

Agenda Item	7.3
Report No	PLS-38-23

HIGHLAND COUNCIL

Committee: South Planning Applications Committee
Date: 27 June 2023
Report Title: 22/06150/LBC: Mr and Mrs M MacDonald
6 High Street, Lochaline, Oban, PA80 5XR
Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Demolition and erection of extension
Ward: 21 – Fort William and Ardnamurchan
Development category: Local
Reason referred to Committee: Community Council objection (to concurrent application 22/06147/FUL)

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 to demolish a single storey lean-to rear extension and construct a two storey rear extension on the north elevation of a terraced cottage. The property is adjacent and attached to a larger listed building on the SW side, and a property that is similar to the application property (no.7) on the NE side. A separate application for planning permission is considered in parallel with this application (22/6147/FUL).
- 1.2 The property is a two up and two down dwelling house, with a rear lean-to offshoot. The existing extension provides a kitchen, a store and a bathroom divided by a central back door and lobby. It projects approx. 2.2m from the original back wall of the property. The existing materials are white render finish to the rear wall and corrugated metal sheeting for the lean-to roof. The main roof is natural slate.
- 1.3 The proposed extension would provide a kitchen, dining, utility room and a shower room on the ground floor and 2 ensuite bathrooms serving each of the two bedrooms on the first floor. The proposed extension would project approx. 2.4m from the original back wall, and it would project approx. 0.3m beyond the rear wall of the larger listed property (No.5) adjacent. At present the rear extension runs through, flush with the back of No.5, although there is a wall to eaves height (of the existing extension) which divides the rear yards to nos. 5 and 6. There is a narrow yard at the back of each of the properties in the terrace, and then a single storey outbuilding with a monopitch roof running the length of the terrace. This appears to have been built off a high retaining wall which runs along the rear of the terrace.
- 1.4 No.7 adjacent has a lean-to sun lounge/conservatory running across the rear elevation, and there is a wall dividing the rear yards of nos. 6 and 7 – similar to that separating nos. 5 and 6.
- 1.5 The land rises to the rear (north) and there are steps leading down alongside the outbuilding from a back lane into the rear yard of No.6.
- 1.6 The roof of the proposed extension would be a pitched roof, mirroring but slightly lower (0.3m lower) than the main roof of the application property, and running parallel to it, with a valley gutter in between. This roof would tie into the gable of no.5, the listed property adjacent, and project slightly forward of the rear elevation of that property. There would be 3 pairs of rooflights in the rear roof plane, serving the two ensembles and the landing area between them. The ground floor would have a pair of windows serving the kitchen, 2 single windows serving the utility and the shower room and a sliding patio door serving the dining area, opening onto the rear yard.
- 1.7 Pre Application Consultation: None
- 1.8 Supporting Information: None
- 1.9 Variations: None

2. SITE DESCRIPTION

- 2.1 The property is the second from the far end of a terrace. Nos. 1-5 are listed category B, and there is a non-listed building, the Old Fire Station, now a dwelling, on the SW end of the terrace, nearest the main road. Beyond no.7, there is one more property (no.8) which is detached. The Old Fire Station and nos. 1 to 5 are larger, two storey, white painted properties, nos. 6, the subject property, is lower with dormer windows on the front (south elevation) and a grey render at the front, no.7 appears to be stone, and no. 8 is a white painted single storey property with a slate roof. The existing rear roof plane of the application property has no dormers or rooflights; there is one small centrally placed window on the rear elevation towards the top of the wall hear serving the stairway at the mid-way point where the stairs turn a corner.
- 2.2 There is no parking within the curtilages of any of the properties in the terrace. There is a lane running along the front of the terrace, and these houses each have small front gardens enclosed by iron railings. There is also a lane along the back of the terrace, beyond the rear gardens, which extend behind the rear outbuilding.
- 2.3 The property is within Lochaline, and the terrace is perpendicular to, and on the east side of the A884 on the northern approach into the village. Lochaline is approx. 20 miles south of Strontian and 30 miles from Ardgour. It is at the southern point of Morvern peninsula, and it is the ferry port to Fishnish on Mull. Lochaline has a shop, a hotel and it is a local service centre.

3. PLANNING HISTORY

- | | | | |
|-----|----------|--|--------------------------------|
| 3.1 | 23.09.22 | 22/02765/FUL Demolish existing extension and erection of replacement extension, 6 High Street, Lochaline | Planning Application Withdrawn |
|-----|----------|--|--------------------------------|

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Development affecting the setting of a listed building

Date Advertised: 16.03.2023

Representation deadline: 06.04.2023

Timeous representations: 1 (neighbour)

Late representations: 0

- 4.2 Material considerations raised are summarised as follows:

- a) Wish to see no. 6 renovated and returned to habitable dwelling.
- b) Concerned as to how the rear extension will affect gable end wall of neighbouring property.
- c) Lack of information from architect as to whether the extension will be tied into the wall or whether there will be a gap, and if so, what is proposed to protect that gap from weather and debris build up. Neighbouring property is a concrete building and as such porous.
- d) Concerned how the gutter between the two pitched roofs would be managed to avoid water and debris build up.

- e) Seek guarantees that any problems during construction and in the future would be addressed and rectified by the owners of no. 6 at their cost.
- f) Query need for 3 bathrooms for a two bedroom dwelling.
- g) Cottage will never be affordable to the local population.

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 **CAG Team:** No comment. Consultee comment withdrawn.

5.2 **Historic Environment Team:** "The building is adjacent to a terrace of 5 category B listed buildings and is proposing the demolition of an existing single storey rear-extension, and its replacement with a 2 storey rear extension, with a deeper footprint, which extends beyond the rear building line of the listed terrace. At ground level the increased depth is not problematic, but the upper level is openly visible from the A884; in this SW view, protruding beyond the rear wall of the listed terrace, it is somewhat disruptive to the heritage group. It is however much lower with the proposed eaves being below the upper window-sill level on the listed buildings. This height difference along makes the proposal acceptable (on balance) as it allows the listed terrace to retain its visual /physical prominence in the rear/SW viewpoint. We therefore have no objection to the proposal, but neither do we fully support it; the design and layout are somewhat challenging, but the impacts upon the listed terrace are neither significant nor unacceptably adverse."

6. DEVELOPMENT PLAN POLICY

6.1 National Planning Framework 4 (NPF4) was adopted on 13 February 2023. The policies within it form part of the Development Plan and are material to the consideration of this application, alongside the West Highland wide Local Development Plan, 2019 and Highland wide Local Development Plan, 2012 and should, where there is conflict between policies, be afforded greater weight in decision making given that it is the most recent statement of planning policy.

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

6.3 **National Planning Framework 4 (2023)**

Policy 1 - Tackling the Climate and Nature Crises

Policy 7 - Historic Assets and Places

Policy 14 - Design Quality and Place

Policy 16 – Quality Homes

6.4 **Highland Wide Local Development Plan 2012**

28 - Sustainable Design

29 - Design Quality and Place-making

34 - Settlement Development Areas

57 - Natural, Built and Cultural Heritage

58 - Protected Species

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

No specific Policies apply

6.4 **Highland Council Supplementary Planning Policy Guidance**

Highland Historic Environment Strategy (Jan 2013)
Highland's Statutorily Protected Species (March 2013)
Sustainable Design Guide (Jan 2013)

7. **OTHER MATERIAL POLICY CONSIDERATIONS**

7.1 **Scottish Government Planning Policy and Guidance**

Historic Environment Policy for Scotland May 2009

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.

8.2 Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that, "In considering whether to grant listed building consent for any works, the planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Determining Issues

8.3 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

8.4 The key considerations in this case are:

- a) compliance with the development plan and other planning policy
- b) scale and design
- c) impact on adjacent listed building
- d) other material considerations

Development plan/other planning policy

8.5 The proposal to extend a residential property is generally acceptable subject to the layout, scale and design of the extension fitting in with the existing and neighbouring properties. This is on the rear, north elevation of a terraced property. It is the replacement of a single storey lean-to with an extension that has a slightly larger footprint, and which is two storey necessitating a significant alteration to the rear roof plane.

- 8.6 The application property, No. 6, is not listed, however this application for listed building consent is required as the proposed extension would tie into the gable of No.5, thereby directly affecting the fabric of a listed building.
- 8.7 NPF4 policy 7 seeks to protect and enhance historic environment assets and places, to enable positive change as a catalyst for the regeneration of places. Proposals must not have an unacceptable impact on the protected amenity and heritage resource. Policy 57 of the HwLDP seeks to secure similar objectives. Providing that the proposal would preserve the character, setting or any features of special architectural or historic interest of No. 6, the proposal would accord with the Development Plan.

Impact on adjacent listed building

- 8.8 The proposed extension would project slightly forward of the existing rear elevation of no.5, the listed building adjacent. Nos.1 – 5 inclusive are listed buildings, category B, because of their construction being an early use of mass concrete. The terrace dates from 1890. The features noted in the list description, besides the use of concrete, are the mostly surviving 12 pane glazed windows, the very bold coped end and ridge stacks, and deeply overhanging slate roofs. (A date isn't given in the list description for nos. 6 and 7, but it can be assumed the 2 cottages on the end must have been added later, or at least they do not pre-date the listed terrace. They are most likely about 130 years old).
- 8.9 The small projection of the footprint, by less than 0.5m beyond the rear elevation of No.5 will not have a significant impact on the character of the subject building or the neighbouring listed building at ground floor level. It will be more prominent and have more of an impact on the first floor level of the properties on either side due to the massing and bulk of the extension affecting the roof. In terms of the impact on No.5, the listed property, it will have less of an impact because the extension will tie into a blank gable, with less than 0.5m projecting beyond the rear wall of that property.
- 8.10 The proposed extension to no.6 would not detract from, or have a significant impact on, the special features of no.5. Whilst it might be preferable to limit any extension at first floor level to no.6 to a couple of traditional dormer windows only, the proposed extension involving a parallel pitched roof with valley gutter would appear to be the least impactful means of achieving any meaningful extension to the first floor of this relatively small property. On balance, the design is considered acceptable, and it would not detract from the character, special architectural or historic interest and setting of the listed terrace in general or no.5 in particular.
- 8.11 The technicalities of tying the proposed extension into the neighbouring properties will require the co-operation of the neighbours where a party wall is affected. The need to engage with the owners of the adjoining listed building has been raised with the applicant/agent on several occasions.

Other material considerations

- 8.12 Future maintenance of the valley gutter will be the responsibility of the householder and any other parties with a legal interest.

9. CONCLUSION

- 9.1 The proposed extension is, on balance, considered acceptable in respect of its size and design. In public views the extension would not be prominent. The impact on the neighbouring listed property would be small and it would not detract from the character, special architectural or historic interest and setting of the listed terrace in general or no.5 in particular.
- 9.2 The development accords with policies 7 of NPF4, and policy 57 of the HwLDP.
- 9.3 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

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

11. RECOMMENDATION

Action required before decision issued N

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

GRANT the application subject to the following conditions and reasons

1. The works to which this Listed Building Consent relates must commence within THREE YEARS of the date of this decision notice. If work has not commenced within this period, then this Listed Building Consent shall lapse.

Reason: In accordance with Section 16(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended).

2. No development or work shall commence until full details of all proposed external materials and finishes (including full details of the rooflights) have

been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

Reason: In order to retain and/or protect important elements of the existing character and amenity of the site, in accordance with policy 7 of NPF4 and policy 57 of the Highland wide Local Development Plan.

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

Listed Buildings

Both planning permission and listed building consent are required for these works. You are not authorised to commence development until you have both consents in place. Furthermore, both consents and any respective conditions must be read, and complied with, in tandem.

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.

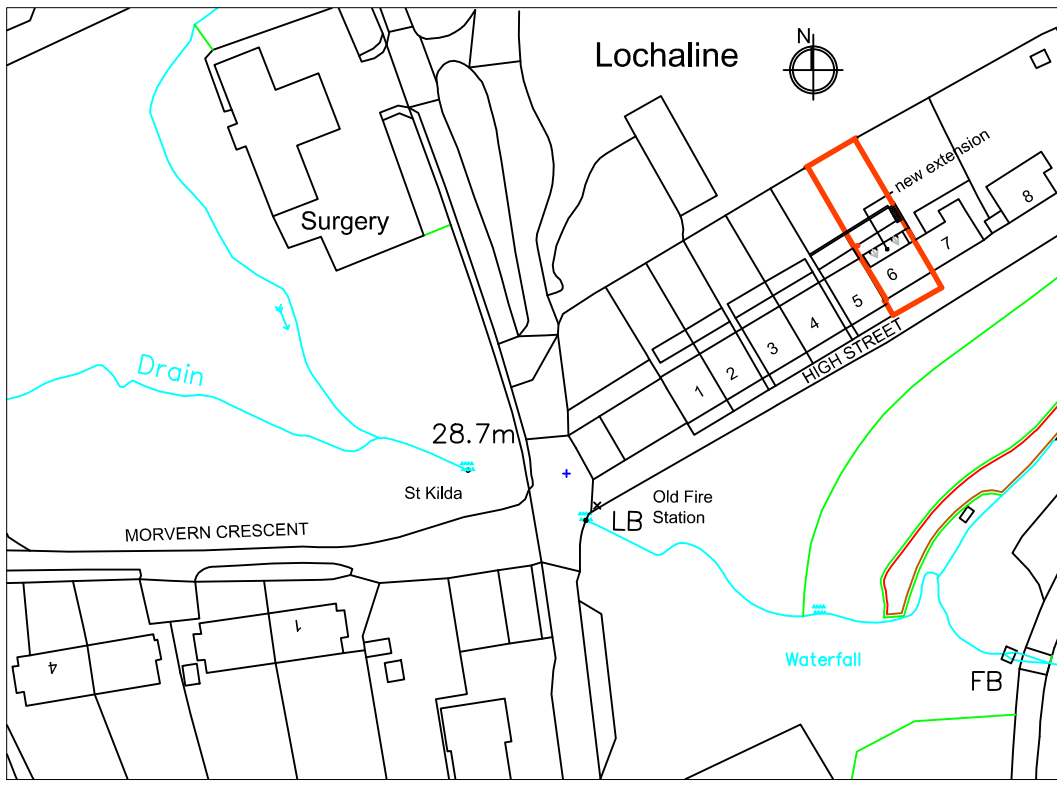
If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. 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

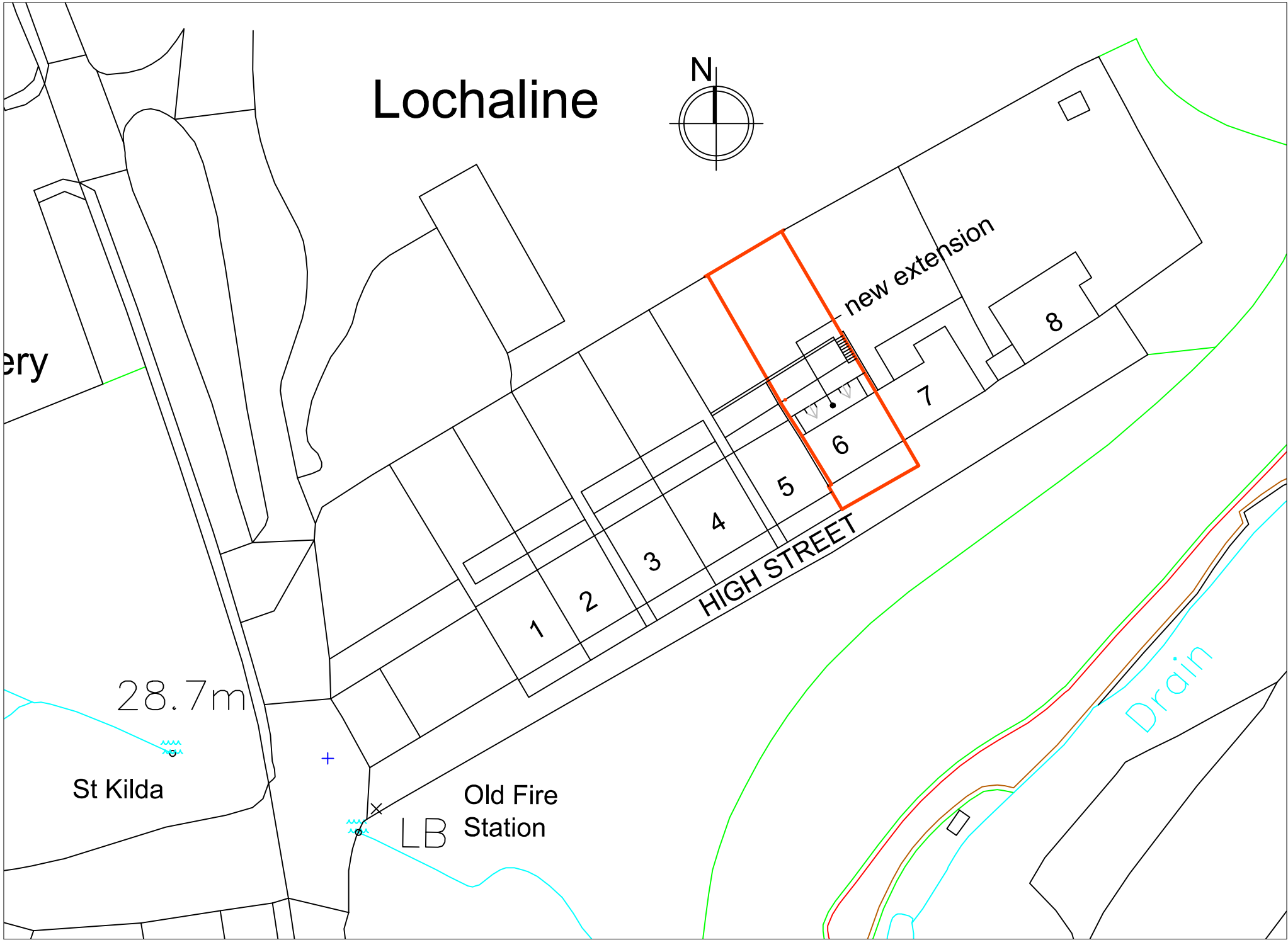
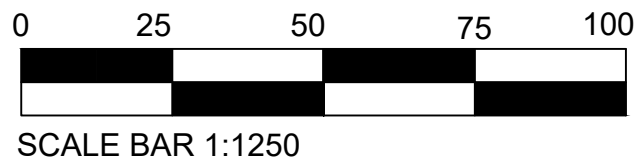
You are advised that work on site must stop immediately, and NatureScot must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it 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>

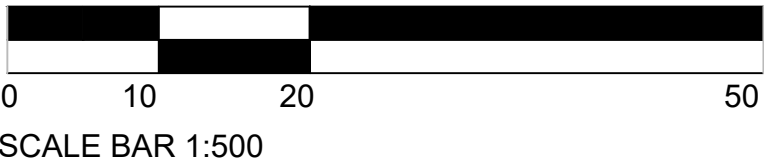
Signature: David Mudie
Designation: Area Planning Manager - South
Author: Lucy Prins
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location/Site Layout Plan 001
Plan 2 - Existing Floor/Elevation Plan 002
Plan 3 - Proposed Floor/Elevation Plan 003



Location Plan
Scale 1:1250



Site Plan
Scale 1:500

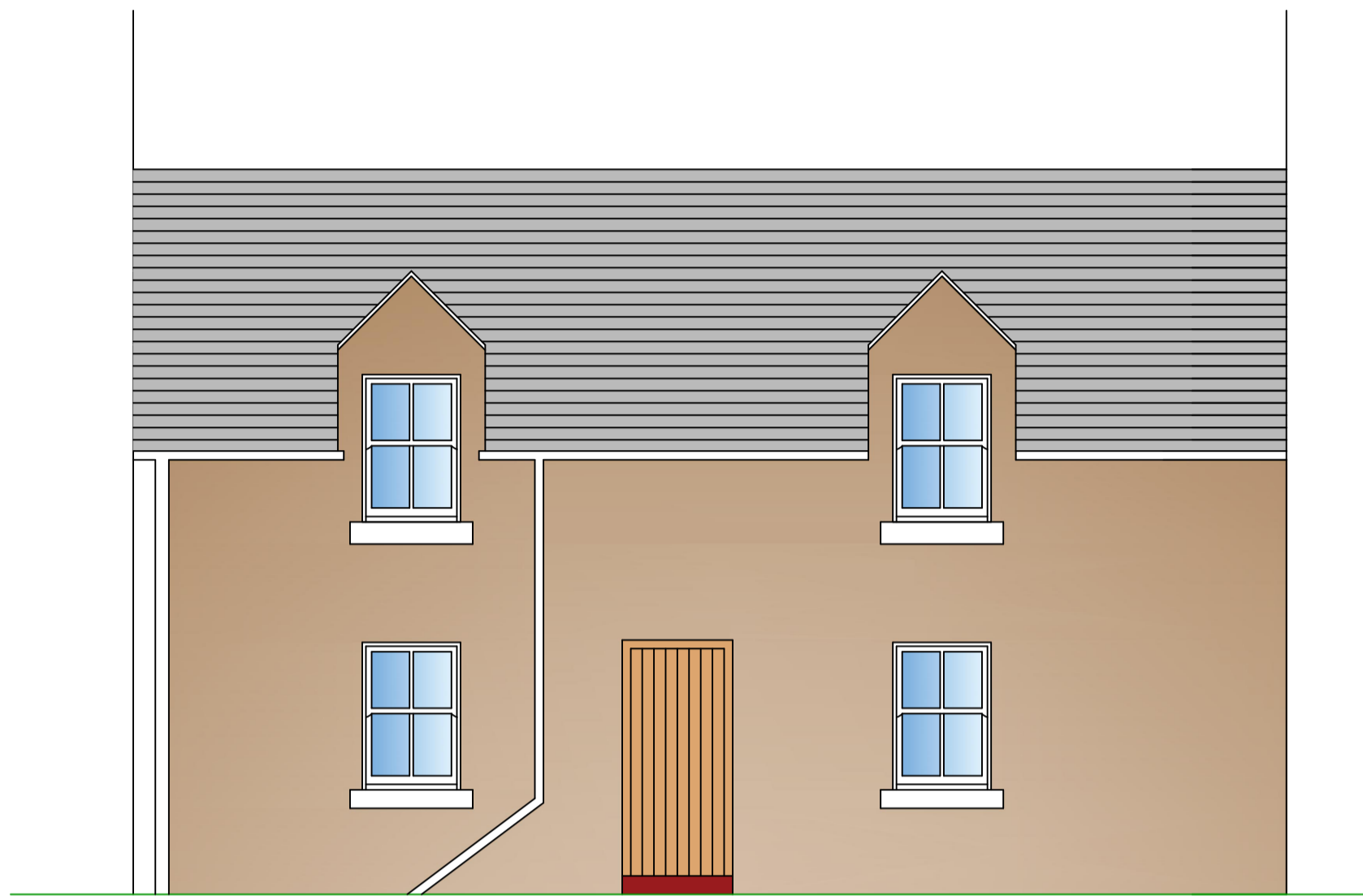


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project				Alterations & Extension to 6 High Street, Lochaline, PA80 5XR			
client				Mr & Mrs MacDonald			
detail				Location and Site Plan			dwg no.
							001
scale	date	job no.	drawn				
as noted	June 22	0622	IJM				

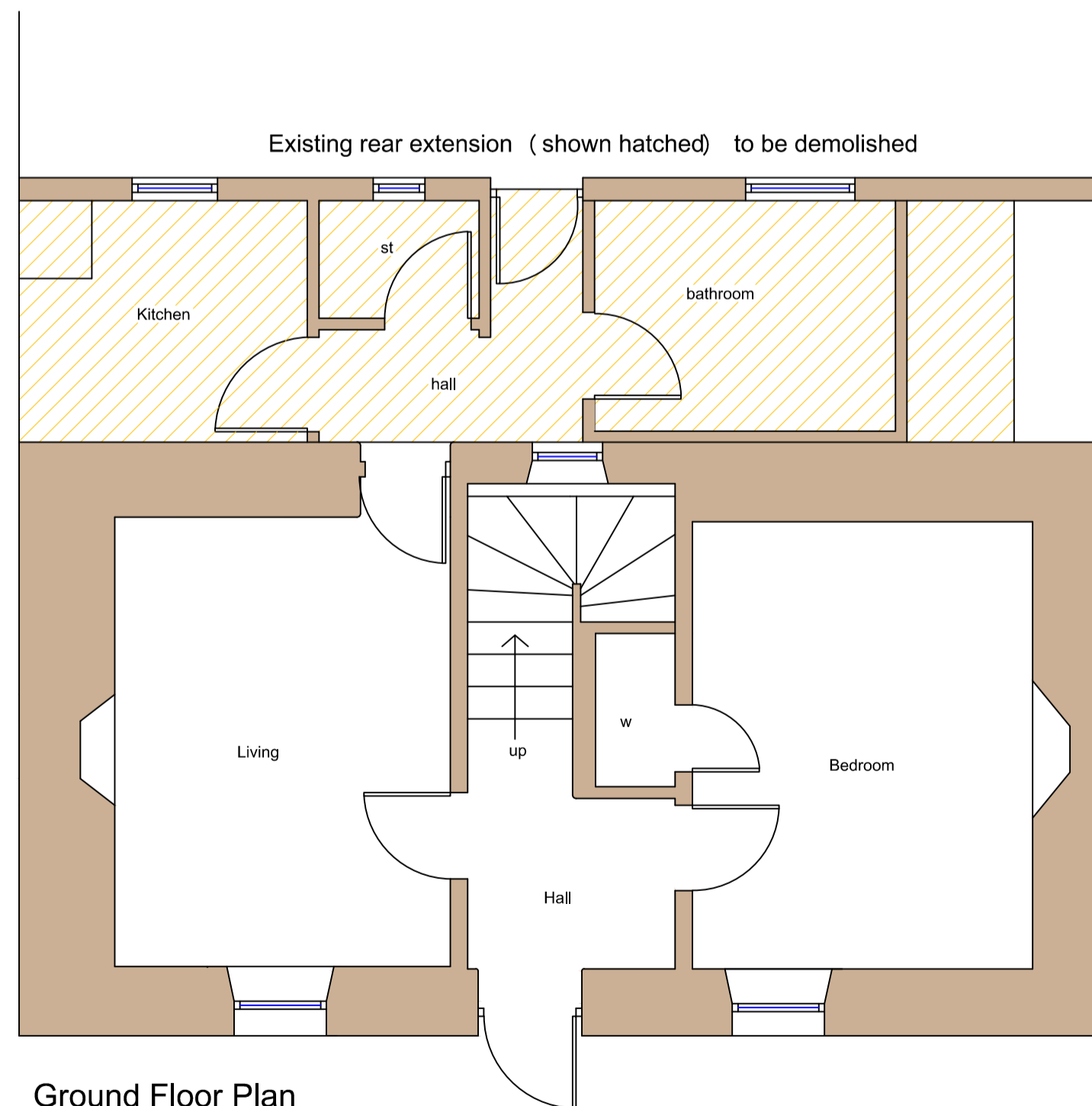
NOTES
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 Written dimensions are to be taken at all times. Drawings should not be scaled. In case of doubt refer to Architect.
 The contractor will ensure that all materials conform to the British Standards relating to them and/or certificates issued by the British Board of Agreement and that they are fixed, mounted or installed strictly in accordance with the B.S Code of practice relative to them or the Manufacturer's printed instructions. British Standards & Codes of Practice will include amendments made on or before date of tender.
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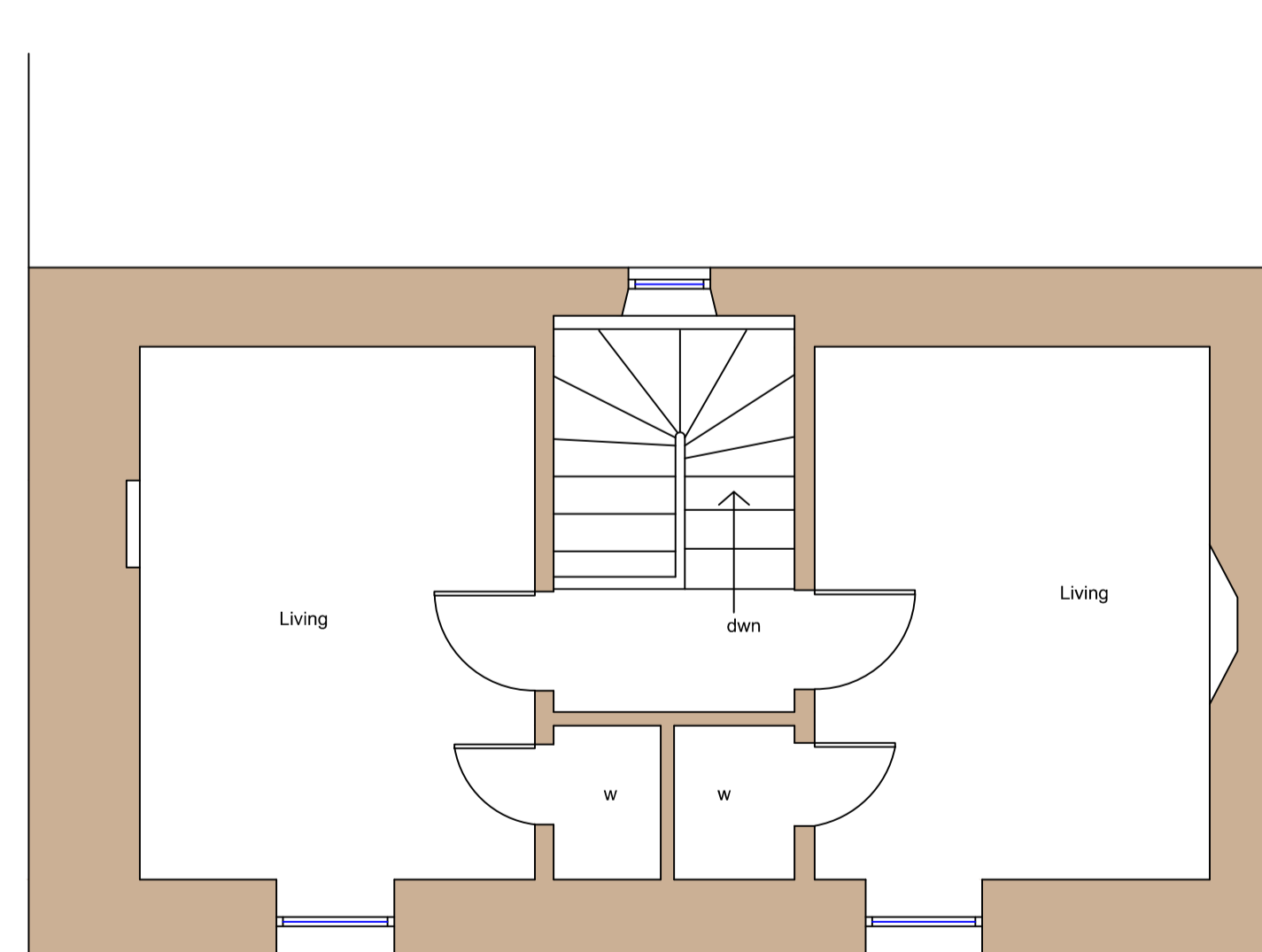
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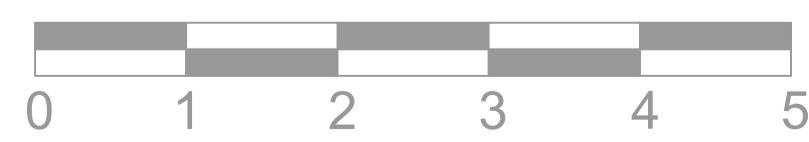
North Elevation
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Ground Floor Plan
 Scale 1:50



First Floor Plan
 Scale 1:50



SCALE BAR 1:50

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 ARCHITECT

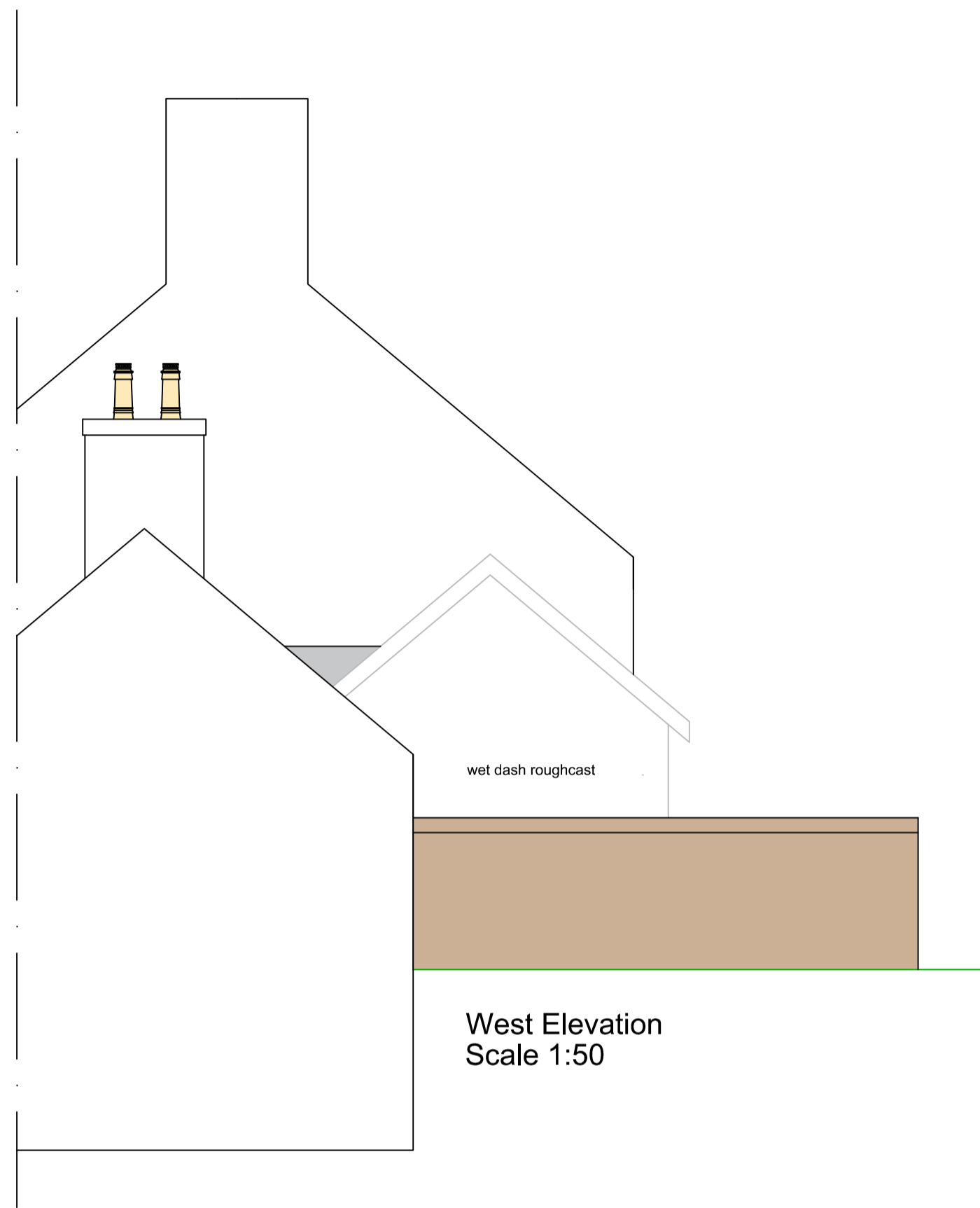
Unit 21, Ben Nevis Industrial Estate, Fort William PH33 6PR
 Tel: 01397 708567

project
**Alts & Extension to 6 High Street Lochaline
 PA80 5XR**

client
Mr & Mrs MacDonald

detail
As Existing Ground Floor Plan & Elevations

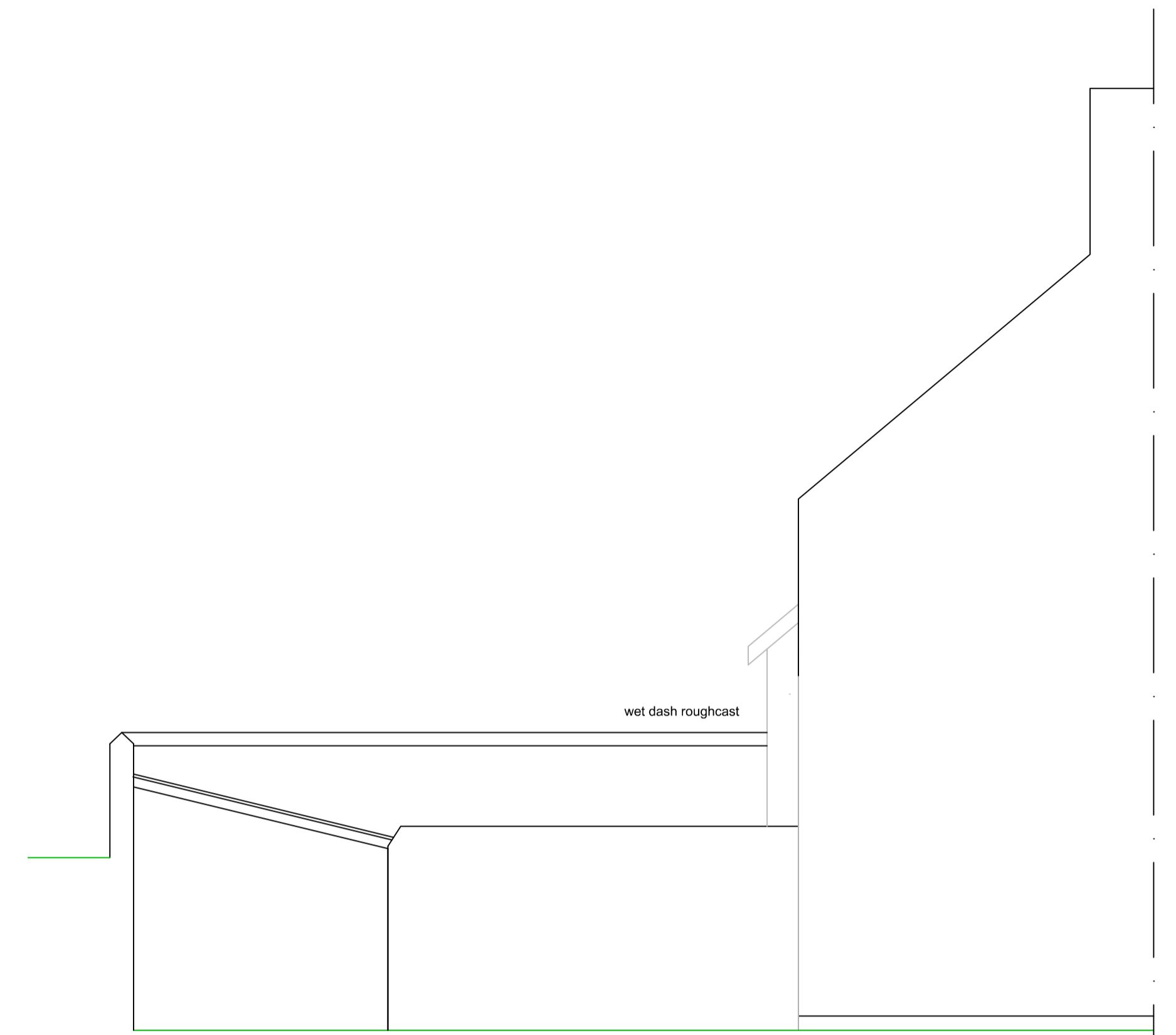
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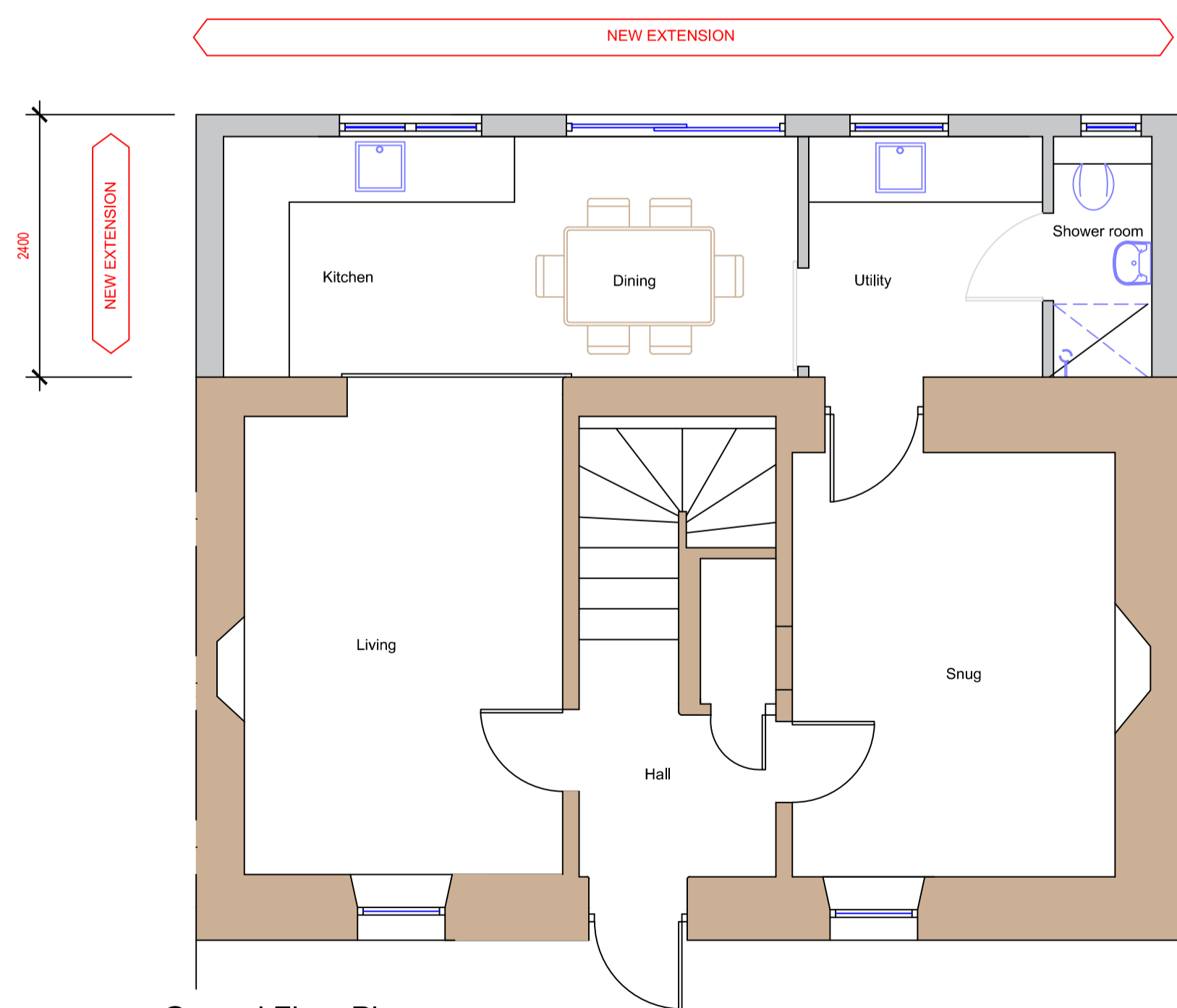
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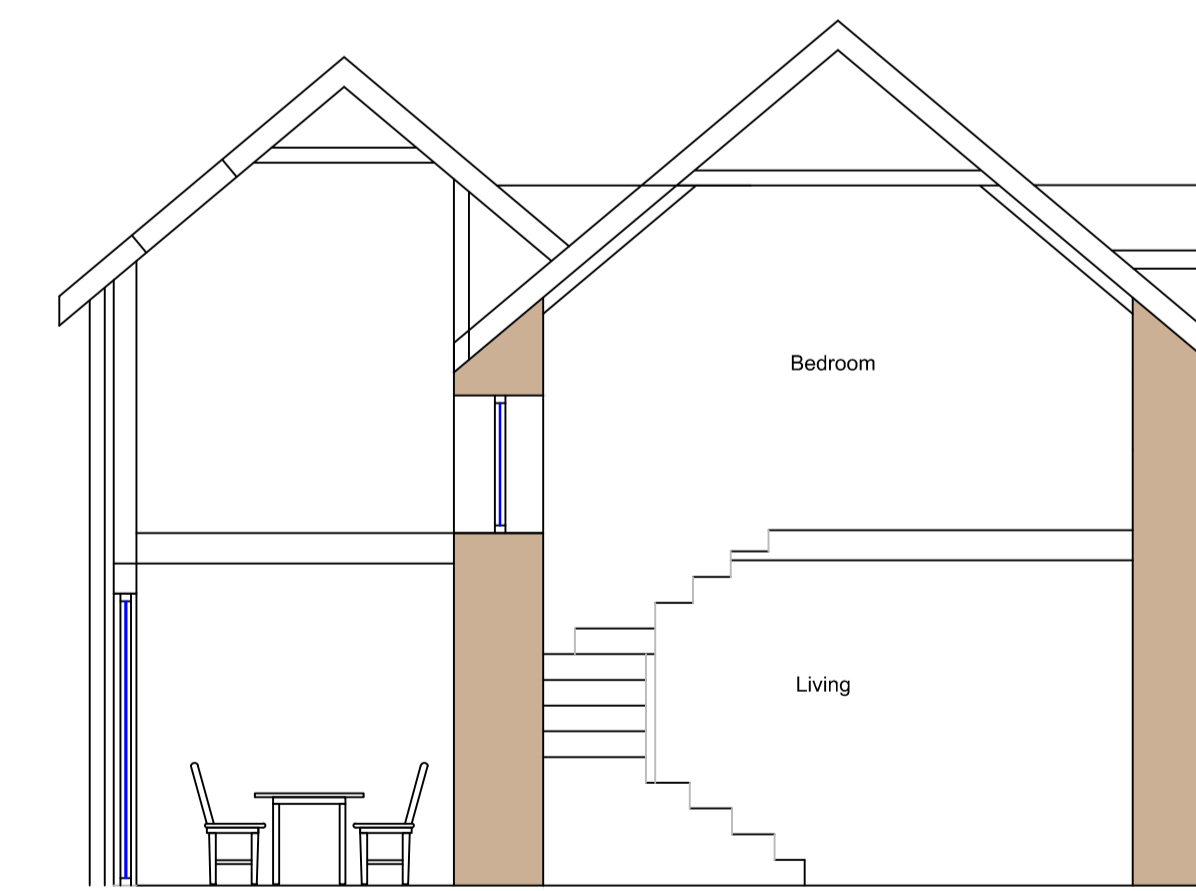
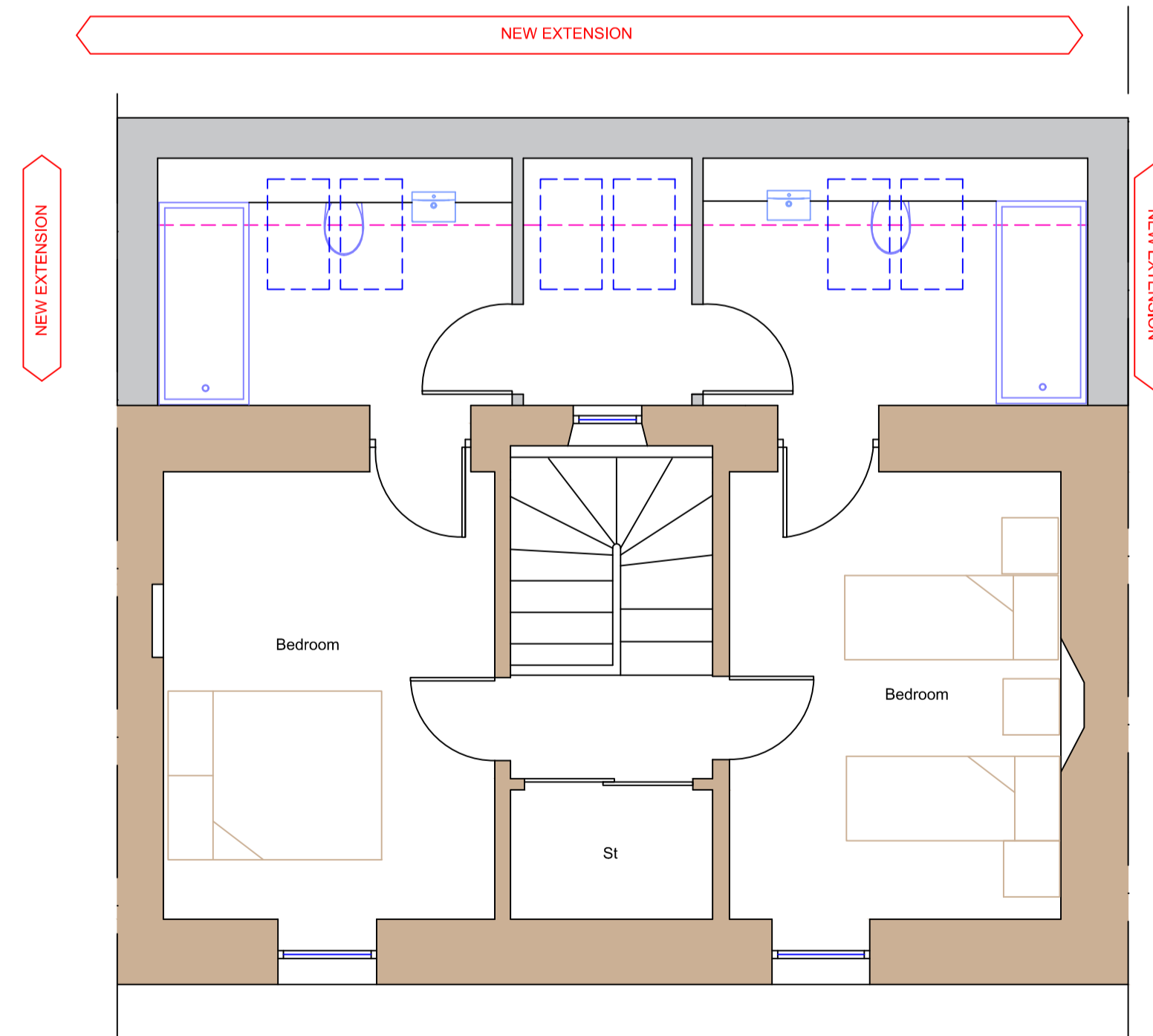
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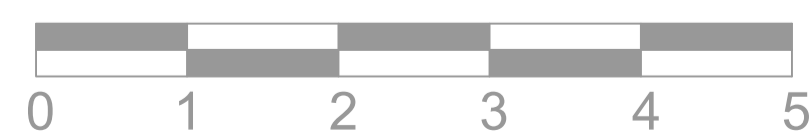
East Elevation
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Ground Floor Plan
Scale 1:50



Cross Section
Scale 1:50



SCALE BAR 1:50

NOTES
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project
**Alts & Extension to 6 High Street Lochaline
 PA80 5XR**

client
Mr & Mrs MacDonald

detail
**Proposed Floor Plans Cross Section &
 Elevations**

scale 1:50	date Dec 22	drawn IJM
job no. 0622	dwg no. 003	checked X