Agenda Item	8.5
Report No	PLS-100-22

#### **HIGHLAND COUNCIL**

**Committee:** South Planning Applications Committee

Date: 13 December 2022

Report Title: 22/03052/FUL: Ms & Mr Ellen, Sophie & Adam Smith

Roshven Farm, Glenuig, Lochailort, PH38 4NB

**Report By:** Area Planning Manager – South

#### **Purpose/Executive Summary**

**Description:** The erection of a dwelling house, incorporating the refurbishment and

extension of the existing house

**Ward:** 21 – Fort William and Ardnamurchan

**Development category:** Local

Reason referred to Committee: More than 5 representations against

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 a new six bedroom house, adjacent to Roshven Farmhouse. It would be sited in the field adjacent to the farmhouse, to the NW of the existing building. The existing house is to be retained, with new extensions added and the previous extensions removed, and this building will provide a further two bedrooms, a home office, games room and garaging. It will serve as an annex to the new house. The new house and retained, extended farmhouse would provide a single family dwelling unit.
- 1.2 The new house would have an unconventional form, measuring 30m across the frontage and 10m front to back across the main part, and there would be a rear wing 20m long and 5.5m wide projecting at an angle from the rear of the main part of the house
- 1.3 It would be two storeys, the first floor would measure 21.5m across the frontage, and 6.7m front to back, over the main part, with a bedroom on the first floor and main staircase in the rear wing measuring 13.7m by 5.5m. It would be 8m in height to the ridge and approx. 6m to the eaves. There would be 2 bedrooms on the ground floor and 4 bedrooms on the first floor, each with balconies. The master bedroom would have an inset balcony which would be over a recessed deck that is off the dining room on the ground floor.
- 1.4 The roof would be a series of asymmetrical hipped roofs with monopitch lean-to elements on the rear elevation and at the end of the rear wing. Materials would be dark grey cladding for the walls with panels of stone cladding, and the recesses finished in timber vertical cladding. There would be extensive floor to ceiling glazing particularly in the north facing elevation window frames would be dark grey to match the cladding. The proposed roof material is not stated, but it would appear to be standing seam zinc sheeting or similar.
- 1.5 The flat roofed 1970s extensions to the farmhouse would be removed from the east side of the house, returning the "front" elevation to its traditional appearance. The two storey wing to the west side will be reduced in length, and it would accommodate a new staircase with a large picture window and rooflights facing north towards the burn. A modern single storey wing would be added on to the reduced west gable projecting towards the proposed new house. This will accommodate a WC and office, and the end garage and store section would be angled to the NW, towards the new house. There would be a gap of approx. 4m between the existing and proposed new house. The original part of the existing farmhouse would be refurbished to provide a games room on the ground floor and two bedrooms plus a shower room on the first floor.
- 1.6 Materials on the original part of the farmhouse will be as per the original building: slate roof and smooth white painted render for the walls. Windows will have dark grey aluclad frames in both the original and new sections of the building. The modern extension will have dark grey cladding for the walls, as proposed on the new house with timber vertical cladding for the recessed areas. The roofing material is not stated however it would appear to be standing seam zinc sheeting or similar, to match that on the proposed new house.

- 1.7 The proposed development would be served from the existing access and driveway to the farmhouse. This is taken from the A861 Lochailort to Glenuig/Kinlochmoidart road, towards the North-eastern end of Roshven. There is an existing septic tank which would be replaced by a new biodisk treatment plant with soakaway to land. Water would be from a private supply. The farmhouse previously operated a café for a time as well as providing a dwelling house.
- 1.8 Pre-Application Consultation: yes, pre-application enquiry submitted 2021 and planning advice given which resulted in changes to the proposal.
- 1.9 Supporting Information: supporting statement, supplementary submission by applicant, Design Statement, level 1 flood risk assessment report, bat presence/absence survey report, preliminary roost assessment, species protection plan, private access checklist, private water supply assessment, private water supply questionnaire form, infiltration systems test results, tree constraint survey, tree schedule, protected terrestrial mammal survey report.
- 1.10 Variations: Design amended 30 Sept 2022 to re-position one of the bedrooms from the east wing of the ground floor to the south wing at first floor level, in order to narrow the overall width of the house and this allowed the footprint to be moved SE to bring it closer to the existing house. This also brought it entirely within the existing fence line that separates the land that is immediately adjacent to the house from the pasture beyond.

Further revisions 18<sup>th</sup> and 27<sup>th</sup> October 2022 to move a foul drain outwith the Root Protection Area of trees, and minor boundary revision.

#### 2. SITE DESCRIPTION

- 2.1 Roshven is a dispersed group of houses roughly focussed on the former Roshven estate. Roshven House is approx. 1.2km to the WNW. The area is regarded as "wider countryside" for Development Plan purposes. Roshven did have a settlement development area (SDA) in the now superseded West Highland and Islands Local Plan. The nearest SDAs in the adopted WestPlan are Arisaig to the north, and Acharacle to the south, where there are shops and primary schools. Lochailort and Glenuig each have a pub. There are no facilities in Roshven itself.
- 2.2 The site is on the north side of the A861 and set below the road. The Irine Burn marks the eastern boundary of the property and the seashore is approx. 180m to the north. There is a house and group of five holiday cottages to the east, on the other side of the burn, East Lodge is to the south of the site, and it is elevated in relation to the site. East Lodge is closer to the road and there is a wooded embankment separating the application site from East Lodge and other houses to the west.
- 2.3 Cooper's Knowe is approx. 500m away to the WNW and it is on the flat pasture below the wooded bank and closer to the shore. The land slopes away to the north of the proposed house site, with another area of good pastureland beyond leading to a stony bay with the outflow of the Irine Burn into Loch Ailort, which is a sea loch. There is an historic burial ground approx. 360m away, on the east side of the burn and close to the shore.

#### 3. PLANNING HISTORY

3.1 22.06.22 22/00553/FUL erection of house and self- Withdrawn contained residential unit, Roshven Farm

#### 4. PUBLIC PARTICIPATION

4.1 Advertised: unknown neighbour

Date Advertised: 28.07.22 and amended plans on 20.10.22

Representation deadline: 03.11.22

Timeous representations: 16

Late representations: 0

- 4.2 Material considerations raised are summarised as follows (three of the objectors wrote to confirm that their objections remain following re-consultation on the amended plans):
  - a) Extension to farmhouse is too large and not sympathetic in style photo montages should have been provided
  - b) It is outside of a Settlement Development Area;
  - c) Detracts from the National Scenic Area (NSA) due to its scale and siting
  - d) It will be visible from the Moidart and Ardgour Special Protection Area (SPA), the boundary of which is approx. 400m to the south
  - e) Detracts in views from the loch and shore the loch is well used and provides an unspoilt vista looking towards the mountains, ancient burial ground, the heron roosts at Eilean na Gualainn, the woodlands and the Irine Burn most of the houses in Roshven are not conspicuous from the water (Coopers Knowe is prominent but this should not set a bad precedent; there is one traditional cottage at Laggan on the Ardnish peninsula and this is one of the few houses to be visible from that area of the loch)
  - f) Detracts in views from East Lodge, and from The Halt and from the chalet manager's house across the burn when the leaves are off the trees;
  - g) Will diminish the quality of the area to visitors, in particular those who stay in the adjacent chalets
  - h) Pine martens are commonly seen close to the site along the northern edge of East Lodge's garden; a survey and Species Protection Plan must therefore be undertaken; the quality of the survey undertaken is questioned as pine marten and badgers are regularly seen in camera traps in the garden of East Lodge so the Report's conclusion that no evidence was seen is challenged
  - i) Does not show "sensitive siting" in relation to East Lodge; will change the character of the environment and outlook from that property;
  - j) Does not make a "positive contribution towards the architectural and visual quality of the place", nor does it "have regard to the historic pattern of development and landscape in the locality"; it is ribbon development
  - k) Siting encroaches into agricultural land previously used for pet lambs and as a drying green

- Restricts access to animals and agricultural equipment to what would remain of the fields to the west of the burn, making it harder to maintain agricultural activity on the remaining farm land
- m) The site has an open aspect to the north and west 500m to the west; it is not screened on three sides as stated in the Design Statement
- n) The Council has given numerous permissions for houses in Roshven over the past 30 years and this is spoiling the character of what was a single privately owned estate it is starting to look like Berkshire; a cumulative assessment should be undertaken, rather than each application being assessed on a case by case basis; unbuilt extant planning permissions should be included in the assessment
- An extension to the farmhouse that matched the character of the house, and no new build would be an acceptable alternative, and would have a positive impact
- p) A consistent approach to planning is sought
- q) Roshven has become over-developed given the lack of services
- r) Will result in the loss of a field used for livestock grazing and by geese it was a working farm until Nov 2008 there is very little such good quality grazing land in the area
- s) The size of the development, its design and materials do not fit in
- t) This development will set a precedent for other unsuitable developments
- u) There should be an Environmental Impact Assessment it will diminish biodiversity which is in a perilous situation in the UK
- v) The site may be at risk of future coastal flooding given climate change
- w) Additional pressure on a shared private water supply
- x) The house is likely to be a second home, at least in the first instance; there is nothing to prevent it becoming a holiday let if the applicant's plans change, or in the future the proliferation of second homes does not contribute to the community
- y) The area needs a master plan with input from the local community
- z) If this permission is refused, the Council should ask Historic Environment Scotland to urgently assess Roshven Farmhouse with a view to listing it, due to its historical and cultural significance; also, they should be asked to consider if there is anything in the original pattern and form of development that merits protection
- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet <a href="www.wam.highland.gov.uk/wam">www.wam.highland.gov.uk/wam</a>.

#### 5. CONSULTATIONS

- 5.1 **Flood Risk Management Team**: Oct response to amended plans: No objection.
- 5.2 **Historic Environment Team** welcome the retention of the existing house [it was to be demolished in the previous application 22/00553/FUL]. A record of the building in its current condition should be made prior to any impacts. Condition is recommended.
- 5.3 **Environmental Health** indicate that the Water report confirms there is sufficient water for this proposal. A suitable water treatment system shall be installed, and water tested to confirm wholesome water quality prior to occupancy.

The developer should be aware that if the premises is to be used for commercial purposes, then the supply must be risk assessed and the water tested on an annual basis to ensure it meets regulatory standards.

- 5.4 **Council Ecologist**: There are a small number of two species of bat roosting in the roof of the existing farmhouse; no maternity roost. The species protection plan includes bat protection measures. There doesn't seem to be any otter holts/couches or badger setts. Nesting birds might be an issue March August.
- Forestry Team objected to the proposal in its consultation response of 10 October 2022 on the need for further information. It advised that one category C birch tree (T1516) is proposed for removal. While this could be accepted, the impact that the proposed new access would have with the root protection area (RPA) of existing trees cannot and there appears to be opportunity to modify the design slightly to ensure no impact on trees.

The Site Plan (Rev G) also shows a drainage pipe proposed to cut through the RPAs of trees T1510 and T15212. It is recommended that the drainage run should be repositioned outwith the RPA of these trees.

There is no Tree protection Plan – required.

The impact of the visibility splays on trees at the access has not been assessed. A tree planting plan is also required which shows how any trees proposed to be removed would be compensated for with new planting.

Revised plans submitted 27 October 2022 including revised Site Layout Plan, visibility splay, Tree Preservation Plan and Compensatory Planting Plan were submitted to address these aspects.

- 5.6 **SEPA**: No objection.
- 5.7 **NatureScot** refer to standing advice on its website regarding protected species.
- 5.8 **Scottish Water**: No objection.
- 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 and Place-making
  - 36 Development in the Wider Countryside
  - 49 Coastal Development
  - 51 Trees and Development
  - 55 Peat and Soils
  - 56 Travel
  - 57 Natural, Built and Cultural Heritage
  - 58 Protected Species
  - 61 Landscape
  - 64 Flood Risk

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

No specific policies apply.

#### 6.3 Highland Council Supplementary Planning Policy Guidance

Access to Single Houses and Small Housing Developments (May 2011)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Rural Housing (Dec 2021)

Sustainable Design Guide (Jan 2013)

Trees, Woodlands and Development (Jan 2013)

#### 7. OTHER MATERIAL POLICY CONSIDERATIONS

#### 7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (as amended December 2020):

Policy 83 - Remote rural areas

Policy 212 - NSAs

Policy 214 - Protected species

National Planning Framework 3

Revised Draft National Planning Framework 4 (2022)

#### 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) flood risk
  - c) siting and design including impact on amenity
  - d) impact on trees
  - e) impact on landscape NSA and coast
  - f) impact on protected species

- g) impact on historic environment
- h) Impact on infrastructure and services and proposed mitigation (developer contributions) access, water supply, foul drainage
- i) any other material considerations

#### Development plan/other planning policy

- 8.4 The site lies within the "wider countryside" where policy 36 of the Highland wide Local Development Plan (HwLDP) applies together with guidance in the Rural Housing Supplementary Guidance. Such proposals are assessed for the extent to which they are:
  - · acceptable in terms of siting and design
  - sympathetic to existing patterns of development
  - · compatible with landscape character and capacity
  - avoid incremental expansion of one development type within a landscape whose distinct character relies on an intrinsic mix/distribution of a range of characteristics
  - avoids loss of locally important croft land, and
  - can be adequately serviced without involving undue public expenditure or infrastructure that would be out of keeping with the rural character of the area
- 8.5 Roshven used to be within a settlement development area (SDA) within the previous Local Plan, however this no longer applies, and it cannot be given weight now. In any event Policy 36 is generally supportive of development outwith SDAs, provided they meet the above criteria.
- 8.6 The development would result in a single dwelling unit, comprising a much larger new house with a separate annex compared with the existing 3 bedroom farmhouse. The development would be associated with an existing house, and it would be within the existing group of houses at Roshven.
- 8.7 The proposed development would broadly fit in with the existing pattern of development, which includes houses on both sides of the road in Roshven. Those on the shore side of the road are generally at a lower level than the road, whilst those on the landward side are generally elevated and on rising ground. The houses in Roshven are a mix of large and small, traditional in style and modern. They are generally detached properties and set within substantial grounds.
- 8.8 There are a mix of holiday cottages and chalets, and permanently occupied houses. The chalets across the burn to the east of the application site comprise five letting units plus a larger, more substantial manager's house. Further west at The Square there are holiday cottages which are managed by people living adjacent. There are quite a few second homes in the area, however the area maintains a mix of full and part time residential and commercial uses.
- 8.9 The applicant has stated that they intend to retire to the proposed development and their family would move there and use it as their permanent home. Unless they were

to rent out some or all of the property for short term lets the proposed use would be as a dwelling house - Class 9 of the Use Classes Order, whether it was occupied permanently from the outset or used as a second home.

- 8.10 The development, as amended, would result in the loss of less agricultural land than initially proposed. The amended plan has moved the position of the proposed new house back (south) by approx. 6m and reduced and narrowed the footprint by approx. 27sqm by losing a room from the eastern wing. This amendment has brought all of the development inside of the former pet lambs' field and drying green, and it no longer extends into the adjacent pasture. The part of this field that is immediately adjacent to the existing farmhouse is not considered to be formal curtilage, but is more domestic in character rather than agricultural. The farmhouse curtilage is on the other (east) side of the house.
- 8.11 Whilst the farm has apparently not operated since 2008, there have been sheep and horses grazing the pasture. Now that the siting of the house has been moved south and reduced in size, the small loss of "agricultural" land, which has also been referred to as a drying green, is not considered significant.
- 8.12 The development would accord in principle with Scottish Planning Policy as development within a remote rural area, with policy 36 of the Highland-wide Local Development Plan and guidance in the Rural Housing Supplementary Guidance. No occupancy condition is justified. However, a condition is considered appropriate to tie the occupancy of the two elements of the proposal together to ensure they remain as a single planning unit and cannot be used as two separate dwelling houses. This is necessary because the adequacy of the access has been assessed on the basis of this being a single residential unit. The proximity of the two elements and the shared residential curtilage also justify the need for the condition.

#### Flood Risk

8.13 The Flood Risk Assessment considers the proposal as initially submitted and states that the proposed house would sit higher than the adjacent Irine Burn by some 3.9m and it would be +7.12m higher than sea level. The floor level would be +9.5m above sea level. As amended, the site is pulled back up the slope by approx. 0.5m. It is not within the 1 in 200 or 1 in 1000 year flood risk zone from either coastal or fluvial flooding, and it is a sufficient distance from the Irine Burn so as not to impact on the stream corridor.

#### **Siting and Design and Amenity**

8.14 The proposed new house would be approx. 67m NE of East Lodge. The existing farmhouse is slightly closer but more to the ENE in relation to East Lodge. The new house would be on ground approx. 10m lower than East Lodge, and the houses would be separated by a wooded embankment. The principal aspect from East Lodge is to the shore, to the north. In moving the position of the house slightly to the SE, the amended plan has taken it away from being directly in front of that property's outlook. It would be slightly closer to East Lodge, however it would also be closer to the bottom of the wooded embankment, and so the occupants of that property would tend to look over the top of the new house, in views to the NE. The view from that property cannot be protected by the planning system in any event. The impact on

the amenity of the occupiers of East Lodge would be affected to a small degree, although not unacceptable. It is not possible to see the shore from the public road at this point.

- 8.15 The chalets and manager's house to the east of the Irine Burn have their principal outlook towards the sea. The manager's house which is the closest property may see the proposed development across the burn through the trees, however at a distance of over 100m the impact on the occupant's amenity would be limited.
- 8.16 Other properties to the west of East Lodge would similarly look across the development site at increasing distances compared with East Lodge, and from a relatively elevated situation. Cooper's Knowe is over 500m away to the NW. That property would be on a similar level to the proposed development, however at this distance the impact on the occupier's amenity would be minimal.
- 8.17 The new house would be seen in views from the loch. However, there are several other properties at Roshven and further down the coast at Glenuig that are visible from the water. Mostly they are set down at the back of bays, and this would follow that pattern. The amended plan moved the position of the house 6m further away from the shore; overall it would be approx. 200m from the back of the bay. The Irine Burn is tree lined almost right up to its outflow into the sea, and so this corridor of woodland would mitigate views of the house from further east along the loch. Whilst the new house would be visible from the loch, it is considered that its amended siting is such that the amenity of persons on the loch would not be significantly affected.
- 8.18 The design of the new house and the proposed extensions to the existing house are modern and do not match the style of the original farmhouse. There is no imperative for the new house to match the traditional design of the farmhouse, however. Policy 29 requires that developments make a positive contribution to the architectural and visual quality of the place. The new build should also demonstrate sensitivity and respect towards the local distinctiveness of the landscape, architecture, design and layout.
- 8.19 This would be a large house in a bold modern design. It would be in a relatively discreet situation however, and not prominent in most public views. The Design Statement references other houses in the area which feature large areas of glazing. metal cladding, timber cladding and asymmetrical roof structures. The extent to which these features respect local distinctiveness is not addressed further. The design features several segments, which are two storeys in the centre and step down to single storey at the edges which reduce the building's mass. The amended scheme reduced the footprint and would reduce the scale of the building so that it is closer in overall size to some of the other large houses in the area. Whilst design considerations are subjective to a degree, the proposal does demonstrate consideration of the site. The footprint addresses the constraints of the site in respecting the mature oak trees to the south, and the burn to the east. It would have a limited impact on neighbouring properties. The rear wing of the new house extends towards the extension proposed on the existing house, and the modern character and materials of those elements links the two elements together in design terms.
- 8.20 The fact that the extensive glazing is on the north facing elevation means that it will not tend to reflect the light and draw the eye in views from the loch and shore. The

recessive materials and colours would be set against a backdrop of rising land, when viewed from the sea, and similarly this would help assimilate the building into the surroundings.

#### Impact on trees

- 8.21 All of the trees on the application site were surveyed: 52 in total comprising ash, oak, hawthorn, alder, willow, downy birch, sycamore, larch, cherry, cotoneaster, eucalyptus and beech. Notable trees within the site itself are a veteran ash (T1510) and a veteran oak (T1512) that are the most important trees on site, and an impressive eucalyptus adjacent to the driveway.
- 8.22 A Tree Protection Plan and Compensatory Planting Plan were submitted in response to the Forestry Officer's comments. The amended site layout plan has revised the driveway alongside the large oak (T1512) in order to avoid its Root Protection Area (RPA), and the position of a new drainage pipe has been re-routed under the new section of driveway to ensure that RPAs are not affected.
- 8.23 The short section of beech hedge at the site entrance, east side, would be removed to improve the visibility splay, together with a portion of scrub sycamore regeneration within a clump of rhododendron (G2).
- 8.24 There is young scrub (G1) comprising coppiced alder and birch regeneration adjacent to the A861 to the west of the access, with rhododendron well established within it. Some of this would be cut back in order to improve the visibility splay to the west
- 8.25 One category C birch tree (T1516) is to be removed from within the site. This tree has major dieback of the central branches. Its removal would ease the proposed access past the existing farmhouse without impinging on the RPAs of the fine mature ash and oak trees (T1510 and T1512). The RPAs of these two fine trees together with T1511 (a cat B hawthorn) will be protected with a barrier during construction work. A single post on a 60cm by 60cm concrete pad at the SW corner of the new house footprint will be hand dug as it just encroaches within the RPA of the large ash (T1510).
- 8.26 Two sessile oaks are proposed to be planted either side of the driveway entrance as compensatory tree planting in lieu of those lost.
- 8.27 The loss of one category C birch, which shows significant die back in any event, together with some naturally regenerated scrub from either side of the access is not considered significant and would not conflict with policy 51 of the Trees and Woodland SG. Conditions are recommended to secure proper protection during construction to those trees that are to be retained, and further landscape planting in addition to the two sessile oak trees to be planted at the entrance, to fully compensate for the loss of the areas of scrub within the visibility splays. The compensatory tree planting could be anywhere within the land holding and may be appropriate infilling any areas behind the proposed improved visibility splays.

#### Impact on landscape - NSA and coast

- 8.28 The site is within the Morar, Moidart and Ardnamurchan National Scenic Area; this designation covers the coastal area of the Ardnish peninsula, Loch Ailort, Roshven, Moidart and the northern half of Ardnamurchan. The special qualities include a landscape of outstanding coastal scenery, and seascapes both intimate and distant. The scenery is rich and varied with numerous promontories, bays, islands and sea lochs, whilst inland there is a backdrop of hills and mountains. Rois Bheinn, the hill, is in fact within the adjoining Special Landscape Area: Moidart, Morar and Glen Shiel. It is the arrangement of seven landscape character types within or adjoining the NSA which give this area its unique combination of characteristics. Views of far distant islands contrast with those of small inshore archipelagos, and Loch Ailort offers prime West Coast sea-faring.
- 8.29 The character of Loch Ailort with its richly wooded shore and rocky promontories studded with islets would not be significantly affected by the addition of the proposed house. Its revised position, pulled back from the shore and close to the existing farmhouse, and its position at the foot of a wooded embankment mean that it would respect the wider landscape in terms of scale, form and materials.
- 8.30 There have been a significant number of new houses built in Roshven since the estate was broken up approx. 25 years ago, and some are more compatible with the landscape character and capacity than others. The proposed development would not result in a significant cumulative impact with other new houses in the area, except perhaps with Coopers Knowe which is also on the pasture land close to the shore. However that similarly large house is over 500m away from this site, and they would only be seen together from the shore where there are sufficient trees and woodland to mitigate this impact.

#### Impact on protected species

- 8.31 Bat surveys were carried out on 19/20 June, 18/19 July and 10/11 August 2022 and found non maternity bat roosts of both common and soprano pipistrelles within the existing farmhouse. Brown long eared, Daubenton's and Natterer's bats were also recorded in the vicinity. The building has low potential for winter roosting. A Species Protection Plan was submitted on 06 September and this identifies mitigation aimed at reducing the risk of impact on bats during works and aims to ensure that there is no detriment to the favourable conservation status of those species known to roost at the location.
- 8.32 Mitigation measures include the placement of bat boxes and pre-works checks by a licensed bat ecologist, pre-work briefing to contractors, working methods that will limit disturbance to roosting bats, exclusion of bats from identified roosting sites prior to the commencement of work, hand-stripping of material from known roosting areas with supervision by a licensed bat worker, and the use of bat friendly chemicals for treatments and timing of treatment works.
- 8.33 Compensatory measures include the retention of a bat box, appropriate compensatory roost provision will be incorporated into the completed project, and a

- lighting plan will be designed to minimise impacts on bat emergence/re-entry and foraging behaviour.
- 8.34 The post development scale of impact is predicted to be low. The works will require a bat licence to be obtained for works affecting the farmhouse. The survey work undertaken is valid for 18 months thereafter further surveys may be required. A condition is recommended to ensure the species protection plan is followed as part of the construction process.
- 8.35 A Protected Terrestrial Mammal Survey Report was submitted, surveys having been undertaken in May 2022. Evidence was recorded of occasional use of the location by badgers. No evidence of badger setts or extensive use of the area was recorded. No signs of pine marten, wildcat or red squirrel were found. Signs of otters were found on the banks of the Irine Burn. No direct evidence of water vole, although sections of the burn provide suitable habitat. The erection of a new building would have minimal impact on any protected terrestrial mammal species. No mitigation measures are considered necessary. The developer is required to work in accordance with separate protected species legislation in any event, and an informative note to this effect is standard on planning decision notices.

#### Impact on historic environment

- 8.36 The existing farmhouse is not listed however it is featured on the Council's Historic Environment Record as being of local interest. It was built c.1896 of poured concrete a similar construction technique was used for the viaducts on the Mallaig railway line, and thereby there is a possible connection with the work of Sir Robert McAlpine.
- 8.37 The farmhouse is now to be retained (whereas it was to be demolished in the previous application which was withdrawn). The elements that are to be demolished date from the 1980s and are not of interest. In fact, their removal would restore the original front elevation. The retention and refurbishment of this house as part of this proposal would secure its future.
- 8.38 The existing farmstead outbuildings and sheepfold further down the drive are not affected by this development. East Lodge is similarly of local interest, as is the nearby burial ground. Neither would be directly affected.
- 8.39 The nearest listed building is Roshven House; Category B the courtyard buildings, garden wall and sundial are included in the listing. This is over a kilometre away from the application site, and the development could not be regarded as impacting on the setting of the House or its grounds.

#### Impact on infrastructure and services

8.40 The existing access off the A861 is substandard. It would be possible to improve this access by constructing a SDB1 type junction, which incorporates a lay by for the bin lorry to safely pick up from. The visibility splays could also be significantly improved by cutting back vegetation on either side and a small amount of cutting into the embankment on the west side. At present visibility is limited to approx. 68m to the west, and 56m to the east. Improved visibility splays of 130m are proposed on the west side and 215m on the east side. The standard for such a section of road

with a 60mph speed limit would be 215m. Given this access serves an existing house and a farm, and previously a tearoom, these improvements are considered acceptable in the context of serving a single residential planning unit even though they do not meet the standard in full to the west. A condition is recommended to secure these improvements.

- 8.41 There is sufficient parking within the site for this property.
- 8.42 The water supply report confirms that there is sufficient supply for the development. It is for the developer to ensure that the appropriate treatment is provided if required.
- 8.43 A new foul drainage treatment system is proposed, and this will replace the existing septic tank serving the farmhouse. Building Standards will address its proper installation and the efficacy of the soakaway. Surface water drainage will be a matter for the developer to address in accordance with SEPA's general guidance.

#### Any other material considerations

- 8.44 Whilst the development may be visible from the Moidart and Ardgour Special Protection Area, which qualifies by regularly supporting a population of golden eagles, it will not have any indirect impact on that designation.
- 8.45 The strategic development of Roshven should be considered as part of the Development Plan process rather than as part of an individual planning application such as this. Currently there are no policies which would limit the incremental expansion of such areas in the wider countryside. Whilst a masterplan or local community plan may be desirable it would be for the local community to work within the Development Plan process to achieve this.
- 8.46 The proposal is not of a type and/or scale that would result in it being considered as EIA development.
- 8.47 Historic Environment Scotland (HES) will not consider buildings for listing whilst they are subject to a live planning application. Outwith the planning application process, it would be for local people to put forward such a request to HES.

#### **Developer Contributions**

8.48 No developer contributions required at this time.

#### 9. CONCLUSION

9.1 The proposed new house would be sited in close association with an existing house which is to be extended and together they will provide one extensive residential unit. They are within a residential group at Roshven. The siting relates satisfactorily with other houses nearby on the shore side of the road, and at the foot of a treed embankment, and set back from the shore. The amended plan brings the siting back from the shore by a further 6m. The design has also been amended to reduce the footprint and allow it to be brought closer into the foot of the hill and closer to the existing house. As amended, the proposal is considered to demonstrate sensitive siting, that is sympathetic to the pattern of development in the area and is compatible with landscape character and capacity. The development would therefore accord

with policies 36 and 49 of the HwLDP. The design responds to the situation and would not be prominent in wider or public views and therefore complies wwith policy 28 or 29 in this respect.

- 9.2 The impact on individual and community residential amenity would be acceptable and accord with policy 28 in this respect.
- 9.3 The development would not have an adverse impact on the NSA. Conditions would also ensure that a small number of fine trees at the foot of the embankment and along the driveway would be safeguarded.
- 9.4 There would be no adverse impact on any features of historical importance, and the future of the dilapidated existing farmhouse would be secured as part of this development. Subject to conditions the impact on protected bats could be mitigated to an acceptable extent.
- 9.5 The proposal would enable a road safety improvement to be secured with improvements to the access junction, though a condition. A sufficient water supply and appropriate drainage would be achievable to serve the development.
- 9.6 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 $\ \underline{N}$

Notification to Scottish Ministers N

Conclusion of Section 75 Obligation N

Revocation of previous permission N

**Subject to the above actions,** it is recommended to **GRANT** the application subject to the following conditions and reasons:

1. The development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

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

2. No development or work (including site clearance) shall commence until a programme of work for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation, has been submitted to, and approved in writing by, the Planning Authority. The approved programme shall be implemented in accordance with the agreed timetable for investigation.

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

3. The accommodation within the farmhouse shall be used only as accommodation incidental to the enjoyment of the main dwelling house hereby approved. For the avoidance of doubt the additional accommodation hereby approved within the farmhouse shall not be used as a separate dwelling unit independent of the main house or for short term holiday letting purposes.

**Reason**: In the interests of amenity because of its shared access and parking, siting, and lack of an independent curtilage, the property would be unsuitable for permanent residential accommodation independent of the main house, in accordance with policy 28 of the Highland wide Local Development Plan.

4. No development, site excavation or groundwork shall commence until all retained trees have been protected against construction damage using protective barriers located beyond the Root Protection Area (in accordance with BS5837:2012 Trees in Relation to Design, Demolition & Construction, or any superseding guidance prevailing at that time) and the Tree Constraints Survey for Roshven Farm by PALS Tree Services 22 Nov 2021. These barriers shall remain in place throughout the construction period and must not be moved or removed during the construction period without the prior written approval of the Planning Authority.

**Reason**: In order to ensure the protection of retained trees, which are important amenity assets, during construction.

No development, site excavation or groundwork shall commence until a Tree Planting Plan and Maintenance Programme has been submitted to, and approved in writing by, the Planning Authority. The approved Tree Planting Plan shall be implemented in full during the first planting season following commencement of development, or as otherwise approved in writing by the Planning Authority, with maintenance thereafter being carried out in accordance with the approved Maintenance Programme.

**Reason**: In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

6. Development and work shall progress in accordance with the Protected Terrestrial Mammal Survey Report – Roshven Lochailort by Alba Ecology Ltd dated May 2022, and the mitigation measures contained therein.

**Reason**: To ensure that the development does not have an adverse impact on protected species during construction.

- 7. No other development shall commence until the site access has been constructed in accordance with The Highland Council's Access to Single Houses and Small Housing Developments guidelines and the attached Access Schedule (dated 21 November 2022), with:
  - i. the junction formed to comply with drawing ref.SDB1; and
  - ii. visibility splays of 130m (to the west) x 215m (to the east) (the X dimension and Y dimension respectively) in each direction formed from the centre line of the junction.

Within the stated visibility splays, at no time shall anything obscure visibility between a driver's eye height of 1.05m positioned at the X dimension and an object height of 0.60m anywhere along the Y dimension.

**Reason**: To ensure that an adequate level of access is timeously provided for the development; in the interests of road safety and amenity.

Signature: David Mudie

Designation: Area Planning Manager – South

Author: Lucy Prins

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

Relevant Plans: Plan 1 Location Plan 0892021-001 Rev A

Plan 2 Amended Proposed site layout plan 0892021/003 Rev I

Plan 3 Amended ground Floor Plan 0892021-102 Rev E

Plan 4 Amended First Floor Plan 0892021 - 103 Rev E

Plan 5 Amended Roof Plan 0892021 - 104 Rev E

Plan 6 amended elevation plan 1 of 2 0892021 – 200 Rev F

Plan 7 Amended elevation plan 2 of 2 0892021 – 201 Rev D

Plan 8 Proposed floor elevation plan (farmhouse) 0892021 – 101 Rev A

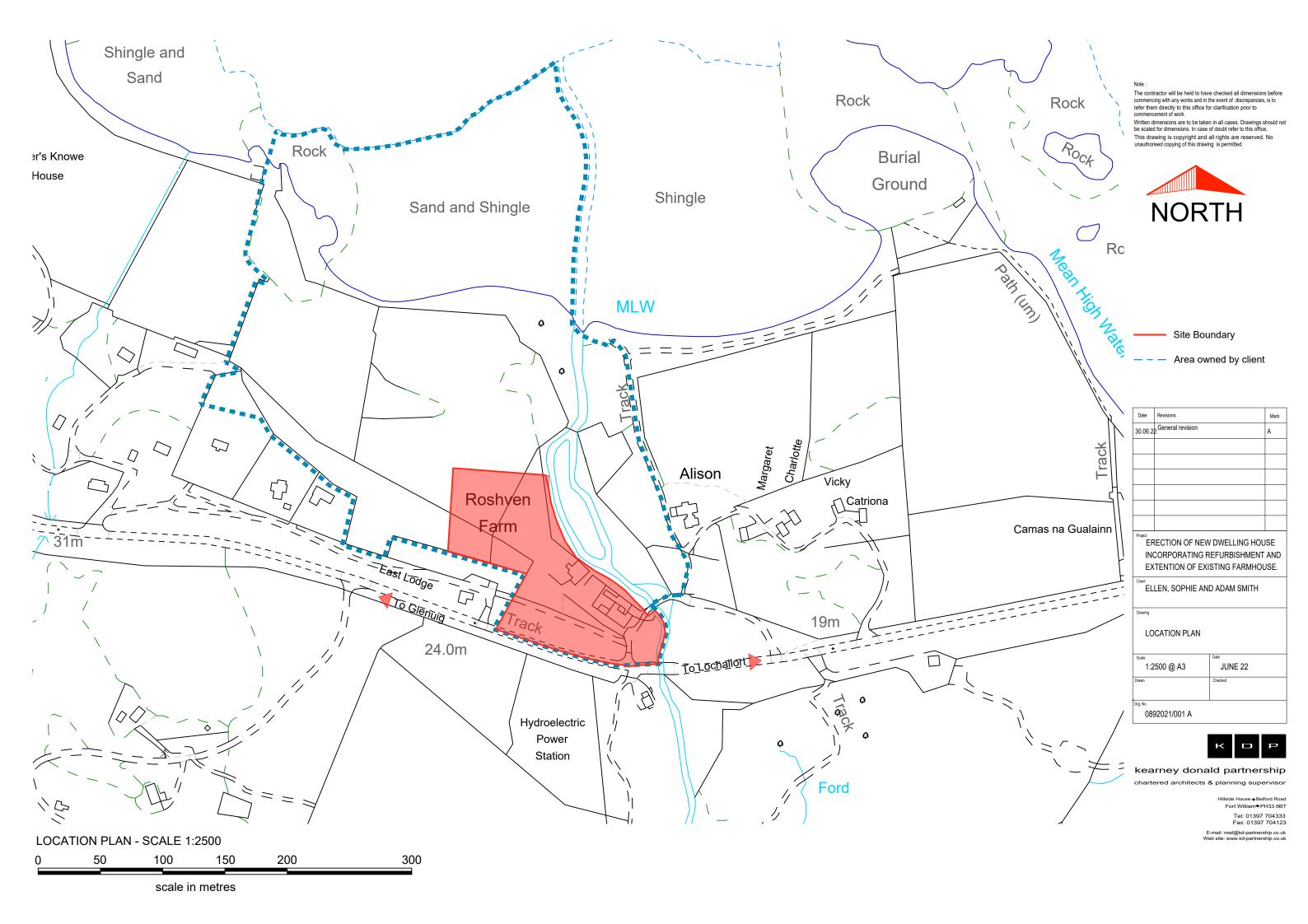
Plan 9 Amended dwg - visibility splay plan 0692021/004 Rev D

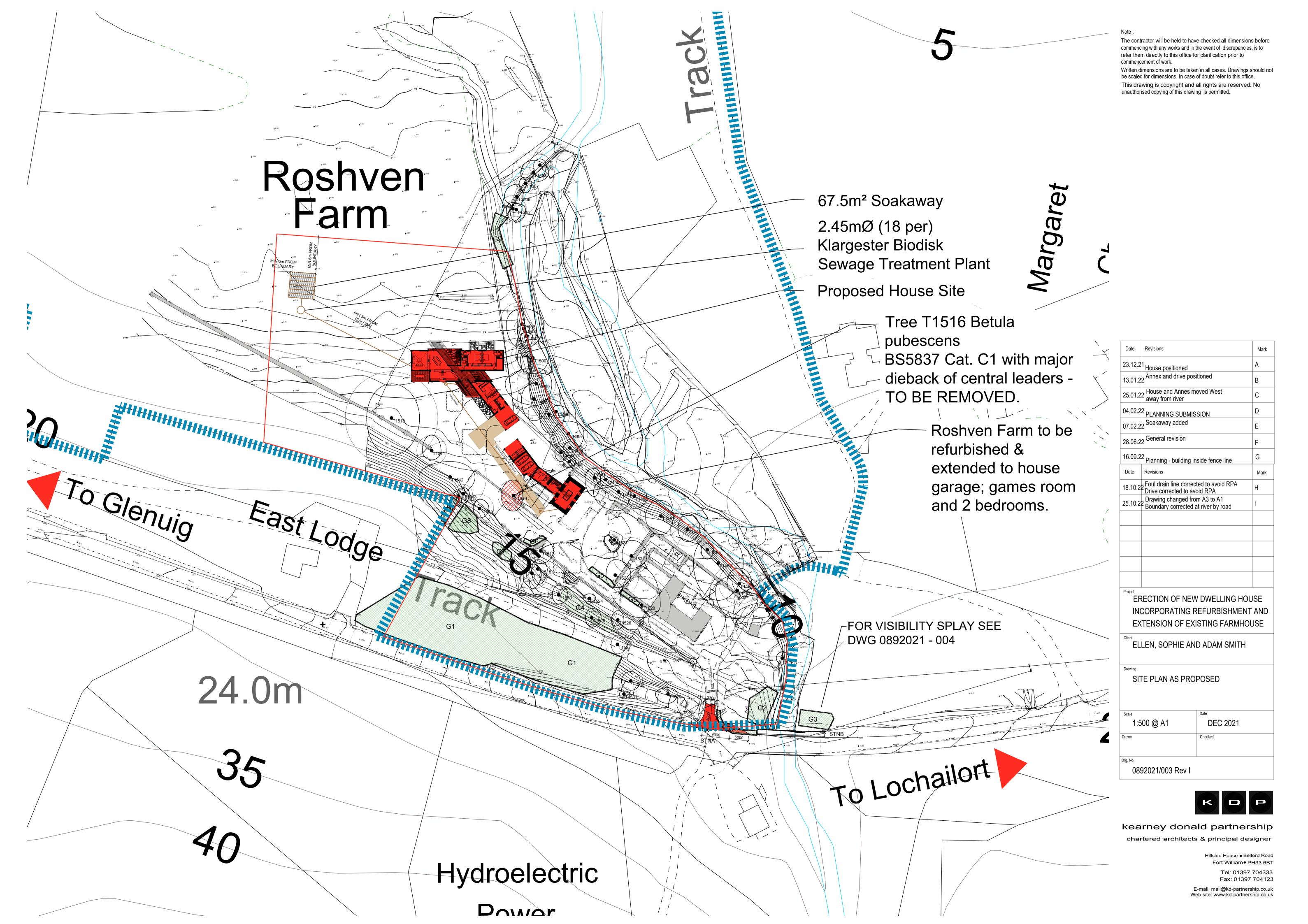
Plan 10 Tree Constraints Plan 1276-TCP1

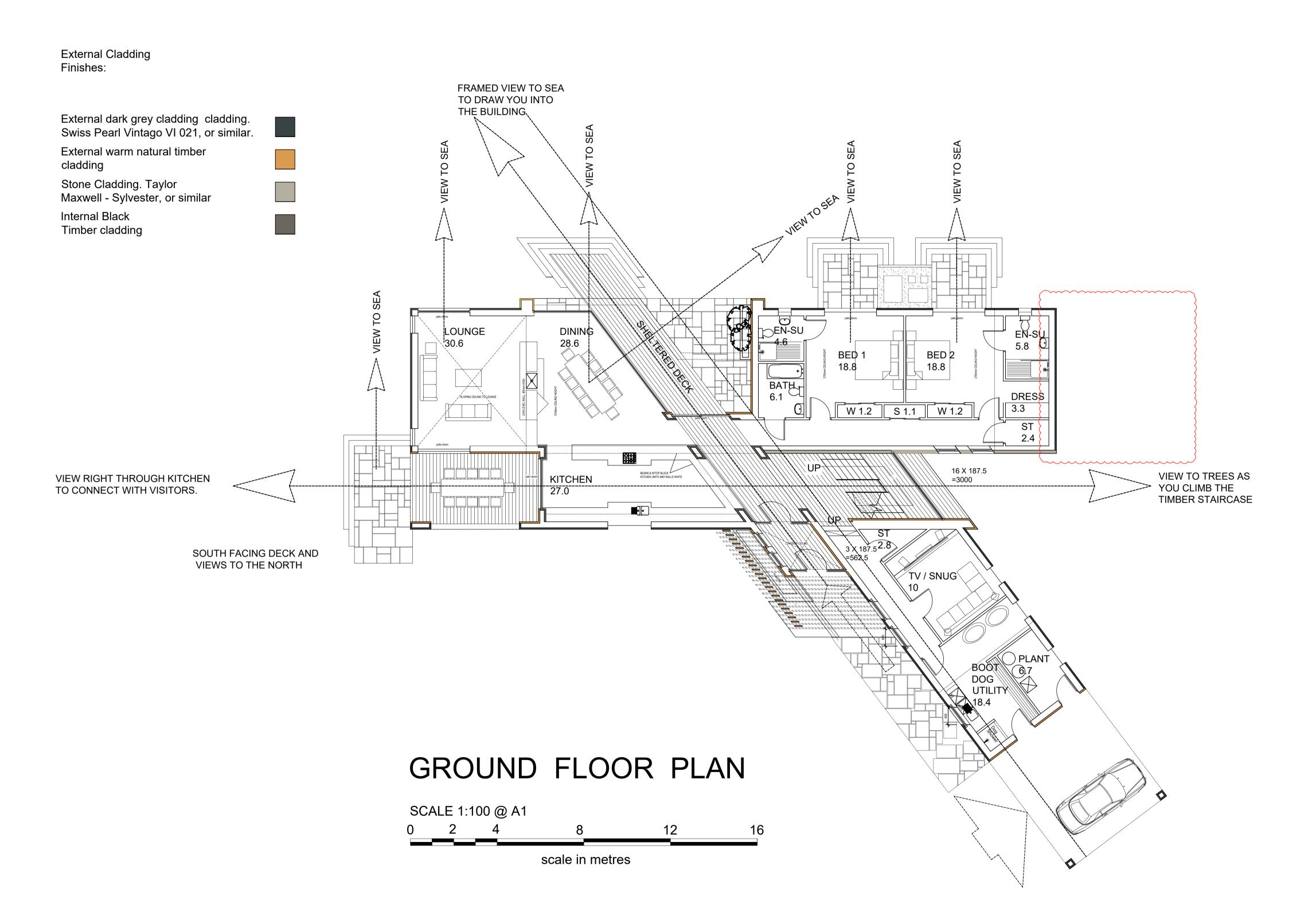
Plan 11 Tree Constraints Plan 1276 TCP2

Plan 12 Tree Protection Plan TPP-KD 211022 Rev A

Plan 13 Compensatory planting plan CPP-KD-251022 Rev Draft







Note:

The contractor will be held to have checked all dimensions before commencing with any works and in the event of discrepancies, is to refer them directly to this office for clarification prior to commencement of work.

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23.12.2	<sup>1</sup> Amended to Clients r	equirements.	Α	
13.01.2	22 Amended to Clients requirements			
04.02.2	Paper size + scale changed to A1 @ 1:100 Planning Submission			
27.06.2	27.06.22 General revision			
	<sup>2</sup> Planning - building in	side fence line	Е	
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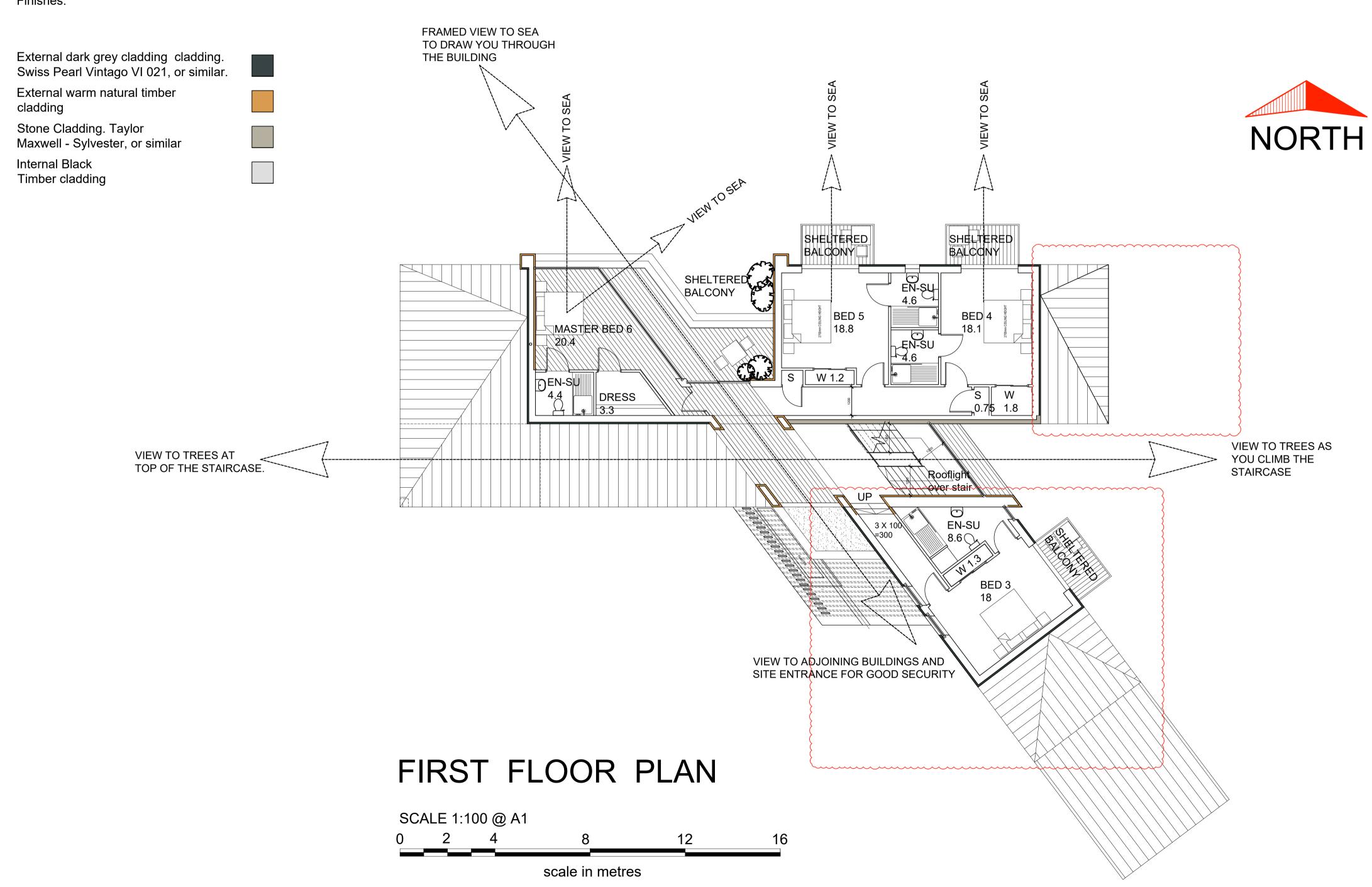
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Web site: www.kd-partnership.co.uk

# External Cladding Finishes:



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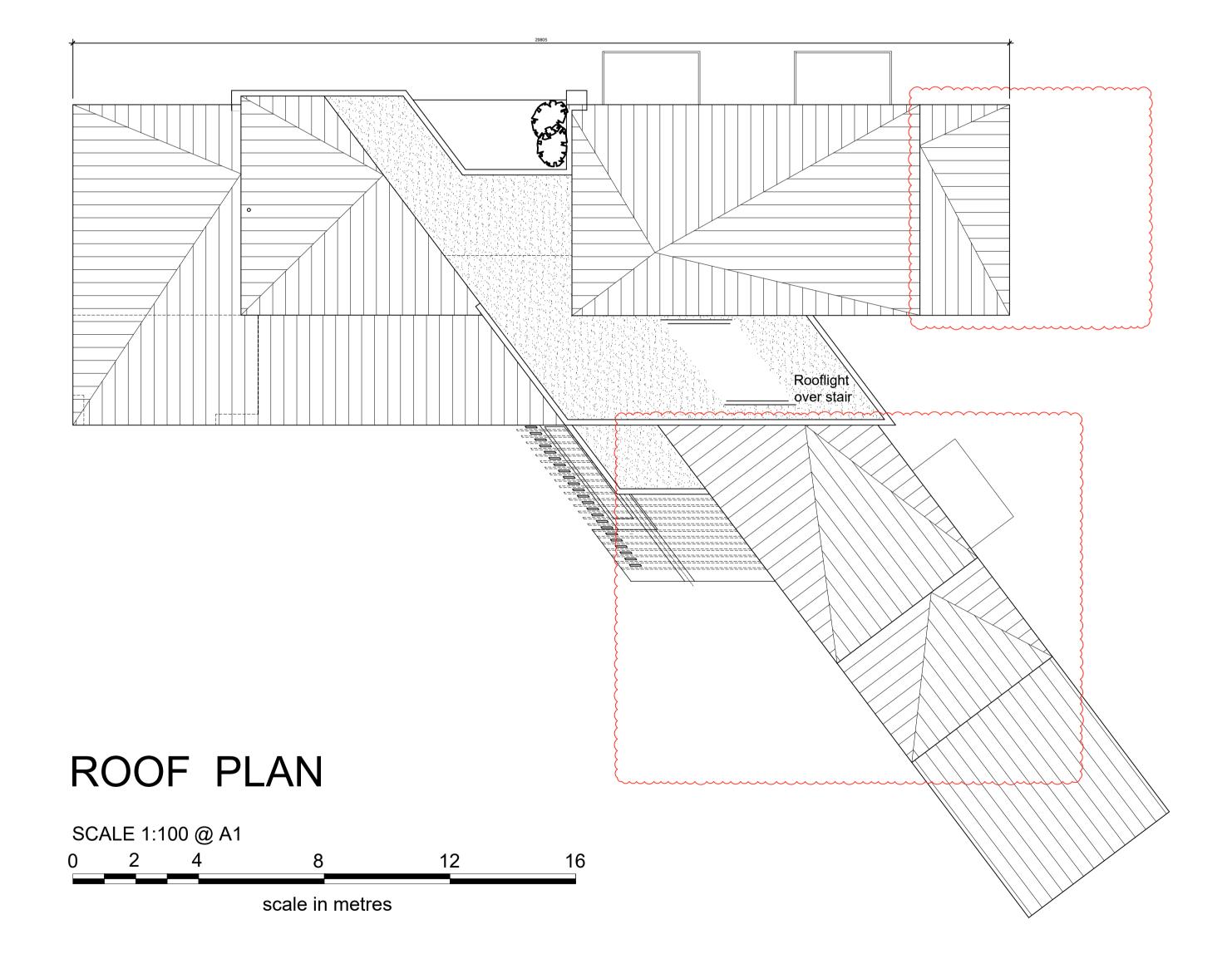


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Note:

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### Materials for New Build Dwelling:

External walls to be dark grey comprising cladding (Swiss Pearl Vintago VI 021, or similar). All recesses to be natural warm timber vertical cladding. Stone Finish to be stone cladding panels (Taylor Maxwell, Sylvester or similar).

All Windows and doors situated on dark grey cladding to aluclad frames to match dark grey finish. Opening situated on vertical timber cladding to be timber frames to match.



# SOUTH ELEVATION

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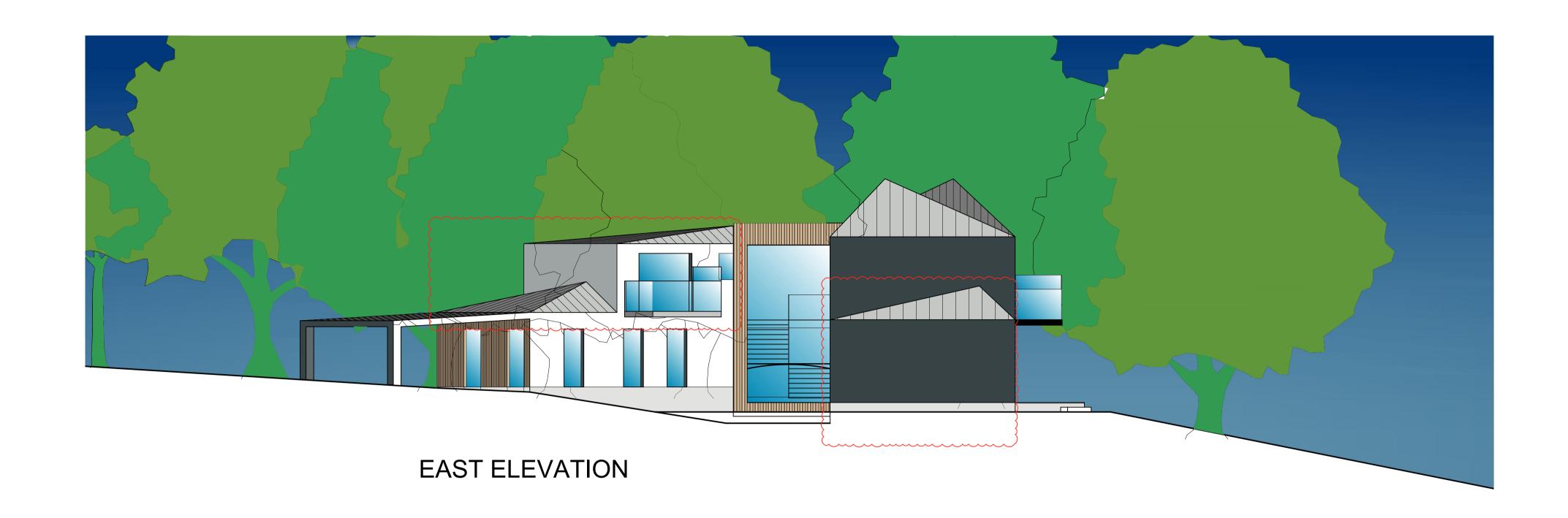
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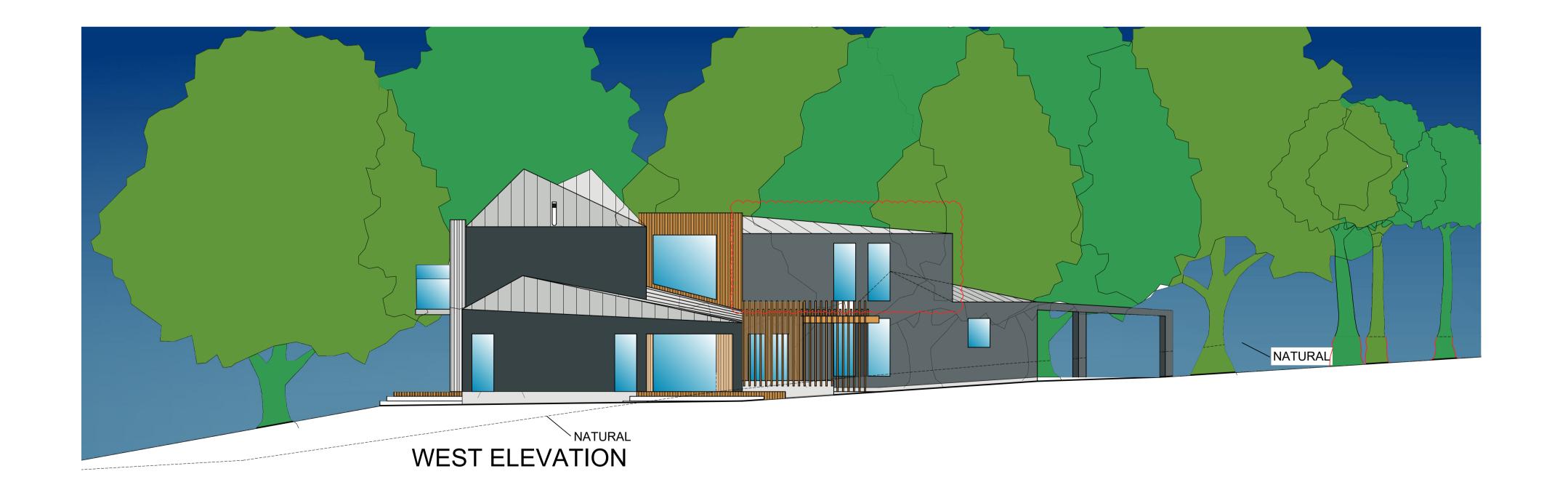
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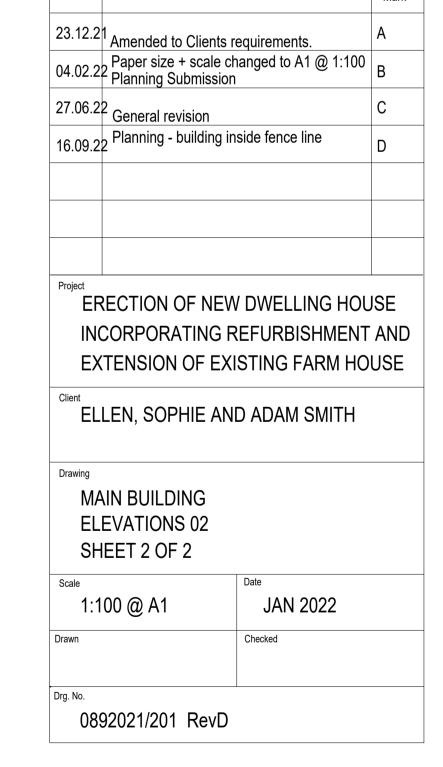


# Materials for New Build Dwelling:

External walls to be dark grey comprising cladding (Swiss Pearl Vintago VI 021, or similar). All recesses to be natural warm timber vertical cladding. Stone Finish to be stone cladding panels (Taylor Maxwell, Sylvester or similar).

All Windows and doors situated on dark grey cladding to aluclad frames to match dark grey finish. Opening situated on vertical timber cladding to be timber frames to match.







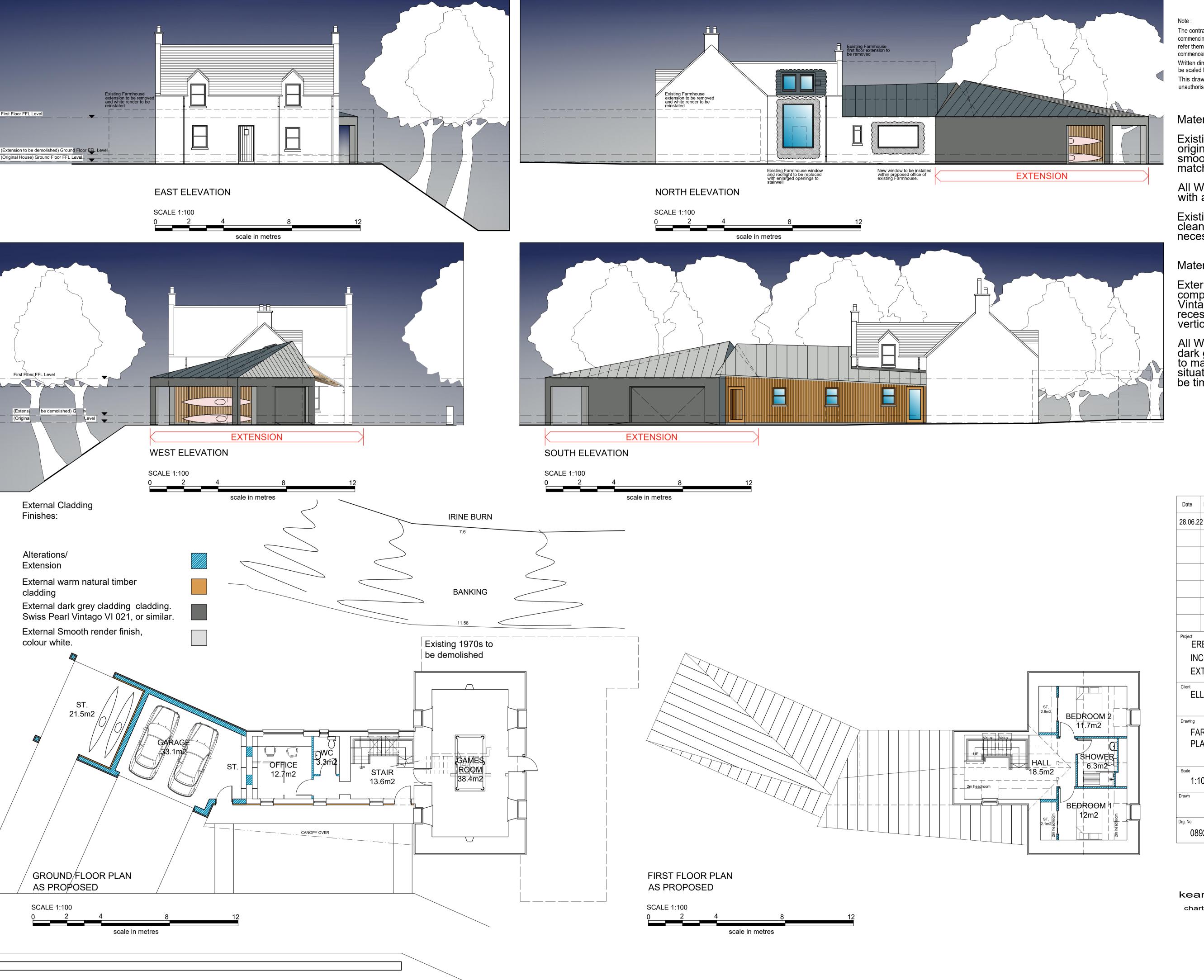




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### Materials for Existing Farmhouse:

Existing farmhouse to be returned to original state. All external walls to be smooth render, painted white, to match as existing.

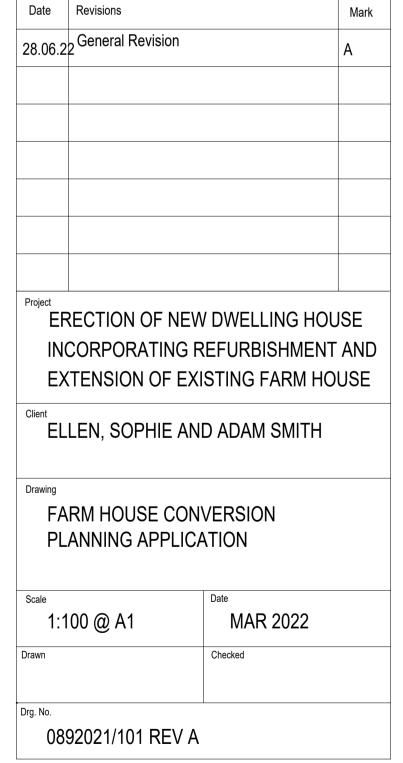
All Windows and doors to be replaced with aluclad frames; color dark grey.

Existing slate roof and flashing's to be cleaned and repaired where necessary.

### Materials for Extension to Farmhouse:

External walls to be dark grey comprising cladding (Swiss Pearl Vintago VI 021, or similar). All recesses to be natural warm timber vertical cladding.

All Windows and doors situated on dark grey cladding to aluclad frames to match dark grey finish. Opening situated on vertical timber cladding to be timber frames to match.

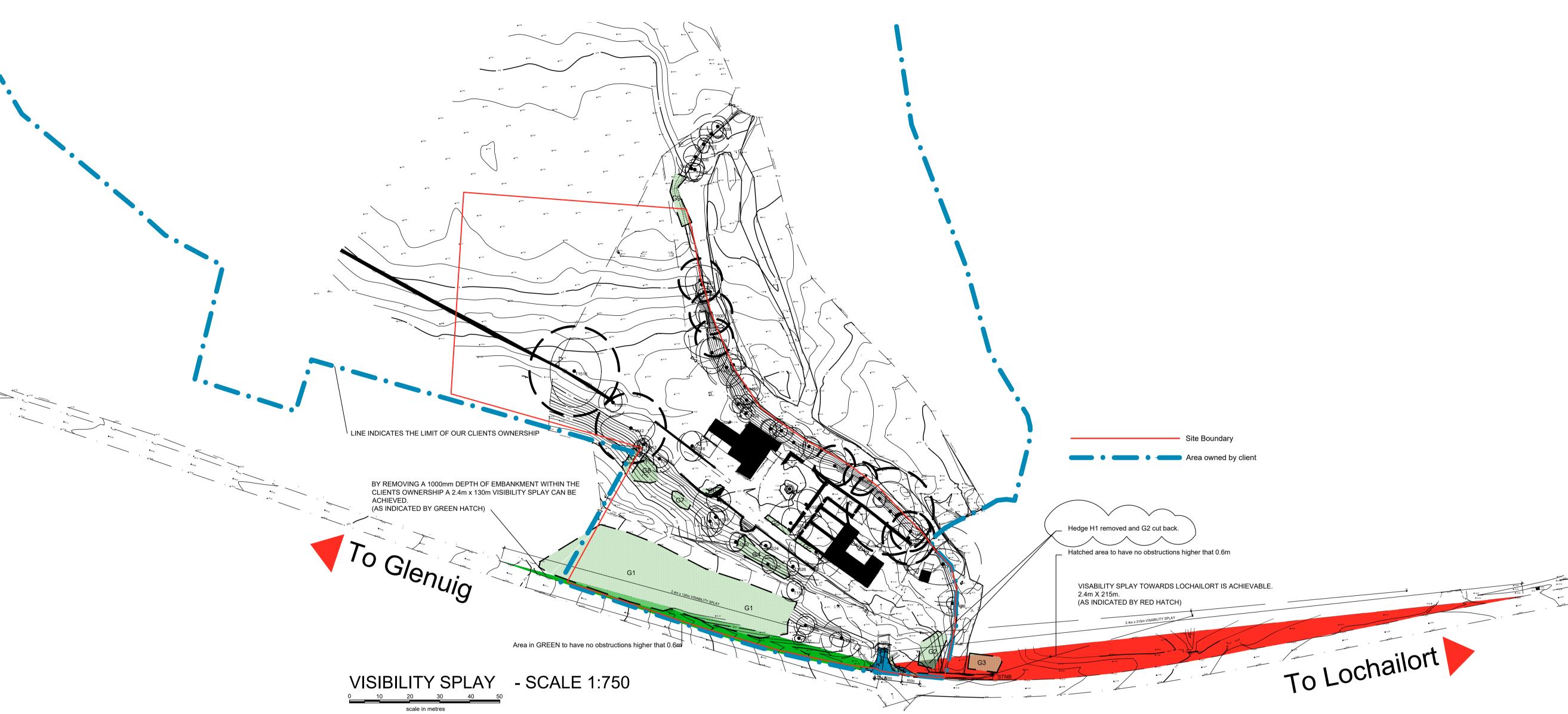


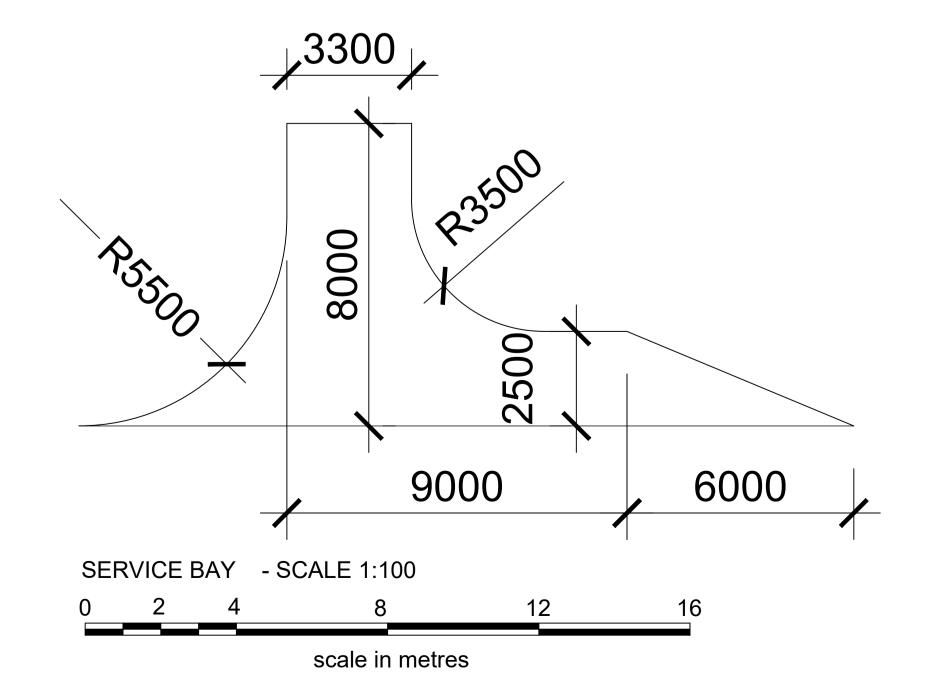


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	Planning Submission		Α
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29.06.2	Service Bay added		С
26.10.2	H1 and G2 cut back		D
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refer them directly to this office for clarification prior to





JAN 2022



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