

**THE HIGHLAND COUNCIL**

**CAITHNESS, SUTHERLAND, AND EASTER ROSS  
PLANNING APPLICATIONS COMMITTEE – 29 January 2008**

Agenda Item	4.3
Report No	03/08

**06/01000/FULRC – Erection of house on land to south-east of 1 Cadboll Place, Tain**

**Report by Area Planning and Building Standards Manager**

**SUMMARY**

This application is for the erection of one house on land to the south east of 1 Cadboll Place, Tain.

**It is recommended that the application is refused due to road safety concerns.**

Ward: 8 – Tain and Easter Ross

Applicant: W & K Burgess

A formal hearing is not necessary in this case.

**1. PROPOSAL**

- 1.1 The site is currently an overgrown grassed area between Ross Street and Library Cottage / the rear of the library. A stone wall adjoins the boundary with Ross Street, to the east, and there is an existing timber garage in the northern corner of the site adjacent to traditional stone cottages accessed off Cadboll Place. An electricity transformer occupies the south eastern corner of site.
- 1.2 The proposal is for the demolition of the existing garage and the erection of a detached cottage within the site. It will be located adjacent to and in line with the existing cottage (No 1 Cadboll Place), and offset from Library Cottage, to minimise overlooking / loss of privacy. Within curtilage parking will be provided off Cadboll Place, within an area currently in the applicant's ownership but open in nature and forming parking / manoeuvring space for the existing properties at Cadboll Place.
- 1.3 The proposed house will be traditional in design and proportions, with rendered walls and a natural slate roof, and respects the character of the Conservation Area in which it is located.

## **2. PLANNING HISTORY**

- 2.1 92/00130 for the erection of a house was refused due to overdevelopment of the site, loss of residential amenity for Library Cottage, and additional traffic resulting in congestion of the cul-de-sac and inadequate visibility onto Cadboll Place.

## **3. PUBLIC PARTICIPATION**

- 3.1 The application was advertised under Section 34 and as development affecting the setting of the Conservation Area.

- 3.2 Two letters of objection have been received. Objections include :

- \* overlooking
- \* loss of light
- \* cumulative impact from recent infill housing on Ross Street
- \* detrimental to character of the area
- \* inadequate parking for existing housing
- \* plot dimensions
- \* previous refusal for a house on this plot.

- 3.3 Eleven standard letters of support have been received (4 from the same address). They consider that :

- \* the site is almost derelict and the proposed development will improve the general amenity of neighbouring properties
- \* the existing stone wall will be retained
- \* proposals reflect the existing pattern of development in the area
- \* there is no overlooking of neighbouring dwellings
- \* the site level will be reduced to that of the adjacent footpath
- \* the height of the cottage will be kept to a minimum
- \* off street parking is included

- 3.4 The letters of representation are available in the Area Office and will be available at the Committee meeting. The names of those making representation are listed at the end of this report.

## **4. CONSULTATIONS**

### **4.1 Internal consultees**

- TEC Services (Transport): Object – the area behind the library is tight and awkward and already serves as an access for several properties. Visibility from the existing access onto Cadboll Place is very substandard to the southeast as a consequence of the library building and the road alignment. This relates to both vehicular and pedestrian traffic. There are already resident parking difficulties on Ross Street. If the parking off Cadboll Place proved difficult it could lead to additional parking on Ross Street and add to the problems there.

There are also concerns as to the day to day servicing of the site ( eg fuel vehicles, delivery vehicles) since there is no within curtilage turning for large vehicles, and there are 'no waiting at any time' parking restrictions on Cadboll Place at the access point. It would be dangerous for vehicles to park on the pavement or to attempt to move off the street.

There are also concerns regarding the parking of construction traffic, delivery of materials and parking of the associated trades vehicles should this go ahead.

- Contaminated Land: No comments.
- Archaeology: Requests a photographic record of old buildings / other features.
- Conservation Architect: No adverse observations. The proposal is similar to the two new houses erected to the east of 13 Ross Street in height, materials, and detailing. The existing garage to be demolished has no architectural or historic merit.

#### 4.2 External consultees

- Scottish Water: No objections. There may be issues within their water and waste water networks.
- Tain Community Council: Supports the application.

### 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

#### **Ross and Cromarty East Local Plan:**

- Tain Settlement Policy C2 – Town Centre
- Tain Settlement Policy 28 – Conservation Area.

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

- SPP3 – Planning for Housing – infill sites can make a useful contribution to the supply of housing land. Infill development should respect the scale form and density of its surroundings, and enhance the character and amenity of existing residential areas.

## **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 both 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**

Structure Plan Policy G2 Design for Sustainability requires new development amongst other criteria, to be compatible with service provision, to be assessed in relation to its impact on residential amenity, and to demonstrate high quality design and sensitive siting.

The site is located within Tain Outstanding Conservation Area and within the town centre allocation in the Local Plan. This makes provision for residential development within the town centre, subject to appropriate parking, and the amenity of adjacent properties.

In principle, therefore, the erection of a house in this town centre location can be acceptable subject to details.

However, TEC Services (Transport) have objected due to road safety concerns, as outlined in their consultation response (4.1 above), and in order to comply with policy a satisfactory access and parking need to be accommodated.

I concur with the view of TEC Services that the existing area behind the library, accessing this plot and adjacent dwellings, is tight and awkward. The applicant argues that the usage of this area will not be increased by the proposed house since the garage currently on the site will be removed, and the use of the garage will therefore cease and be replaced by the vehicles accessing a house. However, a house is likely to generate more traffic than a single garage, since it could be occupied by a household with more than one car and is likely to have visitors, deliveries, etc. In addition, delivery vehicles are typically larger than the domestic car, and the turning / manoeuvring space is inadequate for larger vehicles. This could encourage manoeuvring within the main carriageway of Cadboll Place or vehicles parking on the pavement area, both of which are dangerous. I therefore consider that the existing unsatisfactory situation will be worsened by the proposals, since the usage of this area and the range of vehicles using it is likely to increase.

Furthermore, the access from the site onto the main carriageway of Cadboll Place has substandard visibility for both vehicular and pedestrian traffic, due to the library building and the road alignment at this point. Any increased usage would exacerbate this current unsatisfactory situation, to the detriment of road safety. The applicant, however, comments that visibility has not been a problem in the past and does not anticipate it becoming a problem now.

There are also concerns that if parking off Cadboll Place proved awkward, residents and visitors may decide to park on Ross Street (to the rear) instead. The applicant has offered to provide a vehicular access off Ross Street if this would overcome TEC Services' objections to the currently proposed access off Cadboll Place. However, there are existing parking problems on Ross Street since many of these houses have no off street parking, and the increased use of this road is therefore not to be encouraged.

#### **6.4 Amenity**

The house design and proposed materials reflect the scale and detailing of other adjacent houses, and the proposed house is in keeping with the character of the Conservation Area in which it is located.

The house has been positioned within the plot to be staggered from Library Cottage, and thus minimise overlooking of this property. It has also been orientated with its main access and frontage to Cadboll Place, which again reflects the courtyard feel of development at Cadboll Place and the adjacent development.

#### **6.5 Public Concerns**

Letters have been received in relation to the proposal (3.2 and 3.3 above). I do not consider that this proposal will materially impact on the amenity currently enjoyed by neighbouring dwellings due to the orientation and location of the proposed house within the plot. I do not consider that this will result in a significant loss of light, overlooking, or massing issues for the adjacent residents.

Recent infilling has occurred in Ross Street, to the rear of the site. Given the high density development typical in this area, I do not consider that this plot is inadequately dimensioned to accommodate the proposals, nor that the development of this plot will adversely impact on the character of the area.

The previous refusal of a house on this plot was in 1992, and was for a different house design, placed differently within the plot, and involved the retention of the existing timber garage. Policies have since been reviewed, and the details of this current application are different to those previously considered. The application needs to be considered on this basis.

The existing dwellings at Cadboll Place currently have no off street parking, and therefore park and manoeuvre within the 'courtyard' area, including part of the application site. However, I am not aware of any legal right to use this area, and its removal from availability is therefore not a reason for refusal.

## **7. CONCLUSION**

- 7.1 I concur with the view of TEC Services that the existing parking, manoeuvring, and visibility is unsatisfactory and will be exacerbated by this current proposal for the erection of a house. I am therefore unable to support this proposal and accordingly recommend that the application is refused.

### **RECOMMENDATION**

Recommend the application be refused for the following reasons:

1. The proposal would increase the use of this small constrained cul-de-sac part of Cadboll Place to the rear of the library. This would exacerbate the current problems of parking and manoeuvring within this restricted space, would encourage parking and manoeuvring within the main carriageway of Cadboll Place and the adjoining wide pavement area, or within Ross Street, and would increase the use of the junction with the main carriageway of Cadboll Place where visibility is very substandard. This would be contrary to the interests of road safety.
2. The proposal is contrary to The Highland Structure Plan Policy G2, Design for Sustainability, which expects new development to be compatible with service provision (including roads), and to the Ross and Cromarty East Local Plan Tain Town Centre Policy C2 which accepts new residential development subject to appropriate parking. This proposal would result in the increased use of a substandard junction and increase the use of an existing awkward parking and manoeuvring area, to the detriment of road safety, and is therefore contrary to these policies.

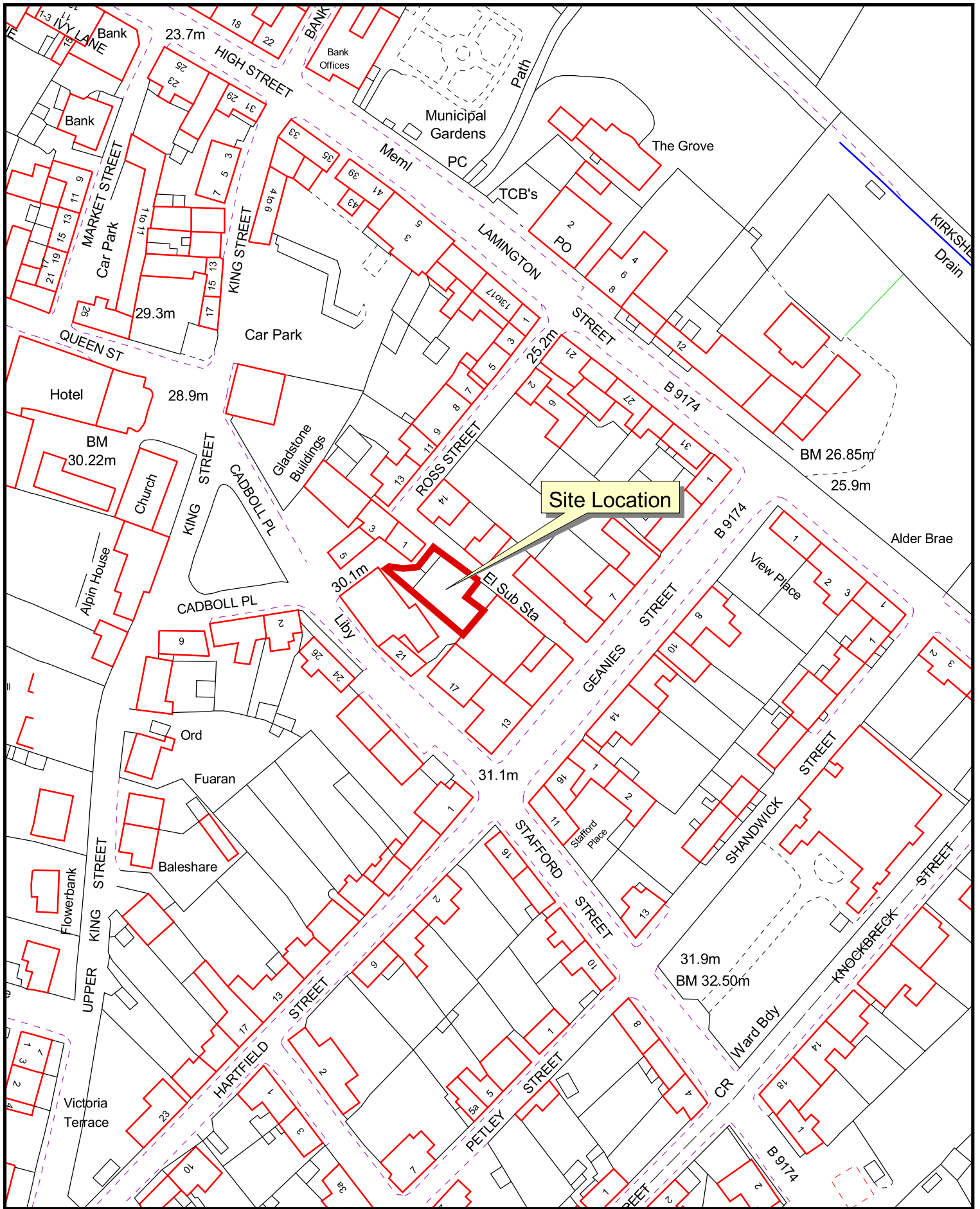
Signature: Allan J Todd

Designation: Area Planning and Building Standards Manager

Author: Susan Hadfield

Background Papers: As referred to in the report above and case file reference  
06/01000/FULRC

Date: 16 January 2008



06/01000/FULRC  
 Erection of house (Detail) at  
 Land To South East Of  
 1 Cadboll Place  
 Tain

W & K Burgess  
 Gradual Peak Ltd  
 3.3 The Granary  
 Coal Road  
 Cupar

Date: 15 January 2008

SUPPLIED BY THE HIGHLAND COUNCIL

N  
 Scale  
 1:1250

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.

