

THE HIGHLAND COUNCIL

CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING APPLICATIONS COMMITTEE - 9 MARCH 2010

Agenda Item	
Report No	

08/00319/FULSU : Bocardo S/A
Land 290m North East Of Rosehall Parish Church, Rosehall

Report by Area Planning and Building Standards Manager

SUMMARY

Description : Erection of 6 private houses and 2 affordable houses; formation of new access on to A839; installation of private foul drainage system; erection of stables and sand school (as amended).

Recommendation - GRANT

Ward : 1 - North West and Central Sutherland

Development category : Local

Pre-determination hearing : None

Reason referred to Committee : Letter of objection from Creich Community Council.

1. PROPOSED DEVELOPMENT

- 1.1 The application is in detail and is for the erection of eight houses with an access road and private foul drainage system, and the erection of a stable block and sand school. Two of the eight houses would be 'affordable' houses.
- 1.2 Pre-application discussions during spring 2008 on the principles of developing housing on the site undertaken with agent.
- 1.3 There is no existing infrastructure on the site.
- 1.4 A Design Statement has been submitted in support of the application. This sets out an assessment of the site, orientation of the proposed houses, materials, energy principles and design of the development.
- 1.5 The numbers of houses proposed has changed from the original submission, mainly due to discussions on the numbers of houses required to meet the affordable housing policy – reduced from four to two. The position of these houses has also changed from being on the A839 frontage to opposite Plots 3 and 4. In addition, the location of the site access has also been moved further west in order to meet the minimum visibility standards required by TEC Services. The application was re-advertised to publicise these changes.

2. SITE DESCRIPTION

- 2.1 The site is located between the A837 Rosehall – Bonar Bridge and A839 Rosehall – Lairg roads. Access is from the A839, with the site falling away from the road. It is currently used for grazing, with trees along the boundary with the public road. The main aspect of the site is towards the Kyle of Sutherland to the west and southwest, which is set below the site.

3. PLANNING HISTORY

- 3.1 No previous planning history on the site.

4. PUBLIC PARTICIPATION

- 4.1 Advertised : 12.06.2010, 05.02.2010 – Potential Departure / Neighbour Notification
Representation deadline : 19.02.2010

Timeous representations : 4 (3 households)

Late representations : 0

- 4.2 Material considerations raised are summarised as follows:

- Impact on view.
- Water supply being impacted by additional houses.
- Impact on road network.
- Impact from foul drainage.
- Development not in accordance with Local Plan.

- 4.3 All letters of representation can be viewed at the Area Planning Office and for Councillors, will be available for inspection immediately prior to the Committee Meeting.

5. CONSULTATIONS

- 5.1 **Area Roads and Community Works Manager** : No objections. The proposed access onto the public road and the internal access road layout are acceptable. The road must be constructed under a Road Construction Consent to adoptable standards and 180m sight lines are required at the junction onto the public road.
- 5.2 **Housing Development Manager** : No objections. Two houses should be made available under the affordable housing policy. These should be targeted to first time buyers living in the immediate area.
- 5.3 **Creich Community Council** : Object. Development should be within the Local Plan area and close to Rosehall village and its facilities. Proposal would result in ribbon development. Difficulties getting connected to the mains water supply. Estate owns properties in the area which are not occupied and suggest the need to build on farmland whilst houses in area are unoccupied has not been demonstrated. Concerns about the procedures for the affordable housing and how these will be operated and by whom.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Structure Plan 2001

- | | |
|----|----------------------------|
| G1 | Conformity with Strategy |
| G2 | Design for Sustainability |
| H3 | Housing in the Countryside |

6.2 Deposit Draft Sutherland Local Plan

- | | |
|----|----------------------------|
| 3 | Wider Countryside |
| 5 | Affordable Housing |
| 16 | Housing in the Countryside |

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 Guidance

7.3 Scottish Government Planning Policy and Guidance

Not applicable

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 site is not located within the Settlement Development Area of Rosehall village, being in an area of wider surrounding countryside identified by policy 3 of the Deposit Draft Sutherland Local Plan. The more general Structure Plan policy H3 Housing in the Countryside also applies to the site. These policies broadly support the principle of a small scale housing development. In addition, Structure Plan policy G2 assesses development on the extent to which it:

- demonstrates sensitive siting and high quality design and makes use of appropriate materials

- contributes to the economic and social development of the community
- is compatible with service provision
- impacts on individual and community residential amenity

8.4 **Material Considerations**

The proposal is for 6No. houses to the west side of a new access road and 2No. affordable houses to the east side. In addition, a sand school and stable block are to be located at the southern end of the site. The sand school and stabling have dedicated parking spaces adjacent. Foul drainage is by a private foul drainage system (biodisc sewage treatment plant with engineered mounds). The affordable housing system is to the south of the houses, whilst the private houses each have a system to the west of them, within their curtilage.

8.5 The private houses are 2No. x 3 bed (plots 3 and 4 in the middle) and 4No. x 5 bed, two on either side (plots 1,2 & 5,6). The two affordable units are semi-detached. The design of the houses is very contemporary, with asymmetric roof pitches. External finishes are slate to the roof, horizontal timber (oak) cladding, with white harling, copper rainwater goods, solar panels to the roof and fenestration with a vertical emphasis. The houses are all south-west facing, maximising solar gain to the public and day rooms. The five bedroom houses are over 2 floors, with the three bedroom houses on one floor. The affordable units are on 2 floors. The design and materials for both the private and affordable houses are the same, with no outward differences, other than the size of the buildings. The designs are considered to be innovative and whilst they are not 'traditional', they are nevertheless acceptable and accord with the Council's Design Guidance for Housing in the Countryside. The building designs are from the German Weberhaus company, who produce prefabricated factory-finished houses for on-site assembly. High energy efficiency is part of the design ethos.

8.6 Representations on the application

- Difficulties getting connected to the mains water supply and existing water supplies being impacted by additional houses – Private water supply proposed using borehole.
- Impact on road – TEC Services have indicated that the proposal is acceptable and that the public road can cater for the additional traffic.
- Impact from foul drainage – The private foul drainage systems are designed by an engineer and are to be discharged to land and not a watercourse.
- Development not in accordance with Local Plan – Development plan policies of the Deposit Draft Sutherland Local Plan and Highland Structure Plan are supportive to the proposal in principle.
- Development should be within Rosehall village and close to its facilities – The development plan does not restrict new housing to solely within the Settlement Development Area of the village. Policy also supports the provision of housing outside the village although it does seek to consolidate the established immediate setting of the village.
- Proposal would result in ribbon development – The housing is set off the main road and is not considered to constitute ribbon development.

- 8.7 In response to the comments from Creich Community Council, the agent has advised that:
- Understand that some years ago the Estate informally discussed the development of housing on the site with the Council and that this was favourably received. Also assert that the Rosehall community is somewhat spread out without an obviously and clearly defined centre. Whilst this development is clearly outwith the curtilage of the hamlet settlement consider it is completely in keeping with the general principles of development in the more remote parts of the Highlands.
 - Lack of mains water - this was known at the outset and following discussions with the Estate and a local specialist water engineer are confident that a private supply is available in sufficient quantities to service the development. This would be achieved by sinking a suitable well, pumping the water into a storage system, with primary filtration and treatment/pressurisation at each individual dwelling utilising ultra-violet sterilisation technology.

8.8 **Other Considerations – not material**

- Impact on view – A ‘right to a view’ is not a material planning consideration.
- Concerns about the procedures for the affordable housing and how these will be operated and by whom – The allocation of houses by a private or public landlord is not a material planning consideration and is a matter for individual organisations’ internal procedures to address.
- Estate ownership of properties in the area which are not occupied – This is not a material planning consideration. The ownership and occupation of existing properties is not relevant to the consideration of the current application.

8.9 **Matters to be secured by Section 75 Agreement**

Members will note that the 2No. affordable houses must be secured as such by a legal agreement under Section 75 of the Act.

9. **CONCLUSION**

- 9.1 The development of the site accords with development plan policies identified at sections 6.1 and 6.2. In particular, I would advise Members that the proposals:
- demonstrate sensitive siting and high quality design and makes use of appropriate materials
 - contribute to the economic and social development of the community
 - are compatible with service provision
 - do not have a significantly detrimental impact on either individual or community residential amenity

all as required by Structure Plan policy G2 Design for Sustainability.

- 9.2 The layout of the buildings has been carefully considered in relation to the outlook and topographical aspect of the site. This has led to the proposed house designs which are modern but energy efficient, taking into account the sun's path for maximisation of passive solar gain and the views out and over the fields towards Strath Oykel. Members will note that there are no technical difficulties with the proposal. Whilst there are 6 detached houses for private sale, the Council's housing policy will also help to deliver two semi-detached houses to meet affordable needs. The Council's Housing Manager has indicated that these units should be provided for first-time buyers in the area. The design concept and material palette of all the houses is similar, so there is little to distinguish the housing tenures on site.
- 9.3 Overall, the proposal is considered to be acceptable and approval is recommended.

10. RECOMMENDATION

Action required before decision issued n

Notification to Scottish Ministers n

Notification to Historic Scotland n

Conclusion of Section 75 Agreement y

Revocation of previous permission n

Subject to the above, it is recommended the application be **Granted** subject to the following conditions and reasons and the prior conclusion of a s75 agreement to secure the delivery of 2 affordable housing units on the site (the two semi-detached houses):

(1.) The development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice.

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

(2.) No development shall start on site until the completed Notice of Initiation of Development (NID) form attached to this planning permission/approval of matters has been submitted to and acknowledged by the Planning Authority.

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

(3.) Upon completion of the development the completed Notice of Completion form attached to this decision notice shall be submitted to the Planning Authority.

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

(4.) 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.

(5.) All foul drainage arrangements shall be provided to the satisfaction of the Planning Authority in consultation with the Building Standards Authority. For the avoidance of doubt, the 6 individual houses to the west side of the access road shall be served by individual sewage treatment plants and engineered mounded soakaways; and the 2 houses to the east side of the access road shall be served by a single sewage treatment plant and engineered mounded soakaway; or as may otherwise be agreed in writing with the Planning Authority prior to the commencement of development on the site.

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

(6.) The two semi-detached houses to the east side of the access road shall be 'affordable housing'. No development shall commence on site until the developer has entered into a design and build contract with a social housing provider or equivalent to deliver the affordable housing units within Communities Scotland benchmark costs and built to Communities Scotland Housing for variable needs standards, unless otherwise first agreed in writing by the Planning Authority.

Reason: In order to ensure an adequate supply of affordable housing, in compliance with Council Policy.

(7.) All access arrangements shall be provided to the satisfaction of the Planning Authority in consultation with the Roads Authority and in accordance with the attached Technical Schedule. For the avoidance of doubt, the access road shall be constructed to adoptable standards. No development shall commence on site until the developer has applied for and been granted a Road Construction Consent by the Roads Authority.

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

(8.) The proposed water supply to service the development shall be treated to ensure its compliance with the Private Water Supplies (Scotland) Regulations 2006, or any Regulations revoking and re-enacting those Regulations, with or without modification, in terms of bacteriological and chemical quality.

Reason: In order to ensure that the development is served by a wholesome water supply.

(9.) Prior to the commencement of any development, the developer shall submit full written and plan details of the proposed stable block and sand school, including details of surface water drainage.

Reason: As no details have been provided and for the avoidance of doubt.

(10.) Prior to the commencement of development, 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 commencement/completion/occupation of the development and shall thereafter be maintained in accordance with the approved scheme of maintenance. Any plants which, within a period of five years from the commencement/completion/occupation of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the immediately following planting season with others of a similar size and species.

Reason: In the interests of amenity and in order to ensure that the development is adequately screened.

FOOTNOTE TO APPLICANT RELATIVE TO APPLICATION 08/00319/FULSU

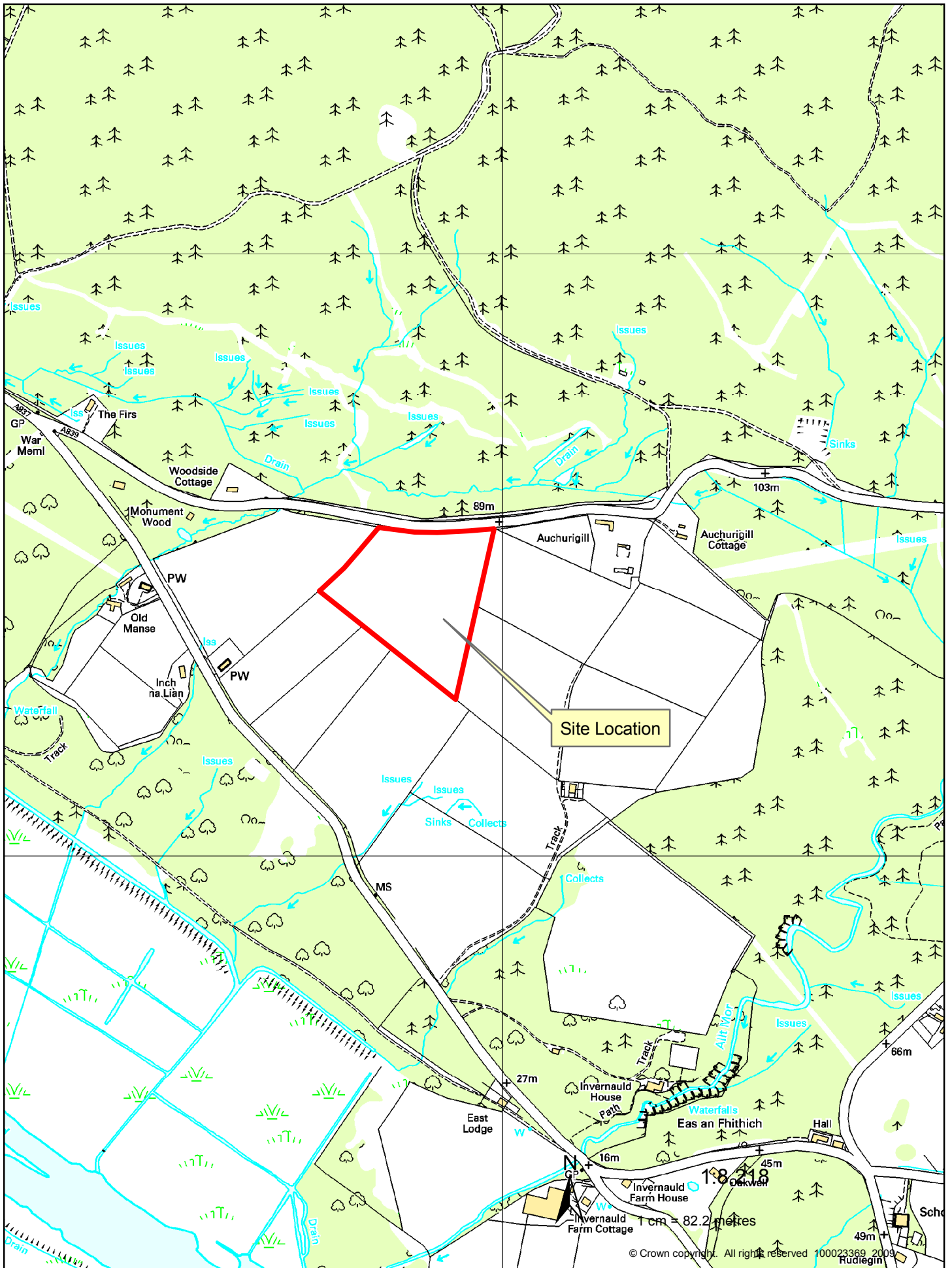
Please note: Your attention is drawn to the conditions attached to this permission. Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to meet these conditions may invalidate your permission or result in formal enforcement action.

Street Names: in line with the Council's Gaelic Language Plan and Policies, you are encouraged to consider the adoption of Gaelic or Gaelic-influenced street names in this development. For further guidance, you may wish to contact the Council's Gaelic Development Manager (01463 724287) or Comunn na Gàidhlig (01463 234138).

Road Openings Permit / Road Construction Consent: you may require consent from the Roads Authority prior to the commencement of this development. You are therefore advised to contact them direct to discuss the matter.

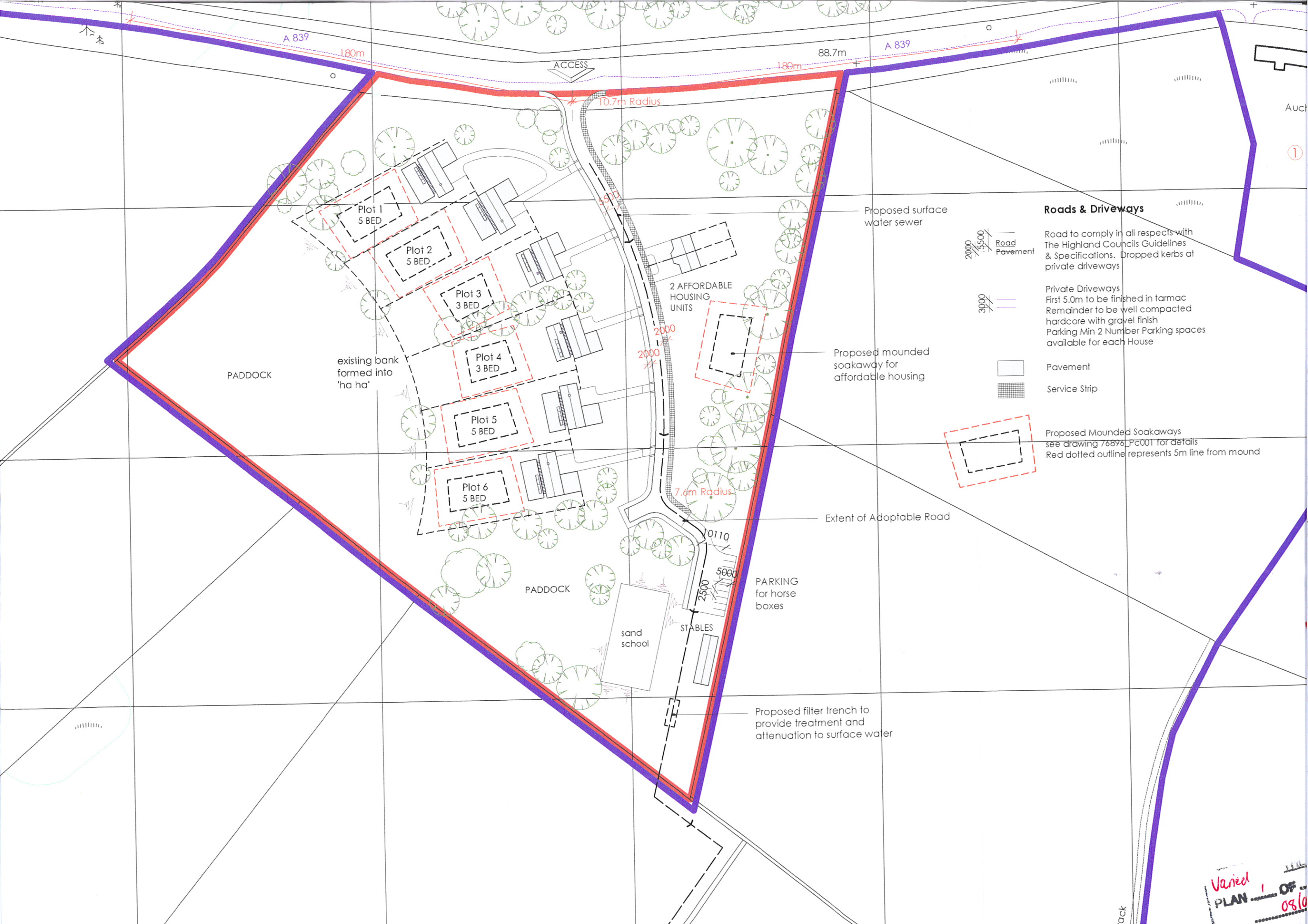
Flood Risk: It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (of emanating from) the application site. As per Scottish Planning Policy 7: Planning & Flooding, planning permission does not remove the liability position of developers or owners in relation to flood risk.

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: Plans 1-8 – Location, elevation, drainage, design statement



08/00319/FULSU
 Erection of 6 private houses and 2 affordable houses; formation of new access on to A839.
 Installation of private foul drainage system; erection of stables
 and sandschool (as amended) at Land 290m NE of Rosehall Parish Church, Rosehall.

Bocado SA
 per Michael Rasmussen Associates
 The Studio
 Station Square
 Aboyne
 Aberdeenshire
 AB34 5HX



A 839

180m

88.7m

A 839

ACCESS

10.7m Radius

Plot 1
5 BED

Plot 2
5 BED

Plot 3
3 BED

Plot 4
3 BED

Plot 5
5 BED

Plot 6
5 BED

existing bank
formed into
'ha ha'

PADDOCK

2 AFFORDABLE
HOUSING
UNITS

Proposed surface
water sewer

Proposed mounded
soakaway for
affordable housing

Extent of Adoptable Road

PARKING
for horse
boxes

sand
school

STABLES

Proposed filter trench to
provide treatment and
attenuation to surface water

Roads & Driveways

Road to comply in all respects with
The Highland Councils Guidelines
& Specifications. Dropped kerbs at
private driveways

Private Driveways
First 5.0m to be finished in tarmac
Remainder to be well compacted
hardcore with gravel finish
Parking Min 2 Number Parking spaces
available for each House

Pavement

Service Strip

Proposed Mounded Soakaways
see drawing 76896_Pc001 for details
Red dotted outline represents 5m line from mound

10110

5000

2500

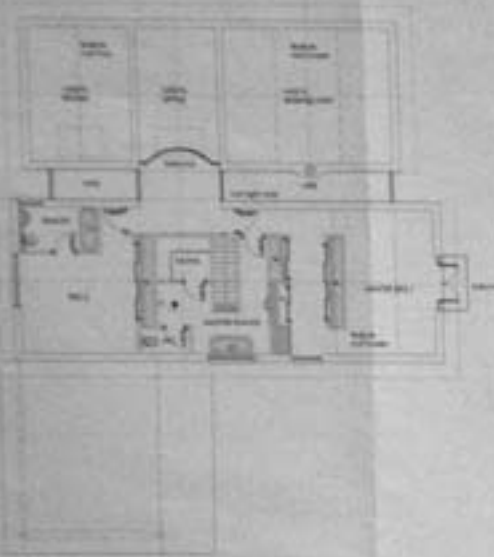
2000

2000

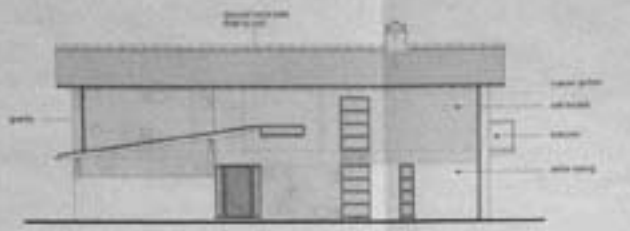
7.6m Radius

Varied
PLAN OF
08/10

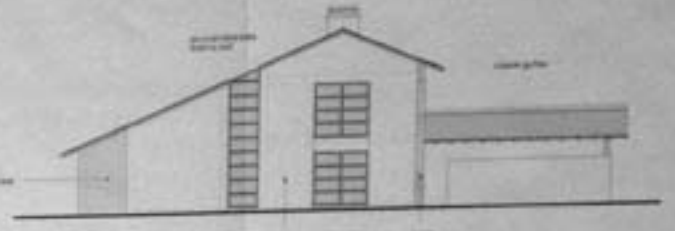
It is the responsibility of the Contractor to determine the feasibility of any design & alterations before commencing work. Any discrepancies must be reported to the office for modification. Structural or mechanical work not accepted by some of the other drawings etc.



FIRST FLOOR PLAN



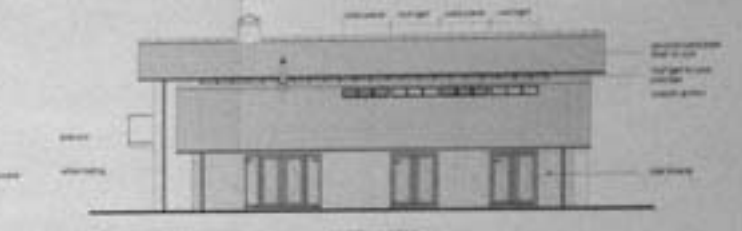
NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



GROUND FLOOR PLAN



PERSPECTIVE

Sheet 1 of 2
 PLAN OF 2. OF WILKINSON ROAD
 1/20/2018
 1/2/2018

MRA

Record SA
 Proposed Housing Development at
 2. of Wilkin Road
 Planning Drawing
 2 Bed House
 1/20/2018
 1/2/2018

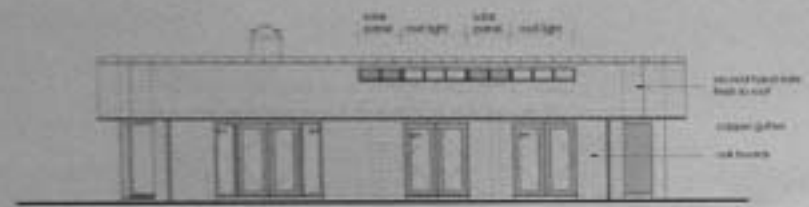
Construction Notes

It is the responsibility of Contractor to
 be advised to thoroughly check all
 drawings & dimensions before commencing
 work. Any discrepancies must be referred
 to this office for clarification otherwise
 no responsibility will be accepted for same.
 Use written dimensions only.



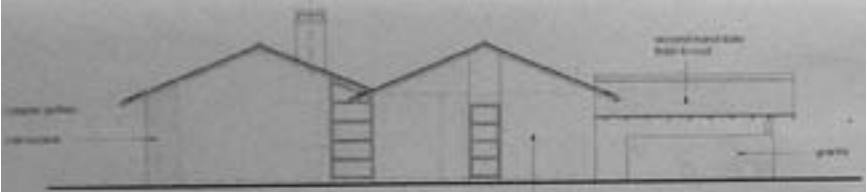
NORTH ELEVATION

High performance finish
 windows and doors



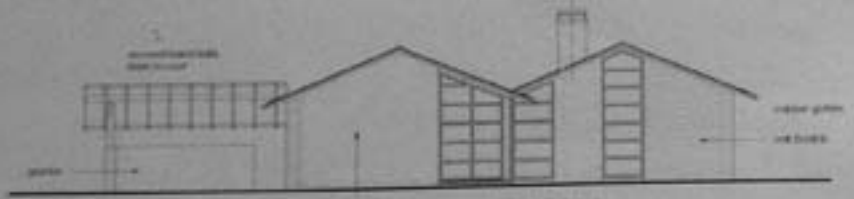
SOUTH ELEVATION

High performance finish
 windows and doors



EAST ELEVATION

High performance finish
 windows and doors



WEST ELEVATION

High performance finish
 windows and doors



GROUND FLOOR PLAN

MURRAY & CO. ARCHITECTS
 211 Main Street
 Dunfermline, Fife KY11 1AA
 Tel: 01382 626262
 Fax: 01382 626263
 Email: info@murrayandco.co.uk
 Website: www.murrayandco.co.uk



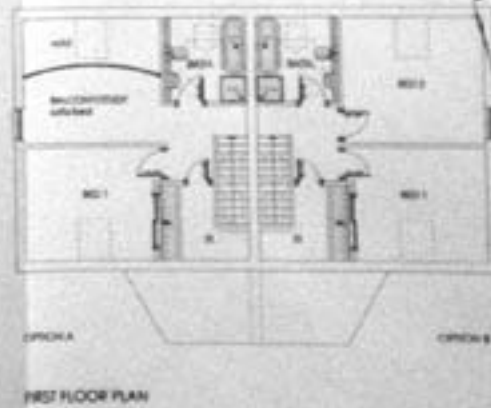
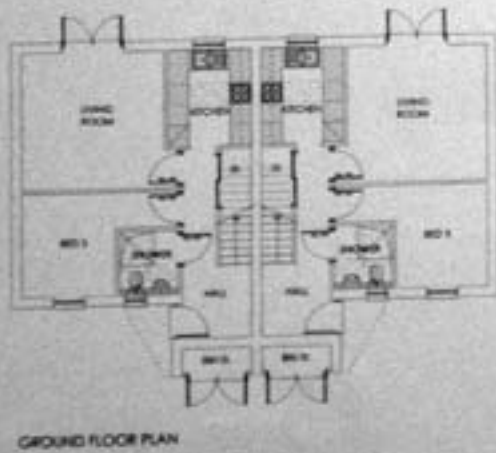
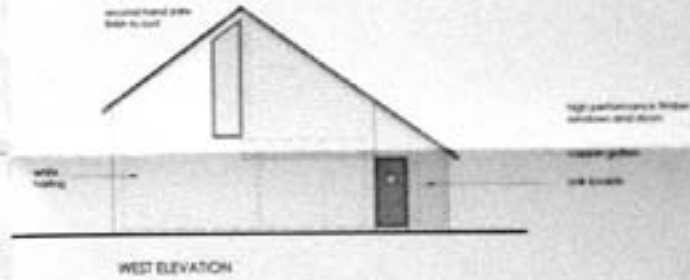
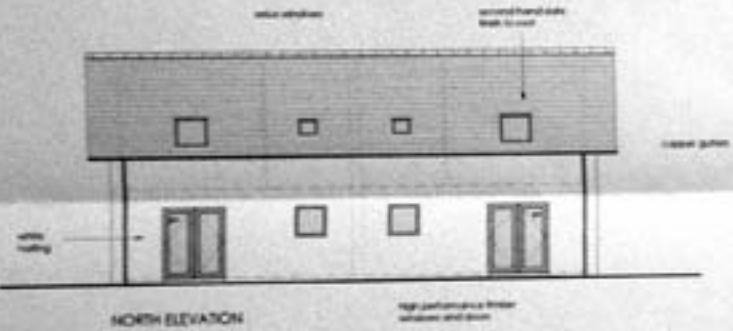
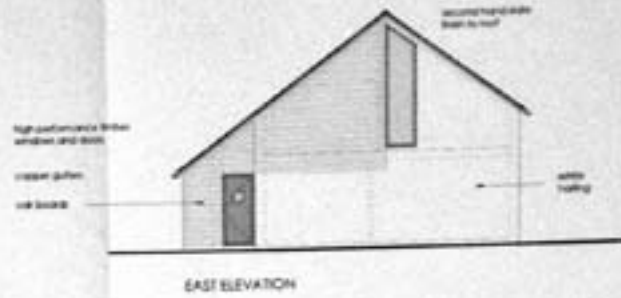
Bocardo SA

Proposed Housing Development at
 Inverisland Farm
 Sutherland
 Planning Drawing
 3 Bed House
 0218A/06
 1:100 SR
 04/10/08

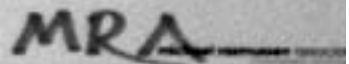
Big House, 211 Main Street, Dunfermline
 KY11 1AA
 Tel: 01382 626262 Fax: 01382 626263
 Email: info@murrayandco.co.uk Website: www.murrayandco.co.uk

Construction Note

It is the responsibility of Contractor to thoroughly check drawings & dimensions before commencing work. Any discrepancies must be referred to the office for clarification otherwise no responsibility will be accepted for any use without dimensions on



Client
 Date
 Architect
 Date
 Planning Department
 Permit No. 0718A
 0718B



Client: **Bocado SA**
 Project: **Proposed Housing Development at Inverquid Farm Sutherland**
 Drawing: **Planning Drawing Affordable Housing**
 Drawing Number: **0718A/07B**
 Scale: **1:100** Date: **5/8**
 Title: **06/02/08**

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