

Agenda Item	6.6
Report No	PLN/020/20

THE HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 9 June 2020

Report Title: 19/03181/FUL: SMECH Properties Ltd.

Land To North West Of Corriehallie, Glebe Road, Inverinate, Kyle

Report By: Acting Head of Development Management – Highland

1. Purpose/Executive Summary

1.1 Description: Erection of lodge house, formation of access and installation of drainage system

Ward: 05 - Wester Ross, Strathpeffer And Lochalsh

Development category: Local Development

Reason referred to Committee: Number of Objections

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.

2. Recommendation

2.1 The Committee is asked to agree the recommendation to Grant planning permission as set out in section 11 of the report.

3. PROPOSED DEVELOPMENT

- 3.1 This application seeks full planning permission for the erection of a one and three quarter storey, six bedroomed dwelling house, together with a foul drainage treatment plant and soakaway, and the formation of four car parking spaces. The application also involves the diversion of an existing burn and the partial demolition of a stone wall to accommodate the proposed building.
- 3.2 The site is accessed by an existing private track which connects to Glebe Road and then to the A87 trunk road to the east. This track also connects through the Inverinate Lodge grounds to the A87 to the west.
- 3.3 Pre-Application Consultation: Verbal discussions took place over amending the layout and design of a previous submission on this site (applications 18/03881/FUL and 19/01050/FUL).
- 3.4 Supporting Information: Design, Planning, Transport and Arboricultural Method Statements have been submitted, together with Otter and Solar Surveys and a photomontage (comprising zoomed and non-zoomed images). In addition, a copy of the title to the site which confirms that the applicant has a right of access along the private track which connects with Glebe Road has been submitted. The agent has also submitted a document which sets out their position on the access arrangements and their justification for the siting of the building.
- 3.5 Variations: A new Site Section drawing has been submitted to demonstrate how the proposed building would be sited sufficiently above the predicted maximum coastal flooding event – drawing no.PL-107 Rev. A, received 27.08.2019. In addition the Site Layout and Location Plans have been amended to reflect the amended building position shown in this sectional drawing (i.e. moved north – away from the sea, by 1.5m – drawing nos. PL-100 Rev. C and PI- 106 Rev. A, received 24.03.2020).

4. SITE DESCRIPTION

- 4.1 The site comprises an area of sloping, partially wooded land which lies to the west of an existing dwelling house known as 'Corriehallie'. The majority of the site lies on the landward side of an existing track, with a small portion fronting the northern shore of Loch Duich on the opposite side of this track. This southern portion includes the top section of a stone pier, which is in a state of disrepair. The site is also divided by a stone wall and entrance gates which form part of the eastern boundary of the Inverinate Lodge grounds. A small burn runs along the western side of this wall, and this watercourse is proposed to be diverted in order to accommodate the proposed building.

5. PLANNING HISTORY

- | | | | |
|-----|------------|--|-----------|
| 5.1 | 08.02.2006 | 05/00445/OUTSL. Erection of House (Outline). | Permitted |
| 5.2 | 15.05.2013 | 13/00894/PIP. Erection of house. | Permitted |
| 5.3 | 17.11.2016 | 16/04329/PIP. Erection of house. | Permitted |

5.4	27.03.2015	15/00212/FUL. Proposed New Lodge (Amended Design)	Permitted
5.5	19.12.2018	18/03881/FUL. Proposed Lodge (Ptarmigan)	Withdrawn
5.6	05.07.2019	19/01050/FUL. Erection of Lodge house. Installation of drainage system and access	Withdrawn
5.7	04.02.2019	18/03883/FUL. Proposed Lodge (Benula)	Permitted
5.8	04.02.2019	18/03882/FUL. Erection of house	Permitted

6. PUBLIC PARTICIPATION

6.1 Advertised: Unknown Neighbour

Date Advertised: 22.07.2019

Representation deadline: 09.08.2019

Timeous representations: 32 from 31 sources, including Community Council objection

Late representations: none

6.2 Material considerations raised are summarised as follows:

- a) Loss of privacy to and overshadowing of neighbouring house 'Corriehallie' due to proximity.
- b) Adverse impact of visiting traffic to 'Corriehallie'.
- c) Building too large and out of proportion with other properties in the area.
- d) Could be built elsewhere on the applicant's estate.
- e) No apparent permission to use private road.
- f) Proposed tree screening inappropriate due to potential for wind blow onto neighbour.
- g) Proposed burn diversion may cause flooding.
- h) Private road in a state of disrepair and unsuitable for large vehicles.
- i) Many local residents are elderly and extra traffic could cause risk of accidents.
- j) A condition preventing holiday letting would mitigate concerns of house being occupied by possible bad neighbours.
- k) Adverse visual impact on coastline.
- l) Site supports variety of flora and fauna which would be adversely impacted.
- m) Adjacent 'Coffin Pier' is of historical importance
- n) Area of outstanding natural beauty should not be built on.
- o) Existing right to use 'Coffin Pier' might be affected.
- p) Otters use existing watercourse and its diversion would adversely affect them.

6.3 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.

7. CONSULTATIONS

- 7.1 **Forestry Officer** - sought further information in terms of impact on and protection of existing trees and proposed planting. Following receipt of this information advised that they have no objection, subject to conditions relating to tree protection and new planting.
- 7.2 **Flood Risk Management** – initially objected on the basis that part of the proposed building was sited on land below the predicted maximum coastal flooding event. Following the submission of the revised site plan and new site section drawings referred to above which demonstrate that the building would be constructed on a platform in order to create a finished floor level of 5.5m Above Ordnance Datum this objection has been withdrawn.
- 7.3 **Access Officer** – No objection, seeks a condition preventing obstruction of any existing rights of public access in the vicinity of the site.
- 7.4 **SEPA** – initially objected but subsequently withdrew this for the same reasons as the Flood Risk team, noting that the proposed land raising would where existing ground levels are above the 1 in 200 year flood event, and as such there would be no loss of flood plain storage or conveyance.
- 7.5 **Transport Scotland** – no objection and no conditions sought.

8. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

8.1 **Highland Wide Local Development Plan 2012**

28 - Sustainable Design
29 - Design Quality and Place-making
31 - Developer Contributions
32 - Affordable Housing
36 - Development in the Wider Countryside
51 - Trees and Development
52 - Principle of Development in Woodland
57 - Natural, Built and Cultural Heritage
58 - Protected Species
61 - Landscape
64 - Flood Risk
65 - Waste Water Treatment
66 - Surface Water Drainage
77 - Public Access

8.2 **West Highlands and Islands Local Development Plan 2019**

No site specific policies apply.

8.5 **Highland Council Supplementary Planning Policy Guidance**

Access to Single Houses and Small Housing Developments (May 2011)
Developer Contributions (March 2013)

Flood Risk and Drainage Impact Assessment (Jan 2013)
Highland's Statutorily Protected Species (March 2013)
Housing in the Countryside and Siting and Design (March 2013)
Special Landscape Area Citations (June 2011)
Sustainable Design Guide (Jan 2013)
Trees, Woodlands and Development (Jan 2013)

9. OTHER MATERIAL POLICY CONSIDERATIONS

9.1 Scottish Government Planning Policy and Guidance

Paras 74 to 83 and 212

10. PLANNING APPRAISAL

10.1 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

10.2 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

10.3 The key considerations in this case are:

- a) Compliance with the development plan and other planning policy
- b) Siting
- c) Design
- d) Landscape Impact
- e) Neighbour Amenity
- f) Woodland
- g) Access and Parking
- h) Ecology
- i) Flood Risk
- j) Affordable Housing
- k) Public Access.

Development plan/other planning policy

10.4 Sections 25(1)(a) and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that this application be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the Development Plan is comprised of the West Highlands and Islands Local Development Plan (although this has no site-specific policies of relevance to this application) and the

Highland-Wide Local Development Plan, the relevant policies of which are listed above. For the reasons set out below it is considered the proposal is in compliance with both Development Plan and relevant National policy.

Siting

- 10.5 The principle of a dwelling house on land to the west of the existing house known as 'Corriehallie' has been established with the granting of three Planning consents (applications 05/00445/OUTSL, 13/00894/PIP and 16/04329/PIP as listed above). It should be noted that the most recent of those lapsed in November 2019, although that was after the subject application was lodged in July of that year. The proposal would relate to an existing line of built development to the east and would therefore not appear as an isolated feature within an area of otherwise undeveloped countryside. As such, the proposed siting can be supported. With the general principle of siting having been found to be acceptable it is then necessary to consider the specifics of design, appearance and the impact on the neighbouring house to the east.

Design

- 10.6 The applicant submitted three planning applications in 2018 for three individual houses of very similar design to the east of the recently constructed new Estate Lodge (15/00212/FUL). Two of these were permitted (applications 18/03882/FUL and 18/03883/FUL) and are nearing completion. The applicant withdrew the third application (18/03881/FUL) on the subject site in December 2018 but re-submitted an identical scheme in March 2019 (application 19/01050/FUL). The Planning in Principle on the site stipulated that the building should be a maximum of one and half storeys in height, and should be predominantly rectangular in shape. Following officer advice that the proposed design could not be supported on the basis that its massing would appear overly large in relation to existing development to the east, and that the 10 windows on the eastern elevation would look onto the neighbouring house to the east, this application was also withdrawn in July 2019.
- 10.7 Discussions took place on an amended design, and officer advice was provided that the current scheme could be supported on the basis of the reduced massing – involving a reduction in scale from 9 to six bedrooms, and a different building form which picks up on the 'T' shape and external wall finish of the neighbouring house to the east. It is considered that this amended design relates much better to the pattern and appearance of existing built development to the east, as demonstrated by the supporting photomontage for the subject application compared to the montage for the previous scheme. The design of the previous scheme featured a somewhat monolithic, flat roofed structure measuring some 8.3m high, 17.5m wide and 19.2m long which appeared over-imposing in relation to the existing adjacent bungalow to the east. The revised design features three pitched roof blocks arranged in a 'T' shape, measuring some 8.3m high for the eastern block, stepping down to 7.5m high for the middle and western blocks. The western block forms the top of the 'T' and would be some 20.1m long by 9.1m wide, while the two blocks forming the leg of the 'T' would be some 22.8m long with the eastern gable measuring some 10.6m, with the middle block some 9.3m wide. The total footprint of the revised design is slightly larger than that of the previous design at 416 sq m compared to 336 sq m, however the mass of the building is reduced by the breaking down of the structure into three elements, with pitched roofs which step down in height from east to west. The building's mass is also broken up by using white

render as the wall finish for the two end blocks, while the central block would have a contrasting finish of natural stone. Similarly, this middle block would be roofed in zinc, which would provide a visual contrast to the natural slate roofs on the two end blocks. This approach is considered to relate much more successfully to the architecture of the existing buildings to the east of the site than the previous monolithic cube form which had a uniform wall cladding of stone on its principal elevation.

Landscape impact

10.8 The only public view of the building would be from the road on the opposite side of Loch Duich, or from boats on the Loch itself. A photomontage of the view from the opposite side of the Loch has been provided, using a zoomed image. It is considered that this image shows that the building would sit reasonably well within its landscape setting. It is apparent from the submitted montage that the use of stone cladding to the front elevation and black zinc for the roof of the building's central block helps to break up its volume and assist in assimilating the structure into the local setting. At this distance the proposal would be seen as part of a group of four buildings consisting of itself, 'Corriehallie', a Manse, and a Church. The Manse and Church are both relatively large buildings and provide some visual balance to the scale of the proposed building. All of the built development along the northern shore of Loch Duich sits against a rising, wooded and mountainous backdrop which helps assimilate these buildings into their setting. The mountainous backdrop would also dwarf the scale of the proposed building, resulting in a low level of landscape impact – as demonstrated by a non-zoomed version of the photomontage. There would be almost no view of the proposed building from the A87 in the vicinity of the site due to the screening afforded by retained woodland. It is therefore considered that the proposal would not adversely affect the special qualities of the National Scenic Area.

10.9 It is accepted that the proposal does appear as being clearly larger within the landscape than its closest neighbour, namely 'Corriehallie'. The agent was asked why the building could not be moved further to the west on the other side of the existing boundary wall on land within the applicant's control, as increased separation would allow the size difference between these two buildings to become less perceptible within their setting. The initial response was that the landform becomes steeper to the west, and that this would preclude re-siting the building. While it is true that the land does become slightly steeper to the west it is not considered that the topography becomes so challenging as to prevent the suggested re-siting. A retaining wall could be used to the rear of the building, as was the case with the recently completed 'New Lodge' some 550m to the west of the site. A further response has been received which states that moving the building to the east of the existing boundary wall would render the purchase of the subject site redundant. While the suggested re-siting would result in a better visual balance between the proposal and its nearest neighbour, it is considered that the scheme as submitted does not result in a visual imbalance of sufficient significance to justify refusal of the application.

Neighbour Amenity

10.10 The Delegated Report on application 13/00894/PIP states in the section on Neighbour Amenity that "provided the development has a modest footprint and that adequate precautions are taken to retain trees between the proposed development

and the existing house, there should be no loss of neighbour amenity". It is recognised that the footprint of the subject proposal is large, rather than modest, but it should be noted that the subject site is some 30% larger than the site approved by the previous Outline/Planning in Principle applications. This increase in size allows for the large footprint of the subject building to be located at what is judged to be an acceptable distance away from the existing neighbour. The Council apply a minimum distance of 18m between buildings to judge overlooking. The proposed building would be sited 20.7m away from 'Corriehallie'. The eastern elevation facing this neighbour would be blank, so there would be no direct window to window view between the two properties. Existing trees between the two buildings would be retained, and these would be supplemented by the planting of juneberry and birch trees and rhododendron bushes. This new planting involves small trees and shrubs which would not pose a danger to the neighbouring property should they be windblown. The parking area has been moved further away from the neighbouring house than shown in the withdrawn applications, and this is seen as an improvement. A solar study has been submitted which shows that the proposed building would not cast any shadow onto the existing neighbour to the east at any time of the day, at any season. It is therefore considered that the privacy and amenity of 'Corriehallie' would be sufficiently safeguarded.

- 10.11 Moving the proposed building further to the west would increase the separation between it and its nearest neighbour, but again what is proposed by the submitted scheme would not result in a situation where it is considered that refusal on the grounds of adverse impact on the amenity of the existing neighbour could be justified.

Woodland

- 10.12 The Forestry Officer asked for further information to be submitted, consisting of a Tree Survey, Tree Constraints Plan, Arboricultural Impact Assessment, Tree Protection Plan and Method Statement, and a Landscape Plan. Some information was supplied in response, but the Forestry Officer advised that the Landscape Plan was inadequate as it had not been prepared by a qualified Landscape Consultant, and that an Arboricultural Report, rather than an Impact Assessment had been provided which did not provide a layout based on tree constraints, and which conflicted with some aspects of the Tree Protection Plan. Further information was submitted to address these concerns. The Forestry Officer advised this information was satisfactory, and that while it identified the removal of 4 individual trees and two groups of trees within the site, none of these are notable specimens and the proposed Landscape Plan provides adequate mitigation to compensate for their loss. Accordingly, no objection is offered subject to conditions in respect of tree protection and implementation of the Landscape Plan.

Access and Parking

- 10.13 The applicant stated that for the houses proposed by applications 18/03882/FUL and 18/03883/FUL to the west of the subject site access would be taken from the A87 through the Community Centre car park and then down an existing track to these buildings. However, for this application it is stated that access would be taken from the A87 to the east of the subject site along Glebe Road, passing along the private track in front of 'Corriehallie'. As set out above, there is an extensive planning history on the subject site, with the principle of a dwelling house which would be accessed in this way first being established in 2005 with the granting of

consent 05/00445/OUTSL by Committee. This application was considered acceptable despite an objection from TECS (Roads) that use of the private track would conflict with a previous 'four house rule'. Transport Scotland had advised that this application should only be permitted if access was taken from the Glebe Road junction with the A87. That requirement was in place because at that time the existing access road from the west to the original Estate Lodge was deemed to have insufficient visibility By Transport Scotland. Since then, a new western access has been created which meets Transport Scotland's standards and which serves the new Estate Lodge and the two buildings consented on 2018 (applications 18/03882/FUL and 18/03883/FUL).

10.14 The 2005 consent lapsed in 2011, but a new permission was granted in 2013 (13/00894/PIP) and was then renewed in 2016 (16/04329/PIP), but lapsed in November 2019. All three of these permissions contained the same condition requiring the submission and approval of a scheme to improve the private track, including limited widening at a minimum of two points to facilitate the passing of vehicles. It is acknowledged that traffic accessing the proposed house would pass very close to the frontage of 'Corriehallie', but given the planning history and the fact that the applicant has a right of access to use this track – which would allow traffic associated with the four large buildings to the west to travel along it - irrespective of whether the subject application is approved – it is not considered that refusal of the proposed access arrangement could be justified. However, it is recognised that construction traffic and plant would have the potential to cause considerable noise and disruption, and it is therefore considered appropriate to apply a condition requiring construction plant and vehicles to access the site from the west.

10.15 The submitted site plan shows that the necessary car parking spaces can be provided. Use of these spaces would involve vehicles either reversing into or out of them onto the private track but given the very low traffic volumes using this track this proposed arrangement is considered acceptable. Conditions which require the delivery of the four parking spaces shown on the site plan and the submission and approval of an improvement scheme for the private track can be applied.

Ecology

10.16 In response to an objector's statement that otters use the burn within the site which is proposed to be diverted the agent was asked to undertake an otter survey. This survey has been provided and shows that there is no evidence of otter activity along this watercourse through and in the vicinity of the site. It is accepted, as other objections state, that the site does provide a habitat for a variety of flora and fauna. However, there is no evidence that any protected species would be impacted upon by the proposed development.

Flood Risk

10.17 As noted above, both the Council's Flood Risk team and SEPA are satisfied that the proposed building would be sufficiently elevated above the predicted maximum coastal flooding event. A condition can be applied to ensure that the necessary minimum ground and finished floor levels are observed. SEPA advise that the proposed burn diversion would require a separate consent under the Controlled Activities Regulations.

Affordable Housing

- 10.18 The development would represent the fourth house in the applicant's ownership to be constructed since the adoption of the Council's affordable housing policy in 2012. As such either on-site provision or a financial contribution towards affordable housing is necessary. The Housing team have advised that they consider the latter is appropriate, with a sum of £30,000 being required. The agent has advised that the applicant is agreeable to paying this amount, and should Committee accept the recommendation to grant this application consent would be issued upon receipt of this sum.
- 10.19 The applicant has 28 days from the date that the Council requests the payment to submit the full payment as set out in paragraph 10.18 above. Should the payment not be made in full within 28 days of the request for payment, the application shall be refused under delegated powers.

Public Access

- 10.20 A Core Path runs between the rear of the site and the A87 and leads down past the west of the existing Manse to connect with the private track. A condition can be applied to ensure that existing rights of public access along this path, as well as along Glebe Road and the existing track which continues on to the west from the end of Glebe Road – which the Access Officer considers may represent an existing right of public access - are not affected by the development.

Other material considerations

- 10.21 There are no other material considerations.

Non-material considerations

- 10.22 The issue of whether the proposed building might be used for holiday letting purposes is not a material planning consideration. It has been stated in the submitted objections that 'Coffin Pier' is of historical importance, but the proposed development does not impact upon this structure. It has also been suggested that an existing right to use this structure (which is within the applicant's Estate boundary, and which is in a near ruinous condition) might be affected but should that be the case that would be a civil matter between the applicant and the other party.

Matters to be secured by Section 75 Agreement

- 10.23 a) None

11. CONCLUSION

- 11.1 It is considered that the initial proposal for a building of very similar design to the two applications to the west of the site which were permitted in 2018 did not respond to the local context. The key issues for a successful scheme to do so are the need for the building to appear within the landscape as being complementary to - rather than contrasting with - the existing built development to the east of the site, and for the development to safeguard the privacy and amenity of the existing neighbouring dwelling to the east.

- 11.2 The previous scheme failed to achieve these requirements on the basis that the monolithic form and imposing 'baronial' architecture of the building were at odds with the modest aesthetics and traditional building forms found in the development to the east of the site. In addition, it appeared that scant regard had been paid to the need to be sensitive to the fact that an existing dwelling lay close to the site's eastern boundary – evidenced by placing 10 large windows on the proposed building's eastern elevation, and by placing car parking close to this boundary. It is considered that the subject scheme has addressed these concerns to a sufficient extent so as to warrant the recommendation to grant this application. The aesthetics of the building are now much more muted and less imposing and are considered to better complement the existing local development. In addition, the issue of neighbour amenity and privacy is now better addressed with the use of a blank eastern gable and by moving the parking area further away from the boundary with the neighbouring house.
- 11.3 It is recognised that the scheme could be further improved by moving the proposed building further to the west to the other side of the existing Estate boundary wall. This was discussed with the Agent, but has been rejected on the basis that this would render the purchase of the subject site redundant. However, it is considered that the submitted application does enough to meet the relevant policy tests, and on that basis it is recommended that it should be permitted.
- 11.4 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.

12. IMPLICATIONS

- 12.1 Resource: Not applicable
- 12.2 Legal: Not applicable
- 12.3 Community (Equality, Poverty and Rural): Not applicable
- 12.4 Climate Change/Carbon Clever: Not significant
- 12.5 Risk: Not applicable
- 12.6 Gaelic: Not applicable

13. RECOMMENDATION

Action required before decision Y issued

Payment of Affordable Housing Y
Contribution

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 and boundary treatments (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.

Reason: In order to enable the planning authority to consider these finishes in detail prior to the commencement of development; in the interests of amenity.

2. Notwithstanding the provisions of Classes 1a,-b, 1d, 2b, 3a-e of Schedule 1 to the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended, or any Order revoking and re-enacting that Order, with or without modification, and with the exception of a single garden shed not exceeding 4 square metres in area, no development of a type identified in the aforementioned classes, shall take place within the curtilage of the house hereby approved without planning permission being granted on an application made to the Planning Authority.

Reason: In order to allow the Planning Authority to retain effective control over the development of the site and in the interests of amenity.

3. A suitably qualified arboricultural consultant must be employed at the applicant's expense to ensure that the approved Tree Protection Plan and Arboricultural Method Statement are implemented to the agreed standard. Stages requiring supervision are to be agreed with the planning authority and certificates of compliance for each stage are to be submitted for approval. No development shall commence until an arboricultural consultant has been appointed and a work instruction issued enabling them to undertake the necessary supervision unhindered for the duration of the project.

Reason: To secure the successful implementation of the approved tree protection measures.

4. A suitably qualified landscape consultant must be employed at the applicant's expense to ensure that the approved Landscape Plan is implemented to the agreed standard. Stages requiring supervision are to be agreed with the planning authority and certificates of compliance for each stage are to be submitted for approval. No development shall commence until a work instruction has been issued to the landscape consultant to enable them to undertake the necessary supervision unhindered for the duration of the project.

Reason: To secure the successful implementation of the approved landscape works.

5. Prior to the first occupation of the development hereby approved, the car parking arrangements detailed on approved plan ref. 90_102 Rev. A shall be completed in full and made available for use. Thereafter, all car parking spaces shall be maintained as such in perpetuity.

Reason: In order to ensure that the level of off-street parking is adequate.

6. No development shall commence until a scheme for private access improvements has been submitted to, and approved in writing by, the Planning Authority. This scheme shall include:
- i) details of the specific nature, extent and location of the road improvements to be carried out;
 - ii) details of the means/method of construction of the road improvements to be carried out (including cross-sections, dimensions, gradients etc. as required) in line with the Council's Roads and Transport Guidelines for New Developments (or any superseding document if applicable); and
 - iii) limited widening of the stone surfaced private access at a minimum of two points to facilitate vehicles passing.

Thereafter, the house hereby approved shall not be occupied until the road improvements outlined in the approved scheme have been completed in full by, and at the expense of, the applicant/developer, unless otherwise agreed in writing by the Planning Authority.

7. None of the development hereby approved shall take place on ground lying below 5.09m Above Ordnance Datum (AOD), with finished floor levels set no lower than 5.50m AOD.

Reason: To minimise the risk to the development from coastal flooding.

8. The Core path running to the north and east of the site shall remain accessible and free from obstruction throughout the construction and operational phase of the development. Glebe Road and the access track which forms a continuation of this road shall remain unobstructed at all times, before, during and after development of the site.

For the avoidance of doubt obstruction would include any of the following;

- the placing of materials on the path
- allowing water, soil or any other substance to flow or spill onto the path.
- Erecting any fence or locked gates across the path,
- Prohibitory signs or notices.
- Plant or overhang any vegetation on the path
- Projections from building
- Park vehicles or place other structures.

In accordance with the Land Reform (Scotland) Act 2003, any disturbance to the surface of a right of way must be re-instated within 14 days of the beginning of that disturbance or longer only if agreed by the local authority.

Reason: In order to safeguard public access both during and after the construction phase of the development.

9. No traffic associated with the construction of the development hereby approved shall access the site from the east and shall instead take access from the existing track to the west.

Reason: In order to route large construction vehicles and plant away from an existing dwelling house; in order to safeguard neighbour amenity during the construction of the development.

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 and 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.

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 and 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 road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area 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/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2

Mud and 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.

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

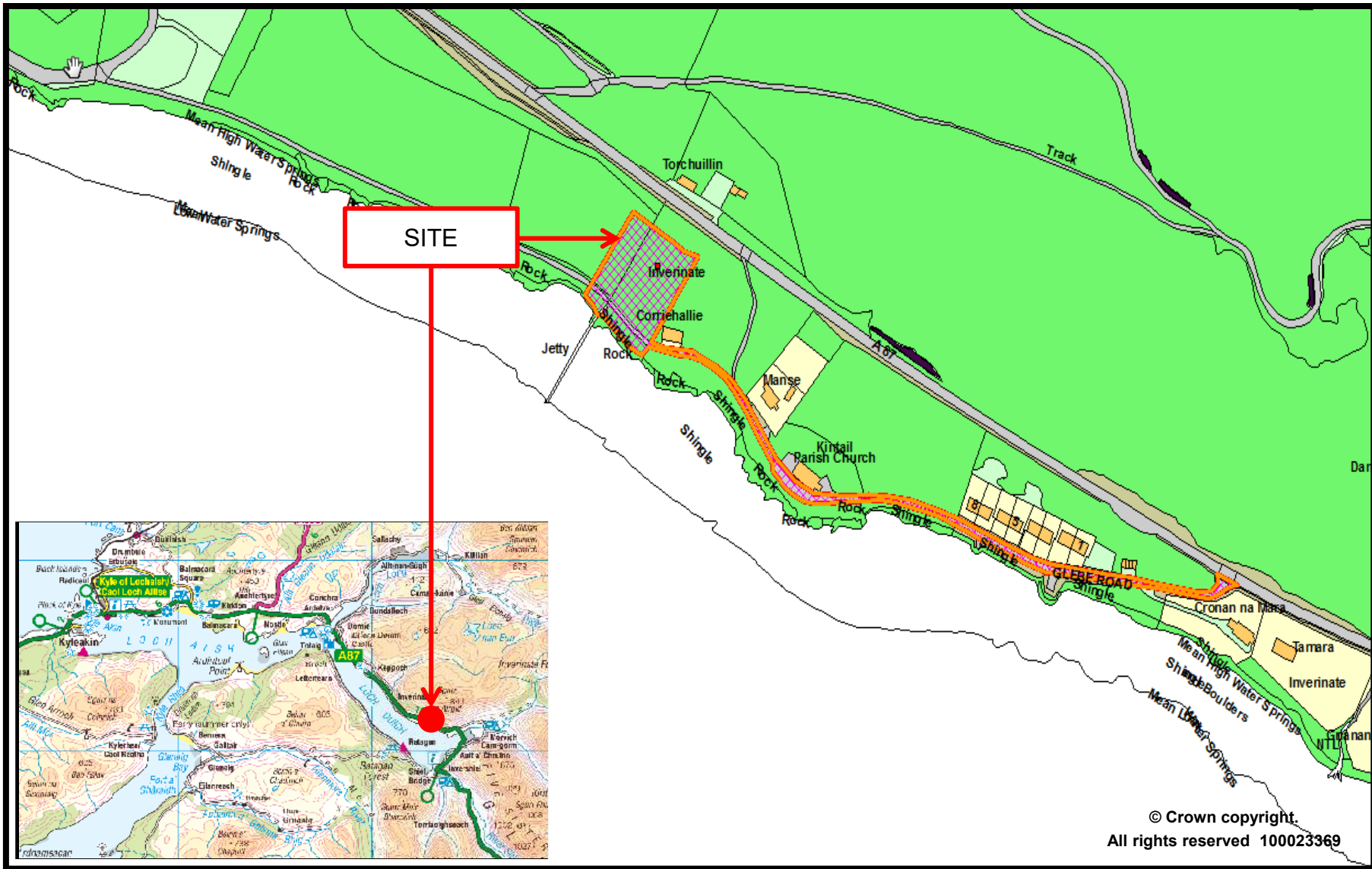
Designation: Acting Head of Development Management – Highland

Author: Graham Sharp

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

Relevant Plans:

- Plan 1 - Committee Location Plan
- Plan 2 - PL-106 REV A Location plan
- Plan 3 - PL-100 REV C Site Layout Plan
- Plan 4 - PL-109 Landscape Plan
- Plan 5 - PL-101 Ground Floor Plan
- Plan 6 - PL-102 First Floor Plan
- Plan 7 - PL-104 REV A Elevations
- Plan 8 - PL-105 Section Plan



Planning and
Development Service

Location Plan
19/03181/FUL

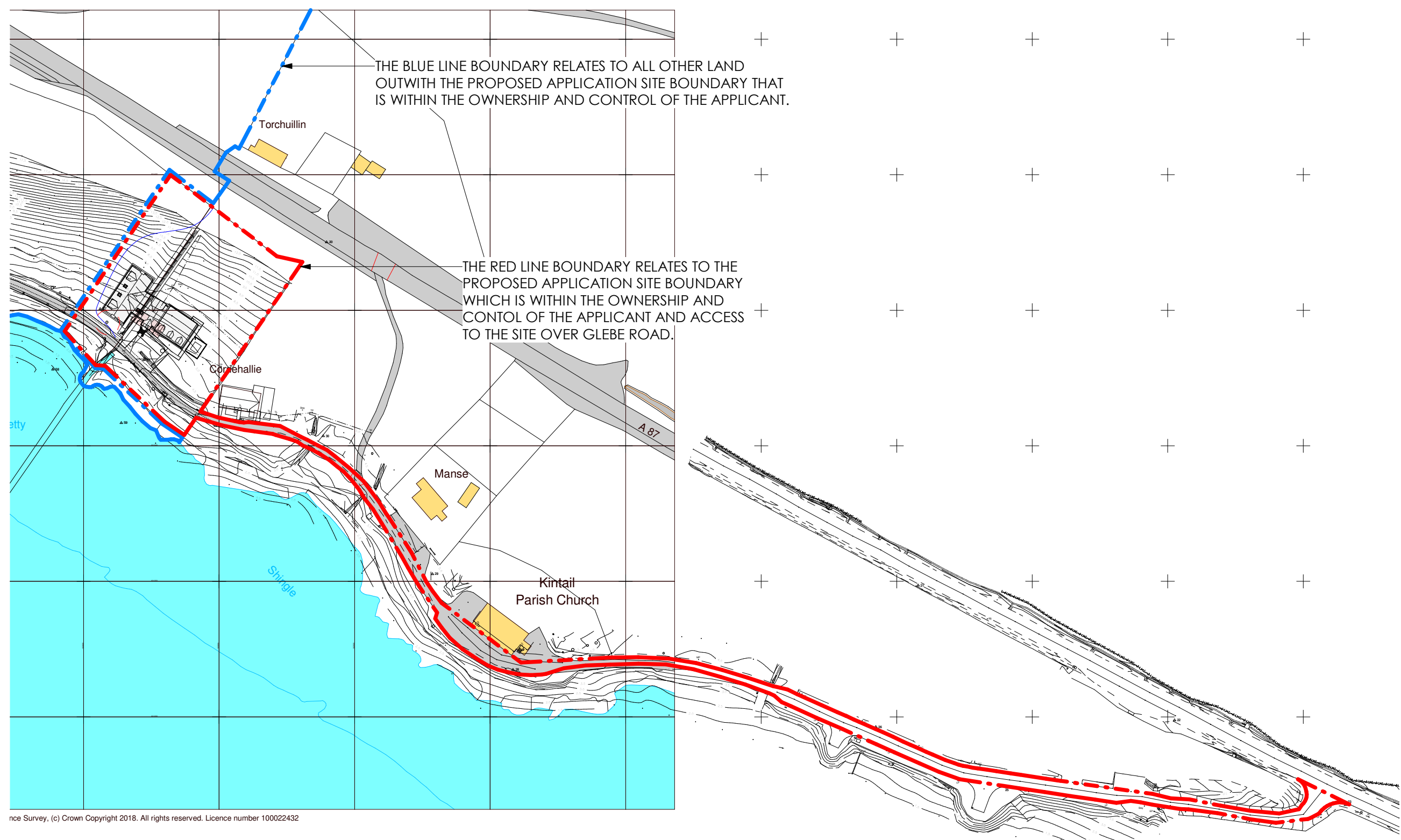
**Erection of lodge house, formation of access and installation of drainage
system**

June 2020

Scale:

Figured dimensions only are to be taken from this drawing.
All dimensions are to be checked on site before any work is put in hand.
IF IN DOUBT ASK.

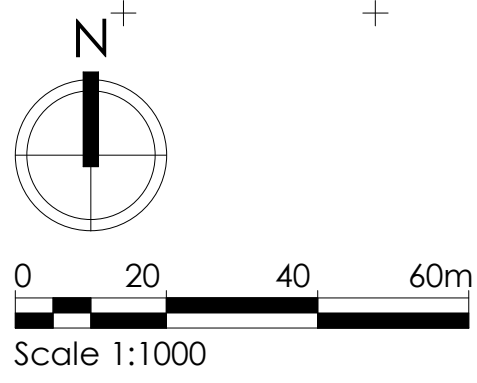
CDM:
Hazard Elimination & Risk Reduction has been undertaken and recorded where appropriate, in accordance with the requirements of "The Construction (Design and Management) Regulations 2015" and the associated "Industry Guidance for Designers"



THE BLUE LINE BOUNDARY RELATES TO ALL OTHER LAND OUTWITH THE PROPOSED APPLICATION SITE BOUNDARY THAT IS WITHIN THE OWNERSHIP AND CONTROL OF THE APPLICANT.

THE RED LINE BOUNDARY RELATES TO THE PROPOSED APPLICATION SITE BOUNDARY WHICH IS WITHIN THE OWNERSHIP AND CONTROL OF THE APPLICANT AND ACCESS TO THE SITE OVER GLEBE ROAD.

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Rev	Description	Date
A	house built on raised land platt at level of 5.5m	09/08/19


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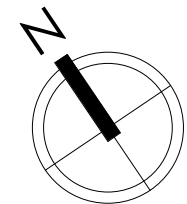
Client
Smech Properties Limited

Project
Plarmigan Lodge
Inverinate Estate

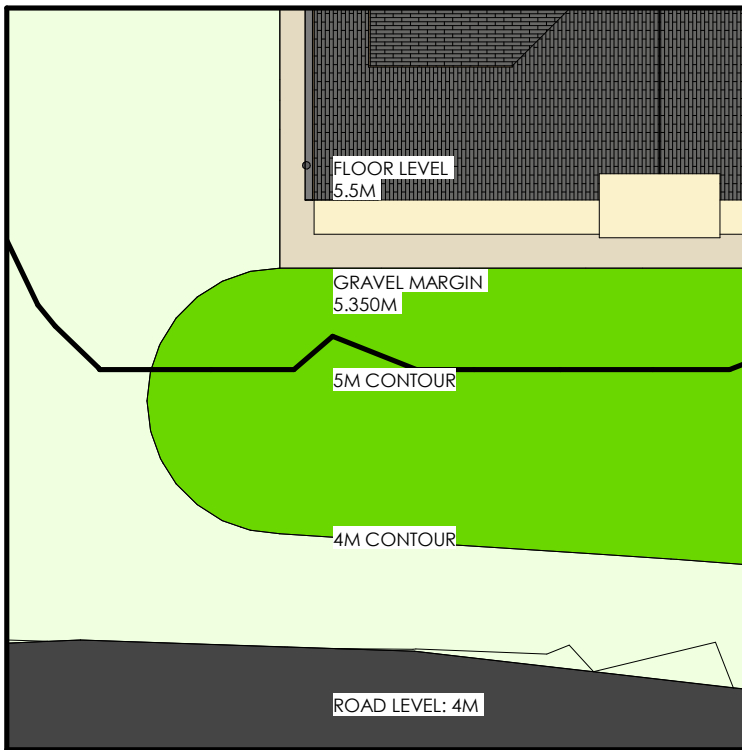
Project No.	1783
Drawing No.	PL-106
Revision	A

Location Plan	
Status	Planning
Date Created	07/08/19
Drawn by	RG
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Sheet	@ A3

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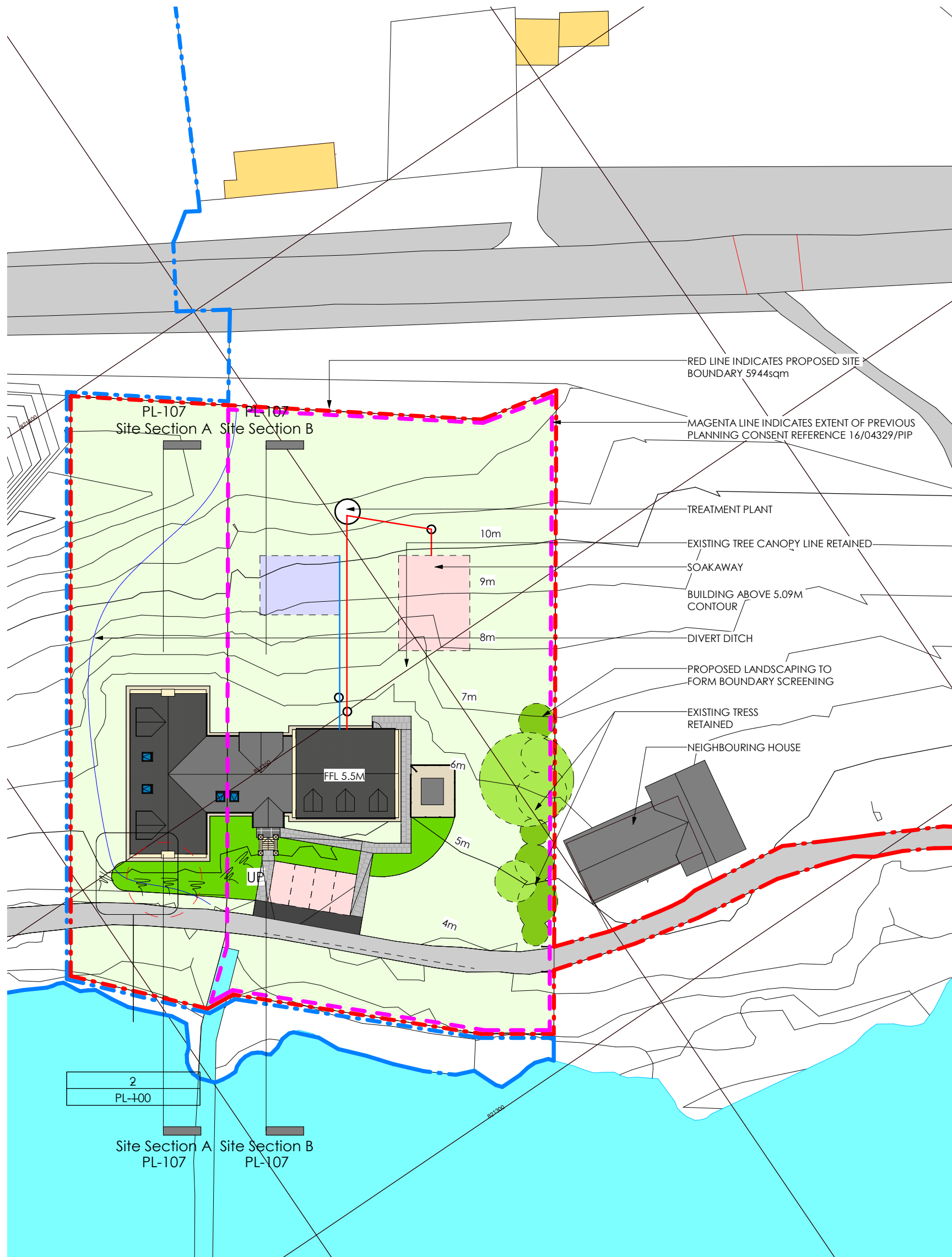


Figured dimensions only are to be taken from this drawing. All dimensions are to be checked on site before any work is put in hand. IF IN DOUBT ASK.

CDM: Hazard Elimination & Risk Reduction has been undertaken and recorded where appropriate, in accordance with the requirements of 'The Construction (Design and Management) Regulations 2015' and the associated 'Industry Guidance for Designers'

2 Site Plan Callout Detail

Scale - 1 : 100



RED LINE INDICATES PROPOSED SITE BOUNDARY 5944sqm

MAGENTA LINE INDICATES EXTENT OF PREVIOUS PLANNING CONSENT REFERENCE 16/04329/PIP

TREATMENT PLANT

EXISTING TREE CANOPY LINE RETAINED

SOAKAWAY

BUILDING ABOVE 5.09M CONTOUR

DIVERT DITCH

PROPOSED LANDSCAPING TO FORM BOUNDARY SCREENING

EXISTING TREES RETAINED

NEIGHBOURING HOUSE

Rev	Description	Date
C	Moved building back 1.5m	26/08/19
B	Updated Contours	20/08/19
A	house built on raised land platt at level of 5.5m	09/08/19



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Client
Smech Properties Limited

Project
Ptarmigan Lodge
Inverinate Estate

Project No. 1783

Drawing No. PL-100

Revision C

Site Plan

Status
Planning




Date Created 06/06/19 Drawn by RG

Scale As indicated Sheet @ A3

Tree Planting Plan

Plan showing location of new tree planting overlaid the proposed build.

Tree Planting Plan Key

-  Carpinus betulus 'Pyramidalis'
-  Crataegus monogyna
-  Quercus robur 'Fastigiata Koster'



Rev	Description	Date

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 W: www.colinarmstrong.com

Client: Smech Properties Limited

Project: Plarriginn Lodge, Inverinate Estate

Project No. 1783
 Drawing No. PL-109
 Revision

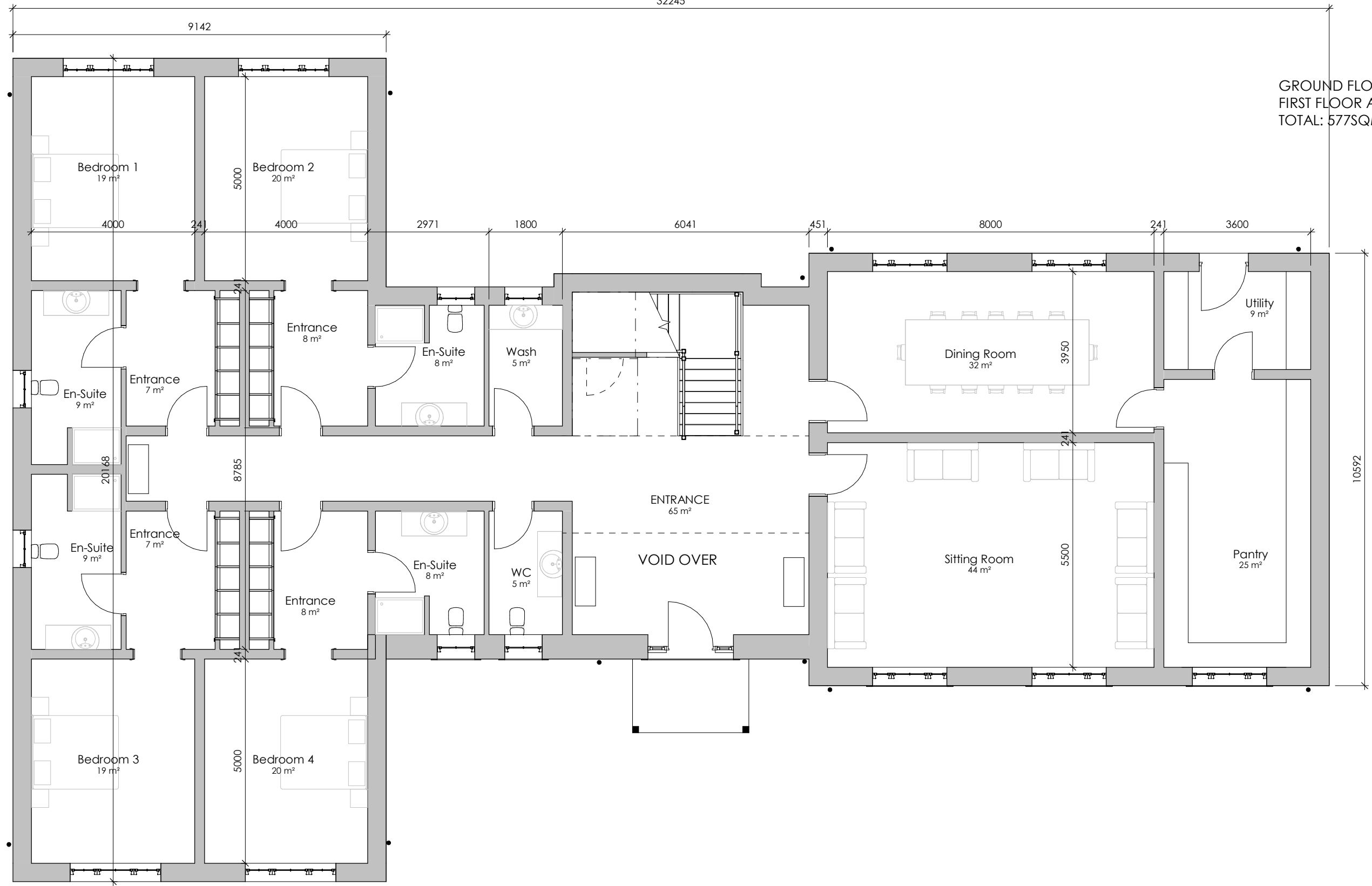
Landscape Plan

Issue: Planning
 Date Issued: 10/2/2019
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 Sheet: 1 of 1
 © AO

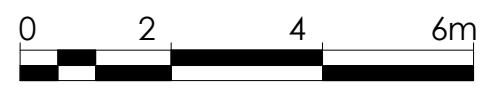
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32245



GROUND FLOOR AREA: 370SQM
 FIRST FLOOR AREA: 207SQM
 TOTAL: 577SQM



Scale 1:100

Ground Floor Plan

Scale - 1 : 100

Rev	Description	Date
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Client
Smecch Properties Limited

Project
Plarmigan Lodge
Inverinate Estate

Project No. 1783

Drawing No. PL-101

Revision

GF Plan

Status
Planning

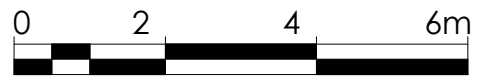
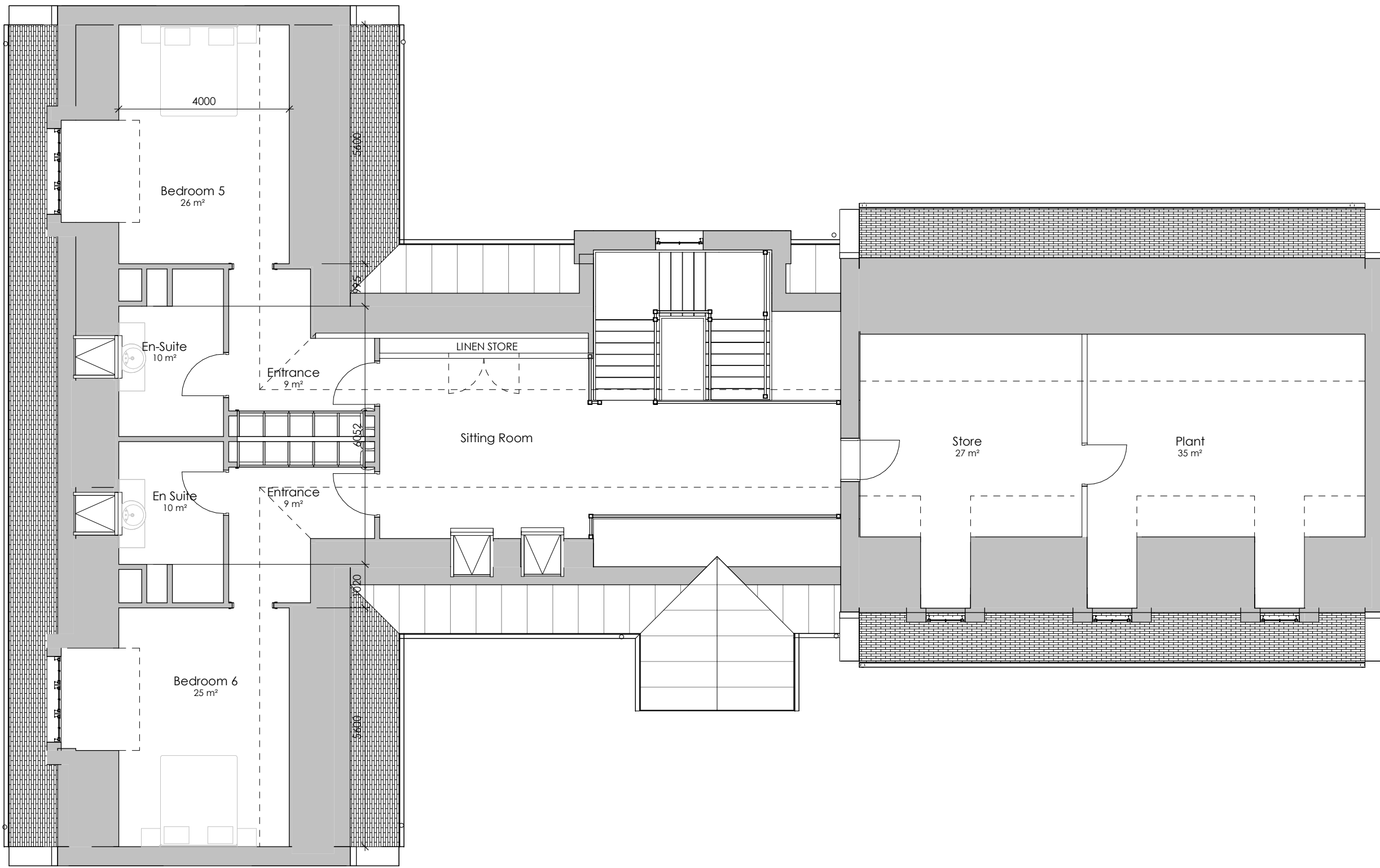
Date Created 06/06/19 Drawn by RG

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 recorded where appropriate, in accordance with the requirements
 of "The Construction (Design and Management) Regulations 2015"
 and the associated "Industry Guidance for Designers"



Scale 1:100

First Floor Plan

Scale - 1 : 100

Rev	Description	Date

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Client
 Smech Properties Limited

Project
 Ptarmigan Lodge
 Inverinate Estate

Project No.	1783
Drawing No.	PL-102
Revision	

First Floor Plan	
Status	Planning
Date Created	6/17/2019
Drawn by	RG
Scale	1 : 100
Sheet	@ A3

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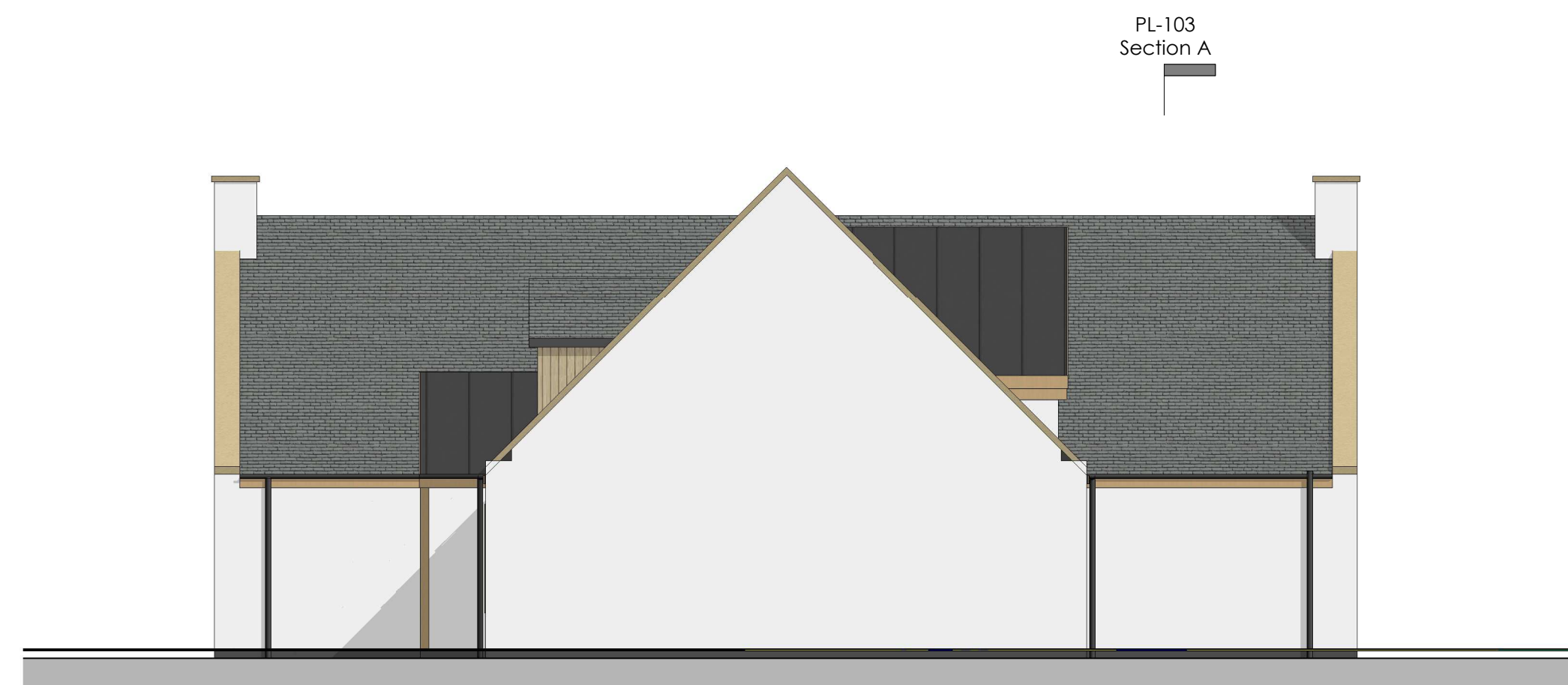
West Elevation
Scale - 1 : 100
Section A
PL-103



South Elevation
Scale - 1 : 100
Section B
PL-103



North Elevation
Scale - 1 : 100
Section B
PL-103



East Elevation
Scale - 1 : 100
Section A
PL-103

Rev	Description	Date
A	Updates following client review	21/06/19

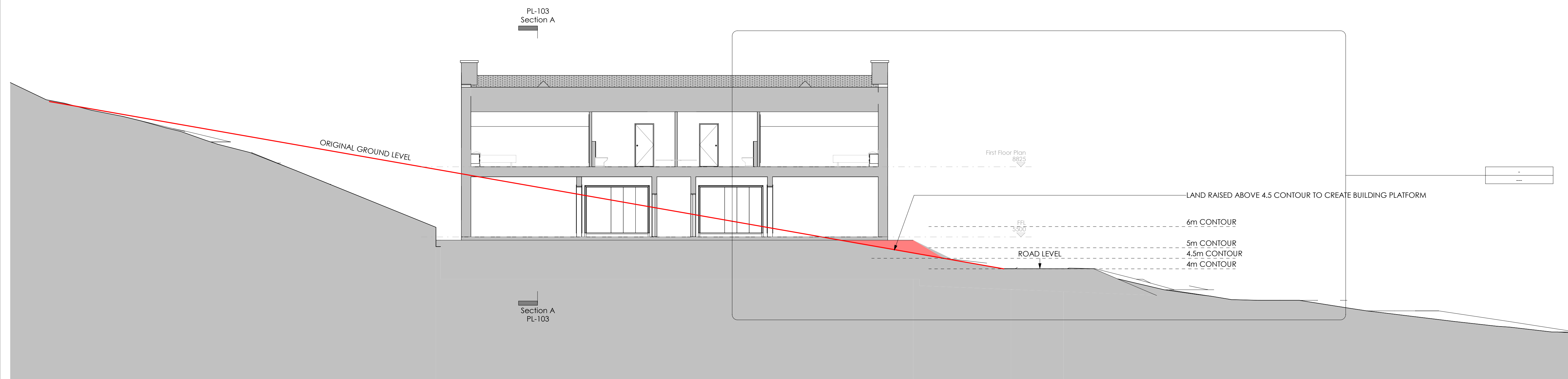


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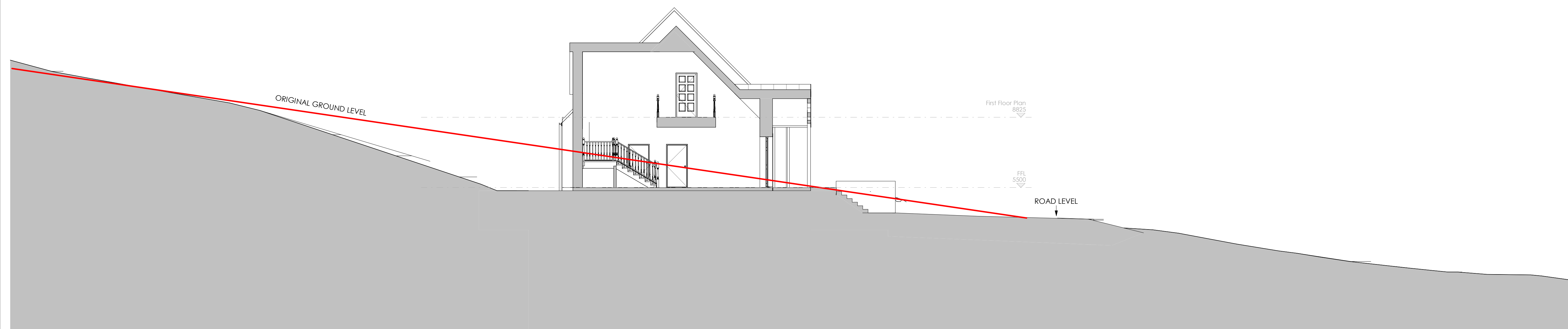
Client	Smech Ltd
Project	Plamigan Lodge Inverinate Estate
Project No.	1783
Drawing No.	PL-104
Revision	A

Elevations	
Status	Planning
Date Created	6/17/2019
Scale	1 : 100
Drawn by	RG
Sheet	@ A1



Site Section A

Scale - 1 : 100



Site Section B

Scale - 1 : 100

Rev	Description	Date
A	Moved building back 1.5m	26/08/19



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Client	Smecch Properties Limited
Project	Plamigan Lodge Inverinate Estate
Project No.	1783
Drawing No.	PL-107
Revision	A

Site Sections	
Status	Planning
Date Created	08/09/19
Scale	1 : 100
Drawn by	RG
Sheet	@ A1

From file : X:\Documents\1783 - Plamigan Lodge\02 - WORK IN PROGRESS\03 - BIM Models\1783 - CAA - RTH - 2019 - Plamigan Lodge - A1 Design 10m.rvt
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