

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

Agenda Item	3.3
Report No	21/08

**08/00122/FULCA: SITING OF STATIC CARAVAN (RENEWAL OF PERMISSION) AT  
HOUSE PLOT TO NORTH OF NEWLANDS OF SMERLIE, LYBSTER**

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

**SUMMARY**

This application has been brought to Committee due to an objection petition received with eleven signatories. One other letter of objection has been received from local residents. The grounds of objection relate to the visual impact generally of static caravans associated with 'self build' housing developments that have not been completed and, in this particular case it is argued that permission should not be renewed as the applicant has not commenced development.

Although the applicant has not laid the foundations, inspection of the site has confirmed that the immediate site for the house has been cleared of top soil ready for building and the applicant has installed the septic tank, soakaway and inspection chamber.

**The recommendation is to GRANT planning permission for one year.**

Ward Number 4 – Landward Caithness

Applicant: Mr Norton, Elliot Cottage, Newlands Of Smerlie, Upper Lybster

**1. PROPOSAL**

1.1 Application is made for the renewal of planning permission for an existing static caravan at a house plot on land to the north of Newlands of Smerlie, Lybster.

**2. PLANNING HISTORY**

2.1 07/00155/REMCA: Erection of house, stables, formation of vehicular access, installation of oil tank, installation of septic tank and soakaway and siting of static caravan adjacent to Newlands of Smerlie, Upper Lybster. Granted Approval of Reserved Matters 07 June 2007.

**3. PUBLIC PARTICIPATION**

3.1 One letter of objection and one petition with eleven signatories have been received from local residents. The grounds of objection can be summarised as follows:

1) There are a significant number of static caravans associated with self build developments that have been on sites for more than three years with extension periods being given with no sign of developments being completed. These static caravans are considered to be eyesores to those who live near them.

2) In this particular case apart from digging works on site the applicant has not shown any evidence of commencing development of the house on site.

#### **4. CONSULTATIONS**

4.1 None

#### **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 PP2 6(p) of the Caithness Local Plan presumes in favour of new housing at Upper Lybster subject to a 125 metre spacing between dwellings.

#### **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 applicant and objectors

6.3 In relation to the objections from local residents, both the erection of a house and the siting of a static caravan have already been granted planning permission. The applicant has five years from the date of the previous detailed planning consent in which to formally commence development. Although the applicant has not laid the foundations, an inspection of the site has confirmed that the immediate site for the house has been cleared of top soil ready for building and that the septic tank, soakaway and inspection chamber have been installed.

- 6.4 Whilst I appreciate the concerns raised by the objectors, Committee generally requires the siting of static caravans to be renewed on an annual basis. This can be readily controlled by condition, and enforcement action where necessary.
- 6.5 Members may wish to note that an appellant recently successfully appealed against a six month consent renewal for a static caravan on land to the east of Rowan Cottage, Mey (reference number 07/00153/FULCA). The lodging of the appeal took six months, the decision time of the appeal approximately another two to three months, with the appellant then being given permission to extend the temporary permission until 31 March 2009, effectively almost a two year extension period.

## **7. CONCLUSION**

- 7.1 The temporary siting of the static caravan for a further year is considered acceptable and is recommended for approval.

## **RECOMMENDATION**

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

1. Except as otherwise provided by the terms of this permission, the developer shall construct the development in accordance with the plans and supporting information submitted with the application and docketed 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. 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 the site whilst the house is under construction and, notwithstanding progress in the construction of the house, shall not be present on site for more than one calendar year.

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

Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

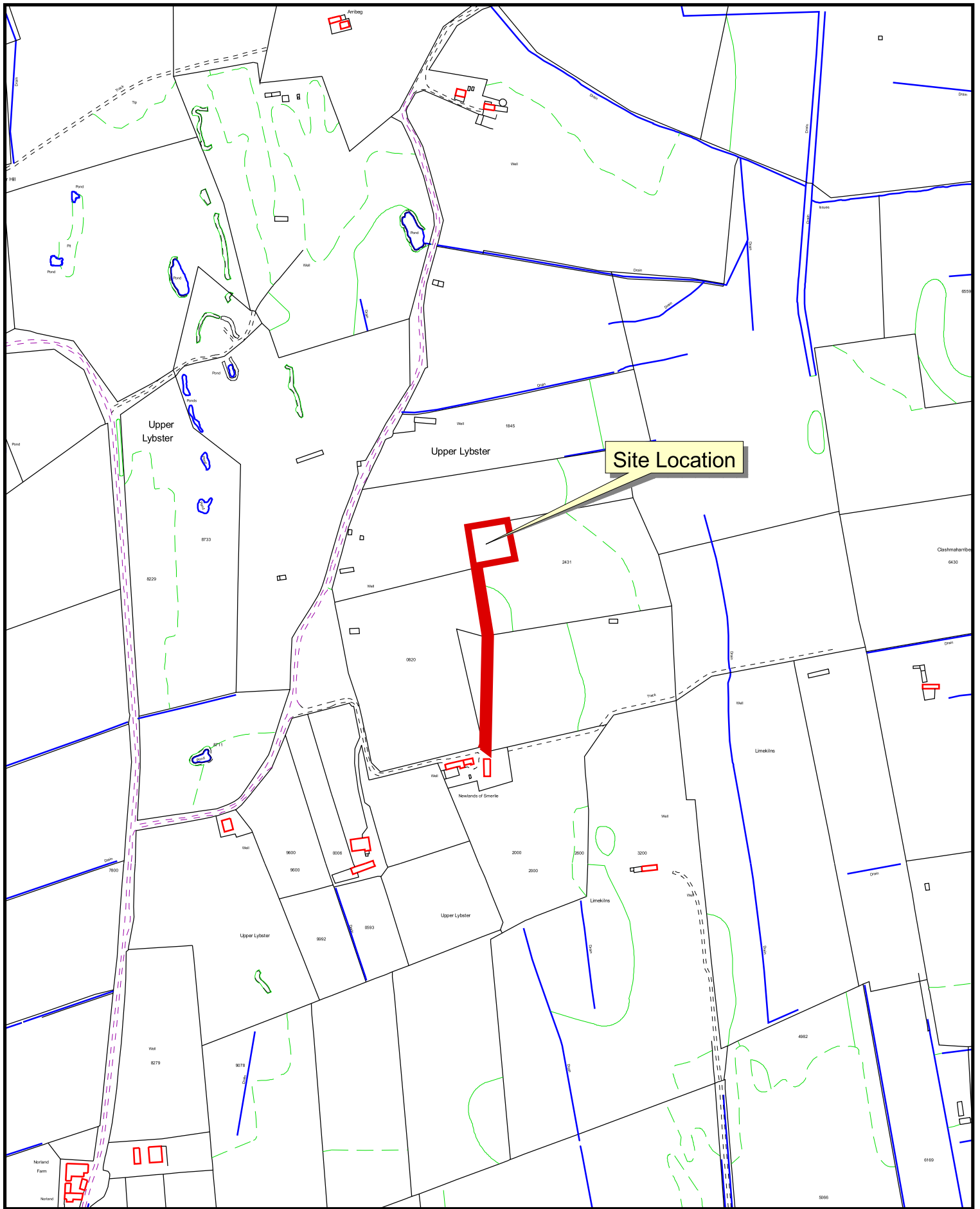
Author: Andrew Parker 01955 607754

Background Papers: As referred to in the report above and case file reference number 08/00122/FULCA.

Previous Applications: 07/00155/REMCA: Erection of house, stables, formation of vehicular access, installation of oil tank, installation of septic tank and soakaway and siting of static caravan adjacent to Newlands of Smerlie, Upper Lybster, Highland. Granted Approval of Reserved Matters 07 June 2007.

07/00153/FULCA: Renewal of planning permission for the siting of static caravan at, Mey Village, Mey, Caithness, KW14 8XH. Granted by Caithness, Sutherland and Easter Ross Planning Applications and Review Committee on the 19 June 2007 and issued on the 25 June 2007. Appeal Decision 28 March 2008.

Date: 29 April 2008



08/00122/FULCA  
Siting of caravan (renewal of permission) at  
House plot to North of Newlands of Smerlie, Lybster, Caithness.

Mr Norton  
Elliot Cottage  
Newlands of Smerlie  
Lybster  
Caithness

Date: 01 May 2008

**SUPPLIED BY THE HIGHLAND COUNCIL**



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