

**THE HIGHLAND COUNCIL**

**PLANNING APPLICATIONS COMMITTEE –  
13<sup>th</sup> August 2013**

Agenda Item	5.6
Report No	PLN/078/13

**13/02006/FUL: Mr Stephen Chubb  
Land 210M, South of 33 Lochbay, Waternish**

**Report by Area Planning Manager**

**SUMMARY**

**Description :** Erection of house, formation of parking area & new un-adopted access track

**Recommendation - GRANT**

**Ward :**11 - Eilean a Cheo

**Development category :** Local Development

**Pre-determination hearing :** Not required

**Reason referred to Committee :** Objection by Community Council.

**1. PROPOSED DEVELOPMENT**

- 1.1 The development involves the erection of a contemporary design, two bedroom house on a steeply sloping hillside located on the landward side of the public road at Lochbay.
- 1.2 Informal pre-application discussions regarding use of innovative house design resulted in a response from the Planning Service which was broadly supportive but caveated with the need for a high quality submission and for visualisations of project in a landscape context.
- 1.3 This is a bare land site with no existing access or services.
- 1.4 A design statement has been submitted explaining the rationale of the design and its siting.
- 1.5 **Variations:** None

**2. SITE DESCRIPTION**

- 2.1 The proposed house is located on a sloping site above the public road at the southern end of Lochbay. The land is currently rough heather and coarse grass grazing and has little agricultural utility. The proposed access is taken directly from the classified public road

### 3. PLANNING HISTORY

- 3.1 08/00246/OUTSL – Erection of 3 houses – Grant (scheme reduced to two houses by Committee decision) – 07.09.2009  
12/02664/PIP – Erection of two houses (renewal) – Grant -17.08.2012  
12/03485/FUL – Erection of house (neighbouring south site) – Grant – 05.11.2012

### 4. PUBLIC PARTICIPATION

- 4.1 Advertised : Unknown neighbour

Representation deadline : 05/07/2013

Timeous representations : 3 representations from 3 households (not including objection from Community Council - see below)

Late representations : 0

- 4.2 Material considerations raised are summarised as follows:

- Asset stripping of croft
- Development in Waternish should be traditional
- The number of self lets undermines the B&B trade
- The unspoilt traditional crofting character of the landscape and the built environment drives tourism which will be undermined
- The building is inappropriate in its reference to agricultural buildings that are built on the basis of affordability and not as setting a local vernacular
- The evolved design of this building is far removed from the original concept
- The form of the building does not follow the vernacular tradition of either narrow span or following a 2:1 ratio with a well pitched roof and usually single, 1 ½ or 1 ¾ storey
- The vernacular style is based on an evolution from black houses – white house – gabled cottage – with distinctive features of dormer windows, skews and chimneys.
- The vernacular gives a sense of place, to depart from this erodes that sense of place
- The building is out of step with and does not respect the gradual evolution of building design in the area
- Timber frame houses are an extension of the vernacular
- The siting on a slope and using a broad span design requires more excavation than the equivalent narrow span house
- Will require careful landscaping to not be visually intrusive
- Use of decking is a suburban feature
- It is an arrogant and egotistical imposition of a design on a fine landscape and ignores the ethos of vernacular
- Far too radical design for what is the entrance/gateway to Waternish

- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet [www.wam.highland.gov.uk/wam](http://www.wam.highland.gov.uk/wam). Access to computers can be made available via Planning and Development Service offices.

## 5. CONSULTATIONS

5.1 **TECS(Roads)** : Comments not received at date of writing

5.2 **Building Standards** : No objections

5.3 **Waternish Community Council** : Object, comments as follows;

- The house design is an overindulgence in an eye catching design that is intended to attract awards
- The house design is not empathic with the local environment or with local vernacular buildings
- Waternish retains a rural crofting character that is important to local businesses and visitors comment on this
- The house design is far too removed and out of keeping with local design and character
- The visualisations have been manipulated and are not truly representative
- The precedents as shown do not exist in Waternish
- There are too many speculative builds for self-catering units, with owners from all parts of the UK and Internationally. These appear to have no care or feeling for the locality that they are permanently changing other than for financial gain, this is reflected in the style of and attitude of design
- Speculative builds that become self-catering take business away from those trying to live and work in the community. This impacts on the economy of the area.

## 6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

### 6.1 **Highland-wide Local Development Plan 2012**

Policy 34	Settlement Development Area
Policy 28	Sustainable Design
Policy 29	Design
Policy 47	Crofting
Policy 57	Natural, Built and Cultural Heritage

### 6.2 **West Highland and Islands Local Plan 2010 (As continuing in force)**

Policy 2	Land Allocations
----------	------------------

## **7. OTHER MATERIAL CONSIDERATIONS**

### **7.1 Highland Council Supplementary Planning Policy Guidance**

Sustainable Design Guide – Adopted January 2013

Housing in the Countryside and Siting and Design – Adopted March 2013

### **7.2 Scottish Government Planning Policy and Guidance**

n/a

## **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.

8.2 This means that 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.

### **8.3 Development Plan Policy Assessment**

The principle of development at this location has been established by the previous outline planning 08/00246/OUTSL and a subsequent permission 12/02664/PIP that gave an indicative siting, location and means of access. A number of conditions were imposed that prescribed how the development of this site would proceed. There are a number of differences with the requirements of conditions imposed on the application in principle, so this application has been submitted in full. However the parameters as set by the permission in principle are a material consideration in the assessment of this development.

The site lies within the Settlement Development Area for Lochbay and the character here is of a linear scatter of houses, both old and new located generally close to and above and below the public road. The density of development and consequentially the spacing of houses is quite variable - further to the north, for example, development is closely spaced.

This is a sensitive location on the approach to Lochbay. In visual terms the house is set in at the base of the slope and would be seen against rising ground to the east reflecting the pattern of development elsewhere in Lochbay.

### **8.4 Material Considerations**

Siting and Design - A key issue that has emerged from both the Community Council consultation response and from the representations made by individuals relates to the proposed design for the house.

The single storey 2 bedroom house design is undeniably modern and contemporary with the submission supported by a detailed design statement justifying the choice of design.

The design statement goes into some detail explaining how the design is based on the form of modern agricultural buildings and how it considers these modern functional buildings are now an integral part of the built environment on Skye. The statement also shows an 'evolution' of the design from the original concept through to the design as submitted and how this relates to the constraints of the sloping site.

The site for the house is on the landward side of the public road, approximately 30m back and 6.5 metres above the road level. This location and elevation is similar to that of the house to the south which is currently under development (12/03485/FUL). Due to the relative steepness of the site, the house footprint and the access will involve fairly significant cutting back into the slope - this was an expectation taken into account when the previous permission was under approved. From the point of view of siting, location and the degree of earthworks required for a development within this sloping site, this generally accords with that expectation. It is considered that the amount of excavation required to site this design of house is no greater than that required for more conventionally influenced house design or that for a typical wide span 'kit' house for example.

On plan, the house footprint consists of two intersecting triangular elements which give a floor area of approximately 132m<sup>2</sup> with a small decked area of 12 m<sup>2</sup> to the road frontage. The overall gross footprint of the building being equivalent to a rectangle of 21 metres x 11 metres. The long axis of the house footprint runs parallel with the contours and with the public road. However the house design as proposed will make use of the levels and contours effectively.

Each of the triangular elements is a wedge shaped form in profile with a shallow dual pitched roof. The maximum height at the ridge is 4.5 metres reducing down to 2.5 metres at its lowest point, corresponding eaves heights are similar. It's scale and massing is considerable smaller than a conventional 1½ storey house. Despite the triangular footprint the building in elevation view has a more easily understood form, which is of two interconnected shallow dual pitch roofed buildings.

The choice of materials proposed for the building, include;

- natural weathered larch 'board on board' vertical cladding to the majority of the external walls
- small detail relief windows
- surround panels of horizontal larch cladding
- aluminium patent glazing units and
- profile fibre cement roof panels.

These materials and particularly those used for the roof are drawn from those used for modern agricultural buildings. However the use of timber finishes is becoming more widespread and now forms part of the character of many established buildings. National guidance on house design and the Highland Council's own Sustainable Design Guide and Housing in the Countryside and Siting and Design seek to encourage high quality design and also the use of materials that are more sustainable.

The design has extensive areas of glazing to the west (road) facing elevation with more discrete smaller windows and panels to the remaining elevations.

Fibre cement roofing is a less familiar choice for a domestic building. However there is a long history of the use of corrugated metal sheeting in a domestic context and fibre cement sheeting has also been used for extensions. It is considered that the use of a darker, recessive colour for the roof sheeting would allow the roof to blend in better with the rising landform to the east. It is important to note that because of the relative elevation of the site, the roof will not be seen as a major part of the appearance of the building in short to medium distance public views of the site. It is the timber cladding that will be most apparent to public view from the road.

The architect's approach towards the design takes existing and familiar elements of buildings within the landscape to form a contemporary design. Whilst this approach has produced a building that is unique and non-traditional, it has been specifically designed for the constraints that this site offers. The overall impact of the building will be reduced by being set into a slope with steep rising hillside acting as a backdrop to the east.

As based on the submitted plans and visualisations, the overall outline and bulk of the building will be broken up by the sloping wedge shaped elements. Although this could appear visually confusing on the submitted elevations, the visualisations place the building in a more realistic setting and it is considered that in reality the building will fit in with both the natural and built landscape in the locality. It is considered that the success of the scheme will rely a good deal on the quality of the finished earthworks, with the slopes battered back carefully to marry in with the existing contour.

The concern that the site is located at the gateway to Waternish is noted. However, further to the south, there are a number of properties of varying designs that are as equally prominent in the landscape and on the seaward side of the public road. It must also be recognised that the site will be partially obscured in views when approaching Waternish from the south by the landform and the other contemporary house being constructed to the south.

The road at this point has scrub birch and willows growing up adjacent to the ditch and the majority of these should be retained. Elsewhere within the site, careful use of planting can be used to soften the house outline when seen from certain angles from the road.

Access - the proposed access is taken from a standard SDB1 + service bay bellmouth arrangement and then rises up following a natural line in the slope. It then curves upwards from north to south across the lower part of the site before continuing upwards to a parking and turning area to the south west of the house.

The outline 08/00246/OUTSL advocated the use of a shared access to serve both this house and the one to the south. However, it would be very difficult to integrate the access for this development with that previously approved under 12/03485/FUL for the site to the south. Consequently, a separate access has been proposed for this site also.

Although the principle of limiting additional access points onto the public road is recognised, it is considered that the creation of two SDB1 type accesses and service/passing bays with a safe separation distance of 30 metres between them, mitigates this issue of accepting additional access points.

Drainage - the proposed foul water drainage is to be by means of a treatment plant, partial soakaway with a final discharge to an adjacent burn. Surface water is to be dealt with by means of a soakaway located adjacent to the same burn. Building Standards have not raised any issues regarding these arrangements. A SEPA discharge consent will be required.

## 8.5 Other Considerations – not material

Both the Community Council representations and those received from individuals refer to the ownership of houses and the manner in which they are let out as holiday lets or are owned by absentee owners. There is a perception that this may give rise to an adverse impact on the locality, its community and its economy. These concerns are noted however these concerns are not unique to Waternish or Skye, but apply to many rural areas of the UK which have both a high visual quality and have a tourism related economy. Undoubtedly there are self-let units at Waternish that are both locally owned and are run in tandem with a B&B. The assessment of a planning application does not distinguish between houses in terms of their use be it for residential or holiday purposes although it is acknowledged that this can be a cause of concern within communities.

## 9. CONCLUSION

9.1 The proposed house is undeniably unique in form and uses a number of elements of design and material use taken from modern agricultural buildings. Although the triangular forms are very different to the footprint of a more conventional house designs, as shown in the visualisations the resultant building integrates well into the landscape and contrasts positively with the house under construction to south.

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. RECOMMENDATION

**Action required before decision issued** No

**Subject to the above**, it is recommended the application be **GRANTED** subject to the following conditions and reasons :

1. No development shall commence until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:

- i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
- ii. A plan showing existing landscaping features and vegetation to be retained;
- iii. The location and design, including materials, of any existing or proposed walls, fences and gates;
- iv. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and
- v. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.
- vi. Details of the removal and location of any deposition of excess spoil/waste or arisings from the site clearance and site groundworks.

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

2. No other development shall commence until the site access has been constructed in accordance with The Highland Council's Access to Single Houses and Small Housing Developments guidelines and the attached Access Schedule (dated 23/07/2013), with:

- i. the junction formed to comply with drawing ref. SDB1 ; and
- ii. visibility splays of 2.4 m x 105 m (the X dimension and Y dimension respectively) in each direction formed from the centre line of the junction.

Within the stated visibility splays, at no time shall anything obscure visibility between a driver's eye height of 1.05m positioned at the X dimension and an object height of 0.60m anywhere along the Y dimension.

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



3. Notwithstanding the provisions of Article 3 and Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), no extensions or outbuildings are permitted within the curtilage of the house without planning permission being granted on application to the Planning Authority.

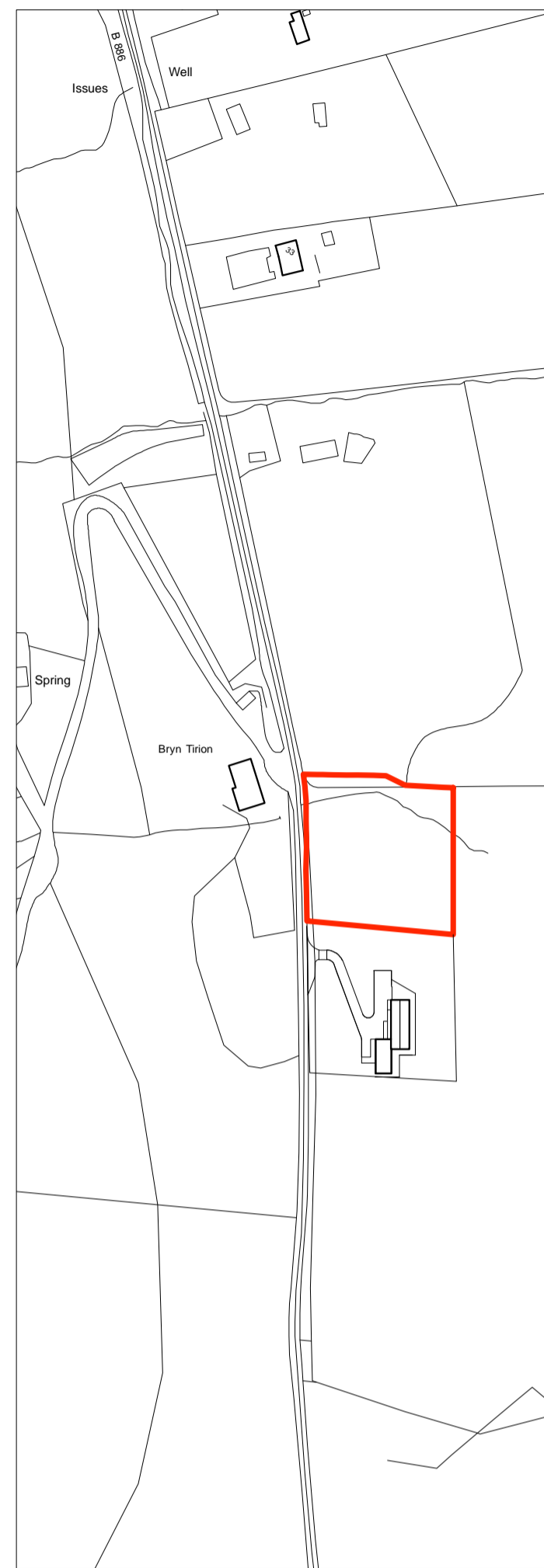
**Reason** : To maintain the integrity of the high quality of design of the development that is located in a prominent roadside location.

Signature: Dafydd Jones  
Designation: Area Planning Manager North  
Author: Mike Hoar  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 – Location Plan  
Plan 2 – Elevation Plan  
Plan 3 - Elevation Plan  
Plan 4 - Floor Plan  
Plan 5 - Site Levels  
Plan 6 – Visualisations from south  
Plan 7 – Visualisations from north

## Appendix – Letters of Representation

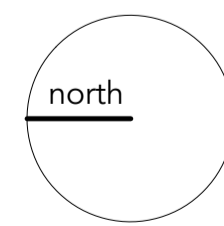
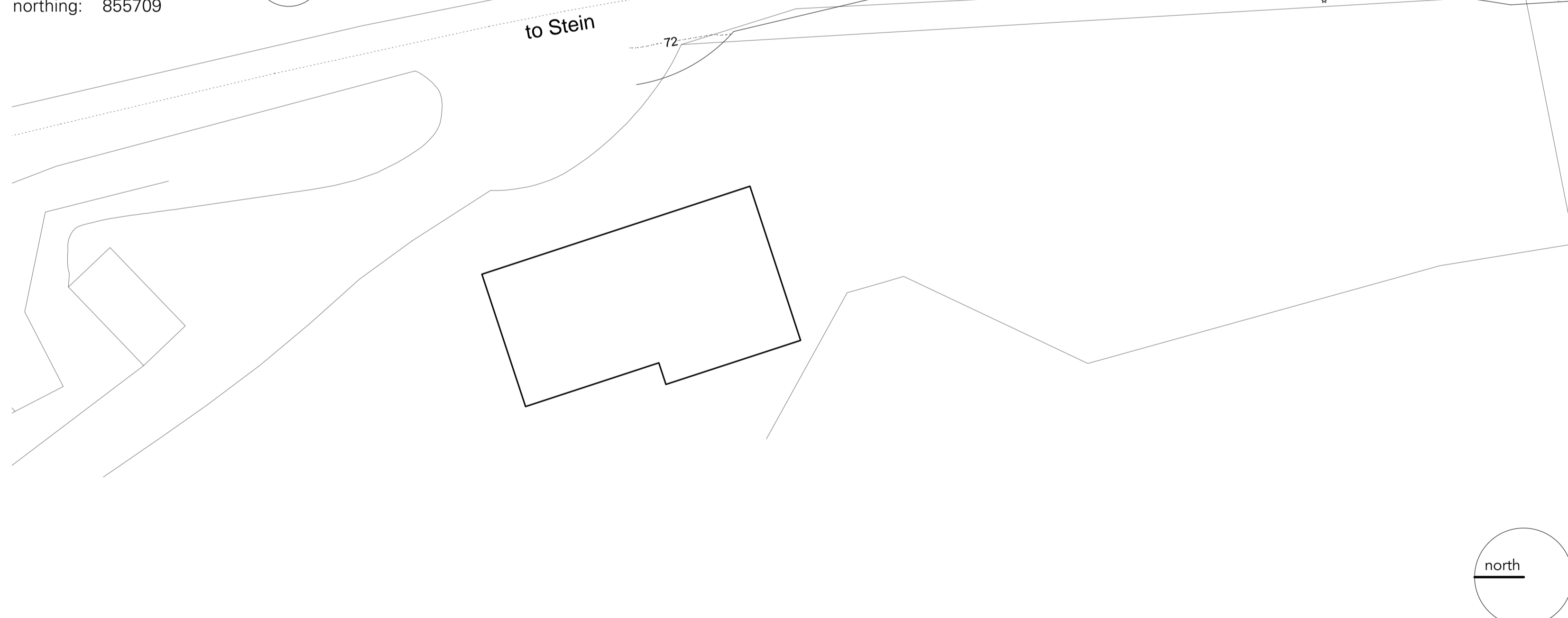
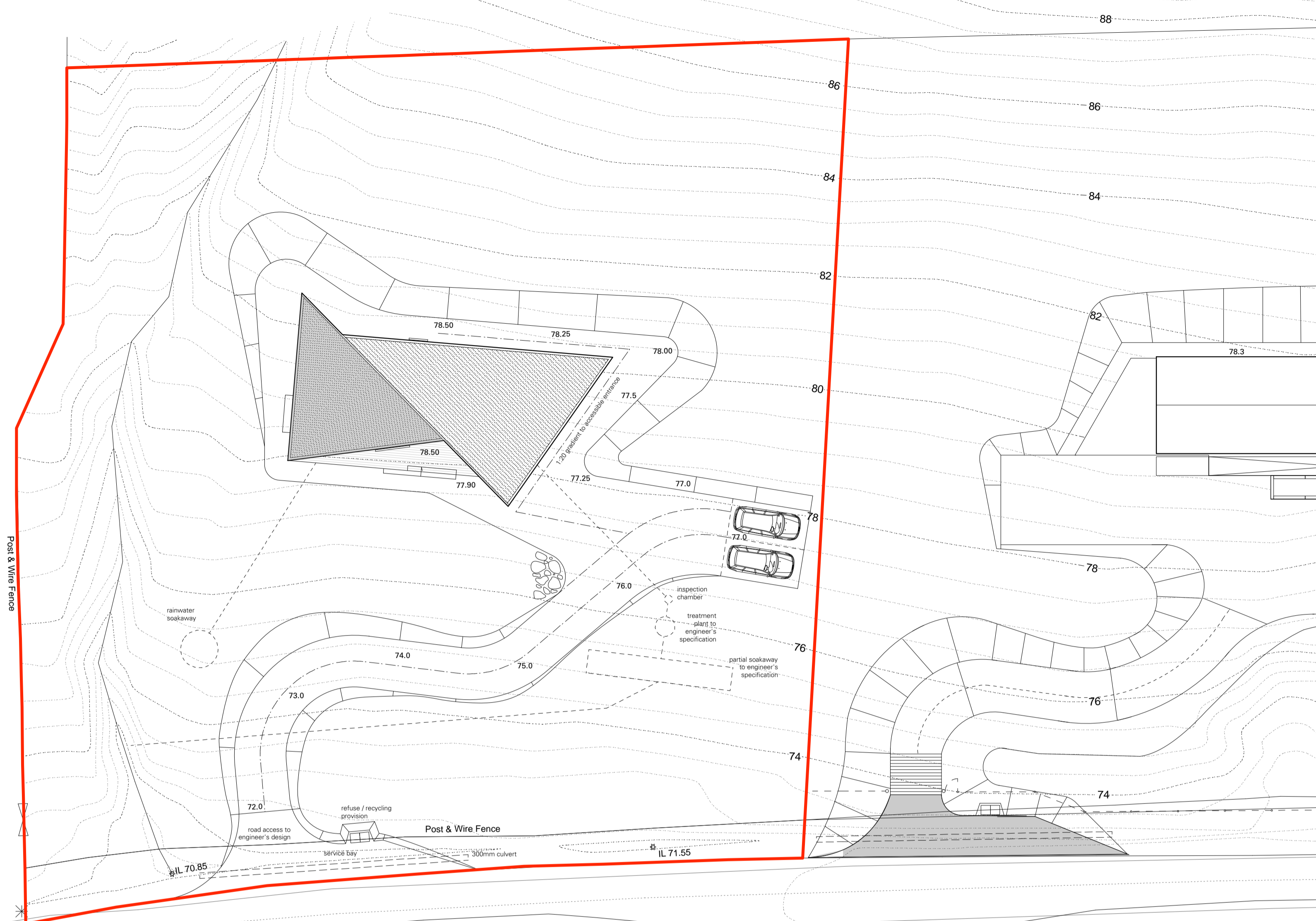
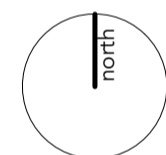
Name	Address	Date Received	For/Against
Mr G MacKay	(Chair of) Waternish Community Council	01/07/2013 & 02/07/2013	Against
Mr V Bull	Croft 31, Lochbay, Waternish, IOS, IV55 8GD	28/06/2013	Against
Mr & Mrs Myhill	10 Hallin Park, Waternish	03/07/2013	Against
Mrs K Ford	9 Dunhallin, Waternish	04/07/2013	Against

M 1:2000  
0 20 40 60 80 100 120 140 160 180 200 [m]



site area: 0.2528 ha

easting: 127167  
northing: 855709



M 1:200  
0 5,0 [m] 10,0 [m] 15,0 [m]

**General Notes**

**Bellmouth**  
In accordance with Standard Access Specification Drawing No SAS 2f (figure 4 + service bay):  
14mm nom. close-graded bitmac wearing course 40mm thick on 40mm nom. bitmac basecourse 90mm thick on 320mm type one base material on 100mm type one sub-base

**Access Track**  
100mm compacted gravel/whin dust or marble topping on 200mm compacted sub-base comprising locally found material where possible

**Parking Bay**  
40mm gravel on 200mm compacted sub-base comprising locally found material where possible

**Water Supply**  
25mm supply pipe laid at a depth of 750-1350mm to connect to existing main

**Electricity Supply**  
16kva single phase underground connection to existing

**Foul Drainage**  
Biorock treatment system to discharge to burn to specialist design

**Rainwater**  
Surface water to be discharged via soakaways

**Landscaping**  
No landscaping - reseeded of existing ground to allow site to regenerate

do not scale drawing, if in doubt seek clarification from architect

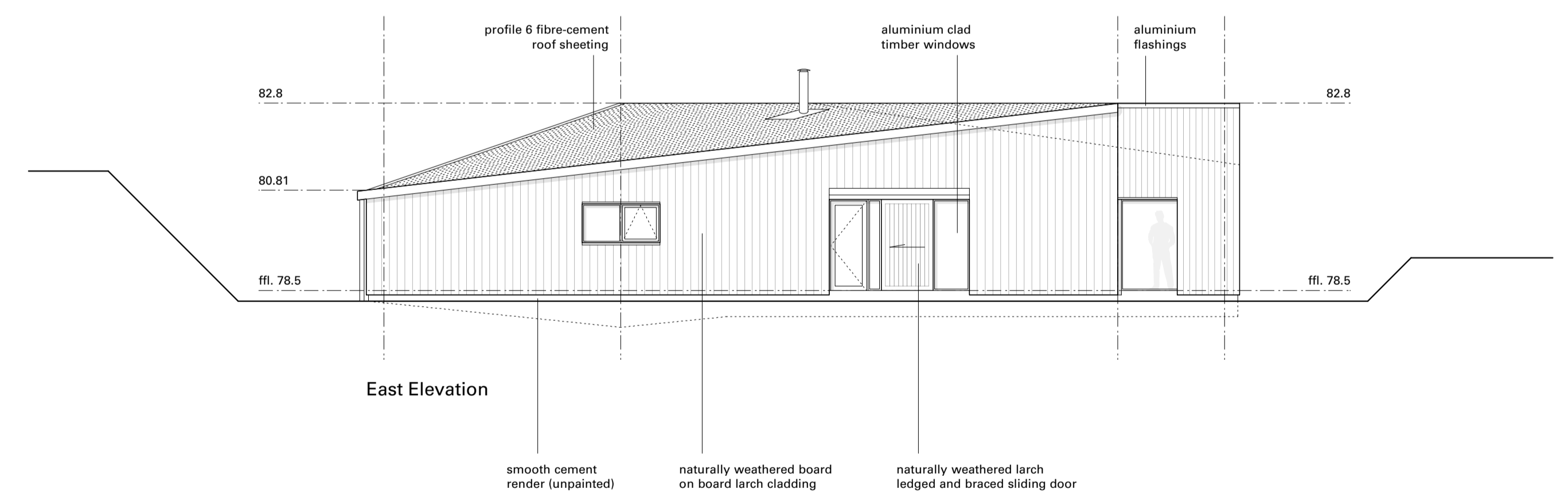
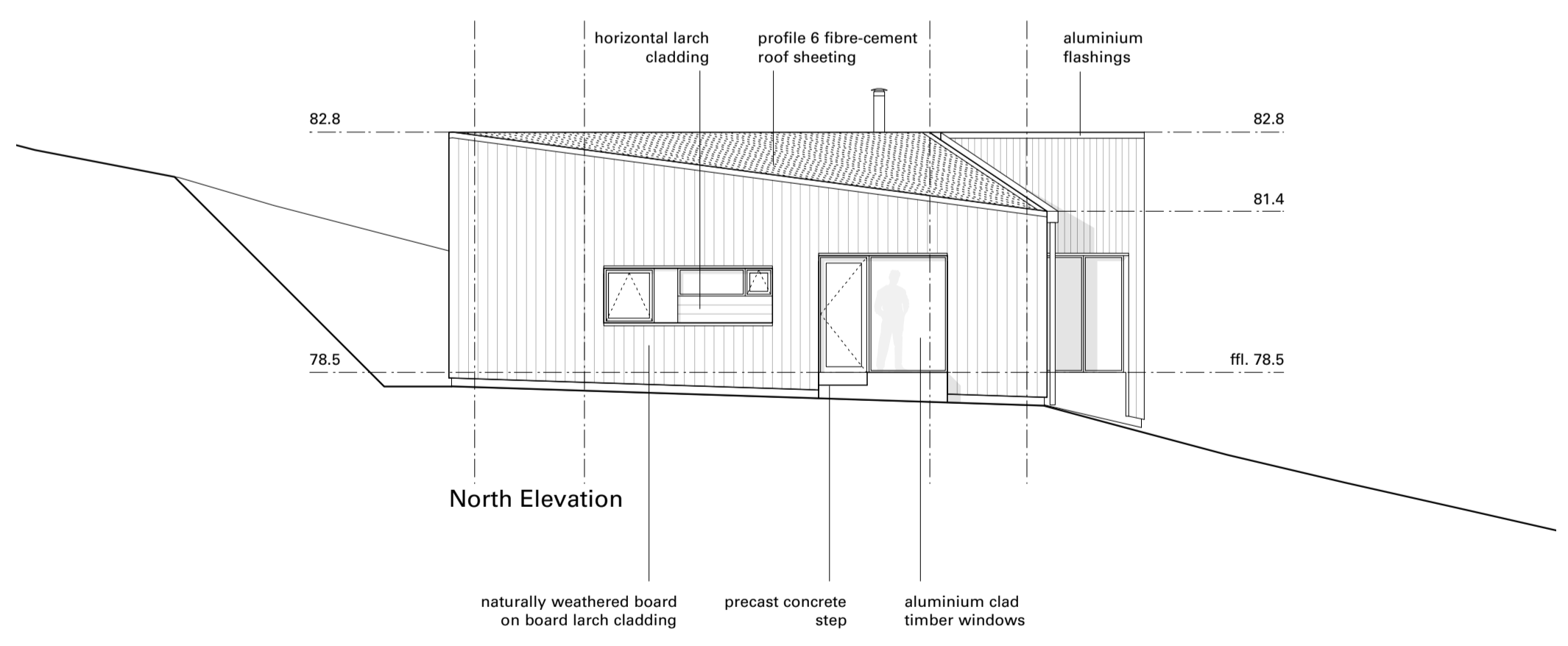
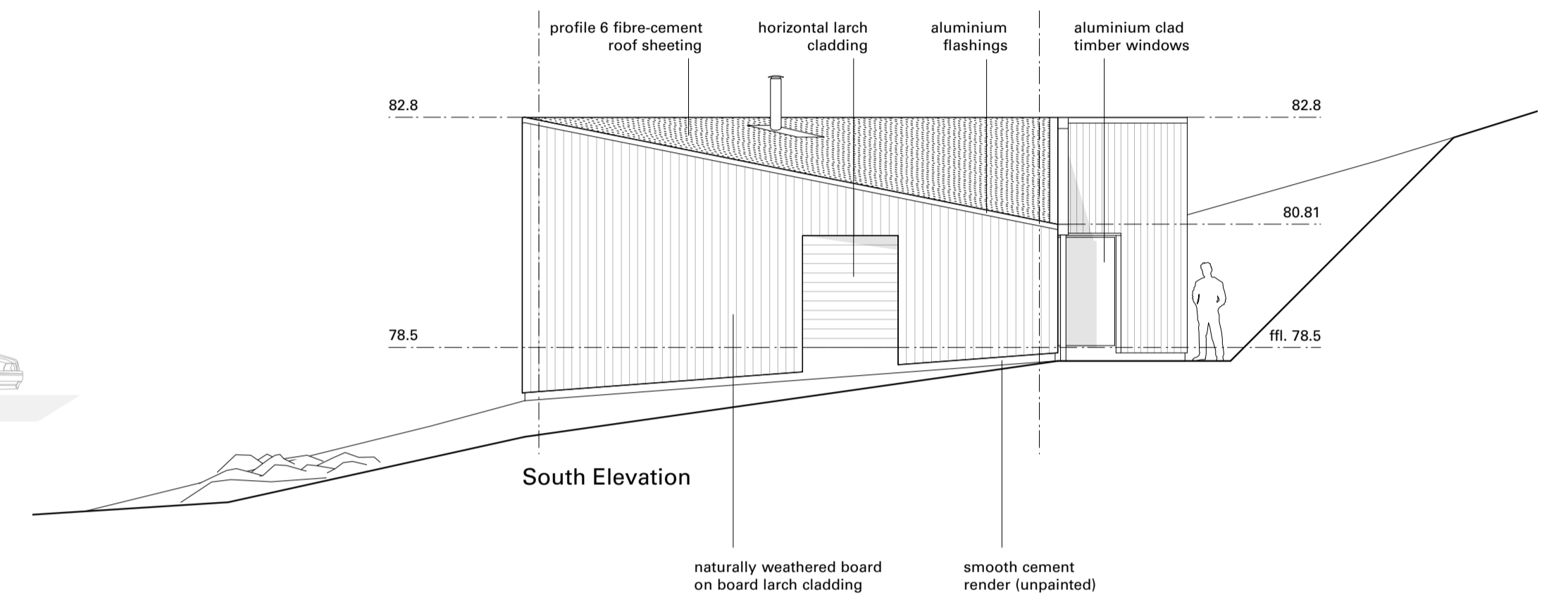
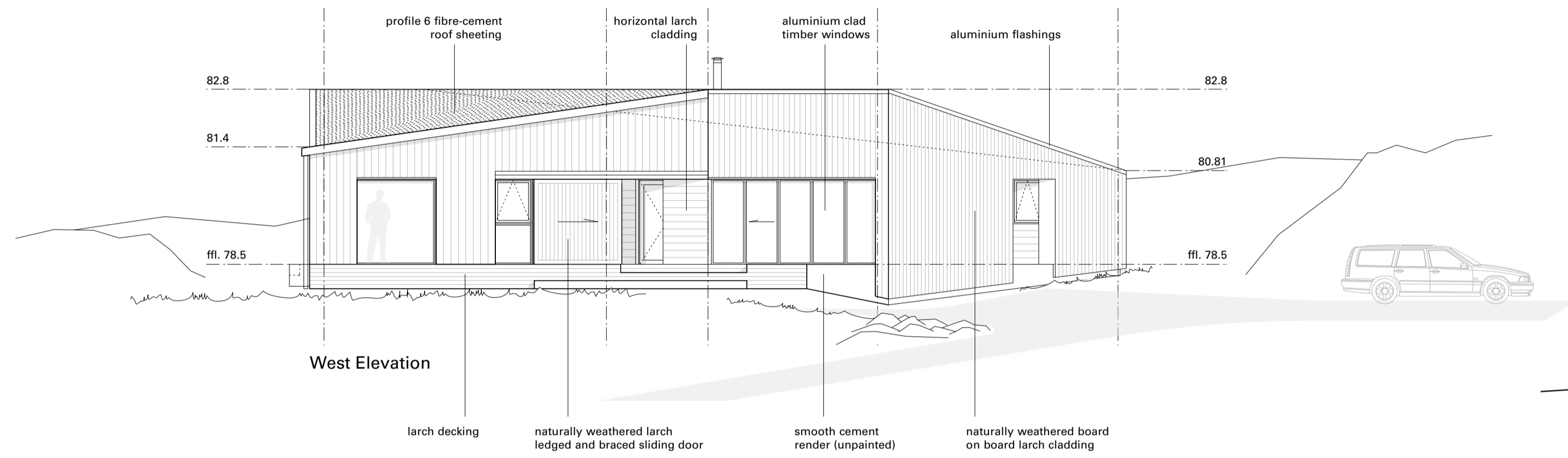
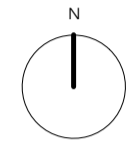
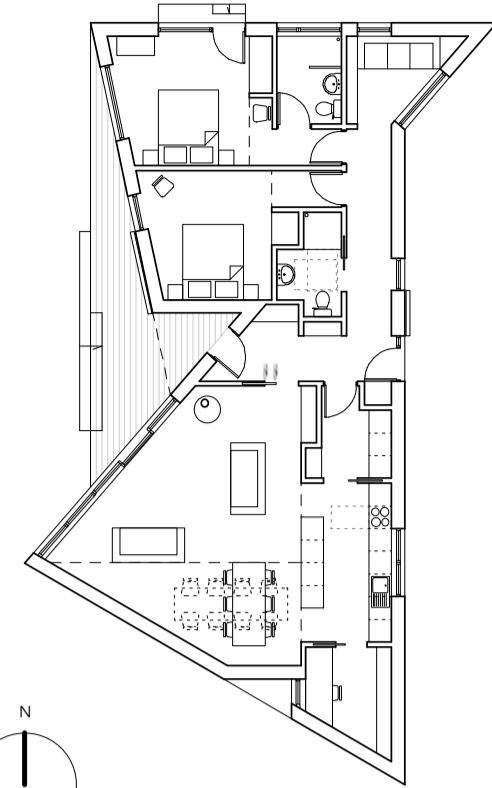
revisions & notes

© Rural Design Ltd

5 Lochside, Dunvegan, Isle of Skye, IV55 8WA  
tel. 0(44)1470 521555 fax. 0(44)1470 521551  
www.ruraldesign.co.uk studio@ruraldesign.net

**RURAL DESIGN ARCHITECTS**

Client Aoife Martin & Stephen Chubb		Project Proposed House at 33 Lochbay (North)		
Dwg No. <b>191/001</b>	Status Planning	Drawing Title Location / Site Plan	Scale 1:200 @ A1	Date May '13
		Drawn SM		



do not scale drawing, if in doubt seek clarification from architect

revisions & notes

© Rural Design Ltd

5 Lochside, Dunvegan, Isle of Skye, IV55 8WA  
tel. 0(44)1470 521555 fax. 0(44)1470 521551  
www.ruraldesign.co.uk studio@ruraldesign.net

**RURAL DESIGN ARCHITECTS**

Client  
**Aoife Martin & Stephen Chubb**

Dwg No.  
**191/102**

Project  
**Proposed House at 33 Lochbay (North)**

Status  
Planning

Drawing Title  
Elevations

Scale  
1:100 @ A1

Date  
May '13

Drawn  
SM