

Agenda Item	6.2
Report No	PLN/064/23

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 12 September 2023
Report Title: 22/05563/FUL : Mr Roddy Mackenzie
Land 100M SW Of 27 Melvaig
Report By: Area Planning Manager North

Purpose/Executive Summary

Description: Erection of house and two short term holiday letting units and the formation of the access track.
Ward: 05 - Wester Ross, Strathpeffer And Lochalsh

Development category: Local

Reason referred to Committee: More than 5 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 erection of a two bedroomed single storey dwellinghouse in addition to the provision of two one bedroomed short term holiday letting units. The three buildings have the same design ethos; mono-pitched roofs with timber cladding on a rectangular footprint. The mono-pitched roofs at their highest point are no greater than 4m above ground level.

Included in the application are drainage proposals, works to form an access onto the public road, the internal access track to the proposed house and the two holiday letting units, plus the car parking areas associated with these. The proposals also include the siting of a caravan which would be occupied by the developer during the construction of the house plus the siting of two steel containers, adjacent to the location of the proposed house. The containers are requested as short term solution until the agricultural shed is constructed.

- 1.2 There is an existing croft access from the B8021.
- 1.3 Pre Application Consultation: None
- 1.4 Supporting Information: Design and Access Statement . Access checklist
- 1.5 Variations: None

2. SITE DESCRIPTION

- 2.1 The site lies within what is recognisable as the crofting township of Melvaig and consists of bare crofting land that lies on the lower slopes of the hillside between the coastline and the public road at the northern end of the township. There are a number of manmade features across the site, including the remains of a house and drystone dykes that indicate that in the past the land has been occupied and worked.
- 2.2 To the south of the access point from the public road is the neighbouring croft and house 24 Melvaig. To the west of the proposed house site is a traditional house that in the recent past has been subdivided into two and is known as Otterburn 28 and 28A Melvaig. To the west of this property is a further traditional house 27 Melvaig. To the south of 27 Melvaig and between the proposed access point off the B8021 is an undeveloped house plot (ref 23/01616/PIP).

3. PLANNING HISTORY

- 3.1 25.05.2023 23/02050/PNO - Erection of agricultural building Prior Approval
Not Required

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Unknown Neighbour 03.03.2023

Date Advertised: 17.02.2023

Representation deadline: 03.03.2023

Timeous representations: 4 Representations from 4 Households

Late representations: 3 Representations from 2 Households

4.2 Material considerations raised are summarised as follows:

- a) Visual and landscape impact on the National Scenic Area
- b) Impact on the amenity of neighbouring properties by the commercial nature of the development including traffic noise
- c) Proximity of septic tank to the watercourse
- d) Light pollution given the number of buildings proposed.
- e) Capacity of public road to accommodate construction traffic
- f) Loss of habitat by construction of access track

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 HISTORIC ENVIRONMENT TEAM - ARCHAEOLOGY – No objection. Condition required to require a detailed photographic record of the remains of a house, drystone dykes and bridge.

5.2 SCOTTISH WATER – No objection. There is sufficient capacity in the Poolewe Water Treatment Works to service the development.

5.3 CROFTING COMMISSION – No objection. Generally supportive of development on croft land where there is an operational need that will be beneficial to the croft, avoids better quality land, does not restrict proper access to all other areas of the croft and does not restrict the continuing cultivation of a croft.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 **National Planning Framework 4 (Adopted 13 February 2023):**

01 – Tackling the climate and nature crises

02 – Climate change and adaptation

03 – Biodiversity

04- Natural places

05– Soils

07- Historic assets and places

14- Design, quality and place

17 – Rural Homes

29 - Rural Development

30 - Tourism

6.2 **Highland Wide Local Development Plan 2012**

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 31 - Developer Contributions
- 36 - Development in the Wider Countryside
- 43 - Tourism
- 44 - Tourist Accommodation
- 45 - Communications Infrastructure
- 47 - Safeguarding Inbye/AppORTioned Croftland
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built and Cultural Heritage
- 63 - Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage

6.3 **West Highland and Island Local Development Plan 2019**

No specific policies apply

6.4 **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 Historic Environment Strategy (Jan 2013)
- Rural Housing Guide (December 2021)
- Sustainable Design Guide (Jan 2013)

7. **PLANNING APPRAISAL**

- 7.1 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

- 7.2 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

- 7.3 The key considerations in this case are:
- a) Development Plan Policies
 - b) Siting, Design and Visual Impact
 - c) Road and Access
 - d) Water and Drainage

e) Neighbouring Residential Amenity

8. Development plan/other planning policy

- 8.1 All planning applications must now be determined in accordance with the provisions of NPF 4 and the existing Local Development Plan, unless material considerations provide justification otherwise. If there is an inconsistency between NPF4 policies and an LDP which was adopted before 13 February 2023, the NPF prevails under Section 24(3) of the 1997 Town and Country Planning (Scotland) Act 1997 (as amended).
- 8.2 Given the mixed nature of the development, a number of development plan policies apply. The most relevant are considered to be Policy 17 (rural homes) of NPF4 which outlines where new homes in rural areas will be supported. Policy 30 (tourism) of NPF4 which seeks to encourage, promote and facilitate sustainable tourism development. Policy 36 (development in the wider countryside) of HWLDP which contains a checklist of considerations to ensure proposed development does not harm the character of the rural area and policy 44 of the HWLDP which seeks to support tourist accommodation in the wider countryside provided it is consistent with the considerations set out in policy 36
- 8.3 Other relevant policies in the consideration of the development are listed above in Section 6.
- 8.4 With regards to the proposal to erect a house, it is acknowledged that there is an incompatibility between policy 17 of NPF4 and policy 36 of the HWLDP with regards to the siting of new rural homes out with settlement boundaries. Policy 17 of NPF4 is more prescriptive and requires new homes to be on an allocated site or to meet one of the specific criteria. Policy 17 (a) supports new homes on crofts where it has been demonstrated that a house is necessary to support the sustainable management of the croft. In this instance the applicant has not provided a justification in relation to the working of the croft, although they have sought and secured permission to erect an agricultural building ref 23/02050/PNO and they have also indicated that the storage containers are to be used to house 'crofting materials', animal feed etc and as a workshop. It is also recognised that all other houses historically associated with croft 27 and croft 28 have been sold separately from the land. In addition and also of relevance to the assessment of this proposal, is Policy 17 (c) which relates to remoter rural areas, and which supports new homes in these areas where they support and sustain existing fragile communities; supports identified local housing outcomes; and are suitable in terms of location, access, and environmental impact. All 3 of these criteria need to be met. Melvaig is considered to be a fragile community and the addition of a further house will undoubtedly help support and sustain it. An additional house will potentially increase housing options, and additional residents will help create a resilient community. The proposal to erect a house therefore stands to be assessed against whether it is suitable in terms of location, access, and environmental impact.
- 8.5 As regards the provision of two one bedroomed holiday letting units. Policy 30 of NPF4 requires proposals for tourist related development to take account of the contribution to the local economy, the compatibility with the surrounding area, impacts on communities, opportunities for sustainable travel and appropriate

management of parking and traffic generation, accessibility for disabled persons, measures to minimise carbon emissions, and opportunities to provide access to the natural environment. Policy 44 of the HWLPD recognises the importance of tourism to the local economy and offers general support for tourist accommodation in the countryside where it is demonstrated that demand exists for this type of accommodation, where it can be achieved without adversely affecting the landscape character or the Natural, Built or Cultural Heritage features of the area and can be serviced appropriately. The popularity of the Gairloch area as a tourist destination is well documented and understood and there is a clear demand for self-catering short term holiday letting accommodation of the style proposed. Again, it is considered that the proposals stand to be assessed against whether they are suitable in terms of location, access and environmental impact. In addition, the impact on neighbouring residential amenity is a key consideration.

Siting, design, and visual impact

- 8.6 The proposed dwellinghouse will be sited against a backdrop of rising land at the northern edge of croft 28. It will be located adjacent to the property Otterburn, 28 & 28A Melvaig and the recently approved agricultural building ref 23/02050/PNO. As such it will be seen as part of a cluster of development at the bottom of the hillside. The two bedroomed house has a contemporary design, with the use of a mono pitched roof and timber cladding and is considered to be of an acceptable design quality. With a ridge height of less than 4m and a footprint of approximately 100m², the scale and massing of the house is not considered to have any significant impact on the qualifying features of the National Scenic Area.
- 8.7 The two proposed holiday letting units will be sited on the open ground of croft 28 and as a result will be seen as more isolated development compared to the proposed house. The locations chosen make use of the natural contours and undulations in the topography so that, viewed from the public road and the neighbouring properties, these elements of the development will sit down into the landscape. The smaller of the two units is to be sited on an area of ground which has the remains of a ruin house/stone enclosure. The two units are designed to reflect the design of the parent house by the use of a mono pitched roof and timber cladding. The larger of the units has a footprint comparable to that of the house. The smaller unit has a footprint of less than 50m². Given the relatively modest scale of the buildings they are not considered to have a significant impact on the visual and landscape quality of the area. The proposals are not considered to be overdevelopment of the crofts. The applicant has confirmed that croft 27 is approximately 2.22 hectares, croft 28 28.2 hectares, or thereby, with the proposed development area, access roads/buildings and parking area occupying 0.2 hectares approximately.
- 8.8 The caravan and the two containers are short term solution to provide the applicant with accommodation and storage facilities, until the house and agricultural building have been constructed. These temporary elements will be controlled by condition to ensure that they are removed and the land restored.

Access

- 8.9 At the present time there is a direct access from the B8021 located in the south eastern corner of croft 27. There is no access for vehicles into croft 28. In order to provide vehicular access to the proposed house and proposed short term holiday letting units, the application includes the formation of a private way which will follow the southern boundary of croft 27 and the boundary between croft 27 and 28, utilising the flatter ground on the lower slopes before rising up towards the house site adjacent to the existing property Otterburn 28&28A Melvaig. It is acknowledged that there is a significant change in level from the edge of the public road and ground over which the first section of the private way will require to be constructed. In order to ensure that the access can be constructed to current guideline standards, ground engineering works will be required to alter the gradient of the hillside. The scale of these works will be comparable to those required at neighbouring house sites and is not considered to be of a scale that will have a significant detrimental impact on the landscape and visual character of the area. The construction of the private way to the house site and the holiday letting units will ensure that cars do not park on the public road. The track will be 3m wide with parking areas provided adjacent to the house and holiday letting units. It is considered that the access arrangements are acceptable and of a scale which is commensurate with the development proposed. Conditions to secure acceptable landscaping of the track are recommended.
- 8.10 With respect to the wider road network, the B8021 is a single track road with passing places which terminates about 100 metres beyond the proposed access point. The likely number of trips per day associated with a two bedroomed house and two one bedroomed holiday letting units is not considered likely to impact on the capacity or safety of the public road.

Neighbouring Residential Amenity

- 8.11 It is acknowledged that the development will bring change into the area, and the concerns raised by third parties are acknowledged and understood.
- 8.12 The proposed house will sit at a lower ground level than that occupied by Otterburn 28 &28A Melvaig. There will be no intervisibility between windows or overshadowing. The scale and massing of the house is not considered overbearing. As regards the two holiday units, the separation distance with existing properties to the south and east is in excess of one hundred metres, including the undeveloped house site (planning permission 23/01616/PIP). 27 Melvaig lies on higher ground and is separated from the closest part of the development by over 60 metres. It is considered that the siting and design of the house and holiday letting units will not impact on neighbouring residential amenity.
- 8.13 Comment is made regarding light pollution. There are no details provided to suggest that there is an intention to illuminate the development, particularly the access track and parking areas around the two holiday letting units. Overall, the scale of the development is not considered to generate a level of light pollution that would have a significant impact and affect appreciation of the dark skies. It is however recommended that a condition is attached to any permission granted which requires details of any external lighting of the access track and parking areas associated with

the two holiday letting units to be submitted, to allow the planning authority to assess and approve any such proposals.

- 8.14 As there is no existing access to the proposed house site or the land on which the holiday letting units are to be built, the new access track will introduce traffic. The comment from the 26 Melvaig regarding the noise associated with vehicles using the section of track which will run along the southern boundary of croft 27 are acknowledged. However, given the volume of traffic associated with the development the noise from traffic is not considered sufficient on its own to warrant refusal of the application.

Water and Drainage

- 8.15 Scottish Water have offered no objection to the development indicating that there is sufficient capacity to connect to the public water supply network. A private drainage system consisting of a shared treatment tank with an outfall to the watercourse which lies between the proposed holiday letting units is proposed. There is ample room to accommodate this within land under the control of the applicant. The technical details of the drainage system will require to satisfy the Building (Scotland) Regulations and as an outfall to a water course is proposed a licence from SEPA will also be required. This will ensure that the quantity and quality of discharge into the burn achieves the required standards.

Croftland

- 8.16 Policy 47 of the HWLDP expects development to minimise the loss of croft land. Consequently, development can only be supported where the overall impact on croft land is not considered to be harmful to the potential of the croft for purposeful use. Loss of better quality land is one consideration. Obstruction of access to the remainder of the croft by new development is the other. In terms of the first consideration, the croft appears, like the surrounding hillside, to be only suitable for rough grazing. The area of land where the development is to take place represents a very small percentage of the overall land available. It is considered that the proposed does not represent a harmful loss of croft land. In terms of the access there is no proposal to fence in the access road and therefore the proposed development will not impede access to the remaining land of either croft 27 or 28. Ultimately the Crofting Commission controls whether land can be de-crofted. Planning permission does not guarantee that de-crofting will be granted

Environmental Impact

- 8.17 NPF4 Policy 1 and 2 require significant weight to be given to the climate and nature crises, and for proposals to be sited and designed to minimise lifecycle greenhouse gas emissions. The house and the two holiday letting units will require to meet current building standards regulations in relation to energy efficiency and insulation all of which is considered to reduce the dependency on fuels that will lead to greenhouse gas emissions. Building Standard Regulations regarding accessibility will also require to be achieved.

NPF4 Policy 3 requires proposals to include appropriate measures to conserve, restore and enhance biodiversity. The development is surrounded by open land which is under grass it is proposed to attach a landscaping condition which will

ensure that a scheme is brought forward that allows the planting of suitable shrubs appropriate for this location to be brought forward.

Developer Contributions

- 8.18 In accordance with Policy 31, the Council's Developer Contributions Supplementary Guidance is used to determine which proposals have to make proportionate financial developer contributions towards meeting service and infrastructure needs in areas of Highland where clear deficiencies are identified. There are no school capacity constraints or other infrastructure needs for which a developer contribution is required in relation to the dwellinghouse.

Non-material considerations

- 8.19 The following issues raised by third parties are not considered to be material planning consideration.
- a) Plans fail to include reference to house site planning ref 20/00244/PIP
 - b) Reference to accesses to 22 & 23 Melvaig access and undeveloped plot on 23 lapsed
 - c) Loss of open views from 27, 28 and 28A
 - d) Service and broadband connections
 - e) Need for additional holiday letting units
- 8.20 Planning permission 20/00244/PIP was renewed under ref 23/01616/PIP. This site, which lies between No 27 Melvaig and the proposed access off the B8021 will not be impacted by the development. It lies at a higher level and is more than 100m from either of the proposed holiday letting units and the proposed house.
- 8.21 The applicant submitted a further plan in June 2023 highlighting the position of an access into 22 & 23 Melvaig, which similarly to the proposed access track runs parallel with the shore. They also highlighted an historical permission for a house site on croft 24 ref 14/04335/PIP, which was for the lower part of the croft. These points are noted.
- 8.22 Loss of view over third party land is not a material consideration. The impact on the neighbouring properties and the approved house site ref 23/0161/PIP have been addressed above. The siting and design of the proposed house, two holiday letting units and the access track are not considered to impact on residential amenity.
- 8.23 Concerns about connection to broadband and other services are the responsibility of the applicants. Scottish Water have confirmed that there is sufficient capacity to allow a connection to the public water supply.
- 8.24 Comment has been made that there should be a limitation on the number of holiday letting units allowed. Both NPF4 and the HWLDP support the rural economy of which the provision of tourist accommodation plays a vital part. Recent legislation changes allow the council to promote short term letting control areas however there are currently no such proposals at present in this area.

Matters to be secured by Legal Agreement / Upfront Payment

- 8.23 a) None

9. CONCLUSION

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

10. IMPLICATIONS

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

11. RECOMMENDATION

Action required before decision issued N

Notification to Scottish Ministers N

Conclusion of Section 75 Obligation N

Revocation of previous permission N

Subject to the above actions, it is recommended to

GRANT the application subject to the following conditions and reasons

1. The 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. The holiday units hereby approved shall be used for short term holiday letting purposes only and shall not be used as a principal private residence or be occupied by any family, group or individual for more than three months (cumulative) in any calendar year

Reason: In accordance with the use applied for.

3. No other development shall commence until the site access has been upgraded in accordance with The Highland Council's Access to Single Houses and Small Housing

Developments guidelines and the attached Access Schedule (dated 12.09.2023), with the junction formed to comply drawing ref. SDB 2

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

4. No development shall commence until details of a scheme of hard and soft landscaping works, for the curtilage of the dwellinghouse, each of the holiday letting units and the access track has been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:
- i. The location and design, including materials, of any existing or proposed walls, fences and gates, including details of the arrangements to allow continued vehicle access into croft 27;
 - ii All earthworks in relation to the upgrading of the access onto the B8021 and existing and finished ground levels in relation to an identified fixed datum point;
 - ii. All earthworks and soft landscaping and planting works in relation to the formation of the access track
 - iii. All soft landscaping 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.

5. Planning permission for the storage containers is hereby granted for a temporary period of three years only or the completion of the agricultural building approved by ref 23/02050/PNO, whichever is sooner. Thereafter the storage containers shall be removed permanently from site along with all associated fixtures and fittings.

Reason: In the interests of visual amenity.

6. No development or work (including site clearance) shall commence until a photographic record has been made of the building and/or other features affected by the development/work, in accordance with the attached specification, and the

photographic record has been submitted to, and approved in writing by, the Planning Authority.

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

7. Prior to the commencement of development full details of any lighting proposals for the access track and the parking areas associated with the two holiday letting units shall be submitted for the consideration and written agreement of the planning authority. Thereafter, the development shall proceed in accordance with the agreed details.

Reason: In the interests of visual amenity and to neighbouring residential amenity, given the existing lack of streetlight.

8. The residential caravan within the application site is permitted solely for the use of the applicant or developer for the duration of construction works associated with the development hereby approved. Within one month of the completion of the development or first occupation of the dwellinghouse, whichever is the sooner, the caravan shall be removed permanently from the application site, along with all associated fixtures and fittings.

Reason: To ensure that any development which has ceased to serve its intended purpose is removed from the site, in the interests of visual amenity

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

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 and 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/permits_for_working_on_public_roads/2

Mud and 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 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>

Developer Contributions

Current policy requires that the Council's Developer Contributions Supplementary Guidance is used to determine which proposals have to make proportionate financial developer contributions towards meeting service and infrastructure needs in areas of Highland where clear deficiencies are identified. It is noted that all three residential units to be provided have the ability to be occupied on a permanent basis; the layout of the development and the design of each house could allow each property to have a level of individual amenity with sufficient garden and amenity space in addition to parking and turning that is commensurate with a house, as so defined in planning legislation.

It is the practice of the Planning Authority to attach an occupancy condition to planning permissions which are for holiday letting units, in situations where the level of amenity as described above cannot be achieved. In this instance the condition has

been attached solely on the basis that the applicant has applied for a development which is described as “Erection of house and two short term holiday letting units” An assessment regarding the need for developer contribution (in accordance with the council guidelines that apply) will be sought in the event that a future application to remove the occupancy condition is made in relation to one or more of the units.

Signature:

Designation: Area Planning Manager – North

Author: Erica McArthur

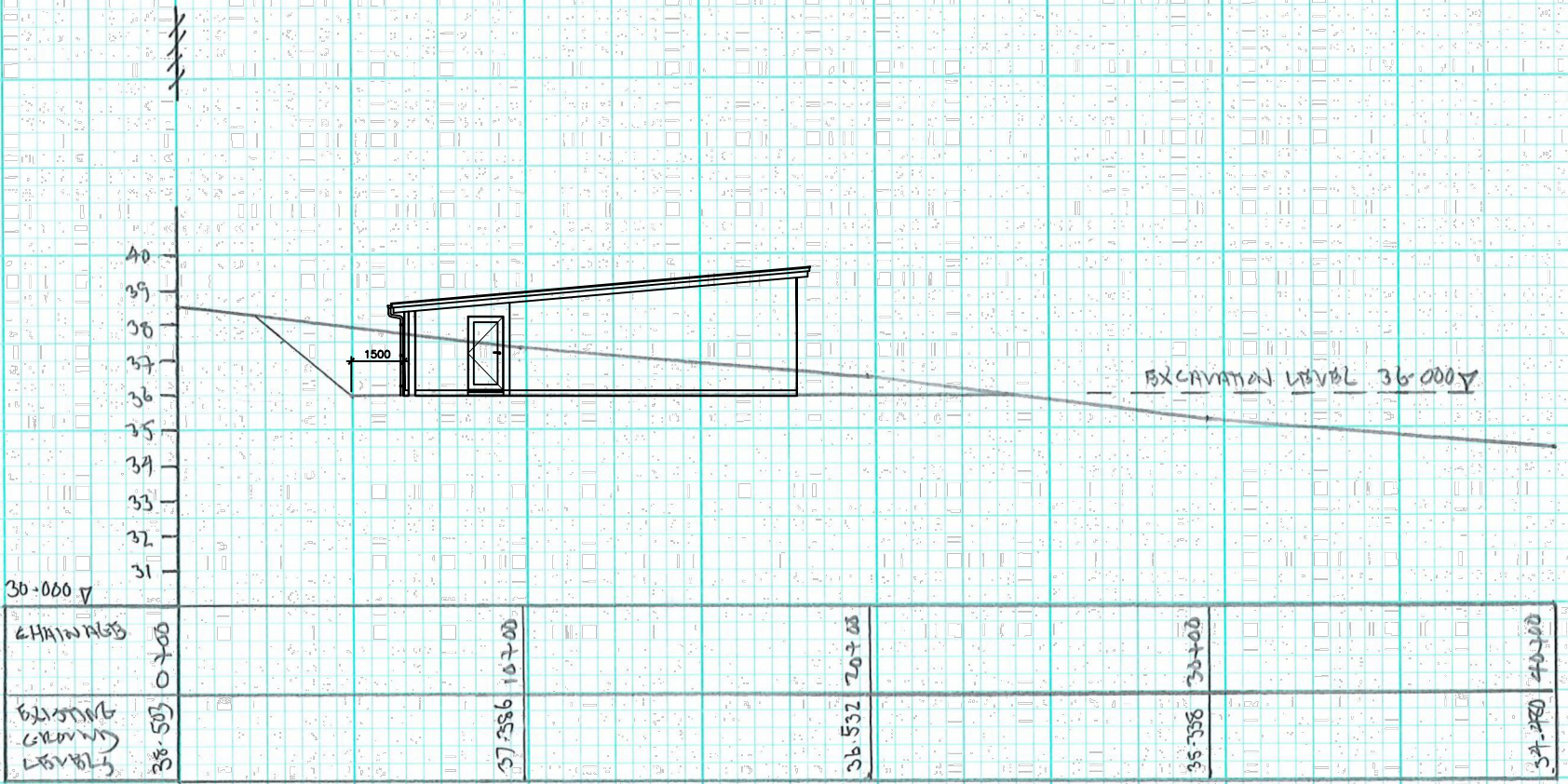
Background Papers: Documents referred to in report and in case file.

Relevant Plans:

- Plan 1 - 000001 Rev A – Location Plan
- Plan 2 - SF29528 Rev B – Site Layout Plan
- Plan 3 - SF29528 - PLN01-1- House- Floor/Elevation
- Plan 4 - SF29528 - PLN02-1 – One bed Chalet Floor/Elevation
- Plan 5 - SF29528 - PLN03-1- One bed Larger Chalet Floor/Elevation
- Plan 6 - 000002- Section - House
- Plan 7 - 000003- Section – One bed Chalet
- Plan 8 - 000010- Section – One bed Larger Chalet

PROPOSED X-SECTION THROUGH 2 BED CHALET/HOME

FENCE LINE ON NEAR-BY PROPERTY / CROFT 28 BOUNDARY



NOTES : SCALE 1:200 (A3)
 : LEVELS TO ORGANIZING DATUM (MORVAIG, GARLACH, W. BOSTER PASS)

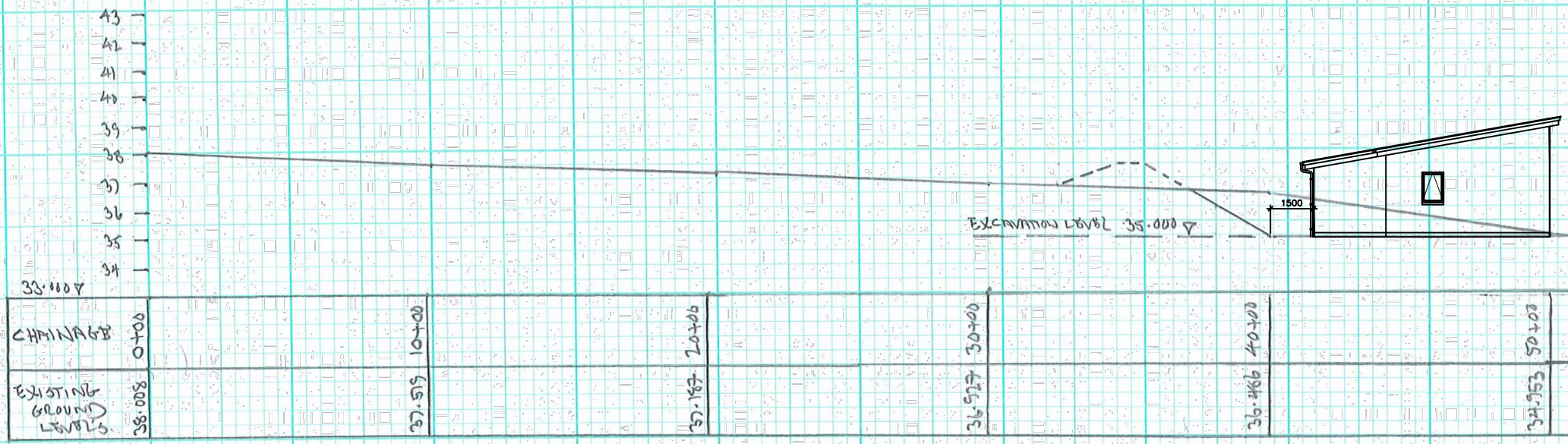
SITE SECTION THROUGH 2 BED CHALET



SCALE 1:200 @ A3

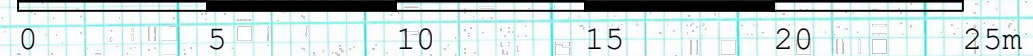
PROPOSED X SECTION THROUGH LARGE CHALET/COTTAGE

/// = CHAINAGE 0+00, FENCE LINE CROSS 27/28



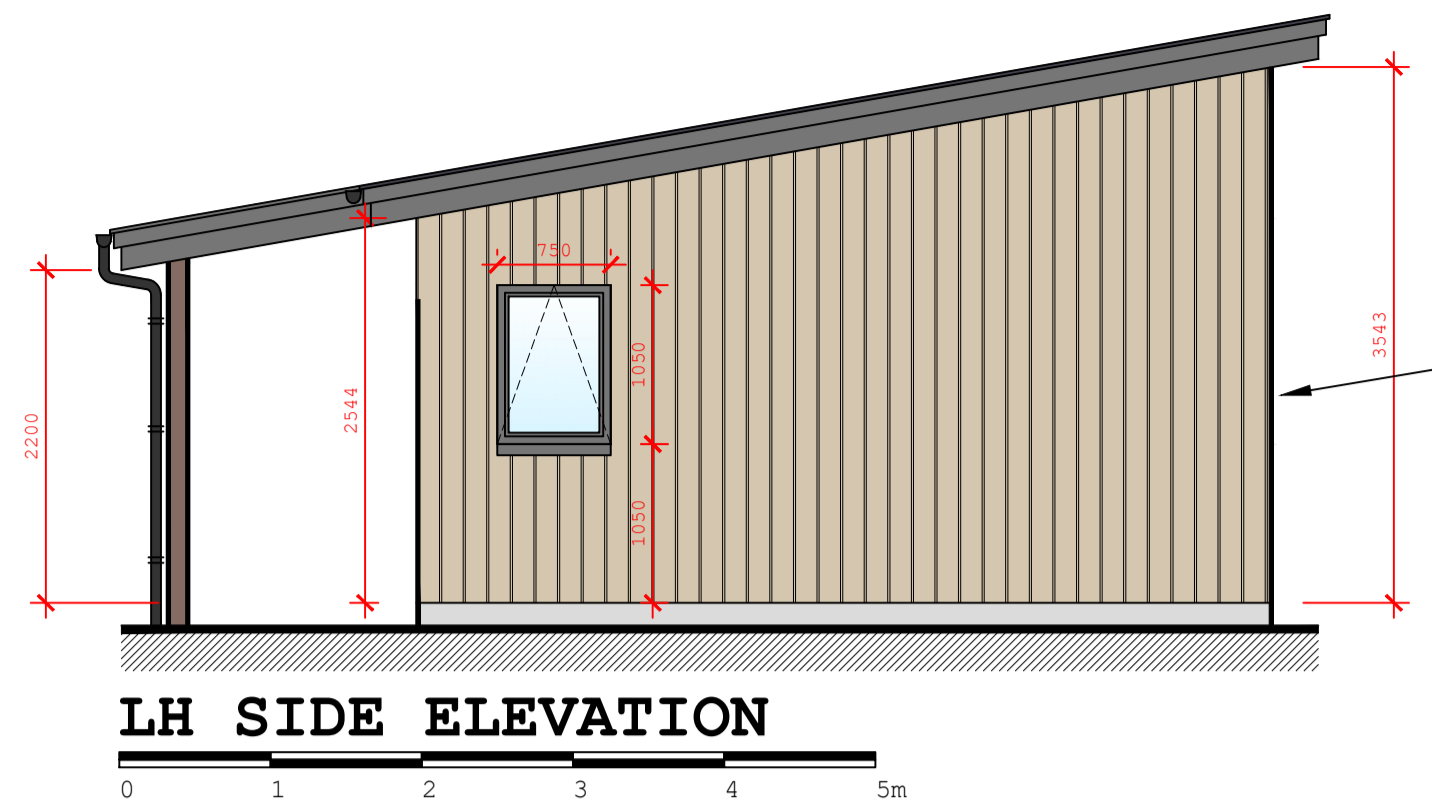
NOTES: SCALE 1:200 (A3)
: LEVELS TO ORDINANCE DATUM (MELBURN, GARRLOCH, WESTERN CROSS)

SITE SECTION THROUGH LARGE CHALET

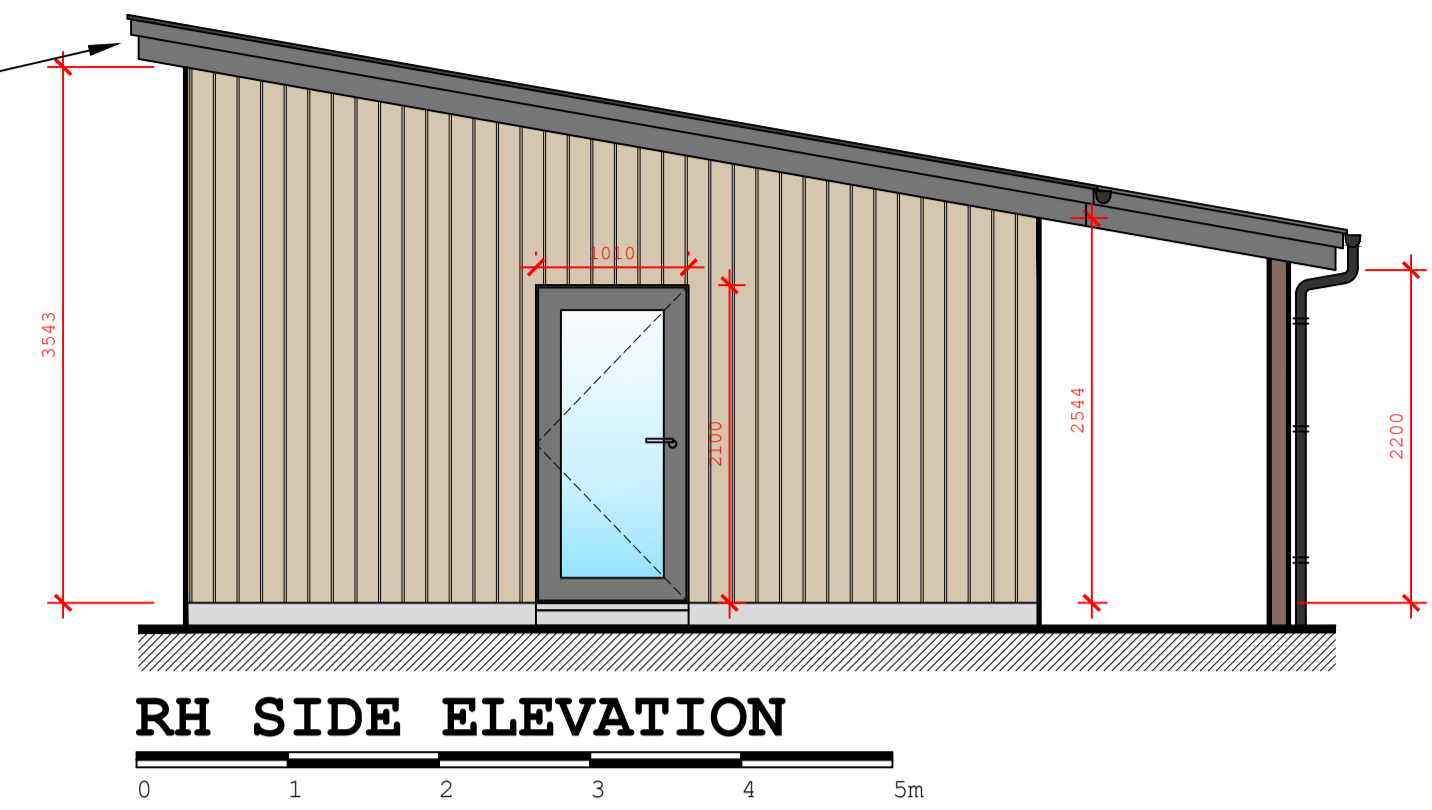


SCALE 1:200 @ A3

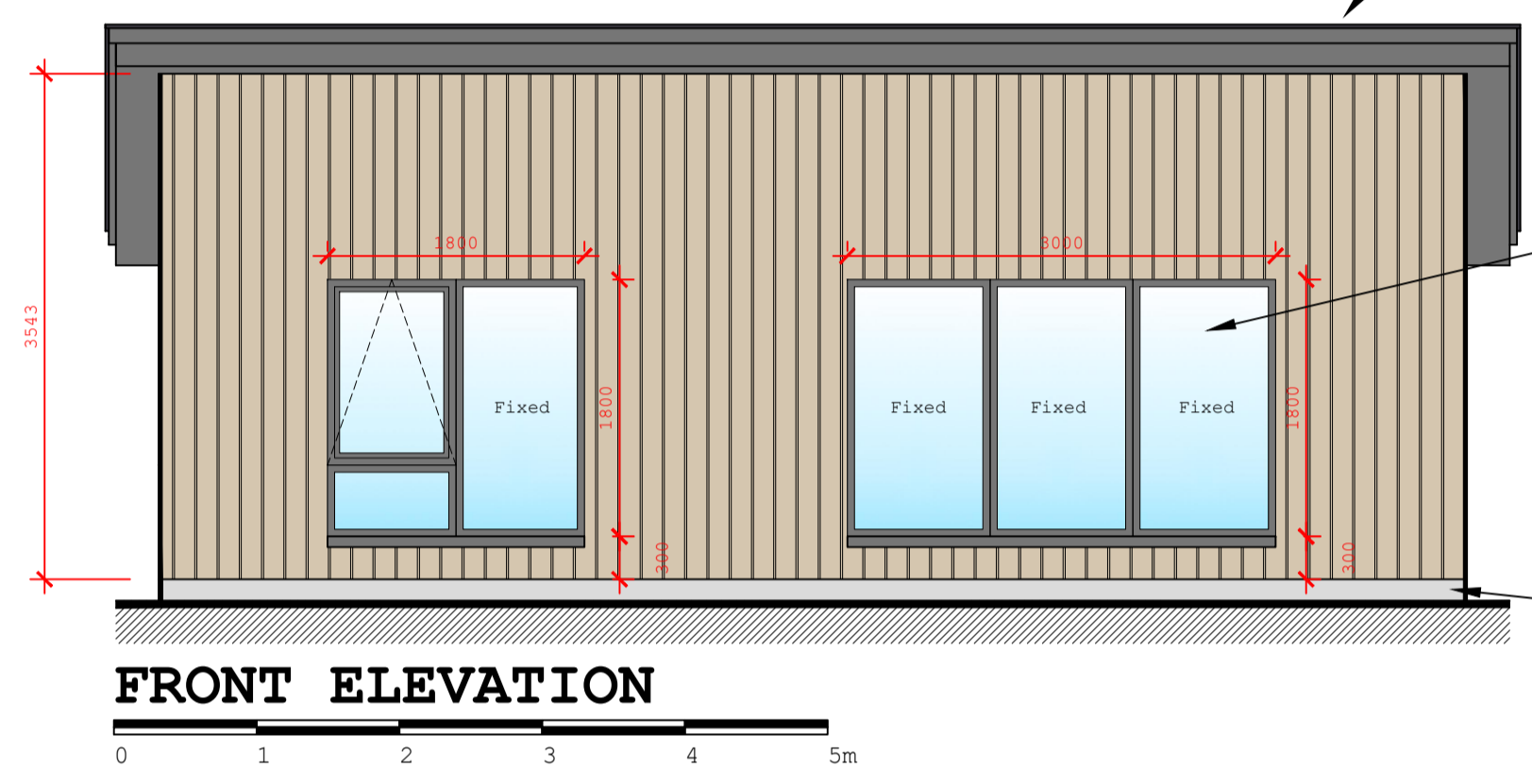
- NOTES:**
- '3 STAR' CLOSED PANEL TIMBER FRAME KIT - 140mm Val-U-Therm
 - SOLID FLOOR CONSTRUCTION
 - METAL PROFILED SHEETING TO ROOF
 - uPVC WINDOWS & COMPOSITE DOORS



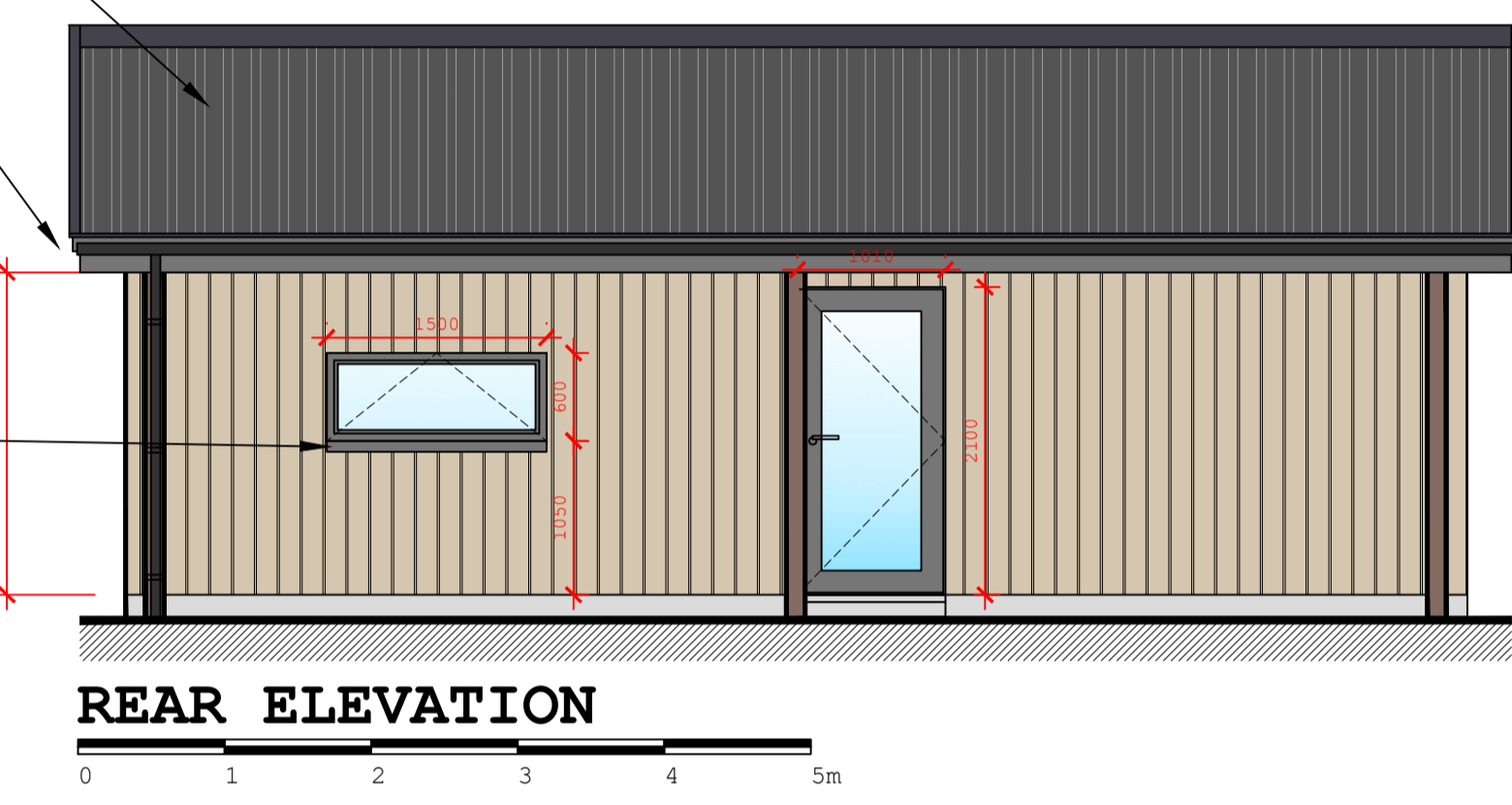
LH SIDE ELEVATION



RH SIDE ELEVATION

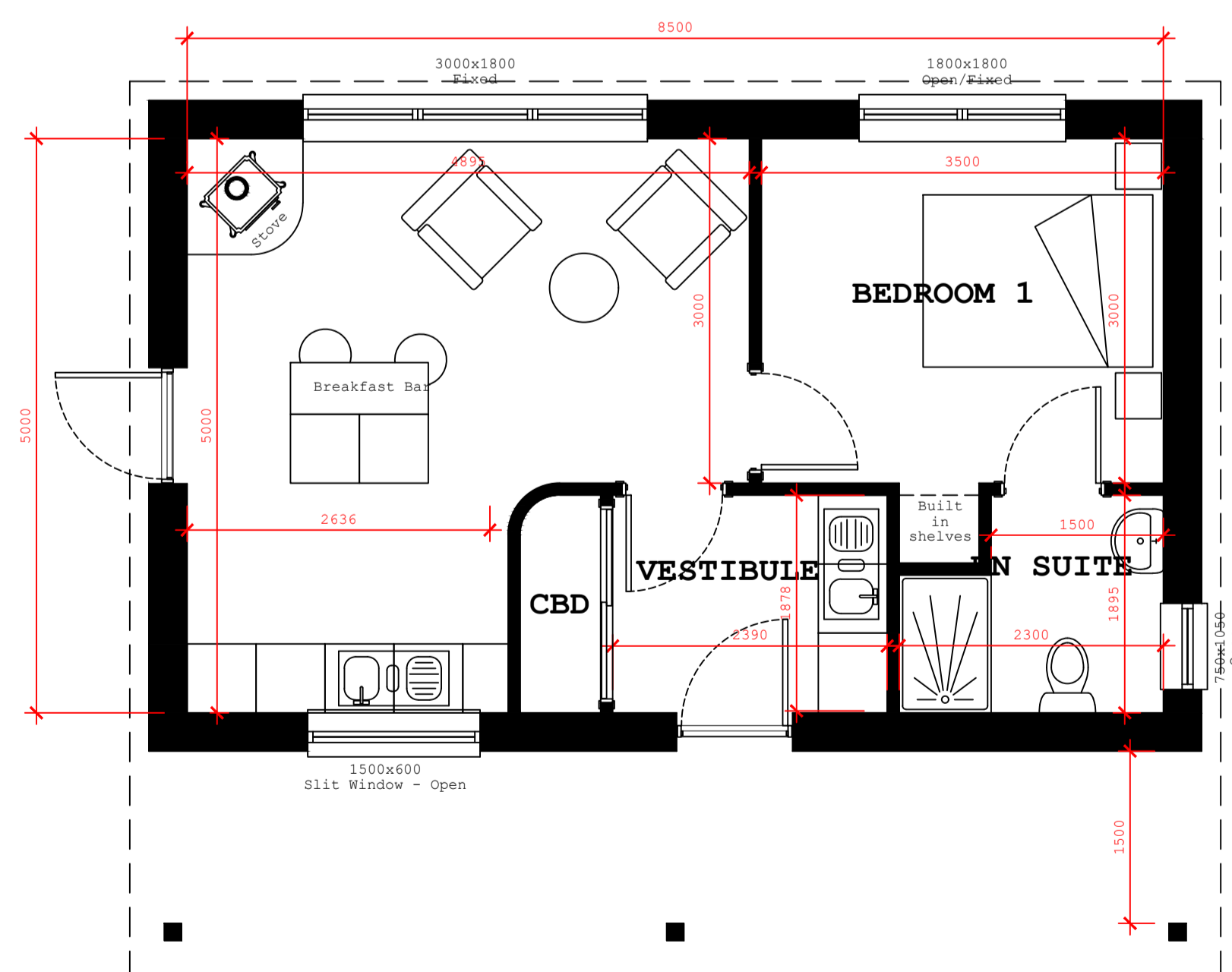


FRONT ELEVATION



REAR ELEVATION

- PVCu Soffit and Fascia in 'Anthracite Grey' to match windows
- Vertically orientated siberian larch timber cladding left to weather naturally
- Proprietary flashing to match roof sheeting - by roof sheeting manufacturer
- Dark grey profiled metal sheeting to roof
- Black UV resistant PVCu Rainwater goods to match windows
- High performance uPVC windows & doors in 'anthracite grey' (RAL7016) colour.
- Pressed metal window cill flashings in 'anthracite grey' to match windows.
- Smooth render to basecourse to be in contrasting colour.



GROUND FLOOR PLAN

Total Floor Area - 42.51m² (to plasterboard)
 Total Kit Area - 43.86m² (to structural kit)

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Rev	Date

Client:
 Mr Roddy Mackenzie

Site:
 Proposed New House at
 Croft 27/28, Melvaig
 'SMALL CHALET'

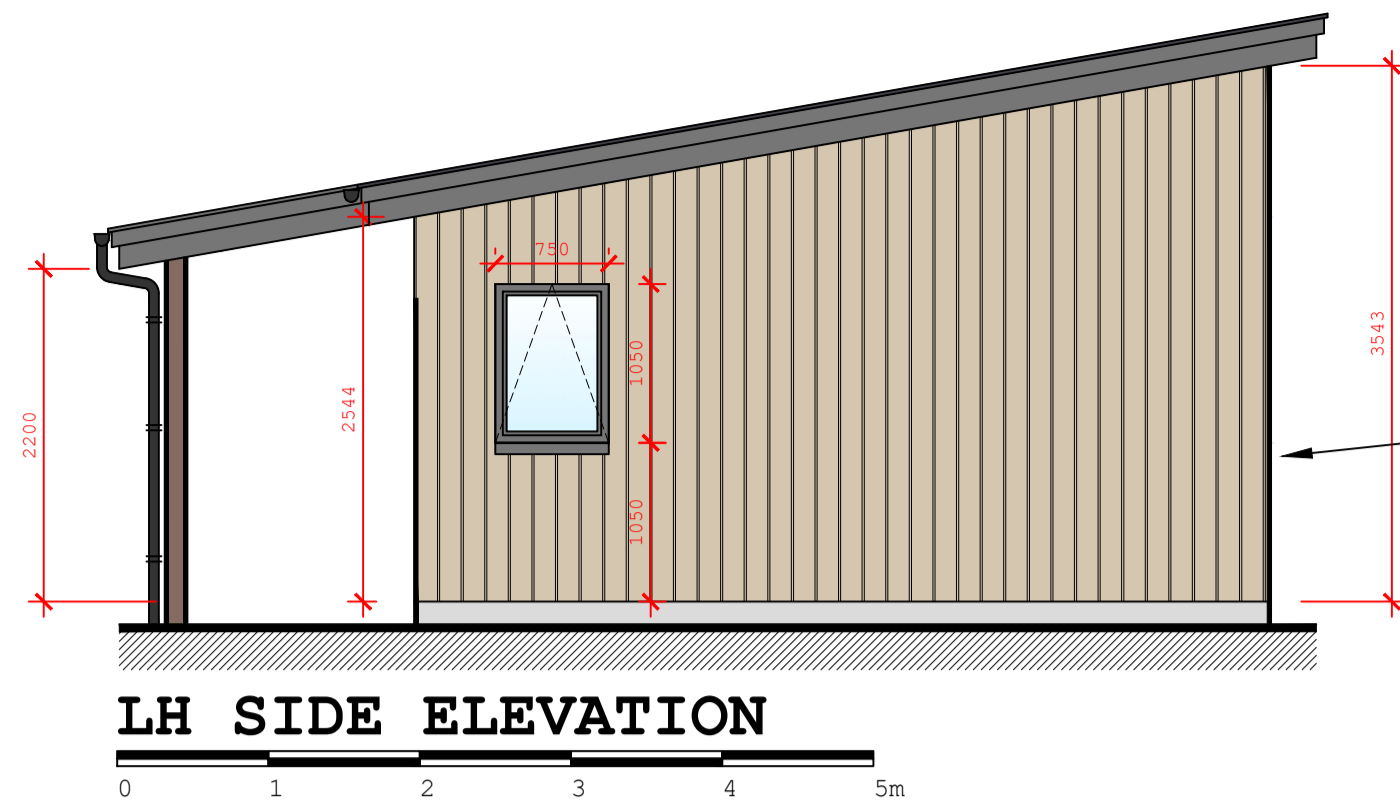


Scotframe Timber Engineering Ltd, Inverurie Business Park, Tel (01467) 624440
 Souterford Avenue, Inverurie, Aberdeenshire, AB51 0ZJ Fax (01467) 624255
 e-mail: inverurie@scotframe.co.uk

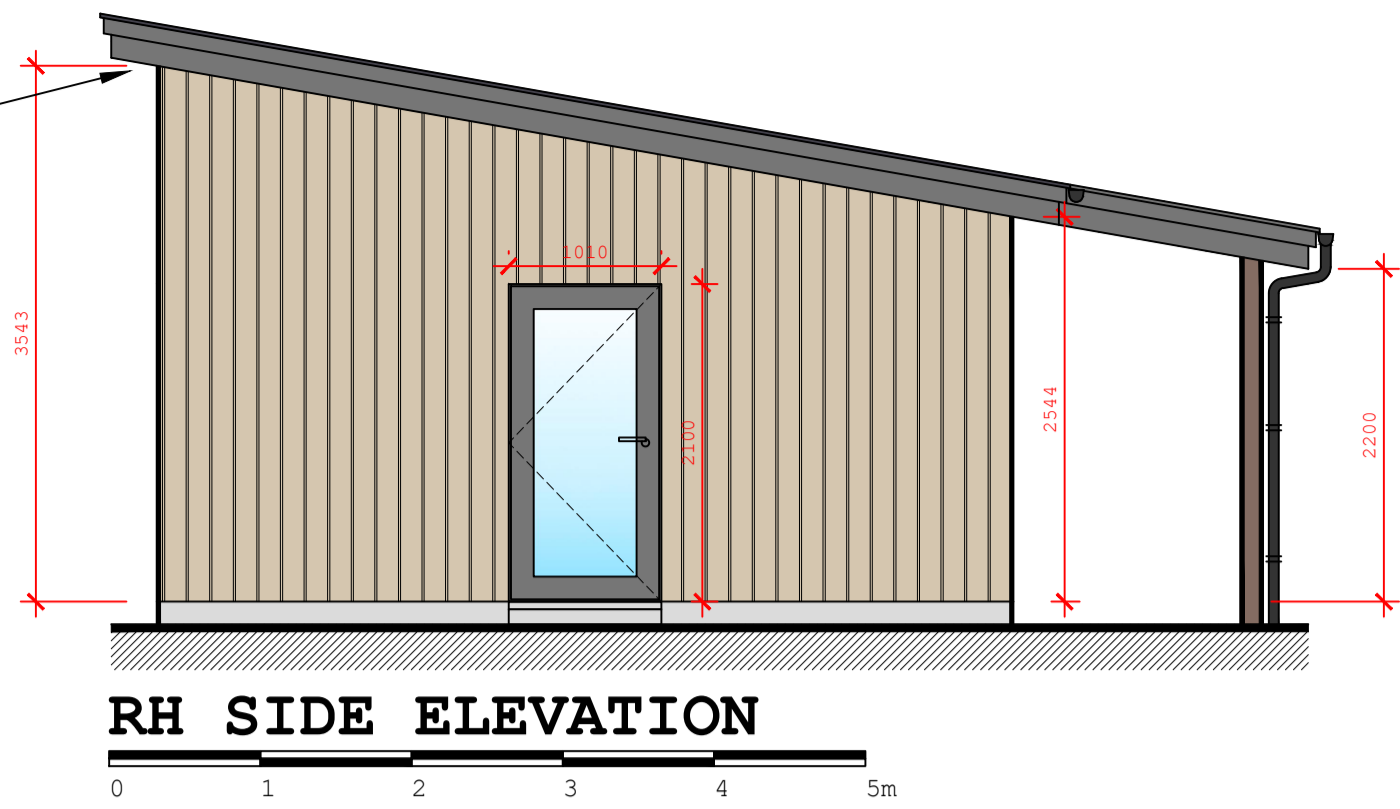
Also At:- Tel (01236) 861200
 4 Deerykies Place, Westfield Industrial Estate Cumbernauld G68 9HE Fax (01236) 861201
 e-mail: cumbernauld@scotframe.co.uk

scales: 1:50 @ A1	drawn: CP	date: 08th November 2021	Dwg No: SF29528 - PLN02 - 1	rev: *
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- NOTES:**
- '3 STAR' CLOSED PANEL TIMBER FRAME KIT - 140mm Val-U-Therm
 - SOLID FLOOR CONSTRUCTION
 - METAL PROFILED SHEETING TO ROOF
 - uPVC WINDOWS & COMPOSITE DOORS



LH SIDE ELEVATION



RH SIDE ELEVATION

PVCu Soffit and Fascia in 'Anthracite Grey' to match windows

Vertically orientated siberian larch timber cladding left to weather naturally

Proprietary flashing to match roof sheeting - by roof sheeting manufacturer

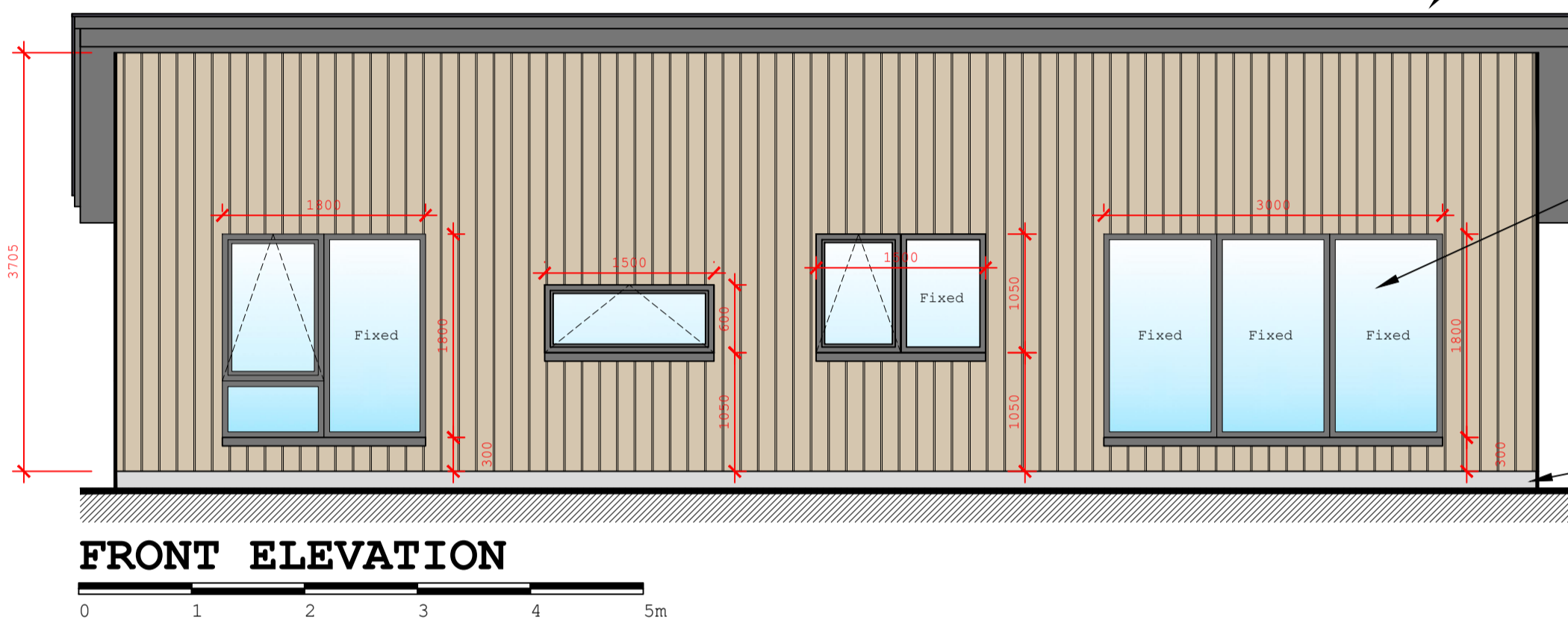
Dark grey profiled metal sheeting to roof

Black UV resistant PVCu Rainwater goods to match windows

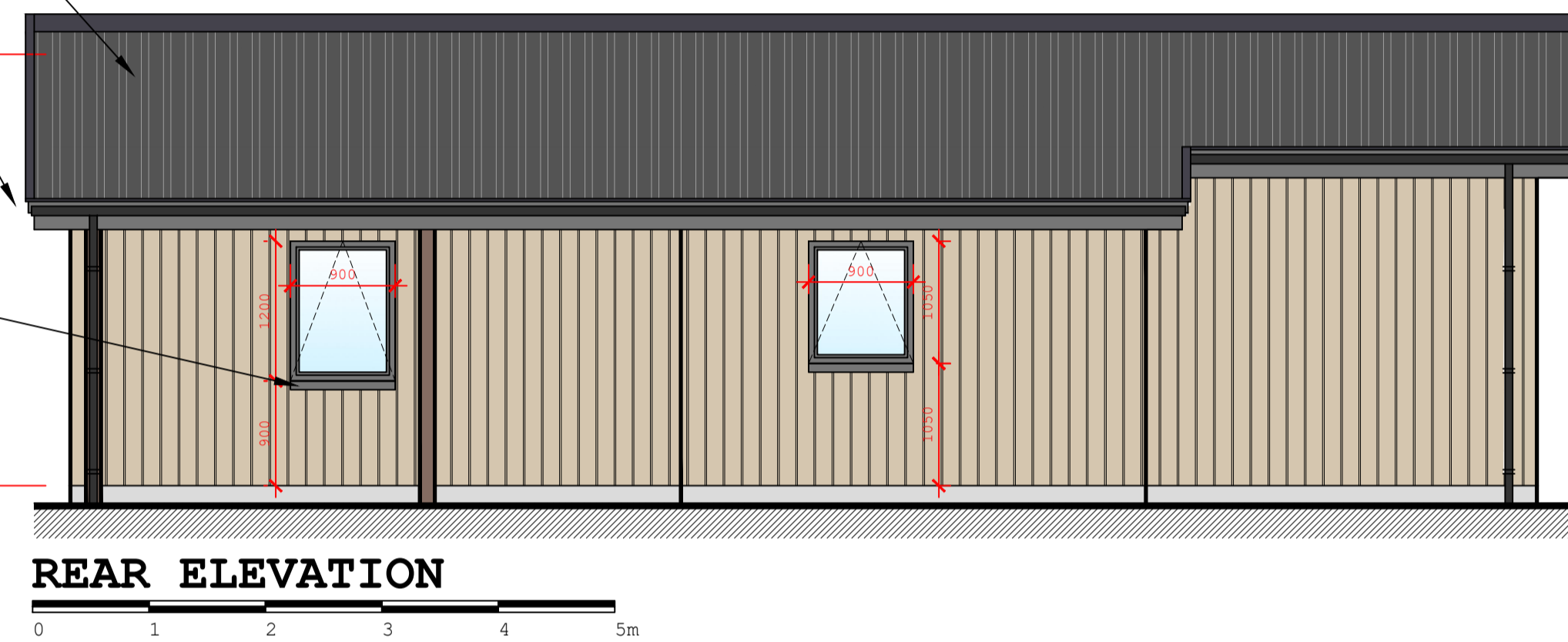
High performance uPVC windows & doors in 'anthracite grey' (RAL7016) colour.

Pressed mtl window cill flashings in 'anthracite grey' to match windows.

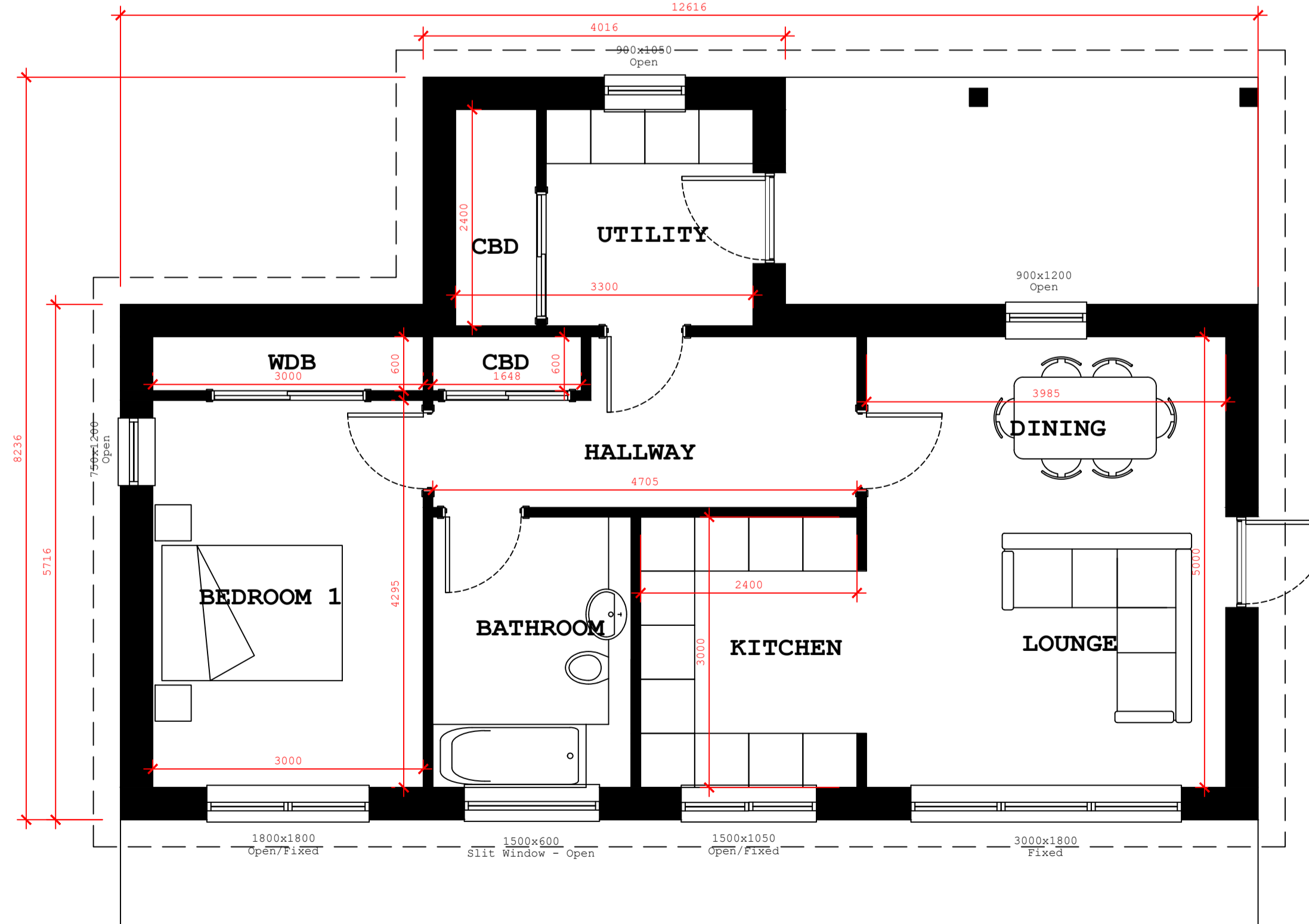
Smooth render to basecourse to be in contrasting colour.



FRONT ELEVATION



REAR ELEVATION



GROUND FLOOR PLAN

Floor Area (To Plasterboard) - 67.81m²
 Kit Area (To structural Frame) - 69.67m²

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Rev	Date

Client:
 Mr Roddy Mackenzie

Site:
 Proposed New House at
 Croft 27/28, Melvaig
 'LARGE CHALET'

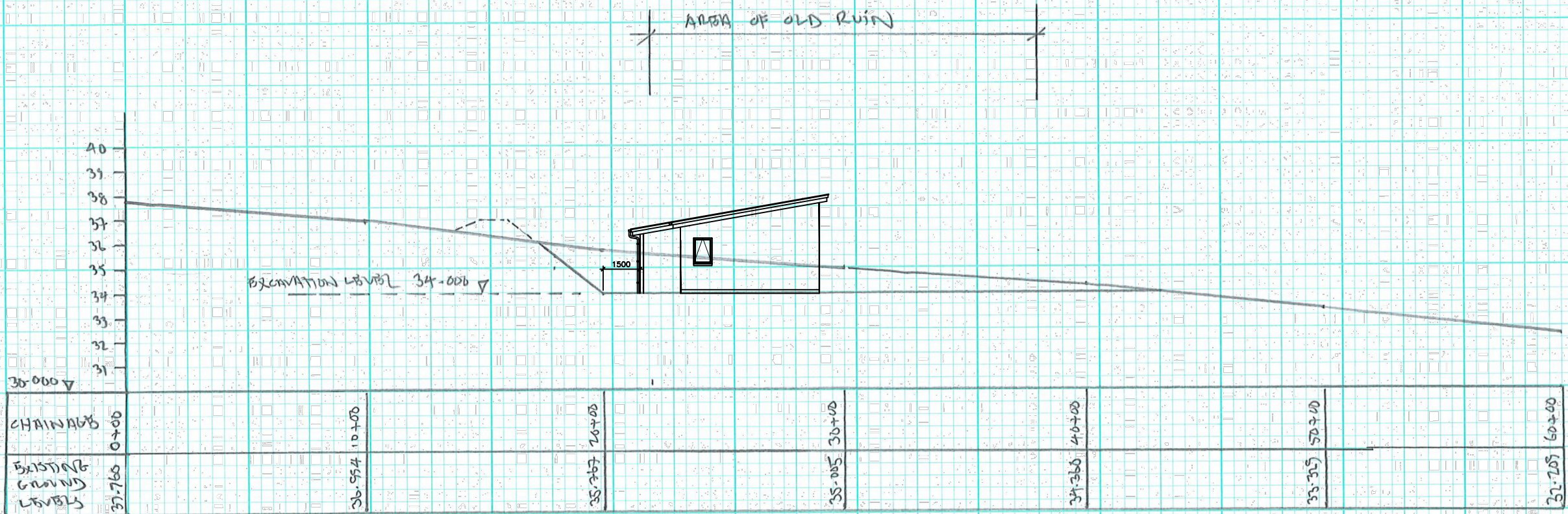


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 e-mail: inverurie@scotframe.co.uk

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 4 Deerykies Place, Westfield Industrial Estate Cumbernauld G68 9HE Tel (01236) 861200
 e-mail: cumbernauld@scotframe.co.uk Fax (01236) 861201

scales: 1:50 @ A1	drawn: CP	date: 08th November 2021	Dwg No: SF29528 - PLN03 - 1	rev: *
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PROPOSED X-SECTION THROUGH OLD RUIN/SMALL CHALET/COTTAGE



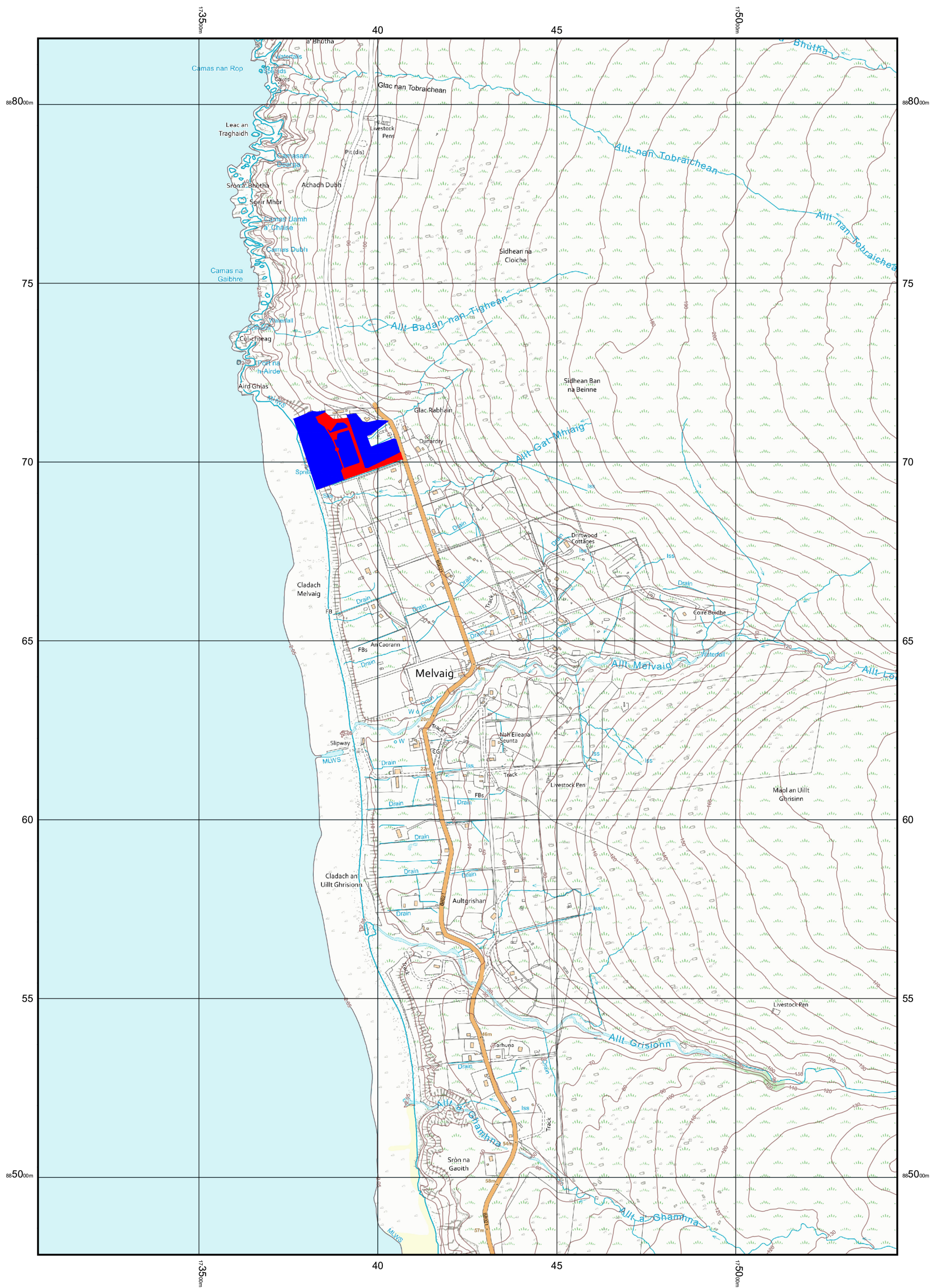
NOTES: SCALE 1:200 (A3)

: LEVELS TO ORDINANCE DATUM (MELVAIG, GARROCH, WEBSTER ROSS)

SITE SECTION THROUGH SMALL CHALET



SCALE 1:200 @ A3



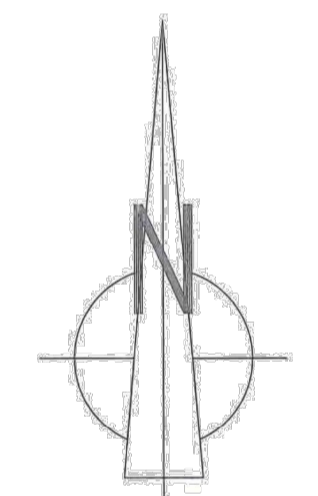
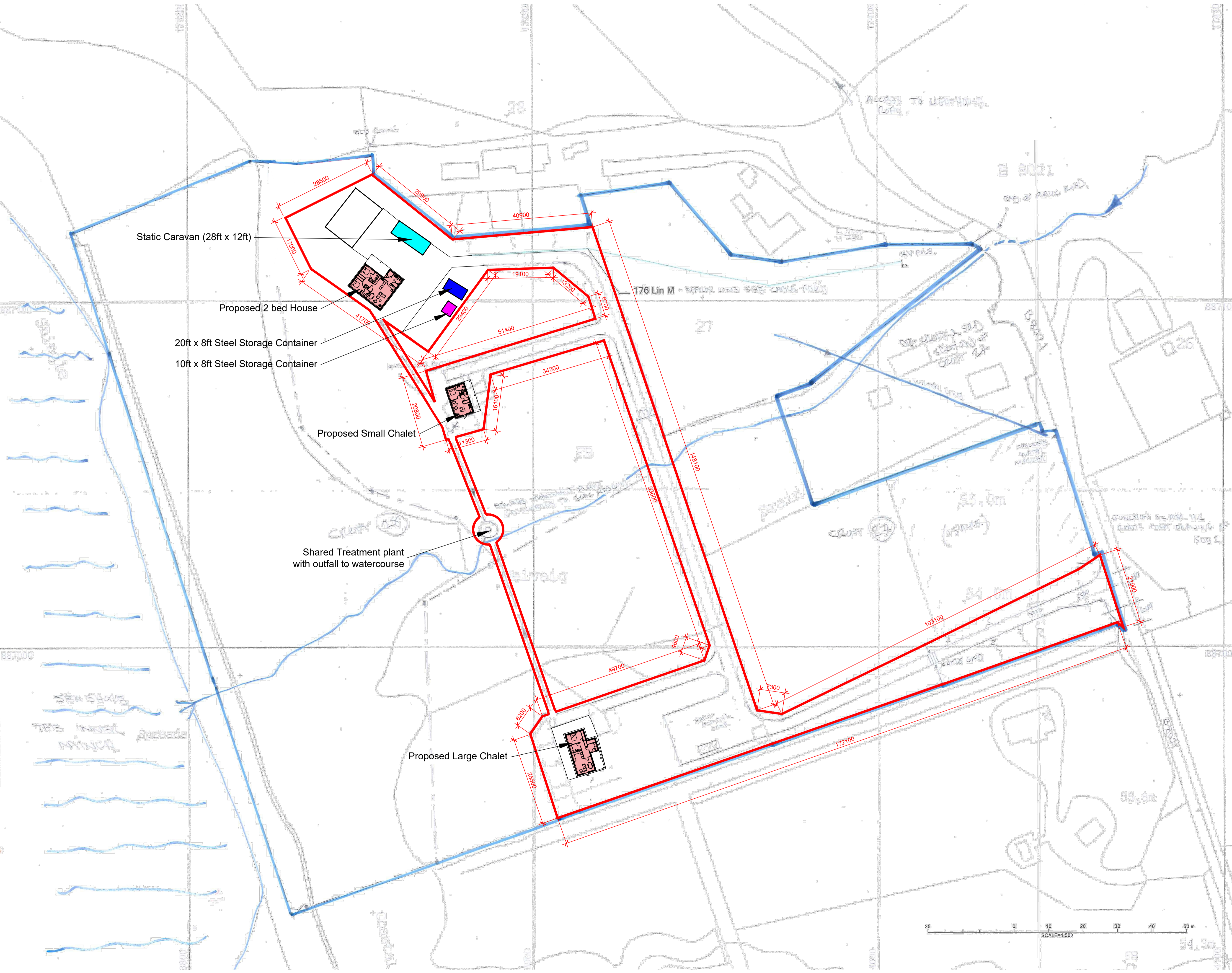
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0m 1cm = 100m 500m
Scale 1:10000



- Notes:
- = OWNERSHIP BOUNDARY
 - = APPLICATION BOUNDARY
 - = Static Caravan (28ft x 12ft)
 - = 20ft x 8ft Steel Storage Container
 - = 10ft x 8ft Steel Storage Container
- DIMENSIONS TO BE READ 'OR THEREBY'



1.0	For Issue	RS	RS	RS	30/07/21
Rev	Description	Surveyed	Drawn	CHK'd	Date

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Client
MR R MACKENZIE

Surveyed By R.STOKES	Drawn By R.STOKES	Checked By A.REDPATH
Date 23/06/21	Date 30/07/21	Date 30/07/21

Scale
1:500 @ A1

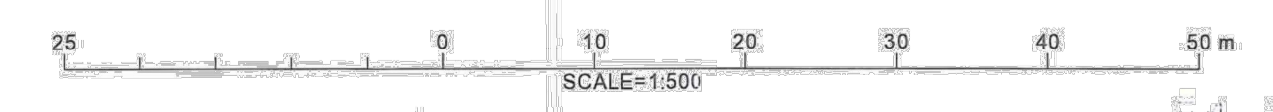
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FOR ISSUE

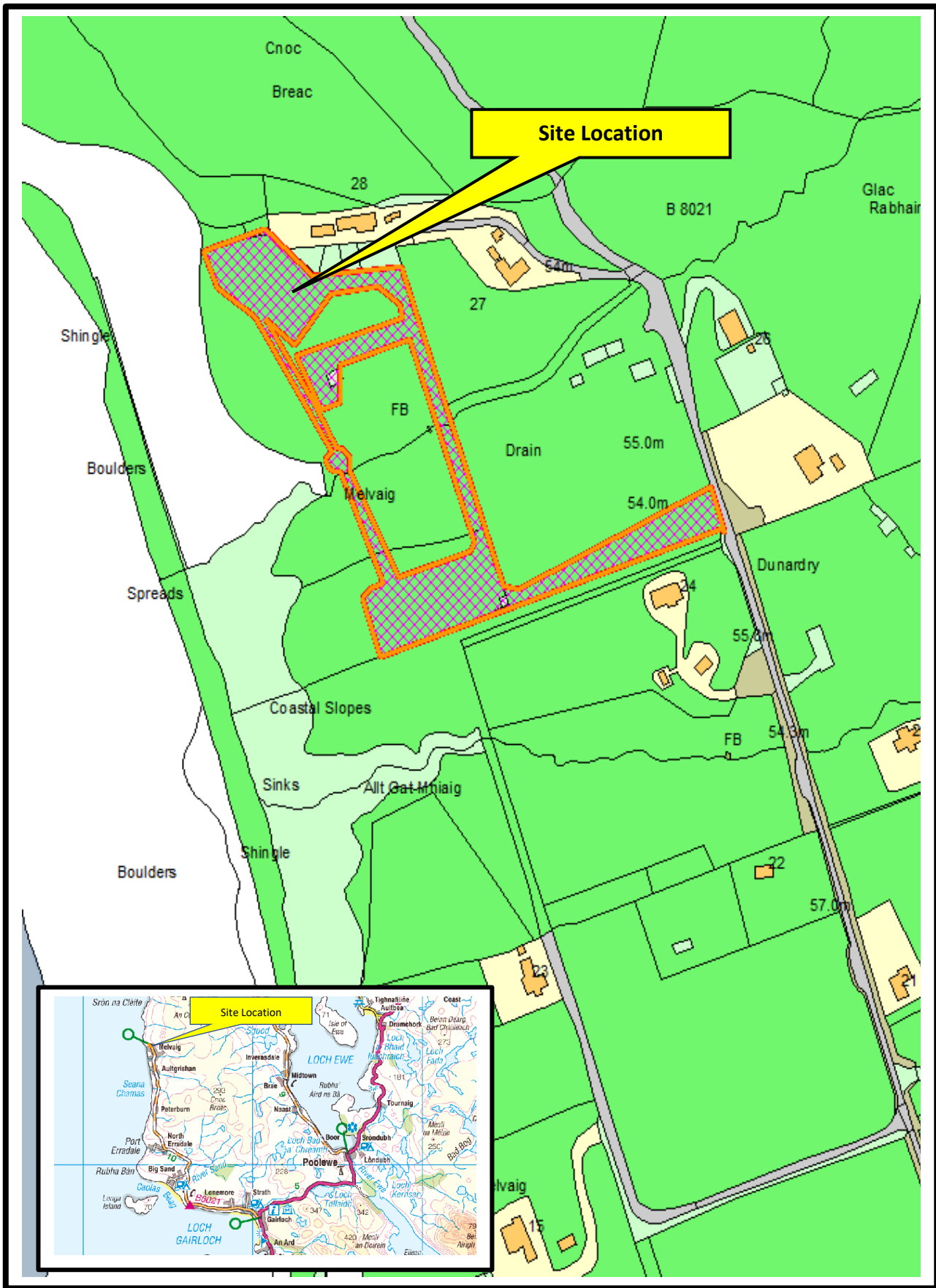
Sheet
1 OF 1

Project Title
CROFT 27/28 MELVAIG

Drawing Title
PROPOSED ELECTRIC CONNECTION

Drawing No.





Infrastructure and Environment Service

22/05563/FUL

Erection of house, two short term holiday letting units and the formation of the access track at Land 100m SW of 27 Melvaig, Melvaig.

September 2023.

