

THE HIGHLAND COUNCIL

**CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING
APPLICATIONS AND REVIEW COMMITTEE – 1 July 2008**

Agenda Item	3.6
Report No	29/08

08/00092/FULSU: Erection of an additional 10 chalets. Improvement of access track at Heatherwood Chalet Park, Dornoch.

Report by Area Planning and Building Standards Manager

SUMMARY

The proposal is in detail for the erection of 10 additional chalets within the existing layout of chalets at Heatherwood Park. The application is being reported to Committee as more than five representations have been received. Dornoch Community Council have not objected to the proposal.

The Recommendation is to GRANT planning permission.

Ward Number 5 – East Sutherland and Edderton.

Applicant – Heatherwood Park.

1. PROPOSAL

- 1.1 The application is in detail for the erection of an additional 10 holiday chalets within the grounds of the existing chalet park. There are currently 17 No original chalets, plus a Manager's House (outside the application site boundary), and former Manager's house (additional chalet – No.18). The new chalets are finished in timber and are:
 - 8 No. 2 bed (9.35m x 6.4m x 4.5m)
 - 2 No. 3 bed (11m x 5m x 3.8m)
- 1.2 The proposal would result in a total of 28 holiday units within the curtilage of the site, together with the Manager's house to the north at the site access onto the Embo – Dornoch public road.
- 1.3 The site lies within an area of maturing Scots Pine woodland, with some occasional Birch, Gorse, Heather, Juniper and grassed areas. There is an existing private single track access road running through the site, approximately 35m from and parallel with the public road. The track weaves in and out of the Scots Pine with occasional passing places and informal parking. The existing chalets are spread either side of this access track, 8 to the east and 9 to the west. The proposed chalets are mostly positioned within existing gaps in the site vegetation between

existing chalets, with 6 to the east of the track and 4 to the west. Some additional parking spaces are proposed along the track to service the new chalets.

2. PLANNING HISTORY

2.1 There is an extensive recent planning history to the chalet park comprising approvals and dismissed appeals in relation to the stopping up/re-instatement of an access and the removal of occupancy conditions. However, the most relevant planning history is:

- 1 5587 – Holiday bungalow development with proprietor's private house (In Outline). Approved 16.07.1973.
- 2 5633 – Erection of 22 chalets and one bungalow. Approved 17.09.1973
- 3 02/00085/FULSU – Erection of house, conversion of existing house into letting accommodation, erection of equipment store and formation of new access (As Amended). Approved by Sutherland County Committee 16.08.2002.

3. PUBLIC PARTICIPATION

3.1 The application was advertised on 23 May 2008, with the expiry date for the publicity period on 6 June 2008. Six representations have been received from different addresses and relate to the following matters:

- Number and siting of new chalets
- Lack of privacy and reduction in amenity
- Infrastructure unable to support additional 10No. chalets
- Blocked drains
- Water pressure
- Turning space, lack of parking
- Pavement and speed restriction on main road
- Retention of central mailbox
- Holiday use only
- Retention of existing trees

3.2 The letters of representation are available in the Area Office and will be available at the Committee meeting. The names of those making representation are listed at the end of this report.

4. CONSULTATIONS

4.1 **Dornoch Community Council** – No objections

4.2 **Internal Consultees**

Forestry Officer – The applicant has provided a Tree Survey which gives a good record of trees within the site, including categorisation (in part) and an assessment of the Root Protection Areas based on BS5837:2005 Trees in Relation to

Construction. Generic and specific recommendations for remedial tree works are also given.

Accurate pegging out on the ground of the position of the new chalets should be undertaken prior to the commencement of any development on site. Any new underground services and the proposed parking bays must also be pegged out and all trees proposed for removal should be clearly marked and agreed at this stage.

As many of the chalets fall within the Root Protection Areas of retained trees a detailed specification for the foundations is also required. It is understood that pile rather than trench foundations are proposed, which will minimise root disturbance. A woodland management plan and tree planting plan would help to gradually restructure the woodland over a number of years. This would include:

- Map of the entire woodland under the applicant's ownership/control (shown as the blue line on plan 2)
- Detailed 5 year schedule of management operations
- Long term list of objectives

Conditions are suggested relating to the cutting down of trees and fencing off of trees. The suggested tree removals will have a considerable impact on the character of the site, whether or not any further chalets are built. Assuming that the proposed chalets are restricted to holiday use only and remain under the ownership of the applicant, I would be reasonably comfortable with a similar relationship between any new chalets and trees as already exists, so long as the trees are in good condition.

Contaminated Land Unit – No comment

TEC Services – No objections, subject to the developer providing a full sized passing place on the public road between the site and Dornoch. The details of this are to be agreed with Roads Authority prior to the commencement of development.

4.3 **External Consultees**

Scottish Water – No comment

5. **POLICY**

5.1 The following policies are relevant to the assessment of the proposal

Highland Structure Plan:

- G2 Design for Sustainability
- T2 Tourism developments
- T3 Self catering tourist accommodation

South and East Sutherland Local Plan

ENV1

The **Deposit Draft Sutherland Local Plan** is material to the consideration of the proposal – policy 3.

- 5.2 The proposal also requires to be assessed against Scottish Planning Policy (SPP1) The Planning System.

6. PLANNING APPRAISAL

- 6.1 **Determining issues** – 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.
- 6.2 The proposal requires to be assessed against the appropriate policies of the Development Plan, supplementary guidance and National Planning Policy and Guidelines as referred to in the Policy section. In particular, the proposal requires detailed assessment of the following fundamental issues:
- whether the principle of development is appropriate in terms of policy
 - whether the layout of development is appropriate
 - the impact on the amenity of the area and residents
 - other material issues raised by the objectors
- 6.3 The proposal is in detail to increase the number of holiday chalets within the existing chalet park. The 1973 Planning Permission (5633) approved a total of 22 chalets within the site. There are only 17 built (plus the former Manager's house) and it could be argued that at least 5 of those that the developer is currently seeking to erect could be erected without a further planning permission, as they already benefit from the 1973 permission. Nevertheless, the developer is keen to provide the ten chalets under modern planning conditions.
- 6.4 The agent has indicated that the intention is for the additional chalets to be let out through an agency specialising in golfing holidays. Accordingly, the proposal accords with Highland Structure Plan policies T2 and T3.
- 6.5 The developer envisages that an extensive programme of planting will be undertaken as part of the works. The park has been neglected in recent years and the developer has also advised that none of the new chalets will be closer to the existing ones than the existing cabins are to each other. The tree condition survey undertaken by the applicant has identified a number of trees requiring attention.
- 6.6 Members will note that no technical difficulties have been highlighted by consultees. Conditions are suggested in relation to the protection of existing trees during construction work.
- 6.7 Representations have been received from some of the owners of existing chalets and relate to the following:
- Number and siting of new chalets – The existing vegetation on site can be carefully used to blend in the 10 chalets with those existing. It is considered that the site can accommodate additional chalets. As they are for holiday

letting only, and not for permanent occupation, it is not considered that there will be any significantly detrimental impact on either individual or community residential amenity as required by policy G2.

- Lack of privacy and reduction in amenity – It is considered that with careful siting of chalets any significant loss of amenity can be avoided. The pegging of the extended and new parking areas, plus that of the new chalets is considered to assist with this.
- Blocked drains – The private drainage system is a matter for the chalet owners to take up with the chalet park owners, or Scottish Water.
- Water pressure – Scottish Water have indicated that there are no technical difficulties.
- Turning space, lack of parking – it is considered that there is adequate parking and turning space available within the development site.
- Pavement and speed restriction on main road – TEC Services have indicated that the existing new access serving the chalet park to the north (jointly used with the owner's accommodation) is acceptable. Whilst the speed limit is theoretically 60mph, the realistic safe speed is lower due to the restricted road geometry. Furthermore, there is limited space available to actually widen the existing single track road in the immediate area.
- Retention of central mailbox – This is a private matter for discussion with the owner of the chalet park.
- Holiday use only – This can be controlled by appropriate conditions.
- Retention of existing trees – A tree condition survey has been undertaken and this will help to identify trees requiring routine maintenance and the opportunity sites/orientation for the siting of individual chalets.

6.8 I consider that the representations can be satisfactorily addressed by the use of appropriate planning conditions. There are no technical difficulties and no planning policy issues to resolve. The proposal is considered to be acceptable.

7. CONCLUSION

7.1 The proposal is considered to be a welcome addition to the holiday accommodation available in the area. It is located within an existing tourism facility and will help to secure its future as such in the longer-term. The proposal accords with Development Plan policy.

RECOMMENDATION

Grant planning permission subject to conditions:

- 1 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 docketted 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.

- 2 All drainage arrangements shall be provided to the satisfaction of the Planning Authority, in consultation with the Scottish Environment Protection Agency, the Drainage Authority and the Building Standards Authority.

Reason: In the interests of amenity and public health.

- 3 The chalets shall be used for holiday purposes only and shall not be occupied at any time as the sole or main residence of any individual.

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

- 4 The chalets hereby approved shall not be sold off or occupied separately from the Manager's House (02/00085/FULSU).

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

- 5 With effect from the date of this permission, no trees shall be cut down, uprooted, topped, lopped (including roots) or wilfully damaged in any way, without the prior written permission of the Planning Authority.

Reason: To ensure the protection of retained trees during construction and thereafter.

- 6 Prior to the commencement of any development, including site preparation and excavation works, the developer shall mark the trees to be removed for the inspection by and approval in writing of the Planning Authority. For the avoidance of doubt, all retained trees shall be protected against construction damage by the developer using Herras fencing secured to fixed posts and located beyond the Root Protection Area (in accordance with BS5837:2005 Trees in Relation to Construction). The Herras fencing shall be inspected and approved in writing by the Planning Authority prior to the commencement of any ground works.

Reason: To ensure the protection of retained trees during construction and for the avoidance of doubt.

- 7 Prior to the commencement of any development, including site preparation and excavation works, the developer shall mark the positions of the chalets, parking areas and routes of any new underground services for inspection by and approval in writing of the Planning Authority.

Reason: To ensure the protection of retained trees during construction and for the avoidance of doubt.

- 8 Prior to the commencement of development of any development on the site, the developer shall provide a woodland management plan and tree planting plan for the approval in writing of the Planning Authority.

Reason: To ensure that the chalets are appropriately screened, for the avoidance of doubt and as no details have been provided.

- 9 Prior to the commencement of development, the developer shall agree with the Planning Authority in consultation with the Roads Authority details in writing and on plan of the location of an additional passing place to be formed on the C1026 public road between the site and Dornoch. For the avoidance of doubt, the passing place shall be provided by the developer to the satisfaction of the Planning Authority in consultation with the Roads Authority within 6 months from the commencement of development.

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

- 10 Prior to the commencement of development, the developer shall provide a detailed technical specification for the foundations for the chalets. For the avoidance of doubt, the foundations shall use a pad type foundation rather than a conventional trench.

Reason: To ensure the protection of the retained trees during construction and for the avoidance of doubt.

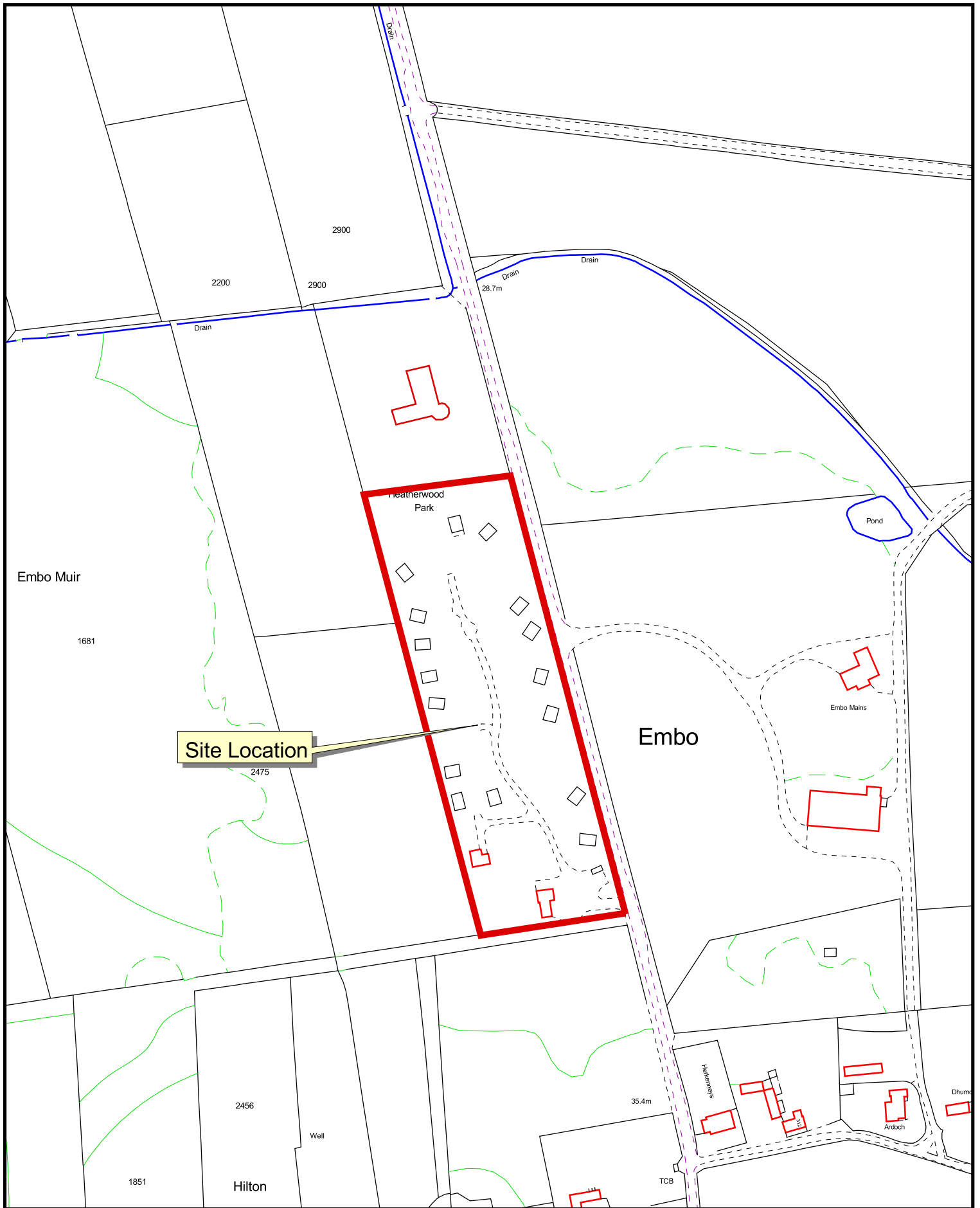
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author : Bob Robertson 01408 635371

Background Papers: As referred to in the report above and case file reference number 08/00092/FULSU

Date: 18 June 2008





KEY
 NEW PARKING BAYS WITH HARD STANDING
 2 BED CHALLET
 3 BED CHALLET



TOTAL AREA OF DEVELOPMENT 1189m² - 0.1189 HECTARE

SCALE 1:1000



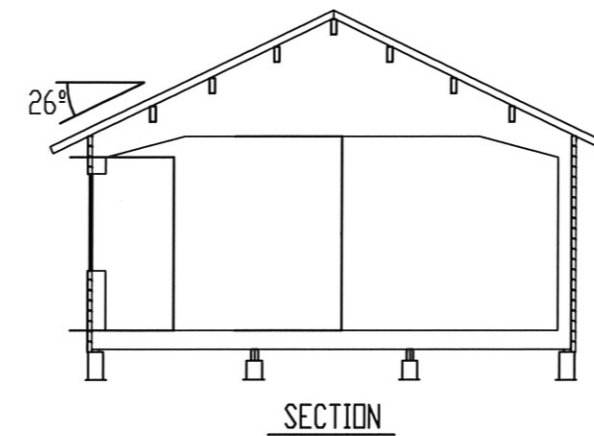
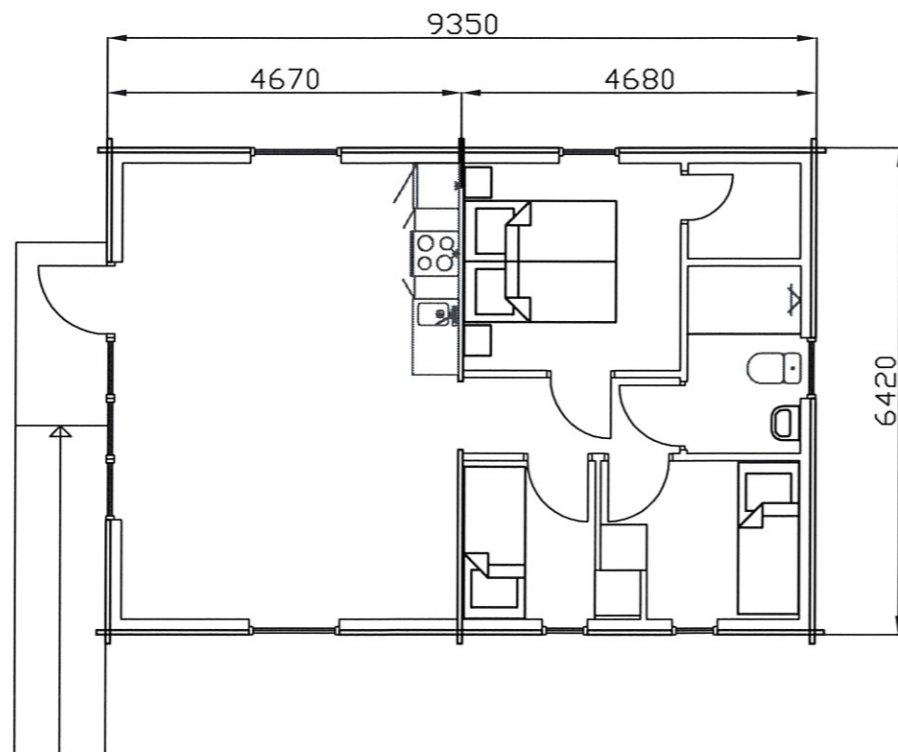
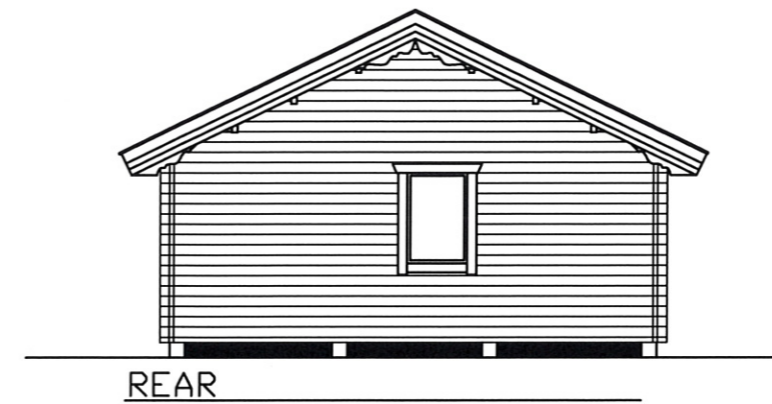
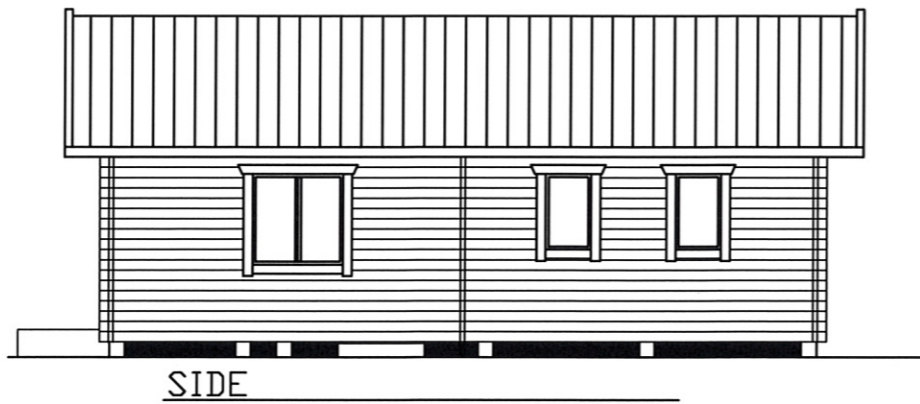
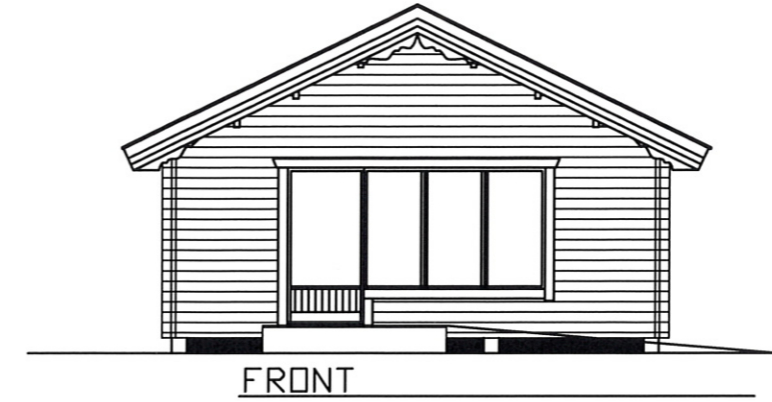
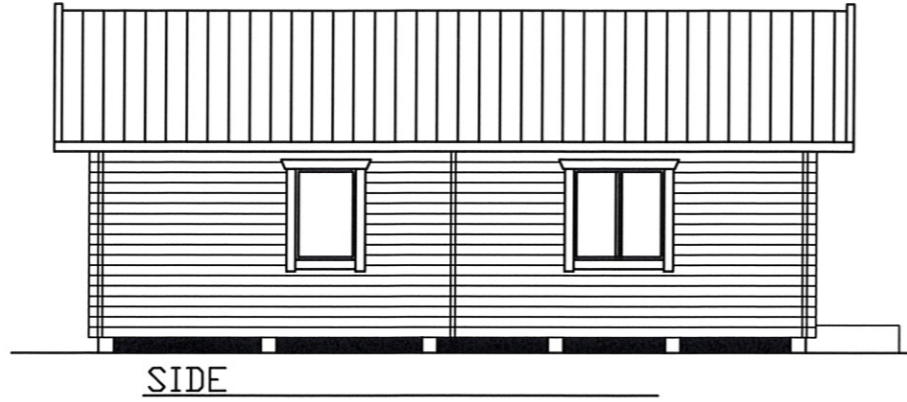
KEY

1. OWNER/OCCUPIER, CHALET NO 1, HEATHERWOOD PARK, DORNOCH, IV25 3QJ
2. OWNER/OCCUPIER, CHALET NO 2, HEATHERWOOD PARK, DORNOCH, IV25 3QJ.
3. OWNER/OCCUPIER, CHALET NO 3, HEATHERWOOD PARK, DORNOCH, IV25 3QJ
4. OWNER/OCCUPIER, CHALET NO 4, HEATHERWOOD PARK, DORNOCH, IV25 3QJ
5. OWNER/OCCUPIER, CHALET NO 5, HEATHERWOOD PARK, DORNOCH, IV25 3QJ
6. OWNER/OCCUPIER, CHALET NO 6, HEATHERWOOD PARK, DORNOCH, IV25 3QJ
8. OWNER/OCCUPIER, CHALET NO 8, HEATHERWOOD PARK, DORNOCH, IV25 3QJ.
9. OWNER/OCCUPIER, CHALET NO 9, HEATHERWOOD PARK, DORNOCH, IV25 3QJ.
10. OWNER/OCCUPIER, CHALET NO 10, HEATHERWOOD PARK, DORNOCH, IV25 3QJ.
11. OWNER/OCCUPIER, CHALET NO 11, HEATHERWOOD PARK, DORNOCH, IV25 3QJ
12. OWNER/OCCUPIER, CHALET NO 12, HEATHERWOOD PARK, DORNOCH, IV25 3QJ
13. OWNER/OCCUPIER, CHALET NO 13, HEATHERWOOD PARK, DORNOCH, IV25 3QJ
14. OWNER/OCCUPIER, CHALET NO 14, HEATHERWOOD PARK, DORNOCH, IV25 3QJ
16. OWNER/OCCUPIER, CHALET NO 16, HEATHERWOOD PARK, DORNOCH, IV25 3QJ.
17. OWNER/OCCUPIER, CHALET NO 17, HEATHERWOOD PARK, DORNOCH, IV25 3QJ.
19. OWNER/OCCUPIER, CHALET NO 19, HEATHERWOOD PARK, DORNOCH, IV25 3QJ.
22. OWNER/OCCUPIER, CHALET NO 22, HEATHERWOOD PARK, DORNOCH, IV25 3QJ.
23. MR A. MACLEAN, EMBO STREET, DORNOCH, IV25 3QJ
24. MR J. MACINTOSH, EMBO MAINS, DORNOCH, IV25 3QJ
25. OWNER/OCCUPIER, 1 BIRCHWOOD ROAD, DORNOCH, IV25 3QJ.
26. MR & MRS J. MACKAY, THE WILLOWS, BIRCHWOOD ROAD, DORNOCH, IV25 3QJ.
27. OWNER/OCCUPIER, TORRIDON, BIRCHWOOD ROAD, DORNOCH, IV25 3QJ.
27. APPLICANT.

PLAN 2 OF 4 OF APPLICATION REFERENCE
 08/00092/FULSU
 RECEIVED 23/4/08

REV A APPLICATION SITE BOUNDARY AMENDED

Date	Drawing Title	Project Title	
NOV 07	PROPOSED SITE PLAN	HEATHERWOOD PARK	
By	Number	Scale	Revision
SCOTT REID	HWP 07 P02	1:1000	PLANNING REV A



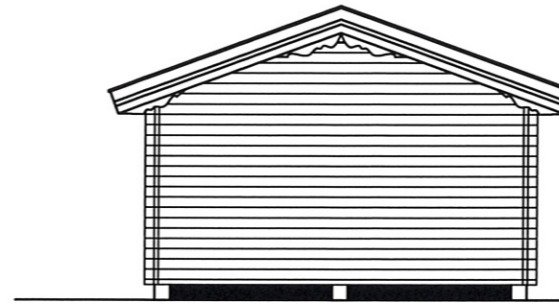
LIVEAREA : 54,0 M²

PLAN 3 OF 4 OF REFERRATION REFERENCE
08/00092 / FULSU
RECEIVED 25/3/08

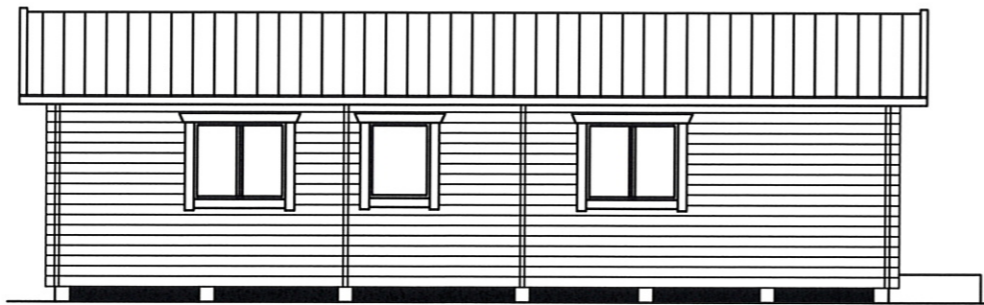
Date	Drawing Title	Project Title	
NOV 07	3 BED CHALLET PLANS, SECTIONS & ELEVATIONS	HEATHERWOOD PARK	
By	Number	Scale	Revision
SCOTT REID	HWP 07 P04	1:100	PLANNING



ELEVATION FRONT



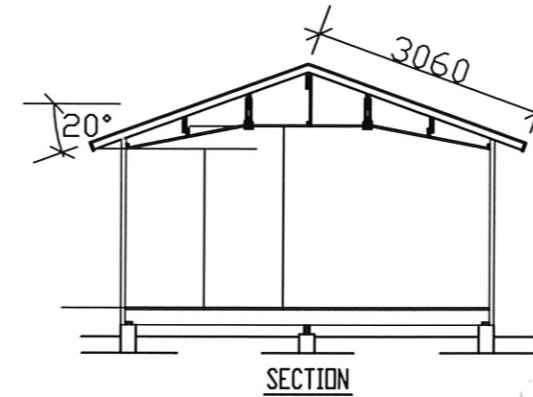
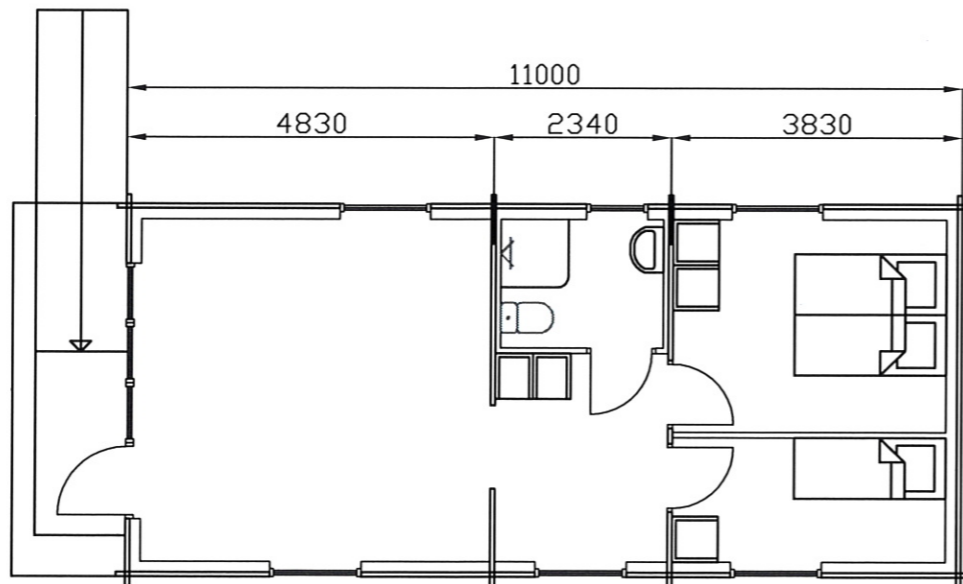
ELEVATION SIDE



ELEVATION REAR

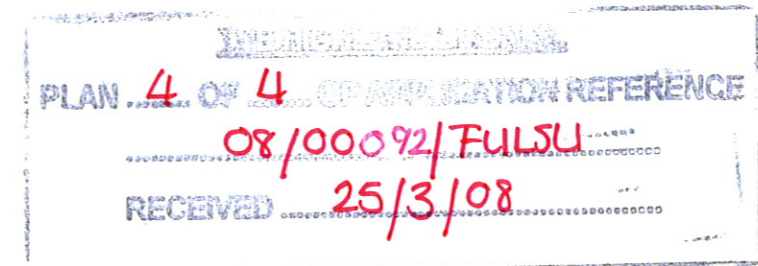


ELEVATION SIDE



SECTION

LIVE AREA: 47,9 M² (WITH INSULATION)



Date	Drawing Title	Project Title	
NOV 07	2 BED CHALLET PLANS, SECTIONS & ELEVATIONS	HEATHERWOOD PARK	
By	Number	Scale	Revision
SCOTT REID	HWP 07 P03	1:100	PLANNING