

THE HIGHLAND COUNCIL

**CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING
APPLICATIONS AND REVIEW COMMITTEE - 23 June 2009**

Agenda Item	3.3
Report No	31/09

09/00086/OUTSU – Erection of house on land to west of Sunorra, 17 Arabella

Report by Area Planning and Building Standards Manager

SUMMARY

This application seeks outline consent for the erection of a house on land to the west of Sunorra, 17 Arabella.

The application is being reported to Committee as it is recommended for approval despite being advertised as contrary to the provisions of the Development Plan.

The Recommendation is to GRANT outline planning permission.

Ward Number 8 – Tain and Easter Ross

Applicant – Mr M Ross

1. PROPOSAL

1.1 The application seeks outline consent for the erection of a house on land to the west of an existing property called 'Sunorra' in Arabella. The site is currently open grassland with a farm steading and yard area to the west. The land to the south and east has recently been subject to a detailed planning permission for 7 serviced house plots.

2. PLANNING HISTORY

2.1 07/00235/OUTRC – Erection of house on land to the west of Sunorra, 17 Arabella – application refused for the following reasons:

- The proposal is contrary to the provisions of the Ross and Cromarty East Local Plan Policy H3, since it involves the development of land immediately outwith the settlement boundary of Arabella. There is currently significant opportunity for development within the settlement boundary and no requirement for additional housing which does not comply with policy.

- The proposal would involve the loss of an existing gap between existing development which is characteristic of the pattern of development within Arabella, and therefore would erode the existing character of this settlement. This is contrary to The Highland Structure Plan Policy G2 (Design for Sustainability) and NPPG 3 (Land for Housing) and SPP3 (Planning for Housing) since it fails to demonstrate sensitive siting in keeping with local character, but would erode the character and amenity of the existing residential area of Arabella.
- The proposal would lead to an inappropriate conflict between the existing farm yard area and the proposed dwelling, which could lead to issues arising regarding noise and disturbance to the detriment of residential amenity and potentially create a hazard due to the operation of farm machinery adjacent to the proposed dwelling.

3. PUBLIC PARTICIPATION

3.1 No representations received.

4. CONSULTATIONS

4.1 Internal Consultees

TEC Services – No objections.

Development Plans – Although the site lies outside the settlement boundary it would appear inconsistent to refuse permission on the site. The settlement lies within the Rural Development Area of the Ross & Cromarty East Local Plan, which has a more permissive policy approach to housing in the countryside. An application for a single house in the countryside may benefit from an approval subject to appropriate siting and design. In this instance the location is immediately adjacent the existing settlement boundary but would not result in an unnatural extension of the settlement boundary and given the particular locational circumstance, would be unlikely to set a precedent leading to further erosion of the settlement boundary. On this basis it would be acceptable to recommend approval of a single house at this location.

4.2 External Consultees

Scottish Water – No objection.

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

Ross and Cromarty East Local Plan

- BP3
- General Settlement Boundary 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 Although this application lies outwith the settlement boundary, it has to be viewed in relation to an adjacent, recently approved development. This new development comprises of seven units and forms a cluster of houses to the south and east of the proposed site. The site plan at the back of this report shows the proposed site and its position in relation to the layout of the approved development. The proposal is considered to naturally “round off” the development, completing the linear pattern on the northern side of the access road which runs through the site. In this instance, although the site lies outwith the settlement boundary, the location would not result in its unnatural extension. Furthermore, due to the obvious relationship with the surrounding development, it is unlikely to set a precedent for future development outwith the settlement boundary.
- 6.4 Although this site was previously refused planning permission for the reasons noted in paragraph 2.1 above, locational circumstances have now changed and have to be taken into consideration when deciding if it is reasonable to refuse this application. The Development Plans team have given the view that it would now be inconsistent to refuse this application and have confirmed that it would be acceptable to approve the proposal for the reasons noted in their consultation response (paragraph 4.1).
- 6.5 The proposal is considered to comply with Highland Structure Plan Policy G2 (Design for Sustainability). The proposal must also be considered against the policies of the Ross and Cromarty East Local Plan. The Plan’s settlement boundary policy states that “The Council will maintain a strong presumption against sporadic development outwith settlement boundaries in order to protect their landscape setting or avoid adversely affecting their longer-term expansion”. This proposal is considered consistent with recently approved housing in Arabella and is not considered to set an unacceptable precedent for inappropriate development outwith the settlement boundary, affecting longer-term expansion.

7. CONCLUSION

- 7.1 Although there is a policy presumption against development immediately outwith settlement boundaries, in this instance it is considered that the proposal complies with the established character of development and will not have any detrimental impact upon settlement expansion. It would be inconsistent to refuse this application given the recently approved development to the south and east of the application site.

RECOMMENDATION

Grant outline planning permission subject to 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 design of the house shall meet the following minimum requirements:
 - The roof of the house shall be finished with natural slate or an imitation slate tile with a 40° - 45° roof pitch, with relatively narrow gables (8m or less).
 - External walls shall be covered in a wet harl or similar, with very limited use of re-constituted stone detailing.
 - Timber feature panels may be appropriate.
 - Windows shall have a vertical emphasis.
 - The house shall be single or one and a half storeys in height.

Reason: In the interests of residential amenity and to reflect the design requirements of the neighbouring house plots.

- 3 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.

- 4 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.

- 5 Access arrangements shall be to the satisfaction of the Planning Authority in consultation with the Roads Authority. The access from the public road shall be surfaced in a recognised bituminous material for the first 3 metres from the road edge.

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

- 6 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 the Building Standards Authority.

Reason: In the interests of amenity.

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 number 09/00086/OUTSU

Date: 11 June 2009

7221

To Hill of Fearn

Site Location

Arabella Bridge
Arabella Bridge

Ward Bdy
CS

Charlton House

Sunorra

Sunorra

4.5m

Filling Station

Garage LB

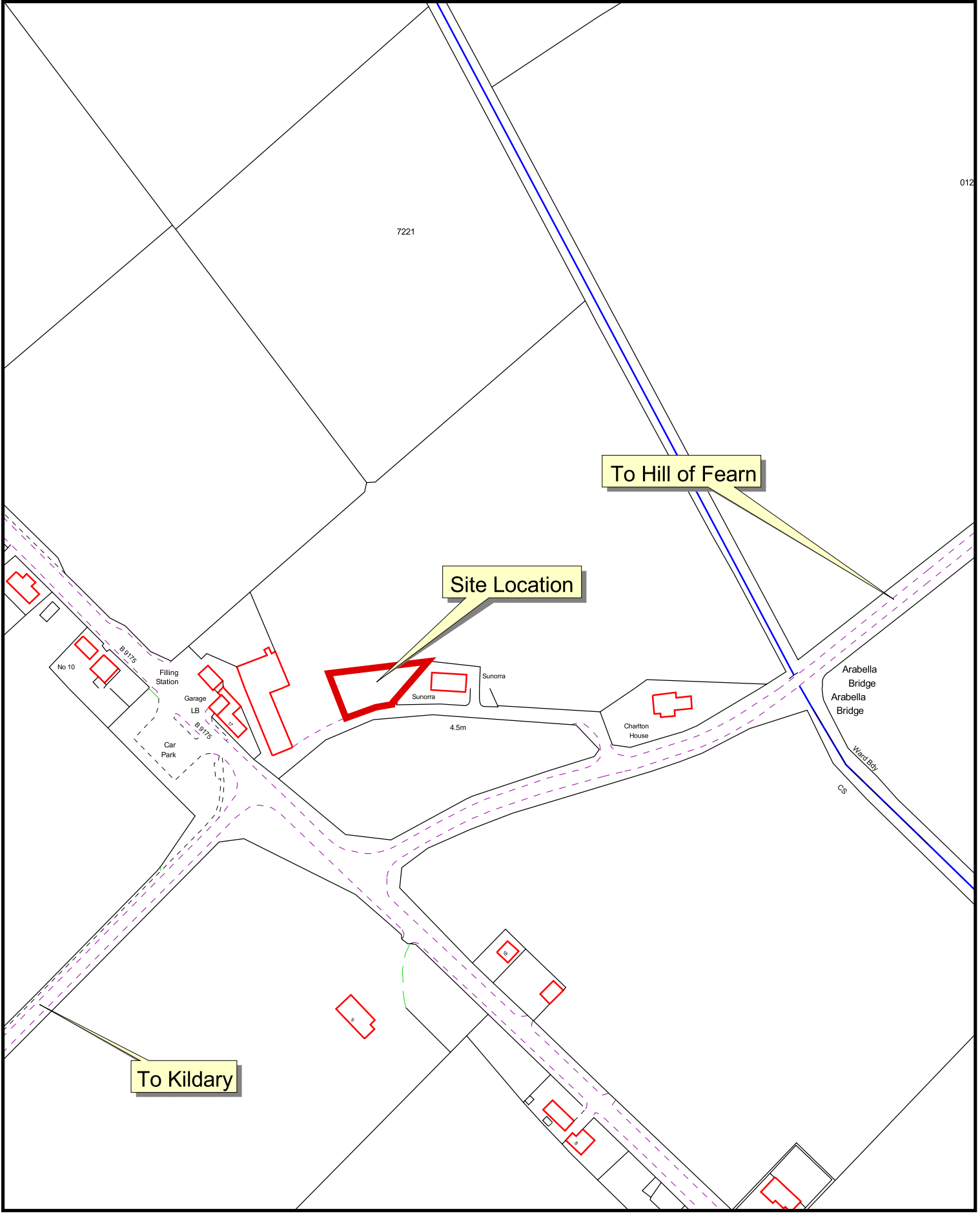
Car Park

B9175

B9175

No 10

To Kildary



09/00086/OUTSU
Erection of House (Outline) at
Land to West of Sunorra, 17 Arabella, Tain.

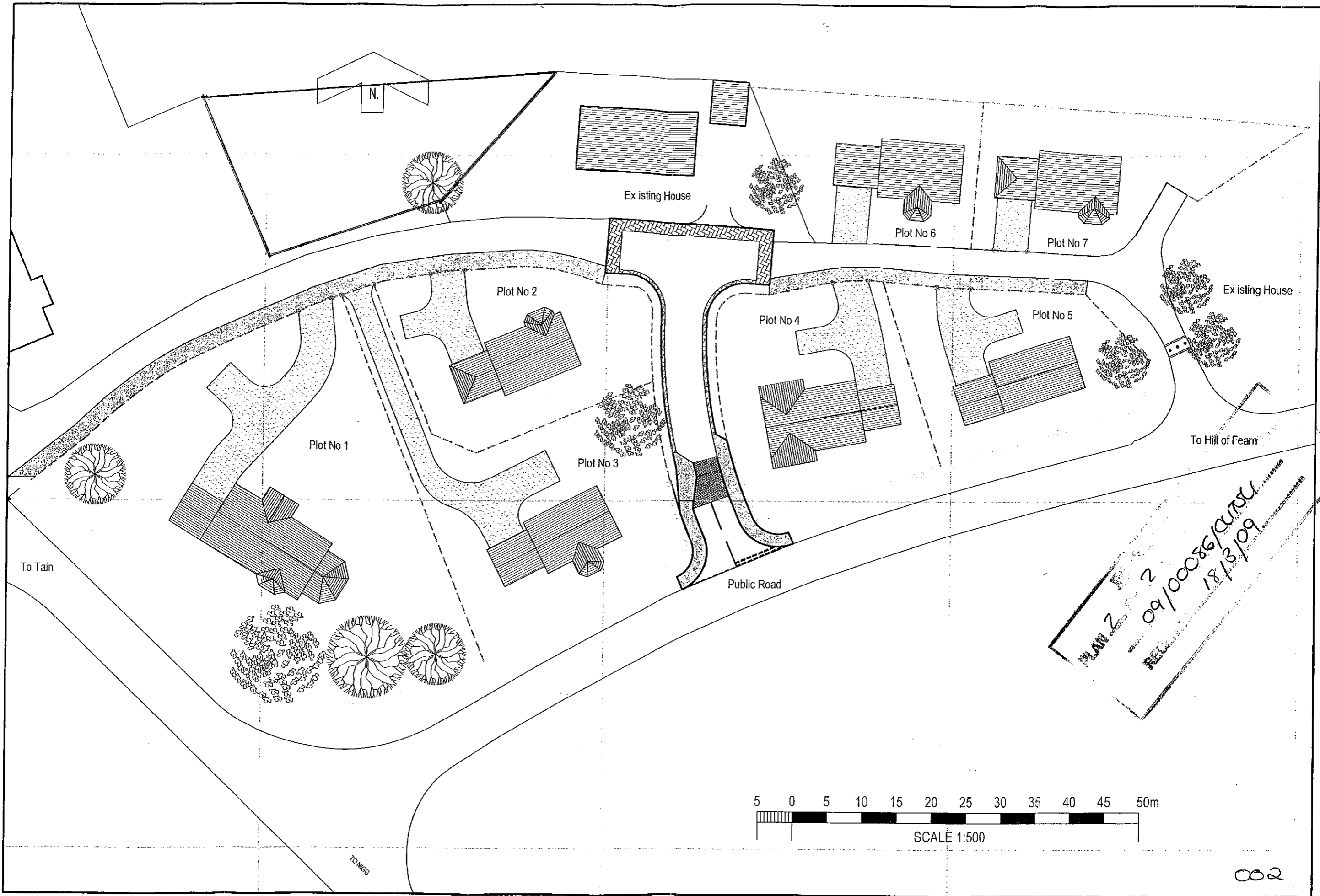
Mr M Ross
Sunorra
Arabella
Tain



Date: 11 June 2009

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PLAN 2
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09/000586/ARSL
18/13/09

