

THE HIGHLAND COUNCIL

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

Agenda Item	3.8
Report No	36/09

09/00145/FULCA - Erection of single storey house with integral garage and oil tank on land to north of Traquair, Sinclair Lane, Halkirk

Report by Area Planning and Building Standards Manager

SUMMARY

The application is in detail for the erection of a single house with integral garage at Sinclair Lane, Halkirk. A pair of unauthorised semi-detached houses has already been partly erected on the site.

The Recommendation is to GRANT planning permission.

Ward Number 4 – Landward Caithness

Applicant – M M Miller Ltd

1. PROPOSAL

1.1 The application is to erect a single storey 3-bedroomed house with integral garage on this flat site. It would be orientated gable towards Sinclair Lane, with the garage entrance to the north elevation. There are garage windows facing towards 'Craigilea', which is approximately 11.5m to the west. The proposed house is approximately 16m to the north of 'Traquair' and 22m south of 'Eyn Hallow'.

2. PLANNING HISTORY

2.1 The planning history is a significant material consideration in the assessment of the planning application. Members will recall consideration on 29 January 2008 of an application for two semi-detached houses (07/00630/FULCA). The Committee agreed that the application be refused. Following this, Committee considered a further application on 20 January 2009 for the erection of two semi-detached houses and formation of vehicular accesses (in retrospect) (08/00533/FULCA). This application was considered to fall within the scope of Section 39 of the Town and Country Planning (Scotland) Act 1997 and Committee agreed to decline to determine the application. Members also agreed at the January 2009 Committee to enforcement action being taken to secure the removal of the unauthorised semi-detached houses which have been built on the site.

2.2 An Enforcement Notice was duly served requiring that the houses be demolished and removed from the site. The Notice took effect on 6 May 2009 and requires that the houses are removed within 2 months from that date. In particular the terms of the Notice state that the developer:

1. Dismantle the block of 2 semi-detached houses and remove the materials from the site
2. Leave the site in a neat and tidy condition

2.3 The current planning application (09/00145/FULCA) was received on 28 April 2009. This is substantially different from the previous proposal and complies in general terms with the outline planning permission for a house on the site. At the 19 May 2009 Committee, Members agreed to suspend the requirement to comply with the Enforcement Notice until the planning application for the new house (09/00145/FULCA) has been determined.

2.4 Outline consent exists to erect one house on the site – 07/00040/OUTCA granted 11 April 2007. A refusal of planning permission in detail for the erection of two semi-detached houses on this application site also exists under reference 07/00483/FULCA dated 19 December 2007.

3. PUBLIC PARTICIPATION

3.1 No representations have been received on the current application.

4. CONSULTATIONS

4.1 Internal Consultees

Area Roads and Community Works Manager – No objections. A visibility splay of 30m is required. Any wall should not exceed 1m in height and gates must not open outwards onto the carriageway. Car parking is to be provided for 2 vehicles. Drop and bullnose kerbing is required across the driveway and the footway lowered. The driveway is to be constructed to a bound finish for a minimum distance of 6m from the rear of the footway and is to be at least 3.3m wide. Apart from the driveway the garden is not to be constructed to an impervious finish to allow the rainwater to soak away into the ground.

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

Caithness Local Plan

The site is subject to Policy 3 of the Halkirk Chapter of the Plan and it allocates the site for housing with an indicative capacity of one house. All houses which are built subject to Policy 3 must make a financial contribution to the Halkirk Fund.

- 5.2 The proposal also requires to be assessed against relevant Scottish Planning Policies (SPP); National Planning Policy Guidelines (NPPG); and Planning Advice Notes (PAN). In this instance in particular:
- Scottish Planning Policy
 - SPP3 – Planning for Housing.

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 Members will recollect the consideration of applications on the site over the last 18 months. The full details of these are set out in section 2 above.
- 6.4 The current application is for a single house and whilst it is in detail, it meets the general requirements of the outline planning permission (07/00040/OUTCA). The proposal effectively takes the already partly constructed (unauthorised) semi-detached house and removes the half of the building closest to 'Craigilea' to the west and replaces it with a single garage as part of the main house. As a result, the proposed house would be located approximately 9.5m to the east of the boundary with 'Craigilea' and 11.5m from the building itself. Access to the house would be from a direct access onto Sinclair Lane.
- 6.5 The building is a modern rectangular bungalow with a low 30 degree pitch roof finished in brown Redland Renown interlocking concrete tiles. The external walls are finished in Skye marble drydash harl, with buff coloured stone quoin detailing. The design is considered to fit with the existing type of house found in the immediate area.
- 6.6 Members will note that no technical difficulties have been highlighted and no representations have been received.
- 6.7 It is considered that the proposal is acceptable, accords with policy and has no significant impact on community or individual residential amenity.

7. CONCLUSION

- 7.1 Approval is recommended for the single house. In addition, Members may wish to consider withdrawing the Enforcement Notice which took effect on 6 May 2009 requiring that the semi-detached houses be demolished and removed from the site. The Enforcement Notice should only be withdrawn when the development of the single house has been substantially enacted. This is a matter which would be the subject of monitoring by officers.

RECOMMENDATION

Subject to the prior payment of the relevant amount to the Halkirk Fund, withdraw the Enforcement Notice (see 7.1 above) and grant planning permission 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 docquetted 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. The development hereby approved is for a single house only. For the avoidance of doubt, the semi-detached structure on site shall be removed or suitably modified by the developer within 4 months from the date of this approval to provide a single house in accordance with the terms of this planning permission.

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

3. All drainage arrangements shall be provided to the satisfaction of the Planning Authority in consultation with the Scottish Water and the Building Standards Authority.

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

4. The external walls of the house shall be finished in Skye marble drydash harl and the roof shall be finished in brown Redland Renown interlocking concrete tiles, or as may otherwise be agreed in writing with the Planning Authority prior to the commencement of development.

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

5. All access arrangements shall be provided to the satisfaction of the Planning Authority in consultation with the Roads Authority prior to the first occupation of the house and in accordance with the detailed specification docquetted hereto.

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

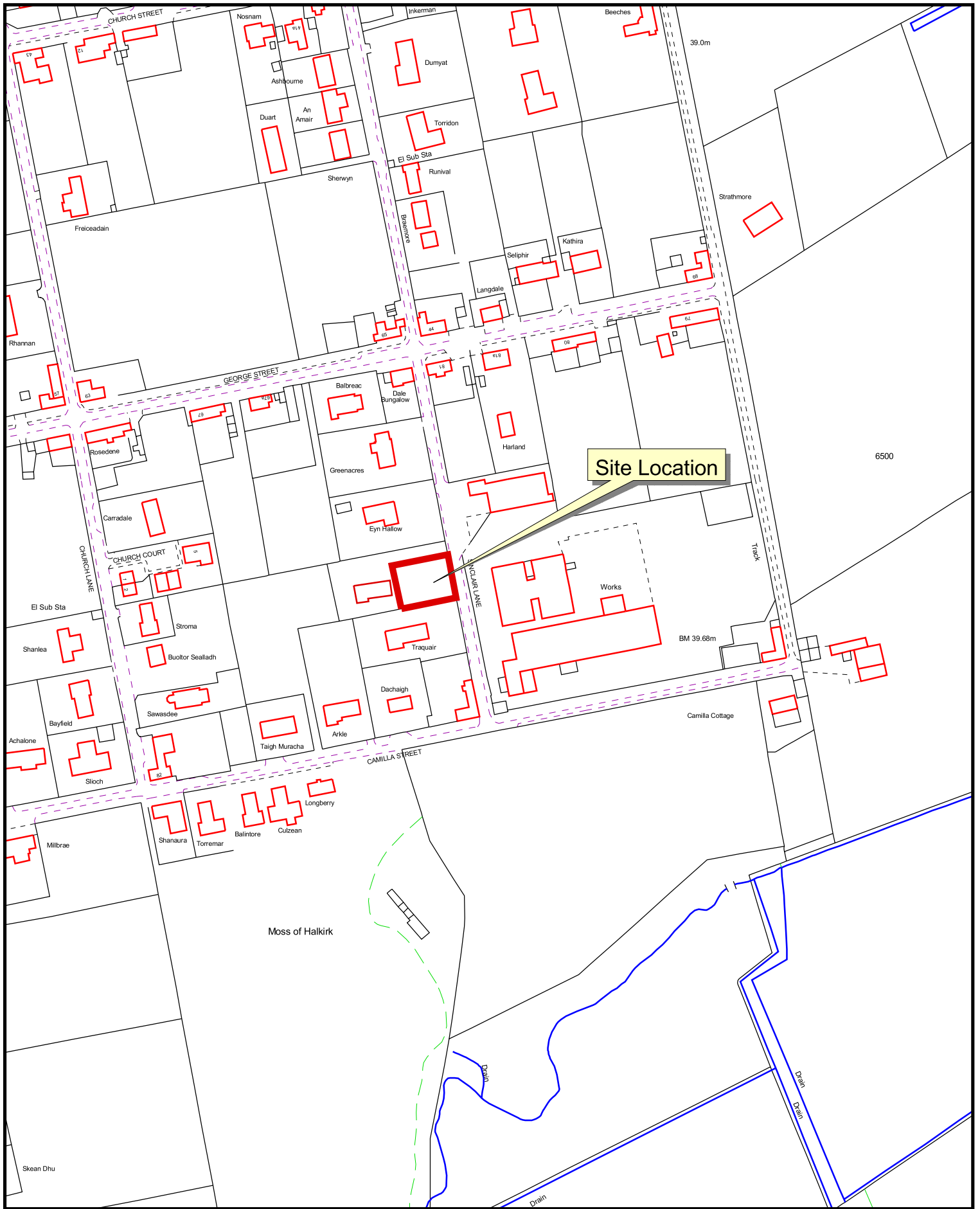
Signature: Allan J Todd

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 09/00145/FULSU

Date: 27 May 2009



09/00145/FULCA
Erection of single storey dwellinghouse with integral garage and oil tank at
Land to North of Traquair, Sinclair Lane, Halkirk.

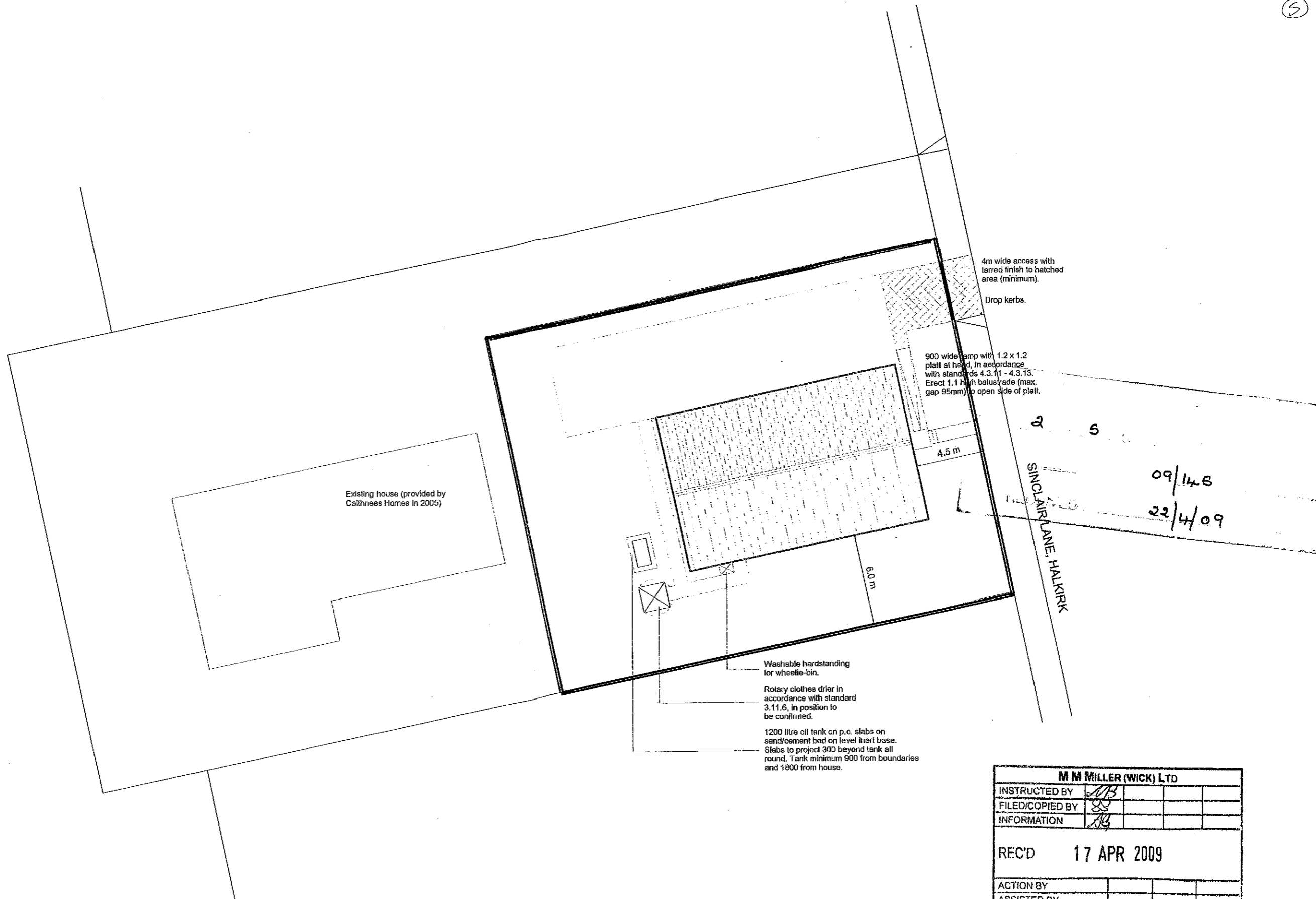
M M Miller Ltd
Miller House
55 Macrae Street
Wick

Date: 12 June 2009

SUPPLIED BY THE HIGHLAND COUNCIL

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Scale
1:2500



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INFORMATION	AS		
REC'D		17 APR 2009	
ACTION BY			
ASSISTED BY			
ACTION APPROVED BY			
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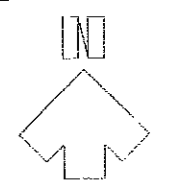
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for CAITHNESS HOMES

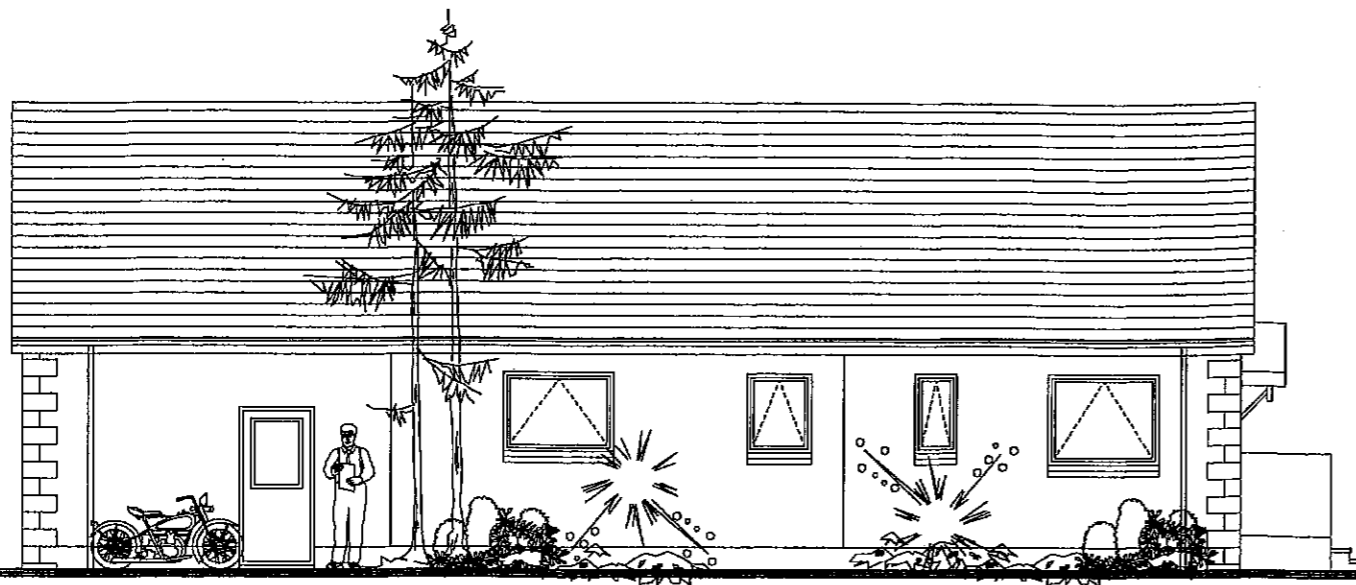
SITE PLAN
1 : 250

D.A. Renwick Limited,
Chartered Architects,
5 Langley Park, Wick, KW1 5LD.
Phone: 01955 604942
e-mail: D.A.Renwick@btinternet.com

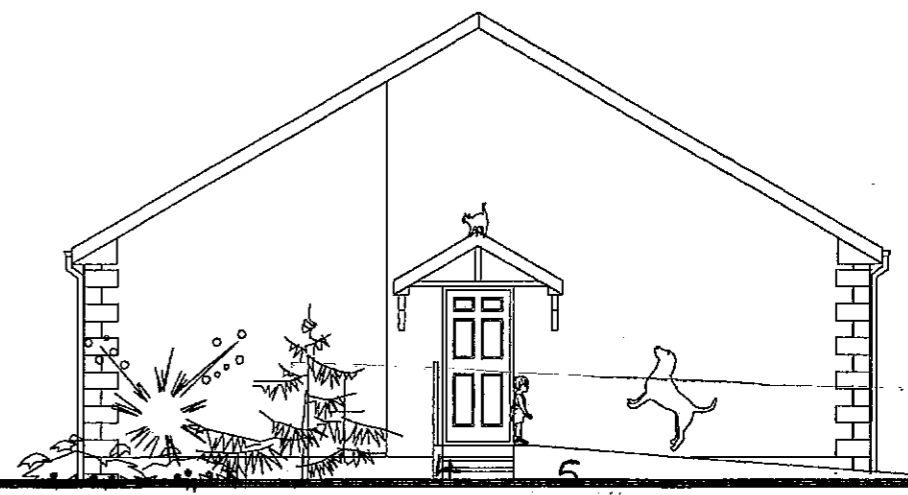
Revised from M829

M909/site
April, 2009



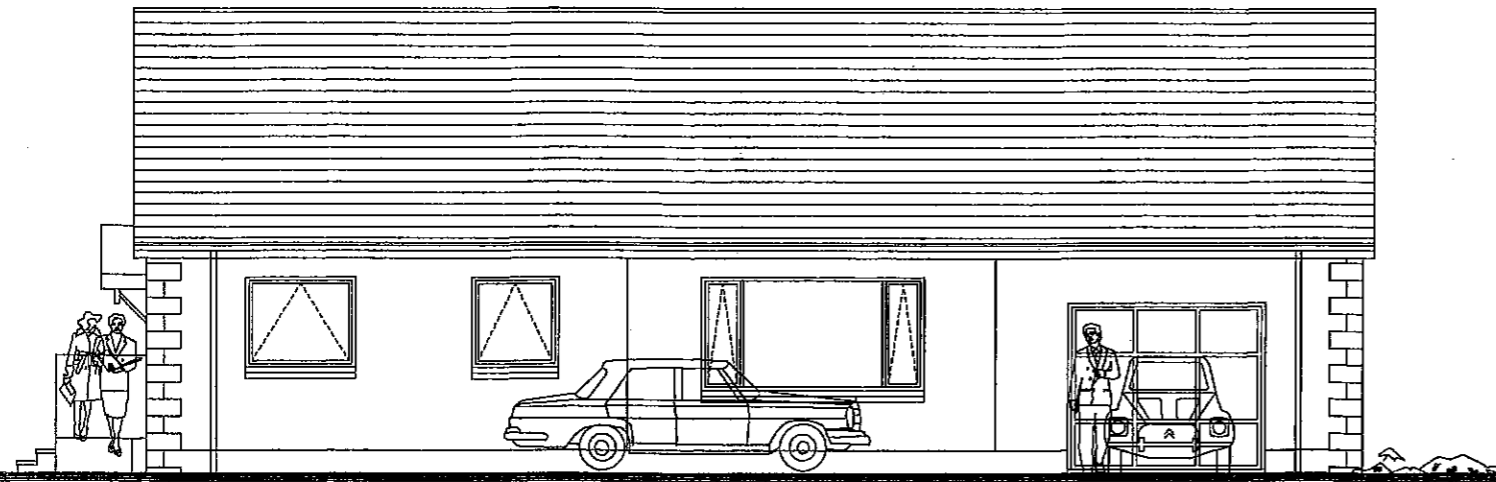


SOUTH ELEVATION

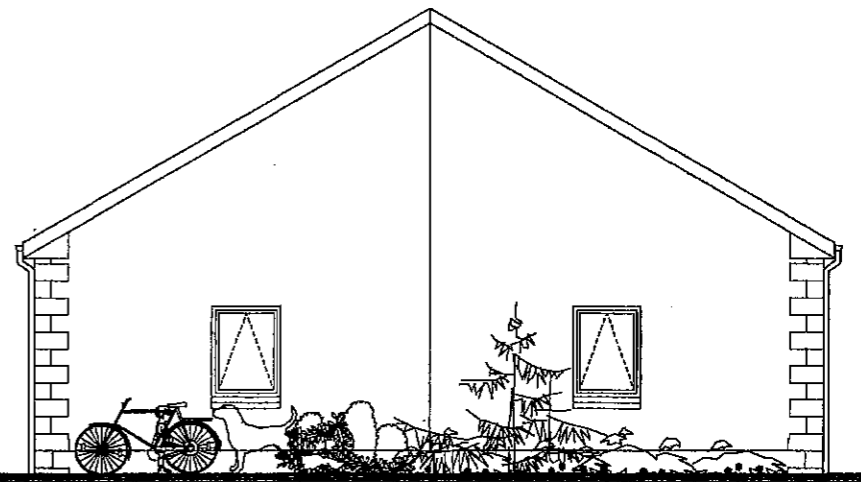


EAST ELEVATION

09/145
 22/4/09



NORTH ELEVATION



WEST ELEVATION

EXTERNAL FINISHES:

- Roof - brown Redland Renown concrete interlocking tiles
- Roof edges - dressed redwood timber lining boards
- Rainwater goods - rectilinear brown pvc
- Main walls - Skye marble drydash render
- Quoins - buff reconstituted stone
- Baseband - granite grey drydash render
- Windows and doors - double glazed and timber framed.

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INFORMATION			
REC'D 21 APR 2009			
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ASSISTED BY			
ACTION APPROVED BY			
COPY SITE			

Client : Caithness Homes				
Site : Proposed House (Revised) Sinclair Lane Halkirk				
CAITHNESS HOMES				
MILLER HOUSE, 65 MACRAE STREET, WICK, CAITHNESS, KW1 6QW TELEPHONE (01955) 602746				
Scale	Drawn	Date	Dwg. No.	Rev.
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