

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

Agenda Item	3.9
Report No	64/08

**08/00354/OUTSU Erection of detached 1.5 storey house and garage. Installation of septic tank and puraflo infiltration system at West Drummuie Golspie**

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

**SUMMARY**

The application is in outline for the erection of a house on land to the east of the existing houses and west of the Council's Drummuie office building.

The application is reported to Committee in the interests of transparency as a representation has been received from a member of a Councillor's family.

Two letters of representation have been received.

**The Recommendation is to REFUSE outline planning permission.**

Ward Number 5 - East Sutherland and Edderton

Applicant – Mrs S L Wild

**1. PROPOSAL**

- 1.1 The application is in outline and seeks to establish the principle of erecting a house within a wooded area to the west of the Council offices at Drummuie.
- 1.2 The site is approximately 80m x 22m and lies roughly north to south on the sloping treed site. It is located at the end of the single track road leading from the A9(T) to the small cluster of 6 houses at West Drummuie.

**2. PLANNING HISTORY**

- 2.1 There have been no recent planning applications for the site.

**3. PUBLIC PARTICIPATION**

- 3.1 Two letters of representation have been received and relate to the following matters:

1. Access / Road issues:

- Private road to the site is unsuitable for heavy construction vehicles
- Potential blocking of private road
- Poor access from the A9(T).
- Four houses use the private road and another house would result in additional congestion on the road. Another house would result in another refuse bin creating additional congestion on the road when bins are being emptied.

2. Foul drainage – Drainage from any additional housing would add to the difficult ground conditions experienced in the area which is easily waterlogged.

3. Proposal diverges from the original plan which was to protect a local amenity and shelter belt between Drummie farmland and the ground at West Drummie.

4. Increased shadowing of property.

5. Impact on wildlife in the area.

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 **Golspie Community Council** – No response received.

##### 4.2 **Internal Consultees**

**TEC Services** – No objections.

**Forestry Officer** – Objects. The woodland on and surrounding the site is listed in SNH's Inventory of Ancient Woodland as it appears on the first edition Ordnance Survey maps dating back to the 1860's. The site and surrounding area is predominantly Scots Pine, with a scattering of native broadleaves such as Birch and Rowan. The site is relatively open, with a strip of Scots Pine along the eastern boundary which will be susceptible to wind blow. Beyond the western boundary is a more stable belt of Scots Pine which is under separate ownership. Development of this narrow site (approx 22 metres) would involve the removal of a number of trees in order to accommodate a house, garage, access, parking and treatment plant. This would open up the woodland edge and be highly visible from the Highland Council offices and car park area. It is likely that root damage would also occur to the mature Scots Pine along the western boundary which may affect their condition and stability. In addition, there is likely to be post development pressure to remove these neighbouring trees due to safety concerns and restricted light. Given the likely impact on trees both within and outwith the site, I am not in a position to support this application.

##### 4.3 **External Consultees**

**Scottish Water** – No objections. Backies water treatment works currently has capacity to service the site.

## 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

### **South & East Sutherland Local Plan**

- ENV 3 – The Council will presume against development, particularly where there is significant damage to heritage, amenity or public health.
- The Golspie village statement policy 5 notes that there is a presumption against unplanned housing development in the open countryside on the settlement edges (as at West Drumbuie).

Material to the consideration of the proposal is the **Pre-Deposit Draft Sutherland Local Plan** policies 1, 3, 4, 16

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).

- Scottish Planning Policy (October 2008)

## 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
- the impact on the amenity of the area and residents
- other material issues raised by the objectors

6.3 The area is known as West Drumbuie and comprises a small cluster of established private houses with substantial separation between them. The site is located on the edge of the woodland with the Council car park lying immediately to the east. There is a mature belt of Scots Pine along the eastern and western boundaries which provides an amenity screen to housing from the office complex. In addition there is a scatter of shrubs within the middle part of the site.

- 6.4 Structure Plan policy G2 Design for Sustainability assesses proposals on the extent to which they impact on individual and community residential amenity, and whether they demonstrate sensitive siting in keeping with local character. In my assessment, the proposal does not demonstrate sensitive siting in keeping with the local character as it would result in the loss of a number of trees and substantially open the woodland edge, which gives the area its current distinctive character. The loss of the trees is considered to be an unacceptable impact on both individual and community residential amenity as set out by policy G2. Furthermore, the development of the site would have a significantly detrimental impact on the visual amenity of the surrounding area and would break the amenity buffer screen currently provided by the trees between the existing housing and the Council offices and car park to the east and therefore does not accord with policies G2 and ENV3. Members will also note that the proposal does not accord with the Golspie village statement policy 5 which presumes against unplanned housing development in the open countryside on the edge of the village.
- 6.5 In addition, the development of the site for a house is not considered to accord with policy 3 of the emerging Sutherland Local Plan as it does not reflect the established residential character of the area, which is mainly formed by the existing tree cover. Removal of trees in order to build on the site would have a detrimental impact on this established character, destroying the trees which are the main asset of the site and immediate area.
- 6.6 The site also lies outside the Settlement Development Area of Golspie as defined by policy 1 of the emerging Sutherland Local Plan. It is considered that development of the site would set an unacceptable precedent making it difficult to resist further residential development at West Drumbuie, thereby further altering the character and development pattern of the area, and would not therefore accord with policy 1.
- 6.7 Structure Plan Policy H3 notes that housing in the countryside should be appropriately located. This development lies outwith the Golspie settlement boundary and is not considered appropriate in terms of its location, and therefore does not accord with policy H3.
- 6.8 Members will note that representations have been received and relate to the following:
1. Access / Road issues: – TEC Services have no objections to the proposal and have advised that the road is an unclassified adopted road as far as the hammerhead turning at 'Threave' to the southwest of the site. Members will note that additional housing would potentially require upgrading and improvements to the road to be undertaken. The road is not suitable, in my view, to accommodate a significant increase in traffic which could be caused by additional housing development in the area. The blocking of any private access is a matter for resolution between the parties involved.
  2. Foul drainage – It is known that the ground in the area is not well drained. Nevertheless the agent has indicated that a technical solution to foul drainage can be provided.

3. Proposal diverges from the original plan which was to protect a local amenity and shelter belt between Drummuie farmland and the ground at West Drummuie.

4. Increased shadowing of property – The area already has reduced day lighting, particularly due to the summer canopy of trees. Members will note that there is no ‘right to light’.

5. Impact on wildlife in the area – The loss of trees will reduce the area of land available to wildlife.

## **7. CONCLUSION**

7.1 The proposal does not accord with Structure Plan policies G2 or H3, as it would have a significantly detrimental impact on the established character of the residential area by the removal of trees which provide an amenity and shelter belt to the wider residential area at West Drummuie. Furthermore, the proposal does not accord with the South and East Sutherland Local Plan village policy 5 or policy ENV3. Finally, the proposal lies outside of the Settlement Development Area of Golspie as defined by policy 1 of the emerging Sutherland Local Plan.

## **RECOMMENDATION**

### **Refuse planning permission for the following reasons:**

1. The proposal does not accord with Highland Structure Plan policy G2 Design for Sustainability as it would have a significantly detrimental impact on the established character of the residential area by the removal of trees which provide an amenity and shelter belt to the wider residential area at West Drummuie.
2. The proposal does not accord with Highland Structure Plan policy H3 Housing in the Countryside as it lies outwith the Golspie settlement boundary and is not therefore considered appropriate in terms of its location.
3. The proposal does not accord with the South and East Sutherland Local Plan policies ENV3 and policy 5 as it would have a significantly detrimental impact on the visual amenity of the surrounding area and would break the amenity buffer screen currently provided by the existing trees.
4. The proposal if approved would set a dangerous and unwelcome precedent making it difficult to refuse applications of a similar nature in the future.

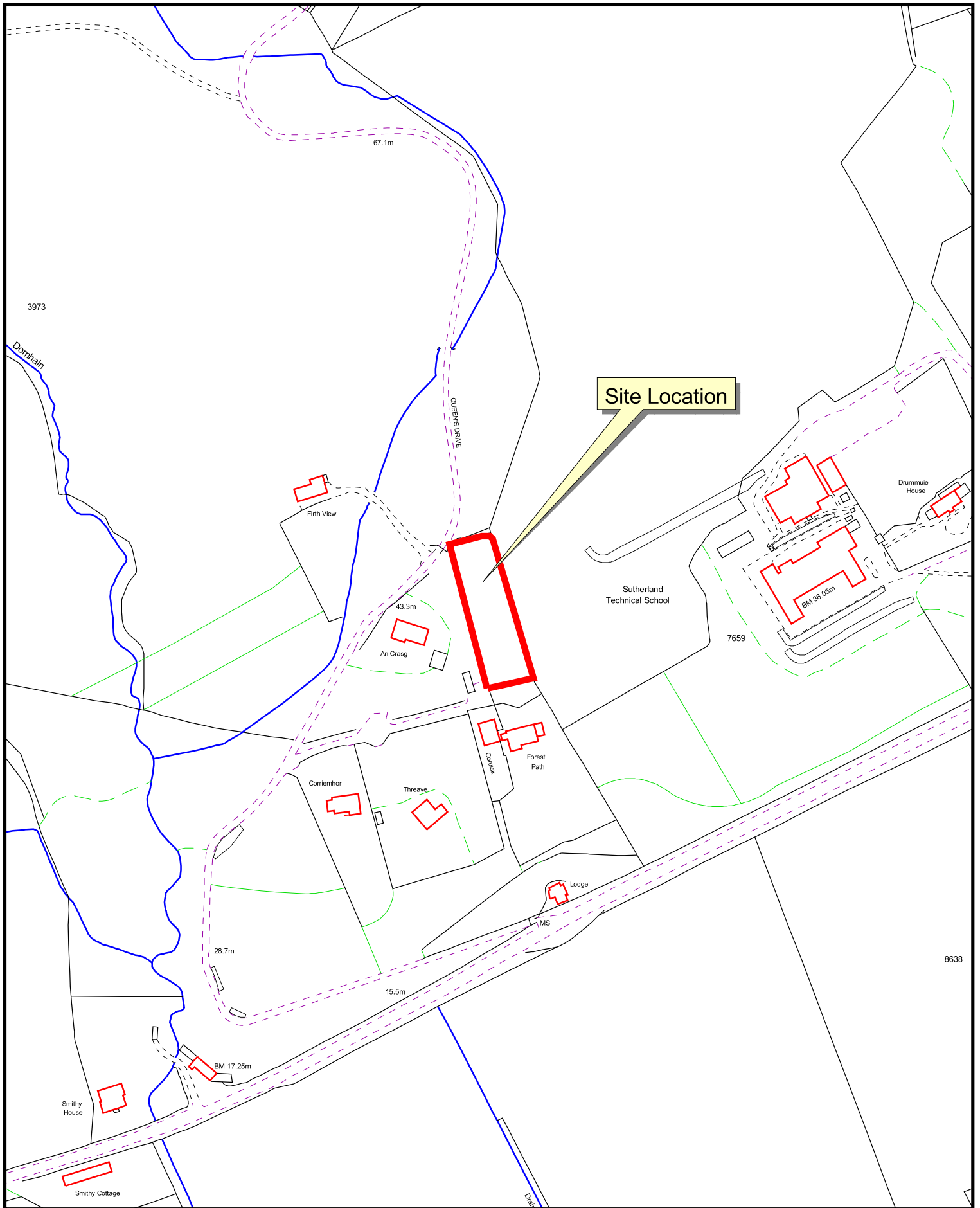
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author: Rebecca Scott / Bob Robertson 01408 635371

Background Papers: As referred to in the report above and case file reference number 08/00354/FULSU

Date: 26 November 2008



08/00354/OUTSU  
 Erection of detached 1.5 storey house and garage.  
 Installation of septic tank and puraflo infiltration system  
 at Forest Path, Golspie, KW10 6TA.

Mrs S L Wild  
 per Mr P Harrison  
 Hill Cottage  
 Golspie  
 KW10 6TA

Date: 26 November 2008

**SUPPLIED BY THE HIGHLAND COUNCIL**



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