

THE HIGHLAND COUNCIL

CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING
APPLICATIONS AND REVIEW COMMITTEE – 3 March 2009

Agenda Item	3.2
Report No	07/09

1. **08/00437/OUTSU Conversion of outbuilding to residential unit. Installation of foul drainage system. Formation of new shared access onto public road at 228 Tongue.**
2. **08/00438/OUTSU Erection of house. Installation of foul drainage system. Formation of new shared access onto public road at 228 Tongue.**
3. **08/00439/OUTSU Erection of house. Installation of foul drainage system. Formation of new shared access onto public road at land 40 metres east of 228 Tongue.**
4. **08/00440/OUTSU Erection of house. Installation of foul drainage system. Formation of new shared access onto public road at land 40 metres south east of 228 Tongue.**

Report by Area Planning and Building Standards Manager

SUMMARY

This report relates to four separate planning applications at 228 Tongue. Application (1) seeks outline permission for the conversion of an existing outbuilding to form a residential unit. Applications (2), (3) and (4) each seek outline consent for the erection of a new house.

These applications are being reported to Committee due to unresolved objections from Tongue Community Council. Furthermore, applications 1 and 2 were advertised as being contrary to the development plan as part of the site falls outwith the settlement boundary.

The Recommendation is to GRANT outline planning permission subject to conditions

Ward Number 1 – North West & Central Sutherland

Applicant – Mr H & Mrs M A Matheson

1. PROPOSAL

1.1 The proposals are:

Application (1) – 08/00437/OUTSU – Conversion of outbuilding to residential unit, new foul drainage system and new shared access to public road.

This application seeks outline consent for the conversion of a traditional one and a half storey stone outbuilding to the rear of No. 228 Tongue. A new shared access is

to be created to the south of No. 228 Tongue, which allows access to this site and application No. 2 (08/00438/OUTSU). This application was advertised as a potential departure due to the fact that part of the application site boundary falls outwith the defined settlement boundary.

Application (2) – 08/00438/OUTSU – Erection of house, new foul drainage system and new shared access to public road.

This application seeks outline consent for a house to the south of 228 Tongue. The site is currently rough grazing and situated on the western side of the public road leading south from Tongue towards “Kinloch”. As noted above, a new access is to be created and shared with application No. 1 (08/00437/OUTSU). This application was also advertised as a potential departure because part of the site of application falls outwith the defined settlement boundary.

Application (3) – 08/00439/OUTSU – Erection of house, new foul drainage system and new shared access to public road.

This application seeks outline consent for a house approximately 40 metres to the east of 228 Tongue. The site is currently rough grazing and situated on the eastern side of the public road leading south from Tongue towards “Kinloch”. The proposed access from the public road is to the south of the site and is shared with application No. 4 (08/00440/OUTSU).

Application (4) – 08/00440/OUTSU – Erection of house, new foul drainage system and new shared access to public road.

This application seeks outline consent for a house approximately 40 metres south east of 228 Tongue. The site is currently rough grazing and situated on the eastern side of the public road leading south from Tongue towards “Kinloch”. The proposed access from the public road is to the north of the site and is shared with application No. 3 (08/00439/OUTSU).

The foul drainage systems for all four applications are situated directly to the west of applications (1) and (2).

2. PLANNING HISTORY

2.1 None

3. PUBLIC PARTICIPATION

3.1 Neighbour representation received for applications (2), (3) and (4) only. The letter relates to the following matters:

- We have no objection to the plans for renovating the existing outbuilding, however, we feel that the proposed development of three additional houses on the croft is excessive and has no community advantage.

- The drainage of water on this section of the road has caused problems with flooding in the past.
- There is a lack of safe access for three further houses. The access to the proposed houses comes on to a very narrow road with no pavement for pedestrians.
- These are unnecessary developments which will not add any community advantage and indeed could spoil much of the charm that characterises the village.

Representation received from Tongue Common Grazings Committee:

- While the Grazings Committee feels that it would be inappropriate to comment on individual planning applications they would like to object strongly to proposed housing developments on any valuable crofting land. This objection is made on the grounds that any such developments are not conducive to the future of crofting.
- There are few opportunities for young people to build a home and stay in the area and crofting remains one of them. A housing development of this nature takes away valuable land and prospects for crofting in the future.
- The Grazings Committee made representation through our Community Council to planners that this area was croft land and as such we would not support its inclusion as an area for development in the Local Plan.

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. VIEWS OF APPLICANT

4.1 The applicant has given the following views in response to the representations:

- The land on which these applications are sited is contained within the settlement development area as defined by policy No 1 and, in particular with regards the two plots on the east side of the public road, these are specifically designed for housing development.
- Whilst we have some sympathy with the parties who have a responsibility on crofting matters we do not believe that these four units would have any detrimental effect on crofting arrangements in or around the village of Tongue.
- We would be confident that any prospective house builder/purchaser would generally only be building in an area such as Tongue on the basis of an interest in rural, agricultural and coastal village life.

5. CONSULTATIONS

5.1 **Tongue Community Council** – Objects on the following grounds:

- The proposed developments are not in the community interest.

- We are concerned that despite raising objection to the inclusion of this site in the Deposit Draft Sutherland Local Plan, the area remains designated for housing.
- The services - e.g. roads and drainage - at the proposed sites have been the subject of our attention over the years. Widening of the road was planned many years ago but was sidelined and no more heard of it. Furthermore, there is no pavement and recent development has resulted in heavier traffic.
- We would not support using important croft land for housing use when we are aware that there are many alternatives in our community.

5.2 Internal Consultees

Archaeology - A photographic record is required for applications (1) (08/00437/OUTSU) and (4) (08/00440/OUTSU), as they affect buildings depicted on the 1st edition OS map c.1874. Although the buildings may have since been altered both externally and internally, they should not be significantly altered, extended, demolished, have their setting altered or otherwise impacted without a visual record first being made.

Development Plans – No objections. The 4 outline applications are not contrary to either the existing Tongue and Farr Local Plan or the Deposit Draft Sutherland Local Plan. The policy issue that needs consideration in relation to these applications is over the access into the rest of the H2 site which should not be stymied. Beyond that the applications do not have major significance in terms of the long-term development of the village.

Roads – No objection. The access for plots 3 and 4 should be a minimum 7 metres in width to make provision for future development whereby a 5.5 metre road and 1.5 metre footway would be required to meet adoptable standards.

5.3 External Consultees

Scottish Water – No objection to the proposal.

6. POLICY

6.1 The following policies are relevant to the assessment of the proposal :

Highland Structure Plan

- G2 Design for Sustainability

Tongue and Farr Local Plan

- Policy 2.3 (new housing development on land to the south of the village) applies to applications (3) and (4) as these sites are located within a larger section of land designated for new housing development.
- Policy 2.4 (infill development) applies to applications (1) and (2) on the western side of the road.

Deposit Draft Sutherland Plan

- Policy 1 (Settlement Development Areas) applies to applications (1) and (2) as the majority of the sites lie within the settlement development area.
- Policy H2 (Housing site south of Loyal Terrace) applies to applications (3) and (4).
- Policy 4.2 (Natural, built and cultural heritage) applies to all four applications as they lie within the Kyle of Tongue National Scenic Area.

7. PLANNING APPRAISAL

7.1 **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.

7.2 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 objectors

7.3 Applications (1) and (2) lie within the defined settlement development area with the exception of the foul drainage system and the access to the drainage, which fall just outwith the settlement boundary. The main built form and associated parking are located within the settlement development area. Applications (1) and (2) are considered to be consistent with the existing settlement pattern and sympathetic to the adjacent land uses. The proposals are therefore judged to accord with Policy 1 (Settlement Development Areas) of the Deposit Draft Sutherland Local Plan. Furthermore, the sites fall within an area designated for infill housing in the current Tongue and Farr Local Plan.

7.4 Applications (3) and (4) are within land allocated for housing development in both the Tongue and Farr Local Plan and the Deposit Draft Sutherland Local Plan. The applications are included within land allocation H2 of the Deposit Draft Sutherland Local Plan which indicates a housing capacity of eight units for the site. The plan also stipulates that access should be taken from the main road at the southern end of the site. The shared access into applications (3) and (4) is slightly north of the preferred point of access as identified in the Deposit Draft Plan. However, despite this marginal difference, the proposed access is still in the southern end of the allocation and is considered to be in line with the Plan. Applications (3) and (4) are therefore considered to comply with both the Tongue and Farr Local Plan and the Deposit Draft Sutherland Local Plan.

- 7.5 The shared access into applications (3) and (4) will form the access into the rest of allocation H2. In order to ensure that that the development of the eastern part of the allocation is not prejudiced, the access should be formed to adoptable standards to allow for the continuation of the road into the rest of the site to service future development.
- 7.6 The representations raise issues with the road drainage and access to the sites. TEC Services have no objection to the applications subject to the applicants meeting standard conditions, which would include that the access is designed so that no surface water would be allowed to flow from the site on to the public road. Whilst this would not improve the existing state of the road referred to by objectors, it should not contribute to further deterioration. Furthermore, these developments are not considered to generate an additional level of traffic that would be significantly detrimental to the road. The proposals are considered to accord with the road servicing requirements of Structure Plan Policy G2.
- 7.7 The representations raise the issue of the loss of important croft land. As discussed above the land on which the applications are sited is contained within land allocated specifically for housing development or infill housing development. Furthermore, the Development Plans Policy Team has advised that the Crofters Commission did not object to the inclusion of the H2 site within the Deposit Draft Sutherland Local Plan.
- 7.8 Finally, the proposal is considered to be consistent with Structure Plan Policy G2. The proposals reflect the existing settlement pattern in the area, present no technical difficulties, and are considered sympathetic to the local character and appearance of the surrounding area.

8. CONCLUSION

- 8.1 The principle of application (1) for the conversion of the outbuilding to a residential unit is considered acceptable. Application (2) for the erection of a house on the western side of the road is considered to be in line within the exiting settlement pattern in the area and is located within an area designated for infill housing in the Tongue and Farr Local Plan. Applications (3) and (4) are located within an area designated for housing in both the Tongue and Farr Local Plan and the Deposit Draft Sutherland Local Plan. TEC Services have no objection to the proposals.

RECOMMENDATION

Application (1) - Grant outline planning permission subject to the following conditions;

- 1 That a further application shall be submitted to the local Planning Authority, together with the requisite detailed plans to include:-
 - a) Plans, sections and elevations of the proposed building, and colour and type of materials to be used externally on walls and roof;

- b) Detailed layout of the site as a whole, site levels existing and proposed, including provision for car parking, details of accesses and details of all fences, walls and hedges;
- c) Landscaping proposals including existing trees to be maintained and proposed tree and shrub planting to be carried out.

These are RESERVED MATTERS to this Outline Application and no work on the site shall commence until the written approval of the Highland Council, as Planning Authority has been given.

Reason: Permission is hereby granted in outline only.

- 2 Notwithstanding design and external appearance are reserved matters under condition 1 above, all conversion work shall be sympathetic to the character of the existing building and shall reflect building styles and use of materials traditional within the area.

Reason: In the interests of amenity.

- 3 Prior to the commencement of development, a photographic record shall be made of the remains of old buildings and / or other features affected by the proposed development, in accordance with the attached specification, and shall thereafter be submitted to the Planning Authority. No site clearance work shall take place until confirmation in writing has been received from the Planning Authority that the record made has been lodged and is satisfactory.

Reason: The remains of buildings and other features affected are of historic interest and are of value to future research, and as such they should not be destroyed without being recorded.

- 4 Notwithstanding access is a reserved matter under condition 1 above, prior to the commencement of any other aspects of the approved development, the access from the public road to the site shall be constructed to base course level in accordance with the attached Standard Access Specification. The access shall be fully completed in accordance with the Specification prior to occupation of the development.

Reason: In the interests of road safety and for the avoidance of doubt.

- 5 All drainage arrangements shall be provided to the satisfaction of the Planning Authority, in consultation with the Scottish Environment Protection Agency, the Water Authority and Building Standards Authority. For the avoidance of doubt, foul drainage shall be by means of a treatment plant and puraflo module.

Reason: In the interests of amenity.

Application (2), (3) and (4) – Grant outline planning permission subject to the following conditions;

- 1 That a further application shall be submitted to the local Planning Authority, together with the requisite detailed plans to include:-
 - a) Plans, sections and elevations of the proposed building, and colour and type of materials to be used externally on walls and roof;
 - b) Detailed layout of the site as a whole, site levels existing and proposed, including provision for car parking, details of accesses and details of all fences, walls and hedges;
 - c) Landscaping proposals including existing trees to be maintained and proposed tree and shrub planting to be carried out.

These are RESERVED MATTERS to this Outline Application and no work on the site shall commence until the written approval of the Highland Council, as Planning Authority has been given.

Reason: Permission is hereby granted in outline only.

- 2 Notwithstanding design and external appearance are reserved matters under condition 1 above, the house shall be single or one-and-a-half storeys only, and shall reflect building styles and use of materials traditional within the area.

Reason: In the interests of amenity.

- 3 Notwithstanding design and external appearance are reserved matters under condition 1 above, the roof shall have a minimum pitch of 40°.

Reason: In order to ensure that the development harmonises with the appearance and character of other properties and in order to conform with Structure Plan Policies G2 and H3 and the Council's Design Guidance.

- 4 Notwithstanding external appearance is a reserved matter under condition 1 above, the roof of the house shall be finished with natural slate, or an alternative of similar size, colour, texture, profile and thickness, or as otherwise may be agreed in writing with the Planning Authority. For the avoidance of doubt suitable alternative non slate tiles are:

- Marley 'Monarch', 'Clansman', 'Marquis', 'Melbourn', 'Birkdale', 'Edgemere'
- Redland 'Richmond', 'Lakeland', 'Cambrian', 'Saxon'

Reason: In order to ensure that the development harmonises with the appearance and character of other properties and in order to conform with Structure Plan Policies G2 and H3 and the Council's Design Guidance.

- 5 Notwithstanding exact siting is a reserved matter under condition 1 above, the position of the house shall be pegged out on site for the prior approval of the Planning Authority, in writing, and any application for approval of reserved matters shall be accompanied by cross sections and levels showing the finished floor level in relation to an agreed and fixed datum.

Reason: In order to ensure that the development harmonises with the appearance and character of other properties and in order to conform with Structure Plan Policies G2 and H3 and the Council's Design Guidance.

- 6 Notwithstanding landscaping is a reserved matter under condition 1 above, a fully detailed scheme of landscaping for the site, including a scheme of maintenance, shall be submitted to and require the approval in writing of the Planning Authority. All planting thereby approved shall be undertaken in the first planting season following the completion of the house.

Reason: In the interests of amenity and for the avoidance of doubt.

- 7 Notwithstanding access is a reserved matter under condition 1 above, prior to the commencement of any other aspects of the approved development, the access from the public road to the site shall be constructed to base course level in accordance with the attached Standard Access Specification. The access shall be fully completed in accordance with the Specification prior to occupation of the development.

Reason: In the interests of road safety and for the avoidance of doubt.

- 8 All drainage arrangements shall be provided to the satisfaction of the Planning Authority, in consultation with Scottish Environment Protection Agency, the Water Authority and Building Standards Authority. For the avoidance of doubt, foul drainage shall be by means of a treatment plant and puraflo module.

Reason: In the interests of amenity.

Additional condition for application 3 only

- 9 The access to the site shall be formed by means of a joint access with application reference 08/000440/OUTSU. The developer shall provide an access corridor of no less than 7 metres in width through the sites to their eastern boundary. This access corridor, other than to provide the initial access to and parking for the sites, shall not be developed at any time without the express approval of the Planning Authority.

Reason: In the interests of road safety and in order to allow for unhindered access to be provided to the land to the east of the sites for future development and for the avoidance of doubt.

Additional conditions for application 4 only

- 9 The access to the site shall be formed by means of a joint access with application reference 08/000339/OUTSU. The developer shall provide an access corridor of no less than 7 metres in width through the sites to their eastern boundary. This access corridor, other than to provide the initial access to and parking for the sites, shall not be developed at any time without the express approval of the Planning Authority.

Reason: In the interests of road safety and in order to allow for unhindered access to be provided to the land to the east of the sites for future development and for the avoidance of doubt.

- 10 Prior to the commencement of development, a photographic record shall be made of the remains of old buildings and / or other features affected by the proposed development, in accordance with the attached specification, and shall thereafter be submitted to the Planning Authority. No site clearance work shall take place until confirmation in writing has been received from the Planning Authority that the record made has been lodged and is satisfactory.

Reason: The remains of buildings and other features affected are of historic interest and are of value to future research, and as such they should not be destroyed without being recorded.

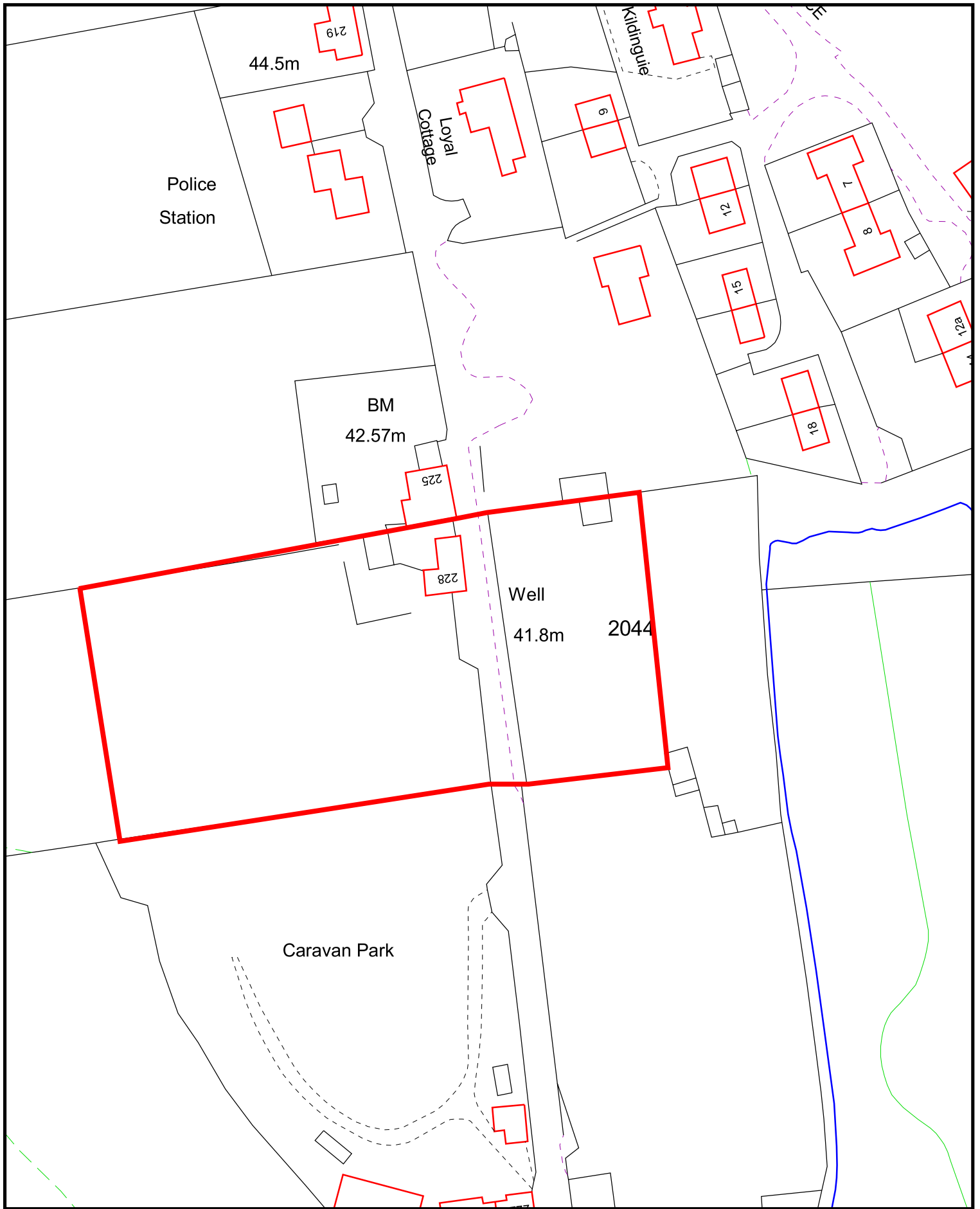
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author: Rebecca Scott (01408) 635372

Background Papers: As referred to in the report above and case file reference numbers 08/000437/OUTSU, 08/00438/OUTSU, 08/00439/OUTSU and 08/00440/OUTSU

Date: 17th February 2009



08/00437/OUTSU, 08/00438/OUTSU, 08/00439/OUTSU, 08/00440/OUTSU

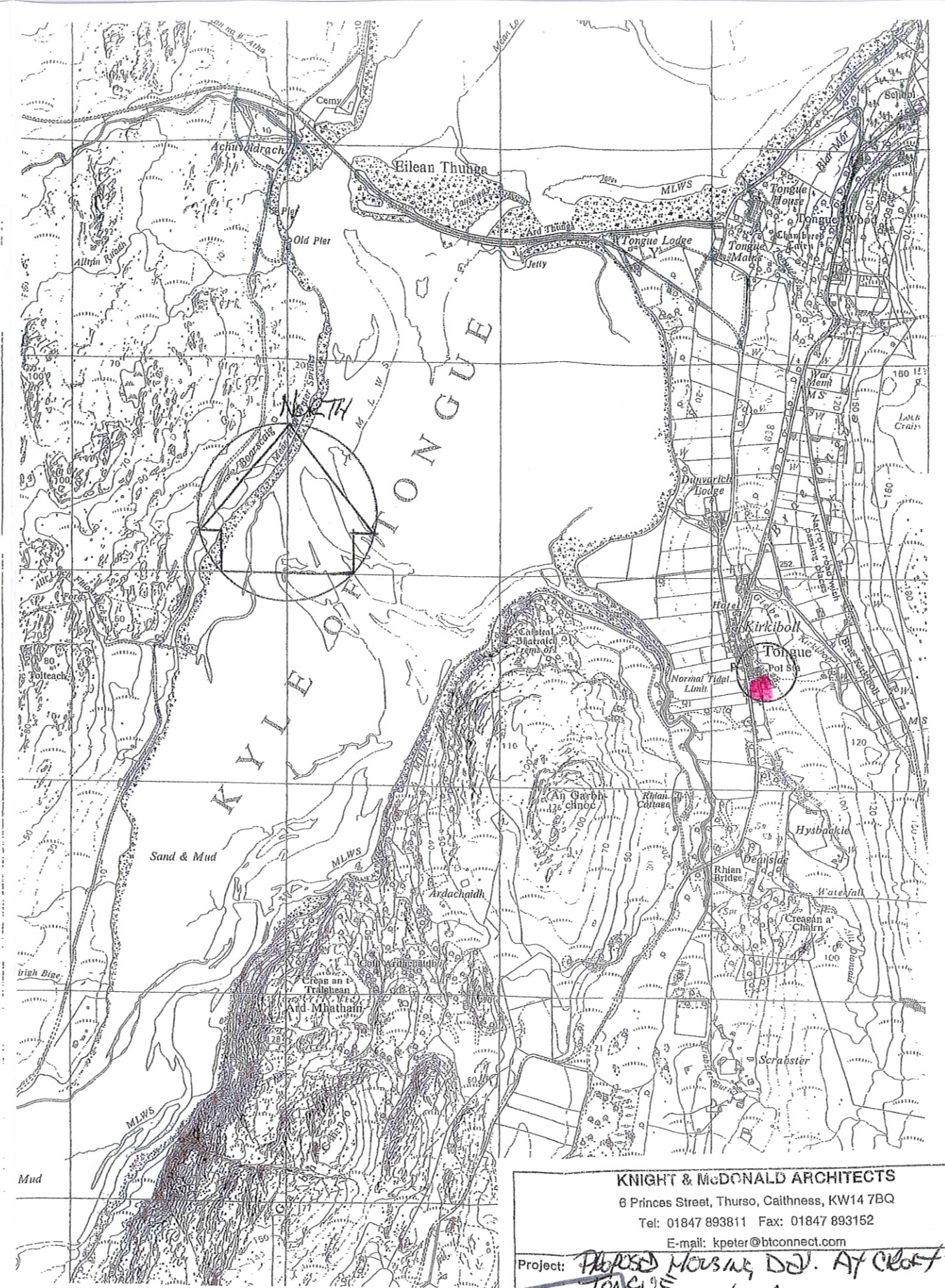
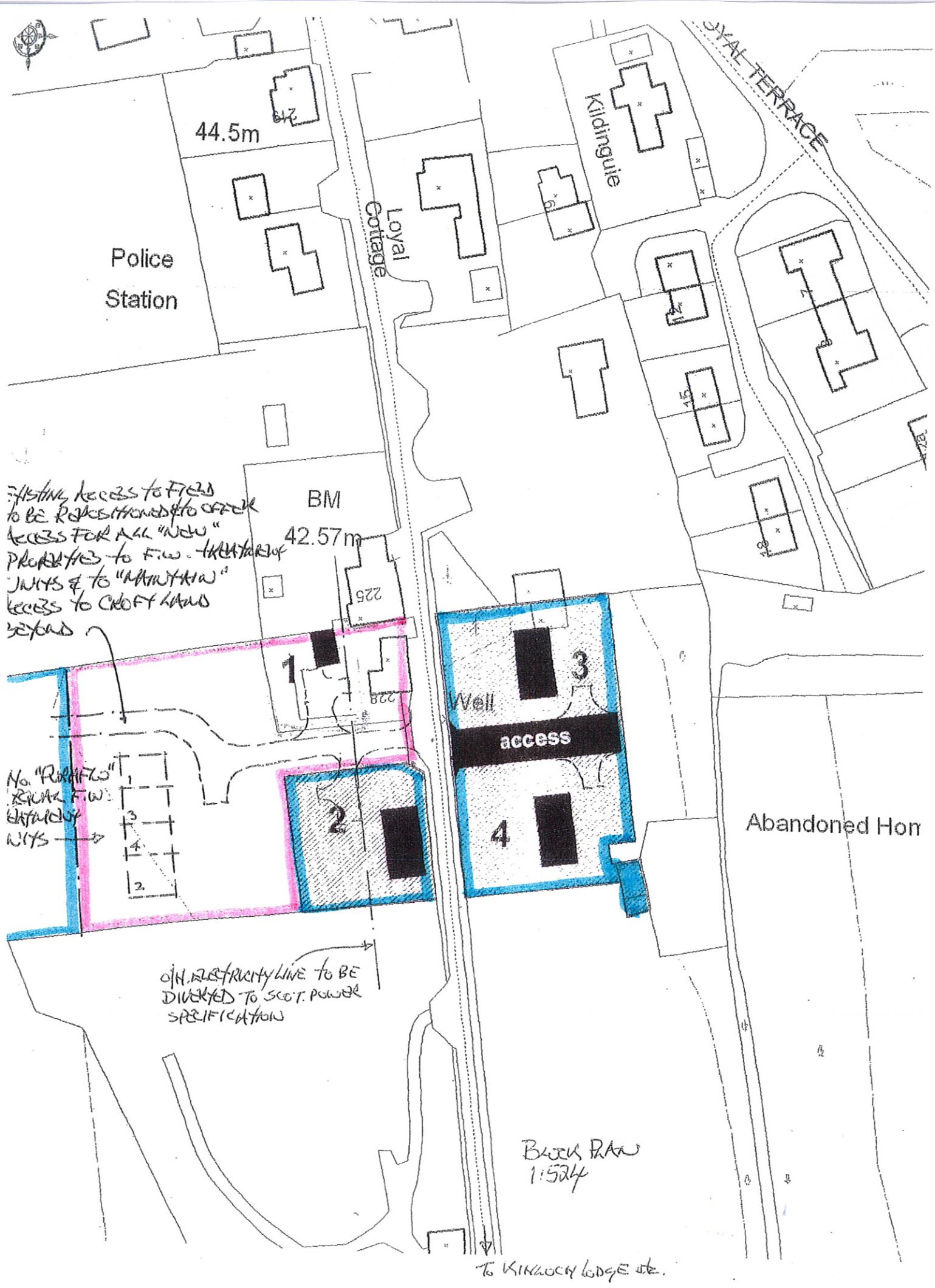


20 February 2009

SUPPLIED BY THE HIGHLAND COUNCIL



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Project: PROPOSED HOUSING DEV. AT CROFT RD @ TONGUE
 Client: GRAHAM & SIBBARD
 Dwg Title: BLOCK & LOCATION PLANS

Scale: 1:2500	Date: 14/12/07	Drawn: PRM	Checked:
Job No: 16691	Code: AL(0)	Org No: 01	Rev: PLAT NO. 1

LOCATION PLAN
 1:2500

PLAN 1 OF 1 OF APPLICATION REFERENCE 08/00437/OUTSU
 RECEIVED 10/11/08

APPLICATION SITE OUTLINED RED; OTHER LAND OWNED BY APPLICANT OUTLINED BLUE.