

Agenda Item	6.1
Report No	PLN/027/25

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 23 April 2025
Report Title: 25/00190/FUL : Lockett Agri-Environmental
Land 110m North of Nsl Ltd, 6 Druimchat View, Business Park, Dingwall
Report By: Area Manager (North)

Purpose/Executive Summary

Description: Flood Management Measures – Docharty West

Ward: 08, Dingwall and Seaforth

Development category: Local

Reason referred to Committee: Manager's discretion

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 proposal involves works to the tributaries and to the main channel of the River Peffery in the vicinity of Dingwall Business Park.
- 1.2 The embankment to the watercourse to the north west of the Business Park will be breached shortly before joining the River Peffery, with peak flows diverted into a newly created mosaic of wetland features linked by swales within the Peffery flood plain on the north side of the river channel.
- 1.3 The watercourse/drainage ditch to the north of the Business Park which joins the River Peffery in the vicinity of the Highlands and Islands Enterprise (HIE) offices will be infilled with a plug to divert water into an existing pond, and an outflow from the pond created to link to the proposed swale and wetland features as per 1.2 above. The remainder of the channel will be left to act as a field drain.
- 1.4 The River Peffery channel will be re-meandered alongside the Business Park. These works involve the construction of a wood bank protection on the south bank of the river across the existing channel, to divert the river to the north, and the construction of a new meandering channel immediately to the north of the existing channel. The adjacent area will be excavated to act as a flood plain. Backwater features will be constructed which will connect to the re-meandered channel, and these will also enable drainage from the existing outfalls to continue.
- 1.5 This application forms part of a larger scheme to undertake significant restoration work throughout the Peffery catchment. The main purpose of this catchment scale project is to restore habitats and natural hydrological and geomorphic processes, increasing habitat for wildlife and contributing to natural flood management (NFM). NFM techniques aim to increase water storage capacity within the catchment. These can contribute to a reduction (attenuation) in downstream 'peak flows' and, therefore, flood risk.
- 1.6 Work in the catchment prior to the current project includes peatland restoration (2023), forest to bog restoration (2021-2022), the re-meandering of the River Peffery at Fodderty (2022) and wet woodland restoration at Fodderty (2023).
- 1.7 During the first phase (2024-25) of the current NRF (NatureScot's Nature Restoration Fund) catchment project sections of the Peffery tributaries have been restored, flood storage areas created and approximately 200 leaky dams installed in the headwaters. The Blackmuir Pond (Strathpeffer) has been modified for improved habitat and flood retention, riparian woodland has been planted and 800m of watercourses fenced off from livestock. This is now the final year of the Peffery project and three large-scale river restoration projects are currently awaiting planning consent for construction in the summer of 2025, two of which – the Docharty projects - are the topic of this report. The funding for this work is in place, the majority of which will come from NRF with additional funding from The Highland Council and Highlands and Islands Enterprise.
- 1.8 The existing informal flood bund around Dingwall Business Park does not form part of the proposal and is excluded from the application site boundary.

- 1.9 Pre Application Consultation: informal discussions took place prior to the submission of the planning application.
- 1.10 Supporting Information: protected species survey; flood risk assessment
- 1.11 Variations: none

2. SITE DESCRIPTION

- 2.1 The site is currently agricultural land to the north of the River Peffery, and the river channel and its tributaries alongside and to the west of Dingwall Business Park. The watercourses are largely straight, with the River Peffery lying within artificially created channels with high vegetated banks along most of its length. The tributaries act as field drains for the surrounding agricultural land. There is also an artificially created pond within the agricultural land.
- 2.2 A small area of harvested forestry lies immediately to the west of the existing pond between the two drainage channels/tributaries.

3. PLANNING HISTORY

- | | | | |
|-----|---------------|--|---------------------------|
| 3.1 | 23/02569/FUL | Formation of flood bund | Pending |
| 3.2 | 22/06245/SCRE | Upgrade to flood bund, request for EIA screening opinion | 25/01/23 EIA not required |
| 3.3 | 22/06013/PAN | Removal of existing perimeter bund and replacement with perimeter defence structure (proposal of application notice) | 21/03/23 closed |
| 3.4 | 25/00191/FUL | Linked application for flood management measures (Docharty East) | Pending |

4. PUBLIC PARTICIPATION

- 4.1 Advertised: unknown neighbour
Date Advertised: 28/02/25
Representation deadline: 14/03/25

No representations received
- 4.2 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 **Flood Risk Management Team** has no objections, subject to a condition.
They are supportive of the proposal to carry out work to restore the watercourse and re-connect it to the flood plain. The works themselves are water compatible. They

will move the main river channel away from the informal flood bund that reduces flood risk to Dingwall Business Park. The Flood Risk Assessment (FRA) demonstrates that the works will significantly reduce shear forces on the informal flood bund and so reduce the risk of erosion and/or failure of the structure.

The FRA has assessed the pass forward flow at the downstream end of the site, comparing the pre and post restoration peak flows, along with flood extents. At this stage the FRA demonstrates that for lower return periods (more frequent flood events) there is a slight reduction in pass forward flow. At higher return periods (rare flood events) there is a slight increase in pass forward flow. This has a relatively neutral impact on flood extents but does increase the flood depth at some locations during higher return period floods.

It is recognised that, because there is a small increase in pass forward flow during high return period events, the development is not strictly in accordance with NPF4. However, because there are small decreases in pass forward flows at lower return periods and significant betterments in term of floodplain connectivity, watercourse restoration and reduction on shear stresses at the bund, they are content that there is an overall benefit from the works. The general principle of the development therefore raises no objection from the Flood Risk Management Team (FRMT).

Some detailed analysis of the downstream flooding, indicate that there is no increase in the flood extents due to the proposed works, however, at some discrete locations, there are increases in depth of flooding which are not acceptable.

The applicant is in the process of making slight modifications to the river restoration design to ensure that the overall impact of the works on flood risk to others is neutral. They are content to condition the final detailed design. This will need to be supported by an updated FRA that demonstrates that the overall impact on flood risk is neutral with no significant increases on flood risk to others.

- 5.2 **SEPA** are supportive of the river restoration works and have no objection to the application subject to the following condition:

No development shall commence until an updated Flood Risk Assessment (FRA) has been agreed with the Planning Authority in consultation with SEPA and the council's Flood Risk Management Team. The FRA must demonstrate that there is no significant impact on downstream sensitive receptors and, if relevant, detail any changes to the approved layout.

Reason: To ensure there is no unacceptable increase in flood risk elsewhere as a result of the development.

6. **DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

6.1 **National Planning Framework 4 (2023) (NPF4)**

Policy 1 - Tackling the Climate and Nature Crises

Policy 2 - Climate Mitigation and Adaptation

Policy 3 - Biodiversity

Policy 5 - Soils

Policy 20 - Blue and Green Infrastructure

Policy 22 - Flood Risk and Water Management

6.2 **Highland Wide Local Development Plan 2012 (HwLDP)**

- 28 - Sustainable Design
- 31 - Developer Contributions
- 36 - Development in the Wider Countryside
- 51 - Trees and Development
- 55 - Peat and Soils
- 58 - Protected Species
- 63 - Water Environment
- 64 - Flood Risk
- 66 - Surface Water Drainage

6.3 **Inner Moray Firth Local Development Plan 2 (2024) (IMFLDP2)**

No specific policies apply.

6.4 **Highland Council Supplementary Planning Policy Guidance**

- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Highland's Statutorily Protected Species (March 2013)
- Trees, Woodlands and Development (Jan 2013)

7. **OTHER MATERIAL POLICY CONSIDERATIONS**

7.1 **Scottish Government Planning Policy and Guidance**

Not applicable

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 key considerations in this case are:
- a) compliance with the development plan and other planning policy
 - b) flood risk
 - c) biodiversity
 - d) protected species
 - e) any other material considerations

Development plan/other planning policy

- 8.4 In line with National Planning Framework 4 (Policy 22) and HwLDP Policy 64, a precautionary approach to flood risk should be taken by avoiding development within areas at risk of flooding (land or built form with an annual probability of being flooded of greater than 0.5% which must include an appropriate allowance for future climate change).
- 8.5 These proposals can be viewed as essential infrastructure, where the location is required for operation reasons, under Policy 22a (i) of NPF4. In addition, these proposals also generally fall under Policy 22a (ii), water compatible use, as amenity open space and nature conservation and biodiversity. In addition, Policy 22e outlines that Development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure, will be supported.
- 8.6 The proposals align with the principles of NPF4 Policies 1 and 2, in that the proposal is for river restoration works for flood risk management purposes. This helps adapt to current and future risks of climate change by promoting nature recovery and restoration, thus taking account of the global climate and nature crises and helping adapt to climate change.
- 8.7 There will be benefits delivered to the water and wider environment from the works. However, there is a requirement within Policy 22 to ensure that any development being undertaken within a flood risk area does not result in an increase in flood risk to others. There are still elements of the information provided to date within the flood risk assessment (FRA) which have not fully clarified this latter point. The applicant and consultant are currently working to provide the required information and it is understood that further work is ongoing to amend the design and reach a solution which can satisfy the requirements of no unacceptable flood risk elsewhere as a result of the proposals. This can be covered by condition as per SEPA's requirement.

Flood Risk

- 8.8 Large areas of Dingwall, in addition to properties within Dingwall Business Park, have been identified as potentially being at risk of flooding. This is the latest phase in the wider proposals for restoration works to the River Peffery and its catchment. The Highland Council have recently agreed to provide a proportion of the funding for the project along with HIE and NatureScot's Nature Restoration Fund to help reduce flood risk within the Business Park, enhancing protection for existing Business Park users and potentially unlocking future development opportunities within the Business Park.
- 8.9 This project, which seeks to re-meander the River Peffery and connect it with its flood plains, will reduce the erosive impacts of the river on the adjacent Business Park bunds, therefore reducing the risk of flooding to the Business Park users.
- 8.10 The proposed works at this location forms part of a wider, catchment scale project bringing cumulative benefits to the River Peffery corridor, including enhanced biodiversity, carbon reduction and reduced flooding throughout the catchment including the town of Dingwall downstream. This is being achieved through peatland

restoration, creation of wet woodlands, reconnecting the river with its floodplains and small scale flow attenuation. The flooding benefits are predominantly focussed on the reduction of the regular annual flooding events, through attenuation of peak flood flows within the flood plains.

- 8.11 The Highland Council's Local Flood Risk Management Plan has identified flood risk within the River Peffery catchment and may progress a formal flood protection scheme in future years when cycle 2 of the Scottish Governments national programme is announced. A flood protection scheme would be complementary to the nature-based solutions proposed throughout the catchment, seeking to address impacts from the larger flooding events.
- 8.12 The proposed works have therefore been designed with careful consideration of flood risk implications, with modelling undertaken to ensure no increased risk of flooding to infrastructure/properties and downstream areas. SEPA and FRM have requested additional modelling in order to demonstrate that this will result. This is currently being undertaken.
- 8.13 The proposed design has been developed using a 'nature-based' approach, with the aim of improving biodiversity through restoration of this section of the River Peffery and wider floodplain. This includes the diversion of the drainage channels / tributaries during times of higher flows into the proposed swales/wetlands/existing pond to facilitate drainage and create a flood relief channel.
- 8.14 The River Peffery has previously been artificially straightened. An engineered wood bank protection on the south bank will start to move the channel to the north (away from the flood bund). The area on the opposite (north) bank will benefit from bank protection works designed to control erosion. The existing channel will be infilled and is designed to act as a flood plain. The new channel to the north is designed with meanders to slow water flow.
- 8.15 The re-introduction of bends with the formation of areas which will flood during high flows to either side of the new main channel will slow water flows, increase water storage and retention within the active flood plain, and move the main channel away from the flood bund alongside Dingwall Business Park. This will result in shallower slower flowing water alongside the flood bund during high flows, reducing the potential for it to be breached.
- 8.16 At the upstream end of the scheme, the works to the tributary will result in some flows exiting it and entering the floodplain. At the same time, the widening of the channel into an inset floodplain close the middle tributary slightly lowers levels upstream. This benefits levels in the agricultural fields upstream as well as close to the flood bund.
- 8.17 The proposed works will also lower levels adjacent to the road crossing to the downstream end of the site (Docharty Road bridge).
- 8.18 SEPA are satisfied that the scheme can be designed so that there is no overall significant increase in downstream flood risk. However, it may not be possible to ensure that there will be no areas where the level of flood risk may increase during some flood events.

- 8.19 Currently the FRA indicates that for the higher probability, more frequent flood events, there is likely to be marginal reduction in pass-forward flows downstream. This should result in a reduction in flood levels, although this is still to be quantified. At the lower probability, less frequent events (i.e. 1 in 200 year and 1 in 200 year when including climate change), there is expected to be a slight increase in pass-forward flows. This is not expected to result in any increases in flood extent or any additional receptors at flood risk. However, with the current design and modelling, in some areas there are slight increases in flood depths, averaging around 10mm, but up to 50mm at properties. This is not acceptable. Both SEPA and FRM agree that further modelling work is required, and the works design may also need to be amended slightly to ensure there is no increase in risk to any properties during the lower probability events. The updated FRA needs to ensure that the overall impact of the works on flood risk to others is neutral, with no significant increases on flood risk to others. Whilst the applicant and their consultant are continuing to revise the design of the proposals and ensure the modelling is robust and representative of any changes in flood risk, there may remain localised areas where under some flood event scenarios there is a marginal benefit and during other events there is a marginal dis-benefit.
- 8.20 SEPA and FRMT therefore have no objection to the proposals provided a condition is imposed that ensures further information is provided, and where required the design is amended, to ensure that there is no unacceptable increase in flood risk downstream.

Biodiversity

- 8.21 NPF4 Policy 3 requires that proposals contribute to the enhancement of biodiversity, including where relevant restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should integrate nature-based solutions where possible.
- 8.22 The mosaic of wetland features will include variable depths to promote habitat diversity, and thus also increase biodiversity. Similarly, the introduction of bends in the River Peffery and slower water flows will enable the creation of more habitats alongside the river, also increasing biodiversity.
- 8.23 The works will move the channel to the north which will result in the loss of the vegetation along the north river bank, but this will naturally regenerate with time. There are no significant trees impacted by the proposal. The vegetation on the flood bund bounding the Business Park along the south bank will not be impacted by the works.

Protected Species

- 8.24 A mammal survey has been carried out, to establish whether any protected species are present within the site or may otherwise be impacted by the proposal, as required by HwLDP Policy 58. The survey identified that there are trees with potential roost features in the vicinity of the site. It is currently not known whether any of these trees could be affected by the proposed works. The habitat along the river and its connected burns and drains does not offer high suitability for bats but will undoubtedly be used for foraging and commuting by local bat populations. It is

therefore recommended that the proposed approach to the restoration works is discussed with a bat ecologist to ensure that appropriate further surveys are undertaken and the favourable conservation status of bats in the area is not negatively affected. This can be covered by condition.

- 8.25 No evidence of otters was identified. However, it is known that otters are present throughout the Peffery catchment, and it is likely that otters will be using the main watercourse on at least an infrequent basis for foraging/hunting and commuting. The creation of artificial structures which can be used by otters such as a holt or couch should be considered. The exact location should be discussed with the Ecological Clerk of Works (ECoW). Pollution prevention plans will also need to be put in place to preserve the water quality. This, too, can be covered by condition.
- 8.26 Survey works identified a single burrow alongside one of the tributaries. This could be a water vole burrow, but no other signs of water vole being present were identified, so it could belong to another species. Based on the current design and taking the precautionary approach that the burrow is that of a water vole, the ecologist has confirmed that works can proceed as it will not be directly impacted by the proposed works, being upstream of the works. The ecologist does, however, recommend that pre-works checks (from mid April this year) are undertaken to ensure that no additional burrows will be affected within 30m of the proposed works, and that the level of disturbance at that location are minimised through sensitive works and keeping the footprint to a minimum.
- 8.27 If any additional burrows are identified or extensive signs of water vole are present, a more extensive Species Protection Plan may be required. However, as the proposals require limited works within the channel or banks at this location, it is anticipated that impacts on water vole, if confirmed to be present, could be avoided through careful micro-siting of works and supervision from an ECoW. This can be covered by a suitably worded condition.

Soils

- 8.28 The site lies within an area of Class 3.1 soils, and as such is classed as 'prime agricultural land'. It is currently grassland / felled forestry, and within the flood plain of the River Peffery. NPF4 Policy 5 will only support proposals on prime agricultural land if they meet one of a list of exceptions, one such exception being where the proposal is for essential infrastructure where there is a specific locational need and no other suitable site. The proposal will help manage flood risk and can accordingly be considered to fall within this exception. The accompanying Flood Risk Assessment also concludes that the proposed works will be beneficial to levels of flooding to the agricultural fields upstream.

Other material considerations

- 8.29 There is no public footpath alongside the River Peffery or its tributaries at this point. It is, however, possible to walk along the banks and there are signs of a potential desire route.
- 8.30 Scottish Water pipeline infrastructure associated with surface water runs adjacent to the site in place, with two outfalls entering the River Peffery, one immediately

upstream of the proposed realigned design channel, and the other by the most downstream of the two proposed backwaters. These will continue as existing.

There are no other material considerations.

Matters to be secured by Legal Agreement / Upfront Payment

8.31 Not required

9. CONCLUSION

9.1 This application forms part of a wider measure of packages to restore habitats and natural hydrological and geomorphic processes, increasing habitat for wildlife and contributing to natural flood management by increasing water storage capacity within the catchment. The proposal is welcomed, with the restoration works resulting in measures to naturally manage flood risk broadly complying with the requirements of NPF4 Policies 1, 2, 3 and 22 and with HwLDP Policy 64. They will move the channel away from the informal flood bund, and will significantly reduce shear forces on it and so reduce the risk of erosion and/or failure of the structure. They will also result in nature restoration and enhanced biodiversity. The river restoration works will result in benefits to the water and wider environment in the vicinity of Dingwall Business Park. An updated flood risk assessment is, however, required, to demonstrate that these works will result in neutral overall impact on flood risk downstream, with no significant increases on flood risk to others. In view of the committed funding for these works and the ecological considerations limiting activities it is expected these works will be undertaken and completed by September 2025.

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

Action required before decision issued n

Notification to Scottish Ministers n

Conclusion of Section 75 Obligation	n
Revocation of previous permission	n

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

1. The development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. No development shall commence until an updated Flood Risk Assessment (FRA) has been agreed with the Planning Authority in consultation with SEPA and the council's Flood Risk Management Team. The FRA must demonstrate that there is no significant impact on downstream sensitive receptors and, if relevant, detail any changes to the approved layout.

Reason: To ensure there is no unacceptable increase in flood risk elsewhere as a result of the development.

3. No development shall commence, until such time as a bat ecologist has been appointed by the developer. Their appointment and remit shall be to check all trees to be felled for potential presence of bat roosts. If any impact on bat roosts is identified, no works on those trees shall take place until such time as a report of mitigation has been produced and approved in writing by the Planning Authority, and thereafter the identified measures implemented in full.

Reason: To ensure that the development does not have an adverse impact on bats (protected species) and that the bat population is maintained at a favourable conservation status.

4. No development shall commence until pre-work checks for water vole have been undertaken by a qualified ecologist, and the results submitted to and approved in writing by the Planning Authority. These shall ensure that there are no additional water vole burrows (over and above the potential water vole burrow identified to date) within 30m of the proposed works. The report of results shall include mitigation measures where any impact, or potential impact, on water vole or their habitat has been identified. Development and work shall thereafter progress in accordance with any mitigation measures contained within the approved report of results and the timescales contain therein.

Reason: To ensure that the development does not have an adverse impact on water vole (protected species) and that the water vole population is maintained at a favourable conservation status

5. No development shall commence until an Environmental Clerk of Works (ECoW) has been appointed by the developer. Their appointment and remit shall first be approved in writing by the Planning Authority. For the avoidance of doubt, their remit shall, in addition to any functions approved in writing by the Planning Authority, include:
 - i. Providing training to the developer and contractors on their responsibilities to ensure that work is carried out in strict accordance with environmental protection requirements and that adequate water pollution prevention measures are in place;
 - ii. Monitoring compliance with all environmental and nature conservation mitigation works and working practices approved under this consent;
 - iii. Advising the developer on adequate protection for environmental and nature conservation interests within, and adjacent to, the application site;
 - iv. Advising the developer on the creation of artificial structures which can be used by otter such as a holt or couch;
 - v. Ensuring that disturbance and the footprint of works is kept to a minimum
 - vi. Directing the placement of the development (including any micro-siting, if permitted by the terms of this consent) and the avoidance of sensitive features; and
 - vii. The power to call a halt to development on site where environmental considerations warrant such action.

Reason: To ensure that an Environmental Clerk of Works, with sufficient remit, is appointed for the duration of development in order to monitor, advise and direct the developer; in the interests of nature conservation.

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.

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 and 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:

Designation: Area Manager (North)

Author: Susan Hadfield

Background Papers: Documents referred to in report and in case file.

Relevant Plans:

- Plan 1 - 000001 Location Plan
- Plan 2 - 000002 Location Plan (west detail)
- Plan 3 - 10 Rev 13 v 2 Cross Sections
- Plan 4 - 11 Rev 13 v2 Cross Sections
- Plan 5 - 12 Rev 13 v2 Cut and fill analysis
- Plan 6 - 13 Rev 13 v2 Large wood details
- Plan 7 - 2 Rev 13 v2 site layout plan - overview
- Plan 8 - 3 Rev 13 v2 Site layout plan wetlands/swale
- Plan 9 - 4 Rev 13 v2 site layout plan river realignment
- Plan 10 - 5 Rev 13 v2 long profile plan wetlands/swale
- Plan 11 - 6 Rev 13 v2 Cross sections
- Plan 12 - 7 Rev 13 v2 long profile pond and tributary

Plan 13 – 8 Rev 13 v2 Cross sections

Plan 14 – 9 Rev 13 v2 Long profile river realignment

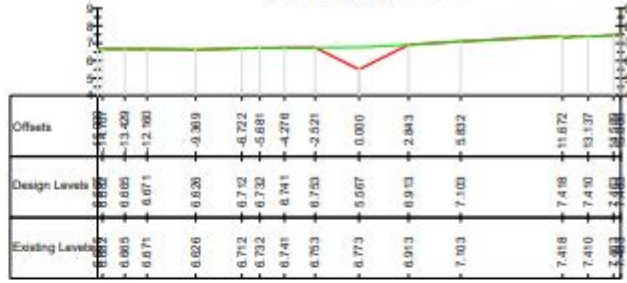
Appendix 1 – Letters of Representation

none

CH 25.000 m
Natural scale - Looking downstream



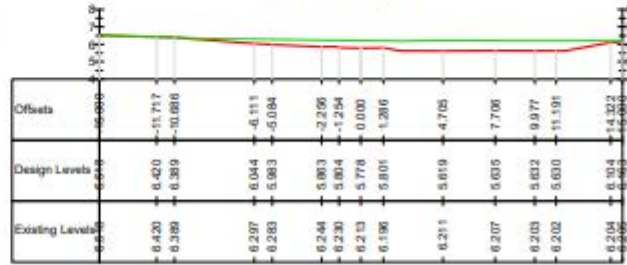
CH 50.000 m
Natural scale - Looking downstream



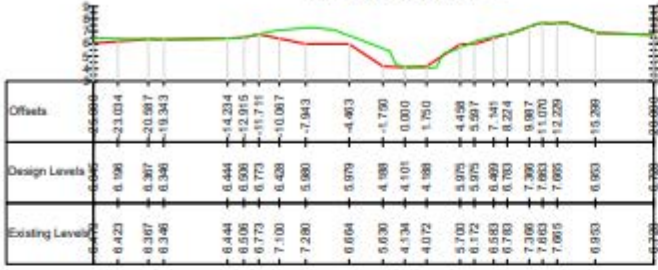
CH 150.000 m
Natural scale - Looking downstream



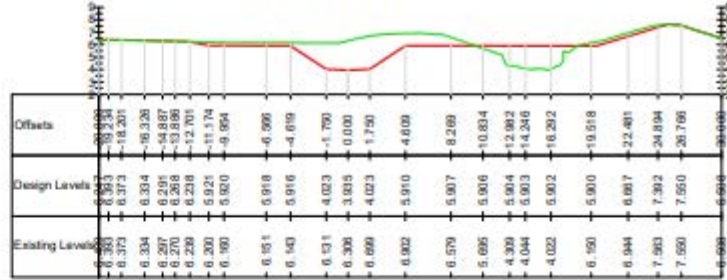
CH 190.000 m
Natural scale - Looking downstream



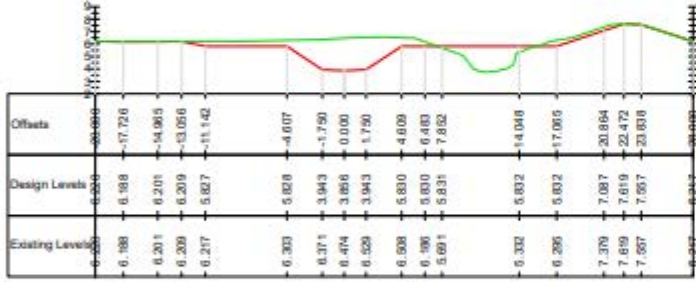
CH 310.000 m
Natural scale - Looking downstream



CH 350.000 m
Natural scale - Looking downstream



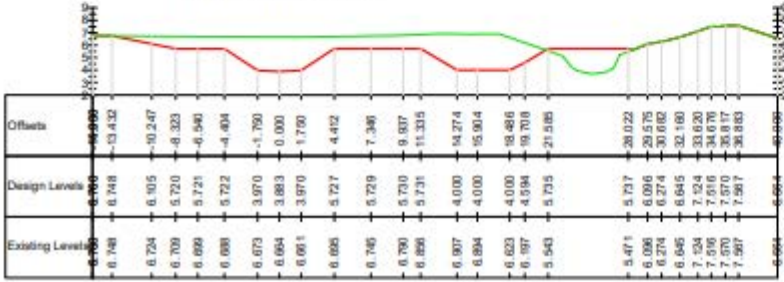
CH 400.000 m
Natural scale - Looking downstream



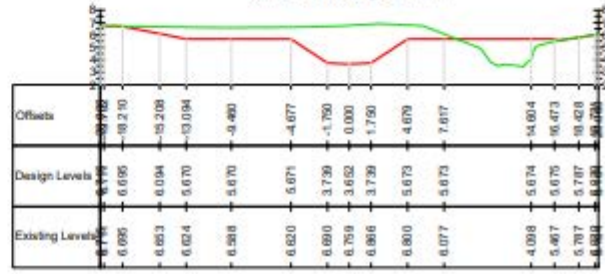
CH 430.000 m
Natural scale - Looking downstream



CH 460.000 m
Natural scale - Looking downstream



CH 490.000 m
Natural scale - Looking downstream





Embankment breach to allow flow diversion into the floodplain during high events.

Tributary diversion throughout existing pond.

Infilled plug section to allow tributary diversion.

New remeandering channel section with extended inset floodplain.

River Peffery

Construction of a mosaic of wetlands features. Include variable depths to promote habitat diversity.

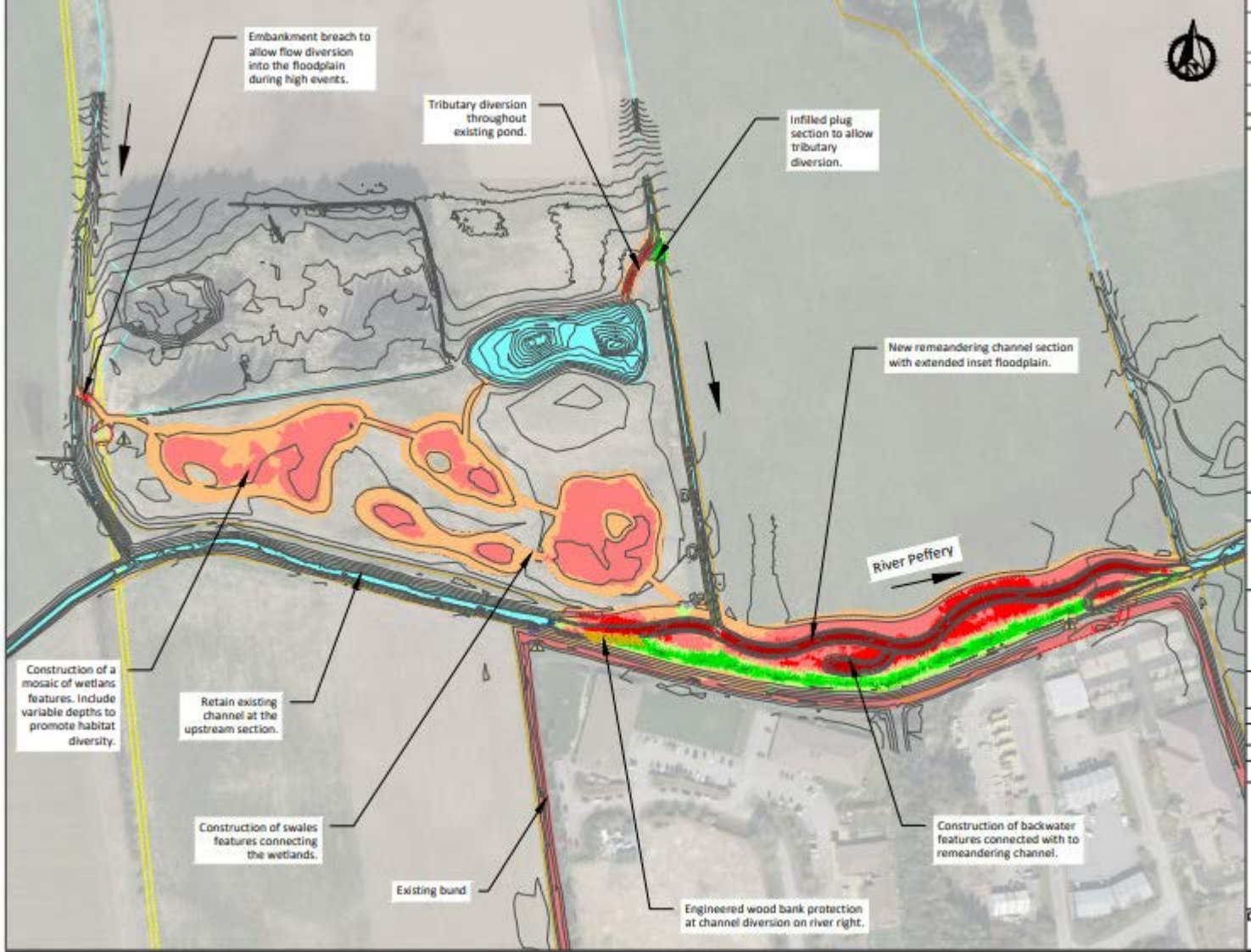
Retain existing channel at the upstream section.

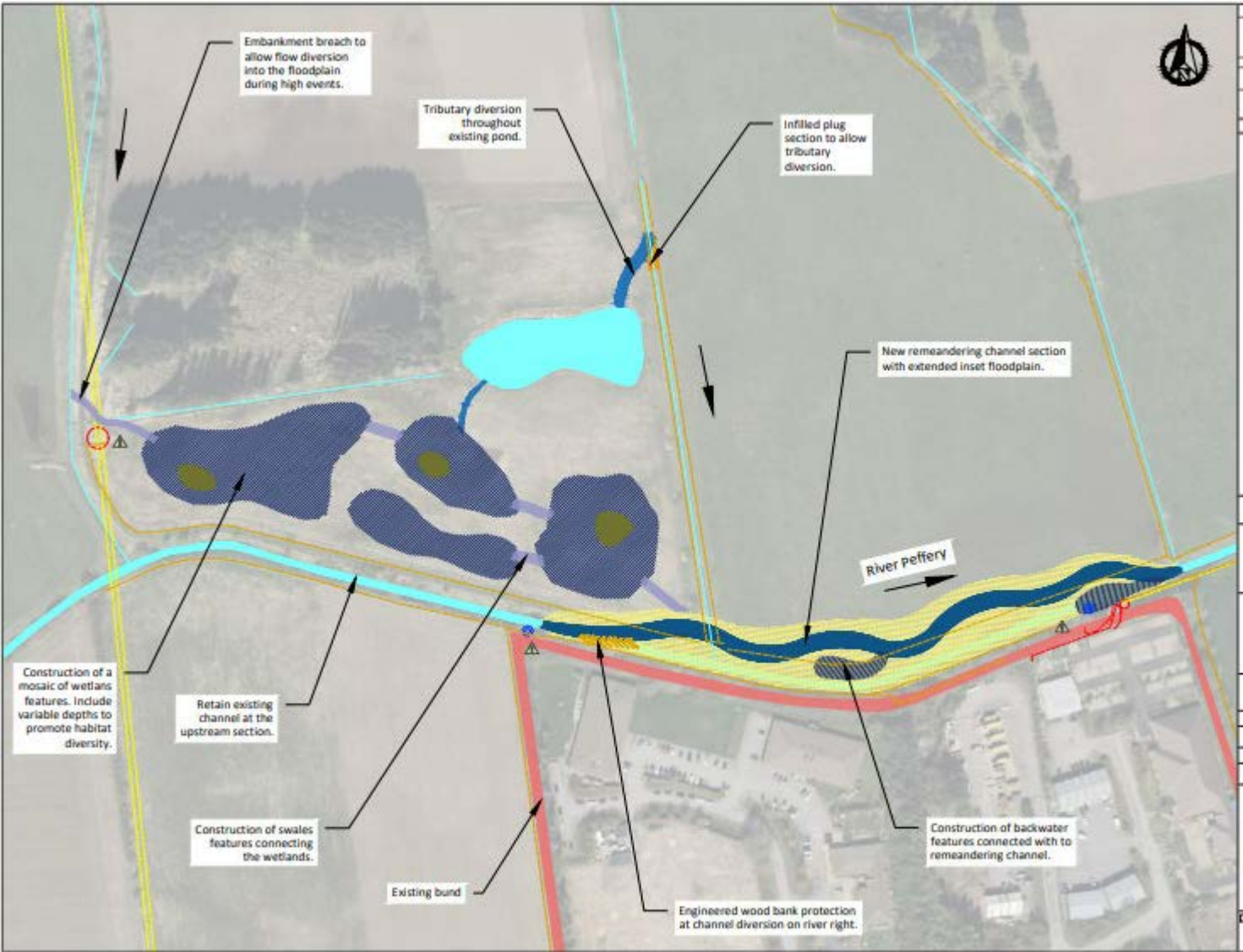
Construction of swales features connecting the wetlands.

Existing bund

Engineered wood bank protection at channel diversion on river right.

Construction of backwater features connected with to remeandering channel.





Green bank protection on left bank.
Two tiers Engineered Wood Structures (EWS) with coir matting

River Peffery

New remaining channel section
with extended inset floodplain.

Engineered wood bank
protection at channel
diversion on river right.

Infill existing channel
and construct an inset
floodplain.

Green bank protection on left bank.
Two tiers Engineered Wood Structures (EWS) with coir matting

Installation of coir matting along regraded
bank for erosion control and seeded with
native vegetation. Secured with
pegs/stakes following installation guide

Coarse gravel and cobble
sized sediment (50-150mm
diameter) should be used as
foundation for trees and to
fill voids between trunks.

At least 5m of trunk should
be retained for each
structure. Each individual
tree should have trunk
diameter of 400-800mm.

Top soil


Engineered Wood Structures (EWS)
buried with root plates facing the
direction of flow (i.e. angled at
30-45° from the bank). Large rock
can be used as ballast with locally
sourced alluvial material used to
backfill the structures and fill the
voids. EWS should be arranged to
overlap and ensure entire bank toe
protected.


Channel bed

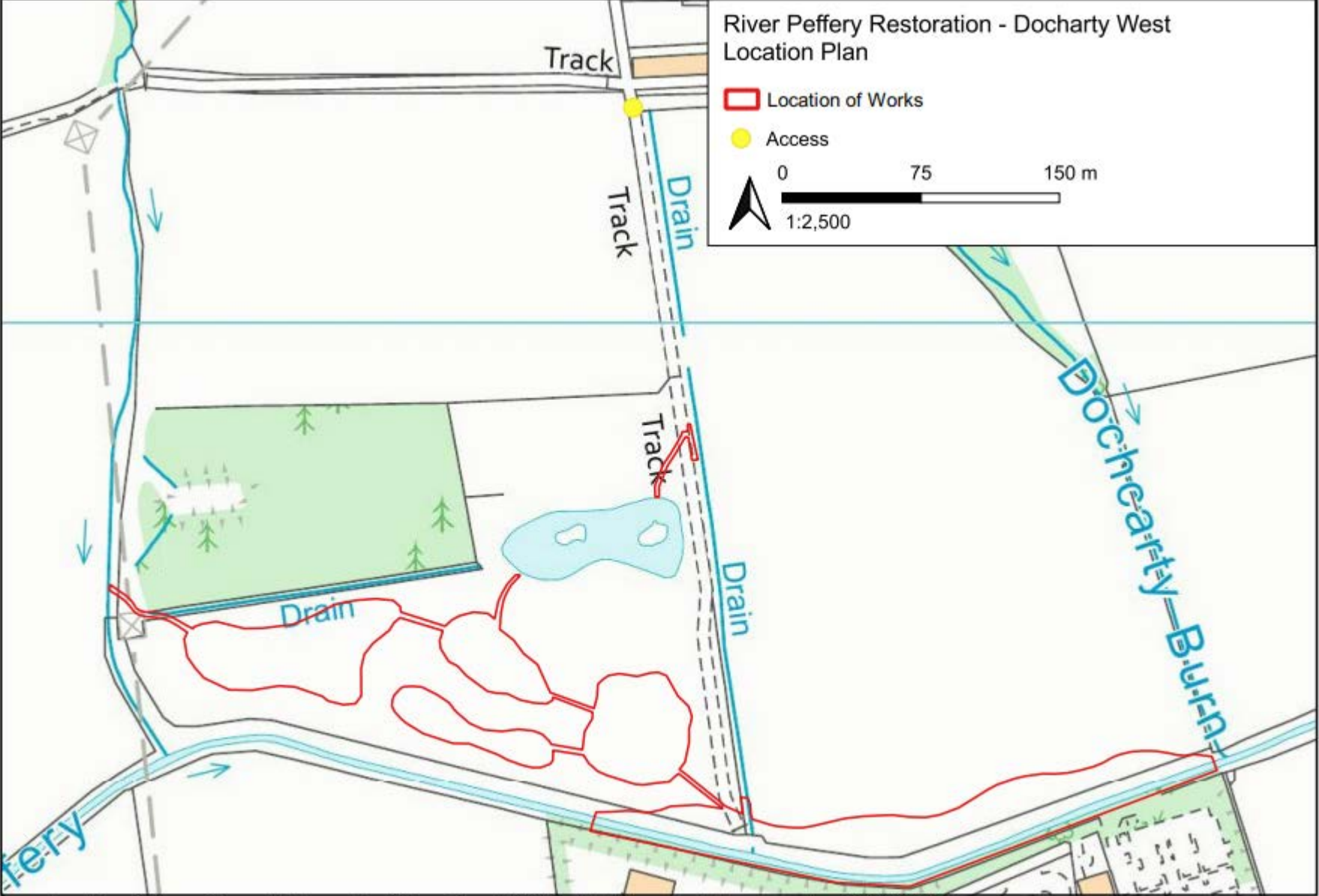
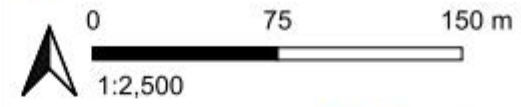
Boulders with
diameter of
400-800mm should
be used as ballast.

Channel toe fully protected by
large wood, with approximately
half the diameter of the root
plates of the lower tier buried
below the channel bed, all
backfilled without gaps to
prevent any bank failure.

River Peffery Restoration - Docharty West Location Plan

 Location of Works

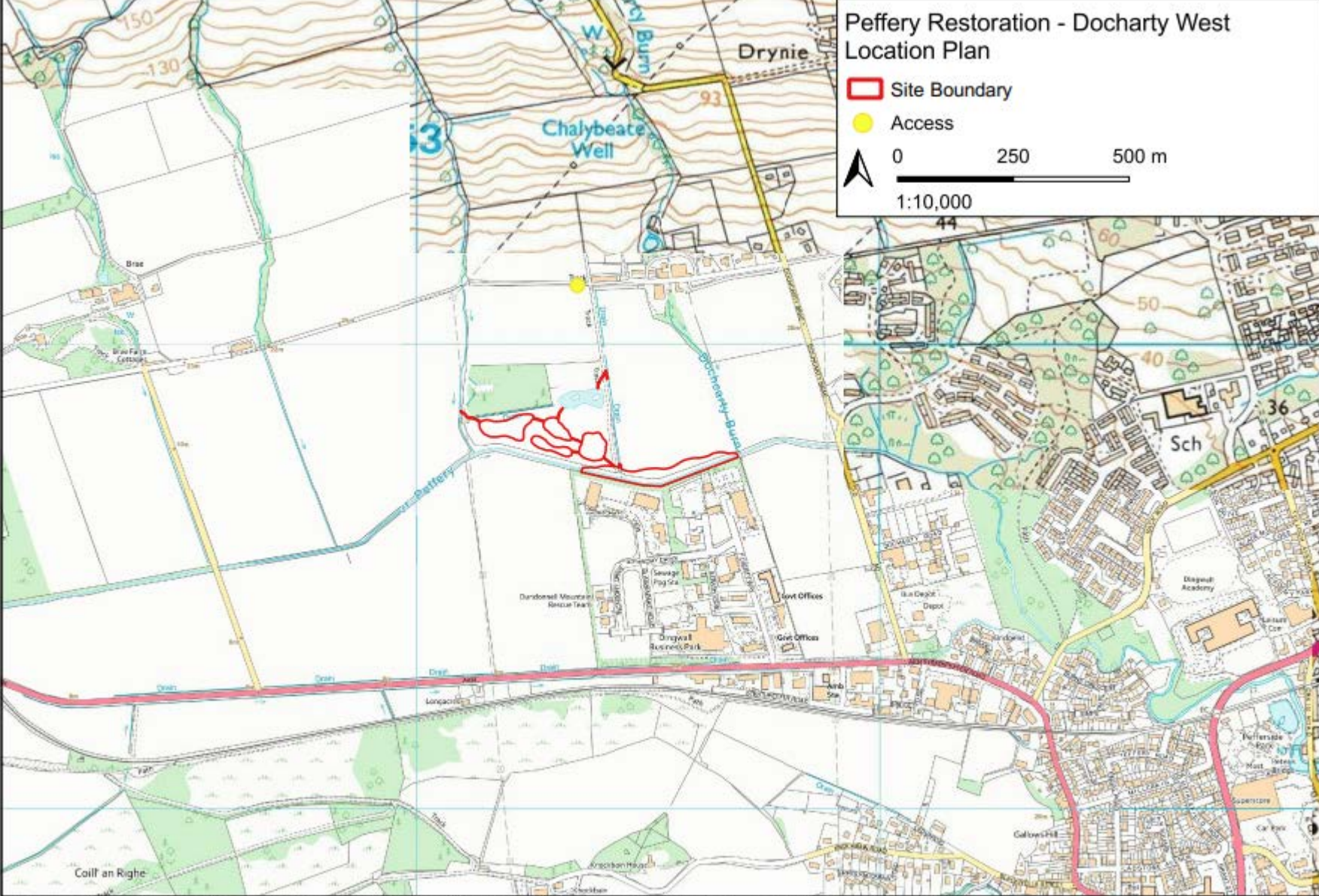
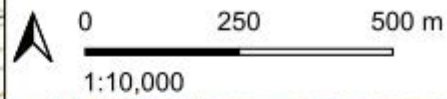
 Access

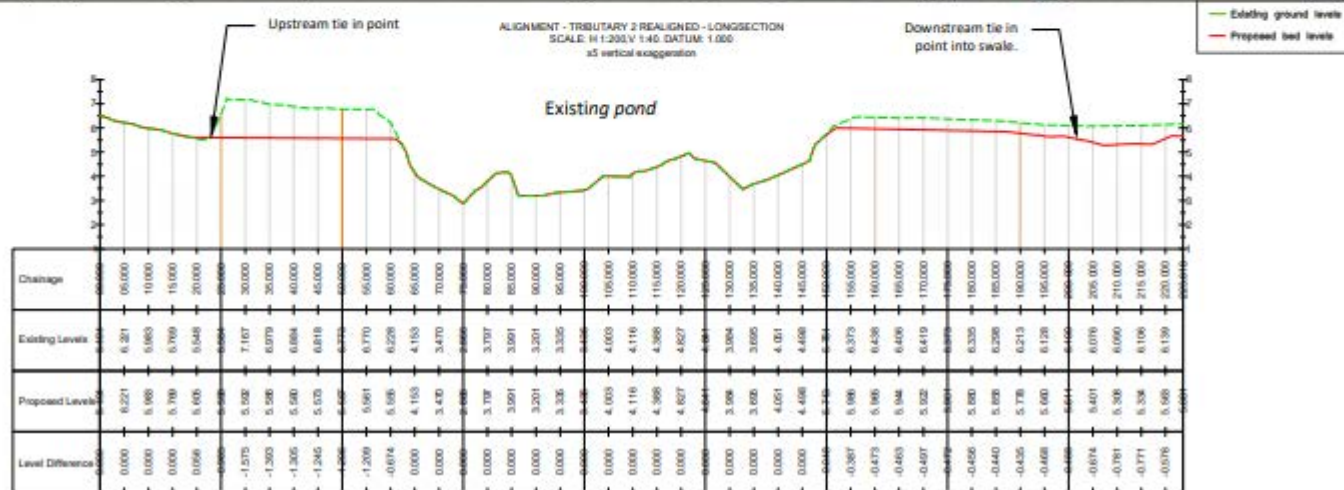
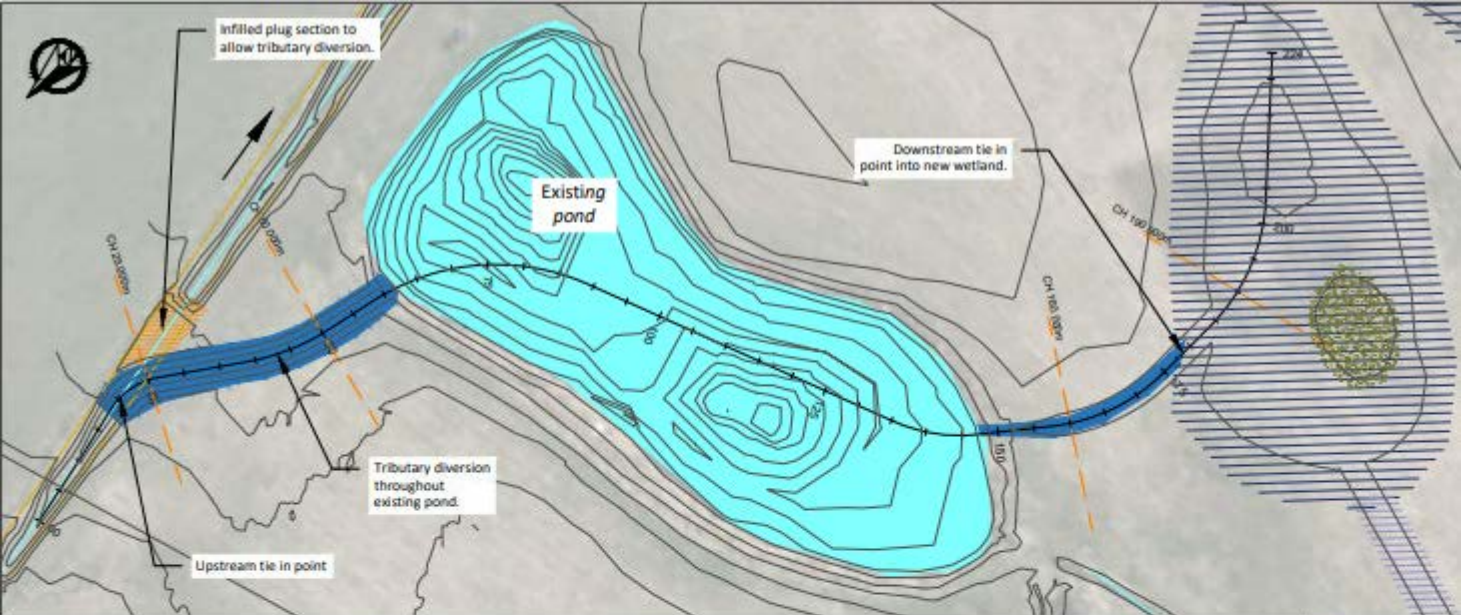


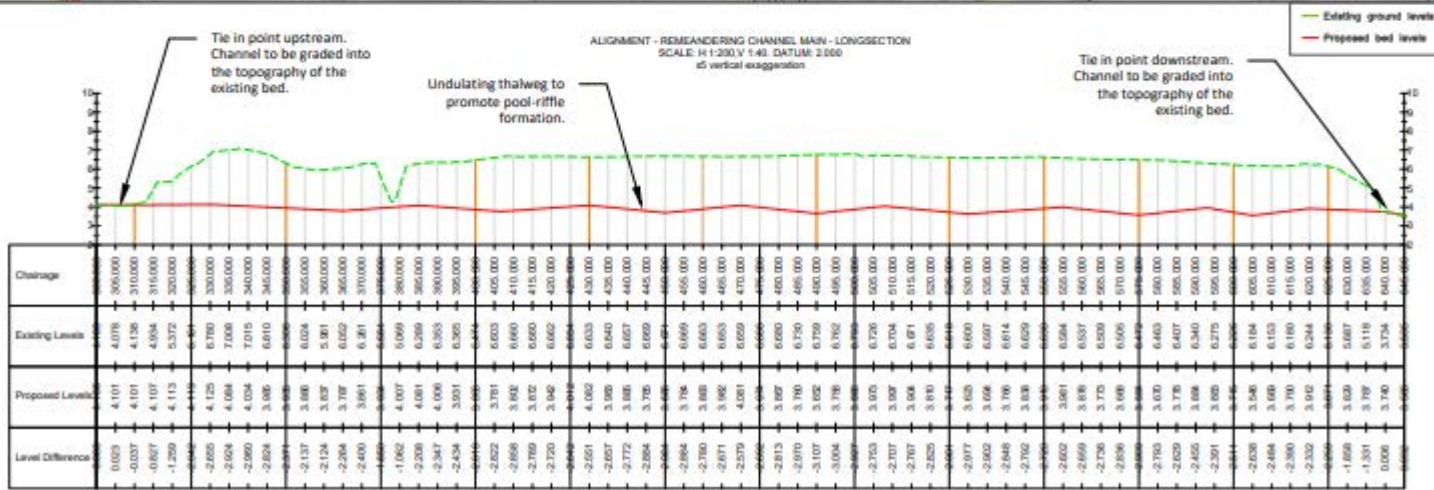
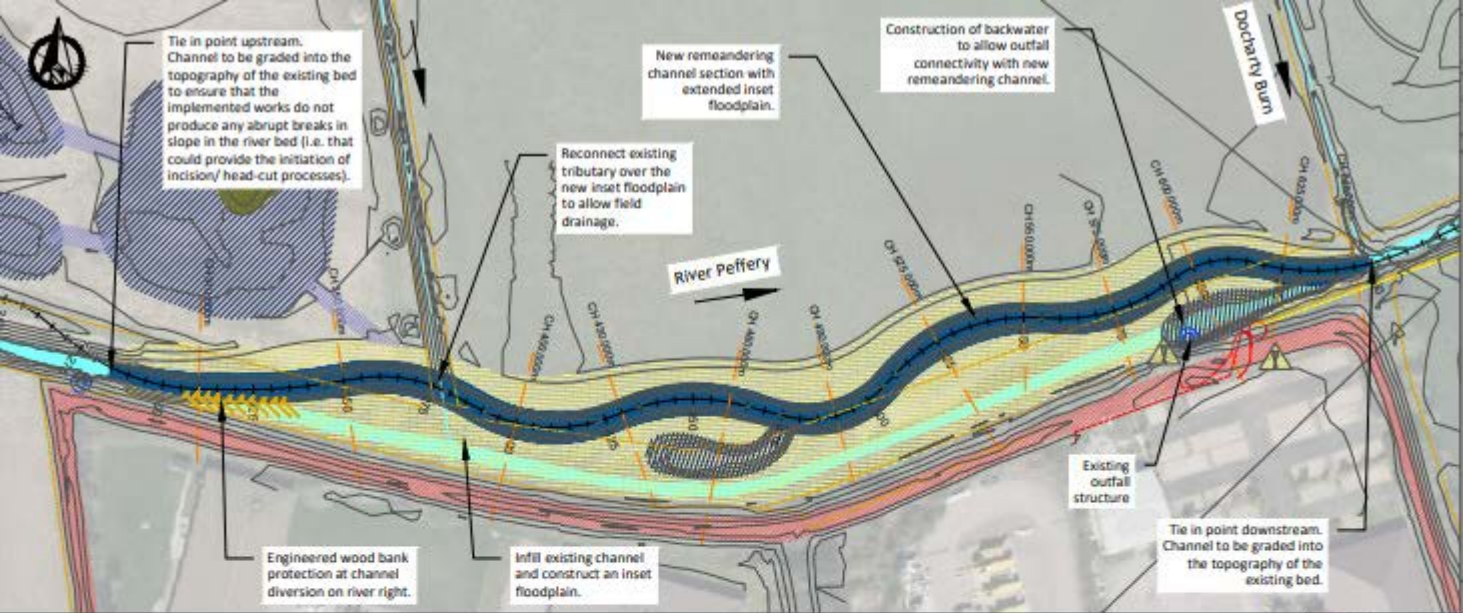
Peffery Restoration - Docharty West Location Plan

Site Boundary

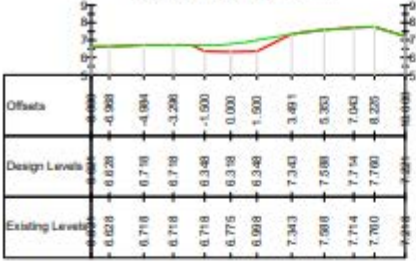
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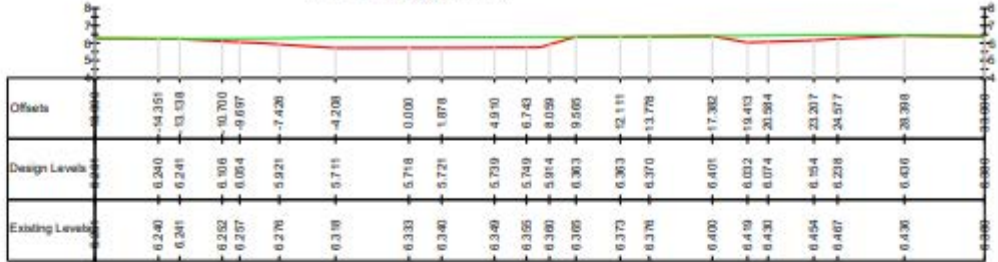




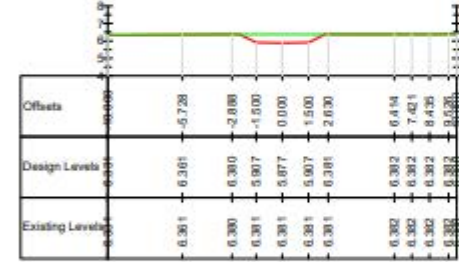
CH 40.000 m
Natural scale - Looking downstream



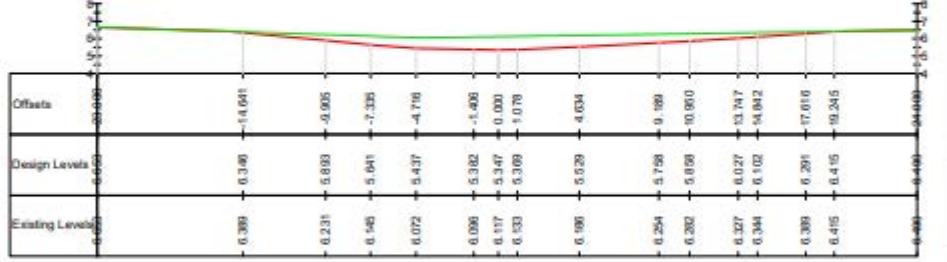
CH 105.000 m
Natural scale - Looking downstream



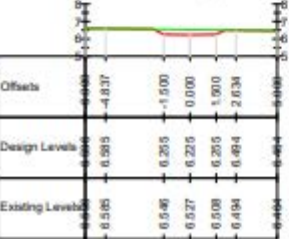
CH 210.000 m
Natural scale - Looking downstream



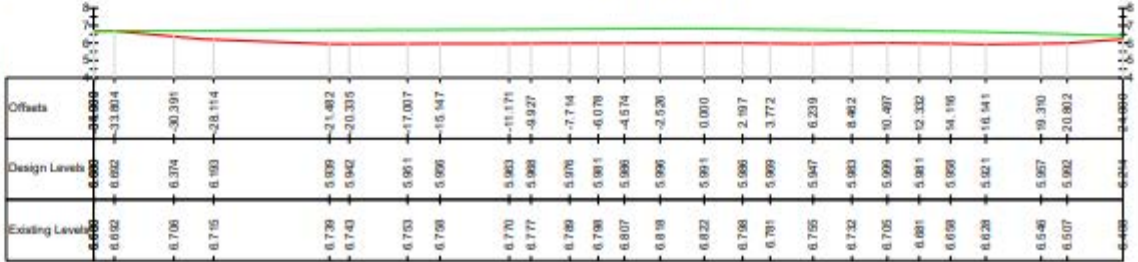
CH 265.000 m
Natural scale - Looking downstream



CH 305.000 m
Natural scale - Looking downstream



CH 355.000 m
Natural scale - Looking downstream





Doherty Burn

Construction of backwater to allow outfall connectivity with new remaindering channel.

Reconnect existing tributary over the new inset floodplain to allow field drainage.

New remaindering channel section with extended inset floodplain.

River Peffery

Existing outfall structure

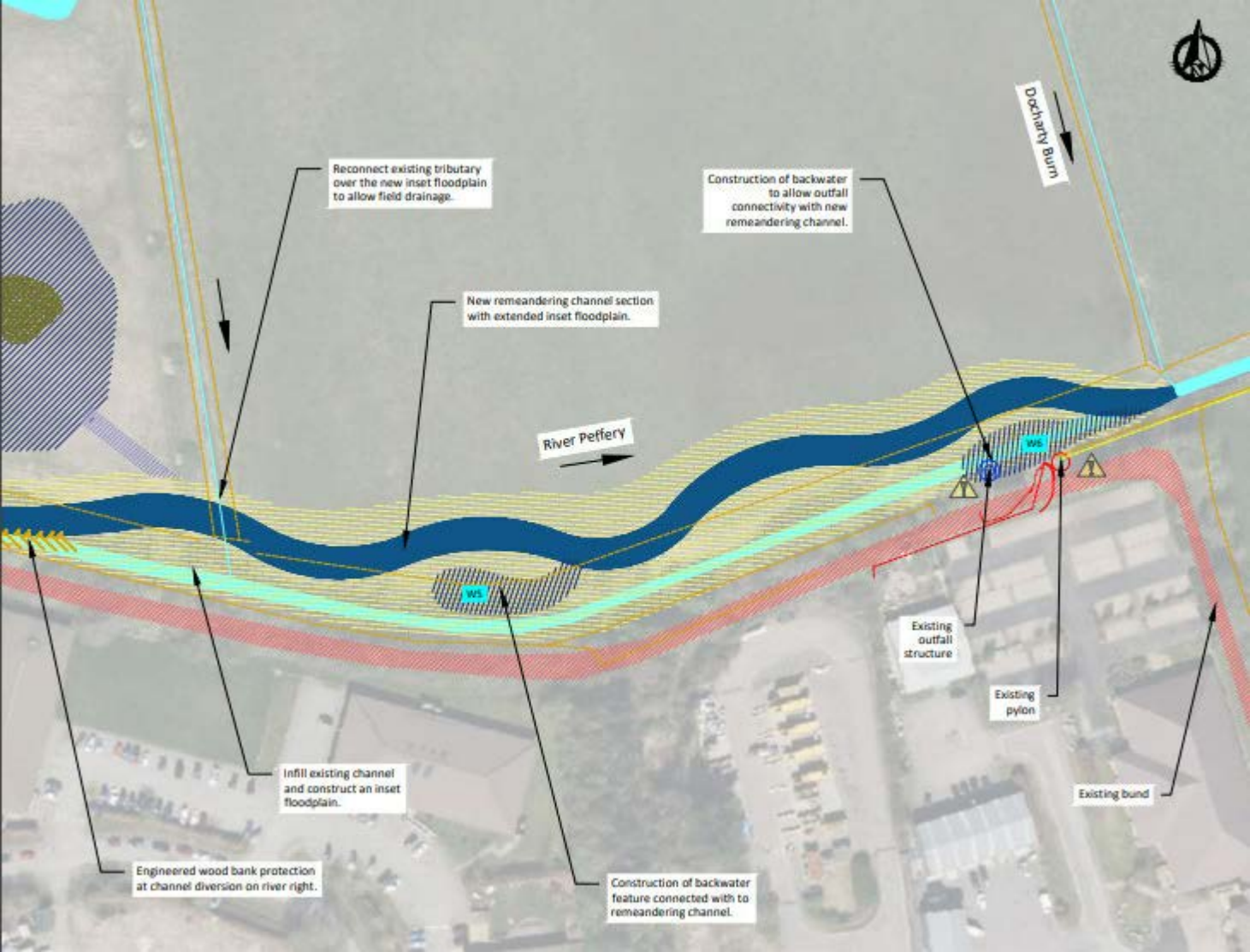
Existing pylon

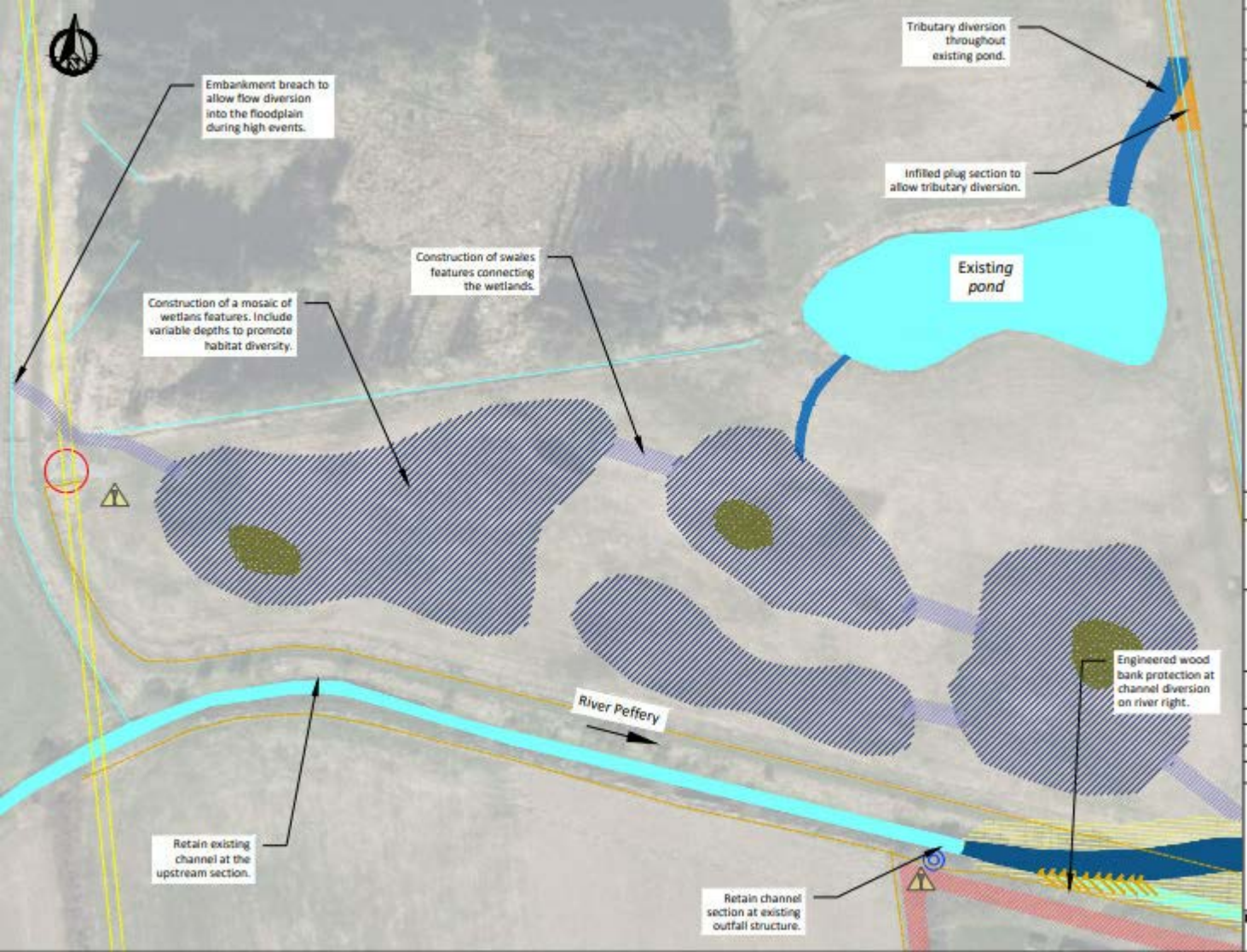
Existing bund

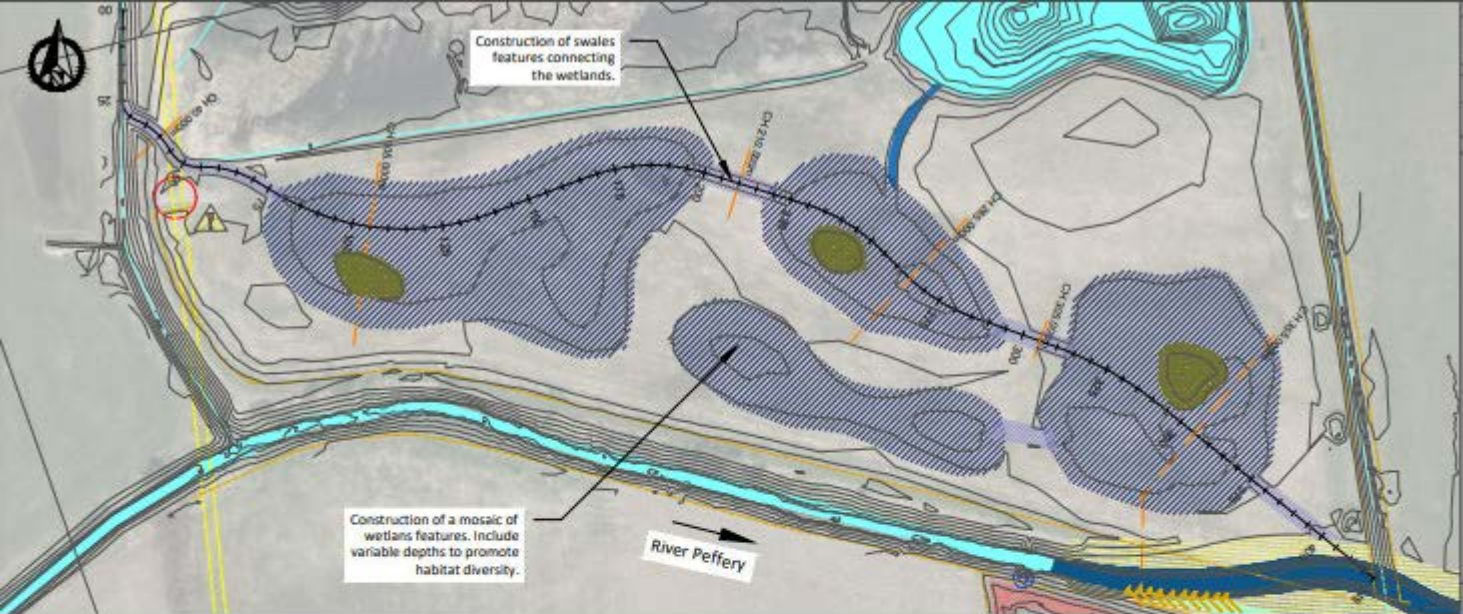
Infill existing channel and construct an inset floodplain.

Engineered wood bank protection at channel diversion on river right.

Construction of backwater feature connected with to remaindering channel.







ALIGNMENT - TRIB 1 DIVERSION V2 - LONGSECTION
SCALE: H 1:200, V 1:40, DATUM: 2.000
x5 vertical exaggeration

