

**Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle**

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**Reference No:** 10/01128/PP

**Planning Hierarchy:** Local

**Applicant:** Mr Robert Brown

**Proposal:** Replacement of roof covering on barn (retrospective) and formation of entrance porch enclosure.

**Site Address:** Courtyard Cottage, Strathlachlan, Cairndow, Argyll.

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**DECISION ROUTE**

**(i) Local Government (Scotland) Act 1973**

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**(A) THE APPLICATION**

**(i) Development Requiring Express Planning Permission**

Replacement of roof covering on barn (retrospective)  
Formation of entrance porch enclosure.

**(ii) Other specified operations.**

Erection of 2 metre high deer fence.  
Installation of chimney flue.

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**(B) RECOMMENDATION:**

- a) Having due regard to the Development Plan and all other material considerations, it is recommended that planning permission be granted subject to the conditions and reasons set out in this report, subject to;
  - b) A discretionary local hearing being held under current arrangements pertaining to the holding of hearings, in view of the number of representations received; or
  - c) In the event of revised criteria based arrangements being adopted pertaining to the holding of hearings (report appears elsewhere on the agenda), that no discretionary local hearing be held, on the basis that the criteria prompting the need for a hearing are not satisfied in this case.
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**(C) HISTORY:**

Planning permission 99/01273/COU granted on 21<sup>st</sup> September 1999 for the use of building as a separate dwellinghouse at Letter Farm Strathlachlan. This planning permission was duly implemented and the converted building is now known as Courtyard Cottage.

Complaint received (ref: 10/00204/ENOTH2) on 8<sup>th</sup> June 2010 regarding alleged unauthorised roof works to the barn building at Courtyard Cottage.

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**(D) CONSULTATIONS:**

Strachur District Community Council (letter dated 16<sup>th</sup> September 2010): No comment.

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**(E) PUBLICITY:**

Neighbour notification and public advertisement (expired 3<sup>rd</sup> September 2010).

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**(F) REPRESENTATIONS:**

34 letters of representation have been received.

**(i) Representations received from:**

Objection has been received from the following:

- John Tidbury (letters dated 11<sup>th</sup> August 2010 & 13<sup>th</sup> September 2010), Letters Farm House, Strathlachlan, Argyll, PA27 8BZ.
- David Dutch & Claire Kinna (letters dated 30<sup>th</sup> August, 16<sup>th</sup> September 2010, and 29<sup>th</sup> September), Letters Lodge North, Strathlachlan.
- Frieda Bos (letter dated 30<sup>th</sup> August 2010 & emails dated 6<sup>th</sup> & 14<sup>th</sup> September 2010), Letters Lodge South, Strathlachlan, Argyll, PA27 8BZ.
- Ms M Gerrie (email dated 1<sup>st</sup> September 2010)
- Michael McArthur (letter dated 1<sup>st</sup> September 2010), 5 Kyles of Bute Holiday Lodges, Kames, Tighnabraich, PA21 2BY.

Support has been received from the following:

- Cllr Ron Simon (email dated 23<sup>rd</sup> August 2010).
- G. J. Thomas & Mrs J. F. Thomas (letters dated 23<sup>rd</sup> August, 7<sup>th</sup> September & 18<sup>th</sup> September 2010), Kilkatrine, St Catherines, Argyll, PA25 8AZ.
- Charles Gordon Mather (letter dated 23<sup>rd</sup> August 2010) Clachan Bar, Strachur, Argyll, PA27 8DG.
- Crawford & Heather Grier (letter dated 23<sup>rd</sup> August 2010), Poll Schoolhouse, St Catherines, Cairndow, PA25 8AZ.
- H. Moffat (letter dated 23<sup>rd</sup> August 200), No 6 Swedish houses, Glenbranter.
- Owner/Occupier (letter dated 23<sup>rd</sup> August 2010), Strone Farm, Strathlachlan, Cairndow, PA27 8DB.
- Alex Tickell (letters dated 23<sup>rd</sup> August 2010 & 2<sup>nd</sup> September 2010), Leanch, Strathlachlan, Strachur, Argyll.
- Alex McPhail (letter dated 23<sup>rd</sup> August 2010), The Birches, The Bay, Strachur, Argyll, PA23 8DE.

- Douglas MacPherson (letter dated 23<sup>rd</sup> August), 30 Forest View, Strachur, Cairndow, PA27.
- Owner/Occupier (letter dated 23<sup>rd</sup> August 2010), Strone Farm, Strathlachlan, Cairndow, PA27 8DB.
- Robert Somerville (letter dated 23<sup>rd</sup> August 2010, The Pines, St Catherines, Cairndow, PA25 8AZ.
- Mr & Mrs Speirs (letter dated 23<sup>rd</sup> August 2010), Cnoc Cottage, Leachd, Strathlachlan, Strachur, PA27 8DA.
- C. McPhail (letter dated 23<sup>rd</sup> August 2010), 14 Forest View, Strachur, Argyll, PA27 8DR.
- Gordon Neish (letter dated 23<sup>rd</sup> August 2010), 3 The Bay, Strachur, PA27 8DE.
- T. G. Black Post Mistress, Strachur P.O. (letter dated 23<sup>rd</sup> August 2010), Bay Cottage, The Bay, Strachur, Argyll, PA27 8DD.
- Mr I. W. Asher (letter dated 23<sup>rd</sup> August) Ardsealladh, 18 Baycrofts, Strachur, PA27 8BW.
- Fiona & Alan Clayton (letter dated 23<sup>rd</sup> August 2010), Westfield, Letters Way, Strachur, Argyll, PA27 8DP.
- Alexandra A. Wilson (letter dated 23<sup>rd</sup> August 2010), Mid village Croft, Newton, Strachur, Argyll.
- Brian Salisbury (letter dated 23<sup>rd</sup> August), 47 Forrest View, Strachur, PA27 8DQ.
- James Nolan (letter dated 23<sup>rd</sup> August 2010), Veyatie, The Bay, Strachur.
- C. R. Stevenson (letter dated 23<sup>rd</sup> August 2010), Hillside, Strachur, Argyll, PA27 8BY.
- Rachel, Alistair and Tommy McCuaig (letter dated 24<sup>th</sup> August 2010), Larchfield, Leanach, Strathlachlan, PA27 8DB.

**(ii) Summary of representations received:**

- i. The material used on the roof has no characteristics of any of the material removed prior to its installation.

*Comment: The development represents a material change of roof covering. Hence the need for planning permission and the submission of this retrospective planning application.*

- ii. The original roofing material was natural slate.

*Comment: The original roofing covering at the time the building was constructed would have been slate, but this was removed by the previous owners of the property and replaced by a mis-match of Scottish slate, corrugated PVC sheeting, profiled steel sheeting and clear plastic sheeting.*

- iii. The new roofing is completely different and intended for industrial usage.

*Comment: The new metal roof sheeting is different to the previous roof covering, hence the submission of this planning application. The use of metal roof sheeting is not alien to rural settings and non-industrial buildings. Examples of metal roof cladding being used in sympathetic conversions and refurbishments are detailed in the Council's approved Sustainable Design Guide (2006).*

- iv. My outlook now includes that of a characterless artificial roof that glaringly reflects the sun. The new roof covering causes significant glare and dazzle.

*Comment: See assessment below.*

- v. The new roof has a negative effect on the visual harmony of the surrounding complex of buildings. It has changed the character of the barn and all of the related neighbouring buildings.

*Comment: See assessment below.*

- vi. The entrance porch/extension will look directly into our living and bedroom windows.

*Comment: See assessment below.*

- vii. Pleased to see the south side of the barn with a new roof replacing the rusty corrugated sheets but disappointed the roofing sheets were also used at the courtyard side of the barn. This has changed the character of the courtyard as all the buildings had slated roofs.

*Comment: See assessment below.*

- viii. The new roof is totally at odds with the surroundings and does nothing to enhance the building which is visible from the A886 road.

*Comment: See assessment below.*

- ix. With the new guttering all the water from the roof drains through the one down pipe close and runs off towards my property.

*Comment: There has been no change to the existing drainage arrangements. The new guttering drains into existing down pipes upon both the north and south elevation of the barn.*

- x. The deer fence was erected after Mr. Brown submitted the planning application.

*Comment: The deer fence does not require planning permission by virtue of Class 7 of the 1992 General Permitted Development Scotland Order.*

- xi. Apart from the applicant there is 100% objection to this application from residents whose properties make up the rest of the courtyard complex.

*Comment: This application will be considered entirely on its own merits taking into consideration the views of all representations received.*

- xii. The new roof is a vast improvement on the rusting corrugated iron that was previously in situ. There are several examples of this solution in Cowal.

*Comment: See assessment below.*

- xiii. I wish to endorse the work already carried out to the barn as this property has laid in a deteriorating condition.

*Comment: See assessment below.*

- xiv. The new roof has made the building in line at Letters so much better when viewed from the southerly approach and is welcomed addition to the building stock in Strachur.

*Comment: See assessment below.*

- xv. The new roof blends in with the neighbouring buildings and landscape.

*Comment: See assessment below.*

- xvi. A condition attached to the grant of planning permission 99/01273/COU, which allowed the conversion of the barn building to a dwellinghouse where the applicant resides required opaque glazing to be fitted to the lower pane of six windows upon the front elevation of this property, in the interest of privacy and amenity. We request that this be taken into consideration when looking at the porch/extension element of the application.

*Comment: The proposed porch enclosure has been considered in terms of overlooking and privacy, see assessment below.*

- xvii. As above, these existing windows are fitted with clear glazing at present, in breach of planning permission 99/01273/COU, so we would appreciate if you could let us know when the obscure glass will be fitted.

*Comment: This matter will be the subject of a separate planning enforcement investigation and should not be considered as part of this application.*

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**(G) SUPPORTING INFORMATION**

**Has the application been the subject of:**

- (i) **Environmental Statement:** No
- (ii) **An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:** No
- (iii) **A design or design/access statement:** No
- (iv) **A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** No
- (v) **Applicants Supporting Information** summary of correspondence dated 2<sup>nd</sup>, 7<sup>th</sup> and 15<sup>th</sup> September 2010:

The roof project, apart from saving this redundant agricultural building from dereliction has employed a material whose colour and tone correspond to slate which could not be used for structural reasons. The building is and always has been non residential and is used for storage and garaging.

The material used on the roof is lightweight and classified as similar to approximately 75% of what existed and has been used in order to provide a maintenance free, look alike, solution to the ongoing and dangerous problem of a degenerating, high level, inclined plane.

The porch applied for is a porch, not a kitchen extension. There is no electrical supply to it nor space for even the smallest kitchen storage unit. The concept is for an area between our kitchen and the courtyard which will act as a lobby to help reduce the effect of the prevailing SW wind on our exposed kitchen door.

The aspect from the porch could be considered to be NW and SW but given that the entrance platform currently in use to access our kitchen would form the underbuilding for it, nothing will change to prevent the objectors' fears of being overlooked from the existing platform. Enclosing it in glass wouldn't change a thing in that respect. The vertical plane facing their building would not move any closer to them than the 12.5m it presently is. The proposed porch will have 5 sq.m of floor space, hardly a comfortable viewing platform particularly enclosed in glass on a sunny day. I have no idea what reducing it in size would achieve.

Objections assume that the roof on the courtyard elevation was completely covered with slate. This was not the case.

The roof prior to re-surfacing had CI rainwater gutters and downpipes. The gutters were in poor condition when the roof surface was removed and could not be re-used.(sample retained as evidence) The existing downpipes (north and south elevations) were retained and new deep-flo gutters fitted to both elevations of the barn and connected to them (photographs already supplied are proof of their existence). Both of these rain water downpipes were historically terminated at ground level with the rain water allowed to soak away. In order to prevent excess surface water lying on the courtyard, we installed new land drains around the barn and linked these to new vented drainage outflow pipes which were installed under the courtyard.

It should be noted that since the barn first existed, all rain water was allowed to soak away either onto the courtyard or onto the ground to the south of the barn. Between then and now the original r/w rone pipes have become damaged and were not doing what they were designed to do. This however did not mean that the rain water suddenly disappeared. It still ran to the lowest point on both sides of the barn where it was slowly absorbed into the ground. Some years ago I had new surface water drains installed under the courtyard exiting in our local burn.

Subsequent to that I had deep land drains installed round the east and south edges of the barn and linked to the existing courtyard drainage. This drainage can and is coping with the rainwater around the barn including in the courtyard.

Also submitted by the applicant are detailed photographs of the entire roof (before and after) and when viewed from the A886 from the north and south.

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**(H) PLANNING OBLIGATIONS**

**Is a Section 75 agreement required:** No

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**(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** No

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**(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application**

**(i) List of all Development Plan Policy considerations taken into account in assessment of the application.**

'Argyll and Bute Local Plan' 2009

LP ENV 10 – Impact on Areas of Panoramic Quality (APQs)  
LP ENV 19 – Development Setting, Layout and Design

- (ii) **List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.**

N/A.

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- (K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No**
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- (L) Has the application been the subject of statutory pre-application consultation (PAC): No**
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- (M) Has a sustainability check list been submitted: No**
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- (N) Does the Council have an interest in the site: No**
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- (O) Requirement for a hearing (PAN41 or other):**

Under current arrangements a Members are recommended to hold a discretionary local hearing in view of the number of representations received. In the event of revised criteria based arrangements being adopted pertaining to the holding of hearings (report appears elsewhere on the agenda) it is recommended that no discretionary local hearing be held, on the basis that the criteria prompting the need for a hearing are not satisfied in this case.

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- (P) Assessment and summary of determining issues and material considerations**

The determining issue, with the replacement roof covering, is the appropriateness of the material which has been used and its impact upon the character of the barn building, the wider cluster of neighbouring buildings and its wider landscape impact. These key considerations have generated a significant number of representations.

The replacement roof covering of the barn building is not considered to detract from the character of the barn building or the wider cluster of buildings at Letters Farm. The new roof covering replaced a roof previously covered in a variety of roofing materials including natural slate, corrugate iron sheeting, plastic sheeting and metal sheeting. The use of the profiled dark grey metal sheeting is considered to be an entirely appropriate roofing material that is not alien to this rural countryside location. The new roof covering arguably enhances the visual appearance of the barn given the assorted and aged appearance of the previous roof coverings. The barn can be partially viewed from a southerly direction on the A886 road, but the building is viewed within a cluster of existing buildings and against a woodland back drop so it is not a prominent feature in the landscape. Indeed from a distance, given the slate like colour of the metal sheeting, it is difficult to establish whether the roof covering on the barn is or is not slate.

In respect of the proposed entrance porch enclosure, there are not considered to be any substantiated privacy or amenity concerns given the existing small entrance stepped structure in situ, the courtyard formation of the buildings, the size of the subject windows and the window to window distance.

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**(Q) Is the proposal consistent with the Development Plan: Yes**

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**(R) Reasons why planning permission or a Planning Permission in Principle should be granted**

The proposal accords with policies LP ENV 1, LP ENV 10 and LP ENV 19 of the Argyll and Bute Local Plan (2009) and there are no other material considerations, including the views expressed by third parties which would warrant anything other than the application being determined in accordance with the provisions of the approved development plan.

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**(S) Reasoned justification for a departure to the provisions of the Development Plan**

N/A

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**(T) Need for notification to Scottish Ministers or Historic Scotland: No**

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**Author of Report: John Irving**

**Date: 21.09.2010**

**Reviewing Officer: David Eaglesham**

**Date: 05.10.2010**

**Angus Gilmour  
Head of Planning & Regulatory Services**



## **CONDITIONS AND REASONS RELATIVE TO APPLICATION 10/01128/PP**

1. The development shall be implemented in accordance with the details specified on the application form dated 25<sup>th</sup> June 2010 and the approved site plan titled '*Application Ref no. 10/01128/PP*', received on 22<sup>nd</sup> July 2010 and approved drawings titled '*Plan of Building & Adjacent Property to Letter Farm Showing Extent of Land Belonging to Courtyard Cottage Letters*', received 22<sup>nd</sup> July 2010, '*Plans & Elevations Existing & Proposed*', Drg, No. RGB/10/1, received 22<sup>nd</sup> July 2010, '*Details of Proposed Entrance Porch At Courtyard Cottage, Letter Farm*' (x2), received 22<sup>nd</sup> July 2010 and unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

*Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.*

2. Prior to the first use of the porch enclosure, its roof shall be fitted with opaque glazing and its north facing elevation shall be of solid construction. The porch enclosure shall be retained with this design and appearance in perpetuity, unless the prior written consent of the Planning Authority is obtained for variation.

*Reason: In the interest of privacy and amenity of the adjoining property.*

## **NOTE TO APPLICANT**

In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.

## **APPENDIX B – RELATIVE TO APPLICATION NUMBER: 10/01128/PP**

### **PLANNING LAND USE AND POLICY ASSESSMENT**

#### **A. Settlement Strategy**

The premises lie in the Settlement Zone of Strachur as detailed in the adopted Argyll & Bute Local Plan 2009.

#### **B. Location, Nature and Design of Proposed Development**

##### Replacement roof covering – Barn

Letters Farm and Courtyard Cottage form a cluster of farmhouses and former farm/agricultural buildings which have been converted into dwellinghouse. This excludes the derelict barn building which belongs to Courtyard Cottage and is the subject of this application. This barn building is one of the southernmost buildings at this location. The roofs of the neighbouring buildings to this vacant barn are finished in traditional Scottish slate. The barn building, prior to its recent re-roofing, was finished in a variety of different roof coverings. The northern roof elevation, facing into the courtyard, was covered in a mixture of natural slate, corrugated sheeting, clear plastic sheeting and metal sheeting. Natural slate covered approximately 70% of this north facing roof plane. The south facing roof face did not boast any natural slate but was covered in corrugated iron sheeting and clear plastic sheeting. The barn roof, in its entirety, has been reroofed in dark grey profiled metal sheeting with four clear plastic rooflights upon the south facing roof elevation and one similar rooflight upon the north facing roof elevation. No other alterations are proposed to this building. New guttering has been installed but this connects to existing down pipes.

The determining issue, with this aspect of the application, is the appropriateness of such a replacement roof covering and its impact upon the character of the barn building, the wider cluster of neighbouring buildings and its wider landscape impact. These key considerations have generated a significant number of representations.

This building did not have an intact slate roof, with the majority of the building's roof being covered in a mis-match of different roof coverings, as detailed above. The installation of this single roof covering, of a material that is not alien to this rural setting, arguably improves the character and setting of this building. There are examples of similar metal roof coverings being used on both agricultural and residential properties in similar rural/countryside locations. Indeed, the Council's published Sustainable Design Guidance 3 'Working with Argyll & Bute's Built Heritage' (2006) recognises metal sheeting as traditional building material and uses similar successful examples on pgs 30 & 41. It is not considered this new roof covering compromised the character of this barn building.

The barn building and the immediate neighbouring properties are not listed buildings and are therefore not recognised as being of historical importance or of architectural merit. While the north facing roof elevation of this barn did boast some natural slate covering this does not require the new replacement roof covering to be natural slate. As mentioned above, metal roof coverings can be viewed as an appropriate roof covering, particularly in a rural setting such as this and given its dark grey slate colour, effort has been made to integrate the development into the surrounding built environment. It is not therefore considered that the character and appearance of the neighbouring properties have been compromised by this new roof.

### Formation of entrance porch enclosure

It is proposed to form an enclosure around an existing stepped entrance way upon the front elevation of Courtyard Cottage. The existing stepped entrance way currently boasts a 1.5 metre high concrete wall. It is not proposed to extend the footprint size of the structure but to install a uPVC double glazed frame, upon the existing blockwork which will create an enclosure with a shallow single pitched roof. The proposed structure will measure a maximum height, from ground level, of 3.26 metres. The structure has been designed with a solid wall upon its northern elevation and an opaque roof. This will address any overlooking or privacy issues associated with the adjoining property (Letter Farm House).

The rear elevation of the neighbouring property to the west (Letter Lodge North) measures 12 metres from the west facing elevation of the proposed entrance porch enclosure. Specific objection has been received from the owners of this property as they consider their amenity and privacy will be compromised as it will allow overlooking into their living area and bedrooms. Appendix A of the Adopted Local Plan prompts a minimum window to window distance of 18 metres but acknowledges that this may not always be possible in densely built areas and 'courtyard type' developments, such as this. It is considered that of the four rear windows upon the rear elevation, one is an opaque bathroom window and two are narrow slit windows. These windows can already be overlooked from this existing structure and from the immediate courtyard area that the applicant owns and can access. The development proposal is the formation of an enclosure upon an existing small raised structure and, given all of the above, a distance of 12 metres from both properties is sufficient and will not result in any decreased levels of amenity or privacy for the occupants of Letter Lodge North.

### Deer fence and chimney extraction flue

This application also incorporates the erection of a 2 metre high deer fence and a chimney extraction flue. Under Class 7 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, given the fence's height and distance from the public road, it does not require planning permission. Similarly, under Class 6F of the same order, the new extraction flue does not require planning permission as it does not exceed one metre above the highest point of the roof on which the flue is to be fixed.

## **C. Natural Environment**

While the site is located within a defined Area of Panoramic Quality, the barn building can only be fully viewed from within the immediate vicinity of the site. The barn can be partially viewed from a southerly direction on the A886 road, but the building is viewed within a cluster of existing buildings and a woodland back drop and it therefore not a prominent feature in the landscape. Indeed from a distance, given the slate like colour of the metal sheeting, it is difficult to establish whether the roof covering on the barn is or is not natural slate. There is not considered to be any wider adverse landscape impact associated with this development in terms of policy LP ENV 10.