

THE HIGHLAND COUNCIL
CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING
APPLICATIONS AND REVIEW COMMITTEE –
21 April 2009

Agenda Item	4.1
Report No	15/09

09/00001/FULCA – Formation of New Vehicular Access at Housing Site to South of 4 Skail, Thurso

Report by Area Planning and Building Standards Manager

SUMMARY

Application is made for the formation of a new vehicular access at a housing site to the south of 4 Skail, Forss, Thurso. This application has been brought to Committee for determination as the Area Roads and Community Works Manager has objected to the proposal since it does not meet the required visibility requirements and as 6 letters of objection have been received from local residents and interested parties on access, road safety and drainage grounds.

The Recommendation is to REFUSE planning permission.

Ward Number 4 – Caithness Landward

Applicant – Mr D Gibson, 1 Elizabeth Court, Dornoch, IV25 3NW

1. PROPOSAL

- 1.1 The application is in detail to form a new vehicular access off the Skail to Forss public road. This application is for an amended vehicular access arrangement to the previous consent 08/00054/FULCA.

2. PLANNING HISTORY

- 2.1 Most recent: 08/00054/FULCA: Erection of house, installation of septic tank and soakaway, formation of vehicular access and layby. Granted 24 June 2008.
- 2.2 06/00619/OUTCA: Erection of 2 detached houses, formation of vehicular accesses, installation of septic tank and soakaways (Outline). Granted by the Caithness Planning, Development, Europe and Tourism Committee on 22 January 2007 and issued on 26 January 2007.

3. PUBLIC PARTICIPATION

3.1 Six letters of objection have been received from local residents and interested parties. The grounds of objection can be summarised as follows:

1) The proposed new vehicular access will be extremely dangerous as it comes out onto a narrow road that is less than 3 metres wide with a hedge that restricts visibility onto the public road.

2) The original outline consent for the two detached houses required a visibility splay of 2.5 metres by 150 metres. This is unachievable to the south.

3) There have been a number of accidents in the area due to an existing blind summit and blind corner and this development will significantly increase any risk of these occurring.

4) The plot is very close to the new house on Plot 1 and is situated just in front of the windows of the existing house No. 4 Skail. The windows of this house look straight onto the proposed development.

5) Two soakaway tracks from the septic tank from property No. 4 Skail run through the proposed plot. SEPA would not allow building over the sewage system of No. 4 Skail.

6) The water main for all the houses at Hallum runs through both plots and crosses the road where the proposed entrance to the site is to be.

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 Internal Consultees

Area Roads and Community Works Manager objects to the proposed development as the proposed access does not meet the required visibility requirements of X= 2.5 metres by Y= 90 metres in both directions.

The visibility is currently measured at X= 2.5 metres by Y= 80 metres and this is likely to reduce once the hedge starts to grow outwards towards the road. Consequently, the Area Roads and Community Works Manager could not give any support to a reduction in standards.

4.2 External Consultees

None

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

- PP2 – The Council generally presumes in favour of development unless this would affect site features.

5.2 The proposal requires to be assessed against the following relevant Scottish Planning Policies (SPP's); National Planning Policy Guidelines (NPPG); and Planning Advice Notes (PANs).

- Scottish Planning Policy

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 objectors

6.3 The primary overriding consideration in the determination of this application is the objection that has been received from the Area Roads and Community Works Manager primarily because the proposal does not meet the required visibility of X= 2.5 metres by Y= 90 metres in both directions. The applicant agreed with TEC Services to undertake their own traffic study to ascertain traffic volume and speed. However, the results of this are not acceptable to the Area Roads and Community Works Manager as the study did not adequately reflect the maximum design speed of the road.

6.4 In terms of the objections received regarding access and road safety issues as set out in paragraph 3.1 above, the Area Roads and Community Works Manager has confirmed that the proposed access is not acceptable as it does not meet the required visibility requirements and therefore the objections are valid. Members should note that the access proposed is different to that previously approved under the outline planning permission – hence the change in visibility requirements.

6.5 In terms of the objections received regarding the soakaway issues these were dealt with under the construction of the first house and are not applicable here.

- 6.6 In terms of the objections received regarding the water main, the applicant has confirmed in writing that should approval be given, the water main would be protected or renewed through that section of the works.
- 6.7 In relation to the objection regarding overlooking of the existing property, this application only relates to the new access being formed. The siting and the design of the new house have already been approved under previous application 08/00054/FULCA.

7. CONCLUSION

- 7.1 Given the objection received from the Area Roads and Community Works Manager this application is recommended for refusal.

RECOMMENDATION

Refuse planning permission for the following reasons:

1. The minimum visibility splay of 2.5 metres by 90 metres to the public road in both directions, as required by the Roads Authority, cannot be achieved, with the result that formation of the proposed access would detract from public safety and increase the risks to road users.

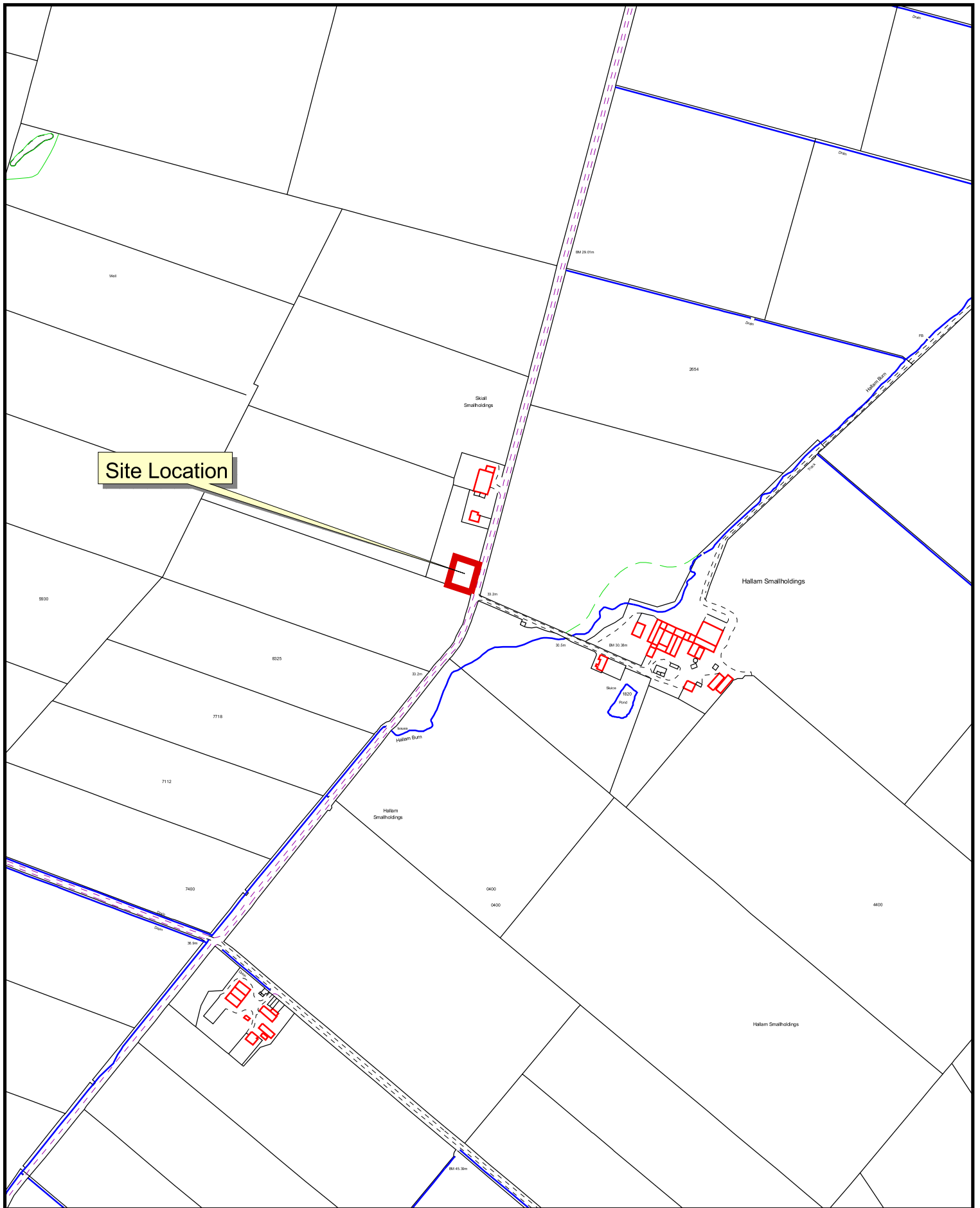
Signature: Allan J Todd

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 09/00001/FULCA

Date: 08 April 2009



Site Location



09/00001/FULCA
 Formation of new vehicular access at
 Housing Site To South of 4 Skail, Thurso.

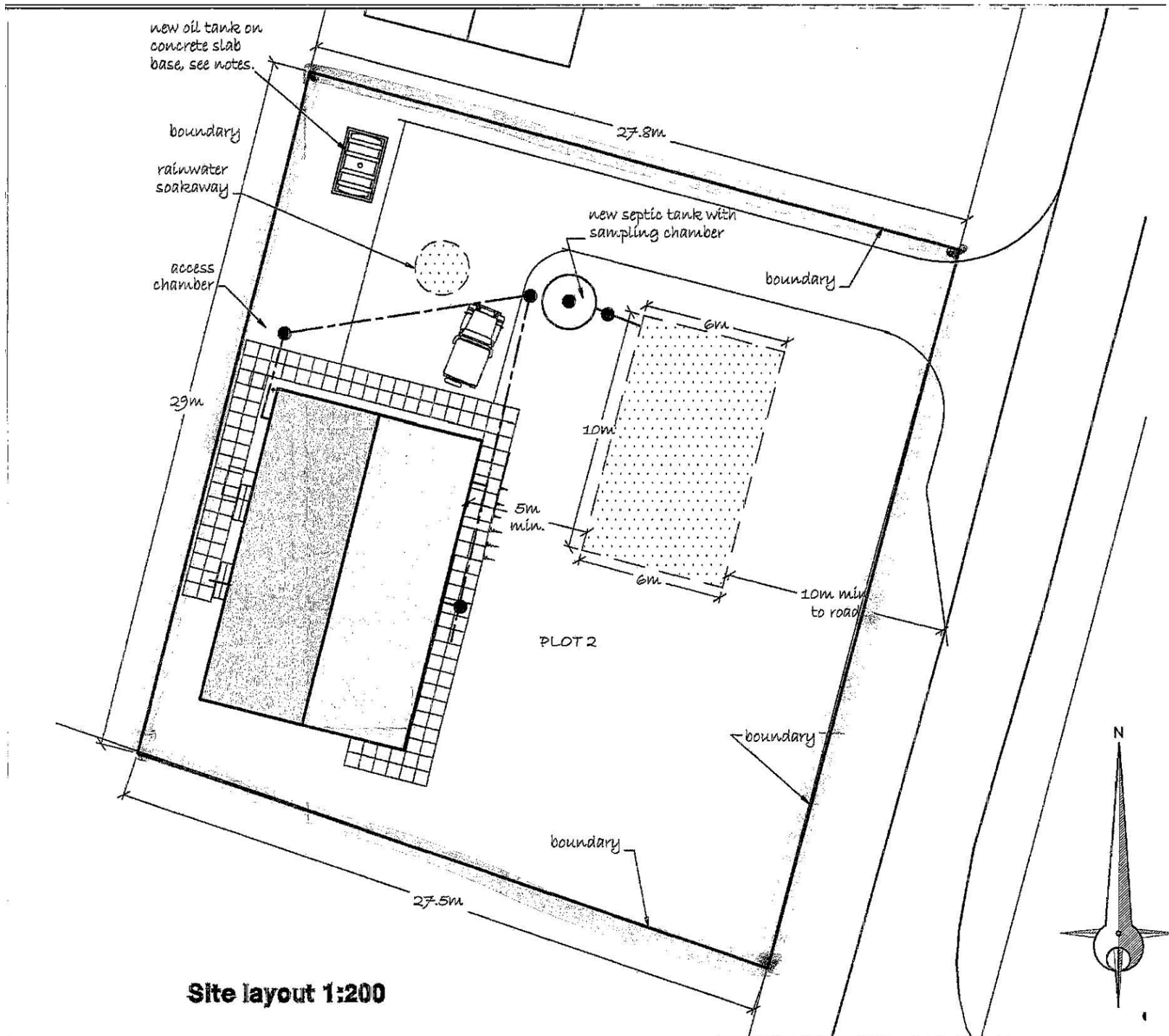
Mr. D. Gibson
 1 Elizabeth Court
 DORNOCH
 IV25 3NW

Date: 8 April 2009

SUPPLIED BY THE HIGHLAND COUNCIL

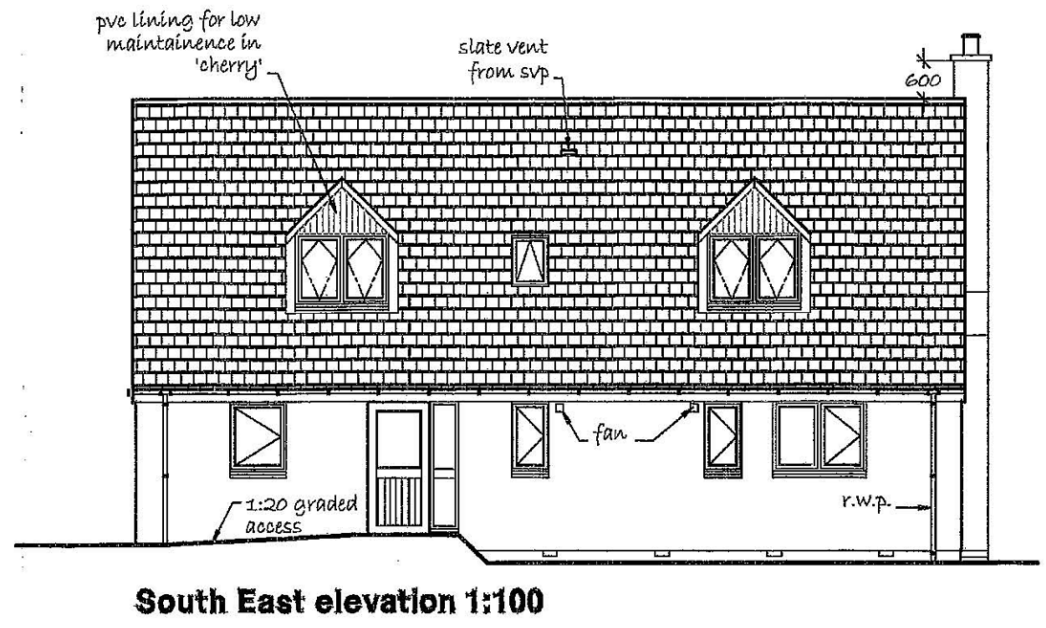
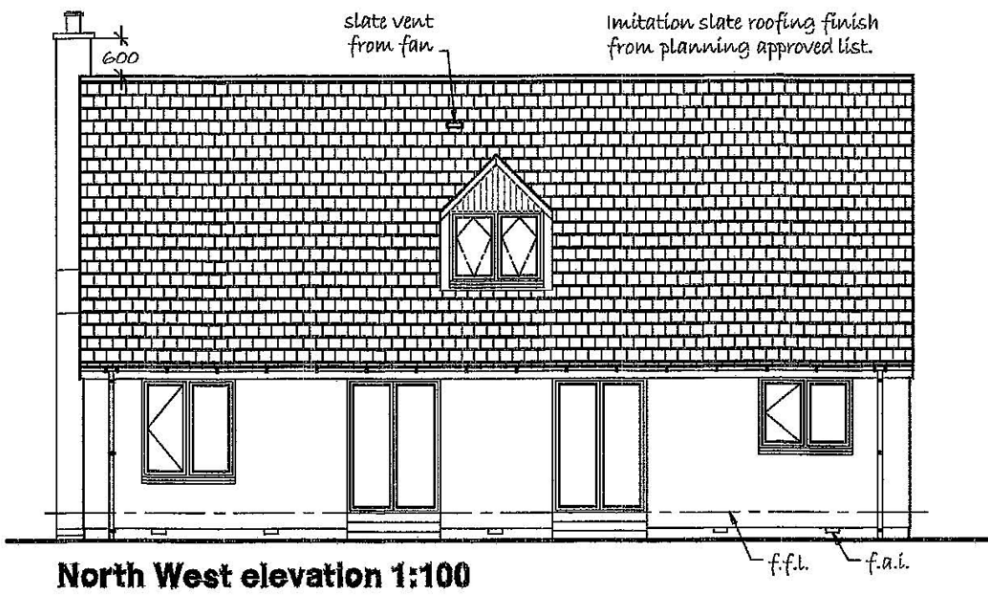


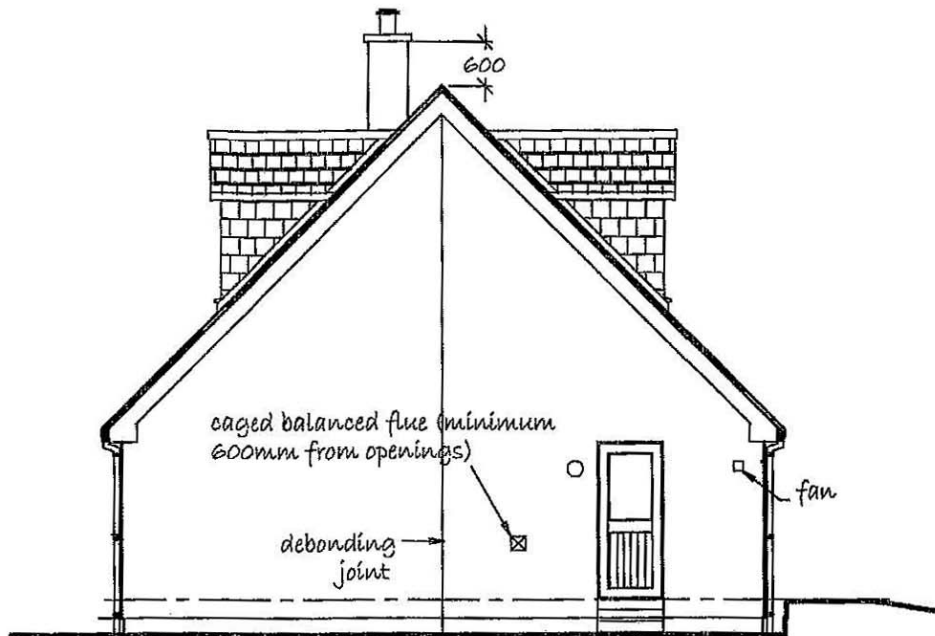
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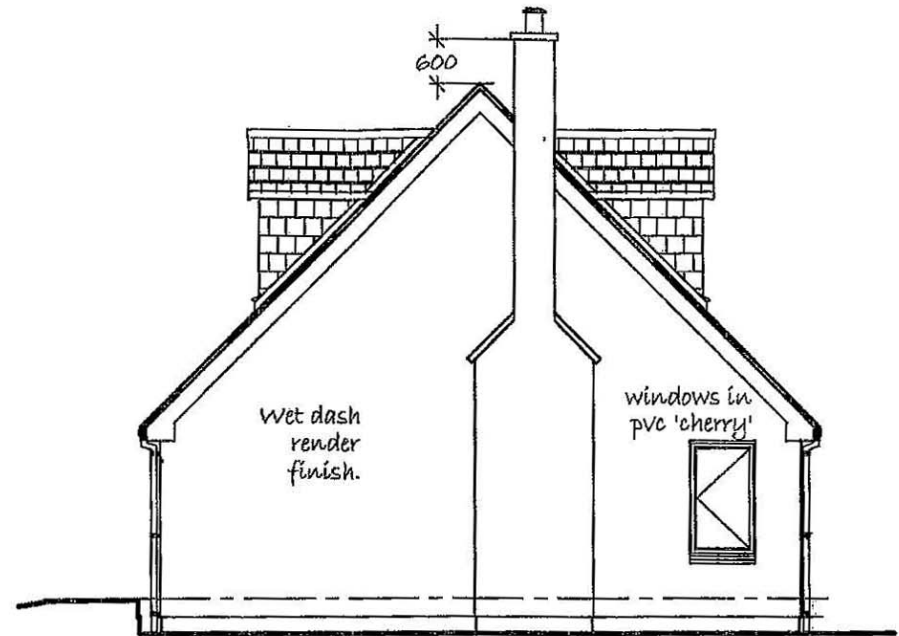
Site layout 1:200

THE CONTRACTOR TO CHECK & SATISFY HIMSELF WITH ALL DIMENSIONS PRIOR TO ORDERING OF MATERIALS, AND FOR





South West elevation 1:100



North East elevation 1:100

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