

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

Reference No: 10/01931/PP
Planning Hierarchy: Local
Applicant: Dunlossit Estate
Proposal: Erection of dwellinghouse and detached garage
Site Address: Land to the South West of Laggan Bridge, Isle of Islay

DECISION ROUTE

Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of detached dwellinghouse;
- Erection of detached garage;
- Installation of private foul drainage system;
- Improvement of private vehicular access and connection to public road

(ii) Other specified operations

- Connection to public water supply;
 - Forest management plan (no details submitted for approval).
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(B) RECOMMENDATION:

It is recommended that:

- i) The appended Area Capacity Evaluation (ACE) be adopted as a material consideration in the determination of this application and any future application within the defined area of common landscape character; and
 - ii) Subject to the Applicant entering into an appropriate Section 75 Legal Agreement, this application for planning permission be approved subject to the conditions and reasons set out in this report.
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(C) CONSULTATIONS:

Scottish Natural Heritage		No comment
Core Paths		No reply received.
West Of Scotland Archaeologist Service	10.12.2010	No objection.
Scottish Water	09.12.2010	No objection.
Environmental Health	10.12.2010	No objection.
Area Roads Engineer	25.01.2011	No objection subject to conditions.

(D) HISTORY: None

(E) PUBLICITY:

The proposal was advertised in the local press under the provisions of Reg. 20 – expiry 6th January 2011.

(F) REPRESENTATIONS:

(i) Representations received from: None

(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: | Yes |
| (iv) A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc: | Yes – Statement of locational/operational need |

(All supporting documentation is available to view in its entirety via the public access section of the Council website).

(H) PLANNING OBLIGATIONS

Is a Section 75 agreement required:

Yes – required to tie the ownership of the development to the Applicant and to tie the occupancy of the dwelling to that of an person, or their dependents, employed by Dunlossit Estate in the capacity of a ‘River Watcher’ and who’s terms of employment include duties which seek to secure the security and monitoring of fish stocks within the Estate’s ownership of the River Laggan.

Reason for Refusal if S75 not completed within 3 months:

The proposal by virtue of its ‘open countryside’ location within a ‘sensitive countryside’ designation cannot be supported in the absence of sufficient means to underpin the claimed ‘locational/operational’ need having regard to the provisions of policy STRAT DC 5 of the Argyll and Bute Structure Plan 2002 and LP HOU 1 of the Argyll and Bute Local Plan 2009.

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

(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 Structure Plan’ 2002

STRAT DC 5 – Development in Sensitive Countryside
STRAT AC 1 – Development in Support of Farms, Crofts and Estates

‘Argyll and Bute Local Plan’ 2009

LP ENV 1 – Impact on the General Environment
LP ENV 7 – Impact on Tree/Woodland
LP ENV 17 – Impact on Sites of Archaeological Importance
LP ENV 19 – Development Setting, Layout and Design
LP HOU 1 – General Housing Development
LP SERV 1 – Private Sewage Treatment Plants and Wastewater Systems
LP TRAN 4 – New and Existing Public Roads and Private Access Regimes
LP TRAN 6 – Vehicle Parking Provision

Appendix A – Sustainable Siting and Design Principles

(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.

- Area Capacity Evaluation (appended to this report and subject to Committee consideration before determining this application).

(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No

(L) Has the application been the subject of statutory pre-application consultation (PAC): No

(M) Has a sustainability check list been submitted: No

(N) Does the Council have an interest in the site: No

(O) Requirement for a hearing (PAN41 or other): No

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

The proposal seeks detailed planning permission for the erection of a detached single storey dwelling to be used as 'river watcher's/water bailiffs' accommodation to facilitate the management of this part of Dunlossit Estate.

The application site is located within an area of 'Sensitive Countryside' immediately to the south of, and largely contained by, a sharp bend in the Laggan River to the east of Laggan Bridge.

Settlement strategy policy STRAT DC 5 and Local Plan policy LP HOU 1 would normally offer a presumption against new residential development in this location. In this case, however, the applicant has made a claim that the proposed development is required on an operational / locational need basis, primarily for the management and monitoring of this stretch of the river and due to a significant and growing problem with the poaching of wild salmon over the length of the river which is readily accessible from the adjacent Laggan Bridge.

Development Plan policy STRAT DC 5 suggests that, in special cases, small scale residential development in the sensitive countryside may be supported where it has a locational need to be on or in the near vicinity of the proposed site, subject to it according with an Area Capacity Evaluation (ACE).

In this case, it is considered that sufficient locational need has been established to

outweigh the general policy presumption against such development in the sensitive countryside and a competent ACE has been carried out which demonstrates that the proposed site can support the development proposed without having any materially detrimental impact upon the key landscape characteristics of the identified ACE compartment.

In addition to the above, Policy STRAT AC 1 offers a general presumption in favour of appropriate small scale residential development which would sustain the operational integrity of estate land; normally to be limited to infill, rounding-off, redevelopment and change of use opportunities but more peripheral sites possibly proving acceptable subject to appropriate environmental assessment.

The scale and design of the proposed development is largely dictated by its unusual function and is considered acceptable given the specific requirements of the design brief, by the sheltered and well screened nature of the site and by a small yet significant element of design cohesion between the proposed dwelling, an existing fisherman's lodge building on the opposite side of the river bank, and an existing private dwellinghouse, being the closest substantial building to the application site. The proposed development raises no conflict with the Development Plan in this regard, notably with policies LP ENV 1 and LP ENV 17.

The proposed development raises no issues of access or servicing and would have no adverse impact upon any historically sensitive site or feature or on any ecologically important habitat, species or environment.

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

(R) Reasons why Planning Permission or Planning Permission in Principle Should be Granted:

As per P above.

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

Not applicable

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

Author of Report: Tim Williams **Date:** 30th May 2012

Reviewing Officer: Peter Bain **Date:** 6th June 2012

Angus Gilmour
Head of Planning & Regulatory Services

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 10/01931/PP

1. The proposed development shall be carried out in accordance with the details specified in the application form dated 5th November 2010; and the approved drawings numbered 1 of 6 to 6 of 6; and stamped approved by Argyll and Bute Council.

Reason: In order to ensure that the proposed development is carried out in accordance with the details submitted and the approved drawings.

Standard Note: In terms of condition 2 above, the council can approve minor variations to the approved plans in terms of Section 64 of the Town and Country Planning (Scotland) Act 1997 although no variations should be undertaken without obtaining the prior written approval of the Planning Authority. If you wish to seek any minor variation of the application, an application for a non material amendment (NMA) should be made in writing to Planning Services, Dalriada House, Lochgilphead, PA31 8ST which should list all the proposed changes, enclosing a copy of a plan(s) detailing these changes together with a copy of the original approved plans. Any amendments deemed by the Council to be material, would require the submission of a further application for planning permission.

2. Prior to the commencement of development, details of the proposed finished floor levels of the dwellinghouse relative to an identifiable fixed datum located outwith the application site shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: In the interests of visual amenity and to assist in the integration of the development into its surroundings.

3. Development shall not begin until details of a woodland management programme and a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Planning Authority. The woodland management programme shall cover the area of land identified within a green line boundary appended to the plan hereby attached. The required details shall include:

- i) existing landscaping features, trees and vegetation to be identified and retained, except for those trees required to be removed in order to facilitate the development, these to be clearly identified;
- ii) location and design, including materials, of any walls, fences and gates;
- iii) soft and hard landscaping works, including the location, type and size of each individual tree and/or shrub;
- iv) programme for completion and subsequent on-going maintenance.

All the hard and soft landscaping works shall be carried out in accordance with the scheme approved in writing by the Planning Authority. 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 the development unless otherwise agreed in writing with the Planning Authority.

Any trees or plants within the identified woodland management area which within a

period of ten 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, unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure the implementation of a satisfactory scheme of landscaping and retention and management of existing trees in order to ensure that the development remains appropriately screened from view from the B8016 public road.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, (or any Order revoking and re-enacting that Order(s) with or without modifications), nothing in Article 2(4) of or the Schedule to that Order, shall operate so as to permit, within the area subject of this permission, any development referred to in Part 1 and Classes 1A, 1B, 1C, 1D, 2A, 2B, 3A, 3B, 3C, 3D and 3E of the of the aforementioned Schedule, as summarised below:

PART 1: DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE

Class 1A: Any enlargement of a dwellinghouse by way of a single storey ground floor extension, including any alteration to the roof required for the purpose of the enlargement.

Class 1B: Any enlargement of a dwellinghouse by way of a ground floor extension consisting of more than one storey, including any alteration to the roof required for the purpose of the enlargement.

Class 1C: The erection, construction or alteration of any porch outside any external door of a dwellinghouse.

Class 1D: Any enlargement of a dwellinghouse by way of an addition or alteration to its roof.

Class 2A: The erection, construction or alteration of any access ramp outside an external door of a dwellinghouse.

Class 2B: Any improvement, addition or other alteration to the external appearance of a dwellinghouse that is not an enlargement.

Class 3A: The provision within the curtilage of a dwellinghouse of a building for any purpose incidental to the enjoyment of that dwellinghouse or the alteration, maintenance or improvement of such a building.

Class 3B: The carrying out of any building, engineering, installation or other operation within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse.

Class 3C: The provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of that dwellinghouse or the replacement in whole or in part of such a surface.

Class 3D: The erection, construction, maintenance, improvement or alteration of any deck or other raised platform within the curtilage of a dwellinghouse for any purpose

incidental to the enjoyment of that dwellinghouse.

Class 3E: The erection, construction, maintenance, improvement or alteration of any gate, fence, wall or other means of enclosure any part of which would be within or would bound the curtilage of a dwellinghouse.

No such development shall be carried out at any time within this Part and these Classes without the express grant of planning permission.

Reason: To protect the sensitive area and the setting of the proposed dwellinghouse, in the interest of visual amenity, from unsympathetic siting and design of developments normally carried out without planning permission; these normally being permitted under Article 2(4) of the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011.

5. The proposed access shall be improved to provide visibility splays of 103.0 metres by 2.4 metres, formed from the centre line of the proposed access. Prior to work starting on site these visibility splays shall be cleared of all obstructions over 1.05 metres in height above the level of the adjoining carriageway and thereafter shall be maintained clear of all obstructions over one metre in height to the satisfaction of the Planning Authority.

Reason: In the interests of road safety.

6. Prior to work starting on site, the access hereby permitted shall be improved and formed in accordance with the Council's Highway Drawing No. SD 08/004 Rev.a. with a refuse collection point to be provided adjacent to the public road.

Reason: In the interest of road safety.

NOTE TO APPLICANT

- **The length of the permission:** This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
- 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 TO DECISION APPROVAL NOTICE

Appendix relative to application **10/01931/PP**

- (A) Has the application required an obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended): Yes

The terms of the Section 75 obligation may be viewed on the Council's website at www.argyll-bute.gov.uk by recalling the application reference number on the Council's Public Access Module and then by "Clicking" Section 75 Obligation under the attached correspondence or by viewing the Public Planning register located at Planning Services, Whitegates, Lochgilphead, Argyll, PA31 8ST.

- (B) Has the application been the subject of any "non-material" amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing. No

- (C) The reason why planning permission has been granted:

The proposal seeks detailed planning permission for the erection of a detached single storey dwelling to be used as 'river watcher's / water bailiffs' accommodation to facilitate the management of this part of Dunlossit Estate.

The application site is located within an area of 'Sensitive Countryside' immediately to the south of, and largely contained by, a sharp bend in the Laggan River to the east of Laggan Bridge.

Settlement strategy policy STRAT DC 5 and Local Plan policy LP HOU 1 would normally offer a strong presumption against new residential development in this location. In this case, however, the Applicant has made a claim that the proposed development is required on an operational / locational need basis, primarily for the management and monitoring of this stretch of the river and due to a significant and growing problem with the poaching of wild salmon over the length of the river easily accessible from the adjacent Laggan Bridge.

Development Plan policy STRAT DC 5 suggests that, in special cases, small scale residential development in the sensitive countryside may be supported where it has a locational need to be on or in the near vicinity of the proposed site, subject to it according with an Area Capacity Evaluation (ACE).

In this case, it is considered that sufficient locational need has been established to outweigh the general policy presumption against such development in the sensitive countryside and a competent ACE has been carried out which demonstrates that the proposed site can support the development proposed without having any materially

detrimental impact upon the key landscape characteristics of the identified ACE compartment.

In addition to the above, Policy STRAT AC 1 offers a general presumption in favour of appropriate small scale residential development which would sustain the operational integrity of estate land; normally to be limited to infill, rounding-off, redevelopment and change of use opportunities but more peripheral sites possibly proving acceptable subject to appropriate environmental assessment.

The scale and design of the proposed development is largely dictated by its unusual function and is considered acceptable given the specific requirements of the design brief, by the sheltered and well screened nature of the site and by a small yet significant element of design cohesion between the proposed dwelling, an existing fisherman's lodge building on the opposite side of the river bank and an existing private dwellinghouse, being the closest substantial building to the application site. The proposed development raises no conflict with the Development Plan in this regard, notably with policies LP ENV 1 and LP ENV 17.

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 10/01931/PP

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

The application relates to 'small scale' housing development, in this case tied to the management of Dunlossit Estate, the site area for which encompasses the 'Sensitive Countryside' designation as defined by the Argyll and Bute Local Plan 2009. The proposed site does not involve sufficient proximity to existing buildings and landscape containment to be considered as 'infill', 'rounding-off' or 're-development' as defined in the Local Plan Glossary and as such is considered to be 'open countryside development'.

The application site, including land required for provision of a private foul drainage system and road improvements relating to the private access, is located within 'sensitive countryside' wherein the provisions of policies STRAT DC 5 and LP HOU 1 set out a presumption against the development of open countryside sites except where these are supported by a valid locational/operational requirement and, is supported by the findings of an Area Capacity Evaluation (ACE).

The applicant has submitted a statement setting out a case for the proposed development on grounds of a specific locational/operational need. The relevant parts of this case are reproduced below:

"After a comprehensive analysis of their landholding, it became apparent to Dunlossit Estate that there was a need for an employee to live, monitor and 'police' this critical element of the catchment area of the Laggan River. This is particularly so, as it is the one unpoliced area of the river adjacent to a major island road which allows easy access and quick getaway for poachers.

It was agreed that it was important that the site should have easy access to the public road system (B8016) not least for sustainable and public transport reasons.

Similarly, it was agreed that the site should, for sustainable and economic reasons, be as close to the relevant mains services as possible.

The purpose of the building is not only to house a River Watcher, and their family, but also to enable the watcher and family to monitor the river on a 24/7 cycle. The watcher as part of their employment would patrol the river at specific periods during the day; however it is also critical that the watcher and their family can see as much as possible of the river whilst "off duty" at home.

In order that the brief can be properly met the house needs to fulfil the following criteria:

- It should be positioned on higher ground to maximise the view.*
- It should be within easy access of the river itself.*
- It should cover the maximum number of good or recognized pools in the river.*
- The river in the main runs east-west; hence the property should be on the south side of the river looking north which maximizes vision and visibility.*
- Inasmuch as there is a system of paths or tracks serving the river the property should be positioned within easy reach or access to these.*
- If possible the site should be provided with an accessible tower or vantage point to maximise viewing both visually and if appropriate via CCTV.*

The site should be as elevated as possible, however for aesthetic and landscaping reasons the building should not be too visually prominent. It should be masked by higher ground, trees or the like.

The length of the river was surveyed and a site was located which fulfilled the majority of the above criteria.”

Dunlossit Estate is a Conservation estate comprising 18,500 acres of arable, grazing and moorland on the Isle of Islay. The Estate includes a significant part of the catchment basin for the River Laggan, and contains the upper waters of the river itself. The river continues through Laggan Estate to an outlet in Loch Indaal. The river holds a thriving population of both salmon and sea trout, and the upper reaches and tributaries provide critical spawning grounds.

Dunlossit Estate is a member of the Laggan and Sorn Fishery Board and co-operates with Laggan Estate over fishing practices, river-watching, bailiff systems and good conservation practices.

None of the existing housing on Dunlossit Estate provides any direct view of the fishing areas of the river. Population patterns have shifted in the past and left the fishing grounds unprotected by any benevolent residential presence and none of the nearby housing is now in a situation to notice lights or movement on the river banks.

The construction of a house at this location would create a permanent Dunlossit (Laggan and Sorn) presence with panoramic view of the river. The proposals provide for a wide field of observation, and the addition of the observation ‘tower’ further underlines the role of the house. The accommodation is designed to suit most occupation patterns and to accommodate a ‘household’ rather than an individual: the greater the number of people in residence, the greater the deterrent to unauthorised visits to the river bank and the greater the protection given by the river watcher.

There is a need for a bailiff to monitor and ensure compliance with the ‘Catch and Release’ scheme for wild salmon that is currently in force over the whole length of the river.

There is a significant and growing problem with the poaching of wild salmon over the length of the river and it is critical if the stocks are to be preserved and sport/business continued that this is eradicated.

There has been sporadic and unintentional damage to the spawning streams by children and holidays makers. For the sake of the future stock it is important that this is brought under control.

There is a general need to monitor the stock in the river to ensure it remains healthy and at the appropriate level.

It is important that the Estates ‘Deer Management Policy’ is expanded into this area. In particular to protect the recently established native woodlands to the south of the river.

The construction of the building would create a further skilled job opportunity and would help retain people on or attract people to the island.

The Estate accepts that should consent be granted, it will be subject to a Section 75

Agreement in respect of its occupation by an estate employee and in fact that it could not be sold out of the Estate.”

The claimed operational/locational need has been examined and supporting evidence provided by the Laggan and Sorn District Salmon Fishery Board and by Donald James MacPhee the Estate Stalker. Although this evidence is, in part, somewhat anecdotal, it is considered, on the balance of the evidence available, that there is sufficient operational/locational need for this development to comply with the relevant part of settlement strategy policy STRAT DC 5 and Local Plan policy LP HOU 1. It is further considered that the proposed development is supported by an ACE which is appended to this report.

In addition to the above, Policy STRAT AC 1 offers a general presumption in favour of appropriate small scale residential development which would sustain the operational integrity of estate land; normally to be limited to infill, rounding-off, redevelopment and change of use opportunities but more peripheral sites possibly proving acceptable subject to appropriate environmental assessment.

It is considered that the acceptability tests associated with Policy STRAT AC 1 are met in this case.

B. Location, Nature and Design of Proposed Development

The application site measures approximately 0.22 hectares in area and lies within a wide area of ‘Sensitive Countryside’ (SA) immediately south of, and contained by, a series of meanders in the Laggan River. The application site is adjacent to (east of) the Laggan Bridge where the B8016 public road crosses the Laggan River and is located in the open countryside approximately 3 kilometres south east of Bowmore, 5 kilometres south of Bridgend and 12 kilometres north, north west of Port Ellen. The application site is on the extreme northern edge of an extensive area of commercial forestry plantation and is contained to the west by the public road. The application site would be very well screened from the public road by existing vegetation – both commercial forestry and scattered broadleaved trees. The application site is a broadly flat area of land just beyond the margins of the identified river flood plain and forms a very distinctive part of the river environs; a specific landscape character unique to the river margins and contained by the river geometry itself, by the public road and by the forest immediately to the south.

The location, nature and design of the proposed development is informed by a design and access statement, the relevant parts of which are reproduced below:

“It is assumed that the river watcher would be a family person as it’s recognized that the more people within the watcher’s house the more effective a deterrent it will be:

Given the above, the brief calls for a 3 bedroom family house with a reasonable standard of amenities.

As well as providing for a family the development should also allow for a garage and sufficient outbuilding space for a small workshop and fishing equipment store.

Given the use of the house the design should maximise the views of the river and its

immediate environs. This should include for a sheltered area outwith the house for use at night.

Similarly the viewing options should be maximised by providing a high level viewpoint within or adjacent to the house.

The building should be kept single storey to minimise its visual impact within the landscape and allow the potential for disabled use if appropriate.

The building should be sustainable and should utilize alternative energy sources such as heatpumps, solar energy, woodchip etc.

The building should sit comfortably within the landscape and should be constructed from sympathetic sustainable, and if appropriate, traditional materials.

A Woodland Management Plan should be prepared to ensure that the building remains screened from view from the south and west when the commercial woodlands to the south are felled. Existing native woodland has been established in this area however it may require enhancement, particularly to the north west.

The selected site is served by an historic track which runs to within a few meters of the actual location and continues on up the river as an access track for fitter people or riders on quadbikes.

The site is on a [slightly] raised knoll and has good panoramic views of the river over a 270° range.

The brief is met by erecting a built form with a simple square plan with verandas to the north and south elevations.

There is a central north south circulation route through the building with the main living rooms to the north and the bed and service rooms giving onto this central hall.

The simple pyramidal roof rises to a central lookout tower, positioned over the hall which provides light to this space and also by way of a ladder allows the river watcher to inspect and check the river from an elevated viewing point.

The veranda to the north provides for night time viewing and the living areas generally allow for a panoramic northerly view of the river.

The veranda to the south provides a covered ramp/wood store area and also provides a front porch giving access to the property.

A new single vehicle garage is shown to the south of the property and this is sized to allow for a simple workshop along with incidental storage.

The building will be timber framed with walls clad in cedar boarding with a "corrugated iron" shallow pitched roof. As such the building will be unobtrusive and should blend in well with its immediate environs. Corrugated iron and wooden boarding are traditional materials on the Island and it is felt in this case they would be the most appropriate and would allow the building to sit comfortably and unobtrusively within the landscape."

Although the proposed design is somewhat unusual, its form follows the function for which it is designed to a large extent. The proposed building also picks up 'design cues' from two nearby buildings; an old fisherman's hut to the northern river bank and an existing dwellinghouse, 'Red Lodge', immediately south of the river but on the opposite (west) side of the public road.

The relatively shallow pitched roof and the use of natural cladding materials for the walls and traditional corrugated roof covering will help to reduce the impact of the development which will be further anchored in the landscape by a woodland management plan and landscaping scheme to be required by planning condition.

Although the applicant's statement refers to the need to site the building on 'elevated ground' and on a 'raised knoll', this ground is only slightly elevated with respect of the river (and therefore outwith its flood plain having regard to SEPA's 1:200 flood risk map). The site of the proposed dwelling is not significantly elevated with respect to the majority of the surrounding land and would be slightly below the level of the public road.

It is considered that the scale, form and design of the proposed building is acceptable and will have no materially adverse impact upon the character and appearance of the site or its surroundings, in compliance with Development Plan policies LP ENV 1 and LP ENV 19.

C. Archaeological Matters

The site of the proposed development abuts the edge of an archaeological consultation zone wherein the provisions of policy LP ENV 17 would seek to ensure the retention, protection and preservation of the archaeological heritage.

The West of Scotland Archaeology Service have been consulted on the proposed development and raise no substantive archaeological issues. The consultation trigger zone is centred on the site of a former bridge which crossed the river just east of the position of the current Laggan Bridge. Although the abutments of this former bridge still survive as visible features on both banks of the river, the proposed development is well clear of the remains of the bridge which should therefore remain unaffected by construction activities on the site.

Other remnants of previous occupation have been recorded in the vicinity of the application site, including the remains of a settlement comprising two longhouses with associated enclosures, a smaller building and a lime kiln, set upon a natural mound next to a tributary burn around 260 metres to the east-south-east of the plot. Again, however, the remains of this former settlement are unlikely to be directly affected by development of this site.

It is therefore considered that the proposed development is appropriate in terms of its impact upon the historic environment and will comply with Development Plan policy LP ENV 17.

D. Impact on Woodland

The application site is located at the northern edge of an area identified as an area of 'ancient woodland'. However, this is an historic designation and it appears that little or none of the ancient woodland currently exists on the site, the majority of the

designated area being covered by a modern commercial forest plantation. Certainly, there is no evidence of any ancient woodland existing within the development site itself and Scottish Natural Heritage have raised no objection to this aspect of the development.

In order to secure a longer term setting for the development it would be essential to secure the retention of deciduous woodland within the immediate vicinity of the dwellinghouse and augment this with additional tree planting of native deciduous species. The positive management of this woodland area within the application site and adjoining land within the ownership of the applicant can be satisfactorily achieved by planning condition.

There is, therefore, no conflict with Local Plan policy LP ENV 7 in this regard.

E. Road Network, Parking and Associated Transport Matters.

The application site is served by an existing forest access track which leads off the B8016 public road a short distance to the west of the development site.

This existing access is capable of being improved to a suitable standard and the Area Roads Manager has not raised objection to the current application subject to conditions requiring implementation of the necessary road improvements.

It is therefore considered that the proposal is consistent with the provisions of policies LP TRAN 4 and LP TRAN 6.

F. Infrastructure

The submitted details show provision of a private foul drainage system to serve the development comprising a biodisc and a clear water outflow to the river. Scottish Water have confirmed that mains sewerage is not available in this locality and as such this element of the proposal is considered to be consistent with the provisions of LP SERV 1 subject to the applicant/developer obtaining any necessary discharge consent from SEPA.

Water supply would be by connection to the public water main; Scottish Water have confirmed that the Torra Water Treatment Works may have capacity to serve the proposed development.