

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

Agenda Item	2.9
Report No	41/08

**08/00192/OUTCA: ERECTION OF HOUSE AND WORKSHOP/GARAGE, AND  
FORMATION OF VEHICULAR ACCESS, AT CAMILLA STREET, HALKIRK**

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

**SUMMARY**

This application has been brought to Committee for determination as it is contrary to the Development Plan. The site falls within Policy PP3 of the Landward Chapter of the Caithness Local Plan whereby the Council will presume against new housing development unless an exceptional need can be demonstrated. Although no exceptional need has been demonstrated by the applicant, it is considered that the ad hoc boundary as defined in the Local Plan should be reconsidered as an extension to the existing settlement boundary of Halkirk village.

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

Ward Number 4 – Landward Caithness

Applicant: Mr G Sinclair and Ms P Bremner, Ballintore, Camilla Street, Halkirk, Caithness, KW12 6YQ

**1. PROPOSAL**

- 1.1 Application is made in outline for erection of a house and workshop/garage, and formation of vehicular access, at land to the south of Camilla Street, Halkirk.

**2. PLANNING HISTORY**

- 2.1 06/00616/OUTCA: Erection of dwellinghouse and formation of vehicular access for the adjoining plot to the west of the proposal site approved by the Caithness Planning, Development, Europe and Tourism Committee on 26 March 2007 and issued on 30 March 2007.
- 2.2 07/00302/REMCA: Approval of Reserved Matters granted on 31 July 2007 for the adjoining plot to the west.

### **3. PUBLIC PARTICIPATION**

- 3.1 The application was advertised on 2 May 2008 as development not in accordance with the provisions of the Development Plan. The 21 day period for representations to be made expired on 23 May.
- 3.2 No objections have been received.

### **4. CONSULTATIONS**

- 4.1 **Area Roads and Community Works Manager:** No objections.
- 4.2 **Scottish Water:** No objections.
- 4.3 **Access Officer:** No objections however, requests that provision be made for a roadside footway.

### **5. POLICY**

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

**Highland Structure Plan:**

- G2 Design for Sustainability

**Caithness Local Plan (Adopted September 2002):**

The site is shown to lie within an area which is subject to Primary Policy PP3 of the Landward Chapter of the Caithness Local Plan which presumes against housing development unless an exceptional need exists or the proposal involves the conversion of a traditional building or the replacement of a ruinous dwellinghouse.

- 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 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 the applicant and objectors
- 6.3 This proposal is located outside the settlement boundary of Halkirk and has been advertised as a departure from the provisions of the Local Plan. However, in this particular case, as with the previous outline application 06/00616/OUTCA for the adjoining site, it is considered that the Local Plan boundary for this part of Halkirk is inappropriately defined and not the most sensible solution.
- 6.4 I would therefore consider that the application should be granted contrary to the provisions of the Caithness Local Plan and considered as a logical extension to the existing settlement boundary of Halkirk village.

## **7. CONCLUSION**

- 7.1 Under Section 25 of the Act planning applications must be determined in accordance with the terms of the Development Plan unless material considerations indicate otherwise. This proposal is considered to be a justifiable exceptional addition to the existing settlement. The submitted plans of the house and the workshop/garage are considered indicative and will require to be worked up further for approval of reserved matters.

## **RECOMMENDATION**

### **Grant outline 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 docquetted as relative hereto, including the footpath and road widening, 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. Prior to the commencement of development the access shall:
  - incorporate visibility splays of X= 2.5 metres by Y= 30 metres in both directions and thereafter be maintained free of any obstruction above adjacent carriageway levels;

- be surfaced to a bound finish for a minimum of 6 metres back from the edge of the public road;
- have a minimum access width of 3.3 metres;
- incorporate a roadside service bay;
- be shaped and kerbed to prevent surface water running on or off the carriageway; and
- any ditch beneath the proposed access shall be piped with concrete headwalls at both ends; and
- provision shall be made for 2 cars to park within the site.

Reason: In the interests of road safety.

- 3 Notwithstanding the submitted details, the proposed front soakaway shall be repositioned to the rear of the house and detailed as part of a reserved matters application.

Reason: In order to prevent runoff to the public road.

- 4 The planning permission hereby granted is in outline only and no caravan or other structure shall be placed or erected on the site pursuant to the issue of this consent.

Reason: In order to clarify the terms of the planning permission hereby granted.

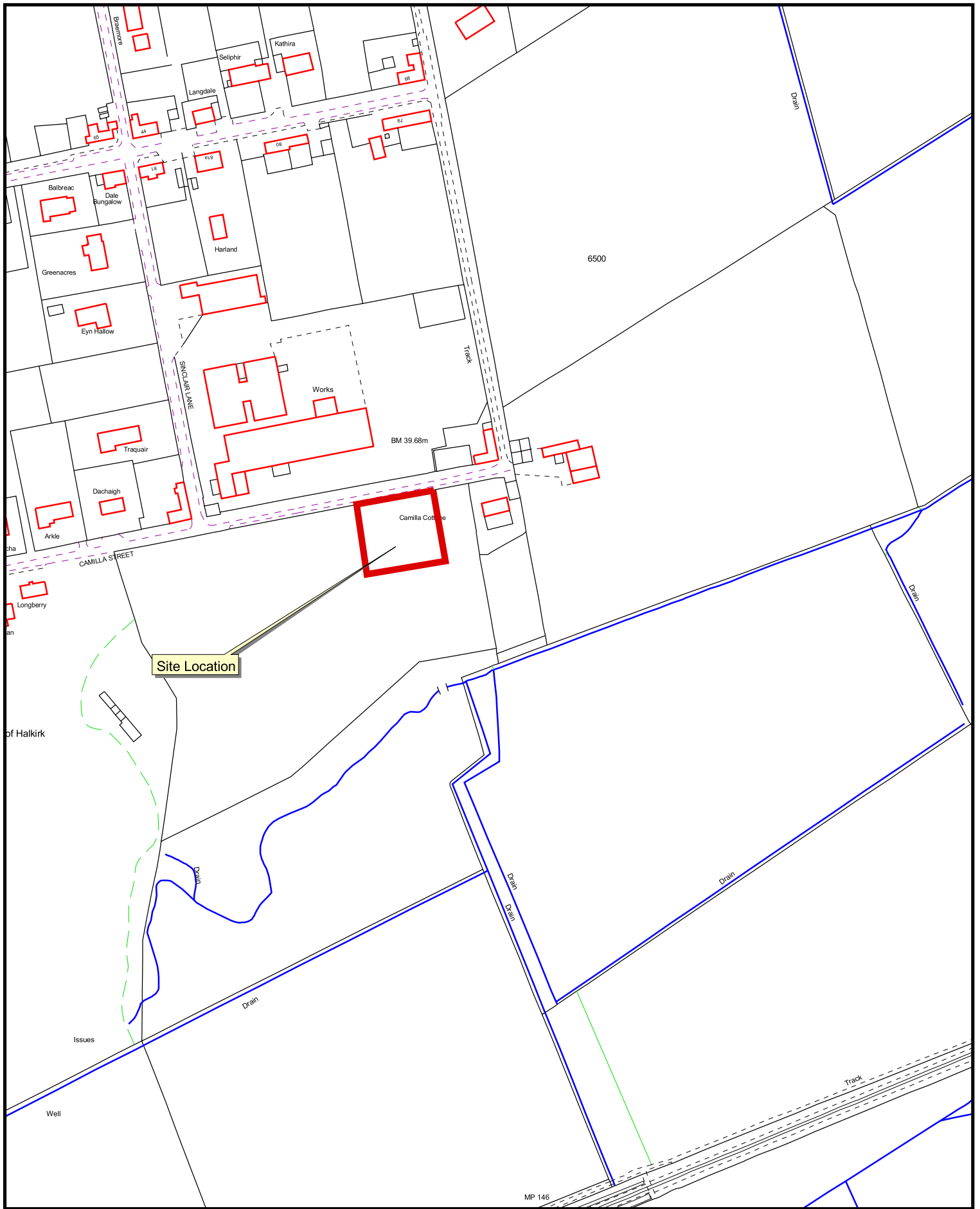
Signature: Allan J Todd

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 08/00192/OUTCA.

Date: 16 June 2008



08/00192/OUTCA  
 Erection of house, formation of vehicular access at  
 Land 50M West Of Camilla Bungalow, Camilla Street, Halkirk

Mr G Sinclair And Ms P Bremner  
 Ballintore  
 Camilla Street  
 Halkirk  
 KW12 6YQ

Date: 07 July 2008

**SUPPLIED BY THE HIGHLAND COUNCIL**

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