

Agenda Item	6.9
Report No	PLS-24-22

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 22 March 2022

Report Title: 20/03555/MSC: Robertson Homes

Land 165M NE of Great Glen House, Leachkin Road, Inverness

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Application for the Approval of Matters Specified in Conditions 2c (access), 2e (play areas), 2f (landscaping) 2k (management and maintenance) and 9 (Open Space Strategy) of Planning Permission in Principle 12/01832/S42 to deliver Adventure Play Area, Footpath Link from Site 4 to Great Glen Way and Footpath Link from Site 5 to Kilvean Cemetery.

Ward: 13 – Inverness West

Development category: Local

Reason referred to Committee: Five or more objections

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 a number of conditions relating to planning permission 12/01832/S42, that was granted on 08 June 2018, in respect of the Westercraigs development. The application seeks to satisfy conditions to allow the following supporting infrastructure to be delivered:
- Path link between the site and Kilvean Cemetery (provision of new path and utilising existing tracks on former estate roads);
 - Path link between the site and Stornoway Drive;
 - Play area adjacent to Site 5 (western edge of the site); and
 - Adventure playground and associated path links to the west of the site.
- 1.2 This submission seeks approval of the following conditions:
- | | |
|---------------------------|--------------------------------------|
| • 2 (c) – access | • 2 (e) – play areas |
| • 2 (f) – landscaping | • 2 (k) – management and maintenance |
| • 9 – Open Space Strategy | |
- 1.3 No formal pre-application advice was sought prior to submission. Discussions were however held with the applicant in relation to procedural matters. At request of officers the applicant undertook public engagement on the proposed paths, play areas and open space strategy in February 2022. This included a drop-in session where approximately 60 people attended and 23 people returned feedback forms with a number outlining support for the proposals, but others raising concern over impact on amenity.
- 1.4 The application has been supported by the following information:
- Open Space Strategy;
 - Tree Survey;
 - Arboricultural Impact Assessment;
 - Factoring information;
 - Maintenance proposals; and
 - Drainage Impact Assessment.
- 1.7 The applicant had previously submitted a programme for completion of the works with completion of each of the elements as follows:
- Delivery of Phase 1 of the adventure play area – by June 2020;
 - Footpath linkage to informal play areas south of site 5 and toward Kilvean Cemetery – by June 2020;
 - Delivery of footpath linkage to Stornoway Drive – by June 2020;
 - Provision of informal play area in site 6 – by Spring 2021;
 - Provision of path linkages to the adventure play area – by Spring 2021
 - Provision of equipped play area in site 7 or 8 – by occupation of houses within

- those phases of development;
- Completion of adventure play area – by occupation of houses within sites 7 and 8.

As a result of the need for modifications to the application layout and design as well as delays as a result of the coronavirus pandemic, these timescales require to be revisited. This is addressed later in the report.

1.7 Since validation the following variations have been made to the application:

- Modifications to path alignment and geometry to address matters related to accessibility;
- Increase in width of the paths to 2.5m;
- Modifications to the path construction and finish;
- Submission of further information related to drainage; and
- Modification to layout of play areas.

2. SITE DESCRIPTION

- 2.1 The site lies within the estate of the former Craig Dunain Hospital, an area identified for development under the Westercraigs Masterplan and within successive Development Plans.
- 2.2 The site is accessed from the main distributor road within the Westercraigs development, known as "Forester's Way". Originally the site housed a number of ancillary buildings related to the operation of the former Craig Dunain Hospital. These included the: laundry house; workshop; ward; stores; laboratory and mortuary; industrial therapy unit; slaughterhouse; and numerous buildings and structures related to heat and power for the former Hospital. All of these buildings and structures, with the exception of a former store, have now been removed and the site is in use as a site compound and area for recycling materials for the conversion of the adjacent listed building.

3. PLANNING HISTORY

3.1	09.08.2005	03/00676/OUTIN - Outline Planning Permission for residential development and associated infrastructure based upon submitted Master Plan (as amended) (550 houses)	Outline Planning Permission Granted
3.2	04.05.2006	05/00645/REMIN - Matters Specified in Conditions application for 107 houses (Site 2A and Site 2B) approved (05/00645/REMIN).	Reserved Matters Approved
3.3	09.06.2006	05/00879/REMIN - Matters Specified in Conditions application for redevelopment of listed building to form 118 flats approved	Reserved Matters Approved
3.4	09.06.2006	05/00891/LBCIN - Listed Building Consent for redevelopment of listed building to form 118	Listed Building Consent

		flats	Granted
3.5	22.07.2009	07/01169/FUL & 07/01172/LBCIN - Planning permission and listed building consent for refurbishment of former hospital to form 32 apartments (Phase 1)	Planning Permission and Listed Building Consent Granted
3.6	22.01.2009	08/00670/FULIN & 08/00671/LBCIN - Planning permission and listed building consent for refurbishment of former hospital to form 54 apartments (Phase 2)	Planning Permission and Listed Building Consent Granted
3.7	28.06.2013	13/01297/FUL - Planning permission for 94 semi-detached, terraced & flatted dwellings (Site 2B)	Planning Permission Granted
3.8	25.05.2016	15/03384/MSC - Erection of 51 houses and associated works	Matters Specified in Conditions Approved
3.9	08.06.2018	12/01832/S42 - Application for non-compliance with Conditions 1, 6 and 14 of planning permission 03/00676/OUTIN for residential development and associated infrastructure based upon submitted Master Plan (as amended) (550 houses).	Planning Permission Granted
3.10	10.12.2019	19/00524/MSC - Submission of matters specified in Conditions 2, 3, 6, 7, 10, 11 and 12 of Planning Permission 12/01832/S42 – Erection of 60 houses with associated roads, parking, drainage and infrastructure	Matters Specified in Conditions Approved
3.11		21/05305/MSC - Submission of Matters Specified in Condition 2 (Siting and Design), 3 (Design Statement), 6 (Flood Risk), 10 (Surface Water Drainage), 14 (Access Roads and Drainage), and 17 (Contaminated Land) of Planning Permission in Principle 12/01832/S42 - Erection of 32 Residential Units and associated infrastructure.	Pending Consideration
3.12		21/05309/FUL - Erection of 47 residential units and associated infrastructure	Pending Consideration

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Yes - Unknown Neighbour
Date Advertised: 31.10.2020 and 24.09.2021
Representation deadline: 24.09.2021

Timeous representations: 8

Late representations: 0

- 4.2 Material considerations raised are summarised as follows:

- Impact on amenity (privacy, noise from play park);
- Alternative route available to Kilvean Cemetery (around perimeter of Ruighard Place);
- Lack of parking provision;
- Road safety concerns (including lack of traffic calming and boundary fences to play areas);
- Safety of development in proximity to powerlines;
- Impact on wildlife.

Non-material considerations raised in representations are summarised below:

- Build quality of existing paths.

- 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 **Access Officer** does not object to the application following modifications to the geometry of paths, provision of path drainage, and a commitment to maintenance of the paths. Concern was raised that the culverts under the paths were of a size that may be used by children. The applicant has subsequently reduced the size of the culverts.
- 5.2 **Flood Risk Management Team** do not object to the application following the submission of further information on drainage of the paths and the play area. It requested that the culvert under the path was extended to prevent blockage scouring or flooding the Great Glen Way. The applicant has subsequently provided details showing an extended length of culvert.
- 5.3 **Landscape Officer** does not object to the application. Further information on the contouring of the site and final details on the paths were asked for and have been provided by the applicant.
- 5.4 **Transport Planning Team** do not object to the application following modifications to the geometry and form of the paths to be provided and clarification that the paths will remain in the ownership and be the maintenance responsibility of the developer. It has however highlighted that the finished surface of the paths (unbound binding stone and fine particles) is not generally suitable for use by wheelchair users and

pushchairs due to the potential of uneven surfaces.

- 5.5 **Forestry Officer** does not object to the application. The removal of 30 trees is noted and accepted. The landscaping plans submitted by the applicant are welcomed.

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
- 34 - Settlement Development Areas
- 51 - Trees and Development
- 56 - Travel
- 57 - Natural, Built & 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
- 74 – Green Networks
- 75 – Open Space
- 77 – Public Access
- 78 – Long Distance Routes

6.2 Inner Moray Firth Local Development Plan 2015

Policy 2 – Delivering Development

Allocation IN20 – Westercraigs (370 Homes, Business, Retail)

6.5 Highland Council Supplementary Planning Policy Guidance

- Construction Environmental Management Process for Large Scale Projects (August 2010)
- Flood Risk & 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)
- Standards for Archaeological Work (March 2012)
- Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (The Scottish Government, June 2014)
National Planning Framework 3 (The Scottish Government, June 2014)
Creating Places (The Scottish Government, June 2013)
Designing Streets (The Scottish Government, 2011)

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 original planning permission in principle granted on the site and subsequent permission granted for non-compliance with conditions. This submission seeks to approve matters specified in conditions of the planning permission in principle issued in 2018. 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 Development Plan policy has changed since the time of determination of the original planning permission in principle application. The Highland Structure Plan (2001) is no longer in force and the Inverness Local Plan (2006) in relation to this site and the policy provisions have been superseded by the contents of the Highland-wide Local Development Plan (2012). The Inner Moray Firth Local Development Plan (2015) has also been adopted.
- 8.5 However, Development Plan policy has not changed since the determination of the application for non-compliance with conditions (12/01832/S42). Therefore, subject to the detail set out later in this report the submission for the approval of matters specified in conditions accords with the provisions of the Development Plan.
- 8.6 The remainder of this report will consider the submissions made in relation to the relevant conditions attached to the planning permission in principle as they relate to the provision of the play areas and paths and assess its compatibility with the Development Plan.

Open Space Strategy (Condition 9) and Management and Maintenance (Condition 2k)

- 8.7 The application is seeking approval for the overall Open Space Strategy as part of the Westercraigs development. The requirement to produce an Open Space Strategy was added as a requirement of the 2012 planning permission in principle for the wider site. It was sought to address the shortfall in provision across the wider site and to ensure delivery of a proportionate level of high quality, accessible and fit for purpose open space to serve the existing and future residents in the area. An Open Space Strategy had previously been submitted by the applicant in 2016.
- 8.8 Prior to the submission of the Open Space Strategy which accompanied this application, officers were working to ensure delivery of an appropriate level of open space in each of the individual phases of development on a case by case basis. While this has been successful in securing local equipped play areas and natural play areas within Sites 4, 5, and 6, given the scale of the development, it was considered appropriate to secure more strategic provision in proximity of the site. Further, the Strategy was required to demonstrate how the open spaces which formed part of the former hospital grounds would be managed going forward.
- 8.9 The Strategy contains sufficient information to ensure the long term vision for open space, as set out in the Council's Open Space in New Residential Development Supplementary Guidance can be achieved within this development site. This is as a result of the provision of a range of existing and proposed open spaces within the development. Once the strategy has been delivered in full a total of 71.4ha of open space will have been secured which is largely based around the original grounds of the former Craig Dunain Hospital. The provision will include:
- Multi-Use Games Area adjacent to Stornoway Drive;
 - A Local Equipped Play Area within Site 4;
 - Two informal play areas with natural play equipment such as logs and boulders. One located in site 6 (in the north east of the site) and one adjacent to site 5 (in the south west of the site);
 - A proposed local equipped play area within the proposed Sites 7 and 8 of the development (currently under consideration as planning applications 21/05305/MSC and 21/05309/FUL);
 - An adventure playground to the north of Site 4 (detail subject to this application);
 - Approximately 18,700m² of amenity greenspace which can be used for informal recreation and forms part of the landscape setting of the development;
 - Community woodland and parkland – An area to the north west of the site is being provided to a local woodland group to facilitate improved forest management and to secure the area as a recreational resource for existing and future residents.
- 8.10 Representations have raised concerns about the potential of additional traffic coming to the area to use the play areas and the wider open space provision in the site. It is envisaged that most people accessing the facilities will do so by walking, cycling or wheeling. With that said, the applicant has confirmed that it will investigate the

provision of car parking adjacent to the Duck Pond to facilitate safer parking opportunities for the community woodland area and this could also be used for parking for the other open spaces within the development also. While concerns have been raised in relation to lack of traffic calming features on Foresters Way and Leachkin Road, it is not considered that the level of development proposed by this application would warrant additional measures. It will however be a consideration on any application which will increase housing numbers across the masterplan site.

- 8.11 The applicant proposes that all of the open spaces and footpaths will be managed and maintained by a factor, with the exception of the woodland which will be managed and maintained by a community group. The open spaces delivered to date are all already subject to factoring agreements related to each phase of development. For all future open spaces and shared infrastructure which does not form part of a residential phase of development, the applicant proposes to retain ownership and manage and maintain the spaces and paths itself. There was correspondence between the applicant and the Council's Area Roads Team with regard to adoption of the path network if it was built to adoptable standards but given the remote nature of the path links, this option was not favoured by the Area Roads Team. Therefore, subject to securing a detailed schedule of maintenance the approach is considered acceptable.

Play Area Provision (Conditions 2e and 2f)

- 8.12 This application seeks to approve matters specified in conditions related to the delivery of a larger equipped play area within the development. It is proposed to be located on a landscaped platform in an area which is slightly elevated above the properties in the northern part of the development. The boundary of the nearest properties is approximately 26m to the south and the houses themselves are approximately 35m to the south. A variety of play equipment is proposed including climbing frames, zip lines, and slides. This would cater for a range of ages and abilities. It would be accessed via a path from the centre of the site that would zig-zag up the embankment toward the play area. Some concern was raised by the Council's Landscape Officer in relation to the landscape impact of the platformed area and its embankments. However, suitable landscaping of these has been secured to ensure that it would fit within the wider landscape setting of the site.
- 8.13 The design and location of the natural play areas which sit within Site 6 already benefits from planning permission and will be delivered prior to occupation of the units adjacent to the play area. The play area promoted within the amenity greenspace adjacent to Site 5 provides opportunities for imaginative play on stepping stone logs, climbing frames, balance beams and other natural features. This is considered to be of an appropriate scale and adds interest to the path route that will be provided. A local equipped play area is already present at the western edge of Site 4 (toward the centre of the development). This appears to be well used by those in the local area. Further play provision is to be located within Sites 7 and 8 which are the final phases of the development. This is being considered as part of the planning applications for those sites which are currently under consideration (Ref 21/05305/MSC and 21/05309/FUL).
- 8.14 Concerns have been raised with regard to impacts of the proposed play area on residential amenity. Particular concerns related to noise have been highlighted in

relation to privacy, noise and littering. These matters are addressed in turn below:

- Privacy - it is considered that there is sufficient separation between the proposed adventure play area and the existing and proposed houses. The other play areas are either already established or benefit from extant planning permissions.
- Noise – noise from play areas is inevitable when they are in use as people take enjoyment at such facilities. However, it is not considered that a level of noise would be generated that would create an amenity impact. As the spaces are not going to be lit the use of the play areas in hours of darkness would not lead to excessive noise during the night.
- Litter – the applicant has proposed litter bins within the play areas and these will be emptied as part of the factoring and maintenance of the play facilities.

- 8.15 Concerns over safety of use of the play areas has been raised. For the play area adjacent to Site 5, at the western edge of the site, concern had been raised over lack of boundary fencing between the play area and the road. The applicant has proposed landscaping between the play area and the road, however until that is established it is considered appropriate to have a boundary along that edge. A post and wire fence will be placed along the edge of the site to support the hedging and act as a boundary treatment. A separate representation has raised concern over the location of the adventure play area near overhead lines. The National Grid Sense of Place Guidance sets out that active recreation areas can be located in proximity of powerlines subject to appropriate clearance to the line being maintained. This will be the case.
- 8.16 Through the provision of the play areas identified within the open space strategy and through the provision of the adventure playground, it is considered that there are an appropriate level of play facilities to serve the existing and future residents based upon the standards set out in the Open Space in New Residential Development Supplementary Guidance.

Path Connections (Conditions 2c and 2f)

- 8.17 The three paths proposed through this application will become an important recreational resource to facilitate access to the outdoors and also for active travel. As a result, officers have negotiated with the applicant to secure improvements to the path design, geometry and width to ensure they are attractive to use. In doing so, the gradient and route of paths were adjusted to ensure no steps were required, widths increased to 2.5m to ensure that people can pass comfortably without having to step off the path and ensure accessibility. The finish of the paths has also been subject to significant discussion and it has been agreed with the applicant that the paths can be finished in a compacted stone with fine particle finish with appropriate drainage and concrete edging to ensure the material does not wash away or the path edges collapse. While a tarmacadam finish would have been preferred, as it is not being maintained by the Council, the applicant was not willing to accept liability for someone slipping on a tarmac path which is more prone to ice. Subject to a rigorous maintenance regime for the path, to ensure they remain accessible to all, the finish and construction of the paths is accepted.

- 8.18 The path linking Site 5 down toward Kilvean Cemetery utilises a mix of new paths and existing paths which will be upgraded. This route will then link into the recreational walking routes around the new golf course at Torvean. This path is remote from the road to avoid additional impact on trees. Representations requested that an alternative route for the path linking Site 5 to the estate road is promoted which is not via the residential street. The routing here already has planning permission and has been promoted to utilise a more direct route for those within Site 5 and to avoid impact on trees. It has the potential to increase footfall past the properties, but alternative routes are also available via the former estate road. This route is considered acceptable.
- 8.19 The path link between the site and Stornoway Drive is welcomed as it ensures that a direct route is provided between the development, the multi-use games area and Stornoway Drive. This will also connect to the Great Glen Way providing a connection toward Inverness City Centre.
- 8.20 Following the improvement secured by officers, the path links are welcomed and will ensure that the community at Westercraigs is better connected to the recreational routes that can also be utilised for active travel.

Phasing and Delivery

- 8.21 The applicant was required to provide the infrastructure proposed by this application by 31 May 2020. Due to the need to negotiate with the Council on the design of the infrastructure and delays as a result of the coronavirus pandemic this timescale was not met. In agreement with the applicant the following timescales for delivery of play areas and paths has been agreed:

Infrastructure	Original proposed date	Now agreed date for delivery
Delivery of Phase 1 of the adventure play area	June 2020	31 July 2022
Footpath linkage to informal play areas south of site 5	June 2020	31 July 2022
Delivery of footpath toward Kilvean Cemetery	June 2020	31 July 2022
Delivery of footpath linkage to Stornaway Drive	June 2020	31 July 2022
Provision of informal play area in site 6	Spring 2021	31 August 2022 or completion of units Plots 25-31 as shown on approved drawing 1106(PL)SL-02 Revision K of Planning Permission 19/00524/MSC (whichever is earlier)
Provision of path linkages	Spring 2021	31 July 2022

to the adventure play area		
Provision of equipped play area in site 7 or 8	Occupation of units in Site 7/8	Prior to occupation of relevant unit numbers in site 7 / 8
Completion of adventure play area	Occupation of units in site 7/8 or 10/11	31 July 2022
Provision of play area adjacent to site 5	June 2020	31 July 2022

While these timescales for delivery have been agreed with the applicant, they should nevertheless be secured by planning condition.

Other material considerations

- 8.22 An arboricultural method statement and tree protection plan were submitted in support of the application. This demonstrates that across the proposed development site there will be a total of 30 trees lost to accommodate the paths and play areas. The trees to be lost are of varying quality and will be compensated through the landscaping associated with the proposed development. The Forestry Officer has raised no objection to the tree removals and the proposed landscaping plans are found to be acceptable.
- 8.23 Drainage of the play areas and paths will connect to and utilise existing surface water drainage features. The Flood Risk Management Team has reviewed the proposed drainage arrangement and found them to be acceptable.
- 8.24 Representations have raised concern over the impact of the development on wildlife. Based upon the information provided and considered through the masterplan, no protected species would be affected by the construction of this infrastructure. It is considered that there may be a level of displacement of wildlife during the construction period, but this would not be to a level which would be significant.

Non-material considerations

- 8.25 The issue of build quality of existing paths and landownership are not material planning considerations.

Matters to be secured by Section 75 Agreement

- 8.26 An existing legal agreement covers the masterplan site. The delivery of open space and landscaping form part of that agreement. Further a contribution is payable to the delivery of outdoor sports facilities to compensate for the lack of delivery of a rugby pitch within the development.

9. CONCLUSION

- 9.1 The provision of the paths and play areas proposed by this application will provide welcome facilities within this development for existing and future residents. Subject to securing timeous delivery the proposals are considered acceptable.
- 9.2 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 application provides opportunities for travel by active travel.
- 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 to **APPROVE** the application subject to the following conditions and reasons

1. The open space, play areas and paths, hereby approved shall be delivered no later than the following dates:

Infrastructure	Timescale for delivery:
Delivery of Phase 1 of the adventure play area	31 July 2022
Footpath linkage to informal play areas south of Site 5	31 July 2022
Delivery of footpath toward Kilvean Cemetery	31 July 2022
Delivery of footpath linkage to Stornoway Drive	31 July 2022
Provision of informal play area in Site 6	31 August 2022 or completion of units Plots 25-31 as shown on approved drawing 1106(PL)SL-02 Revision K of Planning Permission 19/00524/MSC (whichever is earlier)
Provision of path linkages to the adventure play area	31 July 2022
Provision of equipped play area in	Prior to occupation of relevant unit

Site 7 or 8	numbers in site 7 / 8
Completion of adventure play area	31 July 2022
Provision of play area adjacent to Site 5	31 July 2022

If the timescale for delivery can not be met for a reason outwith the control of the applicant, the Planning Authority shall be informed in writing and an alternative timescale for delivery shall be submitted to, and approved in writing by, the Planning Authority.

Reason: To ensure timeous delivery of open space and path connections to facilitate the creation of place.

2. The development shall not be occupied until details of the relevant person or party responsible for the maintenance of the play area, paths and on-site surface water drainage system have been provided to the Planning Authority. For the avoidance of doubt any part of the development not adopted by The Highland Council or another responsible authority shall remain the responsibility of the developer and maintained in line with the scheme to be approved under condition 3 of this planning permission.

Reason: To ensure that the development is maintained by an appropriate party and that the party responsible for maintenance can be easily identified should any issue arise.

3. Before the first use of each path and play area hereby approved, a scheme for the maintenance in perpetuity of all on-site green spaces, play areas and paths within the development that are not the exclusive property, and those elements of surface water drainage regimes not maintained either by the Highland Council or Scottish Water for that Phase of sub-Phase, shall be submitted to and agreed in writing by the planning Authority. The agreed scheme, which shall accord with the Highland Council's adopted standards contained within 'Open Space in Residential Development' and 'Roads and Transportation Guidelines for New Developments', shall be implemented thereafter to the satisfaction of the Planning Authority.

Reason: In the interests of amenity and to ensure that communal infrastructure on the site is maintained in accordance with the Council's standards.

The play area hereby approved on approved drawing 334.02.07 REV C shall be bounded on the roadside by a 1.2m high post and wire fence prior to first use of the play area.

Reason: In the interests of safety.

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.

INFORMATIVES

Initiation and Completion Notices

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

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

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

Flood Risk

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

Scottish Water

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

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 is 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
Plan 2 – Site Layout Plan (Play Area Site 5)
Plan 3 – Site Layout Plan (Adventure Play Area)
Plan 4 – Remote Woodland Footpath from Estate Road to Cemetery
Plan 5 – Remote Path from Site 5 to Estate Road
Plan 6 – Path Great Glen Way to Site 4
Plan 7 – Path Locations
Plan 8 – Adventure Play Park layout
Plan 9 – Path Construction Details



0m 50 100 150 200 250
scale bar 1:5000

Key:

- Ownership boundary
- Application boundary

A Red-line boundary amended from Site 5 06-09-21 JM

No. Revision Date By



Robertson House, Castle Business Park, Stirling FK9 4TZ
Tel: 01786 431600 Fax: 01786 431650
Email: info@robertson.co.uk
www.robertsonhomes.co.uk

Project Title:
Westercraigs Inverness

Drawing Title:
Location Plan

Scale: 1:5000@A3 Date: Aug 20

Drawn: LB Checked:

Drawing No. 1105(PL)LP-01 Rev: A

ITEMS LIST

Equipment

A. Origin Cableway
Ref: J4911A
B. Origin Multiplay Structure
Ref: J4934A
C. Origin Flat Seat Swing
Ref: J490A
D. Origin Cradle Swing
Ref: J498A

Ref: J4911A
Ref: J4934A
Ref: J490A
Ref: J498A

Ancillaries

E. Valloire Bench
Ref: RBA1
F. Waste Bin
Ref: J2822B

Ref: RBA1
Ref: J2822B

Safety Surfacing

Area to be surfaced with Play Chip to the depths of 300mm, requirements of the following:

- 300m² excavation to be done by others to allow level of the Play Bar to be the same height as the grass.
- 300m² Geotextile Membrane.
- 90m³ Play Chip to a depth of 300mm*
- 70Lm Timber edging & stakes around the perimeter of the bark pit.

* Including delivery and off-loading.

Optional Extras

Post Installation Inspection

Ground preparation to be done by others and to be flat and level prior to Proludic arriving at the site.

North direction to be confirmed as could effect the position of the multiplay unit due to the slide.

Subject to full site survey from a Proludic Representative.

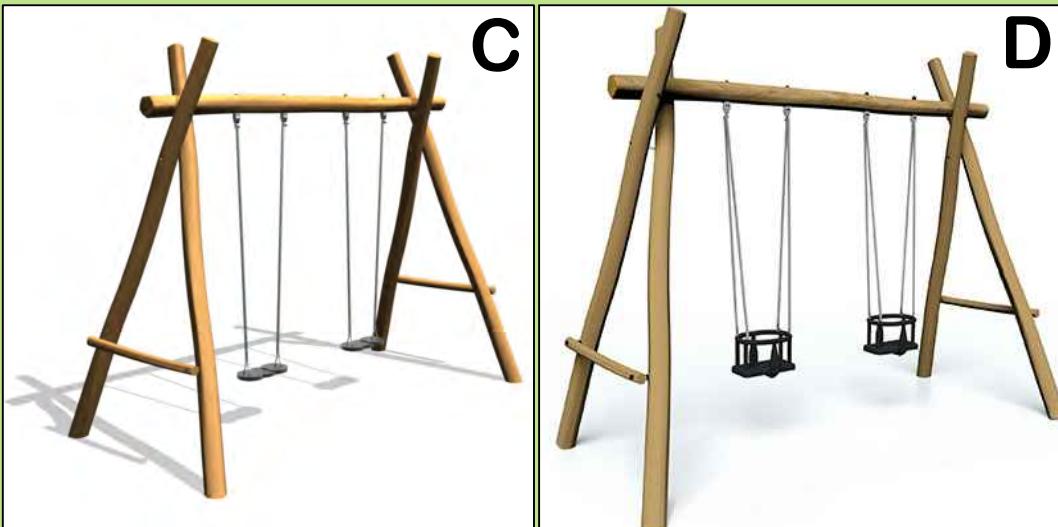
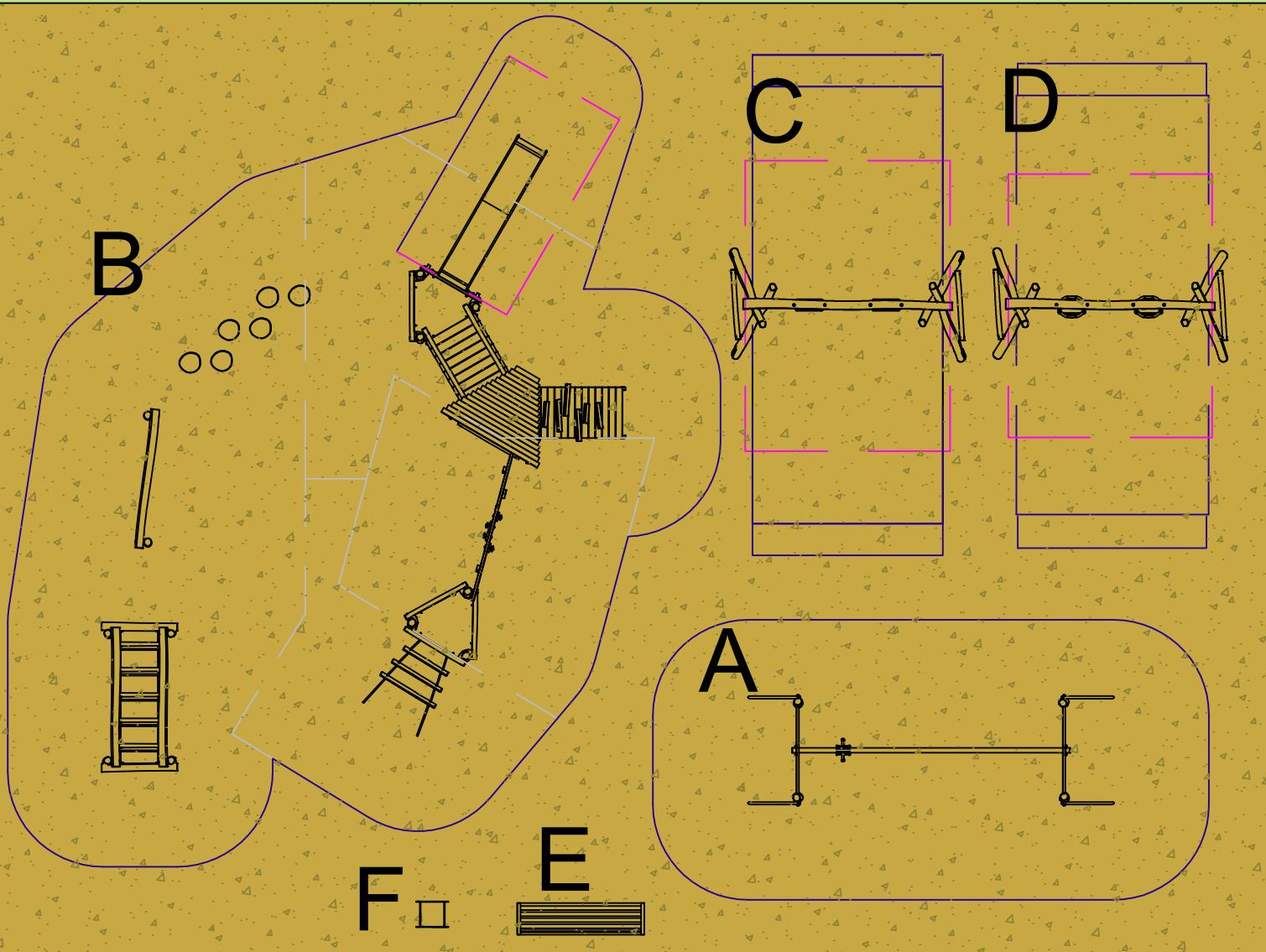
Based on a flat fully established grass site.

Preliminaries have been included within your quotation, these equate to site setup, site storage, delivery, unloading of equipment, site welfare, heras fencing & signage and skips (this can also include supervision where necessary).

Topsoil & Turf/Seed to be done by others (watering is the responsibility of others and has not been costed for).

All pathways, furniture, planting, mounding and any other soft landscaping works not mentioned above are to be done by others.

Some images shown are for illustrative purposes only. The quote and items list will show the exact equipment used.



PRODUCT KEY

	Play Chip		Grass (By Others)
	Free Fall		Free Space



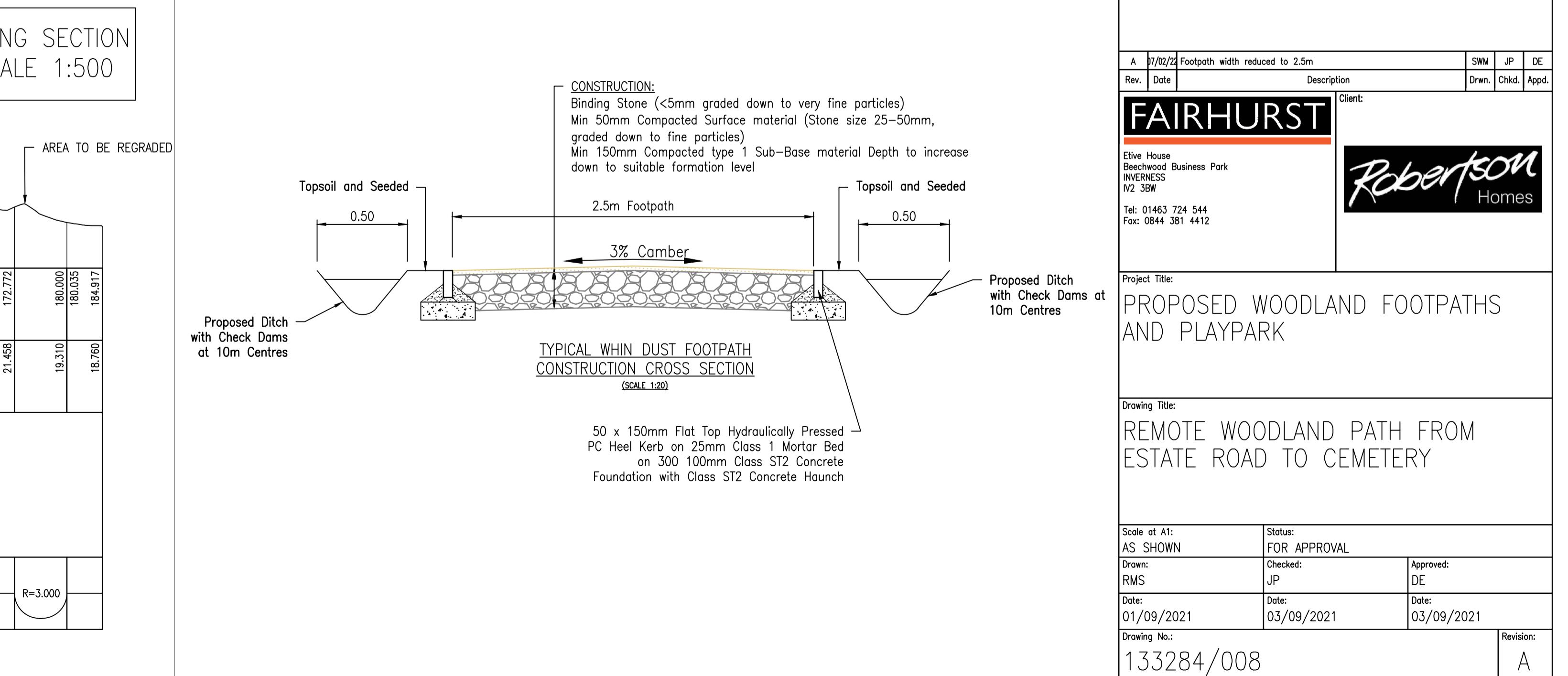
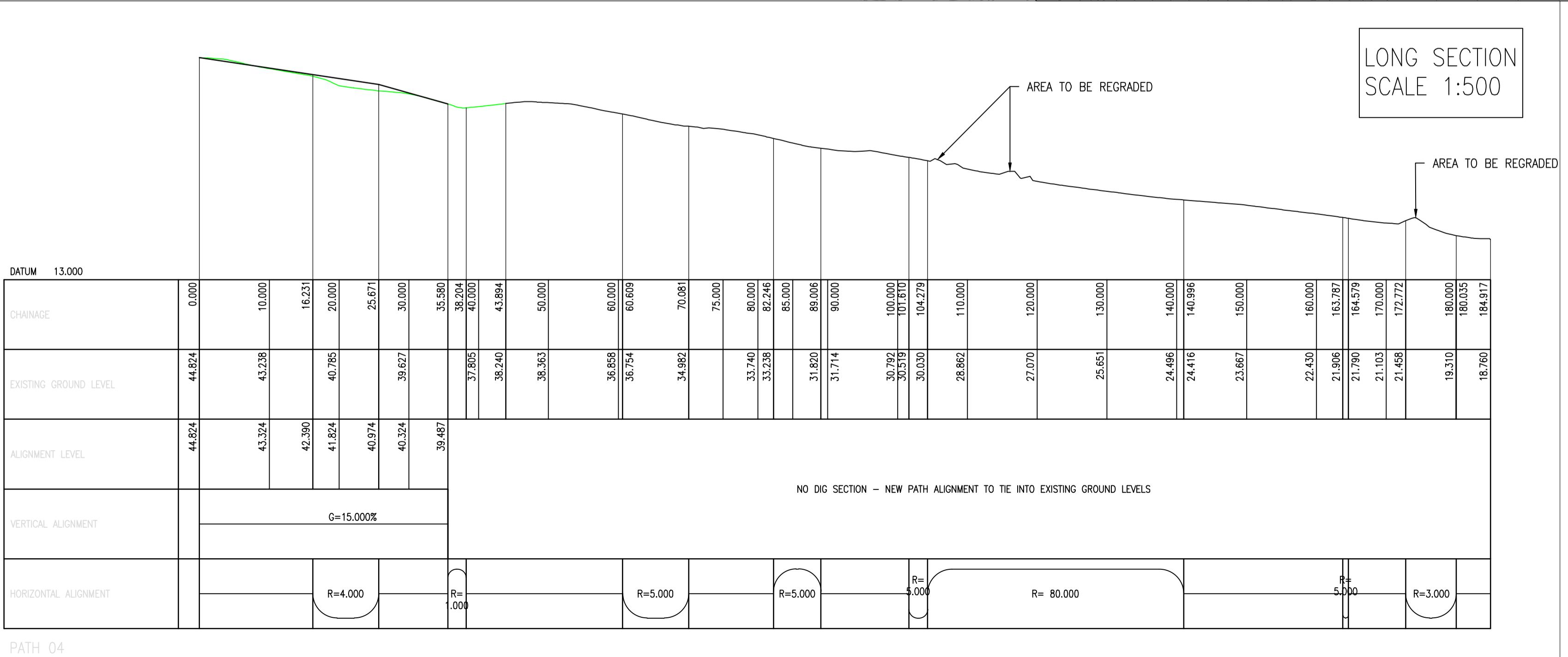
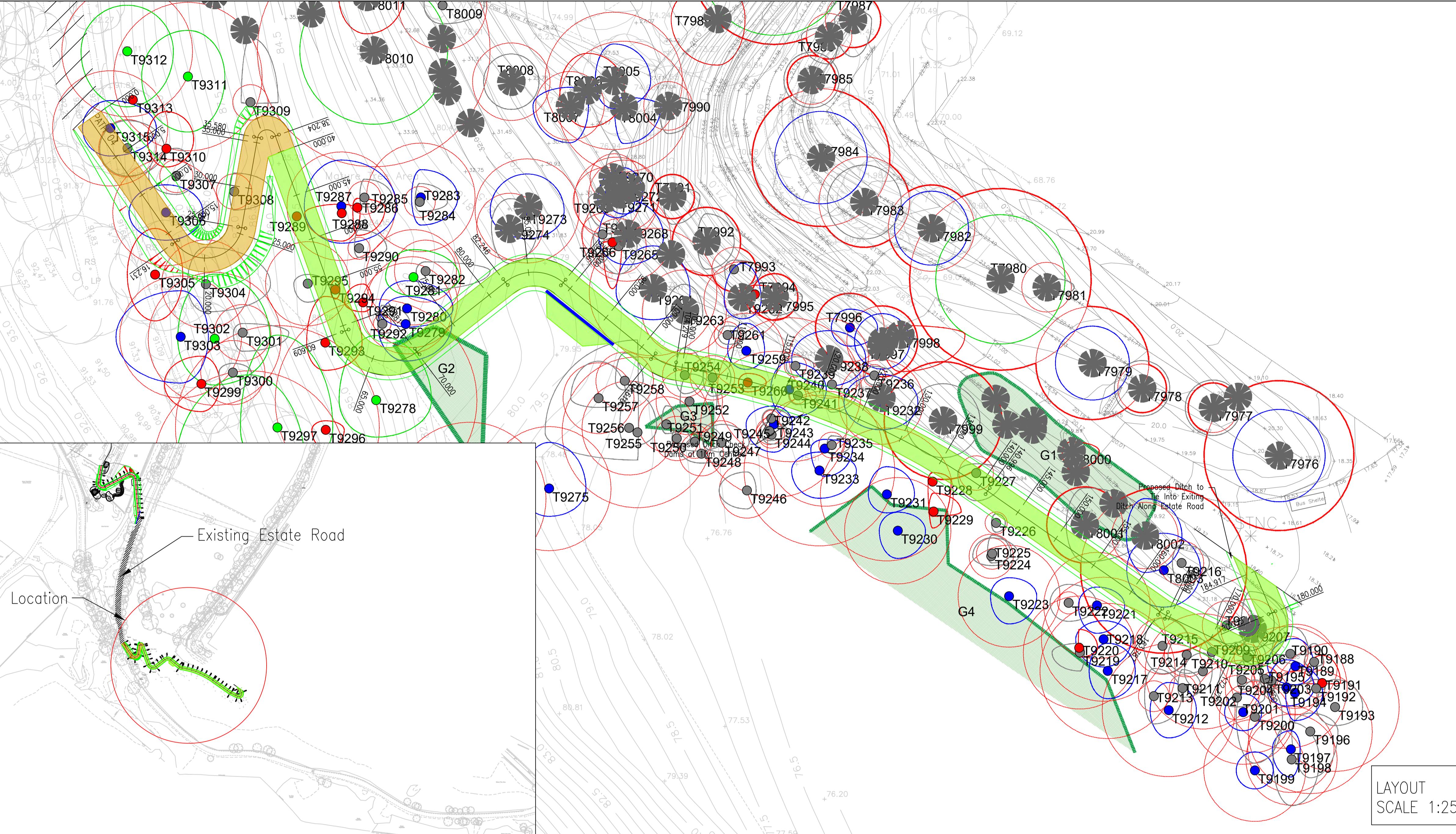
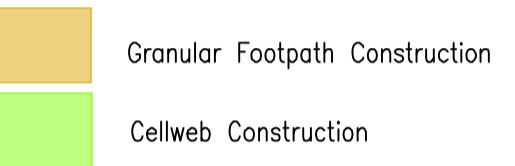
Westercraigs Adventure Play Area

Robertson Partnership Homes

DATE: 27/08/2019 REF: 2103.28987(WestercraigAdventure_RobertsonPartnershipHomes)

REV: - DB: TY/RS CB: DB SCALE: 1:100 @ A3

Do not scale from this drawing.
 SAFETY HEALTH AND ENVIRONMENTAL INFORMATION
 IN ADDITION TO THE HAZARD/RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, NOTE THE FOLLOWING RISKS AND INFORMATION.
 RISKS LISTED HERE ARE NOT EXHAUSTIVE. REFER TO DESIGN ASSESSMENT FORM NO.
CONSTRUCTION:
 HIGH VOLTAGE OVER HEAD LINES
DEMOLITION:
 FOR INFORMATION RELATING TO USE, CLEANING AND MAINTENANCE SEE THE HEALTH AND SAFETY FILE.
 IT IS ASSUMED THAT ALL WORKS WILL BE CARRIED OUT BY A COMPETENT CONTRACTOR WORKING, WHERE APPROPRIATE, TO AN APPROVED METHOD STATEMENT.
Notes:
 1. Do not scale from this drawing
 2. All dimensions are in metres unless specified otherwise



Do not scale from this drawing.

SAFETY HEALTH AND ENVIRONMENTAL INFORMATION

IN ADDITION TO THE HAZARD/RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, NOTE THE FOLLOWING RISKS AND INFORMATION.

RISKS LISTED HERE ARE NOT EXHAUSTIVE. REFER TO DESIGN ASSESSMENT FORM NO.

CONSTRUCTION:

DEMOLITION:

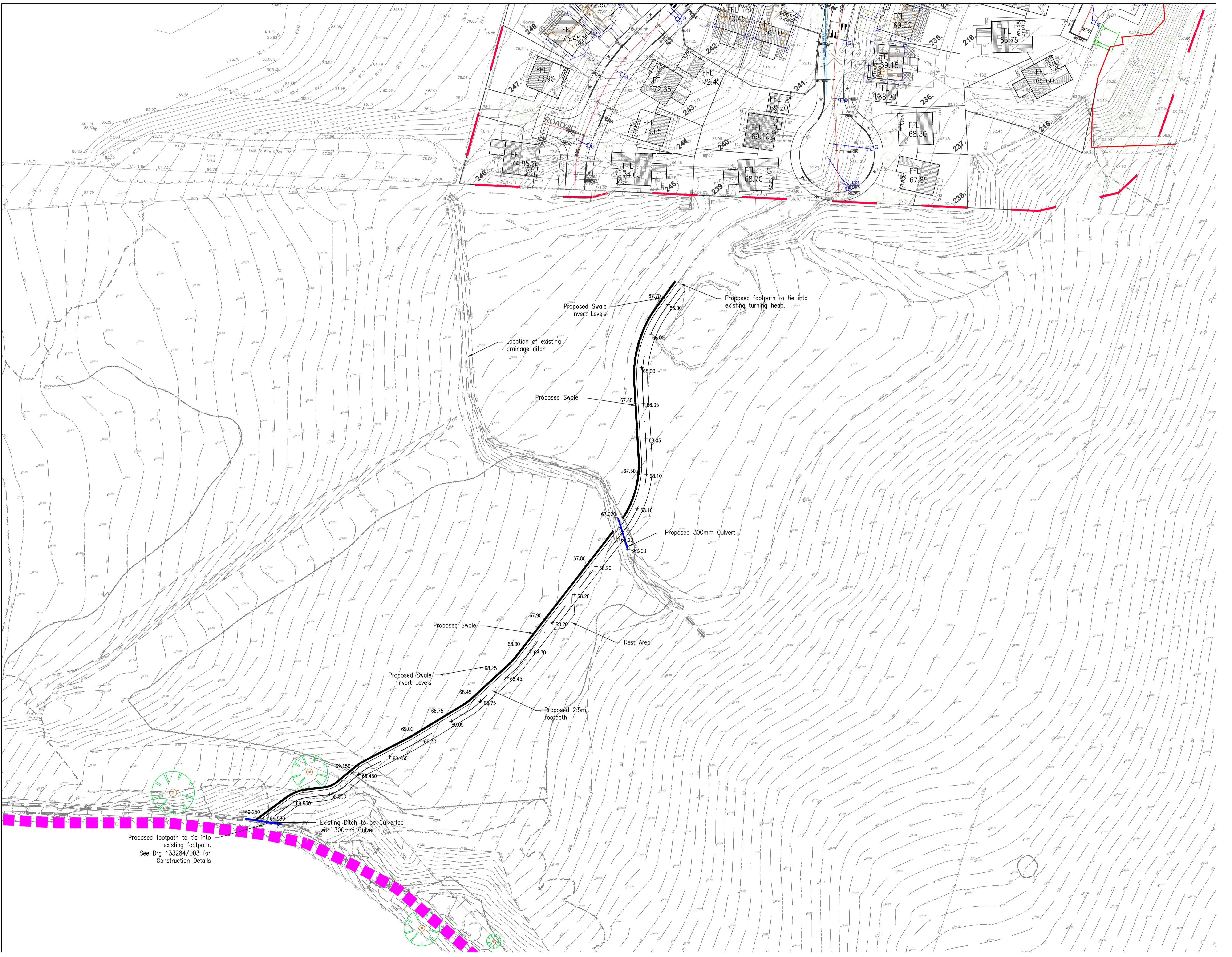
FOR INFORMATION RELATING TO USE, CLEANING AND MAINTENANCE SEE THE HEALTH AND SAFETY FILE.

IT IS ASSUMED THAT ALL WORKS WILL BE CARRIED OUT BY A COMPETENT CONTRACTOR WORKING, WHERE APPROPRIATE, TO AN APPROVED METHOD STATEMENT.

Notes:

1. Do not scale from this drawing
2. All dimensions are in metres unless specified otherwise
3. The Contractor shall contact the Engineer prior to work commencing should they note any discrepancies or require clarification on any aspect of the design.
4. The appointed Civil Engineering Contractor shall be responsible for setting out the Works and for the correctness of the position and dimensions of all parts of the works,
5. For construction details see drg 133284/003.

105.000 + Indicative levels. These level may vary depending on existing topography and actual route followed



C	07/02/2	Path construction width amended.	SWM	JP	DE
B	07/10/2	Path construction amended, swale IL added	SWM	JP	DE
A	30/09/2	Updated topo survey added	RMS	JP	DE
Rev.	Date	Description	Drawn:	Chkd:	Appd:

FAIRHURST

Elive House
Beechwood Business Park
INVERNESS
IV2 3BW
Tel: 01463 724 544
Fax: 0844 381 4412

Robertson
Homes

Project Title:
Proposed Woodland Footpaths


Drawing Title:
Footpath layout for path from Great Glen Way to Site 4

Scale at A1:	Status:
1:500	For Approval
Drawn: SWM	Checked: JP
Date: 03/09/2019	Date: 12/09/2019
Drawing No.: 133284/001	Revision: C

WESTERCRAIGS



Ownership Boundary
Application Boundary



A	Red-line boundary amended from Site 5 to Kilvean Cemetery	06-09-21	JM
No.	Revision	Date	By
ROBERTSON HOMES Robertson House, Castle Business Park, Stirling FK9 4TZ Tel: 01786 431600 Fax: 01786 431650 Email: info@robertson.co.uk www.robertsonhomes.co.uk			
Project Title: Westercraigs Inverness Drawing Title: MSC Planning Application Open Space / Play Areas			
Scale:	1:2500@A0	Date:	Aug 20
Drawn:	LB	Checked:	
Drawing No.		1005_WC(PL)SL-01	Rev: A

Do not scale from this drawing.	
SAFETY HEALTH AND ENVIRONMENTAL INFORMATION	
IN ADDITION TO THE HAZARD/RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, NOTE THE FOLLOWING RISKS AND INFORMATION.	
RISKS LISTED HERE ARE NOT EXHAUSTIVE. REFER TO DESIGN ASSESSMENT FORM NO.	
CONSTRUCTION:	
DEMOLITION:	
FOR INFORMATION RELATING TO USE, CLEANING AND MAINTENANCE SEE THE HEALTH AND SAFETY FILE.	
IT IS ASSUMED THAT ALL WORKS WILL BE CARRIED OUT BY A COMPETENT CONTRACTOR WORKING, WHERE APPROPRIATE, TO AN APPROVED METHOD STATEMENT.	
Notes:	
1. Do not scale from this drawing 2. All dimensions are in metres unless specified otherwise 3. Refer to Proludic drawing no. 1908.23775 for playpark finish and play equipment details.	

FAIRHURST

Elive House
Beechwood Business Park
INVERNESS
IV2 3BW
Tel: 01463 724 544
Fax: 0844 381 4412

Client: Robertson Homes

Project Title:

PROPOSED WOODLAND FOOTPATHS AND PLAYPARK

Drawing Title:

PLAY PARK LAYOUT AND SECTIONS

Scale at A1: AS SHOWN	Status: FOR APPROVAL
Drawn: JP	Checked: DE
Date: 02/06/20	Date: 02/06/20
Drawing No.: 133284/004	Date: 02/06/20
	Revision: F

