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| Agenda Item | 6.6 |
| Report No | PLN/031/21 |

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 20 April 2021

21/00353/FUL: Mr and Mrs B Wilkinson

Report Title: Land 25M NE of Parkside, Dunhallin, Isle of Skye

Report By: Acting Head of Development Management – Highland

1. Purpose/Executive Summary

- 1.1 **Description:** Erection of house. Installation of foul water treatment system with outflow to watercourse. Formation of access and parking area. Amended application to withdrawn application ref: 20/04569/FUL
- 1.2 **Ward:** 10 - Eilean A' Cheò

Development category: Local housing 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. Recommendations

- 2.1 Members are 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 two-bed single storey house. The bulk of the house is rectangular in shape with a pitched roof, there is also a mono-pitched projection to the rear. The main part of the house will be white painted render with a natural slate roof, the rear projection will be timber clad with a black corrugated metal roof. In addition, the plans detail a new access, parking and turning area and a private foul drainage system.
- 3.2 The site is located adjacent to the public road and a new access will be taken from this. There are existing overhead powerlines which cross the site which will be re-routed underground. The public water main runs close to the site and it is proposed that connection will be made to it.
- 3.3 **Pre-Application Consultation:** No formal pre-app application was undertaken, but informal discussions were had between the agent and case officer as part of the 20/04569/FUL application which was subsequently withdrawn, and a revised proposal submitted under this current application.
- 3.4 **Supporting Information:** None
- 3.5 **Variations:** None

4. SITE DESCRIPTION

- 4.1 The application site is located on the landward side of the single-track public road which runs through Dunhallin. The land rises up from the public road to the rear of the site. There is an existing small stone ruin in the northern corner of the site which is close to where the new access bellmouth will be installed. There are existing dwellings to either side of the site. To the south-east is a traditional one and a half storey dwelling – the private water supply for this neighbour runs through the site. To the north-west there is a large modern single storey property. The land has been de-crofted.

5. PLANNING HISTORY

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| 5.1 | 14/01423/PIP: Erection of house, formation of access and installation of treatment tank. | Permission Granted | 05.08.2014 |
| 5.2 | 18/00861/PIP: Erection of house, formation of access and installation of treatment tank | Permission Granted | 28.05.2018 |
| 5.3 | 20/04569/FUL: Erection of house, garage and formation of access | WITHDRAWN following case officer's advice | 26.01.2021 |

6. PUBLIC PARTICIPATION

- 6.1 Advertised: Unknown neighbour – 14 days
Date Advertised: 12.02.2021

Representation deadline: original deadline was 26.02.2021. – 2 comments had been received

A written request was made by a third party on 09.03.2021 for an extension of time due to personal circumstances, extension was granted until 13.03.2021.

Timeous representations: 9 (from 9 households) (8 objection and 1 neutral)

Late representations: 0

6.2 Material considerations raised are summarised as follows:

- Inappropriate in scale and design - breaches the conditions imposed on the previous permission (ref 18/00861/PIP) with too much glazing on the front elevation.
- Impact upon neighbour amenity in terms of privacy, overbearing impact and noise of traffic.
- It would result in ribbon development
- Utilities are already stretched.
- Access track in poor state of repair.
- There is a private water line which runs through the site.
- There is a telephone/broadband line which runs across the access, this will need to be protected during construction.
- Impact of foul water treatment on the water source for livestock.

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 **Environmental Health:** No objection subject to an informative.

7.2 **Scottish Water:** No objection to the application. It cannot confirm whether there is capacity at this time and requests that the developer submits a Pre-Development Enquiry.

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

36 - Development in the Wider Countryside

57 - Natural, Built and Cultural Heritage

64 - Flood Risk

65 - Waste Water Treatment

66 - Surface Water Drainage

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

Confirmation of Special Landscape Area Boundaries

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)

Housing in the Countryside and Siting and Design (March 2013)

Special Landscape Area Citations (June 2011)

Sustainable Design Guide (Jan 2013)

9. **OTHER MATERIAL POLICY CONSIDERATIONS**

9.1 **Scottish Government Planning Policy and Guidance**

Scottish Planning Policy (The Scottish Government, June 2014)

National Planning Framework 3 (2014)

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) planning history
- c) siting, design and landscape impact
- d) neighbour amenity
- e) access and parking
- f) developer contributions
- g) water supply and foul drainage
- h) flood risk

Development plan/other planning policy

- 10.4 A complete list of relevant policies is listed above, however, the most pertinent policies for this site are 28, 29, 36 and 57 of the HwLDP. The application site is not located within a Main or a Growing Settlement as defined by the WestPlan, 2019. As such the site is located within 'wider countryside' and so Policy 36 of the Highland-wide Local Development Plan applies. Policy 36 and the adopted supplementary guidance Housing in the countryside, siting and design supports development proposals if they are not judged to be significantly detrimental in terms of the following matters: siting and design, pattern of development, landscape character, impact on locally important croftland and servicing, particularly roads.
- 10.5 Policy 28 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 repeats this emphasis on good design in terms of compatibility with the local landscape setting.
- 10.6 The application site is also located within a designated Special Landscape Area. In this regard Policy 57 of the adopted Highland wide Local Development Plan requires proposals to take into account the level of importance and type of heritage features and to demonstrate that the proposal will not have an unacceptable impact on the natural environment, amenity and heritage resource.
- 10.7 For the following reasons it is considered that the scheme meets these requirements and is in compliance with the Development Plan.

Planning History

- 10.8 Planning in principle (PIP) consent was granted by the Planning Committee in 2014 under reference 14/01423/PIP. This lapsed and a new PIP permission was granted in 2018 – 18/00861/PIP. This permission is still extant. Consequently, the principle of a residential unit on this site has been established.

Siting, Design and Landscape Impact

- 10.9 This application has been submitted following the withdrawal of the previous application on this site - 20/04569/FUL. The 2020 scheme detailed a 1½ storey house with large glazed projection and balcony and a detached garage. This attracted adverse third-party comment and these concerns were shared by the case officer. The agent was advised to come in with a smaller design which was more in keeping with the spirit of the extant PIP. The agent has proactively worked with the Planning Authority in this regard and for the following reasons the current scheme is considered acceptable.
- 10.10 Third party concerns have been raised regarding the siting of the house as it will create 'ribbon development'. Under the 2014 application it was considered important in both visual and amenity terms that the building line of the proposed

house reflected that of the two adjacent properties. In this regard the siting of the house is in line with the adjacent building lines and is commensurate with the indicative siting shown as part of the PIP.

10.11 In recognition of the scale of the site and its position in between two existing residential properties, the 2014 and the extant 2018 PIP were granted subject to a condition which set recommended size parameters for any subsequent detailed application. The condition stated;

“...Any details pursuant to Condition 1 above shall show a development featuring the following elements:

- i. walls finished predominantly in a white/off-white wet-dash render/smooth coursed cement render/natural stone;
- ii. a roof covering of natural slate;
- iii. single or 1½ storeys in height;
- iv. windows with a strong vertical emphasis;
- v. a roof symmetrically pitched of not less than 35° and not greater than 45°;
- vi. predominantly rectangular in shape with traditional gable ends of no more than 7.6m in width
- vii. a floor area of no more than 90m²...”

Several of the third-party comments consider that the current proposal is not in accordance with the requirements of this condition and the scale and design of the proposal is unacceptable.

10.12 However, it is considered that the design secured in this current application does accord with the identified parameters for the following reasons;

- The house is single storey in scale,
- The main part of the house has a pitched roof with rectangular gable ends which are 6.7m in depth
- The overall length of the building’s ridgeline is 12.9m. By way of context, the 1½ storey to the south-east has a ridgeline of approx. 11.1m and the single storey house to the north-west has a ridgeline of approx. 20.6m
- The overall footprint of the house is approx. 113.3 m² however, the PIP specifically controlled the floor area of the house rather than the overall footprint. The ‘floor area’ of a house as defined by The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 means the total floor space in a building taking each floor into account but excluding, any area where the headroom measures less than 1.5 metres and excludes the thickness of the walls. The reason for restricting ‘floor space’ rather than footprint, is that any upper floor space would be added into the calculation. Whereas by only restricting the footprint of the property this would have failed to take into account any upper floors and thus a larger building could have been presented which still complied with the terms of the condition. The floor area of the proposal is approx. 87.12m² which is in line with the requirements of the extant PIP, which stated that the floor space must be no more than 90m².
- The external materials for the main part of the house are a slate roof over white rendered walls.

With regards to the fenestration, third parties have raised concerns about the amount of glazing within the front elevation and that the windows do not display a strong vertical emphasis. Although the opening for the patio doors is horizontal in emphasis, the individual panes and the openings either side do provide a vertical reference. The patio doors will be recessed to provide an outdoor seating area, so the glazing is not considered to be a particularly dominant addition when seen from the public road.

- 10.13 Consequently, for the above reasons, the siting, design and scale of the proposed house is considered to be appropriate given the context of the site and accord with the general requirements of the extant PIP. However, as per the PIP, it is considered appropriate to remove permitted development rights by condition. This will allow the authority to control the long-term development of the dwelling with a view to the limited size of the site. A land level and landscaping condition will also be attached to ensure that the land is developed and finished appropriately.

Subject to these conditions it is not considered that the development will have a substantial impact upon the visual appearance or character of the immediate area or undermine the integrity of the wider landscape designation. Therefore, the scheme complies with policies 28, 29, 36 and 57 of the HwLDP.

Neighbour Amenity

- 10.14 Several third-party comments raise concerns about the impact of the proposal on neighbouring properties. In particular, concerns relate to a loss of privacy and the overbearing impact that the development will have upon the neighbour to the south-east (Parkside, 3 Dunhallin). However, for the following reasons the proposal is not considered to represent a significant loss of amenity as to warrant a refusal of the planning application.

- 10.15 As indicated above, the proposal is for a single storey house with a relatively compact floor area. The parking area is to the north of the proposed house and therefore lies away from Parkside which is to the south-east. In terms of siting the building line for the house is commensurate with Parkside and this was considered to be an important aspect at the PIP stage to minimise the potential impact upon the adjacent house. The separation distance between the proposed and existing house is approx. 16.3m. In addition to this separation distance, it must also be noted that there is a further physical/visual barrier between the two sites in the form of evergreen conifers which run along the common boundary. These will act as a physical buffer from the development thus reducing the proposal's perceived impact upon the neighbour. This vegetation is within the neighbour's curtilage, so they have long-term control over this.

Third parties reference the 2014 consent, so to provide context the comparison with the lapsed 2014 and extant 2018 consent is provided below. However, it is important to note that the plans detailed under these consents were indicative only.

Due to the current requirement for a buffer zone between the onsite watercourse and the house, the separation distance to the neighbour is closer than the indicative house position shown on the lapsed 2014 consent which was approx.18.3m. However, the current proposed separation distance is greater than indicatively shown for the extant 2018 PIP consent which was approx. 13.2m. The increase in

the separation distance in the current application over the indicative extant 2018 permission has been achieved by presented a design with a more compact frontage for the house and accommodating the required floor space within a rear projection.

Notwithstanding the above, the separation distance detailed in this current application together with the single storey scale of the house and the existing vegetation is considered to be sufficient to ensure that the development does not have an overbearing impact upon the closest neighbouring property.

- 10.16 In terms of openings, Parkside contains one narrow ground floor window within the side elevation facing the application site. In the corresponding elevation of the proposed house, there is one small opening which is located within the rear projection. The Council's guidance (House Extensions and Other Residential Alterations) considers that the minimum acceptable distance between windows of habitable rooms facing each other is 18m. In this regard, the separation distance is approx. 19m and the proposed window serves a bathroom which is classed as a non-habitable room. So, this situation is considered to comply with the Council's guidelines. Also, in reality, the aforementioned boundary vegetation between the neighbour and the application site will ensure that there is no direct overlooking into the neighbours' house.
- 10.17 With regards to the neighbouring property to the north-west which is on the opposite side of the access track, the separation distance is approx. 29m which is considered to be sufficient to avoid a material loss of amenity to this property.
- 10.18 For the above reasons, the scale, separation distance, location of openings together with the intervening vegetation is considered to be sufficient to avoid a material loss of amenity to either neighbour. However, the removal of permitted development rights detailed above will also allow the authority to control the development of the site and to ensure that amenity is protected in the long-term. Subject to this condition the development is considered to comply with policy 28 of the HwLDP.

Access and Parking

- 10.19 Site access is from the single-track road which runs up from B.886 along the northern and eastern sides of the site and on to the upper line of development of this part of the settlement. The access position and SDB1 standard geometry is in line with that envisaged at the PIP stage and will provide an additional passing place along this road. In terms of visibility from the access point, road speeds are considered likely to be very low and the available visibility splays are considered commensurate with this. Third parties have raised concerns with regards to the state of the public road. Whilst the road is in a relatively poor condition at present with evidence of water scouring out parts of the road surface where it joins the B.886, the plans state that positive drainage measures at the access will be undertaken to prevent surface water migration.

Subject to the junction being installed in accordance with the required standards, it is not considered that this development will cause any unacceptable further deterioration to this adopted road. Under Section 96 of the Roads (Scotland) Act 1984, the Council reserves the right to recover all costs for repairing any damage to the public road which can be attributed to construction works for a development. The developer will be made aware of this through an informative.

- 10.20 The plans detail a parking and turning area for two cars this is in line with the Council's requirements for a two-bed unit – implementation of this will be controlled by a planning condition.

Developer Contributions

- 10.21 Policy 31 Developer Contributions sets out that developer contributions may be sought when a development would result in a deficiency in public services. Contributions can be sought to address such deficiencies, for example towards increased education capacity, transportation and infrastructure. In addition, the Council adopted the Developer Contributions Supplementary Guidance in November 2018. However, under this no developer contributions towards secondary or primary education are required, as there is sufficient capacity at present. The single house proposed does not trigger the requirement for an affordable housing contribution or a community facilities contribution.

Water Supply and Foul Drainage

- 10.22 Connection is proposed to the public water supply. Third parties have raised constraints on utilities. Scottish Water have been consulted and although they cannot confirm capacity without the developer submitting a pre-development enquiry form, they have no objection to the application. Without an objection from a service provider the Planning Authority could not substantiate a reason for refusal. In the event that a public connection is not forthcoming then planning permission would be required for a private water supply and with the technical details controlled via Environmental Health regulations.
- 10.23 Policies 65 and 66 require foul and surface water drainage to meet standards that minimise the risk of pollution and flooding. As envisaged at the PIP stage the foul drainage will be via a treatment tank, partial land soakaway discharge to a watercourse. This is considered to be acceptable in principle with the technical details controlled by the Building (Scotland) Regulations and the CAR licence regime administered by SEPA. This aspect of the scheme is considered to be in compliance with the aforementioned policies.

Flood Risk

- 10.24 Under the extant 2018 PIP application, the Council's Flood Risk Management Team (FRM) required a planning condition which stated that the house should not be located within 6m of the watercourse which runs through the site. In addition, no other section of the watercourse was to be culverted other than that required for the access track and the use of permeable/porous materials are used for the access and parking area. The application complies with these requirements and a planning condition is recommended to ensure compliance in the long term and to secure the final FFL and surfacing material for the track and parking area. Subject to this the proposal is considered to comply with Policy 64 of the Highland Wide Local Development Plan.

Non-material considerations

- 10.25
- The issue of the development's impact upon croft land is not a material planning consideration, as The Crofting Commission have already granted a de-crofting direction on the land, so it no longer falls under crofting tenure.
 - There is speculation in third party comments about whether the house will be a holiday let or not. This is not a material planning consideration.
 - Third party representations have stated that there is a private water line which runs through the site and this is secured by a deed of servitude. The developer will need to be mindful of this during construction. However, as this is a civil law matter planning permission does not override pre-existing legal rights.
 - There is a telephone/broadband line which runs across the access – an informative will be attached to the consent to advise the developer of this.

Matters to be secured by Section 75 Agreement

10.26 None

11. CONCLUSION

11.1 The proposed development is located on a site which benefits from an extant PIP as such the principle of development is established. The applicant has responded to the Planning Authority's concerns which were raised under the now withdrawn 2020 planning application. The current siting, scale design of the house is considered to be acceptable and will not undermine the visual appearance of the area or have a substantial impact upon surrounding amenity.

11.2 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 applicable.

12.5 Risk: Not applicable.

12.6 Gaelic: Not applicable.

13. RECOMMENDATION

Action required before decision N issued

It is recommended that planning permission be

GRANTED, subject to the following:

Conditions and Reasons

1. No other development shall commence until the site access has been installed in full accordance with The Highland Council's Access to Single Houses and Small Housing Developments guidelines with the junction formed to comply drawing ref. SDB1. The access arrangements shall thereafter be maintained in perpetuity.

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

2. No development shall commence until full details of all surface water drainage provision within the application site (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Second Edition, or any superseding guidance prevailing at the time) have been submitted to, and approved in writing by, the Planning Authority. The information shall include full details of the proposed surfacing material for the access track and parking area, it is recommended that this is permeable paving or a similar porous material. Thereafter, only the approved details shall be implemented, and all surface water drainage provision shall be completed prior to the first occupation of any of the development.

Reason: To ensure that all flood mitigation infrastructure, required in order to reduce the risk of flooding occurring both within and outwith the application site, is provided timeously.

3. 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 and finished floor levels (FFL) 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 the interests of amenity.

4. Other than the section of watercourse to be culverted for the formation of the access as detailed on the approved plans the water course shall not be culverted.

Reason: To maintain the water habitat as required by the is contrary to the Development Plan and supplementary guidance Flood risk and Drainage Impact Assessments.

5. Prior to the first occupation of the development hereby approved, the car parking and turning arrangements detailed on the approved plans shall be completed in full and made available for use. Thereafter, all car parking spaces shall be maintained for this use in perpetuity.

Reason: In order to ensure the safety and free flow of traffic on the public road.

6. Notwithstanding the provisions of Article 3 and Classes 1, 2 and 3 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), no development of a type identified in the aforementioned classes shall take place within the curtilage of dwellinghouse hereby approved without planning permission being granted on application to the Planning Authority.

Reason: In order to enable the Planning Authority to retain effective control over future development within the application site so that it is carefully managed and does not result in over-development or an adverse impact on the neighbour 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 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.

Damage to the Public Road

Please note that the Council, under Section 96 of the Roads (Scotland) Act 1984, reserves the right to recover all costs for repairing any damage to the public road (and/or pavement) which can be attributed to construction works for this development.

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

Environmental Health –

Any wood burning stove must be designed, maintained and operated such that any associated operating combustion products (smoke) does not cause a loss of amenity at surrounding residential properties. It is recommended an Ecodesign Ready Stove, please see document entitled 'Open Fires and Wood burning Stoves' (Issue 2: rev January 2019) produced by the Department for Environment Food and Rural Affairs –

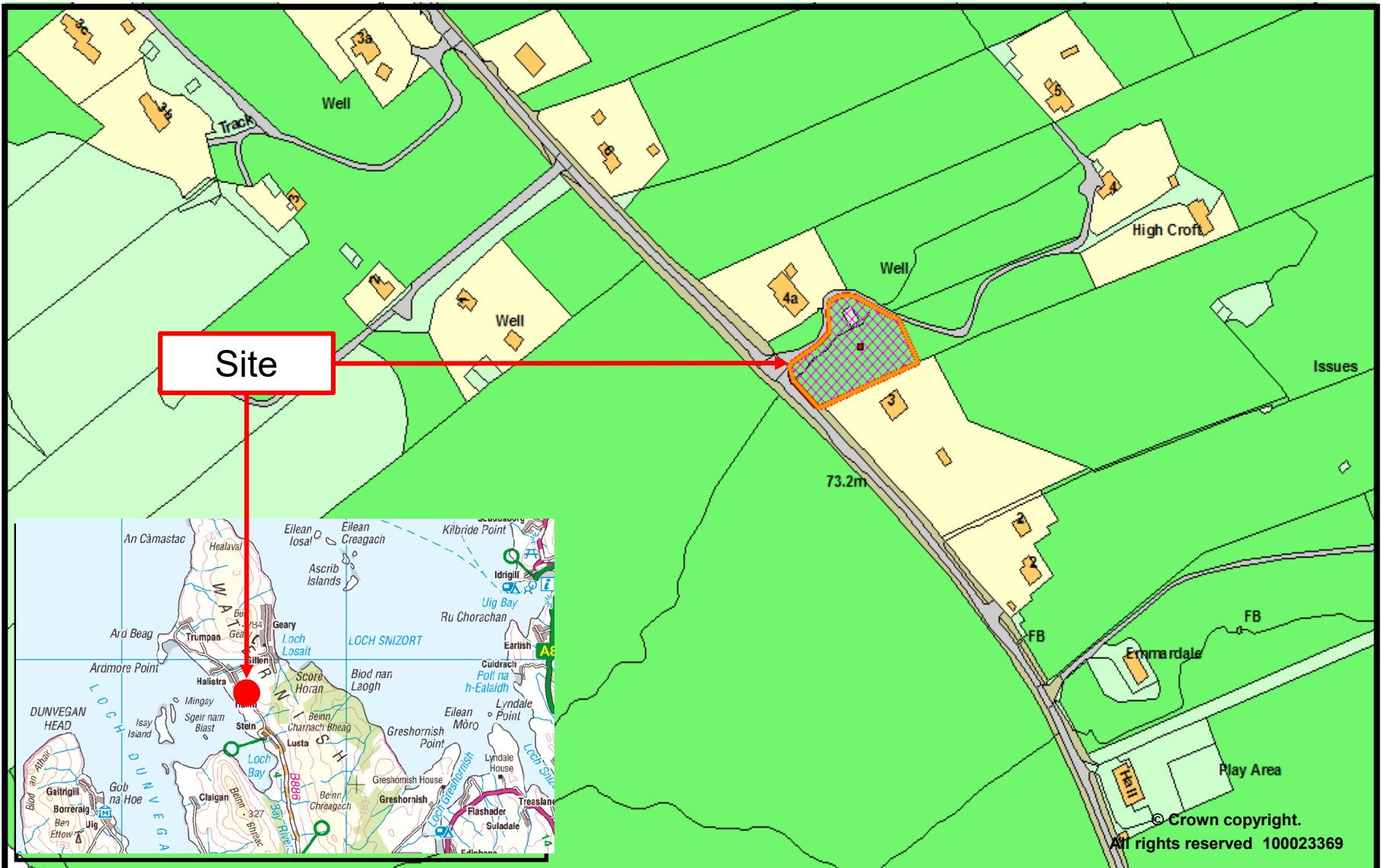
https://ukair.defra.gov.uk/assets/documents/reports/cat09/1901291307_Ready_to_Burn_Web.pdf

Permitted Development Rights

Please note that certain permitted development rights have been removed from the land covered by the permission, as explained in the conditions above. This means that certain developments, for which an application for planning permission is not ordinarily required, will now require planning permission. You are therefore advised to contact your local planning office prior to commencing any future developments.

Infrastructure: You are advised that there is a telephone/ broadband line which runs across the proposed access, for further information in relation to construction you are advised to contact the relevant service provider/landowner.

Designation: Acting Head of Development Management – Highland
Author: Alison Harvey
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - BENW-500-RN Location Plan
Plan 2 - BENW-500.5-RN Site Layout Plan
Plan 3 - BENW-501-RN Floor Plan
Plan 4 - BENW-502-RN Elevation Plan



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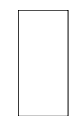


The Highland Council
Comhairle na Gàidhealtachd
Planning and Development Service

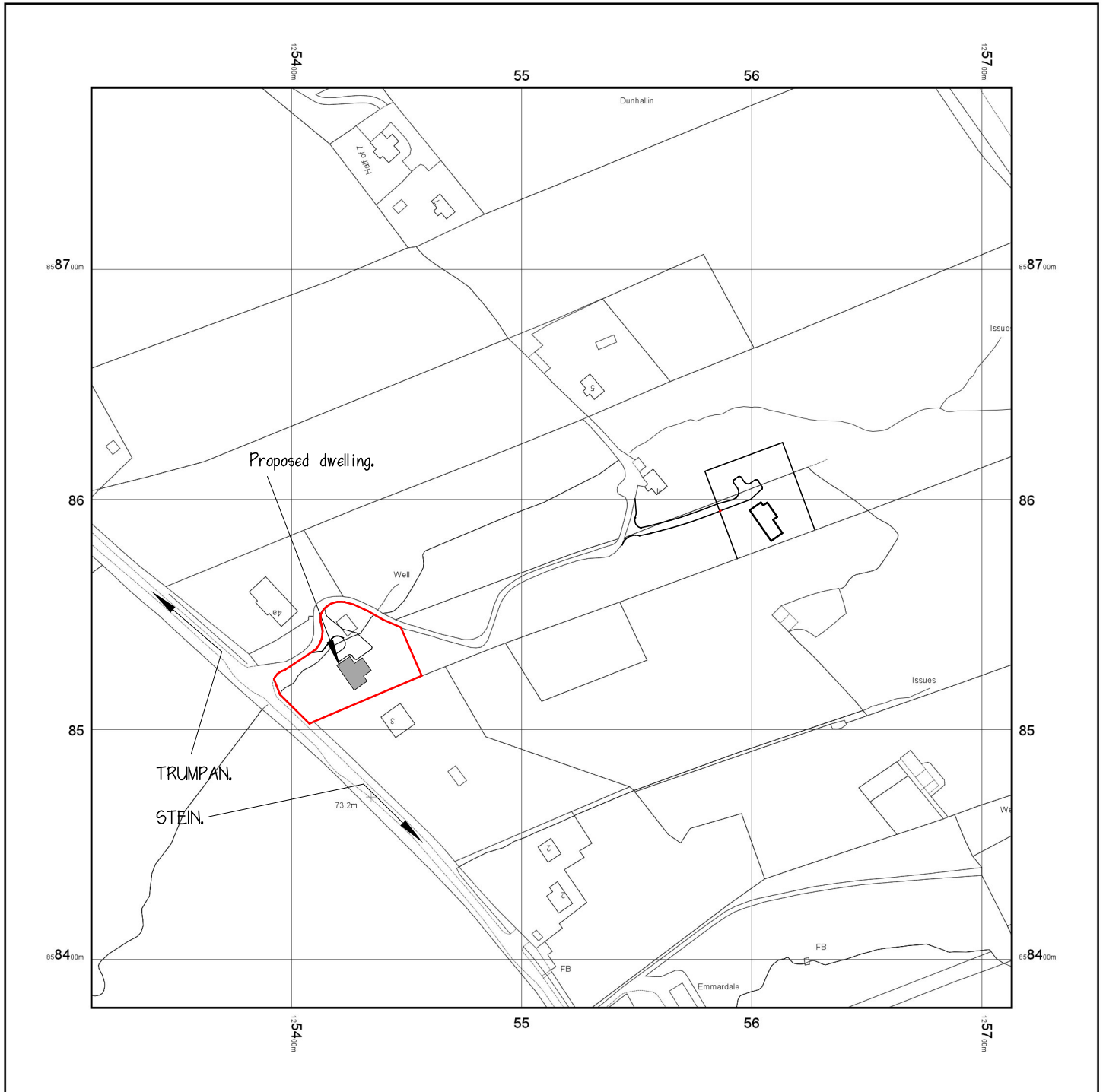
Location Plan
21/00353/FUL

**Erection of house. Installation of foul water treatment system with outflow to watercourse.
Formation of access and parking area. Amended application to withdrawn application
ref:20/04569/FUL**

April 2021



Scale:



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Supplied by: www.ukmapcentre.com
Serial No: 112543
Centre Coordinates: 125513, 858579
Production Date: 31/03/2017 13:35:55

Co-ordinates (centre site) 125426 858429.

LOCATION PLAN 1:2500.

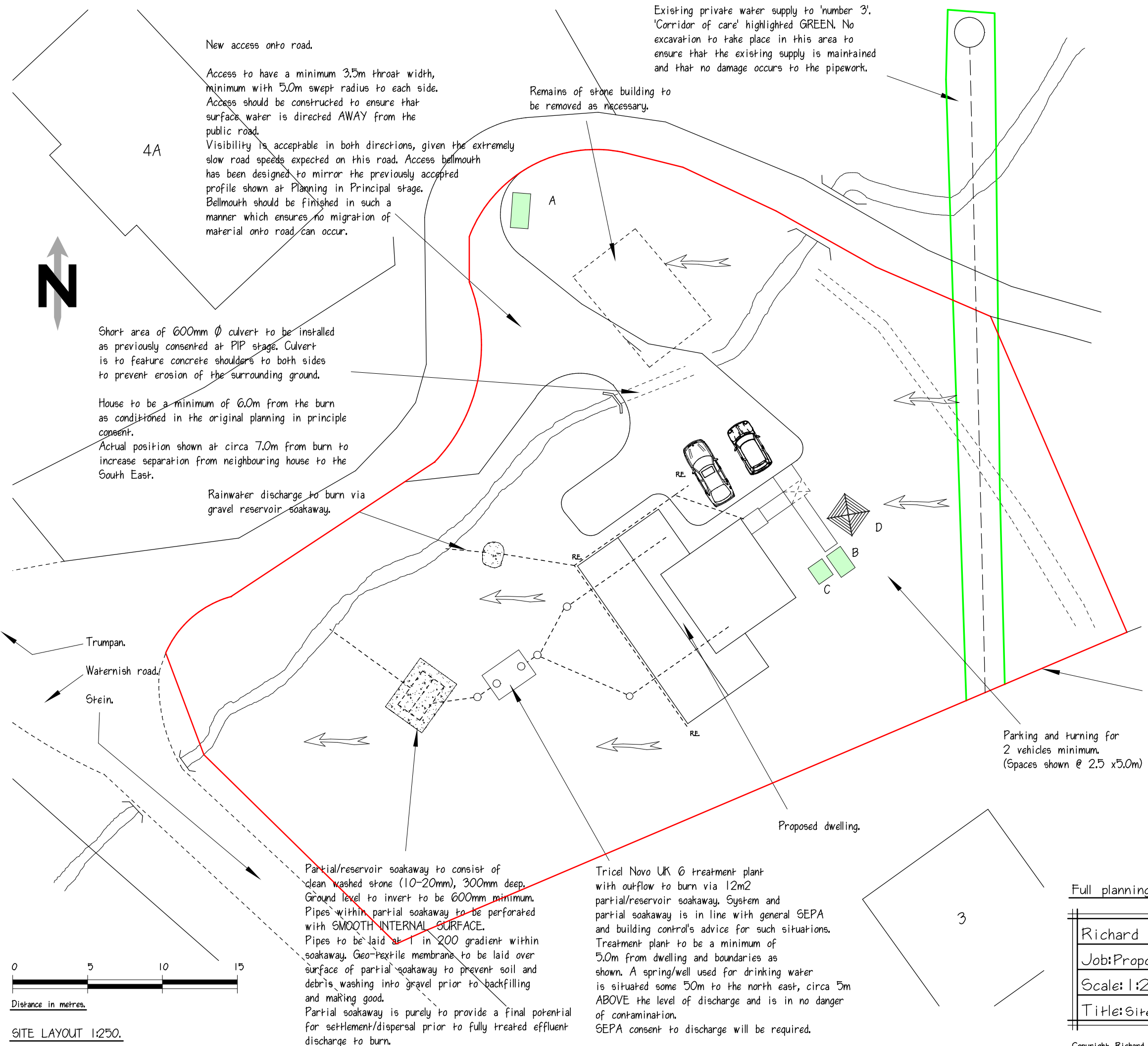
Site boundary and domestic curtilage highlighted RED.

Total area -

1900 m²
0.19 hectares
0.47 acres.

Full planning/warrant January November 2021.

| | |
|---|------------------------|
| Richard Neath Drawing and Design Services. | |
| Job: Proposed house, 4 Dunhallin, Waternish IV55 8GH. | |
| Scale: 1:2500 @ A4. | Client: Ben Wilkinson. |
| Title: Location plan. | Drg no: BENW-500-RN |



- A = Roadside wheelie-bin collection point. (washable hardstanding).
- B = Wheelie-bin storage point (as above).
- C = Log store - timber with felt roof.
- D = Space for rotary dryer.

The surface of an accessible route, whether composed of modular paving units, formless materials such as tarmac, or another durable material, should have a profile that will not offer a trip hazard or result in standing water. It should be installed in accordance with a code of practice relevant to the material, where such exists.

NOTE -

Site boundary and domestic curtilage highlighted RED. Total area -

1900 m²
 0.19 hectares
 0.47 acres.

Co-ordinates (centre site) 125426 858429.

← Indicates general fall of ground.

NOTE -

Overhead power cables cross the site in a west/east direction from the rear of 3 Dunhallin. The applicant has arranged with S.S.E for the cables to be rerouted underground along the rear of the site. Care will be taken with regards to the existing private water supply as noted above, with all required safeguards in place to ensure the continued of the supply and that no damage occurs to the pipework.



SITE LAYOUT 1:250.

Full planning/warrant January 2021.

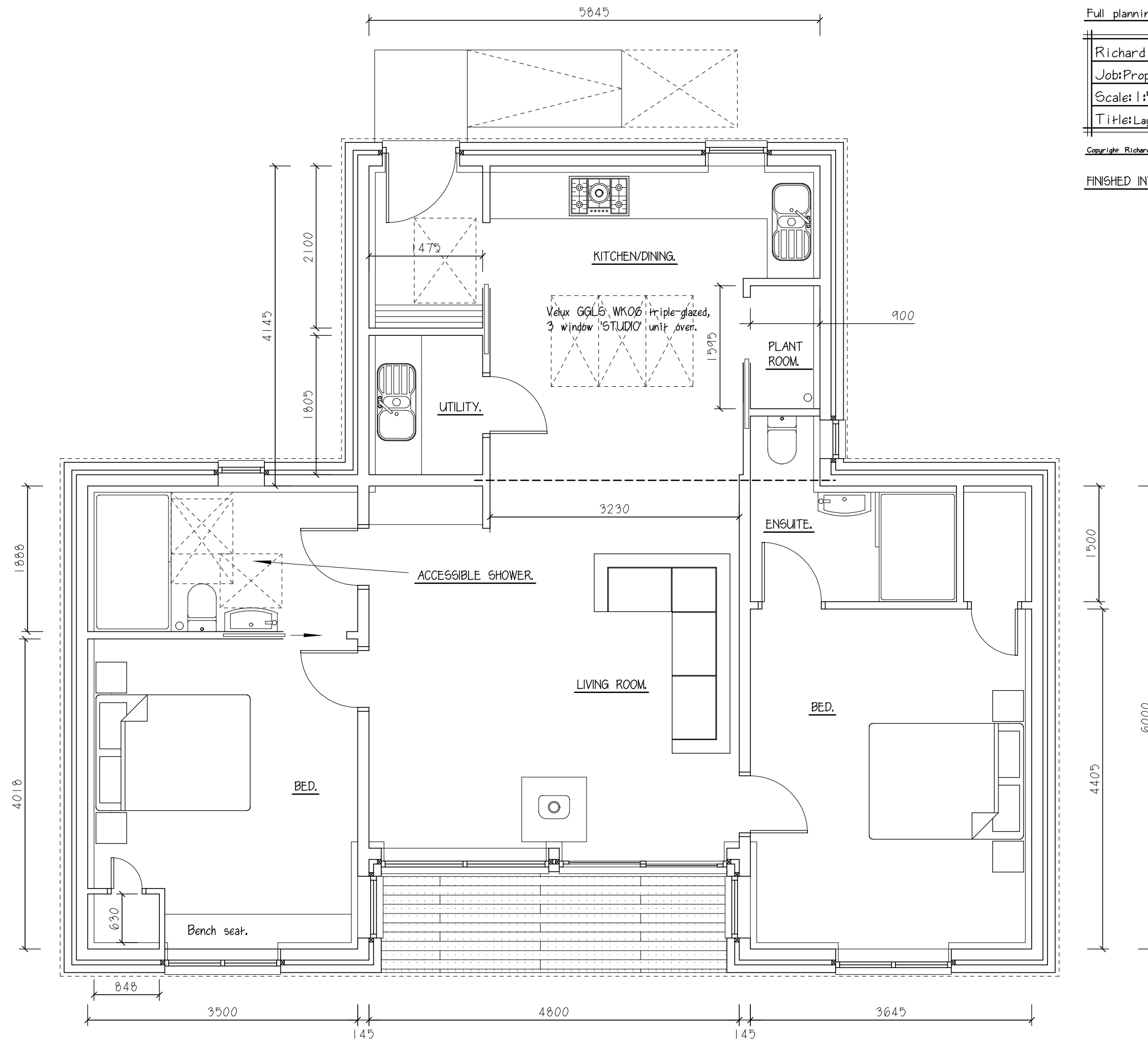
| | |
|---|------------------------|
| Richard Neath Drawing and Design Services. | |
| Job: Proposed house, 4 Dunhallin, Waternish IV55 8GH. | |
| Scale: 1:250 @ A3. | Client: Ben Wilkinson. |
| Title: Site layout. | Drg no: BENW-500.5-RN |

Full planning January 2021.

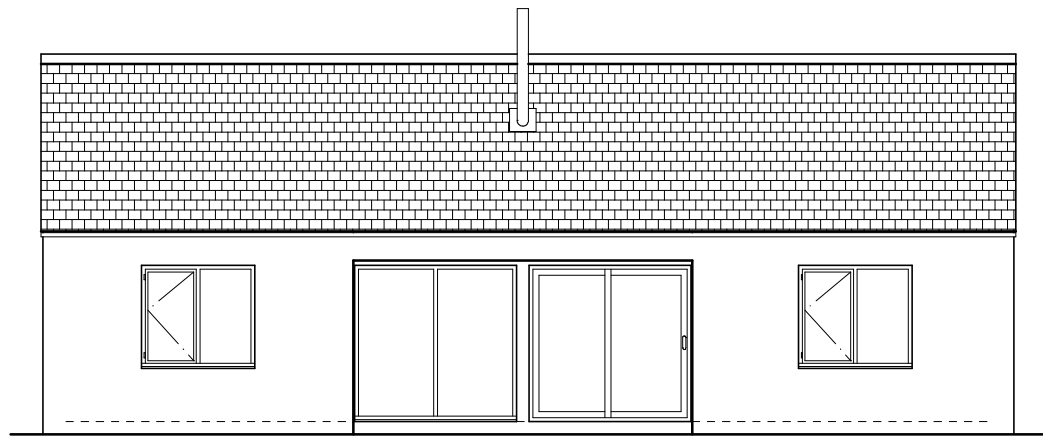
| | |
|---|------------------------|
| Richard Neath Drawing and Design Services. | |
| Job: Proposed house, 4 Dunhallin, Waternish IV55 8GH. | |
| Scale: 1:50 @ A3. | Client: Ben Wilkinson. |
| Title: Layout. | Drg no: BENW-501-RN |

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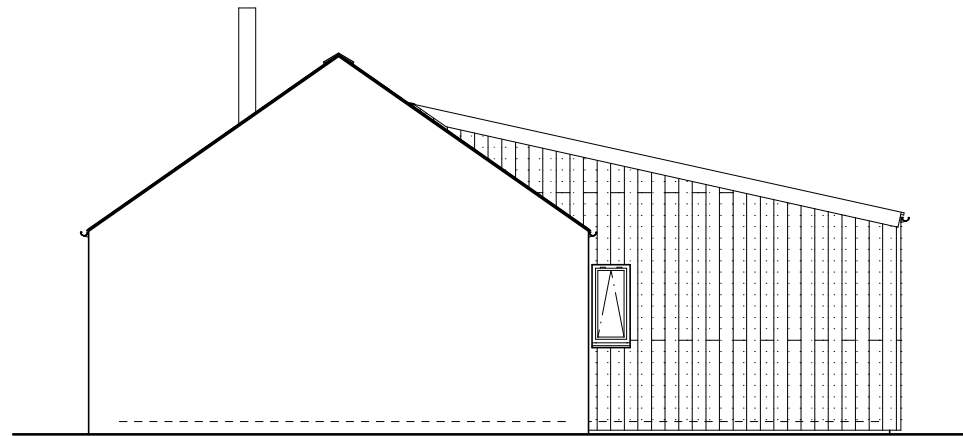
FINISHED INTERNAL FLOOR AREA 87.12M2.



FLOOR LAYOUT 1:50.



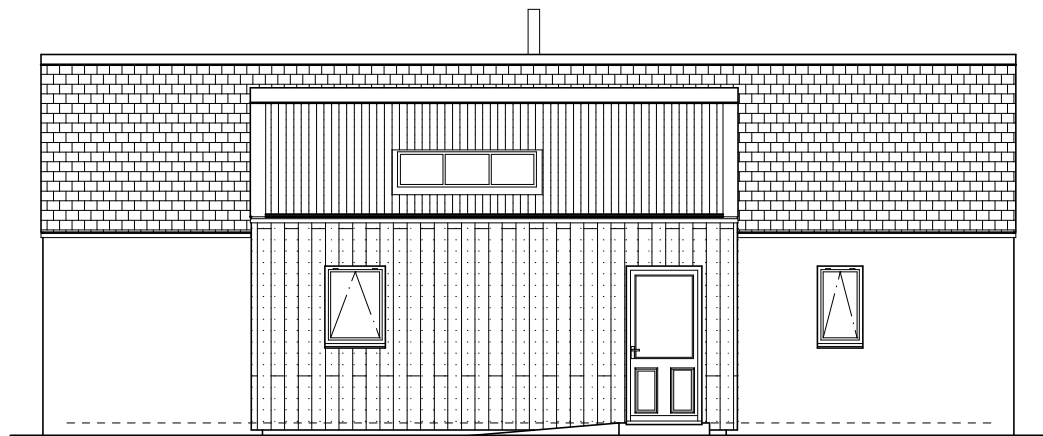
SOUTH WEST ELEVATION 1:100.



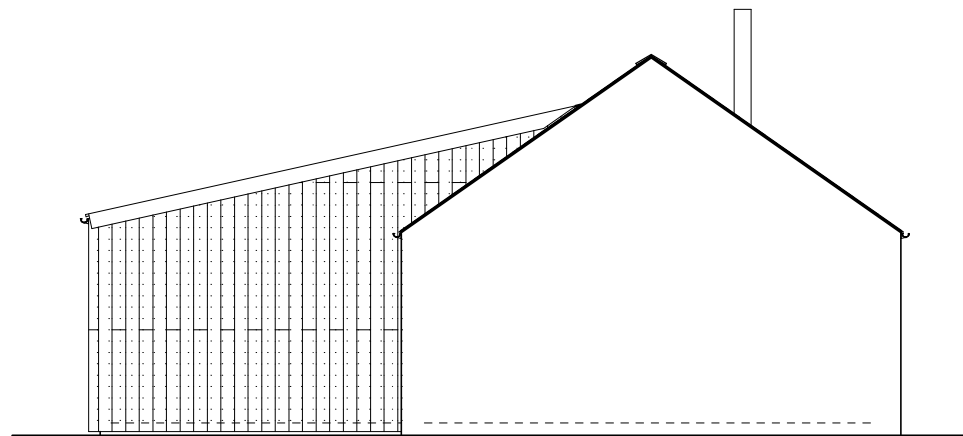
SOUTH EAST ELEVATION 1:100.

External finishes.

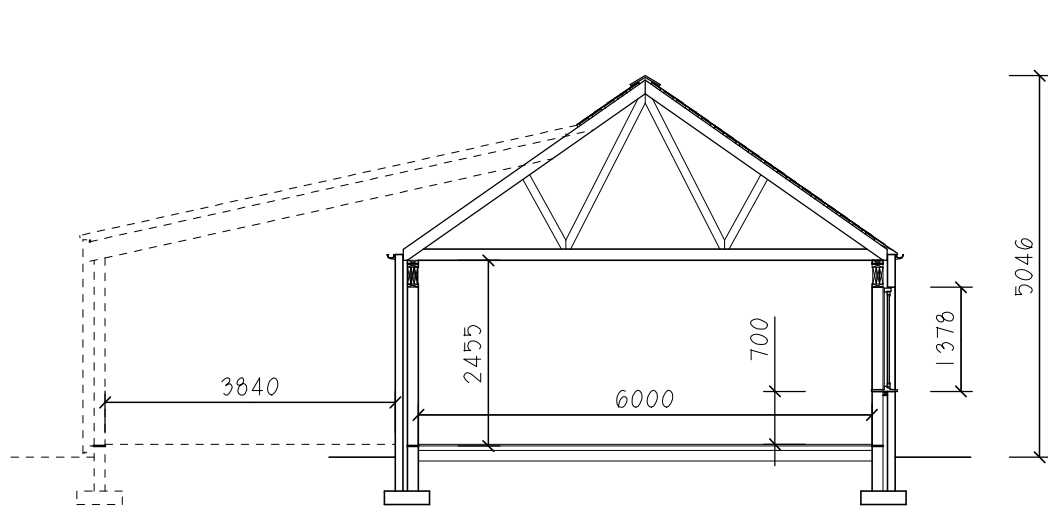
Walls to main house - white painted smooth render.
 Walls to rear lean-to - vertical, board on board larch-clad.
 Roof to main house - natural slate.
 Roof to lean-to - modern corrugated sheeting (black).
 Doors and windows - timber-frame, alu-clad in dark grey.
 Rainwater goods - galvanised steel.



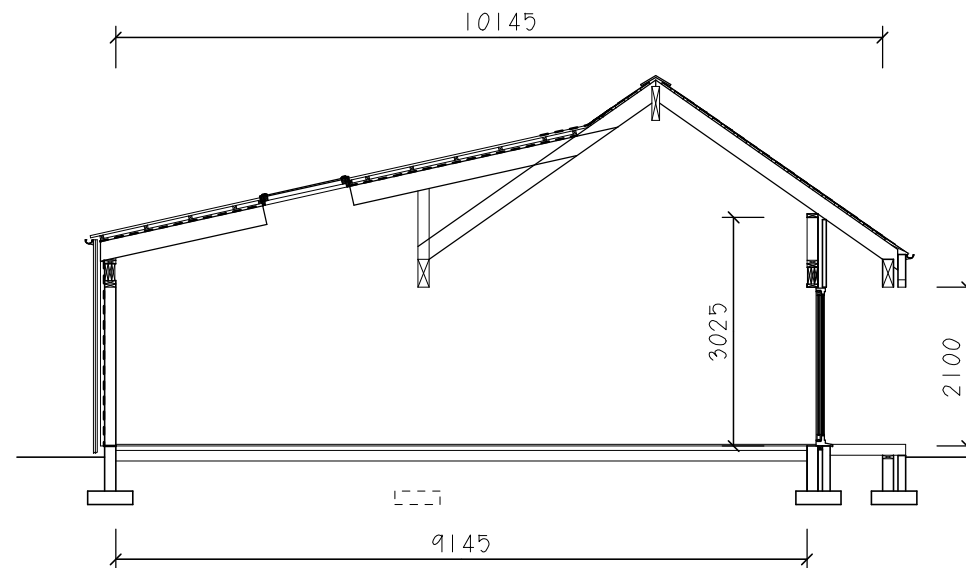
NORTH EAST ELEVATION 1:100.



NORTH WEST ELEVATION 1:100.



SECTION BEDROOM 1:100.



SECTION KITCHEN LIVING ROOM 1:100.

Full planning/warrant January 2021.

| | |
|---|------------------------|
| Richard Neath Drawing and Design Services. | |
| Job: Proposed house, 4 Dunhallin, Waternish IV55 8GH. | |
| Scale: 1:50 @ A3. | Client: Ben Wilkinson. |
| Title: Elevations. | Drg no: BENW-502-RN |