

Agenda Item	6.4
Report No	PLN/026/24

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 5th March 2024
Report Title: 23/00685/FUL: Mr Ashley Cross
Land 105M NW Of Allwood, 9 Teangue
Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Erection of house and 4no holiday pods, siting of 2no static caravans
Ward: 10 - Eilean A' Cheò
Development category: Local development
Reason referred to Committee: Objections from more than 5 households

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

Recommendation

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

1. PROPOSED DEVELOPMENT

- 1.1 Erection of house, siting of 2 caravans and 4 holiday letting pods with a toilet/shower block are proposed. The caravans are already on site and are a retrospective element of the proposal. They provide temporary accommodation for the applicant and his family and are proposed to be retained until the house is ready to be occupied.
- 1.2 The site is served by an existing access track to the Scottish Water Waste Water Treatment Works site which is located to the North West.
- 1.3 Pre Application Consultation: None
- 1.4 Supporting Information: SEPA's CAR licence for foul drainage for the caravans; photographs of the existing ditch and drainage pipe.

Members will recall the application was due to be considered at the January committee. However, it emerged that the extend of a public road was incorrectly shown on the submitted plans and the red line application site boundary needed to be amended to reflect this. Accordingly the application could not be considered as it was necessary to correctly serve notification on the relevant landowner and neighbours. A revised site plan has been submitted and the correct notification undertaken. .

Variations:

27th September 2023: amended drawings showing reduced red line boundary including access to the public road, re-located house and holiday letting pods and introducing a toilet/shower block;

1st October 2023: further amendments to the red line boundary to include the proposed discharge pipe to burn within the application site, all elevations plan of the toilet/shower block and clearer Ground Cut Plan;

5th December 2023: 2 separate site layout plans submitted to show current water and drainage arrangements for the caravans and proposed water and foul drainage arrangements for the caravans, house and toilet/shower block;

8th December 2023: amended location plan submitted to correspond with the amended site plans. Photographs of the existing ditch together with inlet and outfall for effluent water submitted to show the existing pipe proposed to be utilised for the development.

2nd February 2024: amended location and site layout plan submitted to show the red line application site boundary extended to the junction with a public road.

2. SITE DESCRIPTION

- 2.1 The site is located about 40m to the southeast of the Teangue Water Treatment Works site, on the northern side of the access leading to the site from the end of the Teangue settlement road. The nearest residential properties are located to the east (property called Allwood) and across the track to the south (property called Alumo). The site is part of a croft. 2 static caravans have been sited in the western part of the site since 2021 and have been the subject of a planning enforcement investigation resulting in the calling-in of this application.

2.2 The landform rises towards the North with the site located at the bottom of the hillside which is covered by bracken and heather. The bottom part of the site has been cleared to accommodate the caravans and their use as temporary residential accommodation. Small sheds have been erected near the caravans. A metal gate and metal wire fencing run along the Southern boundary by the track. The site benefits from the planning consent 21/03912/PNO for the erection of an agricultural building which remains valid until October 2026.

3. PLANNING HISTORY

3.1	11.10.2021	21/03912/PNO	Prior Notification for Farm-related Building Works	Prior Approval Granted
3.2	22.12.2021	21/00463/ENF		No Breach Identified (caravans on site due to ongoing built)
3.3	20.07.2023	22/00450/ENF	Unauthorised change of use	Resolved through negotiation (Planning permission applied for)

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour

Date Advertised: 10th July 2023, 9th October 2023 and 12th February 2024

Representation deadline: 28th July 2023, 27th October 2023 and 1st March 2024

Timeous representations: 13 comments from individual addresses plus a comment from Sleaford Community Council and Teague Grazings Committee and a further comment from 1 contributor (15 in total from individual addresses)

Late representations: None

4.2 Material considerations raised are summarised as follows:

- a) Development outside Settlement Development Area
- b) Erection of house on the site historically refused due to the exposed character of the site and outwith SDA
- c) Increased traffic would deteriorate the already poor condition of the public road
- d) Amenity considerations due to the holiday pods possibly causing increased noise and overlooking issues
- e) Overdevelopment due to the number of holiday units
- f) Increased issue with low water pressure in the area
- g) Cutting into the hillside would increase risk of landslide

- h) Lack of information/clearer and detailed site plan required to fully understand all elements of the proposal including parking and drainage
- i) Loss of croft land/no attempts at de-crofting
- j) Lack of details about proposed refuse collection
- k) Disturbance to wild animals (red deer, buzzards and eagles)
- l) Concerns regarding the use of Scottish Water's servitude right of access and the development's impact on the track leading to Waste Water Treatment site
- m) Site not currently actively used for crofting purposes

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 **Planning Enforcement Team** – comment neither objecting to nor supporting the application. Planning Enforcement Complaint held in abeyance until the application has been determined.

5.2 **Crofting Commission** – the application is within croftland. The proposed use would fall under “another purposeful use” of a croft. The following matters should be taken into account; the siting of any proposed development should not restrict the continuing cultivation of a croft; the siting of any proposed development should not restrict proper access to all other areas of the croft; the siting of any proposed development avoids using the better quality land on a croft, and consideration should be given to the number of existing developments relating to a croft to ensure that it retains its identity as a crofting unit.

5.3 **Scottish Water** - No objections however this does not confirm that the proposed development can currently be serviced. The development will be fed from the Teangue Water Treatment Works, but Scottish Water is not able to confirm water capacity. Further investigations may be required once a formal application has been submitted. The applicant is advised to submit a pre- development enquiry directly to Scottish Water. There is no Scottish Water Waste Water infrastructure within the vicinity of the site therefore, private waste water treatment options are recommended. Scottish Water records indicate that there is live infrastructure in the proximity of the development area that may impact on existing Scottish Water assets. The applicant must identify any potential conflicts with Scottish Water assets and contact Asset Impact Team via their Customer Portal for an appraisal of the proposals. No surface water connections will be allowed into Scottish Water combined sewage system.

5.4 **SEPA** - the application falls below the threshold on which SEPA usually provides site specific advice. However, to answer the specific question about the licence for foul drainage, SEPA confirmed that Controlled Activities Regulation (CAR) authorisation has been granted for the discharge of sewage from the two static caravans on the site to the nearby burn. The applicant will need to apply to vary their existing CAR authorisation, so it includes discharge from the pods and house as well. Alternatively, they will need to apply for a new authorisation for this element of the development.

5.5 **Environmental Health** – initially, a holding objection was raised asking for further information regarding composting toilets and intended future use of the caravans. It has been clarified to the officer that all elements of the proposal will be connected to a

private foul drainage system. Consequently, Environmental Health officer confirmed that the requested information was not required in such scenario. The applicant confirmed that the caravans will be used as residential accommodation until the house is built and ready for occupation. They will then be removed from the site. Informatives regarding Caravan or Short Term Let Licensing and Animal Boarding Establishment Licensing will be added to decision notice.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 National Planning Framework 4 (2023):

Policy 1 - Tackling the Climate and Nature Crises

Policy 2 - Climate Mitigation and Adaptation

Policy 3 - Biodiversity

Policy 5 - Soils

Policy 17 - Rural Homes

Policy 29 - Rural Development

Policy 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

44 - Tourist Accommodation

47 - Safeguarding Inbye/Appportioned Croftland

55 - Peat and Soils

58 - Protected Species

65 - Waste Water Treatment

66 - Surface Water Drainage

6.3 West Highland and Islands Local Development Plan (2019) (WestPlan)

Sleat area, in which Teangue is located, is identified as a growing part of Skye. The following are set out in the local plan as the placemaking priorities for Sleat area:

- Protect in by croft land from larger development proposals.
- Consolidate existing clusters of development and facilities at Armadale and Kilbeg.
- Maximise the cultural heritage and employment opportunities from the continued expansion of Gaelic related education and enterprise at Sabhal Mor Ostaig.
- Support an improved chain of tourist facilities and destinations at Armadale and Teangue.
- Development will need to demonstrate that it will not have an adverse effect on the integrity of the Inner Hebrides and the Minches SAC.
- Protect and enhance local Green Networks.

6.4 Highland Council Supplementary Planning Policy Guidance

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

Developer Contributions (March 2018)
Highland's Statutorily Protected Species (March 2013)
Housing in the Countryside and Siting and Design (March 2013)
Managing Waste in New Developments (March 2013)
Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 None

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) landscape character, visual impact and amenity
- c) drainage arrangements
- d) access and impact on wider road network
- e) impact on croftland

Development plan/other planning policy

8.4 All planning applications must now be determined in accordance with the provisions of NPF4 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 Town and Country Planning (Scotland) Act 1997 (as amended).

8.5 The application site is located within an area designated as a remote rural area which is defined through the Scottish Government's 6 fold Urban Rural Classification 2020, NPF4. Under NPF 4 Policy 17 (b), development proposals for new homes in remote rural areas will be supported where the proposal will:

- contribute towards local living and
- addresses local housing needs, economic considerations and transport needs as appropriate for rural location.

In this case the Development Plan is also comprised of the West Highlands and Islands Local Development Plan and the Highland-Wide Local Development Plan, the relevant policies of which are considered below.

The site lies just outwith Ferrindonald and Teangue Settlement Development Area, and therefore falls to be considered under Policy 36 which states that development proposals in the wider countryside will be assessed on the extent to which they:

- are acceptable in terms of siting and design;
- are sympathetic to existing patterns of development;
- are compatible with landscape character and capacity;
- avoid, where possible, the loss of locally important croft land; and
- would address drainage constraints and can be adequately serviced, particularly in terms of road access, without involving undue public expenditure or infrastructure that would be out of keeping with the rural character of the area.

Development proposals may be supported if they are judged to be not significantly detrimental under the terms of this policy.

8.6 In the remote rural area, Policy 29 supports new development which will support local employment, and is considered suitable in terms of location, access, siting, design, and environmental impact.

8.7 NPF4 Policy 30 (a) supports new tourist facilities in locations identified in the LDP. The application site is not identified as an allocated site in the West Plan.

Policy 30 (b) relates to all tourism development and sets out the following criteria:

Proposals for tourism related development will take into account:

- i. The contribution made to the local economy;
- ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors;
- iii. Impacts on communities, for example by hindering the provision of homes and services for local people;
- iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;
- v. Accessibility for disabled people;
- vi. Measures taken to minimise carbon emissions;
- vii. Opportunities to provide access to the natural environment

8.8 Policy 44 of the Highland wide Local Development Plan provides general support for tourist accommodation proposals both within settlement boundaries and also in the wider countryside highlighting that when considering development it must be able to be accommodated without adverse impacts on neighbouring uses, does not prejudice residential land supply in settlement development areas and that within the wider countryside it can be demonstrated that a demand exists for this type of accommodation

and that it can be achieved without adversely impacting on landscape character as well as being consistent with other guidance on siting and design.

- 8.9 It is considered that there is no significant tension between the tourism policy of NPF4 and the tourist accommodation policy of the HwLDP and that both are applicable in this instance.
- 8.10 The area around Teangue and the wider area of Sleat Peninsula is a popular tourist destination on Skye. The development of holiday letting pods in this location is therefore likely to increase the length of time visitors stay in the area which would be beneficial to the local economy, including tourist attractions, restaurants, and businesses. Thus, it is considered that the proposed development in principle accords with the first criterion of Policy 30. It is considered that the development would provide opportunities for visitors to access the countryside, as set out in the final criterion of Policy 30.
- 8.11 NPF4 Policy 5 seeks to protect carbon-rich soils and peatland. Similarly, Policy 55 of the HwLDP requires development to demonstrate how they will avoid unnecessary disturbance, degradation or erosion of peat and soils. It is also recognised that the proposed development is intended to support the operations of the croft and as such is consistent with the aims of NPF4 Policy 5 (c) and is not incompatible with Policy 55 of the HwLDP. In addition, the Scotland's National scale land capability for agriculture map distinguishes the site to be Class 6.3 which is described as "Land capable of use as rough grazings with low quality plants". Therefore, it is considered that the application site is not prime agricultural land and as such, the proposed development is considered compatible with Policy 5 of the NPF4.
- 8.12 Policy 47 of the HwLDP sets out that the Council expects development proposals to minimise the loss of in-bye apportioned croftland. The proposed use of the land is recognised by the Crofting Commission as an alternative purposeful use, as such the proposed use will not result in the loss of apportioned croftland. The applicant has applied for erection of agricultural shed on the site (Prior Approval Granted in October 2021 – 21/03912/PNO) which suggests that the site is still to be used for agricultural purposes with the addition of house and holiday letting units as crofting diversification. A comment from Teangue Grazing Committee has been received stressing that the site is a vacant croft and that, therefore, the above reasoning is not justified. However, from a planning perspective, the established land-use is agricultural croftland and the Commission has confirmed that a holiday letting business is an acceptable form of diversification. There will remain other land on the holding that can be used for agricultural activities and it is assumed the Commission will encourage this as a long-term outcome especially if the holding is occupied residentially also.
- 8.13 Policy 28 requires sensitive siting and high-quality design in keeping with local character and historic and natural environments, and the use of appropriate materials. This Policy also requires proposed developments to be assessed on the extent to which they are compatible with service provision, as well as their impact on individual and community residential amenity.
- 8.14 The key issues for this application are considered to be what impacts the proposal would have on the visual character and appearance of the area; impacts on adjoining residential amenity; drainage provisions; impacts on road infrastructure and road safety and impacts that the development will have on the ability of the remaining croftland to

be properly accessed. For the following reasons it is considered that sufficient information has been submitted with the application to address a number of these key issues and consequently, it is considered that the proposal accords with the development plan.

Landscape character, visual impact and neighbouring amenity

- 8.15 The application is for full planning permission for the erection of a house, siting of 4 holiday letting units, erection of a toilet block and the retrospective siting of 2 caravans. Visual and landscape impact is a material planning consideration. Policies which require an assessment of visual and landscape impact and seek good quality design are therefore applicable to such proposals.
- 8.16 Teangue is within the growing settlements area of Sleat with Placemaking Priorities listed in paragraph 6.3 above. It is considered that a 1½ storey house of simple design can be accommodated on the site without detriment to the character of the wider landscape. A house on this plot would be in keeping with the local pattern of dispersed development which is characterised by houses on both sides of the public road known as Teangue Road. Although the house would be immediately outwith the Ferrindonald and Teangue SDA, it would address the local needs for housing and economic growth.
- 8.17 The proposed house would sit nearer the access track and next to the already consented agricultural shed. The 2 existing caravans located near the site entrance are considered as an acceptable, temporary arrangement for the house build period only. Once the house is built, the caravans would be required to be removed from the site. The location of the house raises no concerns and will have no impact on the neighbouring amenity given the generous distance to the nearest properties to the South and East.
- 8.18 The proposed holiday units would be located about 15m to the East of the house on a relatively flat part of the croft within the hillside. They will be over 26m away from the South-East boundary and even further from the property called Allwood House. Although sited higher than the said property, the units raise no amenity issues due to the generous distance between the development and the Allwood House. A property called Alumo is located across the road from the site. There is approximately 60m distance between the pods and Alumo and this is considered sufficient to not cause any unacceptable amenity issues.
- 8.19 Due to the simple design of the holiday letting pods with the small toilet block, this element of the proposal is considered visually acceptable at this location. The units will be set back from the road and sit against a rising topography. Their formation is considered compatible with the surrounding area and will not result in any negative visual impact, nor will it disrupt the local landscape character. Given the nature of the proposed development and the general demand for tourist accommodation in the wider area of Skye, the proposal is acceptable in regard to this policy requirement.
- 8.20 Some objection comments were received mentioning light pollution caused by possible lighting related to the proposed pods and pedestrian path leading to them from the car parking area. To protect the neighbouring properties from such event, a condition requesting details of any proposed lighting will be attached to decision notice to safeguard neighbour amenity.

Drainage arrangements

- 8.21 The house, caravans and the toilet block are proposed to all be connected to a private foul drainage system in the form of a septic tank and coir filter with a discharge pipe connected to an existing pipe leading beneath the road and opposite croft to a burn. The applicant provided evidence supporting the arrangements. SEPA confirmed that Controlled Activities Regulation (CAR) authorisation has been granted for the discharge of sewage from the two static caravans on the site to the nearby burn using this approach. The applicant will need to apply to vary the existing CAR authorisation, so it includes discharge from the pods and house as well. Alternatively, if greater treatment capacity is required, they will need to apply for a new authorisation for this element of the development.
- 8.22 Scottish Water has confirmed that the development would be fed from the public water supply however they are not able to confirm the capacity of the supply until a pre-application enquiry from the applicant has been submitted.
- 8.23 Several objection comments did note issues with the proposed foul drainage and the increased demand for water supply impacting on the already low water pressure. The applicant clarified the proposed foul drainage connection and supplied evidence supporting the arrangements. The water pressure aspect is not a planning matter and will need to be addressed by Scottish Water once the applicant applies for a connection.

Access and impact on wider road network

- 8.24 It is proposed to utilise the existing access to the croft via the access track leading to the Water Treatment Works site. The public road is a tarmac single track ending just before a bend, passed a property called Suil Na Mara. The further part of the track is a private access road serving the properties to the North and the water works site. The private track is tarred up for another 115m approximately, to a junction near property called Allwood. There is an unsurfaced and informal turning area here. The remaining part of the private access up to the water works site has a gravel finish.

It is acknowledged that the site is accessed off a private road at the end of the public road. The private road serves a large number of properties and is in a reasonably good condition with an informal turning area at its end. It is not considered that the traffic levels generated by the proposal will significantly increase. It is also noted that the top part of Teangue Road will experience increased traffic with the proposal, especially the 4 holiday letting pods. However, it is considered that the anticipated volume of traffic will not be unacceptable, and that the road, although narrow in places, can accommodate this small increase in vehicle movements. Improvements were made a few years ago to mitigate the impacts of residential developments at this top end of the settlement.

Some comments were raised by members of the public stressing that the increased traffic brought by the development will damage the access track leading to the Water Treatment Works. This matter of wear and tear of a private track is a matter to be addressed through any right of access agreement between the applicant and the owners of the track. It is understood there is a right of access to the croftland. This right should hold for any activity considered by the Commission to be a purposeful use of the croft.

Visibility splays from the site access point are considered to be adequate and raise no concerns. Provision of a parking area located near the caravans and parking spaces near the house are proposed. This is an acceptable arrangement. Some objection comments highlighted lack of parking provisions however this has been clarified by the amended drawings.

Impact on croftland

- 8.25 The applicant has applied for the erection of an agricultural shed on the site (Prior Approval Granted in October 2021 – 21/03912/PNO) which suggests that the site is still to be used for agricultural purposes with the addition of house and holiday letting units as croft diversification. As mentioned above, the land is not prime agricultural land and therefore, the proposal is considered as acceptable in respect of Policy 47 on the assumption that the remaining part of the croft can still be maintained for agricultural purposes.

Other material considerations

- 8.26 Although some complaints were made regarding potential disturbance to protected species (i.e. eagles, red deer, buzzards) there are no nature conservation designations in place on the site. An informative will be added to a decision notice advising that all works must stop if any signs of protected species are encountered during implementation of the development.

Non-material considerations

- 8.27 The issue of potentially increased risk of fire on the hillside is not a material planning consideration.
- 8.28 Potential impact of stability of the ground is a matter which would be dealt with during a building warrant application.
- 8.29 Creation of precedent of siting caravans and operating a business without planning permission has been highlighted by public contributors. This matter has been subject to planning enforcement investigation in the same way as other potential and actual breaches of planning control.

9. CONCLUSION

- 9.1 The proposal seeks to regularise the existing siting of 2 caravans and includes the erection of a house and 4 holiday letting units with associated toilet block. The application has aroused considerable local interest a large portion of which was related to the retrospective nature of the works. The site has been subject to an enforcement investigation with this application being submitted as a result. Whilst the submitted drawings are of a lower standard than many, they are sufficient to allow for consideration of the proposal in planning terms. A separate Building Warrant will be required which will need to meet technical standards for their legislative considerations. Planning regulations require such cases to be assessed on the same terms as it would be without the retrospective context.
- 9.2 The proposed development is considered to meet the relevant planning policy discussed above. Although the site is not within the SDA, it is adjacent to it and, in

addition, it can be supported on the basis of meeting the Sleat Placemaking Principles. The visual impact of the whole development is considered as acceptable, and existing residential and community amenity is not expected to change detrimentally due to the proposal. It is recognised that the additional house and the holiday accommodation will introduce change to this part of the settlement but not in such negative ways that would justify a reason for refusal.

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

10. IMPLICATIONS

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

11. RECOMMENDATION

Action required before decision issued

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. Prior to the first occupation of the development hereby approved, the car parking and access arrangements detailed on approved plan Site Plan ref. 000022 rev. B shall be completed in full and made available for use. Thereafter, all car parking spaces shall be maintained for this use in perpetuity.

Reason: In order to ensure that the level of off-street parking is adequate.

2. Planning permission is hereby granted for the caravans referred to in Condition 4 for a temporary period only and shall cease to have effect on 1st April 2027. Prior to the cessation date, the application site shall be cleared of all development related to the caravans and approved under the terms of this permission (including any subsequent ancillary works, infrastructure, fixtures, fittings and any temporary developments

permitted under Class 14 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended)).

Reason: In recognition of the temporary nature of the proposed development, to enable the Planning Authority to reassess the impact of the development after a given period of time and secure removal and restoration.

3. No further development shall take place until full details of any external lighting to be used within the site and/or along its boundaries and/or access have been submitted to, and approved in writing by, the Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

Reason: In order to safeguard the amenity of neighbouring properties and occupants.

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

Reason: To ensure that the development does not become used for permanent residential occupation in the interest of the area's visual amenity, in recognition of the lack of private amenity space and in accordance with the use applied for.

5. No further development shall take place until a scheme for the storage of refuse and recycling within the application site has been submitted to, and approved in writing by, the Planning Authority. The approved scheme shall thereafter be implemented prior to the first use of the development and thereafter maintained in perpetuity.

Reason: To ensure that waste on the site is managed in a sustainable manner.

6. The holiday units hereby approved shall be used solely as holiday letting accommodation and at no time shall they be used as separate dwellings.

Reason: To ensure that the development does not become used as separate dwellinghouses in recognition of the lack of private amenity space, construction design and in accordance with the use applied for.

7. The use of the land as a caravan site, hereby approved, shall not enure other than in respect of the units detailed in the approved drawings.

Reason: For the avoidance of doubt and in the interests of visual and landscape amenity.

8. No further development shall take place until arrangements for potable water and sewerage infrastructure to serve the site (including a programme for implementation) have been submitted, to, and approved in writing by, the Planning Authority. No part of the development shall be occupied until sewer connections and potable water supply

infrastructure, as required, have been completed in accordance with the approved arrangements.

Reason: In order to ensure that water and sewerage infrastructure is carefully managed and provided timeously, in the interests of public health and environmental protection.

REASON FOR DECISION

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

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

INFORMATIVES

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a

connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Septic Tanks 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>

Caravan or Short Term Let Licensing

As the site is intended to have pods installed, the use of these will be subject to either having a caravan site licence and/or a short term let licence. To avoid any future contraventions, the applicant is strongly advised to contact Environmental Health to discuss the licensing process and the standards to which the site will be required to meet.

Animal Boarding Establishment Licensing

With regard to the Home Boarding of Dogs being undertaken within the site and one of the static caravans, the applicant is advised that this is a licensable activity. In addition, the person undertaking the business is strongly advised to contact Environmental Health urgently to apply for an appropriate licence. **The home boarding of animals requires to cease until the appropriate licence is in place.** Please note that the continuation of home boarding of animals without a licence is an offence and may be reported to the Procurator Fiscal.

Signature:

Designation: Area Planning Manager – North

Author: Karolina Slotwinska

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

Relevant Plans: Plan 1 – Location Plan

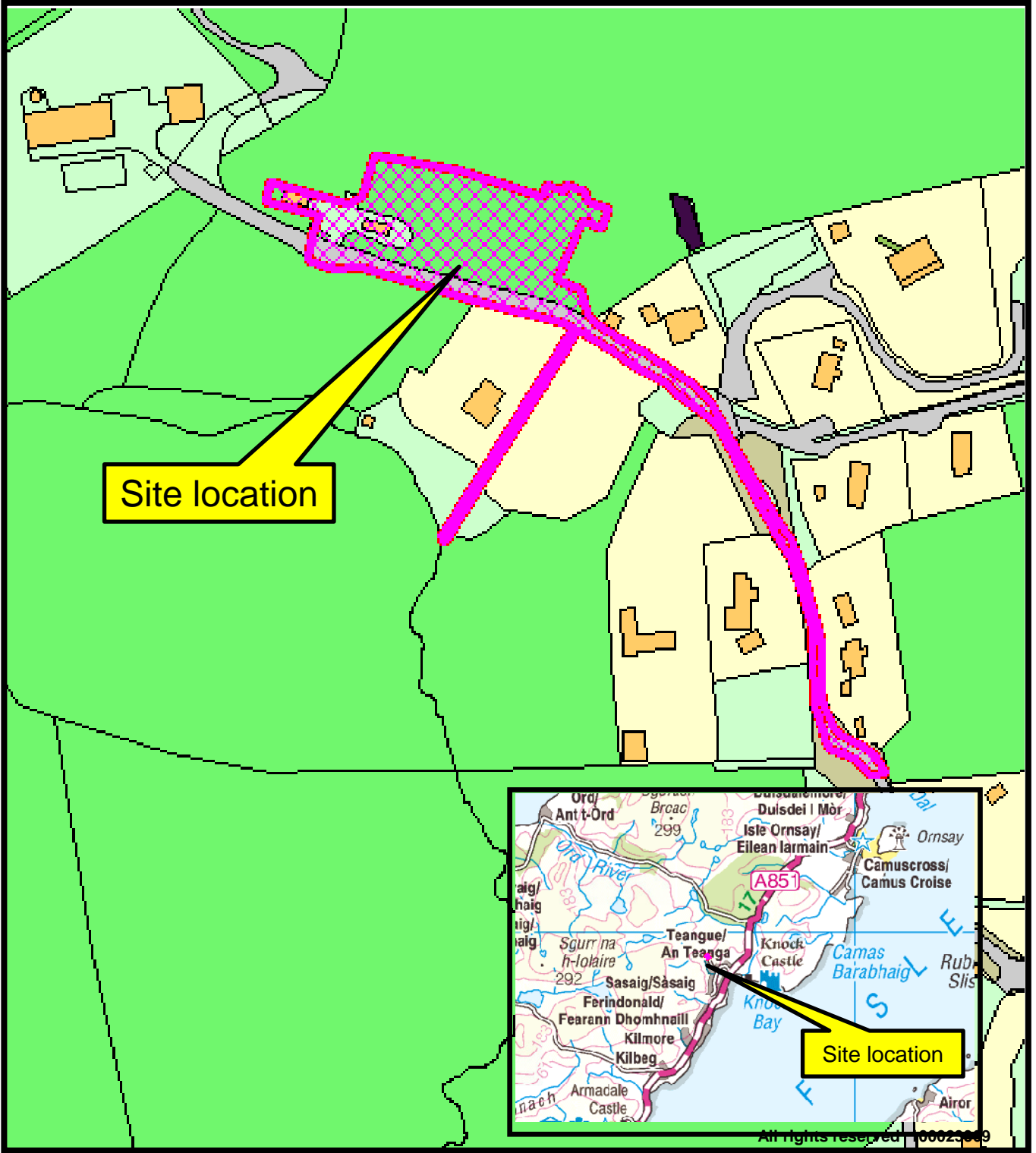
Plan 2 - Location Plan, drawing 000025

Plan 3 - Site Plan, drawing 000022 rev. B

Plan 4 - Ground Cut Plan, drawing 000004 rev. B

Plan 5 - Floor Layout Plan, drawing 000020

- Plan 6 - First Floor Plan, drawing 000004 rev. A
- Plan 7 - Elevation Plan, drawing 000015
- Plan 8 - Elevation Plan, drawing 000016
- Plan 9 - Elevation Plan Rear, drawing 000017
- Plan 10 - Elevation Plan Front, drawing 000018
- Plan 11 - Roof Plan, drawing 000019
- Plan 12 - Elevations Pods, drawing 000009
- Plan 13 - Floor Plan WC, drawing 000021
- Plan 14 - WC Elevation Plan, drawing 000023 rev. A
- Plan 15 - Caravan
- Plan 16 - Caravan



The Highland
Council
Comhairle na
Gàidhealtachd

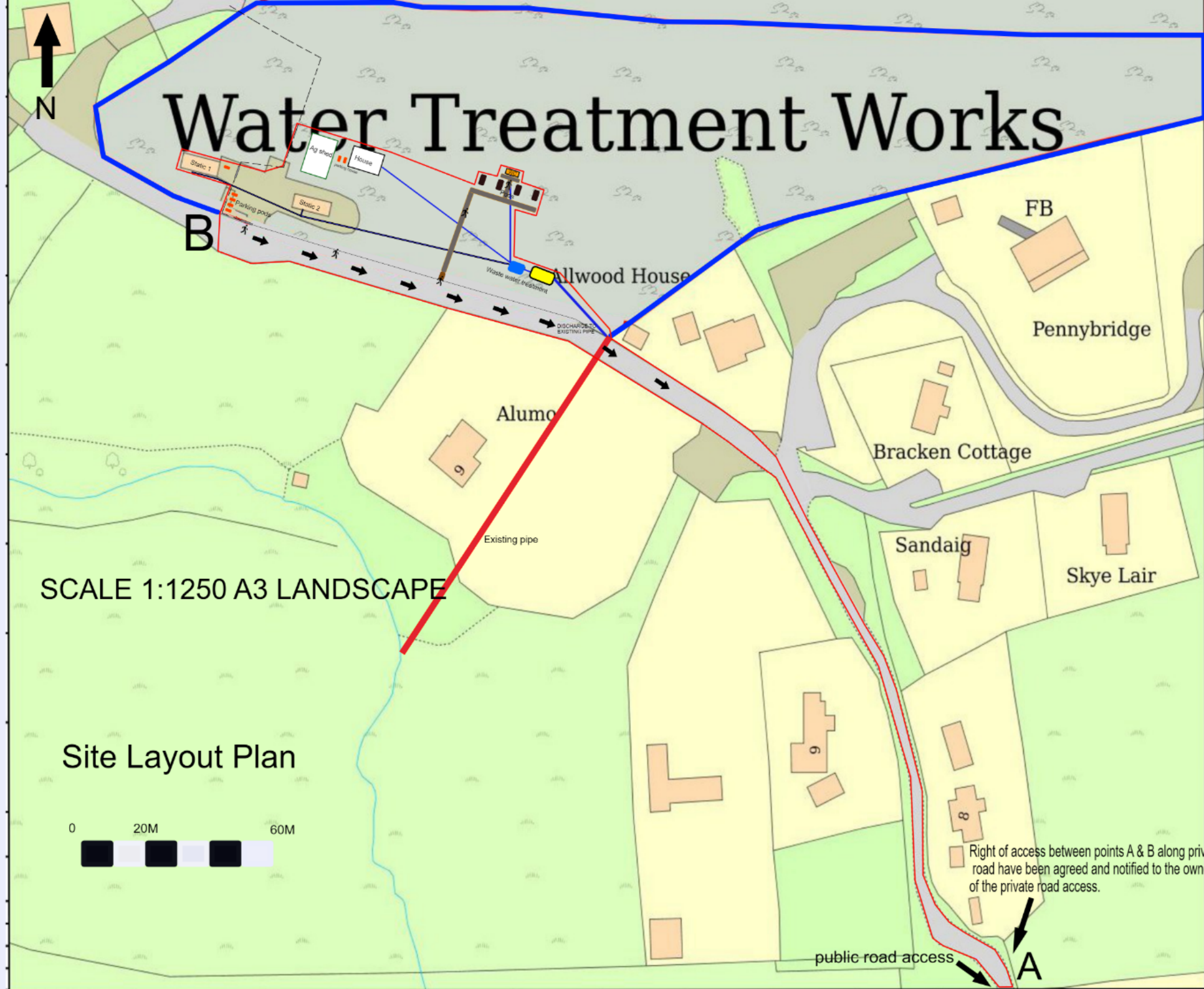
Development & Infrastructure
Service

23/00685/FUL

Erection of house and 4no holiday pods,
siting of 2no static caravans
Land 105M NW Of Allwood, 9 Teangue

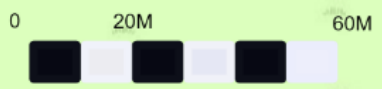
March 2024

Water Treatment Works



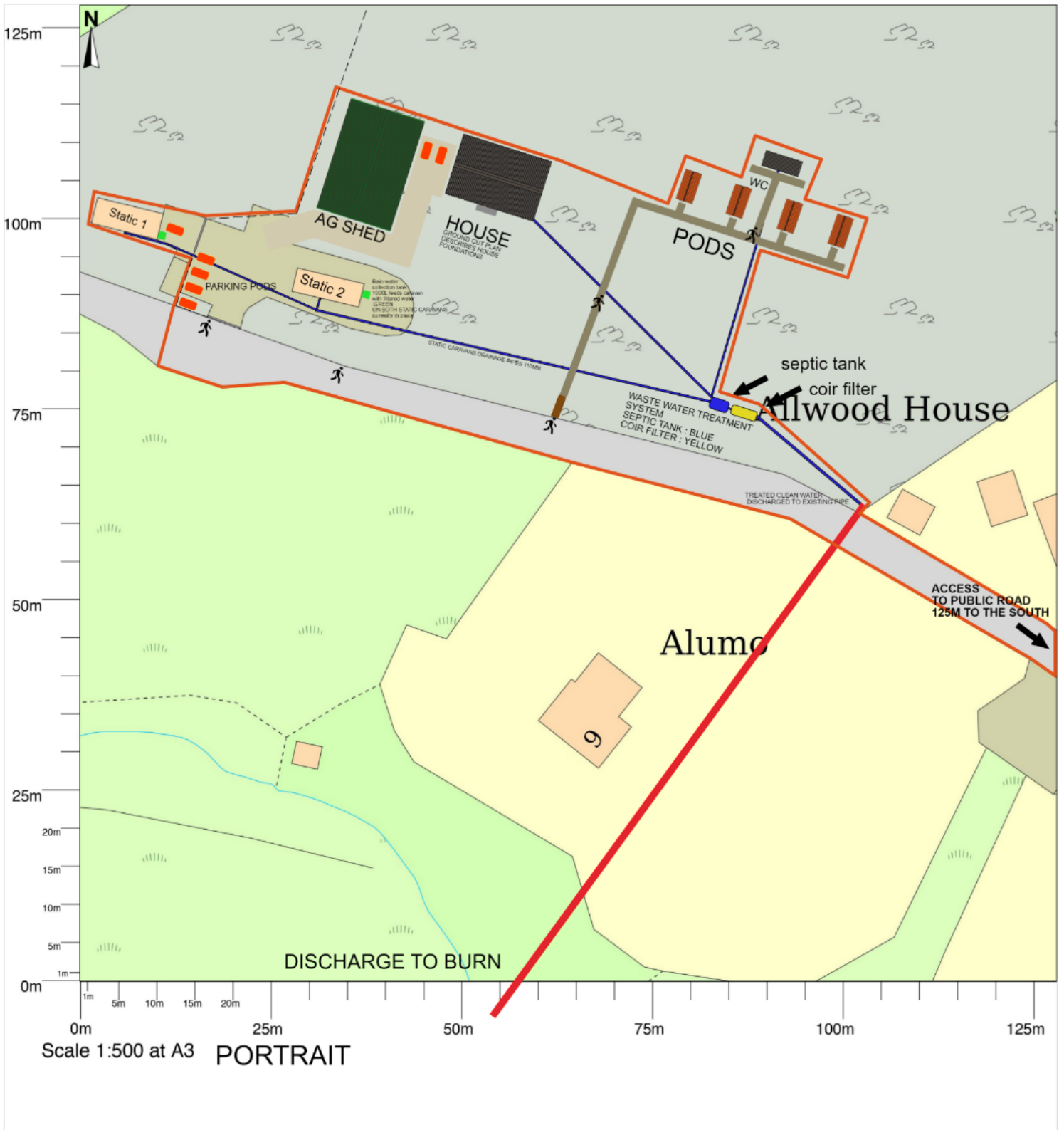
SCALE 1:1250 A3 LANDSCAPE

Site Layout Plan



Right of access between points A & B along private road have been agreed and notified to the owner of the private road access.

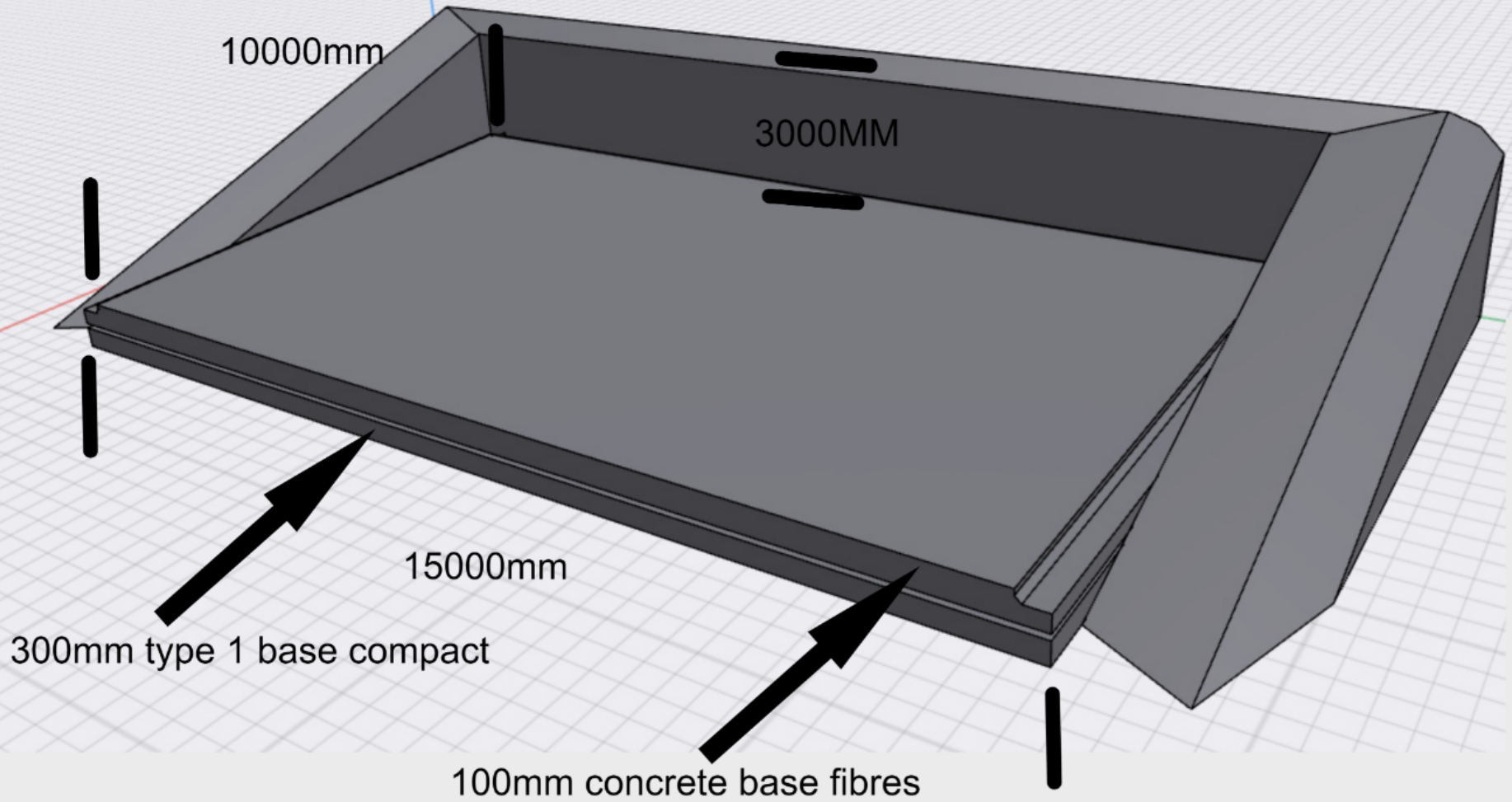
public road access

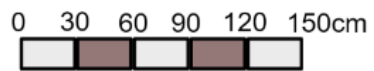
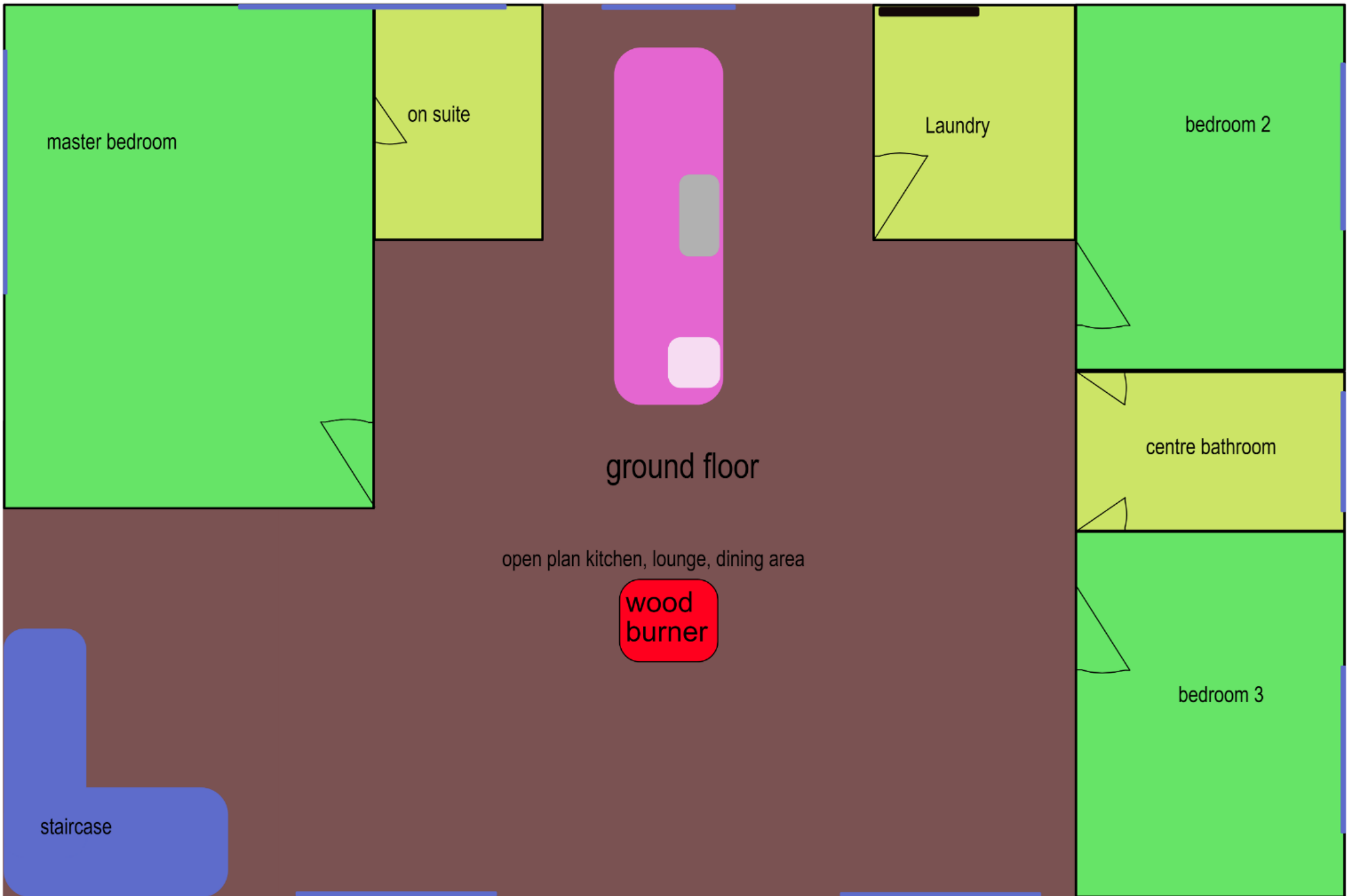


This ground cut describes the foundation plan for the proposed house

ground cut plan for the house

225CUBIC METERS OF SPOIL



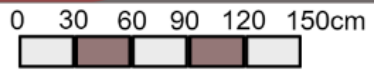


scale 1:30 A3
Landscape

first floor

staircase

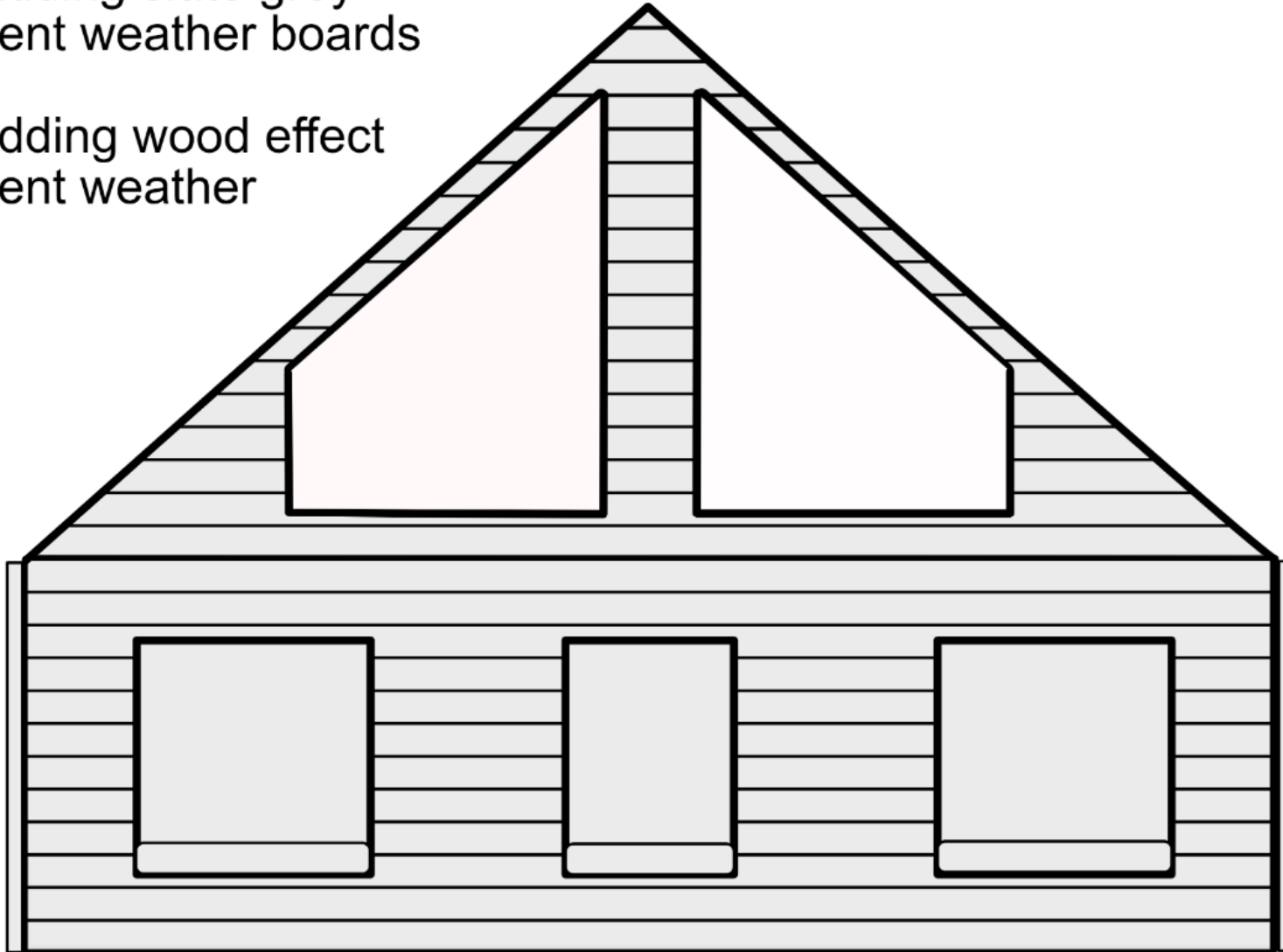
mezzanine balcony



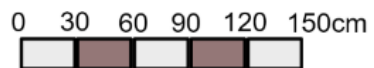
SCALE 1:30 A3 Landscape

Lower cladding slate grey
fibre cement weather boards

upper cladding wood effect
fibre cement weather
boards

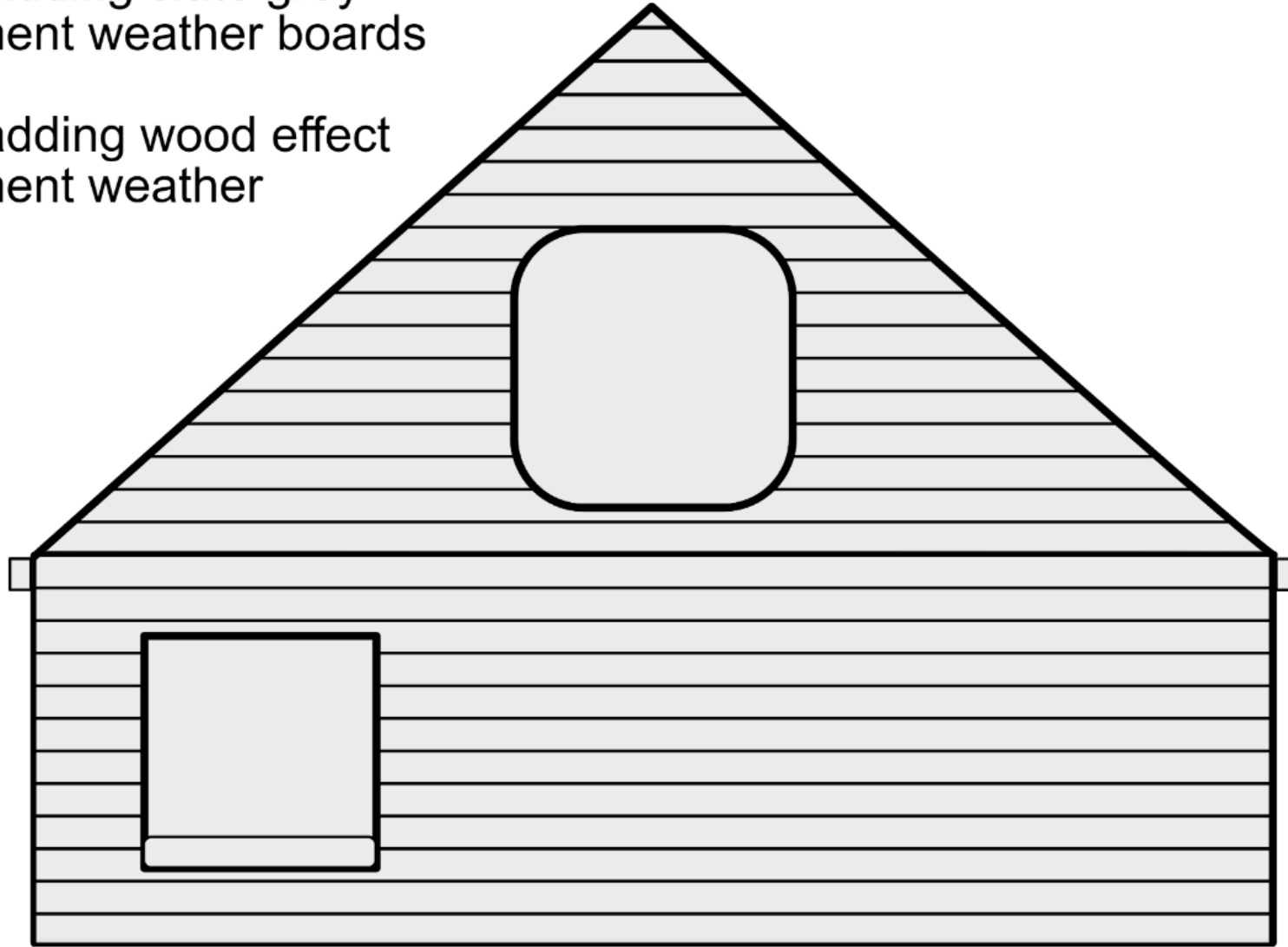


Scale 1:30 A3 Landscape

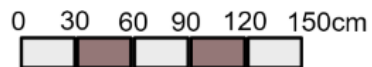


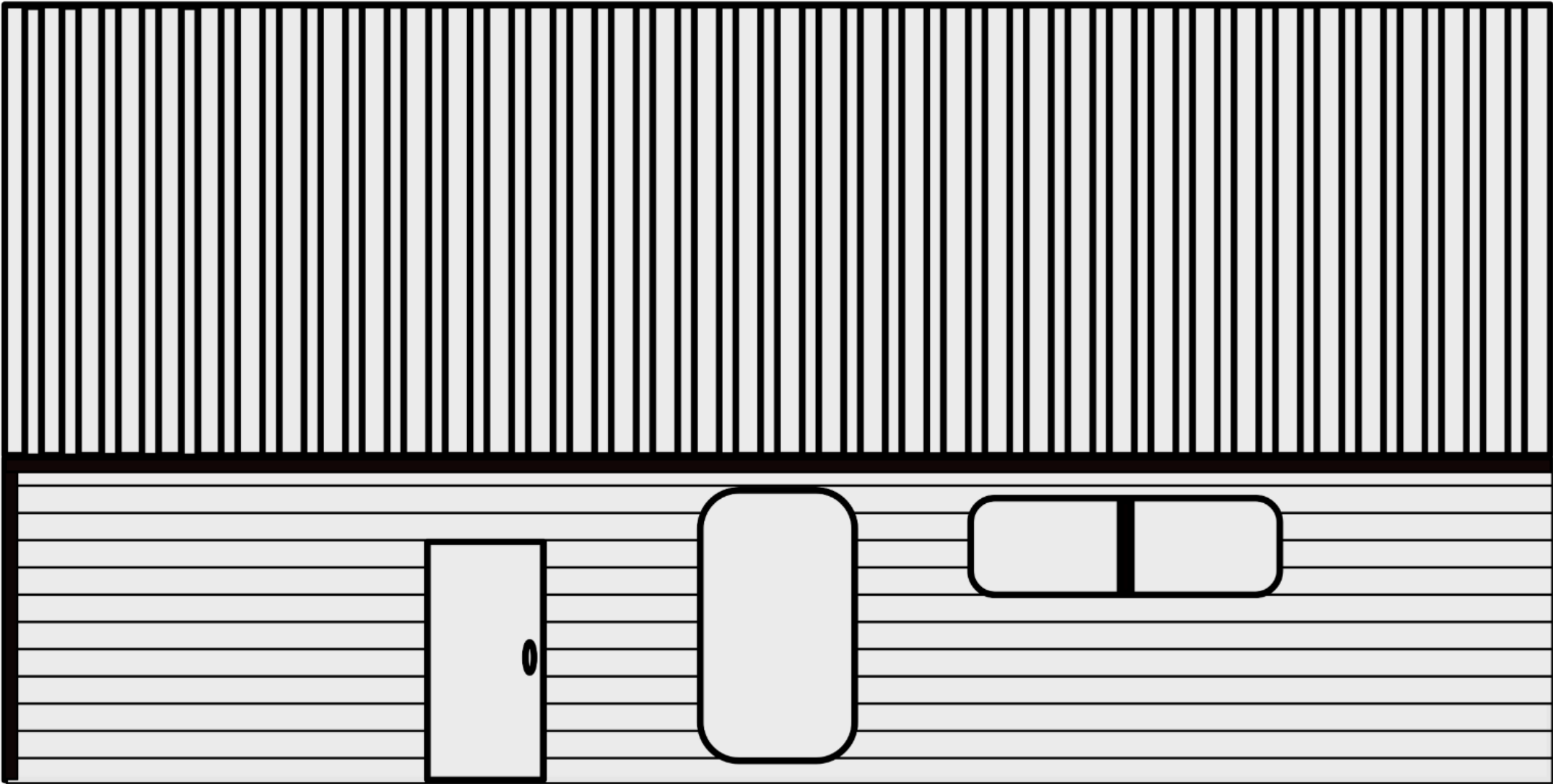
Lower cladding slate grey
fibre cement weather boards

upper cladding wood effect
fibre cement weather
boards




Scale 1:30 A3 Landscape





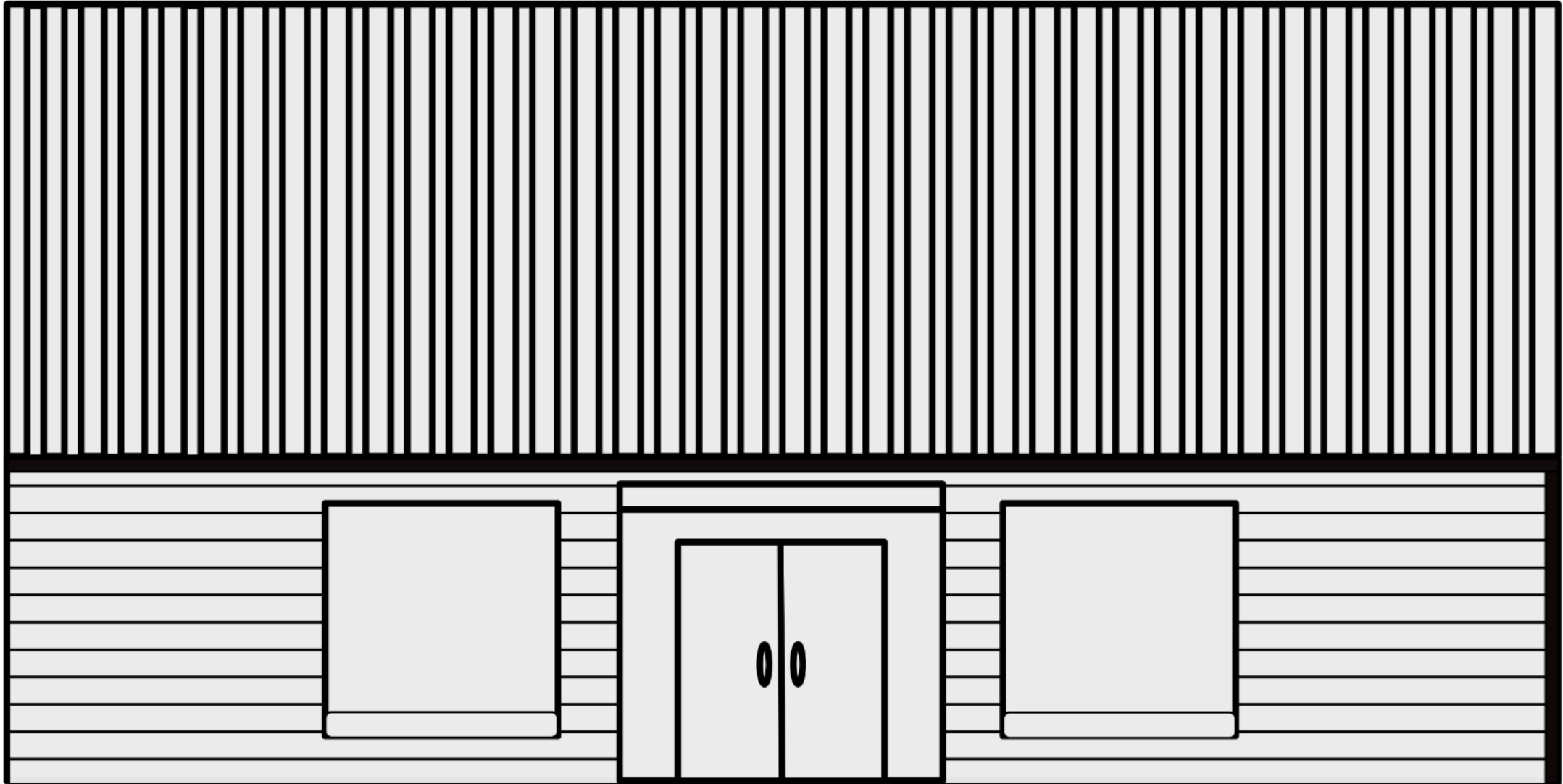
0 30 60 90 120 150cm



Scale 1:30 A3 Landscape

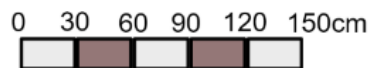
universal beam (galvanised) internal structure
wooden stringers behind cladding
insulated to width of beam

Dark grey box profile roof panels

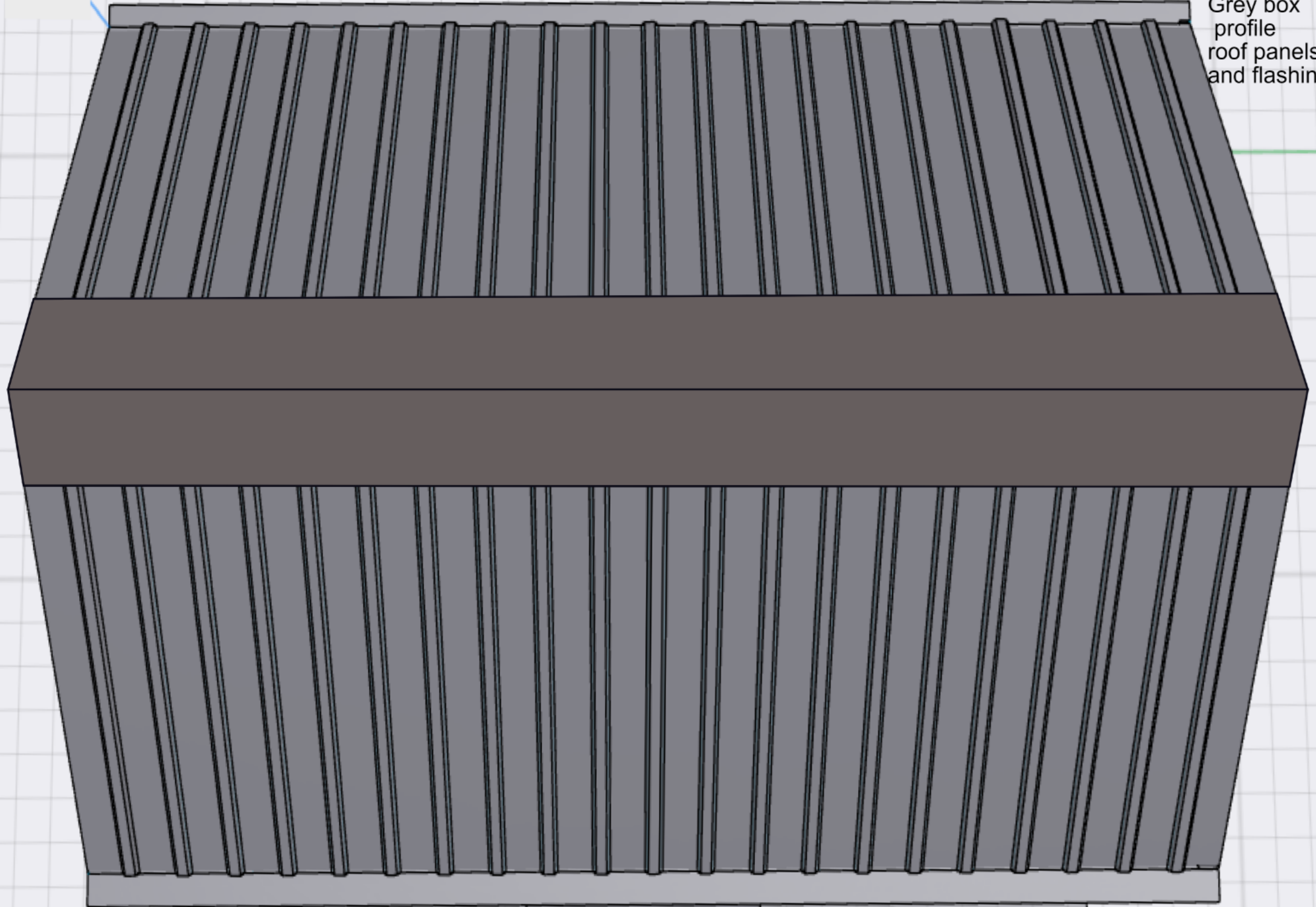


scale 1:30 A3 Landscape

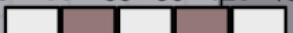
Exterior fibre cement weather
boards (slate colour)



Grey box
profile
roof panels
and flashing

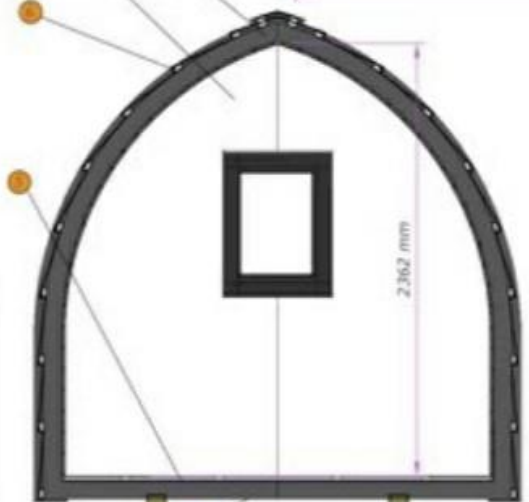
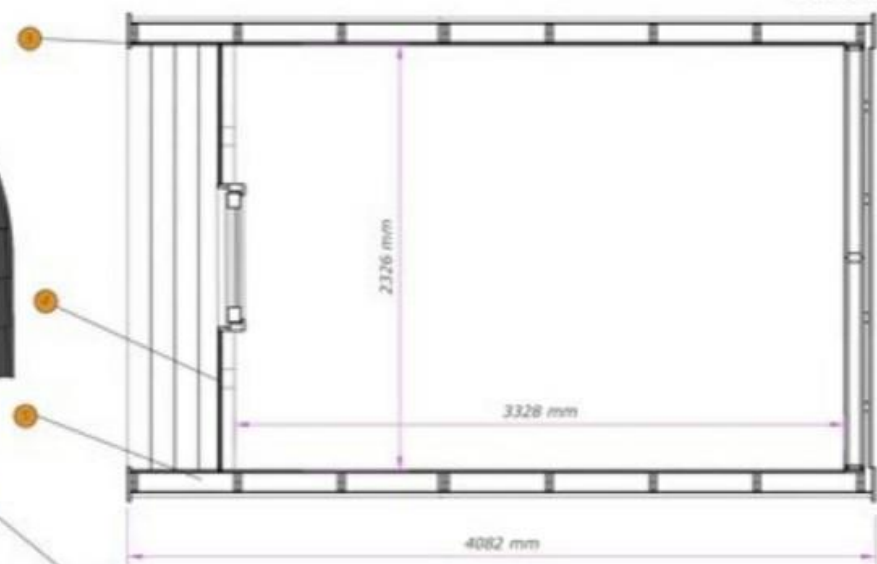


Scale 1:30 A3 Landscape 0 30 60 90 120 150cm



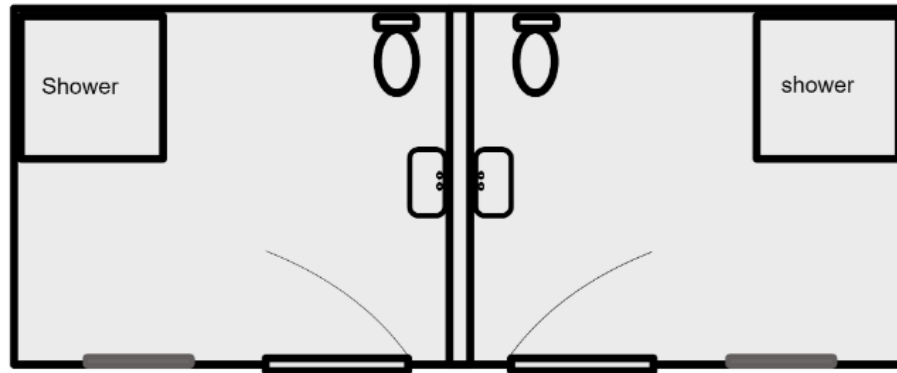
WHITE PEAK

DESIGN AND BUILD LTD




- 1 Spruce Ply Bespoke CNC Cut Frame
- 2 Double Skin Insulated Endwalls
- 3 Softwood Cladding
- 4 Dura-Floor covering on structural WR chipboard flooring
- 5 100mm Insulation to walls and floors
- 6 Bitum Seal 2000 Roofing Tiles on roofing battens and breathable Membrane
- 7 Plywood Underboarding, sprayed with wood preservative
- 8 900 x 1900 UPVC Glass Door
- 9 Treated Beams

All drawings and images are property of white peak design and build ltd and must not be used or reproduced in any way without written permission from white peak design and build ltd

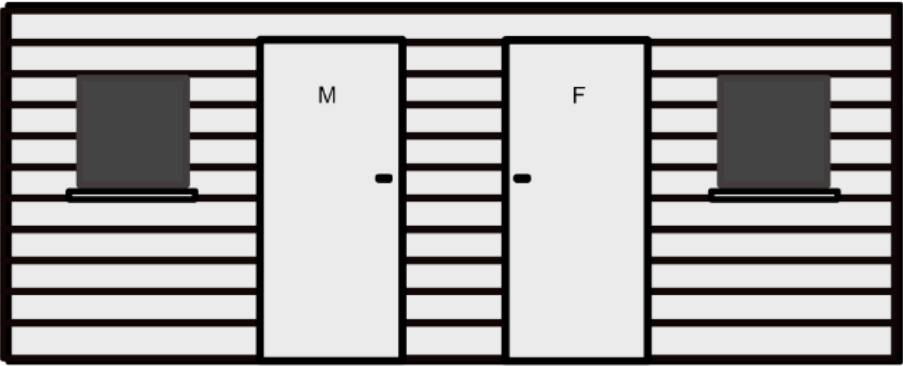


0 30 60 90 120 150cm

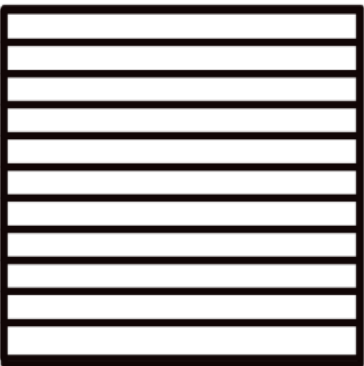


scale 1:30 A3
Landscape

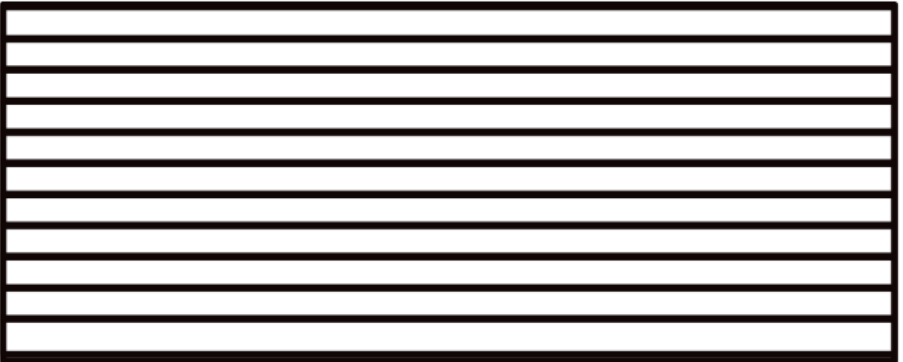
WC ELEVATION PLAN



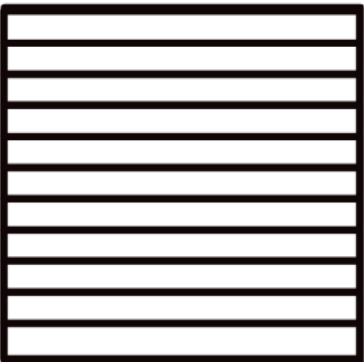
FRONT ELEVATION



SIDE ELEVATION L



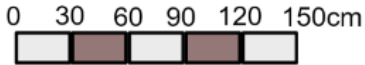
REAR ELEVATION



SIDE ELEVATION R

WC MATERIALS:

- FRAME - WOODEN FRAME
- ROOF - BOX PROFILE ROOF GREY
- PANELS OUTSIDE - FIBRE CEMENT WOOD EFFECT



scale 1:30 A3
Landscape



30ft

10ft

7ft



28ft

12ft

7ft