Agenda Item	6.2
Report No	PLS-048-20

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 22 September 2020

Report Title: 20/00311/FUL: Forest Holidays Ltd

Land 450M SW Of Highland Wood Energy, Lochaber Rural Complex,

Aonach Mor Access Road, Fort William

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Erection of 50 cabins with associated forest retreat, manager's

accommodation, cycle store, maintenance area, internal roads, paths,

utilities (including renewable heating technologies) and drainage

Ward: 21 - Fort William and Ardnamurchan

Development category: Major

Reason referred to Committee: Major Development

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

Recommendation

Members are asked to agree the recommendation to **Grant** planning permission as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 Planning permission is sought for a complex comprising 50 residential cabins for tourists plus associated infrastructure on 30Ha close to Nevis Range ski and mountain biking resort. The elements comprise:
 - 50 residential cabins providing a mix of 1, 2, 3 and 4 bedroom units, including two which would be suitable for disabled persons
 - A "Retreat" building which provides a reception, café and small shop selling everyday essentials - plus 4 staff parking spaces
 - Cycle hire/store
 - A Maintenance/service building plus 4 staff parking spaces
 - Fuel compound and waste/recycling area
 - A 800kV substation and electrical distribution unit
 - 3 staff accommodation units with 2 parking spaces per unit
 - Each cabin to have car parking and a bike store
 - 2 of the largest cabins to have a treehouse providing a 5th bedroom and en suite
 - A ranger station
 - 4 laundry pods sited among the cabins
 - · An equipped play area close to the Retreat building
 - 2 viewpoints plus constructed paths
 - New vehicular access off the Aonach Mor public road and 32 customer parking spaces at the Retreat, including 3 spaces for disabled persons and 4 electric car charging points
 - Loop road with spurs serving the cabins
 - New foul sewer connection to Torlundy plus 2 grey water holding tanks as part of a proposed SUDS scheme
- 1.2 The Retreat building is single storey, with a floor area of 241.5sqm and a modern design with an asymetrical pitched roof and a chimney. Materials are vertical timber cladding with clay roof tiles.
- 1.3 The main cycle store and hire facility adjacent to the retreat building is 12m by 5m in floor area, with a 3m wide deck. It has a monopitch roof at a shallow angle, 3.3m high at the front. There is storage for 70 bikes.
- 1.4 The proposal includes 5 one bedroom cabins, 26 two bedroom cabins, one of which would be disabled accessible, 13 three bedroom cabins, one of which would be disabled accessible, and 6 four bedroom cabins, 2 of which would have tree houses, making them in effect five bedrooms. The cabins are of a similarly modern design to the Retreat building with an asymetrical roof, and materials in horizontal and vertical timber cladding and grey roof tiles. The development will be built to BREEAM "excellent" and Code 4 for Sustainable Homes standards. The cabins are to be constructed as prefabricated elements, which are assembled on site, on piled stilts. 44 out of the 50 cabins are 1, 2 or 3 bed cabins, which are single storey, whilst 6 are 4 bed cabins, and are 2 storeys in height. The layouts are simlar, ranging from 55sqm to 112sqm in floor area, the 2 and 3 bed cabins being "stretched" versions of the 1 bed unit, and the 4 bedroom cabins are 2 storey versions of the 2 bed cabins. The single storey cabins are 4.9m high, and the 2

storey cabins 6.9m in height. Each cabin has a full height glazed gable opening onto a timber deck at the front with a hot tub and outdoor dining area. Two of the largest cabins have a treehouse, linked by a timber walkway. These units are 6 sided structures on stilts with a pagoda style roof. Each cabin will have a wood burning stove, however heating for the complex as a whole has yet to be decided. Options including biomass wood pellet boilers, Air Source heat pumps, Gas/bioLPG, plus solar PV and solar thermal are being explored. The other sites that have been developed by the same company have a variety of means of space and water heating. Each cabin would have a timber cycle store, 2050 x 1450 x 1592mm high.

- 1.5 The Ranger station is a hexagonal timber hut with a pagoda style roof. The play area is in a rustic style and includes a low level balance beam, log benches, a "storey tellers" giant chair and stools, a double rope balance and vertical log forest, stepping logs and tall poles, together with a log clamber stick.
- 1.6 The maintenance/service building, staff accommodation and other infrastructure elements are low key, more utilitarian in appearance, timber clad structures, the cabins with low angled pitched roofs and the service buildings with monopitch roofs. The waste and fuel compounds are surrounded by 2m high timber fences. 4 gas tanks are shown which may or may not be necessary depending on the type of fuel chosen for the development. The laundry pods would measure 3 x 3m, by 3m high.
- 1.7 There is a lighting strategy and detailed plan for all external lighting in the development, specifying discreet, low level lighting around the buildings and PIR and time limited external lights on the cabins themselves.
- 1.8 Access is to be taken from the Aonach Mor public road which is off the A82 Trunk Road. An existing turning into the firewood depot is to be altered to provide a simple priority junction with a 2.4m by 215m visibility splay. This would be the main access into the development; it is just beyond the Rural Complex on the other side of the public road. A new bus stop is proposed at the site entrance. A bitmac road would form a small loop serving the Retreat building and other facilities. Beyond the maintenance building the road would continue as a stone track to the cabins. These would be arranged around this track, which would form a larger loop returning to join the access road. This track would bridge a watercourse that runs through the site. There would be a spur off this loop to the SW, serving five cabins and a further spur to the SE which would cross the existing old road up from Torlundy, and serve 19 of the cabins. Also proposed are a number of constructed paths linking the various elements within the development and linking the development to the existing paths in the area.
- 1.9 A Travel Plan is proposed, including a dedicated minibus to Fort William for staff and to pick up and drop off visitors from the railway/bus station. Initiatives on car sharing and biking to work are proposed for staff, and a travel pack would be provided to visitors.
- 1.10 A comprehensive package of woodland management, tree planting and landscape planting is proposed, with native species.

- 1.11 A new sewer, 1182m long, is to be constructed along the old road to the site from Torlundy. Infiltration strips and swales are proposed along the tracks and roads. The water supply is from the mains. Electricity is to be connected to the supply that comes up the Aonach Mor public road.
- The developer is a partnership between a tourist accommodation provider and Forestry and Land Scotland. They have similar existing developments at Ardgarten on Loch Long and Stathyre near Callendar, together with several other sites in England and Wales. A Forest Lodges development has recently been granted planning permission at Glentress in the Borders, which is also a mountain biking centre. This site is likely to deliver around 58,400 annual visitor nights, based on occupancy levels at their other sites. It is to be open year round. It is proposed that the development would generate up to 15 full time and 30 part time jobs, plus up to 32 FTE jobs off site through the expenditure generated. Its construction would involve up to 90 construction workers. Construction would take place over a period of 4-5 months in a single phase. The cabins would be constructed in sections off site and assembled on piled foundations. Tree protection measures are proposed and elsewhere some of the cabin's decks have been adapted to incorporate existing trees.
- 1.13 Pre-Application Consultation: 19/02871/PAN formal pre-application notification considered by the South Planning Applications Committee on 7th August 2019.

The report to Committee noted that no details of the development were submitted at that stage, only a location plan. In August 2015 the Council approved a Masterplan for the Nevis Forest and Mountain Resort as Interim Supplementary Guidance pending its incorporation within the West Highland and Islands Local Development Plan. The Masterplan extended the mixed use allocation to the west to incorporate the site subject of the PAN. The vision for this zone of the Masterplan was for a high quality resort hotel development and one of the options was for 50 high quality lodges.

The West Plan, which was nearing adoption in Aug '19, identifies the Nevis Forest and Mountain Resort Masterplan area as an Economic Development Area (EDA05). The EDA covers the wider area of 112ha and specifies business, tourism, community, recreation and leisure uses. The developer requirements for this area are as follows:

Land safeguarded only for provision/expansion of facilities relevant to outdoor recreation and/or that will expand and diversify the tourism offer of Nevis Forest and therefore the Fort William area and its outdoor capital brand. The guiding principles of the Masterplan Supplementary Guidance are to promote mixed use, outdoor recreation and tourism led development that is complementary to existing enterprises; match the scale ,layout and design of development to the existing forest landscape context and local service network capacity; exclude uses such as permanent housing that would be better located within a settlement; promote forest management to enhance habitats and their biodiversity; protected species survey, provide better car parking and recreational access trails; avoid flood risk including retention of natural watercourses and development set-back from them; achieve integration with adjoining active travel routes and secure adequate water main,

public transport and public sewer connectivity including prior discussion with Scottish Water in the case of a major water user.

Following Examination, the Reporter added: avoiding adverse impacts on the Parallel Roads of Lochaber SSSI, Glen Roy, and the Geological Conservation Review site. Peat management plan to demonstrate how impacts on peat have been minimised and vegetation survey to demonstrate how impacts on wetlands have been avoided. The presence of deep peat and wetlands may limit the areas that can be developed.

- 1.14 Supporting Information: LVIA, Nevis Forest and Mountain Resort Masterplan, Construction Management Plan, Arboricultural Impact Assessment, Drainage details, Archaeological Desk Based Assessment, Ecological Surveys, Traffic Assessment, Access Management Plan, Operational Management Plan, Woodland Enhancement and Management Plan, Culvert Assessment, Example Play Area Play Space Design, Forest Holidays Cabin Proposal Masterplan, Landscape and Visual Assessment, Tree Survey, Drainage Impact Assessment, Transport Statement, Bike Store, Access Management Plan, Construction Environment Management Plan, Design and Access Statement with Sustainable Design Statement, Ecological Assessment, Ecological Procedural Method Statement, Flood Risk Assessment, Operational Management Plan, Planning Statement, Pollution Control Statement, Species Protection Plans, Utilities Assessment, Recycling and Waste Management, Woodland Enhancement and Management Plan, Demand and Economic Benefit Assessment
- 1.15 **Variations**: Additional details submitted 25.08.20 relating to the site access junction and provision of a safe pedestrian/cycle access route to the site, within an updated Transport Plan.

2. SITE DESCRIPTION

- 2.1 The site is 4.5km east of Fort William in Leanachan Forest, and 300m from Nevis Range base station and car park. Access would be on the right (SW side) of the new road that was constructed in 1991 to replace the single track road that originally served the ski area from Torlundy. The area is SW of the existing developed area at the Rural Complex, and would form phase 1 of a number of developments that are identified in the Nevis Forest and Mountain Resort Masterplan, which was adopted as Supplementary Guidance in 2015. Future phases include a hotel and low impact accommodation together with improvements to infrastructure in the area as a whole.
- 2.2 The site is entirely within commercial forestry, on sloping ground, along the broad ridge of Druim Mor, which runs NE SW across the site, and along its southern flanks. The forest contains Sitka spruce, lodge pole pine and larch. The Retreat and main facilities are located towards the north east of the area, and the cabins would be spread along the low ridge and on its southern flanks, and either side of a watercourse that also runs NE SW across the site to the south of the ridge. This unnamed burn flows into the River Lundy. The cabins would also be either side of the old road from Torlundy to Nevis Range (referred to as the "quarry road" in submitted documentation), which is now a cycle path and Core Path (LO07.22). The southern boundary of the site is marked by MacKenzie's Road another cycle

path and Core Path, which joins the "quarry road" close to the south western edge of the site.

- 2.3 The habitats affected fall into 4 types:
 - 14 cabins and 3 staff accommodation units are within dense semi mature Sitka Spruce along the ridge - the cabins would be keyholed into the existing forest and the loop road created as a corridor through this area
 - 9 cabins are on steeply sloping ground towards the SW of the site, in a young Sitka Spruce plantation
 - 8 cabins are on open heathland towards the centre of the site, where the landform is quite contained - there is some silver birch, willow, alder and hazel together with juniper and gorse on the wetter, more open areas
 - 19 cabins are on a spur to the south of the old quarry road, in mature, dense, early mature Spruce to the SE, and in open clearings to the west; here larger clearings are proposed for each cabin to avoid windblow being an issue for the trees that are to remain
- 2.4 The area is included within the Broad Forested Strath category, as identified in the Lochaber Landscape Character Assessment. Adjacent landscape types are Mountainous Massif, to the south, including Ben Nevis and Aonach Mor; and Smooth Moorland Ridges to the north of the Great Glen.
- 2.5 Leanachan Forest was planted in the 1930s, largely over poor quality agricultural ground that included historic field systems. General Wade's Military Road (post 1745) is approx 365m north of the site, and runs parallel to the railway and A82. The forest is criss crossed by cycle tracks including "The Broomstick Blue", which follows MacKenzie's Road from the ski centre car park, then crosses and follows the River Lundy downstream, past Gleann Domhanaidh, an open pasture, and "the hole in the wall", eventually to the North Face Car Park near Torlundy. The Puggy Line, a former waggonway associated with the construction of the aluminium smelter's 1930's hydro power scheme, and now a recreational route, is approx 380m to the south of the site, on the other side of the River Lundy.
- 2.6 The site is 750m north of the Ben Nevis and Glencoe National Scenic Area, and 1.5km north of the Rannoch Nevis Mamores Alder Wild Land Area. It is 1.3km north of the Ben Nevis SAC and SSSI. The Parallel Roads of Lochaber SSSI a post glacial geomorphological feature is 0.6km to the east. Lon Leanachan SSSI a blanket bog is approx 1.9km to the east. Inverlochy Battlefield sites I & II are just over 2km to the west. There are pockets of woodland that are on the Ancient Woodland Inventory to the north of the site, close to Wade's Road, but none within the application site itself.
- 2.7 Parts of the site would be visible from the old quarry road and MacKenzie's Road, from the hole in the wall, and from elevated viewpoints on Aonach Mor, Carn Mor Dearg and the north eastern side of Ben Nevis. Views from the Aonach Mor road, Inverlochy Castle, Torlundy, and Happy Valley would be obscured by the topography and intervening forest. It is possible that parts of the development may be visible from Muirshearlich and points along the minor road from Banavie to Gairlochy to the north west and north. No residential dwellings or any other establishments would be directly affected.

3. PLANNING HISTORY

3.1	31.12.2019	19/04108/SCRE - as current proposal	Not EIA development
3.2	07.08.2019	19/02871/PAN - as current proposal	Pre-application notification
3.3	05.11.2019	19/03894/PREMAJ – as current proposal	Pre-application advice given

4. PUBLIC PARTICIPATION

4.1 Advertised: Oban Times, Schedule 3 development and unknown neighbour

Date Advertised: 14.02.20

Representation deadline: 27.02.20

Timeous representations: 1 support

Late representations: 1 general comment

- 4.2 Material considerations raised are summarised as follows:
 - a) Leith's Quarry (adjacent to Nevis Range) would welcome the provision of a footway along the access road – otherwise supportive
 - b) This is a high quality tourist development, which builds on existing eco-friendly tourism in the area
 - c) It will bring well paid jobs
- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

5. CONSULTATIONS

- 5.1 **Fort William, Inverlochy and Torlundy Community Council** support the development, but has the following comments:
 - There should be a lower speed limit on the ski road [it is 60mph]
 - Access into the development should have a right turn lane
 - There should be a single access only [there is the "secondary" access is pedestrian only]
 - The road standards internally are queried
 - The impact of water and sewage infrastructure on local properties is queried
 - Paths in the busier parts of the forest should be demarcated for walkers and cyclist to lessen potential conflicts
 - What community benefits may be available from the developer? The Community Council wish to initiate discussions with them
 - Cycle routes into Fort William and Spean Bridge should be improved

- There should be clear signage for cycle routes to and from the development and Fort William
- Development Plans Team: The scale, type, broad location and principle of the proposed development are in overall conformity with the approved development plan. The Masterplan includes the provision of 50 high quality lodges on this part of the site. The FW2040 Masterplan and West Plan policy EDA05 establishes the site as an Economic Development Area.

Part of the site, including 18 of the lodges extends beyond the site allocation EDA05. The developer states that this is necessary because once a detailed site analysis had been undertaken including a topographical survey, it was apparent that much of the allocated site was too steep for development and would have resulted in significant underbuild and the lodges having a greater visual impact. These 18 lodges must therefore be assessed against HwLDP policies 44 and 35, given they are tourist accommodation in the hinterland. These policies support this form of tourist accommodation on the proviso it is acceptable in landscape terms and limited to holiday use only. Consequently the enlargement of EDA05 is considered acceptable.

Taking into account the surrounding woodland, lack of impact on adjacent land uses, the indicative nature of the Masterplan, the siting of a number of the lodges and associated developments beyond the allocation is not considered to be significant, and is not a departure to the development plan.

It is understood that Forestry and Land Scotland will retain land ownership control of the site, and so ensure the lodges are retained for holiday use and cannot be sold to become permanent housing. FLS will also ensure continued public access to the site. The layout would also deter the sale of individual lodges – nevertheless a condition to secure holiday use only is recommended. The provision of "Willerby" 40 x 20 static caravans as staff accommodation is acceptable given their discreet siting.

Their use as staff accommodation and their maximum time on site should be controlled by condition to safeguard amenity in the long term.

The reception, café, shop and meeting area in the Retreat building are modest in size, and this will encourage visitors to access the wider retail and service offering at Nevis Range, and in and around Fort William. This accords with the Town Centre first approach in WestPlan policy 1.

A major strand of the Masterplan is to create an improved network of active travel routes around the wider forest area and to Fort William. The developer proposes to promote active travel to visitors and to prioritise the "Links to Lochaber Rural" Core Path that crosses the site, over the internal road that serves the lodges. Also, it is proposed to maintain the openness of these routes during construction and for the life of the development. Nevertheless a condition to this effect is recommended. The provision of the covered, secure cycle stores by each lodge, and cycle rental and parking at the retreat building should also be conditioned. FW2040 suggests that drying facilities should be provided for cyclists. It would appear that there are no communal washing and drying facilities - this deficiency should be addressed.

Planning obligations are sought to accord with Scottish Government Planning Circular 3/2012 Planning Obligations and Good Neighbour Agreements. This

assessment is made against HwLDP policy 31 and the adopted SG. Tourist developments are exempt from the education, community facilities and affordable housing contributions. However, requirements are sought towards Transport, Green Infrastructure, Water and Waste, and Public Art. Other consultees can advise on the transport and Water and Waste contribution requirements. In terms of Green Infrastructure, due to the woodland locality and the proposed mitigation planting schemes along with the proposed Viewpoints, Ranger Station and Picnic Areas it is considered this aspect has satisfactorily been addressed.

The Council's preference for Public Art provision is that this is integrated into the overall scheme and can be in the form of the design of fixtures and fittings located in the public realm. Currently no details have been provided regarding this aspect, thus making the proposal deficient in this regard. In exceptional circumstances public art may be acceptable off site, in which case contributions of up to the value of 1% of the capital budget would be collected by the Council and secured by means of a legal agreement.

5.3 **Transport Planning Team**:

14 May 2020

It is essential this development is accessible by sustainable modes of transport, to assist in meeting national climate change targets: net zero emissions target of all greenhouse gases by 2045 and a reduction in emissions by 75% by 2030.

The most frequent bus services pass the road end on the A82 and stop by request only. From the A82 it is approx 1200m to the site. There is no pedestrian route to the site and no footway, forcing pedestrians to walk within the live carriageway. The developer is therefore required to either provide a footway from the A82 or provide a financial contribution towards the delivery of active travel infrastructure in the area. If a contribution is preferred, £1500 per cabin is sought – a total of £75,000.

It is estimated that in one day the development will generate an additional 64 two way trips. Given the volumes of traffic on the C1025 and its capacity we do not consider the impact of vehicular traffic to be detrimental.

Parking requirements are for one space per bedroom plus one space per three staff. This would equate to a need for 122 spaces for visitors and 5 spaces for the full time staff, plus additional for the part time staff.

Further detail sought of the size and location of waste/recycling storage and a dimensioned layout to demonstrate that it is accessible by a refuse vehicle.

Arrangements for deliveries should also be provided - loading and unloading facilities – avoiding conflicts with visitors and the public.

Proposals to install utilities in the road verge will require a Road Opening Permit.

The provision of a Construction Traffic Management Plan is welcomed. It should include details of any road closures to provide services within the carriageway. The CTMP should be included as a planning condition.

03 September 2020

The information submitted suggests that the first 10m of the access road has a slight fall away from the C1205 Aonach Mor access road. This should avoid surface water run off running out onto the public road.

Following the previously recognised restricted visibility from the proposed access to the south along the C1205 (141m), the proposed Site Access Layout Drawing No.2816-SK-001 Rev P05 now includes a traffic sign and road marking scheme to make drivers on the C1205 more aware of the proposed access and encourage them to drive with due care and attention. Whilst we welcome the intention of these proposals, we believe that changes are needed for the reasons set out below:

- i) Vehicle actuated signs should be used only to supplement fixed signing and not as a substitute for it. Therefore fixed warning signs, appropriately sized and positioned in accordance with the Traffic Signs Manual should be included on each approach to the junction, with secondary vehicle actuated signs then suitably positioned between those signs and the junction
- ii) Yellow bar rumble strips as proposed should not be used in an attempt to reduce speeds at sharp bends or other hazards. A more appropriate approach woud be to include "SLOW" road markings at each proposed warning and vehicle actuated signs, with 3 5 no. rumble strip road markings provided on each side of the "SLOW" marking. There is published guidance on the design and positioning of such rumble strip road markings.

We recommend that any permission granted includes a suitably worded condition requiring a traffic sign and road marking scheme to make drivers on the C1205 more aware of the new access and encourage them to drive at appropriate speeds on the approaches to the new access, to be submitted to and approved by the Planning Authority prior to any works commencing on site. Once approved that scheme should be fully implemented before the development begins to trade.

Site Layout – We note and welcome that the latest Proposed Site Access Layout Drawing No.2816-SK-001 Rev P05 shows the access road at the junction with the C1205 will be 6m wide.

Access roads within the development will be expected to operate with two-way traffic at least 5.0m wide to allow two vehicles to pass each other and to allow vehicles to safely overtake pedestrians and cyclists. Any permission granted should include a suitably worded condition requiring internal private access roads within the site layout that will be operating as two-way vehicle routes are designed to be at least 5.0m wide.

Accessibility – The importance of ensuring the development was accessible by non-car means was previously highlighted, and further information sought on the availability and appropriateness of cycling and walking connections to the site. The submitted plan showing the local path network and key pedestrian routes doesn't clarify the suitability and condition of those routes, or the adequacy of signage directing people wanting to use them.

Any permission granted should include a suitably worded condition requiring information on the intended routing, condition of and proposed

enhancements to the active travel links connecting this site to key local destinations and wider transport infrastructure, to be submitted to and approved in writing by the Planning Authority and then implemented prior to the development beginning to trade. To include existing and proposed signage.

Parking – The proposed car parking is sufficient to meet Council guidelines. A condition should be attached to any planning permission requiring the provision of covered and secure staff cycle parking.

Servicing - A Road Opening Permit is required for any works in or adjacent to the public road – include as an informative note.

Construction Traffic Management Plan – A condition requiring a Framework Construction Traffic Management Plan to be submitted to and approved in writing by the Planning Authority prior to any works commencing on site. To identify the type and likelihood of any temporary traffic management measures, including road closures on the C1205 Aonach Mor Access Road.

5.4 **Flood Risk Management Team**: An initial objection was withdrawn following submission of additional information in relation to the diameter of culverts on the undammed watercourse which cuts through the site - 600mm. Submitted calculations provide evidence that this size of culvert will accommodate storm water from a 1 in 200 year event. A revised Drainage Impact Assessment is sought by planning condition based on infiltration testing.

The site is outwith the 1 in 200 year, and 1 in 100 year fluvial flood extents of the River Lundy. The unnamed watercourse that cuts through the site comes under the Aonach Mor access road in a 600mm diameter culvert. Whilst there may be localised flooding associated with this watercourse, this can be satisfactorily managed through suitable drainage techniques and careful site selection for the cabins.

The cabins' roof water will be drained to small filter strips without down pipes. Given the low density of the layout and the fact that the finished floor level of the cabins will be approx 750mm above the surrounding ground it will be possible to microsite any cabin should local conditions present issues with pluvial or ground water ponding.

The access road will be surfaced in asphalt and climb relatively steep gradients to the Retreat. Surface water drainage here will be into the unnamed watercourse via swales providing attenuation and controlling flow rates with check dams. A 225mm dia pipe will discharge via a 20 l/s flow control structure, directly to the unnamed watecourse. Given the estimated greenfield run-off rate and an allowance of 40% climate change in the attenuation structures, we welcome these proposals.

The area around the main compound itself is less steep. This will be drained by infiltration utilising stone surfacing to car parking areas, filter drains adjacent to the access road, swales, stone filled soakaway trenches and a detention basin within the landscaped area. Should a suitable infiltration rate be demonstrated, then given appropriate outline drainage calculations, the above methodology appears potentially acceptable. Submission of further details should include an outlet to the infiltration basin, in case of overtopping. It is accepted that alternative drainage solutions may be necessary if it is determined that the proposed measures are not

suitable or sufficient. A planning condition is recommended: "Prior to the public occupation of the site, but following suitable infiltration testing, a suitable finalised drainage strategy based on those test results should be provided for acceptance."

Confirmation is sought that the foul drainage can be connected to the Scottish Water system at Torlundy. If not, an alternative strategy is sought.

- 5.5 **Access Panel**: The Panel wish to compliment the developer for the consideration they have already given to accessibility. It seeks confirmation that all paths to and from the cabins are created using a smooth hard bound surface, and all WC/shower area in the accessible cabins enables wheelchair users and ambient walkers to use them; also, at least 2 tables are set a height enabling access to a wheelchair user, and a low level counter will be introduced at the service and til areas. Further engagement is offered.
- 5.6 **SNH** has advised that the protected species surveys have provided enough information and the species protection plans are adequate and it agrees with the mitigation. According to its records there is no Category 1 important peatland at the site.
- 5.7 **SEPA** has no objections subject to conditions relating to the foul drainage connecting to the public sewer, and the safeguard of a 6m buffer strip along either side of the watercourse. SEPA has commented as follows:

We support the provision of natural drainage from the cabins. We note that the new access roads will be either of porous construction or constructed with edge infiltration strips, and the asphalt access road to the Retreat will be constructed with swales with check dams and a discharge to the existing watercourse.

The proposed foul water system will remain private with responsibility for the maintenance and management by the property owner.

New watercourse crossings must follow good practice guidelines and shoud be adequately sized to enable them to convey the 1 in 200 year design fow at each point without causing constriction of flow or exacerbation to flood risk elsewhere. Good practice guidance is available on SEPA's website.

A minimum 6m riparian buffer strip is required between the top of the bank and any development to allow natural watercourse migration and to reduce the impact of any overtopping. A buffer would also ensure adequate waterourse access for maintenance assessment and ensure bank stability.

Small pockets of deep peat may be present throughout the woodland, however these areas along with wetland areas, have largely been avoided by the layout. Impacts on peat will be minimal.

Advice is also provided on SEPA's Regulatory role.

- 5.8 **Transport Scotland** has no objection.
- 5.9 **Scottish Water**: No objection. Standard response letter with respect to water supply and foul drainage availability. Details are provided of the next steps for the developer to engage with Scottish Water regarding connections.

5.10 Forestry Officer (response to 19/03894/PREMAJ): The site is predominantly conifer woodland at various stages in commercial rotation from reletively recently planted to over-mature long term retention and there are also some areas of open ground. The main species are Sitka Spruce, lodgepole pine and larch and there are some areas of mixed native broadleaves. The woodland is not listed in the Ancient Woodland Inventory and only a small area of birch woodland is recorded in the Native Woodland Survey of Scotland.

Policies 51, 52 and the SG on Trees Woodland and Development apply, together with the Scottish Government's Control of Woodland removal Policy, as more than 0.1ha of woodland would be lost. This includes a presumption in favour of protecting woodland. Removal should only be permitted where it would achieve significant and clearly defined additional public benefits. Where woodland is removed, developers will generally be expected to provide compensatory planting. An equivalent area of equal or better quality woodland would need to be planted elsewhere.

The information submitted includes a Tree Survey report which follows BS5837 and an Arboricultural Methos Statement. These, together with evidence of similar developments by the same developer demonstrate a commitment to conserving the woodland setting. The type of plantation and the ground conditions here are markedly different however to their other sites. Care will be needed to ensure the development can be keyholed into the woodland as proposed, and the surrounding trees do not become vulnerable to windblow. The total area of tree cover to be removed will need to be identified and how this could be adequately compensated for with an area of equivalent size and quality of woodland.

5.11 Access Officer (response to 19/03894/PREMAJ): An Access Management Plan is sought, and this should address access during construction, and maximise the benefit for recreational and active travel during the operation of the development. A Core Path passes through the site and one forms the southern boundary. Both are expected to remain open before, during and after construction, and they should be adequately and permanently signposted and waymarked through the site before construction starts.

In line with policy 77, improvements are expected to those core paths structures and surfacing on and around the site and a contribution to the overall improvement of the Fort William – Torlundy cycleway. Details to be provided within the AMP.

Access rights are expected to exist through the site notwithstanding privacy associated with individual lodges, also to be made clear in the AMP.

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 & Place-making
- 31 Developer Contributions
- 35 Housing in the Countryside (Hinterland Areas)

- 40 Retail Development
- 43 Tourism
- 44 Tourist Accommodation
- 51 Trees and Development
- 52 Principle of Development in Woodland
- 55 Peat and Soils
- 56 Travel
- 57 Natural, Built & Cultural Heritage
- 58 Protected Species
- 59 Other important Species
- 60 Other Importance Habitats
- 61 Landscape
- 64 Flood Risk
- 65 Waste Water Treatment
- 66 Surface Water Drainage
- 77 Public Access

6.2 West Highland and Islands Local Development Plan 2019 (WestPlan)

Policy 1: Town Centre First

Policy 2: Delivering Development

EDA05: Nevis Forest & Mountain Resort

7. OTHER MATERIAL CONSIDERATIONS

7.1 Highland Council Supplementary Planning Policy Guidance

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

Developer Contributions (March 2013)

Flood Risk & Drainage Impact Assessment (Jan 2013)

Green Networks (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Housing in the Countryside and Siting and Design (March 2013)

Managing Waste in New Developments (March 2013)

Public Art Strategy (March 2013)

Sustainable Design Guide (Jan 2013)

Trees, Woodlands and Development (Jan 2013)

Nevis Forest & Mountain Resort Masterplan 2015

FW2040 A Masterplan and Delivery Programme for Fort William and Lochaber

7.2 Scottish Government Planning Policy and Guidance

Paras 81, 82 & 83 – Promoting Rural development

Paras 106 & 108 – Business and Employment

Para 232 - Green Infrastructure

Paras 286 – 289 – Sustainable Tansport and Active Travel

Control of Woodland Removal

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) Impact on Trees, Woodland and Forest
 - c) Habitats, Protected species and impact on SAC and SSSIs
 - d) Impact on Landscape and NSA
 - e) Impact on visual and residential amenity
 - f) Impact on archaeology
 - g) Access, Traffic and Parking
 - h) Recreational Access
 - i) Flood Risk and Drainage
 - i) Services, renewables and waste/recycling
 - k) any other material considerations.

Development plan/other planning policy

8.4 The proposed development largely falls within a site identified in the WestPlan and FW2040 for high quality tourist accommodation such as this. It is also identified as an Economic Development Area. The element that is outwith the allocated site would otherwise accord with the HwLDP; providing tourist accommodaton within the hinterland. Residential development is otherwise limited in the hinterland, however tourist accommodation such as this is an exception, provided it is not suitable for permanent residential accommodation and is limited by an occupancy condition. Conditions are recommended to ensure the cabins are restricted to holiday use only, in addition to the landowner (FLS) control over the site. The proposal to make 2 of the cabins accessible to disabled persons is welcome. Building Standards and other legislation requires minimum accessibility standards and that reasonable steps are taken to address the needs of disabled persons in new developments. There is an acknowledged demand for such facilities in this area. The occupancy of 3 staff accommodation lodges may also be limited by condition, to ensure they are occupied by employees of this development only.

- 8.5 The nature of the shop, which is proposed to be limited to everyday essentials, and aimed mainly at visitors to the establishment, is recommended to be controlled by planning condition to ensure it remains ancillary to the development as a whole. This would protect existing retail outlets in nearby settlements, and respect the Town Centre first retail policy. The development would thereby not conflict with policy 40 of the HwLDP, nor policy 1 of the WestPlan.
- 8.6 Conditions are also recommended to ensure that the elements that make this development high quality and appropriate to this site, and so accord with the site's allocated use, are provided in a timely manner. The cycle hire, proper cycle storage, ranger station, play area and viewpoints, together with paths and landscaping should all be provided and available for use within a reasonable timeframe of the cabins completion and availability for occupation, to avoid the possibility of the development being part built and these elements not materialising.
- 8.7 The development would thus accord with the WestPlan allocation EDA05, FW2040 and the Nevis Range and Mountain Resort Masterplan, together with policies 35, 40, 43, and 44 of the HwLDP.

Impact on Trees, Woodland and Forest

- 8.8 In total approx 1.5 2Ha of woodland would be felled to accommodate the development. The site is largely allocated in the Development Plan for development of a scale and character that is now proposed. While policy 52 maintains a strong presumption in favour of protecting woodland resources, this development would provide a clear and significant public benefit, which has been accepted in principle at local plan stage. Its socio-economic benefits were accepted when the West Plan was adopted. Figures submitted with the application indicate that the development would bring £1.6million in additional visitor expenditure into the local economy.
- 8.9 Once detailed surveys were undertaken of the ground conditions it became apparent that part of the allocated area was unsuitable for development, and this has meant that part of the site is outwith the site allocation. This loss of woodland beyond the site allocation instead of an area within the allocation is regarded as acceptable on a guid pro guo basis.
- 8.10 Nevertheless, regard must be had to the integrity and long term management of the forest as a whole, and the need for compensatory planting to accord with the Government's Control of Woodland Removal Policy. The site has been identified in conjunction with FLS, and the development is designed to be sympathetic to the forest environment. Two out of the four woodland types on which the development would be sited are mature conifer coups which would be due to be felled imminently in any event. One area is within a young plantation of commercial conifers, and another is semi open ground within the forest. There are also stands of larch, which would have to be felled in any event due to the prevalence of the disease *Phytopthora ramorum*. The layout has been informed by the type of forest over the area, the topography and ground conditions. On other sites by the same developer it has been possible to micro site cabins to minimise tree loss, and even accommodate existing trees by adapting the deck areas to incorporate particular trees. Tree protection measures are proposed during construction, and the cabins

themselves are designed with piled foundations specifically to minimise impacts on trees, and to minimise the need for ground re-profiling.

8.11 A comprehensive package of tree planting and landscape planting is proposed, including a tree belt to provide a buffer to the east and north boundaries of the site. Planting proposed includes downy birch, hazel, hawthorn, bird cherry, Scot's Pine, rowan and sessile oak. On woodland edges downy birch, hawthorn, hazel, bird cherry and rowan are proposed. There would be specimen trees and shrubs around the Retreat and service area. A condition is recommended to ensure that sufficient compensatory tree planting is provided in lieu of the 1.5 - 2Ha of forest that will be lost.

Impact on Habitats, Protected species and impact on SAC and SSSIs

- 8.12 Affected habitats comprise coniferous plantation woodland, mixed conifer/broadleaf plantation, dense scrub, continuous bracken, dry heath/acid grass mosaic, degraded/remnant blanket bog, wet acid flush and bare ground. The area is known to support red squirrel, barn owl (1 recorded 2019), roe deer, red deer and foxes, together with 30 species of breeding birds. It has the potential for pine marten, bats, raptors and reptiles to be present, although none were found when the site was surveyed. None of the trees were considered to have potential for bats, and a barn owl box within the site is proposed to be re-located. Barn owl are on Schedule 1 of the Wildlife and Countryside Act 1981; no birds from Annex 1 of the EC Directive were present. Species protection plans have nevertheless been prepared for breeding birds and raptors, bats, barn owls, pine marten, red squirrel and reptiles.
- 8.13 SNH is content that no protected species would be affected by the development and that the species protection plans are adequate.
- 8.14 The site would not affect any sites designated for nature conservation purposes, either directly or indirectly. Ben Nevis SAC and SSSI, designated for its montane habitat and species, is 1.3km to the south, Lon Leanachan SSSI, a blanket bog, is 1.9km to the NE, and it is not connected hydrologically. The nearest SSSI is the Parallel Roads of Lochaber at 0.6km to the east. This is an extensive geomorphological feature where deposits from former lake margins were left as landscape features as the ice retreated at the end of the last ice age. This would not be affected by the development.

Impact on Landscape and NSA

- 8.15 The proposal lies within the Broad Forested Strath category within the Lochaber Landscape Character Assessment. This landscape type is relatively densely settled. This category covers much of the Great Glen. This landscape is subject to high pressures for change, but it has a low sensitivity to change.
- 8.16 The layout of the development has been informed by the forest's management, ecological considerations and the Masterplan. It responds to the landform and utilises the screening provided by the forest. It would be relatively close to the high density, developed areas alongside the Aonach Mor road at the Rural Complex and Nevis Range. The parts of the development that are proposed on the ridge that runs E-W across the northern part of the site would be likely to have the greatest

landscape impact, however the forest is most dense here, and will largely screen the buildings in the wider landscape. The encroachment of the development into the more gentle, open woodland areas would have a minor to moderate significance, however the landscape is more contained here. Where the development crosses the "quarry road", the old road from Torlundy to Nevis Range, there would be a moderate impact on tranquillity.

- 8.17 A section of the forest to the south of the site is planned to be felled imminently in any event, and 2 portions of clear fell are planned to the north of the site between 2020 24. A larger area to the west is planned for felling after 2050. Such works will be likely to have a greater impact on the landscape than the proposed development as evidenced by the coup to the east of the Aonach Mor road which has recently been felled.
- 8.18 To the south is the Mountain Massif of Aonach Mor, Carn Mor Dearg and Ben Nevis, much of which is a National Scenic Area and Wild Land Area. The site is 1.5km from the boundary of the NSA and WLA. Most of the views of the development would be from this area, which provides expansive views across the Great Glen because of its elevation. However, due to the distances involved, the small scale of the development in relation to the grandeur of the landscape, and its layout within an established commercial forest, there would be no significant adverse impact on the special qualities of the NSA. The character of the landscape is such that the eye tends to be drawn to the mountains, both to the Mamores which are immediately adjacent, and to the mountains north of the Great Glen and Broad Forested Strath, towards Loch Lochy and out towards Glenfinnan and west towards the coast, rather than to the less dramatic landscapes that show more human influences.

Impact on visual and residential amenity

- 8.19 The LVIA includes 5 visual receptors:
 - From the top of the Nevis Range gondola at 650m elevation, and a distance
 of 2.5km, the site will be clearly seen; the recently felled coup of forestry to
 the east of the Aonach Mor road is highly prominent from here, as is Leith's
 quarry. It is considered that the development will be no more prominent than
 these existing features, and in time it will assimilate better into the landscape
 than these features, as the landscaping takes effect
 - Sgurr Finisgain viewpoint NE of the top of the gondola. Similar to the top
 of the gondola the eye tends to be drawn to the mountains beyond the
 forest and Great Glen
 - Picnic layby on Aonach Mor road, close to proposed access no views due to intervening trees
 - Quarry road Core Path LO07.22 several of the lodges will be visible or partially visible from this "road", in particular at the point where the internal access road crosses the existing road; this junction will be marked by a raised table together with signs (the Core Path will take precedence at the cross roads). The development would have the greatest visual impact from this "road", given this route is well used by the public.
 - Forest track (MacKenzie's Road) Core Path LO07.22 the LVIA states that no cabins will be visible from here due to the retained trees along this boundary. This route is another well used path which forms a key link

between Torlundy and Nevis Range as well as forming part of the "Broomstick Blue" easy grade mountain bike track and it is part of the local Park Run.

- 8.20 The site would not be visible from any nearby dwelling houses. The nearest, at Torlundy would be screened by the topography and intervening forest. Similarly, Inverlochy Castle Hotel, houses at Happy Valley, Tomnacharich, Torcastle and Achindaul would be at a lower elevation, and the topography and forest would screen them from the development. It is possible that parts of the development may be visible from houses on the far side of the Great Glen at Muirshealich and along the Banavie Gairlochy road. However, at this distance, the impact would not be significant. Also, the forest setting and mountainous backdrop tend to draw the eye from here, whilst the development would be in the middle distance and surrounded by forest.
- 8.21 There would be a cumulative impact in views of the site from the mountains to the south, as the development would be seen together with the existing buildings and infrastructure at Nevis Range (including the large open car park), the Rural Complex and Leith's quarry. However, the proposed development would be likely to have less of an impact than these existing features due to its design and layout which will assimilate well into the forest.
- 8.22 In the longer term, the development will enhance the landscape in introducing a wide range of native deciduous planting which will replace the commercial conifer plantations, and the landscape will be opened up to provide access to new viewpoints and recreational areas.

Impact on Archaeology

8.23 There are no designated historical assets that would be affected, either directly or indirectly. The area has little archaeological potential and no mitigation required. The forestry work has obliterated anything that might have been on the site before it was first planted over in the 1930s. The nearest non designated features, old field systems, to the south of the site at Gleann Domhanaidh and Wades Road to the north, would not be affected, and the Battle Inventory sites of Inverlochy I and II are over 2km to the west. No conflict with policy 57 in this respect.

Access Traffic and Parking

- 8.24 The development will have an impact on the wider transport network which mostly comprises the trunk road network the A82 in particular. The amount of additional vehicular traffic generated is not considered significant. Transport Scotland has no concerns regarding the additional impact generated on the A82 through Fort William. There is however significant local concern that the existing situation is unacceptable, there being long delays and tailbacks through the town throughout the tourist season which is lengthening year on year (2020 excepted due to Covid 19).
- 8.25 The developer has proposed a Travel Plan as advised in pre-application advice, which includes provision of a shuttle bus which will be available to staff and visitors, and it will provide a regular link to the bus and train station in Fort William. Also

- proposed is information for visitors in a welcome pack and in marketing material, promoting sustainable transport options to the site.
- 8.26 There are railway stations in Fort William and Spean Bridge, and a regular service bus that runs to Nevis Range en route to Spean Bridge and Roy Bridge (N41). A new bus stop would be provided at the site entrance. 4 further bus services go past the end of the Aonach Mor road: N43, N19, 915/916, and 919 – linking Fort William and Gairlochy, Invergarry, Uig on Skye and Inverness. There is no footway along the C1205 Aonach Mor road and it is unsuitable for pedestrians and cyclists, given the average speed of traffic - 56mph on this 60mph secton of road, and the relatively high proporton of HGV traffic, including to Leith's guarry, forestry lorries and commercial traffic to the Rural complex. There are paths on the east side of the Aonach Mor road from close to its junction with the A82, past the Rural Complex up to Nevis Range, however this route is not immediately obvious, and not clearly signed from the A82. A condition is therefore recommended requiring information on the intended routing, condition of and proposed enhancements to the active travel links connecting this site to key local destinations and wider transport infrastructure, including to the A82. Together with existing initiatives to improve public transport connections to Fort William, including the provision of increased bike carrying capacity on trains and buses, and the proposed Travel Plan initiatives, the site would be accessible by a range of public transport means as well as the car. It is considered that the developer has taken reasonable measures to minimise the impact of traffic generation from the development.
- 8.27 The site is well connected by a range of existing active travel routes from Fort William, and to a lesser extent from Spean Bridge. From Fort William there is a cycle path alongside the A82 from the A82/A830 roundabout, on the outskirts of Fort William, to Torlundy. From there, there is a short stretch on the minor public road through Torlundy over the railway line and past the Forestry Houses, and from here the old road to Nevis Range, the "quarry road", provides a vehicle free route which will lead directly to the site itself. This route continues beyond the development site on to the Aonach Mor road half a km from Nevis Range. This route links into the wider network of paths and tracks in Leanachan Forest, which are generally suitable for mountain bikes and some hybrid bikes, including the puggy line and several routes to Spean Bridge.
- 8.28 While a right turn lane on the C1205 Aonach Mor road at the junction into the development is sought by the Community Council, the volume of traffic generated by this development is not considered enough to warrant this type of arrangement. However the Transport Planning Team has flagged up that the new junction needs to be capable of alteration in the future when the other elements of the overall Masterplan for the area are brought forward. There is no history of significant injury accidents on this stretch of road.
- 8.29 Further details have now been submitted (25.08.20) of the precise geometry and construction of the proposed new junction, and mitigation measures proposed to address safety concerns, including concerns relating to the horizontal alignment of the Aonach Mor road.
- 8.30 The recommended speed reduction measures include 'rumble strips' on the approach to the junction, advance warning signage of the new junction arrangement

- along the carriageway, in addition to real-time vehicle speed signs which alert drivers to the speed limit and suggest reductions to speed, if relevant.
- 8.31 Whilst the latest submitted details are generally welcomed by Transport Planning, further minor changes are sought by condition, requiring fixed plus vehicle actuated signs plus "SLOW" road markings as well as yellow rumble strips on the approaches to the turning.
- 8.32 A condition is also recommended requiring internal private access roads within the site that will be operating as two way vehicle routes are designed to be at leat 5m wide. This is to ensure two vehicles can pass each other safely and to allow vehicles to safely overtake pedestrians and cyclists.
- 8.33 Also, a plan is included within the updated Transport Statement showing the existing and proposed walking and cycling routes in the vicinity, with a further additional plan showing a safe pedestrian/cycle route to and from the site to the on-demand bus stops on the A82 (via the Rural complex). A condition is recommended that seeks information on the proposed enhancement of this and other active travel links to the site, including improvements to signage.
- 8.34 The Council does not have specific car parking standards for this type of development the nearest equivalent being for hotels. This would necessitate 122 spaces for visitors based on the number of bedrooms per cabin, and 5 spaces for the numbers of full time staff proposed. At pre-app stage, it was suggested that 2 spaces would be sufficient for the smaller cabins (1, 2 & 3 bed), and 3 spaces for the cabins with 4/5 bedrooms. On this basis 106 spaces would be required, plus additional spaces for staff.
- 8.35 The development would have 106 spaces serving the cabins, plus 6 for the staff accommodation (2 at each cabin), and a further 32 are proposed at the Retreat, plus 4 for staff working at the Retreat and another 4 by the maintenance building. The total amount of parking proposed would therefore be sufficient.
- 8.36 Cycle parking is included by each cabin for visitors. The provision of covered, secure cycle parking for staff is also sought and this may be secured by condition.
- 8.37 Further details are sought of the size/capacity of the waste/recycling storage and a dimensioned layout to demonstrate that it is accessible by a refuse vehicle. This may be secured by condition, as can arrangements for commercial deliveries to ensure there is no conflict between visitors and the public.
- 8.38 Proposals to install utilities in the road verge are covered by other legislation through a Road Opening Permit. The provision of a Construction Traffic Management Plan is also recommended, and may be secured by condition.

Recreational Access

8.39 The submitted Access Management Plan states that all of the new tracks and paths serving the development will be available for public use, and none of the development will be excluded from statutory access rights under The Land Reform (Scotland) Act 2003. A new link is also proposed from the Retreat to the Aonach

Mor road, which will provide a direct route to the Rural Complex. Unfortunately the farm shop and café are currently closed, however there may be similar facilities in place of these businesses in the Rural Complex in the future.

- 8.40 A condition is recommended to ensure that access is maintained to the existing Core Paths and wider path network before, during and after construction. This will be particularly pertinent to the sewer construction from Torlundy along the old "quarry road" which is a well used Core Path.
- 8.41 As noted above, improvements to the wider path network, notably the provision of an improved pedestrian and cycle link alongside the Aonach Mor road to link the development to the A82, would enhance active travel options to the development, and this is sought by condition. Further details submitted 25.08.20 (Drawing No. 2816-SK-001-Rev05) shows the provision of a route which makes use of the existing off-road path network in the vicinity of the site access, such that pedestrians/cyclists would not be required to use the existing ski access road (C1025) in the vicinity of the proposed site access.

Flood Risk and Drainage

- 8.42 There is no flood risk to the development from existing watercourses. The layout includes a generous stand off distance from the small watercourse crossing the site, and a condition is recommended to ensure a minimum 6m buffer to any development is maintained alongside this burn.
- 8.43 The development incorporates appropriate SUDS measures however it has not been possible to calculate the anticipated run off rate further investigations of infiltration rates are required. A revised Drainage Impact Assessment, providing a revised drainage strategy is therefore sought by condition.

Services, Renewables and waste/recycling

- 8.44 It is proposed to connect the development to the foul sewer at Torlundy, and this will involve the construction of a significant length of new sewer and associated infrastructure, including holding tanks for the water from the hot tubs. Further details are sought by condition because of the implications to the Core Path, and the significance of this element should such a connection not be possible.
- 8.45 Provision has been made for a number of different technologies to provide space and water heating. A condition is recommended to secure further details given the noise and/or visual implications of providing ASHP and/or solar panels, and the emissions implications of using biomass or biogas.
- 8.46 Further details are also required of the collection arrangements for waste and recycling, to ensure they are accessible to collection vehicles.

Other material considerations

8.47 As a major development there is a need to incorporate an element of public art, to meet the Developer Contributions SG and policy 31. It is considered that it would be appropriate to integrate this requirement into the development. The character of the proposals would lend themselves to a feature being provided within the public

realm, for example at one of the viewpoints, the access, or picnic area. A condition is recommended to secure further details and a commitment to set aside an agreed amount of the budget for this purpose.

Matters to be secured by Section 75 Agreement

8.48 None – given the proposed improvements to the path network serving the development, to promote active travel options to and from Fort William.

9. CONCLUSION

- 9.1 The development meets the criteria set out for the site's allocation in the WestPlan and the Nevis Forest and Mountain Resort Masterplan, and the element that is outwith EDA05 would not conflict with the HwLDP policies 25 and 44. The development will be retained for tourist use, and the cabins cannot become permanent or second homes as required by policy.
- 9.2 Conditions would adequately address the need to protect retained trees and provide high quality landscaping together with compensatory planting. The submitted CEMP, Ecological Procedural Method statement, Pollution Control Statement, and Species Protection Plans set out measures to minimise the impact on habitats and to safeguard protected species during construction. Further information has been provided in respect of the access, and improvements to the Active Travel network. Conditions would secure the final details of works at the access and on the approaches to the development, together with improvements to the active travel network, plus the provision of a shuttle bus to Fort William rail and bus station for staff and visitors. The development contains sufficient car parking. Access to the existing Core Paths and the wider path network will be ensured by condition, before, during and after construction. The development will not be at risk of flooding and a revised Drainage scheme is sought by condition, the final scheme to be informed by further infiltration testing. The development will be connected to the public sewer at Torlundy and proper provision for waste and recycling will be secured by condition. The technologies proposed to provide space and water heating have not yet been decided, and therefore a condition is recommended to secure further details prior to their installation.
- 9.3 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action	required	before	decision	Ν
issued	-			

Notification to Scottish Ministers N

Conclusion of Section 75 Obligation N

Revocation of previous permission N

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

Conditions and Reasons

- 1. The development hereby granted permission shall be carried out in accordance with the following supporting documents, including identified mitigation measures:
 - Culvert Assessment
 - Example Play area play space design
 - Tree Survey
 - Drainage Impact Assessment
 - Bike Store
 - Design and Access Statement with Sustainable Design Statement
 - Access Management Plan
 - Construction Environment Management Plan
 - Ecological Assessment
 - Ecological Procedural Method Statement
 - Operational Management Plan sectons on Site Lighting and Dark Skies policy, and Recycling and Waste Management
 - Pollution Control Statement
 - Species Protection Plans
 - Utilities Assessment, Energy Use and Foul Water Drainage Strategy
 - Recycling and Waste managemnt
 - Woodland Enhancement and Management Plan

Reason: To ensure the proper development of the site.

2. The holiday units hereby approved shall be used for holiday letting purposes only and none shall be used as principal private residences or be occupied by any family, group or individual for more than 3 weeks (cumulative) in any one calendar year. For the avoidance of doubt only the cabin designs hereby approved shall be positioned on the site.

Reason: To accord with policies 35 and 44 of the Highland wide Local Development Plan.

3. The two mobile homes staff accommodation units to the north of the Maintenance Building are permitted solely for use by staff employed at the development hereby permitted,

Reason: To accord with policies 35 and 44 of the Highland wide Local Development Plan and in the interest of the amenity of the site.

4. The shop within the Retreat Building hereby approved shall be ancillary to the Reception for the development hereby approved.

Reason: To respect the Town Centre First policy in the West Highlands and Islands Local Development Plan.

5. No development shall commence on site until a Framework Construction Traffic Management Plan (including a routing plan for construction vehicles and any details of temporary road closures) has been submitted to and approved in writing by the Planning Authority. The approved construction traffic management plan shall be implemented prior to development commencing and remain in place until the development is complete.

Reason: In the interests of road safety.

6. No development shall commence until final details of a traffic sign and road marking scheme on the C1205 have been submitted to and approved in writing by the Planning Authority. The scheme to include provision for fixed and vehicle actuated warning signs and "SLOW" road markings and yellow bar rumble strips. Once approved the scheme should be fully implemented before the development begins to trade.

Reason: In the interests of road safety.

7. Internal private access roads within the site layout that will be operating as two-way vehicle routes shall be designed to be at least 5.0m wide.

Reason: In the interests of road safety.

8. The development shall not be brought into use until full details of the intended routing, condition of and proposed enhancements to the active travel links connecting this site to key local destinations and to the wider transport infrastructure, have been submitted to and approved in writing by the Planning Authority, and then implemented prior to the development beginning to trade. The details to include existing and proposed signage.

Reason: In the interests of road safety and sustainable development.

9. The cycle hire facility shall be provided within 6 months of the cabins first becoming available for occupation, unless otherwise first agreed in writing by the Planning Authority.

Reason: To ensure sustainable travel options are made available in a timely manner.

10. No development shall commence until full details of covered and secure bicycle parking for staff use has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the cycle parking provision shall be installed in accordance with these approved details prior to the first occupation of the development hereby approved.

Reason: To ensure sustainable travel options are made available in a timely manner.

11. The play area and ranger station shall be provided within 6 month of the cabins first becoming available, unless otherwise first agreed in writing by the Planning Authority.

Reason: To ensure the childrens play facility and the educational elements of the development are provided in a timely manner.

12. No development, site excavation or groundwork shall commence until all retained trees have been protected against construction damage using protective barriers located beyond the root protection areas in accordance with BS5837:2012 Trees in relation to Design, Demlition and construction or any superseding guidance prevailing at that time. These barriers shall remain in place throughout the construction period and must not be moved or removed during the construction period without the prior written approval of the Planning Authority.

Reason: In order to ensure the protection of retaained trees, which are important amenity assets, during construction.

13. No development, site excavation or groundwork shall commence until compensatory Tree Planting (in addition to the approved Woodland Enhancement and Management Plan) and a Maintenance Programme has been submitted to and approved in writing by the Planning Authority. The total amount of woodland to be planted shall equate to the total amount of woodland lost as a result of this development: 1.5-2Ha. The approved Tree Planting Plan shall be implemented in full during the first planting season following commencement of development or as otherwise approved in writing by the Planning Authority with maintenance thereafter being carried out in accordance with the approved maintenance programme.

Reason: To accord with Scottish Planning Policy and the Government's Control of Woodland Removal Policy and the Council's Supplementary Guidance on Trees Woodland and Development.

14. Public access to the Core Paths within and adjacent to the development site shall at no time be obstructed or deterred by construction related activities unless otherwise approved in writing by the Council's Access Officer as a temporary measure required for health and safety or operational purposes. Under such circumstances, any such obstruction or determent shall cover only the smallest area practicable and for the shortest duration possible with waymarked diversions provided as necessary.

Reason: In order to ensure that access to the Core Path network is not obstructed as a result of the development.

No development shall commence until a revised Drainage Strategy (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Second Edition, or any superseding guidance prevailing at the time) has been submitted to, and approved in writing by, the Planning Authority. 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.

16. Notwithstanding the provisions of Article 3 and Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), no development shall take place within 6 metres of any watercourse without planning permission being granted on application to the Planning Authority.

Reason: To ensure that development which is normally permissible without the need for a planning application is carefully managed and does not encroach onto riparian buffer strips. Such buffers strips are required a) for the maintenance of watercourses within the application site, b) to account for natural watercourse migration, and c) in order to safeguard property from flood risk.

17. No development shall commence until details of a bus stop on the C1025 close to the entrance to the development hereby permitted, has been submitted to and approved in writing by the Planning Authority. The bus stop shall be constructed as approved and available for use prior to the first occupation of any of the cabins.

Reason: To ensure sustainable travel options are made available in a timely manner.

No development shall commence until full details of the means of providing space and water heating for the development is submitted to and approved in writing by the Planning Authority. The means of heating shall be installed as per the approved plans, and maintained as such for the lifetime of the development.

Reason: In the interests of amenity and to accord with sustainable develoment policies.

19. No development shall commence until details of a proposal and budget for an artwork to be incorporated into the development has been submitted to and approved in writing by the Planning Authority. The artwork shall be installed within 6 months of the first occupaton of any of the cabins on the site.

Reason: To accord with policies 29 and 31 of the Highland wide Local Development Plan and the associated Supplementary Guidance

REASON FOR DECISION

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

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

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

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

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

- 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 & Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building

Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

Flood Risk

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

Scottish Water

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

Local Roads Authority Consent

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

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

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

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

http://www.highland.gov.uk/info/20005/roads and pavements/101/permits for working on public roads/2

Mud & 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: Lucy Prins

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

Relevant Plans: Plan 1 - Location Plan NEV-01-LP-C

Plan 2 - Illustrative Masterplan 52-12 Rev A

Plan 3 - Landscaping Plan dwg 52/09 Rev E

Plan 4 - Landscape Proposals dwg 52/10 Rev C

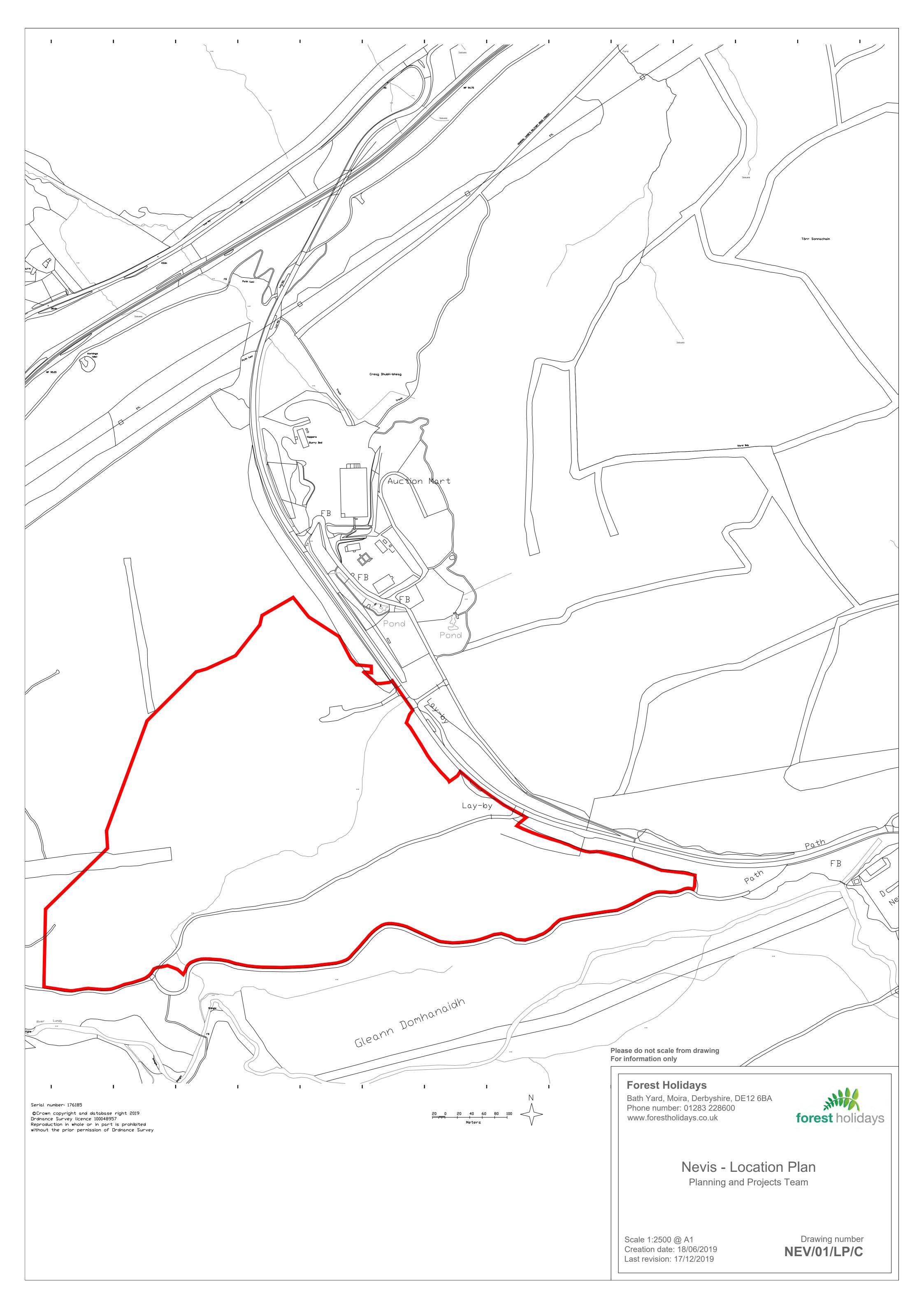
Plan 5 - Wider Connectivity Plan dwg NEV/01/WCP/A

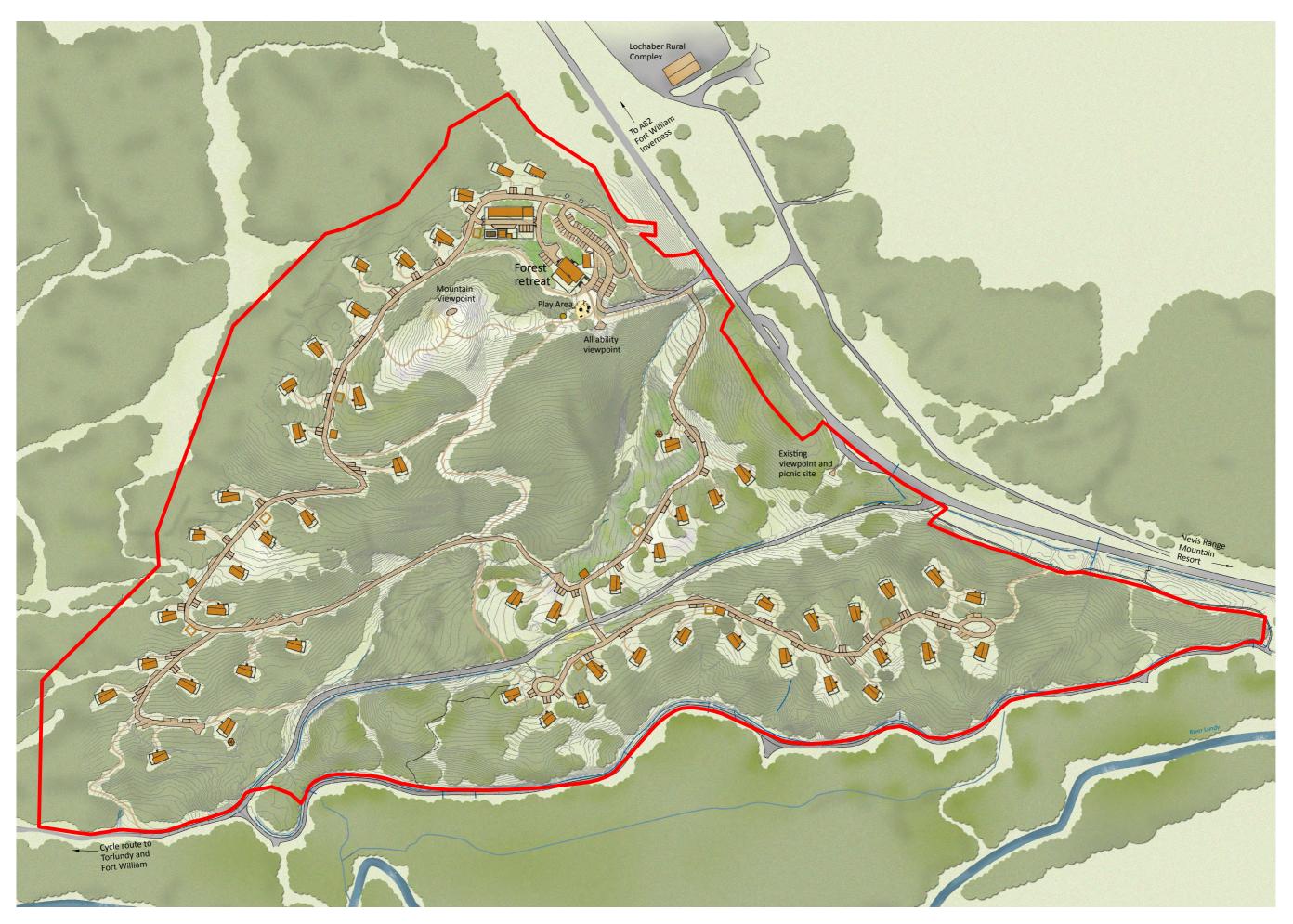
Plan 6 - General Plan- Local Path Network dwg 1-1

Plan 7 - 1 bed cabin PL(00)003 Rev C

Plan 8 - 2 bed cabin PL(00)019 Rev C

- Plan 9 3 bed cabin PL(00)040 Rev C
- Plan 10 4 bed cabin PL(00)090 Rev C
- Plan 11 Treehouse plan PL(00)095 Rev B
- Plan 12 Ranger Station GEN-01-RS-A
- Plan 13 Retreat Building elevations PL(00)206 Rev C
- Plan 14 Cycle hire/store GEN-01-CS-G
- Plan 15 Maintenance Building GEN-01-MB-D

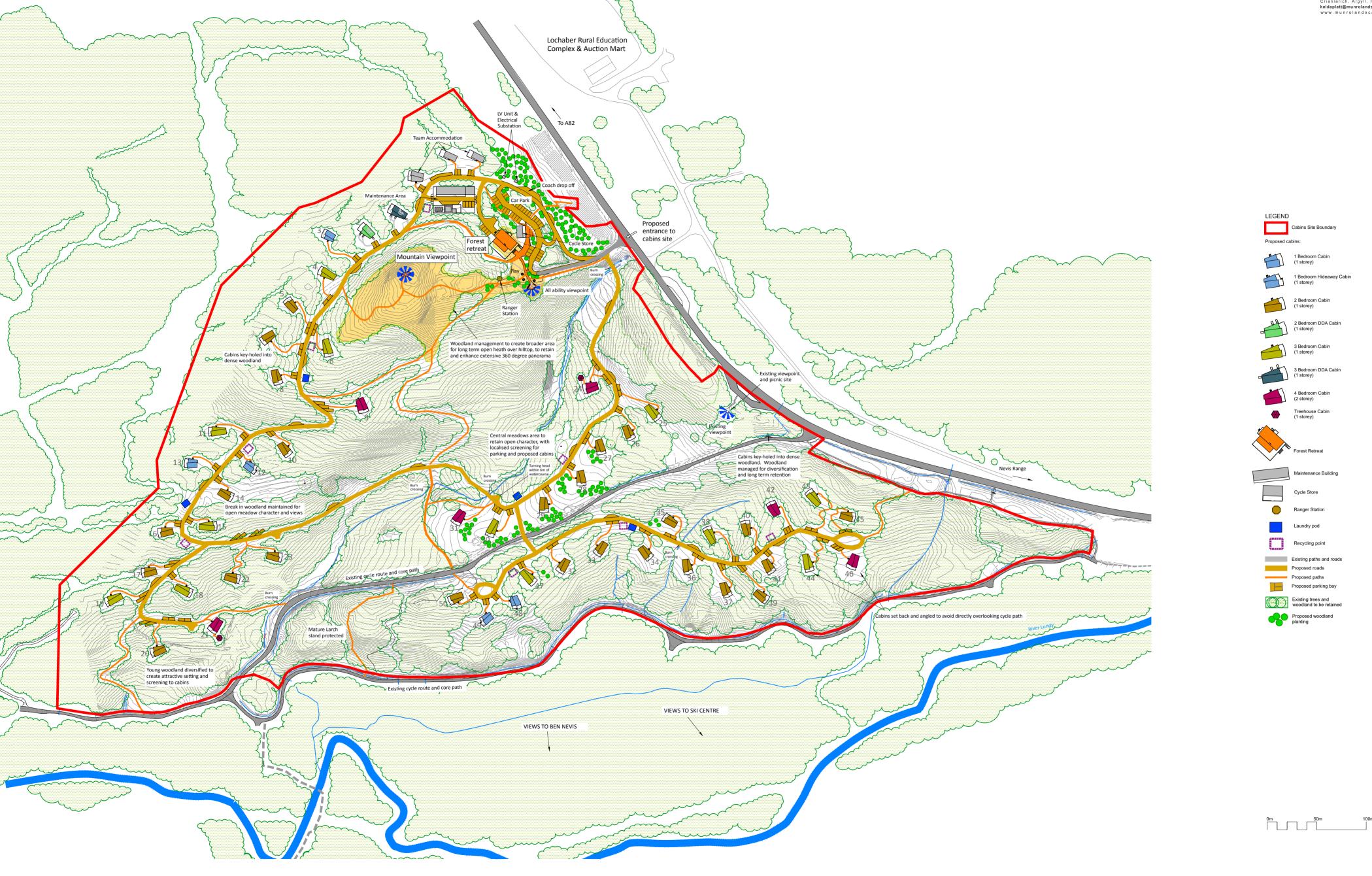








Nevis Cabins Site for Forest Holidays Landscape Proposals Illustrative Masterplan



Nevis Cabins Site LIVA
for Forest Holidays
Figure 6 - Landscape Proposals
Masterplan
scale:1:2,500 at A2 | date: March 2019 | dwg 52/09 Rev E

Rev E: 16.12.19: LV and electrical substation position adjusted.

Rev E: 29.11.19: Cabins no.s 43-46 amended, paths adjusted to contours, parking to cabins 22&23 amended, additional recycling points included, LV and electrical substation added.

Rev D: 06.11.19: Parking to cabins 20, 21, 24,43, 45 & 46 relocated to disperse parking areas and reduce 'clustering' of cars within site. Burn crossings and works within proximity of watercourse annotated.

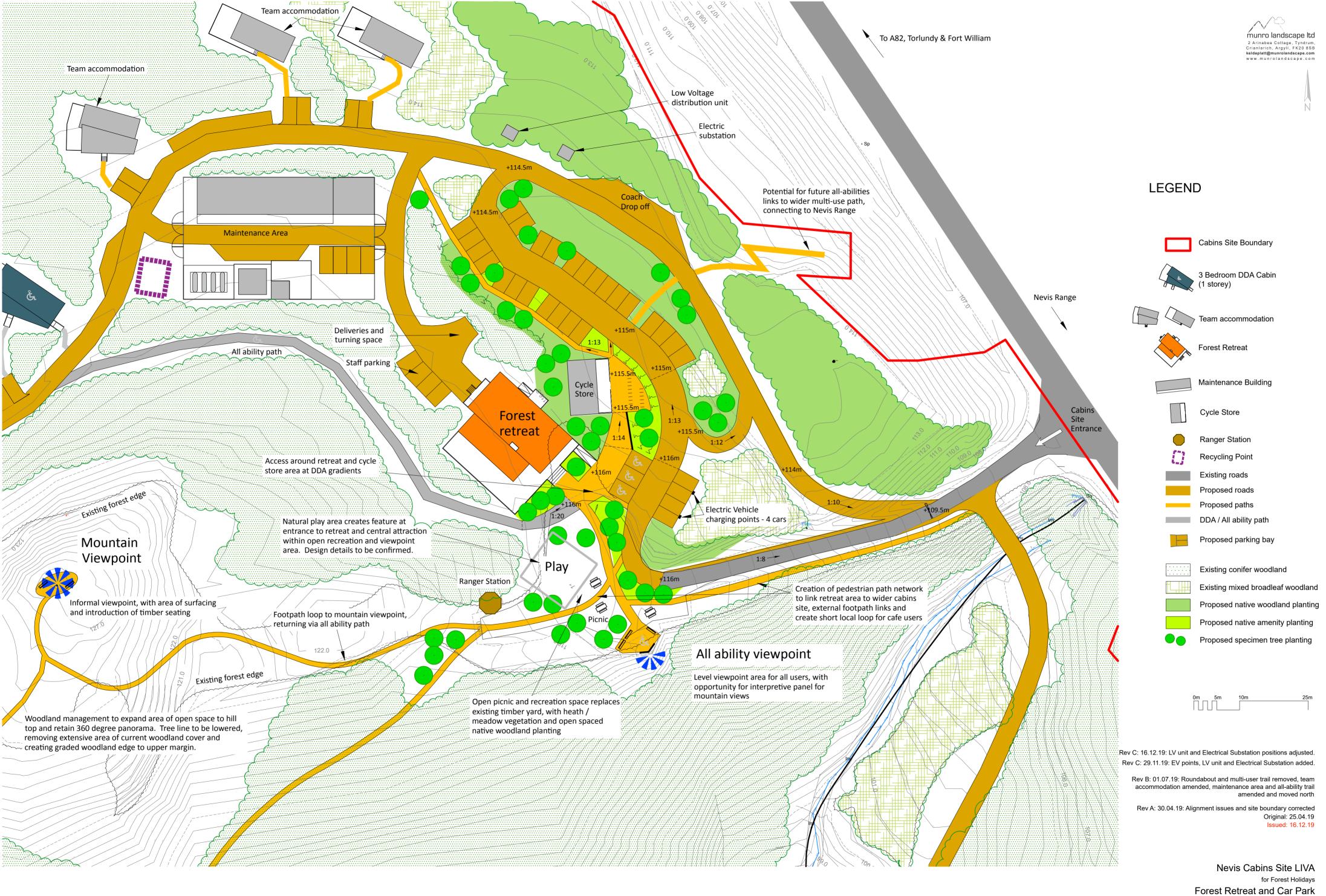
Rev C: 01.07.19: Cabins to south east adjusted to avoid larger tree specimens, cabins 32 & 33 and associated road section adjusted to avoid mature trees, cabins 12-14 repositioned to avoid bog, recycling points and cabins no.s added, red line boundary amended.

Rev B: 30.05.19: Roundabout and future multi-user trail removed, link road mid site narrowed, passing places, existing picnic site, coach drop-off added, changes to maintenance area and staff accommodation

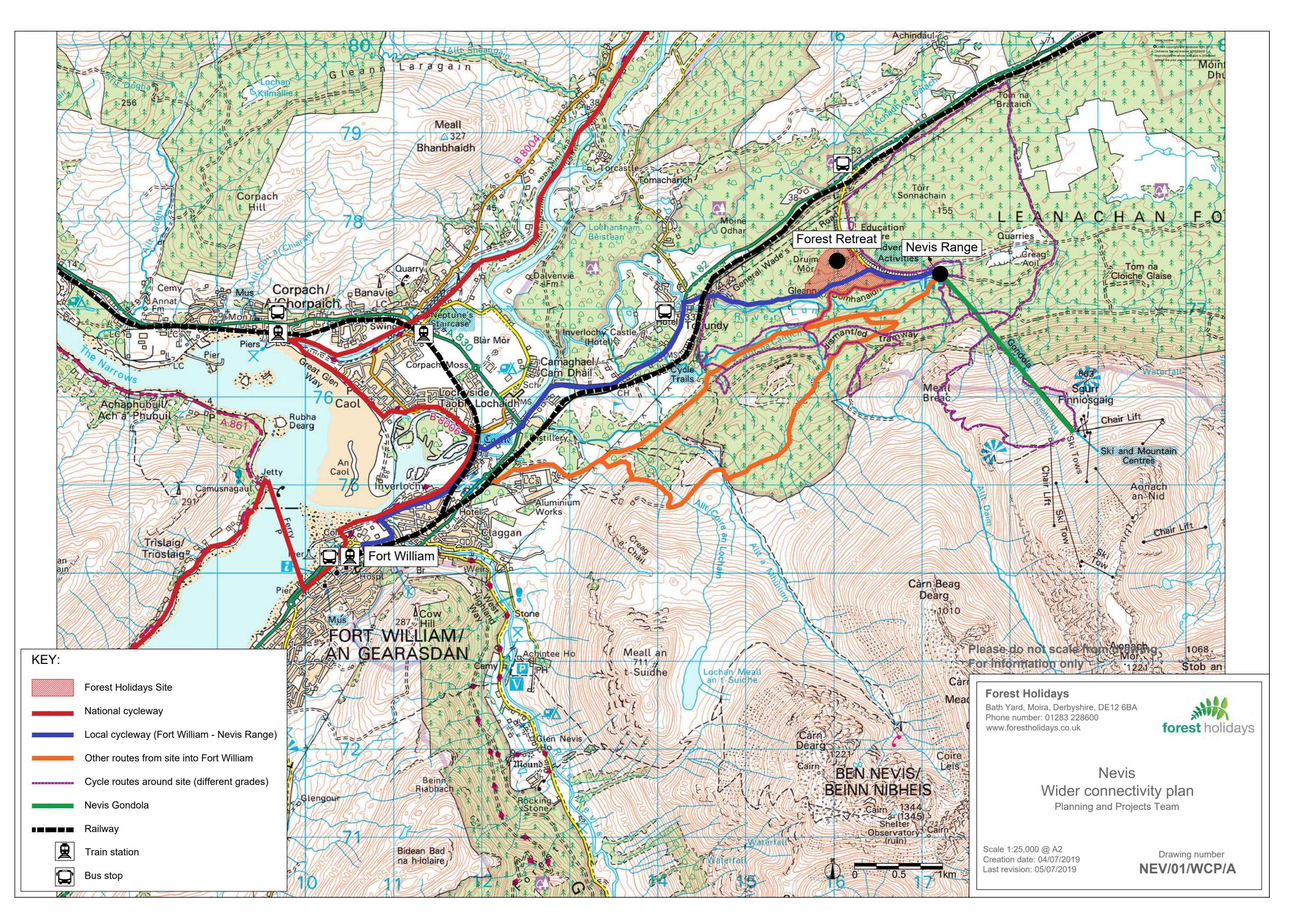
Rev A: 30.04.19: Revisions to cabins and road positioning in response to Forest Holidays feedback and detailed design for retreat area.

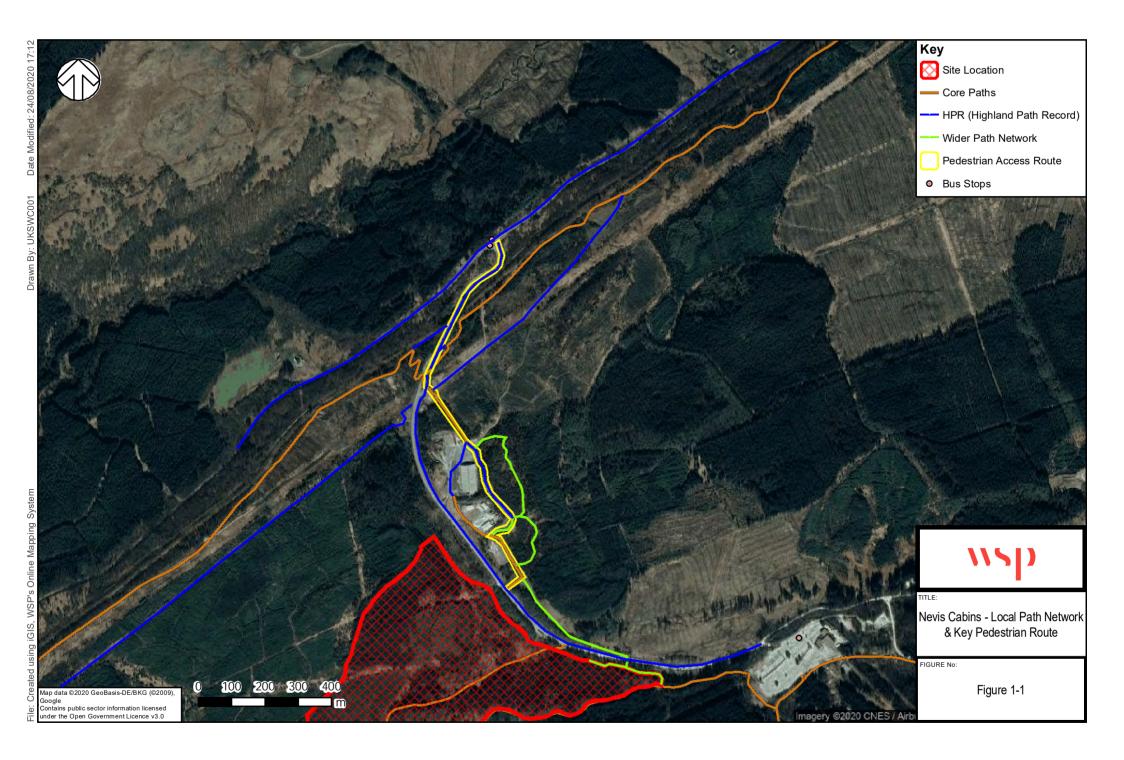
Original: 19.04.19

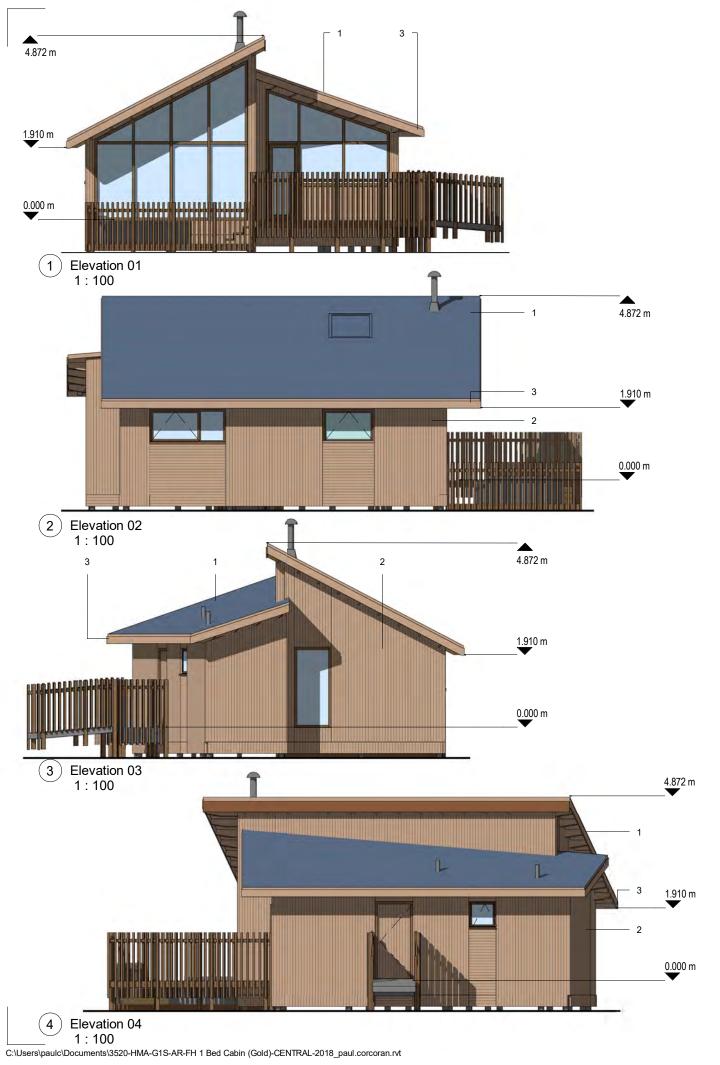
Issued: 16.12.19



Landscape Proposals scale:1:500 at A2 | date: April 2019 | dwg 52/10 Rev C







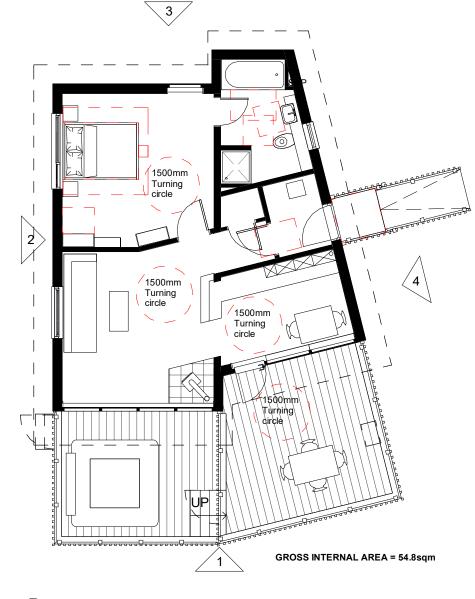
MATERIALS / FINISHES

- 1. ROOF
- Interlocking roof tiles on 18.5° & 27.5° pitch roof. Quinn Rathmore tiles .
- 2. EXTERNAL WALL

External tongue and grooved timber cladding (Organically treated 75x18 mm) to be stained with Sadolin Ultra, colour: Dark Oak or other similar approved. Cladding laid vertically or horizontally above and below window and door locations.

3. 500mm deep treated TIMBER EAVES without gutters.

GROSS INTERNAL AREA = 54.8sqm



5 Ground Floor Plan - 1 Bed 1:100

0m 2m 4m 6m 8m 10m 1 Bed

VISUAL SCALE 1:100 @ A3



(7) Front Elevation View 1



(8) Front Elevation View 2

C 04/02/20 PC Scale bar added
B 06/01/20 PC Entrance steps replaced with ramp
A 16/12/19 PC Elevation 03 curtain wall updated
- 17/11/17 CH FIRST ISSUE

Check Description

HolderMathias architects



T +44 (0) 20 7287 0735 www.holdermathias.com London Cardiff Munich

Project

Rev Date

1 Bed Cabin Scottish Generic Cabins Forest Holidays

Title

Cabin Key

Cabin Plan, Elevations & Photos

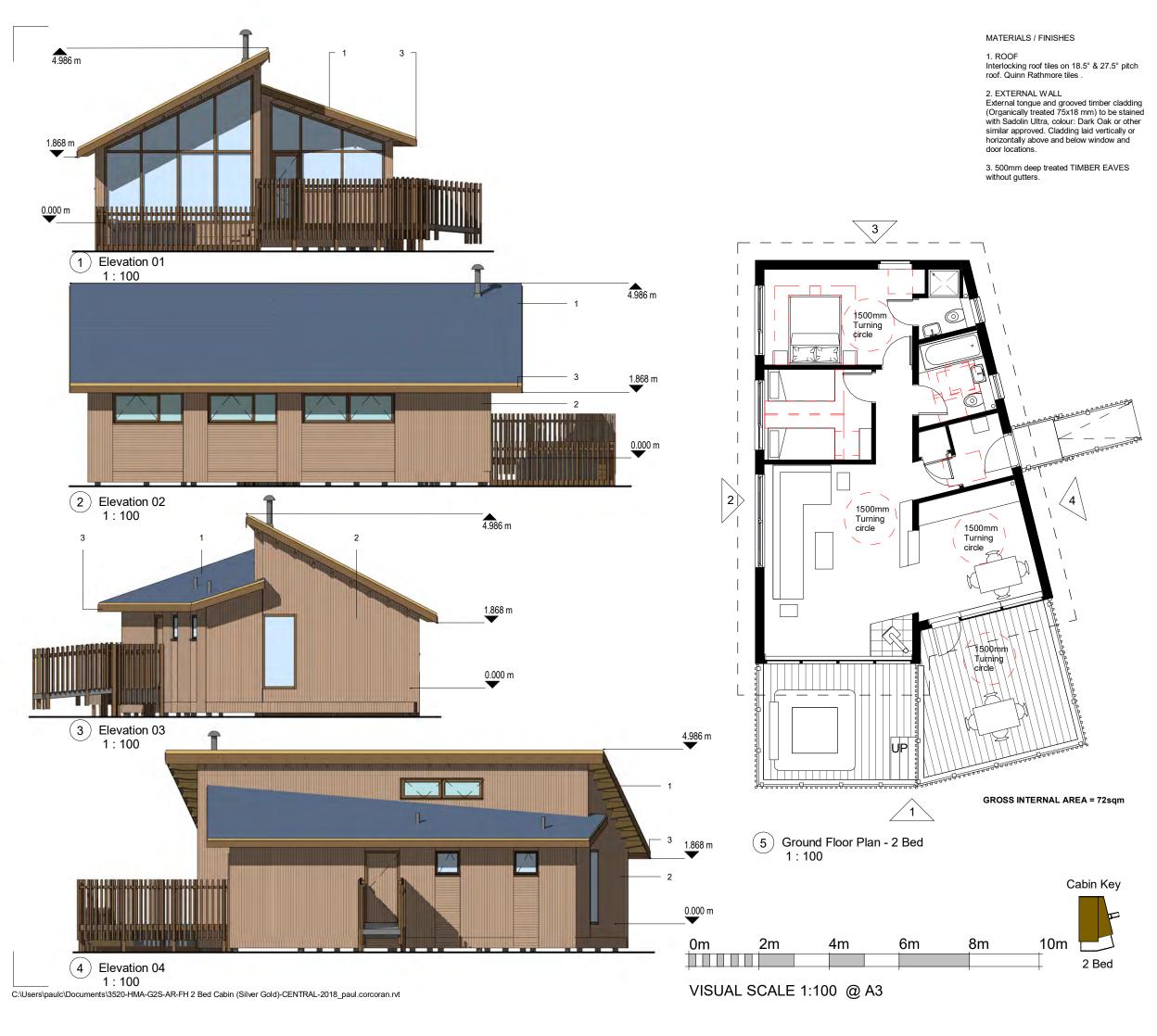
 Status
 Scale at A3

 PLANNING
 As indicated

 Job No
 Sheet No
 Revision

 3520-S1
 PL(00)003
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ISO 14001: 2004 ISO 9001: 2000 RIBA Chartered Practice Please consider the environment before printing this document Refer to dimensions where provided - do not scale from this drawing





(7) Front Elevation View 1



(8) Front Elevation View 2

С	04/02/20	PC	Scale bar added
В	06/01/20	PC	Entrance stpes replaced with ramp
Α	16/12/19	PC	Elevation 03 curtain wall updated
-	17/11/17	СН	FIRST ISSUE

Rev Date Check Description

Holder Mathias architects



T +44 (0) 20 7287 0735 www.holdermathias.com London Cardiff Munich

Project

2 Bed Cabin Scottish Generic Cabins Forest Holidays

Tit

Cabin Plan, Elevations & Photos

Status PLANNING

Scale at A3
As indicated

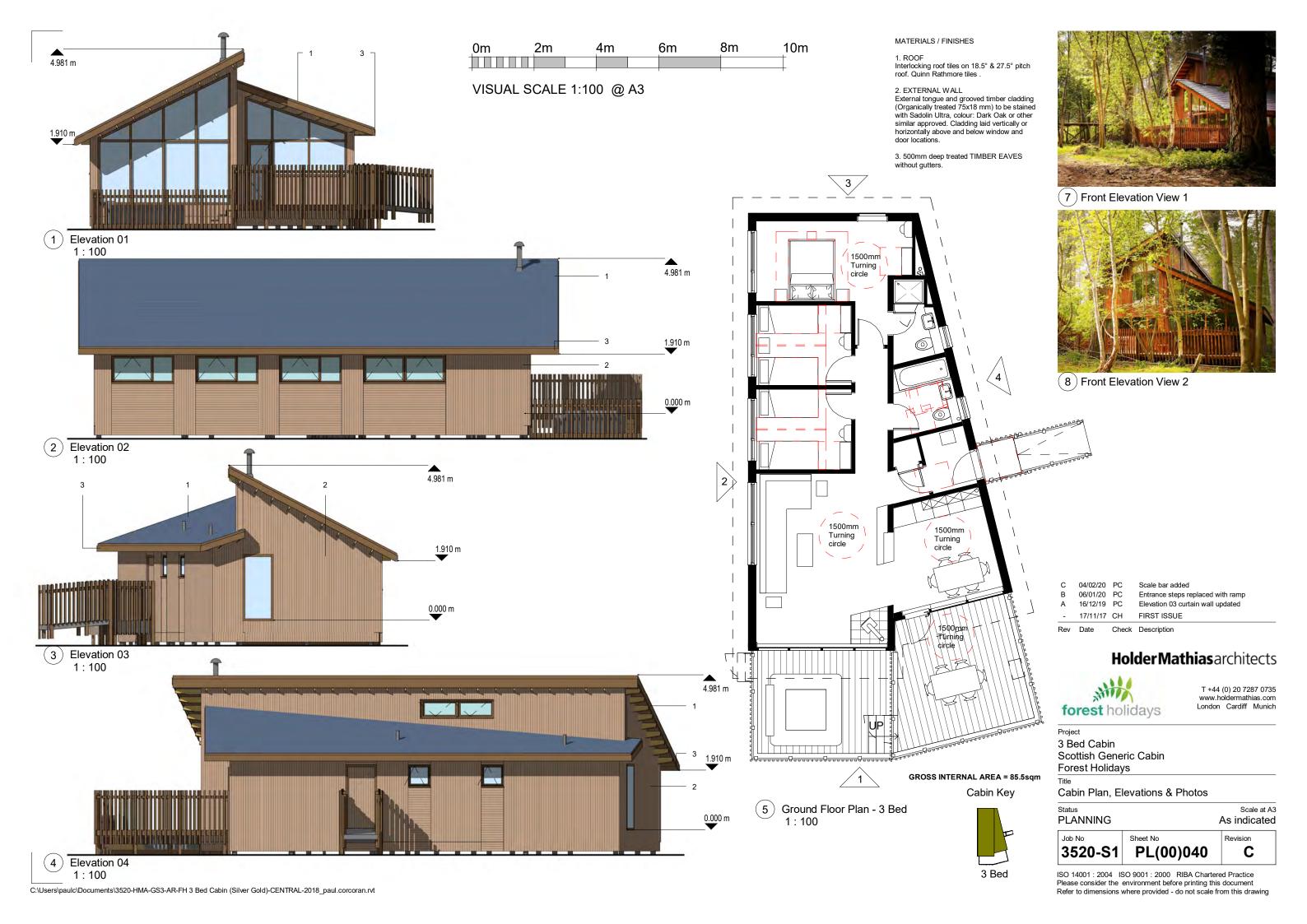
Revision

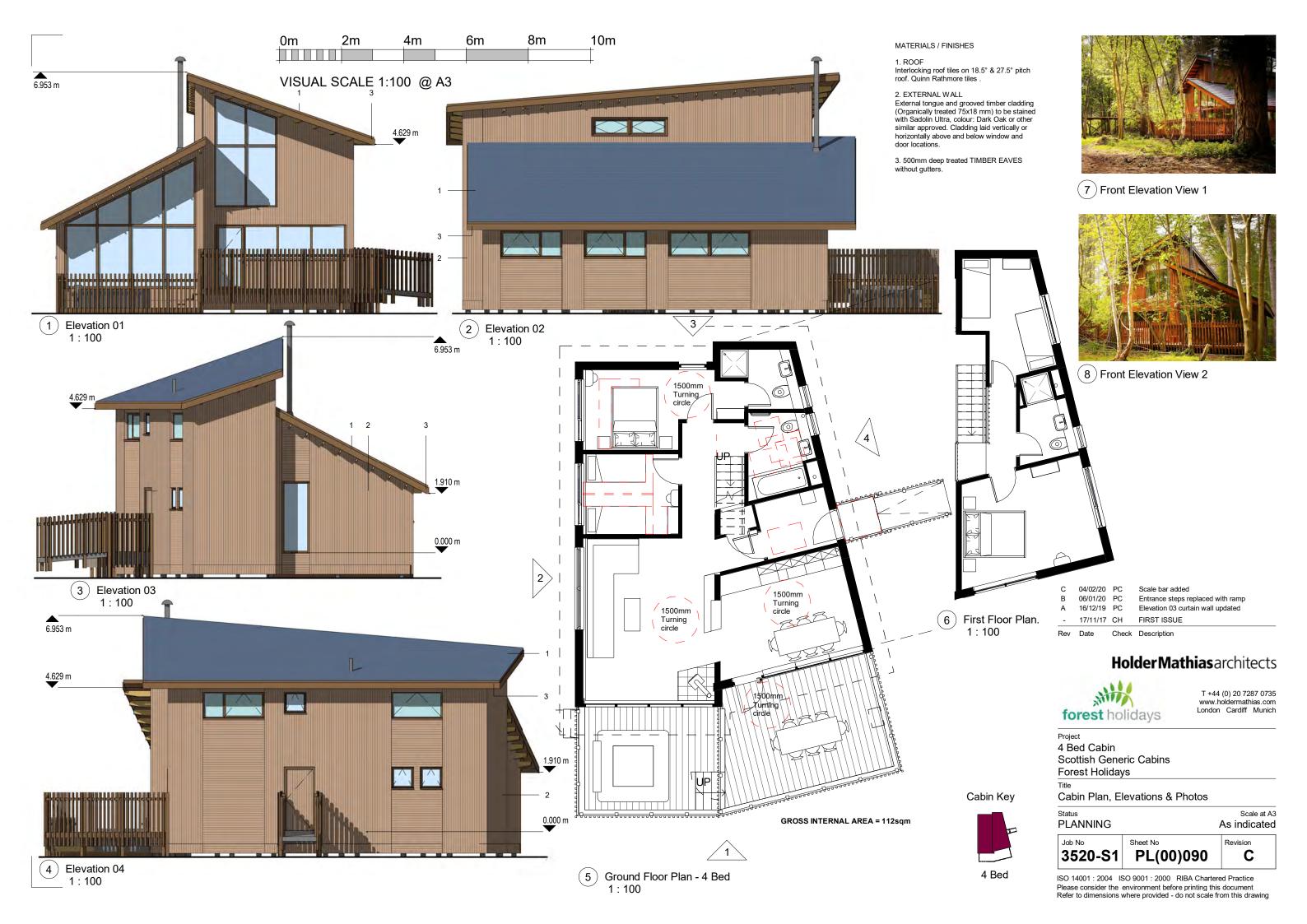
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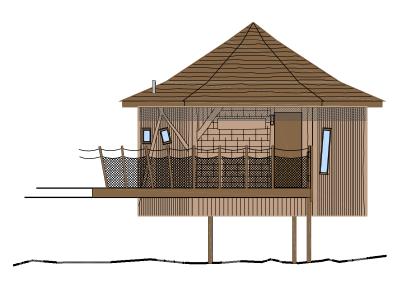
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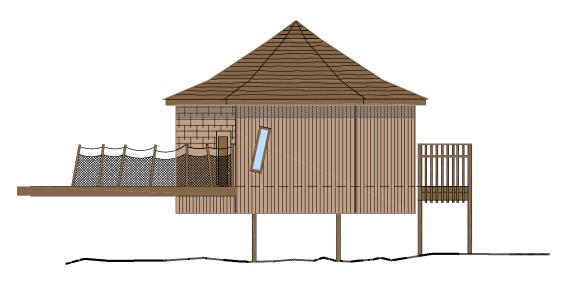






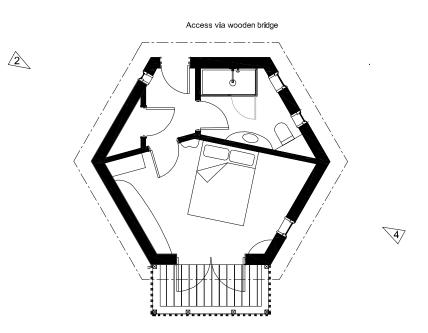












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0m	2m	4m	6m	8m	10m
•		•	•	•	•

VISUAL SCALE 1:100 @ A3

Do not scale from drawing.

MATERIALS / FINISHES

ROOF
Cedar shingled roof cladding

2. EXTERNAL WALL

External tongue and grooved timber cladding (Organically treated 75x18 mm) to be stained with Sadolin Ultra, colour: Dark Oak or other similar approved. Cladding laid vertically or horizontally above and below window and door locations.

Rev.

3. 500mm deep treated TIMBER EAVES without gutters.



6 Front Elevation View 1

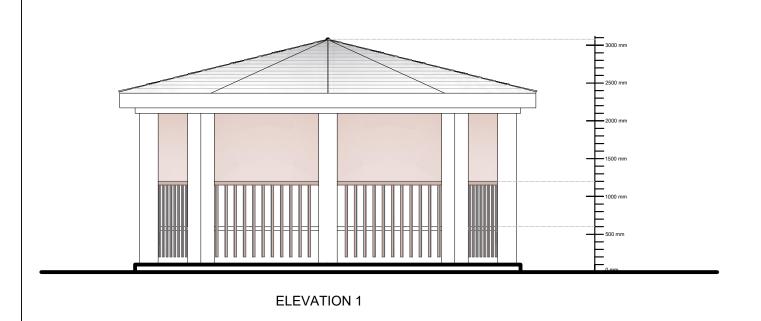


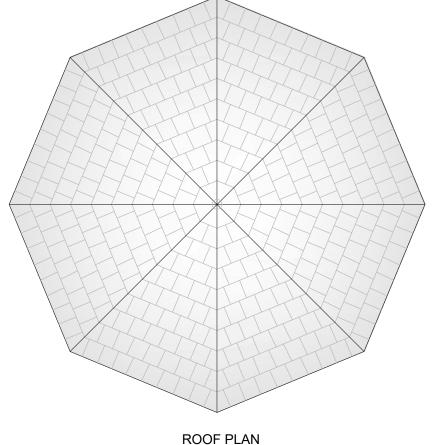
7 Front Elevation View 2

В	04/02/2020	PC	Scale bar added
Α	06/12/2016	RS	Material description altere
Dov	Data	Chook	Description

	Holder Mathias architects		
Forest Holidays	Job No. 3520 (S1)		
Generic Cabins	Dwg No. PL(00)095	Rev. B	

				PL(00)095	B Rev.
Title					
Treehou	ise. Plar	ı, Elevatio	ns and Phot	os	
Date	Drawn	Check	Status	Scale	
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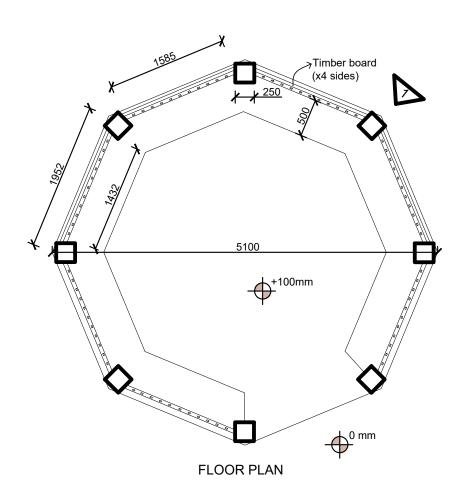














Forest Holidays

Bath Yard, Moira, Derbyshire, DE12 6BA Phone number: 01283 228600 www.forestholidays.co.uk

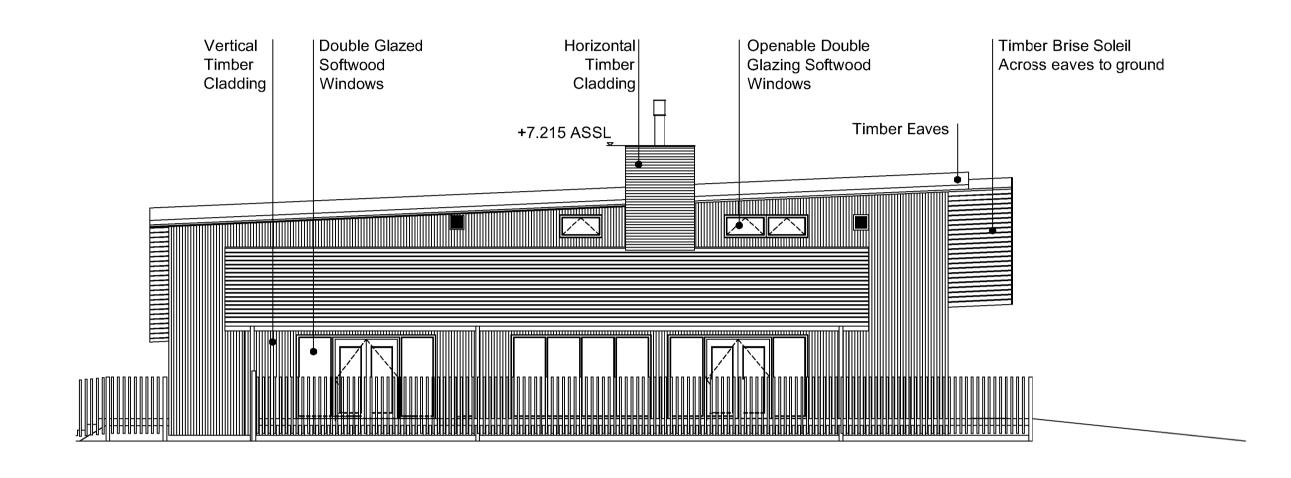


Generic - Ranger Station
Planning and Projects Team

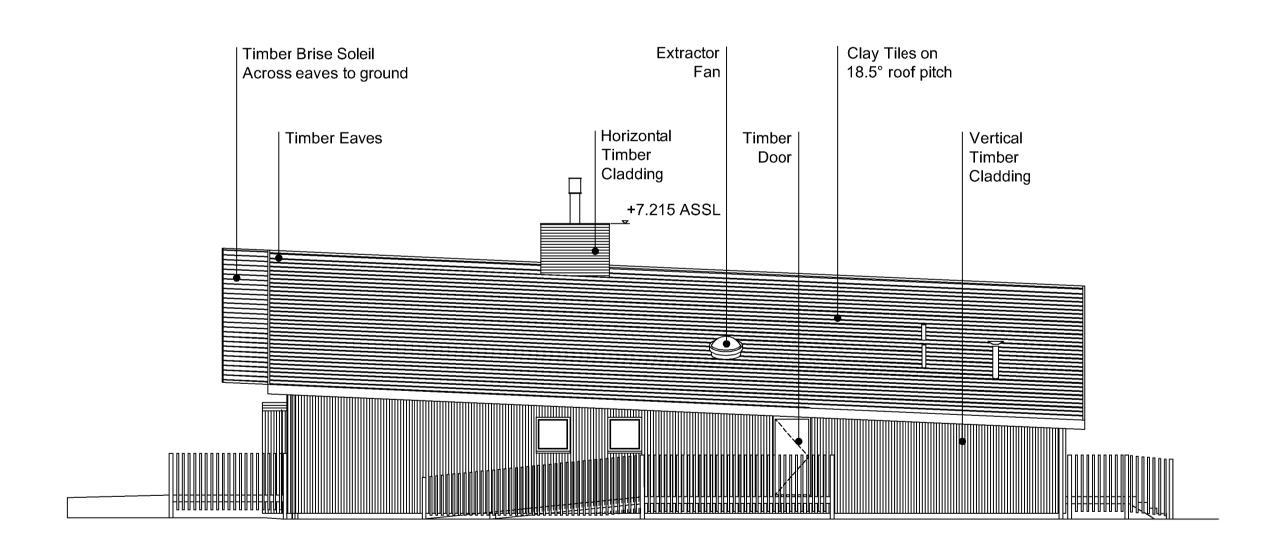
Scale 1:50 @ A3 Creation date: 27/10/2018 Last revision: 01/07/2019 Drawing number **GEN/01/RS/A**

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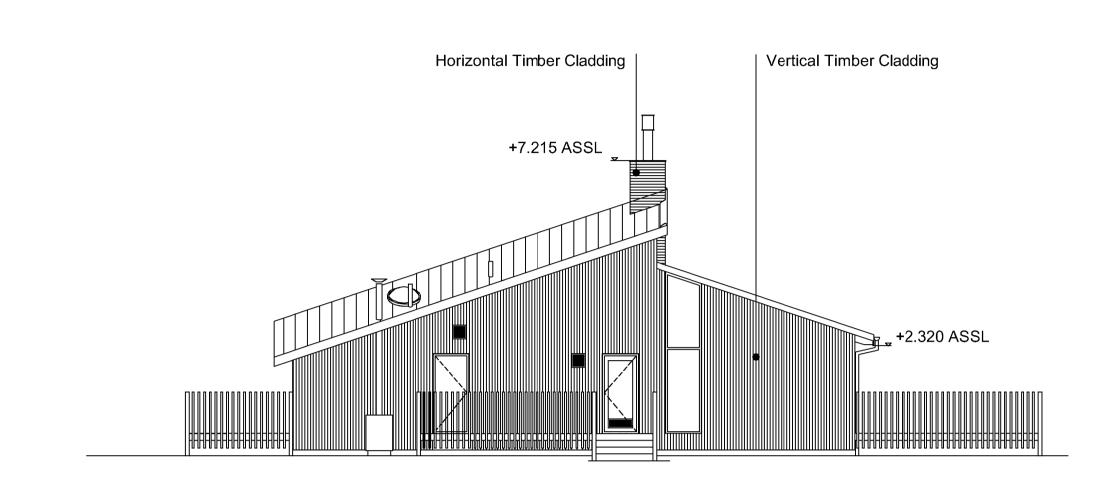
Date Drawn Check Description



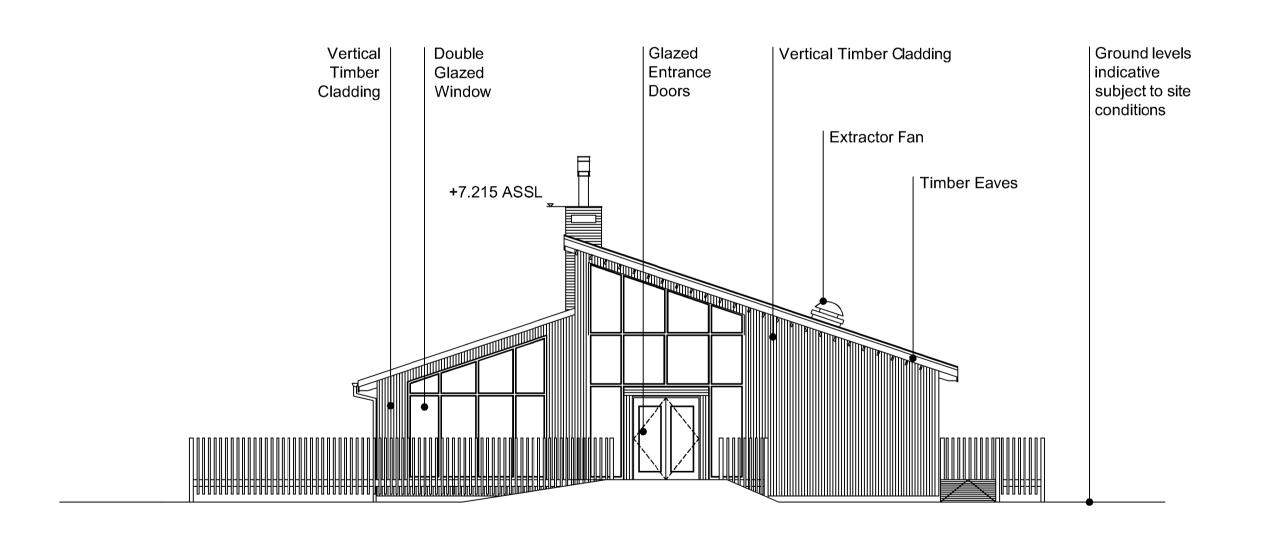








Elevation 2 Scale: 1:100 (A1)







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				PL(00)206	С
Title					
Retreat	Building	- Handed	d - Elevations	;	
Date	Drawn	Check	Status	Scale	
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