

THE HIGHLAND COUNCIL

**CAITHNESS, SUTHERLAND & EASTER ROSS
PLANNING APPLICATIONS COMMITTEE – 28 AUGUST 2007**

Agenda Item	
Report No	

06/01153/OUTRC

Report by Area Planning and Building Standards Manager

SUMMARY

The Committee is invited to consider the following report and recommendation.

The proposal seeks outline planning permission for the erection of 72 houses and associated access road, services and amenity space on land between Birchwood and Caberfeidh Drive, Invergordon.

Name of Applicant: Highland Housing Alliance

Ward: 7 : Cromarty Firth

The recommendation is to GRANT outline planning permission.

The application is subject to a **hearing**.

1. PROPOSAL

- 1.1 The outline application is for a mixed housing development on scrubland formerly used as part of Invergordon Golf Course, with access from Strath Avenue in Invergordon. Indicative proposals accompanying the application illustrate a total of 72 units. This is broken down into 4 serviced plots; 12 three-bedroom semi-detached houses; 20 two-bedroom semi-detached houses; 8 two-bedroom 4 Plex units; 8 two-bedroom disabled persons cottage units; 12 two-bedroom cottage flats; and 8 one-bedroom cottage flats. The applicants advise that at least 22 of the units would be provided by Albyn Housing Society as affordable housing.
- 1.2 The site is relatively level, however slopes down gradually from the rear of existing houses on Bermuda Road to the immediate south. The nature of the site is open and a number of formal and informal paths traverse the area linking the adjacent housing areas with the existing open space and play area, the local shop on Reid Road and routes through to both Primary Schools and Invergordon Academy. To the immediate north-west is Invergordon Golf Course, the configuration of which would require to be adjusted marginally to accommodate the development. Currently the 10th tee occupies a position within the site where the proposed serviced house plots are envisaged.

- 1.3 Vehicular access is proposed from Strath Avenue, with the indicative plans showing a mini roundabout at this location to accommodate the existing junction with Reid Road immediately opposite. Pedestrian links are proposed to be maintained from Seaforth Crescent and Bermuda Road to the south-west and from Caberfeidh Drive and Ness Gardens to the north-east. Existing areas of amenity open space are to be retained around the southern and western boundaries of the site, ensuring separation between the development and the existing houses on Bermuda Road, Seaforth Crescent and Birchwood. The upgrading/expansion of the existing play area at the end of Seaforth Crescent is proposed as part of this development and additional areas of open amenity space are shown on the indicative plan towards the north-west end of the site.
- 1.4 The original submission showed the indicative layout extending into the existing amenity space adjacent to Strath Avenue and also north-westwards towards the mature trees within the grounds of the House of Rosskeen. Further to 16 letters of objection received and concern expressed from this Service over the encroachment of the development onto land specifically safeguarded for amenity purposes in the Adopted Ross and Cromarty East Local Plan, revised plans were submitted in April 2007 and neighbour notification re-issued. The revised drawing restricts all built development proposed to the land allocated within the Local Plan.

2. PLANNING HISTORY

- 2.1 There are no previous planning applications relating to this site.

3. PUBLIC PARTICIPATION

- 3.1 The application was advertised under Section 34 of the Act and as a potential departure from the Development Plan, with an expiry date of 26 January, 2007. Sixteen letters of representation were received. Further to amended plans submitted on 26 April, 2007 and revised neighbour notification being carried out by the applicant, a letter was written to all previous objectors seeking clarification as to whether they wished to maintain any objection to the application. Three of the original contributors have written to maintain their objection.
- 3.2 Summary of concerns raised:
- Number of dwellings proposed appears too great in relation to adjoining development.
 - Level of development proposed will have an adverse affect on property prices of adjoining development as it constitutes over development of the area.
 - The housing in Birchwood is single storey and concern is expressed that houses will overlook this and significantly reduce privacy.
 - Submission that the application site is the last open space in Invergordon which can be safely used for recreational purposes. It is suggested that it would be a mistake to increase the population whilst removing the last available recreational space.

- Capacity in local schools and nurseries questioned for an increase in numbers.
- Submission that access would be around Strath Avenue but this would take any increase in traffic past both Primary Schools. The direct route would be to go through Gordon Terrace however it is submitted that this would be very difficult to navigate due to parking of cars on street and the fact that it is a bus route.
- Claimed that traffic coming up Albany Road and over the railway bridge will increase the risk to children using the school crossing.
- Pointed out that the land drainage in the area is already a problem with most of the back gardens at this end of Birchwood suffering from rising water.
- Presence of underground burn highlighted which runs through an area of neglected land between Birchwood and the new development. Submitted that any further development could affect land drainage even more.
- Claimed that development will have a significant adverse affect on the character and amenity value of existing housing.
- Pointed out that the proposed access via Caberfeidh Drive bisects a busy public footpath used by local residents and children and this would put public safety at risk.

4. CONSULTATIONS

4.1 **TEC Services (Transport):** No objection, however it is asked that a number of issues are fully considered and addressed by any future detailed application by the imposition of planning conditions. The site has been the subject of pre-planning discussion and it is recommended that the developers continue to engage with TECS (Transport) prior to submission of a further detailed application. The following points need to be considered as part of the above:

- Road construction consent is required. The level of technical detail presented must be in accordance with the Highland Council Road Guidelines for New Development.
- A phasing plan should be prepared to demonstrate the properties can be adequately serviced as development progresses.
- Roads should be 5.5 metres wide with 2 metre footpaths. Design and parking standards shall be in accordance with the Council's Road Guidelines for New Development. Consideration may be given to alteration of these design standards on shared surface/home zone areas if measures to promote slower vehicle speeds are incorporated.
- The mini roundabout on Strath Avenue will require to be carefully designed in accordance with DMRB Standards.
- All cul de sac entrances should feature traffic calming to TECS satisfaction.
- All roads, footpaths and cycle ways shall be street lit to the satisfaction of TEC Services Area Lighting Engineer. This includes illuminated signage as appropriate.

- The long sweeping nature of the access road requires traffic calming measures to be implemented at a maximum spacing of 100 metres on road/footpath sections and 50 metres on shared surface sections. Methods involving horizontal deflection of vehicles for traffic calming should be incorporated. Double island chicanes preferred to build outs for traffic calming. It may be possible to incorporate alignment kinks to encourage reduced speed.
- The SuDS Scheme must accommodate a 30 year return storm and not flood property or create a safety risk at a 200 year return.
- Assessment and improvement of the existing drain on the eastern boundary is required to minimise flood risks.
- DDA compliant access needs to be considered throughout the development. Adjustments to existing kerbs etc should be required at link/tying point.
- Safer routes to school and associated road safety improvements should be considered particularly in crossing Strath Avenue.
- Open space, amenity or verge areas will not be adopted along with public roads and would need to be transferred for public maintenance under a separate agreement. Alternatively suitable private factoring arrangements can be established. It is important that arrangements for landscape maintenance are demonstrated by the applicant to ensure that no future maintenance burdens or pressures will be left to TECS.

4.2 **Scottish Water:** No objections. Newmore Water Treatment Works and Invergordon Macerator Wastewater Treatment Works currently have sufficient capacity to service the proposed development. There are however known issues within the water and wastewater network that serve the proposed development. In view of the network issues it will be necessary for the developer to ensure that the development will not have any detrimental impact on the water services currently provided to existing customers. The developer will be required as part of any network upgrading work to provide a solution that will prevent or mitigate any further impact.

4.21 A totally separate drainage system will be required with the surface water discharging to a suitable outlet. Scottish Water supports the principle of a sustainable drainage system (SuDS) and the developer should consider utilising this in the surface water drainage design.

4.3 **Scottish Environment Protection Agency:** As it is proposed to connect the foul drainage to the public sewer, SEPA has no objections. With regard to surface water drainage no information is given and it is a requirement that sites are drained by sustainable drainage system (SuDS). The planning authority should ensure all sites adopt SuDS and in line with Planning Advice Note 61 and section 3 of the Technical Handbook for compliance with building regulations, appropriate information needs to be provided to confirm that the drainage system can be achieved and be accommodated in the proposed layout.

4.4 **Invergordon Community Council:** No objections to the application.

- 4.5 **Highland Council Archaeology Unit:** The application lies in a wider area where significant archaeological remains are recorded, including prehistoric settlement and burial features; the application site covers an area where there is potential for the survival of unrecorded buried archaeological remains. Please attach the relevant suspensive condition to any consent issued. The development area will require to be the subject of an archaeological evaluation in order to establish the archaeological content and potential. Dependent on the results of this work, further study may be required in advance of and during construction work. The evaluation will be conducted by a qualified archaeologist and backed up by desk based research to produce a report setting out the results and any required mitigation strategies.
- 4.6 **Highland Council Forestry Officer:** There is a narrow belt of young birch along the western boundary with Birchwood which includes a large sycamore. Adequate hold back distances must be allowed from these trees to avoid future conflict. The access which extends to the north boundary borders a number of mature trees which require a minimum holdback distance of 20 metres, although it is recommended that this entire area is excluded from development. This area is currently surrounded by amenity ground with the golf course to the west, mature woodland to the north and open space to the east. The area should be treated as amenity ground and details must be provided as to how this will be integrated into its surroundings through tree planting/landscaping. Likewise, the area to the south adjacent to Strath Avenue, should be treated in a similar way. Conditions are requested which would address these points.

5. POLICY

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

- **The Highland Structure Plan:**
 - Policy G1: Conformity with Strategy
 - Policy G2: Design for Sustainability
 - Policy H1: Housing Allocations for Areas 1998-2017
 - Policy H4: Affordable Housing
 - Policy H5: Affordable Housing
 - Policy H7: Housing for Varying Needs
 -
- **Paragraph 5.2 Ross and Cromarty East Local Plan:**
 - GSP1: Design and Sustainable Construction
 - GSP8: Affordable Housing
 - GSP9: Housing site capacities
 - Invergordon Settlement Policy H10
 - Invergordon Settlement Policy A26

5.2 The proposal also requires to be assessed against the following relevant Scottish Planning Policies (SPP):-

- SPP1: The Planning System
- SPP3: Planning for Housing

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 Policy

The application site relates directly to land allocated within the Ross and Cromarty East Local Plan. Whilst the original layout proposed a variation to the boundary of the site, encroaching into amenity land to the south-east and north-west, the amended plans now submitted confine the development to that allocated within the Adopted Local Plan, with the exception of the access which is proposed to run through the amenity space into the site from Strath Avenue to the south-east. The Local Plan indicates that there is potential for the access to be formed directly from Strath Avenue and this option was the preference of TECS (Transport) during the various stages of the Local Plan preparation. Access points to Seaforth Crescent and Caberfeidh Drive were retained to give potential for the land owner at that time to form an achievable route outwith land owned by the Highland Council.

6.31 The submission therefore accords with the preferred route from Strath Avenue with pedestrian links only to Seaforth Crescent and Caberfeidh Drive. Thus, although the intervening land between Strath Avenue and the allocated site is identified for amenity there has always been potential for this to form part of the site in terms of providing the main access to it. The development in this respect therefore complies with the Development Plan. The allocation referred to within the Adopted Plan does however contain an indicative capacity of 35 units, whereas the proposed development envisages more than twice that number. In accordance with Policy GSP9, any proposal which exceeds the indicative capacity by 10% or more will be required to be considered in relation to its location in the settlement, the level of affordable/low cost needs housing, the quality of layout and design, infrastructure capacity and the extent to which it contributes to the sustainability objectives of the plan.

6.32 In respect of the indicative layout submitted, it is recognised that the density of development is comparable with, if not less than, the density of development

on either side. The proposal retains the existing amenity space between the site and the rear of properties on Bermuda Road and Birchwood, together with the provision of additional open space in the heart of the development itself. A set back distance of approximately 40 metres from the existing housing at Birchwood, together with intervening mature trees would allow for the erection of 2 storey houses along this part of the site, comparable with the 2 storey houses which exist on Bermuda Road and on Ness Gardens/ Caberfeidh Drive.

- 6.33 As a Highland Housing Alliance submission, it is envisaged that a higher than required proportion would be allocated for affordable housing needs. Already it has been confirmed that approximately one third of the site is to be conveyed to Albyn Housing Society and the indicative layout has demonstrated how the mix of houses proposed, which are predominantly geared towards the lower end of the housing market, will relate to development on either side in an acceptable manner. Thus, whilst the developer's specific housing mix will be subject to a further detailed application, the outline proposal has demonstrated adequately that the number of housing units proposed can be accommodated in a manner which is consistent with existing development, retaining considerable amenity and thereby in accordance with the thrust of housing policies at national, strategic and local level.

6.4 **Public Concerns**

The concerns which have been expressed over the principle of development on this site cannot be substantiated in view of its allocation within the newly adopted Ross and Cromarty East Local Plan. This allocation was not challenged throughout preparation of the plan and has the support of Invergordon Community Council.

- 6.41 The level of development within the site has been questioned, however as clarified under paragraph 6.3 above, it is considered that the density is consistent with development surrounding the site and the indicative layout has demonstrated that the numbers of units proposed can be accommodated without over-development of this area, retaining large areas of amenity space around the margins of the development as well as integral to it.
- 6.42 The concerns which have been articulated with regard to the impact of the proposed development on the adjoining housing area at Birchwood have been fully considered, however the considerable set back (40 metres approx) between the existing and proposed new housing, reinforced by the trees within the intervening strip of land, will ensure that the privacy and amenity of both existing and proposed houses is retained. Similarly, it is not accepted that the development will have any adverse impact on the character or value of houses on either side and whilst indicative only, the layout has been amended to ensure that development adjacent to the single storey terraced houses on Caberfeidh Drive is similarly single storey as opposed to the two storey properties originally proposed in this location.
- 6.43 With regard to vehicular access to the site, this is proposed solely from Strath Avenue and therefore concerns over increased traffic via Caberfeidh Drive and

Seaforth Crescent cannot be substantiated. There are no objections to the development from TECS (Transport) and it is therefore considered that the network of local roads is sufficient to accommodate the level of development proposed. Again such matters have been considered in principle as part of the Local Plan review process.

- 6.44 With regard to surface water drainage, the applicant has confirmed that a detailed proposal for sustainable urban drainage systems will be incorporated within the detailed design of the scheme and sufficient open land has been retained within the site, specifically at the north-west end towards the golf course, where attenuation can be accommodated.
- 6.45 Finally, there are concerns relating to the loss of existing amenity space, however the areas which are safeguarded within the Ross and Cromarty East Local Plan are to remain in such use, and the footpaths which currently traverse the site are similarly accommodated, together with upgrading of the existing children's play area off Seaforth Crescent.

7. CONCLUSION

- 7.1 The application was advertised as a potential departure from the development plan, because part of the site originally proposed to be developed encroached within an area safeguarded for amenity purposes in the adopted Ross and Cromarty East Local Plan. The revised layout submitted now removes this as an issue ensuring that all development can be contained within the allocated land.
- 7.2 The second issue with regard to policy, relates to the numbers of houses to be accommodated and reference is made to paragraph 6.3 above. The balance of assessment in this case is to ensure that the development is compatible with the pattern, density and layout of adjoining development whilst delivering the provision of much needed affordable housing.
- 7.3 The bulk of original objections to the development have now been removed and it is submitted that the revised layout demonstrates adequately that the mix of housing accommodation proposed can be accommodated within the site. Existing amenity space has been secured and pedestrian links provided at Seaforth Drive and Caberfeidh Drive integrate the development into the existing community, sharing the new amenity spaces of the proposed development. The north-west extremity of the site is proposed to accept the SUDS attenuation within associated amenity ground. This ensures the development will be set back from the established mature woodland setting of the House of Rosskeen. The existing mature birch trees and associated informal footpath link to the golf course along the western boundary provides a separation and set back from the established housing development at Birchwood. There are no technical objections to the development which as now submitted conforms with adopted Council policy. It is therefore recommended that permission is granted, subject to the conditions listed below which address detailed issues.

RECOMMENDATION

It is recommended that outline planning be granted subject to the following conditions and reasons:

1. Standard Outline Condition and Reason
2. **Prior to the commencement of development**, a programme of archaeological work for the preservation and recording of any archaeological features affected by the proposed development, including a timetable for investigation, all in accordance with the attached specification, shall be submitted to and require the approval in writing of the Planning Authority. All arrangements thereby approved shall be implemented by the developer at his expense in accordance with the approved timetable for investigation.

Reason: In order to preserve the archaeological and historical interest of the site.

3. The development hereby approved shall not exceed 72 houses (maximum) and shall incorporate a minimum number of 22 affordable units. No development shall commence on site until the developer has entered into a design and build contract with a social housing provider or equivalent to deliver the affordable housing units within Communities Scotland benchmark costs and built to Communities Scotland Housing for variable needs standards, unless otherwise first agreed in writing by the Planning Authority.

Reason: In accordance with the indicative layout plan submitted as part of the application for outline planning permission and in the interests of securing compliance with the Council's affordable housing policy as contained in the Development Plan.

4. The detailed layout referred to at Condition 1 above, shall be based generally on the the indicative layout plan submitted as part of this application, and shall incorporate the following:
 - an improved children's play area based on the existing provision off Seaforth Crescent;
 - road and housing layout that embrace concepts of sustainability and home zone principles;
 - the provision of a roundabout or alternative junction arrangement to be agreed with TECS (Transport) onto Strath Avenue. For the avoidance of doubt, there shall be no vehicular access from Seaforth Crescent or Caberfeidh Drive;
 - a SUDS Scheme to accept all surface water drainage from the site which shall include details of any incoming water to the site from adjacent land and the public road way as well as field drains and springs;
 - a comprehensive phased plan of roads and services completion as well as details of house building – phased intentions;

- a design brief detailing house types, house finishes, building lines, plot ratios, boundary and landscape treatment to apply to the four serviced plots at the north-west end of the site;
- houses shall have a designed frontage to the service road and shall reflect scale and density of adjoining development;
- a central area of amenity space together with a detailed programme of landscaping/tree planting for all areas out with individual house plots. This scheme of landscaping, including a scheme of maintenance shall be submitted as part of the reserved matters and require the approval in writing of the planning authority. All planting thereby approved shall be undertaken in the first planting season following occupation of the development and shall thereafter be maintained in accordance with the approved scheme of maintenance. Any plants which, within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the immediate following planting season with others of a similar size and species.

Reason: In the interests of relating the development to adjacent land uses and constraints.

5. The roads and footpaths shall be designed to adoptive standards (in accordance with home zone principles) and a Road Construction Consent and Road Bond will apply with no work commencing on any houses until this is in place, confirmed in writing.

Reason: In the interests of ensuring satisfactory provision of services.

6. The Reserved Matters referred to at conditions 1 and 3 above shall include detailed arrangements for the adjustment of the 10th hole of Invergordon Golf Club to ensure that the tee is repositioned to avoid conflict with the four house plots proposed along the north-west boundary of the site.

Reason: In the interests of public safety.

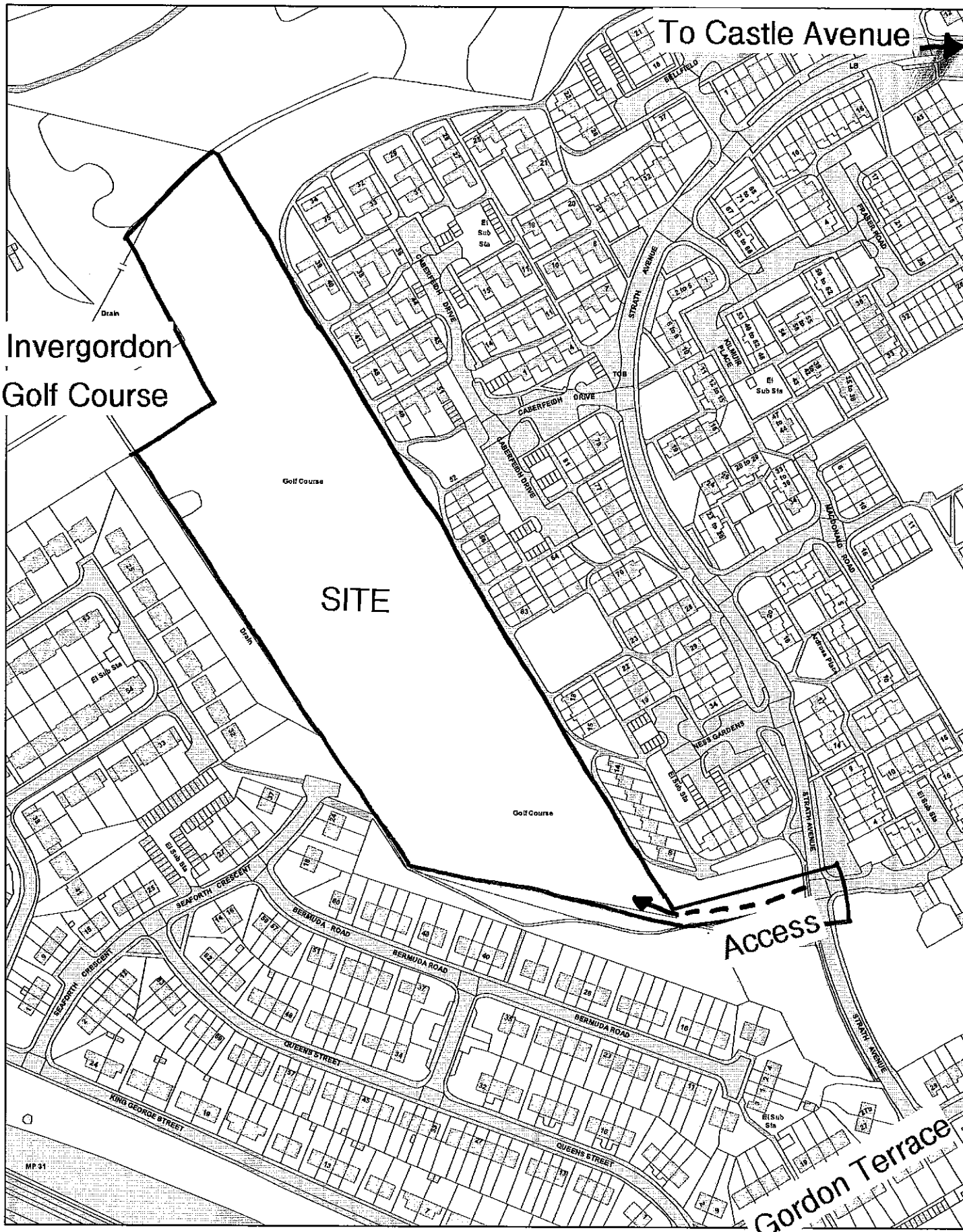
Signature: 

Designation: Area Planning and Building Standards Manager

Author: Dorothy Stott

Date: 13th August, 2007

Background Papers: The Highland Structure Plan
 Ross and Cromarty East Local Plan
 SPP1: The Planning System
 SPP3: Planning for Housing



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**Land to East of Golf Course
Invergordon**

Scale : 1:2500

Date : 14/08/2007

NOTES

1. DO NOT SCALE FROM THIS DRAWING.
2. ALL DIMENSIONS TO BE CHECKED ON SITE.
3. ALL DRAWINGS TO BE READ IN CONJUNCTION WITH ALL STR. ENGINEERS DETAILS & SPECIFICATIONS.
4. ANY DISCREPANCIES TO BE REPORTED TO THE ARCHITECT IMMEDIATELY.

THESE DRAWINGS ARE A TRUE REPRESENTATION/COPY OF THE APPLICATION SUBMITTED BY **DAVIS DUNCAN**

- DATE: **Apr 07**
- E** layout revised re planning comments
- D** layout revised re planning comments
- C** layout revised re planning comments
- B** Site extended to north west.
- A** Site area increased 26/06/06

PLANNING ISSUE

PROJECT: **INVERGORDON GOLF COURSE FOR HIGHLAND HOUSING ALLIANCE**

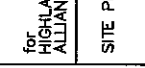
TITLE: **SITE PLAN**

DRAWN BY: **BPW**

DATE: **JUNE 06**

DRAWING No. **2584 / AL001E**

CHECKED BY: **SCALE 1:1250 @ A3**



DAVIS DUNCAN ARCHITECTS

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SUMMARY OF DWELLINGS

HOUSE TYPES

- Plots = 4 Nos.
- D 3 Semi = 12 Nos.
- M 3 Semi = 20 Nos.
- 4 Plex = 8 Nos.
- 2 Bed = 8 Nos.
- 2 Bed Dis. Cottage = 8 Nos.
- 2 Bed Cottage Flat = 12 Nos.
- 1 Bed Cottage Flat = 8 Nos.

total = 72 Nos.

THE HIGHLAND COUNCIL
 PLAN 2 OF 2 SUBMITTED WITH
 PLANNING APPLICATION NO: 06/1153/OUTRC
 DATE OF RECEIPT: 25TH APRIL 2007

land shown hatched to be conveyed to Albyn Housing Society

