

Agenda Item	6.2
Report No	PLS 055/17

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 24 October 2017

Report Title: 17/02832/FUL: Mr & Mrs M Shaw
Land 85m SW of Drimnatorran Farm House, Strontian

Report By: Area Planning Manager – South/Major Developments

Purpose/Executive Summary

Description: Erection of house (resubmission of planning application 17/00940/FUL)

Ward: 21 - Fort William and Ardnamurchan

Development category: Local

Reason referred to Committee: Community Council Objection.

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.

Recommendation

Members are asked to agree the recommendation to Grant as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 This application seeks full planning permission for the erection of a single storey, detached, dwelling with associated access and servicing, set at a corner site on the southern approach to Drimnatorran Farm House which is a Category C Listed Building. The proposed house would be a small detached, single storey dwelling with a footprint of 7.9m x 10.05m with a 35° pitched roof.
- 1.2 The site would be served by a new spur from an existing private access track which serves the eastern farm access and the neighbouring property Alltan to the south. Foul water discharge is proposed to land via an existing septic tank and soakaway (currently serving Drimnatorran Farm House) with surface water to discharge to a new surface water soakaway. Use of the existing private water supply is proposed.
- 1.3 Pre Application Consultation: formal pre-application advice was sought in 2016 for the erection of a pair of semi-detached, timber, kit homes.
- 1.4 Supporting Information: Supporting statement dated 26.09.17 highlighting the following points:-
- works undertaken by the owners to improve the Farmhouse (Category C Listed Building), which was in disrepair and in danger of collapse, and works to improve the surrounding land and access road shared with the neighbouring property (Altan).
 - commitment to continue monitoring, repair and improvement of access as it is used by visitors to the Drimnatorran Farm Lodge (the existing attached holiday letting unit) and for deliveries of feedstuffs for the farm.
 - highlight that at present they solely upkeep the access despite a legal obligation on other relevant parties to contribute to its upkeep.
 - advise that upkeep of the road to the burial ground is maintained by Highland Council.
 - to comply with current legislation, the applicants have installed gates on their land.
 - a turning circle was created in order for visitors to the burial ground to have a parking area, to ensure that access to the farmhouse is no longer blocked by parked vehicles.
 - current holiday letting accommodation is very popular and supports local facilities, shops, bars and restaurants within the village and wider area.
 - consider a further holiday let would further support the local economy.
- 1.5 Variations: Revised site layout plan showing proposed orientation of principal elevation.

2. SITE DESCRIPTION

- 2.1 The site is located approximately 75m to the south west of Drimnatorran Farm House at the northern periphery of the settlement at Strontian. There are two access tracks which serve Drimnatorran Farm, one to the north west which runs through a mature stand of trees to the burial ground to the north of the farmhouse and one to the south east which accesses the eastern side of the farmhouse, which is Category C listed and to the farm steading, which is Category B listed and a

group of outbuildings beyond. The Farm House was altered and extended approximately 5 years ago to create a self-contained letting unit.

The site is generally level, grassed and located in the corner of a field directly in front of the residential curtilage to the farm house at the corner of the south easterly access track. A substantial, detached residential property (Alltan) is located on the opposite side of the track approximately 25m to the south west of the proposed development site.

3. PLANNING HISTORY

- 3.1 17/00940/FUL Erection of house, installation of septic tank and soakaway.
This application was for a wooden chalet set 4m from the access track. This application was subsequently withdrawn following concerns raised regarding the siting and design of the proposed unit.
- 3.2 16/02820/PREAPP Formal pre-application advice sought for the erection of a pair of semi-detached, timber, kit homes. The applicant was advised that two residential units and the associated level of infrastructure would not accord with the existing pattern of development and would adversely impact the setting of development the listed buildings. The applicants were advised that there would be more scope for a single residential unit, linked to the operation of the farmhouse, incorporating high quality design, traditional, rectangular form and materials, set back from the access track. These recommendations were made to safeguard the setting of the listed building, to improve neighbouring residential amenity and to accord with the existing settlement pattern.

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Unknown Neighbour / Development affecting settlement of listed building
Date Advertised: 29.06.17
Representation deadline: 20.07.17
Timeous representations: 2 (2 Households)
Late representations: 0
- 4.2 Material considerations raised are summarised as follows:
a) Proposed siting could adversely affect neighbouring property (Alltan). Could the proposed house be sited closer to the applicant's existing property

Comment: Siting, design and amenity are considered in section 8.4.2 below. The applicant has not submitted an alternative site for the proposed house and the proposals require to be assessed, as submitted.

- b) Policy indicates that no further development can be carried out until the access to Drimnatorran has been improved. The applicants own the road to the cemetery over which there is a public right of access. The condition of this road has deteriorated due to lack of upkeep by the current owners. The road is not in good condition and will become unsafe to walk due to lack of upkeep and construction vehicles.

Comment: Access is considered in section 8.4.3 below.

- 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.

5. CONSULTATIONS

- 5.1 n/a

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 & Place-making
- 34 - Settlement Development Areas
- 57 - Natural, Built & Cultural Heritage
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage

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

- Inset Map 13 : Strontian
- Settlement Development Area

6.3 Proposed West Highlands and Islands Local Development Plan (Emerging WestPlan)

- 2.7 Strontian - Site located within Settlement Development Area boundary

7. OTHER MATERIAL CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

- Scottish Planning Policy 2014
- Planning Advice Note 44 - Fitting New Housing Development into the Landscape
- Planning Advice Note 67 - Housing Quality

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.

Determining Issues

- 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.

Planning Considerations

- 8.3 The key considerations in this case are:
- a) Compliance with the development plan and other planning policy
 - b) Design, Layout and Amenity
 - c) Access and Servicing
 - d) Any other material considerations

Development plan/other planning policy

- 8.4 The site lies within the Strontian Settlement Development Area boundary. Settlement Development Areas are the Council's preferred areas for most types of development, including housing. The principle of residential development at this site accords with development plan policy subject to compliance with Policy 28: Sustainable Design and all other relevant plan policies.

Design, Layout and Amenity

- 8.5 Policy 34: Settlement Development Area requires proposals to be judged in terms of how compatible they are with the existing pattern of development and landscape character, how they conform with existing and approved adjacent land uses and the effect on any natural, built or cultural heritage features. There are no built, cultural or natural heritage designations at this site, however, the house site is located on a secondary approach to Drimnatorran Farm which is a Category C Listed Building.
- 8.6 A house site at this location is considered to accord with the low density, dispersed settlement at Drimnatorran and would accord with surrounding land use which comprises a mixture of predominantly residential and agricultural buildings. The site is located on the approach to Drimnatorran Farmhouse which is a Category C Listed Building. However, the house would be separated from the frontage of the listed building by an area of intervening land and is sited adjacent to a secondary, eastern track which serves the farm buildings to the north east. The primary access to the listed farmhouse building is from the western side where the access track passes through an area of mature woodland. Taking into account the proposed location, on a secondary approach, 65m from the farmhouse, the proposed house is not considered to have a significant adverse impact on the setting of the listed building.
- 8.7 Policy 28: Sustainable Design requires proposals to demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environment, making use of appropriate materials.

- 8.8 The proposed house is a detached unit of very simple design, single storey in height with a relatively small footprint of 79m². The front elevation will face onto mature woodland to the north west. No fenestration is proposed to the south elevation which faces onto the access track. As such, the proposals raise no substantive concerns regarding inter-looking or loss of neighbouring privacy and amenity.
- 8.9 Permission is recommended subject to condition to secure appropriate high quality, traditional materials, to help to elevate the fairly bland design of the building and to better reflect the traditional finishes of the nearby listed building. To help the building to better integrate into the setting, permission is recommended subject to planning condition to secure appropriate landscaping and boundary treatment.
- 8.10 In terms of amenity, the property could operate as a house without adverse impact to neighbours, therefore it is not considered necessary to impose an occupancy restriction. It will be open to the owner of the building to determine how the residential unit will be let.

Access and Services

- 8.11 Connection to the existing private water supply and the existing private foul drainage system which serves Drimnatorran Farm is proposed to serve this development. The proposed site layout plan shows access, parking and turning from the private access track, in accordance with The Council's guidance - Access to Single Houses and Small Housing Developments.
- 8.12 A private access track serves Drimnatorran and extends eastwards from the Anaheilt public road, across a listed bridge. The track extends north eastwards to a burial ground to the north of Drimantorran Farmhouse and there are two private access spurs from this section. The northernmost spur forms the primary access to the listed farmhouse and runs through an area of mature woodland. The southernmost spur forms a secondary access which joins the Drimnatorran Farm curtilage at the eastern side and serves the agricultural buildings and land.
- 8.13 Currently, four properties are served by the existing private access from the Anaheilt public road. The West Highland and Islands Local Plan includes an objective for access improvements to allow limited development north of Ardnamurchan High School. This appears to follow an earlier approach to development under the Highland Structure Plan to bring private accesses to adoptable standard prior to the development of a fifth house. The Highland Structure Plan has now been superseded by the Highland wide Local Development Plan, 2012 which seeks commensurate improvements to private access roads based on the scale of development proposed.
- 8.14 The private access to Drimnatorran from the Anaheilt public road to the burial ground to the north of Drimnatorran Farm is surfaced and maintained for public access, in part by Highland Council. Improvements to the spur, which serves Alltan and the east side of Drimnatorran Farm have been considered, however, this track is maintained and benefits from clear advance visibility. The applicant has advised that they upkeep this access, to facilitate farm deliveries and to maintain a sufficient level of access for visitors to the existing self-contained letting unit within the

farmhouse building. The applicants state that maintenance and upkeep will continue to ensure adequate access to serve the farm and for this new letting unit. It is acknowledged that there has been some disagreement between relevant parties regarding the upkeep of the private road however, the access is considered sufficient to serve a single additional unit. On this basis, commensurate improvements have not been sought in support of this application. A note is recommended highlighting the need for a separate legal agreement to make provision for future access rights and maintenance responsibilities if the building is subsequently sold.

Other material considerations

- 8.15 2 letters of representation have been received which are summarised in section 4.2 and considered above.

There are no other material considerations.

Non-material considerations

- 8.16 One letter of representation highlighted the maintenance of verges carried out by the previous owner of the farm, with the help of the Council's cemetery team and states that the only area maintained by the applicants is the area which is used to park a few cars for the elderly during funerals. This area is kept mown but encircled with large stones to prevent its use as a parking area. Gates and signs have deterred public from accessing the cemetery.

Comment: The sufficiency of access is a material consideration of this proposal and is considered in section 8.14 above. Wider concerns regarding public access, parking and turning to serve the burial ground to the north of Drimnatorran Farmhouse are a separate matter and cannot be treated as a material consideration of this application.

Matters to be secured by Section 75 Agreement

- 8.17 n/a

9. CONCLUSION

- 9.1 This development seeks planning permission for the erection of a house within the Strontian Settlement Development Area boundary. The site chosen avoids an area of mature woodland of high amenity value, within the foreground of a Category C Listed Building. The siting of development is sufficiently separated from both the listed building to the north and neighbouring residential development to the south. The scale of development and design is considered acceptable subject to planning conditions to secure appropriate traditional finishes and landscaping.
- 9.2 The existing private access which serves Drimnatorran Farm and the proposed house site have been assessed and found to be acceptable to serve an additional single dwelling. Commensurate improvements to the access have been considered however, no additional measures have been identified in this case.
- 9.3 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. IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued	N
Notification to Scottish Ministers	N
Conclusion of Section 75 Obligation	N
Revocation of previous permission	N

Subject to the above, it is recommended that planning permission be **GRANTED**, subject to the following:

Conditions and Reasons

1. 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.

For the avoidance of doubt, the external walls of the house hereby approved shall be finished in an off-white painted render or natural stone and the roof of the house hereby approved shall be finished in natural slate.

Reason: In order to enable the planning authority to consider these matters in detail prior to the commencement of development, in the interests of amenity and to safeguard the setting of Drimantorran Farmhouse, which is a Category C Listed Building.

2. No development shall commence until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:

- i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
- ii. A plan showing existing landscaping features and vegetation to be retained;
- iii. The location and design, including materials, of any existing or proposed walls, fences and gates;
- iv. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and
- v. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason: In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

3. The house shall not be occupied until provision for the parking and turning of two cars within the curtilage of the house is made and shall be maintained at all times thereafter.

Reason: To ensure that an adequate level of parking is provided timeously in the interests of road safety and amenity.

REASON FOR DECISION

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.

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

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.

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.

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 (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Shared Access Track

If not already obtained, appropriate legal provision should be made regarding the right to use and the future maintenance of the shared access.

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).

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).

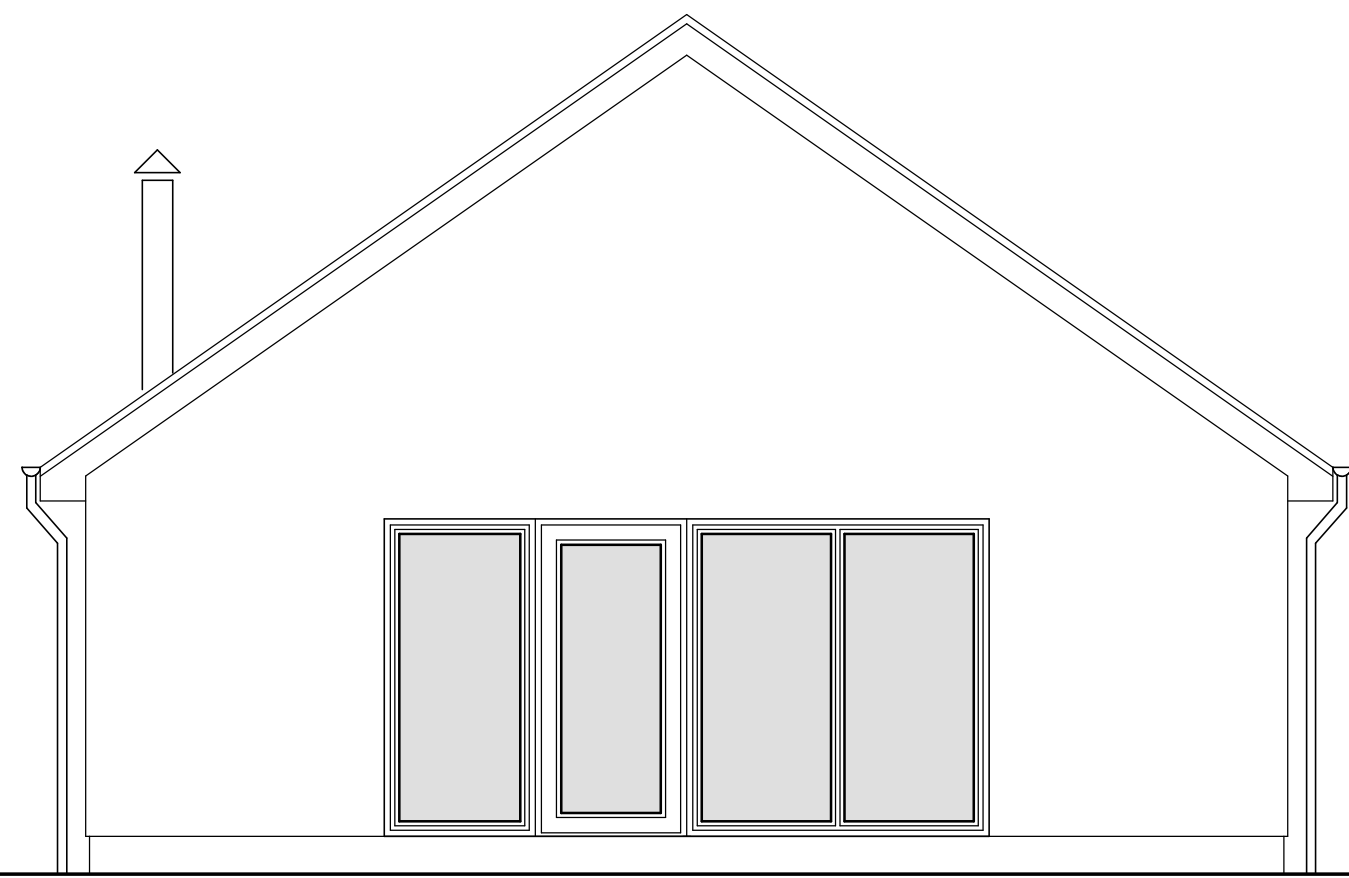
Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to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

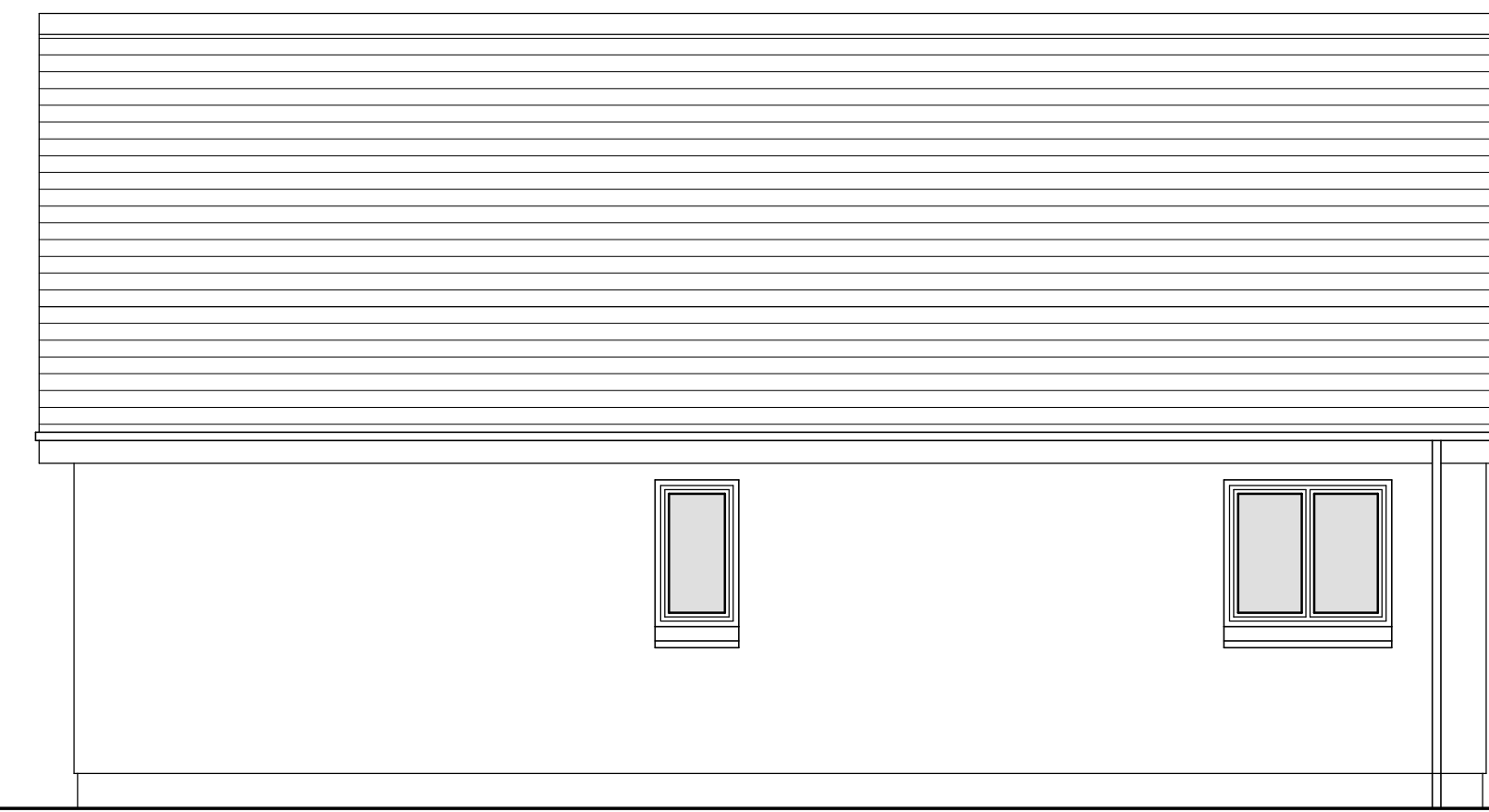
Protected Species – Halting of Work

You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: www.snh.gov.uk/protecting-scotlands-nature/protected-species

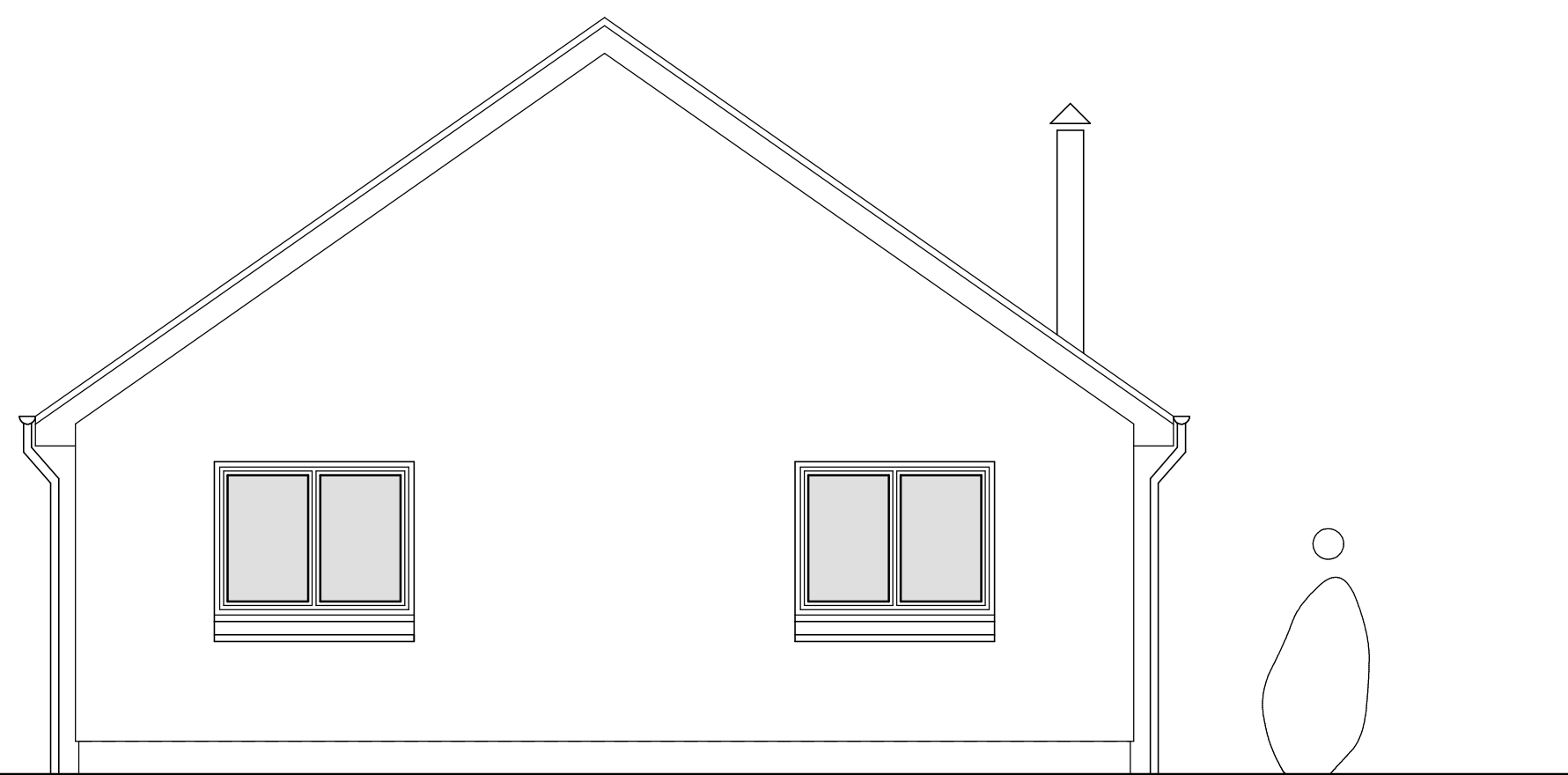
Signature: Nicola Drummond
Designation: Area Planning Manager – South/Major Developments
Author: Christine Millard
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - 100 Location Plan
Plan 2 - 101 Rev A Floor, Elevation & Section Plan
Plan 3 - 200 Rev B Site Layout Plan



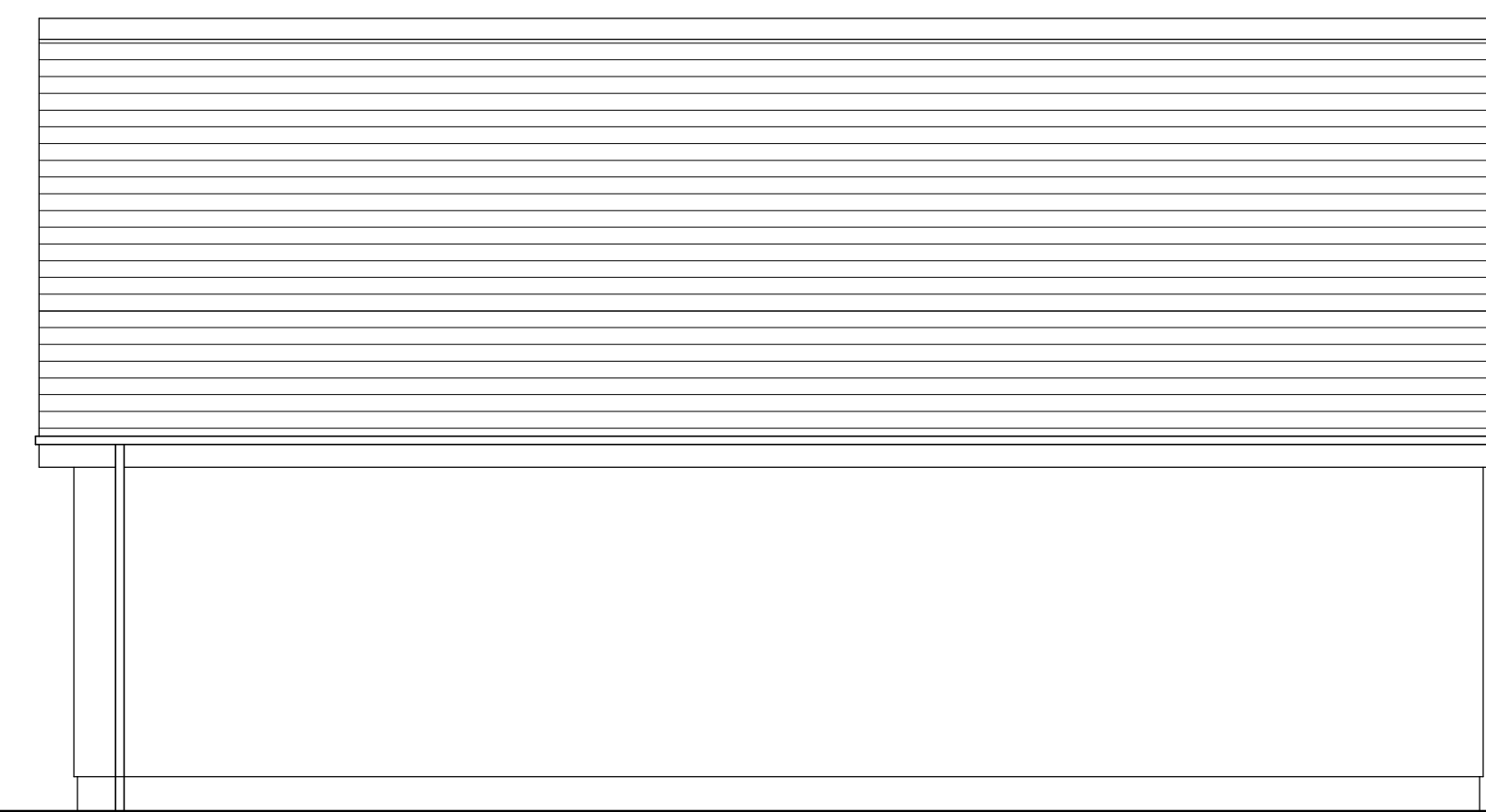
FRONT ELEVATION



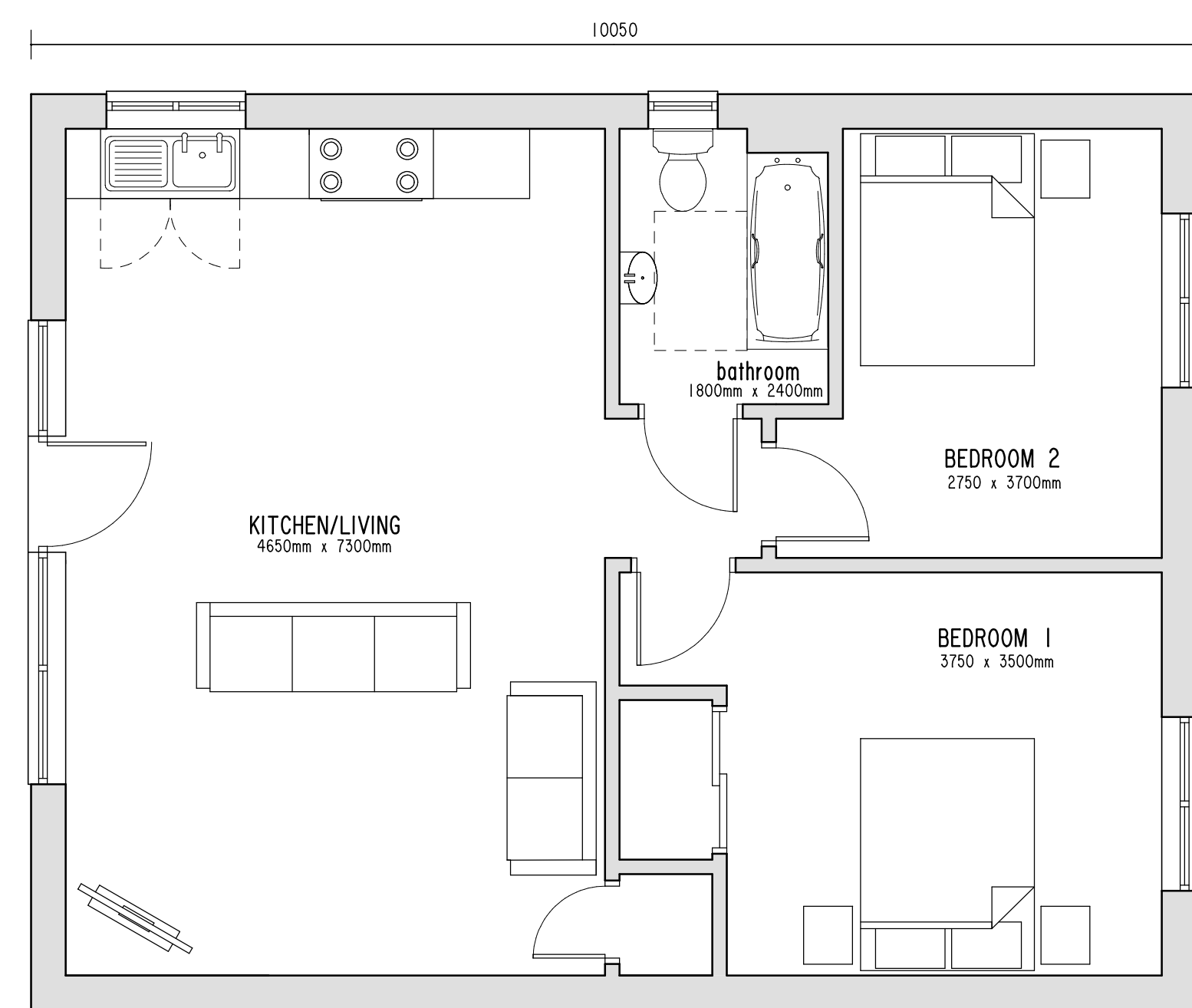
SIDE ELEVATION



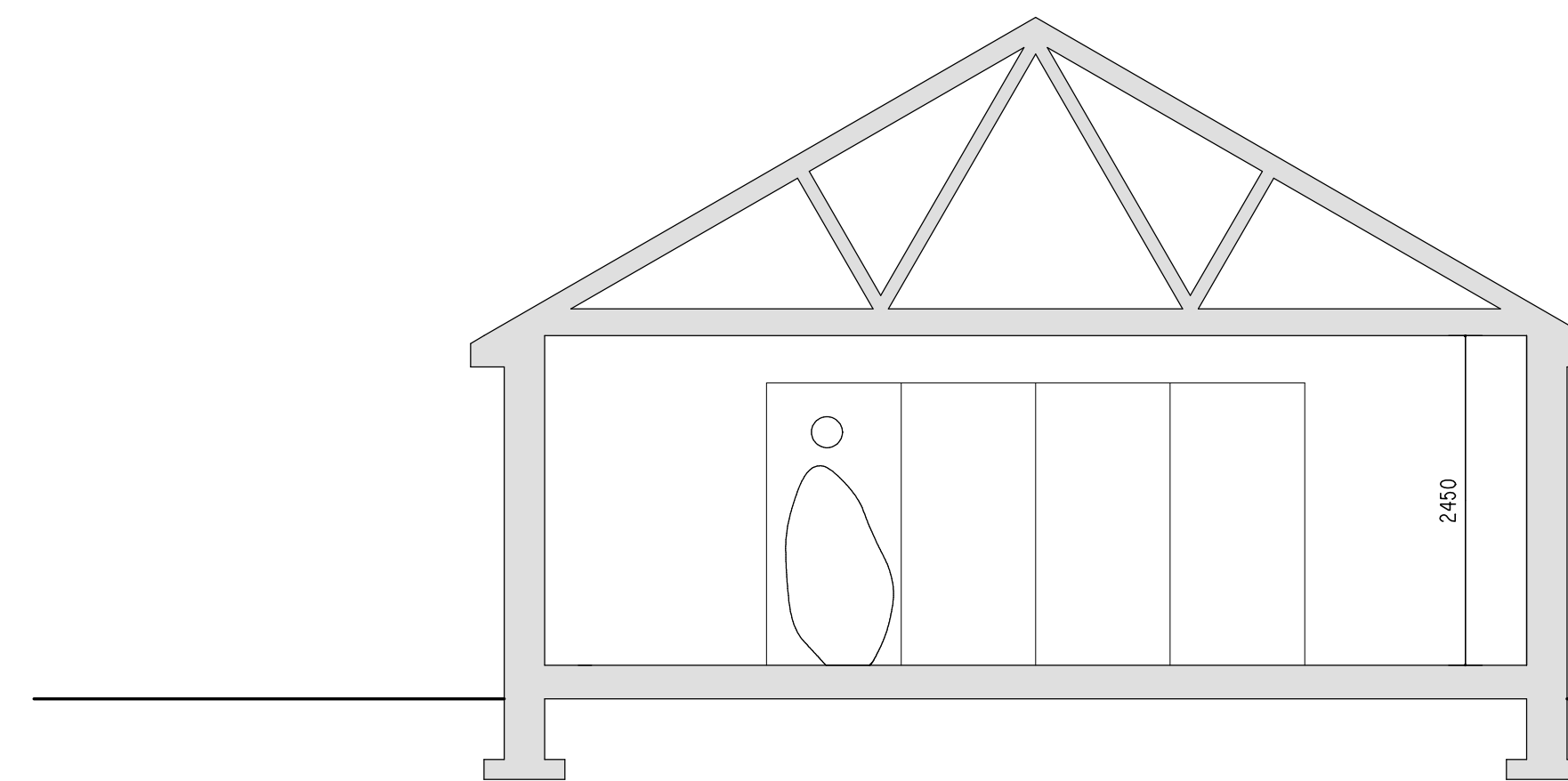
REAR ELEVATION



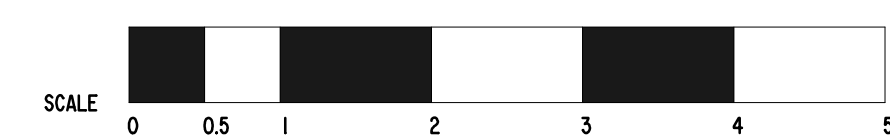
SIDE ELEVATION



FLOOR PLAN



SECTION



Note
The contractor will be held to have checked all dimensions before commencing with any works and, in the event of discrepancies, is to refer them directly to this office for clarification prior to commencement of work.
Written dimensions are to be taken in all cases. Drawings should not be scaled for dimensions. In case of doubt refer to this office.
This drawing is copyright and all rights are reserved. No unauthorised copying of this drawing is permitted.

REV. A.
DRAWING AMENDED FOR PLANNING - JJ (06.06.17)

project
PROPOSED DWELLING HOUSE AT DRIMNATORRAN FARM, STORTIAN

client
MR & MRS. SHAW

detail
DESIGN SKETCH 1

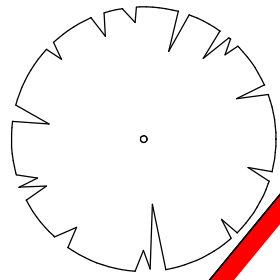
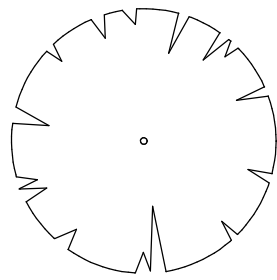
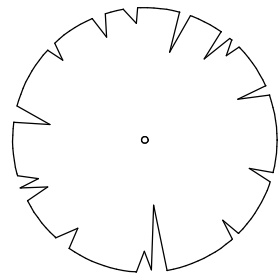
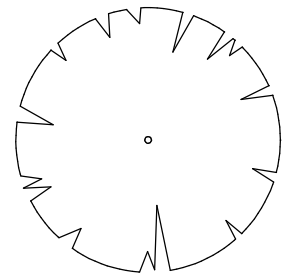
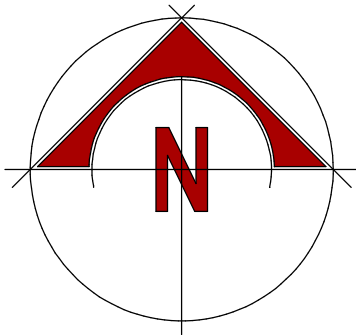
J CORBETT
ARCHITECTURE

JOHN CORBETT ARCHITECTURAL CONSULTANT

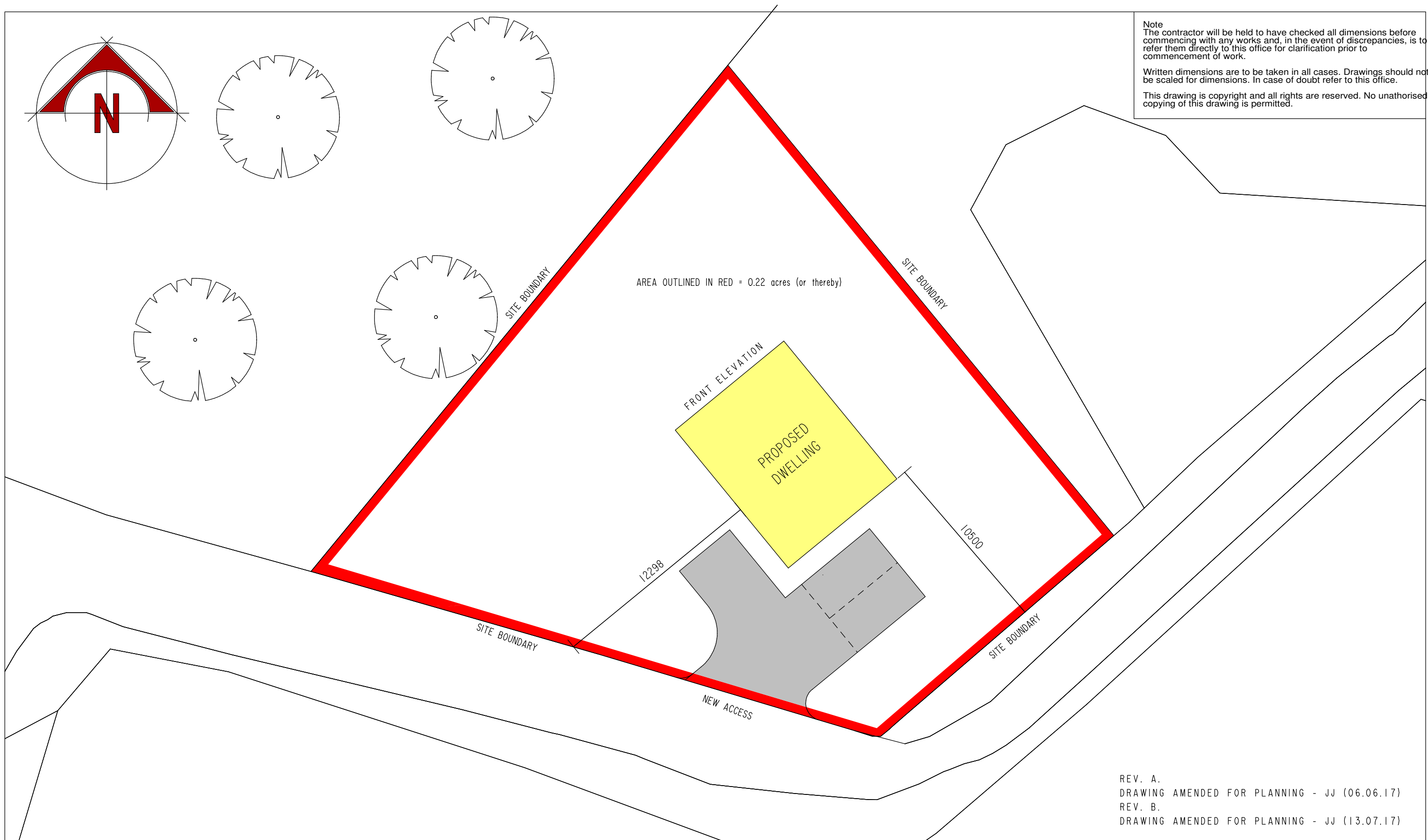
THE OAKS, PERTH PLACE, FORT WILLIAM, PH33 6UL
M 07429 489537 E ADMIN@JCARCHITECTURE.CO.UK

scale 1:50 - A1 date JANUARY 2017

job no. 16/017 drg. no. 101A drawn J. CORBETT



Note
 The contractor will be held to have checked all dimensions before commencing with any works and, in the event of discrepancies, is to refer them directly to this office for clarification prior to commencement of work.
 Written dimensions are to be taken in all cases. Drawings should not be scaled for dimensions. In case of doubt refer to this office.
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REV. A.
 DRAWING AMENDED FOR PLANNING - JJ (06.06.17)
 REV. B.
 DRAWING AMENDED FOR PLANNING - JJ (13.07.17)

project PROPOSED DWELLING HOUSE AT DRIMNATORRAN FARM, STRONTIAN	client MR. & MRS. SHAW	detail SITE PLAN
	scale 1:50 - A3	date JANUSRY 2017
job no. 16/017	drawn J. CORBETT	drg no. 200B

J CORBETT
ARCHITECTURE

JOHN CORBETT ARCHITECTURAL CONSULTANT

THE OAKS, PERTH PLACE, FORT WILLIAM, PH33 6UL
 M 07429 489537 E ADMIN@JCARCHITECTURE.CO.UK