

**THE HIGHLAND COUNCIL**

**SOUTH PLANNING APPLICATIONS COMMITTEE**  
**20 August 2013**

Agenda Item	5.4
Report No	PLS 045/13

**13/1949/FUL: Mrs B Munro**  
**39 Firthview Road, Inverness, IV3 8LZ**

**Report by Area Planning Manager – South**

**SUMMARY**

**Description:** Erection of house

**Recommendation:** **GRANT**

**Ward:** 14 - Inverness West

**Development category:** Local

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

**Reason referred to Committee:** Objections from 5 or more addresses.

**1. PROPOSAL**

- 1.1 Planning permission is sought for the erection of a two-bedroomed house and associated works within the domestic curtilage of 39 Firthview Road, Scorguie, Inverness.
- 1.2 No pre-application advice was sought in relation to this development.
- 1.3 The site is to be served by an access which extends from Firthview Road.
- 1.4 No supporting information has been submitted with this application.
- 1.5 Since the application was submitted, a number of variations have been made:
  - i. The proposed house has been reduced from 1½ storeys to a single storey house.
  - ii. The rooflights have been removed from the proposal.
  - iii. The roof form has been amended to better reflect that of existing dwellings.
  - iv. The floor area of the proposed house has been reduced.
  - v. The access and parking arrangements have been revised and addressed in detail on the proposed plans.

## 2. SITE DESCRIPTION

- 2.1 The application site relates to an area of garden ground immediately to the south east of 39 Firthview Road. It is bounded by residential curtilages to south, east and west and by Firthview Road to the north, from which the access to the host building extends. There is a significant difference in levels between this area of ground and the land to the north and south of the site.

## 3. PLANNING HISTORY

- 3.1 09/00682/FULIN - Erection of conservatory incorporating tiled dormer at 39 Firthview Road, Inverness, IV3 8LZ. Permission granted.

## 4. PUBLIC PARTICIPATION

- 4.1 Advertised: Unknown Neighbour

Representation deadline: 29.06.2013

Timeous representations: 6

Late representations: 0

- 4.2 Material considerations raised are summarised as follows:

- There is concern regarding the potential for the development to have a detrimental impact on the privacy of neighbouring residents.
- There will be an increase in noise during construction.
- The view from neighbouring properties will be affected.

- 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 **TECS (Area Roads and Community Works Manager):** No objections to the proposed development (as revised).

## 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
29	Design Quality and Place-Making
34	Settlement Development Areas
57	Natural, Built and Cultural Heritage

**6.2 Inverness Local Plan (March 2006) (as continued in force)**

N/A

**7. OTHER MATERIAL CONSIDERATIONS****7.1 Highland Council Supplementary Planning Policy Guidance**

- Sustainable Design Guide (June 2011)

**7.2 Scottish Government Planning Policy and Guidance**

- Scottish Planning Policy

**7.3 Other**

N/A

**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 application site lies within the Inverness Settlement Development Area, and therefore falls to be assessed under the terms of Policy 34 of the Highland-wide Local Development Plan which outlines broad support for residential development, subject to Policy 28 Sustainable Design which contains the necessary criteria for assessing new developments – that is, on the extent to which they are compatible with public service provision and subject to acceptable design, siting and compatibility with settlement pattern, amongst other issues. As the principle of development is established through Policy 34, the development proposal falls to be assessed in relation to the relevant material considerations listed in Policy 28.

**8.4 Material Considerations****Design and Layout**

The design and layout of the proposed development has been the result of variation during the course of this application in order to improve the development's relationship with, and integration into, the streetscape. The ridge height of the proposed building has been reduced significantly so as to remain subservient to the host building or surrounding residential properties, despite the differences in ground levels. The roof form has also been revised to more accurately reflect existing houses in the vicinity.

Although the site is relatively constrained, the revised layout makes adequate provision for access, turning and parking whilst affording a reasonable amount of amenity space suited to the needs of the applicant.

Given the separation distances involved between the proposed development and existing housing, and the fact that a degree of overlooking is to be expected in this part of Inverness, these issues are not likely to be exacerbated to an unacceptable degree by the proposed development (as revised), particularly as all fenestration to the roof has been removed. It should be noted that the right to a view is not a material planning consideration.

#### Access and Parking

As is referred to earlier in this report, the plot in question is relatively compact in terms of size and availability of space; however, the proposed scheme nonetheless provides sufficient parking and servicing infrastructure. The proposed development has been assessed in detail by the Roads Engineer who has recommended unconditional approval of the application.

#### Landscaping

The site inspection revealed that several mature trees had been removed from the site. In this case, compensatory planting and a landscaping scheme will be made the subject of a planning condition. Scorguie is a mature part of Inverness, with established pockets of planting which over the years have helped integrate the larger residential development into the landscape. In this case, a carefully thought out landscaping scheme will help soften the raw appearance of this new infill development and ensure the character and appearance of the area is preserved in the years to come.

#### **8.5 Other Considerations – not material**

None.

#### **8.6 Matters to be secured by Section 75 Agreement**

None.

### **9. CONCLUSION**

9.1 It is considered that the proposed development makes good use of a modest infill site. Following significant revision the proposal is well designed, features adequate parking and amenity space and, subject to suitable landscaping and boundary treatments being secured through conditions, will relate satisfactorily to the character and appearance of this part of Inverness.

This being the case, the proposal meets the requirements of applicable planning policy, both at national and local level, and accordingly, it is recommended that planning permission is granted.

## 10. RECOMMENDATION

**Action required before decision issued** N

Notification to Scottish Ministers N

Notification to Historic Scotland N

Conclusion of Section 75 Agreement N

Revocation of previous permission N

**Reason:** N/A

**Subject to the above,** it is recommended the application be **GRANTED** subject to the following conditions and reasons / notes to applicant:

1. Unless otherwise agreed in writing with the Planning Authority, the external finishes used in the development hereby approved shall be as specified on the approved plans.

**Reason:** In the interests of visual amenity and to ensure that the development makes a positive contribution to the character of the streetscene.

2. No development shall commence until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:
  - i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
  - ii. A plan showing existing landscaping features and vegetation to be retained;
  - iii. The location and design, including materials, of any existing or proposed walls, fences and gates;
  - iv. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and
  - v. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

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 the approved landscaping works are properly undertaken on site.

3. The access arrangements, turning area and parking provision as shown on the approved plans shall be provided in full prior to the first occupation of the house. All parking infrastructure shall be maintained in perpetuity.

**Reason:** In the interests of road safety.

4. No development shall commence until full details of all surface water drainage provision within the application site (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Second Edition, or any superseding guidance prevailing at the time) have been submitted to, and approved in writing by, the Planning Authority. Thereafter, only the approved details shall be implemented and all surface water drainage provision, as it relates to, or is relied upon by, an individual phase, shall be completed prior to the first occupation of the house.

**Reason:** To ensure that all flood mitigation infrastructure, required in order to reduce the risk of flooding occurring both within and outwith the application site, is provided timeously.

## **INFORMATIVE NOTE REGARDING THE TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION**

### **FOOTNOTE TO APPLICANT**

Statutory Requirements: The following are statutory requirements of the Town and Country Planning (Scotland) Act 1997 (as amended). Failure to meet their respective terms represents a breach of planning law and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development (NID) in accordance with Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the Planning Authority prior to work commencing on site. Furthermore, work must not commence until the notice has been acknowledged in writing by the Planning Authority.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to the Planning Authority.

Copies of the notices referred to are attached to this consent for your convenience.

**Conditions:** Your attention is drawn to the conditions attached to this permission. 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 meet these 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 (of emanating from) the application site. As per Scottish Planning Policy, planning permission does not remove the liability position of developers or owners in relation to flood risk.

**Road Openings Permit / Road Construction Consent:** you may require consent from the Roads Authority prior to the commencement of this development. You are therefore advised to contact them direct to discuss the matter.

**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.

Signature: Allan J Todd  
Designation: Area Planning Manager – South  
Case Officer: Stuart Morrison  
Background Papers: Highland-wide Local Development Plan, Inverness Local Plan  
Relevant Plans: Plan 1: 2013.014.MUNRO.02 Location Plan  
Plan 2: 2013.014.MUNRO.04 Site Layout Plan  
Plan 3: 2013.014.MUNRO.03 REV C General Plan A1

## Appendix – Letters of Representation

<b>Name</b>	<b>Address</b>	<b>Date Received</b>	<b>For/Against</b>
Mrs Catherine MacDonald	5 Firthview Drive, Inverness, IV3 8NS	29.06.13	Against
Mr William Paterson	17 Firthview Drive, Inverness, IV3 8NS	29.06.13	Against
Mr & Mrs George & Margaret Simpson	11 Firthview Drive, Inverness, IV3 8NS	29.06.13	Against
Mr & Mrs Anne & Charles Hepburn	15 Firthview Drive, Inverness, IV3 8NS	29.06.13	Against
Mr & Mrs Barbara & Kaird Turnbull	13 Firthview Drive, Inverness, IV3 8NS	29.06.13	Against
Mr & Mrs Robert & Jackie Campbell	9 Firthview Drive, Inverness, IV3 8NS	29.06.13	Against

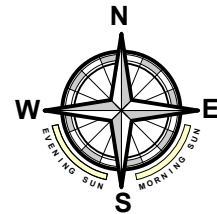


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**LOCATION PLAN**  
SCALE 1:1000



**SCOTTISH PLANNING  
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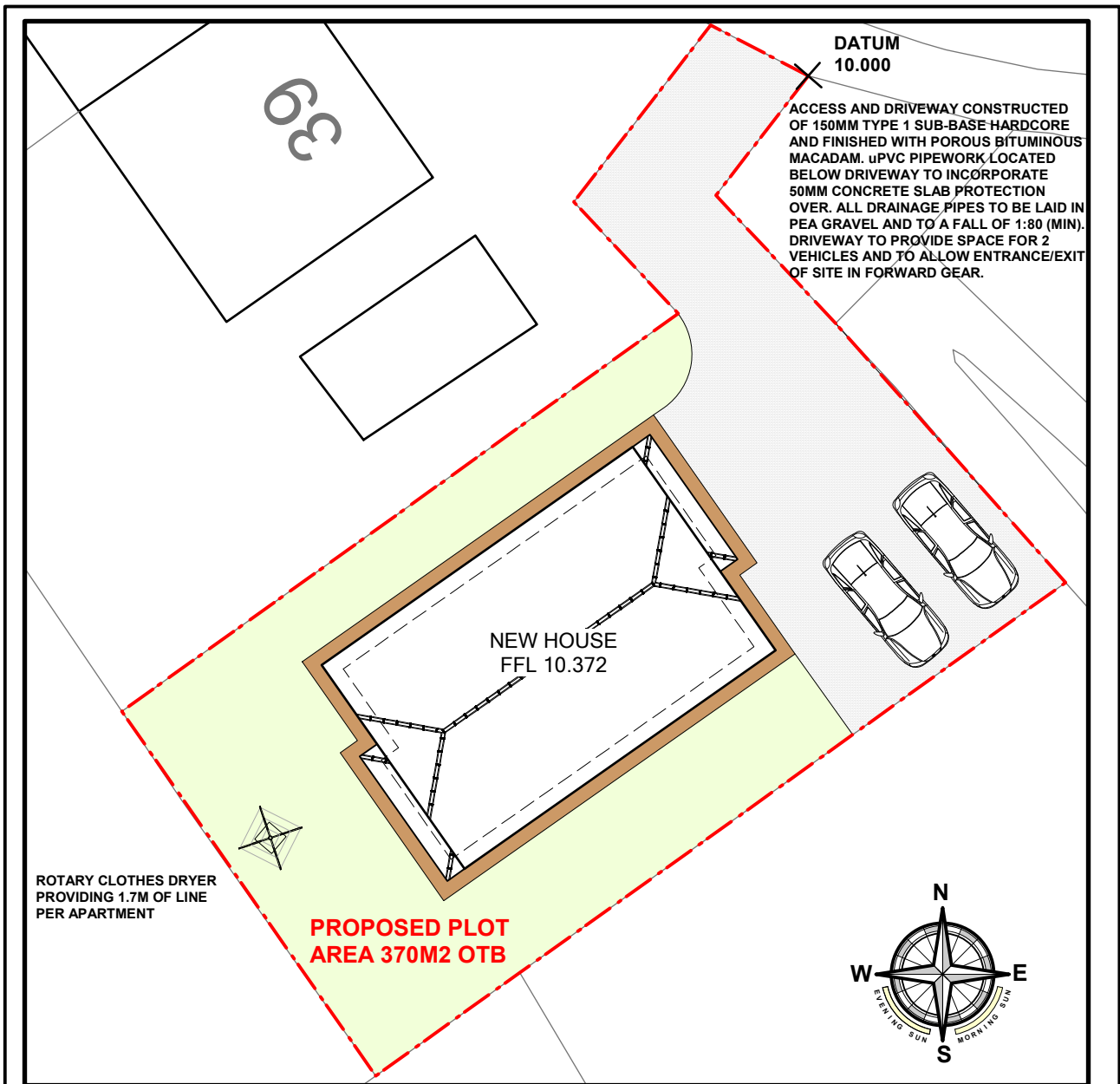
PROJECT **PROPOSED NEW HOUSE AND ASSOCIATED WORKS**  
*LAND SOUTH EAST OF 39 FIRTHVIEW ROAD, INVERNESS HIGHLAND*  
CLIENT

**MR + MRS MUNRO**

DATE 23 May 2013 SCALE AS NOTED

TITLE **PLANNING PROPOSALS**  
*LOCATION PLAN*

DWG No. **2013.014.MUNRO.02**



**SITE PLAN  
SCALE 1:200**



# SCOTTISH PLANNING & ARCHITECTURE Ltd

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PROJECT **PROPOSED NEW HOUSE AND ASSOCIATED WORKS**  
LAND SOUTH EAST OF 39 FIRTHVIEW ROAD, INVERNESS, HIGHLAND  
CLIENT

**MR + MRS MUNRO**

DATE 23 May 2013 SCALE AS NOTED

TITLE **PLANNING PROPOSALS  
SITE PLAN**

DWG No. **2013.014.MUNRO.04**

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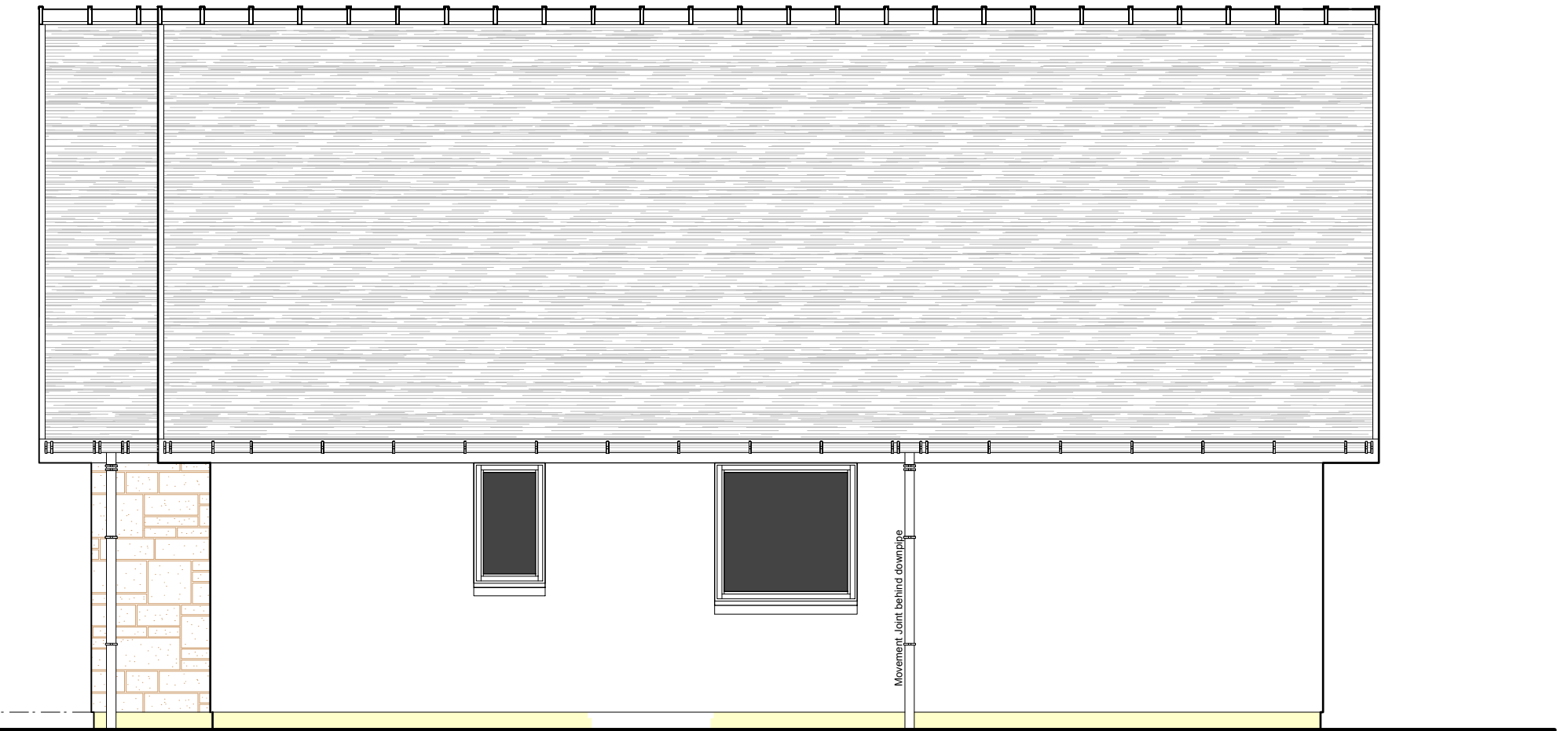
**EXTERNAL FINISHES**  
ROOF ~ FLAT PROFILE DARK GREY TILES  
WINDOWS & DOORS ~ uPVC REDWOOD EFFECT  
DOUBLE GLAZED UNITS  
FACIAS AND SOFFITS ~ uPVC REDWOOD EFFECT  
RENDER/CLADDING ~ SKYE MARBLE DRY  
DASH/SCOTTISH LARCH  
STEPS AND CILLS ~ BUFF PRECAST CONCRETE



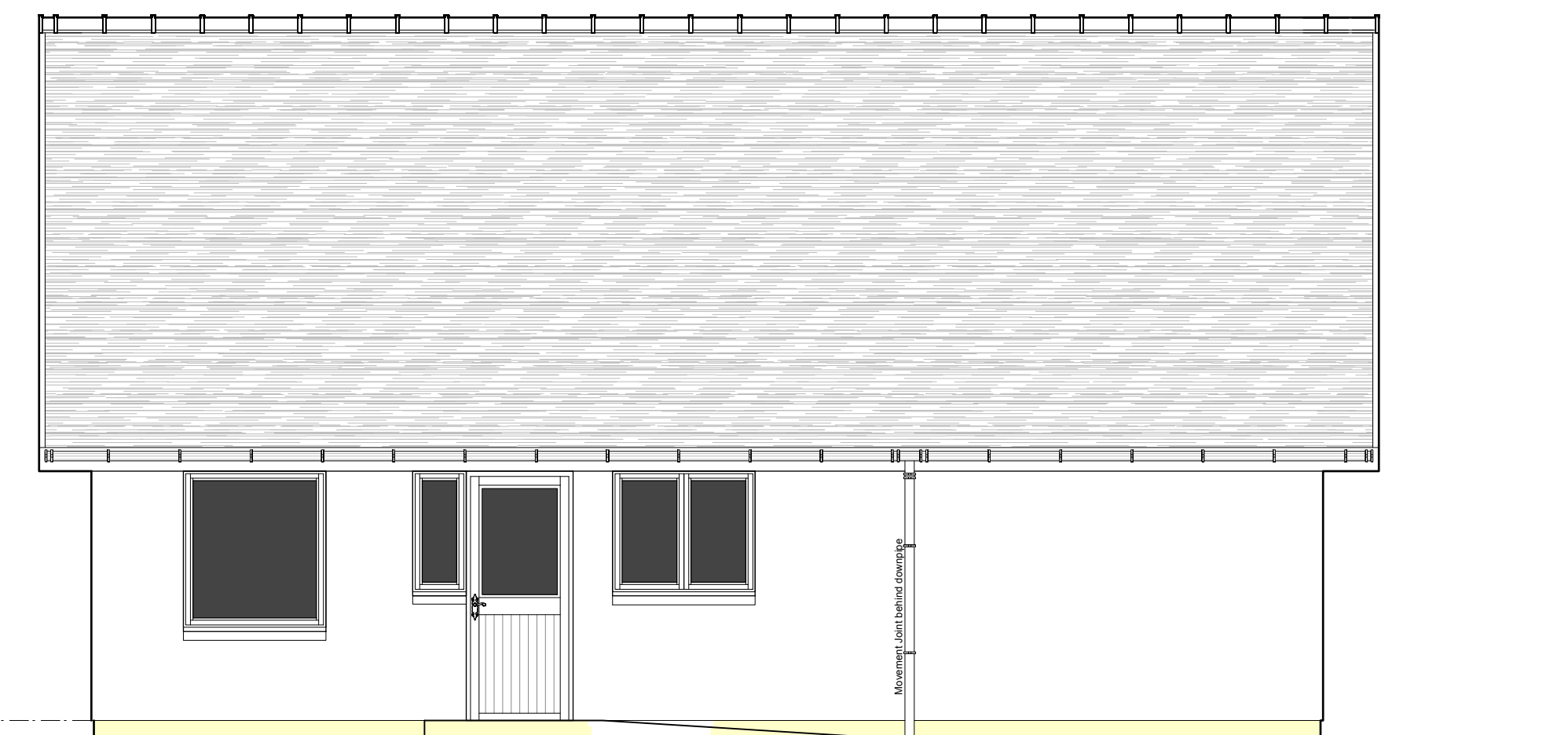
**FRONT ELEVATION**  
SCALE 1:50



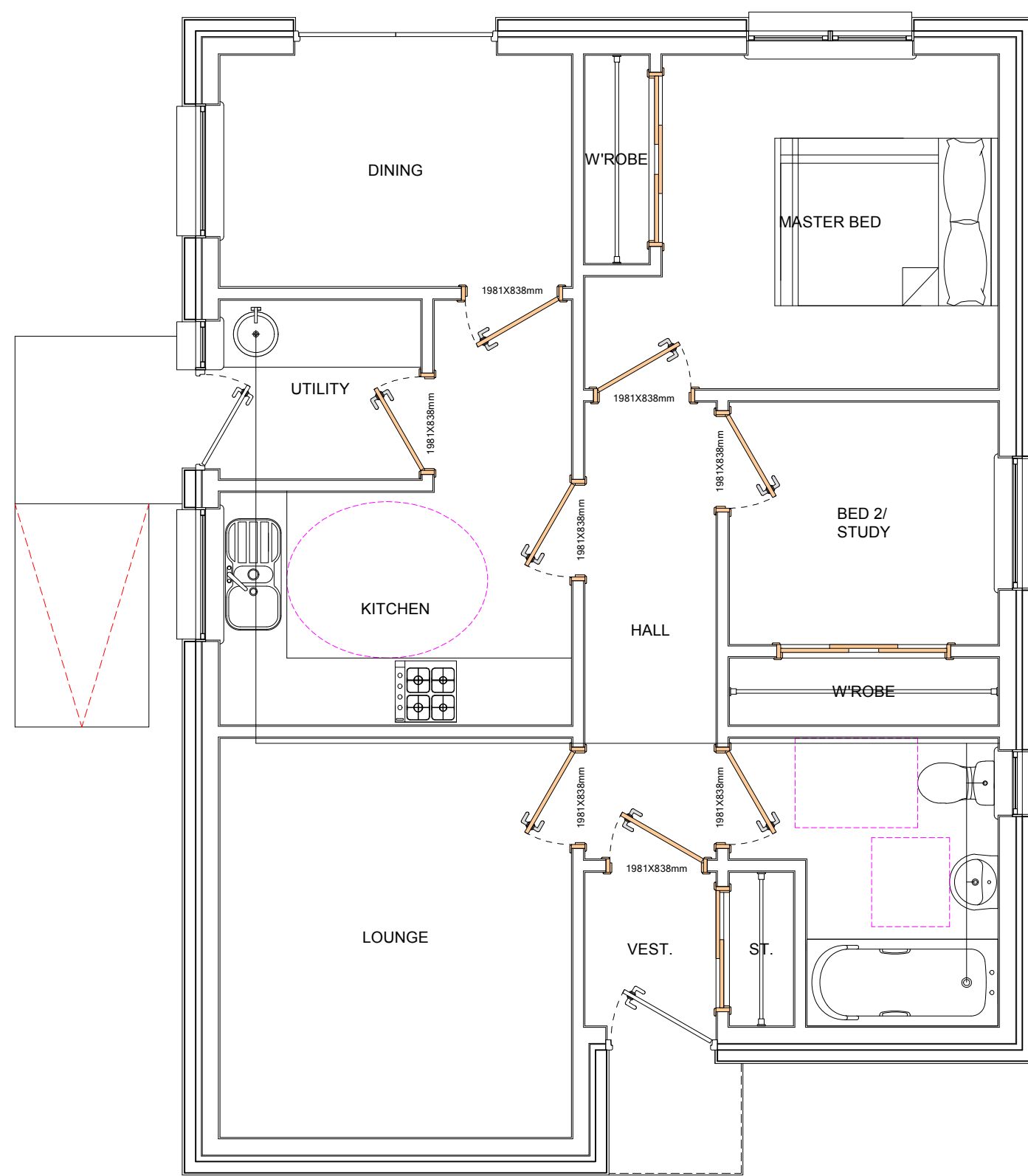
**REAR ELEVATION**  
SCALE 1:50



**SIDE ELEVATION**  
SCALE 1:50



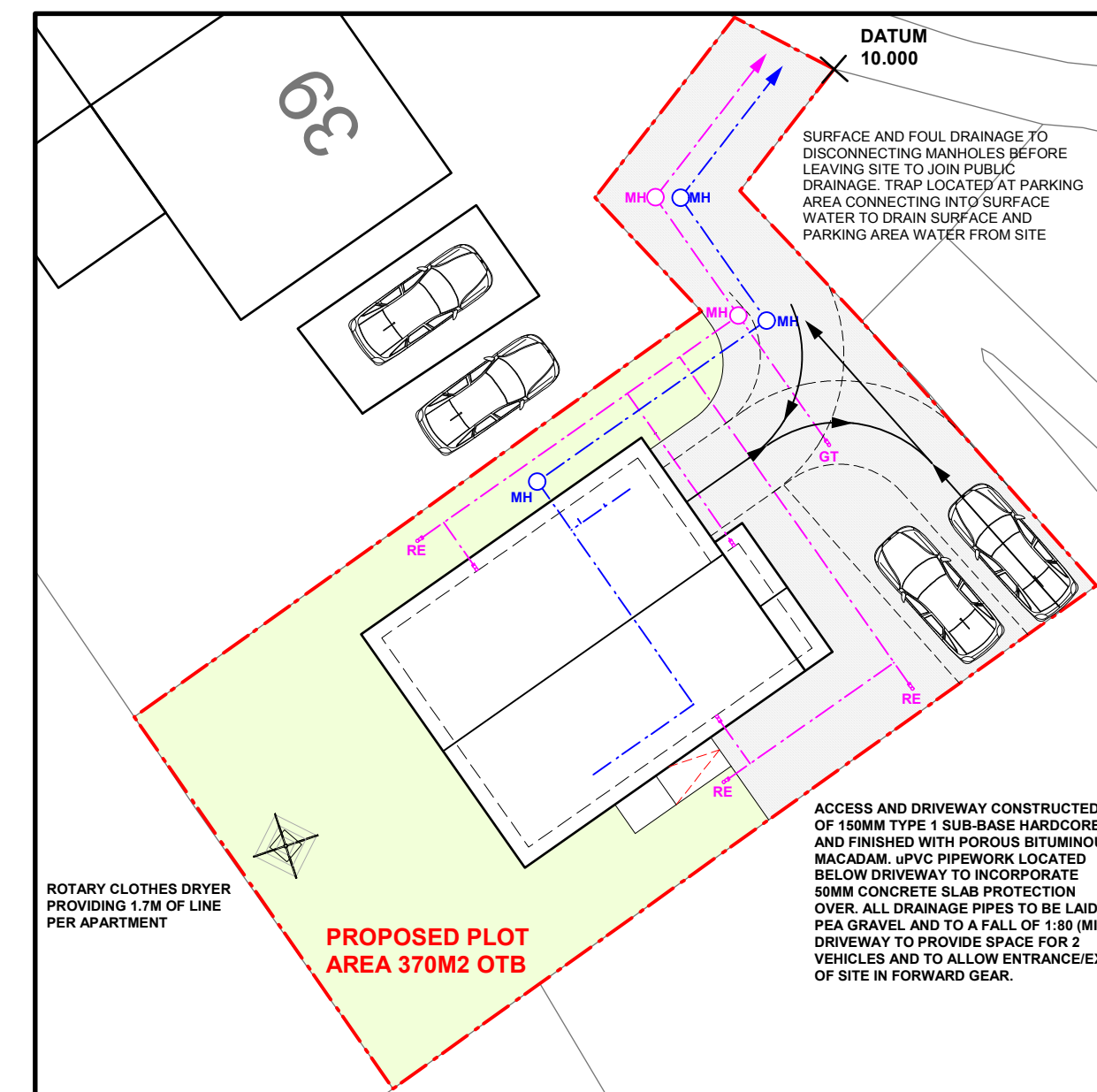
**SIDE ELEVATION**  
SCALE 1:50



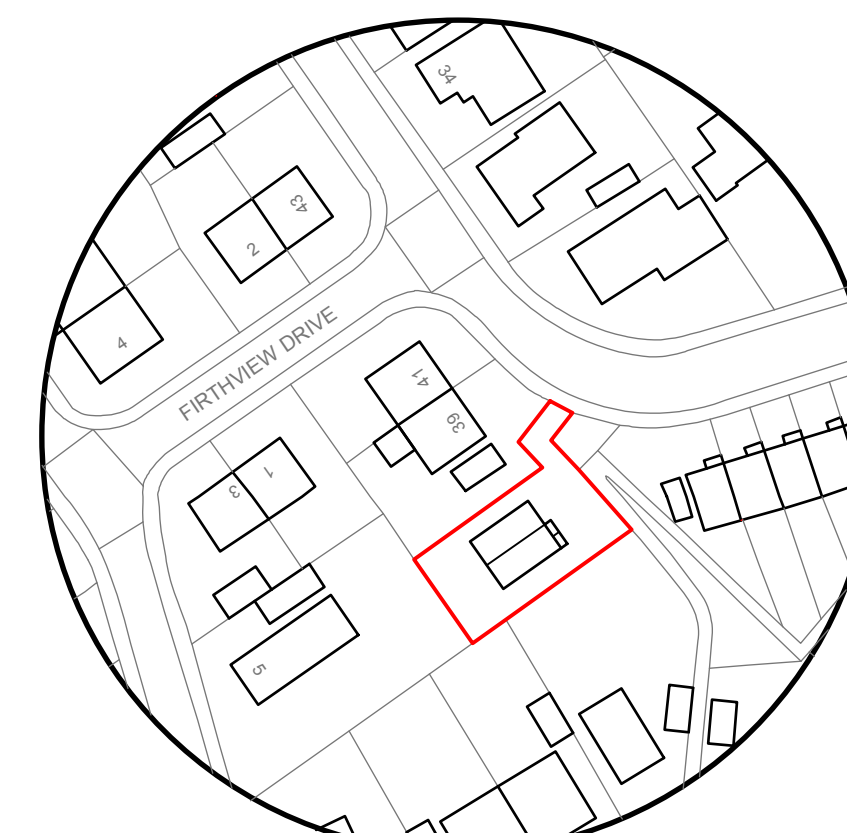
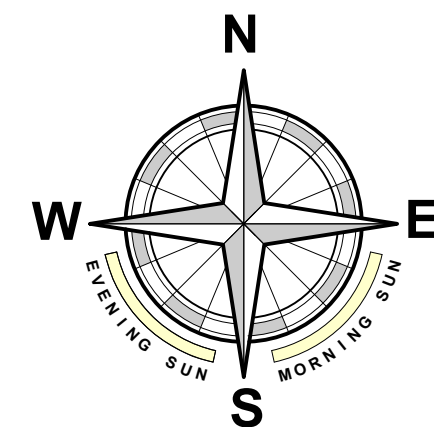
**FLOOR PLAN**  
SCALE 1:50  
AREA 64.50m

**ROOM SIZES**

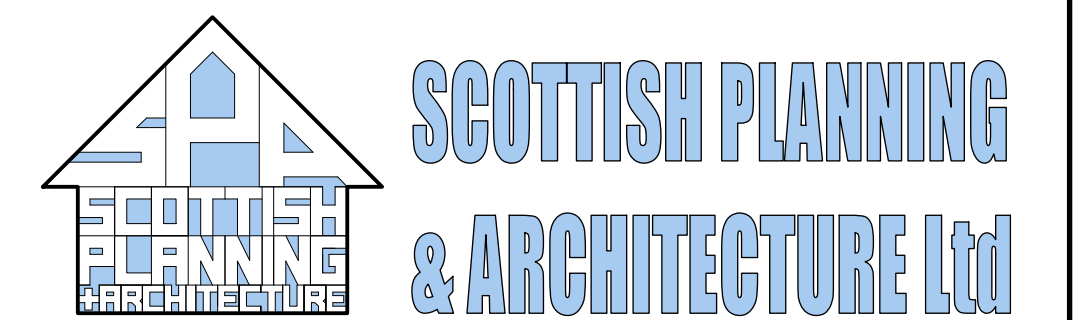
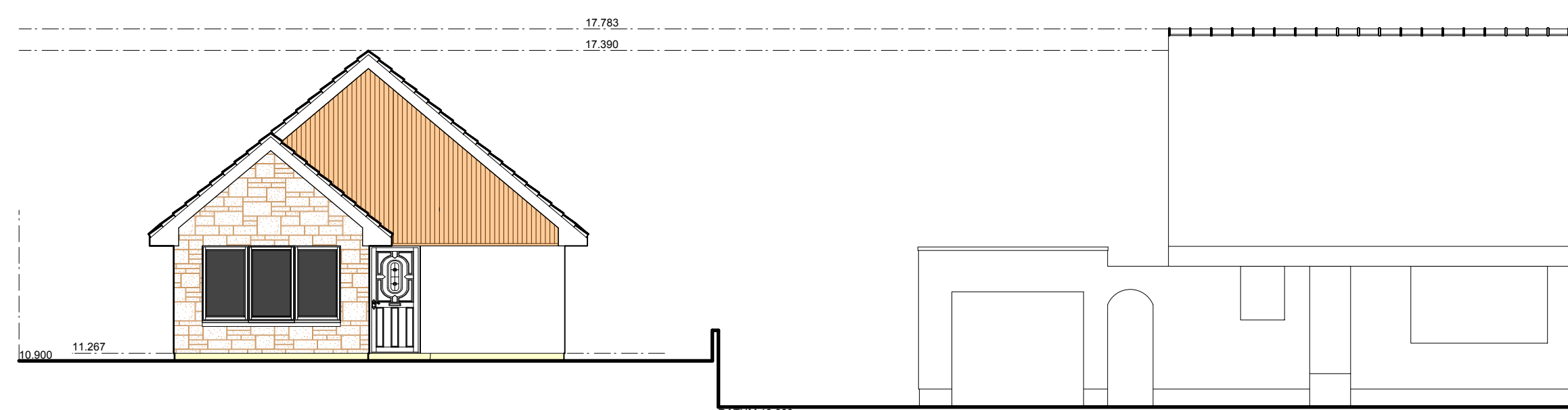
- LOUNGE ~ 3.15 x 3.57m
- KITCHEN ~ 3.15 x 2.08m
- UTILITY ~ 1.80 x 1.60m
- DINING ~ 3.15 x 2.74m
- MASTER BED ~ 3.00 x 2.99m
- BED 2/STUDY ~ 2.40 x 2.17m
- BATHROOM ~ 1.71 x 2.57m



**SITE PLAN**  
SCALE 1:200



**LOCATION PLAN**  
SCALE 1:1000



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PROJECT PROPOSED NEW HOUSE AND ASSOCIATED WORKS AT LAND SOUTH EAST OF 39 FIRTHVIEW ROAD, INVERNESS, HIGHLAND  
CLIENT MR + MRS MUNRO  
DATE 27 MAY 2013  
Rev B 05 JUL 2013  
Rev C 18 JUL 2013  
SCALE AS NOTED  
TITLE PLANNING PROPOSALS GENERAL ARRANGEMENT  
DWG No. 2013.014.MUNRO.03C