

Agenda Item	6.5
Report No	PLS/36/25

HIGHLAND COUNCIL

Committee: South Planning Applications Committee
Date: 18th June 2025
Report Title: 24/01297/PIP: Robertson Homes Limited
Westercraigs 9 and 10, Land South of Kirkwall Brae, Inverness
Report By: Area Planning Manager South

Purpose/Executive Summary

Description: Erection of 380 residential units with access, landscaping, public open space, drainage, infrastructure and associated works

Ward: 13 - Inverness West

Development category: Major

Reason referred to Committee: Major

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.

PROPOSED DEVELOPMENT

- 1.1 The applicant seeks planning permission in principle (PIP) for:
 - Up to 380 residential units, a minimum of 25% of which is to be affordable
 - Open space, play areas, and landscaping
 - Sustainable Drainage System (SuDS)
 - Internal roads and active travel links
- 1.2 The application has been accompanied by supporting documents which show an indicative site layout.
- 1.3 The site is allocated in the Inner Moray Firth Local Development Plan 2 (IMFLDP2) and Torvean and Ness-side Development Brief (TNDB) for residential development, forming Phases 9 and 10 of the Westercraigs Masterplan. It is the western portion of IMFLDP residential allocation IN24 Torvean and Ness-side and is identified as 'Future Development' with an indicative capacity of 217 units for Phase 9 and 162 units for Phase 10.
- 1.4 The allocation is subject to a number of development requirements, including flood risk assessment; tree and woodland management plans; vehicular access to be taken from Kirkwall Brae; improved active travel links, and protection of the amenity of adjacent neighbourhoods.
- 1.5 There have been a number of planning applications granted for Westercraigs, from the original outline planning application and masterplan in June 2003 to the recent development of Sites 3, 4, 5, 7, 8 and 11. The vision for Westercraigs has been to 'redevelop the extensive site of the former Craig Dunain Hospital to create a high quality and sustainable new neighbourhood that makes full benefit of its attractive green setting and adjacent woodland.'
- 1.6 The application includes a Pre-application Consultation (PAC) Report that describes the two online public consultation events (23/03502/PREMAJ) that were held by the applicant in October 2023.
- 1.7 Supporting Information:
 - Arboricultural Impact Assessment and Method Statement (03.04.2024)
 - Arboricultural Impact Assessment and Method Statement (04.09.2024)
 - Archaeological Evaluation Written Scheme of Investigation
 - Design and Access Statement (03.04.2024)
 - Design and Access Statement (06.03.2025)
 - Design Concept
 - Drainage Impact Assessment (03.04.2024)
 - Drainage Impact Assessment (04.09.2024)
 - Flood Risk Assessment (03.04.2024)
 - Flood Risk Assessment (04.09.2024)
 - Landscape and Visual Impact Assessment
 - Planning Statement (03.04.2024)
 - Pre-application Consultation Report
 - Preliminary Ecological Appraisal

- Transportation Assessment - Part 1 (03.04.2024)
- Transportation Assessment - Part 2 (03.04.2024)
- Transport Assessment Response (22.07.2024)
- Transportation Statement (21.06.2024)

1.8 Variations: Site Layout Plan (06.03.2025), (20.05.2025); Site Section Plan (06.03.2025).

2. SITE DESCRIPTION

2.1 The site is located to the west side of Inverness, south of Kinmylies, east of Leachkin Road and New Craigs Hospital. It is bound to the north by Kinmylies Way footpath and lined by mature trees, linking Leachkin Road to General Booth Road and the Core Path network beyond. To the south the site is bound by The Great Glen Way.

2.2 The land is covered by a mix of unmanaged grassland, scrubby vegetation and occasional hedgerows, with areas of mature trees. It generally slopes from west to east but has variable topography. Site levels in the west range from approximately 45.0–63.0mAOD, recording the highest site levels along the north-western boundary, and in the east ranging from approximately 39.0–34.5mAOD, recording the lowest site levels near the south-east boundary. The site covers an area of approximately 23.4ha.

2.3 There are existing watercourses, one within the northern part of the site and a further to the south within the mature woodland around Stratton Lodge. Designated Core Paths run along the northern (IN08.05) and eastern (IN08.03) boundaries of the site.

3. PLANNING HISTORY

3.1	13.05.2005	03/00676/OUTIN - Residential development and associated infrastructure based upon submitted Master Plan (as amended)	Permission granted
3.2	05.08.2008	07/01060/FULIN Residential development (181 houses) and associated works	Permission granted
3.3	22.07.2009	08/00657/FULIN - Application to vary condition 14 of consent 03/00676/OUTIN	Permission granted
3.4	27.07.2009	09/00380/FULIN Variation to 07/1060/FULIN and additional 6 houses	Permission granted
3.5	18.08.2010	10/02536/FUL - Variation to application 07/1060/FULIN total units 42 in lieu of 38	Permission granted
3.6	08.06.2018	12/01832/S42 - Application for non-compliance with Conditions 1, 6 and 14 of planning permission 03/00676/OUTIN	Permission granted

3.7	06.10.2017	17/03471/S75D - Discharge of Section 75 Agreement on planning permission 03/00676/OUTIN	Permission granted
3.8	05.12.2023	22/01546/PIP - Erection and operation of retail shop, with associated access and parking at Land 65M East Of 60 Great Glen Place Inverness [adjacent and to south of NatureScot offices at Great Glen House, and approximately 260m SW of (24/01297/PIP) at its closest point]	Permission granted
3.9	10.11.2023	22/01554/FUL - Change of use from Church to mixed use Community Facility	Permission granted
3.10	27.03.2025	24/04370/S75M Modification of Section 75 Agreement (12/01832/S42)	Permission granted
3.11	31.10.20223	23/03502/PREMAJ 379 units, 3 storey flats, cottage flats, two storey terraced and detached properties along with associated infrastructure including primary and internal road network, residents parking, footpath access, foul and surface water drainage (inc. SUDS), utilities and public open space (inc. play areas and connected footpath links).	
3.12	22.11.2023	23/04170/PAN Residential development of circa 380 properties along with associated infrastructure including primary and internal road networks, parking, drainage, utilities, public open space, connected footpath links and play parks	
3.13	04.12.2023	23/05517/SCRE Erection of housing, flats, roads, open space	

4. PUBLIC PARTICIPATION

4.1 Advertised: Schedule 3

Date Advertised: 26.04.2024

Representation deadline: 10.05.2024

Timeous representations: 4 general comments and 45 objections

Late representations: 0

4.2 Material considerations raised are summarised as follows:

- a) Density - 300 houses viewed as capacity for the site reflecting the slope and need to retain and expand existing greenspace areas. Overlooking and overshadowing and any screening will impact the daylight.

- b) Bus Lane should be removed – take access via Stornoway Drive. High voltage cabling under route of new bus gate Privacy of residents adjoining bus route.
- c) Area used for walking, cycling and sport, with Great Glen Way as part of route
- d) Traffic congestion – Additional 700 vehicles from site. Surrounding road network including Golf View Road, Kirkwall Brae/Leachkin Road, Stornoway Drive, General Booth Road would be congested. Road network suitability for buses. Winter maintenance on Kirkwall Brae. Should not be a main access and exit onto Golf View Road.
- e) strain on infrastructure, drainage environmental impact on green area and remove greenbelt land
- f) construction traffic, impact on schools
- g) impact on community services - Charleston Academy and Kinmylies Primary School at capacity; impact on Local GP Surgery; Roberston Homes promised recreational areas and retail premises; no extra shops, post office, café
- h) lack of safe green play space; no play areas for children, only 2 tiny play parks and MUGA for toddlers
- i) housing site - loss of open space, trees and wildlife including badgers, deer, cranes and other nesting birds. Environmental loss
- j) flood risk with water coming down from the hills. Following construction of Stornoway Drive, flooding a problem around Millerton View/Avenue. Concerned on location of SUDS area next to Kinmylies Church.
- k) sewerage and drains cannot cope. Soakaway causes problems on General Booth Road
- l) safer routes to school provision

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

5. CONSULTATIONS

5.1 **Inverness West Community Council:** Residents of Golf View Terrace, Millerton View, Millerton Avenue, Mile End Place, Stornoway Drive and Dunvegan Place have contacted Inverness West Community Council (IWCC) to express their concerns and to seek the Community Council support in this matter. Many of them shared their views in person at a well-attended IWCC meeting held in Charleston Community Complex on 1 May 2024.

- The number of residences, and in particular the intention to build on the area that was previously designated a no-build zone.
- Increased traffic volumes, vehicular access and egress to and from the site
- Proposed bus lane and bus gate connecting the site to Golf View Road
- Water run-off, flooding, and the size and location of the proposed SUDS pond
- Lack of infrastructure; schools are at capacity, lack of medical facilities (GPs and dental), local amenities.
- Loss of greenspace; environmental and recreational impact.
- Loss of privacy for existing residents.

After examining and discussing this PIP application, IWCC members are minded to support the residents in their objections.

In addition, the Community Council have made representations in relation to:

- Development Plan policy – increase in numbers of units proposed in the southern part of the site contrary to the intent of the IMFLDP2.
- Boundaries/land ownership
- Bus gate/lane/Great Glen Way – design, management and operation
- Site boundary of planning application different to the (23/04710/PAN) boundary, as includes bus gate/lane
- Details on plans – Planning comment – the application is in principle and therefore the details shown on the various plans submitted in support of the proposal are indicative only.

5.2 **Development Plans:** No objections

Developer contributions advice has been provided separately.

The Approved Development Plan

The relevant parts of the approved development plan are:

- National Planning Framework 4 (NPF4) 2023
- Highland-wide Local Development Plan (HwLDP) 2012
- Inner Moray Firth Local Development Plan 2 (IMFLDP2) 2024

Statutory supplementary guidance also forms part of the development plan. The Torvean and Ness-side Development Brief, Developer Contributions Supplementary Guidance and Open Space in New Residential Developments Supplementary Guidance are most relevant to this application.

The Council's current local development plans will continue to be used alongside NPF4, until they are replaced by a new style LDP. The Council notes that legislation and planning law indicates that if there is incompatibility between a LDP and the NPF, whichever is the more recent shall prevail. That requirement does not take away from the fact that the Council's local development plans must, whilst still part of the adopted development plan, be part of the consideration.

Inner Moray Firth Local Development Plan 2 2024

This Plan's focus is on identifying specific site allocations but also includes a number of overarching 'general policies' which will apply to all developments.

The West Inverness Placemaking Priorities support the completion of the Westercraigs City Expansion area. The site lies within site INW01: East of Stornoway Drive on the West Inverness Inset Map and is allocated for housing. The indicative capacity of the site is 350 homes.

Its developer requirements are as follows:

- Drainage Impact Assessment;
- Flood Risk Assessment (no development in areas shown to be at risk of flooding);
- Protect and where possible enhance waterbody, provide buffer of at least 6m from built development;
- Tree Survey and Management Plan, hold back distance of 20 metres between woodland on western boundary of the site and development, no construction activity within root protection area;
- Protected Species Survey;
- Land Contamination Site Investigation;

- Safeguard the Great Glen Way Long Distance Trail at southern boundary;
- Safeguard and provide connections to existing Core Paths and other active travel routes to the north, east and south boundaries;
- Provide enhanced green network with no built development at southern, steeper part of site;
- Developer to prepare Development Brief ahead of statutory pre-application submission;
- Engagement Strategy (to describe how the community, Council and other relevant agencies will input) to be agreed by the Council in advance of preparation of Brief;
- Delivery Plan (to specify the timing, location and funding of supporting infrastructure) to be included in Brief;
- Council may adopt Brief as Supplementary Guidance; and
- The exact boundary of the green network on allocation INW01 is to be established through the site development brief.

Policies

The following policies are particularly relevant to this application:

- Policy 1 Low Carbon Development - requires new build development to minimise carbon emissions.
- Policy 2 Nature Protection, Preservation and Enhancement – requires local development to include measures to integrate nature-based solutions and enhance biodiversity, in proportion to the nature and scale of the proposed development.
- Policy 8 Placemaking – requires all proposals to follow a site design-led approach and development proposals of 4 or more dwellings will be expected to submit a placemaking audit.
- Policy 9 Delivering Development and Infrastructure – explains that the Council will assess each development proposal in terms of its impact on each relevant infrastructure network and community facility capacity.
- Policy 14 Transport – requires development proposals to demonstrate how they can maximise walking, wheeling, cycling and public transport as alternative travel options (to use of the private car) for people using the development.

The IMFLDP2 Policy 10 Increasing Affordable Housing, that requires no less than 35% affordable housing is provided within the City of Inverness Settlement Development Area, does not apply to applications received (in this instance 03.04.2024) before the Plan was adopted on 27 June 2024. Policy 11 Self and Custom Build Housing and Policy 13 Accessible and Adaptable Homes also do not apply to applications received prior to the Plan being adopted.

Torvean and Ness-side Development Brief 2019 (TNDB)

The TNDB was originally adopted as part of the development plan in 2013. It was updated to reflect the latest development context and Council's aspirations for the area in 2019. These changes were largely in relation to the 'Torvean Gateway' area that lies outwith the site. Whilst the content of the TNDB that relates to the site was now prepared some time ago, parts of it remain relevant to the site, in particular to its indicative masterplan.

Principle of Development

The principle of housing development on the site is supported by NPF4 and IMFLDP2.

Housing Capacity and Layout

The application is for 380 homes. This represents an additional 30 homes in comparison to the indicative capacity of 350 homes in the IMFLDP2.

The capacity specified in the IMFLDP2 is indicative and different capacities may be acceptable if the layout demonstrates efficient use of land and a satisfactory site layout. There must also be sufficient infrastructure capacity available to accommodate the development. The pre-application proposal for this site was for 379 homes. Pre-application advice from the Council recommended that the number of homes proposed on the site was reduced for a number of reasons.

The IMFLDP2 Examination recommended that the exact boundary of the green network is to be established through the site development brief. However, given the timing of the application before IMFLDP2 was adopted and that a Proposal of Application Notice was submitted in August 2023 it is considered that this developer requirement cannot be insisted upon. However, the TNDB and the developer requirement in IMFLDP2 viewed the function of the southern part of the site is primarily for green network purposes and development would not normally be supported in the southern, steeper part of the site.

With the originally submitted masterplan drawing it was recommended that the number of homes on the steeper southern part of the site be removed or significantly reduced as development on this part of the site as it did not reflect the developer requirements for the site in the IMFLDP2 nor the six qualities of successful places set out in NPF4 Policy 14. In particular:

- The IMFLDP2 developer requirements for this site and TNDB indicative masterplan do not support development on the sloped southern part of the site;
- The IMFLDP2 illustrates the sloped southern part of the site as green network, it should give priority to an extensive green network on the southern parts of site that maintain connectivity and integrity whilst flexibly accommodating development that can be incorporated as a positive landscape feature. The current layout in this part of the site does not provide this;
- The original indicative masterplan layout in this part of the site shows a series of cul-de-sacs. This appears to be due to the topography of the area and will require a heavily engineered solution. That layout does not represent a well-connected network that makes moving around easy and reduce car dependency; and
- Adverse landscape and visual impact from development on the steep parts of the slope.

However, after the submission of the revised indicative masterplan layout drawing it is now considered that this represents a move towards meeting the aims of IMFLDP2. On the sloped southern part of the site, it has increased the amount of open space and the size of the green network and set back the building line from the south boundary. Cul-de-sacs have been removed and replaced with circular roads.

It is considered that the footprint of the developable area has been significantly reduced to allow for support for the proposal.

Urban Design

Given this application is for planning permission in principle a detailed layout has not been provided. However, it is important that the detailed aspects below are considered as part of any future submissions:

- Providing or accentuating landmarks to create or improve views;
- Locating public art to identify places;
- Use of 'sequence markers';
- Careful siting of signature buildings or utilising contrasting massing;
- Providing high quality signage and/or distinctive lighting to illuminate attractive/important buildings; and
- Proportionate provision of high-quality street furniture and signage.
- Provide the majority of parking within in-curtilage garages and located to the side or rear of properties to avoid car dominance of the streetscape.

Open Space/Green Networks

The Council's open space guidance requires 33,896sqm of open space in various forms, including amenity greenspace, equipped play areas, natural greenspace, outdoor sports facilities and public parks and gardens. The application's Design and Access Statement explains that the detail of the areas of open space will be provided within any detailed future application. It must be ensured that the level of open space required is secured by this planning application.

It is understood that the existing multi use games area (MUGA) located in the south of the site close to Stornoway Drive is intended to be retained as part of the proposals. This is supported and there is an opportunity at this location to remove or reduce development to provide a significant east – west green network. The revised Masterplan now allows for green space to link with an existing area of open space at Millerton Avenue/Millerton View, in compliance with the TNDB.

Pre-application advice explained that opportunities for the inclusion of allotments, community gardens or a community orchard or community food growing space in a location which encourages public harvest should also be explored. There is known to be demand, particularly for allotments, in this part of Inverness.

5.3 Access Officer: No objections

A draft access management plan should be submitted with any future application, including details such as:

- i. All existing access points, paths, Core Paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;
- ii. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to proposed buildings or structures;
- iii. All proposed paths, tracks and other routes for use by walkers, riders, cyclists, canoeists, all abilities users, etc. and any other relevant outdoor access

enhancement (including construction specifications, signage, information leaflets, proposals for on-going maintenance etc.);

iv. Any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the development (including details of mitigation measures, diversion works, duration and signage)

HwLDP Policy 77 Public Access asks for an access management plan from major developments like this. This proposal will have a significant impact on public access and the policy asks that we retain existing paths or make sure that they are replaced with equal or better alternatives. We may also want to see more examples of links to the existing paths.

Policy 78 Long Distance Routes is relevant here too as the Great Glen Way (GGW) will be physically affected and will see more walking and cycling traffic. In particular, any works associated with the water main and the alternative access onto Golf View Road will have direct impacts on the GGW.

There has been some discussion about the diversion of that section of the GGW. On consideration and in discussion with the Long Distance Routes team the preference is currently for the existing route to be accommodated by the development along its existing line. Detail of and justification for a design that accommodates unsegregated shared use for walkers and cyclists along that line should be included in any proposal. Alterations to that line will require ministerial approval so any persistent thoughts of changing it should be taken to the Long Distance Routes team now.

The access management plan should include proposals on how public access to and along the GGW and surrounding Core Paths will be accommodated during the construction phase(s).

5.4 **HET Archaeology: No objections**

The application lies within an area of archaeological potential. Seeks standard condition to be applied. This condition requires that the development area is the subject of an evaluation in the first instance in order to establish the archaeological content and potential. Dependent on the results of this work, further study may be required in advance of, and during, construction works to record any identified remains. The evaluation will be backed up by desk-based research to produce a report setting out the results and any required mitigation strategy. The applicant will need to engage the services of a professional archaeological contractor.

5.5 **Contaminated Land: No objections.**

A Desk Study and Site Investigation previously submitted in support of the above development identified localised contaminated land issues that require remediation and validation. This reporting remains outstanding and therefore recommend the standard condition.

Advise that the Applicant is contacted with a request that they provide, by way of an assessment of potential contamination issues, site history information concerning the past use of the site. Please forward any such site history which you receive to the Contaminated Land Team so that we are able to advise if it is sufficient to demonstrate that the site is suitable for use. Provided the site history is detailed, and

does not indicate former potentially contaminative land use, a site investigation may not be required.

5.6 **Environmental Health: No objections**

Construction Noise

The development site is surrounded by existing residential properties and as such, there is potential for disturbance to residents from construction noise.

The applicant will be required to undertake a construction noise assessment which should include but is not limited to the following: -

- 1) A description of construction activities with reference to noise generating plant and equipment.
- 2) A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations.
- 3) A description of any noise mitigation methods that will be employed and the predicted effect of said methods on noise levels.
- 4) A prediction of noise levels resultant at the curtilage of noise sensitive receptors.
- 5) An assessment of the predicted noise levels in comparison with relevant standards.

In construction projects, the hours of work are often the issue of greatest concern to residents. Generally, people are tolerant of construction noise during typical working hours which are taken to be 8am to 7pm Monday to Friday and 8am to 1pm on Saturdays. Works for which noise is inaudible at the curtilage of any noise sensitive property could still be carried out out-with these times.

Planning conditions are not usually used to control construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. For the avoidance of doubt, it is unlikely that this Service would consider audible construction work to be acceptable out-with the above stated times. This would include any proposal to run compound generators overnight for the purposes of lighting or drying of PPE etc.

It is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. As part of the construction noise assessment, the applicant will be required to submit a scheme demonstrating how Best Practicable Means will be implemented. Particular attention should be given to the use of reversing alarms and ground compaction plant which are often the most intrusive noise generating elements of a large construction project.

Operational Noise

It is understood that the development is for residential units only with no commercial proposals. Operational noise is unlikely to be a significant issue, but the developer is advised to give consideration to the siting of any plant or equipment. Any air source heat pump must be installed in accordance with the noise assessment methodology and criteria within Microgeneration Scheme guidance: - MCS 020 MCS Planning Standards for Permitted Development Installations of Wind Turbines and Air Source Heat Pumps on Domestic Premises.

Air Quality

The applicant will be required to undertake an assessment of the likely impact of construction on air quality. This should include a scheme for the suppression of dust.

5.7 Flood Risk Management (FRM) Team: No objections, subject to condition.

Following the FRM Team's initial consultation response, the Applicant has provided and updated Flood Risk Assessment (FRA) a revised Drainage Impact Assessment (DIA) and useful summary comments. The below consultation response is based on this information:

FLOODING

- i. Since the FRM Team's response of 2nd October 2024, the Applicant provided a Flood Risk Assessment Addendum, 'Small Drain Technical Note', 151021/GL-W-TN-01. As no other information is yet provided, the FRM Team has modified the previous response, accordingly.
- ii. As previously, to reduce any residual flood risk the FRA recommends minimum freeboard which should be secured with a suitably worded planning condition such as,
 - Finished floor levels for the proposed properties which are located within 100m of the southern site boundary should be set a minimum of 300mm above surrounding ground level. Reason: This should provide more than the required freeboard of 600mm, above the 1 in 200 years plus climate change peak flood levels.

In any Full Application, a suitable plan showing finished ground levels, finished floor levels and the flood risk area should be provided to make compliance with the above clear.

Drain emergent from under hospital buildings.

- iii. The FRA Addendum provides catchment analysis (believed by the Applicant to be conservative, due to existing urban drainage) to define a flow rate, allowing several of the FRM Team's previous, related points to be addressed. The addendum defines the size of channel needed to convey the 200 year + CC event and states that the resulting flow will have negligible effect on the Torvean Drain.
- iv. It is understood that a relatively small flow, with its speed 'throttled' by the diversion channel crossing the slope rather than descending will have a small impact on the upper part of the watercourse. However, some of the effects of the diversion could be greater than negligible. It would seem that these effects could be suitably offset by a scheme such as the Applicant's previous suggestion of step pools, as necessary.
- v. The Addendum suggests that a minimum 3m wide buffer strip could be kept free such that maintenance access for machines would be practical. As the watercourse is not a natural feature, such a buffer strip would be acceptable. If additional water features are to be added as suggested in previous submissions, the buffer strip should be maintained at a minimum 3m width around these. Maintenance intent should be fully clarified at an early time.
- vi. The FRM Team notes that an opportunity for suitable Blue and Green Infrastructure options (under Policy 20 of NPF4) exists and could provide further flood risk robustness.

- vii. The FRM Team recommends that any works to the Great Glen Way to cater for increased footfall should be detailed at this stage in this or in another planning application. This is because any new culvert crossings or widening of the Great Glen Way could have an effect on the operation or maintenance of the Torvean Drain which would require FRM Team input.

DRAINAGE

The Applicant has provided a Drainage Impact Assessment (DIA), 'Site 9 and 10 Westercraigs Drainage Impact Assessment, February 2024', Version 3.

Given the extent and geography of this site, construction could come forward in phases. However, the Applicant has not advised that the site will be subject to phasing. Given this, a suitably worded planning condition should be used to ensure the following,

- The main north or the main south drainage system should be installed before any other significant construction in that system's contributing area. A Drainage Masterplan should be provided to address any such phasing.

The existing SUDS basin to the northwest of the site was constructed at a time with lower climate change allowance requirements than now. The Applicant has conducted a due diligence exercise to review the flood risk from the constructed facility, against today's standards. The FRM Team notes that the 200 year +42% event would result in overtopping of the existing SUDS Basin which would discharge to the proposed roads system. It is now shown that the flow would be contained by the new road network before discharge to the SUDS basin which would be constructed in the north of the site under these proposals.

The latest DIA shows that the north SUDS basin would hold the appropriate capacity. Drawing 151021/2020 shows the spill point location and the flood routing through the site.

Adequate provision should be demonstrated within the site drainage layout to incorporate the diverted flows from the ditch/ watercourse located in the south-west of the site near New Craigs Hospital. Further information is required (as described in the flooding section of this memo) before the drainage proposals can be fully accepted.

For each drainage system, network simulations and corresponding exceedance routing information are required to confirm that the system will operate without unacceptable flooding within the network. Exceedance from local gully blockage should also be considered. Exceedance water should be discharged to 'safe' locations, within the site. The FRM Team is content to finalise this information as part of a future planning condition.

Exceedance routing and any storm water storage outwith the SUDS basin should be designed to ensure existing 'sensitive' housing areas will have full protection up to the 200 year + climate change storm event. The FRM Team is content to finalise this information as part of a future planning condition.

Acceptable spill points are detailed on drawings 151021/2000 B and 151021/2003.

The Applicant has clarified that longer draw-down times are as a result of the requested betterment in discharge rates. Modelling for longer storm events shows capacity would remain for some further storm events. This approach is acceptable.

The FRM Team welcomes the proposal for vesting/ adoption of the drainage system. The maintenance of the system will be the responsibility of the developer until such time as the vesting/ adoption process is complete.

The principles of the drainage system appear to be suitably established. Given this, a suitably worded planning condition should be used to ensure the following,

For any further application, a finalised Drainage Impact Assessment (DIA), written in accordance with the above comments, the Supplementary Guidance and any other relevant guidance, should be submitted for review and acceptance.

RIPARIAN BUFFER

A 6m wide riparian buffer has been added to drawings 151021/2003 B and 151021/2004 C and 151021/9010 A. Given this, it appears that the intent to preserve a 6m wide riparian buffer in the appropriate location has been shown.

A suitably worded planning condition should be used to secure the following:

A riparian buffer of no less than 3m in width from the top of the bank of the existing and diverted watercourse should be reserved free of significant development for maintenance and other reasons. This should be highlighted on all future layout drawings.

There may be a future desire to alter The Great Glen Way within the 6m riparian buffer in this or a future Application. The FRM Team is not yet clear if space exists to easily accommodate a suitable riparian buffer.

5.8 Forestry Officer: No objections

Originally objected to the proposal on the grounds that the arboricultural advice did not appear to have been used to help inform the layout of the site with the Tree Protection Plans showing the removal of a number of individual trees (including category 'B' trees) and groups of trees from with and around the periphery of the site. The Masterplan Drawing originally submitted did not appear to be adequate to safeguard existing trees around the periphery of the site and did not include the retention of any of the visually significant broadleaf trees which run alongside the existing footpath on the north boundary. On the northeast corner, also concerned by the apparent lack of separation between the existing mature trees/ woodland and indicative residential development layout. Residential development should be kept back at least 20m from existing mature trees.

Following a site visit and the submission of a revised Masterplan Drawing, no objections.

5.9 Transport Planning: No objections

Development Proposals

The proposal is identified in the previous Inner Moray Firth Local Development plan (LDP) as IN24 Torvean and Ness-side (northern part) for 535 homes, business, retail, tourism and community use. Development should be in accordance with the Torvean and Ness-side Development Brief. Relevant transport related requirements in the brief include: enhance bus provision connecting the new neighbourhoods with the city centre and beyond and create new walking and cycling routes to connect to existing networks.

In IMFLDP2, the site is identified as INW01 East of Stornoway Drive with an indicative housing capacity of 300. The only transport related developer requirements for the site are safeguarding the Great Glen Way and active travel routes to the north, east and south boundaries and no development at the southern steeper parts of the site.

There is one vehicular access to the site from Kirkwall Brae (U5681) which has a give way junction with Leachkin Road (U1160). There is an adopted cycle track (Kinmylies Brae U1132) to the north of the site that connects to Kinmylies Way. There is a proposal for bus/emergency services access from Golf View Terrace (U4593) which currently forms part of the Great Glen Way.

The masterplan shows an outline design of the site which is split into two parts: the larger part of the site is accessed from the end of Kirkwall Brae and includes the bus/emergency only access to Golf View Terrace. A smaller cul-de-sac is accessed from the turning head off Stornoway Drive (U5682). There are proposed active travel connections between the two separate parts of the site, but no vehicular connection.

The proposed road layouts for the development are very limited in detail and not supported by any dimensioned drawings or a Stage 1 Road Safety Audit.

There are a number of Core Paths which bound the site to the north, east and south:

- IN19.08 Kinmylies Brae
- IN19.09 Charleston to Kinmylies Path
- IN19.17 Great Glen Way

The Transport Assessment (TA) states that the outline masterplan for Westercraigs was for a total of 550 residential units. Consent has been given for 597 units.

The proposed masterplan for the whole site should be submitted to and approved by the Council before any works commence on site. For the avoidance of doubt the layout should take cognisance of:

- The Sustainable Travel Hierarchy as set out in the National Transport Strategy and policies 13, 15 and 18 of the National Planning Framework.
- The layout must conform to the Council guidance document 'Roads and Transport Guidelines for New Developments', and Designing Streets, in relation to the road hierarchy, road layout, junction layout, junction radii, road construction, gradients, visibility splays, forward visibility splays, swept path analysis, footways, footpaths, parking layouts, street lighting and traffic calming measures.
- For the avoidance of doubt, the layout must be designed to limit the speed of traffic to no more than 20mph and the subsequent Traffic Regulation Order (TRO) to enforce traffic speeds must be in place before any occupation of the dwellings. The costs associated with the TRO including signs, road markings and physical traffic calming must be met by the developer.
- All subsequent layouts must be subjected to the Road Safety Audit process and the applicant responsible for all fees, construction and any future remedial actions arising from the various Road Safety Audit Stage reports. The process must be completed through Stages 1, 2, 3 and 4 and be undertaken in accordance with GG119 or as amended by the latest version.
- The design of the proposed emergency access/public transport corridor from Golf View Road to Leachkin Road must be a minimum of 6 metres wide and

include bus friendly traffic calming to ensure traffic speeds are limited to a maximum of 20mph. The Road Safety Audit for the emergency access/public transport corridor will also need to consider the impact of additional vehicular traffic on traffic flows, pedestrians and cyclists on Golf View Road from General Booth Road. Prior to the commencement of any works on site, the design of the road, active travel route, traffic signs and control barriers to restrict access to and from Golf View Road must be submitted to and approved by the Council.

- Any Traffic Regulation Order required to manage the operation of the route shall be in place prior to the bus gate being opened for use and the costs of all associated orders and consultation must be met by the developer.
- A segregated active travel facility along the full length of the corridor from Golf View Road to Leachkin Road will also be required based on the provision of a 'High Level of Service' as set out in the design guidance Cycling by Design. New cycle facilities should not be planned to share space with buses and the Transport Planning team will object to any application where cyclists are required to share carriageway space on bus routes.

Active Travel

A condition for active travel connections to the following existing Core Paths should be attached to any planning permission the Council may give:

- IN19.08 Kinmylies Brae
- IN19.09 Charleston to Kinmylies Path
- IN19.17 Great Glen Way

The design of the connections must be approved by the Transport Planning Team before any work commences on site and for the avoidance of doubt, all active travel connections to the above paths must be built to an adoptable standard, lit, designed to accommodate cyclists and based on the provision of a 'High Level of Service' as set out in the design guidance Cycling by Design. The geometry and gradients of the routes must also conform to the design requirements of Inclusive Mobility.

The current layout shows three east to west active travel links. A condition must be applied to any planning permission the Council may give for the design of these paths to be built to an adoptable standard, lit and designed to accommodate cyclists based on the provision of a 'High Level of Service' as set out in the design guidance Cycling by Design. The geometry and gradients of the routes must also conform to the design requirements of Inclusive Mobility.

A condition for a Design Review as set out in Cycling by Design should be applied to any planning permission. A Design Review must be carried out where the design of the layout cannot meet the requirements as set out in Cycling by Design. This is to ensure that the Sustainable Travel Hierarchy is applied to the site layout and accessibility for active travel users is not compromised.

Cycle Parking

The location and volume of cycle parking for residential flatted developments for residents and visitors must be provided as per the design standards set out in the Council document 'Roads and Transport Guidelines for New Developments' and Cycling by Design. The location and design of cycle parking must be approved by the Council before any works commence on site.

Car Parking

No development should take place until the proposals for car parking including in curtilage parking, communal parking areas, parking courts and on-street parking have been approved by the Council. The Council's minimum car parking standards for residential developments that include both resident and visitor car parking are set out in chapter 6 of the Council document 'Roads and Transport Guidelines for New Developments'.

Waste and Recycling

Provisions for the storage of and collection points for waste and recycling from dwellings must be approved before any works commence on site. The Council has recently increased the number of bins for waste and recycling, so it is essential that houses and flats have sufficient storage space for bins. Bins being collected from flatted developments will require a dedicated space for bins awaiting collection, off the footway.

The original masterplan showed seven cul-de-sacs in the southern part of site, but these have been removed and replaced by looped accesses. This will allow refuse vehicles to access all dwellings without the need for reversing. The Transport Planning Team will object to any subsequent layouts with an excessive number of cul-de-sacs.

As per the Council document 'Managing Waste in New Developments' developments of 100 homes or more must have a centralised recycling facility and be accessible by an articulated lorry. Therefore, a condition for the provision of a recycling facility which can be accessed and egressed in forward gear by a collection vehicle should be attached to any planning permission. The design of the recycling facility must be designed and approved by the Transport Planning Team before any works commence on site.

Surface Water Drainage

It is noted from the Drainage Impact Assessment (DIA) that the ground investigation results show that there is poor infiltration on the site and that any proposals for permeable paving should be supported by additional tests to ensure their adequacy. The DIA also confirms that on the lower parts of the site, groundwater was encountered during monitoring.

The DIA proposes a shared system whereby surface water from private properties and roads is conveyed to an end of line SuDS feature. This is the Council's preferred system whereby the gullies and tails will be maintained by the Council and any end of line SuDS features will be vested by Scottish Water via a Section 7 agreement. Until such time a Section 7 agreement is signed, the maintenance of any SuDS features will remain the responsibility of the developer.

It is proposed that the end of line SuDS features will comprise of a basin and filter trench. The Transport Planning Team have no objection to the principle of a basin and filter trench, but they will need to be built to the standards as set out in Sewers for Scotland.

The outfall from the filter trench is to an existing ditch to the south of the site called Torvean Drain.

The Transport Planning Team have observed that the drainage layout drawings provided lack detail and do not cover the whole of the site.

Construction Traffic Management Plan

No development shall commence on site until such time as a Construction Traffic Management Plan (CTMP) has been submitted to and approved by the Transport Planning Team. The principal areas of concern that should be addressed within the CTMP (but not limited to) are:

- Hours of operation
- The number and type of vehicles required
- Routing arrangements for all vehicles
- Contractor parking
- Locations for loading/unloading and storage of plant, waste and construction materials
- Movements and control of all deliveries
- Abnormal loads
- Control of dust, mud and debris in relation to the public road
- Measures to protect vulnerable road users
- Pre and post condition surveys of public roads
- Mitigation for the impact of construction traffic
- Any necessary temporary traffic management measures
- Method of communicating to staff, visitors and neighbouring residents and visitors

The applicant will also be required to enter into a Section 96 Wear and Tear agreement with associated Road Bond to recover the maintenance costs arising from damage caused by excessively heavy, or other extraordinary vehicles or traffic.

Road Construction Consent

Construction consent for any proposed roads will be required prior to the commencement of any road construction. Furthermore, there will be a requirement for inspection fees and a Road Bond prior to commencing any work on a proposed dwellinghouse. We recommend the applicant refers to the Council website for details on the procedures for applying for Road Construction Consent and current inspection fee rates.

Road Opening Permit

The applicant should be aware that no works can commence on or adjacent to the public road without a Road Opening Permit. Permits can be obtained via the Council's website.

The review of the Transport Assessment (TA) is now complete, and this response relates to information regarding the junction and network modelling that was submitted with the application.

Traffic Management of road network

The Transport Planning Team require further information regarding the junction modelling of the Leachkin Road/General Booth Road signalised junction before we can be satisfied that the junction will operate satisfactorily with the proposed development in place as the signal staging that has been modelled does not reflect existing operation on the ground. For example, the minor arm left turn (Leachkin

Road to General Booth Road) cannot run at the same time as the right turn-manoevre from General Booth Road to Leachkin Road. This is evident on the ground, with the right turn lane stop-line set back from the junction to enable large vehicles to turn left when exiting from Leachkin Road. This feature does not allow these two traffic streams to run concurrently. In addition, the left turn manoeuvre from General Booth Road to Leachkin Road can run at the same time as Leachkin Road and this has been observed on the ground. Therefore, re-modelling of this junction is required which reflects the existing staging on the ground.

With regards to the microsimulation modelling for the Telford Street corridor, the applicant is required to provide further information regarding the proposed mitigation works. The applicant must provide an outline scheme design demonstrating the network changes at the A82 roundabout to assess how the corridor will operate with the development in place. In addition, full details are required of the proposed changes to the remainder of the network, including any signal timing changes and/or stage changes.

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 4 - Natural Places

Policy 6 - Forestry, Woodland and Trees

Policy 7 - Historic Assets and Places

Policy 9 - Brownfield, Vacant and Derelict Land and Empty Buildings

Policy 12 - Zero Waste

Policy 13 - Sustainable Transport

Policy 14 - Design Quality and Place

Policy 15 - Local Living and 20 Minute Neighbourhoods

Policy 16 - Quality Homes

Policy 18 - Infrastructure First

Policy 20 - Blue and Green Infrastructure

Policy 21 - Play, Recreation and Sport

Policy 22 - Flood Risk and Water Management

6.2 Highland Wide Local Development Plan 2012 (HwLDP)

28 - Sustainable Design

29 - Design Quality and Place-making

30 - Physical Constraints

31 - Developer Contributions

32 - Affordable Housing

33 - Houses in Multiple Occupation

34 - Settlement Development Areas

51 - Trees and Development

56 - Travel

57 - Natural, Built and Cultural Heritage

- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 61 - Landscape
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 75 - Open Space
- 77 - Public Access
- 78 - Long Distance Routes

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

This Plan's focus is on identifying specific site allocations but also includes a number of overarching 'general policies' which will apply to all developments.

The West Inverness Placemaking Priorities support the completion of the Westercraigs City Expansion area. The site lies within site INW01: East of Stornoway Drive on the West Inverness Inset Map and is allocated for housing. The indicative capacity of the site is 350 homes.

Its developer requirements are as follows:

- Drainage Impact Assessment;
- Flood Risk Assessment (no development in areas shown to be at risk of flooding);
- Protect and where possible enhance waterbody, provide buffer of at least 6m from built development;
- Tree survey and Management Plan, hold back distance of 20 metres between woodland on western boundary of the site and development, no construction activity within root protection area;
- Protected Species Survey;
- Land Contamination Site Investigation;
- Safeguard the Great Glen Way Long Distance Trail at southern boundary;
- Safeguard and provide connections to existing Core Paths and other active travel routes to the north, east and south boundaries;
- Provide enhanced green network with no built development at southern, steeper part of site;
- Developer to prepare Development Brief ahead of statutory pre-application submission;
- Engagement Strategy (to describe how the community, Council and other relevant agencies will input) to be agreed by the Council in advance of preparation of Brief;
- Delivery Plan (to specify the timing, location and funding of supporting infrastructure) to be included in Brief;
- Council may adopt Brief as Supplementary Guidance; and
- The exact boundary of the green network on allocation INW01 is to be established through the site development brief.

Policies

The following policies are particularly relevant to this application:

- Policy 1 Low Carbon Development - requires new build development to minimise carbon emissions.
- Policy 2 Nature Protection, Preservation and Enhancement – requires local development to include measures to integrate nature-based solutions and enhance biodiversity, in proportion to the nature and scale of the proposed development.
- Policy 8 Placemaking – requires all proposals to follow a site design-led approach and development proposals of 4 or more dwellings will be expected to submit a placemaking audit.
- Policy 9 Delivering Development and Infrastructure – explains that the Council will assess each development proposal in terms of its impact on each relevant infrastructure network and community facility capacity.
- Policy 14 Transport – requires development proposals to demonstrate how they can maximise walking, wheeling, cycling and public transport as alternative travel options (to use of the private car) for people using the development.

The IMFLDP2 Policy 10 Increasing Affordable Housing, that requires no less than 35% affordable housing is provided within the City of Inverness Settlement Development Area, does not apply to applications received before the Plan was adopted on 27 June 2024. Policy 11 Self and Custom Build Housing and Policy 13 Accessible and Adaptable Homes also do not apply to applications received prior to the Plan being adopted.

6.4 **Highland Council Supplementary Planning Policy Guidance**

Torvean and Ness-side Development Brief 2019 (TNDB)
 Construction Environmental Management Process for Large Scale Projects (August 2010)
 Developer Contributions (March 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)
 Onshore Wind Energy: Interim Supplementary Guidance (March 2012)
 Open Space in New Residential Developments (Jan 2013)
 Physical Constraints (March 2013)
 Public Art Strategy (March 2013)
 Small-Scale Wind Turbine Proposals: Interim Supplementary Guidance (Nov 2012)
 Special Landscape Area Citations (June 2011)
 Standards for Archaeological Work (March 2012)
 Sustainable Design Guide (Jan 2013)
 Trees, Woodlands and Development (Jan 2013)

7. **OTHER MATERIAL POLICY CONSIDERATIONS**

7.1 **Scottish Government Planning Policy and Guidance**

Designing Streets

Creating Places

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) Layout and design
 - c) Roads, access and parking
 - d) Active Travel
 - e) Impact on residential amenity
 - f) Open Space, Trees and Landscaping
 - g) Impact on habitat, species and biodiversity
 - h) Impact on built and cultural heritage
 - i) Water, flood risk and drainage
 - j) Impact on infrastructure and services and proposed mitigation (developer contributions)
 - k) any other material considerations

Development plan/other planning policy

- 8.4 The Development Plan comprises National Planning Framework 4 (NPF4), the adopted Highland-wide Local Development Plan (HwLDP), the Inner Moray Firth Local Development Plan 2 (IMFLDP2), and all statutorily adopted supplementary guidance including Inverness East Development Brief.
- 8.5 NPF4 and HwLDP: NPF4 Policies 1-3 apply to all development proposals nationwide. When considering proposals, significant weight will be given to the global climate and nature crises. Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible. Development proposals will 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 also integrate nature-based solutions, where possible.
- 8.6 NPF4 Policy 4 (natural places) only supports development proposals that are likely to have an adverse effect on species protected by legislation where the proposal meets the relevant statutory tests; Policy 5 (soils) protects valued soils and prime agricultural land; and Policy 6 (Forestry, Woodland and Trees) aims to protect and expand forests, woodland and trees and states that development proposals involving

woodland loss will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government guidance on woodland removal. Policy 13 for Sustainable Transport considers that active travel nodes and public transport use should be promoted and facilitated by all developments. Policies 18, 20, and 22 relate to the development's infrastructure requirements, with Policy 18 encouraging an Infrastructure First approach to land use planning and placemaking, Policy 20 seeks to protect and enhance blue and green infrastructure networks and Policy 22 promotes the avoidance, as a first principle, of areas of known flood risk.

- 8.7 A number of NPF4 policies relate to the overarching principle of supporting development that achieves liveable places. Most pertinent are Policy 14 for design, quality and place, Policy 15 for Local living and 20-minute neighbourhoods, and Policy 16 for quality homes. These policies seek to promote and facilitate well designed developments that make successful places by taking a design-led approach and applying the Place Principle consistent with the six qualities of successful places. To that end, new residential neighbourhoods should seek to be compact and connected to facilities that allow residents to meet the majority of their daily needs within a reasonable distance of their home, while facilitating the delivery of affordable, sustainable, and high-quality homes across a mix of tenures. Part a) of Policy 16 specifically supports proposals for new homes on land allocated for housing within Local Development Plans.
- 8.8 Although the relevant general policies of the HwLDP remain an extant part of the Development Plan, as the newer document the application is required, in the first instance, to be considered against those of NPF4.
- 8.9 IMFLDP2: The application site is within the Inverness Settlement Development Area and is allocated for residential development within IMFLDP2 under allocation INW01 (East of Stornoway Drive) for an indicative housing capacity of 350 units. Policy 2 (Delivering Development) is also applicable. This states that development of allocated sites will be supported subject to general conformity with the requirements of the allocation, including the provision of the necessary infrastructure, services, and facilities required to support the development. Policy allocation INW01 details several developer requirements:
- Drainage Impact Assessment;
 - Flood Risk Assessment (no development in areas shown to be at risk of flooding);
 - Protect and where possible enhance waterbody, provide buffer of at least 6m from built development;
 - Tree survey and Management Plan, hold back distance of 20 metres between woodland on western boundary of the site and development, no construction activity within root protection area;
 - Protected Species Survey;
 - Land Contamination Site Investigation;
 - Safeguard the Great Glen Way Long Distance Trail at southern boundary;
 - Safeguard and provide connections to existing Core Paths and other active travel routes to the north, east and south boundaries;
 - Provide enhanced green network with no built development at southern, steeper part of site;

- Developer to prepare Development Brief ahead of statutory pre-application submission;
- Engagement Strategy (to describe how the community, Council and other relevant agencies will input) to be agreed by the Council in advance of preparation of Brief;
- Delivery Plan (to specify the timing, location and funding of supporting infrastructure) to be included in Brief;
- Council may adopt Brief as Supplementary Guidance; and
- The exact boundary of the green network on allocation INW01 is to be established through the site development brief.

8.10 This application was submitted prior to the adoption of IMFLDP2. The relevant allocations in IMFLDP were IN24 (Torvean and Ness-side) (Northern part) which was allocated for 535 homes, business, retail, tourism and community use. The application site formed the western part of this allocation. The Development Plans Team do not object to the increased figure of 380 residential units provided it can be demonstrated through detailed design that a satisfactory layout which complies with the development plan's developer requirements can be provided.

8.11 **Torvean and Ness-side Development Brief:**

The TNDB was originally adopted as part of the development plan in 2013. It was updated to reflect the latest development context and Council's aspirations for the area in 2019. These changes were largely in relation to the 'Torvean Gateway' area that lies outwith the site. Whilst the content of the TNDB that relates to the site was prepared some time ago, parts of it remain relevant to site, in particular its indicative masterplan. This masterplan showed part of the south end of site as open space.

8.12 **IMFLDP 2015:** This was identified as IN20 Westercraigs Area (ha): 33.1 Uses: 370 homes, Business, Retail. The requirements included development in accordance with planning permission (03/00676/OUTIN), related permissions and related legal agreement including: a control on the amount of development permissible prior to completion of a canal and river crossing; junction improvements; maintenance of Core Paths; development to respect heritage of B-Listed Craig Dunain building; badger survey.

8.13 **IMFLDP2:** In terms of Housing Capacity an indicative capacity of 350 homes was indicated whereas the application is proposing 380 homes. This represents an additional 30 homes, but the capacity is indicative, and different capacities may be acceptable if the layout demonstrates efficient use of land and a satisfactory site layout. The proposed layout has demonstrated that the increase in numbers will not have a detrimental impact in terms of the layout. The aim is to restrict the number of homes on the steeper southern part of the site. The revised masterplan site layout has significantly reduced the area of development and increased the amount of open space to achieve the objective of an extensive green network to maintain connectivity and integrity. The TNDB showed an indicative masterplan where part of the south area as open space, but the development has extended into this area. It is considered that the revised masterplan for this application achieves a balance between the area of development and open space.

Layout and design

- 8.14 The application seeks to establish the principle of developing the site for housing with associated access, servicing and open space. Accordingly, the submitted plan details are indicative only. A Design and Access Statement which shows the extent of development and primary access routes etc has been submitted and further details are required to be submitted as part of future MSC application(s). The Statement does set out the general development strategy for the site; the proposed extent of development is considered to be broadly consistent with the IMFLDP2. It should be noted that the site has been allocated for residential development for a number of years.
- 8.15 NPF4 Policy 15 (Local Living and 20-minute neighbourhoods) seeks to create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by non-vehicular means of transport. The application site is well connected to the established neighbourhood of Kinmylies which contains a good range of services and facilities within an easy walking distance of the site, including schools, shops, health care, public transport links and recreation facilities. It is also close to areas of countryside, woodland and Core Paths. It is therefore considered that the resultant development would provide much needed housing in a sustainable location.
- 8.16 Internal layouts for residential developments of this scale should follow the principles of Designing Streets, which encourages the use of connected layouts and prioritises the needs of pedestrians and cyclists ahead of motor vehicles. In this instance, the indicative Design and Access Statement shows an intention to provide a series of looping streets through the development to limit the need for cul-de-sacs, which is welcomed.
- 8.17 Development density will vary throughout the site and will consist of a mix of high, medium and low-density development, which will include flatted blocks, detached, semi-detached and terraced properties. Higher density development will characterise the northeastern portion of the site, with the densest blocks located adjacent to existing high-density buildings of existing neighbourhoods, around the primary access gateway. Medium density development will follow the primary route through the site broken up via green networks and key amenity spaces as well as informal path networks. Low density development will mainly be situated over the southern boundary with views over the Kings Golf Club as well as the west boundary reflecting low density in adjacent site to the west. This follows a similar approach and will reflect the adjacent development site to the east as well as to the west.
- 8.18 The indicative Design and Access Statement shows strong active frontages along the key public areas, designed to provide passive surveillance of public spaces and engage with the street scene. It states that focal buildings and dual fronted corner buildings will be strategically located to ensure an outward looking, distinctive development. The indicative Design and Access Statement confirms that the development shall contain a wide range of house types and tenures, with the required level of associated parking, to be predominantly delivered to the rear or side of housing in order to reduce the visual dominance of parked cars which complies with local and national guidance.

- 8.19 The application proposes a mix of ownership tenures although detail of housing types is omitted from the submission at this stage. Nevertheless, it is considered that the site can accommodate a housing mix of detached, semi-detached, terraced house types as well as flatted accommodation. It is considered reasonable to limit house heights to 2 storeys to match heights of more recent housing developments in the wider area, and blocks of flats to 3 storeys. Conditions are proposed to secure final design details including housing mix, material palettes, boundary treatments, landscaping, and the integration of public art. It is expected that these provisions will encourage the developer to incorporate high-quality design that contributes some distinctiveness to what is likely to be a suburban style development.
- 8.20 Further details of street and building layout, open space provision, infrastructure and phasing will be provided through the submission of further MSC application(s) for the site. However, the details submitted thus far do demonstrate that the site is capable of accommodating the proposed residential development and supporting infrastructure, while addressing the constraints and requirements set out above and achieve a layout that accords with Designing Streets.

Roads, access and parking

- 8.21 Vehicular access to the site will be taken from Kirkwall Brae, which connects onto Leachkin Road. The indicative Design and Access Statement shows the Primary Distributor Road through the site leading to the southeast boundary of the site but it is not intended to act as a connecting road for vehicular traffic to Golf View Road. An access will be formed across the open space from the site to Golf View Road, which will serve as an access for a fire tender. Transport Planning has suggested this track be used as a bus lane at some point in the future and cameras would be installed to ensure only buses would use the track. The design and timing of this provision can be secured by condition.
- 8.22 In terms of the original Transport Assessment, the Transport Planning Team required further information regarding the junction modelling of the Leachkin Road/General Booth signalised junction before they could be satisfied that the junction would operate satisfactorily with the proposed development in place. With regards to the microsimulation modelling for the Telford Street corridor, the applicant has submitted further information regarding the proposed mitigation works. An outline scheme design is required to demonstrate the network changes at the A82/General Booth Road roundabout to assess how the corridor will operate with the development in place. In addition, full details have been submitted of the proposed changes to the remainder of the network, including any signal timing changes and/or stage changes. This is subject to technical assessment and agreement by the Roads Authority and Members will be verbally updated on this aspect at Committee.
- 8.23 The proposed street hierarchy is considered to be acceptable, however it is recognised that this may alter as the internal layouts develop. Further consideration of the street hierarchy will be given through the submission of MSC application(s), which should show good levels of permeability for all modes of travel, including active travel, and should be capable of safely accommodating modern refuse vehicles. Parking provision will need to be provided for residents and visitors in line with

current Council guidelines, including electric vehicle charging in accordance with current Building Regulations.

Active Travel

- 8.24 The indicative Design and Access Statement shows a number of active travel links though the development helping to integrate the development with the adjacent community and to allow for onward trips through the existing path network towards the facilities and services on General Booth Road and beyond. In order to ensure that the existing pedestrian connections are suitable to provide the active travel connectivity needed to serve this development, Transport Planning has requested a planning condition requiring the submission of a review of these routes, with any works deemed necessary to improve them to be carried out prior to occupation of any of the new residential units.
- 8.25 Active travel links will be made to the adjacent Core Paths IN19.08 Kinmylies Brae, IN19.09 Charleston to Kinmylies Path and IN19.17 Great Glen Way.
- 8.26 The majority of the site will be within 400m walking distance of existing serviced bus stops within the wider area. It is considered appropriate to require the submission of a Public Transport Strategy for each phase or sub-phase of the development, including a review of existing infrastructure, and delivery of any necessary improvements. This can be controlled by condition.

Impact on residential amenity

- 8.27 Although the site is large, it is not considered that its development would be detrimental to the established residential amenity of existing neighbouring residential areas or individual properties in terms of overlooking, loss of privacy or overshadowing, by virtue of separation distances and existing mature trees.
- 8.28 During the course of any construction project there may be an element of noise and disturbance which would impact residential amenity, however, this would be for a temporary period only. Any matters relating to this would be assessed as a potential statutory noise nuisance by the Environmental Health Authority.
- 8.29 Accordingly, it is considered that the proposal does comply with the requirements of HwLDP policy 28 (Sustainable Design) on community and residential amenity.
- 8.30 Furthermore, the proposal would accord with NPF4 Policy 14 (Design, quality and place) and Policy 15 (Local Living and 20 Minute Neighbourhoods). Policy 14 seeks to ensure that all new developments demonstrate compliance with the six qualities of a successful place and does not support development proposals which are poorly designed or detrimental to the amenity of the surrounding area. Policy 15 seeks to encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

Open Space, Trees and Landscaping

- 8.31 Full details of all hard and soft landscaping require to be submitted through the submission of MSC application(s), in order to ensure that the completed development provides for a high-quality environment and sense of place. The Landscape Plan should include planting and maintenance plans and must be supervised by a landscape consultant to ensure implementation to the agreed standard.

Impact on habitat, species and biodiversity

- 8.32 The proposal generally accords with NPF4 Policies 1 (Tackling the climate and nature crises), 2 (Climate mitigation and adaptation) and 3 (Biodiversity). When considering all development proposals, significant weight will be given to the global climate and nature crises. Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible. Development proposals will 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 also integrate nature-based solutions where possible.
- 8.33 NPF4 Policy 3 (Biodiversity) requires all major developments to demonstrate that proposals will conserve, restore and enhance biodiversity, including nature networks, so that they are in a demonstrably better state than without intervention. In order to ensure compliance with this, the submission of an Ecological Impact Assessment (EclA) and a Habitat Management Plan is required, to detail habitat compensation and enhancement measures to result in a minimum biodiversity net gain of at least 10%. This can be controlled by condition.
- 8.34 Some of the letters of representations to the application, including the Community Council response, refer to the presence of protected species but none have been found within the site.

Impact on built and cultural heritage

- 8.35 There is potential for undiscovered archaeology on site. In order to assess this, a condition can secure a Written Scheme of Investigation / Programme of Work for the survey, evaluation, preservation and recording of any archaeological and historic features affected by the proposed development, including a timetable for investigation, and would therefore accord with NPF4 policy 7 (Historic assets and places).

Water, flood risk and drainage

- 8.36 NPF4 policy 22 (Flood risk and water management) requires development proposals to not increase the risk for surface water flooding to others, or itself to be at risk; manage all rain and surface water through SUDS; and connect to the public mains.
- 8.37 The proposal will be served by the public water and foul drainage systems. An appropriate drainage strategy has been submitted which clarifies that all SUDS and surface water drainage will be designed in accordance with the current Scottish

Water Sewers for Scotland requirements. The indicative Design and Access Statement shows two SUDS basins for collection of surface water - one in the northeast and another in the southeast of the site. It is understood that the final location and size of the SUDS may change as the detailed design and layout is formulated, and full details of the final drainage scheme are required to be submitted for approval as part of future MSC application(s).

- 8.38 The Flood Risk Assessment (FRA) for the site considers that the flood risk and the drain emergent from under hospital buildings called the Torvean Drain is the only source that requires to be addressed. The full details of the final drainage scheme can be secured by condition as part of future MSC application(s).

Impact on infrastructure and services and proposed mitigation (developer contributions)

- 8.39 Planning obligations are used to mitigate the impact of development that cannot be mitigated through the planning process or through the use of planning conditions. In line with HwLDP Policy 31, the Council's Developer Contributions Supplementary Guidance (DCSG) was adopted in November 2018 and sets out the Council's approach to mitigating the impact of development on services and infrastructure by seeking fair and realistic developer contributions. The Council's Development Plans Team have assessed the contributions as follows (all figures subject to indexation).
- 8.40 **Affordable Housing:** In line with Council policy and Developer Contributions Supplementary Guidance in place at the time the application was submitted, 25% equivalent of all housing shall be affordable. It is noted that IMFLDP2 requires 35% affordable housing provision for proposed developments within the Settlement Development Area of Inverness, however this only applies to applications submitted after adoption of the Plan in June 2024, therefore the previous rate of 25% applies in this case (as this application was submitted in April 2024).
- 8.41 **Education:** The site lies within the catchment area of Kinmylies Primary School. The 2023/24 School Roll Forecasts have been re-run to reflect the anticipated phasing of completions of new homes within the primary school catchment. For the re-run the following assumptions were made:

Application (23/05335/FUL)

118 homes at General Booth Road (site is located approximately 370m east of the application site (24/01297/PIP) at it closest point

- Education contributions apply to 112 homes that have two or more bedrooms (6 homes are exempt)

This development is committed as permission has been granted (21.05.2025).

The homes were given the following timing and phasing:

- 2026/27 – 40 homes;
- 2027/28 – 40 homes;
- 2028/29 – 32 homes based on the understanding that it is the applicant's intention to deliver the site in the shorter term.

This application (24/01297/PIP):

Timing and phasing were based on information provided by the applicant as part of a Further Information Request during the Examination of the Inner Moray Firth Proposed Local Development Plan 2 in August 2023, and were inputted as the following:

- 2027/28 – 50 homes;
- 2028/29 – 50 homes;
- 2029/30 – 50 homes;
- 2030/31 - 50 homes;
- 2031/32 – 50 homes;
- 2032/33 – 50 homes;
- 2033/34 – 50 home
- 2034/35 – 30 homes

Following discussion with education colleagues it is considered that developer contributions towards any increase in capacity at Kinmylies Primary School are not required for the current Westercraigs application. This is for a number of reasons, in particular the complexities of this particular school and catchment area at this time, including changing requirements for ASN space, the current development of a new nursery, levels of windfall development and uncertainty of the programming of development. However, any future applications received within this catchment area will be assessed on their own merit and may be subject to developer contributions. The Westercraigs development will still be expected to contribute towards expansion at Charleston Academy as indicated in previous responses.

The site lies within the catchment area of Charleston Academy. The latest 2023/24 School Roll Forecasts projects a physical capacity issue at this school. Contributions will be required in respect of Charleston Academy.

8.42 **Community Facilities** - Developments of 4 or more houses are required to contribute towards the enhancement or creation of new community facilities where a deficiency has been identified. The IMFLDP Delivery Programme identifies a requirement for:

- Charleston Community Campus – Expansion to provide enhanced community facilities over and above standard community facilities associated with new school (as per sportScotland guidelines)
- Regional Sports Facilities – delivered as part of a wider strategic sports plan for the Highlands

Therefore, the standard community facility rate contribution is required.

8.43 Subject to developer contributions (index linked) of £8,673 per 3 bed and above house / £4,915 per 2 bed house or flat (major expansion/new school rate) for Charleston Academy, the proposal is acceptable in terms of education provision. It should be noted that the recently increased education contribution rates only apply to applications submitted after 04 May 2023 and therefore do not apply to this application (as this application was submitted in April 2024). For Community Facilities £1,568 is required for each property.

- 8.44 **Transport and Active Travel:** A contribution towards payment for delivery of strategic road improvements is necessary; in the first instance towards payment for delivery of the Inverness West Link Road which equates to £2500 for each property.
- 8.45 With TNDB provision was sought for 6 new bus stops at the rate of £123.36 per property.
- 8.46 **Community Facilities:** The planning obligations sought with previous permissions is detailed below and explains why no such provision is necessary with this application.

Community Facility – Planning Obligation (22/01554/FUL)

Robertsons have obtained full Planning Permission for the conversion and extension of the existing Westercraigs Chapel into a mixed-use Community Facility. The planning approval also covers associated vehicle / pedestrian access and services. The building work associated with the chapel renovation will be funded by a local church organisation called The Living Hope Church. They will also manage the future running of the building, opening it up for general community events such as Scouts / Cubs / Parent and Toddler groups and coffee mornings for example. A legal agreement between Robertson Homes and The Living Hope Church has been finalised. A Section 75A (24/04370/S75M) was also approved by The Highland Council, confirming Robertson Homes obligations in relation to the Community Facility have been satisfied.

Community Shop – Planning Obligation (22/01546/PIP)

Robertsons have obtained planning permission in principle for a Retail Unit with associated vehicle / pedestrian access and services for the brown field site adjacent to the Westercraigs Chapel. The site has been marketed; however, we would note there has been limited interest thus far, with no buyer identified to date.

Reservoir De-Listing

The process to de-register the reservoir was completed on 4 April 2025 with SEPA formally confirming the Craig Dunain Upper Reservoir is discontinued.

Playparks and Footpaths – Planning Obligation (20/03555/MSC)

Robertson's have delivered a new Adventure Play Park (to the west of Balachlan Drive) and Active Travel Links within the Westercraigs Area. The Adventure Play Park and footpath links, with pocket play areas allow residents and visitors to access and travel between new facilities within the Westercraigs area, helping to enhance the outdoor community experience.

Overflow Carpark (22/01990/FUL)

Due to the attraction of the Westercraigs area for visitors, and after local concerns relating to limited parking, Robertsons offered to form a new carpark close to the existing Craig Dunain Duckpond (approximately 560m to the southwest of the application site (24/01297/PIP)). The new car park provides 8no. additional spaces providing much needed off-street parking for visitors.

Compensatory Tree Planting – Planning Obligation

Robertson will soon commence compensatory tree planting on the hillside behind Phase 7 (northwest of Dunain Square) of the Westercraigs Masterplan. The extent of the planting includes approximately 750 trees.

Dunain Community Woodland

Discussions are ongoing between Robertsons and Dunain Community Woodland Trust regarding a lease agreement and future maintenance of the Dunain Community Woodland.

- 8.47 **Public Art:** The Council's preference is for Public Art to be an integral part of the overall design of a development to promote neighbourhood identity and a distinctive sense of place. This will be secured by means of a planning condition.
- 8.48 **Green infrastructure:** The Council's open space guidance requires a provision standard of 40sqm per person in Inverness. Applying the guidance, the development of 380 houses equates to a need for 33,896sqm (3.39ha) of high quality, useable open space. The indicative layout meets this quantitative requirement; however detailed designs will require to demonstrate that open space will be of high amenity, recreational, and biodiversity quality. Representations have referred to the lack of provision shown in the masterplan as it shows 2 play parks in addition to the existing MUGA at the southern end of Stornoway Drive. The provision will be reviewed at the time of submission of future MSC application(s) and can be secured by condition.
- 8.49 **Allotments:** The proposal does not include land for allotments, however the applicants are willing to demarcate the area of land west of the existing MUGA. In order to facilitate this, it is considered appropriate for the developer to provide some basic infrastructure (fencing; hardstanding; sewage and water connections to the edge of the site etc) prior to the development of the allotments. This can be secured by condition.
- 8.50 **Payments and Indexation:** An upfront payment is encouraged wherever possible. This option is often desirable when the time and legal costs to set up a planning obligation are disproportionate to the level of contribution required. Where a planning obligation is entered into, developers may have the option to phase payments over the lifetime of a development. It is the Council's standard that twice yearly payments are made on the 1 April and 1 October each year based on the number of homes completed in the six months preceding these dates. Invoices are issued by the Council to request payment shortly after these dates. Developer contributions are subject to indexation and will be re-calculated to reflect the current BCIS All-in Tender Price Index at the time of payment with the costs set out within this response reflecting Q3 2018 and Q4 2017.

Other material considerations

- 8.51 A number of representations have referred to the need locally for improved local health services. Health service provision is a matter for NHS Highland and not the Council. It is noted that there is a medical practice at the junction of Assynt Road / General Booth Road, Kinmylies.

- 8.52 The developer undertook a Preliminary Ecological Appraisal (2024). This did not identify any habitats or protected species which would be affected by this development. Notwithstanding this, it is considered appropriate for a pre-start species survey to be undertaken on the site. This can be controlled by condition.

Non-material considerations

- 8.53 None

Matters to be secured by Legal Agreement / Upfront Payment

- 8.54 In order to mitigate the impact of the development on infrastructure and services the following matters require to be secured prior to planning permission being issued:
- a) Affordable housing: on site provision - 25% of total housing
 - b) Secondary education: as set out at section 8.41
 - c) Community facilities: as set out at section 8.43
 - d) Transfer of land for allotments to the Council for onward rent (at peppercorn rates) to an appropriate community group
- 8.55 The applicant has four months from the date that the Council's solicitor writes to the Applicant/Applicant's solicitor indicating the terms of the legal agreement or other appropriate mechanism to secure mitigation for the impacts of the development agreed by the Planning Service, to deliver to the Council a signed legal agreement. Should an agreement or other appropriate mechanism to secure the mitigation agreed by the Planning Service not be delivered within four months, the application may be refused under delegated powers.

9. CONCLUSION

- 9.1 The Council declared a Highland Housing Challenge in June 2024, in recognition of an anticipated need for 24,000 additional houses over the next decade. This application for planning permission in principle represents the first step in delivery of up to 380 residential units within a site which has been allocated in the development plan for over 10 years; which is well located in terms of proximity to services and facilities; and which complies with national goals set out in NPF4 to deliver well connected neighbourhoods where people can meet the majority of their daily needs within a reasonable walking distance of their home. A minimum of 25% of the properties will be affordable which will make a valuable contribution to the Council's affordable housing targets.
- 9.2 The application is for planning permission in principle therefore the detailed layout and technical matters will be further considered through subsequent applications for matters specified in conditions, which are suggested within this report. However, the information submitted to date has satisfactorily demonstrated that the applicant has considered the constraints affecting the site. Habitat and biodiversity enhancements as required by NPF4 will be secured by condition; landscaping and open space, including play areas, will create a welcoming development with its own identity; and active travel routes will open up the site and make the most of the amenity woodland within it and the surrounding countryside, and provide routes to the recreational

facilities found within the immediate area such as at Torvean, the canal, and Kings Golf Club. Overall, it is considered that the application site can accommodate the development as proposed, subject to the recommended conditions, and can be supported.

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

10. IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued	Y
Notification to Scottish Ministers	N
Conclusion of Section 75 Obligation	Y
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 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:
 - 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 each subsequent Phase

- i. The expiry of TWO YEARS from the date of matters specified in conditions for the previous Phase;
- 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.

In respect of each phase, this permission will lapse on the expiration of the period of TWO YEARS 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.

Reason: In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

- 2a Planning Permission in Principle is hereby granted for residential development of up to 380 homes, with 25% being made available for affordable housing, along with associated engineering works, landscaping, open space, parking, drainage and servicing and new accesses to be carried out in accordance with NPF4 Policies 14, 15, 16, and HwLDP Policies 28 and 29, national guidance Creating Places and Designing Streets.
- 2b 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 including the number of units being made available for affordable housing with each phase, 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 define the extent and terms of the development consent. To ensure that the development proceeds in an appropriate manner and that the necessary elements of the development are provided at the appropriate stages

Matters Specified in Conditions

3. 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 in writing by, the Planning Authority in consultation with the relevant Consultees, in respect of the following matters, insofar

as they relate to the details of the proposed development taking full account of the indicative Design and Access Statement, Designing Streets, Creating Places, and other relevant national and local policy and guidance related to the matters set out below:

- a) Siting, design, and external appearance of all buildings and other structures, including details of the type and colour of all external materials, with:
 - i. A minimum separation of 20 metres between existing tree stems and all residential units
 - ii. No single residential properties of more than 2 storeys in height;
 - iii. No flatted accommodation of more than 3 storeys in height.
- b) Details of sustainable design considerations inclusive of an energy strategy.
- c) Details of site access to be taken from Kirkwall Brae.
- d) Layout of the site in accordance with Designing Streets principles and showing the extent of the built development in general accordance with the indicative Design and Access Statement.
- e) Road layout including:
 - i. The road hierarchy;
 - ii. Typical form of the routes forming the hierarchy;
 - iii. Junction layouts and design;
 - iv. Junction and forward visibility requirements;
 - v. Junction spacing;
 - vi. Vehicle tracking at junctions and standard radii;
 - vii. Details of provision for cyclists and pedestrians with junctions and crossing designed to facilitate active travel;
 - viii. Provision for disabled users following consultation with the Inverness Access Panel (if functioning);
 - ix. Details of safer routes to school; and
 - x. Details of the location and type of service strips within the intended adoptable road boundary.
- f) Provision of car parking, inclusive of disabled parking and electric vehicle charging infrastructure, including in curtilage parking, communal parking areas, parking courts and on-street parking with no driveways being located in positions where they may conflict with traffic movements at junctions.
- g) Provision of covered cycle parking including resident cycle parking in houses and communal cycle parking within buildings containing flats and external secure, covered visitor cycle parking at flats.
- h) Provision of a segregated active travel facility for cyclists along the full length of the corridor from Golf View Road to Leachkin Road based on the provision of a 'High Level of Service' as set out in the design guidance Cycling by Design. The cycle paths shall be built to an adoptable standard, lit and designed to accommodate cyclists. A Design Review shall be carried out where the design of the layout cannot meet the requirements as set out in Cycling by Design.
- i) Public open space provision, including a timetable for delivery, in accordance with the Open Space in New Residential Developments Supplementary Guidance (or any superseding guidance prevailing at the time of submission).
- j) 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) Hard and soft landscaping, including a timetable for delivery.

- l) All boundary treatments within the site
- m) Management and maintenance arrangements for (f) through to (k) above.
- n) Provision for service vehicles following occupation of the development.
- o) Provision of surface water drainage systems, including access or 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 thereof.
- p) Water and wastewater connections, with connections to the public water and wastewater networks.
- q) Means of dealing with domestic waste in accordance with the Council's Managing Waste in New Developments Supplementary Guidance (or any superseding guidance prevailing at the time of submission).
- r) Details of existing trees, shrubs, and hedgerows to be retained and removed.
- s) Details of existing and proposed site levels with fall arrows.
- t) Details of finished floor levels.
- u) Details of all external lighting.

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.

Design

4. Any details pursuant to Condition 3 above shall show the following:
- a) a variety of different house types, with external finishes utilising a variety of different materials and colours (render, doors etc) to ensure a coordinated but diverse development;
 - b) car parking generally located to the side or rear of houses or flatted developments;
 - c) residential units which are orientated towards the street, other than in exceptional circumstances. Where buildings are located on the corner of more than one street, they shall have enhanced gables to ensure active frontages on each street;
 - d) a minimum of 18 metres separation distance between directly facing windows of residential units; and
 - e) the use of walling, hedging or railing to define residential boundaries which face the public realm.

Thereafter the development shall progress in accordance with the approved details.

Reason: In the interests of residential amenity

Construction Environmental Management Plan

5. Any details pursuant to Condition 3 above shall be informed by and include a Construction Environmental Management Plan (CEMP) and no development shall commence within each Phase, or sub-Phase, until the CEMP has been submitted to and approved in writing by the Planning Authority. The document shall specify and include:

- a) a 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 plans:
 - i. Ecological Impact Assessment (which must consider priority habitats and priority species listed within the Highland Nature Biodiversity Action Plan and the development's impact on soils);
 - ii. Habitat Management Plan (HMP), to include the following:
 - a) Proposed biodiversity enhancement measures of the site detailing the creation and management of the biodiversity enhancements. The HMP shall include a plan of the biodiversity enhancements and show a minimum biodiversity net gain (BNG) of 10% using the Defra BNG Metric, or any other justified and appropriate metric available at the time;
 - b) The HMP shall include provision for the regular monitoring and review of the HMP's objectives and include measure for securing amendments or additions in the event that the HMP's objectives are not being met;
 - c) Unless and until otherwise agreed in advance in writing with the Planning Authority, the approved HMP (as amended from time to time with the written approval of the Planning Authority) shall be implemented in full;
 - iii. Updated Species Protection Surveys and Species Protection Plans including, but not limited to, Badger, Otter, Bats, West European Hedgehog and breeding birds protection plans.
- d) Pollution prevention plan, including water management by way of SUDS;
- e) Dust management plan, including from construction traffic;
- f) 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: A description of the most significant noise sources in terms of equipment; processes or phases of construction; The proposed operating hours and the estimated duration of the works for each phase; A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations if required); 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;
- g) Site waste management plan, including details of a materials handling plan with details of existing and proposed site levels, with the plan to specify the removal of inert waste and re-worked material from the top 1m of the site;
- h) Measures to protect private water supplies; including an emergency response plan;
- i) Details of existing site boundary walls and fences to be retained, repaired or enhanced, and details of construction site access and means of enclosure;

- j) Details of the location and extent of all construction compound and laydown areas, as well as timescales for their removal with ground restoration / reinstatement;
- k) Details of the appointment of an appropriately qualified Environmental Clerk of Works with roles and responsibilities;
- l) Methods of monitoring, auditing, reporting and communication of environmental management on site and with the client, Planning Authority and other relevant parties; and
- m) 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 CEMP.

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

Noise

6. Any details pursuant to Condition 3 above shall include an updated Noise Impact Assessment (NIA) demonstrating how the following noise limits will be met: Internal Levels:
- 35 dB LAeq daytime and 30 dB LAeq night-time in habitable rooms;
 - 45 dB L_{Amax} in bedrooms (night-time).

External Levels:

- <55 dB daytime in all external amenity areas (gardens).

The NIA shall clarify how these levels will be achieved. For the avoidance of doubt, the developer must satisfy itself that where internal limits can only be met with windows closed, the proposed means of ventilation for these properties will satisfy Building Standards.

Reason: in order to protect the amenity of the occupants of the development.

Roads, parking and access

7. Any details pursuant to Condition 3 shall include details of the vehicular access into the development from Kirkwall Brae. There shall be no construction or ongoing vehicular access from Golf View Road. Thereafter the access shall be formed in accordance with the approved details prior to any other development commencing on site.

Reason: In order to ensure the site can be properly accessed

8. No development shall commence until design details for a signalised junction system at Telford Street have been submitted to and approved by the Planning Authority, in consultation with the Roads Authority. Thereafter the scheme shall be installed in accordance with the approved details, and to the satisfaction of Highland Council Traffic Signals Team, prior to first occupation of any properties at this site.

Reason: In the interests of road safety and to ensure free movement of traffic

9. Any details pursuant to Condition 3 shall include a Public Transport Strategy for the relevant phase or sub-phase, demonstrating that the recommended distance of 400m walking distance between homes and bus stops can be generally achieved. This shall include a review of the existing active travel connections which are being promoted between the site and the bus stops, to be submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority prior to commencement of development in that particular phase or sub-phase Any works deemed necessary to either improve the aforementioned active travel routes or provide new routes or infrastructure shall be fully implemented prior to any occupation of residential units in that particular phase or sub-phase.

Reason: In order to ensure that the site is adequately served by public transport provision

10. There shall be no vehicular access from the development onto Golf View Road and the area of open space between Golfview Terrace and Millerton View, which will serve as an access for the fire service and also a bus lane details of which shall be agreed to the satisfaction of the Planning Authority in consultation with the Roads Authority. The timescale for the provision of this lane shall be agreed at the time of the submission for the first application for Matters Specified in Conditions

Reason: In the interests of road safety.

11. Any details pursuant to Condition 3 above shall show car parking spaces provided and formed in accordance with The Highland Council's Roads and Transport 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. For the avoidance of doubt car parking shall generally be provided to the side or rear of residential properties.

Reason: To ensure adequate provision of car parking.

12. Any details pursuant to Condition 3 above shall be informed by and include an Access Management Plan including details of footpaths, cycle ways and lighting (existing, during construction and upon completion, and information on temporary or permanent diversion or closure) which shall be submitted for the written approval of the Planning Authority in consultation with the Roads 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. active travel routes across the site;
 - ii. construction details of all paths, inclusive of material finishes, which shall be kerbed (not wooden edged) and bitmac, and drainage details; with all

remote routes through woodland to detail a no dig solution within any root protection areas and elsewhere all paths and watercourse crossings shall be to Lowland Path Construction Guide standards;

- iii. any diversion of paths, temporary or permanent proposed for the purposes of the development;
- iv. and the upgrade of all existing crossing points within the vicinity of the site;
- v. and any diversion of paths, temporary or permanent, proposed for the purposes of the development.

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, in the interest of active travel, safety, amenity and tree root protection.

Construction Traffic Management Plan

13. Any details pursuant to Condition 3 above shall be supported by a Construction Traffic Management Plan (CTMP) which includes:

- Hours of operation
- The number and type of vehicles required
- Routing arrangements for all vehicles
- Contractor parking
- Locations for loading/unloading and storage of plant, waste and construction materials
- Movements and control of all deliveries
- Abnormal loads
- Control of dust, mud and debris in relation to the public road
- Measures to protect vulnerable road users
- Pre and post condition surveys of public roads
- Mitigation for the impact of construction traffic
- Any necessary temporary traffic management measures
- Method of communicating to staff, visitors and neighbouring residents and visitors

The Construction Traffic Management Plan shall be implemented as approved prior to development commencing and remain in place until the development is complete.

Reason: In the interests of road safety, to limit the impacts on the local road network and to limit the amenity impacts of the construction phase of the development on local residents.

Drainage

14. Any details pursuant to Condition 3 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 shall accord with the principles of Sustainable Urban Drainage Systems (SUDS). The finalised drainage design shall include an updated DIA which demonstrates that surface water discharge from the site into the receiving water course is limited to the equivalent pre-development (greenfield) rate into the same watercourse for a range of storms (e.g., 2, 30 and 200 year events) up to and including the 1 in 200 year plus climate change event. Designs shall be in accordance with Sewer for Scotland to allow vesting by Scottish Water and The Highland Council.

Thereafter, 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.

15. No Phase or sub-Phase of the development shall 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.

Flooding

16. Any details pursuant to condition 3 above shall show a design and layout informed by the flood risk assessment (FRA) included as part of the submission for this planning permission (Westercraigs 9 and 10 Fairhurst August 2024) including:
- a) no development to take place within areas identified as being at risk of flooding during a 1 in 200 year plus climate change fluvial flood event in the undefended scenario.;
 - b) no development to take place until the submission of a Drainage Masterplan to show the phasing of development to ensure that the main north or the main south drainage system is installed before any other significant construction in that system's contributing area
 - c) Adequate provision shall be demonstrated within the site drainage layout to incorporate the diverted flows from the ditch/ watercourse located in the south-west of the site near New Craigs Hospital.
 - d) For each drainage system, network simulations and corresponding exceedance routing information are required to confirm that the system will operate without unacceptable flooding within the network. Exceedance from local gully blockage should also be considered. Exceedance water should be discharged to 'safe' locations, within the site. The FRM Team is content to finalise this information as part of a future planning condition.
 - e) For each drainage system, network simulations and corresponding exceedance routing information shall be required to confirm that the system will operate

without unacceptable flooding within the network. Exceedance from local gully blockage should also be considered. Exceedance water should be discharged to 'safe' locations, within the site.

- f) preservation of flood pathways throughout the site;
- g) all buildings which are located within 100m of the southern site boundary shall have finished floor levels (FFL) of a minimum of 300mm above the predicted 1 in 200 year plus climate change fluvial flood levels;
- h) a design which shows surface water flow pathways throughout the site managed as per the recommendations in the FRA;
- i) A 6m buffer from the top of the bank of any watercourse where no development can take place; and
- j) Any new watercourse crossings, if required, conveying the 1 in 200m year flow plus climate change and an additional freeboard, with an updated Flood Risk Assessment to demonstrate how this will be achieved.

Reason: to ensure that all flood mitigation infrastructure, required in order to reduce the risk of flooding occurring both within and outwith the application site, is provided timeously.

Waste

17. Any details pursuant to Condition 3 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. Thereafter the facilities shall be fully operational in accordance with the approved details prior to occupation of the units to which they relate.

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

Protected Species

18. No development shall commence within each Phase or sub-Phase until pre-commencement surveys to locate the presence or absence of protected species have been undertaken and copies submitted to the Planning Authority. This shall include additional bat, badger and otter surveys with species protection plans to be followed. Should any protected 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 in consultation with NatureScot.

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

Trees

19. Any details pursuant to Condition 3 above shall include and specify:
- a) a 20m setback between all retained trees and any residential or commercial unit;

b) an Arboricultural Impact Assessment, Tree Constraints and Protection Plan and Arboricultural Method Statement in accordance with BS 5837:2012

c) Details of the appointment of a suitably qualified Arboricultural consultant to ensure that the approved Tree Protection Plans and Arboricultural Method Statement (AMS) are implemented to the agreed standard. Stages requiring supervision are to be set out in an Arboricultural Supervision Statement and certificates of compliance for each stage are to be submitted for approval of the Planning Authority.

Thereafter, development shall progress in line with the approved details, unless otherwise agreed in writing by the Planning Authority.

Reason: In order to ensure the protection of retained trees, which are important amenity assets, both during construction and thereafter.

20. The development shall not be occupied until a tree and woodland management plan has been submitted to, and approved in writing by, the Planning Authority. The management plan shall be prepared by a qualified and experienced forestry or arboricultural consultant and shall be implemented in full during the first planting season following its approval.

Reason: To ensure that the woodland areas are satisfactorily safeguarded, managed and maintained in the long term /in perpetuity in the interest of nature conservation and the visual amenity of the area

Open Space

21. Any details pursuant to Condition 3 above shall include details, including full specifications, for the layout, design and construction of open space and recreation facilities that comply with 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. Unless otherwise agreed, the details shall include:

- a) A minimum of 33896sqm (3.39ha) of usable quality open space across the development, including:
 - i. 2 equipped children's play areas
 - ii. allotments/community growing space.
- b) All landscape and habitat corridors shall remain in communal ownership for the purposes of factoring and future maintenance, with no areas to be incorporated within any adjacent residential plots.

The agreed scheme shall be implemented thereafter to the satisfaction of the Planning Authority.

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

Maintenance

22. Prior to the first occupation of each Phase, or sub-Phase, a scheme for the maintenance in perpetuity of all on-site green spaces, including trees and woodland,

for all 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, estate lighting and communal boundary treatments, 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.

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

Landscaping

23. Any details pursuant to Condition 3 above shall include details of a scheme of hard and soft landscaping works related to that Phase or sub-Phase of the development. Details of the scheme shall include:
- a) All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
 - b) A plan showing existing landscaping features and vegetation to be retained;
 - c) The location and design, including materials, of any proposed walls, fences, gates, seating and other landscaping features, within each open space, including 1:20 scale plans showing the detail of each feature; with all boundary means of enclosure being defined in terms of its future maintenance responsibilities;
 - d) The location, type and design, including materials product name and specification, of any proposed play equipment and associated safety features (if required), including 1:20 scale plans, within each open space;
 - e) 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
 - f) 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 that phase of development to which the scheme relates. Any trees or plants which within a period of five years from the completion of the phase of development to which they relate, die, or 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.

24. No development or any works shall commence until a suitably qualified Landscape Consultant 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, the Landscape Consultant shall be appointed as a minimum for the period from the commencement of the development until the completion of the approved landscaping

work. Their remit shall, in addition to any functions approved in writing by the Planning Authority, include:

- a) Ensuring that the approved Landscape Plans are implemented to the agreed standard;
- b) Ensuring compliance with the Construction Environmental Management Plan and specifically the site waste and materials handling plan; and
- c) The preparation of Certificates of Compliance for each stage of work involved in the development, which shall be submitted to the Planning Authority upon completion of the stage to which they relate.

Reason: In order to ensure that the approved landscaping works are undertaken on site.

Public Art

25. Any details pursuant to Condition 3 above shall include a scheme for the inclusion of public art within the development. The scheme shall include:
 - a) detailed design and location of public art provision;
 - b) the management and maintenance of any and all public art provision; and
 - c) 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.

Archaeology

26. Any details pursuant to Condition 3 above shall be supported and informed by a programme of work for the survey, evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation. No development or work (including site clearance) shall commence until the watching brief has been approved in writing by the Planning Authority. Thereafter, the approved programme shall be implemented in accordance with the agreed timetable for investigation.

Reason: To ensure the protection and/or recording of the historical and archaeological interest that may be found on the site.

27. No works in connection with the development hereby approved shall commence unless an archaeological Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Planning Authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied or brought into use unless a Post-Excavation Research Design (PERD) for the

analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the Planning Authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: In order to protect the archaeological and historic interest of the site.

Contaminated Land

28. No development shall commence until a scheme to deal with potential contamination on site has been submitted to and agreed in writing by the Planning Authority. The scheme shall include:

a) the nature, extent and type of contamination on site and identification of pollutant linkages and assessment of risk (i.e. a land contamination investigation and risk assessment), the scope and method of which shall be submitted to and agreed in writing by with the Planning Authority, and undertaken in accordance with PAN33 (2000) and British Standard BS 10175:2011+A2:2017 Investigation of Potentially Contaminated Sites - Code of Practice;

b) the measures required to treat/remove contamination (remedial strategy) including a method statement, programme of works, and proposed verification plan to ensure that the site is fit for the uses proposed;

c) measures to deal with contamination during construction works;

d) in the event that remedial action be required, a validation report that will validate and verify the completion of the agreed decontamination measures;

e) in the event that monitoring is required, monitoring statements shall be submitted at agreed intervals for such time period as is considered appropriate by the Planning Authority.

No development shall commence until written confirmation has been received that the scheme has been implemented, completed and, if required, monitoring measurements are in place, all to the satisfaction of the Planning Authority.

Reason: In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

29. For the avoidance of doubt, the Masterplan Drawing 23103-EMA-XX-XX-DDG-A-050001 REV P06 (submitted on 20 May 2025) is indicative only and is not hereby approved.

Reason: In order to clarify the terms of the permission hereby granted.

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.

Transport

Road Construction Consent (RCC) Approval will be required before any works commence on building new or extending any existing local public roads. The process for seeking an RCC is set out on Highland Council website at: [RCC](#).

Permits

A permit will be required from Highland Council acting at the Local Roads Authority prior to commencement of any works on or immediately adjacent to the local public road network. The process for seeking such permits is set out on Highland Council website at [Permits to Work on Road](#)

Flood Risk

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

Scottish Water

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

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit,

occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: <http://www.highland.gov.uk/yourenvironment/roadsandtransport>

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

http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2

Mud 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.

Bus Gate/ Lane

Any Traffic Regulation Order required to manage the operation of the route shall be in place prior to the bus gate being opened for use and the costs of all associated orders and consultation must be met by the developer.

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: Bob Robertson
Designation: (Acting) Planning Manager South
Author: Keith Gibson
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 151021/9017 Location Plan
Plan 2 23103-EMA-XX-XX-DDG-A-050001 REV P06 Site Layout Plan
Plan 3 23103-EMA-XX-XX-DDG-A-050050 REV P03 Site Section Plan

Appendix 2

	COMPLETE FOR LEGAL AGREEMENTS AND UPFRONT PAYMENTS				REQUIRED FOR LEGAL AGREEMENTS ONLY				
Type	Contribution	Rate (per house)	Rate (per flat)	Total Amount* ¹	Index Linked ¹	Base Date* ²	Payment Trigger* ³	Accounting Dates* ⁴	Clawback Period* ⁵
Schools²									
Primary – Build Costs	n/a	£0	£0	£0	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Primary – Land Costs	n/a	£0	£0	£0	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Secondary – Build Costs	Major extension/New School	£8,673	£4,915	£13,588	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Secondary – Land Costs	n/a	£0	£0	£0	No		TOC/CC	Apr/Oct	15 or 20
Community Facilities		£1568	£1568	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Affordable Housing									
On-site provision ³	25% (95 units)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Off-site provision ⁴	n/a	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Commuted Sum ⁵	n/a	N/A	N/A	£0	N/A	N/A	Insert specific payment date	N/A	5 Years
Agreement for Delivery Needed	n/a	N/A	N/A	N/A	N/A	N/A	Insert date for submission to Planning Authority	N/A	N/A
Transport									
Active Travel	Inverness West Link Road	£2,500	£2,500	£2,500	BCIS		TOC/CC	Apr/Oct	15 or 20
Road Improvements	To be confirmed	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Traffic Signals	To be confirmed	£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

¹ 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

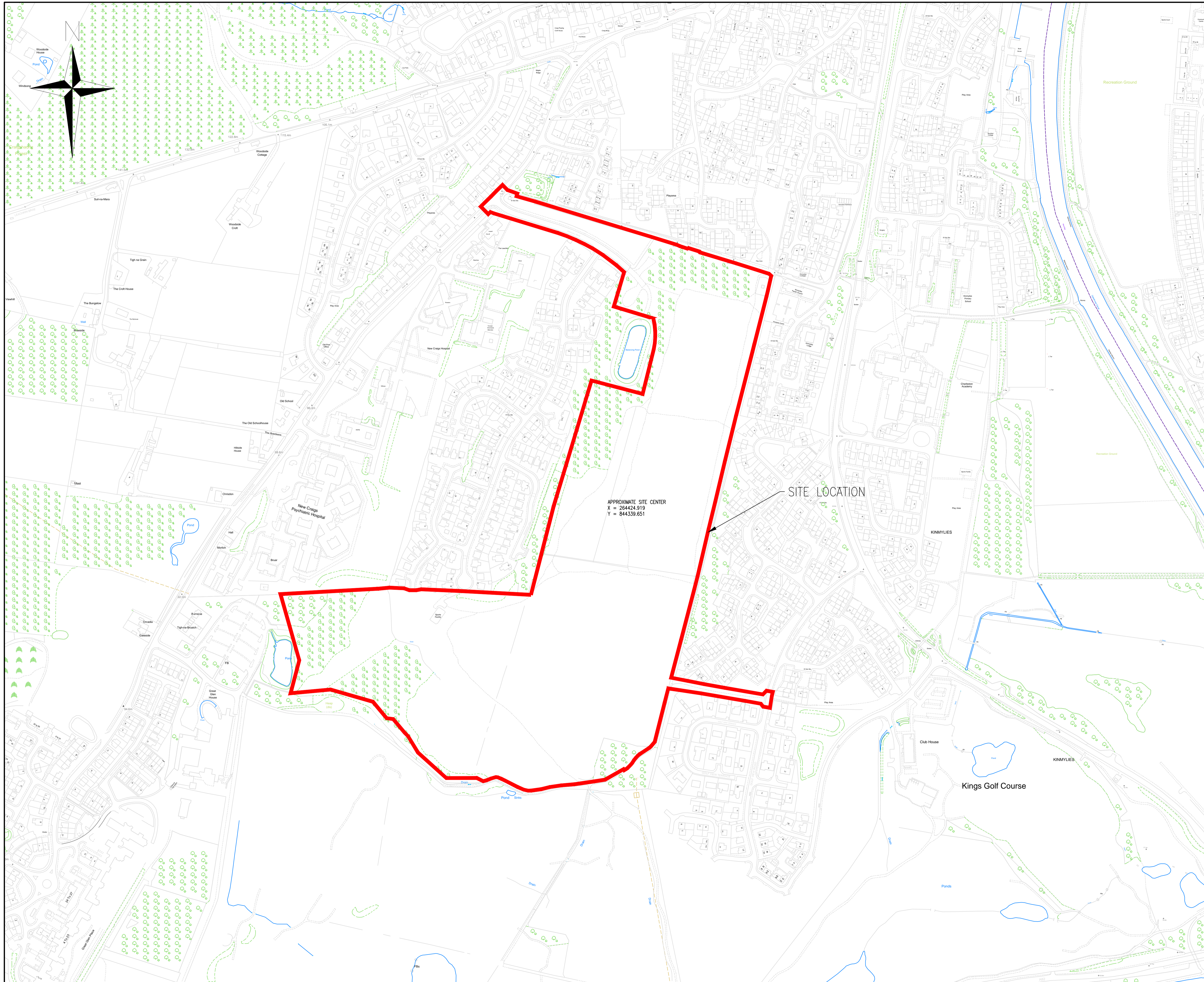
² Indicate whether or not 1 bed houses/flats are exempt

³ Indicate whether a penalty payment due for late delivery (and, if so, what it is based upon).

⁴ As above

⁵ Indicate whether a penalty payment is due for late payment of commuted sum (and, if so, what it is based upon)

- *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)
- *5 Clawback – 15 years for Major development; 20 years for Local development



Do not scale from this drawing.

SAFETY HEALTH AND ENVIRONMENTAL INFORMATION

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

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

CONSTRUCTION

DEMOLITION

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

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

Rev.	Date	Description	Drawn	Chkd.	Appd.
Elvie House Benchwood Business Park INVERNESS K2 3BW Tel: 01463 724 544 Fax: 0844 381 4412					

Project Title:
**WESTERCRAIGS SITE 9&10
 SITE ASSESSMENT**

Drawing Title:
SITE LOCATION PLAN

Scale of A1: 1:2500	Status: For Information
Drawn: JP	Checked: DE
Date: 26/02/24	Date: 26/02/24
Approved: DE	Date: 26/02/24
Drawing No.: 151021/9017	Revision: -



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REV.	DESCRIPTION	DR.	DA.
1	PRELIMINARY PLANNING COMMENTS	LF	14.05.25

LANDSCAPE BUFFER TO EXISTING TREES

SUDS

EXISTING TREES / LANDSCAPE CORRIDOR

EXISTING FOOTWAY TO STORNOWAY DRIVE

EXISTING MUGA RETAINED

VILLAGE GREEN

BUS GATE

GREAT GLEN WAY

SUDS

GREAT GLEN WAY

ema
architecture . masterplanning . placemaking

40 CHARLOTTE SQUARE
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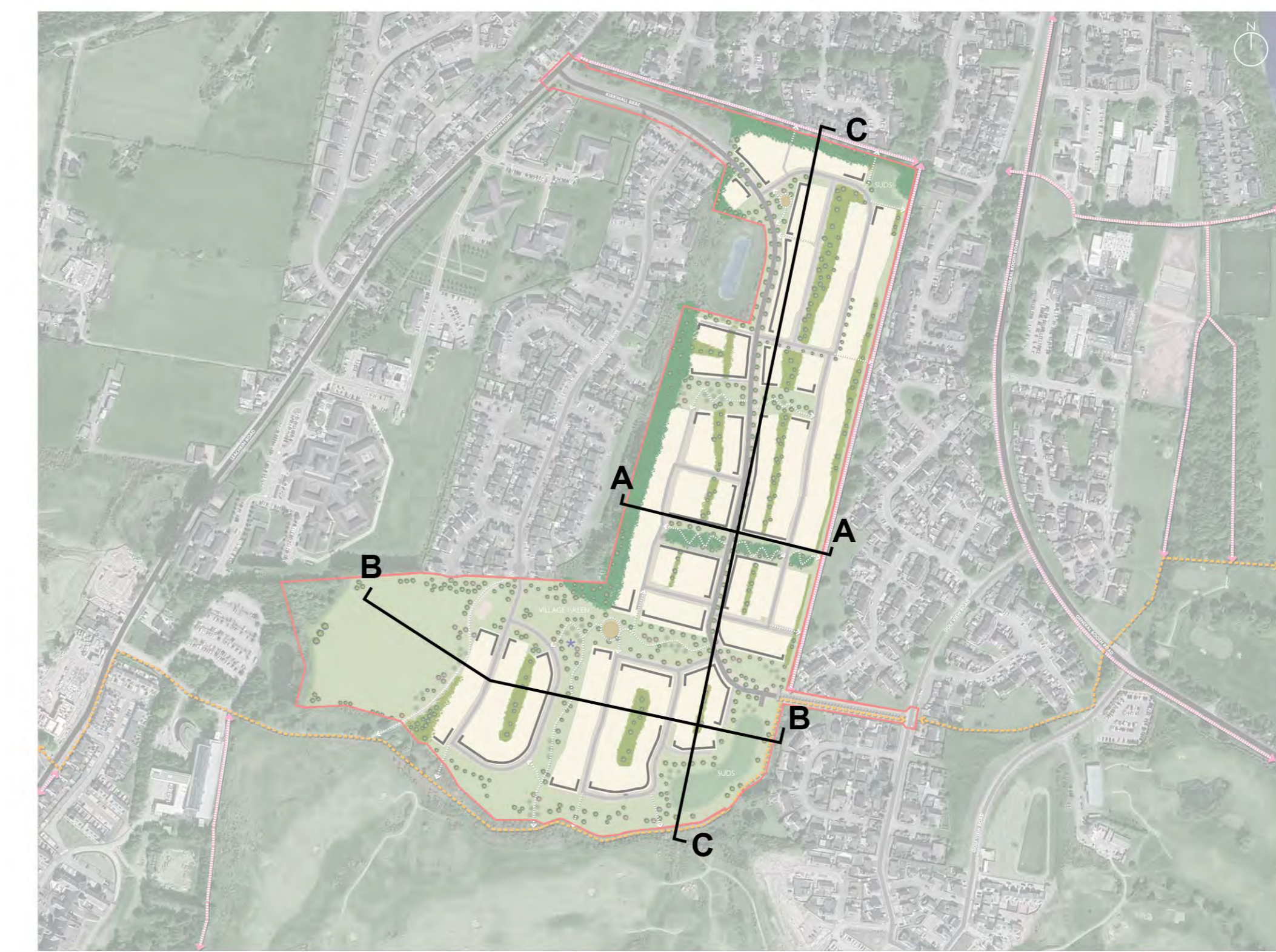
ROBERTSON HOMES
SITE 9 & 10,
WESTERCRAIGS,
INVERNESS

MASTERPLAN

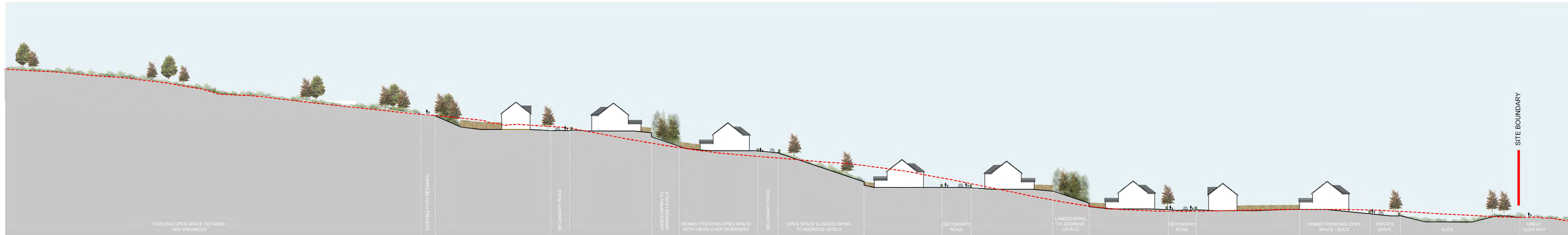
DATE DRAWN	SCALE SIZE
10.02.24 L.F.	1:1,250 / A0
DOCUMENT REFERENCE:	
23103-EMA-XX-XX-DG-A-050001	
SUITE PURPOSE:	SUITABILITY REV.
PLANNING	S1 / 006



SECTION A-A



SITE PLAN KEY



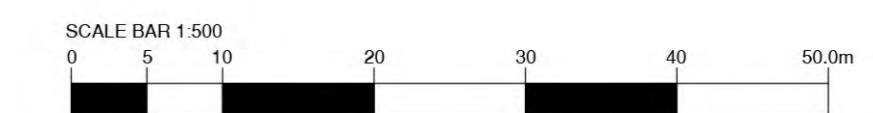
SECTION B-B



SECTION C-C



SECTION C-C



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REV	DESCRIPTION	DATE	BY	CHK	DATE
1	FOR UPDATES TO PLANNING COMMENTS	11.03.24	LF	MSB	04.03.25

ema
 architecture . masterplanning . placemaking

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ROBERTSON HOMES
 SITE 9 & 10,
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 INVERNESS

INDICATIVE SITE SECTIONS

DATE DRAWN: 11.03.24 / LF	SCALE(S): 1:1,000 / A0
DOCUMENT REFERENCE: 23103-EMA-XX-XX-DDG-A-050050	ISSUE PURPOSE: PLANNING
SUITABILITY: S1	REV: P03