| Agenda Item | 6.3 |
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| Report No | PLS-07-22 |

## HIGHLAND COUNCIL

| Committee: | South Planning Applications Committee |
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| 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:

- $12 \times 1$ bedroom flats;
- $4 \times 2$ bedroom flats;
- $8 \times 2$ bedroom houses;
- $4 \times 2$ bedroom bungalows;
- $16 \times 3$ bedroom houses; and
- $5 \times 4$ 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 Application 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 Planning junction to serve Culloden Academy and Permission Housing Development Granted
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 Case Closed Development of circa 300 units

### 3.5 02.05.2019 19/01482/SCRE - Proposed Residential EIA Not

 4. PUBLIC PARTICIPATION4.1 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 www.wam.highland.gov.uk/wam.

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 6 m 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 15 m 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 postexcavation 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 2 m 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 3 m 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 ${ }^{R}$ 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 6 m 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 postexcavation 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 08456018855.

## 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: http://www.highland.gov.uk/yourenvironment/roadsandtransport
Application forms and guidance notes for access-related consents can be downloaded from:
http://www.highland.gov.uk/info/20005/roads and pavements/101/permits for working on public roads/2

## Mud \& Debris on Road

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

Construction Hours and Noise-Generating Activities: You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).
Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.
If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

## Protected Species - Halting of Work

You are advised that work on site must stop immediately, and 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:
Designation:
Author:
Background Papers:
Relevant Plans:

David Mudie
Area Planning Manager - South
Simon Hindson
Documents referred to in report and in case file.
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
Plan 5 - House Type 02
DIHD20040_C0017_02_ZZ_DR_A_0201_D3 REV 0.
Plan 6 - House Type 3 1139-CB-P1-PP-001 REV 5
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
Plan 9 - House Type 6 DIHD20040_C0017_06_ZZ_DR_A_0201_D3 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




Elevation A - Planning


First Floor - Planning
scale - 1: 100



Elevation A - Planning
Scale-1:100


Elevation C - Planning
Scale-1:100


Ground Floor Plan - Planning
Scale-1:100




First Floor Plan - Planning
Scale-1:100

Proposed External Materials
Roof: Dark grey flat profile concrete roof files with dark
grey single ply membrane over porches/canopies grey single ply membrane over porches/canopies External Walls: White render with verical wood effe
composite wall claddding brown / grey accent. Bascourse: Dark grey facing brick accent Windows/Doors: Dark grey alu-clad timberse


Elevation A - Planning
scale - 1:100


Elevation B - Planning
Scale -1:100

Elevation D - Planning

Elevation C - Planning
scale - 1:10

## Ground Floor Plan - Planning



Proposed External Materials
Roof: Dark grey flat profile concrete roof files with dark
grey single ply membrane over porches/conopies
External
External Walls: Dark grey facing brick with white render
accent.
Bascourse: Dark grey facing brick accent.
Windows/Doors: Dark grey alu-clad timber sets


Scale - 1: 100

COLIN ARMSTRONG


The Highland Council

Chapelton Housing Phase 01

Project No.
Drawing No.
DIHD20040_C0017_04_ZZ_DR_A_0201_D3
Revision
PLANNING SERIES
HOUSAE TYPE 04-3B5P Semi Proposed GA Plans \& Elevations
${ }^{\text {Status }}$ PLANNING

| Date Created |
| :--- |
| $30 / 09 / 21$ |



Elevation C - Planning
Scale - 1: 100


Elevation B - Planning
Scale - 1:100 Ploposed Exeenal Mcterides
Roof: Dark grey flat profile concrete roof files with dark
grey single ply membrane over porches/canopies
grey single ply memberane over porchess/canopies Extenal Walls: Dark grey facing bick with white ernder
occent. accent.
brick accent. Windows/Doors: Dark grey alu-clad timber sets


Ground Floor Plan - Planning
Scale - 1:100


First Floor Plan - Planning Scale - 1:100


COLIN ARMSTRONG
ARCHITECTS
Lyle House, Fairways Business Park,
Inverness V2 6 AA
T:01371228
$\uparrow: 01463712288$


Chapelton Housing
Phase 01

Project No.
Drawing No.
DIHD20040_C0017_05_ZZ_DR_A_0201_D3
Revision
PLANNING SERIES
HOUSAE TYPE $05-3 B 5$ P Detached Proposed GA Plans \& Elevations



Elevation A - Planning
scale-1:100


Elevation C - Planning
Scale - 1: 100

House Type 06-4B6P Detached
GIFA $=134.69 \mathrm{~m}^{2}$


Ground Floor Plan - Planning
scale - 1: 100


3D Visualisation
Note to scale


## First Floor - Planning

Scale - 1: 100

Proposed External Materials
Roof: Dark grey flat profile concrete roof files with dark
grey single ply membrane over porches/canopies External Walls: White render with verical wood effect
composite wall cladding black / grey accent. Bascourse: Dark grey facing brick accent. Windows/Doors: Dark grey alu-clad limber sets


COLIN ARMSTRONG
$\qquad$ Lyle House, Fairways Business Park,
Inverness IV2 6AA
-0146712 288
$\dagger: 01463712288$


The Highland Council

Project
Chapelton Housing
Phase 01

Project No.
Drawing No.
DIHD20040_C0017_06_ZZ_DR_A_0201_D3
Revision
PLANNING SERIES
HOUSAE TYPE 06-4B6P Detached Proposed GA Plans \& Elevations
Status
PLANNING

| PLANNING |  |
| :--- | ---: |
| Date Created | Drawn by |
| $30 / 09 / 21$ | WM |
| Scale | Sheet |
| $1: 100$ | @ A2 |



## Elevation A - Planning



Elevation C - Planning
Scale - 1: 100


## Ground Floor Plan - Planning <br> Scale-1:100



3D Visualisation


Proposed Exerenal Materials

 Bascouse: Dark grey facing bick accent:

## Elevation B - Planning



Elevation D - Planning

cient
The
Highland Council
Chapelton Housing Phase 01

Project No.
Drawing No.
DIHD20040_C0017_07_zZ_DR_A_0201_D3
Revision
PLANNING SERES
PLANNING SERES
HOUSAE TYPE 07 - 2B3P - Bungalow Proposed GA Plans \& Elevations


Proposed External Materials
Rooft Dark grey flat profilie concrete roof files with dark
grey single ply memorene over porches/canopies External Walls: White render with verical wood effec Exxernal Walls: White render with verical wood effect
composite wall cladding black / grey accent. Bascourse: Dark grey facing brick accent Windows/Doors: Dark grey alu-clad timber sets


Elevation C - Planning
Scale - 1: 100


Elevation B - Planning
Scale - 1: 100


Elevation D - Planning
Scale - 1:100


## Ground Floor Plan - Planning



3D Visualisation


## (1)

COLIN ARMSTRONG
$\qquad$ Ise, Fairways Busines
Inverness IV2 6AA - 146371228 $T: 01463712288$


The Highland Council
Project
Chapelton Housing
Phase 01

Project No.
Drawing No.
DIHD20040_C0017_08_ZZ_DR_A_0201_D3
Revision

HOUSAE TYPE 08-2B3P - Bungalow Proposed GA Plans \& Elevations

| Status |  |
| :---: | :---: |
| PLANNING |  |
| Date Created | Drawn by |
| 30/09/21 | WM |
| scale | Sheet |
| 1:100 | @ A2 |



