Agenda Item	6.3
Report No	PLS-078-21

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 14 December 2021

Report Title: 21/03000/FUL: The Highland Council

Land 370M SE Of Balloch Farm, Cherry Park, Balloch, Inverness

Report By: Area Planning Manager - South

Purpose/Executive Summary

Description: Construction of upgraded junction to serve Culloden Academy and

Housing Development

Ward: 17 – Culloden and Ardersier

Development category: Local

Reason referred to Committee: Community Council Objection

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

Recommendation

Members are asked to agree the recommendation to **GRANT** the application as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 The application for planning permission relates to the construction of two new ghost island junctions. One will allow access to the north side of Culloden Academy from Barn Church Road. The other will allow access to the Chapelton housing development (19/04213/PIP) at Balloch Farm from Barn Church Road. The application includes the widening of Barn Church Road (enabling works), and the installation of a "toucan" crossing.
- 1.2 The new access to the field on the north side of Culloden Academy is designed to deliver a new all modes of access to the site via Barn Church Road and meet the transport needs of the school. It incorporates a controlled Toucan crossing which accommodates pedestrians and cyclists while the ghost island right turn on Barn Church Road has capacity to accommodate any queueing that would result from the proposals. Approximately 290m of Barn Church Road will be upgraded to accommodate the new junctions.
- 1.3 The proposed scheme has specifically been designed to accommodate the existing and future school roll, this includes pupil pick up and drop off and existing and predicted traffic movements associated with the phased redevelopment of the school.
- 1.4 The development will necessitate the removal of approximately 17 trees from the west side of Barn Church Road. On the east side of Barn Church Road it is proposed to remove 4 trees.
- 1.5 While the Council's Pre-Application Advice Service was utilised, specific advice was not provided for the proposed junctions and road improvements as it focused on the internal road layout. However, the applicant has had detailed discussions with the Transport Planning Team in advance of submission of the application.
- 1.6 The application is supported by the following:
 - Archaeological Evaluation;
 - Arboricultural Impact Assessment and Methods Statement;
 - Drainage Statement;
 - · Feasibility Report;
 - Junction Assessment;
 - Landscape Specification and Maintenance Plan (including compensatory planting);
 - Transport Assessment; and
 - Tree Constraint Plans. Tree Schedule and Tree Protection Plan.
- 1.7 Variations: Amended Road and Junction Layout Plans were submitted to address comments from consultees.

2. SITE DESCRIPTION

2.1 The new junctions would be located on a section of Barn Church Road to the north of Culloden Academy. The east side of the road incorporates an existing pedestrian

path that is separated from the existing housing development with a line of trees and other vegetation. On the west side of the road, there is a grass verge and a number of trees adjacent to the agricultural land that is bounded by a post and wire fence.

3. PLANNING HISTORY

3.1	30 April 2019	19/01255/PAN Proposed residential development of circa 300 units	Reported Committee	to
3.2	13 Aug 2019	19/02872/PAN Development of housing	Reported Committee	to
3.3	02 Aug 2021	19/04213/PIP Erection of 298 dwellings & associated works	Planning Permission Granted	
3.4	16 Nov 2021	21/03018/MSC Submission of Matters Specified in Condition 2a (Area Design Brief) of Planning Permission in Principle 19/04213/PIP in relation to Phase 1 of the Balloch Farm Masterplan	Planning Permission Granted	
3.5	Pending	21/04703/MSC Matters Specified in Conditions 2 (Design and Layout), 3 (Access), 7 (Drainage), 10 (Waste), 13 (Car Parking), 14 (Cycle Parking), 17 (Archaeology), 18 (Arboricultural Impact), 19 (Landscaping), 20 (Strategic Landscaping), 21 (Watercourse Buffer), 22 (Roads Mitigation), 23 (Electric Vehicle Charging), and 29 (Public Art) of Planning Permission in Principle 19/04213/PIP for the Erection of 49 Residential Units	Pending Consideration	'n
3.6	Pending	21/05062/RCC Proposed road widening and New junctions to serve Future Culloden Academy Proposed Redevelopment and Housing Development Site,	Pending Consideration	n

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour

Date Advertised: 02.07.2021

Representation deadline: 16.07.2021

Timeous representations: 2 objections from 2 households

Late representations: 1 objection from 1 household

- 4.2 Material considerations raised are summarised as follows:
 - a) Pedestrian safety;
 - b) Surface water flooding;

- c) Development encroaching on Balloch Village; and
- d) Traffic congestion
- 4.3 Non-material considerations raised are summarised as follows:
 - a) Location of the anticipated new school buildings; and
 - b) Litter issues.
- 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

Balloch Community Council objects to the proposed development as there is already an existing access on Keppoch Road that serves Culloden Academy. It has highlighted concerns about road safety on Barn Church Road, including the need for the speed limit to be reduced from 40mph to 30mph. It accepts the need for a junction to the housing development but has concerns over the number of trees that will be removed and the failure to deliver compensatory planting.

It raises concerns in relation to where the anticipated parking and buildings will be located for the additional accommodation at Culloden Academy (albeit that this will be subject to a separate application in due course). It explains that the community council were previously advised that there was a desire to retain a 'green' wedge between the Culloden and Balloch communities.

5.2 Access Officer does not object. It is anticipated that there will be a demand from people on Keppoch Road and the new school to walk along the north (west) side of Barn Church Road to reach the Allanfearn to Cherry Park core path. These routes could be cut short if the A96 dualling progresses but a permanent circuit is expected to be completed to accommodate and manage public access at an early stage in the scheme. To complete that circuit, or a variation of it under these current proposals, it is advised that this would mean 2 road crossings at either the existing light-controlled crossing or the proposed Toucan crossing then an at-grade crossing opposite Cherry Park. It is suggests that people may not make use of those crossings, but follow the verge, and would be better served by a new path on that side of the road although recognises the desire of Transport Planning to discourage people from using the verge.

A more inclusive design which accommodates and serves those recreational and educational journeys between the Keppoch Road / Barn Church Road junction, the new school access off Barn Church Road and the core path / Barn Church Road junction is recommended. This is considered to be more in keeping with the Council's aspirations to see links to the wider countryside in general and core paths in particular.

5.3 **Historic Environment Team** do not object to the application. It explains that an archaeological evaluation has been carried out across the wider area. It highlights that the results indicate that additional monitoring for the stripping of the road junctions would be recommended as these areas, although they have been cut by services in the past, are still considered to lie within an area of archaeological potential. It suggests that while the risk of encountering buried deposits is not such as to warrant a full excavation, it is important that the nature and extent of any

features is identified and recorded before destruction. It requests that site clearance work be done under archaeological supervision so that if necessary, any recording can be done without causing undue delay or inconvenience for the development.

It explains that this level of mitigation is also relevant for any initial site clearance or groundworks required and any associated works, services or access. It explains that a controlled topsoil strip will ensure that that any features uncovered will be adequately recorded, while causing minimum delay to the development.

- Flood Risk Management Team do not object to the application. It explains that the new school access will temporary be drained by a roadside infiltration trench until the drainage can be incorporated into the sustainable drainage network for the school site. It sets out that although this is acceptable in the short-term, it needs to be clear through any permission granted that this is only on the basis that the final drainage will be incorporated into the sustainable drainage for the school site.
- 5.5 **Forestry Officer** does not object to the application following submission of updated information. The loss of 25 individual trees, including 8 category B trees and 13 category C trees adjacent to Barn Church Road, that form a strong visual feature is noted. However, the loss of these trees would be accepted subject to the provision of a robust landscaping plan that re-establishes the arboricultural feature along Barn Church Road. Conditions to ensure that no trees other than those identified on the plans for removal are removed; provision of tree protection fencing for the retained trees; employment of an arboricultural consultant to oversee the implementation of the arboricultural method statement and tree protection plans; and submission of an updated and detailed landscaping plan are recommended.
- 5.6 **Transport Planning Team** do not object to the application subject to planning conditions. Transport Planning is satisfied that the two proposed ghost junction arrangements will have sufficient capacity for their anticipated usage. It explains that any minor technical issues for the construction of the new junction arrangements and reconfigured Barn Church Road will be resolved through a Road Construction Consent (RCC). It requests an appropriate informative be attached to any permission granted clarifying that a RCC will be required prior to works commencing

It also advises that as the implementation of the proposed "toucan" crossing will result in 2No. signalised crossings of Barn Church Road in relatively close proximity. an appropriate condition should be applied requiring the applicant to undertake a review of the two existing crossings as they may no longer be required. It explains that this review should seek input from the Council's Safer Routes to School and Traffic Signals Teams. Furthermore, it requests a review of the appropriateness of the existing speed limit along this stretch of Barn Church Road should be undertaken and secured through a planning condition.

The design details for the proposed drainage arrangements will also be reviewed and agreed through the RCC. However, Transport Planning welcome a revision to the drainage for the housing development which incorporates an outfall from the filter trench. It notes that the equivalent infiltration trench proposed for the new school access will be an issue for Education to consider when completing the design work for the phased redevelopment of the school. It requests a condition to secure details of the surface water drainage arrangements.

5.7 **Historic Environment Scotland (HES)** do not object to the application. It has assessed the proposal against historic features within its remit and considers that the proposal is unlikely to have any immediate visual impact upon Culloden Battlefield.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

- 28 Sustainable Design
- 29 Design Quality and Place-making
- 30 Physical Constraints
- 31 Developer Contributions
- 34 Settlement Development Areas
- 51 Trees and Development
- 56 Travel
- 57 Natural, Built and Cultural Heritage
- 64 Flood Risk
- 66 Surface Water Drainage

6.2 Inner Moray Firth Local Development Plan 2015

Policy 2 – Delivering Development

Policy 4 – Development Allocations, Inverness

Community, IN86 - Land North East of Culloden Academy

6.5 Highland Council Supplementary Planning Policy Guidance

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

Developer Contributions (March 2018)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Green Networks (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Managing Waste in New Developments (March 2013)

Standards for Archaeological Work (March 2012)

Sustainable Design Guide (Jan 2013)

Trees, Woodlands and Development (Jan 2013)

Inverness East Development Brief (2018)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (June 2014)

National Planning Framework 3 (June 2014)

Draft National Planning Framework 4 (November 2021)

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) traffic and transport impacts;
 - c) impacts on the historic environment;
 - d) amenity impacts;
 - e) drainage and flood risk;
 - f) protected species;
 - g) trees; and
 - h) any other material considerations

Development plan/other planning policy

8.4 The site is located on the eastern side of the Settlement Development Area of Inverness, on Barn Church Road, to the north east of Culloden Academy. The site sits adjacent to and within an area identified for community use for 'relocated and expanded school playing fields' in the Inner Moray Firth Local Development Plan (IMFLDP) as site IN86. The junction is in this location as it will not only serve the access into the new housing development but is also a good fit for the proposed Culloden Academy phased redevelopment that will use this area (the 'community land'). It therefore compliments the allocation. Subject to the development being able to satisfactorily mitigate its impacts then the proposal would comply with the Development Plan.

Traffic and Transport

8.5 The applicant has advised that the new access will only be used by staff and school buses only. Visitors and parental drop-off and pick-up will utilise the existing access from Keppoch Road This approach has allowed for sufficient roads capacity to accommodate a 50% increase in capacity of the school. As a result of this Transport Planning do not have any concerns with regard to capacity for motorised users. The approach of having two vehicular accesses into the school site will require consideration of how directional signage can be utilised to inform people to the most appropriate access. This can be secured by condition with a requirement for it to be

implemented prior to first use of the junction for access to the phased redevelopment of the school. Transport Planning is satisfied that the junction arrangements with the ghost island right-turns have been designed to avoid traffic turning right into either access, blocking through-traffic. This should prevent congestion problems at the proposed junction arrangement provided the right-turn lanes have been designed to sufficiently accommodate the predicted traffic.

- 8.6 Transport Planning has advised that the proposed junction and road layout appears to be sufficient. However, should the parental drop-off and pick-up also use this junction then further consideration would be required, incorporating both a left and right turn lane. These matters will be given further consideration through the forthcoming application for the phased re-development of Culloden Academy. Transport Planning are satisfied that the proposed visibility splays of 4.5m x 120m is acceptable and can be achieved through the removal of trees and other vegetation.
- 8.7 The capacity requirements for the junction into the housing site to the south of Barn Church Road were assessed as part of the application for planning permission in principle (19/04213/PIP) granted earlier this year. This indicated that during the AM peak (0800-0900) there would be 36 trips into and 64 trips out of the development once fully built out. During the PM peak (1700-1800), there would be 88 trips into and 69 trips out of the development once fully built out. This was considered acceptable by Transport Planning, subject to a range of mitigation which included measures to reduce speed on Barn Church Road and contribution toward the East Link / Inshes Corridor scheme.
- 8.8 The new junctions and road layout will include the installation of a new signal controlled crossing of Barn Church Road in the vicinity of the access to the anticipated new school/buildings. This has been designed as a "toucan" crossing suitable for use by both pedestrians and cyclists, with 3m wide shared pedestrian and cycle paths connection it to the school and the surrounding residential areas. The crossing will also connect with the National Cycle Network Route 1 that runs along the southern edge of Barn Church Road. While the provision of a crossing is welcomed, the timing for its implementation needs to coincide with the opening of the new school, or suitable active travel connections from the new school site being provided into the existing school site. Without that demand to cross at that location, Transport Planning has concerns that the provision of a crossing could encourage pupils and visitors to the existing school to cross at that location and then walk along the existing grassed roadside verge north of Barn Church Road to access Keppoch Road. This raises safety issues and will require to be resolved prior to the initiation of the "toucan" crossing.
- 8.9 Transport Planning has suggested that this could be addressed with appropriate new features which will be required to physically deter pupils from using that route. However, the Council's Access Officer has suggested a more inclusive design that includes a further path that links into the existing and proposed new school site. Any path along the north side of Barn Church Road will only be required when the phased redevelopment of the school site is brought forward.
- 8.10 All below ground infrastructure for the new crossing should be delivered when the changes to Barn Church Road are being constructed, but the above ground infrastructure should not be installed until the new school/buildings comes forward.

This will avoid the need for digging into the new road to install the crossing infrastructure in the future. An appropriate planning condition should be applied to ensure this is secured. The design for the new toucan crossing will need to be approved through the RCC process, this is likely to require a greater extent of high-friction surfacing to be provided on each approach to the proposed new crossing, than is currently shown.

- 8.11 Transport Planning has requested that a condition is applied to any planning permission to ensure that a review of the crossing to the east of the Keppoch Road / Barn Church Road junction is undertaken to establish if it will still be required when the new "toucan" crossing is implemented. The review should also include the appropriateness of the existing 40mph speed limit on this stretch of Barn Church Road with a view to reduction of the speed limit on this route. This is also a requirement of the housing development which will be served by the southern junction proposed through this application and agreed in principle via planning permission in principle 19/04213/PIP.
- 8.12 All matters related to the internal layout of the site for the phased re-development of Culloden Academy, i.e. beyond the red line boundary of this application, will be considered as part of the application.

Historic Environment

- 8.13 The proposed development is immediately outwith a section of the inventory battlefield designation surrounding Culloden House, which was the Jacobite headquarters during the Battle of Culloden. This section of the designation is designed to protect its policies at the time of the battle and any archaeology related to the battle. As the proposals are limited to road junctions (and not their related developments) Historic Environment Scotland are satisfied that it is unlikely to have any immediate impact upon the battlefield.
- 8.14 The application area is considered to have archaeological potential; this relates both to its location adjacent to the boundary of the Inventory Battlefield of Culloden and also to prehistoric features recorded in the wider area. The Council's Historic Environment Team has not objected to the proposed development, subject to an appropriate condition to ensure any features identified are recorded and analysed.

Amenity

8.15 The main concern relating to amenity is that of noise impact on any nearby sensitive properties. Any construction noise based activities will be mitigated through the Construction Environment Management Plan (CEMP) and anticipated working hours. While the applicant has assessed the construction impacts as having no significant effects, the working hours should be from 08:00 – 19:00 Monday to Friday and 08:00 – 13:00 Saturday rather than the 07:00 start proposed by the applicant. Standard provisions should be applied for construction working activities not taking place on Sunday or public holiday.

Drainage and Flood Risk

- 8.16 The application is supported by a Drainage Statement. SEPA's flood risk map indicates that Barn Church Road may be at medium to high risk of surface water flooding. It is understood that the existing culvert near the farm building (to the east of the proposed scheme at Balloch of Culloden Farm) may contribute to the surface water flood risk to Barn Church Road. As proposed in the Masterplan Drainage Strategy for the housing site, the drainage proposals for the housing site entrance road and Culloden Academy junction ensure pre-development catchment areas are preserved and that discharge to ground water is utilised, thereby mimicking the pre-development drainage patterns and ensuring post development run off is at greenfield run off rates.
- 8.17 The existing surface water on Barn Church Road is served by existing gullies and these feed into an existing surface water road drainage network. The existing gullies on Barn Church Road will be required to be relocated to suit the proposed widening and will continue to drain the existing surface water roads drain.
- 8.18 It is proposed that the housing site entrance will drain via a new roadside infiltration trench to serve the extent of the entrance. The infiltration trench can be extended if required until the proposed road level design is such that connection to the proposed sustainable drainage system can be achieved. There is a sustainable drainage basin proposed for the new housing development. This does not form part of this application but will form part of the consideration of the matters specified in conditions application for phase 1 of the housing development (planning reference 21/04703/MSC).
- 8.19 Similarly, it is proposed that the new entrance junction for the school will drain via a proposed temporary infiltration trench. This infiltration trench could be extended, as required, to serve the new school/buildings in the future or integrated into the drainage scheme for that development in due course. It does not form part of this application.
- 8.20 The Flood Risk Management Team do not object to the proposed temporary drainage arrangement as the drainage will be incorporated into the sustainable drainage network for the phased redevelopment of Culloden Academy in due course. The drainage for the junction at the south side of Barn Church Road includes a positive outfall into the existing road drain along Barn Church. This is welcomed by Transport Planning. As the drainage solution for the junction to the north of the road will be within the school site, it will be maintained by Care and Learning. The drainage for the junction to the south of the road will in time be adopted by the Roads Authority in due course and the technical details of the drainage will be reviewed further and agreed through the Road Construction Consent process.
- 8.21 The Drainage Statement also sets out measures to control surface water run-off during construction works. These include limiting the stripping of topsoil and vegetation wherever possible to reduce the risk of run off. If any existing network or field drainage needs to be cut off, these will be redirected and / or connected to a new perimeter land drain to intercept any ground water.

Trees

- 8.22 The application was accompanied by an Arboricultural Impact and Method Statement as the proposed development will require some tree removal. In total 122 trees and 13 Groups were surveyed. Of these, 22 individual trees and 8 Groups were removed to enable the approved demolition of the Janitors House and associated buildings (21/00797/DEM).
- 8.23 Concerns had been raised by Balloch Community Council about the loss of trees associated with the development. A total of 5 individually surveyed trees and 1 group (comprised of 3 compartments) and a very small portion of the eastern end of a further group, G12 have been proposed for removal. Many of these trees have been awarded a Category B in recognition of their good condition and high potential, however their retention is not feasible due to road safety issues. They are relatively small in stature, and their loss could be offset by high quality compensatory tree planting. The applicant has suggested that a compensatory tree planting plan is produced for the site, which may form part of a wider landscape plan. The delivery of this can be secured by condition.
- 8.24 A Tree Protection Plan will be implemented to ensure that no retained trees are damaged during construction works. This can be secured through planning condition. Compensatory planting will however be required. Some of this can be delivered via the landscaping plan for the housing development along with the incorporating a replacement for the current arboricultural feature on the north side of Barn Church Road into the landscaping proposals required for the phased redevelopment of Culloden Academy. Pre-application discussions are ongoing with colleagues in Care and Learning on the school layout and this will be brought to their attention as a requirement for the site. Subject to the above, and conditions to secure employment of an arboricultural consultant, the Council's Forestry Officer is satisfied with the proposals.

Other material considerations

- 8.25 The concerns in relation to development encroaching the village of Balloch is not something that can be considered as part of this application. The site has been identified for the expansion of Culloden Academy within the current and proposed IMFLDP. It is noted that it was envisaged that the playing fields were to be located in this area, however due to other site constraints, including but not limited to, impacts on the inventory battlefield, the school is now proposed in this area. It is a matter which will be considered in more detail when any application is submitted for the phased redevelopment of Culloden Academy.
- 8.26 There are no other material considerations.

Non-material considerations

- 8.27 Concerns in relation to where the new school buildings will be located cannot be dealt with through this application.
- 8.28 Littering in the area is not material planning consideration.

9. CONCLUSION

- 9.1 Planning permission is sought for the construction of two ghost junctions, a "toucan" crossing and further enabling works to Barn Church Road to facilitate access to both Culloden Academy on the west side and the new housing development on the east side of Barn Church Road. The principle of an access into the housing site in this location has already been established. The proposal raises no concern in terms of siting, and the information provided is sufficient to demonstrate there is no adverse impacts through the new road layout. The technical design of the junctions and road layout will be resolved through the Road Construction Consent (RCC).
- 9.2 It is considered that the proposal will have no significantly detrimental impact on residential amenity and/or road safety. Transport Planning do not object. While the loss of trees will impact on the visual amenity of the area in the short term there is scope for compensatory planting within adjacent locations within the control of the applicant. Subject to mitigation, the proposals are considered acceptable.
- 9.3 Some of the issues raised are not directly material to this application but the comments have been noted and the opportunity will present itself to comment further on these when the application for planning permission for phased redevelopment of Culloden Academy comes forward. Officers will continue to work with colleagues across the Council to provide a high quality design and layout for the phased redevelopment of Culloden Academy considering the sensitive nature of the area, whilst seeking to enhance the sense of place.
- 9.4 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 significant Enhancements to Active Travel
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued N

Subject to the above actions, it is recommended to **GRANT** the application subject to the following conditions and reasons

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

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

2. No development shall commence until full details of all surface water drainage provision within the application site (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Fourth Edition, or any superseding guidance prevailing at the time) have 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, as it relates to, or is relied upon by, shall be completed prior to the first use of any part 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.

3. No development shall commence until full details of directional signage for accessing the new school site has been submitted to and approved by the Planning Authority.

Thereafter, the approved signage shall be iinstalled prior to first use of the junction to provide access to phase 1 of the re-development of Culloden Academy. The use of the

Reason: In the interests of road safety.

4. No development shall commence until a review of the compatibility of the existing and proposed signalised crossings of Barn Church Road in the vicinity of Culloden Academy has been submitted to and approved by the Planning Authority. The review shall identify any mitigation measures required in relation to the existing lights controlled crossings to avoid impacts on the free flow and safety of the local road network

Thereafter any mitigation measures identified shall be implemented prior to first use of the junction to provide access to phase 1 of the re-development of Culloden Academy and the hereby approved toucan crossings coming into use.

Reason: In the interests of safety for non-motorised road users and the safety and free flow of the local road network.

5. No development shall commence until a review of the speed limits on this stretch of Barn Church Road, with outputs and recommendations for speed

reduction has been undertaken and submitted to and approved by the Planning Authority.

Thereafter, the recommendations shall be implemented in line with a timescale to be agreed with the Planning Authority.

Reason: In the interests of road and pedestrian safety.

6. All below ground infrastructure for the new signalised "toucan" crossing of Barn Church Road shall be installed during the junction works on Barn Church Road.

Reason: To ensure that minimum disruption during construction works.

7. All above ground infrastructure for the new signalised "toucan" crossing of Barn Church Road shall not be installed until a new active travel connection has been provided to the existing school or prior to the of phase 1 of the redevelopment of Culloden Academy, whichever is earliest.

Reason: In the interests of pedestrian safety.

8. Prior to the occupation of phase 1 of the re-development of Culloden Academy full details of an appropriate Active Travel connection provided to the north side of Barn Church Road that will connect the existing school buildings with the new school buildings shall be submitted to and approved in writing by the Planning Authority. Once approved, those details should be fully implemented prior to the new school opening or the above ground infrastructure for the "toucan" crossing being installed.

Reason: To enable pedestrians to keep outwith the public road and the path of oncoming traffic; in the interests of road safety.

9. With effect from the date of this permission, no trees other than those specifically agreed are to be cut down, uprooted, topped, lopped (including roots) or wilfully damaged in any way, without the prior written permission of the planning authority.

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

10. Prior to any site excavation or groundworks, all retained trees are to be protected against construction damage using protective barriers located as per the approved Tree Protection Plans and in accordance with BS5837:2012 Trees in Relation to Design, Demolition & Construction. Barriers are to remain in place throughout the construction period and must not be moved or removed without the prior written approval of the Planning Authority.

Reason: To ensure the protection of retained trees throughout the construction period.

11. A suitably qualified Arboricultural consultant shall be employed by the applicant to ensure that the Approved Tree Protection Plans and Arboricultural

Method Statement (AMS) are implemented to the agreed standard. Stages requiring supervision are set out in the AMS and certificates of compliance for each stage are to be submitted to the Planning Authority for approval.

Reason: To ensure the protection of retained trees throughout the construction period.

12. Prior to any site excavation or groundworks, an updated and detailed Landscape Plan and maintenance programme are to be submitted to and subsequently approved in writing by the planning authority. The Landscape Plan shall incorporate new tree planting on either side of Barn Church Road and it shall be implemented in full during the first planting season following commencement of development.

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

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

13. No work shall commence on site until a detailed Construction Traffic Management Plan (CTMP), based on the above traffic management plan, has been submitted to, and approved in writing by, the Planning Authority. The plan shall be prepared by the appointed contractor for the works in consultation and agreement with the local Roads Authority and shall remain in place for the duration of the construction phase.

Reason: In the interests of free flow and safety of the local road and active travel networks.

14. No development shall commence until a scheme to deter use of the existing roadside verge on the north side of Barn Church Road by walkers and cyclists has been submitted to and approved in writing by the Planning Authority.

Thereafter, the approved scheme shall be implemented prior to first occupation of the housing development granted under planning permission 19/04213/PIP or first occupation of phase 1 of the redeveloped Culloden Academy, whichever is the earliest.

Reason: In the interests of safety of non-motorised users.

REASON FOR DECISION

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

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

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

INFORMATIVES

Initiation and Completion Notices

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

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

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

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. 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.

Septic Tanks and Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

Local Roads Authority Consent

In addition to planning permission, you will require Road Construction Consent and other separate consents (such as 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 wor king on public roads/2

Mud and Debris on Road

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

Construction Hours and Noise-Generating Activities

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

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

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

Protected Species – Halting of Work

You are advised that work on site must stop immediately, and NatureScot must be contacted, if evidence of any protected species or nesting/breeding sites, not

previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from NatureScot: https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species

Signature: David Mudie

Designation: Area Planning Manager – South

Author: Claire Farmer – Planner / Simon Hindson – Team Leader

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

Relevant Plans: Plan 1 - 2040-90-100 REV B Location Plan

Plan 2 - 180492-000-CAM-DR-C-001 REV 1 - Road Layout Plan

Plan 3 - 180492-000-CAM-DR-C-002 REV 1 – Junction Details Plan

Plan 4 - 180492-000-CAM-DR-C-005 REV 1 - Road Long Section

Plan

Plan 5 - 180492-000-CAM-DR-C-009 REV 1 - Visibility Splay Plan

(Culloden Academy Junction)

Plan 6 - 180492-000-CAM-DR-C-010 REV 1 - Visibility Splay Plan

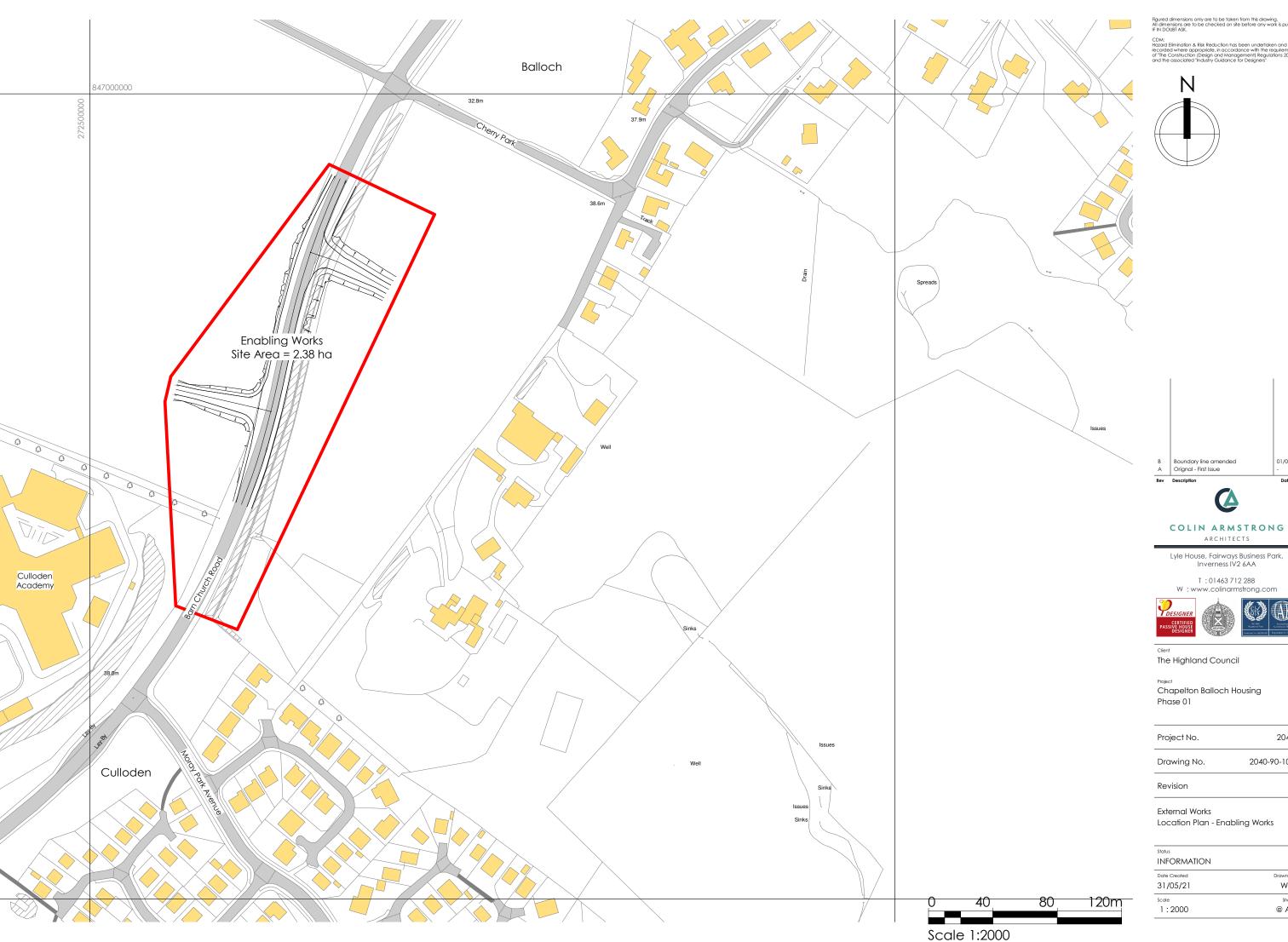
(Chapleton Farm Junction)

Plan 7 - 180492-000-CAM-DR-C-020 REV 1 – Drainage Layout

Plan 8 - 00002 - Tree Protection Plan

Plan 9 - Sheet 2 - Tree Constraints Plan

6





01/06/21

2040

T:01463712288 W:www.colinarmstrong.com

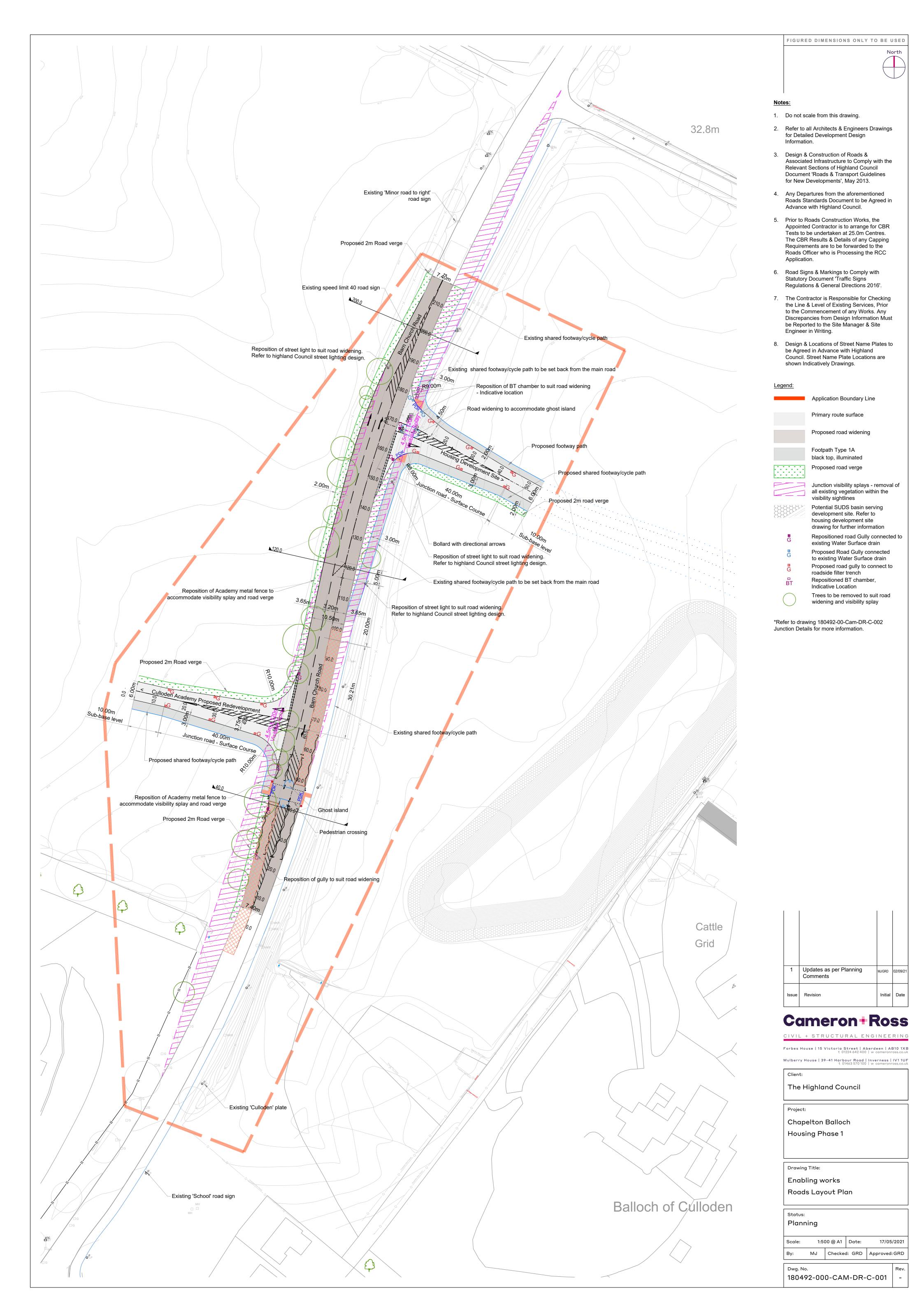


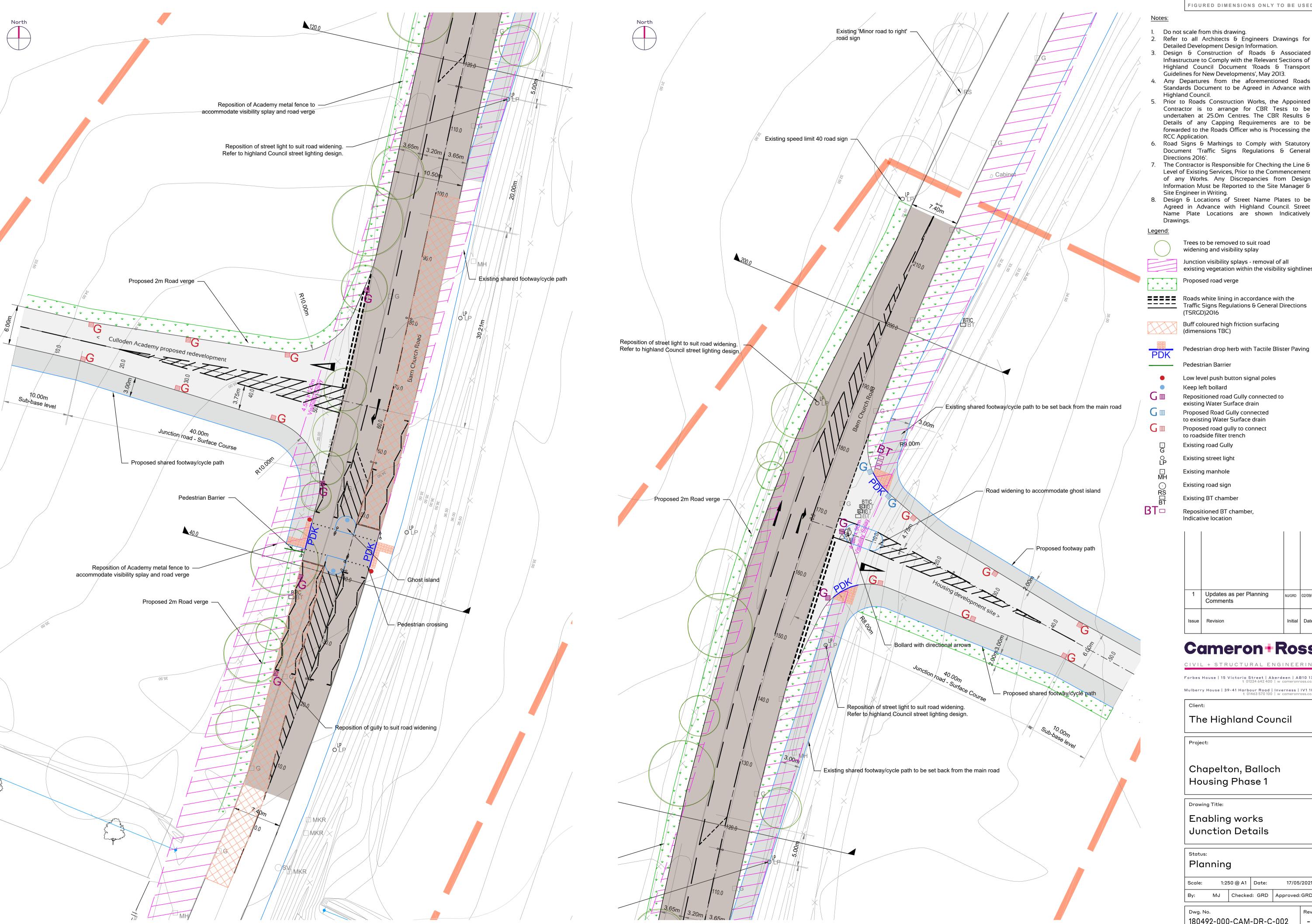
Chapelton Balloch Housing

2040-90-100

Location Plan - Enabling Works

Drawn by WM Sheet @ A3





FIGURED DIMENSIONS ONLY TO BE USED

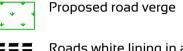
Do not scale from this drawing.

- 2. Refer to all Architects & Engineers Drawings for
- Detailed Development Design Information. 3. Design & Construction of Roads & Associated Infrastructure to Comply with the Relevant Sections of
- Guidelines for New Developments', May 2013. 4. Any Departures from the aforementioned Roads Standards Document to be Agreed in Advance with Highland Council.
- Prior to Roads Construction Works, the Appointed Contractor is to arrange for CBR Tests to be undertaken at 25.0m Centres. The CBR Results & Details of any Capping Requirements are to be forwarded to the Roads Officer who is Processing the RCC Application.
- 6. Road Signs & Markings to Comply with Statutory Document 'Traffic Signs Regulations & General Directions 2016'.
- 7. The Contractor is Responsible for Checking the Line θ Level of Existing Services, Prior to the Commencement of any Works. Any Discrepancies from Design Information Must be Reported to the Site Manager & Site Engineer in Writing.
- 8. Design & Locations of Street Name Plates to be Agreed in Advance with Highland Council. Street Name Plate Locations are shown Indicatively Drawings.

Trees to be removed to suit road widening and visibility splay



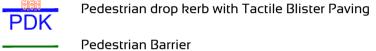
Junction visibility splays - removal of all existing vegetation within the visibility sightlines



TELL Roads white lining in accordance with the Traffic Signs Regulations & General Directions (TSRGD)2016



Buff coloured high friction surfacing (dimensions TBC)



Low level push button signal poles Keep left bollard Repositioned road Gully connected to

existing Water Surface drain Proposed Road Gully connected to existing Water Surface drain Proposed road gully to connect

to roadside filter trench

Existing road Gully Existing street light

Existing manhole

Existing road sign

Repositioned BT chamber, Indicative location

Updates as per Planning Comments

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The Highland Council

Chapelton, Balloch Housing Phase 1

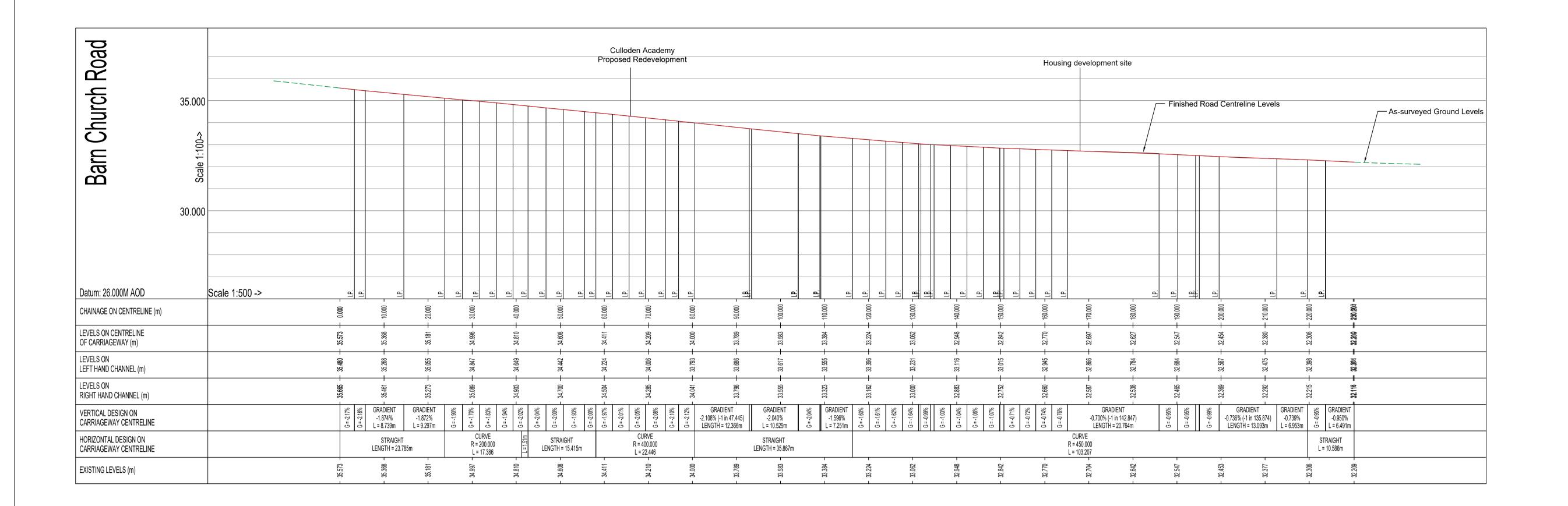
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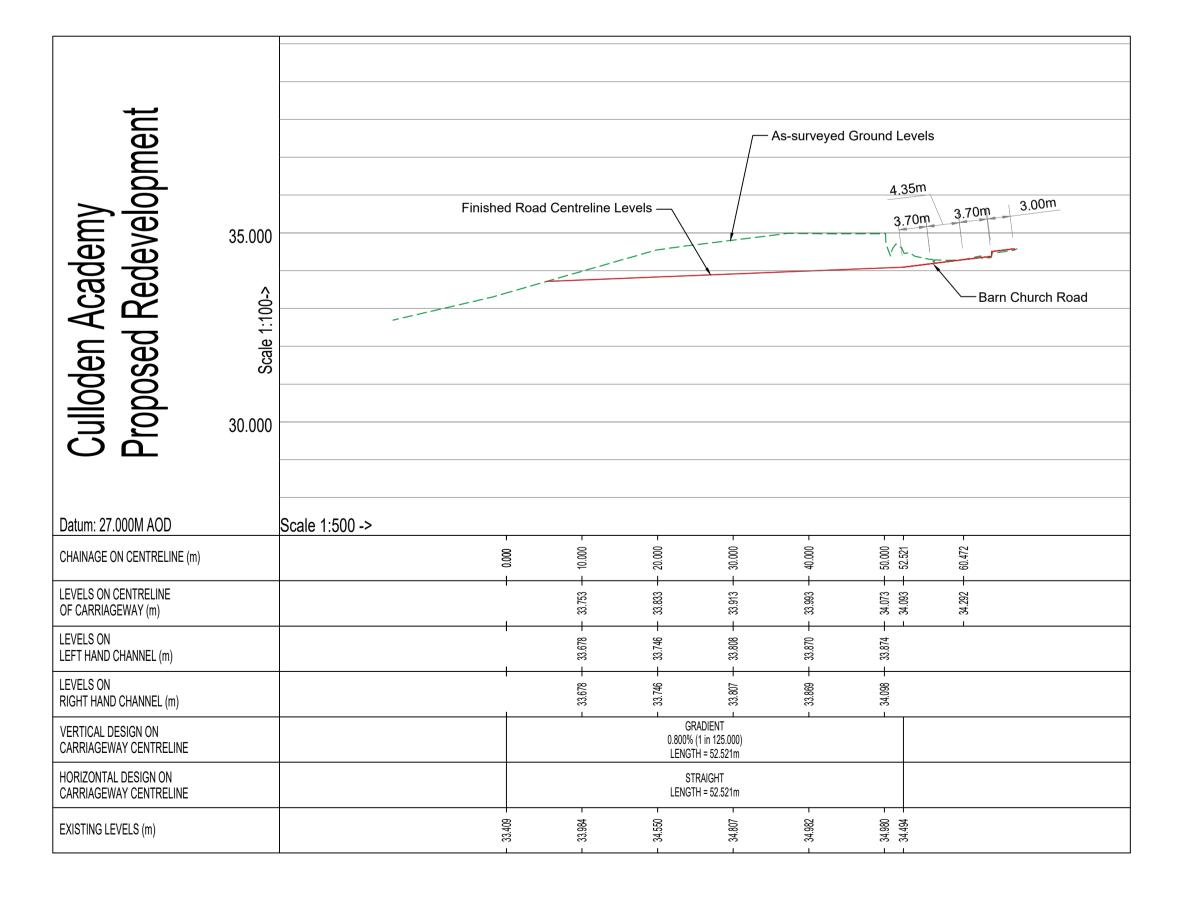
Enabling works **Junction Details**

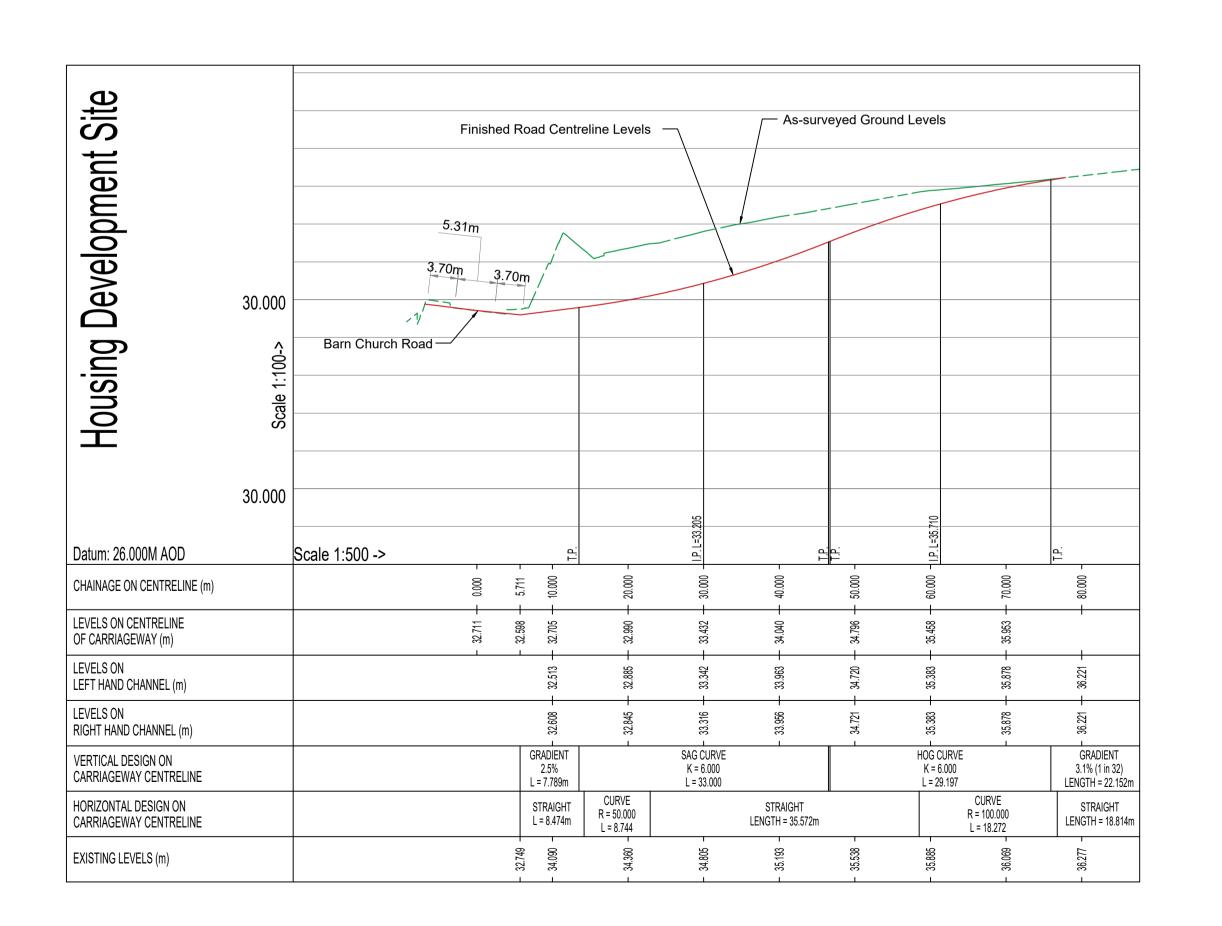
Planning

1:250 @ A1 Date: 17/05/2021 MJ Checked: GRD Approved: GRD

180492-000-CAM-DR-C-002







- 1. Refer to all Architects & Engineers Drawings for Detailed Development Design Information.
- 2. Design & Construction of Roads & Associated Infrastructure to Comply with the Relevant Sections of Highland Council Document 'Roads & Transport Guidelines for New Developments', May 2013.
- Any Departures from the aforementioned Roads Standards Document to be Agreed in Advance with Highland Council.
- 4. Prior to Roads Construction Works, the Appointed Contractor is to arrange for CBR Tests to be undertaken at 25.0m Centres. The CBR Results & Details of any Capping Requirements are to be forwarded to the Roads Officer who is Processing the RCC Application.
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1	Updates as per Planning Comments	MJ/GRD	02/09/21
Issue	Revision	Initial	Date

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Project:

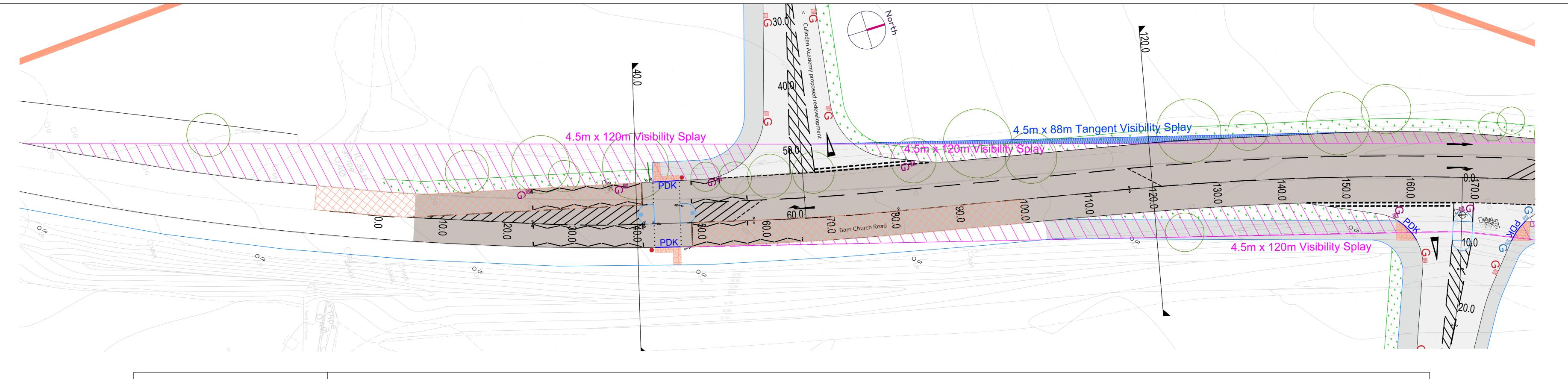
Chapelton, Balloch Housing Phase 1

Drawing Title:

Enabling works Roads Longitudinal Sections

Plann	ing			
Scale:	1:5	500@A1	Date:	27/05/202
Ву:	MJ	Checked	d: GRD	Approved: GRI

180492-000-CAM-DR-C-005



Cullodan Academy Proposed Redevelopment Barn Church Road Visibility Splay 4.5m x 120m Point B Datum: 32.000M AOD New Proposed Junction for Culloden Academy Proposed Redevelopment EXISTING CHAINAGE (m) EXISTING LEVELS (m) Final Surface (m) 32.750 33.980 33.98<u>0</u> PROPOSED LEVELS (m)

4.5m x 120 m Visibility Splay To Left (Looking North on Barn Church Road)
Scale 1:250

	Driver Eyeli 1050m	Driver Eyeli 2000mm	ine	Tangont	Visibility Splay 4.5m x	99m							
		Point A		rangent	Visibility Spiay 4.5iii x	00111					2000mm		
Datum: 32.000M AOD		New Propo	osed Junction for Cullode Proposed Redevelopmen	n it							Point B		
EXISTING CHAINAGE (m)		0.000 -	- 10.000	- 20.000 -	-30.000-	- 40.000 -	- 50.000 -	- 60.000 -	- 70.000 -	- 80.000 -	- 90.406 -		
EXISTING LEVELS (m)		- 34.978	-34.756	- 33.954	-34.088	- 33.671	- 33.392	-33.174	- 33.053	-33.016	-32.876		
Final Surface (m)		- 34.056 –	- 33.979 —	- - 34.422 - 34.342	1	- 33.572	- 33.580 –	-33.425 —	- 33.292 –	-33.198 -	- 32.997 —	1	
PROPOSED LEVELS (m)	35.239 –	34.056 –	33.979	34.393 34.393 34.440		33.572	33.580 –	33.423 —	33.284 –	33.184 –	33.100	33.027	32.986

TANGENT Visibility Splay To Left (Looking North on Barn Church Road)
Scale 1:250

Cullodan Academy Proposed Redevelopment	Driver Ey 2000mm Driver Ey 1050mm	1		Ва	arn Church Road Visibility Spla	y 4.5m x 120m								Point B 2000mm	
		New Proposed Academy Propo	Junction for Culloden osed Redevelopment											200111111	
Datum: 24.000M AOD															
EXISTING CHAINAGE (m)		- 0.000 -	- 10.000 -	- 20.000 -	- 30.000 -	- 40.000 -	- 50.000 -	- 60.000	- 70.000 -	- 80.000	- 90.006 -	-100.000-	-110.000-	-120.000-	
EXISTING LEVELS (m)		- 34.979 -	-35.182 —	- 35.072 —	- 35.011	- 35.329 —	- 35.626 —	- 35.500 —	- 35.205	-36.216	- 36.388 —	-36.465	- 36.589 -	-36.608	
PROPOSED LEVELS (m)	-33.978 -33.937 -33.980	-34.065	-34.306											I	

4.5m x 120 m Visibility Splay To Right (Looking South on Barn Church Road)
Scale 1:250

1	Updates as per Planning Comments	MJ/GRD	02/09/21
Issue	Revision	Initial	Date

FIGURED DIMENSIONS ONLY TO BE USED

Trees to be removed to suit road widening and visibility splay

Roads white lining in accordance with the
Traffic Signs Regulations & General Directions
(TSRGD)2016

Pedestrian drop kerb with Tactile Blister Paving

Repositioned road Gully connected to

Buff coloured high friction surfacing (dimensions TBC)

Low level push button signal poles

existing Water Surface drain Proposed Road Gully connected to existing Water Surface drain

Proposed road gully to connect to roadside filter trench

Keep left bollard

Existing road Gully

Existing street light

Existing manhole

Existing road sign

Existing BT chamber

Indicative location

Repositioned BT chamber,

----- Pedestrian Barrier

Proposed road verge

Junction visibility splays - removal of all existing vegetation within the visibility sightlines

Tangent visibility splays - removal of all existing vegetation within the visibility sightlines

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The Highland Council

Chapelton, Balloch

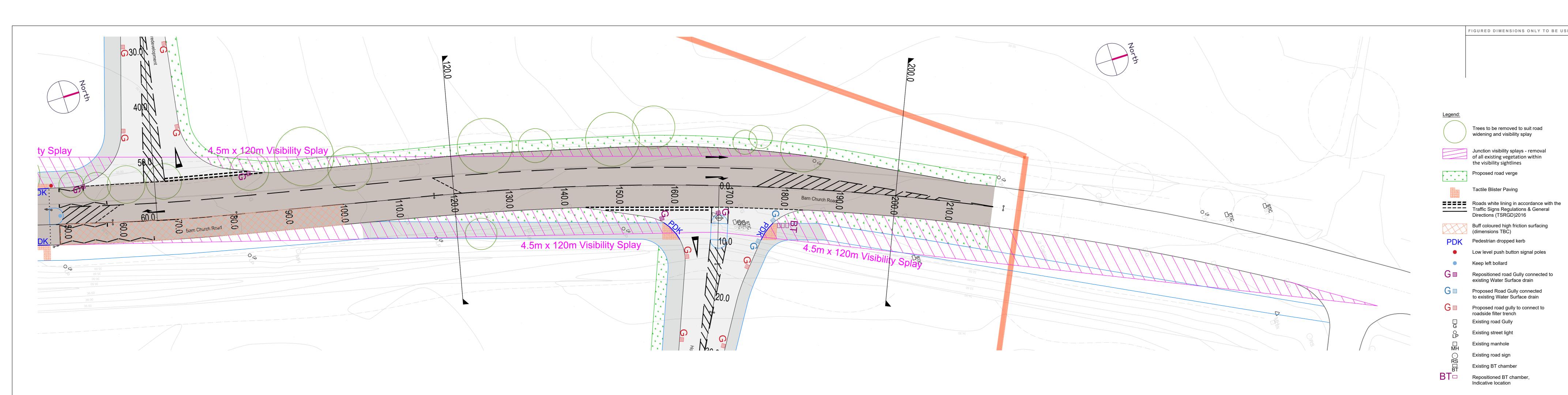
Housing Phase 1 Drawing Title:

Enabling Works Junction Visibility Splay

Status: Planning

Scale: 1:250 @ A0 Date: 28/05/2021 By: MJ Checked: GRD Approved: GRD

Dwg. No. Rev. 180492-000-CAM-DR-C-009 1



Housing Development Site														
]	Driver Eyeline 2000mm Driver Eyeline 1050mm			Barn Chu	rch Road Visibility	Splay 4.5m x 120m		muslionisma ionisma io					
Detuce 07 000M AOD		New Propo for Housing	sed Junction g Development											Point B ₁ 2000mm
Datum: 27.000M AOD EXISTING CHAINAGE (m)		- 0.000	- 10.000	- 20.000	-30.000	- 40.000	- 50.000	- 60.000	- 70.000	- 80.000	- 90.000 -	-100.000	-110.000	-120.000
EXISTING LEVELS (m)		-33.476	- 32.917	-32.552	- 32.552	- 32.493	- 32.409	-32.316	-32.215	- 32.148	- 32.081	- 31.994	- 31.751	-31.637
PROPOSED CHAINAGE (m)	15.000- 13.131- 10.000-	- 0.000	- 10.000) - - - -	- 24.727 =	- 40.000	- 50.000 -	-61.142	•	•	,	,	,	•
PROPOSED LEVELS (m)	-32.880 -32.858 -32.772	32.665	-32.616	į	32.555	-32.586 —	32.504	- 60.000 -	- 70.000 -	- 80.000 -	- 90.000 -	-100.000-	-110.000-	-120.000-

4.5m x 120 m Visibility Splay To Right (Looking South on Barn Church Road)
Scale 1:250

Housing Development Site	Driver Eyeline 2000mm Driver Eyeline 1050mm			Barn Church Road Visibility Spl	ay 4.5m x 120m					Point B 2000mm
	N	int A w Proposed Junction Housing Development								260mm_
Datum: 27.000M AOD										
EXISTING CHAINAGE (m)	- 0.000	- 10.000 -	- 20:000 -	-30.000-	- 50.000 -	- 000.000	- 70.000 -	- 90.000 -	-100.000-	-119.348-
EXISTING LEVELS (m)	-33.476	- 33.664 —	-33.679	-33.588 -	-33.682	- 33.597 —	-33.808	- 34.020 +	- 34.448 -	-34.722
PROPOSED CHAINAGE (m)	15.000-	-10.000	00.	-30.000 -	- 50.000 -	-58.435 -	-70.000-	- 90.000 -	-100.000-	-120.000-
PROPOSED LEVELS (m)	32.702	32.788	<i>γ</i> κ.	33.158 +	33.432	33.574 	33.810 —	34.259	34.485	34.864

4.5m x 120 m Visibility Splay To Right (Looking South on Barn Church Road)
Scale 1:250

1	Updates as per Planning Comments	MJ/GRD	02/09/21
Issue	Revision	Initial	Date

FIGURED DIMENSIONS ONLY TO BE USED

Trees to be removed to suit road widening and visibility splay

Junction visibility splays - removal of all existing vegetation within the visibility sightlines

Tactile Blister Paving

Keep left bollard

Existing road Gully

Existing street light

Existing manhole

Existing road sign

Existing BT chamber

Repositioned BT chamber, Indicative location

Repositioned road Gully connected to existing Water Surface drain

Proposed Road Gully connected to existing Water Surface drain

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The Highland Council

Chapelton Balloch

Housing Phase 1

Project:

Drawing Title:

Enabling Works Junction Visibility Splay

Status: Planning

Scale: 1:250 @ A0 Date: 28/05/2021 By: MJ Checked: GRD Approved: GRD

Dwg. No. Rev 180492-000-CAM-DR-C-010 1

