

The Highland Council

**North Planning Applications Committee
27 October 2015**

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| Agenda Item | 6.4 |
| Report No | PLN/060/15 |

**15/03231/FUL: Alasdair and Joan Maclean
Land 120M SE of Roag House, Roag, Dunvegan, Isle of Skye**

Report by Area Planning Manager

Summary

Description : Erection of dwelling house, formation of new access bellmouth, loading bay, parking and turning area. Siting of septic tank and soakaway.

Recommendation - REFUSE

Ward : 11 - Eilean A' Cheò

Development category : Local Development

Pre-determination hearing : Not required

Reason referred to Committee: Member referral.

1. Proposed Development

- 1.1 This application seeks full planning permission for the erection of a four bed 1¾ storey dwelling house with an attached single storey garage and utility room on the side elevation, and 1½ storey central front and rear projections. The dwelling will be on the lochward side of the public road and its ridgeline will be set at an angle to the public road.

The main rectangular footprint of the dwelling measures 13.9m x 7.3m, 4m to the eaves, and 8.1m to the ridge. The central front and rear projections will measure 2.4m x 4.9m, 4.35m to eaves and 7.2m to the ridge. The single storey garage and utility side projection will measure 7.1m x 6.7m, and 5.4m to the ridge. This equates to an overall footprint of 167m² and a gross floor area of 292m². The proposed external materials are white painted render with natural spanish roof slates.

In addition, the application proposes the formation of an access from the public road, parking and turning area for two cars and the installation of a septic tank and soakaway system.

- 1.2 No formal pre-application was received for this proposal.

- 1.3 Access to the site is from the single track township road which runs from Roskhill to Roag. There are no public sewers within close proximity of the site, so a private foul drainage system is proposed. A public water supply is likely to be close due to the other development further along the road.
- 1.4 Percolation test results and soakaway details have been submitted with the application.

1.5 **Variations:** None

2. **Site Description**

- 2.1 The application site is located on the eastern (lochward) side of the single track township road which runs from Roskhill to Roag. The site is visually prominent on open croftland which slopes down from the road to the east.

There is an existing house, derelict building and planning permission (15/00182/PIP) for another house to the north west of the site, but these are all located on the opposite (landward) side of the public road. Further to the north of these is the Dunorin House Hotel (owned by the applicant) which is again located on the landward side of the road.

3. **Planning History**

- 3.1 **15/00607/FUL:** Erection of dwelling house, formation of new access bellmouth, loading bay, parking and turning area. Siting of septic tank and soakaway. REFUSED 03.07.2015.

The current application is identical to the scheme refused under delegated powers in July 2015.

4. **Public Participation**

- 4.1 Advertised : Unknown neighbour- 14 days
Representation deadline : 19.09.2015

Timeous representations : 0

Late representations : 0

5. **Consultations**

- 5.1 **Building Standards** : No response
5.2 **Crofting Commission** : No objection, standard response
5.3 **Scottish Water** : No response

6. **Development Plan Policy**

The following policies are relevant to the assessment of the application

6.1 **Highland Wide Local Development Plan 2012**

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|-----------|--|
| Policy 28 | Sustainable Design |
| Policy 29 | Design and Quality Placemaking |
| Policy 34 | Settlement Development Area |
| Policy 47 | Safeguarding Inbye/Apportioned Croftland |
| Policy 57 | Natural, Built and Cultural Heritage |
| Policy 61 | Landscape |
| Policy 65 | Waste Water Treatment |
| Policy 66 | Surface Water Drainage |

6.2 **West Highland and Islands Local Plan (Adopted 2010)**

Policies 1-2 in respect of settlement development area boundaries and other land allocations

7. **Other Material Considerations**

7.1 **Draft Development Plan**

Not Applicable

7.2 **Highland Council Supplementary Planning Policy Guidance**

Housing in the Countryside and Siting and Design (March 2013)
Access to Single Houses and Small Housing Developments (May 2011)
Sustainable Design Guide (Jan 2013)

7.3 **Scottish Government Planning Policy and Guidance**

PAN 67- Housing Quality
PAN 79 – Water and Drainage

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 application site is located within the Settlement Development Area (SDA) for Roskill and therefore, Policy 34 of the Highland-wide Local Development Plan applies. Policy 34 supports development proposals within Settlement Development Areas, if they are compatible with the existing pattern of development, landscape character, surrounding land uses, and meet the Design for Sustainability requirements of Policy 28. The applicable Development Objectives for Roskill are contained within the West Highlands and Islands Local Plan, and are as follows:

- *To secure exceptional siting and design quality where public or lochward views are likely to be affected or land is within a landscape designation.*
- *To secure developer funded road improvements where a network deficiency is created or worsened.*
- *To protect seaward or lochward views where applicable.*
- *To safeguard in by croft land quality by favouring siting on poorer parts of crofts or on common grazings where applicable.*

Policy 47 requires developments to minimise the loss of in-bye/apportioned croft land. Housing proposals should be for single houses taking account of the cumulative impact of previous approvals. Proposals should where possible avoid siting on the better quality agricultural land of the croft and should not result in the use of the remaining land being impeded by the new development.

The site is also located within a Special Landscape Area, and will need to be judged against Policy 57.1 of the Highland-wide Local Development Plan. This states that developments will be supported where they can be shown not to have an unacceptable impact upon the identified protected amenity and heritage resource.

Policy 28 of the Highland Wide Local Development Plan requires sensitive siting and high quality design in keeping with local character and historic and natural environments, and the use of appropriate materials. This Policy also requires proposed developments to be assessed on the extent to which they are compatible with service provision, as well as their impact on individual and community residential amenity. Policy 29 of the Highland Wide Local Development Plan repeats this emphasis on good design in terms of compatibility with the local settlement pattern. Policy 61 further emphasises the need for development to respect the landscape character of their surroundings.

Policies 65 and 66 require developments to deal with foul and surface water drainage in a manner which minimises the risk of pollution and flooding.

8.4 Material Considerations

This current planning application is identical in all respects to the previous 15/00607/FUL application which was refused under delegated powers on 3rd July 2015. The proposed development was considered for the following reasons to be inappropriate in terms of its siting on the seaward side of the public road, and its visual impact in respect of its scale and massing.

This is an open and visually prominent site, particularly when viewed from the A863 and the Roskhill township road. The current settlement pattern for this part of Roskhill is for development on the landward side of the public road. There is an existing cluster of houses (two existing and one recently consented 15/00182/PIP) to the north of the site on the landward side of the road. Consequently, it is important that the siting and design of the house reflects the visual prominence of the site, and respects the existing patterns of development and views out towards the loch.

Although this design of house has been found acceptable in other locations on the island, it is not a bespoke architectural solution which has been designed to reflect or respond to the site specific characteristics of this open and highly visible site. The scale and massing of the building with an overall footprint of 167m², a gross floor area of 292m² and a ridge height of 8.1m is considered to be too large for this prominent and open location. Although it is acknowledged that the land levels of the site will help reduce the visual impact of the proposal when approaching the site from the north, the land levels will do little to reduce the visual impact when travelling from the south. From this direction the scale of the development is further exacerbated by the angle at which the house will sit in relation to the road, as the full length of the house will be presented to the road.

In addition, the scale of the building does not relate well to the existing buildings on the landward side of the road, and will be too dominant a visual feature when travelling south and when viewed across the head of the Pool of Roag from the A863.

In view of the above, the Planning Authority sought to negotiate with the agent during the course of the original 15/00607/FUL planning application, and presented two possible solutions to overcome the above concerns. Firstly, it was noted that the application details stated that the land belongs to Dunvegan Estates. As such it was considered that there may have been scope for alternative land to be released by the estate, allowing the proposal to be relocated to the landward side of the road. This would have helped a large prominent building to relate in settlement pattern terms to the neighbouring buildings. However, the applicant's agent has advised that his client did not wish to alter the position of the scheme.

The second option, was to alter the design approach to present a smaller building - for example, with a ridge height not exceeding 6.5m, reduced scale of the front and rear projections and, perhaps, replacement of the rear projection with a lean-to type projection. The garage could be detached and set away from the main house. This reduction in the scale of the dwelling would help the building find a more comfortable position within the landscape and improve its visual relationship with the existing landward side buildings.

Again the applicant's agent advised that his client did not wish to amend the scheme as suggested. Instead, the agent has offered to move the building down the croft to the east and closer to the loch. This was not considered to be an acceptable option, as it would have exacerbated the visual impact of the building and leave the house even more visually exposed, prominent and divorced from the existing pattern of development.

It is disappointing that despite efforts to amend the scheme during the course of the previous application, and again following its refusal, the applicants have declined the opportunity to address the concerns of the Planning Authority. The option of seeking to appeal the decision to the Review Body has not been pursued. The applicants have instead sought to re-submit the previously submitted scheme. The Planning Authority have suggested to the agent that he may wish to submit visualisations in support of this current application, but no submission has been

made at the time of writing. Consequentially, there has been no change in design, siting or the submission of further supporting information which could alter the Planning Authority's assessment of the proposed scheme beyond the previous refusal.

Neighbour Amenity

The nearest built and occupied residential dwelling is Roag House which is located on the opposite side of the township road, 50m to the north west of the site's boundary and 80m from the proposed dwelling. In addition, a planning in principle permission for a house has recently been granted (15/00182/PIP), this plot boundary is located 45m from the proposed house and again on the landward side of the road. These separation distances are considered to be acceptable and will protect present and future neighbour amenity.

Access and Parking

The site is located adjacent to the township road which runs from Roskhill to Roag. The township road is single track with only one formal passing place between the application site and the main A863 road; however, there are a number of domestic access points along this stretch which act as informal passing places. The road is undulating with a number of bends. Taking all of this into account, it is reasonable to consider that an average speed of 30mph is likely on this section of the road. This would equate to a required visibility splay of 90m. In excess of 90m is available when looking north. When looking south there is a bend in the road, however, you are looking up hill at this point so the recommended standards of visibility is achievable. The visibility splay and the standard SDB1 access geometry can be controlled by a condition.

The application also proposes to culvert an existing road side ditch under the access point from the public road. This falls within highway land and the technical details of this and legal consent to carry out the works will be required from the Council's Roads Department.

In terms of parking, two spaces are shown on the plan, which is deficient in terms of the Council's parking guidance for a four bed house, which recommends 3 spaces, not including garages. However, there is enough room within the site to accommodate the required number of spaces and can again be controlled by a planning condition. This detailed element of the application is considered to be acceptable.

Croft Land The application site is located on croft land. The Crofting Commission have been consulted on the application and have raised no objection, and provided a standard response. The application boundary equates to approx. 0.2 hectare in area, with the boundaries around the house being undefined. The access track from the public road will include a cattle grid. The location of the house is not considered to undermine the usability of the remaining croft land.

Water Supply and Drainage

The application proposes to connect to the public water supply network. The foul drainage will be dealt with via a new septic tank and land soakaway arrangement. Percolation test results have been submitted with the application and the required

soakaway can be accommodated within the application site. Surface water will be dealt with by a SUDS arrangement. These elements of the application do not raise any concerns, and the technical details are controlled by the Building Standards legislation.

8.5 **Other Considerations – not material**

None

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 does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

10. **Recommendation**

Action required before decision issued N

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

1. The development by virtue of its siting on the seaward side of the public road together with its scale and massing, results in an inappropriate, overly dominant and visually incongruous addition to its surroundings with a poor visual relationship with the closest existing buildings on the landward side of the road. As such, the development fails to demonstrate a high standard of design quality which would make a positive contribution to the prominent location in which it is to be situated. As a result the development fails to accord with the aims and objectives of Policies 28, 29, 34, 57 and 61 of the Highland wide Local Development Plan and the Housing in the Countryside, Siting and Design supplementary guidance.

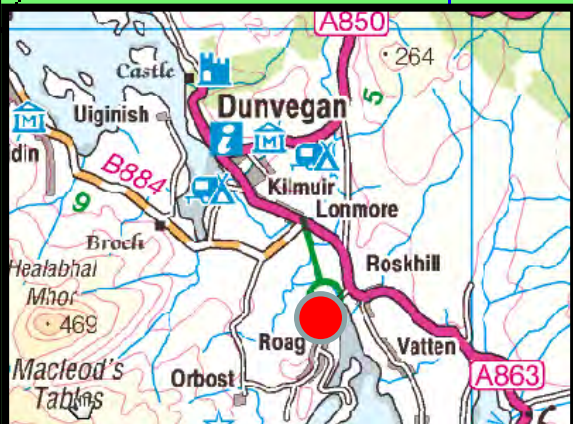
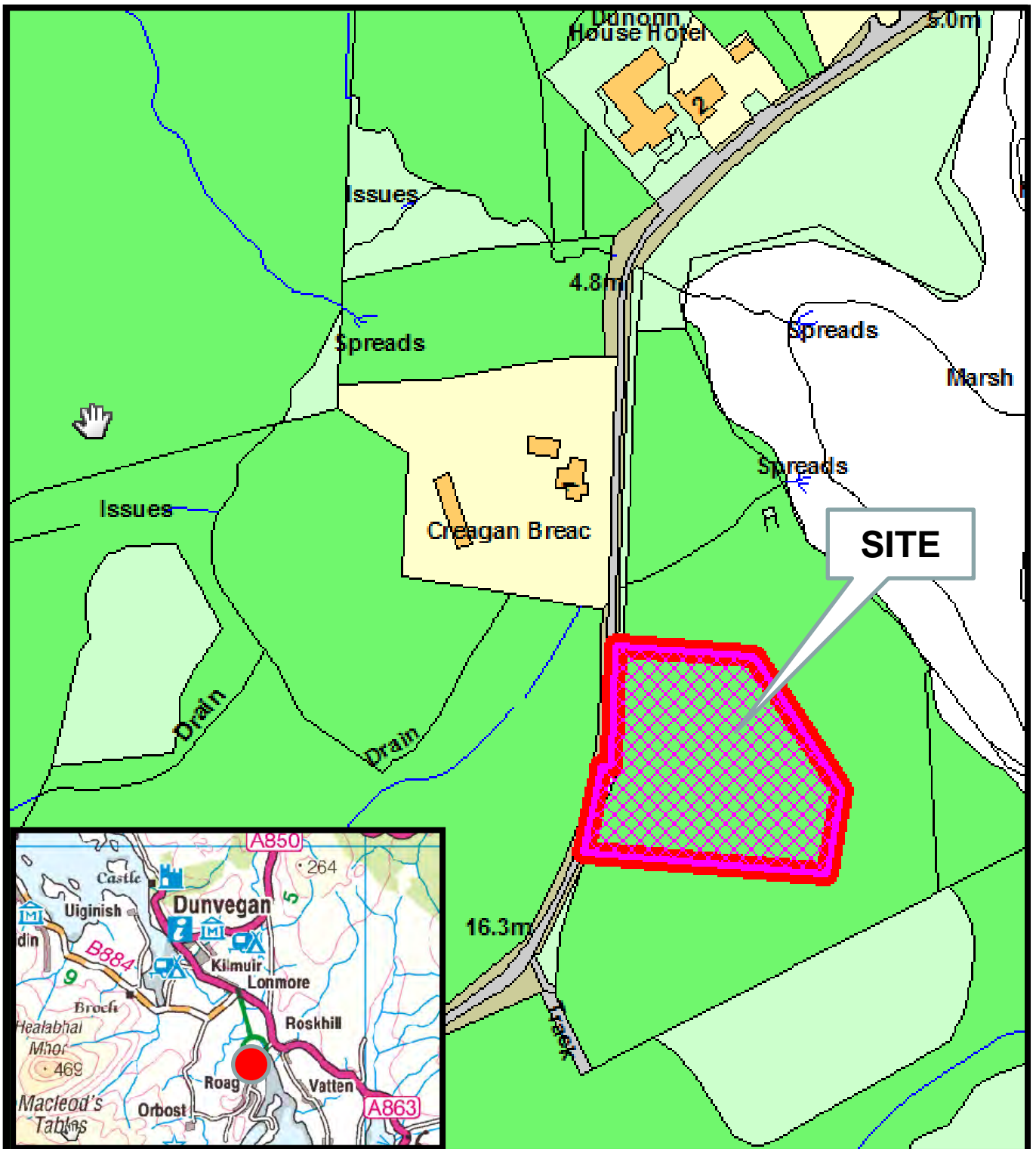
Signature: Dafydd Jones

Designation: Area Planning Manager North

Author: Alison Harvey – Planner

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

Relevant Plans: Plan 1 – Location Plan AMD 1152 01
Plan 2 – Site Layout Plan AMD 1152 02
Plan 3 – Proposed Site Layout Plan AMD 1152 03
Plan 4 – Floor Plan AMD 1152 10
Plan 5 – Elevations AMD 1152 11



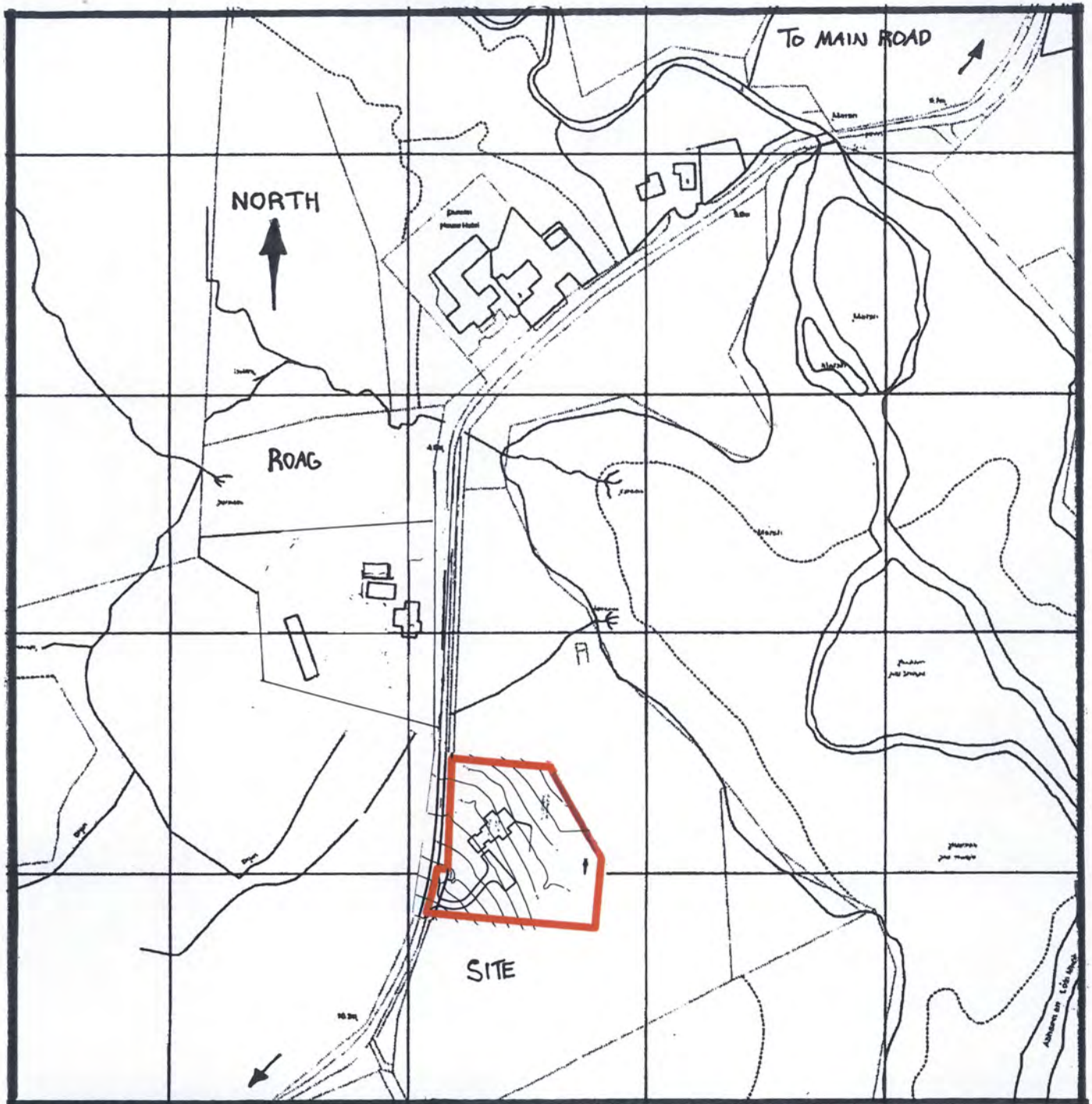
The Highland
Council
Comhairle na
Gàidhealtachd

Planning & Development
Service

15/03231/FUL

Erection of house at
Land SE of Roag House, Road, Dunvegan





LOCATION PLAN 1:2500



**ARCHIE MACDONALD
DESIGN & DRAWING SERVICES**

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Proposed Dwelling House
at No. 2 Herabost, Roag,
Dunvegan, Isle of Skye for
Alastair and Joan Maclean

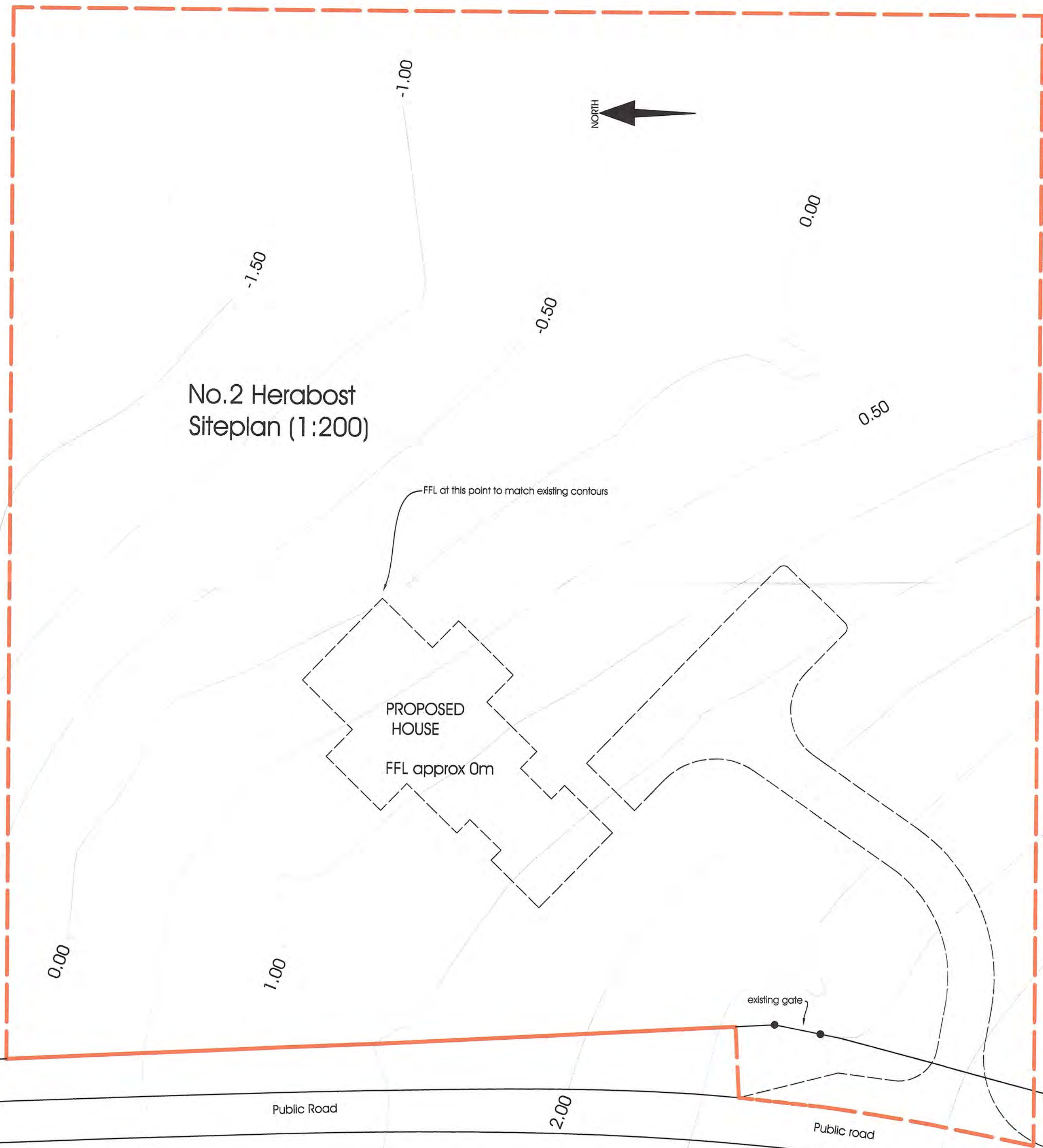
LOCATION PLAN

Drg No. AMD 1152 01

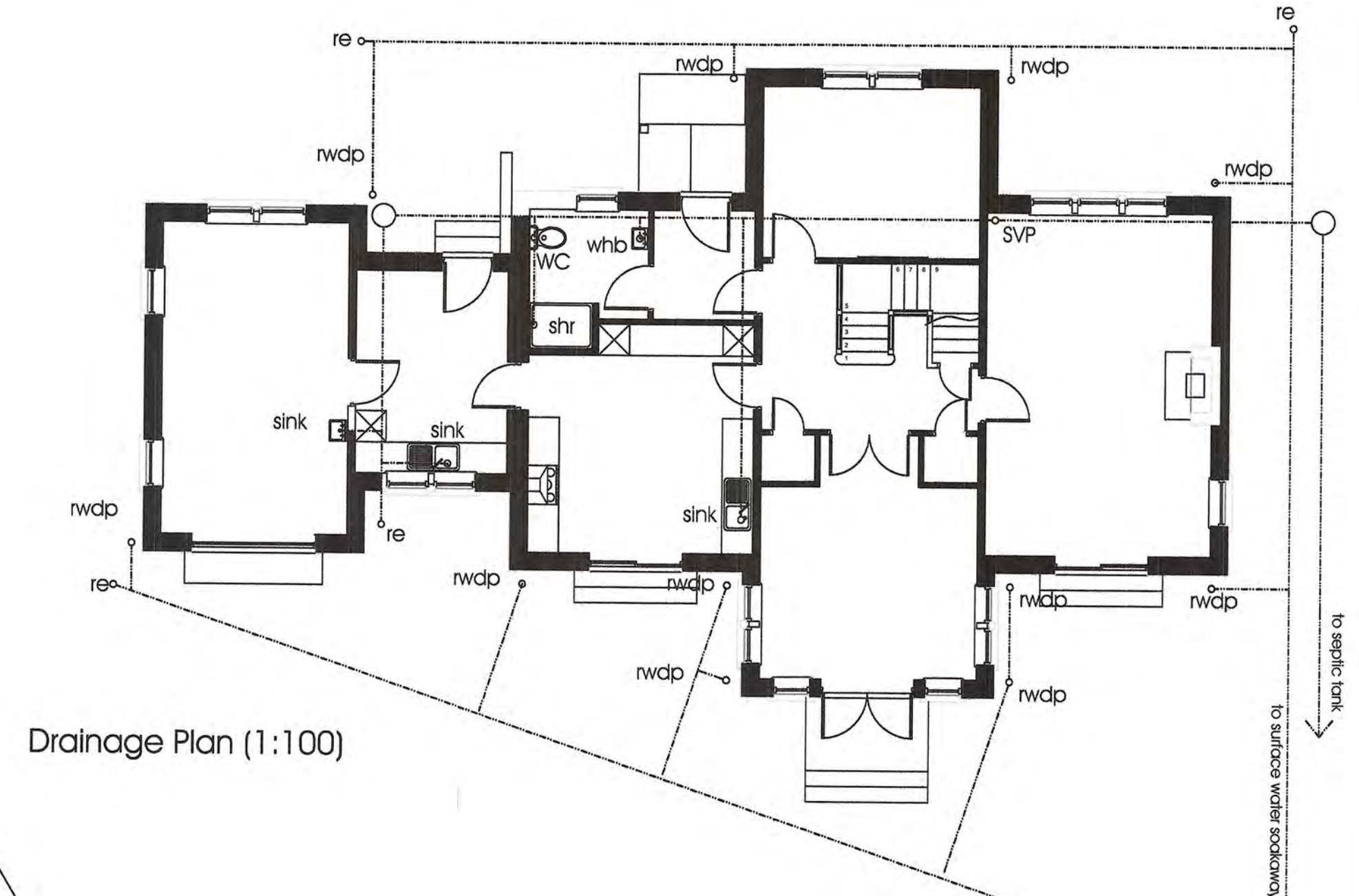
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Date: 01/12/2014

Drawn: Ben Wear /AMD



No.2 Herabost Siteplan (1:200)



Drainage Plan (1:100)

SITE BOUNDARIES
 ALL SITE BOUNDARIES (RED) ARE UNDEFINED UNLESS OTHERWISE STATED.
 THIS PLAN MUST NOT BE USED FOR THE PURPOSES OF DECROFTING OR USED AS A TITLE DEED PLAN. THE APPLICANT SHOULD CONTACT ARCHIE MACDONALD DESIGN AND DRAWING SERVICES TO INSTRUCT THE PREPARATION OF A TITLE DEED PLAN SHOULD THIS BE REQUIRED. THE RED LINES ARE PURELY TO IDENTIFY THE CURTILAGE OF THE PLANNING PERMISSION PERMITTED DEVELOPMENT AREA.

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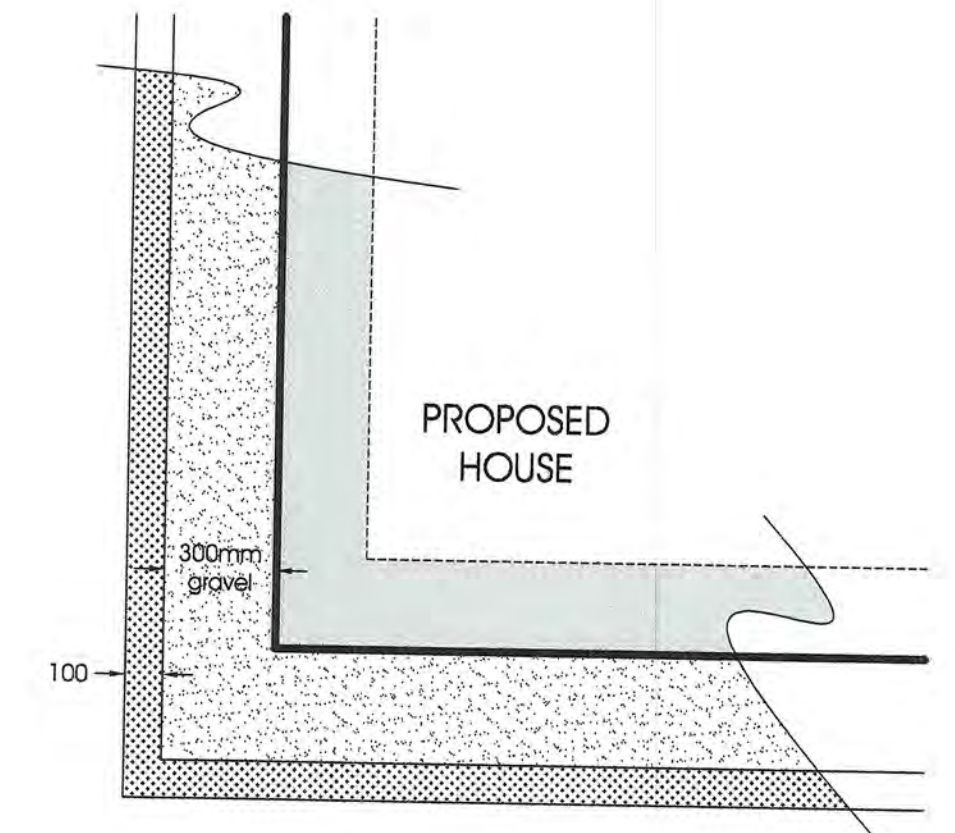
Proposed Dwelling House
 at No. 2 Herabost, Roag,
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 Alasdair and Joan Maclean

EXISTING SITE & DRAINAGE PLANS

Drg No. AMD 1152 02 Scale 1:200 (A1)

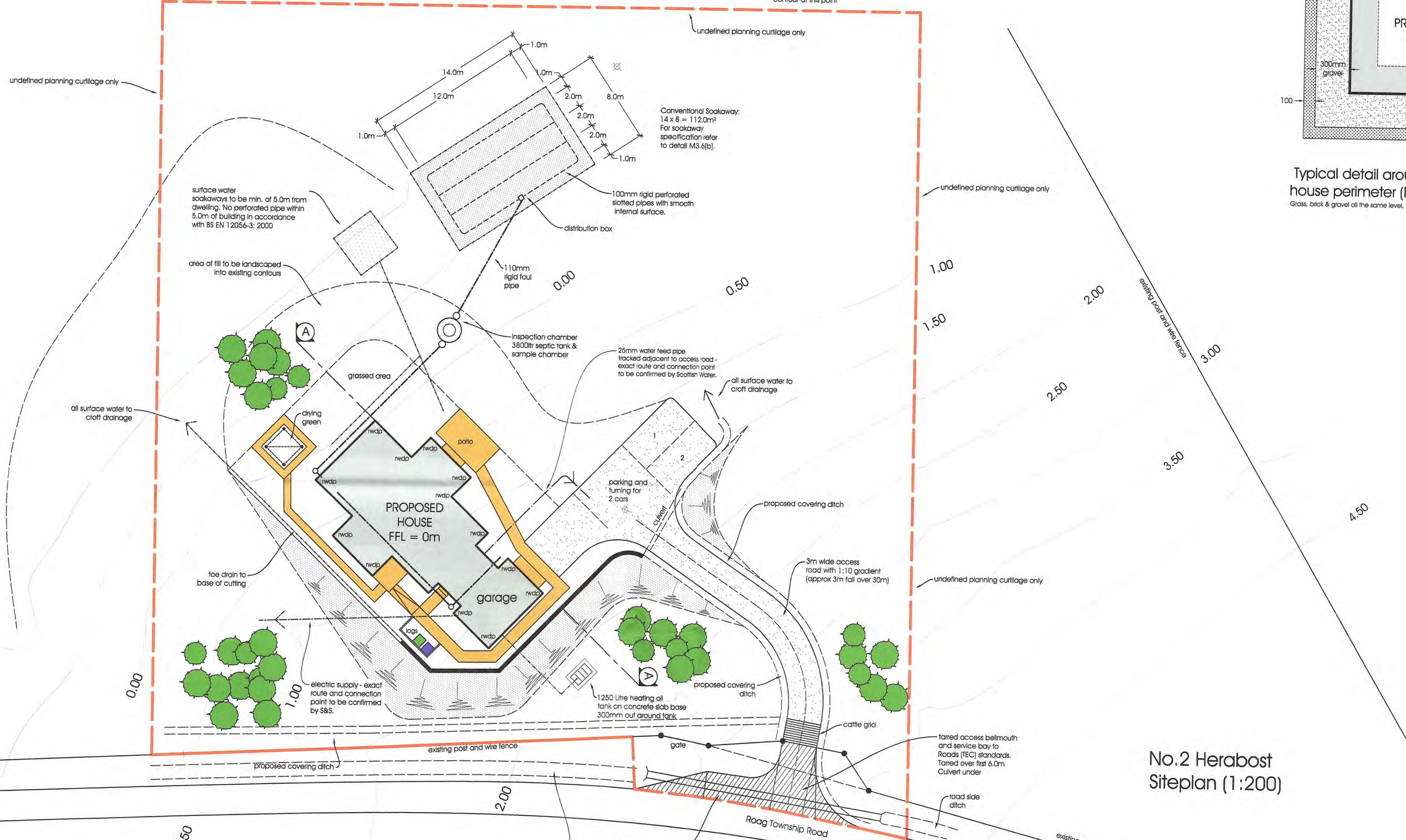
Date: 01/12/2014 Drawn: Ben Wear /AMD

Section A-A (1:200)

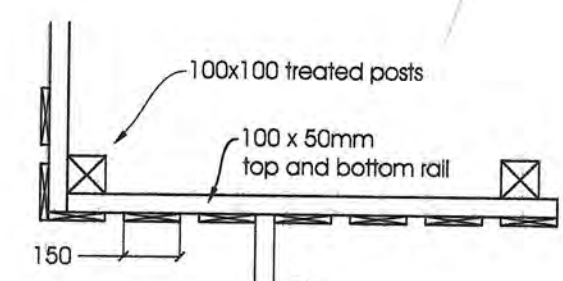


Typical detail around house perimeter (NTS)

Grass, brick & gravel at the same level, (i.e. min. 150mm below balcony)



No.2 Herabost Siteplan (1:200)



Timber Fencing Detail
 150mm wide sarking boards on 50 x 100 treated timber top and bottom rails
 50mm spacing between boards
 Rails fixed to 100 x 100 treated posts
 All fencing painted to client requirements

SITE BOUNDARIES

ALL SITE BOUNDARIES (RED) ARE UNDEFINED UNLESS OTHERWISE STATED
 THIS PLAN MUST NOT BE USED FOR THE PURPOSES OF DECROFTING OR USED AS A TITLE DEED PLAN. THE APPLICANT SHOULD CONTACT ARCHIE MACDONALD DESIGN AND DRAWING SERVICES TO INSTRUCT THE PREPARATION OF A TITLE DEED PLAN SHOULD THIS BE REQUIRED. THE RED LINES ARE PURELY TO IDENTIFY THE CURTLAGE OF THE PLANNING PERMISSION PERMITTED DEVELOPMENT AREA.

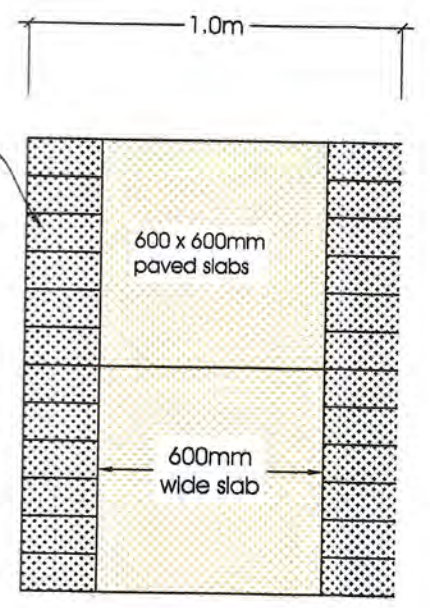
Levels

1. ALL CONTOURS ARE EXISTING AND ARE IN METRES ABOVE AN ARBITRARY DATUM.
 2. CUTTING AND FILLING IS APPROXIMATELY ONLY.
 3. PROPOSED LEVELS OF ROAD AND SITING OF HOUSE ASSUME MINIMAL EXCAVATION. DEPTH OF TOPSOIL AND ROCK MAY VARY.

Siteplan (1:200)

LEGEND:-

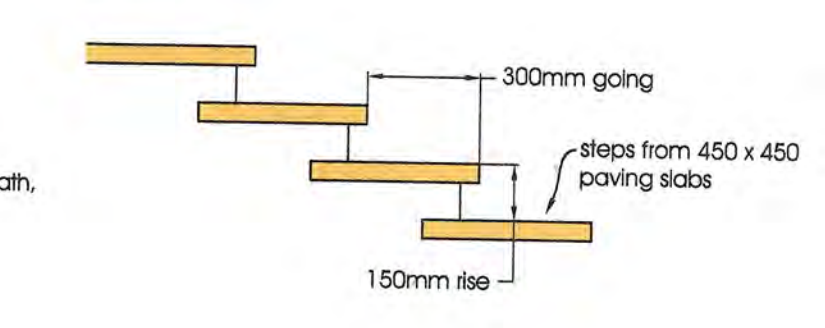
- svp - Soil Vent Pipe
- wc - Water Closet
- whb - Wash Hand Basin
- bth - Bath
- rwdp - Rain Water Down Pipe
- t.g - Trapped Gully
- ic - Inspection chamber (450mm Ø)
- r.e - Rodding Eye
- m.b - Meter Box
- st - Strainer
- b - Boiler
- Existing areas of planting (trees and shrubs)
- Proposed areas mixed planting (trees and shrubs)
- Bin storage



Ramp & Path Detail (1:200)

*Ramp:
 One of the following standards should be adopted for the access ramp depending on the site layout:
 1:12 - max flight length of 2.0m with 165mm rise
 1:15 - max flight length 5.0m with 333mm rise.
 ** NOTE**
 Level of car parking area to be level with paved/ramped path.

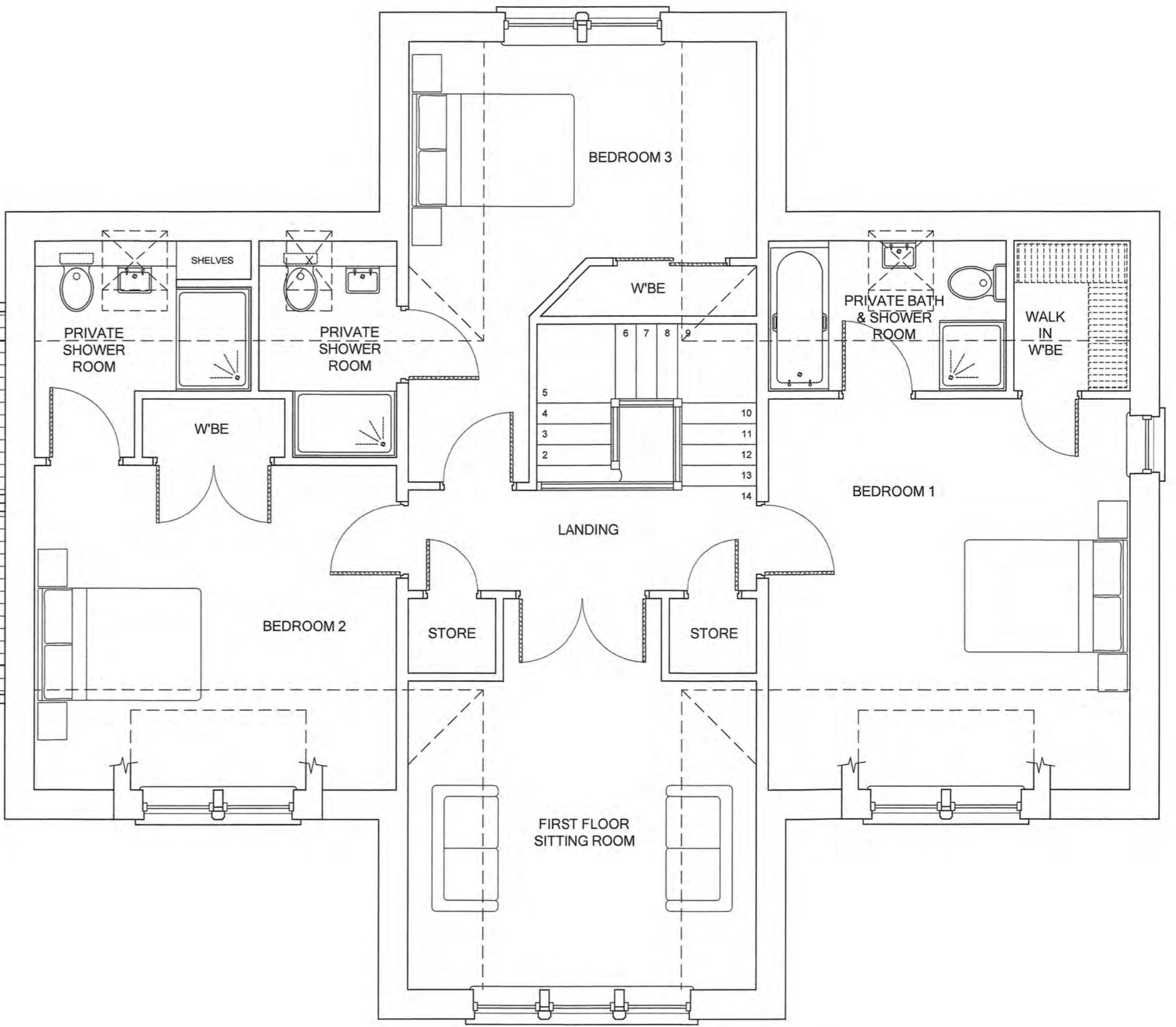
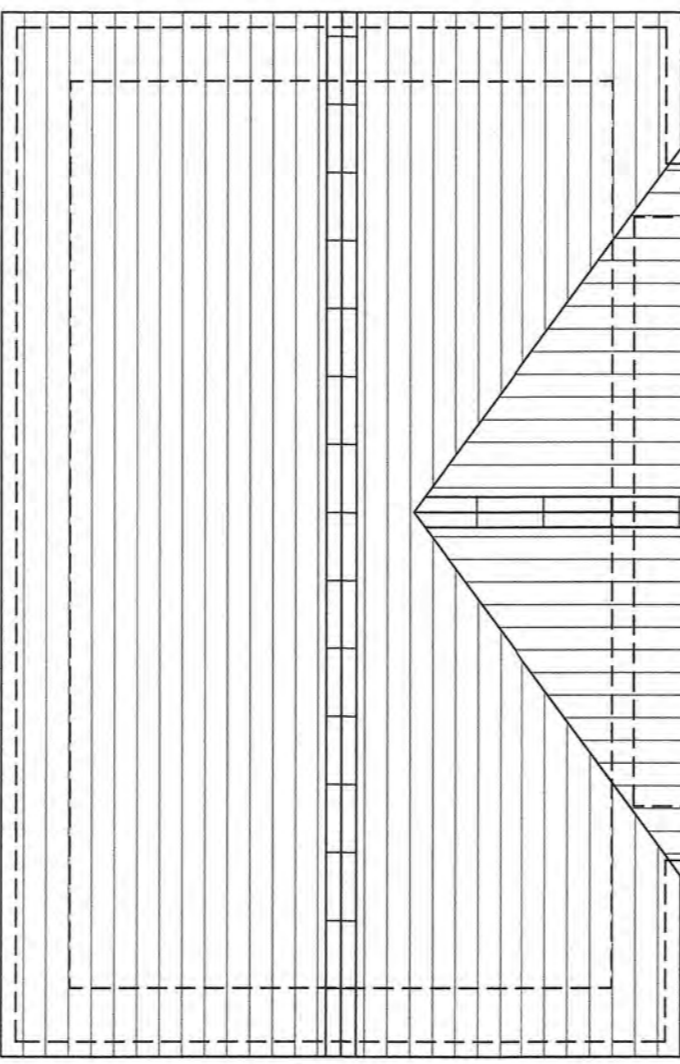
Step Detail



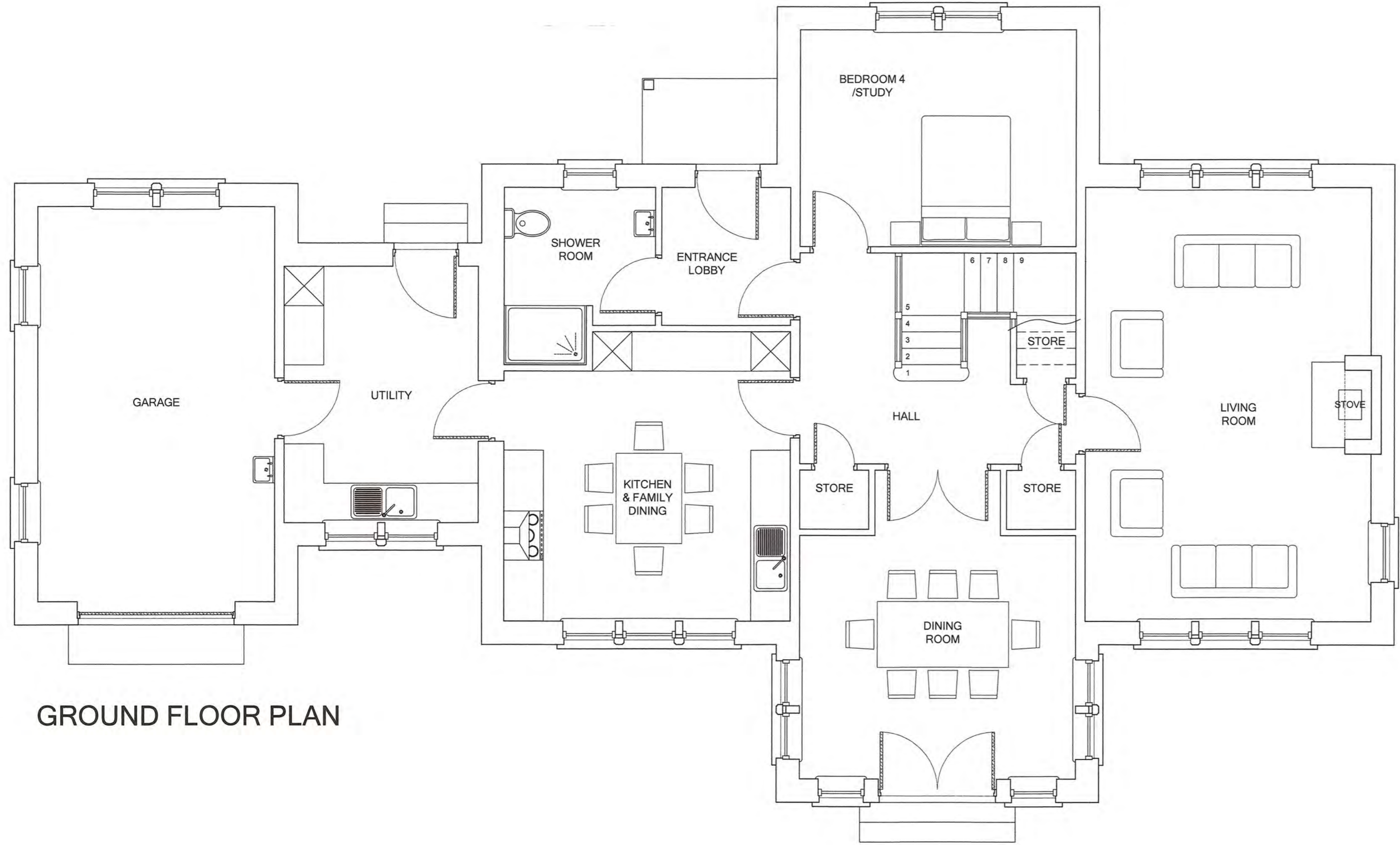
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Proposed Dwelling House at No. 2 Herabost, Roag, Dunvegan, Isle of Skye for Alasdair and Joan Maclean

| | |
|---------------------|----------------------|
| GENERAL SITE PLANS | |
| Drg No. AMD 1152 03 | Scale 1:200 (A1) |
| Date: 01/12/2014 | Drawn: Ben Wear /AMD |



FIRST FLOOR PLAN



GROUND FLOOR PLAN

DRAWINGS ARE NOT FOR CONSTRUCTION. CONSTRUCTION SHOULD ONLY COMMENCE WHEN BUILDING WARRANT HAS BEEN APPROVED, STAMPED & DATED BY BUILDING STANDARDS.

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PROPOSED HOUSE AT No 2 ROAG, DUNVEGAN,
 ISLE OF SKYE FOR ALASTAIR AND JOAN
 MACLEAN

FLOOR PLANS

DRG No: AMD 1152 10 SCALE: 1:50 (A1)

DATE: 18/08/2014 DRAWN BY: AMD



FRONT ELEVATION



SIDE ELEVATION



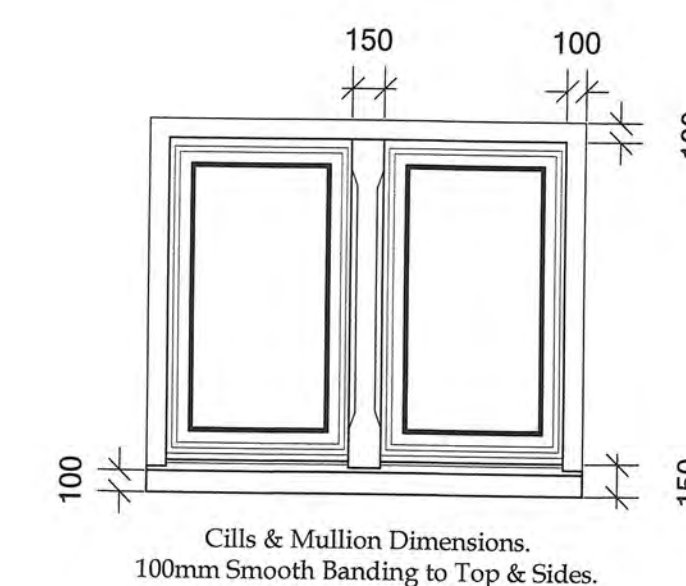
REAR ELEVATION



SIDE ELEVATION

PLANNING SPECIFICATION

- | | | |
|-----------------------------------|---|--|
| WALLS ABOVE AND BELOW DPC | - | WET DASH HARLING PAINTED WHITE |
| ROOF | - | NATURAL SPANISH SLATE CUPA H3 OR SIMILAR |
| | - | BLACK CONCRETE RIDGE TILES, DRY VERGE SYSTEM |
| WINDOWS AND EXTERNAL DOORS | - | WHITE PVC |
| FASCIAS, SOFFITS AND VERGES | - | WHITE PVC |
| MULLIONS, CILLS AND COPES | - | PRECAST CONCRETE, PAINTED WHITE |
| SMOOTH BANDING TO COUPLED WINDOWS | - | PAINTED TO MATCH MULLIONS AND CILLS |
| CHIMNEYS POTS | - | 300mm HIGH POTS |
| RAINWATER GOODS | - | BLACK PVC |



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PROPOSED HOUSE AT No 2 ROAG, DUNVEGAN,
ISLE OF SKYE FOR ALASTAIR AND JOAN
MACLEAN

ELEVATIONS

| | |
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| DRG No: AMD 1152 11 | SCALE: 1:50 (A1) |
| DATE: 18/08/2014 | DRAWN BY: AMD |