

Agenda Item	6.3
Report No	PLN/058/24

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 7 August 2024
Report Title: 23/00446/PIP: Mr David Skea
Land At Mount Eagle
Culbokie

Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Residential development of up to 20 houses and associated access, drainage and landscaping

Ward: 09 - Black Isle

Development category: Local Development - Housing

Reason referred to Committee: Community Council objection; objection representations also received from more than five households, in accordance with the Scheme of Delegation.

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 for a residential development of 20 new homes at Culbokie. Indicative layout plans show open green space set aside to the site's east and south-west, with a mix of detached, semi-detached and terraced houses all serviced via a central U-shaped access road at Mount Eagle Court.
- 1.2 Pre Application Consultation: 12/03865/PREAPP, response dated 16.11.2012: "the principle of development on this site has already been agreed through its inclusion in the Development Plan as an allocated housing site".
- 1.3 Supporting Information:
- Screening Opinion Request Info
 - Screening Opinion Decision
 - Planning Statement
 - Project Cover
 - Transport Statement
 - Flood Risk and Drainage Assessment Report
 - Flooding Consultant Response to Queries
- 1.5 Variations: None.

2. SITE DESCRIPTION

- 2.1 The application site is currently an undeveloped formerly agricultural field at the north-east edge of Culbokie. The B9269 public road runs to the south of the applications. There are no significant variations in levels across the site, however, levels generally drop to the north-west. There is an access into the site at Mount Eagle Court, a modern housing development to the south-west. There are open views to the north-west, across agricultural fields, the Cromarty Firth and beyond.
- 2.2 The site was previously located within the settlement development area of Culbokie when the application was first submitted. Since then, the new Inner Moray Firth Local Development Plan 2 (IMFLDP2) has been adopted the majority of the site has been excluded from the settlement development area. The site was removed from the IMFLDP2 due to there being doubts about its availability. The site now lies outwith but adjacent to the identified Culbokie settlement development area.
- 2.3 A core path (RC12.01) lies to the south of the site that provides recreational access to Culbokie Woods. To the north west corner of the site is an area identified to be at risk of fluvial and surface water flooding.

3. PLANNING HISTORY

3.1	18 January 2008	07/00226/OUTRC Formation of ten house plots (including one affordable house plot) (Outline)	APPLICATION WITHDRAWN
3.2	22 August 2012	08/00527/OUTRC Formation of fourteen house plots (including three affordable house plots) and repositioning of compound (Outline) (Resubmission)	APPLICATION WITHDRAWN
3.3	15 February 2022	21/05955/SCRE Residential development, access, landscaping, drainage and associated works	SCREENING - EIA NOT REQUIRED
3.4	15 February 2022	22/00063/SCRE Residential development, access, landscaping, drainage and associated works (site area 3,3 hectares)	SCREENING - EIA NOT REQUIRED
3.5	17 February 2023	23/00802/SCRE Residential development	CASE CLOSED

4. PUBLIC PARTICIPATION

4.1 Advertised: Ross-shire Journal, 'Unknown Neighbour' – 14 days

Date Advertised: 17 February 2023

Representation deadline: 3 March 2023

Timeous representations: Two general comments from two households; seven objection comments from seven households

Late representations: None

4.2 Material considerations raised are summarised as follows:

- Concerns raised over the capacity and safety of Mount Eagle Drive's junction;
- Potential wildlife impact;
- Existing drainage infrastructure is insufficient;
- Part of the application site is set aside for recreational dog-walking use; and
- Potential privacy and overlooking concerns.

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 **Ferintosh Community Council objected** to the application on the grounds that through the extensive consultations for the Inner Moray Firth Local Development

Plan 2 (IMFLDP2), Ferintosh Community Council received universal support for the removal of this site as land for development.

5.2 **Access Officer** (24.11.2023) – did not raise an objection to the application. It is noted that whilst there are no designated routes on this proposed development there are currently public access rights within the proposed site and accommodated within the site plans. The proposed initial site layout does indicate a path network with linkages towards village facilities. An Access Management Plan, either stand-alone or within a landscaping plan would be required for this site. The path indicated in the southwest corner is required as link towards the village hall, however it is narrower than would be expected but is restricted by existing buildings. Any fencing at the front of a property should be of a lower height, i.e. 1m for safety and comfort of users of the route. Specifications for the paths must be submitted within the final application.

5.3 **Development Plans Team** (29.03.2023) – no objection to the application. Development Plans have confirmed that although the new IMFLD2 has been adopted recently the application has been in for some time with some matters of the delay being outwith the applicant's control. Furthermore, the site was only deallocated due to doubts about its availability and viability.

The application was initially assessed against the approved development plan (IMFLDP) at the time, the proposed plan (IMFLDP2) and the emerging National Planning Framework 4 (NPF4):

The proposal is largely in accordance with IMFLDP at the time of the assessment. The development footprint of the proposal matched the boundary, density and land use supported for allocation CU4 North of Solus within the IMFLDP. It doesn't comply in terms of meeting the CU4 developer requirements for advance structural planting, road construction to the north west boundary, and provision of a Design Statement. The layout gaps left for good connectivity are welcomed but no firm detail or commitments are made in this regard. One of the reasons the site was deleted from the IMFLDP2 was the doubt about its effectiveness – i.e. whether the site is viable in light of potential third-party landownership interests. The applicant provided evidence, in regards to the questions of ownership and viability issues have been overcome. Other policy issues such as flooding could be adequately mitigated by built development setback at MSC application stage.

The Scottish Government adopted National Planning Framework 4 (NPF4) on 13 February 2023. The proposal triggers, in particular, consideration of policies 15 (Local Living and 20 minute neighbourhoods) and 16 (Quality homes). Both policies are generally supportive of the application proposal if it is accompanied by direct developer provision and/or financial contributions to integrate it with the rest of the settlement and result in, at least, overall no net detriment and in biodiversity (Policy 3 of NPF4) terms, net betterment. The layout and in particular the landscaping areas offer the prospect of net betterment (at least relative to a typical housing development baseline) but again no detail or commitments are supplied.

The relevant emerging local development plan is under review and in March 2023 was submitted to Scottish Ministers for Examination. The outcome of that

Examination is not expected until early 2024. Its contents are a material consideration in assessing planning applications but it does not form part of the approved development plan for the purposes of section 25 of the 1997 Act as amended. The application site is dezoned from the emerging IMFpLDP2 because other sites within Culbokie offer an adequate and more implementable housing land supply for the settlement. There are no objections pending to the Plan that affect this site. Therefore, it is very likely that the adopted IMFLDP will, in effect, delete the housing allocation and draw in the village development boundary at this location.

Developer contributions sum required.

Further response from Development Plans 19.02.24

These are supplementary to those offered on 29 March 2023 and should be read in conjunction with that response.

The Proposal

The applicant has supplied additional information in terms of transport and flood risk but this does not change the overall development plan conformity conclusion reached below. The proposal is still for up to 20 residential units, the supporting information suggests a commitment to provide affordable units although none are delineated on the indicative site layout.

Planning Policy Appraisal and Conclusion

Currently (until at least 9 May 2024), the proposal is in overall conformity with the *approved development plan*. The development footprint of the proposal matches the boundary, density and land use supported for allocation CU4 North of Solus Or within the approved area development plan. Potential landownership issues have been resolved.

However, there are still aspects of concern such as the proposal:

- edges an area of future fluvial and present pluvial (small watercourse) flood risk;
- doesn't confirm 25% affordable unit provision;
- doesn't comply with the CU4 developer requirements for advance structural planting, road construction to the north west boundary, and provision of a Design Statement; and,
- doesn't make firm commitments in terms of open space provision and maintenance, biodiversity enhancement and active travel connectivity.

Any permission should address the above issues via condition/agreement particularly the flood risk, biodiversity net enhancement and affordable housing issues.

The Approved Development Plan

The relevant parts of the *approved development plan* are:

- [National Planning Framework 4 \(NPF4\) 2023](#)

- [Highland-wide Local Development Plan \(HwLDP\) 2012](#)
- [Inner Moray Firth Local Development Plan \(IMFLDP\) 2015](#)
- [Developer Contributions Supplementary Guidance \(DCSG\)](#)

National Planning Framework 4 (NPF4) (2023)

The Scottish Government adopted National Planning Framework 4 (NPF4) on 13 February 2023. The proposal triggers, in particular, consideration of policies 3 (Biodiversity), 15 (Local Living and 20 minute neighbourhoods), 16 (Quality homes) and 22 (Flood risk and water management). All these policies are generally supportive of the application proposal if it is accompanied by direct developer provision and/or financial contributions to integrate it with the rest of the settlement and result in, at least, overall no net detriment and in biodiversity (Policy 3 of NPF4) terms, net betterment. The layout and in particular the landscaping areas offer the prospect of net betterment (at least relative to a typical housing development baseline) but commitments should be secured via condition/agreement.

Other (Planning Policy) Material Considerations - Inner Moray Firth Proposed Local Development Plan 2 (IMFpLDP2)

The relevant emerging local development plan has completed its Examination and it is intended to make the decision to adopt the IMFLDP2 at the Full Council meeting on 9 May 2024. This timetable is subject to clearance to adopt from Scottish Government. Until adoption, the IMFLDP2 contents are a material consideration in assessing planning applications but it does not form part of the approved development plan for the purposes of section 25 of the 1997 Act as amended. When adopted, the application site will be “de-zoned” as a housing site and the majority of it also excluded from the village development boundary.

Developer Contributions

The Developer Contributions Supplementary Guidance (DCSG) was adopted in November 2018. This guidance sets out the Council's approach to mitigating the impacts of development on services and infrastructure by seeking fair and realistic developer contributions to the delivery of such facilities. The following will likely be required/provided as part of this proposal. “Old” education and community facility rates are applicable given that the application was received before 4 May 2023.

Affordable Housing

The Affordable Housing Policy of the HwLDP and our Developer Contributions Supplementary Guidance requires that at least 25% of all homes on the site must be affordable rounded to the nearest whole number (para 4.4 of DCSG). On this basis, the minimum number of affordable units should be 5. No onsite affordable units are confirmed within the application.

Education

The site lies within the catchment area of Culbokie Primary School and Fortrose Academy. The 2023 School Roll Forecasts don't project a breach of either school's 90% physical capacity and therefore currently no contribution is required. This advice is offered at a point in time and the Education Team's view should be sought

closer to the time of determination or future change of use to see whether this assessment still applies.

Cumulative Transport Contributions

No formal cumulative transport contributions have been identified to date and the site is not in a Development Brief area. The Delivery Programme identifies the need for sustainable transport interventions both within Culbokie and to adjoining main settlements. Transport Planning will offer further advice.

Site Specific Transport Contributions

Transport Planning have advised that a maximum of £750 be sought per house towards off site works suggested on the B9169 to provide access to the primary school.

Community Facilities

Developments of 4 or more houses are required to contribute towards the enhancement or creation of new community facilities where a deficiency has been identified. The Inner Moray Firth Delivery Programme identifies a requirement for an expansion of facilities at the Black Isle Leisure Centre and therefore a standard rate contribution is required.

Public Art

Given the site's lack of public prominence then a contribution is not essential but the "public frontage" to the B9169 should have a higher than standard quality of design (particularly materials and boundary treatments).

Waste & Water

No financial contribution required.

Green Infrastructure

The Council's open space guidance requires a provision standard of 40m² per person in defined larger centres. The IMFLDP identifies Culbokie as a larger centre. Applying the guidance, 15 private and 5 affordable units results in a requirement for 1,434m² of greenspace. The application indicative layout hints at adequate provision but there is no firm, detailed commitment to implement this provision.

- 5.4 **Flood Risk Management Team** (20.02.2023; 20.02.2024; 03.04.24; 15.05.24; 25.06.24) – initially objected to the application due to the absence of any detailed information, on the grounds that the application site may be at medium to high risk of flooding. Further information was submitted, and the objection was withdrawn subject to appropriate conditions being attached to any planning consent.
- 5.5 **Scottish Water** (09.02.2023) – does not raise an objection to the application. There is currently sufficient capacity in the Assynt Water Treatment Works to service the proposed development. There is currently sufficient capacity for a foul only connection in the Culbokie Waste Water Treatment works to service the proposed development.

- 5.6 **Transport Planning Team** (27.02.2023; 06.02.2024) – no objection to this application, subject to attaching planning conditions to provide full details of the site access, site layout, car parking, waste and recycling, pedestrian accessibility, and surface water drainage. They also advised that a maximum of £750 be sought per house towards off site works suggested on the B9169 to provide access to the primary school.

6. **DEVELOPMENT PLAN POLICY**

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

6.1 **National Planning Framework 4 (2023)**

- Policy 1 - Tackling the Climate and Nature Crises
- Policy 2 - Climate Mitigation and Adaptation
- Policy 3 - Biodiversity
- Policy 4 - Natural Places
- Policy 5 - Soils
- Policy 12 - Zero Waste
- Policy 13 - Sustainable Transport
- Policy 14 - Design Quality and Place
- Policy 15 - Local Living and 20 Minute Neighbourhoods
- Policy 16 - Quality Homes
- Policy 17 - Rural Housing
- Policy 22 - Flood Risk and Water Management
- Policy 23 - Health and Safety
- Policy 29 - Rural Development

6.2 **Highland Wide Local Development Plan 2012**

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 31 - Developer Contributions
- 32 - Affordable Housing
- 35 - Housing in the Countryside (Hinterland Areas)
- 55 - Peat and Soils
- 56 - Travel
- 58 - Protected Species
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 74 - Green Networks
- 75 - Open Space
- 77 - Public Spaces

- 6.3 **Inner Moray Firth Local Development Plan 2 2024** The site lies outwith but adjacent to the Culbokie SDA.

Highland Council Supplementary Planning Policy Guidance

Developer Contributions (March 2018)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Managing Waste in New Developments (March 2013)
Open Space in New Residential Developments (Jan 2013)
Physical Constraints (March 2013)
Public Art Strategy (March 2013)
Rural Housing (December 2021)
Standards for Archaeological Work (March 2012)
Sustainable Design Guide (Jan 2013)
Trees, Woodlands and Development (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

Designing Streets
Creating Places
PAN 61 - Sustainable Urban Drainage Systems
PAN 67 - Housing Quality
PAN 2/2011 - Planning and Noise

8. PLANNING APPRAISAL

8.1 Sections 25(1) and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended), collectively require that this application be determined in accordance with the development plan unless material considerations indicate otherwise. Section 24(1) requires that all planning applications must now be determined in accordance with the provisions of NPF4 and those of any the relevant, extant Local Development Plan unless material considerations provide justification otherwise. Section 24(3) states that in the event of any incompatibility between a provision of the National Planning Framework and a provision of a local development plan, whichever of them is the later in date is to prevail.

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
- c) residential amenity
- d) flood risk, drainage and servicing
- e) access and parking
- f) biodiversity
- g) any other material considerations.

Development plan/other planning policy

- 8.4 The current application was presented for consideration at a time of policy transition. Since the application was submitted both the National Planning Framework 4 (NPF4) and the Inner Moray Firth Local Development Plan 2 (IMFLDP2) have been adopted.
- 8.5 When the application was submitted the Inner Moray Firth Local Development Plan (IMFLDP) was the adopted plan. The IMFLDP allocated the site for housing under allocation CU4 and within Culbokie's Settlement Development Area. However, the newly adopted IMFLDP2 removed the site's allocation for housing and moved most of the site outwith the Settlement Development Plan. It should be noted that the process to formulate and conclude the new plan predated the Freeport status with the uncertainty for the viability of the site. Subsequently the Green Freeport was announced. As such we expect development in this area to be supported given the area will play a key role in accommodating future residential development supporting the expected growth from the delivery of the Green Freeport.
- 8.6 While we will consider the development against the provisions of the National Planning Framework 4 (NPF4) and the Inner Moray Firth Local Development Plan 2 (IMFLDP2) the siting of the proposal was considered prior to their adoption and as such the principle of housing on the proposed site remains acceptable. The siting of the development has been a material consideration during the determination of the application, and it would be unreasonable to re-assess the siting of the application as it was submitted in a timely manner.
- 8.7 The former allocation of the site required advanced works prior to the submission of an application, this included tree planning and road construction to the north west boundary. These works were not undertaken prior to the submission nor was a design statement provided. This is accepted in this instance given the proposal is based on 20 new homes not 50 and the site is much smaller than the former allocation. Therefore there is no requirement for an access to the north west boundary of the former allocation. Furthermore this is an application in principle whereby a design statement will be required for any matter specified in conditions applications. In terms of the advance planting this can be secured via a planning condition as there is adequate land to meet the biodiversity/greenspace/planting requirements at the matters specified in conditions stage.
- 8.8 In terms of siting NPF 4 Policy 15, sets out that development proposals will be assessed to the extent that they contribute to local living, and where relevant, 20-minute neighbourhoods. The policy considerations include how developments interconnect to local business, employment and community facilities. It is considered that overall the development proposal meets this criteria and doesn't raise any significant concerns. As such it is accepted that a residential development of the scale proposed, can be accommodated satisfactorily on the site.

- 8.9 Given, this is a planning in principle application, the detailed application will consider in detail the siting, design, amenity, access and servicing grounds. Consequently, the planning assessment that follows sets out to addresses specific technical issues in relation to these aspects of the proposal whilst giving considerations to relevant NPF4 and HWLDP policies.
- 8.10 All development 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. Policy 3 – Biodiversity of NPF 4 applies to all development proposals. This seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. Policy 2 of the Proposed IMFLDP requires enhancement to biodiversity in development and may seek a developer contribution to enhance biodiversity in future.
- 8.11 Policy 4 – Natural Places of NPF 4 seeks to protect, restore and enhance the natural assets of designated sites. There are no statutory natural heritage designations within the site boundary. Additionally, Policy 4 requires that where there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. This is also a requirement of Policy 58 – Protected Species which requires Protected Species Surveys and mitigation to protect species should there be potential impacts. Due to the site location, next to a busy public road, existing house, lack of trees and structures it is unlikely that there would be protected species. A condition will be applied for the applicant to undertake pre-construction surveys prior to works commencing on site. Furthermore, an informative will be attached to the planning consent advising to stop works if ground nesting birds or protected species are found on site.
- 8.12 Policy 5 – Soils, aims to protect carbon rich soils and prime agricultural land, of which areas exist within the site, although there are no carbon rich soils present the site includes prime agricultural land, as defined through the land capability classification for agriculture developed by Macaulay Land Use Research Institute (now the James Hutton Institute) but is unlikely to produce high quality crops due to the existing drainage on the site. Under Policy 5 in isolation, development proposals will only be supported on prime agricultural land where they relate to essential infrastructure, renewable energy development or development associated with agricultural or processing of agricultural produce. In this instance the development would provide housing for an area where the demand for housing is likely to increase due to the Green Free Port at the Cromarty Firth which is of national important. Furthermore, the proposal is afforded support through NPF 4 Policies 15 and 16, consequently on balance, the loss of prime agricultural land is outweighed by the potential to realise a quantity of new housing within a well-connected location in this instance.

- 8.13 NPF Policy 13 – Sustainable Transport requires development to encourage, promote and facilitate walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably. These requirements are also reflected in Policy 56 – Travel of the HwLDP. Enhancements to sustainable transport will be provided at the detailed planning stage for consideration.
- 8.14 Consideration has to be given to Policy 22 – Flood Risk and Water Management ensures that future flood risk is not exacerbated by development, and facilitates the delivery of sustainable flood risk management solutions. In this case the site was assessed against the IMFLDP as an allocated site within the LDP. It is considered that the applicant has provided sufficient information to demonstrate there is no increased risk of flooding and mitigation has been provided in line with Policy 22 (a).
- 8.15 In terms of Policy 22c) there is a requirement for rain and surface water to be dealt with via sustainable urban drainage systems with a presumption against any connections into the combined sewer. 22d) states that development proposals will be supported if they can be connected to the public water mains, this aligns with policies 65 – Waste Water Treatment, 66 – Surface Water Drainage of the HwLDP and Policy 3 – Water and Waste Water Infrastructure Impacts of the IMFLDP2. Full details to meet Policy 22c) and d) will be provided at the full application stage.

Siting and Design

- 8.16 The site is located to the north east side of Culbokie and if the development is approved there will be some visual sensitivity because the development would provide the new northern “gateway” to the village. The design and layout of the proposal will be considered in full at the matters specified in conditions stage. The applicant will be required to submit a design statement setting out how the proposal enhances the gateway. It should be noted that Culbokie is a commuter village with a sizeable proportion of relatively modern suburban style housing adjacent to the main commuter road through Culbokie (B9269).
- 8.17 The proposed indicative design is considered to be functional and unlikely to comply with the six qualities of successful places as set out in NPF4 Policy 14 - it is expected that an improved layout would be proposed at any subsequent detailed application stage. As noted above the design of the proposed housing is not considered at this ‘in principle’ stage, although design matters are controlled by an attached condition to ensure sympathy with Highland vernacular styles. Several public comments have noted that the application site is currently a popular dog-walking area; ample recreational space is included as part of the indicative design. The proposed site layout is indicative and will be considered in detail at the matters specified in conditions stage.

Residential Amenity

- 8.18 No unacceptable residential amenity risk have been identified at this stage. There may be scope for some minor overlooking risk between proposed the indicative Plot

18 and the rear garden of 'Tigh Na Solus', however these two properties would be likely to be separated by an acceptable distance of at least 23 metres. In addition, amenity risk could be mitigated by inclusion of soft screen planting alongside other measures at a detailed design stage. As such it is not considered that the proposal would have significant residential amenity impacts.

Flood Risk, Drainage and Servicing

- 8.19 SEPA's Flood Risk Management Map (inc. future flood maps) identifies the application site's western edge to be at high risk (a 10% annual chance) of river flooding. This is due to the northwest corner being on relatively low ground as is the proposed SUDs basin and drainage outfall. The Flood Risk Management Team initially objected to the proposal on the grounds that a Flood Risk Assessment (FRA) and a Drainage Impact Assessment (DIA) was required. The additional information was submitted and the Flood Risk Management Team withdrew their objection subject to appropriate mitigation secured through planning conditions.
- 8.20 It is noted that any groundworks in flood risk area may impact on the flood routing, particularly surface water overland flow. Flood routes through this area will need to be maintained and this will be secured through a planning condition. The route of the culvert that starts just to the west of the indicative parking area by the Recreation Ground has been investigated and it passes through the site. No development is proposed in this area and any potential flood routing will follow the same pathway as it is relatively low-lying. A condition will be attached to ensure that the detailed planning permission ensures no development along the culvert route, with the existing ground levels retained.
- 8.21 The preferred option remains the proposal to direct surface water runoff to an attenuation basin prior to discharge to a borehole soakaway. It has now been confirmed that the system will be put forward for vesting by Scottish Water and that vesting by The Highland Council will be discussed at detailed design stage. As this design is not Sewers for Scotland compliant, further drainage options have been put forward if Scottish Water are not prepared to grant a waiver. One option is to discharge into the culverted watercourse in the eastern part of the site. This option can be designed to be Sewers for Scotland compliant and so the Flood Risk Management Team withdrew their objection.
- 8.22 Third party concerns were raised in relation to the existing drainage network on the site. A condition will be attached to any planning consent that the final surface water drainage design is submitted for review and approval. The design shall be a Sewers for Scotland compliant design suitable for vesting by Scottish Water and The Highland Council. If the final design is not compliant with Sewers for Scotland then written confirmation that Scottish Water are prepared to grant a waiver and vest the system shall be provided. All surface water discharge from the SUDs shall be limited to the equivalent pre-development greenfield runoff rate. An updated Drainage Impact Assessment, that includes network simulations for a range of storm events, up to and including the 1 in 200 year plus climate change event, will

need to be provided at that time.

- 8.23 It is considered that subject to the mitigation and further information being secured via a planning condition there would not be an increase to the flood risk. Furthermore, there will be opportunities at the detailed stage to incorporate enhancements through urban sustainability, blue and green surface water management solutions to address any drainage concerns.

Access and Parking

- 8.24 Access would be taken via an existing junction at Mount Eagle Court / Mount Eagle Drive, where sufficient visibility splays can be demonstrated. Mount Eagle Drive's visibility falls slightly short as it only extends to 70 metres in length from the proposed access point – this is however considered to be acceptable. No information regarding parking provision appears to have been submitted but this is addressed via attached conditions.
- 8.25 Third party concerns were raised in relation to the loss of access for outdoor recreational users (in particular dog walkers) of the site. The detailed application will provide opportunities within the site, including connections to the wider site when submitted. A condition will be applied to ensure that an Access Management Plan is submitted for approval.

Biodiversity

- 8.26 NPF4 Policy 3 requires all developments to accommodate biodiversity enhancement measures. A submitted site layout plan does note that biodiversity would be enhanced within the application site by incorporating SuDS and by additional native planting. However, the submitted plan lacks detail and is in any event considered to be indicative at this stage. A condition is attached to require a detailed landscape plan to be submitted, noting biodiversity enhancement measures and an advance planting plan.
- 8.27 Several public comments have asserted that the application site forms a habitat for various wildlife species. NBN Atlas data notes recent Red Squirrel sightings within the application site, however no other biodiversity of significance appears to be present. Red Squirrel habitat generally consists of woodland, whereas the application site comprises of flat scrubland with some bushes present. Notwithstanding incidental sightings, the application site itself is not considered to possess a realistic prospect of providing a high-quality species habitat. A pre-commencement survey will be undertaken prior to works commencing to ensure there are no protected species within or adjacent to the site. An informative will be attached to the planning consent advising to stop works if ground nesting birds or protected species are found on site.

Other material considerations

- 8.28 None.

Non-material considerations

8.29 None.

Matters to be secured by Section 75 Agreement

8.30 In order to mitigate the impact of the development on infrastructure and services the following matters require to be secured prior to planning permission being issued:

- a) At least five units required to be dedicated affordable housing.
- b) Community Facilities contribution of £1,019 per unit (20 x £1,019 =£20,380).
- c) £750 be sought per house towards off site works on the B9169 to provide access to the primary school.

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

9. CONCLUSION

9.1 It is recognised that the application has aroused third party concern as evidenced in the representations received. The application was submitted in January 2023 long before the IMFLDP2 was adopted as such the siting of the proposal was assessed at this time. Whilst the policy context has changed the wider context has also changed with the advent of the Inverness Cromarty Freeport. It is recognised that the development of this site will make a contribution to the delivery of additional housing locally to help meet the additional demand that is likely to arise with the Freeport.

9.2 In this regard the applicant will deliver a mix of tenure and types of new homes on the site whilst enhancing recreational uses, biodiversity and drainage infrastructure. The final layout, siting, design and infrastructure arrangements will be secured through the detailed planning application to ensure that any impacts to amenity and the natural environment have been considered and mitigated through the design. The concerns raised in the community are recognised and where relevant to planning these issues have been addressed through mitigation and appropriate conditions.

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

other applicable material considerations.

10. IMPLICATIONS

10.1 Resource: Not applicable

10.2 Legal: Not applicable

10.3 Community (Equality, Poverty and Rural): Recreational Enhancements

10.4 Climate Change/Carbon Clever: Biodiversity Enhancements

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued

Notification to Scottish Ministers No

Conclusion of Section 75 Obligation Yes

Revocation of previous permission No

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
 - ii. 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. The size, orientation and location of up to 20No. residential units, along with all roads and footpaths, surface and foul water drainage, and landscaping, 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 design statement;
- ii. a detailed layout of the site of the proposed development including site levels as existing and proposed, and any retaining structures;
- iii. the design and external appearance of the proposed development;
- iv. landscaping proposals for the site of the proposed development including boundary treatments, biodiversity gains and advance planting plan;
- v. details of access and parking arrangements;
- vi. details of the proposed water supply and flood mitigation measures;
- vii. details of surface and foul water drainage arrangements; and
- viii. details of measures to address the climate and ecological emergency, reduce greenhouse gas emissions and minimise construction waste.

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 s59 of the Town and Country Planning (Scotland) Act 1997.

3. Further to the subsequent satisfactory approval of all details required by Condition 2 no development shall commence until the final **road layout and material finish** of all roads within the development have been submitted to and approved in writing by the Planning Authority.

Reason: To ensure that these matters can be considered in detail to ensure the character and identity of the site is maintained in the

interests of place making..

4. Further to the subsequent satisfactory approval of all details required by Condition 2 no development shall commence until the exact siting and design of all **on street above ground infrastructure** (including electrical substations, junction boxes and broadband cabinets) has been submitted to and approved in writing by the Planning Authority.

Reason: To ensure that these matters can be considered in detail in the interests of place making.

5. Further to the subsequent satisfactory approval of all details required by Condition 2 no development or work (including site clearance) shall commence until a **Recreational Access Management Plan (RAMP)** has been submitted to, and approved in writing by, the Planning Authority. The plan shall include details showing:

- i. All existing access points, paths, core paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;
- ii. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to proposed buildings or structures;
- iii. All proposed paths, tracks and other routes for use by walkers, riders, cyclists, canoeists, all-abilities users, etc. and any other relevant outdoor access enhancement (including construction specifications, signage, information leaflets, proposals for on-going maintenance etc.);
- iv. Any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the development (including details of mitigation measures, diversion works, duration and signage).

The approved RAMP shall be implemented prior to the first use of the development hereby approved, or, if different, in accordance with the approved Plan.

Reason: In order to ensure access

6. Further to the subsequent satisfactory approval of all details required by Condition 2 a **pre-construction** protected species survey is required to be undertaken not more than 3 months prior to works commencing and a report of the survey has been submitted to, and approved in writing by, the Planning Authority. The survey shall cover both the application site and an appropriate buffer from the boundary of application site and the report of survey shall include mitigation measures where any impact, or

potential impact, on protected species or their habitat has been identified. Development and work shall progress in accordance with any mitigation measures contained within the approved report of survey and the timescales contain therein.

Reason: To ensure that the site and its environs are surveyed and the development does not have an adverse impact on protected species or habitat.

7. Further to the subsequent satisfactory approval of all details required by Condition 2 no development shall commence until a detailed **construction noise assessment** has been submitted to and approved in writing by the Planning Authority.

The assessment shall include: -

- 1) A description of construction activities with reference to noise generating plant and equipment.
- 2) A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations.
- 3) A description of any noise mitigation methods that will be employed and the predicted effect of said methods on noise levels.
- 4) A prediction of noise levels resultant at the curtilage of noise sensitive receptors.
- 5) An assessment of the predicted noise levels in comparison with relevant standards.

Reason: In order to safeguard the amenity of neighbouring properties and occupants.

8. No development, including any demolition works, shall commence until a **Construction Method Statement** has been submitted to, and approved in writing by, the Planning Authority. The statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during construction; and
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Method Statement shall be adhered to

throughout the construction period.

Reason: In order to safeguard the amenity of neighbouring properties and occupants, and that no activities or processes take place which may be detrimental to its amenities.

9. Further to the subsequent satisfactory approval of all details required by Condition 2 no development shall commence on site until a **Construction Traffic Management Plan** (including a routing plan for construction has been submitted to, and approved in writing by, the Planning Authority, in consultation with the Roads Authority. This shall detail construction traffic routes, construction site operating times, removal of material from the site, and provide a commitment to no deliveries or heavy goods movements immediately before or after school pick up or drop off times.

Thereafter the approved construction traffic management plan and all associated works shall be implemented prior to development commencing and remain in place until the development is complete.

Reason: To maintain safety for road traffic and the traffic moving to and from the development, and to ensure that the transportation of abnormal loads will not have any detrimental effect on the road network and the operation of the development thereafter.

10. Further to the subsequent satisfactory approval of all details required by Condition 2 no development shall commence until full details of all surface water drainage provision within the application site (which shall accord with the principles of **Sustainable Urban Drainage Systems** (SUDS) and be designed to the standards outlined in Sewers for Scotland Fourth Edition, or any superseding guidance prevailing at the time) have been submitted to, and approved in writing by, the Planning Authority in consultation with Transport Planning and the Flood Risk Management Team. The design shall be a Sewers for Scotland compliant design suitable for vesting by Scottish Water and The Highland Council. If the final the design is not compliant with Sewers for Scotland then written confirmation that Scottish Water are prepared to grant a waiver and vest the system shall be provided. All surface water discharge from the SUDS shall be limited the equivalent pre-development greenfield runoff rate. An updated Drainage Impact Assessment, that includes network simulations for a range of storm events, up to and including the 1 in 200 year plus climate change event, will need to be provided. Thereafter, only the approved details shall be implemented and all surface water drainage provision shall be completed prior to the first occupation of any of the development.

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

11. Further to the subsequent satisfactory approval of all details required by Condition 2 no development shall commence until details of a **factoring agreement** or alternative scheme for maintenance, in perpetuity, has been submitted for approval to ensure that the future maintenance of the communal landscaped areas is secured.

For the avoidance of doubt this will include a scheme for the maintenance in perpetuity of all on-site green spaces and/or woodland and/or sports facilities and/or play equipment, features or parts of the development that are not the exclusive property of any identifiable individual house owner such as communal parking areas, landscaping within the adopted carriageway, the common entrances to flatted developments and estate lighting, and those elements of surface water drainage regimes not maintained either by the Highland Council or Scottish Water shall be submitted to and agreed in writing by the Planning Authority. The agreed scheme, which shall accord with the Highland Council's adopted standards contained within 'Open Space in Residential Development' and the provisions of the Property Factors (Scotland) Act 2011, shall be implemented thereafter to the satisfaction of the planning authority.

Reason: To secure the future maintenance of communal landscaped areas.

12. Further to the subsequent satisfactory approval of all details required by Condition 2 no part of development shall be occupied until all **roads and pavements** within the application site are formed to base course level. Thereafter, the final wearing surface shall be applied concurrently with the construction of the last residential home, or upon the expiry of a period of three years from the date of first occupation, whichever is the sooner.

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

13. Further to the subsequent satisfactory approval of all details required by Condition 2 no development shall commence until a scheme for the storage of **refuse and recycling** within the application site has been submitted to, and approved in writing by, the Planning Authority. The approved scheme shall thereafter be implemented prior to the first use 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.

14. Further to the subsequent satisfactory approval of all details required by Condition 2 full details of a safe pedestrian crossing point to be provided across the B9169 road and detailed designs showing visibility at all junctions within the development and forward visibility within the

development has been submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority. These designs should be submitted with a stage 1 **Road Safety Audit** undertaken by suitably qualified independent safety professionals in accordance with current design and best-practice requirements, along with a Designers Response to the Audit findings. Thereafter the visibility splays on the approved drawings shall be maintained free of obstruction.

The final design of the crossing point shall be approved by the Transport Planning Team before any work commences on site and installed before first occupation of the approved dwellings.

Reason: In the interests of pedestrian safety.

15. Prior to the first occupation of the development provision of infrastructure, defined as the provision of cabling from the consumer unit within the property to an external point, to allow **charging of electric vehicles** within the curtilage of the proposed house shall be installed.

Reason: To ensure that access to the charging facilities for electric vehicles to allow for to low carbon transport options.

16. No development shall commence on site until a scheme for the provision of, or contribution towards, on-site affordable housing (which meets the definition of affordable housing outlined in The Highland Council's Affordable Housing Supplementary Planning Guidance dated August 2008 (as amended, revoked or replaced; with or without modification)) as part of the development hereby approved has been submitted to, and approved in writing, by the Planning Authority. The scheme shall include:
- i. the numbers, type, tenure and location of the affordable housing provision to be made, which shall consist of not less than 25% of the total number of housing units proposed within the application site;
 - ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii. the arrangements for the management of the affordable housing;
 - iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Thereafter, the affordable housing shall be provided in accordance

with the approved scheme.

Reason: To ensure that affordable housing is provided as part of the development, in order to reflect the need for the affordable housing within the area, alongside market housing, which has been established through the Council's Affordable Housing Supplementary Planning Guidance.

REASON FOR DECISION

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

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

INFORMATIVES

Initiation and Completion Notices

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

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

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

Flood Risk

It is important to note that the granting of planning permission does not imply

there is an unconditional absence of flood risk relating to (or emanating from) the application site. The granting of 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>

Protected Species - Ground Nesting Birds

Construction/demolition works have the potential to disturb nesting birds or damage their nest sites, and as such, checks for ground nesting birds should be made prior to the commencement of development if this coincides with the main bird breeding season (April - July inclusive). All wild bird nests are protected from damage, destruction, interference and obstruction under the Wildlife and Countryside Act 1981 (as amended). Some birds (listed on schedule 1 of the Wildlife and Countryside Act) have heightened protection where it is also an offence to disturb these birds while they are in or around

the nest. For information please see:
www.snh.org.uk/publications/online/wildlife/law/birdsegg.asp

Signature: Dafydd Jones
Designation: Area Planning Manager – North
Author: Claire Farmer
Background Papers: Documents referred to in report and in case file.
Relevant Plans:

Document Type	Document No.	Version No.	Date Received
LOCATION PLAN	A1-1		30/01/2023
SITE LAYOUT PLAN - OPEN SPACE PLAN	A1-9		30/01/2023

Appendix 2 – Developer Contributions

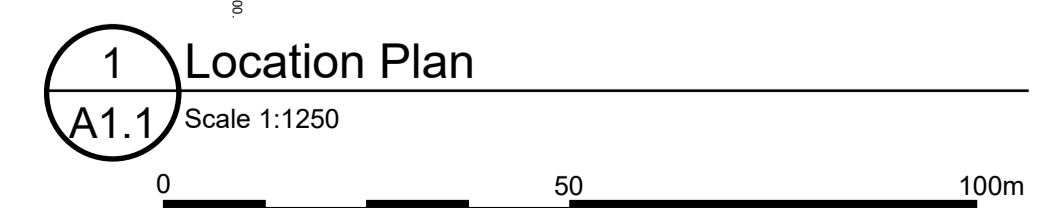
Summary of Developer Contributions – Adopted DCSG			
Infrastructure / Service Type	Answer	Contribution Rate (per house)	Contribution Rate (per flat)
Education	Culbokie Primary – no contribution required	n/a	n/a
	Fortrose Academy – no contribution required	n/a	n/a
Community Facilities	Contribution to expansion of facilities at Black Isle Leisure Centre	20 x £1,019 = £20,380	
Affordable Housing	25% of total number of units	5 units required	
Transport Requirements	Seek advice from Transport Planning	20 x £750 = £15,000	
Green Infrastructure	No financial contribution required	Direct onsite developer funded provision	
Water and Waste	No financial contribution required	Direct onsite developer funded provision	
Public Art	No financial contribution required	Direct onsite developer funded provision	
Development Total		£35,380	
Average Per Home		£1,769	
<i>All costs are subject to indexation and reflect Q2 2018</i>			
<p>Payments and Indexing: An upfront payment is encouraged wherever possible. This option is often desirable when the time and legal costs to set up a planning obligation are disproportionate to the level of contribution required. Where a planning obligation is entered, developers may have the option to phase payments over the lifetime of a development. It is the Council's standard that twice yearly payments are made on the 1 April and 1 October each year based on the number of homes completed in the six months preceding these dates. Invoices are issued by the Council to request payment shortly after these dates. Developer contributions are subject to indexation and will be re-calculated to reflect the current BCIS All-in Tender Price Index at the time of payment with the costs set out within this response reflecting Q2 2018.</p>			



APPLICATION SITE BOUNDARY

LAND ALSO IN APPLICANTS CONTROL

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**Land at Mount Eagle
Culbokie**
Client: David Skea

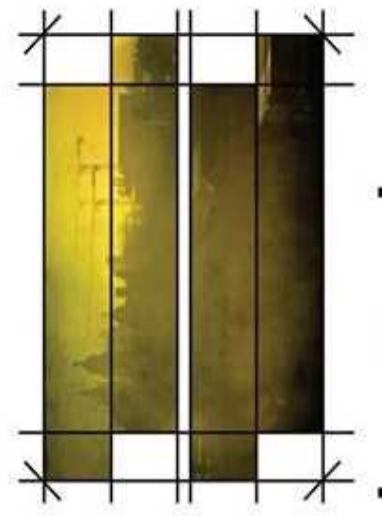
rev.	date	remark
-0-	24/01/2023	No Revision

Document Date:
January 24, 2023

Document Phase:
Planning Documents - A1

Location Plan

A1.1



**Land at Mount Eagle
Culbokie**
Client: David Skea

rev. date remark
-0- 24/01/2023 No Revision

Document Date:
January 24, 2023
Document Phase:
Planning Documents - A1

**Open Space
Plan**

A1.9



Area retained as potential vehicular link to neighbouring land to future proof permeability

Area delineated green retained as multi-functional Open space. Path network to create formal and informal routes. Bio-diversity enhanced by incorporating SUDS and additional native planting.

Area retained as potential vehicular link to neighbouring land to future proof permeability

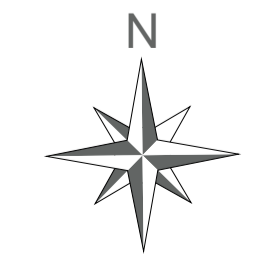
Dashed line denotes pedestrian permeability

To Cullicudden, Resolis and Balblair

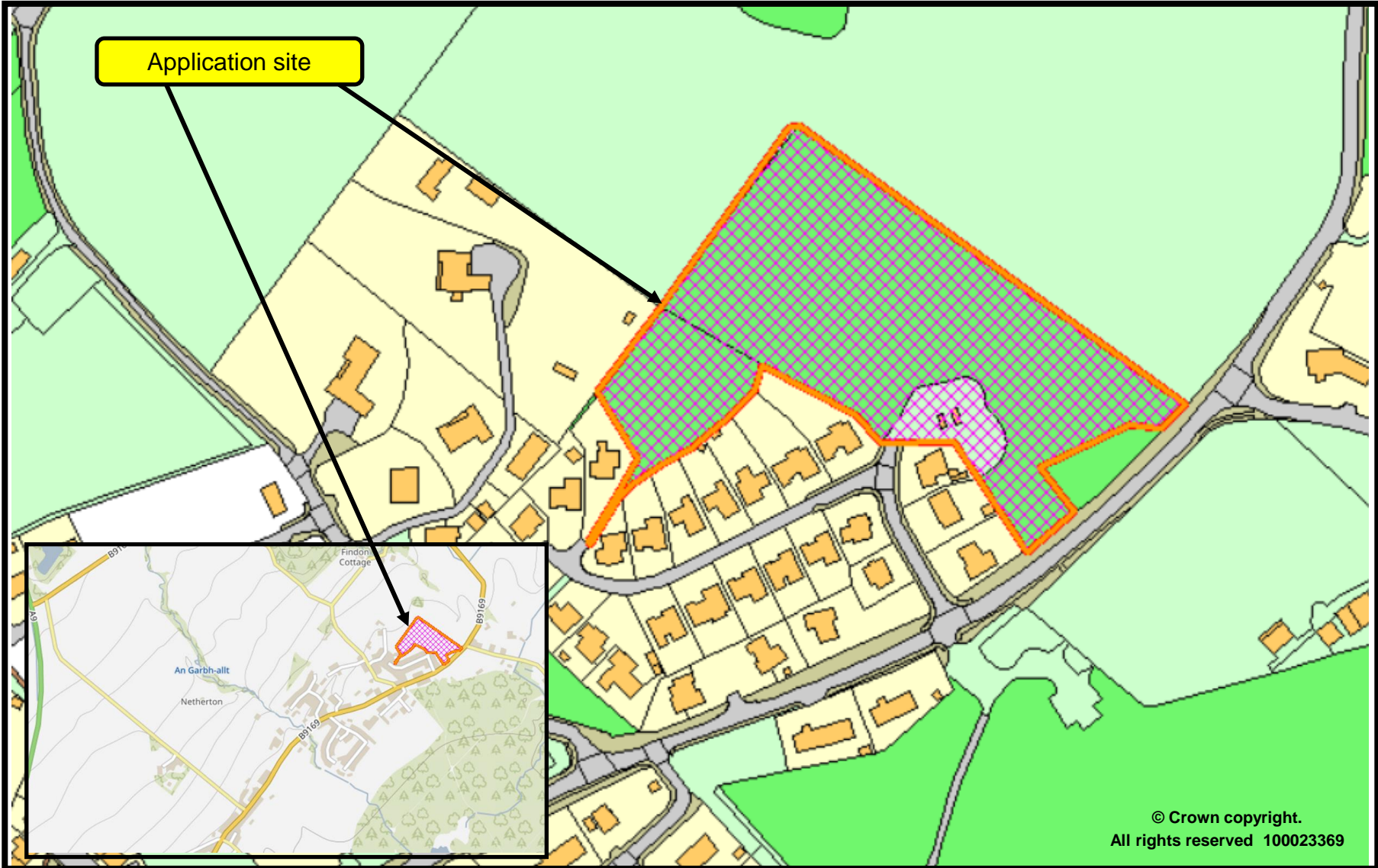
To Munlochry

Area delineated green retained as multi-functional Open space. Path network to create formal and informal routes. Bio-diversity enhanced by incorporating SUDS and additional native planting.

Public Road



1 Open Space Plan
A1.9
Scale 1:500
0 10m 20m



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The Highland Council
Comhairle na Gàidhealtachd

Planning and Development Service

23/00446/PIP

Residential development of up to 20 houses and associated access, drainage and landscaping

at

Land At Mount Eagle, Culbokie