

**THE HIGHLAND COUNCIL**  
**CAITHNESS PLANNING, DEVELOPMENT, EUROPE AND**  
**TOURISM COMMITTEE**  
**12<sup>th</sup> February 2007**

Agenda Item	2.1
Report No	C/P/32/07

**06/00583/OUTCA ERECTION OF ONE AND A HALF HOUSE, UPGRADE VEHICULAR ACCESS (OUTLINE) AT LAND 200M EAST OF SHORE SIDE, DUNNET, HIGHLAND**

**Report by the Planning and Building Standards Manager**

**SUMMARY**

Application is made in outline for the erection of a dwellinghouse, formation of vehicular access, installation of septic tank and soakaway. Three letters of objection have been received from local residents. As the proposal was advertised as being contrary to the Caithness Local Plan the Council wrote to the objectors offering them the opportunity for their views to be put directly to the Planning, Development, Europe and Tourism Committee at a hearing prior to determination. Two of the objectors have requested a hearing. This application is now placed before the Committee for determination.

The site lies under PP3 of the Landward Chapter of the Caithness Local Plan whereby the Council will presume against new housing development.

**Recommendation:** Refuse Outline Planning Permission.

**1.0 APPLICATION DETAILS**

**1.1 Proposal:** Application is made in outline for the erection of a one and half storey house, formation of vehicular access, connection to public sewer and installation of a soakaway in an prominent area of rough grassland 200 metres to the east of Shore Side, Dunnet. The site slopes down to the west with panoramic views of Dunnet Bay.

**1.2 Applicant:-** Miss Claire Calder, Beach View, Dunnet, Highland, KW14 8YD.

**2.0 POLICY FRAMEWORK**

**2.1** The site is shown to lie within an area which is subject to Primary Policy PP3 of the Landward Chapter of the Caithness Local Plan which presumes against housing development unless an exceptional need is demonstrated or the proposal involves the replacement of a ruinous dwellinghouse or conversion of a traditional building.

**3.0 CONSULTATIONS**

**3.1 Scottish Water:** No objections.

**3.2 Archaeology:** No objections subject to ARC 4 watching brief condition being attached to any consent given.

**3.3 Area Roads and Community Works Manager:** No response

## **4.0 PUBLIC PARTICIPATION**

- 4.1** Advertisement: The proposal was advertised under the Town and Country Planning (Scotland) Act 1997 Section 34 (Development not in accordance with the provision of the Development Plan) 21 days.
- 4.2** I have received three letters of objection, the grounds of which can be summarised as follows:
- 1) The proposal is contrary to Policy H3 of the Highland Structure Plan..
  - 2) The proposal is also contrary to Policy PP3 of the Caithness Local Plan whereby the Council will presume against new development unless an exceptional need is demonstrated.
  - 3) This is a green field site in an isolated location immediately outwith a defined settlement boundary (R15) with restricted access and no services. Under PP3 Para 14 “In all cases a strong presumption will be maintained against development on land immediately outwith the defined settlement boundaries.” This proposal constitutes ribbon type development.
  - 4) The constraint placed on the existing settlement boundary (R15) adjacent to this site will require access to the Dwarwick Road, prior to any improvement conditions being met.
  - 5) One of the objectors is concerned that if the road access needs to be adopted and widened, this would require the loss of their land.
  - 6) Precedent has been set in numerous cases (some very recently) when applications have been refused on similar grounds.
  - 7) Approval would send a strong signal to all those with land bounding the site including one of the objectors, on what grounds will future applications be refused and how could any refusals be defended at appeal.

## **5.0 APPRAISAL**

- 5.1** This proposal is located outside the settlement boundary for Dunnet and is contrary to the provisions of the Caithness Local Plan as the site lies within an area subject to Primary Policy PP3 of the Landward Chapter of the plan which presumes against new housing development at this locus and I agree with the objections raised in relation to this respect of the proposals.
- 5.2** In relation to the objection regarding the improvements required to the widening of the Dwarwick Pier Road, no formal response has been received from the Area Roads and Community Works Manager with regards the development. However, the proposed house would be considered by Area Roads and Community Works Manager as the 4<sup>th</sup> house and therefore would not require the access to be made up to adoptable standard.
- 5.3** Under Section 25 of the Act planning applications must be determined in accordance with the terms of the Development Plan unless material considerations indicate otherwise. This proposal is clearly contrary to the terms of Primary Policy PP3 of the Caithness Local Plan and therefore is recommended for refusal.

### **RECOMMENDATION**

Refuse Outline Planning Permission for the following Reasons:

1. That the proposed dwellinghouse is subject to Primary Policy PP3 of the Landward Chapter of the Caithness Local Plan which presumes against housing development and no exception need as required by the Policy has been demonstrated.

Signature:

Designation: Caithness Area Planning and Building Standards Manager

Date: 30<sup>th</sup> January, 2007

Author: Andrew Parker

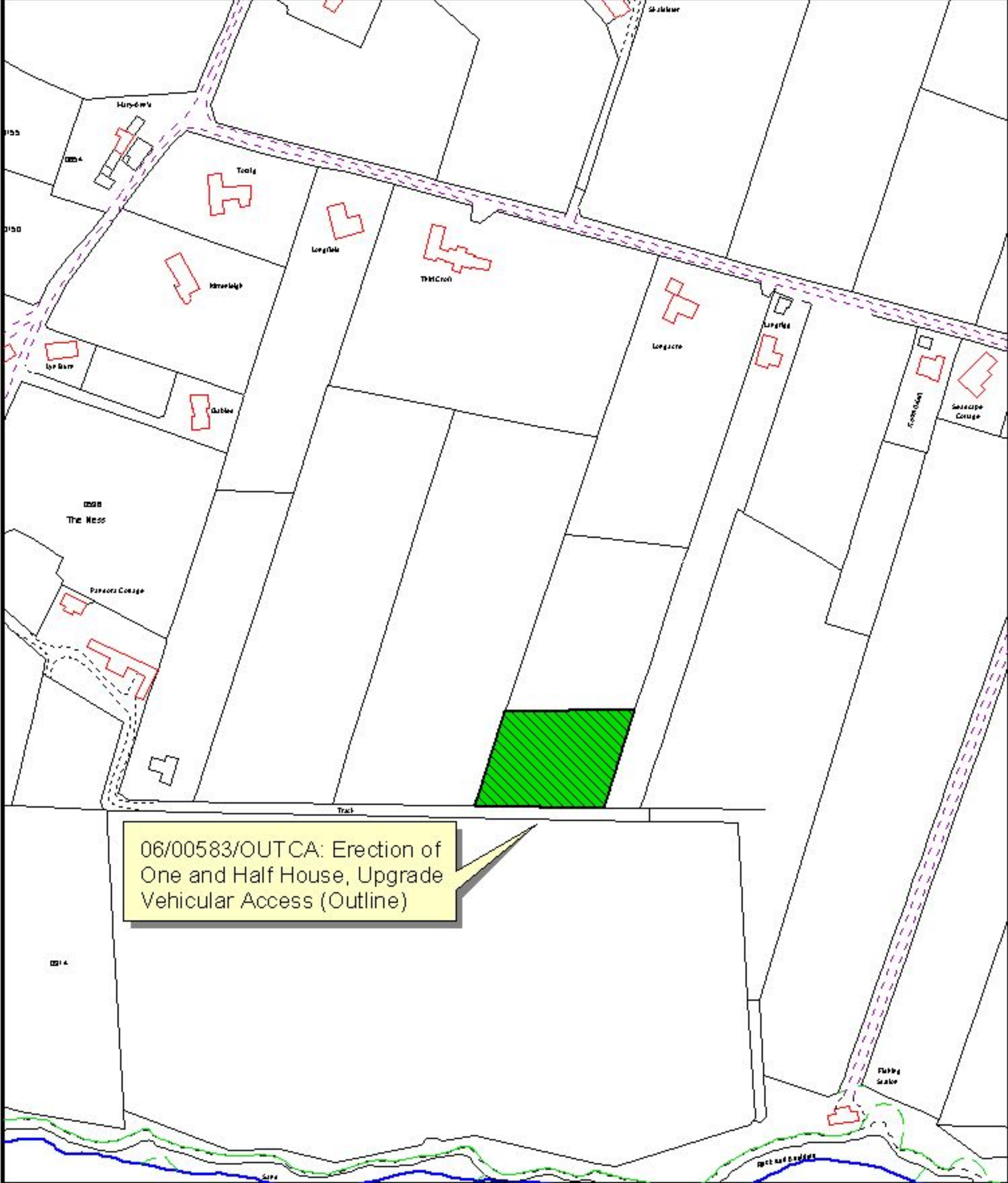
Tel: 01955 607754

Ref: **06/00583/OUTCA**

Background Papers

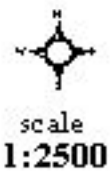
1. Application form and plans.
2. Caithness Local Plan.
3. Consultation from Scottish Water dated 25<sup>th</sup> October 2006.
4. Memorandum from Archaeology dated 06<sup>th</sup> November 2006.
5. Letter of objection from S A Smith, Thirl Croft, Westside, Dunnet, Thurso, Caithness, KW14 8YD dated 30<sup>th</sup> October 2006.
6. Letter of objection from Mr Neil Robertson, Kirrenleigh, Westside Dunnet, Caithness, KW14 8YD dated 14<sup>th</sup> November 2006.
7. Letter of clarification from Mr Neil Robertson, Kirrenleigh, Westside Dunnet, Caithness, KW14 8YD dated 28<sup>th</sup> November 2006.
8. Letter of objection from Mr Martin Nicolson, Langrig, Dunnet, Thurso, Caithness, KW14 8YD received 24<sup>th</sup> October 2006.

Any person wishing to inspect any of the above background papers should contact Iain Ewart on 01955 607751.



06/00583/OUTCA: Erection of One and Half House, Upgrade Vehicular Access (Outline)

## Land 200m East of Shore Side Dunnet, THURSO.



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