

Agenda Item	6.1
Report No	PLS 016/18

HIGHLAND COUNCIL

Committee: South Planning Applications Committee
Date: 13 March 2018
Report Title: 17/05722/FUL: Mr Niall McLean
West Quarry Depot, Ballachulish
Report By: Area Planning Manager – South/Major Developments

Purpose/Executive Summary

Description: Erection of storage shed
Ward: 21 - Fort William and Ardnamurchan
Development category: Local

Reason referred to Committee: Applicant is Local Member

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** planning permission as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 The proposal is for the erection of a new storage building within an existing engineering yard at Ballachulish (former Roads Depot, West Laroch). The engineering yard is contained within the disused slate quarry at Ballachulish, which is located on the south side of the A82 at Ballachulish. The storage building would be sited at the southern side of the yard, approximately 85m from the A82 trunk road and would measure 18.7m x 9.7m x 5.4m and be clad in dark green profiled cladding.
- 1.2 The site is served by an existing private access which spurs from the Ballachulish Roads Depot Road (U1716) and runs parallel with the A82 trunk road at the western side of Ballachulish. Connection to existing surface water drainage within the yard is proposed.
- 1.3 Pre Application Consultation: n/a
- 1.4 Supporting Information: Design report
- 1.5 Variations: n/a

2. SITE DESCRIPTION

- 2.1 The site is located to the south side of the A82 at the western periphery of the settlement at Ballachulish. The site comprises a generally level yard with a raised concrete loading platform at the east side. A Nissen hut and mono pitched office building are located to the western side. The yard backs on to a high rock face at the southern side. The site is well contained within the disused quarry site with no immediate residential neighbours. Chisholm's Garage and associated yard is located approximately 140m to the east.

3. PLANNING HISTORY

- 3.1 No relevant planning history.

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Unknown Neighbour Advert

Date Advertised: 18.01.2018

Representation deadline: 01.02.2018

Timeous representations: 0

Late representations: 0

5. CONSULTATIONS

- 5.1 **Flood Risk Management Team:** No objections. No flooding issues identified at the location of the new shed. The shed is to be located on an area of existing hardstanding and would not alter the existing drainage patterns.

- 5.2 **Scottish Natural Heritage:** No objections. Advised the application site boundary follows the Glen Etive and Glen Fyne Special Protection Area (SPA) boundary (designated for Golden Eagle). As the shed would be located outwith the SPA site, the development would not have a significant effect on the Glen Etive and Glen Fyne SPA.
- 5.3 **SEPA:** No objections. No topographic information provided in support of the application however, the site is set back from the coast and appears to be elevated above likely flood levels. There is a small watercourse to the south of the site at the top of the disused quarry. This flows away from the site in an easterly direction and it is unlikely that the site will be at risk of fluvial flooding from this small watercourse.
- 5.4 Transport Scotland: No objections.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 34 - Settlement Development Areas
- 41 - Business and Industrial Land
- 57 - Natural, Built & Cultural Heritage
- 64 - Flood Risk
- 66 - Surface Water Drainage

6.2 West Highland and Islands Local Plan 2010 (as continued in force)

Inset Map 6: Ballachulish South

Objectives include *"to recognise the potential for strengthening the industry/business-west pier/west quarry..."*

6.3 West Highland and Islands Local Development Plan - Proposed Plan (WestPlan)

The Lochaber elements of the West Highland and Islands Local Development Plan (WestPlan) Proposed Plan were agreed by Members at their meeting on 18 January 2017. The Proposed Plan was then published for consultation from 5 May 2017 to 21 July 2017. This document represents the emerging 'settled view' of the Council and is a material planning consideration in making planning decisions.

The emerging Proposed Plan identifies the West Quarry site within the South Ballachulish Settlement Development Area boundary. Placemaking Priorities for North Ballachulish, Glenachulish and South Ballachulish include safeguarding, through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities, in particular the Ben Nevis and Glen Coe National Scenic Area. Most development should be directed to within the existing built form to protect the landscape and visual capacity and quality of the

area.

7. OTHER MATERIAL CONSIDERATIONS

7.1 Highland Council Supplementary Planning Policy Guidance

Flood Risk & Drainage Impact Assessment (Jan 2013)

7.2 Scottish Government Planning Policy and Guidance

Scottish Planning Policy 2014

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) design, layout and amenity
- c) natural, built and cultural heritage designations
- d) servicing and Infrastructure
- e) any other material considerations

Development plan/other planning policy

8.4 The site lies within the South Ballachulish Settlement Development Area boundary. Settlement Development Areas are the Council's preferred areas for most types of development. One of The West Highland and Islands Local Plan includes an objective to strengthen industry/business use at the west quarry. In principle the development complies with the Development Plan subject to compliance with Policy 28: Sustainable Design and all other relevant plan policies.

Design, Layout and Amenity

8.5 Policy 34: Settlement Development Area requires proposals to be judged in terms of how compatible they are with the existing pattern of development and landscape character, how they conform to existing and approved adjacent land uses and the effect on any natural, built or cultural heritage features. The site is located within the Ben Nevis and Glencoe National Scenic Area (NSA) and the boundary of the site is contiguous with the Glen Etive and Glen Fyne Special Protection Area (SPA)

boundary.

- 8.6 The scale, height, form and finishes of the proposed storage building are considered appropriate within the existing commercial engineering yard. The consolidation of plant and materials within a formal storage building will improve visual amenity within the immediate vicinity.
- 8.7 The proposed storage shed would be well contained to the rear of the existing yard, occupying an area of level hardstanding, backed by a high rock face. The proposal would accord with neighbouring land use within the former quarry site and is not considered to impact on the landscape character of the site. The proposals raise no substantive concerns regarding loss of neighbouring residential or wider amenity.
- 8.8 **Conclusion:** It is considered the proposal accords with Policies 28, 29, 34 and 41 of the Highland wide Local Development Plan.

Natural, Built and Cultural Heritage Designations

- 8.9 Policy 57: Natural, Built and Cultural Heritage requires proposals to be assessed taking into account the level of importance and type of heritage features, the form and scale of the development and any impact on the feature and its setting.
- 8.10 The storage building will be well contained within the existing business boundary and engineering yard compound. The site benefits from a sense of enclosure due to the high rock face and is largely screened from the trunk road by trees and vegetation. The proposal is not considered to adversely impact on the landscape character or wider National Scenic Area designation.
- 8.11 The boundary of the site is contiguous with the Glen Etive and Glen Fyne Special Protection Area (SPA), designated for Golden Eagle. The storage shed will be located within the existing yard area, outwith the SPA and is not considered to adversely impact on this neighbouring designation.
- 8.12 **Conclusion:** It is considered the proposal accords with Policies 34 and 57 of the Highland wide Local Development Plan.

Servicing and Infrastructure

- 8.13 The yard is served by an existing access and services. No connection to water supply or foul drainage is proposed to serve the storage building. Connection to the existing surface water drainage scheme is proposed. The sufficiency of this will be further assessed at building warrant stage.
- 8.14 **Conclusion:** It is considered the proposal accords with policies 28 and 66 of the Highland wide Local Development Plan.

Other material considerations

- 8.15 None

Non-material considerations

8.16 None

Matters to be secured by Section 75 Agreement

8.17 a) None

9. CONCLUSION

9.1 This proposal seeks planning permission for the erection of a storage building within an existing commercial yard. The scale, form and siting of the storage building are appropriate in this setting and raise no substantive concerns regarding loss of neighbouring or wider amenity.

9.2 The storage building will be appropriately sited to avoid adverse impacts on the scenic quality of the designated National Scenic Area. The storage building will be sited outwith the Glen Etive and Glen Fyne Special Protection Area and will not adversely impact on neighbouring designated Golden Eagle habitat.

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, it is recommended that planning permission be

GRANTED

Conditions and Reasons

NONE

REASON FOR DECISION

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

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

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

FOOTNOTE TO APPLICANT

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.

Accordance with Approved Plans & Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

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.

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 Scottish Natural Heritage 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 SNH: www.snh.gov.uk/protecting-scotlands-nature/protected-species

Radon Protection

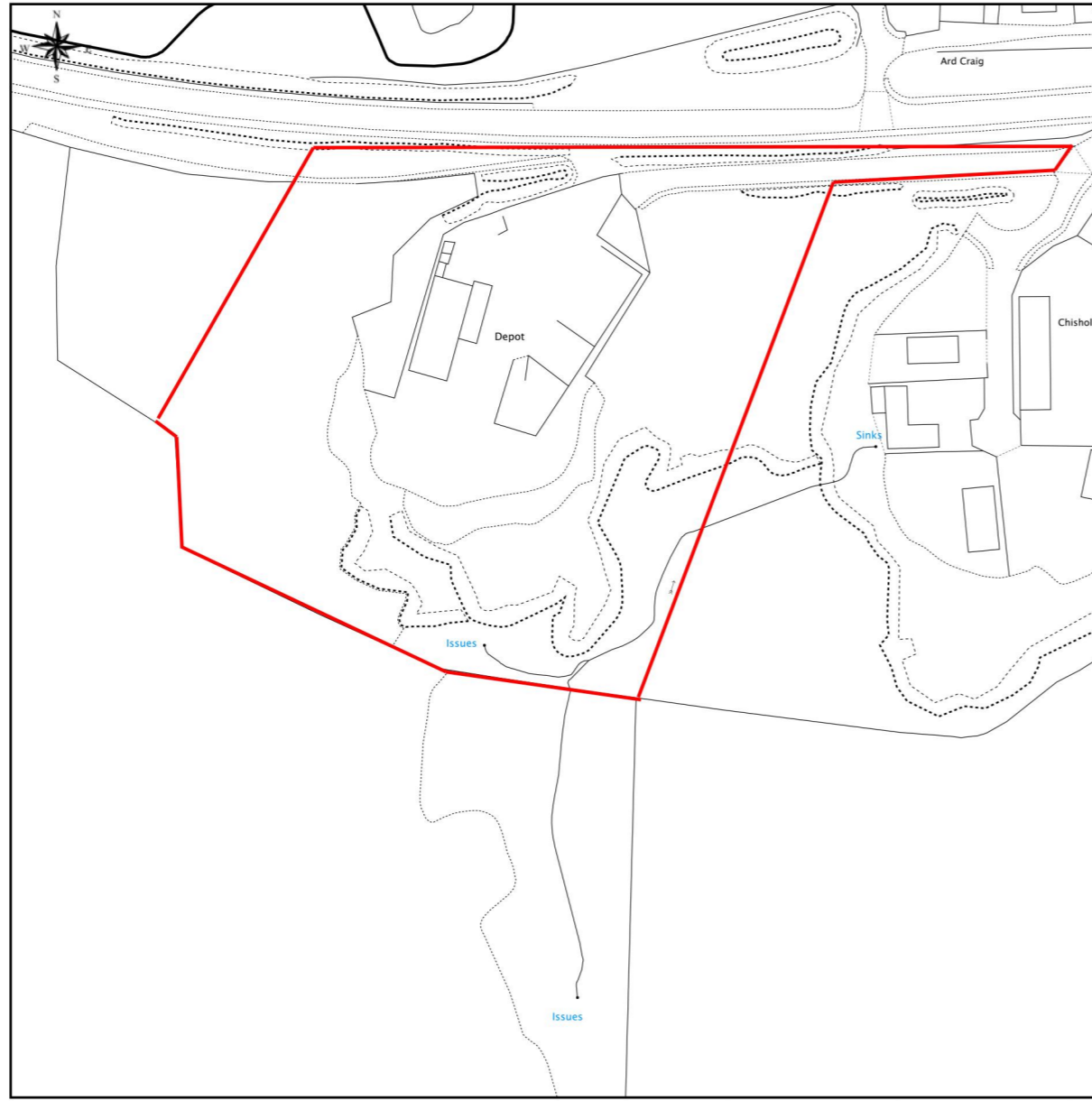
Please be advised that the development falls within an area where there may be a requirement for basic radon protection. Basic Radon Protection measures may be required to be incorporated in the building design as per the guidance in publication *BRE-211 Radon-Guidance on protective measures for new buildings (including supplementary advice for extensions, conversions and refurbishment projects) 2015 edition*, or equivalent protection.

Signature: Nicola Drummond
Designation: Area Planning Manager – South/Major Developments
Author: Christine Millard

Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 - 01 Location Plan
Plan 2 - 03 Proposed Site Plan
Plan 3 - 04 Proposed Floor/Roof Plan
Plan 4 - 05 Proposed Elevations

West Quarry yard

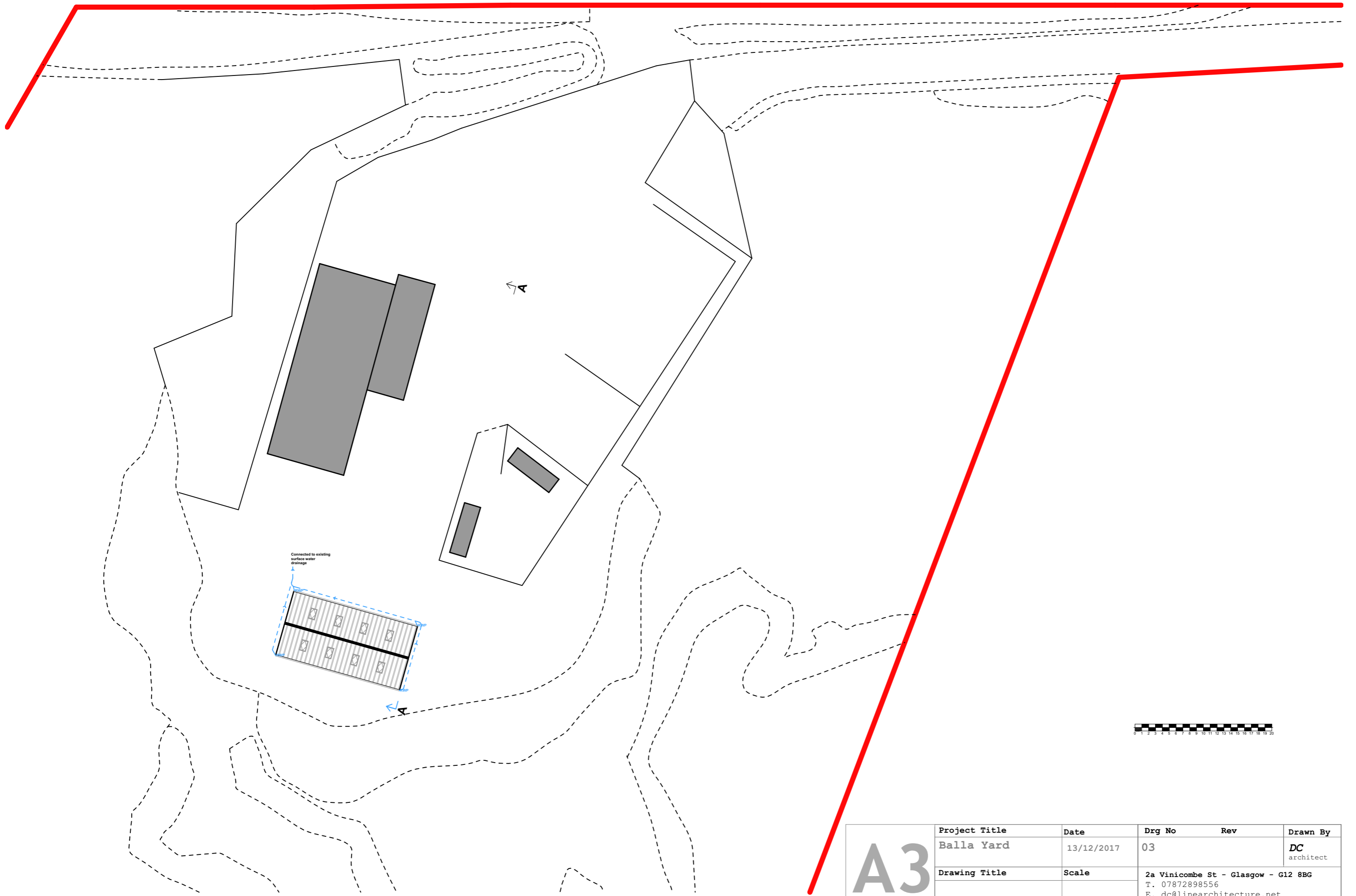


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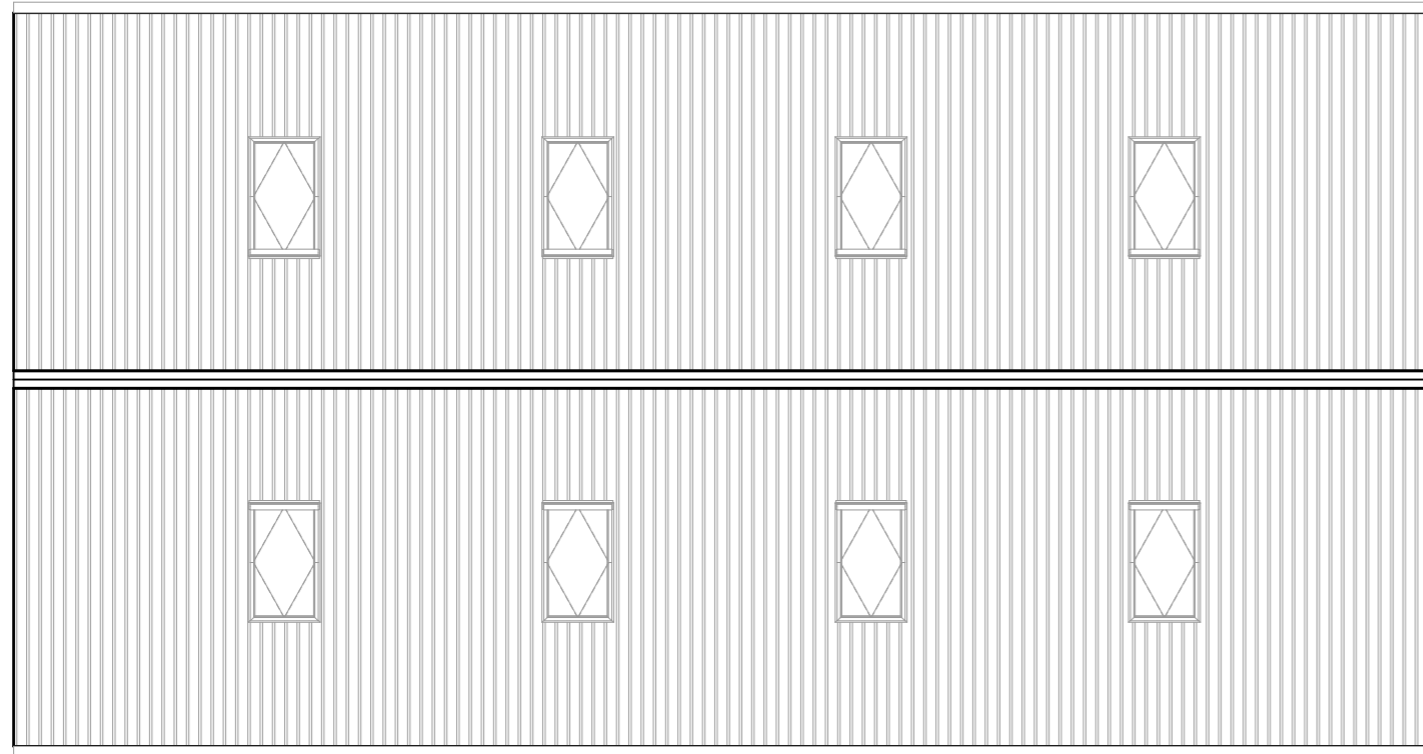
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New storage and office buildings for Georpe Ltd

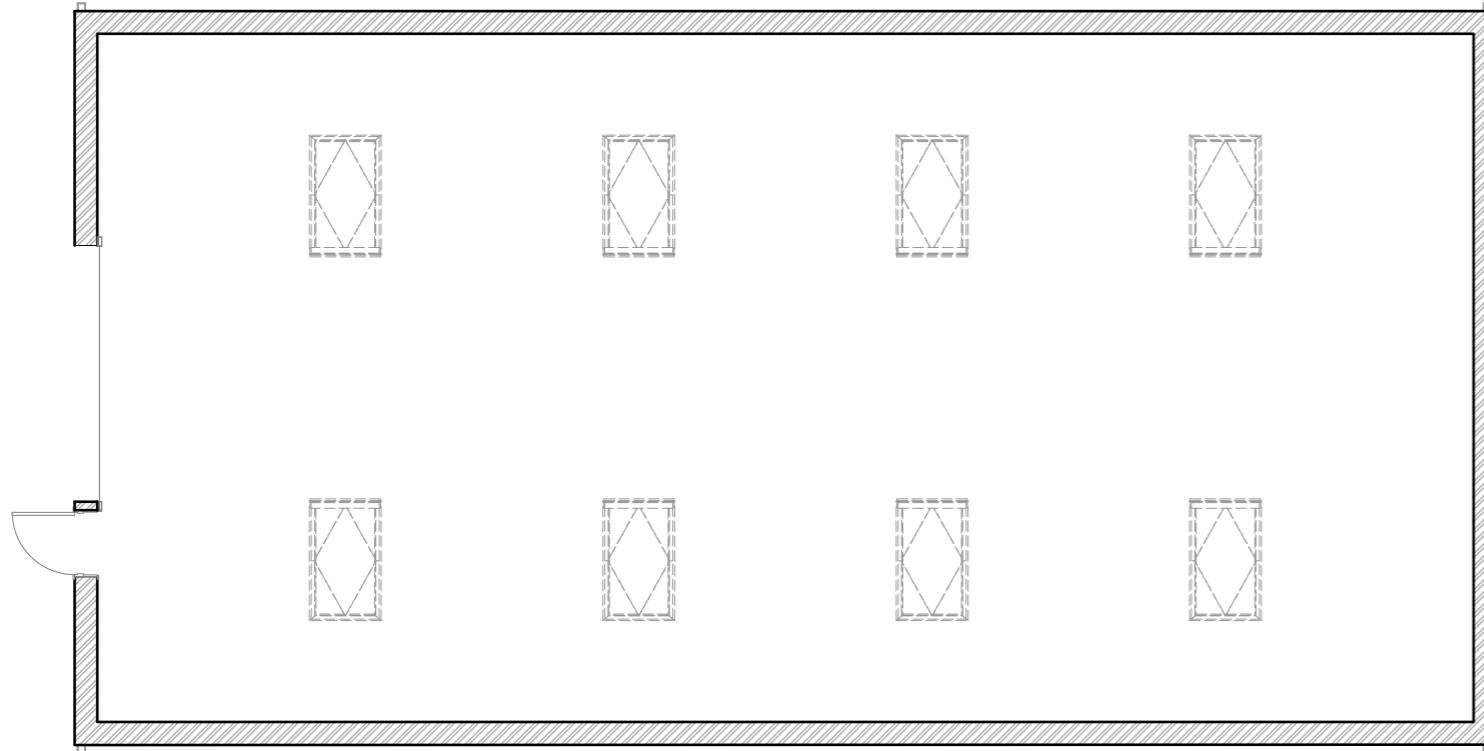
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	Balla Yard	07/12/2017	01		DC architect
	Drawing Title	Scale	2a Vinicombe St - Glasgow - G12 8BG T. 07872898556 E. dc@linearchitecture.net www.linearchitecture.net		
	Location Plan				



A3	Project Title	Date	Drg No	Rev	Drawn By
	Balla Yard	13/12/2017	03		DC architect
	Drawing Title	Scale	2a Vinicombe St - Glasgow - G12 8BG T. 07872898556 E. dc@linearchitecture.net www.linearchitecture.net		
Proposed Site Plan	1:500				



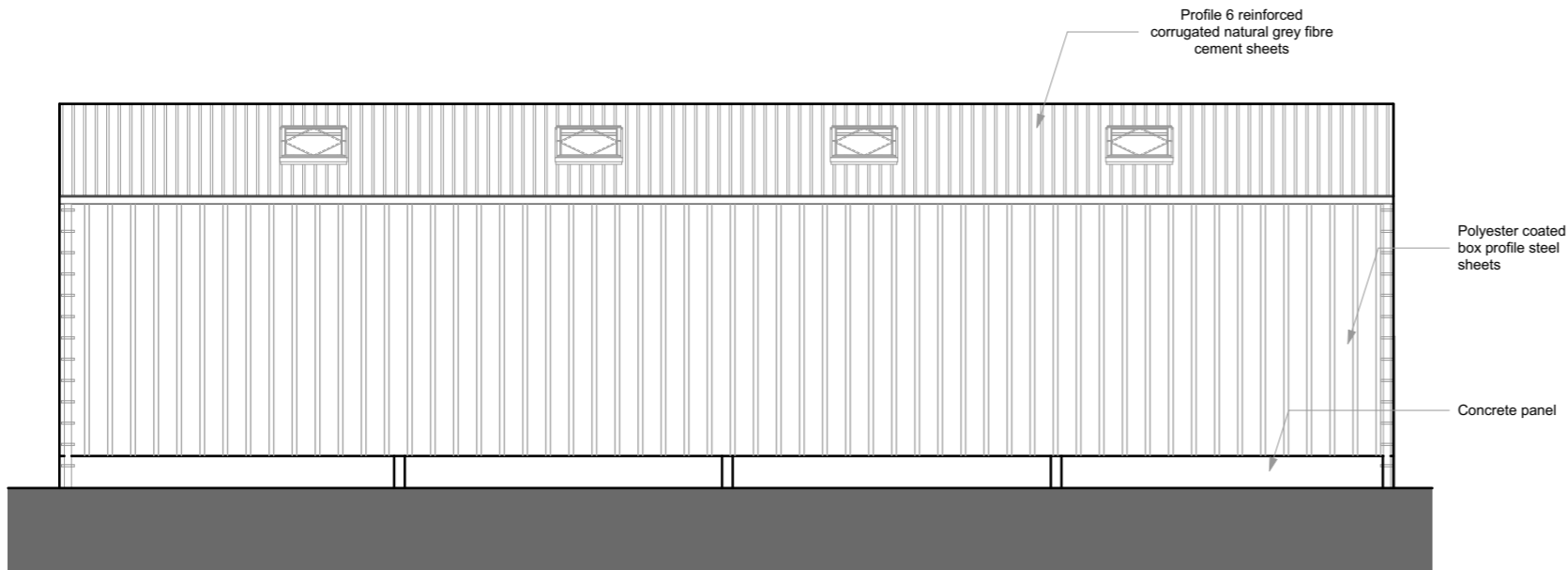
PROPOSED ROOF PLAN



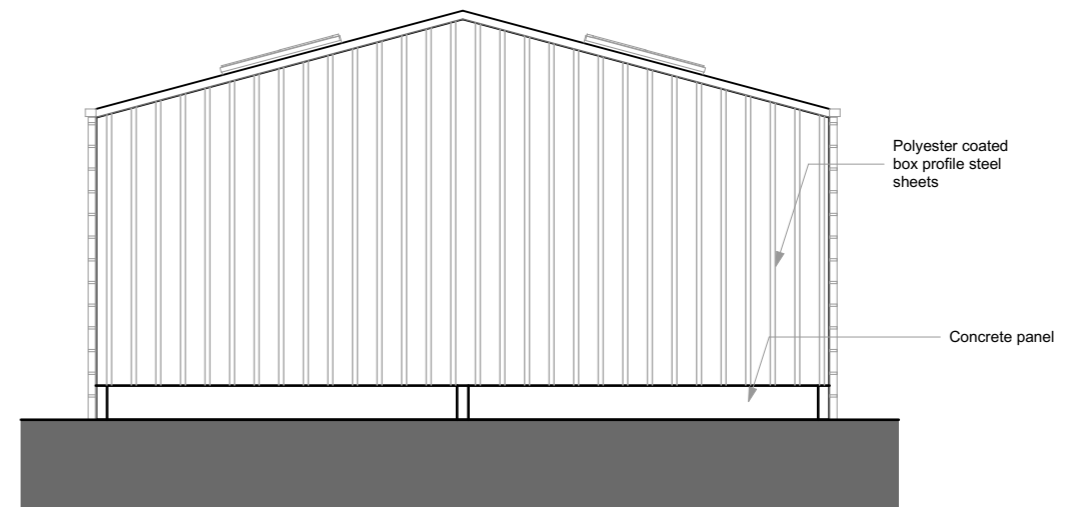
PROPOSED GROUND FLOOR



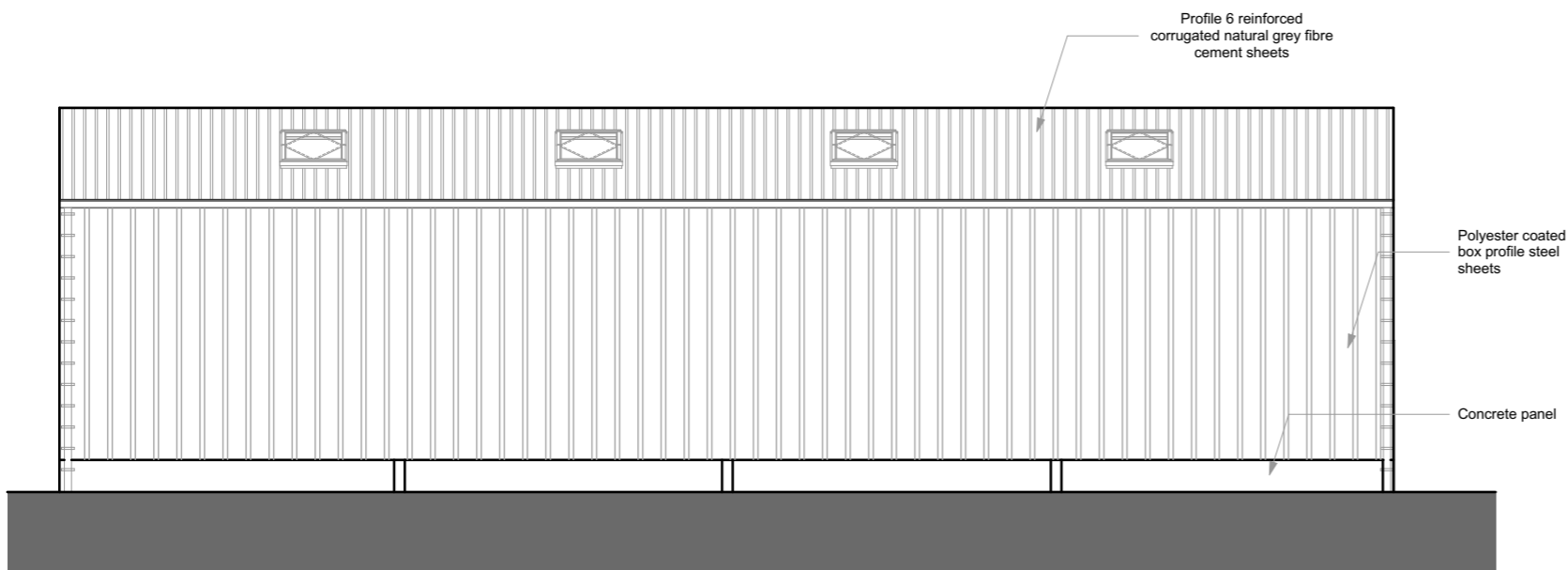
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	Balla Yard	13/12/2017	04		DC architect
	Drawing Title	Scale	2a Vinicombe St - Glasgow - G12 8BG T. 07872898556 E. dc@linearchitecture.net www.linearchitecture.net		
	Proposed Plans	1:100			



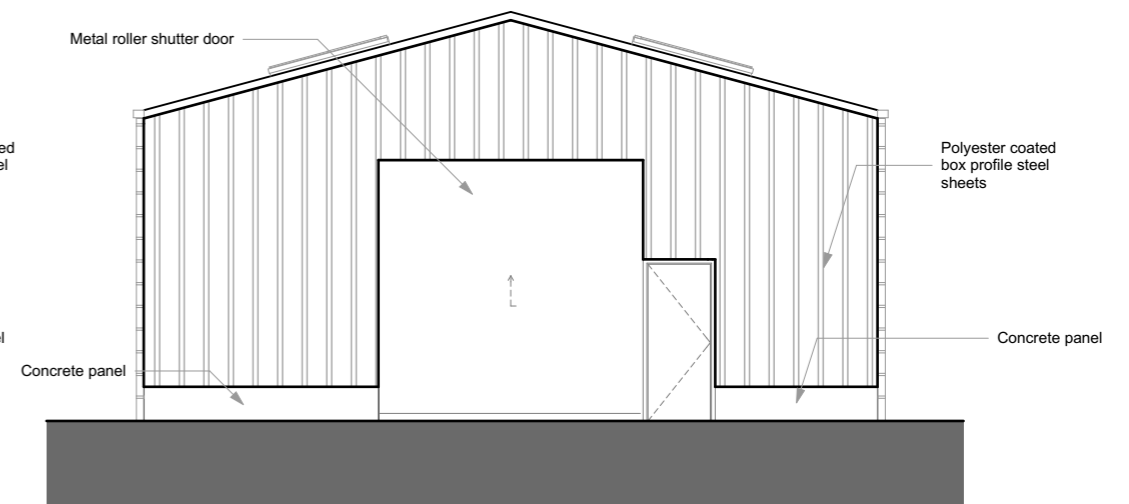
PROPOSED SOUTH ELEVATION



PROPOSED EAST ELEVATION



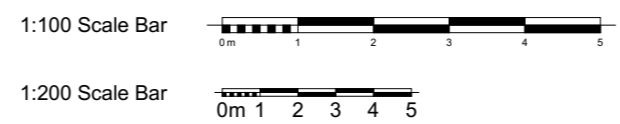
PROPOSED NORTH ELEVATION



PROPOSED WEST ELEVATION



PROPOSED SITE SECTION A-A (1:200)



A3	Project Title	Date	Drng No	Rev	Drawn By
	Balla Yard	13/12/2017	05		DC architect
	Drawing Title	Scale	2a Vinicombe St - Glasgow - G12 8BG		
	Proposed Elevations and Site Section	1:100, 1:200	T. 07872898556 E. dc@linearchitecture.net www.linearchitecture.net		