

THE HIGHLAND COUNCIL

PLANNING APPLICATIONS COMMITTEE – 26 April 2016

Agenda Item	6.5
Report No	PLN/026/16

**16/01105/FUL: Mr Andrew Gunn
Land 55M West Of Newton House, Lybster**

Report by Area Planning Manager

SUMMARY

Description: Erection of house with integral garage and outbuilding, formation of vehicular access (reapplication of 15/00915/FUL)

Recommendation - GRANT

Ward : 04 – Landward Caithness

Development category: National

Pre-determination hearing: N/A

Reason referred to Committee: Area Manager's discretion given planning history.

1. PROPOSED DEVELOPMENT

- 1.1 The site is located immediately adjacent to the west edge of the village of Lybster, between Newton House and the minor road (C1053) junction leading towards Achavanich on the landward side of the A99(T). The land is currently agricultural in nature.

The proposal seeks to develop a 1 ¾ storey house within the site, orientated parallel to the A99(T). The house is located within the eastern half of the site which abuts the curtilage of Newton House on the west outskirts of the village. A single storey outbuilding is to be located to the rear of the house.

The form and scale of the house is akin to a substantial Victorian town or farm house borrowing significantly from the appearance of the adjacent Newton House, with 3 dormers splitting the wall head with peaked dormers, centrally located entrance door via small porch to the south elevation, facing the A99(T), with single window openings to either side of this porch. The house includes a single storey, stepped-in wing to the west accommodating a single garage and a 1 ¾, centrally positioned wing to the rear (north) with a dropped ridge. Chimneys are ridge positioned at either gable of the main body of the house.

The principal rooms comprise of an open plan lounge/kitchen/dining area, with utility room, WC and bedroom at ground floor with a further three bedrooms, one of which has an en-suite, a separate bathroom and a sitting area at first floor level.

A separate single storey outbuilding measuring approximately 19.7m in length, and 6m in width is proposed parallel to the house and located adjacent to the north boundary of the site – to the rear of the site behind the house in relation to the A99(T). This outbuilding also has two large garage doors. The floorplan submitted specifies the interior layout to be split between garage space and storage. It has a total footprint of approximately 118 square metres.

In terms of material finishes both house and outbuilding share external finishes with roofs of natural slate with wet dash rendered walls, an option for a slate substitute tile has been indicated for the outbuilding. The windows and doors will be white finished PVCu with black rectilinear PVCu rainwater goods. Garage doors to be sectional type finished in white. Material finishes have been considered as stated on drawings N14-17-04 Rev. C and N14-17-05 Rev. B.

- 1.2 The site was previously subject to pre-application advice, followed by planning application 15/00915/FUL. This was refused by NPAC 15 September 2015. Note planning history in section 3 below.
- 1.3 Vehicular access is proposed from the Lybster – Achavanich road (C1053). The applicant has amended plans to illustrate a pedestrian access on the east boundary of the site onto an adjacent private track which thereafter adjoins the A99(T).
- 1.4 A private access checklist and a design statement have been produced in support of the application.
- 1.5 **Variations:** All submitted plans have been subject to amendment to clarify orientation of house, attached garage location and orientation. Detailed amendments have included addition of a floorplan for the outbuilding and the illustration of pedestrian access from the site to the private lane to the east of the site.

2. SITE DESCRIPTION

- 2.1 This site is agricultural in character, laid to grass. Uses of the site in recent years have included grazing for horses and to accommodate a small enclosure for ducks/hens. There are also tree saplings within the site. Whilst typically grass covered there is evidence of encroachment of soft rush particularly in the south west corner of the site formed between the A99(T) and the junction with the minor road (C1053). This suggests poor soil/sub soil drainage in this part of the site. It is also noted that a significant proportion of the site bounding the A99(T) is set below the level of the road. There is currently an agricultural access to the site from the C1053.

The proposal will be viewed in the context of the west approach to the village of Lybster on the A99(T). This entry to the village is characterised by substantial and historic traditional stone built properties adjacent to and bracketing the main road. These properties have mature gardens with stone built walls, which clearly define the entrance to the village.

3. PLANNING HISTORY

3.1 15/00915/FUL Erection of house with integral garage and outbuildings, formation of vehicular access. Application refused at NPAC. The points for refusal can be summarised as:

- Unsympathetic design resulting in a visually intrusive development to the detriment of the village entry on the A99 (T) from the West.
- Sporadic development outwith settlement boundary contrary to settlement policy
- Inappropriate scale and massing
- Inappropriate siting
- Failure to demonstrate appropriate non-vehicular links from the development site to the adjacent village of Lybster.

4. PUBLIC PARTICIPATION

4.1 Advertised : Unknown Neighbour
Representation deadline : 01.04.2016
Timeous representations : 2 – in support
Late representations : 0

4.2 Material considerations raised are summarised as follows:

- Improvement in appearance of the entry to the village from the west

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam. Access to computers can be made available via Planning and Development Service offices.

5. CONSULTATIONS

5.1 **THC Policy** : No objection
The house design within the original application (15/00915/FUL) had very little compatibility with the adjoining buildings or the distinctive character of the village. The revised proposals (16/01105/FUL) are of a much higher quality of house design. It is apparent that measures have been taken to redesign the house to better reflect local and national planning guidance and the advice which was provided at pre-application stage. The revised landscaping proposals are also an improvement taking into consideration its prominent location and historic surrounding. The inclusion of a dry stone dyke of natural Caithness stone will be an important feature in integrating the new development with the traditional neighbouring properties.

Reservations remain regarding the proposed development outwith, but adjacent to the defined settlement boundary of Lybster, which is particularly evident on the ground through the well established and attractive entrance to the village from the west, characterised by historic, traditionally designed buildings, mature trees and natural stone perimeter walls/dykes. Balance is introduced by improved consideration of the design of the proposed house, its setting and the reflection of existing historic building styles evident on entry to the village. In excess of the design of the house the landscaping and securing of the natural stone wall, contemporaneous to the house development is viewed as a key consideration to be secured by condition.

The elevation drawings show that natural slate is to be used on the roof of the house and outbuilding. This will contribute significantly towards a high quality finish and fit in well with the more historic characteristics of the area.

The revised proposals do not raise significant concerns from a Development Plans point of view.

5.2 THC Access Officer: No objection.

A pedestrian link is desirable whilst noting the limitations that are imposed by the Trunk Roads Authority regarding the provision of access along the boundary of the site with the trunk road A99(T) and the C1053.

5.3 THC Roads: No objection.

Advice as per 15/00915/FUL regarding vehicle access to be taken from the C1053 road. Visibility splays of 2.4m x 55 meters to the south and 2.4m x 100m to the north are considered as acceptable given the likely speed of vehicles approaching and departing from the junction of the C1053 and the A99(T). The new access to be formed with a junction in accordance with roads specification SDB1 with access, parking and turning requirements in accordance with THC guidance 'Access to Single Houses and Small Housing Developments'. Matters raised in connection with non-vehicular link with the adjacent village of Lybster have been addressed with a pedestrian link being proposed by the applicant to the private lane adjoining the east boundary of the site.

5.4 Transport Scotland: No objection pending appropriate conditions.

The Trunk Roads Authority seek conditions to ensure that the site is separated from the trunk road by an unclimbable barrier, that any footway connections to the existing trunk road footway network and there is no drainage connections to the road drainage system.

5.5 Crofting Commission: No objection (from consultation per 15/00915/FUL)

The Crofting Commission clarified the status of the land as a registered croft through consideration of the previous application which was subject to refusal on grounds other crofting considerations. Points raised from previous consultation response remain pertinent to this application;

- The siting of the development does not unreasonably restrict the flexibility to cultivate and move stock on the remaining croft land.

- The siting of the development does not unreasonably restrict access to the remaining croft land and that a minimum of 4m access to all residual area is maintained.
- The siting of the development avoids the better quality soils of the croft.
- The development does not have a detrimental impact on the area of land available for agricultural activity and therefore on the agricultural potential of the croft.

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6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

28	Sustainable Design
29	Design Quality and Place-Making
30	Physical Constraints
34	Settlement Development Areas
36	Development in the Wider Countryside
47	Safeguarding Inbye/AppORTioned Croftland
56	Travel
57	Natural, Built and Cultural Heritage
64	Flood Risk
65	Waste Water Treatment
66	Surface Water Drainage
77	Public Access

6.2 Caithness Local Plan

The development site is situated immediately adjacent to the western settlement boundary of Lybster as defined within the map booklet, inset 9: Lybster, which informs the Caithness Local Plan. The local plan identifies settlement boundaries to focus growth within existing settlements and to protect the settlement character. It also helps to avoid inappropriate and unplanned sprawl of built development on the fringes of settlements. This approach has been carried forward into the HwLDP under Policy 34 Settlement Development Area (SDA).

NB This local plan is relevant only insofar as it continues in force post-adoption of the Highland-wide Local Development Plan. More information at:

<http://www.legislation.gov.uk/ssi/2012/90/made>

7. OTHER MATERIAL CONSIDERATIONS

7.1 Draft Development Plan

Caithness and Sutherland Local Plan

- 7.2 **Highland Council Supplementary Planning Policy Guidance**
Access to Single Houses and Small Housing Developments (May 2011)
Housing in the Countryside and Siting and Design (March 2013)
Physical Constraints (March 2013)
Sustainable Design Guide (Jan 2013)
- 7.3 **Scottish Government Planning Policy and Guidance**
SPP (2014)
Scottish Planning Policy (SPP), June 2014, states, as a policy principle, that;
‘Planning should take every opportunity to create high quality places by taking a design-led approach’. Development Management, s.56, expressly states that **‘Design is a material consideration in determining planning applications. Planning permission may be refused and the refusal defended at appeal or local review solely on design grounds’**.

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 location of the site is within an area denoted as ‘wider countryside’ as defined by Policy 36, Development in the Wider Countryside, of the HwLDP. The site is in a boundary situation as it abuts the western extent of the defined settlement boundary on the landward (north) side of A99(T) on this principal entry to the village heading north. Given the defined boundary between ‘wider countryside’ and ‘settlement’ it is appropriate to consider context. The house is proposed as centrally located within the east half of the plot adjacent to the existing settlement boundary of Lybster therefore the development would be viewed as an extension to the village in context rather than as a wholly rural development. As noted in section 2.1 above, the village has a well defined settlement boundary and has one of the finest local townscapes in Caithness. Policy 36 states that development proposals shall be assessed to the extent to which they are acceptable in terms of ***siting and design, sympathetic to existing patterns of development, landscape character and, how they conform with existing and approved adjacent land uses and the effect on any natural, built and cultural heritage features***. Developments which are judged to be significantly detrimental in terms of the policy will not be supported unless there are clear material considerations which would justify permission being granted.
- 8.3.1 Policy 28, Sustainable Design, of the HwLDP lists general design considerations applicable to all applications stating that development has to;
‘demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environment and in making use of appropriate materials’

- 8.3.2 Policy 29, Design Quality and Place-Making, states '**New development should be designed to make a positive contribution to the architectural and visual quality of the place in which it is located**' furthermore development should be judged on their contribution to place-making.
- 8.3.3 Policy 34, Settlement Development Areas, states that development within defined settlement development areas will be supported if they meet all other relevant policies of the plan. Whilst the proposed location is not within the defined settlement development area of Lybster, the immediate proximity of the development site, abutting the settlement boundary, requires that this policy is considered. The context of the development is in direct association with Lybster rather than as a wholly rural plot separated from the settlement.
- 8.3.4 Policy 36, Development in the Wider Countryside requires that developments shall be assessed to the extent to which they; '**are acceptable in terms of siting and design and are sympathetic to existing patterns of development in the area**' with consideration of landscape character and capacity, loss of locally important croft land and servicing requirements. Development proposals in such areas should be compliant with the relevant sections of the Housing in the Countryside and Siting and Design: Supplementary Guidance.
- 8.3.5 Policy 47, Safeguarding Inbye/Apportioned Croftland, states that the Council expects development to minimise the loss of inbye/apportioned croft land and that all developments should avoid, where possible;
- Siting on the better part of the croft in terms of its agricultural value; and
 - Impeding the use of the remaining croft land by virtue of its location
- 8.3.6 Policy 56, Travel, states that the Council requires to consider any on- and off- site transport implication of the development and should:
- be well served by the most sustainable modes of travel available in the locality from the outset, providing opportunity for modal shift from private car to more sustainable transport modes wherever possible, having regard to key travel desire lines;
 - in particular, the Council will seek to ensure that opportunities for encouraging walking and cycling are maximised;
 - be designed for the safety and convenience of all potential users;
 - incorporate appropriate mitigation on site and/or off site, provided through developer contributions where necessary, which might include improvements and enhancements to the walking/cycling network and public transport services, road improvements and new roads; and
 - incorporate an appropriate level of parking provision, having regard to the travel modes and services which will be available and key travel desire lines and to the maximum parking standards laid out in Scottish Planning Policy or those set by the Council.

The above points are universal to all development under consideration, however such issues must be considered in context given the scale and nature of the development.

- 8.3.7 General Policies of the Caithness Local Plan (September 2002) state in reference to Settlement Policies that ***'The Council will maintain a strong presumption against sporadic development outwith settlement boundaries in order to protect their landscape setting'***
- 8.3.8 The siting and design of the proposed house has been subject to discussion and review with the agent with full consideration of case history. The agent has re-assessed the site with significant and fundamental design changes being proposed to the house, from that previously refused by NPAC. The proposed development has also considered a non-vehicular access link to the village of Lybster together with appropriate boundary and landscape detailing in the context and setting of the site. The development rationale has been subject to a significant shift in perspective to present a case in greater harmony with the high quality setting of the village entry and prominent situation of a house in this location on the approach into Lybster on the A99(T) from the west.

8.4 **Material Considerations**

Well-designed buildings and places are 'valued' within the built environment. Planning policy at national, regional and local levels all stress the importance of securing appropriate development in the appropriate place.

- 8.5 The location of the proposal, on the outside of the sweeping bend of the trunk road on entry to the village of Lybster from the west makes the site both prominent and highly visible. The location is such that there is currently a very clear distinction between the countryside and the village. Open agricultural fields to either side of the trunk road contribute to an exceptionally well defined entry into the village from the west, framed by substantial Victorian villas allied with extensive natural stone built walls and mature trees. The approach to this entry to the village is well balanced with a strong local character and sense of place. The challenge for any house development at this location is therefore significant as an appropriate proposal requires assessment in relation to a site which will be viewed as a transition between the countryside and the village in the context of the entry to the village.

8.6 **Design and Materials**

Setting is a key consideration in the context of the design of the historic buildings on entry to Lybster from the west. The proposed design of the house draws significantly from the context and design of the neighbouring Newton House to the east of the site. The developer has recognised the issues raised at pre-application and reasons for refusal in the previous application, presenting a much improved design that whilst modern, reflects the character of existing neighbouring properties on entry to the village from the west. This has been achieved by concentrating the design on the substantial central mass of the proposed house, complete with traditional detailing of pierced wall heads accommodating three peak roofed dormers, chimneys at either gable and a small projecting pitched roof porch on entry with traditional material finishes of wet dash harl for wall finishes and natural slate for the roof.

Initially there was a discrepancy between the supporting statement which denoted a roof finish of 'redland Richmond 10 slate grey interlocking tiles' whilst the drawings specified 'natural slate'. It is considered for the house, as the more prominent element of the development, that natural slate is a key component in securing a successful design solution. This is a key consideration to demonstrate a very high quality design which does not detract from the prominent setting and entry to the village from the west. The use natural slate would be preferred on the outbuilding to the rear but a good quality artificial slate tile is acceptable. There is very little to compare the current house proposal to that subject to refusal which was a 1 ½ storey truncated gable ended 'T' plan house which followed a ubiquitous suburban kit house design. As such the refused development failed to demonstrate a high quality design to the potential detriment of the setting and character of the entry to the village of Lybster from the west. The design proposed sits more comfortably within the setting and evidences an approach that respects the existing character of adjacent buildings and should add, rather than detract from, the appealing entrance to the village on the A99(T) from the west.

The natural stone wall proposed to the front of the property is stated as a significant financial commitment in the supporting design statement. The applicant has requested that this feature be constructed within 5 years post completion of the house. Whilst the applicants request is noted, it is considered the completion of the wall is an important factor in the assimilation of the house in this context and should be completed prior to the occupation of the house to ensure this.

It is considered that the amendments to the house design and finish coupled with the proposed boundary details allow this proposal to be viewed as a successful extension to the village of Lybster. The revised proposal successfully addresses the previously stated concerns.

8.7 Access

Vehicular road access is proposed from the (C1053) Lybster – Achavanich road which will be covered by condition.

The applicant has stated his desire to form a pedestrian link from the site along the fragmented roadside footway provision adjacent to the A99(T) at the western end of the village. This has been achieved through a link from the site to the adjacent private lane/track on the east boundary of the site using an existing access point within the confines of the A99(T) subject to the 40mph speed limit. This outcome avoids potential issues with the Trunk Roads Authority as it uses an existing link and thereby avoids any direct access, either vehicular or pedestrian, to/from the trunk road.

The possible provision of a formalised pedestrian link along the site's frontage from the village to the C1053 Lybster - Achavanich road would be advantageous for non-vehicular access takers. However the consultation from Transport Scotland appears to preclude access along the A99(T) road verge. The applicant has however noted on plan N14/17/01 Rev. B, a 1.0m wide strip being reserved along the entire boundary with the A99(T) for 'future path and services'. This is

considered positively and makes allowance for future non-vehicular access development if proposed. Were this strip to be utilised in the future, formal agreement would be required to be sought from the Trunk Roads Authority.

8.8 **Crofting**

The application site comprises a registered croft. The extent of the application area may be considered as the entirety of the croft in the applicants' control, given that no other land in the control or ownership of the applicant has been identified nor stated. The Crofting Commission have considered the status of the Croft as vacant in a multiple owner situation as a component of a larger croft of 16.19ha, of which this land parcel amounts to 0.441ha (1.09 acres). The Crofting Commission have stated that the applicant, is the landlord/owner of this section of croft land. It is recognised that The Crofting Commission have no stated objection to this development which by its nature and extent will reduce this already very small croft significantly. It is unclear as to whether the applicant will seek a de-crofting direction in part or in whole to cover the application site, similarly it is unclear whether the applicant intends to use the undeveloped remainder of the croft for agricultural purpose.

The proposed house, shed, immediate domestic curtilage and access will typically occupy the better drained parts of the croft land whilst retaining an area of useable and accessible croft land. This has been noted and considered by The Crofting Commission in the previous application. A condition clearly delineating the nature and use of land within the development site can be employed to differentiate between land that will be retained/safeguarded as croft land and that used and occupied in relation to the house. The applicant has stated the use of the outbuilding will aid in the use and management of the residual croft area.

8.9 **Landscaping**

The developer has provided an indicative landscaping plan as a component of the location/site plan, drawing no. N14/17/01 rev. B. This plan indicates a stone dyke feature along the south boundary in relation to the house site. The supporting design statement makes reference to this stone wall although provides no detail of the wall apart from location. Given the significance and weight to its setting, particularly aided by existing stone walls on entry to the village from the west, securing further detail of this feature and completion of its construction at the same time as the house is considered important. The further planting of trees and shrubs on the boundary and particularly at the western end of the site is considered favourably and shall assist in breaking-up and softening the appearance of the development through time in addition to replicating the existing character on entrance to the village. Further detail of boundary treatments and landscaping is considered necessary to ensure a high quality, fully considered landscaping plan is secured and pursued for this site.

8.10 **Drainage**

Foul drainage is proposed to connect to the public mains sewer. Surface water drainage is to be discharged on site to a soakaway. Surface water drainage provision from the proposed outbuilding is not stated. Scottish Water was previously consulted on application 15/00915/FUL with no response noted. Given the incomplete consideration of surface water drainage on the submitted plans a

condition is considered necessary to ensure this matter is fully considered. No connection is proposed to the roadside drain noting the consultation comment from the Trunk Roads Authority to prevent such. The issue of preventing surface water connection to the road network drainage system can be stated in the condition clarifying surface water drainage.

9. CONCLUSION

- 9.1 It is considered that the amendments to the house design and finish coupled with the proposed boundary details allow this proposal to be viewed as an extension to the village of Lybster. The revised proposal successfully addresses the previously stated concerns which led to the refusal of the previous application and represent a significant and welcome improvement which can be supported. All relevant matters have been taken into account when appraising this application. It is considered, on balance, that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. RECOMMENDATION

Action required before decision issued N

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

1. No other development shall commence until the site access has been constructed in accordance with The Highland Council's Access to Single Houses and Small Housing Developments guidelines and the attached Access Schedule (dated 08.04.2016), with:
 - i. the junction formed to comply with drawing ref. SDB1; and
 - ii. visibility splays of 2.4m x 55m looking left and 2.4m x 100m looking right (the X dimension and Y dimension respectively) in each direction formed from the centre line of the junction.

Within the stated visibility splays, at no time shall anything obscure visibility between a driver's eye height of 1.05m positioned at the X dimension and an object height of 0.60m anywhere along the Y dimension.

Reason : To ensure that an adequate level of access is timeously provided for the development; in the interests of road safety and amenity.

2. Prior to the first occupation of the dwellinghouse, parking spaces (excluding garages) for a minimum of 3 cars shall be provided within its curtilage together with the vehicle turning area shown on the approved plan, reference N14-17-01 REV A, in accordance with The Highland Council's Access to Single Houses and Small Developments, and shall thereafter be maintained for this use in perpetuity.

Reason : To ensure that sufficient space is provided within the application site for the parking (and, where necessary, turning) of cars, so they do not have to park within or reverse onto the public road.

3. No development shall commence until full details of the natural stone dyke as indicated on drawing no. N14-17-01 REV B has been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt this dyke shall be designed and constructed to reflect the established stone walls on the entry to Lybster on the A99(T) from the west in terms of finished character, appearance and scale. The requirement for this wall to be unclimbable along the boundary of the site with the trunk road shall also be incorporated. Thereafter the natural stone dyke shall be built in accordance with these approved details prior to the occupation of the house hereby approved.

Reason : To ensure that the proposed stone dyke is sensitively designed, constructed contemporaneously with the house and maintained to safeguard the established character and amenity of the village entry on the A99(T) from the West and in the interests of road safety.

4. No development shall commence until a supplementary plan outlining the extent of the residential curtilage to be associated with the development hereby approved has been submitted to, and approved in writing, by the Planning Authority. Thereafter, all land included within the residential curtilage delineated on the approved supplementary plan shall be taken as being the area to which any change in use of land permitted by this planning permission applies. For the avoidance of doubt, the use and purpose of any land lying outwith the residential curtilage delineated on the approved plan shall remain unchanged by this planning permission.

Reason : In order to enable the planning authority to consider this matter(s) in detail prior to the commencement of development; in the interests of amenity and to safeguard thecrofting use of land outwith residential curtilage.

5. The roof of the house shall be finished in natural slate as detailed in N14-17-04 Rev. C .

Reason : In order to ensure that a high standard of finish is achieved and for the avoidance of doubt, appropriate to the location and setting of Lybster.

6. The roof of the outbuilding shall be finished either in natural slate or a good quality slate substitute. Full details of which shall be submitted to and approved in writing by the Planning Authority prior to the commencement of works on the foundations of the outbuilding.

Reason : In order to ensure that a high standard of finish is achieved and for the avoidance of doubt, appropriate to the location and setting of Lybster

7. No development shall commence until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:

- i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
- ii. A plan showing existing landscaping features and vegetation to be retained;

- iii. The location and design, including materials, of any existing or proposed walls, fences and gates;
- iv. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and
- v. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason : In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site and to avoid uncertainty.

- 8. The outbuilding approved as a component of this development shall be used solely for purposes incidental to the domestic use and enjoyment of the house and/or active non-intensive agricultural/crofting use of the agricultural ground within the application site.

Reason : To ensure that the use of the outbuilding is sensitive to, and compatible with the use and enjoyment of the house and croft and does not have an adverse impact on the amenity or character of the area.

- 9. No development shall commence until full details of all surface water drainage provision within the application site (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Second Edition, or any superseding guidance prevailing at the time) have been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt there shall be no drainage connection into the road network drainage system. Thereafter, only the approved details shall be implemented and all surface water drainage provision shall be completed prior to the first occupation of any of the development.

Reason : To ensure that surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment.

REASON FOR DECISION

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

TIME LIMITS

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Accordance with Approved Plans and Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). 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 adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

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 (or emanating from) the application site. As per Scottish Planning Policy (p.198), planning permission does not remove the liability position of developers or owners in relation to flood risk.

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.

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as dropped kerb consent, a road openings permit, occupation of the road permit etc.) from TECS Roads prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local TECS Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

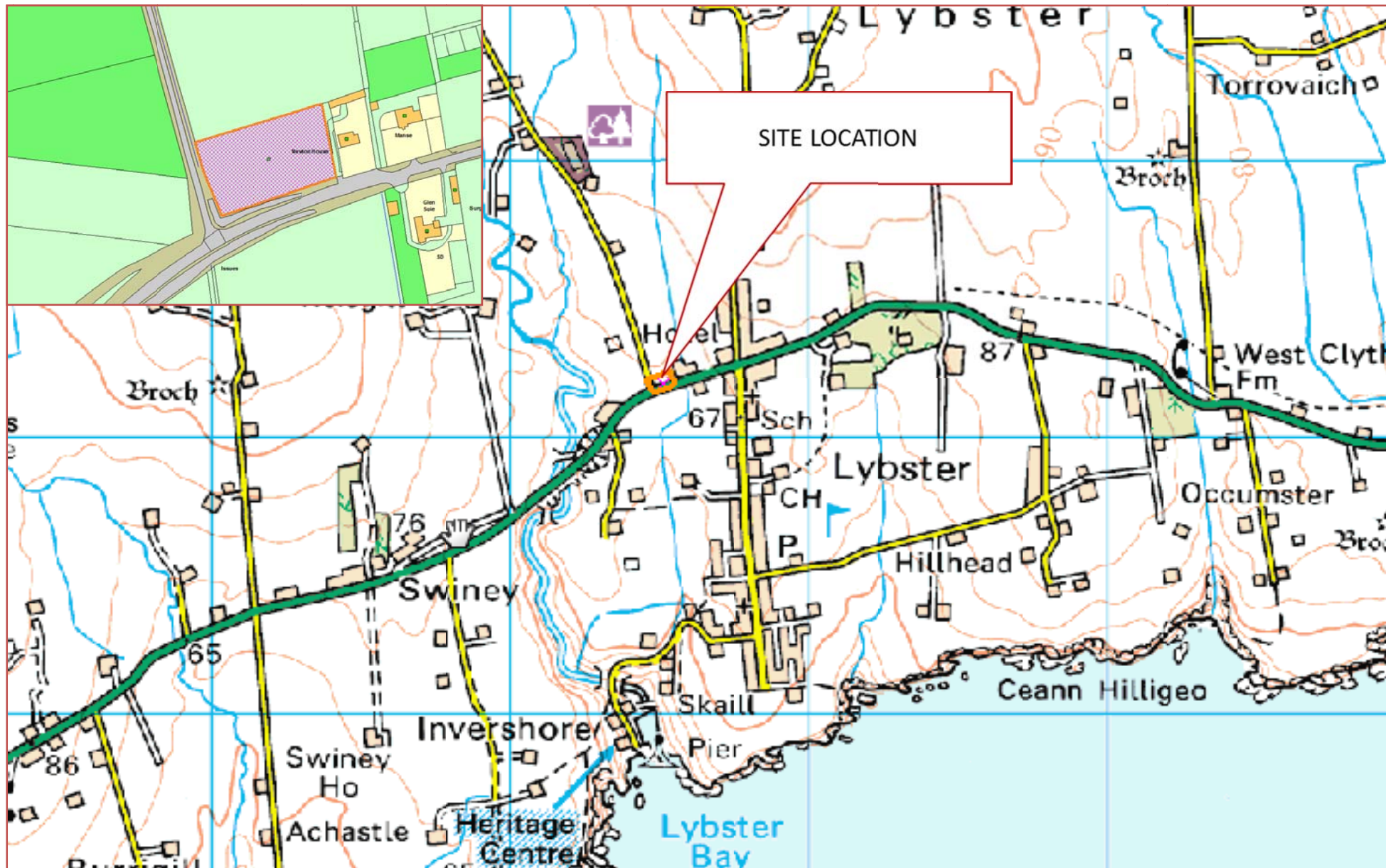
Further information on the Council's roads standards can be found at:
<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:
<http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm>

Mud and Debris on Road

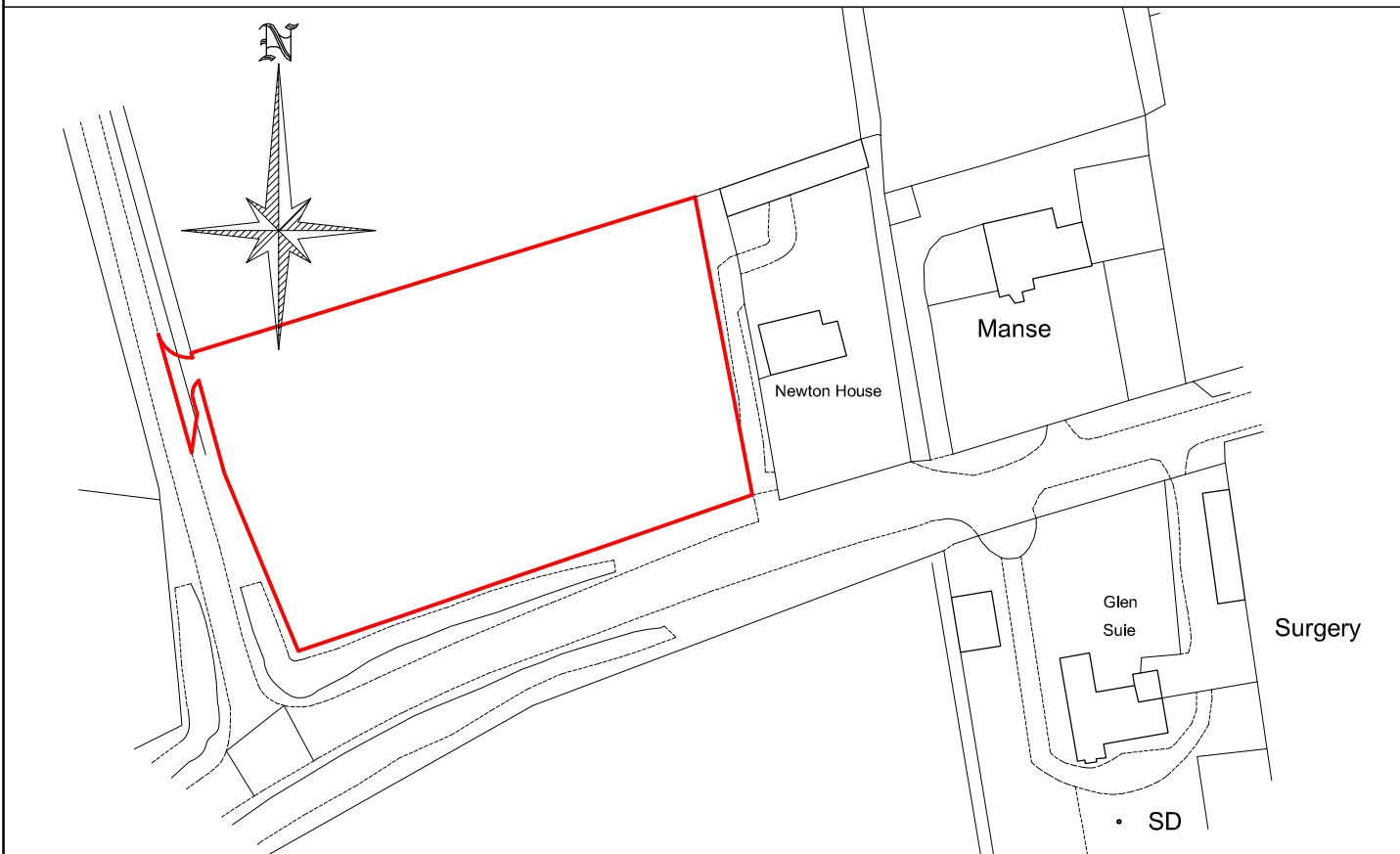
Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Signature:	Dafydd Jones
Designation:	Area Planning Manager North
Author:	David Barclay
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 – N14-17-01 REV B Location Plan Plan 2 – N14-17-02 REV C Ground Floor Plan Plan 3 – N14-17-03 REV C First Floor Plan Plan 4 – N14-17-04 REV C Elevation Plan Plan 5 – N14-17-05 REV B Elevation Plan

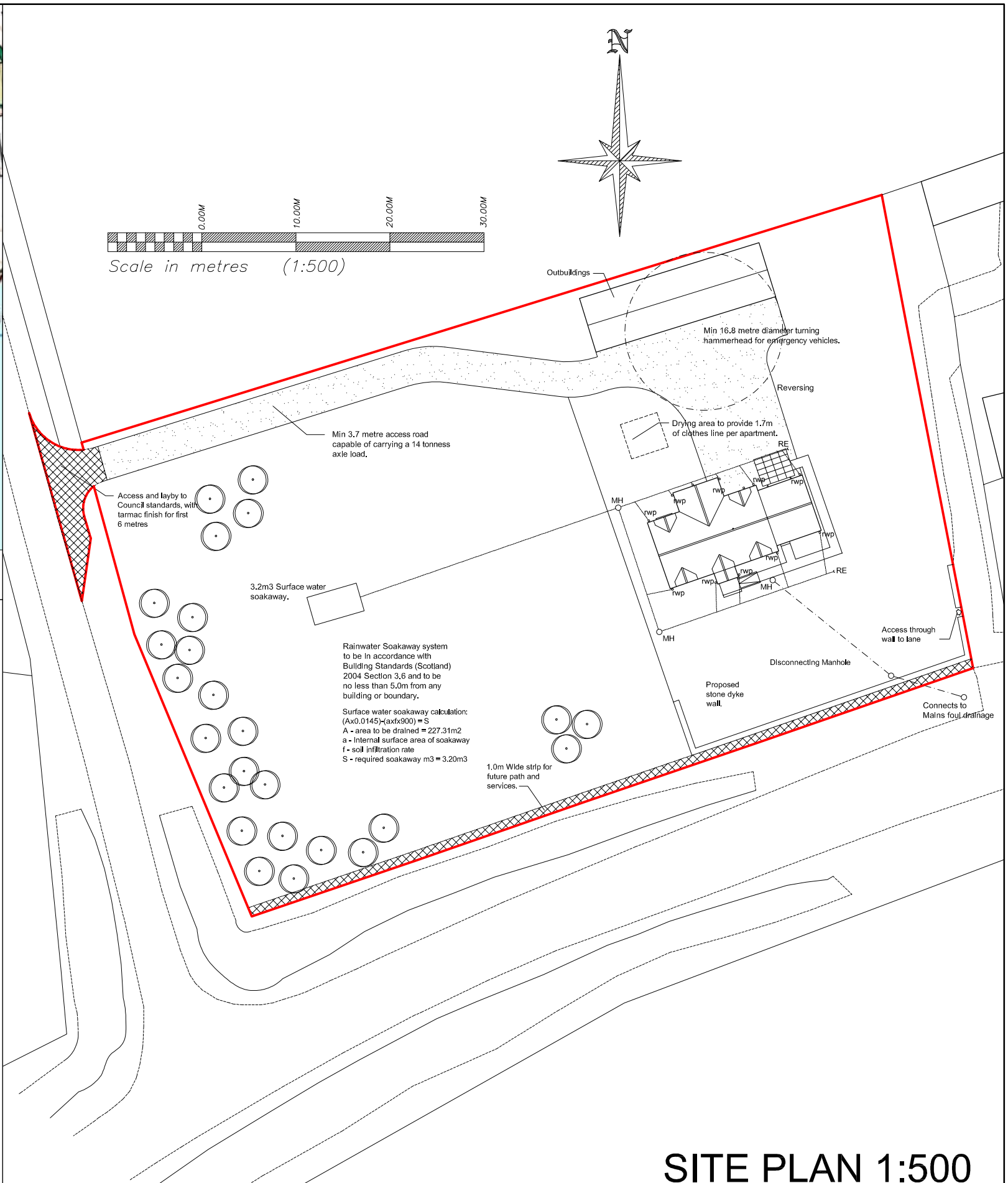




MAP

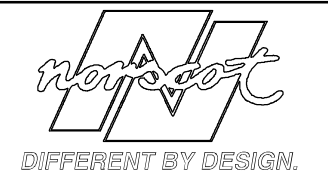


LOCATION PLAN



SITE PLAN 1:500

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Customer:
Mr Andrew Gunn,

Location:
Proposed new house,
Newton of Swiney,
Lybster,
Caithness.

Drawn By: JAF
Checked By:
Customer Approval:

Scale: 1:500
Date: 29/07/14

Drawing No: N14/17/01
Revision: B
Rev'A' Pedestrian access moved to lane 23/03/16 PW
Rev'B' Revised house orientation JAF 12/04/16

Norscot Joinery Limited
Bower Workshops, Caithness, KW1 4TL
Telephone: 01955 641303
Fax: 01955 641207
Web site: www.norscot.co.uk
E-mail: info@norscot.co.uk

General Notes:

Entrance door to have a clear opening of 800mm and threshold to permit unassisted wheelchair access in accordance with clause 4.1.9 of the Building (Scotland) Regulations 2007.

Internal doors to be as per schedule.

All obscure glazing to bathrooms, en-suites to be 'Leaf' pattern.

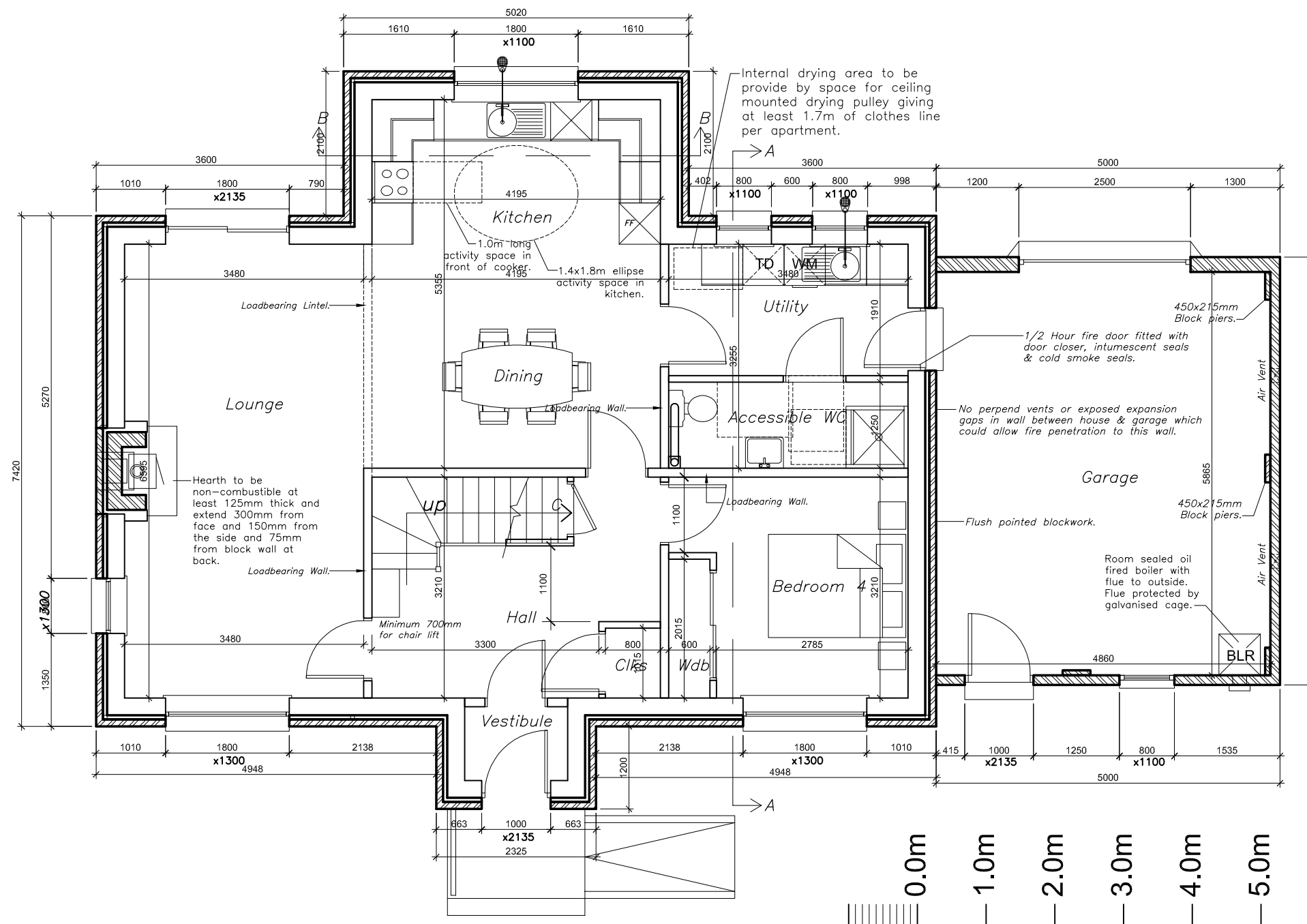
Partitions around bathrooms and apartments to be filled with 60mm insulation, as denoted by hatching.

Disabled access ramp to be constructed from insitu, concrete, with a non-slip finish, and 100mm upstand kerbs.

Thermostatic valves to be fitted to hot water supply.

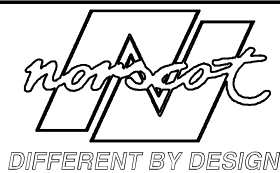
External flue terminals to be a minimum distance of 600mm from any opening (including tumble dryer outlet) and 300mm from any corner.

FS - Denotes 38x50mm treated fire stop.
EJ - Denotes expansion joint.



Scale 1:100

GENERAL FLOOR PLAN



Customer:
Mr Andrew Gunn,

Location:
Proposed new house,
Newtown of Swiney,
Lybster,
Caithness.

Drawn By: PW

Scale: 1:75

Drawing No: N14/17/02

Checked By:

Date: 04/03/14

Revision

Rev'A: Added scale bar JAF 18/03/15
Rev'B: New house type PW 08/12/15
Rev'C: Revised house orientation JAF 12/04/16

C

Customer Approval:

Norscot Joinery Limited
Bower Workshops, Caithness, KW1 4TL
Telephone: 01955 641303
Fax: 01955 641207
Web site: www.norscot.co.uk
E-mail: info@norscot.co.uk

General Notes:

Entrance door to have a clear opening of 800mm and threshold to permit unassisted wheelchair access in accordance with clause 4.1.9 of the Building (Scotland) Regulations 2007.

Internal doors to be as per schedule.

All obscure glazing to bathrooms, en-suites to be 'Leaf' pattern.

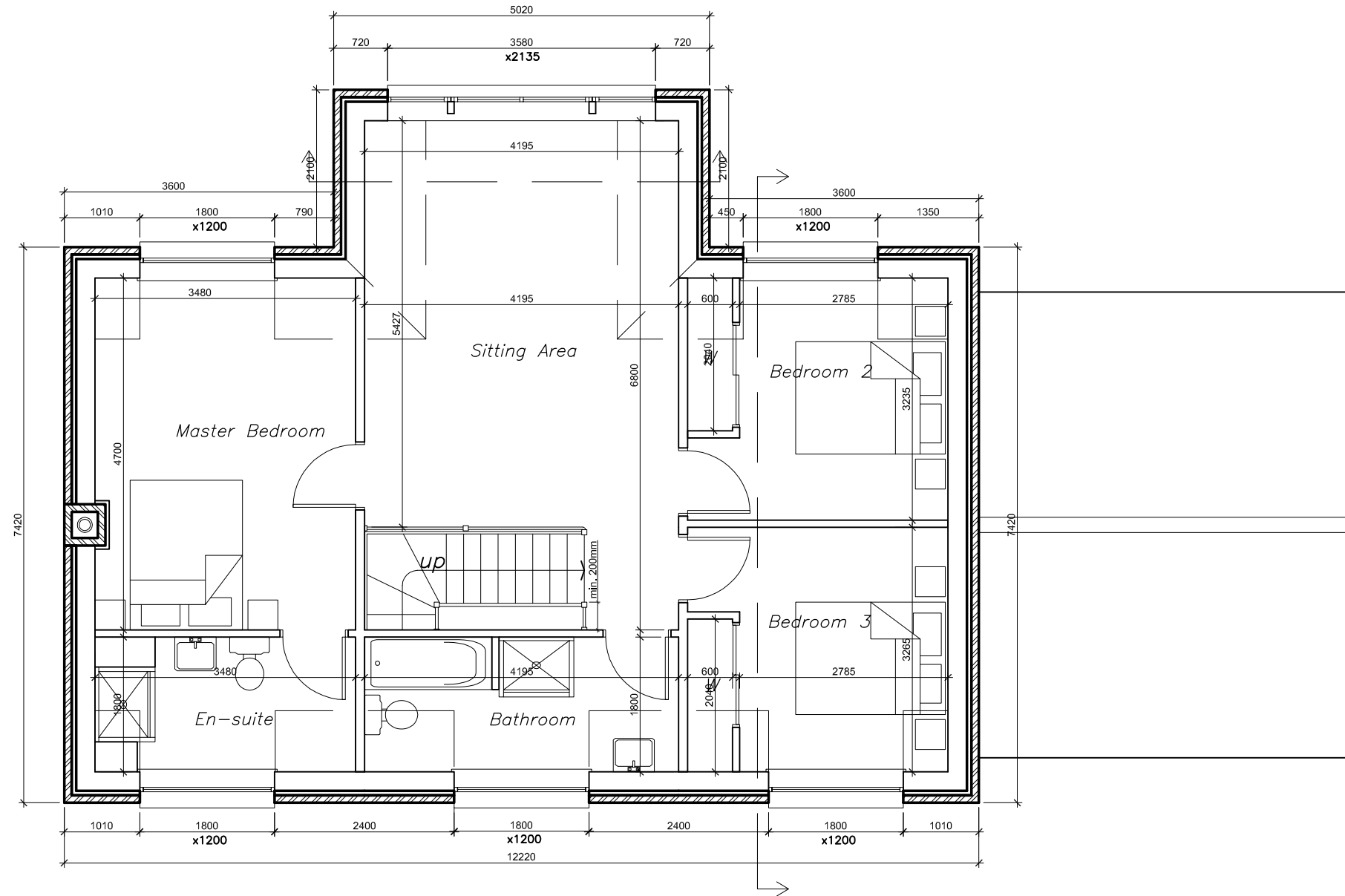
Partitions around bathrooms and apartments to be filled with 60mm insulation, as denoted by hatching.

Disabled access ramp to be constructed from insitu, concrete, with a non-slip finish, and 100mm upstand kerbs.

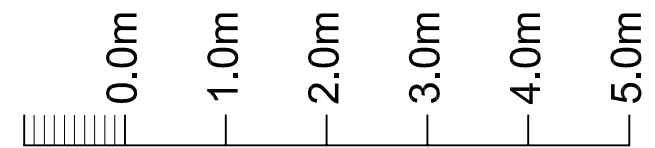
Thermostatic valves to be fitted to hot water supply.

External flue terminals to be a minimum distance of 600mm from any opening (including tumble dryer outlet) and 300mm from any corner.

FS - Denotes 38x50mm treated fire stop.
EJ - Denotes expansion joint.

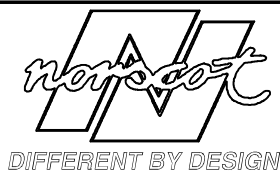


STAIR
Treads—230 going, Risers—205 rise.
Min head room—2000mm.
Balustrade to height(min) of 900mm above nosing line with Tapered treads to conform with Part 4.3 of Building Standards (Scotland) regulations 2004.
rails spaced such that a 100mm dia sphere will not pass between.



Scale 1:100

GENERAL FIRST FLOOR PLAN



Customer:
Mr Andrew Gunn,

Location:
Proposed new house,
Newtown of Swiney,
Lybster,
Caithness.

Drawn By: PW

Scale: 1:75

Drawing No: N14/17/03

Checked By:

Date: 04/03/14

Revision

C

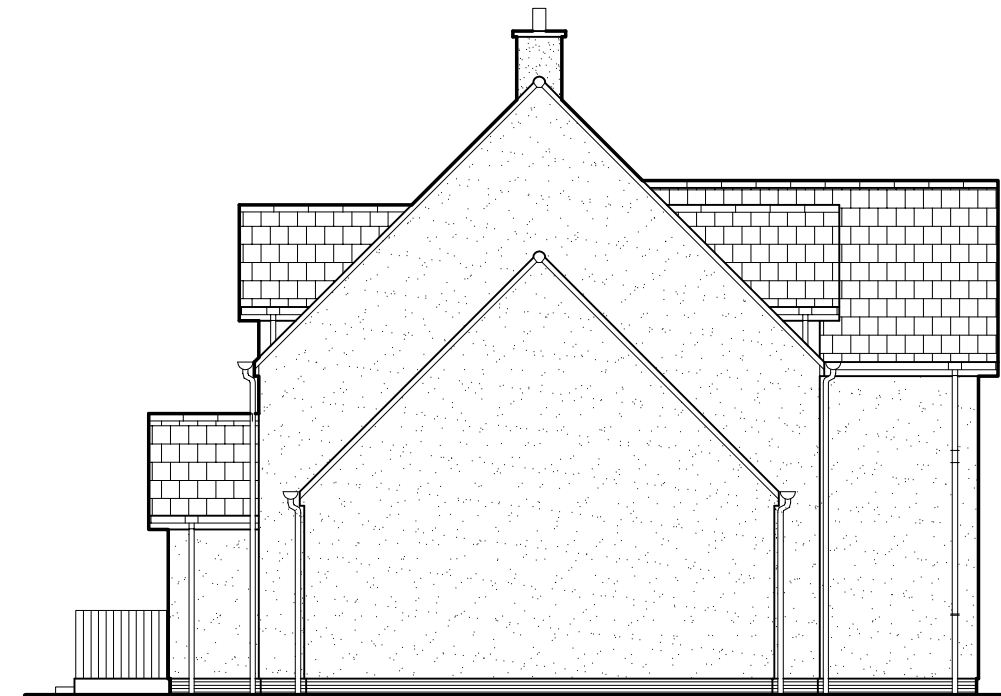
Customer Approval:

Rev'A: Added scale bar JAF 18/03/15
Rev'B: New house type PW 08/12/15
Rev'C: Revised house orientation JAF 12/04/16

Norscot Joinery Limited
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Telephone: 01955 641303
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FRONT ELEVATION



SIDE ELEVATION



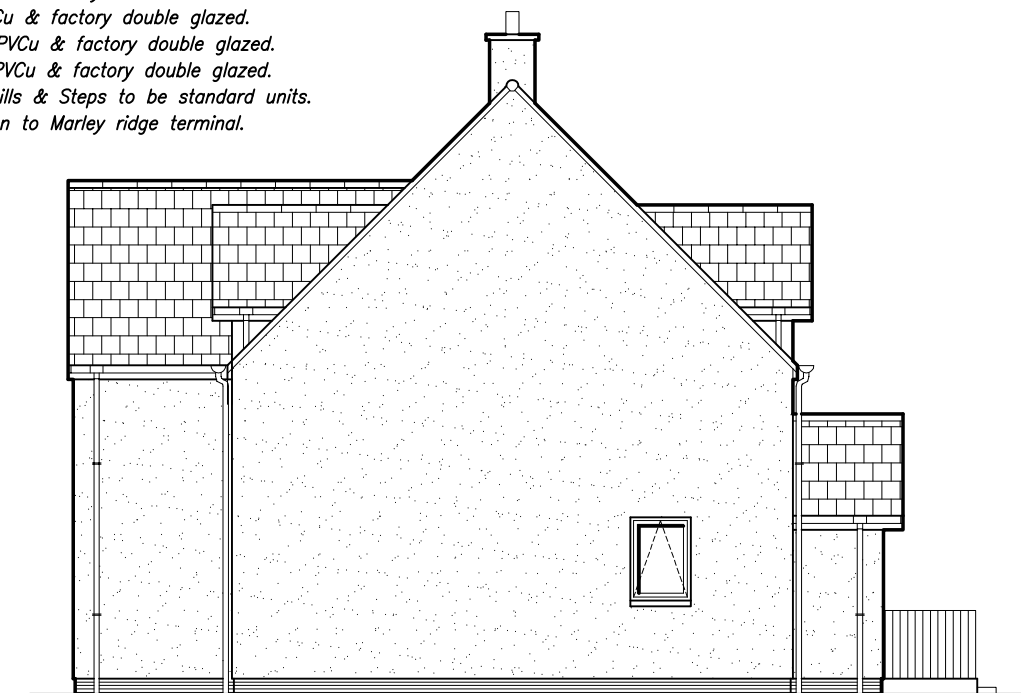
Scale 1:100



REAR ELEVATION

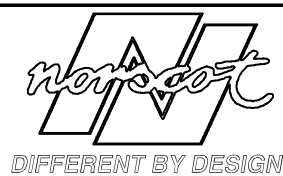
EXTERNAL FINISHES

Roof Covering:- 45° Natural slate with matching dry ridge & verge.
 Render to Walls:- White painted wet dash.
 Fascia & Soffit:- White PVCu with continuous over fascia vent.
 Rainwater Goods:- Black Marley Rectilinear or similar.
 Windows:- White PVCu & factory double glazed.
 Front Door:- White PVCu & factory double glazed.
 Back Door:- White PVCu & factory double glazed.
 Precast Concrete Cills & Steps to be standard units.
 S.W.V.P. to be taken to Marley ridge terminal.



SIDE ELEVATION

ELEVATIONS



Customer:
Mr Andrew Gunn,

Location:
Proposed new house,
Newtown of Swiney,
Lybster,
Caithness.

Drawn By: PW

Scale: 1:125

Drawing No: N14/17/04

Checked By:

Date: 09/07/14

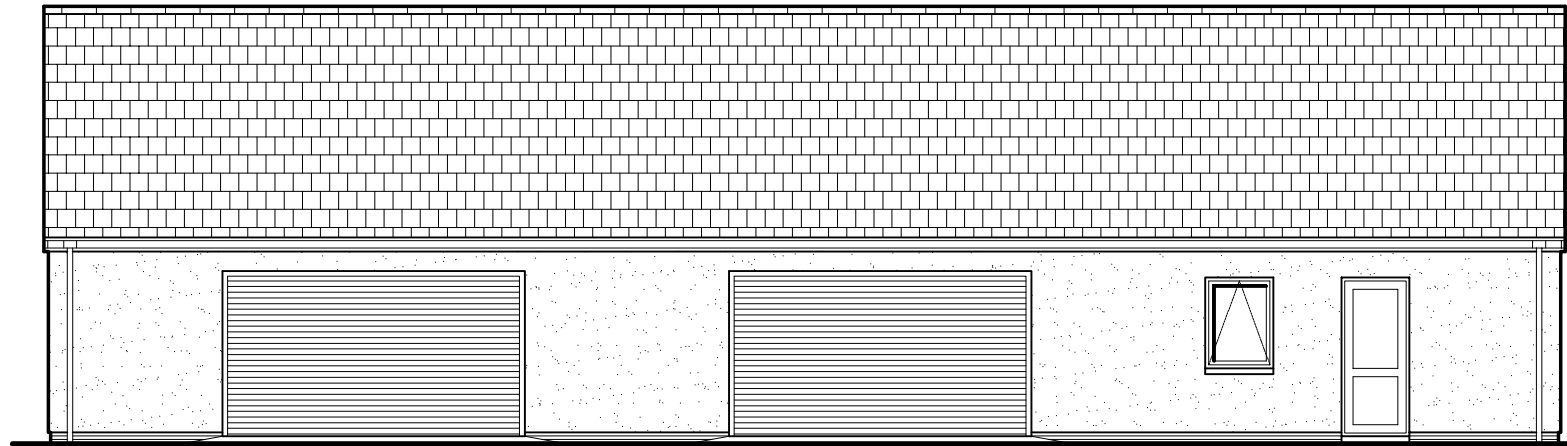
Revision

Rev'A: Added scale bar JAF 18/03/15
 Rev'B: New house type PW 08/12/15
 Rev'C: Revised house orientation JAF 12/04/16

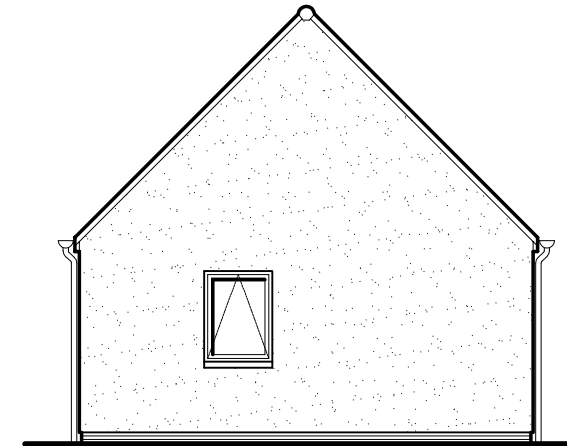
C

Customer Approval:

Norscot Joinery Limited
 Bower Workshops, Caithness, KW1 4TL
 Telephone: 01955 641303
 Fax: 01955 641207
 Web site: www.norscot.co.uk
 E-mail: info@norscot.co.uk



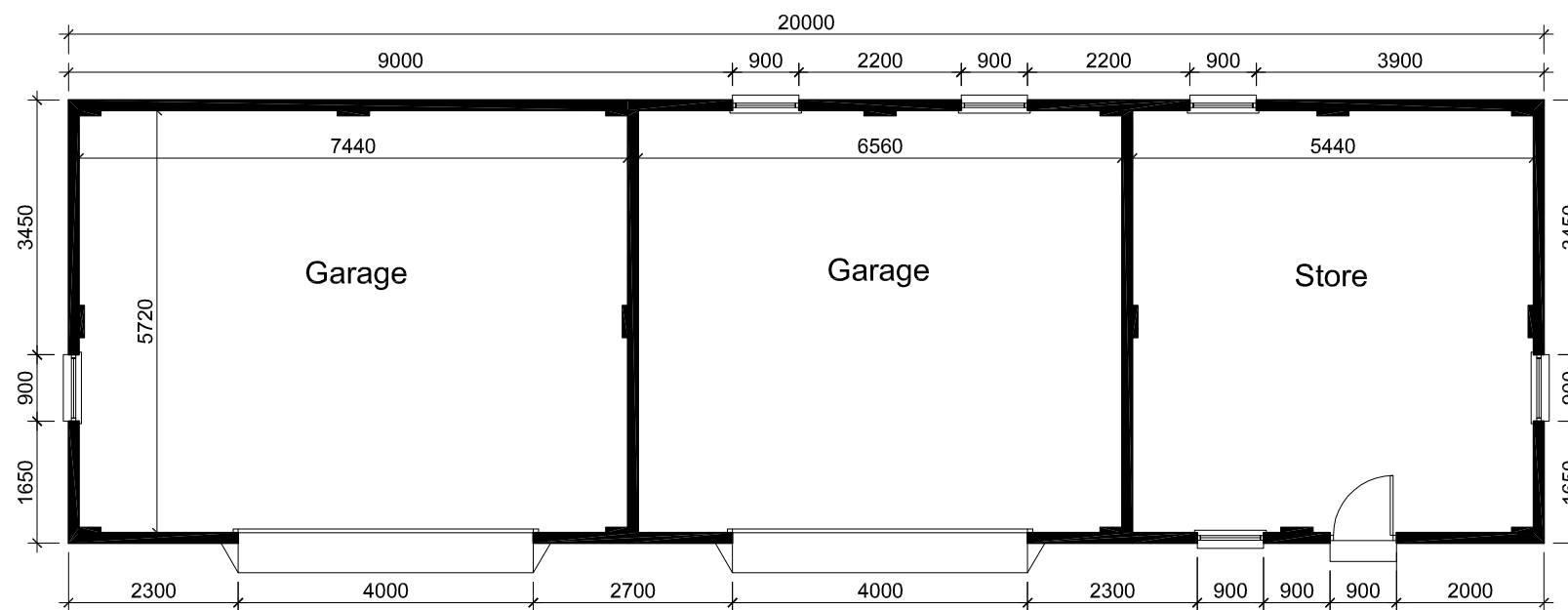
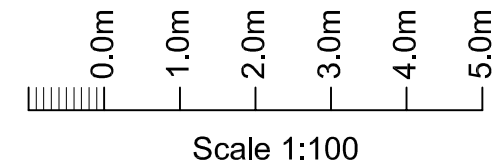
FRONT ELEVATION



SIDE ELEVATION

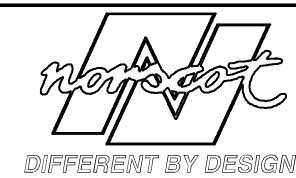
EXTERNAL FINISHES

Roof Covering:- 45° Natural slate or slate substitute.
 Render to Walls:- White painted wet dash.
 Fascia & Soffit:- White PVCu with continuous over fascia vent.
 Rainwater Goods:- Black Marley Rectilinear or similar.
 Windows:- White PVCu & factory double glazed.
 Front Door:- White PVCu & factory double glazed.
 Garage Door:- White sectional.
 Precast Concrete Cills & Steps to be standard units.
 S.W.V.P. to be taken to Marley ridge terminal.



FLOOR PLAN

Proposed Outbuilding



Customer:
Mr Andrew Gunn,

Location:
Proposed new house,
Newtown of Swiney,
Lybster,
Caithness.

Drawn By: JAF
Checked By:
Customer Approval:

Scale: 1:100
Date: 05/03/15

Drawing No: N14/17/05
Revision: B
Rev'A': Added scale bar JAF 18/03/15
Rev'B': Added floor plan JAF 12/04/16

Norscot Joinery Limited
Bower Workshops, Caithness, KW1 4TL
Telephone: 01955 641303
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Web site: www.norscot.co.uk
E-mail: info@norscot.co.uk