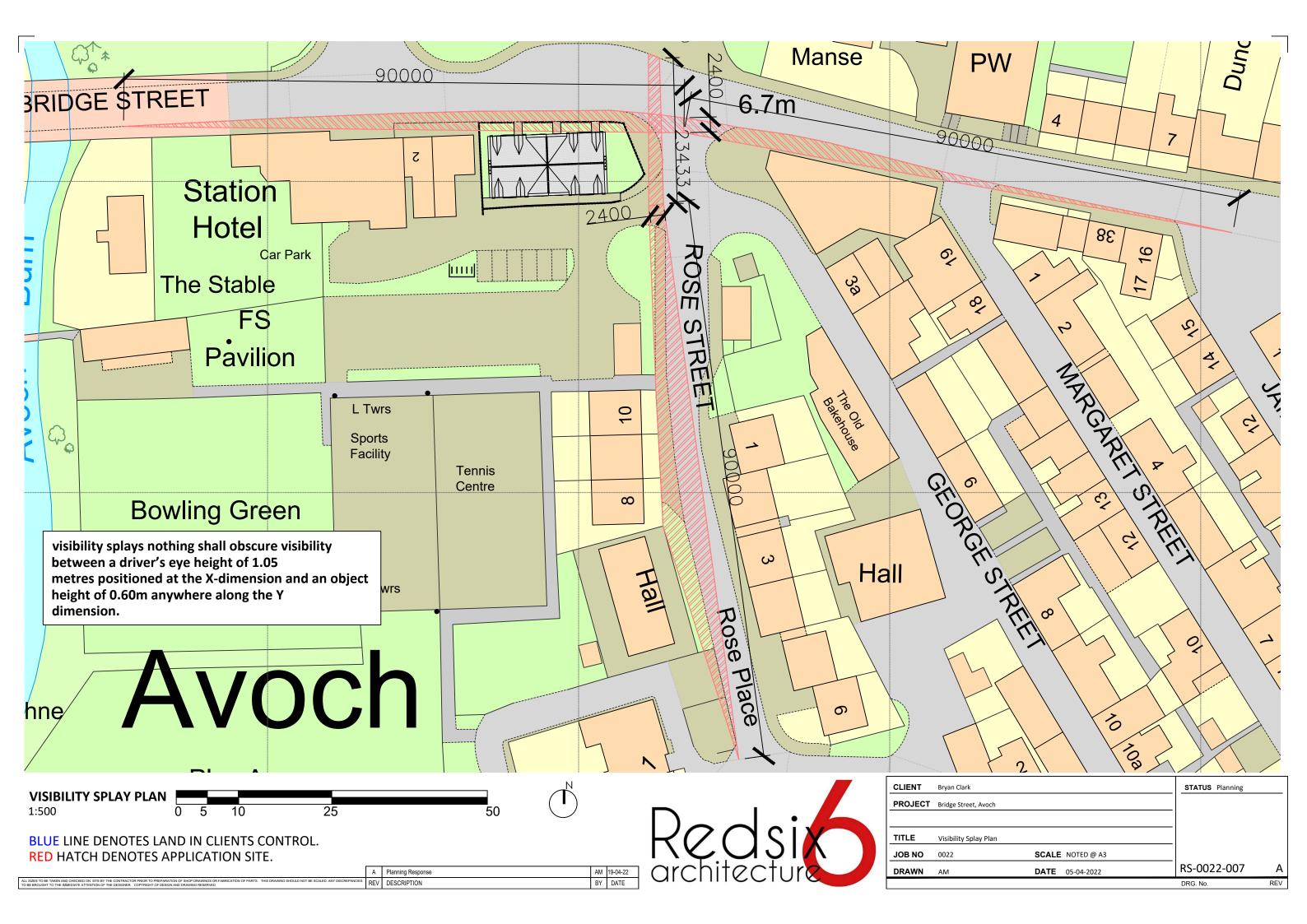
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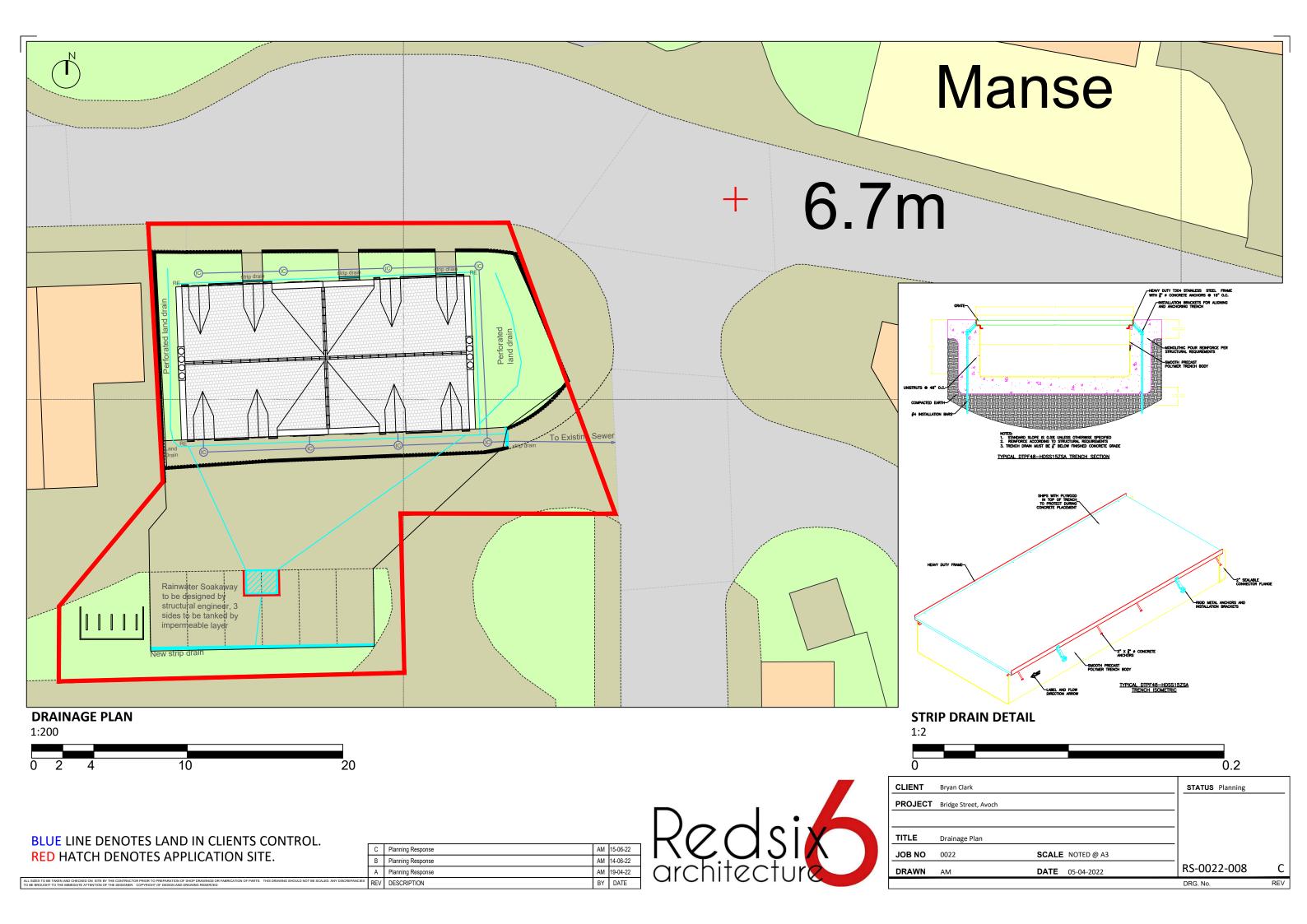


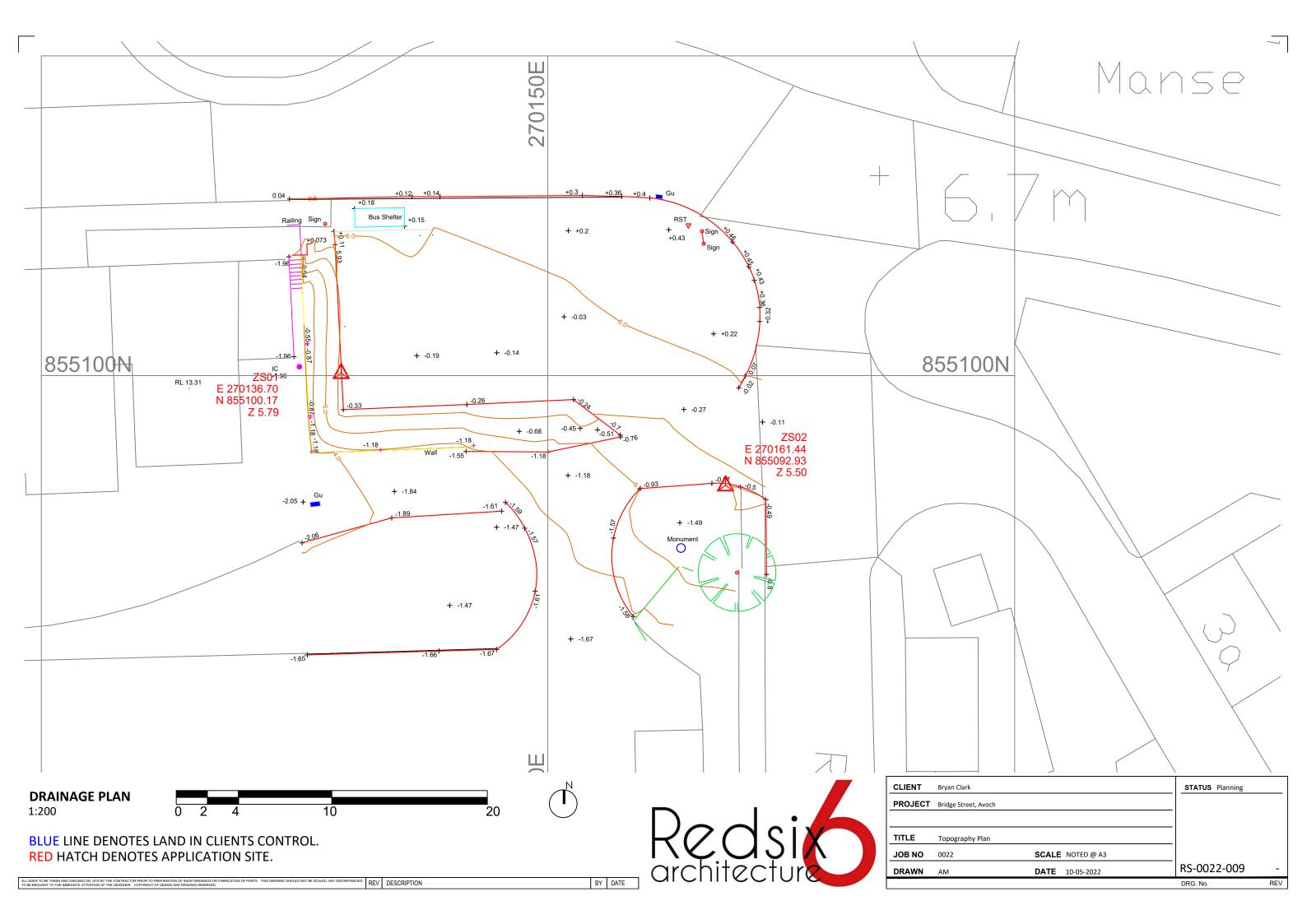
LIENT	Bryan Clark			STATUS Planning	
ROJECT	Bridge Street, Avoch				
ITLE	Site Elevations				
ов но	0022	SCALE	Noted @ A1		
RAWN	AM	DATE	05-04-2022	RS-0022-005	Α

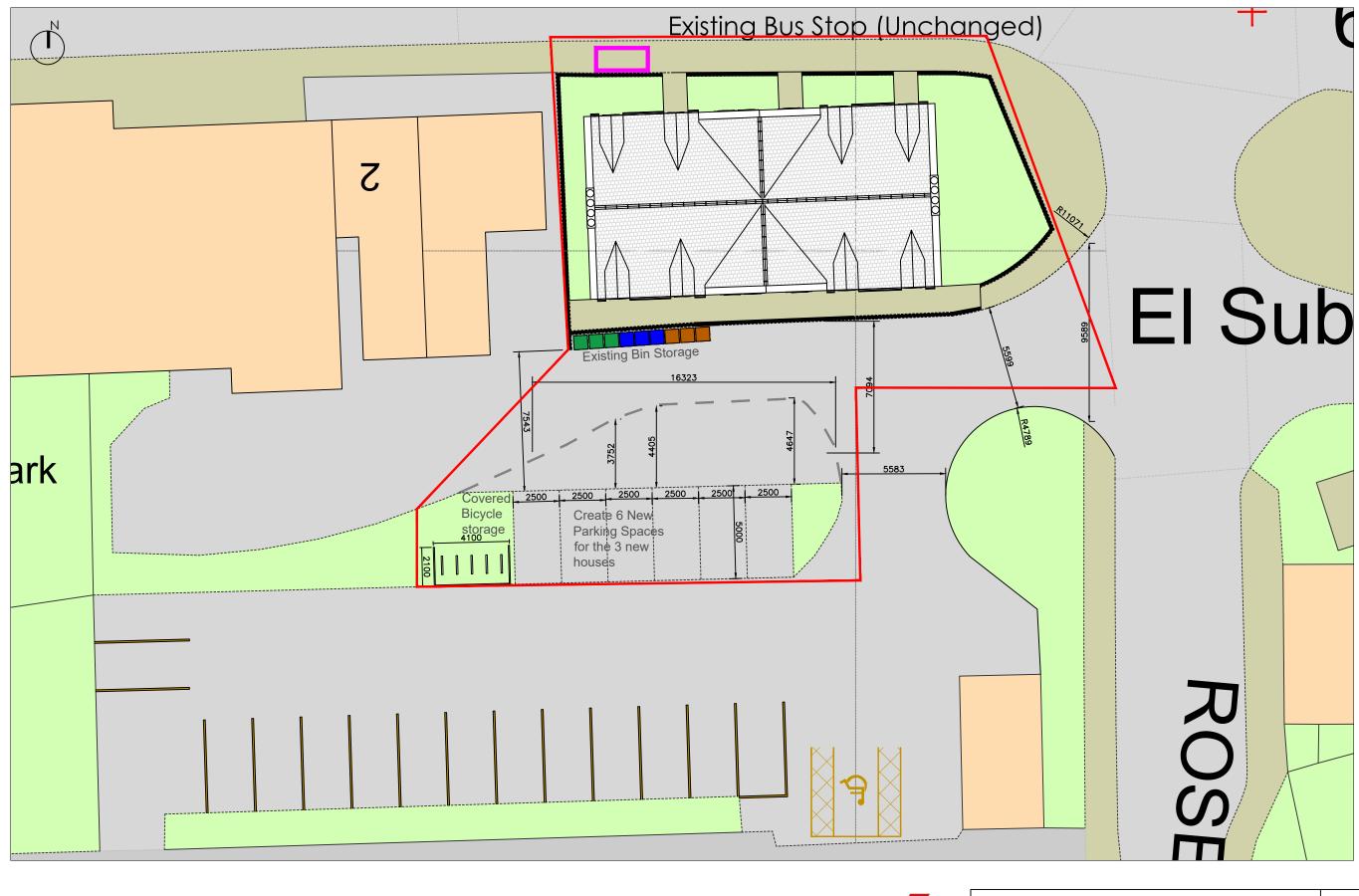
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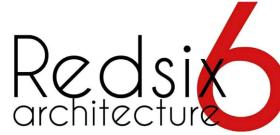


PROPOSED SITE PLAN

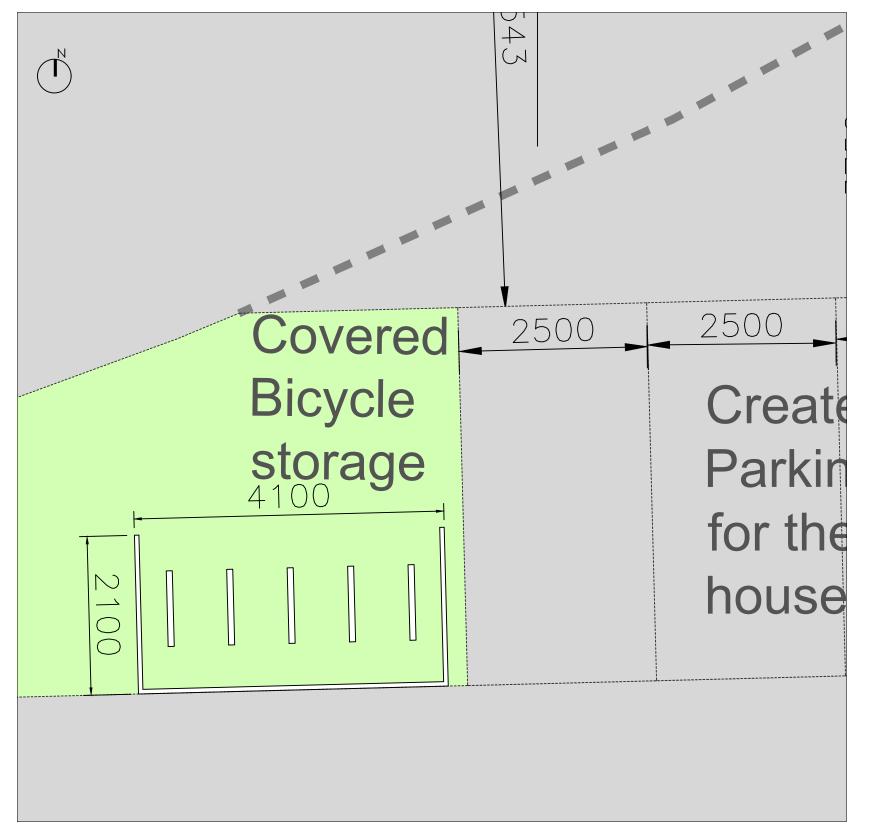
1:200

0 20

A Revisions
REV DESCRIPTION



CLIENT	Bryan Clark			STATUS Planning	
PROJECT	Bridge Street, Avoch				
TITLE	Proposed Site Plan				
JOB NO	0022	SCALE	NOTED @ A3		
DRAWN	AM	DATE	24-05-2022	RS-0022-010	Α
				DRG. No.	REV







PROPOSED BICYCLE STORAGE

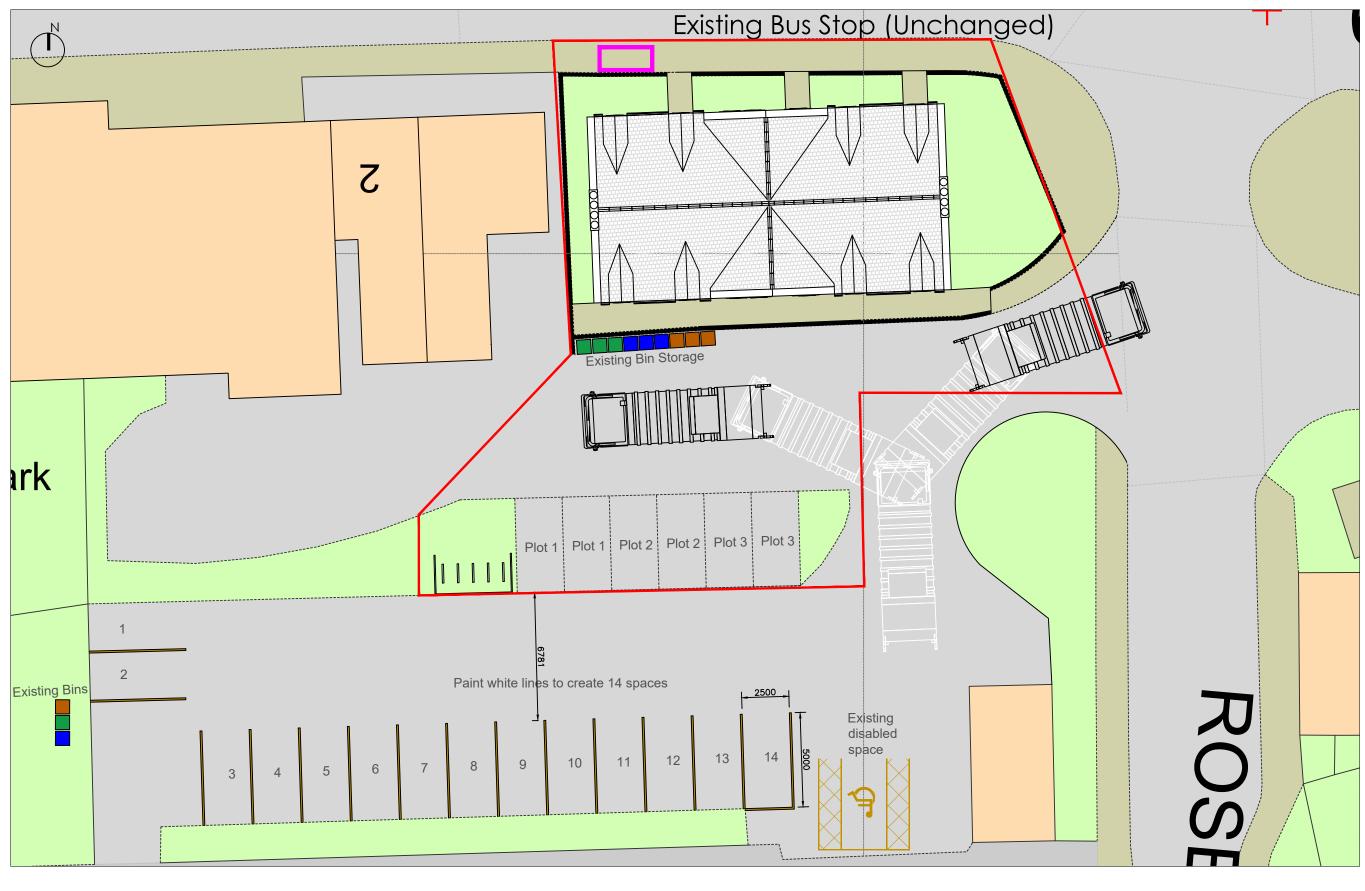
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CLIENT	Bryan Clark		STATUS Planning	
PROJECT	Bridge Street, Avoch			
TITLE	Bicycle Storage			
JOB NO	0022	SCALE NOTED @ A3		
DRAWN	AM	DATE 25-05-2022	RS-0022-011	Α
			DRG. No.	REV

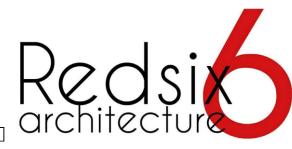
	Α	Revisions	AM	01-06-
L SIZES TO BE TAKEN AND CHECKED ON SITE BY THE CONTRACTOR PRIOR TO PREPARATION OF SHOP DRAWINGS OR FABRICATION OF PARTS. THIS DRAWING SHOULD NOT BE SCALED, ANY DISCREPANCIES BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE DESIGNER. COPYRIGHT OF DESIGN AND DRAWING RESERVED	REV	DESCRIPTION	BY	DAT



PROPOSED SITE PLAN

1:200





CLIENT	Bryan Clark			STATUS Planning	
PROJECT	Bridge Street, Avoch				
TITLE	Bin Collection				
JOB NO	0022	SCALE	NOTED @ A3		
DRAWN	AM	DATE	01-06-2022	RS-0022-016	-
				DRG. No.	REV

ite Survey

Trial pit for percolation

Grid reference: NH 70150 55103

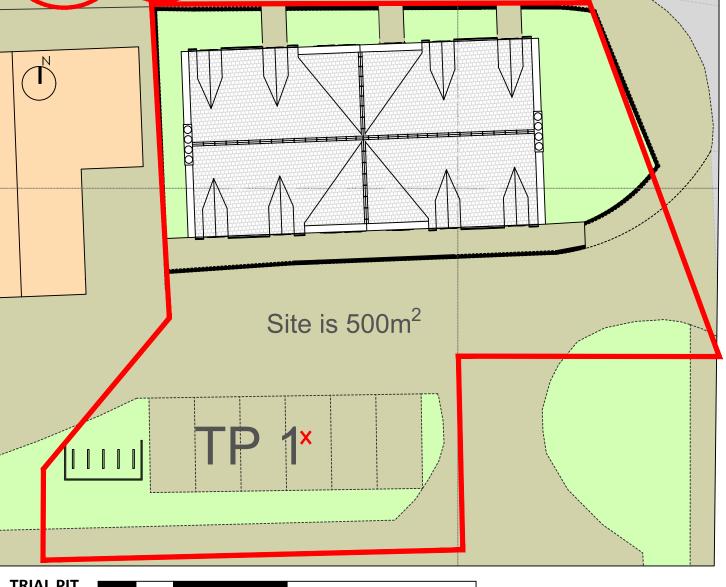
The site plan included 1 Hole to be dug under car parking spaces

Method: - Hand dig test pit at the marked location

A percolation test was undertaken to avoid unusual weather conditions such as heavy rain, severe

frost, or drought

Trial Pit No.	Pit Depth (m)	Vp rate	Image Taken	Location Marked	Comment: Topsoil, Subsoil, Depth, and substrate type
1	1.2	55	Yes	Yes	800mm of topsoil followed by hard substrate
Aver	age Vp	55			^ ^



TRIAL PIT

RED HATCH DENOTES APPLICATION SITE. AM 22-06-22 BY DATE A Revision ALL SIZES TO BE TAKEN AND CHECKED ON SITE BY THE CONTRACTOR PRIOR TO PREPARATION OF SHOP DRAWINGS TO BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE DESIGNER. COPYRIGHT OF DESIGN AND DRAWING RESERVE REV DESCRIPTION

Modular Units and Tank Details - Avoch - Soakaway

Unit configuration

The following information provides an approximate calculation and some assumptions. If more accurate information is required, please contact our technical team.

Length	1.5m	1.5 units
Width	2m	4 units
Depth	1.2m	3 units
Total Number of Units		18 units

Recommended Unit

Wavin recommend using the following unit for your installation.



AquaCell Core R

Product Number: 6LB150 AquaCell Core R has been designed for use in deep applications, subject to both regular and heavy traffic loadings, such as cars and HGV's (for vehicles up to 44 tonnes).

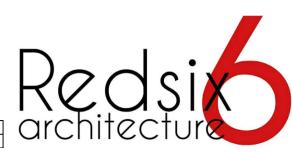
Calculations

Site Details

Area	500m ²	
Soil Type	Loose Sand and Gravel	
Groundwater Present	No	

Traffic Loading (Soakaway Trafficked Car size based on 1:30 year Storm)

Park <9 Tonnes



LIENT	Bryan Clark			STATUS Planning	
ROJECT	Bridge Street, Avoch				
ITLE	Soakaway				
OB NO	0022	SCALE	NOTED @ A3		
RAWN	AM	DATE	15-06-2022	RS-0022-017	Α
				DPC No	DE\/