Planning and Environmental Appeals Division
Hadrian House, Callendar Business Park, Falkirk, FK1 1XR
E: dpea@gov.scot T: 0300 244 6668

Scottish Government
Riaghaltas na h-Alba
gov.scot

Town and Country Planning (Scotland) Act 1997
Appeal: Notice of Intention

Notice of Intention by Declan King, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: PPA-270-2325
- Site address: Land 65m west of Dunvegan, 35 Clachnaharry Road, Inverness, IV3 8QN
- Appeal by Henderson Group Ltd against the decision by The Highland Council
- Application 24/00970/FUL for planning permission dated 15 March 2024 refused by notice dated 11 February 2026
- The development proposed: Erection of 12no. flats with associated roads, parking, services and landscaping
- Application drawings listed in Schedule 2 at end of notice
- Date of site visit by Reporter: 19 May 2026

Date of notice: 27 August 2026

Notice of Intention

For the reasons given below I am minded to allow the appeal and grant planning permission subject to the conditions listed below, following the signing and registering or recording of a planning obligation under section 75 of the Town and Country Planning (Scotland) Act 1997 ("the Act"), or some suitable alternative arrangement, covering the matters listed in paragraph 31.

Preliminary matter

A claim for an award of expenses against the council has been submitted on behalf of the appellant. A decision on that claim will be issued under separate cover, when a final decision is issued for this appeal.

Reasoning

1. I am required to determine this appeal in accordance with the development plan, unless material considerations indicate otherwise. The development plan comprises National Planning Framework 4 (2023) (NPF4), the Highland-wide Local Development Plan (2012) (HwLDP) and the Inner Moray Firth Local Development Plan 2 (2024) (IMFLDP2).

2. The proposed development site comprises unmaintained amenity space located in a predominantly residential area of north-west Inverness. The site slopes significantly downwards from north-west to south-east. The northern portion of the site is woodland, protected by a Tree Preservation Order (TPO). The remainder of the site mainly comprises open space, with additional trees towards the eastern boundary. Trees located adjacent to the southern boundary had been removed at the time of my site visit. The trees were not protected by a TPO.

3. The determining issues in this appeal are whether this is an acceptable location for residential development, design and amenity impacts and any impacts on the area's character, such as on open space, biodiversity and tree loss.

The principle of the development

4. The appeal site is identified as green network land in the development plan, designated by HwLDP policy 74 (Green Networks) and IMFLDP2 policy 5 (Green Networks). The plan states that residential development can be acceptable on green network land provided that the network's connectivity and integrity is maintained and positively incorporated into developments. I consider matters relating to green networks and trees separately below at paragraphs 15, 24 to 29 and 37 to 41. On those findings, I am satisfied that the principle of development on this part of the green network would be acceptable.

5. As this is not an allocated housing site, NPF4 policy 16 (Quality homes) is relevant to the principle of development. Policy 16(f) states that development proposals for new homes on unallocated land will only be supported in limited circumstances where (i) the proposal is supported by an agreed timescale for build out; (ii) the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods; and where at least one of the criteria set out in part (iii) of the policy applies. Provisions within part (iii) include smaller scale opportunities within an existing settlement boundary and proposals concerning the delivery of fewer than 50 affordable homes as part of a local authority supported affordable housing plan.

6. I am satisfied that the proposal is small scale in the context of its surroundings. I note that, in terms of timescale, the appellant seeks to develop the site as affordable housing by 2028. The proposal is assessed against other relevant policies in paragraphs 7 to 41 below, including those relating to local living and 20 minute neighbourhoods. On the basis of those findings, I am satisfied that the proposal complies with policy 16 and that the principle of residential development is acceptable at this location.

Design and residential amenity

7. NPF4 policy 14 (Design, quality and place) seeks to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach. Part (c) states that development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported. Similar policy is set out in HwLDP policy 29 (Design Quality and Place-Making).

8. The council contends that the proposal fails to comply with part (c) of NPF4 policy 14 and with HwLDP policy 29. Concerns raised include the design of the flats and potential overlooking of adjacent properties.

9. I disagree. I find that the proposed design is typical of a development of this nature and acceptable in the context of its surroundings. The location and layout of the flats would ensure no overlooking of properties on Clachnaharry Road would occur. I take the view that the proposed flats would be sufficiently set back from rear facing windows of houses on Swanston Avenue to ensure that no unacceptable overlooking would occur to these properties. While overlooking of rear garden areas of properties on Swanston Avenue from upper floor windows of the development would inevitably occur, this is typical of residential developments in urban areas. The distances between properties and the topography shown

on the submitted sectional drawings and viewed on my site visit suggest a low to non-existent risk of unacceptable daylight, sunlight and noise issues.

10. Overall, I am satisfied that the proposal would not create any significant concerns in terms of design or residential amenity for existing residents or future occupiers of the flats. There would not be any inconsistencies of note in respect of the six qualities of successful places. The proposal therefore complies with NPF4 policy 14 and HwLDP policy 29.

11. NPF4 policy 15 (Local Living and 20 minute neighbourhoods) seeks connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home. The site is located in an established, mature neighbourhood within the urban area. The proposed flats would be well located in terms of access to facilities and services. On my site visit I noted the nearby convenience store on Clachnaharry Road and the playpark at Blackpark Terrace. I also noted the nearby school and the site's proximity to bus services. I am satisfied that the development would be suitably located in terms of local living considerations as required by NPF4 policy 15.

12. HwLDP policy 28 (Sustainable Design) seeks to promote and enhance social, economic and environmental wellbeing. Relevant considerations include access, service provision, public safety and natural habitats. Similar policy regarding development within settlements is set out in policy 34 (Settlement Development Areas). The council contends that the proposal fails to comply with policy 28.

13. Policy relating to biodiversity and habitats is also contained within NPF4 policies 3 (Biodiversity), 4 (Natural places) and IMFLDP2 policy 2 (Nature Protection, Preservation and Enhancement). NPF4 policy 22 (Flood risk and water management) deals with flood risk and drainage considerations. NPF4 policy 20 (Blue and green infrastructure) seeks to ensure that developments account for green infrastructure provision. The council takes the view that the loss of green network land would be unacceptable in this case.

14. On my site visit I noted that the area was unmaintained and appeared to be lightly used. The proposal confines the residential development to the western portion of the green network area. The remainder of the site would be retained as green network land and would be landscaped and planted as part of the development works.

15. I acknowledge that there would be some loss of green network land. However, I take the view that the overall site condition would be improved by the planting and landscaping works that would be undertaken. Rather than continuing in its unmaintained and largely unused state, the proposal would allow its development for flats, while also improving the condition of the undeveloped sections for public benefit.

16. The council's Transport Planning Service has confirmed their satisfaction that the proposed access from the south, off Scorguie Road, would be suitable for the proposed development. It has also confirmed its satisfaction with the proposed road connection to be provided through the site to the former Clachnaharry Care Home, located to the north. This would replace and improve on the existing poor quality access to that site from Clachnaharry Road. Having considered all of the information provided I come to the same conclusion.

17. Having reviewed all of the details I am also satisfied that the site has been appropriately assessed in terms of flood risk and drainage considerations and that there are no unacceptable risks, subject to appropriate conditions. Based on the submitted evidence

and my site visit, I do not hold any concerns relating to the provision of other services to the site.

Ecological assessment

18. An ecological assessment has been submitted with the appeal. The assessment considers the potential impact of the development on six protected species. These are bats, badgers, otters, pine martens, red squirrels and birds. No likely significant impact is identified on otters, pine martens or birds.

19. The assessment identifies an unused badger sett within the site. It also identifies badger use of the site for foraging and commuting. It proposes that a badger protection plan, to include a check for new setts and paths on site, should be undertaken prior to commencement of works.

20. The assessment notes only limited bat potential on site. Three offsite red squirrel dreys have also been located within 50 metres of the proposed works. It proposes that a species protection plan, to include checks for red squirrel activity, should be undertaken prior to the commencement of works.

21. I note that the submitted ecological assessment was almost three years old at the time the appeal was submitted. NatureScot standing advice states that bat surveys generally remain valid for up to 18 months. Surveys for badgers and red squirrels generally remain valid for two years. These timescales have been exceeded. However, there have only been minimal changes to the affected parts of the site since the assessment was undertaken. Additionally, the proposed mitigation measures include updated checks for the presence of protected species. I am satisfied that, subject to the submission of a species protection plan that includes an updated check for these species on site, the issue of survey age can be overcome.

22. The council proposes that a condition is attached to any permission issued requiring a badger protection plan to be submitted and approved prior to the commencement of works. I take the view that such a condition should be expanded to include all three species (badgers, bats and red squirrels) that could potentially be impacted by the development. I am satisfied that, provided the amended condition is adhered to in full, NatureScot would be able to issue any required licences in respect of the works. I would therefore attach a condition to any permission issued to this effect, as detailed in Condition 20 below.

23. Considering all of the above, I am satisfied that the proposed development would comply with NPF4 policies 3 and 4 and HwLDP policies 28 and 34, subject to appropriate conditions.

Impact on trees

24. NPF4 policy 6 (Forestry, woodland and trees) seeks to protect and expand forests, woodland areas and trees. Part a) of the policy supports development proposals that expand and improve woodland and tree cover. Part b) ii. seeks to avoid adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value. Part b) iii. seeks to avoid fragmenting or severing of woodland habitats, unless appropriately mitigated. Part c) limits support of proposals involving woodland removal to instances where clearly defined public benefits are achieved. Part d) seeks woodland enhancement and the planting of new trees as part of development proposals in woodland areas. Similar policy is

provided in HwLDP policies 51 (Trees and Development) and 52 (Principle of Development in Woodland).

25. Although most development work would be undertaken away from the woodland area, some proposed works extend into the woodland, requiring removal of trees protected by TPO. The proposal also includes tree planting works within the development site, comprising approximately 177 new trees, significantly more than would be removed to facilitate the proposal.

26. The council takes the view that the proposal fails to comply with policy 6 b) ii. as it would result in adverse impacts on native individual trees of high biodiversity value. It contends that the proposal fails to comply with policy 6 b) iii. as it would sever woodland habitats without appropriate mitigation measures. It also contends that the proposal fails to comply with policy 6 c), citing insufficient public benefits and replacement tree planting.

27. A large area to the north of the site is covered by TPO and I note that the wider woodland would remain extensively intact. However, given the removal of protected trees, I find that the proposal would have some adverse impact on a small number of trees of value in terms of policy 6 b) ii.

28. The removal of trees to form the road to the north would also fragment part of the existing woodland line. The breadth of the canopies of the adjacent retained trees would somewhat mitigate the impact. Nonetheless, the formation of a road through the wooded area would, to some extent, fragment the woodland line when considered against policy 6 b) iii.

29. I take account of the benefits that would be derived from the proposed development, including the extensive on site tree planting works proposed, the provision of affordable housing and the wider improvements to access arrangements. Accounting for these benefits, I am satisfied that the proposal complies with policy 6 c).

Infrastructure, affordable housing and developer contributions

30. NPF4 policy 18 (Infrastructure first) states that, where planning obligations are entered into, they should meet five tests. These tests are restated in Planning Circular 4/2025: Planning Obligations and Good Neighbour Agreements. IMFLDP2 policies 9 (Delivering Development and Infrastructure) and 10 (Increasing Affordable Housing) set out the council's position in respect of infrastructure provision in the area.

31. The appellant advises that it is intended for the proposal to be developed in its entirety as affordable housing. It is satisfied for a legal agreement to be made on that basis. The council's approach follows the policy of 35% as set out in IMFLDP2 policy 10, which would lead to 5 of the 12 units being affordable as a minimum. However, the appellant's proposal that all 12 be covered by a legal agreement to ensure that all are affordable is acceptable and would more than comply with what the development plan seeks. I therefore seek a legal agreement on the basis of all 12 being affordable. Although reference was made in the report of handling to education contributions, the council has clarified that none are required.

32. HwLDP Policy 29 & the associated Supplementary Guidance Public Art Strategy seek the inclusion of public art in new developments to help produce well-designed, locally distinctive built environments, with a clear sense of identity and place. The council has sought a condition to that effect. The appellant does not oppose it. Proposed Condition 19

would require the provision of public art on site. I would impose such a condition in the event of approval.

Conditions

33. The council proposes a list of conditions in respect of the works. I would impose these conditions in the event of approval. However, I would amend proposed Condition 20 to expand the required protection plan to include bats and red squirrels, in addition to badgers. The condition would also be amended to require a further check to be undertaken in respect of protected species, prior to commencement of any works. I would also make minor wording amendments to other conditions in the interests of clarity and delete a duplicate condition included in the list.

Development plan conclusions

34. I find the principle of the proposed residential development of green network land to be acceptable in this case, given the improvements to the undeveloped areas of the site that would be undertaken. Taking account of the small scale of the development, I am also satisfied that the proposal complies with NPF4 policy 16 f).

35. I am satisfied that the design of the development and its amenity impact are acceptable. I find that the proposal complies with NPF4 policies 14 and 15 and HwLDP policy 29.

36. I also find the proposal to be acceptable in terms of access, service provision, flood risk considerations and impact on protected species, subject to conditions. I am satisfied that the proposal fully complies with NPF4 policies 3 and 4 and HwLDP policies 28 and 34.

37. The proposal would have an adverse impact on a small number of protected trees and would, to some extent, fragment the woodland line at the north of the site. Therefore, the proposal would result in some impacts contrary to NPF4 policy 6 b) ii. and iii. I must therefore balance the impact on trees against the benefits in terms of housing provision, access improvements and green network land improvements.

38. The development of 12 flats as affordable housing would assist in the provision of housing in Inverness. The proposed design and layout would blend a mix of residential and improved green network uses on the site. It would allow the development of a sparsely used site to create a safer and more attractive urban development for residents and the wider community. The impact on amenity would be acceptable. While some limited tree loss would occur, the woodland area would remain largely intact.

39. NPF4 policy 1 (Tackling the climate and nature crises) requires decision makers to give those matters significant weight. It does not tell me how to do that. Policy 2 (Climate mitigation and adaptation) seeks to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

40. On the above, the proposal would improve the quality of the undeveloped green network land within the site. Its location, within an established and well connected residential area, would make some contribution to limiting carbon emissions, thereby mitigating the climate emergency. I give these matters significant weight in my considerations as NPF4 instructs.

41. I find that, in this particular instance, the benefits of a well located and connected residential development, in addition to the access improvements that would result from the proposal, outweigh the limited impact on trees that would occur. I am satisfied that the proposal complies with the development plan when considered as a whole, or could be made to do so by conditions.

Material considerations

42. A total of 31 representations were submitted to the council during the assessment of the planning application, including 21 letters of objection. The council's report of handling summarises the key points raised therein. A further 10 representations have been made directly to DPEA. I have considered all of these as part of my assessment (above).

43. Concerns have been raised regarding the absence of measurements on submitted plans and the sufficiency of the plans and details submitted. I am satisfied that I have been provided with sufficient plans and details to allow the appeal to be determined. I have considered those matters above and this does not suggest I should conclude differently.

44. Reference is made to historic planning applications for the site which have been refused permission, and to the site's designation as green space in previous development plans. However, I am required to consider this proposal on its own merits, in the context of current development plan policy. I have considered those matters as part of my consideration of the development plan. Nothing persuades me that I should conclude differently to my findings (above).

45. Objectors also raise concerns/complaints about the council's practices. However, these matters are not within my remit and should be addressed to and by the council. Objectors also reference damage to the site, which they advise has been reported to Police Scotland. This matter is not of relevance to my consideration of this appeal.

46. One objector is concerned about the potential impact of the development on the roots of a large tree within their property, located just outside the site boundary. I am satisfied that this matter has been appropriately considered in section 4.1 of the Arboricultural Method Statement. It advises that excavation into the tree's root protection area will be undertaken under the supervision of a suitably qualified arboriculturist. Root damage will be assessed by the arboriculturist and any required root pruning undertaken. Proposed Condition 21 would require the recommendations and actions of the Arboricultural Method Statement to be implemented at all times during the development. I would impose such a condition in the event of approval.

Conclusion

47. I conclude that a planning obligation restricting or regulating the development or use of the land should be completed in order to deliver the affordable housing contribution described in paragraph 31 above. I will accordingly defer determination of this appeal for a period of up to 26 weeks to enable the relevant planning obligation (either an agreement with the planning authority or a unilateral obligation by the appellant under section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended) or some suitable alternative arrangement as may be agreed by the parties) to be completed and registered or recorded, as the case may be.

48. If, by the end of the 26 week period, a copy of the relevant obligation with evidence of registration or recording has not been submitted to this office, I will consider whether planning permission should be refused or granted without a planning obligation.

Declan King
Reporter

Schedule 1: Draft conditions

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 or work shall commence until a detailed specification for all proposed external materials and finishes (including trade names and samples where necessary) has been submitted to, and approved in writing by, the planning authority. Thereafter, development and work shall progress in accordance with these approved details.

Reason: In the interests of visual amenity.

3. No development shall commence until details of a scheme of hard and soft landscaping works (demonstrating biodiversity enhancement) shall have been submitted to, and approved in writing by, the planning authority. Details of the scheme shall include:

All earthworks and existing and finished ground levels in relation to an identified fixed datum point;

i. A plan showing existing landscaping features and vegetation to be retained;
ii. The position, height, materials and design, of any existing or proposed walls, fences and gates;
iii. All soft landscaping and planting works to conserve, restore and enhance biodiversity levels, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and
iv. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme. Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason: In the interests of visual amenity and to enhance the green network.

4. Any details pursuant to condition 3 above shall include a detailed landscape plan and maintenance programme. The landscape plan shall be implemented in full during the first

planting season following commencement of development, with maintenance thereafter being carried out in accordance with the maintenance programme.

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

5. No development shall commence until the submission of a tree planting plan and maintenance programme to, and approved in writing by, the planning authority. The approved tree planting plan shall be implemented in full during the first planting season following commencement of development, or as otherwise approved in writing by the planning authority, with maintenance thereafter being carried out in accordance with the approved maintenance programme.

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

6. Notwithstanding the provisions of Article 3 and Class 14 of the Town & Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), no development shall commence until full details of any temporary site compounds and storage areas (including their location, scale and means of enclosure) shall be submitted to, and approved in writing by, the planning authority. Thereafter, the site compounds and storage areas shall be formed in accordance with these approved details. Furthermore, all site compounds shall be maintained in a tidy, safe and secure fashion and be removed from the application site within one month of the development being completed.

Reason: As no details have been provided, and to clarify the terms of the permission.

7. No development shall commence until the submission of a Construction Method Statement for the approval in writing of the Planning Authority. The statement shall provide for:

i. the parking of vehicles of site operatives and visitors;
ii. loading and unloading of plant and materials;
iii. storage of plant and materials used in constructing the development;
iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
v. wheel washing facilities;
vi. measures to control the emission of dust and dirt during construction; and
vii. a scheme for recycling/disposing of waste resulting from demolition and construction works. The approved Construction Method Statement shall be adhered to throughout the construction period.

Reason: As no details have been provided, and to clarify the terms of the permission.

8. No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Planning Authority. The CTMP shall include:

- Predicted volume and type of construction traffic
- Traffic management proposals
- Site compound and parking arrangements
- Measures to protect the public road from mud and debris

- Pre- and post-construction video surveys of Scorguie Road
- Agreement to remediate any extraordinary wear and tear

For the avoidance of doubt, all construction traffic for the development shall access the site from Scorguie Road only.

Reason: In the interests of road traffic and pedestrian safety.

9. No development shall commence until the submission of full details of any external lighting to be used within the site and/or along its boundaries and/or access for the approval in writing of the planning authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

Reason: As no details have been provided, and to clarify the terms of the permission.

10. No development shall commence until submission of written and plan details of the layout, design and construction of green spaces for the development, all for the approval in writing of the planning authority. Thereafter, the approved scheme shall be implemented in full and in accordance with the timescales contained therein.

Reason: In order to secure high-quality open spaces in compliance with Council Supplementary Planning Guidelines.

11. No development shall commence until the submission of a scheme for the approval in writing of the planning authority for the maintenance, in perpetuity, of all on site green spaces and/or other spaces, facilities, features or parts of the development that are not the exclusive property of any identifiable individual homeowner (such as communal parking areas, estate lighting, and those elements of surface water drainage regimes not maintained either by the Council or Scottish Water). Thereafter, the approved scheme shall be implemented in full and in accordance with the timescales contained therein.

Reason: To ensure that all communal spaces, facilities and landscaping areas are properly managed and maintained.

12. Prior to the commencement of development, the developer shall provide details of measures to permanently close off the existing vehicular access (and retain pedestrian and cycle access) to the former Clachnaharry Care Home from Clachnaharry Road, for the approval in writing of the planning authority. The agreed details shall thereafter be undertaken prior to the occupation of the first flat and maintained thereafter in perpetuity.

Reason: In the interests of road traffic safety.

13. Prior to the first occupation of the development hereby approved, the car parking and access arrangements detailed on approved plan ref. 4916-01-002 REV E shall be completed in full and made available for use. Thereafter, all car parking spaces shall be maintained for this use in perpetuity.

Reason: To ensure that an adequate level of access is timeously provided for the development; in the interests of road safety and amenity.

14. Prior to the first occupation of the development hereby approved, the cycle store detailed on approved plan ref. 4916-01-200 shall be completed in full and made available for use. Thereafter, all cycle parking spaces shall be maintained for this use in perpetuity.

Reason: In order to facilitate the use of a variety of modes of transport.

15. No development shall commence until the developer shall have submitted written and plan details of a final scheme for all surface water drainage provision within the application site (which shall accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Fourth Edition, or any superseding guidance prevailing at the time) for the approval in writing of the planning authority. Thereafter, only the approved details shall be implemented, and all surface water drainage provision shall be completed prior to the first occupation of any of the development. For the avoidance of doubt, this shall include written confirmation from Scottish Water that it accepts the proposed overflow connection and details of the design to demonstrate how uplift risk to the geocellular storage system shall be mitigated.

Reason: As no details have been provided and to ensure that the site is satisfactorily drained.

16. No development shall commence until the developer shall have provided details of technical approval and certification for the retaining wall for the approval in writing of the planning authority. The development shall thereafter be undertaken in accordance with the agreed details.

Reason: In the interests of pedestrian and road traffic safety.

17. No development shall commence until the developer shall have submitted written and plan details of the bin stores within the development for the approval in writing of the planning authority, including their location, size and external material finishes. The bin stores shall be completed and available for use prior to the first occupation of any flat.

Reason: To ensure that waste on the site is managed in a sustainable manner.

18. No development shall commence until the submission of written and plan details of a scheme for the provision of electric car charging points within the development for the approval in writing of the planning authority. This shall include the location and design of each charging point and a timescale for implementation. The approved scheme shall be implemented in line with the approved timescales.

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

19. On-site provision for public art shall be made in accordance with the Supplementary Guidance for Public Art Strategy, the location and design of which shall be approved in writing by the planning authority. This shall equate to 1% of the capital construction costs unless otherwise approved in writing by the planning authority. The timing for such provision shall be approved in writing by the planning authority prior to the first occupation of the development.

Reason: To accord with the Supplementary Guidance on Developer Contributions and the Public Art Strategy.

20. Prior to the commencement of development, the developer shall submit a species protection plan, to include provisions for badgers, bats and red squirrels, for the approval in writing of the planning authority. As part of this submission, a further check in respect of the presence of those protected species shall be undertaken on site. The plan shall include measures to protect those species during construction works, and subsequently once the flats are occupied. The development shall thereafter be undertaken in accordance with the approved species protection plan.

Reason: In order to protect the natural heritage interests of the site.

21. That the recommendations and actions set out in the Arboricultural Impact Assessment and Method Statement submitted in support of the proposal, dated 3 July 2024, shall be fully implemented during the development works to the satisfaction of the planning authority.

Reason: To ensure the appropriate protection of trees as part of the development hereby approved.

Schedule 2: Application drawings

1203-TCP
4916-01-100
4916-01-105
4916-01-205
HG CAH 100.24 SL 01
4916-01-101 REV A
4916-01-106 REV A
4916-01-305
4916-01-003 REV E
4916-01-002 REV E
3883:101/01 REV C
3883:101/02 REV C
3883:102 REV A
3883:104
3883:115
3883:116
3883:117
4916-01-010 REV A
4916-01-200
HG CAH 100.24 SL 01 REV A
TCP_HG_210524