

Agenda Item	6.2
Report No	PLS-21-23

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 22 March 2023

Report Title: 22/03477/FUL: The Strathearn
Strathearn Community Centre, Tomatin, Inverness IV13 7YN

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Erection of extension and 2no canopies

Ward: 19 – Inverness South

Development category: Local

Reason referred to Committee: Manager's discretion

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 is sought for the erection of a store extension and plant room extension to the side (south elevation) of the existing Strathdearn Community Centre, along with the erection of two door canopies on the western elevation.
- 1.2 The proposed store extension would be finished in Cedral cladding and the plant room will feature an acoustic fence. The two canopies, which would extend out approximately 1.2 metres from the building, feature timber slat infills to their sides.
- 1.3 The new plant room will make provision for a bunded 2500 litre tank and a diesel generator with acoustic cover.
- 1.3 Pre-Application Consultation: Not applicable.
- 1.4 Supporting Information: None.
- 1.5 Variations: Amendment to existing plant room to provide an acoustic fence enclosure for a diesel generator.

2. SITE DESCRIPTION

- 2.1 The site forms part of a wider community hub development with the main community centre building having been granted planning permission in 2017. It is located on the eastern side of the main road through the village of Tomatin. The main community centre building is located on the eastern side of the wider site, is two storeys in height with a slate asymmetrical roof that slopes down to single storey on the western elevation. The walls are finished with vertical timber cladding.
- 2.2 To the north of the main building is the Millenium Hall, constructed in 2000. The car park for the wider site is located to the northwest of the main building, and to the south of the car park, and west of the main building, is a covered outdoor sports area.
- 2.3 There are a number of residential properties in the vicinity of the community hub development, located to the north, south, and to the west of the main road through the village. An area of woodland lies to the east and there is a narrow belt of trees within the site forming the southern boundary of the community hub development.

3. PLANNING HISTORY (RELEVANT TO THIS APPLICATION)

- | | | | |
|-----|------------|---|-----------------------------|
| 3.1 | 17.02.2017 | 16/03510/FUL: Erection of new community hub building with change of use and alterations to existing millennium hall | Planning Permission Granted |
|-----|------------|---|-----------------------------|

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Unknown Neighbour
Date Advertised: 19.08.2022

Representation deadline: 02.09.2022

Timeous representations: 1 representation from 1 household

Late representations: 9 representations from 8 households

4.2 Material considerations raised are summarised as follows:

- a) The proposals include the standby generator which is required for the facility when in use as a resilience centre in the event of local power outages etc. The canopies are to protect the doorway/exits in the event of inclement snow which can make access difficult;
- b) The proposed extension and standby generator are not required and would generate additional noise to the detriment of the amenity of nearby neighbours. During times of occasional severe weather, it is not possible for members of the community to travel to the building; and
- c) The proposed extension will result in overdevelopment of the site. The existing building should be reconfigured internally to create any additional space required;

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 **Strathdearn Community Council:** No comment to make on the proposals.

5.2 **Environmental Health:** Initially objected due to lack of information. Concerns were expressed that the operation of the generator could result in excessive noise for occupants of the nearest property. Environmental Health advised that if the applicant was to install a solid acoustic fence around the generator, this would reduce noise levels and allow them to withdraw their objection. The applicant has subsequently amended the plans to include an acoustic fence enclosure.

6. DEVELOPMENT PLAN POLICY

6.1 National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers and published on 13 February 2023. It is now part of the statutory development plan, while also replacing NPF3 and Scottish Planning Policy.

6.2 The following Development Plan policies are relevant to the assessment of the application

6.3 National Planning Framework 4

14 – Design, quality and place

6.4 Highland Wide Local Development Plan 2012

28 - Sustainable Design
29 - Design Quality & Place-making
34 – Settlement Development Areas

6.5 Inner Moray Firth Local Development Plan 2015

No specific policies apply.

6.6 Inner Moray Firth 2 Proposed Local Development Plan 2023

No specific policies apply.

6.7 Highland Council Supplementary Planning Policy Guidance

None.

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 None.

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, layout, and design of the development
- c) Impact on residential amenity
- d) any other material considerations.

Development plan/other planning policy

8.4 The site lies within the Settlement Development Area of Tomatin where proposals will be supported where they meet the requirements of Policy 28: Sustainable Design of the Highland-wide Development Plan. In principle the development complies with the Development Plan.

8.5 Development Plan policy is supportive of proposals that demonstrate sensitive siting and high-quality design, and do not adversely impact on individual and community residential amenity. Subject to the proposal having no significant detrimental impact on visual and residential amenity, the proposal would comply

with the Development Plan.

Siting, layout, and design of the development

- 8.6 The existing community hub main building is approximately 37 metres in length and 16.5 metres wide. The proposed extension would be erected on the southern gable elevation on a small area of open ground where trees along the boundary afford a degree of screening from the nearest residential property. The extension itself would be almost the same width as the main building measuring approximately 16.3 metres and extending out approximately 4.2 metres from the building. Its height is approximately 3.3 metres. Cedar cladding is proposed for the store section of the extension, with the plant room enclosed with a solid acoustic fence. The proposed timber canopies raise no issues in terms of design.
- 8.7 Subject to a condition requiring full details of the external finishes for the development, the proposals are considered to be acceptable in terms of siting, design, and layout.

Impact on residential amenity

- 8.8 It is noted that the operation of the generator could have an adverse impact on the residential amenity of occupants of nearby residential properties. However, changes to the proposal, to include a solid acoustic fence, will mitigate this.

Other material considerations

- 8.9 There are no other material considerations relevant to the determination of this application.

Non-material considerations

- 8.10 The issue of the need for additional storage and the increased costs associated with it are not material planning considerations. It is for the operator to determine if additional space is required and to factor in the costs associated with it.
- 8.11 Similarly, concerns that there is a lack of car parking at the site resulting in cars being parked on the roadside is not a material planning consideration in the determination of this application. It is acknowledged that there are clearly wider issues associated with the use of the community hub, however it is outwith the scope of this planning application for those matters to be addressed.

Matters to be secured by Section 75 Agreement

- 8.12 None.

9. CONCLUSION

- 9.1 The proposed development is minor in scale and raises no issues in terms of siting and design. The extension itself is of modest scale in comparison to the main building and will be located on the southern elevation where there will be no visual impact arising from it.

- 9.2 Subject to the conditions appended to this report, the development is considered to be acceptable.
- 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

Notification to Scottish Ministers N

Conclusion of Section 75 N
Obligation

Revocation of previous N
permission

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

1. 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.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. No development or work shall commence until a detailed specification for all proposed external materials and finishes has been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt, this shall include full details of the solid acoustic fence. Thereafter, development and work shall progress in accordance with these approved details.

Reason: To enable consideration of these matters in detail, in the interests of 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.

INFORMATIVES

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.

Mud & 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.

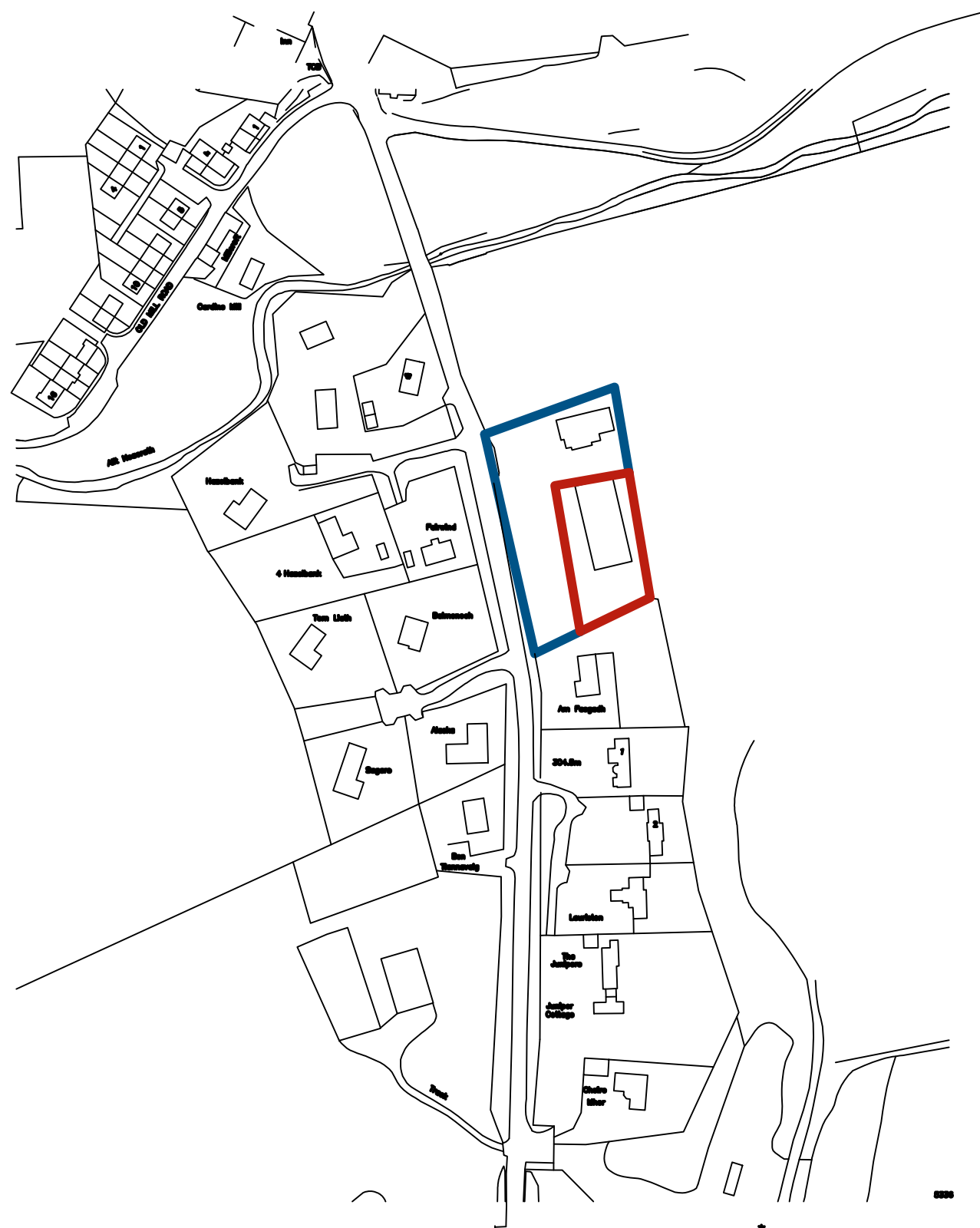
Protected Species – Halting of Work

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: John Kelly
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Location Plan
Plan 2 – Proposed Site Layout Plan
Plan 3 – Proposed Elevation/Section Plan
Plan 4 – General Plan – Proposed Ground Floor
Plan 5 – General Plan – Proposed Canopies

Verify all dimensions and levels.

Do not scale from this drawing.
This drawing is to be used in
conjunction with the consultants
drawings and the specification.
Any discrepancies to be referred
to the Architect.



Rev	Date
Drawing status	
PLANNING & WARRANT	
Client	
STRATHDEARN HUB	

Project
PROPOSED EXTENSION TO
STRATHDEARN HUB, TOMATIN

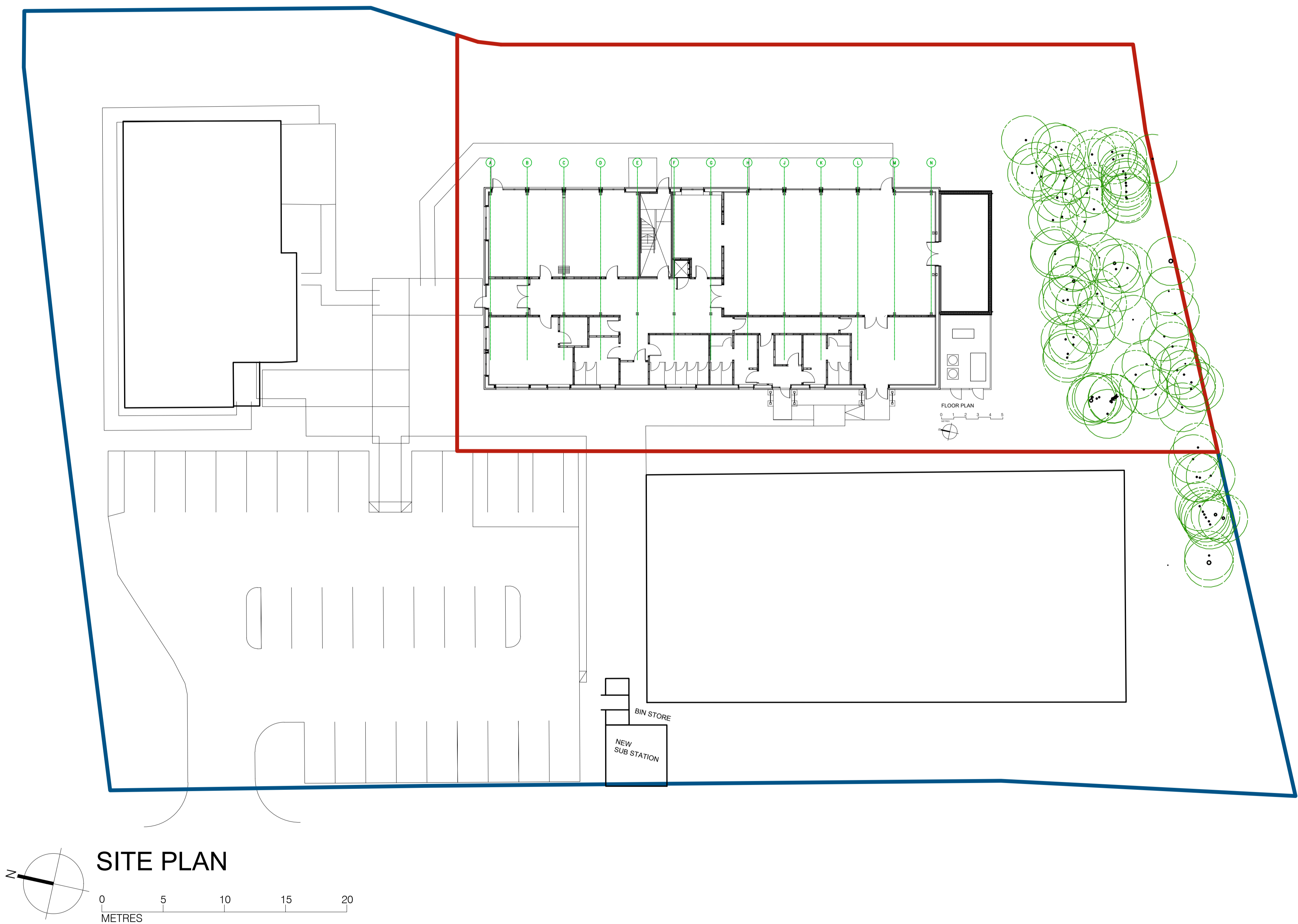
Detail
LOCATION PLAN

Drg No	Rev
2211-001	
Scale	Date
1/2500@A3	JUL 22
Drawn	Checked
JB	

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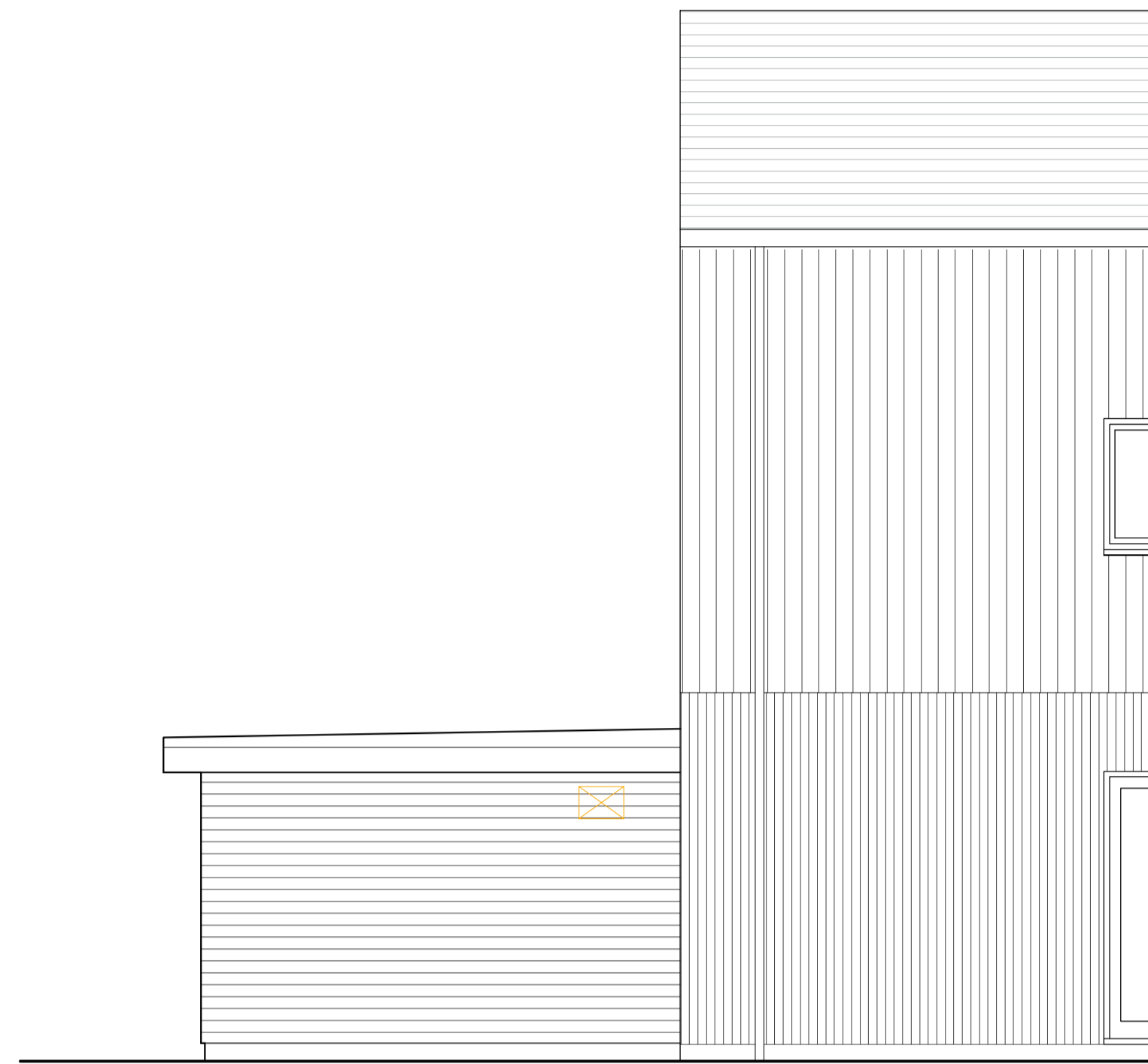
Rev	Date
Drawing status	
PLANNING & WARRANT	
Client	
STRATHDEARN HUB	

Project
PROPOSED EXTENSION TO
STRATHDEARN HUB, TOMATIN

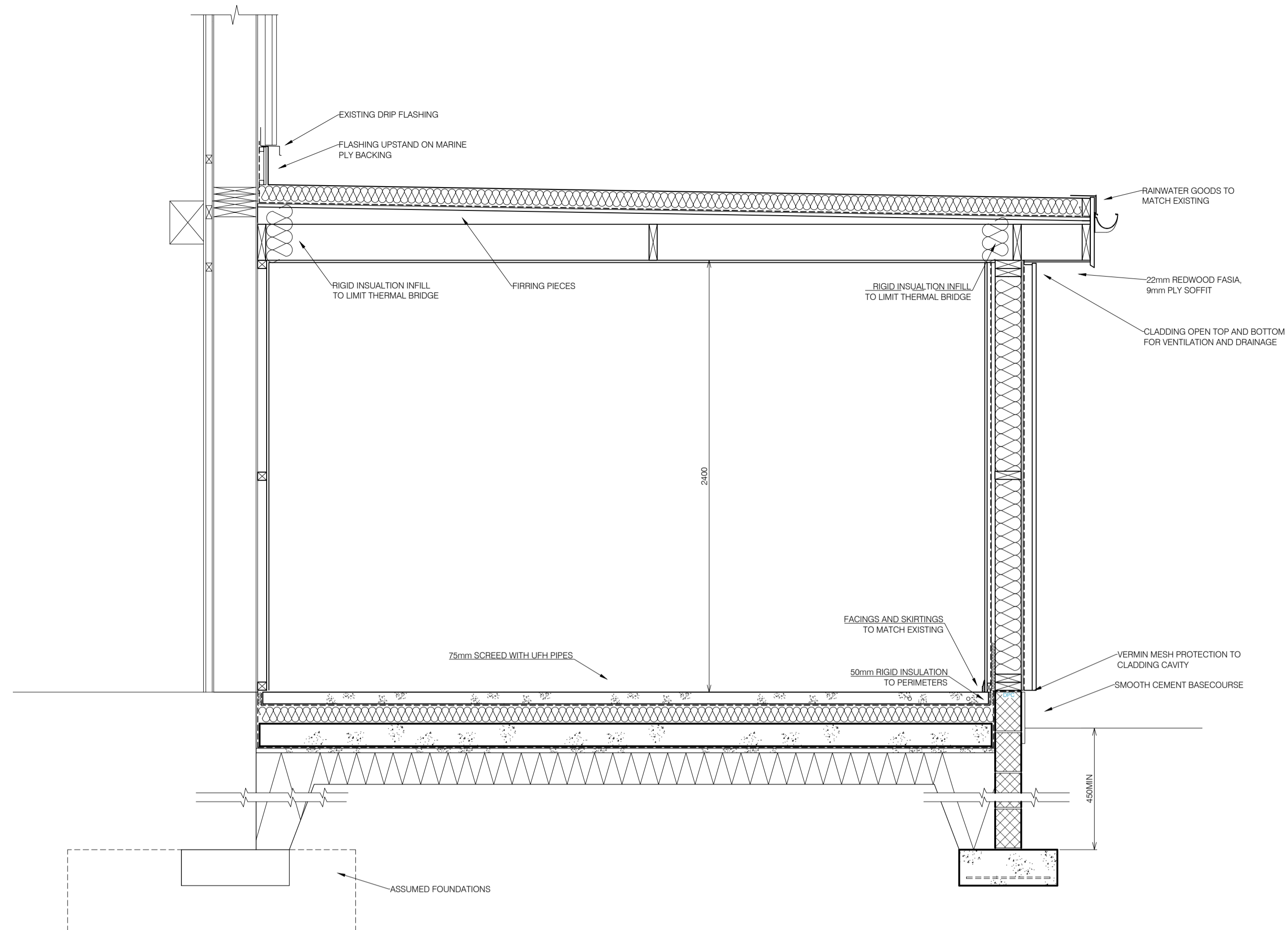
Detail
PROPOSED SITE PLAN

Drg No	Rev
2211-004	
Scale	Date
1/200@A1	JUL 22
Drawn	Checked
JB	

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EAST ELEVATION

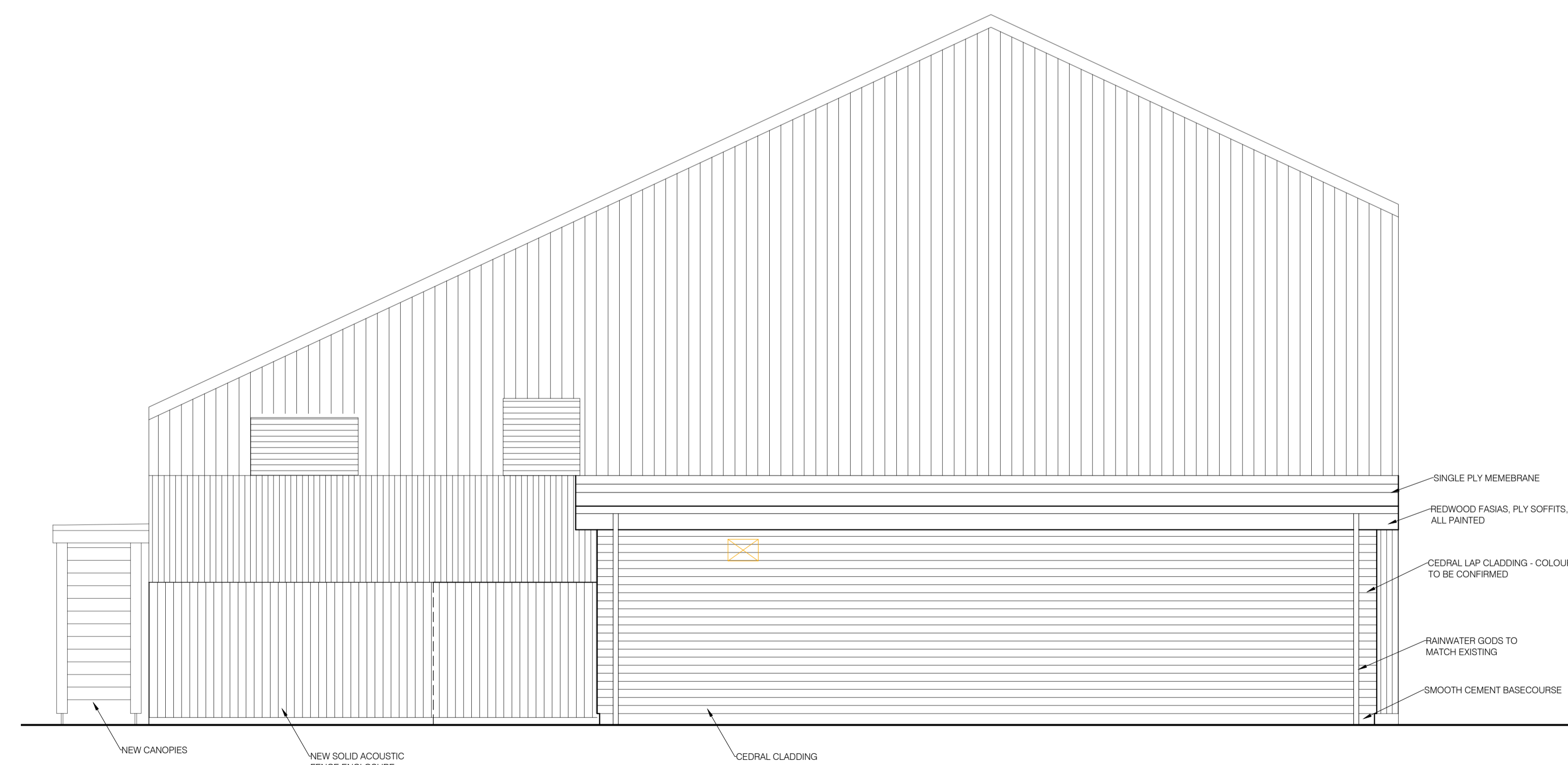


SECTION AA

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WEST ELEVATION



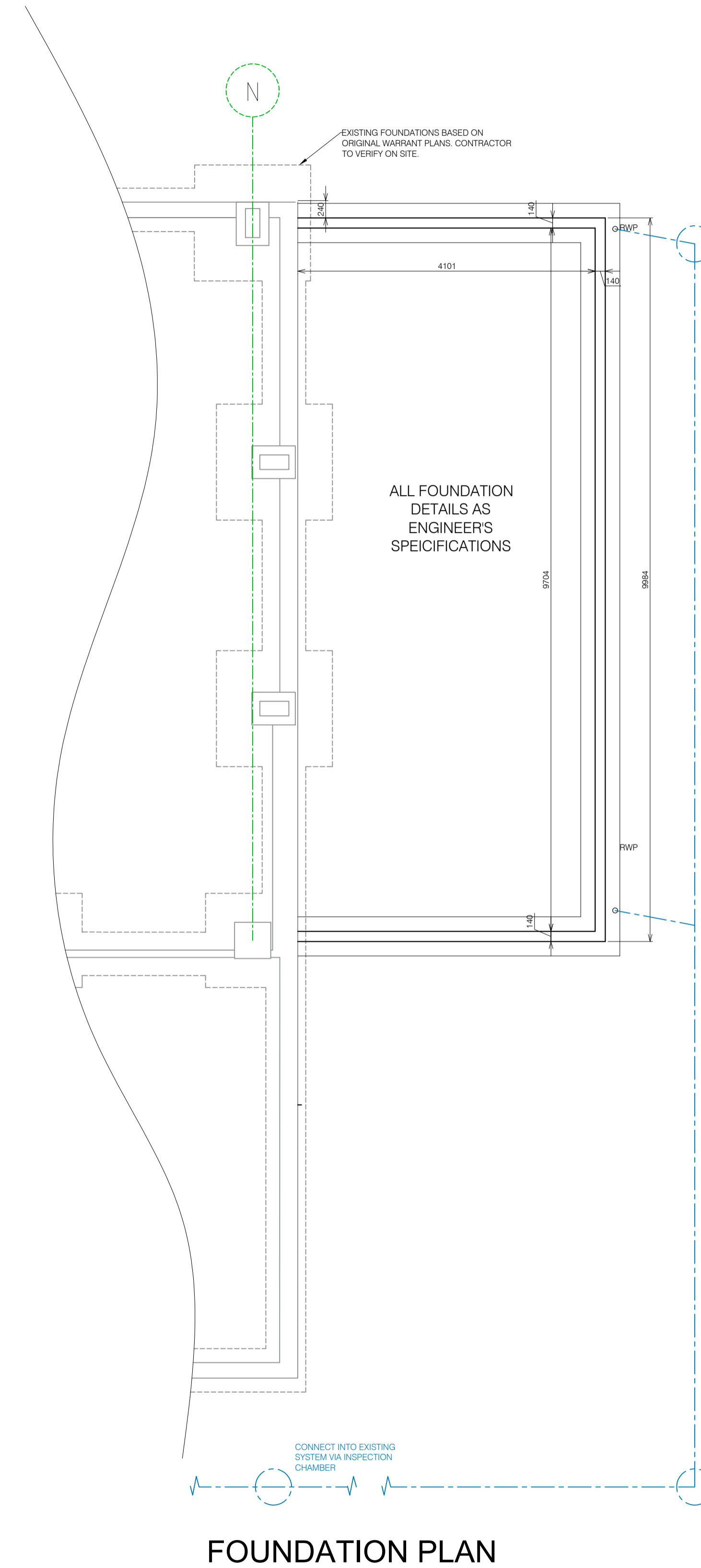
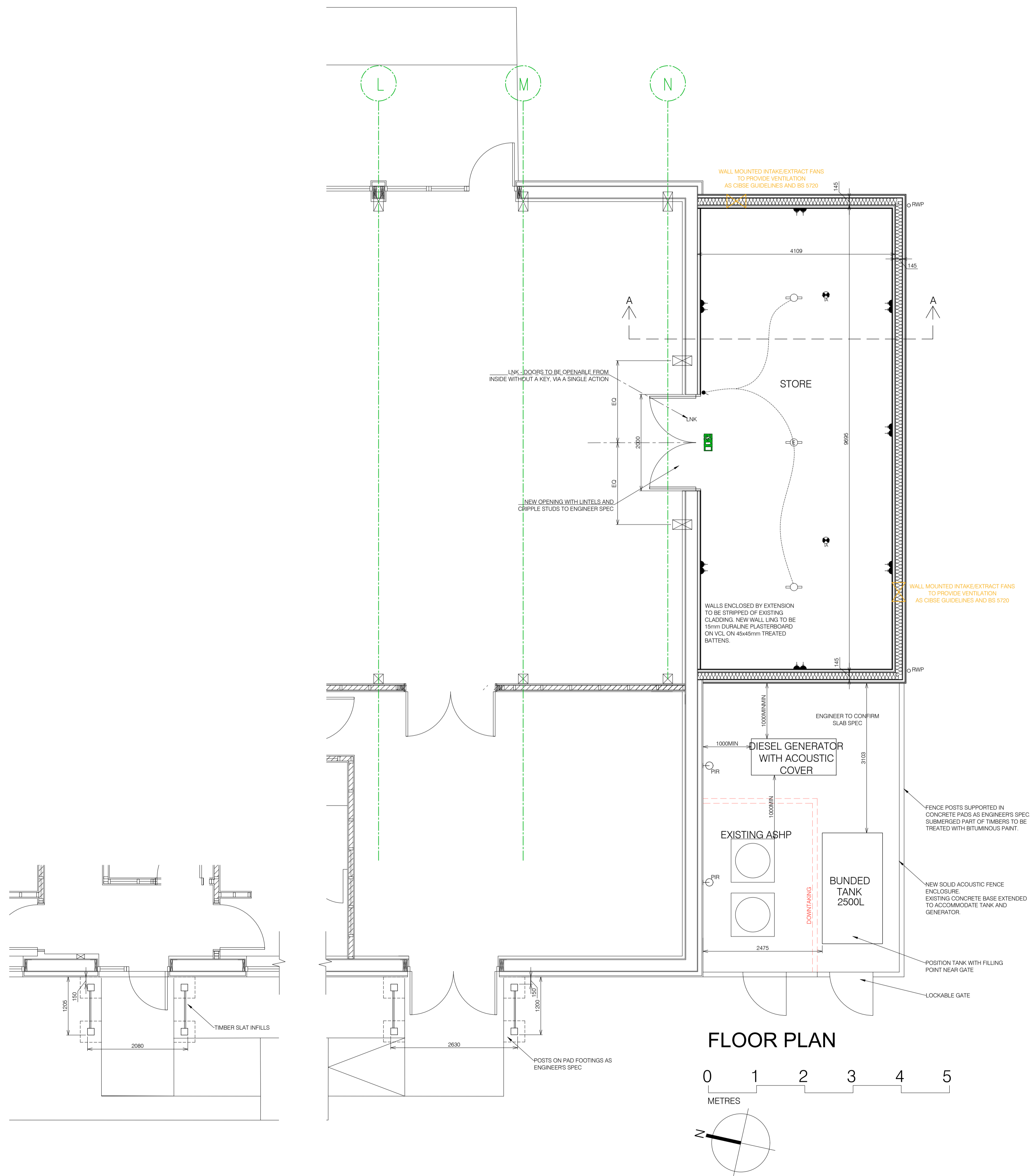
SOUTH ELEVATION

B:11/23 ACOUSTIC FENCE ENCLOSURE SPECIFIED	
A:14/22 ROOF/WALL JUNCTION ALTERED	
Rev	Date
Drawing status PLANNING & WARRANT	
Client STRATHDEARN HUB	
Project PROPOSED EXTENSION TO STRATHDEARN HUB, TOMATIN	
Detail PROPOSED ELEVATIONS AND SECTION	
Drg No 2211-002	Rev B
Scale 1/50&1/20@A1	Date JAN 23
Drawn JB	Checked

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B:11/23
ACOUSTIC FENCE ENCLOSURE SPECIFIED
A:14/22
FOUNDATION ALTERED

Rev	Date

Drawing status	PLANNING & WARRANT
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Client
STRATHDEARN HUB

Project
PROPOSED EXTENSION TO
STRATHDEARN HUB, TOMATIN

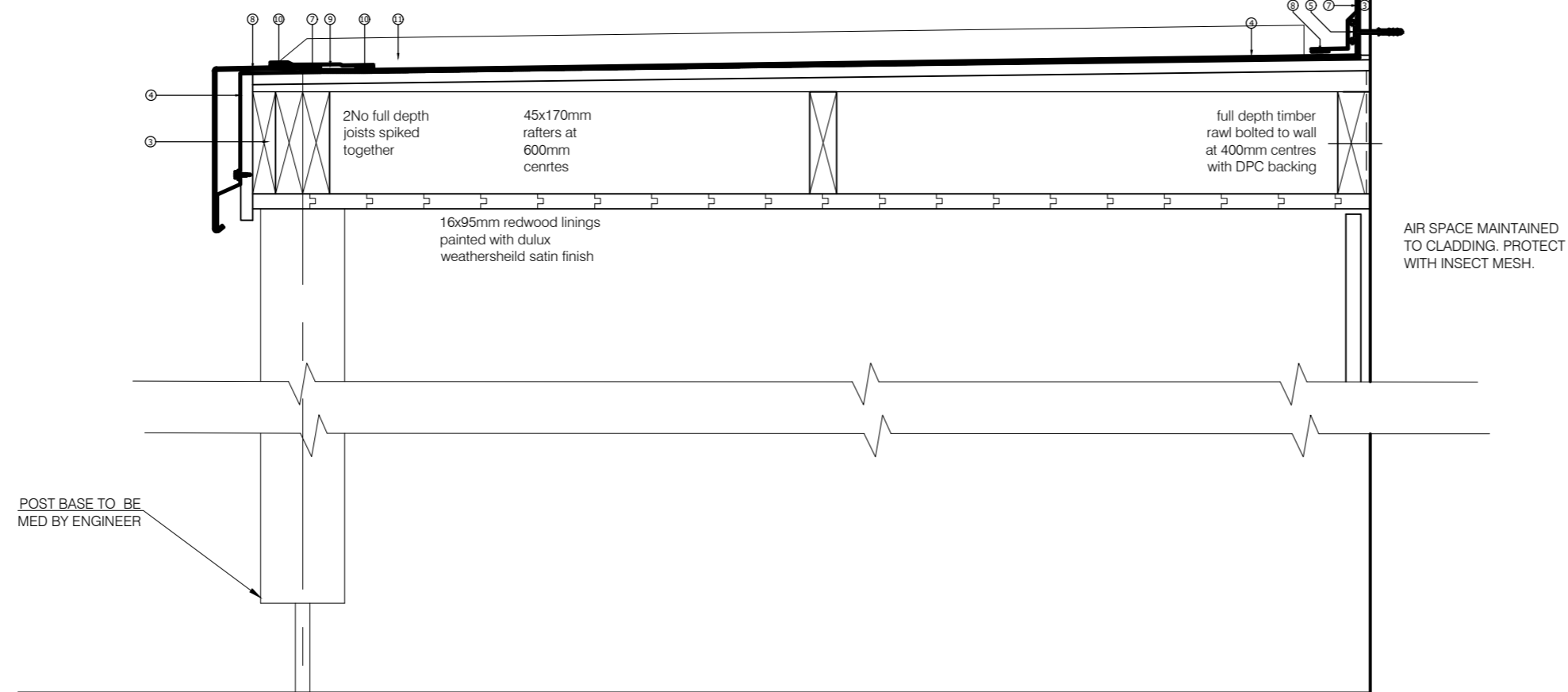
Detail
PROPOSED GROUND FLOOR AND
FOUNDATION

Dwg No	Rev
2211-100	B
Scale	Date
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Drawn	Checked
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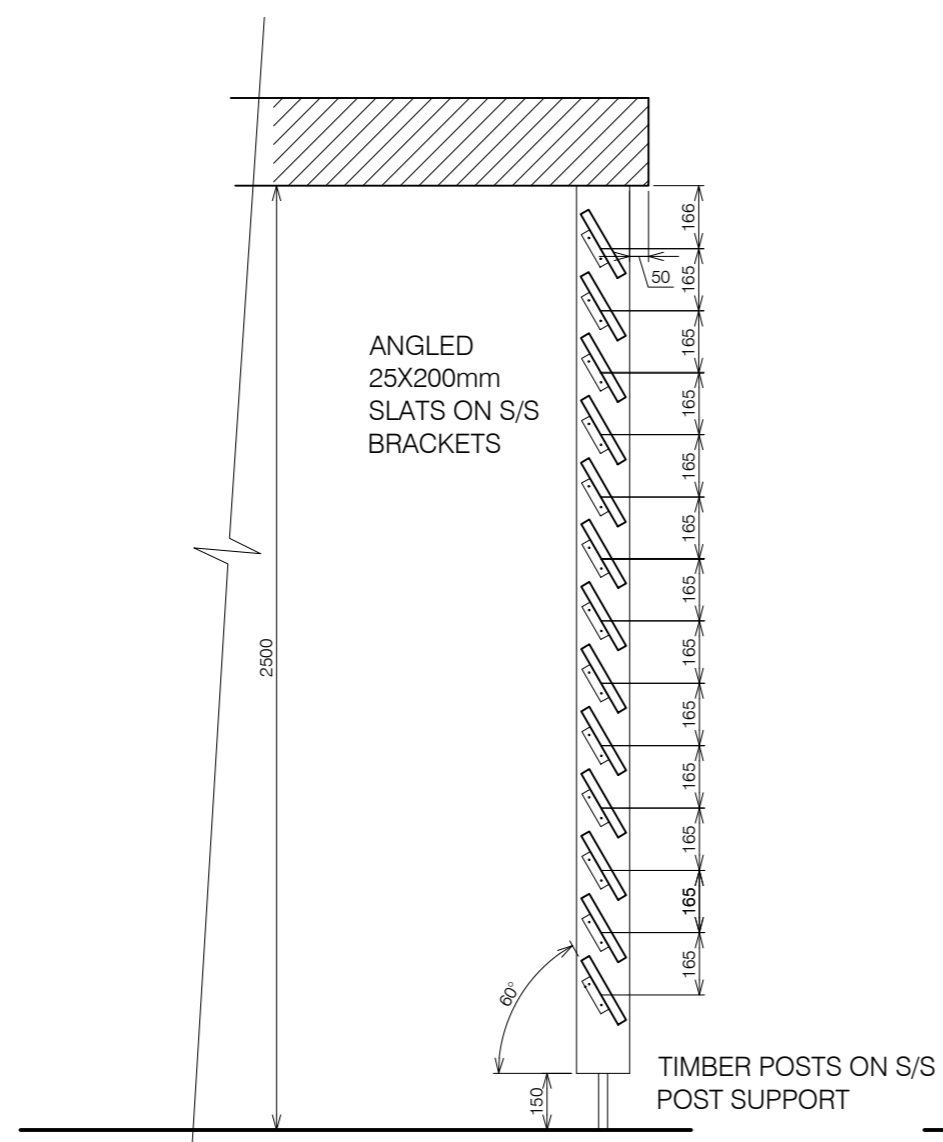
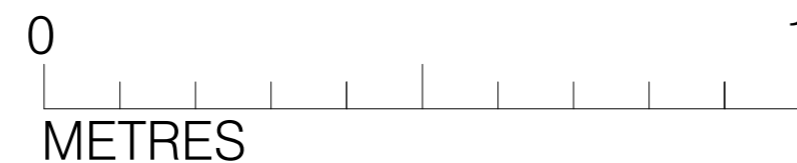
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- ③ Mechanically fixed **Tanalised Timber Hard Edge**
- ④ Mechanically fixed **Galvanised Support Bracket**
- ⑦ Self adhesive **Foam Sealing Strip**
- ⑧ Mechanically fixed **Sarnametal Roof Trim**
- ⑨ **Sarnafil Membrane** coverstrip
- ⑩ **Hot Air Welds**
- ⑪ **Sarnafil batten profiles @ 600mm centres**

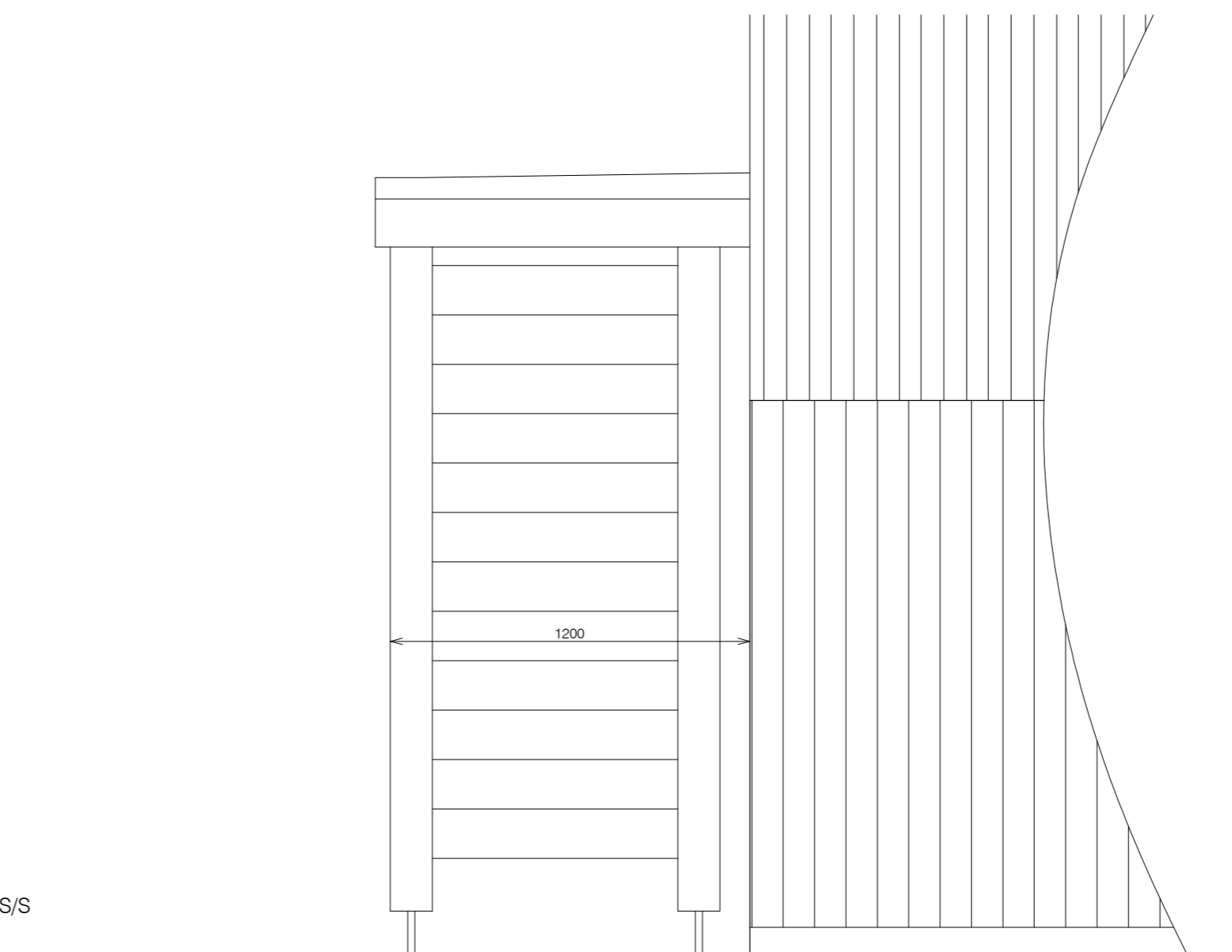
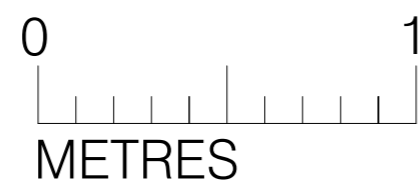
- ③ **12mm Marine ply**
- ④ Fully adhered **Sarnafil Membrane**
- ⑤ Mechanically fixed **Sarnafil Peel Stop**
- ⑥ Mechanically fixed **Sarnametal Roof Trim**
- ⑦ Fully adhered **Sarnafil Membrane**
- ⑧ **Hot Air Welds**
- ⑨ **Sarnaplast Sealant**



SECTION THROUGH CANOPY



SECTION THROUGH CANOPY



CANOPY SIDE ELEVATION

Verify all dimensions and levels.

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Rev	Date
Drawing status	
PLANNING & WARRANT	
Client	STRATHDEARN HUB

Project
PROPOSED EXTENSION TO STRATHDEARN HUB, TOMATIN

Detail
PROPOSED CANOPIES

Drg No	Rev
2211-102	
Scale	Date
1/10@1/20@A2	AUG 22
Drawn	Checked
JB	

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