

Item: 3.4

Planning Committee: 30 October 2019.

Erect House with Air Source Heat Pump and Outbuilding at Breckan (Land Near), Rousay.

Report by Executive Director of Development and Infrastructure.

1. Summary

1.1.

It is proposed to erect a new house on an isolated site near Breckan, Rousay. The house would be two storeys, with an attic room and outbuilding, and contemporary detailing including grey metal sheet cladding to walls and roof. One letter of objection has been received on grounds of design and landscape impact. The proposed development is considered to comply with Policies 1, 2 and 15C of the Orkney Local Development Plan 2017. Accordingly, the application is recommended for approval.

Application Number:	19/318/PP.
Application Type:	Planning Permission.
Proposal:	Erect house with an air source heat pump and an outbuilding.
Applicant:	Mr Colin Lamond Hamarfiold, Rousay, KW17 2PS.

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.

One objection has been received from:

- Mrs Shelagh Grieve, Furse, Wasbister, Rousay, KW17 2PS.

3.2.

The objection is on the grounds of design and impact on the landscape.

4. Relevant Planning History

4.1.

Reference.	Proposal.	Location.	Decision.	Date.
98/109/PPF	Conversion of a barn to a dwellinghouse.	Hamarfield, Rousay.	Approve.	27.05.98.
99/179/PPF.	Extension to a dwelling.	Hamarfield, Rousay.	Approve.	21.06.99.
18/321/APN.	Erect a GP shed.	Hamarfield, Rousay.	No objection.	18.09.18.
18/461/PP.	Change of use of land from agricultural to domestic and extend a house.	Hamarfield, Rousay.	Refuse.	16.01.19.
19/059/PP.	Change of use of land from agricultural to domestic and extend a house (resubmission of 18/461/PP).	Hamarfield, Rousay.	Approve.	18.04.19.
19/209/APN.	Erect a GP shed.	Hamarfield, Rousay.	No objections.	15.06.19.

4.2.

The planning history of the area is extensive, all within the same agricultural unit. The existing dwelling was created in 1998 and extended in 1999. More recently, two relatively large agricultural sheds have been processed, both as prior notifications. Both have permission with dark grey profiled sheeting on walls and roof.

4.3.

Application 18/461/PP for a large extension to the existing house was submitted in August 2018 but was refused on design grounds. That extension was of a similar scale to the new house now proposed. Critically the scale of the building was not the reason for refusal, which was as follows: "The relevant policies do not set a maximum size for a house or extension, either in its own right or in relation to existing buildings. But generally, and naturally, the larger that a proposed development is, the more it will rely on clear consideration of setting and design...The orientation of the extension combines with its scale and detailing in such a way that the development is unacceptable...For an extension which contrasts so greatly with the original building in scale, form and orientation, thereby deliberately not seeking to reference and continue the architecture of the original building, it is expected that high quality contemporary design be used. That is not the case, thereby exacerbating the harm caused by the envelope of the extension."

4.4.

The extension was re-designed, a more contemporary approach taken in relation to openings and external materials, including cladding the exterior of the building with a profiled metal sheeting, in a colour to match the nearby approved agricultural buildings, and a ridge height of approximately 8.5 metres. The amended design was submitted in February 2019, application 19/059/PP, and subsequently approved. The reasoning stated, “The extension fenestration has been amended since the refused application, making use of a series of larger and more contemporary openings. To further the deliberate distinction [between the older buildings and the new development] the extension would be clad with a profiled sheeting, coloured dark grey...to help overall integration of the extension, a nearby, already approved, agricultural building will also be clad to match.”

4.5.

Site investigations were carried out in preparation for construction of the approved extension, which revealed prohibitive ground conditions including a spring. Therefore, the decision was made to take the design principles and general scale of the approved extension, and submit an application for a new, freestanding house on an adjacent site.

5. Relevant Planning Policy and Guidance

The full text of the Orkney Local Development Plan 2017 (OLDP 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 policies listed below are relevant to this application:

- Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 5C – The Isles Approach for Housing

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. Background

The application site is located up a private track, to the west of the Westside Road in Rousay, and north of the existing dwelling and shed at Upper Hamarfield, as shown in the location plan attached as Appendix 1 to this report. The site is in the same ownership as the surrounding agricultural holding. It is a relatively elevated site, with the land continuing to rise to the west.

7.2. Proposal

It is proposed to erect a two-storey house with an attic, and a single storey outbuilding adjacent, as shown in the drawings attached as Appendix 2 to this report. The house is designed on the contour at the bottom of a steep hill and would be partly dug into the sloping ground with no underbuilding. A site section has been submitted to demonstrate that. It would have a simple rectangular plan and a pitched roof, with the outbuilding mono-pitched. The house has a contemporary design, with a relatively simple pattern of openings and would be clad with dark grey profiled metal sheeting on the walls and roof to deliberately reference the cladding of existing and approved agricultural buildings nearby. There is a clear relation to the previously approved extension at the nearby dwelling. The house would be accessed via an existing access track.

7.3. Principle

Policy 5C notes “a presumption in favour of business and industrial development on the non- linked isles where it accords with 'The Isles Approach' set out within the Spatial Strategy”. The development of a new house is therefore acceptable in principle.

7.4. Design and Appearance

The house is large in scale, but as previously noted in relation to the extension approved nearby, being of that scale does not make it unacceptable, but requires greater scrutiny of design. The form is very simple, and the proportions are

appropriate – both the depth of plan and the pitch of the roof. The cladding is a recessive colour, with windows to match, which will help the building to fit into its backdrop. Importantly, there is a steep slope immediately behind the house, and the site section demonstrates that less than 40 metres to the rear backdrop of the site, the ground level rises higher than the proposed ridge height. The development is therefore considered to comply with Policy 1 ‘Criteria for All New Development’ and Policy 2 ‘Design’.

7.5. Residential Amenity

The property would be relatively isolated, with no effect of overlooking or overshadowing on any neighbouring property. Planning conditions would control air source heat pump noise and hours of construction. The development is considered to comply with Policy 1 ‘Criteria for All New Development’, part (iv).

7.6. Parking and Road Safety

Roads Services has requested a condition to require upgrading of the junction of the existing shared access road with the public road. Most of the access is a private track, not public road.

8. Conclusion and Recommendation

The principle of the development is acceptable. Although large in scale, the form, proportions and contemporary detailing are appropriate to allow the building to be adequately integrated into its setting. Residential amenity would be adequately protected. The development complies with Policies 1, 2 and 5C of the Orkney Local Development Plan 2017. Accordingly, the application is **recommended for approval**, subject to the conditions listed in Appendix 3.

9. Contact Officer

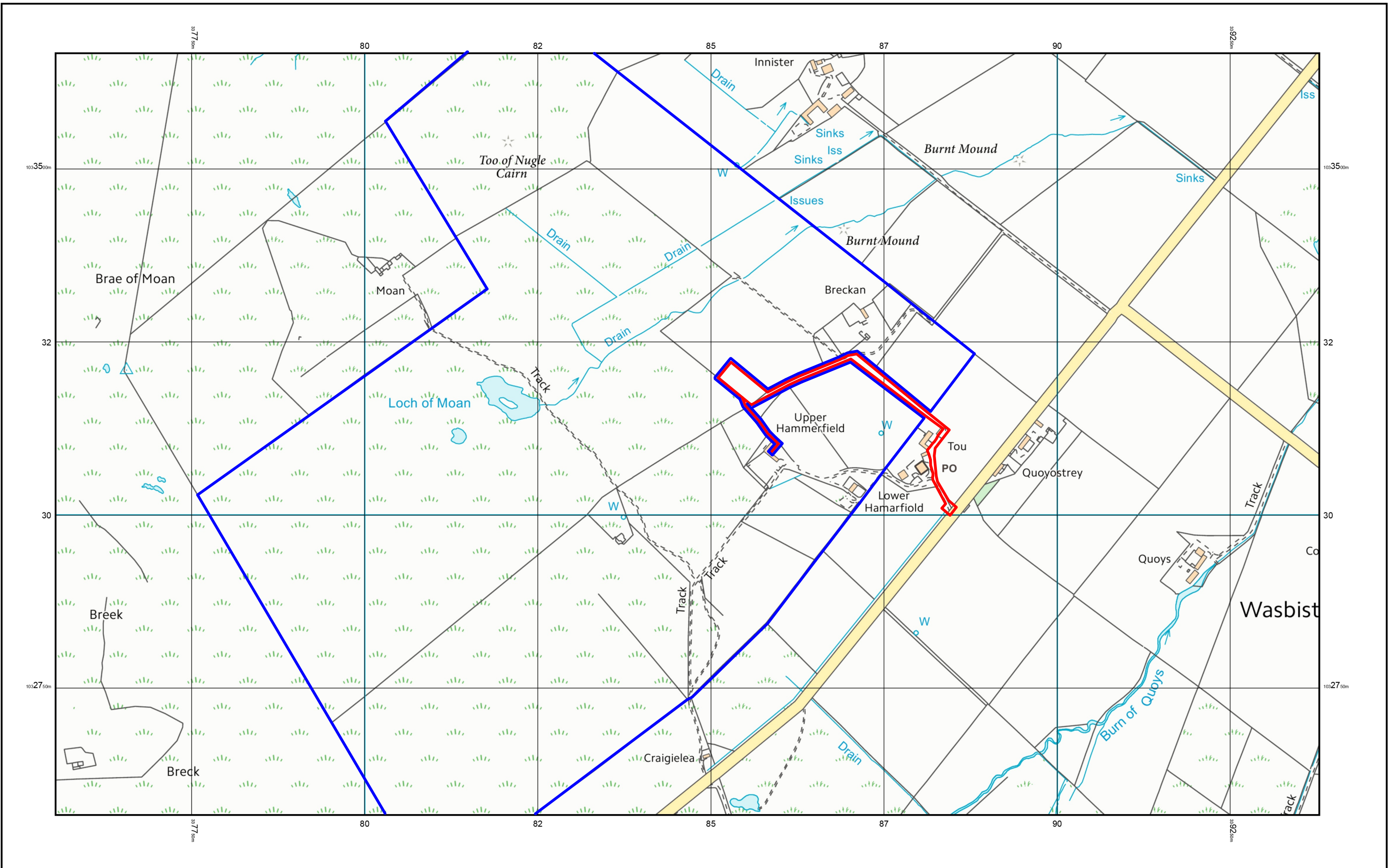
Jamie Macvie, Planning Manager, extension 2529, Email jamie.macvie@orkney.gov.uk

10. Appendices

Appendix 1: Location Plan.

Appendix 2: Elevations.

Appendix 3: Conditions.



250m

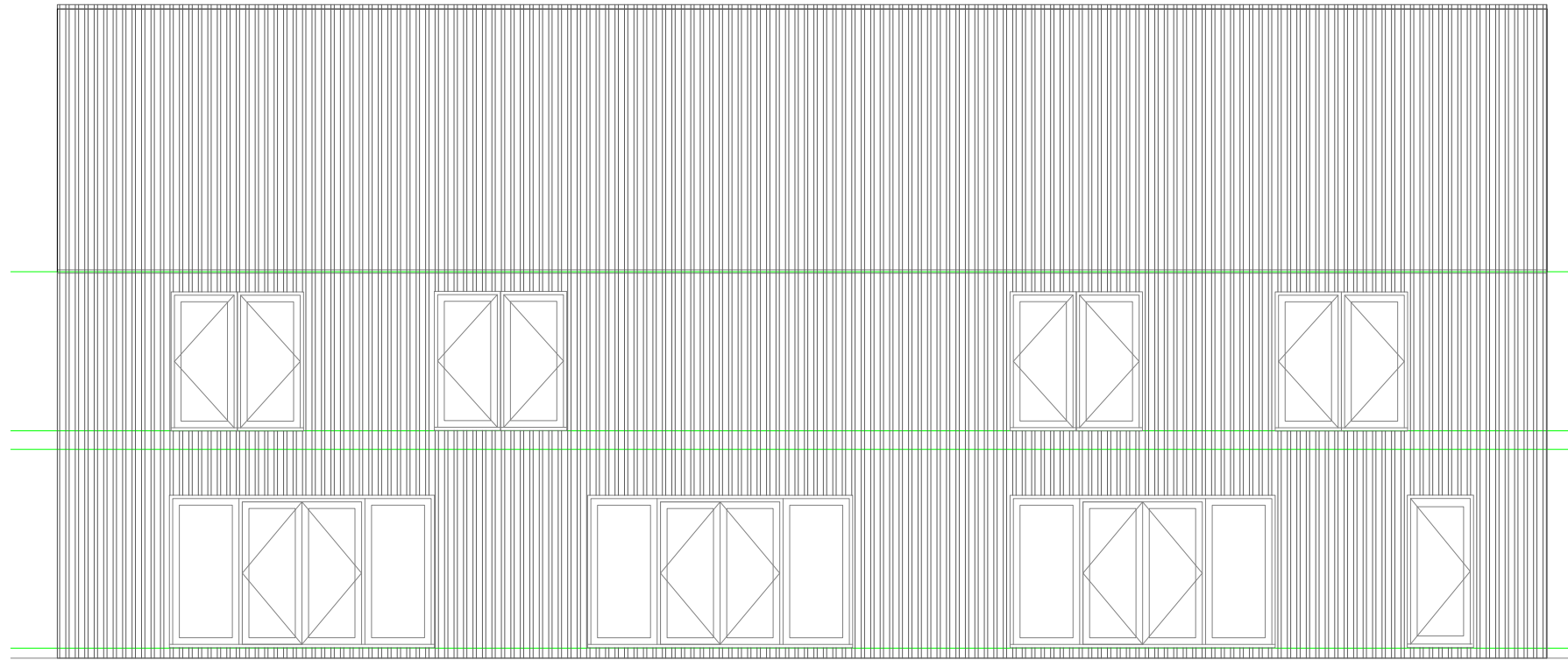
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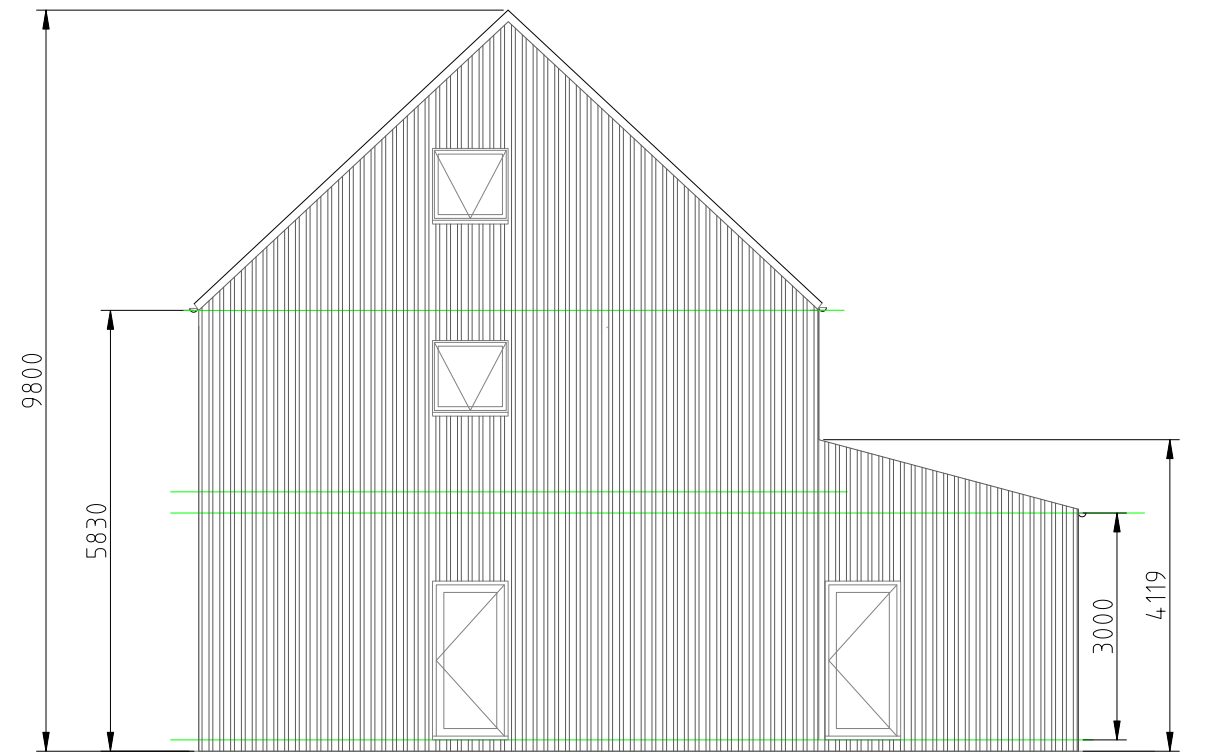
North

© Crown copyright and database rights 2018 Ordnance Survey 100048957. The representation of road, track or path is no evidence of a boundary or right of way. The representation of features as lines is no evidence of a property boundary.

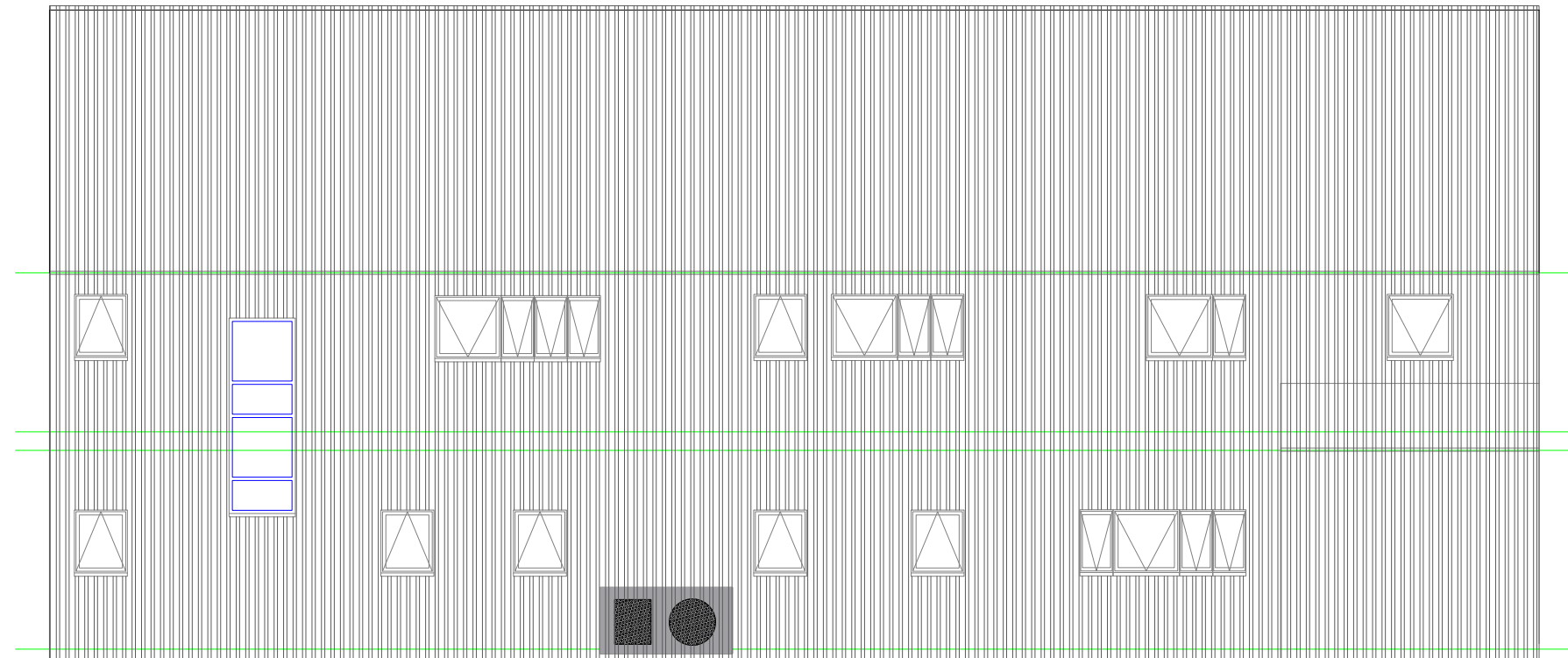
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Designed by	Checked by	Approved by - date	Filename	Date	Scale	
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					location plan	
					1:5000 @ A3	Edition Sheet



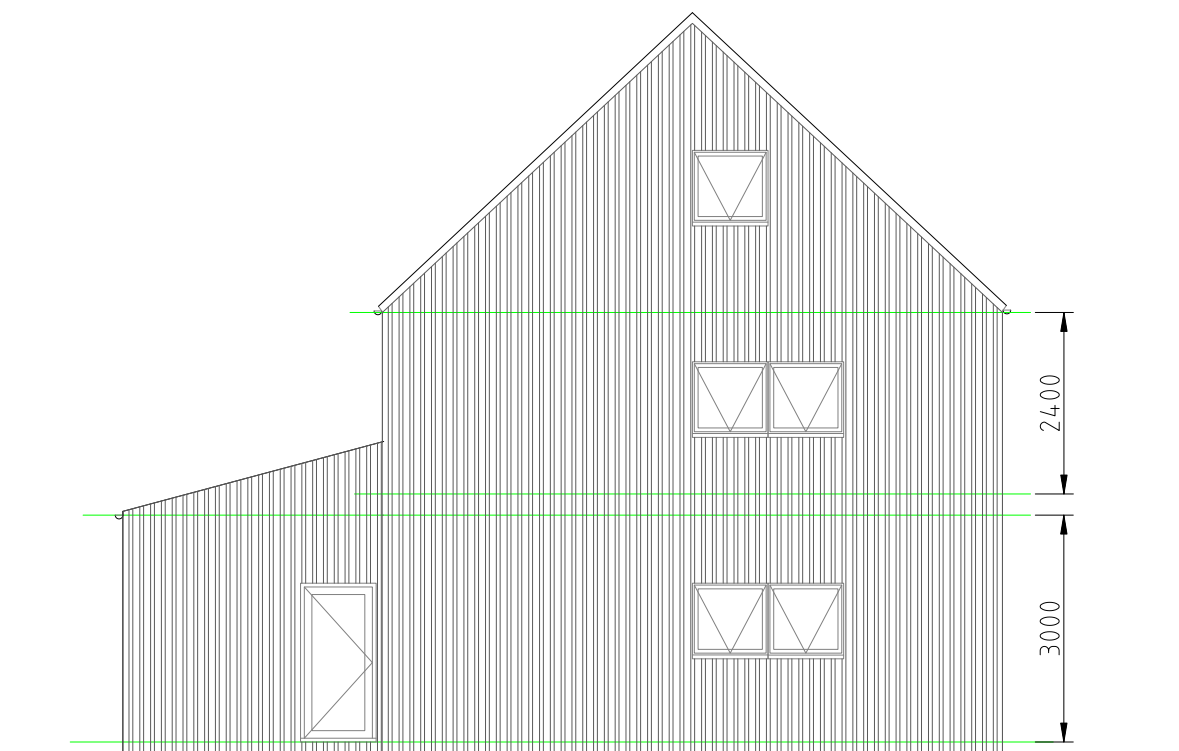
North East Elevation



North West Elevation

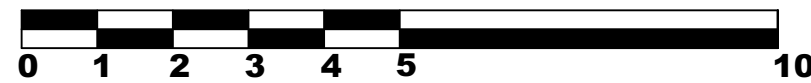


South West Elevation

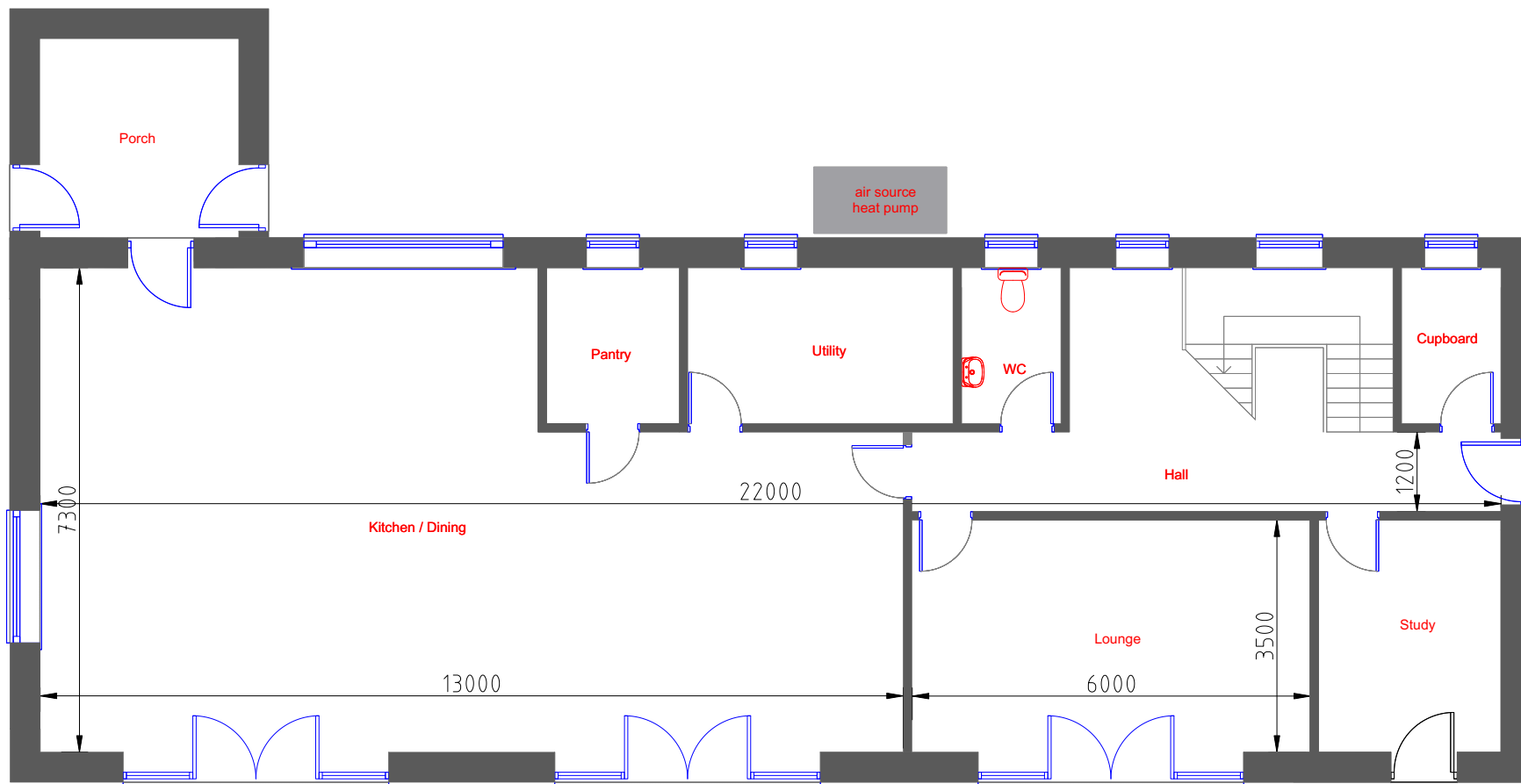


South East Elevation

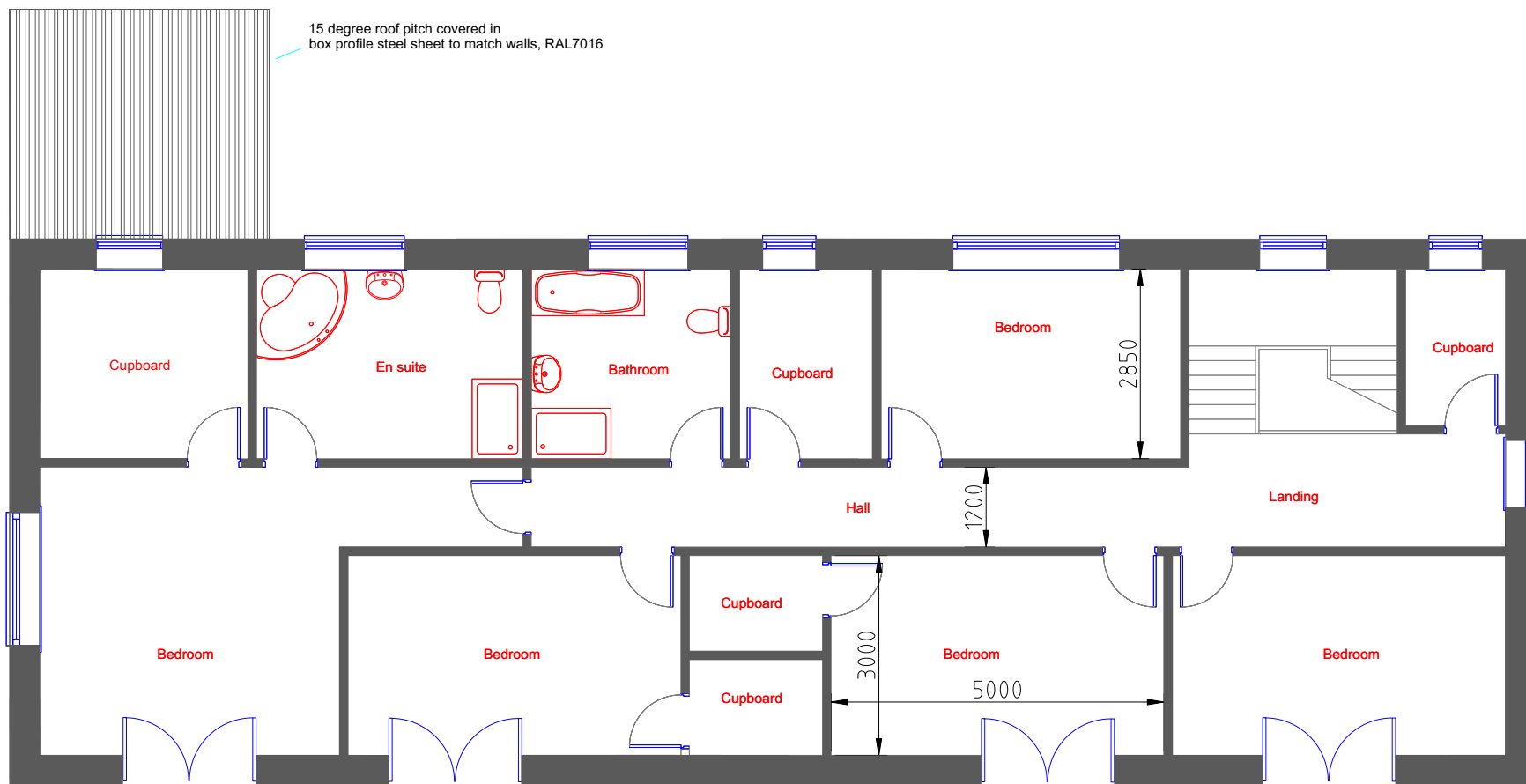
-> Wall and roof to be profile steel cladding, colour RAL 7016
 -> Windows aluclad to match steel cladding, colour RAL 7016



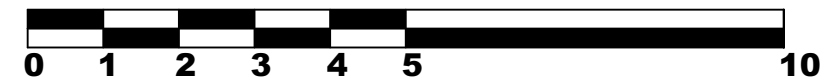
				New house Breckan	
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				03/10/2019	1:100
			house elevations		
			1:100 @ A3	Edition	Sheet



Ground Floor



First Floor



				New house Breckan	
Designed by	Checked by	Approved by - date	Filename	Date	Scale
				03/10/2019	1:100
				house floor plans	
				1:100 @ A3	Edition Sheet

Appendix 3.

01. Total noise from the air source heat pump 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.

02. The junction of the existing access road with the public road shall be upgraded to the Council's Roads Services standard 'SD-01 Typical Access for Single Development (2-4 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. Hours of work during any demolition or construction works related to 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 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.

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.