

OUTLINE PLANNING PERMISSION  
SUBJECT TO CONDITIONS  
AND RESERVED MATTERS

Grid Reference	Easting: 301030 Northing: 820920
Reference No	02/00045/OUTBS

THE HIGHLAND COUNCIL  
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

To: Eagle Star Life Assurance Co Ltd  
C/o Scudder Threadneedle,  
Property Investments  
9-15 Sackville Street  
London W18 2JP

Per: Gillespies LLP  
21 Carlton Court  
Glasgow  
G5 9JP

With reference to your application received on 21 February 2002 for outline planning permission under the above-mentioned Act for the following development, viz: -

Erection of 40 dwellings and business unit [outline]  
Land At School Road And Craigmore Road Nethybridge Inverness-shire

The Highland Council in exercise of its powers under the above-mentioned Act hereby grant outline planning permission for the said development in accordance with the plan(s) docketted as relative hereto and the particulars given in the application, subject however to the following standard conditions:-

- (1) In terms of Section 58 & 59 of the Town and Country Planning (Scotland) Act 1997, this permission is granted subject to the following conditions:-
- (a) that, in the case of any reserved matter, application for approval must be made before:-
- (i) the expiration of three years from the date of the grant of this permission; or
  - (ii) the expiration of six months from the date on which an earlier application for such approval was refused; or
  - (iii) the expiration of six months from the date on which an appeal against such refusal was dismissed,

whichever is the latest:

Provided that only one such application may be made in the case after the expiration of the three year period mentioned in sub-paragraph (i) above; and

- (b) that the development to which this permission relates must be begun not later than whichever is the later of the following dates:-
- (i) the expiration of five years from the date of the grant of this permission; or
  - (ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

to the following condition(s), viz:-

that a further application shall be submitted to the local Planning Authority, together with the requisite detailed plans, sections and elevations of the proposed building, and colour and type of materials to be used externally on walls and roof;

See attached sheet/

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- b) Detailed layout of the site as a whole, site levels existing and proposed, including provision for car parking, details of accesses and details of all fences, walls and hedges;
- c) Landscaping proposals including existing trees to be maintained and proposed tree and shrub planting to be carried out.

These are RESERVED MATTERS to this Outline Application and no work on the site shall commence until the written approval of the Highland Council, as Planning Authority has been given.

Reason: Permission is hereby granted in outline only.

- (2) Prior to the commencement of operations details shall be submitted to and approved by the Planning Authority showing the siting, design and external appearance of buildings, means of access thereto, and proposals for landscaping. These are reserved matters to this outline permission. [For the avoidance of doubt, landscaping includes all matters relating to boundary walls or fences, hard and soft surfacing, and tree/shrub planting]

Reason: As the application is submitted in outline only.

- (3) Prior to the commencement of development at the site or any part of the site, the approval of the Planning Authority shall be obtained for the following matters –
  - (a) the siting, design, and external treatment of the building or buildings proposed to be erected.
  - (b) the means of access to the said building or buildings (for the purpose of this condition, "means of access" includes all means of vehicular and pedestrian access from the building or buildings proposed to the road and footpath network on or adjacent to the sites as existing at the date of this consent);
  - (c) the landscaping of the curtilages of the said building or buildings (for the purposes of this condition, "landscaping" shall be taken to include the treatment of all surfaces whether with soft or hard materials; existing trees within curtilages to be felled or retained; new tree and shrub planting; and any gates, fences, walls or other means of enclosure around the curtilages).

Reason: as the application is submitted in outline only.

- (4) Development of the two housing areas shall generally accord with the illustrative principles shown in the plan annexed hereto, that is to say, groups of detached and semi-detached houses separated by areas of retained or replanted woodland outwith house curtilages, and served by a single access road designed in such a manner as to be capable of adoption by the Roads Authority as public highway, and a single building or linked/terraced series or smaller buildings on the business site, with supporting footpath networks for pedestrian movement.

Reason: as the application is submitted in outline only; to accord with Local Plan objectives and other material considerations relevant to the development of this land.

- (5) Prior to the commencement of any operations on site there shall be submitted to and approved by the Planning Authority proposals for the management and maintenance of all areas shown on the illustrative plans as lying outwith house curtilages. The management and maintenance plan shall have as its primary objective the maintenance of these areas as woodland of semi-natural appearance and environmental character, with appropriate understorey plant communities, maximising the ecological and amenity value of these areas. The scheme shall specify the agency or agencies responsible for this management; its means of implementation including any associated financial arrangements; measures for replanting or natural

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regeneration as and when required; and provision for public access and recreational use.

Reason: to ensure that areas of woodland which require to be retained in order to achieve Local Plan objectives relating to natural heritage and visual and residential amenity are retained and maintained as such.

- (6.) No development shall commence on site until such time as detailed proposals for the disposal of all surface water drainage from all parts of the development have been approved by the Planning Authority in consultation with the Scottish Environment Protection Agency. The scheme for disposal of surface water shall be designed on the basis of Sustainable Urban Drainage Systems principles.

Reason: to ensure that surface water run-off from the development is disposed of in a sustainable manner.

- (7.) Prior to the commencement of operations the precise alignment of all internal site roads and house curtilages/development zones, shall be pegged out on site and approved by the Planning Authority. The precise alignment and location of such roads, and house curtilage/development zones, shall be chosen so as to avoid or minimise the felling of specific trees or groups of trees which are of significant visual amenity, natural heritage or historical interest.

Reason: for the protection of visual amenity and natural heritage interest at the site.

- (8.) Prior to the commencement of operations, the following road or road-related works shall be undertaken: there shall be provided and thereafter maintained in perpetuity, visibility splay areas measuring 4.5 metres by 90 metres on both sides of the junctions between the site access roads and School Road and Craigmore Road such that within the visibility splay areas so defined, there is no obstruction to visibility exceeding one metre in height as measured from adjacent carriageway level; Craigmore Road, between the eastern boundary of the Dirdhu Court development and the entrance to the Craigmore Road housing development site, shall be widened and reconstructed to provide a road carriageway width of at least 5.5 metres width and a 2 metre wide footway on its north side. Street lighting of a type to be approved by the Planning Authority in consultation with the Roads Authority shall be provided along Craigmore Road between the existing limits of street lighting and the vehicle access to the Craigmore Road housing site. No street lighting shall be installed along School Road north of the existing limits of street lighting, and only low level lighting shall be installed on the path parallel to School Road and leading to the Primary School.

Reason: in the interests of public safety.

- (9.) All internal roads and associated footpaths or footways within the development sites shall be designed in such a manner as to be capable of adoption by the Roads Authority as public highways. Notwithstanding the generality of this requirement, the roads and footpaths within each development site shall be designed in such a manner as to minimise vehicle traffic speeds. In particular the design shall incorporate provisions for a speed table at the entrance to the School Road site so as to maintain the continuity of level of the existing School footpath and provide a traffic calming feature at the entrance to the School Road development site. Any street lighting within the housing development sites shall utilise as small scale structures as possible and be based on the principle of minimising light spillage.

Reason: in the interests of public safety and visual amenity.

- (10.) No trees on or overhanging any individual house plot or development zone shall be felled, topped or lopped until such time as a building warrant has been granted for development on that plot or building zone as applicable.

Reason: to minimise, as far as practicable, premature removal of established woodland cover, in the interests of visual amenity and natural heritage.

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(11.) No house shall exceed two storeys in height. No house shall occupy more than 20% of the gross area of its plot.

Reason: in the interests of visual and residential amenity.

(12.) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1992 and the Town and Country Planning (Use Classes) (Scotland) Order 1997, any individual business use of the business site or buildings erected thereon shall require the specific approval of the Planning Authority.

Reason: in order that the Planning Authority can make an informed assessment of the likely environmental effect of any particular business use.

(13.) Notwithstanding the foregoing condition, only uses falling within classes 4, 5 and 6 of The Town and Country Planning (Use Classes) (Scotland) Order 1997 shall be undertaken at the business site or in premises built thereon.

Reason: to ensure that the business site is safeguarded for forms of business development which are not adequately catered for elsewhere in Nethybridge.

(14.) Prior to the commencement of development, a programme of archaeological work for the preservation and recording of any archaeological features affected by the proposed development, including a timetable for investigation, shall be submitted to and require the approval in writing of the Planning Authority in consultation with the Highland Archaeologist. All arrangements thereby approved shall be implemented in accordance with the approved timetable for investigation.

Reason: In order to ensure the protection of the archaeological interest of the site.

This is the attached sheet referred to in Decision Notice No. 02/00045/OUTBS of even date herewith.

Dated 20th February 2006

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