

**THE HIGHLAND COUNCIL**

**CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING APPLICATIONS COMMITTEE – 8 DECEMBER 2009**

Agenda Item	4.5
Report No	55/09

**09/00373/PIPCA: Mr & Mrs Guest**  
**House plot south of Pond at Achow Hill, Lybster**

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

**SUMMARY**

**Description :** The application seeks to establish the principle of building a house on the site.

**Recommendation : GRANT**

**Ward :** 4 - Caithness Landward

**Development category :** Local Development

**Pre-determination hearing :** None

**Reason referred to Committee :** In accordance with the Council's approved scheme of delegation the application is being reported to Committee as the applicant is the Head of Roads and Community Works in TEC Services.

**1. PROPOSED DEVELOPMENT**

- 1.1 The application seeks to establish the principle of building a single house on the site. It is a renewal of the previous permission 06/00350/OUTCA.
- 1.2 No pre-application consultation has been undertaken.
- 1.3 Access into the site is from a straight section of single track road via an agricultural field type access.

**2. SITE DESCRIPTION**

- 2.1 The site is open on an area of high heather and gorse covered ground to the west side of the single track road leading north from the A99 Wick to Latheron road and is currently delineated by a post and wire fence. The closest house is around 150m to the north of the application site boundary.

**3. PLANNING HISTORY**

- 3.1 06/00350/OUTCA – Erection of dwellinghouse, installation of septic tank and soakaway, formation of vehicle access (In Outline). Approved 12.10.2006.

#### **4. PUBLIC PARTICIPATION**

4.1 Advertised : Neighbour Notification. Expiry 6.11.2009.

Representation deadline : 6.11.2009

Timeous representations : 0

Late representations : 0

#### **5. CONSULTATIONS**

5.1 **Contaminated Land Unit:** No objections

5.2 **TEC Services:** No objections (carried forward from 06/00350/OUTCA).

#### **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

##### **6.1 Highland Structure Plan 2001**

G2 Design for Sustainability

H3 Housing in the Countryside

##### **6.2 Caithness Local Plan**

PP2 The Council will favour development unless this would significantly affect important features.

6c Achow – spacing guide of 150-200m; water supply is a constraint

#### **7. OTHER MATERIAL CONSIDERATIONS**

##### **7.1 Draft Development Plan**

Not applicable

##### **7.2 Highland Council Supplementary Planning Policy Guidance**

Not applicable

##### **7.3 Scottish Government Planning Policy and Guidance**

SPP 3 Planning for Homes

SPP 15 Rural Development

PAN 72 Housing in the Countryside

## 8. PLANNING APPRAISAL

8.1 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.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

### 8.3 Development Plan Policy Assessment

The proposal is considered to accord with the Development Plan policies identified at section 6.

### 8.4 Material Considerations

The development of the site for a single house was previously approved in October 2006. There have been no significant material changes on the ground and no changes in development plan policy since this previous approval such as would prevent a further permission in principle being granted.

## 9. CONCLUSION

9.1 The proposal is considered to accord with development plan policies. No material considerations have been raised by third parties. The development of the site will not have a significantly detrimental impact on any individual or community residential amenity currently enjoyed. The proposal is considered to be acceptable subject to appropriate conditions relating to the siting, design, external appearance, materials, means of access and satisfactory drainage of the site being achieved.

## 10. RECOMMENDATION

**Action required before decision issued** N

Notification to Scottish Ministers N

Notification to Historic Scotland N

Conclusion of Section 75 Agreement N

Revocation of previous permission N

**Subject to the above**, it is recommended the application be **Granted** subject to the following conditions and reasons / notes to applicant :

(1.) This planning permission in principle shall lapse THREE YEARS from the date of this permission should no subsequent application for the approval of matters specified in conditions be submitted within this time. In any case, the development to which this permission relates must commence no later than THREE YEARS from the date of this permission, or TWO YEARS from the date of approval of any matter(s) specified in conditions, whichever is the later.

Reason In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

(2.) A further application, or applications, for the approval of matters specified in this condition must be made within THREE YEARS of the date of this decision notice. The application shall be in the form of a detailed layout of the site (including landscaping and car parking), and detailed plans, sections and elevations of the building/s. The MATTERS specified in this condition are the siting, design and external appearance of any building(s), the means of access and landscaping.

Reason In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

(3.) The position of the house and access track shall be pegged out on site for the prior approval of the Planning Authority, in writing, and any application for Matters Specified in Condition 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 Policy G2 and the Council's Design Guidance.

(4.) 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 order to ensure that the development harmonises with the appearance and character of other properties and in order to conform with Structure Plan Policy G2 and the Council's Design Guidance.

(5.) 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.

(6.) Prior to the commencement of any other aspects of the approved development, the access from the public road to the site shall be constructed to base course level in accordance with the attached Standard Access Specification. The access shall be fully completed in accordance with the Specification prior to the first occupation of the house.

Reason: In the interests of road safety.

(7.) The house shall be single or one-and-a-half storeys only, and shall reflect building styles and use of materials traditional within the area.

Reason: In the interests of amenity.

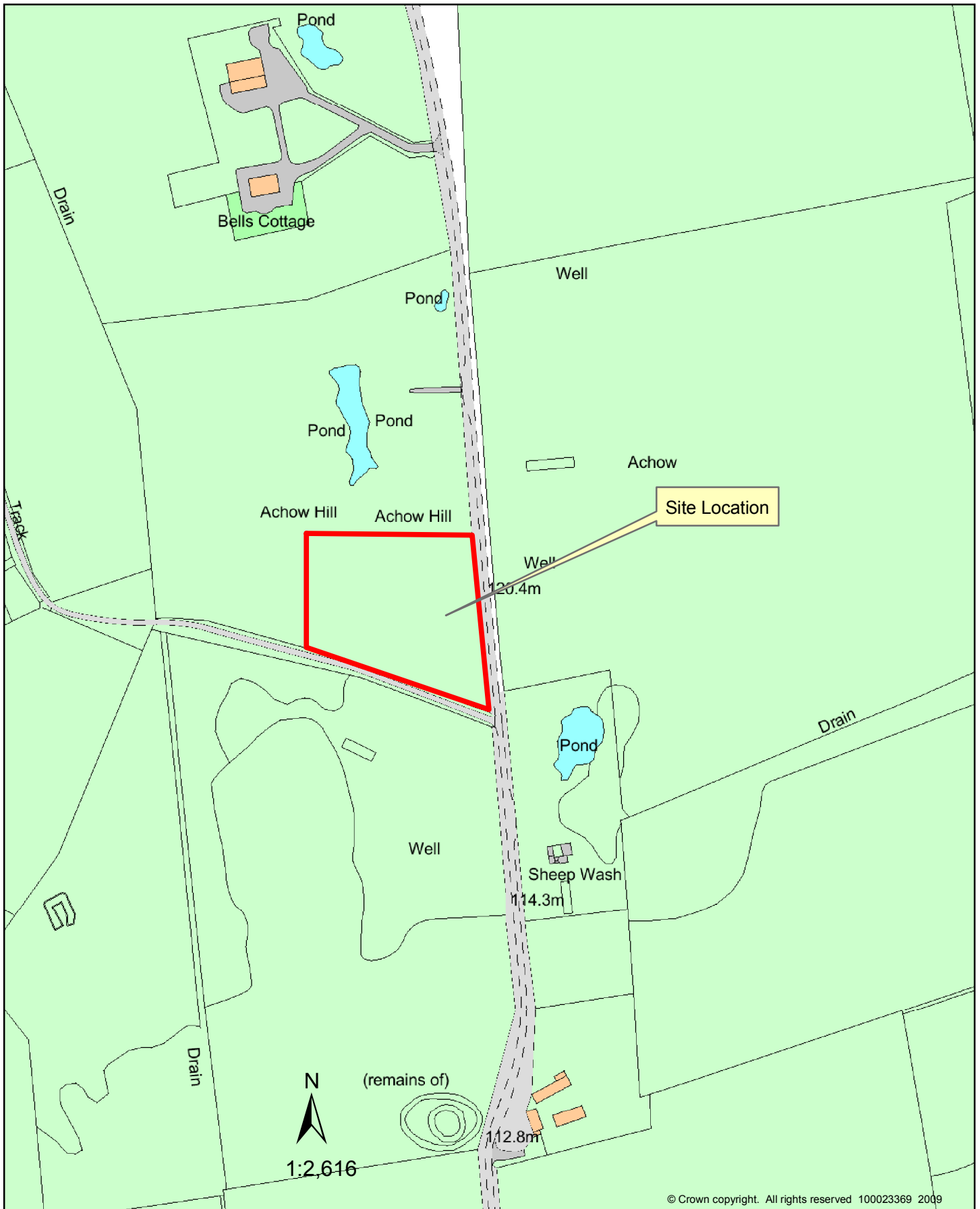
(8.) The roof of the house shall have a minimum pitch of 40° and shall be finished with natural slate, or an alternative of similar size, colour, texture, profile and thickness, or as otherwise may be agreed in writing with the Planning Authority. For the avoidance of doubt suitable alternative non slate tiles are: Marley 'Monarch', 'Clansman', 'Marquis', 'Melbourn', 'Birkdale', Edgemere' Redland 'Richmond', 'Lakeland', 'Cambrian', 'Saxon'.

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 Councils Design Guidance.

#### FOOTNOTE TO APPLICANT RELATIVE TO APPLICATION 09/00373/PIPCA

Scottish Water: You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Signature: Allan J Todd  
Designation: Area Planning & Building Standards Manager (Caithness, Sutherland and Easter Ross)  
Author: Bob Robertson  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 – Location Plan  
Plan 2 – Site Plan  
Plan 3 – Outline Drainage Plan



09/00373/PIPCA  
 Renewal of permission for erection of dwellinghouse, installation of septic tank and soakaway, formation of vehicular access. (outline) at House Plot South of pond at Achow Hill, Lybster, Caithness.

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