

THE HIGHLAND COUNCIL

**CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING
APPLICATIONS AND REVIEW COMMITTEE – 18/12/07**

Agenda Item	4.2
Report No	42/07

07/01032/FULRC

Report by Area Planning and Building Standards Manager

SUMMARY

Detailed planning permission is sought for the erection of a house. The site is located adjacent to the B9165, 0.6km from the junction with the B9166 at Fearn. The application is being reported to committee as the applicant is a senior member of staff within the Planning and Building Standards Service.

Ward Number 8 – Fearn, Balintore, Hilton

Applicant- Mr. and Mrs F Doherty

The Recommendation is to GRANT planning permission

1. PROPOSAL

- 1.1 The application site consists of a corner of a productive agricultural field which lies adjacent to the B9165. The boundary to the road is marked by a mature hawthorn hedge. All other boundaries are open to the field. The site is on the north side of the road opposite two existing houses. A third residential property lies 50 m to the east of the site. These houses consist of a converted church, the manse and a traditional farm cottage. The surrounding countryside is characterised by undulating farm land.
- 1.2 Planning permission is sought for the erection of a house, which will consist of two floors, the upper floor being contained entirely within the roof space. The house is of traditional scale and proportion. The design includes many traditional features, 45° pitch to the roof, vertical emphasis to the windows on the front elevation and chimneys at both ends of the building. Traditional finishing materials of slate and wet dash render are also proposed for the exterior of the house.

2. PLANNING HISTORY

- 2.1 The site has not been the subject of any previous applications for planning permission.

3. PUBLIC PARTICIPATION

3.1 A letter of representation has been received. Concern has been expressed about the following issues

- The required visibility splays cannot be achieved at the new junction with the public road.
- Mobile library is no longer allowed to stop due to the poor visibility.

3.2 The letter of representation is available in the Area Office and will be available at the Committee meeting. The name of the party making representation is listed at the end of this report.

4. CONSULTATIONS

4.1 **Archaeology unit**- no archaeological conditions requested.

4.2 **Area Roads and Community Works Manager**- proposals are acceptable. Reduced sightline splays of 2.5m x 130m are acceptable in this instance. The provision of a service bay will enable waiting delivery vehicles and the mobile library to park off the road.

4.3 **Scottish Water** – 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

Ross & Cromarty East Local Plan

- BP3- Prime agricultural land
- Landward Area – Housing Policy 2

Development Plan Policy Guideline Housing in the Countryside

- Wider rural area

5.2 The proposal also requires to be assessed against the following relevant Scottish Planning Policies (SPP); National Planning Policy Guidelines (NPPG); and Planning Advice Notes (PAN).

- 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
 - whether the layout of development is appropriate
 - the impact on the amenity of the area and residents
 - other material issues raised by the objectors
- 6.3 **Assessment-** Development of new housing in the Rural Development Area will generally be looked upon favourably provided that there is no significant adverse effect on heritage, amenity, public health and safety interests. Development in the countryside must also take cognizance of the existing settlement pattern and be of a suitably high standard of design in keeping with the area.
- 6.4 The development of this site is complementary to the existing settlement pattern and demonstrates appropriate siting. The site will consolidate development around an existing housing group.
- 6.5 The design of the house will also complement the existing houses and is of an appropriately high standard.
- 6.6 Key to the consideration of this site is the effect that an additional access will have on road safety. Members will note that this issue has been raised by the third party making representations on the application. As part of the consultation process, the Area Roads and Community Works Manager was asked to comment on the content of the letter.
- 6.7 In response to the consultation the Area Roads and Community Works Manager has indicated that the provision of a service lay-by as proposed will be beneficial to all the residents in the area. It will allow service vehicles (including the mobile library) to pull off the road, improving road safety at this point on the public road. After taking into account the general speed of vehicles on the public road the Area Roads and Community Works Manager expresses the opinion that the visibility splays proposed by the applicant, whilst less than those generally sought, are nevertheless acceptable in this instance.

7. CONCLUSION

- 7.1 To conclude, the application accords with the terms of the development plan and matters relating to road safety have been appropriately addressed. The application is recommended for approval.

RECOMMENDATION

Grant planning permission subject to conditions:

1. Except as otherwise provided by the terms of this permission, the developer shall construct and operate the development in accordance with the plans and supporting information submitted with the application and docquetted as relative hereto with no deviation therefrom unless otherwise approved in writing by the Planning Authority.

Reason: In order to clarify the terms of the permission hereby granted and to ensure that the development is implemented as approved.

2. The development shall be landscaped in accordance with a scheme which shall be submitted to and approved by the Planning Authority before development commences. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted, and in particular the boundary treatment proposed and shall ensure:-

- (a) Completion of the scheme during the planting season next following the completion of the building(s), or such other date as may be agreed in writing with the Planning Authority.

- (b) The maintenance of the landscaped areas for a period of five years or until established, which ever may be longer. Any trees or shrubs removed, or which in the opinion of the Planning Authority, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will In due course improve the environmental quality of the development.

3. Visibility splays of not less than 2.5m X 130m shall be provided in both directions at the junction of the access with the existing road prior to the commencement of the house hereby approved and thereafter maintained in perpetuity free from any obstructions exceeding a height of 1 metre above the adjacent road channel levels.

Reason: In the interest of road and public safety.

4. A service lay-by and refuse bin storage area as indicated on Plan 4 of 10 docquetted hereto shall be provided clear of the public road at the access point prior to commencement of the house hereby approved.

Reason: In the interest of road safety

5. Provision shall be made and thereafter maintained in perpetuity for the parking or garaging (and turning) of two cars within the curtilage of the house.

Reason: In the interest of road and public.

6. Prior to the first occupation of the house, the first 5 metres of the access road, as measured from the edge of the public carriageway, shall be surfaced in bituminous macadam or similar hard material in accordance with the Highland Council's road guidelines for new developments. Gradient of access over first 5 metres must not exceed 1 in 16. Positive drainage measures will be undertaken, in accordance with Highland Council Guidelines, to ensure that no ground or surface water flows onto the public road from the site.

Reason: In the interest of road safety and to prevent deleterious materials being carried onto the road.

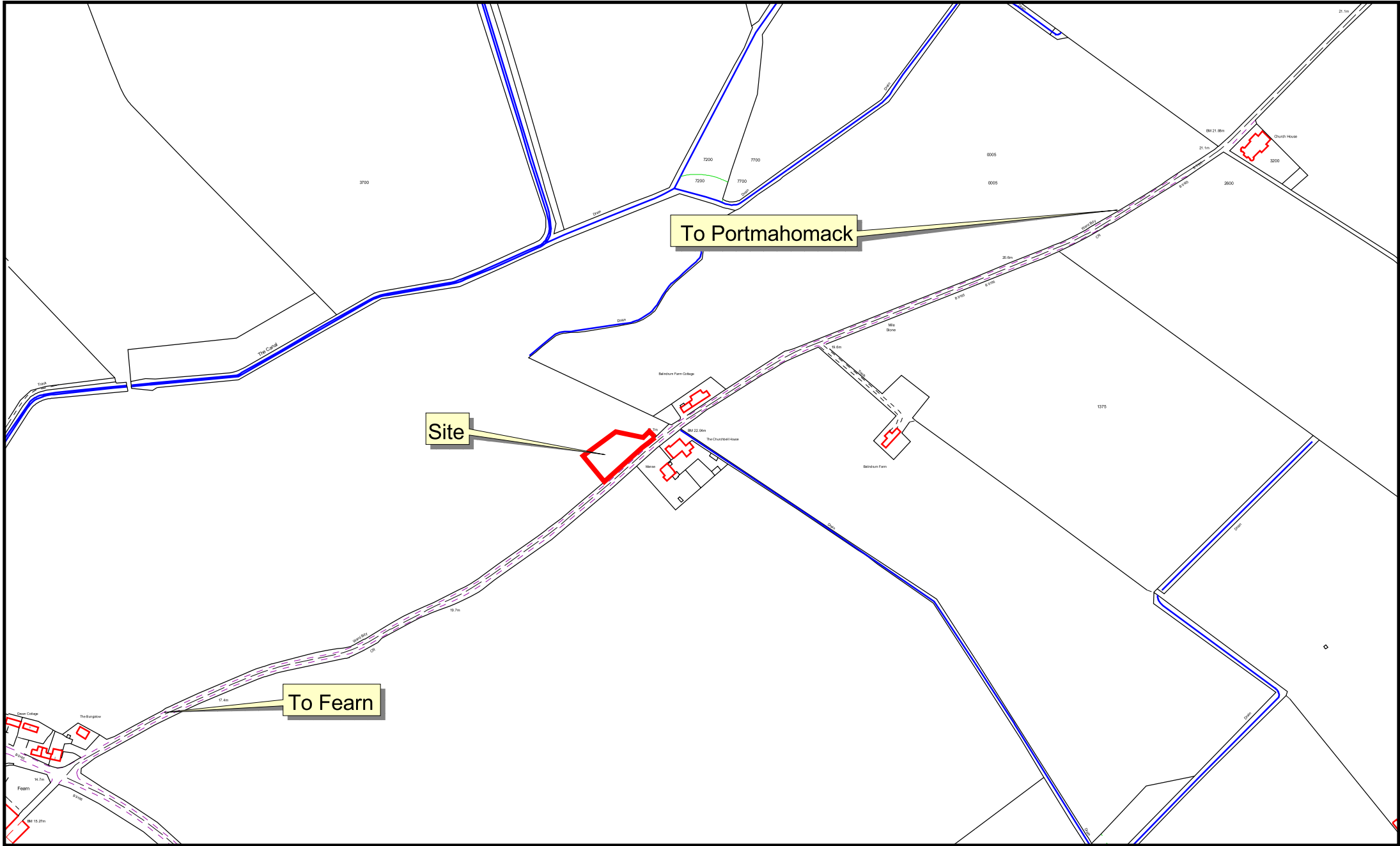
Signature:

Designation: Area Planning & Building Standards Manager

Author: Erica McArthur 01463 720627

Background Papers: As referred to in the report above and case file reference number 0701032/FULRC

Date: 28 November 2007

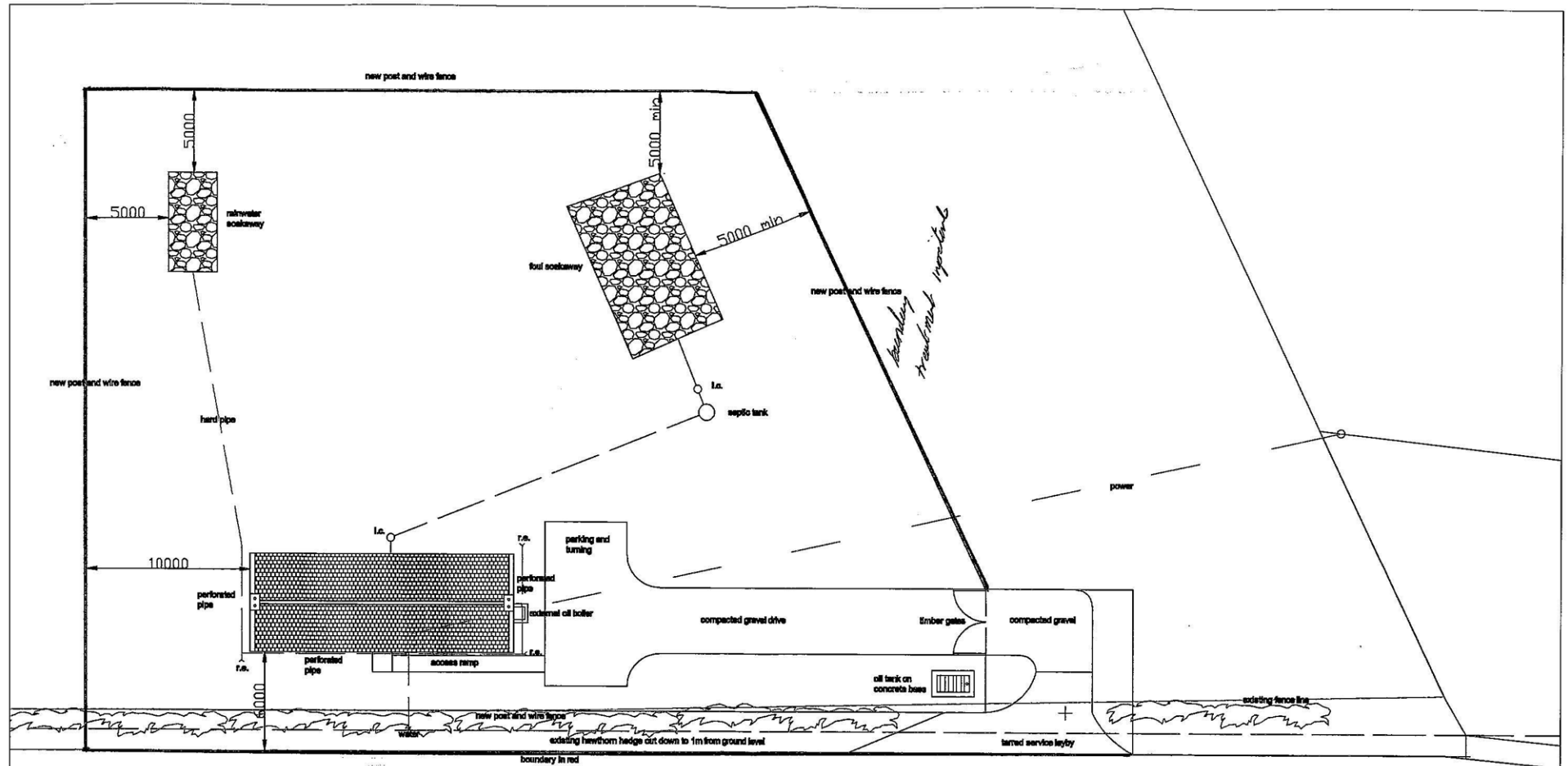


07/01032/FULRC
Erection of house near Fearn
 SUPPLIED BY THE HIGHLAND COUNCIL

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Date: 07 December 2007

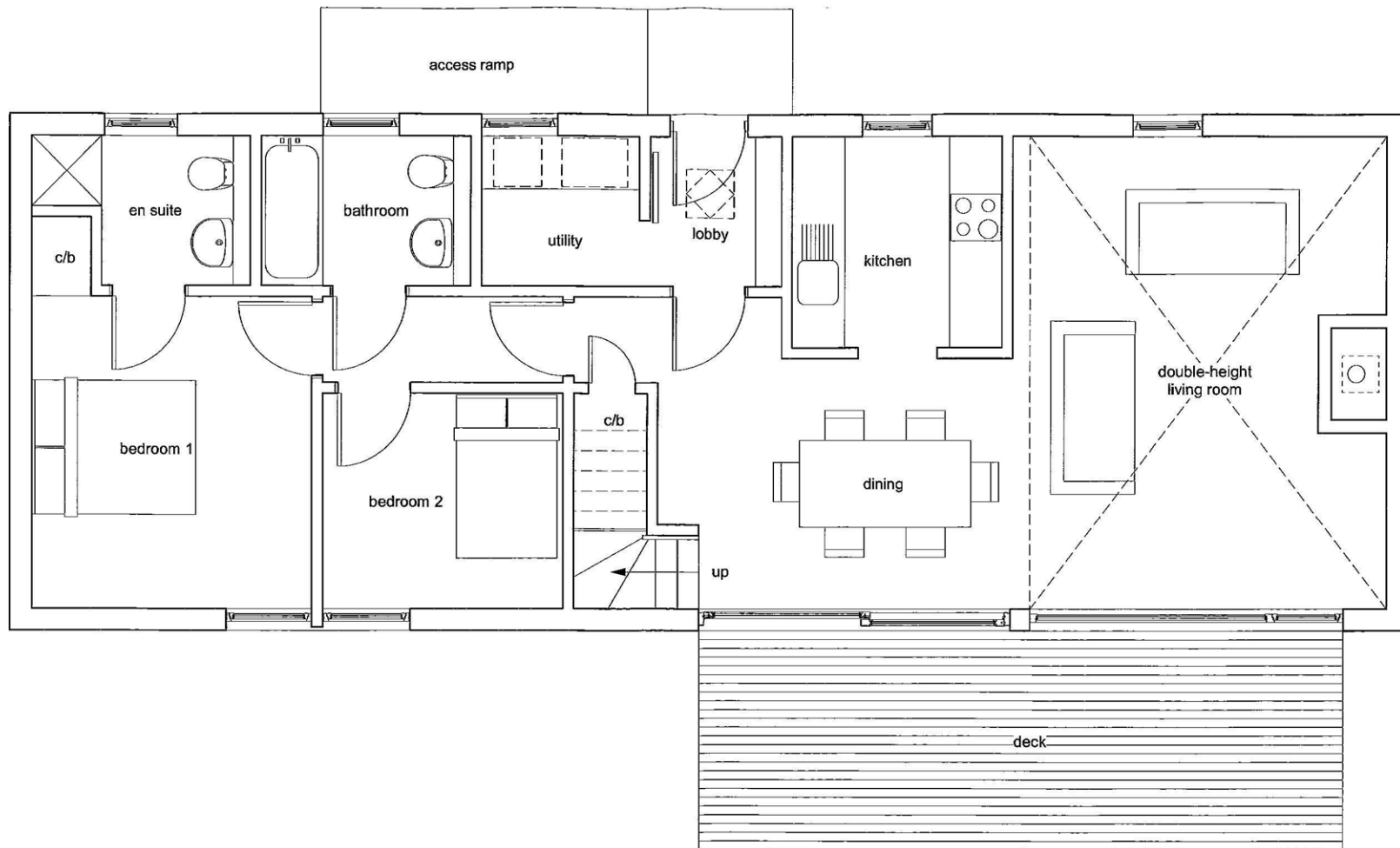


- existing hawthorn hedge to road to be taken down to within 1m from road level
- existing fence removed to site boundaries
- 900mm high stock proof post and wire fence to site perimeter shown in blue
- timber access gates to be formed as shown
- tared service layby to be formed at road access
- remainder of drive and parking to be formed in compacted gravel on hardcore/rolled scalplings
- concrete slab access ramp and 1200mm square plinth, maximum gradient 1 in 15, any step off to be 170mm max
- power cable to be laid by contractor from house to electricity pole in garden of balindrum cottage
- existing road side water main to be connected into as shown
- external oil boiler on concrete base to gable
- oil tank with concrete base as shown
- foul drainage to septic tank and soakaway as shown
- rainwater drainage to soakaway as shown
- soakaways located a minimum of 5000mm from site boundaries and buildings
- rainwater around house to be in perforate pipe/french drain to collect groundwater

THE HIGHLAND COUNCIL
 PLAN 4 OF 10 SUBMITTED WITH
 PLANNING APPLICATION NO: 07/01032/FULRC
 DATE OF RECEIPT: 4th October 2007

New House at Balindrum,
 Near Fearn
 Highland

SITE PLAN
 Scale 1:250
 Drawn FD 09/09/2007



THE HIGHLAND COUNCIL
PLAN 5 OF 10 SUBMITTED WITH
PLANNING APPLICATION NO: 07/01032/FULRC
DATE OF RECEIPT: 4th October 2007

Note: Construction must comply with all NHBC and industry standards.

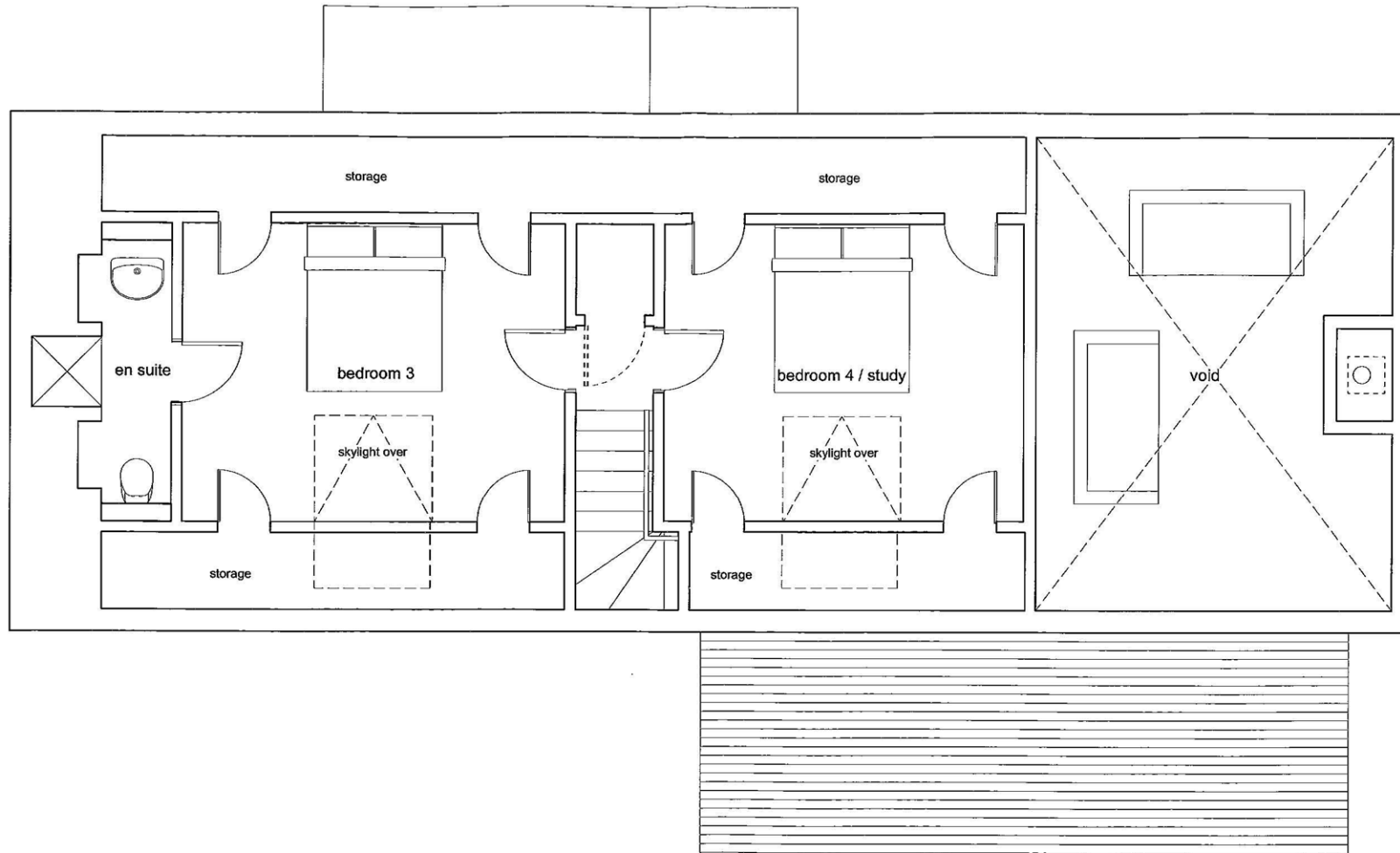


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DRAWING SET PLANNING DRAWINGS		CLIENT 164_DOHERTY
DRAWING TITLE GROUND FLOOR PLAN		
DRAWING NUMBER PL_01_GF	DRAWN BY JM	DATE 28/9/07
CAD FILE NAME 164_PLANNING.mcd		SCALE 1:50 @ A3

DESCRIPTION	DATE	APPROVED
REVISION HISTORY		



Note: Construction must comply with all NHBC and industry standards.



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PLAN 6 OF 10 SUBMITTED WITH
PLANNING APPLICATION NO: 07/01032/FULRC
DATE OF RECEIPT: 4th October 2007

104_DOMEK1Y

DRAWING TITLE FIRST FLOOR PLAN		
DRAWING NUMBER PL_02_FF	DRAWN BY JM	DATE 28/9/07
CAD FILE NAME 164_PLANNING.mcd		SCALE 1:50 @ A3

REV	DESCRIPTION	DATE	APPROVED
REVISION HISTORY			



THE HIGHLAND COUNCIL
PLAN 9 OF 10 SUBMITTED WITH
PLANNING APPLICATION NO: 07/01032/FULRC
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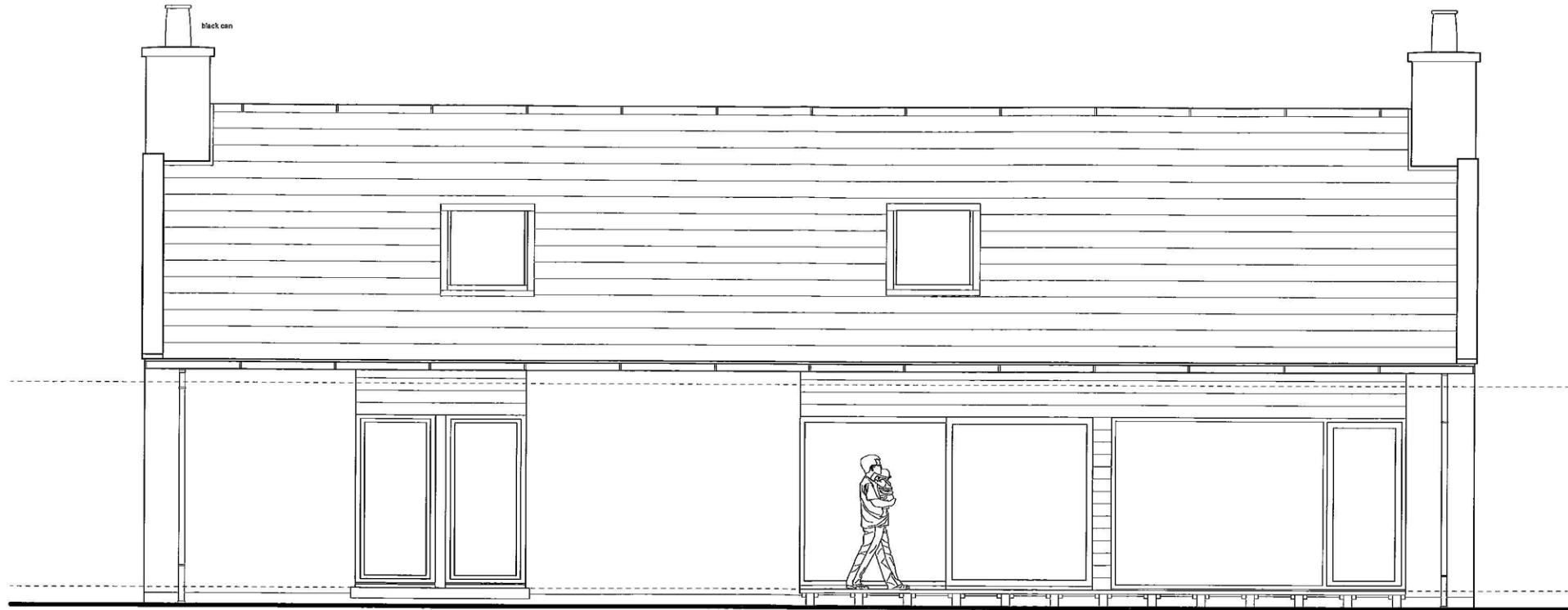


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DRAWING SET PLANNING DRAWINGS		CLIENT 164_DOHERTY
DRAWING TITLE REAR ELEVATION FRONT ELEVATION		
DRAWING NUMBER PL_05_RE	DRAWN BY JM	DATE 28/9/07
CAD FILE NAME 164_PLANNING.mcd		SCALE 1:50 @ A3

REV	DESCRIPTION	DATE	APPROVED
REVISION HISTORY			



THE HIGHLAND COUNCIL
 PLAN 8 OF 10 SUBMITTED WITH
 PLANNING APPLICATION NO: 07/01032/FULRC
 DATE OF RECEIPT: 4th October 2007

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DRAWING SET PLANNING DRAWINGS		CLIENT 164_DOHERTY
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REV	DESCRIPTION	DATE	APPROVED
REVISION HISTORY			



THE HIGHLAND COUNCIL
PLAN 7 OF 10 SUBMITTED WITH
PLANNING APPLICATION NO: 07/01032/FULRC
DATE OF RECEIPT: 4th October 2007

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DRAWING SET <i>PLANNING DRAWINGS</i>		CLIENT <i>164_DOHERTY</i>
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REV	DESCRIPTION	DATE	APPROVED
REVISION HISTORY			