

Agenda Item	6.4
Report No	PLN-069-22

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 13 September 2022
Report Title: 22/02050/FUL: Mr Sandy Munro
Sonas, Lochussie, Conon Bridge, Dingwall
Report By: Acting Head of Development Management

Purpose/Executive Summary

Description: Erection of 4no. self contained holiday letting units and associated servicing

Ward: 08, Dingwall and Seaforth

Development category: Local

Reason referred to Committee: Ward Members referral

All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

Recommendation

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

1. PROPOSED DEVELOPMENT

- 1.1 The proposal is to erect 4 self contained holiday letting units (glamping pods), along with a communal pergola with BBQ, and the formation of a new car parking area.
- 1.2 The pods will measure 6.2m x 3.9m, and will have a monopitch roof sloping from 3.7m down to 2.8m. There will be an area of decking on the entrance gable which will wrap round the side. The entrance will be recessed into the gable by 1.1m. They will be finished in horizontal timber cladding, with a membrane roof. The communal pergola structure will measure 6.3m x 4.3m, with a turf/sedum roof. All of the structures will be orientated to roughly lie parallel with the site contours, and thus minimise cut and fill.
- 1.3 The existing access into the site will be utilised, with 6 parking spaces formed adjacent to it for those staying in the pods and their visitors / cleaning staff, etc. There is sufficient space to facilitate within curtilage turning and parking. A 2.5m wide granular path will be laid from the parking area to the pods / pergola.
- 1.4 Pre Application Consultation: 21/04464/PREAPP sought pre-application advice in relation to the erection of a row of 4 camping pods. It was advised that Officer support would not be forthcoming, since they were assessed as being unduly intrusive in the landscape setting and failing to reflect the settlement pattern in the locality. It was suggested that there might be scope to pursue a reduced scheme sited to give the feeling of outbuildings to the existing house, Sonas.
- 1.5 Supporting Information: Drainage statement
- 1.6 Variations: none

2. SITE DESCRIPTION

- 2.1 Sonas is an existing detached house located at the junction of the two public roads which run from the A835 to Lochussie. The more major Keithtown road lies to the front (west) of the house, and there are two separate vehicular access points into the site off this road. The more minor public road runs along the north side of the house.
- 2.2 There are a number of existing outbuildings in close proximity to the house. The site itself lies to the rear (east) of the house, and has the appearance of an unused agricultural field although the applicants say that it is disused garden grounds. There is no boundary feature to divide the site from the mown garden grounds more closely associated with the house.
- 2.3 The site is located on a hillside which slopes down from south to north. A minor public road bounds the site to the north. Fields adjoin the site to the south (uphill), and woodland lies to the eastern boundary. The surrounding area is rural farmland.

3. PLANNING HISTORY

- | | | | | |
|-----|----------------|----------------------------------|--------------------|----------|
| 3.1 | 13/00413/FUL | Erection of extensions to house. | Permission granted | 08/03/13 |
| 3.2 | 05/00183/FULRC | Erection of workshop. | Permission granted | 18/10/05 |

4. PUBLIC PARTICIPATION

- 4.1 Advertised: unknown neighbour
Date Advertised: 27/05/22
Representation deadline: 10/06/22
No representations received

5. CONSULTATIONS

- 5.1 Scottish Water has no objection. There is currently capacity in the water treatment works, but no public waste water infrastructure in the vicinity of the site. Private treatment options will be required. Capacity can not be reserved.

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
31 - Developer Contributions
35 - Housing in the Countryside (Hinterland Areas)
44 - Tourist Accommodation
58 - Protected Species
65 - Waste Water Treatment
66 - Surface Water Drainage

6.2 Inner Moray Firth Local Development Plan 2015

Outwith Settement Development Area (SDA) ; within Hinterland. No site specific policies apply.

6.3 Inner Moray Firth Proposed Local Development Plan

Outwith SDA; within Hinterland. No site specific policies apply.

6.4 Highland Council Supplementary Planning Policy Guidance

Access to Single Houses and Small Housing Developments (May 2011)
Developer Contributions (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 2014 (as revised 2020)

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) character of the area
- c) access / parking
- d) drainage
- e) developer contributions
- f) any other material considerations.

Development plan/other planning policy

8.4 Policy 44, tourist accommodation, generally supports proposals for tourist accommodation where the proposal complies with the Plan's policy and related guidance on Housing in the Countryside Policy 35.

8.5 The site lies within the Hinterland where Policy 35 presumes against new housing unless it meets one of the exceptions as detailed in the Rural Housing Supplementary Guidance. These are :

- Where the house is essential for land management/rural business purposes;
- Where the house is for a retiring farmer/rural worker;
- It provides affordable housing to meet a demonstrable local affordable housing need;
- It replaces an existing dwelling which does not meet the requirements for modern living;
- It involves the conversion of traditional buildings / redevelopment of brownfield land;
- It meets the criteria for acceptable expansion of an existing housing group;
- It involves the subdivision of garden grounds.

- 8.6 Since the application is for holiday 'pods', which are minimally proportioned, without separate bedroom / living space, and have no private curtilage, they do not lend themselves to permanent residential accommodation. Accordingly, they are only appropriate for use for holiday letting purposes and unsuitable for permanent residential accommodation, and, although within the Hinterland, Policy 35 does not apply in this instance since they are not classed as 'residential' nor capable of being used as such.
- 8.7 Policy 28 requires (amongst other factors) that development demonstrates sensitive siting and high quality design in keeping with the local character and historic and natural environment, and making use of appropriate materials. Similarly, the Rural Housing Supplementary Guidance requires tourist accommodation to limit landscape and visual impact and take account of amenity considerations. It is therefore important to assess the character of the surrounding area to ascertain whether the proposal will be in keeping, and thus whether it complies with these policy requirements.

Character of the Area

- 8.8 The Lochussie area is characterised by an open and expansive farmed landscape on the hillside, with occasional individual houses. The proposed 4 pods and pergola structure will be scattered in nature within the sloping field, to take account of the site contours. Whilst this helps to minimise the requirement for underbuilding and engineering operations, it provides a scattered form of development. This will be seen in the context of a landscape of individual houses, some with clustered outbuildings. This proposed pattern of individual structures dispersed within a field is not a typical form of development. It will therefore fail to integrate in a satisfactory manner.
- 8.9 Whilst the pods and pergola structure have been sited to be largely hidden from view from the Keithtown public road, they will lie alongside the other more minor public road which bounds the site to the north. There is an existing hedge along this boundary, but the site slopes up from this boundary, resulting in the pods and pergola structure being elevated above the road and thus not hidden by the hedge.
- 8.10 The request for pre-application advice showed a straight row of 4 pods located to the south (uphill) side of the field. It was advised that a row of identical structures would be an uncharacteristic linear feature, prominent from both of the adjacent public roads, and would not be supported at officer level. It was suggested that if the proposal was reduced to one or 2 pods located closer to the existing house, Sonas, to reflect outbuildings associated with the house then this could be supported. Whilst the current location of the pods is lower down the field and largely hidden from the Keithtown public road, they remain prominent from the public road running along the north site boundary, and the more random scattering across the entire field remains inappropriate in that it continues to represent a form of development uncharacteristic in the local environment.
- 8.11 Whilst landscaping, utilising indigenous species, is proposed in order to provide screening, the starting point is to achieve an appropriate form of development which integrates into the landscape setting in a satisfactory manner. Landscaping should be designed to enhance the setting, not to hide an inappropriate form of development. Furthermore, plants take time to establish and grow enough to have a visual impact. The proposed landscaping has been designed primarily to 'soften' the development, providing a hedge in the foreground, and a backdrop of trees. It

will not provide an effective screen to hide the proposal from the northern public road.

- 8.12 The proposal results in an uncharacteristic grouping of 5 structures (4 pods and 1 pergola) within the site. This is viewed in the context of an open and expansive farmed landscape, with occasional individual houses, where any outbuildings are closely associated with the parent house, and clustered adjacent to it. In contrast, these structures are dispersed across and occupy the adjacent open landscape, presenting an inappropriate form of development. Furthermore, the site rises up from the public road which lies along the northern boundary, resulting in the proposed structures being visually prominent in the landscape setting. This is contrary to the provisions of Policy 28 and of the Rural Housing Supplementary Guidance, which both require sensitive siting in keeping with the local character.

Design

- 8.13 The proposed pods will be purpose designed structures, constructed on site, and are not 'caravans' since they are not 'mobile'. They are 6.2m x 3.9m, and will have a monopitch roof sloping from 3.7m down to 2.8m. There will be an area of decking on the entrance gable which will wrap round the side. The entrance will be recessed into the gable by 1.1m. They will be finished in horizontal timber cladding, with a membrane roof..
- 8.14 The communal pergola structure will measure 6.3m x 4.3m, and thus be similarly proportioned to the pods. It will have a turf/sedum roof, supported on a timber post at each corner, in addition to a central post on the long elevation. It will slope down from 3.3m to 3.1m.
- 8.15 The pods and pergola are minimalistic in nature, and have a contemporary appearance, utilising clean lines. The simplistic design and use of timber is generally acceptable.

Access / parking

- 8.16 The existing south access off the Keithtown public road will be utilised. This is to Council guideline SDB2 standard, and is sufficient to accommodate the additional traffic associated with the proposed 4 pods. Visibility is adequate in both directions when exiting the site.
- 8.17 A new area of hardstanding will be formed to the east of the existing hardstanding which provides parking for the house, and this will be sufficiently proportioned to accommodate 6 vehicles parking at right angles to the existing access track. Within curtilage turning is therefore available, to enable vehicles to enter and exit the site in a forward gear. Since the pods are large enough to accommodate a maximum of 2 persons, it is unlikely that more than one parking space per pod will be required. This leaves 2 spaces for visitors / servicing, etc, which is adequate. The existing parking for the house is unaffected by the proposal.
- 8.18 Although the applicant notes in his supporting statement that the intension is to 'attract visitors to the area to enjoy the surrounding natural environment through walks, bike rides and other outdoor activities', no cycle parking is shown on the plans. It would be sensible to provide secure cycle parking if the applicant wishes to attract cyclists. Should the proposal be found capable of support, a condition should be used to secure cycle parking.

Drainage

- 8.19 There is no public waste water sewer in the vicinity of the site. Ground conditions are not suitable for disposal of waste water via a soakaway, so a treatment plant is proposed. This will discharge treated water to the Ussie Burn. A new layby /passing place will also be formed on the public road to the north site boundary to enable the safe parking of vehicles whilst emptying and servicing the treatment plant.
- 8.20 Surface water from the pods will be drained via a stone filled filter trench with the treated water discharging into the Ussie Burn adjacent to the site. The parking area and footpath will be formed using a free draining granular material.

Developer Contributions

- 8.21 Holiday pods do not impact upon the school roll, and therefore no developer contribution is required

Other material considerations

- 8.22 The application site is rough grassland, and is not known to contain protected species. There is woodland to the east site boundary, so there is potential for species resident in the woodland to migrate into the site for foraging purposes. The public road to the north, house to the west, and farmed land to the south limit the potential for protected species to migrate to the site from these areas. Policy 58 requires a protected species survey to be carried out where there is good reason to believe that a protected species may be present on the site. In this instance, there is not good reason to believe that a protected species may be present, and a survey is not required.

There are no other material considerations.

Matters to be secured by Section 75 Agreement

- 8.23 None

9. CONCLUSION

- 9.1 The proposal is contrary to the provisions of Policy 28 (Highland-wide Local Development Plan) and the Rural Housing Supplementary Guidance, both of which require development to achieve sensitive siting in keeping with the local character. Instead, these 5 structures (4 pods and 1 pergola) are dispersed across and occupy the adjacent open landscape, cumulatively presenting an inappropriate form of development in a landscape which is open and expansive in nature, with occasional individual houses and outbuildings closely associated with and clustered next to the parent house. Furthermore, the site rises up from the public road which lies along the northern boundary, resulting in the proposed structures being visually prominent in the landscape setting
- 9.2 A smaller number of pods, located to achieve a visual relationship with the house Sonas, could be viewed as 'outbuildings' to the house and potentially achieve Officer support.

9.3 All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

10. 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 N issued

Notification to Scottish Ministers N

Conclusion of Section 75 Obligation N

Revocation of previous permission N

Subject to the above, it is recommended that planning permission be **REFUSED** for the following reasons:

Reasons for Refusal

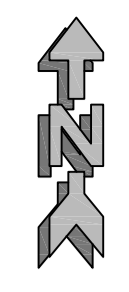
1. The proposal is contrary to the provisions of Policy 28 (Highland-wide Local Development Plan) and the adopted Rural Housing Supplementary Guidance, both of which require development to achieve sensitive siting in keeping with the local character. Instead, these proposed 5 structures (4 pods and 1 pergola) are dispersed across and occupy the adjacent open landscape, cumulatively presenting an inappropriate form of development in a landscape which is open and expansive in nature, with occasional individual houses and outbuildings closely associated with and clustered next to the parent house. Furthermore, the site rises up from the public road which lies along the northern boundary, resulting in the proposed structures being visually prominent in the landscape setting contrary to the requirements of the aforementioned policies.

REASON FOR DECISION

All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies

contained within the Development Plan and is unacceptable in terms of applicable material considerations.

Designation: Area Manager North
Author: Susan Hadfield
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - 2021 080-001 location/site layout plan
Plan 2 - 2021 099-015 pod floor plan/elevations
Plan 3 - 2016 030-199 floor/elevation plan
Plan 4 - CTCH-J4337-002 drainage layout plan



- NOTES:-**
1. Drainage to be constructed, installed & tested in accordance with the recommendations in BS EN 752:2017, BS EN 1610:2015, CIRIA C753, SEPA Regulatory Method WAT-RM-03 and SEPA GBR10.
 2. A minimum of 600mm cover to be provided to all pipework within garden/landscaped areas, a minimum of 900mm below any parking area and a minimum of 1200mm below any road. Concrete slab protection to be provided where minimum cover below road is not achievable.
 3. The functionality of any gravity drainage shown is dependant on achieving the minimum allowable gradients.
 4. Refer to the Architect's drawings for the final size, position and layout of the proposed dwelling. Also for position of the roof water down-pipes and internal foul drainage outlets.
 5. Foul drainage discharge shown is subject to final approval from SEPA.
 6. Position of existing services must be accurately located on site prior to construction work commencing.

- LEGEND:-**
- New uPVC foul sewer (arrowhead denotes direction of flow)
 - New uPVC surface water sewer (arrowhead denotes direction of flow)
 - New uPVC combined treated water outfall pipe
 - New rodding point terminal
 - New 450mm Ø uPVC inspection chamber (maximum depth 1.2m)
 - New 500mm Ø polypropylene silt trap manhole with 450mm sump (by Wavin or equal & approved)
 - Approximate location of existing Scottish Water water main
 - Approximate location of existing Openreach telecom infrastructure
 - Approximate site boundary
 - TP1 Indicates approximate position of trial pit/percolation test (carried out 01/04/2022)

Site Layout:
Proposed Holiday Pods at Sonas, Lochuissie
 Drainage Layout Plan

LAND & BUILDING SURVEYING
 SETTING OUT ENGINEERS
 CIVIL ENGINEERING DESIGN
 LASER SCANNING SERVICES

HYDROGRAPHIC SURVEYING
 VOLUMETRIC SURVEYING
 DIMENSIONAL CONTROL SURVEYING
 AUTOCAD DRAUGHTING SERVICES

TORE OFFICE: FOINAVEN, TORE, MUIR OF ORD, ROSS SHIRE, IV8 7SD
 INVERNESS OFFICE: SUITE 2A, ETIVE HOUSE, BEECHWOOD BUSINESS PARK, INVERNESS, IV2 3BW
 ADDITIONAL CONTACT INFO: E-mail: client@caintechltd.com, Mob: 07748 68509, WEBSITE: http://www.caintechltd.com

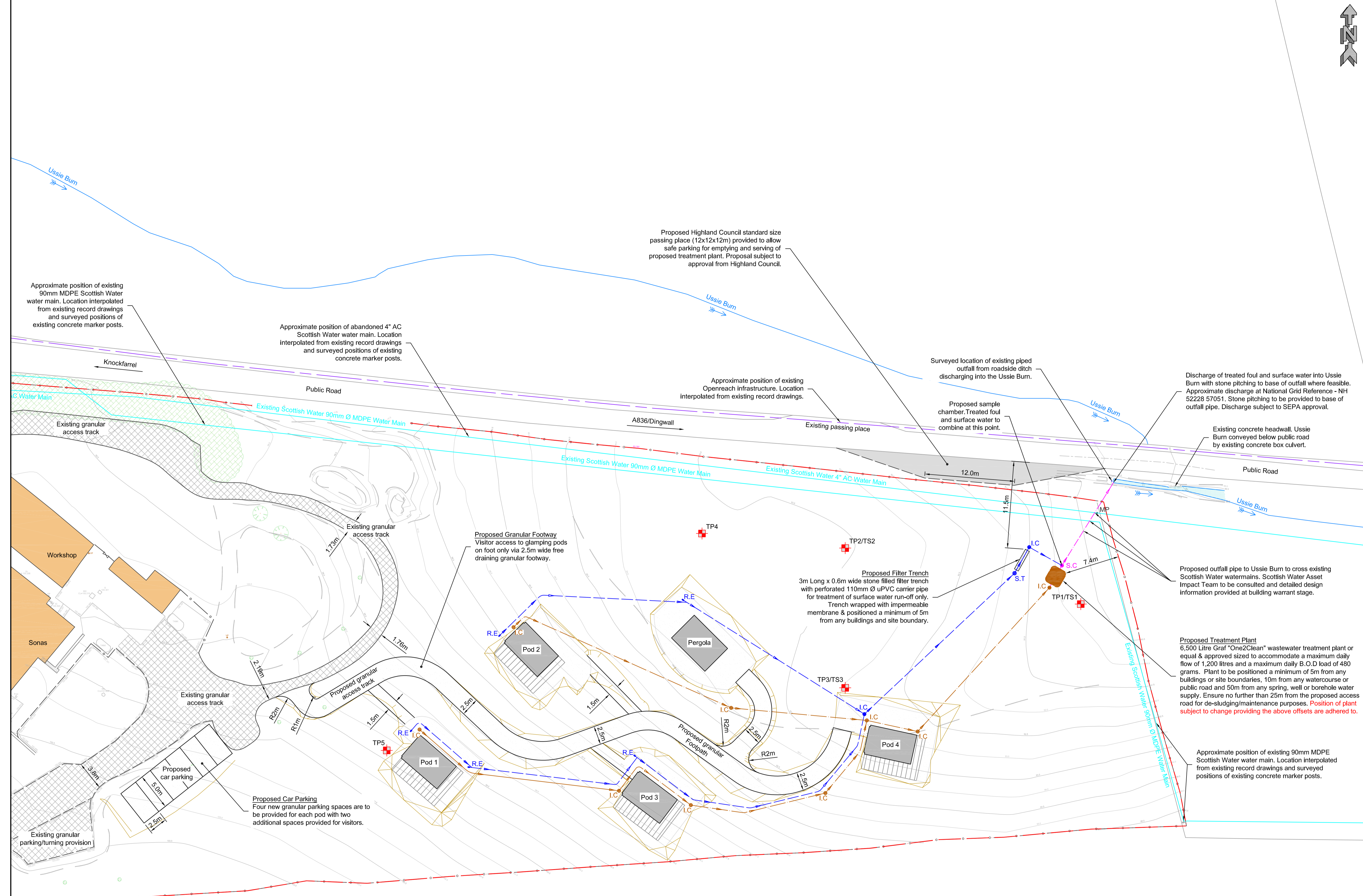
Tel: 01463 811400 Tel: 01463 545000

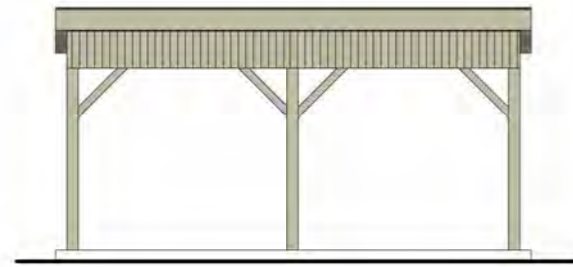
Client: **Mr S. Munro**

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CM	KGT	JDS	13/12/2021

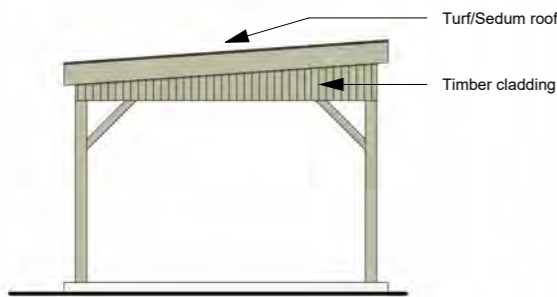
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	27/04/2022
	Drawing Scale: 1:250 @ A1
Drawing No: CTCH-J4337-002	

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• Co-ordinates are to National Grid. (GPS Network)	J4337	

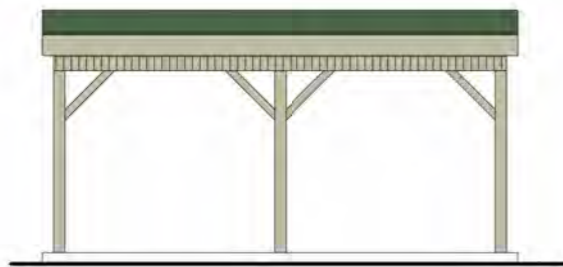




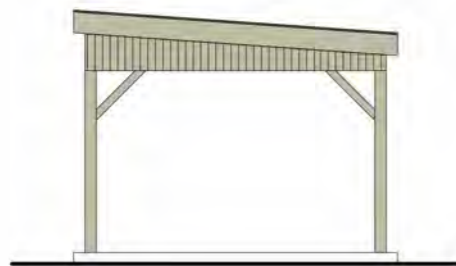
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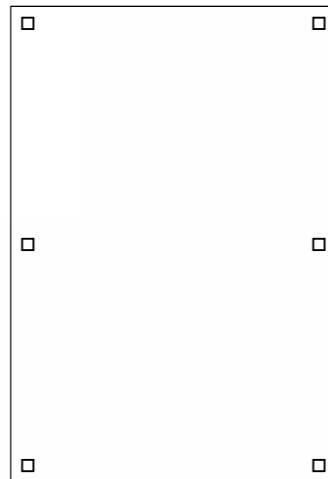
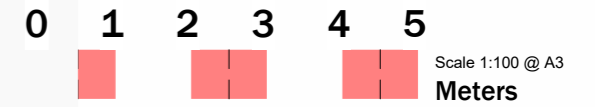
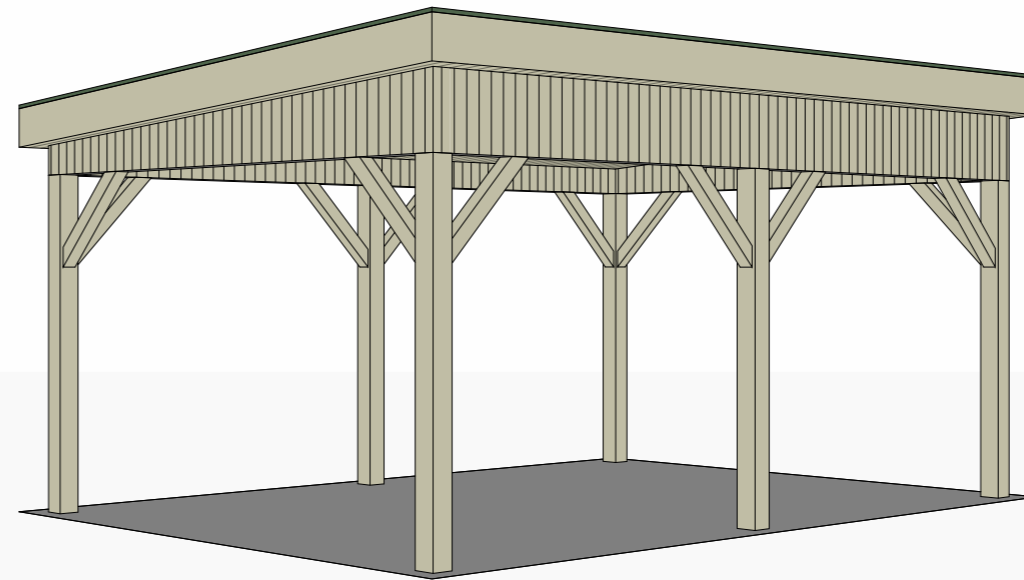
North
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East
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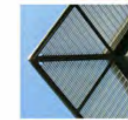


South
1 : 100



Ground floor
1 : 100

For discussion



reynolds architecture ltd.
1 tulloch street, dingwall. IV15 9JY
tel. 01349 867766 fax. 01349 867769
www.reynolds-architecture.com

No.	Description	Date

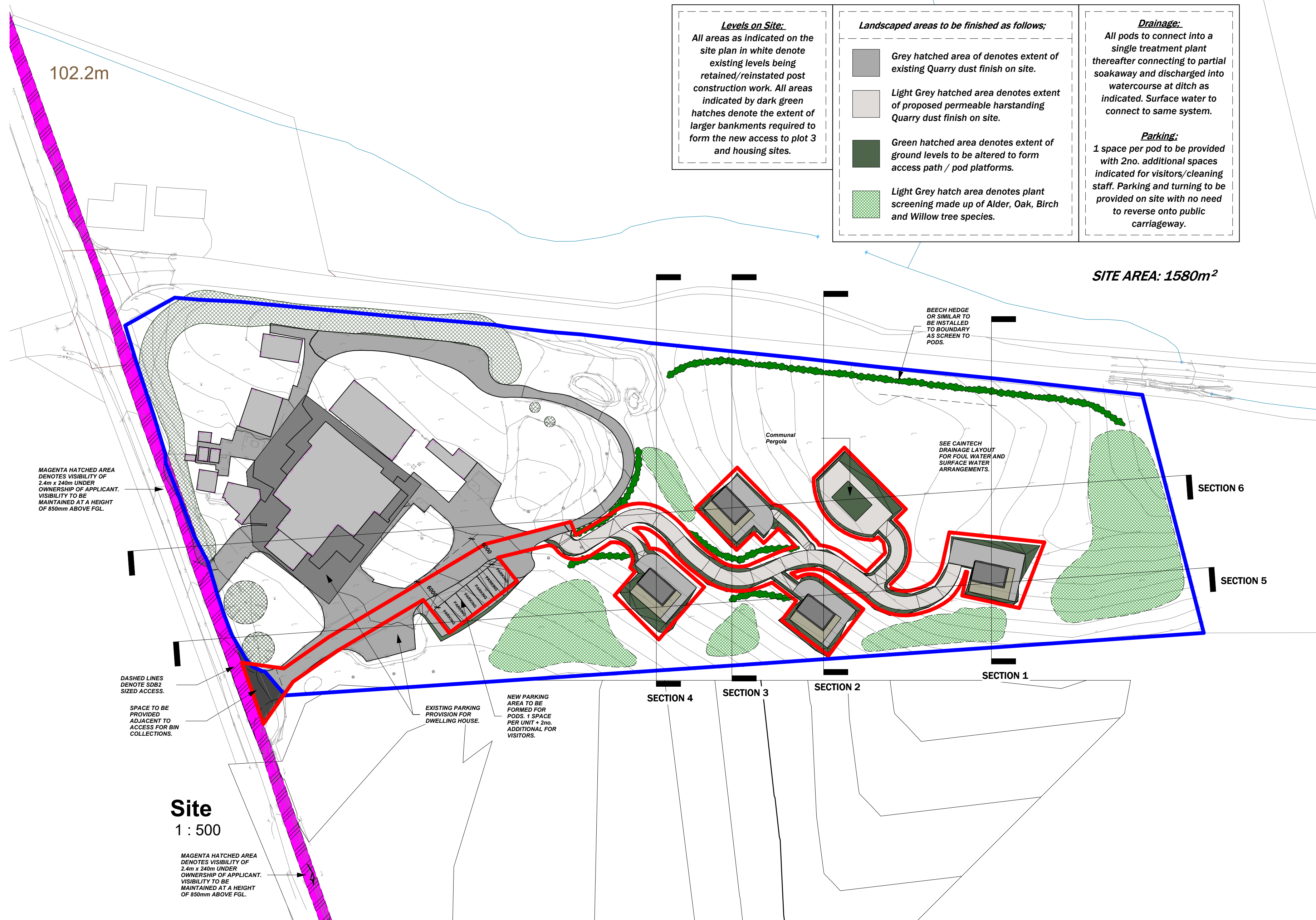
Kenneth Mackenzie
Cafe Shelter, Mount Gerald

External Canopy West

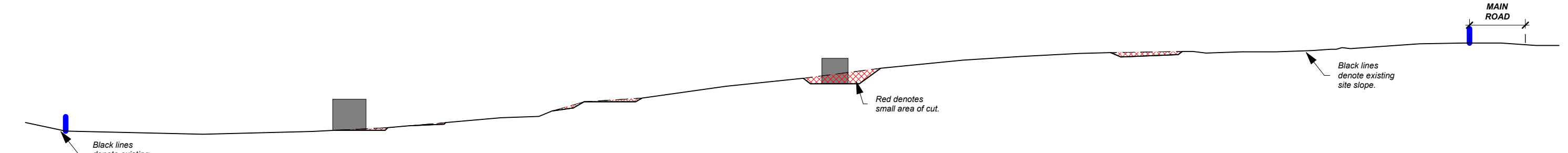
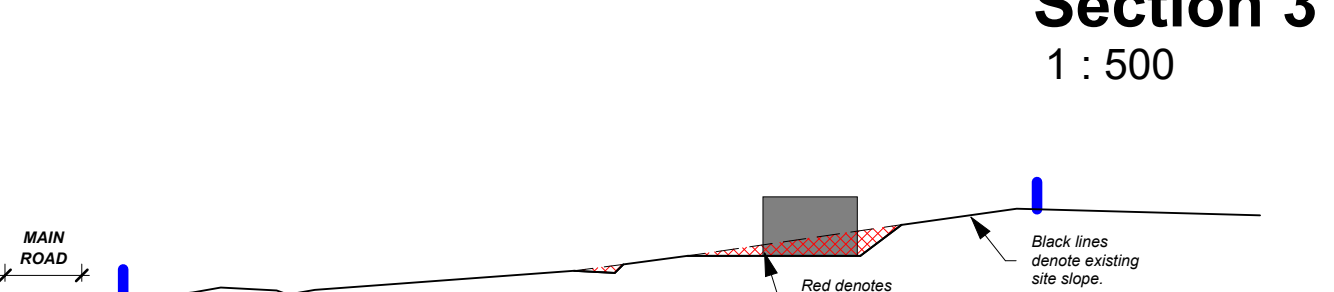
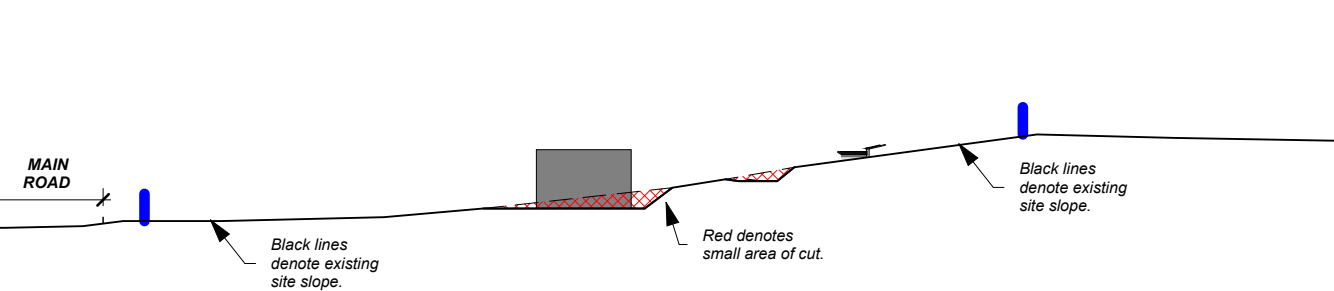
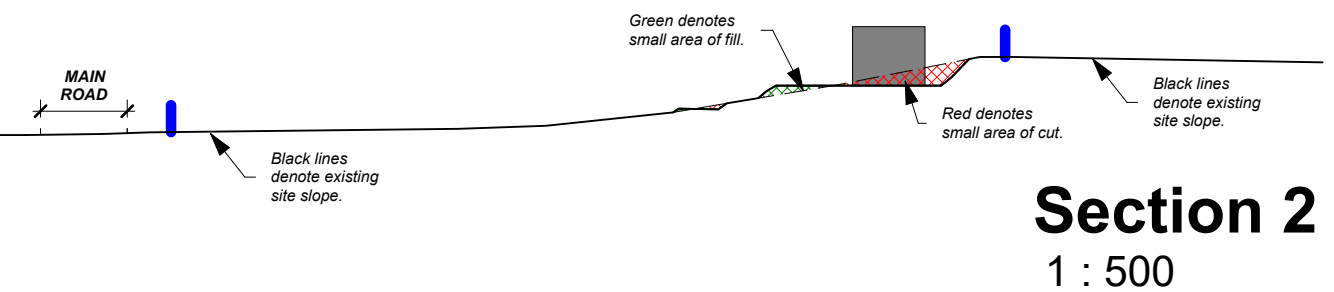
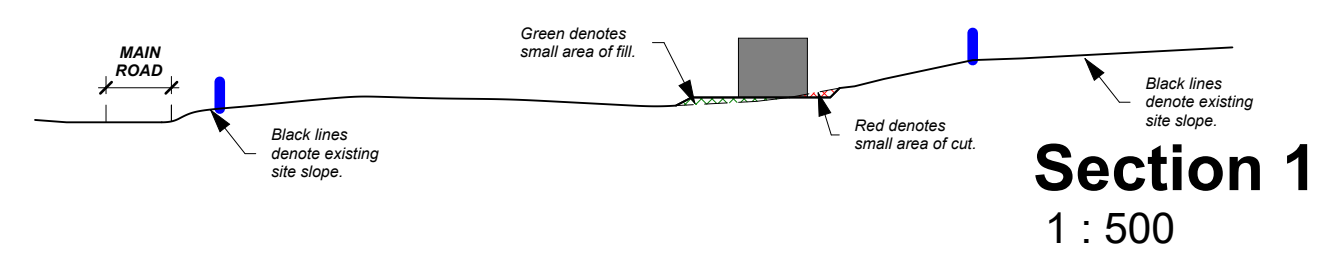
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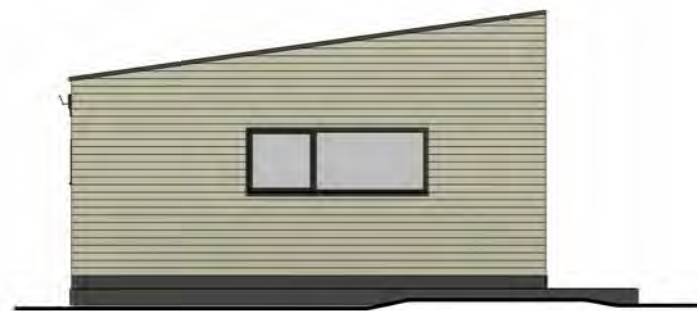
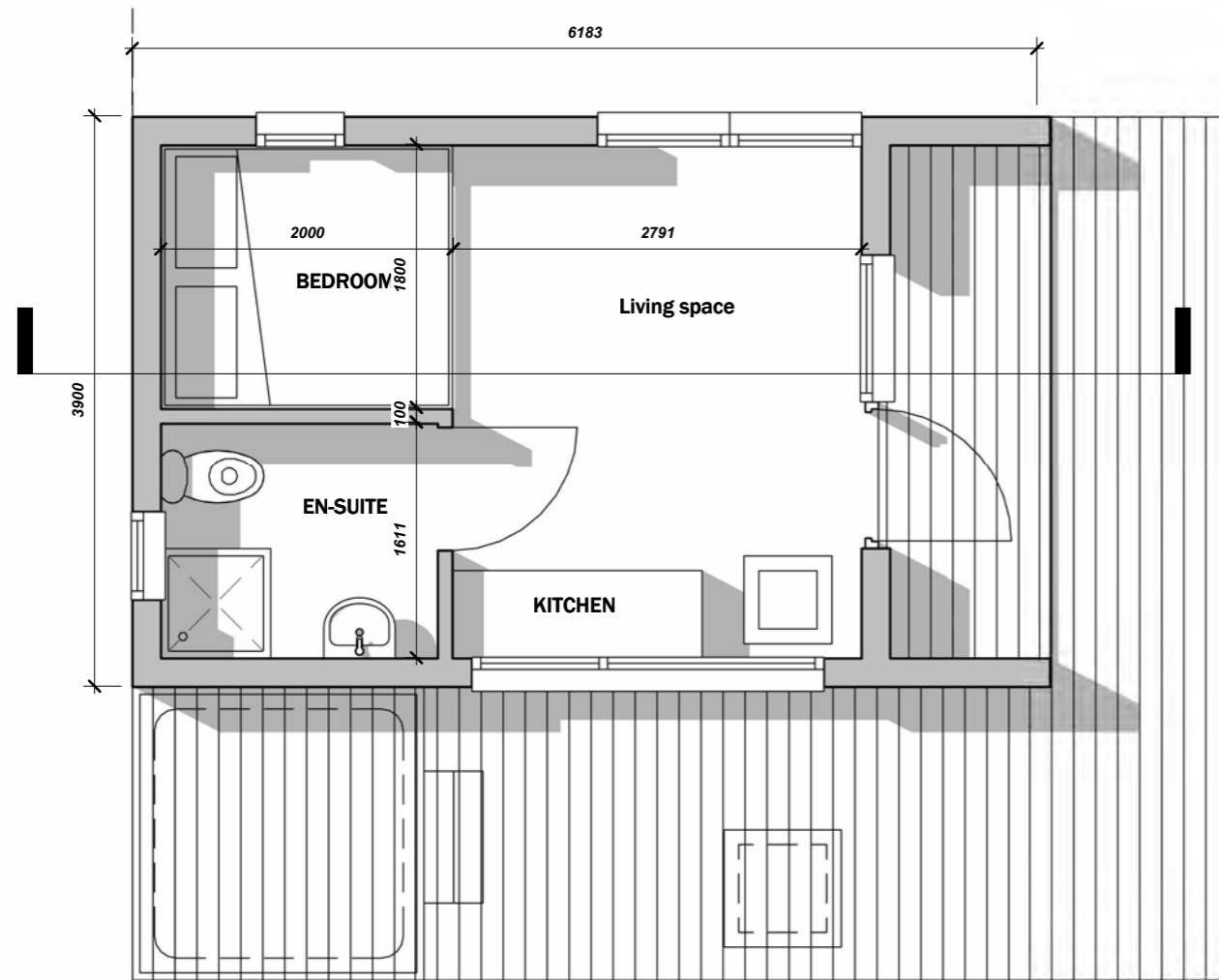
Site
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For planning		
 reynolds architecture ltd. 1 tulloch street, dingwall, IV15 9JY tel. 01349 867766 www.reynolds-architecture.com		
No.	Description	Date
	Mr Sandy Munro	
	Erection of holiday pods, "Sonas", Loch Ussie, By Dingwall	
	Site & Location Plan	
Date		03.05.22
Drawn by		RS
	2021 080 - 001	
Scale		As indicated
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Material Specification:

- Walls - Horizontal timber cladding
Horizontal timber cladding painted black
- Door - Pre-finished black
- Windows - Pre-finished black
- Roof - Membrane roof with aluminium capping
- Eaves - UPVC rainwater goods



Front
1 : 100



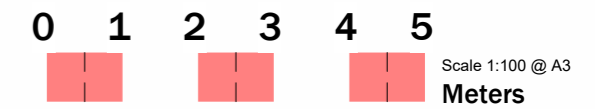
Rear
1 : 100




Side 1
1 : 100



Side 2
1 : 100



For Planning		
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Rev	Description	Date
Mr Sandy Munro		
Erection of holiday pods, "Sonas", Lochussie, By Dingwall		
(Proposed) Pods		
Date	03.05.22	
Drawn by	RS	
Scale	As indicated	
2021 099 - 015		
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