

Agenda Item	7.4
Report No	PL/042/23

## HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee  
**Date:** 7<sup>th</sup> June 2023  
**Report Title:** 21/05231/FUL: Highland Alba Joinery Ltd  
Land To North West Of Stafford Court, Dornoch  
**Report By:** Area Planning Manager North

### Purpose/Executive Summary

**Description:** Erect 10 flats, formation of site access, car parking arrangements, landscaping, and ancillary works  
**Ward:** 4 – East Sutherland and Edderton

**Development category:** Local

**Reason referred to Committee:** Manager's Discretion (non-statutory Community Council objection)

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 application seeks detailed consent for the erection of 10 flats across two blocks with one block containing 6 flats (Block A) and the other containing 4 (Block B). A new access would be formed into the site from Stafford Road with parking proposed centrally within the site and towards its northern boundary. Each flat would contain 2 bedrooms with a total floor area ranging from 70 to 75.5 square metres. The proposed external materials comprise render finish to external walls with areas of cladding while the roof would be covered with dark grey concrete roof tiles. The development proposes to connect to the public sewer with surface water drainage measures proposed within the site. Each flat would be serviced by an air source heat pump with five electric charging points to be installed as well as ducting for a further five points to be installed at a future date if required.
- 1.2 There is currently no infrastructure on site.
- 1.3 No pre-application advice was sought prior to the submission of the application.
- 1.4 The application is supported by a Drainage Impact Assessment and Supporting Statement detailing measures to address the requirements of National Planning Framework 4
- 1.5 An amended site layout was submitted on 11<sup>th</sup> November 2022 showing surface water drainage arrangements, inclusion of electric vehicle charging points and revisions to the site access design.

## **2. SITE DESCRIPTION**

- 2.1 The site lies towards the north-eastern boundary of the Dornoch extending to 0.21 hectares. In recent months it appears to have been used for the storage of earth with a large mound present within the site which has now grassed over, having previously consisted of generally flat grassed land. Stafford Court, which is an existing flatted Housing Association development, lies to the south and there is a bank of trees north of the site. A public footpath leading to a play area lies immediately southeast. The area is one characterised by established residential housing of relatively high density.

## **3. PLANNING HISTORY**

- |     |            |   |                       |
|-----|------------|---|-----------------------|
| 3.1 | 07.04.2020 | 19/01439/PIP: Erect 10no. flats, site access, car parking, landscaping, and ancillary works | Application Permitted |
| 3.2 | 23.10.2007 | 07/00193/FULSU: Erection of 10 No. flatted living units in 2 No. blocks                     | Application Permitted |

## **4. PUBLIC PARTICIPATION**

- 4.1 Advertised: Unknown Neighbour  
Date Advertised: 19.11.2021  
Representation deadline: 03.12.2021

Timeous representations: 1

Late representations: 0

4.2 Material considerations raised are summarised as follows:

Dornoch Community Council object and raise the following concerns:

- Absence of a Construction Traffic Management Plan
- Loss of on-street parking on Stafford Road
- Lack of electric vehicle charging points
- Deficient parking provisions on site
- It is unclear how many affordable houses will be created

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](http://www.wam.highland.gov.uk/wam).

## 5. CONSULTATIONS

5.1 **THC Flood Risk Management Team** initially objected to the application due a lack of drainage information. An amended site layout plan was subsequently submitted showing drainage arrangements including the direction of surface water towards the proposed permeable paving area; this is considered acceptable by FRM and has allowed its objection to be removed. Maintenance of the site will be private therefore a condition is recommended to ensure a formal management system for the maintenance in perpetuity of the drainage system is secured. In terms of flooding the FRM Team note that the site lies adjacent to the periphery of a large, indicated area of pluvial flooding however given the site level details provided on the submitted topographical information and site sections the actual flood risk from this source may be low. As such there is no objection on flood risk grounds.

5.2 **THC Archaeology Team** have no objection however note that the area is considered to have archaeological potential. A condition is recommended to secure a programme of work for the survey, evaluation, preservation and recording of any archaeological and historic features affected by the proposed development.

5.3 **THC Transport Planning** initially objected to the application largely due to lack of detailed information. The objection has now been removed with Transport Planning's final response noting the following:

This application for the erection of 10 flats takes access from the C1145 Stafford Road. Planning in principle has previously been approved for this site for a similar development (19/01439/PIP). The Transport Planning Team had no objection subject to conditions being attached to any planning permission relating to visibility splays, footway provision, refuse arrangements, cycle parking, drainage, future road maintenance and construction traffic.

5.3.1 The Council will not adopt any of the internal roads or parking within the development but recommend that they are designed to adoptable standards. The proposed visibility splays are acceptable as they conform to guidance in Designing Streets. However, the splay to the south is 43 metres, not 90 metres as indicated on the drawing. The access to the site should be designed as a vehicle crossover. The detail

of the access shown on the site layout drawing should be regarded as indicative only. The Transport Planning Team require a condition to be attached to any planning permission given for the detailed design of the site access to be approved by the Transport Planning before any work commences on site and be installed before occupation of any of the dwellings. The design will also need to demonstrate that surface water from the site will not flow onto the public road.

- 5.3.2 The locations of new dropped crossings to the north of the site are acceptable. The Transport Planning Team require a condition to be attached to any planning permission the Council may give requiring the design of the dropped crossings to be approved by the Transport Planning team before any work commences on site and be installed before occupation of any of the dwellings. The pedestrian path linking the site to the park access is acceptable.
- 5.3.3 The dimensions shown on the site layout drawing confirm that the car parking spaces are designed to meet Council guidelines and a single space designed for people with disabilities has been provided. The notes on the drawing state that 5 flats will have access to EV charging facilities and ducting will be provided for the other 5 flats so that EV chargers can be installed in the future. It is recommended that a condition is attached to any planning permission the Council gives to ensure that EV chargers are available in the car park for 50% of the flats and passive provision (ducting) is provided for the other 50% of the flats. The condition should also reference the provision of information packs for residents explaining how to use the chargers, costs and how to pay.
- 5.3.4 The cycle shelter has been enlarged to provide 12 spaces for residents and visitors which is acceptable. The Transport Planning Team recommend that the cycle parking as shown on drawing no.A873 PL06 Rev A is approved and the facility installed before any occupation of the dwellings.
- 5.3.5 The four x 1100 litre refuse bins are sufficient for the waste and recycle for this development. It would be advised to move the bin store closer to the access to reduce the carry distance.
- 5.3.6 As the internal roads will remain private, the Council will not adopt any part of the surface water drainage system. The Transport Planning Team recommend that a condition is attached to any planning permission the Council may give for a formal management system for the maintenance in perpetuity of the internal roads, footways and parking areas that will remain in private ownership.
- 5.3.7 It is recommended that a condition is attached to any planning permission the Council may give for a Construction Traffic Management Plan to be approved before any work commences on site. This is to ensure that construction traffic uses appropriate routes to the site and measures are in place to ensure the integrity of the public road.
- 5.4 **Scottish Water** has no objection and highlight that a connection can be made to its water and waste water network. Capacity should be confirmed by the developer through the Pre-Development Enquiry process.

## **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **6.1 National Planning Framework 4**

- 1 – Tackling the climate and nature crises
- 3 – Biodiversity
- 7 – Historic assets and places
- 12 – Zero waste
- 13 – Sustainable transport
- 14 – Design, quality and place
- 15 – Local Living and 20 minute neighbourhoods
- 22 – Flood risk and water management

### **6.2 Highland Wide Local Development Plan 2012**

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 32 - Affordable Housing
- 34 - Settlement Development Areas
- 56 - Travel
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage

### **6.2 Caithness and Sutherland Local Development Plan 2018**

The site lies within the Dornoch Settlement Development Area however is not allocated for any specific land use.

### **6.5 Highland Council Supplementary Planning Policy Guidance**

- Developer Contributions (March 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Sustainable Design Guide (Jan 2013)

## **7. OTHER MATERIAL POLICY CONSIDERATIONS**

### **7.1 Scottish Government Planning Policy and Guidance**

- Designing Streets
- Creating Places
- Planning 1/2011 – Planning and Noise (Mar 2011)
- PAN 61 – Sustainable Drainage Systems (Jul 2001)
- PAN 68 – Design Statements (Aug 2003)

PAN 75 – Planning for Transport (Aug 2005)

PAN 77 – Designing for Safer Places (Mar 2006)

PAN 83 – Master Planning (Sept 2008)

## **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 and design including amenity impact
  - c) access and parking
  - d) drainage and flood risk
  - e) open space, climate change and biodiversity
  - f) Impact on infrastructure and services and proposed mitigation (developer contributions)
  - g) any other material considerations

### **Development plan/other planning policy**

- 8.4 The application requires to be considered against National Planning Framework 4 which was adopted in February 2023 and forms part of the development plan alongside the Highland-wide Local Development Plan and in this instance, the Caithness and Sutherland Local Development Plan (CASPlan).
- 8.5 The CASPlan includes the site within the defined Settlement Development Area for Dornoch and accordingly there is a presumption in favour of development. Planning Permission in Principle was granted in 2020 which was extant at the time this application was submitted. The policy context and planning history both establish the principle of development however notwithstanding this, the application requires to be assessed against the extent to which it addresses all other applicable policy considerations detailed in National Planning Framework 4 and material considerations which are also reflected in the general policies of the Highland-wide LDP.

- 8.6 The principal general policies against which the application requires to be assessed are Highland-wide Local Development Plan Policies 34 for Settlement Development Areas, 28 for Sustainable Design, and 29 for Design Quality and Placemaking.
- 8.7 These Policies set out the Council's support for development within SDAs that promote and enhance the social, economic, and environmental wellbeing of the people of Highland. As such, the design for sustainability criteria of Policy 28 for the assessment of all applications are key determining issues. Of particular relevance to this application are criteria relating to sensitive siting and high-quality design in keeping with local character while conforming with existing and approved adjacent land uses; impacts on community and residential amenity; impacts on community and residential amenity; compatibility with public service provision; accessibility; maximise energy efficiency; and, reduce waste. These considerations are reinforced through Policy 29, which emphasises good design by requiring developments to be judged according to their contribution to the visual and architectural quality of the place they are located, as well as to Council place-making objectives by being an integral part of the settlement while housing developments within SDAs should focus on pedestrian movements.
- 8.8 In addition to the above, HwLDP Policy 56 for Travel requires proposals that are likely to generate increased travel activity at the location should include sufficient information in order that the impact of this, both on- and off- site, may be assessed. Key considerations include, availability of public transport modes, opportunities for walking and cycling, safety and convenience of potential users, access, and parking.
- 8.9 Finally, Policies 64 (Flood Risk), 65 (Waste Water Treatment), and 66 (Surface Water Drainage) seek to ensure that sites are not at risk of flooding or causing flooding elsewhere by avoiding areas of known flood risk in the first instance and including appropriate mitigation where required. Developments must meet standards to minimise the risks of flooding and pollution by being properly drained either through connection to the public sewer and / or being drained through appropriate SUDS arrangements.
- 8.10 All development now requires to be assessed against Policy 1 of NPF4 'Tackling the climate and nature crises' which states that when considering development proposals significant weight will be given to global and climate nature crises with the intent of the policy being to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis. The intended policy impacts include promoting local living and compact urban growth. Under NPF 4 Policy 2, development proposals should be sited and designed to minimise lifecycle greenhouse gas emissions as much as possible.
- 8.11 Policy 3 relating to biodiversity also applies to all development proposals. This seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. For local developments such as this one Policy 3c states that proposals for local development will include measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.

- 8.12 The national approach to housing development is set out through Policy 14 which supports development that is consistent with the six qualities of successful places as well as Policy 15 which supports development that is consistent with the principles of local living and 20-minute neighbourhoods. Additionally, Policy 16 supports the delivery of high quality, sustainable homes that meet the needs of people throughout their lives. In particular, it supports proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision. The proposal is considered against the above matters below:

### **Siting and Design including amenity impact**

- 8.13 Whilst the site is within the Dornoch Settlement Development Area it is not allocated for any specific uses. As noted above, planning permission in principle was granted for residential development in 2020 and this permission was extant at the time of submission of this proposal however has lapsed during the intervening period due to the time taken by the applicant to address consultee comments. The consent does however form a material consideration which has established the principle of development. The proposal remains compatible with adjoining land uses with the wider area also having been subject to development pressure with recent developments at Elizabeth Crescent and Earls Cross Road built and/or consented in the last few years.
- 8.14 National Planning Framework 4 prescribes a national approach to the assessment of applications and seeks to maximise housing development within settlements where possible, ensuring development reduces reliance on private car use and contributes to local living. In this instance the site is able to complement the 20 minute neighbourhood concept detailed in Policy 15, lying within a 20 minute walk of facilities such as shops and restaurants within the town centre and sports facilities such as the golf course. Similarly it complies with the requirements of Policy 16 which seeks to improve affordability and choice of new homes to reflect changing needs and addressing gaps in provision as well being of a density commensurate with this part of Dornoch.
- 8.15 The layout takes account of the fundamental principles detailed in Designing Streets and Creating Places through avoiding a car dominated streetscape, creating active frontages and pedestrian linkages to the existing path network. The design of Block B which lies directly adjacent to Stafford Street has been designed such that both this elevation and its rear facing elevation both create the appearance of being a principal frontage ensuring an attractive streetscape can be created. Car parking is located centrally within the site and towards its northern boundary ensuring it does not appear overly prominent within the site.
- 8.16 The design of the flats incorporates both traditional and contemporary elements through use conventionally proportionated roof pitches and rectangular gable ends combined with feature windows. Use of a mixed palette of materials helps to break up the overall massing particularly on the larger block, with the proposed front porches also adding interest. The site adjoins the Stafford Court development which lies to the south; no overlooking will be created through the use of blank gables facing in this direction. There are also no directly opposing houses to the other side of



Stafford Road. Overall therefore, the development is not considered to create any adverse impact to the established amenity of the area and will add a new contemporary development within the streetscape that is of an appropriate scale and design.

- 8.17 In terms of construction impact, developers must comply with reasonable operational practices with regard to construction noise so as not to cause nuisance. Section 60 of the Control of Pollution Act 1974 sets restrictions in terms of hours of operation, plant and equipment used and noise levels, amongst other factors, which is enforceable via Environmental Health, whereby working hours would usually be restricted to be 07.00 – 19.00 Monday to Friday, 08.00 – 13.00 on Saturday with no Sunday or Bank Holiday working. Developers and contractors are expected to employ the best practicable means to reduce the impact of noise from construction activities at all times.

### **Access and Parking**

- 8.18 The development will take access directly from Stafford Road which is a C-class road with visibility splays achievable which are commensurate with road speeds and those required by Designing Streets. The design of the junction has been informed through consultation with Transport Planning and now incorporates dropped kerbs with a surfaced 2m footway along the frontage of the site which will join into the existing pavement network. This access will lead into an internal parking area which will remain private with maintenance by factoring arrangement. Provision is also made for the installation of electric vehicle charging points, of which 5 are to be installed as part of the development with additional ducting to ensure a further 5 can be installed at a future date if required. The finalised site layout has been considered acceptable by Transport Planning with a condition attached to ensure a detailed drawing is agreed regarding the site access. It has however attracted an objection from the Community Council who cite the loss of on street parking as a concern as well as impact of construction traffic.
- 8.19 The development will result in the loss of potential on-street parking on the eastern side of Stafford Road where the new access would be created however it would not impact on the availability of parking on the western side where there are two existing houses therefore the development would not prejudice the ability of the occupants of said houses to be able to park immediately adjacent to their properties and it has not been raised as a concern by Transport Planning. Internally within the site, a total of 15 spaces (1.5 per flat) will be provided which addresses the requirements of the Roads and Transport Guidelines for New Developments.
- 8.20 The site is within a residential area, adjoined by existing houses and where some of the streets leading to it are relatively narrow with a particular pinch point at the Stafford Road/Grange Road junction. The suggestion of the Community Council to seek a Construction Traffic Management Plan is therefore recognised and addressed via a condition. Whilst it is acknowledged this would be preferable ahead of determination, it is not always feasible as the detail of the Plan cannot be prepared ahead of a main contractor being appointed. The condition which has been added will ensure the routes to site for construction vehicles are agreed with the local Roads

team, that any compound area is sensitively sited relative to surrounding housing and that a named point of contact is provided.

- 8.21 The development also includes a path link which will join onto the existing path south of the site; this will facilitate pedestrian access to both the play park which lies adjacent to the east of the site or back onto Stafford Road and onwards to the town centre and is therefore considered a positive enhance to pedestrian access. A cycle shelter is also to be provided of a good standard in order to facilitate a wider range of active travel.

### **Drainage and Flood Risk**

- 8.22 The development proposes to connect to the public sewer which is welcomed in terms of addressing local and national policy requirements. Surface water drainage measures have been agreed with the Council's Flood Team and include the direction of surface water towards the proposed permeable paving area. Maintenance of the site will be private therefore a condition is recommended to ensure a formal management system for the maintenance in perpetuity of the drainage system is secured.
- 8.23 In terms of flooding the site lies adjacent to the periphery of a large, indicated area of pluvial (surface water) flooding however given the site level details provided on the submitted topographical information and site sections the actual flood risk from this source may be low and as such there is no concern on flood risk grounds.

### **Open space, climate change and biodiversity**

- 8.24 The Highland-wide Local Development Plan sets out a requirement for open space and/or play facilities to be provided within new developments of four or more units. In this instance the site's close position relative to an existing play area which lies immediately to its north east means there is already adequate provision within the area therefore no formal provision is sought in this instance.
- 8.25 The application requires to be considered against Policies 1-3 of NPF4 which apply nationwide and aim to ensure all development considers climate change impacts, addresses emissions, and improves opportunities for biodiversity. Further information was requested from the applicant to set out how the proposal had been designed to take account of these requirements. The submitted supporting information notes:
- The proposed flats are to be energy efficient with renewable energy technologies (air source heat pumps) to reduce greenhouse gas emissions and combat the climate emergency as required by policies 1 and 2;
  - The application proposes a compact design and reuse of an existing building site and includes planting to improve biodiversity as per policy 3;
  - The re-use of vacant building site supports policy 4 and 5
  - The applicant will seek to as far as reasonably practicable reduce, reuse or recycle materials in line with the waste hierarchy and Policy 12;
  - Electric charging points are to be fitted to 5 flats with the remaining flats being fitted with infrastructure to allow for future installation of EV charging points;

- The proposed development has been designed to improve the quality of the area by creating a healthy safe development that is pleasant and well connected as required by Policy 14
- The site is approximately 7 mins walk from Dornoch town centre and therefore well within the 20-minute neighbourhood proposals of Policy 15;
- The proposed homes addressed the requirements of Policy 16 through the delivery of high-quality sustainable homes which will comply with Local Authority Requirements and National Domestic Building Standards.

8.26 Given the above it is considered that the application addresses the requirements set out in National Planning Framework and its overall ethos to address climate change. A condition is added to agree details of the proposed landscaping to ensure this maximises opportunity to provide enhanced biodiversity corridors.

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

8.27 The application requires to be assessed against the Council's adopted Developer Contributions Supplementary Guidance. In this instance, a Section 75 Legal Agreement was signed in relation to the approved Planning Permission in Principle in order to secure contributions towards the provision of on-site affordable housing at a rate of 25%, which equates to 3 of the units, in addition to infrastructure contributions required towards upgrades at Dornoch Primary School and towards the provision of community facilities (sports centre). In the intervening period there are no other identified projects now included within the Caithness and Sutherland Action Programme to which the project would be expected to contribute.

### **Matters to be secured by Legal Agreement / Upfront Payment**

8.28 In order to mitigate the impact of the development on infrastructure and services the above contributions remain applicable. The existing Section 75 will require to be modified such that it references this detailed application and to ensure the contributions are provided within the timescales referenced therein.

8.29 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 (Developer Contributions) and Policy 32 (Affordable Housing) of the Highland-wide Local Development Plan.*

## **9. CONCLUSION**

9.1 The principle of development is considered to be supported in policy terms through the site's location within the defined Settlement Development Area and owing to its

compatibility with adjoining land uses. The proposal maximises the site's potential to deliver sustainable homes which will also see the provision of affordable housing in line with the national requirement to deliver a range of homes. All technical issues have now been resolved and the site can be adequately serviced in terms of access, parking and drainage.

- 9.2 All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of 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

<b>Action required before decision issued</b>	Y
Notification to Scottish Ministers	N
Conclusion of Section 75 Obligation	Y
Revocation of previous permission	N

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

1. No development shall commence a finalised site access drawing has been submitted to and approved in writing by the Planning Authority. The drawing shall be based on the requirements of the Council's Roads and Transport Guidelines for New Developments document and shall show:
  - The site access designed as a vehicle crossover;
  - Provision of visibility splays of 2.4m x 43m (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.

- The provision of a new 2m footway along the frontage of the site including dropped kerbs;

The site access shall be constructed and installed in line with the approved drawing prior to the first occupation of any of the flats hereby approved.

**Reason:** In the interests of road safety and ensuring the site access is compliant with the relevant standards.

2. No development shall commence on site until a construction phase Traffic Management Plan (including a routing plan for construction vehicles) (CTMP) has been submitted to, and approved in writing by, the Planning Authority. The CTMP shall include measures to minimise the impact of construction traffic alongside details of the proposed site compound and shall identify a main point of contact. The approved traffic management plan shall be implemented prior to development commencing and remain in place until the development is complete.

**Reason:** In order to ensure that the level of off-street parking is adequate.

3. No development shall commence until a scheme for the maintenance, in perpetuity, of all on-site facilities, features or parts of the development that are not the exclusive property of any identifiable individual home owner (such as the internal road, communal parking areas, the common entrances to flatted developments and estate lighting, and surface water drainage regimes, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the approved scheme shall be implemented in full and in accordance with the timescales contained therein.

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

4. No development or work (including site clearance) shall commence until a programme of work for the survey, 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.

5. 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. 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 and local architectural styles and as full details have not been provided.

6. No development shall commence until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:
  - i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
  - ii. A plan showing existing landscaping features and vegetation to be retained;
  - iii. The location and design, including materials, of any existing or proposed 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;
  - v. Measures to enhance the biodiversity of the site
  - vi. 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.

5. Prior to the first occupation of any of the units hereby approved, the car parking arrangements detailed on approved plan ref. A873 PL02 REV E shall be completed in full and made available for use. Thereafter, all car parking spaces shall be maintained for this use in perpetuity.

**Reason:** To ensure the level of off-street parking is sufficient

6. Prior to the first occupation of any of the units hereby approved, 5 no. electric vehicle (EV) charging points shall be installed as well as ducting to facilitate an additional 5 EV charging points in future. To promote the use of the charging points residents shall be provided with information packs setting out how the chargers are to be used, costs and how to pay, by the developer.

**Reason:** In order to facilitate the use of a variety of modes of transport.

7. Prior to the first occupation of any of the units hereby approved, 6 no. bicycle spaces as detailed on approved drawing ref: A873 PL06 REV A shall be provided.

**Reason:** In order to facilitate the use of a variety of modes of transport.

8. Prior to the first occupation of any of the units hereby approved the pedestrian link to the existing path located to the south of site (annotated on site layout plan ref: A873 PL02 REV E) shall be installed and made available for use. The link shall thereafter be maintained thereafter under the terms of Condition 3 above.

**Reason:** In order to facilitate active travel opportunities.

9. Prior to the first occupation of any of the units hereby approved the external bin storage facility detailed on approved plan ref: A873 PL07 shall be installed and made available for use.

**Reason:** To ensure waste is sustainably managed and adequate storage of bins is provided in the interests of visual amenity and road safety.

## **REASON FOR DECISION**

All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of 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](http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2)

### **Mud and 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](mailto: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:

Designation: Area Planner Manager - North

Author: Gillian Pearson

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

Relevant Plans:

- Plan 1 - Location Plan: A873 PL01
- Plan 2 - Site Layout Plan: A873 PL02 REV E
- Plan 3 - Section Plan: A873 PL05 REV A
- Plan 4 - Elevation/Floor Plan: A873 PL03 B
- Plan 5 - Elevation/Floor Plan: A873 PL04
- Plan 6 - Cycle Shelter Elevations: A873 PL06 REV A
- Plan 7 - Communal Bin Storage: A873 PL07

Appendix 2

	COMPLETE FOR LEGAL AGREEMENTS AND UPFRONT PAYMENTS				REQUIRED FOR LEGAL AGREEMENTS ONLY				
Type	Contribution	Rate (per house)	Rate (per flat)	Total Amount* <sup>1</sup>	Index Linked <sup>1</sup>	Base Date* <sup>2</sup>	Payment Trigger* <sup>3</sup>	Accounting Dates* <sup>4</sup>	Clawback Period* <sup>5</sup>
<b>Schools<sup>2</sup></b>									
Primary – Build Costs	Dornoch Primary School	£0	£1,489	£14,890	BCIS	Q2 2018	CC	Apr/Oct	15
Primary – Land Costs	Not applicable	£0	£0	£0	BCIS	Q2 2018	CC	Apr/Oct	N/A
Secondary – Build Costs	Not applicable	£0	£0	£0	BCIS	Q2 2018	CC	Apr/Oct	N/A
Secondary – Land Costs	Not applicable	£0	£0	£0	No		CC	Apr/Oct	N/A
<b>Community Facilities</b>	Sports Centre within Dornoch catchment area	£0	£1,019	£10,190	BCIS	Q2 2018	CC	Apr/Oct	15
<b>Affordable Housing</b>									
On-site provision <sup>3</sup>	3 units. To be provided in accordance with a scheme for delivery sought as part of Section 75 Agreement	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Off-site provision <sup>4</sup>	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Commuted Sum <sup>5</sup>	Not applicable.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Agreement for Delivery Needed	Y.	N/A	N/A	N/A	N/A	N/A	Prior to commencement of development	N/A	N/A
<b>Transport – N/A</b>									
<b>Water and Waste – N/A</b>									
<b>Public Art</b>	N/A								
<b>Total</b>				<b>£25,080</b>					

<sup>1</sup> 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

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

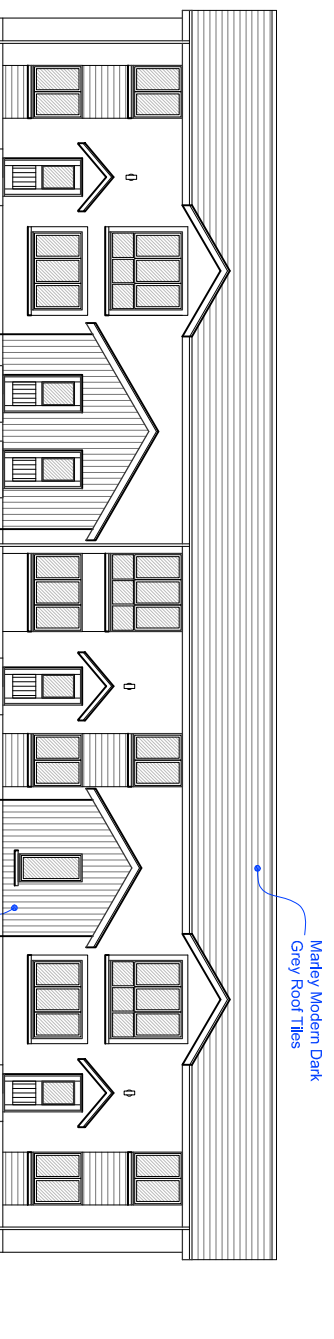
<sup>3</sup> Indicate whether a penalty payment due for late delivery (and, if so, what it is based upon).

<sup>4</sup> As above

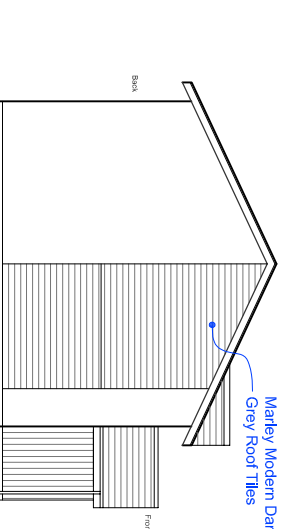
<sup>5</sup> Indicate whether a penalty payment is due for late payment of commuted sum (and, if so, what it is based upon)

- \*1 Adjust total to take account of flat exemptions
- \*2 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
- \*4 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

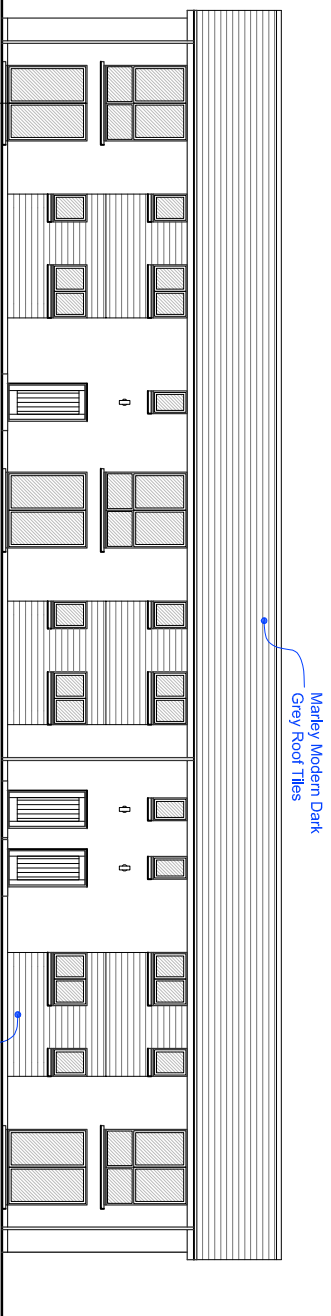
**Other Legal Agreement requirements – Not Required**



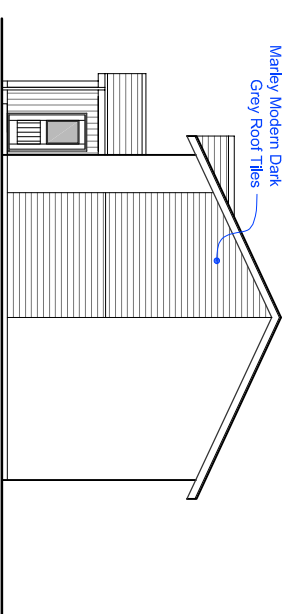
Front Elevation (facing Stafford Road)  
scale 1:200



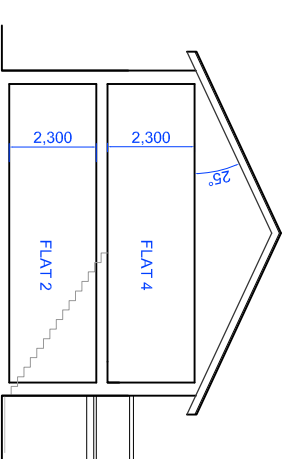
North Elevation  
scale 1:150



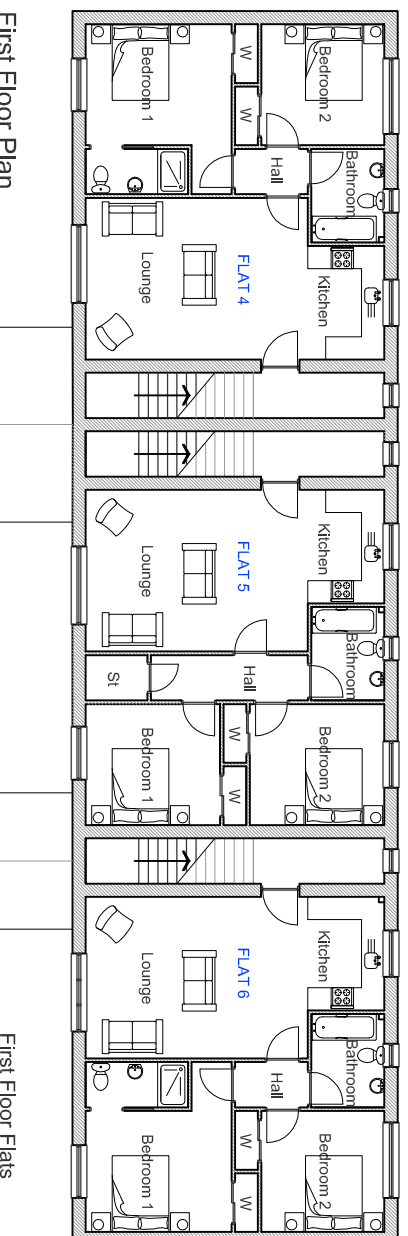
Rear Elevation  
scale 1:200



South Elevation  
scale 1:150

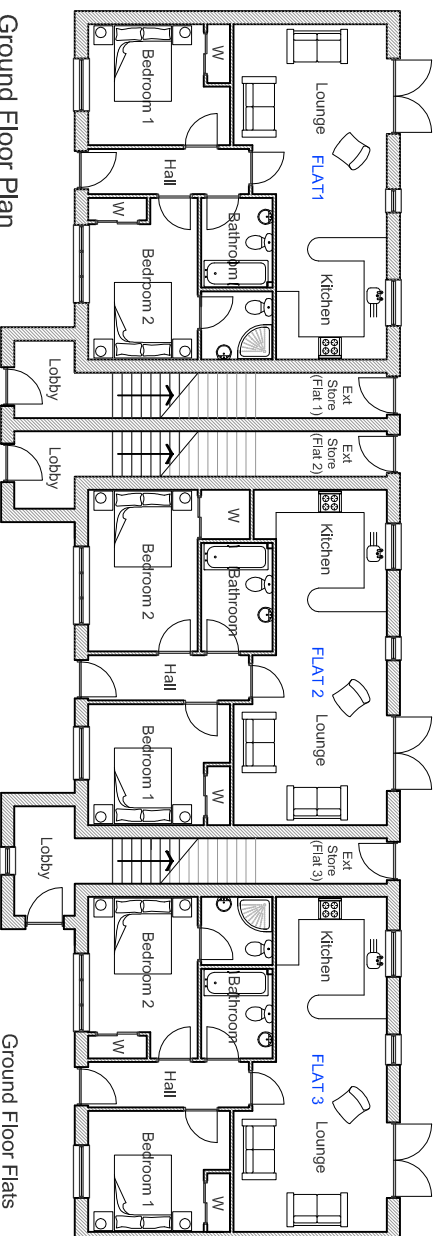


Section



First Floor Plan  
scale 1:200

First Floor Flats  
2 Bedroom (70 sq/m)



Ground Floor Plan  
scale 1:200

Ground Floor Flats  
2 Bedroom (70 sq/m)

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# PLANNING

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19 HIGH STREET | TAIN | ROSS-SHIRE | V19 1AB

MAIL@BLUEPRINTARCHITECTURE.COM | 01862 892900

Client Highland Alba Joinery Ltd

Scale 1:200

Project New Residential Development, Land to North West of Stafford Court, Dormoch

Title Block A - Plans and Elevations

Size A3

Drawing No.

**A873 PLO3**

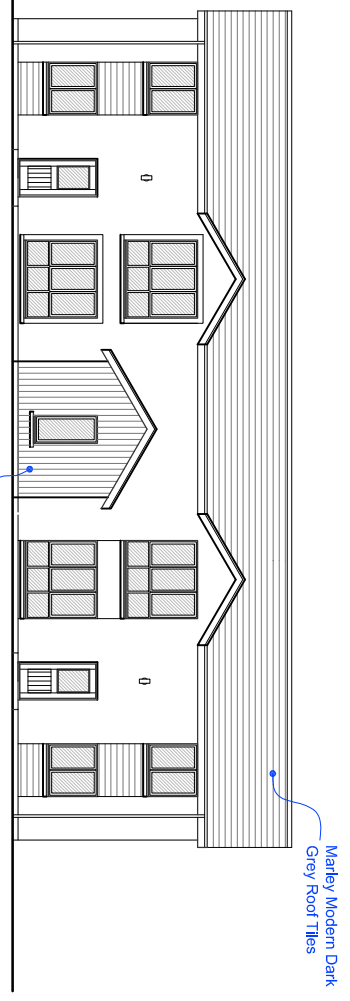
Rev

**B**

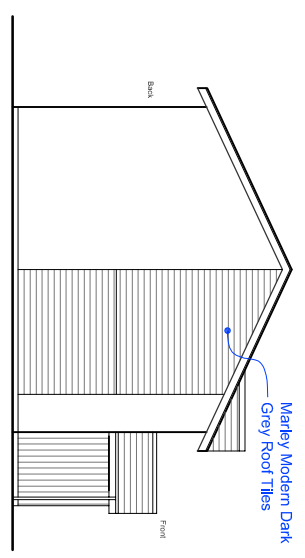


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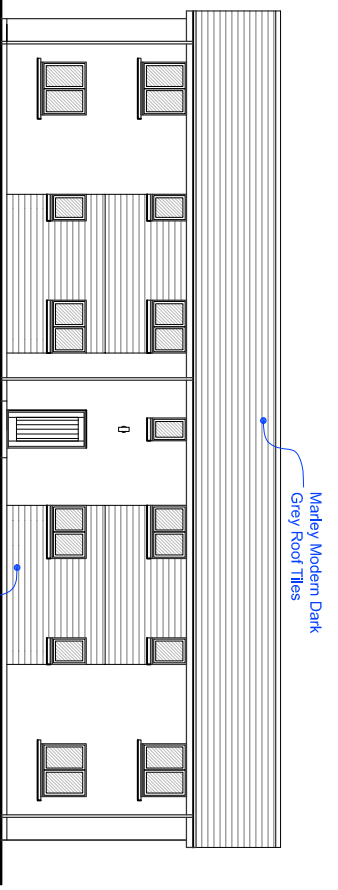
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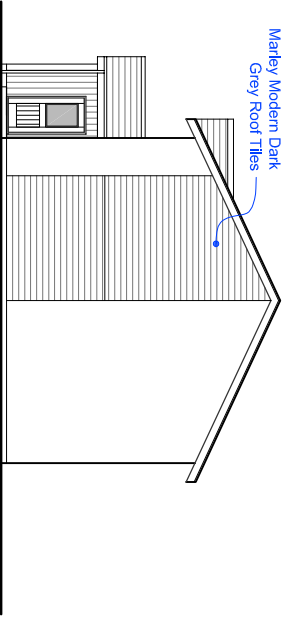
Front Elevation  
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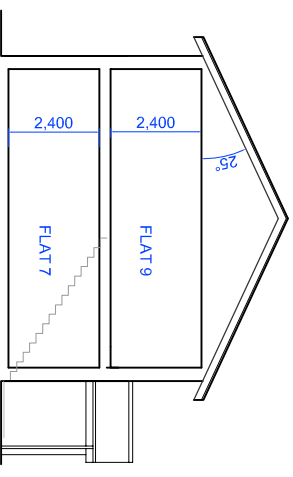
South Elevation  
scale 1:200



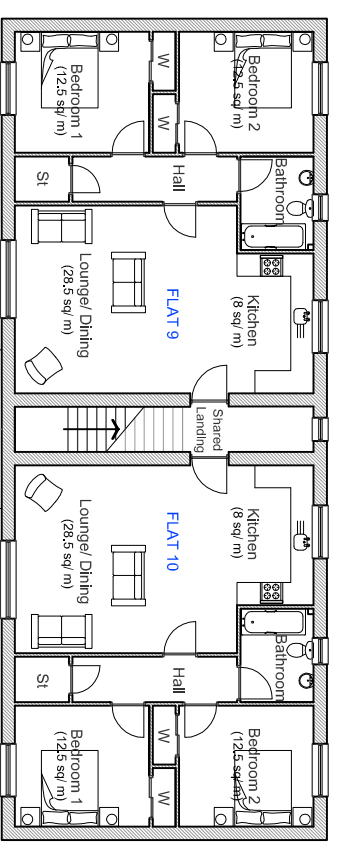
Rear Elevation (facing Stafford Road)  
scale 1:200



North Elevation  
scale 1:200

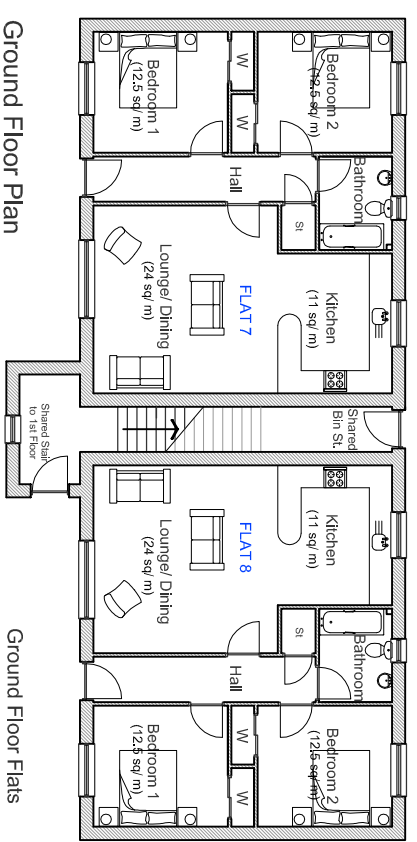


Section



First Floor Plan  
scale 1:200

First Floor Flats  
2 Bedroom (75.5 sq/m)



Ground Floor Plan  
scale 1:200

Ground Floor Flats  
2 Bedroom (75.5 sq/m)

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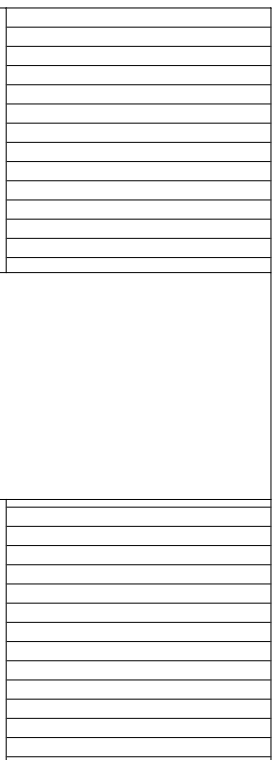
Client Highland Alba Joinery Ltd  
Scale 1:200  
Project New Residential Development, Land to North West of Stafford Court, Dormoch

Title Block B - Plans and Elevations  
Size A3

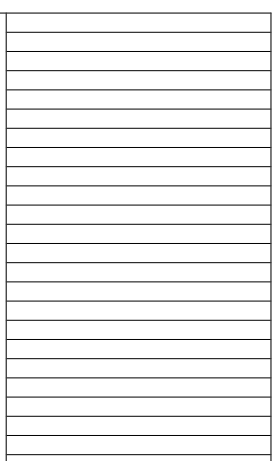
Drawing No. A873 PL04  
Rev -



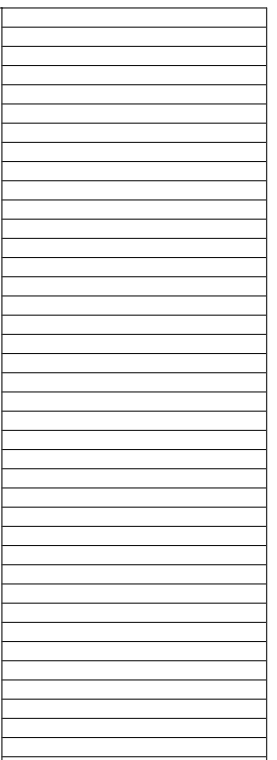
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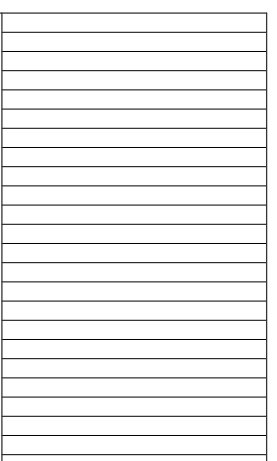
Front Elevation (scale 1:50)



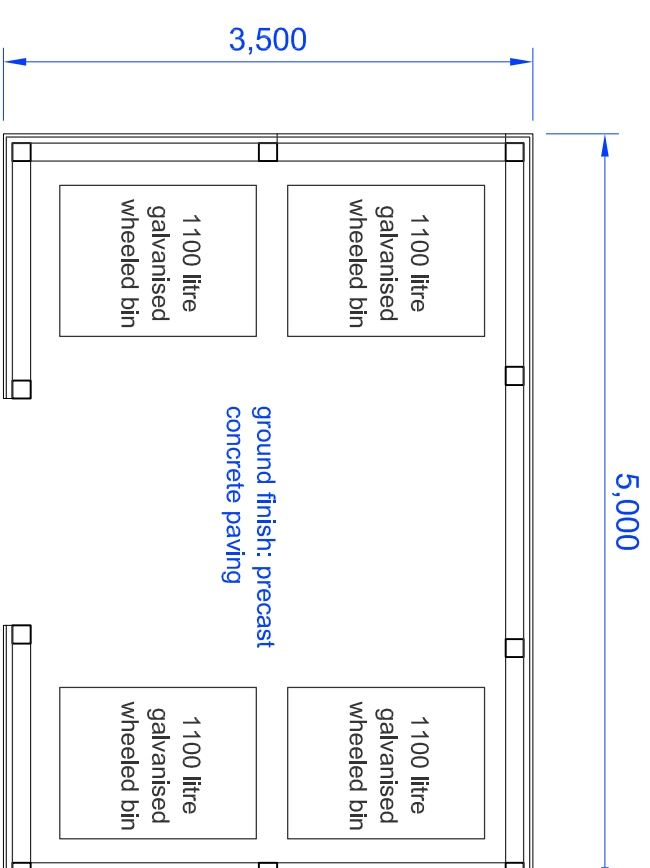
Side Elevation (scale 1:50)



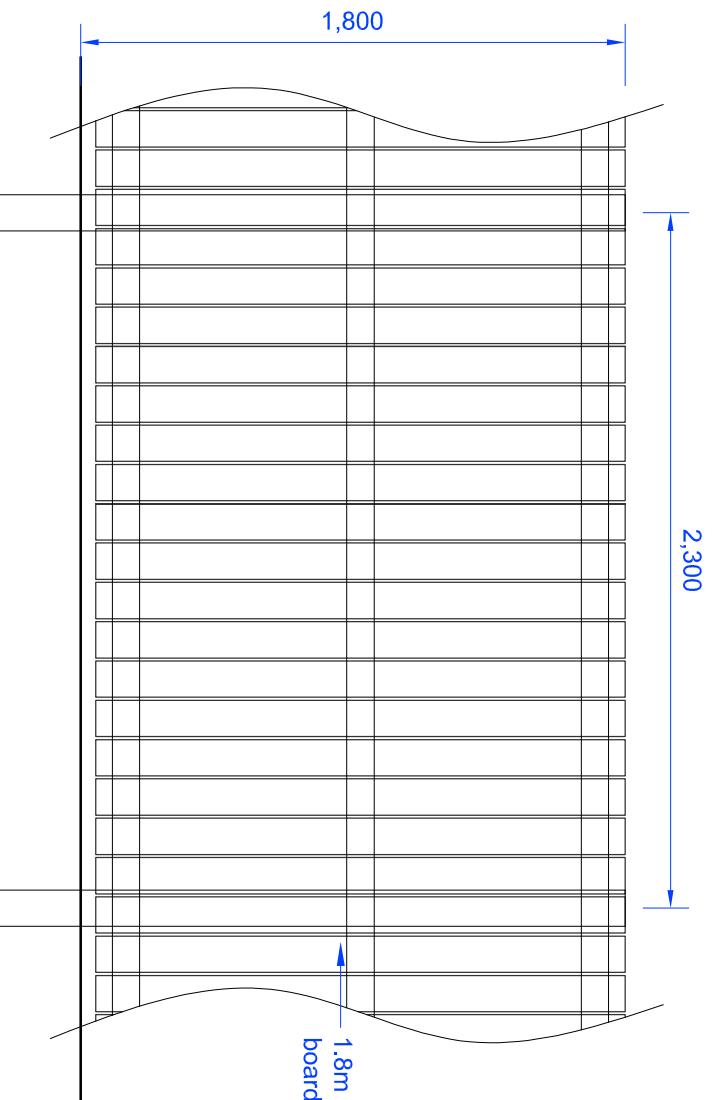
Rear Elevation (scale 1:50)



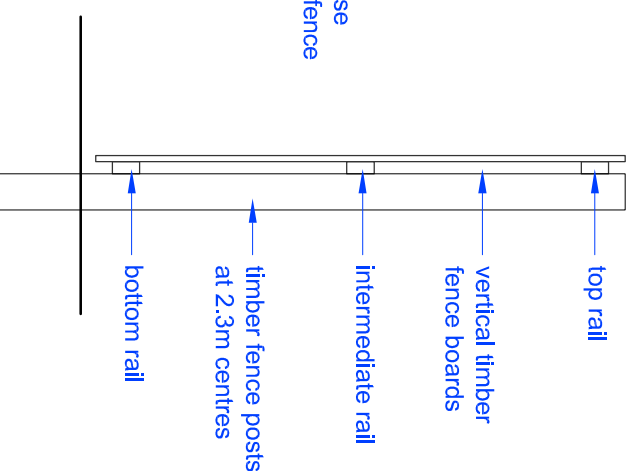
Side Elevation (scale 1:50)



Floor Plan (scale 1:50)



Typical Fence Elevation (scale 1:25)



Typical Section (scale 1:25)

Fence to be constructed in accordance with BS1722:5: 2006 Fences. Specification for close-board fences and wooden palisade fences

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Client Highland Alba Joinery Ltd

Scale 1:50

Project New Residential Development, Land to North West of Stafford Court, Dornoch

Title External Communal Bin Store

Size A3

Drawing No.

A873 P107

Rev

-

External Materials - Bin Store

Walls: Treated Timber fence boards vertical close board

Ground: Concrete paviers

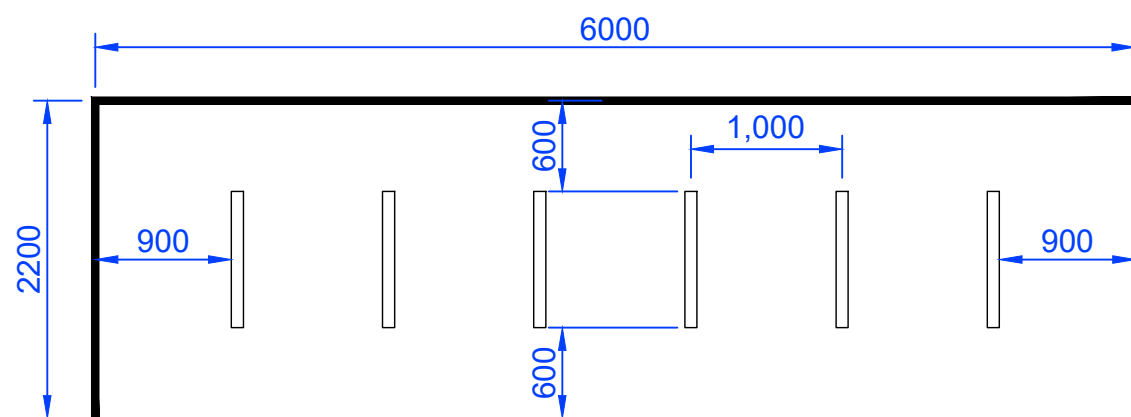
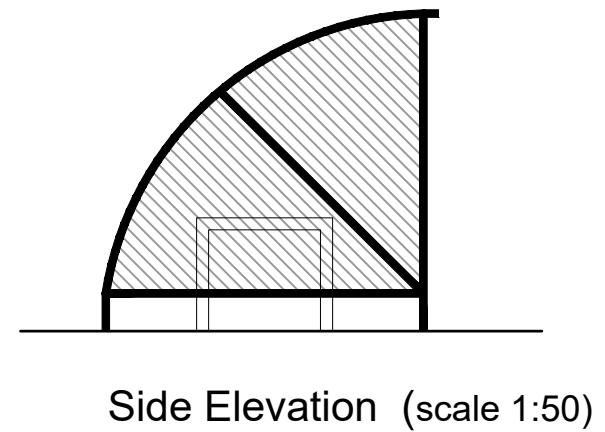
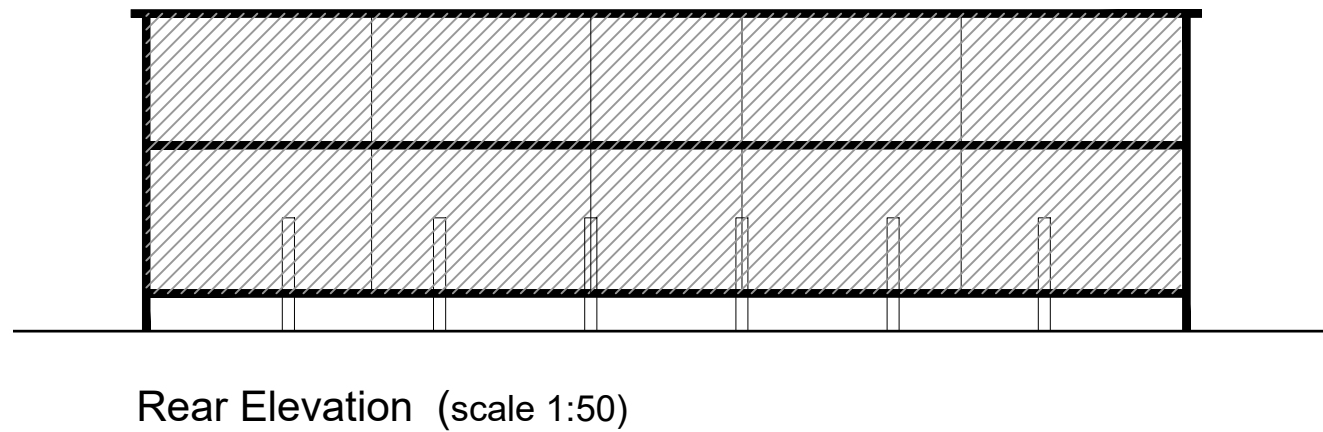
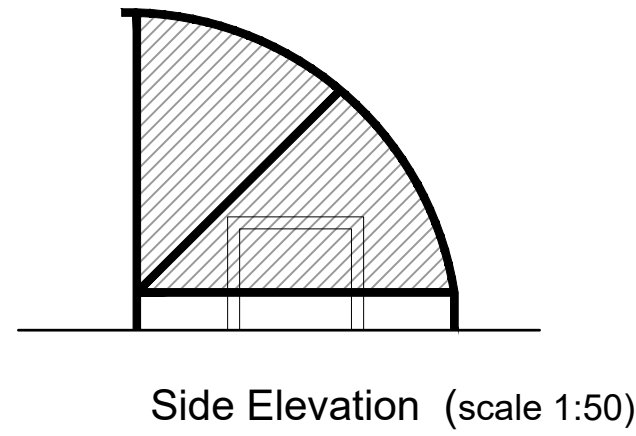
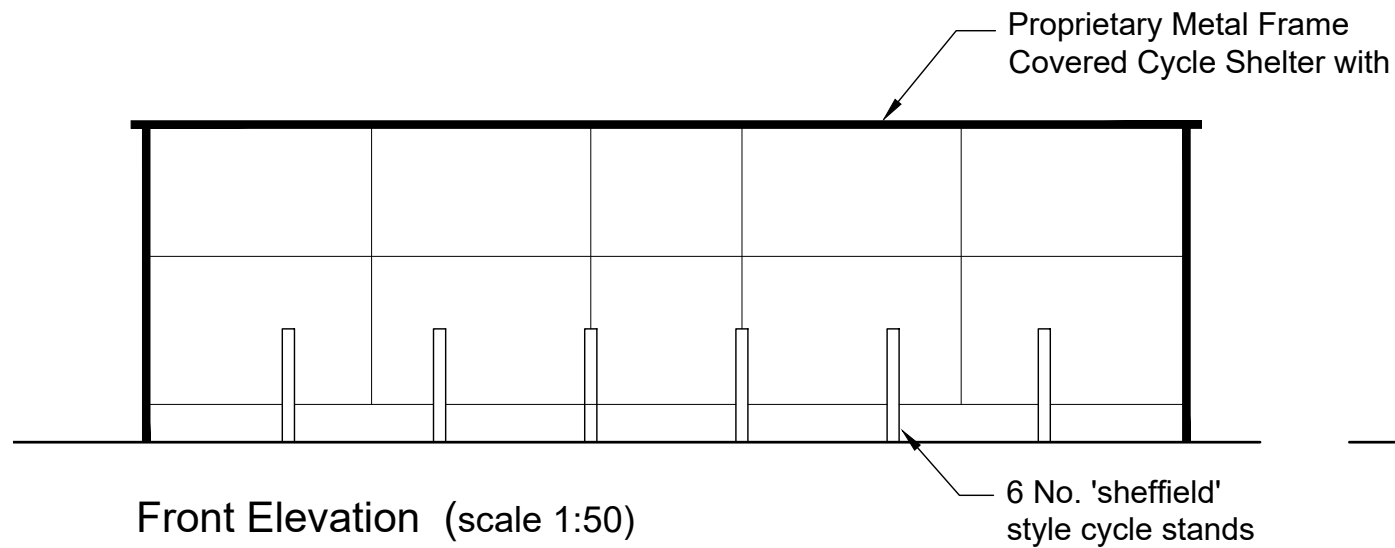
4 No. 1100 litre galvanised bins.

The design of Refuse/ Recycling Storage Area to be in accordance with The Highland Council guidance document 'Managing Waste in New Development'



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Cycle Store Floor Plan (scale 1:50)

The design of cycle parking to be in accordance with chapter 6 of The Highland Council guidance document 'Roads and Transport Guidelines for New Developments' or the updated 'Cycling by Design'.



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Client	Highland Alba Joinery Ltd	Scale	1:50
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Project	New Residential Development, Land to North West of Stafford Court, Dornoch		
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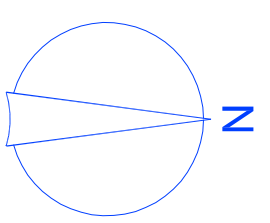
Title	Cycle Shelter	Size	<b>A3</b>
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Drawing No.	<b>A873 PL06</b>	Rev	<b>A</b>
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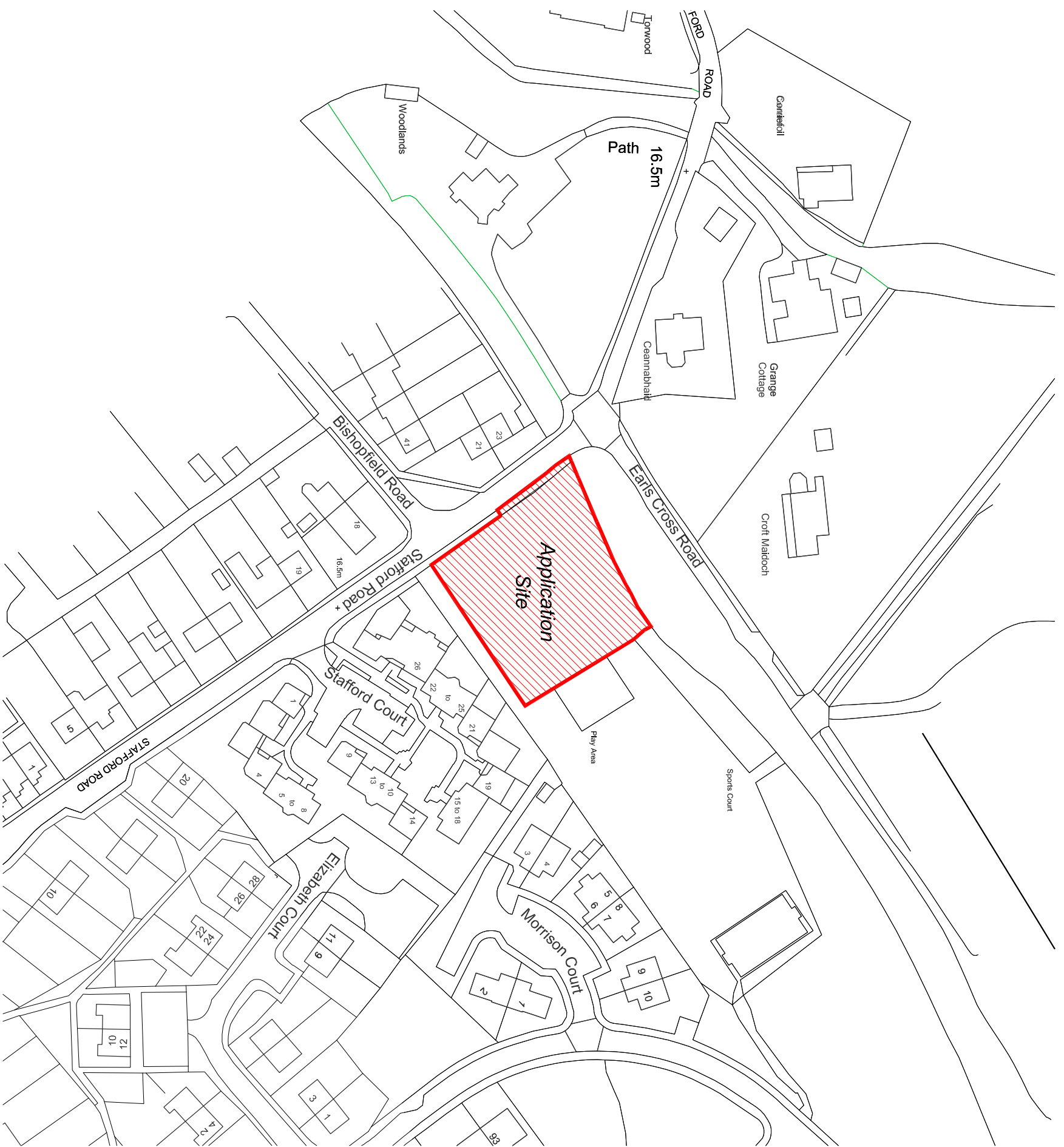


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**DORNOCH**



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Client **Highland Alba Joinery Ltd** Scale **1:1250**

Project **New Residential Development, Land to North West of Stafford Court, Dornoch**  
Grid Ref: NH 80108 89998

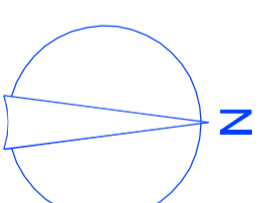
Title **Location Plan for Planning Application** Size **A3**

Drawing No. **A873 PL01** Rev **-**

Location Plan (scale 1:1250)







DORNOCH



ACCOMMODATION SCHEDULE	
Block A:	6 No. 2 bed Flats
Block B:	4 No. 2 bed Flats
Total Units:	10
Parking:	120%
Visitor Spaces:	30%
Total:	15 Spaces

Proposed Water Supply and Drainage Arrangement

Water Supply:  
New Connection to Public water supply network

Foul Waste Water: New Connection to Public drainage network

Surface Water: Sustainable Drainage Surface Water Soakaway (SUDs) Permeable Parking area for control of residential roof areas.

Proposed Finished Ground Levels to encourage surface water from storm events of less than 200 years+ CC to remain on-site.

Factoring agreements to be in place with dwelling owners to ensure a formal management system for the maintenance of the drainage system in perpetuity.

Electric Vehicle (EV) Charging Points:  
5 No. Flats to be fitted with an active EV charging point. The remaining 5 No. Flats to be equipped with passive provision so that the ducting is in place for future EV chargers.

PLANNING

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Client: Highland Alba Joinery Ltd  
Scale: 1:250  
Project: New Residential Development, Land to North West of Stafford Court, Dornoch  
Grid Ref: NH 80108 89998

Title: Site Layout Plan for Planning Application

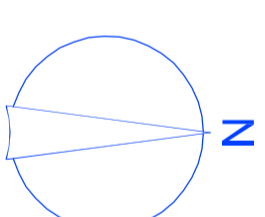
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Drawing No.: **A873 PLO2**

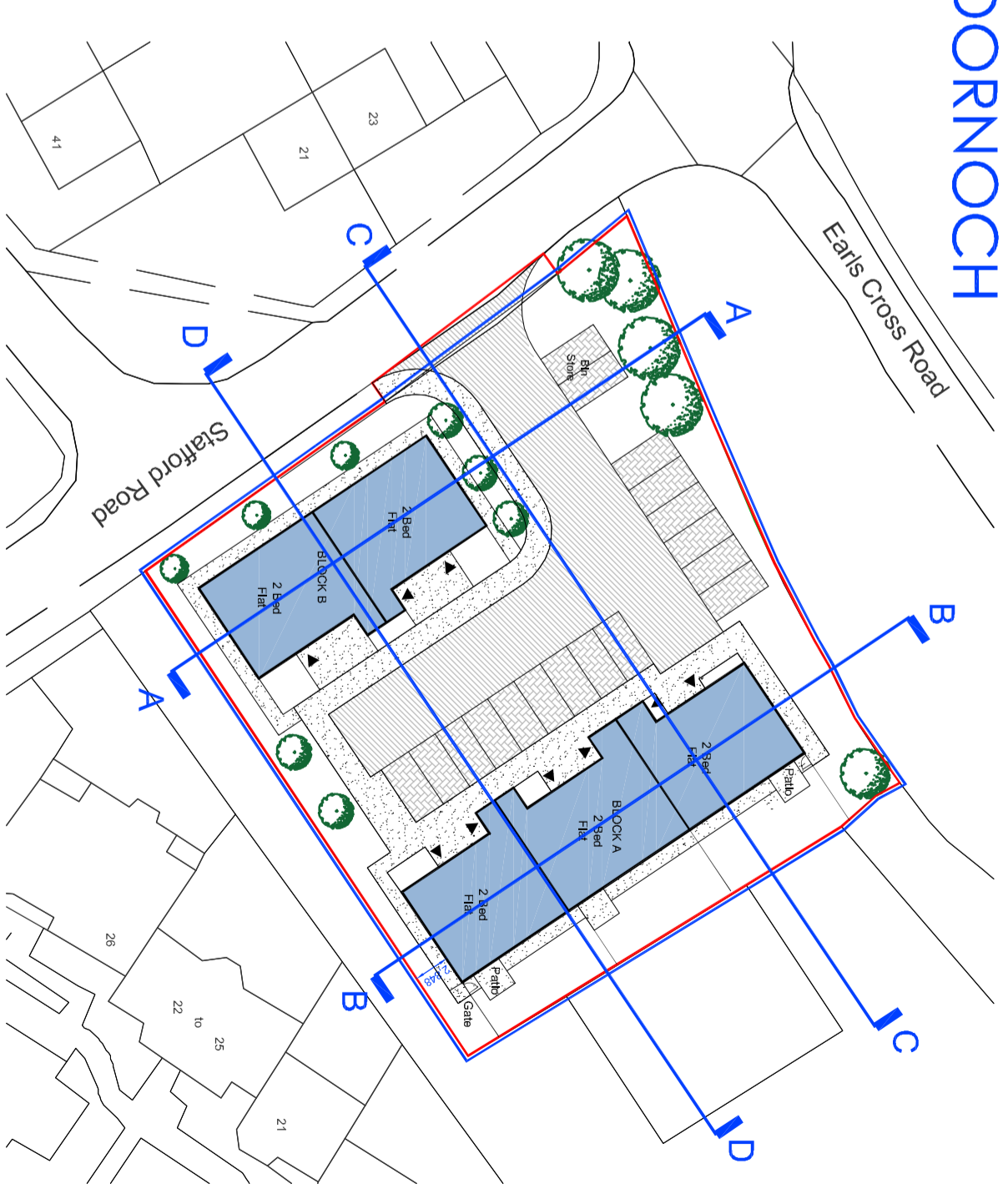
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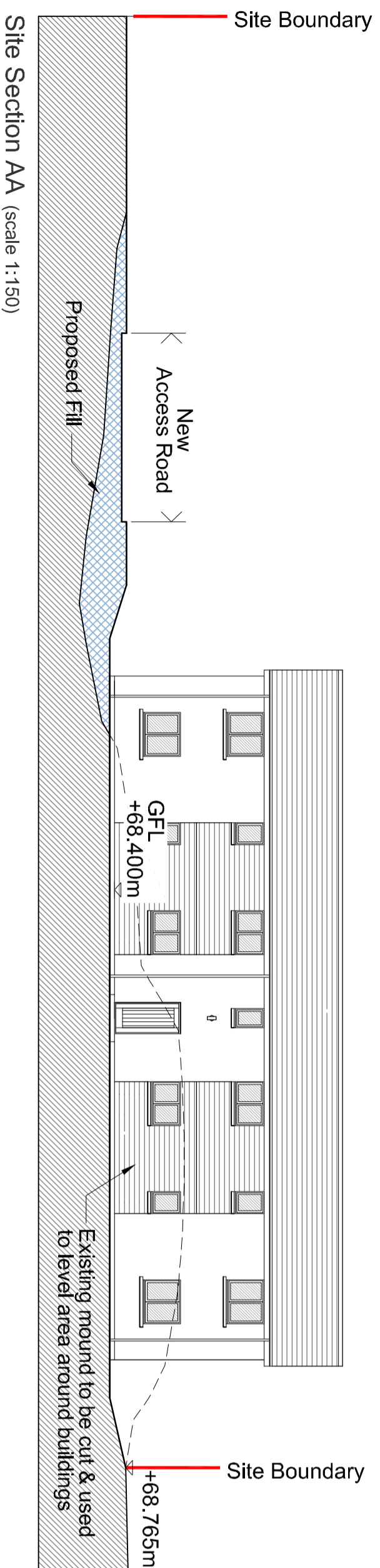
Site Layout Plan (scale 1:250)



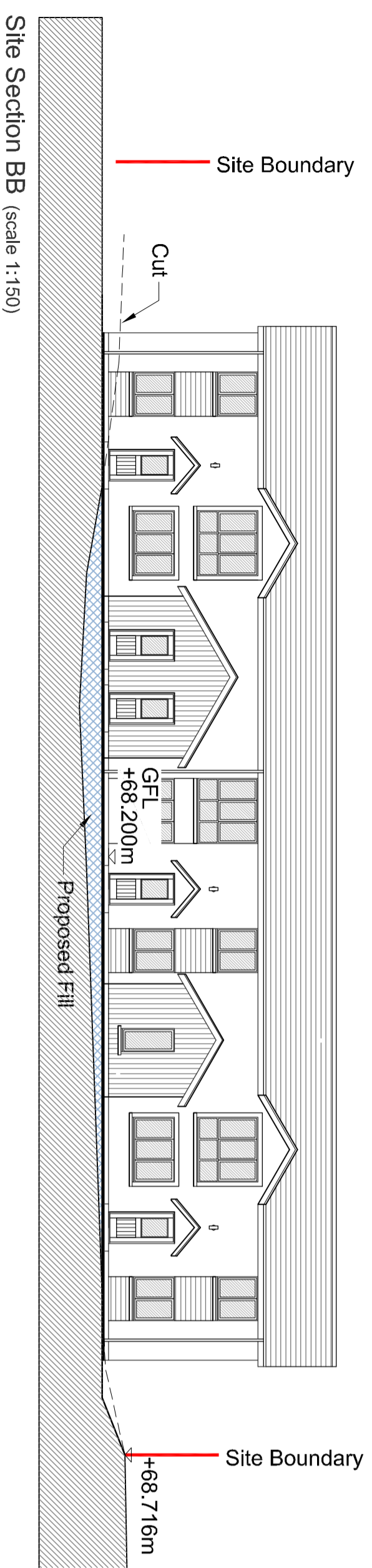
**DORNOCH**



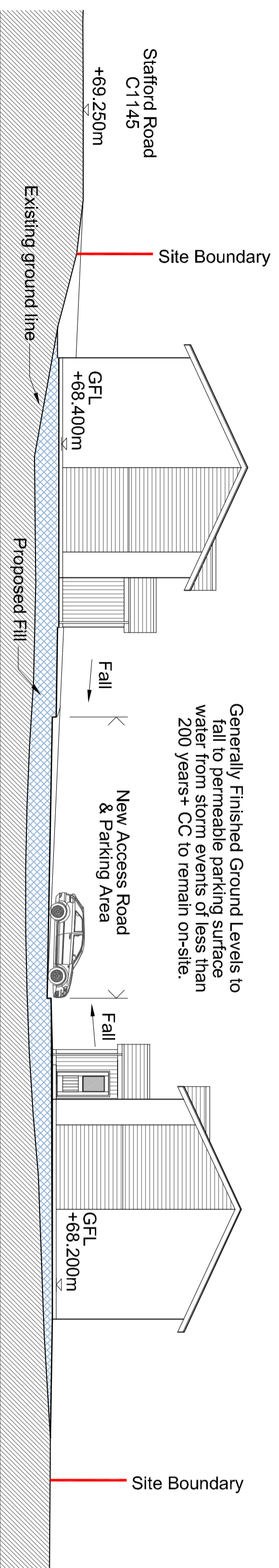
Site Plan (scale 1:500)



Site Section AA (scale 1:150)



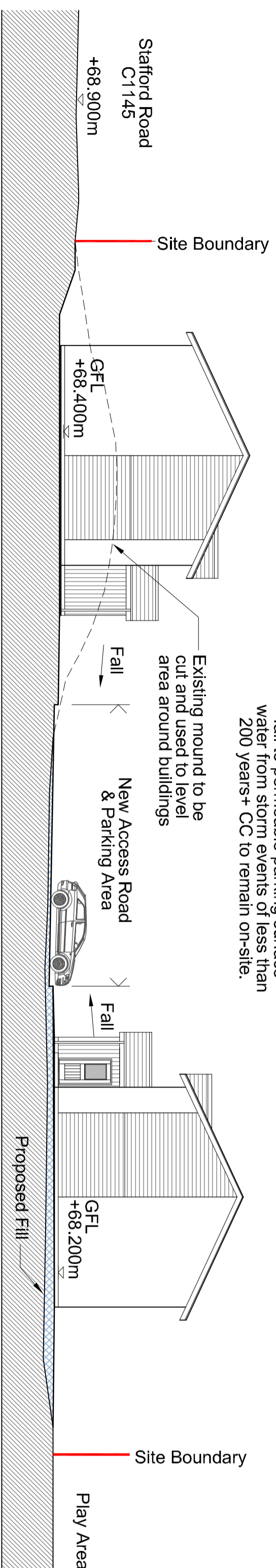
Site Section BB (scale 1:150)



Site Section CC (scale 1:150)

Generally Finished Ground Levels to fall to permeable parking surface water from storm events of less than 200 years+ CC to remain on-site.

Generally Finished Ground Levels to fall to permeable parking surface water from storm events of less than 200 years+ CC to remain on-site.



Site Section DD (scale 1:150)



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Client	Highland Alba Joinery Ltd	Scale	noted
Project	New Residential Development, Land to North West of Stafford Court, Dornoch		
Grid Ref:	NH 80108 89998		
Title	Site Sections Planning Application	Size	<b>A2</b>

Drawing No.	<b>A873 PL05</b>	Rev	<b>A</b>
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