

Item: 5.2

Planning Committee: 20 May 2020.

Erect House, with Air Source Heat Pump and Integral Garage, and Convert Redundant Building to House with Air Source Heat Pump (Two for One).

Report by Executive Director of Development and Infrastructure.

1. Summary

1.1.

It is proposed to convert and extend a redundant building, and erect a new house adjacent on a replacement house basis, at Windwick (Land Near), South Ronaldsay. The existing building is redundant and retains sufficient historic and architectural merit to justify a new dwelling on the adjacent site. As such, the principle of the development as a 'two for one' is acceptable. The overall development is considered acceptable in scale, design and layout. One objection has been received on the grounds of scale, drainage issues and residential amenity. The objections are considered of insufficient weight to merit refusal. The proposed development accords with policies 1, 2, 5, 9, 13 and 14 of the Orkney Local Development Plan 2017 and Supplementary Guidance 'Housing in the Countryside' (March 2017). Accordingly, the application is recommended for approval.

Application Number:	20/046/PP.
Application Type:	Planning Permission.
Proposal:	Erect a house with an air source heat pump and integral garage, and convert a redundant building to a house with an air source heat pump (two for one)
Applicant:	Mr Kevin Tait and Ms Saffron Macivor, 9 Soulisquoy Place, Kirkwall, Orkney, KW15 1TJ
Agent:	Cindy Mackenzie, Braeside, Ontoft Road, St Margaret's Hope, Orkney, KW17 2TL

1.2.

All application documents (including plans, consultation responses and representations) are available for members to view at the following website address:

https://www.orkney.gov.uk/Service-Directory/D/application_search_submission.htm
(then enter the application number given above).

2. Consultations

Consultees have not objected or raised any issues which cannot be addressed by planning conditions.

3. Representations

3.1.

The objection has been received from:

- Colin Smith, South Windwick Farm, Windwick, St Margaret's Hope, KW17 2RN.

3.2.

The objection is based on the following matters, which have been considered in the assessment of the proposal:

- Scale.
- Drainage issues.
- Residential amenity.

3.3.

Other issues were raised that are not material planning considerations and therefore cannot be taken into consideration, including the condition of a bridge forming part of the public road.

4. Relevant Planning History

None.

5. Relevant Planning Policy and Guidance

The full text of the Orkney Local Development Plan 2017 and supplementary guidance can be read on the Council website at:

<https://www.orkney.gov.uk/Service-Directory/D/Planning-Policies-and-Guidance.htm>

The following policies are relevant to this application.

- Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 5 – Housing.
 - Policy 9 – Natural Heritage and Landscape.
 - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
 - Policy 14 – Transport, Travel and Road Network Infrastructure.

- Supplementary Guidance and Planning Policy Advice 2017:
 - Supplementary Guidance: Housing in the Countryside.

6. Legal Aspects

6.1.

Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended (the Act) states, “Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise...to be made in accordance with that plan ...”

6.2.

Where a decision to refuse an application is made, the applicant may appeal under section 47 of the Act. Scottish Ministers are empowered to make an award of expenses on appeal where one party's conduct is deemed to be unreasonable. Examples of such unreasonable conduct are given in Circular 6/1990 and include:

- Failing to give complete, precise and relevant reasons for refusal of an application.
- Reaching a decision without reasonable planning grounds for doing so.
- Not taking into account material considerations.
- Refusing an application because of local opposition, where that opposition is not founded upon valid planning grounds.

6.3.

An award of expenses may be substantial where an appeal is conducted either by way of written submissions or a local inquiry.

7. Assessment

7.1. Principle

The existing group of disused farm structures includes a large traditional stone building, with modern additions. The proposal to remove the later additions and convert the stone building would ensure retention of sufficient historic and architectural merit, preserve rural heritage and make a positive contribution to the countryside. As such, the development accords with Policy 5E(iii), as justification for a new dwelling on the adjacent site.

7.2. Location and Siting

7.2.1.

The site is situated in a relatively secluded grouping past Windwick Bay, as indicated in the Site Plan attached as Appendix 1. Although the site itself is slightly raised in relation to its immediate neighbours, the topography is generally low-lying. The new dwelling would be sited and viewed adjacent to the existing building, therefore not isolated in a wider landscape context.

7.2.2.

The site has no natural heritage or Local Nature Conservation Site designations. It is in proximity to the Coastal Zone and adjacent to the South Ronaldsay East Coast Core Path. However, it is considered that the development would not adversely impact on the character of the coast nor have any impact on the Core Path network.

7.3. Design

7.3.1.

In cases where a two for one is proposed (thereby proposing two houses rather than the single house that would comprise a 'one for one' application), there requires to be a level of safeguarding or improvement to the converted historic building in order to justify the new dwelling. In this case, the proposal to remove the later additions and convert the stone building would achieve this. This is a change to the initial submission which involved significant loss in original fabric, amended through negotiation.

7.3.2.

The proposed works to the existing building would retain and reveal historic fabric. The stonework would be exposed, providing a link to other traditional buildings in the vicinity, the original slates reused, and the existing openings utilised. Additions required to make it suitable as a house would be kept to a minimum, including feature rooflights and two windows in the north-east elevation. The corrugated roof would be replaced with a modern equivalent of metal and match the existing ridge height of the slate. Where the adjoining later addition would be removed on the north-west elevation, a high-quality modern timber-clad extension would be constructed. This would be at a compatible scale and appropriately differentiate old from new. Overall, the works to the existing building are considered acceptable and offer an overall visual improvement to the area. The sensitive retention of the original character and historic fabric of the building is sufficient to justify the principle of the new build.

7.3.3.

The design of the new house is acceptable and would be approximately only 45 square metres of additional floor area relative to the buildings being demolished. The design is modern, with the massing split into two forms, one single storey and the other one and half storey, angled just off perpendicular and connected by a small flat roof section. The scale of both forms would be appropriate, and the roof pitch and depth of plan relate to nearby houses, resulting in proportions which are appropriate in its setting. The proposed modern materials are acceptable considering the modern nature of building and would be controlled by planning condition. Overall, the design accords with the basic design terms of Supplementary Guidance 'Housing in the Countryside', while taking account of the housing in the surrounding area of Windwick.

7.4. Residential Amenity

7.4.1.

The layout and design of both houses in relation to the surrounding properties would adequately protect residential amenity. Noise would be controlled through conditioning of hours of work and noise from the air source heat pumps.

7.4.2.

Concern has been raised by an objector regarding potential overlooking from the new dwelling, given the glazed north facing gable. However, the orientation of the glazed form is directly between the two properties of Windwick and South Windwick, with a separation distance of 70 metres and 46 metres respectively to the dwellings, and over 40 metres to their boundaries. These distances are sufficient to protect the residential amenity of the area.

7.5. Drainage

7.5.1.

In the absence of public drainage, it is proposed to install private drainage systems for both foul and surface water. The extent of the site area is adequate to provide an appropriate solution for both drainage requirements. In consideration of foul drainage, biodiscs and reed bed soakaways are proposed, with an outfall to the existing burn. This element of the development has been subject to additional consultation with SEPA, beyond their usual standing advice; no objection was raised, noting that this type of sewage treatment system is welcomed and should have little effect upon the existing watercourse. The private waste water drainage system would also require prior authorisation from SEPA under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) (as amended).

7.5.2.

The natural filtration process used in conjunction with a biodisc treatment system would further enhance the quality of the outfall, which is considered to pose no risk of detrimental effect to the natural environment.

7.6. Parking and Road Safety

7.6.1.

The development would utilise a shared access and parking area. Roads Services has no objection to the proposal subject to the access being constructed to an adoptable standard and the formation of a passing place. Although outwith land in the applicant's ownership or control, it is appropriate procedurally to condition the construction of a passing place within the road verge.

7.6.2.

It has been noted by the objector that there is a crack in one of the small bridges on route to the proposed site. This is outwith the control of the applicant and is not a material planning consideration. Roads Services has not highlighted this in its consultation response.

8. Conclusion and Recommendation

The collective design, scale and siting of the proposed development would integrate well with both the immediate context and wider landscape, with materials and finishes considered acceptable. Both buildings would be sited at an adequate distance from other dwellings, and with suitable orientation, to maintain privacy and residential amenity. The objection is of insufficient weight to warrant refusal. The proposed development would accord with Policies 1, 2, 5, 9, 13 and 14 of the Orkney Local Development Plan 2017 and Supplementary Guidance 'Housing in the Countryside'. Accordingly, the development is **recommended for approval**, subject to the conditions attached in Appendix 2.

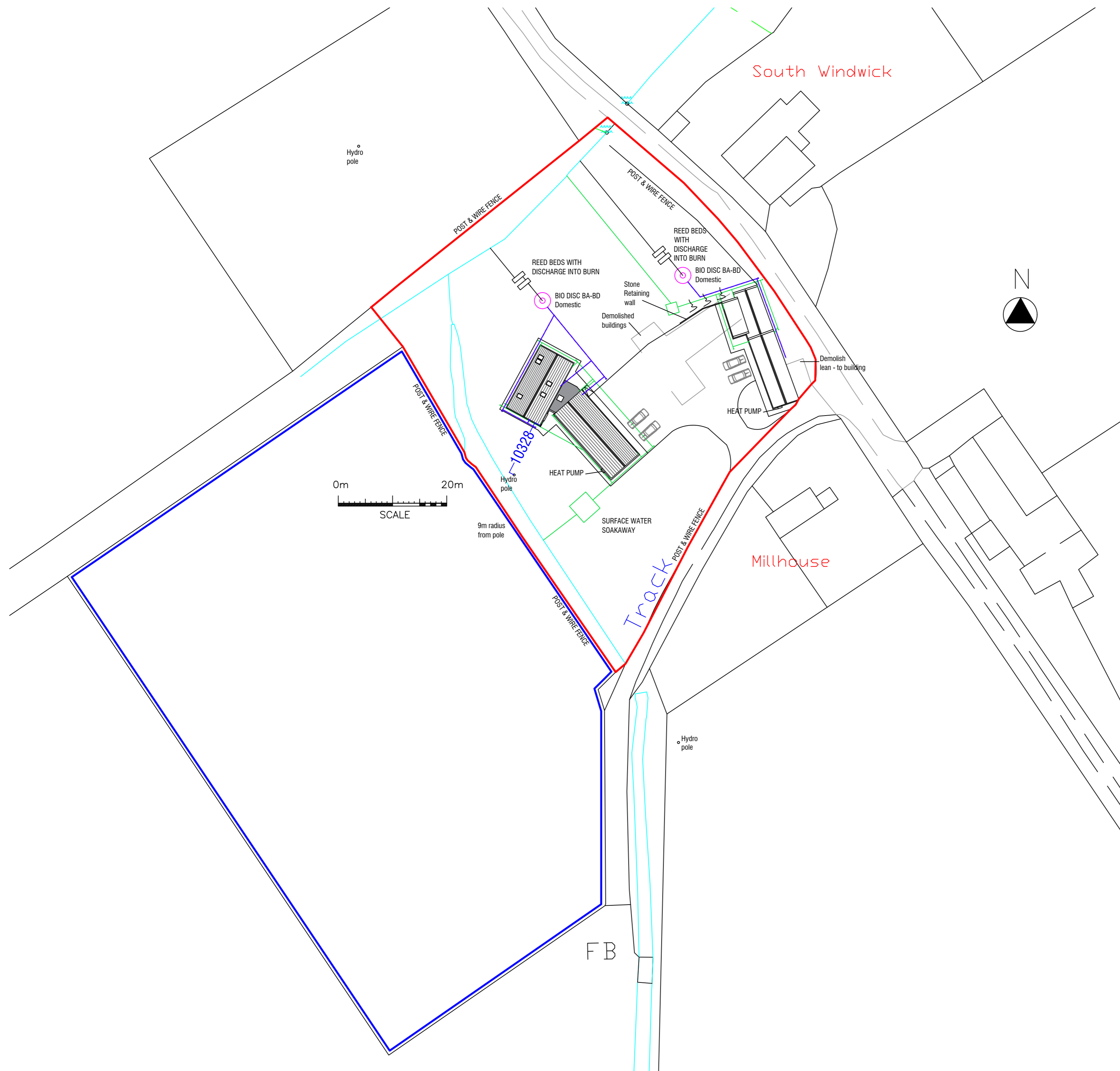
9. Contact Officer

Dean Campbell, Graduate Planner / Planning Technician, extension 2528, Email dean.campbell@orkney.gov.uk

10. Appendices

- Appendix 1: Site Plan.
- Appendix 2: Planning Conditions.

This drawing is copyright of Cindy Mackenzie Architectural Services and may not be reproduced without permission. To be read in conjunction with specification and all relevant drawings. Contractor to check dimension on site. Do not scale from drawing.



B: Revised for planning

A: Revised for planning

cindy mackenzie Bsc(Hons) architectural services Braeside St. Margaret's Hope Orkney KW17 2TL Tel: 01856 831717 Mob: 07719864957 email: cindy.mackenzie@talktalk.net	CLIENT : KEVIN TAIT & SAFFRON MACIVOR		
	PROJECT: PROPOSED NEW BUILD DWELLING AND CONVERSION OF STEADING BUILDING WINDWICK, SO. PARISH, SOUTH RONALDSAY, ORKNEY		
DRAWING: PROPOSED SITE PLAN			
SCALE : 1:500	A2		
JULY 2019	002	rev	B

Appendix 2.

01. A new passing place shall be constructed on the Windwick Road. No development shall commence until the location and details of the passing place have been submitted to, and agreed in writing by, the Planning Authority, in conjunction with Roads Services. Thereafter, and prior to any development within the approved site, that passing place shall be completed fully in accordance with approved details.

Reason: In the interest of road safety.

02. The junction of the access hereby approved with the public road shall be constructed to the Council's Roads Services standard drawing 'SD-01 Typical Access for Single Development (2 to 4 houses)', attached to and forming part of this decision notice, including dimensions, road construction, any pipe required, and verge or footway. The access shall be constructed and completed wholly in accordance with these details prior to first occupation of the development hereby approved, and thereafter shall be retained in accordance with these details throughout the lifetime of the development, unless otherwise agreed, in writing, by the Planning Authority.

Any damage caused to the existing road infrastructure during construction of the development shall be repaired prior to first occupation of the development, to the satisfaction of the Planning Authority, in conjunction with Roads Services.

Reason: In the interests of road safety.

03. Prior to the commencement of any construction within the application site hereby approved, the existing buildings, indicated to be demolished on the approved plan, shall be entirely demolished and any material resulting from demolition not required in the construction of the approved development shall be removed from site and disposed of in a licensed waste disposal facility or used for purposes for which planning permission is either not needed or has been granted.

Reason: To protect the appearance of the area and as the demolition of the building is required as part of the overall development.

04. Prior to commencement of development of the new house hereby approved, the existing historic building subject to conversion shall be retained and made fully wind and watertight in accordance with the approved details on drawing OIC-04(3). Thereafter, the building shall be retained in the wind and watertight condition throughout the lifetime of the development.

Reason: To ensure the retention and protection of the building of historic merit and to comply with the requirements of Orkney Local Development Plan 2017 policy 5E and Supplementary Guidance 'Housing in the Countryside'.

05. For the avoidance of doubt, the mortar used for the wet harl and re-pointing of the stone walls of the existing building shall be a traditional lime mortar mix only, with no cement. The lime pointing shall also match the existing flush finish.

Reason: For visual amenity and to protect the historic fabric of the building.

06. No building or structure within the application site hereby approved shall be constructed on land raised above its original level, and all foundations shall be excavated into and not built on top of any slope. No underbuilding to compensate for any gradient is permitted.

Reason: To ensure that underbuilding is kept to a minimum and that the development is sensitive to, and compatible with, its immediate and wider context.

07. Total noise from the Air Source Heat Pump(s) installed shall not exceed NR25 within any residential property outwith the development, where NR25 is the Noise Rating Curve at 25 (noise measurements to be made with a window of any residential property outwith the development open no more than 50 mm).

Reason: To protect any nearby residents from excessive noise disturbance from the air source heat pumps.

08. Throughout the lifetime of the development hereby approved, surface water must be treated in accordance with the principles of Sustainable Urban Drainage Systems (SUDS) and be compliant with the guidance set out in CIRIA's SuDS Manual C753. The requisite surface water drainage shall be operational prior to the development being brought into use and shall be maintained as such thereafter.

All surface water shall be contained within the development site and there shall be no surface water drainage run-off onto the road or adjacent land.

Further information on SUDs may be found on SEPA's website at: www.sepa.org.uk and http://www.susdrain.org/resources/SuDS_Manual.html.

Reason: To ensure the provision of an adequate surface water drainage system and to accord with Policy 13B – Sustainable Drainage Systems (SuDS) of Orkney Local Development Plan 2017, Scottish Planning Policy – Managing Flood Risk and Drainage and in the interests of road safety.

09. Hours of work during the construction of the development hereby approved, involving the use of machinery and powered tools, or any other operation, for example hammering, that would generate noise audible beyond the boundary of the site, shall be restricted to 07:30 to 18:00 on Mondays to Fridays, 08:00 to 13:00 on Saturdays and not at all on Sundays, Christmas or New Year Public Holidays, unless otherwise agreed, in writing, with the Planning Authority.

Throughout the construction phase of the development there shall be no burning of waste material on site.

Reason: In the interest of residential amenity of the area and in order to reduce any possible nuisance arising to nearby residents during the construction of this development.