

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

Agenda Item	4.6
Report No	06/08

**07/00600/FULCA: ERECTION OF HOUSE, INSTALLATION OF SEPTIC TANK AND SOAKAWAY AND FORMATION OF VEHICULAR ACCESS (RE-APPLICATION) AT LAND TO WEST OF BORROWSTON, THRUMSTER, WICK, HIGHLAND**

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

**SUMMARY**

This re-application for planning permission has been brought to Committee due to six letters of objection having been received from local residents on policy and access grounds. None of the consultees, including the Trunk Roads Authority, Transport Scotland, has objected to the proposal as submitted. The site lies within a policy envelope area that is subject to Primary Policy PP1 4(i) of the Caithness Local Plan that supports housing in principle subject to a 100 -150 metre spacing between dwellings. The application complies with the spacing criterion of this policy envelope and is therefore recommended for approval.

**The recommendation is to GRANT planning permission.**

Ward Number 4 – Landward Caithness

Applicant: Mr J Carter, Lea Rig, Borrowston, Thrumster, KW1 5TX

**1. PROPOSAL**

- 1.1 Re-application is made for the erection of a house using two small agricultural fields sloping down to the west. The house is single storey and finished in dry dash render and a grey roof tile. The house would be positioned towards the north-eastern corner of the site. The site is accessed by the formation of a new 180 metre vehicular access off the public road.

**2. PLANNING HISTORY**

- 2.1 Application 07/00380/FULCA for the erection of a house, installation of septic tank and formation of vehicular access was granted conditional planning permission on 24 September 2007. However this original consent was deemed to be unsafe as the applicant was unable to provide proof of neighbour notification for all neighbours notified. This current application has been submitted in order to rectify the situation.

### 3. PUBLIC PARTICIPATION

3.1 Six letters of objection have been received from local residents, the grounds of which can be summarised as follows:-

- The proposed house would be sited too close to the A99 Trunk Road and would cause a loss of visibility northbound for vehicles entering and exiting the trunk road using the Melbourne Cottage access.
- The proposal is too close to adjoining properties on the opposite side of the A99(T) – namely Borrowston Farm and New Bungalow at Borrowston Farm. The proposal would have a detrimental impact causing a loss of light, value and privacy.
- One of the objectors considers the use of a soakaway to be both unsuitable and inadequate in this particular case. If approved, the objector has requested that the Highland Council should be responsible for the soakaway.

3.2 The letters of representation are available in the Area Office and will be available at the Committee meeting. The names of those making representation are listed at the end of this report.

### 4. CONSULTATIONS

4.1 **Transport Scotland:** No objections (Previous application 07/00380/FULCA)

4.2 **Scottish Environment Protection Agency:** No objections (Previous application 07/00380/FULCA)

4.3 **Scottish Water:** No objections (Previous application 07/00380/FULCA)

4.4 **Archaeology:** No objections subject to an ARC 4 watching brief condition being attached to any consent given (Current application)

### 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

#### **Caithness Local Plan (adopted September 2002):**

Primary Policy PP1 4(i) of the Caithness Local Plan supports the principle of housing but requires a 100 - 150 metre spacing between dwellings.

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):

- SPP 3 Housing
- PAN 72 Housing in the Countryside
- 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
- other material issues raised by objectors

6.3 The application complies with the minimum 100 metre spacing criterion within the policy envelope of Primary Policy PP1 4(i) of the Caithness Local Plan. The applicant has provided a plan to confirm that this separation distance can be achieved within this policy envelope. The objectors who live on the opposite side of the A99(T) are within a different policy envelope whereby Primary Policy PP3 of the Caithness Local Plan applies.

6.4 In terms of the objections received from local residents and land owners regarding access and road safety issues, the Trunk Roads Authority, Transport Scotland, has not objected to the proposed development as submitted. Instead, it has recommended that conditions be imposed on any consent given. One of these conditions requires the provision of a visibility splay of 4.5m by 215 metres in both directions. Another condition requires a junction improvement to be made at the site access off the A99(T). This should ensure that road safety implications are addressed.

6.5 In relation to the objection received regarding the use of a soakaway on site, both Scottish Water and the Scottish Environment Protection Agency had no objections to the original application 07/00380/FULCA and to the proposed development as submitted. It is considered that the use of a soakaway in this location is acceptable and will in any event be subject to the Building Regulations.

## **7. CONCLUSION**

- 7.1 This application accords with the provisions of Policy PP1 4(i) of the Caithness Local Plan. There are no material planning considerations to indicate otherwise and the application is therefore recommended for approval.

## **RECOMMENDATION**

### **Grant planning permission subject to conditions:**

1. Prior to the construction of the dwellinghouse, visibility splays shall be provided and maintained on each side of the access. These splays are the triangles of ground bounded on 2 sides by the first 4.5 metres of the centreline of the access driveway (the set back dimension) and the nearside trunk road carriageway measured 215 metres (the y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a driver's eye height of between 1.05 metres and 2.00 metres positioned at the set back dimension to an object height of between 0.26 metres and 1.05 metres anywhere along the y dimension.

Reason: To ensure that drivers of vehicles leaving the site are enabled to see and be seen by vehicles on the trunk road carriageway and join the traffic stream safely.

2. The proposed access shall join the trunk road at the existing junction which shall be upgraded by the applicant. The adjoining field access shall be amalgamated into one access. The throat width of the access shall be a minimum of 5.5 metres and continued for a distance 10 metres from the edge of the trunk road. The junction shall be constructed in accordance with details that shall be submitted and approved by the Planning Authority, after consultation with the Roads Authority, before any part of the development is commenced.

Reason: To ensure that the standard of the access layout complies with the current standards and that the safety of traffic on the trunk road is not diminished.

3. The gradient of the access road shall not exceed 1 in 40 metres for a distance of 6 metres from the nearside edge of the trunk road carriageway, and the first 5 metres shall be surfaced in bituminous surface and measures shall be adopted to ensure that all drainage from the site does not discharge onto the trunk road.

Reason: To ensure that material from the site is not deposited on the trunk road to the detriment of road safety; to ensure that vehicles entering or exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow traffic on the trunk road; and to ensure that water run-off from the site does not enter the trunk road.

4. Prior to the commencement of development, arrangements for an archaeological watching brief to be carried out on site clearance and excavation works in accordance with the attached specification, shall be submitted to and require the express approval in writing of the Planning Authority. No site clearance or excavation works shall take place until that approval has been given and all such works shall thereafter be implemented in accordance with the approved arrangements.

Reason: To protect the archaeological interest of the site

5. Any residential caravan placed on site pursuant to the issue of this consent shall be connected into the foul sewage system of the dwellinghouse, shall be occupied by a person who is actually constructing the house, shall only remain on site whilst the house is under construction and notwithstanding progress in the construction of the house, shall not be present on the site for more than one calendar year.

Reason: In the interest of amenity and in order to retain effective control.

6. Prior to the commencement of development, a detailed scheme of landscaping shall be submitted to and agreed in writing with the Planning Authority. All planting subsequently approved shall be undertaken in the first planting season following occupation of the dwellinghouse.

Reason: In the interest of visual amenity.

### Informatives

It is important to note that the granting of planning consent does not necessarily guarantee a connection to Scottish Water's assets. Please contact Scottish Water on Tel: 0845 601 8855 to discuss the issue.

The applicant should be aware that from 1 April 2006 under The Water Environment (Controlled Activities) (Scotland) Regulations 2005 all discharges to land and water require authorisation from SEPA (either registration or licensing).

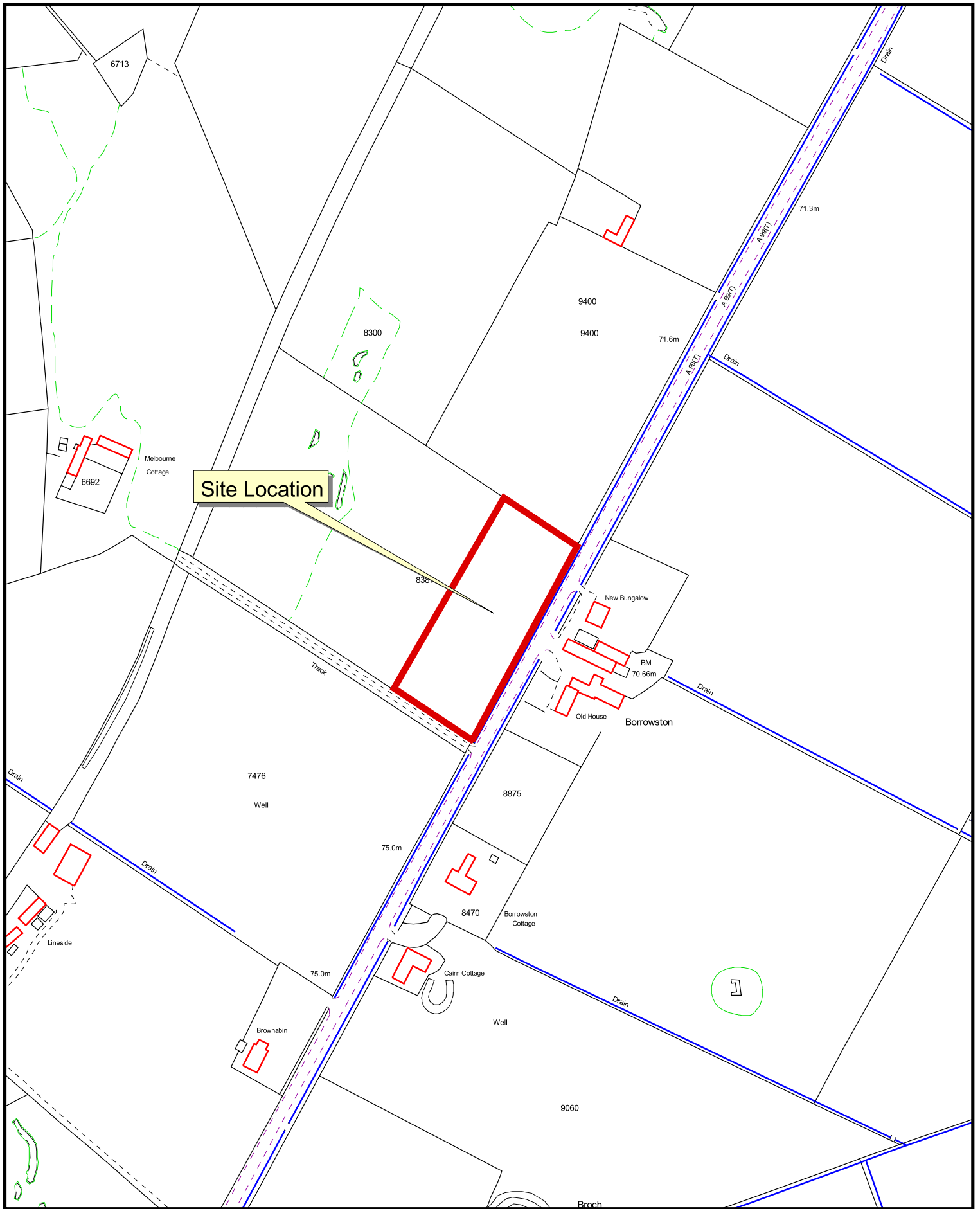
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author: Andrew Parker 01955 607754

Background Papers: As referred to in the report above and case file reference number 07/00600/FULCA and original consent 07/00380/FULCA

Date: 08 January 2008



Site Location



07/00600/FULCA  
 Erection of house installation of septic tank and soakaway  
 and formation of vehicular access (re-application) at  
 Land to West of Borrowston, Thrumster, Caithness.

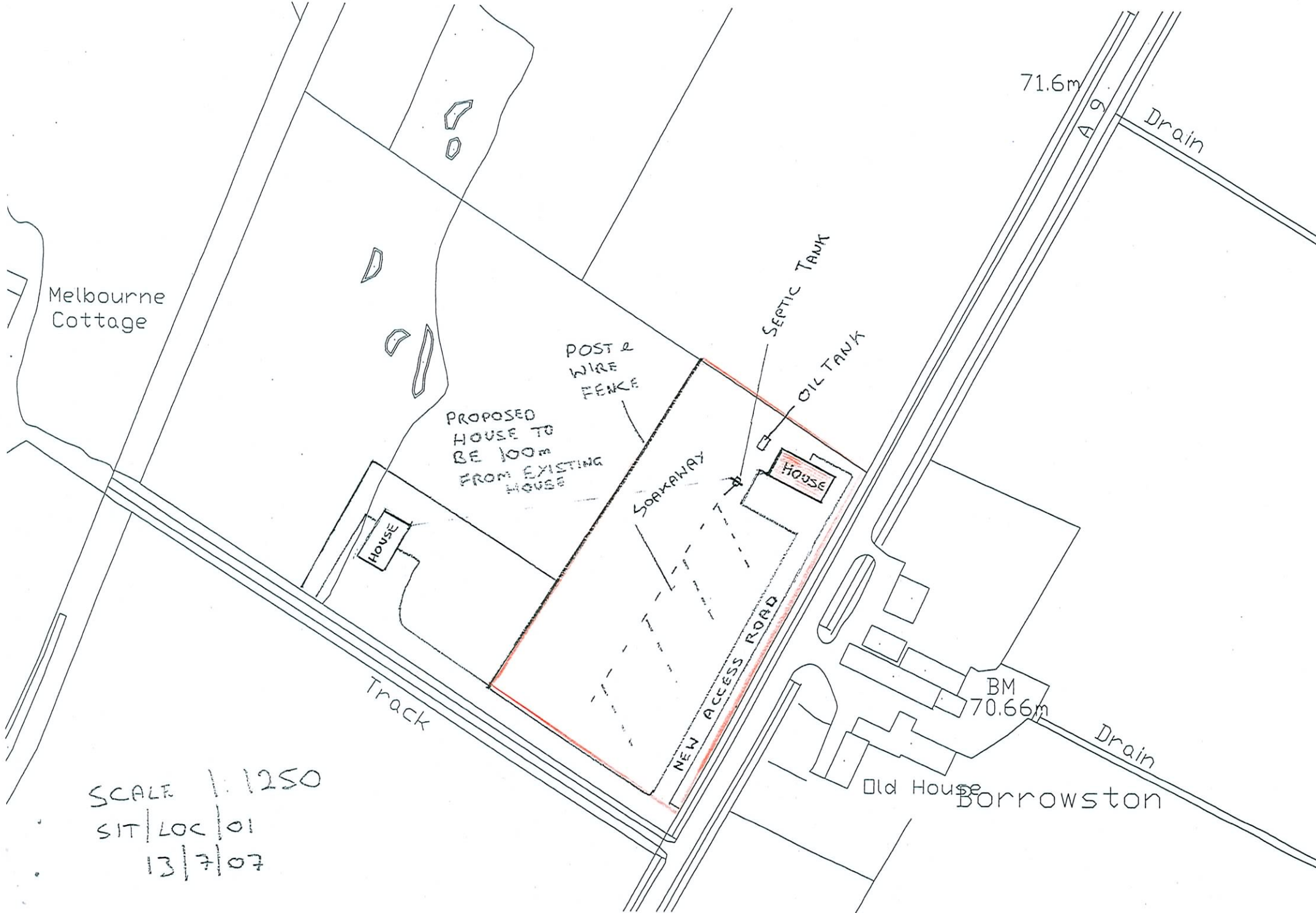
Mr J Carter  
 Lea Rig  
 Borrowston  
 Thrumster  
 Caithness

Date: 16 January 2008

**SUPPLIED BY THE HIGHLAND COUNCIL**

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Melbourne Cottage

71.6m  
A 9  
Drain

PROPOSED HOUSE TO BE 100m FROM EXISTING HOUSE

POST & WIRE FENCE

SEPTIC TANK  
OIL TANK

House

House

SOAKAWAY

NEW ACCESS ROAD

Track

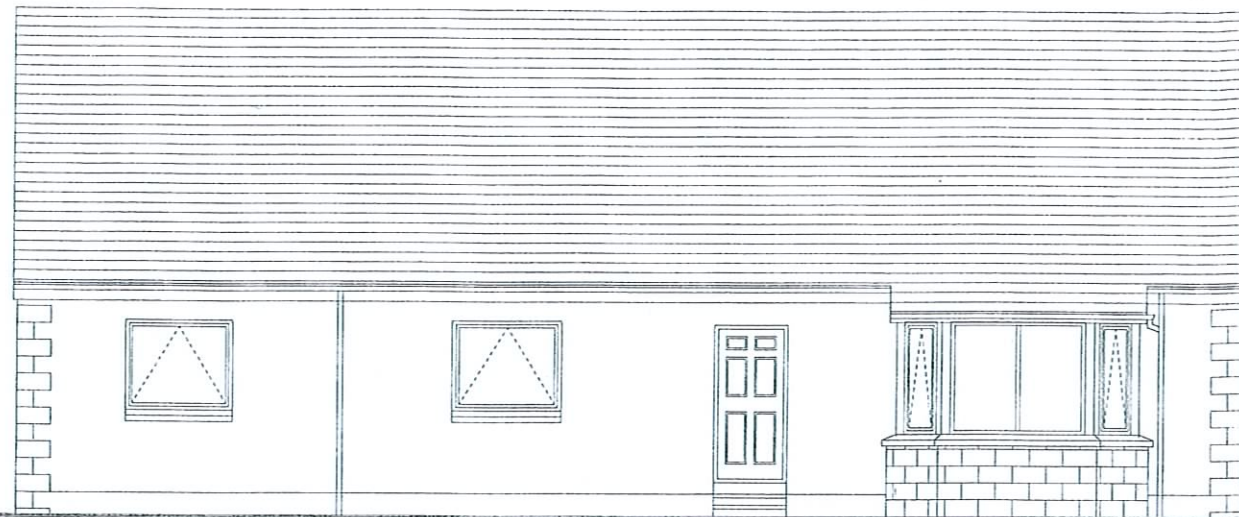
BM 70.66m

Drain

Old House

Borrowston

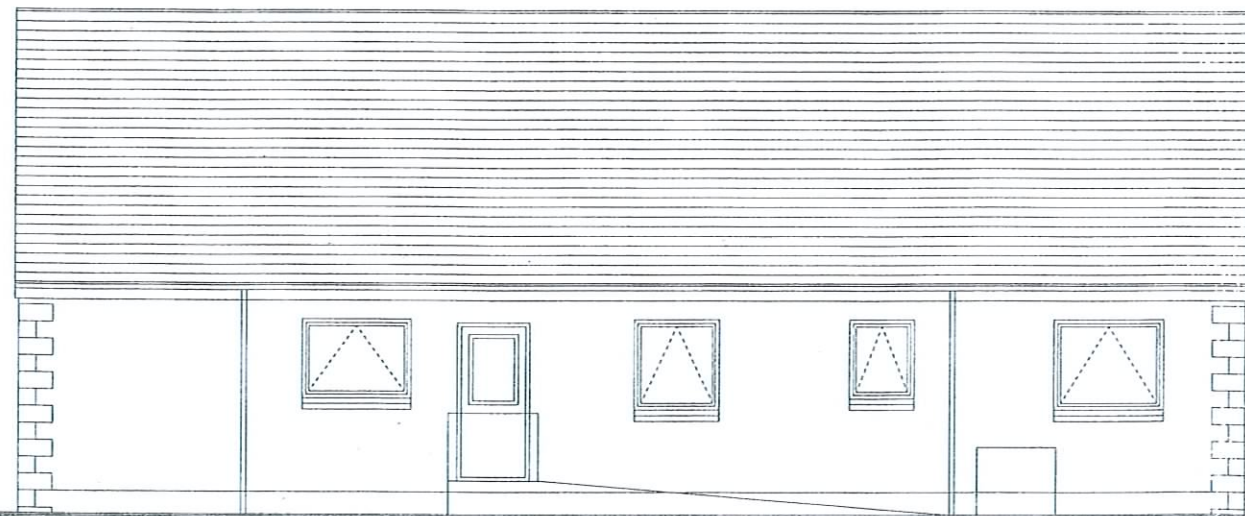
SCALE 1:1250  
SIT/LOC/01  
13/7/07



FRONT ELEVATION

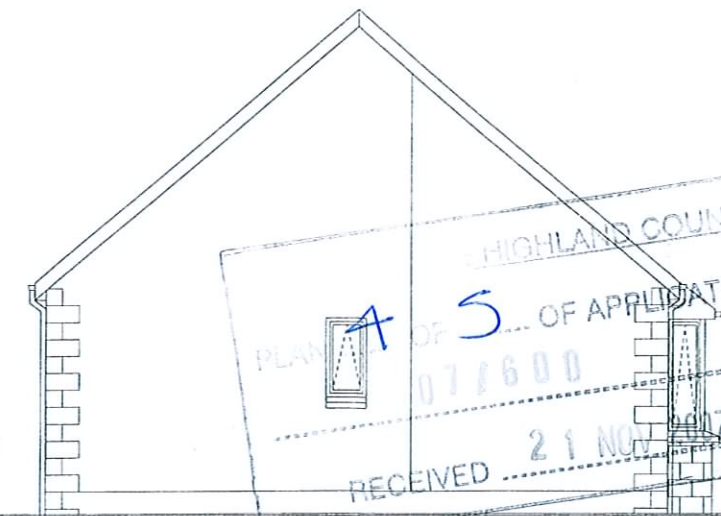


SIDE ELEVATION



REAR ELEVATION

E.S. BEHIND DOWNPIPES



SIDE ELEVATION

EXTERNAL FINISHES:

Roof - grey Redland Renown with cloaked verges  
 Fascias and soffits - "light oak" pvc, ventilated  
 Main walls - saxon quartz drydash render  
 Baseband - hazel brown drydash render  
 Features - buff Fyfestone quoins and bay window  
 Windows and doors - "cherry" pvc frames, double glazed

M. M. Miller (Wick) Ltd

Received:- 22 SEP 2005

Instructed by	DM		
Filed/Copied by	CJ		
Action by			
Assisted by	AS		
Information Approved by			
Information			
Copy Site			

Client :	Mr & Mrs J. Carter
Site :	Proposed Bungalow Thrumster Caithness
<b>CAITHNESS HOMES</b> GILMORE, NORTH MURCHISON STREET, WICK, CAITHNESS, KW1 5HL. TELEPHONE (01955) 602746	
Scale:	1:100
Drawn:	
Date:	21/09/05
Dwg. No.:	M5251502
Rev.:	

**CONTRACT**