

Agenda Item	6.4
Report No	PLS/28/25

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 14 May 2025

Report Title: 25/00486/FUL: Mr & Mrs Paula Grant
10 Kingston Place, Stratton, Inverness, IV2 7BH

Report By: Area Planning Manager South

Purpose/Executive Summary

Description: Erection of extensions

Ward: 17 – Culloden and Ardersier

Development category: N01 - Householder Developments

Reason referred to Committee: Objections from 5 or more 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

The Committee is 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 extensions to the front and rear of 10 Kingston Place, Stratton, Inverness.
- 1.2 The front extension is single storey and measures approximately 5.5m x 1.6m. The rear extension is 1.75/2 storey and measures approximately 8.7m x 3.8m. The extensions are to be finished in roof tiles and white render to match the existing house, with window frames and patio doors to be reused in the extension. New rooflights are proposed in the upper floor of the rear extension. Three new windows are proposed on the existing house. The existing solar panels are to be retained and repositioned on the rear roof slope of the existing house.
- 1.3 An additional parking space is proposed within the rear garden, adjacent to the existing parking spaces. Waste, water and foul drainage are to be as per the existing arrangements.
- 1.3 Pre-Application Consultation: None
- 1.4 Supporting Information: None
- 1.5 Variations: Reduction in scale of rear extension, change of finishes to external walls, additional parking space.

2. SITE DESCRIPTION

- 2.1 The site is located in a recently completed part of the residential area of Stratton, east of Inverness. It comprises a 1.75/2 storey, 5-bedroom house on a corner plot at Kingston Place / Urchal Park. The house has 2 parking spaces and a single detached garage in the rear garden accessed from Urchal Park.
- 2.2 The property sits at the end of a row of detached houses on Kingston Place. Urchal Park extends along the southeastern boundary of the site and is formed from a mix of terraced and detached houses to the southwest of the application site from the rear boundary of the property. An area of open space lies on the opposite side of Kingston Place and extends to the northeast. The properties within this part of the development are all 1.75/2-storeys, and a mix of terraced and detached.
- 2.3 The rear (south) elevation of the house is approximately 2.2m north of the rear (south) elevation of the neighbouring house at No.8 Kingston Place.

3. PLANNING HISTORY

- | | | | |
|-----|------------|--|-----------------------|
| 3.1 | 28.04.2021 | 21/01400/MSC Submission of Matters Specified in Condition 2b (Siting and Design) and Condition 2e (Layout of Planning Permission in Principle 16/02161/S42 | Application Permitted |
| 3.2 | 20.01.2021 | 20/04391/MSC Submission of Matters Specified in Condition 2b (Siting, Design and Layout) of Planning Permission in Principle 16/02161/S42 | Application Permitted |

- Change of house types on plots 235-240, 272-275, 277, 285-286, 297, 303-306 gabled roof, and amend plot setting out at plots 304-306

3.3	29.07.2016	16/02161/S42 Develop land without compliance with conditions 1,2,3,9 and 25 and conditions 27 to 54 inclusive (regulating phasing, and regulating timing of provision of infrastructure) of 09/00141/OUTIN as amended by 13/01049/S42	Application Permitted
3.4	14.05.2015	13/01049/S42 Application to vary conditions 4, 36 and 42 of Planning Permission ref 09/00141/OUTIN; amendments to AMP, Park and Ride and amendment to timing of provision.	Application Permitted
3.5	12.08.2011	09/00141/OUTIN New town comprising town centre, housing and commercial development	Application Permitted

4. PUBLIC PARTICIPATION

4.1 Advertised: No

Date Advertised: -

Representation deadline: 14.03.2025 (24.04.2025 – re-notification)

Timeous representations: 9 Reps (5 Households)

Late representations: 0 Reps (0 Households)

4.2 Material considerations raised are summarised as follows:

- a) Overshadowing of neighbouring properties
- b) Insufficient parking
- c) Impacts on privacy and overlooking of neighbouring properties
- d) Design and character of other properties within the development
- e) Size of proposed house
- f) Construction impacts

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 **Transport Planning:** No response

Planning officer note - plans updated to comply with parking standards

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 National Planning Framework 4 (2023) (NPF4)

Policy 1 - Tackling the Climate and Nature Crises

Policy 2 - Climate Mitigation and Adaptation

Policy 3 - Biodiversity

Policy 13 - Sustainable Transport

Policy 14 - Design Quality and Place

Policy 15 - Local Living and 20 Minute Neighbourhoods

Policy 16 - Quality Homes

6.2 Highland Wide Local Development Plan 2012 (HwLDP)

28 - Sustainable Design

29 - Design Quality and Place-making

34 - Settlement Development Areas

6.3 Inner Moray Firth Local Development Plan 2 (2024) (IMFLDP2)

Inverness Settlement Development Area - No specific policies apply.

6.4 Highland Council Supplementary Planning Policy Guidance

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

Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

Designing Streets

Creating Places

Highland Council Planning Guidance: House Extensions and Other Residential Alterations

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) siting and design
- c) impact on parking
- d) any other material considerations

Development plan/other planning policy

- 8.4 The statutory development plan comprises NPF4, the Highland-wide Local Development Plan (HwLDP) and the Inner Moray Firth Local Development Plan 2 (IMFLDP2). Where there is conflict between the provisions of them, the most recent of the documents shall generally take precedence.
- 8.5 NPF4 Policies 1-3 apply to all development proposals. When considering all development proposals, significant weight will be given to the global climate and nature crises. Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible. Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- 8.6 The key NPF4 policies in the assessment of house extensions are Policy 14 (Design, quality and place) and Policy 16 (Quality Homes). Policy 14 supports development proposals which are consistent with the 6 qualities of successful places – healthy, pleasant, connected, sustainable and adaptable, and does not support development proposals which are poorly designed or detrimental to the amenity of the surrounding area. Policy 16 supports householder developments where they do not have a detrimental impact on the character or environmental quality of the home or surrounding area in terms of size, design and materials, or the neighbouring properties in terms of physical impact, overshadowing or overlooking.
- 8.7 These policy aspects are already reflected within the Highland wide Local Development Plan, notably Policy 28 (Sustainable Design) which assesses proposals against a number of criteria, including their compatibility with public service provision; transport; impact on individual and community residential amenity; demonstration of sensitive siting and high quality design in keeping with local character; and contribution to the economic and social development of the community and Policy 29 (Design Quality and Placemaking), which requires any application to make a positive, net contribution to the architectural and visual quality of the place within which it is proposed.
- 8.8 Subject to ensuring that the proposal is appropriately sited and designed so as not to have adverse impacts on individual and community residential amenity the proposal could be said to comply with the Development Plan.

Siting and design

- 8.9 The existing 1.75/2-storey house is located on a corner plot measuring approximately 27m x 14m, located at the junction of Kingston Place / Urchal Park. It has a footprint of 9.3m x 8.6m and is placed in the northwestern part of the plot.

- 8.10 The main private garden space is to the rear (south) of the house, with more open public garden to the front (north) and side (east) facing towards Kingston Place, and Urchal Park respectively. The eastern garden boundary is formed with an approximately 1.8m high fence along Urchal Park, and this encloses a shed. Within the rear curtilage of the house is a garage parallel to the southern boundary with No.18 Urchal Park. There are 2No. parking spaces adjacent to the garden.
- 8.11 The proposal is for a large 1.75/2 storey extension on the rear (south) elevation of the building. The extension would add a family room and shower room, to the ground floor rear (south) elevation, and a small extension to the front (north) elevation; and 2 bedrooms to the first floor.
- 8.12 In addition to the extension works, there would also be internal alterations to house, re-configuring internal spaces and partitions. The overall result of the extension and internal works would be to provide 2No. bedrooms on the ground floor, and 5No. bedrooms on the first floor, giving a total of 7No. bedrooms. It is understood that this number of bedrooms is required due to personal family circumstances.
- 8.13 Following discussion with the agent, the original design has been adjusted, pinching the extension in approximately 300mm from the original building gables, and changing the roof form from a square gable to a hipped roof. The material palette has also been adjusted from the original horizontal dark grey horizontal cladding to white render to match the original house. The roof would be finished to match the original house roof tiles. The extension has a footprint of 8.6m wide across the rear of the original house and extending out 4m into the garden from it. There would be approximately 6.3m depth of garden between the existing garage and the proposed extension, and an overall distance between the rear extension and the closest house, No.18 Urchal Place to the south, of approximately 10.2m.
- 8.14 The windows to the extension have also been adjusted, with the original upper floor Juliette type balcony associated with the main bedroom on the main south elevation being deleted and replaced with combination rooflight/windows. In addition, a small bathroom window would be formed on the upper floor west elevation of the original house for a bathroom, with a further upper floor window on the east elevation of the original house for bathroom.
- 8.15 An additional third parking space would be provided to the north of the existing 2No. spaces, extending the overall parking area. At its closes point this would be approximately 1.1m from the rear of the proposed extension.
- 8.16 The fenestration and doors in the proposed extension would mainly face south towards the rear garden space. While the rear extension is large, it remains subservient to the existing house in terms of its design, scale and massing.
- 8.17 Notwithstanding this, the original house occupied approximately 21% of the plot, with this increasing to 26% including the garage. The original house, plus extension takes approximately 29% of the plot, with this increasing to 35% including the garage. Accordingly, the overall level of built development on the plot is around one-third, which is generally considered to be an acceptable maximum plot ratio.

- 8.18 The revised drawings are considered to address representations received with regard to potential overlooking and individual and wider community residential amenity. The proposed extension projects approximately 2.1m beyond the rear elevation of No.8 Kingston Place. The offset in the position of these neighbouring houses, the revised design of hipped roof for the extension, and its reduction in depth by 0.5m is considered to significantly reduce the overall potential for overshadowing of neighbouring houses and their private garden spaces.
- 8.19 It is considered that the amended design, scale and massing of the proposed amended extension is acceptable.
- 8.20 The materials, colour and finishes for the extension include render and roof tiles and windows to match the existing house, with the new window openings being sensitively scaled and placed to match into the original house design.
- 8.21 Overall, it is considered that the proposed house extension accords with NPF4 policies 14 (Design, quality and place) and Policy 16 (Quality Homes); and demonstrates sensitive siting and design and therefore accords with HWLDP policy 28 (Sustainable Design).

Impact on parking

- 8.22 Representations refer to a lack of parking available at the existing house. There are currently 2No. off-street parking spaces, plus a detached garage. The proposal would introduce an additional off-street parking space, giving a total of 3No. spaces. The Council's parking standards for a 7-bedroom property require a minimum of 3No. parking spaces. This does not include the existing single garage. The proposals will therefore increase the parking spaces to 3No. thereby meeting the minimum standard. It should be noted that there are no parking restrictions within the Stratton development. Any parking infringement would be a matter for Police Scotland to investigate.

Other material considerations

- 8.23 During the course of any construction project there may be an element of noise and disturbance, however, this would be for a temporary period only. Any matters relating to this would be assessed as a potential statutory noise nuisance by the Environmental Health Authority.
- 8.24 The developer has confirmed that the existing garden shed – which is currently to the east of the proposed extension in the side garden towards Urchal Park – is to be removed.
- 8.25 In order to provide a degree of control over further development of the site, it is considered appropriate, through the use of a condition, to remove the Permitted Development Rights for the site – all as set out by Class(es) 1 - 3 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification). This would have the effect of the house owner requiring planning permission for any development within these classes, and that this typically covers further extensions,

alterations to roofs, doors/windows, porches, garden buildings, hard surfacing, decking and boundary treatments.

Non-material considerations

8.26 The following issues are not material planning considerations:

- the number of occupants currently in the property
- the applicant running a business from the property
- the property is untidy and unkempt
- resale potential/affordability of the property
- impact on values of neighbouring properties
- council tax banding
- the applicant is a Highland Council employee
- future sale and subsequent use of the property as a House in Multiple Occupation (HMO) or short term let [Officer Note: either use would be deemed a material change of use of the property and would require planning permission, and this would be assessed on its own merits; a Civic Licence would also be required]
- Building Standards consultation
- Housebuilder not consulted
- Impact on 10yr NHBA guarantee
- Lack of information on the reputability of the proposed builder or the project management in place for the proposal
- Motives of the applicant purchasing the property if it was not suitable for their needs

Matters to be secured by Legal Agreement / Upfront Payment

8.27 None

9. CONCLUSION

9.1 The proposal is for the erection of a large extension to the rear, and small extension to the front of a recently constructed detached 2-storey house on a corner plot in the Stratton area. The proposal has been amended following discussion with officers, with the changes relating to the design (mainly changed roof detailing) and external material finishes.

9.2 The scale, massing, design and materials of both the front and rear extensions are considered to be acceptable and will not have an unacceptable detrimental impact on the residential or visual amenity of the area. While the proposal would increase the degree of built development on the plot to around 35%, this is considered to be acceptable within an urban location. The degree of separation of the resultant house extension from neighbouring house, with direct intervisibility from the extension towards the boundary with the closest house, No.18 Urchal Place to the south, of approximately 10.2m, being acceptable within this urban context.

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 N

Notification to Scottish Ministers N

Conclusion of Section 75 Obligation N

Revocation of previous permission N

It is recommended to **GRANT** the application subject to the following conditions and reasons:

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

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

2. No development shall commence until the existing shed marked on plan (RT1)100 REV D is removed.

Reason: To reflect the development applied for and to enable the Planning Authority to retain effective control over development within the application site so that it is carefully managed and does not result in over-development or an adverse impact on the amenity of the area.

3. Notwithstanding the provisions of Article 3 and Class(es) 1 - 3 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), no development of a type identified in the aforementioned classes shall take place within the curtilage of 10 Kingston Place, Stratton,

Inverness, IV2 7BH without planning permission being granted on application to the Planning Authority.

Reason: In order to enable the Planning Authority to retain effective control over future development within the application site so that it is carefully managed and does not result in over-development or an adverse impact on the amenity of the area.

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.

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).

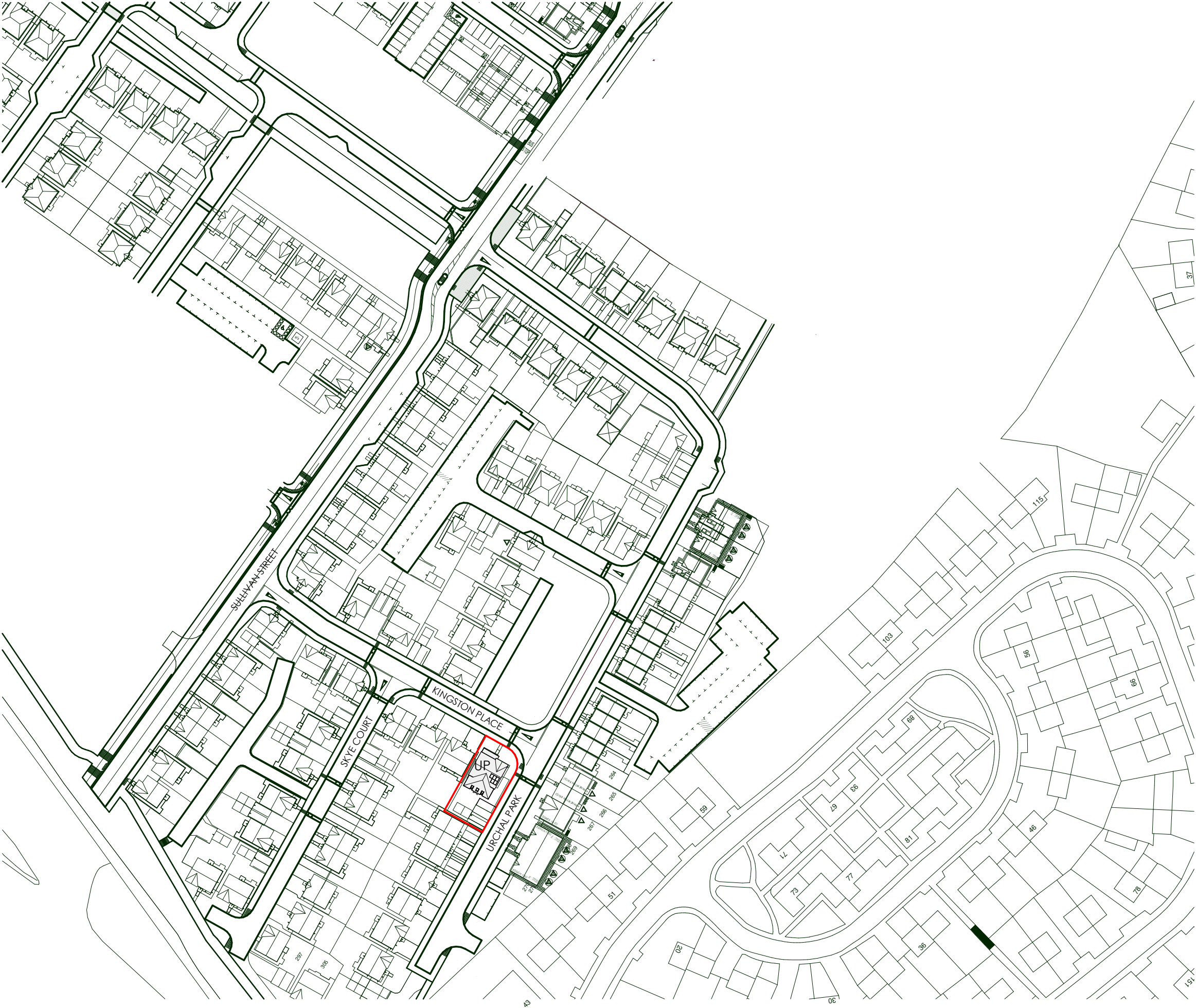
Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to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

Signature:	Bob Robertson
Designation:	(Acting) Planning Manager South
Author:	Jennifer Mair
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 - RT0)001 REV A Location Plan Plan 2 - (RT0)002 REV B Location/Site Layout Plan Plan 3 - (RT1)100 REV D Proposed General Plan



Location plan

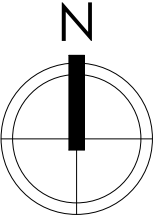
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Scale 1:1250

Figured dimensions only are to be taken from this drawing.
All dimensions are to be checked on site before any work is put in hand.
IF IN DOUBT ASK.

CDM:
Hazard Elimination & Risk Reduction has been undertaken and
recorded where appropriate, in accordance with the requirements
of 'The Construction (Design and Management) Regulations 2015'
and the associated 'Industry Guidance for Designers'



A		Planning alts	07/04/25
Rev	Description	Date	



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Client
Mr and Mrs P Grant

Project
Extension and alts to Dwellinghouse
10 Kingston Place

Project No. 2336

Drawing No. (R10)001

Revision A

Location Plan

Status

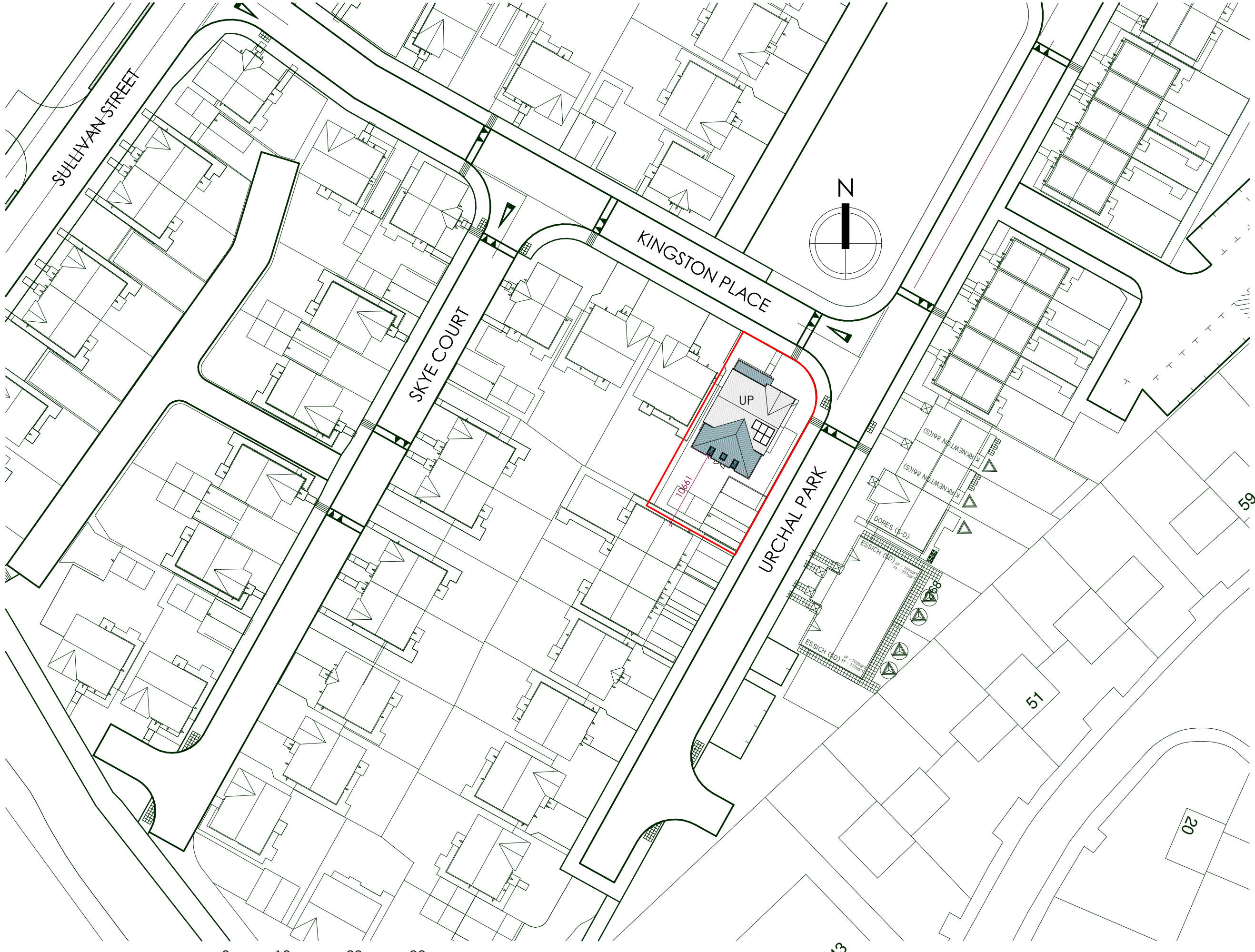
Date Created
Feb '25

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MM

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Sheet
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Site (True North)
Scale - 1 : 500

0 10 20 30m
Scale 1:500

Figured dimensions only are to be taken from this drawing.
All dimensions are to be checked on site before any work is put in hand.
IF IN DOUBT ASK.

CDM:
Hazard Elimination & Risk Reduction has been undertaken and
recorded where appropriate, in accordance with the requirements
of "The Construction (Design and Management) Regulations 2015"
and the associated "Industry Guidance for Designers"

B	Planning alts	07/04/25
A	Planning alts	02/04/25
Rev	Description	Date



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Client Mr and Mrs P Grant	
Project Extension and alts to Dwellinghouse 10 Kingston Place	
Project No.	2336
Drawing No.	(R10)002
Revision	B
Site / Location plan	
Status	
Date Created Feb '25	Drawn by MM
Scale 1 : 500	Sheet @ A3

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CDM:
Hazard Elimination & Risk Reduction has been undertaken and recorded where appropriate, in accordance with the requirements of "The Construction (Design and Management) Regulations 2015" and the associated "Industry Guidance for Designers"



D	Planning aits	07/04/25
C	Planning aits	03/04/25
B	Planning aits	02/04/25
A	Client aits	10/02/25
Rev	Description	Date



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Project
Extension and alts to Dwellinghouse
10 Kingston Place

Drawing No. (Rt1)100

Revision D

General Arrangement as Proposed

Status

Drawn by
MM

Sheet
@ A2

NOTE: All dimensions noted subject to site survey

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