

Appeal Decision Notice

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Decision by Martin H Seddon, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: P/PPA/270/610
- Site address: Forest path, Golspie, Highland, KW10 6TA
- Appeal by Mrs S L Wild against the decision by the Highland Council
- Application for outline planning permission (council ref: 08/00354/OUTSU) dated 11 September 2008 refused by notice dated 15 December 2008
- The development proposed is erection of a detached house (1½ storey) and garage with all services
- Application drawing: G/08/03: site/location plans
- Date of site visit by Reporter: 11 June 2009

Date of appeal decision: 9 July 2009

Decision

I dismiss the appeal and refuse outline planning permission.

Reasoning

1. The determining issues in this appeal are: (1) whether the proposal accords with policies G2 and H3 of the approved Highland Structure Plan and policies ENV3 and Golspie village inset policy 5 of the adopted South and East Sutherland Local Plan, concerning housing in the countryside and visual amenity and (2) whether approval or refusal is justified by other material considerations, including policies 1 and 3 of the Deposit Draft Sutherland Local Plan.

2. The appeal site is a former woodland garden located next to a group of dwellings known as West Drummie. The site is without the settlement boundary for Golspie as defined by the Local Plan and Deposit Draft Local Plan. The proposal would conflict with policy H3 of the Structure Plan because it is not required for the management of land or family purposes or for supporting a community experiencing difficulty in maintaining population and services. Village inset policy 5 also has a specific presumption against unplanned housing development in the open countryside on the settlement edges indicated on the Local Plan inset map. Similarly, the proposal would not be supported by policy 3 of the Deposit Draft Local Plan which restricts new housing in the wider countryside.



3. The council's forestry officer could not support the proposal because of the root damage that could occur to the mature Scots Pine along the western boundary of the site, which could affect their condition and stability. There could also be post development pressure to remove trees to allow more light to reach the new dwelling. This would, in my view, have an adverse impact on community residential amenity, contrary to Structure Plan policy G2 and Local Plan policy ENV 3.
4. I accept the appellant's contention that the trees are not protected, this is an area of managed forest and the dwelling would eventually be screened from the nearby council offices by some of the new planting which has taken place. However, there is clear conflict with housing policy in the countryside because of the position of the settlement boundary and potential erosion of the amenity tree belt between the dwellings at West Drummie with the council offices and adjoining land.
5. Taking the above findings into account I conclude that the proposal would be in conflict with Highland Structure Plan policies G2 and H3, South and East Sutherland Local Plan policy ENV 3 and village inset policy 5. Other material considerations, including the Deposit Draft Sutherland Local Plan would not justify approval.

This is a true and certified copy of the decision issued on 9 July 2009.

Martin H Seddon
Reporter



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