Agenda Item	6.7
Report No	PLN/021/19

THE HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 05 March 2019

Report Title: 18/04659/FUL: Highland Housing Alliance

Land West of Kinellan Drive, Strathpeffer

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Erection of 42 Houses

Ward: 05 – Wester Ross, Strathpeffer and Lochalsh

Development category: Local

Reason referred to Committee: More than 5 timeous objections

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** planning permission as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 The application is for planning permission for a total of 42 residential units, open space, and supporting road and drainage infrastructure. The residential units comprise:
 - 15 x 2 Bedroom Houses
 - 27 x 3 Bedroom Houses

The development will deliver 88% of the units within the scheme as affordable homes in a mix of socially rented, mid-market rent, and low cost home ownership tenures.

- 1.2 The applicant was not required by regulations to undertake public consultation, however they presented at a meeting of Strathpeffer Community Council (07 November 2018) to make people aware of the scheme and explain the application. The applicant undertook pre-application consultation with the Planning Authority utilising the Local Pre-Application Advice Service.
- 1.3 Access to the site would be via Kinellan Drive, which connects to A834. A footpath runs adjacent to the greenspace next to the site which connects down into the centre of Strathpeffer. Other active travel connections to the site are available via Kinellan Drive.
- 1.4 The application is supported by the following information:
 - Design and Access Statement;
 - Flood Risk Assessment:
 - Drainage Impact Assessment;
 - Initial Morphological Assessment:
 - Planning Statement;
 - Pre-Application Consultation Report;
 - Transport Assessment;
 - Archaeological Trial Trench Evaluation;
 - Ecological Walkover Survey;
 - Operational Waste Management Plan.
- 1.5 Variations: Since the validation of the application a number of changes have been made to the scheme to address comments from consultees and the case officer. These include:
 - Changes to road design to address issues raised by consultees;
 - Changes to drainage arrangements to address issued raised by consultees and to ensure compliance with Sewers for Scotland 4.

2. SITE DESCRIPTION

2.1 The site comprises an area of undulating grassland at the north western edge of Strathpeffer and to the rear of existing residential development at Kinellan Drive.

Other single properties are located to the north west and south west of the site. The site is bounded to the north by the Slugan nan Saigheadean burn. To the south the site is bounded by the Kinellan woodland.

- 2.2 Vehicular access to the site would be via Kinellan Drive which connects to the A834.
- 2.3 Part of the site is covered by the Kinellan Tree Preservation Order. There are no other natural heritage designations covering the site. However there are designated sites in the wider area but these are remote and unlikely to be affected by the development.
- 2.4 The site is of some archaeological interest. The site has proximity to the former Spa Hotel Site and the sites of battles between clans as identified in the Council's Historic Environment record. Furthermore the site is in proximity to the Tobar A'Chinn Well and Kinellan Farmhouse (80m to the south) which is a category C(s) listed building.
- 2.5 The development site is not covered by any international, national, regional or local landscape designations. It lies within the Enclosed Farmed Landscape Character Type (LCT) as identified in the Inner Moray Firth Landscape Character Assessment (LCA) (SNH, 1998).

3. PLANNING HISTORY

3.1 None.

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour

Date Advertised: 26.10.2018 and 7.12.2018

Representation deadline: 21.12.2018

Timeous representations: 11

Late representations: 0

- 4.2 Material considerations raised are summarised as follows:
 - a) Concern over connections to future development land
 - b) Flood risk to existing properties
 - c) Traffic Impacts (including speed)
 - d) Impact on amenity (privacy)
 - e) Impact of construction
 - f) Impact on species and wildlife;
 - g) Concern over drainage of the site;
 - h) Capacity of primary school
 - i) Pedestrian access and egress from the site;
 - j) Need to upgrade the Kinellan Drive Car Park;

- k) Request for development to support delivery of Strathpeffer Community Park;
- I) Potential to support reduced carbon footprint of the village by provision of electric vehicle charging points.
- 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 **Strathpeffer Community Council**: do not object to the application. It requests that the following technical matters are addressed: drainage of the site (surface water and foul); flood risk on the site and immediate surrounds; and clarification on capacity of Strathpeffer Primary School. Conditions are sought to limit the impact of construction including phasing of the development, restrictions on working hours, noise and vibration. It also passed comments on the allocation of properties however, this is not a planning matter.
- 5.2 **THC Development Plans Team**: do not object to the application. The response sets out the developer contributions required to address the impacts of the development. It explains that there is sufficient capacity in Strathpeffer Primary School but not Dingwall Academy. As this is the case developer contributions toward an extension to Dingwall Academy will be required.
- 5.3 **THC Transport Planning Team**: do not object to the application. It is generally content with the layout of the site and the offsite road improvements and the traffic impacts arising from the development. Having sought further information and delivery of offsite improvements to the drainage network it is content with the proposed drainage solution for the site subject to conditions. It advises that a wayleave is required for maintenance of the cut off ditch for drainage. It seeks conditions to secure: off site drainage improvements to the point of discharge to the watercourse; vesting of the enhanced drainage infrastructure by Scottish Water; details of the factoring arrangement for the cut off drainage; construction details of the remote footpaths (including cross and long sections); a Section 7 agreement for management and maintenance of the surface water drainage infrastructure; maintenance of visibility splays from the centre line of the new junction; maintenance of visibility splays at driveways; offsite road improvements at the junction of Kinellan Drive with the A834.
- 5.4 **THC Historic Environment Team**: do not object to the application. It advises that the application is in an area of archaeological potential. A condition is requested to secure a programme of work for the evaluation, preservation and recording of any archaeological and historic features.
- 5.5 **THC Forestry Officer**: does not object to the application following changes made to the arboricultural method statement. He advises that there will be an impact on the trees covered by a Tree Preservation Order but accepts removal of trees to form the access. Conditions are sought to: secure arboricultural supervision for the implementation of the tree works; and landscape supervision to ensure the implementation of the landscaping plan.

- 5.6 **THC Flood Risk Management Team**: do not object to the application following submission of further information on flood risk and drainage. Satisfied that the site is at a low risk of flooding and that the Kinellan Burn has the capacity to accept the discharge from the site at the current greenfield run off rate. Conditions are sought to: secure final details of the surface water drainage system; final details of the cutoff drain design and maintenance arrangements; and construction details of the remote footpath with no land raising.
- 5.7 **THC Environmental Health Officer**: does not object to the application.
- 5.8 **Scottish Environment Protection Agency (SEPA)**: do not object to the application following submission of further information on flood risk and drainage.
- 5.9 **Scottish Natural Heritage (SNH)**: do not object to the application. Notes and agrees with the recommendations set out in the submitted Species Walkover Survey. This includes further survey work prior to commencement of development.
- 5.10 **Scottish Water**: do not object to the application. Notes that there is sufficient water and waste water capacity to accommodate the development.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

- 28 Sustainable Design
- 29 Design Quality and Place-making
- 30 Physical Constraints
- 31 Developer Contributions
- 32 Affordable Housing
- 34 Settlement Development Areas
- 51 Trees and Development
- 56 Travel
- 57 Natural, Built and Cultural Heritage
- 58 Protected Species
- 59 Other important Species
- 60 Other Importance Habitats
- 61 Landscape
- 63 Water Environment
- 64 Flood Risk
- 65 Waste Water Treatment
- 66 Surface Water Drainage
- 72 Pollution
- 74 Green Networks
- 75 Open Space
- 77 Public Access

6.2 Inner Moray Firth Local Plan 2015

Policy 2 – Delivering Development

Strathpeffer Settlement Development Area

Allocation SP1 – Kinellan (67 Homes)

6.3 Highland Council Supplementary Planning Policy Guidance

Construction Environmental Management Process for Large Scale Projects (August 2010)

Developer Contributions (March 2013)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Green Networks (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 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)

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

- Scottish Government Planning Policy and Guidance
- Scottish Planning Policy (The Scottish Government, June 2014)
- National Planning Framework 3 (The Scottish Government, June 2014)
- Creating Places (The Scottish Government, June 2013)
- Designing Streets (The Scottish Government, 2010)
- PAN 61 Sustainable Drainage Systems
- PAN 68 Design Statements
- PAN 75 Planning for Transport
- PAN 77 Designing for Safer Places
- PAN 1/2011 Planning and Noise

8. PLANNING APPRAISAL

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Determining Issues

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

- 8.3 The key considerations in this case are:
 - a) compliance with the development plan and other planning policy;
 - b) masterplanning, design and layout;
 - c) roads, access and parking;
 - d) impact on the water environment (including flood risk and drainage);
 - e) Impact on infrastructure provision;
 - f) Impact on the natural environment (including protected and other important species); and
 - g) any other material considerations.

Development plan/other planning policy

- 8.4 Development plan policy is set out in the Highland-wide Local Development Plan (HwLDP), the Inner Moray Firth Local Development Plan (IMFLDP) and statutorily adopted supplementary guidance. The site is within the settlement development area where there is general support for development. The application site forms part of the SP1 allocation. This allocates the wider site for 67 homes subject to a number of developer requirements.
- 8.5 The IMFLDP is supportive of the principle of development on the site. The allocation requires a number of developer requirements to be addressed. This includes: masterplanning; phasing; access arrangements (motorised and non-motorised); landscaping; and consideration of impacts on the trees covered by the Tree Preservation Order (TPO). Each of the aforementioned developer requirements are addressed later in the report.
- 8.6 The Development Plan contains a number of further policy tests that must be taken into account in determining this application, in particular matters related to layout, design, place-making and infrastructure provision. If there are no significant impacts arising from these matters then the application could be supported.

Masterplanning, design and layout

- 8.7 Allocation SP1 in the IMFLDP requires that the site is subject to a masterplan / development brief. As the landowner is not in control of the whole site, it has not been possible to secure a detailed masterplan for the entire allocation. However, through the Design Statement the applicant has provided an indicative masterplan. This shows; the principle of setting back development from the woodland which is subject to a TPO; the vehicular and active travel access opportunities for the site; connection opportunities and potential road layout for the remainder of the allocated site; bus route provision; and service connections.
- 8.8 Representations have raised concerns over the lack of masterplanning and the connections to future development land. Connections are required to develop the remainder of the allocated site. The connection shown into this northern sloping area is considered to be in the optimal position. There is a further road which could

potentially facilitate development of the land to the west; it has however been designed primarily as a parking court for houses within this development. The land to the west is not allocated for future development at this time. If a future application is submitted on the land to the west it will be considered against the provisions of the Development Plan in place at the time. Overall, the level of masterplanning undertaken for the site is acceptable.

- 8.9 The site layout generally follows the principles set out in Designing Streets where street design must consider place over movement. On entering the site from the new vehicular access, there is a legible road layout which presents a series of gateways and focal points. The primary road through the development would connect up through to the remainder of the allocated land. The layout of the site ensures that movement will be in the forward gear with no need for turning heads for residents or service vehicles. There is good active travel connectivity via the designed in linkages to the existing streets, however the constructed details of these are to be agreed.
- 8.10 The layout of the development has ensured that there are active frontages onto all streets within the development. There are limited locations where cul-de-sacs are included; where they have been there are only small numbers of properties accessed via this arrangement. This is welcomed. Negotiations were held with the applicant between pre-application and submission of the application on house plot arrangements to ensure the properties within the site have a positive relationship with the streets within the development. All properties enjoy a reasonable level of amenity space. It is not considered that the density of the development represents overdevelopment.
- 8.11 The houses within the development comprise of 1.5-1.75 storey buildings with traditional gables and finished in white render and dark grey roof tiles. The design of the properties is considered to be appropriate in scale to the layout and the position of the development. The properties are all finished in render and weatherboard. This will provide a clean and crisp finish to the development. Boundary treatments are a mix of timber fencing styles and the use of 1.8m high fences has been avoided where the properties are adjacent to main streets.
- 8.12 Some concern has been raised by residents over the height of properties in relation to existing properties and the impact on amenity. The houses are a maximum of 1.75 storeys, with properties adjacent to existing single storey properties on Kinellan Drive all being a maximum of 1.5 storeys. The proposed houses are located on ground which is approximately 1.1m higher than those in Kinellan Drive. The proposed properties are all no less than 23.5m away from the rear of existing houses on Kinellan Drive. It is not considered the location or scale of the properties will have an adverse affect on amenity of existing properties either in terms of daylight or privacy. There are no properties which would be considered to be in too close proximity or have directly opposing windows of existing properties. Further there is a landscaped buffer between the existing properties and those within the proposed development.
- 8.13 The Open Space in New Residential Developments: Supplementary Guidance, places a focus on quality rather than quantity. The location of the open space, wrapping around the eastern edges of the development, will be designed as an

area for play using natural play features. It will be overlooked ensuring that it will feel safe for users of the open space. The location of the space and the positioning of the housing, also provides a sense of enclosure away from traffic movements. Further open space is also located at the site entrance. This is envisaged to be a formal entrance into the site with high quality landscaping. The final detail of the landscaping and open space, including timescales for delivery, can be secured by condition.

8.14 Representations have requested that the applicant supports the delivery of the Strathpeffer Community Park. The applicant is willing to do so and has provided a written commitment to the Strathpeffer Community Association that they will provide engineering advice on the construction of the park at no cost. It is further considered that the applicant should provide some of the initial engineering works on the site of the community park and this will be agreed with the applicant in advance of work commencing on site.

Roads, Access and Parking

- 8.15 The site will be accessed from a new junction on Kinellan Drive. A Transport Statement, which assesses the full allocated capacity of the site, was submitted with the application. This demonstrates that there is sufficient capacity in the local road network to accommodate the development subject to mitigation. It identifies that the increase in traffic generated from the development is acceptable on the access and the wider road network in Strathpeffer.
- 8.16 The existing access to Kinellan Drive from the A834 requires to be upgraded. This is to ensure the current issue of over run of the grassed area by buses and service vehicles is avoided. This will involve widening the road at the first bend. For the avoidance of doubt buses will not enter the site but all properties will be within 400m walking distance of the bus stop on Kinellan Drive. Pedestrian connectivity to existing routes is being provided and a new pedestrian crossing is being provided from the site access, across Kinellan Drive to connect with the existing path toward the village centre. The style of crossing will likely be a raised table to facilitate a reduction in traffic speeds on Kinellan Drive.
- 8.17 The looped layout within the development is welcomed. The internal layout and street hierarchy does however present some challenges in terms of traffic calming and speeds. Through working with the applicant a strategy for traffic calming has been agreed. This includes the provision of a raised table at the first junction within the development and tight radius corners.
- 8.18 There is sufficient car parking (both residents and visitors) within the development. Cycle parking is provided within private gardens. Sufficient visibility from driveways is achievable. However, visibility from driveways will require to be maintained. A condition can be attached to the planning permission to achieve this aim. Representations have queried whether the small car park adjacent to the site between 2 and 3 Kinellan Drive will be upgraded as part of the works. The applicant has agreed that this area will be tidied up but not formalised as a car parking area.

- 8.19 The applicant has set out a waste management strategy which is, in principle, acceptable. The layout has designated bin collection and storage points. Neither the householder nor the waste operatives will have to take a bin further than the recommended distances to the bin collection points. Due to the design of the proposed development there are no reversing manoeuvres which will require to be made by the waste collection vehicle. These and all other manoeuvres can be achieved within the road boundary. A final waste management strategy will be required by condition. This will detail waste vehicle collection routes and finalised provision of bin collection points and stores.
- 8.20 There are some matters of detailed road construction and design which are outstanding. These matters, primarily relate to road finishes and final details of traffic calming features. These matters are controlled by the Road Construction Consent process. There are no outstanding matters which will require any significant changes to the layout or design of the development. The approval of the layout included in the planning drawings will not prejudice the determination of the Road Construction Consent or any other technical approvals which may be required.
- 8.21 Working in partnership, Transport Planning and Development Management have secured improvements to the road layout within the scheme in the interests of both road and pedestrian safety. This has included: the delivery of a raised table at the main junction within the development to slow down traffic, change the priorities and deliver a clear street hierarchy; delivery of remote paths to provide active travel linkages to the wider village; and ensure appropriate width and location of paths within the development.
- 8.22 Further a safe route to school plan will be required. This will show all footpaths outwith the development to Strathpeffer Primary School and routes to bus stops to ensure a safe route for those travelling by bus to Dingwall Academy. The plan and any mitigation required will be brought forward by condition and will require to be in place prior to occupation of the first house on the site. The school bus service to Dingwall Academy is reaching capacity and this development will add to the pressure on the service. As a result a developer contribution is being sought to enhance capacity of the service.
- 8.23 An Access Management Plan will be required to ensure that access to and through the site is maintained during the construction and following completion of the development. This will also secure the final construction details for the proposed remote footpaths which are to be provided to connect to the village. This includes a reconstructed path from the site entrance across the greenspace opposite connecting to the footpath running alongside the A834.

Impact on the water environment (including flood risk and drainage)

8.24 There are two small areas of pluvial flood risk identified on the SEPA indicative flood risk mapping. These are located to the east of the site extending down between a gap in the properties on Kinellan Drive; and adjacent to the existing

- drainage ditch at the northern boundary of the site. As this is the case, and to accord with the provisions of the development plan, a flood risk assessment (FRA) was undertaken by the applicant.
- 8.25 The FRA considers first the potential for fluvial flooding and then considers pluvial flooding. The assessment is clear that there is no risk to the site from fluvial flooding up to and including a 1 in 1000 year flood event. There is however risk to existing properties on Kinellan Drive if the culvert which carries the discharge from Loch Kinellan is blocked. The report however highlights that Loch Kinellan offers significant storage and downstream flows from the loch are controlled by the outfall culvert from the loch. Further there will be no built development within 6m of the watercourse which runs along the north west boundary of the site.
- 8.26 Members of the public are concerned that the drainage on the site is inadequate to allow housing to be built and are concerned that development would lead to an increased risk of flooding at their properties. The surface water on the site is currently unmanaged; this development will result in the surface water being managed and directed via a purpose designed system with an outflow at an acceptable rate. This system will include the provision of a sustainable drainage system basin; cut off ditches to catch the overland flow coming from the west; and improvements to the drainage beyond the site. In implementing this mitigation there will be a lower risk of surface water flooding than the existing situation, this includes reducing the risk of surface water flooding that occurs in Kinellan Drive. Both SEPA and the Council's Flood Risk Management Team are content with the FRA.
- 8.27 In working up the detail of the surface water management system, the applicant has been asked to investigate further the drainage network beyond the site. This has included cleaning out and carrying out a CCTV survey of the drain which runs through Kinellan Drive. This has shown that there are a number of blockages in the pipework and damage to the pipes. The applicant has already removed and replaced sections of the pipe which were damaged and created new manholes to facilitate future maintenance. This has allowed further survey work to be undertaken. The applicant has committed to ensuring the drainage system down stream of the site is fit for purpose. The details of the remedial work required will be secured by condition.
- 8.28 The final detail of the surface water drainage system for the site will be secured by condition. As part of this the basin for the surface water drainage system will be designed to enhance biodiversity. At this point the outline design for the required infrastructure is indicated on the submitted drawings. This shows that the proposed system will discharge water from the site at rates less than greenfield run off rates. To ensure the efficient maintenance of cut off drains which run to the rear of plot numbers 1-18 (along the south west boundary) a wayleave will be required. For these plots the wayleave will be within the property boundaries but these properties will have a wayleave written into their deeds to ensure that access to the cut off drains for maintenance purposes can be achieved. Further the permitted development rights for the erection of buildings within the gardens of these properties will be removed to help safeguard the wayleave.

8.29 The management and maintenance of the sustainable drainage system will be required to remain the responsibility of the developer until the time that it is vested by a responsible drainage authority. In this instance it will be Scottish Water. Details of the management and maintenance of the system will however be required by the Council prior to commencement of development. For the avoidance of doubt, in line with the position set out in the response from the Transport Planning Team, the Council will not be wholly liable for the maintenance of the surface water drainage system within this development. A Section 7 agreement between the Council and Scottish Water will be required and details of the factoring arrangements that are to be put in place for the cut off drain.

Impact on infrastructure provision

- 8.30 The development is located within the Strathpeffer Primary School Catchment Area and the Dingwall Academy Catchment Area.
- 8.31 Based on the recently published School Roll Forecasts (SRFs) for 2018/19, Strathpeffer Primary has a capacity of 221 pupils and current roll of 182 pupils with the school operating at 82% capacity. Having rerun the SRF to include the proposed development, the school roll is predicted to fall to 73% in 2021/22 before rising back to 82% by the end of the forecasting period in 2031/32 and 2032/33. The school's roll is not predicted to be over 90% capacity at any time in the forecasting period. Therefore a developer contribution to enhancement of primary education capacity is not required.
- 8.32 Based on the recently published 2018/19 SRFs, Dingwall Academy has a capacity of 1261 pupils and a current roll of 1045 pupils with the school operating at 83% capacity. Having rerun the SRF to include the proposed development, the school roll is predicted to reach the 90% capacity threshold set out in the revised Developer Contribution Supplementary Guidance (DCSG) in 2021/22 and then remain above the 90% capacity developer contributions threshold set out in the DCSG in 2021/2022 and continue to steadily rise throughout the remainder of the forecasting period. The school is forecast to breach 50 pupils above 90% capacity in 2026/2027 rising to a peak of 141 pupils above capacity at the end of the forecasting period 2032/33. Using the methodology in the final version of the DCSG developer contributions will be required for build costs for a major extension.

Impact on the natural environment (including trees, protected and other important species)

- 8.33 The access to the site is through the Kinellan Tree Preservation Order (TPO). The point of access is located where the trees are of a poorer quality than the rest of the TPO. The access will require the removal of a number of trees but it will allow for the retention of the better quality and more visually prominent trees. The Council's Forestry Officer is content that the number of trees required to be removed has been kept to a minimum. There will be additional tree planting within the development to compensate for the loss of trees in this area.
- 8.34 Representations have raised concerns about the impact of development on wildlife. The site has been subject to a protected species walkover survey. This considered protected habitats, European protected species, other protected species and non-

- native invasive species. This identified that there is potential for nesting birds within the site and recommended further survey work in advance of any development if this is to be undertaken during the bird breeding season.
- 8.35 The survey highlights that Great Crested Newts are present on the site and it recommends mitigation which may include newt fencing. A detailed protection plan will be required by condition.
- 8.36 Representations have raised concerns about wildcat presence on the site. This matter has been covered by the survey undertaken. This sets out that there is no evidence of suitable resting places and no field signs were found. It does note that there have been sightings within the area; some of these however have been hybrids rather than wildcats.
- 8.37 Overall, further survey work is required to identify what, if any, mitigation measures are required to protect the species identified as having a presence on the site or using the site. These surveys and the implementation of any mitigation can be secured by condition.
- 8.39 The submitted report notes that there is an area of Himalayan Knotweed within the site that will require to be eradicated. A scheme for dealing with this can be secured by condition. The area of Japanese Knotweed outwith the site boundary does not require to be addressed in advance of work commencing on the site as it will not be disturbed by construction.

Other Material Considerations

- 8.40 The area has archaeological potential. As this is the case, a further programme for archaeological investigation and recording is required. This can also be secured by condition.
- 8.41 A development of this scale is likely to have adverse impacts on residential amenity and the road network during the construction process. As such it is appropriate to attach conditions to secure construction environmental management and construction traffic management plans. The applicant has now confirmed that the site will be built out in one phase rather than two to alleviate community concerns.
- 8.42 Planning conditions are not used to control construction noise as powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. However, as there is a potential to cause disturbance, as raised in representations, it is considered appropriate to secure a noise and vibration assessment as part of the Construction Environment Management Plan. Further as the properties are to be heated by air source heat pumps the noise emitted by these will be limited by condition.
- 8.43 To facilitate a move toward a low carbon economy it is considered appropriate to facilitate the transition towards the phasing out of diesel and petrol cars. This would include the provision of electric car charging points. The details of the design and scale of this infrastructure can be secured by condition. Representations sought the provision of off-site communal charging points but no site has been identified for a scheme to deliver those at this time.

8.44 Should the development be granted permission, a Community Liaison Group should be set up to ensure that the community council and other stakeholders are kept up to date and consulted before and during the construction period.

Non-material considerations

8.45 The issue of landownership is not a material planning consideration. An adjacent landowner has questioned whether the whole of the site is within control of the applicant. There has been dialogue between the applicant and the adjacent landowner on this matter and any area of land in dispute of ownership is not being built on and in any case it is identified as retained woodland.

Matters to be secured by Section 75 Agreement

- 8.46 a) Contributions to secondary school accommodation within the Dingwall Academy Catchment Area, in the first instance either a major extension at Dingwall Academy or a new secondary school (£3492 per house) based on Q4 2018; and
 - b) Contributions to the provision of public transport for the route between the site and Dingwall Academy (£10,387.80 total).
- 8.47 The above developer contributions address the impacts of the development and are based upon the provisions of the recently adopted Developer Contributions Supplementary Guidance.
- The applicant has chosen to make an up front payment of these contributions. The applicant has four months from the date of determination of the application, to pay the Council the required level of contributions. Should payment not be made within four months, the application shall be refused under delegated powers.

Summary of Developer Contributions			
Infrastructure / Service Type	Answer	Contribution Rate	
Schools - Primary - Build Costs	No Capacity Constraints	-	
Schools - Primary - Land Costs	-	-	
Schools - Secondary - Build Costs	Major Extension/New School	£3,492 (per house)	
Schools - Secondary - Land Costs	-	-	
Cumulative Transport Contributions	-	-	
Community Facilities	No Capacity Constraints	-	
Affordable Housing	Minimum 25% - On-site Provision	-	
Standard Transport Requirements	Contribution to public transport between the site and Dingwall Academy	£10,387.80 (total)	
Green Infrastructure	On-site Provision	-	
Water and Waste	-	-	
Public Art	-	-	
	Development Total	£157,051.80	
All costs are subject to indexation and reflect Q4 2018			

9. CONCLUSION

- 9.1 Strathpeffer is a settlement identified for modest growth within the Council's spatial strategy. The application provides an opportunity to deliver development on an allocated site within the development plan. The delivery of affordable housing is a priority for the council and this site will deliver 42 affordable homes at a mix which meets current housing need and demand. The design of the development is in accordance with the principles of Designing Streets and has addressed all other infrastructure constraints on the site.
- 9.2 Subject to the application of conditions to manage the development, provision of improvements to the road network accessing the site for pedestrian safety, agreement on the final details of the surface water drainage on site and an appropriate level of developer contributions in line with the recommendations in paragraph 8.46 of this report, the development can be supported.
- 9.3 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

10.1 Resource: Not applicable

10.2 Legal: Not applicable

- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued Y

Conclusion of Developer Contribution Y

Subject to the above, it is recommended that planning permission be **GRANTED,** subject to the following:

Conditions and Reasons

1. No development shall commence until a detailed scheme for the completion of all open spaces and landscaping within the site, and an agreement on the off-site works to be undertaken to facilitate the creation of Strathpeffer Community Park, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the approved scheme shall be implemented in full.

For the avoidance of doubt the scheme shall detail timescales for implementation in accordance with the following:

- Plots 11-13 shall not be occupied until the open space, inclusive of tree planting and elements introduced to design the space for play, has been delivered to the satisfaction of the Planning Authority in accordance with the approved scheme;
- Plots 1-3 shall not be occupied until the landscaped area between the development and site entrance, inclusive of all planting, hard and soft landscaping, has been delivered to the satisfaction of the Planning Authority in accordance with the approved scheme;

Reason: To ensure that the open space within the site is delivered timeously and to ensure sufficient play and open space provision exists within the application site to serve future residents' needs.

- 2. No development shall commence until a detailed Access Management Plan for public access across the site (as existing, during and following completion) has been submitted to, and approved in writing by, the Planning Authority. The plan shall include details showing:
 - All existing access points, paths, core paths, tracks, rights of way and other routes, 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;

- 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 paths, tracks and other routes for use by walkers, riders, cyclists and any other relevant outdoor access enhancements inclusive of all paths connecting outwith the boundary of the development connected to existing paths outwith the development without impediment (including construction specifications, any measures for deterring use by motorised vehicles, signage, information leaflets, proposals for ongoing maintenance etc.). These paths shall be delivered and provided without impediment;
- iv. Any diversion of paths, tracks or other routes, temporary or permanent, proposed as part of the development including details of mitigation measures, diversion works, duration and signage);
- v. Full routing and construction details of all remote footpaths, inclusive of long sections and cross sections, delivered up to the connections with the existing adopted footpaths prior to first occupation of any house within the development. For the avoidance of doubt this includes:
 - a) The link from the north eastern corner of the development to Kinellan Drive. For the avoidance of doubt there shall be no land raising to construct this footpath; and
 - b) The footpath from the site entrance across the greenspace on Kinellan Drive and replacement of the existing footpath up to the connection with the A834.

Thereafter the approved Access Management Plan and associated mitigation shall be implemented at the start of development on site.

Reason: To safeguard, maximise and enhance the opportunities for continued public access in and around the development site in accordance with Policy 77 of the Highland wide Local Development Plan.

3. No development or work (including site clearance) shall commence until a programme of work for the survey, evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation, has been submitted to, and approved in writing by, the Planning Authority. The approved programme shall be implemented in accordance with the agreed timetable for investigation.

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

4. No development shall commence until a Construction Environmental Management Document (CEMD), in accordance with The Highland Council's Guidance Note on Construction Environmental Management Process for Large Scale Projects (August 2010) (as amended, revoked or re-enacted; with or without modification), has been submitted to, and approved in writing by, the Planning Authority. The CEMD shall be submitted at least two months prior to the intended start date on site and shall include the following:

- i. A Schedule of Mitigation (SM) drawing together all mitigation proposed in support of the application and other agreed mitigation (including that required by agencies and relevant planning conditions attached to this permission);
- ii. Change control procedures to manage/action changes from the approved SM, CEMD and Construction Environmental Management Plans;
- iii Construction Environmental Management Plans (CEMPs) for the construction phase, covering:
 - a. Pre-commencement habitat and species surveys;
 - b. Habitat and Species Protection including for Great Crested Newt;
 - c. Pollution Prevention and Control (inclusive of waterbodies);
 - d. Dust Management;
 - e. Construction Noise Assessment and Mitigation Plan in accordance with BS5228 Code of practice for noise and vibration control on construction and open sites Part 1: Noise;
 - f. Construction Vibration Assessment and Mitigation Plan in accordance with BS5228 Code of practice for noise and vibration control on construction and open sites Part 1: Noise;
 - g. Site Waste Management;
 - h. Surface and Ground Water Management;
 - i. Drainage and sediment management measures from all construction areas; and
 - ii. Mechanisms to ensure that construction will not take place during periods of high flow or high rainfall.
 - i. Public Water Supply Protection Measures;
 - j. Emergency Response Plans;
 - k. A scheme to safely remove any and all non-native invasive species from the site;
 - I. Other relevant environmental management as may be relevant to the development.
- iv. Special Study Area plans for:
 - a. Any other specific issue identified within the Schedule of Mitigation and/or conditions attached to this permission;

- v. Details for the appointment, at the developer's expense, of a suitably qualified Environmental Clerk of Works (ECoW), including roles and responsibilities and any specific accountabilities required by conditions attached to this permission;
- vi. A statement of responsibility to 'stop the job/activity' if a breach or potential breach of mitigation or legislation occurs; and
- vi. Methods for monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority and other relevant parties.

Thereafter, development shall be carried out in accordance with the approved Schedule of Mitigation, Construction Environmental Management Document and any Construction Environmental Management Plans approved thereunder.

Reason: To ensure that the construction of the development is carried out appropriately and does not have an adverse effect on the environment.

- 5. No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved in writing by, the Planning Authority. The CTMP, which shall be implemented as approved during all period of construction, shall include:
 - i. The CTMP shall make provision for all construction access being taken via the proposed site access as shown on the approved site layout.
 - ii. A description of all measures to be implemented by the developer, including the delivery of a 20mph speed limit on Kinellan Drive, in order to manage traffic during the construction phase (incl. routing strategies), with any additional or temporary signage and traffic control undertaken by a recognised suitably qualified traffic management consultant;
 - iii. The identification and delivery of all upgrades to the public road network to ensure that it is to a standard capable of accommodating construction related traffic (including the formation or improvement of any junctions leading from the site to the public road) to the satisfaction of The Highland Council, including;
 - An initial route assessment report for construction traffic, including swept path analysis and details of the movement of any street furniture, any traffic management measures and any upgrades and mitigation measures as necessary;
 - iv. A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during construction periods.
 - v. A detailed protocol for the delivery of loads/vehicles, prepared in consultation and agreement with interested parties. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of larger load movements in the local media. All such movements on Council maintained roads shall take place outwith peak times on the network, including school travel times, and shall avoid local community events.

- vi. Details of appropriate traffic management which shall be established and maintained at the site access for the duration of the construction period. Full details shall be submitted for the prior approval of Highland Council, as roads authority.
- vii. Wheel washing measures to ensure water and debris are prevented from discharging from the site onto the public road;
- viii. Appropriate reinstatement works shall be carried out, as identified by Highland Council, at the end of the construction of the development.
- ix. Measures to ensure that construction traffic adheres to agreed routes.
- x. Provision of a roads 'Wear and Tear Agreement' under Section 84 of the Roads (Scotland) Act.
- xi. No use of reversing alarms, which are audible at the site boundary, in order to protect residential amenity.

Thereafter the approved Construction Traffic Management Plan shall be implemented in full, unless otherwise approved in writing by the Planning Authority.

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.

- 6. No development shall commence until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:
 - i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
 - ii. A plan showing existing landscaping features and vegetation to be retained;
 - iii. The location and design, including materials, of any existing or proposed boundary treatments inclusive of walls, fences and gates
 - iv. A scheme for the layout, design and construction of all green spaces shown on the approved site layout, including the provision of natural and play opportunities (including specifications of any equipment, protection measures and boundary treatments). The submitted plans shall show any individual pieces of equipment or furniture at 1:20 scale.
 - v. A scheme for the layout, design and construction of all hard landscaped spaces shown on the approved site layout, including the details of all street furniture (including specifications of any equipment, protection measures and boundary treatments). The submitted plans shall show any individual pieces of street furniture at 1:20 scale.

vi. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and

vii. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme and the provisions of Condition 1 of this planning permission.

All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

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

7. None of the houses shall be occupied until a scheme for the maintenance, in perpetuity, of all on-site green spaces and any other spaces, facilities, features or parts of the development that are not the exclusive property of any identifiable individual home owner (such as communal parking areas and estate lighting), have been submitted to, and approved in writing by, the Planning Authority. Thereafter, the approved scheme shall be implemented in full and in accordance with the timescales contained therein.

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

- 8. No development, site excavation or groundwork shall commence until a suitably qualified Landscape Consultant has been appointed by the developer. Their appointment and remit shall first be approved in writing by the Planning Authority. For the avoidance of doubt, the Landscape Consultant shall be appointed as a minimum for the period from the commencement of the development until the completion of the approved landscaping work and their remit shall, in addition to any functions approved in writing by the Planning Authority, include:
 - i. Ensuring that the Landscaping Plans to be approved under Condition 6 is implemented to the agreed standard; and
 - ii. The preparation of Certificates of Compliance for each stage of work involved in the development, which shall be submitted to the Planning Authority upon completion of the stage to which they relate. Prior to the commencement of development, site excavation or groundwork commencing,

details of each stage of work (including a general description of the type and extent of work to be carried out within that stage) shall be submitted to, and approved in writing by the Planning Authority.

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

9. 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 4, or any superseding guidance prevailing at the time and include details of the surface water drainage for the site) have been submitted to, and approved in writing by, the Planning Authority. The submission shall be supported by a revised Drainage Impact Assessment and Flood Risk Assessment (inclusive of any revised modelling) to ensure the final design does not have an adverse impact on flood risk and drainage with all discharge rates not exceeding greenfield run off rates. 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.

10. None of the houses shall be occupied until a scheme for the maintenance of all surface water drainage regimes associated with the development, have been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt maintenance of all surface water drainage infrastructure, with the exception of the cut off drains to the rear of plots 1-18 will be required to enter into an agreement under Section 7 of the Sewerage (Scotland) Act 1968, unless otherwise agreed in writing by the Planning Authority. Thereafter, the approved scheme shall be implemented in full and in accordance with the timescales contained therein.

Reason: To ensure that the surface water drainage systems are properly managed and maintained.

11. None of the houses on plots 1-18, as shown on the approved plans, shall be occupied until a scheme detailing a reasonably level access for maintenance of the cut-off drains has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the approved scheme shall be implemented in full and in accordance with the timescales contained therein.

Reason: To ensure that the surface water drainage systems are properly managed and maintained.

12. The development shall not be occupied until details of the relevant person or party responsible for the maintenance of the on-site surface water drainage system have been provided to the Planning Authority. Should this change prior to vesting by a responsible authority, this shall be notified in writing to the planning authority. For the

avoidance of doubt any part of the surface water drainage system not vested by Scottish Water shall remain the responsibility of the developer and be maintained in line with the scheme to be approved under Condition 10 above.

Reason: To ensure that the surface water drainage system is maintained by an appropriate party and that the party responsible for maintenance can be easily identified should any issue arise.

13. Prior to the first occupation of each house within the development car parking spaces and cycle parking spaces (inclusive of communal cycle parking facilities as appropriate) shall be provided in line with the standards contained within The Highland Council's Road and Transportation Guidelines. Thereafter, all car parking and cycle parking spaces shall be maintained for this use in perpetuity.

Reason: To ensure that appropriate levels of car and cycle parking are available for each plot.

14. No development shall commence until the principles for the siting and design of all on street above ground infrastructure (including electrical substations, junction boxes and broadband cabinets) within the development has been submitted to and approved in writing by the Planning Authority. Thereafter the delivery of above ground infrastructure shall be delivered in accordance with the approved principles.

Reason: In the interests of visual amenity and to ensure that these matters can be considered in detail to ensure the character and identity of the development is maintained

15. No development shall commence until a scheme has been submitted detailing the provision of electric car charging points for each individual property with private driveways. This shall include the location and design of each charging point and a timescale for implementation. The approved scheme shall be implemented in line with the approved timescales.

Reason: To facilitate the move toward the reduction in reliance of petrol and diesel cars.

16. No development shall commence until a Waste Management Strategy has been submitted to and approved in writing by the Planning Authority. This shall detail an approach to sustainable waste management in the operation of all aspects of development; identify the location of the two required bin collection points, and identify the route for waste collection vehicles. Thereafter the strategy shall be implemented in line with the timescales contained therein.

Reason: In the interests of amenity, to manage waste and prevent pollution.

17. No development shall commence until a community liaison group is established by the developer, in collaboration with The Highland Council and Strathpeffer Community Council unless otherwise agreed in writing by the Planning Authority. The group shall act as a vehicle for the community to be kept informed of project progress and, in particular, should allow advanced dialogue on the provision of all

transport-related mitigation measures and to keep under review the timing and type of development. The liaison group shall be maintained until the development has been completed and is occupied.

Reason: To assist project implementation, ensuring community dialogue and the delivery of appropriate mitigation measures throughout the construction period

18. No development shall commence until the materials to be used in external finishes (including but not limited to finishes of walls, roofs, rainwater goods, windows and doors) of any and all built structures (inclusive of houses, flats, cycle stores and bin stores), have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in line with the approved details.

Reason: To ensure that these matters can be considered in detail to ensure the character and identity of the development.

- 19. No development shall commence until a scheme for the delivery of the following mitigation, in line with timescales for delivery set out in this condition, and detailed design of the mitigation has been submitted to and approved in writing by the Planning Authority:
 - a) a scheme for the location, design and installation of the nonsignalised pedestrian crossing of Kinellan Drive to the specifications and standards set out by The Highland Council.
 - b) A scheme of traffic calming within the adoptable road corridor within the development.
 - c) A scheme for the replacement, remediation and mitigation for the surface water drainage network between the discharge from the site and the outfall into the Kinellan Burn.
 - d) a scheme for the design and implementation of safe routes to school, to Strathpeffer Primary School within the site connecting to existing safe routes to school outwith the site.

Thereafter, the submitted and approved schemes set out under a) to d) above shall be implemented before occupation of any units within the development.

Reason: To ensure that the consequences for the local road network, pedestrian safety and drainage as a result of the proposed development are addressed.

20. No residential dwelling shall be occupied until Traffic Regulation Order(s), limiting the speed of traffic on all roads, within the development and the access roads to the development, for the purposes of this condition being Kinellan Drive, to no more than 20mph, have been submitted to and approved in writing by the Roads Authority, unless otherwise agreed in writing by the Planning Authority. For the avoidance of doubt any Traffic Regulation Order(s) and any required signage and road markings shall delivered by the developer.

Reason: In the interests of safety of all road users within and in proximity to the residential development.

21. No development shall commence until a pre-commencement protected species survey has been undertaken and a report of survey has been submitted to, and approved in writing by, the Planning Authority. This shall include surveys for great crested newts. The survey shall cover the whole application site and a 50m area around the application site. 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 protect the natural heritage of the area.

- 22. No development, site excavation or groundwork shall commence until a suitably qualified Arboricultural Consultant has been appointed by the developer. Their remit shall first be approved in writing by the Planning Authority. For the avoidance of doubt, the Arboricultural Consultant shall be appointed from the commencement until the completion of the development and shall be present on site when tree works or planting are being undertaken. Their remit shall, in addition to any functions approved in writing by the Planning Authority, include:
 - i. Ensuring that the Approved Arboricultural Method Statement (AMS) and Approved Tree Protection Plans are implemented to the agreed standard. Stages requiring supervision are to be implemented as per the Approved AMS for the written agreement of the planning authority
 - ii. The preparation of written statements setting out the Arboricultural works being completed for each stage of work involved in the development, which shall be submitted to the Planning Authority upon completion of the stage to which they relate. Prior to the commencement of development, site excavation or groundwork commencing, details of each stage of work (including a general description of the type and extent of work to be carried out within that stage) shall be submitted to, and approved in writing by the Planning Authority.

Reason: In order to ensure the protection of retained trees, which are important amenity assets, both during construction and thereafter.

23. All air source heat pumps shall be installed, maintained and operated such that any operating noise complies with Noise Rating Curve 20 and details and a noise assessment of each installation will require to be submitted for the written approval of the planning authority.

Reason: In the interests of amenity.

24. No houses on plots 19-21 shall be occupied until any and all roads which provide access beyond these plots to the neighbouring landownership adjacent to the application site have been fully constructed up to boundaries of the application site. Any roads within the site shall be delivered up to the boundary and provided without impediment.

Reason: In the interests of provision of infrastructure which promotes the proper planning of the area and in line with the Inner Moray Firth Local Development Plan.

25. Notwithstanding the provisions of Article 3 and Class 14 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), no development shall commence until full details of any temporary site compounds and storage areas (including their location, scale and means of enclosure) have been submitted to, and approved in writing by, the Planning Authority. Thereafter, the site compounds and storage areas shall be formed in accordance with these approved details. Furthermore, all site compounds shall be maintained in a tidy, safe and secure fashion and be removed from the application site within one month of the development being completed.

Reason: In the interests of amenity.

26. Notwithstanding the provisions of Article 3 and Class 3A of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), no development of a type identified in the aforementioned classes shall take place within the curtilage of plots 1-18 without planning permission being granted on application to the Planning Authority.

Reason: to ensure that the maintenance of any and all surface water drainage infrastructure can be completed without impediment.

- 27. No other development shall commence until the site access has been constructed in accordance with the approved drawings, with:
 - i. visibility splays of 2.4m x 43m (the X dimension and Y dimension respectively) in each direction formed from the centre line of the junction.

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

Reason: In the interests of road safety, and that the works involved comply with applicable standards.

28. Within the visibility splays shown on approved drawing number INV0530-105-0009, Revision 00 Dated 18.02.2019, at no time shall anything obscure visibility between a driver's eye height of 1.05m positioned at the centre point of the driveway.

Reason: In the interests of road safety.

- 29. No development shall commence on site until a scheme for the provision of on-site affordable housing (which meets the definition of affordable housing outlined in The Highland Council's Developer Contributions Supplementary Guidance 2018 (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 88% of the total number of housing units proposed within the application site;
 - ii. the timing of the construction of the affordable housing:
 - iii. the arrangements for the management of the affordable housing; and
 - iv. 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 accordance with the development applied for and the need for affordable housing within the area, which has been established through the Council's Developer Contributions Supplementary 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.

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.

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

Flood Risk

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

Scottish Water

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

Local Roads Authority Consent

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

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

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

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

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

Mud and Debris on Road

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

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

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

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

Protected Species – Halting of Work

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

Factoring of the Development

Shared elements of the development are to be factored. The applicant is advised that it is their responsibility to ensure compliance with the provisions of the Property Factors (Scotland) Act 2011.

Land Ownership/Planning Permission

For the avoidance of doubt, the existence of planning permission does not affect or supersede an individual's ownership or other legal rights. Please be advised that this permission does not entitle you to build on, under or over ground outwith your ownership or to enter private ground to demolish, construct or maintain your property.

Building Regulations

Please note that Building Regulations and/or a Building Warrant may be applicable to some or all of the works described in this decision notice. You must check with the Council's Building Standards service prior to work commencing to establish what compliance or approval is necessary. If a warrant is required, you must not commence work until one has been applied for and issued. For more information, please contact Building Standards at Building.Standards@highland.gov.uk or on 01349 886608.

Signature:

Designation: Area Planning Manager – North

Author: Simon Hindson

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

Relevant Plans: Plan 1 - Location Plan

Plan 2 - Site Layout Plan

Plan 3 - Floor Elevation Plan 3B5P Villa (plots 1and2)

Plan 4 - Floor Elevation Plan 3B5P Villa (plots 24, 25, 28, 29, 41 and

42)

Plan 5 - Floor Elevation Plan 3B5P Villa (plots 22, 23, 26, 27, 39

and40)

Plan 6 - Floor Elevation Plan 3B5P Villa (plots 14 and 15)

Plan 7 - Floor Elevation Plan 3B5P Villa Terrace (plots 16, 17 and 18)

Plan 8 - Floor Elevation Plan 3B5P and 2B4P Villa (plots 7 and 8)

Plan 9 - Floor Elevation Plan 3B5P Chalet Villa (plots 33 and 34)

Plan 10 - Floor Elevation Plan 3B5P Detached Chalet Villa (plot 30)

Plan 11 - Floor Elevation Plan 3B5P Chalet Villa (plots 31 and 32)

Plan 12 - Floor Elevation Plan 3B5P Chalet Villa (plots 35 and 36)

Plan 13 - Floor Elevation Plan 2B4P Villa terrace (plots 19, 20 and 21)

Plan 14 - Floor Elevation Plan 2B4P Villa and 2B4P Bungalow (plots

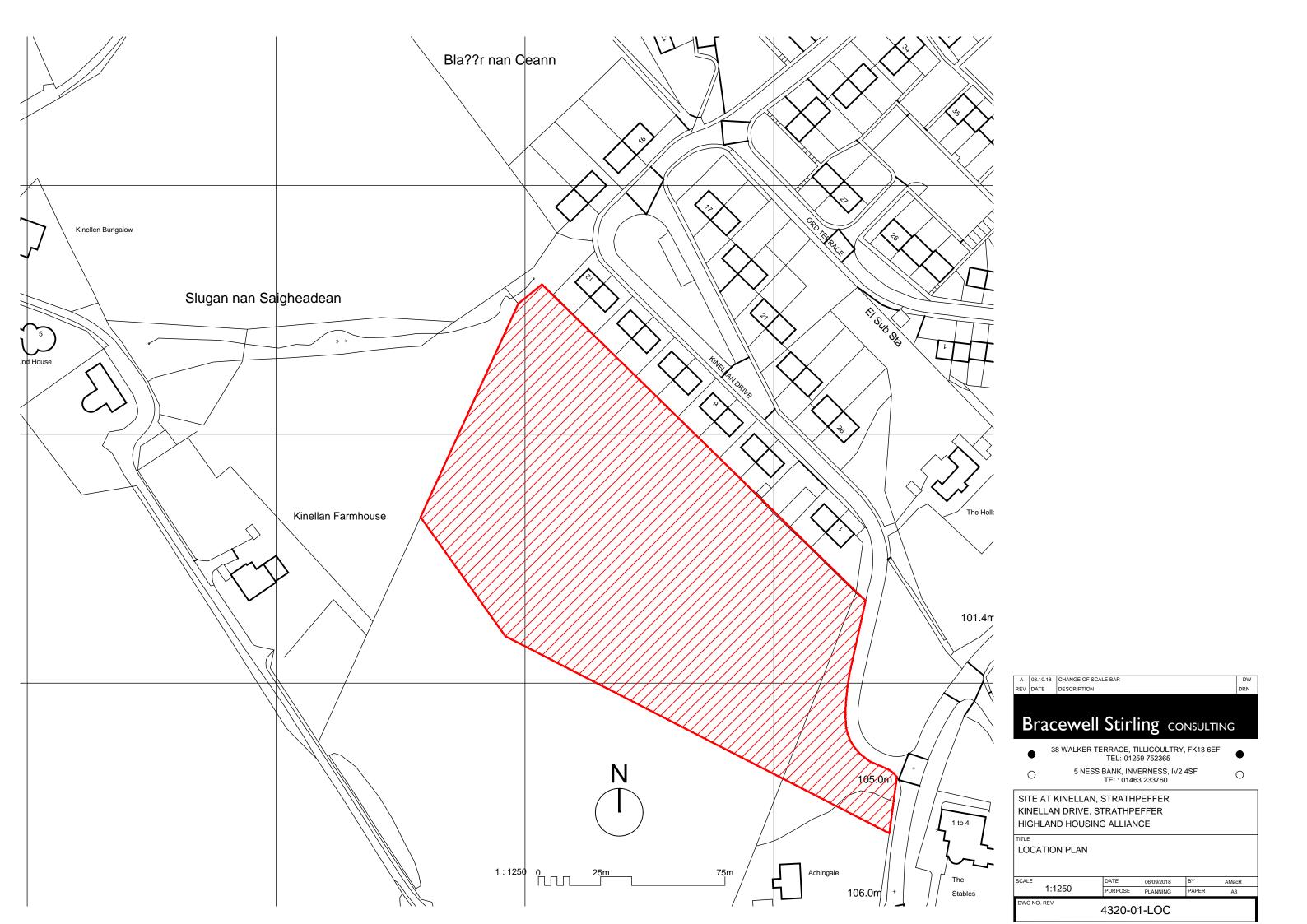
11. 12 and 13)

Plan 15 - Floor Elevation Plan 2B3P Bungalow (plots 2 and 3)

Plan 16 - Floor Elevation Plan 2B3P Bungalow (plots 5 and 6)

Plan 17 - Floor Elevation Plan 2B3P Bungalow (plots 37 and 38)

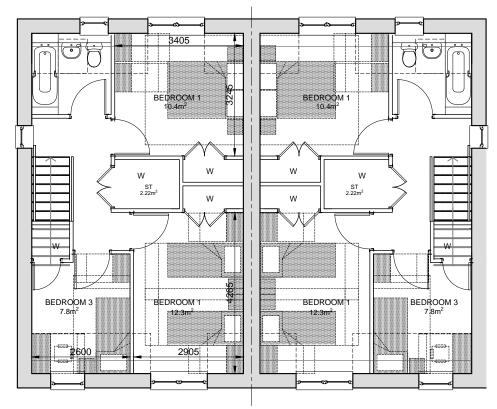
Plan 18 - Floor Elevation Plan 2B3P Varying Need (plots 9 and 10)



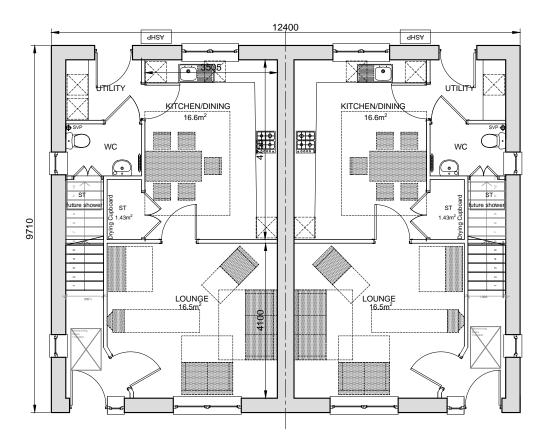


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Sep 2018



FIRST FLOOR PLAN

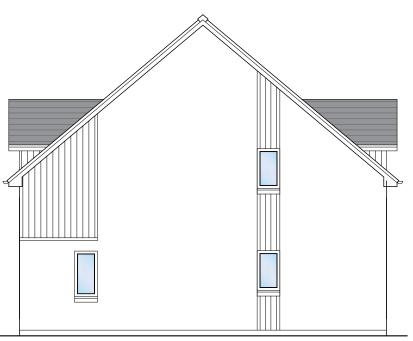


GROUND FLOOR PLAN

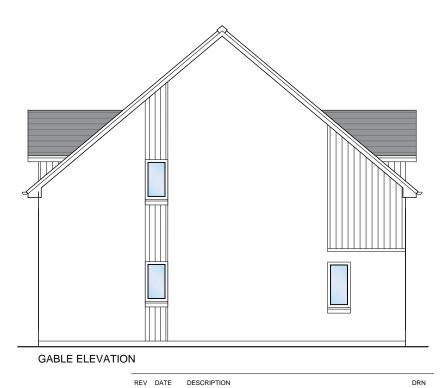
FIVE PERSON - THREE BED VILLA GIA:100.2m² STORAGE: 5.65m²







GABLE ELEVATION



Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

01463 233760 01631 359054

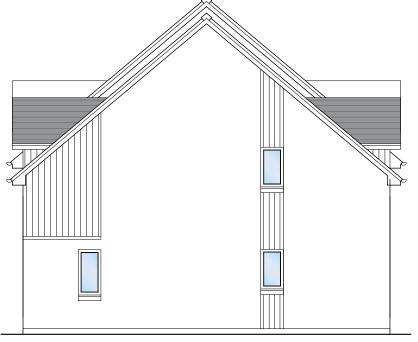
SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

3B5P VILLA - PLANS & ELEVATIONS PLOTS 1 & 2

STATUS:	PLANNING
STATUS.	PLANNING

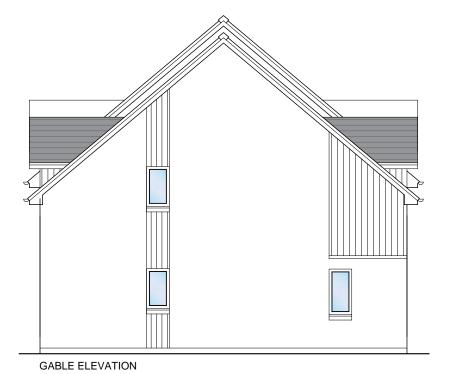
DWG No.	4320-01-	100	REV.
PAPER SIZE:	A3	DATE:	Oct 2018
SCALE:	1:100	DRAWN:	KM





GABLE ELEVATION





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 16.08 18
 INTERNAL LAYOUT AMENDMENTS
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Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

01259 750301 01463 233760

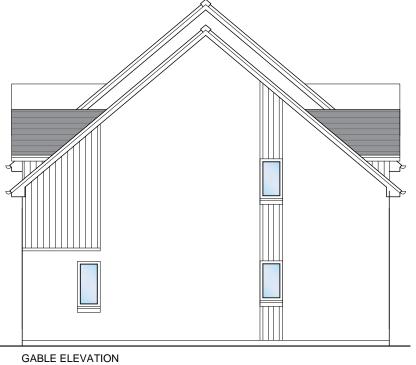
SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

3B5P VILLA - ELEVATIONS PLOTS 24, 25, 28, 29, 41 & 42

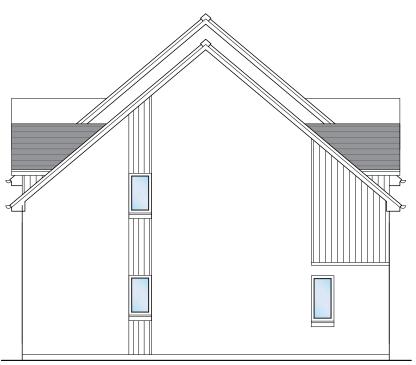
STATUS: PLANNING

DWG No.	4320-01-	101	REV.
PAPER SIZE:	A3	DATE:	Oct 2018
SCALE:	1:100	DRAWN:	KM









GABLE ELEVATION

Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

01259 750301 01463 233760 01631 359054

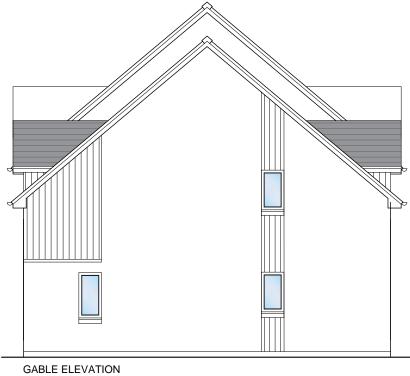
SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

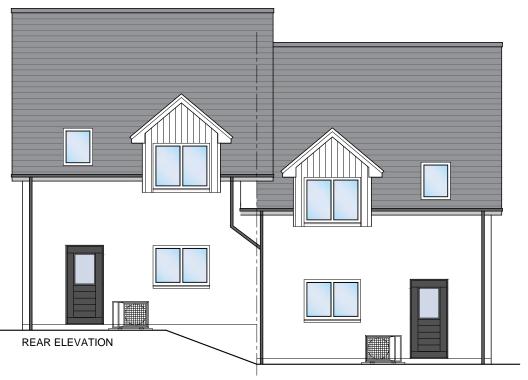
3B5P VILLA - ELEVATIONS PLOTS 22, 23, 26, 27, 39 & 40

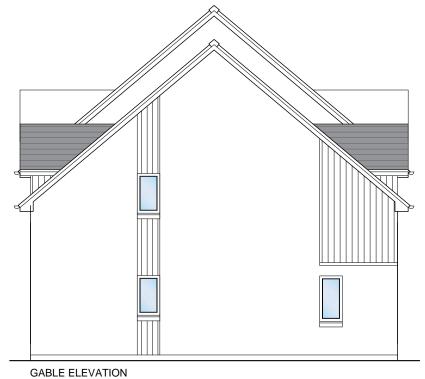
STATUS:	PLANNING
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SCALE:	1:100	DRAWN:	KM
PAPER SIZE:	A3	DATE:	Oct 2018
DWG No.	4320-01-	102	REV.









Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

01259 750301 01463 233760 01631 359054

SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

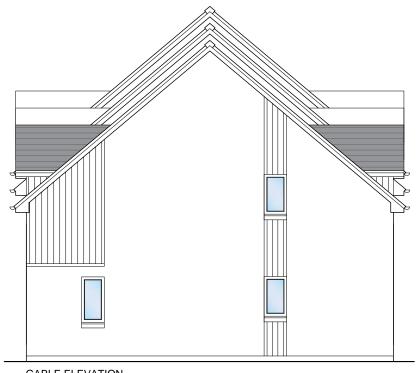
3B5P VILLA - ELEVATIONS PLOTS 14 & 15

STATUS:	PLANNING

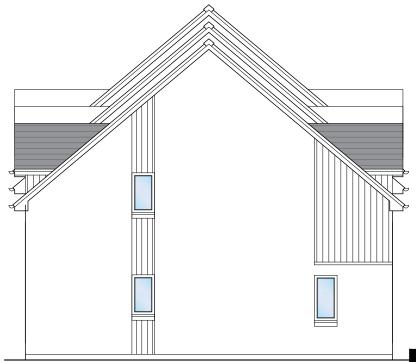
PAPER SIZE: DWG No.	4320-01-	DATE:	Oct 2018 REV.
SCALE:	1 : 100	DRAWN:	KM







GABLE ELEVATION



GABLE ELEVATION

Bracewell Stirling CONSULTING

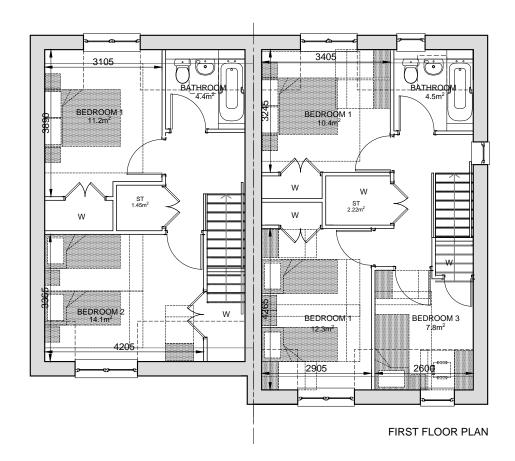
38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

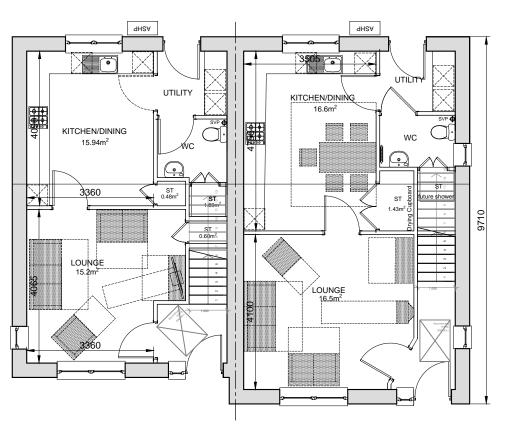
01259 750301 01463 233760 01631 359054

SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

3B5P VILLA TERRACE - ELEVATIONS PLOTS 16, 17 & 18

SCALE:	1:100	DRAWN:	KM
PAPER SIZE:	A3	DATE:	Oct 2018
DWG No.	4320-01-	201	REV.



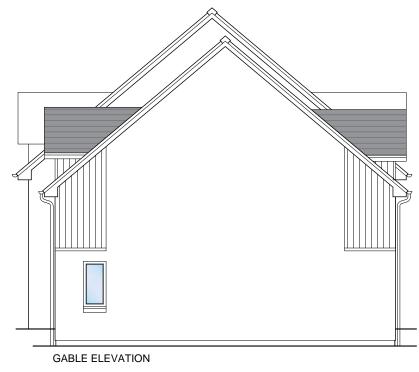




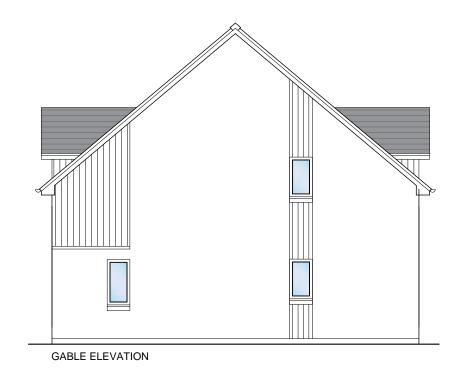
FOUR PERSON - TWO BED VILLA GIA: 87.6m² STORAGE: 4.5m²

FIVE PERSON - THREE BED VILLA GIA:100.2m² STORAGE: 5.65m²









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38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

01463 233760 01631 359054

SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

3B5P & 2B4P VILLA PLANS & ELEVATIONS

				SCAL
1:100	<u>2m</u>	<u>3</u> m	6m	PAPE
				DWG

PLOTS	7 & 8
STATUS:	PLANNING

CALE:	1:100	DRAWN:	KM	
PER SIZE:	A3	DATE:	Oct 2018	
VG No.	4320-01-300		REV.	



A 10.09.18 DORMER REMOVED FROM REAR AND REPLACED WITH VELUX

REV DATE DESCRIPTION

Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

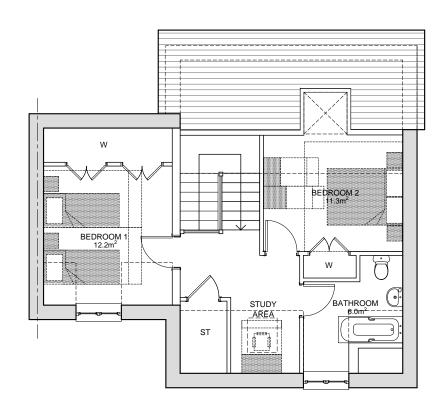
01463 233760 01631 359054

SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

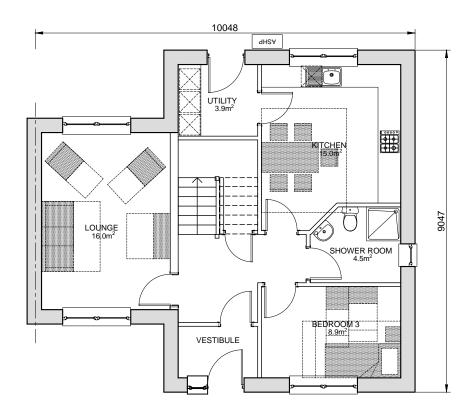
3B5P CHALET VILLA - ELEVATIONS PLOTS 33 & 34

STATUS: PLANNING

DWG No.	4320-01-	401	REV. A
PAPER SIZE:	A3	DATE:	Oct 2018
SCALE:	1:100	DRAWN:	KM

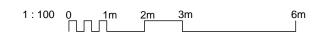


FIRST FLOOR PLAN

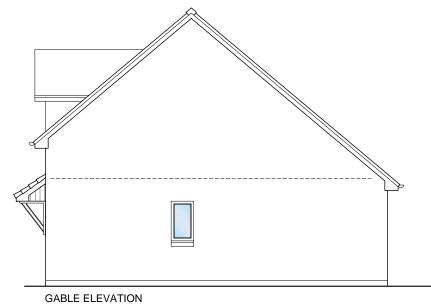


GROUND FLOOR PLAN

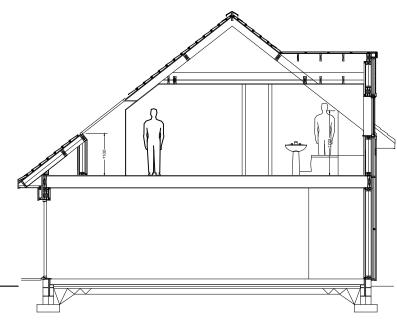
FIVE PERSON - THREE BED VILLA GIA:121m² STORAGE: 3.6m²

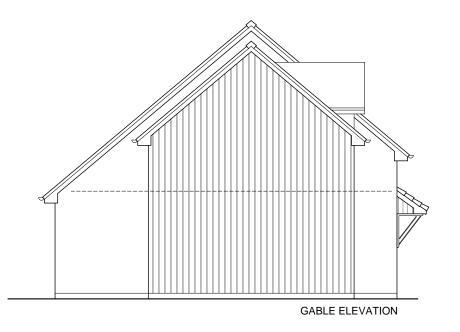












A 10.09.18 DORMER REMOVED FROM REAR AND REPLACED WITH VELUX

REV DATE DESCRIPTION

Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF

01463 233760 15 LOCHSIDE STREET, OBAN, PA34 4HP

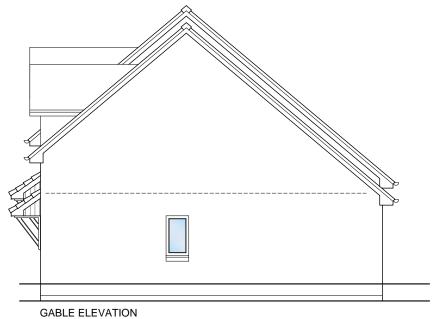
SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

3B5P DETACHED CHALET VILLA - PLANS & **ELEVATIONS PLOT 30**

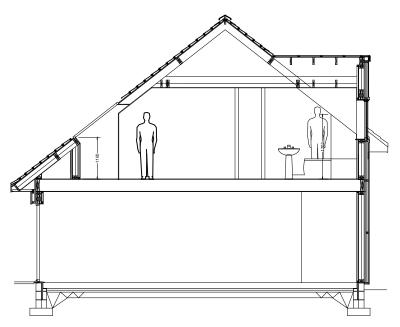
STATUS:	PL/	٩N	IN	IN	IG
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PAPER SIZE:	A3	DATE:	Oct 2018
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A 10.09.18 DORMER REMOVED FROM REAR AND REPLACED WITH VELUX

REV DATE DESCRIPTION

Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

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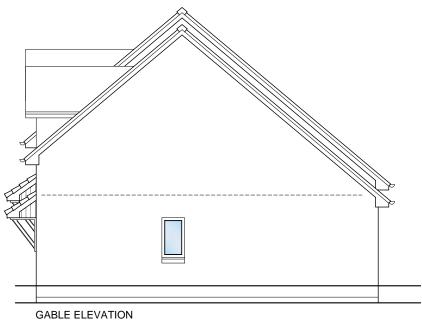
SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

3B5P CHALET VILLA - ELEVATIONS PLOTS 31 & 32

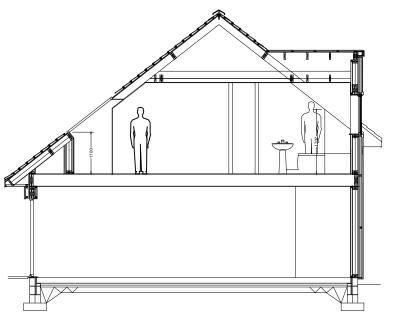
STATUS:	PLANNING
OTATOO.	FLAMMING

DWG No.	4320-01-403		REV. A
PAPER SIZE:	A3	DATE:	Oct 2018
SCALE:	1:100	DRAWN:	KM









A 10.09.18 DORMER REMOVED FROM REAR AND REPLACED WITH VELUX

REV DATE DESCRIPTION

Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

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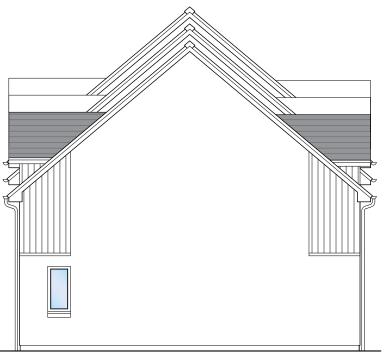
SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

3B5P CHALET VILLA - ELEVATIONS PLOTS 35 & 36

STATUS:	PLANNING
OTATOO.	FLAMMING

DWG No.	4320-01-	404	REV. A
PAPER SIZE:	A3	DATE:	Oct 2018
SCALE:	1:100	DRAWN:	AMacR





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Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

01259 750301 01463 233760

SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

2B4P VILLA TERRACE - ELEVATIONS PLOTS 19, 20 & 21

STATUS:	PLANNING
STATUS.	PLAININING

PAPER SIZE: DWG No.	4320-01-		Jun 2018 REV.
PAPER SIZE:	A3	DATE:	Jun 2018
SCALE:	1:100	DRAWN:	



Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

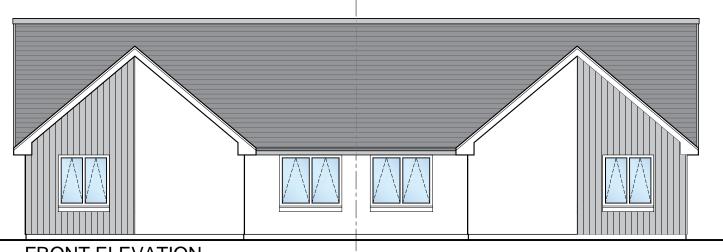
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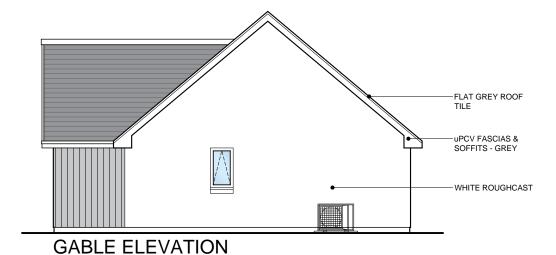
SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

2B4P VILLA & 2B4P BUNGALOW TERRACE-ELEVATIONS PLOTS 11, 12 & 13

STATUS:	PLANNING
SCALE:	1:100
PAPER SIZE:	Α3

SCALE:	1:100	DRAWN:	DW
PAPER SIZE:	A3	DATE:	Jun 2018
DWG No.	4320-01-	601	REV.



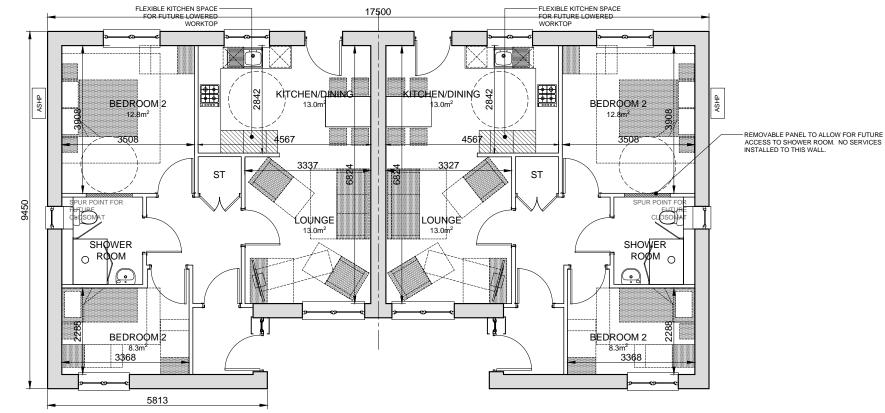


1:100 0 1m

FRONT ELEVATION



REAR ELEVATION



TWO BED THREE PERSON BUNGALOW FLOOR AREA: 65.3m2

REV DATE DESCRIPTION

Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

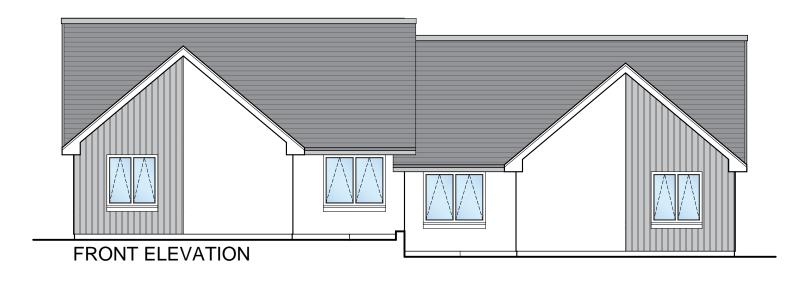
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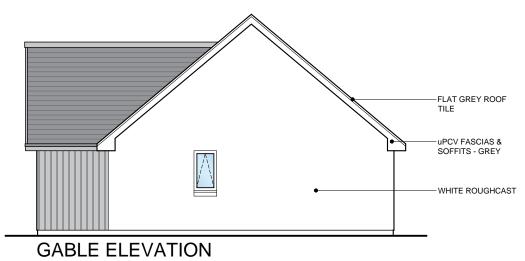
SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

2B3P BUNGALOW - PLANS & ELEVATIONS PLOTS 3 & 4

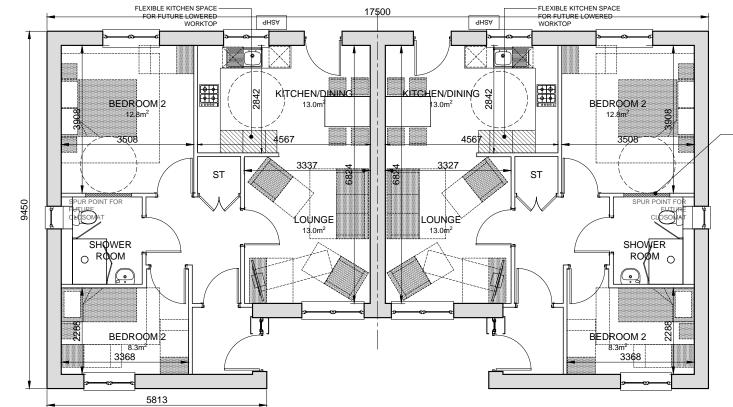
STATUS:	PLANNING
STATUS:	PLANNING

SCALE:	1:100	DRAWN:	DW
PAPER SIZE:	A3	DATE:	Jul 2018
DWG No.	4320-01-	700	REV.





REAR ELEVATION



TWO BED THREE PERSON BUNGALOW FLOOR AREA: 65.3m2

- REMOVABLE PANEL TO ALLOW FOR FUTURE ACCESS TO SHOWER ROOM. NO SERVICES INSTALLED TO THIS WALL.

1:100 0 1m

REV DATE DESCRIPTION

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38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

01463 233760 01631 359054

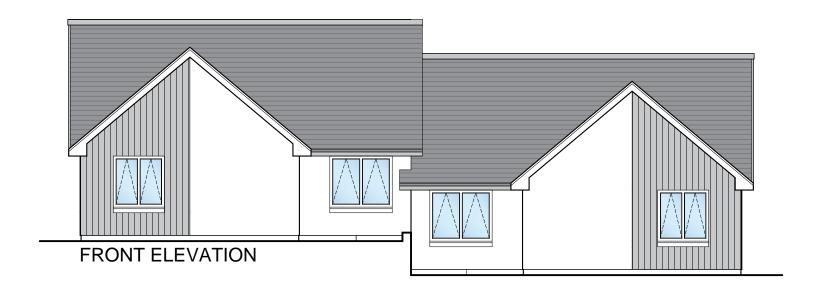
SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

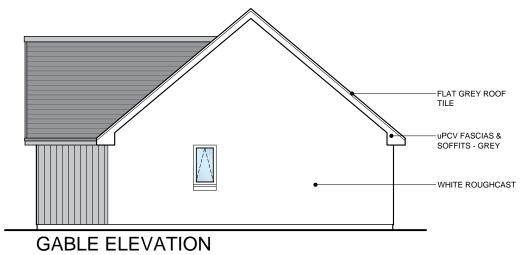
2B3P BUNGALOW - PLANS & ELEVATIONS PLOTS 5 & 6

STATUS:	PL	AN	NI	N	G
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6m

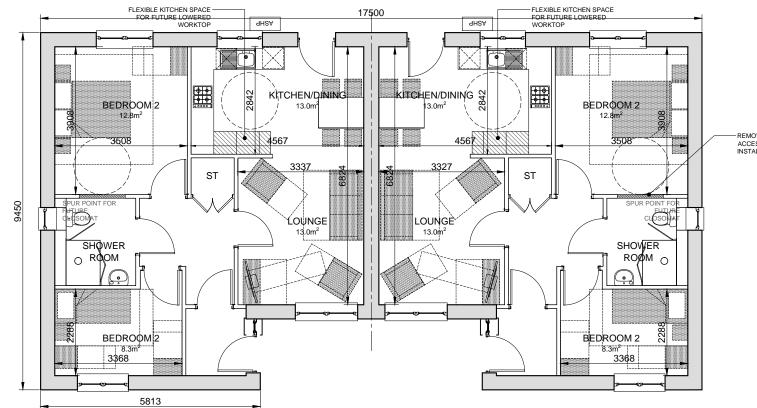
SCALE:	1:100	DRAWN:	DW
PAPER SIZE:	A3	DATE:	Sep 2018
DWG No.	4320-01-	701	REV.







REAR ELEVATION



-REMOVABLE PANEL TO ALLOW FOR FUTURE ACCESS TO SHOWER ROOM. NO SERVICES INSTALLED TO THIS WALL. REV DATE DESCRIPTION DRN

Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

01463 233760 01631 359054

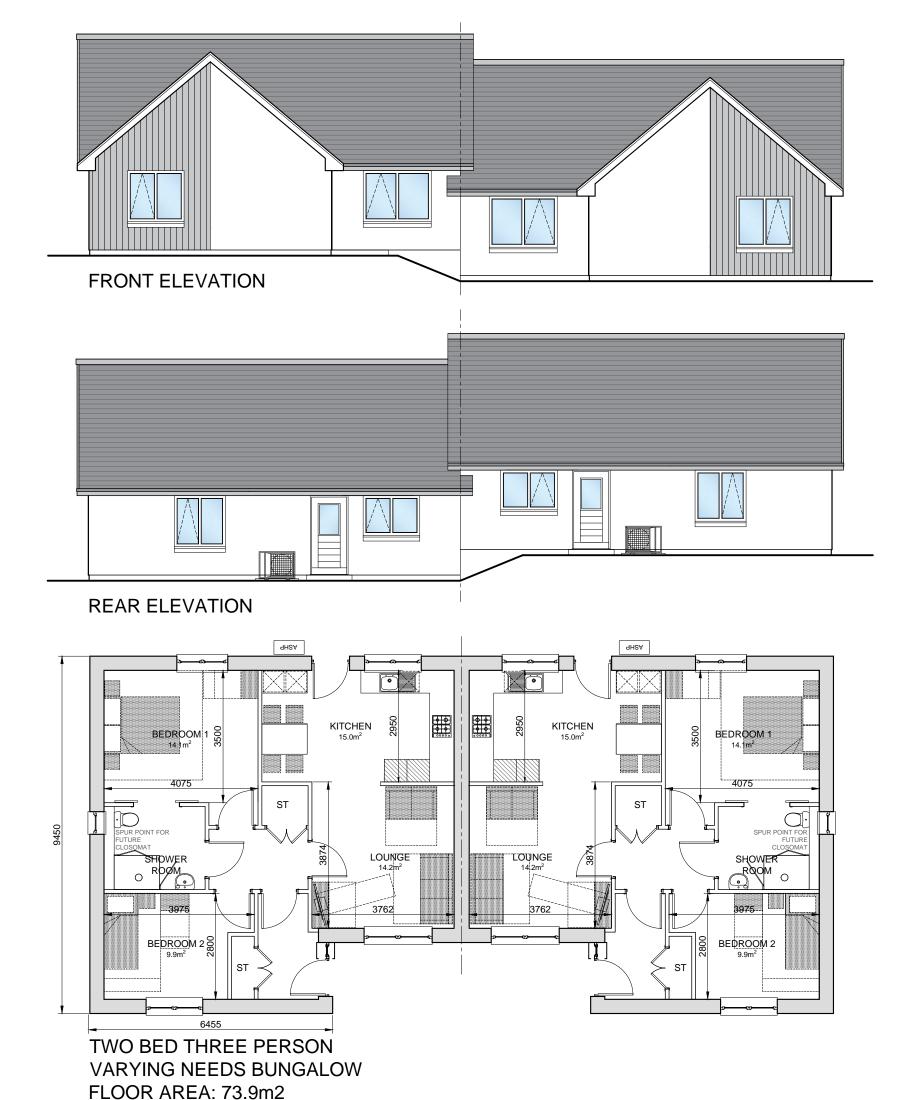
SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

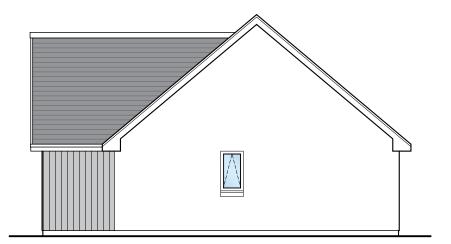
2B3P BUNGALOW - PLANS & ELEVATIONS PLOTS 37 & 38

STATUS:	PL	AN	IN	111	١	C
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SCALE:	1:100	DRAWN:	DW
PAPER SIZE:	A3	DATE:	Sep 2018
DWG No.	4320-01-	702	REV.

TWO BED THREE PERSON BUNGALOW





GABLE ELEVATION

REV DATE DESCRIPTION D

Bracewell Stirling CONSULTING

38 WALKER TERRACE, TILLICOULTRY, FK13 6EF 5 NESS BANK, INVERNESS, IV2 4SF 15 LOCHSIDE STREET, OBAN, PA34 4HP

01463 233760 01631 359054

SITE AT KINELLAN, STRATHPEFFER KINELLAN DRIVE, STRATHPEFFER HIGHLAND HOUSING ALLIANCE

2B3P VARYING NEEDS BUNGALOW - PLANS & ELEVATIONS PLOTS 9 & 10

STATUS:	PL/	104	NIN	G
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SCALE:	1:100	DRAWN:	DW
PAPER SIZE:	A3	DATE:	Sep 2018
DWG No.	4320-01-800		REV.