

THE HIGHLAND COUNCIL
CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING
APPLICATIONS AND REVIEW COMMITTEE –
9 December, 2008

Agenda Item	3.4
Report No	59/08

06/00386/OUTCA - Change of use of multi-use commercial/industrial site to residential use consisting of a nominal 42 housing units at Park Lane, Thurso, Caithness.

Report by Area Planning and Building Standards Manager

SUMMARY

Application is made for the change of use of land currently used as a builder's yard, painter's depot and diving club to residential use comprising of a nominal 42 flat units in 2½ – 3 storey blocks. The site lies to the south-east of the River Thurso at Park Lane, Thurso. The proposal complies with the Local Plan and the main issue which has been raised relates to potential flooding of the site. Satisfactory studies have now been carried out with regard to potential flooding issues and appropriate safeguards identified.

The application is reported to Committee as eight letters of representation have been received.

The Recommendation is to GRANT outline planning permission.

Ward Number 2 – Thurso

Applicant: O'Brien Construction Ltd., Park Lane, Thurso

Agent: Pentarq, 41 Traill Street, Thurso

1. PROPOSAL

1.1 Application is made for outline planning permission for the change of use of a site in multiple commercial and industrial use to residential. An indicative layout has been submitted and this shows that the site would be accessed from a new access from Sir Archibald Road. The outline site layout shows the intention to construct 2½ - 3 storey terraced flatted units alongside the south-eastern bank of the River Thurso. The new road access would run along the south-eastern boundary of the application site and would be capable of being extended to access land to the south-west of the application site which currently has a very poor access from the A9.

- 1.2 Included as part of the application is a proposal to form a 16 space car park off the new access road, which car park could be used for people accessing the town centre via the Ellan footbridge or which could possibly also be used as a car park for people visiting the adjacent football park.

2. PLANNING HISTORY

- 2.1 None of particular relevance.

3. PUBLIC PARTICIPATION

- 3.1 It should be noted that this application has been with the Council for some time, having been submitted in July 2006. Since the initial submission, various alterations and modifications have been made to the plans and the attitudes of some of the objectors have changed in the meantime as a result. So far as I can ascertain, the following grounds of objection still stand:

- a. The proposed new access road will cross a public footpath.
- b. The proposed new road will cross sewage pipes.
- c. The development will increase traffic on the already busy Sir Archibald Road.
- d. The proposed new access road will cause safety concerns for school children.
- e. The proposal may encroach onto the adjacent football park.
- f. The proposal could cause problems of access to the football park.
- g. The proposals could cause parking problems for the adjacent football park.

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

4. CONSULTATIONS

- 4.1 **Thurso Community Council:** No objections

4.2 Internal Consultees

Area Roads and Community Works Manager: No objections in the light of the various modifications made to the plans.

Contaminated Land: No objections subject to an appropriate condition being imposed on any consent issued.

4.3 External Consultees

Scottish Water: No objections.

Scottish Environment Protection Agency: No objections following the various investigations and modifications to the plans which have been made.

5. POLICY

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

Highland Structure Plan

- Policy H5 Affordable Housing
- Policy G2 Design for sustainability.

Caithness Local Plan

The site is principally subject to two policies within the Thurso Chapter of the Caithness Local Plan:

A16 The potential for redevelopment to provide residential accommodation at Bridgend, Auction Mart and north of Sir Archibald Road will be explored with relevant land owners and occupiers in the period of the Plan.

B 39 Redevelopment and enhancement of parts of the east bank of the river would considerably improve the appearance of this area, but it is accepted that due to industrial relocation this may take some years to achieve. In the meantime the Council will encourage the removal of river frontage dereliction and modest landscaping, as appropriate.

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
- SPP7 - Planning and flooding

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 As can be seen in Section 5 above, this proposal complies with the Policies in the Caithness Local Plan.
- 6.4 The main issue which has been the stumbling block and which has caused the application to take such a long time to process relates to the potential of the site to flood. This was raised as a serious concern by both the Scottish Environment Protection Agency and the Area Roads and Community Works Manager. As a result of these concerns, the applicant has employed the services of a Consultant Civil Engineer and a detailed Flood Risk Assessment has been carried out. The calculations within the Flood Risk Assessment have been the subject of very detailed scrutiny. Based on these results, the applicant proposes to construct the finished floor levels of the ground floor of the houses at a height of 5.7 metres Above Ordnance Datum. The calculated 1 in 200 year flood event level has been calculated at 5.4 metres Above Ordnance Datum. The finished floor level of the buildings therefore incorporates an additional 300mm freeboard allowance over and above this level. This is considered to be acceptable.
- 6.5 The applicant has indicated the intention that all of the units should be affordable in terms of the Council's Policy on Affordable Housing provision. However, to ensure that the proposal complies with the Council's aspirations with regard to Affordable Housing and to accord with Policy H5 of the Structure Plan, it is suggested that a condition be attached to the consent ensuring that at least 25% of the units to be provided are affordable in terms of the Policy.
- 6.6 With regard to the grounds of objection listed at paragraph 3.1 above, I would comment on them in turn as follows:
- a. The Area Roads and Community Works Manager is satisfied that a suitable pedestrian crossing can be incorporated within the proposal.
 - b. Scottish Water have no objections to the proposals. Existing infrastructure can be safeguarded or diverted.
 - c and d. The Area Roads and Community Works Manager does not anticipate any problems with regard to these issues.
 - e. There is nothing to suggest that the proposals would encroach onto the adjacent football park.
 - f and g. I can not see why either of these issues should cause a problem and, in fact, the proposals should greatly improve access to the park and indeed, a new car park which could be used by those using the park is included as part of the proposals.
- 6.7 In conclusion I consider that this proposal, if implemented, would greatly enhance this run down and dilapidated area of Thurso which is directly adjacent to the town centre and which occupies a very prominent location in the middle of the town. I therefore recommend that this application be approved.

RECOMMENDATION

Grant outline planning permission subject to the following conditions, in addition to the standard Reserved Matters condition:

1. Before construction works commence on the development of any of the houses on the site, all of the existing buildings on the site shall be demolished and the demolition materials removed from the site.

Reason: In order to achieve an holistic and comprehensive development.

2. The development hereby approved shall incorporate a minimum number of 25% 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 Community Scotland benchmark costs and built to Community Scotland housing for variable needs standards, unless otherwise first agreed in writing by the Planning Authority.

Reason: In order to ensure an adequate supply of affordable housing that complies with Council Policy.

3. The finished floor level of the ground floor houses shall be a minimum of 5.7 metres Above Ordnance Datum .

Reason: To ensure the buildings are adequately raised above the 1 in 200 year flood level.

4. Prior to any development commencing the applicant shall provide by way of an assessment of potential contamination issues, evidence that the site is suitable for its proposed use. Such an assessment shall be consistent with the approach to land contamination contained in Planning Advice Note 33, and with the British Standard for Investigation of potentially contaminated sites (BS10175:2001). Should contamination be found the applicant shall submit a written remediation strategy and effect remediation in consultation with TEC Services such that the site is made suitable for use.

Reason: In the interests of amenity and in order to remove any potential contamination of the site.

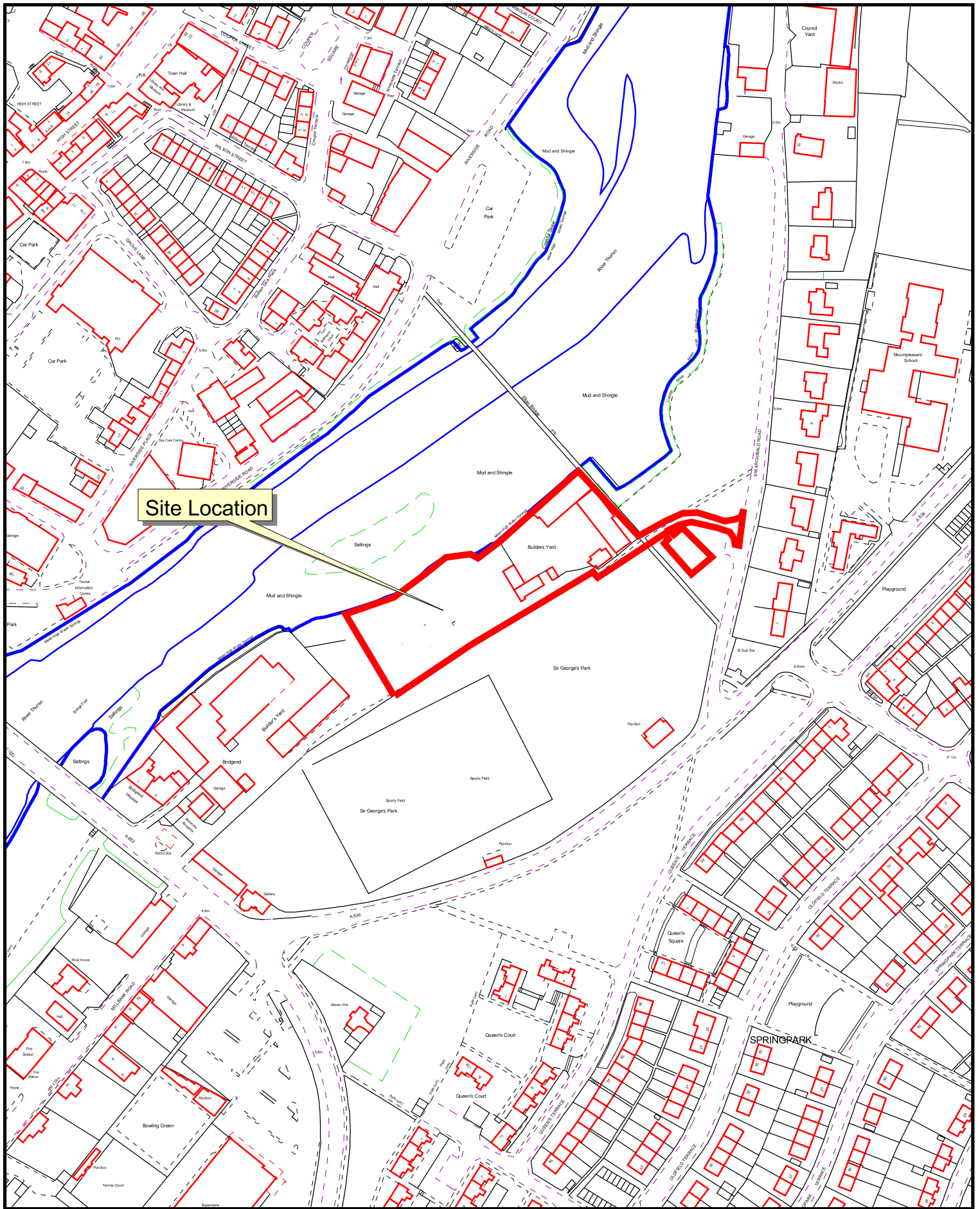
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author: Iain Ewart 01955 607751

Background Papers: As referred to in the report above.

Date: 28th November 2008



06/00386/OUTCA
 Erection of 10 no. semi detached dwellings, 24 no and
 12 no. 3 storey flats, formation of vehicular access at land
 between Sports Field And River, Park Lane, Thurso

O'Brien Construction
 per Pentarq
 41 Traill Street
 Thurso
 Caithness
 KW14 8EG

Date: 28 November 2008

SUPPLIED BY THE HIGHLAND COUNCIL

N
 Scale
 1:2500

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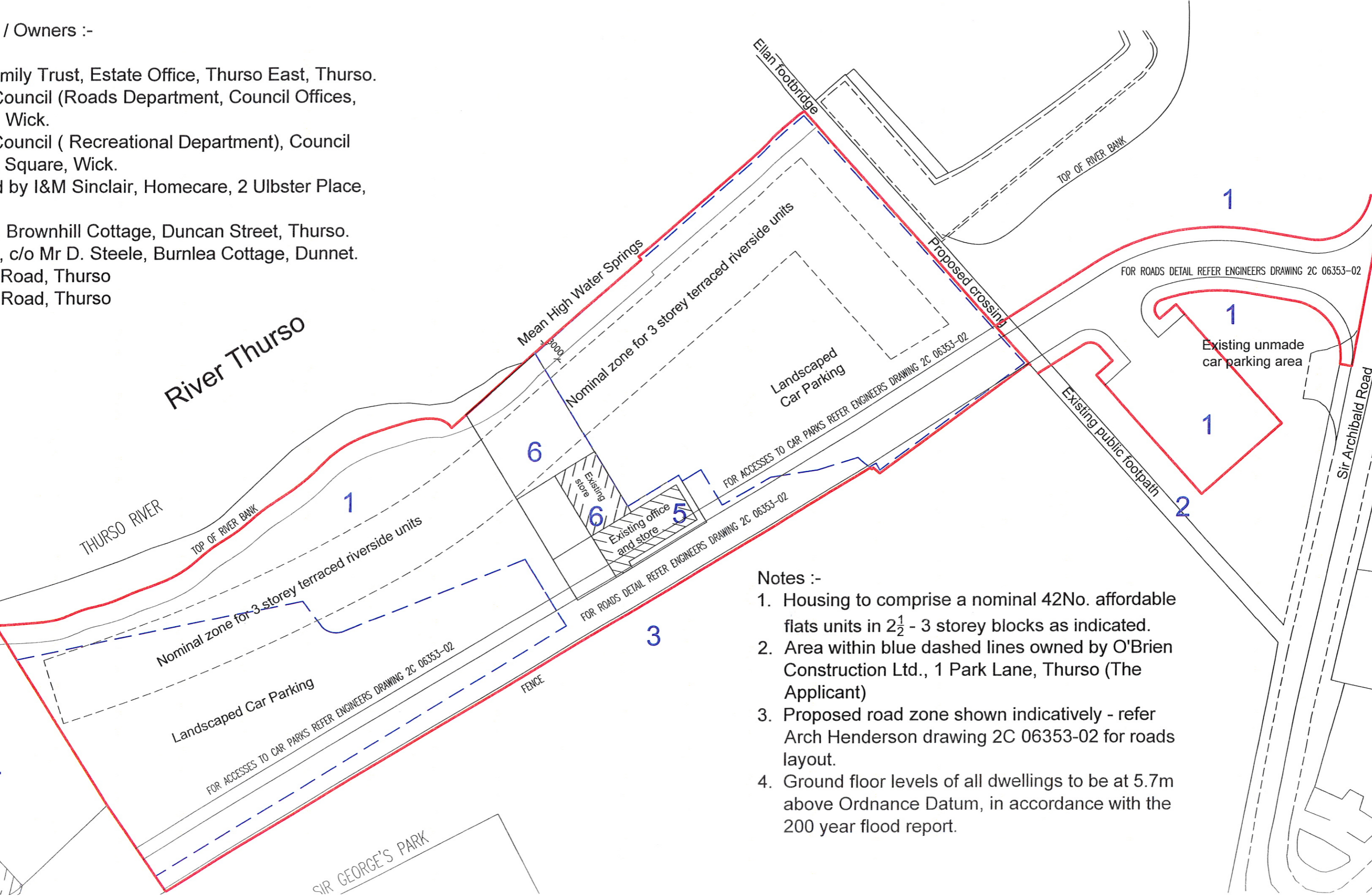
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Wick.

ouncil (Recreational Department), Council
Square, Wick.

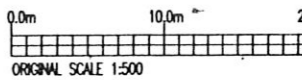
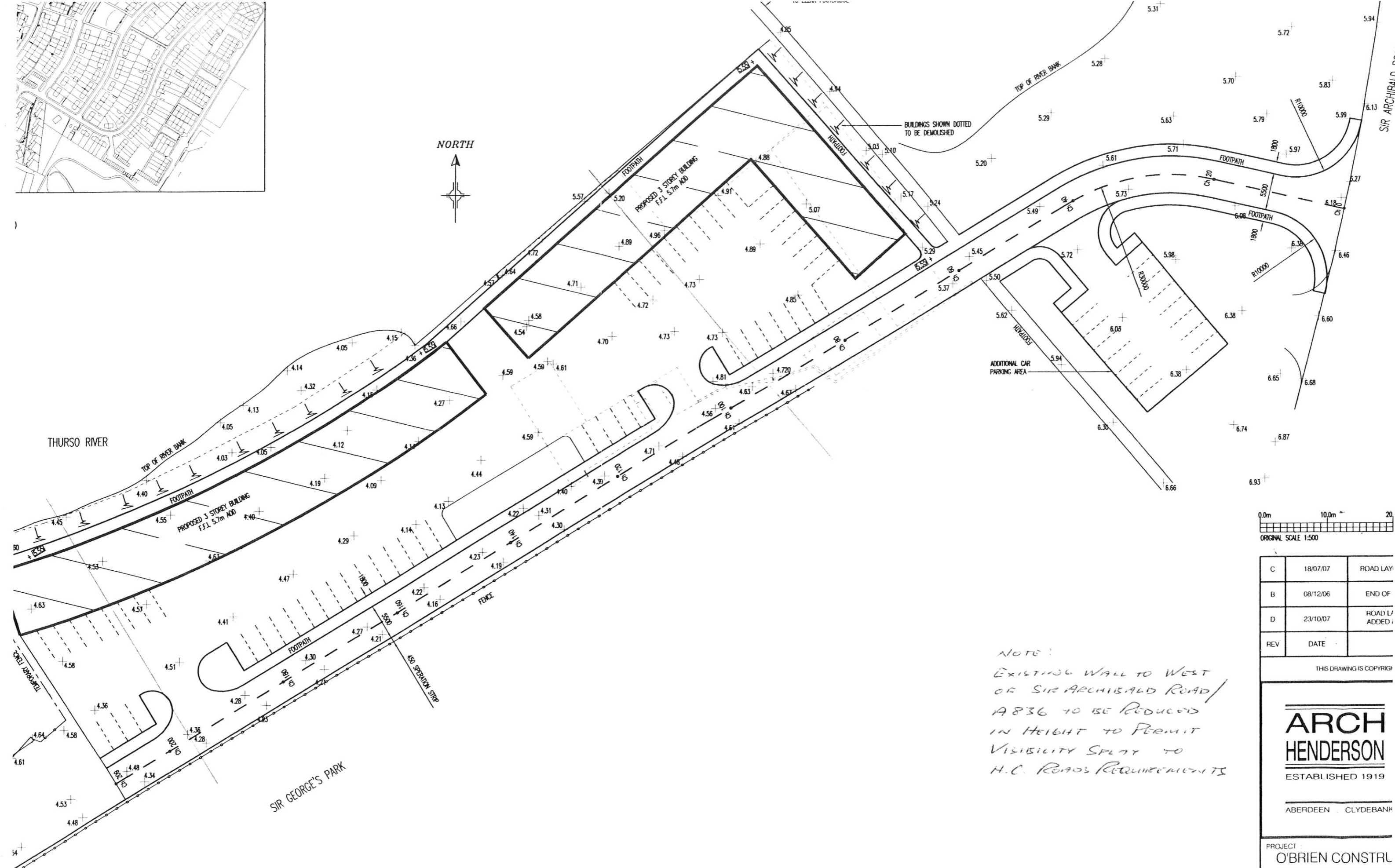
d by I&M Sinclair, Homecare, 2 Ulbster Place,

Brownhill Cottage, Duncan Street, Thurso.
, c/o Mr D. Steele, Burnlea Cottage, Dunnet.
Road, Thurso
Road, Thurso



Notes :-

1. Housing to comprise a nominal 42No. affordable flats units in 2½ - 3 storey blocks as indicated.
2. Area within blue dashed lines owned by O'Brien Construction Ltd., 1 Park Lane, Thurso (The Applicant)
3. Proposed road zone shown indicatively - refer Arch Henderson drawing 2C 06353-02 for roads layout.
4. Ground floor levels of all dwellings to be at 5.7m above Ordnance Datum, in accordance with the 200 year flood report.



C	18/07/07	ROAD LAY
B	08/12/06	END OF
D	23/10/07	ROAD L/ ADDED
REV	DATE	

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**ARCH
HENDERSON**
ESTABLISHED 1919
ABERDEEN · CLYDEBANK

NOTE:
EXISTING WALL TO WEST
OF SIR ARCHIBALD ROAD/
19836 TO BE REDUCED
IN HEIGHT TO PERMIT
VISIBILITY SPLAY TO
H.C. ROADS REQUIREMENTS

PROJECT:
O'BRIEN CONSTR
AFFORDABLE HOL
THURSO

TITLE:
ROAD LAYOUT

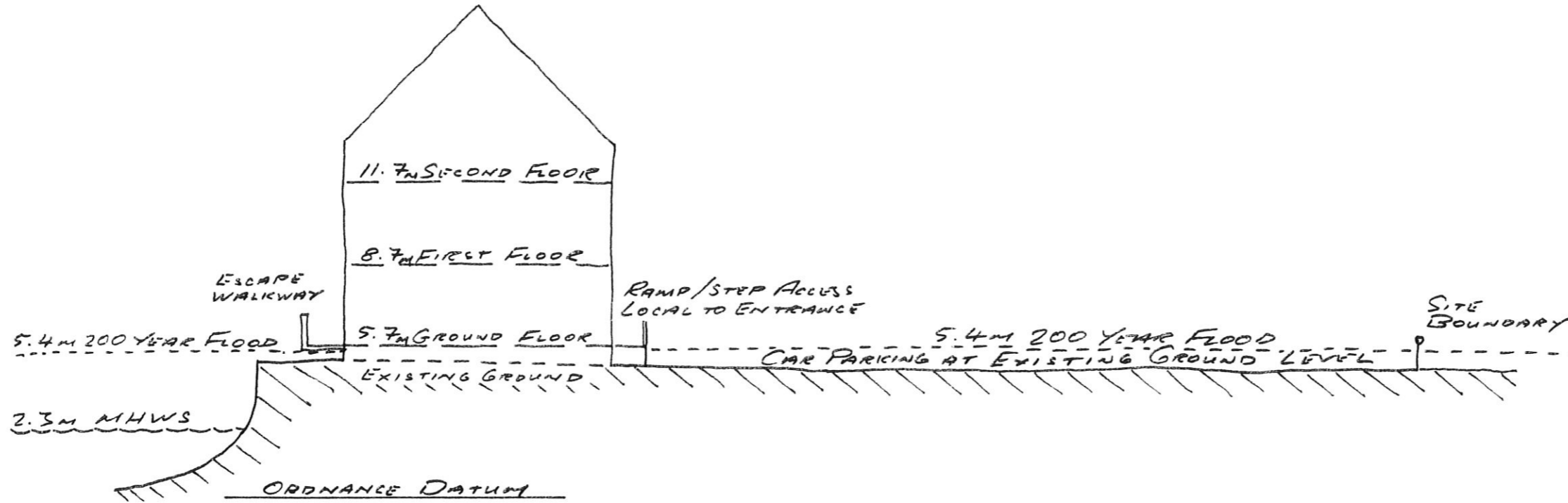
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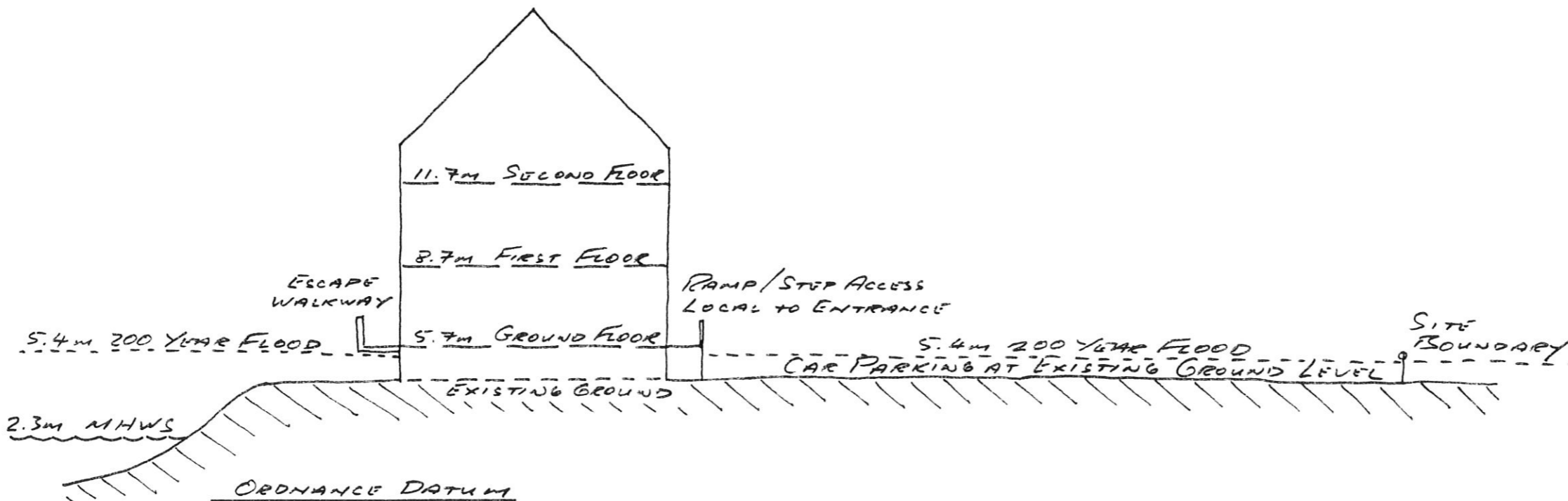
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GENERAL NOTES

- All building works to be to the complete satisfaction of the Local Council Building Control Officer.
- All drawings to be read in conjunction with each other and with all other Structural, Mechanical and Electrical Engineer's drawings and specs.
- All dimensions shown are in millimeters unless otherwise specified.
- Do not scale from drawings.
- All dimensions to be checked on site prior to commencement of work.
- All drawings to be read in conjunction with tender and specification docs.
- All works to be carried out in accordance with the current Scottish Building Regulations, Local Byelaws and IEE regulations.
- All timbers to be treated unless otherwise specified.



TYPICAL SECTION THROUGH N.E. BLOCK



TYPICAL SECTION THROUGH S.W. BLOCK

Client:	
OBRIEN CONSTRUCTION LTD PARK LANE THURSO	
Project:	
PROPOSED HOUSING PARK LANE THURSO	
Drawing:	
200 YEAR FLOOD RISK SKETCH SECTION	
Scale:	A3
1:200	
Drawn:	Checked:
<i>OR</i>	



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