Agenda Item	6.4
Report No	PLS-08-22

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 8 February 2021

Report Title: 21/02989/MSC: Link Group Ltd

Land 130M East of 77 Lochaber Road, Upper Achintore, Fort William

Report By: Area Planning Manager - South

Purpose/Executive Summary

Description: Submission of Matters Specified in Condition 2 (Siting, Design and

Layout) of Planning Permission in Principle 19/00897/PIP - Erection of

27 residential units and associated infrastructure

Ward: 21 - Fort William And Ardnamurchan

Development category: Local

Reason referred to Committee: Community Council objection

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

Recommendation

Members are asked to agree the recommendation to **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 2c (Siting, Design and Layout) attached to planning permission 19/00897/PIP granted on 13 May 2021 that was for a total of 325 residential units in respect of the Upper Achintore masterplanned residential development.
- 1.2 The application is for an area known as Site 5 in the masterplan only. Development commenced on Site 2 and the road layout for the wider development (granted permission under reference 19/00898/FUL) in January 2022. The applicant was advised that in addressing this condition a number of inter-related matters such as drainage, parking and landscaping needed to be considered as well. As this is the case, the applicant submitted the information to allow the development to start on site, without further submissions for matters specified in conditions related to this sub-phase of development, if approval of this application was forthcoming.
- 1.3 This application will allow the delivery of Site 5 of the development which comprises 27 affordable homes including:
 - 16 x 2 bedroom houses;
 - 11 x 3 bedroom houses.

It should be noted that a further 10 affordable homes are within Site 5. These 10 units, the road layout and site profiling (levels) have already obtained planning permission (19/00898/FUL).

- 1.4 No formal pre-application discussion was undertaken prior to submission. A discussion was held with the applicant's agent on the level of information required to satisfy the conditions attached the planning permission in principle.
- 1.5 The application has been supported by:
 - Access Management Plan;
 - Archaeological Written Scheme of Investigation;
 - Community Liaison Group Proposal;
 - Construction Environment Management Plan;
 - Construction Traffic Management Plan;
 - Drainage Calculations;
 - Drainage Statement;
 - Geoenvironmental Interpretive Ground Conditions Report;
 - Landscape and Ecology Report;
 - Landscape Maintenance Plan;
 - Material Datasheets;
 - Peat Management Plan;
 - Planning Statement;

- Transport Statement;
- Visualisations.
- 1.6 Since validation of the application the following variations have been made:
 - Amendment to parking layouts to accommodate comments from consultees;
 - Updated Peat Management Plan;
 - Updated drainage calculations;
 - Updated road layouts to accommodate comments from consultees.

2. SITE DESCRIPTION

- 2.1 Site 5 comprises approximately 2.11 hectares of elevated sloping land on the south eastern edge of Fort William. The site sits in an elevated position (between 90 and 135 metres above sea level) and the existing land use is predominantly rough grassland. Residential development at Glasdrum Court and Raasay Court lie to the north east of the site with Angus Crescent lying to the south of the application site, where development varies between 1 and 3 storeys.
- 2.2 Vehicular access to the site would be via Heathercroft Drive / Connochie Road and Lochaber Road both linking to Lundavra Road and ultimately to the trunk road (A82) network at the West End Roundabout.
- 2.3 There are limited heritage constraints within the site. There are no natural heritage designations covering the site or likely to be affected by the development of the site. The application site has limited cover of vegetation and the underlying ground is peat. There are no recorded archaeological interests within the site.
- 2.4 The site is not at risk of fluvial or coastal flooding based upon the indicative flood risk maps produced by Scottish Environment Protection Agency. However, a small are of the site is at risk of surface water flooding.

3. PLANNING HISTORY

3.1	09.11.2007	05/00246/FULLO - Erection of 48 flats with Associated First Phase of New Distributer Road	Planning Permission Granted
3.2	10.06.2011	09/00461/FULLO - Temporary siting of hard/soft landscaping material	Temporary Permission Granted
3.3	06.08.2020	13/00671/FUL – pending - Temporary siting of hard/soft material (Renewal of 09/00461/FULLO)	Withdrawn
3.4	20.09.2017	17/03593/PREAPP - Develop site and erect in phases up to approximately 400 units for mixed tenure affordable housing comprising a mix of	Pre-Application Advice Issued

		flats and houses with associated roads and services.	
3.5	20.09.2017	17/03858/SCRE – Develop site for phased erection of approximately 400 units for mixed tenure affordable housing	EIA Required
3.6	05.12.2017	17/04911/SCOP - Develop site and erect up to 400 units for mixed tenure affordable housing comprising 4 mix flats and houses with associated roads and services	Scoping Decision Issued
3.7	07.12.2018	18/05381/PAN - New residential development of up to 400 dwelling including landscaping, access and associated site development works	Closed
3.8	07.12.2018	18/05383/PAN - Phase 1 new residential development consisting of up to 200 dwelling, including landscaping, access and associated site development works, and for enabling works (roads, access, drainage and services infrastructure) for all phases of development.	Closed
3.9	13.05.2021	19/00897/PIP - New residential development of up to 325 dwellings including landscaping, access and associated site development works	Planning Permission in Principle Granted
3.10	14.05.2021	19/00898/FUL - Formation of roads, access, drainage, foundations, ground works and services infrastructure for all phases of development and erection of 176 houses and associated works (Phase 1)	Planning Permission Granted

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour

Date Advertised: 08.07.2021 & 11.11.2021

Representation deadline: 25.11.2021

Timeous representations: 5 (1 General Comment, 4 Objections)

Late representations: 0

- 4.2 Material considerations raised are summarised as follows:
 - Impact on peat;
 - Impact on ornithology
 - Flood risk to existing properties;
 - Lack of capacity in waste water network;
 - Poor quality design and layout;
 - Over development of the site;

- Traffic and transport impacts;
- Need for a more appropriate energy strategy; and
- Lack of housing need.

Non-material issues raised in representations include:

- Fire risk of material choice;
- Neighbour notification procedures.
- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

5. CONSULTATIONS

- 5.1 Fort William, Inverlochy and Torlundy Community Council object to the application. It raises concern related to the following matters: over development of the wider site; flood risk; impact on peat; development phasing; layout of development with the Community Council preferring a cul-de-sacs style of development; design and materials to be used on the houses; and inaccurate details on speed limits on Connochie Road and Lundavra Road included in the Construction Environment Management Plan. It also suggests that the site would be well suited to the use of solar panels.
- 5.2 **Access Officer** does not object to the application. Comments related to the lack of information and clarity in the Access Management Plan were initially submitted however, a revised access management plan was subsequently submitted to address the matters raised.
- 5.3 **Contaminated Land Team** do not object to the application. It considers the risk assessment is satisfactory to allow commencement of development. It agrees that subject to an appropriate flood slab type, pressure relief pathway and gas resistant membrane being put in place that the methane and carbon dioxide gas identified I the applicant's assessment can be mitigated. It does however note that the details of this mitigation require to be provided for any work beyond ground preparation work.
- 5.4 **Flood Risk Management Team** do not object to the application following submission of further information and clarifications. It is content that the drainage network in this part of the site will be privately owned and maintained by the applicant. Following submission of further information related to the discharge rates for the surface water drainage system, it is content that the system has been designed with a conservative approach to the maximum discharge rate (14.2 litres per second) at this steep section of the site. It is content with the provided design and flow rate calculations for the watercourse crossings within the development. It is satisfied that no built development is located within 6m of the watercourses (other than watercourse crossings).
- 5.5 **Forestry Officer** does not object to the application and considers that the hard and soft landscaping details are acceptable. The level of tree and woodland removal within the site is not a matter of concern although cross references to some of the relevant standards on tree and forestry works were raised. It is considered the

applicant's approach to the root protection area calculations, as well as the tree barrier specification and tree protections are acceptable. The lack of arboricultural supervision proposals within the Tree and Woodland Report to ensure that the tree protection measures are properly installed has been highlighted.

- 5.6 **Historic Environment Team** do not object to the application. It notes that an archaeological evaluation has taken place on the site and the results indicate that no further archaeological work is required in this area of the development.
- 5.7 **Transport Planning Team** do not object to the application following modifications to the development and submission of further information and clarifications. It is content with the access proposed to the site. It is content with the layout of the site but it explains that traffic calming will require to be finalised and agreed via the Road Construction Consent (RCC) process. It is content with the car parking provisions following modification to the number and location of car parking provision within the application site.

It explains that for the majority of units, garden ground can be used for storage of bikes. It had however raised concern about the lack of access, without taking a bike through the house, to the mid-terrace properties to store the bikes in the garden.

It is content with the provision made within the development for waste management and service vehicles. It has however set out that the final details for maintenance arrangements required to be agreed via the RCC process.

It is satisfied with the drainage arrangements as they relate to road related drainage. It has explained that the RCC process will agree the final design and maintenance details for roads based drainage infrastructure.

It has set out that all streets will be lit and subject to the Flood Risk Management Team being content on overland flood routing, it is satisfied with the site levels.

- 5.8 **Scottish Environment Protection Agency (SEPA)** do not object following further submissions related to the management and reuse of peat. It has explained that the overall layout if the wider site has avoided deeper peat and the disturbance for this phase is minimised most peat being used for site reinstatement proposals. It has set out that while it is content with the Peat Management Plan, it would have preferred to see more beneficial use of the peat that does need to be taken off-site.
 - It is content with the watercourse crossing design, and that due to the nature of development in this phase that no Habitat Management Plan is required at this time.
- 5.9 Scottish Water do not object to the application. It advises that a Scottish Water sewer runs through the site and this requires to be protected from damage during the construction process. It confirms that there is capacity in the Camisky Well Field Water Treatment Works and the Fort William Waste Water Treatment Works to serve the development. It highlights that there is a culverted watercourse within the wider site. It confirms that Scottish Water will not accept surface water connections into its combined sewer system without justification from the applicant.
- 5.10 **Transport Scotland** does not advise against the granting of planning permission. It offers no further comment.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

- 28 Sustainable Design
- 29 Design Quality & Place-making
- 30 Physical Constraints
- 32 Affordable Housing
- 34 Settlement Development Areas
- 51 Trees and Development
- 52 Principle of Development in Woodland
- 55 Peat and Soils
- 56 Travel
- 57 Natural, Built & Cultural Heritage
- 58 Protected Species
- 59 Other important Species
- 60 Other Importance Habitats
- 61 Landscape
- 62 Geodiversity
- 63 Water Environment
- 64 Flood Risk
- 65 Waste Water Treatment
- 66 Surface Water Drainage
- 70 Waste Management Facilities
- 72 Pollution
- 75 Open Space
- 77 Public Access

6.2 West Highland and Islands Local Development Plan 2019

Within the Fort William Settlement Development Area

Allocated for mixed use development (site reference FW13) – Upper Achintore (220 Homes)

6.3 Highland Council Supplementary Guidance

Construction Environmental Management Process for Large Scale Projects (August

2010)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Green Networks (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Managing Waste in New Developments (March 2013)

Open Space in New Residential Developments (Jan 2013)

Physical Constraints (March 2013)

Public Art Strategy (March 2013)

Standards for Archaeological Work (March 2012)

Sustainable Design Guide (Jan 2013)

Trees, Woodlands and Development (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy

National Planning Framework 3

Designing Streets

Creating Places

PAN 61 - Sustainable Drainage Systems

PAN 68 - Design Statements

PAN 75 - Planning for Transport

PAN 77 - Designing for Safer Places

PAN 1/2011 Planning and Noise

Draft National Planning Framework 4 (2021)

8. PLANNING APPRAISAL

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Determining Issues

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

8.3 The 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

- When the planning permission in principle (19/00897/PIP) was determined, the West Highland and Islands Local Development Plan had been through examination but had not yet been adopted. The content of the document for this site did not change since the time of determination of the original planning permission in principle application (19/00897/PIP).
- 8.5 While representations and the response from Fort William, Torlundy and Inverlochy Community Council have raised concern about the overall number of units provided for the wider site, the principle of the development has been established.
- 8.6 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 Development Plan.

Design and Layout (Conditions 2a, 2b, 2d, 2s)

- 8.7 The overall first phase of delivery at Upper Achintore comprises a total of 82 affordable homes. The development subject to this application forms part of the first phase of delivery within the Upper Achintore Masterplan and will deliver 27 affordable homes. The units are to be delivered in six terraced blocks of houses.
- 8.8 The layout in this phase of the development is in the form of a loop taken from the main spine road proposed to connect through the wider development. The layout follows the principles and broad layout of the masterplan which was approved under planning permission in principle 19/00897/PIP. This part of the site slopes both south west to north east and south east to north west. As a result, the site is being built out on a platform, cut into the hillside, with a retaining wall, involving a Permacrib structure, to the north west of the site (3.5m in height) and a retaining wall between the terraced blocks which are located in the centre of the loop road (3.94m in height). The platforming of the site is considered an appropriate response to the delivery of development in this part of the site. Due to the orientation of the properties, it is not considered that the privacy or daylight within the properties in the centre of the site will be compromised.
- 8.9 The layout is informed by the approach set out in Designing Streets where a sense of place is prioritised over movement of vehicles. Fort William, Torlundy and Inverlochy Community Council, and representations have set out that it considers a cul-de-sac style layout would have been preferred. These types of layout are however no longer considered good practice as they restrict non-vehicular movement and in turn permeability of developments.
- 8.10 The terraced blocks are all two storeys in height. Where the units are being delivered down the slope in the development, the blocks are being stepped across platforms to avoid significant underbuild. The walls will be finished in a cement weatherboard, with shades of green, red and grey being employed in both horizontal and vertical arrangements. To the rear of the properties on the ground floor, render board will be utilised. The roofs will be finished in dark grey concrete roof tiles and windows will be dark grey PVCu. While representations have raised concern over the style of the properties, it is considered that the proposed materials are an appropriate response to the site.
- 8.11 The applicant has proposed the use of air source heat pumps for heating and hot water within the development. Provision has also been made on the plans for solar panels to generate electricity. The details of these will be considered through the building warrant process.
 - Roads, Access, Servicing, Parking and Wider Access (Conditions 2c, 2e, 2f, 2g, 2m, 2p, 2t, 8, 10, 11, 12, 13, 14, 27, 30, 33, 34, 35, 36)
- 8.12 The site will be accessed via Heathercroft Drive, with an element of the access for the site already completed via an earlier planning permission for the site. The access will connect via Connechie Road and Ross Place. The applicant has provided suitable details for the provision of a new stop line and associated signage

at the junction between Ross Place and Connechie Road.

- 8.13 The principles of the road layout were established via the masterplan approved under the planning permission in principle. The main roads within the development also have detailed planning permission (19/00898/FUL). The site layout for the loop road within this part of the development identified the route as a "Pedestrian Movement Zone". Following clarification that this meant that the loop road would effectively be a shared space, Transport Planning raised no further concerns but explained that the details of this part of the route will remain private and not adopted. For the main spine road in this section of the site, the detailed design, inclusive of traffic calming, will be agreed through the RCC process. The layout of the development, including the location of driveways, junctions and visitor parking areas is considered acceptable.
- 8.14 As required by a condition of the planning permission for the wider site, the road will be delivered up to the edge of this phase of development and beyond to the area known as Zone 2. Discussions are ongoing with the applicant, as well as external partners of the Council, in relation to the delivery of the second access into the site which will be designed for the use of buses and service vehicles. The related condition (28) has therefore not been submitted to be satisfied by this application. This phase of development will not include any bus stops in agreement with the bus operator. Bus stops will be provided within the wider site.
- 8.15 The applicant has provided sufficient details to demonstrate that a refuse vehicle can move safely through the development in the forward gear with no need for reversing manoeuvres. Bin collection will be at the kerbside for each of the properties within this area of the development and bin stores are being integrated into the fencing between each of the properties. This is considered an acceptable solution.
- An Access Management Plan was submitted with the application outlining the access principles to be adhered to in the delivery of this first phase of development. Following concern raised by the Access Officer over the level of information contained in the document. The applicant has subsequently provided an updated Access Management Plan. This includes details of proposed paths, areas to be excluded from access rights (limited to gardens only), location and construction of all new paths, diversions during construction and links to the wider path network. It explains the constraints to delivery of paths but also solutions to their delivery (including those for the safe route to Lundavra Primary School) and it explains that the paths will be provided prior to occupation of properties within phase 1. Having reviewed the submission, it is considered there is sufficient information to consider the condition related to the Access Management Plan satisfied.
- 8.17 Car parking is being provided as a mix of in-curtilage parking and parking adjacent to the carriageway. While the number of spaces meet with the parking standards, as originally submitted a number of the parking spaces were considered to be too remote from the properties they were intended to serve. Following discussions between Transport Planning and the applicant the parking arrangements have been revised to ensure the parking spaces are more appropriately located. Transport Planning have no objection to the revised arrangements.

- 8.18 As the proposed houses all have private gardens, the applicant has proposed that cycle parking can be provided in rear gardens. However, no access to the rear gardens of mid-terrace properties is available unless the bike is taken through the house. This conflicts with the Road and Transportation Guidelines. The applicant was asked to consider provision of a path to the rear gardens of the mid-terrace properties or an alternative cycle storage solution for these units. The path to the rear gardens was discounted as it may lead to a conflict with Secure By Design standards. Therefore, as a solution, for the mid-terrace properties, the applicant has provided ground floor storage cupboard which is suitably sized to store bikes. In addition, it will provide a cycle locking point between the bin stores and the front of the properties for the mid-terrace units. The location of this means they will be screened from the road but would not be covered. On balance, this is considered acceptable for this particular phase of development. Alternative solutions for future phases of the development will require to be considered.
- 8.19 The applicant has provided details of the above ground infrastructure within the development, inclusive of broadband cabinets and substations. The location of these are considered acceptable and should not conflict with the masterplan principles, be inappropriately located outside of properties or affect visibility from junctions or driveways.

Landscaping and Trees (Conditions 2h, 2j, 2k, 2l, 2q, 15, 18, 31, 38, 40)

- 8.20 The landscaping in this phase of development comprises a mix of retained heathland, heathland to be reinstated post construction and site level establishment, and rough grassland. Some smaller areas of native shrub planting are located at the north eastern edge of the housing. Gardens will be laid to grass with a herbaceous mix planted alongside the front boundaries of properties. A range of native trees, including oak, aspen, alder, scots pine, birch and willow, will be planted at a mix of sizes to provide structure to the landscaping proposals. Given the edge of settlement location the type and mix of landscaping is appropriate and the Council's Forestry Officer is content. Maintenance of the hard and soft landscaping, inclusive of paths remote from the carriageway, are to remain the responsibility of the applicant.
- 8.21 Boundary treatments in the development are a mix of timber fencing styles. 1.8m fences will be provided to the rear of properties with low level post and wire fencing with timber framing to the front boundaries. At the north eastern edge of the development, the boundary fencing will be softened by native shrub planting. The boundary treatments are considered acceptable.
- 8.22 A total of 849m² are being removed along with 28 individual trees. The Forestry Officer has set out that this could be accepted due to the small size of the trees involved and the proposed landscaping proposals which will compensate for their loss. The tree protection plans and tree barriers are acceptable. The Forestry Officer has however sought further information in relation to arboricultural supervision of the works in the development and updates to the submitted Tree and Woodland Report. This has been submitted and is now satisfactory

Flood Risk and Drainage (Conditions 2n, 2o, 7, 23, 26, 32)

- 8.23 Representations raised concerns with regard to the management of surface water within the development. There are large areas of this part of the site remaining as landscaping with the development footprint being limited. However, the site levels will change significantly from the baseline conditions due to the need to create platforms cut into the hillside to allow the site to be developed. The principle of this was established through the approved masterplan for the site and the phase 1 infrastructure application. The surface water drainage in this part of the site comprises a tanked porous road construction. This drains to a pipe network which discharges to a watercourse at no more than 14.2 litres per second. The Flood Team consider a conservative approach has been taken to the discharge rate in response. It is understood that this approach has been taken due to the site conditions and will effectively manage surface water run off where at present the surface water on the site is currently unmanaged.
- 8.24 The proposed development will connect to the public water and waste water network. Scottish Water has confirmed there is capacity in their assets to allow for this connection. The surface water arrangements for the properties and the road which serves this part of the development will remain the responsibility of the applicant.
- 8.25 Both SEPA and the Council's Flood Risk Management Team are content with the design of the watercourse crossings. They note that these crossings have been designed to accommodate 1 in 200 year flood events and allowance has been made for climate change.

Peat (Conditions 22, 24)

8.26 The planning permission in principle established that while the development was on an area of peat, deep peat had been avoided but each phase needed to demonstrate that the peat on the site would be appropriately managed. A total of 17,263m³ of peat requires to be removed from site to allow the first phase of 82 units across Zone 2 and Zone 5 of the development to progress. Due to the risk of damage to the undisturbed retained peatland that may be developed in future phases, no consideration has been given to storage of the excess peat in those areas of the site. The applicant has had discussions with a range of landowners and Scottish Woodlands to identify peatland restoration projects in the area, but no suitable site has been identified for use of the excess peat in the area. A former borrow pit in proximity of the site has been identified by the applicant but discussions are ongoing with the landowner and SEPA as to whether this would be a suitable site for a peatland restoration project. If it was this could use between 4000-6000m³ of peat from the site. However, the proposal for excess peat at this time is for use for peatland restoration on the capping layer of the Duisky landfill site. SEPA has expressed that a more beneficial use for the peat would have been preferred but this is an acceptable use for the peat. The applicant is however continuing research and discussions on use of the excess peat. Should an alternative, more beneficial use be found the applicant could submit an update to their peatland management plan for approval.

8.27 The applicant has provided a Peat Construction Phase Method Statement outlining the approach to peat removal and reinstatement on the site. This explains the approach to peatland excavation, protection of reinstated areas of peatland, as well as a range of approaches to minimise risk to the peat on the site. The proposed approach is considered to be in line with good practice. SEPA has not raised concerns with the submitted document.

Other material considerations

- 8.28 The Council's Contaminated Land Team considers the risk assessment submitted in relation to the previous uses on parts of the site and the general ground conditions is satisfactory to allow commencement of development. It agrees that subject to an appropriate flood slab type, pressure relief pathway and gas resistant membrane being put in place that the methane and carbon dioxide gas identified in the applicant's assessment can be mitigated. It does however note that the details of this mitigation require to be provided for any work beyond ground preparation work. This information is usually submitted in a staged manner throughout the construction period for review by the Contaminated Land Team. This approach is accepted.
- 8.29 The applicant has appointed an Ecological Clerk of Works who has been undertaking a series of pre-commencement protected species surveys (including ground nesting birds) across, and in vicinity of the site as a whole. The applicant will be required to undertake the mitigation outlined in the protected species surveys. Further, a Construction Environment Management Plan has been prepared. This is satisfactory and includes measures for the protection of the environment and also manage matters such as construction noise and pollution prevention.
- 8.30 The applicant has undertaken archaeological evaluation across the site. The results indicate that no further archaeological work is required in this area of the development.
- 8.31 The planning permission in principle was accompanied by an outline Habitat Management Plan. This did not identify this area of the site for habitat management proposals, therefore no submission against Condition 25 (Habitat Management) is required to accompany this application.
- 8.32 The applicant has put in place a Community Liaison Group, which will be meeting on a regular basis over the course of the construction period.
- 8.33 It was raised in a representation that there is a lack of housing need in the area. However, the Council's Housing Need and Demand Assessment as well as the Highland Housing register demonstrate that there is a need for affordable housing in the area. The mix of units delivered in the first phase has been agreed with the Council's Housing Development Team to respond to the current housing need in the area.

Non-material considerations

- 8.34 The issue of Fire risk of material choice is not a material planning consideration. This will be considered through the Building Warrant for the proposed development.
- 8.35 A representation raised concern over the lack of widespread neighbour notification for the application given the scale of the proposal. The provisions of the regulations related to development management procedures have however been followed.

Matters to be secured by Section 75 Agreement

- 8.36 An Obligation in terms of Section 75 of the 1997 Planning Act relates to this development. The terms of the Section 75 Obligation are as follows:
 - Contributions to the delivery of enhanced community facilities within the Lochaber High School Catchment Area; in the first instance to enhancements to community facilities within the Fort William Settlement Development Area (£1019 per residential unit or £325,061 total) based on Q1 2019;
 - Contributions to the provision of enhanced capacity in primary education within Fort William, in the first instance a two classroom extension at Lundavra Primary School (£2041 per house, £1157 per flat or £518,427 total) based on Q1 2019;
 - Contribution to the provision of waste management facilities within Fort William (£6 per residential unit or £1,914 total); and
 - 90% affordable housing to be delivered on-site at a scheme to be agreed prior to commencement of development.

This agreement was attached to the planning permission in principle and does not require to be modified as a result of this application.

9. CONCLUSION

- 9.1 The planning permission in principle (19/00897/PIP) comprises a total of 325 units, 90% of which are to be affordable homes. The first phase of delivery of the site comprises 82 affordable homes. This application is for 27 of those 82 affordable homes, with the remaining units in this first delivery phase benefiting from detailed planning permission (19/00898/FUL).
- 9.2 It is considered that the applicant has resolved all outstanding issues and met the provisions of the relevant pre-commencement conditions. While the site is not without challenges, it is considered that the applicant has demonstrated 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 for development at Upper Achintore.
- 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. Peat will however require to be managed on the site to facilitate development of the site.
- 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

It is recommended that Committee **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 58 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.

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.
- 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:

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: 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 - L(20)005

Plan 2 - Site Layout Plan - L(20)015 Rev F

Plan 3 – Zone 2 and Zone 5 Masterplan - L(20)010

Plan 4 - Site Layout Plan - 10455-LD-DET-600 REV D

Plan 5 - Landscaping Plan - 10455-LD-PLN-011 REV I

Plan 6 – Section Plan - 18-014-02-CIV-XX-XX-D-C-40013 REV P02

Plan 7 – Elevations Block 1 - L(20)301 REV C

Plan 8 – Elevations Block 2 - L(20)303 REV D

Plan 9 - Elevations Block 2b - L(20)305 REV D

Plan 10 - Elevations Block 2c - L(20)306 REV C

Plan 11 - Elevations Block 10 - L(20)316 REV C



APPLICABLE REGULATIONS

CDM 2015 & HASAW ACT 1974 (and all amendments) -

Masterplan Boundary

AMSC Application Boundary

Rev Description Date Issu

6.25 12.5 25 37.5 50 1:1250

DO NOT SCALE FROM DRAWINGS
All dimensions to be checked on site by the Contractor and any discrepancies to be notified to the Architect prior to works being commenced. Use Figured dimensions only.

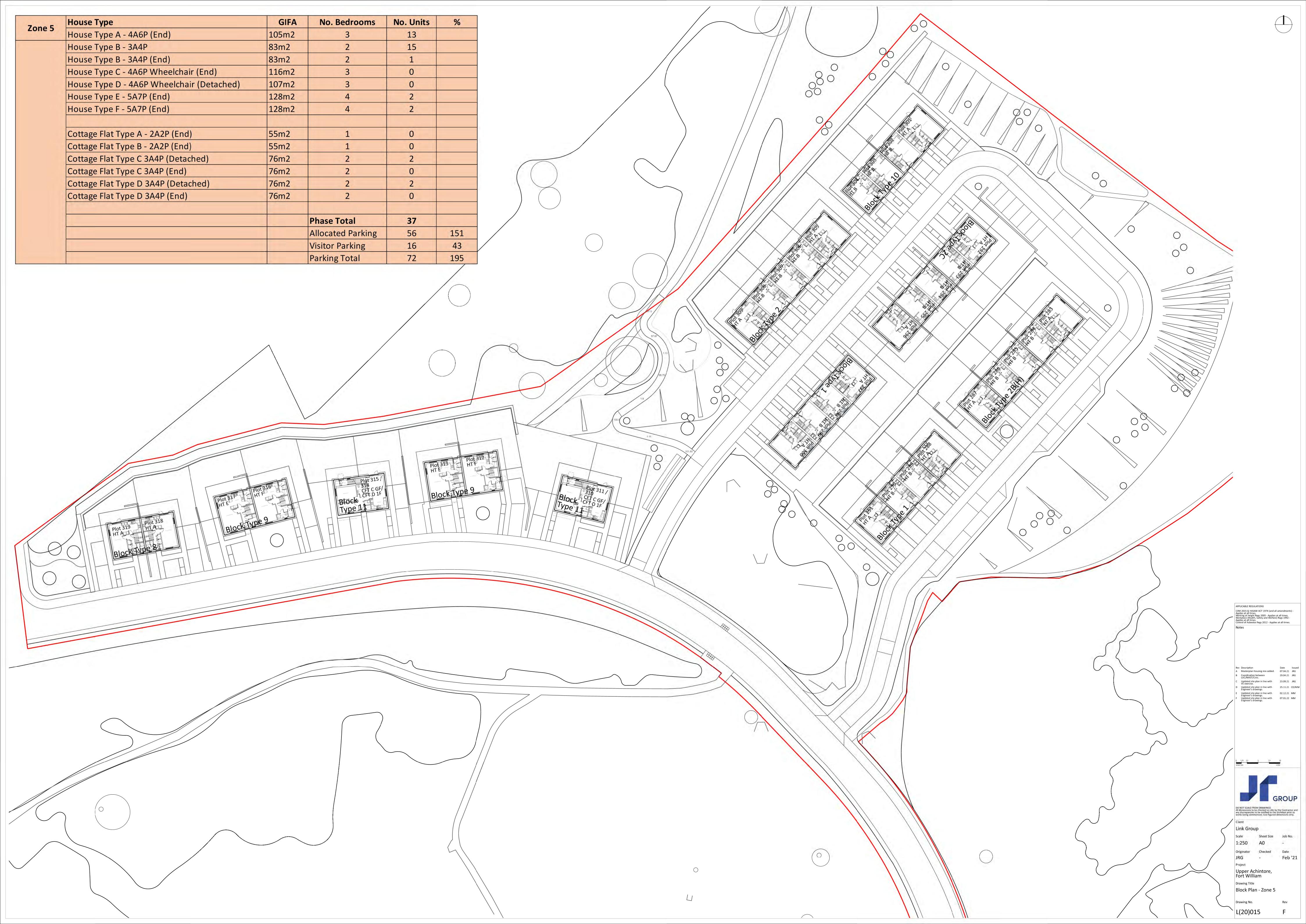
Client

Link Group

Scale Sheet Size Job No

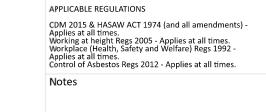
1:1250 A0
Originator Checked Date

Project
Upper Achintore,
Fort William
Drawing Title
Location Plan
AMSC
Drawing No.



/an - 3	House Type	GIFA	No. Bedrooms	No. Units	%
Zone 2	House Type A - 4A6P (End)	105m2	3	12	
	House Type B - 3A4P	83m2	2	15	
	House Type B - 3A4P (End)	83m2	2	1	
	House Type C - 4A6P Wheelchair (End)	116m2	3	3	
	House Type D - 4A6P Wheelchair (Detached)	107m2	3	2	
	House Type E - 5A7P (End)	128m2	4	0	
	House Type F - 5A7P (End)	128m2	4	0	
	Cottage Flat Type A - 2A2P (End)	55m2	1	4	
	Cottage Flat Type B - 2A2P (End)	55m2	1	4	
	Cottage Flat Type C 3A4P (Detached)	76m2	2	0	
	Cottage Flat Type C 3A4P (End)	76m2	2	2	
	Cottage Flat Type D 3A4P (Detached)	76m2	2	0	
	Cottage Flat Type D 3A4P (End)	76m2	2	2	
			Phase Total	45	
			Allocated Parking	66	14
			Visitor Parking	24	53
			Parking Total	90	200
	House Type	GIFA	No. Bedrooms	No. Units	%
one 5	House Type A - 4A6P (End)	105m2	3	13	
	House Type B - 3A4P	83m2	2	15	
	House Type B - 3A4P (End)	83m2	2	1	
	House Type C - 4A6P Wheelchair (End)	116m2	3	0	
	House Type D - 4A6P Wheelchair (Detached)	107m2	3	0	
	House Type E - 5A7P (End)	128m2	4	2	
	House Type F - 5A7P (End)	128m2	4	2	
	Cottage Flat Type A - 2A2P (End)	55m2	1	0	
	Cottage Flat Type B - 2A2P (End)	55m2	1	0	
	Cottage Flat Type C 3A4P (Detached)	76m2	2	2	
	Cottage Flat Type C 3A4P (End)	76m2	2	0	
	Cottage Flat Type D 3A4P (Detached)	76m2	2	2	
	Cottage Flat Type D 3A4P (End)	76m2	2	0	
			Phase Total	37	
			Allocated Parking	56	15
			Visitor Parking	16	43
			Parking Total	72	195



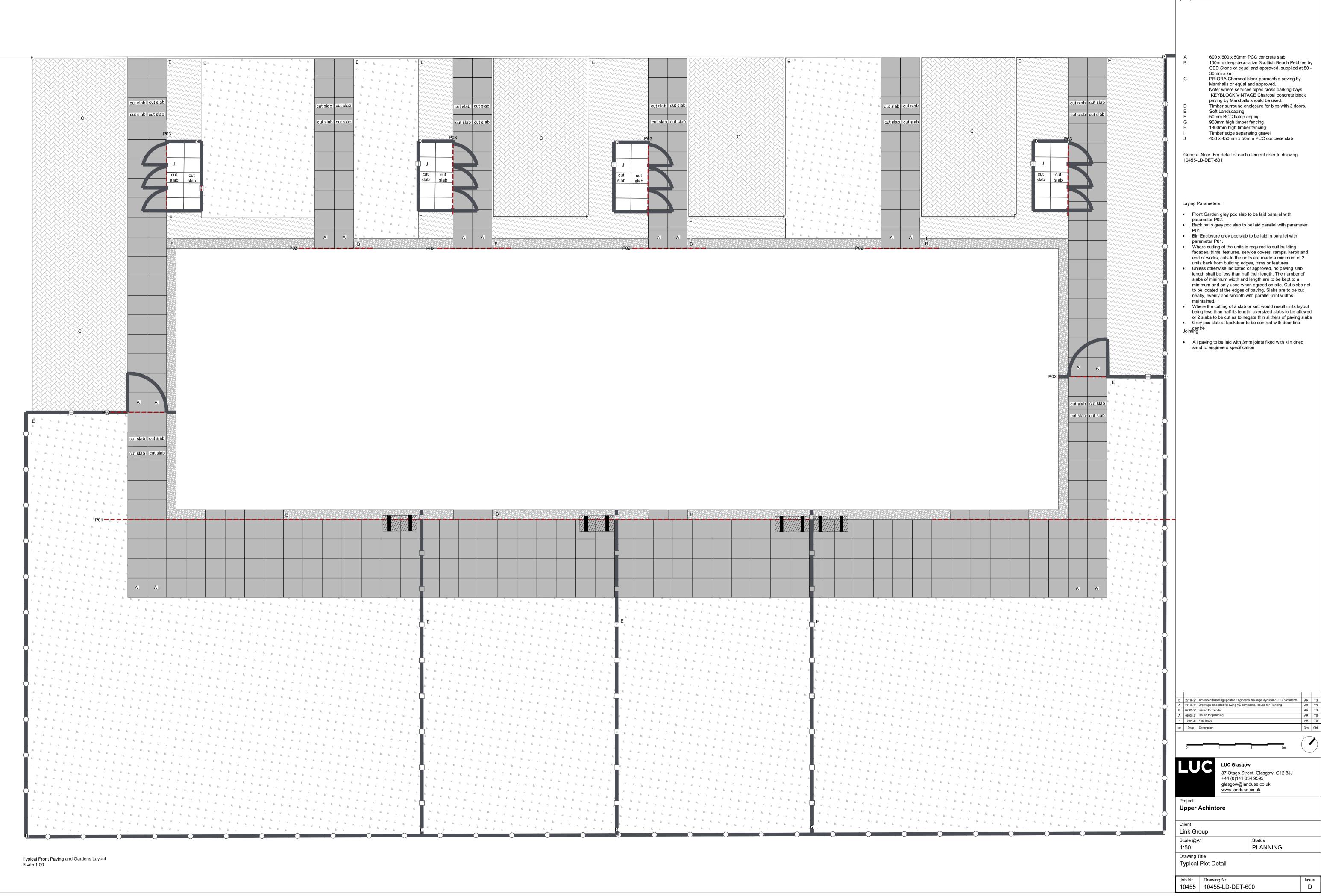


Rev	Description	Date	Issued
Α	Red line boundary updated.	31.03.21	JRG
В	Red line boundary to suit NW of Zone 5 area.	01.04.21	JRG
С	Masterplan housing mix added.	07.04.21	JRG
D	Linework and numbers coordinated with design team.	07.05.21	JRG
E	Updated site plan in line with VE exercise.	23.09.21	JRG
F	Updated to reflect new engineers roads layout.	01.12.21	JRG
G	Updated to reflect new engineers roads layout.	07.01.21	JRG



Upper Achintore, Fort William Masterplan

L(20)010



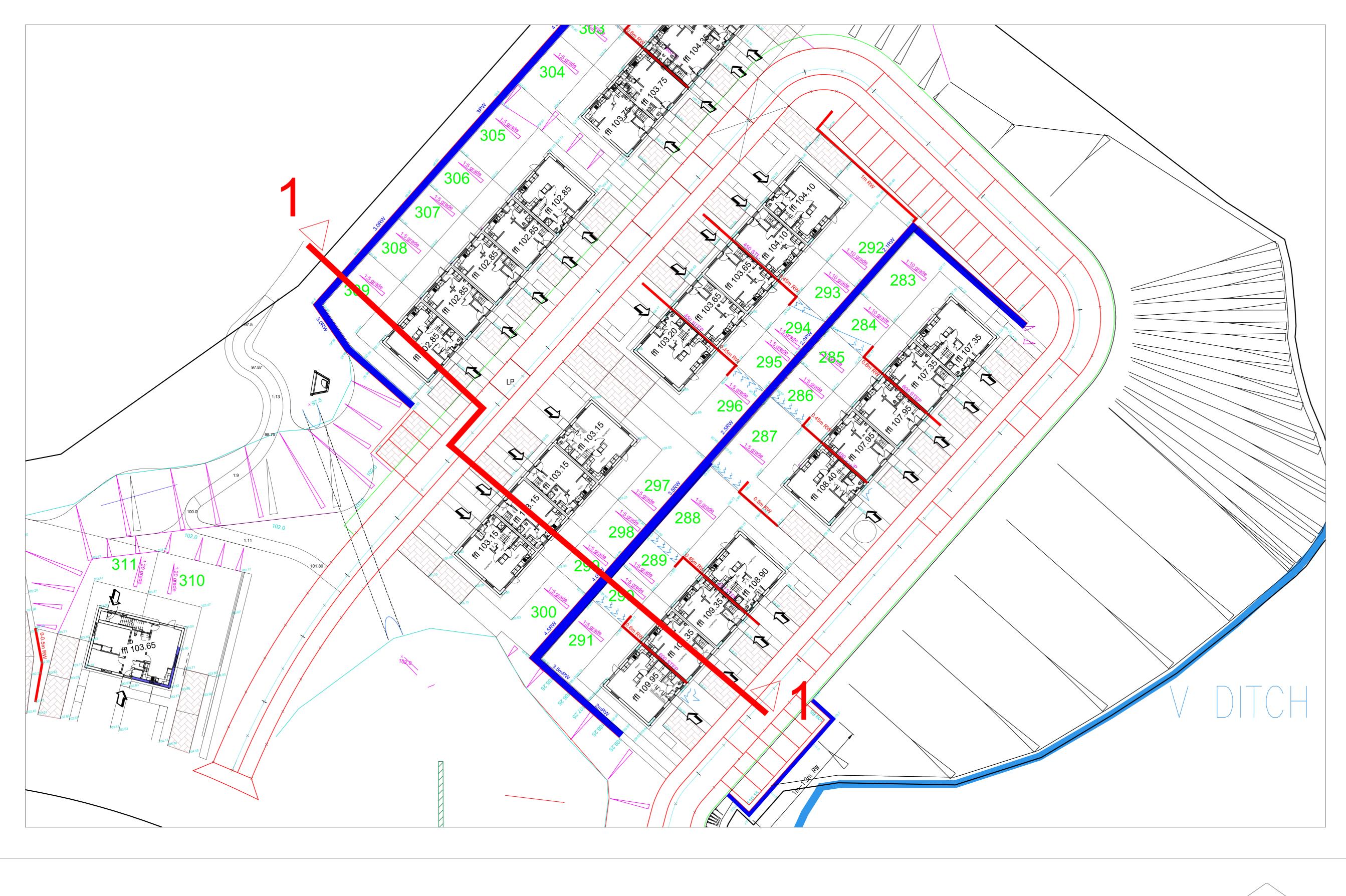
All dimensions are drawn in millimetres. Drawing & design copyright LUC.

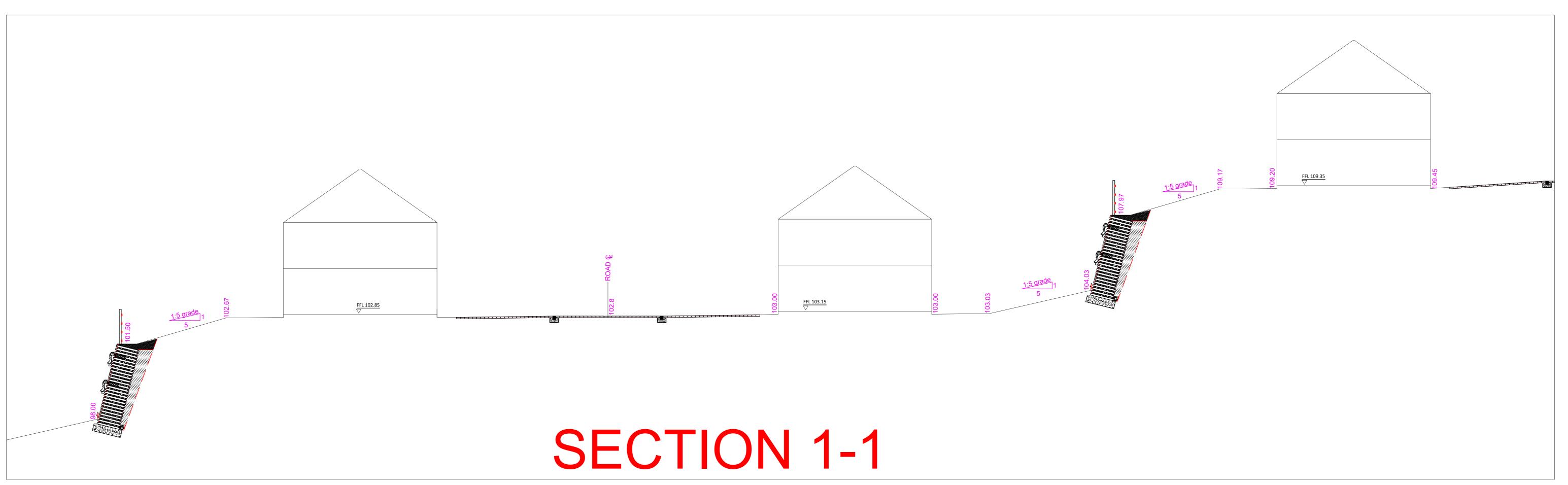
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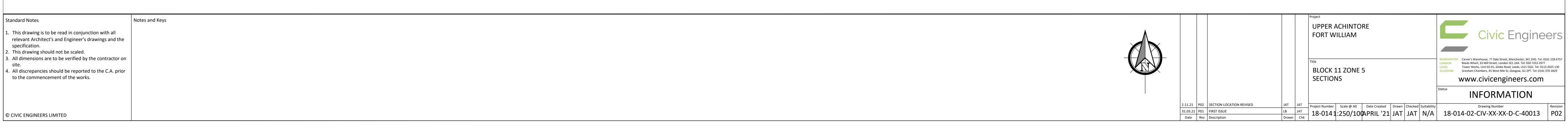
 D
 27.10.21
 Amended following updated Engineer's drainage layout and JRG comments
 AR
 TS

 C
 22.10.21
 Drawings amended following VE comments. Issued for Planning
 AR
 TS
 Drn Chk







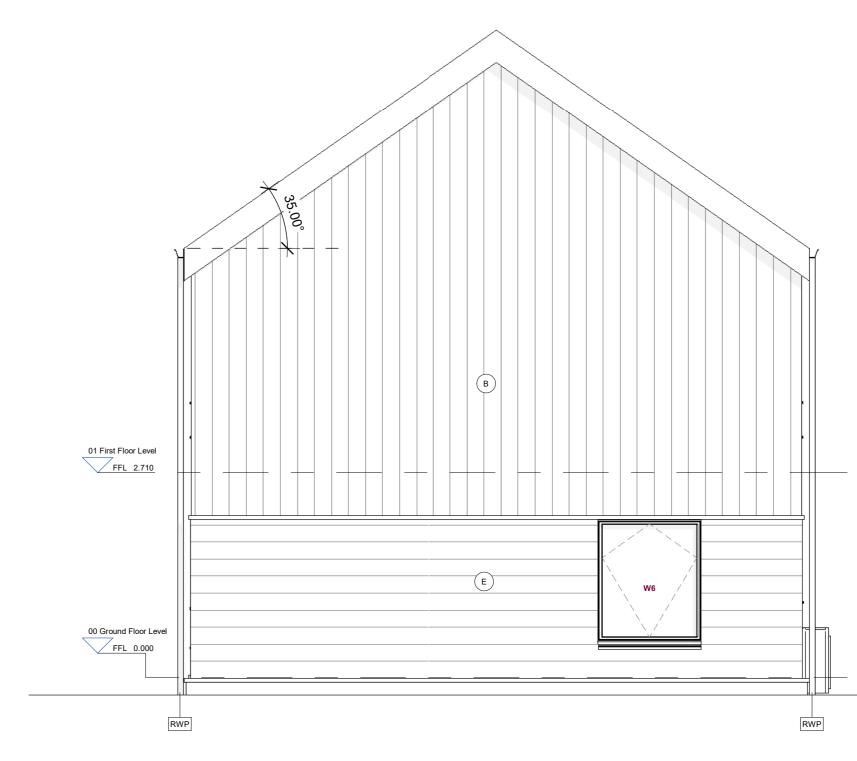




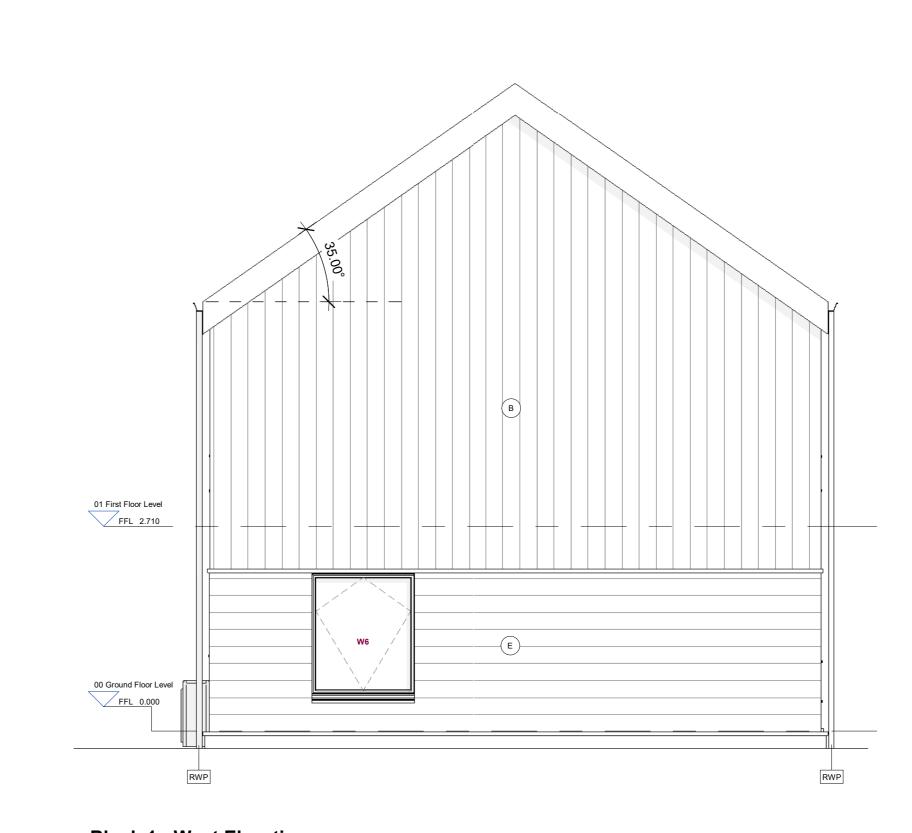
Block 1 - Front Elevation
1:50



Block 1 - Rear Elevation



Block 1 - East Elevation



Block 1 - West Elevation
1:50

DO NOT SCALE FROM DRAWINGS All dimensions to be checked on site by the Contractor and any discrepancies to be notified to the Architect prior to works being commenced. Use Figured dimensions only. APPLICABLE REGULATIONS

CDM 2015 & HASAW ACT 1974 (and all amendments) - Applies at all times.

Working at height Regs 2005 - Applies at all times.

Workplace (Health, Safety and Welfare) Regs 1992 - Applies at all times.

Control of Asbestos Regs 2012 - Applies at all times.

 A Vertical Cladding (Colour TBC) (B) Render on Board (Colour TBC)

C Tiled Roof

D Photovoltaic Panels (indicative only, number, size and location tbc, panels must be set out to align with facade elements and must not be over party walls)

(E) Horizontal Cladding (Colour TBC) (F) Boiler Flue G Ventilation Extraction

Indicative Charging Point location

(H) External Lights

ESCAPE Escape window min 450x450mm opening

Dark grey UPVC windows

Material specifications and samples to be agreed with client and approved by planning authority prior to proceeding.
All masonry to be in stretcher bond unless otherwise noted.
All fascias, soffits and downpipes to be dark grey UPVC.



JR Group

v Description Initial Issue

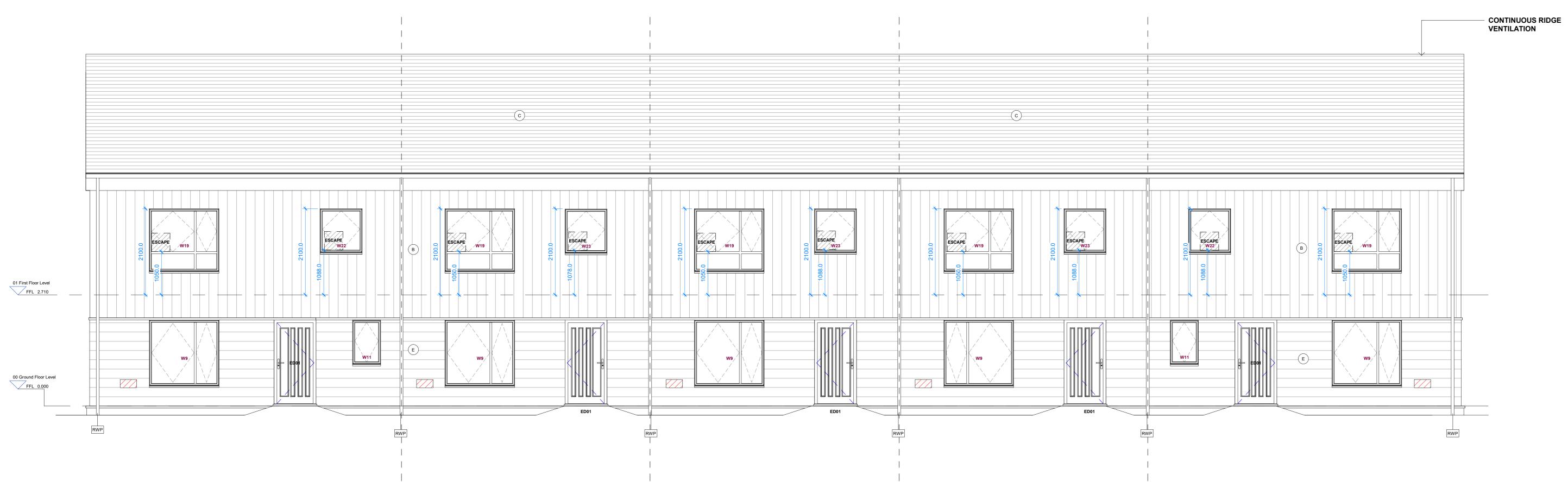
Indicative Charging Point location added. 02/07/21 Canopies added at WHCR/Adaptable houses Render replaced with horizontal caldding. 15/09/21
Additional RWP's added 01/12/21

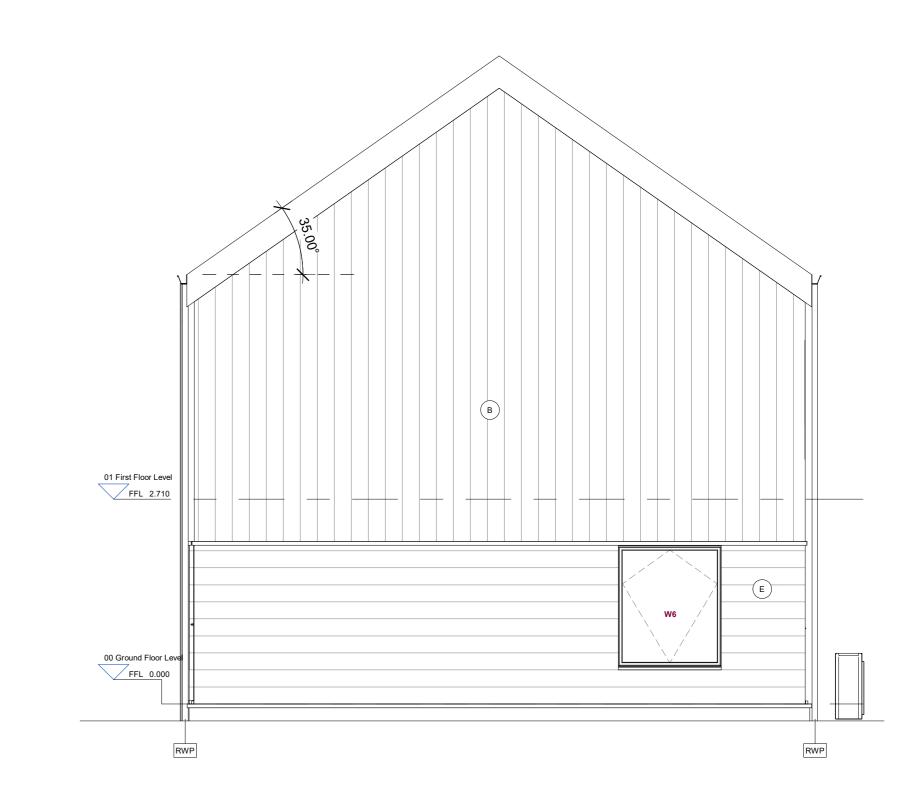
Project
Upper Archintore

Drawing Title
Block 1 Elevations

Scale
As indicated @ A0 3257
Purpose of Issue
Building Warrant
Drawing Number
L(20)301

Job No.
Originator
FP
Checked
Checked
MM
Checked
Check





Block 2 - East Elevation





01 First Floor Level FFL 2.710

00 Ground Floor Level

ev Description Initial Issue 07/05/21
Elevation updated as per Client's comments 16/06/21
Indicative Charging Point location added. 02/07/21
Canopies added at WHCR/Adaptable houses Render replaced with horizontal caldding. 15/09/21 Additional RWP's added 01/12/21

DO NOT SCALE FROM DRAWINGS

 A Vertical Cladding (Colour TBC) B Render on Board (Colour TBC)

(E) Horizontal Cladding (Colour TBC)

C Tiled Roof

F Boiler Flue (G) Ventilation Extraction (H) External Lights

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D Photovoltaic Panels (indicative only, number, size and location tbc, panels must be set out to align with facade elements and must not be over party walls)

Indicative Charging Point location

ESCAPE Escape window min 450x450mm opening

Dark grey UPVC windows

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All fascias, soffits and downpipes to be dark grey UPVC.

Upper Archintore

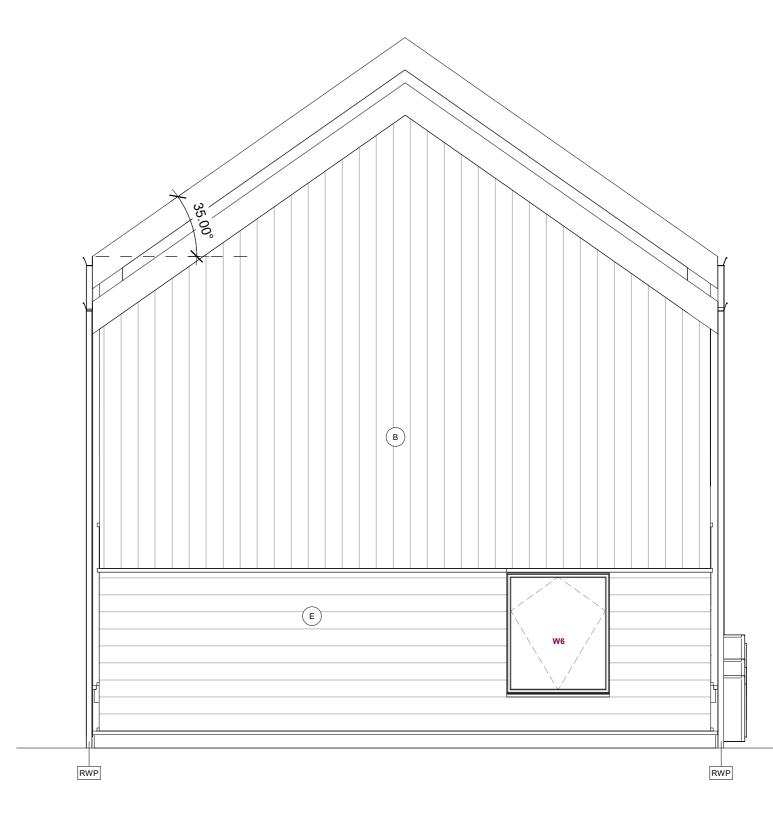
JR Group

Drawing Title
Block 2 Elevations

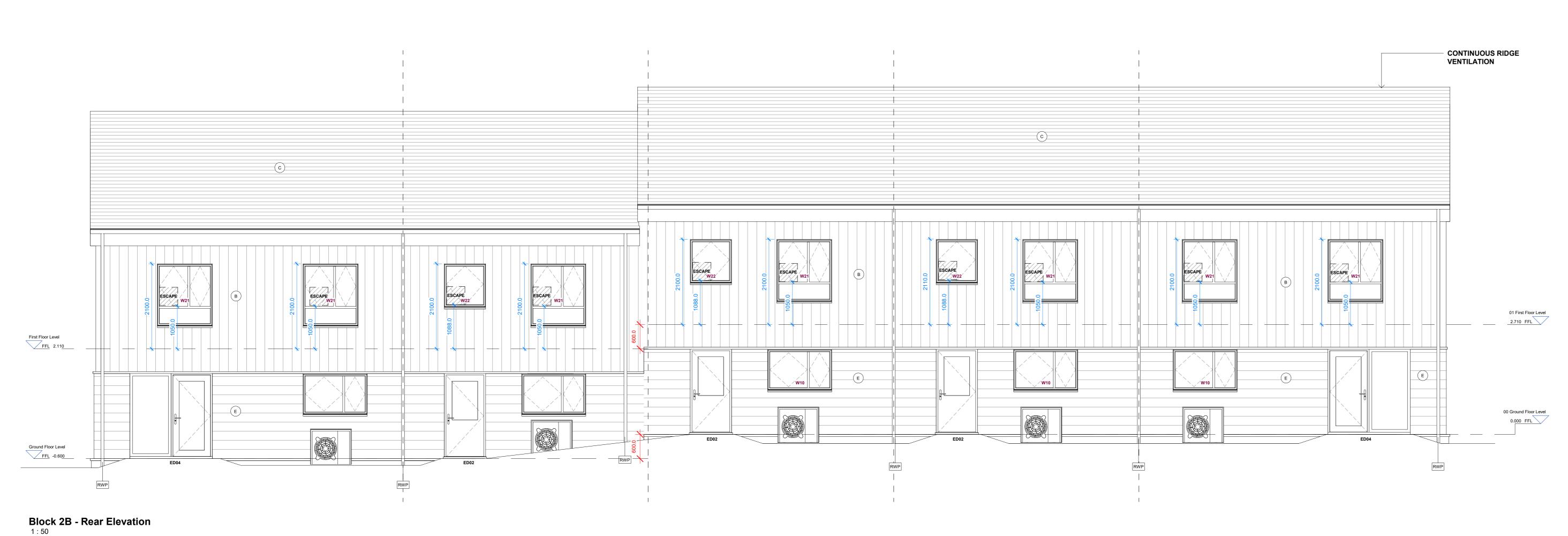
Scale
As indicated @ A0 3257 FP
Purpose of Issue
Building Warrant 07/05/21 MM
Drawing Number Rev
L(20)303 D

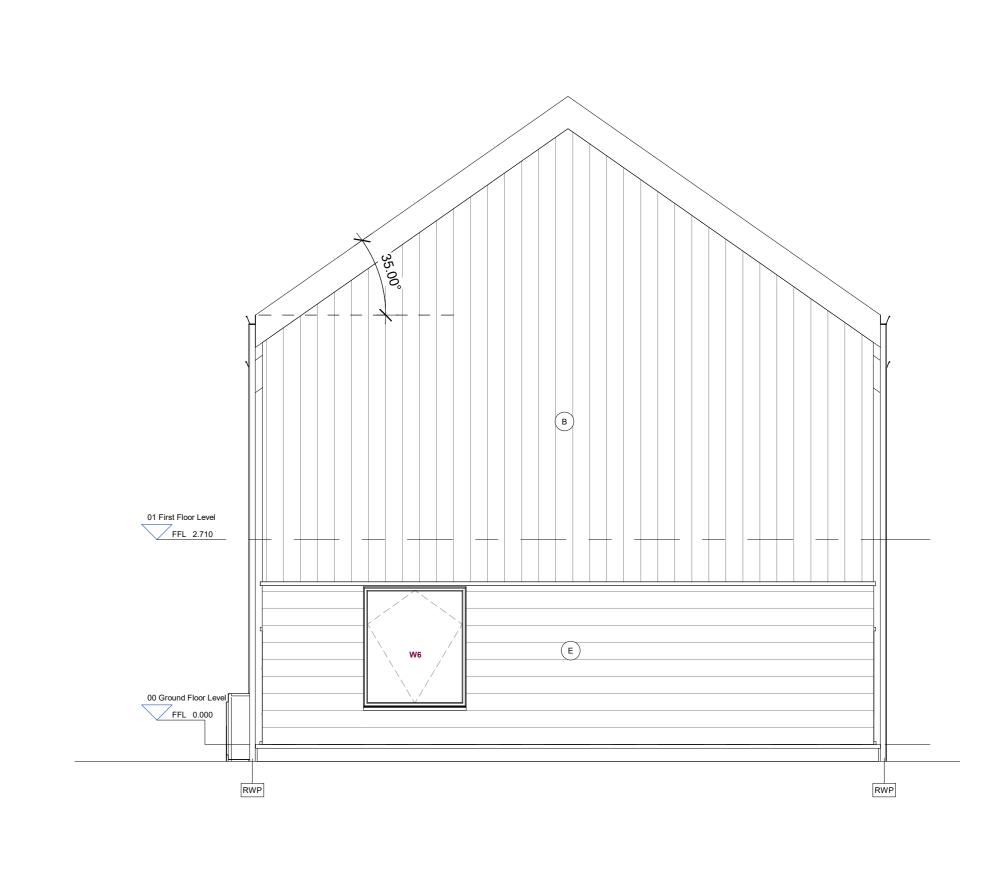
Block 2 - Front Elevation
1:50





Block 2B - East Elevation





Block 2B - West Elevation
1:50

JR Group

Rev Description
- Initial Issue

Elevation updated as per Client's comments 16/06/21
Indicative Charging Point location added. 02/07/21
Canopies added at WHCR/Adaptable houses

Render replaced with horizontal caldding. 15/09/21 Additional RWP's added 01/12/21

Upper Archintore

DO NOT SCALE FROM DRAWINGS

 A Vertical Cladding (Colour TBC) B Render on Board (Colour TBC)

E Horizontal Cladding (Colour TBC)

C Tiled Roof

F Boiler Flue Ventilation Extraction (H) External Lights

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D Photovoltaic Panels (indicative only, number, size and location tbc, panels must be set out to align with facade elements and must not be over party walls)

Indicative Charging Point location

ESCAPE Escape window min 450x450mm opening

Dark grey UPVC windows

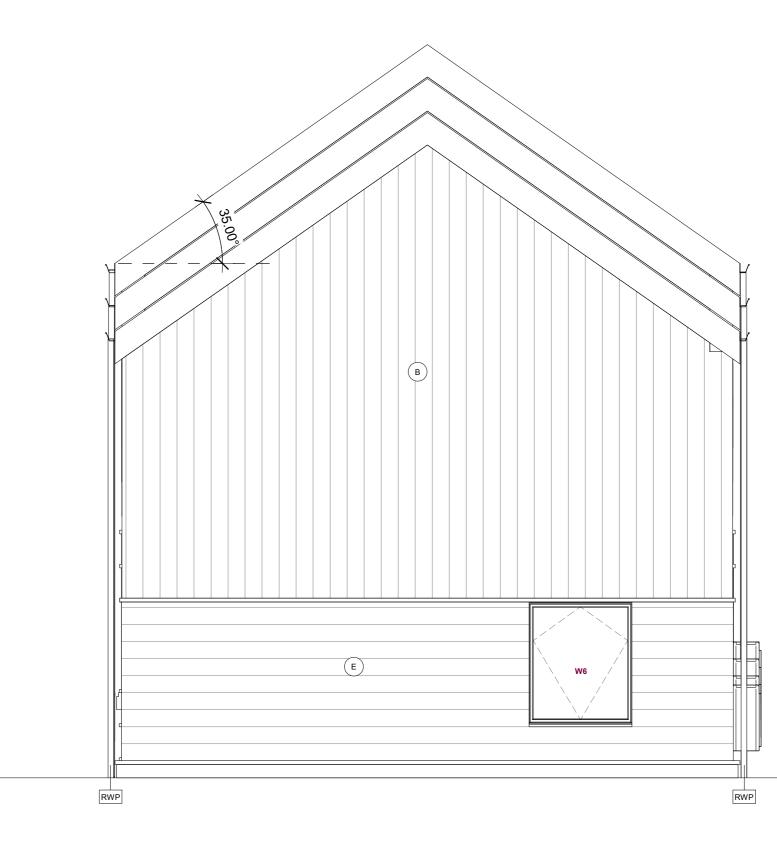
Material specifications and samples to be agreed with client and approved by planning authority prior to proceeding.
All masonry to be in stretcher bond unless otherwise noted.
All fascias, soffits and downpipes to be dark grey UPVC.

Drawing Title
Block 2B Elevations

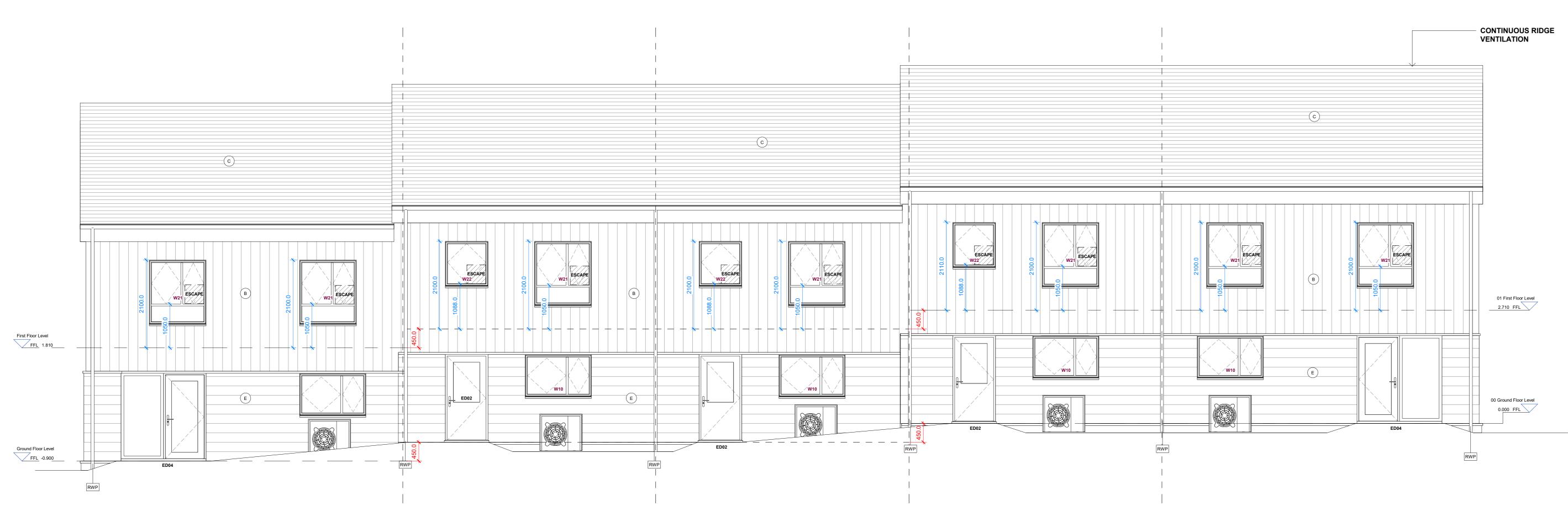
Scale
As indicated @ A0 3257 FP
Purpose of Issue
Building Warrant 07/05/21 MM
Drawing Number Rev
L(20)305 D

Block 2B - Front Elevation

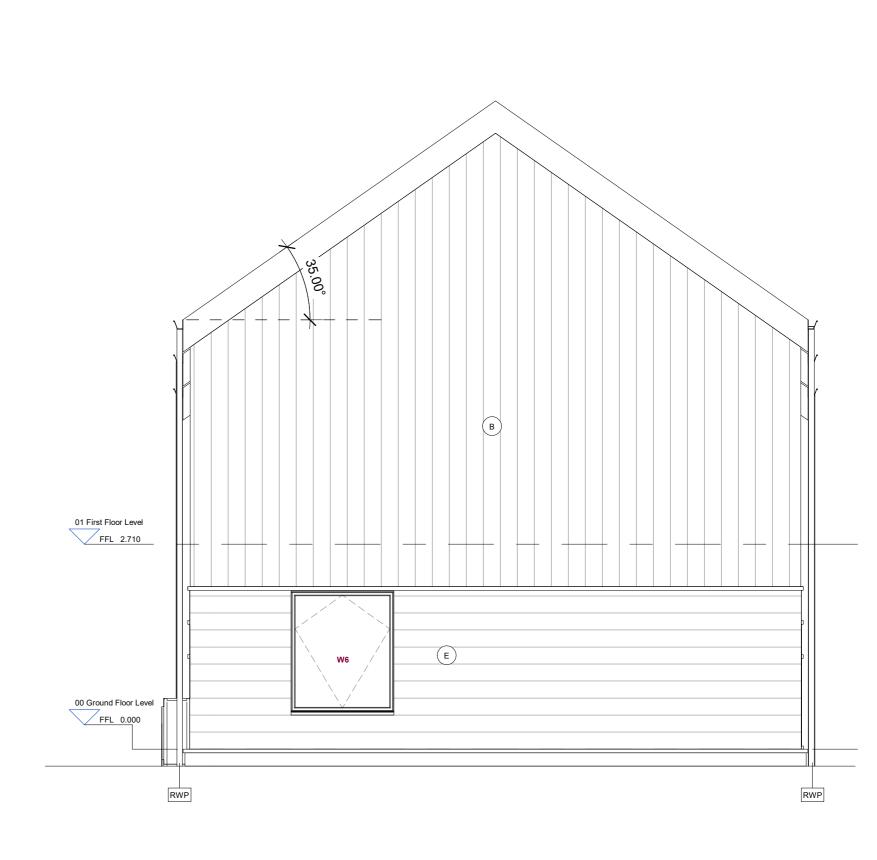




Block 2C - East Elevation
1:50



Block 2C - Back Elevation 1:50



Block 2C - West Elevation
1:50

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Control of Asbestos Regs 2012 - Applies at all times.

A Vertical Cladding (Colour TBC) B Render on Board (Colour TBC)

C Tiled Roof D Photovoltaic Panels (indicative only, number, size and location tbc, panels must be set out to align with facade elements and must not be over party walls)

> E Horizontal Cladding (Colour TBC) F Boiler Flue G Ventilation Extraction

(H) External Lights

Indicative Charging Point location

ESCAPE Escape window min 450x450mm opening

Dark grey UPVC windows

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ev Description Initial Issue Initial Issue 07/05/21
Indicative Charging Point location added. 02/07/21
Canopies added at WHCR/Adaptable houses
Render replaced with horizontal caldding. 15/09/21
Additional RWP's added 01/12/21

JR Group

Upper Archintore

Drawing Title
Block 2C Elevations

Scale
As indicated @ A0 3257

Purpose of Issue
Building Warrant
Drawing Number
L(20)306

Job No.
Originator
FP
Checked
O7/05/21

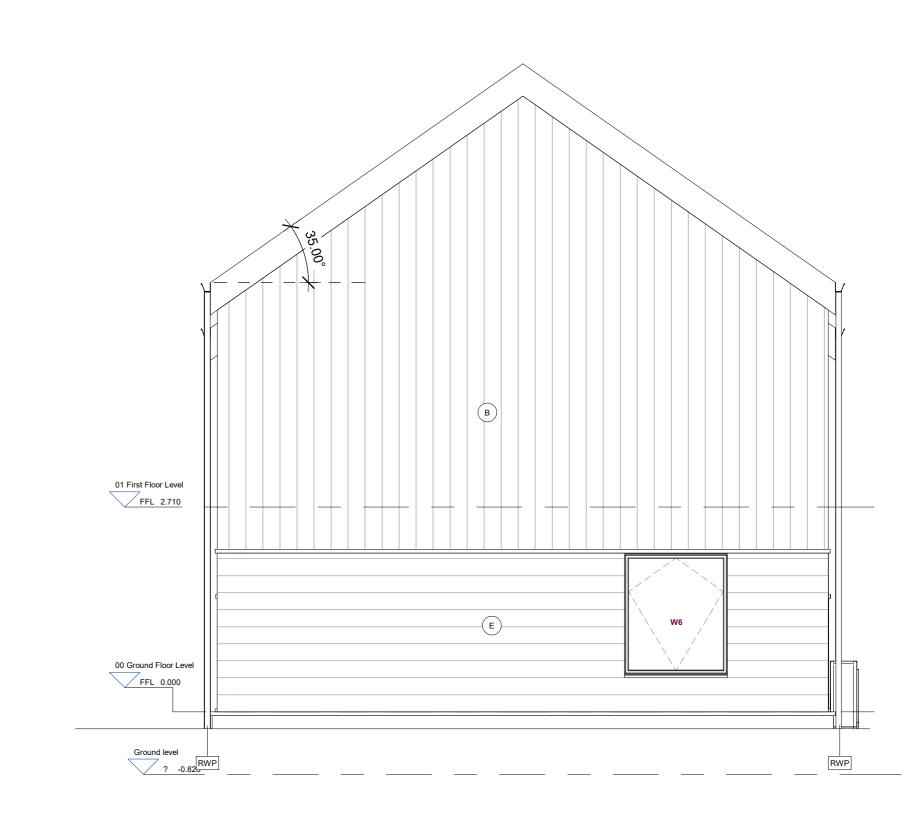
MM
Rev
C



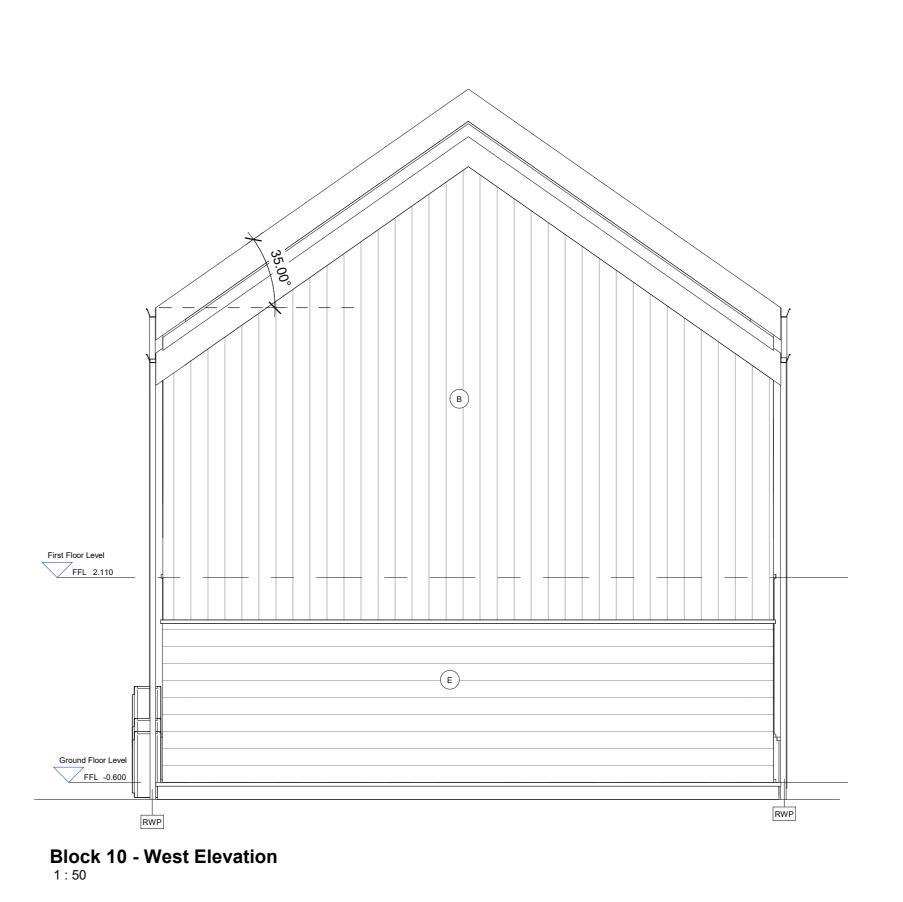
Block 10 - Front Elevation
1:50



Block 10 - Rear Elevation



Block 10 - East Elevation



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Control of Asbestos Regs 2012 - Applies at all times.

 A Vertical Cladding (Colour TBC) B Render on Board (Colour TBC)

C Tiled Roof

Photovoltaic Panels (indicative only, number, size and location tbc, panels must be set out to align with facade elements and must not be over party walls) E Horizontal Cladding (Colour TBC)

F Boiler Flue G Ventilation Extraction H External Lights

Indicative Charging Point location

ESCAPE Escape window min 450x450mm opening

Dark grey UPVC windows

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All masonry to be in stretcher bond unless otherwise noted.
All fascias, soffits and downpipes to be dark grey UPVC.

Rev Description Date Issued

- Initial Issue 07/05/21

A Indicative Charging Point location added. 02/07/21
Canopies added at WHCR/Adaptable houses

B Render replaced with horizontal caldding. 15/09/21
C Additional RWP's added 01/12/21

JR Group

Upper Archintore

Drawing Title
Block 10 Elevations

Scale
As indicated @ A0 3257 FP
Purpose of Issue
Building Warrant 07/05/21 MM
Drawing Number Rev
L(20)316 C