

Agenda item	<b>6.1</b>
Report no	<b>PLN/047/19</b>

## THE HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee

**Date:** 4 June 2019

**Report Title:** Supplementary Report:  
18/05061/FUL: Land 50M West Of Windygates, Newton Row,  
Wick

**Report By:** Area Planning Manager – North

### 1. **Purpose/Executive Summary**

Applicant: Mr and Miss Clair and Helen Harper

Description of development: Erection of house

Ward: 3 – Wick and East Caithness

Category: Local

Reasons Referred to Committee: Deferral at NPAC meeting in March 2018 to allow consideration of alternative siting and submission of further information to address SEPA objection

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 acceptable in terms of applicable material considerations.

### 2. **Recommendation**

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

### 3. BACKGROUND

- 3.1 Members will recall that this application was presented to the North Planning Applications Committee in March 2019 with a recommendation to refuse as a result of concerns regarding siting and the subsequent impact on settlement pattern. The application was also subject to an unresolved objection from SEPA with regards foul drainage. After discussion, Members agreed to defer the application as follows:

*The Committee **AGREED** to **DEFER** for the applicant to submit information to address SEPA's objection re the proposed septic tank and soakaway (is it sufficient to deal with foul drainage) and to explore alternative locations within the applicants' landownership.*

- 3.2 This report should be read alongside the Committee paper and plans presented to the NPAC meeting on 6<sup>th</sup> March 2019.

### 4. ASSESSMENT

- 4.1 Following the meeting of 6<sup>th</sup> March, a meeting was held with the applicants to discuss any alternative options for the house, given the recommendation of the Committee. The applicants have again re-iterated that they do not wish to pursue an alternative location for the proposed house therefore the siting remains as submitted. The applicant has indicated that chosen house site would utilise a less productive area of ground, which is understood.
- 4.2 The applicant has however provided an amended site layout plan to address the objection which had been lodged by SEPA regarding foul drainage. The layout shows that the foul drainage would be by means of treatment plant and mounded soakaway. SEPA have confirmed that this arrangement is acceptable and its objection is therefore removed. On this basis the second reason for as set out on the original committee report can be removed.
- 4.3 The applicant has also provided details of surface water drainage; noted as being by means of surface water soakaway. This has been informed by percolation testing. This will ensure that, should consent be granted, appropriate provision is in place to prevent surface water run-off entering the public road.
- 4.4 Members will recall a number of concerns were noted by Transport Planning about the condition of the U1241 road which would serve the development; this is a single track rural road with limited passing place provision. In order to address these deficiencies a number of planning conditions would be recommended, should Members be minded to grant consent. These are:
- Provision of an extended layby at the proposed access to provide both a service layby and a passing place or an additional passing place on the plot frontage in addition to the service bay;
  - The plot boundary should be set back to permit widening of the carriageway to 5.5m and a 2m verge
  - Upgrading of the an existing passing place to give a standing passing place
- 4.5 Members may also wish to note that should consent be granted, this would subject to payment of developer contributions prior to any decision being issued. In this instance, following assessmet against the Council's Developer Contributions Supplementary Guidance, a contribution of £1,129 would be required towards the upgrading of Netwon Park Primary School and Wick High School (please refer to Appendix 1 for full details).

## 5. CONCLUSION

5.1 Whilst the concerns of SEPA have now been removed, the concerns regarding siting and the impact on the pattern of development at Newton Row remain as detailed in the Committee Report of March 2018. Therefore, the original recommendation of refusal remains unaltered.

## 6. IMPLICATIONS

6.1 Resource – Not applicable

6.2 Legal –Not applicable

6.3 Community (Equality, Poverty and Rural) –Not applicable

6.4 Climate Change/Carbon Clever –Not applicable

6.5 Risk – Not applicable

6.6 Gaelic – Not applicable

## 7. RECOMMENDATION

<b>Action required before decision issued</b>	N
Notification to Scottish Ministers	N
Notification to Historic Scotland	N
Conclusion of Section 75 Agreement	N
Revocation of previous permission	N

The application is recommended for refusal for the reasons set out below.

### 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) as the proposed house is sited contrary to the established pattern of development at Newton Row which is concentrated on the eastern side of the public road. Furthermore, the proposed siting of the house has no relationship with the public road and does not relate to, infill, or round off any existing development and would represent an incongruous addition to this currently open landscape.

Designation: Area Planning Manager - North

Author: Gillian Webster

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

Relevant Plans: Please refer to Committee Paper - 6 March 2018 (copy attached)

## Appendix 1 – Developer Contribution Calculation

Infrastructure / Service Type	Select Answer	Contribution Rate Per Home (a small scale housing discount has already been applied)
<b>Number of Homes Proposed</b>	1	
<b>Schools - Primary</b>		
Build Costs	2 classroom extension	£417
Major Extension / New School - Land Costs	None - No land costs required	£0
<b>Primary Total</b>		<b>£417</b>
<b>Schools - Secondary</b>		
Build Costs	Major extension / new school	£712
Major Extension / New School - Land Costs	None - No land costs required	£0
<b>Secondary Total</b>		<b>£712</b>
<b>Affordable Housing</b>		
CNPA	No	£0
<b>Cumulative Transport</b>		
Development Brief / Agreement Area	None - No cumulative transport costs required	£0
Breakdown	N/A	N/A
	N/A	N/A
	N/A	N/A
<b>Total Per Home</b>		<b>£1,129</b>
<b>Total for Development</b>		<b>£1,129</b>

All costs are subject to indexation (BCIS All In TD) and have been indexed to the appropriate quarter