

Agenda Item	6.1
Report No	PLN/004/23

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 25.01.2023
Report Title: 22/03837/PIP: Charles Sutherland Joinery & Construction
Plot 1 Land 45M South of Clett Cottage
Brough
Dunnet
Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Erection of house with associated drainage system and formation of access
Ward: 02 - Thurso And North West Caithness

Development category: Local

Reason referred to Committee: Objection comments have been received from more than five separate households.

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

Recommendation

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

1. PROPOSED DEVELOPMENT

- 1.1 Planning permission in principle is sought to erect a single detached dwelling with a separate rear garage. It would be accessed via the B855 road to its east. A closed loop partial soakaway and surface water soakaway would be provided. It would be bound by a post-and-wire fence. A proposed second dwelling (Plot 2) to the immediate south of this site is the subject of planning application 22/03841/PIP and is also before Members for consideration.
- 1.2 The application site is bisected by a public water main.
- 1.3 Pre-application advice was issued on 2 November 2021 which indicated support for two houses sited by the public roadside, however did not support an additional third dwelling set back from the roadside to the west as it would disrupt the local settlement pattern.
- 1.4 Supporting Information: Private Access Checklist; Supporting Statement
- 1.5 Variations: None.

2. SITE DESCRIPTION

- 2.1 The application site measures 1800 square metres in area and comprises unimproved former croft grassland. Its topography is relatively flat and low-lying. The nearest existing neighbour is 'Clett Cottage' located approximately 30 metres to the north of the proposed dwelling. Dunnet Head, the most northerly point of mainland Britain, is located approximately 3.3 kilometres north-west of the application site.

3. PLANNING HISTORY

- 3.1 None

4. PUBLIC PARTICIPATION

- 4.1 Advertised: 'Unknown Neighbour' 14 days
Date Advertised: 30 September 2022
Representation deadline: 14 October 2022
- Timeous representations: 7 objection comments from 7 households
- Late representations: None
- 4.2 Material considerations raised are summarised as follows:
- Road safety – single-track road, frequented by tourists which results in significant congestion as a result of car stopping and parking. No nearby passing places or footpaths; inadequate visibility splays. Concerns expressed about road safety over the possible increase in traffic associated with this development.
 - The proposed development may adversely affect the application site's

surroundings, which are scenic and of great beauty, by infringing on the area's wild character.

- Two objectors assert that Otters (a European Protected Species) are regularly seen within the application site. Also claimed that Bats, Owls and Buzzards are present in the area.
- An increase in the quantity of foul effluent being treated in the surrounding area might potentially impact local wildlife, with some outfall eventually reaching Brough Bay via an existing drainage ditch.
- The proposed development is considered to be 'ribbon development'.
- Potential creation of a 'gap' site for future development.

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 Transport Planning Team: no objections raised.

The B855 road through the village of Brough is a sub-standard width twin tracked road with street lighting. There is a length of footway through the village on the east side of the B855 road. The road is subject to a 60mph speed limit outwith the section with streetlights. The Transport Planning Team has reviewed injury crash data and there are no reported incidents.

There has been a number of objections to the proposed dwelling, citing issues with large volumes of parked cars, traffic speeds, road geometry, tourist traffic, traffic generation from the proposed dwellings, lack of passing places and footways.

The Transport Planning Team has consulted the local area roads team and they confirmed that in 2021, they were contacted by local Members regarding the excessive amount of parked vehicles in Brough. No issues have been reported this year.

The additional traffic generated by a total of two homes is not considered sufficient to be detrimental to the public road network or create significant road safety issues.

However, the Transport Planning Team does recommend that for each dwelling an additional passing place is provided. The location of the passing place will be within the adopted road boundary and be agreed with the local area team when the applicant applies for a Road Opening Permit to construct the access.

Therefore the Transport Planning Team has no objection to this application subject to conditions relating to:

- Access to be constructed as per the SDB2 specification and requirements including surfacing, drainage and bin storage facilities
- Provision and maintenance of the required visibility splays
- The required parking and turning spaces for each dwelling

- A two-metre strip along the boundary of the site with the B855 road to be preserved to permit the future construction of a footway
- Per each dwelling the provision of a passing place

5.2 Scottish Water: no objections raised. Currently sufficient capacity at Loch Calder Water Treatment Works to service the proposed development. No public waste water infrastructure, however, is located within the application site's vicinity, so the applicant is advised to investigate private treatment options. Live infrastructure (a water main) lies in proximity to the proposed development.

5.3 NatureScot: no objections raised. The proposal site is close to North Caithness Cliffs, a Special Protection Area (SPA) protected for a number of breeding seabird species and peregrine falcon. Advice is that it is unlikely that the proposal will have a significant effect on any qualifying interests either directly or indirectly. An appropriate assessment is therefore not required.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application:

6.1 **Highland Wide Local Development Plan (HwLDP) (2012) Policies:**

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 31 - Developer Contributions
- 36 - Development in the Wider Countryside
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage
- 58 - Protected Species
- 61 - Landscape
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage

6.2 **Caithness and Sutherland Local Development Plan (CaSPlan) (2018):**

No site-specific policies apply.

6.3 **Highland Council Supplementary Planning Policy Guidance**

- Access to Single Houses and Small Housing Developments (May 2011)
- Developer Contributions (March 2018)
- Highland's Statutorily Protected Species (March 2013)
- Rural housing (December 2021)
- Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL CONSIDERATIONS

7.1 **Scottish Government Planning Policy and Guidance**

- Scottish Planning Policy (2014)
- National Planning Framework 4 (2022) - revised draft. Revised Draft NPF4 was laid in Scottish Parliament on 08 November 2022 for its consideration; at the time of writing, this is ongoing and Scottish

Parliament's decision is awaited. Revised Draft NPF4 may for now carry some, but limited, weight in the consideration of applications.

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) Development plan and other planning policy
- b) Access and Parking
- c) Amenity and Privacy
- d) Flood Risk and Drainage
- e) Built and Natural Heritage
- f) any other material considerations.

Development plan/other planning policy

8.4 A single dwelling in open countryside is proposed (alongside an adjacent yet separate dwelling, the subject of planning application 22/03841/PIP). Compliance with Policy 36 is the key policy consideration for a site in 'open countryside' outside any Settlement Development Area.

8.5 Policy 36 states that development proposals, amongst other criteria, will be assessed for the extent to which they are acceptable in terms of siting and design; are sympathetic to existing patterns of development in the area and can be readily serviced.

8.6 Other pertinent considerations include HwLDP Policy 28 (Sustainable Design), which offers general support for proposals which are able to avail of existing public service provision, maximise energy efficiency measures and economy of existing resources, and do not unnecessarily impact residential amenity or natural resources. Such proposals must be sensitively sited and incorporate high-quality design. This approach is consolidated by Policy 29 (Design Quality and Place-Making).

8.7 HwLDP Policies 65 and 66 require a connection to be made to a public sewer, with exceptions made where this is not possible in which case a private system discharging to land is preferred. Provision must also be made for Sustainable Drainage Systems (SuDS).

8.8 Revised Draft NPF4 Policy 17 (Rural Homes) states that development proposals for new homes in remote rural areas will be supported where the proposal:

- i. supports and sustains existing fragile communities;
- ii. supports identified local housing outcomes; and
- iii. is suitable in terms of location, access, and environmental impact.

Draft NPF4 Policy 29 (Rural Development) requires development proposals in rural areas to be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location.

The application is considered against the above policy context below:

Siting and Design

8.9 Brough has a very regular and clear development pattern of housing located by the roadside, and there is a strong traditional crofting settlement pattern of rigs and houses along the B855 on which the site is located. While this could convey the appearance of 'ribbon development', this is very much the prevailing character of Brough's settlement pattern. As noted in the pre-application advice provided to the applicant, the indicative siting of two roadside dwellings, proposed here and by 22/03841/PIP, is a compatible land use sympathetic to the established development pattern of Brough. The proposed development is therefore considered to be acceptable; it would conform to the existing clearly linear development pattern and its delivery would strengthen rather than dilute this pattern. This proposal would respect the existing development pattern of generously-spaced properties to its north and south.

8.10 Matters of design have not yet been considered as no visual information has been provided for this 'in principle' application; design criteria in accordance with local Highland vernacular styles are contained in an attached condition. Indicative details of the proposed dwelling's footprint are visible on submitted plans; these would appear to comply with the attached criteria.

8.11 As noted in comments, these two proposed developments would leave a similarly-sized adjacent site in the applicant's ownership, a likely 'gap' site intended for future development. Should this be the case, on receipt of a future application the Planning Authority would consider any prospective proposal on its own merits according to policies in force at that time.

Access and Parking

8.12 While the single-track B855 road is subject to the National Speed Limit, a submitted Private Access Checklist assesses its prevailing traffic speeds to be around 40mph which is considered to be accurate. Visibility distances to 120 metres in either direction are required for speeds of around 40mph. This is achievable in both directions and is secured by condition.

- 8.13 Indicative plans show parking and turning space for a minimum of two vehicles. These are secured via attached conditions; a further condition controls the ratio of bedrooms to parking spaces, so that appropriate parking provision is delivered.
- 8.14 Several public comments draw attention to the congested nature of the single-track B855 road, especially at peak tourist seasons, as vehicles park alongside the road in order to take photographs and enjoy the local area. As the development would generate additional traffic on this road, the Transport Planning Team requests that formation of a new passing place is required by a condition attached to any permission granted. (The same is required of sister application 22/03841/PIP, should it be granted, securing a total of two new passing places at the developer's expense.)
- 8.15 An access point is proposed to be shared with sister application 22/03841/PIP, to the application site's immediate south. A shared access is supported, but a condition is attached to ensure that it is constructed to SDB2 standard. The proposed access point would be sited over 90 metres from its nearest junction, while it would be located exactly 30 metres north of 'Little Clett's access. Proposed access arrangements are therefore considered to be acceptable.

Amenity and Privacy

- 8.16 As noted above, 'Clett Cottage's amenity and privacy stands most at risk as a result of the proposed development. It is however observed that the proposed dwelling's indicative orientation would face broadly east-north-east, thereby presenting a side elevation to 'Clett Cottage', which only contains a single window facing south towards the application site. No landscaping features are proposed on submitted plans; it is considered that a degree of soft screen planting, especially on the application site's northern side, would be useful in the context of safeguarding privacy levels. A separation distance between the proposed dwelling and 'Clett Cottage' of around 30 metres is comparable to the separation distance between 'Alfsig' and 'Rionnag', both located a short distance to the application site's north, which is therefore considered to be acceptable.

Flood Risk and Drainage

- 8.17 SEPA's Flood Risk Management Map does not identify the application site to be at any risk of flooding.
- 8.18 Submitted percolation test results have demonstrated that ground conditions are unsuitable for a land soakaway arrangement, therefore a proposed alternative arrangement is required. Foul drainage is proposed to be addressed via a treatment plant with partial soakaway. A public comment has expressed concern that as the existing drainage ditch eventually discharges into Brough Bay, an increase in effluent might affect a designated Special Protection Area. It is considered that the existing network does not directly outflow to Brough Bay, but rather would pass to the west and north before finally reaching the sea. A condition is proposed to ensure the use of a treatment plant and soakaway is installed. This would also require to comply with the requirements

of Building Standards legislation.

- 8.19 Sustainable drainage of surface water is proposed to be addressed via a surface water soakaway. This will be addressed by a condition and would be fully addressed as part of a detailed application. The proposed drainage measures would also be assessed under the building Warrant.

Built and Natural Heritage

- 8.20 No historic or built heritage-related designations cover the application site.
- 8.21 The application site sits approximately 1.2 kilometres outside Dunnet Head Special Landscape Area; the proposed development is not expected to negatively impact this local designation.
- 8.22 Several public comments assert that Otters and other protected species have been observed within the application site. The application site is not considered to represent either a typical or ideal habitat for Otters, in which case an Otter Survey would have been required to be submitted; Otters have only been claimed to have been seen crossing the application site. It is not considered that this site contains any holts or supporting habitat. NatureScot's standing advice requires an Otter Survey to be carried out for any proposal within 200 metres of suitable habitat, however the online National Biodiversity Network (NBN) Atlas tool records no Otters observed within a 500-metres radius of the application site. An attached Informative however requires work to stop immediately, should any Otter presence be discovered within the application site.

Other material considerations

- 8.23 No other material considerations have been identified.

Non-material considerations

- 8.24
- The proposed development would deter tourists, resulting in decreased local revenue.
 - Noise and disturbance would arise during the proposed dwelling's construction.
 - Current low unemployment rates mean that insufficient contractors would be available to construct the proposed dwelling in a timely manner.
 - The proposed dwelling is speculative development, probably destined for holiday home use rather than for permanent residential occupation which would more greatly benefit the local community.

Developer Contributions

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

8.26 Having assessed the proposed small-scale development against ‘Developer Contributions’ supplementary guidance, it is concluded that no financial contributions would be required on determination of this application.

9. CONCLUSION

9.1 It is recommended that this application for planning permission in principle should be granted. The proposed development complies with HwLDP Policies 28, 36, 56 and 61, among other policies and adopted supplementary guidance. It would sit well within a defined settlement pattern and would be unlikely to present a threat to either built or natural heritage. It would offer some wider community benefit, as an additional passing place on a congested single-track road would be required as a condition of any permission granted. All other matters are capable of being addressed via conditions and would be considered in detail during the determination of a detailed planning application once submitted to the Planning Authority.

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

10. IMPLICATIONS

10.1 Resource: Not applicable

10.2 Legal: Not applicable

10.3 Community (Equality, Poverty and Rural): Not applicable

10.4 Climate Change/Carbon Clever: Not applicable

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued

Notification to Scottish Ministers	N
Conclusion of Section 75 Obligation	N
Revocation of previous permission	N
Upfront developer contributions payment	N

Subject to the above actions, it is recommended to

GRANT the application subject to the following conditions and reasons:

1 An application or applications for the approval of matters specified in conditions attached to this planning permission in principle must be made no later than whichever is the latest of the following:

- i. The expiration of THREE YEARS from the date on this decision notice;
- ii. The expiration of SIX MONTHS from the date on which an earlier application for the requisite approval was refused; or
- iii. The expiration of SIX MONTHS from the date on which an appeal against such refusal was dismissed.

The development to which this planning permission in principle relates must commence no later than TWO YEARS from the date of the requisite approval of any matters specified in conditions (or, in the case of approval of different matters on different dates, from the date of the requisite approval for the last such matter being obtained),, whichever is the later. If development has not commenced within this period, then this planning permission in principle shall lapse.

Reason: In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2 No development shall commence until details of one additional passing place to be provided along the B855 road, or suitable equivalent works at an agreed location, have been submitted to, and approved in writing by, the Planning Authority in consultation with the Roads Authority. This shall be at the developer's expense and shall be provided prior to the commencement of any other development within the site.

Reason: In the interests of road safety.

3 The size, orientation and location of the dwellinghouse as shown on the approved plans is indicative only and no development shall commence until all of the matters specified below have been approved on application to the Planning Authority:

- i. a detailed layout of the site of the proposed development, showing the house sited in a manner that is compatible with the local settlement pattern and the adjacent site (including site levels as existing and proposed);
- ii. the design and external appearance of the proposed development;
- iii. landscaping proposals for the site of the proposed development (including boundary treatments) with tree locations marked;

- iv. details of access and parking arrangements; and
- v. details of the proposed water supply, flood mitigation measures, and both surface water and foul drainage arrangements.

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

4 Any details pursuant to Condition 3 above shall show a development featuring the following elements:

- i. walls finished predominantly in a white/off-white wet-dash render or natural Caithness stone;
- ii. a roof covering of natural slate or good slate substitute;
- iii. single storey or 1½ storeys in height;
- iv. windows with a strong vertical emphasis;
- v. a roof symmetrically pitched of not less than 40° and not greater than 45°; and,
- vi. predominantly rectangular in shape with traditional gable ends.

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

5 Any details pursuant to Condition 3 above, shall show a minimum of two cross sections through the site running north west to south east, showing the existing land contours and the proposed finished levels of the ground, the floor levels of the proposed house and its exposed underbuilding which shall be no more than 450mm, the associated garden area and car parking/turning area, and public road, all relative to a fixed datum point, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed in strict accordance with such details as are approved.

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

6 Any details pursuant to Condition 3 above shall ensure that the access has been designed in accordance with The Highland Council's Access to Single Houses and Small Housing Developments guidelines and the attached Access Schedule (dated 14.11.2022) with:

- i. the junction formed to comply with drawing ref. SDB2; and,
- ii. visibility splays of at least 2.4m x 215m (looking north) and 2.4m x 125m (looking south) (the X dimension and Y dimension respectively) in each direction formed from the centre line of the junction.

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

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

- 7 Any details pursuant to Condition 3 above shall show car parking spaces provided within the curtilage of the dwellinghouse and formed in accordance with The Highland Council's Access to Single Houses and Small Developments prior to first occupation, thereafter being maintained for this use in perpetuity. Provision, which shall exclude garages, shall be as follows:

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

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

- 8 Any details pursuant to Condition 3 above shall include a detailed Landscape Plan and Maintenance Programme. The Landscape Plan shall be implemented in full during the first planting season following commencement of development, with maintenance thereafter being carried out in accordance with the Maintenance Programme. For the avoidance of doubt, any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason: In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

- 9 Any details pursuant to Condition 3 above shall show a vehicle turning area within the application site formed in accordance with The Highland Council's Road Guidelines for New Developments. The turning area shall be provided prior to the first use of the development and thereafter maintained as a turning area in perpetuity.

Reason: To ensure that sufficient space is provided within the application site for the turning of cars, so they do not have to reverse onto the public road.

- 10 Any details pursuant to Condition 3 above shall show a reservation strip of at least two metres wide provided along the full frontage of the B855 road. Notwithstanding the provisions of Article 3 and Parts 1, 1ZA, 1A and 2 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), no development of a class specified in said Parts shall take place within this reservation strip without planning permission being granted on application to the Planning Authority.

Reason: To permit the future construction of a footway.

- 11 Any details pursuant to Condition 3 above shall include full details of a communal wheelie/kerbside recycling bin storage area capable of accommodating bins for up to two 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.

- 12 Any details pursuant to Condition 3 above shall show surface water drainage provision within the application site which accords with the principles of Sustainable Urban Drainage Systems (SUDS) and is designed to the standards outlined in Sewers for Scotland Fourth Edition (or any superseding guidance prevailing at the time).

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

- 13 Any details pursuant to Condition 3 above shall show all foul drainage infrastructure provision (including treatment plant and soakaway locations) within the application site. Thereafter, development shall progress in accordance with the approved details.

Reason: In order to ensure that private foul drainage infrastructure is suitably catered for, in the interests of public health and environmental protection.

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.

INFORMATIVES

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Septic Tanks & Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

Local Roads Authority Consent

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

Roads office for further guidance at the earliest opportunity.

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

Further information on the Council's roads standards can be found at:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

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

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

Mud & Debris on Road

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

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

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

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

Protected Species – Halting of Work

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

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

Signature: Dafydd Jones
Designation: Area Planning Manager - North
Author: Craig Simms
Background Papers: Documents referred to in report and in case file.

Relevant Plans:

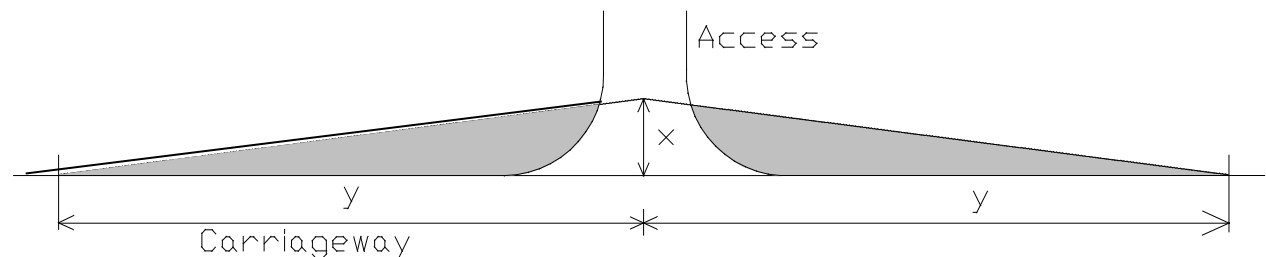
Document Type	Document No.	Version No.	Date Received
Location / Site Layout Plan	AL(0)04	REV A	26.08.2022

Access Schedule
Pàipear-Taice

Planning Application Ref.	22/03837/PIP and 22/03841/PIP
Proposed Development	Erection of house with associated drainage system and formation of access (x2)
Schedule Date	14 November 2022

The access for this development shall comply with the requirements of The Highland Council's 'Access to Single Houses and Small Housing Developments' guidelines, the relevant planning conditions and this schedule.

1. The junction shall be formed in accordance with drawing ref. SDB2.
2. The cohesive finishing material shall extend for a distance of at least 8m back from the nearside edge of the public road.
3. Visibility splays of 2.4m x 215m (looking north) and 2.4m x 125m (looking south) shall be provided and maintained on each side of the access at its junction with the public road. These splays are the triangles of ground bounded by X metres along the centreline of the access road and Y metres in each direction along the nearside edge of the main road from the intersection of the access road with the main road.



Within the visibility splays nothing shall obscure visibility between a driver's eye height of 1.05 metres positioned at the X dimension and an object height of 0.60m anywhere along the Y dimension.

Note: The applicant must demonstrate control of the land needed to provide and maintain the visibility splays. Where control is not demonstrated, a Section 75 Planning Obligation or Deed of Servitude may be required.

4. The gradient of the access shall not exceed 1 in 20 for the first 5 metres, measured from the nearside edge of the public road and thereafter should not exceed 1 in 10.
5. Any roadside drainage ditch shall be culverted under and adjacent to the access. The culvert shall have sufficient capacity to accommodate anticipated flows and shall be no less than

300 mm diameter. Suitable masonry or concrete headwalls shall be provided at each end of the culvert.

6. No surface water from the site shall shed onto the public road and the applicant shall be responsible for the provision and maintenance of any measures necessary to prevent surface water from the public road entering the site.
7. Facilities for the storage and collection of wheelie bins shall be provided in accordance with The Highland Council's Supplementary Planning Guidance 'Managing Waste in New Developments'. A suitable collection point of at least 2m x 1m shall be provided within 10 metres of the public road edge, but outwith the required visibility splays.
8. One additional passing place shall be provided along the B855 road, or suitable equivalent works at an agreed location, and shall be approved in writing by the Planning Authority in consultation with the Roads Authority. This shall be at the developer's expense and shall be provided prior to the commencement of any other development within the site.

Note: All access works must be completed prior to any other part of the development commencing. This is to ensure that safe access is available during the construction phase, as well as afterwards, and the free-flow of traffic on the public road is not adversely effected.

Other Statutory Requirements

Riatanasan Achdail Eile

In addition to planning permission, prior to starting any access works within the public road boundary, you will require separate written permission from the Roads Authority (The Council's Community Services). This is a legal requirement.

Permission will also be required for the installation of, or connection to, any utility apparatus within the public road boundary and any occupation of the public road by building materials, equipment or plant.

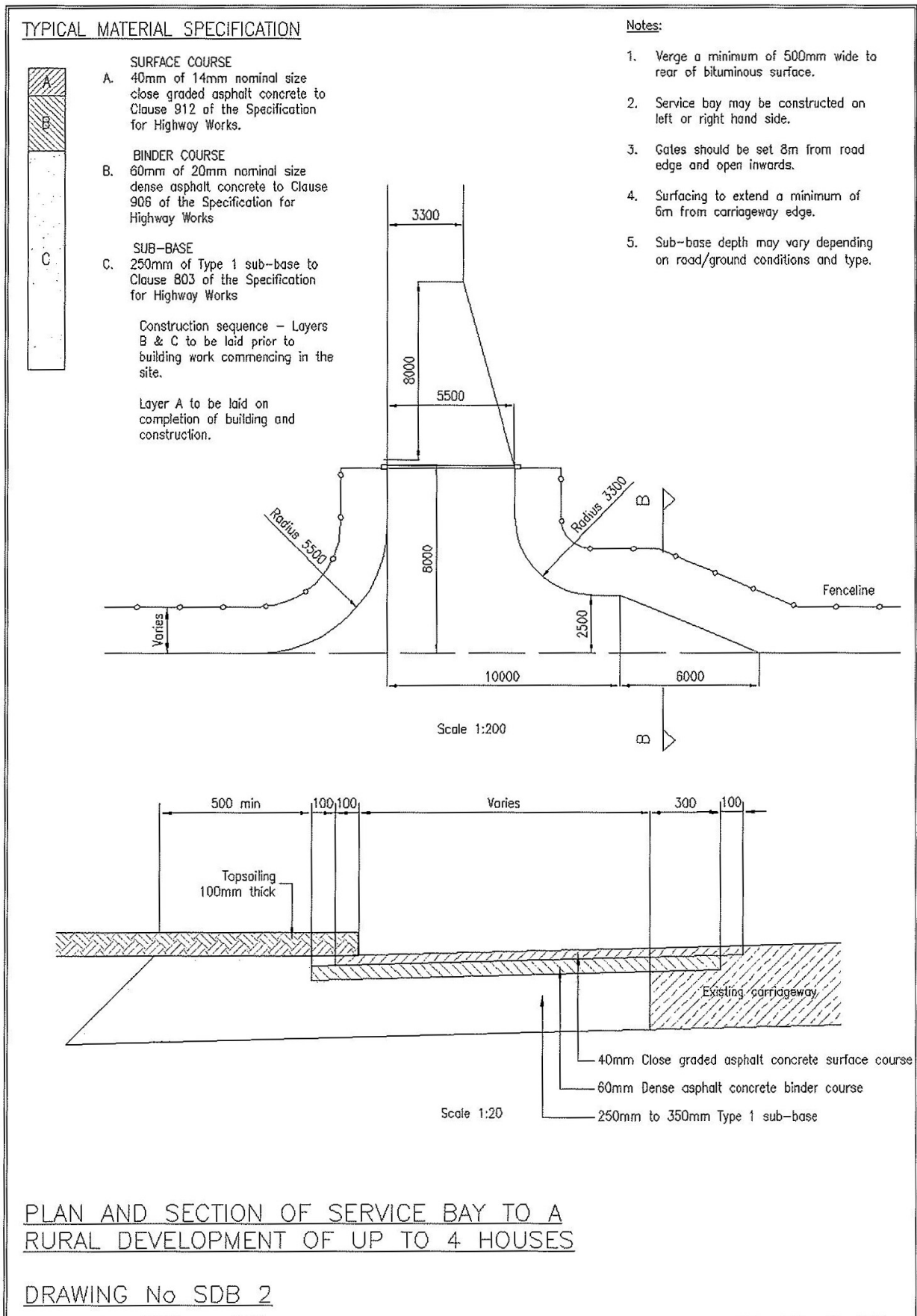
No connections should be made to any public road drainage system without the formal written permission of either Community Services (Roads) or Scottish Water, as appropriate.

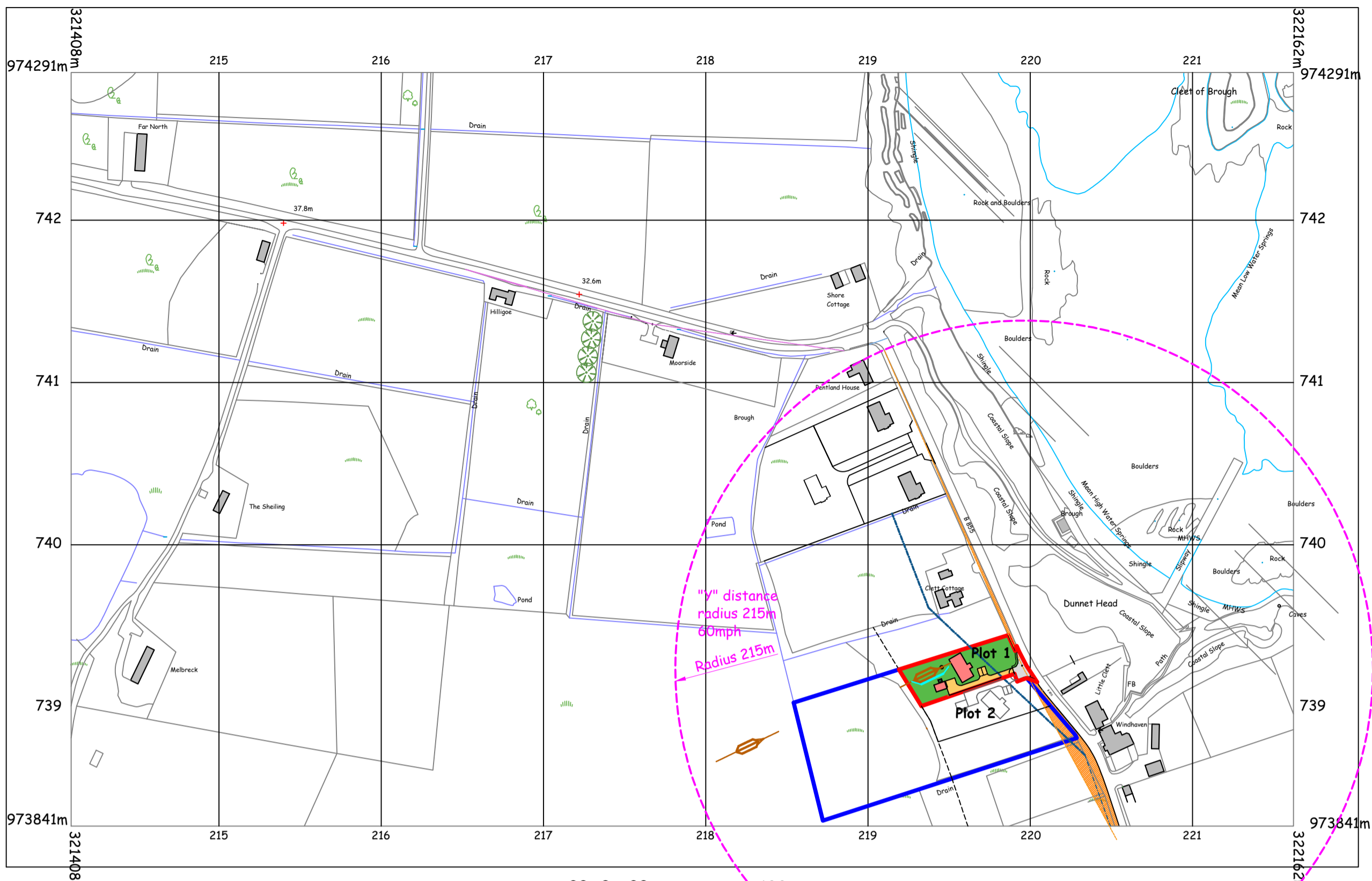
Application forms and guidance on the above requirements can be obtained from your local Community Services (Roads) office or from the Council's website using the following link:

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

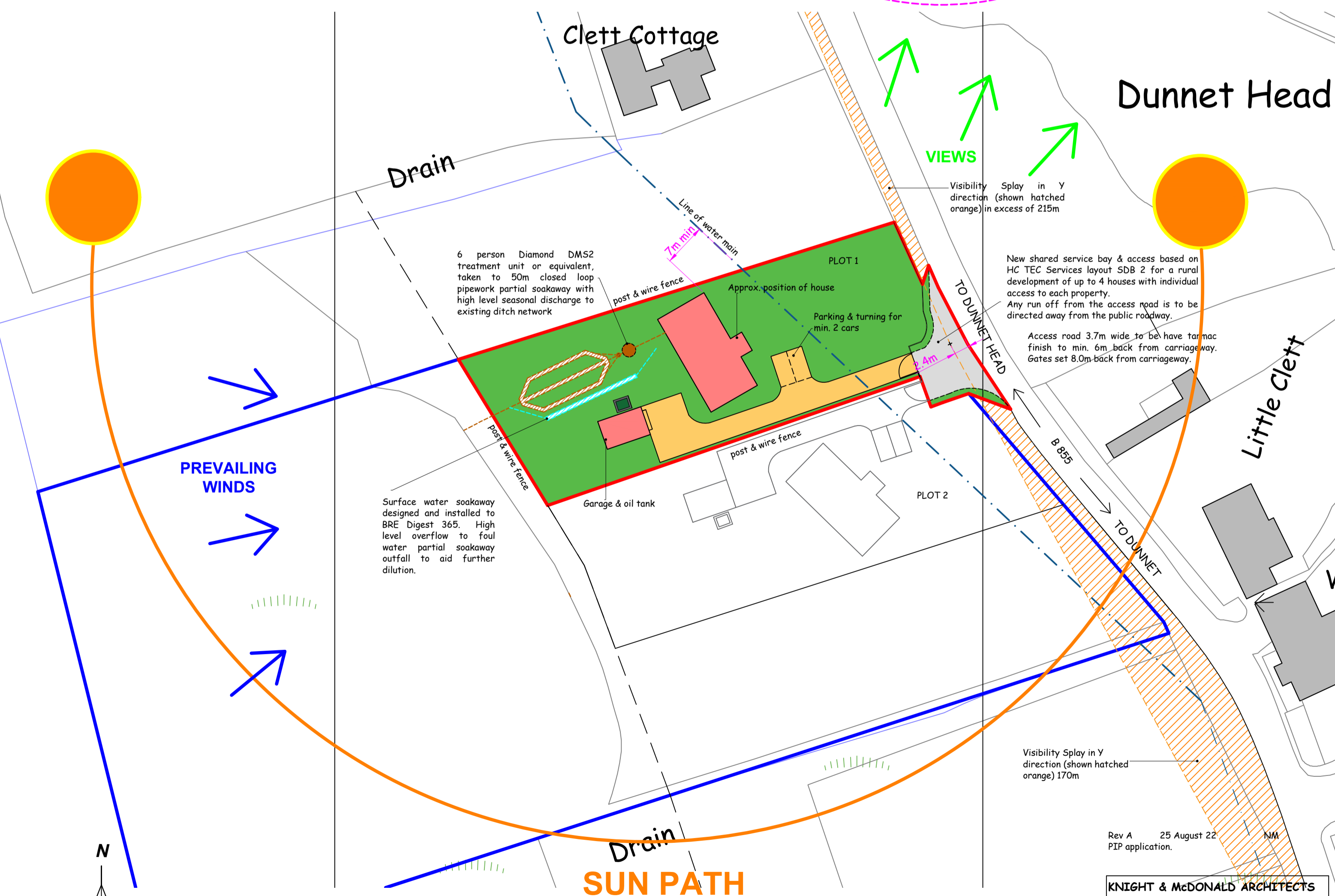
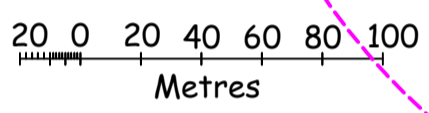
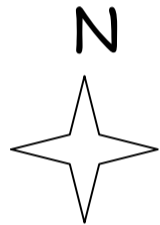
Note: All works must be completed to the satisfaction of both the Planning Authority and the Roads Authority, and in accordance with all relevant consents. To ensure compliance, one or more inspections may be carried out by Council officials during and/or after completion of the development.

Appendix 2: Access Drawing SDB2

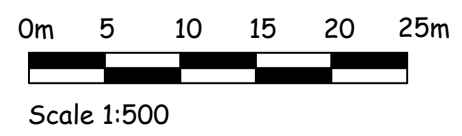
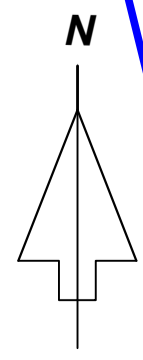




LOCATION PLAN 1:2500



SITE PLAN 1:500



Rev A 25 August 22
PIP application.

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Project: Proposed Plot 1 45m South of Clett Cottage, Brough, Dunnet		Client: Charles Sutherland Joinery & Construction	
Drawing Title: SITE & LOCATION PLANS - PLOT 1			
Scale: 1:2500 1:500	Date: 03.02.22	Drawn: DM	Checked:
Job No: 17446	Code: AL(0)	Drwg No: 03	Rev: A