

Agenda Item	<b>6.5</b>
Report No	<b>PLN/094/21</b>

## HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee  
**Date:** 07 December 2021  
**Report Title:** 21/03580/FUL: Mrs Pippa Archibald  
Land 120M NE Of 18 South Erradale, Gairloch  
**Report By:** Area Planning Manager - North

### **Purpose/Executive Summary**

**Description:** Erection of house and garage/office, siting of 2 holiday letting units and associated works

**Ward:** 05 - Wester Ross, Strathpeffer And Lochalsh

**Development category:** Local development

**Reason referred to Committee:** Objections from five separate 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 This application proposes to erect a single dwelling on croft land at the western edge of the small hamlet of South Erradale, approximately eight kilometres south-west of Gairloch. This dwelling would be accompanied by a small garage/store/office building and two small mock 'blackhouse' buildings, for short-term holiday let purposes, which would be surrounded by a wildflower meadow. Four polycrub (greenhouse/polytunnel hybrid) buildings might also later be established but are not considered in the context of this application (see 1.5 below)

The proposed dwelling would comprise partly 1.5-storey and partly single-storey elements. Its external materials would include a standing seam roof and wildflower green roof, natural stone and some timber cladding. It would extend to over 26 metres in length and almost seven metres in height, providing a total habitable floor area of approximately 200 square metres. It would consist of five bedrooms (two of which ensuite), a kitchen/family area, larder, lounge, laundry room, bathroom and storage areas.

The two identical 'blackhouses' would each form a broad 'L'-shaped floorplan providing 37 square metres of space and would reach almost four metres in height. They would be finished with natural stone and feature wildflower green roofs. An external semi-circular patio area attached to each unit and accessed by full height glazed doors would enable enjoyment of sea views.

A garage/store/office building would feature a similar mono-pitched wildflower green roof and natural stone walls. Its north-west wall would follow a 45° chamfered plan, creating a midpoint corner. The building would stand 5.1 metres in width and approximately 12.2 metres in length.

The application also proposes to install an array of 48 solar panels, each measuring 1680 x 840 millimetres and arranged in a grid of eight by six panels.

- 1.2 The application site is currently accessed via a private single-track road. The site consists of peatland and is therefore rather boggy in character. A burn bisects the applicant's landholding, providing a boundary between Crofts 20 and 21.

- 1.3 Pre-Application Consultation: None

- 1.4 Supporting Information: a brief Supporting Statement has been submitted which addresses the proposed design and the application site's characteristics – this is considered to suffice as a Design Statement, which must accompany any proposal within a National Scenic Area. A Peatland Management Plan and Habitat Survey have also been submitted.

- 1.5 Variations: minor revisions have been made to the proposal as originally submitted on several occasions. These include:

- Areas of Croft 21 indicating future orchard and drained livestock land removed from plans;
- Polycrubs removed from plans (potentially being subject to a future Prior Notification procedure);

- Wildflower spray around ‘blackhouses’ no longer featured on plans;
- Proposed dwelling’s location nudged slightly to the north-east (to minimise the impact on peat locations);
- Pitch of ‘blackhouse’ roofs slightly reduced;
- Solar array relocated to the application site’s south-west side;
- Proposed vehicular route through site shortened and changed to a partially floated track; additional parking spaces introduced.

## **2. SITE DESCRIPTION**

- 2.1 The application site itself measures just under one hectare in area; additional croft land to the east (Croft 21) is owned by the applicant but does not form part of this application. Common grazing land abuts its north-western side.
- 2.2 Neighbours currently reside within 40 metres of the application site’s boundary (Croft 18). There are currently no trees within the application site’s boundary, although trees associated with Croft 18 are visible from the application site.

## **3. PLANNING HISTORY**

- 3.1 19/01084/PIP      Erection of house [on Croft 20 to the east of the proposal on Croft 21 (both crofts in applicant’s ownership)]      Granted 2 May 2019

## **4. PUBLIC PARTICIPATION**

- 4.1 Advertised: Ross-shire Journal, ‘Unknown Neighbour’

Date Advertised: 13 August 2021

Representation deadline: 27 August 2021

Timeous representations:      Four objections from four households

Late representations:              Four further representations including one from a fifth household.

- 4.2 Material considerations raised are summarised as follows:

- Landscape: application site’s undeveloped nature; proposed introduction of trees in an area not currently characterised by tree coverage.
- Peat: the application site’s development would necessarily release stored peatland carbon into the atmosphere; drainage of peatland would likely lead to loss of flora and fauna therein.
- Scale: the proposed development’s design and massing is excessive in its countryside setting; a “commercial-scale enterprise” as opposed to mere diversification.

- Queries over 'blackhouse' demand, given a recent rise in second holiday homes in the area, as well as being sited adjacent to a guest house.
- Amenity: potential overlooking issues compromising residents' privacy, especially to Croft 18 to the application site's south; potential foul odours arising from proposed drainage arrangements; introduction of a potential source of noise disturbance to surrounding residents and animals.
- Infrastructure: no refuse disposal provision at the application site; number of proposed solar panels believed to be excessive and unnecessary; poor Internet provision; drainage and effluent issues in an area with limited natural capacity.
- Exacerbation of flooding issues; additional pollution would be detrimental to young wild salmon, which are believed to be returning to a nearby burn.
- Heritage: anecdotal evidence of archaeological remains within the application site.
- Procedure: lack of community engagement or consultation in relation to the proposed development; concerns raised over neighbour notification and newspaper publication process.

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](http://www.wam.highland.gov.uk/wam).

## 5. CONSULTATIONS

5.1 Scottish Water: no objections raised. Currently sufficient capacity at Badachro Water Treatment Works to service the proposed development. No public wastewater infrastructure, however, is located within the application site's vicinity, so applicant is advised to investigate private treatment options.

5.2 Crofting Commission: No response received.

5.3 Historic Environment Team – Archaeology: there is anecdotal evidence that archaeological remains lie within the application boundary. Site clearance should therefore be done under archaeological supervision. Requested that a condition requiring this is attached.

5.4 Scottish Environmental Protection Agency (SEPA): The scale of development falls below their consultation threshold. They advised verbally that a floated access track should be considered. Areas of deepest peat should be avoided. Areas of peat of under 25 centimetres in depth are not considered to be significant. A Peat Management Plan should be submitted to demonstrate that areas of peat would be managed well. Peat restoration measures should be considered.

## 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
- 31 - Developer Contributions
- 36 - Development in the Wider Countryside
- 44 - Tourist Accommodation
- 47 - Safeguarding Inbye/AppORTioned Croftland
- 49 - Coastal Development
- 51 - Trees and Development
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage
- 58 - Protected Species
- 61 - Landscape
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 67 - Renewable Energy Developments

## 6.2 **West Highland and Islands Local Development Plan (WestPlan) 2019**

No site-specific policies apply. The application site is located outside any Settlement Development Area, but within a Fragile Area, and within Wester Ross National Scenic Area.

## 6.3 **Highland Council Supplementary Planning Policy Guidance**

- Access to Single Houses and Small Housing Developments (May 2011)
- Developer Contributions (March 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Highland Renewable Energy Strategy and Planning Guidelines (May 2006)
- Housing in the Countryside and Siting and Design (March 2013)
- Sustainable Design Guide (Jan 2013)
- Standards for Archaeological Work (March 2012)
- Trees, Woodlands and Development (Jan 2013)

## 7. **OTHER MATERIAL CONSIDERATIONS**

### 7.1 **Scottish Government Planning Policy and Guidance**

- Scottish Planning Policy 2014
- National Planning Framework 3
- Designing Streets; Creating Places
- National Development Plan for Crofting (2021)

## **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 and massing;
  - c) Amenity and privacy;
  - d) Flooding and drainage;
  - e) Croft land and peatland;
  - f) Access and parking;
  - g) Ecology;
  - h) Archaeology.

### **Development plan/other planning policy**

- 8.4 A single croft dwelling in open countryside is proposed. Compliance with Policy 36 is the key policy consideration for a site in 'open countryside' outside any Settlement Development Area. Policy 36's text is set out below.
- 8.5 Policy 47 generally supports proposals for single croft dwellings where they avoid being sited on the better part of a croft in terms of its agricultural value, and do not impede use of the remaining croft land by virtue of their location. An owner-occupier development of this type is generally supported by the Crofting Commission. The extant permission 19/01084/PIP, which is in the same ownership as the application site, does not clash with the provisions of Policy 47 because it is on a neighbouring croft (Croft 21) rather than the same croft as the proposal.

One objector noted that the applicant's land already benefits from planning permission in principle (19/01084/PIP) and that this permission should be pursued, rather than starting anew on an adjacent site. The application under consideration might therefore lead to two dwellings being constructed. It is reiterated that the extant permission 19/01084/PIP and the application proposal are on different crofts. This application is being assessed in its own regard and if both were built there would be no clash with the policy positions of Policy 47.

8.6 Two 'blackhouses' are proposed for tourist holiday letting use. Policy 44, 'Tourist Accommodation', is therefore of relevance. It states that

tourist accommodation within the open countryside will be supported where: it can be demonstrated that a demand exists for this type of accommodation; that it can be achieved without adversely affecting the landscape character or the Natural, Built and Cultural Heritage features of the area; and it is consistent with the other guidance on siting and design set out in Policy 36: Wider Countryside. In these circumstances, the Council will generally attach a condition to permissions in order to control occupancy and use of the accommodation.

Demonstrating demand for the proposed type of accommodation is taken as read given its location approximately seven miles' drive west of the hugely popular North Coast 500 route.

Compliance with Policy 36 is required by Policy 44. Policy 36 states that

outwith Settlement Development Areas, development proposals will be assessed for the extent to which they:

- are acceptable in terms of siting and design;
- are sympathetic to existing patterns of development in the area;
- are compatible with landscape character and capacity;
- avoid incremental expansion of one particular development type within a landscape whose distinct character relies on an intrinsic mix/distribution of a range of characteristics;
- avoid, where possible, the loss of locally important croft land; and
- would address drainage constraints and can otherwise be adequately serviced, particularly in terms of foul drainage, road access and water supply, without involving undue public expenditure or infrastructure that would be out of keeping with the rural character of the area.

Mention is also made, in Policy 36, of Fragile Areas in which the application site is included. The proposed development is considered to support the maintenance of a rural population, as a previously disused croft would be brought back to residential and working use. Income from short-term holiday letting would help to support a local crofting family and might provide limited local employment.

Addressing the six criteria outlined in turn:

- The proposed development's various design elements – for the house, garage and holiday let units - are considered to be of high quality, recalling vernacular forms in the local and wider West Highland context. It would blend in well with its environment.
- South Erradale follows a settlement grid layout. Within this grid lies a mix of buildings orientated to follow the grid layout's axis, as well as others constructed at a skewed angle to it. The proposal is compatible with this. No serious overlooking issues are anticipated as Croft 18's dwelling would be

located approximately 62.5 metres south of the nearest blackhouse and would be screened to some extent by its adjacent shed. The proposed development's siting is therefore considered to be acceptable;

- In terms of landscape character and capacity, the proposed development's inclusion of stone elevations and wildflower green roofs assist greatly in integrating them with their surroundings and reducing their visual impact;
- It is considered that the proposed 'blackhouses' and office/garage would contribute to a diverse range of proposed land use within the application site;
- The application site includes existing croft land. The proposed development would not entail a 'loss' of croft land as such, as it could be viewed as an attempt to regenerate and diversify the existing croft land in a resilient manner. The National Development Plan for Crofting (2021) states that "croft diversification will have an important role as part of rural tourism, as it supports ... opportunities for tourists from both home and abroad to better appreciate our iconic rural landscapes which are a significant draw for many of our visitors". The proposed tourist accommodation would enable this croft's land to be put to purposeful use and is therefore considered to be acceptable;
- The submitted Drainage Plan indicates that the proposed development would be serviced via surface water and foul water underground drains.

In summary, therefore, the proposed development of house, garage and holiday letting units is considered to be acceptable in terms of its role as enabling development and croft diversification.

#### Landscape and Visual Impact

- 8.7 For a proposed development within a National Scenic Area, a Design Statement is required to be submitted alongside any planning application. A Supporting Statement explaining matters of design and massing has been submitted, which is considered to satisfy the requirement for a Design Statement.

The proposed dwelling's design is considered to be of a high standard. While it would share little direct resemblance to existing nearby croft dwellings, it is however designed in the same spirit and incorporates traditional features such as natural stone walls, windows with a vertical emphasis, a maximum height of 1.5 storeys and a long, thin, roughly rectangular footprint. Its massing is considered to be appropriate, with the taller section of the dwelling tucked in the north-west corner of the application site.

Overall, the proposed development's selection of high-quality, natural materials such as natural stone, timber cladding and wildflower green roofs would allow it to settle well in its context and would render it visually recessive in its setting. These materials would soften its visual impact, in turn, softening its landscape impact.

It is also noted that when viewed from the south-east (from where it would probably be viewed most often by local residents and visitors) the proposed dwelling would in all respects appear as an unassuming yet high-quality contemporary dwelling, with a transverse gabled roof and linear attached outbuildings. It would sit well in its rural location. The more finely designed aspects of the dwelling (such as its curved walls, bow window and full-height staircase glazing) which add to its character yet perhaps would not completely

conform to its crofting context, are largely confined to its western elevation and therefore look out to sea, where they could be privately enjoyed by the dwelling's occupants yet would not be as visible to other parties. A solar array's proposed siting would additionally not be easily visible from the roadside, located at a naturally lower ground level than the rest of its surrounding land. It is considered that a sensitively designed dwelling on this site would not necessarily lead to surrounding crofts' loss of identity or character.

#### Amenity and Privacy

- 8.8 The current dwelling at greatest risk of overlooking or privacy issues is considered to be Croft 18, directly to the application site's south. It is not, however, expected to be impacted to a significant degree by the proposed development, as it is largely screened to its north by a large existing agricultural building and several mature trees. A distance of approximately 62.5 metres would separate Croft 18's dwelling from the proposed southernmost 'blackhouse', which is considered to be an adequate separation distance in terms of privacy and overlooking. Glendale House, approximately 100 metres to the application site's south-east, is similarly well screened by existing trees along its site boundary.

#### Flooding and Drainage

- 8.9 Areas of the application site hold moisture and possess a bog-like character. Drainage plans have been submitted, proposing installation of a septic tank and soakaway. The soakaway would be located in an area of predominantly sand and gravel ground with good porosity results, with "normal percolation rates" set out in the submitted Drainage Plan 21:2021:5C. The proposed arrangements are therefore considered likely to be acceptable. However, the finally installed system will need to be approved through the Building Warrant and/or CAR licensing processes. Conditions are recommended to ensure any required amendments to the system at these later stages are captured through the planning system to ensure all material considerations are addressed.

SEPA's Flood Risk Management Map does not identify the application site to be at any risk of flooding.

#### Croft Land and Peatland

- 8.10 The application site forms part of a registered croft; registered croft land also abuts its south-west and east sides. The application site consists of undeveloped croft land of a peatland character; croft land is subject to bespoke regulations and therefore merits its own distinct category, rather than being designated either 'greenfield' or 'brownfield' – in any event, as set out above the Crofting Commission is generally supportive of owner-occupier dwellings constructed on crofts for operational 'purposeful' use. The application site largely consists of mineral soil, meaning that peat is unlikely to be present (source: Carbon and Peatland 2016 Map). It does not represent Prime Agricultural Land – it is measured as Class 4.2 on a national scale for agricultural capability, described as "capable of producing a narrow range of crops".

In terms of Policy 47, the proposed dwelling would not occupy the highest-quality part of the application croft. It would be contained within the croft's north-west corner and therefore would not impede use of remaining croft land.

Peat is present within the application site's soil and has been excavated in the past to some degree; the applicant has however confirmed that they intend to keep excavation work to a minimum, avoiding any unnecessary release of stored carbon into the atmosphere. A Peat Management Plan has been submitted which ascertains peat depths. It finds that "the areas of the site covered by the buildings are all almost all <0.5m depth, which are peaty soil and not peat - this concurs with the evidence from the baseline mapping". Areas of deep peat have as a result been avoided when siting proposed buildings – the proposed dwelling has been slightly nudged a short distance in light of this to better avoid deep peat. A floating track for access would ensure no net loss of peat. It should be noted that only one cubic metre of peat would actually be excavated, in order to construct one of the proposed 'blackhouses' – any excavated peat would be reused on-site, through reinstating road edges and other construction at the application site's edge. This represents an ideal outcome, as peatland would not be at all meaningfully impacted by means of careful design. The strategy proposed by the submitted Peat Management Plan is considered to be acceptable, as it demonstrates a responsible attitude towards conservation of the application site's peatland resource.

It is proposed to site a solar array on an area of deep peat. This apparatus would however exert no impact on peat health and would bring a net gain to the development, generating renewable energy (meaning that the proposed development would both retain carbon already locked in its peatland site, and avoid emitting further carbon through non-renewable energy generation means – two important, linked goals in a time of climate emergency).

### Access and Parking

- 8.11 At least three car parking spaces in the dwelling's curtilage are proposed, which is acceptable and conforms to current adopted standards. Further parking spaces appear to be made available for 'blackhouse' guests. This is an important consideration, as insufficient parking could lead to guest vehicles parking outside the application site on a single-track road, causing potential inconvenience and/or danger to neighbouring residents and patrons of Glendale House. Adopted guidance states that tourist accommodation units should be considered as if they are residential dwellings; new dwellings of up to three bedrooms (including single-bedroom units) are each required to provide two parking spaces. This level of provision is secured by an attached condition.

Access proposals are considered to be acceptable; a visibility splay facing east would stretch for 90 metres, which accords with adopted guidance for a thoroughfare with an assessed speed of 30mph – this is considered to be appropriate, as the application site is served by a single-track road and is located at its terminus.

A partly floated track is proposed, which is considered to be acceptable in that it would be minimally invasive and would therefore better protect the application site's peatland resource than an access route of standard construction.

### Ecology

- 8.12 The proposed development would provide ample habitat for wildlife, creating several green roofs and planting trees. While this is supported, especially during a time of climate emergency, introduction of these additional habitats should be carefully considered lest they in any way compromise the application site's existing rich peat bog habitat areas, which currently support a variety of native flora and fauna.

An Extended Phase 1 Habitat Survey has been submitted. It discovered no presence of any protected species within the application site. Other useful amphibian and reptile habitat areas within the application site would remain untouched by the proposed development. This survey concludes that "the proposed development will not have a significant impact upon the overall ecology of the local area", therefore no mitigation measures would be required.

### Archaeology

- 8.13 An objector asserted that archaeological remains were present within the application site. Historic Environment Record reference MHG61275 refers to 'Macleod's House', a possible farm factor's house reused as a horse burial ground – while this is within the applicant's land ownership, it sits outside the site subject to this application. South Erradale was furthermore surveyed in 2013, but no archaeological potential was identified within the application site. A condition is however recommended to address this matter. It is considered that the risk to existing archaeology posed by the proposed development is low; this level of risk is considered to be acceptable and should not prevent the proposed development from gaining permission.

### 8.14 **Non-material considerations**

- Impact on UNESCO Wester Ross Biosphere: the application site is within Wester Ross Biosphere's outermost Transition Zone, which is not strictly protected but instead is a zone "where communities foster socio-culturally and ecologically sustainable economic and human activities" – the proposed development it is not considered to conflict with this aspiration.
- An objector states that the proposed dwelling would impede their enjoyment of views from their existing dwelling across to the Isle of Skye – loss of neighbours' views is not a material planning consideration.
- The application site would be accessed via a private unadopted road, which is partly culverted. Several objectors raised concerns over the durability of this road and its culvert when crossed by construction traffic.

[Officer Note: issues between neighbours such as boundary disputes or private access rights, as well as issues arising from the construction period of any works are civil matters and are not material planning considerations. Any damage caused to a private road is the applicant's responsibility to make good and would represent a civil issue between the affected parties.]

- The application site is not located within any Hinterland area and therefore Policy 35 is not directly applicable; the proposed development is not required to comply with Policy 35's restrictions, contrary to an objector's assertion.

### **Matters to be secured by Section 75 Agreement**

8.15 In order to mitigate the impact of the development on infrastructure and services the following matters require to be secured prior to planning permission being issued:

None.

8.16 There are currently no capacity constraints at either Gairloch Primary or Gairloch High Schools, within whose catchment areas the application site lies. In accordance with Policy 31, therefore, no developer contributions would be required on determination of this application.

## **9. CONCLUSION**

9.1 The form and appearance of the proposed dwelling and 'blackhouses' have been designed to a high standard, respecting and evoking vernacular Highland forms and materials with a contemporary twist. Each building would reach a relatively low height in order to minimise its impact within Wester Ross National Scenic Area. It would exert a small public amenity impact, due to existing nearby properties being screened to a good degree. Its impact on a peatland site would likewise be minimal, with buildings sited where peat does not extend to any significant depth – the submitted Peat Management Plan negates any concerns regarding potential peatland harm. The proposed development would furthermore regenerate a disused site located in a Fragile Area. This application is therefore recommended for approval.

9.2 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: renewable energy generation and land environmental net gain

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

## 11. RECOMMENDATION

### Action required before decision issued

Notification to Scottish Ministers No

Conclusion of Section 75 Obligation No

Revocation of previous permission No

**Subject to the above actions,** it is recommended to

**APPROVE** the application subject to the following conditions and reasons:

- 1 No development or work (including site clearance) shall commence until proposals for an archaeological watching brief to be carried out during site clearance and excavation works, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the watching brief shall be implemented as approved.

**Reason:** In order to protect the archaeological and historic interest of the site.

- 2 Car parking spaces shall be provided within the application site and formed in accordance with The Highland Council's Access to Single Houses and Small Developments prior to first occupation, thereafter, being maintained for this use in perpetuity. Provision, which shall exclude garages, shall be as follows:

- i. At least three spaces in the curtilage of the dwellinghouse;

- ii. Two spaces in the curtilage of each blackhouse unit (for the avoidance of doubt, a total of four spaces is required to serve two blackhouse units).

**Reason:** In order to ensure that the level of parking is adequate for the scale of the development.

- 3 No development of the dwellinghouse or blackhouse units shall commence until details of a scheme of hard and soft landscaping works has 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.

- 4 The self-contained accommodation units hereby approved shall be used for holiday letting purposes only and shall not be used as principal private residences or be occupied by any family, group or individual for more than three months (cumulative) in any one calendar year.

**Reason:** To enable the Planning Authority to exercise appropriate control over the use of the buildings, in recognition of the close proximity to the main property, the lack of identified independent amenity space, the use of shared drainage systems and to reflect the use applied for.

- 5 No development or work shall commence until details identifying the source of natural stone to be used in the development's exterior walls 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 ensure that all masonry work is sensitive to the character of the application site and its environs.

- 6 No development shall commence Prior to the first occupation of the development, the floating access track shall be formed in accordance with the engineers' details and NatureScot guidelines as shown on the approved plans and thereafter shall be maintained in perpetuity.

**Reason:** To ensure that an adequate level of access is timeously provided for the development; to ensure that construction of an access track preserves underlying peatland.

- 7 No development shall commence until full details of all foul drainage infrastructure (including treatment plant and soakaway locations) have been submitted, to, and approved in writing by, the Planning Authority. Thereafter, development shall progress in accordance with the approved details.

**Reason:** In order to ensure that private foul drainage infrastructure is suitably catered for, in the interests of public health and environmental protection.

- 8 No development shall commence until full details of all surface water drainage provision within the application site (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Second Edition, or any superseding guidance prevailing at the time) have been submitted to, and approved in writing by, the Planning Authority. Thereafter, only the approved details shall be implemented and 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.

## **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.

## **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 & 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/permissions\\_for\\_working\\_on\\_public\\_roads/2](http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permissions_for_working_on_public_roads/2)

### **Mud & Debris on Road**

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

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

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

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

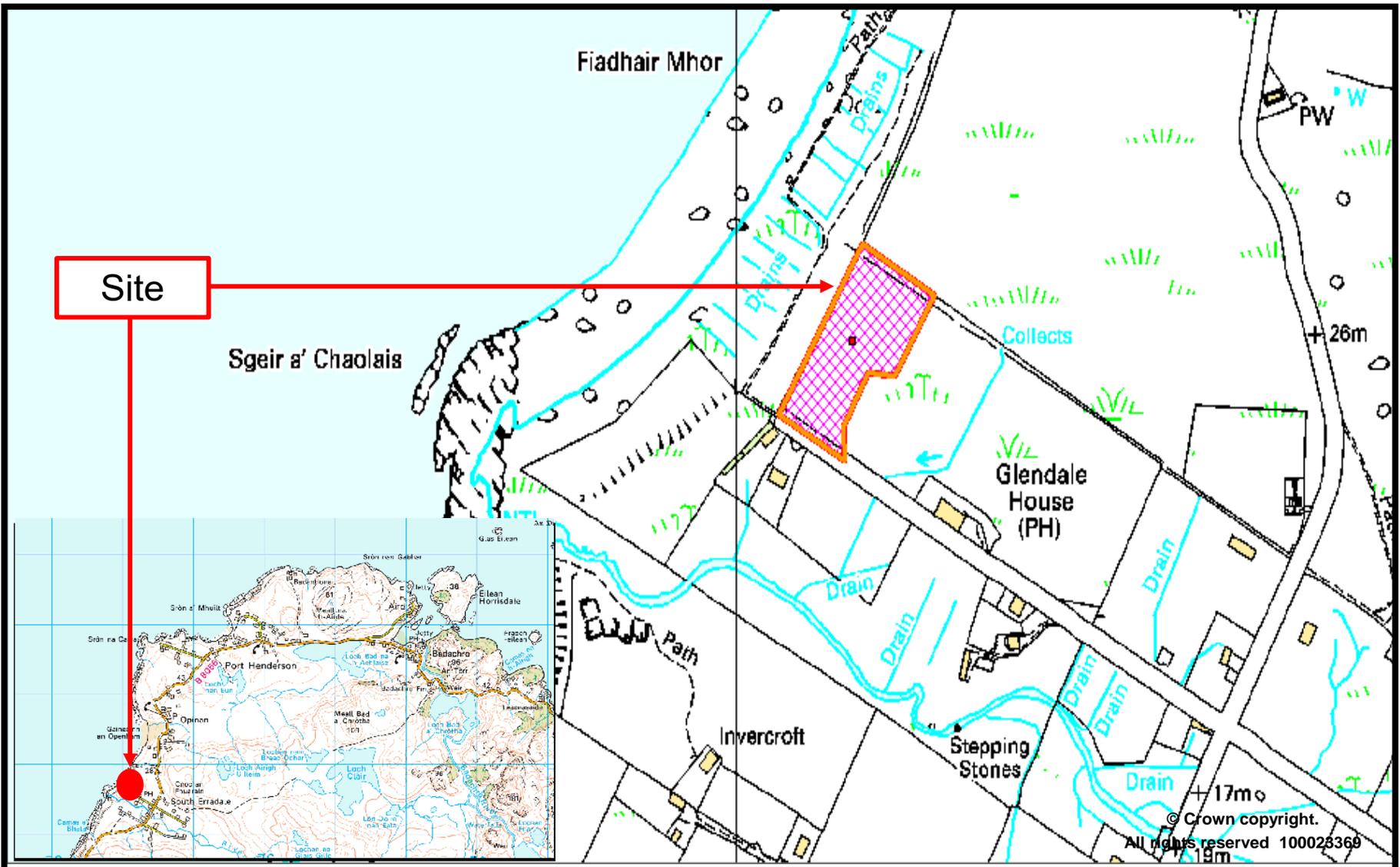
Designation: Area Planning Manager - North

Author: Craig Simms

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

Relevant Plans:

Document Type	Document No.	Version No.	Date Received
Site Layout Plan	1	21:2021: D	16/11/2021
Location Plan	2	21:2021: 1	22/07/2021
Dwelling Floor Plan	3	21:2021: 2	22/07/2021
Dwelling Elevations	4	21:2021: 3	22/07/2021
Dwelling Elevations	5	21:2021: 4	22/07/2021
Drainage Plan	6	21:2021: 5C	16/11/2021
Garage	7	21:2021: 9	22/07/2021
Peat Depths Plan	8	21:2021: 12D	09/11/2021
Blackhouse Floor and Elevations	9	31:2021: 1A	21/09/2021
Blackhouse Sections	10	31:2021: 2A	21/09/2021



**The Highland Council**  
Comhairle na Gàidhealtachd

Planning and Development Service

Location Plan  
21/03580/FUL

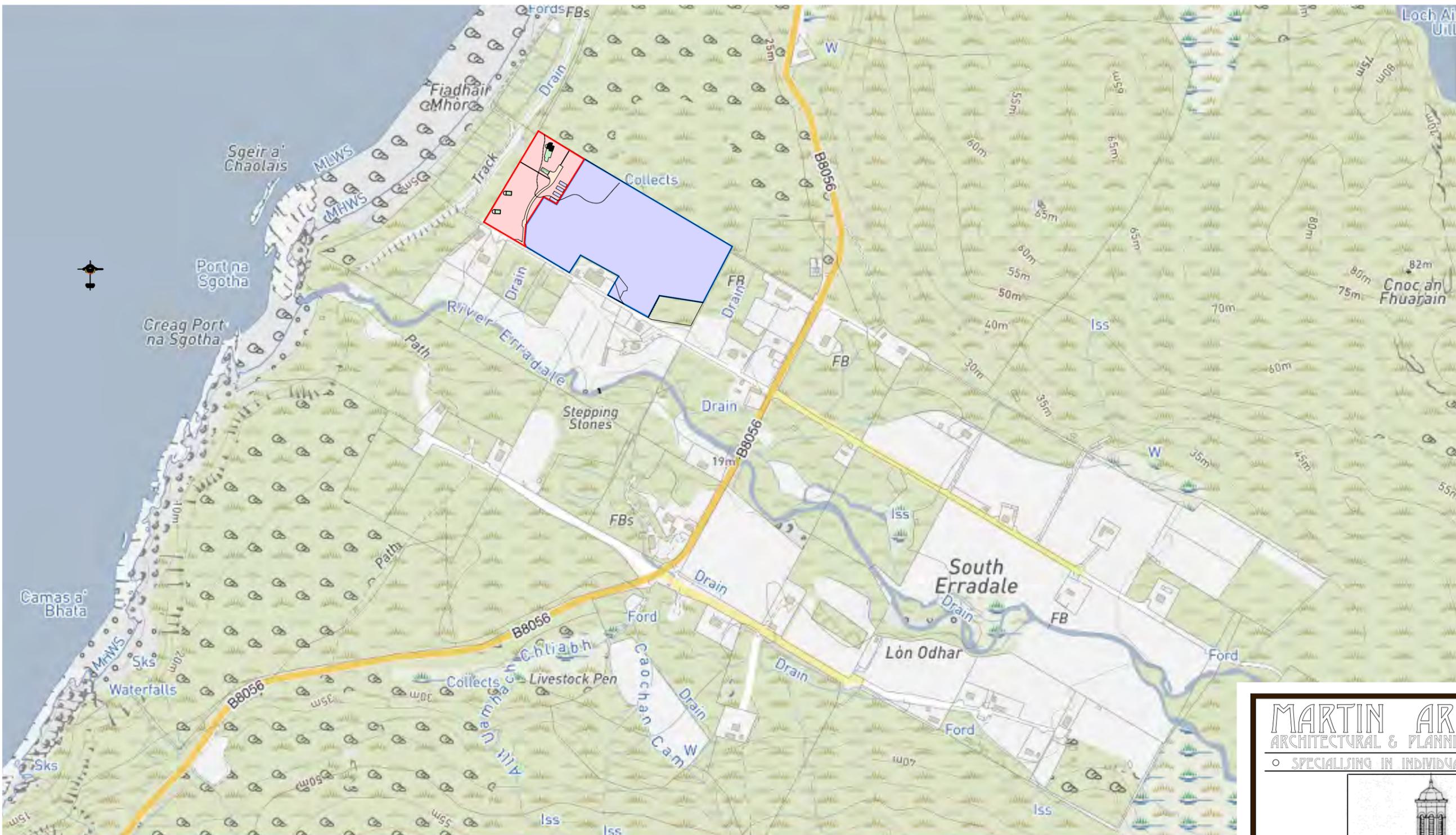
**Erection of house and garage/office, siting of 2 holiday letting units and associated works**

December 2021



Scale:





application site



ground under ownership of applicant

Scale <b>1:5000</b>	Date <b>May 2021</b>
Drawn by Martin J Archibald	Signed <i>Martin Archibald</i>
Drawing No <b>21 : 2021 : 1</b>	

Project  
proposed residential dwelling house, mock Blachouses for holiday let / tourism + associated works at Croft 20. South Erradale, Gairloch. IV21 2AU. for Mrs P Archibald

location plan

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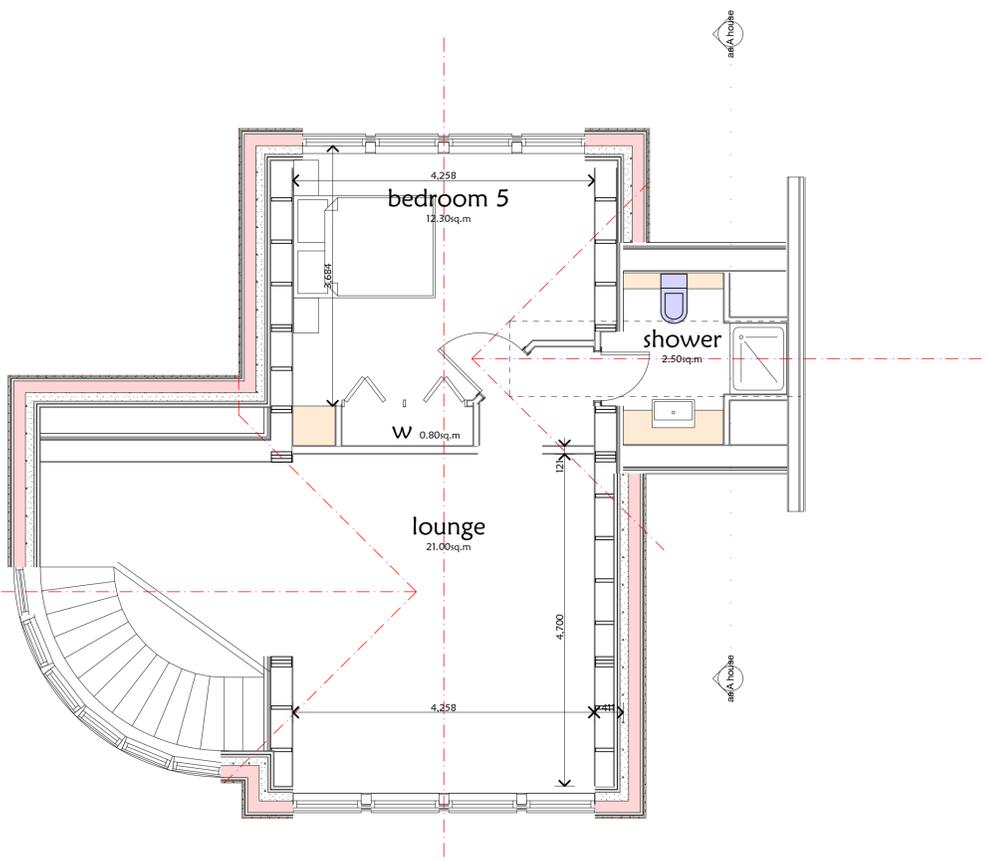
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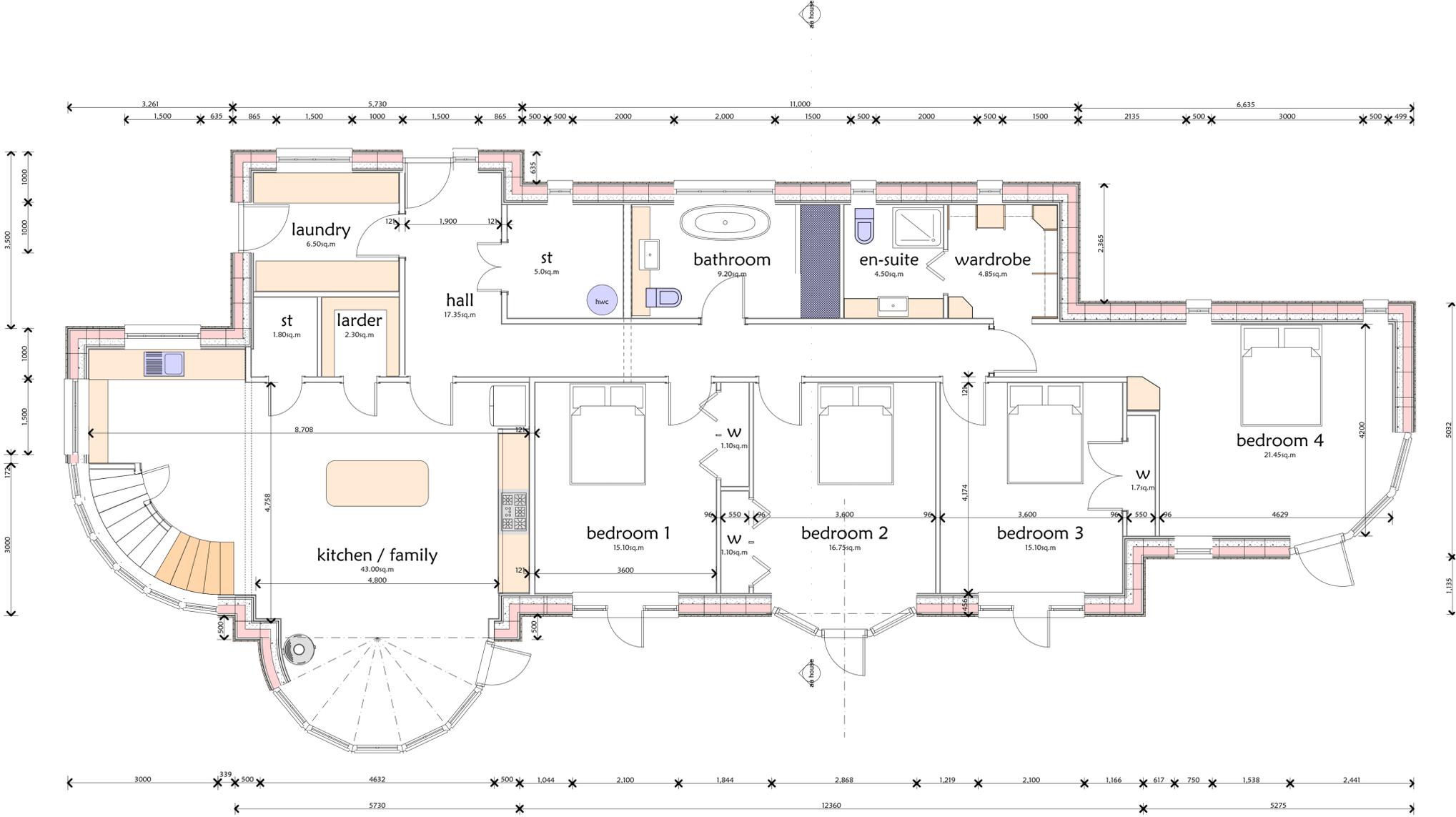
Project  
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dwelling ; floor plans

Scale	1:50	Date	May 2021
Drawn by	Martin J Archibald	Signed	Martin Archibald
Drawing No	<b>21 : 2021 : 2</b>		



**first floor plan**  
 habitable floor area - 36.6sq.m



**ground floor plan**  
 habitable floor area ; ground floor - 162.75  
 first floor - 36.60  
 total - 199.35sq.m

Anthracite colorcoat urban standing seam roof system

anthracite double glazed windows + doors

sky garden wildflower green roof system

natural stone

indicative perspective looking from south west



indicative perspective looking from north west



west elevation



east elevation

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dwelling ; elevations + perspectives	
Scale	Date
1:50	May 2021
Drawn by	Signed
Martin J Archibald	Martin Archibald
Drawing No	
21 : 2021 : 3	



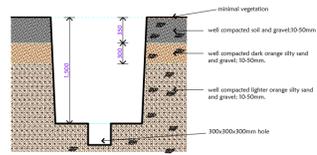
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dwelling ; elevations + perspectives	
Scale	Date
1:50	May 2021
Drawn by	Signed
Martin J Archibald	Martin Archibald
Drawing No	
21 : 2021 : 4	



trial pit 2

**Soakaway**

On the 12th November 2021, it was dry and bright with rainfall sporadic 2 weeks prior to test holes.

2 holes were excavated ( trial pit 1 + 2 ) ; to around 1.5 metres deep, at the bottom of pit 2 another hole was excavated 300mm cubed.

**trial pit 1:**

Very little organic material around 100mm of peat moss with some roots and compacted gravel; 10-50mm throughout on, around 250mm well compacted light silty sand and gravel.

**trial pit 2:**

Very little organic material, around 350mm well compacted soil and gravel; 10-50mm on, around 300mm well compacted dark orange silty sand and gravel; 10-50mm remainder lighter orange well compacted silty sand with 10-50mm gravel through it.

**trial pit 2**

The 300mm cubed hole was filled with to the top with water and it took 32minutes to drain 150mm (1,920sec) 12.8sec /mm. The hole was filled back up on the second occasion it took 39minutes to drain 150mm (2,340sec) 15.6sec/mm. The hole was filled back up on the third occasion it took 108minutes to empty (6,480sec) 21.6sec/mm.

These percolation rates measured from 3 percolation tests produce a Vp value of 50 sec/mm for the ground conditions present. Average Vp values of between 15 sec/mm and 100 sec/mm demonstrate percolation rates that can be described as "normal percolation rates". The average Vp value is 16.67sec/mm, therefore the soakaway can be designed as such:

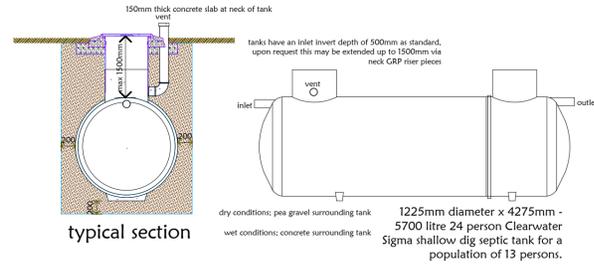
Drainage area requirements have been calculated based on 13 persons (As defined in BW COP: 7.1/09).

$A = p \times V_p \times 0.25$

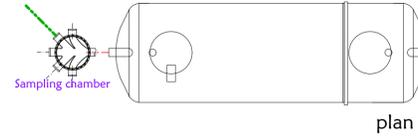
This equates to a sub-surface soakaway of (13 x 16.67 x 0.25) = 54.2m<sup>2</sup> will be required for a septic tank.

**Soakaway Maintenance**

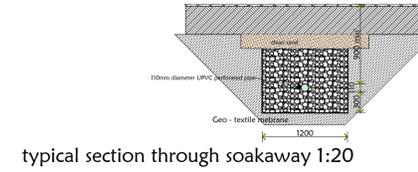
The soakaways are designed for the life time of the proposed development if they are not allowed to silt up nor the pipework to be blocked. The septic tanks or treatment plants should be fully maintained in accordance with the manufacturers literature, should be regularly inspected by the house owner and emptied when appropriate to ensure solids and silts do not "clog" the soakaway. Silt traps should be installed before surface/foul waters enter the soakaway where there are large paved/tarmac covered impermeable areas. The silt traps should be regularly inspected and emptied. If a soakaway fails to due blockages or silting it should be excavated and reconstructed with fresh clean stone, new pipework and renewed terram. During the development of the site, and the excavation of the



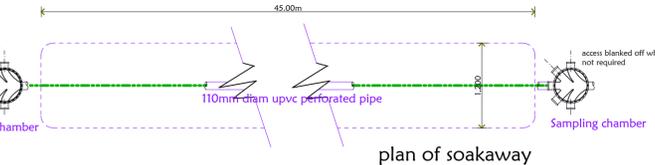
typical inspection chamber



plan

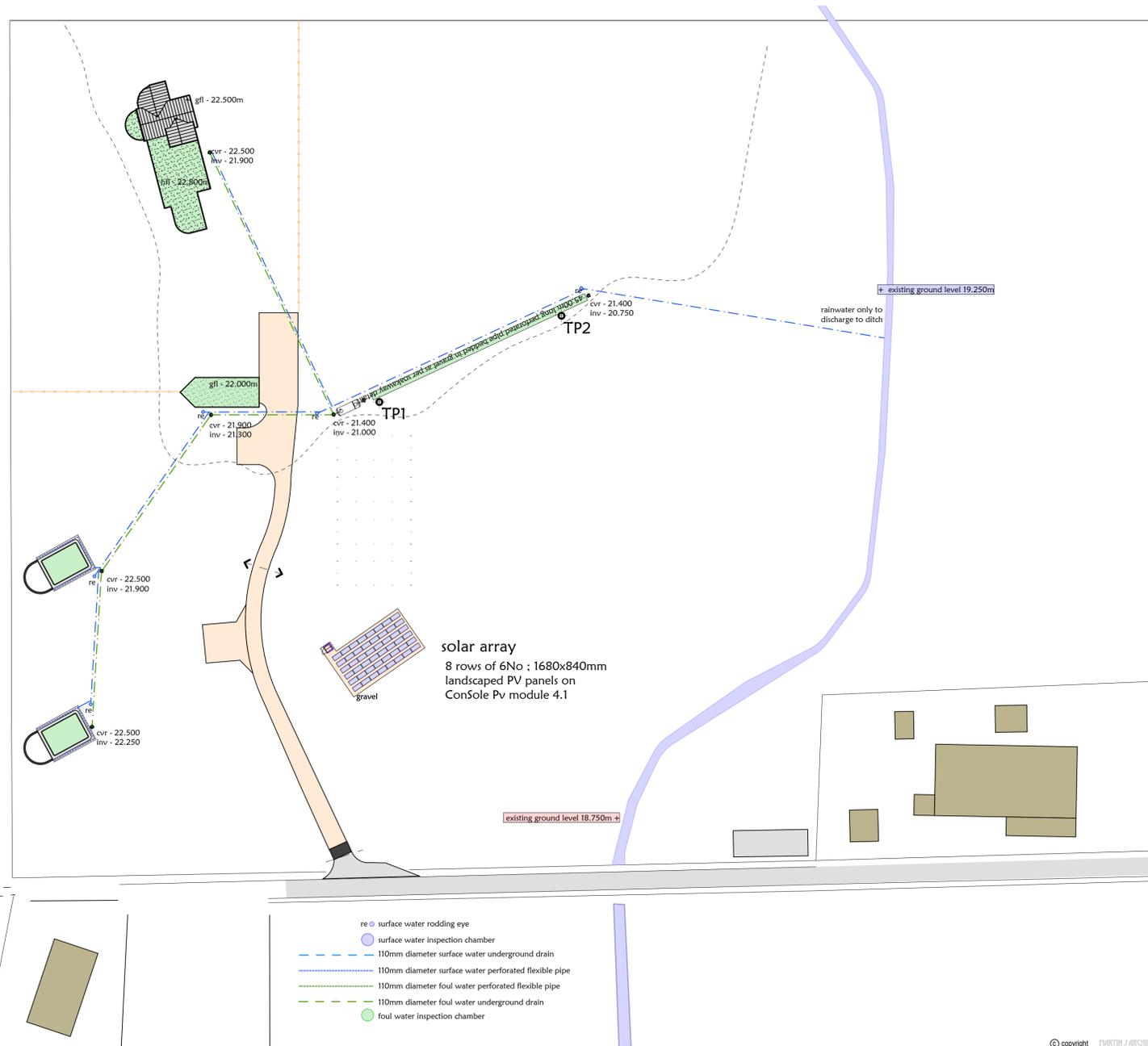


typical section through soakaway 1:20



plan of soakaway

plan of soakaway - 54.00sq.m trench all soakaway perforated pipes to be laid at a gradient of around 1:200 designed to BS 6297:2007+A1:2008 code of practise for the design and installation of drainage fields for use in wastewater treatment.



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drainage plan / details

Scale	1:500	Date	May 2021
Drawn by	Martin J Archibald	Signed	Martin Archibald

Drawing No  
**21 : 2021 : 5c**



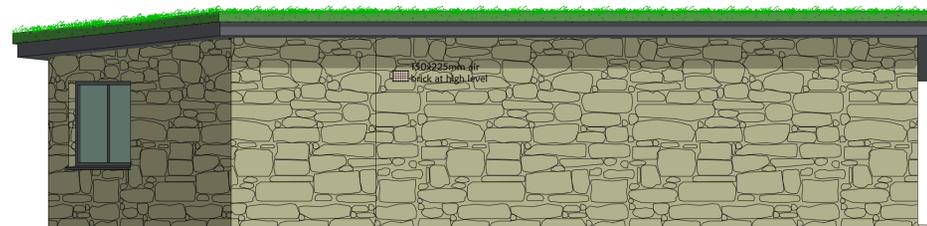
north west elevation



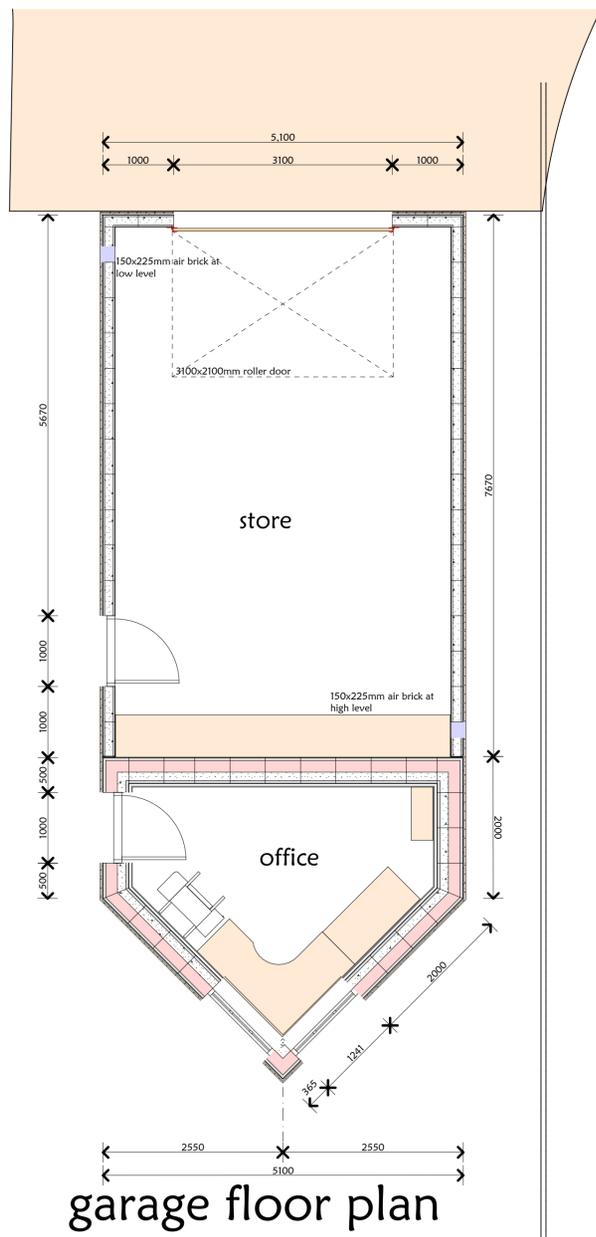
north east elevation



south east elevation



south west elevation



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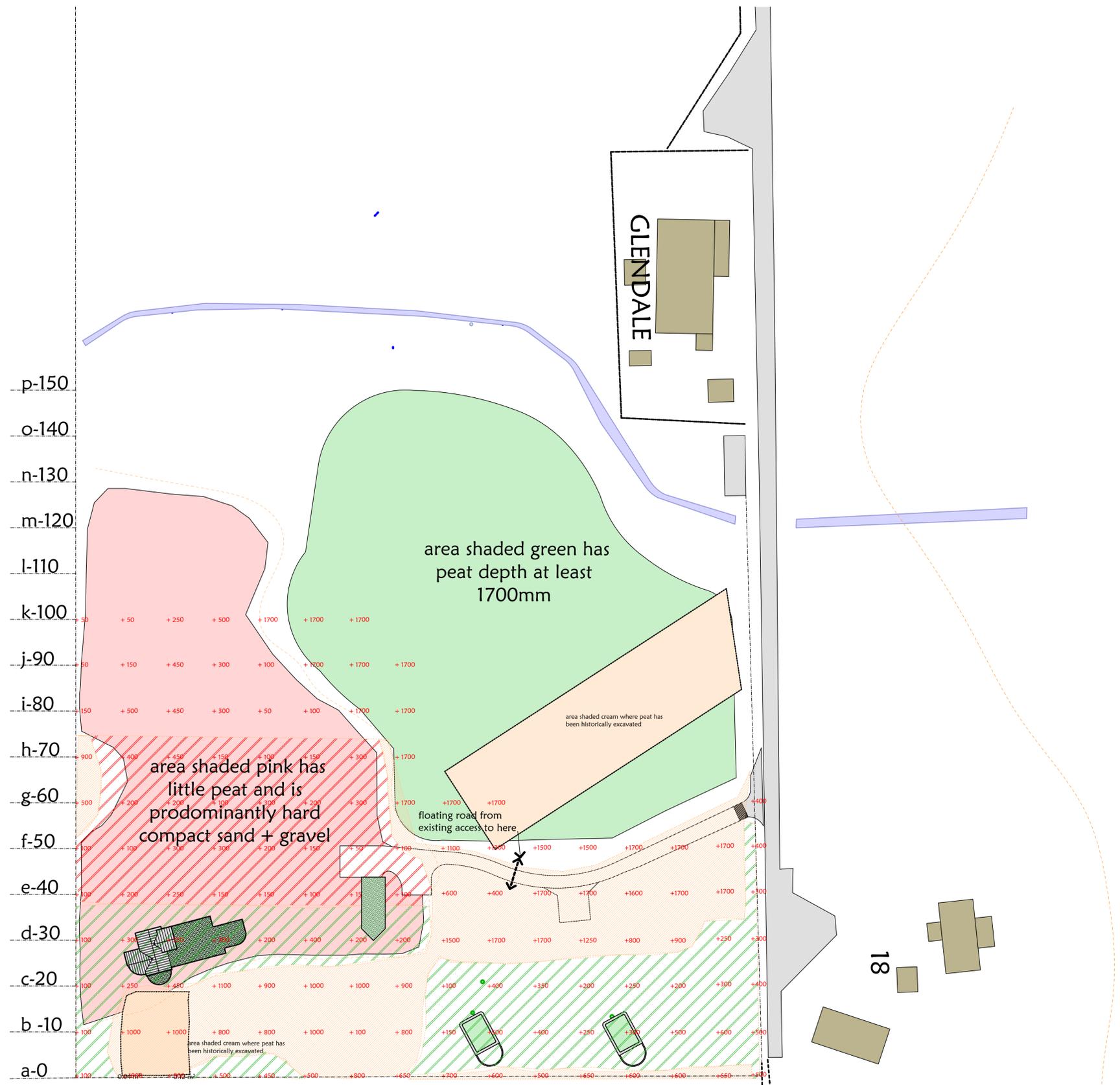
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garage details

Scale	1:50	Date	May 2021
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Drawing No	21 : 2021 : 9		



application site area - 9370sq.m  
 approx' area of ground with no peat - 2500sq.m  
 approx' area of ground with peat less than 500mm - 3600sq.m  
 approx' area of ground with over 500mm depth of peat - 3226sq.m

site plan showing peat depths

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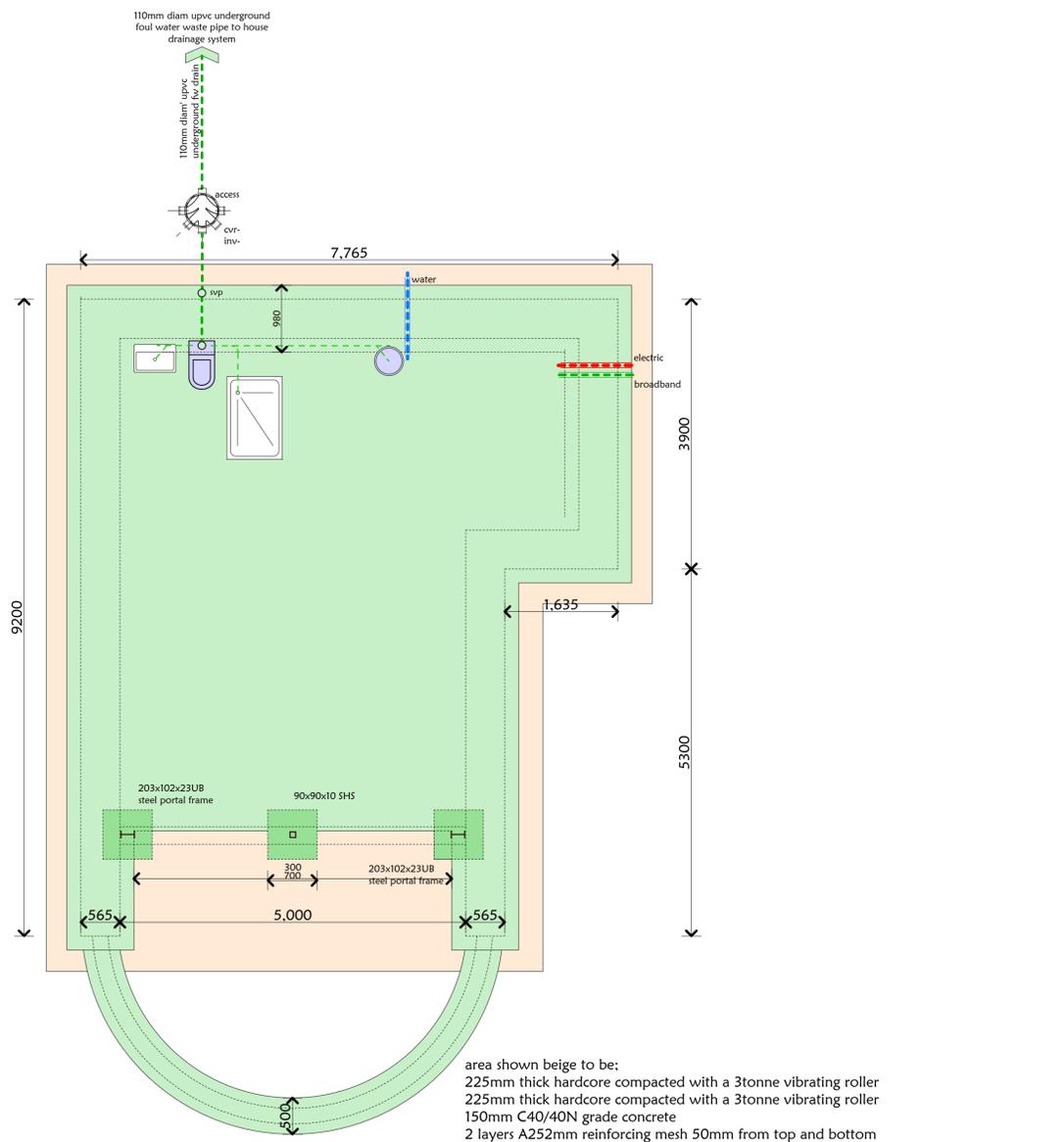
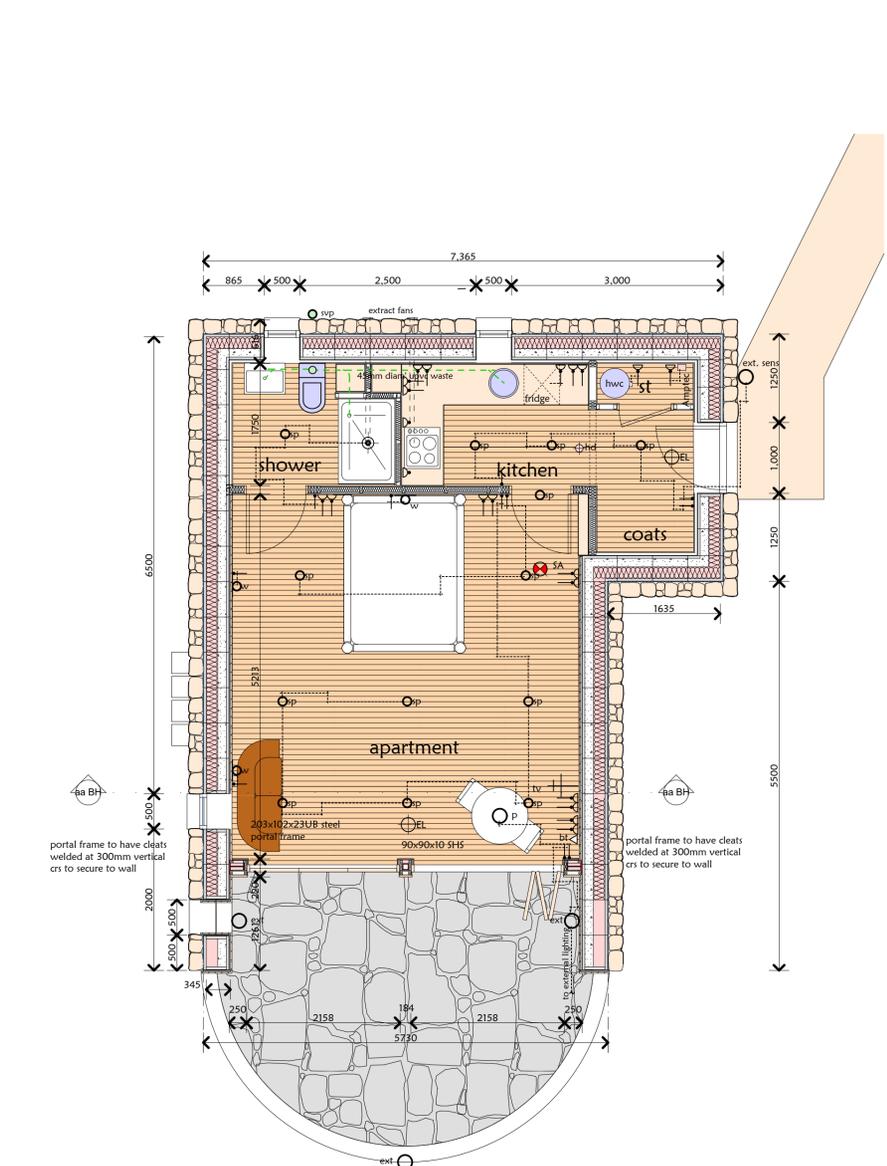
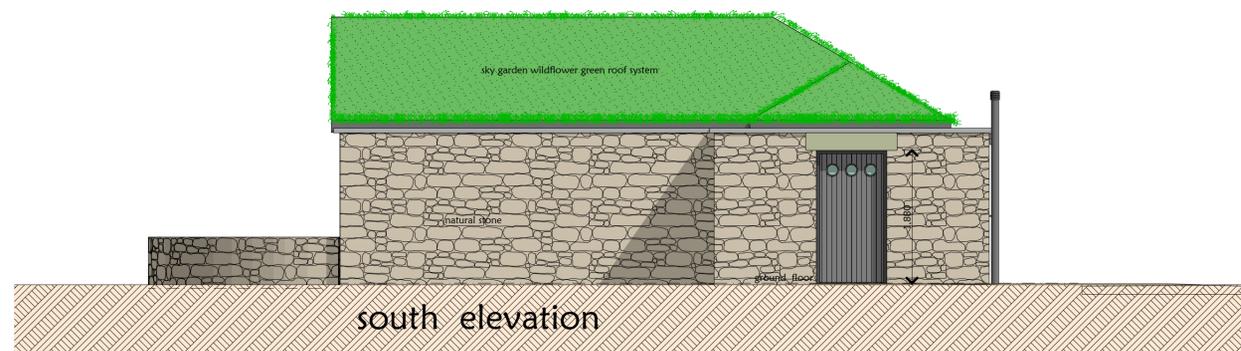
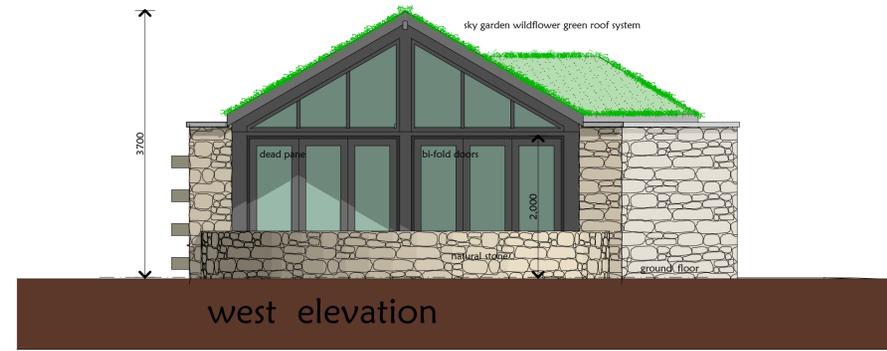
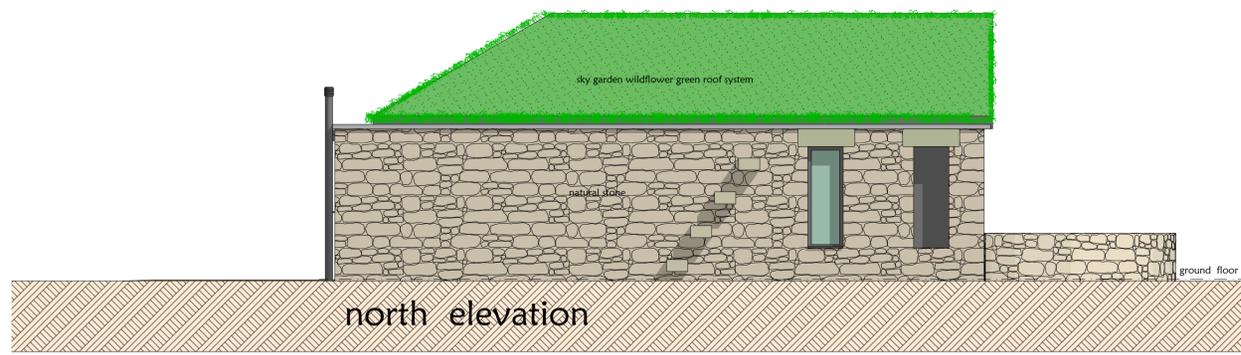
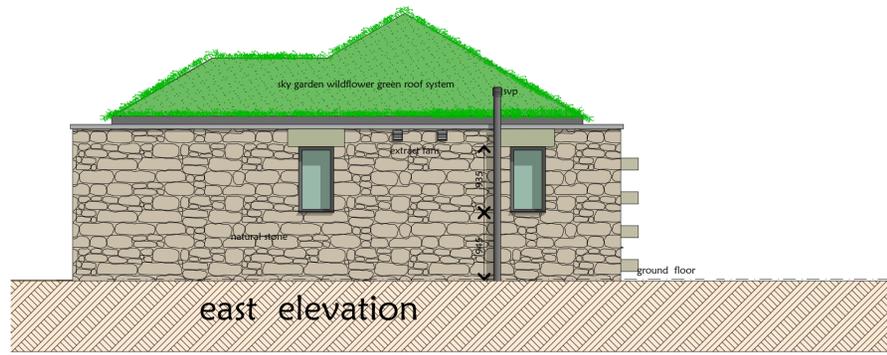
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drainage plan / details

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Drawing No  
**21 : 2021 : 12d**



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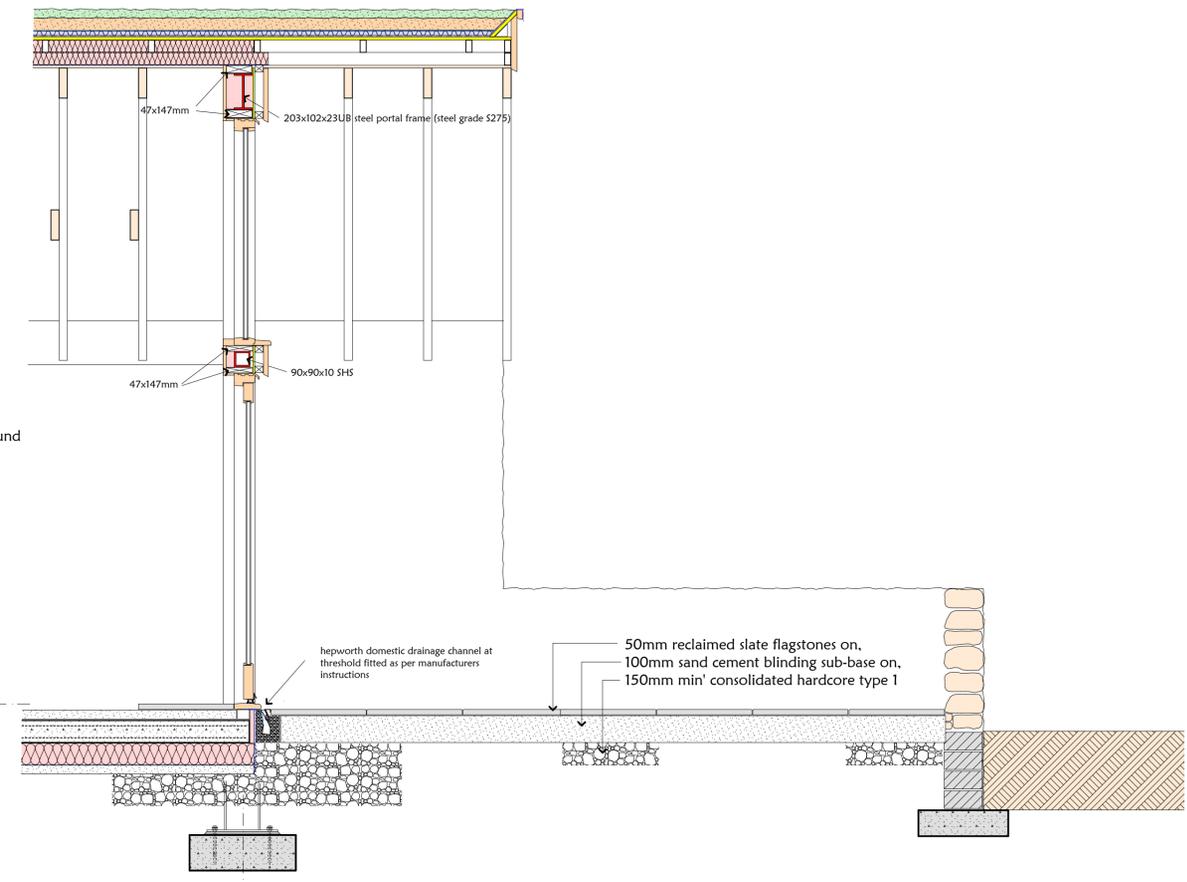
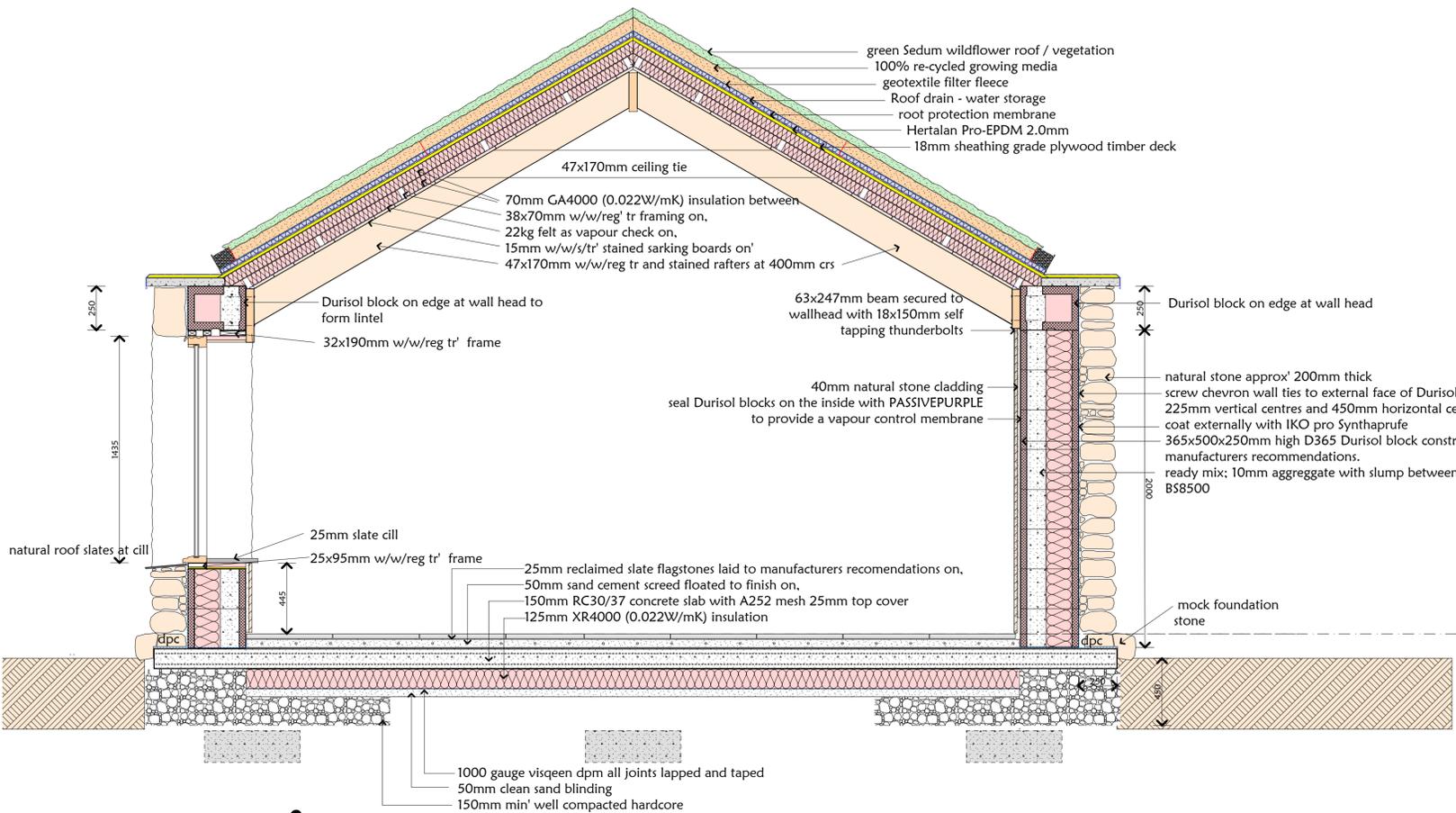
Extensions •  
Renovations •  
Housing Schemes •  
Bills of Quantities •

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Proposed dwelling house and associated works; Croft 20, South Erradale, Gairloch, IV21 2AU for Mrs P Archibald

Blackhouse details

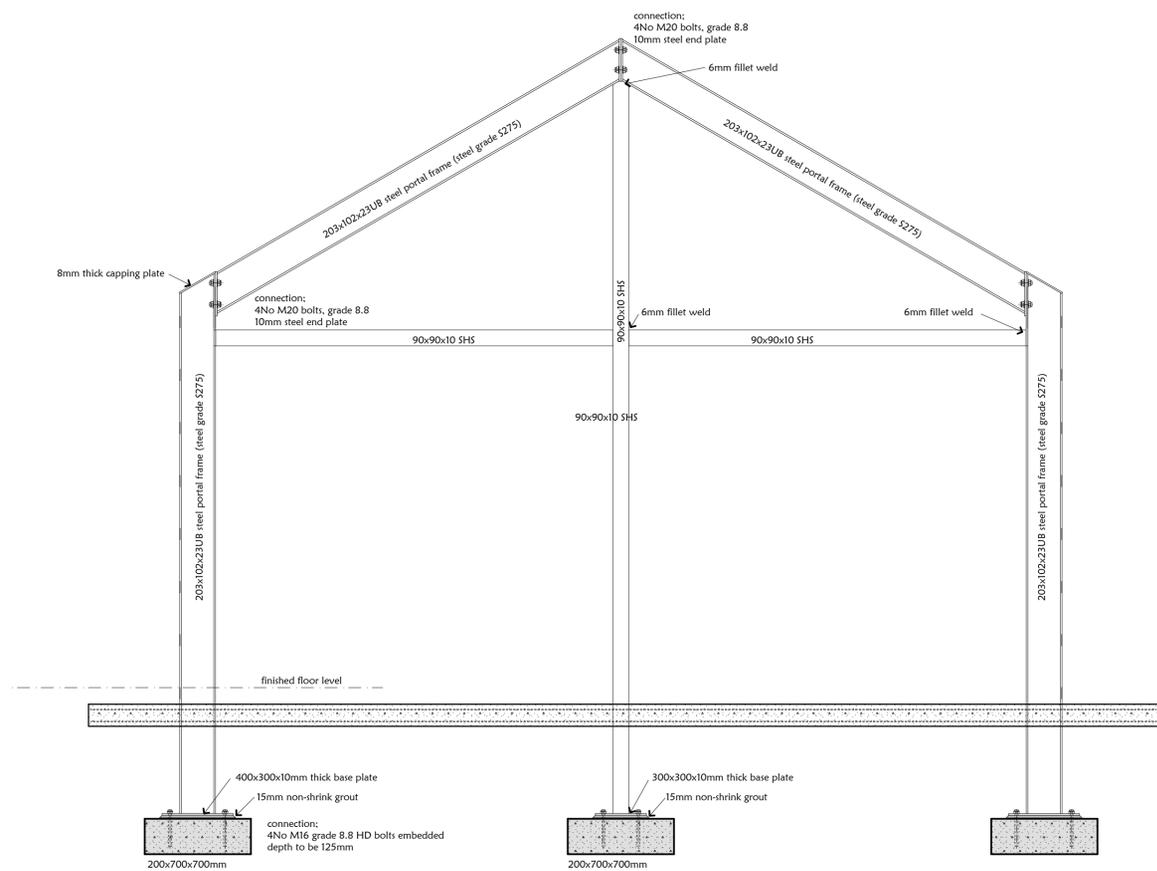
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section aa

section bb



steel portal frame

Steelwork  
All steelwork is to be grade S275 to BS EN 10025: part 1:2004 ( BS EN 12010: part 2:2006 for hot finished hollow sections) and BS 5950:part 1:2000 'The Structural Use of Steel in Buildings'  
All steelwork fabrication to comply with BS EN 1090-2:2008, execution class EXC2.



indicative perspective



indicative perspective

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Blackhouse details

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