

THE HIGHLAND COUNCIL

PLANNING APPLICATIONS COMMITTEE
17 February 2015

Agenda Item	5.1
Report No	PLN/004/15

14/03662/FUL : Mr D Bentley
Land North of 33 Scouriemore Scourie

SUMMARY

Description : Formation of road accesses, construction of detached dwelling and associated services and demolition of existing shed

Recommendation : **REFUSE**

Ward : 01 - North, West And Central Sutherland

Development category : Local Development

Pre-determination hearing : **None**

Reason referred to Committee : Request by Ward Members.

1. PROPOSED DEVELOPMENT

- 1.1 The application is in detail for a large 7 bedroom split level 2½ storey house.
- 1.2 Pre-application enquiry 14/00148/PREAPP – Advice given that in principle the development of the site could be supported, noting that Permission in Principle (12/02651/PIP) previously granted. A design for a site elsewhere on the west coast was submitted to illustrate a building type with similar materials; however, this was for a 1½ storey house and therefore different to the house type now submitted.
- 1.3 No existing infrastructure on site
- 1.4 Supporting documents including photographs provided of position of building; photomontage of elevation from pier/north side of Scourie Bay (9 December).
- 1.5 **Variations**: No variations made since application made.

2. SITE DESCRIPTION

- 2.1 The site is comprised of agricultural ground set out in rigs located on the north side of the single track township road at Scouriemore. The land sits above the village of Scourie, with the site sloping SW to NE towards Scourie Bay. The slope is relatively modest at the roadside, then falls away further into the site. From the beach below the impression is of houses sitting at the top of the rigs.

The site is located off a relatively flat section of road, although to the south the road turns steeply up the hill. The forward visibility from the proposed access point is reduced due to the horizontal and vertical alignment; however due to the site being almost at the end of the public road and the tight and steep bends before the site access to the south, the vehicle speeds are low at this point, with an estimated typical speed of around 10mph.

There is a scatter of housing at Scourie more. The immediately neighbouring properties are on the north side of the road; with a cluster around the road end to the northwest. The house types are varied with a mix of traditional form older properties, with various degrees of modern alterations and extensions; and also newer post 1970-kit type houses. The houses are generally single or 1½ storey with white walls and dark roof profile; and most are sunk into the landscape to reduce their profile and exposure to the wind.

3. PLANNING HISTORY

- 3.1
- 12/02651/PIP - Erection of house, access and domestic wastewater system. Granted 02.11.2012. The conditions require that the house should be single or 1½ storey; the roof be finished in natural slate; the walls finished in a white/off-white dash render /smooth coursed cement /natural stone finish; windows shall have a strong vertical emphasis; and that the house shall be of a predominantly rectangular plan form with traditional gable ends with the principal elevation facing the public road.
 - 14/00148/PREAPP (26.02.2014) - Road access with combined residential and B & B house comprising 4 bedrooms residential and 4 bedrooms B & B. Agricultural shed to be constructed on adjacent croft land

4. PUBLIC PARTICIPATION

4.1 Advertised : Neighbours. Expiry 05.12.2014

Representation deadline : 05.12.2014

Timeous representations : 6 (including Scourie and District Community Council)

Late representations : 0

4.2 **Material** considerations raised are summarised as follows:

- None

4.3 All letters of representation are available for inspection via the Council's e-planning 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 **Crofting Commission** : No specific comments in relation to this proposal on this site. Comments relate to the 'Crofting Commission General Policy Response for Planning Consultations'.

6. DEVELOPMENT PLAN

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 & Place-making
34	Settlement Development Areas
36	Development in the Wider Countryside
47	Safeguarding Inbye/AppORTioned Croftland
57	Natural, Built & Cultural Heritage
65	Waste Water Treatment
66	Surface Water Drainage

6.2 Sutherland Local Plan (2007) (as continued in force, April 2012)

1	Settlement Development Area
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7. OTHER MATERIAL CONSIDERATIONS

7.1 Highland Council Supplementary Planning Policy Guidance

- Housing in the Countryside and Siting and Design

7.2 Scottish Government Planning Policy and Guidance

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 a house on the site has been established as outlined in section 3.1. When permission was granted the conditions sought to ensure that the proposed house would have a traditional form and mass specifying a 40 to 45 degree pitch slate roof; single to 1½ storeys; rectangular gable ends; cross sections of building and site relative to easily identifiable datum point; 60m visibility splay.

Regrettably the **current proposal is markedly different from what was set out in the permission in principle and has to be assessed as a stand alone application**. It is for a very large and substantial house on an L-plan form. The house will be a large split level 1½ storey on one side and 2½ storey on the other. The inside-corner of the L-plan faces to the south towards the Scouriemore road, with the long sides facing north west and northeast. From the Scouriemore road and north west the building has a 1½ storey form, with the upper floor being within the roof space with lighting by rooflights. To the northeast the building is very different, as it uses the change in levels on the site to gain an extra lower floor, therefore the building has the elevational form of a 2½ storey house. The roof space uses traditional dormers rather than rooflights. There is also a protruding gable at the northern end with a large area of glazing, which sits awkwardly with the rest of the house. The building does therefore appear to have a significant bulk and mass from the northeast elevation (which is what would be seen from Scourie Bay and the beach below) which is exacerbated by the scale and design of the large gabled protrusion. Accordingly, the building would appear to be significantly bigger than the other houses in the immediate area which are much lower profile.

The accommodation within the house would include 8 bedrooms:

- Lower ground floor – 4 bedrooms with en-suites – rectangular plan
- First floor – living room, kitchen, utility and reception space – L-plan
- Second floor – 4 bedrooms, one bathroom – L-plan

The external finishes are a natural slate roof and harling and stone to the walls.

To the northeast of the house and downhill from it would be the septic tank and land soakaway. Percolation tests have been undertaken by the agent with a resultant vP of 45. It was noted on the test results that a sewage treatment plant would improve the quality of the effluent and enable a smaller soakaway area.

The accommodation (total of 8 bedrooms, with en-suite facilities for four on the lower ground floor) suggests that the 'house' is dual function as a private house, but also as a B&B / guest-house. Whilst the concept of a 'guest house' is generally considered to be supportable at this location, it should be noted that in planning terms, such a use (a B&B / guest house) does not fall within the use (Class 9) of a house, but instead falls with a hotels and hostels use (Class 7) of the Town and Country Planning (Use Classes) (Scotland) Order 1997.

The Agent has been advised of this and the fact that if the developer were successful in gaining planning permission for the proposal as submitted, then a further planning permission would be required in order to run the private house (Class 9) as a B&B / guest-house (Class 7). It has already been suggested to the Agent that the current application for a house (Class 9) be withdrawn and re-submitted on this basis – that is as a B&B / guest-house (Class 7). However, the Applicant has indicated that they wish that the application as submitted for a house (Class 9) is considered as a B&B / guest-house (Class 7). This cannot be done with the current application as it would need to be withdrawn and re-submitted, and accordingly the application can only be considered on the basis of a house (Class 9).

Planning assessment

The principle of a house in this location has been accepted by virtue of the previous permission (12/02651/PIP). The positioning of the building generally fits with the existing pattern of housing at Scourie more in terms of set back from the public road and also with regards to its relationship to other houses and the normally expected standards of separation. Access from the public road can be successfully achieved with the sight lines of 90m. Notwithstanding this, the house would be set back at least 13m from the public road and downslope from it.

The neighbouring properties to the NW and SE are 1½ and single storey respectively. From the ENE on the pier road and the campsite, the existing housing line has a gap in it – the proposed house site. The land to the SW of the house site rises to a rocky outcrop. It is considered that the development of the site will have a localised impact on the existing outlook from the houses to the NW of the site at Scourie more, partially impairing some of their view of the village – the main impact is considered to be on the neighbouring property 'Wallis Cottage' to the NW.

Whilst the principle of a house has been granted through the permission in principle (12/02651/PIP), the **design which is now proposed is not considered to be acceptable** for the site in terms of its design, massing and scale, particularly when viewed from the NE from Scourie Bay, the village and pier. The house would have a 2½ storey form and therefore differ markedly from that of any other house in the immediate area; and it would introduce a different building massing to the established character of housing at Scourie more, to its detriment. The scale and massing is exacerbated on this elevation by the 2½ storey protruding gabled extension.

With respect to the **Scourie village Settlement Development Area (SDA) (Policy 1) of the Sutherland Local Plan**, the site lies across the boundary of the SDA allocation. Within the SDA, development proposals, including housing, are considered to be generally acceptable, subject to specific details relating to their siting, design and amenity issues. The land to the northeast of the planning application site – downhill of it and towards Scourie Bay – is outwith the SDA. This croft land helps to provide the setting for and character to the SDA.

In relation to the **Highland Wide Local Development Plan**:

- **policy 28** (Sustainable Design), it is considered that **the proposal would have a significantly detrimental impact on individual and community residential amenity as by its form and massing it does not demonstrate sensitive siting and design in keeping with the established local character**
- **policy 36** (Development in the Wider Countryside), it is considered that **the proposal is not acceptable in terms of its siting and design due to its form and massing; nor is it compatible with the existing landscape character which is of single to 1½ storey form houses sunk into the landscape.**

Accordingly, **the proposal is not considered to accord with the Development Plan.**

8.4 **Material Considerations**

None

8.5 **Other Considerations – not material**

The letters received were supportive and sought to emphasise the :

- fragile economy
- shortage of B&B accommodation in the area
- local school would be supported by the development
- employment opportunities created

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

None

9. **CONCLUSION**

9.1 The principle of a house in this location is acceptable as has been evidenced by the granting of planning permission in principle previously. Likewise the associated social benefits in supporting the local school and tourism accommodation are recognised. However it is the design scale and massing of the proposed house which is considered inappropriate and precludes officer support. A revised scheme for a more appropriately scaled house would be encouraged for which it hoped officer support could be offered. All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

It is recommended that permission be refused.

10. **RECOMMENDATION**

Action required before decision issued

Notification to Scottish Ministers	n	
Referral to Ward Members	Y	Reason : Delegated refusal
Notification to Historic Scotland	n	
Conclusion of Section 75 Agreement	n	
Revocation of previous permission	n	

Subject to the above, it is recommended the application be **REFUSED** for the following reasons:

1. The proposal does not accord with the Highland Wide Local Development Plan policy 28 (Sustainable Design), as it is considered that the proposal would have a significantly detrimental impact on individual and community residential amenity as by its scale, form and massing it does not demonstrate sensitive siting and design in keeping with the established local character.
2. The proposal does not accord with the Highland Wide Local Development Plan policy 36 (Development in the Wider Countryside), as it is considered that the proposal is not acceptable in terms of its siting and design due to its scale, form and massing; nor is it compatible with the existing landscape character which is of single to 1½ storey form houses sunk into the landscape.

SIGNATURE

Signature: Dafydd Jones

Designation: Area Planning Manager (North)

Author: Bob Robertson

Background Papers: Documents referred to in report and in case file.

Relevant Plans:

Plan 1 - Site Layout Plan S1.14.06

Plan 3 - Section Plan S.1.14.07

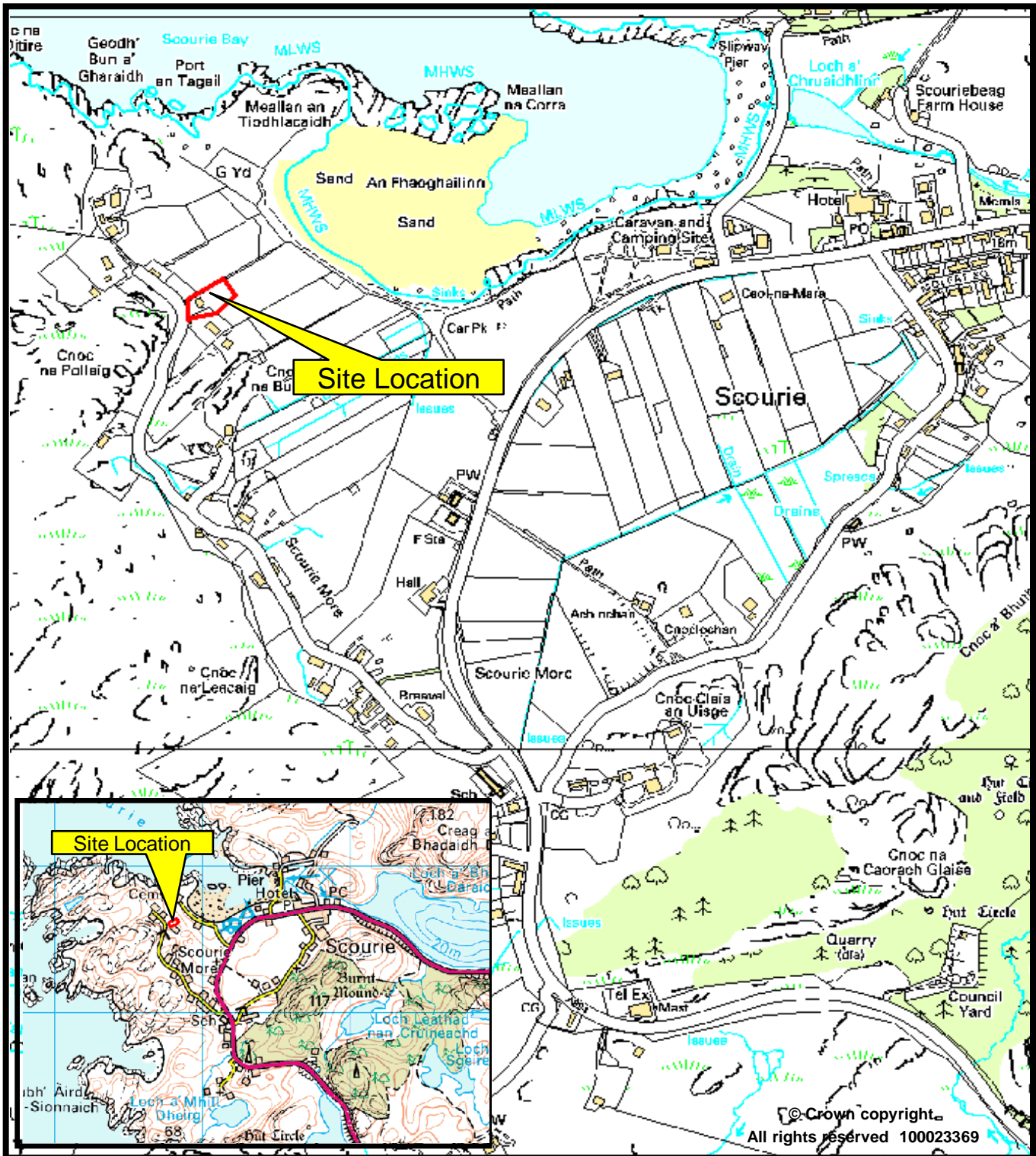
Plan 4 - Floor Plan S.1.14.1B

Plan 5 - First Floor Plan S.1.14.2D

Plan 6 - Floor Plan S.1.14.3 B

Plan 7 - Elevation Plan S.1.14.4

Plan 8 - Elevation Plan S.1.14.5



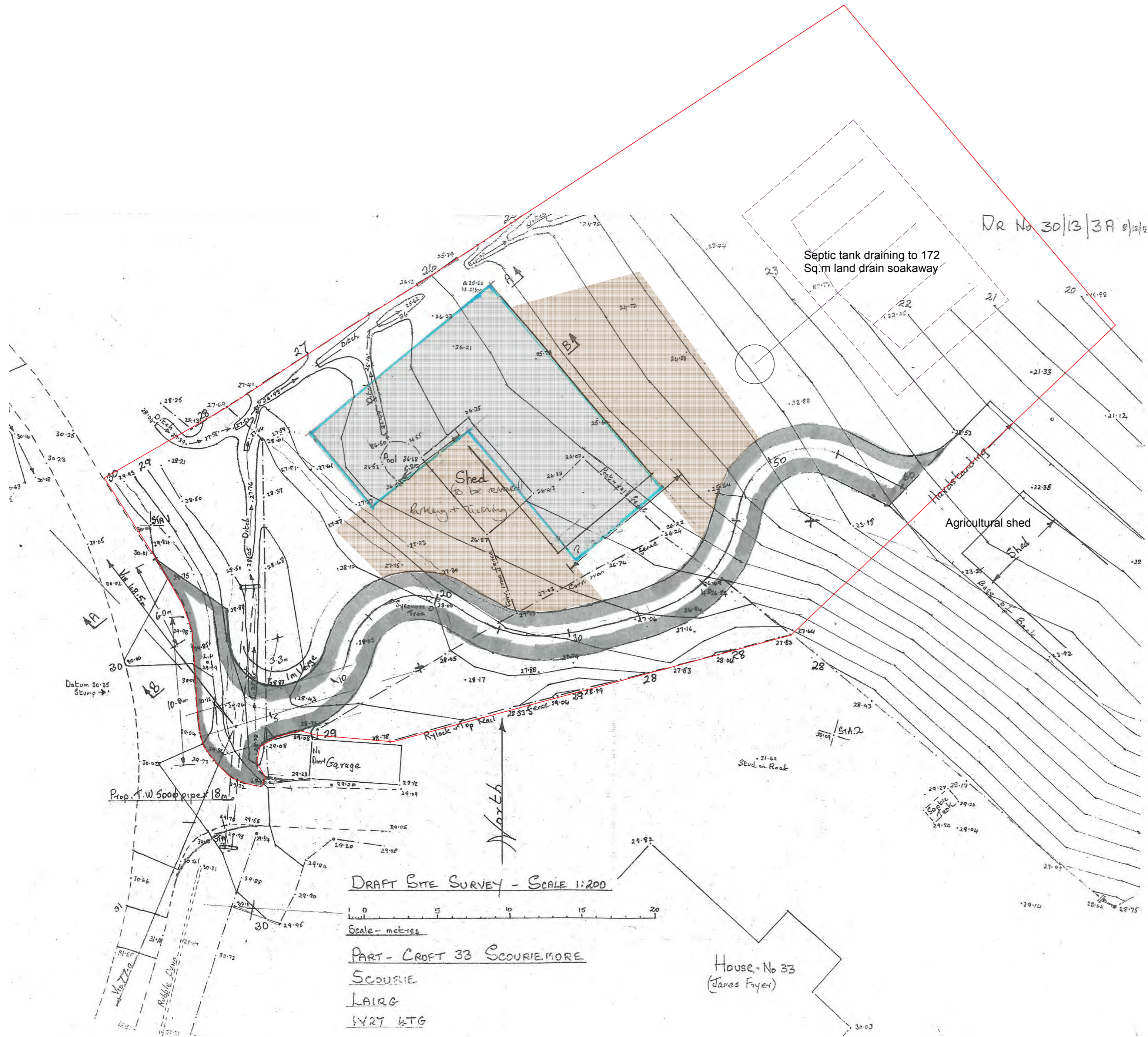
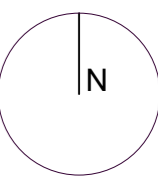
Development & Infrastructure
Service

Case No: 14/03662/FUL

Formation of road access, construction of detached dwelling
and associated services and demolition of existing shed at
Land North of 33 Scouriemore, Scourie.

Date: 27th January 2015





DR No 30/13/3A 8/12/14

Septic tank draining to 172 Sq.m land drain soakaway

Shed to be removed

Agricultural shed

- NOTES
1. WRITTEN SIZES TAKE PREFERENCE OVER SCALED SIZES
 2. LARGE SCALE DETAILS TAKE PREFERENCE OVER SMALL SCALE
 3. ALL DIMENSIONS TO BE CHECKED ON SITE
 4. ANY DISCREPANCIES IN DRAWINGS TO BE REFERRED TO THIS OFFICE FOR DECISION

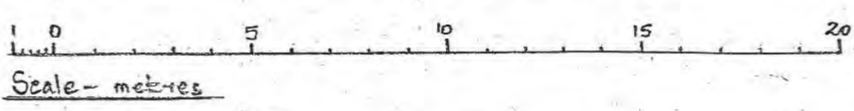
REVISIONS			
rev	date	initial	detail

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project
 Proposed house at
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 Scourie

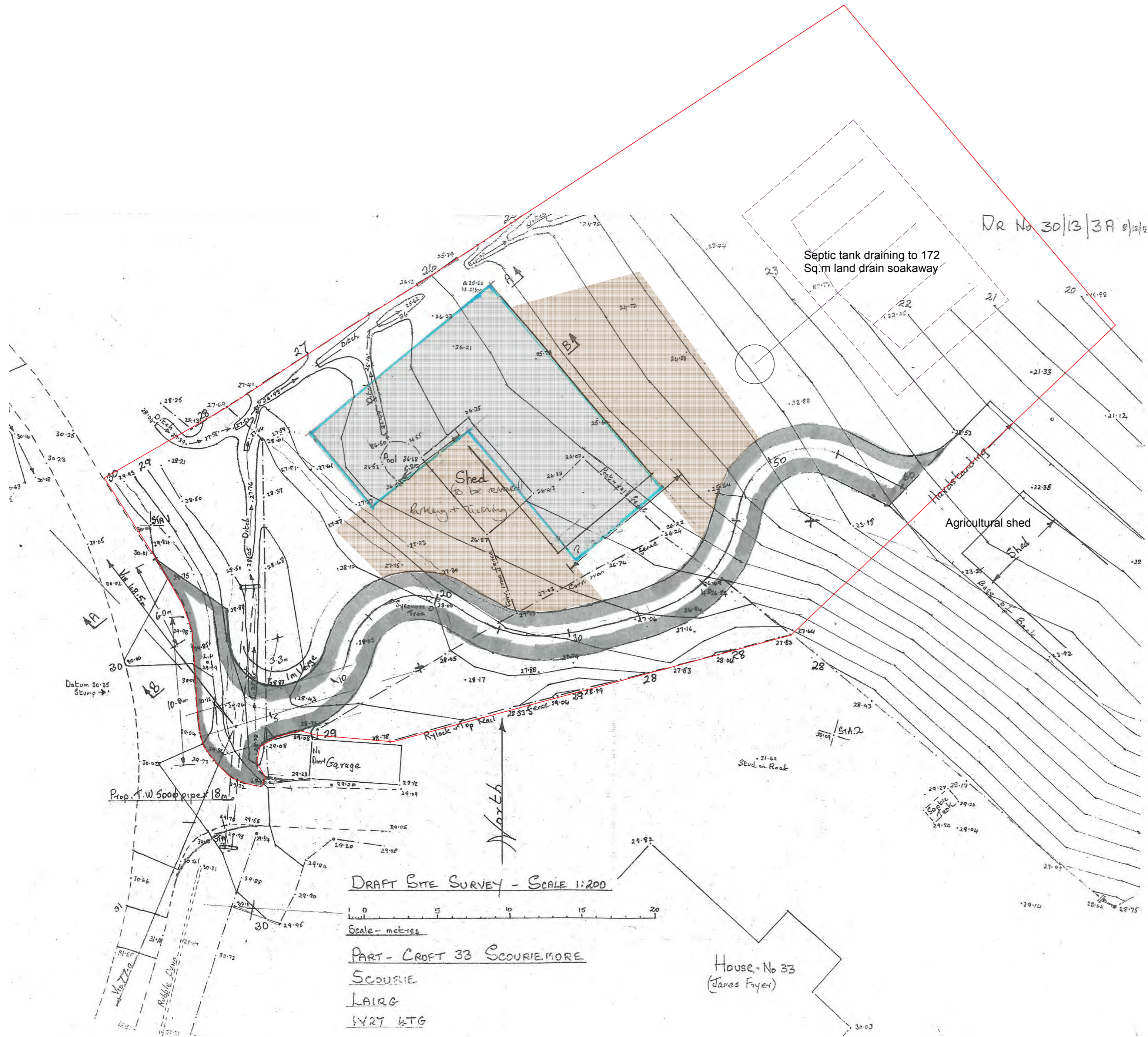
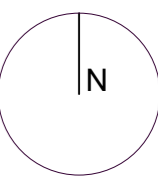
DRAFT SITE SURVEY - SCALE 1:200



PART - CROFT 33 SCOURIEMORE
 SCOURIE
 LAIRG
 WRT MTG

House No 33
 (James Fryer)

drawing	Site Plan	scale	1:200	A2	date	Sept 2014
drawn	NHR	status	for approval			
drwg no	S1.14.06	rev				



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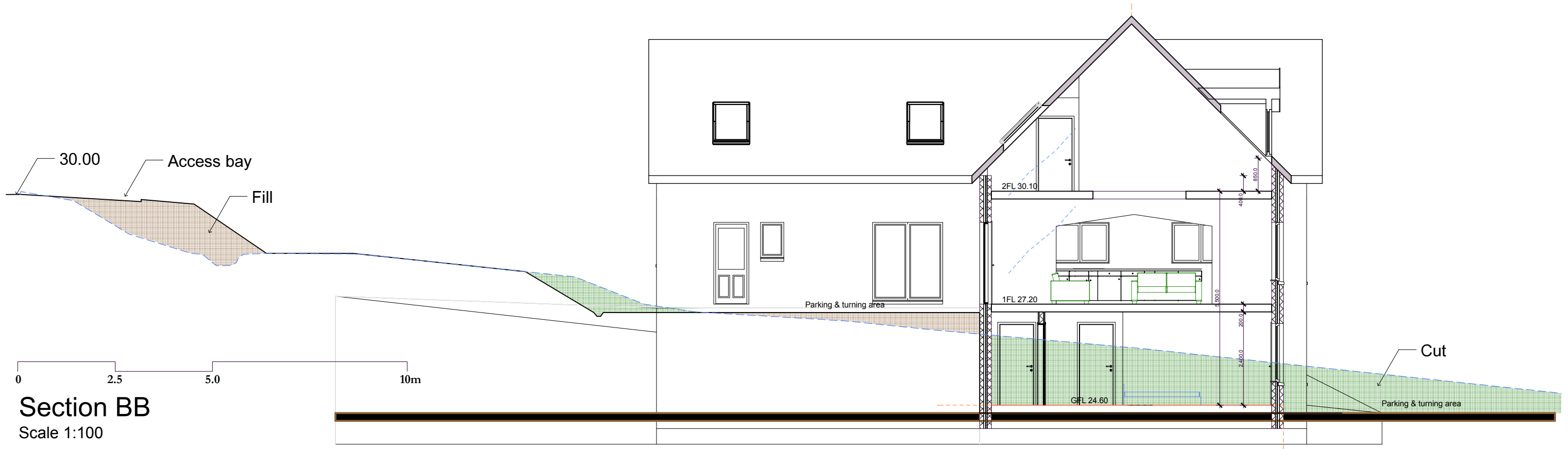
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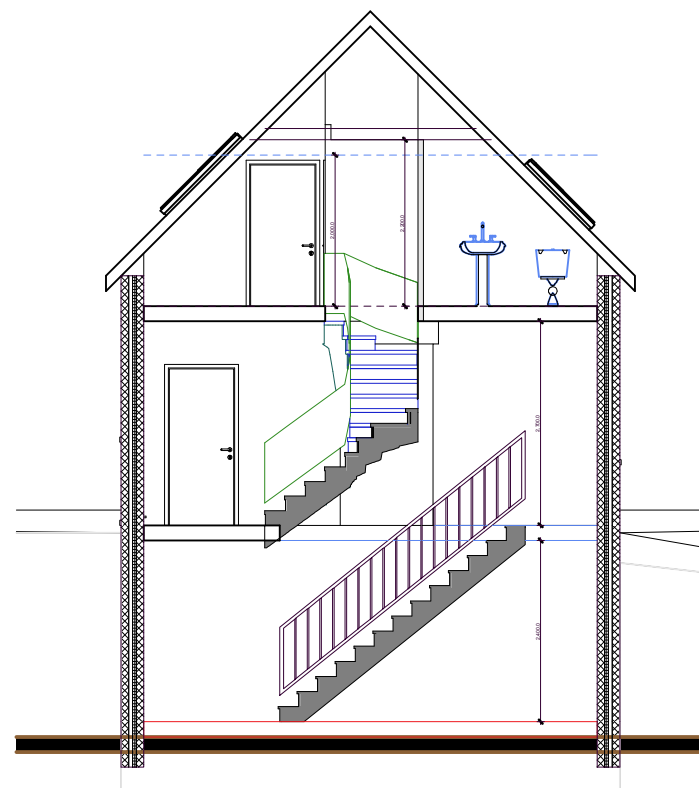
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drawing Site Plan	scale 1:200	A2	date Sept 2014
drawn NHR	status for approval	rev	
drwg no S1.14.06			



Section BB
Scale 1:100



Section AA
Scale 1:100

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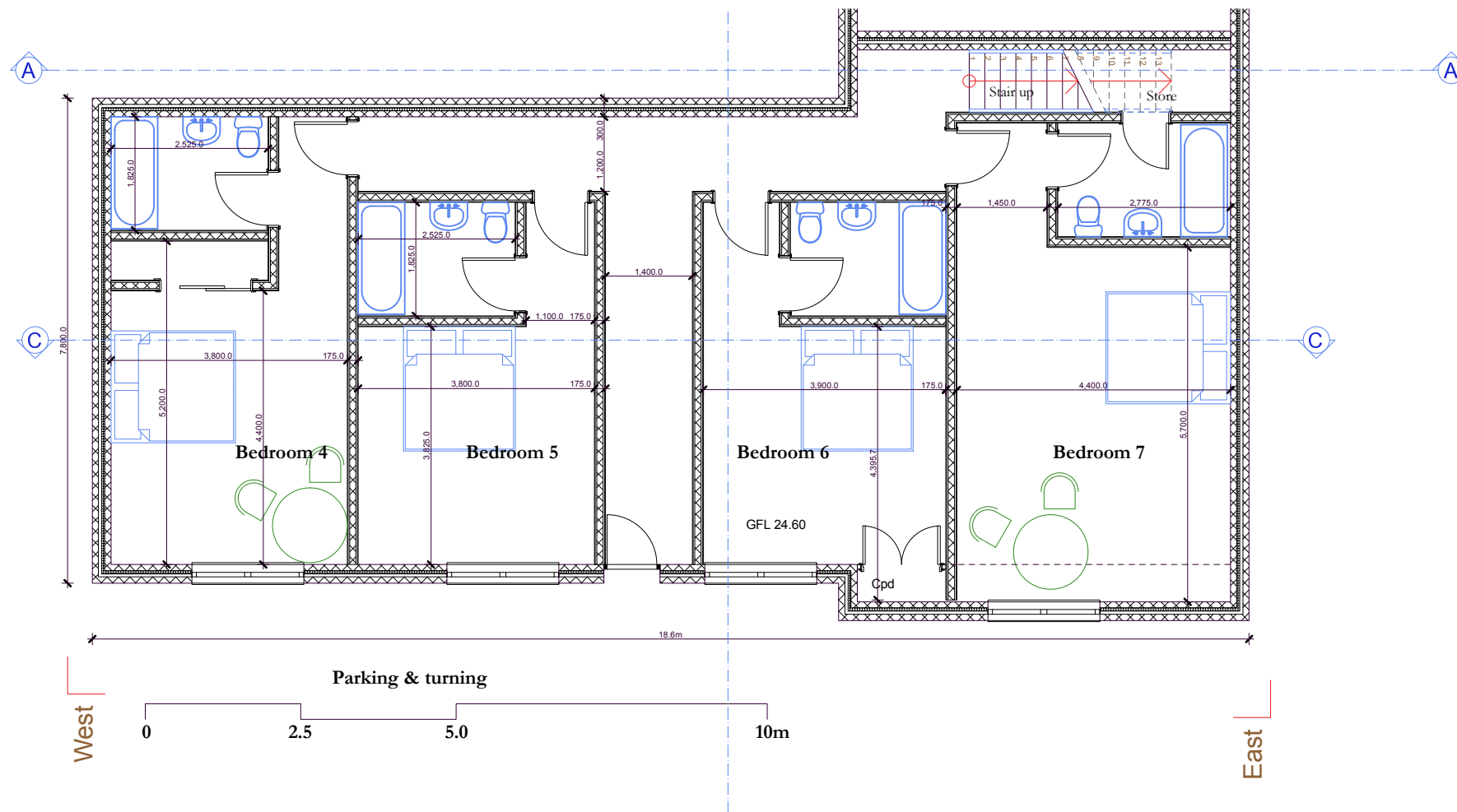
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Proposed house at
33 Scouriemore
Scourie

drawing Section AA & BB

scale 1:100	A3	date Sept 2014
drawn NHR		status for approval
drg no S1.14.07	rev	



Lower Floor Plan
Scale 1:100

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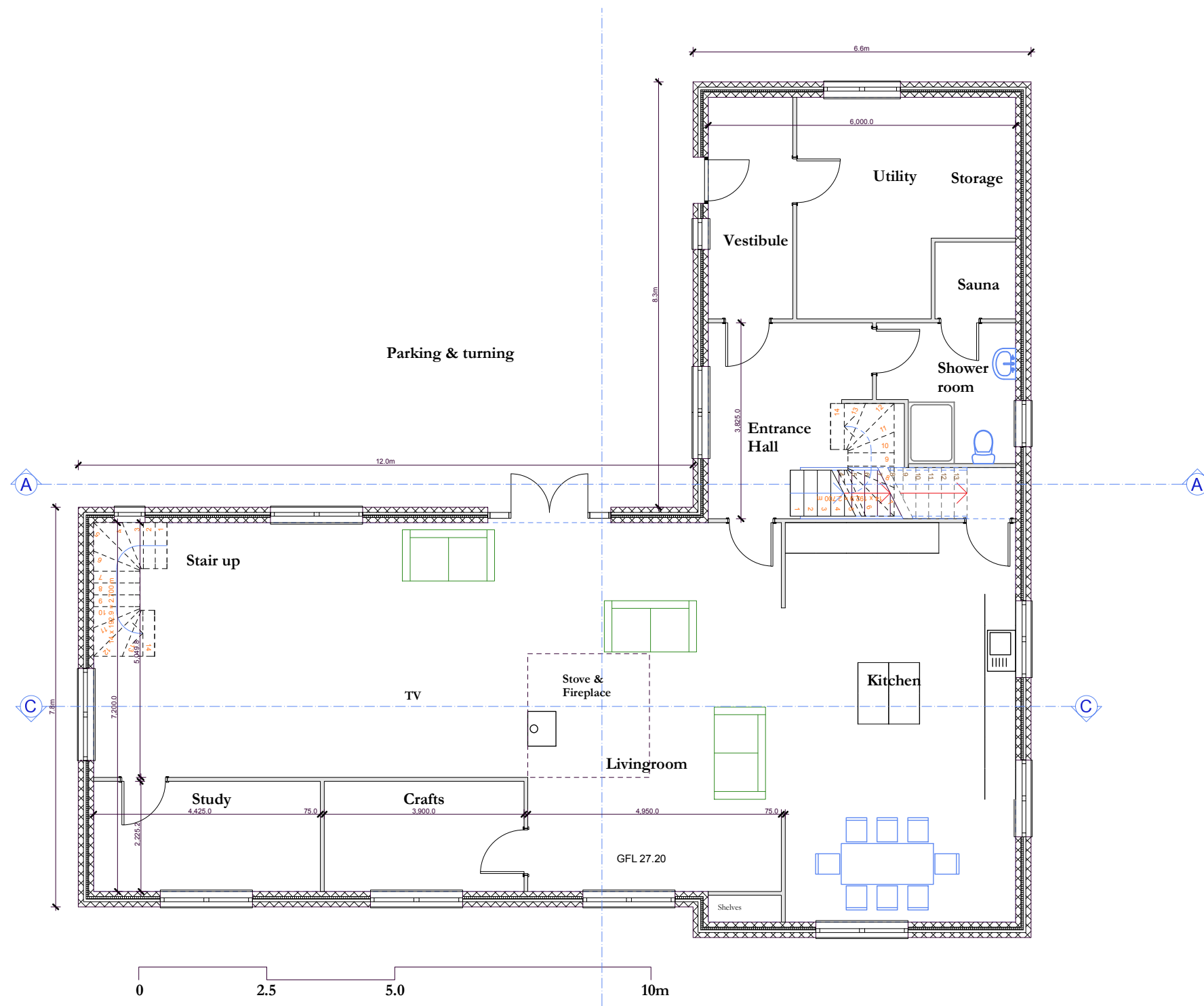
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Proposed house at
33 Scouriemore
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drawing Proposed Lower Floor Plan

scale	A3	date	Sept 2014
drawn	NHR	status	for approval
drg no	rev		
S1.14.01	B		



First Floor Plan

Scale 1:100

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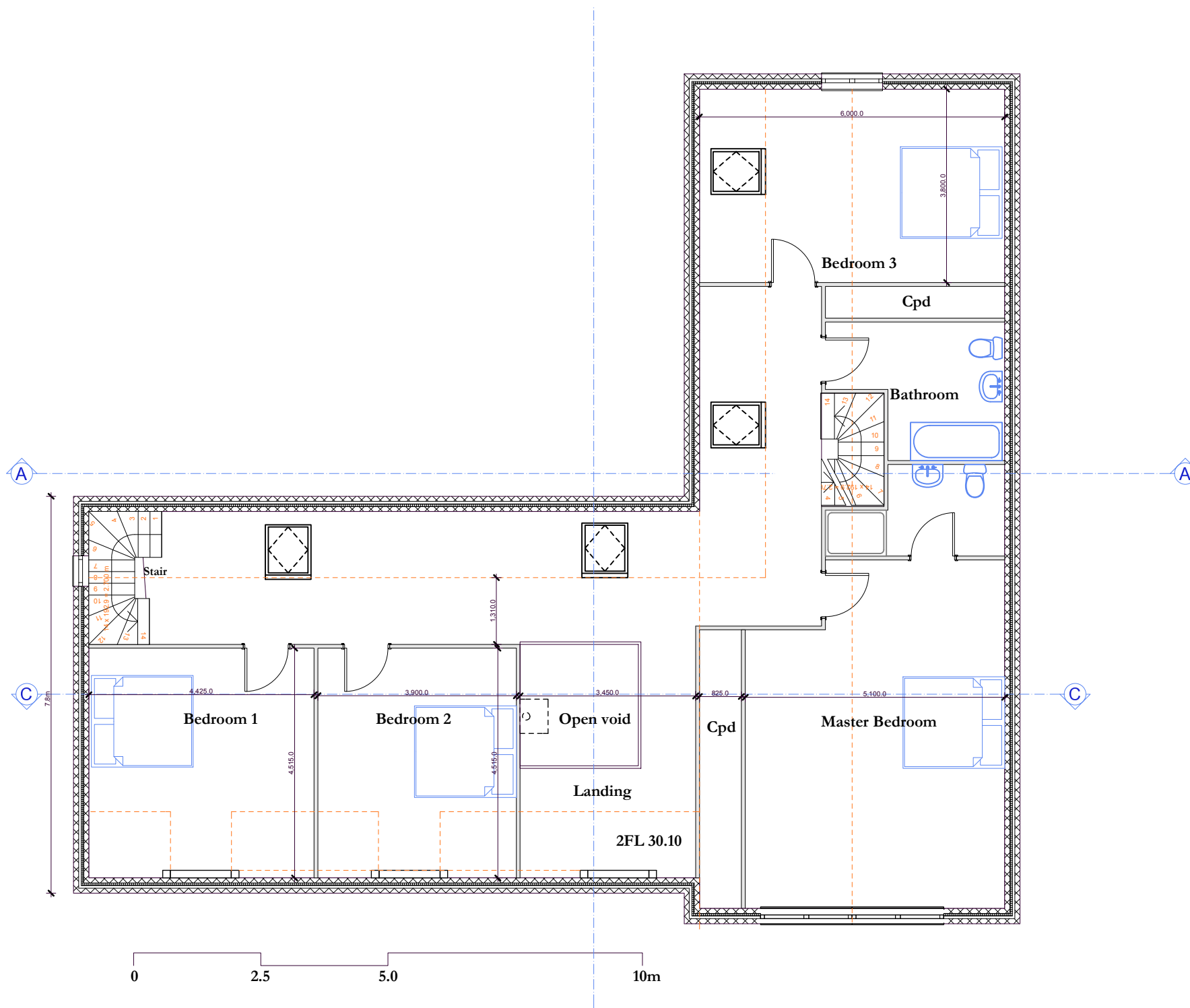
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Proposed house at
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drawing Proposed First Floor Plan

scale	A3	date	Sept 2014
drawn	NHR	status	for approval
drg no	S1.14.02	rev	D



Attic Floor Plan
Scale 1:100

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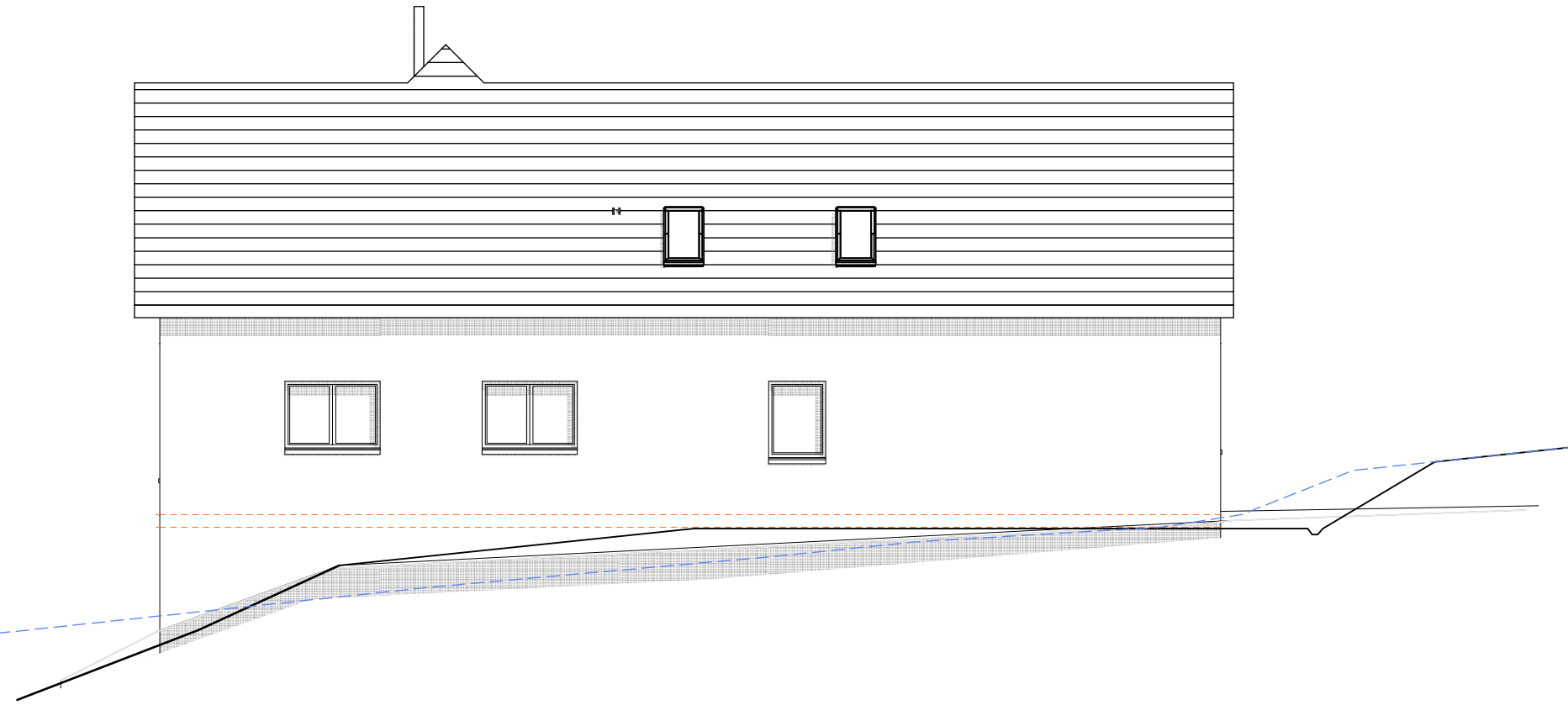
project

Proposed house at
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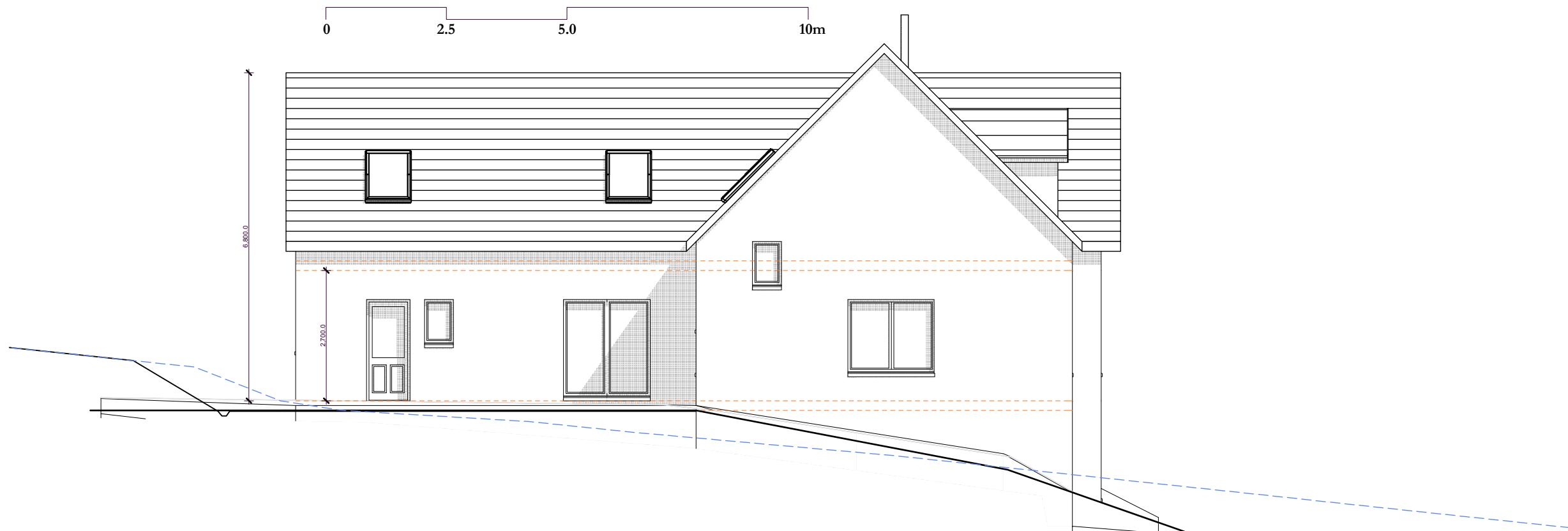
drawing Proposed Attic Floor Plan

scale	A3	date	Sept 2014
drawn	NHR	status	for approval
drg no	S1.14.03	rev	B

External Finishes:
 Harling & stone to walls
 Natural slate roofing



NW Elevation



SE Elevation

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drawing Proposed NW & SE Elevations

scale 1:100	A3	date Sept 2014
drawn NHR		status for approval
drg no S1.14.04	rev	



SW Elevation



NE Elevation

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Proposed house at
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drawing Proposed NE & SW Elevations

scale 1:100	A3	date	Sept 2014
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S1.14.05			



View from North



View from West



View from South



View from East

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Proposed house at
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drawing 3D views

scale	A3	date	Sept 2014
drawn	NHR	status	for approval
drg no	S1.14.09	rev	

