

THE HIGHLAND COUNCIL

**CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING
APPLICATIONS AND REVIEW COMMITTEE – 23 JUNE 2009**

Agenda Item	3.4
Report No	32/09

**09/00105/FULSU & 09/00106/LBCSU – Formation of breach in boundary wall at
Manse House, Manse Street, Tain**

Report by Area Planning and Building Standards Manager

SUMMARY

The applications are for Planning Permission and Listed Building Consent to breach the existing stone wall surrounding the garden of the Category B Listed Building to provide a vehicular access to the house.

The applications are being reported to Committee as Tain Community Council has objected to the proposal.

The Recommendation is to GRANT Planning Permission and Listed Building Consent.

Ward Number 8 Tain and Easter Ross.

Applicant – Jill Turner

1. PROPOSAL

1.1 The applications are for Planning Permission and Listed Building Consent to breach the existing stone wall surrounding the garden of the Category B Listed Building to provide a vehicular access to the house.

2. PLANNING HISTORY

2.1 No previous applications for development at this location. Planning Permission previously granted (04/00680/FULRC) for a house (Dove House) to the west side of Manse House. There have also been approvals for a small plant nursery within the garden of Manse House.

3. PUBLIC PARTICIPATION

3.1 The Listed Building Consent application was advertised for a 21 day period, with the advert expiring on 15 May 2009. No representations have been received from third parties.

4. CONSULTATIONS

4.1 **Royal Burgh of Tain Community Council** – Object to the application on road safety grounds.

4.2 Internal Consultees

Area Roads and Community Works Manager – No objections subject to the applicant installing additional dropped kerbs along the proposed access for which an application must be submitted to the Roads Authority.

4.3 External Consultees

Historic Scotland – No comments to make on the proposal.

5. POLICY

5.1 The following policies are relevant to the assessment of the proposal

Highland Structure Plan:

- G2 Design for Sustainability
- BC5 Listed Buildings and Conservation Areas

Ross and Cromarty East Local Plan

Outstanding Conservation Area (Tain policy 27) – Proposals should be carried out in accordance with the established character of the area.

5.2 The proposal requires to be assessed against the following relevant Scottish Planning Policies (SPP's), National Planning Policy Guidance (NPPGs) 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 Section 59 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 requires that the Planning Authority has special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

6.3 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

- 6.4 The proposal is to breach the wall surrounding the Category B Listed Manse House. This breach would then allow for a vehicular access to the house. There is currently a joint access serving both Manse House and Dove House which lies to the northwest of the proposed access along Manse Street. The proposal would then give a separate vehicular access to both properties. The wall is formed from sandstone and the garden area immediately behind it has a variety of trees.
- 6.5 Members will note that there are no representations from third parties.
- 6.6 The Royal Burgh of Tain Community Council has objected to the proposal on safety grounds of the proposed road access. Whilst the site does lie close to the junction of Manse Street, Quarry Lane and Craighill Terrace, I would draw Members' attention to the assessment of the proposal by TEC Services. They have advised that the proposal is acceptable, subject to the installation of dropped kerbs along the proposed access. I would concur with this view.
- 6.7 The applicant has indicated that the access point would be finished off with a wooden gate and sandstone pillars.
- 6.8 It is considered that the proposed access point and the means of breaching and then finishing off the breach in the wall are acceptable and accord with Structure Plan Policies G2 and BC5. Furthermore, the proposal accords with the requirements of section 59 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 as it does have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Members will note that the details of the breach and gates can be controlled by conditions.

7. CONCLUSION

- 7.1 The proposal is considered to be acceptable and approval is recommended.

RECOMMENDATION

Grant planning permission and listed building consent subject to conditions:

1. Except as otherwise provided by the terms of this permission, the developer shall construct and operate the development in accordance with the plans and supporting information submitted with the application and docketed as relative hereto with no deviation therefrom unless otherwise approved in writing by the Planning Authority.

Reason: In order to clarify the terms of the permission hereby granted and to ensure that the development is implemented as approved.

2. All access arrangements shall be provided to the satisfaction of the Planning Authority in consultation with the Roads Authority prior to the first use of the access. For the avoidance of doubt, the developer shall install additional dropped kerbs along the proposed access for which an application must be submitted to the Roads Authority.

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

3. Prior to any breach of the wall, the developer shall submit full written and plan details of the wooden gate and sandstone gate posts.

Reason: In order to clarify the detail of the application, in order to protect the integrity of a Category B Listed Building within the Tain Outstanding Conservation Area and for the avoidance of doubt.

In the event that Committee is minded to approve the application for Listed Building Consent, it will require to be notified to Scottish Ministers in accordance with statutory procedures.

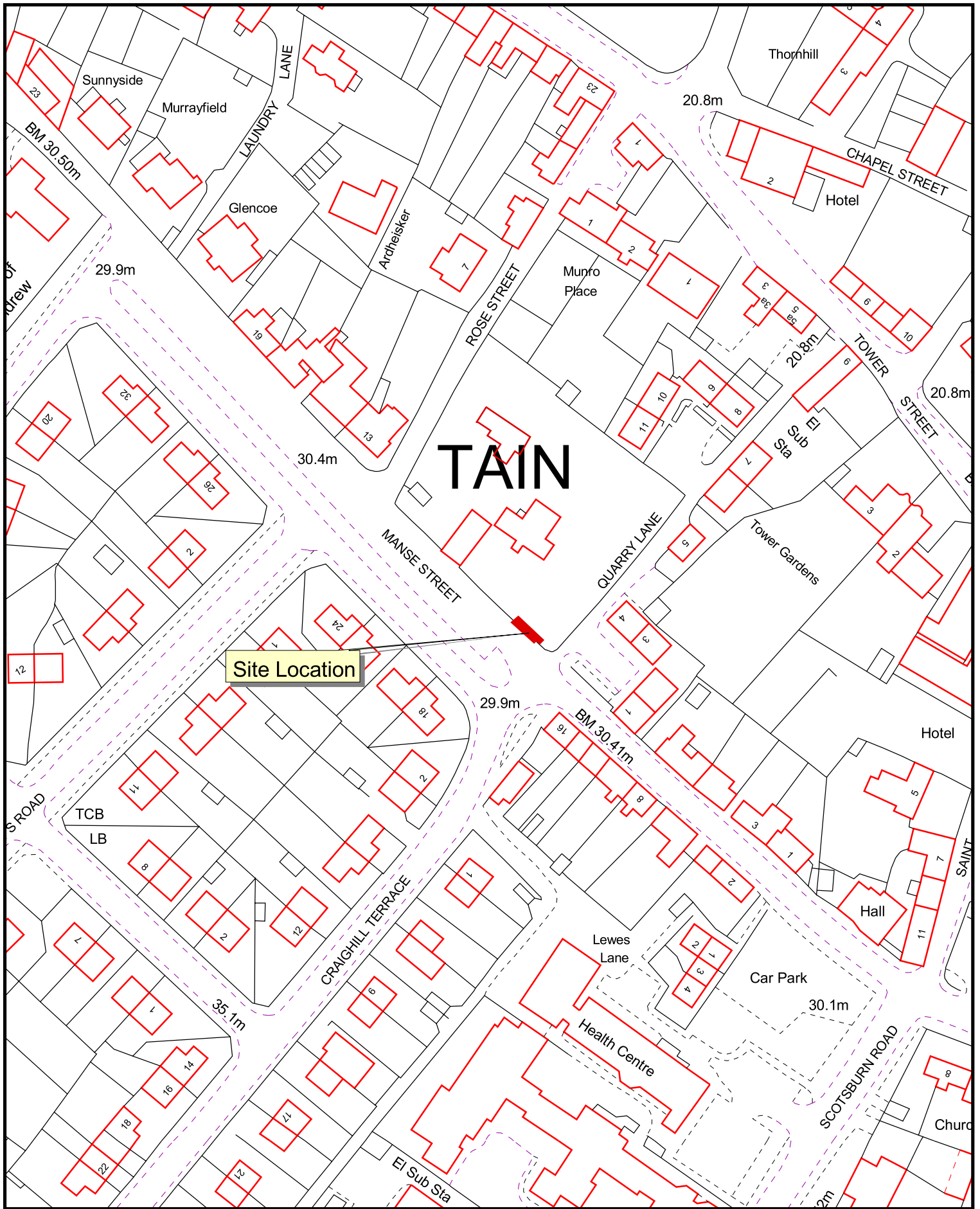
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author: Bob Robertson 01408 635371

Background Papers: As referred to in the report above and case file reference number 09/00105/FULSU & 09/00106/LBCSU

Date: 10 June 2009



Site Location

TAIN



09/00105/FULSU & 09/00106/LBCSU
 Formation of breach in boundary wall at
 Manse House, Manse Street, Tain.

J Turner
 Manse House
 Manse Street
 Tain

Date: 11 June 2009

SUPPLIED BY THE HIGHLAND COUNCIL



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