

SCHEDULE OF PROPOSED CONDITIONS

Condition 1 The development to which this Planning Permission in Principle relates must be commenced not later than the expiration of FIVE YEARS beginning with the date on which this Planning Permission in Principle is granted.

Reason To accord with Section 59 (2A) and 59 (2C) of the Town and Country Planning (Scotland) Act 1997 (as amended).

Condition 2 An application(s) for the Approval of Matters Specified in Conditions to which this Planning Permission in Principle is subject, must be made no later than the expiration of THREE YEARS from the date on this decision notice. No part of the development shall be begun until such application(s) has been approved by the Comhairle as Planning Authority. [Note: If the application(s) for the matters specified has/have not been submitted within THREE YEARS beginning with the date on which this Planning Permission in Principle is granted or if following approval the development has not commenced within the expiration of FIVE YEARS beginning with the date on which this Planning Permission in Principle is granted, then this Planning Permission in Principle shall lapse].

Reason To ensure applications for approval of matters specified in condition are made timeously and to accord with Section 41, 1 (c) and Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

Condition 3 No part of the development shall commence until the following matters specified have been submitted to, and approved on application to the Comhairle as Planning Authority:

- A site and block plan of the proposed development detailing the layout and configuration of a maximum of 14 single bedroom units within a maximum of three buildings, external private and common spaces, car-parking and turning area, provision of foul water treatment facilities and surface water management;
- The method and siting of surface water drainage provision;
- The method and siting of foul water treatment/drainage of the site;
- A detailed topographic survey of the site;
- Pre-development and post development site levels and cross sections through the site extended through the site of the workshop units to the south: sections to extend from north to south and west to east, including through the proposed access; the cross-sections to confirm height of the buildings in relation to the workshop units and that the buildings do not have an exposed under-building more than 600 mm deep as measured from finished ground level;
- Details of any retaining structures and details of any soft landscaping planned to ameliorate the appearance of changes in ground level.

The development shall be carried out in accordance with the details as approved.

Reason Planning permission is granted in principle only, and the matters specified must be approved prior to any part of the development commencing to ensure the impact of the development is managed within acceptable limits on the visual amenity of the area.

Condition 4 No part of the development shall commence until the following matters specified have been submitted to, and approved on application to the Comhairle as Planning Authority:

- The design and external appearance of the proposed new buildings, which shall not exceed 1.5 storeys in terms of height; and;
- The external materials, colour and finish of the walls, roof, windows and doors, and the surfacing materials of the access and parking area;
- Details of zero and low carbon technologies and any energy efficiency measures to be used by the buildings;
- The provision of bin storage.

Reason To provide details of the matters specified in conditions which are required to be approved following the granting of this Permission in Principle and to manage the design and appearance of the development, and the surface and foul water drainage provisions and energy efficiency measures.

Condition 5 No part of the development shall commence until the following matters specified have been submitted to, and approved on application to the Comhairle as Planning Authority:

- Details of the access road to and through the site, which shall be double width and incorporate a footpath and streetlamps;
- Details of parking and turning arrangements within the site, which should make provision for a suitable turning area for a 10 metre long refuse vehicle.

Reason To provide details of the matters specified in conditions which are required to be approved following the granting of this Permission in Principle in order to secure the satisfactory development of the site in the interests of road safety.

Condition 6 Hours of construction operations should be restricted to 08.00 – 19.00 Monday to Friday, 08.00 – 13.00 on Saturdays and no working on Sundays.

Reason To protect the amenity at noise sensitive premises.

Condition 7 Should any complaints be received in respect of noise levels, the developer shall fully investigate these complaints and if requested by the Planning Authority to establish noise levels at any affected property, shall undertake noise monitoring which shall be carried out by a suitably qualified noise expert or consultant previously agreed in writing by the Planning Authority and which shall be carried out in accordance with BS7445:2003, BS4142:2014 and PAN 1:2011.

Reason To quantify the loss of amenity at noise sensitive premises resulting from the operation of the development.

Condition 8 Should any noise monitoring undertaken in accordance with Condition 7 above demonstrate that the noise thresholds are being exceeded, the developer shall submit a scheme of mitigating measures to the Planning Authority for written agreement within one month of the breach being identified. The agreed mitigating measures shall be implemented within one month of the written agreement or within any alternative timescale agreed in writing by the Planning Authority and thereafter retained throughout the life of the development unless otherwise agreed in writing by the Planning Authority.

Reason To ensure adequate mitigation is in place to protect amenity at noise sensitive premises.

Condition 9 A method statement should be submitted to the Planning Authority outlining what dust mitigation measures will be put in place for the duration of the construction phase. Should any complaints be received in respect of dust, the developer shall fully investigate these complaints to establish dust levels at any affected property.

Reason To protect the amenity at dust sensitive premises.

Condition 10 No part of the development to which this Planning Permission in Principle relates shall commence until a Design Statement has been submitted to the Comhairle as Planning Authority.

Reason In order to safeguard the character and visual amenity of built development in the National Scenic Area.

Informatives:

1. Scottish and Southern Electricity networks have made the following comments:

“As discussed for both sites with the proximity of the 11,000V overhead line, all construction will need to adhere to the HSE guidance GS6 which relates to work in proximity to overhead lines. As such without

any detailed site plans at present the applicant will need to ensure that any development be located 9m from the existing overhead line.

Should there be a requirement for any development within 9m of the existing overhead line the applicant will need to submit an application to divert or underground the overhead line prior to any construction taking place”.

2. Scottish Water have made the following comments:

“Asset Impact Assessment

Scottish Water records indicate that there is live infrastructure in the proximity of your development area that may impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via our Customer Portal for an appraisal of the proposals.

The applicant should be aware that any conflict with assets identified will be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Written permission must be obtained before any works are started within the area of our apparatus”.

3. The Comhairle Roads Section have made the following comments:

“The proposed access will branch off from the Industrial Units at Iomairt an Obain which currently operates with a one-way system.

The access to the site should be double width with a footpath and streetlamps. Standard access conditions would apply relating to road drainage, road safety and surfacing.

According to the local development plan there should be parking provision for 2 cars per house within a housing development, flats require 1.5 spaces.

The site layout should also contain a suitable turning area suitable for a 10m refuse vehicle.

From the submitted plans it’s unclear at this stage if the proposed road could be considered for road adoption following a Road Construction Consent application.

The development is within walking distance from Tarbert but the nearest footpath is located at Sunnyhill. A project of this nature must consider some footpath provision for pedestrians.’