

**THE HIGHLAND COUNCIL**  
**CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING**  
**APPLICATIONS AND REVIEW COMMITTEE**  
**15 APRIL 2008**

Agenda Item	3.5
Report No	17/08

**05/00431/FULSU – Demolition of Carrol House and erection of 2No. blocks  
of apartment buildings totalling 17No. units (As Amended)  
at Carrol House Golf Road Brora**

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

**SUMMARY**

The proposal is in detail to demolish Carrol House and erect a total of 17 apartments in two blocks within the existing garden grounds. The application has been amended from the original submission which was for 17 apartments in three blocks. The proposal is being reported to Committee due to the number of representations. Brora Community Council have objected to the proposal.

Ward Number 5 – East Sutherland and Edderton

Applicant – Ardassie Ltd

**The Recommendation is to GRANT planning permission subject to conditions and to the prior conclusion of a legal agreement.**

**1. PROPOSAL**

- 1.1 The application is for the erection of two blocks of apartments with a total of 17 apartments within the existing curtilage of Carrol House. Carrol House is located at a T-junction on Golf Road. To the north is Brora Bowling Club, whilst the Royal Marine Hotel complex lies to the southwest. The recently constructed Links Apartments are to the east. September Cottage and Carrol Cottage to the northwest and southeast respectively are single storey modern houses. Ballamore to the northeast is a large house set within its own discrete garden. The immediate area has generously sized plots and established gardens. There are a mix of sizes of building in the area, with larger two or more storey detached buildings, some of a commercial nature, and smaller single storey houses. The site is slightly irregular but is generally an L-shape. It measures approximately 68m northwest to southeast, and between approximately 28m and 48m northeast to southwest.
- 1.2 Carrol House is positioned centrally within the existing plot. It is not a listed building and does not lie within a conservation area. There are no Tree Preservation Orders affecting the site. The existing building is 2½ storeys with a white wet harl wall

finish and slate roof. The garden ground is generous, with lawn to the north and an area of hardstanding for vehicles to the south. Vehicular access is from Golf Road to the northeast side of the site. The garden is well screened with a high wall around the Golf Road boundary. This is augmented on the boundary with Carrol Cottage and the Royal Marine Hotel by conifer trees and a fence. A small electricity substation is located at the Golf Road T-junction.

- 1.3 The proposal is for the demolition of the existing building and the erection of two apartment blocks. Block 1 would be located to the north of the existing building and would have 10 units, whilst Block 2 is to the southwest of Carrol House and would have 7 units. The proposed external finishes of the blocks are a slate grey type roof tile and a white roughcast wall finish with buff roughcast detailing and stone basecourse. Access into the site is from an improved access from Golf Road, with a service bay and re-positioned stone wall. The developer proposes 24 parking spaces to the southeast side of the site. A pedestrian access is to be retained from the car parking area into the rear garden of the Royal Marine Hotel complex.

## **2. PLANNING HISTORY**

- 2.1 No previous recent planning history.

## **3. PUBLIC PARTICIPATION**

- 3.1 The planning application was received on 28 November 2005 and advertised in the Northern Times on 16 December 2005. This proposal was for 3 blocks of apartments with a total of 17 apartments. Blocks 1 and 2 were located in the northwest and central/northern part of the site, with Block 3 to the south. 14No. car parking spaces were proposed on the boundary with Carrol House. Following discussions with the developer on various matters including the massing of three blocks and the representations received, an amended planning application was received on 27 September 2007 and advertised on 9 November 2007 for a 14 day period. Eight letters of representations have been received from third parties highlighting the following issues:

- Contrary to the South and East Sutherland Local Plan policy. Recent refusal of a house at Sunrise, Golf Road.
- Lack of local support
- Increase from 1 to 17 units on the site will have negative impact on the amenity of the area and is over-development of the site
- Building mass and design out of character with other properties on Golf Road
- Overlooking of property
- Height of buildings should be no greater than Carrol House
- Proposal would establish a precedent elsewhere on Golf Road.
- Tree disturbance and landscaping details
- Infrastructure - impact on sewage, water and surface water
- Traffic - increased traffic, one way system, dangerous A9 junction
- Affordable housing provision

- Noise
- Retention of roadside wall
- Subdued street lighting
- Construction materials and vehicles kept within site curtilage

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 representation are listed at the end of this report.

#### 4. CONSULTATIONS

4.1 **Brora Community Council** – 24 January 2006 – Strong representations have been received from residents of Golf Road in relation to the following:

- Proposal is contrary to policy
- Sewage and road infrastructure unable to cope
- Height of building
- Development should be more in keeping with the surrounding area pre-Links flat development

#### 4.2 Internal Consultees

**Area Roads and Community Works Manager** – No objections. The combined access and service bay onto Golf Road requires a visibility splay of 70m and finished in bituminous macadam. The road should be constructed under a Road Construction Consent agreement with the Roads Authority. However, a private management agreement may also be considered following further discussions with the developer.

**Contaminated Land Unit** – Note that an electrical substation is included within the site boundary. If this area is to form part of a landscaped or garden area within the proposed development a site investigation should be carried out. Such an investigation should be consistent with the approach to land contamination as PAN33 and BS 10175:2001.

**Housing and Property Services** – Require that 25% of units be affordable (5 units), unless the units are used exclusively as holiday homes. We would intend that these be offered under the Homestake mechanism with the developer working in partnership with a registered housing association (probably Albyn).

## **External Consultees**

**Scottish Water** – No response received.

**Scottish and Southern Energy** – No objection. The developer must submit a moleseye notification prior to carrying out any excavations at the site or contact us to request formal cable identification.

**Trunk Roads Network Management Directorate** - No objections.

## **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
- H8 Access arrangements for new and existing development
- T3 Self catering tourist accommodation

**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 Local Plan:**

- Environment Policy ENV1 applies to the hotel and grounds – The Council encourages development subject to detailed site factors.
- General Village Settlement Policy S2 Housing applies – The Council will seek to maintain and enhance the established character of residential areas.

**Sutherland Local Plan Deposit Draft (October 2007)** is a material consideration in the assessment of the proposal.

Policy 1 Settlement Development Areas – supports proposals as long as they meet the requirements of Policy G2. Furthermore, proposals are judged in terms of how compatible they are with the existing pattern of development, and how they conform with existing and approved adjacent land uses.

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).

- SPP1 – The Planning System

## **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 proposal is considered to accord with Highland Structure Plan Policy G2 with regard to water and sewerage. Furthermore the development meets the requirements of Policy G2 and H8 in relation to access and road servicing provision.
- 6.4 The amended application has reduced the number of buildings from the originally submitted 3No. blocks to 2No., and these have been pulled further away from the single storey Carrol Cottage to the southeast corner of the application site. This southeastern corner is now occupied by the 24No. car parking spaces. The proposed buildings have a greater footprint than the existing house, although are of a similar height. The large existing grounds will be re-developed by the proposal, with the 2No. blocks spreading over and filling the grounds to a greater extent than the existing house. This re-development of the site will have an impact on the individual and community residential amenity of the area as identified by Structure Plan Policy G2. However, it is not considered that this re-development will have a significantly detrimental impact on individual or community residential amenity, and the proposal therefore accords with Policy G2.
- 6.5 The siting and design of the 2No. blocks is considered to be acceptable, maintaining and enhancing the established character of the residential area as required by the South and East Sutherland Local Plan Policy S2.
- 6.6 Members will note that the Deposit Draft Sutherland Local Plan supports the development (Policy 1).
- 6.7 Structure Plan Policy H5 Affordable Housing and the Supplementary Development Plan Policy Guidance requires that all new housing developments must contain 25% affordable housing. The Housing and Property Service have advised that the policy is applicable to this site.
- 6.8 The applicant's agent has indicated that the proposals are to be developed by the same company and in association with the management and operation of the Royal Marine Hotel. The business plan behind the redevelopment of Carrol House is to construct high quality flats for sale. These would have a functional relationship with the adjacent Royal Marine Hotel both in terms of common factoring but also, most

importantly, to allow a cross-subsidy for the extensive renovation and upgrading of the hotel, including the demolition of the ice rink building at the rear.

- 6.9 In this context, the applicant's agent advises that requiring 25% affordable provision within the site is unreasonable in terms of being accommodated on a site which is principally a residential leisure development attaching to the hotel. It is suggested that this will not work in commercial terms and the cross-subsidy to the hotel would be in jeopardy. The market research so far undertaken is very encouraging, but for people who wish to be unfettered in their enjoyment of a property in Brora, it is unlikely they would buy into a flat with restricted occupancy. The agent considers that the combination of high quality flatted development and upgrading of the hotel will send out a strong positive message about investment in Brora and bring much added value to the area across the board. Furthermore, the Agent has indicated that if there is a clear demand for affordable housing based on a valid needs assessment, they are agreeable to provide further affordable units at the Woollen Mill site. This will be achievable within the existing layout subject to discussion and also is allowed for in the Affordable Housing Policy.
- 6.10 Members may recollect that at the Links Hotel development in Brora (04/00121/FULSU) it was considered that the affordable housing policy did apply on the basis that the residential units were not restricted in their occupation in any way. In my view, Policy H5 should be upheld in this instance. Members will be aware that a range of mechanisms are available to deliver this requirement, including provision of units on site, allocation of land on or off site, or developer contributions, which can be secured by means of planning conditions and a Section 75 or other appropriate agreement.
- 6.11 Representations relate to the following:
- Proposal is contrary to the South and East Sutherland Local Policy – It is considered that the proposal accords with policies ENV1 and S2.
  - Over-development, design and mass of building out of character – The site is large and the amended proposal has reduced the overall number of buildings together with their design and massing to a level that is considered to better reflect the scale larger buildings on Golf Road.
  - Overlooking – The amended design has resulted in the buildings being pulled further away from the site boundaries and thereby reducing any impact on neighbouring properties. The 2No. blocks are now at least 16m from the southeastern treed boundary with Carrol House and 20m from September Cottage to the west.
  - Establishment of precedent elsewhere on Golf Road – It is not considered that the proposal will establish a precedent for future development. Each application is assessed on its individual merits.
  - Tree disturbance and landscaping details – Most of the trees are along the boundaries, or outside the site. There will be a degree of tree loss, although Members are advised that many of the trees have not been maintained and are not particularly good specimens. Landscaping details have been identified on the submitted plans and further details can be controlled by condition.
  - Infrastructure and Traffic – Members will note that technical consultations have indicated that the proposal is acceptable.

- Noise – It is inevitable that there will be some disruption caused by construction activity, although this will be relatively short term.
- Retention of roadside wall – The wall is to be retained, but set back and re-aligned to allow for appropriate visibility splays.
- Subdued street lighting – Members will note that this can be controlled by condition.
- Construction materials and vehicles kept within site curtilage – This can be controlled by condition.

6.13 I am of the view that the principle of developing the site for 17No. apartments is acceptable and accords with Development Plan policies, subject to the provision of affordable housing in terms of Policy H5.

## 7. CONCLUSION

7.1 I recommend to Members that the developer enters into an appropriate s75 legal agreement to secure 25% affordable housing to meet the requirements of the Council's Affordable Housing Policy H5.

7.2 Approval is recommended.

## RECOMMENDATION

### **Grant planning permission subject to conditions and following the prior conclusion of an appropriate legal agreement (see 7.1):**

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, a photographic record shall be made of the remains of old buildings and / or other features affected by the proposed development, in accordance with the attached specification, and shall thereafter be submitted to the Planning Authority. No site clearance work shall take place until confirmation in writing has been received from the Planning Authority that the record made has been lodged and is satisfactory.

Reason: To protect the historic interest of the site

3 Prior to the commencement of development a fully detailed scheme of landscaping for the site, including a scheme of maintenance, shall be submitted to and require the approval in writing of the Planning Authority. All planting thereby approved shall be undertaken in the first planting season following completion of the development

and shall thereafter be maintained in accordance with the approved scheme of maintenance. Any plants which, within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the immediately following planting season with others of a similar size and species.

Reason: In the interests of amenity and in order to ensure that the development is adequately screened.

- 4 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

- 5 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 works. For the avoidance of doubt, visibility splays of 2.5 x 70m shall be provided at the access point of the development to Golf Road. The road shall be surfaced in bituminous macadam, or other such material as may be agreed in writing by the Planning Authority in consultation with the Roads Authority, prior to the first use of any single apartment.

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

- 6 All drainage arrangements shall be provided to the satisfaction of the Planning Authority, in consultation with Scottish Environment Protection Agency, the Water Authority and Building Standards Authority.

Reason: In the interests of amenity.

- 7 Unless otherwise approved in writing by the Planning Authority, hours of operation on the site shall be restricted to 7.30am to 7.00pm Monday to Friday and 7.30am to 1.00pm 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.

- 8 The external walls of the 2No. blocks shall be finished in a white roughcast wall finish with buff roughcast detailing and stone basecourse

Reason: In the interests of amenity.

- 9 The roofs of the 2No. blocks shall be finished in a slate grey type roof tile.



Reason: In the interests of amenity.

### **Informatives**

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.

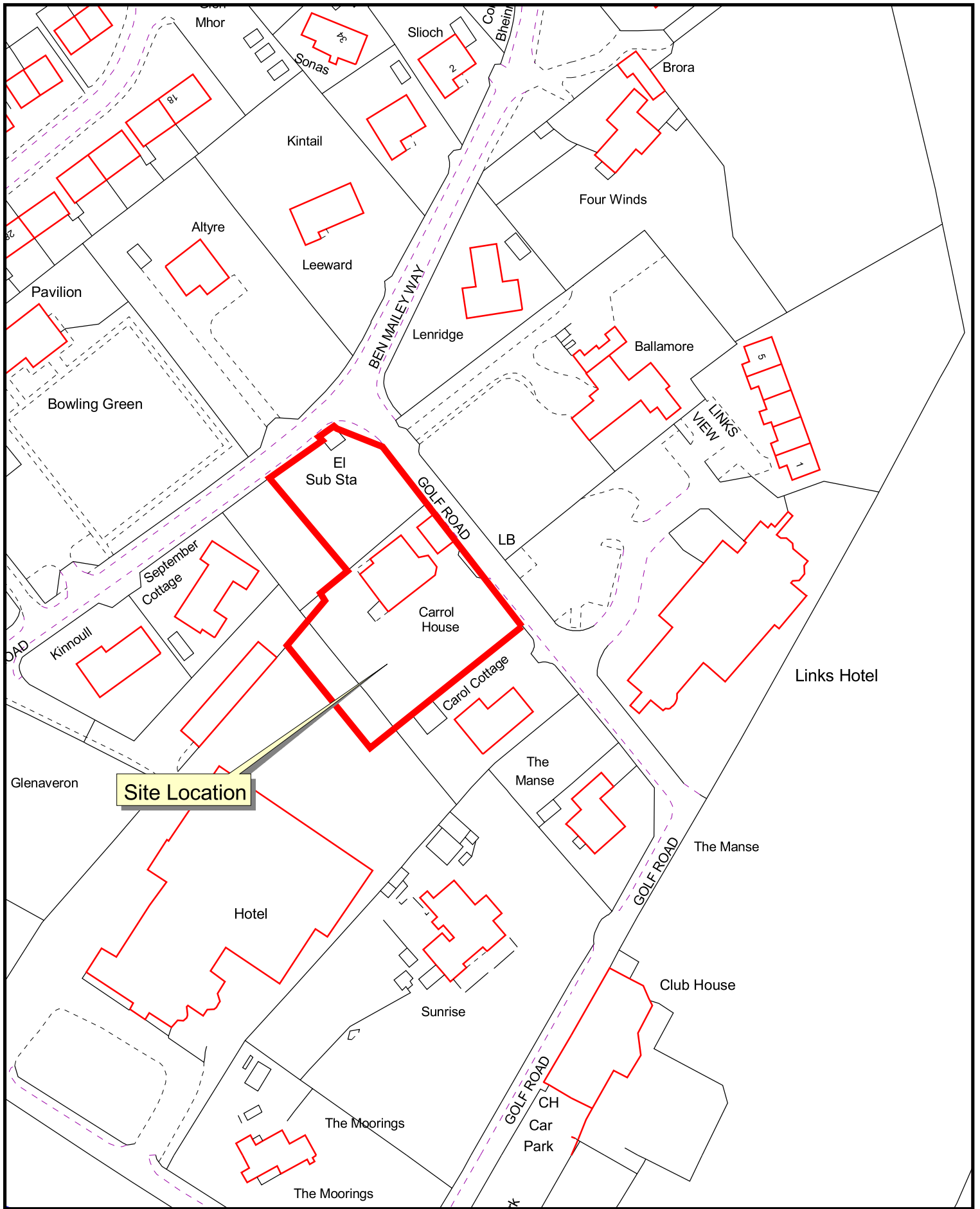
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author: Bob Robertson 01862 812044

Background Papers: As referred to in the report above and case file reference number 05/00431/FULSU

Date: 4 April 2008



05/00431/FULSU  
 Demolition of Carroll House and erection of 2 No. blocks  
 of apartment buildings totalling 17 No. Units (As Amended) at  
 Carroll House, Golf Road, Brora.

Ardassie Ltd  
 per Mr B Hepburn  
 Tulloch Homes Ltd  
 Stoneyfield House  
 Inverness

Date: 03 April 2008

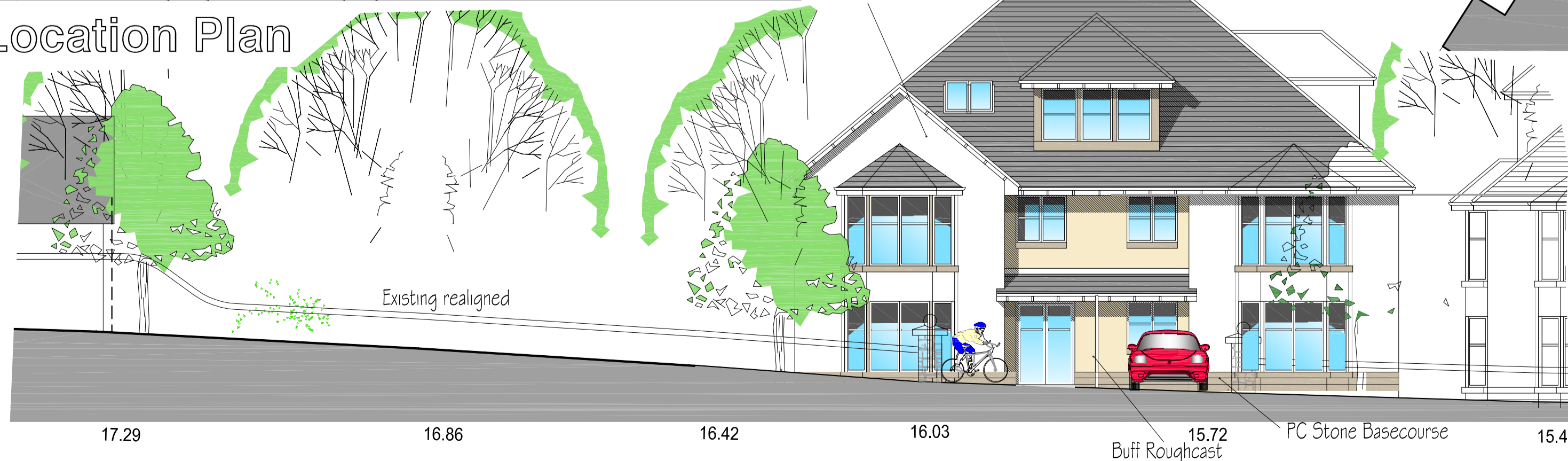
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# Carrol House Golf Road Brora



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CARROL HOUSE  
GOLF ROAD  
BRORA

ARDASSIE  
GENERAL PROPOSALS

SCALE AS NOTED DATE OCT-05 BY SAS

DWG NO 3063-001 REV G



# Carrol House Golf Road Brora



South East Elevation



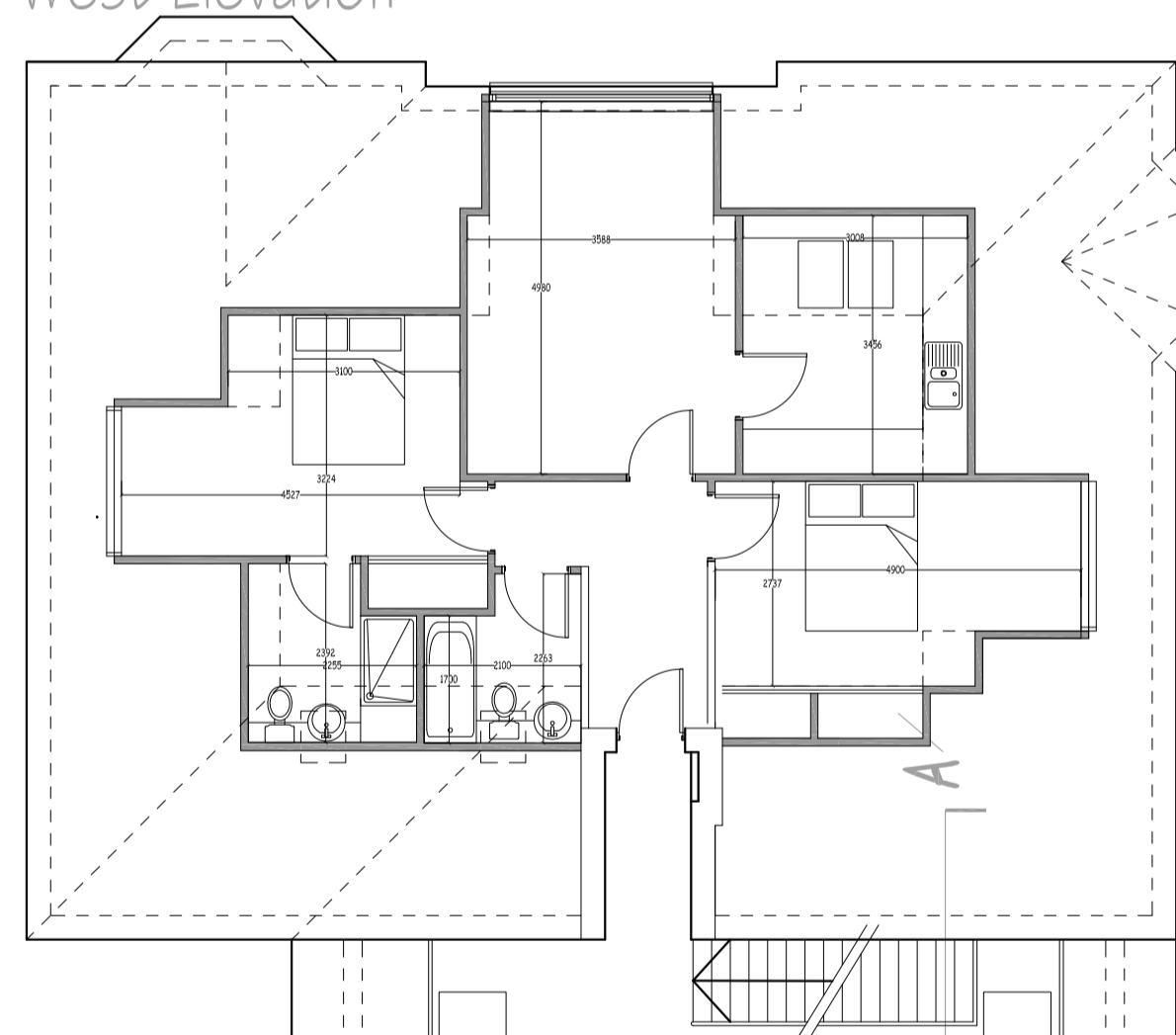
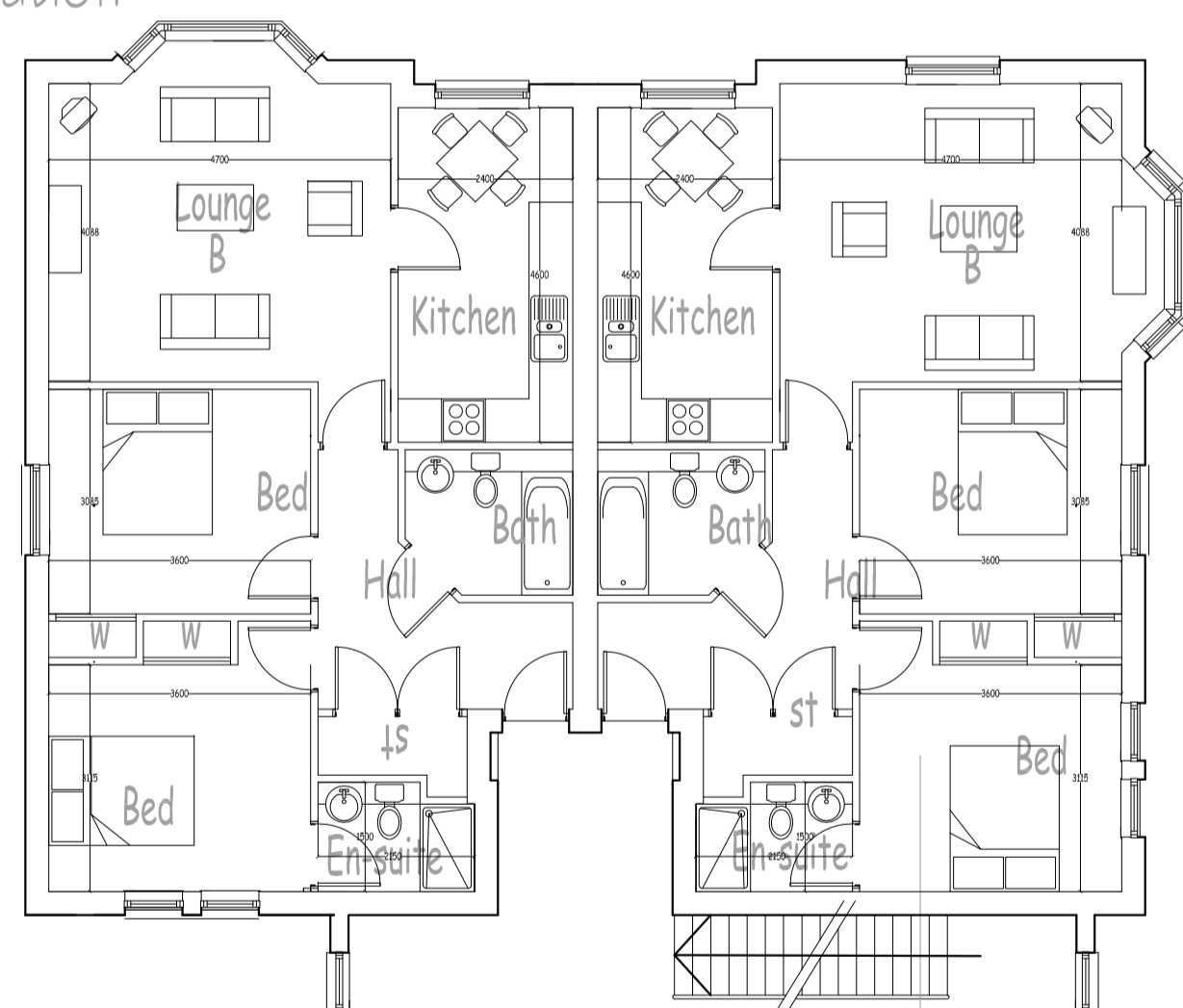
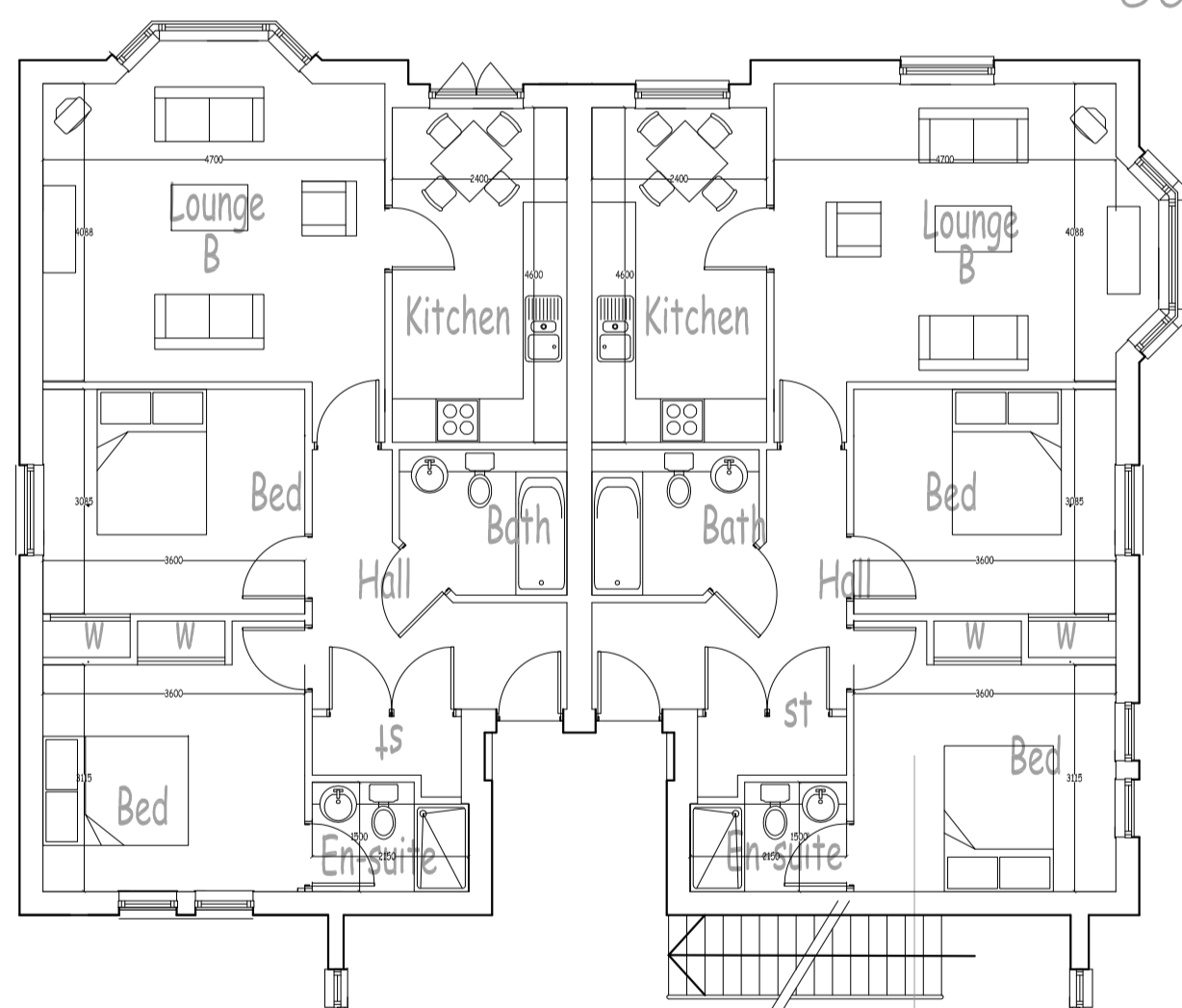
North East Elevation



South West Elevation



North West Elevation



Ground Floor Plan

First Floor Plan

Attic Floor Plan



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CARROL HOUSE  
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 BRORA

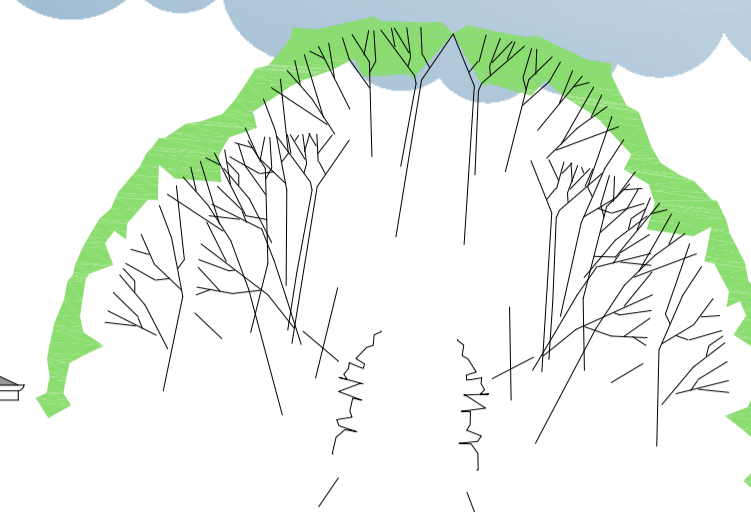
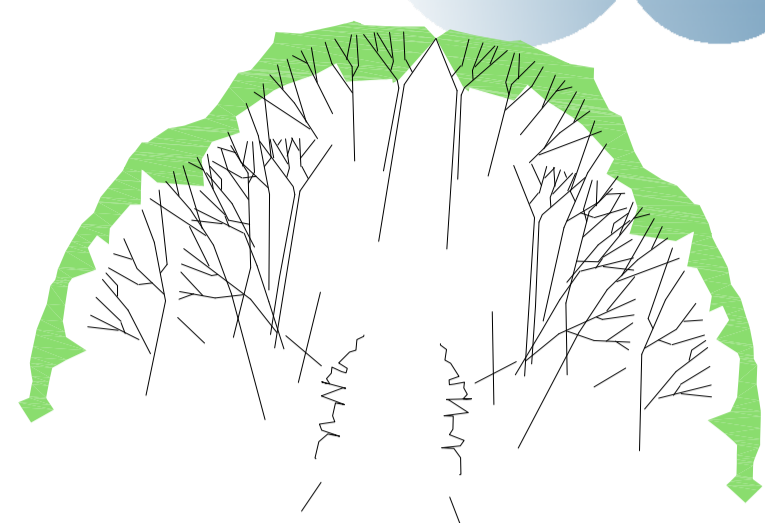
Block 1 Plans and Elevations

SCALE 1-100 DATE OCT-05 BY SAS

DWG NO 3063-100 REV H



# Carrol House Golf Road Brora



South East Elevation



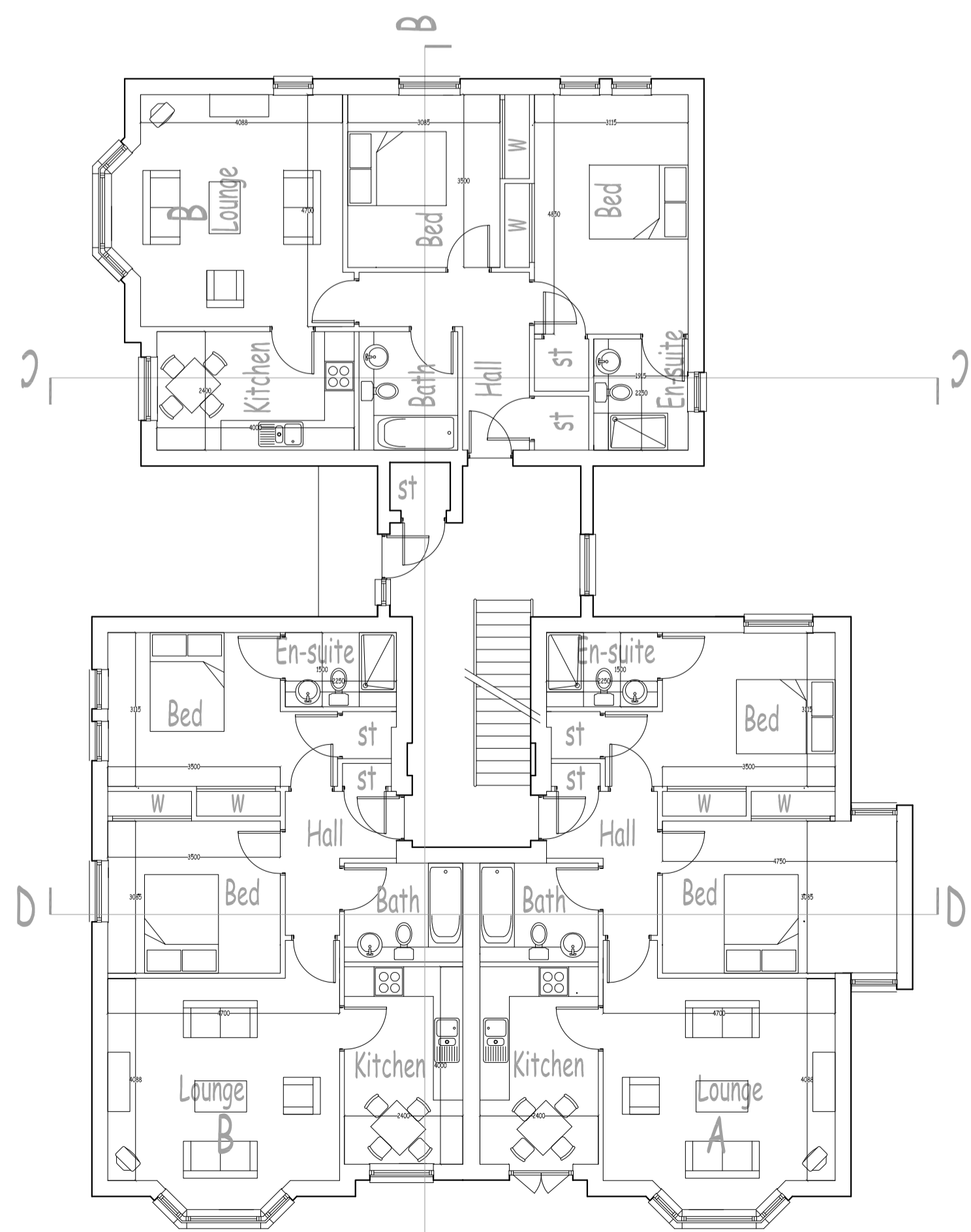
North East Elevation



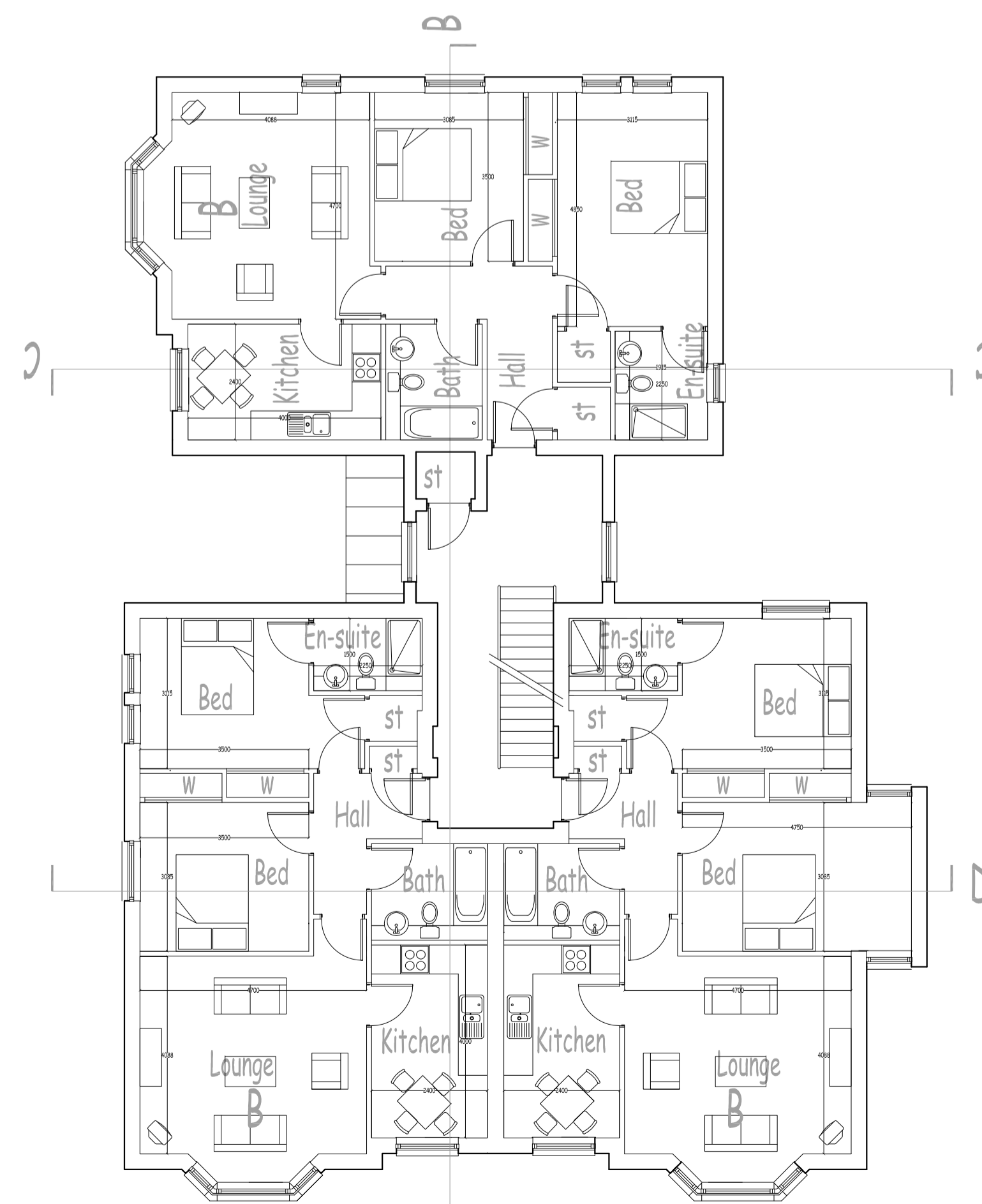
North West Elevation



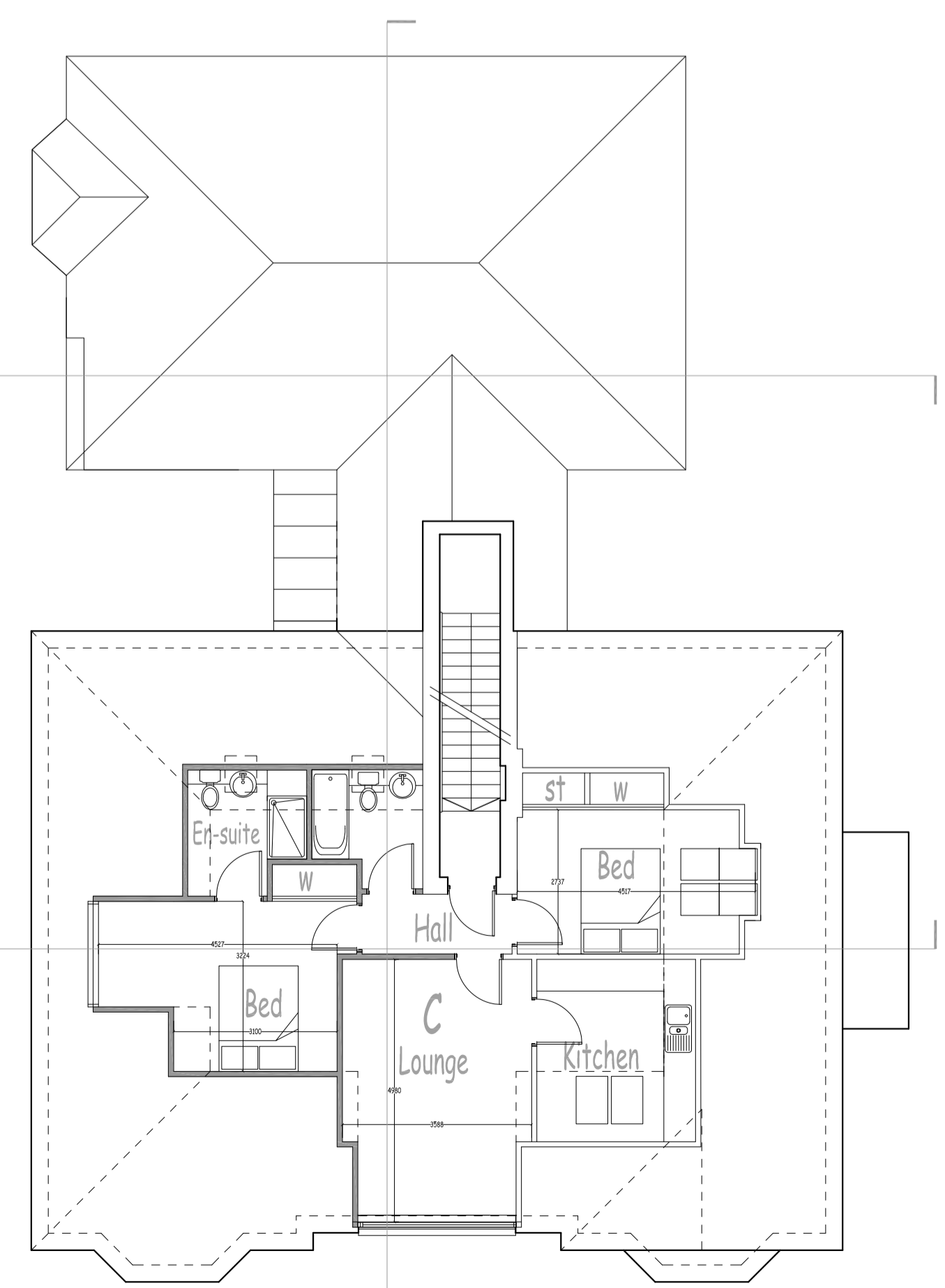
South West Elevation



Ground Floor Plan



First Floor Plan



Second Floor Plan



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CARROL HOUSE  
 GOLF ROAD  
 BRORA

Block 2 Plans and Elevations

SCALE 1-100 DATE OCT-05 BY SAS

DWG NO 3063-300 REV H