Agenda Item	6.3
Report No	PLS-07-22

#### **HIGHLAND COUNCIL**

**Committee:** South Planning Applications Committee

Date: 8 February 2022

**Report Title:** 21/04703/MSC: The Highland Council Housing

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

**Report By:** Area Planning Manager - South

#### Purpose/Executive Summary

- **Description:** 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
- Ward: 17 Culloden And Ardersier

#### Development category: Local

#### Reason referred to Committee: More than 30 residential units

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 **APPROVE** the application as set out in section 11 of the report.

#### 1. PROPOSED DEVELOPMENT

- 1.1 This submission seeks approval of the matters specified in Condition 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) attached to planning permission in principle 19/04213/PIP granted on 2 August 2021 which was for a total of 298 residential units in respect of the Chapleton Farm masterplanned residential development.
- 1.2 This application is for the first phase of the development and will comprise of 49 affordable homes in a range of affordable tenures including but not limited to social rent and low cost home ownership. The mix of units is outlined below and is reflective of the housing need in the area:
  - 12 x 1 bedroom flats;
  - 4 x 2 bedroom flats;
  - 8 x 2 bedroom houses;
  - 4 x 2 bedroom bungalows;
  - 16 x 3 bedroom houses; and
  - 5 x 4 bedroom houses.

The application also includes all roads and drainage infrastructure to serve the first phase as well as delivery of the community open space which will comprise amenity space, play space and public art provision.

- 1.3 No formal pre-application advice was undertaken with the Planning Authority prior to submission. However a virtual workshop took place between officers in development management and transport planning to review the proposed layout and the compliance with the Chapleton Farm Masterplan.
- 1.4 The application was supported by:
  - Arboricultural Method Statement;
  - Drainage Statement;
  - Tree Survey;
  - Landscape Specification and Maintenance Schedule;
  - Archaeological Written Scheme of Investigation;
  - Access Management Plan;
- 1.5 Since validation of the application the following variations have been made:
  - Amendment to location of footpaths adjacent to carriageways;
  - Amendment to parking layouts;
  - Relocation of bin uplift points;
  - Reconfiguration of some units to better address the street;
  - Change to fenestration on some properties for consistency in approach and

to provide overlooking of streets and public spaces;

- Provision of revised Access Management Plan
- Provision of revised landscape specification and maintenance schedule;
- Updated drainage calculations and Drainage Impact Assessment;
- Revised drainage strategy;
- Revised landscaping to restrict new trees to lower growing species;
- Provision of bollards to prevent use of path to Cherry Park by vehicles.

#### 2. SITE DESCRIPTION

- 2.1 The site comprises an area of predominantly agricultural ground to the south of Barn Church Road between the Culloden and Balloch areas of Inverness. The Inverness to Perth Railway forms the southern boundary of the wider site. This first phase of development is bounded to the east by a belt of woodland which will be passed into community ownership in due course.
- 2.2 There are no natural or cultural heritage designations covering the site. However, the site of the former St Mary's Chapel is located to the south west of the developed area. There are further sites of archaeological interest recorded in the Highland Historic Environment Record within the vicinity of the site.
- 2.3 There is an area of flood risk running through the site adjacent to the watercourse to the east of the proposed developed area of the site.
- 2.4 There are largely open views from the site across the Moray Firth toward the Black Isle. The site is not covered by any national, regional or local landscape designations. The site lies within the Urban Landscape Character Type as identified by Scottish Natural Heritage.

#### 3. PLANNING HISTORY

3.1	16.11.2021	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	
3.2	22.12.2021	21/0300/FUL - Construction of upgraded junction to serve Culloden Academy and Housing Development	•
3.3	02.08.2021	19/04213/PIP - Erection of 298 dwellings and associated works	Planning Permission in Principle Granted
3.4	07.05.2019	19/01255/PAN – Proposed Residential Development of circa 300 units	Case Closed

3.5 02.05.2019 19/01482/SCRE – Proposed Residential EIA Not Development of circa 300 units Required

#### 4. PUBLIC PARTICIPATION

4.1 Advertised: Schedule 3 Development and Unknown Neighbour

Date Advertised: 22.10.2021

Representation deadline: 05.11.2021

Timeous representations: 1

Late representations: 0

- 4.2 Material considerations raised are summarised as follows:
  - Poor design of houses;
  - Lack of sustainable energy solution and insulation;
  - Lack of dedicated cycle stores;
  - Risk of increased surface water run off
- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet <u>www.wam.highland.gov.uk/wam</u>.

#### 5. CONSULTATIONS

- 5.1 **Balloch Community Council** did not respond to the consultation.
- 5.2 **Access Officer** does not object to the application following the submission of a revised Access Management Plan. Concerns were raised initially over the lack of information in the submission however a revised plan was submitted that detailed areas that will not benefit from access rights; edging and construction of paths; maintenance of paths; and inclusion of a link to the path around the surface water drainage basin.
- 5.3 **Contaminated Land Team** do not object to the application. It notes that there are no issues of concern within the red line boundary for phase 1.
- 5.4 **Flood Risk Management Team** do not object to the application following submission of revised drainage strategy and drainage calculations. As originally submitted the applicant proposed storage of storm water in the carriageway prior to discharge to the road gullies. After this was modified to redirect storm event exceedance flows to the surface water detention basin the Flood Risk Management Team were satisfied the relevant conditions were satisfied. It notes that in later phases of development there would be an element of flooding in the pipe network of later phases based on current modelling but this can be designed out when later phases of development are brought forward for detailed design. It is content that no element of this phase of development is within 6m of the watercourse.
- 5.5 **Forestry Officer** does not object to the application. It is noted that 30 individual trees and one tree group will be removed to accommodate the development. This is considered acceptable subject to appropriate compensatory planning. Also

identified is that one of the trees may be affected by construction of the access but again this impact is accepted as necessary. The 15m setback from the trees in the woodland around the northern side of the site is welcomes. A request is made in respect of further consideration of the construction haul road, so it does not adversely affect retained trees.

- 5.6 **Historic Environment Team** do not object to the application. It has reviewed the submitted archaeological evaluation report and agrees with its findings which state that there is potential for further buried features to be present on the site and that a watching brief is required during construction. A written scheme of investigation will be required in advance of the start of the works. This will require to outline the post-excavation analysis and reporting on any finds.
- 5.7 **Transport Planning Team** do not object to the application following submission of revised layouts and provision of further information and clarifications. It originally raised concern over the location of footpaths, crossing points, visibility within the development, number of parking space to be provided, lack of information on the ability of the layout to accommodate refuse vehicles and provision of bin uplift points, lack of information on vesting of the surface water drainage system, street lighting, bus stops with real time information and safe routes to school. Following further information on each of these matters be provided, including provision of revised plans, it has no objection to the application.
- 5.8 **Scottish Water** do not object to the application. At this time, it cannot confirm capacity in the water or waste water treatment facilities. It explains that there is a Scottish Water asset within the application site which requires to be safeguarded and that no surface water connections will be permitted into its combined surface water drainage system.

#### 6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

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

- 01 Completing the Unconstrained City Expansion Areas
- 09 A96 Corridor Phasing and Infrastructure
- 28 Sustainable Design
- 29 Design Quality and Place-making
- 30 Physical Constraints
- 31 Developer Contributions
- 32 Affordable Housing
- 34 Settlement Development Areas
- 42 Previously Used Land
- 51 Trees and Development
- 55 Peat and Soils
- 56 Travel
- 57 Natural, Built and Cultural Heritage
- 58 Protected Species
- 59 Other important Species
- 60 Other Importance Habitats

- 61 Landscape
- 63 Water Environment
- 64 Flood Risk
- 65 Waste Water Treatment
- 66 Surface Water Drainage
- 72 Pollution
- 73 Air Quality
- 74 Green Networks
- 75 Open Space
- 77 Public Access

#### 6.2 Inner Moray Firth Local Development Plan (2015)

Inverness Settlement Development Area

Allocation IN87 – Community Use

#### 6.3 Highland Council Supplementary Planning Guidance

Construction Environmental Management Process for Large Scale Projects

(August 2010)

**Developer Contributions (November 2018)** 

Flood Risk and Drainage Impact Assessment (Jan 2013)

#### 6.4 Inner Moray Firth Plan 2

The Inner Moray Firth Local Development Plan is currently under review. The Proposed Plan will be subject to consultation from March 2022. The site was identified as a preferred site for development in the Main Issues Report. The content of the proposed plan was reported to both the City of Inverness Area Committee and Economy and Infrastructure Committee late 2021. This has identified this site as allocation IN102 and recommends appropriate mitigation of historic interests.

#### 7. OTHER MATERIAL POLICY CONSIDERATIONS

### 7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (2014) National Planning Framework 3 (2014) Draft National Planning Framework 4 (2021) Designing Streets (2010) Creating Places (2013) PAN 42 Archaeology PAN 61 Planning for Sustainable Urban Drainage Systems (SUDS) PAN 68 Design Standards PAN 74 Affordable Housing PAN 77 Designing Safer Places PAN 79 Water and Drainage

#### 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 principle of the development has been established through the previous permission. This submission seeks to approve matters specified in conditions of the planning permission in principle. In order to address the determining issues therefore, Committee must consider the extent to which the proposal continue to comply with development plan policy, the provisions of the conditions attached to the planning permission in principle and take into consideration any other material considerations.

#### Development plan/other planning policy

- 8.4 When the planning permission in principle (19/04213/PIP) was determined, the Inner Moray Firth Local Development Plan had not yet progressed to the Main Issues Report stage. It is now approaching the Proposed Plan stage but as that has not yet been published it does not yet have weight as a material consideration.
- 8.5 A draft of National Planning Framework 4 was published late 2021. Once adopted National Planning Framework 4 will become an adopted part of the Development Plan. However, at this time the draft document holds limited weight in the decision making process.
- 8.6 Therefore, this report will only consider the submissions made in relation to the relevant conditions attached to the planning permission in principle and assess its compatibility with the extant Development Plan.

#### **Design and Layout (Condition 2)**

8.7 In September 2021 the applicant submitted an application to satisfy condition 2a of the planning permission in principle which related to the provision of an Area Development Brief. This set out the design parameters for this first phase of development in relation to: Conformity with principles and vision of the Chapleton Farm Masterplan; Place-making and public realm; Transportation, access, active travel and connectivity; Drainage, sustainable drainage and the water environment; Landscaping and open space; Public art strategy; Character and design including material palette; and Phasing, implementation and integration. Following consideration of the document and amendments requested by officers, the Area Development Brief was approved in October 2021. This, along with the approved Masterplan for development at Chapleton Farm, the approved Area Development

Brief has guided the design and layout of the first phase of the development.

- 8.8 The first phase of the development is centred round two loop roads, a primary loop off the main spine road which will serve later phases of the development and a secondary loop. A large open space is to be located between Barn Church road and the development and two smaller areas of open space located to the south of the site with an entrance feature formed with stone walls and planting at the northern edge of the housing area. As the site slopes downward from south east to north west, a series of platforms will be used to deliver the development. These will be delivered through landscaped strips between blocks of development rather than via retaining structures. These manage the levels using slopes of gradients no more than 1 in 2 and they will be planted with grass. The layout will not affect amenity of existing properties and due to the layout of the development, with sufficient spacing between properties, it is not anticipated any issues regarding privacy between properties will arise. A solar study has been submitted with the application, which demonstrates that during winter months, parts of the site will be in shadow early morning. This is however common due to the northerly latitude. The principle rooms of the properties will still enjoy sufficient daylight later in the day. There is no concern regarding overshadowing from neighbouring properties within the development in spring, summer or autumn months. The general layout accords with the principles of the approved masterplan and Area Development Brief.
- 8.9 The buildings within the development are either two storey or single storey (bungalows only). The flatted blocks are finished in a mix of white render (ground floor) and brown wood effect cement board (first floor) with grey concrete roof tiles. The majority of the two storey houses are finished in a grey facing brick as an accent material against white render. Some however have grey cement board as an accent material in common with the bungalows within the development. Windows and doors across the development will be formed from aluminium clad timber. The siting of the properties on the plots is considered to create a sense of enclosure at key junctions. On the main loop road parking is located to the side of properties so that car dominance will be reduced. For those properties located off the secondary loop and the shared driveways, parking is to the front of the properties but due to the nature of these roads as shared surfaces, this is not problematic.
- 8.10 A representation raised concern over the design of the houses within the development. Following negotiation with the applicant, the houses have either been redesigned to have principal elevations facing onto the roads within the development or have had further windows added to provide overlooking to the landscaping areas and public realm. Further, the design of the windows has been modified on the flatted blocks for consistency of fenestration across the blocks. Following these modifications, the scale, design and material finish of the properties is considered appropriate for the site and are in accordance with the principles in the Area Development Brief.
- 8.11 Heating and hot water within the development will be provided by air source heat pumps. The infrastructure for this will be housed within a plant room on the flatted blocks and away from the principal elevations for the other properties within the development. A representation has raised concern over the lack of information on insulation as part of the application. This is however a matter for Building Standards and not Planning. The applicant has however committed to delivery of insulation to

the relevant building standards.

## Roads, Access, Servicing, Parking and Wider Access (Condition 2, 3, 10, 13, 14, 22, 23)

- 8.12 The site will be accessed via a new junction from Barn Church Road. The principle of this was established through the planning permission in principle. The detail of the access, which will also provide access to a redeveloped Culloden Academy, was granted planning permission by South Planning Applications Committee in December 2021 (21/03000/FUL). Once within the development, the whole road network will be adopted by the Council. A Road Construction Consent application is currently being processed.
- 8.13 The road layout as submitted required some further modifications to enhance nonmotorised user priority and provide appropriate infrastructure for active travel within the development. This included the provision of raised tables at junctions within the development providing access into the main loop to slow traffic and provide pedestrian priority. Road narrowing is now also proposed on the main spine road to reduce speeds and provide shorter and safer crossings of the road for nonmotorised users. All roads intended to connect to future phases will be delivered up to the boundary of this phase of development. As a result of the modifications, it is now considered that the road layout within the development
- 8.14 A bus stop is to be located on the spine road in the development and, following negotiation by officers in Transport Planning, the proposed bus stop now includes real time information. The bus route will enter the site via Barn Church Road, follow the primary loop around phase 1 and then exit via Barn Church Road. The original drawings submitted with the application intimated that the bus may also continue around the secondary loop at the south eastern edge of phase 1, however it has subsequently been confirmed by the applicant that this will not be the case. This is welcomed due to the nature of the road layout in that part of the development and the potential conflict with non-motorised users.
- 8.15 Following changes secured by officers, the development site now includes additional or improved active travel connections within the site and toward Barn Church Road. Some of these form part of the safe route to school network for the residents in the proposed development and the wider area. Around the primary loop road there is a 2m wide footpath adjacent to the carriageway. This will allow connection through the development and the adjacent woodland to residential development in Balloch to the north east. The main spine road will include a 3m wide active travel route adjacent to the carriageway. This will connect to the path around the surface water draining basin and down to Barn Church Road both adjacent to the carriageway and through the open space. This will be finished in tarmacadam to facilitate its use for walking, cycling and wheeling to Culloden Academy and other facilities in the area. Cherry Park will also be connected to the main spine road with a pedestrian priority crossing. To avoid motorised vehicles using this route, bollards will be placed at the end of Cherry Park where it will be stopped up. Cherry Park will also be fully lit as part of this development to allow for a safer route to school for pupils already using this route to access Culloden Academy from Balloch. It will also provide a safe route to school from the development to Balloch Primary School. These matters are outlined in the revised

Access Management Plan which is to the satisfaction of the Access Officer. Transport Planning is also content with the details provided for pedestrian movement. It has however highlighted that detailed design matters will be addressed through the Road Construction Consent process.

- 8.16 Transport Planning has reviewed the car parking provision within the development. Following the reconfiguration of car parking for the flatted blocks, it is satisfied that the parking provision it meets with the approach set out in the Roads and Transportation Guidelines for New Developments.
- 8.17 Each residential unit will have its own accessible private garden where bikes can be stored. A representation submitted on the application does not consider this to be sufficient. Instead, the member of the public making a representation suggests that each property should be provided with a shed for storage of multiple bikes. This is however a matter for the applicant to consider depending on the final tenure of the property. The approach taken is in accordance with the Council's Roads and Transportation Guidelines and is accepted by Transport Planning.
- 8.18 The layout of the development has been designed in a manner which means refuse collection can be carried out in line with Council standards. The road layout has been designed to accommodate the Council's refuse vehicles and, following discussion with the applicant, bin uplift points have been appropriately located. The refuse vehicle will not be required to use reversing manoeuvres.
- 8.19 Each property within the development with in-curtilage parking will have infrastructure installed to allow the installation of a electric vehicle charging point on the property. For those properties with communal parking, the applicant has confirmed that it will provide ducting to allow provision of shared facilities for electric vehicle charging. In doing so it has provided 8 communal parking spaces for charging electric vehicles. This is accepted.

#### Landscaping, Open Space, Trees and Public Art

- 8.20 The applicant has provided a landscaping strategy which is considered to reinforce existing landscape features and provide new open space for the existing residents of the area and future residents of the development. The masterplan identified the retention of woodland to the north east of the development. Whilst some trees are being removed in this area, an area of mixed woodland planting will be created to reinforce the edge of the existing woodland. On the advice of the Council's Forestry Officer this is being delivered as species which do not grow to large heights (such as acer, alder, silver birch, hawthorn, aspen and willow) to avoid future conflicts with properties. This is supported. Tree protection fencing is being provided to protect the other trees for retention on the site. There is however a conflict between the delivery of the temporary construction haul road and the tree protection fencing. The applicant is reviewing the position of the haul road to avoid impact on trees in this part of the site. Otherwise, the Council's Forestry Officer is satisfied with the tree protection measures proposed for the development.
- 8.21 Timber fencing will be the boundary treatment for properties. The applicant has however avoided the use of this in areas adjacent to roads, where beech hedging will be used instead. This is welcomed as it will help to enhance the sense of place.

- 8.22 An area of open space is being created on the area of the site between the access to Balloch Farm House and Barn Church Road. This will comprise areas of amenity grassland, species rich grassland tree planting and trim trail play equipment suitable for a range of age groups including balance beams, stepping logs, ladder walks and chin up bars. The path network that connects this site to the wider area, runs through the site. Pockets of landscaping are located around the primary loop road and area to include tree and shrub planting. Gardens will be laid to grass. Overall, it is considered the landscaping and open space proposals are well considered and will help to integrate the development into the landscape.
- 8.23 The applicant is proposing the inclusion of an entrance feature for the development in the form of a curved stone wall. This will help to create a sense of arrival and identity for the development. The open space will include a seating area with bespoke street furniture and Corten<sup>R</sup> steel panels which include information on local history. The content of the information panels will be finalised following archaeological site investigations. The proposed inclusion of these features is welcomed and is considered to accord with the provisions of the Council's Public Art Strategy.

#### Flood Risk and Drainage

- 8.24 No part of the site at risk of fluvial flooding and it is remote from the watercourse which runs through the south western edge of the development. Given the properties are remote from the watercourse, by default this phase of development meets with the provisions in the planning permission in principle for a 6m set back of development from the top of bank of the watercourse.
- 8.25 The applicant has submitted a drainage strategy which comprises a surface water drainage solution for road and a separate system for other surface water run-off. The applicant has advised that Scottish Water have confirmed that, subject to a technical audit, the proposed surface water drainage system is capable of being vested by Scottish Water. The roads related drainage will be adopted by the Council, subject to detailed design proposals being found acceptable through the Road Construction Consent Process.
- 8.26 The proposed surface water drainage system consists of on-site surface water sewers, a detention basin with controlled discharge via an outfall swale to the watercourse. This has been designed to limit discharge to pre-development run-off rates. The applicant's calculations for this have been accepted by the Flood Risk Management Team. The submitted strategy demonstrates that there is potential in the 1 in 30 years storm event that the pipework in later phases of development may be subject to flooding, however this is based upon an indicative design and the Flood Risk Management Team consider that this can be designed out at the detailed design stage for future phases of development.
- 8.27 The overland flood exceedance routing does however show that in a 1 in 200 year storm event, that surface water would pool on the access road. The applicant has designed the road to store this water between two raised platforms which are to be included for traffic calming, prior to the water being directed toward the roadside gullies for discharge into the wider surface water drainage system. The Council's

Flood Risk Management Team questioned the feasibility of this approach given this part of the site is on a slope. The applicant was therefore asked to investigate an alternative drainage design to avoid this issue. The applicant has changed the location of the raised platform on the road and created a low point in the road, which will now divert any overland flows in a storm event into the surface water drainage basin. This approach has been accepted by the Flood Risk Management Team subject to the detailed design of the raised table being considered in the Road Construction Consent application.

8.28 The applicant has submitted a pre-development enquiry form to Scottish Water to secure a connection to the water and waste water network.

#### Other material considerations

- 8.29 The Council's Contaminated Land Team has confirmed that this part of the site does not include any issues which are of concern due to previous uses.
- 8.30 The Historic Environment Team has requested that an archaeological watching brief is undertaken based upon the findings of the archaeological investigations to date. The applicant is committed to undertaking the watching brief and the post-excavation evaluation.

#### Matters to be secured by Section 75 Agreement

- 8.31 An obligation in terms of Section 75 of the 1997 Planning Act relates to this development and was secured via the planning permission in principle. The terms of the Section 75 Obligation are as follows:
  - a) Contributions to the delivery of enhanced Primary Education capacity within the City of Inverness, in the first instance to a two classroom extension at Balloch Primary School to mitigate the impacts of the first phase of the development (units 1-49);
  - b) Contributions to the delivery of enhanced Primary Education capacity within the City of Inverness, in the first instance to the delivery of a new primary school within the Culloden Academy Catchment Area to mitigate the impacts of the phases 2-5 of the development (units 50-298);
  - c) Contributions to the delivery of enhanced Secondary Education capacity within the City of Inverness, in the first instance to the delivery of a major school extension at Culloden Academy to mitigate the impacts of the development;
  - d) Contributions to the delivery of enhanced community facilities within the Culloden Academy Catchment Area; in the first instance toward the delivery of a sports facility at Inverness Campus;
  - e) Contributions to the provision of the Inverness to Nairn Coastal Trail;
  - f) Contributions to the provision of enhanced core path to the each of the site on land outwith the applicants control;
  - g) Contributions to the provision a reduced speed limit on the B9006 Culloden Road and signalisation of Barn Church Road / Tower Road junction (of

enhanced footpath network within the site;

- h) Contributions to the recycling point provision;
- i) Minimum of 25% affordable housing to be delivered on-site at a scheme to be agreed prior to commencement of development.

#### 9. CONCLUSION

- 9.1 The application will deliver 49 affordable homes across a mix of tenures on a site where the principle of development has been established. The applicant has worked with Council officers to address areas of concern related to design, layout connectivity and drainage.
- 9.2 It is considered that the applicant has resolved all outstanding issues and met the provisions of the relevant pre-commencement conditions. The applicant has demonstrated that the site constraints have been effectively managed and an appropriate layout and design of the development can be achieved in accordance with the approved masterplan and Area Development Brief for development at Chapleton Farm.
- 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: The applicant will provide infrastructure for electric vehicle charging and the homes will have heating and hot water provided via air source heat pumps.
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

#### 11. **RECOMMENDATION**

#### Action required before decision issued

Notification to Scottish Ministers N

Conclusion of Section 75 N Obligation

Revocation of previous permission N

**Subject to the above actions,** it is recommended that Members **APPROVE** the application.

#### 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 59 (5) and (7) of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within TWO YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse. Thereafter an application or applications for the approval of matters specified in conditions attached to planning permission in principle 19/04213/PIP must be made no later than whichever is the latest of the following—

#### For Phase 2-5

- i. The expiry of FOUR YEARS from the date on the decision notice for planning permission in principle 19/04213/PIP;
- ii. The expiry of SIX MONTHS from the date on which an earlier application for the requisite approval was refused; or
- iii. The expiry of SIX MONTHS from the date on which an appeal against such refusal was dismissed.

from the date of the requisite approval of any matters specified in conditions applicable to that phase (or, in the case of approval of different matters on different dates, from the date of the requisite approval for the last such matter being obtained), whichever is the later, unless that phase of the development to which the permission relates is begun before that expiration.

#### 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.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.

2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

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

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

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

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

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

http://www.highland.gov.uk/info/20005/roads and pavements/101/permits for working 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 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: <u>https://www.nature.scot/professional-advice/protected-areas-andspecies/protected-species</u>

Signature:	David Mudie			
Designation:	Area Planning Manager - South			
Author:	Simon Hindson			
Background Papers:	Documents referred to in report and in case file.			
Relevant Plans:	Plan 1 - Location Plan DIHD20040-C0017-ZZ-00-DR-A-9003-S2 REV 01			
	Plan 2 - Site Layout Plan DIHD20040-C0017-ZZ-00-DR-A-0201-D3			

**REV 04** 

Plan 3 - Landscaping Plan 1139-CB-P1-PP-001 REV 5 Plan 4 - House Type 01 DIHD20040\_C0017\_01\_ZZ\_DR\_A\_0201\_D3 REV 04 Type Plan 5 - House 02 DIHD20040\_C0017\_02\_ZZ\_DR\_A\_0201\_D3 REV 0. - House Type 3 1139-CB-P1-PP-001 REV 5 Plan 6 Plan 7 - House Type 4 DIHD20040 C0017 04 ZZ DR A 0201 D3 **REV 01** Plan 8 - House Type 5 DIHD20040 C0017 05 ZZ DR A 0201 D3 **REV 01** - House Type 6 DIHD20040\_C0017\_06\_ZZ\_DR\_A\_0201\_D3 Plan 9 **REV 01** Plan 10 - House Type 7 DIHD20040\_C0017\_07\_ZZ\_DR\_A\_0201\_D3 **REV 01** Plan 11 - House Type 8 DIHD20040 C0017 08 ZZ DR A 0201 D3 **REV 01** Plan 12 - Site Levels Plan (Road Contours Plan) 180492-000-CAM-DR-C-104 REV 3





CDM: Hazard Elimination & Risk Reduction has been undertaken and recorded where appropriate, in accordance with the requirements of "the Construction (Design and Management) Regulations 2015" and the associated "Industry dollarace for Designes"





# Figured dimensions only are to be taken from this drawing. All dimensions are to be checked on site before any work is put in hand. IF IN DOUBT ASK. CDM: Hazard Elimination & Risk Reduction has been undertaken and recorded where appropriate, in accordance with the requirements of "The Construction (Design and Management) Regulations 2015" and the associated "Industry Guidance for Designers"

House Type 01 1B2P Flat - GF Wheelchair accessible

House Type 02 2B3P Flat - GF Wheelchair accessible

**House Type 03** 2B4P Semi - Family House

House Type 04 3B5P Semi - Family House

House Type 05 3B5P Semi - Family House (Detached BT04)

House Type 06 4B6P Detached - Family House 

House Type 07 2B3P Wheelchair accessible bungalow

House Type 08 2B3P Wheelchair accessible bungalow (Detached BT06)

Unit Brief Compo	rison	
1B2P Flats	= 12 Units	- OK
2B3P Flats	= 4 Units	- OK
2B4P Semi	= 8 Units	- OK
3B5P Semi	= 16 Units	- 2 Units extr
4B6P House	= 5 Units	- 1 Unit extro
2B3P Bungalow	= 4 Units	- OK

Total Units = 49 Units BUP - Bin uplift point

VS - Visibility splay

## PHASE 1 : PARKING STRATEGY

<u>Houses</u> - Typically provided with <u>2no. spaces</u> in curtilage Houses 4 bedrooms or more <u>3no. spaces</u> in curtilage

## FLAT BLOCK 16no. Flats

1.2 spaces per flat for occupants = 19.2 (19) spaces 0.3 spaces per flat for visitors = 4.8 (5) spaces 24 Parking spaces required in total

**Refuse Strategy** Each flat & house to have bin storage areas within assigned garden spaces. Bins taken to noted areas for uplifting on collection days

**Cycle Storage** Each flat & house to have assigned private garden spaces to store cycles.

**Outdoor Drying** Each flat & house to have outdoor drying area located in assigned private garden spaces. Minimum 1.7m clothes line per apartment.



COLIN ARMSTRONG ARCHITECTS



### Project Chapelton Housing Phase 01

-----Project No. 2040 \_\_\_\_\_ Drawing No. DIHD20040\_C0017\_ZZ\_00\_DR\_A\_0201\_D3 \_\_\_\_\_ Revision 04 \_\_\_\_\_ **PLANNING SERIES** 

Proposed Site Plan Status

PLANNING Date Created 30/09/21 <sub>Scale</sub> As indicated



FUTURE PHASES

0	4	8	12m
Scale	e 1:20	C	
0	10	20	30m
Scale	e1:500	)	

Drawn by WM 🕺 Sheet eigen Constant Sheet eig



 girth (cm)	notes	totals
12-14	Long single stakes and secured with	4
12-14	adjustable tree ties with spacers - allow for	7
12-14	irrigation/aeration system. 1m diameter clear zone with 75mm deep bark mulch	15
12-14	around all trees within grassland areas.	17
12-14		1
12-14		28
12-14		1
12-14		2
12-14		5
12-14		1
12-14		18
12-14		4
12-14		5
12-14		16
12-14		4
		128

density	notes	totals
40cm c's		195
40cm c's		270
40cm c's	Plant nearer edges	163
40cm c's	Plant nearer edges	292
40cm c's	-	163
40cm c's		110

species	Supply height (mm)	root	form	density	notes	totals
15% Acer campestre	600-900	Bare root	Transplant 1+2	1/m	Plant in irregular groups of 3 -9	186
10% Alnus glutinosa	600-900	Bare root	Transplant 1+2	4.5m c's	Spread evenly through each area	31
15% Betula pendula	600-900	Bare root	Transplant 1+2	1/m2	Plant in irregular groups of 3 -9	186
10% Corylus avellana	600-900	Bare root	Transplant 1+2	1/m2	Plant in irregular groups of 3 -9. Prune to 450mm immediately prior to planting	124
10% Crataegus monogyna	600-900	Bare root	Transplant 1+2	1/m2	Plant on/near edges in groups of 3 to 9. Prune to 450mm immediately prior to planting	124
5% Malus sylvestris	600-900	Bare root	Transplant 1+2	1/m2	Plant in irregular groups of 3 -9	62
10% Populus tremula	600-900	Bare root	Transplant 1+2	1/m2	Plant in irregular groups of 3 -9	124
5% Prunus spinosa	600-900	Bare root	Transplant 1+2	1/m2	Plant on/near edges of in groups of 3 to 9.	62
5% Salix caprea	600-900	Bare root	Transplant 1+2	1/m2	Plant on/near edges in groups of 3 to 9. Prune to 450mm immediately prior to planting	62
5% Sambucus nigra	600-900	Bare root	Transplant 1+2	1/m2	Plant on/near edges of in groups of 3 to 9. Prune to 450mm immediately prior to planting	62
10% Sorbus aucuparia	600-900	Bare root	Transplant 1+2	1/m2	Plant in irregular groups of 3 -9 at 1m centres	124
·			• •	·		1147

species	supply height	root	form	density	not
Fagus sylvatica	800 - 1000	Bare root	Transplant 1+2	Double staggered row – total 8/Im	Prun Mair

Species Rich Grassland – SUE	) (
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species	density	Planting depth	notes	totals
Crocus crysanthus 'Cream Beauty'	20/m2	10cm	In informal groups	1523
Crocus tommasinianus	20/m2	10cm	In informal groups	1523
Galanthus sbsp.	20/m2	5cm	In informal groups	2537
Narcissus 'Jack Snipe'	9/m2	10cm	In informal groups	1142
Cyclamen hederifoloium	9/m2	2.5cm	Under trees	914

Drawing No 1139-CB-P1-PP-001			Revision No	5	
Status Planning		Drawn By	JD	Checked By	RM
<sup>Scale @ A0</sup> 1:500		Date 11.01.2022			
1 Dochfour Business Centre Dochgarroch					
Inverness IV	'3 8GY	í tel	0146	63 861	460

inv@hornermaclennan.co.uk



#### **Elevation A - Planning** Scale - 1 : 100



### Elevation C - Planning Scale - 1:100

First Floor 3075 Ground Floor

Elevation B - Planning Scale - 1:100



**3D Visualisation** Note to scale

### First Floor - Planning

Scale - 1:100



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Proposed External Materials

**Roof:** Dark grey flat profile concrete roof tiles with dark grey single ply membrane over porches/canopies

**External Walls:** White render with vertical wood effect composite wall cladding brown / grey accent.

Bascourse: Dark grey facing brick accent Windows/Doors: Dark grey alu-clad timber sets

Rev	Description	Date			
01	Original - First Issue	-			
02	Gable windows added following planning comments	30/11/21			
03	Gable windows added following planning comments	07/01/22			
04	Windows increased on front elevations	12/01/22			

#### COLIN ARMSTRONG ARCHITECTS

Lyle House, Fairways Business Park, Inverness IV2 6AA T :01463 712 288 W : www.colinarmstrong.com Client The Highland Council Project Chapelton Housing Phase 01 2040 Project No. Drawing No. DIHD20040\_C0017\_01\_ZZ\_DR\_A\_0201\_D3 04 Revision PLANNING SERIES HOUSAE TYPE 01 - 1B2P FLATS Proposed GA Plans & Elevations Status PLANNING Date Created Drawn by 30/09/21 WM Scale Sheet @ A2 1:100

6m

Scale 1:100



Scale - 1:100

### **Elevation A - Planning**



### First Floor - Planning

Scale - 1:100





**Elevation B - Planning** Scale - 1 : 100



2

0

Scale 1:100

6m

**3D Visualisation** Note to scale

Ground Floor Plan - Planning

Scale - 1 : 100

### **Elevation C - Planning**



#### COLIN ARMSTRONG ARCHITECTS

Lyle House, Fairways Business Park, Inverness IV2 6AA T :01463 712 288 W : www.colinarmstrong.com Client The Highland Council Project Chapelton Housing Phase 01 2040 Project No. Drawing No. DIHD20040\_C0017\_02\_ZZ\_DR\_A\_0201\_D3 04 Revision PLANNING SERIES HOUSAE TYPE 02 - 2B3P FLATS Proposed GA Plans & Elevations Status PLANNING Date Created Drawn by 30/09/21 WM Scale Sheet @ A2 1:100

CDM:

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**Elevation A - Planning** Scale - 1:100



**Elevation C - Planning** Scale - 1:100





**Elevation B - Planning** Scale - 1:100



**Elevation D - Planning** Scale - 1:100

#### Proposed External Materials

Roof: Dark grey flat profile concrete roof tiles with dark grey single ply membrane over porches/canopies

External Walls: White render with vertical wood effect composite wall cladding brown / grey accent.

Bascourse: Dark grey facing brick accent

Windows/Doors: Dark grey alu-clad timber sets



**Ground Floor Plan - Planning** Scale - 1 : 100



2

Scale 1:100

First Floor Plan - Planning Scale - 1:100



**3D Visualisation** Note to scale



13:37:41

2021

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**Elevation A - Planning** Scale - 1:100



### **Elevation C - Planning**







**Elevation B - Planning** Scale - 1:100



**Elevation D - Planning** Proposed External Materials Scale - 1:100

Scale 1:100

Note to scale

#### CDM:

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First Floor Plan - Planning Scale - 1 : 100







4:2

02]



#### CDM:

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**Elevation A - Planning** Scale - 1:100





Scale - 1:100









#### **Elevation D - Planning** Scale - 1:100

#### Proposed External Materials

**Roof:** Dark grey flat profile concrete roof tiles with dark grey single ply membrane over porches/canopies

External Walls: White render with vertical wood effect composite wall cladding black / grey accent.

Bascourse: Dark grey facing brick accent.

Windows/Doors: Dark grey alu-clad timber sets



Ground Floor Plan - Planning Scale - 1 : 100

First Floor - Planning Scale - 1:100







Scale 1:100



Elevation A - Planning Scale - 1 : 100



Elevation C - Planning

Scale - 1:100





**3D Visualisation** Note to scale

Ground Floor Plan - Planning Scale - 1 : 100

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#### Proposed External Materials

**Roof:** Dark grey flat profile concrete roof tiles with dark grey single ply membrane over porches/canopies

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Bascourse: Dark grey facing brick accent.

Windows/Doors: Dark grey alu-clad timber sets



Elevation B - Planning Scale - 1 : 100



Elevation D - Planning Scale - 1 : 100



Scale 1:100

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Proposed External Materials



Elevation A - Planning Scale - 1:100

Elevation B - Planning Scale - 1 : 100







Elevation D - Planning Scale - 1 : 100

House Type 08 - 1 x 2B3P Semi Wheelchair Accessible GIFA = 82.64m<sup>2</sup>



Ground Floor Plan - Planning Scale - 1 : 100







1:34

14:3

02]



