

THE HIGHLAND COUNCIL

**CAITHNESS, SUTHERLAND AND EASTER ROSS
PLANNING APPLICATIONS COMMITTEE – 1 JUNE 2010**

Agenda Item	
Report No	

**10/00066/PIPSU: Mr E C Forsyth
139 Clachtoll, Lochinver, Lairg**

Report by Area Planning and Building Standards Manager

SUMMARY

Description: Erection of house. Installation of septic tank and soakaway. Formation of new access to public road.

Recommendation - REFUSE

Ward: Ward 1 – North West & Central Sutherland.

Development category: Local development.

Pre-determination hearing: Not required.

Reason referred to Committee: Referred to Committee by Ward Members.

1. PROPOSED DEVELOPMENT

- 1.1 The application seeks planning permission in principle to erect a house, the installation of septic tank and soakaway and the formation of a new access on to the public road.

2. SITE DESCRIPTION

- 2.1 The site lies approximately 1.3 kilometres south-east of Clachtoll on the southern side of the B869. The site is currently rough grazing and is surrounded by the rocky landscape that characterises this part of the west coast. Ground levels rise upwards from the road and then drop sharply towards the sea to the south. There are stone remains of a building and enclosure at the southern end of the site.

3. PLANNING HISTORY

- 3.1 None.

4. PUBLIC PARTICIPATION

- 4.1 Advertised : Neighbour Notification
Representation deadline : 15.03.10

Timeous representations : 1

Late representations : 0

4.2 Material considerations raised are summarised as follows:

- The site is nearly a mile from the settlement area of Clachtoll. There does not seem to be any significant overriding justification in terms of supporting fragile communities; a development here is likely to be an expensive rather than an affordable house, and would probably be more attractive as a holiday home than for local needs.
- Impact on landscape and National Scenic Area. To have a second house at 139 Clachtoll would give the impression that the village starts nearly a mile earlier, and thus have a significant adverse impact on the NSA. It could also set a precedent for further housing between here and Clachtoll.
- Safety of the proposed access. The road at this point is single track, with a bend over convex ground. The sightlines when stopping or pulling out from our access are sufficiently poor to give us some concern, and it would be significantly worse for the proposed new access because it is closer to the brow of the slope leading towards Clachtoll.
- Infrastructure requirements and impact. The site would require its own drainage with a soakaway either draining towards our property or onto the public path down to the beach. Making the access for such a raised site will create significant landscape impact.

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 **Roads Authority: Object.** Visibility to the north-west from the proposed access is severely inadequate.

5.2 **Archaeology:** No objections. The application involves the demolition of the remains of a building and enclosure depicted on the 1st modern editions of OS mapping. Please attach a photographic record condition to any consent issues.

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 Sutherland Local Plan (As Modified/Intention to Adopt)

Policy 4.2 Natural, Built and Cultural Heritage

7. OTHER MATERIAL CONSIDERATIONS

7.1 Draft Development Plan

Not applicable.

7.2 Highland Council Supplementary Planning Policy Guidance

None

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

The proposal is considered contrary to Structure plan policies G2 and H3 and Sutherland Local Plan policy 4.2 as the proposal is not acceptable in terms of access as it would create a road safety hazard and would have a detrimental impact upon the safety of road users in the area.

8.4 Material Considerations

The application involves the formation of a new access onto the single track B869. The Roads Authority recommend refusal due to the severely inadequate north-west visibility splay from the proposed access. The Roads Authority would require a 2.5 metre x 90 metre visibility splay in order for the proposal to be acceptable. In this instance, there is no way of relocating the proposed access to achieve the 90 metre visibility splay in both directions. The access cannot be re-located any further to the south-east as it would be within neighbouring land outwith the control of the applicant. The convex nature of the road at this point, and natural landscape features, prevent any means of creating an acceptable visibility splay to the north-west. The best visibility splay that could likely be achieved is 30 metres, which is **severely below the standard required**. If permitted, the access would form a significant danger to road users.

The principle of a traditional single or one and a half storey house on the site is considered acceptable. The proposal is not considered to result in any significant impact upon neighbour amenity or the scenic qualities of the area. However, the inability to achieve acceptable visibility splays is considered to be significant and to warrant refusal of planning permission.

8.5 **Other Considerations – not material**

None.

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

None.

9. CONCLUSION

- 9.1 The development is considered contrary to policies G2 and H3 of the Highland Structure Plan and policy 4.2 of the Deposit Draft Sutherland Plan, as it fails to provide an acceptable north-west visibility splay from the proposed access and would have a detrimental impact upon the safety of road users in the area.

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 reason:

1. The development is contrary to policies G2 and H3 of the Highland Structure Plan and policy 4.2 of the Sutherland Local Plan (As Modified/Intention to Adopt), as it fails to provide an acceptable north-west visibility splay from the proposed access and would have a detrimental impact upon the safety of road users in the area.

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 – Location plan



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