



**PLANNING AND ACCESS COMMITTEE**

**MEETING: NPAPC/01/2013**

**DATE: 28<sup>TH</sup> JANUARY 2013**

<b>REPORT No.</b>	<b>NPAPC/01/2013/03</b>
<b>SUBMITTED BY:</b>	<b>Executive Director of Planning</b>
<b>APPLICATION NUMBER:</b>	<b>2012/0323/DET</b>
<b>APPLICANT:</b>	<b>Simon Winstanley Architects on behalf of John Young and Linda McKay</b>
<b>LOCATION:</b>	<b>Loch Venacher House, Invertrossachs Road, Callander, FK17 8HQ</b>
<b>PROPOSAL:</b>	<b>Erection of a dwellinghouse</b>

<b>NATIONAL PARK WARD:</b>	Ward 3 - Callander
<b>COMMUNITY COUNCIL AREA:</b>	Callander
<b>CASE OFFICER:</b>	Name: Diana Worthy Tel: 01389 722617 E-mail: <a href="mailto:diana.worthy@lochlomond-trossachs.org">diana.worthy@lochlomond-trossachs.org</a>

**1 SUMMARY AND REASON FOR PRESENTATION**

- 1.1 This application concerns the erection of a dwellinghouse at Invertrossachs Road, Callander.
- 1.2 The reason the application is being presented to the Committee is that the application is on behalf of a Member of the National Park Board.

**2 RECOMMENDATION**

**That Members: APPROVE** the application subject to the imposition of the conditions set out in Appendix 1 of the report.

**3 BACKGROUND**

*Site Description*

## Agenda Item 7

- 3.1 The application site is located at the eastern end of Loch Venachar, near the outlet sluice owned and operated by Scottish Water (refer to Appendix 2 Site Plan). There is one adjacent residential property immediately to the east.
- 3.2 Until recently, a storage building owned by the former Glasgow Corporation Water Department was located on the site. This building was converted to a dwelling some years ago and had fallen into a state of disrepair after being unoccupied since the mid 1990s. The building was demolished in accordance with planning application 2011/0161/DET (approved October 2011) which also supported the erection of a replacement house.
- 3.3 The site is gently sloping and has a number of mature trees along the lochshore frontage. The majority of the site lies within SEPA's 1 in 200 year flood risk area. Loch Venachar forms part of the River Teith SAC (qualifying interests being river, brook and sea lamprey; and Atlantic salmon).

### ***Environmental Impact Assessment (EIA):***

- 3.4 For the purposes of the Environmental Impact Assessment (Scotland) Regulations 2011 the National Park is identified as a 'Sensitive Area'. As a 'Competent Body' the National Park Authority has a statutory duty to consider whether proposals for development should be subject to the EIA process. In this particular instance it has been determined that an EIA is not required.

### ***Description of Proposal***

- 3.5 In 2011, permission was granted for the demolition of the existing dwellinghouse and erection of a replacement house (2011/0161/DET). The existing dwellinghouse was demolished under this permission. However, the applicant now seeks approval for a revised design of the replacement house.
- 3.6 The revised design is for a contemporary single storey house (refer to Appendix 3 House Design). The house has a radial plan with three wings – a garage wing, bedroom wing and living wing – which responds to the gently sloping site. The garage wing is perpendicular to the main track. The south-east wall of the garage forms the route to the main front door entrance which is set back and located between the garage wing and bedroom wing. In front of these two wings a walled garden is proposed to be formed enclosed by natural stone wall adjacent to the main track. This will provide valuable privacy between the new house and the adjacent residential property.
- 3.7 The design is an energy efficient low carbon house with insulation and air tightness to Passive Haus standards. Each wing incorporates stone and timber walling with full height windows (triple glazed) in the living and bedroom spaces. The sloping roofs are to be formed in pre-weathered grey standing seam zinc and solar panels are proposed to be attached to the roof. The house is designed to make best use of the site's characteristics and ensure a sustainable development.

### ***Planning History:***

- 3.8
  - PRE/2011/0305 – Pre-application enquiry for the proposed erection of a dwellinghouse.
  - 2011/0161/DET – Demolition of existing house and erection of a replacement house – Approved with conditions
  - PRE/2010/0109 – Pre-application enquiry for replacement dwellinghouse.
  - 2006/0269/HAE – Extension and alteration to existing dwellinghouse – Approved with conditions.

## Agenda Item 7

- 2004/0080/HAE – Alteration and extension to existing dwellinghouse – Refused
- 02/00087/HAE/S – Proposed alterations and two storey extension to dwellinghouse - Withdrawn

### 4 CONSULTATIONS AND REPRESENTATIONS

#### ***Responses to Consultations:***

#### 4.1 SEPA: No objection.

Commented on the previous application (2011/0161/DET) and had no objection at the time. It is noted that they are unable to relate the finished floor levels to the outflow notch at the nearby weir which would give an initial indication of flood risk. In reference to the information provided with the previous application, should the proposed finished floor level be located at 84.66 mAOD it is likely that the development would be outwith the risk of flooding. It is recommend that the Local Authority satisfies themselves in this respect.

#### Stirling Council Flooding: No objection.

*Letter dated 26 November 2012*: Not enough information has been provided to determine if a Flood Risk Assessment is required. Requests that the survey data is given in ordnance datum and that the weir notch height is taken.

*Letter dated 3 December 2012*: Following submission of further information from the previous application, confirms no objection to the proposal.

#### Stirling Council Roads: No objection.

Recommends conditions regarding car parking spaces and removal of vegetation along the boundary adjacent the road frontage to enable a sufficient visibility splay.

NPA Ecologist: Satisfied that a Habitats Regulation Appraisal Screening Opinion has been undertaken and evidences that the development will not have an impact on the River Teith SAC.

#### ***Representations Received:***

#### 4.2 No representations were received.

### 5 POLICY CONTEXT

#### ***National Park Aims:***

#### 5.1 The four statutory aims of the National Park are a material planning consideration. These are set out in Section 1 of the National Parks (Scotland) Act 2000 and are:

- (a) to conserve and enhance the natural and cultural heritage of the area;
- (b) to promote sustainable use of the natural resources of the area;
- (c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
- (d) to promote sustainable economic and social development of the area's communities.

#### 5.2 Section 9 of the Act then states that these aims should be achieved collectively. However, if in relation to any matter it appears to the National Park Authority that there is a conflict between the first aim, and the other National Park aims, greater weight must be given to the conservation and enhancement of the natural and cultural heritage of the area.

## Agenda Item 7

### ***Development Plan:***

#### 5.3 National Park Local Plan (adopted December 2011)

##### Relevant Policies:

- Policy HOUS8 Replacement Dwellings
- Policy L1 Conserving and Enhancing the Diversity and Quality of the Park's Landscapes
- Policy D1 Design Quality
- Policy SUSDEV1 Sustainable Development
- Policy ENV1 European Sites (SACs and SPAs)
- Policy ENV11 Connection to Sewerage and Water Supply
- Policy ENV12 Surface Water Drainage
- Policy ENV16 Development in Medium to High Flood Risk Areas

### ***Other Material Considerations:***

#### 5.5 National Park Partnership Plan (2012-2017)

##### Relevant Policies:

- RD Policy 7 Sustainable Design and Construction
- Con Policy 2 Natural Heritage

## **6 SUMMARY OF SUPPORTING INFORMATION**

### 6.1 Applicant:

- *Sustainability Checklist*
- *Planning Design Statement* – Simon Winstanley Architects (October 2012)  
Introduces the sustainable concept of the proposal, use of materials, and flood risk and ecology considerations.
- Email from Alex Flockhart, Simon Winstanley Architects, (dated 13 November 2012) confirming that the finished floor levels are the same as the previously approved application 2012/0161/DET, being 84.66mAOD. The outflow notch at the weir was stated as 81.26mAOD on the Outlet Survey as submitted with the previous application.

### Planning Officer:

- Habitats Regulations Appraisal: Screening Report (14 November 2012)  
The screening report concludes that there are no significant adverse effects on the integrity of the River Teith SAC as a result of the proposed development.

## **7 PLANNING ASSESSMENT**

- 7.1 This application is for the revised design of a replacement house at Loch Venachar. The original building on the site was the former Glasgow Corporation Water Department store which had been converted to a dwelling some years ago. It had subsequently fallen into a state of disrepair after being left unoccupied since 1995. In 2011, permission was granted for the demolition of the existing dwellinghouse and erection of a replacement house (2011/0161/DET). The existing dwellinghouse was demolished under that permission.

### **Principle of Development**

- 7.2 Policy HOUS8 Replacement Dwellings supports replacement dwellings where the existing dwelling is in substandard condition and where a replacement would deliver enhanced sustainability benefits. The principle of development for a replacement dwelling on this site

## Agenda Item 7

has been secured through a previous planning permission and this consent remains extant as the demolition of the original dwelling confirmed a 'start' on the development as approved. Policy HOUS8 nevertheless remains applicable to the new proposal in regards to design as discussed further below.

### **Design**

- 7.3 The revised design of the replacement house is a contemporary single storey house as described in Section 3.6 (refer to Appendix 3 for proposed layout and 3D aerial view).
- 7.4 The house is designed to make best use of the site and ensure a sustainable development. Sustainable features of the house include super insulated external walls, floor and roof to minimise heat loss; insulation and air tightness to Passive Haus standards; and an air source heat pump and roof mounted photovoltaic panels. Undoubtedly, the proposal is for an energy efficient low carbon house. Policy HOUS8(b) requires that the carbon footprint of the proposed new house will be significantly lower than that of the original and this proposal clearly demonstrates this.
- 7.5 Although the footprint of the revised design is larger than that of the original building, the new house is proposed to have a very low profile – being a single storey only (in contrast to the two storey original and previously approved design) and consequently will sit lower in the landscape. The site also has ample garden ground to accommodate this proposed new design and the building will be suitably screened from the loch by the row of existing mature trees. This reduced landscape impact is supported by Policy L1. Taking these points into consideration, the overall scale of the new house is proportionate to that of the original and therefore is consistent with criteria (c) of Policy HOUS8.
- 7.6 The original dwelling has already been demolished and the resulting building materials removed off site as previously approved. In these circumstances, criteria (d) of Policy HOUS8 regarding 'the re-use of materials arising from demolition being maximised' is not applicable to this proposal.
- 7.7 It is noted that the design of the replacement house approved under 2011/0161/DET was for a two storey building and the principle elevation largely resembled that of the demolished house, although with a mixture of contemporary and traditional design details. The revised design is significantly different. However, Policy D1 and the Supplementary Planning Guidance on Sustainable Design supports contemporary designs which complement and fit it with the landscape and existing built environment. The proposal is complementary, as the linear wings of the new house and use of stone provides visual connections to the nearby outlet sluice building owned and operated by Scottish Water. It is concluded that the proposed design is in keeping with Policy HOUS8, Policy D1 and Policy L1.

### **Other Planning Considerations**

- 7.8 The site is identified as being within SEPA's 1 in 200 year flood risk area. Flood risk information was provided by the applicant who demonstrates that the finished floor levels of the proposed house will be sufficiently above the loch level (gauged by the 'outflow notch' of the weir) to ensure the property is not at risk of flooding. Both Stirling Council Flooding team and SEPA have no objections to the proposal.
- 7.9 Loch Venachar forms part of the River Teith Special Area of Conservation (SAC) which is designated for its Atlantic salmon and lamprey interest. At its minimum distance, the application site is over 40m from the lochshore and there remains a suitable buffer area between the site and the loch. It is recommended that a condition is attached to ensure that

## Agenda Item 7

this buffer area is kept clear of material and equipment during construction by ensuring all building materials etc remain within the development site (as was conditioned for 2011/0161/DET). A new septic tank is proposed with a discharge to land via soakaway and there remains ample land between the septic tank system and the loch to ensure that no pollutants can enter the water body. A Habitats Regulations Appraisal Screening Report was undertaken as required by the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), which concluded that there are no significant adverse effects on the integrity of the River Teith SAC as a result of the proposed development.

- 7.10 Access to the site is off Invertrossachs Road via a private track. Stirling Council Roads have recommended conditions regarding car parking spaces and removal of vegetation along the boundary adjacent to the road frontage to enable a sufficient visibility splay.

## 8 CONCLUSION

- 8.1 This application is for the erection of a house at Loch Venachar, Invertrossachs Road, Callander. It is a revised design for the replacement house approved under 2011/0161/DET. The design is for a contemporary single storey house which makes best use of the site, has an appropriate landscape 'fit', and incorporates a number of sustainable features. The design is in keeping with the local plan's Policy D1 and the Sustainable Design SPG. The finished floor levels are at a height that will ensure that the house will be sufficiently above the loch level to ensure the property is not at risk of flooding. Mitigation measures are provided to ensure that the development will not have a negative impact on Loch Venachar which forms part of the River Teith Special Area of Conservation.

**Background** <http://www.lochlomond-trossachs.org/planning/>

**Documents:** *Click on view applications, accept the terms and conditions then enter the search criteria as 2012/0323/DET*

- List of Appendices:**
- **Appendix 1 Conditions, Proposed Reason for Approval and Informatives**
  - **Appendix 2 Site Location Plan**
  - **Appendix 3 House Design**

### **Appendix 1: Conditions, Proposed Reason for Approval and Informatives**

#### **Conditions**

1. **Submission of Details:** Prior to the commencement of the works hereby granted consent, details/samples of the following shall be submitted to and approved in writing by the Local Planning Authority:
  - (a) Details and sample of the natural stone to be used on the walls.
  - (b) Details (including method of fixing) and sample of the timber cladding.
  - (c) Manufacturers details of the windows, doors and rainwater goods;
  - (d) Details and sample of the standing seam zinc roof.

REASON: For the avoidance of doubt and to ensure a satisfactory standard of development.

## Agenda Item 7

- 2. Visibility Splay:** All vegetation growing on the roadside of the existing fence line, for a distance of 40m west of the vehicular access onto Invertrossachs Road, shall be cut back and maintained so that it is kept behind the fence line.

REASON: In the interests of road safety.

- 3. Construction Buffer:** All building materials, construction vehicles and any other equipment shall be stored within the site boundary as identified on drawing Location Plan LVH 100 (dated 19.10.2012) during construction of the replacement house.

REASON: To maintain a sufficient buffer between the development site and Loch Venachar in order to ensure no sediments or other harmful materials enter the Loch which forms part of the River Teith Special Area of Conservation.

---

### Proposed Reason for Approval:

This proposal is a revised design for a replacement house previously approved under 2011/0161/DET. The design is for a contemporary single storey house which makes best use of the site and has a number of sustainable features as required by Policy HOUS8 Replacement Dwellings. The design is in keeping with Policy D1 of the National Park Local Plan and the supporting Supplementary Planning Guidance on Sustainable Design.

---

### List of Plans

Title	Reference	Date on Plan*	Date Received
Location Plan Location Plan	LVH 100	19/10/12	19/10/12
Site Plan Proposed Site Section	LVH 1.03	18/10/12	19/10/12
Site Plan Existing Site Plan	LVH 1.01	28/09/12	19/10/12
Plan Proposed Plan	LVH 1.05	28/09/12	19/10/12
Plan Proposed Roof Plan	LVH 1.06	28/09/12	19/10/12
Plan Proposed Site Plan	LVH 1.02B	28/09/12	19/10/12
Plan Living Wing - True Elevations	LVH 2.00	28/09/12	19/10/12
Plan Bedroom Wing - True Elevations	LVH 2.01	28/09/12	19/10/12
Plan Garage Wing - True Elevations	LVH 2.02	28/09/12	19/10/12

\*Where no specific day of month has been provided on the plan, the system defaults to the 1<sup>st</sup> of the month.

**Informatives:**

- 1. Duration of Permission:** In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of 3 years beginning from the date of this permission, unless the development to which this permission relates is begun before that expiration.
- 2. Notification of Initiation of Development:** Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. We recommend this is submitted 2 weeks prior to the start of work. A failure to submit the notice, included in the decision pack, would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3. Notification of Completion of Development:** As soon as practicable after the development is complete, the person who completes the development is required by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give written notice to the planning authority of the completion of the building works. As before, there is notice for you to complete for this purpose included in the decision pack. In larger, phased developments, a notice of completion is to be submitted as soon as practicable after each phase is finished by the person carrying out the development.