

**THE HIGHLAND COUNCIL**

**CAITHNESS, SUTHERLAND & EASTER ROSS  
PLANNING APPLICATIONS COMMITTEE – 28 August 2007**

Agenda Item	4.9
Report No	PLC-15-07

**07/00192/OUTSU Erection of house and garage. Demolition of derelict house and replacement with store. Formation of access onto shared access track. Installation of septic tank and soakaway system. Installation of private water borehole. (As Amended) at Plot 3 to North of Culeave Croft Ardgay**

**Report by Area Planning and Building Standards Manager**

**SUMMARY**

The proposal is for the erection of a single house at Culeave Croft Ardgay. A previous outline planning application (03/00241/OUTSU) was approved by the Sutherland County Committee on 29 September 2003.

**Recommendation is to Grant Outline Planning Permission.**

Ward Number 5 East Sutherland and Edderton

Applicant - Mr & Mrs A Sutherland, Stalkers Cottage, Croick, Ardgay IV243BS.

**No Hearing has been requested.**

**1. PROPOSAL**

- 1.1 The proposal is in outline for the erection of a single house and the demolition of a derelict house and replacement with store, and the provision of a road, private foul drainage system and borehole. The site is located to the north of the Strathcarron road at Culeave. Access is achieved from the existing Culeave Croft access road. The site enjoys a relatively open outlook to the south and is afforded some shelter and screening by means of the existing vegetation. This comprises grazing and a predominant mix of Rowan and Birch trees to the hillside. The nearest occupied property is located 61m to the east of the site. In addition, there is a derelict stone house approximately 43m to the south of the site.
- 1.2 The plans have been amended to include the demolition of the existing derelict house, with re-notification being undertaken on 21 June 2007.

**2. PLANNING HISTORY**

- 2.1 Erection of dwelling house and garage, improvement of existing access (In Outline) at Plot 3, Culeave Croft, Ardgay, IV24 3BP (03/00241/OUTSU). Approved by the Sutherland County Committee on 29 September 2003, subject to a s75 agreement

being entered into to prevent the derelict building and land being brought back into use in the future as a house. The agreement has never been concluded.

### **3. PUBLIC PARTICIPATION**

3.1 No representations have been received.

### **4. CONSULTATIONS**

4.1 **Ardgay and District Community Council** – No comments received.

4.2 **Internal Consultees** - TEC Services – No objections.

### **5. POLICY**

5.1 The following policies are relevant to the assessment of the proposal

#### **Highland Structure Plan:**

- G2 Design for Sustainability
- H3 Housing in the Countryside

#### **South and East Sutherland Local Plan:**

Policy ENV1 encourages development subject to detailed site factors. In Strathcarron, the Local Plan notes that, as a guide, housing development should enjoy spacing of between 150 and 200m.

5.2 The proposal also requires to be assessed against the following relevant Scottish Planning Policies (SPP), NPPG, and Planning Advice Notes and other material guidance.

- SPP1 The Planning System
- PAN 72 Housing in the Countryside

### **6. PLANNING APPRAISAL**

6.1 **Determining issues** – 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.

6.2 The proposal requires to be assessed against the appropriate policies of the Development Plan, supplementary guidance, and National Planning Policy and Guidelines as referred to in the Policy section. In particular, the proposal requires detailed assessment of the following fundamental issues:

- whether the principle of development is appropriate in terms of policy
- the impact on the amenity of the area and residents

- 6.3 The **proposal** is in Outline and seeks to establish the principle of erecting a house on the site, together with private access, water and sewerage arrangements.
- 6.4 **No technical difficulties have been highlighted and no representations have been received.**
- 6.5 **Policy** - The nearest house is approximately 61m to the east of the site. On this straight line distance, the proposal does not accord with the indicative spacing of between 150 and 200m set out by Policy ENV1 of the South and East Sutherland Local Plan. However, due to the undulating nature of the land, the site would be less visible from the existing house than it would appear to be on a map, and in my view would have less impact than the existing derelict house adjacent. Therefore, whilst the application was advertised as a departure from the provisions of the development plan given the spacing criteria in the Local Plan, I consider that due to the topography, this proposal is acceptable. In effect, it seeks to replace an existing vacant house and will improve existing separation.
- 6.6 The development of the site accords with Policy G2 as it is compatible with service provision including roads, water and sewerage. Furthermore, it is not considered to have a significantly detrimental impact on individual or community residential amenity, and demonstrates sensitive siting.
- 6.7 Policy H3 requires that the development of housing in the area demonstrates appropriate siting and is in keeping in terms of scale and location with the existing settlement pattern. In my assessment, the site meets the terms of Policy H3.
- 6.8 Members will note that a s75 Agreement was previously sought for the site (see 2.1). The adjacent ruinous house is now to be demolished as part of the current proposal and replaced with a store. Accordingly, there is to be only a replacement, rather than an additional housing unit and I do not therefore consider that a s75 Agreement is now required to control the number of housing units on the site.

## 7. CONCLUSION

- 7.1 In my view, the proposed development is an acceptable minor departure from policy, since the indicative spacing set out by the South and East Sutherland Local Plan of 150-200m must be judged with respect to the local topography and tree cover. In this instance, I consider that the immediate local circumstances of landscape and vegetation merit support to the proposal. Members will note that the proposal accords with all aspects of Policies G2 and H3.

## RECOMMENDATION

Grant planning permission subject to the following conditions:

- 1 That a further application shall be submitted to the local Planning Authority, together with the requisite detailed plans to include:-
  - a) Plans, sections and elevations of the proposed building, and colour and type of

materials to be used externally on walls and roof;

- b) Detailed layout of the site as a whole, site levels existing and proposed, including provision for car parking, details of accesses and details of all fences, walls and hedges;
- c) Landscaping proposals including existing trees to be maintained and proposed tree and shrub planting to be carried out.

These are RESERVED MATTERS to this Outline Application and no work on the site shall commence until the written approval of the Highland Council, as Planning Authority has been given.

Reason: Permission is hereby granted in outline only.

- 2 Notwithstanding design and external appearance are reserved matters under condition 1 above, the house shall be single or one-and-a-half storeys only, and shall reflect building styles and use of materials traditional within the area.

Reason: In the interests of amenity.

- 3 Notwithstanding design and external appearance are reserved matters under condition 1 above, the roof shall have a minimum pitch of 40°.

Reason: In order to ensure that the development harmonises with the appearance and character of other properties and in order to conform with Structure Plan Policies G2 and H3 and the Council's Design Guidance.

- 4 Notwithstanding external appearance is a reserved matter under condition 1 above, the roof of the house shall be finished with natural slate, or an alternative of similar size, colour, texture, profile and thickness, or as otherwise may be agreed in writing with the Planning Authority. For the avoidance of doubt suitable alternative non slate tiles are:

- Marley 'Monarch', 'Clansman', 'Marquis', 'Melbourn', 'Birkdale', 'Edgemere'
- Redland 'Richmond', 'Lakeland', 'Cambrian', 'Saxon'

Reason: In order to ensure that the development harmonises with the appearance and character of other properties and in order to conform with Structure Plan Policies G2 and H3 and the Council's Design Guidance.

- 5 Notwithstanding exact siting is a reserved matter under condition 1 above, the position of the house shall be pegged out on site for the prior approval of the Planning Authority, in writing, and any application for approval of reserved matters shall be accompanied by cross sections and levels showing the finished floor level in relation to an agreed and fixed datum.

Reason: In order to ensure that the development harmonises with the appearance and character of other properties and in order to conform with Structure Plan Policies G2 and H3 and the Council's Design Guidance.

- 6 Notwithstanding landscaping is a reserved matter under condition 1 above, a fully detailed scheme of landscaping for the site, including a scheme of maintenance, shall be submitted to and require the approval in writing of the Planning Authority. All planting thereby approved shall be undertaken in the first planting season following the completion of the house.

Reason: In the interests of amenity and for the avoidance of doubt.

- 7 Notwithstanding access is a reserved matter under condition 1 above, prior to the commencement of any other aspects of the approved development, the access from the public road to the site shall be constructed to base course level in accordance with the attached Standard Access Specification. The access shall be fully completed in accordance with the Specification prior to occupation of the development.

Reason: In the interests of road safety and for the avoidance of doubt.

- 8 All drainage arrangements shall be provided to the satisfaction of the Planning Authority, in consultation with the Scottish Environment Protection Agency, the Water Authority and Building Standards Authority.

Reason: In the interests of amenity.

- 9 The proposed private water supply to service the development shall be treated to ensure its compliance with the Private Water Supplies (Scotland) Regulations 2006, or any Regulations revoking and re-enacting those Regulations, with or without modification, in terms of bacteriological and chemical quality.

Reason: In order to ensure that the development is served by a wholesome water supply.

- 10 Prior to the commencement of development, a photographic record shall be made of the remains of old buildings and / or other features affected by the proposed development, in accordance with the attached specification, and shall thereafter be submitted to the Planning Authority. No site clearance work shall take place until confirmation in writing has been received from the Planning Authority that the record made has been lodged and is satisfactory.


Reason: The remains of buildings and other features affected are of historic interest and are of value to future research, and as such they should not be destroyed without being recorded.

- 11 The adjacent house shall be demolished within 6 months from the date of this permission.

Reason: In order to allow the Planning Authority to retain effective control over the site and for the avoidance of doubt.

Alan J. Todd.

Signature:

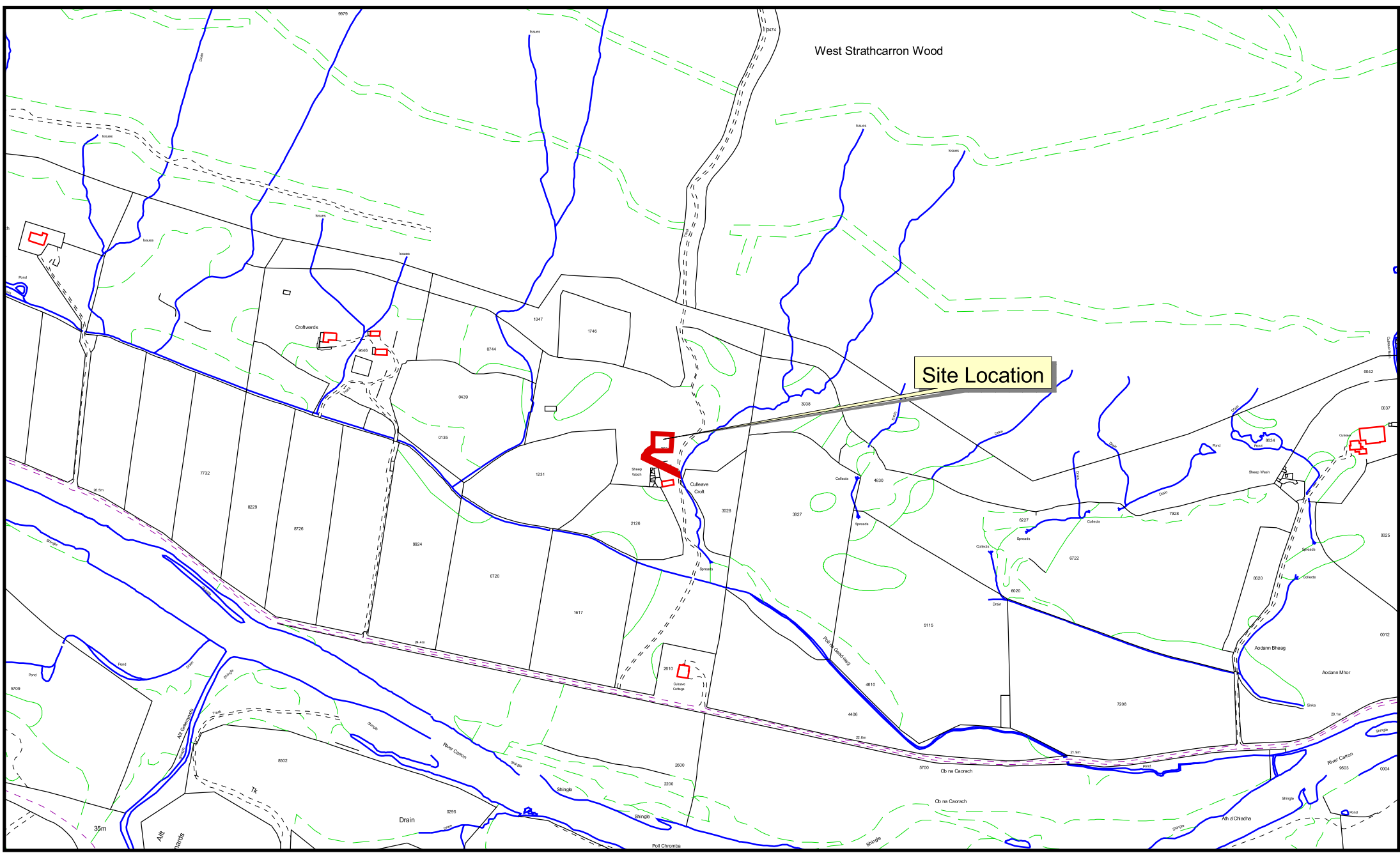
A handwritten signature in black ink, appearing to read 'Alan J. Todd', written over a horizontal line.

Designation: Area Planning & Building Standards Manager

Author: Bob Robertson 01862 812044

Background Papers: As referred to in the report above and case file reference number 07/00192/OUTSU

Date: 13 August 2007



**07/00192/OUTSU**  
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**Installation of private water borehole. (As Amended) at Plot 3 to north of Culeave Croft, Ardgay.**

Mr & Mrs A Sutherland  
 Stalkers Cottage  
 Croick.

Date: 26 JULY 2007

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