

**PLANNING PERMISSION**

Reference No: 10/04249/FUL

To:  
Kilmorack Community Hall  
Per Euan Fraser  
19 C/o Springrose  
Torgormack  
Kilmorack  
By Beauly  
IV4 7AQ  
Inverness-shire

Per:  
CP Architects  
110 George Street  
Oban  
PA34 5NT

**Town & Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) 2006 Act**

**DECISION NOTICE**

**Demolition of existing hall and construction of new community hall  
Kilmorack Hall Kilmorack Beauly**

The Highland Council in exercise of its powers under the above Acts **grants planning permission** for the above development in accordance with the particulars given in the application and the following plans/drawings:

Type of Plan	Plan Number	Version No.	Date Plan Received
General	KWA/10048/004		13.10.2010
Drainage	KWA/10048/002		13.10.2010
Site Layout	KWA/10048/002	A	13.10.2010
General	P-01		13.10.2010
Location/Site Plan	L-03		13.10.2010
Elevation - Proposed	P-02		13.10.2010
Block Plan	L-01		13.10.2010
Location/Site Plan	L-02	B	26.11.2010

This permission is granted subject to the following conditions: -

- (1.) **The development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice.**

**Reason:** In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

- (2.) **No development shall start on site until the completed Notice of Initiation of Development (NID) form attached to this approval of matters has been submitted to and acknowledged by the Planning Authority.**

**Reason:** In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

**Dated: 26th November 2010**

  
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**Area Planning & Building Standards Manager**

- (3.) Upon completion of the development the completed Notice of Completion form attached to this decision notice shall be submitted to the Planning Authority.

**Reason:** In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

- (4.) Except as otherwise provided by the terms of this permission, the developer shall construct and operate the development in accordance with the plans and supporting information submitted with the application and docketted as relative hereto with no deviation therefrom unless otherwise approved in writing by the Planning Authority.

**Reason:** In order to clarify the terms of the permission hereby granted and to ensure that the development is implemented as approved.

- (5.) The hall for which planning permission is hereby approved shall not be occupied unless the surface water drainage associated with the development including areas of hardstanding and the access road, is installed and completed to the satisfaction of the Planning Authority and in accordance with SEPA's guidelines on SUDS. For the avoidance of doubt no surface water from the site shall flow onto the public road.

**Reason:** In order to ensure that the site is properly and adequately drained.

- (6.) The hall shall not be occupied unless the method by which foul drainage is to be provided on site has been implemented and completed to the satisfaction of the Planning Authority.

**Reason:** In the interests of public health.

- (7.) Construction work associated with the development hereby approved, for which noise is audible at the boundary of the site shall only be carried out between 08:00 and 19:00 Monday to Friday, between 08:00 and 13:00 on Saturdays and at no time on a Sunday or Public Holidays.

**Reason:** To minimise the risk of noise nuisance given the close proximity of the existing houses.

- (8.) Delivery of construction materials to the site shall be between the hours of 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturdays and at no time on Sundays or Public Holidays.

**Reason:** To minimise the risk of noise nuisance given the close proximity of the existing houses.

- (9.) All building material, plant and equipment shall be stored within the boundaries of the application site throughout the construction period.

**Reason:** To ensure that there are no obstructions to the public highway.

**Dated:** 26th November 2010

  
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**Area Planning & Building Standards Manager**

- (10.) No development shall commence until a photographic record has been made of the remains of old buildings and/or other features affected by the proposed development, in accordance with the attached specification, and shall thereafter be submitted to the Planning Authority. No site clearance work shall take place until confirmation in writing has been received from the Planning Authority that the record made has been lodged and is satisfactory.

**Reason:** To protect the historic interest of the site.

- (11.) The hall shall not be occupied until the vehicular access to the site has been located, designed, constructed and completed to the standards and specifications in the attached schedule as specified by the Planning Authority in conjunction with the Roads Authority unless otherwise agreed with the Planning Authority.

**Reason:** In the interests of road traffic safety.

- (12.) No construction works shall commence until the existing lower access to the hall has been permanently stopped up/closed off.

**Reason:** In the interests of road traffic safety.

- (13.) No development shall commence until appropriate traffic management measures for the duration of works have been agreed in writing with TEC Services.

**Reason:** In the interests of road traffic safety.

- (14.) No development shall commence until an Arboricultural Method Statement (AMS) which details the means of protecting the retained trees on the site during construction has been submitted for the written approval of the Planning Authority. This will include details of: - agreed tree felling and tree surgery; the removal and disposal of tree stumps; the means of disposal of site arisings; the means of site construction access; the installation of protective fencing for all retained trees; the confirmed location and means of excavation of all service runs; the confirmed location and means of construction/upgrade of all footpaths; contractor's car parking areas; space for site huts and facilities; and space for the construction material storage and space for the mixing of cement. For the avoidance of doubt, the area shown on drawing L-02 A for site arisings is not accepted.

**Reason:** In order to ensure the protection of existing trees within the site.

- (15.) No development shall commence until a Tree Protection Plan, on a scale plan of the site, has been submitted for the written approval of the Planning Authority. This will detail appropriate tree protection measures for every retained tree before and for the entire duration of the development, as per BS:5837(2005). This should be Heras type fencing which is fixed to the ground by fenceposts at the end of each panel, outwith the root protection area and crown spread of retained trees. The fencing should be installed in advance of development commencing for the inspection and written approval of the Planning Authority.

**Reason:** In order to ensure the protection of existing trees within the site.

**Dated:** 26th November 2010

  
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**Area Planning & Building Standards Manager**

- (16.) No trees shall be uprooted, lopped, topped, felled or damaged without prior written consent from the Planning Authority. For the avoidance of doubt the prior written consent of the Planning Authority refers to the Tree Protection Plan in condition 15 above.

**Reason:** In order to ensure the protection of existing trees within the site.

- (17.) No development shall commence until a fully detailed scheme of landscaping for the site, including a scheme of maintenance, has been submitted to and received the approval in writing of the Planning Authority. All planting thereby approved shall be undertaken in the first planting season following commencement of the development and shall thereafter be maintained in accordance with the approved scheme of maintenance. Any plants which, within a period of five years from the occupation of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the immediately following planting season with others of a similar size and species.

**Reason:** In the interests of amenity and in order to ensure that the development is adequately screened.

**FOOTNOTE TO APPLICANT RELATIVE TO APPLICATION 10/04249/FUL**

**Please note:** Your attention is drawn to the conditions attached to this permission. Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to meet these conditions may invalidate your permission or result in formal enforcement action.

**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.

**Road Openings Permit / Road Construction Consent:** you will require consent from the Roads Authority before the commencement of this development. You are therefore advised to contact them direct to discuss the matter. Please note you will be liable for any damage caused to the public road as a result of your building works. Materials and plant should be stored and/or stockpiled within the site boundary to avoid obstructing the public road.

The new improved access and extended parking provision will greatly improve the existing situation and is therefore welcomed. The surfaced access road and car park will not be considered for formal adoption although it is recommended it is designed and constructed in accordance with the Council 'Roads' Guidelines.

**Variations**

During the processing of the application the following variations were made to the proposal:

1. None.

**Section 75 Agreement**

An Agreement in terms of Section 75 of the 1997 Planning Act relates to this development. The terms of the Section 75 Agreement are as follows:

1. None.

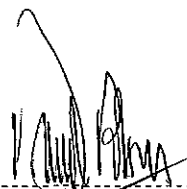
**Dated: 26th November 2010**

  
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**Area Planning & Building Standards Manager**

**NOTIFICATION TO APPLICANT**

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed local development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to:  
Highland Council Review Body Administration Team, Chief Executive's Service, Council Headquarters, Glenurquhart Road, Inverness.
  
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

**Dated: 26th November 2010**



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**Area Planning & Building Standards Manager**

To:  
 Planning & Development Service  
 Highland Council  
 1-3 Church Street  
 Inverness  
 IV1 1DY

**IMPORTANT:** Failure to notify the planning authority of the initiation of development constitutes a breach of planning control.

<b>Notification of Initiation of Development</b>
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**Demolition of existing hall and construction of new community hall at Kilmorack Hall Kilmorack Beauly**

Date of planning permission: 26.11.2010

In accordance with Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) you are advised it is intended to initiate the above development on the following date:

(a)	Insert date of initiation.
(b)	Insert full name and address of the person(s) intending to carry out the development*
(c)	Insert full name and address of the owner(s) of the land to which the development is related if different from (b)
(d)	Where a person is, or is to be, appointed to oversee the carrying out of the development on site, include the name and contact details of that person.

\*In the first instance any correspondence relating to the Notification of Initiation of Development will be addressed to this person.

Signed ..... agent/applicant

Dated .....

To:  
Planning & Development Service  
Highland Council  
1-3 Church Street  
Inverness  
IV1 1DY

**Notification of Completion of Development**

In accordance with Section 27B 1997 Planning Act (as amended) you are advised of the completion of the following development:

**Demolition of existing hall and construction of new community hall at Kilmorack Hall Kilmorack Beauly**

Date of planning permission: 26.11.2010

(a)	Insert date of completion of development
(b)	Insert name and address of the person submitting Notification of Completion*

\*Any correspondence relating to the Notification of Completion will be addressed to this person.

Signed ..... agent/applicant

Dated .....

# STANDARD CONDITIONS – STD 1

## FORMATION OF ACCESS FROM PUBLIC ROAD, PLANNING CONSENT REFERENCE 10/04249/FUL

In all matters relating to and requiring approval for access work described below the Area Roads and Community Works Manager, 94 Diriebught Road, Inverness, tel no. 703111 or his representative may be called upon to act as agent for the planning authority. In addition to planning permission, application must be made in writing to The Roads Authority under Section 56 of the Roads (Scotland) Act for permission to carry out any alterations to the public road carriageway and verges.

1. Prior to the commencement of any sort of works in connection with the development, visibility splays shown shaded and to the dimensions stated in diagram no .1. shall be cleared and maintained thereafter so that there is inter-visibility between all points located 1metre or more above the adjacent road carriageway edge levels and the access shall be formed or improved to the dimensions shown in Diagram No. 2.

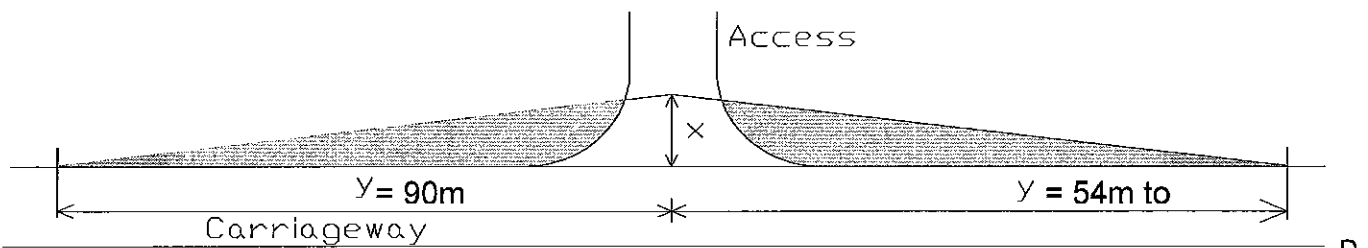


DIAGRAM No. 1 (X = 2.4 metres)

2. Any roadside ditch or drain shall be cleaned out as necessary and a pipe drain of an approved type and not less than 300mm internal diameter, adequate for flood conditions, shall be laid on and surrounded with concrete class 25/20, minimum thickness 150mm. Headwalls shall be constructed at the ends of the pipe and positive measures shall be taken to ensure that the surface water will be led into an acceptable drainage outlet to prevent flooding.
3. Prior to the commencement of any works on the application site, the sub-base material and base course construction layers of the area shown in hatching on Diagram 2 shall be constructed with the following approved materials and thicknesses: 250mm sub-base material to Clause 803 of the Specification for Highway Works, 60mm of 20mm nominal size dense base and binder asphalt concrete course to Clause 906 or Clause 929 of the Specification for Highway Work, and, on completion of the-site works prior to occupation of the house(s), 40mm of 14mm nominal size close graded asphalt concrete surface course to Clause 912 of the Specification for Highway Works shall be laid and shaped so that surface water will not discharge from the access onto the public road or discharge from the public road onto the access.
4. The gradient of the first 6metres of the access measured from the edge of the carriageway shall not be steeper than 1 in 40 and entrance gates, if any, shall be set back not less than 6metres from the edge of the carriageway. Any front boundary wall, fence or hedge shall be not less than 2 metres from the edge of the carriageway and shall be clear of visibility splays.
5. Not less than 2 car parking spaces and an adequate vehicular turning space shall be provided within the curtilage of the site so that all vehicles may both leave and join the public road in forward gear.

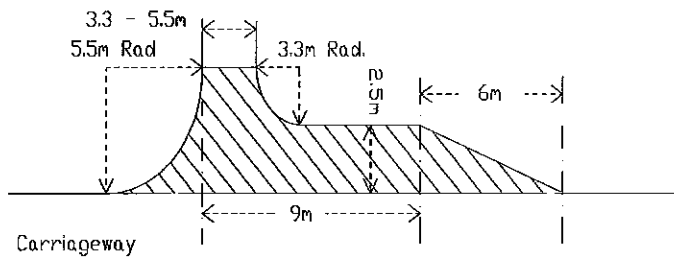


DIAGRAM No. 2

The service bay is required to allow a delivery vehicle to park without blocking the road. It may be placed on either side of the access. A minimum 1.0metre wide verge must also be provided to the service bay.

On satisfactory completion it will be deemed to form part of the public road maintained by the Roads Authority.

**NOTE:** To comply with the terms of the New Roads and Street Works Act 1991, application must be submitted to the Area Roads and Community Works Manager if it is necessary to excavate through a public road, footway or verge to connect to underground services or to occupy any part of a public road, footway or verge for the erection of scaffolding or hoarding, the placing of skips or building materials.

*[Handwritten Signature]*  
26/11/10



## ***EXTENSIVE PHOTOGRAPHIC RECORD***

This brief is for archaeological recording work required by your planning application and is based on the application documents supplied - the requirement is for a site plan and an extensive set of record photographs. The brief specifies what is considered to be the minimum acceptable standard of work. This brief has been produced for the applicant, who is responsible for all aspects of the work, including any tendering and contractual arrangements where a photographer is engaged. **Please note that to fulfil the planning condition these must be received and approved by the Highland Council Archaeology Unit (HCAU) before site works start.**

**N.B. The completed photographic record should be sent *directly* to HCAU (see Section 6 below). Please **DO NOT** send the record to the EPC or the area planning office.**

### **1. Background**

Where old buildings or structures are to be redeveloped or demolished, we require a record to be made before any alterations or demolition takes place. This work can be undertaken by the applicant or their agent – rather than by an archaeological contractor (or equivalent).

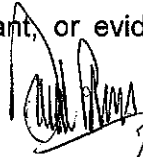
### **2. Objective**

To provide an extensive and comprehensive record of any features and objects of archaeological or historical importance which will be altered, damaged or destroyed by the development. A record of each building or built-structure to be affected must be made. To ensure a rapid discharge of this condition a large number of photographs that cover all elements of the building/s to be affected should be submitted.

### **3. Content of Record**

A photographic record is set of photographs of a specified building, structure or complex and its setting. It will be accompanied by a ground plan that includes a scale and north point. An architect's or draughtsman's drawing is usually sufficient. A photographic record should contain the following:

- Photographs of general views showing the building in its wider setting and landscape.
- Photographs of any associated buildings or structures, i.e. outbuildings, stores, boundary walls etc.
- Photographs of the buildings external appearance. Typically a series of views to give an impression of the overall size and shape of the building and a series of external elevations taken at right-angles to the building to show detail.
- Photographs of the overall appearance of the principal rooms, connecting areas and their associated rooms or work areas, i.e., understairs cupboards, pantries etc.
- Photographs of any external or internal detail, structural or decorative which is relevant to the buildings design, development or use and which does not show adequately on general photographs (i.e. fireplaces, exposed timbers, fixtures and fittings of note etc). It will be useful to include a clearly marked and suitably sized scale next to the subject – if a scaled ranging rod is not available an object of standard size would suffice, i.e. a ruler or tape measure.
- If applicable, photographs of any fittings, machinery or other plant, or evidence for its existence.

  
26/4/10

- Photographs of any dates or other inscriptions, any signage, maker's plates or graffiti that contribute to an understanding of the building or its fixtures. A transcription should be made wherever the characters are difficult to interpret.
- Photographs of any building contents which have a significant bearing on the buildings history.

#### **4. Reporting**

All photographs should be clearly labelled and numbered and the photograph locations marked on the accompanying ground plan. Where an architectural drawing is not available, a sketch plan can be used. All photographs and plan should be sent to HCAU on CD, DVD or via email (see addresses below in Section 6). Where photographs have been taken digitally, the original digital photographs should be sent, i.e. not printed copies. Prints (clearly labelled on the back in a soft pen or pencil, i.e. not a biro) with accompanying negatives or slides are also acceptable when digital technology is not available.

Accompanying the photographs and ground plan the following must also be included:

- a note of the time and date the photographic record was produced.
- the name(s) of the people that made the record (for copyright purposes).
- any descriptions or explanations that may be required to accompany the photographs.
- any information the recorder has about the building, i.e. building type; purpose (historically and present); construction materials; later additions, demolitions and alterations; possible dates; knowledge of previous residents etc.

#### **5. Copyright**

The Archaeology Unit will assume author's copyright unless advised otherwise. The completed report will be available for immediate public consultation at the Highland Historic Environment Record. The Archaeology Unit reserves the right to make it available for reference and research purposes, either on paper, or electronically. The Archaeology Unit will acknowledge copyright in all cases.

#### **6. Contact**

One copy of the photographic record should be sent **directly** to the Archaeology Unit, Planning and Development Service, Highland Council, Glenurquhart Road, Inverness IV3 5NX. Digital records can be emailed to [archaeology@highland.gov.uk](mailto:archaeology@highland.gov.uk). These should be received before the start of construction works. Please telephone 01463 702250 to confirm receipt. Please **DO NOT** send the record to the EPC or the area planning office.

**Highland Council Archaeology Unit  
Planning and Development Service**

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