

Directorate for Planning and Environmental Appeals

Appeal Decision Notice

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Decision by David N Gordon, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: PPA-270-2088
- Site address: land 50 metres west of Schiehallion, Torridon
- Appeal by Miss E Holmes against the decision by The Highland Council
- Application for planning permission 13/00007/FUL dated 2 January 2013 refused by notice dated 25 March 2013
- The development proposed: erection of house and agricultural building
- Date of site visit by Reporter: 11 July 2013

Date of appeal decision: 17 July 2013

Decision

I dismiss the appeal and refuse planning permission.

Reasoning

1. The determining issues in this appeal are whether the proposal accords with the provisions of the development plan, and whether there are overriding material considerations.
2. The reasons stated for the refusal of planning permission refer to four development plan policies: policies 36, 49 and 57 of the Highland-wide Local Development Plan and policy 4 of the Wester Ross Local Plan 2006 (as continued in force). The most relevant one, and the one emphasised in the council's statement, is policy 36 (Development in the Wider Countryside). It states that outwith Settlement Development Areas, development proposals will be assessed for the extent to which they comply with various criteria, relating to, amongst other things, siting and design, the existing pattern of development in the area and landscape character. The policy also states that regard will be had to the extent to which proposals would help to support communities in Fragile Areas (including Torridon) in maintaining their population and services.
3. Torridon is a long linear settlement, nearly all of which lies on the landward side of the public road along the north side of Upper Loch Torridon. The land between the road and the loch comprises a series of croft fields under grass, which slope down towards the shore path. The appeal site lies next to the road, at the north corner of one of these fields.



Like all of the undeveloped croft land between the road and the loch, the appeal site lies outwith the settlement boundary identified in the adopted Wester Ross Local Plan 2006 (as continued in force).

4. The proposed buildings are sited and designed to limit their visual impact. The house would be dug into the slope next to the road, and its roof ridge would be below the top of the roadside wall. The agricultural building would also be close to the wall, and its roof ridge would be not much higher than the top of the wall. Both roofs would be seeded with grass and wild flowers. Gorse bushes behind the wall, and additional planting, would help to screen or soften some views of the development.

5. However the development as a whole – the buildings, the garden, the upgraded access, and the circulation and parking areas – would result in a significant change to the character and appearance of this part of the village. Parts of the development would be clearly visible from the road, by both pedestrians and those travelling in vehicles. The development would also be visible to pedestrians on the shore path. It would appear significantly out of keeping with the existing pattern of development in Torridon, mainly because of its location on the lochward side of the road.

6. There is presently only one house near the road on its lochward side. That house – Coire Anamoich – lies near the north end of the village, where the road runs close to the shore. It lies at a bend in the road, and it relates well visually to development on the landward side of the road. There are other houses on the lochward side of the road: the National Trust for Scotland properties at the south end of the village, and the house on Am Ploc. However these are well away from the road and not relevant to the issues of settlement pattern raised by the appeal proposal.

7. The village of Torridon has a very dramatic landscape setting. The narrow strip of development along the road lies between the steep, high slopes of Liathach to the north and the contrasting croft land to the south. The virtual absence of development on the lochward side of the road is an important feature of the area, and this makes a valuable contribution to the views in all directions. The proposed development would appear as an unplanned, intrusive addition to the area, and it would have a significant adverse impact on the landscape setting of the village.

8. I recognise that Torridon is a fragile community. One indicator of this is the recent closure of the primary school. There appear to be few obvious opportunities for development within the village. I understand though that the council has been discussing possible solutions with the National Trust for Scotland, the main landowner in and around the village. While the appeal proposal would help to maintain Torridon's population and services, I consider that its adverse impacts on settlement pattern and landscape setting make it contrary to policy 36.

9. Policy 49 (Coastal Development) states, amongst other things, that the council will promote the landward side of the road for development where proposals on the coastal side would otherwise interrupt scenic views over open water. Other important factors are stated to be potential landscape impact, and effect on the setting of coastal communities. Views

of the loch from a short stretch of the road adjacent to part of the appeal site are already interrupted by the gorse bushes behind the wall. Some wider views of the loch and its surroundings from nearby stretches of the road would be affected, although in general not obscured, by the proposed development. The proposal would impact adversely on the landscape and on the setting of the village. It would therefore be contrary to policy 49.

10. Policy 57 (Natural, Built and Cultural Heritage) states that development proposals will be assessed taking into account, amongst other things, the level of importance and type of heritage features, and the impact on the feature and its setting. The appeal site lies within the Wester Ross National Scenic Area. However the proposal is relatively small scale, and I agree with Scottish Natural Heritage that its impacts would not be of national significance. There would though be locally significant adverse impacts on both natural and built heritage features for the reasons already discussed. The proposal would therefore not accord with this policy or, more generally, with the provisions of the development plan.

11. With respect to other material considerations, the appellant states that she presently lives some 12 kilometres away, in Shieldaig, but that she would prefer, for various reasons, to live in Torridon, on her croft. I accept that looking after her animals and plants would be more convenient if she lived on, or closer to, the croft. However the croft is small and she has a range of work interests, and I am not persuaded that she has a strong need to live at the appeal site.

12. In 2012 prior approval and planning permission were granted respectively for two polytunnels and an animal shelter/feedstore on the croft. The council accepted that small scale buildings were required in association with the working of the croft. The agricultural building now proposed would have less of an impact than the one previously approved. However the appeal proposal as a whole would have a significantly greater impact on the character and appearance of the area than the previous proposal.

13. While planning proposals require to be assessed mainly on their own merits, precedent can also be a material consideration. Particularly given the shortage of development land in the area, I believe that granting permission for the appeal proposal could make it more difficult to resist proposals for similar developments on the lochward strip. If a number of such developments were permitted there, the cumulative impact on Torridon's settlement pattern and landscape setting could be very significant.

14. I have taken account of these and all the other matters raised by parties, including both supporters and objectors, but conclude that there are no overriding material considerations. I therefore find the proposal unacceptable.

David N Gordon

Reporter