

Agenda Item	6.5
Report No	PLS-64-22

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 18 August 2022

Report Title: 22/00644/FUL: Mr Stephen Chalmers
Tigh an Each, Balgowan, Newtonmore

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Installation of foul drainage treatment plant and outfall

Ward: 20 – Badenoch and Strathspey

Development category: Local

Reason referred to Committee: 5 or more objections

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

Recommendation

Members are asked to agree the recommendation to **GRANT** the application as set out in section 11 of the report

1. PROPOSED DEVELOPMENT

- 1.1 Planning permission is sought for the installation of a foul drainage treatment plant and outfall to service developments at Tigh an Each, Balgown and for the installation of a 6000 litre tank to store waste arising from the use of the campervan aire. This planning application is related to two other planning applications – 22/00376/FUL for the use of land as a campervan aire and 22/00616/FUL for the erection of a stable block, which are being determined concurrently with this proposal and are the subject of separate reports.
- 1.2 The site is located in Balgown, a small community of dispersed houses that lie either side of Balgown Road; a single-track elevated road that has an east and west junction with the A86 Trunk Road and which are located just under 900 metres apart. Balgown Road sweeps north of the A86 and at its furthest point is approximately 275 metres from the Trunk Road. The intervening land is grazing land that gently rises to the north and with some small pockets of woodland adjacent to the A86.
- 1.3 Access to the site is from the existing access serving the dwellinghouse Tigh an Each from the south side of Balgown Road. The site has an existing septic tank however the applicant is seeking to upgrade the waste drainage facilities through this proposal. Specifically, the new treatment plant will serve the existing dwellinghouse Tigh an Each, the adjacent neighbouring house Stoney Brae, the four existing glamping pods, and the proposed new dwellinghouse immediately to the east of the existing house that was granted planning permission in April 2021. The new treatment plant itself will not serve the campervan aire; waste arising from the campervan aire will be collected via a tank for disposal off site.
- 1.4 Pre-Application Consultation: Not required.
- 1.5 Supporting Information: The following information has been submitted in support of the application:
- Design Statement
- 1.6 Variations: 1 – Position of foul sewer relative to glamping pods revised. New house position revised.

2. SITE DESCRIPTION

- 2.1 The site forms a land holding consisting of the dwellinghouse Tigh an Each; 4 holiday pods; a stable block; and grazing land. It also includes the adjacent dwellinghouse Stoney Brae. The land extends from Balgown Road to the north down to the A86 to the south. The holding and adjacent dwellinghouse Stoney Brae covers an area approximately 1.74 hectares in size. The houses are located to the north facing Balgown Road. To the south of Tigh an Each is an equestrian sand school area and to the south of this is the campervan aire with 5 pitches. Immediately to the east of the aire is a stable block. The proposed waste water treatment plant is located on the southern section of the holding, within the grazing land that extends down to the A86 Trunk Road to the south.

2.2 The nearest neighbouring property is Balgowan House which lies to the east of the site. At its closest point it is approximately 11 metres from the site boundary and approximately 73 metres from the location of the treatment plant. This reduces to approximately 57 metres from the southwest corner of the curtilage of the house.

3. PLANNING HISTORY (RELEVANT TO THIS APPLICATION)

3.1	18.09.2007	07/00182/FULBS - Erection of house and garage; construction of private equestrian sand school	Planning Permission Granted
3.2	10.03.2008	07/00335/FULBS - Set aside condition 5 of planning approval 07/182/FULBS	Planning Permission Granted
3.3	25.05.2009	09/00078/FULBS - Use of land for siting of 5 towable field shelters on a rotational basis	Planning Permission Granted
3.4	10.03.2017	16/04433/FUL - Change of use of land for the siting of 8 timber pods to provide accommodation primarily for walkers and cyclists	Planning Permission Granted
3.5	14.03.2017	17/00051/FUL - Change of land use from croftland to leisure to allow the siting of 4 timber pods (amended proposal 16/4433/FUL)	Planning Permission Granted
3.6	02.03.2022	18/03551/FUL - Siting of a static caravan (retrospective)	Planning Permission Granted
3.7	26.04.2021	20/05138/FUL – Erection of house	Planning Permission Granted
3.8		22/00376/FUL - Use of the site as a campervan aire (5 pitches) (retrospective)	Pending
3.9		22/00616/FUL - Erection of stable block (retrospective)	Pending

4. PUBLIC PARTICIPATION

4.1 Advertised: Schedule 3 Development

Date Advertised:

Representation deadline: 24.03.2022

Timeous representations: 7

Late representations: 1

4.2 Material considerations raised are summarised as follows:

- a) Development is contrary to Development Plan;
- b) The treatment plant will be inadequate to meet potential load capacity;
- c) Lack of information within application to enable proper assessment;
- d) Flood risk;
- e) The tank does not appear to be screened and will require regular emptying bringing additional large lorries onto the narrow public road; and
- f) The size of the plant is more than adequate for the house, four glamping pods and their neighbouring property as professionally calculated by the consultant

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 **Environmental Health:** Proposed planning conditions have been discussed and agreed between the case officer and Environmental Health in relation to this and the related planning applications under consideration. The need for an approved lighting scheme for the site has been identified as a matter to address.

5.2 **Contaminated Land:** No objection and no contaminated land related condition required.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 **Cairngorms National Park Local Development Plan 2021**

10 – Resources

6.2 **Cairngorms National Park Planning Guidance**

Resources (non-statutory guidance)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 **Scottish Government Planning Policy and Guidance**

Scottish Planning Policy (Revised 2020)

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) Site layout and design
 - c) Impact on environment, community and residential amenity
 - d) Impact on infrastructure and services and proposed mitigation (developer contributions)
 - e) any other material considerations.

Development plan/other planning policy

- 8.4 The site lies within the small settlement of Balgowan which is within and to the northeast of the Ben Alder, Laggan and Glen Banchor Special Landscape Area. It also forms part of the Upper Spey Farmlands – Laggan Strath, Landscape Character Area as defined by Cairngorms National Park Authority.
- 8.5 Development Plan policy is supportive of proposals for private sewage systems where it is not possible to connect with the public sewerage network providing it does not pose or add to a risk of detrimental effect, including cumulative, to the natural and built environment, surrounding uses, or the amenity of the area.
- 8.6 Subject to the proposal having no significant detrimental impact on the environment in general, or community and residential amenity, the proposal would comply with the Development Plan.

Site layout and design

- 8.7 The proposed drainage system, including the waste storage tank for the campervan aire, will be located entirely underground, with the exception of necessary inspection and servicing terminals and chambers. Therefore the siting and design of the system will have no visual impact.

Impact on environment, community and residential amenity

- 8.8 The proposed foul water drainage treatment plant and outfall, coupled with the proposed waste tank for the campervan aire, is assessed for planning purposes as an engineering operation on land relating to the provision of underground infrastructure. The planning assessment is therefore restricted to consideration of the acceptability of the proposals as an operation on and under land, which in this case is considered to be acceptable as it will result in no visual impact.

- 8.9 It is important to highlight that the proposed treatment plant, in terms of its environmental impact and impact on community and residential amenity, is also controlled through other regulatory regimes. A building warrant is currently being assessed by the Council's Building Standards Service and the proposed discharge to the soakaway is subject to control through SEPA and specifically ensuring compliance with The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR). In this case a CAR licence for the proposed system was issued by SEPA on 15 July 2022. It sets out a number of requirements to ensure that operation of the system is not harmful to the environment or people.

Impact on infrastructure and services

- 8.10 Concerns have been raised about the impact of the development on the existing roads infrastructure, particularly given that Balgown Road is a single width carriageway with limited passing places. However, the permission being sought through this application is for the installation of a foul drainage treatment system and storage tank for the campervan aire. The treatment plant only requires annual cleaning and whilst the campervan aire waste tank will require more frequent collections, this will be sufficiently infrequent as to have no impact on the local road network.

Other material considerations

- 8.11 The site has not been identified as being at risk of flooding. The suitability of the soils and other environmental factors relating to the development are subject to regulatory control through Building Standards and SEPA.

Non-material considerations

- 8.12 There are no non-material considerations relevant to this proposal.

Matters to be secured by Section 75 Agreement

- 8.13 None.

9. CONCLUSION

- 9.1 Planning permission is sought for the provision of a foul drainage treatment plant and outfall and also includes the installation of a 6000 litre waste tank relating to the use of the campervan aire. As the infrastructure will be located entirely underground, there will be no visual impact arising from the development.
- 9.2 The environmental, community and residential amenity impacts that could arise from the development are the subject of regulatory control by Building Standards and SEPA as the appropriate authorities to consider these matters.
- 9.4 Subject to appropriate planning conditions as set out at the end of this report, the continued use of the site will provide a valuable stop over facility for tourists and benefit the local economy.

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

10. IMPLICATIONS

10.1 Resource: Not applicable

10.2 Legal: Not applicable

10.3 Community (Equality, Poverty and Rural): Not applicable

10.4 Climate Change/Carbon Clever: Not applicable

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued

Notification to Scottish Ministers N

Conclusion of Section 75 N
Obligation

Revocation of previous N
permission

Subject to the above actions, it is recommended to **GRANT** the application.

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

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.

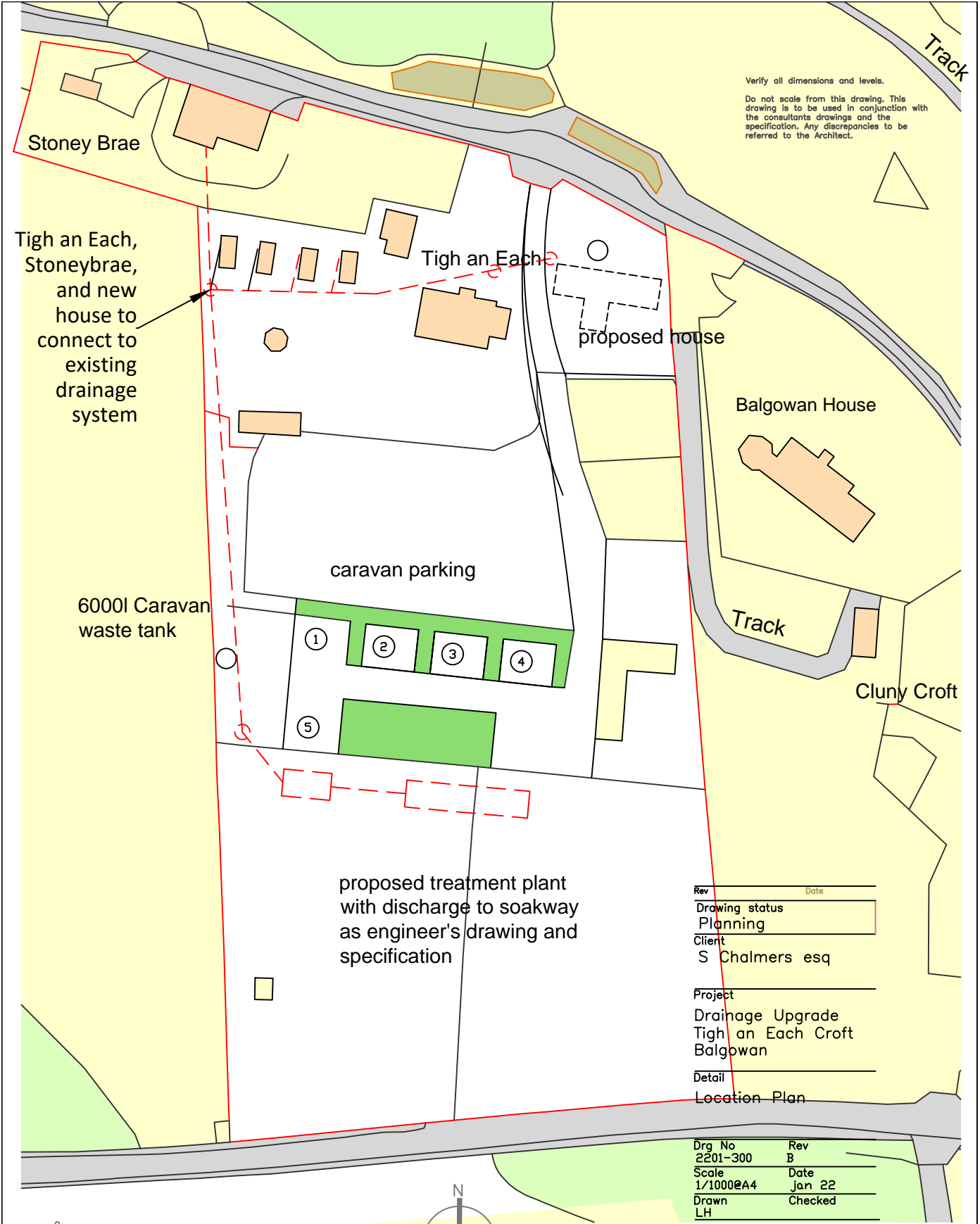
Scottish Water

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).

Signature: David Mudie
Designation: Area Planning Manager – South
Author: John Kelly
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Location Plan (2201-300 REV B)
Plan 2 – Drainage Layout Plan (CTCH-J4424-001 REV C)



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

Tigh an Each, Stoneybrae, and new house to connect to existing drainage system

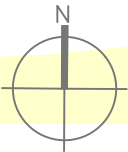
6000l Caravan waste tank

caravan parking

proposed treatment plant with discharge to soakway as engineer's drawing and specification

Rev	Date
Drawing status	Planning
Client	S Chalmers esq
Project	Drainage Upgrade Tigh an Each Croft Balgowan
Detail	Location Plan

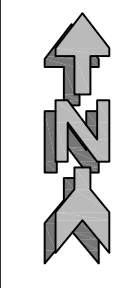
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Scale	Date
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Drawn	Checked
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Rev B 5 plots shown 280722
 Rev A drainage details amended 23/3/22



Stoney Brae Waste Water:
Existing foul water connections from Stoney Brae are to be diverted to the new waste water treatment plant.

Proposed new inspection chamber to provide connection point for diversion of foul water from Stoney Brae to the new wastewater treatment plant.

Existing Glamping Pod Development:
Glamping pod development served by existing foul sewer pipe-work. Location of pipe-work is indicative only and based on location of surveyed rodding eye locations. Foul water flows from glamping pods to be diverted to new waste water treatment plant.

Stoney Brae, Tigh an Each, New 4 bed property & Glamping Pod Development Waste Water:
All foul water from the above properties is to be conveyed to the new foul water sewer installed to convey flows from Stoney Brae.

Surveyed location of existing soil vent pipe.

Tigh an Each Waste Water:
Existing foul water connections from Tigh an Each are to be diverted to the new waste water treatment plant.

Proposed new inspection chamber to provide connection point for diversion of foul water from Tigh an Each and new 4-bedroom house to the new wastewater treatment plant.

A minimum of 1.2m cover is to be provided to the crown of the proposed foul sewer pipe below vehicular trafficked areas. If this is not achievable, concrete slab protection must be provided.

Proposed 4-bedroom Dwelling Waste Water:
Shown is a proposed 110mmØ uPVC foul water sewer to serve the proposed 4-bedroom dwelling. This sewer will discharge into the proposed waste water treatment plant to the South of the site.

Proposed construction of 4 bedroom dwelling. Refer to Architectural drawings for rainwater down-pipes and internal foul drainage connections.

Proposed Roof Water Soakaway:
Proposed 1.2mØ perforated, precast concrete soakaway manhole with 4.2m square granular surround for disposal of treated surface water only. Overall depth 1.25m deep. Manhole to be fitted with C250 ductile iron inspection cover.

Approximate location of existing power infrastructure. Location interpolated from existing Scottish & Southern Energy Networks (SSEN) record drawings.

NOTE:
Roof water from existing properties discharges to individual soakaways. This application involves no change to existing roof areas and so it is proposed that the surface water drainage arrangements remain as they are for existing properties.

Proposed Caravan & Motorhome Waste Water Disposal Tank:
Proposed 6000L tank for disposal of caravan and motor home waste water to be collected and disposed of off site.

Proposed Waste Water Treatment Plant:
Proposed Graf "Klaro E Professional" two tank waste water treatment plant or equal & approved sized for a maximum population equivalent of 28 P.E. Plant is to be positioned a minimum of 5m from any building, 10m from any watercourse and 50m from any spring, well or borehole water supply. Ensure no further than 25m from the nearest access road for de-sludging/maintenance purposes.
Position of plant subject to change providing the above offsets are adhered to. Tank sized to accommodate foul water flows from Stoney Brae, Tigh an Each, Glamping Pods and proposed 4-bedroom dwelling.

Proposed Foul water soakaway
Minimum area of 86.5m² stone filled, foul water soakaway containing 2No. 160mm Ø perforated uPVC pipes, laid either level or not exceeding 1:200. Soakaway to be located a minimum of 50m from any spring, well or borehole, 5m from new building and a minimum of 10m from any other soakaway, watercourse or public road.

LEGEND:-

- New 110/160mm diameter uPVC foul sewer (arrowhead denotes direction of flow)
- New 110mm diameter uPVC surface water sewer (arrowhead denotes direction of flow)
- Existing foul water sewer (arrowhead denotes direction of flow)
- R.E. New rodding point terminal
- I.C. New 450mm Ø uPVC inspection chamber (maximum depth 1.2m)
- S.T. New 500mm Ø polypropylene silt trap manhole with 450mm sump (by Wavin or equal & approved)
- TP1 Indicates approximate position of trial pit/percolation test (carried out 25/02/2022)
- Approximate position of existing SSEN power infrastructure
- Approximate site boundary

NOTES:-

1. Drainage to be constructed, installed & tested in accordance with the recommendations in BS EN 752:2017, BS EN 1610:2015, CIRIA C753, SEPA Regulatory Method WAT-RM-04 and SEPA GBR10.
2. A minimum of 600mm cover to be provided to all pipework within garden/landscaped areas, a minimum of 900mm below any parking area and a minimum of 1200mm below any road. Concrete slab protection to be provided where minimum cover below road is not achievable.
3. The functionality of any gravity drainage shown is dependant on achieving the minimum allowable gradients.
4. Refer to the Architect's drawings for the position of the roof water down-pipes and internal foul drainage outlets.
5. Foul drainage discharge shown is subject to final approval from SEPA.
6. Position of any existing services must be accurately located on site prior to construction work commencing.

Client: Tigh an Each B&B & Laggan Glamping | Site Layout: Tigh an Each Glamping Pods, Laggan | Drainage Layout Plan

Drawn By: CM | Checked By: KGT | Surveyed By: ZC | Drawing Scale: 1:250 @ A1

Surveyed Date: 31/01/2022 | Drawing No: CTCH-J4424-001

Drawing Date: 08/03/2022 | Our Job Ref: J4424 | Rev: C

C 12/04/2022 Position of foul sewer relative to glamping pods revised. Position of new 4-bedroom house revised. CM KGT

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ADDITIONAL CONTACT INFO: E-mail: client@caintechtd.com, Mob: 07740 680509, WEBSITE: http://www.caintechtd.com

Drawing Status:
 PLANNING
 FOR APPROVAL
 WARRANT
 CONSTRUCTION

• Levels are in metres and are to Ordnance Datum.
 • Co-ordinates are to National Grid. (GPS Network)