

**THE HIGHLAND COUNCIL**

**SOUTH PLANNING APPLICATIONS COMMITTEE  
18 August 2015**

Agenda Item	6.6
Report No	PLS/063/15

**15/00528/FUL & 15/00573/LBC: Mr Ian Bremner  
Flemington Lodge, Gollanfield, Inverness**

**Report by Area Planning Manager - South**

**SUMMARY**

**Description:** Extension

**Recommendation - GRANT**

**Ward:** 18 - Culloden and Ardersier

**Development category:** Local

**Pre-determination hearing:** N/A

**Reason referred to Committee:** More than four objections.

**1. PROPOSED DEVELOPMENT**

- 1.1 The proposal is to extend a small "C" listed lodge house near Flemington House at Gollanfield. The extension will replace an existing flat roof extension but will also enlarge the overall footprint of the house. The extension will, effectively, be to the rear of the property as viewed from the public road. However, in relation to the original orientation of the lodge, which faces the drive to Flemington House, it will be on the side elevation. The proposal also involves internal alterations, notably the removal of a modern partition wall. The "new" section of the extension measures approximately 5.75m by 5.00m. The roof will be finished in slate and the walls in render to match the existing. There will also be an element of horizontal timber cladding on the south and east elevations.
- 1.2 Pre-application advice was given to the effect that the principle of extending the property was considered acceptable.
- 1.3 The existing property has been, to an extent, neglected over the years, including the foul and surface water drainage. As part of the works, the intention is to bring both up to a modern standard.
- 1.4 A short report on the condition of the windows has been submitted, which advises that the windows are not repairable and should be replaced.

- 1.5 **Variations:** The proposal has undergone several amendments since the original submission, relating generally to a reduction in scale and re-siting, in order to achieve a development that is compatible with the listed building.

## 2. **SITE DESCRIPTION**

- 2.1 Flemington Lodge is located adjacent to the main entrance to Flemington House a large listed mansion house built around 1820. The lodge is adjacent to the public road and is surrounded on the other three sides by tree belts. The original front of the house overlooks the entrance drive to Flemington House. The lodge has an air of neglect and requires considerable work to bring it up to modern standards and maintain its architectural and historic qualities.

## 3. **PLANNING HISTORY**

- 3.1 05/01224/LBCIN - Replacement windows and doors – Granted.

## 4. **PUBLIC PARTICIPATION**

- 4.1 Advertised : Unknown Neighbour & Listed Building

Representation deadline : 15.07.2015

Timeous representations : 7

Late representations : 0

- 4.2 Material considerations raised are summarised as follows:

- The proposed design of the extension is not compatible with the existing character of the listed building.
- The proposed materials are not compatible with the existing character of the extension.
- Contemporary design will have a derogatory effect on the listed building.
- The extension is not subordinate in scale and form to the original property.
- Potential impact on trees from construction of septic tank / soakaway.
- Wood cladding not appropriate.
- Reference is made to a Reporter's decision on a house on a plot that mirrors the present site on the opposite side of the entrance to Flemington House. The Reporter concluded that any house on this site should match closely the siting, scale and finishing materials of Flemington Lodge.

Members should note that several objections refer to the initial design, which has been substantially amended to meet the concerns of the Planning Authority.

- 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 **Conservation Officer** : No objection to the amended design. The proposal has been discussed extensively with the applicant and has been relocated and reduced in scale. Design is now considered acceptable.

## **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

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

Policy 28            Sustainable Design

Policy 29            Design Quality and Placemaking

Policy 57            Natural Built and Cultural Heritage

## **7. OTHER MATERIAL CONSIDERATIONS**

### **7.1 Draft Development Plan**

N/A

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

Highland Historic Environment Strategy (Jan 2013)

Housing Extensions and Other Residential Alterations (June 2015)

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

Scottish Historic Environment Policy

## **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 proposal is to erect a single storey extension on a detached property at Gollanfield. The property is category C listed. There are no specific development plan policies covering the site but there are several general policies and the recently approved Supplementary Guidance on house extensions.

- 8.4 Policy 28 of the Highland-wide Local Development Plan supports development that promotes and enhances the social, economic and environmental wellbeing of the Highlands and sets out a number of criteria in this regard. In particular, proposals must demonstrate sensitive siting and high quality design in keeping with local character and the historic and natural environment. Policy 29 states that applicants should demonstrate sensitivity and respect towards the local distinctiveness of the landscape, architecture, design and layouts in their proposals. Policy 57 allows development of locally/regionally important features if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment, amenity and heritage resource. The Supplementary Guidance states that the Council generally expects house extensions to complement the existing house, be compatible with the character of the surrounding area and respect the privacy and amenity of neighbours.
- 8.5 In assessing the proposal, therefore, the key issues relate to:
- whether or not the proposed design is acceptable in terms of its overall scale and design concept in relation to the listed building;
  - whether the materials and other architectural details are appropriate;
  - whether the proposed internal alterations are appropriate; and
  - what, if any, impact there is on neighbouring amenity and privacy.
- 8.6 The proposal is to demolish an existing modern addition to the listed building and erect a larger extension to provide a modern standard of accommodation. The Lodge clearly requires attention to ensure that it is maintained properly and safeguarded for the future. As noted above, the building is oriented with its original front facing on to the Flemington House access. The main public view of the property is, therefore, a side view and the proposed extension would also be to the side. However, given the orientation, it will generally read as to the rear when viewed from the public road and will have less impact than an actual rear extension. The “extra” part of the extension covers approximately 25 sq.m and extends some 5 metres from the rear of the existing property. In terms of scale, the garden plot is of sufficient size to accommodate the extension without undue loss of garden ground. Moreover, the ridge of the extension is lower than the original roof ridge, which will help subordinate the extension to the main property. Overall, it is considered that that the scale and design concept are acceptable.
- 8.7 In terms of materials, the existing building is finished in stone on two sides with the other, more public sides, finished in an off-white render. The proposal is to remove the existing render and replace it with an appropriate lime render and complete the main public elevation of the extension in the same render. The roof is slate and the proposal is simply to match this material. The design also incorporates an element of horizontal timber on the less public extensions together with extensive glass areas. Timber is a natural material now widely used on new developments and will help delineate the modern extension from the original lodge building. Overall, it is considered that the materials are acceptable. Exact details of the finishes have not been submitted but these can be covered by condition.

- 8.8 Internally, the property has been altered on a number of occasions and, recently, has suffered from neglect. There is a clear need for the internal structure to be renovated and brought up to an appropriate standard. There are no major structural alterations proposed. The main alteration relates to the creation of a larger bedroom through the removal of an internal wall that currently divides the dining room from the bedroom. This appears to be a more modern partition wall and its loss will not have a significant impact on the listed building. There are also proposals to strip back the walls to improve the insulation and bring it up to modern standards. Whilst this is generally acceptable, further details of the methodology and materials to be used will be required. Where possible, the Council will expect original linings to be retained.
- 8.9 Members will note that the Conservation Officer is satisfied that the revised scheme will not have a significant impact on the listed building.
- 8.10 Flemington Lodge is a detached property with no nearby neighbours. There will therefore be no impact on neighbouring amenity or privacy.

8.11 **Material Considerations**

The contents of the representations in relation to the overall design of the extension have generally been dealt with above.

The representations also make reference to the potential impact of the septic tanks/soakaway systems on trees. From the submitted layout plan, the soakaway is approximately 10 metres from the nearest tree and should not have an impact on the root protection areas. There is also potential to redesign it to remove it further from the trees if necessary. A condition can be placed on the permission to the effect that the location of the septic tank and soakaways are pegged out and agreed with the Planning Authority. This will ensure that any potential impact on the trees is fully dealt with.

Reference is also made to a previous Reporter's decision on an adjacent site where the Reporter sought to ensure that the proposed house was similar in scale and style to Flemington Lodge. Whilst the point is noted, it is difficult to see how this is relevant to the present application, which must be determined on its individual merits. The fact that a Reporter decided a number of years ago, under a different policy regime, that a new house should generally match Flemington Lodge should not affect a decision on whether or not an extension to the Lodge should be allowed.

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

Not applicable.

## 9. CONCLUSION

- 9.1 In conclusion it is considered that the proposed extension will not have an unacceptable impact on the listed building and that the scale and style are compatible with the Council's Supplementary Guidance. 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

Notification to Scottish Ministers N

Notification to Historic Scotland N

Conclusion of Section 75 Agreement N

Revocation of previous permission N

**Subject to the above**, it is recommended the applications be **Granted** subject to the following conditions and reasons / notes to applicant:

### CONDITIONS AND NOTES ATTACHED TO 15/00573/LBC

- No development or work shall commence until details of all external finishes (including manufacturer product codes where applicable) have been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details

**Reason** : In order to safeguard the character and qualities of the listed building.
- No development shall commence until a survey of all windows in the property has been submitted to, and agreed in writing by, the Planning Authority. Where the survey demonstrates that a window cannot be repaired and retained, full details of the replacement window shall be submitted to, and approved in writing by, the Planning Authority. Thereafter, only the approved windows shall be installed.

**Reason** : In order to safeguard the character and qualities of the listed building.
- No development or work shall start on site until a schedule of stonework repairs has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and other work shall progress in accordance with the approved schedule. For the avoidance of doubt, existing stonework shall be repaired, and any missing sections replaced, using natural stone chosen to match, in all respects wherever possible (including colour, texture, geology, proportions and tooling), the existing stonework.

**Reason** : In order to safeguard the character and qualities of the listed building.

4. No development or work shall commence until the following details have been submitted to, and approved in writing by, the Planning Authority:
- i. a comprehensive photographic survey of the interior and exterior of the building;
  - ii. details of which of the existing internal fittings will be retained in situ and which will be removed; and
  - iii. details of all works to upgrade the insulation and energy efficiency standards of the building. For the avoidance of doubt all original linings shall be retained where these are still in a satisfactory condition.

Thereafter, development and work shall progress in accordance with these approved details.

**Reason :** In order to safeguard the character and qualities of the listed building.

5. Unless otherwise agreed in writing with the Planning Authority, all rainwater goods shall be made of cast iron and, where originals exist, shall match the detailing of those existing.

**Reason :** In order to safeguard the character and qualities of the listed building.

#### **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**

In accordance with Section 16(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended), the works to which this listed building consent relates must commence within THREE YEARS of the date of this decision notice. If work has not commenced within this period, then this listed building consent shall lapse.

#### **FOOTNOTES FOR APPLICANT**

##### **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.

### **Listed Buildings**

Both planning permission and listed building consent are required for these works. You are not authorised to commence development until you have both consents in place. Furthermore, both consents and their respective conditions must be read, and complied with, in tandem.

## **CONDITIONS AND NOTES ATTACHED TO 15/00528/FUL**

### **CONDITIONS**

1. Before development commences, the location of the septic tank and foul water soakaway shall be pegged out on site for the approval of the Planning Authority. Thereafter the septic tank and foul water soakaway shall be constructed as approved.

**Reason :** In order to safeguard existing boundary trees.

2. No trees within the application site shall be cut down, uprooted, topped, lopped (including roots) or wilfully damaged in any way, without the prior written permission of the Planning Authority.

**Reason:** In order to safeguard important amenity trees.

### **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**

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

### **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.

### **Flood Risk**

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (p.198), planning permission does not remove the liability position of developers or owners in relation to flood risk.

### **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.

### **Septic Tanks & Soakaways**

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

### **Local Roads Authority Consent**

In addition to planning permission, you may require one or more separate consents (such as dropped kerb consent, a road openings permit, occupation of the road permit etc.) from TECS Roads prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local TECS Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at:  
<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm>

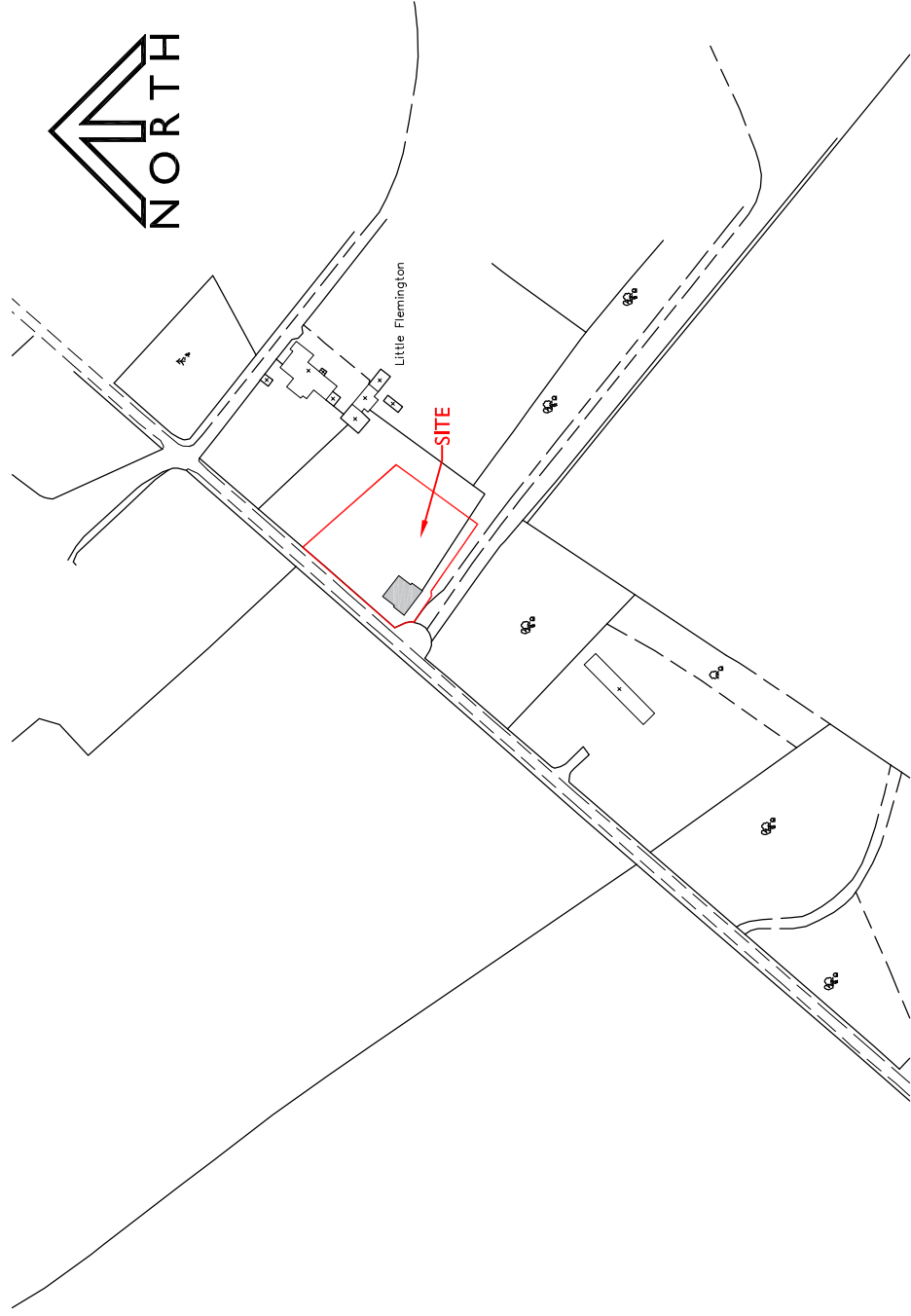
### **Mud & Debris on Road**

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.

### **Listed Buildings**

Both planning permission and listed building consent are required for these works. You are not authorised to commence development until you have both consents in place. Furthermore, both consents and their respective conditions must be read, and complied with, in tandem.

Signature:	Allan J Todd
Designation:	Area Planning Manager – South
Author:	J. Harbison
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 – Existing Floor/Section Plan Plan 2 – Proposed Site Plan Plan 3 – Existing Elevations Plan 4 - Location Plan Plan 5 - Proposed Floor Plan Plan 6 - Elevation Plan



1:2500 SCALE



Client  
Mr and Mrs I Bremner  
Project  
Extension to Existing Dwelling  
Flemington Lodge, Gollanfield, INVERNESS

COLIN ARMSTRONG ASSOCIATES  
Chartered Architects

Drawing Title  
Location Plan

Scale  
1:1250 / NTS

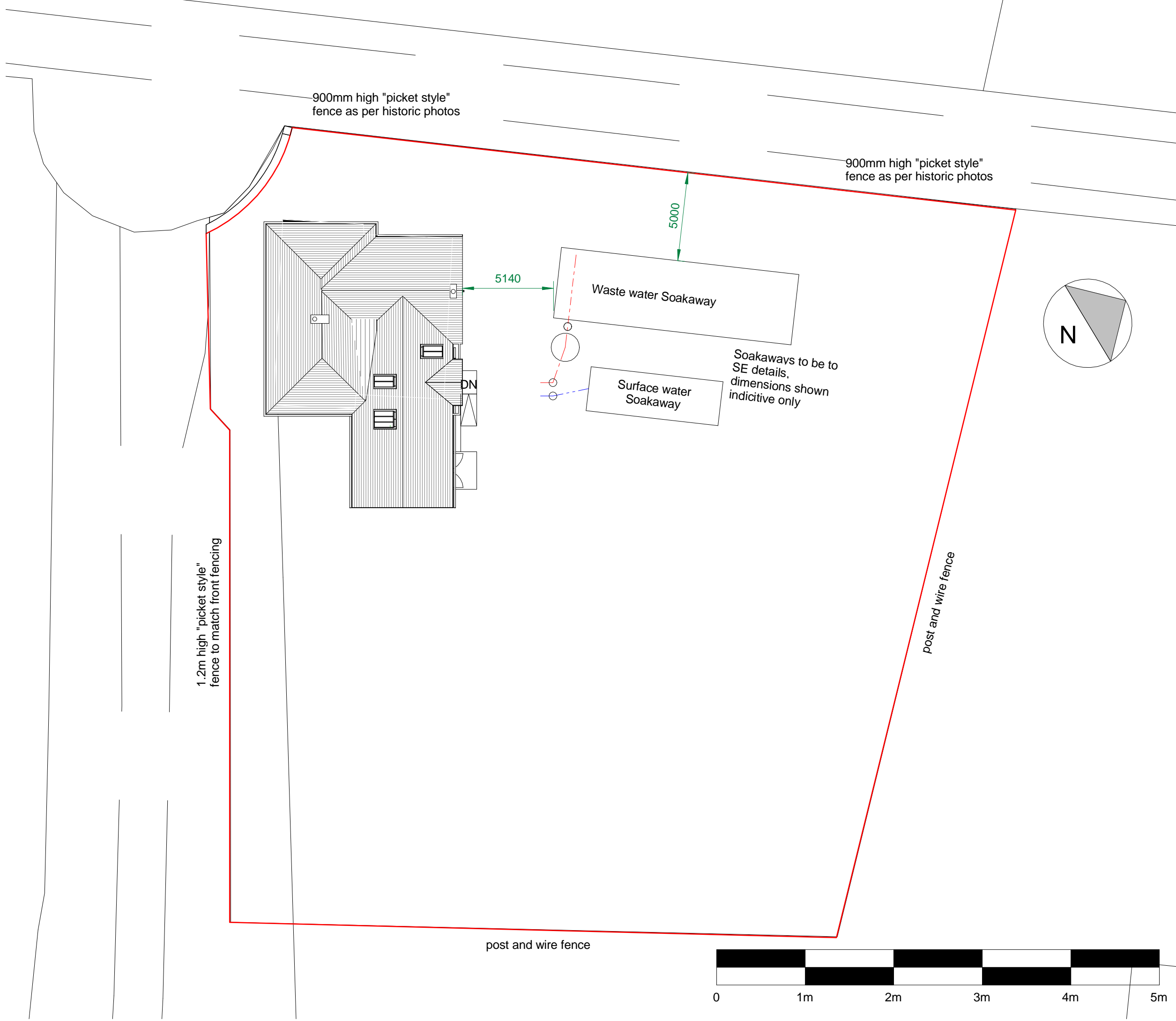
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Date  
Feb '15

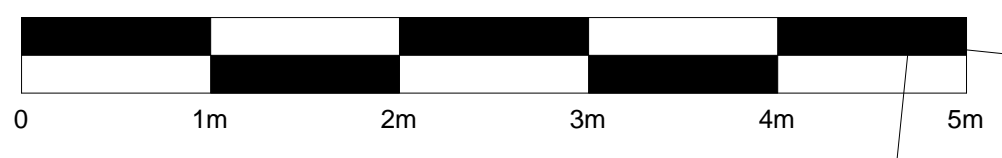
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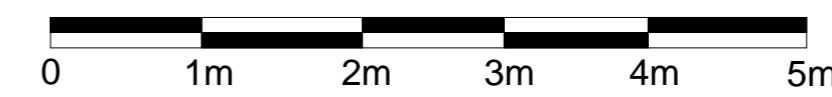
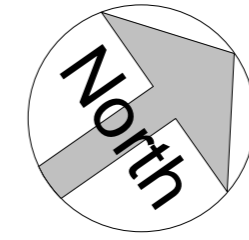
Revision  
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Client		
Mr & Mrs Bremner		
Project		
Gatehouse Extension		
Ardersier		
Project number	1518	
Drwg No.	(Rt7)001	
Site Layout Plan		
Project status	<b>PLANNING</b>	
Date created	Dec '14	
Drawn by	MM	
Rev. B	Scale 1 : 200	Sheet A3



Rev.	Description	Date
*	*	DEC 14



**Ground Floor Plan**  
1 : 50



**Section**  
1 : 50

Colin Armstrong Associates

Lyle House, Fairways Business Park,  
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W: www.colinarmstrong.com



Client  
**Mr & Mrs Bremner**

Project  
**Gatehouse Extension**  
**Ardersier**

Project number **1518**

Drwg No. **(Rt0)100**

**FLOOR PLAN AND SECTION**

Project status **PLANNING**

Date created **DEC 14**

Drawn by **AF**

Rev. *	Scale 1 : 50	Sheet A2
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Rev.	Description	Date
Check	Checker	JAN '15



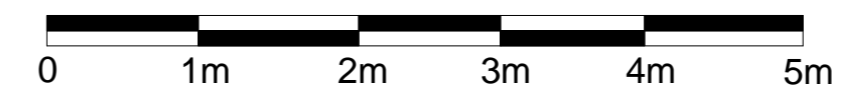
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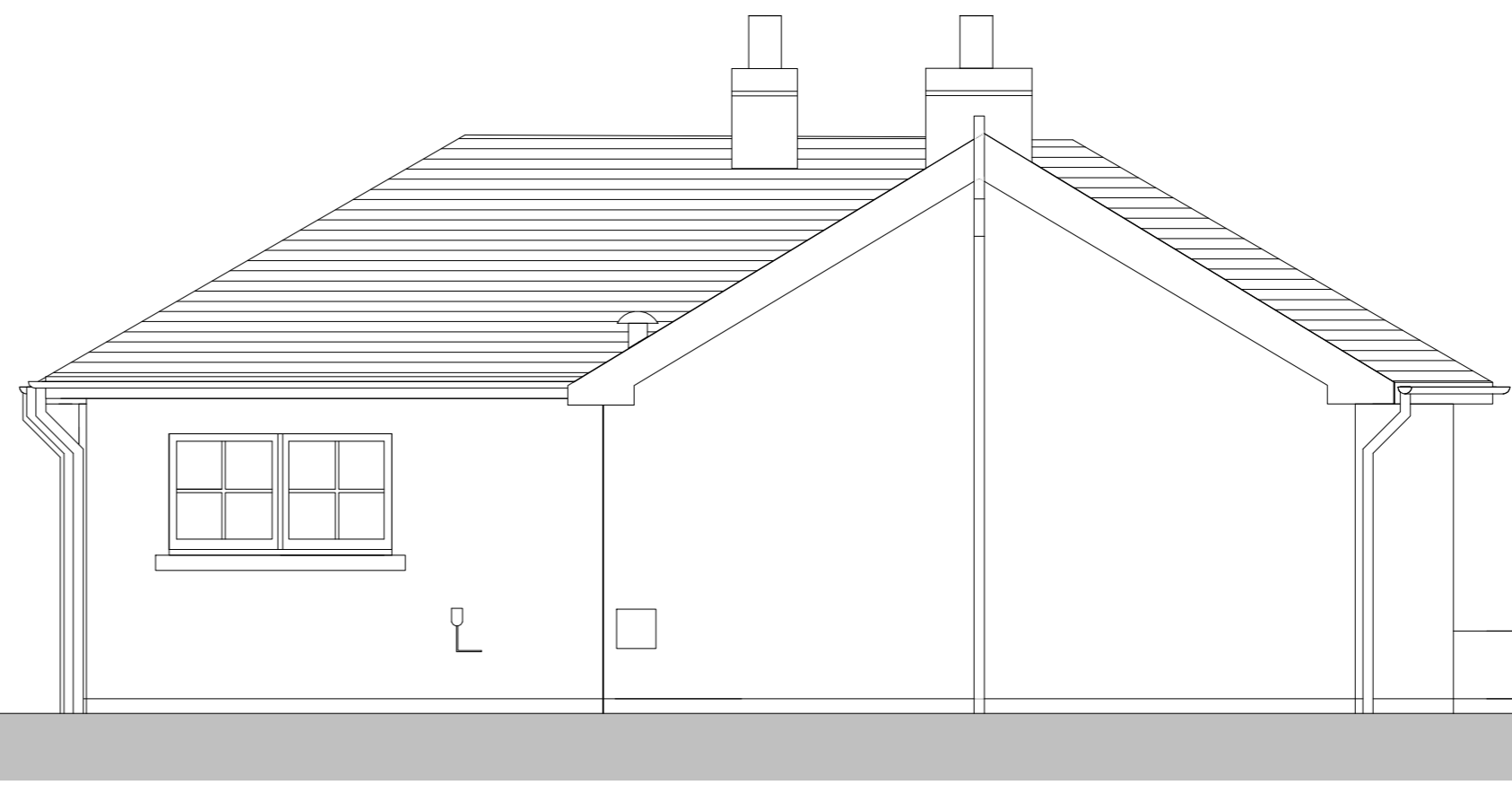
**South-West**

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**South-East**

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**North-East**

1 : 50

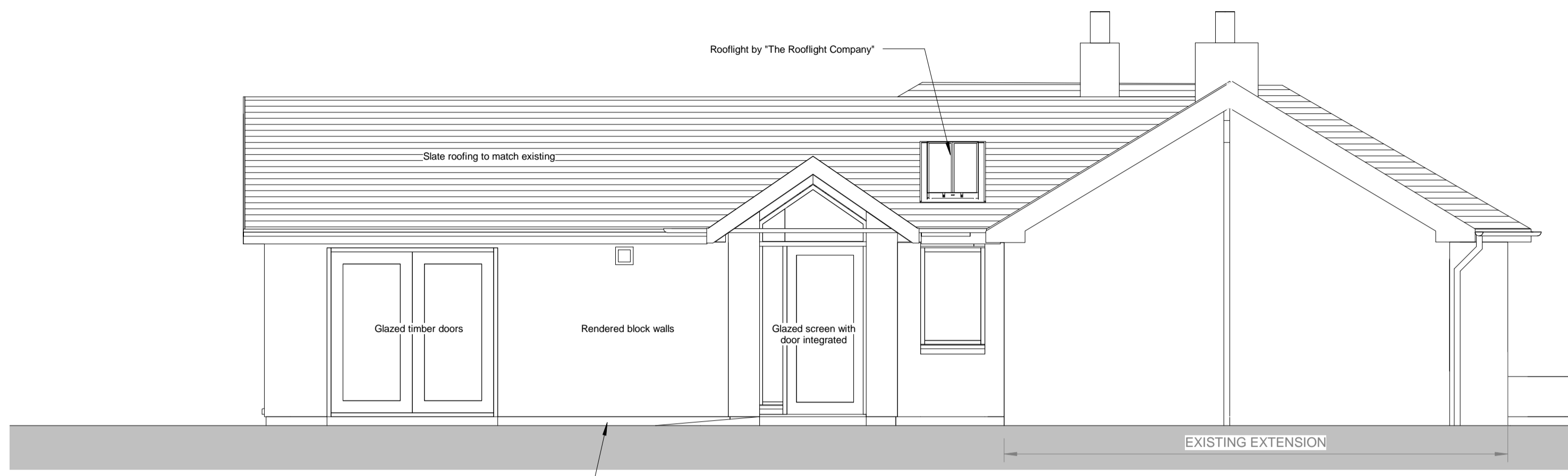
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Client	
Mr & Mrs Bremner	
Project	
Gatehouse Extension	
Ardersier	
Project number	1518
Drwg No.	(Rt)300
ELEVATIONS AS EXISTING	
Project status	<b>PLANNING</b>
Date created	JAN '15
Drawn by	MM
Rev. Checker	Scale 1 : 50
	Sheet A2





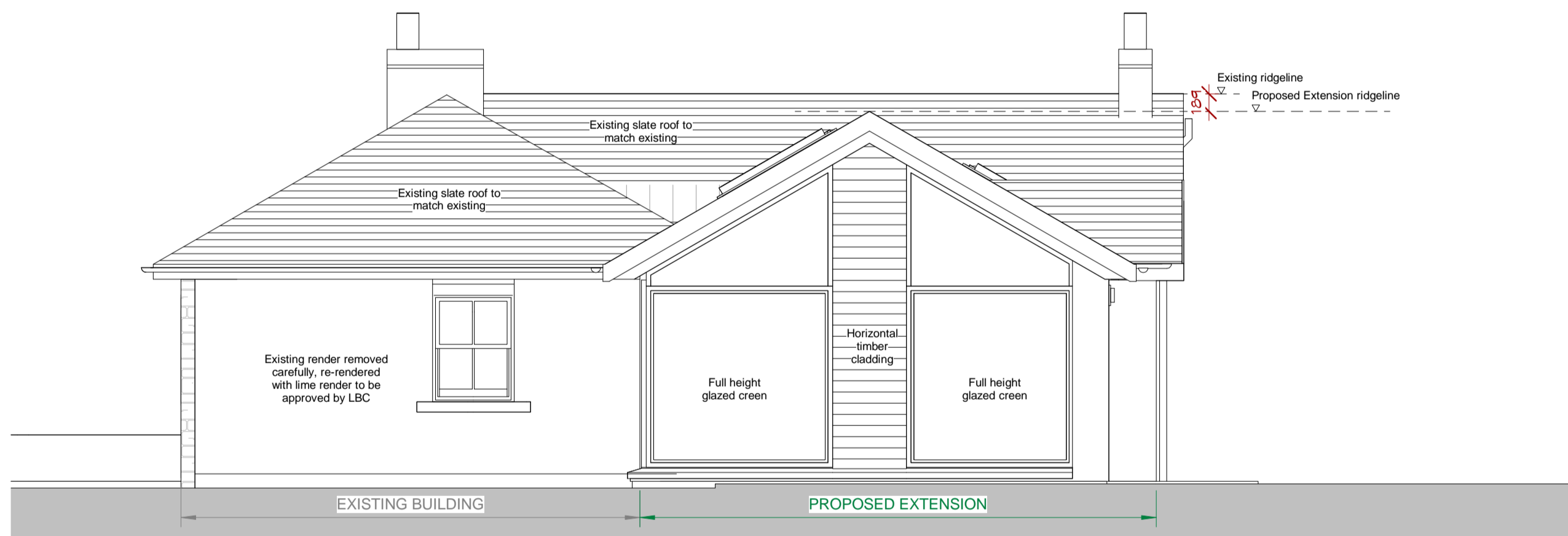
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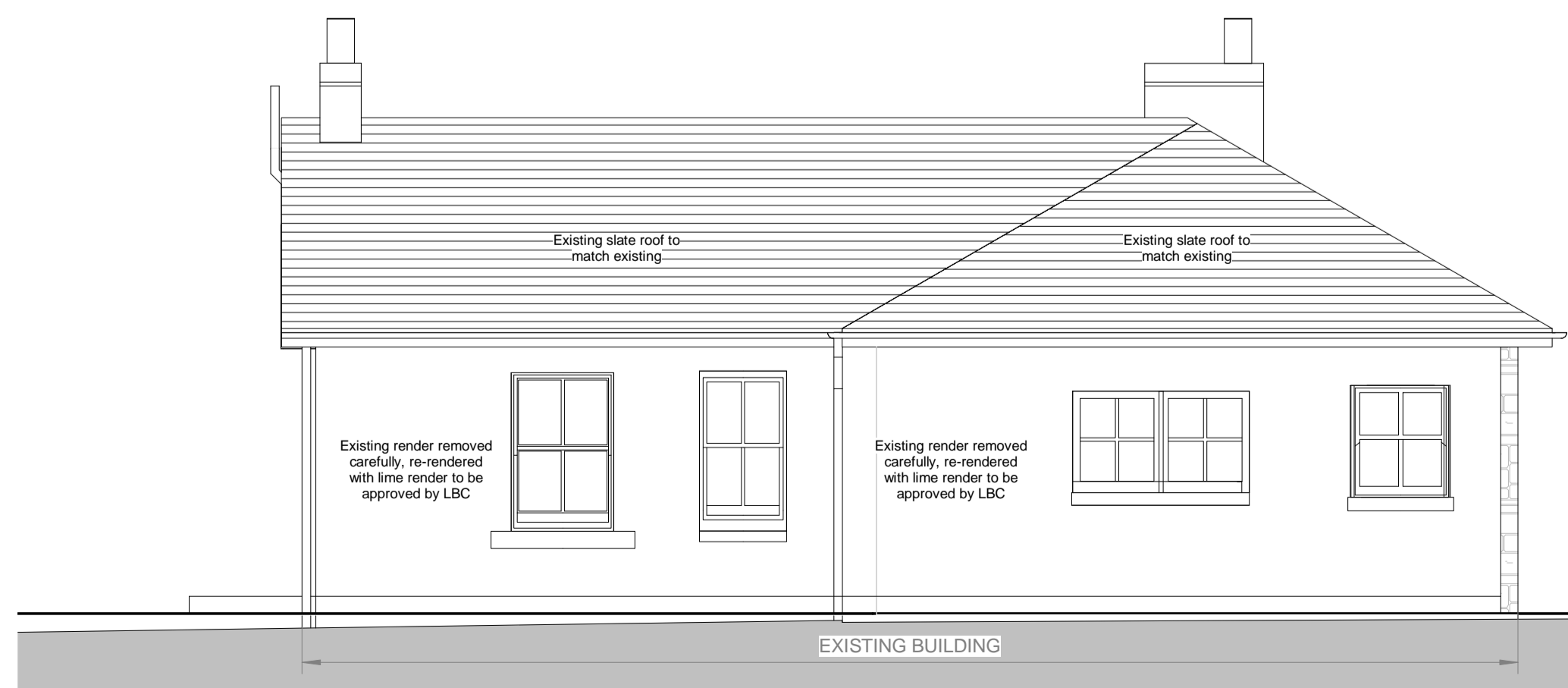
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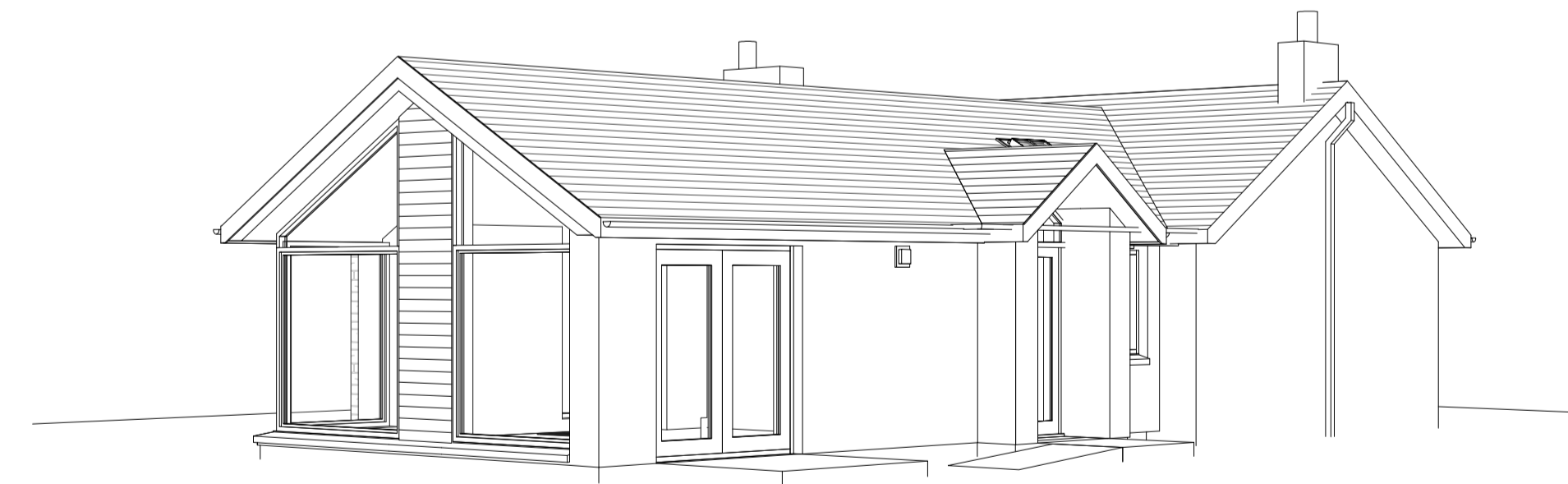
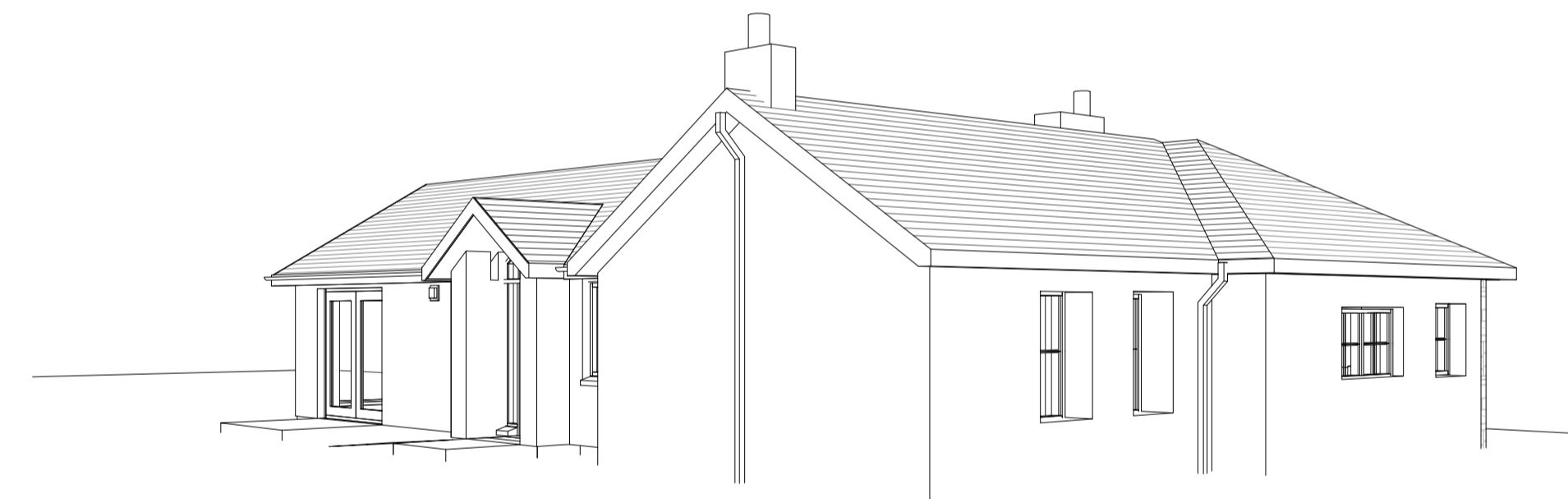
**South-East**

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**North-West**

1 : 50



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Client  
**Mr & Mrs Bremner**  
Project  
**Gatehouse Extension**  
**Ardersier**

Project number **1518**

Drwg No. **(Rt7)300**

**ELEVATIONS**

Project status **PLANNING**

Date created **DEC 14**

Drawn by **MM**

Rev. C	Scale 1 : 50	Sheet A1
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