

THE HIGHLAND COUNCIL

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

Agenda Item	4.6
Report No	PLC-12-07

**07/00193/FULSU Erection of 10 No. flatted living units in 2 No. blocks
at land to North West of Stafford Court Dornoch**

Report by Area Planning and Building Standards Manager

SUMMARY

The proposal is to erect two blocks of flats adjacent to Stafford Court on land allocated by the South and East Sutherland Local Plan for a small local shop. The application has therefore been advertised as a Departure.

The recommendation is to GRANT planning permission.

Applicant - Carnoustie Links Development Ltd, per Matheson, Mackenzie & Ross, Royal Bank Buildings, High Street, Dingwall IV15 9HA

Ward Number 5 – East Sutherland and Edderton.

A Hearing has been requested

1. PROPOSAL

- 1.1 The proposal is to erect two blocks of flats on a greenfield site to the north west of the Cairn Sheltered Housing Association development at Stafford Court in Dornoch. The blocks of flats would lie parallel to Stafford Road, with 6 flats in Block 1 closest to the road, and 4 flats in Block 2 to the rear backing onto a children's playground.
- 1.2 To the north side of the site are mature trees including Scots Pine and Sycamore. The plans were amended on 13 June to provide a hold back distance from the trees of more than 12m from the two blocks. To the north of Block 2 is the SuDS area and to the southwest the clothes drying area. To the south of the site is an existing public footpath leading from Stafford Road to the children's playground.
- 1.3 The flats have 2 bedrooms with a kitchen, living room and bathroom. The buildings are 2 storey and finished with slate roofs, wet harl wall finishes and larch timber cladding. Block 1 measures 26.5m x 11.2m x 8.5m, with Block 2 measuring 18.5m x 11.2m x 8.5m. The development is reached by a new vehicle access onto Stafford Road equidistant between the junctions at Bishopfield Road and Earl's Cross Road. Parking for 15 cars is provided within the site, primarily between the two blocks of flats.

2. PLANNING HISTORY

2.1 There have been no previous planning applications on the site.

3. PUBLIC PARTICIPATION

3.1 Two representations have been received highlighting various concerns:

- Kerbside parking in the area will increase the potential for accidents
- Main sewer cannot cope with additional capacity
- Site is within a quiet established residential area
- Litter
- Car headlights from development flashing into lower levels of houses at Stafford Court
- Disruption caused by construction works

3.2 The letters of representation are available in the Area office and will be available at the Committee meeting. The names of those making representations are listed at the end of this report.

4. CONSULTATIONS

4.1 **Dornoch Community Council** – 23 May 2007 - Would have preferred that this area be retained for recreational use but recognise that it would be used for development. 8 June 2007 - Support the proposal. 28 June 2007 - Would like some lighting of the path to the playground at the rear of the site.

4.2 Internal Consultees

TEC Services – No objections, subject to the road being constructed under a Road Construction Consent agreement with the Roads Authority. Traffic calming measures for Stafford Road need to be implemented in consultation with the Roads Authority. This is likely to involve features at both Earls Cross and Bishopfield Road junctions.

TEC Services Lighting Engineer - A loop of cable could be left to enable us to link up with these proposed lights along the footpath. Assuming the length of the footpath is approximately 47 metres we would recommend 2 no. lighting columns. The normal recommendation we make is that if we supply the materials and electrical labour and the developer installs the cables and columns we would then adopt the lights and absorb all energy costs.

Archaeology – The site lies in a wider area where significant archaeological remains are recorded. ARC 1 condition.

Property and Housing - The proposal is that 4 of the units will be developed for Albyn Housing Society as affordable housing.

4.3 External Consultees

Scottish Water – Sufficient capacity in Water and Waste Water Treatment works.

5. POLICY

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

Highland Structure Plan (2001):

- G2 Design for Sustainability
- H5 Affordable Housing
- H7 Housing for varying needs
- H8 Access arrangements for new and existing development

Highland Council's Supplementary Development Plan Policy Guidance – Affordable Housing – this states that all new housing developments in the private sector of 10 or more homes in areas of identified housing stress must contain 25% affordable homes.

South and East Sutherland East Local Plan

- ENV1
- Land is allocated at Stafford Road for a small local shop

5.2 The proposal also requires to be assessed against the following relevant Scottish Planning Policies (SPP); National Planning Policy Guidance (NPPG), and Planning Advice Notes PAN.

- SPP1 – The Planning System
- SPP3 - Planning for Housing
- PAN 67 Housing Quality; Planning Advice Note: PAN 74 Affordable 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 **The proposal is being reported to Committee as it is a Departure from policy.** The site is allocated for a small local shop in the South and East Sutherland Local Plan (May 2000). There have been no proposals for development on the site since the Local Plan was adopted. The site lies within a residential area and it is considered that the use of the site for flats is appropriate and is an acceptable departure from policy.
- 6.4 **Layout and Design** - The layout of the development is simple with the two blocks interspersed by car parking. The main outlooks from the blocks are to the north east and south west, with the gable flats having one of their living and kitchen windows facing north west and south east. The two blocks are at least 13m and offset from the nearest part of the Cairn Housing development at Stafford Court and it is not considered that the proposed development will have a significant or detrimental impact on the individual or community residential amenity of the area. The siting, design and use of materials for the flats is acceptable and in my view accords with Policy G2.
- 6.5 The proposal also meets the road, sewerage and water servicing provision of policy G2 and Policy H8.
- 6.6 Members will note that there is a requirement to assess the proposal against the Council's Affordable Housing Policy H5. This requires developments involving 10 or more houses to have at least 25% affordable housing provision. Property and Housing Services have advised that 4 of the units will be developed for Albyn Housing Society as affordable housing.
- 6.7 **Representations** have been received:
- Kerbside parking in the area will increase the potential for accidents – TEC Services have indicated that the proposal is acceptable.
 - Main sewer cannot cope with additional capacity – Scottish Water have no objections to the proposal.
 - Area is within a quiet established residential area – I do not consider that the proposal will have any significant impact on the established residential amenity of the area over the longer term.
 - Litter – I do not consider that the proposal will result in any significant increase in litter caused by the development.
 - Car headlights from development flashing into lower levels of houses at Stafford Court – This can be addressed by the use of screening to the car parking area.
 - Disruption caused by the building works – There will be temporary disruption during the construction, but Members will note that this will be relatively short term.
 - Lighting to be provided to the path to the playpark to the rear of the site – Members will note that the developer has agreed to provide lighting to the path and that this will be agreed with TEC Services as part of the Road Construction Consent.

7. CONCLUSION

- 7.1 In my view, the proposal is a departure from the development plan. However, it is considered that the proposal is a minor and acceptable departure as it would provide a housing use within an area where housing is the predominant land use. There have been no planning applications for developing the site for a small shop since the adoption of the Plan and I do not consider that it is likely that any such retail use is likely to come forward. The development of the site for affordable flats by Albyn Housing is considered to be an appropriate use of the site providing much needed low cost housing in Dornoch.

RECOMMENDATION

Grant planning permission subject to conditions:

- 1 Except as otherwise provided by the terms of this permission, the developer shall construct and operate the development in accordance with the plans and supporting information submitted with the application and docketed hereto with no deviation there from unless otherwise approved in writing by the Planning Authority.

Reason: In order to clarify the terms other permission hereby granted and to ensure that the development is implemented as approved.

- 2 Prior to the commencement of development, detailed proposals for the disposal of surface water from the site, which shall require follow the principles of Sustainable Drainage Systems (SuDS) shall be submitted to and require the approval in writing of the Planning Authority in consultation with the Roads Authority and SEPA. All proposals thereby approved shall be implemented prior to occupation of the houses.

Reason: In order to ensure that the site is properly drained, as no details have been provided and for the avoidance of doubt.

- 3 All drainage arrangements shall be provided to the satisfaction of the Planning Authority, in consultation with the Scottish Environment Protection Agency, the Water Authority and Building Standards Authority. Prior to the commencement of development, detailed proposals for the disposal of surface water from the site, which shall require to meet the Best Management Practice Guidelines of the Scottish Environment Protection Agency, shall be submitted to and require the approval in writing of the Planning Authority in consultation with the Roads Authority and SEPA. All proposals thereby approved shall be implemented prior to occupation of the houses.

Reason: In order to ensure that the site is properly drained, and for the avoidance of doubt.

- 4 No development shall commence on site until evidence is exhibited to the Planning Authority that an agreement has been reached by the applicant with Scottish Water to the provision of a drainage and/or water scheme to serve the development.

Reason: In order to ensure that the necessary pre-condition(s) for commencement of use of the development are met.

- 5 Prior to the commencement of development, details of the lighting system designed for the development shall be submitted to and require the approval in writing of the Planning Authority in consultation with the Roads Authority in order to limit urban sky glow and light spillage onto surrounding areas. The approved details shall thereafter be implemented prior to any part of the development being brought into use.

Reason: In the interests of residential amenity, in order to avoid light pollution and for the avoidance of doubt.

- 6 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 ensure the protection of the archaeological interest of the site.

- 7 All drainage arrangements shall be provide to the satisfaction of the Planning Authority in consultation with Scottish Water, SEPA and the Building Standards Authority. For the avoidance of doubt, foul drainage shall be by means of a connection to the public sewer.

Reason: In order to ensure that the site is properly drained, as no details have been provided and for the avoidance of doubt.

- 8 All access arrangements shall be provided to the satisfaction of the Planning Authority in accordance with the Roads Authority. For the avoidance of doubt, all roads and footpaths shall be constructed to the adoptive standards of the Roads Authority and no buildings shall be constructed until such time as Road Construction Consent has been granted for the site access roads.

Reason: In the interests of road safety and for the avoidance of doubt.

- 9 Prior to the commencement of development, the developer shall provide details in writing and on plan of the traffic calming measures for Stafford Road, including details at both Earls Cross and Bishopfield Road junctions, for the agreement in writing of the Planning Authority in consultation with the Roads Authority. For the avoidance of doubt, such agreed measures shall be put in place to the satisfaction of the Planning Authority prior to the occupation of any individual flat.

Reason: In the interests of road safety, as no details have been provided, and for the avoidance of doubt.

- 10 Unless otherwise approved in writing by the Planning Authority, construction hours of operation on the site shall be restricted to 7.30am to 7.00pm Monday to Friday to 7.30am to 1pm on Saturdays, with no Sunday working.

Reason: In the interests of residential amenity, in order to avoid disturbance and nuisance, and for the avoidance of doubt.

- 11 The roof shall be finished with natural slate or an alternative of similar size, texture, colour, thickness and profile, or as may otherwise be agreed in writing with the Planning Authority. For the avoidance of doubt, suitable alternative non-slate tiles are:

- Marley 'Monarch', 'Clansman', 'Marquis', 'Melbourn', 'Birkdale', 'Edgemere'
- Redland 'Richmond', 'Lakeland', 'Cambrian', 'Saxon'

Reason: In order to ensure that the development harmonises with the appearance and character of the surrounding properties and area.

- 12 The external walls shall be finished in a white, off white, cream or buff coloured wet harl render, with larch timber cladding panels, or as may otherwise be agreed in writing with the Planning Authority prior to the commencement of development.

Reason: In order to ensure that the development harmonises with the appearance and character of the surrounding properties and area.

- 13 The permission is hereby granted on the basis that the development of the site shall include at least 25% affordable housing units within the terms of the Council's Structure Plan Policy H5 and Supplementary Development Plan Policy Guidance on Affordable Housing. Prior to the commencement of development, detailed proposals for ensuring that the units of affordable housing are to be made available shall be submitted to and require the approval in writing of the Planning Authority.

Reason: In order to meet the objectives of the Council's policy with respect to the provision of low-cost accommodation for local persons and for the avoidance of doubt.

Informative

The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network at the appropriate time. It is important to note that the granting of planning consent does not guarantee a connection to Scottish Water's assets. The applicant must contact Scottish Water Operations Technical Support Team to ascertain what measures are to be taken to protect this apparatus. A connection to the public sewer network system is dependent on the spare capacity at the time of application for a sewer connection. A supply from the public water network is dependent on spare capacity at the time of application for a water connection.

Alan J. Todd.

Signature:

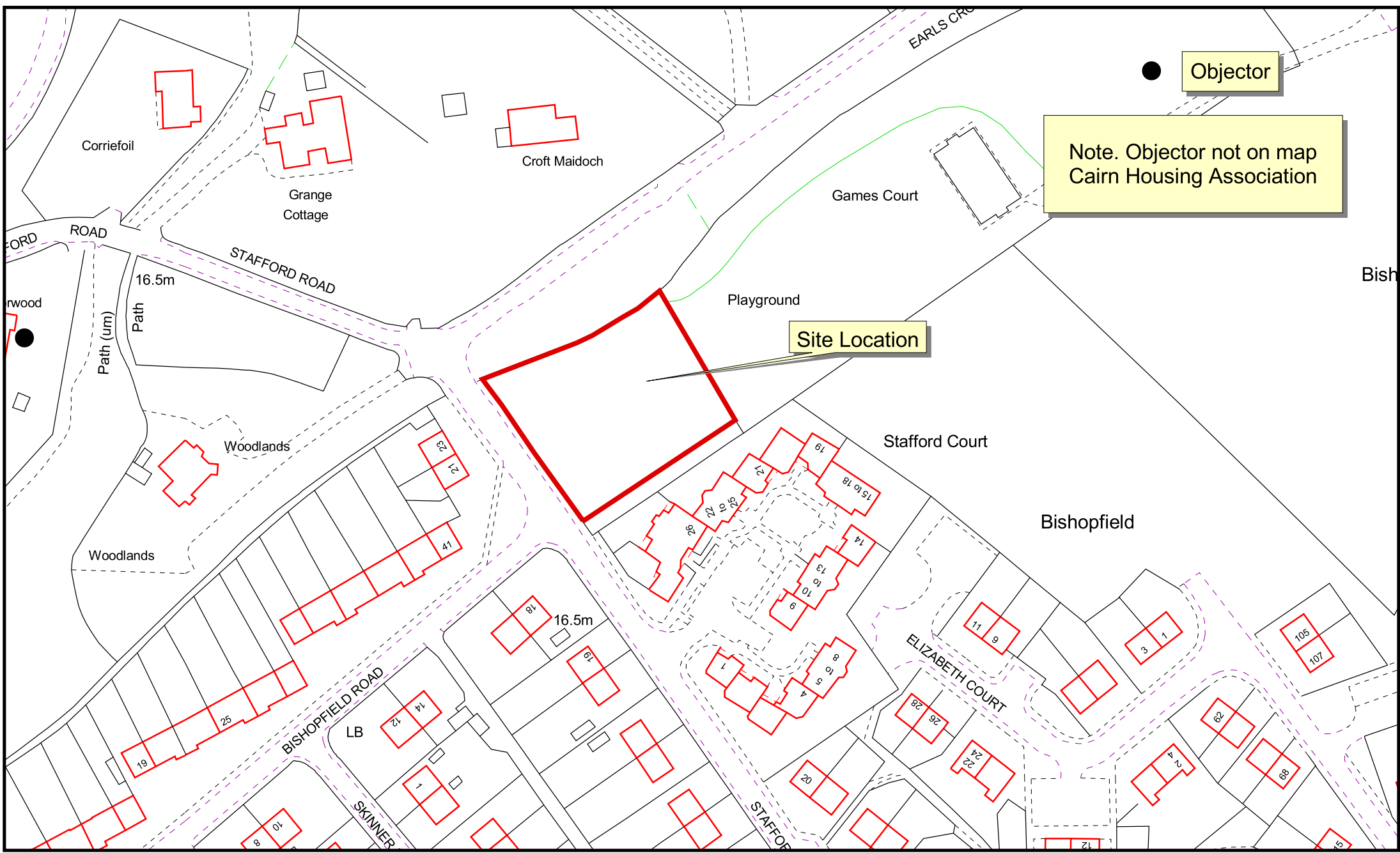
A long, thin, slightly curved horizontal line representing a signature.

Designation: Area Planning and Building Standards Manager

Author: Bob Robertson 01862 812044

Background Papers: As referred to in the report above and case file reference number 07/00193/FULSU

Date: 13 August 2007



07/00193/FULSU
 Erection of 10No. flatted living units in 2No. blocks at Land to West of Stafford Court, Dornoch.

Carnoustie Links Development Ltd
 per Matheson Mackenzie Ross
 Royal Bank Buildings
 High Street
 Dingwall

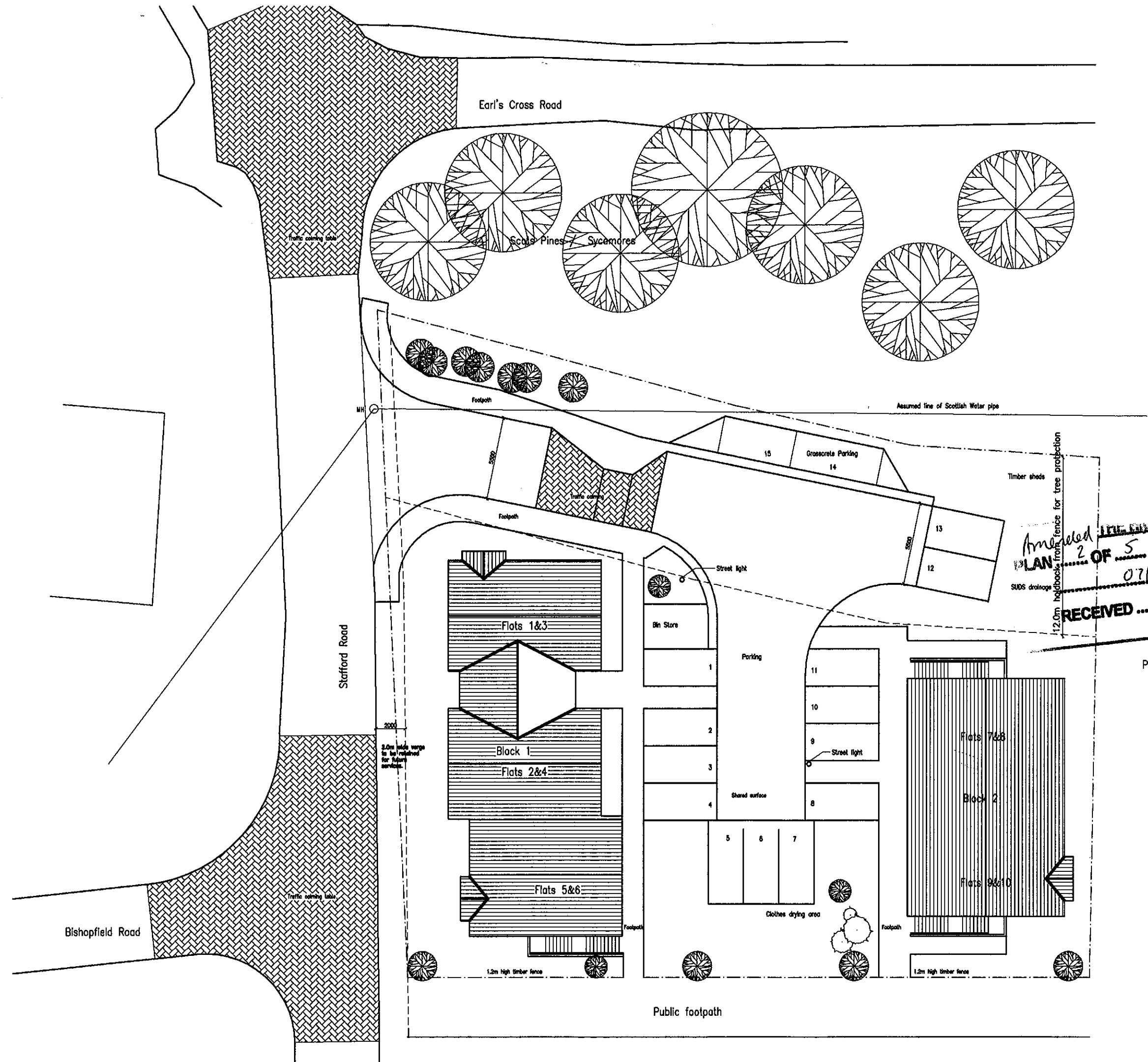


Date: 26 July 2007

SUPPLIED BY THE HIGHLAND COUNCIL

Reproduced from the Ordnance Survey Mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright.
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. The Highland Council LA09036L.





Amended
PLAN 2 OF 5 OF APPLICATION REFERENCE
 07/00193 / FULSU
RECEIVED 7/8/07

- NOTES
 1. WRITTEN SIZES TAKE PREFERENCE OVER SCALED SIZES
 2. LARGE SCALE DETAILS TAKE PREFERENCE OVER SMALL SCALE
 3. ALL DIMENSIONS TO BE CHECKED ON SITE
 4. ANY DISCREPANCIES IN DRAWINGS TO BE REFERRED TO THIS OFFICE FOR DECISION

REVISIONS

rev	date	initial	detail
A	5.8.07	NHR	12m holdback from fence noted
B	31.7.07	NHR	Revised parking & road layout

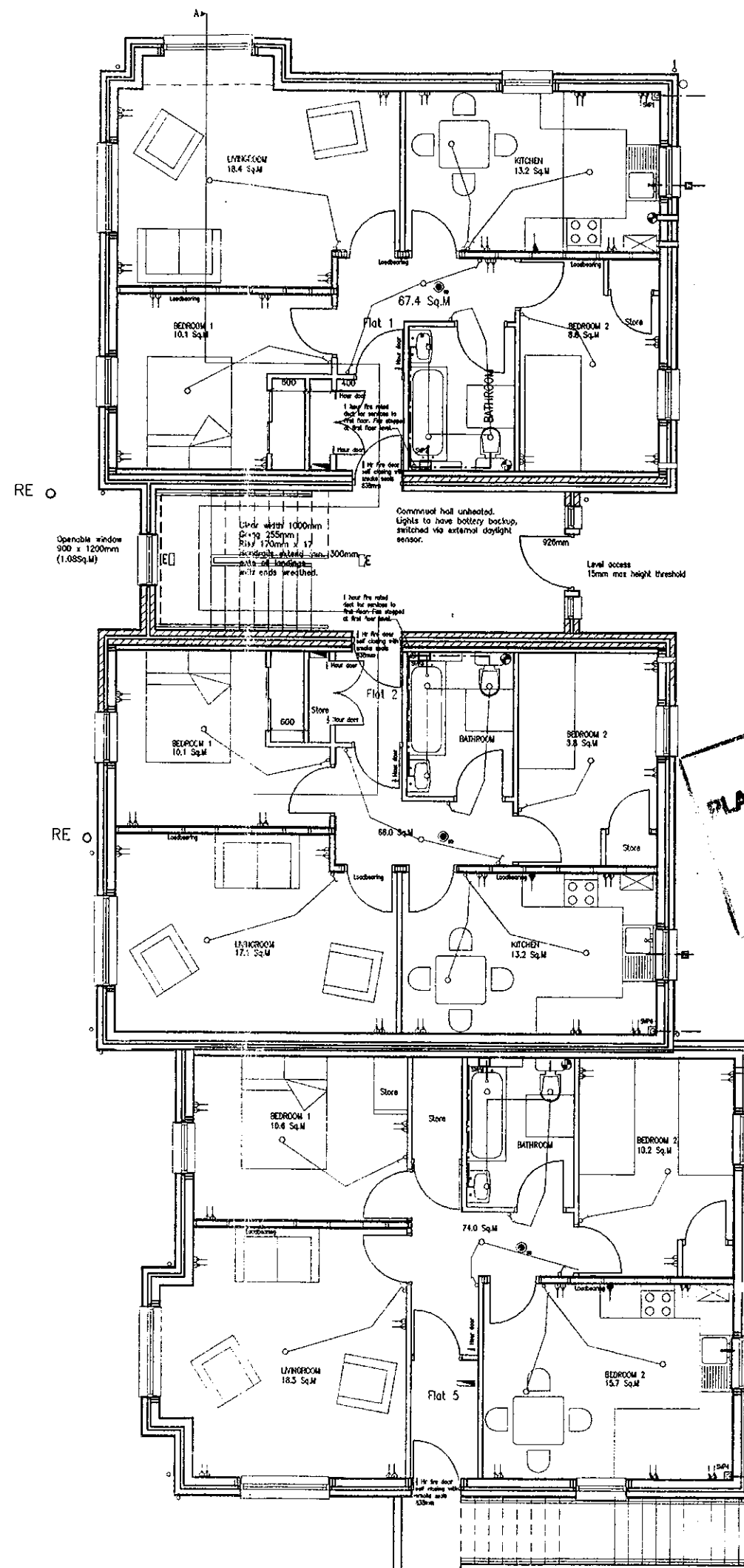
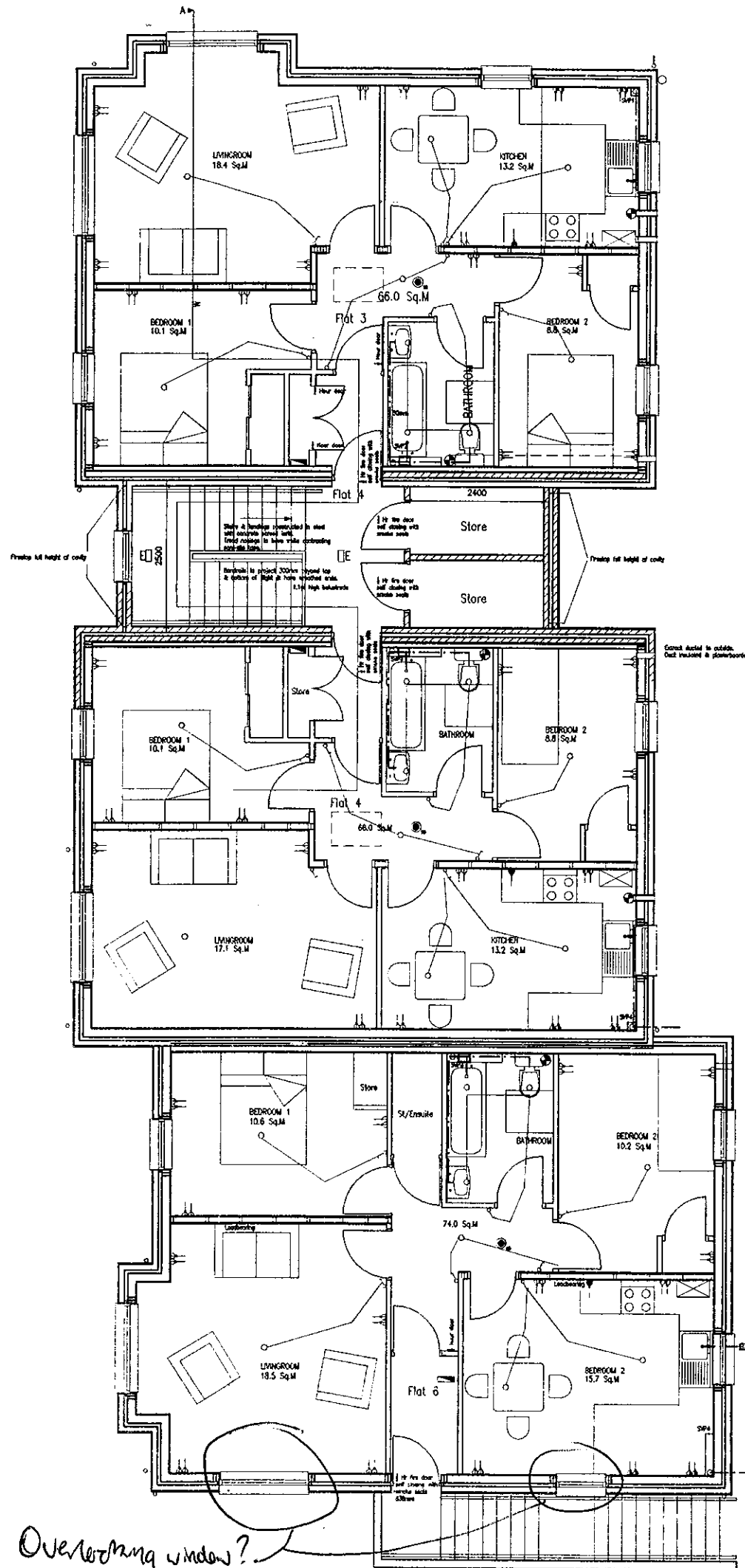
MATHESON MACKENZIE ROSS
 CHARTERED ARCHITECTS
 ROYAL BANK BUILDINGS
 DINGWALL
 TELEPHONE (01349) 863352
 FAX (01349) 863746

job **DORNOCH**
 Proposed housing development
 at Stafford Road for
 Carnoustie Links Development Ltd

drawing **Site Layout**

scale	1:250	date	March 07
drawn	NHR	check	
no	D1.07.01	rev	A B

- NOTES
1. WRITTEN SIZES TAKE PREFERENCE OVER SCALED SIZES
 2. LARGE SCALE DETAILS TAKE PREFERENCE OVER SMALL SCALE
 3. ALL DIMENSIONS TO BE CHECKED ON SITE
 4. ANY DISCREPANCIES IN DRAWINGS TO BE REFERRED TO THIS OFFICE FOR DECISION



THE HIGHLAND COUNCIL
 PLAN 3 OF 5 OF APPLICATION REFERENCE
 07/00193/Fersu
 RECEIVED 14/05/07

REVISIONS			
rev	Date	By	Detail

matheson mackenzie ross
 ARCHITECTS
 ROYAL BANK BUILDINGS
 HIGH STREET DINGWALL
 ROSS & CROMARTY
 IV15 9HA
 TEL 01349 853352 FAX 01349 855746

Hugh M. Ross, DipArch, RIBA, ARIAS, MA.P.S.
 Neil H. Ross, DipArch, RIBA, ARIAS.
 www.mmross.co.uk

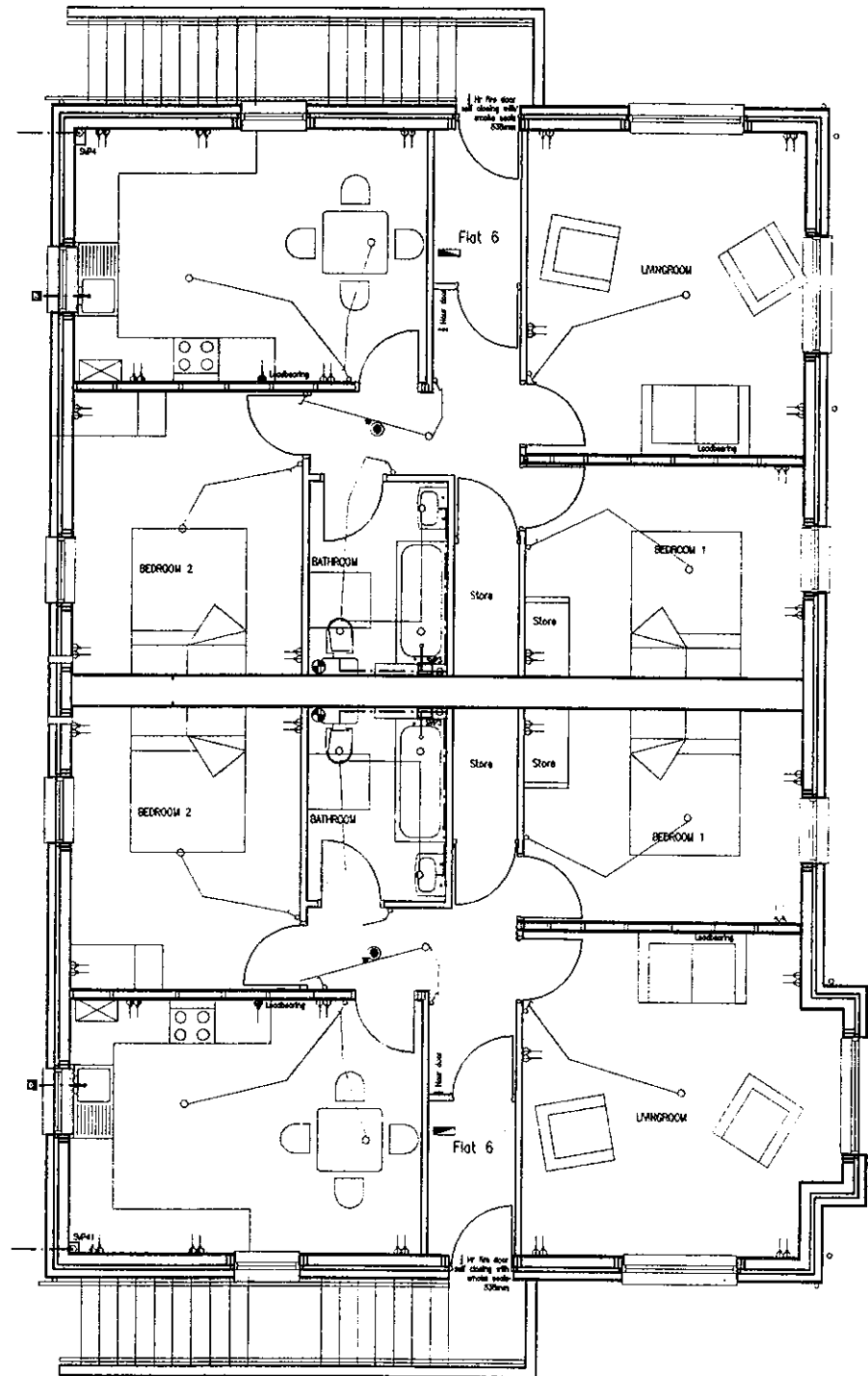
project
DORNOCH
 Proposed flatted development for
 Carnoustie Links Development
 Ltd.

drawing Internal plans Block 1

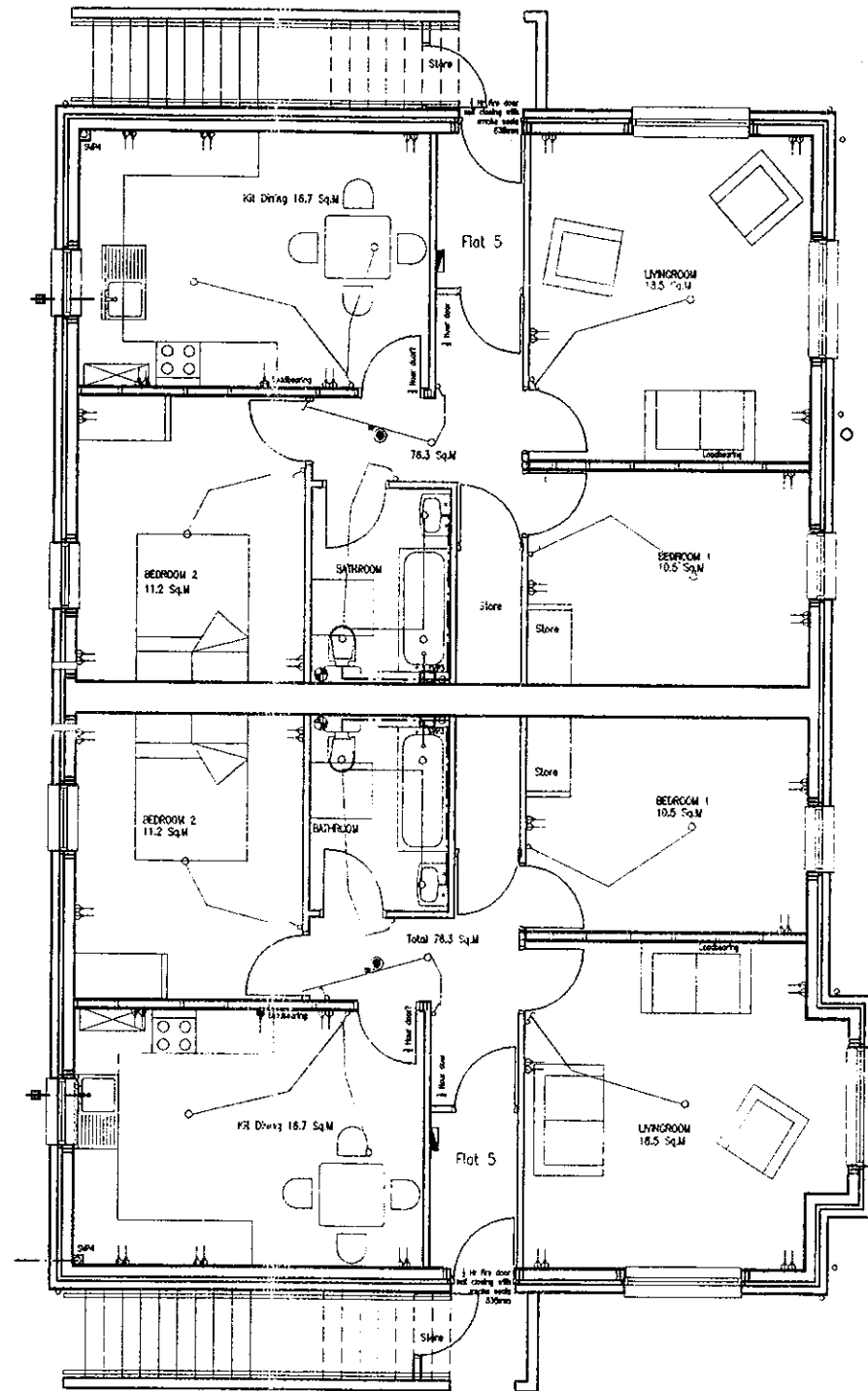
scale	1:100	A3	date	20.4.07
drawn	NHR		checked	
no	D1.07.03		rev	

Overlapping window?

- NOTES
1. WRITTEN SIZES TAKE PREFERENCE OVER SCALED SIZES
 2. LARGE SCALE DETAILS TAKE PREFERENCE OVER SMALL SCALE
 3. ALL DIMENSIONS TO BE CHECKED ON SITE
 4. ANY DISCREPANCIES IN DRAWINGS TO BE REFERRED TO THIS OFFICE FOR DECISION



First Floor Plan



Ground Floor Plan

THE LOCAL COUNCIL
PLAN 4 OF 5 OF APPLICATION REFERENCE
 07/00193/FUSU
 RECEIVED 14/05/07

REVISIONS

date	initial	descr

matheson mackenzie ross
 ARCHITECTS

ROYAL BANK BUILDING
 HIGH STREET DUNDEE
 ROSS & CRONIN
 W15 5-4A
 TEL 01349 883552 FAX 01349 856745

Arch: M. Ross, DipArch: RIBA, FRAS, M&P S
 Neil: A. Ross, DipArch: RIBA, FRAS
 www.mmross.co.uk

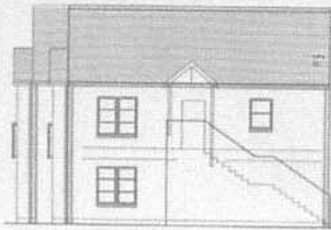
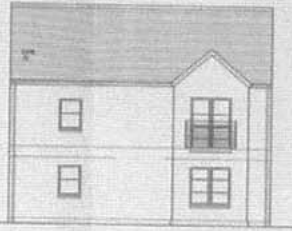
project:
DORNOCH
 Proposed flatted development for
 Carnoustie Links Development
 Ltd.

drawing: Internal plans Block 2

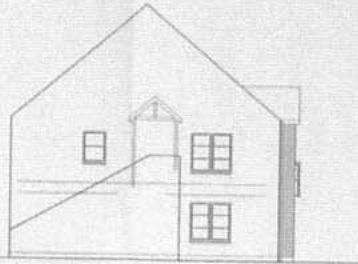
scale	1:100	A3	date	20.4.07
drawn	NHR		checked	
no	D1.07.04		rev	



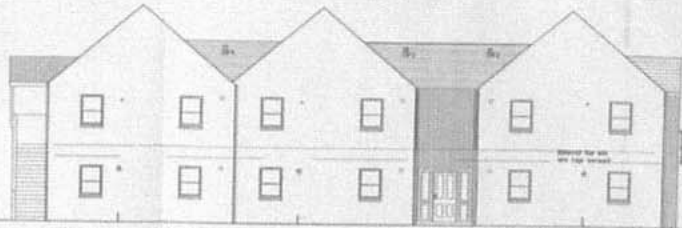
Elevation to North West



Elevation to South East



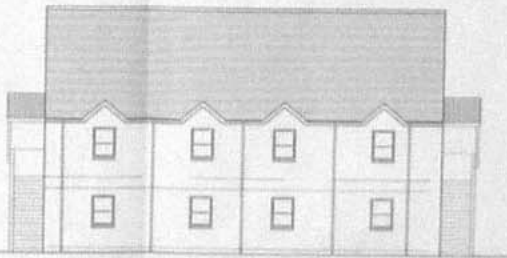
Elevation to Stafford Road



Back 1 Elevation to North East



Elevation to North East



Back 2 Elevation to South West

THE REGISTRATION BOARD
PLANNING DEPARTMENT
10, W. C. OF W. OF APPLICATION REVIEW
MIDLANDS
RECEIVED 14/12/13