Agenda Item	8.9
Report No	PLN/069/25

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 26 November 2025

Report Title: 25/02768/FUL: Neil and Deborah Bell

Land 60M SW Of Half Of 7 Tote, Skeabost Bridge

Report By: Area Planning Manager North

Purpose/Executive Summary

Description: Erection of House

Ward: 10 - Eilean A' Cheò

Development category: Local

Reason referred to Committee: Area Planning Manager Discretion

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 This application seeks full planning permission for the erection of a one and a half storey, two bedroomed dwelling house.
- 1.2 Pre Application Consultation: None
- 1.4 Supporting Information: A Private Access Checklist and Specifications for the proposed external Air Source Heat Pump and rooftop Solar Panels have been submitted.
- 1.5 Variations: None

2. SITE DESCRIPTION

2.1 The application site is located on croft land which is to the south-western side of the single-track road Tote township road. The site is located to the south-west of an existing single storey property. The land slopes downhill in a south westerly direction. An existing track from the public road provides access to the site which was cleared and levelled in May 2024. This work was undertaken under the auspices of a previous planning permission on the site, namely 22/00015/FUL. That permission is therefore locked in and development could be completed under that consent.

3. PLANNING HISTORY

3.1	29 August 2019	19/02502/PIP	due to concerns relating to settlement pattern.
3.2	4 June 2019	19/02501/PIP	APPLICATION PERMITTED
3.3	17 February 2022	22/00015/FUL	APPLICATION PERMITTED

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour 14 Days

Date Advertised: 8 August 2025

Representation deadline: 24 August 2025

Timeous representations: One from one household

Late representations: One from Skeabost Community Council. In their initial

response this body requested a "holding objection" to allow them to consider the proposal. They subsequently advised that they were objecting to the

application.

- 4.2 Material considerations raised are summarised as follows:
 - a) The addition of a further house would represent overdevelopment of this small crofting township.

Officer Response: On the basis of the planning history set out above the principle of a house on this site is established and development could be undertaken at any time. The previous permission has already established that a dwelling house on this site is acceptable in terms of development plan policy and any other material considerations. The Report of Handling for application 19/02501/PIP on the subject site noted that the area is characterised by linear development fronting the public road with a secondary tier of more scattered development to the south of the roadside properties. The indicative siting of the development was considered to be consistent with the established settlement pattern of this part of Tote. The subject application utilises the same site as this PIP permission and the later 22/00015/FUL permission. A meaningful start has been made on this latter permission which could be completed even if this application did not proceed. There has been no change in planning policy and no new material considerations which mitigate against these previous decisions in respect of siting.

- b) The township road would not be able to cope with existing permissions and this proposal.
 - Officer Response: As noted above, application 22/00015/FUL is extant and could be developed at any time. The ability of the township road to deal with the small amount of additional traffic generated by that scheme was assessed in the report of Handling on that application.
- c) Excessive development of a Croft.

 Officer Response: the site has been de-crofted.
- 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

- Corporate Address Gazeteer: No objection. The Council's Corporate Address Gazetteer Team advise that each property should have its own unique property reference number (UPRN). Therefore, they request that the applicant/agent notifies them at CAGRequests@highland.gov.uk when the proposed house is erected so that the necessary changes can be made to the Council's Corporate Address Gazetteer.
- 5.2 **Scottish Water:** No objection. This proposed development is within the Portree Torvaig Water Treatment Works catchment. Single house developments are required to submit a Water Connection Application to allow Scottish Water to fully appraise the proposals. It is recommended that this is done at the earliest opportunity to allow for network appraisal to be carried out ahead of development proceeding. There is no public waste water infrastructure within the vicinity of this proposed development therefore the applicant is advised to investigate private treatment options.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

National Planning Framework (NPF) 4 National Planning Policy

- 6.1 1. Tackling the climate and nature crises
 - 2. Climate mitigation and adaptation
 - 3. Biodiversity
 - 17. Rural homes

6.1 **Highland Wide Local Development Plan 2012**

- 28 Sustainable Design
- 29 Design Quality and Place-making
- 31 Developer Contributions
- 36 Development in the Wider Countryside
- 65 Waste Water Treatment
- 66 Surface Water Drainage

6.2 West Highlands and Islands Local Development Plan 2010

No site-specific policies

6.5 Highland Council Supplementary Planning Policy Guidance

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

Developer Contributions (March 2018)

Rural Housing Supplementary Guidance (December 2021)

Biodiversity Enhancement Planning Guidance (May 2024)

Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Not applicable

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) planning history
 - c) siting, design and landscape impact

- d) neighbour amenity
- e) access and parking
- f) biodiversity
- g) surface and foul drainage
- h) developer contributions

Development plan/other planning policy

8.4 Relevant Policy

Sections 25(1)(a) and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that this application be determined in accordance with the Development Plan unless material considerations indicate otherwise.

- 8.5 NPF4 forms part of the Development Plan and Policies 1-3 apply to all development proposals throughout Scotland. When considering 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 NPF Policy 17(c) relates to remoter rural areas and supports new homes in these areas where they support and sustain existing fragile communities; supports identified local housing outcomes; and is suitable in terms of location, access and environmental impact. All three of these criteria need to be met. Tote can be classed as a fragile community and the addition of a further residential unit would undoubtedly help support and sustain it. The Council's Local Housing Strategy 2023–28 identifies local housing outcomes, which include providing housing options and creating resilient communities and places. An additional residential unit would potentially increase housing options, and additional residents would strengthen the resilience of the local community. As noted above, the site already benefits from an extant consent for a dwelling. The application therefore stands to be assessed as to whether it is suitable in terms of location, design, access and environmental impact.
- 8.7 In this case the Development Plan is also comprised of the West Highlands and Islands Local Development Plan (although this has no site–specific policies of relevance to this application) and the Highland-Wide Local Development Plan, the relevant policies of which focus on siting, design, access, landscape impact and neighbour amenity (policies 28, 29 and 36).
- 8.8 For the reasons laid out below, the proposal is considered to comply with these policy requirements and to be acceptable in principle.

Planning History

8.9 As noted above, planning consent 22/00015/FUL has been implemented with the levelling of the site. As such, the two bedroom house permitted by that application can be built at any time. The footprint of that dwelling overlaps with that of the subject

proposal however, so two houses could not be built on the site if the subject application were to be permitted. It is important to note that if the subject application were to be refused the house permitted by application 22/00015/FUL could still be built, given that this permission is extant.

Siting, design and landscape impact

- 8.10 Given the planning history of the site with one Planning Permission in Principle and one Full Planning Permission the principle of a dwelling house on this site has already been clearly established. As noted above, there has been no change in planning policy and no new material considerations which mitigate against these previous decisions, so siting is not at issue for the subject application.
- 8.11 The design of the proposed house is similar to that of the previously approved dwelling. The key differences are a slightly longer and narrower floorplan and an increased ridge height to accommodate one and a half storeys instead of the previous single storey. It is not considered that these design changes introduce any contentious issues. As with the previous extant consent the external finishes of natural larch boarding on the walls and sinusoidal metal sheeting on the roof are representative of the local building tradition and would be visually recessive within the landscape setting. The colour of the roof finish has not been specified on the submitted drawings but can be controlled by condition to ensure that it has a recessive appearance.
- 8.12 Given these positive siting and design considerations it can be concluded that the proposed building would be easily assimilated into the local landscape setting

Neighbour Amenity

- 8.13 The nearest existing or planned dwelling house lies some 50m to the north east of the proposed building. This is an extensive degree of separation, which is considered more than sufficient to safeguard the privacy and amenity of this existing property.
- 8.14 A footnote which advises the applicant that the proposed external Air Source Heat Pump must be installed in accordance with the Microgeneration Certification Scheme standards can be applied. These standards require that noise from this unit is within acceptable limits.

Access and Parking

- 8.15 The site is accessed by means of the existing track from the public road referred to above. An SDB1 junction has been formed, which is satisfactory in terms of its sightlines and layout other than the fact that it has not yet been tarred. A condition can be applied to secure this surfacing.
- 8.16 The submitted site plan shows that the necessary car parking and turning spaces can be accommodated within the plot boundaries, and the provision of these spaces can be secured by condition.

Surface and Foul Drainage

8.17 The proposed surface and foul drainage arrangements shown on the submitted site plan are considered acceptable.

Biodiversity

8.18 It is now a requirement of Planning Policy that all developments must include a proportionate level of biodiversity enhancement. For applications such as this, the published guidance recognises the value to biodiversity which is gained from the planting of native species hedgerows, trees and shrubs. Accordingly, a condition requiring the submission and written approval of a landscaping scheme in advance of development is necessary. In this case, a relatively simple planting scheme which would deliver hedgerows along some of the site boundaries may be sufficient.

Developer Contributions

8.19 The site lies within the catchment areas of Macdiarmid Primary school and Portree High school. Neither of these establishments is approaching capacity, and as such no educational developer contribution is required. The proposal does not trigger any other contribution thresholds.

Other material considerations

8.20 There are no other material considerations.

Non-material considerations

8.20 The issue of whether the character of the Tote settlement might be altered by strangers coming into the village is not a material planning consideration.

Matters to be secured by Legal Agreement / Upfront Payment

8.21 None

9. CONCLUSION

- 9.1 An extant planning permission exists on the subject site for a similar size and design of dwelling house, and this permission could be implemented if the subject application proposal should for any reason fail to proceed. The subject application and this extant permission cannot both be built given that the footprints of each house overlap.
- 9.2 As with the two previously permitted applications on this site the subject proposal is considered acceptable in terms of its siting, design, effect on neighbour amenity, access and parking.
- 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 No

Notification to Scottish Ministers No

Conclusion of Section 75 Obligation No

Revocation of previous permission No

Subject to the above actions, it is recommended to

APPROVE 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 metal roof finish shall be coloured either black or dark grey. Any other colour shall require the written approval of the Planning Authority.

Reason: In the interests of visual amenity, to ensure that the building is visually recessive within the local landscape setting.

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

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

4. Prior to the first occupation of the development hereby approved, the car parking and access arrangements detailed on approved plan ref. 643-P-005 shall be completed in full and made available for use. Thereafter, all car parking spaces shall be maintained for this use in perpetuity.

Reason: To ensure that sufficient space is provided within the application site for the parking (and, where necessary, turning) of cars, so they do not have to park within or reverse onto the public road.

5. No development shall commence until details of a scheme of soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include all soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities.

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: To ensure that an appropriate level of biodiversity enhancement is achieved.

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.

- 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 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

Air Source Heat Pump

The external Air Source Heat Pump requires to be installed in accordance with the Microgeneration Certification Scheme 020: Planning Standards for Permitted Development of Wind Turbines and Air Source Heat Pumps on Domestic Properties.

Signature:

Designation: Area Planning Manager North

Author: Graham Sharp

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

Relevant Plans: Plan 1 - 643-P-001 Location Plan

Plan 2 - 643-P-004 Site Layout Plan
Plan 3 - 643-P-005 Site Layout Plan

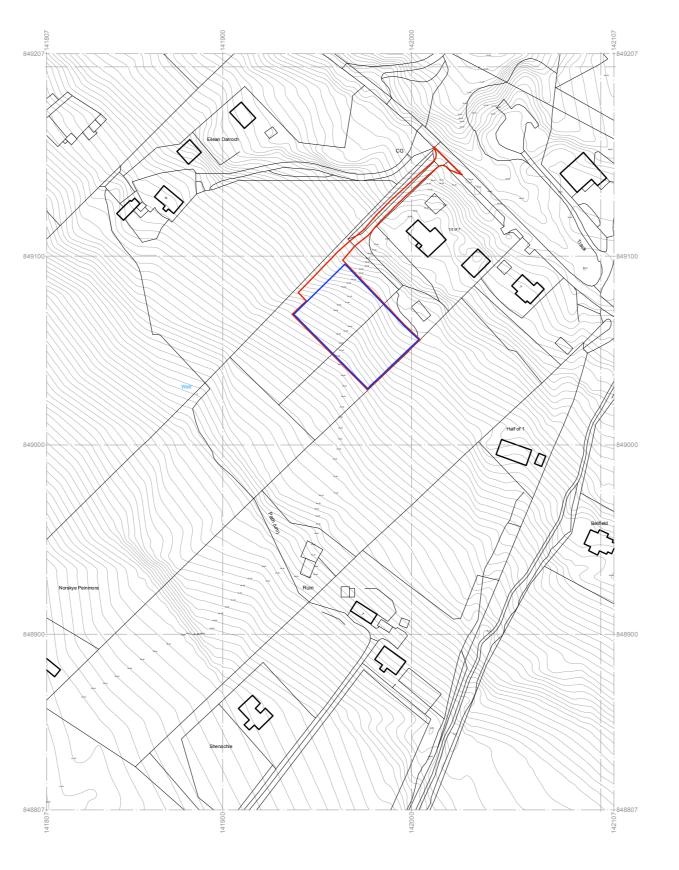
Plan 4 - 643-P-006 Visibility Splay Plan

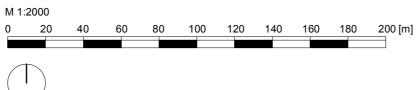
Plan 5 - 643-P-101 Ground Floor Plan

Plan 6 - 643-P-102 First Floor Plan

Plan 7 - 643-P-111 Elevations

Plan 8 - 643-P-121 Section





Site Coordinates

REV DESCRIPTION BY DATE



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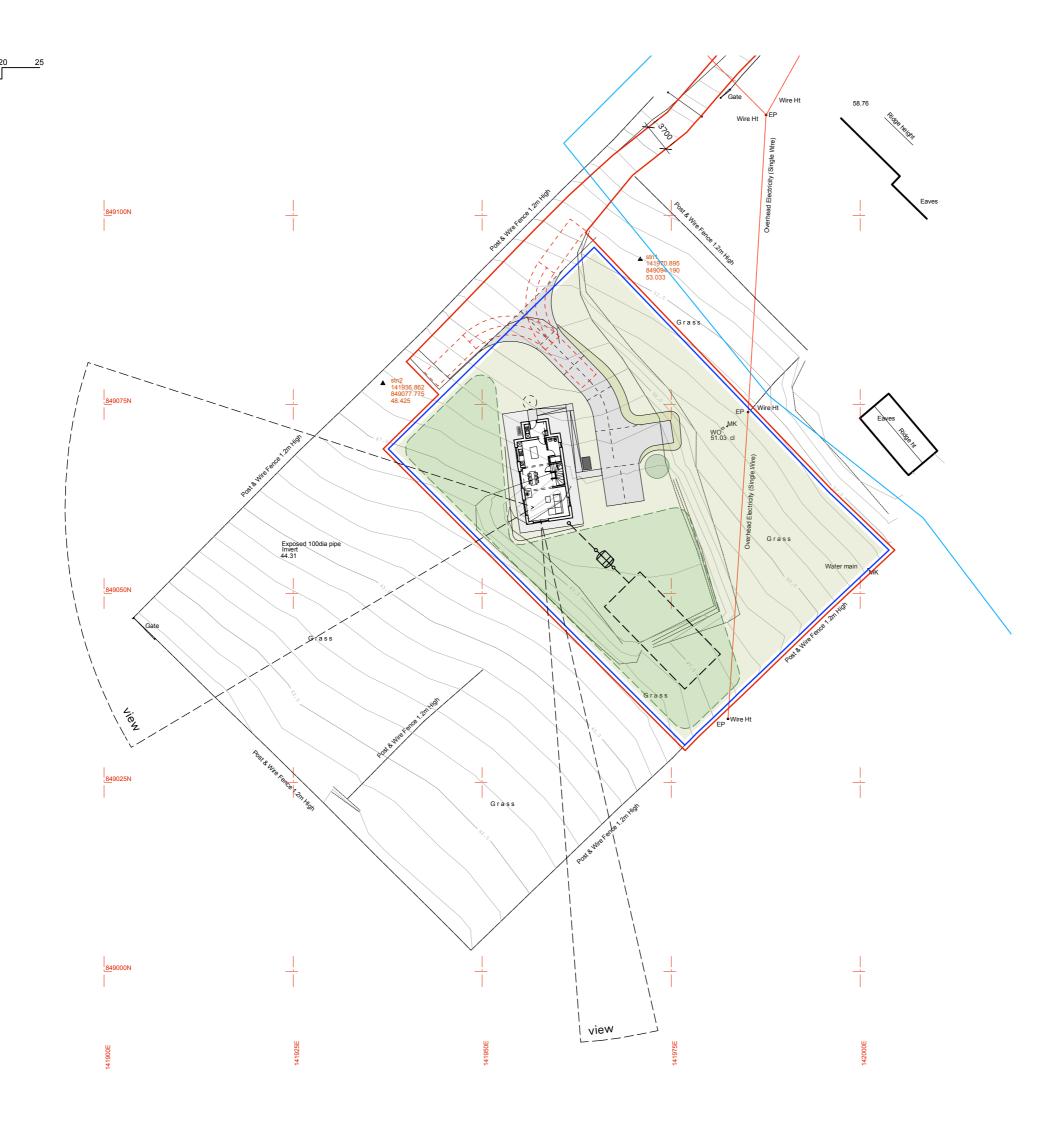
Project: Proposed RE2 at Tote (Portree)

Client: Bell

Drawing: Location Plan

Scale:	Drawn:	Checked:
1:2000 @ A3	SM	MM
Status: Planning	Date: July 2025	

Drawing No: 643-p-001



1. Do not scale from drawings, if in doubt seek clarification

Site Area

0.2ha or thereby (excluding access)

Access Track

100mm compacted gravel/whin dust or marble topping on 200mm compacted sub-base comprising locally found

material where possible Track to be 3.7m wide for fire appliance + treatment plant

de-sludging access

Bellmouth
Bellmouth to be formed in accordance with Highland Council SDB1 standard details.

Visibility Splays

Visibility splays assessed at 2.4m back from the edge of the road at the centreline of the access: 90m in both directions

Parking Bay
40mm gravel on 200mm compacted sub-base comprising

locally found material where possible

Water Supply 25mm supply pipe laid at a depth of 750-1350mm to connect to mains supply

Electricity Supply

16kva single phase underground connection to network subject to SSE quote

Foul Drainage
To treatment tank & ground soakaway, to engineer's design

Rainwater Surface water to ground soakaway, to engineer's design

Vehicle Access Route

Provided to within 45m of the entrance door.

In order to allow unobstructed access to a building for fire and rescue service personnel, a paved (or equivalent) footpath at least 900mm wide should be provided to the principal entrance, or entrances, of a building.

Every elevation which is provided with vehicle or pedestrian access for fire and rescue service personnel, should have a door giving access to the interior of the building.

Bin Storage

Hardstanding for 3no. bins located at bellmouth

Landscaping

Excavated topsoil to be stockpiled then loosened, aereated and evenly spread across regraded areas

Biodiversity Enhancement

The open nature of the site is such that extensive tree / bush planting is considered inappropriate. Instead, a rowan tree will be planted to the rear of the house reminiscent of the single rowan that was traditionally planted adjacent to a croft house to ward off witches. The areas of remodelled landscaping to the east, south, and west of the site will be planted with 'Highland Grassland Mix (SCM9)' by Scotia Seeds, or similar, comprising 20% wildflowers and 80% grasses and rushes. The inclusion of moorland species (e.g. heather, sheep's sorrel) is excellent for slightly damp locations. The good balance of flowers and grasses encourages pollinators and wildflower diversity.

Solar PV South-west-facing roof-mounted array

REV	DESCRIPTION	BY	Ī	DATE



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Project: Proposed RE2 at Tote (Portree)

Drawing: Site Plan - As Proposed

Scale:	Drawn:	Checked:
1:500 @ A3	SM	MM
Status: Planning	Date: July 2025	

Drawing No: 643-p-004



1. Do not scale from drawings, if in doubt seek clarification

Site Area

0.2ha or thereby (excluding access)

Access Track

100mm compacted gravel/whin dust or marble topping on 200mm compacted sub-base comprising locally found

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Solar PV South-west-facing roof-mounted array

REV DESCRIPTION	- 1	BY	1	DATE



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Project: Proposed RE2 at Tote (Portree)

Client: Bell

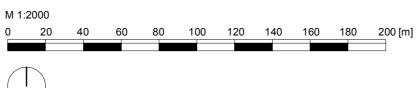
Drawing: Site Plan - As Proposed Detail

Scale:	Drawn:	Checked:
1:250 @ A3	SM	MM
Status: Planning	Date: July 2025	

Drawing No:

643-p-005





Visibility splay

Visibility splay assessed at 2.4m back from the edge of the road at the centreline of the access:

90m in both directions





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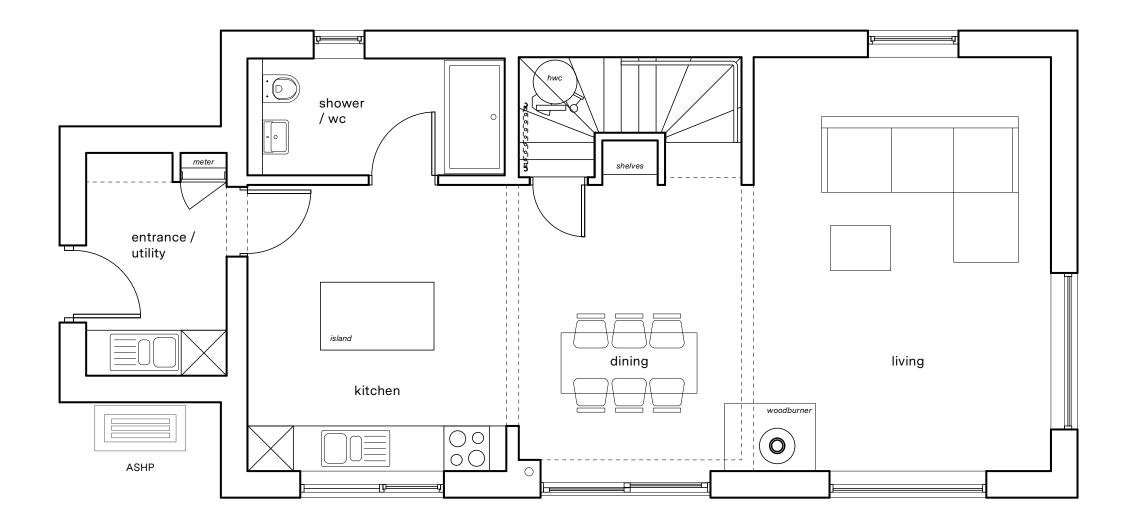
Project: Proposed RE2 at Tote (Portree)

Client: Bell

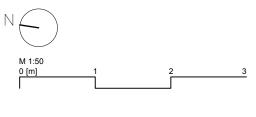
Drawing: Visibility Splay

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1:2000 @ A3	SM	MM
Status: Planning	Date: Jul 2025	

Drawing No: 643-p-006



FLOOR AREA = 64.3 sqm







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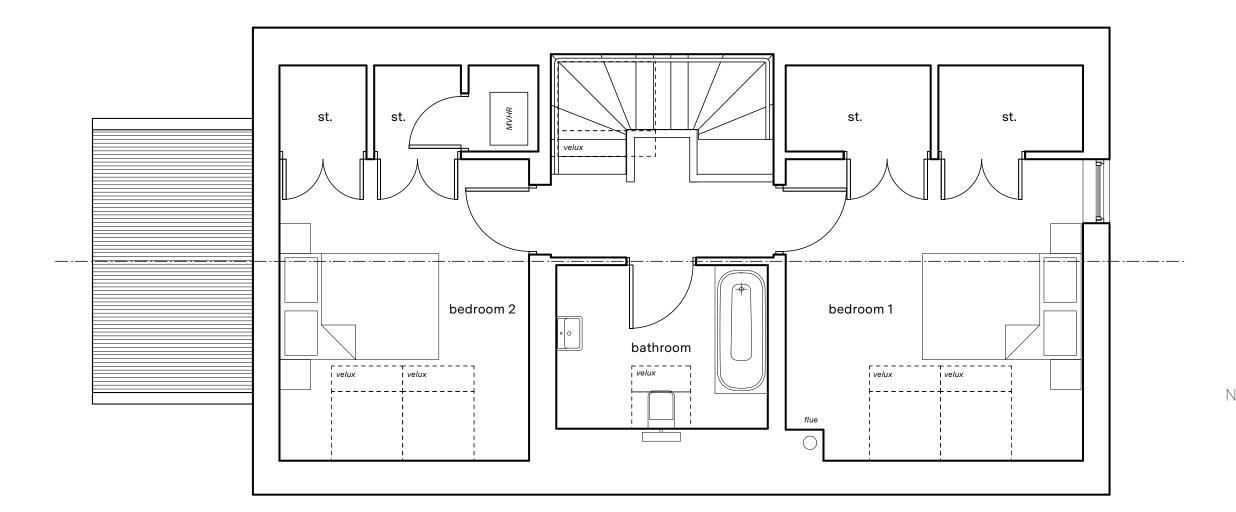
Project: Proposed RE2 at Tote, Portree

Client: Neil + Deborah Bell

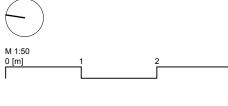
Drawing: Proposed Ground Floor Plan

Scale:	Drawn:	Checked:
1:50 @ A3	SM	MM
Status: Planning	Date: Jul 2025	

Drawing No: 643-P-101



FLOOR AREA = 50.7 sqm





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Project: Proposed RE2 at Tote, Portree

Client: Neil + Deborah Bell

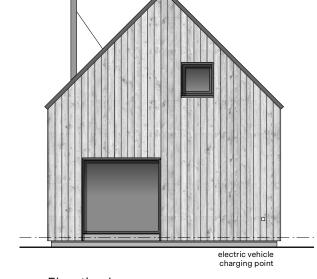
REV DESCRIPTION

Drawing: Proposed First Floor Plan

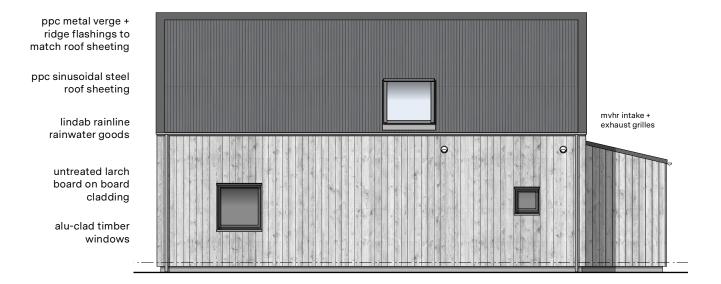
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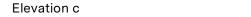
Drawing No: 643-P-102 Elevation a

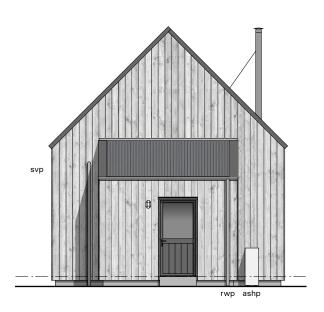




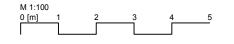
Elevation b







Elevation d



NOTES:

1. Do not scale from drawings, if in doubt seek clarification from architect.

FLOOR AREA = 50.7 sqm

REV DESCRIPTION BY DATE



6A Drynoch, Crossal, Isle of Skye, IV47 8SP tel 01478 612 899 studio@ruralhouse.net © rural house Itd

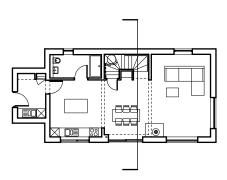
Project: Proposed RE2 at Tote, Portree

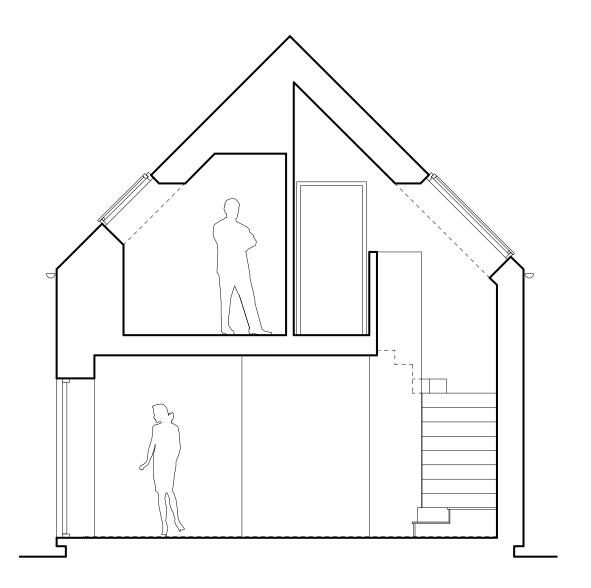
Client: Neil + Deborah Bell

Drawing: Proposed Elevations

Scale:	Drawn:	Checked:
1:100 @ A3	SM	MM
Status: Planning	Date: Jul 2025	

Drawing No: **643-P-111**







REV DESCRIPTION BY DATE



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Project: Proposed RE2 at Tote, Portree

Client: Neil + Deborah Bell

Drawing: Proposed Section

Scale:	Drawn:	Checked:
1:50 @ A3	SM	MM
Status: Planning	Date: Jul 2025	REV:

Drawing No: 643-P-121