

THE HIGHLAND COUNCIL
CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING
APPLICATIONS AND REVIEW COMMITTEE – 29 JANUARY
2008

Agenda Item	4.5
Report No	05/08

**07/00423/OUTSU – Erection of house (In Outline) at land to
north of 11 School Street, Embo, Dornoch, Sutherland**

Report by Area Planning and Building Standards Manager

SUMMARY

The proposal is in outline for the erection of a house on land to the north of 11 School Street, Embo. The application is being reported to Committee for purposes of transparency, as it has been made by the son and daughter-in-law of a local Councillor on land that he owns.

The Recommendation is to GRANT outline planning permission subject to conditions.

Applicant – Mr & Mrs J D McGillivray

Ward Number 5 – East Sutherland and Edderton

1. PROPOSAL

1.1 The site lies between 11 School Street and 16 Front Street. Numbers 9 and 10 Inverview Terrace stand to the west on the opposite side of the road, while an un-named lane runs parallel to the eastern site boundary. The site covers the majority of the garden ground to the rear of 11 School Street and a small part of the garden ground to the rear of 16 Front Street and is bisected by a tall hedge on their common boundary. The proposal seeks to establish the principle of building on the site.

2. PLANNING HISTORY

2.1 Pre-application advice was given in October 2007.

3. PUBLIC PARTICIPATION

3.1 No letters of representation have been received.

4. CONSULTATIONS

4.1 Internal Consultees:

- TEC Services – No objections subject to the applicant providing turning and parking for two cars within the boundary of the site.

4.2 External Consultees:

- Scottish Water – No objections. There may be issues within the Water Network.

5. POLICY

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

Highland Structure Plan (March 2001):

- G2: Design for Sustainability

South & East Sutherland Local Plan (May 2000):

- ENV 2

Sutherland Local Plan Deposit Draft (October 2007):

- Policy 1: Settlement Development Areas

5.2 The proposal also requires to be assessed against the following relevant Scottish Planning Policy (SPP) and Planning Advice Note (PAN):

SPP 3 – Planning for Housing
PAN 67 – Housing Quality

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
- 6.3 The proposed development would be located on garden ground between 11 School Street and 16 Front Street. Although 'backland' development of this type is not usually encouraged, this particular site lends itself to an infill development. The site area is of adequate size to accommodate a sensibly sized new house with an appropriate amount of amenity space including a parking and turning area for two cars. A sufficient amount of amenity space would be left to the rear of both 11 School Street and 16 Front Street, in addition to their existing front gardens. The front garden of 11 School Street is of a particularly substantial size and is enclosed by a high boundary wall that affords a greater degree of privacy than usual.
- 6.4 The orientation of any future house on the site would also tie in well with the surrounding buildings. It would be logical to position a new house so that it faces west onto Inverview Terrace, which would result in the gables facing north and south towards 16 Front Street and 11 School Street respectively. Although neither of these houses have principal windows to their rear elevations, this would still go some way toward protecting their privacy and residential amenity.
- 6.5 There are no technical difficulties with the proposal.
- 6.6 Policy – In my assessment the proposal meets with the requirements of Policy G2: Design for Sustainability, as it does not significantly impact on habitats, species, landscape or scenery. It also demonstrates sensitive siting in keeping with the local character and historic environment, as a single house of appropriate scale, design and materials could be accommodated on the site without impacting significantly on the privacy and residential amenity enjoyed by the surrounding properties.
- 6.7 The proposal also complies with Policy ENV 2, which states that The Council will favour development unless it would significantly affect important local features.

- 6.8 Although it is not yet adopted policy, the Sutherland Local Plan Deposit Draft should be taken into account as a material consideration. Policy 1: Settlement Development Areas states that proposals will be supported within Settlement Development Areas provided that they meet the requirements of Structure Plan Policy G2: Design for Sustainability. It also states that proposals will be judged in terms of how compatible they are with the existing pattern of development, how they conform with existing and approved adjacent land uses and their effect on any natural and cultural heritage features within these areas. As the proposal complies with Highland Structure Plan Policy G2 and is not detrimental in terms of the above criteria, I consider it to be in accordance with Policy 1.

7. CONCLUSION

- 7.1 The proposal accords with the requirements of both the Highland Structure Plan and the South & East Sutherland Local Plan, as it is in keeping with the local character and historic environment, while having no detrimental effects on the privacy and residential amenity of adjacent properties.

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 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 Policy G2.

- 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 Policy G2.

- 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 Policy G2.

- 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, all access arrangements shall be provided to the satisfaction of the Planning Authority in consultation with the Roads Authority. For the avoidance of doubt, the applicant shall provide sufficient parking and turning space for two cars within the curtilage of the site.

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, the Water Authority, and the Building Standards Authority. For the avoidance of doubt foul drainage shall be by means of a connection to the public sewer.

Reason: In the interests of amenity.

Informative

- 1 Scottish Water would review any comments regarding the provision of infrastructure for this proposal on submission of a detailed application. In the period between submission of outline and detailed applications, available capacity may have altered as a result of changes in legislation or subsequent development. Therefore, connections are not guaranteed at this time.

If the applicant requires any further information regarding the above, he/she must not hesitate to contact Scottish Water (Tel: 0845 601 8855).

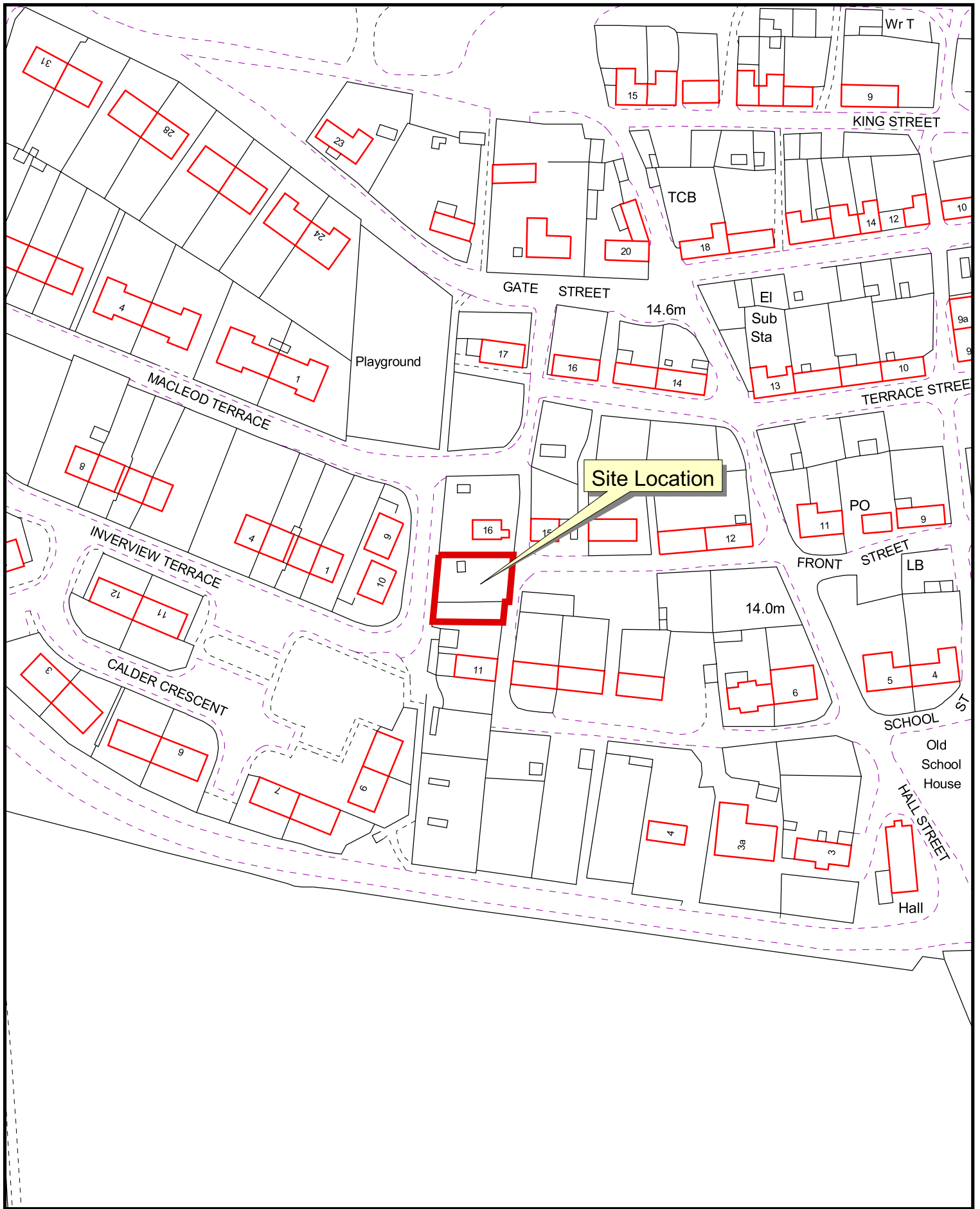
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author: Craig McMurtrie – Graduate Planner 01862 812058

Background Papers: As referred to in the report above and case file reference number 07/00423/OUTSU

Date: 16/01/08



07/00423/OUTSU
Erection of house (In Outline) at Land to
North of 11 School Street, Embo.

Mr & Mrs J D McGilivray
11 School Street
Embo

Date: 16 January 2008

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