

The Highland Council

**North Planning Applications Committee
29 November 2016**

Agenda Item	6.3
Report No	PLN/064/16

**16/03121/FUL: Foreboys (Highland) Ltd.
Old Schoolhouse Site, Corry Road, Muir of Ord**

Report by Area Planning Manager

SUMMARY

Description : Erection of ten residential units

Recommendation - GRANT

Ward : 09 – Dingwall and Seaforth

Development category : Local

Pre-determination hearing : Not required

Reason referred to Committee : More than five objections and Community Council objection.

1. PROPOSED DEVELOPMENT

- 1.1 The detailed application comprises the proposed erection of three blocks of two storey flats, comprising a total of ten one and two bedroom properties, together with associated access, car parking and open space.
- 1.2 Pre-application advice was issued on 06.10.2015.
- 1.3 The existing access into the site is from Corry Road to the east. The application proposes a new access from Corrie Terrace to the west, with the existing access onto Corry Road stopped up and pedestrian access only maintained.
- 1.4 Supporting information submitted with the application includes; Visualisations; Drainage Impact Assessment and SUDS Strategy.
- 1.5 **Variations:**

2. SITE DESCRIPTION

- 2.1 The site extends to around 0.25ha and lies on the west side of Corry Road, directly south of the village war memorial and associated open space. A traditional stone detached house, 'Scotsburn,' lies within spacious garden grounds to the south and a relatively modern and high density flatted development, Station View, lies on the

opposite side of Corry Road to the east. To the west, lie single and one and a half storey semi-detached houses on Corrie Terrace. The site slopes down from west to east and is elevated above Corry Road. It is currently overgrown and the pair of semi-detached houses which previously existed on site have been demolished.

3. PLANNING HISTORY

- 3.1 A previous application for the erection of ten flats was granted Planning Permission in 2010 (08/00203/FULRC). This permission was issued following the conclusion of a S75 Agreement to secure three affordable units.

4. PUBLIC PARTICIPATION

- 4.1 Advertised : Schedule 3 and Unknown Neighbour
Representation deadline : 11.08.2016

Timeous representations : 26

Late representations : 4

Re-notification Representation deadline: 29.10.2016

Timeous representations : 13 (All but one having submitted previous objections)

Late representations : 0

- 4.2 Material considerations raised are summarised as follows:

- Substantial increase in traffic passing through Corrie Gardens and Corrie Terrace past the local playground;
- Concerns over child safety (going to the playground and school) with the extra traffic;
- Extra noise pollution and people using the roads which are normally quite quiet;
- Parking issues when extra cars are using the roads, especially as many houses don't have driveways;
- Roads not designed for increased traffic as they are narrow and heavy vehicles have to mount the pavement even at present because of sharp bends and parked cars;
- The condition of the road in Corrie Terrace is extremely poor and despite attempts to have it repaired, the surface remains extremely damaged with potholes;
- Alternative access from Corry Road was previously approved and is a preferred route with less disruption to local residents and less of a safety concern for local children;
- Concerns over heavy works traffic using residential streets and related safety, disruption, noise and fumes implications;
- It would appear that the Corrie Terrace route is being proposed for cost reasons and this should not over-ride safety considerations;

- Alignment of Corrie Gardens/Corrie Place with sharp bend in road adjacent to playpark reduces forward visibility with implications on road safety, particularly for children;
- The proposal ignores the potential to create a safe, level, walking and cycling route towards the school, shops and railway station serving the whole Corrie Gardens area. Revising the steps to the Corry Road to form a ramp, which would arrive within the protection of the new 20 mph zone which the Council is introducing, would overcome this objection. If the proposal is revised to obtain road access from the Corry Road, a shared use access to Corrie Gardens should be included.

4.3 Further to additional supporting information being submitted including a response from the applicant's agent to the objections made, the following additional issues were highlighted in reinforced objections lodged:

- It is pointed out that the access off Corry Road was deemed safe enough for the flats at the Station Hotel;
- Safety of the children going to the play park should be the priority for the Council;
- It appears that the only reason the Corrie Terrace access is being supported is that the Council does not have the funds to repair the road and such repairs can be funded by the developers;
- If Corry Road is to be used for construction traffic then this is an acknowledgement that Corrie Terrace is not suitable for access and that the Corry Road access is suitable to serve the ten units;
- If the Corrie Terrace access is to be used then the developers should fund safety fencing for the playpark;
- The proposed two storey buildings are very high and taking access from Corry Road would help lower the buildings;
- Concerns over the high water table and impact on drainage;
- The previous proposal for access from Corry Road would also be into an area where 20mph limit is being introduced and it was approved on the basis of additional traffic calming measures;
- The road improvement plan shows localised patching on Corrie Terrace only and not the substantial upgrading the developers promised, therefore it is inadequate;
- Concern that until the turning area within the site is adopted, the bins would need to be positioned at the end of the existing road, which would be extremely inconvenient for a significant period;
- As Corrie Terrace does not have any driveways it always has parked cars and is tantamount to a single track road, making it unsuitable for increased traffic.

4.4 The 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. Access to computers can be made available via Planning and Development Service offices.

5. CONSULTATIONS

- 5.1 **Transport Planning** : No objection, subject to conditions relating to construction management, roads upgrading and adoption, drainage and maintenance. In response to the concerns expressed by local residents, the following reasons are given in response to questions as to why the proposed access from Corrie Terrace can be supported:
- Vehicular access directly from Corry Road would result in a new junction much closer than desirable to the existing Station View/Corry Road junction;
 - Suitable visibility splays at a new junction on Corry Road would be difficult to provide, particularly in a southerly direction;
 - Although access to the new development via Corrie Terrace will be circuitous, this is true for much of the existing Corrie Terrace/Corrie Place housing development;
 - The additional vehicular traffic generated by a development of 10 no. units will not be significant and is unlikely to exceed 10no. trips (combined inbound and outbound journeys) in any one hour;
 - A comprehensive 20mph speed restriction is soon to be introduced in Muir of Ord that will extend along the A832 west road as far as the Corrie Terrace junction, and encompass the existing Corrie Terrace/Corrie Place development. Additionally, a traffic calming arrangement will be provided on the A832 east of the Corrie Terrace junction. These measures should generally enhance safety for road users and pedestrians;
 - The Corrie Terrace cul de sac that will serve the new development is presently in a particularly poor condition and in need of substantial remedial works. The Council has currently no funds for the works required. As part of the development proposed carriageway construction over the full length of the cul de sac will be made good and existing drainage measures will be enhanced;
 - The turning head serving the existing cul de sac is non-standard and suitable only for cars and light goods vehicles. Included in proposals for the new development is a standard residential turning head that will be available for vehicles serving both new and existing properties accessed by Corrie Terrace;
 - Access for construction traffic via Corrie Terrace is likely to be difficult and disruptive. A Construction Traffic Management Plan will therefore be put in place to ensure that all construction traffic will enter and leave the site via Corry Road.
- 5.2 **Forestry Officer** : No objection subject to a condition requiring preparation and timeous implementation of a revised Landscaping Plan.
- 5.3 **Historic Environment Team** : No objection. It is noted that the previous permission for development of the site contained a condition that required a photographic record to be made of the buildings on site, prior to their demolition.
- 5.4 **Housing Development Management Team** : No objection. The proposed development triggers the affordable housing policy. Therefore 25% affordable is required as a minimum, which would be secured through appropriate agreement. Informal discussion with the developer has revealed a willingness to release a

greater proportion of the units which we are happy to consider subject to their meeting the appropriate standards and the developer securing the necessary consents.

- 5.5 **Development Plans** : No objection. With regard to the matter of education and community facility contributions, Highland-wide Local Development Plan Policy 31 and related Supplementary Guidance on Developer Contributions are applicable as follows:

Education: The emerging School Roll Forecasts (SRF) indicate that Tarradale Primary School is 65 places under the capacity of 284 pupils. However, the occupancy of the school is forecast to rise and will be over capacity by 2021/2022 and will remain so for as long as the Council has projections (2030/31). The SRFs indicate that the school roll will peak in 2025/26 at 315 pupils; 31 pupils over capacity. The proposed development is one of many sites which contribute to the requirement for an extension to the existing primary school. Developer contributions are therefore required towards an extension to the primary school.

The above development lies within the Dingwall Academy Secondary School area which is 209 places under the capacity of 1,261 pupils. The emerging SRFs forecasts the school roll to steadily grow to 1,151 by 2026/2027 as a result of children arising from new developments. There is therefore ample capacity to accommodate pupils arising from the development and no secondary education contributions should be sought.

Community Facilities: There is demand for additional community facilities within Muir of Ord and the Community Council are actively involved in developing such projects and it is possible that the school's community facilities could be expanded to accommodate new demand. The proposed development is one of many sites which contribute to the requirement for additional community facilities. Developer contributions are therefore required towards such enhanced community facilities.

- 5.6 **Muir of Ord Community Council** : Object to the proposed access via Corrie Terrace and are concerned over the lack of community consultation on the matter. Note that the residents of Corrie Gardens, Corrie Terrace and Corrie Place have expressed their concerns about the entrance running through Corrie Terrace. The road in its present state is quite unsuitable for heavy vehicle use, due to this street being single track as the road is the only parking for the residents. Extremely concerned that during development; and with the extra traffic flow when the flats are occupied; that the children of the area will not be able to get to and from the play park safely.

- 5.7 **Scottish Water** : No response

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

Policy 28 Sustainable Design

Policy 29 Design Quality and Place-making

Policy 31	Developer Contributions
Policy 32	Affordable Housing
Policy 34	Settlement Development Areas
Policy 51	Trees and Development
Policy 56	Travel
Policy 66	Surface Water Drainage

6.2 **Inner Moray Firth Local Development Plan 2015**

Within Muir of Ord Settlement Development Area – not specifically allocated.

7. **OTHER MATERIAL CONSIDERATIONS**

7.1 **Draft Development Plan**

Not applicable

7.2 **Highland Council Supplementary Planning Policy Guidance**

Developer Contributions (March 2013)

Sustainable Design Guide (Jan 2013)

Public Art Strategy (March 2013)

Open Space in New Residential Developments (Jan 2013)

7.3 **Scottish Government Planning Policy and Guidance**

Scottish Planning Policy (The Scottish Government, June 2014)

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.

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.

8.3 **Development Plan Policy Assessment**

There are no fundamental policy issues. The site lies within the Settlement Development Area of Muir of Ord, as identified within the adopted Inner Moray Firth Local Development Plan, adjacent to existing housing. A previous Planning Permission was granted in 2010 for the same number of units on site. The use and density of development is therefore considered compliant with policy and compatible with existing established development adjacent.

8.4 **Transport and Access**

8.41 The fundamental objection from the Community Council and large body of third party objectors is the proposed vehicular access to the site from Corrie Terrace. Most objectors live or have relatives who live within this established housing

development adjacent (Corrie Terrace, Corrie Place and Corrie Gardens). The representations, as summarised at 4.2 and 4.3 above, highlight concerns that increased traffic generated by the proposed development will prejudice road safety (particularly with regard to children going to the nearby play park), as the road network through the existing development is considered unsuitable for additional loading due to its alignment, width and condition; together with the lack of driveways meaning the extent of on-street car parking creates an additional constraint/restriction. The objectors point to the fact that the previous permission for development of this site was approved on the basis of an access off Corry Road, and it is submitted that this access would be a safer, more direct route which would relieve the existing narrow housing streets of increased traffic.

- 8.42 The Council's Transport Planning team have no objections to the access proposals as submitted and do not accept that the arrangements as proposed will compromise road safety. As can be noted at 5.1 above, the Road Engineer's appraisal is that the extra traffic generated by the ten small units proposed will not have a significant impact on overall traffic movements; and that the upgrading works to Corrie Terrace and the new hammer head turning area within the site will enhance the existing situation for all residents (existing and proposed). It is also highlighted that a 20mph speed restriction is soon to be introduced in Muir of Ord that will extend along the A832 west road as far as the Corrie Terrace junction, and encompass the existing Corrie Terrace/Corrie Place development. Additionally, a traffic calming arrangement will be provided on the A832 east of the Corrie Terrace junction. It is considered that such measures, to be tied in with completion of the railway bridge works, due to be introduced early next year, should generally enhance safety for road users and pedestrians.
- 8.43 With regard to construction traffic, it is acknowledged that it would be disruptive to existing residents for heavy construction vehicles to access the site via Corrie Terrace and therefore a condition is recommended to secure and agree a Construction Traffic Management Plan prior to any work which would require access and egress via Corry Road, subject to associated temporary speed limits, suitable temporary signage and road markings.

8.5 Landscaping

- 8.51 The Council's Forestry Officer initially submitted a holding objection and requested additional information, which was subsequently submitted. On the basis of this additional submission, the objection has been withdrawn however given the amount of tree cover removed from the site during demolition and the lack of internal open space/landscaping, the recommendation is that a more robust landscape plan is required as opposed to the four trees currently proposed. A condition is recommended to secure such a submission prior to any start on site and this includes a requirement that the narrow strip along the Corry Road frontage is excluded from the plot boundaries and utilised as communal landscaping to include a combination of dense shrub planting/hedging and specimen trees. It is important that the detail of the frontage to Corry Road is carefully considered, implemented and maintained to ensure that the development can be absorbed into the streetscape and such street frontage is enhanced. This will also include repair and maintenance of the existing stone boundary wall.

8.6 Siting and Design

- 8.61 The detailed submission comprises three blocks of two storey flats sited either side of an extended road and access from Corrie Terrace. The northern side of this arrangement comprises two blocks. The first block of two units has a finished floor level of 38.35m AOD, stepping down from the finished ground level of around 40.5m AOD on the boundary with the end property of 2 Corrie Terrace and stepped back to run in line with the rear wall of this property. A further block of four units extends the terrace to the east, stepped down further to a finished floor level of 37m AOD. Facing this lower block on the south side of the street is a block of four units, almost mirroring that proposed opposite, set with a finished floor level of 38.25m AOD, which is lower than the existing ground levels at the boundaries with adjoining properties; to the west at 1 Corrie Terrace of 39.5m AOD; and to the south at 'Scotsburn' of 38.5m AOD. The southern block is positioned at a slightly angled continuation of the front building line of the south side of Corrie Terrace. The site is elevated above Corry Road to the east, which slopes from south to north and is approximately 35m AOD adjacent to the northern units and 36.5m AOD adjacent to the southern units. An existing stone retaining boundary wall runs along this southern boundary, breached where the original access to the site is positioned at the north-east corner of the site and where construction traffic is proposed to access the site.
- 8.62 The simple rectangular footprint design proposes natural slate roofs, hipped towards Corry Road; and a white wet dash render to external walls. Solar PV panels are proposed on south facing roofs. Small frontage porches are proposed on all three buildings facing a central parking court which is to have a central tarmac access with 'lockblock' parking bays. Two enclosed bin storage compounds are proposed within the parking court close by the proposed extension of Corrie Terrace into a vehicle turning hammer head. The landscaping plan submitted shows the definition of private garden areas and communal landscaping. As noted at 8.51 above it is considered important that the frontage towards Corry Road is excluded from any private garden areas and subject to robust structural landscaping. In addition, it is considered that the stone wall feature should be carried through to seal the breach as opposed to the fencing proposed. This can be secured by condition.
- 8.63 The overall height of the development and the relative distances between the elements of the proposed new development and existing houses is such that it is not considered that there will be any material impact on amenity, privacy or daylighting/sunlighting. The development steps down the site in relation to the existing topography and provides a similar built development footprint to that previously approved in 2010. This previous permission was however based on a new vehicle access onto Corry Road and thus the finished floor levels of the units were lower and therefore related better to the levels of Corry Road. The previous one and three quarter storey development approved is also considered a more sympathetic solution both in terms of design and also in relation to the Corry Road streetscape and its relationship with adjoining properties. Nonetheless, it is considered that the current submission provides an alternative design solution which can be supported.

8.7 Developer Contributions

- 8.71 The applicant's agent has advised that all ten units are proposed to be affordable and has provided a letter of intent from the Highland Housing Alliance stating that Cairn Housing Association have indicated that they are looking to potentially develop all 10 units for affordable housing. However they are awaiting further details in relation to design, specification and costs and until this information has been received, along with planning consent, they are unable to confirm definitively that Cairn will be taking the units. In view of this lack of certainty, and in line with advice from the Council's Housing Development Management Team, it is important that a minimum of 25% (3 units) are secured as affordable through the prior conclusion of a S75 legal agreement.
- 8.72 The Council's Development Plans team in consultation with the Estate Strategy Manager has confirmed that Tarradale Primary School is projected to exceed its capacity of 284 in 2021/21 and to continue to exceed this capacity for at least the following ten years (according to the latest school roll projections). Accordingly, developer contributions should be secured in accordance with the Council's Supplementary Guidance on Developer contributions.
- 8.73 In line with requirements secured by legal agreements for other housing developments in the village in recent years, and in accordance with the Council's Supplementary Guidance on Developer Contributions in relation to an expanding village, a contribution will also be required towards community facilities in Muir of Ord. Such contributions should be secured by S75 legal agreement.
- 8.74 No play area is required on site as there is a well equipped playground within five minutes walk from the site, however in view of concerns expressed by objectors as to the safety of children within the playpark given the proposed increase in traffic, the developers have offered to provide an appropriate fence around this facility. Public Art should be provided on site and both of those elements can be secured by condition.

8.8 Matters to be secured by Section 75 Agreement

- 8.81 As noted at 8.7 above, prior conclusion of a S75 Agreement is required to secure a minimum of 25% affordable housing on site; and developer contributions towards education and community facilities in Muir of Ord.

9. CONCLUSION

- 9.1 As noted in the appraisal above, the principle of the proposed development of the site for ten flatted units is considered compliant with policy and such density of development has been accepted previously. The redevelopment for affordable housing as proposed will make good use of a brownfield site near the village centre of Muir of Ord. There are no outstanding technical objections and it is considered that an acceptable design and layout has been submitted, subject to the conditions listed below.

- 9.2 The large number of local objections is recognised and in this respect it is considered disappointing that the developers did not engage in any consultation or dialogue with local residents prior to lodging this application. The validity of objections relating to the proposed access via Corrie Terrace are not borne out by the response and advice of the Council's Transport Planning Team, who do not consider that the proposal for an additional ten small units will prejudice traffic or pedestrian safety. The development will also provide improvements to Corrie Terrace, including resurfacing, drainage improvements and provision of an improved vehicle turning hammer head.
- 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. RECOMMENDATION

Action required before decision issued Yes

Conclusion of Section 75 Agreement

Subject to the above, it is recommended the application be **Granted** subject to the following conditions and reasons/notes to applicant:

Note: If the Section 75 Obligation is not concluded within a period of four months, or an extended period as may be agreed in writing with the Planning Authority, then the application is recommended for Refusal under the scheme of delegation for the following reason:

The development is contrary to Policies 31 and 32 of the Highland-wide Local Development Plan as the applicant has failed to conclude a Section 75 Obligation to secure a contribution towards the delivery of affordable housing, education and community facilities.

1. No development shall commence on site until evidence of technical approval from Scottish Water for the proposed surface water drainage measures has been provided and acknowledged in writing by the Planning Authority after consultation with the Roads Authority.
Reason : To ensure that surface water drainage is provided timeously and carefully managed and maintained in compliance with the principles of SUDS; in order to protect the water environment and to mitigate against impact on the public road and adjacent properties.
2. For the avoidance of doubt, the Council as Roads Authority shall accept maintenance responsibility only for those drainage elements serving prospectively adopted areas, located within the limits of road adoption. No development shall commence on site until details of suitable private management and maintenance arrangements for all other drainage measures, communal roads, paths, paved

areas, parking areas and landscaped areas are submitted to and approved in writing by the Planning Authority. Thereafter the development shall be maintained in accordance with the approved details.

Reason : To ensure that surface water drainage is carefully managed and maintained in compliance with the principles of SUDS; in order to protect the water environment and to mitigate against impact on the public road and adjacent properties; and to ensure that all communal spaces, facilities and landscaping areas are properly managed and maintained.

3. There shall be no occupation of any of the units hereby approved, until such time as the carriageway remedial works and enhanced drainage measures at Corrie Terrace; and the access and turning head (including bin storage area) within the application site, as shown on the approved drawings and supporting information; have been completed to the satisfaction of the Council, as Roads Authority. Road Construction Consent will be required for all works intended for adoption by the Council, as Roads Authority, including the proposed works at Corrie Terrace and street lighting shall be provided to the satisfaction of the Council's Area Lighting Engineer.

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

4. No development shall commence on site until a Construction Traffic Management Plan (CTMP), incorporating temporary access from Corry Road, has been prepared by the applicant in consultation with the Roads Authority and, as required, local community representatives. Thereafter the CTMP shall be implemented for the duration of the construction period. The CTMP shall include the following:
 - Proposed traffic management measures on the access route to/from the site. Measures such as temporary speed limits, suitable temporary signage and road markings should be considered.
 - A procedure for the regular monitoring of road conditions, and the implementation of any remedial works required, during the construction period.
 - Full details of appropriate upgrading works at the junction of the temporary site access and the public road. Such works will include measures to protect the public road and the provision and maintenance of appropriate visibility splays.
 - Details of appropriate traffic management which shall be established and maintained at the temporary site access for the duration of the construction period.
 - Measures to ensure that all affected public roads are kept free of mud and debris arising from the development.
 - Identification of suitable off road parking provision for site personnel and visitors to the site.

Reason : In the interests of pedestrian and road safety and in order to safeguard the established amenity of existing residents.

5. No development shall commence on site until a revised Landscape Plan (including revised boundary treatment), planting specification and maintenance programme has been submitted to and subsequently approved in writing by the Planning Authority. For the avoidance of doubt, the narrow strip of land along the Corry Road frontage shall be excluded from the plot boundaries and utilised as communal landscaping to include a combination of dense shrub planting/hedging and specimen trees. The proposed high fencing between the gable of Units 5 and 6 and Corry Road shall be deleted and is not hereby approved. A new stone wall to match the existing wall adjacent shall be constructed to carry this feature along the entire Corry Road frontage. The approved Landscape Plan shall be implemented in full prior to commencement of development of any of the flats and maintained thereafter until established to the satisfaction of the Planning Authority. A suitably qualified landscape consultant shall be employed at the applicant's expense to ensure that the Landscape Plan is implemented to the agreed standard. Stages requiring supervision are to be agreed with the Planning Authority and certificates of compliance for each stage shall be submitted for approval. No development shall commence until a work instruction has been issued to the landscape consultant to enable them to undertake the necessary supervision unhindered for the duration of the project.

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

6. No development shall commence on site, until details of a new fence and gate to be erected around the existing children's play park on Corrie Gardens, have been submitted to and agreed in writing with the Planning Authority. Thereafter, the fence and gate as approved shall be fully installed and operational prior to any work commencing on the upgrading works to Corrie Terrace and site access/turning hammer head.

Reason : In order to ensure that proportionate enhancements are carried out to the existing play area to help serve existing and future residents' needs.

7. No development shall commence on site until details of a feature of Public Art to be provided on site, in compliance with the Council's Public Art Strategy Supplementary Guidance; and proposals for its installation and maintenance; have been submitted to and approved in writing by the Planning Authority. The Public Art feature shall thereafter be installed and maintained in accordance with such details.

Reason: In accordance with Highland wide Local Development Plan Policy 31 (Developer Contributions) and associated supplementary planning guidelines on Developer Contributions, Open Space and Public Art Strategy.

8. No development or work shall commence until a detailed specification for all proposed external materials and finishes has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details. For the avoidance of doubt, the roofs shall be finished in natural blue/black slate and the external walls shall be finished in white wet dash render.

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

REASON FOR DECISION

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

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.

FOOTNOTE TO APPLICANT

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.

Schedule 3 Development Site Notice

Prior to the commencement of this development, the attached Site Notice must be posted in a publicly accessible part of the site and remain in place until the development is complete. This is a statutory requirement of the Town and Country Planning (Scotland) Acts and associated regulations.

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 (p.198), 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_or_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.

Damage to the Public Road

Please note that the Council, under Section 96 of the Roads (Scotland) Act 1984, reserves the right to recover all costs for repairing any damage to the public road (and/or pavement) which can be attributed to construction works for this development.

Sustainable Design

Future designs for this site should draw on the principles contained within with The Highland Council's Sustainable Design Guide: Interim Supplementary Guidance, in particular with regard to use of sustainable building materials, waste water re-use/recycling and energy conservation.

Street Names

In line with the Council's Gaelic Language Plan and Policies, you are encouraged to consider the adoption of Gaelic or Gaelic-influenced street names in this development. For further guidance, you may wish to contact the Council's Gaelic Development Manager (01463 724287) or Comunn na Gàidhlig (01463 234138).

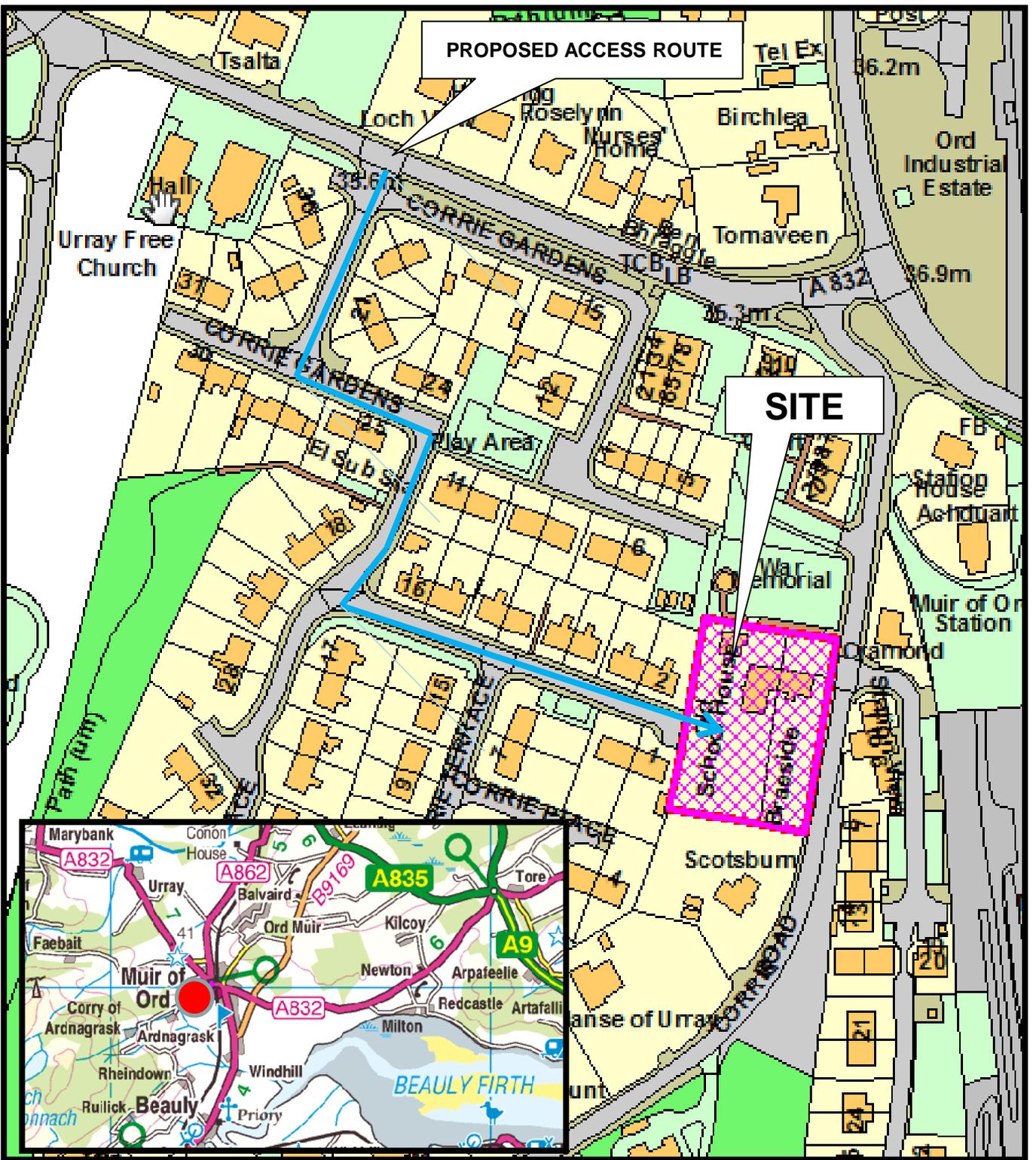
Protected Species - Halting of Work

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

Accordance with Approved Plans and Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action.

Signature: Dafydd Jones
Designation: Area Planning Manager - North
Author: Dorothy Stott
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Location Plan
Plan 2 – Site Layout Plan
Plan 3 – Site Section
Plan 4 – Elevations (Units 1 and 2)
Plan 5 – Elevations (Units 3 – 6)
Plan 6 – Elevations (Units 7 – 10)



The Highland Council
Comhairle na Gàidhealtachd

Planning & Development Service

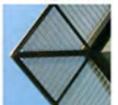
16/03121/FUL

Erection of ten residential units at Old Schoolhouse Site, Corry Road, Muir of Ord





Planning issue



reynolds architecture ltd.
 1 tulloch street, dingwall, IV15 9JY
 tel. 01349 867766 fax. 01349 867769
 www.reynolds-architecture.com

No.	Description	Date
A	Section alterations, bin store, parking arrangement altered, landscape alterations	04.10.16
B	Hammer head alterations	08.11.16

Foreboys Highland Ltd
 Flatted Development at Corry Road, Muir of Ord.

External views

Date	08/07/2016
Drawn by	GIR
Scale	

2014 076 - 011

1. Protected by copyright, no reproduction without express permission from architect.
 2. Contractor is responsible for checking all dimensions prior to construction.
 3. Discrepancies to be referred to architect for decision.
 4. Must be read in conjunction with written specification and engineers/sub contractors construction information.

