

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

Agenda Item	4.5
Report No	19/09

**08/00500/FULCA – Erection of House with integral Granny Flat and Detached Garage, Installation of Foul Drainage Treatment Plant to Puriflo Soakaway, and Formation of Vehicular Access at Land 550 Metres South East of Blacklink, Janetstown, Thurso**

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

**SUMMARY**

Application is made for the erection of a house with integral granny flat and detached garage, installation of foul drainage treatment plant to Puriflo soakaway and formation of vehicular access at land 550 metres south east of Blacklink, Janetstown, Thurso.

Under the current scheme of delegation, applications for delegated refusal must first be referred to Local Ward Members. In this particular instance, the Caithness Landward Ward Members unanimously agreed that the application should be brought before Committee for determination.

The site falls within Primary Policy PP3 of the Caithness Local Plan whereby the Council will presume against new housing development unless either an exceptional need is demonstrated or the proposal involves the conversion or redevelopment of a ruinous dwelling. The agent has provided agricultural information in support of the application and also a letter from the General Practitioner of the applicant's parents offering support for the provision of a granny flat.

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

Ward Number 4 – Caithness Landward

Applicant – Mr Dunbar (Per Agent)

Hearing is not required.

## **1. PROPOSAL**

- 1.1 The application is in detail for the erection of a detached single storey three bed-roomed house with integral granny flat, detached garage, installation of foul drainage treatment plant to puriflo soakaway, and the formation of a vehicular access. The site extends to 0.12 hectares and is part of a larger farm that extends to 4.38 hectares. The farm is subdivided by an existing access track from the public road. The track would be upgraded as part of the proposals.

## **2. PLANNING HISTORY**

- 2.1 None.

## **3. PUBLIC PARTICIPATION**

- 3.1 The proposal was advertised for a 21 day period as a Potential Departure from the Development Plan.
- 3.2 No objections have been received.

## **4. CONSULTATIONS**

### **4.1 Internal Consultees**

**Area Roads and Community Works Manager** - No objections.

### **4.2 External Consultees**

**Scottish Water** - No objections.

## **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**

- PP3 – The Council generally presumes against development unless an exceptional need is demonstrated or the proposal involves the replacement of a ruinous dwellinghouse or conversion of a traditional building.

- 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
- 6.3 The application is in detail for the erection of a three bedroomed detached house with integral granny flat and detached garage, installation of foul drainage treatment plant to Puriflo soakaway and formation of vehicular access. Access into the site is via a track that connects onto the C1 to the south.
- 6.4 The principal justification supplied by the applicant's agent in this particular case is an agricultural one which relates to the applicant's 4.38 hectare farm that adjoins the site to the east and west. The agent has written to confirm that the applicant has 20 breeding Suffolks plus offspring giving a total of 60 livestock on the farm. The agent has indicated that these numbers will increase to 30 breeding Suffolks this summer and the flock will expand each season. 10 cattle will be on the site in the summer. The agent has indicated that "...working breeding Suffolks is labour intensive..." and as the flock expands it will require the applicant to live on the farm. However, the criteria for exceptional need require the applicant to be employed in agriculture as his primary source of income and the farm is considered too small to support such a justification in this instance.
- 6.5 The second justification provided by the applicant's agent relates to the need to provide a granny flat for the applicant's parents. The applicant has submitted a letter from his parents' General Practitioner in support of the application. However, the letter says that his parents "would benefit from a move to smaller accommodation nearer their family". It does not say that they must live with their family nor that they are dependant on them. It certainly does not provide justification to allow the construction of a house where the Local Plan states there to be a clear presumption against new housing development.

## **7. CONCLUSION**

- 7.1 I do not consider that the information provided by the agent is sufficient to meet the requirements of Primary Policy PP3 of the adopted Caithness Local Plan. The application is therefore recommended for refusal.

## **RECOMMENDATION**

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

- 1 The proposed house is subject to Primary Policy PP3 of the Landward Chapter of the Caithness Local Plan which presumes against housing development and no exceptional need as required by the Policy has been demonstrated.
- 2 Approval would set a dangerous precedent making it difficult to refuse applications of a similar nature in the future.

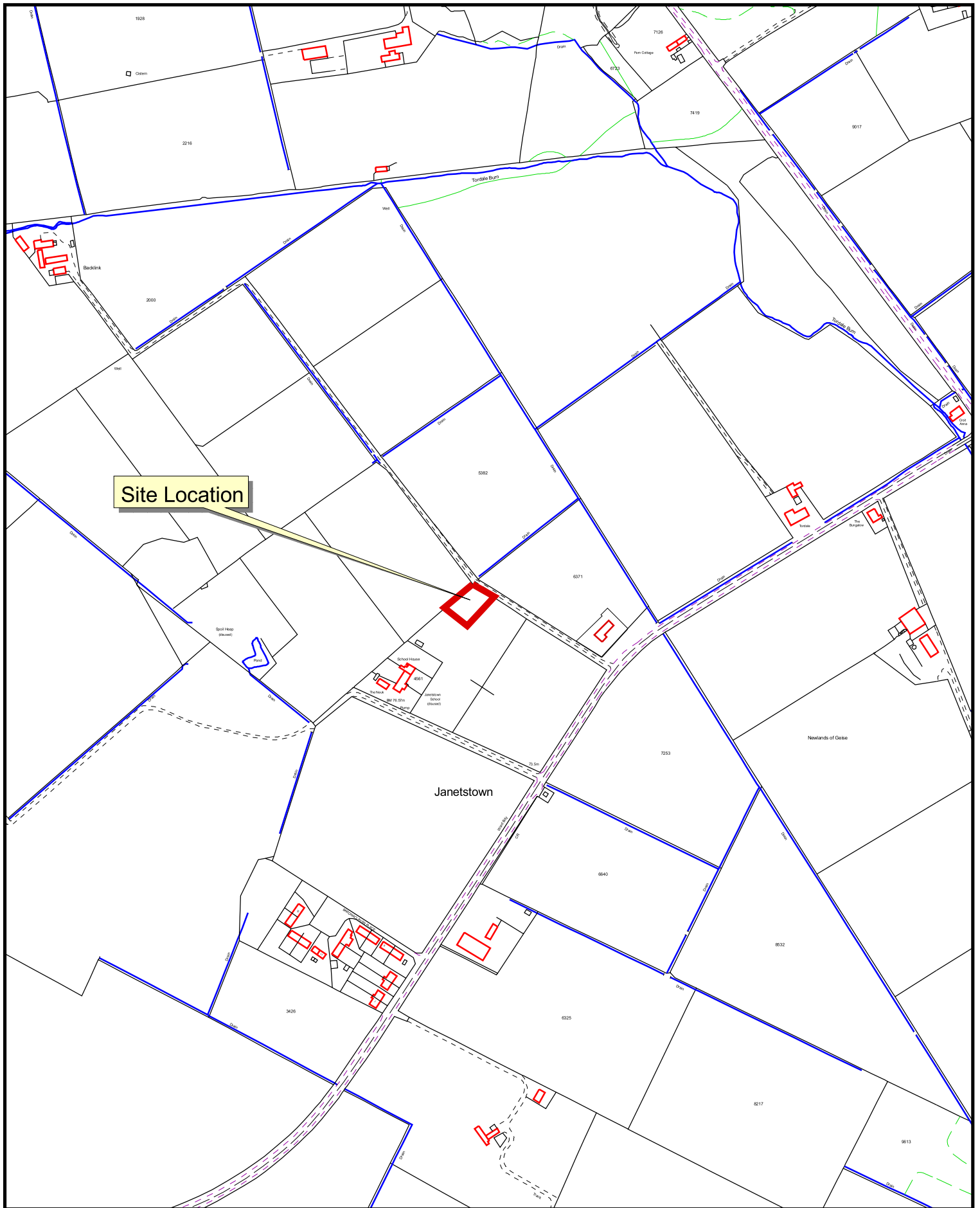
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author: Andrew Parker 01955 607754

Background Papers: As referred to in the report above and case file reference number 08/00500/OUTCA

Date: 08 April 2009



08/00500/FULCA  
 Erection of House with Integral Granny Flat & Detached Garage.  
 Installation of Foul Drainage Treatment Plant to Puriflo Soakaway.  
 Formation of Vehicular access at Land 550M South East Of Blacklink  
 Janetstown, Thurso.

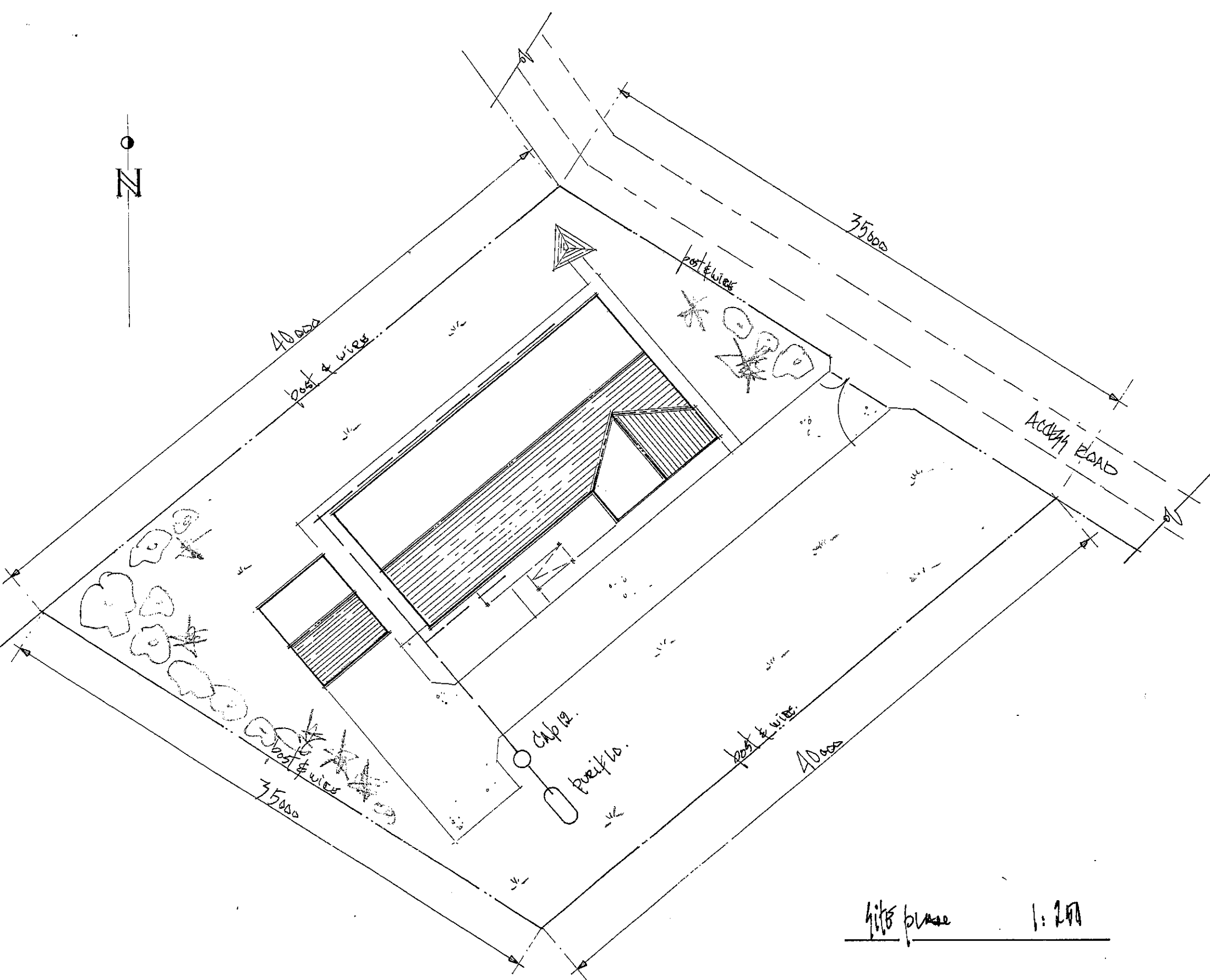
Mr Dunbar  
 per Hugh Mackay  
 28 Grove Lane  
 Thurso  
 KW14 8AE



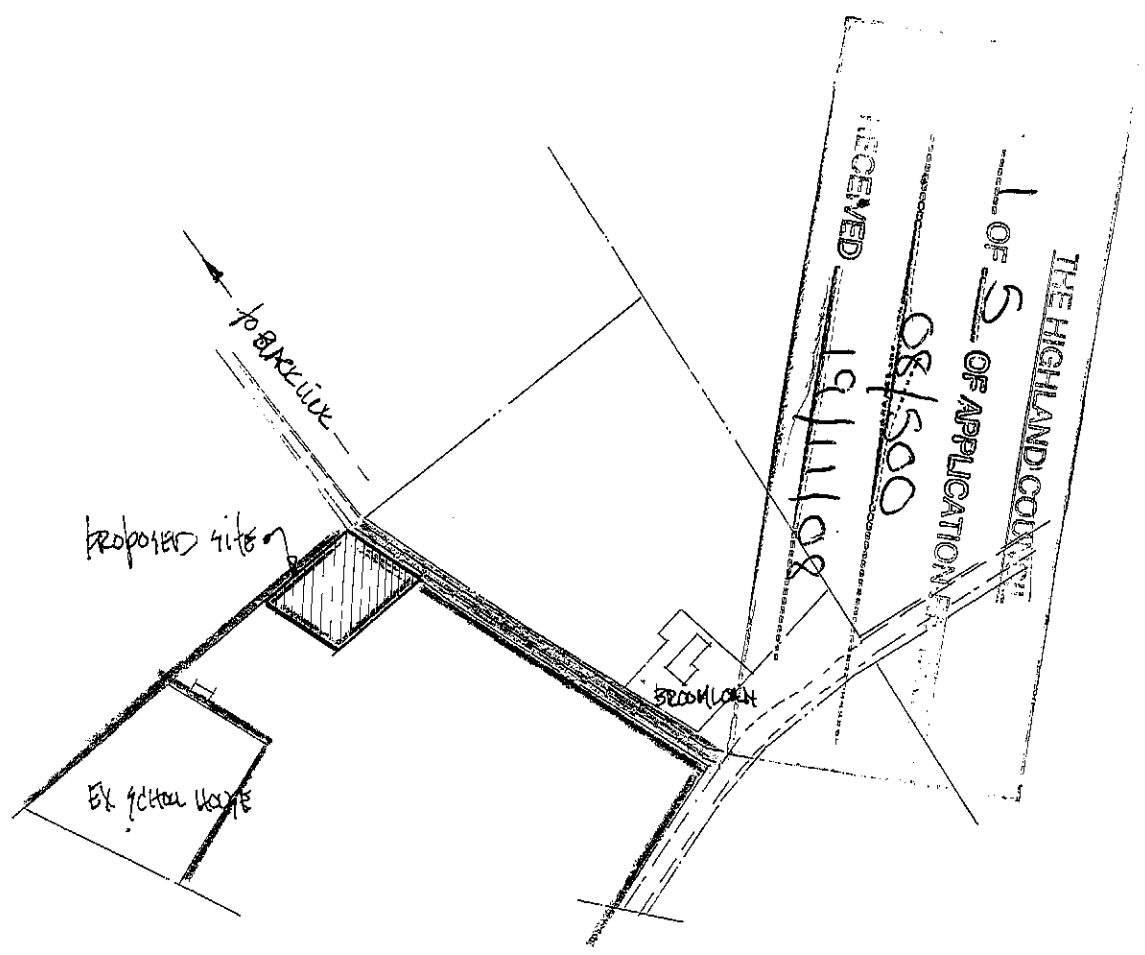
Date: 8 April 2009

**SUPPLIED BY THE HIGHLAND COUNCIL**

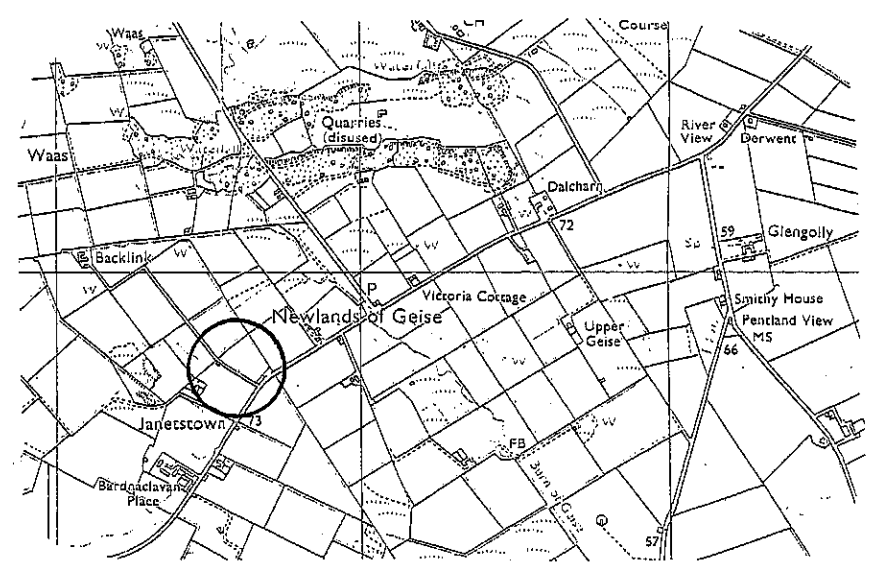
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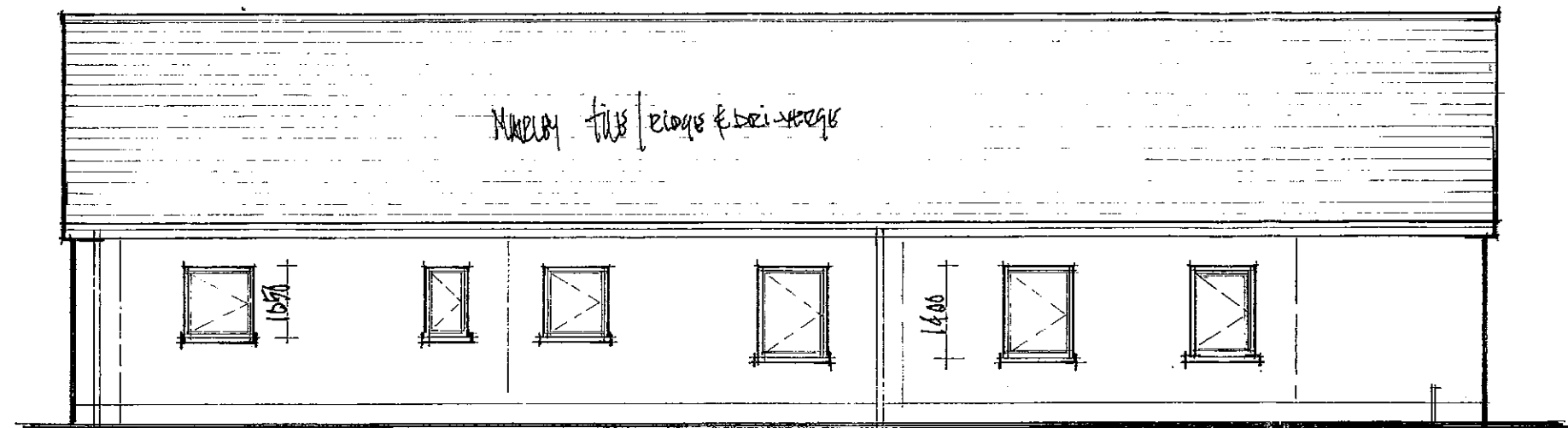
site plan 1:200



Location plan.



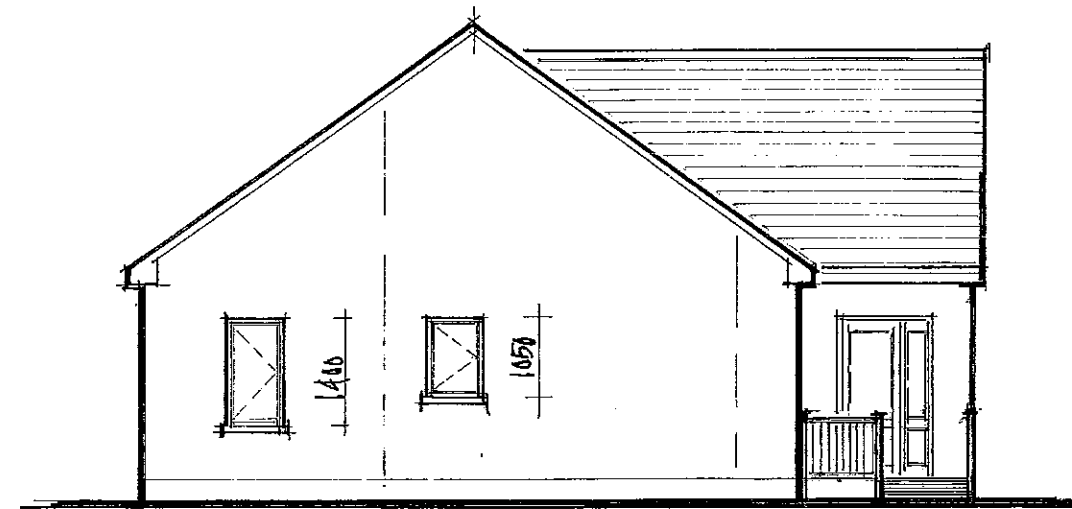
drafting services	plans 896253.
proposed house & grounds 100 m. North West of Brookloom Janetstown	
K.H.	Oct 2008 01/08/39.1



South West Elevation

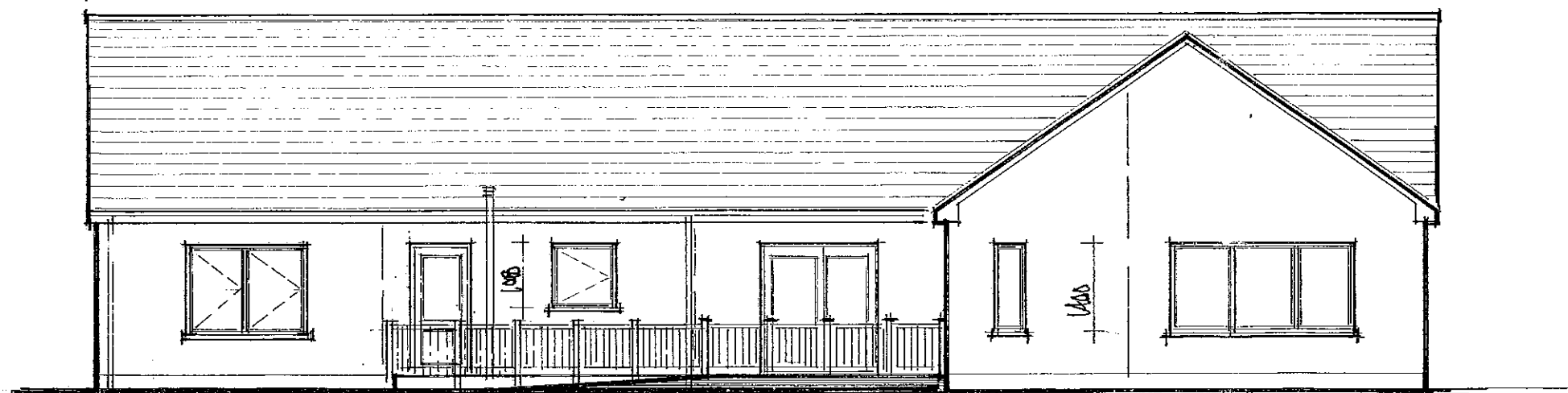
1:100

safety chairs & big corner pipes



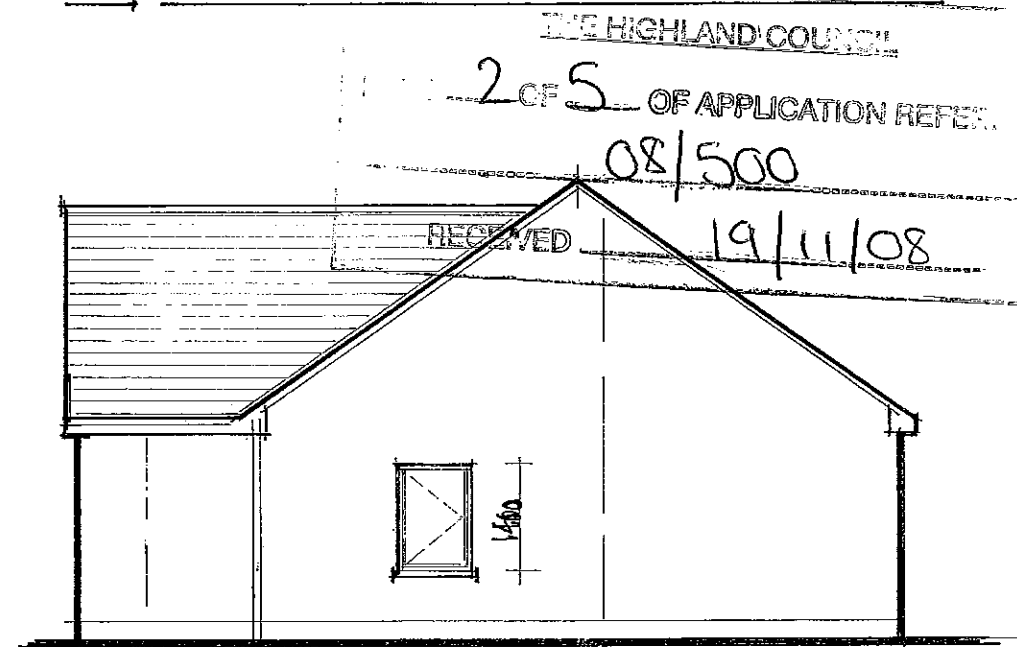
South East Elevation

1:100



North East Elevation

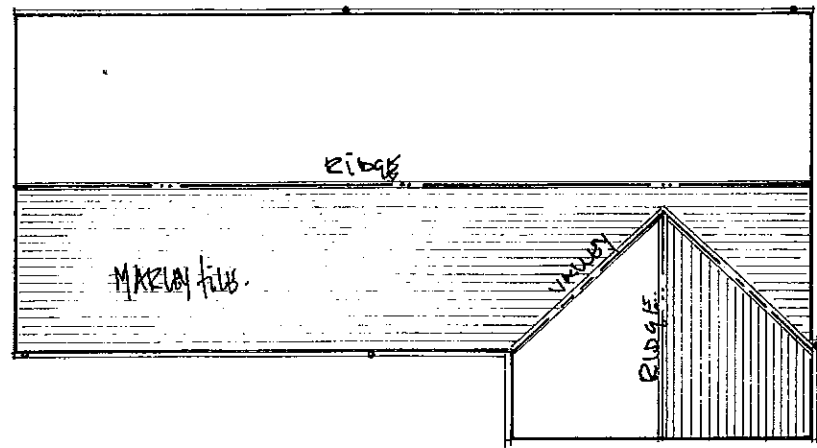
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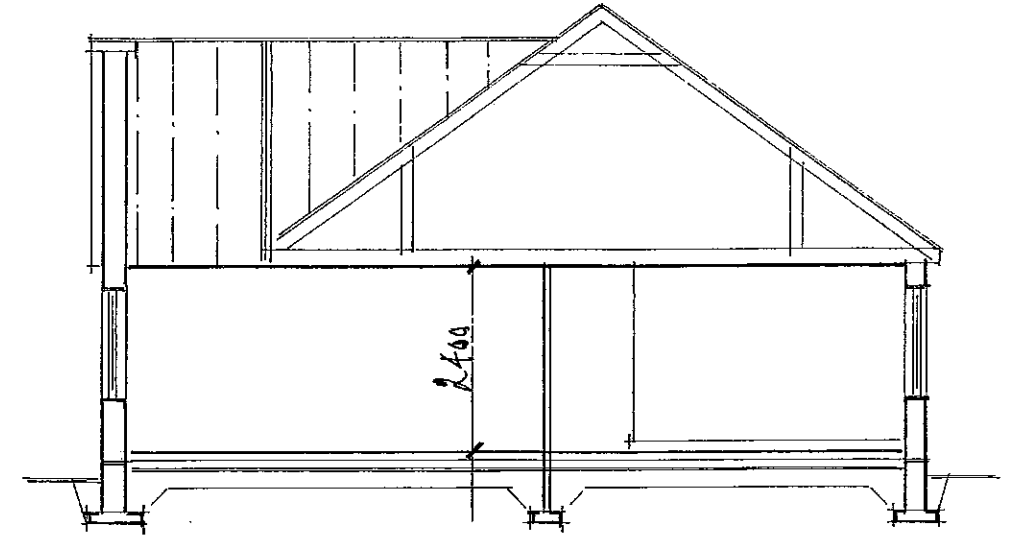
North West Elevation

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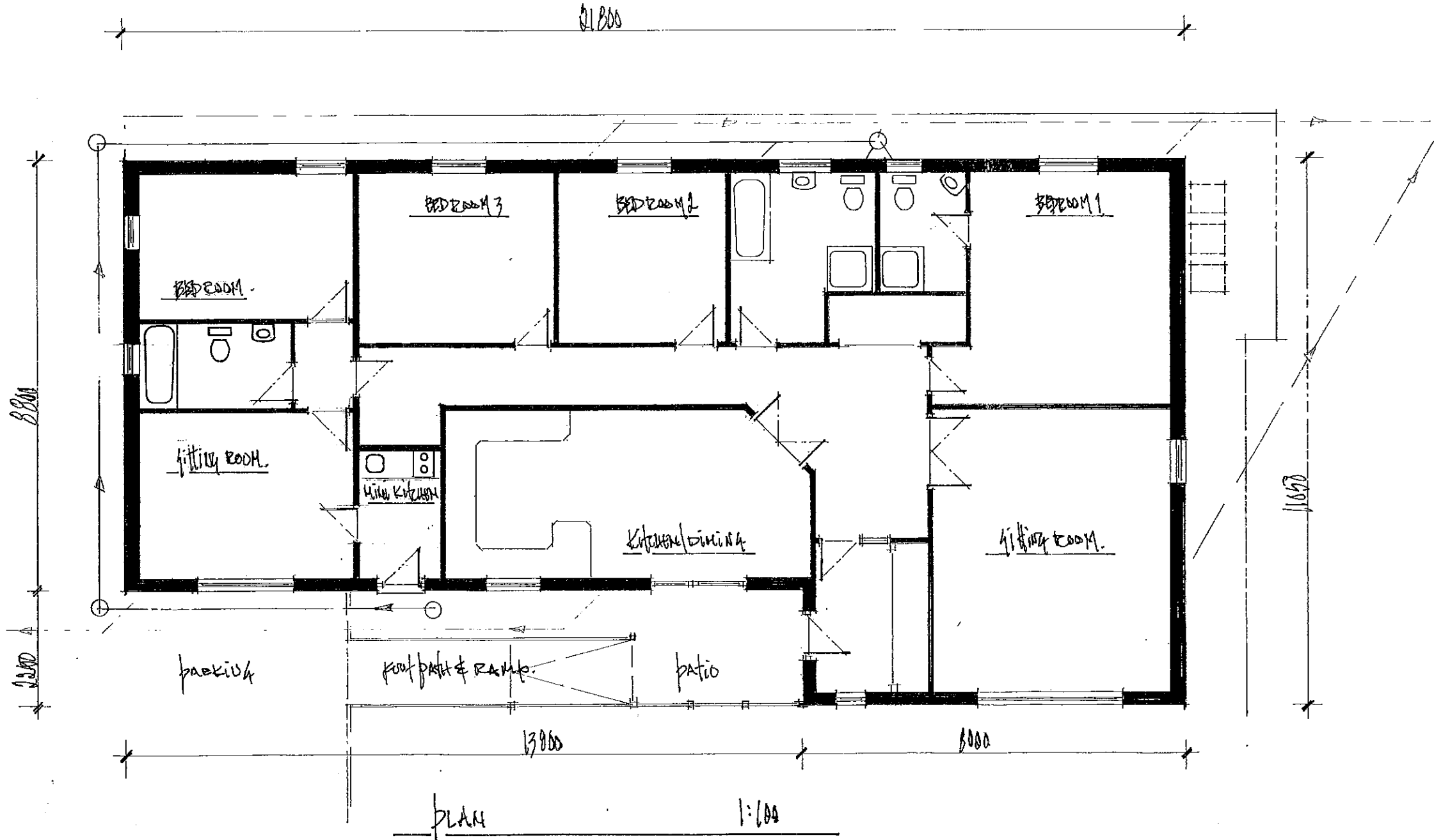
DRAFTING SERVICES	MURGA 096253.
PROPOSED WORKS:	
LM.	JUNE 2008 09/08/3902



ROOF PLAN 1:200



SECTION - TYPICAL 1:100

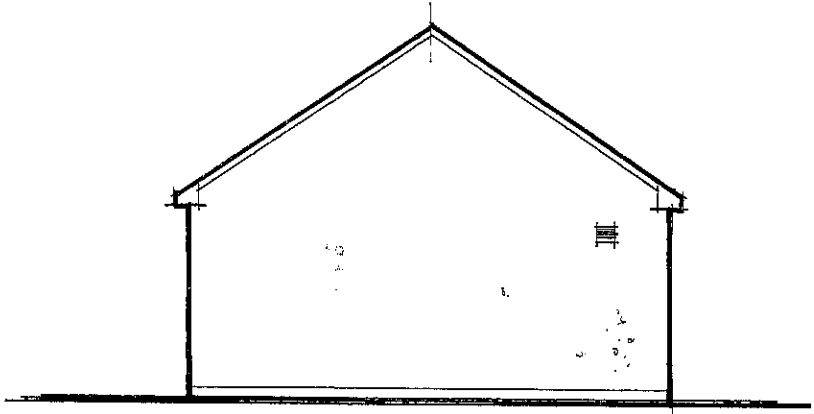


PLAN 1:100

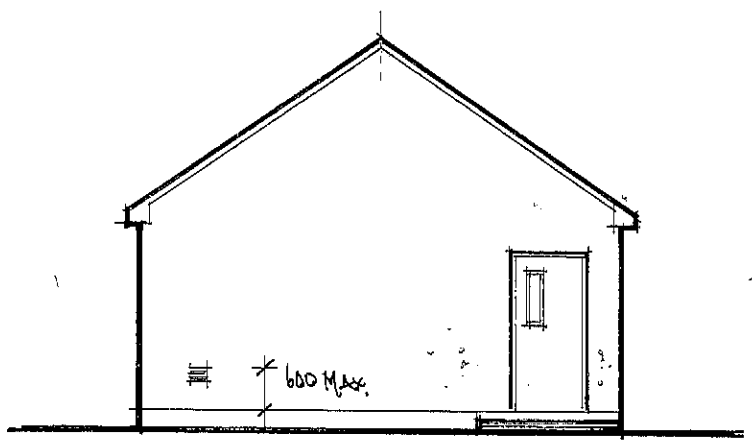
THE HIGHLAND COUNCIL  
 PART 3 OF 5 OF APPLICATION RECEIVED  
 08/500  
 RECEIVED 19/11/08

drafting services	number 896953
proposed house:	
WM.	JUNE 2008 BY 08/39.3





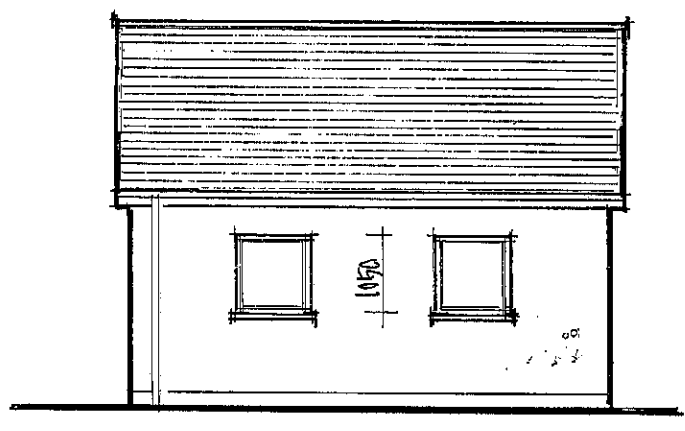
N.W. ELEVATION 1:100



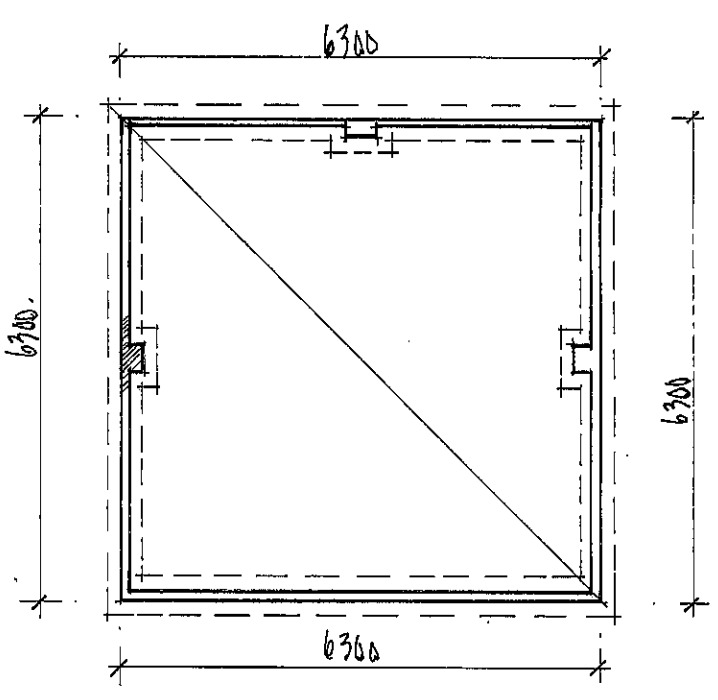
N.E. ELEVATION 1:100



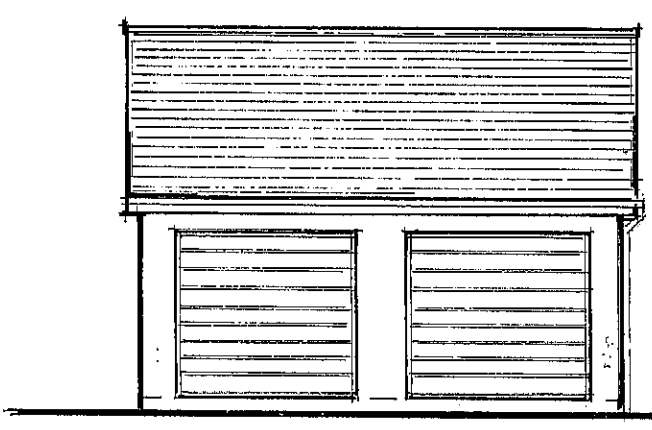
ROOF PLAN 1:100



N.W. ELEVATION 1:100



FOUNDATION PLAN 1:100



S.E. ELEVATION 1:100

RECEIVED 19/11/08  
 08/500  
 L.O.F.S. OF APPLICATION FOR...  
 HIGHLAND...

DEA KING ARCHITECT	NUMBER 896243.
PROPOSED GARAGE	
H.A.	14/11/08