

Agenda Item	6.7
Report No	PLS-66-22

HIGHLAND COUNCIL

Committee: South Planning Applications Committee
Date: 18 August 2022
Report Title: 21/05871/PIP: Mr M Holt
Land 90m NE of Camus Sealladh, Achateny, Acharacle
Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Erection of house
Ward: 21 – Fort William and Ardnamurchan
Development category: Local
Reason referred to Committee: 5 or more 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.

Recommendation

Members are asked to agree the recommendation to **GRANT** the application as set out in section 11 of the report

1. PROPOSED DEVELOPMENT

- 1.1 Planning permission in principle is sought for a dwelling house within the Kilmory township. No details have been provided on the house, this being an application for planning in principle, other than an indicative layout drawing showing a square footprint, set centrally within the plot and an indicative access point at the north-east side of the site. The supporting statement states that the proposed property would be a detached, two storey, three bedroomed house with the lower storey of the property set below the level of the road.
- 1.2 Kilmory is a small, dispersed settlement of approximately 15 houses which lie to the north-east of Branault and extend northwards towards Port Ban on the north coast of the Ardnamurchan peninsula. Existing properties are mostly situated close to the road and lie on both the landward and seaward side.
- 1.3 Pre Application Consultation: None
- 1.4 Supporting Information: Private Access Checklist, Private Water Supplies Assessment, Private Water Supply Questionnaire, Supporting Statement – Justification, Site Layout Plan showing crofted/decrofted areas
- 1.5 Variations: Revised landownership certificate

2. SITE DESCRIPTION

- 2.1 The site is located to the north-west side of the public road at Kilmory. Existing land use is grass pasture, previously used for grazing sheep. The application site would be bounded on the east side by the Kilmory public road and a ridge of rocky ground crosses the southern corner of the site and extends in a westerly direction. Open, undeveloped grassland surrounds the site to the north and west. The site includes a generally level plateau set below the public road and set against the rocky ridge which extends westwards. Adjoining croft land gently falls westwards towards the bay. The supporting information states that a caravan had previously been located on this site and remnants of this were found at site visit. Background information suggest the site had been used as an informal pull-in area/layby which has more recently been fenced off as part of croft 132. The supporting information states that the house is proposed to provide a modern and energy efficient home while also being functional as a croft house for maintenance and development of the croft.
- 2.2 The site is situated within the existing low density, loose, linear settlement set along the Kilmory Road. Nearest residential properties include Camus Sealladh and byre (within the applicant's ownership) 90m to the south west, Torr Soluis, set in an elevated position above the site, approximately 125m to the south east and Balnaha Cottage which lies approximately 100m to the north east. Tigh a Claddaich is set approximately 220m to the north west, towards the bay. There are a mix of house types generally single to 1¾ storey in height, of rectangular form, finished in white/off-white render with slate roofs.

3. PLANNING HISTORY

3.1 No planning history for this site.

3.2 27.04.2022 21/05870/FUL: Conversion of existing byre to form holiday letting accommodation – Camus Sealladh Withdrawn

3.3 Current 21/05869/FUL: Alterations and extension to house – Camus Sealladh Pending Consideration

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour

Date Advertised: 20.01.2022

Representation deadline: 03.02.2022

Timeous representations: 7 (7 Households)

Late representations: 5 (3 Households, 2 unspecified)

4.2 Material considerations raised are summarised as follows:

- a) Insufficient/inconsistent private water supply.
- b) Over development, contrary to settlement pattern, obtrusive location, proposal not in keeping with existing properties
- c) Loss of croft land and rural character within a National Scenic Area
- d) Loss of private/public coastal views
- e) Concern that house would be used as holiday home, not permanent occupation. Proposal not required for crofting and purely for commercial gain.
- f) Inaccurate information presented in application form (agricultural land not identified) and supporting statement on previous development within the township inaccurate.
- g) Loss of habitat for wildlife and nesting birds.
- h) Impact on public access.

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

5. CONSULTATIONS

5.1 **West Ardnamurchan Community Council:** No direct consultation response received. A copy of the minutes from the West Ardnamurchan Community Council (WACC) meeting held 14.02.22 was submitted by an objector. The minute noted that concerns had been raised by local residents regarding 3 separate planning applications (21/05689/FUL, 21/05871/PIP and 21/05870/FUL). WACC noted the concerns raised about the scale of development in this area, and particular fears about the potential detrimental impacts on existing private water supplies. WACC shares the local residents' serious concerns for their fragile community and trusts

that Highland Council will take full cognisance of their representations when determining these applications.

5.2 **Access Officer:** No objection. Following site visit advised that, should planning permission be forthcoming, an informative note or condition could be used to advise the developer that the access track to the bay, which is part of the wider path network to the foreshore, must be kept open and free of obstruction or encroachment before, during and on completion of development. To uphold public access rights and comply with policy 77 HwLDP.

5.3 **Environmental Health:** No objection – notes the following points on this application and 21/05869/FUL (Alteration and extension to Camus Sealladh):-

- From the number of objections to joining the Township water supply it would appear that there are problems with sufficiency during times of dry weather. Accordingly, a more robust water sufficiency report is required for whichever spring(s) is to be used. This must take into account periods of dry spells and not rely on flow rates from one day. The last 3 summers in particular have been exceptionally dry and prompted the Drinking Water Quality Regulator for Scotland (DWQR) to initiate a scheme to offer assistance to private water supplies by providing bottled water. The industry standard of 200 litres / person / day must be used in any such calculations along with maximum occupancy of each property.
- Ownership of the township supply is a civil matter and permissions to join the supply perhaps should be confirmed or otherwise before the expense of further reports.
- Water figure calculations do not differentiate whether a property is holiday let or permanently lived in.
- Private water supplies are owned by the property owners and as such, the owners are responsible for rectifying any shortages.

Camus Sealladh House Extension

- Historically Camus Sealladh was to be connected only by stand pipe, however the house is currently connected to the township supply and must be included in any observations.
- As no increase in the number of bedrooms is proposed, the same number of people will be using the water supply and no significant difference in usage is expected. The bigger issue appears to be that the house has been unoccupied over recent years.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 36 - Development in the Wider Countryside
- 47 - Safeguarding Inbye/Appportioned Croftland
- 49 - Coastal Development

- 56 - Travel
- 57 - Natural, Built and Cultural Heritage
- 58 - Protected Species
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 77 - Public Access

6.2 West Highland and Islands Local Development Plan 2019

No specific policies apply

6.3 Highland Council Supplementary Planning Policy Guidance

- Access to Single Houses and Small Housing Developments (May 2011)
- Developer Contributions (March 2018)
- Highland's Statutorily Protected Species (March 2013)
- Rural Housing (Dec 2021)
- Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

- Scottish Planning Policy (as amended December 2020)
- National Planning Framework 3

8. PLANNING APPRAISAL

- 8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Determining Issues

- 8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

- 8.3 The key considerations in this case are:
- a) compliance with the development plan and other planning policy
 - b) siting and design
 - c) impact on National Scenic Area designation
 - d) loss of croft land
 - e) Private water supply
 - f) Access and Drainage
 - g) Public Access
 - h) any other material considerations

Development plan/other planning policy

8.4 The site is located outwith any Settlement Development Area or Growing Settlement as defined in the West Highland and Islands Local Development Plan, 2019 (WestPlan); it is in wider countryside. Development proposals in wider countryside must be assessed against policy 36 of the Highland wide Local Development Plan, 2012 (HwLDP) to the extent that they:

- are acceptable in terms of siting and design;
- are sympathetic to existing patterns of development in the area;
- are compatible with landscape character and capacity;
- avoid incremental expansion of one particular development type within a landscape whose distinct character relies on an intrinsic mix/distribution of a range of characteristics;
- avoid, where possible, the loss of locally important croft land; and
- can be adequately serviced.

Rural Housing Supplementary Guidance requires proposals to respect the local character, scenic quality and wider landscape characteristics, be compatible with the existing pattern of development and accord with adjacent land uses, sensitively address site constraints including topography, be compatible with existing servicing and utilities, protect public views over open water, demonstrate sustainable or low energy and impact design principles and provide safe access to the public road network. Subject to compliance with the above criteria, the proposal would accord with the adopted development plan and supplementary planning guidance.

8.5 Policy 47: Safeguarding Inbye/AppORTioned Croftland requires development proposals to minimise the loss of inbye/appORTioned croft land. Housing proposals should be for single houses (with consideration given to the history of development of the croft) and should where possible avoid:

- siting on the better part of a croft in terms of its agricultural value; and
- impeding use of the remaining croftland by virtue of its location.

If proposals do not meet these criteria they will only be deemed acceptable where there exists a proven/recognised wider community interest; and in terms of other policy considerations, such as accordance with settlement pattern or impact on a natural, built or cultural heritage feature, they can be considered acceptable.

8.6 Policy 49: Coastal Development requires development proposals for the coast to not have an unacceptable impact on the natural, built or cultural heritage and amenity value of the area. Generally, development plan policy promotes development on the landward side of the road, where proposals would otherwise interrupt scenic views over open water; unless a coastal position is necessary, or if the effect would conflict with the existing settlement pattern.

8.7 The site is located within the Morar, Moidart and Ardnamurchan National Scenic Area which is a feature designated of national importance. Development proposals will be supported where it can be shown not to compromise the natural environment, amenity and/or heritage resource.

Siting and Design

- 8.8 The development site is situated within the existing low density, loose, linear settlement set along the Kilmory Road. The earlier historic settlement pattern follows the Allt na Teanga watercourse which extends north towards Camus Sealladh. Further dwellings are located along the public road as it extends in a north easterly direction towards Balnaha. Residential properties are loosely scattered and include development to the landward and coastal side of the road. There are a mix of traditional and modern houses generally single to 1¾ storey in height, of rectangular form and finished in white/off-white render with slate roofs. Development at this site is considered to accord with the existing dispersed settlement pattern and would be viewed together with Balnaha Cottage and Torr Soluis to the landward side of the road and Balnaha Crofthouse and Camus Sealladh to the coastal side. Given the siting of properties to both the landward and coastal side and the siting of development set below the public road and against a rocky ridge, a modest single storey house is considered unlikely to significantly adversely impact public views to the coast. A dwelling at this site would be viewed together with Camus Seallach and Balnaha Crofthouse at the coastal side and it is recommended that matters specified in condition include submission and agreement of existing and proposed site sections to ensure the development nestles into the site and does not unacceptably intrude into public views.
- 8.9 The indicative footprint on the site layout plan and supporting information, suggests development set on a square footprint and two storeys in height. The proposed house site would sit against a rocky shoulder of ground, utilising a natural dip, however a square footprint and two storey design is not considered to accord with the existing rural character or distinctiveness of the existing settlement. Planning permission in principle is recommended subject to condition to secure a modest sized dwelling, rectangular in form, up to 1½ storeys in height and finished in traditional materials to ensure a sympathetic fit in this setting.
- 8.10 A concern raised by objectors was the potential overdevelopment of the site, due to the additional planning applications made by the applicant which included an extension to Camus Sealladh and conversion of the byre to the south of Camus Sealladh to a holiday letting unit. The applicant has withdrawn the application to convert the existing byre. It is considered that there is scope to site a modest dwelling at this site, utilising the natural topography, set down in level from the public road, without significantly adversely impacting the rural landscape character. Development of this site and extensions to an existing house within the settlement when considered cumulatively, are not considered to constitute overdevelopment of the area.

Impact on National Scenic Area Designation

- 8.11 The Morar, Moidart and Ardnamurchan National Scenic Area is a large and diverse landscape. The indented rocky coastline of northern Ardnamurchan with its succeeding bays and headlands affords fine views from each successive glen, aligned in the direction of the Small Isles. The volcanic landforms contribute greatly to the character of this shore. The traditional residential pattern follows the Allt na Teanga watercourse to the west with further properties set along the Kilmory Road

as it extends north eastwards to Balnaha. The proposed house site would sit against a rocky shoulder of ground, in a natural dip, seen together with the surrounding low density residential and crofting buildings. It is considered that a single house of modest scale and traditional form and finish could be accommodated within the landscape without unacceptable adverse impact on the National Scenic Area Designation or public views to the coast and Small Isles.

Impact on Croft land

- 8.12 Planning policy offers support for proposals in wider countryside which would avoid siting on the better part of the croft in terms of agricultural value and not impede access to remaining croft land by virtue of its siting. Supporting information submitted by the applicant states that the land impacted is of inferior quality, includes rocky outcrops, poor subsoil and is classified by the Rural Payments as being a "Region 3 less favoured area". There is a difference in opinion, with objectors noting that the land has been used in the past for potatoes, turnips, hayfield and grazing. They see no justification for a croft house, as there is an existing house and byre on the croft and the owners are in breach of crofting law as the croft is not worked. The applicant has advised that the croft will be cultivated as an orchard for fruit, juice and cider and a site visit has been undertaken by the Scottish Government Rural Payments and Inspections Directorate for a deer fencing grant to protect the orchard from deer.
- 8.13 The site does include an area of rocky ground, close to the road and it does not appear that development at this site would unduly restrict access and use of the surrounding croft land. In this respect the application is considered to accord with Policy 47 HwLDP. The Crofting Commission were consulted on this planning application but have not responded to the consultation request. The Crofting Commission's key considerations for planning are that:
- the siting of development does not unreasonably restrict the flexibility to cultivate and move stock on the remaining croft land.
 - The siting of development does not unreasonably restrict access to the remaining croft land and that a minimum of 4m access to all residual area is maintained.
 - The siting of development avoids the better quality soils of the croft.
 - The development does not have a detrimental impact on the area of land available for agricultural activity and therefore on the agricultural viability of the croft.

The Commission will consider proposals in detail at decrofting stage and reserves the right to review the extent to which these issues have been taken into account at the planning stage. In addition, the Crofting Commission will consider the effect of the purpose of the sustainability in the locality of the croft on crofting, the crofting community, the landscape and the environment, the effect of the purpose on the social and cultural benefits associated with crofting. Where the purpose relates to a development of the croft for which planning permission has been obtained, the Commission may, notwithstanding the existence of planning permission, take into account the effect the proposed development would have on the croft, estate and crofting community in the locality of the croft.

Private Water Supply

- 8.14 Three planning applications were originally submitted, including the erection of a house at this site, extensions to an existing house (Camus Sealladh) (planning ref. 21/05869/FUL) and conversion of a byre south of Camus Sealladh, to a letting unit (planning ref. 21/05870/FUL). A significant number of objections were received to all three proposals raising concerns regarding the impact these developments would have on the Kilmory Township private water spring supply. Proposals to convert the byre (planning ref. 21/05870/FUL) have been withdrawn and proposals for alterations and extension of Camus Sealladh are not material to the consideration of this application and are assessed separately.
- 8.15 Private water supply details submitted by the applicant state that there is an existing private water spring supply, known as Cottage Supply, which will serve the proposed dwelling at this site. This private water supply is a separate source from the Kilmory Township Spring Supply. Representations received suggest that Camus Sealladh was historically served by the Cottage Spring Supply, however due to the unreliability of the Cottage Spring supply, Camus Sealladh was added to the separate Kilmory Township Spring Supply. This raises significant concern within the local community that the Cottage Spring supply will prove insufficient/unreliable and as a result the Kilmory Township Spring supply might be used by the applicant to serve this new house. The Kilmory Township Spring supply itself being unsuitable for additional connections being somewhat unreliable, particularly during the drier summer months and carefully managed by the existing stakeholders.
- 8.16 A private water supply report was submitted in support of this application, which included details of the currently undeveloped Cottage Spring Supply, which would require installation of a spring catchment chamber. Estimated yields from the Cottage Spring indicated that there would be sufficient supply to serve the proposed house with a significant margin for fluctuating yields throughout the year. Environmental Health have advised that a more robust water sufficiency report would be required to take into account periods of dry spells and not rely on estimated flow rates from one day, given the number of objections indicating that there are problems with sufficiency of private water supplies in this area, during times of dry weather.
- 8.17 As noted in the letters of representation, the privately owned Kilmory Township supply is managed by mutual agreement of stakeholders and these stakeholders are unwilling to allow any new developments to be added to the Kilmory Township Private Water Supply. The management of private water supplies, owned by the property owners is a civil matter, beyond the remit of the Planning Authority. As permission for a new connection to the Kilmory Township Supply will not be forthcoming, the township supply will remain unaffected by these proposals. Planning permission in principle is recommended subject to planning condition, for the submission and approval of additional private water supply details, to demonstrate the sufficiency of supply, through both winter and summer months. As a new connection to the Township supply is unlikely to be permitted by the private owners, the details pursuant to condition will need to demonstrate the sufficiency of a separate supply e.g. through further evidence of the sufficiency of the Cottage Spring Supply (including storage of water from this supply if required) or an alternative source such as a dedicated borehole.

Access and Drainage

- 8.18 The formation of a new access, including visibility splays and service bay, in line with the Council's guidance Access to Single Houses and Small Housing Developments, will be secured at matters specified in condition stage.
- 8.19 The site is not within an area shown to be at risk of flooding on SEPAs flood risk maps. Details of surface water and foul drainage proposals will be sought at matters specified in condition stage and will be subject to control through building warrant legislation and SEPA CAR regulation.

Public Access

- 8.20 Representations raise concerns that the water supply pipe is proposed to cross under the track which leads through the croft to the shore. This track has established rights of public access and provides access to surrounding crofts and dwellings. The Access Officer has visited the site and has raised no objection to the proposal. As the proposal is close to, and servicing may cross, the access track to the bay which forms part of the wider path network to the foreshore, an informative note to the developer is proposed to advise that works must not encroach or obstruct this track before, during or on completion of development.

Other material considerations

- 8.21 Impact of construction on wildlife has been raised as a concern in letters of objection. There are no species or habitat designations at this site. Impact on breeding birds and other wildlife is controlled under separate legislation. An informative note to the developer is proposed to highlight the developer's responsibilities under this separate legislation.

Non-material considerations

- 8.22 The issues of the developer's motivations for seeking planning permission, loss of private views, previous development in the township and inaccuracies regarding previous development in the township are not material planning considerations.

Matters to be secured by Legal Agreement / Upfront Payment

- 8.23 None

9. CONCLUSION

- 9.1 A single residential dwelling at this site would accord with the low density, dispersed settlement pattern, within the existing township at Kilmory. The site would be set close to the public road with the house utilising a natural hollow, set below the level of the public road and against a rocky shoulder of ground. The siting of a house in this location is not considered to unreasonably restrict access to surrounding croft land.
- 9.2 Planning permission in principle is recommended subject to conditions to control the siting, design and footprint of the house, height (limited 1½ storeys) and material

finishes to accord with the rural character of the site and the surrounding township and to safeguard the wider National Scenic Area designation. Conditions are recommended to secure details of the access, drainage and sufficiency of private water supply at matters specified in condition stage and to ensure public access to the foreshore is maintained.

- 9.3 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

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

11. RECOMMENDATION

Action required before decision issued N

Subject to the above actions, it is recommended to **GRANT** the application subject to the following conditions and reasons:

1. No development shall commence until all of the matters specified below have been approved on application to the Planning Authority:
 - i. a detailed layout of the site of the proposed development (including site levels as existing and proposed); (for the avoidance of doubt the indicative site layout is not approved)
 - ii. the design and external appearance of the proposed development;
 - iii. site sections, existing and proposed;
 - iv. landscaping proposals for the site of the proposed development (including boundary treatments);
 - v. details of access and parking arrangements; and
 - vi. details of the proposed water supply and drainage arrangements.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing.

2. 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 storey or 1½ storeys in height;
- iv. windows with a strong vertical emphasis;
- v. a roof symmetrically pitched of not less than 40° and not greater than 45°; and
- vi. predominantly rectangular in shape with traditional gable ends and an external building span not exceeding 7m.

Reason: In order to reflect the vernacular building tradition of the area and to ensure suitable integration with the landscape setting of the site which is located within the National Scenic Area; in accordance with Policies 28, 29, 36 and 57 of the Highland wide Local Development Plan, 2012.

3. Any details pursuant to Condition 1 above shall show existing and proposed ground levels. A minimum of two cross sections running in a north west to south east direction and a minimum of two cross sections running in a north east to south west direction through the house, access and parking area shall be submitted.

Reason: To ensure suitable integration of development into the landscape setting; in accordance with Policies 28, 29 and 36 of the Highland wide Local Development Plan, 2012.

4. Any details pursuant to Condition 1 above shall show the site access constructed in accordance with The Highland Council's Access to Single Houses and Small Housing Developments guidelines and the attached Access Schedule (dated 21.07.22), with:
 - i. the junction formed to comply with drawing ref. SDB1; and
 - ii. visibility splays of 2.4m x 60m (the X dimension and Y dimension respectively) in each direction formed from the centre line of the junction.

No other development shall commence until the junction has been constructed in full and within the stated visibility splays, at no time shall anything obscure visibility between a driver's eye height of 1.05m positioned at the X dimension and an object height of 0.60m anywhere along the Y dimension.

Reason: To ensure that an adequate level of access is timeously provided for the development, in the interests of road safety and amenity; in accordance with Policies 28, 36 and 56 of the Highland wide Local Development Plan, 2012.

5. Any details pursuant to Condition 1 above shall show a car parking and vehicle turning area within the application site formed in accordance with The Highland Council's Access to Single or Small Housing Developments Supplementary Guidance. Such details shall clearly show parking provision

to serve the dwelling and visitor parking to serve the bike hire business element. The car parking and turning area shall be provided prior to the first use of the development and thereafter maintained as a parking and turning area 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; in accordance with Policies 28, 36 and 56 of the Highland wide Local Development Plan, 2012.

6. Any details pursuant to condition 1 (vi) shall include an appraisal to demonstrate that a sufficient private water supply can serve the development has been submitted to, and approved in writing by, the Planning Authority. The appraisal shall be carried out by an appropriately qualified person(s) and shall include all year round flow rates and specify the means by which a water supply shall be provided and thereafter maintained to the development. Such appraisal shall also demonstrate that the sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, will not be compromised by the proposed development. The development itself shall not be occupied until the approved supply has been installed in accordance with the approved specification.

Reason: To ensure that an adequate private water supply can be provided to meet the requirements of the proposed development and without compromising the interests of other users of the same or nearby private water supplies; in accordance with Policy 28 of the Highland wide Local Development Plan, 2012.

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 59 of the Town and Country Planning (Scotland) Act 1997 (as amended), an application or applications for the approval of matters specified in conditions attached to this planning permission in principle must be made no later than whichever is the latest of the following:

- i. The expiration of THREE YEARS from the date on this decision notice;
- ii. The expiration of SIX MONTHS from the date on which an earlier application for the requisite approval was refused; or
- iii. The expiration of SIX MONTHS from the date on which an appeal against such refusal was dismissed.

The development to which this planning permission in principle relates must commence no later than TWO YEARS from the date of the requisite approval of any matters specified in conditions (or, in the case of approval of different matters on different dates, from the date of the requisite approval for the last such matter being obtained)., whichever is the later. If development has not commenced within this period, then this planning permission in principle shall lapse.

INFORMATIVES

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.

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).

Public Access

Please note, the access track to the bay, which is part of the wider path network to the foreshore, must be kept open and free of obstruction or encroachment before, during and on completion of development.

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 NatureScot 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 NatureScot:

<https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species>

Signature: David Mudie
Designation: Area Planning Manager - South
Author: Christine Millard
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location Plan DOM203HOU-000
Plan 2 - Site Layout Plan DOM203HOU-001

All dimensions to be verified on site.

Any discrepancies in printed drawings to be brought to attention of wd Harley for clarification.

All variations to construction works carried out on site to be brought to our attention prior to carrying out work.

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SCALE BAR 1:500



Project Title:
PROPOSED DWELLING

Site Address:
Camus Sealladh
Ardnamurchan

Dwg Title:
Site Location

Dwg No: dom203Hou-000 Rev:

Scale: VAR Drwn: gb

Date: DEC 21 Chkd:



01877 331708 | office@wdharley.com



All dimensions to be verified on site.

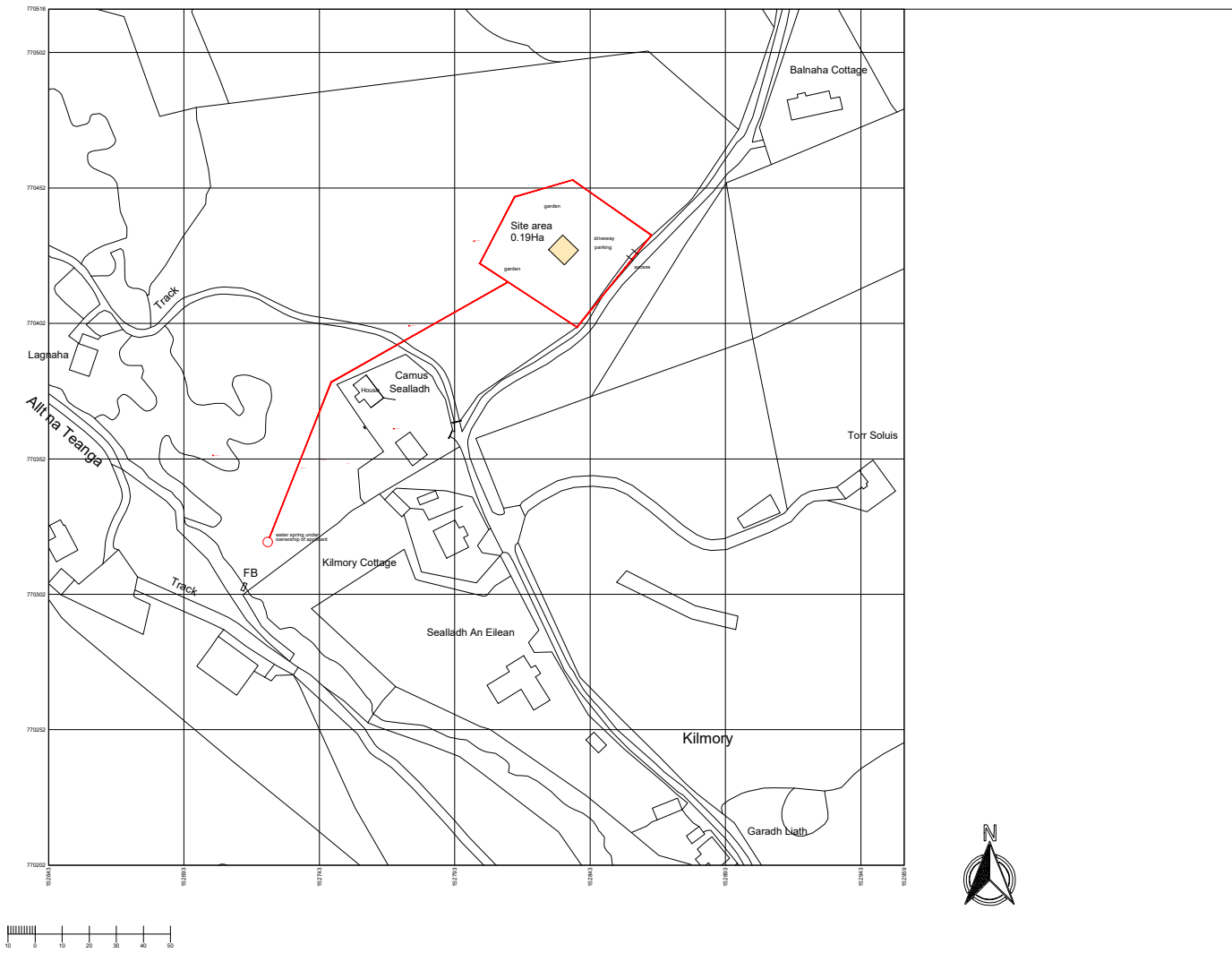
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This map shows the area bounded by 152643 770202,152959 770202,152959 770518,152643 770518,152643 770202
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LOCATION PLAN
1 : 2 5 0 0

Project Title:
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Dwg No: dom203Hou-001

Rev:

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