

THE HIGHLAND COUNCIL

**SOUTH PLANNING APPLICATIONS COMMITTEE
30 September 2014**

Agenda Item	7.5
Report No	PLS/072/14

**14/03040/MS: Mr and Mrs M Hall
House Plot to South of Annesfield House, Glencoe**

Report by Area Planning Manager - South

SUMMARY

Description : Proposed new croft house

Recommendation - APPROVE

Ward : 22 - Fort William and Ardnamurchan

Development category : Local Development

Pre-determination hearing : Hearing not required

Reason referred to Committee: More than 5 timeous representations and an objection by the Community Council.

1. PROPOSED DEVELOPMENT

- 1.1 Planning permission is sought for the erection of a new 1½ storey house through matters specified in conditions. The proposed house is a gable roofed structure measuring 12m in length along the west facing front elevation x 10m in depth, with a height to the roof ridge of 6.4m, and incorporating 4 bedrooms. It is proposed to finish the house in white render on the external walls with the south elevation finished in larch cladding. The roof will be finished in dark grey natural slate.
- 1.2 No pre-application advice was sought. It is not mandatory in such cases.
- 1.3 The main site access is the existing private lane to the north which connects to the Glencoe Village Road. Additionally, a crofting access onto the A82 Trunk Road is present in the southern end of the site.
- 1.4 No supporting documents have been submitted.
- 1.5 **Variations:** The finishing materials originally proposed for the roof and walls have been amended in response to concerns regarding the compatibility of the finishes with the parameters of the planning permission in principle.

2. SITE DESCRIPTION

- 2.1 The site lies between the Glencoe Village Road and the A82(T). 'Annesfield', the former croft house, fronts the Village Road. The site and surroundings are generally level. To the rear is '12C Glencoe', a modern 1½ storey house granted planning permission under application 06/00495/REMLO. Beyond are three caravans on the applicants' croft, then open croft land which borders the A82. The application site occupies that of the northern most caravan. There is an existing house to the immediate west of the application site, 'Strathleven', which is served off an adjacent, parallel access and occupies a similar set back distance from both the Village Road and the A82. An open field is located immediately to the east of the application site.

3. PLANNING HISTORY

- 3.1 **13/01799/PIP** New croft house on croft 12 C Glencoe; refused under delegated powers. Review upheld by Local Review Body, January 2014. Planning permission in principle granted.
- 3.2 **07/00600/FULLO**: Erection of 2 letting cottages and caretakers house: refused by Committee contrary to officer recommendation, June 2008. Appeal dismissed by Scottish Ministers.

4. PUBLIC PARTICIPATION

- 4.1 Advertised : Unknown neighbour - expired 04/09/2014

Representation deadline : 05/09/2014

Timeous representations : 8

Late representations : 0

- 4.2 Material considerations raised are summarised as follows:

- The proposed house is out of character with both the surroundings and the application for planning permission in principle with respect to scale and finishes.
- The proposal will lead to inappropriate use of the existing croft access onto the A82 Trunk Road to the detriment of road safety.
- The proposal will intensify use of the private lane connecting to the Glencoe Village Road and contribute to traffic congestion on this street.
- The proposal will result in a loss of privacy and daylight for neighbouring dwellings.
- The proposal is outwith the Settlement Development Area recognised in the Development Plan and as such will set a precedent for further housing contrary to the Development Plan.
- The proposal will result in a loss of croft land.

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. Access to computers can be made available via Planning and Development Service offices.

5. CONSULTATIONS

5.1 **Transport Planning** : No response.

5.2 **Glencoe and Glen Etive Community Council**: Object on the grounds listed in 4.2 above.

5.3 **The Crofting Commission**: Express concerns regarding the justification for a further house in the area and the potential for the proposal to lead to further speculative housing development on croftland outwith the Settlement Development Area.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

28	Sustainable Design
29	Design Quality and Place Making
36	Wider Countryside
47	Safeguarding Inbye Apportioned Croftland
57	Natural, Built and Cultural Heritage
61	Landscape

6.2 West Highlands and Islands Local Plan (2010) (as continued in force 2012)

7. OTHER MATERIAL CONSIDERATIONS

7.2 Highland Council Supplementary Planning Policy Guidance

Housing in the Countryside and Siting and Design (March 2013)

Sustainable Design Guide (January 2013)

7.3 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (The Scottish Government, June 2014)

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**

Planning permission is sought for a new house outwith the Settlement Development Area. The principle of residential development on the site has been established through 13/01799/PIP, granted following review.

The main considerations are the proposal's accordance with the matters specified in conditions through 13/01799/PIP and the design and amenity criteria listed in Policies 28 (Sustainable Design) and 36 (Wider Countryside). The application site is located within the Glencoe and Ben Nevis National Scenic Area; under Policy 57 (Natural, Built and Cultural Heritage), developments are permissible which will not have an unacceptable impact on the natural environment, amenity and heritage resource.

8.3.1 Design and Amenity

The proposed 1½ storey croft house design is generally in keeping with the established character of Glencoe Village which exhibits a number of different styles of single, 1½ and 1¾ storey houses. The proposal is also of similar dimensions to 12C Glencoe directly adjacent. The design is considered acceptable within the criteria established by condition attached to 13/01799/PIP which called for walls finished predominantly in white wet dash render, a roof covering of natural slate, windows with a vertical emphasis and a symmetrically pitched roof incorporating traditional gable ends. The design, siting, orientation and spacing of the proposal from nearby residential properties is sufficient to prevent an unacceptable impact on the privacy and amenity of these properties. Existing screening is already present on the eastern site boundary with the open field, which is to be consolidated with landscaping. No direct window to window overlooking issues are raised with respect to the property to the west.

8.3.2 Impact on Landscape

The proposals are sited on the edge of the built up area of Glencoe. The main public views of the site will be from passing traffic on the A82 and as such will be fragmented. To satisfy one of the specified matters, the applicant has provided details of a programme of screen planting, further minimising the visual impact of the proposals. Considering the use of traditional design elements and finishes the impact of the new dwelling on the character of the National Scenic Area is considered to be minimal.

8.3.3 Impact on Croftland

The principle of residential development on the site and loss of croft land has been established through 13/01799/PIP. The Crofting Commission would consider the proposals in detail at decrofting stage and reserves the right to review the extent to which crofting interests have been taken into account in the planning process.

8.3.4 Access and Servicing

No specific servicing issues have been identified. The access from the Glencoe Village Road is to be used to serve the proposed development. This access was considered satisfactory from a road safety perspective under application 13/01799/PIP and this remains the case. Concerns have been raised over the potential for use of the croft track to or from the A82 Trunk Road and the impact on road safety. Direct access onto the A82 does not, however, form part of this application. A connection to the public water supply and drainage network is proposed which will be subject to agreement with Scottish Water.

8.3.5 Policy Conclusion

The principle of a house on this site has been established by the granting of planning permission in principle reference 13/01799/PIP following review. The proposal meets the terms of the conditions attached to the permission in principle and is acceptable in terms of siting, design, servicing, privacy and amenity.

8.4 **Material Considerations**

Eight letters of representation have been received in relation to the proposal. The points raised have been summarised in section 4.2 above and the issues raised have been discussed in section 8.3 above.

8.5 **Other Considerations – not material**

Several objectors highlighted that the application form incorrectly stated that the application site was not part of an agricultural holding. A corrected land ownership certificate has now been submitted. Additionally, objections were raised on the basis of the motivations of the applicant, loss of a private view and impact on surrounding property values. Concerns were also raised over disturbance during the construction period which is controlled under the environmental health legislation. An informative is proposed in this regard.

8.6 **Matters to be secured by Section 75 Agreement**

None

9. **CONCLUSION**

9.1 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 N

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

1. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended by the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, no ancillary development permitted by Schedule 1, Part 1 shall be erected within the curtilage of the dwelling house hereby approved.

Reason : In order to enable the Planning Authority to retain effective control over future development within the application site so that it is carefully managed and does not result in over-development or an adverse impact on the amenity of the area in accordance with Policies 28, 29, 36 and 57 of the Highland-wide Local Development Plan, 2012.

2. No development or work shall commence until a detailed specification for all proposed external materials and finishes (including trade names and samples where necessary) has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

Reason : To ensure that the development is sensitive to, and compatible with, its context and local architectural styles in accordance with Policies 28, 29, 36 and 57 of the Highland-wide Local Development Plan, 2012.

REASON FOR DECISION

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

TIME LIMITS

TIME LIMIT FOR THE IMPLEMENTATION OF THIS APPROVAL OF MATTERS SPECIFIED IN CONDITIONS

The development to which this planning permission in principle relates must commence no later than TWO YEARS from the date on this decision notice.

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Accordance with Approved Plans & Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). 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 adhere to this permission and meet the requirements of all 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.

Mud & Debris on Road

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Signature: Allan J Todd
Designation: Area Planning Manager - South
Author: Michael Kordas
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – A.02.1 A General Plan A1
Plan 2 – A.02.2 A Elevation Plan A2
Plan 3 – A.01.1 Site Layout Plan A3

Appendix – Letters of Representation

Name	Address	Date Received	For/Against
Ms Joyce Wilkinson	Invercaimbe, B8008 Arisaig, Garramor House Access Road, Arisaig Highland, PH39 4NT	02/09/2014	General Comment
Ms Cynthia M Grundley	Hilcrest, 12 Carnoch, Glencoe, PH49 4HS	02/09/2014	Against
JH and DH Young	Grianan, 11A Glencoe, Ballachulish, PH49 4HS	02/09/2014	Against
Miss Elizabeth Law	Annesfield, Glencoe, PH49 4HS	02/09/2014	Against
Mr and Mrs Ian and Susan Nicolson	12B Carnoch, Glencoe, Ballachulish, PH40 4HQ	03/09/2014	Against
Mr John Roy	Brecklet House, Ballachulish, PH49 4JG	29/08/2014	Against
Mr David Smith	Pier House, Tigh Phuir, Glencoe, PH49 4HN	05/09/2014	Against
Mr and Mrs E Roy	Strathleven, Glencoe, PH49 4HS	04/09/2014	Against

NOTES
 The contractor will be held to have checked all dimensions before commencing with any works and in the event of any discrepancies is to refer them directly to the Architect prior to commencement of works.
 Written dimensions are to be taken at all times. Drawings should not be scaled. In case of doubt refer to Architect.
 The contractor will ensure that all materials conform to the British Standards relating to them and/or certificates issued by the British Board of Agreement and that they are fixed, mounted or installed strictly in accordance with the B.S. Code of practice relative to them or the Manufacturer's printed instructions.
 British Standards & Codes of Practice will include amendments made on or before date of tender.
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Generic Perspective



Generic Perspective

date	revisions	mk	by	chk'd

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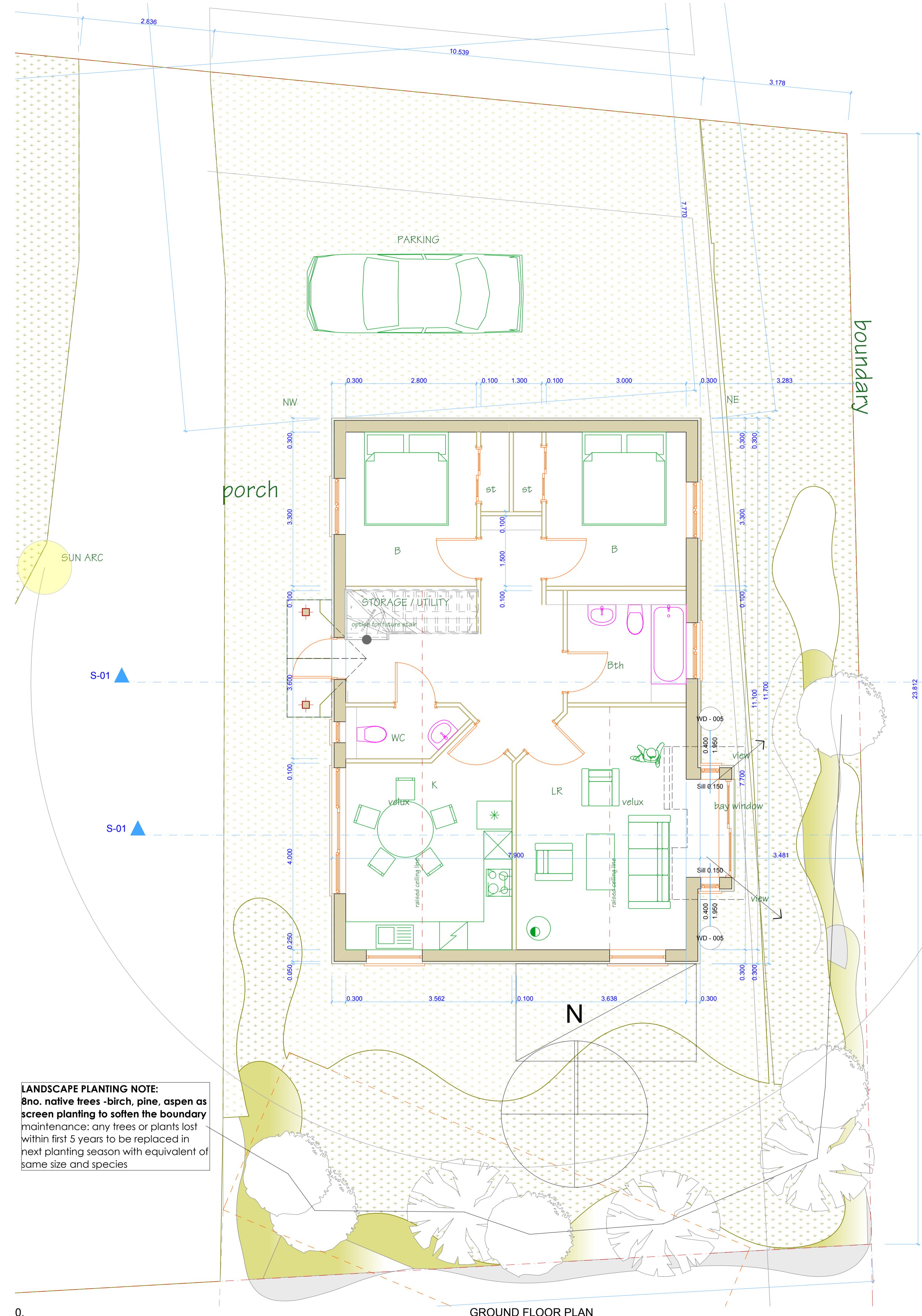
project
 PROPOSED NEW HOUSE AT CROFT 12C
 GLENCOE

client
 MIKE+SHEANA HALL

detail
 Floor Plans
 GENERAL ARRANGEMENT

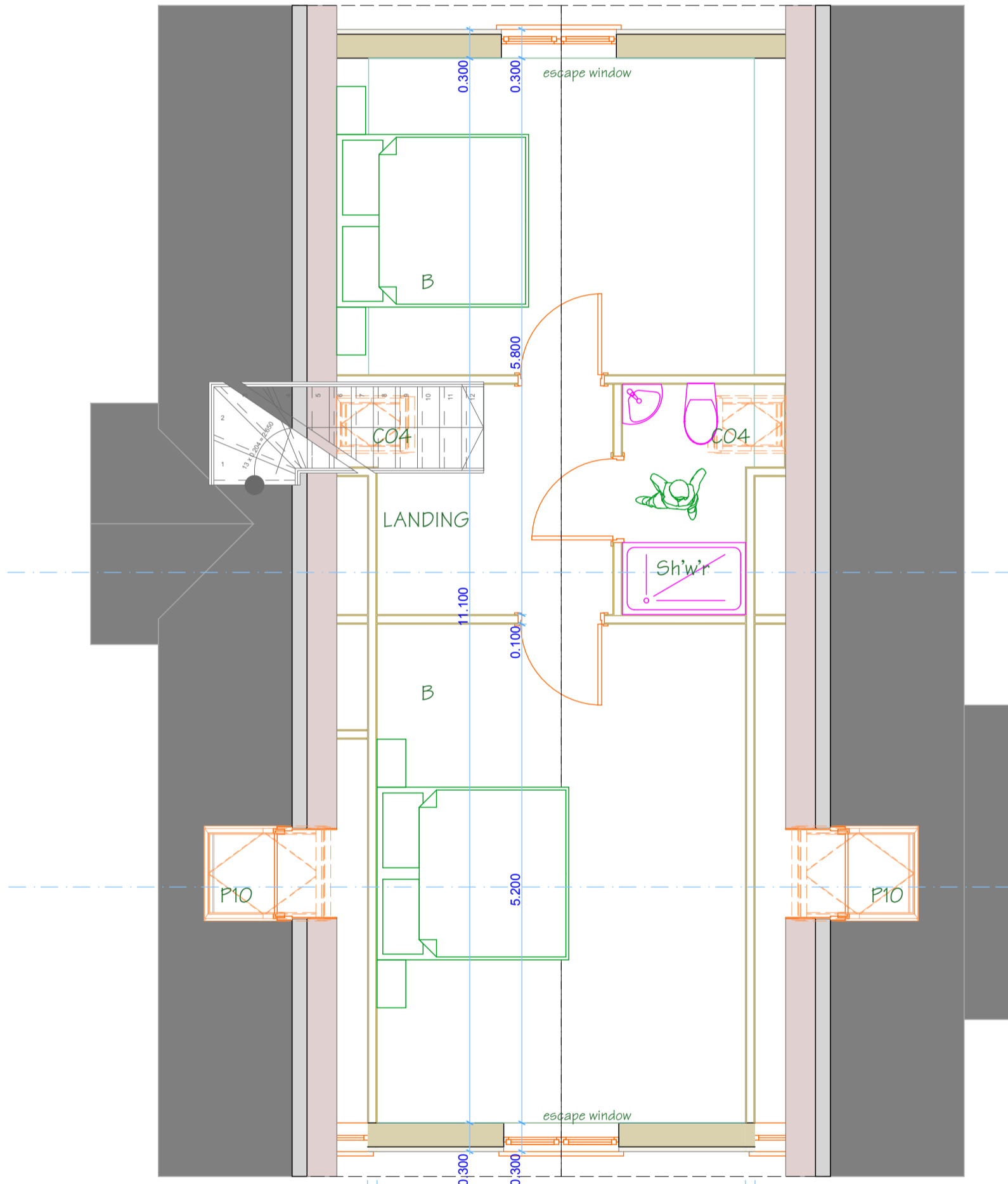
scale at A1	date	drawn	
1:50, 1:250	AUG 14	DMM	
Client ref.	Job no.	Dwg no.	Rev.
HA002	12/016	A.02.1	

1:50



GROUND FLOOR PLAN

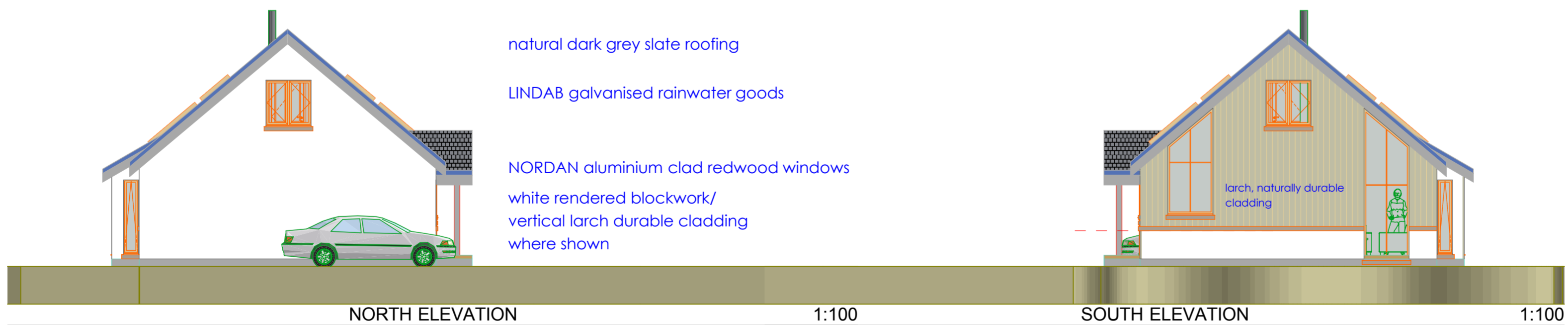
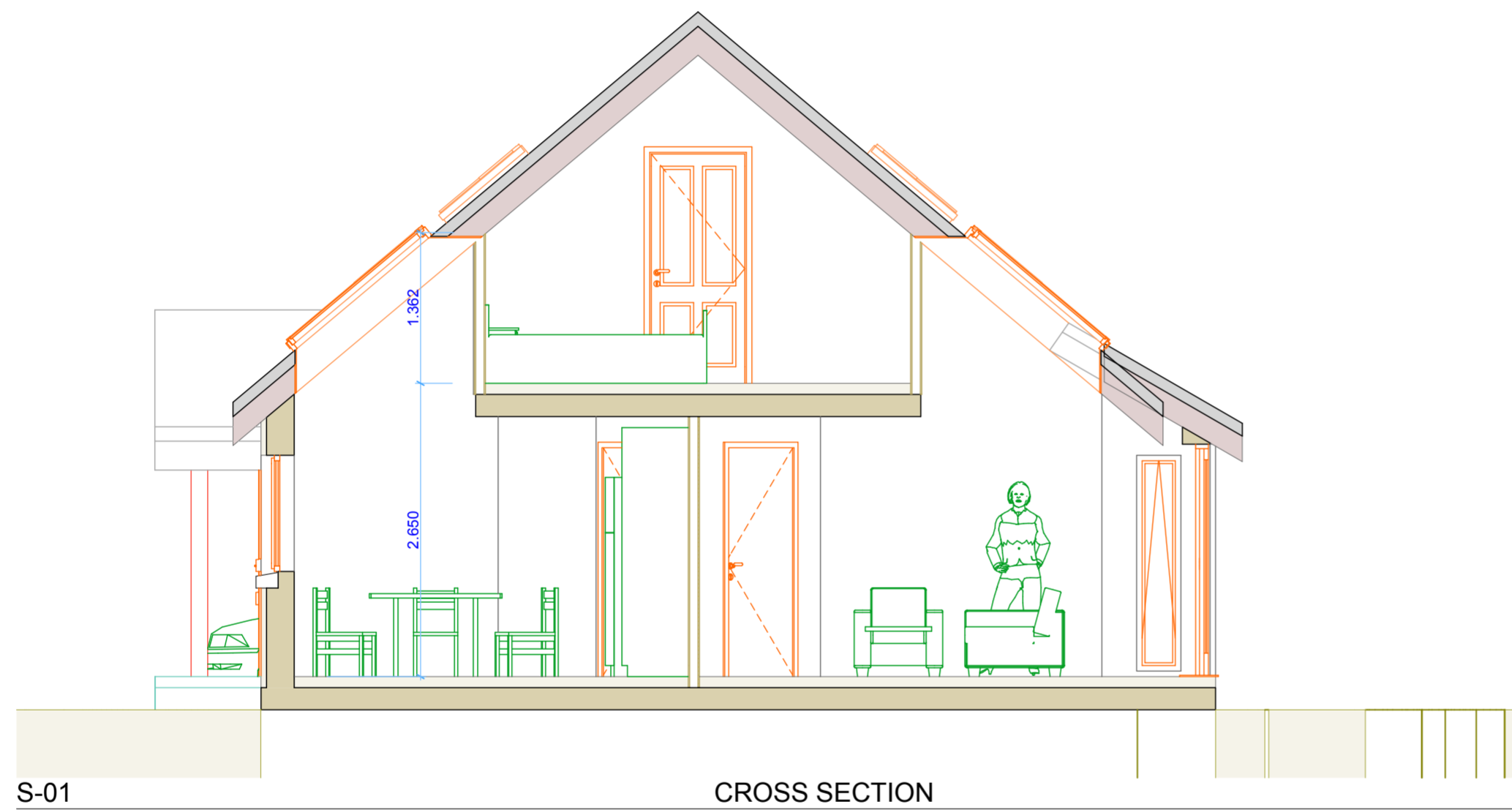
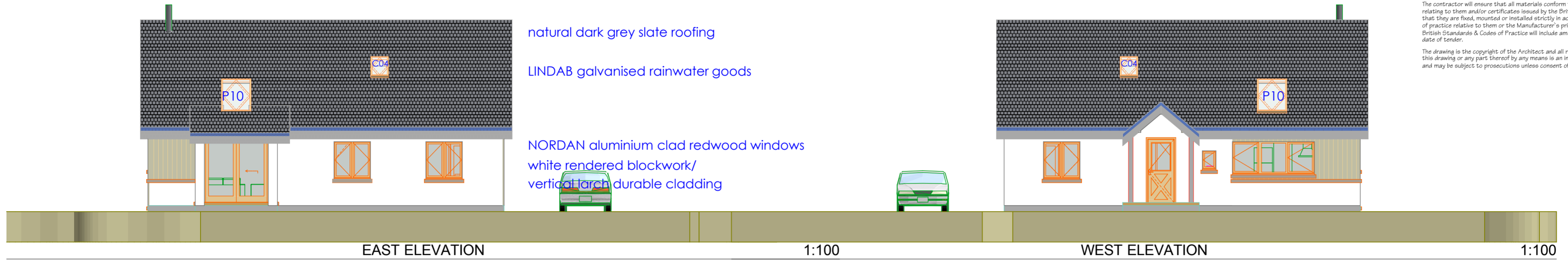
LANDSCAPE PLANTING NOTE:
 8no. native trees - birch, pine, aspen as screen planting to soften the boundary
 maintenance: any trees or plants lost within first 5 years to be replaced in next planting season with equivalent of same size and species



Attic floor area= 45 sqm

1. ROOFSPACE 1:50

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project

PROPOSED NEW HOUSE AT CROFT 12C
 GLENCOE

client

MIKE+SHEANA HALL

detail

Floor Plans
 ELEVATIONS AND SECTION

scale at A2	date	drawn	
AS NOTED	AUG 14	DMM	
Client ref.	Job no.	Drq no.	Rev.
HA002	12/016	A.02.2	



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project **PROPOSED NEW HOUSE AT CROFT 12C GLENCOE**

client **MIKE+SHEANA HALL**

detail **SITE SITE PLAN**

scale at A3	date	drawn	Client ref.	Job no.	Drw no.	Rev.
1:1250	AUG 14	DMM	HA002	12/016	A.01.1	

W-02

SITEPLAN

1:1250