

Agenda Item	6.2
Report No	PLN-067-22

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 13 September 2022
Report Title: 21/05855/FUL : Whiterow properties Ltd
Land 40M West of McColls Store Gairloch
Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Erection of retail unit
Ward: 05 - Wester Ross, Strathpeffer And Lochalsh
Development category: Local

Reason referred to Committee: Representations from more than five individual addresses

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 The development proposed consists for a 5000sqft retail unit with an associated car park served off the A832 and the landscaping of the site. The footprint of the proposed building measures 24.5m x 20m, or thereby. The single storey building is designed with a mono pitched roof which will be clad with standing seam grey metal sheeting, with a ridge height of 6m lowering to 4.5m. The walls of the building will be finished in white roughcast with feature vertical timber cladding around the entrance way. A service yard enclosed by 2.4m high boundary wall with acoustic standard doorways is proposed on the northern elevation of the building.
- 1.2 The service yard will be access from a service driveway that runs along the rear, western elevation, of the building, taking access from the proposed car park. The car park consists of 24 standard bays, 4 large bays to accommodate large vehicles such as motorhomes, 2 accessible bays and 4 EV charging bays. Access into the site is proposed from the A832 with a junction design to accommodate service vehicles as well as customer traffic. Cycle parking is to be provided by means of 3 Sheffield cycle hoops.
- 1.3 The site is to be landscaped with low level hedging along the southern boundary, areas of planting around the car parking and low shrubs and grassed areas between the building and the public roads (A832 and B8021). The western boundary is to be enclosed with a 2m high acoustic quality fence from the southwestern corner to the end of the service driveway. The remaining section consisting of a 1.8m high slatted fence. Soft landscaping will also be introduced along the full length of the western boundary. A pedestrian footpath will cross the site from the northwestern corner to the store entrance
- 1.2 A significant Scottish Water main runs through the northeast corner of the site.
- 1.3 Pre-Application Consultation: None
- 1.4 Supporting Information: Design and Access Statement. Transport Statement. Shadow Analysis.
- 1.5 Variations: Amended set of plans submitted, 15.12.2021, 01.02.2022, 29.04.2022, 01.06.2022, 09.06.2022 14.07.2022

2. SITE DESCRIPTION

- 2.1 The site consists of part of an 0.7-hectare site allocated for mixed uses in the West Highland and Island Local Development Plan (WestPlan). It is situated to the west of the A832 at its junction with the B8021. The site is grassed and is relatively flat, dipping slight towards the northern edge with the B8021.
- 2.2 To the west of the site is the row of 12 semi-detached properties on Raonmor. The ground level of these two storey blocks lies several meters below that of the application site. To the east, on the opposite side of the A832 is McColls shop, two semi-detached houses and a car park. The southern boundary is currently undefined. To the north on the opposite side of the B8021 is the Police Station/ Service Point.

3. PLANNING HISTORY

3.1 None

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour

Date Advertised: 11.02.2022 & 13.05.2022

Representation deadline: 25.02.2022 and 27.05.2022

Timeous representations: 30 in total from 15 addresses
9 addressees lodged objection comments
4 addressees lodged supporting comments
2 addressees lodged neutral comments

Late representations: N/A

4.2 Material considerations raised are summarised as follows:

- a) Visual Impact
- b) Impact on A832/B8021 junction
- c) Design of car park to accommodate motorhomes
- d) Residential amenity – noise impact, loss of daylight, lighting and overshadowing
- e) Ground conditions
- f) Litter management
- g) Impact on existing shops
- h) Impact on adjoining boundaries
- i) Loss of habitat
- j) Surface water drainage
- k) In support – will widen shopping choices in the village

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 Gairloch Community Council - Neutral responses. The community council are disappointed that the opportunity is not taken to improve the junction of the A832 with the B8021 which suffers from congestion which they consider will be exacerbated by this development. The introduction of a 2.5m boundary fence with Raonmor will interrupt westerly views and will affect landscape qualities.

5.2 Transport Planning – No objections. Comments offered on 15.03.2022, 06.05.2022 and 30.05.2022 required additional information to be submitted. Final comment submitted confirmed that the latest access and car parking layout are acceptable along with the details for the remote footpath between the store entrance and the B8021 and the provision of cycle storage.

In response to the concerns made by third parties and the Community Council with regards to the efficacy of the junction of the A832 and B8021. The Transport Planning Team offer the following comments

- No concerns with respect to the existing volume of traffic and additional vehicular generation from this proposed development on the performance of the existing junction.
- No concerns with the location of the proposed junction with regards to the existing access on the opposite side of the A832.
- Existing injury accident data as been reviewed and there are no reported incidents on the A832 or the B8021 in the vicinity of this development.

The Transport Planning Team are satisfied that this proposed development will not create any detriment to the public road or the safety of the road users.

- 5.3 Environmental Health – No objection. Conditions required to deal with noise from plant and machinery not exceeding NR20 when measured or calculated within noise-sensitive properties and delivery times which must be restricted to out-with 08:00 and 22:00.
- 5.4 HET (Archaeology) – No objection. Condition required for the survey, evaluation and preservation and recording of any archaeological and historic features as the site is considered to have archaeological potential.
- 5.5 Scottish Water – No objection. Applicant encouraged to submit predevelopment enquiry as Scottish Water are unable to confirm capacity at Poolewe Water Treatment Works or Gairloch Waste Water Treatment Works that will serve 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 & Place-making
- 30 - Physical Constraints
- 34 - Settlement Development Areas
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage

6.2 West Highlands and Islands Local Development Plan 2019

Gairloch Settlement Development Area allocated site GL05 Achtercairn West

Mixed Use- (Housing, community, Business/tourism, Retail).

Developer Requirements: Landscaping scheme which integrates with the green network; transport statement, possible junction improvements A832/B8021; setback from western boundary for built development, development not to impact undisturbed

views across Loch Gair, Landscape and visual assessment; high quality design which will avoid adverse impact on the special qualities of the NSA.

7. OTHER MATERIAL POLICY 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) Siting, Design and visual and landscape impacts
- c) Access, Servicing and Parking
- d) A832/B8021 Junction
- e) Neighbouring residential
- f) Water and Drainage

Development plan/other planning policy

- 8.4 The site lies within the settlement development area of Gairloch and forms part of an identified and allocated mixed use site (ref GL05) in the West Highland and Island Local Development Plan. The allocation provides for a variety of uses including retail. In principle the development is considered to comply with this allocation and the developer requirements. The site is not covered by any specific designation in relation to nature conservation or habitat.

Siting, Design and visual and landscape impacts

- 8.5 The site occupies an elongated corner location to the west of the A832 at its junction with the B8021. The siting and design of the building has been the subject of a number of revisions during the processing of the application. Due to the presence of

a water main that crosses the site the building requires to be set back from both the A832 and the B8021. The advantage of the proposed layout is that the open nature of the area of ground at the road junction of the A832/B8021 will be retained with the visual appearance of the area being enhanced by additional landscaping.

- 8.6 Whilst it is recognised that the building is fairly utilitarian in character, the large areas of glazing on both roadside elevations will lift the quality of the design. The use of a mono pitched roof also helps to reduce the overall massing of the building. These design features along with the use of timber panelling to a degree also reflect the character of the nearby GALE centre. The introduction of soft landscaping around and within the site will also enhance the car parking and soften the hard surfaced areas around the building. Situated within the settlement development area of Gairloch and on part of an allocated site it is considered that the development will not have a significant detrimental impact on the special qualities of the Wester Ross National Scenic Area. Views out to Loch Gair cross the site from the A832 will clearly be altered by the development. Currently these are interrupted by the roofs of the properties on Raonmor. The part of the allocated site that benefits from uninterrupted views lies to the south of the application site boundary and will not be affected by this proposed development.

Access Servicing and Parking

- 8.7 The siting and design of the means of access, servicing arrangements and the parking layout has been revised on a number of occasions. The initial proposal involved servicing the proposed retail unit from a bay that would be construction on the B8021 in close proximity to the existing pedestrian crossing and the junction with the A832. The majority of third-party comments that have been received on the application relate to this initial layout rather than the subsequent amendments.
- 8.8 The site layout as now presented proposes a new junction onto the A832 which will be used by service vehicles and customers. The junction design is of sufficient width for two vehicles thereby ensuring the traffic accessing and egressing the site at the same time are not in conflict. The position of the junction raises no concerns with respect to the proximity of the A832/B8021 junction and the access to the car park on the opposite side of the road. The internal layout allows for service vehicles to turn within the site to ensure that they access and egress the A832 in a forward gear and that they do not interfere with pedestrian movements within the car park. The car park design as now presented includes a number of large spaces capable of accommodating motorhomes and includes several EV bays. The total number of spaces (34) meets current guideline standards. Overall, the access, servicing and parking proposals are considered acceptable. The Transport Planning Team have withdrawn their initial objection and are now satisfied that the proposed development will not create any detriment to the public road or the safety of the road users

A832/B8021 Junction

- 8.9 The Community Council and a number of third parties have raised concerns that the development will exacerbate problems with parked vehicles and pedestrian around the A832/ B8021 Junction. Most of these comments were submitted in relation to the initial plans submitted, which suggested that the retail store would be serviced from a new layby on the B8021. Such a proposal was considered unacceptable for

a number of reasons and revised plans were submitted for the current proposed arrangements. Possible junction improvements are referred to in the text of the WestPlan for this site. The Transport Planning Team were requested to consider the representations lodged regarding this matter and also as to the necessity for junction improvements in relation to the development proposed. The Transport Planning Team consulted directly with the local roads department and their findings are set out in the consultation response in paragraph 5.2 above. The conclusion of their assessment is that no improvements to the junction are required in relation to this development. They are satisfied that the additional vehicular movements generated will not impact on the performance of the existing junction. Matters relating to how vehicles service the retail unit McColl's on the east side of the A832 and fail to have regard to the double yellow line parking restrictions is a matter for the police. However, the local road team are also working with McColl's to resolve the issues around delivery vehicle parking.

Neighbouring residential amenity

- 8.10 The site is bounded to the west by the row of 12 semidetached two storey properties on Raonmor. There is a change in ground levels between these houses which sit several meters below the site. The ground level of the site is approximately at the level of the upper floor windows and roof of these properties. The proposed building will be positioned 10m, or thereby from the western boundary of the site which backs onto the rear gardens of the houses and is currently marked by a post and wire fence and a mix of fairly low-lying vegetation. In recognition of the impact that the proposed development will have on the privacy and amenity of these houses it is proposed to construct a 2.0m acoustic fence along the boundary from the southwest corner of the site to the point level with the end of the internal driveway that will be used by service vehicles. A 1.8m fence is proposed for the remaining part of the boundary out to the point where it will meet the B8021. These boundary treatments are considered sufficient to protect the privacy of the residents from overlooking and the noise that will be associated with service vehicles and the car park. Both sections of fencing will be constructed from timber. Unlike the normal fencing the acoustic barrier will have no gaps between the boards whilst the remainder of the fence will do.
- 8.11 Noise will also be generated within and around the service yard which is located on the northwest corner of the store and therefore in order to further protect the amenity of the houses on Raonmor the service yard will be enclosed by a 2.4m high boundary wall with the timber gateways being constructed to acoustic standards. Environmental Health are satisfied that these proposals are sufficient to deal with noise associated with deliveries subject to the delivery times being controlled by condition so that they are not out with the hours of 08:00 – 22:00. The applicant has indicated their agreement to such a condition. Any external plant and machinery to be installed will require further scrutiny however it is considered that this can be dealt with by way of a condition, should planning permission be forthcoming.
- 8.12 As regards concerns with respect to overshadowing and loss of daylight to the houses on Raonmor from the development, these matters are recognised as being material considerations in the determination of the application and therefore the applicant was required to provide an overshadowing analysis. The conclusion of their report can be summarised as follows.

- 8.13 A shadow is currently cast by the existing hill which forms part of the rear garden and lies behind the properties on Raonmor. The impact of this is most evident during the winter months. At the present time a shadow is cast across the rear garden of Nos 1 and 2 Raonmor in the early morning before 10:00 am from December through to February. The proposed development will result in a shadow being cast over the rear gardens of these properties as well as others to the south during the additional months of March and November before 10:00am and that the shadow will also be cast across parts of the front gardens in November. Between December and February, the proposed development would result in shadowing across the front gardens of these properties in addition to their rear gardens as currently happens up to 10:00am. Through the spring, summer and autumn months, as the sun raises higher in the sky and the daylight hours become longer overshadowing is reduced. In April before 09:00am shadowing of the rear gardens would occur, when currently there is none. A similarly situation would happen in October as the sun drops in the sky.
- 8.14 The concerns expressed by third parties regarding this matter are fully acknowledged and understood. The analysis indicates that these properties are currently affected by overshadowing from the existing hill and that the proposed development will result in shadowing occurring potentially a month earlier (November) and lasting a month later (March) as well as lasting on average an hour a day longer (during winter months) in the morning, particularly for the properties at the northern end of the terrace No1 and 2 Raonmor. That said it must be recognised that the noticeable effect of overshadowing will only likely occur on clear sunny mornings during winter months which is unlikely to be a daily occurrence. It is considered that the critical matter is the increase in the proportion of daylight hours that will be affected by the overshadowing compared to the current situation and at what time of day this would occur. With respect to the latter overshadowing will not occur beyond 10:00am therefore the impact of the development is not considered to negatively affect most of the day. As regards the proportion of daylight hours, it is of course acknowledged that daylight hours during the winter months are significantly less than the rest of the year. The average number daylight hours for the winter months (November to March) is approximately 8:30 mins. Given that overshadowing would only occur on clear sunny days, an average of an additional hour of overshadowing is not on its own considered to be a sufficient reason for refusal of the development. It should also be noted that the boundary fence will reduce in height from 2m to 1.8m towards the northern end of the boundary and that beyond the end of the service yard it is designed with gaps between the boards which will reduce the effect of any shadowing particularly for the properties No1 and 2 Raonmor. The analysis carried out by the applicant failed to take account of these fence design details, basing their calculations on a 2m high solid fence.
- 8.15 With respect to loss of daylight, the building is located 10m from the western boundary. The separation distance between the proposed building and those houses on Raonmor that lies adjacent to the proposed building is between 30- 35, or thereby. The building is 6m in height at its highest point reducing to 4.5m along the rear elevation facing the properties on Raonmor. Sited in this location the building will not interrupt the provision of daylight into the ground floor windows of the neighbouring properties

- 8.16 A comment has been received which questions the impact that the proposed development will have on the condition of a retaining wall which lies within the rear garden ground of some of the houses on Raonmor. It is not considered that the construction of the boundary fencing will impact on the wall nor the car park or building given the separation distances. The service driveway and car park are set back from the boundary by around 4 metres. The proposed building is sited to the north of where the retaining wall is located. It will be the developer's responsibility to ensure that they undertake details ground surveys to ensure the stability of the site prior to any development taking place.
- 8.17 Reference is made in the third-party comments about the potential impact of floodlight. These concerns are acknowledged. Full details of all external lighting will be controlled by condition. This will ensure all lighting features are appropriate for this location and ensure that there is no light spillage outwith the site.

Water and Drainage

- 8.18 Scottish Water have confirmed that they have no objection to the proposed development in respect of the site layout and the location of their assets. With respect to the water and drainage connections it will be up to the developer to secure the necessary consents from Scottish Water.
- 8.19 The applicant has confirmed that site investigations indicate the presence of free draining sand and gravel which is covered by topsoil. Full details of the SUDs proposals will be required, however based on the information provided by the applicant it is considered that this matter can be dealt with by a condition.

Non-material considerations

- 8.20 A number of matters have been raised by third parties which go beyond the scope of the assessment of the application. Concern is expressed about the delivery vehicles associated with McColl's an adjacent retail unit which lies on the opposite side of the road and the litter that is associated with this retail unit. It is for the operators of this unit to ensure that they manage litter on their site and deliveries appropriately and for the Police to investigate any traffic hazards. The access and delivery arrangements for the proposed development are considered in paragraph 8.7 and 8.8 above.
- 8.21 Comment has been made about the speculative nature of the development and that there is insufficient demand during the winter months to justify the need for the retail store. The commercial viability of the development during the quieter months is a commercial decision for the operators to consider. The policies of the development plan seek to secure sustainable development and in principle the proposed development accords with the allocation for this area of land as set out in the WEST Plan.
- 8.22 A request has been lodged that decision is postponed until the GALE, the local Development Trust, in partnership with other local organisations have completed the community consultation that is currently being conducted to produce a Community Action Plan (Local Place Plan) for Gairloch and Loch Ewe. The value of Local Place Plan in influencing the next round of Local Development Plans is understood and the

actions of the local community to initiate community consultations as a first step to preparing such a plan are acknowledged. However, there is no legitimate justification to postpone determining the planning application as the next local development plan is potentially some years away and the determination of the application requires to be considered against the current development plan policies and allocations.

Matters to be secured by Legal Agreement / Upfront Payment

8.18 None

9. CONCLUSION

9.1 The proposed development is considered to accord with the general principles of the development plan as it represents the provision of retail development on part of an allocated site which is identified for mixed uses, including retail. Since the application was initially submitted the proposed site layout, means of access, the siting and design of the building and service yard and the landscaping have been amended to address concerns raised by consultees, the planning service and to take account of material considerations raised by third parties. Given the revisions neighbouring properties have been notified on a number of occasions and the application readvertised.

9.2 It is concluded that the development as now presented satisfies the developer requirements associated with the site allocation, as set out in under ref GL05 of the West Highland and Island Local Development Plan.

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 N

Notification to Scottish Ministers N

Conclusion of Section 75 Obligation N

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 or work (including site clearance) shall commence until a programme of work for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation, has been submitted to, and approved in writing by, the Planning Authority. The approved programme shall be implemented in accordance with the agreed timetable for investigation

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

2. No development shall commence until the detailed design of the access junction onto the A832 including the provision of pedestrian/cyclist crossing facilities of the junction, including the drooped kerb, and the surface water drainage design for the junction have been submitted for the consideration and written agreement of the Planning Authority in consultation with the Road Authority. Thereafter the development shall progress in accordance with the agreed details and shall be completed prior to first occupation of the development.

Reason: To ensure that the junction is designed to an adequate standard in the interest of pedestrian and road safety.

3. No development shall commence until the detailed design of the 3m wide internal site footpath up to and including the junction with the existing footways on the B8021 and adjacent to the A832 have been submitted for the consideration and written agreement of the Planning Authority in consultation with the Road Authority. Thereafter the development shall progress in accordance with the agreed details and shall be completed prior to first occupation of the development

Reason: To ensure that the design is to an adequate standard in the interest of pedestrian safety.

4. No development shall commence until a Construction Traffic Management Plan has been submitted for the consideration and written agreement of the Planning Authority in consultation with the Road Authority. Thereafter the development shall progress in accordance with the agreed details.

Reason: In the interests of pedestrian and road safety throughout the construction period.

5. No development shall commence until details of all external lighting for the building, car park and internal pedestrian footpaths have been submitted for the consideration and written agreement of the Planning Authority in consultation with the Road Authority. Thereafter the development shall

progress in accordance with the agreed details and shall be completed prior to first occupation of the development

Reason: In the interests of visual and residential amenity and pedestrian safety.

6. No development shall commence until details of all external plant, machinery and equipment associated with ventilation, air-conditioning, heating and refrigeration services have been submitted for the consideration and written agreement of the Planning Authority.

All plant, machinery and equipment associated with ventilation, air-conditioning, heating and refrigeration services or similar and including fans, ducting and external openings shall be so installed, maintained and operated such that any associated operating noise does not exceed NR 20 (25 in town centres) when measured or calculated within any noise-sensitive property with windows open for ventilation purposes.

If the above standard cannot be met, the applicant must undertake an assessment of the noise in terms of BS 4142:2014 Methods for rating and assessing industrial and commercial sound which demonstrates that noise will not have an adverse impact on noise sensitive properties. A report of the assessment must also be submitted for the written approval of the Planning Authority. Thereafter the development shall progress in accordance with the agreed details and shall be completed prior to first occupation of the development.

Reason: In the interests of visual and residential amenity.

7. 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 Fourth Edition, or any superseding guidance prevailing at the time) have been submitted to, and approved in writing by, the Planning Authority. Thereafter the development shall progress in accordance with the agreed details and shall be completed prior to first occupation 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.

8. No development shall commence until full details and the location of the construction compound have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall progress in accordance with the agreed details.

Reason: In the interests of visual and residential amenity.

9. Prior to any other development commencing on site the western boundary treatment (2.0m acoustic fencing and 1.8m slatted fencing) hereby approved shall be installed, all to the satisfaction of the Planning Authority.

Reason: In the interests of visual and residential amenity.

10. All landscaping works shall be carried out in accordance with the scheme and plans approved as part of this permission. All planting, seeding or turfing as may be comprised in the approved scheme and plans shall be carried out in the first planting and seeding seasons following the commencement of the 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 the interests of visual amenity.

11. There shall be no vehicle deliveries to the application site out-with the hours of 8am and 10pm unless otherwise approved in writing by the Planning Authority.

Reason: In the interests of visual and residential amenity.

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.

Local Roads Authority Consent

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

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

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

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

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

Mud & Debris on Road

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a

strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

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

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

Protected Species – Halting of Work

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

Signature:

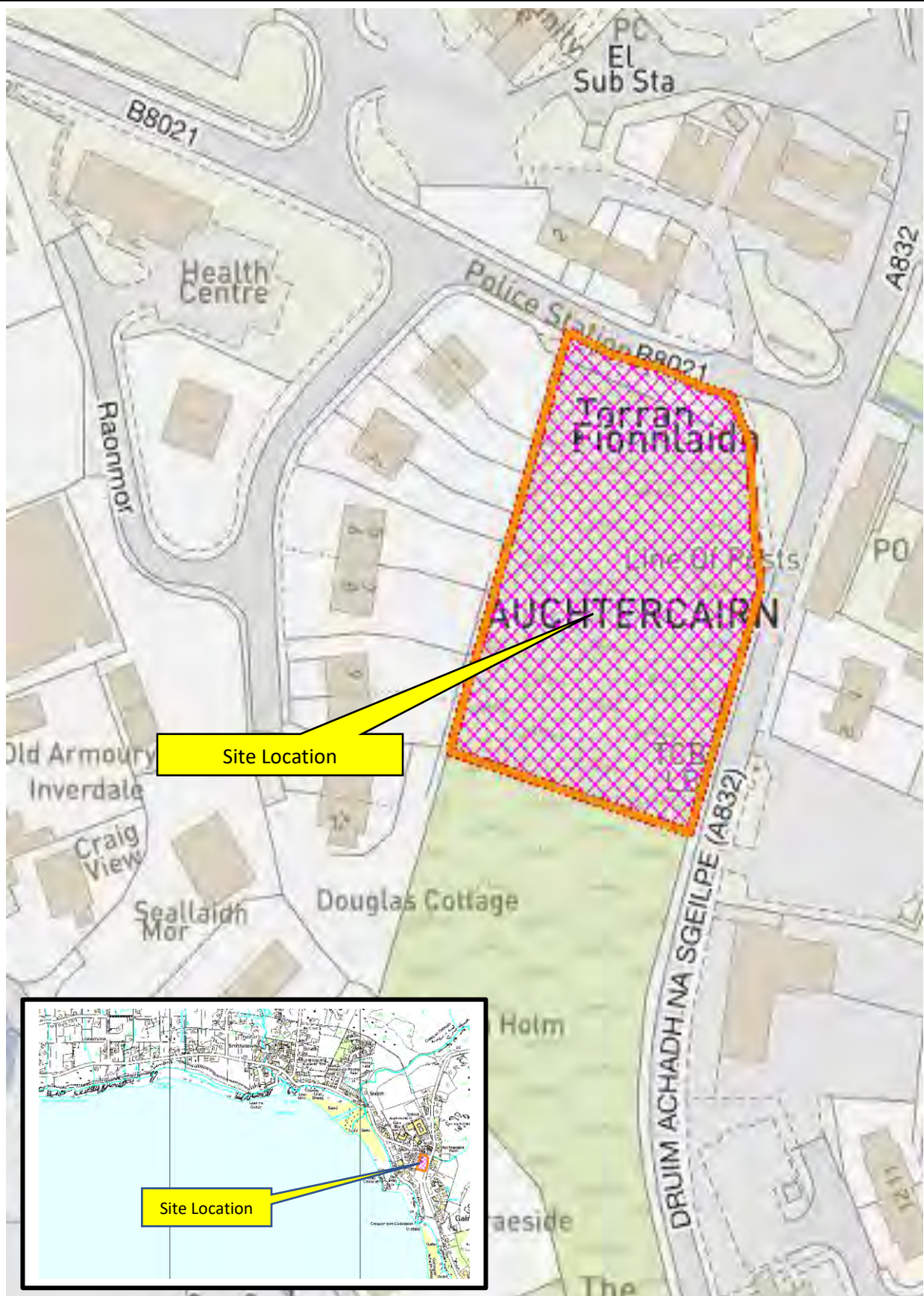
Designation: Area Planning Manager – North

Author: Erica McArthur

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

Relevant Plans: Plan 1 - Highland council Location Plan
Plan 2 - Location Plan – L001 Rev D
Plan 3 - Site boundary Plan – L002 Rev C
Plan 4 - Site Layout Plan – L003 Rev M

- Plan 5 - Landscaping Plan – L004 Rev C
- Plan 6 - Boundary Treatment – L-0005 Rev F
- Plan 7 - Floor Plan- L010 Rev B
- Plan 8 - Roof Plan – L011
- Plan 9 - Elevations – Retail Unit – L012 Rev B
- Plan 10 - Section Plan- L013
- Plan 11 - Elevations – Service Yard L-015



The Highland Council
Comhairle na Gàidhealtachd
Infrastructure and Environment Service

21/05855/FUL

Erection of retail unit on land 40m West of McColls Store, Gairloch

August 2022

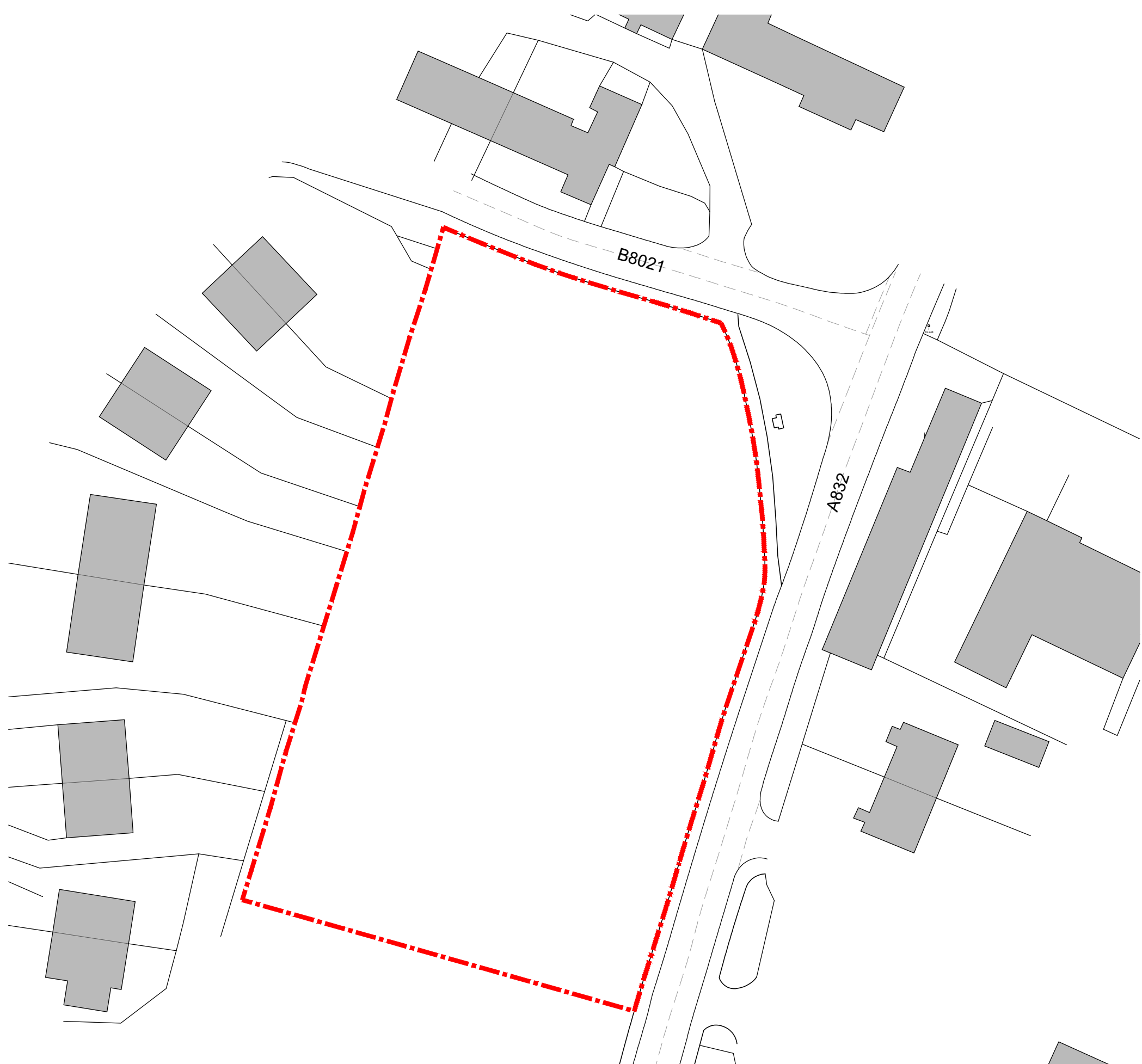


Important notes for clients / contractors
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PLANNING

LEGEND:
 DENOTES SITE BOUNDARY
 SITE AREA: 4,154m² / 1.02 ACRES



Rev.	Date	Remarks	By	Ch.
D	28.04.2022	Boundary and areas amended.	BRL	-
C	17.02.2022	Boundary and areas amended.	BRL	-
B	08.02.2022	Boundary amended.	BRL	-
A	22.12.2021	Boundary amended.	BRL	-

Revisions

SREM

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Project
 RETAIL UNIT
 GAIRLOCH

Drawing
 SITE LOCATION PLAN

Scale	Date	Drawn by	Checked by
1:500	SEP 2021	BRL	VM

Drawing no.	Rev
L-001	D

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A1



PLANNING

LEGEND:
 ■■■ DENOTES SITE BOUNDARY
 ■■■ SITE AREA: 4,154m² / 1.02 ACRES

Rev	Date	Remarks	By	Ch.
C	08.04.2022	Boundary and areas amended.	BRL	-
B	17.02.2022	Boundary and areas amended.	BRL	-
A	08.02.2022	Boundary updated.	BRL	-

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Project RETAIL UNIT GAIRLOCH			
Drawing EXISTING SITE PLAN			
Scale 1:200 @ A1	Date NOV 2021	Drawn by BRL	Checked by -
Drawing no. L-002	Rev C		

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PLANNING

LEGEND:
 ■ DENOTES SITE BOUNDARY
 ■ SITE AREA: 4,154m² / 1.03 ACRES
 ■ DENOTES CROSSING WITH DROPPED KERB AND TACTILE PAVING.

THE INFORMATION IN THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH THE FOLLOWING SREM DRAWINGS:
 - L-004 PROPOSED LANDSCAPING PLAN
 - L-005 PROPOSED BOUNDARY TREATMENT PLAN

Rev	Date	Remarks	By	Ch.
M	25.07.2022	Fencing note to West boundary updated.	BRL	-
L	11.07.2022	Store and parking moved south 3.5m due to water main.	BRL	-
K	01.07.2022	Water main positioned as per Topo survey.	BRL	-
J	31.05.2022	Updates per Roads comments.	BRL	-
H	09.05.2022	Updates per Planning / Roads comments.	BRL	-
G	28.04.2022	Site entrance updated for trading.	BRL	-
F	25.04.2022	Layout updated for planning.	BRL	-
E	17.02.2022	Boundary and areas amended. Note added to legend. Hedge added to South boundary.	BRL	-
D	08.02.2022	Layby extended. Car park entrance updated.	BRL	-
C	04.02.2022	Parking layout updated.	BRL	-
B	24.01.2022	Retail and moved East by 3m.	BRL	-
A	07.01.2022	MCE doors updated and footpath added.	BRL	-

Revisions

SREM

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Project
 RETAIL UNIT
 GAIRLOCH

Drawing
 PROPOSED SITE PLAN

Scale Date Drawn by Checked by
 1:200 @ A1 NOV 2021 BRL -

Drawing no. Rev
 L-003 M

A1



Important notes for clients / contractors
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PLANNING



LEGEND:

- DENOTES SITE BOUNDARY
- DENOTES GRASS / OPEN SPACE

LANDSCAPING:

SPECIES	REF.	SPREAD	HEIGHT
SILVER BIRCH 'BETULA PENDUA'	SBI	2-4m	3-4m
CHERRY BLOSSOM 'PRUNUS SERULLA'	CBL	2-4m	3-4m
LOW-LEVEL SHRUB BEDS	LSB	2-4m	< 0.9m
LOW-LEVEL FENCE & HEDGE.	LFH	0.5-1m	< 0.9m

Rev	Date	Remarks	By	Ch.
C	11.07.2022	Store and parking moved south 3.5m due to water main.	BRL	-
B	25.04.2022	General updates	BRL	WM
A	17.02.2022	Trees and hedging added.	BRL	-

Revisions

SREM

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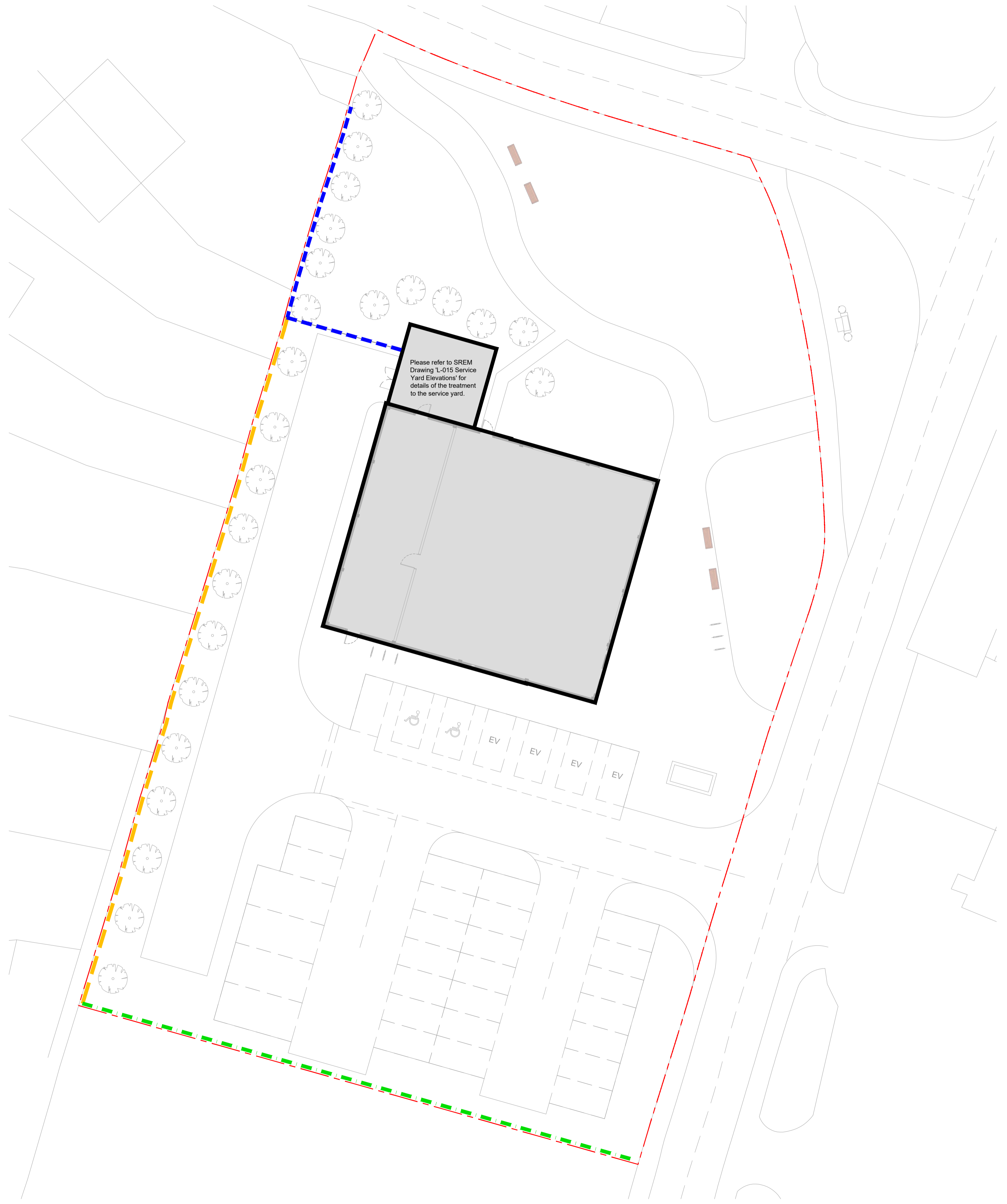
Project
RETAIL UNIT
GAIRLOCH

Drawing
PROPOSED LANDSCAPING PLAN

Scale	Date	Drawn by	Checked by
1:200 @ A1	FEB 2022	BRL	-

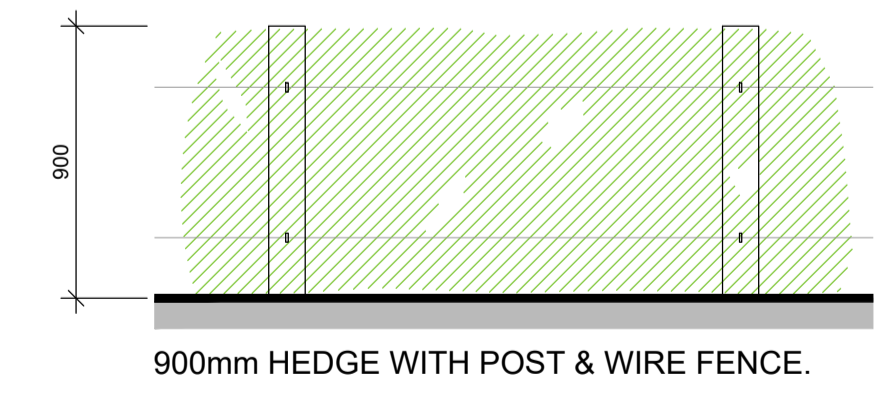
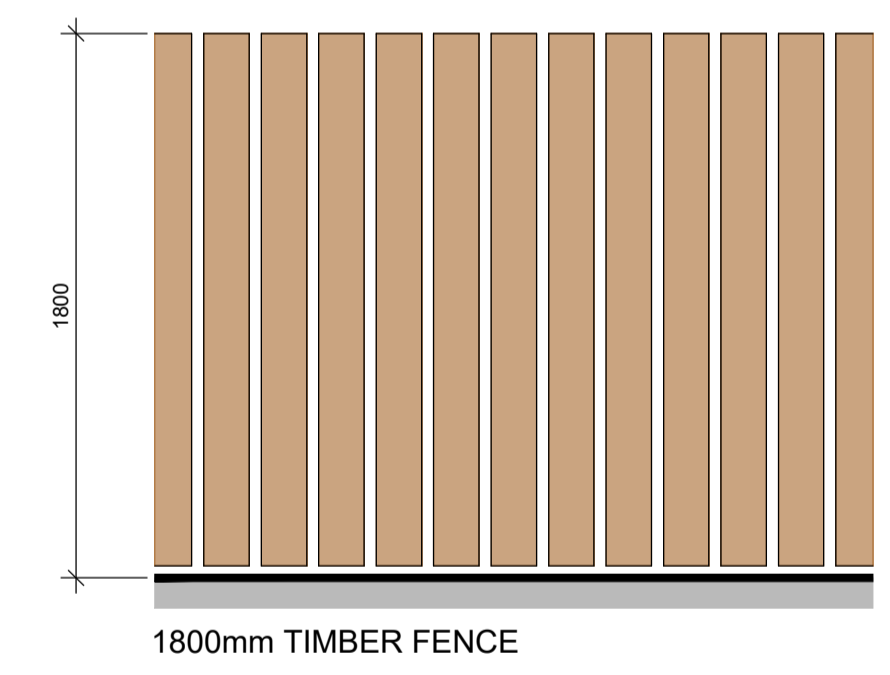
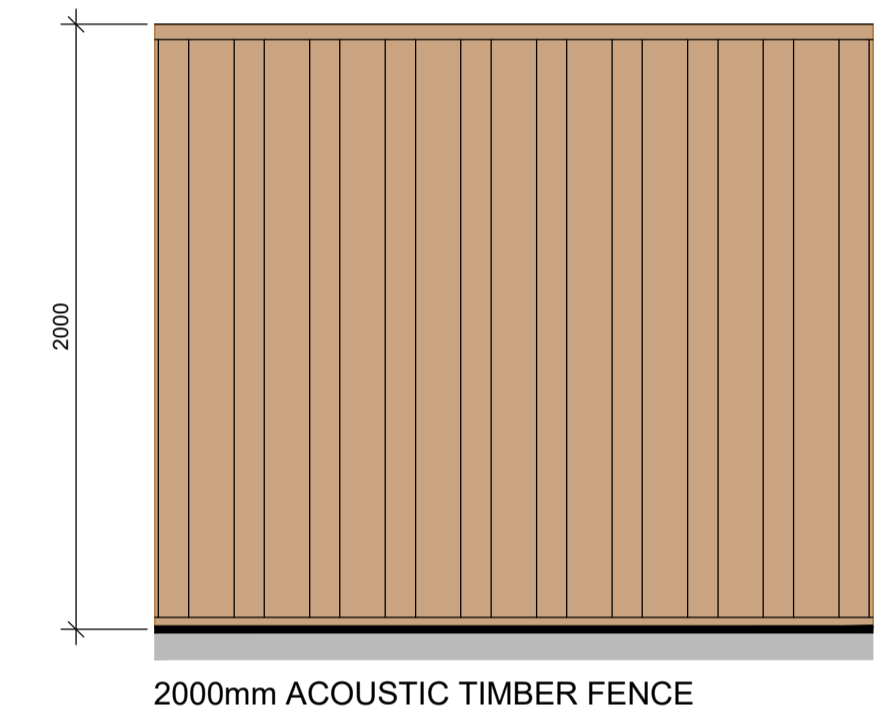
Drawing no.	Rev
L-004	C

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LEGEND:

- - - DENOTES SITE BOUNDARY.
- - - DENOTES 2000mm HIGH 'UJW SOUND TRAFFIC BARRIER' OR EQUAL ACOUSTIC TIMBER FENCE.
- - - DENOTES 1800mm HIGH TIMBER FENCE.
- - - DENOTES 900mm HEDGE WITH POST & WIRE FENCE.



PLANNING

Rev	Date	Remarks	By	Ch.
F	26.07.2022	Fencing amended to suit Planning feedback.	BRL	VM
E	11.07.2022	Store and parking moved south 3.5m due to water main.	BRL	VM
D	09.06.2022	Height of acoustic timber fence reduced to 2m per planning request.	BRL	VM
C	16.05.2022	Acoustic timber fence to end of delivery bay service yard.	BRL	VM
B	27.04.2022	Acoustic timber fence details revised.	BRL	VM
A	25.04.2022	General updates.	BRL	VM

Revisions

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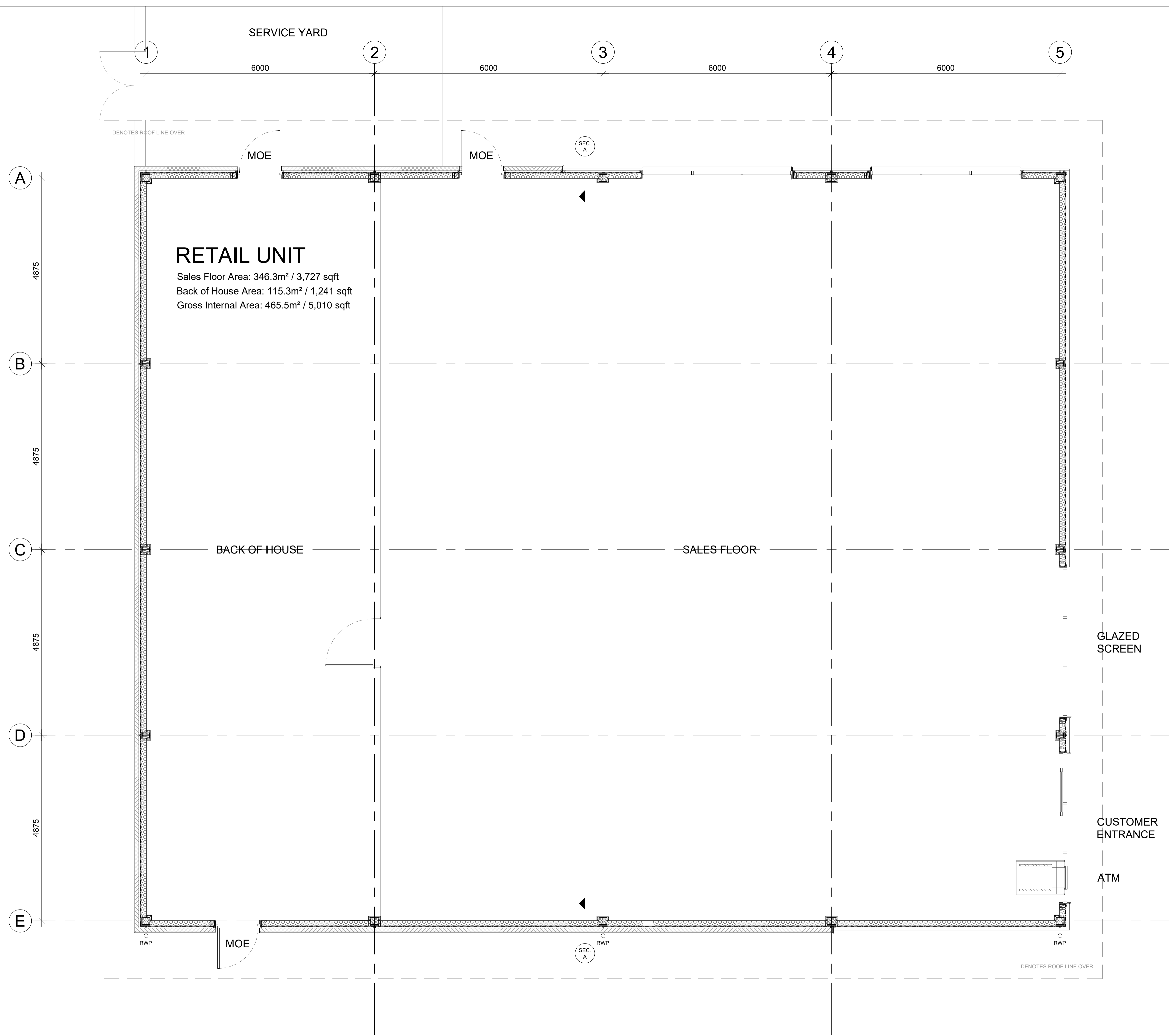
4 RUTLAND SQUARE, EDINBURGH, EH1 2AS
0131 541 0133

Project RETAIL UNIT GAIRLOCH			
Drawing PROPOSED BOUNDARY TREATMENT PLAN			
Scale 1:200 @ A1	Date FEB 2022	Drawn by BRL	Checked by -
Drawing no. L-005	Rev F		

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PLANNING

A1



Rev	Date	Remarks	By	Ch.
B	27.04.2022	Door positions updated.	BRL	
A	07.01.2022	Service yard shown. MOE doors updated.	BRL	

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Project RETAIL UNIT GAIRLOCH			
Drawing PROPOSED FLOOR PLAN			
Scale 1:50 @ A1	Date SEP 2021	Drawn by BRL	Checked by -
Drawing no. L-010	Rev B		

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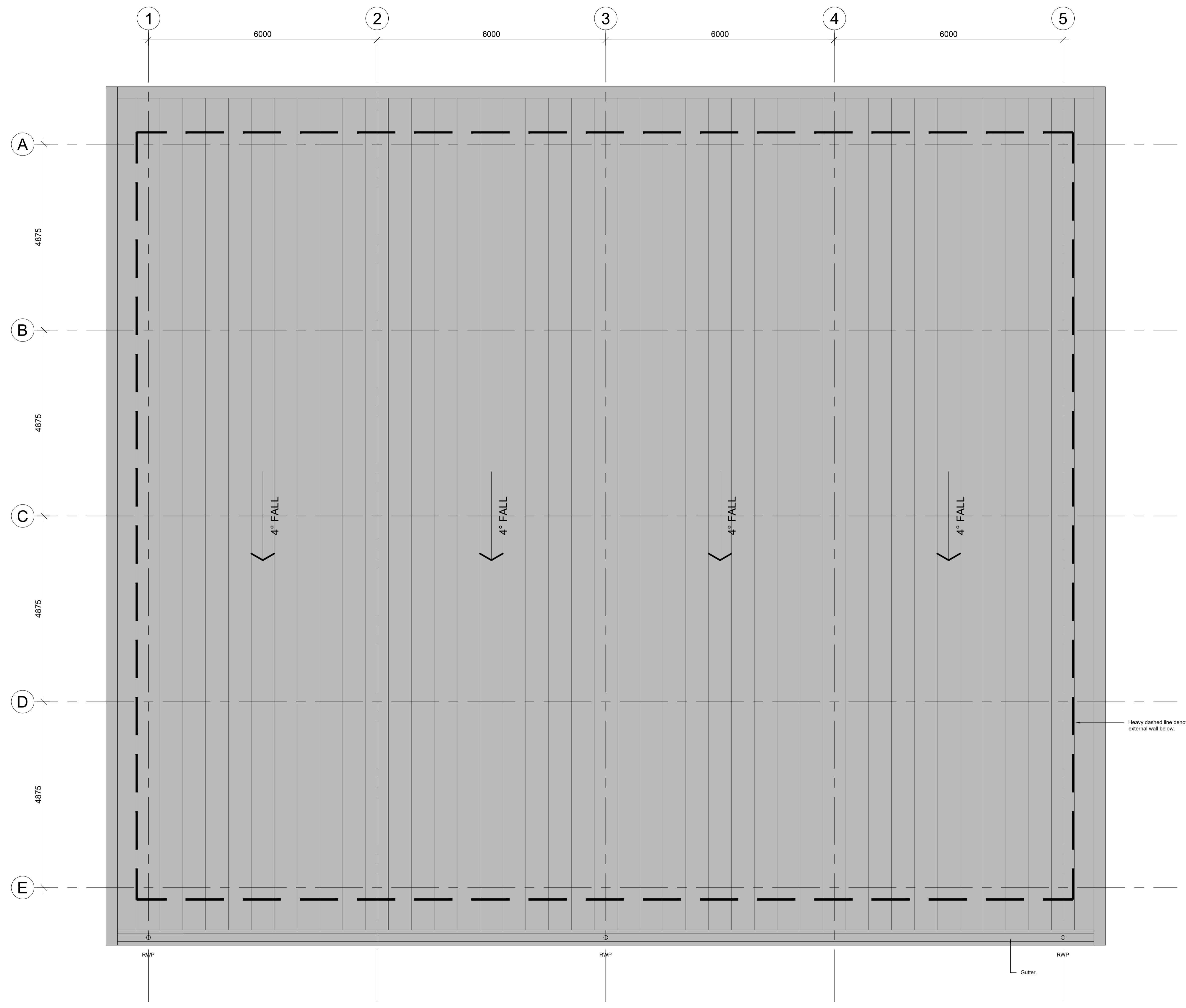
PLANNING

Rev	Date	Remarks	By	Ch.

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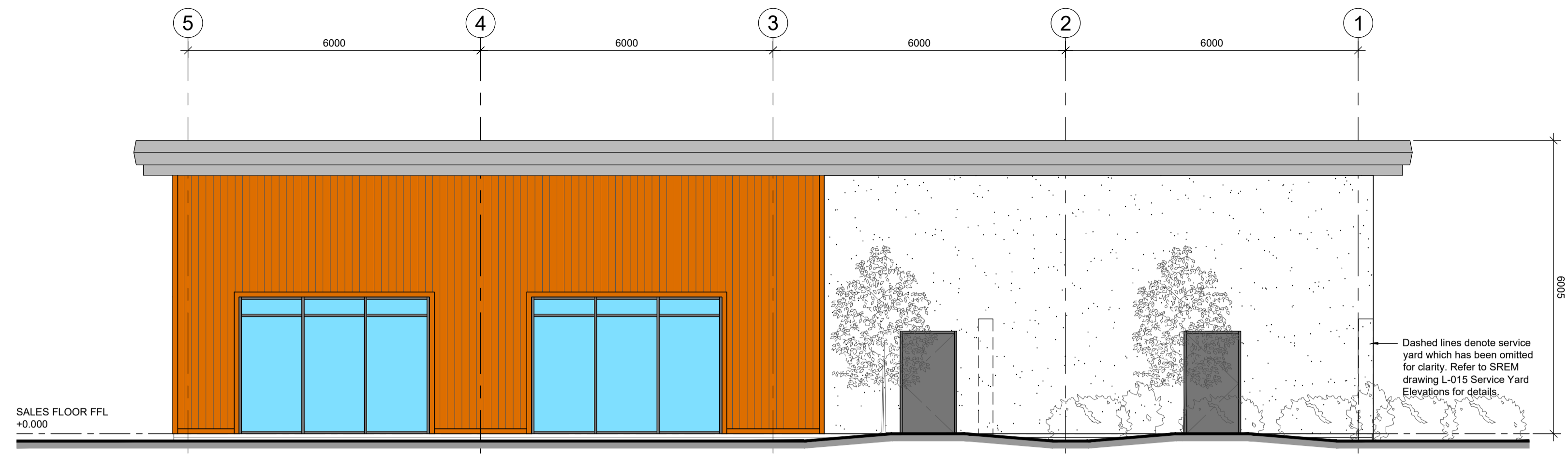
Project RETAIL UNIT GAIRLOCH			
Drawing PROPOSED ROOF PLAN			
Scale 1:50 @ A1	Date DEC 2021	Drawn by BRL	Checked by -
Drawing no. L-011	Rev -		

A1

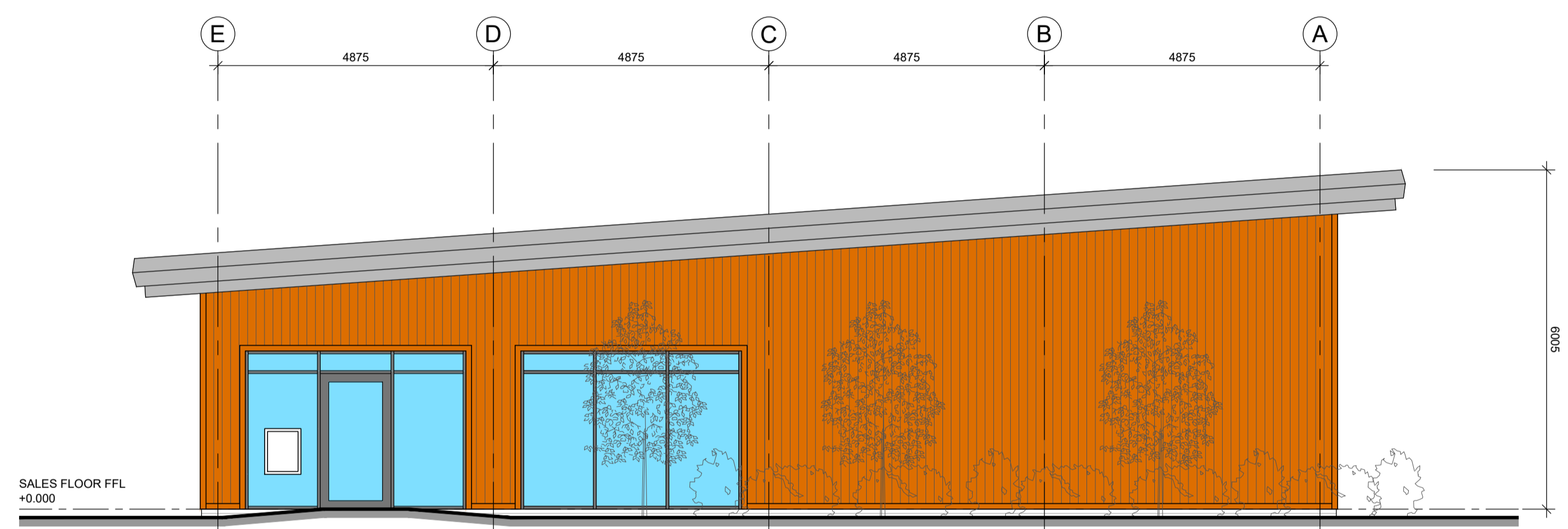


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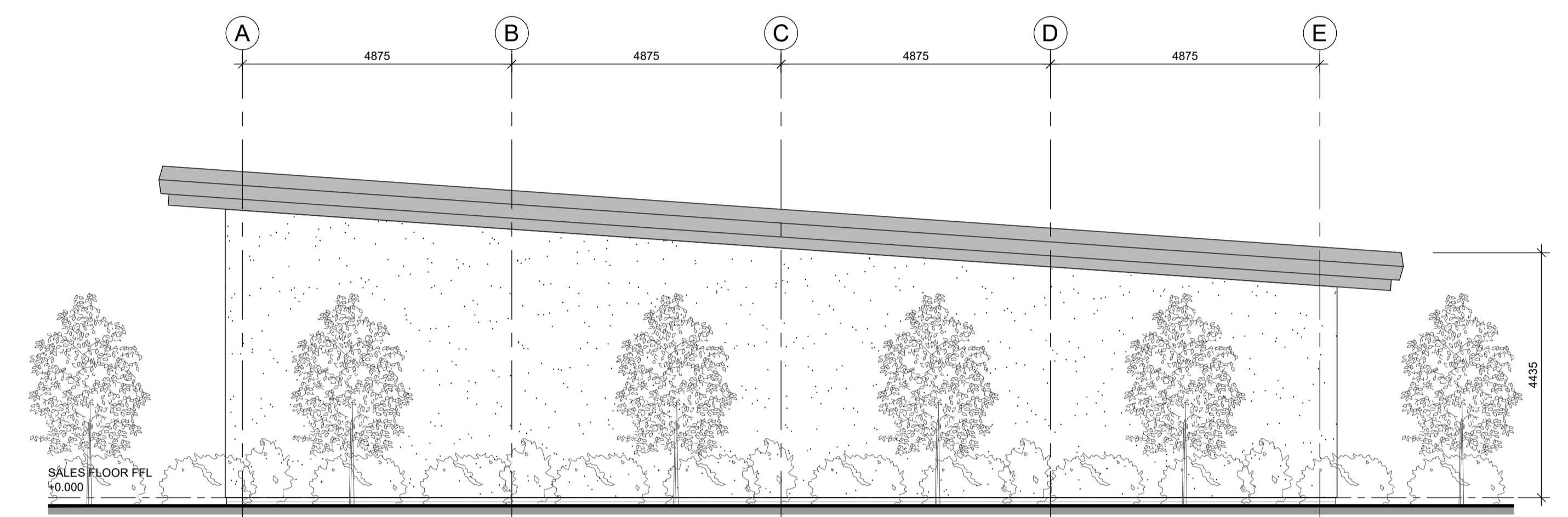
PLANNING



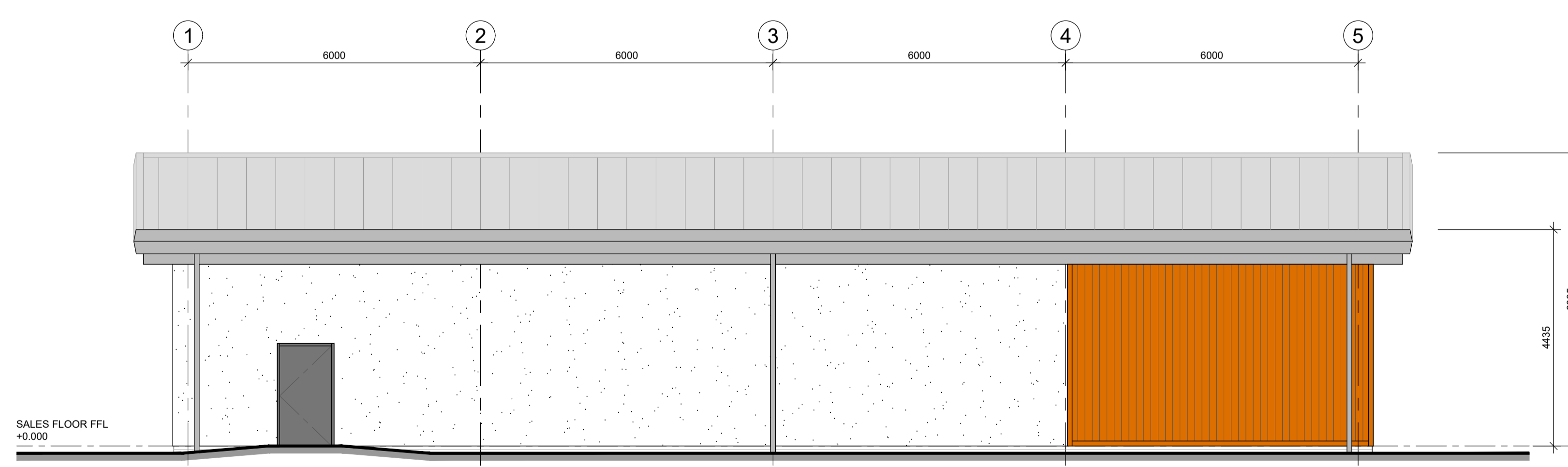
B8021 ELEVATION



MAIN ENTRANCE / A832 ELEVATION



GABLE ELEVATION



CAR PARK ELEVATION

FINISHES LEGEND:

- KINGSPAN KINGZIP KS1000 STANDING SEAM ROOF PANELS, COLOUR OF PANELS & FLASHINGS: RAL 7035.
- NORDIC SPRUCE VERTICAL SHIPLAP EXTERNAL GRADE TIMBER CLADDING BOARDS
- 20mm THICK DRY DASH K-REND FINISH TO EXTERNAL WALLS. COLOUR: WHITE.

Rev	Date	Remarks	By	Ch.
B	25.04.2022	General updates.	BRL	-
A	07.01.2022	Service yard shown. MOE doors updated.	BRL	-

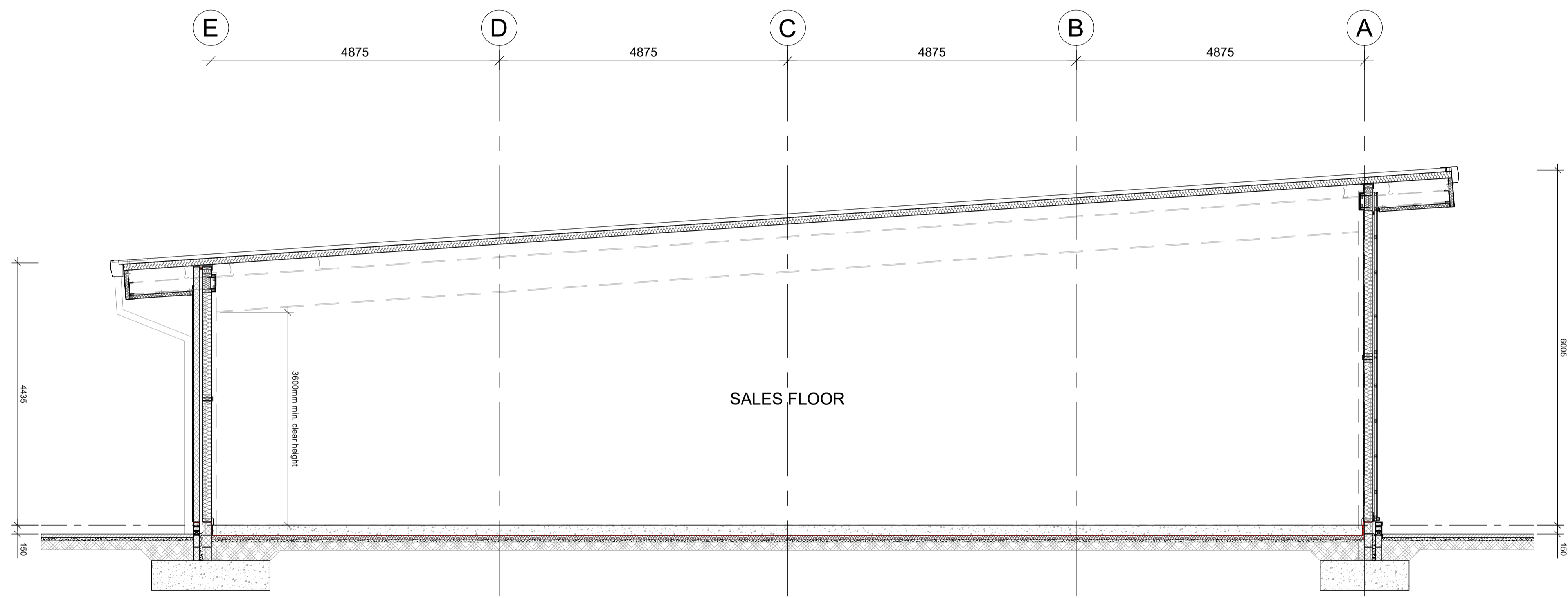
Revisions

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Project RETAIL UNIT GAIRLOCH			
Drawing PROPOSED ELEVATIONS			
Scale 1:75 @ A1	Date DEC 2021	Drawn by BRL	Checked by -
Drawing no. L-012	Rev B		

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PLANNING



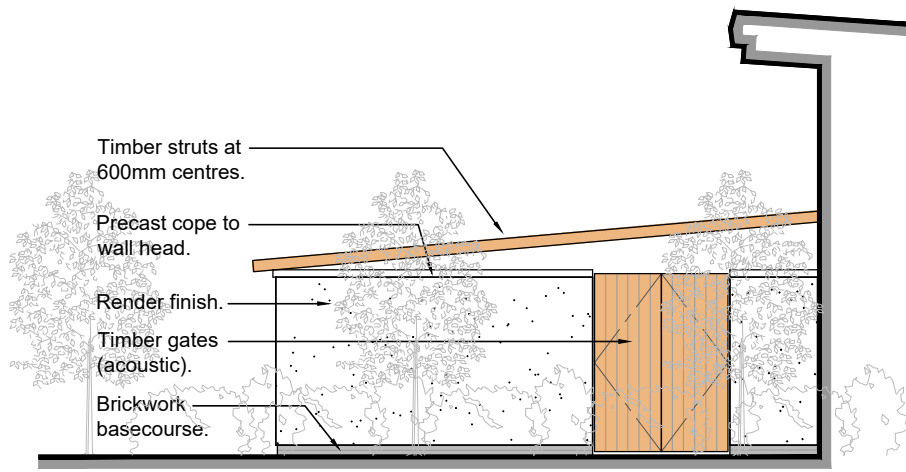
SECTION A-A

Rev	Date	Remarks	By	Ch.
Revisions				

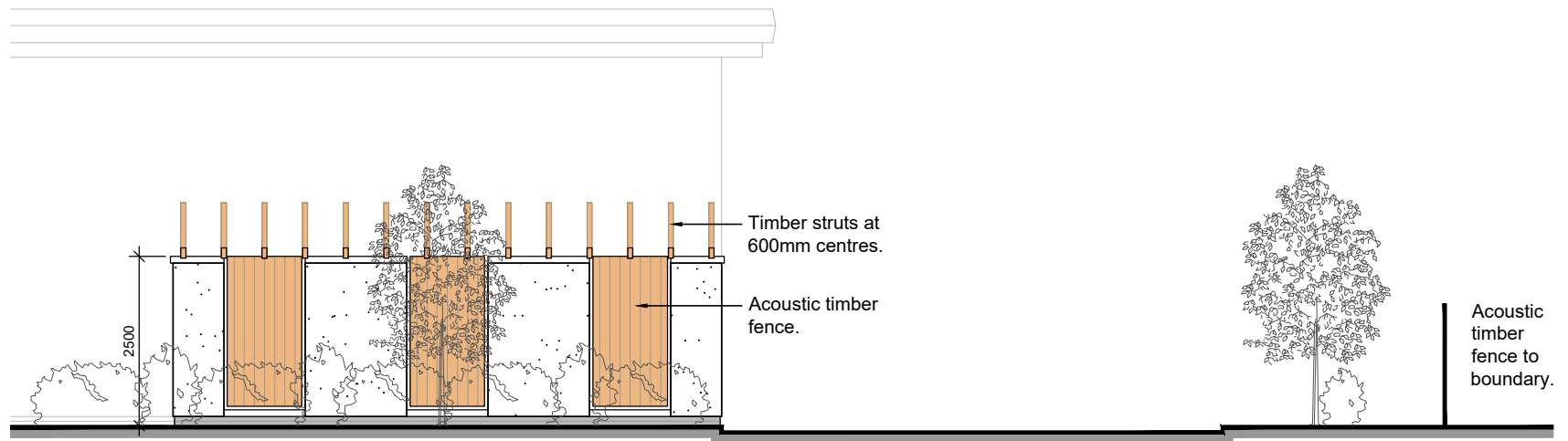
SREM
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Project RETAIL UNIT GAIRLOCH			
Drawing PROPOSED SECTION			
Scale 1:50 @ A1	Date DEC 2021	Drawn by BRL	Checked by -
Drawing no. L-013	Rev -		

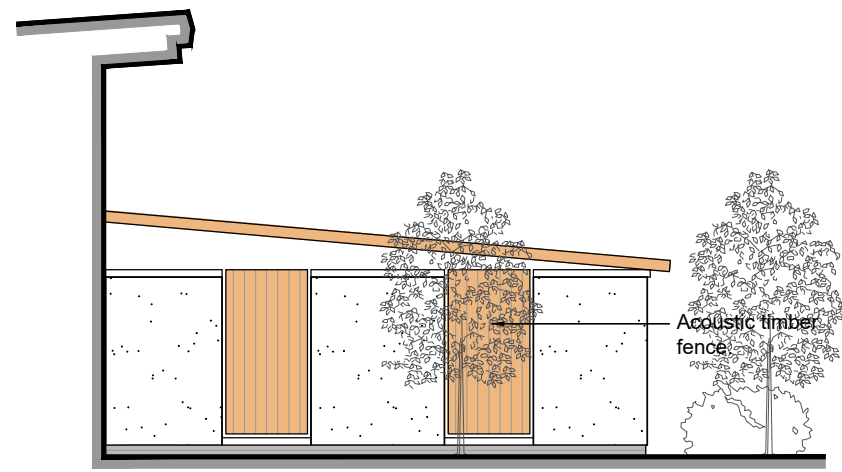
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WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION

PLANNING

Rev.	Date	Remarks	By	Ch.

Revisions

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Project
 RETAIL UNIT
 GAIRLOCH

Drawing
 SERVICE YARD ELEVATIONS

Scale: 1:100 Date: APRIL 2022 Drawn by: BRL Checked by: VM

Drawing no. L-015 Rev -