



## Directorate for Planning and Environmental Appeals Appeal Decision Notice

Decision by Allison Coard, a Reporter appointed by the Scottish Ministers.

- Planning Appeal reference: P/PPA/270/475.
- Site Address: Anchor Cottages, Shelligoe, Lybster, Caithness, KW3 6AS.
- Appeal by Mr and Mrs Finch against the decision by The Highland Council.
- Application for outline planning permission 06/0024/FULCA dated 10 January 2006 refused by notice dated 26 January 2007.
- The development proposed: siting of container, portacabin and caravan.
- Site visit made by Reporter on 6 September 2007.

Date of appeal decision: 27 September 2007

---

### Decision

- a) I dismiss the appeal and refuse planning permission for the portacabin and container.
- b) I allow the appeal in respect of the caravan, subject to the following condition:

This permission is for a temporary period only and will cease one year from the date of this permission. By this time, the caravan hereby approved shall be removed from the site and the site shall be restored to its former condition. *Reason: In view of the need to provide temporary residential accommodation while the adjoining house is being extended, but to ensure that harm to the landscape does not continue longer than necessary.*

### Reasoning

1. The determining issues in this appeal are: (a) whether the development is in accordance with Policy G2 of the Highland Region Structure Plan and Policy 15 of the Landward Chapter of the Caithness Local Plan, and (b) whether there are any other material considerations that warrant determining this appeal other than in accordance with these policies.
2. Policy G2 includes the requirement that development be sensitively sited, of a high quality design in keeping with local character and make use of appropriate materials. The development is already on site, visible from the minor public road from Lybster. The portacabin, container and caravan do not reflect the rural character of this area. These buildings are of a utilitarian appearance, have not been designed to reflect their surroundings and do not make use of appropriate materials. The development forms an incongruous element in the landscape along the coast and is therefore contrary to this criterion of structure plan Policy G2.
3. Policy G2 also states that the proposed development should contribute to the economic and social development of the community. The council in their committee report of 22 January 2007 also refer to Policy 15 of the landward chapter of the local plan which generally supports small business in the landward area. In this context I note that the appellants' daughter runs a sign and graphics business from the portacabin. I recognise the stated difficulties in finding alternative premises along with the implications this might have for the future of this business. I also acknowledge the need for storage of equipment to support agricultural use and I note that the container is being used for this purpose. These policies do not however suggest that such considerations

should outweigh other development plan requirements. I therefore conclude that the development is contrary to the development plan for the reasons stated in paragraph 2.

4. The appellants refer to the fact that with screen planting the development will not be visible. Whilst this may be the case such landscaping would take some time to establish and the area is characterised by its open landscape. The presence of screening would not provide adequate justification for buildings of a design and construction, which is not in keeping with the character of this rural area.

5. The static caravan is the least visible element of the development and the appellants state that this is being used for their daughter, as a temporary measure until the extension to the house is completed. The appellants also state that when the extension work is completed the caravan will no longer be required. I note that work has already commenced on the house extension. A residential caravan would not be appropriate as a permanent feature on the site for similar reasons to those stated in relation to the container and portacabin. I do however consider that in the particular circumstances of this case, it is reasonable to allow for a temporary consent of one year, sufficient to allow for the house extension to be completed.

*This is the version issued to parties on 27 September 2007.*

Allison Coard  
Reporter