

THE HIGHLAND COUNCIL
CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING
APPLICATIONS AND REVIEW COMMITTEE
9 December 2008

Agenda Item	3.5
Report No	60/08

08/00450/OUTCA: Erection of 3 houses, installation of septic tank and soakaway, upgrade vehicular access, Clayock Farm, Halkirk, Caithness.

Report by Area Planning and Building Standards Manager

SUMMARY

This report deals with an application submitted for three individual house plots on land to the south of Clayock Farm, Halkirk. The site currently has consent for five individual house plots, two of which have been developed.

To fit a further three individual plots into the original site area much reduces the spacing of the properties and will create a street within a dispersed rural community. There are no streets in the Clayock area, and the creation of a street in this area does not accord with the supporting policies of the local plan or Structure Plan Policies G2 and H3.

The Recommendation is to REFUSE outline planning permission.

Ward Number 4 – Caithness Landward

Applicant – Messrs Coghill, Stemster Mains, Halkirk.

1. PROPOSAL

- 1.1 The application seeks to obtain outline planning consent for the erection of a further three individual house sites within a larger site which currently has consent for five dwellings.
- 1.2 The applicant has made each of the original five plots smaller, as they considered the original plots to be too large. Having made each of the plots smaller, they consider that there is now room for three more individual house sites within the original site area.
- 1.3 The three additional plots, Plots 1a, 1b and 4a, have been created by altering the layout of the original consent. Plot 4a has been created within the original boundary of Plot 4. Plot 2 has been moved into Plot 3 to create a further two plots (Plots 1a and 1b) in the boundary of Plot 1.

- 1.4 In terms of access, on the original consent, one track served Plots 2, 3, 4 and 5 with an individual driveway serving Plot 1. It is now proposed that the original track will serve Plots 3a, 4 and 5, whilst a spur from this will serve Plot 3. An additional track is proposed from the access to Plot 1 which would serve Plots 1a, 1b and 2.
- 1.5 Each of the proposed plots will be individually serviced.

2. PLANNING HISTORY

- 2.1 Outline planning consent was granted in October 2003 (03/00230/OUTCA) for five individually serviced house plots on the application site to the south of Clayock Farm, Halkirk.
- 2.2 A further application was approved in April 2006 for the formation of access roads (06/00150/FULCA). These roads are nearing completion.
- 2.3 Of the five plots granted outline planning consent, two reserved matters applications have been received and approved for dwellings on Plot 1 (06/00170/REMCA) and Plot 4 (07/00512/FULCA). Both dwellings have been completed.

3. PUBLIC PARTICIPATION

- 3.1 One letter of representation has been received. The main grounds of objection are as follows:
 - The development was to be a small private residential rural community with homes to a certain standard and in keeping with the sparsely populated rural setting.
 - Loss of view
 - Reduction of privacy
 - Reduction in property values
 - Problems with a change in access
 - Nuisance from further construction
 - Contrary to the conditions on which their plot was purchased.
- 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 noted at the end of this report.

4. CONSULTATIONS

4.1 Internal Consultees

Area Roads and Community Works Manager – No objections, subject to a number of conditions.

4.2 External Consultees

Scottish Water – No objection.

Scottish Environment Protection Agency – No objection.

5. POLICY

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

Highland Structure Plan

- G2 Design for Sustainability
- H3 Housing in the Countryside

Caithness Local Plan

- Policy PP1
- General Supporting Policy – Siting and Design of Housing in the Countryside

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

- SPP3 Housing
- 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 proposals 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 proposals require 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 **Policy Appraisal** – The site lies within an area designated as PP1 within the Caithness Local Plan. In a PP1 designation the Council will favour development subject to detailed site factors.

- 6.4 Guidance within the supporting policies of the local plan provides advice on the appropriate layout and siting of proposed new dwellings in the countryside, i.e. the detailed site factors. The first criterion to be considered in respect of siting, is that new development in the countryside should seek to “*maintain the typical spacing between houses*”.
- 6.4 In the original application for five individual plots the spacing proposed was considered appropriate for the Clayock area which is a dispersed community of farms and individual properties. Clayock is not an established settlement and it was felt that five well spaced plots fitted with the development pattern.
- 6.5 The current application which seeks to fit a further three individual plots into the original site area much reduces this spacing and will create a streetscape within a dispersed rural community. There are no streets in the Clayock area, and the creation of a street in this area does not accord with the supporting policies of the local plan.
- 6.6 Structure Plan Policy H3 Housing in the Countryside states that “*housing development will generally be within existing and planned new settlements*”. Clayock is not an existing settlement, nor is it planned to be. The application therefore is contradictory to this policy.
- 6.7 Structure Plan Policy H3 goes on to state that “*housing in the countryside of an appropriate location, scale, design and materials may be acceptable where it supports communities experiencing difficulty in maintaining population and services*”. No case has been made that Clayock is experiencing difficulty in maintaining population and services.
- 6.8 Structure Plan Policy G2 Design for Sustainability states that development must “*demonstrate sensitive siting... in keeping with local character...*”. The proposed addition of a further three dwellings does not demonstrate sensitive siting as the proposals are not in keeping with the local character of Clayock.
- 6.9 Finally, whilst some of the matters raised in the letter of representation are not material planning considerations, I sympathise with the general thrust of the arguments being made in respect of the nature and scale of the proposed development.

7. CONCLUSION

- 7.1 The proposal is contrary to the guidance contained within the Caithness Local Plan and also the policies of the Highland Structure Plan in that it does not maintain typical spacing between houses. The proposal would create a street within a dispersed rural community of farms and individual houses.
- 7.2 Five plots have been approved within the site and the spacing and density of these is considered the maximum appropriate for this site.

RECOMMENDATION

Refuse outline planning permission on the following grounds:

- 1 The proposal is contrary to the guidance contained within the Caithness Local Plan (Supporting Policy – Siting and Design of Housing in the Countryside) and the Highland Council Structure Plan (Policy H3 and Policy G2), in that it does not accord with typical spacing between houses. The proposal would create a street within a dispersed rural community of farms and houses and as such would not be in keeping with local character, contrary to the provisions of Policy G2 of the Highland Council Structure Plan.

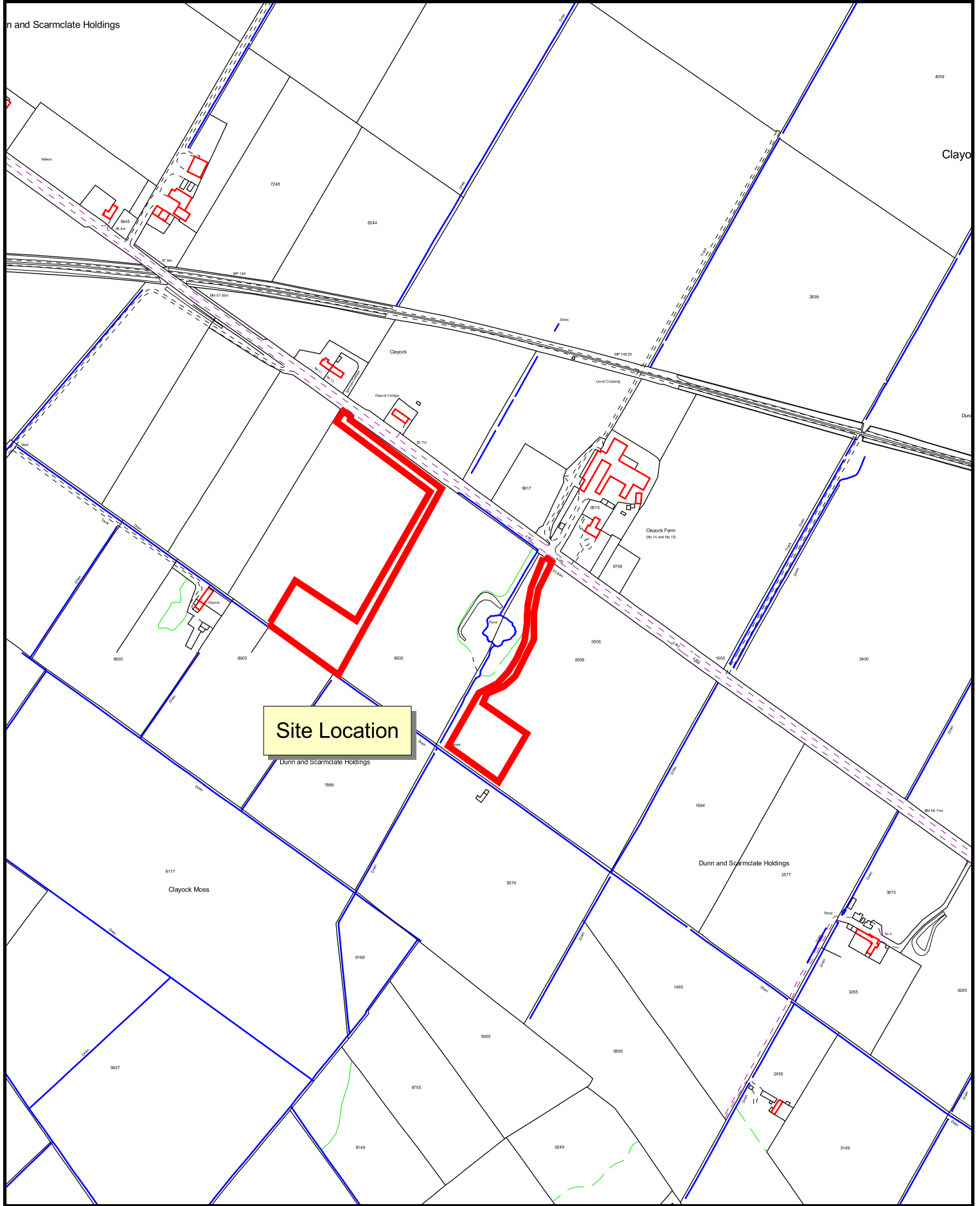
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author: Morag Goodfellow 01955 607754

Background Papers: As referred to in the report above and case file reference number 08/00450/OUTCA

Date: 18 November 2008



Site Location



08/00450/OUTCA
 Erection of 3 houses, installation of septic tank and soakaway.
 Upgrade vehicular access at
 Land to South of Clayock Farm, Halkirk

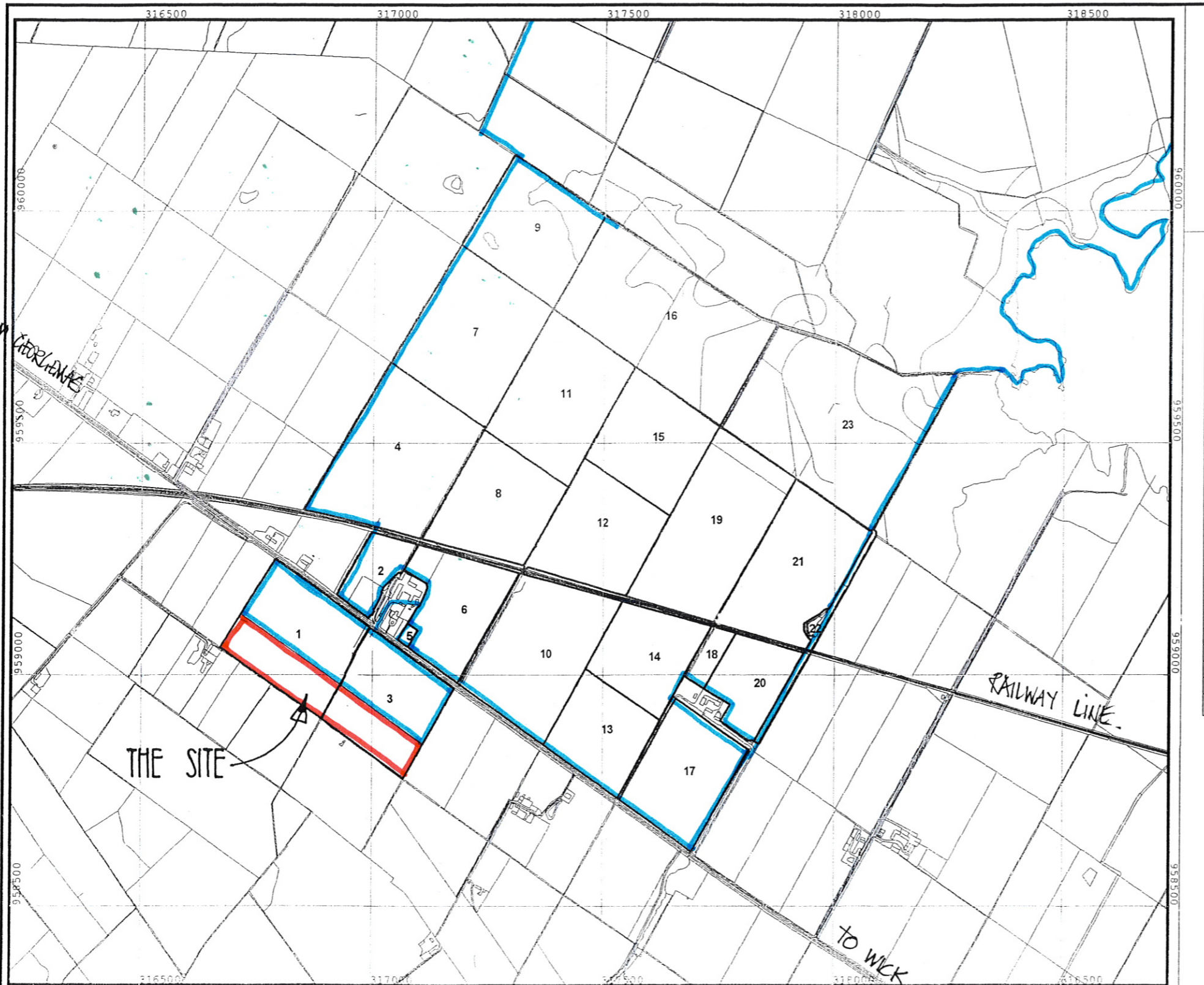
Messrs Coghill
 per Macdonald Associates
 Wetherhill
 Dornoch

Date: 28 November 2008

SUPPLIED BY THE HIGHLAND COUNCIL



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THE HIGHLAND COUNCIL
 PLAN 1 OF 2 APPLICATION REFERENCE
08/450 REFUSED BY THE
 HIGHLAND COUNCIL PLANNING AUTHORITY
 DATE: _____
 Area Planning Officer: _____

Amended
 PLAN 1 OF 2 APPLICATION REFERENCE
08/450
 RECEIVED 23/10/08

MACDONALD ASSOCIATES DORNOCH
 ARCHITECTURAL, LANDSCAPE & DESIGN CONSULTANTS
 WETHERHILL, DORNOCH, SUTHERLAND, SCOTLAND IV25 3JB
 TEL/FAX 01862 810765 EMAIL: archi.mac@btconnect.com

PROPOSED HOUSE SITES AT
 CLAYOCK FARM, HALKIRK
 FOR MESSRS COGHILL

04 / 109 / 002

PLANNING CONSENT FOR SITES - REF: 05/00230/OUTCA.
 DETAILED CONSENT FOR ACCESS - REF: 06/00150/FULCA.

MR. A.C. GUNN
 CLAYOCK FARM
 HALKIRK
 KW12 6UZ

EXISTING ACCESS TO
 CLAYOCK FARM

MESSES. GUNN (THE APPLICANT)

FROM THURSO

TO WICK

10.00M WIDE ACCESS STRIP

B.Y. WILLIAMSON
 13 SPACES COTTAGES
 CLAYOCK
 HALKIRK
 KW12 6UZ

AGRIC. AREA ATTACHED TO
 EACH PLOT.

PRIVATE ROAD TO PLOT 3

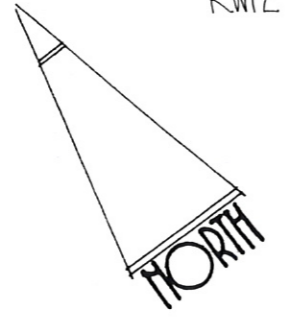
6.00M WIDE
 ACCESS STRIP.

POND

PLANNING REFERENCE
 AUTHORITY

PLAN 2 OF 2
 08/14/50
 HIGHLAND CO
 DATE
 Area Plan

MANAGER



MR. G. DEANILL
 PLOT 1
 1 CLAYOCK
 HALKIRK
 KW12 6UZ

1A

1B

2

3

3A

MISS J. PAIGE
 PLOT 4. CLAYOCK
 4 HALKIRK
 KW12 6UZ

Amended
 2
 08/14/50

MR. J. POLSON

20/10/08

EXISTING OPEN DITCH

50.00M

50.00M

54.00M

110.00M

MR. E. POWELL
 1-3 CLAYOCK MOSS
 HALKIRK
 KW12 6UZ

MR. J. POLSON
 UPPER CLAYOCK
 HALKIRK
 KW12 6UZ

SITE LAYOUT 1:2000

NOTE: EACH SITE TO HAVE A "TITAN BIOTEC" TREATMENT PLANT
 AND MOUND SOAKAWAY WITHIN THE SITE BOUNDARIES.
 DESIGNED TO HAVE CAPACITY FOR EACH HOUSE AT
 DETAILED PLANNING APPLICATION STAGE.

MRAE. CUNA
CLAYOCK FARM
HALKIRK KW12 6UZ

VISIBILITY SPLAYS TO BE 215 METRES ALONG EDGE OF ROAD
2.50 M SET-BACK C. OF EACH ACCESS OVER GROUND
OWNED BY APPLICANT EXCEPT FOR SMALL AREA TO
WEST OF ACCESS TO PLOT 1 - OWNED BY B.Y. WILLIAMSON.

EXISTING ACCESS TO
CLAYOCK FARM

MESSRS. COGHILL (THE APPLICANT.)

TO WICK.

FROM THAMES AND
COURCENAS.
C. OF RAILWAY BRIDGE IS 230 METRES FROM
C. OF NEW ACCESS TRACK

NEW ACCESS TRACK TO PLOT N° 1
WITH SERVICE LAY-BY 9.00M X 2.5M
ALL TRENCHWORK SURFACED TO
6.00 M. ALONG TRACK

NEW ACCESS TO 4 N° PLOTS WITH 6.00M RADII AND 5.50M THROAT TO
16.00M IN AND OUT TO 10.00M WIDE TURNING AND EMB. STORAGE AREA
ALL TRENCHWORK SURFACED WITH AGREED DRAINAGE TO BE OFF-ROAD.

TRACK WIDTH TO BE 3.50M WIDE WITH 2 N° PASSING PLACES

EXISTING DITCH TO CUNEIF

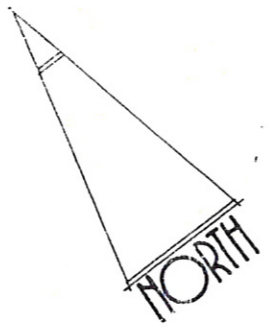
PASSING PLACE

PASSING PLACE

PASSING PLACE

MR. J. NELSON
UPPER CLAYOCK
HALKIRK KW12 6UZ

B.Y. WILLIAMSON,
1-3 SPICES COFFAGES
CLAYOCK KW12 6UZ



1

2

3

4

THE HIGHWAY COUNCIL
PLAN 2 OF 2
RECEIVED
05/230
30/9/05

EXISTING OPEN DITCH.

MR. E. POWELL
1-3 CLAYOCK MOSS
HALKIRK
KW12 6UZ.

MR. J. POLSON

MACDONALD
ASSOCIATES
DORNOCH
ARCHITECTURAL, LANDSCAPE & DESIGN CONSULTANTS

THE HIGHWAY COUNCIL
PLAN 2 OF 2
RECEIVED
05/230
18/10/05

WETHERHILL
DORNOCH
SUTHERLAND
SCOTLAND IV25 3JB
TEL/FAX 01862 810765
EMAIL jm@archimac.co.uk

HOUSE SITES AT CLAYOCK FARM
HALKIRK FOR MESSRS COGHILL.

SITE LAYOUT 1:2000

ORIGINAL OUTLINE
CONSENT

LAYOUT PLAN

AUGUST 2005.
04 / 109 / 004

Amended Plan 2 of 2 Received 30th September 2005