

**THE HIGHLAND COUNCIL**

**NORTH PLANNING APPLICATIONS COMMITTEE –  
21 May 2013**

Agenda Item	6.5
Report No	PLN/051/13

**13/00933/Ful : Peter Bene, Balblair, Edderton, IV19 1LF**

**Report by Area Planning Manager**

**SUMMARY**

**Description:** Alter and extend house, demolishing previous extension, and erect domestic garage/workshop; alter existing access arrangement – forming a new private access.

**Recommendation - GRANT**

**Ward:** 05 – East Sutherland and Edderton

**Development category:** Local

**Pre-determination hearing:** No Hearing required

**Reason referred to Committee:** Objection from Edderton Community Council

**1. PROPOSED DEVELOPMENT**

- 1.1 The detailed application is for the alteration and extension of a two bedroomed one and a half storey house with detached single garage/workshop and private access road on land to the south west of and uphill from Balblair Farm Cottage.
- 1.2 No pre-application advice.
- 1.3 The application proposes a new access where the site extends east to the School Brae road and connection to the public water supply. There is an existing connection to the mains sewer and a SUDS compliant system will deal with surface water.
- 1.4 No supporting documents submitted.
- 1.5 No variations have been made to the application since submission.

**2. SITE DESCRIPTION**

- 2.1 The 0.4 ha site is located at the north eastern edge of Edderton, it is around 160m to the south east of Balblair Farm Cottage and 170m to the northwest of the public road and the existing properties Lidston House and Braemore View. Around the site is open farmland and the site is accessed from the public road via an existing steep sloping private access track passing Balblair Farm Cottage. The land slopes generally from south to north. There is a particularly steep verge to the west side

of the public road, which is dual track with a pavement on its west side from the junction with the A836 (Edderton to Tain road) to the top of the hill around 115m from the primary school. The existing house has fallen in to a state of disrepair and is in need of substantial modernisation and upgrading works. To the west of the house is an area of woodland along with an 11kV overhead line.

### **3. PLANNING HISTORY**

3.1 None

### **4. PUBLIC PARTICIPATION**

4.1 Advertised: Neighbour notification

Representation deadline: 05.04.2013

Timeous representations: 0

Late representations: 2 (1 Community Council objection, 1 neighbour comment of support)

4.2 Material considerations raised are summarised as follows:

- Proposed access gives rise to pedestrian safety concerns;
- Increased risk of drainage problems;
- Proposed access visibility giving rise to road safety concerns and is directly opposite an existing access for Lidston House and Braemore View.
- The proposed access will pose a danger to pedestrians, particularly children walking to school.

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet [www.wam.highland.gov.uk/wam](http://www.wam.highland.gov.uk/wam). Access to computers can be made available via Planning and Development Service offices.

### **5. CONSULTATIONS**

5.1 **TECS (Transport):** No objections

- The access on to the public road should be designed to standard guidelines (SDB1) with service layby;
- Parking for two cars should be provided within the curtilage of the dwellinghouse;
- With regard to visibility, taking account of comments from the objector, a visibility splay of 90m is required from the new junction onto the public road.

5.2 **SSE:** No objections

- A 11000 volt overhead line is situated where the proposed access road is to be constructed. All works must be carried out in accordance with The Health and Safety Guidance note GS 6. The legislation dictates that where works are to be undertaken within 9 metres horizontal distance from an overhead line, positive steps must be taken to manage the risk identified on site.

## **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **6.1 Highland Wide Local Development Plan 2012**

- 28 Sustainable Design
- 29 Design Quality and Place Making
- 65 Surface Water Drainage
- 66 Surface Water Drainage

### **6.2 Sutherland Local Plan**

- 6 Design and Sustainability

## **7. OTHER MATERIAL CONSIDERATIONS**

### **Scottish Government Planning Policy and Guidance**

Scottish Planning Policy

## **8. PLANNING APPRAISAL**

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

### **8.3 Development Plan Policy Assessment**

Policy 28 (Sustainable Development) of the Highland wide Local Development Plan aims to ensure that development is sustainable and lists the criterion against which the proposal shall be assessed. The applicable criteria in this case are compatibility with public service provision; accessibility; making use of brownfield sites and existing buildings; impact on individual and community residential amenity.

The application proposes to use land and a building which has previously been used for residential purposes but has since fallen in to disrepair. It is therefore considered that this is an accessible and logical site to re-develop which will have no material impact on community or residential amenity. Accordingly the proposal complies with this policy.

Policy 29 repeats this emphasis on good design in terms of compatibility with the local settlement pattern. New development should be designed to make a positive contribution to the architectural and visual quality of the place in which it is located.

Policy 65 and Policy 66 require foul and surface water drainage to meet standards that minimise the risk of pollution and flooding.

## 8.4 Material Considerations

**Design, Appearance and Landscape Impact** – Existing development on the outskirts of Edderton is mixed in form, height and finish with a range of single, one and a half storey properties. The alteration and extension of the house is a modern interpretation of a simple traditional form, with rectangular footprint, comparatively narrow gables and relatively steep roof. The alteration and extension proposed is an improvement to the unfortunate existing extension on the north elevation of the property. All surrounding traditional buildings have a natural slate finish to roofs and it is therefore considered important that slate is used within the new development to help its coherence within the surrounding area. The plans show that natural slate will be used and the use of appropriate materials can be controlled by condition.

The garage/workshop is a simple A-framed structure with 45 degree roof pitch, profiled roof sheeting and heartwood larch cladding externally.

The design of the re-developed building is considered to be acceptable and accords with policy.

Access – The agent indicated that the current access linking Balblair Farm to School Brae was unsuitable due to the steep approach to the property to the north west of the site. It was considered that the extension of the existing access route would have an unacceptable gradient and endanger other road users during icy ground conditions.

Consultation with TEC Services and SSE has confirmed no technical objections. Notwithstanding this, it is acknowledged that objections have been lodged by Edderton Community Council with one comment of support. The concerns expressed are detailed at paragraph 4.2 and 5.3.

Concerns over impact on the road network and road safety are not supported by TEC Services. They have reviewed the visibility at School Brae road and consider that a safe vehicular access to serve the proposal can be achieved with the proposed access comfortably achieving a 90m visibility splay from the centre of the new junction. A condition is recommended to ensure a compliant access is provided.

TEC Services do not have any concerns relating to the existing driveways for Lidston House and Braemore View being directly opposite the proposed access for Balblair Farm.

Drainage - In terms of surface water drainage, concern has been expressed that the proposed access in this location could exacerbate surface water run-off problems associated with the sloping nature of the land. This is a material consideration for the Planning Authority and a condition is recommended to ensure that any subsequent detailed application includes full details of a SUDS compliant surface water drainage system which takes account of not only the roof and hard surface run-off within the site, but also surface water originating from the higher land outwith the site. However, there is no reason to assume that a drainage solution cannot be found for the property, as it has been for its neighbours, and a condition is recommended to address surface water drainage.

8.5 **Other Considerations – not material**

None

8.6 **Matters to be secured by Section 75 Agreement**

None

**9. CONCLUSION**

- 9.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

**10. RECOMMENDATION**

**Action required before decision issued** N

**Subject to the above**, it is recommended the application be **Granted** subject to the following conditions and reasons:

1. No development shall commence on site until the developer has submitted written and plans details of a surface water drainage in accordance with the principles of Sustainable Urban Drainage Systems (SUDS) The submitted details shall show how the scheme addresses the management of surface water originating from the higher land to the south and west of the site as well as that originating from the drained surfaces of the immediate house site. The development shall thereafter be undertaken in accordance with the approved details.

**Reason:** To ensure that surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment and the avoid flooding.

2. The site access shall be constructed in accordance with The Highland Council's Access to Single Houses and Small Housing Developments guidelines with:

- i. the junction formed to comply with drawing ref. SDB1; and
- ii. visibility splays of 2.4m x 90m (the X dimension and Y dimension respectively) in each direction formed from the centre line of the junction.

No other development shall commence until the junction has been constructed in full and within the stated visibility splays, at no time shall anything obscure visibility between a driver's eye height of 1.05m positioned at the X dimension and an object height of 0.60m anywhere along the Y dimension.

**Reason:** To ensure that an adequate level of access is timeously provided for the development; in the interests of road safety and amenity.

**REASON FOR DECISION**

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

## **TIME LIMITS**

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

## **FOOTNOTE TO APPLICANT**

### **Initiation and Completion Notices**

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

### **Accordance with Approved Plans & Conditions**

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

### **Flood Risk**

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (p.198), planning permission does not remove the liability position of developers or owners in relation to flood risk.

### **Scottish Water**

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

### **Local Roads Authority Consent**

In addition to planning permission, you may require one or more separate consents (such as dropped kerb consent, a road openings permit, occupation of the road permit etc.) from TECS Roads prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local TECS Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm>

### **Mud & Debris on Road**

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

### **SSE**

All works in proximity to overhead lines must be carried out in accordance with The Health and Safety Guidance note GS 6. The legislation dictates that where works are to be undertaken within 9 metres horizontal distance from an overhead line, positive steps must be taken to manage the risk identified on site. These steps can include, making the line dead, erecting barriers at ground level, erecting high level bunting and goal posts (6 metres from the line), using appropriate excavator, restricting jib movement etc.

If you should require any advice regarding working in close proximity to overhead lines please contact our Engineering Bureau on 0800 048 3515.

Signature: Dafydd Jones

Designation: Area Planning Manager North

Author: Roddy Dowell

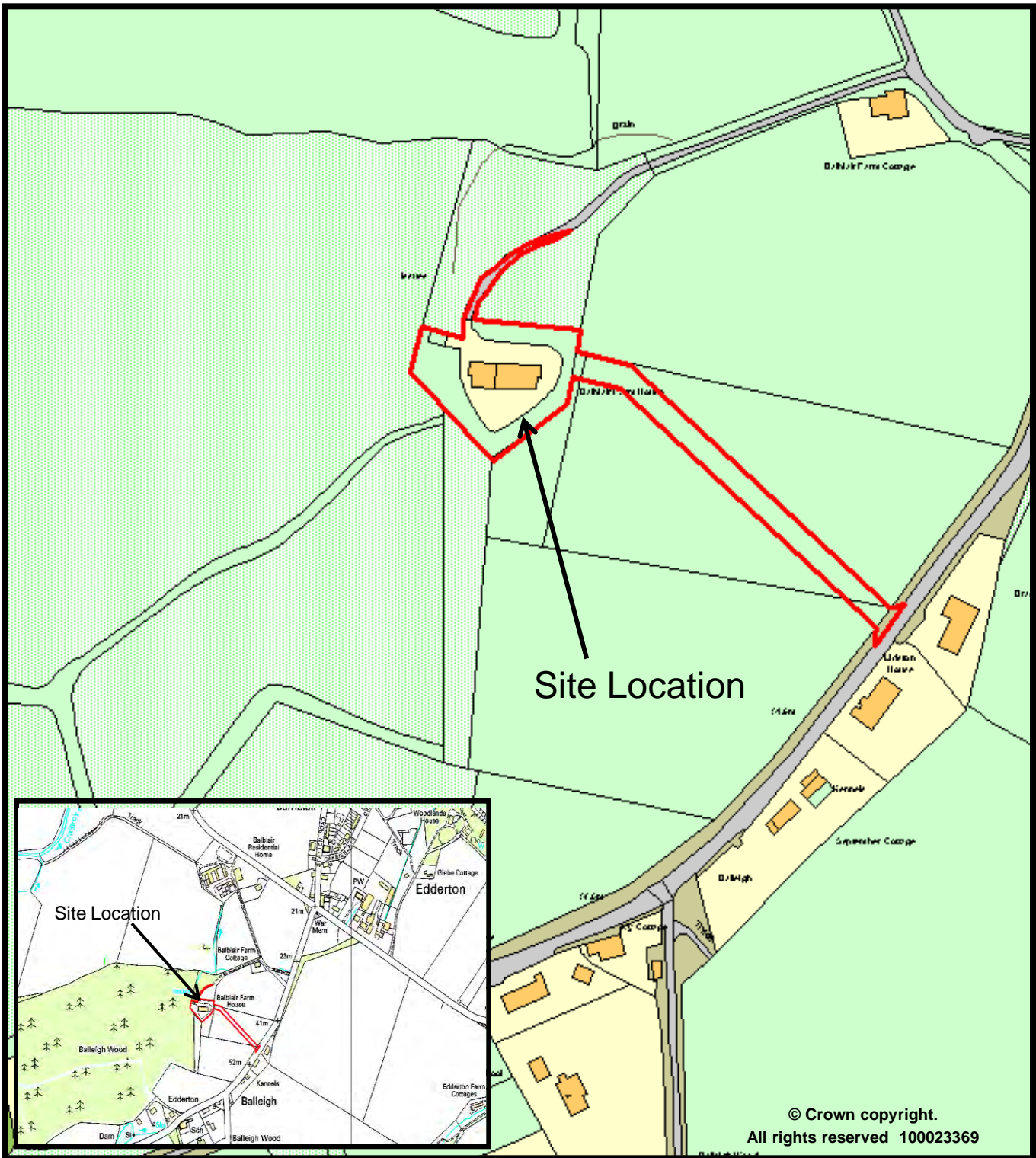
Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 – Location Plan 1227/PL01  
Plan 2 – Layout Plan 1227/P`L02  
Proposed plan (north elevation) 1227PL05  
Proposed plan (south elevation) 1227PL06  
General existing plan (south elevation) 1227PL09  
General existing plan (north elevation) 1227PL10



## Appendix – Letters of Representation

Name	Address	Date Received	For/Against
Mrs Debbie Macleod	Rowanlea, Edderton, Tain, IV19 ILF	07.05.2013	For
Edderton Community Council	e- response, c/o Robin Ashby, Secretary	10.04.2013	Against



© Crown copyright.  
All rights reserved 100023369



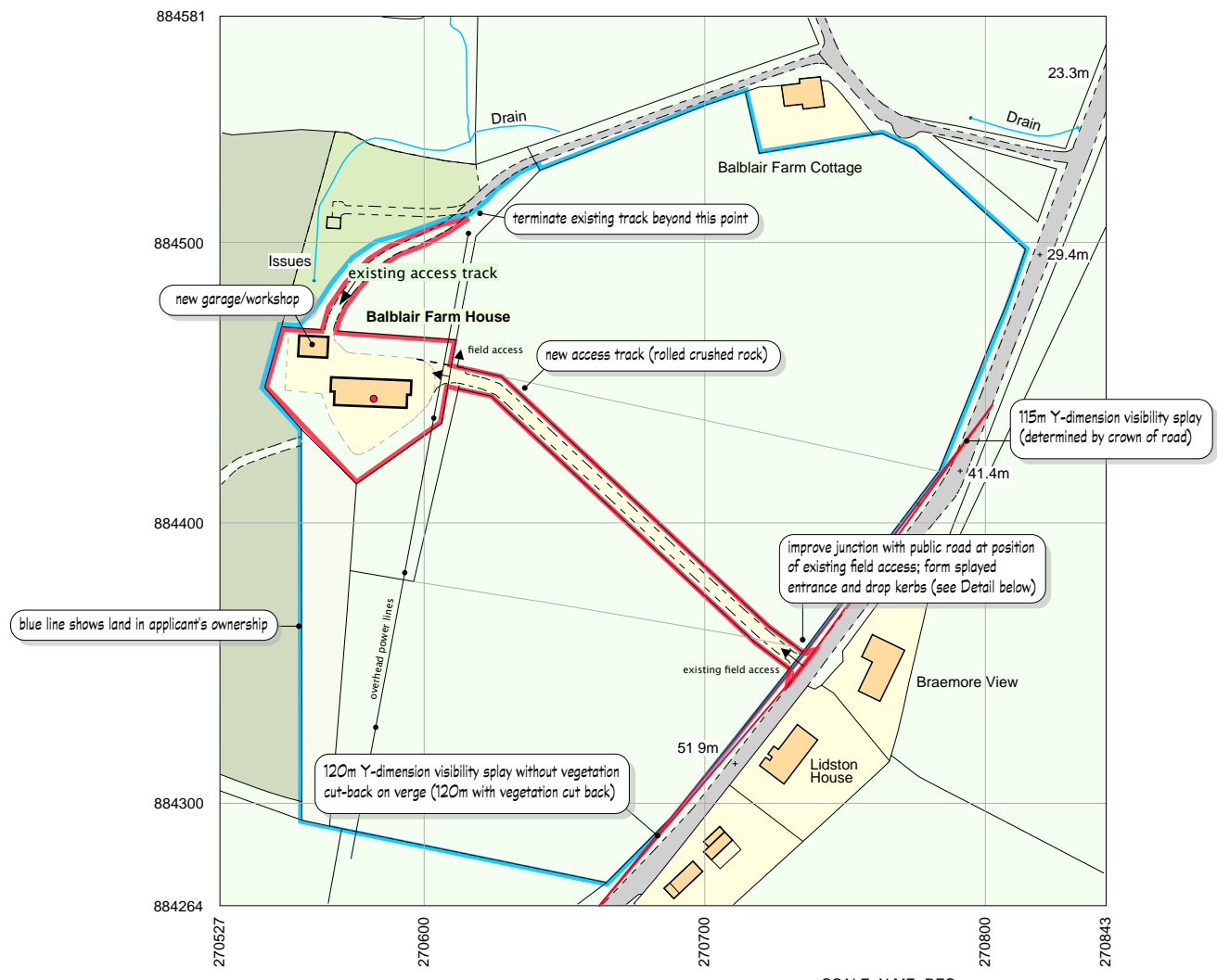
Planning & Development  
Service

**13/00933/FUL**

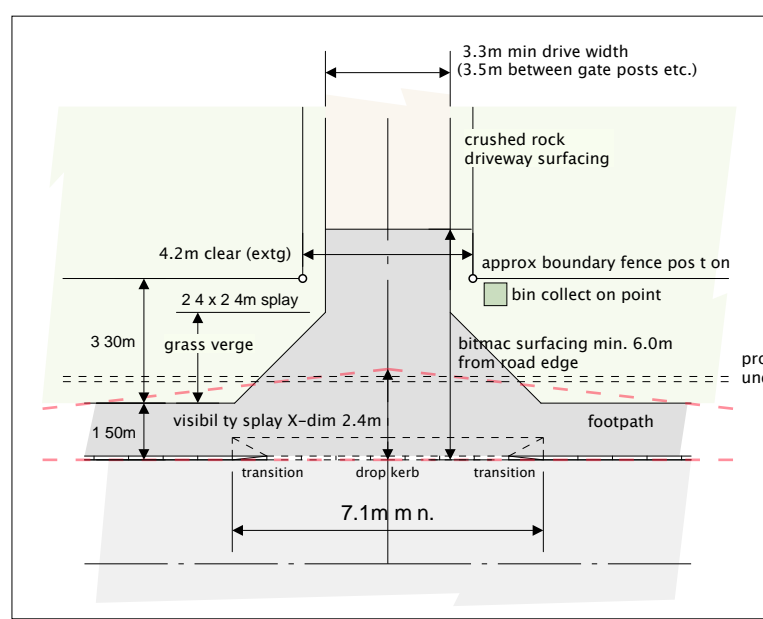
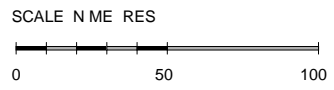
Alter & extend house, demolishing previous extension; erect domestic garage / workshop; alter existing access arrangement - forming a new private access at Balblair Farm, Edderton.

**Date: 09 May 2013**





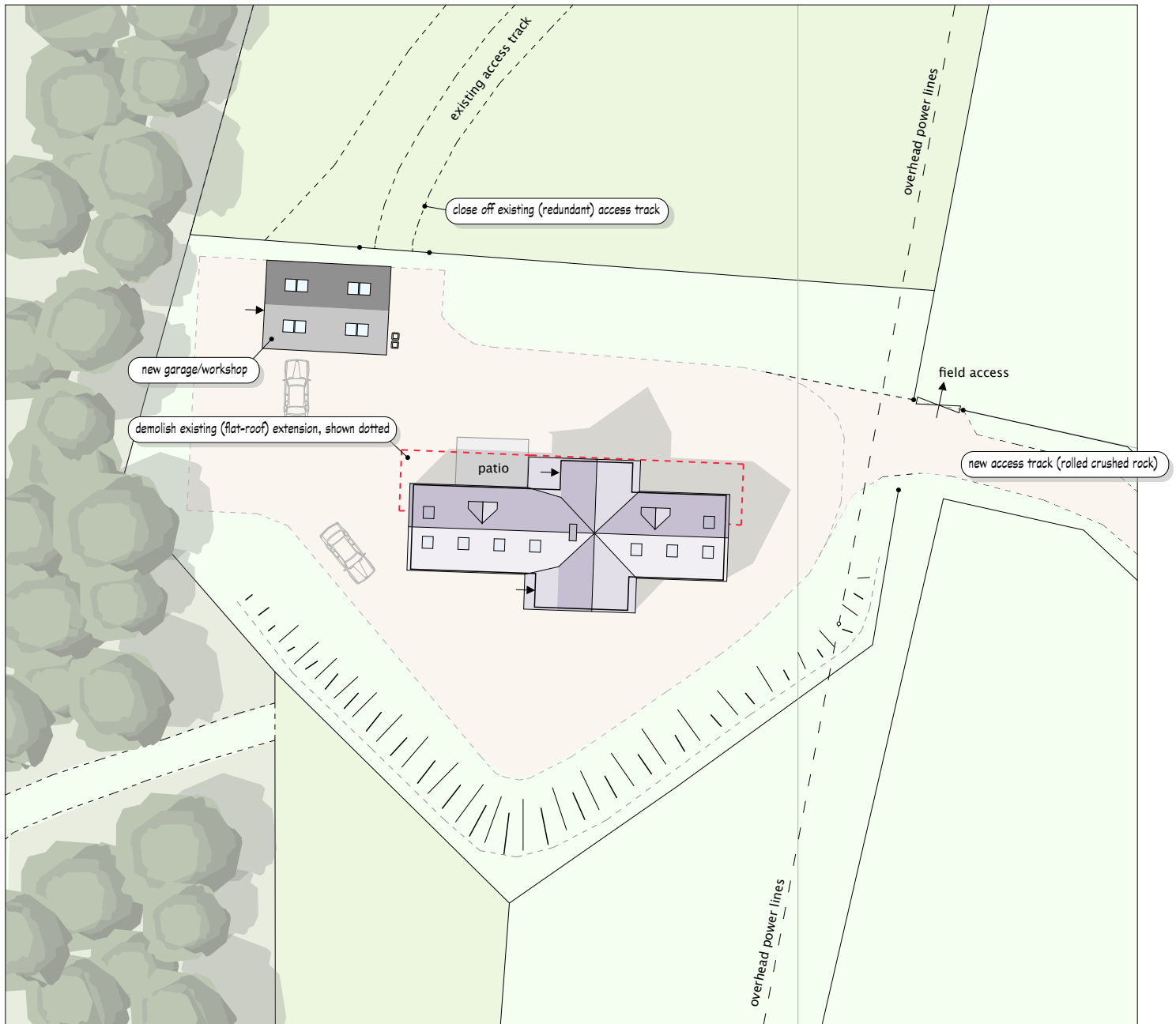
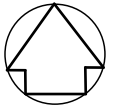
(c) Crown Copyright 2011  
 Reproduction in whole or in part is prohibited  
 without the prior permission of Ordnance Survey



**Detail of Access** scale 1:200

A alterations to Existing House, Erect Garage/Workshop  
 Balblair Farm House, Edderton, IV19 1LF  
**Location Plan**  
 dwg 1222/PL01 1:2500 18.02.13

north



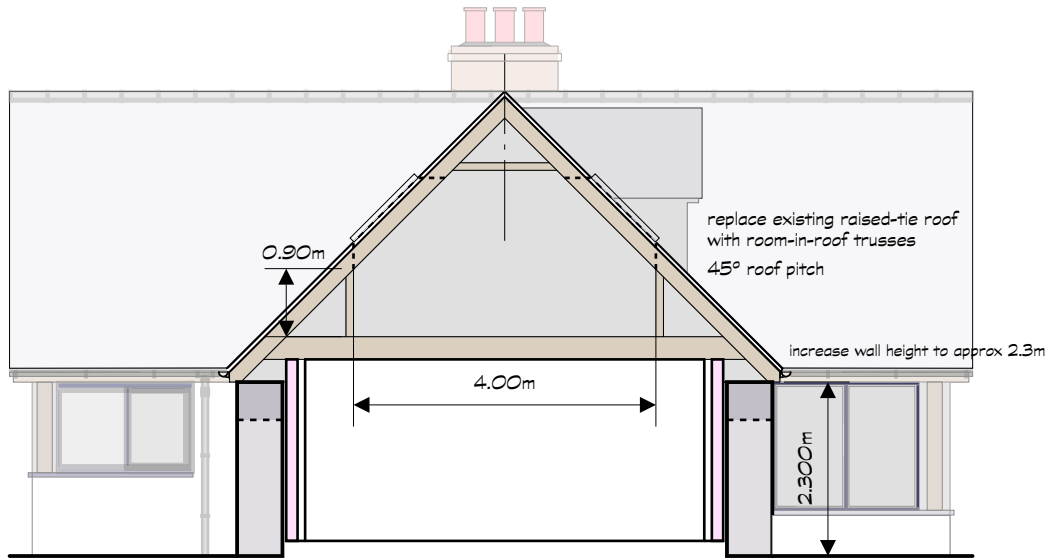
Alterations to Existing House, Erect Garage/Workshop  
Babbar Farm House, Edderton, IV19 1LF

**Site Plan**

dwg 1227/PL02

1:500

05 March 2013



**Section A-A**



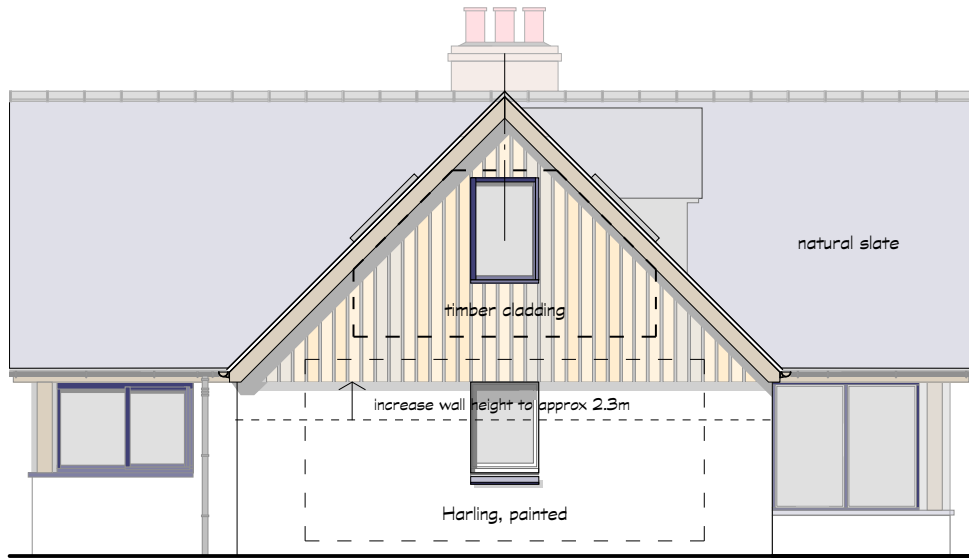
**West Elevation**



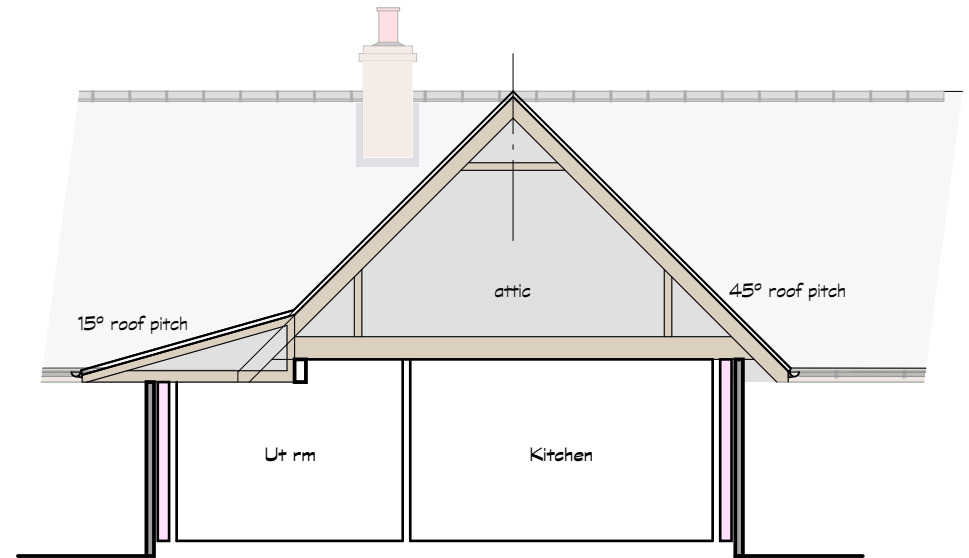
**North Elevation**



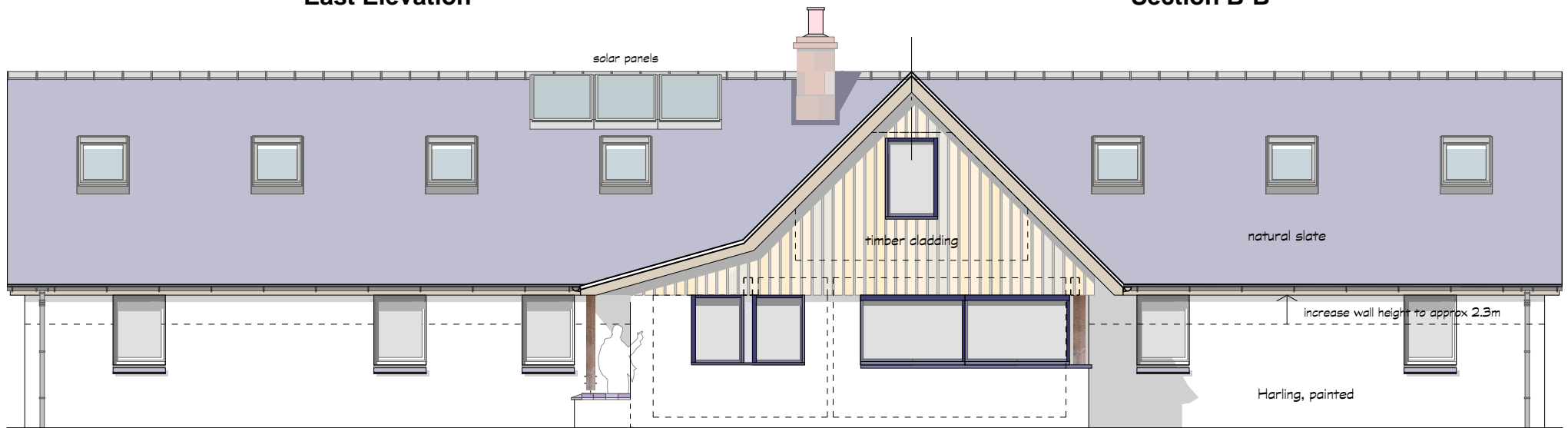
Alter and Extend Existing House  
 Barbara Farm House, Edderton  
**Elevations 1**  
 dwg 1227/PL05 scale 1:100 5th March 2013



**East Elevation**



**Section B-B**

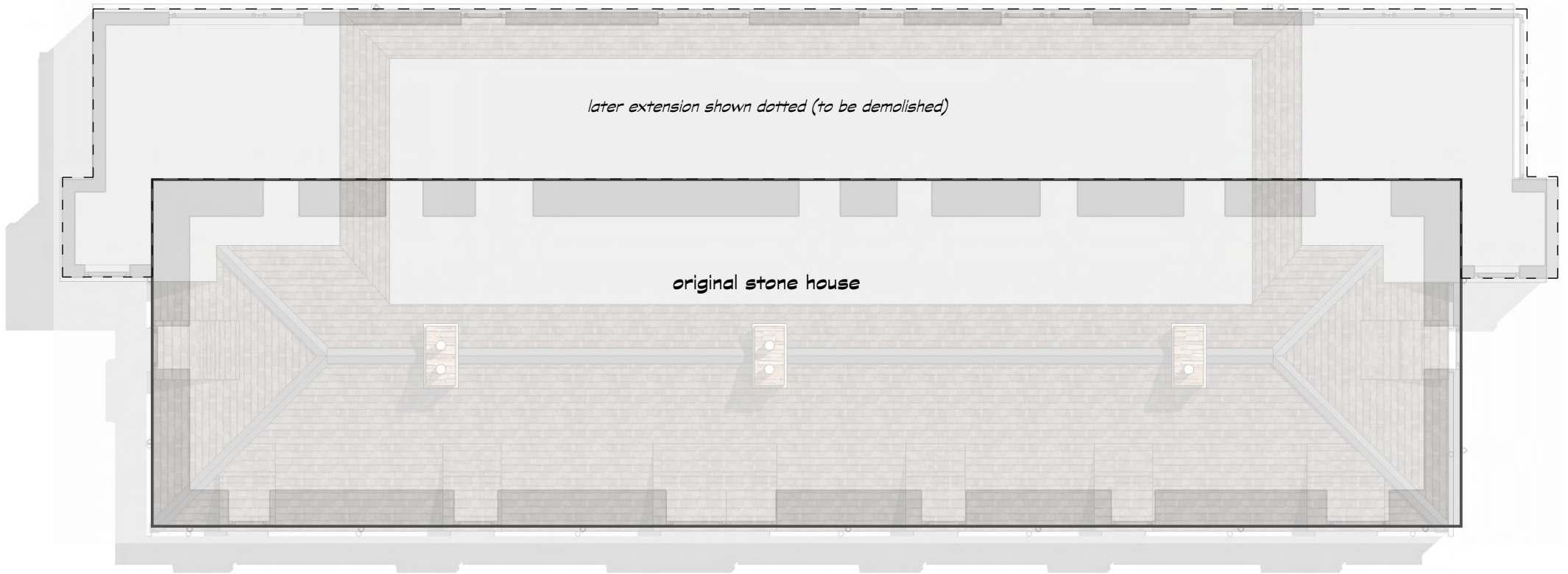


**South Elevation**



Alter and Extend Existing House  
 Babbar Farm House, Edderton  
**Elevations 2**  
 dwg 1227/PL06 scale 1:100 5th March 2013

South Elevation



Floor Plan



original document size: A4

Alter and Extend Existing House  
Babar Farm House, Edderton

**Survey Drawing 1**  
**dwg 1227/PL09**

5th March 2013  
see drawn scale

Iain Livesley Architect

01349 805002  
mail@livesley.co.uk

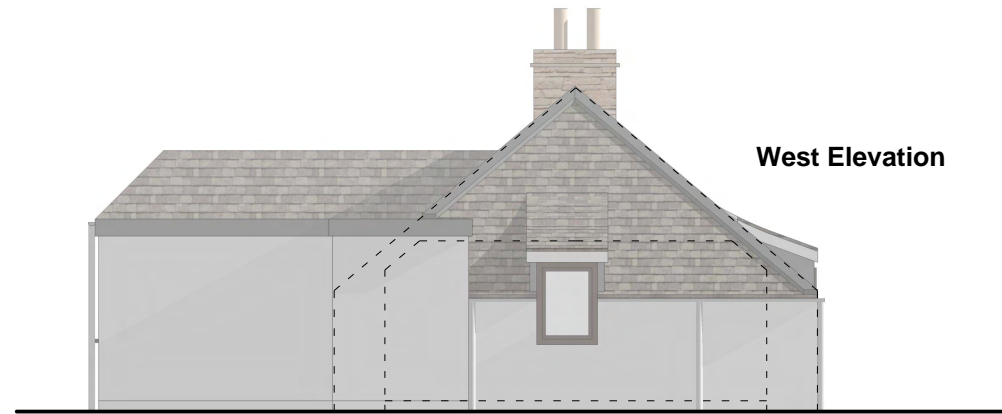
North Elevation



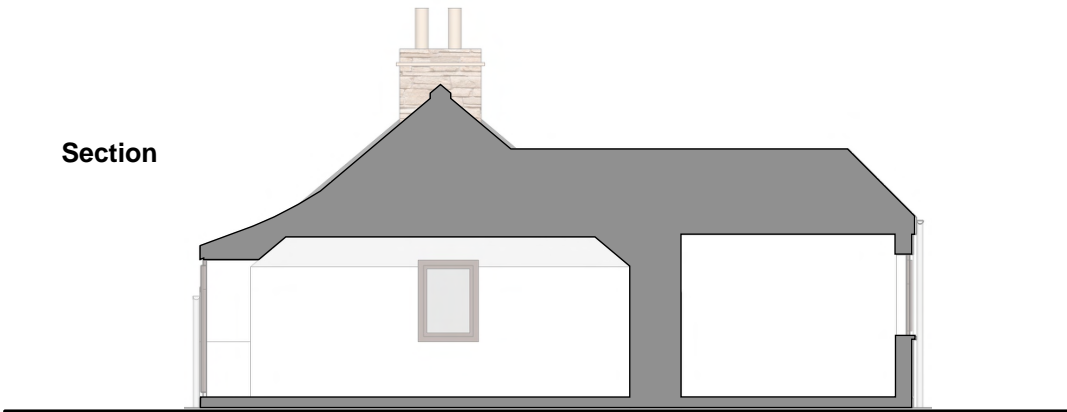
East Elevation



West Elevation



Section



original document size: A4

Alter and Extend Existing House Babar Farm House, Edderton	
<b>Survey Drawing 2</b>	5th March 2013
<b>dwg 1227/PL10</b>	see drawn scale

Iain Livesley Architect

01349 805002  
mail@livesley.co.uk