Agenda Item	8.4
Report No	PLN/048/22

#### **HIGHLAND COUNCIL**

Committee:	North Planning Applications Committee
Date:	15 June 2022
Report Title:	22/01126/PIP: Highland Council
	Land 15M NW of 16 Peffery Road, Dingwall
Report By:	Area Planning Manager - North

#### Purpose/Executive Summary

- **Description:** Meiklefield Redevelopment Masterplan Demolition of 114 residential units and erection of 117 residential units and associated infrastructure
- Ward: 08 Dingwall and Seaforth

Development category: Major

Reason referred to Committee: Major Development of over 30 houses

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

#### Recommendation

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

#### 1. PROPOSED DEVELOPMENT

- 1.1 The application is for planning permission in principle for the demolition of 114no 1950s semi-detached and terraced residential units within the Meiklefield neighbourhood of Dingwall to allow for its redevelopment. The proposal is to replace rather than refurbish existing housing stock in order to replace substandard housing with new homes that comply with modern living standards. The development is therefore in support of Outcome 4 of the Highland Council Housing Strategy, which seeks to improve the condition of housing and minimise fuel poverty, with the stated aims being to improve the quality, comfort, and affordability of homes.
- 1.2 The redevelopment comprises 117no new residential units, provision of new public and community facilities, and the redesign of the public realm with new landscaping and vehicular parking. The road layout is staying in the same format as present with some minor variations to meet modern standards and to allow for a change in parking strategy across the neighbourhood. The proposed housing mix is as follows:
  - 82 x 2 bedroom flats in two- and three- storey blocks.
  - 35 x 2 bedroom houses in two storey detached and semi-detached blocks.
- 1.3 It is envisaged that the development will be delivered over eight phases. Phase 1 has already been approved and is under construction under application ref. 21/02032/FUL, while the overall completion of the scheme is scheduled for 2025. As such, this application is for Phases 2 through 8 with each phase as described below and in Appendix 2 at the end of this report.
- 1.4 Phase 2 will see the demolition of addresses 21 to 39 Gladstone Avenue and 2 to 14 (even numbers) Meiklefield Road comprising 7no semidetached two-storey blocks each with 4no cottage flats (28 flatted units in total). The indicative proposed site layout plan shows 7no two-storey houses in detached and semi-detached blocks and 20no flatted units in two-storey adjoined blocks that front both public roads and a new cul-de-sac to be formed in to the site from Gladstone Avenue. Excepting two adjoined flatted blocks to the north of this site, the phasing plan indicates that the new-builds will each have off-street parking formed within the garden ground away from the public road. This phase marks the southeast corner of the redevelopment site.
- 1.5 Phase 3 will see the demolition of 2no two-storey terraces comprised each of 4no cottage flats and 2no houses, as well as a single semi-detached two-storey block of 4no cottage flats, all located on the west side of the northern section of Meiklefield Road. The indicative proposed site layout plan proposes 8no two-storey houses in detached and semi-detached blocks 6no two-storey single and adjoined flatted blocks accommodating 12no new flatted units across the phase. The new blocks are indicatively arranged around three U-shaped courts with off-street parking along Meiklefield Road, and two of the flatted blocks positioned orthogonally from Millcraig Road at the north of this site.

- 1.6 Phase 4 will see the demolition of a single terrace of 4no cottage flats and 2no houses on the east side of the northern section of Meiklefield Road to be indicatively replaced with 6no semi-detached two-storey houses arranged along Meiklefield Road and into Meiklefield Square at the south of the phase with off-street parking provided within the curtilage of each building. This phase forms part of the eastern boundary of the wider redevelopment.
- 1.7 Phase 5 will see the demolition of 6no semi-detached blocks of 4no cottage flats each along the north side of Peffery Road as well as a rear block of 13no garages, to be indicatively replaced with 9no two-storey detached and semi-detached houses and 14no two-storey single and adjoined flatted blocks accommodating 16no flats, arranged along Peffery Road excepting five flatted blocks erected orthogonally into the site at the phase's eastern extent. Off-street parking is indicatively shown within the curtilage of each new block. This phase marks the northern most section of the redevelopment site.
- 1.8 Phase 6 will see the demolition of 3no semi-detached blocks of 4no cottage flats each along with outbuildings on the south side of Peffery Road to be indicatively replaced with 7no two- and three- storey single and adjoined flatted blocks arranged around a small loop road with parking provided along the road edge. The phasing plan indicates that the new-builds will be accommodate 14no new flats.
- 1.9 Phase 7 will see the demolition of 3no semi-detached blocks of 4no cottage flats each along the east side of Fingal Road to be replaced indicatively with 7no detached and semi-detached houses and 3no sing and adjoined two-storey flatted blocks to accommodate 6no flats. The development fronts the public road except for a single adjoined block built orthogonally away from it. Off-street parking will be provided at the edge of each block along Fingal Road. This phase marks the western extent of the redevelopment.
- 1.10 Phase 8 will see the demolition of 3no semi-detached blocks of 4no cottage flats each along the north side of Gladstone Avenue to be indicatively replaced with 4no semi-detached houses and 4no two-storey adjoined flatted blocks accommodating 8no flats, fronting both Gladstone Avenue and Dewar Square. The blocks along Gladstone Avenue are indicatively positioned with a sizeable setback to allow for parking along the road edge and landscaping, with no parking proposed for Dewar Square. This phase marks the southern extent of the redevelopment.
- 1.11 The applicant utilised the Council's pre-application advice service for major developments in October 2021 (ref. 21/03945/PREMAJ) and was advised that the proposal is welcomed as it offers the opportunity to improve the quality of the built environment, green spaces, and general sense of place in this part of Dingwall. The response further advised that support for the development would be dependent upon the satisfactory resolution of the issues relating to transport and flooding/drainage raised by consultees. Finally, the response set out that it was important to bring forward a holistic strategy for the entirety of the Meiklefield development rather than a piecemeal approach.

- 1.12 The applicant undertook pre-application engagement with the community through a series of information days, news articles and through tenant engagement via a newsletter hand delivered to all properties within the Meiklefield area. The applicant also consulted with Dingwall Community Council.
- 1.13 The application is supported by a Supporting Statement, Drainage Strategy and Services Plan, the Phase 1 Drainage Strategy documents, Pre-Application Consultation Report, and the Traffic Consultant's Report.
- 1.14 No variations have been made to the proposal since the application was made valid however the applicant has provided additional information and clarification of the proposals in that time, none of which are considered to materially change the character of the development. This information includes:
  - an Updated Design and Access Statement with justification for the demolitions and redevelopment;
  - a Site Layout Block Plan for the overall development showing the indicative housing mix and unit numbers for each phase;
  - the Phase 1 Landscaping Plan to show the landscaping design principles being applied.

#### 2. SITE DESCRIPTION

- 2.1 The application site comprises seven parcels of land corresponding to each phase of redevelopment within the established neighbourhood and community of Meiklefield. Although the redevelopment will mostly involve Council owned homes, the compulsory purchase of some private properties will be required. The areas to be redeveloped mostly consist of two storey cottage flats and a limited number of terraced houses. The existing development has front and rear gardens bounded with low fencing to the front and high timber board fencing to the rear. Some front gardens have been converted to form driveways.
- 2.2 The wider neighbourhood is bound by, and accessed from, the A834 to the west and south where Police Scotland and the Council's offices are located (although these buildings are excluded from the neighbourhood as the applicant describes it), and Newton Road to the east, beyond which is the Tesco superstore and its large surface car park marking the northwest extent of Dingwall's defined Town Centre. The railway line and Wyvis Terrace demark the northern edge of Meiklefield.
- 2.3 Despite the urban character of Dingwall, the site is within the Farmed River Plain Landscape Character Type (LCT 342) as identified by NatureScot, which cites Dingwall as one of the LCT's three main settlements.
- 2.4 There are no natural, built, or cultural designations covering the site although the streets to the south of the wider neighbourhood host several traditional properties including the Bridaig Cottages as well as the attractive but unlisted Free Masons Hall, and some traditional houses just beyond the northwest edge of the neighbourhood, all of which form a part of the town's non-designated historic environment. The Category A Listed St Clements Church is beyond the influence of the development due to intervening housing west of the development area.

2.5 The northern part of the site lies relatively close to the River Peffery and as a result, part of phase 5 of the application site lies within the indicative flood risk mapping produced by SEPA for a 1:200 year plus climate change flood risk event. Additionally, there is a residual risk of flooding from the Knockbain Burn, which is culverted below Gladstone Avenue to the southern development area. Sections of the site at the northwest, southeast, and south are also at 1:200 year risk of flooding from pluvial (surface water) sources.

#### 3. PLANNING HISTORY

3.1 There is no relevant planning history within the application site however the following applications relate to Phase 1 of the overall development:

3.2	22 July 2021	21/02032/FUL: Erection of replacement housing (14 units - 8 flats and 6 houses)	PERMISSION GRANTED
3.3	23 April 2021	20/04880/DEM: Demolition of nos. 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23 Meiklefield Road prior to re- development of site	PRIOR APPROVAL NOT REQUIRED

#### 4. PUBLIC PARTICIPATION

- 4.1 Advertised: Schedule 3 Development / Unknown Neighbour
   Date Advertised: 25 March 2022
   Representation deadline: 13 April 2022
- 4.2 Timeous representations: 1 objection
- 4.3 Late representations: 0
- 4.4 Material considerations raised are summarised as follows:
  - a) Negative impact on the community of Meiklefield and is wasteful of materials and resources by virtue of demolitions of homes within an established community.
- 4.5 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet <u>www.wam.highland.gov.uk/wam</u>.

#### 5. CONSULTATIONS

- 5.1 **Dingwall Community Council** did not respond to the consultation request.
- 5.2 **Contaminated Land Team** do not object to the proposal and advises that there are no known contaminated land issues within the development area.

- 5.3 **Development Plans Team** do not object to the application and advises of the Developer Contributions required for the development, which includes contributions toward community facilities, education provision, and the provision of improved Transport and Active Travel opportunities as well as Open Space, considered in this report.
- 5.4 **Environmental Health Officer** does not object to the application subject to a Construction Noise Mitigation Scheme being provided and approved prior to the commencement of development. It sets out that the scheme should demonstrate how the impact of construction noise will be mitigated during the build out of each phase and should be secured by condition.
- 5.5 **Flood Risk Management Team** do not object to the development on flood risk grounds subject to conditions to secure flood mitigation measures across the site including minimum finished floor levels above ground level across the site, and that development of Phase 5 avoids the area of known 1:200 year plus climate change fluvial flood risk. It requires the applicant to gain Scottish Water's agreement to accept surface water drainage to the combined public sewer network as per the extant arrangements, which should be secured by condition.
- 5.6 **Historic Environment Team (Archaeology)** do not object and does not consider the application site to be of high archaeological potential.
- 5.7 **Housing Development Manager** supports the redevelopment of the area.
- 5.8 **Transport Planning Team** do not object in principle subject to conditions to secure a parking strategy for the site, details of visitor parking, details of visibility splays and a scheme for traffic calming, amongst other information as outlined in the report below.
- 5.9 **Network Rail** does not object to the application subject to conditions to secure a Construction Traffic Management Plan. It requests details of the likely number of traffic movements related with each phase of redevelopment across each of the level crossings in Dingwall.
- 5.10 **Scottish Environment Protection Agency (SEPA)** does not object to the application and encourages the applicant to investigate the potential for recycling all waste from demolitions and to increase the biodiversity and amenity of the site through its surface water drainage proposals.
- 5.11 **Transport Scotland** does not advise against the granting of planning permission.

#### 6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

#### 6.1 Highland Wide Local Development Plan 2012 (HwLDP)

- 28 Sustainable Design
- 29 Design Quality and Place-making
- 30 Physical Constrains

- 31 Developer Contributions
- 32 Affordable Housing
- 34 Settlement Development Areas
- 51 Trees and Development
- 56 Travel
- 58 Protected Species
- 61 Landscape
- 64 Flood Risk
- 65 Waste Water Treatment
- 66 Surface Water Drainage
- 74 Green Networks
- 75 Open Space
- 77 Public Access

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

The application site is within the Dingwall Settlement Development Area (SDA) as defined by the IMFLDP however is neither allocated for nor safeguarded from development.

#### 6.3 Inner Moray Firth Local Development Plan 2

The draft IMFLDP is currently at Proposed Plan stage and subject to an ongoing public consultation. The Proposed Plan is a material consideration in the assessment of the application and can be afforded weight in the decision making process as it is the settled view of the Council. However, it is subject to change following consultation and through the Examination process. The application site is neither allocated for, nor safeguarded from development in the proposed plan.

- 6.4 The Proposed Plan contains a number of general policies to guide development in the plan area. Relevant to this application are:
  - Policy 1 Low Carbon Development
  - Policy 2 Nature Protection, Preservation and Enhancement
  - Policy 4 Greenspace
  - Policy 5 Green Networks
  - Policy8 Placemaking
  - Policy 9 Delivering Development and Infrastructure
  - Policy 10 Increasing Affordable Housing
  - Policy 14 Transport

#### 6.5 Highland Council Supplementary Planning Policy Guidance

Construction Environmental Management Process for Large Scale Projects (August 2010) Developer Contributions (Nov 2018) Flood Risk and Drainage Impact Assessment (Jan 2013) Green Networks (Jan 2013) Highland Historic Environment Strategy (Jan 2013) Highland's Statutorily Protected Species (March 2013) Managing Waste in New Developments (March 2013) Open Space in New Residential Developments (Jan 2013) Physical Constraints (March 2013) Public Art Strategy (March 2013) Roads and Transport Guidelines for New Developments (May 2013) Sustainable Design Guide (Jan 2013) Trees, Woodlands and Development (Jan 2013)

#### 6.6 Scottish Government Planning Policy and Guidance

- Scottish Planning Policy (Jun 2014)
- National Planning Framework 3 (Jun 2014)
- Historic Environment Policy for Scotland (Apr 2019)
- Creating Places (2013)
- Designing Streets (2010)
- PAN 1/2011 Planning and Noise (Mar 2011)
- PAN 60 Planning for Natural Heritage (Jan 2008)
- PAN 61 Sustainable Drainage Systems (Jul 2001)
- PAN 68 Design Statements (Aug 2003)
- PAN 75 Planning for Transport (Aug 2005)
- PAN 77 Designing for Safer Places (Mar 2006)
- PAN 83 Master Planning (Sept 2008)

#### 7. PLANNING APPRAISAL

- 7.1 The development is not permitted development under Part 13 Development by Local Authorities (Class 33) Conditions c and c (i) of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (as amended) as the cost of works are predicted to exceed £250,000.
- 7.2 Therefore the provisions of Section 25 of the Town and Country Planning (Scotland) Act 1997 apply with the planning application required to be determined in accordance with the development plan unless material considerations indicate otherwise.

#### 8. Determining Issues

8.1 The above 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**

- 8.2 The key considerations in this case are:
  - a) compliance with the development plan and other planning policy;
  - b) layout (including landscaping and open space) and design;
  - c) Amenity impacts including construction;
  - d) Roads, access, and parking;
  - e) Water, flooding, and drainage;
  - f) Impact on Council infrastructure and services and proposed mitigation (developer contributions);

g) any other material considerations.

#### **Development plan/other planning policy**

- 8.3 Development Plan policy is set out in the Highland-wide Local Development Plan (HwLDP), the Inner Moray Firth Local Development Plan (IMFLDP), and statutorily adopted Supplementary Guidance. With no site-specific policy or allocation within the IMFLDP for Meiklefield, the application is assessed against the general policies of the HwLDP. As an application for the demolition and replacement of residential units within the Settlement Development Area (SDA), the principal policies against which the application is assessed are HwLDP Policies 34 for Settlement Development Areas, 28 for Sustainable Design, and 29 for Design Quality and Placemaking.
- 8.4 These Policies set out the Council's support for development within SDAs that promote and enhance the social, economic, and environmental wellbeing of the people of Highland. As such, the design for sustainability criteria of Policy 28 for the assessment of all applications are key determining issues. Of particular relevance to this application are criteria relating to sensitive siting and high quality design in keeping with local character and historic and natural environments while conforming with existing and approved adjacent land uses; impacts on community and residential amenity; impacts on natural and built heritage resources, and landscape; impacts on community and residential amenity; compatibility with public service provision water, sewerage, drainage, roads, schools, electricity; are accessible; maximise energy efficiency; and, reduce waste. These considerations are reinforced through Policy 29, which emphasises good design by requiring developments to be judged according to their contribution to the visual and architectural guality of the place they are located, as well as to Council place-making objectives by being an integral part of the settlement while housing developments within SDAs should focus on pedestrian movements. The overall ambition is to create quality environments for the enjoyment and benefit of all and to that end Policies 74 and 75 for Green Networks and Open Space respectively seek the additional provision or enhancement of green and open spaces through development.
- 8.5 In addition to the above, HwLDP Policy 56 for Travel requires proposals that are likely to generate increased travel activity at the location should include sufficient information in order that the impact of this, both on- and off- site, may be assessed. Key considerations include, availability of public transport modes, opportunities for walking and cycling, safety and convenience of potential users, access, and parking. The IMFLDP Proposed Plan Policy 14 takes transport matters further, requiring proposals to demonstrate through a Travel Plan that walking, wheeling, cycling, and public transport are at least as, or more, competitive travel options for people using the development than travelling by car.
- 8.6 Finally, Policies 64 (Flood Risk), 65 (Waste Water Treatment), and 66 (Surface Water Drainage) seek to ensure that sites are not at risk of flooding or causing flooding elsewhere by avoiding areas of known flood risk in the first instance and including appropriate mitigation where required. Developments must meet standards

to minimise the risks of flooding and pollution by being properly drained either through connection to the public sewer and / or being drained through appropriate SUDS arrangements.

8.7 Subject to detailed consideration of these matters, with no net detriment, the proposal can be seen to accord with the provisions of the Development Plan.

#### Layout (including landscaping and open space) and Design

- 8.8 As an application for planning permission in principle, there are limited details of the final layout and design of the development. A high level masterplan has been produced that sets out the proposed approach to the redevelopment of Meiklefield.
- 8.9 The proposal is to retain existing streets, which will ensure that the redevelopment will retain the air of solidity and permeance that defines the setting and strong sense of place that has established over the lifetime of the neighbourhood in its current format. The sense of place is reinforced by the proposed layout, which creates stronger urban edges and nodes with blocks that predominantly front the public realm bookended by orthogonally positioned corner blocks, which is a traditional feature of Scottish urban design. Additionally, the proposal will introduce development into currently inactive streets, which should ensure fewer 'dead' spaces and reinvigorate the public realm.
- 8.10 New residential development of 4 or more dwellings is required to provide publicly accessible open space in line with the quantity, quality, and accessibility requirements as set out in the Council's Supplementary Guidance for Open Space. The applicant has masterplanned a central and communal open space, which is welcomed, as is the retention of the existing trees. The applicant has ensured that open spaces will be overlooked to create natural surveillance and has positively considered connections to and through these spaces with the inclusion of integrated traffic calming measures into the street layout where footpaths connect through the open spaces.
- 8.11 Landscaping will be an integral part of the proposal and a condition is suggested to ensure that landscaping proposals follow the principles set out in the Design and Access Statement: that private and shared greenspaces are designed to be a focus of the development to provide attractive settings for dwellings as well as flexible spaces that provide areas for growing, recreation, and play for users; to provide a high-quality streetscape; improved tree cover; that the development avoids creating unused areas beyond and between garden boundaries to avoid private maintenance and potential antisocial problems; that boundary treatments are carefully considered with hedges and low boundary walls as good alternatives to timber garden fences for the front of properties. The applicant has undertaken extensive consultation between the Landscape Architects and the Highland Council maintenance division in order to produce specification and planting proposals that would limit the maintenance required of shared spaces. All of these areas would be managed by the Highland Council.
- 8.12 Although subject to refinement, the landscaping principles contained within the Design and Access Statement are expected to result in an attractive, safe, and uncluttered scheme that will benefit all users of all abilities.

- 8.13 In terms of design, the intention is to offer a mix of housing options including detached, semi-detached, and flatted homes across the phases. The masterplan that accompanies the application sets positive guidance for design with an enhanced architectural approach and includes principles for contemporary building forms of single, two, and three storey buildings, which is considered appropriate in terms of massing, form, and scale for the site. A limited palette of quality materials and finishes should be used across the redevelopment to relate buildings to each other in order to achieve a stronger sense of place, although there is scope for variation to increase visual interest. The sensitive proportioning of materials to minimise scale, and use of accent materials to draw out architectural features, along with the appropriateness of architectural features themselves, have also been considered and should be secured by condition.
- 8.14 The detailed layout and building designs will be assessed in future applications for matters specified in conditions (MSC) as they relate to each phase. However, the masterplan may be supported as providing an opportunity to improve the character and qualities of the neighbourhood's inner core in line with the Council's place-making ambitions and Scottish Government Guidance for Creating Places and Designing Streets subject to conditions to secure appropriate final layouts and design.

#### Amenity impacts including construction

- 8.15 While this is an application for planning permission in principle, and details will be assessed at the maters specified in conditions stage, the amenity of properties within and outwith the development area has been considered through the layout design and landscaping proposals. Blocks have been arranged with appropriate separation distances between facing windows, and positioned to avoid significant overlooking, loss of privacy, loss of daylight and sunlight issues. Similarly, buffer planting is proposed for those areas that avoid overshadowing and subsequent loss of sunlight and daylight of properties.
- 8.16 The scheme is designed to improve residents' enjoyment of their homes that will brought up to modern living standards, while the external spaces are designed to achieve the six qualities of successful places as set out by the Scottish Government (distinctive, safe and pleasant, easy to move around, welcoming, adaptable, and resource efficient). On that basis, the principle of the development is supported on residential and community amenity grounds subject to conditions to ensure the development achieves its ambitions.
- 8.17 It is anticipated that the final phase of development will be completed by 2025 and some disruption is to be expected during the construction phases of the development. Decanting of properties will be required, which will be managed by the Council's Housing Service.
- 8.18 Additionally, developers must comply with reasonable operational practices with regard to construction noise so as not to cause nuisance. Section 60 of the Control of Pollution Act 1974 sets restrictions in terms of hours of operation, plant and equipment used and noise levels, amongst other factors, which is enforceable via Environmental Health, whereby working hours would usually be restricted to be

07.00 – 19.00 Monday to Friday, 08.00 – 13.00 on Saturday with no Sunday of Bank Holiday working. Developers and contractors are expected to employ the best practicable means to reduce the impact of noise from construction activities at all times and to that end Environmental Health has requested that a condition is applied to any permission to secure and approve a Construction Noise Mitigation Scheme prior to the commencement of any development on site. The approved scheme would therefore have to be implemented throughout the buildout stages of development.

#### Roads, Access, and Parking

- 8.19 Meiklefield is accessed from the A834 to the west via Millcraig Road and Gladstone Avenue, both of which dissect the neighbourhood to its eastern extent (with Millcraig Road becoming Peffery Road at the northwest of the development area) however do not connect with Newton Road (A862) for vehicular access in to Meiklefield. From the south, the neighbourhood is accessed from the A834 via Seaforth Gardens, which turns into Fingal Road beyond Gladstone Avenue. With the exception of Seaforth Gardens, the development incorporates all of these public roads as well as Meiklefield Road to the east. As stated earlier in this report, the proposal is to re-use the existing road network so no new roads are proposed however some alterations will be necessary, while the applicant proposes streetscape improvements and traffic calming measures along Peffery, Fingal, Millcraig and Meiklefield Roads, as well as well as Gladstone Avenue. Transport Planning has not objected to the application and has provided a detailed assessment of the development's likely impacts on the public road network, including from construction traffic, as well as resultant access and parking issues.
- 8.20 Active Travel is central to the project and the development provides opportunity to improve the quality of the pedestrian and cycling environment to and through the neighbourhood. However, the extent of the redevelopment and the proposed amendments to the layout and permeability of the housing units require a reexamination of the existing active travel routes through the estate to the main destinations within Dingwall. Transport Planning have considered the following destinations and the routes to them from the development:
  - Dingwall Primary School 20min walking route via A834, Back Road and then the footpath through the woods to Ross Avenue. The footways are substandard in width and the volume of traffic is high so they are not attractive however this is an historic road layout and there is no significant increase in footfall from the development. The crossing points are not formalised and there is a lack of dropped kerbs along the route. The route would not be recommended for cyclists due to the narrowness of the footways and the relatively high volume of the traffic on the main roads.
  - Dingwall Academy Approx 10min walking route. There are a series of footpaths through onto Newton Road (A862) (Gladstone, Meiklefield Square and Peffery Road) – these should be retained and upgraded as part of the design. Then the route is via the footway up to the main pedestrian access for the Academy. The route would not be recommended for cyclists; the footways are too narrow and there are relatively high traffic volumes and speeds (30mph).

- Tesco There are a series of footpaths through onto Newton Road and a zebra crossing in place at Tesco and a signalised crossing at the Mart Road junction.
- For the town centre residents would use both Newton Road as above and the northern footway on the A834 which is substandard at only 1.8m wide and has relatively high traffic volumes and speed (it is not attractive as a walking route but the distances are short). There are formal, controlled crossing points with dropped kerbs.
- 8.21 Other facilities for are relatively remote from the estate and are accessed via the road network. Cycling opportunities are significantly substandard but given the low increase in the number of units it is not considered appropriate to expect mitigation on the wider network. Based on the above assessment, Transport Planning has requested conditions to ensure provision of dropped kerbs on the route to the primary school, and footpath upgrades on routes from the estate on to Newton Road.
- 8.22 Transport Planning's response acknowledges that the new layout will require reconstruction works to reconfigure new footways, parking arrangements, and access junctions onto the public road network. Consequently, Transport Planning advises that the development will result in a substantial increase in hardstanding, with the speeds on the road likely to increase due to the removal of parked cars from the street without traffic calming measures. Details of final junction design will be required including details of visibility splays, which may require changes to the indicative housing layouts to avoid impacts on visibility splays. Servicing requirements (especially any new drainage proposals) may significantly affect the condition of the public roads and access to the estate including those homes that may remain occupied. Subsequently, Transport Planning has requested several conditions to be included with any permission to secure final details of:
  - the Site Layout, including details of the existing and proposed road network, which should set out the proposed road hierarchy based on an assessment of traffic volumes, vehicle types, and speeds;
  - road safety and traffic calming measures including any changes of speed limits within the neighbourhood;
  - the extent of footway widening and reconstruction works as well as earthworks, cuttings, embankments and retaining structures adjacent to the public road;
  - access on to the public road including junction visibility;
  - parking arrangements including accessible and visitor parking, and cycle storage facilities;
  - refuse collection, servicing, and turning provision including a requirement for a swept path analysis of the site to demonstrate that large service vehicles can safely access, turn, and leave the development area;
  - surface water drainage arrangements including any alterations to the road drainage system (which requires separate consent from the Roads Authority), and any SUDS across the development.

8.23 It is noted that because the development will not significantly increase the number of properties within the neighbourhood, public transport and traffic generation considerations have been scoped out of the assessment of traffic impacts. However, a condition is suggested to secure a Construction Traffic Management Plan (CTMP) along with details of the site compound as they relate to each phase to ensure that traffic generated by construction works is well managed during the construction phase to reduce its impacts on the public road network.

#### Water, Flooding, and Drainage.

- 8.24 Scottish Water has confirmed that the site will continue to be supplied from the public supply. Any supply pressure and infrastructure issues will be for the applicant to work through with Scottish Water directly.
- 8.25 In terms of flood risk, the applicant has provided a Masterplan Drainage Strategy Report and an associated Drainage Options Report for Phase 1 of the development, which identify flood risk from both surface water and the culverted Knockbain Burn and sources. There is also fluvial flood risk during 1:200 year plus climate change flood events from the River Peffery in a small section of Phase 5. The Council's Flood Risk Management Team (FRM) advises that because the development is for replacement housing there is no net increase in the vulnerability of the site to flooding and therefore it does not object on flood risk grounds. Nevertheless, the burn has a known history of flooding due to the culvert being blocked and despite mitigation measures proposed in the reports, the risk cannot be entirely eliminated. A condition is therefore suggested to ensure that the finished floor levels of the development are set to a minimum of 250mm above surrounding grounds levels to mitigate against the residual risk from the burn. The finished floor levels should be increased to 600mm for development in Phase 5. It is also recommended that no development takes place in the area at risk of flooding. This can be secured by condition.
- 8.26 In terms of site surface water drainage, the applicant's Drainage Strategy Report advises that runoff will continue to drain into the combined sewer network as extant, which requires the agreement of Scottish Water prior to development commencing on site. In such cases, it is Scottish Water's policy to require planning permission to be granted prior to formalising any agreements, however this arrangement has been approved for Phase 1 of the development and is expected to be approved for the next phases and should be secured by condition. Separate SUDS are required for buildings, parking areas, green and garden spaces. The Drainage Strategy includes measures for directing runoff from roofs to material under parking bays where site levels permit, or through single filter trenches or similar to treat roof water before discharging to the combined sewer system. Tree pits, increased tree densities in gardens, porous surfacing, and permeable parking bays are also proposed to reduce water volumes entering the public combined sewer system, which conforms and is accepted. All SUDS infrastructure should be a minimum of 5 metres away from the public road. The development will connect to the public sewer for foul drainage. Details of final surface and foul arrangements can be secured by condition on flood risk, and environmental and public health grounds.

## Impact on Council Infrastructure and Services and Proposed Mitigation (Developer Contributions)

- 8.27 Planning obligations are sought to mitigate the impact of the development that cannot be mitigated through the planning process or through the use of planning conditions, and is subject to the of the Scottish Government Planning Circular 3/2012 Planning Obligations and Good Neighbour Agreements.
- 8.28 The Council's Development Plans Team has assessed the proposals against HwLDP 31, and its associated Supplementary Guidance: Developer Contributions, for contributions to education, community facilities, transport and active travel, green infrastructure, public art, and affordable housing. Pursuant to paragraph 1.30 of the Supplementary Guidance, contribution variations or exemptions will be considered where a re-development would result in additional homes, with the contributions based on the net number of additional homes proposed. It is noted here that there are several phases in the development programme, with each to be subject to a detailed planning application. One phase has already been granted planning permission (21/02032/FUL). At each phase the net additional homes will be small however as this is part of a wider development the small-scale housing rate discount will not apply.
- 8.29 In this instance there are three net additional homes, for the purposes of this calculation the net increase shall be calculated at the house (rather than flats) rate given that the redevelopment shall increase the number of houses by 35 from the six identified for demolition in the masterplan, as set out in the table below.

Summary of Developer Contributions					
Infrastructure / Service Type		Contribution Rate per House			
Schools - Dingwall Primary School	Major extension/new £7,359 school rate				
Schools – Dingwall Academy	Major extension/new school rate	£3,482			
Community Facilities	£1,019				
	£11,860				
Total for the development £35,580					
All costs are subject to ind	exation and reflect Q2 2018				

8.30 The applicant has agreed to make the payment prior to planning permission being granted rather than enter a legal agreement.

#### 8.31 Other material considerations

The comments made in objection to the application regarding negative community impacts and waste of materials are acknowledged and understood however in this instance, the benefits of providing homes to current standards and providing a mix of homes better able to cater for housing needs is considered to outweigh any benefit of retaining the existing failing housing stock.

#### Non-material considerations

8.32 None.

#### Matters to be secured by Upfront Payment

- 8.33

   a. contribution to enhancements to primary education capacity in the Dingwall Academy catchment area, in the first instance toward a major school extension to Dingwall Primary School (£7,359 per house);
  - b. contribution to enhancements to secondary education capacity in the Mid-Ross area, in the first instance toward a major school extension to Dingwall Academy (£3,482 per house);
  - c. contributions to enhancement in community facilities in the Dingwall Academy catchment area, in the first instance toward improvements to changing facilities at Dingwall Leisure Centre.

#### 9. CONCLUSION

- 9.1 The application for planning permission in principle and high level masterplan may be supported as providing an opportunity to improve residents' enjoyment of their homes that will brought up to modern living standards in support of Outcome 4 of the Highland Council Housing Strategy. The strategy seeks to improve the condition of housing and minimise fuel poverty, with the stated aims being to improve the quality, comfort, and affordability of homes. The proposal is also considered to provide opportunity to improve the character and qualities of the neighbourhood's inner core in line with the Council's place-making ambitions and Scottish Government Guidance for Creating Places and Designing Streets. The applicant has considered layout, design, and landscaping principles to ensure the development will contribute to the long term amenity of residents and visitors to the neighbourhood in the long term. Any impacts on Council Roads and flood risk can be mitigated subject to conditions to secure appropriate final layouts and design.
- 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: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

#### 11. **RECOMMENDATION**

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

#### 11.2 Action required before decision issued

- 11.3 Notification to Scottish Ministers N
- 11.4 Payment of developer contributions Y
- 11.5 Revocation of previous permission N
  - 1. Planning Permission in Principle is hereby granted for a residential redevelopment to be developed in accordance with the indicative Master Plan hereby approved in seven sequential residential phases.

No development shall commence on each phase or sub phase until a phasing plan setting out the proposed number of units within each phase or subphase has been submitted to and approved in writing by the Planning Authority.

Thereafter the development shall be undertaken in accordance with the agreed Phasing Plan or in Sub-Phases as may be approved in writing by the Planning Authority.

A Sub-Phase means any part of any Phase of Development the subject of an Approval of Matters Specified in Conditions issued by the Council following an application in that behalf, or otherwise subject of any equivalent planning approval following an application in that behalf.

**Reason**: To ensure that the development proceeds in an appropriate manner and that the necessary elements of the development are provided at the appropriate stages.

- 2. No development shall commence within each Phase, or sub-phase, until an application, or applications, as they relate to or are relied upon by that Phase or sub-Phase has been submitted to and approved by the Planning Authority in respect of the following matters, insofar as they relate to the details of the proposed development taking full account of the approved Master Plan, Creating Places, Designing Streets and other relevant national and local policy and guidance related to the matters set out below:
  - a. submission of an 'Area Development Brief' has been submitted to, and approved in writing by, the Planning Authority in advance of the submission of any other application(s) for the approval of matters

specified in conditions. The Area Development Brief shall be produced using the principles set out in the approved Meiklefield Redevelopment Masterplan and associated Design and Access Statement and shall include the following:

- i. conformity with the principles and vision of the Meiklefield Redevelopment Masterplan;
- ii. Placemaking and public realm;
- iii. Transport, access, active travel, and connectivity;
- iv. Flood risk mitigation, drainage, sustainable drainage, and the water environment;
- v. Landscaping and open space;
- vi. Public art strategy;
- vii. Character and design including material palette;
- viii. Phasing, implementation, and integration.

Thereafter, each application within each phase or sub-phase shall accord with the terms of the relevant Area Development Brief and phasing strategy to be approved under Condition 1 of this planning permission in principle;

- b. the siting, design and external appearance of all buildings and other structures which shall be no more than 3-storeys in height;
- c. details of sustainable design considerations inclusive of energy strategy;
- d. the means of access to the site including connections to Newton Road for all modes of transport;
- e. the layout of the site, in accordance with Designing streets principles;
- f. road layout including:
  - i. the road hierarchy;
  - ii. typical form of the routes forming the hierarchy;
  - iii. junction layouts and design with projected traffic figures supported by traffic modelling;
  - iv. junction and forward visibility requirements;
  - v. junction spacing both within the development and on the spine road;
  - vi. vehicle tracking at junctions and standard radii;
  - vii. details of any bus routes and bus stops inclusive of bus tracking;
  - viii. details of provision for cyclists and pedestrians (including linkages to Newton Road) with junctions and crossing designed to facilitate active travel;
  - ix. provision for disabled users following consultation with the Ross and Cromarty Access Panel;
  - x. details of safer routes to school;
  - xi. details of the location and type of service strips within the intended adoptable road boundary;
- g. the provision of car parking inclusive of disabled parking including incurtilage parking, communal parking areas, parking courts and onstreet parking with no driveways being located in positions where they may conflict with traffic movements at junctions;

- h. the provision of covered cycle parking including resident cycle parking in houses and communal covered cycle parking at flats and external secure, covered visitor cycle parking at flats;
- i. the details of and timetable for delivery of the provision of public open space, including, in accordance with the Open Space in New Residential Developments: Supplementary Guidance, (or any superseding guidance prevailing at the time of submission);
- j. details of public art provision in accordance with the Highland Council's Public Art Strategy Supplementary Guidance (or any superseding guidance prevailing at the time of submission);
- k. the details of, and timetable for, the hard and soft landscaping of the site;
- I. details of management and maintenance arrangements of the areas identified in (h), (i), (k) and (j) above;
- m. details of all boundary treatments within the development, as set out within the relevant approved Area Development Brief;
- n. the provision for service vehicles following occupation of the development;
- means of dealing with domestic waste in accordance with the Highland Council's 'Managing Waste in New Developments' Supplementary Guidance' including any details of the siting of a recycling facility (or any superseding guidance prevailing at the time of submission);
- details of the provision of surface water drainage systems, including access for maintenance, across the phase or sub-phase, how it relates to the surface water drainage strategy for the site as a whole and management and maintenance arrangements of said infrastructure;
- q. details of the water and waste water connections, with connection to the public water and waste water networks;
- r. details of existing trees, shrubs and hedgerows to be retained;
- s. details of existing and proposed site levels with fall arrows;
- t. details of finished floor levels, which, for the avoidance of doubt, shall be a minimum of 230mm above ground level for Phases 2, 3, 4, 6, 7, and 8, and, 600mm above ground level for Phase 5;
- u. details of all street lighting and lighting of car parking areas ensuring that safety and security are addressed with no lighting directed skyward;

**Reason**: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing within each phase or sub-phase.

3. Any details pursuant to Condition 2 above shall be informed by and include an access management plan (including details of footpaths and cycle ways and lighting (existing, during construction and upon completion and information on temporary or permanent diversion or closure) shall be submitted for the written approval of the planning authority for each phase or sub-phase of the development. The plan shall show:

- a. All existing paths, tracks and rights of way and any areas currently outwith or excluded from statutory access rights;
- b. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or curtilage in relation to proposed buildings or structures;
- c. All paths and tracks proposed to be constructed for use by walkers, riders, cyclists, all-abilities users etc and how these will integrate with existing or proposed networks. Details shall include but not be limited to;
  - i. Pedestrian access to any and all core paths;
  - ii. Construction details of all paths, inclusive of material finishes and drainage details.;
- d. Any diversion of paths, temporary or permanent proposed for the purposes of the development;
- e. Links to the Highland Council's core paths and green frameworks;

The Access Management Plan shall be implemented as approved and in accordance with the timetables outlined therein, unless otherwise approved in writing by the Planning Authority.

**Reason**: To ensure that the development is adequately connected with existing and proposed pedestrian and cycle routes and to accord with the Land Reform (Scotland) Act 2003.

- 4. No development shall commence within each Phase, or sub-Phase, until a Construction Environmental Management Document has been submitted to and approved in writing by the Planning Authority. The Document shall include:
  - a. An updated Schedule of Mitigation (SM) including all mitigation proposed in support of the planning application, other relevant agreed mitigation (e.g. as required by agencies) and set out in the relevant planning conditions;
  - b. Processes to control / action changes from the agreed Schedule of Mitigation;
  - c. The following specific Construction and Environmental Management Plans (CEMP);
    - i. Pollution prevention plan
    - ii. Dust management plan
    - iii. Construction Noise, Vibration and Assessment and Mitigation Plan in accordance with BS5228 Code of practice for noise and vibration control on construction and open sites - Part 1: Noise, with:
      - i. A description of the most significant noise sources in terms of equipment; processes or phases of construction;
      - ii. The proposed operating hours and the estimated duration of the works for each phase;

- iii. A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations if required);
- iv. A description of noise mitigation methods that will be put in place including the proposals for community liaison. The best practice found in BS5228 Code of practice for noise and vibration control on construction and open sites should be followed. Any divergence requires to be justified.;
- iv. Site waste management plan;
- v. Measures to protect private water supplies; including an emergency response plan;
- d. Details of the appointment of an appropriately qualified Environmental Clerk of Works with roles and responsibilities.
- e. Methods of monitoring, auditing, reporting and communication of environmental management on site and with the client, Planning Authority and other relevant parties.
- f. Statement of responsibility to 'stop the job / activity' if in potential breach of a mitigation or legislation occurs.

Thereafter, the development shall proceed in accordance with the approved Construction Environmental Management Document.

**Reason**: To protect the environment and amenity from the construction and operation of the development.

5. No development shall commence within each Phase or sub-Phase until precommencement surveys to locate the presence or absence of protected species have been undertaken and copies submitted to both the Planning Authority. Should any of these species be found within or adjacent to an area likely to be affected by construction activities, appropriate mitigation measures shall be put in place by the developer prior to development commencing and be maintained for the duration of development, details of which shall first be submitted to, and approved in writing by, the Planning Authority.

**Reason**: To protect and enhance nature conservation from construction activities.

6 Any details pursuant to Condition 2 above shall include full details of surface water drainage provision within the relevant Phase or sub-Phase and how that relates to the surface water drainage approach for the site as a whole (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in the CIRIA Manual and Sewers for Scotland Fourth Edition, or any superseding guidance prevailing at the time). The details shall also detail updated greenfield run-off rates to reflect the details of the proposed development.

Thereafter, only the approved details shall be implemented and all surface water drainage provision for the relevant phase or sub-phase shall be completed prior to the occupation of the relevant phase or sub-phase. **Reason**: In the interests of amenity, to protect and enhance the natural environment, protect the water environment and prevent pollution.

7. The development shall not be occupied until details of the relevant person or party responsible for the maintenance of the on-site surface water drainage system have been provided to the Planning Authority. For the avoidance of doubt any part of the surface water drainage system not vested by Scottish Water or another responsible authority shall remain the responsibility of the developer and maintained in line with the scheme to be approved.

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

8. All plant, machinery and equipment associated with ventilation, airconditioning, heating and refrigeration or similar mechanical services, including fans, ducting and external openings shall be installed, maintained and operated such that any operating noise complies with Noise Rating Curve 20 and details and a noise assessment of each installation will require to be submitted for the written approval of the planning authority.

**Reason**: In the interests of amenity.

9. Any details pursuant to condition 2 above shall be informed by and include a Waste Management Strategy for each phase or sub-phase. This shall detail the approach to sustainable waste management in the operational of all aspects of development with identification of bin stores, bin collection points, and refuse vehicle collection routes in each phase or sub-phase.

**Reason**: In the interests of amenity, to manage waste and prevent pollution.

- 10. No development shall commence on each phase or sub-phase until the following details have been submitted to, and approved in writing by, the Planning Authority:
  - i. Details of the external layout of the proposed housing development and its access arrangements to include:
    - Dimensioned plans of the layout adjacent to and including the public road including the boundary features and the means of access to properties (driveways and paths) and to shared parking areas. The plans shall include the layout on both sides of and including the public road showing the access points and junctions including both new accesses / junctions and the existing ones which will remain. The spacing of vehicular access points adjacent to junctions shall be confirmed;
    - Dimensioned plans showing the extent of alterations and reconstruction required to the existing footways and their kerbs;
    - Dimensioned plans showing the refuse storage and collection areas;

- Dimensioned plans showing the car parking arrangements in accordance with the RTGND section 6.3 and accompanied by detailed explanation of the visitor and resident spaces allocated to each unit which shall be in accordance with the parking strategy agreed;
- Detailed proposals for any shared cycle parking agreed;
- Detailed proposals and plans for the suds showing the dimensioned distance to the public road and the proposals for maintenance;
- Detailed and dimensioned proposals of any earthwork slopes (cutting and embankments) and any retaining structures adjacent or close to the road boundary;
- Plans showing the detailed street lighting proposals highlighting any changes (which will require to be agreed in writing with the Street Lighting Team);
- ii. Dimensioned plans showing all the forward visibility splays required on the public road, the public road junction visibility splays and the junction visibility splays at the vehicular access points (driveways and private access to parking areas) onto the public road. These splays shall be provided and maintained in perpetuity. This can be phased but each phase will be required to consider all the junctions and accesses immediately adjacent and on the opposite side of the road;
- iii. An updated masterplan for the Construction Traffic Management Plan (CTMP) for the whole site and a detailed CTMP for each phase. The approved CTMPs shall be implemented prior to development commencing and remain in place until the development is complete, and shall:
  - include a pre-start survey and details of the wear and tear agreement for each phase;
  - ensure that there are no Heavy Goods Vehicle traffic movements or deliveries to the site during school pick up or drop off times for local schools;
  - include details of the type and number of proposed construction traffic;
  - include details of the type and number of proposed construction traffic movements over the Level Crossings and associated timescales for the different phases of development.
- iv. Detailed proposals for the site compound, workforce parking, and material laydown areas (including access and turning arrangements).

Thereafter, all works shall proceed in accordance with the approved details.

**Reason**: To protect the integrity of the public road, in the interests of road safety and the amenity of other road users, as well as rights of way during the construction phase(s) of development.

11. Any details pursuant to condition 2 above shall show car parking spaces provided and formed in accordance with The Highland Council's Roads and Transportation Guidelines for New Developments prior to first occupation of the element of the development to which it relates, thereafter being maintained for this use in perpetuity.

**Reason**: To ensure adequate provision of car parking

12. Any details pursuant to condition 2 above shall show secure, covered cycle parking spaces provided and formed in accordance with The Highland Council's Roads and Transportation Guidelines for New Developments prior to first occupation of the element of the development to which it relates, thereafter being maintained for this use in perpetuity.

**Reason**: To ensure that the proposed cycle parking is safe and secure for use by the public.

13 Any details pursuant to condition 2 above shall include details, including full specifications, for the layout, design and construction of green spaces, outdoor sports and recreation facilities that comply with, or exceed, the Highland Council's adopted standards contained within 'Open Space in New residential Development' for that Phase shall be submitted to and agreed in writing by the Planning Authority. The agreed scheme shall be implemented in full thereafter to the satisfaction of the Planning Authority and maintained as such in perpetuity.

**Reason**: In the interests of amenity and to ensure that open space and recreational facilities are in accordance with Council standards

14. Before the first occupation of each Phase, or sub-Phase, a scheme for the maintenance in perpetuity of all on-site green spaces and/or woodland and/or sports facilities, features or parts of the development that are not the exclusive property of any identifiable individual house owner such as communal parking areas, the common entrances to flatted developments and estate lighting, 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', 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 are maintained in accordance with the Council's standards.

15. Any details pursuant to Condition 2 for each phase or sub-phase shall include a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:

- i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
- ii. A plan showing existing landscaping features and vegetation to be retained and removed;
- iii. The location and design, including materials, of any existing or proposed walls, fences and gates;
- iv. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and
- v. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

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

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

16. Any details pursuant to condition 2 above shall show a design and layout informed by the Highland Council's River Peffery Flood Protection Study. For the avoidance of doubt, no new development shall be proposed for any area predicted to be at a 1:200 year plus climate change flood risk from the River Peffery source. Any measures included within the design and layout for the purposes of mitigating and/or protecting properties and/or land from flood risk shall be completed prior to the first occupation of the development.

**Reason**: To ensure access to the watercourses can be maintained for maintenance and in the interest of avoiding impact on watercourses that have the potential to increase risk of flooding.

- 17. Any details pursuant to condition 2 shall include:
  - i. Detailed design proposals for mitigation measures to support active travel consisting of improvement of the existing pedestrian routes onto Newton Road and provision of dropped kerbs along the route to the primary school. The proposals shall include a delivery programme for the improvements;
  - ii. A Site Plan based on a detailed topographical survey for the full development (adjacent to the red line boundaries of the PIP). The extent of survey shall be agreed in writing by the Planning Authority. The plans shall confirm the minimum carriageway and footway dimensions of the public road.

- iii. Provision of a Transport Statement for the full development which shall include:
  - a. A plan of the existing road network classifying the road types referring to table 4.1 Roads and Transport Guidelines for New Development (RTGND). This shall be justified with an explanation of the assumptions made for routeing of the houses within the estate. A plan showing the location of the traffic counts shall be included in addition to a summary of the Annual Average Weekday Traffic Flow, the average and 85 percentile speeds and information on the vehicle types. The full data from the counts shall be shared in a suitable electronic format.
  - b. The parking strategy for the site explaining allocation (accessible, residents and visitors per unit) and maintenance proposals in accordance with section 6.3 and Table 6.1 of the Council's RTGND.
  - c. The cycle parking strategy for the site identifying if any shared cycle parking is required.
- iv. A plan showing any requirements for traffic management and/or traffic calming for the full development along the lengths of public road adjacent to or significantly impacted by the development. This shall be supported by written consideration of the impact of the removal of on street parking on vehicle speeds and the design speed assumed. It shall set out the design basis used for any traffic calming features and a programme for public consultation and implementation to be developed following consultation with the Council's Road Safety Team.
- v. A plan for the whole development showing the service routeing for the new properties and indicating the extent of alterations which impact on the public road.
- vi. A plan for the whole development showing the impact on the Street Lighting infrastructure and indicating the extent of any alterations required.
- vii. A plan for the whole development showing the refuse vehicle route and the swept path for the vehicle in use.
- viii. A Masterplan for the Construction Traffic Management for the full development including identification of routes to be used, estimate of the HGV construction traffic types and volumes, pre-start and post completion condition survey of routes, proposals for a wear and tear agreement for the roads affected by the development and the construction traffic and proposals for temporary signage. The plan shall include initial consideration of the requirements for the site compound for each phase. Proposals for the traffic management (for example any temporary closures including of pedestrian routes) shall be submitted.

Thereafter the agreed scheme shall be implemented in full and maintained as such in perpetuity.

**Reason**: To ensure that infrastructure is designed appropriately and meets the needs of non-motorised and motorised users.

18. No Phase or sub-phase shall be occupied until a detailed Residential Travel Pack for the relevant phase or sub-phase, which sets out options for residents for reducing dependency on the private car, has been submitted to, and approved in writing by, the Planning Authority.

Thereafter, the Residential Travel Pack shall be provided to each property within the relevant phase or sub-phase on first occupation of each property.

**Reason**: To facilitate the reduction in the use of private cars and increase use of sustainable and active travel.

- 19. Any details pursuant to Condition 2 shall include and be informed by a scheme detailing the provision electric vehicle charging points. The scheme shall include:
  - i. identification of locations for communal electric vehicle charging points serving flatted developments in the associated phase or subphase and located in communal parking areas and these charging point locations are to be made available to The Highland Council or other public body for the installation of the charging point infrastructure;
  - ii. the provision of infrastructure, defined as the provision of cabling from the consumer unit within the property to an external point, to allow charging of electric vehicles within the curtilage of each house in each phase or sub phase, where the house has in-curtilage car parking provision;
  - iii. a timescale for implementation for infrastructure within each phase or sub phase; and
  - iv. outline detail of a communication pack to be provided to each household on first occupation explaining how they can access electric vehicle charging infrastructure.

Thereafter, the approved scheme(s) shall be implemented in line with the approved timescales.

**Reason**: To facilitate the move toward the reduction in reliance of petrol and diesel cars.

- 20. Any details pursuant to Condition 2 shall include a scheme for the inclusion of public art within the development. The scheme shall include:
  - i. Detailed design of public Art provision including but not limited to provision of interpretation panels related to the history of the area,;
  - ii. locations of any and all public art provision;
  - iii. the management and maintenance of any and all public art provision; and
  - iv. a timetable for implementation.

Thereafter, the approved scheme shall be implemented in accordance with the timescales contained in the approved scheme and maintained in perpetuity.

**Reason**: To ensure the delivery of a development with a unique identity which facilitates the creation of place

#### **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

The Highland Council hereby makes the following Direction under Section 59(5) and (7) of the Town and Country Planning (Scotland) Act 1997 (as amended).

An application or applications for the approval of matters specified in conditions attached to this planning permission in principle must be made no later than whichever is the latest of the following—

#### For Phase 2-4

- i. The expiry of THREE YEARS from the date on this decision notice;
- ii. The expiry of SIX MONTHS from the date on which an earlier application for the requisite approval was refused; or
- iii. The expiry of SIX MONTHS from the date on which an appeal against such refusal was dismissed.

#### For Phase 5-8

- i. The expiry of FOUR YEARS from the date on this decision notice;
- ii. The expiry of SIX MONTHS from the date on which an earlier application for the requisite approval was refused; or
- iii. The expiry of SIX MONTHS from the date on which an appeal against such refusal was dismissed.

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

#### **INFORMATIVES**

#### **Initiation and Completion Notices**

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

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

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

#### Accordance with Approved Plans and Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

#### 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: <u>http://www.highland.gov.uk/yourenvironment/roadsandtransport</u>

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

http://www.highland.gov.uk/info/20005/roads and pavements/101/permits f or working on public roads/2

#### Mud and Debris on Road

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

#### Network Rail

Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

• Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, contact details below:

Network Rail Asset Protection Engineer

151 St. Vincent Street, GLASGOW, G2 5NW

E-mail: <u>AssetProtectionScotland@networkrail.co.uk</u>

#### **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 <u>env.health@highland.gov.uk</u> 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

Designation:	Area Planning Manager - North				
Author:	Mark Fit	tzpatrick			
Background Papers:	Docume	ents referred to in report and in case file.			
Relevant Plans:	Plan 1	- 001 REV A Location Plan			
	Plan 2	- 006 REV 01 Phase 2 Proposed Masterplan			
	Plan 3	- 008 REV 01 Phase 3 Proposed Masterplan			
	Plan 4	- 010 REV 01 Phase 4 Proposed Masterplan			
	Plan 5	- 012 REV 01 Phase 5 Proposed Masterplan			
	Plan 6	- 014 REV 01 Phase 6 Proposed Masterplan			
	Plan 7	- 016 REV 01 Phase 7 Proposed Masterplan			
	Plan 8	- 018 REV 01 Phase 8 Proposed Masterplan			

### Appendix 2 – Masterplan Unit Mix

		Existing	Propo	sed Redevelopment	
Phase No.	Units	Туре	Units	Туре	
	12	2 storey – 4 in a block	8	2 storey flatted	
1	0	3 storey flatted	0	3 storey flatted	
(under construction)	0	2 storey house	6	2 storey house	
	28	2 storey – 4 in a block	20	2 storey flatted	
2	0	3 storey flatted	0	3 storey flatted	
2	0	2 storey house	7	2 storey house	
	16	2 storey – 4 in a block	12	2 storey flatted	
3	0	3 storey flatted	0	3 storey flatted	
5	4	2 storey house	8	2 storey house	
	4	2 storey – 4 in a block	0	2 storey flatted	
4	2	3 storey flatted	0	3 storey flatted	
7	0	2 storey house	6	2 storey house	
	24	2 storey – 4 in a block	16	2 storey flatted	
5	0	3 storey flatted	0	3 storey flatted	
5	0	2 storey house	9	2 storey house	
12		2 storey – 4 in a block	8	2 storey flatted	
6	0	3 storey flatted	6	3 storey flatted	
°,	0	2 storey house	0	2 storey house	
	12	2 storey – 4 in a block	6	2 storey flatted	
7	0	3 storey flatted	0	3 storey flatted	
	0	2 storey house	7	2 storey house	
	12	2 storey – 4 in a block	8	2 storey flatted	
8	0	3 storey flatted	0	3 storey flatted	
Ū	0	2 storey house	4	2 storey house	
Totals	108	2 storey – 4 in a block	70	2 storey flatted	
(excluding	0	3 storey flatted	6	3 storey flatted	
Phase 1)	6	2 storey house	41	2 storey house	
Total Units (excluding Phase 1)	114		117		

#### Appendix 3

	COMPLETE FOR LEGAL AGREEMENTS AND UPFRONT PAYMENTS			REQUIRED FOR LEGAL AGREMEENTS ONLY					
Туре	Contribution	Rate (per house)	Rate (per flat)	Total Amount <sup>*1</sup>	Index Linked <sup>1</sup>	Base Date <sup>*2</sup>	Payment Trigger* <sup>3</sup>	Accounting Dates <sup>*4</sup>	Clawback Period* <sup>5</sup>
Schools <sup>2</sup>									
Primary – Build Costs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Primary – Land Costs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Secondary – Build Costs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Secondary – Land Costs	Insert what contribution is for	£0.00	£0.00	£0.00	No		TOC/CC	Apr/Oct	15 or 20
Community Facilities	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Affordable Housing									
On-site provision <sup>3</sup>	X units. Insert details of unit size and timescale for delivery if agreed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Off-site provision <sup>4</sup>	X units. Insert details of location, unit size and timescale for delivery if agreed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Commuted Sum <sup>5</sup>	£0.00 per affordable unit not delivered on/off site. Insert expected timescale for payment - can be in installments	N/A	N/A	£0.00	N/A	N/A	Insert specific payment date	N/A	5 Years
Agreement for Delivery Needed	Y/N. If delivery for affordable housing has not yet been agreed, enter Y and specify the date/timescale that the scheme for delivery is to be submitted for approval	N/A	N/A	N/A	N/A	N/A	Insert date for submission to Planning Authority	N/A	N/A

<sup>&</sup>lt;sup>1</sup> If the contribution is to be used towards infrastructure projects involving building e.g. new school, new cycle route etc BCIS ALL IN TENDER will be the index, if it doesn't involve building then another appropriate index may need to be chosen with the agreement of Team Leader

<sup>4</sup> As above

<sup>&</sup>lt;sup>2</sup> Indicate whether or not 1 bed houses/flats are exempt

<sup>&</sup>lt;sup>3</sup> Indicate whether a penalty payment due for late delivery (and, if so, what it is based upon).

<sup>&</sup>lt;sup>5</sup> Indicate whether a penalty payment is due for late payment of commuted sum (and, if so, what it is based upon)

Transport								
Active Travel	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Safer Routes to Schools	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Public Realm	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Wayfinding	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Public Transport	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
School Transport	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Road Improvements	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Parking	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
EV Charging	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Traffic Signals	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Lighting	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Road Traffic Orders	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Cumulative Transport Contributions	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Green Infrastructure								
Open Space	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Green Network	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Built/Natural Heritage	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Water and Waste								
Catchment Improvement Works	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Strategic Flood Scheme	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Maintenance of SuDs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Off Street Waste Storage	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Recycling Point Provision	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Glass Banks	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
		£0.00	£0.00	£0.00				
Public Art	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20
Other (Please Specify)	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	TOC/CC	Apr/Oct	15 or 20

\*1 Adjust total to take account of flat exemptions

\*2 Base Date – Set out in Supplementary Guidance on Developer Contributions

\*3 TOC/CC – The earlier of the issue of either a temporary occupation certificate or a completion certificate – or specify alternative time if appropriate

\*4 Accounting dates - 1 April and 1 October each year of development (if the contribution is to be paid on a basis other than related to units completed in the preceding 6 months (e.g. lump sum on a specific date) then indicate this instead of the Apr/Oct payment dates)

<sup>\*5</sup> Clawback – 15 years for Major development; 20 years for Local development

#### Other Legal Agreement requirements

Туре	Details
Bond	1. Describe the purpose of the Bond
	2. Specify the amount to be secured
	3. Restriction on Bond provider
	4. Set the review date and mechanism for review
	5. Describe the call on circumstances
	6. Any other relevant details
Habitat Management Plan	1. Describe what the Plan is to cover
	2. Describe the area the Plan is to cover (and provide a plan)
	3. Set the timetable for submission of the Plan
	4. Set the timescale for implementation of the Plan
	5. Describe requirements to consult third parties
	6. Specify the financial contribution (if any)
	7. Specify the clawback period (if any)
	8. Any other relevant details
De la Ourres	
Road Survey	1. Specify the timescale for the initial survey
	2. Describe which roads are to be surveyed (provide a plan)
	3. Specify an interim survey date (if required)
	4. Specify the final survey requirements and timescale
	5. Any other relevant details
Land and Asset Transfer	1. Describe the area of land / asset to be transferred (provide a plan)
	2. Describe the use of the land / asset
	3. Specify the cost of transfer
	4. Any other relevant details



Infrastructure and Environment Service

June 2022



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<i>] a</i>	A Site boundary updated 26-07-21
	Rev Description Date
	Mieklefied Dingwall PIP Location Plan
	Scale: Date: Drawn: Checked: 1:1250@ A3 25.01.21 GF xxxx or as noted Project Number: Drawing: Revision: I-7189 001 A © HRI Munro Architecture Ltd. All rights reserved.





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## Meiklefield



01 Issued for PIP Rev Description

18.06.21

Date

## Planning in Principle

### Meiklefied Dingwall

### Phase 2 Masterplan Proposed

 Scale:
 Date:
 Drawn:
 Checked:

 1:500@ A3 or as noted
 10.06.21
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 Drawing:
 Revision:

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Description

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## Planning in Principle

### Meiklefied Dingwall

## Phase 3 Masterplan Proposed

Scale:	Date:	Drawn:	Checked:		
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## Planning in Principle

### Meiklefied Dingwall

## Phase 4 Masterplan Proposed







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### Phase 6 Masterplan Proposed





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### Meiklefied Dingwall

## Phase 7 Masterplan Proposed







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Meiklefied Dingwall

## Phase 8 Masterplan Proposed

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