

THE HIGHLAND COUNCIL

PLANNING APPLICATIONS COMMITTEE – 26 APRIL 2016

Agenda Item	6.2
Report No	PLN/023/16

16/00382/FUL: Mrs M Sutherland per Heartland Home Services
Land 60M NE of Bridgeside, Dalchalm, Brora

Report by Area Planning Manager

SUMMARY

Description: Erection of single storey house, extend existing access road, install new septic tank and soakaway

Recommendation - REFUSE

Ward: 5 – East Sutherland and Edderton

Development category: Local

Pre-determination hearing: N/A

Reason referred to Committee: Local Member request

1. PROPOSED DEVELOPMENT

- 1.1 The application seeks full planning permission for the erection of a single storey house, installation of private drainage arrangements and extension of existing access road. The proposed house would have simple appearance and would be orientated in south easterly direction and forms a rectangular shaped footprint with the addition of a porch on the northwest elevation. Proposed materials comprise wet dash white roughcast finish to external walls and concrete roof tiles.
- 1.2 Pre-application advice was provided in September 2014. This indicated that there *may* be scope for development subject to acceptable siting and design and compliance with all other material considerations.
- 1.3 It is understood that there may be some infrastructure on site associated with the previous use as a campsite.
- 1.4 The application is accompanied by a Supporting Statement.
- 1.5 **Variations:** None

2. SITE DESCRIPTION

- 2.1 The site lies between the A9(T) (to the north) and the railway (to the south). The Dalchalm railway bridge lies to the south west of the site. Formerly a camp site, this open area of land is accessed by an existing vehicular access to the public

road (this is proposed to be extended to the site as part of the development). Open outlook to the south east towards the sea with existing properties lying adjacent to the access to the south.

3. PLANNING HISTORY

- 3.1
- 04/00410/OUTSU: Formation of 3 No. building plots – Application Withdrawn 23.11.2014
 - 04/00451/OUTSU: Provision of site for the erection of one dwelling (In Outline). Application Refused 04.03.2005

Also relevant to this application:

- 15/00334/FUL: Demolish existing toilet block, construct a single storey house, extend access road, install septic tank and soakaway. Refused 04.06.2015. This decision was challenged by Notice of Review and permission was granted by the Review Body on 01.10.2015. *This site is located immediately south east of the application site.*

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Unknown Neighbour – 12.02.2016

Representation deadline: 26.02.2016

Timeous representations: 4 representations from 2 households

Late representations: 0

- 4.2 Material considerations raised are summarised as follows:

- Proposal is not in accordance with Development Plan policies, particularly HwLDP Policy 28, 34 and 36
- Planning history including that of the adjacent site (15/00334/FUL), previous Appeals/Reporter's decision
- The 'existing access' referred does not exist;
- Concerns regarding suitability of wider access;

Issues which are raised that are non-material in the assessment of the application are summarised as:

- Concerns regarding the description of development and the address of the site;

5. CONSULTATIONS

- 5.2 **Transport Scotland:** No objections however request a condition specifically outlining that the site shall not be accessed directly from the A9 Trunk Road.

6. DEVELOPMENT PLAN

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
36	Development in Wider Countryside
66	Surface Water Drainage

6.2 Sutherland Local Plan (As Continued in Force) (April 2012)

No site specific policies.

7. OTHER MATERIAL CONSIDERATIONS

7.1 Highland Council Supplementary Planning Policy Guidance

Housing in the Countryside and Siting and Design Supplementary Guidance

7.2 Scottish Government Planning Policy and Guidance

Scottish Planning Policy

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 Highland Wide Local Development Plan Policies 28, 29 and 36, and the Supplementary Guidance on Housing in the Countryside and Siting and Design, are the lead planning policies in the assessment of the proposal. Policy 36 which deals with development in the wider countryside is particularly applicable. This policy states that proposals will be assessed against the extent to which they fit with any established pattern of development, landscape character and the impact on any built, cultural or natural heritage feature.

8.3.1 The main pattern of development at Dalchalm is concentrated along the loop road from the A9, with houses forming a linear pattern. There are a further two houses, also accessed from the loop road which are detached from this existing pattern. These two houses are located immediately southwest of the application site; the proposal would add a third house to this small grouping of two houses which are in themselves disjoined from the main grouping of houses at Dalchalm. Planning permission reference 15/00334/FUL granted by the Review Body, lies to the east/south east of the existing two houses.

- 8.3.2 It is considered that the development of a single house at this location would introduce a significant change to a relatively isolated site, which is positioned between three distinctive linear features - the A9(T), Dalchalm road and north railway line. As such it is not considered that the development forms a coherent fit with the pattern of development, specifically the two houses to the southwest of the site. This would be further magnified by the site's prominent location next to the A9 Trunk road.

8.4 **Material Considerations**

8.4.1 **Planning History**

The planning history for the site is also a material planning consideration. This history includes a previous refusal for a house at the site in 2005. At that time the Sutherland Local Plan was the key determining policy document. The general policies of the Sutherland Local Plan which applied in respect of the site previously have now been superseded by the general policies of the Highland-wide Local Development Plan. In terms of general policies for the wider countryside area it is not considered that the policy context has altered so significantly that a differing view could now be taken.

- 8.4.2 It is also acknowledged that there has been a recent approval granted by the Council's Review Body (15/00334/FUL) on the site lying immediately south east of the application site. This was granted on the basis that:

1. The conclusion contained in the planning officer's report of handling was not justified given the comments of the officer elsewhere in the report;
2. The planning history related to a different site and therefore should not influence decision making on the Notice of Review;
3. The application is not within the hinterland and the development is considered to be in the right place in relation to existing houses.

- 8.4.3 This decision requires to be given due consideration; and the findings of the Review Body are noted. However in relation to the current site, it is not considered that a house in the location applied for would be consistent with the pattern of development for the reasons noted in section 8.3. In contrast to the proposal that was approved at the Review Body, the current application has been subject to a previous refusal on the site and although the policy context has been updated as noted in para 8.4.1, in terms of general policies it is not considered that this has changed to such an extent that would warrant a different decision to be made i.e. a recommendation for approval. Of particular concern in relation to this current application is the prominence of the site when viewed from the A9 trunk road. At this point in time, although an approval has been granted on the adjacent site (15/00334/FUL), it is not considered that the settlement pattern has been altered as this development has not been completed, or indeed started, on site. As such, whilst due consideration has been applied, it is not considered that the approval of a house on the adjacent site has sufficient weight to justify a house on the application site, as suggested by the agent.

8.4.4 It is regrettable that broadly supportive pre-application advice was provided in 2014 given that this was done without an appreciation of the weight and relevance of the planning history, as noted above, as a material planning consideration.

8.4.5 **Siting and Design**

The proposed house has been positioned centrally within the plot and is approximately 25m from the existing property 'Colmarvin' to the southwest. The house has been orientated in a south westerly direction to minimise the impact on the amenity and privacy of the adjacent property. The design is typical of many new houses in the area and is broadly traditional in its appearance, if somewhat simplistic and lacking in any features of interest. Within the context of the adjacent two houses, the design and materials do not give rise to any concerns.

8.4.6 **Drainage**

The Supporting Statement notes the ground conditions are suitable for such an arrangement however no percolation test results have been submitted in support of the application.

8.4.7 **Access**

The proposed house would be accessed from a new driveway between the two existing houses, off their own shared access point to the public road at Dalchalm to the west; no new access or frontage to the A9(T) is part of the proposal. To the south of the access to the public road there is a hump back bridge over the railway and this combined with a slight bend results in low vehicle speeds from the southern approach to the site access. To the north of the access it is around 50m to the junction with the A9(T) and the splay towards this are acceptable, again with low vehicle speeds. Overall, the splays are existing and serve two modern houses and are considered to be acceptable and sufficient to accept a further single house.

8.5 **Other Considerations – not material**

Concerns regarding the accuracy of the description of development and the address have been noted by objectors (specifically as the address makes reference to existing property, Bridgeside which does not share a common boundary with the site). The addresses contained in planning applications are automatically generated by the Planning Authority during the validation and not by the applicant. The description of development makes reference to the 'extension of existing access road'. This is intended to refer to the existing road serving the existing two properties – Colmarvin and Bridgeside rather than suggesting there is an existing access serving the site itself. It is not considered that there has been any attempt to 'mis-lead' the Planning Authority or the adjacent properties as stated by objectors.

8.6 **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 acknowledged that planning permission was recently granted for a house on the adjacent site to the south east. It is also acknowledged that the proposed house has been sited to avoid any significantly adverse impact on the existing property, Colmarvin. However it is not considered that either of these factors provide sufficient justification for a house in this location. Taking all factors into account, on balance, it is considered that the proposed development would be at odds with the existing pattern of development, further exacerbated by the site's prominent location adjacent to the A9. 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.

It is recommended that permission be refused.

10. RECOMMENDATION

Subject to the above, it is recommended the application be **REFUSED** for the following reasons:

1. The proposal is contrary to the provisions of the Highland-wide Local Development Plan Policies 28 (Sustainable Design) and Policy 36 (Development in the Wider Countryside) as a house in this location would not be sympathetic to the established pattern of development in the area, specifically it would not be in keeping with the two properties lying to the south of the application site. Furthermore, the site's prominent location immediately adjacent to the A9 Trunk Road would result in any house appearing particularly incongruous, resulting in a significantly detrimental impact to local amenity.

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 1915 A Plan 2 – Site Layout Plan 1915 A Plan 3 – Elevations 1915 A Plan 4 – Foundations 1915 A Plan 5 - Ground Floor Plan 1915 A Plan 6 – Section Plan 1915 A



Heartland Home Services Ltd

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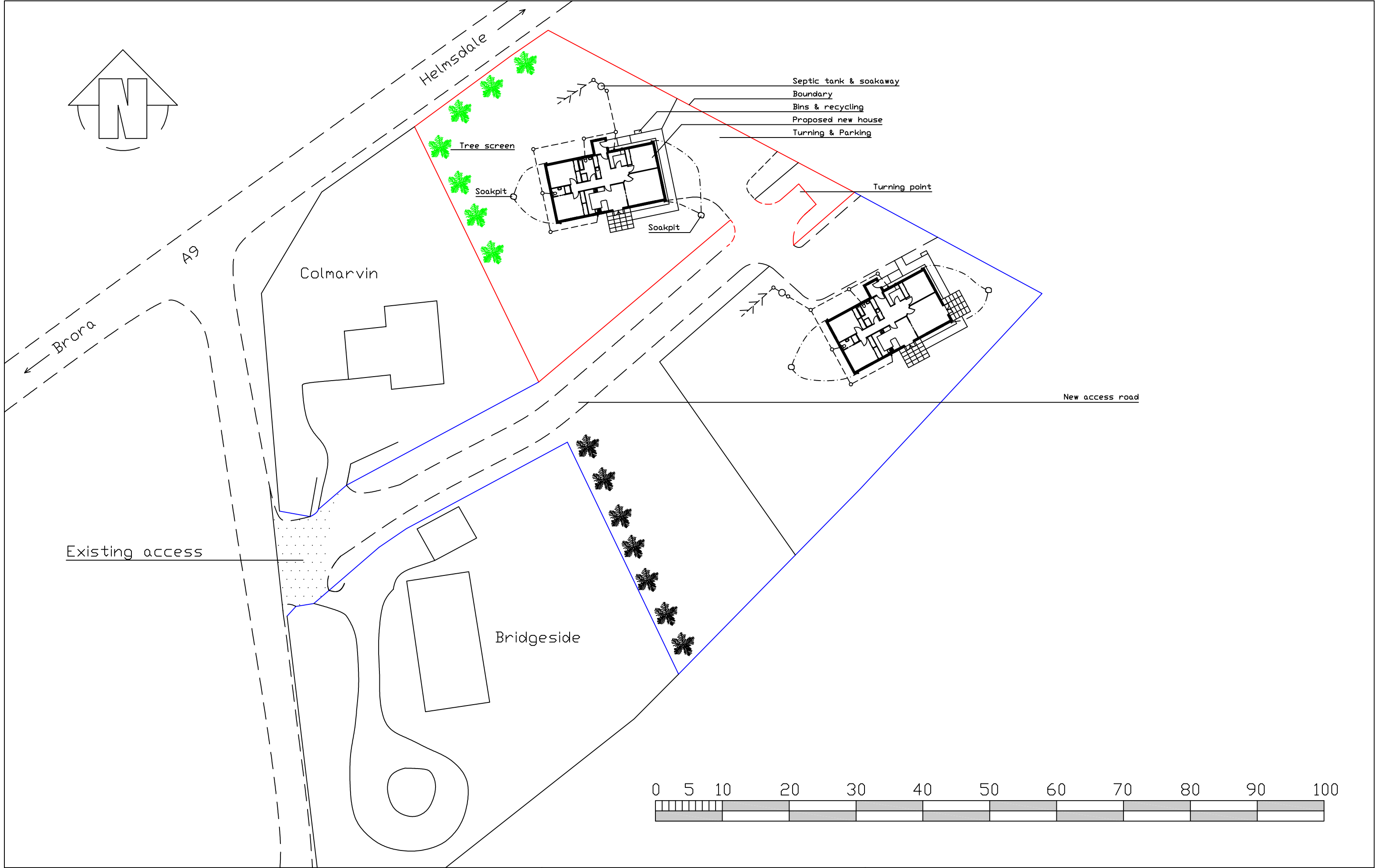
CLIENT Mrs M Sutherland

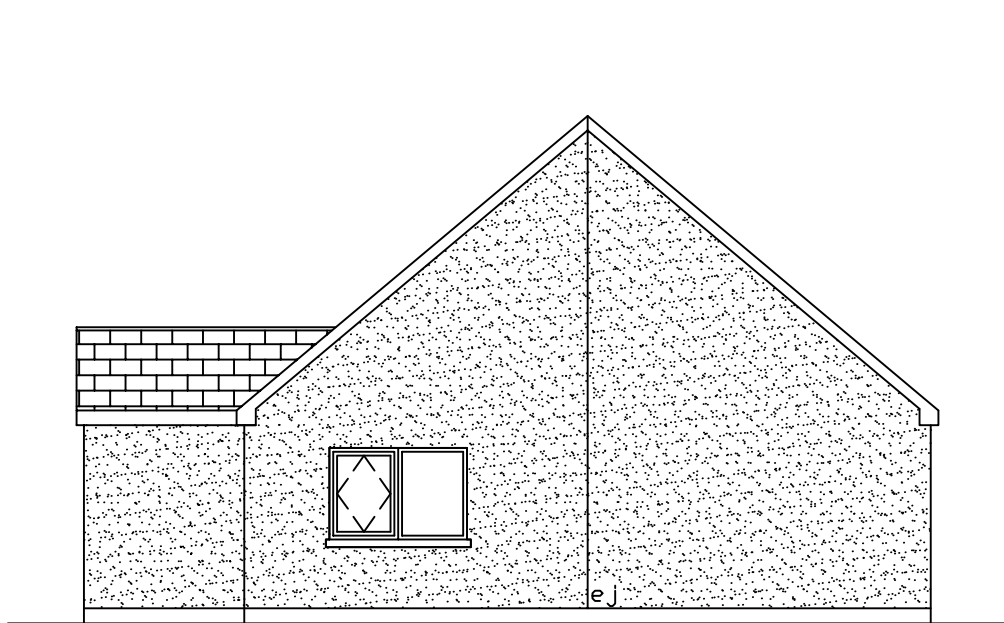
REF_NO 1915-Rev. "A"

DESCRIPTION Proposed New House at 75 Dalchalm, Brora.

DETAILS Location Plan 01

DATE 30-11-2015





South West Elevation

Continuous ventilated ridge

Redland "Richmond" concrete tiles

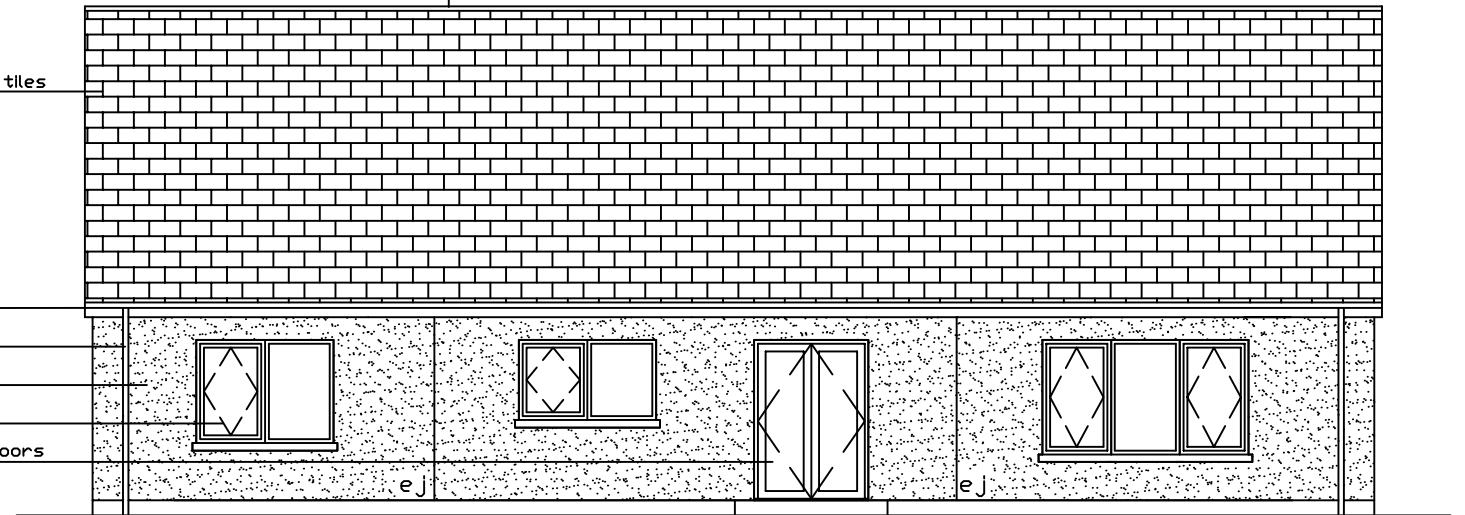
Deepflow PVC gutters

68mm PVC downpipe

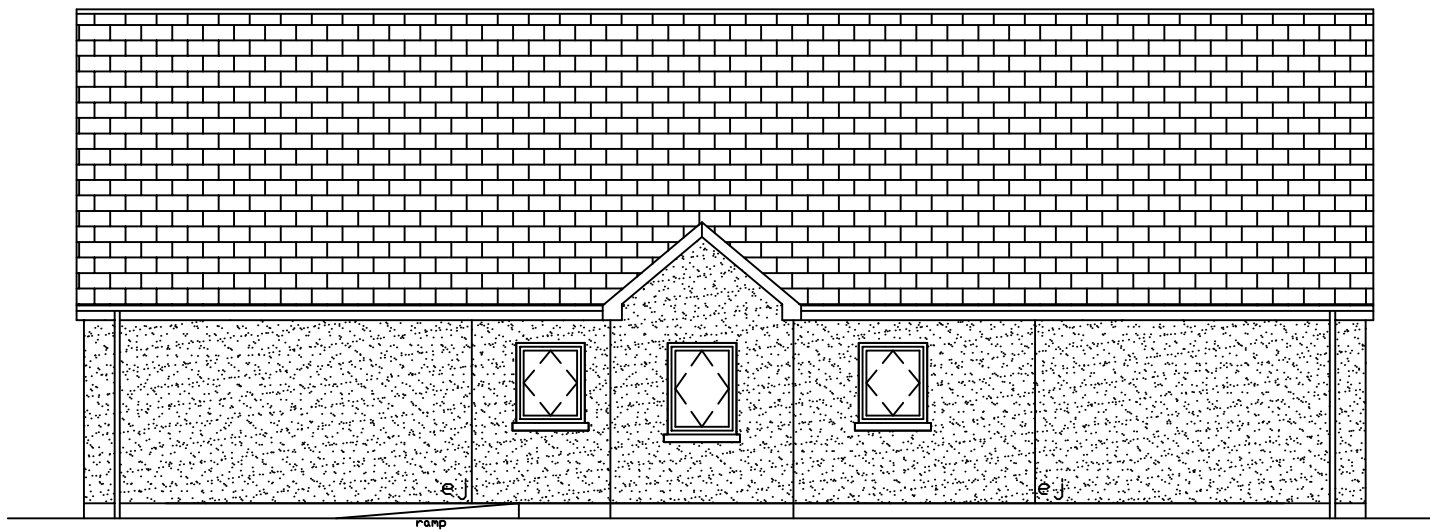
Wet dash white roughcast

Oak effect uPVC windows

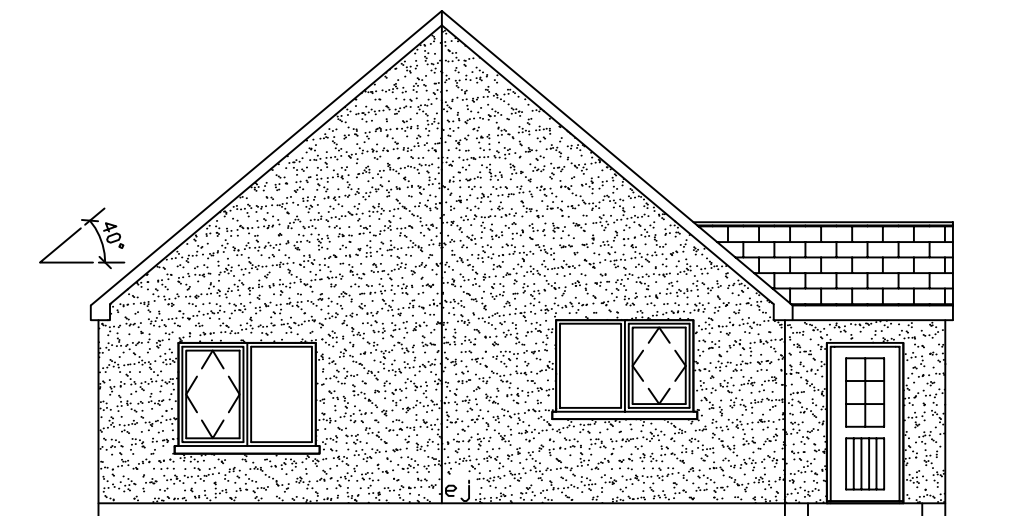
Oak effect uPVC external doors



South East Elevation



North West Elevation



North East Elevation



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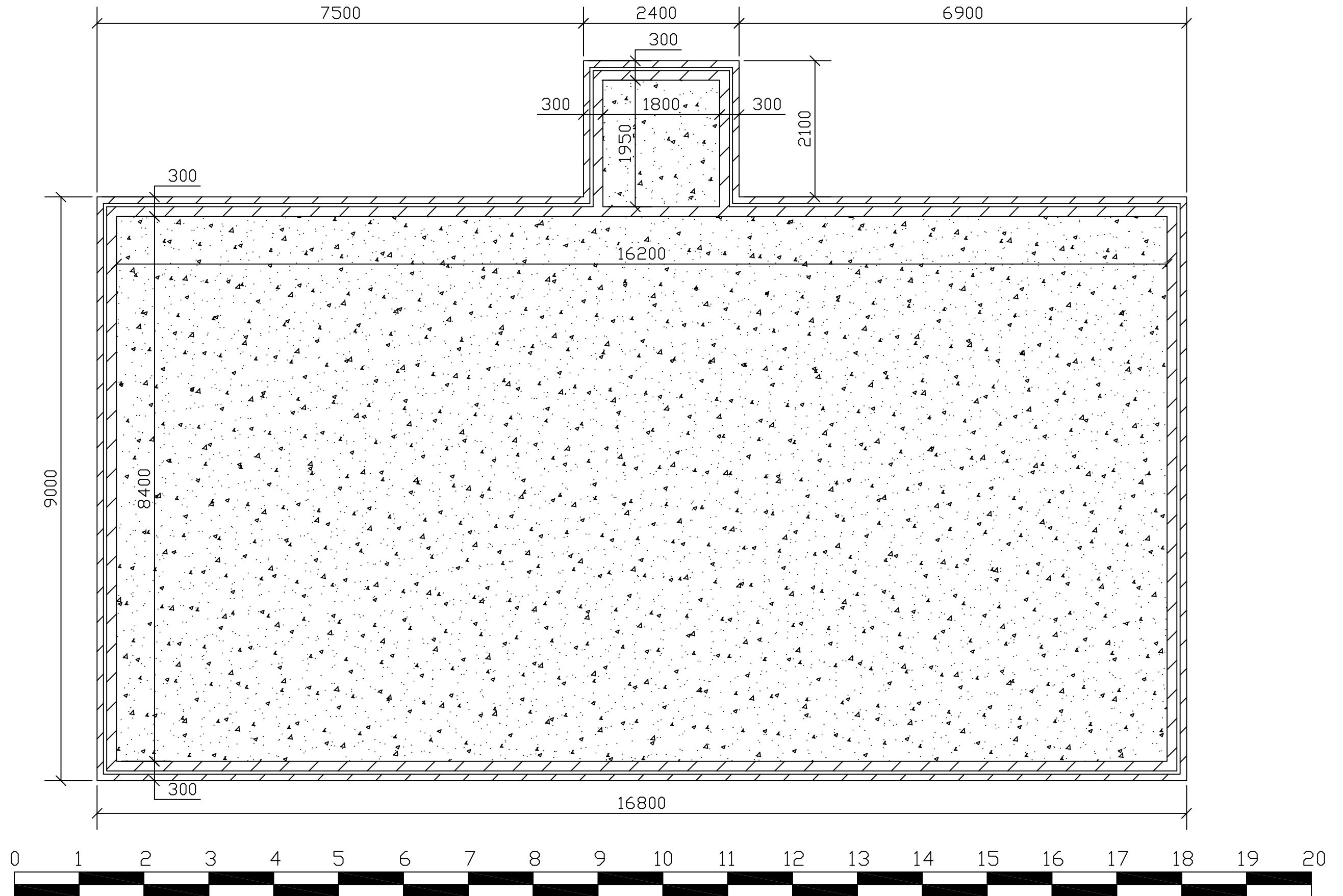
REF_NO 1915-Rev. "A"

DESCRIPTION Proposed New House at 75 Dalchalm, Brora.

DETAILS Elevations

SCALE 1 : 100

DATE 30-11-2015



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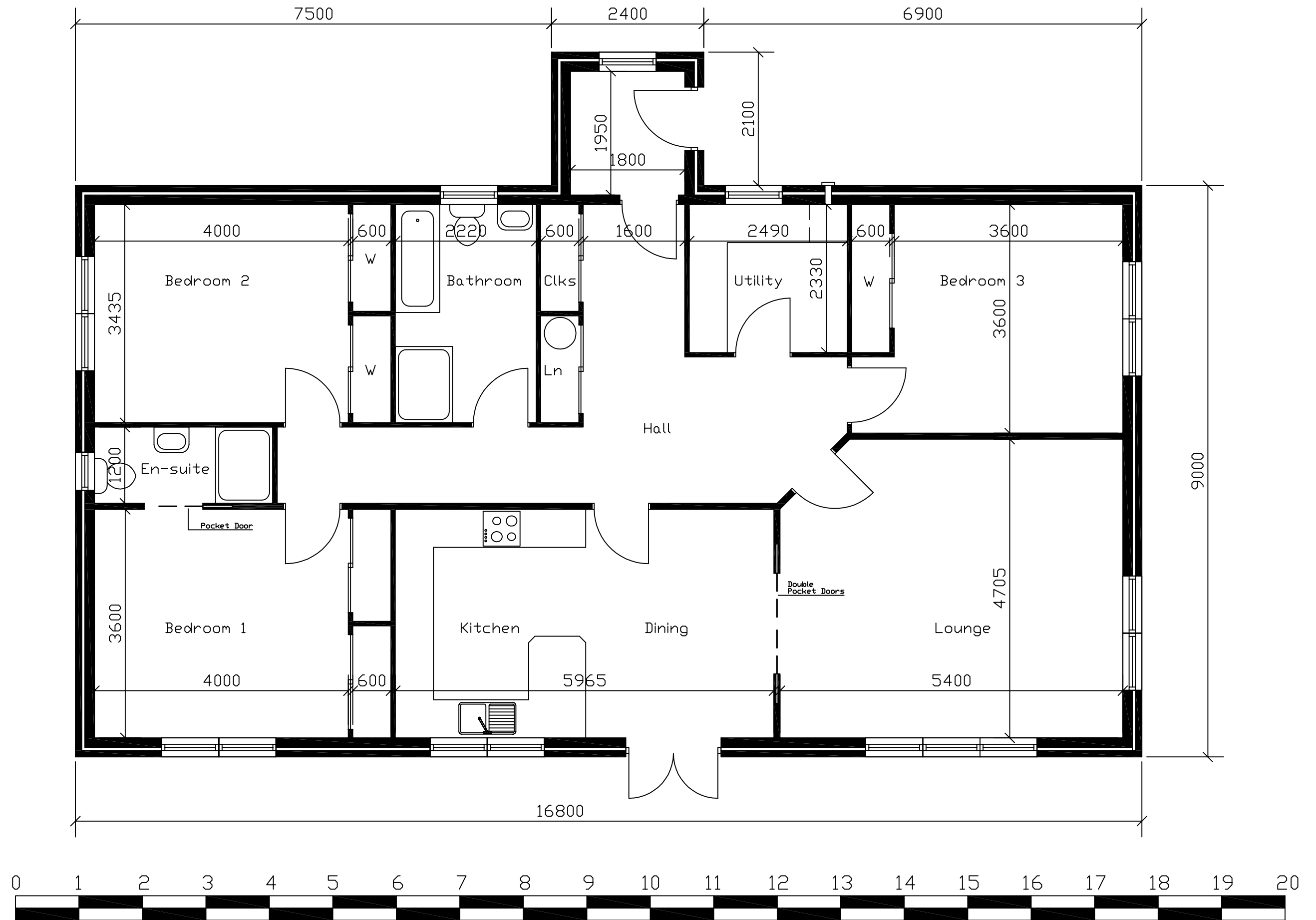
DESCRIPTION Proposed New House at 75 Dalchalm, Brora.

REF_NO	1915-Rev. "A"
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DETAILS Foundations

SCALE 1 : 60

DATE 30-11-2015



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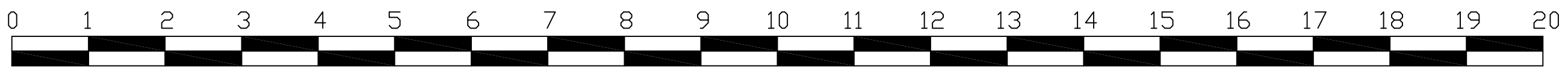
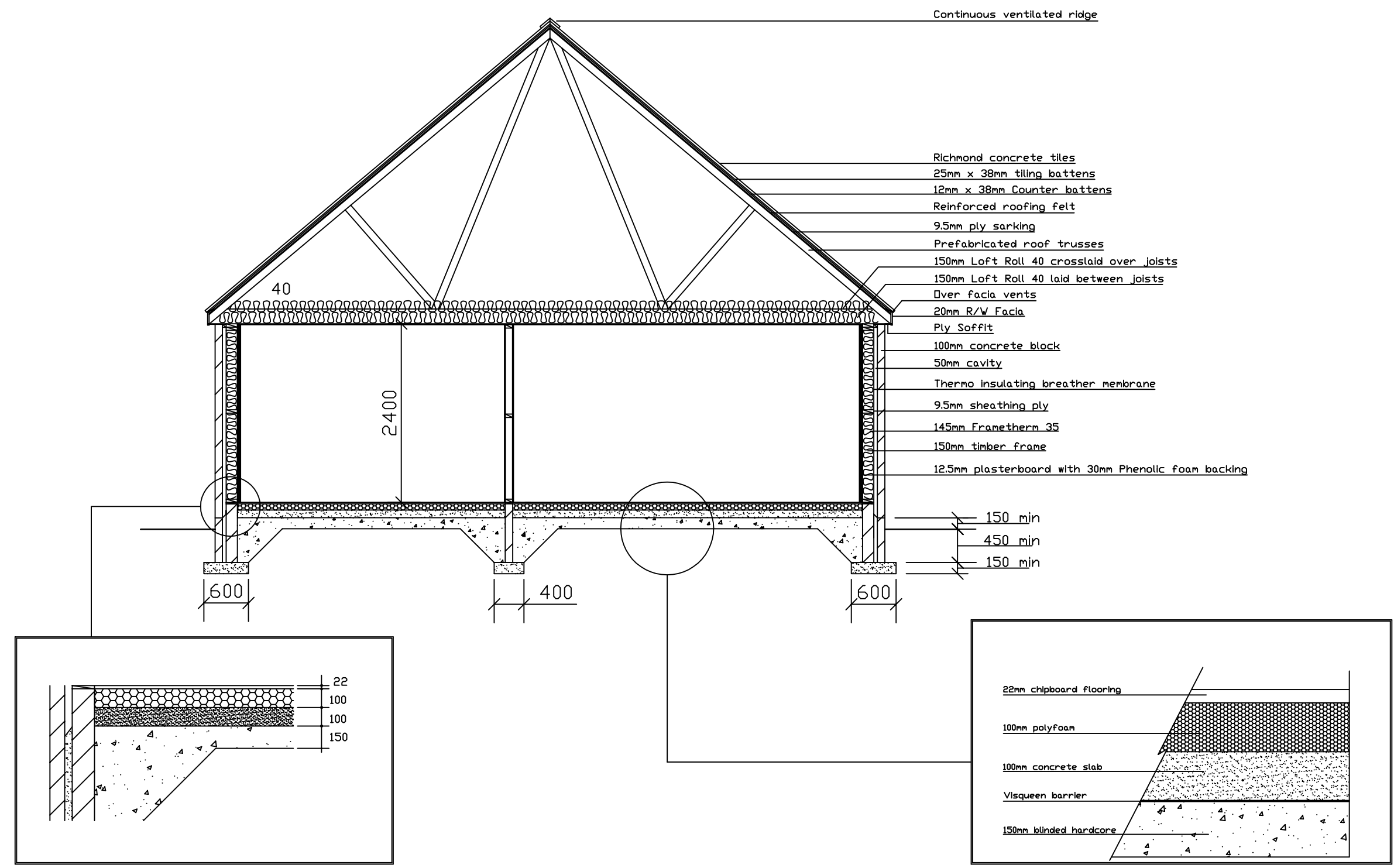
REF_NO 1915-Rev. "A"

DESCRIPTION Proposed New House at 75 Dalchalm, Brora.

DETAILS Ground Floor Plan

SCALE 1 : 60

DATE 30-11-2015



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DESCRIPTION Proposed New House at 75 Dalchalm, Brora.

REF_NO 1915-Rev. "A"

DETAILS Section

SCALE 1 : 60

DATE 30-11-2015