

Agenda Item	7.5
Report No	PLN/031/26

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 10 June 2026
Report Title: 25/04701/FUL: Fastned UK Ltd
Land 60M North of 23 Barclay Gardens, North Kessock
Report By: Area Planning Manager North

Purpose/Executive Summary

Description: Erection of EV charging station, retail unit (Class 1A) and cafe/restaurant (Class 3 with ancillary takeaway) with associated infrastructure and amenity open space (amendment to 23/03666/FUL)

Ward: 09 - Black Isle

Development category: Local

Reason referred to Committee: Community Council objection

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

Recommendation

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

1. PROPOSED DEVELOPMENT

- 1.1 This application seeks to amend planning permission 23/03666/FUL (erection of EV charging station, retail unit (Class 1A) and café/restaurant (Class 3 with ancillary takeaway) with associated infrastructure and amenity open space). The principle of development is established and the existing planning permission is capable of being implemented. It is now proposed to reconfigure the EV charging station to provide 12 charging bays (15 previously approved), to revise internal access and parking layout serving both the retail unit and café/restaurant (maintaining the same number of bays previously approved) and to subdivide the café/restaurant to form 3no Class 3 units.
- 1.2 The **car parking** for the retail and café/restaurant is principally located in the north and west of the site within the set back from the gas pipeline (where buildings would not be supported), as previously approved. The EV charging spaces are arranged to have the EV charging bays sets in two rows with a (yellow) steel framed canopy cover with PV arrays on top, and associated charging units and substations (green). Since the original permission was granted, Fastned has been appointed to be the EV hub operator. It is proposed to provide higher-powered ultra-rapid charging units (400kWH), enabling faster charging and reducing customer waiting times. Although the number of bays will reduce from 15 to 12, the overall charging capacity and throughput of the site will be maintained due to the enhanced performance of the upgraded units. The revised solar canopy structures reflect updated design, branding and optimised positioning.
- 1.3 The **café/restaurant (Class 3)** block is located in the east of the site. Permission was originally granted for a single unit with a corral servicing area. It is now proposed to subdivide this to form 3no Class 3 units within the originally consented footprint (including the corral). Since the corral area is now to be absorbed into the units, a condition is attached requiring details of any servicing area to be provided. Supporting information submitted by the applicant details that the reconfiguration will provide greater flexibility for occupiers, improve commercial viability and broaden the range of services available to customers. The overall design has not significantly changed compared to that previously approved. The building is single storey with a monopitch roof. The frontage of the building has a south west facing elevation and features a glazed frontage and signage. External finishing materials are Kingspan and aluminium cladding panels in grey and dark grey and timber effect cladding panels. The building is 4.4m tall at its highest point, at the front elevation. The units are proposed to be 400sqft, 1000sqft and 1400sqft.
- 1.4 The **EV retail station building (Class 1A)** is located in the south of the site, it shares a similar contemporary design style with the café/restaurant building and a similar palette of external finishing materials and colours. It has a rectangular footprint with a monopitch roof 5.5m in height at the highest point on the front elevation. The building fronts into the site, facing north. The floor plans submitted show a floor area of 412sqm and a fence enclosed corral area of 68sqm. There is a service vehicle area to the west. It is not proposed to amend that previously approved.
- 1.5 As per the previous application, the floor plans for both buildings lack any detail. The footprint of the building is known as is their proposed usage, accordingly it is possible

to assess the proposals without floor plan detail. Submission of detailed floor plans would require to be a condition of planning permission.

- 1.6 Pedestrian connections and the roadside footway secured under the original permission are retained. Access continues to be taken from the existing roundabout on the C1039, which benefits from streetlighting and partial footway provision.
- 1.7 The internal layout continues to provide a shared foot/cycle path link through the site linking with the surrounding area and recognises the existing desire lines.
- 1.8 Landscaping details are secured by condition to provide amenity open space, including planting to provide both amenity and potential biodiversity gain.
- 1.9 Pre Application Consultation: None
- 1.10 Supporting Information: Transport statement, drainage detail, planning statement
- 1.11 Variations: None

2. SITE DESCRIPTION

- 2.1 The site is located at the northern edge of North Kessock village. It comprises approx. 0.7ha of mostly flat land. It is an area of grass set in between the Charleston roundabout to the south, the A9 trunk road and its embankment to the north and feeder roads which make up the North Kessock A9 junction. A band of dense woodland wraps round the north and east boundaries of the site on the A9 embankment, these are covered by a Tree Preservation Order and form part of a wider identified green network by the IMFLDP 2. These trees border a public path which is a shared foot and cycleway spanning the length of the eastern boundary, between the underpass below the A9 to the north and a crossing over the A9 feeder to the south. This forms part of the National Cycle Network (NCN) Route 1. A desire line is also evident within the site linking from the underpass to the public road and into Barclay Gardens to the west of the site.
- 2.2 Barclay Gardens is a fairly recent housing development of the planned Bellfield Meadows expansion of North Kessock. The two storey houses back onto public road which bounds the site to the north. There is other existing housing development beyond to the south and east. These are separated from the site by Charleston roundabout and the public road and a dense tree belt to the east. The site was originally included as part of the Bellfield development site and was previously proposed to be a petrol filling station. The high pressure gas pipeline is located below the NW corner of the site.

3. PLANNING HISTORY

22.01.2025	23/03666/FUL Erection of EV charging station, retail unit (Class 1A), and café/restaurant (Class 3, with ancillary takeaway) with associated infrastructure and amenity and open space	Permission granted
------------	--	--------------------

21.12.1999	98/00297/OUTRC Amended Application for Residential Commercial & Leisure Development and New Grade Separated Junction on A9	Permission granted
23.12.2002	02/00709/REMRC Construction of Grade Separated Junction Including Underpass, Feeder Roads, Roadabout and Landscaping (Approval of Reserved Matters)	Permission granted
26.2.2003	02/00985/OUTRC Application under Article 5(1) & 5(2) of the General Development Procedure (Scotland) Order 1992 to extend the time limit (Ref 98/00297/FULRC) for a further period of 3 Years, in respect of Residential, Commercial & Leisure Development	Permission granted
26.05.2005	05/00466/OUTRC Application under Article 5(1) & 5(2) of the General Development Procedure (Scotland) Order 1992 to extend the time limit (Ref 02/00985/OUTRC) for a Further Period of Three Years, in respect of Residential, Commercial & Leisure Development	Permission granted
29.8.2007	06/01027/REMRC Formation of sites for 145 houses, petrol filling station, two commercial developments, golf course, club house, hotel, holiday lodges and associated roads, services and open space plus conversion of listed building to 3 houses and erection of 10 apartment courtyard to rear of Bellfield House (ARM)	Withdrawn
15.1.2008	07/00876/REMRC Formation of one hundred and twenty nine house sites, petrol filling station, two commercial developments, golf course, club house, hotel, holiday lodges and associated roads, services, landscaping, parks and play areas plus conversion of listed building to three houses and erection of ten apartment courtyard to rear of Bellfield House (ARM) (Resubmission)	Permission granted
7.11.2017	16/00784/PIP Formation of commercial development site	Withdrawn
14.2.2017	Erection of 30 houses and 8 flats (amendment from 37 units)	Permission granted

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown neighbour – Ross-shire Journal

Date Advertised: 06.02.2026

Representation deadline: 18.05.2026

Timeous representations: 3

Late representations: 0

4.2 Material considerations raised are summarised as follows:

- a) Sub-dividing the café/restaurant will increase footfall and traffic, with consequences for road safety (including pedestrians, cyclists and school children), noise, nuisance, disturbance, rodents and littering.
- b) Impact on amenity and no benefit to community
- c) A9 sliproads already insufficient
- d) Impact on character of the area
- e) Impact on well-being of residents (noise and smells)

Planning officer response: The principle of development is established. Due to the small scale of the units, it is not considered likely that the subdivision to provide 3no units, will result in a significant increase in impacts on the surrounding area compared to the existing planning permission. Detailed assessment provided below.

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet <https://www.highland.gov.uk/planning/view-comment-planning-applications>.

5. CONSULTATIONS

5.1 **Knockbain Community Council:** Object. The intensification will lead to a significant increase in letter, foul smells, noise and rodent activity, and traffic noise and disturbance. The increase in traffic will also likely increase danger to pedestrians and cyclists using the active travel route as well as children going to school. The industrialisation of this area will destroy the village feel and will impact on well-being of residents.

5.2 **Development Plans:** No objection. The proposed variation is very insignificant in policy terms.

5.3 **Historic Environment Team:** No objection. The application lies in an area of archaeological potential. This includes buried remains indicated by a cropmark of a ring-ditch recorded within the application area (MHG29988), and extensive and significant prehistoric archaeological remains identified in the immediate surrounding area during previous developments. There is potential therefore for buried features or finds to be impacted by ground-breaking works required for this development. Recommend condition be attached.

5.4 **Environmental Health:** No objection. Recommend conditions regarding noise, odour, construction dust and lighting so as not to impact on neighbouring properties.

- 5.5 **Access Officer:** No comments provided for current application, comments for previous application applied.
- 5.6 **Transport Planning:** No objection. Originally requested further information, subsequently received. The applicant has submitted a Technical Note (Fairhurst, April 2026) addressing matters raised in relation to parking provision, internal layout, vehicle manoeuvring (including swept-path analysis), cycle parking and drainage, this addresses the issues raised. Conditions attached.
- 5.7 **Flood Team:** No objection subject to a condition requiring final surface water drainage design to be submitted prior to commencement of development.
- 5.8 **Forestry Officer :** No comments provided for current application, conditions applied as per existing permission.
- 5.9 **Transport Scotland:** No objection subject to conditions regarding lighting, landscaping and drainage.
- 5.10 **SGN:** No objection. The developer has consulted with SGN direct and have agreed to liaise with SGN throughout the planning process. SGN would require to attend the site prior to any physical works taking place.
- 5.11 **HSE:** No objection

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

- 6.1 **National Planning Framework 4 (2023) (NPF4)**
- Policy 1 - Tackling the Climate and Nature Crises
 - Policy 2 - Climate Mitigation and Adaptation
 - Policy 3 - Biodiversity
 - Policy 5 - Soils
 - Policy 6 - Forestry, Woodland and Trees
 - Policy 7 - Historic Assets and Places
 - Policy 13 - Sustainable Transport
 - Policy 14 - Design Quality and Place
 - Policy 15 - Local Living and 20 Minute Neighbourhoods
 - Policy 20 - Blue and Green Infrastructure
 - Policy 22 - Flood Risk and Water Management
 - Policy 27 - City, Town, Local and Commercial Centres
 - Policy 28 - Retail
- 6.2 **Highland Wide Local Development Plan 2012 (HwLDP)**
- 28 - Sustainable Design
 - 29 - Design Quality and Place-making
 - 30 - Physical Constraints
 - 34 - Settlement Development Areas
 - 40 - Retail Development
 - 41 - Business and Industrial Land
 - 42 - Previously Used Land

- 51 - Trees and Development
- 52 - Principle of Development in Woodland
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built and Cultural Heritage
- 58 - Protected Species
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 74 - Green Networks
- 77 - Public Access

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

Developer requirements: Safeguarded only for Park and Ride/Choose facility and complementary retail provision. Developer masterplan which should include/address: Drainage Impact Assessment; undertake a survey of trees on the site; retain existing trees and woodland of value, especially where subject to statutory or policy protection; set back development from trees and woodland and apply an appropriate tree root protection area to all retained trees; plant additional trees on boundaries as appropriate; and investigate opportunities for nature-based solutions to addressing flood risk through retaining the existing woodland and through tree planting; Protected Species Survey; visualisations to assess and mitigate landscape and visual impact; archaeological survey and recording; Transport Assessment and mitigation including, new/improved active travel links to rest of village and wider strategic route network, no vehicular access to land north of A9.

Placemaking Priorities: Support limited, mixed use expansion to the west of the settlement; Secure infrastructure improvements that play a strategic role in managing travel and visitor impacts; Presume against infill development on greenspaces within the village where they offer amenity, recreational and/or nature conservation value; Safeguard and enhance green network and active travel connectivity.

6.4 Highland Council Supplementary Planning Policy Guidance

- Developer Contributions (March 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)
- Local Place Plan

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

- Scottish Planning Policy (as amended December 2020)
- National Planning Framework 3
- 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 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. All planning applications must now be determined in accordance with the provisions of NPF 4 and the existing Local Development Plan, unless material considerations provide justification otherwise. If there is an inconsistency between NPF4 policies and an LDP which was adopted before 13 February 2023, the NPF prevails under Section 24(3) of the 1997 Town and Country Planning (Scotland) Act 1997 (as amended).

8.3 Planning Considerations

The key considerations in this case are:

- a) compliance with the development plan and other planning policy
- b) planning history – the principle of development is established
- c) siting design and external appearance of the development
- d) impact on infrastructure and services and proposed mitigation
- e) active travel
- f) community and residential amenity
- g) trees, species and biodiversity

any other material considerations arising from the amendment

8.4 Development plan/other planning policy

The site forms part of land that allocated in IMFLDP 2 under NK01: Land Adjoining A9 Junction for community (park and ride/choose), retail. The developer requirements outlined by the IMFLDP refer safeguarding the site for park and ride/choose facility and complementary retail provision. The proposal accords with the retail and car parking elements of this allocation. The developer requirements require drainage, trees, additional planting, flood risk, protected species, landscape and visual impact, archaeology, access and transport to be considered in any proposal for the site.

- 8.5 **National Planning Framework 4.** NPF4 Policies 1-3 apply to all development proposals nationwide. 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. Policies 1 and 2 of IMFLDP 2 generally align with this. Policy 5 protects soils and peat. The site is within an extensive area identified as prime agricultural land, it is however an allocated site within the SDA and it unlikely to every be in active agricultural use given the size and location of the site. Policy 6 requires proposal to ensure the protection and expansion of woodland

and trees and to demonstrate that there is no adverse impacts from development. Policy 9 supports development of vacant land where it is supported by policies of the LDP. Policy 13 support proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs, this includes proposals for electric vehicle charging infrastructure and electric vehicle forecourts. Policy 14 of IMFLDP require proposals to demonstrate how they can maximise walking, wheeling, cycling and public transport. Policy 23 seeks to protect people and places from environmental harm (in this case the potential for pollution and proximity to the gas pipeline). Policies 27 and 28 seek to safeguard the vitality and viability of city, town and local centres.

8.6 **Adopted Highland wide Local Development Plan.** Policy 28 of HWLDP requires proposals to be assessed in terms of a number of sustainable design criteria based around: compatibility with service provision; accessibility; energy efficiency; impact on individual and community residential amenity; demonstrating sensitive siting and high quality design in keeping with local character and the environment and in making use of appropriate materials; promoting varied, lively and well used environments; and accommodating needs of all sectors of the community. Policy 29 states that new development should be designed to make a positive contribution to the architectural and visual quality of the place where it is located and should consider the incorporation of public art. Policy 30 requires developments to demonstrate compatibility with the constraint (in this case the gas pipeline). The site is located within the settlement development area. Policy 34 supports appropriate proposals within SDAs. Policy 40 supports retail development where there is no detrimental impact on the vitality and viability of a city/town/village centre. Policy 51 promotes significant protection to existing hedges, trees and woodland. Policy 55 requires development to avoid unnecessary disturbance, degradation or erosion of peat and soils. Policy 56 promotes sustainable transport. Policies 58, 59 and 60 require proposals to have regard to protected and other important species and habitats. Policy 64 requires proposals to avoid areas susceptible to flooding and promotes sustainable flood management. Policy 65 promotes connection of waste water to the public sewer. Policy 66 states that all development must be drained by SuDS. Policy 72 requires developments to demonstrate that they do not result in significant pollution. Policy 77 seeks to maintain public access.

8.7 **Principle of Development.** The principle of development is established. This application seeks to amend the parking, internal access layout and to subdivide the café unit into 3. This does not raise any issues in terms of overall development plan compliance. The original application was approved on the basis that it has the potential to encourage greater use of electric vehicles for longer journeys, therefore reducing vehicle carbon emissions and making a contribution to addressing the climate emergency and nature crisis in accordance with the aims of NPF 4 and IMFLDP 2. The retail and café/restaurant elements of the proposal are relatively small scale and will support the EV charging providing amenities for users while they wait for their car to be charged. These will also provide additional amenities for residents and could reduce car travel given its location. The site is well connected in terms of proximity to NCN Route 1, to the surrounding houses, and bus stops. The development will provide facilities for both passing trade and for the residents of the village. The provision of local facilities is supported by the development plan as these

contribute to local living and the principle of 20-minute neighbourhoods reducing the need to drive to services. The subdivision of the café unit to provide 3no units offers an opportunity to enhance this provision. A café/restaurant falls within Use Class 3 which provides for the sale of food or drink for consumption on the premises. All 3 of units proposed are within Use Class 3. It is reasonable to expect that that operator may provide food and drink take-away ancillary to this. However, the primary use is Class 3. Any change to this would require planning permission and a full planning assessment. The description of development reflects this, and condition is attached to further reinforce this. The impact on the vitality and viability of the village was assessed prior to granting the existing planning permission, again due to the small scale of the 3no units, there is not expected to be a significant impact.

- 8.8 **Access, Parking and Road Safety** It is not proposed to change the previously approved access arrangements. The site will be accessed from the Charleston roundabout, realigning and upgrading the existing layby. The Transport Statement submitted has been reviewed by Transport Planning and Transport Scotland. No road safety concerns have been raised and it is not considered that the development would result in any significant impacts on the local or trunk road networks. The Transport Statement provides justification for the parking provision, demonstrating that the total number of spaces remains appropriate in terms of the Roads and Transport Guidelines for New Developments. Swept-path analysis has been undertaken for all vehicles demonstrating that all movements can be accommodated safely. Cycle parking provision meets requirements.
- 8.9 **Community and Residential Amenity** The siting, design and layout avoid any significant overlooking/ privacy/ overshadowing/ overbearing impacts on neighbouring houses. The only change in this regard is the subdivision of the café (Class 3) block. The subdivided unit occupies largely the same footprint and the design is close to that previously approved. It is not considered that the amendment has the potential to result in a significant rise in amenity impacts, given the small scale of the units. Quality planting and timber fencing will help to mitigate the visual impact of the development, this is secured by condition. As with the existing permission, there will be an increase in traffic as a result of the development as a whole, but it is not considered that any change to traffic generation resulting from the subdivision will be significant.
- 8.10 The operator will be responsible for ensuring the site is maintained in a clean and tidy state free of litter. A condition is attached requiring a factor to be appointed for maintenance of the overall site.
- 8.11 Conditions are attached at the request of Environmental health to ensure any noise impacts are mitigated during construction and during operation. Conditions are also attached to secure appropriate lighting schemes to avoid amenity, road safety and protected species impacts from lighting.
- 8.12 In order to safeguard adjoining residential amenity it is considered appropriate to restrict the hours of operation of both the café/restaurant units and the retail unit to between 07:30 – 22:00. This will be safeguarded by condition.
- 8.13 **Trees, Woodland, Species, Biodiversity and Enhancement** There is a Tree Preservation Order on the north/eastern boundary of the site which as forms part of

the green network identified by the IMFLDP 2. The previous application was supported by a tree survey and arboricultural impact assessment. The current application does not result in any new impacts. Conditions are attached in relation to tree protection and to secure a landscaping scheme and the provision of bat and bird boxes, as well as a high standard of boundary detailing including a feature stone.

8.14 **Water Environment** It is proposed to connect to the public water and wastewater networks in accordance with development plan policy. The Flood Team and Transport Planning have no objections regarding surface water drainage subject to a condition requiring further details to be submitted.

8.15 **Historic Environment** The application lies in an area of archaeological potential. This includes buried remains indicated by a cropmark of a ring-ditch recorded within the application area (MHG29988), and extensive and significant prehistoric archaeological remains identified in the immediate surrounding area during previous developments. There is potential therefore for buried features or finds to be impacted by ground-breaking works required for this development. A condition is attached

Other material considerations

8.16 **Third Party Representations**

Concerns have been raised regarding the potential for the subdivision of the café/restaurant building to increase footfall and traffic resulting in safety and amenity concerns. The resulting units are small scale, and while there could be an increase in customers over and above that anticipated for the existing consented development, it is unlikely that this will be a vast increase given the small scale of the units. The site is well connected in terms of active travel opportunities. Transport Planning and Transport Scotland have no objections.

A condition remains attached for a factor to be appointed to manage the site in a tidy state which will mitigate concerns about rodents and littering.

Environmental Health related conditions are attached to mitigate impacts on the surrounding area.

The principle of development is established and it is not considered that the proposed amendment will significantly change any impact on the character of the area.

Non-material considerations

8.13 None

Matters to be secured by Legal Agreement / Upfront Payment

8.14 None

9. CONCLUSION

9.1 The principle of development is established and the existing planning permission is capable of being implemented. The current application seeks to amend the existing permission insofar as the subdivision of the café unit to form 3no units, and also a reconfiguration of the internal access and parking. These changes are within overall

compliance with NPF 4 and the development plan will not significantly change the overall impact of the development and previously assessed and approved.

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

10. IMPLICATIONS

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

11. RECOMMENDATION

Action required before decision issued N

Notification to Scottish Ministers N

Conclusion of Section 75 Obligation N

Revocation of previous permission N

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

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

2. No development shall commence until full details of the final surface water drainage design has been submitted to and approved in writing by the Planning Authority in consultation with the Flood Team. This shall be in accordance with the principles outlined by the Drainage Impact Assessment (DIA) provided (Commercial Development at North Kessock, Inverness, DIA Issue 2. Fairhurst. 11/09/24). Thereafter the development shall be completed and maintained in accordance with the approved details.

Reason: To protect the water environment

3. No development shall commence until details and design of the surface water drainage requirements for the existing local public road impacted by this development have been submitted to and approved in writing by the Planning

Authority in consultation with the Roads Authority. Once approved, those designs should be fully implemented and operating prior to first occupation/use of the first part of the development and thereafter maintained.

Reason: To ensure that surface water run off from the development and the modified road interface is appropriately managed and does not adversely affect the existing public road drainage system.

4. There shall be no drainage connections to the trunk road drainage system.

Reason: To ensure that the efficiency of the existing trunk road drainage network is not affected.

5. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority, thereafter the development shall be completed and maintained in accordance with the approved details. Once approved, that Plan should be reviewed regularly, including considering and acting on feedback received from the experiences of the local community whilst those works are being undertaken.

Reason: In the interests of road and public safety. To minimise the impact of construction traffic on the public road network and to ensure the safety of all road users, including pedestrians and cyclists.

6. No development shall commence until full details of cycle parking for 16 cycles (further to the already submitted details), including weather protection measures, has been submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority. Thereafter the approved cycle parking shall be provided prior to first occupation/use of the first part of the development and maintained in perpetuity.

Reason: To ensure that adequate, safe and attractive cycle-parking facilities are provided in accordance with best practice, thereby promoting sustainable travel.

7. No development shall commence until details of the external lighting within the site have been submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland and Environmental Health. The external lighting system shall be designed and installed in accordance with the best practice contained in the Institute of Lighting Professionals document Guidance Notes for the Reduction of Obtrusive Light. Thereafter the development shall be completed and maintained in accordance with the approved details.

Reason: To ensure that there will be no distraction or dazzle to drivers on the Trunk Road and that the safety of the traffic on the Trunk Road will not be diminished, and in the interests of amenity.

8. No development shall commence until details of any landscaping treatment along the trunk road boundary have been submitted to, and approved in

writing by the Planning Authority in consultation with Transport Scotland (and the Forestry Officer). Thereafter the development shall be completed and maintained in accordance with the approved details. All landscaping shall be located such that it can be installed and maintained from within the development without requiring access to the trunk road.

Reason: To ensure that there will be no distraction to drivers on the Trunk Road and that the safety of the traffic on the Trunk Road will not be diminished.

9. The Rating Level of noise arising from this development as determined in accordance with BS 4142:2014+A1:2019 Methods for Rating and Assessing Industrial and Commercial Sound shall not exceed the approved background noise level.

No development shall commence until a Noise Impact Assessment in relation to the EV charging activities has been submitted to and approved in writing by the Planning Authority in consultation with Environmental Health. This shall be carried out by a suitably qualified and competent person in accordance with BS 4142:2014+A1:2019 Methods for Rating and Assessing Industrial and Commercial Sound. The assessment should identify the background noise levels at noise sensitive receptors and demonstrate that noise levels arising from the EV charging activities development will meet the prescribed limit. Thereafter the development shall be operated in accordance with the approved details.

Prior to occupation of any and each part of the Class 1A or Class 3 units, a Noise Impact Assessment shall be submitted to and approved in writing by the Planning Authority in consultation with Environmental Health. The Noise Impact Assessment shall be carried out by a suitably qualified and competent person in accordance with BS 4142:2014+A1:2019 Methods for Rating and Assessing Industrial and Commercial Sound. The assessment should include proposed operating hours and should demonstrate that cumulative noise levels arising from the development will meet the prescribed limit. Thereafter the development shall be operated in accordance with the approved details.

Reason: In the interests of residential and community amenity.

10. Prior to occupation of each and any part of the Class 3 units, details of the proposed ventilation and filtration systems shall be submitted to and approved in writing by the Planning Authority in consultation with Environmental Health. These shall be designed to eliminate the risk of odours at any residential property. Thereafter the approved details shall be implemented.

Reason: In the interests of amenity to eliminate the risk of odours.

11. No development shall commence until a construction noise mitigation scheme which demonstrates how the developer will ensure the best practicable measures are implemented in order to reduce the impact of construction noise at sensitive receptors has been submitted to and approved in writing by the

Planning Authority in consultation with Environmental Health. Thereafter the approved details shall be implemented.

Reason: In the interests of amenity to mitigate the risk of noise.

12. No development shall commence until a construction dust mitigation scheme which demonstrates how the applicant/contractor will ensure the best practicable measures are implemented in order to reduce the impact of dust at sensitive receptors has been submitted to and approved in writing by the Planning Authority in consultation with Environmental Health. Thereafter the approved details shall be implemented.

Reason: In the interests of amenity to mitigate the risk of dust.

13. Deliveries and waste collections shall be restricted to between 0800 and 2200 Monday to Saturday, unless agreed in writing by the Planning Authority.

Reason: In the interest of amenity.

14. No development shall commence until details of any temporary diversion of the existing path network during construction shall be submitted to and approved in writing by the Planning Authority in consultation with the Access Officer (and Transport Planning and Transport Scotland if required).

Reason: In order to safeguard public access during the construction phase of the development.

15. No signage shall be installed on the buildings until full details of the signage have been submitted to and approved in writing by the Planning Authority. Thereafter the signage shall be in accordance with the approved details.

Reason: In the interests of amenity.

16. No development shall commence until an updated Tree Protection Plan, Arboricultural Method Statement and Landscape Plan have been submitted to and approved in writing by the Planning Authority. A suitably qualified arboricultural consultant shall be employed at the developer's expense to ensure that the approved Tree Protection Plan, Arboricultural Method Statement and Landscape Plan are implemented to the agreed standard. Stages requiring supervision are to be agreed with the Planning Authority and certificates of compliance for each stage are to be submitted for approval. No development, including site clearance or demolition, shall commence until an arboricultural consultant has been appointed and a work instruction issued enabling them to undertake the necessary supervision unhindered for the duration of the project. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme. The landscape plan shall include all areas of soft and hard landscaping including walls and fences.

Reason: To secure the successful implementation of the approved Tree Protection Plan and Landscape Plan in the interests of amenity and biodiversity enhancement.

17. No development shall commence until details of a public art entrance feature to the site has been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be completed in accordance with the approved details and before the completion of the development.

Reason: In the interest of visual and community amenity and to make a proportionate public art contribution in accordance with the Council's DCSG Given the site's public prominence at the gateway to the village the site's boundary treatments should be of a higher quality than standard for a development of this type, for example a stone wall entrance feature.

18. No development shall commence until at least 2no bird boxes and 2no bat boxes have been attached to trees within the woodland on the northern boundary.

Reason: To support biodiversity enhancement

19. No development shall commence on the each of the buildings until detailed floor plans have been submitted to and approved in writing by the Planning Authority. This shall also include details of any external servicing/storage/bin storage areas.

Reason: To ensure that the development complies with the terms of the planning permission, detailed floor plans have not been submitted since this is a speculative development at the time of application.

20. No development shall commence until a phasing programme has been submitted to and approved in writing by the Planning Authority. This shall detail the sequence of development with the site access and EV charging bays being delivered in the first phase of development and operational prior to any other element of the site coming into first use.

Reason: In order to enable the Planning Authority to retain effective control over the development, to avoid it being undertaken in a piecemeal manner. The site access and the EV chargers should be in the first phase of development as the development is supported in planning policy terms as an EV charging station

21. The café/restaurant and the retail units hereby approved shall not be open to customers, and no customer shall be allowed on the premises, outwith the hours of 730am-10pm, unless agreed in writing by the Planning Authority.

Reason: In the interests of residential amenity given then site is located within a residential area.

22. 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.

23. The 3no café/restaurant units shall be used as Class 3 (food and drink) premises for the consumption of food and drink on the premises. Takeaway sales may take place only as an incidental and ancillary element of that use and shall not constitute a separate or primary use.

Reason: In accordance with the use applied for. The assessment of the application has been based on primary use being Class 3.

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.

Road Construction (RCC)

A Road Construction Consent (RCC) shall be obtained for all works affecting the public road, including the roadside footway and any access alterations.

Reason: To ensure that all works affecting the public road are designed and constructed in accordance with the Roads Authority's standards and do not prejudice road safety or network operation.

Gas Pipeline

Excavations, stockpiling of material, vehicles crossing over the route of the pipeline, changes in ground levels, drilling, piling and the siting of temporary structures, cabins and containers are all activities that can have a negative impact on the pipeline. This list is not exhaustive and SGN advice should be sought if in any doubt. Contact should be made with the local Pipeline Engineer Phil Burnett (Philip.burnett@sgn.co.uk) with regards to work commencing near the HP pipeline.

Archaeology

The archaeology 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 qualified archaeologist.

Flood Risk

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

Scottish Water

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

Septic Tanks and Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

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

Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at:

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

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

http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2Mud and Debris on Road

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

Construction Hours and Noise-Generating Activities

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Protected Species – Halting of Work

You are advised that work on site must stop immediately, and NatureScot must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from NatureScot: <https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species>

Signature:

Designation: Area Planning Manager – North

Author: Emma Forbes

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

Drainage Impact Assessment

Transport Statements

Relevant Plans:

Plan 1 - Location Plan 22.19 P-001

Plan 2 - Site layout plan P_100

Plan 3 - EV charger canopy elevations P_200

Plan 4 - EV charger unit elevations P_205

Plan 5 - Class 3 Café elevations 22.19-P-020 REV B

Plan 6 - Class 1A Retail elevations 22-19-P-023 REV A

Appendix 1 – Letters of Representation

Objectors

1. Mr R Simon Cole-Hamilton, 1 Bellfield Drive, Charleston, North Kessock, Inverness, IV1 3XT (2/3/26)
2. Alison Swanson, 8 Bellfield Road, North Kessock, Inverness, IV1 3XU (27/2/26)
3. Sue and Bob Blaney, 12 Tor Gorm Road, North Kessock, Inverness, IV1 3JJ (1/3/26)



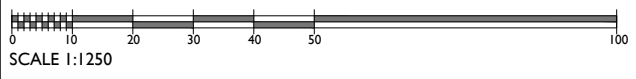
SITE BOUNDARY ———

SITE AREA
7148sqm / 0.7 Hectares / 1.76 Acres

Project:
NORTH KESSOCK

Client:
WESTCOAST ESTATES

Drawing title:
LOCATION PLAN



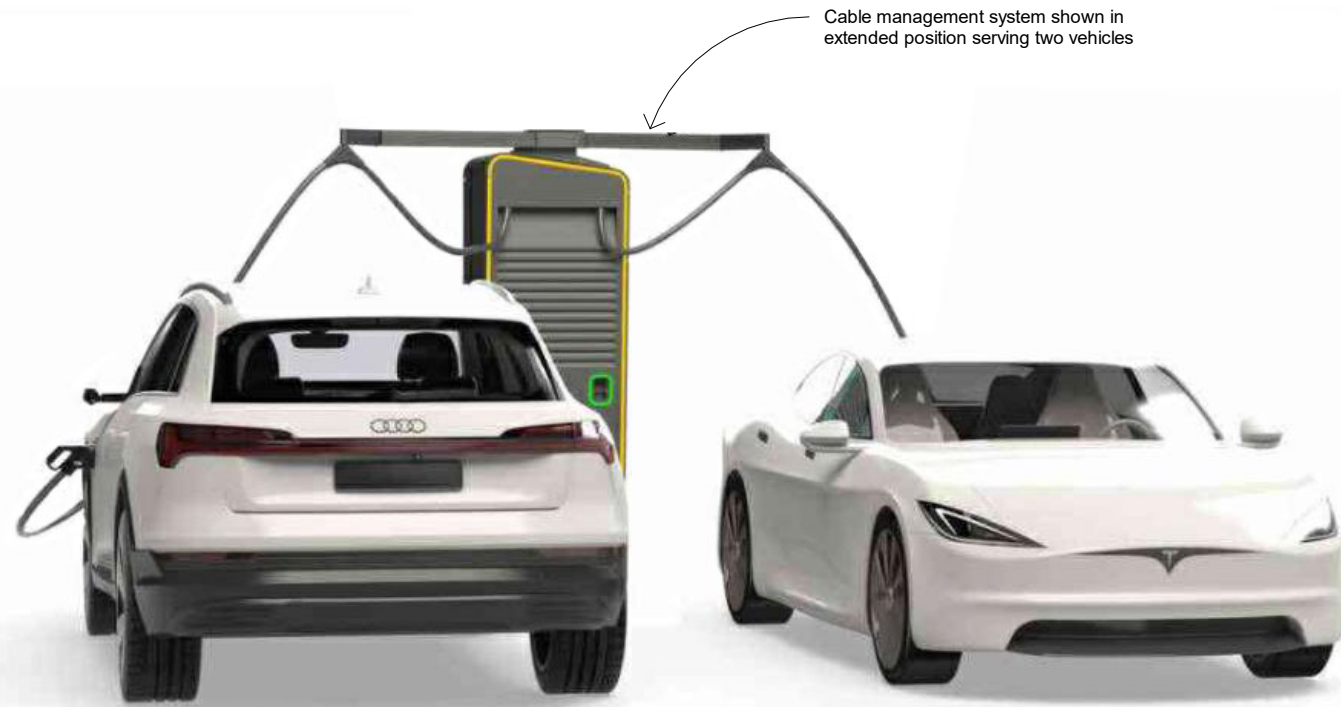
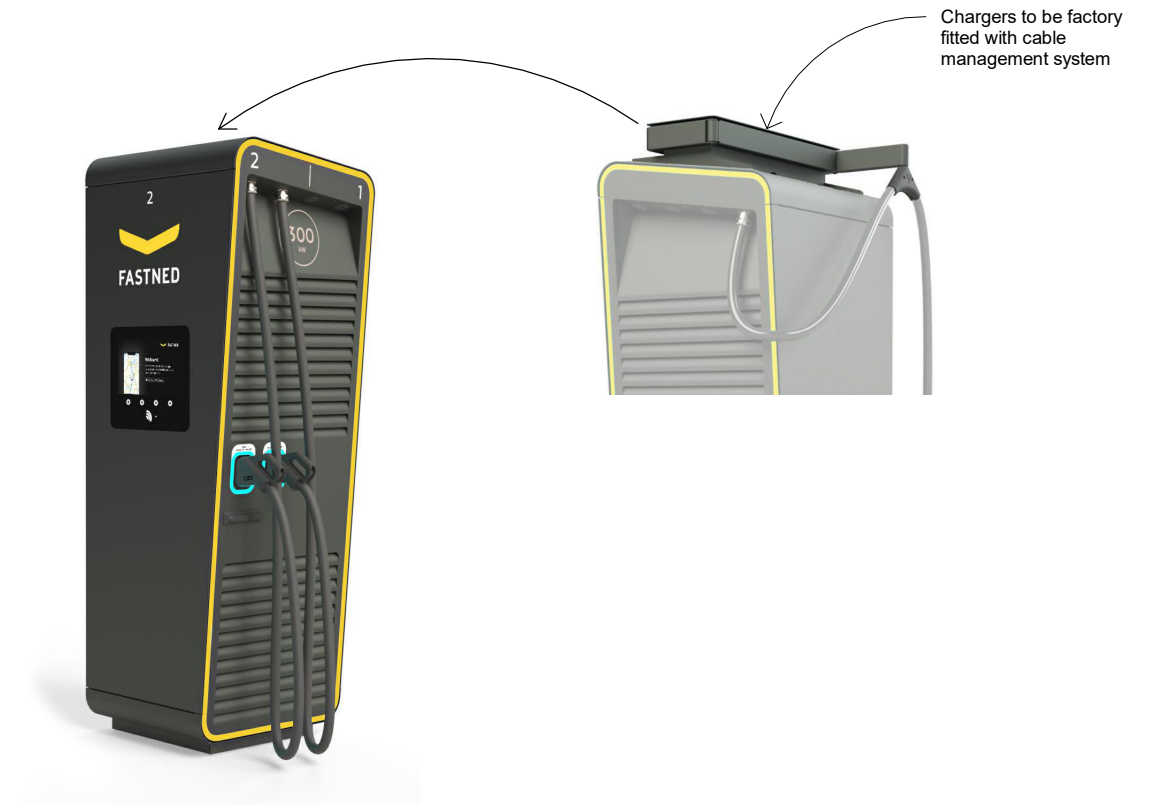
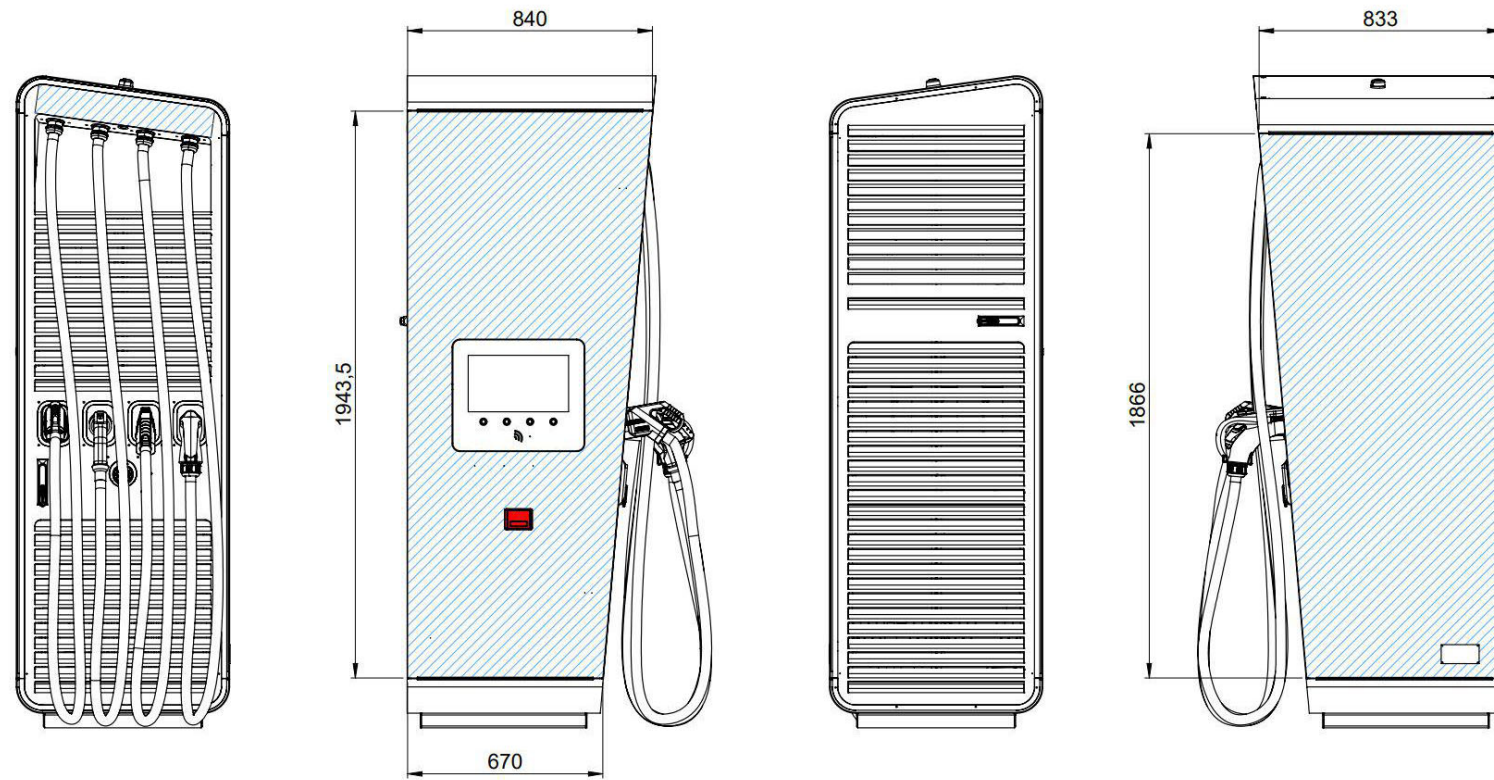
CAG ARCHITECTS 

GARROWOOD STUDIO, GRANGE, KEITH T: 01315169820 E: INFO@CAGARCHITECTS.CO.UK

Scale: 1:1250@A3	Issue Status: PLANNING	Approved:
Drawn: AWS	Checked:	Date:
Date: 31.05.23	Date:	Revision:

Drawing No.:
22.19-P-001

Rev.	Date	Description

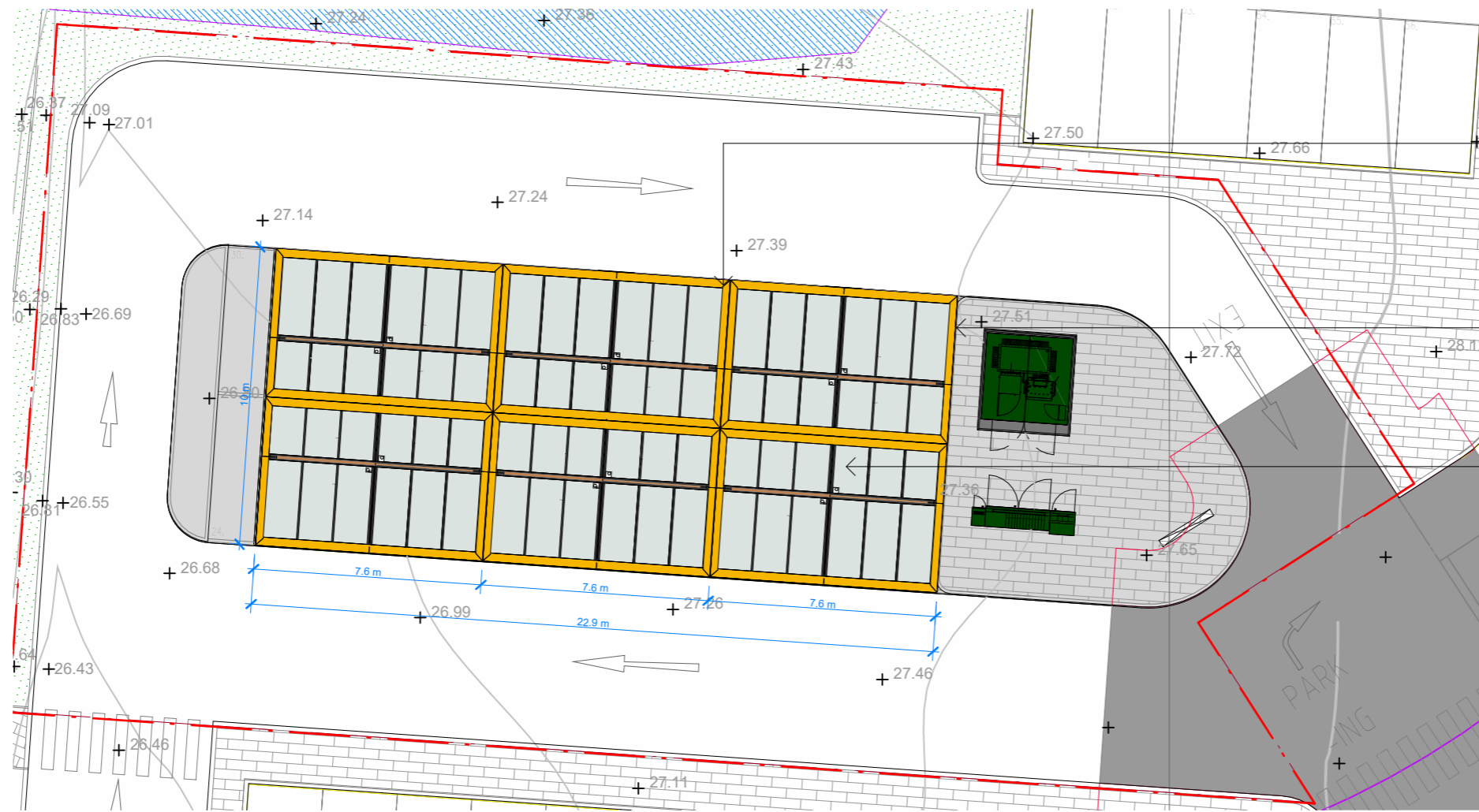


Alpatronic Hypercharger 400 (HYP 400)

- Charging capacity of 400kW CCS
- Each charger capable of serving 2 car spaces at once
- 4 No. HYP400 total on site
- Screen height allows for wheelchair access
- Colour anthracite with yellow accent edging
- Fastned logo above screen as shown
- Pre-fitted with cable management system to aid movement of charging cable and plug



Project:	44.087 North Kessock		Fastned UK Ltd. 1st Floor, 3 Bath Place London EC2A 3DR E: contact@fastned.co.uk T: 0203 936 1703
Drawing Title:	Proposed Charging Units		
Status:	PLANNING		
Scale: NTS	Format: A3	Drawing No: P_205	
Author: AE	Date: 30/10/25	Revision: -	



Drainage falls towards centre of canopy; drainpipes integrated with timber columns

Steel framing to canopy; finish PPC colour yellow; RAL 1021

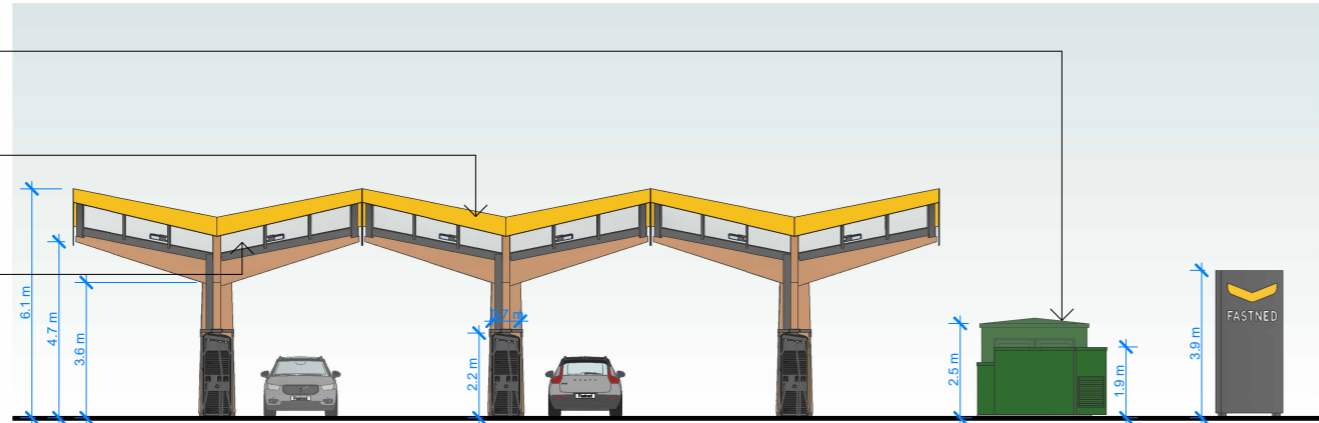
Solar glass: clear laminated glass with integrated photovoltaic solar cell array

1 Proposed Canopy Level Plan
1 : 200

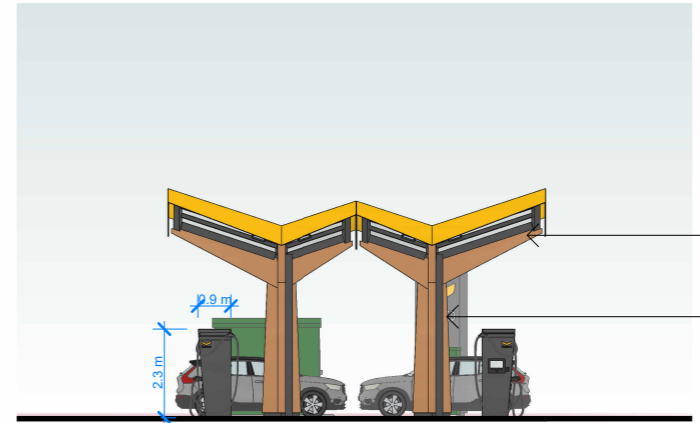
Substation GRP housing, colour dark green

Steel framing overclad with metal profile; finish PPC, colour, yellow RAL 1021

Solar glass: clear laminated glass with integrated photovoltaic solar cell array



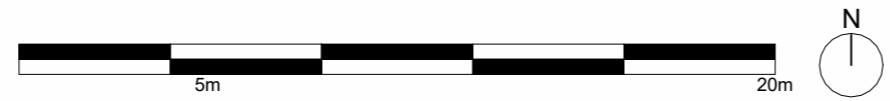
2 South Elevation
1 : 200



Sustainably sourced glulam timber columns and cantilever beams

Integrated drainpipe

3 West Elevation
1 : 200



Project:	44.078 North Kessock	Fastned UK Ltd. 1st Floor, 3 Bath Place London EC2A 3DR E: contact@fastned.co.uk T: 0203 936 1703
Drawing Title:	Proposed Elevations and Canopy plan	
Status:	PLANNING	Drawing No: P_200
Scale: 1:200/ 1:100	Format: A3/A1	
Author: AE	Date: 30/10/25	Revision: -

KEY :-

PLOT 1

COMMERCIAL
UNIT 400 sqm (4,305 sq.ft) GIA
20no. Parking Bays incl 3No. DDA bays

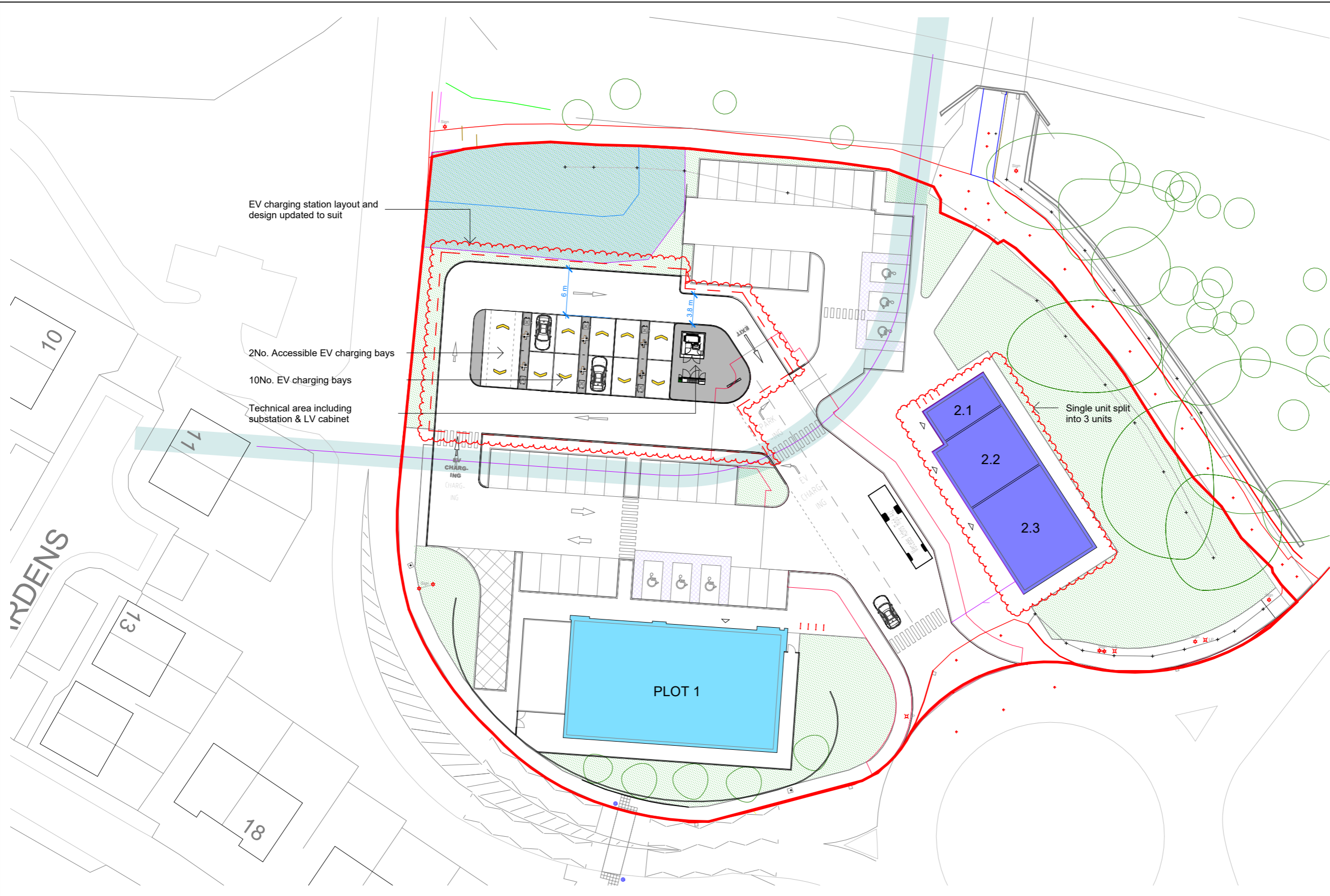
PLOT 2

CLASS 3 UNIT
UNIT 260 sqm (2,800sq.ft) GIA
Unit 2.1 400sqft
Unit 2.2 1000sqft
Unit 2.3 1400 sqft
18No. Parking Bays incl 3No. DDA bays

EV Charging Area

12No. Charging bays, including 2No. Disabled Bays

Technical and including substation and LV cabinet



17 DENS

10

17

13

18

PLOT 1

2.1

2.2

2.3

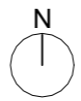
Single unit split into 3 units

EV charging station layout and design updated to suit

2No. Accessible EV charging bays

10No. EV charging bays


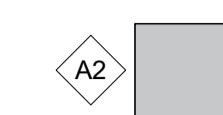





Technical area including substation & LV cabinet

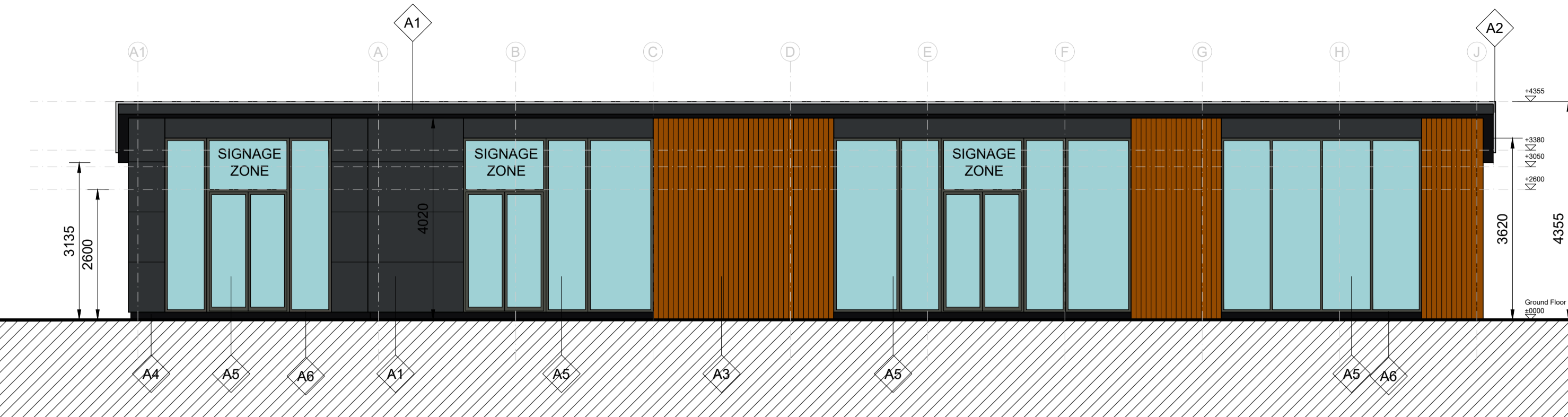


Project:	44.078 North Kessock	
Drawing Title:	Site Layout Plan	
Status:	PLANNING	
Scale:	1:500 / 1:250	Format: A3/A1
Author:	AE	Date: 30/10/25
		Drawing No: P_100
		Revision: -

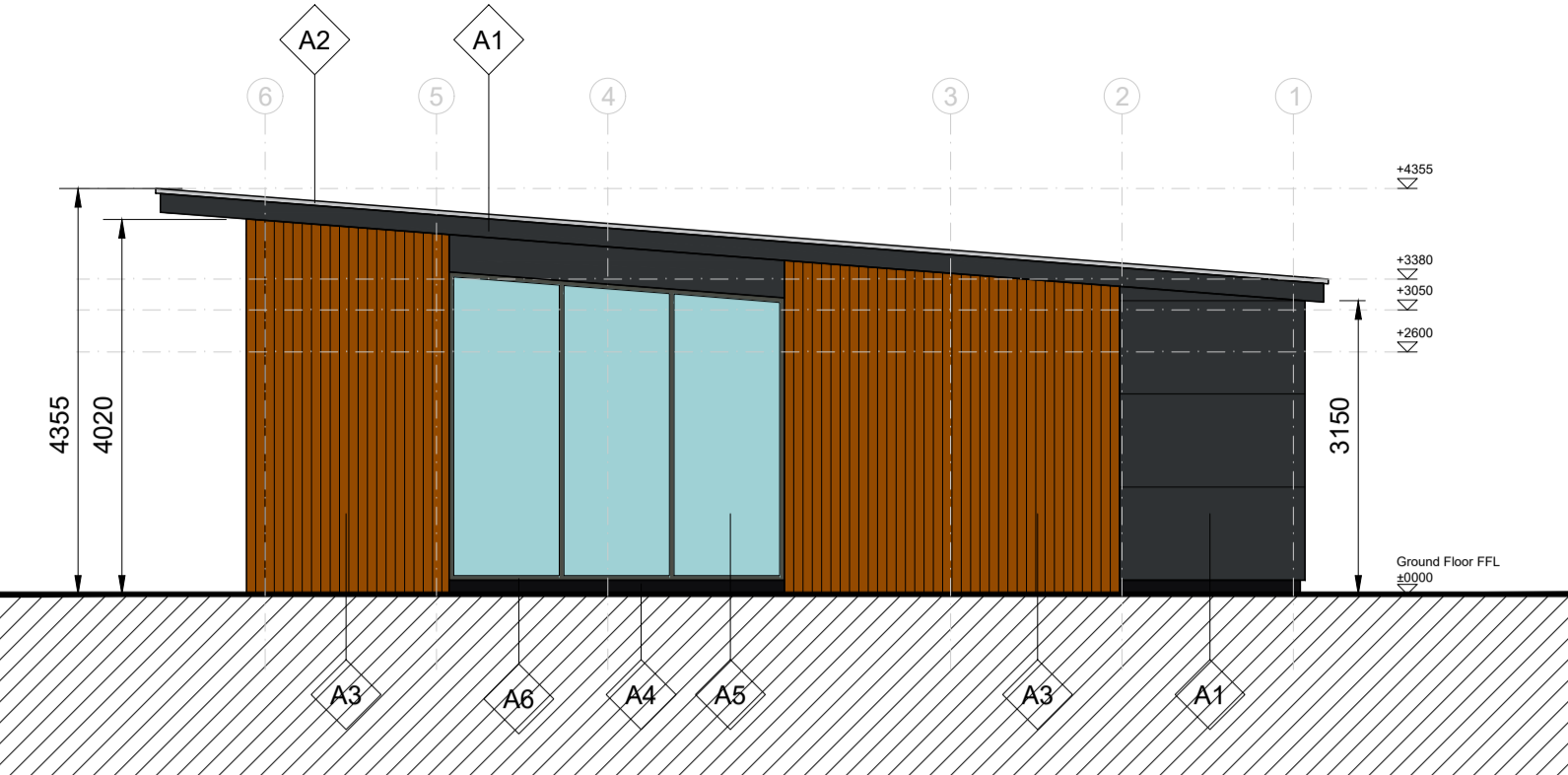
Fastned UK Ltd.
1st Floor, 3 Bath Place
London
EC2A 3DR
E: contact@fastned.co.uk
T: 0203 936 1703

MATERIALS LEGEND

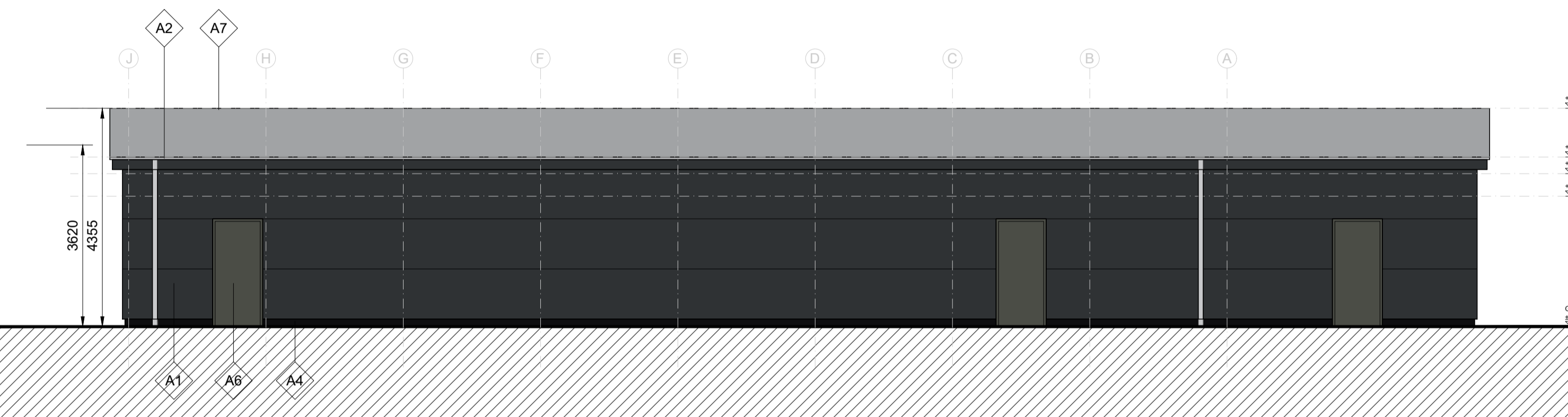
-  A1 Kingspan cladding panels RAL 7021
-  A2 Aluminium edge panel Ral 7016
-  A3 Timber cladding Random mix of timber effect cladding panels
-  A4 Aluminium base panel RAL 9005
-  A5 Restaurant Glazing PPC RAL 9005 Jet Black frames
-  A6 Window and Doors PPC RAL 9005 Jet Black frames
-  A7 Single ply roof membrane Light grey



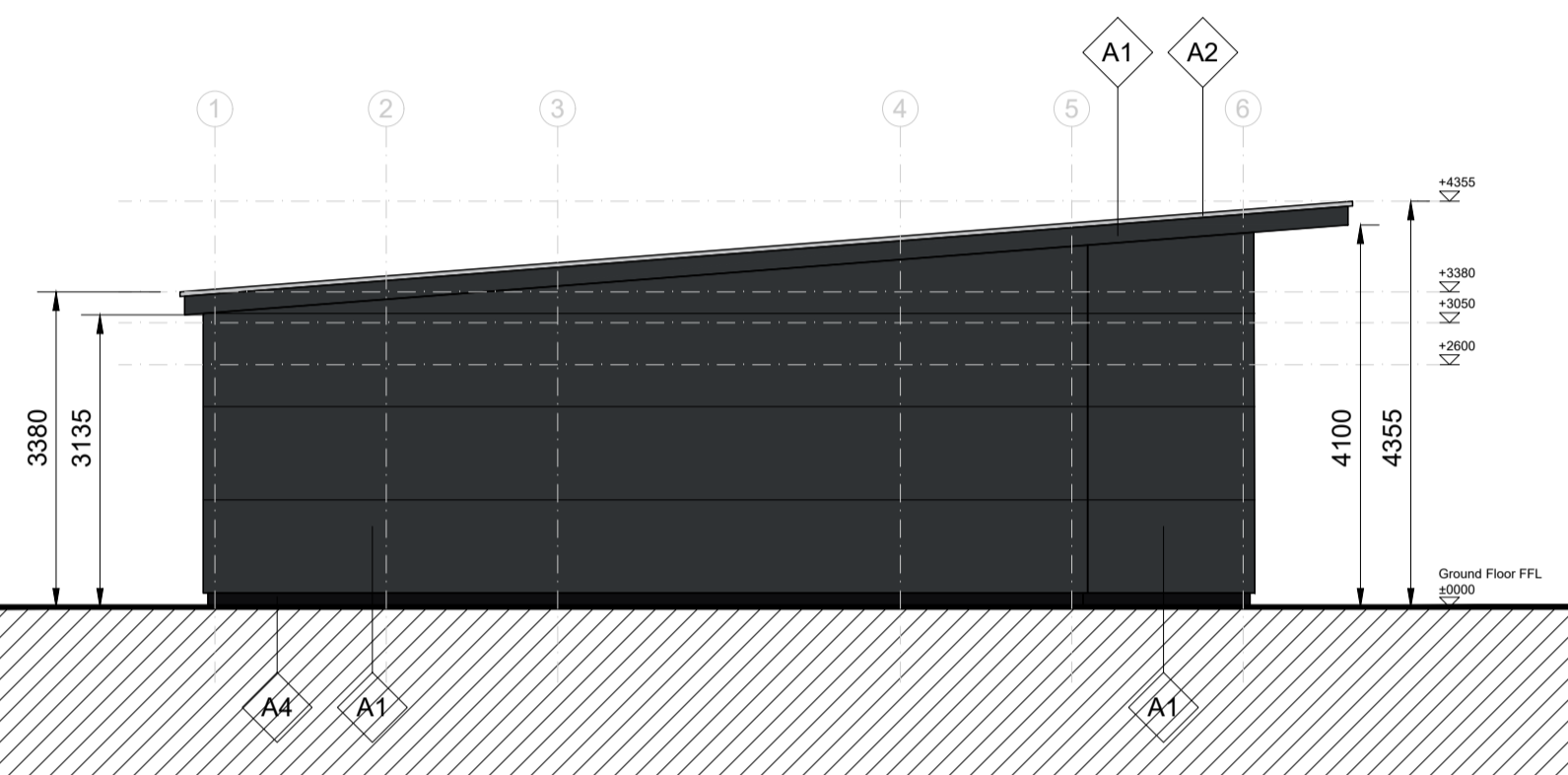
01 SOUTH ELEVATION
SCALE 1:80



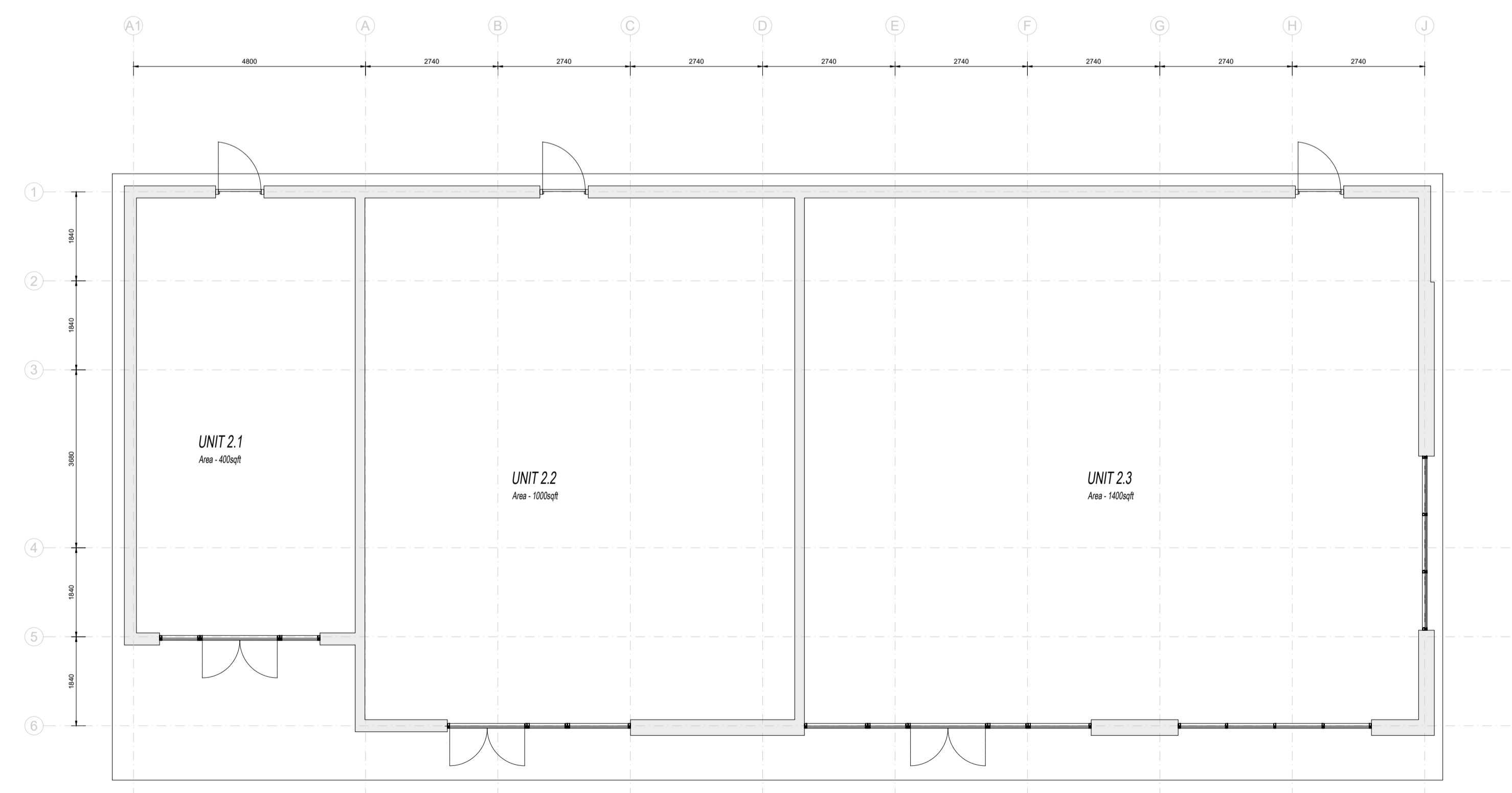
03 EAST ELEVATION
SCALE 1:80



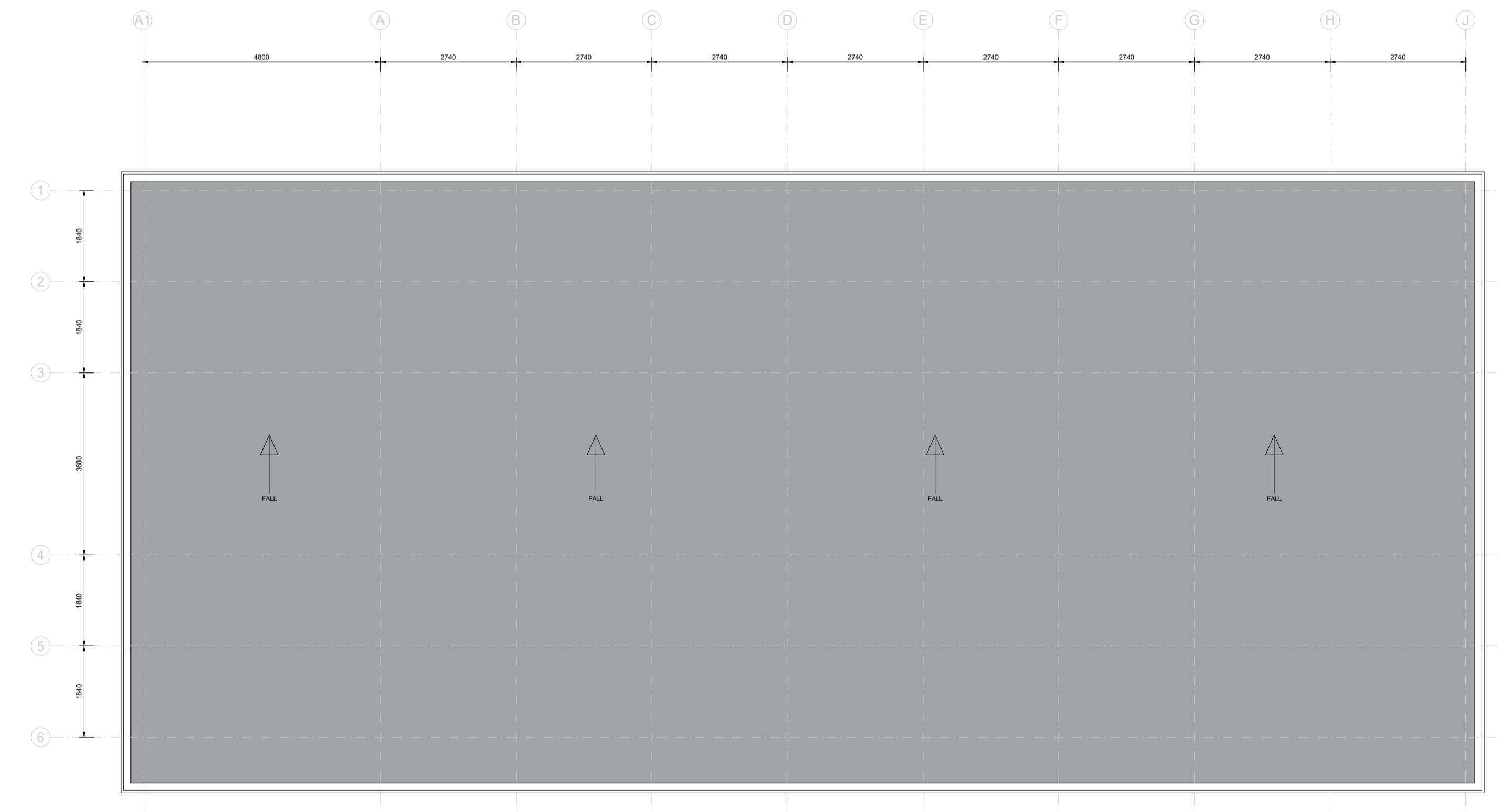
02 NORTH ELEVATION
SCALE 1:80



04 WEST ELEVATION
SCALE 1:80




05 FLOOR PLAN
SCALE 1:80



06 ROOF PLAN
SCALE 1:80

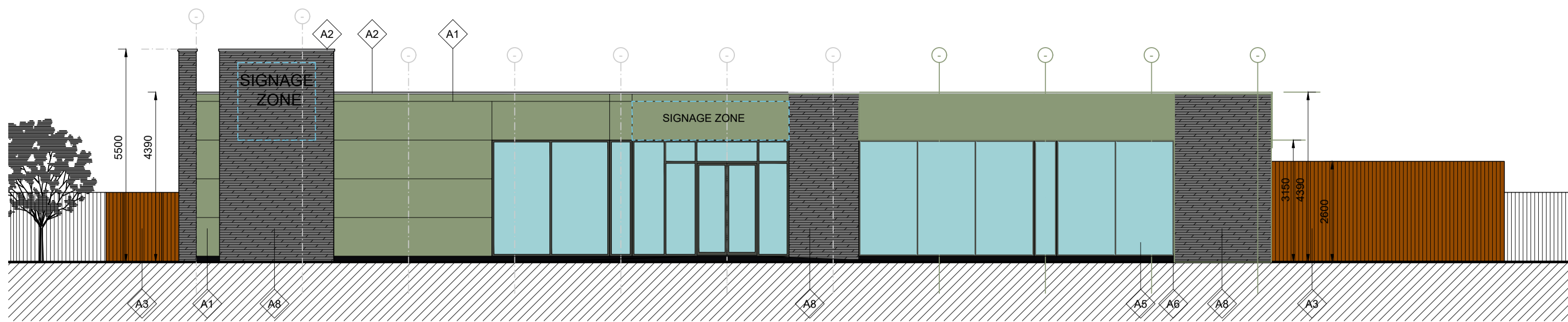
Rev.	Date	Description
B	22/01/24	REVISED PROPOSALS
A	06/08/24	REVISED PROPOSALS

KEY:

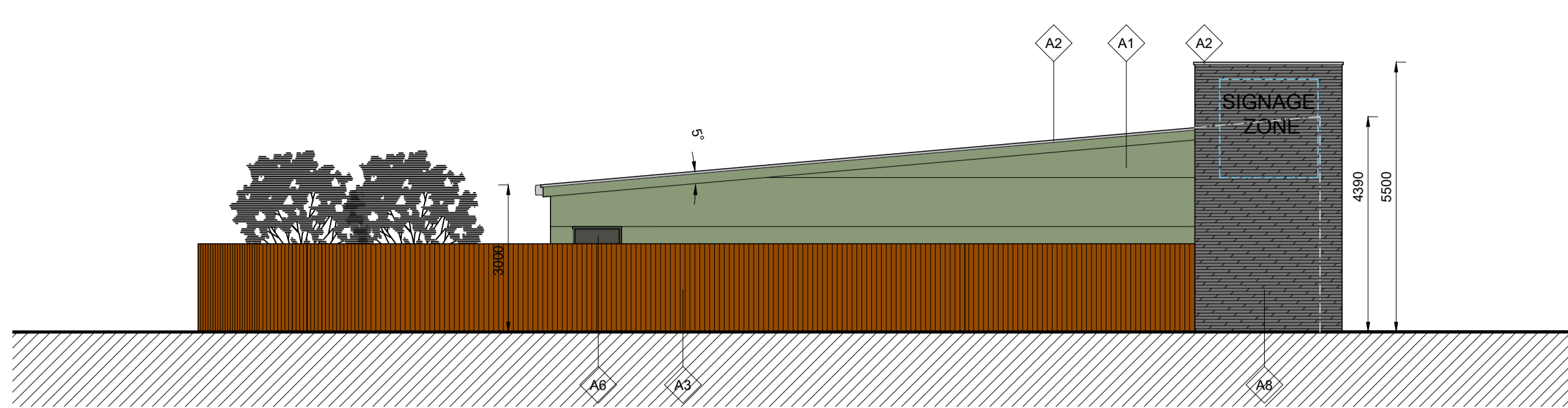
Project: NORTH KESSOCK			
Client: WEST COAST ESTATES	Scale at A1: 1:80@A1	Issue Status: PLANNING	Approved:
Drawing title: PROPOSED ELEVATIONS - DRIVE TO RESTAURANT	Drawn: AWS	Checked:	Date:
Date: 06.08.24	Drawn by:	Checked:	Date:
		Revision:	B

22.19-P-020

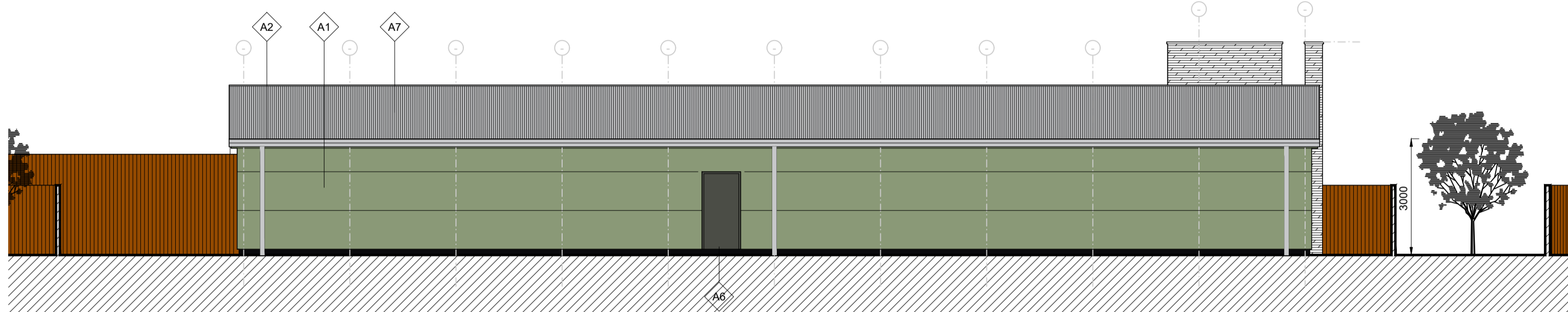




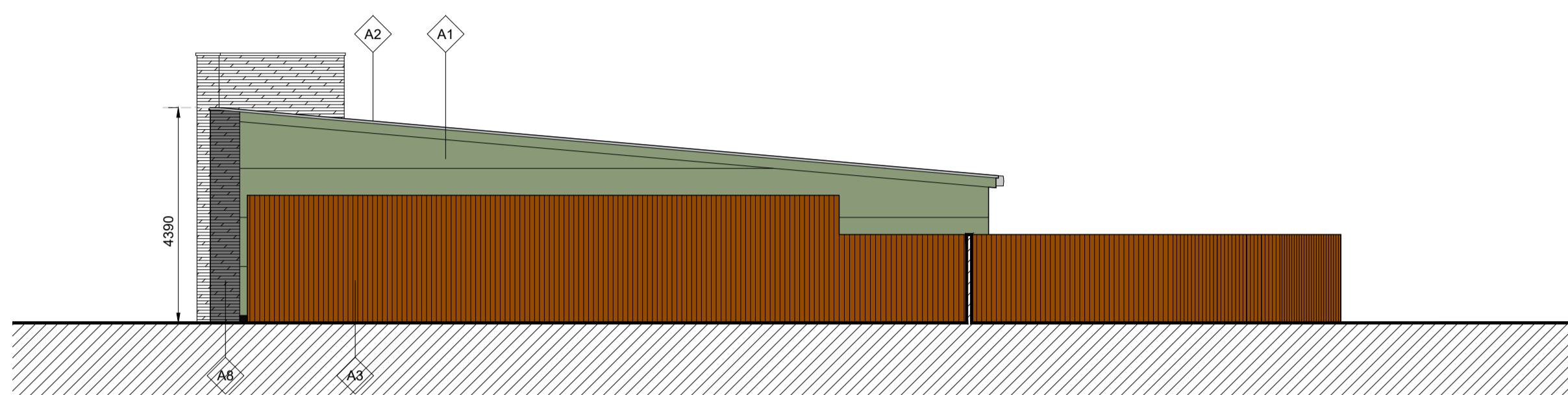
01 NORTH ELEVATION
SCALE 1:100



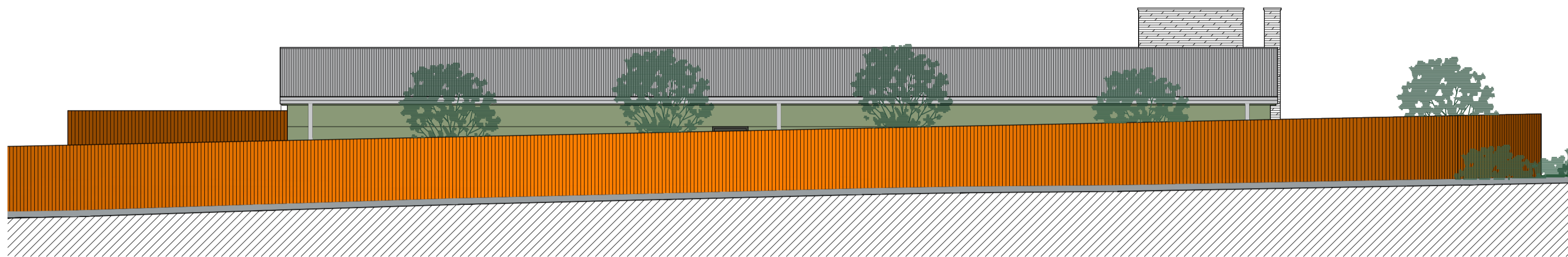
03 EAST ELEVATION
SCALE 1:100



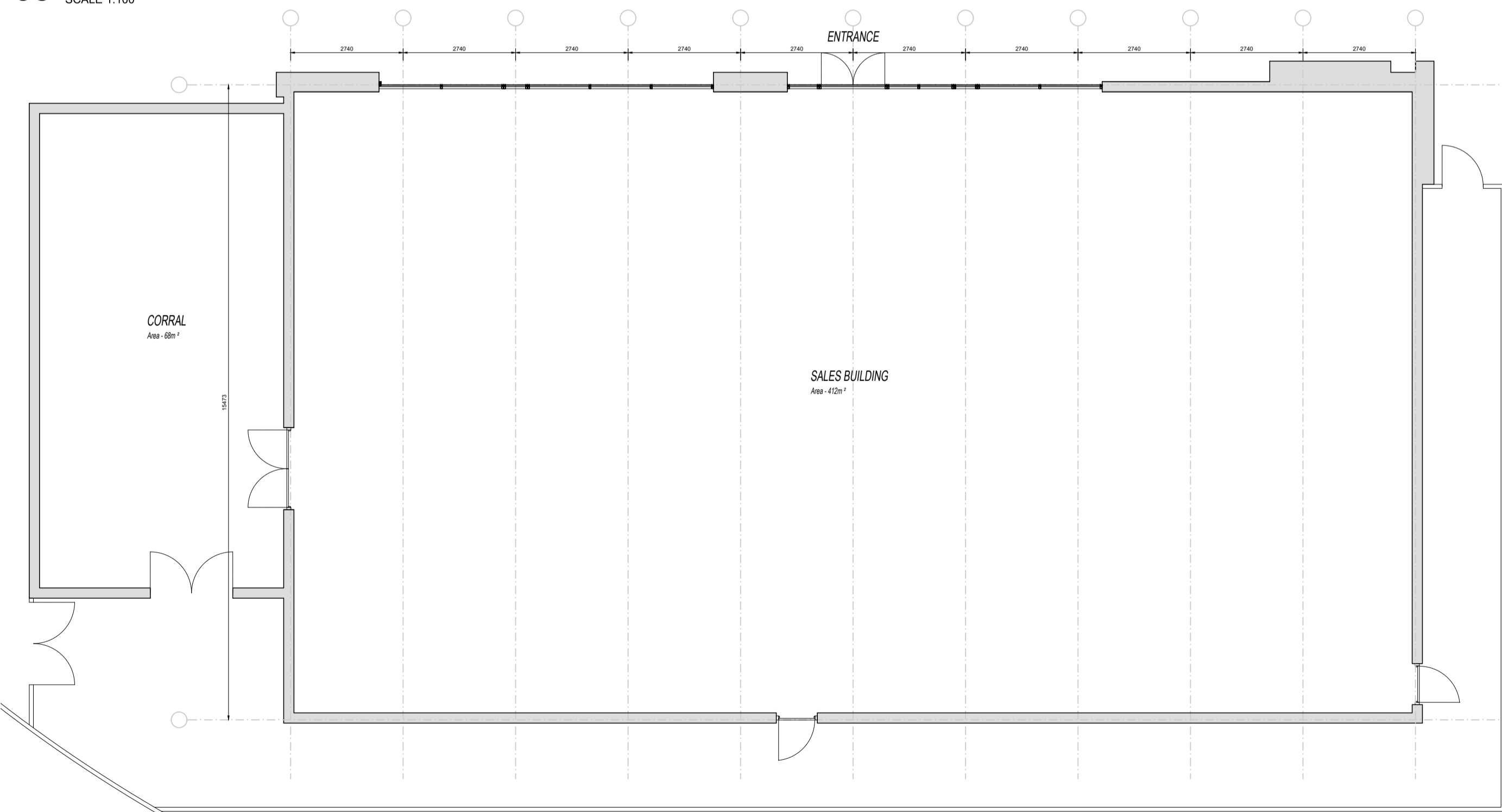
02 SOUTH ELEVATION
SCALE 1:100



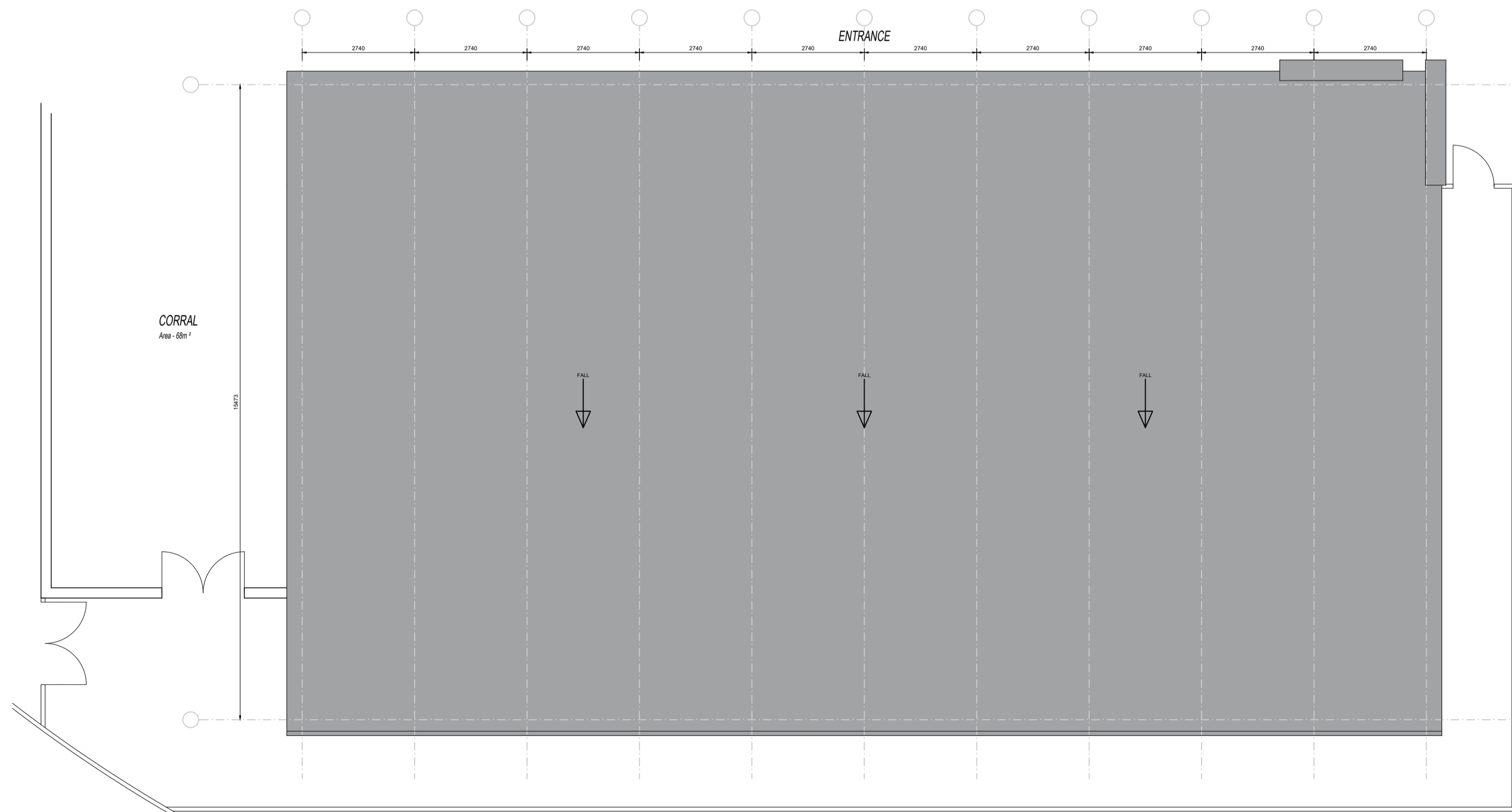
04 WEST ELEVATION
SCALE 1:100



05 SOUTH ELEVATION AS VIEWED FROM ADJACENT ROAD
SCALE 1:100



06 FLOOR PLAN
SCALE 1:100



07 ROOF PLAN
SCALE 1:100

- MATERIALS LEGEND**
- A1 Kingspan cladding panels RAL 6021
 - A2 Aluminium edge panel Ral 7016
 - A3 Timber cladding Random mix of timber effect cladding panels
 - A4 Aluminium base panel RAL 9005
 - A5 Restaurant Glazing PPC RAL 9005 Jet Black frames
 - A6 Window and Doors PPC RAL 9005 Jet Black frames
 - A7 Single ply roof membrane Light grey
 - A8 Stone/Cladding Feature Panels Slate/horizontal banding

KEY:

Riv.	Date	Description
A	09/12/24	ROOF PLAN

Project:
NORTH KESSOCK

Client:
WEST COAST ESTATES

Drawing Title:
PROPOSED RETAIL UNIT

Scale at A1:
1:100@A1

Issue Status:
PLANNING

Drawn:
RA

Checked:

Date:
23.06.24

Drawing No.:

0 1 2 3 6.0m

CAG ARCHITECTS

GARRWOOD STUDIO, GRANGE, KETHIC T: 01315 169920 E: INFO@CAGARCHITECTS.CO.UK

Scale at A1: 1:100@A1

Issue Status: PLANNING

Drawn: RA

Checked:

Date: 23.06.24

Drawing No.:

22.19-P-023

Revision: A