

THE HIGHLAND COUNCIL

**CAITHNESS, SUTHERLAND & EASTER ROSS
PLANNING APPLICATIONS COMMITTEE – 9 March 2010**

Agenda Item	
Report No	

**09/00316/OUTSU: Mr B Coghill
Plot to the north east of Tulloch Road, Bonar Bridge**

Report by Area Planning and Building Standards Manager

SUMMARY

Description : Erection of house and upgrade/improvement of access

Recommendation - REFUSE

Ward : Ward 1 – North West & Central Sutherland

Development category : Local Development

Pre-determination hearing : Not required

Reason referred to Committee : Referral by Ward Members

1. PROPOSED DEVELOPMENT

1.1 The application seeks planning permission in principle for the erection of a house and the upgrade/improvement of an existing access.

1.2 A supporting planning statement was submitted by Keppie Design, providing a justification for the proposal. The summary of this statement is given below:

- A dwelling house can be situated within the landscape in a sympathetic manner with little visual impact.
- The siting of the house will ensure that the new house enjoys a high standard of amenity with ample garden ground and outlook. The siting of the house will also ensure that existing houses on Tulloch Road continue to enjoy a high standard of residential amenity.
- Whilst Bonar Bridge has a north-south axis in terms of development pattern, there is existing and recently approved development outwith the settlement development area, comprising single houses, clusters of houses and a coal yard.
- Development of a house in this location would provide an affordable housing opportunity for a local member of the community in an area where opportunities to purchase a house are presently limited.
- The Community Council supports the principle of development of a house in this location.

The applicant considers that development of a dwelling house in this location is appropriate and in accordance with the spirit of the development plan and national planning policy.

2. SITE DESCRIPTION

- 2.1 The site is located on open ground to the rear and uphill of the existing housing at Tulloch Road in Bonar Bridge. Access is proposed from an existing field gate to the side of No.1 Tulloch Road. The ground is used for agriculture and is covered in grass. The field measures approximately 150m x 50m.

3. PLANNING HISTORY

- 3.1 06/00361/OUTSU – Erection of house at Plot to north-east of Tulloch Road, Bonar Bridge – refused by Sutherland County Committee on 23 April 2007.

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Section 34 and potential departure from the Development Plan.

Representation deadline : 12 July 2009

Timeous representations : None

Late representations : None

5. CONSULTATIONS

- 5.1 **TEC Services:** No objections. In order to accommodate emergency service vehicles, the width of the access must be a minimum of 3.5 metres wide.

- 5.2 **Archaeology:** No archaeological condition required.

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 South and East Sutherland Local Plan

ENV 3

6.3 Deposit Draft Sutherland Local Plan

Policy 4 Natural, Built and Cultural Heritage

7. OTHER MATERIAL CONSIDERATIONS

7.1 Draft Development Plan

Not applicable

7.2 **Highland Council Supplementary Planning Policy Guidance**

Housing in the Countryside Interim Supplementary Planning Guidance

7.3 **Scottish Government Planning Policy and Guidance**

Scottish Planning Policy

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**

Structure Plan Policy G2 requires that developments will be assessed on the extent to which they, amongst other factors, impact on community and residential amenity and demonstrate sensitive siting and high quality design in keeping with local character. Structure Plan Policy H3 states that “housing development will generally be within existing and planned new settlements” and “housing in the countryside of an appropriate location, scale, design and materials may be acceptable where it supports communities experiencing difficulty in maintaining population and services”. The proposal is not considered to demonstrate sensitive siting and is considered to be in an inappropriate location due to the impact upon neighbour amenity and being out of keeping with the existing pattern of development in the area. Therefore, the proposal is considered contrary to the above mentioned Structure Plan policies.

South & East Sutherland Local Plan Policy ENV 3 states that “The Council will presume against development, particularly where there is significant damage to heritage, amenity or public health”. In this instance the impact upon amenity is considered significant, therefore the proposal is considered contrary to this policy.

The site falls within the settlement setting for Bonar Bridge which is of local/regional importance in Policy 4 Natural Built and Cultural Heritage of the Deposit Draft Sutherland Local Plan. The policy allows developments if they would not have any unacceptable impact on the amenity and heritage resource. In this instance, the development is considered to have an unacceptable impact upon the amenity of the area and therefore the proposal is contrary to policy.

8.4 **Material Considerations**

An application for a house and upgraded access on this site was refused at Committee on 23 April 2007. This decision was in accordance with the recommendation to Committee.

The application was refused on the grounds that it was contrary to Structure Plan Policy H3 (Housing in the Countryside), Structure Plan Policy G2 (Design for Sustainability) and South & East Sutherland Local Plan Policy ENV 3. Furthermore, the proposal was considered premature ahead of the new Sutherland Local Plan and was considered to set an unacceptable precedent making it difficult to refuse similar departures from policy in future. The application currently under consideration is the same as this previous submission, other than that a supporting statement now accompanies the application.

It was considered premature to report the application to Committee until the Sutherland Local Plan examination was complete. The applicant made a representation on the Plan, seeking to extend the village boundary behind Tulloch Road, involving realignment with Robert Grant's coal yard, even if only between numbers 1 and 6 Tulloch Road, to allow for development. The Reporter recommended that no change should be made to the Plan and stated that "in both visual and physical terms, I do not perceive any justification for altering the settlement development area at this point".

The site lies outwith the settlement boundary as defined in both the South & East Sutherland Local Plan and the Deposit Draft Sutherland Local Plan. The proposal has to be assessed against the policies noted in section 8.3 above and consideration has to be given to the impact upon neighbour and community amenity and the impact of the development upon the future expansion of the settlement. The settlement pattern in the northern part of Bonar Bridge is distinct and comprises two clear lines of housing along Lairg Road and Tulloch Road. Any development behind the northern part of Tulloch Road would result in an obvious departure from the existing linear settlement pattern. The failure of the proposal to comply with the settlement pattern is compounded by the fact that the proposal lies outwith the defined settlement boundary. The site, if developed, would appear detached and disconnected to the existing housing along Tulloch Road. This development, if permitted, would set a precedent for further unplanned *ad hoc* developments at the fringes of the settlement, which would be detrimental to the established character of the area and may prejudice future expansion of the settlement.

The site lies to the rear of the existing houses at Tulloch Road and due to the change in ground levels, the site looks into the rear of these properties. Accordingly, the proposal is considered to have a detrimental impact on existing residential amenity and is not considered to demonstrate sensitive siting. The proposal is therefore judged to be contrary to the provisions of the policies noted above.

The applicant's supporting statement raises the point that the house currently being constructed to the north sets a precedent for approving this application. This site was approved at Committee in January 2005 and is approximately 160 metres north of the settlement boundary. The application was accompanied by an operational needs assessment to justify that there was an agricultural need for the house. A section 75 agreement was placed on the land that the applicant owned between the site and the settlement boundary to mitigate concerns about development on the fringes of the settlement.

It is not considered that this particular development sets a precedent for further development outside the boundary. The proposal currently under consideration, however, forms an obvious departure from the established settlement pattern.

Finally, there are other areas within Bonar Bridge where new housing can be successfully accommodated. In particular, the designated Cherry Grove site and the land to the south of Cherry Grove which is allocated for long-term expansion of the settlement. A hospital has recently been approved on the mixed use designated Cherry Grove site. This is expected to be followed by a housing development with a capacity for 30 units.

9. CONCLUSION

The proposal is contrary to Structure Plan Policies G2 and H3, and to South and East Sutherland Local Plan Policy ENV 3. The proposal is also considered contrary to Policy 4 Natural, Built and Cultural Heritage of the Deposit Draft Sutherland Local Plan. The proposal is considered unsympathetic to the existing settlement pattern in the area. Furthermore it would set an unacceptable precedent for further development outwith the settlement, which would be to the detriment of the existing area and may prejudice the future planned expansion of Bonar Bridge.

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 **Refused** for the following reasons.

1. The proposal does not accord with Structure Plan Policy G2 Design for Sustainability, in terms of its impact on individual and community residential amenity, particularly in relation to the existing houses on the east side of Tulloch Road. Furthermore, the proposal does not demonstrate sensitive siting in keeping with local character.
2. The proposal does not accord with Structure Plan Policy H3 Housing in the Countryside, as it is considered to be unacceptable in terms of location due to its position outwith the settlement boundary and to be unsympathetic to the existing settlement pattern in the area.
3. The proposal does not accord with South and East Sutherland Local Plan Policy ENV 3, as it is judged to significantly damage the amenity of the area in terms of being inconsistent with the settlement pattern, outwith the settlement boundary and damaging to the existing residential amenity of the houses on the east side of Tulloch Road.

4. The proposal does not accord with the Deposit Draft Sutherland Local Plan Policy 4 Natural, Built and Cultural Heritage, as the proposal is considered to have an unacceptable impact upon the amenity of the area.
5. Approval of the proposal would set an undesirable precedent making it difficult to refuse similar applications which depart from approved policy.

Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager Caithness, Sutherland & Easter Ross

Author: Rebecca Scott

Background Papers: Documents referred to in report and in case file

Relevant Plans: Plan 1 – No. 209442_L100 – location plan

Plan 2 – Plan 2 of 3 – Site plan

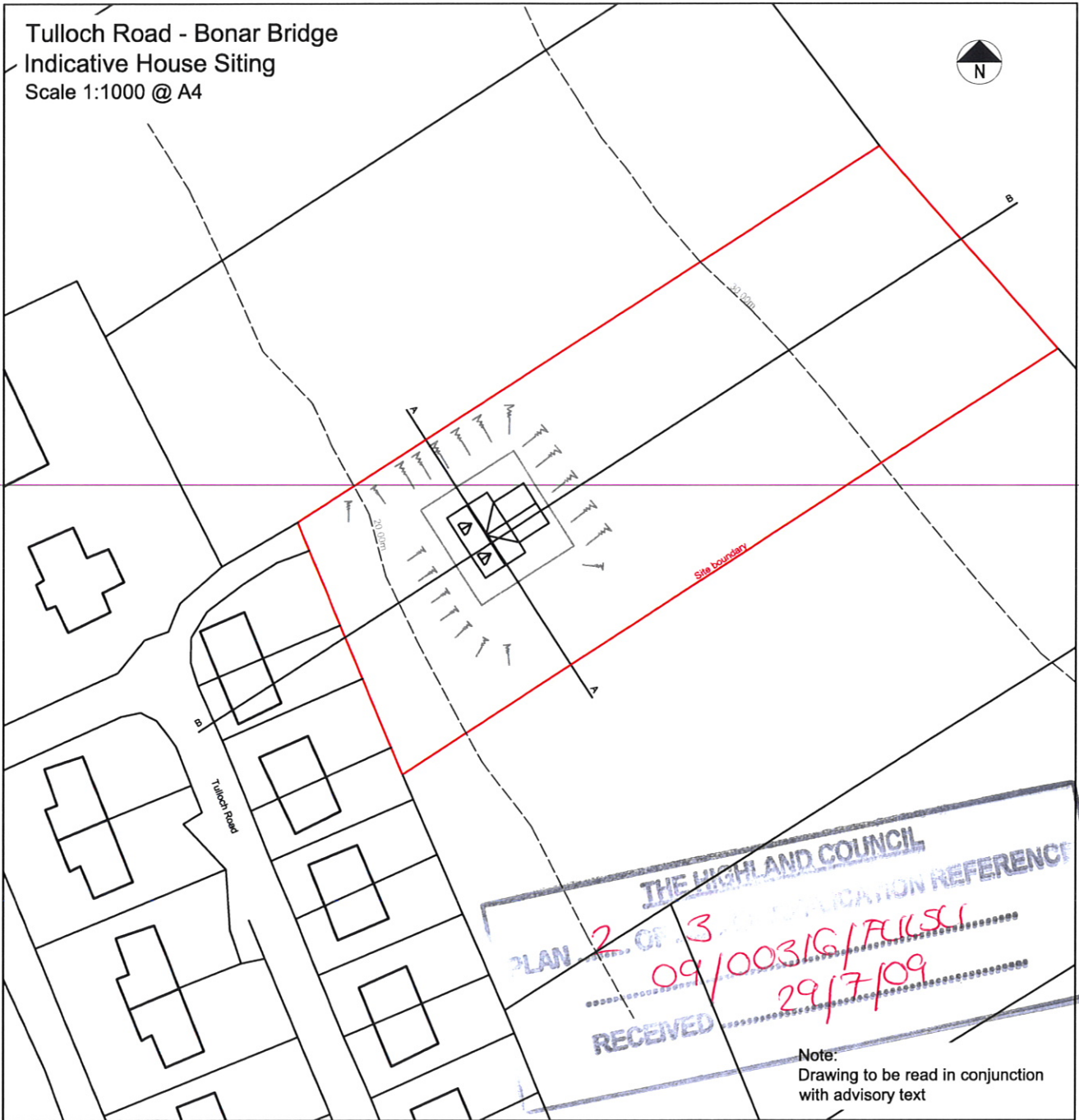


09/00316/OUTSU
 Erection of house and upgrade / improvement of access (Outline)
 at Land to North East of Tulloch Road, Bonar Bridge

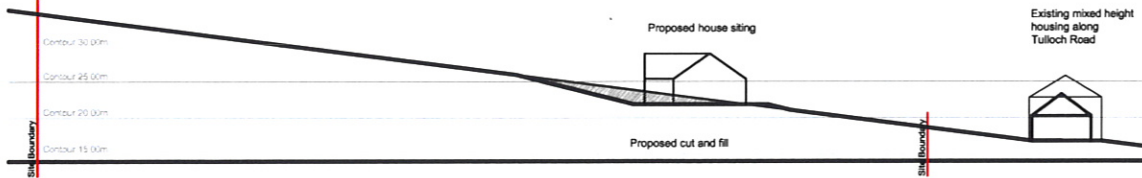
Mr B Coghill
 per Keppie Design
 160 West Regent Street
 Glasgow
 G2 4RL

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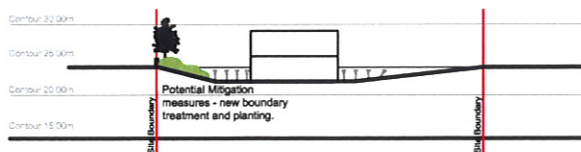
Tulloch Road - Bonar Bridge
 Indicative House Siting
 Scale 1:1000 @ A4



Section AA - Indicative End Elevation



Section BB - Indicative Front Elevation



keppie

GLASGOW
 160 West Regent Street
 Glasgow
 G2 4RL
 Tel 0141 204 0066
 www.keppiedesign.co.uk

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