

Agenda Item	6.3
Report No	PLN/081/19

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 8 October 2019

Report Title: 19/02453/FUL: Mr David Miller
Land 60M NE of Longberry House, Oldwick, Wick.

Report By: Acting Head of Development Management – Highland

1. Purpose/Executive Summary

1.1 **Description:** Erection of house

Ward: 03 - Wick And East Caithness

1.2 **Development category:** Local

Reason referred to Committee: Local Members request

All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

2. Recommendations

2.1 Members are asked to agree the recommendation to refuse planning permission as set out in section 11 of the report.

3. PROPOSED DEVELOPMENT

- 3.1 The application seeks consent for a single storey house along with the extension of a vehicular access and the installation of private sewerage treatment plant and soakaway. The bungalow has a 'L' shaped footprint of approximately 250 sqm with integral garage and shallow 30° pitched roof. The proposed materials include anthracite grey uPVC windows and rainwater goods, Marley Edgemere slate-like tiles for the roof with some photovoltaic panels on the south west elevation, while the door and external wall finishes are not specified in the application. The house would be positioned centrally within the plot and aligned with the plot boundaries.
- 3.2 There is an existing private access driveway serving Longberry House to the southwest that would require extending to the site, otherwise there is no infrastructure on the site.
- 3.3 Pre Application Consultation: no pre-application advice was sought prior to the submission of the application.
- 3.4 Supporting Information: Percolation Tests Results and Private Access Checklist.
- 3.5 Variations: none.

4. SITE DESCRIPTION

- 4.1 The application site forms approximately 0.1ha at the northwest limit of an open agricultural grazing field, 160m east of the Oldwick residential development (*CaSPlan allocation WK03*) that defines the edge of the Wick Settlement Development Area. The site is positioned 95m from edge of Longberry Road, creating a second tier of development at the back of the field, and is partway accessed from the aforementioned private driveway. The ground is largely flat although with a gentle slope eastward towards the coastal cliffs.
- 4.2 The rural area of Oldwick, to the south and east of Wick, have been densifying and suburbanising over recent years with unplanned and incremental single house developments on open fields. In particular, it is characterised by single tier linear developments which have sprung up along March and Carnaby Roads and, increasingly, new development is encroaching towards the coastal cliffs.

5. PLANNING HISTORY

- 5.1 None on Site
- 5.3 04/00468/FULCA - Erection of Dwellinghouse with Integral Garage Installation of Foul Drainage Treatment Plant with 50 Metres of Rumbling Drain, Formation of Vehicular Access - APPLICATION REFUSED 04 March 2005. Although the application was not in the same site it is within the same field and to the rear of a existing house.

6. PUBLIC PARTICIPATION

- 6.1 Advertised: Unknown Neighbour
Date Advertised: 14 June 2019

Representation deadline: 30 June 2019

Timeous representations: 0

Late representations: 0

7. CONSULTATIONS

7.1 Development Plans Team: objection. The reasons for Development Plans objection are summarised as follows:

7.11 Local Development Plan

The application site is not allocated for development and lies just outwith the Wick settlement development Area (SDA) as identified in the Caithness and Sutherland Local Development Plan (CaSPlan). This proposal is not considered to accord with the general policies set out in HwLDP relating to Sustainable Design, Design Quality and Placemaking and Development in the Wider Countryside (Policies 28, 29 and 36) as well as the associated supplementary guidance for Housing in the Countryside Siting and Design (2013). This is because the development would lead to sporadic development extending out into the open agricultural fields around Wick. Whilst historically some housing development has been permitted along the back roads around Oldwick, additional single houses in backland locations or positioned within the middle of fields is not a pattern of development we want to perpetuate, as expressed in current Highland Council planning policy and guidance. Sporadic development in open fields around the settlement detracts from the landscape and exacerbates the pressures on the limited infrastructure that exists at present. The proposal will not only perpetuate a settlement pattern that is at odds with the planning policies listed above, but will also undermine the coordinated approach to the strategic future expansion of the settlement.

7.12 Allocated Housing Land

The recently adopted CaSPlan allocates more than sufficient land to satisfy the demand for housing development in Wick and East Caithness over the coming years. This assessment is based on the statutory Housing Need and Demand Assessment (HNDA), which shows that there are relatively low levels of demand for more housing in Caithness. Through the HNDA process, the Council has identified enough housing land to meet the housing supply target including an additional 10% to allow for choice and flexibility. The total indicative housing capacity from all allocations in Wick is 260, with extant planning consent for around 165 housing units. Individual plots may be purchased for self build development in in gap sites with the settlement. The granting of consents for single house developments on the outskirts of Wick may also undermine the larger scale consented housing developments because of the low levels of housing demand in the area. It should also be noted that the developers of the larger schemes have typically invested significantly in the necessary infrastructure to access and service the site as well such things as substantial tree planting to help integrate development into the landscape together with greenspace provision and a circulation network. Ensuring that the expansion of the town is properly planned and managed is essential to ensure that suitable infrastructure is in place at the right time. For example, developers may be required to provide street lighting, pavements, turning circles, play space, water connections and sewerage systems.

These requirements also ensure that the financial burden on the Council for services arising from housing development, such as school buses and refuse collection, is reduced.

7.2 **Transport Planning:** no objection subject to an SDB2 service bay being installed at the private access junction with the road to Longberry (already in place) and that the private road is brought up to adoptable standard beyond Hillcrest.

7.3 **Crofting Commission:** no response.

7.4 **Scottish Environment Protection Agency:** no objection subject to a condition requiring the development to connect to a public sewer as soon as one becomes available.

7.5 **Scottish Water**

8. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

8.1 Highland Wide Local Development Plan (HwLDP) 2012

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 31 - Developer Contributions
- 36 - Development in the Wider Countryside
- 47 - Safeguarding Inbye/AppORTioned Croftland
- 58 - Protected Species
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage

8.2 Caithness and Sutherland Local Development Plan (CaSPlan) 2018

No site specific policies, general policies of the HwLDP apply

8.3 Highland Council Supplementary Planning Policy Guidance

- Access to Single Houses and Small Housing Developments (May 2011)
- Developer Contributions (March 2013)
- Highland's Statutorily Protected Species (March 2013)
- Housing in the Countryside and Siting and Design (March 2013)
- Sustainable Design Guide (Jan 2013)

9. OTHER MATERIAL POLICY CONSIDERATIONS

9.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (June 2014)

10. PLANNING APPRAISAL

10.1 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.

Determining Issues

- 10.2 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.

Planning Considerations

- 10.3 The key considerations in this case are:
- a) compliance with the development plan and other planning policy
 - b) any other material considerations.

Development plan/other planning policy

- 10.4 The site lies within the wider countryside area therefore the application requires to be assessed principally against Policy 36 of the Highland-wide Local Development Plan (Development in the Wider Countryside), and the associated Housing in the Countryside, Siting and Design Supplementary Guidance (SG), which forms part of the Development Plan. Policy 36 outlines a range of criteria against which proposals will be assessed, including the extent to which they are acceptable in terms of siting and design; are sympathetic to existing patterns of development; are compatible with landscape character and capacity; avoid, where possible, the loss of locally important croft land; and, would address drainage constraints and can be adequately serviced. The SG states that applicants should adopt a sequential approach when identifying housing sites within the wider countryside. This approach includes examining opportunities for redevelopment of brownfield sites in the first instance and thereafter identifying any potential infilling or rounding off of existing housing groups. The SG goes on to state that proposals for new houses within housing groups will not be supported where the development will constitute the unplanned extension of a defined settlement (HCSG HITCS&D 2013, p.11). Under this policy, assessment the application site is deemed to contribute to the unplanned and incremental growth of the Wick Settlement Development Area into surrounding countryside for reasons discussed below.

Siting

- 10.5 The proposal site is on the southern periphery of Wick, which provides the town's setting from the southern approach. The setting is defined in large part by the relationship of the traditional townscape with the surrounding rural context and the Caithness coastline. The area is characterised by some dispersed housing but where found these housing groups are linear in nature. This proposal significantly deviates from the settlement pattern because the site is at the far side of an open field with a set back of 95m from Longberry Road and with a marked separation from the neighbouring property. As such the proposal would result in a two tier backlands development and would create a gap site between the development and the existing Longberry House. Two tier backlands development is completely out of character with the surrounding area. Thus the proposal is considered unacceptable as it would result in the erosion of the rural setting of the town to the detriment of Wick's townscape and its context.

- 10.5 Indeed, a major Placemaking Priority for Wick, in accordance with the CaSPlan, is to consolidate the existing town of Wick through appropriate land-use allocations that round off or infill the town rather than allowing Wick to expand unplanned in any one direction (para 4.2). SDAs are identified as being the most appropriate location for development, including housing developments, because of their existing and planned infrastructure and better access to Council service provision. The continued sporadic expansion of settlements into areas of open countryside in close proximity but outside of Settlement Development Areas directly conflicts with this aim and is of concern as such cumulative development leads to the suburbanisation of rural areas; has a negative impact on the landscape and visual amenity, being visually associated with the settlement while being separated from it; and, increases pressure on infrastructure and services thereby exacerbating the issues the Development Plan policies are designed to mitigate. As set out above the proposal would result in an erosion of the rural fringe on the edge of Wick in an unplanned manner to its detriment. It is therefore considered that the siting of the current application in the open countryside outside of the Wick SDA is unnecessary and unjustified given the generous housing allocations in the current CaSPlan (para 7.12). As such the application is considered to be contrary policies 28, 29 and 36 of the HwLDP.

Design

- 10.6 The proposed house design depicts an L shaped bungalow. Where traditional format houses are proposed in the countryside, the aforementioned design guidance states that they should incorporate windows with strong vertical emphasis and symmetrically pitched roofs of not less than 40° and not greater than 45°. These features best reflect the vernacular of the Highland rural areas whereas traditional format houses with low pitched roofs and horizontal windows, such as the current proposal, are characteristic of generic suburban areas. With that in mind the design, as presented, the house would contribute to the further suburbanisation of the countryside rather than improve the architectural and visual quality of the location as required by Policy 29 of the HwLDP, Design Quality and Place-making. Accordingly, the design of the house does not accord to HwLDP Policies 28, 29 and 36.

Access and Parking

- 10.7 The access route up to Longberry (the farmstead) is maintained by The Council. Conversely, the access driveway that currently leads from the adopted road to Longberry House, but would be extended to the application site, is in effect a private road that would have to be upgraded to adoptable standards should a further house be developed at this location. For example, a house in the potentially resultant gap site would be the fifth house using the access route beyond Hillcrest and therefore Transport Planning would seek to ensure that all routes beyond Hillcrest are at adoptable standards. The junction of the private and adopted roads already has a large service bay (Council standard SDB2) incorporated in to it. Additionally there is sufficient space for parking and turning of two cars within the application site, which is the minimum required for a 3Bed house as proposed.

Drainage and Servicing Constraints

- 10.8 The sporadic and incremental accumulation of private drainage arrangements close to but outwith the SDA is considered unacceptable not only because it potentially jeopardises the development of the public sewer as part of the coordinated expansion of the town, but also for environmental, public health and amenity reasons. Any private drainage arrangements would need to be dismantled as soon as a connection to the public sewer system becomes available.

Developer Contributions

- 10.9 The application was received after the adoption of the Council's new Developer Contributions Supplementary Guidance which applies to all development, including single houses. In this instance, education contributions are required for both primary and secondary school provision (Newton Primary School and Wick High School respectively) (see Appendix B below). The total amount required equates to £1,129 which would be secured by an upfront payment or legal agreement in the event that planning permission is required.

10.10 Other material considerations

- 10.11 There are no other material considerations.

11. CONCLUSION

- 11.1 The application is not considered to accord with the provisions of the Local Development Plan, including the Supplementary Guidance for Housing in the Countryside: Siting and Design, because developing a single house on the application site would contribute to the unplanned and incremental growth of the Wick Settlement Development Area in to the surrounding countryside. The site's location does not follow a sequential approach to development and therefore the proposed house would neither round-off or infill the Wick Settlement. Rather, the proposal would erode the character of Wick's rural setting because the siting of the proposal in an open field, with a 95 metre set back from Longberry Road and the resultant gap site do not reflect the settlement pattern of the area. Cumulatively, the proposal would contribute to the suburbanisation of Wick's surrounding rural area, which would have a negative impact on its landscape and visual amenity. Given that there is already a generous provision of housing allocations for Wick, the proposal would unnecessarily and unjustifiably increase pressure on our infrastructure and services. Although, regrettably, we are not in a position to support the current application for the reasons given above, we are willing to discuss alternative sites with the applicant and landowner to ensure a better outcome.

- 11.2 All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

12. IMPLICATIONS

- 12.1 Resource: Not applicable.

- 12.2 Legal: Not applicable.
- 12.3 Community (Equality, Poverty and Rural): Not applicable.
- 12.4 Climate Change/Carbon Clever: Not applicable.
- 12.5 Risk: Not applicable.
- 12.6 Gaelic: Not applicable.

13. RECOMMENDATION

Action required before decision issued N

It is recommended that planning permission be **Refused**, for the following reasons:

Reasons for Refusal

1. The proposal is contrary to the provisions of the Highland-wide Local Development Plan Policy 36 (Development in the Wider Countryside) and the Placemaking Priorities for Wick (CaSPlan) because the site’s location does not follow a sequential approach to development. The proposed house would neither round-off nor infill the Wick Settlement Development Area but instead would erode the character of Wick’s rural setting. This is because the siting would result in two tier development with the proposal in an open field sited with a 95 metre set back from Longberry Road and, along with the resultant gap site, do not reflect the qualities of the area. Accordingly, the proposal is not considered sympathetic to the pattern of development, in terms of its siting and design. The development would also constitute the unplanned extension of the defined settlement thus impeding strategic planned settlement development in the future. As such, the proposal is also contrary to the Council’s Place-making objectives of Policy 29 (Design Quality and Place-making).
2. The proposal is contrary to Policy 28 (Sustainable Design) of the Highland Wide Local Development Plan because the lack of servicing of the site will lead to the sporadic and incremental accumulation of private drainage arrangements close to the SDA, potentially jeopardising the development of the public sewer as part of the coordinated expansion of the town, and having environmental, public health and amenity impacts.

Designation: Acting Head of Development Management – Highland

Author: Mark Fitzpatrick

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

Relevant Plans:	Plan 1	- Site Layout/Location Plan	DM-1
	Plan 2	- Floor Plan	DM-2
	Plan 3	- Elevations	DM-3
	Plan 4	- Section Plan	DM-4

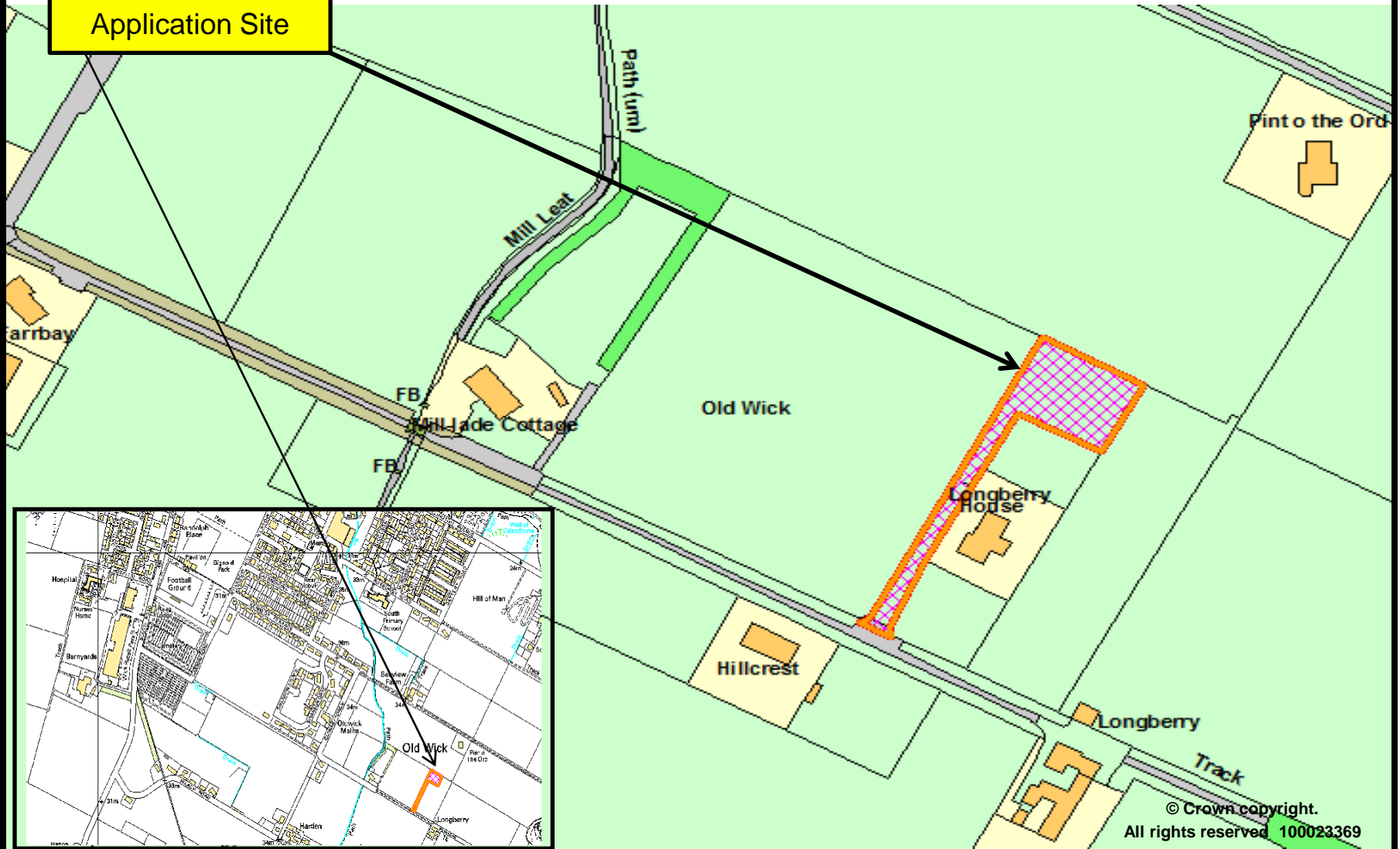
Appendix A – Letters of Representation

None

Appendix B – Summary of Developer Contributions

Summary of Developer Contributions		
Infrastructure / Service Type	Select Answer	Contribution Rate Per Home (a small scale housing discount has already been applied)
Number of Homes Proposed	1	
Schools - Newton Park Primary		
Build Costs	2 classroom extension	£417
Major Extension / New School - Land Costs	None - No land costs required	£0
Primary Total		£417
Schools - Wick High School		
Build Costs	Major extension / new school	£712
Major Extension / New School - Land Costs	None - No land costs required	£0
Secondary Total		£712
Affordable Housing		
CNPA	No	£0
Cumulative Transport		
Development Brief / Agreement Area	None - No cumulative transport costs required	£0
<i>Breakdown</i>	<i>N/A</i>	<i>N/A</i>
	<i>N/A</i>	<i>N/A</i>
	<i>N/A</i>	<i>N/A</i>
Total Per Home		£1,129
Total for Development		£1,129
All costs are subject to indexation (BCIS All-In TPI) and have been indexed to the appropriate quarter.		

Application Site



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The Highland Council
Comhairle na Gàidhealtachd

Planning and Development Service

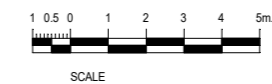
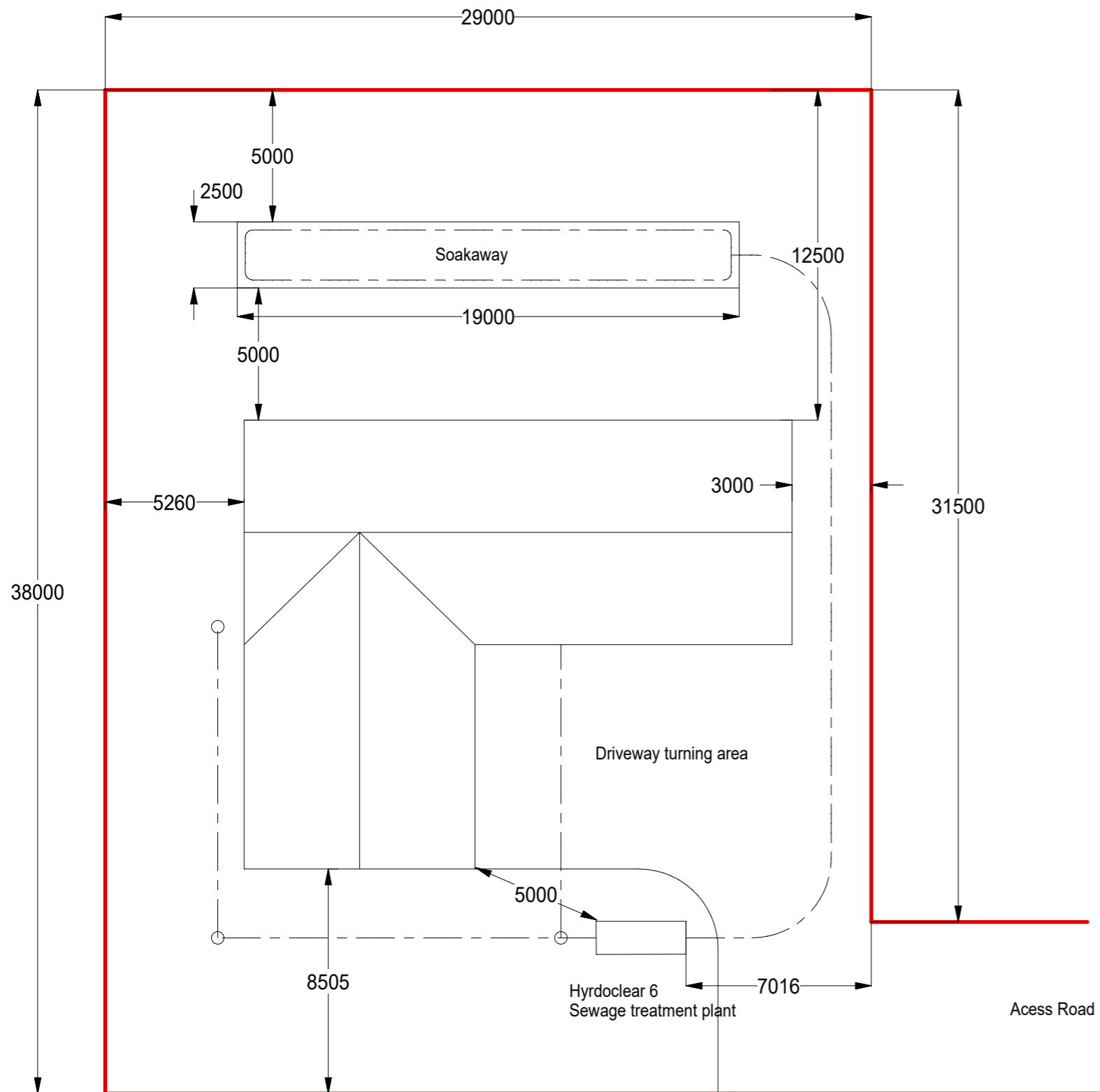
19/02453/FUL
Erection of House

Land 60M NE Of Longberry House, Oldwick, Wick

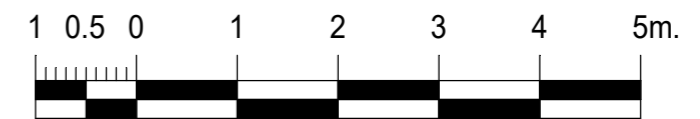
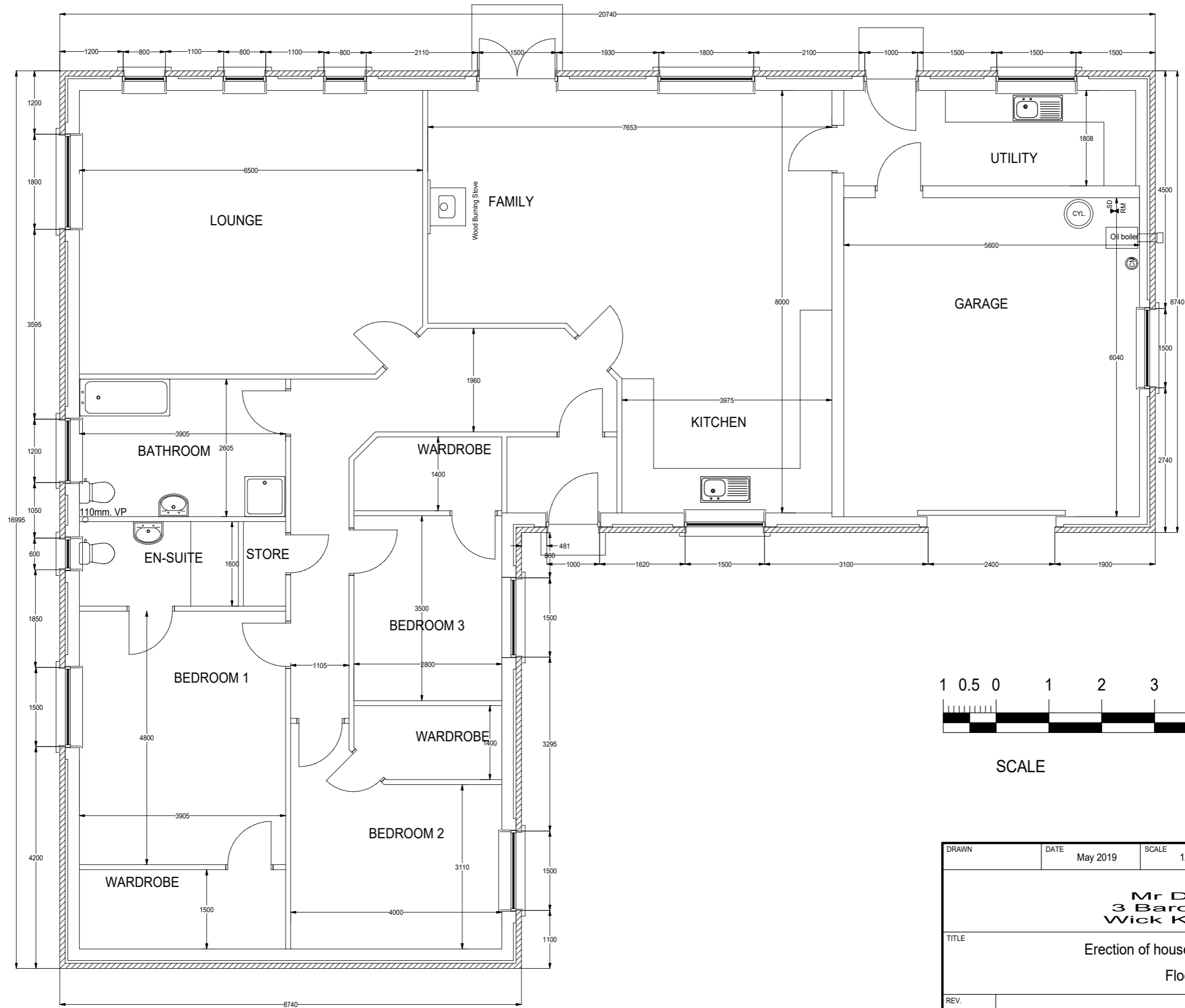


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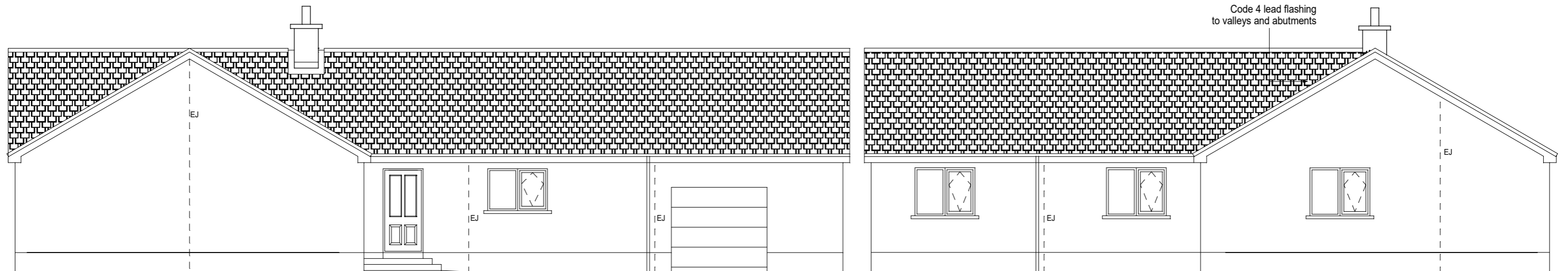


DRAWN	DATE	SCALE	
	May 2019	1/200	
Mr D Miller 3 Barons Well Wick KW1 4PA			
TITLE Erection of house at Longberry, Wick Site Plan			
REV.		DRW.NO.	
DATE		DM/1	



SCALE

DRAWN	DATE	SCALE	
	May 2019	1/75	
Mr D Miller 3 Barons Well Wick KW1 4PA			
TITLE Erection of house at Longberry, Wick Floor Plan			
REV.			DRW.NO.
DATE			DM/2



NORTH WEST ELEVATION

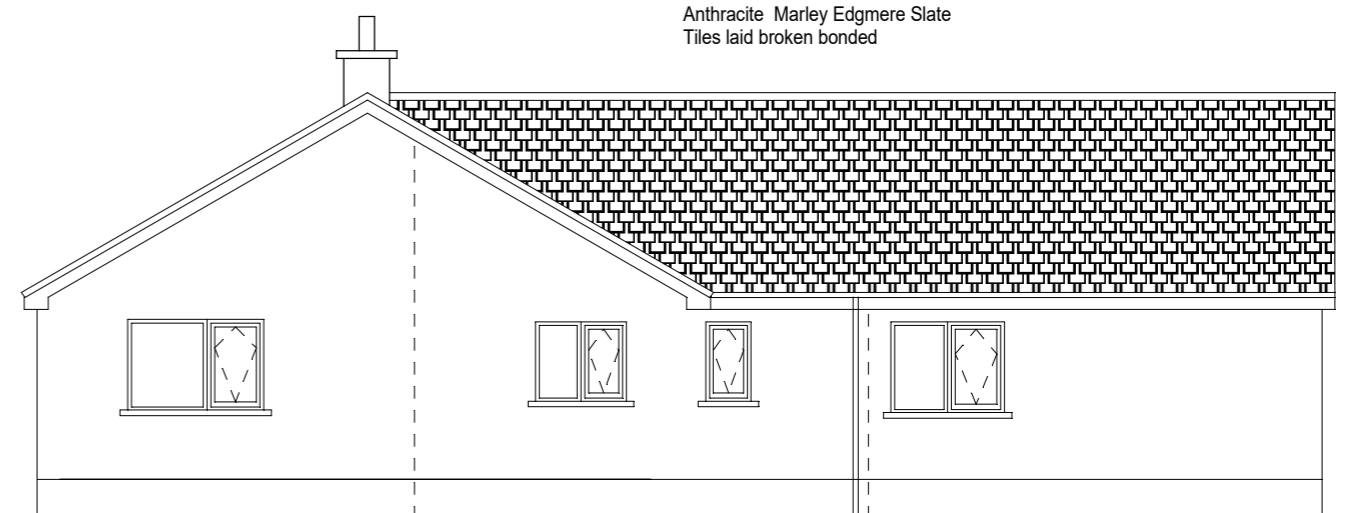
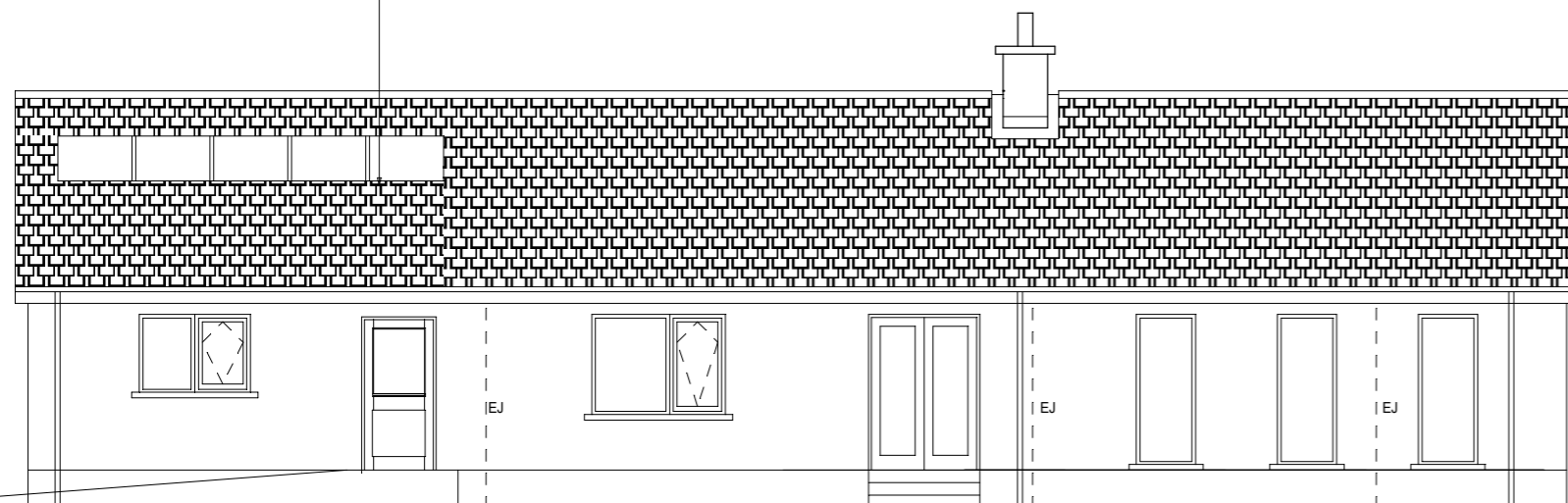
Photo Voltaic Panels
Peak power as per-SAP

SOUTH WEST ELEVATION

Code 4 lead flashing
to valleys and abutments

Anthracite UPVC Windows soffits
and verges.
Rainwater goods Anthracite UPVC
All rainwater good to be constructed and installed
in accordance with BS-EN-12056-3:2000

Anthracite Marley Edgmere Slate
Tiles laid broken bonded



SOUTH EAST ELEVATION

Anthracite UPVC Windows double glazed
1.2 max U Value
all windows to be fitted with
trickle vents with area of 11000mm²
per apartment at least 1.75m above ffl

All window glazing below 800mm above
FFL to be toughened
All other Glazing below 1500mm above
FFL to be toughened
Doors and Windows to to comply with
BS PAS 24: 2007 for doorsets
or BS 7950: 1997 for windows and in addition
material used should meet product standard
of BS 7412: 2007, for PVCu units
Windows fitted with restricted to prevent collison
max 100mm into areas of circulation
All doors and windows secured by design
A Manual controls to windows to be no higher than
1.7m above FFL
All windows and doors secured by design
fixing of all doorset or windows should be in accordance with
the recommendations given in section 8 of BS 8213-4: 2007

NORTH EAST ELEVATION



SCALE

DRAWN	DATE May 2019	SCALE 1/100	
Mr D Miller 3 Barons Well Wick KW1 4PA			
TITLE Erection of house at Longberry, Wick Elevations			
REV.		DRW.NO.	DM/3
DATE			

Timber Frame Specification
 Kit manufacture and erection to follow recommendations of TRADA publication Timber Frame Construction (2nd Ed'n)

Structural timber
 All structural timber to be pressure impregnated against rot and fungal attack. All permanent exterior timber to be pre treated prior to delivery.

External Wall Panels (Timber Frame)

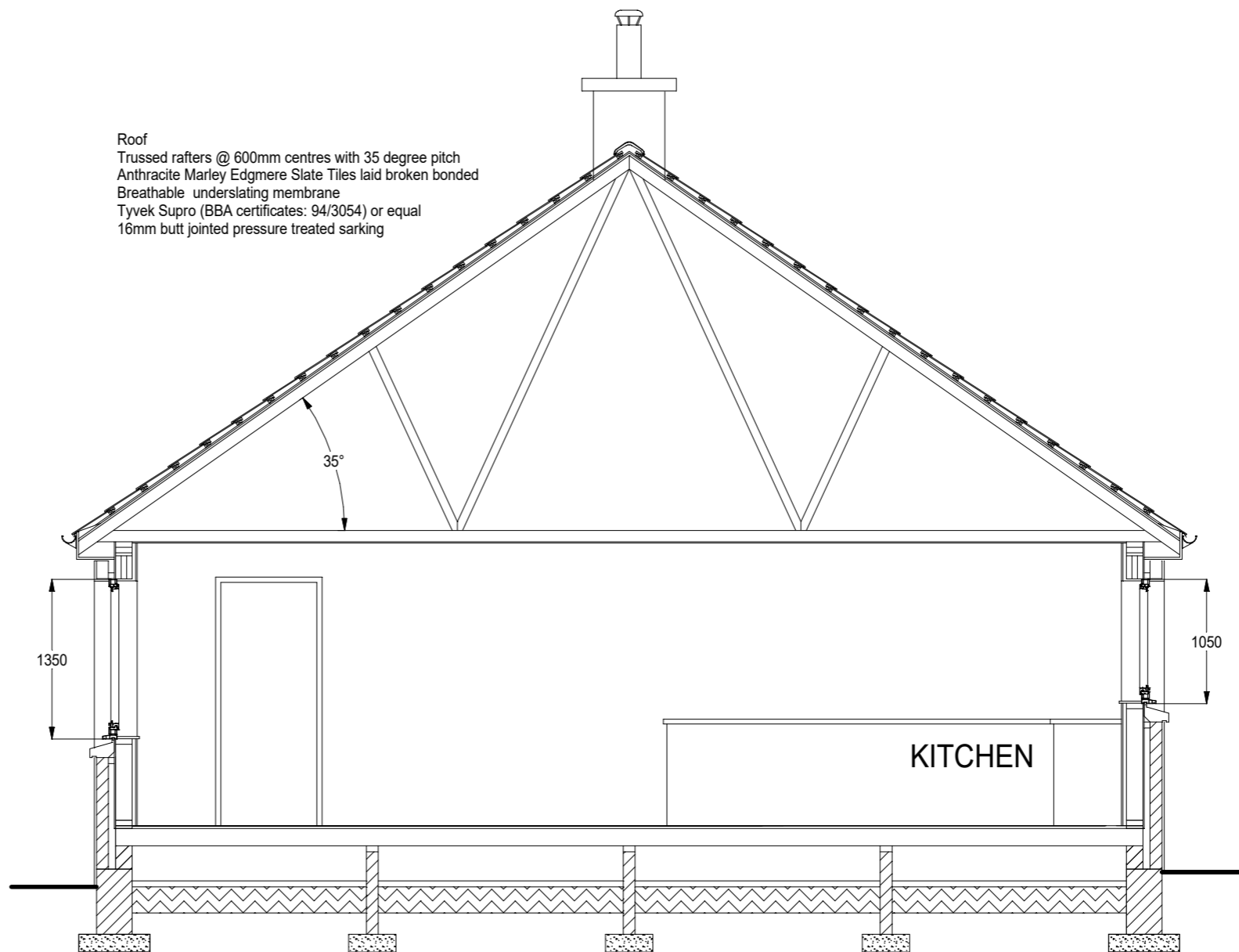
Structural External Panels
 47 x 147mm softwood framing at 600mm centres (135 x 220mm lintols to door and window openings. Ends supported on cripple studs. Longer spans to have flitch plate inserted as specified by engineer
 9mm O.S.B. (sterling board) cladding.
 Cill Plates 22 x 147mm - random lengths
 Head Binder 47 x 147mm - random lengths
 Reflectashield TF breather membrane should be fixed to frames with austentic stainless steel nails or staples at centres not more than 500mm.
 On areas where sheets are required to be lapped, the following dimensions must be adhered to:
 Vertical Laps - not less than 150mm
 Horizontal laps - not less than 100mm
 Ensure integrity of Reflectashield TF by overlapping upper layers over lower layers and staggering vertical joints.
 Protect timber at wall plate level and mark stud positions for wall tie fixings.

Fire Stops/Cavity Closers 38 x 47mm - random lengths at all doors windows, corners at max of 8m close cavity at wall head all stops fitted over breather paper paper with DPC fixed on outer face against blockwork
 Insulation: 140mm Crown FrameTherm Slab 35
 12.5mm foil backed plasterboard over 50mm Quintherm Insulation

Timber wall panels held down with proprietary galv. m.s. holding down straps (1200 x 30 x 2.5) at 1200 c/c fixed to studs.

100mm concrete blockwork (7N/mm²) outer leaf tied to timber frame with stainless steel wall ties at 450 vertical c/c's and 600 horizontal c/c's., and every course at sides of openings.

Roof
 Trussed rafters @ 600mm centres with 35 degree pitch
 Anthracite Marley Edgmere Slate Tiles laid broken bonded
 Breathable underslating membrane
 Tyvek Supro (BBA certificates: 94/3054) or equal
 16mm butt jointed pressure treated sarking



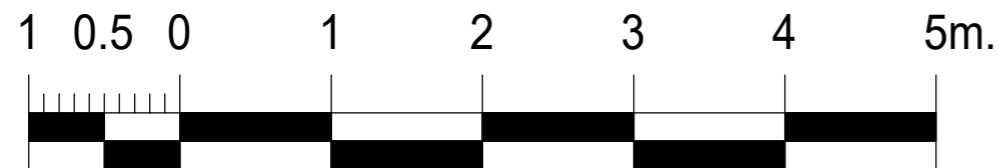
SECTION

Foundations to be excavated to min 600mm below ground level or to the hard which ever is the greater.
 150mm deep concrete grade 30/N/mm² with min cement content to be 300Kg/m³
 Foundations reinforced with one layer
 A252 mesh with 75mm cover from the bottom and 400mm between laps
 Width of strips to be as shown on foundation drawing

GROUND FLOOR

Excavate to reduced levels approx 420mm below FFL
 Hardcore: 220mm Granular material free from harmful matter and excessive dust or clay well graded. Thoroughly compacted
 Blinding to Hardcore: sand or fine gravel or other approved material to provide close smooth surface
 Visqueen Membrane The product should be installed on a blinded or smooth surface allowing adequate overlap for jointing between the sheets and avoiding bridging (i.e. areas of unsupported membrane).In order to provide a continuous barrier the membrane must be joined to the
 Visqueen Zedex CPT High Performance DPC.

Joists: 147 x 47mm tanalised joists strength class C16 @ 600centres
 Insulation: 150mm Loftroll 40 held with netlon
 Flooring: 22mm V313 T & G chipboard flooring. Joints to be glued and 10mm expansion joint left at all perimeters or junctions with walls.
 Hatches left at appropriate locations for plumbing services



SCALE

DRAWN	DATE	SCALE	
	May 2019	1/50	
Mr D Miller 3 Barons Well Wick KW1 4PA			
TITLE Erection of house at Longberry, Wick Section			
REV.		DRW.NO.	DM/4
DATE			