

THE HIGHLAND COUNCIL

**SOUTH PLANNING APPLICATIONS COMMITTEE
21 January 2014**

Agenda Item	5.6
Report No	PLS/007/14

**13/03960/FUL: Mr W Macqueen
Land 30m SE of Hillside Cottage, Daviot**

Report by Area Planning Manager - South

SUMMARY

Description : Erection of a house

Recommendation - REFUSE

Ward : 20 – Inverness South

Development category : Local

Pre-determination hearing : N/A

Reason referred to Committee : Committee referral requested by a majority of Ward Members

1. PROPOSED DEVELOPMENT

- 1.1 The proposal is for the erection of a house.
- 1.2 There has been no informal pre-application consultation in connection with the proposal.
- 1.3 The site is accessed via an existing single width track servicing Hillside Cottage, which sits immediately north-west of the application site. The proposal shows provision for a surface water soakaway, and septic tank and soakaway.
- 1.4 No supporting documents have been submitted with the proposal.
- 1.5 **Variations:** No variations have been made to the application since submission.

2. SITE DESCRIPTION

- 2.1 The site is undulating hillside rising up to the north-east, and the plot is itself to the north-east of an existing agricultural building.

3. PLANNING HISTORY

- 3.1 There is no planning history associated with the site.

4. PUBLIC PARTICIPATION

4.1 Advertised : Unknown Neighbour: Expired 15/11/13

Representation deadline : 15/11/13

Timeous representations : Two representations from one household.

Late representations : N/A

4.2 Material considerations raised are summarised as follows:

- Details of access
- Relationship of proposed house with existing infrastructure servicing Hillside Cottage

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. Access to computers can be made available via Planning and Development Service offices.

5. CONSULTATIONS

5.1 **Strathnairn Community Council:** No comments received.

5.2 **Environmental Health:** No comments received.

5.3 **Network Rail:** Object unless a condition is imposed requiring details of the design and construction of the soakaway to be submitted and approved in consultation with Network Rail.

5.4 **SSE:** No objection, but highlight that the site is in close proximity to a high voltage overhead line.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 **Highland-wide Local Development Plan 2012**

Policy 28 Sustainable Design

Policy 35 Development in the Countryside (Hinterland areas)

7. OTHER MATERIAL CONSIDERATIONS

7.1 **Draft Development Plan**

Inner Moray Firth Local Development Plan

7.2 **Highland Council Supplementary Planning Policy Guidance**

Housing in the Countryside and Siting and Design

7.3 **Scottish Government Planning Policy and Guidance**

Not applicable

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 35 presumes against development in the countryside unless specific criteria can be met such as being essential for land management; a retiring farmer; or is required in connection with an existing or new rural business. In this case, no supporting information or justification has been provided that would enable consideration of any of the policy exceptions.

Policy 28 sets out a number of criteria against which proposals will be assessed, including demonstrating sensitive siting and high quality design in keeping with local character, making use of appropriate materials, and minimising the environmental impact.

The submitted house design is for a single storey house with low wallheads and wide gable ends resulting in a high ridge height for the roof which is out of character with the area and does not comply with the Council's supplementary planning guidance in relation to design.

Furthermore, the steep gradients and undulating nature of the site indicate that extensive engineering operations would be required to facilitate the siting of the house. The environmental impact of the proposed house is therefore likely to be considerable.

8.4 Material Considerations

Issues raised by third parties could be adequately addressed if the Council was minded to grant planning permission for the development.

8.5 Other Considerations – not material

Not applicable.

8.6 Matters to be secured by Section 75 Agreement

Not applicable.

9. CONCLUSION

9.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

10. RECOMMENDATION

Action required before decision issued N

Notification to Scottish Ministers N

Notification to Historic Scotland N

Conclusion of Section 75 Agreement N

Revocation of previous permission N

Subject to the above, it is recommended the application be **REFUSED** for the following reasons:

1. The proposal is contrary to Policy 35 of the Highland-wide Local Development Plan which states a presumption against new housing in the countryside unless a relevant exception applies.
2. The proposal, if implemented, would be contrary to the provisions of the approved Highland-wide Local Development Plan Policy 28 as the development would adversely impact on the local environment by virtue of its siting and design.

Signature: Allan J Todd

Designation: Area Planning Manager – South

Author: John Kelly 01463 255199

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

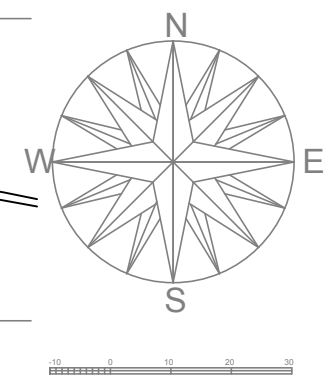
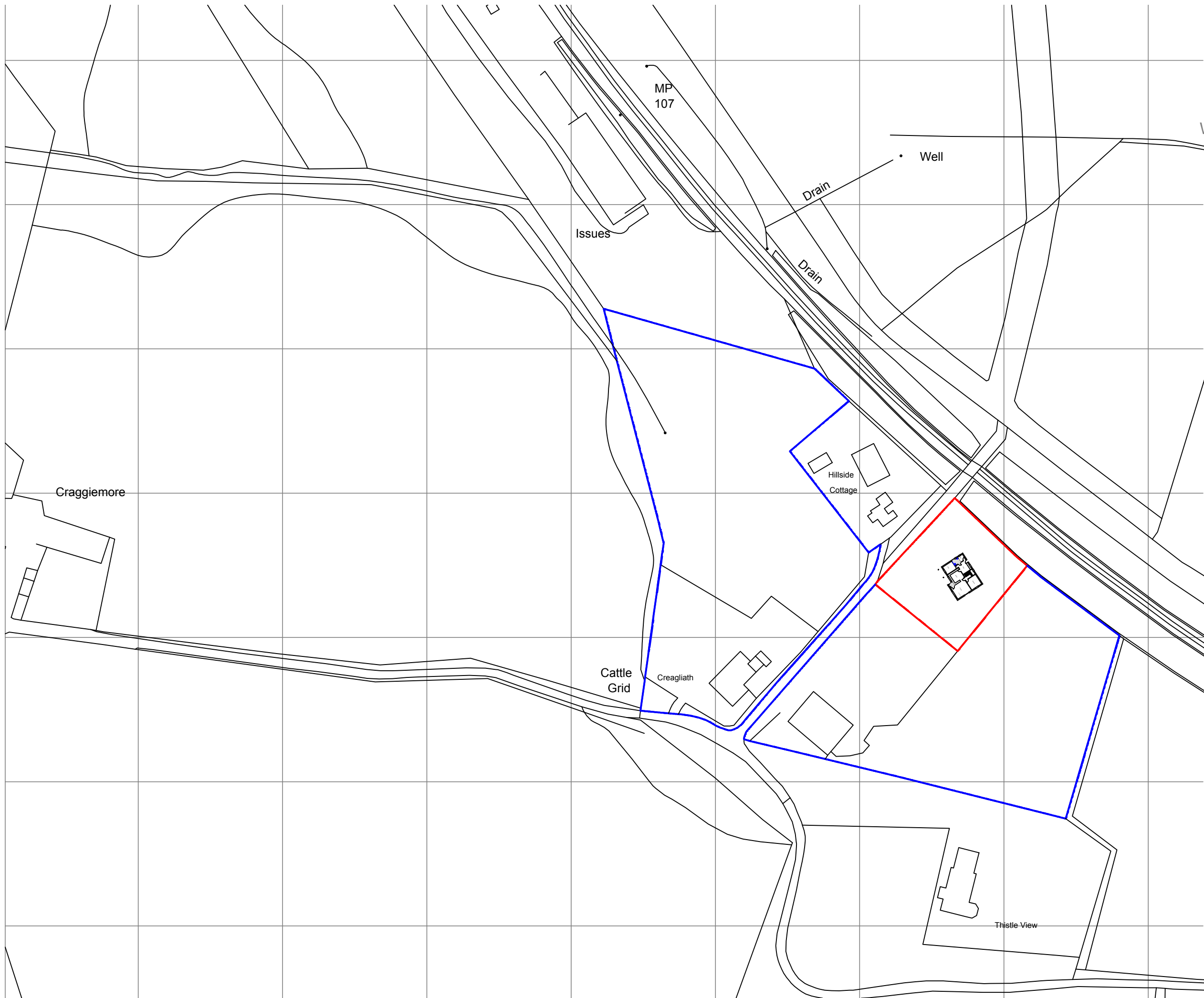
Relevant Plans: Plan 1 – Location Plan

Plan 2 – Site Plan

Plan 3 – Elevations/Floor Plan

Appendix – Letters of Representation

Name	Address	Date Received	For/Against
M Munro	Hillside Cottage, Daviot	28/10/13	Neutral
M Munro	Hillside Cottage, Daviot	05/11/13	Neutral



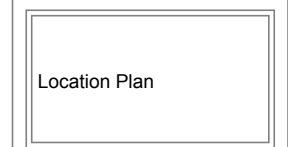
Rev B 28/8/2013 House amended
 Rev A 9.5.2013 House turned

Planning Reference
 Building Control Reference

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 www.billmacdonald.co.uk

client
Mr W Macqueen

project
**Proposed dwelling at
 Land SE of Hillside Cottage,
 Daviot, Inverness**



date
 15/3/2013

scale
 1:1250

drawn
 wa macdonald

0112.1790.03B



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Building Control Reference

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**Proposed dwelling at
Land SE of Hillside Cottage,
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Site Plan

date

21/10/2013

scale

1:500

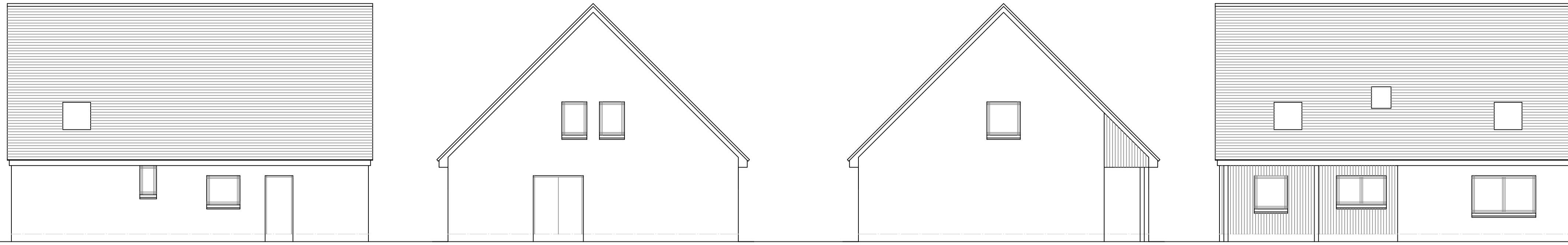
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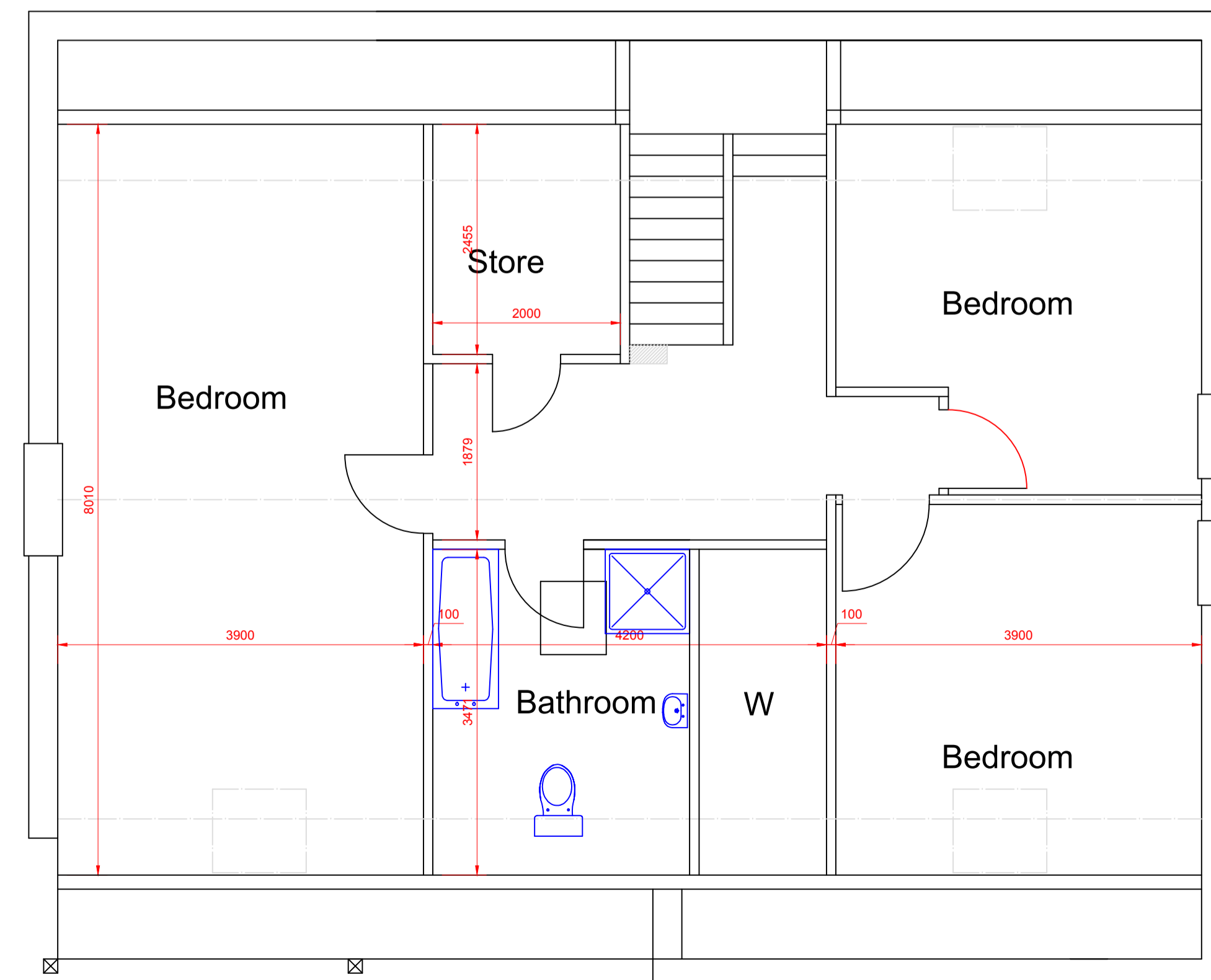
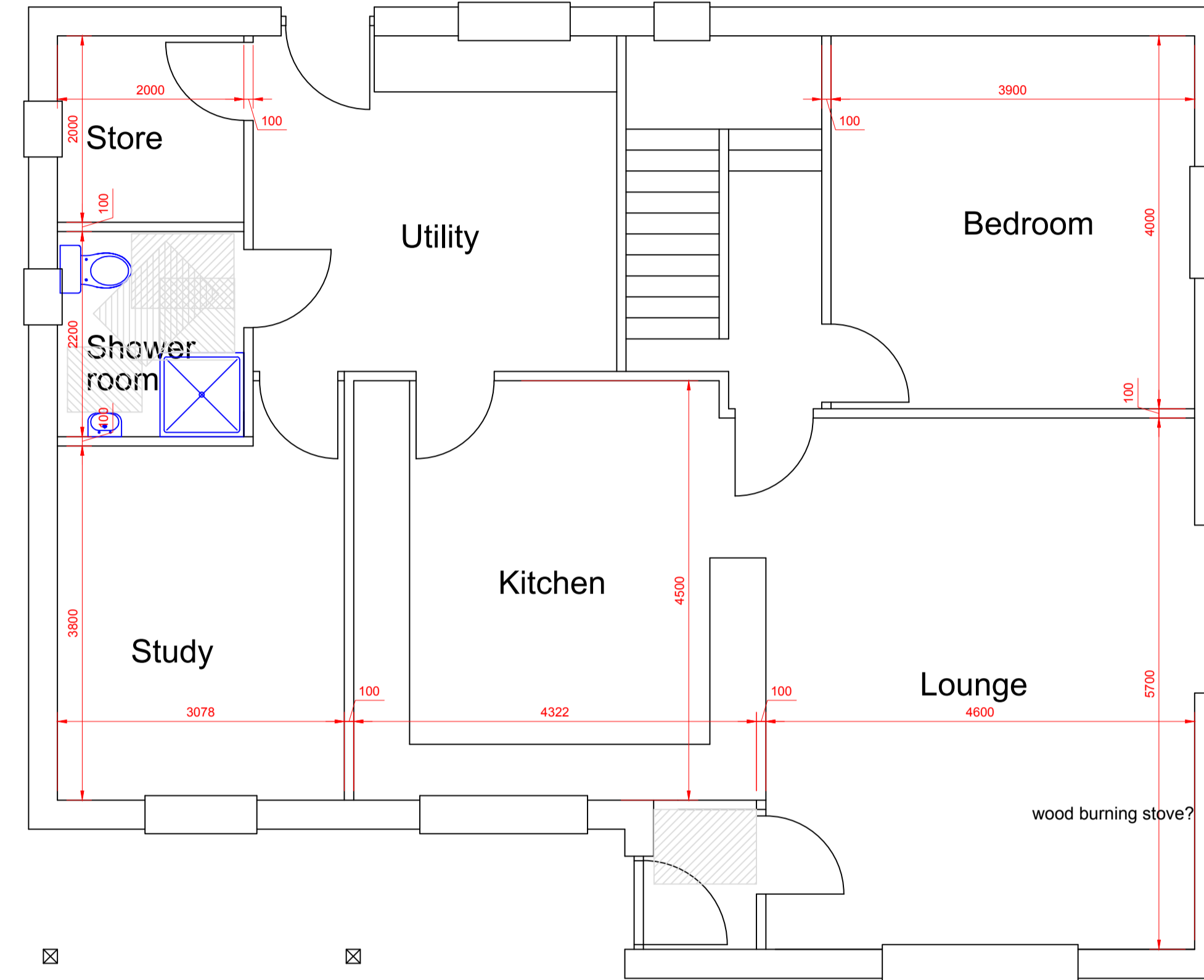
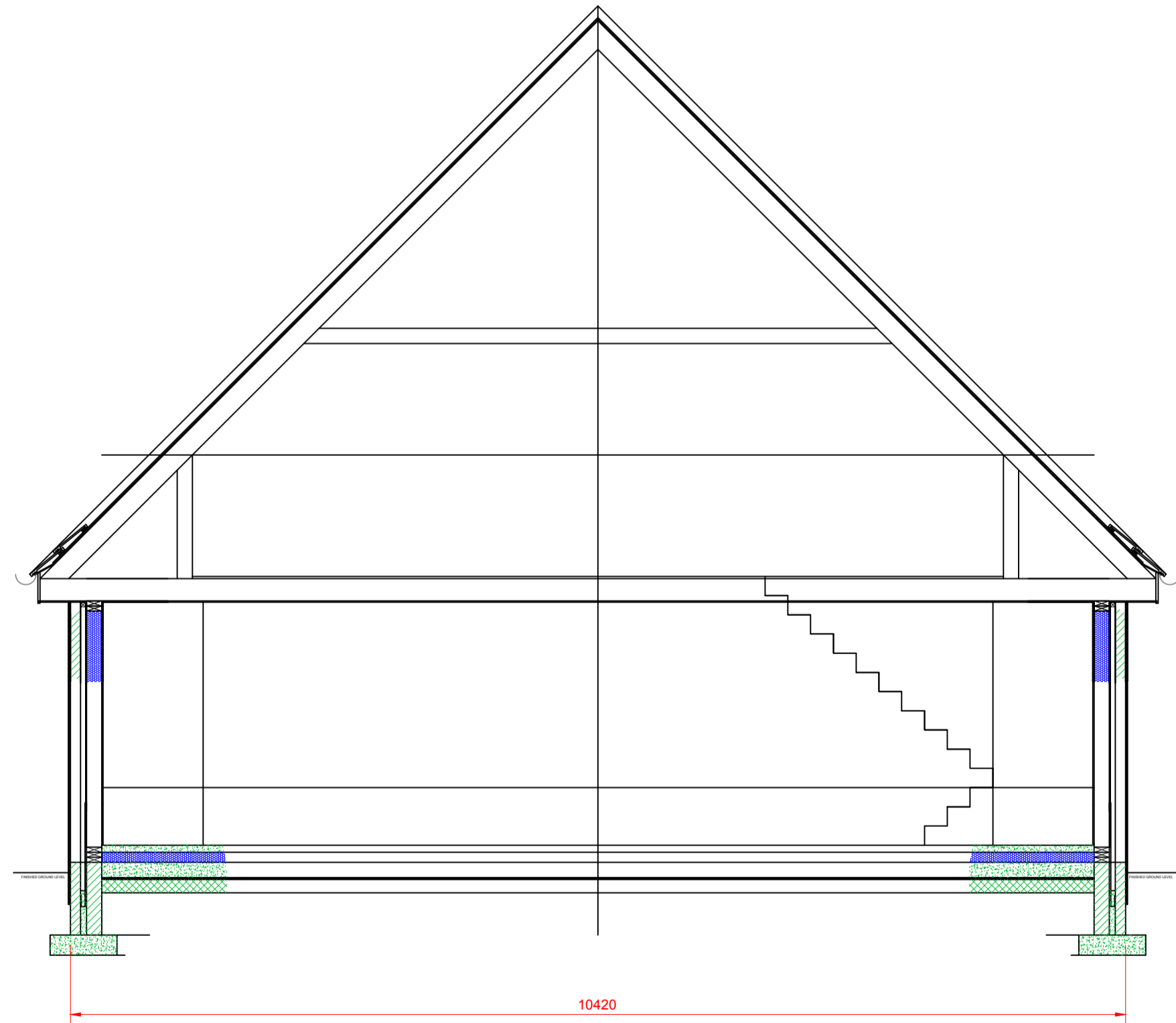
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Written dimensions to be taken in all cases.
Any discrepancies to be reported immediately.
Contractor to check all sizes on site.

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Ground source heat pump
Solar
Slate



Rev E 28/8/2013 Client adjustments
Rev D 26/8/2013 Client adjustments
Rev C 15/7/2013 Client adjustments
Rev B 9/5/2012 Client adjustments
Rev A 20/3/2012 Client adjustments

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client
Mr W Macqueen

project
**Erection of dwelling at
Daviot, Inverness**

sketch plan

date
27/2/2012

scale	format
1:50	A1
1:100	A3

drawn
wa macdonald

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