

Agenda Item	7.1
Report No	PLN/039/23

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 7th June 2023
Report Title: 20/02232/FUL : Conon Brae Farms
Land 45m NW of Drummondreach Steading, Alcaig, Conon Bridge
Report By: Acting Head of Development Management

Purpose/Executive Summary

Description: Erection of single house

Ward: 09, Black Isle

Development category: Local

Reason referred to Committee: representations received from 16 households.

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 **APPROVE** the application as set out in section 11 of the report

1. PROPOSED DEVELOPMENT

- 1.1 The application is for the erection of a single house on the site of a ruinous steading. It will be 1 ¾ storey in height, with pitched slate roof, and utilise two intersecting narrow gabled rectangular footprint structures to be read as a main house with annex projecting towards the public road.
- 1.2 A new access will be formed off the public road, leading to a parking and turning area.
- 1.3 Pre Application Consultation: none
- 1.4 Supporting Information: visualisations; design statement; private access checklist; air source heat pump information; map of existing settlements; historical photo of steadings and farm.
- 1.5 Variations: amended from 2 houses to a single house

2. SITE DESCRIPTION

- 2.1 The site comprises a ruinous steading structure on the west side of a minor public road. The structure benefits from largely intact walls, but has no roof. A steel portal framed agricultural building lies to the north of the site, and fields adjoin the other boundaries. There is a row of 3 houses on the opposite side of the public road. The surrounding area is rural in nature.
- 2.2 There is an existing field access on either side of the steading ruins.

3. PLANNING HISTORY

- 3.1 02/07/19 19/01624/PIP – erection of house Withdrawn

4. PUBLIC PARTICIPATION

- 4.1 Advertised: unknown neighbour
Date Advertised: 03/07/20
Representation deadline: 17/07/20 & 10/03/23

Timeous representations: 16 & 3 (15 households & 3 households)

Late representations: 1 & 0
- 4.2 Material considerations raised are summarised as follows:
 - a) Loss of views
 - b) House will be unduly prominent, sitting on top of an existing platform
 - c) Design & size not in keeping with other nearby houses
 - d) Insensitive siting out of character with the area
 - e) Existing properties are spread over a large area and have no physical attachment to each other, and do not constitute a settlement
 - f) Presumption against hinterland development (contrary Policy 35)

- g) Road single track with passing places, poorly maintained and already at capacity
- h) Road used by cyclists, pedestrians, horse riders; additional traffic not safe.
- i) Poor line of sight on public road, traffic should not be increased
- j) Existing junctions with the main roads are hazardous, traffic should not be increased
- k) Road is prone to flooding
- l) Area poorly drained; will increase surface water run-off and increase the likelihood of flooding other property
- m) No sewer, will lead to sewage run-off into the local groundwater resulting in environmental issues
- n) No capacity in existing services
- o) Traditional materials not proposed
- p) Loss of rural peace and quiet
- q) The requirements of Policy 42 previously used land have not been addressed – the site is not derelict since it is used for agricultural purposes; and it will not result in environmental benefit The northern part of the site contains a ruined byre; the remainder of the site is returning to its natural state as rough grassland.
- r) No structural report to demonstrate that the ruin is unsuitable for conversion / re-use
- s) Ruined byre was formerly a water turbine powered mill, is a traditional building, and should reuse existing materials, not excessively increase the footprint, and only be demolished if sufficient justification is provided
- t) Will intrude into the adjoining prime agricultural land
- u) Would result in the creation of a new housing group, and not round off an existing one
- v) The main road is open with views across the firth. 2 storey is not in keeping with the vernacular
- w) Drummondreach Farmhouse should remain the dominant structure in the landscape, with other buildings subservient and ancillary. The design will be imposing and overpowering, and will adversely affect the setting of Drummondreach Farmhouse (listed building), so contrary Policy 57 & Highland Historic Environment Strategy
- x) House opposite (Drummondreach Steading) is a holiday letting unit; its isolated location and views of the Firth are fundamental in attracting guests. Any development will adversely impact on the business's contribution to the local economy.
- y) Contrary policies 28, 29, 35, 42, and 57 (HwLDP).
- z) No buildings on the Duncanston side of the road except the ruined mill, so out of character with the area.
- aa) Contrary Policy 28 – is not sensitively sited and will adversely impact upon amenity.
- bb) Contrary Policy 29 – does not respect local landscape
- cc) Contrary Policy 7 NPF4
- dd) Historically this was a single farm, not a settlement
- ee) The burnt down agricultural building has been replaced by a shed to the north of the site.
- ff) The former buildings on the site were single storey agricultural buildings, not 2 storey houses.
- gg) Loss of historical ruin
- hh) The cottage opposite this site (19/01628/PIP) should be replaced instead.

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 **Ferintosh Community Council** consider that the development is an unacceptable intrusion into the Hinterland and contrary Policy 35. It is in a remote rural location and the 'brownfield site' definition should not apply. Brownfield sites should be part of existing settlements which this is not. It also does not have an unacceptable environmental impact.

If it is assessed as 'brownfield land' it is still contrary policy since it does not enhance or improve the environment of the location, and it has not been demonstrated that the site can not be readily returned to its natural state.

The historic agricultural buildings have already been replaced by an adjacent modern portal framed building.

The houses are unnecessary and out of character with the cultural environment and the built environment and will be deleterious to the natural environment.

The surface water and septic tank run-off will exacerbate the issue of flooding downhill. Drummondreach Cottage and road front are subject to regular flooding.

Unacceptable problem of traffic generation on single track roads.

They maintain their original objection against the revised proposal.

5.2 **Environmental Health** comment that heat pumps must be installed in accordance with the Microgeneration Scheme guidance

5.3 **Contaminated Land** comment that the site has had a previous use as an agricultural building. A condition is recommended to ensure that the site is suitable for its proposed use.

5.4 **Flood Risk Management** has been consulted and has no comment to make

5.5 **Archaeology** request a photographic record of any remains prior to their demolition.

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

The proposals impact on existing Scottish Water assets. Any potential conflict must be identified with Scottish Water assets, and may be subject to restrictions on proximity of construction.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 **National Planning Framework 4 (NPF4) 2023**

1 – Tackling the climate and nature crisis

2 – Climate mitigation and adaptation

- 3 – Biodiversity
- 7 – Historic assets and places
- 9 – Brownfield, vacant and derelict land and empty buildings
- 17 – Rural Homes

6.2 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)
- 57 - Natural, Built and Cultural Heritage
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage

6.3 Inner Moray Firth Local Development Plan 2015

Within Hinterland; outwith Settlement Development Area. No site specific policies apply.

6.4 Proposed Inner Moray Firth Local Development Plan

Within Hinterland; outwith Settlement Development Area. No site specific policies apply.

6.5 Highland Council Supplementary Planning Policy Guidance

- Access to Single Houses and Small Housing Developments (May 2011)
- Developer Contributions (March 2018)
- Rural Housing
- Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Not applicable

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) impact upon listed building / historic environment
 - c) visual amenity of the area
 - d) access and parking
 - e) drainage
 - f) contamination
 - g) Impact on infrastructure and services and proposed mitigation (developer contributions)
 - h) any other material considerations

Development plan/other planning policy

8.4 NPF4 Policy 17(a) & Rural Housing Supplementary Guidance

NPF4 Policy 17(a) rural homes, supports proposal for new homes in rural areas where the proposal is suitably scaled, sited and designed to be in keeping with the character of the area, and where the proposal also meets one from a list of requirements. One such requirement relates to the re-use or redevelopment of an unused building. Another such requirement relates to the re-use of brownfield land where a return to a natural state has or will not happen without intervention.

- 8.5 The proposal has been amended from the erection of two houses (one on the site of the ruinous former mill building / steading), and one on adjacent land which previously also accommodated steading structures, but was cleared a number of years ago and is now grassy in nature. The steading buildings fell derelict following a fire approximately 50 years ago, following which the southern buildings were cleared and the northern steading / former mill left standing. The only visible remains are of the northern steading/former mill building, which has largely intact walls, but no roof.
- 8.6 The land is not suitable for cultivation or assessed as prime agricultural land, due to its previous use. However, only the standing steading / former mill structure is assessed as brownfield land since the remainder of the site has little impact on the visual or environmental amenity of the area, and has largely returned to a natural state.
- 8.7 The amendment of the proposal from 2 houses to a single house has resulted in an amended site, which no longer includes the area to the south from which the former steading structures have been cleared. The single house now proposed relates to the site of the former steading / mill which has substantial walls remaining. This falls within Stage 4 of the Council's 'stages of rural building dereliction' (Rural Housing Supplementary Guidance Appendix 1).
- 8.8 NPF4 defines brownfield land as 'land which has previously been developed.... may cover vacant or derelict land, land occupied by redundant or unused buildings....' In view of the former derelict steading / mill remains on the site, the proposal can be

assessed as complying with the requirement relating to the re-use of brownfield land where a return to a natural state has or will not happen without intervention.

- 8.9 Furthermore, the Council's Rural Housing Supplementary Guidance requires that the re-use or demolition of any traditional buildings on site meets the requirements of 'conversion, re-use and replacement of traditional buildings'. It also requires that the proposal will result in net environmental improvements; that the nature, scale and appearance of the proposal is compatible with the site, wider landscape and adjacent land uses; that the land has been significantly degraded by a former activity to the point where it cannot be left to naturalise without remediation or can not be used productively without significant investment; and that the former use has ceased and the land/building is no longer fit for its original purpose.
- 8.10 Where the building has deteriorated to such an extent that it is incapable of conversion or renovation, its replacement will be supported subject to meeting a list of requirements :
- it meets one of Appendix 1 'stages of rural building dereliction';
 - a structural report is submitted to demonstrate that conversion or rehabilitation cannot be achieved and the reasons why;
 - the replacement respects the form and scale of the original building and/or the character of the locality ;
 - the existing site contours, landscaping, boundaries and access points are retained and utilised where appropriate;
 - the replacement results in a significant improved building design, accommodation provision and energy performance. Sustainable design and passive housing standards are strongly supported;
 - the new house is within the curtilage of the original building;
 - the dountakings, especially natural stone/slate are reused ; and
 - protected buildings and structures will have to be retained.
- 8.11 The building is assessed as meeting Stage 4 of the 'stages of rural building dereliction', in that its walls are largely intact, but no roof remains. There is also vegetation growing from the top of the walls. In view of just the steading shell remaining to wall head, it is accepted that the structure is unsuitable for conversion/rehabilitation.
- 8.12 The applicant has now submitted a structural report, which points out that there are no foundations to external walls which are in some places finished at ground level, with no frost cover or damp proof course. Underpinning would be required in substantial areas, with and electric DPC or similar system to prevent the ingress of moisture. There is no floor, and the work required to excavate for a new floor would result in collapse of the stone walls. Furthermore, the external stone walls are substantially damaged by water ingress and vegetation growth and are structurally unsound. It is accepted that the remains are not structurally suitable for converting to a residential use.
- 8.13 The existing site contours will remain, and the agricultural access point upgraded to form an access to meet Council guideline standards for a single house. The proposed house will sit on the site of the current ruins but set further in from the public road, and still within the curtilage of the former steading structures. It is proposed to set

aside stone from the building and re-use it in the redevelopment. The existing ruins are not listed and have no formal protection status, and therefore it is unreasonable to insist that they are repaired and retained.

- 8.14 The proposed house includes an air source heat pump and is designed to modern standards. It will need to comply with Building Standards requirements in relation to energy performance. NPF4 Policies 1 and 2 require that significant weight is given to the global climate and nature crises, and that proposals minimise lifecycle greenhouse gas emissions as far as possible. The use of an air source heat pump is therefore welcomed and meets this requirement.
- 8.15 The buildings in the area vary in style, scale, design and massing. The site is seen in the context of the former farm buildings, which consist of a traditional 2 storey farmhouse with a smaller 1 ½ storey section on the side (which is Category C Listed); and a single storey cottage alongside (former mash house, now a holiday let), and another single storey derelict cottage. The proposed house is 1 ¾ storey in height, with narrow gables and steeply pitched roof, and vertically proportioned windows to reflect the proportions of traditional nearby buildings. There is a 1 ½ storey annex on the east elevation (towards the public road) which will be finished in stone with timber above, to create a feeling of being ancillary to the main house. This helps break up the massing and reduce the bulk of the house. A stone feature panel will also be used to provide interest and break up the south and west elevations. The main house will be finished in white harl, again a traditional finish. The design provides a contemporary take on the traditional elements, providing a house which reflects the local vernacular in an appropriate manner.
- 8.16 The proposal therefore meets the requirements for the demolition and replacement of an existing traditional building in the Hinterland, as set out in the Rural Housing Supplementary Guidance, and thus complies with Policy 35. It also complies with NPF4 Policy 17 (a), since it re-uses brownfield land where a return to a natural state will not happen without intervention, and is assessed as being suitably scaled, sited and designed to be in keeping with the character of the area.
- 8.17 **Policy 28**
- The proposal also needs to be comply with Policy 28 (HwLDP) which assesses development against a number of criteria. This includes a requirement for sensitive siting and high quality design in keeping with local character and the historic and natural environment and making use of appropriate materials, and its impact upon individual and community residential amenity. The settlement pattern in this area comprises predominantly of roadside groupings of properties with some more scattered individual properties.
- 8.18 The proposal will be sited opposite existing built development, and will replace the existing ruinous steading / mill building, and therefore maintain the existing grouping of buildings at Drummondreach farm, and thus integrating into the local character. Furthermore, it is assessed as demonstrating sensitive siting and high quality design, and making use of appropriate materials, as explained in 8.15 above.
- 8.19 In relation to impact upon residential amenity, the proposed house is higher than the existing ruins on the site, and will sit on an existing platform which is elevated above

the fields to the rear. This platform, in turn, is lower than the cluster of buildings on the opposite side of the public road, which are elevated above the road and the site. The proposed house will be located towards the north of the site to reflect the location of the original steading / mill structure and to maximise separation from the Listed farmhouse. Therefore, the land in front of the farmhouse remains open and undeveloped.

8.20 The mash house (holiday let) is elevated in height and off-set from the proposal, and thus the proposed house will not be in direct line of sight of this house, and the visual impact will also be lessened by the difference in height.

8.21 The site lies opposite the derelict cottage (subject to 19/01628/PIP for a replacement house) which is also within the applicant's ownership. It will therefore potentially impact upon views from the derelict cottage, but will not be directly in front of any of the other nearby houses, and thus help preserve their views and their setting. The location at a lower level and separation is also sufficient to provide a good standard of amenity for the occupiers of the proposed house. Furthermore, the principle elevation of the proposed house is towards the farmland and firth to the west, and away from the existing houses to the east and south. There is also sufficient separation from all of the existing houses to not materially impact upon their privacy, nor upon their daylight or sunlight. The proposal therefore complies with the requirements of Policy 28.

8.22 **Policy 29**

Policy 29 (HwLDP) is similar to policy 28, in that it requires development to make a positive contribution to the architectural and visual quality of its location, demonstrating sensitivity and respect towards the local distinctiveness of the landscape, architecture, design and layout.

8.23 As per the assessment under Policy 28 above, the design and layout are assessed as appropriate for this location, and are considered to demonstrate sensitivity towards its landscape setting. The proposal can therefore be assessed as also complying with Policy 29.

8.24 **Impact upon Listed Building / Historic Environment**

The farmhouse is a 'C' Listed building. Although it is detached from the site, there is potential for the proposal to impact upon the setting of this Listed Building. Policy 57 (HwLDP), natural built and cultural heritage, requires proposals to take account of the importance and type of heritage features, the form and scale of the development, and any impact on the feature and its setting. Developments potentially impacting upon features of local importance will be allowed if it is demonstrated that it will not have an unacceptable impact on the natural environment, amenity and heritage resource. NPF4 Policy 7 (historic places and assets) requires proposals that could significantly impact on historic assets to be accompanied by an assessment, identifying the likely visual or physical impact.

8.25 The listed farmhouse has an open frontage to the public road, with its setting consisting of the existing backdrop of trees and surrounding agricultural land.

- 8.26 In this instance, the proposed house lies on the site of a former steading. There is no change to the area immediately adjacent to the 'C' listed farmhouse, with the area opposite and alongside the farmhouse excluded from the development site. The proposed house is also located on land which is at a lower level from the farmhouse, which will further reduce the potential to impact upon the farmhouse. The application site is, at its nearest point, approximately 44m from the nearest part of the farmhouse. The main elements contributing to the setting of the listed building will remain intact, and will not be impacted by this proposal. The proposal is therefore assessed as not affecting the setting of the listed farmhouse, and accordingly did not require to be advertised as affecting the setting of a Listed Building.
- 8.27 The steading /mill ruins are not listed in their own right, and are outwith the curtilage of the Listed Building. Therefore, Planning has no control over their demolition. Archaeology recommend that a photographic record is made of them prior to their demolition. This can be covered by a condition.
- 8.28 The proposed house will be viewed as a separate structure distinct from the Listed Building, and will relate to the site of the former steadings, which are separated from the farmhouse by the road, the difference in levels, and by the physical separation resulting from their location. It will not impact upon the way in which the farmhouse is understood, appreciated, and experienced. It. therefore will also not significantly impact upon the wider setting of the Listed Building.
- 8.29 The proposal is therefore considered to accord with Policy 57 (HwLDP) and Policy 7 (NPF4) since the proposal will not have a significantly detrimental impact upon the setting of the listed building.
- 8.30 **Visual amenity of the area**
- Currently, there is a derelict former steading on the site, which has walls roughly intact to roof level, but no roof. It is prominently sited, on a bend in the public road. When approaching from the south, the walls come into view, with the roof of the modern portal framed agricultural building visible behind, and Urquhart Church in the background. The buildings are partially screened by roadside vegetation. As the road drops down towards the site, the ruins come into full view, with the road descending to a similar level, before continuing to drop to the modern agricultural building.
- 8.31 When approaching from the north, the modern agricultural building forms a focal point, with the former steading walls visible in the background to the side. They gradually come into view, with the tops of the walls seen roughly at a similar height to the ground near the listed Farmhouse, and projecting above the ground to the west. As the listed Farmhouse becomes visible in the background to the east, the former steading starts dominating the foreground. The bend in the road and the rise in the road then results in the Farmhouse becoming the focal point.
- 8.32 The replacement of the former steading structure with a 1 ¾ storey house will lead to a higher structure on the site, and it will therefore be more prominent visually than the existing ruins. It will, however, be seen in the context of the adjacent modern portal framed agricultural building immediately to the north, and against the rising land to the south.

- 8.33 The design includes an annex on the gable towards the public road, resulting in its height stepping down and the massing adjacent to the road being reduced to 1 ½ storey. It is also set back further from the road than the current ruins, which will again reduce its massing and prominence. Although it is higher than the modern agricultural building and parts of it will be visible above and to the side of the agricultural building, this siting will result in views of the proposed house being broken up by the agricultural building.
- 8.34 Although it will be visible in distance views from the opposite side of the Firth (edge of Dingwall), it will be seen against the rising landform and will not skyline. It will also be viewed in the context of the existing former farm buildings and blend into the wider landscape.
- 8.35 The design is assessed as appropriate as discussed in 8.15 above. Furthermore, it is not assessed as unduly prominent or domineering in the landscape, but will integrate in a satisfactory manner into the character of the area.

Access and parking

- 8.36 There is an existing field access off the public road, which will be upgraded to comply with Council guideline standard SBD1 access for a single house. This includes a service layby. Visibility splays of 2.4m x 90m are achievable in both directions. This is the required visibility splay where traffic speeds are assessed as 30mph or less. The proximity of the site to bends in the road, along with the single track with passing place nature of the public road will help keep traffic speeds low, and this achievable visibility is therefore assessed as adequate.
- 8.37 Within curtilage parking and turning for 3 cars is shown. This is sufficient for the proposed size of house (4 bedrooms plus study).
- 8.38 The public road which passes the site is rural in nature, and single track with passing places. In parts it has poor alignment which impacts upon forward visibility. As per many rural roads, it is used by pedestrians, cyclists, and horse riders in addition to motor vehicles. It already provides access to Ferintosh Free Church in addition to a number of dwellings, and also accommodates agricultural traffic. The additional traffic generated by a single house is not significant in this context, and will not materially impact upon the use of this public road, its safety, nor upon the wear and tear it experiences.
- 8.39 Similarly, the additional traffic generated by a single house will not materially impact upon the volume of traffic using the existing road junctions, nor upon their safety.

Drainage

- 8.40 Concerns have been expressed that the area is prone to surface water flooding and poor drainage. Its suitability to accommodate drainage for the proposed house has therefore been raised.
- 8.41 A septic tank and soakaway system is proposed for foul waste. Since this is the system already in use to drain existing houses in the vicinity of the site, there is no reason to think that it will not operate in a satisfactory manner on this site.

Furthermore, the site does not fall within a waste water consultation area where there are concerns regarding ground conditions or a proliferation of private treatment systems. This issue will be further investigated through the Building Warrant process.

- 8.42 A condition can be used to require surface water to be drained according to the principles of SuDS (Sustainable Drainage Systems). This means that the water falling on the site is drained within the site, using permeable surfaces, soakaways, etc, so that it does not flow onto adjacent land. This, too, is controlled further by the Building Warrant process.
- 8.43 Flood Risk Management Team have been consulted, but have no comments to make regarding this proposal.

Contamination

- 8.44 NPF4 Policy 9, brownfield, vacant and derelict land and empty buildings supports proposals that will result in the sustainable re-use of brownfield land, including vacant and derelict land and buildings. The biodiversity value of brownfield land which has naturalised should be taken into account. It also requires where land is known or suspected to be contaminated, that proposals demonstrate that the land is or can be made safe and suitable for the proposed new use. Similarly, Policy 42 (HwLDP) states that the Council will support development proposals that bring previously used land back into beneficial use, provided proper contamination investigation is carried out and proposals accord with all other development plan policies.
- 8.45 The former use of the site as an agricultural building could have resulted in contamination. Contaminated Land recommend that a condition is attached to require evidence that the site is suitable for its proposed use, by way of an assessment of potential contamination, to be submitted to and approved in writing by the Planning Authority. In the event that contamination is found, a remedial strategy will be required. It is therefore not considered necessary to for the applicants to carry out a contaminated land investigation at this stage, since it can be covered by a suitably worded condition.
- 8.46 The site has only partially naturalised, with vegetation growing around the structures and vegetation growth on the tops of the walls. The proposal includes shrub and tree planting proposal to the north and south sides of the proposed building, and also proposes a beech hedge to the north and south boundaries. This presents the opportunity to enhance biodiversity, as required by NPF4 Policy 3. The building is not assessed as likely to provide a habitat for bats, since there is no roof in place and thus limited opportunity for shelter. The proposal can therefore be assessed as complying with Policy 9 (NPF4) and with Policy 42 (HwLDP).

Impact on infrastructure and services and proposed mitigation (developer contributions)

- 8.47 There are currently no school capacity constraints for the catchment schools, and therefore no developer contribution is required.

Other material considerations

8.48 Each application stands to be assessed on its merits, and it is unreasonable to insist that the derelict cottage opposite the site is replaced in lieu of building the house now proposed.

There are no other material considerations.

Matters to be secured by Legal Agreement / Upfront Payment

8.49 None

9. CONCLUSION

9.1 The proposed house meets the requirements of Policy 17(a) NPF4 and Highland Council's adopted Supplementary Guidance, which both make provision for a house in the countryside where it complies with criteria relating to the redevelopment of brownfield land.

9.No The design, siting, and materials are appropriate for this location, and will integrate into the landscape setting and character of the area in a satisfactory manner.

9. The proposal will not adversely impact upon the nearby Listed Drummondreach Farmhouse.

9. The access and parking proposed are adequate.

9.No 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

Notification to Scottish Ministers N

Conclusion of Section 75 Obligation N

Revocation of previous permission N

Subject to the above actions, it is recommended to

APPROVE 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 other development shall commence until the site access has been constructed in accordance with The Highland Council's Access to Single Houses and Small Housing Developments guidelines, with:
 - i. the junction formed to comply with drawing ref. SDB1; and
 - ii. visibility splays of 2.4m x 90m (the X dimension and Y dimension respectively) in each direction formed from the centre line of the junction.

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.

3. No development or work (including site clearance) shall commence until a photographic record has been made of the remains of any buildings and/or other features affected by the development/work, in accordance with the attached specification, and the photographic record has been submitted to, and approved in writing by, the Planning Authority.

Reason: In order to assist the Council with maintaining an accurate and current record of the historic environment.

4. 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 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 order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site and in the interests of biodiversity gain.

5. No development shall commence until a scheme to deal with potential contamination within the application site has been submitted to, and approved in writing by, the Planning Authority. The scheme shall include:
- i. the nature, extent and type of contamination on site and identification of pollutant linkages and assessment of risk (i.e. a land contamination investigation and risk assessment), the scope and method of which shall be first submitted to and approved in writing by with the Planning Authority, and undertaken in accordance with PAN 33 (2000) and British Standard BS 10175:2011+A1:2013 Investigation of Potentially Contaminated Sites - Code of Practice;
 - ii. the measures required to treat/remove contamination (remedial strategy) including a method statement, programme of works and proposed verification plan to ensure that the site is fit for the uses proposed;
 - iii. measures to deal with contamination during construction works;
 - iv. in the event that remedial action be required, a validation report that validates and verifies the completion of the approved decontamination measures;
 - v. in the event that monitoring is required, monitoring statements submitted at agreed intervals for such time period as is considered appropriate in writing by the Planning Authority.

Thereafter, no development shall commence until written confirmation that the approved scheme has been implemented, completed and, if required, on-going monitoring is in place, has been issued by the Planning Authority.

Reason: In order to ensure that the site is suitable for redevelopment given the nature of previous uses/processes on the site.

6. Surface water drainage provision within the application site shall be designed to accord with the principles of Sustainable Urban Drainage Systems (SUDS) and to the standards outlined in Sewers for Scotland Fourth Edition, or any superseding guidance prevailing at the time. Thereafter, all surface water drainage provision shall be completed prior to the first occupation of any of the development.

Reason: To ensure that surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment.

7. Prior to the first occupation of the development hereby approved, the car parking and access arrangements detailed on approved plan ref. 2009 064-100 rev B 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 that the level of off-street parking is adequate.

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.

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a

connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Septic Tanks and Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: <http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2

Mud and Debris on Road

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Protected Species – Halting of Work

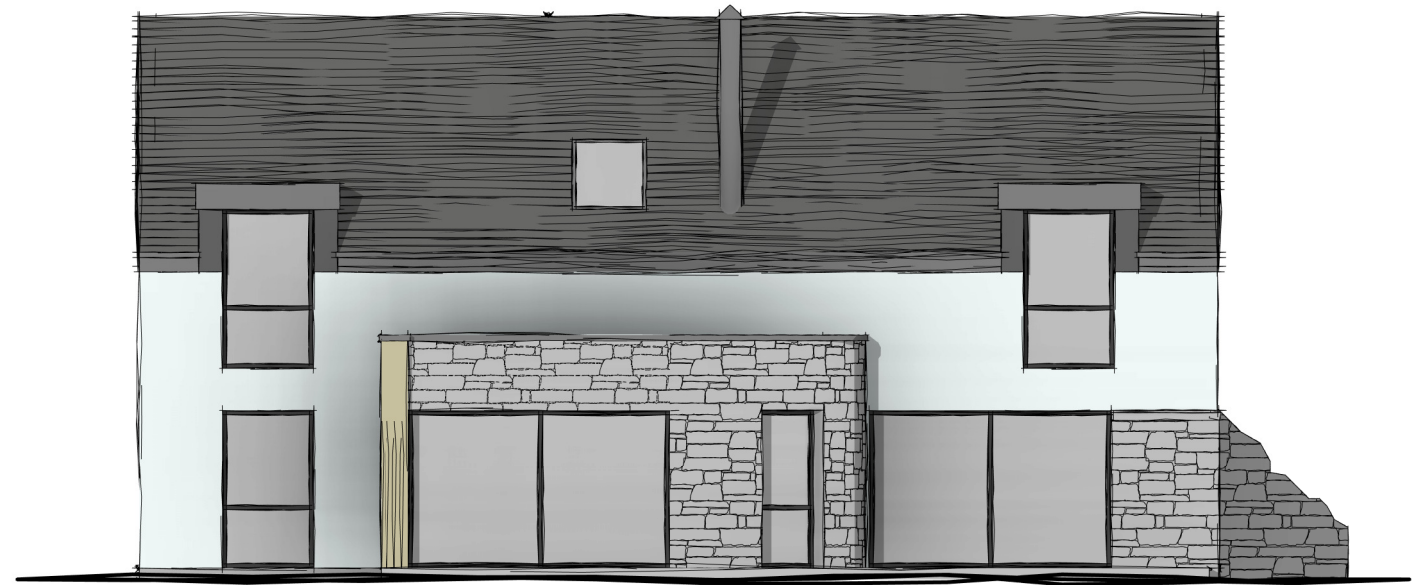
You are advised that work on site must stop immediately, and NatureScot must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it 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: Dafydd Jones
Designation: Acting Head of Development Management
Author: Susan Hadfield
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - 2009 064-100 rev B Location / Site Layout Plan
Plan 2 - 2009 064-200 Plans and Sections
Plan 3 - 2009 064-201 Elevations



East

1 : 100



West

1 : 100



South

1 : 100



North

1 : 100

Planning issue



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

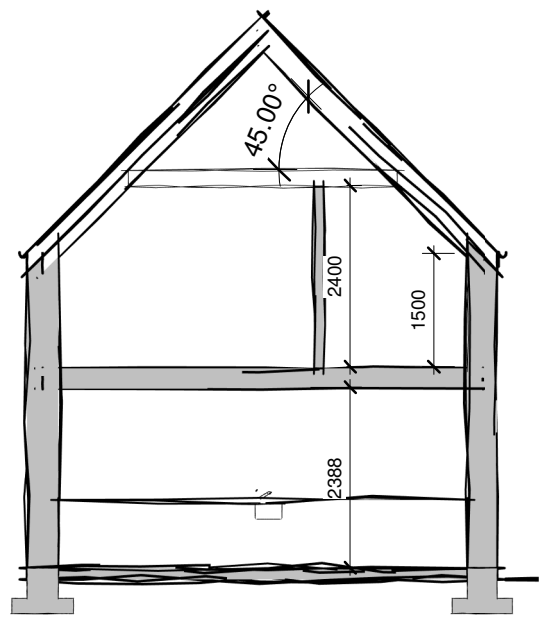
No.	Description	Date

Conon Brae Farms
 Site at Drummondreach

Elevations

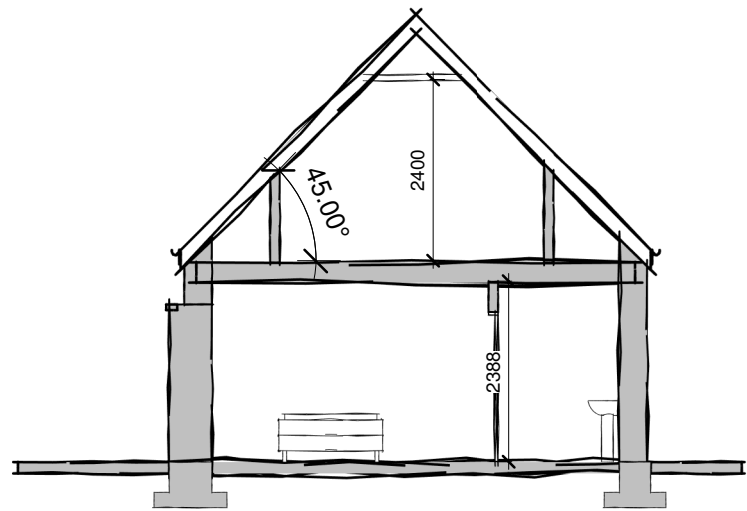
Date	27.05.20
Drawn by	GIR
Scale	1 : 100
2009 064 - 201	

1. Protected by copyright, no reproduction without express permission from architect.
 2. Contractor is responsible for checking all dimensions prior to construction.
 3. Discrepancies to be referred to architect for decision.
 4. Must be read in conjunction with written specification and engineers/sub contractors construction information.



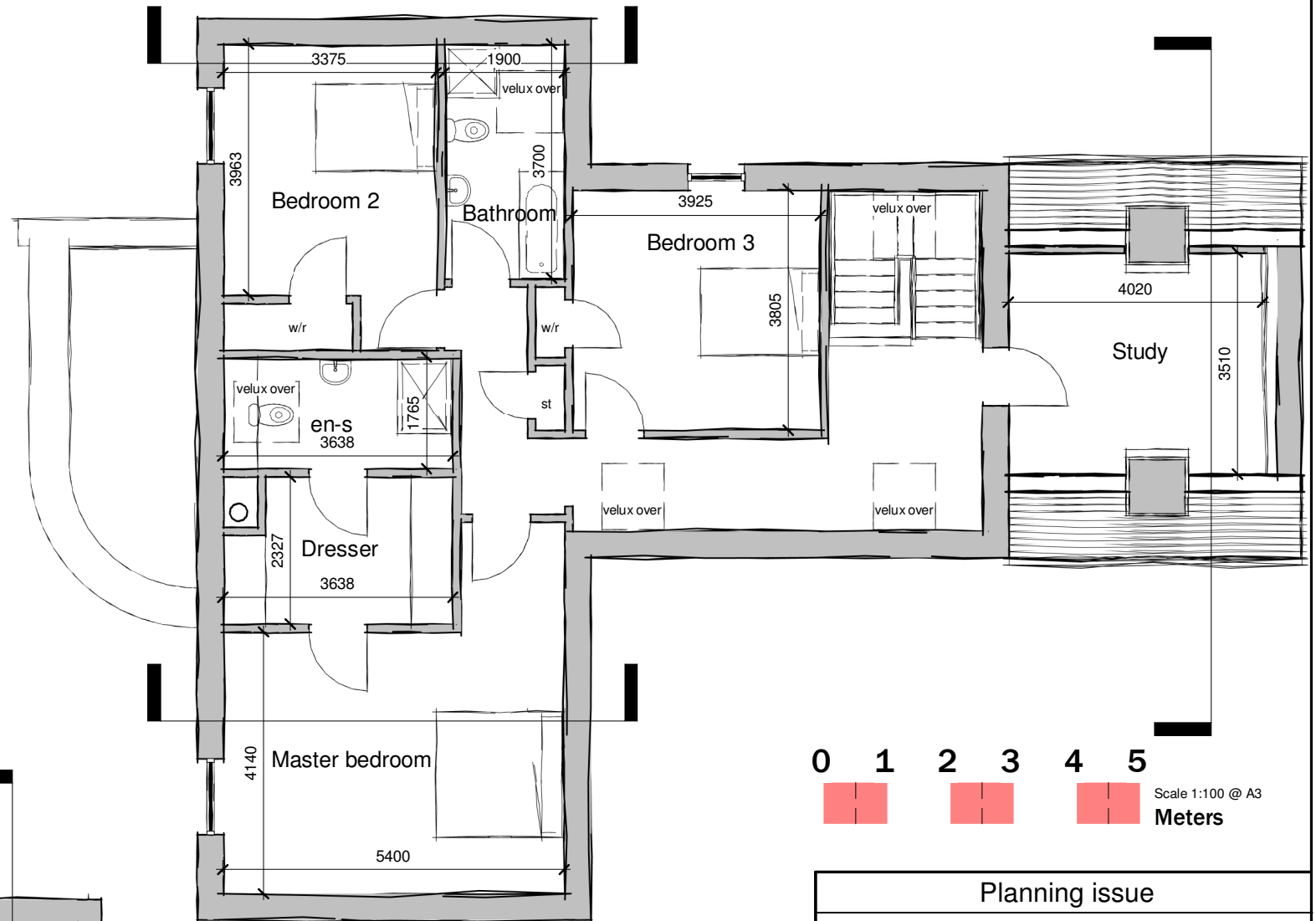
Section thru kitchen

1 : 100



Section thru bedroom 1

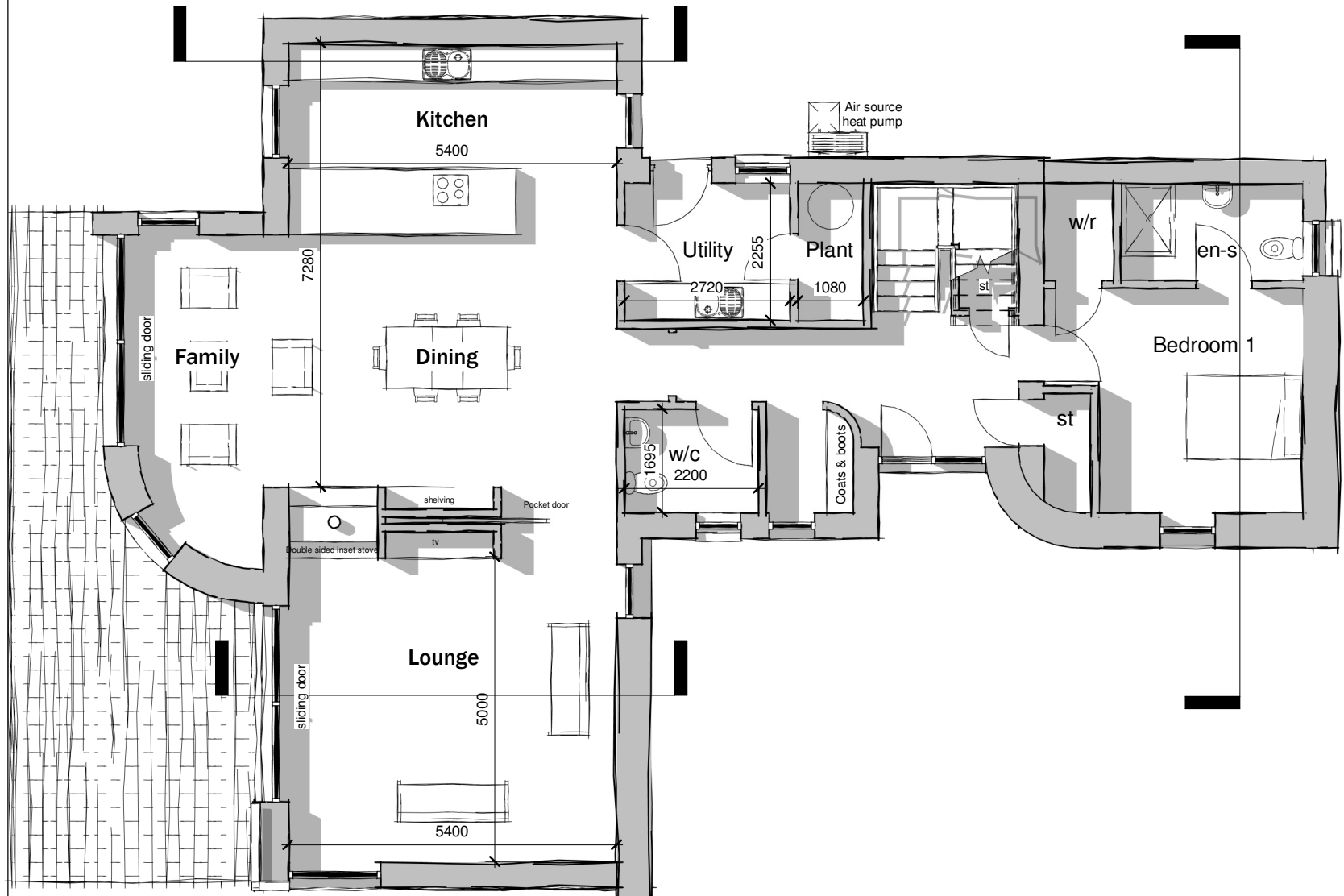
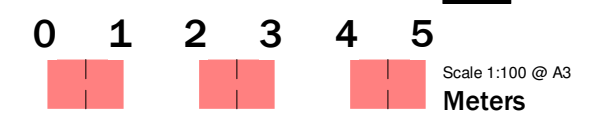
1 : 100



Area= 118msq

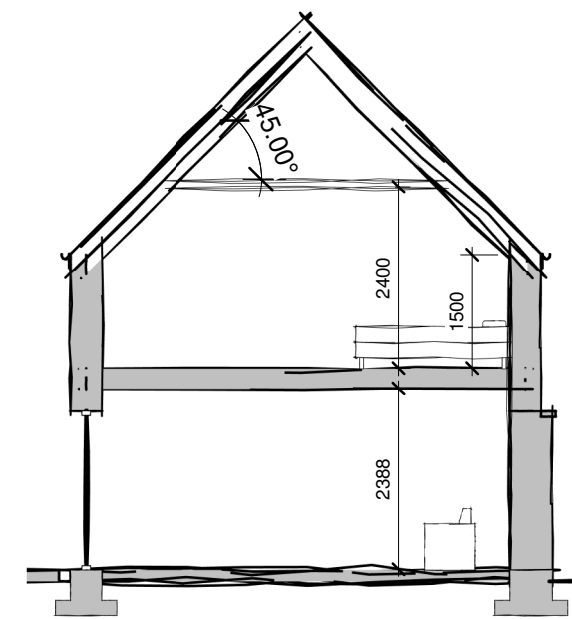
First floor

1 : 100



Ground floor

1 : 100 Area= 142msq



Section thru lounge

1 : 100

Planning issue



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

No.	Description	Date

Conon Brae Farms
 Site at Drummondreach

Plans & sections

Date	27.05.20
Drawn by	GIR
Scale	1 : 100

2009 064 - 200

1. Protected by copyright, no reproduction without express permission from architect.
 2. Contractor is responsible for checking all dimensions prior to construction.
 3. Discrepancies to be referred to architect for decision.
 4. Must be read in conjunction with written specification and engineers/sub contractors construction information.



Location
1 : 2000



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

No.	Description	Date
A	Reduced to 1 house	07.02.23
B	Note removed	15.05.23

Conon Brae Farms	
Housing at Drummondreach	
Site/location plan	
Date	28.05.20
Drawn by	GIR
2009 064 - 100	
Scale	As indicated

1. Protected by copyright, no reproduction without express permission from architect.
 2. Contractor is responsible for checking all dimensions prior to construction.
 3. Discrepancies to be referred to architect for decision.
 4. Must be read in conjunction with written specification and engineers/sub contractors construction information.

Site
1 : 200
 0 2.5 5 7.5 10 12.5
 Scale 1:200 @ A3
 Meters