

THE HIGHLAND COUNCIL

**NORTH AREA PLANNING APPLICATIONS COMMITTEE
21 February 2017**

Agenda Item	7.4
Report No	PLN/014/17

**16/02937/FUL: Mr Graeme Deas
Land 75M SE of Graemar, 4 Crepigill, Skeabost Bridge, Isle of Skye**

Report by Area Planning Manager

SUMMARY

Description : Erection of house

Recommendation - REFUSE

Ward : 11 - Eilean A' Cheò

Development category : Local Development

Pre-determination hearing : None

Reason referred to Committee: Members Referral.

1. PROPOSED DEVELOPMENT

- 1.1 This application seeks full planning permission for the erection of a single storey two bed dwelling house with an area of decking. The house will measure 11.2m x 6.9m, 2.7m to the eaves and 5.4m to the ridge. The proposed external materials will be stone facing on the northern elevation, white painted render on the remaining elevations with a natural slate roof. The dwelling will be on the southern side and its ridgeline running parallel with the adjacent public road.
In addition, the application proposes the upgrading of an existing gated access onto the A850 public road, parking and turning area for two cars and the installation of a septic tank and land soakaway system.
- 1.2 No formal pre-application was received for this proposal.
- 1.3 Access to the site is from the A850 public road which runs from Borge to Dunvegan. 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 No supporting information was submitted with the application.

- 1.5 **Variations:** Additional plan detailing the visibility splays from the access. Plan Number SO1v received 26.08.2016

2. **SITE DESCRIPTION**

- 2.1 The application site is located on land between the A850 public road and River Snizort. The site is located on a raised area which then falls away down towards the River to the south west. The nearest residential properties are located directly opposite the site on the other side of the public road. The closest properties on the southern side of the road are Taigh Na H-Aibhne, 1 Crepigill which is located over 190m to the west of the site and Rowandale which is located over 230m to the south east of the site.

3. **PLANNING HISTORY**

- 3.1 No previous planning application has been received for this site.

4. **PUBLIC PARTICIPATION**

- 4.1 Advertised : Unknown neighbour – 14 days
Representation deadline : 29.07.2016
Timeous representations : 0
Late representations : 0

5. **CONSULTATIONS**

- 5.1 **Transport Planning:** Initially objected to the proposal unless visibility splays of 215m were demonstrated – an additional visibility plan (SO1v) was submitted by the agent which showed that splays of 270m could be achieved to the west and 260m to east.
- 5.2 **Building Standards:** no response received
- 5.3 **Crofting Commission:** No objection, standard response received

6. **DEVELOPMENT PLAN**

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 Place-making
Policy 34	Settlement Development Area
Policy 47	Safeguarding Inbye/Apportioned Croftland
Policy 57	Natural, Built and Cultural Heritage
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 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)

7.2 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 Crepigill/Borve Junction 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 Crepigill are contained within the West Highlands and Islands Local Plan, and are as follows:

- *To safeguard public views across the south of the settlement.*
- *To secure developer funded road improvements where a network deficiency is created or worsened.*
- *To safeguard in by croft land quality by favouring siting on poorer parts of crofts or on common grazings where applicable.*
- *To rationalise/minimise new A850 access.*
- *To secure a collective, master planned, crofting community development of the township expansion area.*

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 protection of the setting of a settlement is a feature of local or regional importance and has been identified by the Council as contributing to the identity of the Plan area. Policy 57.1 states that development will only be allowed if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment, 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.

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**

Siting, Design and Landscape Impact: The application site is located adjacent to and on the southern side of the A850 public road, and as such is a highly visible development site. The site is set within an open landscape with long extensive views over this meandering section of the River Snizort and over towards the hills of Glenmore to the south-east and across towards Skeabost and the cemetery to the south and west. The views over and the setting of this part of the settlement is specifically protected by the Local Plan policies. Its open vista is currently reinforced by the large spacing between the nearest residential properties on this side of the road which are well set back some 50m (Rowandale, to the south-east) and 67m (Taigh Na H-Aibhne to the north-west) from the public road and set down within the landscape. Consequentially, it is important that the siting of any new development on this site actively responds to this clear policy context.

Although the design of the house is un-inspiring, it is single storey and modest in scale which is considered to be appropriate. Therefore, the house when viewed purely in plan form is not considered to raise a substantive reason for refusal. However, when its siting is considered within its site specific landscape and policy context then the location of the proposal is not considered to accord with the prevailing settlement pattern and is regrettably unacceptable. The house is only set back approx. 20m from the road some 30m – 47m closer than existing neighbouring development of Rowandale to the south-east and Taigh Na H-Aibhne to the north-west. As such both by virtue of its reduced setback and higher position relative to these houses below the road, it is at odds with the prevailing settlement pattern within the immediate vicinity, and consequentially it interrupts the open nature and setting of the southern part of this settlement when viewed from the adjacent public road.

On this basis the agent was advised that if the house position was amended to move it further down the croft and away from the public road, thereby siting the house on the lower land (shown on the submitted cross section A-A) then the proposal could have been supported. However, the applicant was unwilling to amend the scheme inline with this suggestion, citing increased length of access track which would result in the loss of croft land and flooding. However, moving the house to the south would not result in the development being located within the flood plain for the 1 in 200 year flood event. In addition, if the track remained unfenced then the land holding would not be split into separate units and the overall loss of usable croft land would be minimal.

As such the siting of the proposal as submitted is not considered to accord with the policies contained within the development plan and there are insufficient material considerations which would override this assessment.

Neighbour Amenity: The nearest built residential properties are 'Graemar' (applicant controlled) and No.4 Crepigill, both of which are located on the upper side of the A850 public road. In addition, there is an extant planning permission in principle consent (16/02981/PIP) for a house which is located adjacent to 'Graemar'. The closest properties on the same side of the road as the application site are Taigh Na H-Aibhne, 1 Crepigill which is located over 190m to the west of the site and Rowandale which is located over 230m to the south east of the site.

The separation distances between the proposed house and the existing dwellings is considered to be acceptable and will avoid the development having any overbearing impact upon neighbours or result in any overlooking of rooms. As such the development is not considered to have an adverse impact upon existing or consented dwellings.

Access and Parking: Access to the site will be via an existing gated access directly onto the A850 public road. The road is a two-lane carriageway with a speed limit of 60mph. The Councils Transport Planning Team have been consulted on the application and have states that the recommended visibility splays for this speed is 2.4m x 215m in both directions from the access point. The speeds may be lower nearer the access point due to the bend in the road to the west. As such further information was requested. The agent supplied an amended plan which detailed that visibility splays of 270m could be achieved to the west and 260m to east. In addition, the application has shown that the existing access will be upgraded to comply with the Council's SDB1 access standard. A parking and turning area for two cars has also been shown on the plans which is in line with the Councils guidance for a two bed house.

The proposed access is considered to be acceptable in terms of the proposed geometry and visibility splays and as such the 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. As such this element of the application is considered to be acceptable.

Water Supply and Drainage: It is proposed to connect to the public water supply network. The foul drainage will be dealt with via a new septic tank and land soakaway arrangement. These elements of the application do not raise any concerns, and the technical details are controlled by Building Standards legislation.

8.5 **Other Considerations – not material**

None

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

Not applicable

9. **CONCLUSION**

- 9.1 Although the application cannot be supported for the reasons set out above, it is considered that if an amended application was submitted, with no additional planning fee required, down the croft and away from the public road, on the lower ground level this amendment could have been supported. We encourage the applicant to submit a revised application to reflect this which could be supported. 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 proposed development, by virtue of its siting in relation to the public road and on the higher land within the overall landholding will result in a scheme which is contrary to the immediate development pattern and will interrupt the existing open public views over the southern part of the settlement. As a result the building will fail to make a positive visual contribution to its surroundings and is contrary to the aims and objectives of Policies 28, 29, 34 and 57 of the Highland wide Local Development Plan.

Signature: Dafydd Jones
Designation: Area Planning Manager North Area
Author: Alison Harvey
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Committee Location Plan
Plan 2 - Location Plan SO1 dated 12.05.2016
Plan 3 – Existing Site Layout Plan S02 dated 12.05.2016
Plan 4 – H01 Floor/Elevation Plan dated 12.05.2016
Plan 5 - S03 Proposed Site Layout Plan date 12.05.2016