



PLANNING AND ACCESS COMMITTEE

MEETING: Monday 28th November 2016

SUBMITTED BY:	Head of Planning & Rural Development
APPLICATION NUMBER:	2016/0139/HAE
APPLICANT:	Mr J Whyte
LOCATION:	Castle House, Buchanan Castle Estate, Drymen
PROPOSAL:	Extension and alterations to garage to form ancillary residential unit

NATIONAL PARK WARD:	Forth and Endrick Ward
COMMUNITY COUNCIL AREA:	Buchanan Community Council
CASE OFFICER:	Name: Kirsty Sweeney Tel: 01389 722622 E-mail: kirsty.sweeney@lochlomond-trossachs.org

1 SUMMARY AND REASON FOR PRESENTATION

- 1.1 This application is for the conversion of a garage to form separate living accommodation in the grounds of Castle House, Buchanan Castle Estate, as shown in figure 1 and 2.
- 1.2 An objection has been received from the community council. In accordance with the National Park Authority's Scheme of Delegation, this application must therefore be determined by the Planning and Access Committee. This paper presents the officer's assessment of the planning application and the officer's recommendation.

2 RECOMMENDATION

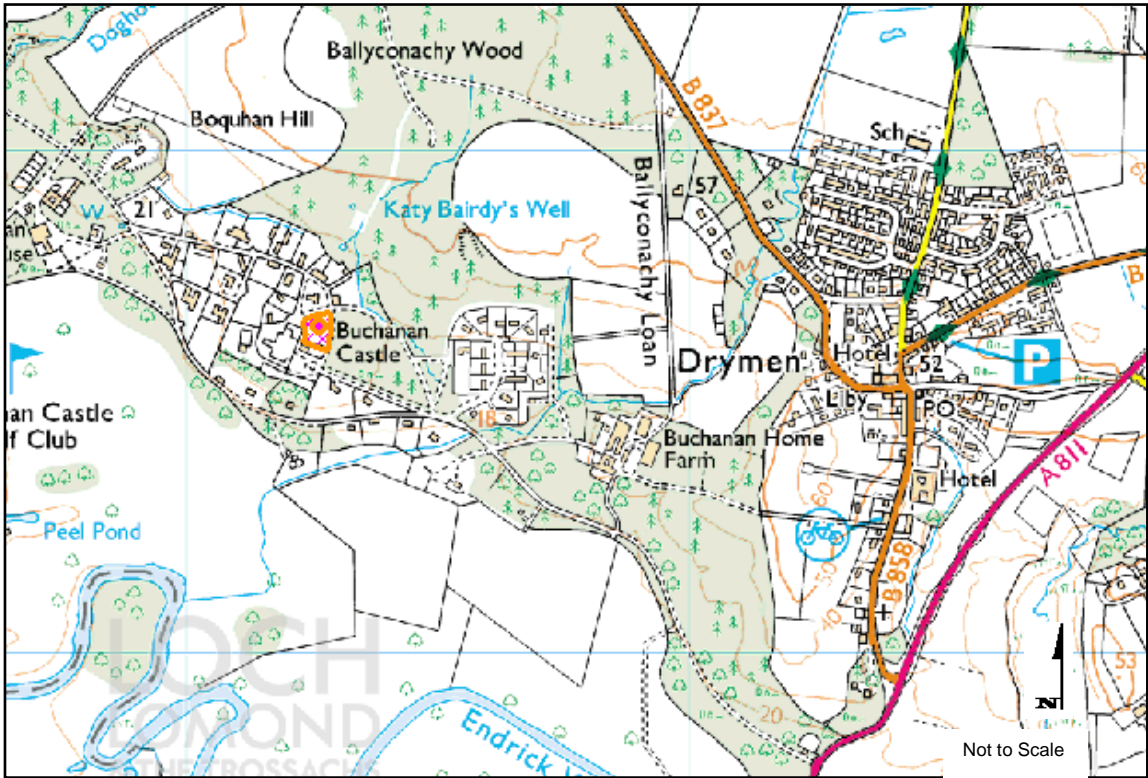
That Members:

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

3 BACKGROUND

Site Description:

3.1 The application site is located within Buchanan Castle Estate as identified in figure 1. The house is located near to the remains of the old castle (to the east), a listed building. The site comprises of a modern detached dwelling with a large curtilage which is enclosed with a fence and hedging to the rear along the main internal driveway through the estate. To the southern boundary of the application site is another private dwelling known as Dunairidh. The house to the north is known as Rohallion and there an internal access road separating the two properties. To the west is woodland. The site is located within the Loch Lomond National Scenic Area and there a Tree Preservation Order covering the estate.



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Figure 1. Site Location Plan. Application site delineated in orange.

Site Photographs:

3.2 The following photographs of the site shown in figure 2 illustrate the site layout and style of the large detached bungalow (Castle House), the converted double garage to the rear and the large 4 car garage which is subject to this proposal for the conversion.

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3.3



Figure 2 Site photographs

Description of Proposal:

3.4 The proposal involves conversion of an existing four car garage into self-contained living accommodation with 3 bedrooms. The new accommodation would provide approximately 160sqm of accommodation. The existing house is 6 bedrooms with two kitchens and two living areas. The proposal does not include sub-division of the plot as the accommodation is proposed to be used by the applicant's elderly parent and sister (carer).

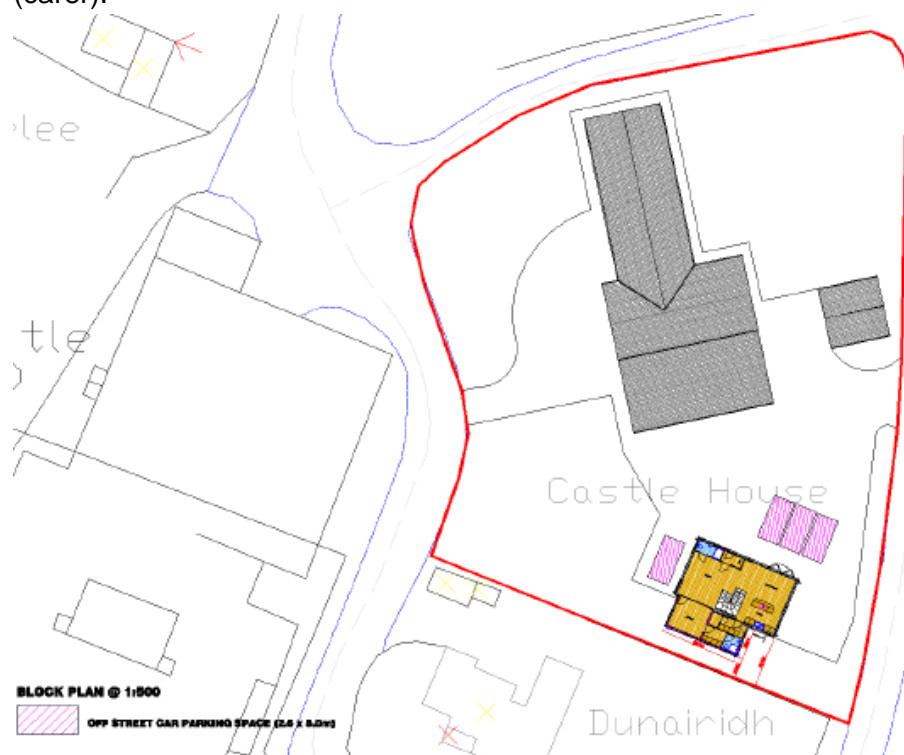


Figure 2. Site Layout provided by applicant.

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3.5



Figure 3. *Proposed Elevations (not to scale)*

- 3.6 The external changes include new bi-fold doors and front entrance door to replace the two double garage doors. One new dormer to the rear that would accommodate the headroom for the stairwell. There would be an extension to the rear 8.6m x 3.6m to accommodate an additional bedroom and en-suite. The proposal also includes a new large window opening on the ground floor on the east gable.
- 3.7 The development would be serviced with a standard boiler and no low or carbon generating technologies are proposed (such as solar panels, wood burning stove/boiler, heat pumps etc).

Environmental Impact Assessment (EIA):

- 3.8 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 as the proposal is not identified within Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2011.

Planning History:

- 3.9
- 2007/0373/HAE - Extension to dwelling and detached double garage – Approved 12.12.2007
 - 2008/0307/HAE - Erection of single storey side extension and detached double garage – Approved 08.12.2008
 - 2009/0104/HAE - Erection of rear extension to dwellinghouse and erection of detached garage with upper floor (amendment to planning permission ref: LT/2008/0307/HAE/S) – Approved 29.06.2009 Note: A number of conditions were placed on the 2009 permission, including one in relation to occupation of the annexed accommodation and another relating to the use of the domestic

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garage as incidental to the use of the dwelling and not to be used for trade or business.

- 2014/0284/TRE – Works to trees covered by TPO – 1no. Ash and 2no Silver Birch to be felled following storm damage, 2no Beech showing signs of die back and 1no. Douglas fir and 2no larch too close to garage and thin 5no oaks.

4 CONSULTATIONS AND REPRESENTATIONS

Responses to Consultations:

4.1 Buchanan Community Council

Object to the proposals given strength of feeling of residents for the following reason:

- The proposal contradicts the Draft Buchanan South Rural Development Framework. It is not of an appropriate scale or density. Whilst it is not a subdivision of garden for a completely new house it is still a subdivision of a garden which will change the character of the estate. The Framework states that subdivision of gardens will generally be resisted in order to conserve the character and low development pattern of the estate.

Representations Received:

4.2 At the time of writing this report 4 individual representations of objection had been received in relation to this application from neighbours. A summary of the main issues from these representations now follows. A response to the range of concerns is provided within the text on the Planning Assessment (Section 7) or, where appropriate, under the specific point of concern in this section of the report:

4.3 **Ancillary Building Definition** - The proposal does not fit with the definition of an ancillary building. The proposed development is a substantial detached house with all the facilities for independent occupation. The development is therefore sub-division of garden irrespective whether the legal title remains unmodified. If the elderly parent and sister set up home as a separate household, then surely this would be a subdivision without the inconvenience of Council Tax. The building is ideally suited to self-catering holiday accommodation. It is contrary to the Buchanan South Rural Framework draft Planning Guidance which states that “*sub division of gardens will generally be resisted in order to conserve the character and low development pattern of the Estate.*”

Planning Officer comment: It is acknowledged that the proposal can support independent occupation and is considered as an ancillary dwelling rather than an ancillary building and is assessed as such.

4.4 **Amenity** - The increase in existing floorspace will create a large house which will adversely impact on the amenity of nearby residences.

Planning Officer comment: It is not considered that the additional living accommodation will adversely impact on nearby residences. The plot is large enough to accommodate this proposal.

4.5 **Scale and Density** - The density of properties on this site is out of keeping with the rest of the Estate. If approved, the plot would have nine bedrooms and it would be gross overdevelopment of the site and unjustified given the amount of space already

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available in the main dwelling. It is contrary to the Buchanan South Rural Framework draft Planning Guidance which states that “*sub division of gardens will generally be resisted in order to conserve the character and low development pattern of the Estate.*”

Planning Officer comment: This is considered in the assessment below at paragraph 7.5 to 7.6.

- 4.6 **Parking** There would be insufficient car parking if the garage space is lost as the drive currently accommodates a large number of vehicles.

Planning Officer comment: This is considered in the assessment below at paragraph 7.16.

- 4.7 **Precedent** - If the application is approved it will set a precedent for similar types of proposals and will result in a detrimental change to the estate.

Planning Officer comment: This is not a material planning consideration and each planning application is considered on its own merits.

- 4.8 **Trees** - There are 4 mature trees on either side of the boundary fence that may suffer root damage from the building and foundation work.

Planning Officer comment: This is considered in the assessment below at paragraph 7.9-7.10.

- 4.9 **Foul Drainage** - The existing and proposed accommodation has a large number of bathrooms. Would there be capacity in the sewerage network for this proposal?

Planning Officer comment: The proposal would connect to the existing public network and given this proposal is small-scale there is likely to be capacity.

- 4.10 **Need** - It is questionable whether the sister and elderly parent will decant into the ancillary accommodation as proposed given they are currently residing in a large house with 6 bedrooms, 4 bathrooms and 2 living spaces. If they do move, then this will leave the main house largely empty except for family visitors on occasional weekends.

Planning Officer comment: The issue of need is covered in the assessment below in paragraph 7.12-7.13.

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.

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- 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. The aims are discussed in section 7 of this report.

Development Plan:

5.3 National Park Local Plan (Adopted 2011):

Relevant Policies:

- HOUS7 – Alterations and Extension to Dwellings
- TRAN3 - Impact of New Development on the Road Network
- TRAN6 - Parking Provision
- D1 - Design Quality
- SUSDEV1 - Sustainable Development
- ENV9 – Development Impacts on Trees and Woodlands
- ENV11 - Connection to Sewerage and Water Supply
- ENV12 – Sustainable Urban Drainage
- ENV21 – Listed Buildings

Full details of the policies can be viewed at:

<http://www.lochlomond-trossachs.org/planning/planning-guidance/adopted-local-plan/>

5.4 Adopted Supplementary Planning Guidance

- Sustainable Design Supplementary Planning Guidance (adopted Dec 2011)

Details of these guidance documents can be found on our website at:

<http://www.lochlomond-trossachs.org/planning/planning-guidance/adopted-local-plan/>

Other Material Considerations:

5.5 National Park Proposed Local Development Plan

The Proposed Local Development Plan, including the Reporters' modifications, has now been approved by the National Park Board and on 11th November 2016 was publicised in the form intended for adoption and submitted to the Scottish Ministers. Following a 28 day period the Park Authority will then adopt the Plan, unless directed not to by the Scottish Ministers. During this current period the Proposed Local Development Plan is a significant material consideration in the assessment of planning applications and is a key consideration in determining the weight given to each policy or proposal. In this respect, the following policies are relevant:

- Overarching Policy 1: OP1 – Strategic Principles
- Overarching Policy 2: OP2 – Development Requirements
- Transport Policy 3: TP3 - Impact Assessment and Design Standards of New Development
- Historic Environment Policy HEP1 – Listed Buildings

5.6 Draft Supplementary Guidance & Planning Guidance

- Draft Design & Placemaking Supplementary Guidance (May 2015)
- Draft Buchanan South Development Framework (May 2015)
- Draft Listed Buildings and Conservation Area Planning Guidance (May 2015)

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Details of the plan and guidance documents can be found on our website at:
<http://www.lochlomond-trossachs.org/planning/planning-guidance/local-development-plan/>

5.7 National Park Partnership Plan (2012-2017)

All planning decisions within the National Park require to be guided by the policies of the Partnership Plan, where they are considered to be material, in order to ensure that they are consistent with the Park's statutory aims. In this respect the following policies are relevant:

- RD Policy 2: Spatial Development Strategy
- RD Policy 7: Sustainable Design and Construction

6 **SUMMARY OF SUPPORTING INFORMATION**

The agents for the applicant have submitted the following in support of the planning application which is summarised as follows:

Supporting Statement prepared by Paul Clark (Agent)

Need - The supporting statement explains the need for this proposal. It states that the converted garage is required for the applicant's elderly parent and the sister who is the full-time carer. It states that the applicant's other family members provide caring assistance and stay over at weekends to visit and assist in caring duties. Thus the need for a three bedroom property. It states that even though the main house is large it does not lend itself to providing the accommodation required. A new independent space is required to allow the visiting family members and their kids to stay when visiting and helping out. The split living accommodation in the main house does not lend itself to being the separate accommodation that the applicant's elderly parent and sister require.

The garage was constructed for Mr Whyte's vehicles but it now rarely used due to the secure parking and driveway area within the plot. It is considered better to convert the existing garage rather than extend the house. There is no intention of creating a separate house. It will always remain under one Title Deed. The converted garage will only be used by members of the same family.

The formation of ancillary residential accommodation is common place in the National Park and is generally supported. The accommodation means creating independent living accommodation for the applicant's family which is ancillary to the main house and will look like a converted garage. The plot will not be subdivided.

Design - The intention was to ensure the garage looked like a converted outbuilding rather than a separate new house. Further details are provided about the design including the need for the extension to the rear to accommodate a bedroom on the same level for the elderly parent. The new dormer to the rear is required to allow necessary headroom over the new stair whilst accommodating a first floor landing. This dormer will be obscured or opaque glazing to avoid potential overlooking.

7 **PLANNING ASSESSMENT**

- 7.1 The proposed ancillary building would create a detached self-contained residential dwelling. It is a completely self-sufficient standalone building with a footprint measuring approximately 160 square metres. The building would have two levels of accommodation comprising of a sitting room, dining hall, kitchen, 3 bedrooms two with

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en-suite and a separate WC.

- 7.2 Even though the proposal is considered tantamount to a new dwelling, it is being applied for as ancillary accommodation and therefore it is not reasonable to assess the proposal against housing policies of the adopted and proposed plan. Policy HOUS7 covers extensions and alterations to dwelling houses. This is the most relevant policy even though there is no specific mention of conversion of outbuildings. Policy D1 (design quality) and Policy SUSDEV1 (sustainable development) of the adopted plan and Policy OP2 of the proposed plan are the most relevant and they require proposals to achieve a high quality design and layout and provide a positive sense of place. The policies also require compliance with the supplementary guidance on design. The draft version of this guidance is currently pending adoption of the Proposed Local Development Plan next month (referred to in Section 3 above).
- 7.3 The key considerations include:
- Assessment against the draft design and placemaking guidance on outbuildings
 - Assessment against the draft Buchanan South Framework
 - Access and Parking
 - Water & Drainage Infrastructure
 - National Park Aims

Assessment against the Design and Placemaking Guidance on Outbuildings

- 7.4 In terms of the draft Design and Placemaking Guidance, section 3.3 on outbuildings states that outbuildings are becoming increasingly popular, either to provide additional accommodation or a variety of ancillary uses. It sets out as a general principle that two storey outbuilding are generally not encouraged as they can adversely impact on the character of existing buildings. Then goes on to specify that outbuildings should:
- Be subservient in scale.
 - Harmonise with the main buildings in terms of style, profile and materials
 - Avoid impact on trees.
 - Not cause overdevelopment of the site
 - Be designed to appear as incidental to the main buildings in terms of size, scale, massing and finish.
 - If providing additional accommodation, it should not appear residential in character i.e. look like a separate dwelling house with separate outdoor space.
 - Use natural materials where appropriate
 - Consider sustainability

The above points will be addressed, either together or alone, in the following assessment.

Scale

- 7.5 In terms of height, scale and subservience, the building is one and half storey but is the same height as the main house which is only one storey. However, it is a sizable building. The following is a summary of the original assessment of the building in considering the original planning application to build the garage with upper floor games room *“The proposed garage is large in size. However, when viewed in conjunction with the dwellinghouse (as extended) and the existing garage, it still does not result in overdevelopment of the site. The designs and materials are in keeping with the house. It is felt that the garage location and its size would result in it being visually dominant at this corner of the site and to ensure that it integrates with its setting, the area shown on*

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the submitted plans at the east side of the garage should be devoted to additional landscaping. It is considered that, on balance, the proposal would not have a detrimental impact on the character of the area and given the characteristics of the site it would not constitute overdevelopment.” Therefore the proposal is considered to comply with the first point in relation to height.

- 7.6 In addition the proposed extension to the garage must be considered in relation to scale and subservience. The justification for extending the garage (by 28sqm) as part of the conversion is to accommodate a downstairs bedroom as the elderly parent would not manage the stairs. It is questionable whether the additional 28sqm is required since the bedroom could be accommodated on the lower floor albeit at the loss of living space. The applicant was asked to remove the extension but they were not willing to negotiate on this. It is considered that the small extension and overall scale of the accommodation is overly large but when viewed against the context of the large house and other very large properties in Buchanan Castle Estate it is not out of scale. The garage, even though large, is no bigger than other ancillary buildings within the estate but where the use is often a garage, games room or holiday let. There are no adverse impacts on the setting of the main house or the character of the area. The policies of the local plan and the design guidance stipulate that extensions including annexes should be smaller than the original house. In this case because the main house is large, then the 3 bed annex is smaller than the original house. Therefore, taking all these points into consideration, it is not considered that scale of the proposed ancillary accommodation is a reason for refusal.

Design and Materials

- 7.7 The external changes are fairly minimal. The removal of the garage doors and replacement with bi-fold doors is attractive and retains the ancillary character of the building. The applicant has removed two previously proposed upper floor dormers and replaced with rooflights to reduce the scale and retain the ancillary character. The new extension to the rear would be in timber and appears like a lean-to at the back of the property. Again, it retains that ancillary character being in timber. The roof and wall materials would remain unaltered and the proposal would continue to be in keeping with the existing house.

Sustainability

- 7.8 In terms of sustainability, it is an existing building being re-used. Also being near to family this is likely to limit car journeys, which would be necessary if the elderly parent lived elsewhere. However, the conversion has not been specifically designed with sustainability in mind in terms of reducing greenhouse gas emissions. The energy requirements would come from a standard boiler and there are no proposals for on-site low and zero carbon technologies. This would therefore not comply with the proposed plan policy (OP2). This is a material consideration but it is noted that the plan is yet to be adopted next month. Therefore, a condition is recommended to ensure compliance with the policy and require either solar, heat pumps, wood stove etc technologies to be installed.

Trees

- 7.9 In terms of trees, the neighbour at Dunairidh has made a representation regarding the trees that run along the boundary between the two properties. There is a Tree Preservation Order at Buchanan Castle Estate but only trees which were in existence in 1961 are protected. It is therefore difficult to judge if the trees along the boundary are protected or not. Nevertheless, the trees should be protected in accordance with

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Policy ENV9 in terms of the value they have in providing a screen between the two properties and the value they add to the character of the estate.

- 7.10 On measuring the diameter of the trees it is calculated that the root protection area should be between 1.2 and 1.5 metres (using British Standard BS5837). Therefore, as the extension is 2.5m distance from the boundary, there would be no impingement on the root protection area. In conclusion, it is the proposed extension would not adversely affect the tree roots of the neighbouring trees and the proposal complies with Policy ENV9 in relation to Development and Trees.

Overlooking

- 7.11 The proposal will not result in overlooking given the proposed new dormer on the upper level is to provide light and head-room for the stairwell. The applicant has expressed willingness to make this window obscure glass so as not to overlook the neighbouring property of Dunairidh. In addition, it is not considered that there would be any increase noise levels to a detrimental degree which will impact on the residential amenity of neighbouring properties. In conclusion, the change of use from a garage to ancillary accommodation is not considered to affect residential amenity.

Need

- 7.12 It is necessary to consider the need for a 3 bed annex accommodation. The new annexed accommodation is proposed to be approx. 160sqm floorspace which is considered a sizeable 3 bedroom property (the average 3 bed house in the UK is between 90-100sqm). The main house however is large, as stated above, this is due to it being extended on two occasions in recent years (the floorspace is now approx. 384sqm with 6 bedrooms). It also has previously been split internally (two kitchens, two living areas) to accommodate the applicant's elderly parent. The applicant however presents their case that this accommodation is no longer adequate for himself, his sister, who is the main carer and the elderly parent given the need for additional help from visiting family.
- 7.13 It is acknowledged that this accommodation will be permanent. Once the dependency need has ceased it is likely that there would be pressure, in the future, for it to be used as a separate dwelling or for a holiday let. However, any change in this direction would require a further planning application (to vary/remove the condition) and the consideration of parking, subdivision of the plot, provision of affordable housing in the countryside or assessment against the tourism policies would all have to be taken into account at that time. The potential future use of the building cannot be attributed weight as a material consideration.

Conclusion in relation to Design and Placemaking Guidance

- 7.14 In conclusion, the proposal meets all the requirements of the design and placemaking guidance in relation to outbuildings. The proposal provides acceptable annexed accommodation and the applicant has provided justification (section 6 above) providing accommodation for the applicant's grandmother and sister who is the carer, to free up the main house for visiting family. Although this gives some assurance of its proposed use, it should also be supplemented by the use of a planning condition for the avoidance of doubt, to restrict its use to annexed accommodation.

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Assessment against Buchanan South Framework (Sub-division)

- 7.15 The Buchanan Community Council and a resident of Buchanan Castle Estate both object to the proposal on the basis that it does not comply with this draft guidance. The main point of objection is that the guidance seeks to generally resist sub-division of gardens in order to conserve the character and low development pattern of the estate. However, the proposal does not result in subdivision of garden ground and the plot is capable of absorbing the proposed development given it is an existing building. It would not appear like a separate house with separate outdoor space, there is a shared driveway and the main house is only 12m across the driveway. The parking area and vehicle access would be shared between the two properties, therefore there is no boundary demarcation or sub-division of garden ground. The proposed new accommodation has limited usable garden space immediately being close to the neighbours boundary and next to the shared parking area. However it is reasonable to expect that the occupiers of this new annex accommodation are likely to share the garden space of the main house. Therefore, the proposal is compliant with the Buchanan South Framework in this regard. The proposal is not contrary to the overall objective of this draft guidance which is to conserve the character and low density development pattern of Buchanan Castle Estate.

Access and Parking

- 7.16 The proposal must also comply with policies TRAN3 and TRAN6 of the local plan in relation to access and parking. Stirling Council car parking requirements state that for dwellings of 3 or more bedrooms there must be 2 off-street parking spaces. This site will have the equivalent of 2 properties with 3 or more bedrooms therefore requiring 4 spaces as a minimum. Ideally, however, given main house has 6 bedrooms there should be spaces for approx. 6 cars. The site plan shows 4 spaces but there would be room for a further 2 cars on the driveway within the curtilage of the property. The proposal would not result on parking along the shared private road unless there was an unusual occasion such as a family gathering. Therefore, there are no issues in relation to parking and access and the proposal complies with policies TRAN3 and TRAN6 of the local plan.

Water & Drainage Infrastructure

- 7.17 The proposal will be able to connect to the public water and sewerage network and there is likely to be sufficient capacity for this small scale proposal. Therefore the proposal complies with policy ENV11. As the building is existing it already has provision for surface water drainage. Policy ENV12 only requires new sustainable drainage systems for new buildings so there is no requirement to provide it.

National Park Aims

- 7.18 Finally, the proposal must be assessed in light of the National Park Aims. It is considered that the proposal will assist to conserve and enhance the natural and cultural heritage of the National Park by virtue of using an existing building and not affecting any protected species or resulting in removal of any trees. It would also not affect the setting of the Buchanan Castle listed building as it is not viewed within the context of the ruin. Furthermore, the special qualities and sense of place of the Park will be conserved as the building currently integrates into the surrounding context given the maturing of the landscape planting around the building, previously secured via condition. In terms of the second aim: *“to promote sustainable use of the natural resources of the area”*, the proposal presents re-use of an existing building and even though it does not identify particular provision for low or zero carbon technologies for energy provision this is a requirement by condition and as such meets this aim. The

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accommodation is located within easy access to local paths will help the residents enjoy the special qualities of the area and as such would meet the third aim. Lastly, although there will be no direct employment resulting from this proposal it would add to the vibrancy of the community in terms of supporting the elderly to live in the community thus would support, the fourth aim which is *“to promote sustainable economic and social development of the area’s communities”*. There is no conflict with the first aim of the National Park and therefore the Sandford principle does not apply in this instance.

8 CONCLUSION

- 8.1 The proposal complies with the adopted local plan policies namely HOUS7 and D1 and the proposed plan policy OP2. The annexed accommodation is justified against the guidance within the draft Design and Placemaking supplementary guidance, confirming that the accommodation is subservient and ancillary to the main house. Even though the building is large, providing three bedrooms, it is viewed in the context of a very large 6 bedroom house and therefore appears subservient. The occupancy of the accommodation would be controlled via condition to ensure it is not commercially let. The issue of sustainable energy source is also covered by condition. There are no other issues in relation to access, parking, trees or overlooking.
- 8.2 In addition to assessing the proposal against the development plan policies, the proposal has been assessed against other material considerations including the aims of the National Park and it is considered that the proposal collectively meets the aims. The proposal is also considered to comply with the draft Buchanan South Framework as the low density character of the estate is retained given there would be no sub-division.
- 8.3 In conclusion, the proposal is in accordance with the development plan and the material considerations. Therefore, the proposal is recommended for approval, subject to imposition of conditions (detailed in Appendix 1).

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

Documents: **Click on view applications, accept the terms and conditions then enter the search criteria as ‘2016/0139/HAE**

List of Appendices: **Appendix 1 Conditions and Informatives**

Appendix 1

Planning Conditions:

1. **Annexed Accommodation:** The annexed accommodation hereby permitted shall only be occupied for purposes ancillary to the residential use, for family and friends, of the main dwelling known as Castle House and at no time shall be occupied as a separate dwelling which also excludes commercial letting.

REASON: Permission has been granted to accommodate the personal requirements of the occupiers for the time being and the site is unsuitable for the formation of an additional dwelling.

2. **Permitted Development Rights:** Notwithstanding the provisions of Part 1 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking or re-enacting that Order with or without modification) no extensions shall be undertaken, nor shall any building or enclosure, hard surface, oil or gas storage tank, be built within the curtilage of the building hereby approved, without application to, and the grant of permission by, the Planning Authority.

REASON: The Planning Authority considers that such development should be subject to formal control in order to safeguard the amenities of the area and ensure the curtilage of the site is not overdeveloped.

3. **Energy Requirements -Low and Zero Carbon Generating Technology:** Prior to the occupation of the annexed accommodation hereby permitted, further details of the energy supply, with at least 10% from a low or zero carbon fuel source, must be submitted to and approved in writing by the planning authority. Thereafter, the agreed low and zero carbon technologies must be incorporated into the design and be operational prior to the occupation of the annexed accommodation.

REASON: In order to comply with Policy OP2 of the proposed local development plan that requires building to incorporate on-site low and zero carbon technologies to reduce greenhouse gas emissions.

4. **Obscure Glazing:** Prior to the development hereby permitted being brought into use, the window of the dormer shall be glazed with obscure glass and, notwithstanding the provisions of Section 26 the Town and Country Planning (Scotland) Act 1997, no other type of glass shall be fitted to the said window without the prior written approval of the Planning Authority.

REASON: To safeguard the amenities of the adjacent property known as Dunairidh.

Reason for Decision

The proposal complies with the adopted local plan policies namely HOUS7 and D1 and the proposed plan policy OP2. The annexed accommodation is justified against the guidance within the draft Design and Placemaking guidance, confirming that the accommodation is subservient and ancillary to the main house. The occupancy of the accommodation would be controlled via condition. The issue of sustainable energy source is also covered by condition. There are no other issues in relation to access, parking, trees or overlooking.

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List of Plans

Title	Reference	Date Received
Location Plan	2016/442/L1	03/05/16
Site Plan	2016/442/B1	03/05/16
Plan - Existing and Proposed Elevations and Floorplan	2016/0442/01 A	15/06/16

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.
