Agenda Item	6.12
Report No	PLS/100/19

HIGHLAND COUNCIL

Purpose/Executive Summary				
Report By:	Area Planning Manager – South			
	Land 125M SW of Scottish Fire and Rescue Service, Drumnadrochit			
	Land at Drum Farm, South of Fire Station, Drumnadrochit; and			
Report Title:	19/02761/FUL and 19/02762/FUL: Springfield Properties PLC			
Date:	4 December 2019			
Committee:	South Planning Applications Committee			

Description: 19/02761/FUL - Erection of 93 (including 24 affordable) homes and associated works

19/02762/FUL – Formation of mixed use village core of nursery, office space and retail (food and non-food)

Ward: 12 – Aird and Loch Ness

Development category: 19/02761/FUL – Major and 19/02762/FUL – Local

Reason referred to Committee:

19/02761/FUL - Major Development recommended for approval, Community Council objection and timeous objections from five or more separate addresses which cannot be resolved by conditions.

19/02762/FUL - Local Development closely associated with the Major Development, warranting their consideration together, Community Council objection.

All relevant matters have been taken into account when appraising these applications. It is considered that the proposals accord 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 development comprises two planning applications covered by a single masterplan, to deliver overall a mixed use development:
 - 1. 19/02761/FUL Erection of 93 (including 24 affordable) homes and associated works, comprising:

Private Market Homes (69 units):

- 16 x 2 bedroom cottage flat;
- 21 x 2 bedroom house;
- 27 x 3 bedroom house;
- 5 x 4 bedroom detached house.

Affordable Homes (24 units):

- 4 x 1 bedroom flat;
- 11 x 2 bedroom house;
- 2 x 2 bedroom bungalow;
- 6 x 3 bedroom house;
- 1 x 3 bedroom bungalow (fully wheelchair-accessible).
- 2. 19/02762/FUL Formation of mixed use village core of nursery, office space and retail (food and non-food), comprising from north to south:
 - 2 x Office (150 sqm and 183 sqm);
 - 3 x Retail (Non-Food) (108 sqm, 178 sqm and 178 sqm);
 - Café and Nursery 232 sqm.

These two applications taken together comprise the applicant's proposals for the site allocated as DR5 Drum Farm for mixed use development in the Inner Moray Firth Local Development Plan.

1.2 The access is proposed from the A82(T) via a new junction. This will serve the nursery, office space and retail on the part of the site nearest to the A82(T) and the homes on the land to the east. Additionally, active travel routes through the development are proposed connecting with the A82(T) near the fire station and with two locations on Kilmore Road (the easternmost of those also serving as an emergency access point). A crossing point on the A82(T) would be replaced by a new, signalised crossing. The proposals include landscaping on the A82(T) frontage, at other locations within the overall development and in association with open space to be provided in a central location. Some landscaping is also proposed in an area to the north of the main development areas. The primary Sustainable Drainage System (SuDS) basin is proposed at the eastern end of the site.

- 1.3 Pre-application advice was sought via the Council's Pre-Application Advice Service for Major Developments prior to the applicant's previous application for residential development on part of the site (18/02863/FUL) and, following refusal of that application, pre-application discussions were held in the lead-up to submission of the current applications.
- 1.4 As 19/02761/FUL is a planning application for 'major development', there is a requirement for statutory pre-application consultation; the Proposal of Application Notice submitted by the applicant under reference 17/05018/PAN and their associated pre-application consultation applies to their current proposal. The applicant additionally held a drop-in public information session ahead of submitting their current applications.
- 1.5 Supporting Information: In addition to the plans and elevations, the following supporting information was submitted:

Submitted prior to validation:

- Pre-Application Consultation Report
- Masterplan
- Design and Access Statement
- Phasing Plan
- Archaeological Assessment
- Ecological Survey
- Flood Risk Assessment
- Drainage Assessment and SuDS Report
- Transport Assessment
- Planning Statement
- Air Source Heat Pump Specification and Details
- Topographical Survey and Tree Survey
- Road Hierarchy and Connections Plan
- Landscaping Plan and Management Plan

Submitted following validation:

- Tree Protection Plan
- Arboricultural Impact Assessment/ Method Statement;
- Walking Distances from Bus Stops
- Road Adoption Plan
- Refuse Vehicle Swept Path
- Surface Water Management Plan
- Construction Traffic Management Plan
- Construction Environmental Management Plan

- Site Waste Management Plan
- Access Management Plan
- Landscape Plan
- Site Layout Plan Works on A82(T)
- 3D Graphics
- Stage 1 Road Safety Audit and Designer's Response
- 1.6 Variations: A number of additional pieces of information were submitted, seeking to address consultee comments. In addition to supporting information noted above, revised plans and drawings and some updates to supporting information were submitted. Revisions included (amongst others) some changes to residential unit sizes/types, the total number being reduced from 94 to 93 (of which affordable reduced from 25 to 24 and with re-mix agreed with the housing partner). Revisions also included reconfiguration of and other changes to the 'village core' of nonhousing proposals in response to flood risk issues, including relocating the proposed nursery from the northern end to the southern end. There were also revisions to pedestrian facilities on the frontage of the site at the access road, the addition of proposals for bus stops on the A82(T) and the addition of a turning head within the parking and servicing area for the non-housing uses north of the access road. The description given in paragraph 1.1 reflects the revisions.

2. SITE DESCRIPTION

- 2.1 The overall site comprises a substantial part of two fields in the centre of the village of Drumnadrochit. The fields are currently used for grazing. The overall site is bounded: to the north by the Fire Station and agricultural fields; to the east by residential properties on Enrick Crescent; to the south by residential properties on Old School Court and by residential properties and the Bakery on Kilmore Road; to the west by the A82(T). Most of the site is bounded by post and wire fencing, although boundary treatment is more varied where the boundary is shared with existing housing. The shared boundary with Old School Court features an attractive stone wall which complements the mature trees there.
- 2.2 In contrast to the significantly wooded and quite steeply rising terrain around the edges of the village, the site is largely open and fairly level, albeit with the site dropping towards its north-eastern extremity towards the river. Drumnadrochit sits in Broad Steep Sided Glen landscape character type (which runs along the Great Glen), close to its junction with Wooded Glen Inverness landscape character type (which runs along Glen Urquhart), as identified in the Landscape Character Assessment published by Scottish Natural Heritage (SNH) 2019.
- 2.3 There are some mature trees around the south eastern edge of the site, some within and some outwith the site boundary and in the gardens of properties on Enrick Crescent, the Bakery and properties on Old School Court. Some of the trees are diseased and in poor and very poor condition.
- 2.4 The site is crossed by intersecting 11kV overhead electricity lines on timber poles. An existing combined sewer runs roughly west to east, passing through northern parts of the site. Records indicate that there exists some abandoned sewer infrastructure elsewhere within the site.

- 2.5 There are no natural, built or cultural heritage designations on the site. Urquhart Bay Wood Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) are located to the north east of the application site. There is hydrological connectivity between the application site and the designated sites.
- 2.6 The Loch Ness and Duntelchaig Special Landscape Area (SLA) lies over 900 metres east of the application site at nearest points.
- 2.7 There are sites of archaeological interest recorded in the Highland Historic Environment Record within vicinity of the site. The former Glenurquhart Secondary School and Schoolhouse on Kilmore Road (now in residential use) are Category B listed building and in proximity to the site.
- 2.8 Taking into account the 1 in 200 year flood event scenario plus an allowance for climate change, the northern part of the site, outwith the developable area, (around 1.8ha) is at risk of fluvial flooding from the River Enrick.

3. PLANNING HISTORY

3.1	05.12.2018	18/02863/FUL – Erection of 94 dwellings and associated infrastructure	Planning Permission Refused
3.2	26.10.2017	17/05018/PAN – Residential development and associated infrastructure	Case Closed
3.3	29.04.2013	13/01612/PAN - The erection of 55 houses, 3 retail units and a commercial use site	Case Closed

4. PUBLIC PARTICIPATION

4.1 19/02761/FUL -

Advertised: Unknown Neighbour, Schedule 3 Development and Development Affecting Setting of Listed Building

Date Advertised: 19.07.2019

Site Notice: Affecting setting of a Listed Building

Date Posted: 09.07.2019

Representation deadline: 09.08.2019

Timeous representations: 10 (10 objections, 0 support)

Late representations: 2 (2 objections, 0 support)

19/02762/FUL -

Advertised: Unknown Neighbour and Schedule 3 Development

Date Advertised: 23.08.2019

Representation deadline: 06.09.2019

Timeous representations: 1 (1 objection, 0 support)

Late representations: 0 (0 objection, 0 support)

- 4.2 Material considerations raised are summarised as follows:
 - a) Proposal fails to comply with the Development Plan requirements for the site, including the number of homes proposed and phasing/ rate of growth;
 - b) Impact of traffic and transport; pollution, noise and safety concerns; disruption; questioning adequacy of pedestrian facilities;
 - c) Impact on infrastructure including shops, education, healthcare, emergency services, travel infrastructure, sewerage, postal services, refuse collection;
 - d) Need for and impact of more retail floorspace;
 - e) Concerns over design and layout of the proposed development including density of development; fit with neighbouring patterns of development; design and scale of houses; lack of landscape planting buffer between the proposed development and the existing properties on Kilmore Road;
 - f) Impact on amenity of existing properties (loss of privacy through overlooking and loss of light);
 - g) Concerns over sustainability of the proposed buildings;
 - h) Impact on character of village;
 - i) Impact on tourism;
 - j) Impact on natural environment assets and missing opportunity for site to be used and enhanced instead as valued greenspace;
 - k) Impact on greenspaces through the village and sufficiency of greenspace proposals;
 - I) Suitability of the location of the proposed nursery;
 - m) Flooding and surface water drainage concerns.
- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet.

5. CONSULTATIONS

5.1 **Glenurquhart Community Council** – objects to both applications.

If housing is to be developed on site DR5 then the Community Council welcomes the provision of mixed-use nursery / office space and retail units, provided these meet village needs and the design and setting enhances the community. However, it has concerns with the layout of the current proposals overall. The applicant has not demonstrated that the proposed depth of the 'village core' site is sufficient to accommodate for the realignment of the A82(T), a stone dyke and landscaping to mirror the Druimlon wall and avenue of trees, a 3m wide footpath and cycleway, the commercial development including parking and servicing requirements and the landscaping between the commercial development and housing. Insufficient parking provision and no segregation between car parking and servicing areas. 3m cycleway/footpath does not extend as far as the proposed crossing; the crossing should be a 'toucan' and delivered at the start of Phase 1. Lack of bus stops. The design for the mixed-use section is speculative at this stage and the applicant is providing quite a restricted space in terms of size and parking and could result in parts of the site becoming difficult to deliver. Note that the area for the nursery is only one of three areas being considered by the Child Care Centre. The

cycleway/footpath needs to extend to the Fire Station, island for pedestrians crossing the site entrance, stacking lane on A82(T). Retail units need to deliver quality services for the Glen. Architecture and building height to reflect and tie in with housing and shops around Drum Green. The finished ground level should be similar to the existing ground level to prevent issues with ground water intrusion. A clear view of Craig Nay to be maintained for people walking beside A82(T).

The Community Council considers that the application for housing does not comply with the Development Plan on a number of points including: amount of development for site and settlement are higher than allocated; over-development of the site; rate of development; visual impact on settlement and its setting resulting from the layout and density of the development; extent and effectiveness of greenspace retained and provided. It considers that the first phase should comprise solely affordable housing and thereafter annual housing completions should fit with limit specified in IMFLDP. Lack of green buffer to properties on Kilmore Road. Local drainage issues require to be resolved. Childcare and Primary education capacity issues require to be resolved. The affordable housing mix does not cater for local needs and the houses ought to be designed to be indistinguishable from the private market housing. The proposed development of predominantly 2 storey white houses is inappropriate for the Drum Farm location. Any traffic assessment for the new development should also consider the impact at Kilmore junction and suitable improvements should be made to the Kilmore junction. The Community Council ask that the developer work with the local community to incorporate any archaeological finds within a heritage trail and identify a sum of money for this project. The Community Council would expect all houses to have an adjacent footpath and not have to cross the road on leaving home. Requests that if permission is to be granted: plots 78 and 79 (in the revised information, on drawing DR01_SL_PL-09 REV I) are removed and a burden-free site access created to the Cobbs Bakery site to facilitate any future redevelopment of it such as for homes supported by the Care Centre as part of a safe and cohesive development; phasing and construction to ensure residents of the new homes have safe vehicle, pedestrian and cycle access to the A82(T) from the outset; the site should be developed at or close to existing ground levels due to flood risk; excavated topsoil should not be stored or landscaped in the flood risk area; a condition to require that excess topsoil be offered to a community project sited no more than 1 mile from the site, delivered and provided free of charge to the community; a community liaison group be established.

In respect of both applications the Community Council comments that the planned Drumnadrochit Flood Scheme is expected to be delivered within 2 years and would mean that Site DR5 would be less constrained by flood risk and enable an alternative scheme to be proposed for development in line with the Local Development Plan.

In respect of the development overall the Community Council is concerned if there being two applications rather than one in any way prejudices securing the delivery of the 'village core' development as part of the whole and at an early stage.

5.2 **Development Plans Team** do not object to the applications. It notes that the principle of the mix of uses that is proposed across the two applications is accepted on this site by virtue of the allocation in the IMFLDP. It notes that the level of housing development proposed is significantly higher than and not generally consistent with the indicative capacity specified for the site in the IMFLDP. However, the proposals would deliver a mix of uses, including affordable housing,

in a central location and have responded to the developer requirements for the site set out in the IMFLDP, including landscaped set-back, active travel provision and open/green space and landscaping. Subject to appropriate phasing and tying the two applications together, the proposals could be supported. Developer contributions sought would mitigate the impacts of the development and include (through on-site provision where appropriate or otherwise through contribution towards off-site provision): education; affordable housing; transport; green infrastructure; water and waste; and public art.

5.3 **Transport Planning Team** do not object to the applications following submission of revised information to address concerns about the servicing arrangements for the proposed commercial developments by including turning heads within the parking and servicing areas, off the main access road. It recommends that any permission granted specifically references the type and size of land uses proposed for the commercial centre, as any changes could alter the demand to park. It should also be clear that any changes to the land uses proposed will need a formal Variation to any permission granted.

Conditions and an informative are requested on a number of matters.

For the 'village core' application a condition is requested to require each individual occupier of units to either develop and implement an Operational Travel Plan, or formally adopt any existing Travel Plan operating for the wider site prior to each facility opening.

For the 'village core' application a condition is requested seeking that the bin stores for the commercial units are positioned so that they can be accessed for collection from the turning heads within those parking courts.

For the 'village core' application a condition is requested requiring an Operational Traffic Management Plan be submitted to and approved by the Planning Authority before any commercial unit begins to operate.

For the residential application a condition is requested requiring the form of the gateway feature on the main spine road between the residential and commercial areas be submitted to and approved by the Planning Authority prior to any works commencing on site.

For the residential application a condition is requested to secure the provision of a 2m wide footway in front of units 23-27.

For both applications an informative is requested clarifying that a Road Construction Consent will be required for the proposed new roads serving these developments.

For the 'village core' application a condition is requested requiring the form and location of disabled parking spaces to be submitted to and approved by the Planning Authority. Once approved, they should be implemented prior to the units they're intending to serve coming into operation.

For both applications a condition is requested requiring the form of all necessary cycle parking to be submitted to and approved by the Planning Authority prior to any works commencing on site. Once approved, those details should be implemented prior to any occupation of the facilities they are intended to serve.

For both applications a condition is requested requiring the final location of the proposed new crossing to be agreed with the Planning Authority in discussion with Transport Scotland.

For both applications a condition is requested requiring investigations to be undertaken into whether bus shelters can be safely accommodated at the new stops on the A82(T) and if found to be possible, those shelters should be provided as part of delivering the new bus stops. Those stops should be in-place and operational prior to there being occupation at the development.

For both applications a condition is requested requiring the details of the interim arrangements for accessing the SUDS features to be submitted to and approved by the Planning Authority in discussion with Scottish Water prior to any works commencing. Once agreed, those proposals should be implemented prior to any occupation happening.

For the residential application a condition is requested requiring the location and form of bin stores and bin collection points to be submitted to and approved by the Planning Authority prior to any works commencing on site. Once approved, those designs shall be implemented prior to the Units that they serve being occupied.

- 5.4 **Access Officer** does not object to the applications following submission of additional information including an Access Management Plan. Outstanding concerns may be addressed by conditions; these include:
 - the removal of any signs or gates deterring access to the farm track near the fire station;
 - specification of the proposed path through the floodplain open space to be 3m wide, bitmac and lit with associated drainage;
 - specifications for the other paths including their widths, including the difference between the 3m Asphalt Cycleway and 2m Asphalt Footpath;
 - removal of the gate from the Green Corridor onto Kilmore Road;
 - specifying the junction of the other path onto Kilmore Road;
 - reducing the height of pathside fences to 1.2m;
 - inclusion of a 2m wide asphalt path, if possible, on the desire line between the parking / nearby housing areas around the southern end of the 'village core' development and the proposed crossing on the A82(T) in the vicinity of the Café and Taigh Anns A Choille.
- 5.5 **Flood Risk Management Team** do not object to the applications following submission of revised information to address flood risk to the proposed nursery, finished floor levels through the development, the need for clarity about the design standards of the SuDS and the locations of the filter trench and final discharge point of the site drainage. A condition is requested to require that the final drainage design be submitted for review, including full network simulations for storms up to the 1 in 200 year plus climate change event demonstrating that discharge will not exceed the pre-development greenfield rate and confirmation that the design is 'Sewers for Scotland' compliant and that Scottish Water will vest the system.
- 5.6 **Contaminated Land Team** do not object to the applications. An informative should be attached to any permission granted in relation to requirements for basic radon protection measures in all buildings.

- 5.7 **Housing Development Officer** does not object to the residential development application. The required percentage for affordable homes on this development is met. Raised concerns about the mix of types, sizes and layout/phasing of affordable units. The revised number, mix of types and sizes of affordable units (submitted by the applicant September 2019) reflects recent discussions between THC Housing Development Officer, the applicant and their chosen housing partner Albyn Housing Society Limited, who are also agreeable to the layout/phasing proposed.
- 5.8 **Forestry Officer** does not object to the applications following submission of additional information including Landscape Plans. Notes that the tree protection plans are adequate but that there is poor separation between retained trees 410-411 and nearby units (units 90 and 91 in the revised information). Welcomes the level of planting proposed. Conditions are requested to secure the protection of retained trees during construction and thereafter and implementation of the Landscape Plans to an agreed timescale and to the agreed standard in the interests of amenity.
- 5.9 **Historic Environment Team** do not object to the applications. It sets out that the proposed applications areas are considered to have archaeological potential. A condition is sought to secure a programme of work to be agreed precommencement for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation.
- 5.10 **Scottish Environment Protection Agency (SEPA)** do not object to the applications following submission of revised information to address flood risk to the proposed nursery, finished floor levels through the development and confirmation that there will be no landraising within the flood plain. A condition is requested to secure that the proposed access path which is located within the functional flood plain remains at existing ground levels to ensure there are no changes to floodplain storage or conveyance.
- 5.11 Transport Scotland do not object to the applications following submission of revised information to provide clarity and more information including junction design and visibility, design and extent of proposals for active travel and bus facilities in the vicinity of the A82(T) and a Stage 1 Road Safety Audit and Designer's Response. Conditions are requested to secure construction of the new ghost island right turn priority junction with the A82(T), the proposed pedestrian accessibility improvements on the eastern side of the A82(T), the proposed Toucan pedestrian crossing and pedestrian refuge crossing on the A82(T) and the proposed bus stops on the A82(T), all prior to occupation of any part of the development, to the satisfaction of the Planning Authority after consultation with Transport Scotland. In the case of the application for non-housing uses, additional conditions are requested to secure details of the lighting within the site and also details of the landscaping treatment along the trunk road boundary to be agreed precommencement, and also a condition requiring there to be no drainage connections to the trunk road drainage system.
- 5.12 **Scottish Water** do not object to the applications. It is unable to confirm sufficient capacity at this time for foul water (Drumnadrochit Waste Water Treatment Works) for the overall development and for water supply for the housing development; for

the non-housing development there is currently sufficient capacity in the Glenconvinth Water Treatment Works, however further investigations may be required once a formal connection application is made. It highlights that the development proposals would impact on existing Scottish Water assets and this may require restrictions on proximity of construction. The developer should satisfy themselves that any abandoned sewers have been broken out and removed from site.

- 5.13 **Scottish Natural Heritage (SNH)** has confirmed that it has no comments to make. Refers to SNH's Service Statement and General Advice.
- 5.14 **High Life Highland (HLH)** do not identify a basis for developer contributions for Community Facilities from this development. However, HLH would seek community access to any education facilities in the area once enhanced in the future through any developer contributions for education.
- 5.15 **SSE-NE**: No response.
- 5.16 Crofting Commission: No response.

6. DEVELOPMENT PLAN POLICY

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

6.1 **Highland Wide Local Development Plan 2012:**

- 28 Sustainable Design
- 29 Design Quality and Place-making
- 30 Physical Constraints
- 31 Developer Contributions
- 32 Affordable Housing
- 34 Settlement Development Areas
- 40 Retail Development
- 41 Business and Industrial Land
- 51 Trees and Development
- 56 Travel
- 57 Natural, Built and Cultural Heritage
- 58 Protected Species
- 59 Other Important Species
- 60 Other Important Habitats and Article 10 Features
- 61 Landscape
- 63 Water Environment
- 64 Flood Risk
- 65 Waste Water Treatment
- 66 Surface Water Drainage
- 70 Waste Management Facilities
- 72 Pollution
- 74 Green Networks
- 75 Open Space
- 77 Public Access

Inner Moray Firth Local Development Plan (2015): 6.2

Policy 2 – Delivering Development Allocation DR5 – Drum Farm – Mixed Use: 55 homes, business, retail, community Drumnadrochit – Settlement Development Area (SDA) and settlement text

6.3 **Supplementary Guidance**

Developer Contributions (November 2018) Flood Risk and Drainage Impact Assessment (January 2013) Green Networks (January 2013) Highland Historic Environment Strategy (January 2013) Highland's Statutorily Protected Species (March 2013) Managing Waste in New Developments (March 2013) Open Space in New Residential Developments (January 2013) Physical Constraints (March 2013) Public Art Strategy (March 2013) Sustainable Design Guide (January 2013) Trees, Woodlands and Development (January 2013)

7. **OTHER MATERIAL CONSIDERATIONS**

7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (2014)

National Planning Framework 3 (2014)

Designing Streets (2011)

Creating Places (2013)

PAN 1/2011 Planning and Noise

PAN 2/2011 Planning and Archaeology

PAN 2/2010 Affordable Housing and Land Audits

PAN 61 Sustainable Urban Drainage Systems (SUDS)

PAN 65 Planning and Open Space

PAN 66 Annex B: Advice on Major Developments Affecting Trunk Roads and Motorways

PAN 67 Housing Quality

PAN 68 Design Statements

PAN 77 Designing Safer Places

PAN 79 Water and Drainage

7.2 The Highland Council Planning Guidance and Advice (non-statutory)

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

Standards for Archaeological Work (March 2012)

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) Design and layout (including landscaping and open space)
 - c) Transport, access and servicing
 - d) Impact on the water environment (including Flood Risk and Drainage)
 - e) Impact on the natural environment
 - f) Amenity impacts
 - g) Phasing
 - h) Impact on education and infrastructure
 - i) Impact on historic environment
 - j) Any other material considerations.

Compliance with the development plan and other planning policy

- 8.4 Development Plan policy is set out in the Highland-wide Local Development Plan (HwLDP) 2012, the Inner Moray Firth Local Development Plan (IMFLDP) 2015 and statutorily adopted supplementary guidance.
- 8.5 The application sites lay wholly within the Settlement Development Area identified for the village of Drumnadrochit in the IMFLDP. Policy 34 - Settlement Development Areas (SDA) of the HwLDP applies and states that the Council will support proposals within the SDA if they meet the requirements of Policy 28 -Sustainable Design and all other relevant policies of the Development Plan. Proposals require to be judged in terms of their compatibility with surrounding land uses and impacts on any natural, built and cultural heritage features. On the whole the application sites carry a presumption in favour of appropriate development subject to various factors. The principle of the development of the proposed uses on these sites is accepted through their forming a site allocation in the IMFLDP. The majority of application site 19/02761/FUL forms the greater part of allocation DR5 in the IMFLDP. Part of that application site, immediately fronting Kilmore Road west of Old School Court (proposed to accommodate a landscaped active travel link), and the part for the access off the A82(T) which lies within the 'Open Space' strip indicated in the IMFLDP, are outwith the boundary of site DR5. Application site 19/02762/FUL forms the remaining, westernmost part of Site DR5 and also

includes the 'Open Space' strip indicated in the IMFLDP alongside the A82(T). That strip indicated in the Plan is to help secure such a feature in any development rather than reflecting an existing, publicly accessible open space feature, albeit the current agricultural use of the field affords green, open vistas.

- 8.6 Policy 2 Delivering Development in the IMFLDP indicates that development of the locations and uses specified in Section 4 of the Plan (e.g. the settlement site allocations) will be supported subject to provision of the necessary infrastructure, services and facilities required to support new development proposed as indicated in the Plan. It also indicates that larger sites must be appropriately masterplanned and that each phase of development will need to show its relationship to this overall masterplan and demonstrate how the required infrastructure will be delivered.
- 8.7 Sites are allocated in the Development Plan to deliver the strategy and vision for the area. For Drumnadrochit this includes meeting the needs for new housing, business, community and other needs. Mixed Use allocations such as DR5 help to deliver a balance of uses, enabling sustainable growth of settlements. The inclusion of non-housing uses within the specified allocation and the delivery of those uses is important. A mixed use site being brought forward for development need not rely on the implementation of other sites to maintain the sustainable balance of uses in the settlement. The requirement for an appropriate masterplanned scheme for the whole site is to ensure that a mix of uses will be secured and delivered within the site, with appropriate phasing.
- 8.8 The proposed development covered by the two applications, when taken together, would therefore contribute to the following placemaking principles for Drumnadrochit set out in paragraph 4.105 of the IMFLDP:
 - Creation of a larger, mixed use village centre to act as a commercial and community hub for the Glenurquhart communities;
 - This village centre to accommodate relocated and expanded health, retail and business premises plus housing close to these facilities.
- 8.9 Site DR5 (5.7 hectares) is allocated for Mixed Use comprising housing, business, community and retail. The IMFLDP states an indicative housing capacity of 55 homes for DR5; no floorspace or plot size is set by the IMFLDP for the business, retail and community uses. Paragraph 2.12 of the IMFLDP states that planning applications are expected to be generally consistent with the indicative housing capacities specified and goes on to state that a different capacity may be acceptable subject to detailed design that demonstrates efficient use of land and a satisfactory layout. The IMFLDP sets out for DR5 a requirement that the developer prepare a masterplan / development brief to be agreed with the Council (who may adopt it as Supplementary Guidance). The Plan says that it should address:
 - phasing of a maximum of 10 housing units per annum;
 - any application must include a non-housing element which must be provided within an initial phase of development;
 - high quality of architectural design respecting the site's prominent tourist route location;
 - landscaped set back from A82(T) including stone dyke feature and remote footpath / cycle way;

- publicly accessible green corridor retention to retain and frame public vistas and to maintain a degree of visual separation between settlements;
- connection to wider village path network;
- Flood Risk Assessment (may affect developable area).
- 8.10 In preparing the applications, the applicant has prepared a masterplan. The masterplan proposed by the applicant addresses the points above and subject to matters of details, such as phasing, can be considered to accord with the requirement in the IMFLDP.
- 8.11 Drumnadrochit is identified within the HwLDP's settlement hierarchy as a Local Centre. Policy 40 of the HwLDP sets out criteria for the consideration of retail development proposals, including in locations within, on the edge of and out of city/town/village centres. Application 19/02762/FUL includes retail in a relatively central location within Drumnadrochit, on land allocated in the IMFLDP for mixed use development including retail and thereby where the principle is established. The proposal is for local scale retail provision and would provide opportunity to complement the existing retail offer. The village centre of Drumnadrochit is not defined in the IMFLDP, but rather the 'centre' facilities are focussed in a number of locations along and close to the A82(T). The established area around the village green and car park has particular village centre character. The proposed retail units would be located around halfway along that 'corridor' of facilities, a short distance south of the car park and on the site's frontage to the A82(T).
- 8.12 Whilst Drumnadrochit is not one of the strategic business and industrial site locations named in Policy 41 of the HwLDP, Policy 41 also says that area local development plans will further identify and specify business and industrial sites elsewhere. The inclusion of business uses as part of the mixed use allocation for site DR5 is part of the IMFLDP's response to that. Application 19/02762/FUL fits with this as it seeks to deliver two office units (business use).
- 8.13 The response from the Development Plans Team concludes that the principle of development on the site has been established by the Development Plan. The proposed number of 93 residential units cannot be regarded as generally consistent with the indicative capacity for the site of 55 units as indicated in the IMFLDP. However, subject to any further analysis and consideration of the relevant issues in this report and appropriate phasing, the scale of development would be acceptable and the two applications in overall conformity with the Development Plan, taking into account the Developer Contributions that are sought. Development Plans Team support for the development, subject to matters referred to above, has been subject to the resolution of a number of technical issues in order to ensure compliance with other relevant policies of the Development Plan. These matters are considered in detail in the following sections of this report.
- 8.14 Even though the number of houses proposed (93) is in excess of the indicative capacity for Site DR5 (55), as outlined above that may be acceptable subject to detailed design that demonstrates efficient use of land and a satisfactory layout.

8.15 The Development Plan contains a number of further policy tests that must be taken into account in determining these applications; in particular matters related to layout, design, place-making and infrastructure provision. If there are no significant impacts arising from these matters and the detailed design demonstrates efficient use of land and a satisfactory layout then the applications could be supported.

Design and layout (including landscaping and open space)

- 8.16 The densities of existing developments in the locality vary quite considerably. For example, properties to the immediate south on Kilmore Road and Enrick Crescent to the east are of markedly lower density than the proposals; however, plot widths of older terraced housing at Druimlon (on the opposite side of the A82(T)) are similar to those for the proposed terraced housing, albeit the older properties have longer gardens.
- 8.17 The majority of the proposed housing units are two storey. Some representations raise concern over the scale of the proposed houses and consider it contrasts with the one and half storey properties in the vicinity of the site. The dwellings proposed are however considered an appropriate mass and height for this location and are broadly reflective of other new built development in Drumnadrochit and the houses on Kilmore Road which is adjacent to the site.
- 8.18 In a number of instances within the layout, where a semi-detached or terraced dwelling is located on a corner plot the proposals include variations on the house types that locate the front door on what would otherwise be regarded as the end elevation. This is welcomed as it increases the proportion of active frontages to the road within the development.
- 8.19 The proposed housing is relatively close to the site boundary in relation to some of the properties on Kilmore Road, although a separation of at least 20 metres would be maintained between opposing windows. The site lies to the north of properties on Kilmore Road, as this is the case it is not considered that daylight into these properties will be affected. The properties which may have their daylight reduced are those on the eastern side of Old School Court. However, it is not considered that it would render the properties an unattractive place to live.
- 8.20 Locating the business, community and retail uses on the western part of the allocated site, closest to the A82(T), as proposed is logical in terms of overall layout.
- 8.21 In the context of the local area, the house designs and materials are appropriate although further details of materials may be required by condition to be submitted for approval. Whilst there are some differences indicated in design between the private market housing and affordable housing, the difference is not so marked as to be of concern and a high quality will be maintained through the site. The 'village core' units, all single storey, achieve a strong overall form and uniformity, both between the mixed use units and the housing, whilst incorporating architectural interest through its plan form with end units at right angles, presenting gable ends to the front, and pends providing alternative pedestrian routes from front to rear and informal opportunity to take shelter. The materials proposed are appropriate,

however the final finishes will required to be secured by condition. On the whole, the designs are appropriate in the context of the IMFLDP's developer requirement for Site DR5 for a high quality of architectural design respecting the site's prominent tourist location. Public art within the site can be secured by condition.

- 8.22 There are two principal areas of open space proposed. The first, smaller area would provide a central and roughly square feature within the housing development, includes an active travel route on the diagonal 'desire line' and is well related to surrounding homes. The location of the open space and the principle of the open space being overlooked is welcomed. The second, larger area is on the northern part of the site and is land within the area at risk of flooding which helps maintain a vista eastwards from the A82(T), in line with the provisions of the allocation in the IMFLDP. There are a number of smaller, landscaped areas shown as part of the proposals. The overall amount of open space proposed exceeds the quantity standards set out in the Open Space in New Residential Developments: Supplementary Guidance. There is some information within the application regarding types of open space provision (e.g. indicating that a well-equipped play area will be provided centrally within the development), but the quality standard has not been proven. This matter can however be addressed via condition.
- 8.23 The proposed open space provision, landscaping and active travel links are supported, including the provision of a landscaped link to Kilmore Road west of Old School Court and in vicinity of the Listed Building.
- 8.24 Some of the building footprints extend beyond the boundary of site DR5, into the 'Open Space' strip indicated in the IMFLDP alongside the A82(T). Nevertheless, the buildings would be set back from the road, with a proposed landscape strip incorporating tree planting and a stone dyke between the proposed buildings and the road. The landscape strip would reflect the scale and layout of the landscaping on the opposite side of the road. Active travel provision would be both immediately in front of the buildings and alongside the A82(T). This would meet requirements set out in the IMFLDP for the site.
- 8.25 The landscape planting strip alongside the A82(T) combined with further planting around the southern end of the 'village core' development and open space at the northern end would provide a landscape setting appreciated when moving through the village. The public open space proposed on the northern part of the site, south of the fire station, would extend eastwards from the A82(T) to the eastern edge of the site where adjacent land is agricultural. This open space would therefore maintain vistas eastwards from the main road as noted above and provide opportunities for those using the area (including passing through the open space on the proposed active travel route) to enjoy open views in a number of directions.
- 8.26 In incorporating necessary parking, servicing and vehicle turning space within the portion of the site identified by the developer for the non-housing element, the amount of space remaining for landscaping between that area and the housing part of the site is somewhat limited. However, the proposals do seek to define a 'gateway' point on the access road, to mark a change in character where the residential environment would commence.

- 8.27 Vehicular access to the site is via a single access point on the A82(T). The internal road layout of the residential area incorporates two loop arrangements and most of the site is consequently able to be accessed whilst remaining in forward gear. This is welcomed. In taking this approach the layout can be considered to accord with the principles of Designing Streets. Further there is a positive relationship between the buildings and the street at key locations within the development.
- 8.28 The Landscape Plans submitted include extensive tree planting through the site, including 'Heavy Standard' trees in prominent locations such as the site frontage and the central open space. A number of areas would be defined by beech hedging and in particular this is proposed to help define the transition between the 'village core' area and the residential area. In accordance with the requirement in the IMFLDP, a feature stone wall would run the length of the site's frontage to the A82(T).
- 8.29 The layout includes a number of parking courts and areas which will contain blocks of car parking. This includes the areas around units: 8-11, 12-15, 28-31 and 32-35; units 54-57, units 69-73; and units 89-93. The properties where the parking is to the side of the property are welcomed as they reduce the car domination within the street scene; elsewhere, the landscaping scheme will mitigate the visual impact of the parking areas.
- 8.30 The 'village core' proposals will have some impact on public views of the hills lying to the north of Drumnadrochit as viewed from the A82(T). This will be mitigated by the retention of an area of open ground and the proposed row of trees along the site frontage.
- 8.31 Representations have raised concerns about the impact on the character of the village. The proposed development is more suburban in design than the more spacious plots on Kilmore Road. The more modern developments in the wider village are different again and more akin to the character of development proposed through this application. The proposed development would introduce an element of change and take up part of an area of 'green separation' between built areas which currently characterises this area. However, the site is allocated for development. Appropriate densities, siting and design help to mitigate the impact. The retention of a green setting to the development, albeit by addressing the flood risk constraint, allows for the maintenance of green areas in the centre of the village (and would have the added benefit of delivering much of that as publicly accessible open space).

Transport, access and servicing

8.32 The boundary of the site allocation in the IMFLDP had been drawn in such a way as to facilitate provision of a main site access off the A82(T) immediately south of the fire station where the existing farm access is located. However, the applicant's proposed arrangement is to deliver as part of the first phase of development a new access directly from the A82(T), roughly halfway along the site frontage. This is an acceptable access and is preferred to the previously proposed access which had been proposed from Kilmore Road. The Kilmore Road access was not considered acceptable due to reasons of road and pedestrian safety. The development would not use Kilmore Road for access other than for emergency access and active travel connections, which is welcomed. Additionally the applicant's Transport Assessment

included assessment of the proposed development on the operation of the A82(T)/ Kilmore Road/ Pitkerrald Road junction and concluded that it would operate satisfactorily with no requirement for any further physical mitigation. Transport Scotland requires a number of conditions which are considered reasonable and proportionate.

- 8.33 The application proposes a toucan crossing on the A82(T) near the southern end of the site (as a replacement for the existing advisory crossing with central refuge island nearby). The detail of this can be secured by condition. This is supported by both Transport Planning and Transport Scotland.
- 8.34 In addition an advisory crossing with central refuge island is proposed on the A82(T) to the north of the proposed access point into the site and a further central refuge has been incorporated into the junction design to facilitate crossing of the access road itself.
- 8.35 In response to consultee comments, new on-line bus stops (additional to existing bus stops in the village) are proposed on the A82(T) around the northern end of the 'village core' and will result in good accessibility to the bus route for residents of the proposed new houses and improved accessibility for existing residents, particularly those in the Kilmore and Druimlon areas.
- 8.36 The residential layout provides two parking spaces per residential unit in accordance with THC Standards. The number of parking spaces provided in the 'village core' may be adequate, but that assessment is caveated. The provision, does not take account of any shared trips and is based on no dedicated provision for the nursery drop-off and pick-up. It is also reliant on the type and size of land-uses proposed within the application. Any permission granted should therefore specify the type and size of land uses permitted, with any subsequent change to proposals in those regards requiring a revised planning application. The proposals include disabled parking provision and whilst it complies with guidelines in terms of number of spaces, their locations do not; this can be addressed by condition.
- 8.37 Specific provisions within the layout, together with aspects of the street hierarchy, combine to make suitable provision for active travel overall and enable movement within and through the development, with multiple connections beyond to the west and south. Final details are to be secured by condition on matters including an access management plan to manage access during construction and once the development is complete.
- 8.38 Waste management within the residential element of the site will be served by The Highland Council. It is anticipated a private collection arrangement will be taken forward for the commercial aspects of the development. A Waste Management Strategy for both the residential and commercial elements of the site can be secured via condition.

Impact on the water environment (including Flood Risk and Drainage)

8.39 The developable area of the site is limited to a substantial degree by flood risk considerations which render the northern part of the site unsuitable for vulnerable uses such as housing. In allocating the site for development, the IMFLDP acknowledged flood risk considerations and required any developer to prepare an assessment. The applicant's assessment has informed the proposals; the

applications have responded to this constraint and it is reflected in the proposed layout, which includes an expansive open space area within the floodplain. Consequences are that the layout of the development retains a public vista eastwards from the A82(T) across the northern part of Site DR5, which is welcomed, with vulnerable uses focussed on the southern two-thirds (approx.) of the site. This locates the proposed buildings more alongside the existing built-up Kilmore Road locality than with the existing built up area to the north-west.

- 8.40 No occupied element of the development, housing or non-housing uses, are proposed within an area identified as a 1 in 200 year (plus climate change) flood event. The area of the site within the area at risk of flooding is to become an area of informal open space. The proposals also avoid land-raising within the floodplain. This is welcomed and following submission of further information neither SEPA nor the Council's Flood Risk Management Team have objected to the application on grounds of flood risk. The active travel route that crosses the area at risk of flooding would be required to be designed appropriately and remain at existing ground levels so as not to change the floodplain storage or conveyance. The finished level and construction detail of the path can be secured by condition.
- 8.41 The Council's Flood Risk Management Team has accepted the principle of the SuDS but request conditions to secure the final drainage design, including full network simulations for storms up to the 1 in 200 year plus climate change event demonstrating that discharge will not exceed the pre-development greenfield rate and confirmation that the design is 'Sewers for Scotland' compliant and that Scottish Water will vest the system.
- 8.42 In terms of water and waste water provision, Scottish Water has not been able to confirm as yet whether there is sufficient capacity in the network to serve the development as a whole. Glenurquhart Community Council indicated a long standing problem with drainage from Drum Bridge to Druimlon, which it says is in part due to the condition of the sewer running through the application sites. The applicant has confirmed that as part of the approval process and early discussions with Scottish Water regarding the proposed development, an Impact Assessment including modelling of the existing network has been conducted and concluded a recommendation that the existing Combined sewer will be upgraded to increase capacity as part of the delivery of onsite development infrastructure.
- 8.43 Some representations suggest that proposals for development of the site should await implementation of the Drumnadrochit Flood Protection Scheme, on the basis that it would free up additional land for development and enable the layout to be amended to shift house plots away from existing properties on Kilmore Road. Parts of Drumnadrochit are considered to be a potentially vulnerable area and the 200 year plus climate change return shows that 31 properties are at risk of flooding arising from flows within the River Enrick. The Highland Council has prepared a Flood Protection Scheme to reduce the risk of flooding of residential and commercial properties within the village. The Environment, Development and Infrastructure Committee on the 15 August 2019 confirmed the Drumnadrochit Flood Protection Scheme. Detailed design is progressing and it is anticipated that the tender will be invited early 2020 with completion by Summer 2021, i.e. complete before the end of Local Flood Risk Management Plan cycle of March 2022.

- 8.44 A Flood Protection Scheme is proposed for the purpose of reducing the risk of flooding to existing properties, rather than to enable future development. However, a consequence of a Scheme can be that it also reduces the risk to land and where it is a formal scheme such as that for Drumnadrochit (progressed under the relevant legislation), that reduced level of risk can be taken account of when considering the suitability for development of the defended land within the built up area. Scottish Planning Policy 2014, together with SEPA's "Planning Information Note 4" and "Flood Risk and Land Use Vulnerability Guidance", are relevant. Within the last-mentioned document, SEPA classifies nurseries as a most vulnerable use, buildings used for dwelling houses as a highly vulnerable use, shops and cafes and offices as least vulnerable uses and amenity open space as a water compatible use.
- 8.45 Flood modelling for the Flood Protection Scheme indicates that the protection to be provided would reduce the flood extents in the vicinity of the application sites for the modelled scenarios. Modelled flood extents depend upon what allowance (if any) is included for climate change. Having regard to modelled flood extents, the development potential of protected land within the built up area (in terms of location, extent and uses) would depend upon the appropriate standard of protection for the particular use and whether the approach were to include sufficient allowance for climate change as part of the standard or to address climate change through development design. Subject to other planning considerations, it is likely that following implementation of the flood protection scheme more land at Drum Farm would be suitable for development than is currently the case. However, further assessment and analysis would be required to determine in more detail the location and extent of areas where this would be the case. Some of that land could be outwith the current Settlement Development Area and Site DR5. This may be best considered through the review of the IMFLDP. However, the current applications are to be considered on their merits in the context of the current Development Plan and other material considerations.

Impact on the natural environment

- 8.46 In respect of existing trees to be retained, the defined Root Protection Areas are adequate. Spacings between existing trees and proposed units is, on the whole, sufficient to promote their retention as part of the overall landscape and natural setting for the development and surrounding area; the exception as noted by the Forestry Officer is that retained trees 410-411 are relatively close to nearby units (units 90 and 91 in the revised information), however it is anticipated that these can be retained long term. Landscaping proposals include the planting of beech hedging to property boundaries in this area to supplement the green boundary to Kilmore Road. The management and maintenance of the trees would require to be addressed through securing a woodland management plan, alongside landscaping plans and details of the open space provision.
- 8.47 Habitats exist on the site that could support bats, reptiles and breeding birds and development activity could disturb the species. Conditions can address the need for any further assessment necessary and to ensure appropriate avoidance (e.g. through timing of works) and mitigation. With regard to the Urquhart Bay Wood Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC), whilst

there is hydrological connectivity between the application site and the designated sites they are some distance apart and given the proposal avoids the flood risk area, incorporates SUDS and is required to connect to the public sewer, no likely significant effect is expected on the protected habitats and qualifying interests.

8.48 With regard to the Loch Ness and Duntelchaig Special Landscape Area (SLA), given the type and scale of the proposed development and its location on an allocated site within the Settlement Development Area of the village, on relatively flat and low-lying land outwith the SLA, no significant effect is expected on the special qualities of the SLA.

Amenity impacts

- 8.49 Some of the proposed residential properties are in proximity to the shared boundary with the area for non-housing uses, where there are no dedicated service yards but provision of parking areas that would also be for servicing. This is not necessarily problematic given the proposed uses and the scale of the non-housing uses.
- 8.50 The description of development applied for under application 19/02762/FUL includes non-food retail and that takes the form of a café. As the description of development does not include hot food and assessment of the application has therefore been on the basis of only cold food being served, a condition will be required on any permission granted, limiting the scope of the permission for the café to cold food only. If a proposal subsequently comes forward for hot food retail then that will require a separate planning application to appropriately assess the impacts of such a use.
- 8.51 The concerns raised in representations in relation to amenity, mainly focus on the change in character of the area and the amenity impacts during construction. This is a matter that will predominantly be short term. The construction impacts can be managed through the implementation of a construction environmental management document approach which can be secured by condition, in combination with appropriate phasing. The Community Council raise matters concerning topsoil. Top soil storage is a matter that can be covered in the Construction Environmental Management Document. The matter of offering it to the community is one of community benefit which would need to be agreed outwith the planning system.
- 8.52 All plant and machinery will require to be operated within reasonable limits. This includes the Air Source Heat Pumps within the residential element of the applications. A condition will be attached to ensure that the plant and machinery operates at no more than Noise Rating Curve 20 (NR20).

Phasing

- 8.53 The proposed Phasing Plan (reflecting the revisions made to the housing proposed) indicates as follows:
 - Phase 1 Site entrance landscaping, 11 units private market housing, 24 units affordable housing, SuDS and Landscaping (NB. Phase 1 includes enabling works for Phase 2, as well as the central open space and some of the footpath connections across the site. For avoidance of doubt, any

permissions granted should also secure as part of Phase 1 at least an interim arrangement for the emergency access to Kilmore Road and access to the SuDS for maintenance);

- Phase 2 Non-Residential units, Landscaping;
- Phase 3 29 units private market housing, Landscaping;
- Phase 4 29 units private market housing, Landscaping.
- The IMFLDP requires a non-housing element (i.e. business, community, retail) 8.54 within an initial phase of development. The single Masterplan and single Phasing Plan, prepared and submitted by the applicant as part of the two applications, cover both applications together. They propose that the whole of the non-housing element be delivered as the second of four phases. The first phase includes 35 homes (including all 24 affordable homes); that first phase would represent the majority (65%) of the housing if the total proposed housing matched the IMFLDP's indicative capacity of 55 homes, but in the context of the proposed total of 93 homes then the first phase represents around 38% of the housing. Notwithstanding that consideration needs to be given to whether as many as 93 homes may be supported, the whole of the non-housing uses being delivered as the second phase may be regarded as being broadly in the spirit of the IMFLDP requirement for an element of it to be within an initial phase. An important aspect of the IMFLDP proposals for the village is to ensure balanced and gradual growth of the settlement, reflecting infrastructure capacity issues but also acknowledging community concerns about social cohesion. The application proposals could lead to quicker growth in housing and population than was envisaged by the Plan; however, the proposed delivery of non-housing uses in Phase 2 helps to allay potential concerns about imbalance. It is important therefore that if the current applications are to be supported, they be tied together through legal agreement in order to secure delivery of the non-housing uses as Phase 2 in accordance with the submitted Phasing Plan which covers both.
- 8.55 The applicant considers the build rate for the site (10 dwellings per annum) sought in the IMFLDP to be not financially viable, particularly due to the degree of front end funding required to develop the site. This can be a material consideration in the planning balance and variation from the terms of the Development Plan may be able to be supported.
- 8.56 Without prejudice to the assessment of the proposals against the Development Plan in respect of scale and phasing, for the purposes of updating the school roll forecasts to take full account of the proposed development for calculating developer contributions the following housing completions have been assumed for the site, having regard to the submitted Phasing Plan:

2021-22: 20 units (Phase 1) 2022-23: 15 units (Phase 1) 2023-24: 9 units (Phase 3) 2024-25: 20 units (Phase 3) 2025-26: 20 units (Phase 4)

2026-27: 9 units (Phase 4)

(NB. Phase 2 is for non-housing uses.)

On that basis, over the assumed 6-year period that housing would be delivered, the average would be 15.5 dwellings per annum, compared to the limit sought by the IMFLDP of 10 per annum for the site. Whilst the rate would be 55% higher than that in the IMFLDP, the additional numbers per annum would not lead to a level of development which may be considered excessive and such phasing would be acceptable.

8.57 In terms of rate of growth specifically, the limit sought by the IMFLDP of 10 dwellings per annum on this site is part of measures that the Plan takes to limit the overall rate of delivery of housing in Drumnadrochit. That limit was set out six years ago in the Proposed Plan. A limit was likewise set on the other main development site in the village, site DR6, where development is well underway. Development has yet to commence, though, on site DR5 and to a degree the overall rate of development in the village is being, and will be, limited by the staggered timing of sites coming forward and by the capacity of developers to bring sites forward and sell homes. However, it would not be appropriate to rely on those matters alone to control the rate of development; the rate of delivery of homes on site DR5 should be managed and development phased through appropriate conditions and the legal agreement that would be required to tie implementation of the two applications together if granted permission. In controlling the rate in this way, an increase in the build out rate over that set in the Plan may be acceptable, particularly given investment required in services and infrastructure and the proposals for bringing forward the non-housing uses in the development.

Impact on Education and Infrastructure

- 8.58 The development is located within the Glenurquhart Primary School Catchment Area and the Glen Urquhart High School Catchment Area.
- 8.59 Glenurquhart Primary, overall, has a capacity of 150 pupils and current roll of 117 pupils with the school operating at 78% capacity, as indicated in the latest 2018/19 School Roll Forecasts (as updated March 2019). It may be noted that in previous School Roll Forecasts the capacity had been identified as 175 pupils; however, the school has had to provide a dedicated Additional Support Needs (ASN) space for the first time (i.e. setting aside for that purpose a classroom that was previously available for general class teaching), meaning the relevant school capacity figure as the basis for assessing developer contribution requirements has reduced by one classroom, to 150 pupils.
- 8.60 The site is identified in the School Roll Forecast but assumes development only of the IMFLDP's indicative site capacity of 55 homes within the forecast period. On that basis the current Inner Moray Firth Delivery Programme (March 2019) indicated that all housing development within the Glenurquhart Primary school catchment would be required to contribute at '2 classroom extension' rates. Having re-run the School Roll Forecast to include the whole of the proposed development of 93 homes within the forecast period (assuming completions as indicated earlier in this report) the school's overall roll is predicted to increase, rising above the 90% capacity threshold set out in the Developer Contributions Supplementary Guidance

(2018) in 2021/22 (97%) and continuing to rise to a high of 182 pupils in 2027/28, remaining at that level for the remainder of the forecasting period. Whilst that would be a higher roll than is shown in the currently published School Roll Forecast, it still indicates a requirement for contributions towards the primary at '2 classroom extension' rates.

- 8.61 However, the Council's Care and Learning Service has advised that the current teaching space at Glenurguhart Primary is further constrained. There is provision for Gaelic Medium (GM) education at the school. GM education is immersive and the pupils therefore must be taught in separate classroom(s) to English Medium (EM) pupils. At Glenurguhart Primary, GM pupils currently form one class. This means that, as noted in the Inner Moray Firth Delivery Programme (March 2019), the capacity available for EM provision is in fact just 125 pupils. As of August 2018, the total roll of 117 comprised approximately 93% in EM and 7% in GM. Taking the re-run School Roll Forecast and applying the same ratios, the projected high of 182 pupils would comprise 169 in EM and 13 in GM. The additional pressure on EM capacity that is forecast to result, whereby the 90% threshold for that would be exceeded by 56 pupils, is such that Care and Learning are seeking contributions from this proposed development towards increasing the capacity of Glenurguhart Primary at the higher, 'major extension' rates for build costs (though land costs are not being sought for this extension).
- 8.62 A changing, reducing figure for the effective capacity of the school can make it problematic for a developer to plan ahead for developer contributions. However, understanding the effective capacity enables a more accurate assessment to be made of the anticipated impact of development than if assessment were based on a generalised capacity figure. Therefore, whilst basing assessment on a capacity other than that stated in the published school roll forecasts is not typical and is a step that is additional to the methodology set out in the Developer Contributions Supplementary Guidance, the purpose is to correctly account for the impact of the proposed development. Furthermore, the contribution then sought at the necessary rate is, as is usual, proportional to the size of the development through the application of the Council's normal 'per house' and 'per two bed flat' rates as set out in the Supplementary Guidance. Therefore the contributions sought by Care and Learning to primary school education in this case are fair and reasonable.
- 8.63 Glenurquhart High has a capacity of 368 pupils and a current roll of 205 pupils with the school operating at 56% capacity. The site is identified in the School Roll Forecast but assumes development only of the IMFLDP's indicative site capacity of 55 homes within the forecast period. Having re-run the School Roll Forecast to include the whole of the proposed development of 93 homes within the forecast period (assuming completions as indicated above) the school's roll is predicted to be steady, rising to a high of 58% in the final year of the current forecast period, 2033/34; the 90% capacity threshold set out in the Supplementary Guidance is therefore not reached at all during the forecasting period. Under the terms of the Supplementary Guidance, no secondary school contribution is required.
- 8.64 Following discussion between the applicant and the Council's Housing Development Team, the applicant has amended their affordable housing proposals to that described in paragraph 1.1, reducing the number of 1 bedroom flats and 2 bedroom semi-detached bungalows whilst increasing the number of 3 bedroom semi-detached houses and adding a fully wheelchair-accessible 3 bedroom

bungalow. The total number of units was thereby reduced by 1 which reflects the increase in land take to deliver the wheelchair-accessible bungalow. This delivers a mix which is considered to meet the need and demand in Drumnadrochit. The affordable housing will be delivered as the first phase of the development and will be secured by a legal agreement.

8.65 Representations have raised concerns in relation to the capacity of healthcare facilities, shops, emergency services, postal services. The delivery of such facilities is largely outwith the control of the planning system. However the delivery of a mix of uses on the site may help to address the perceived lack of shops in the village and the site is allocated for mixed use development in the IMFLDP.

Impact on historic environment

- 8.66 The former Glenurquhart Secondary School and Schoolhouse on Kilmore Road which are in proximity to the site are Category B listed building. The impact of the application proposals upon the listed building and its setting is limited to any impact deriving from the proposed active travel link from the development to Kilmore Road and associated landscaping, on land immediately west of the access to Old School Court, west of the West Schoolhouse which is also covered by the listing. Furthermore it may be noted that a number of existing mature trees in this vicinity are to be removed due to their condition. The proposed scheme of landscaping includes planting of a mix of 'select standard' trees and 'standard' trees within communal amenity grass areas through which the proposed active travel routes will pass. This would go a significant way to recreating the arboricultural feature within the vicinity of the listed building and would enhance its setting.
- 8.67 There is the potential for archaeological features to be present within the site. An archaeological watching brief can be secured by condition.

Any other material considerations

- 8.68 Like many sites in Highland, the application sites have potential for below ground radon. The Contaminated Land Team recommend an informative is attached to any planning permissions which may be granted setting out that radon barriers may be required. It is appropriate to apply this not only in respect of the residential buildings but also to the non-residential uses, given the uses proposed and the significant periods of time that those units can be expected to be occupied.
- 8.69 The developer will be required to secure any suitable diversions (allowing for any necessary set back) and other works to the electricity network.
- 8.70 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 environment management and construction traffic management plans. 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. The pollution prevention plan as required by SEPA will also form part of this document.

- 8.71 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.
- 8.72 The applicant's approach to sustainability of their proposed buildings is through design and layout and a 'fabric first' approach to achieving energy efficiency. The proposals include air source heat pumps for the affordable homes. The applicant indicates in their Planning Statement that they offer photo voltaic panels to its customers as an optional extra and infrastructure for electric vehicle charging is a standard feature in all their new-build properties.
- 8.73 An adjustment to the residential layout has been suggested by the Community Council to enable potential future linkage to the Cobbs Bakery site. The current application, which does not include such provision in its layout, has to be treated on its merits. If an alternative scheme were to be presented the Planning Authority would assess its compatibility with the Development Plan.
- 8.74 Representations have raised concerns with the accuracy of the Design and Access Statement and the Ecology Report. Whilst some inaccuracy is noted, it does not impact on the overall consideration of the application and these documents will not become approved documents.

Non-material considerations

8.75 A number other matters are raised in representations, including: impact on private views; impact on property values and ability to sell; whether there is sufficient demand for the homes proposed; how homes may be occupied; lack of individual plots for development by local builders; advice on likelihood of development based on Development Plan documents that have been replaced prior to the applications being made; existing infrastructure constraint or maintenance issues unrelated to the proposed development and outwith the control of the applicant.

Matters to be secured by Section 75 Agreement

- 8.76 a) Contributions towards a major extension at Glenurquhart Primary School;
 - b) Delivery of the proposed affordable housing on site;
 - c) Contributions towards provision of a pedestrian crossing across the A82(T) in the vicinity of the Health Centre;
 - d) Tying together the proposals subject of the two planning applications, to secure development in accordance with the single overall Phasing Plan whereby the non-housing uses would be delivered as Phase 2 of 4.
- 8.77 The applicant has four months from the date that the Council's solicitor writes to the Applicant/Applicant's solicitor indicating the terms of the legal agreement, to deliver to the Council a signed legal agreement. Should an agreement not be delivered within four months, the application shall be refused under delegated powers.

9. CONCLUSION

- 9.1 The proposed development, subject of the two applications taken together, is for mixed use development comprising specified amounts and types of housing, business, retail and community uses on a site which is allocated for a mix of such uses in the Inner Moray Firth Local Development Plan. A masterplan and phasing plan submitted by the applicant cover the whole site. The proposals accord with developer requirements for the site but the number of homes, 93, exceeds the indicative housing capacity of 55 specified in the IMFLDP.
- 9.2 Scottish Planning Policy (2014) sets out that the planning system should support economically, environmentally and socially sustainable places. This is to help deliver the aim of the Planning System, "to achieve the right development in the right place; it is not to allow development at any cost."
- 9.3 Under the terms of the Development Plan and notwithstanding the Plan's requirements for phasing of development on this site), proposals that exceed the indicative housing capacity stated in the Plan on an allocated site may be acceptable subject to detailed design that demonstrates efficient use of land and a satisfactory layout. Land (including development land) is a valued resource, there are stretching national targets for house-building and optimising the delivery of development from allocated sites would reflect these considerations. Further the delivery of the proposed 24 affordable homes would make a valuable contribution toward meeting targets in the Council's programme.
- 9.4 The proposed homes are in a relatively sustainable location, at the centre of a large Highland village and in close proximity to that settlement's facilities. The development proposals would also deliver a number of units providing floorspace for business, retail and community uses within the layout, which would help to balance development opportunities in the village. The development proposals implement the principles of Designing Streets, would create publicly accessible open space, enhanced active travel connections and safer crossing points on the A82(T).
- 9.5 It is considered that the developer has resolved key issues around access and flood risk and that suitable mitigation addressing remaining issues can be secured by condition.
- 9.6 It is therefore considered that the development is appropriately sited and designed, demonstrating efficient use of land and a satisfactory layout and can be supported under the provisions of the Development Plan, subject to a legal agreement securing the developer contributions sought, appropriate phasing and the tying of the two applications together in order to deliver that phasing.
- 9.7 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 Section 75 Obligation Y

Subject to the above, it is recommended that:

- **A.** Planning permission be **GRANTED** for application 19/02761/FUL, subject to the following conditions and reasons:
- 1. Planning Permission hereby granted 93 residential units to be developed in accordance with the Master Plan hereby approved in four sequential residential Phases. No development shall commence until a phasing plan has been submitted to and approved in writing by the Planning Authority. For the avoidance of doubt the plan shall include the following provisions:
 - Delivery of all affordable housing identified within Phase 1 of the development;
 - No delivery of development in Phases 3, or 4 until Phases 1 and 2 have been completed; and
 - An average completion rate of 15 units per year in Phases 3 and 4.

The development shall be undertaken in accordance with the agreed Phasing Plan or in Sub-Phases as may be approved in writing by the Planning Authority. A Sub-Phase means any part of any Phase of Development.

Reason: To ensure that the development proceeds in an appropriate manner.

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:

- i. All existing access points, paths, core paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;
- ii. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to proposed buildings or structures;
- iii. All 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.). For the avoidance of doubt this shall include:
 - the removal of any signs or gates deterring access to the farm track near the fire station;
 - specification of the proposed path through the floodplain open space to be 3m wide, bitmac and lit with associated drainage;
 - specifications for the other paths including their widths, including the difference between the 3m Asphalt Cycleway and 2m Asphalt Footpath;
 - removal of the gate from the green corridor onto Kilmore Road;
 - details of the junction, inclusive of any barrier, of the active travel link onto Kilmore Road;
 - no pathside fences greater than 1.2m;
 - the path within the flood plain is at ground level; and
 - inclusion of a 2m wide asphalt path, between the parking / nearby housing areas around the southern end of the 'village core' development and the proposed crossing on the A82(T) in the vicinity of the Café and Taigh Anns A Choille.

These paths shall be delivered and provided without impediment.

iv. Any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the development including details of mitigation measures, diversion works, duration and signage).

Thereafter the approved Access Management Plan shall be implemented.

Reason: To safeguard and maximise 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 approved 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;
 - 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; and
- k. 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
- vii.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 by, the Planning Authority. The CTMP, which shall be implemented as approved during all period of construction, must 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, 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 and where appropriate Transport Scotland, 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 mitigations 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.

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 equipped play opportunities and recreation facilities (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.

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. No development shall commence until a Tree Protection Plan and Arboricultural Method Statement including programme of supervision, in accordance with BS5837:2012 (Trees in Relation to Design, Demolition and Construction), has been submitted to and subsequently approved in writing by the planning authority. Thereafter the approved details shall be implemented.

Reason: To ensure the protection of retained trees during construction and thereafter.

8. None of the houses or flats 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, and those elements of surface water drainage regimes not maintained either by the Council or Scottish Water), 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.

- 9. 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 7 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.

10. No development shall commence until full details of all surface water drainage provision within the application site (which should 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 the established principles of flood risk and drainage established through this application. Thereafter, only the approved details shall be implemented and all surface water drainage provision shall be completed prior to the first occupation of any of the development.

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

11. 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. 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 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.

12. No development or work shall commence until a detailed specification for all proposed road and path materials and finishes (including trade names and samples where necessary) has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

Reason: In order to ensure that important elements of the proposed character and identity of the site are delivered.

13. No development shall commence on site until a scheme for the inclusion of public art within the development, including types and locations of artworks and the management and maintenance thereof, has been submitted to, and approved in writing by, the Planning Authority. The approved scheme shall be implemented prior to occupation of the development and maintained in perpetuity.

Reason: To ensure the delivery of a development with a unique identity which facilitates the creation of place.

14. Prior to the first occupation of each house or flat within the development car parking spaces (inclusive of disabled 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.

15. 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

16. No development shall commence on any phase or sub phase until a scheme has been submitted detailing the provision of electric car charging points within the development serving the associated phase or sub-phase. 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.

17. 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 bin collection points and bin stores (and include design of the

bin stores as appropriate at 1:20 scale plans) ; identify routes for waste collection vehicles and any required infrastructure in each phase or sub-phase. 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.

18. No development shall commence until a community liaison group is established by the developer, in collaboration with The Highland Council and affected local Community Councils (Glenurquhart 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 within future development phases. The liaison group, or element of any combined liaison group relating to this development, 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

19. No development shall commence on each phase or sub phase 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.

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

- 20. 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 scheme for the location, design and installation of a gateway feature on the main spine road between the residential and commercial areas to the specifications and standards set out by The Highland Council. Thereafter, the scheme shall be implemented before occupation of any units within the development;
 - A scheme for the delivery of a footpath between units 23-27 within the development. Thereafter the scheme shall be implemented prior to occupation of units 23-27;
 - c) A scheme for the provision of a footway connecting from the internal footpath network in the development to the existing footpaths to the north and south of the site adjacent to the A82(T). Thereafter, the approved scheme shall be implemented prior to the occupation of any residential unit within the development;

- d) a scheme for the design and implementation of safe routes to school, to Glenurquhart Primary School within the site connecting to existing safe routes to school outwith the site. This shall include provision of a pedestrian crossing of A82(T). The agreed scheme shall be implemented prior to occupation of any residential unit within the development.
- e) A scheme for the provision of bus stops, inclusive of new bus shelters. The agreed scheme shall be implemented prior to occupation of any residential unit within the development.

Prior to the submission of any of the proposed schemes set out in points a-d Glenurquhart Community Council shall have a minimum of 14 days to provide comment on the proposed schemes. The developer will be required to submit a report outlining any comments received by the Community Councils and how they have been taken into consideration in the formulation of the submitted schemes.

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

21. No residential dwelling shall be occupied until Traffic Regulation Order(s), limiting the speed of traffic on all roads, within the development, 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 in the residential development.

22. No development shall commence until a pre-commencement protected survey has been undertaken and a report of survey has been submitted to, and approved in writing by, the Planning Authority. This shall include camera trap surveys of badger sets. The survey shall cover the whole application site and a 50m area around the application site and the report of survey shall include mitigation measures where any impact, or potential impact, on protected species or their habitat has been identified. Development and work shall progress in accordance with any mitigation measures contained within the approved report of survey and the timescales contain therein.

Reason: To protect the natural heritage of the area.

23. No part of the development shall be occupied until the emergency access for the site and the maintenance access to the Sustainable Drainage System Basin has been formed and connected to Kilmore Road. This access shall be delivered and provided without impediment.

Reason: In the interests of timeous provision of emergency and drainage maintenance access.

24. Prior to the occupation of any part of the development hereby permitted, the new ghost island right turn priority junction with the A82(T), generally as illustrated on ECS Transport Planning Ltd's Drawing No. 19044_008 Rev. A, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.

25. Prior to occupation of any part of the development hereby permitted, the proposed pedestrian accessibility improvements on the eastern side of the A82(T), generally as illustrated on ECS Transport Planning Ltd's Drawing No. 19044_008 Rev. A, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

Reason: To ensure that facilities are provided for the pedestrians that are generated by the development and that they may access the existing footpath system without interfering with the safety and free flow of traffic on the trunk road.

26. Prior to occupation of any part of the development hereby permitted, the proposed Toucan pedestrian crossing and pedestrian refuge crossing on the A82(T), generally as illustrated on ECS Transport Planning Ltd's Drawing No. 19044_008 Rev. A, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

Reason: To ensure that facilities are provided for the pedestrians that are generated by the development and that they may access the existing footpath system without interfering with the safety and free flow of traffic on the trunk road.

27. Prior to occupation of any part of the development hereby permitted, the proposed bus stops on the A82(T), generally as illustrated on ECS Transport Planning Ltd's Drawing No. 19044_008 Rev. A, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

Reason: To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport.

And

- **B.** Planning permission be **GRANTED** for Planning Application 19/02762/FUL subject to the following conditions and reasons:
- Planning Permission hereby granted for 333m² of office use (Use Classes 2 and 4), 464m² Non-Food Retail (Use Class 1) and 231m² of Non-Residential Institutions (Nursery) with ancillary café use (Use Class 3) in accordance with the Master Plan hereby approved in five sequential residential Phases. No development shall commence until a phasing plan has been submitted to and approved in writing by the Planning Authority. For the avoidance of doubt the plan shall include the following provisions:

- Delivery of all elements of the development hereby approved within phase 2 of the development;
- No delivery of development in Phases 3, 4 or 5 until phase 2 has been completed; and
- An average completion rate of 15 units per year in Phases 3, 4, and 5.

The development shall be undertaken in accordance with the agreed Phasing Plan or in Sub-Phases as may be approved in writing by the Planning Authority. A Sub-Phase means any part of any Phase of Development.

Any Use Class referred to in this condition reflects The Town and Country Planning (Use Classes) (Scotland) Order 1997 (As Amended).

Reason: To ensure that the development proceeds in an appropriate manner.

- 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 (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;
 - ii. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to proposed buildings or structures;
 - iii. All 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.). For the avoidance of doubt this shall include:
 - the removal of any signs or gates deterring access to the farm track near the fire station;
 - specification of the proposed path through the floodplain open space to be 3m wide, bitmac and lit with associated drainage;
 - specifications for the other paths including their widths, including the difference between the 3m Asphalt Cycleway and 2m Asphalt Footpath;
 - removal of the gate from the green corridor onto Kilmore Road;
 - details of the junction, inclusive of any barrier, of the active travel link onto Kilmore Road;
 - no pathside fences greater than 1.2m;
 - the path within the flood plain is at ground level; and

 inclusion of a 2m wide asphalt path, between the parking / nearby housing areas around the southern end of the 'village core' development and the proposed crossing on the A82(T) in the vicinity of the Café and Taigh Anns A Choille.

These paths shall be delivered and provided without impediment.

iv. Any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the development including details of mitigation measures, diversion works, duration and signage).

Thereafter the approved Access Management Plan shall be implemented.

Reason: To safeguard and maximise 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:
 - A Schedule of Mitigation (SM) drawing together all approved 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;
 - 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; and

k. 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
- vii. 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 by, the Planning Authority. The CTMP, which shall be implemented as approved during all period of construction, must 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, 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 and where appropriate Transport Scotland, 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 mitigations 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.

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 equipped play opportunities and recreation facilities (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.

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. No development shall commence until a Tree Protection Plan and Arboricultural Method Statement including programme of supervision, in accordance with BS5837:2012 (Trees in Relation to Design, Demolition and Construction), has been submitted to and subsequently approved in writing by the planning authority. Thereafter the approved details shall be implemented.

Reason: To ensure the protection of retained trees during construction and thereafter.

8. None of the units 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, and those elements of surface water drainage regimes not maintained either by the Council or Scottish Water), 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.

- 9. 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 7 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.

10. No development shall commence until full details of all surface water drainage provision within the application site (which should 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 the established principles of flood risk and drainage established through this application. Thereafter, only the approved details shall be implemented and all surface water drainage provision shall be completed prior to the first occupation of any of the development.

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

11. 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. 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 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.

12. No development or work shall commence until a detailed specification for all proposed road and path materials and finishes (including trade names and samples where necessary) has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

Reason: In order to ensure that important elements of the proposed character and identity of the site are delivered.

13. No development shall commence on site until a scheme for the inclusion of public art within the development, including types and locations of artworks and the management and maintenance thereof, has been submitted to, and approved in writing by, the Planning Authority. The approved scheme shall be implemented prior to occupation of the development and maintained in perpetuity.

Reason: To ensure the delivery of a development with a unique identity which facilitates the creation of place.

14. Prior to the first occupation any unit within the development, car parking spaces (inclusive of disabled 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.

15. 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.

16. No development shall commence on any phase or sub phase until a scheme has been submitted detailing the provision of electric car charging points within the development serving the associated phase or sub-phase. 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.

17. 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 bin collection points and bin stores (and include design of the bin stores as appropriate at 1:20 scale plans) ; identify routes for waste collection vehicles and any required infrastructure in each phase or sub-phase. 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.

18. No development shall commence until a community liaison group is established by the developer, in collaboration with The Highland Council and affected local Community Councils (Glenurquhart 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 within future development phases. The liaison group, or element of any combined liaison group relating to this development, 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

19. 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.

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

- 20. 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 scheme for the location, design and installation of a gateway feature on the main spine road between the residential and commercial areas to the specifications and standards set out by The Highland Council. Thereafter, the scheme shall be implemented before occupation of any units within the development;

- b) A scheme for the provision of a footway connecting from the internal footpath network in the development to the existing footpaths to the north and south of the site adjacent to the A82(T). Thereafter, the approved scheme shall be implemented prior to the occupation of any residential unit within the development;
- c) A scheme for the provision of bus stops, inclusive of new bus shelters. The agreed scheme shall be implemented prior to occupation of any residential unit within the development.

Prior to the submission of any of the proposed schemes set out in points a-d Glenurquhart Community Council shall have a minimum of 14 days to provide comment on the proposed schemes. The developer will be required to submit a report outlining any comments received by the Community Councils and how they have been taken into consideration in the formulation of the submitted schemes.

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

21. No development shall commence until a pre-commencement protected survey has been undertaken and a report of survey has been submitted to, and approved in writing by, the Planning Authority. This shall include camera trap surveys of badger sets. The survey shall cover the whole application site and a 50m area around the application site and the report of survey shall include mitigation measures where any impact, or potential impact, on protected species or their habitat has been identified. Development and work shall progress in accordance with any mitigation measures contained within the approved report of survey and the timescales contain therein.

Reason: To protect the natural heritage of the area.

22. Prior to the occupation of any part of the development hereby permitted, the new ghost island right turn priority junction with the A82(T), generally as illustrated on ECS Transport Planning Ltd's Drawing No. 19044_008 Rev. A, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.

23. Prior to occupation of any part of the development hereby permitted, the proposed pedestrian accessibility improvements on the eastern side of the A82(T), generally as illustrated on ECS Transport Planning Ltd's Drawing No. 19044_008 Rev. A, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

Reason: To ensure that facilities are provided for the pedestrians that are generated by the development and that they may access the existing footpath system without interfering with the safety and free flow of traffic on the trunk road.

24. Prior to occupation of any part of the development hereby permitted, the proposed Toucan pedestrian crossing and pedestrian refuge crossing on the A82(T), generally as illustrated on ECS Transport Planning Ltd's Drawing No. 19044_008 Rev. A, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

Reason: To ensure that facilities are provided for the pedestrians that are generated by the development and that they may access the existing footpath system without interfering with the safety and free flow of traffic on the trunk road.

25. Prior to occupation of any part of the development hereby permitted, the proposed bus stops on the A82(T), generally as illustrated on ECS Transport Planning Ltd's Drawing No. 19044_008 Rev. A, shall be constructed to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

Reason: To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport.

26. All plant and machinery, including 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.

27. No development shall commence until an Operational Travel Plan has been submitted to an approved in writing by the Planning Authority. This shall set out proposals for reducing dependency on the private car and encouraging active travel.

The detailed Travel Framework Plan shall include:

- a. Measures for extending and/or increasing the active travel opportunities in the area;
- b. Details for the management, monitoring, review and reporting of these measures;
- c. A system of management, monitoring, review, and reporting.

The Travel Framework Plan shall be implemented as approved from the first occupation of the development.

Reason: To facilitate the reduction in the use of private cars and increase use of sustainable and active travel.

28. No development shall commence until the Planning Authority has approved the terms of appointment and the identity of the appointee by and at the cost of the Developer of an independent and suitably qualified consultant to act as Travel Plan Co-ordinator to deliver the Travel Framework Plan required under Condition 25 of this Planning Permission from commencement of development to the date of completion of the development.

Reason: To facilitate the reduction in the use of private cars and increase use of sustainable and active travel.

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

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_o n_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

Designation:	Area Planning Manager - South		
Author:	David Cowie		
Background Papers:	Documents referred to in report and in case file.		

Relevant Plans (both applications)

Plan 1	- DR01_SL_PL-09 REV I
Plan 2	- DRUM-ENG-001-I
Plan 3	- DRUM-ENG-002-C
Plan 4	- DRUM-ENG-007-G
Plan 5	- DRUM-ENG-008-G
Plan 6	- DRUM-ENG-009-C

Plan 7	- DR01_LP_PL-01 REV C
Plan 8	- DR01_SL_PL-03 REV H
Plan 9	- DR01_SL_PL-04 REV I
Plan 10	- DR01_SL_PL-06 REV K
	Plan 8 Plan 9

Relevant Plans 19/02762/FUL Plan 11 - DR01_LP_COM-01 REV A Plan 12 - DR_SL_COM-01 REV D Plan 13 - DR_SL_COM-02 REV B Plan 14 - DR_SL_COM-03 REV B

Appendix – Details for Section 75 Agreement or Up Front Payment

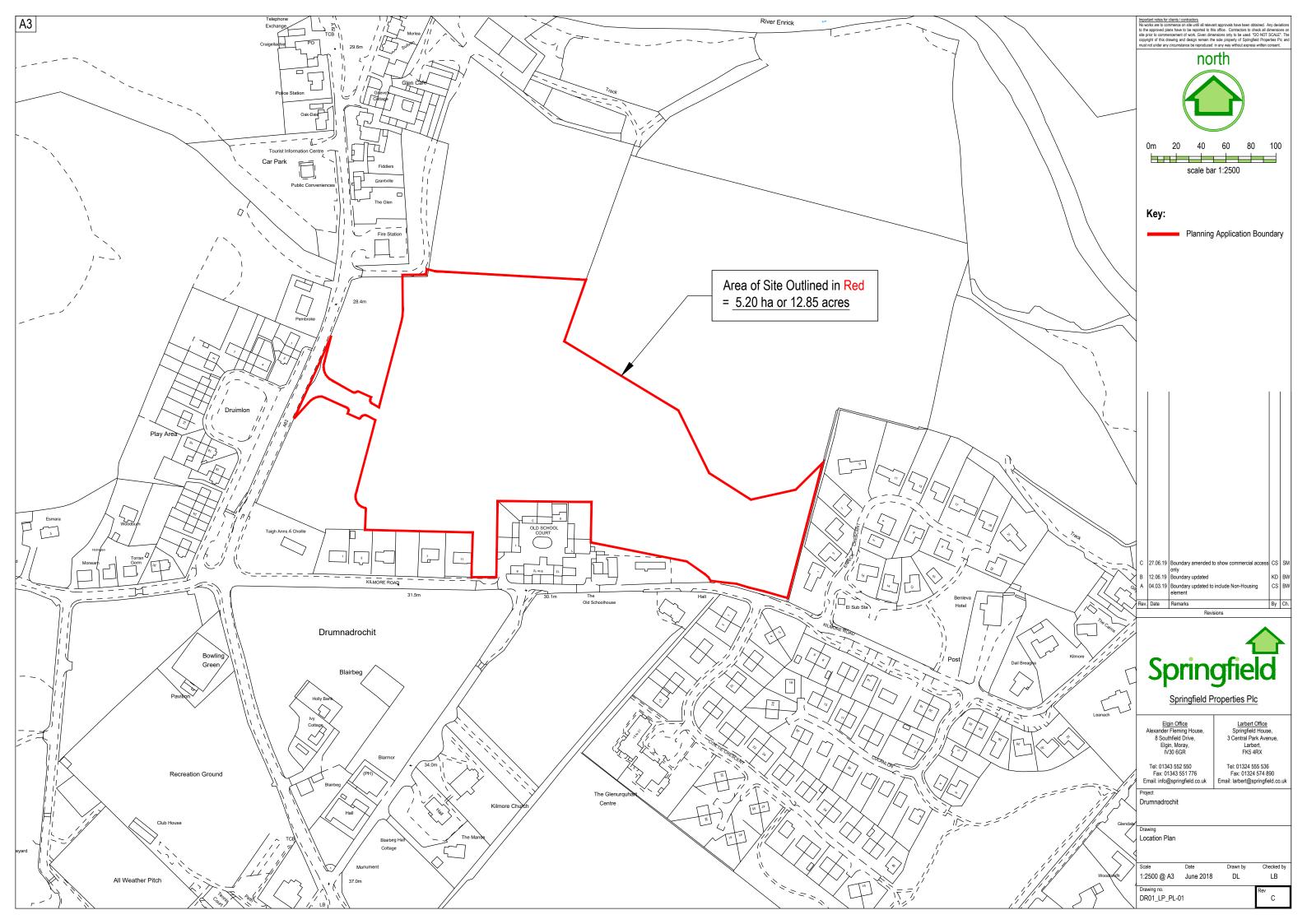
Developer Contributions

Туре	Contribution	Rate (per house)	Rate (per flat)	Index Linked	Base Date	Accounting Dates	Clawback Period
Schools							
Primary – Build Costs	Toward enhancement to primary education provision within the Glenurquhart High School Associated Schools Group, in the first instance toward an major school extension at Glenurquhart Primary School	£7,359	£4,171	BCIS	Q2 2018	Apr/Oct	15 years
Affordable Housing							
On-site provision	24 units			No		Apr/Oct	
Transport							
Pedestrian crossing	Contribution towards provision of a pedestrian crossing across the A82(T) in the vicinity of the Health Centre	£515	£515	BCIS	Q4 2018	Apr/Oct	15

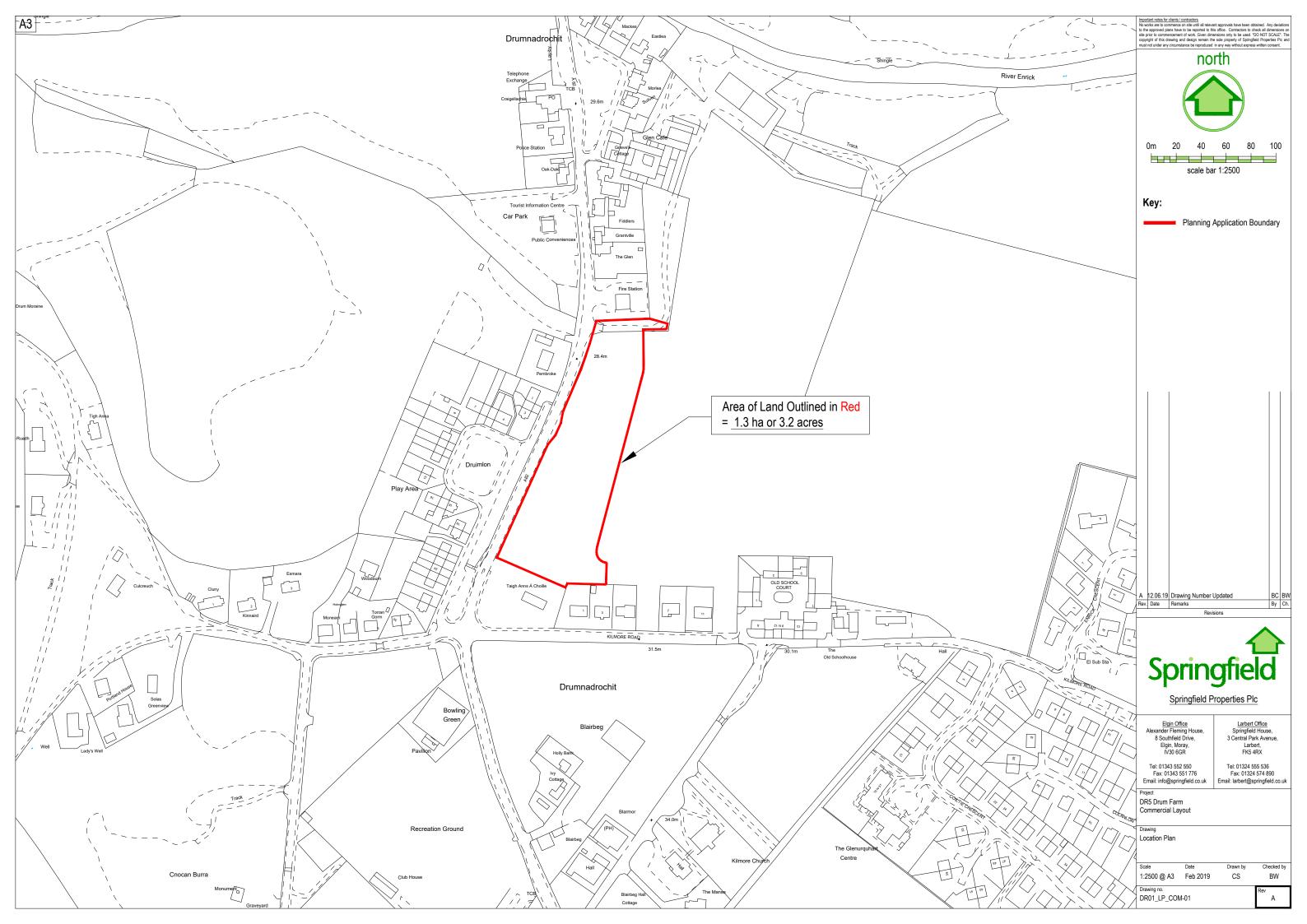
Phasing

Tying together the proposals subject of the two planning applications, to secure development in accordance with the single overall Phasing Plan whereby the non-housing uses would be delivered as Phase 2 of 4.



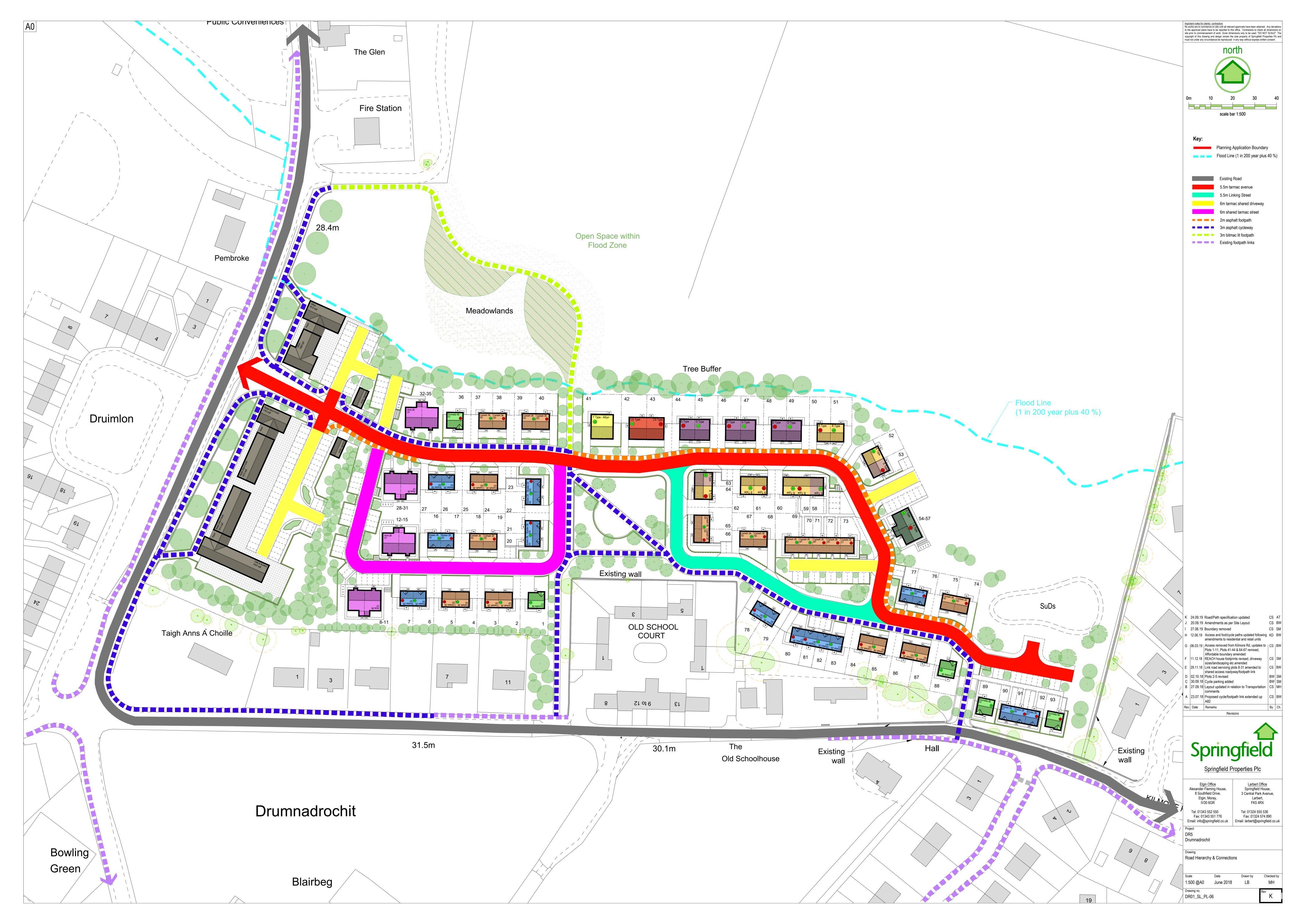












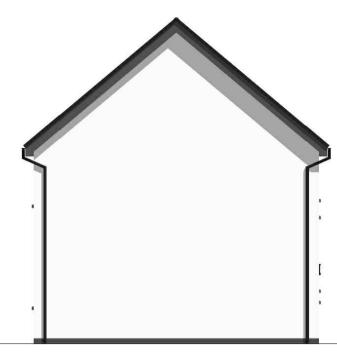


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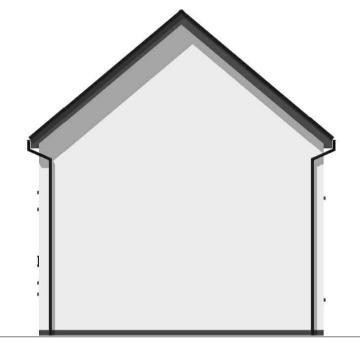
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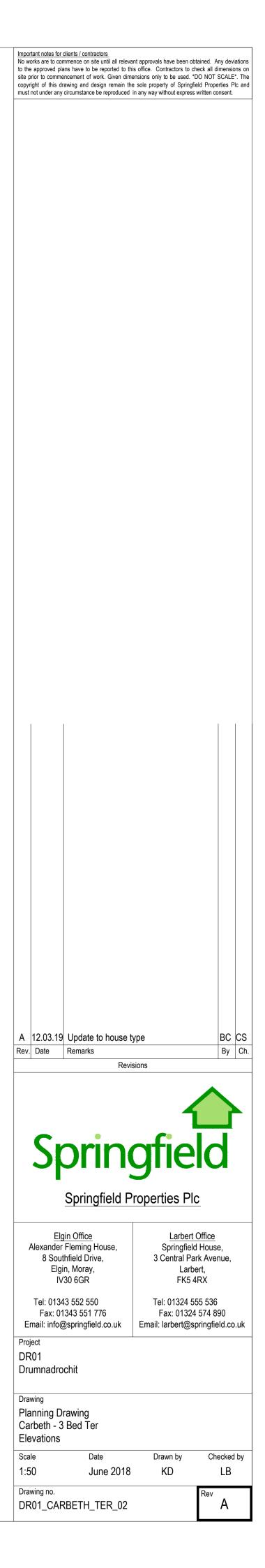




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SIDE ELEVATION Scale 1:100



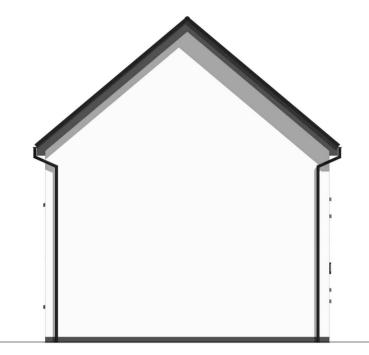


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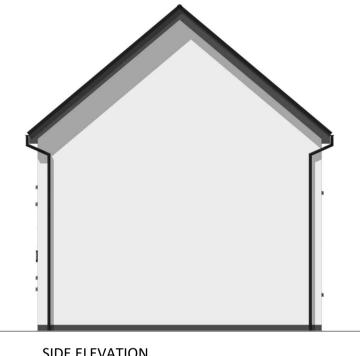
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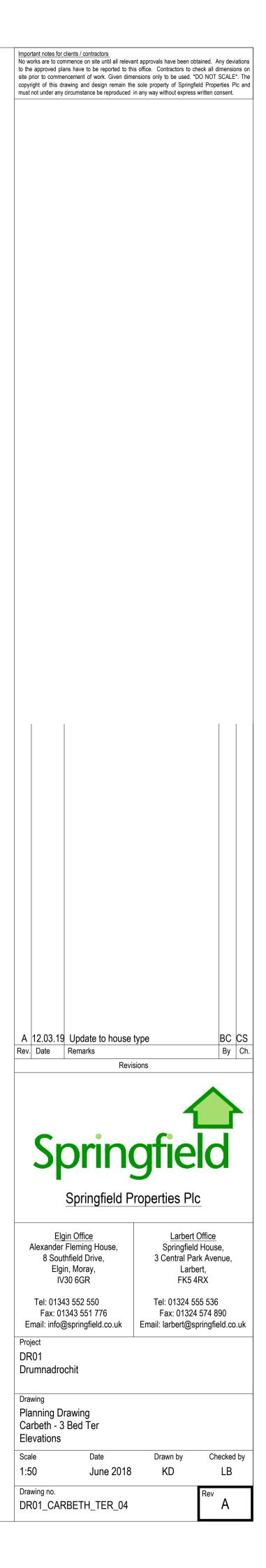




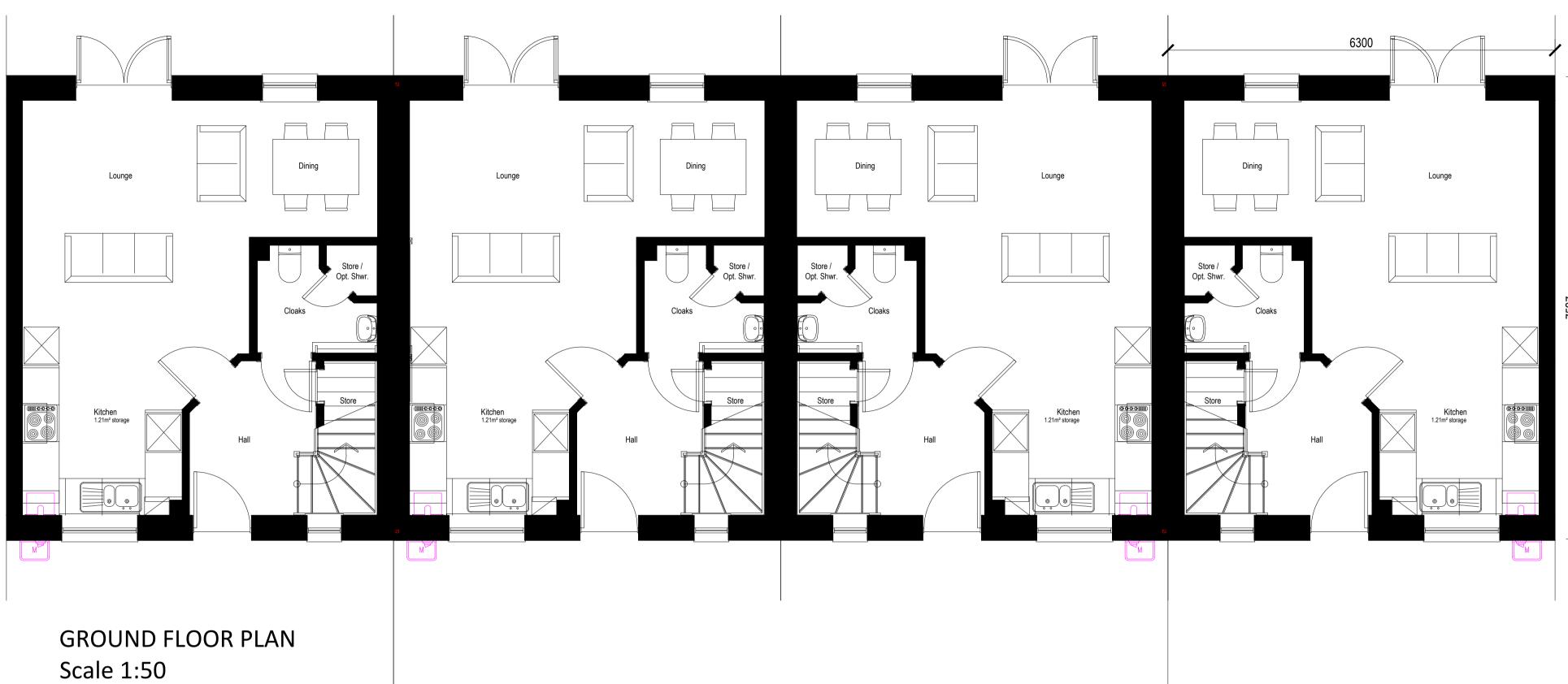
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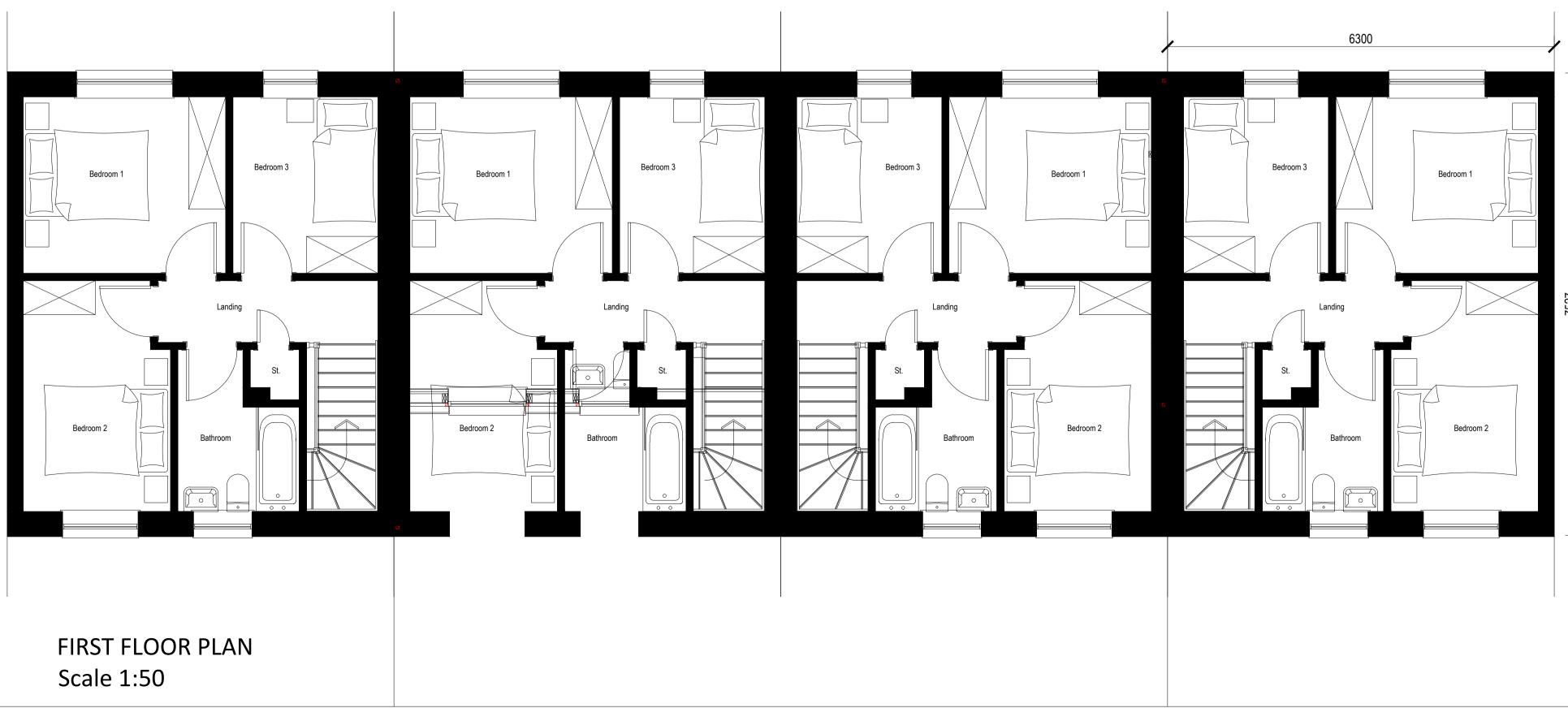


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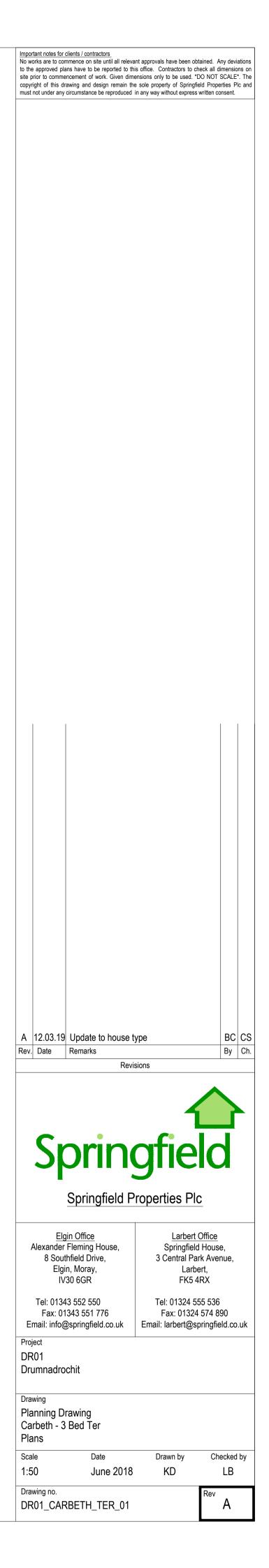




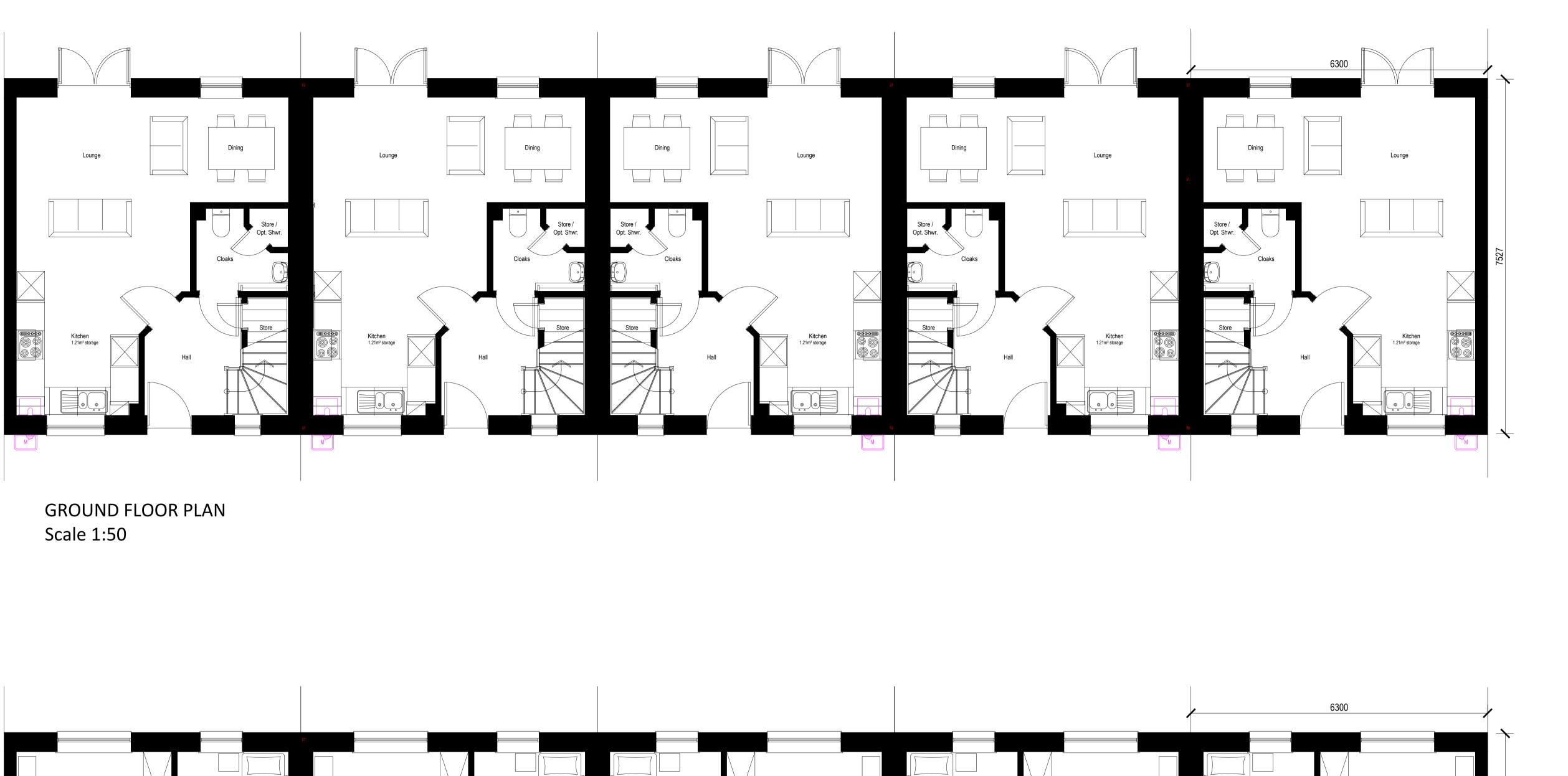


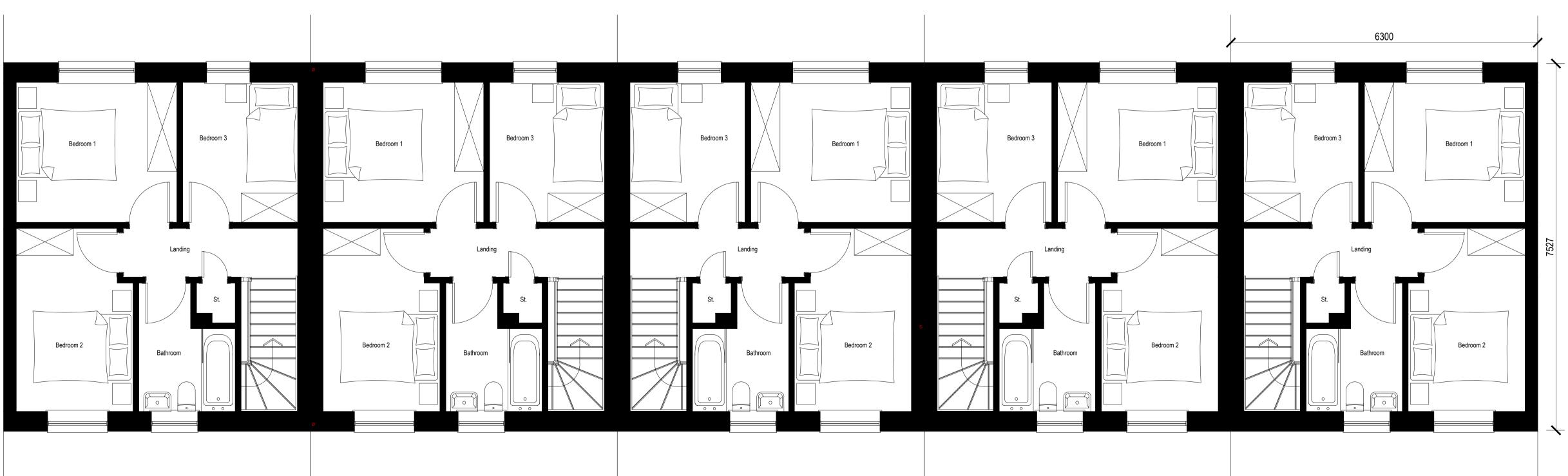


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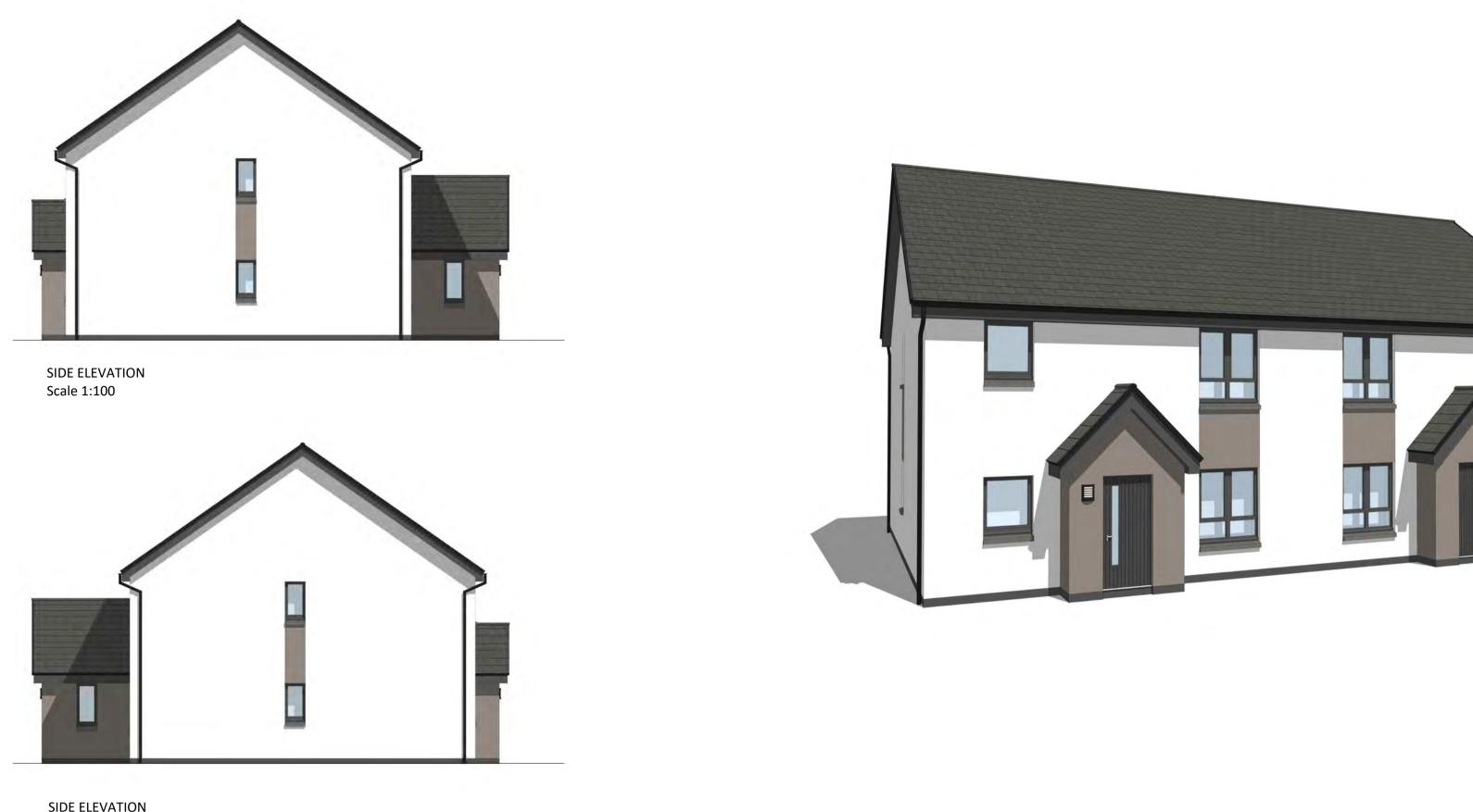




FIRST FLOOR PLAN Scale 1:50

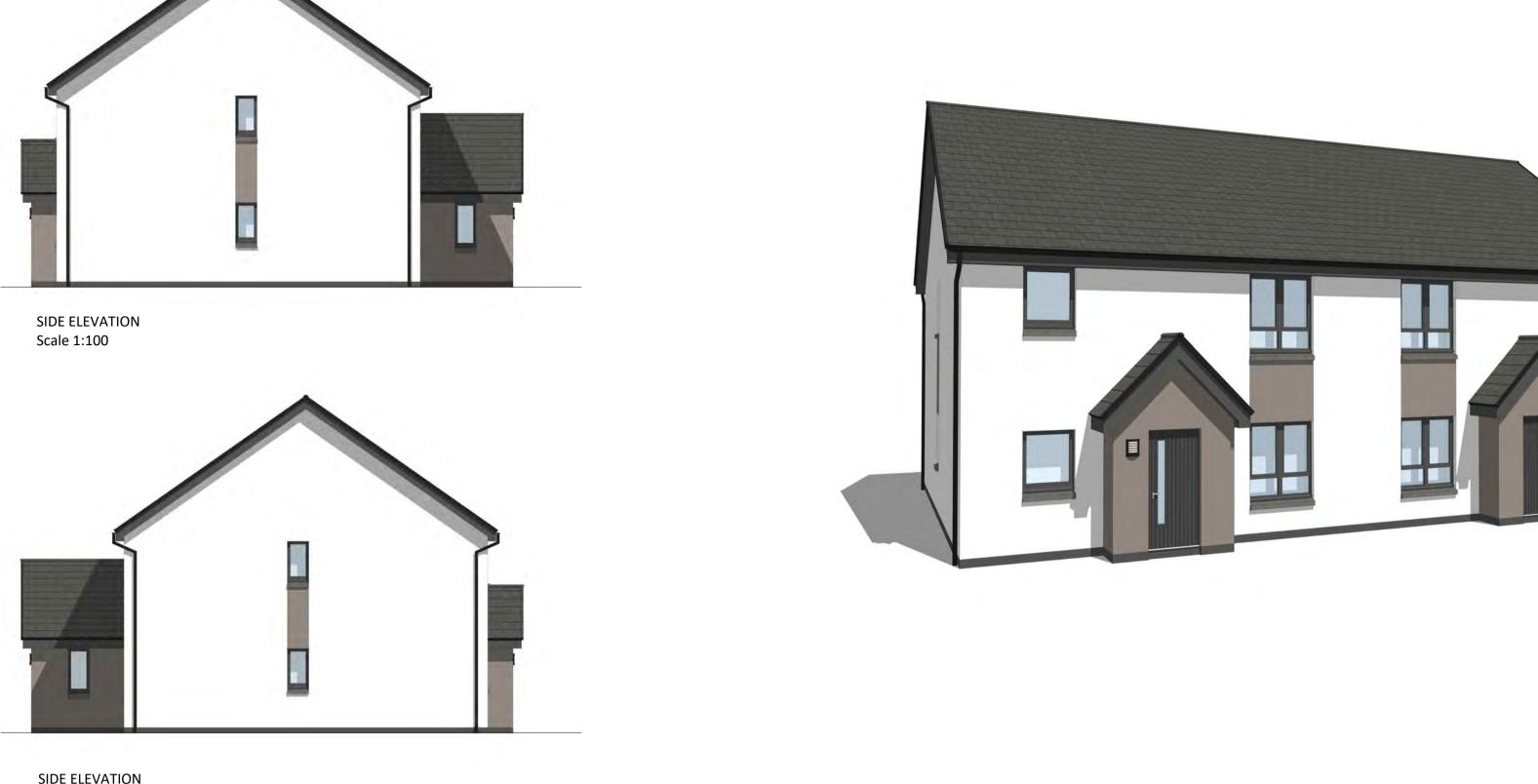
Important notes for clients / contractors				
No works are to commence on site until all relevant approvals have been or to the approved plans have to be reported to this office. Contractors to site prior to commencement of work. Given dimensions only to be used. copyright of this drawing and design remain the sole property of Spring must not under any circumstance be reproduced in any way without express	check all dimensions on *DO NOT SCALE*. The gfield Properties Plc and			
A 12.03.19 Update to house type Rev. Date Remarks	BC CS By Ch.			
Revisions				
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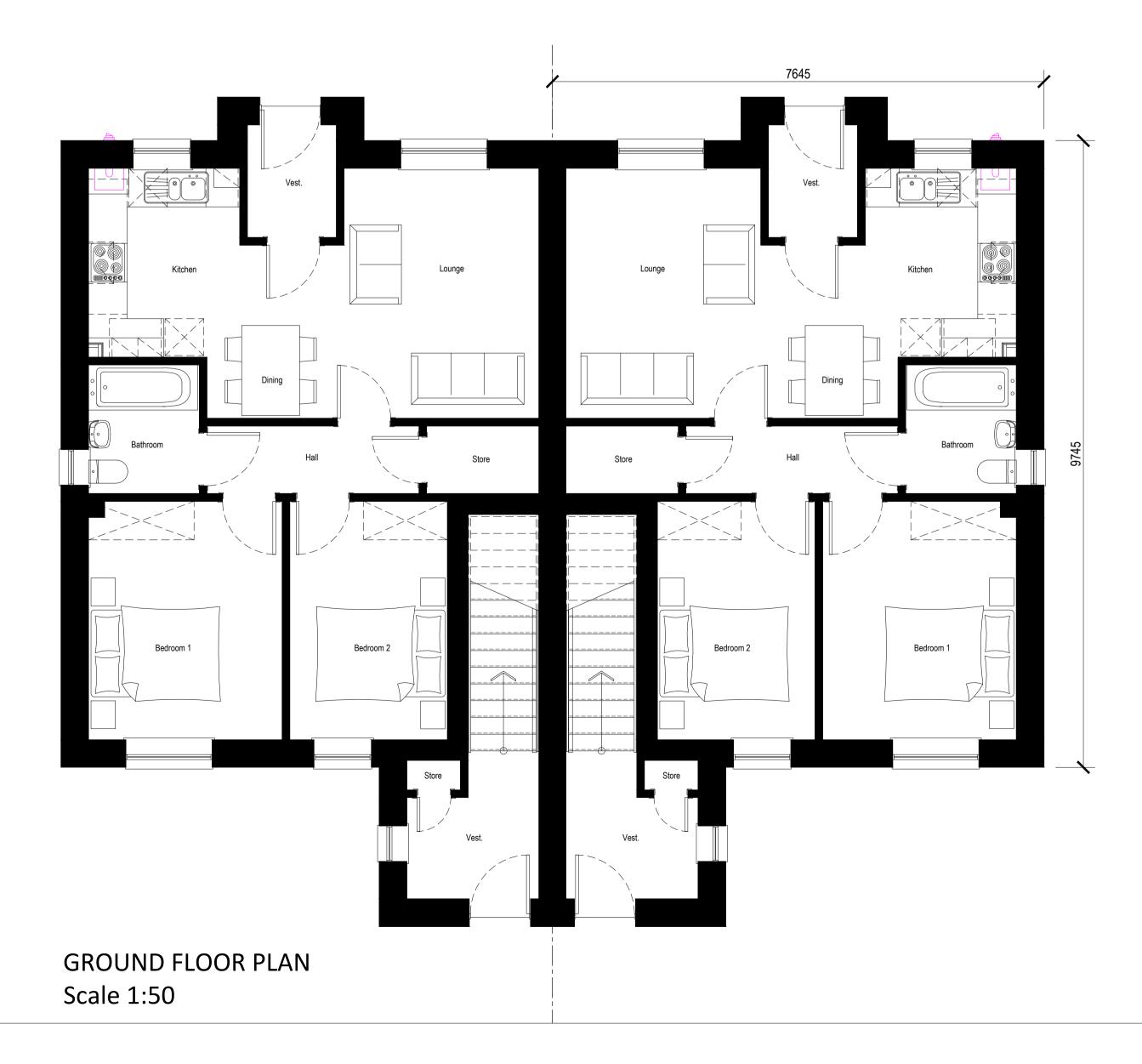
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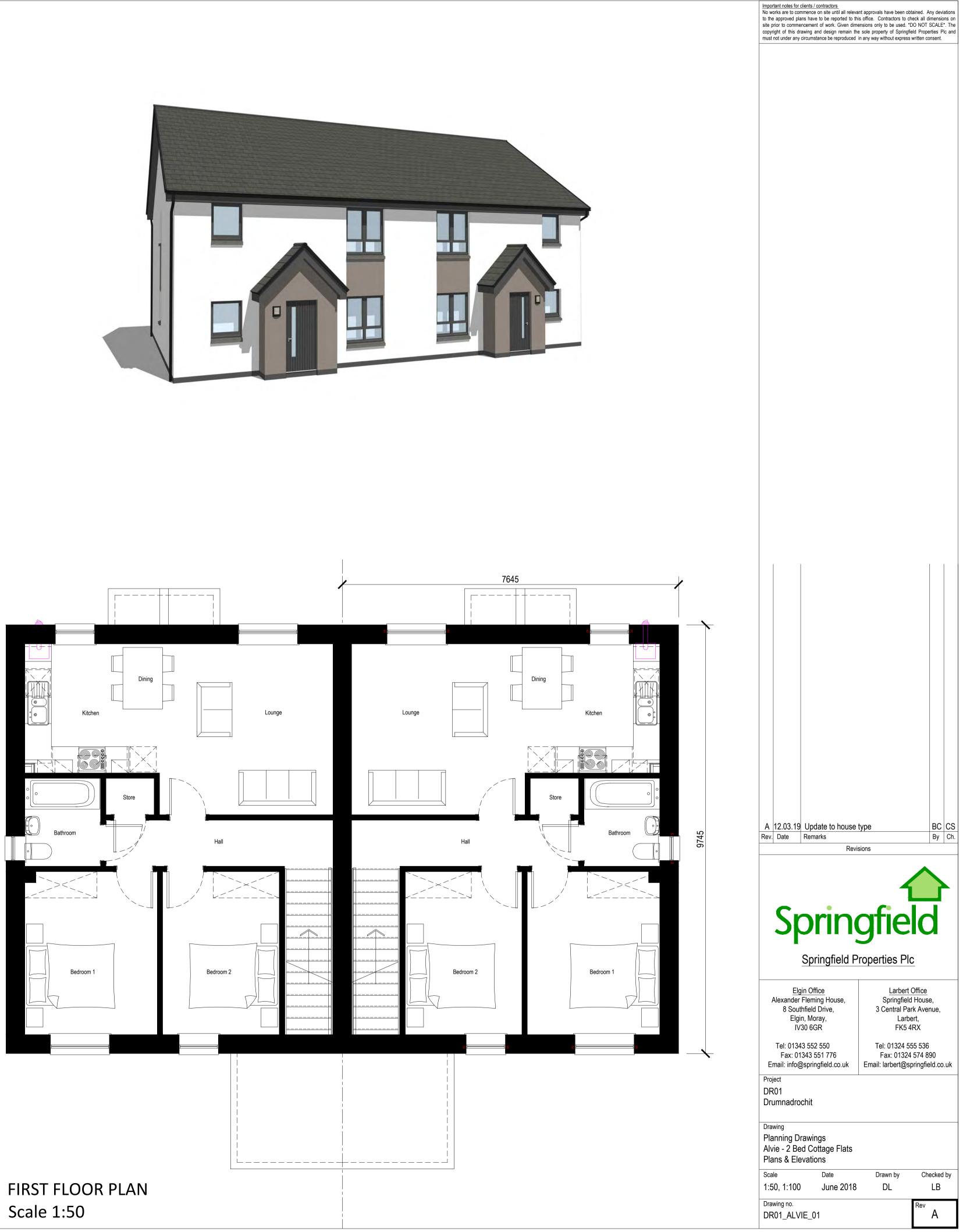


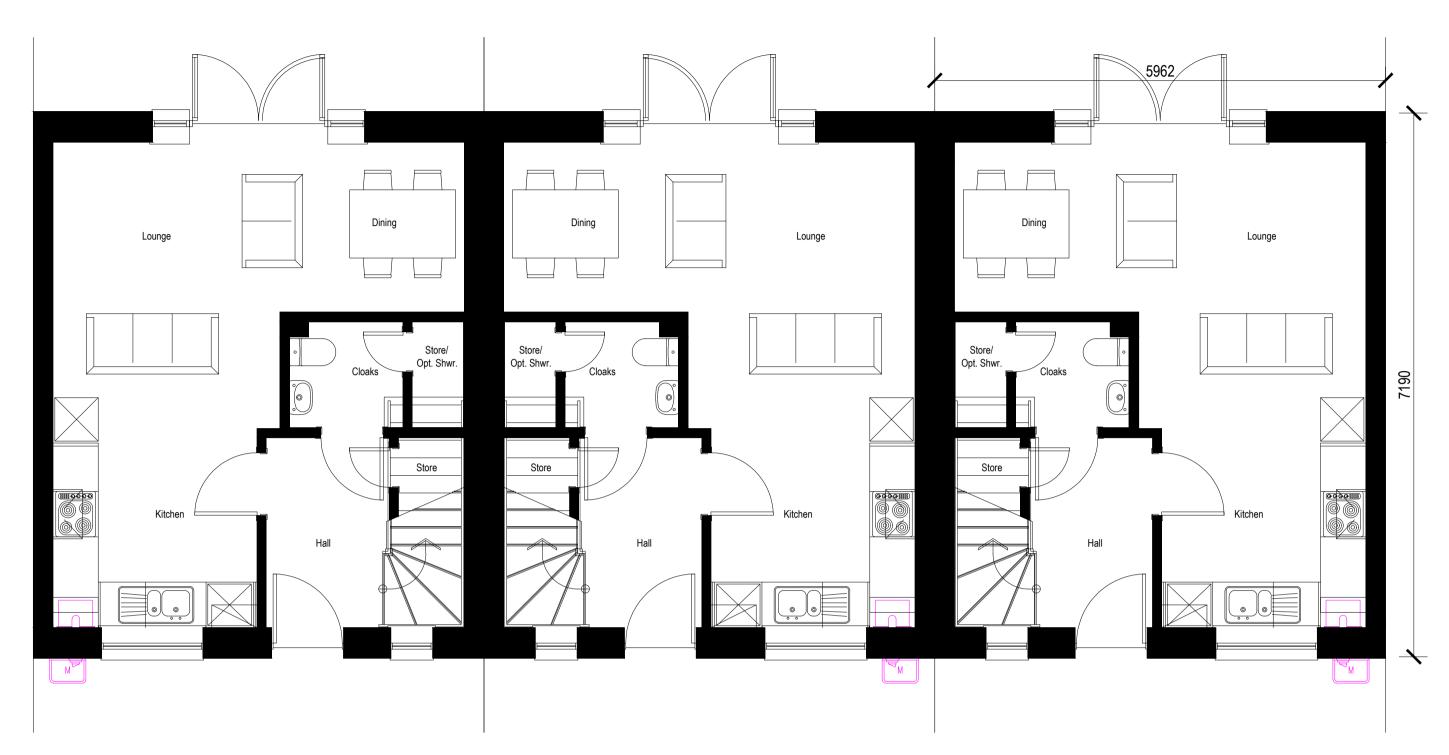


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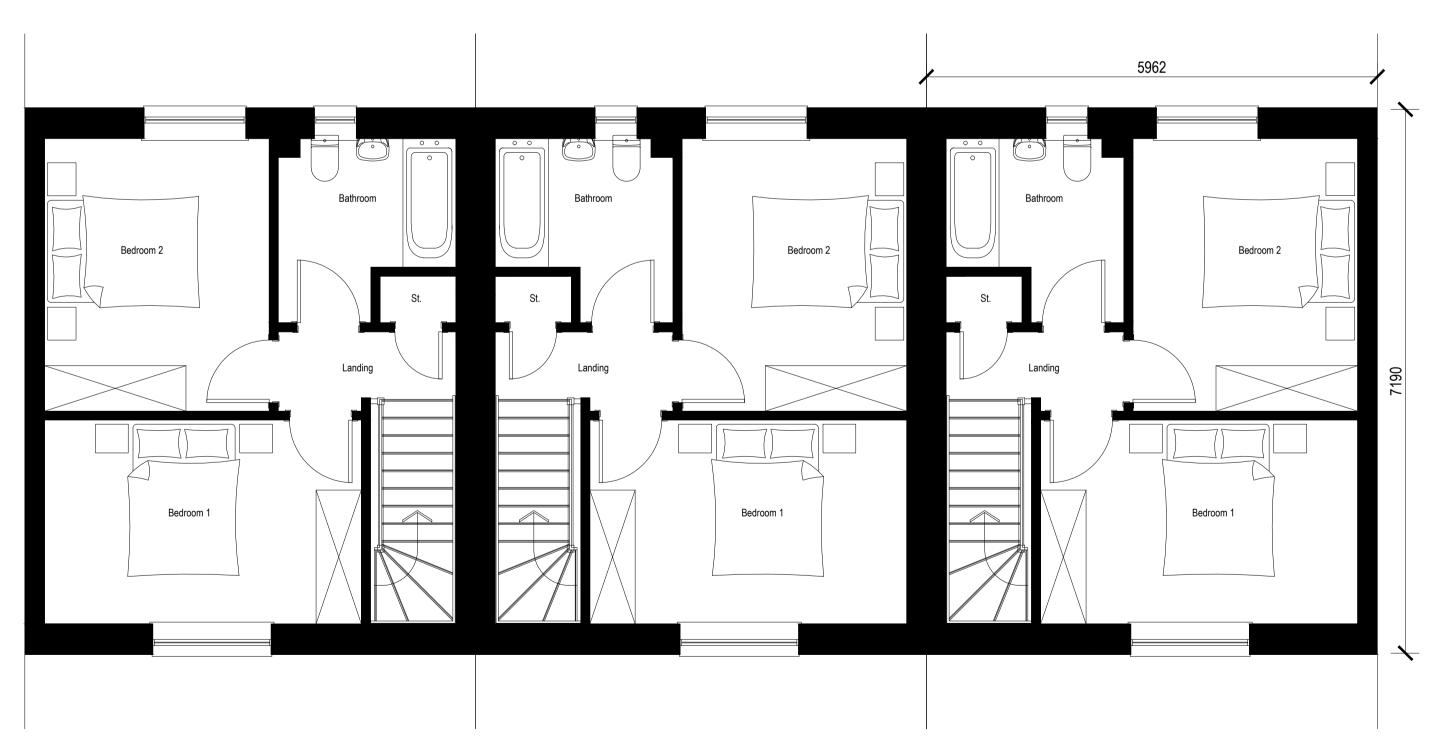
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GROUND FLOOR PLAN Scale 1:50



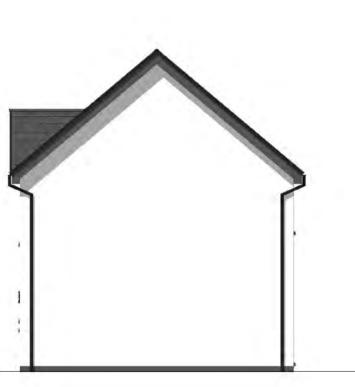
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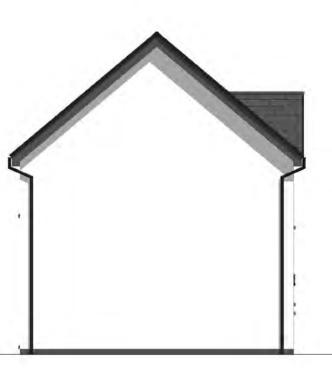








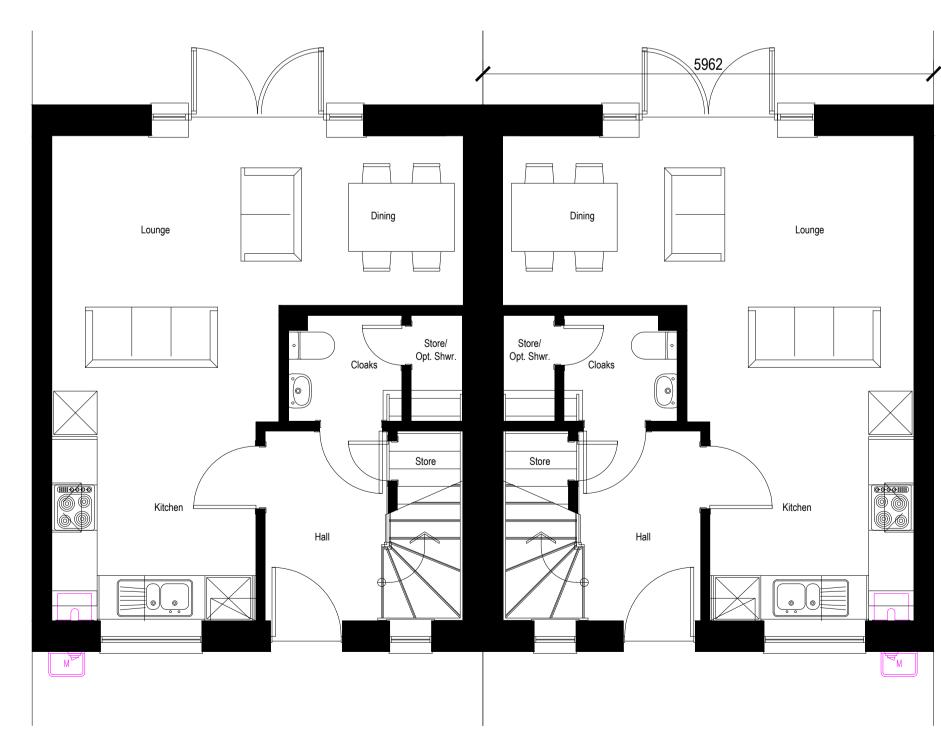
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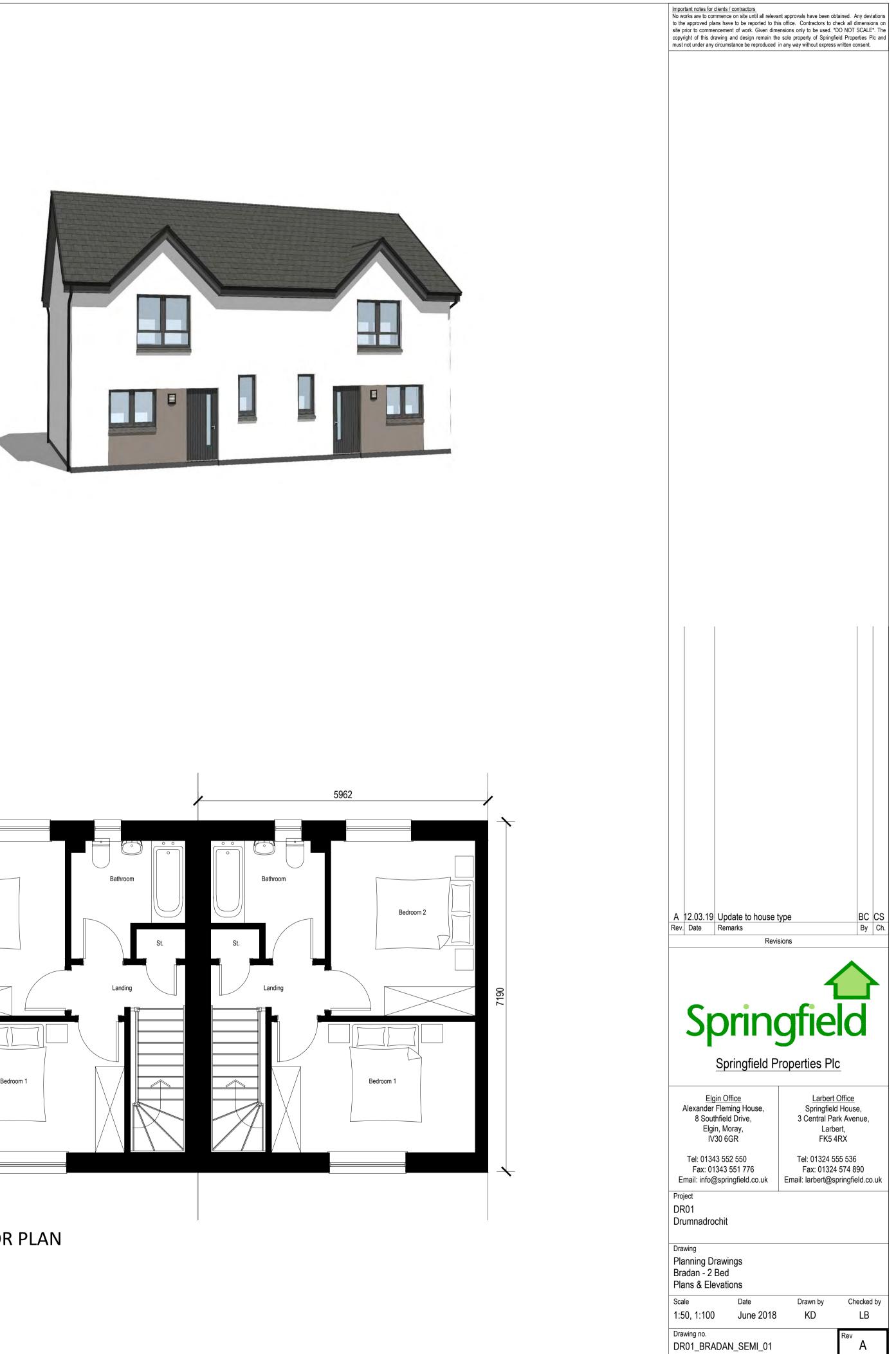
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site prior to commencement of work. Given dim	is office. Contractors to check all dimensions on lensions only to be used. *DO NOT SCALE*. The le sole property of Springfield Properties Plc and in any way without express written consent.
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IV30 6GR	FK5 4RX
Tel: 01343 552 550 Fax: 01343 551 776 Email: info@springfield.co.uk	Tel: 01324 555 536 Fax: 01324 574 890 Email: larbert@springfield.co.uk
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Drawing no. DR01_BRADAN_TER_01	Rev
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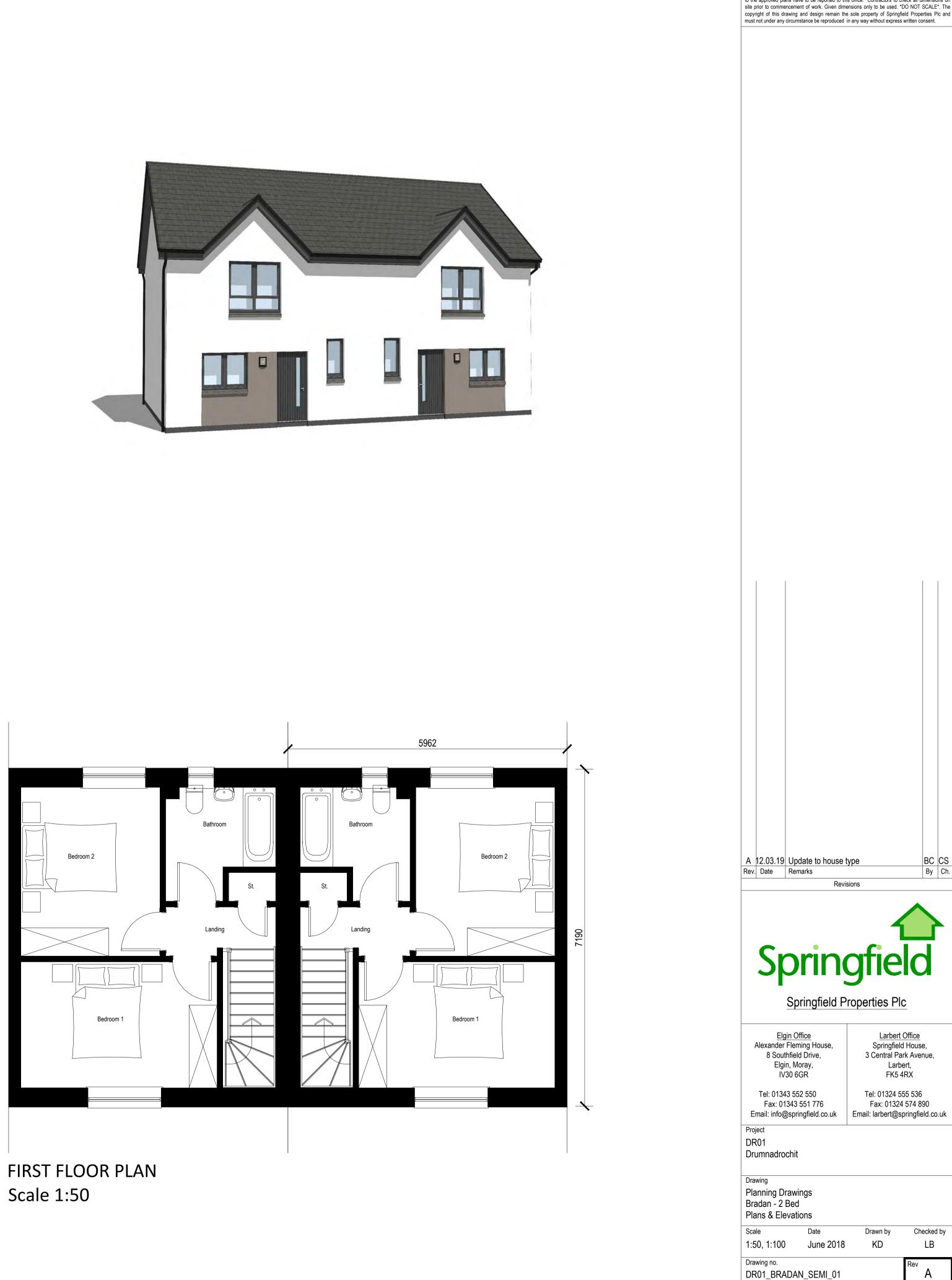




GROUND FLOOR PLAN Scale 1:50

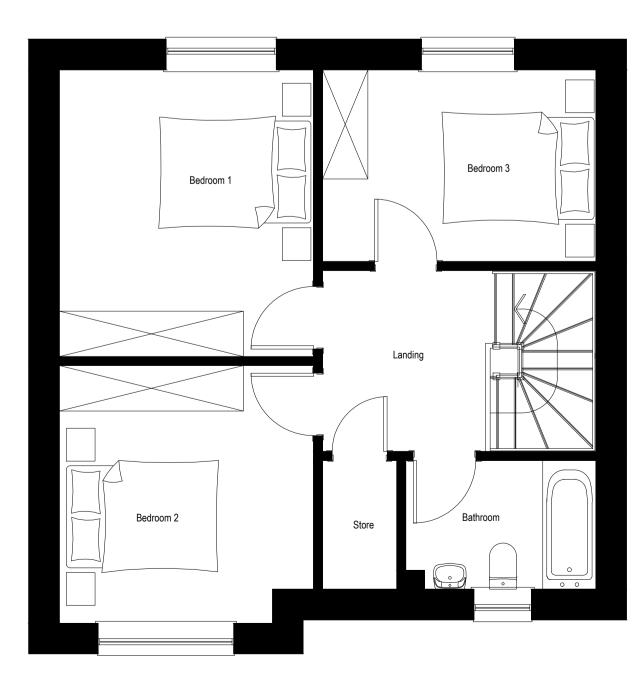
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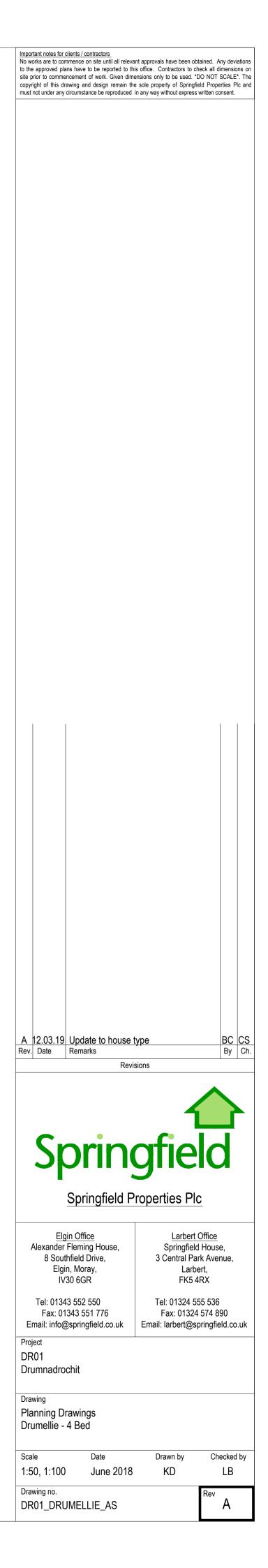




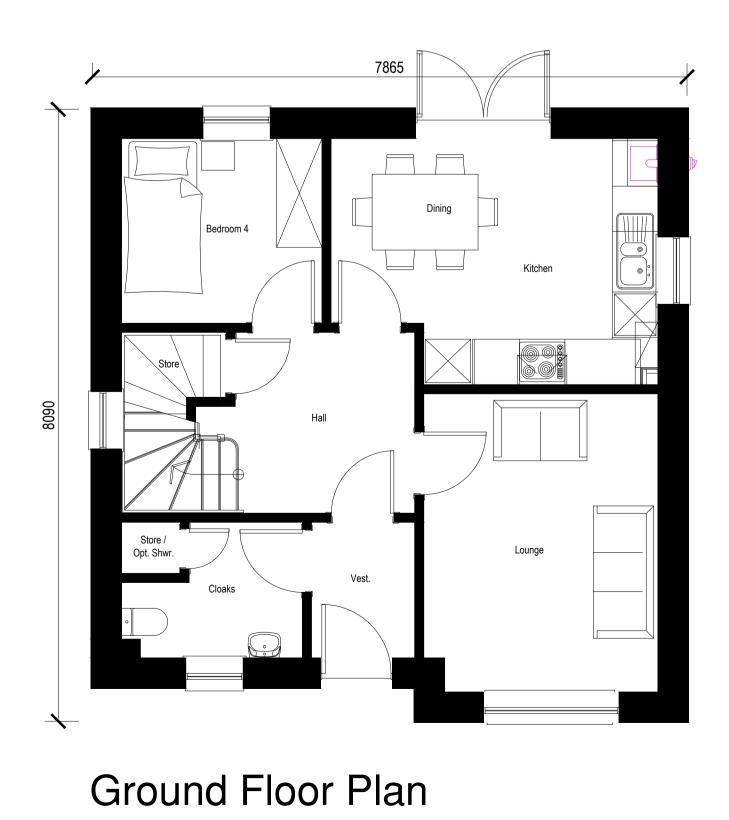




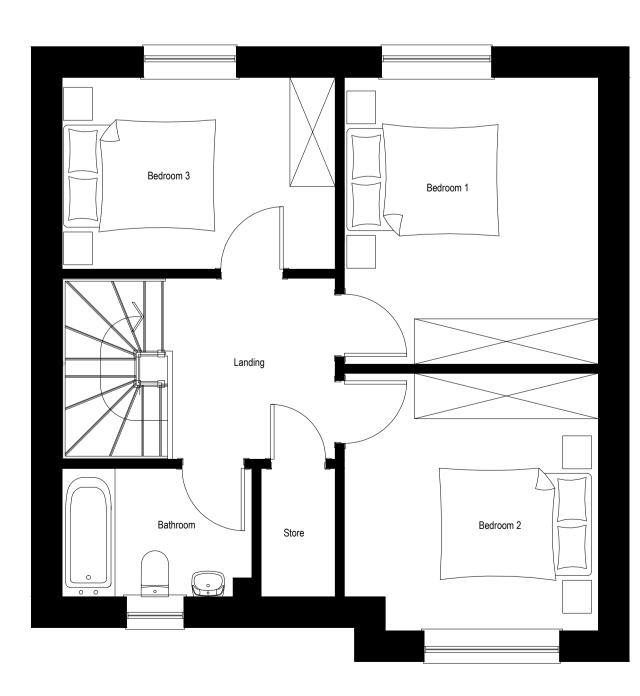
First Floor Plan



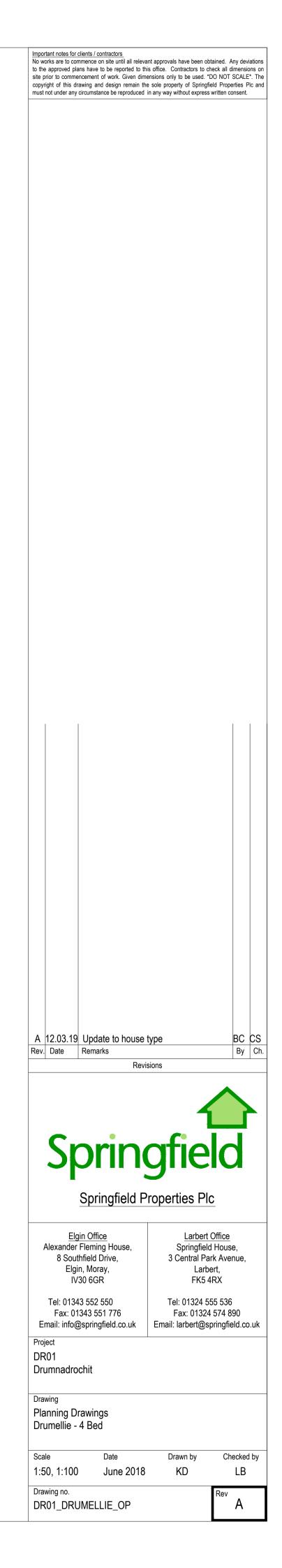




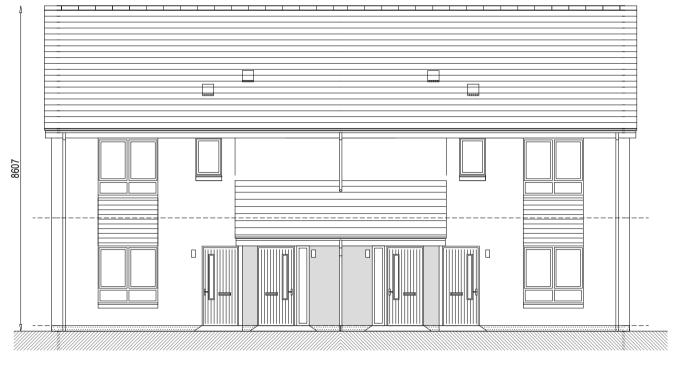




First Floor Plan

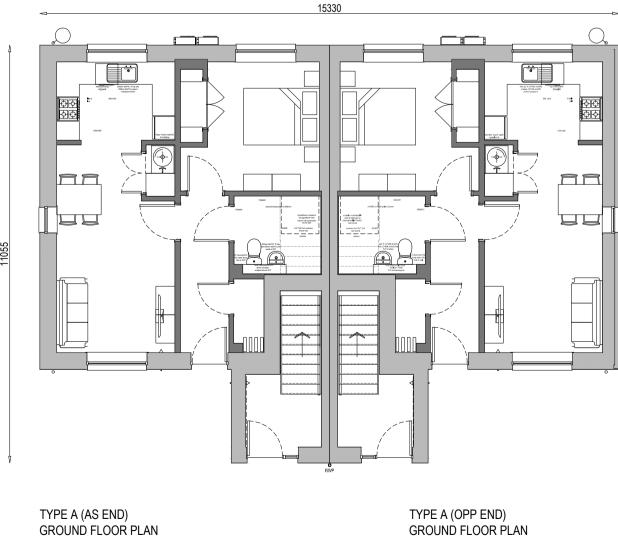






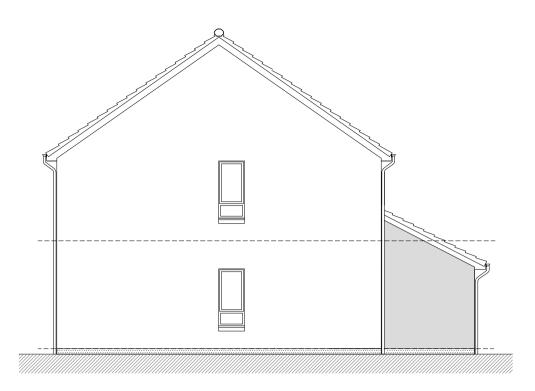
TYPE A (AS END) FRONT ELEVATION

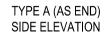
TYPE A (OPP END) FRONT ELEVATION

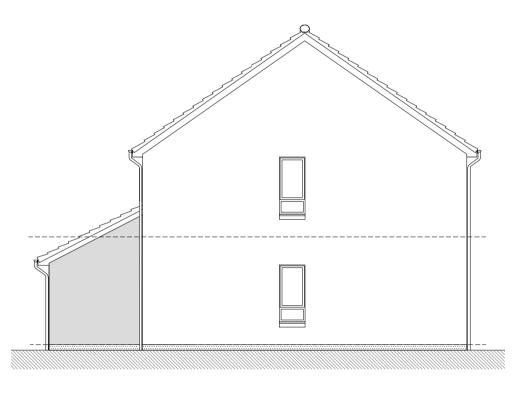


TYPE A (OPP END) GROUND FLOOR PLAN

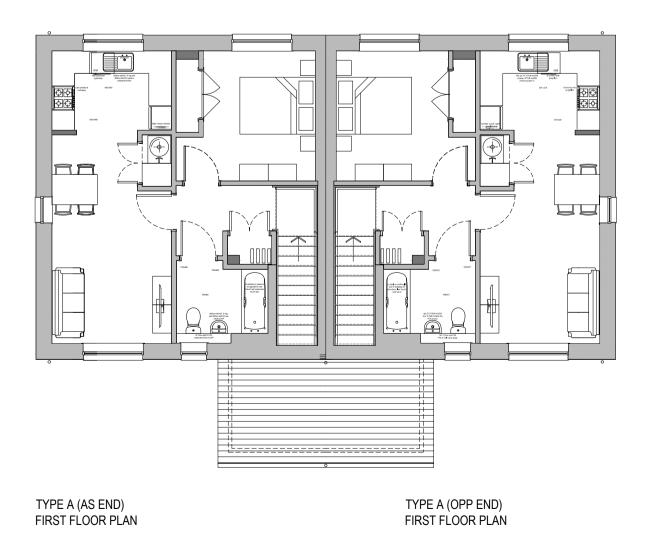
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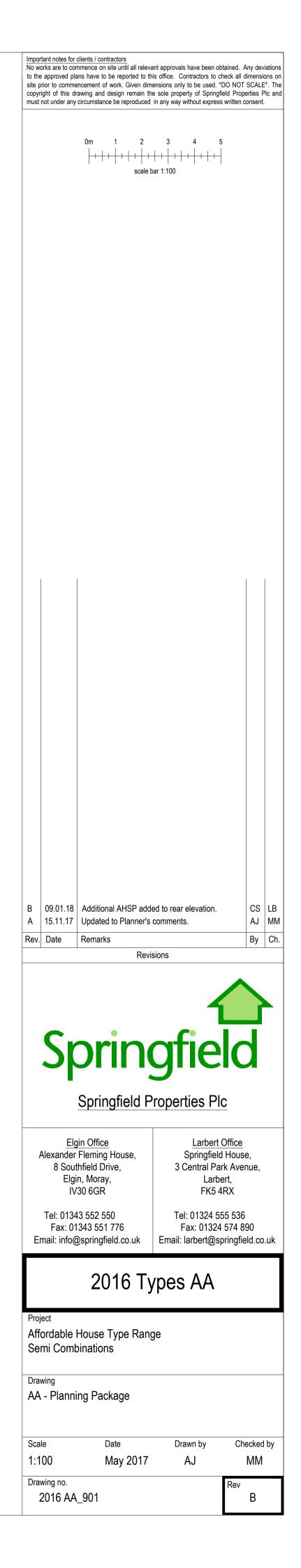


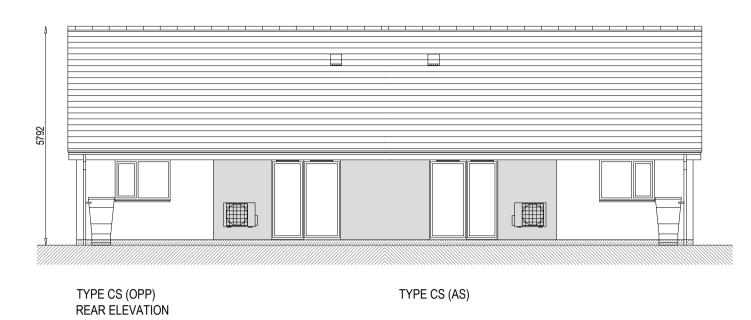




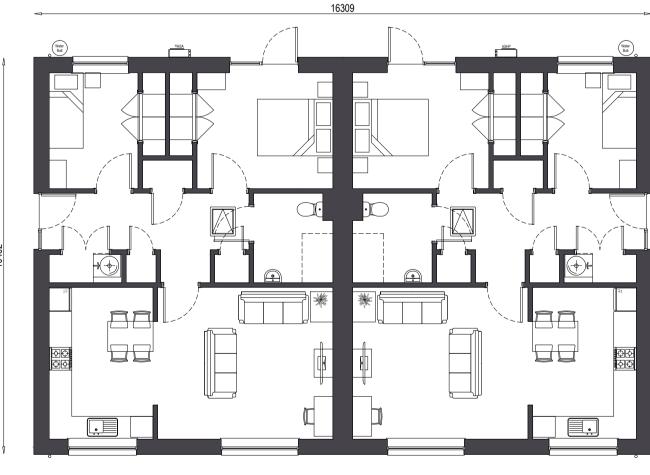
TYPE A (OPP END) SIDE ELEVATION





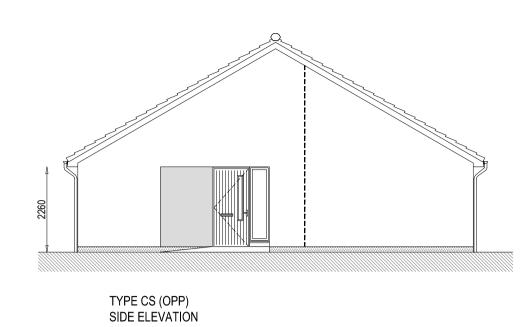


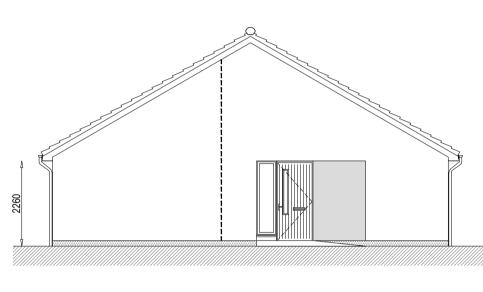
TYPE CS (OPP) FRONT ELEVATION TYPE CS (AS)



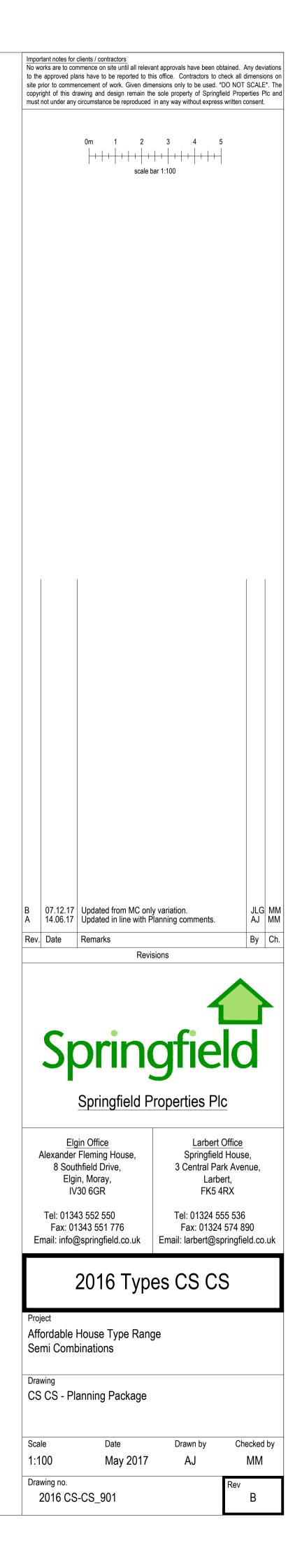
TYPE CS (OPP) GROUND FLOOR PLAN TYPE CS (AS)

A1



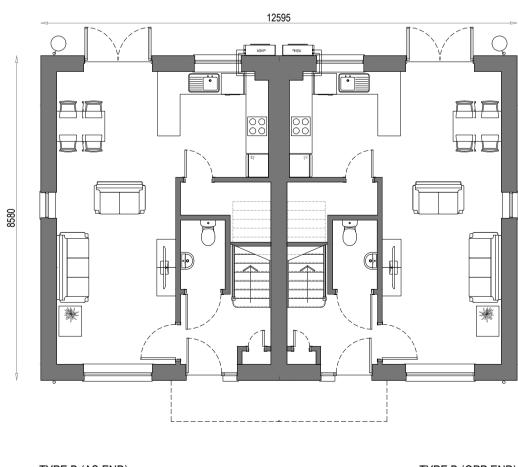


TYPE CS (AS) SIDE ELEVATION

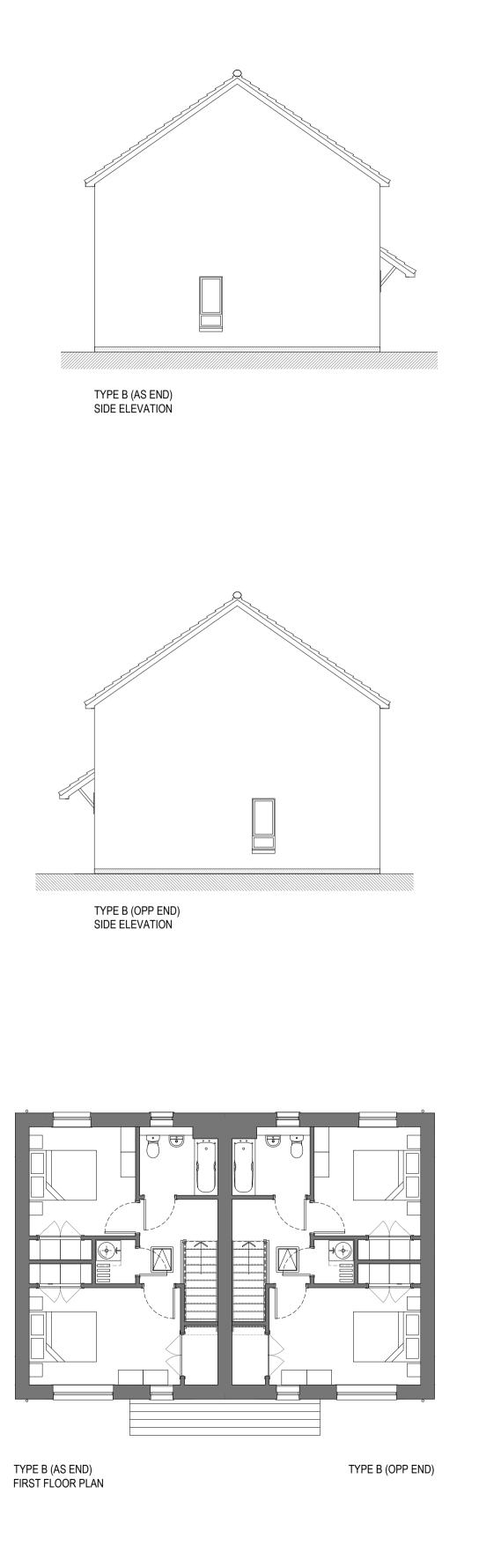


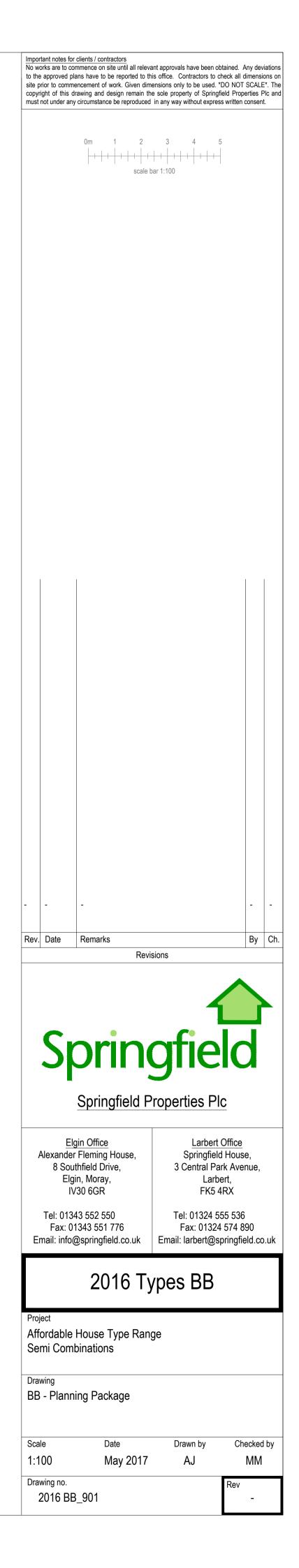


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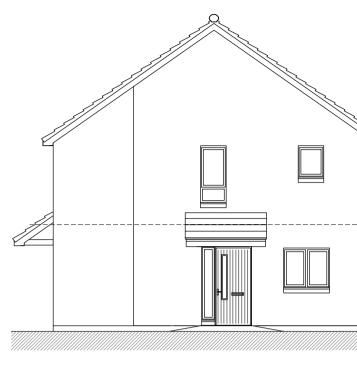


TYPE B (AS END) GROUND FLOOR PLAN TYPE B (OPP END)







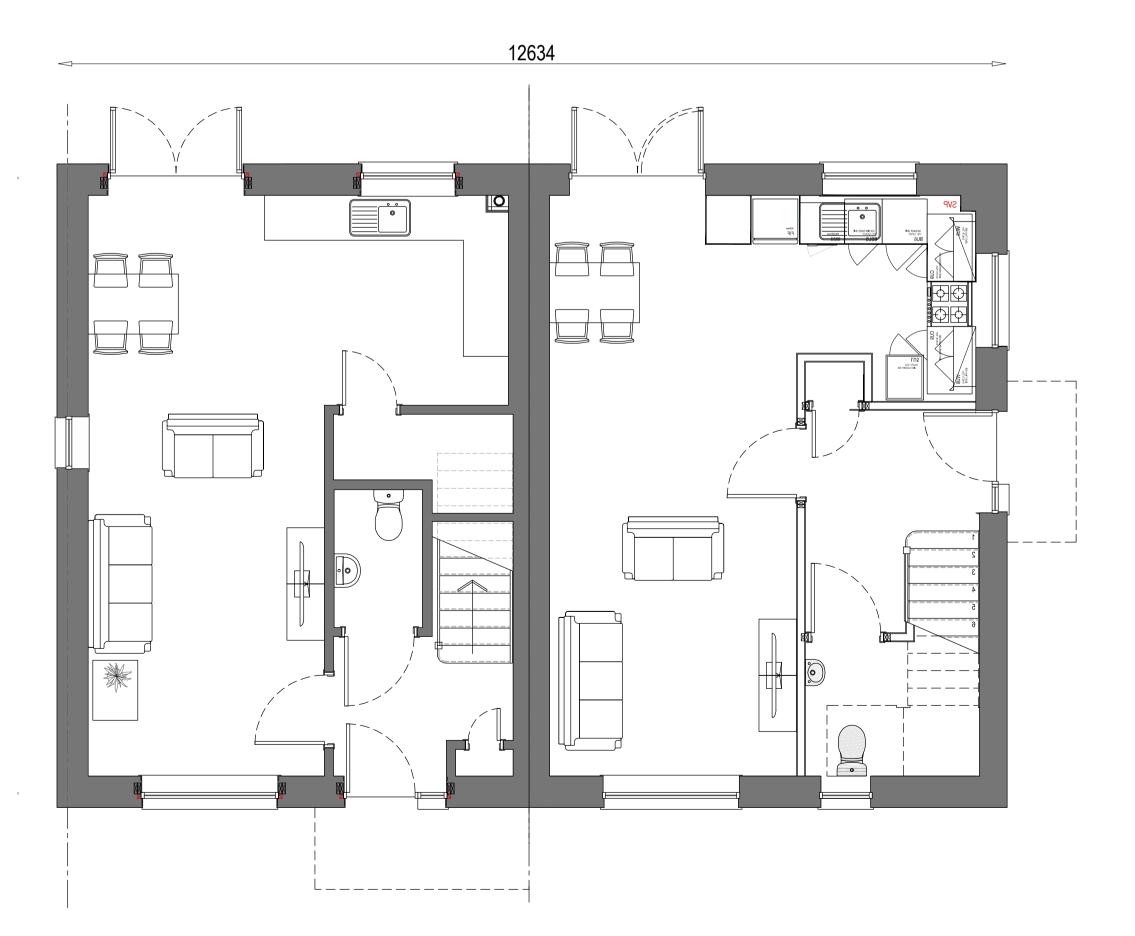


Front Elevation

Elevations

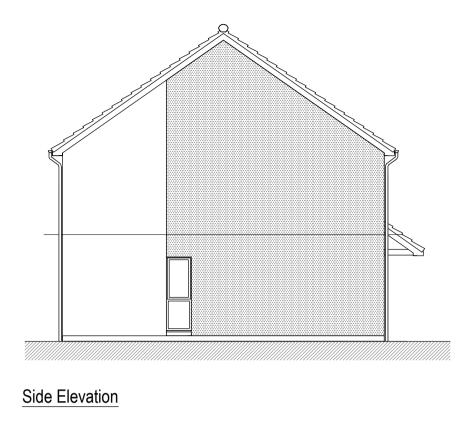
Scale: 1:100 @A1, 1:200 @A3

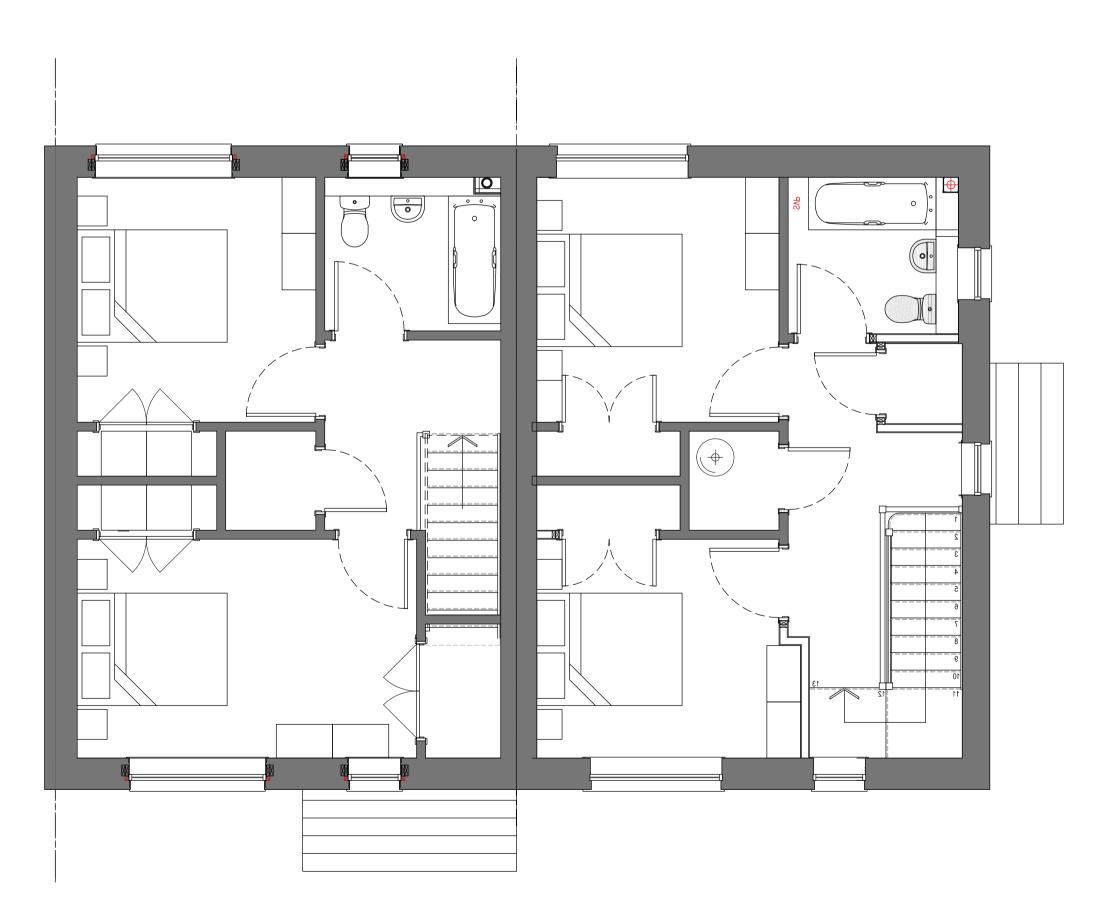




<u>Ground Floor Plan</u> Scale: 1:50 @A1, 1:100 @A3







<u>First Floor Plan</u> Scale: 1:50 @A1, 1:100 @A3 The copyright of this drawing and design remain the sole property of Springfield Properties Plc and must not under any circumstance be reproduced in any way without express written consent. DO NOT SCALE. If in doubt, ask Site Manager or Architect.

0m 0.5 1.0 1.5 2.0 2.5

A	12.12.16	Rear elevations handings corrected.		
Rev.	Date	Remarks		
	Revisions			

Springfield

2016 Types B-E

Project

Affordable House Type Range Type B-E Semi-detached

Drawing Plans & Elevations for Planning Submission

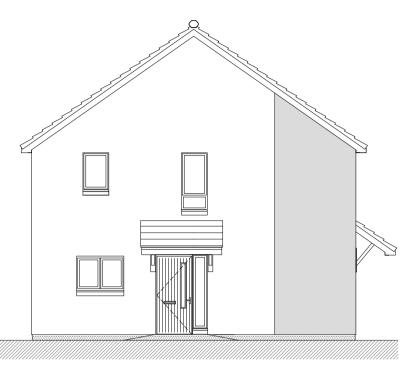
Scale	Date	Drawn by
As Shown	Nov 2016	SM/MM
Drawing no.	Rev	
2016 BE_901	A	



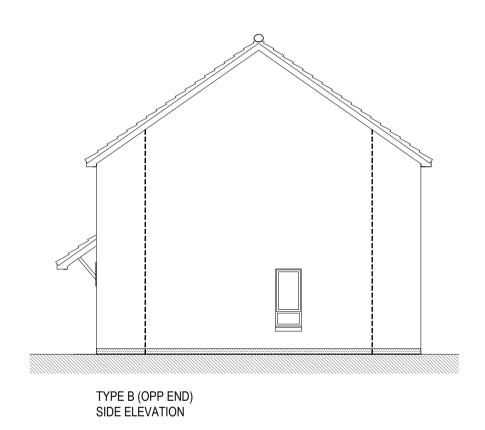


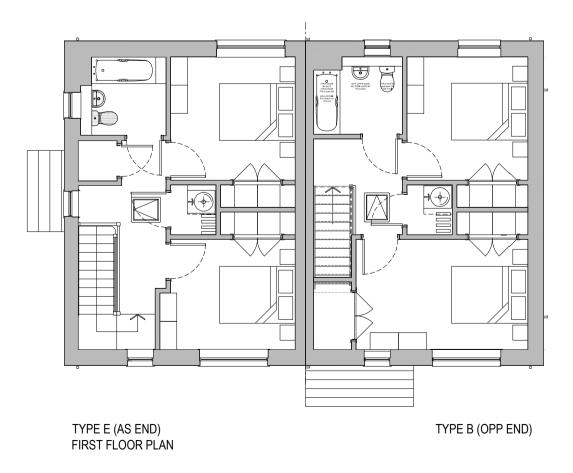


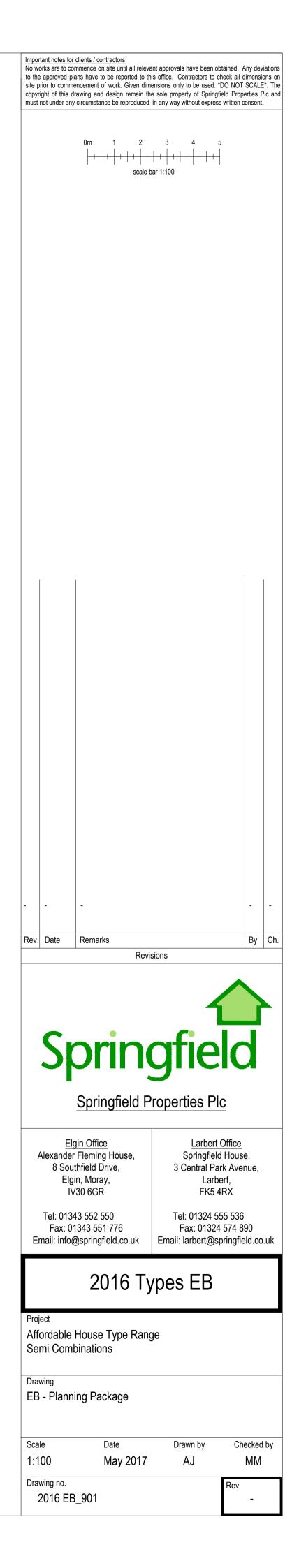
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TYPE E (AS END) SIDE ELEVATION



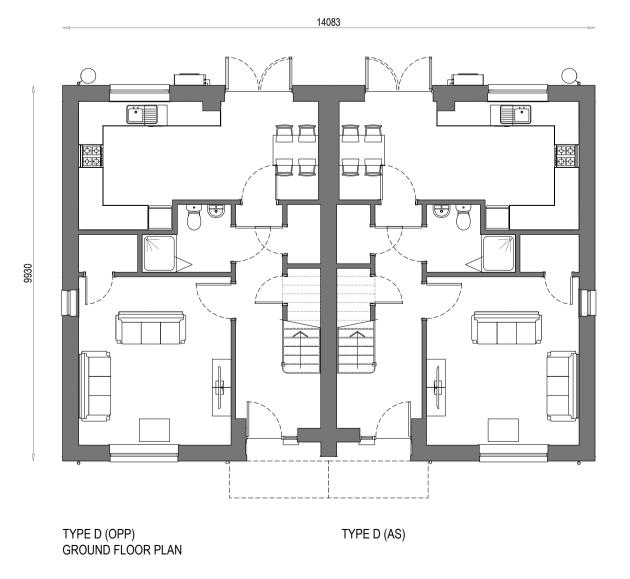


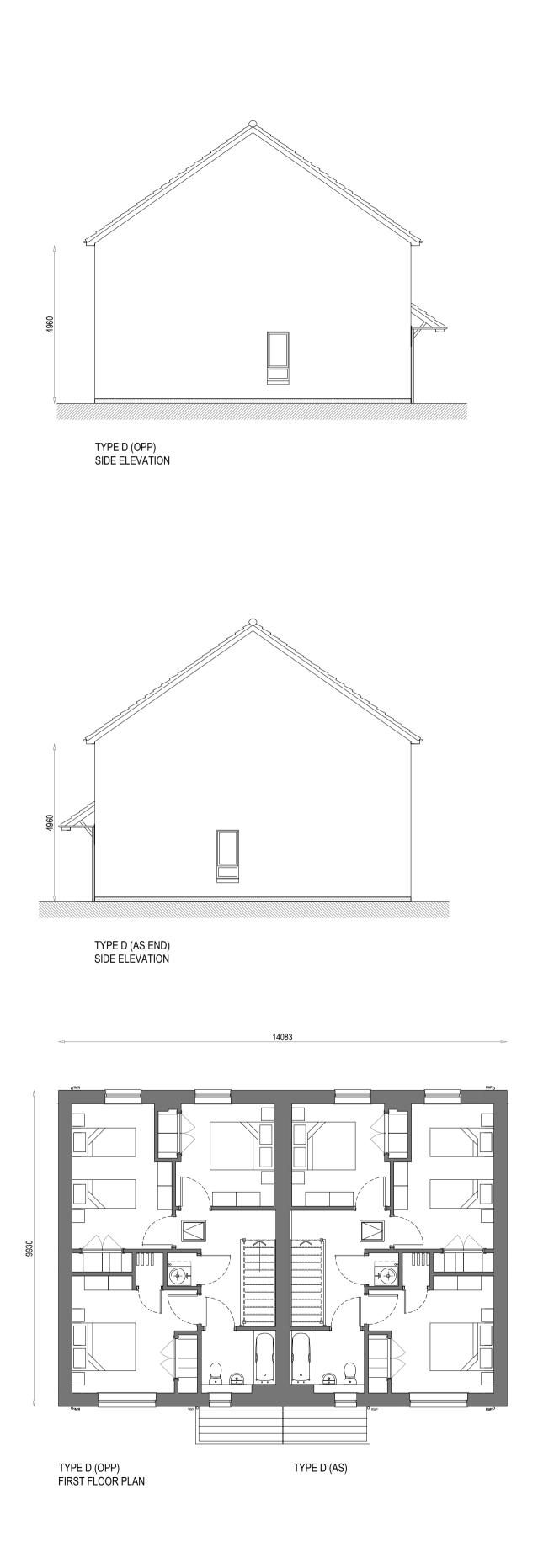


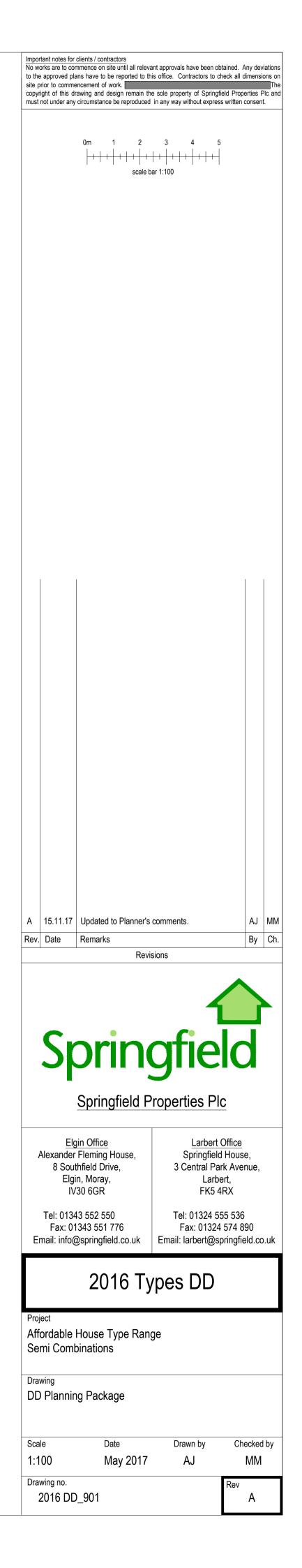


TYPE D (AS) REAR ELEVATION TYPE D (OPP)

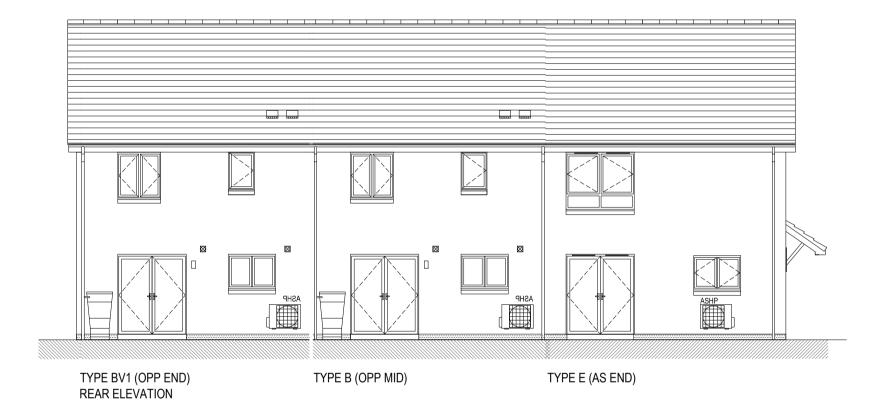


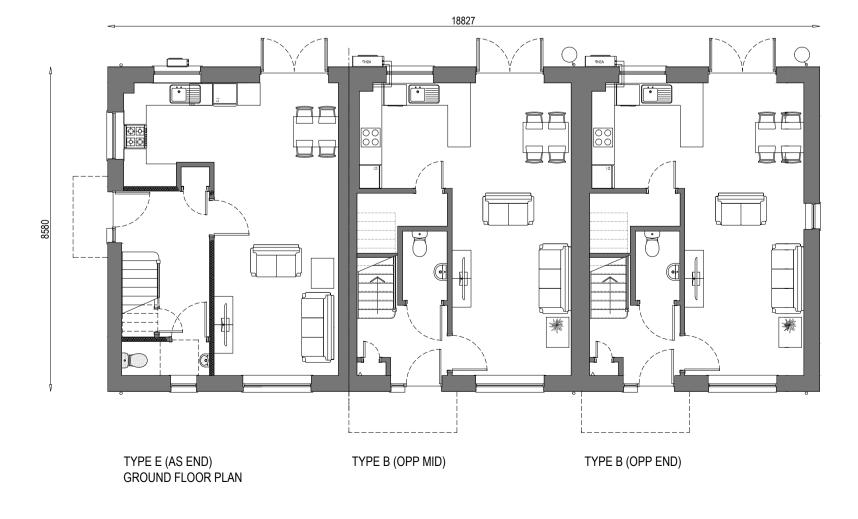




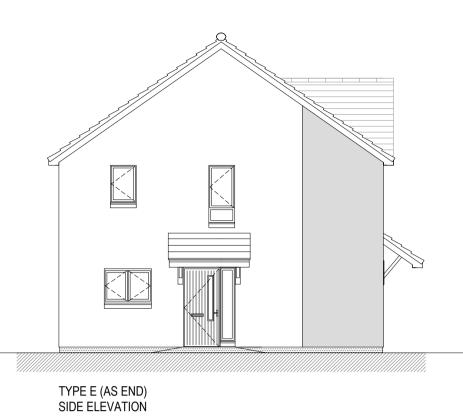


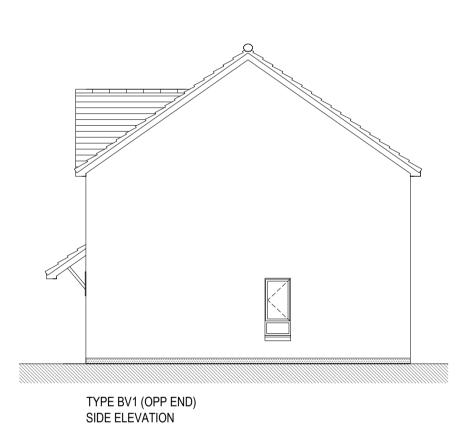


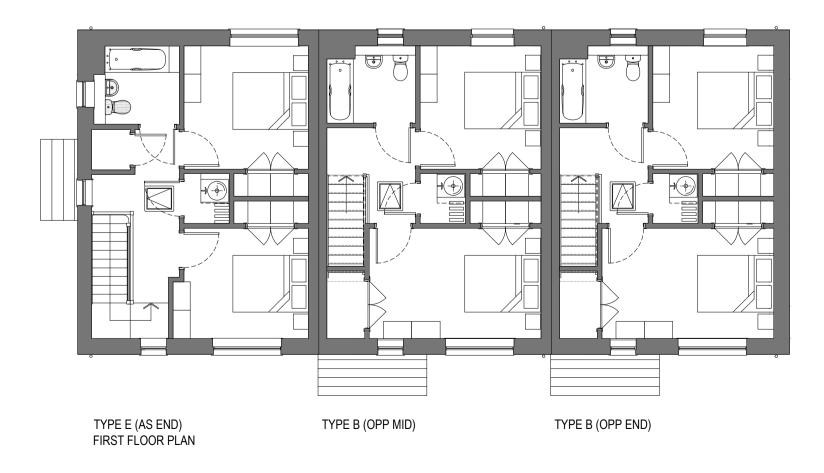




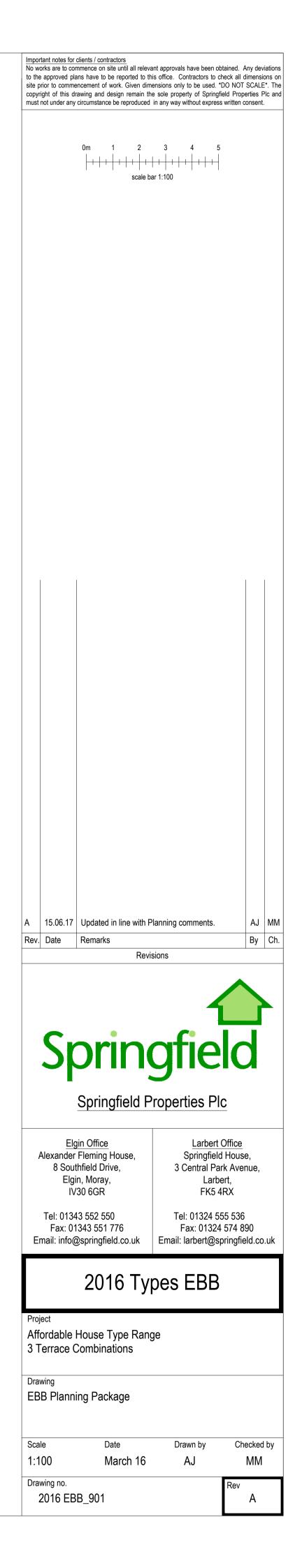
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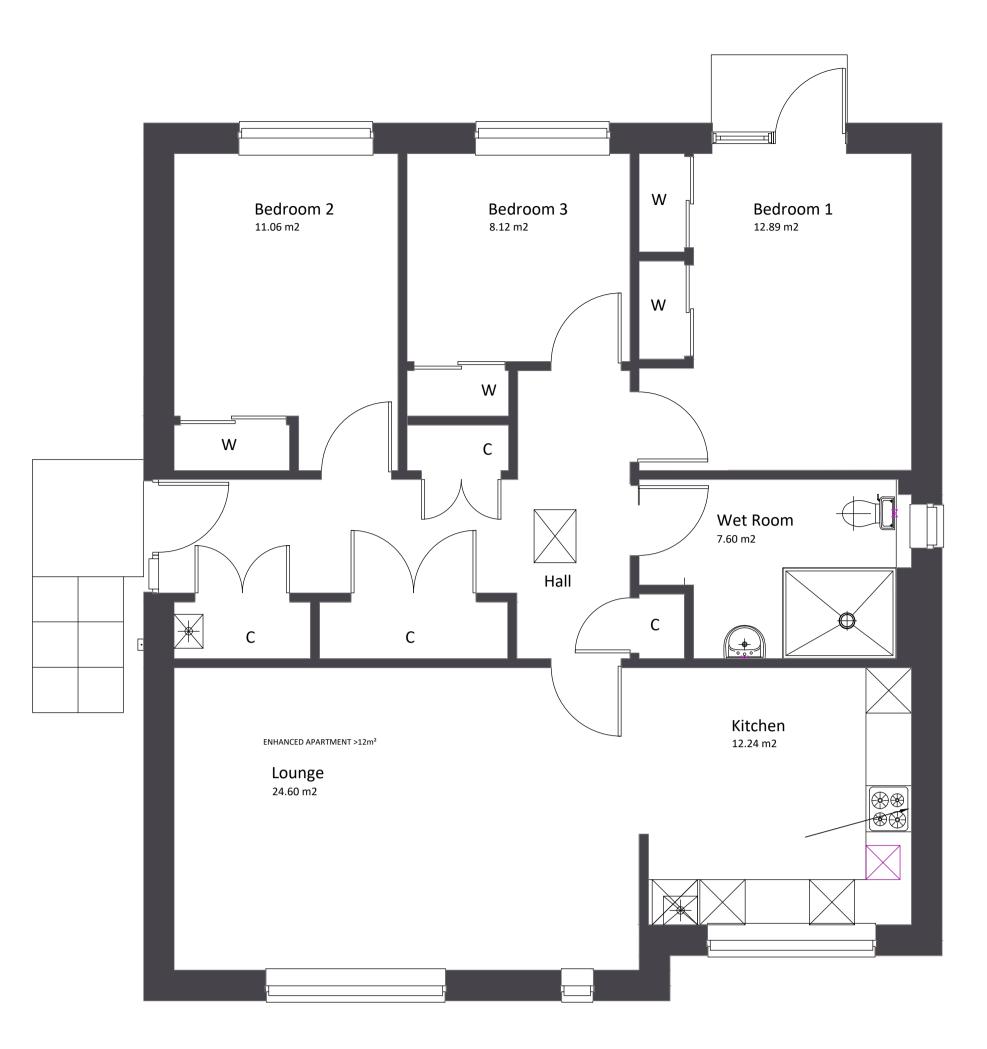






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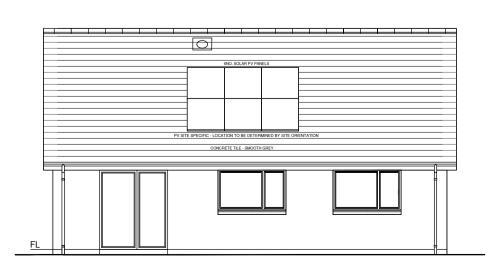




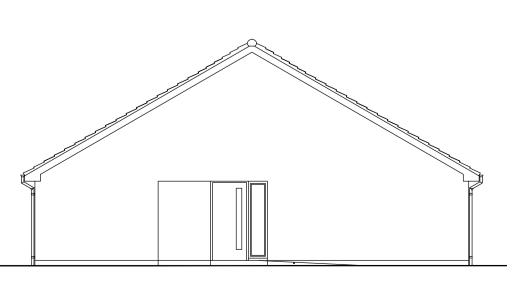
Albyn'Y' TYPE - LH FLOOR LAYOUT Internal Floor Area - 103.14 sq.m.

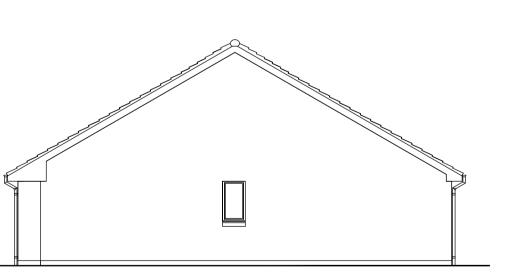


Albyn'Y' TYPE PRINCIPAL ELEVATION - Type 'Y' Detached - LH



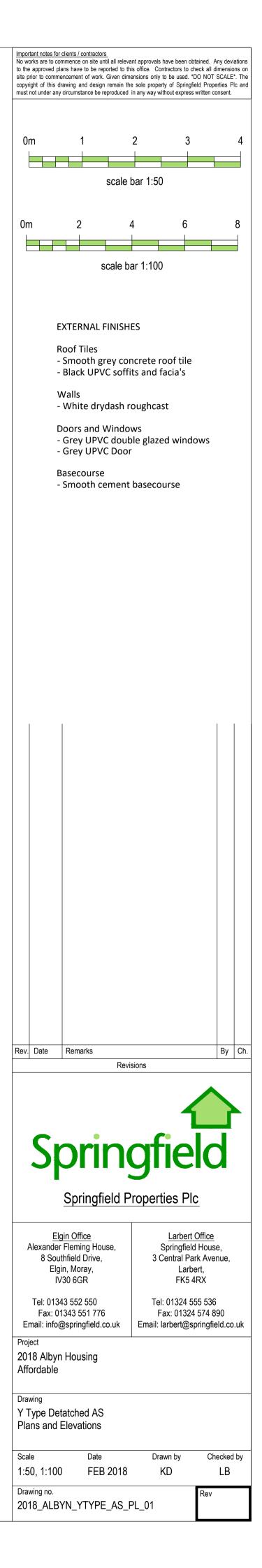
Albyn'Y' TYPE REAR ELEVATION - Type 'Y' Detached - LH

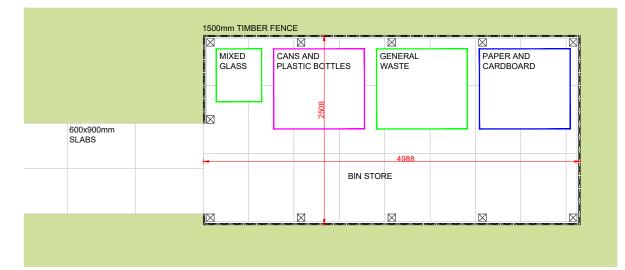




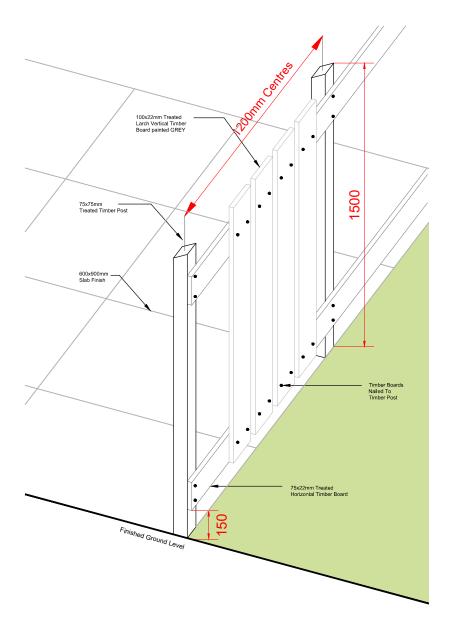
Albyn'Y' TYPE SIDE ELEVATION - Type 'Y' Detached - LH

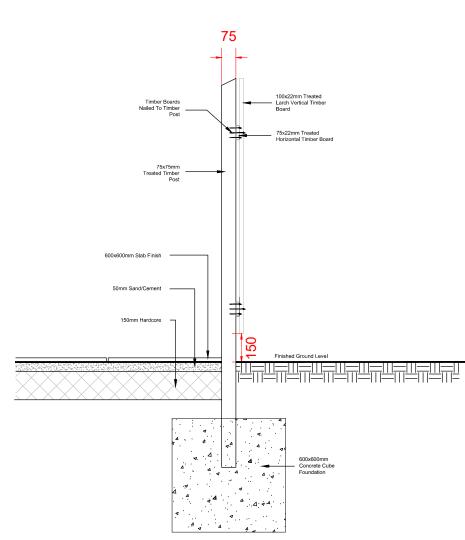
Albyn'Y' TYPE SIDE ELEVATION - Type 'Y' Detached - LH

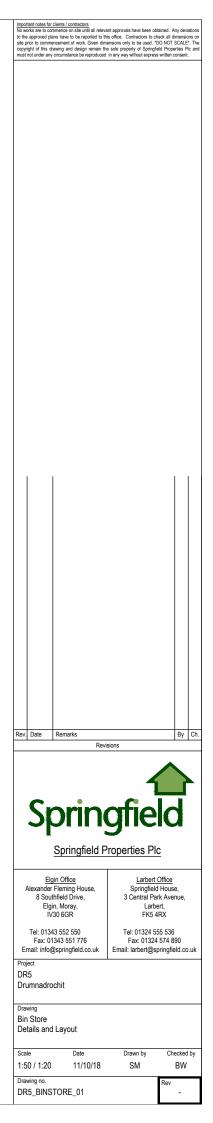


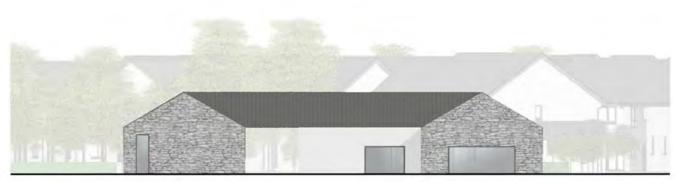




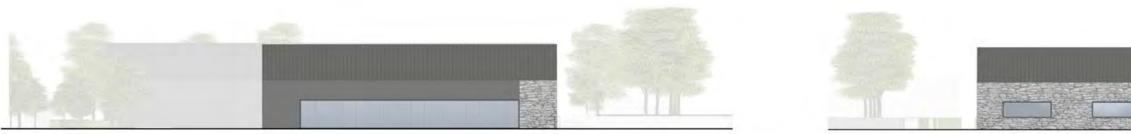








Front Elevation



Side Elevation (South facing onto Nursery)

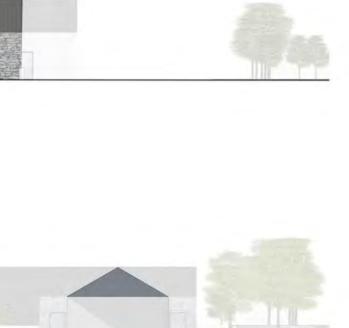
Side Elevation (North facing from main access road)



Side Elevation (Nroth facing through pend)

Side Elevation (South facing through pend)





DR01_ELEV_01



Front Elevation



Side Elevation (North facing)

Side Elevation (South facing from main access road)

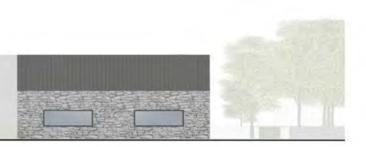


Side Elevation (South facing through break in building)



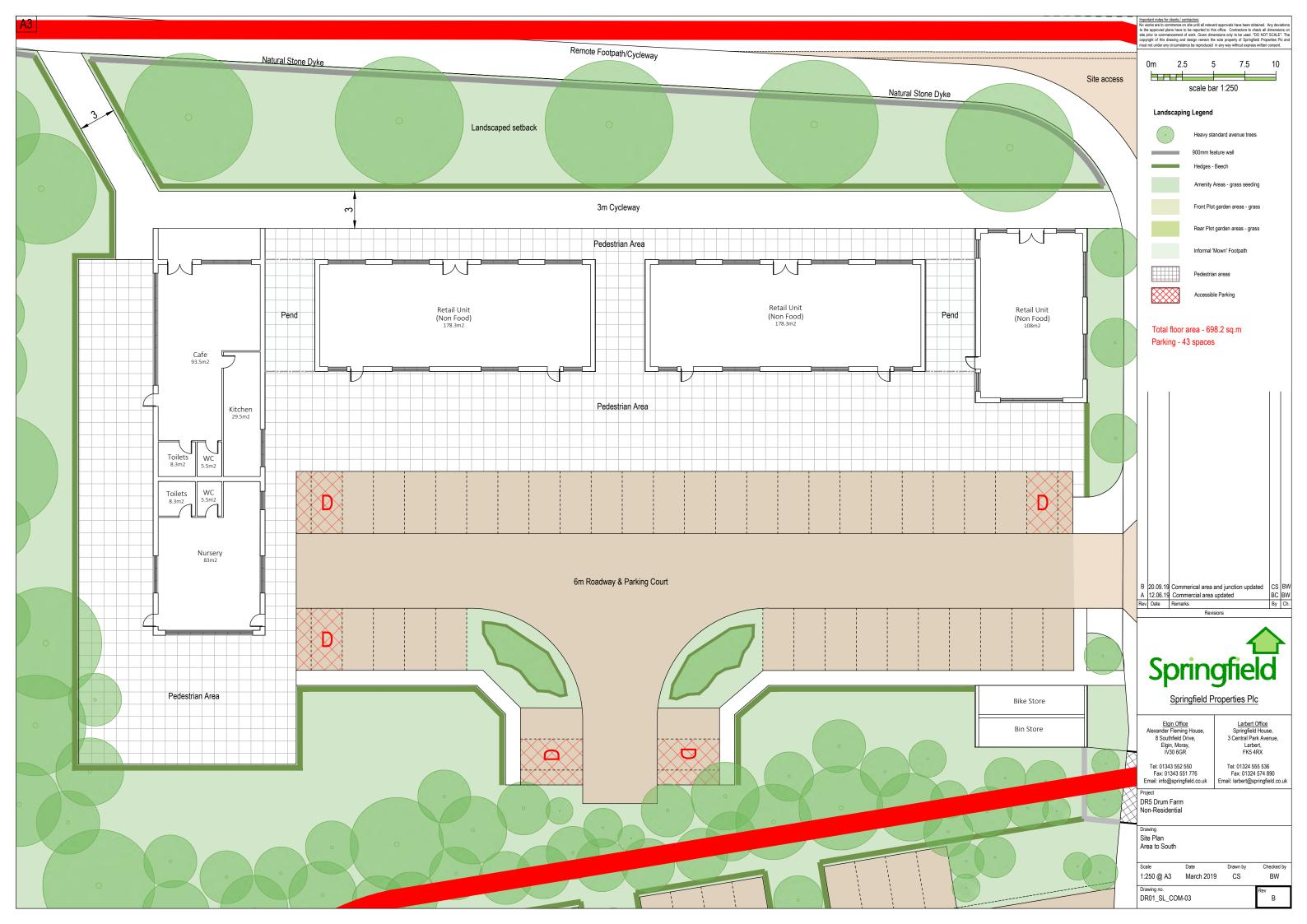
Side Elevation (North facing through break in building)

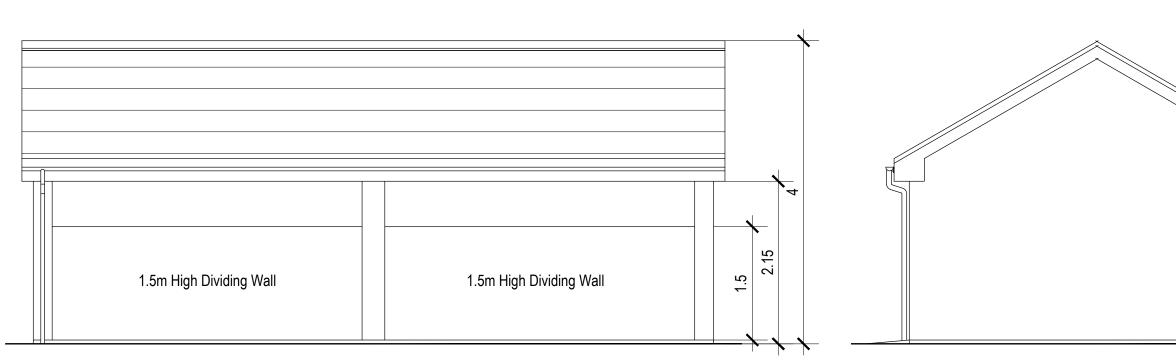




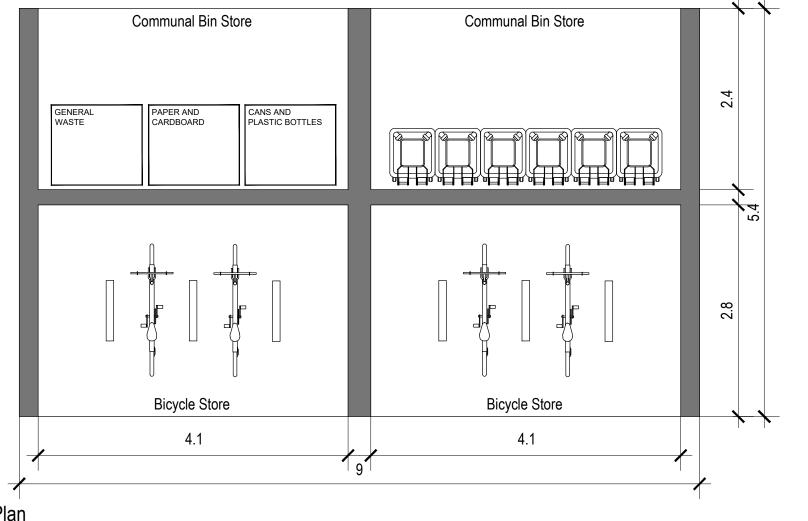
DR01_ELEV_02

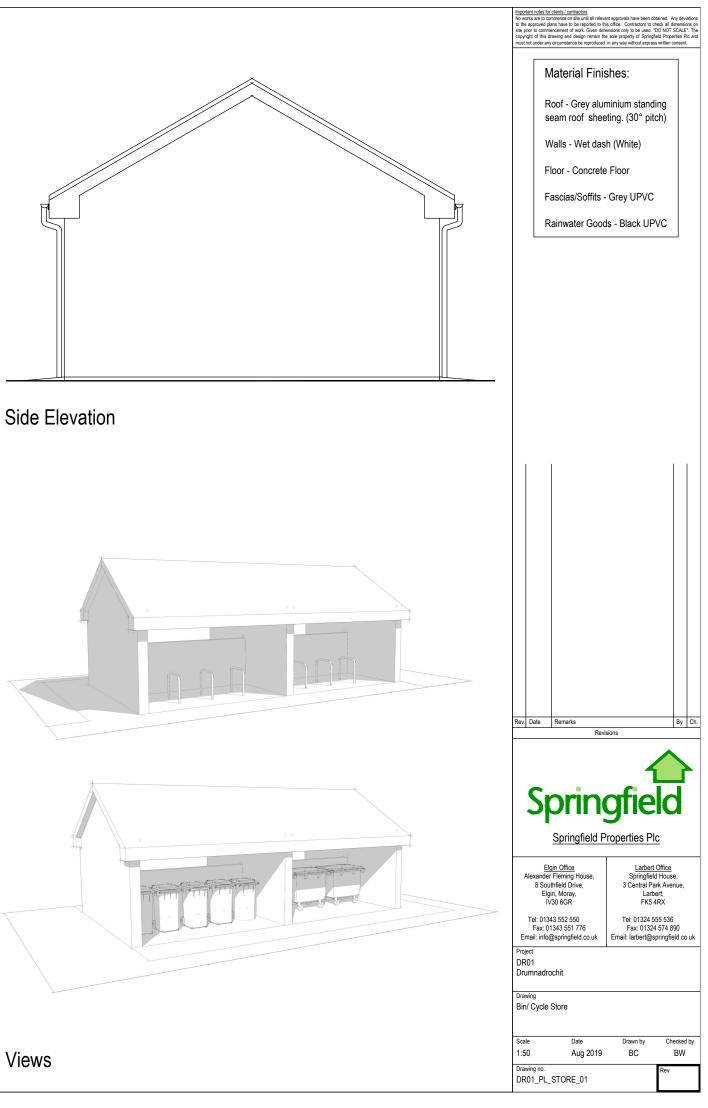






Front/Rear Elevation





3D Views

Plan