

**THE HIGHLAND COUNCIL**

**PLANNING APPLICATIONS COMMITTEE –  
12 January 2016**

Agenda Item	<b>7.4</b>
Report No	<b>PLN/011/16</b>

**15/03880/PIP: Mr Campbell Moffat per Knight and MacDonald Architects  
Land 70M South Of Scourie Village Hall, Scourie**

**Report by Area Planning Manager**

**SUMMARY**

**Description:** Erection of 2 houses

**Recommendation - APPROVE**

**Ward:** 1 – North, West and Central Sutherland

**Development category:** Local Development

**Pre-determination hearing:** N/A

**Reason referred to Committee:** Objection from Community Council.

**1. PROPOSED DEVELOPMENT**

- 1.1 The application seeks planning permission in principle for the erection of two houses, formation of a new access from the public road and installation of a communal private drainage system. As a PIP application, minimal information is required however an indicative layout plan has been submitted showing the proposed houses sited towards the western boundary of the plots, with parking and turning space to the front of the plots. Drainage proposed is by means of communal treatment plant discharging through a partial soakaway to the roadside ditch on the eastern boundary of the site.
- 1.2 Pre-application advice was provided through the Council's Pre-Application Advice Service in November 2012. This indicated that the principle of development was broadly supported albeit it may be preferable for the site to be developed as a single house plot.
- 1.3 It is understood that currently there is no existing infrastructure on site.
- 1.4 The application is supported by a Supporting Statement.
- 1.5 **Variations:** None

**2. SITE DESCRIPTION**

- 2.1 The site comprises an area of grazing land located immediately adjacent to the main A894 public road at Scourie. The village hall is located approximately 70m north of the site. The site is bounded by a post and wire fence and rises up to the

rear. There are a number of properties at Scouriemore located south west of the site which are set at a higher level. There is a large agricultural shed located north west of the site.

### **3. PLANNING HISTORY**

3.1 12/04121/PREAPP – Advice provided in November 2012

3.2 An application has also been submitted for a single house to the opposite (eastern) side of the public road (ref 15/03883/PIP). This application has been recommended for refusal under the Council's Scheme of Delegation as it is considered to be contrary to the provisions of the Development Plan.

### **4. PUBLIC PARTICIPATION**

4.1 Advertised: Unknown Neighbour – 13.11.2015

Representation deadline: 27.11.2015

Timeous representations: 2 representations from 2 households

Late representations: 0

4.2 2 letters of objection have received in connection with the proposal. Many of these also relate to the application referred to in Section 3.2 for a single house plot to the opposite side of the public road (15/03883/PIP). Material considerations raised *specific to this application* are as follows:

- The proposed building of the proposed houses will occupy about half of the croft land, making these crofts unusable for crofting;
- The current access to the croft lies within the proposed development site and an alternative access to the remainder of the croft from the Scouriemore township road will prove problematic if not totally impracticable.

A number of non-material issues are also raised in representations, as follows:

- The houses will be sold off as holiday homes and will not contribute to local living and working.
- The proposal will not address any local demand for affordable or social housing.
- The proposal will set a precedent that may encourage future applications to provide holiday homes on perfectly viable croft land.

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](http://www.wam.highland.gov.uk/wam). Access to computers can be made available via Planning and Development Service offices.

### **5. CONSULTATIONS**

5.1 **Scourie Community Council:** Object to the proposed development. Its concerns are as follows:

- Speculative development which will result in further holiday homes;

- Not in keeping with the established pattern of scale, density and settlement within Scourie;
- The development is not driven by any pressing local housing need;
- The proposed development is on good agricultural crofting land;
- The proposed development will add strain on an ongoing mains water pressure problem in Scourie.

5.2 **Crofting Commission:** No objection to the application which would provide 2 potential house sites on appropriately sized 0.2ha of croft land which may have a purpose of fulfilling a housing need in the locality. It is considered that given this particular area served as the old main road in Scourie that the quality of land may already be agriculturally compromised via the old roadworks being located here. It is noted that there is also potential access to the remainder of the croft from the public road at the Western side of this section of croft land which further strengthens the case for this application.

## 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
34	Settlement Development Areas
47	Safeguarding Inbye/Appportioned Croftland
65	Waste Water Treatment
66	Surface Water Drainage

### 6.2 Sutherland Local Plan (2010) (As Continued in Force)

Settlement Development Area (Scourie)

## 7. OTHER MATERIAL CONSIDERATIONS

### 7.1 Caithness and Sutherland Local Development Plan (Proposed Plan, 2015)

Policy 3 – Growing Settlements

### 7.2 Highland Council Supplementary Planning Policy Guidance

Access to Single Houses and Small Housing Developments (May 2011)

Sustainable Design Guide (Jan 2013)

### 7.3 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (The Scottish Government, June 2014)

## **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.

### **Development Plan Policy Assessment**

- 8.3 The proposal lies within the Scourie Settlement Development Area as defined by the adopted Sutherland Local Plan therefore the application requires to be assessed primarily against Policy 34 of the Highland-wide Local Development Plan. This states that proposal will be assessed against the extent to which they are compatible with the pattern of development, adjoining land uses and the effect on any natural, built and cultural heritage feature.
- 8.4 The Caithness and Sutherland LDP is also a material consideration. Scourie is identified as a 'Growing Settlement'. The policy states development proposals will be assessed against a range of criteria including the extent to which they:
- Are compatible in terms of use, spacing, character and density with development;
  - Can utilise spare capacity in the infrastructure network;
  - Avoid a loss of net loss of amenity/recreational areas
- 8.5 The site broadly echoes the pattern of development on the southern periphery of Scourie at Scouriemore, which is primarily concentrated to the western side of the public. The site land to the south and east of the site is also sit at a higher level therefore forming a backdrop to any new development. Furthermore the site forms a natural gap site between the existing village hall to the north and existing development at Scouriemore to the south. Indicative site layouts have also been submitted to demonstrate the plots are capable of accommodating 2 reasonably sized houses in addition to all ancillary development i.e. access, parking and drainage. The principle of development is therefore considered to be acceptable in this location.

### **Material Considerations**

- 8.6 Access
- A single access point from the public road would be formed to serve both of the proposed plots. The indicative plans submitted with the application indicate that parking for 2 cars per plot would be formed to the eastern boundary. Full details are required by condition.

## 8.7 Drainage

The Supporting Statement indicates that the ground conditions at the site are capable of draining reasonable well. Drainage proposed is by means of a communal treatment plant discharging to a partial soakaway/rumbling drain. Full details are required by condition.

## 8.8 Siting and Design

As noted in paragraph 8.5 the application site is considered to form a reasonable fit with the established pattern of development. Whilst the site is within a Settlement Development Area, the character of the area is rural in nature and the principles of the Housing in the Countryside and Siting and Design Guidance are applicable. A high quality design will be crucial to the success of the development given its prominent road side location. Properties in Scouriemore are generally of traditional form; this would encouraged for any further submission however there is scope for the addition of contemporary elements to secure a level of design commensurate with the location.

### Croft Land

- 8.9 It is noted that objectors have raised concerns regarding loss of croft land. Whilst there would be some inevitable loss of crofting land, the Crofting Commission note that this is not of an unacceptable level and that the quality of the land may already have been comprised. The remainder of the croft will continue to remain accessible from the public road at the western side of this section of croft land.

## 8.10 Other Considerations – not material

A number of non-material issues have been raised by the Community Council and third parties including that the proposed houses will sold off as holiday homes and will not address any local demand for affordable or social housing. There is no information submitted with the application that specifies the end user of the proposed houses. Regardless this is not a consideration of the planning system, which is solely concerned with assessing the development in land use terms. In terms of representations stating the development will add strain to the mains water pressure issues in Scourie, this is matter for the developer to discuss with Scottish Water. The developer will be required to ensure the proposed development is not served, in terms of water supply, to the detriment of other network users.

## 8.11 Matters to be secured by Section 75 Agreement

Not applicable.

## 9. CONCLUSION

- 9.1 All relevant matters have been taken into account when appraising this application. It is considered 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 **Approved** subject to the following conditions and reasons/notes to applicant :

1. No development shall commence on until all of the matters specified below have been approved on application to the Planning Authority:
  - i. a detailed layout of the site of the proposed development (including site levels as existing and proposed);
  - ii. the design and external appearance of the proposed development;
  - iii. landscaping proposals for the site of the proposed development (including boundary treatments);
  - iv. details of access and parking arrangements; and
  - v. details of the proposed water supply and drainage arrangements.

**Reason:** Planning permission is granted in principle only and these specified matters must be approved prior to development commencing.

2. Any details pursuant to Condition 1 above shall show a house of traditional form and proportion featuring the following elements:
  - i. walls finished predominantly in a white/off-white wet-dash render/smooth coursed cement render/natural stone;
  - ii. a roof covering of natural slate;
  - iii. single storey or 1½ storeys in height;
  - iv. windows with a strong vertical emphasis;
  - v. a roof symmetrically pitched of not less than 35° and not greater than 45°; and
  - vi. predominantly rectangular in shape with traditional gable ends.

**Reason:** In order to respect the vernacular building traditions of the area and integrate the proposal into its landscape setting; in the interests of visual amenity.

3. Any details pursuant to condition 1 above shall show the site access constructed in accordance with The Highland Council's Access to Single Houses and Small Housing Developments guidelines and the attached Access Schedule (dated 04.12.2015), with:
  - i. the junction formed to comply with drawing ref. SDB2; and
  - ii. visibility splays of 2.4m x 90m (the X dimension and Y dimension respectively) in each direction formed from the centre line of the junction.

No other development shall commence until the junction has been constructed in full and 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.

4. Any details pursuant to condition 1 above shall show car parking spaces provided within the curtilage of the dwellinghouse and formed in accordance with The Highland Council's Access to Single Houses and Small Developments prior to first occupation, thereafter being maintained for this use in perpetuity. Provision, which shall exclude garages, shall be as follows:

- i. Two spaces per 1 to 3 bedrooms;
- ii. Three spaces per 4 to 5 bedrooms; and
- iii. Four spaces per 6 or more bedrooms.

**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.

5. Any details pursuant to condition 1 above shall show a vehicle turning area within the application site formed in accordance with The Highland Council's Road Guidelines for New Developments. The turning area shall be provided prior to the first use of the development and thereafter maintained as a turning area 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.

6. Any details pursuant to condition 1 above shall include a detailed Landscape Plan and Maintenance Programme. The Landscape Plan shall be implemented in full during the first planting season following commencement of development, with maintenance thereafter being carried out in accordance with the Maintenance Programme. For the avoidance of doubt, 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.

7. Any details pursuant to Condition 1 above shall include full details of foul drainage infrastructure (including treatment plant and soakaway locations).

**Reason:** In order to ensure that private foul drainage infrastructure is suitably catered for, in the interests of public health and environmental protection.

8. The size, orientation and location of the dwellinghouse(s) as shown on the approved plans is indicative only and no development shall commence until these matters have been approved on application to the Planning Authority.

**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.

### **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**

In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended), an application or applications for the approval of matters specified in conditions attached to this planning permission in principle must be made no later than whichever is the latest of the following:

- I. The expiration of THREE YEARS from the date on this decision notice;
- II. The expiration of SIX MONTHS from the date on which an earlier application for the requisite approval was refused; or
- III. The expiration of SIX MONTHS from the date on which an appeal against such refusal was dismissed.

The development to which this planning permission in principle relates must commence no later than TWO YEARS from the date of the requisite approval of any matters specified in conditions (or, in the case of approval of different matters on different dates, from the date of the requisite approval for the last such matter being obtained)., whichever is the later. If development has not commenced within this period, then this planning permission in principle shall lapse.

### **FOOTNOTE TO APPLICANT**

#### **Accordance with Approved Plans & 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.

### **Septic Tanks and Soakaways**

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

### **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.

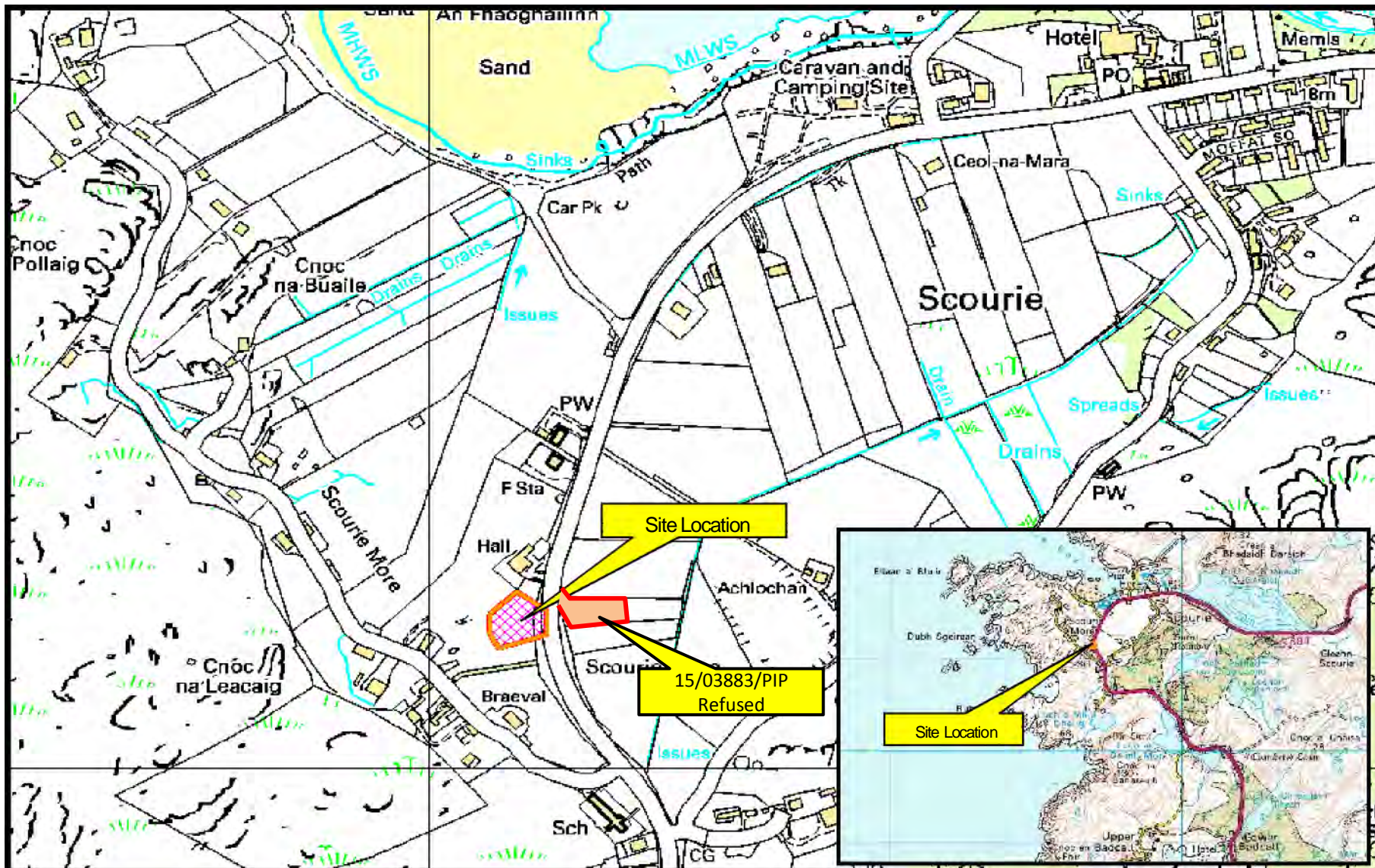
Further information on the Council's roads standards can be found at:  
<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

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:	Gillian Webster
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 – Location Plan Ref: 000001 Plan 2 – Site Layout Plan Ref: AL(02)02 Rev B



Development and  
Infrastructure Service

**15/03880/PIP**

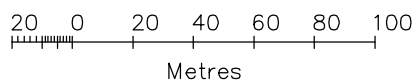
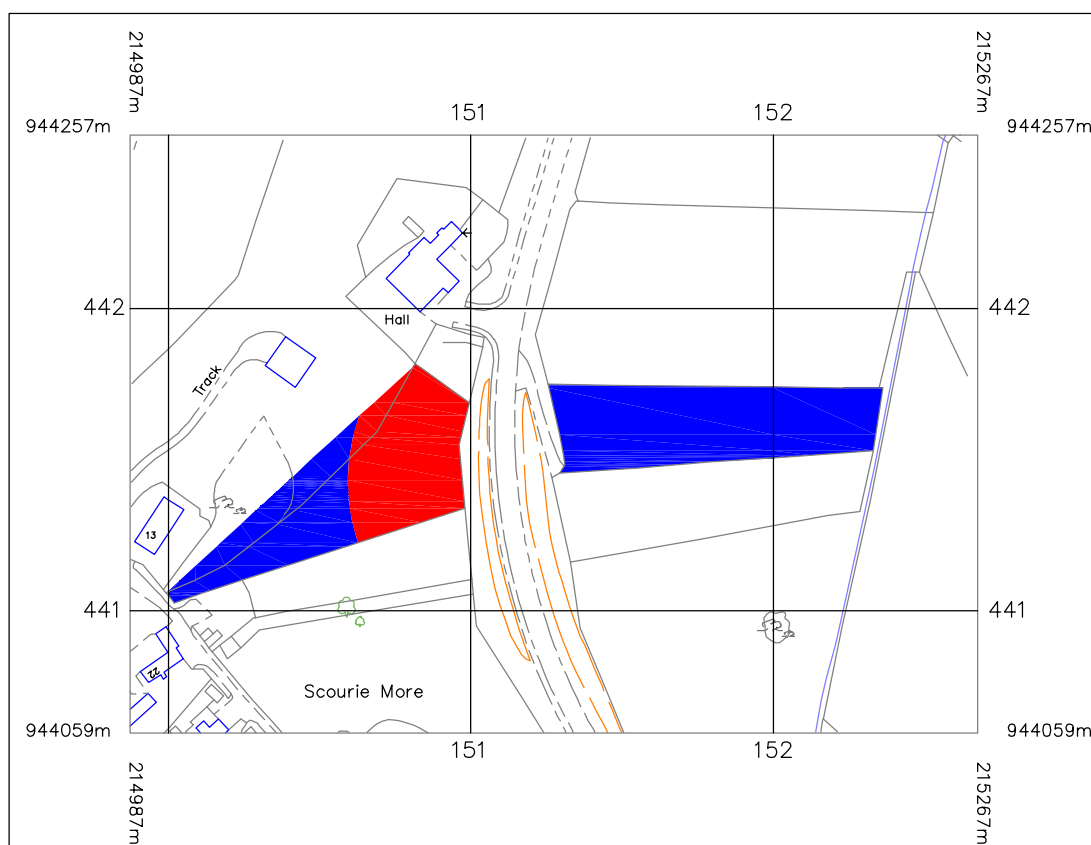
Erection of 2 houses at Land 70m South of Scourie Village

Hall Date: 21<sup>st</sup> January 2016



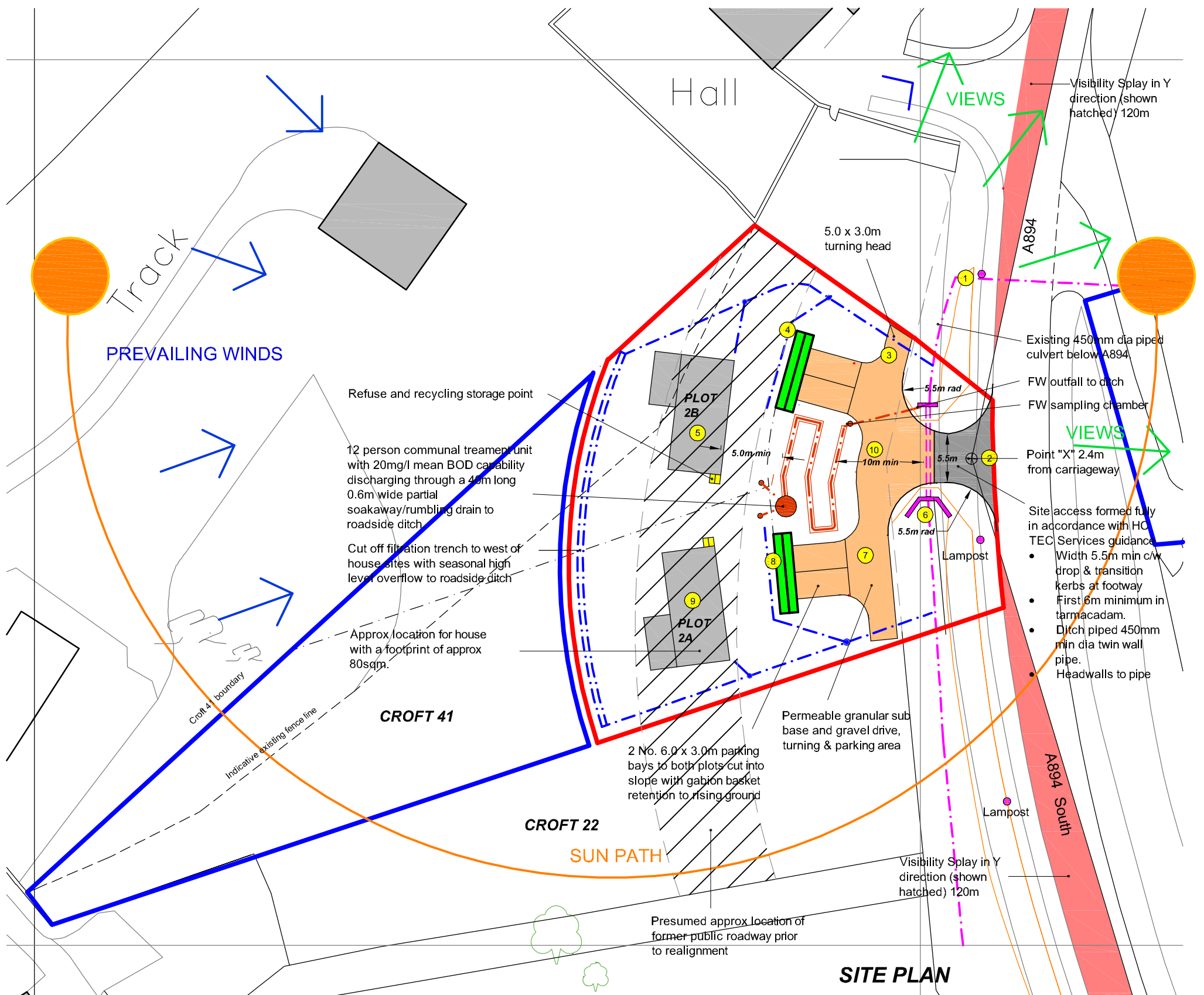
Scale:

# Stanfords VectorMap



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#### INDICATIVE LEVELS:

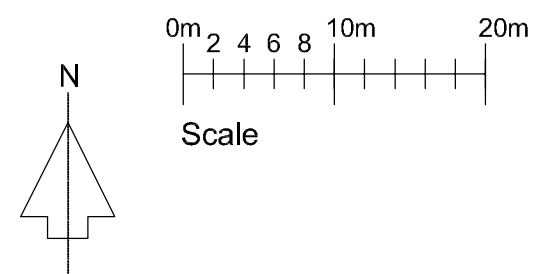
1	10.00	culvert invert
2	12.30	
3	11.80	
4	13.70	
5	14.25	finished ground floor level
6	10.25	ditch invert
7	11.50	
8	12.80	
9	14.00	finished ground floor level
10	11.80	



#### LOCATION PLAN



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APPLICATION SITE OUTLINED IN RED

LAND ALSO OWNED BY APPLICANT  
OUTLINED IN BLUE

#### KNIGHT & McDONALD ARCHITECTS

6 Princes Street, Thurso, Caithness, KW14 7BQ  
Tel: 01847 893811  
Fax: 01847 893152  
E-mail: [admin@knightandmcdonald.co.uk](mailto:admin@knightandmcdonald.co.uk)

**Project:** Proposed House Development at SITE NO.2 (West),  
Croft 41, Scourie.

**Client:** Mr C Moffat

**Drawing Title:** PROPOSED SITE PLAN - WEST SITES

Scale	as shown	Date	10.10.12	Drawn	DM	Checked	
Job No	17234	Code	AL(0)	Dwg No	02	Rev	B