

**THE HIGHLAND COUNCIL**

**CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING  
APPLICATIONS AND REVIEW COMMITTEE – 21 April 2009**

Agenda Item	4.2
Report No	16/09

**09/00023/FULCA: Demolition of existing store and erection of house, Former  
Workshop, Paterson's Lane, Thurso**

**09/00033/CONCA: Demolition of existing store, Former Workshop, Paterson's Lane,  
Thurso**

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

**SUMMARY**

This report deals with two applications submitted in respect of the Former Workshop, Paterson's Lane, Thurso. The proposal is for a new house to replace the existing workshop. The site lies within the Conservation Area and therefore Conservation Area Consent is required for the demolition of the workshop.

These applications are being referred to Committee as an objection has been received from TEC Services in respect of the access onto Barrock Street.

**The Recommendation is to GRANT planning permission and  
Conservation Area Consent.**

Ward Number 2 – Thurso.

Applicant – Mark Alexander Properties Ltd

**1. PROPOSAL**

1.1 The applications seek to obtain consent for the erection of a house to replace the existing workshop in Paterson's Lane, Thurso. A Conservation Area Consent application for the demolition of the building has also been submitted as the site lies within Thurso Conservation Area.

**2. PLANNING HISTORY**

2.1 An application for Conservation Area Consent was submitted in 2007 (07/00455/CONCA). This application was subsequently withdrawn as insufficient detail was submitted in respect of the proposals for the site following demolition.

### **3. PUBLIC PARTICIPATION**

- 3.1 The Conservation Area Consent Application was advertised on 20 February 2009 as it was within the Conservation Area (21 days). The application was advertised again on 27 March 2009 as it became apparent that it had not been possible to notify all the neighbours (14 days).
- 3.2 One letter of objection has been received. The main grounds of objection can be summarised as follows:
- Restriction on natural light to the adjacent property.
  - No construction access will be permitted through the adjacent property.
  - Potential security problems during construction, inadequate fencing and concerns over asbestos removal.
  - Incapacity of drains to cope with additional waste.
  - Timescales between demolition and completion of dwelling should be agreed in advance.
- 3.3 The letter of representation is available in the Area Office and will be available at the Committee meeting. The name of the party making representation is listed at the end of this report.

### **4. CONSULTATIONS**

#### **4.1 Internal Consultees**

**TEC Services** – Have objected as both the existing and proposed driveways fail to provide either a safe visibility splay of 2.5 x 30 metres or a pedestrian visibility splay of 2.4 x 2.4 metres.

**Archaeology** – No objections, subject to condition.

**Contaminated Land** – No objections, subject to condition.

### **5. POLICY**

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

#### **Highland Structure Plan**

- G2 Design for Sustainability

#### **Caithness Local Plan**

- Policy PP2: The Council will favour development unless this would significantly affect important features.
- Appendix IV: Design Guidelines for Thurso 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). In this instance, in particular, Scottish Planning Policy.

## 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 objector

6.3 These applications propose to demolish the existing workshop and replace it with a new house. The proposed house is of traditional character, fronting onto Paterson's Lane. The design accords with the design guidelines for Thurso Conservation Area as set out in the Local Plan. The scale and massing of the new house, including the roof pitch and dormer windows, and the choice of external materials, are all deemed consistent with the character of the Conversation Area.

6.4 An objection has been received from TEC Services. They state that both the existing and proposed driveway (onto Barrock Street) fail to provide either a safe vehicular visibility splay of 2.5 x 30 metres or a pedestrian splay of 2.4 x 2.4 metres. The existing access has been used for many years, most recently for commercial purposes. As the applicant could continue to use the existing workshop for commercial purposes the proposed residential use would arguably be a less intensive use than the current situation. Furthermore, the existing access is similar to numerous other accesses nearby and throughout the Conservation Area.

6.5 One letter of objection has been received. The principal grounds of objection relate to the potential restriction of natural light reaching the adjacent property. This was raised with the applicant during pre-application discussions and a number of alterations were subsequently made to the original proposal including reducing the overall footprint of the rear wing by approximately 2 metres, reducing the height of the rear wing, and removing first floor windows on the rear wing which were facing the adjacent property and replacing these with Velux roof windows. The adjacent property lies to the south east of the application site – the impact of any potential loss of natural light would be felt during the winter months, in the evening when the sun is low and in the west. The principal rooms of the adjacent property face Barrock Street. The applicant has gone to considerable effort to minimise any impact on the adjacent property.

- 6.6 Further grounds of objection relate to non-planning matters including construction access, drainage practicalities and security. These issues would be dealt with by Building Standards. The final point on the objection letter concerning the timescales between demolition and re-building will be dealt with by condition accordingly.
- 6.7 With regard to the existing workshop, it is a single storey stone-built building with an asbestos roof. It is in poor condition and it is not fit for purpose other than storage. Its loss will not, in my view, detract from the character and appearance of the Conservation Area. Indeed, whilst this application has been pending consideration, it was brought to the attention of Building Standards that the chimney on the north-west gable of the workshop had a severe lean. For safety reasons, Building Standards has requested the chimney be made safe and accordingly the chimney only will be taken down.

## **7. CONCLUSION**

- 7.1 The proposal complies with Structure Plan Policy G2, Caithness Local Plan Policy PP2 and the Thurso Conservation Area Design Guidelines. The access is existing and could be used for commercial purposes at any time, whilst the applicant has made concessions to reduce the impact of the development on the adjacent property. Loss of the existing building will not detract from the character and appearance of the Conservation Area

## **RECOMMENDATION**

**09/00023/FULCA:** Demolition of existing store and erection of house, Former Workshop, Paterson's Lane, Thurso

### **Grant planning permission subject to the following 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 as relative hereto with no deviation therefrom unless otherwise approved in writing by the Planning Authority.

Reason: In order to clarify the terms of the 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 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 suitable for use.

Reason: To protect the health of future site residents and protect the environment.

4. The development hereby approved shall be completed within 2 years from the commencement of demolition of the former workshop approved under application 09/00033/CONCA.

Reason: In the interest of residential amenity as the site lies within the Thurso Conservation Area and for the avoidance of doubt.

5. Prior to the commencement of development, details of the materials, finishes and colours of the building, including samples where required, shall be submitted to and require the approval in writing of the Planning Authority. The development shall be carried out thereafter in accordance with the approved details.

Reason: In the interests of amenity.

**09/00033/CONCA:** Demolition of existing store, Former Workshop, Paterson's Lane, Thurso

### **Grant Conservation Area Consent.**

**If Committee is minded to grant the application for Conservation Area Consent then it will require to be notified to Scottish Ministers in accordance with statutory procedures.**

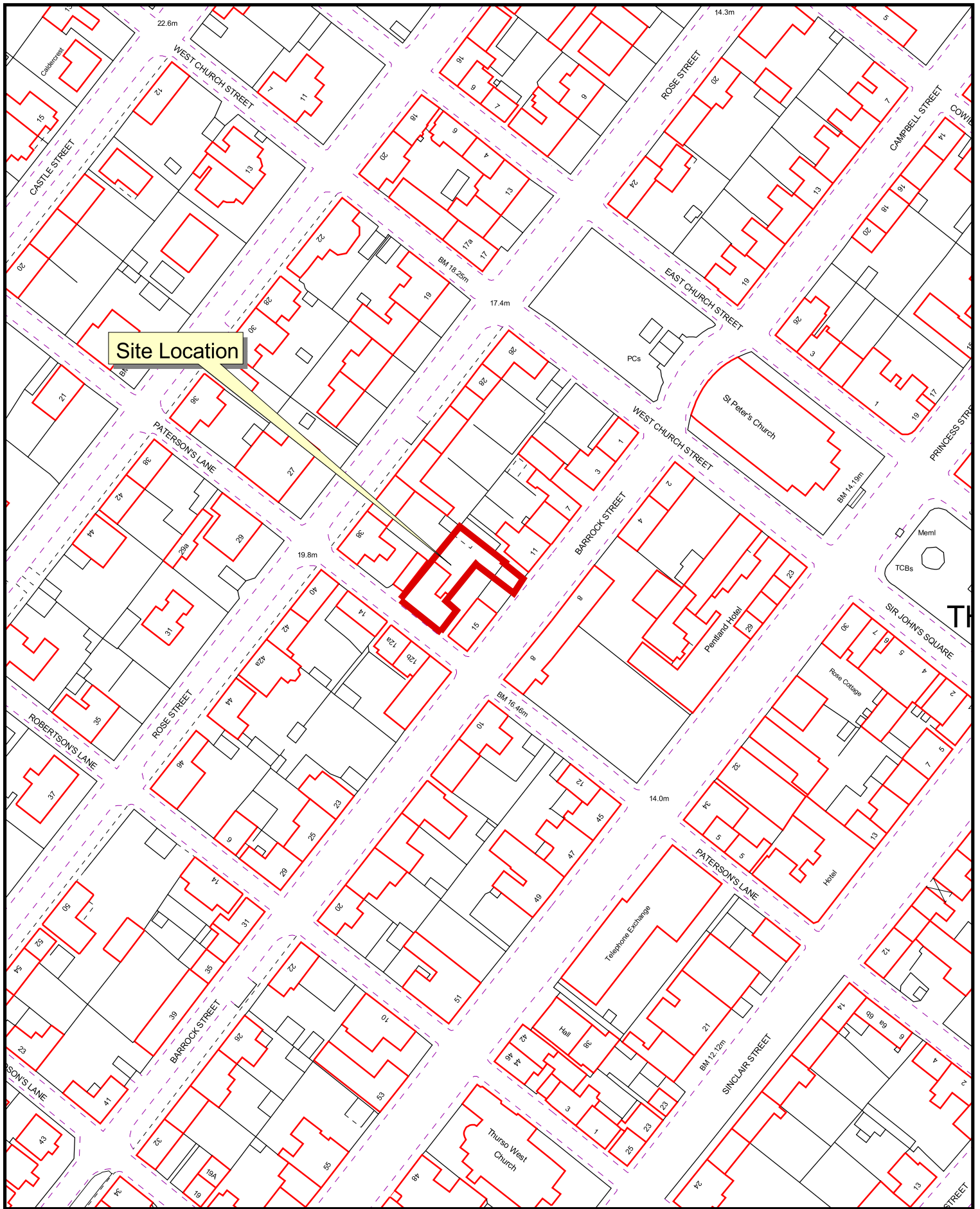
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author: Morag Goodfellow 01955 607754

Background Papers: None

Date: 8 April 2009



Date: 08 April 2009

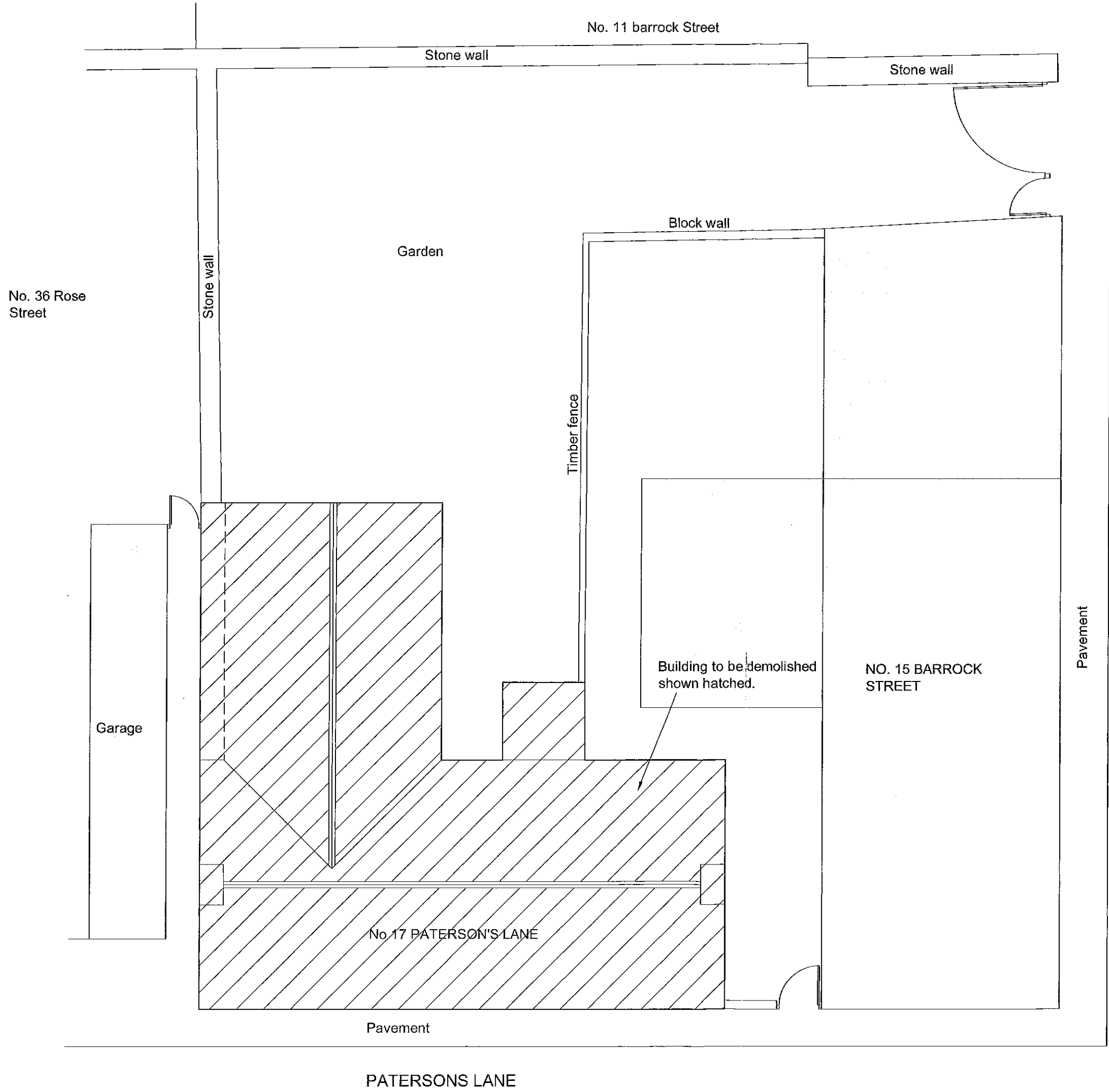
09/00023/FULCA & 09/00033/CONCA  
 Demolition of existing store and erection of house at  
 Former Workshop, Patersons Lane, Thurso.

**SUPPLIED BY THE HIGHLAND COUNCIL**

Mark Alexander Properties Ltd.  
 per Knight And MacDonald Architects  
 6 Princes Street  
 Thurso  
 Caithness  
 KW14 7BQ

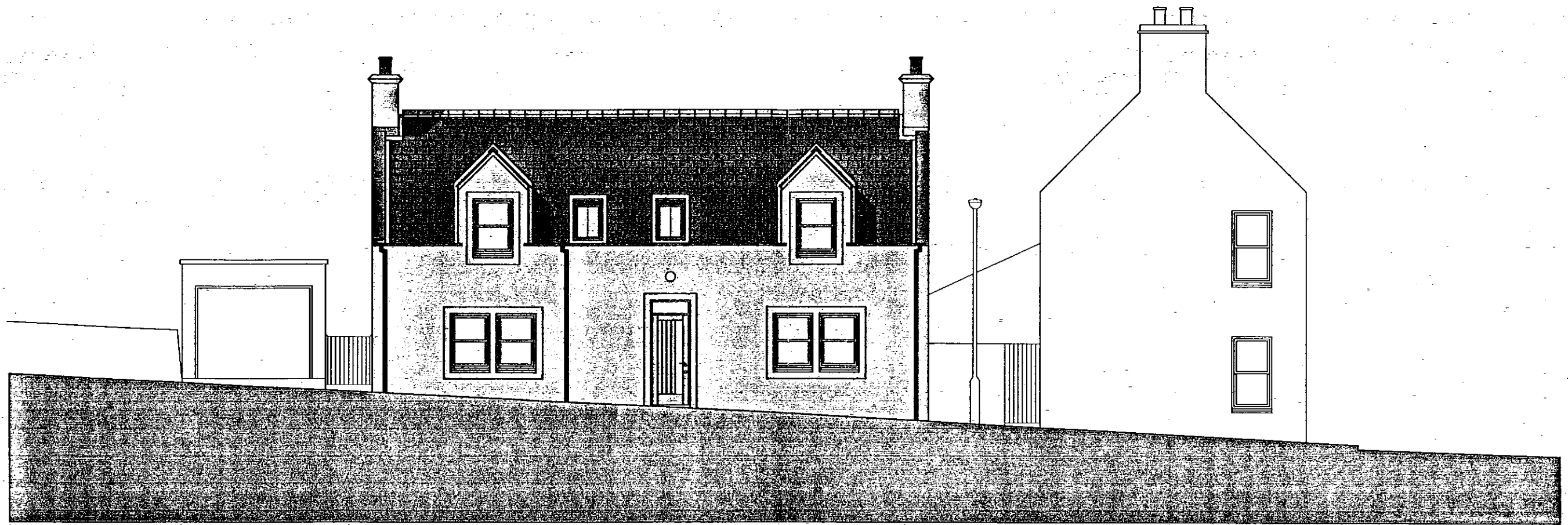


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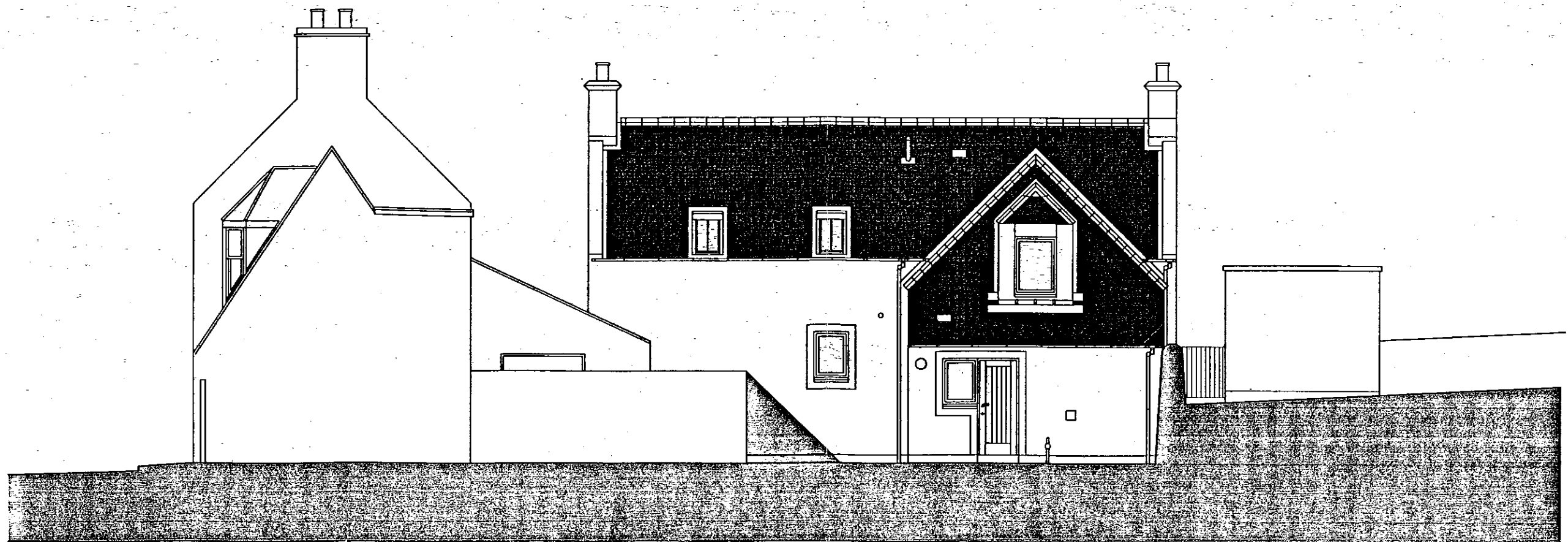


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<b>KNIGHT &amp; McDONALD ARCHITECTS</b>			
6 Princes Street, Thurso, Caithness, KW14 7BQ			
Tel: 01847 893811			
Fax: 01847 893152			
E-mail: admin@knightandmcdonald.co.uk			
<b>Project:</b> SITE DEVELOPMENT AT 17 PATERSONS LANE, THURSO			
<b>Client:</b> Mark Alexander Properties Ltd.			
<b>Drawing Title:</b> Existing Site			
Scale	Date	Drawn	Checked
1:100	28.05.07	DM	
Job No	Code	Dwg No	Rev
16631	AL(0)	01	

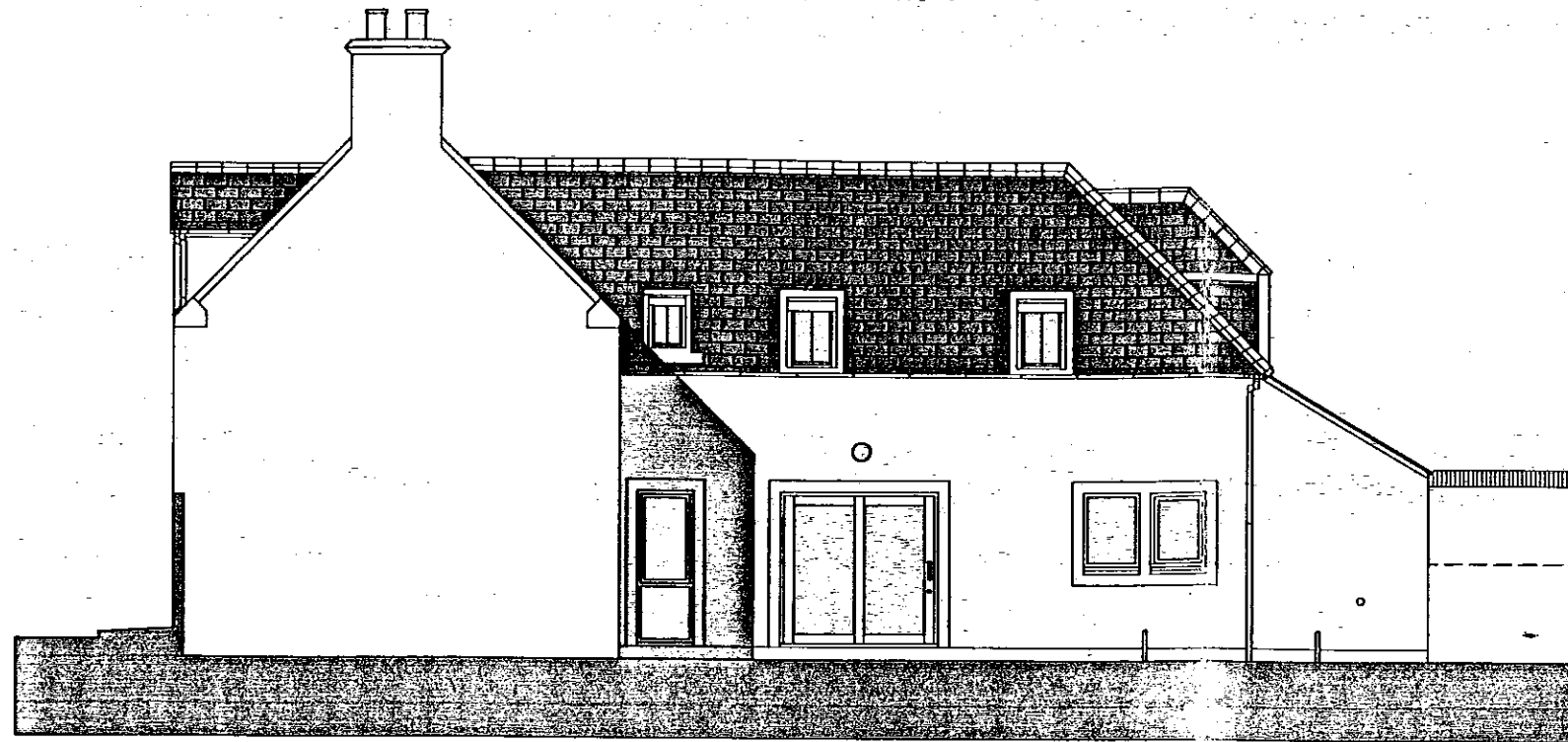


**PATERSON'S LANE ELEVATION**





**NE ELEVATION**



**EXTERNAL MATERIALS SPECIFICATION:**

**ROOF:** NATURAL SLATE WITH FIRECLAY RIDGE.

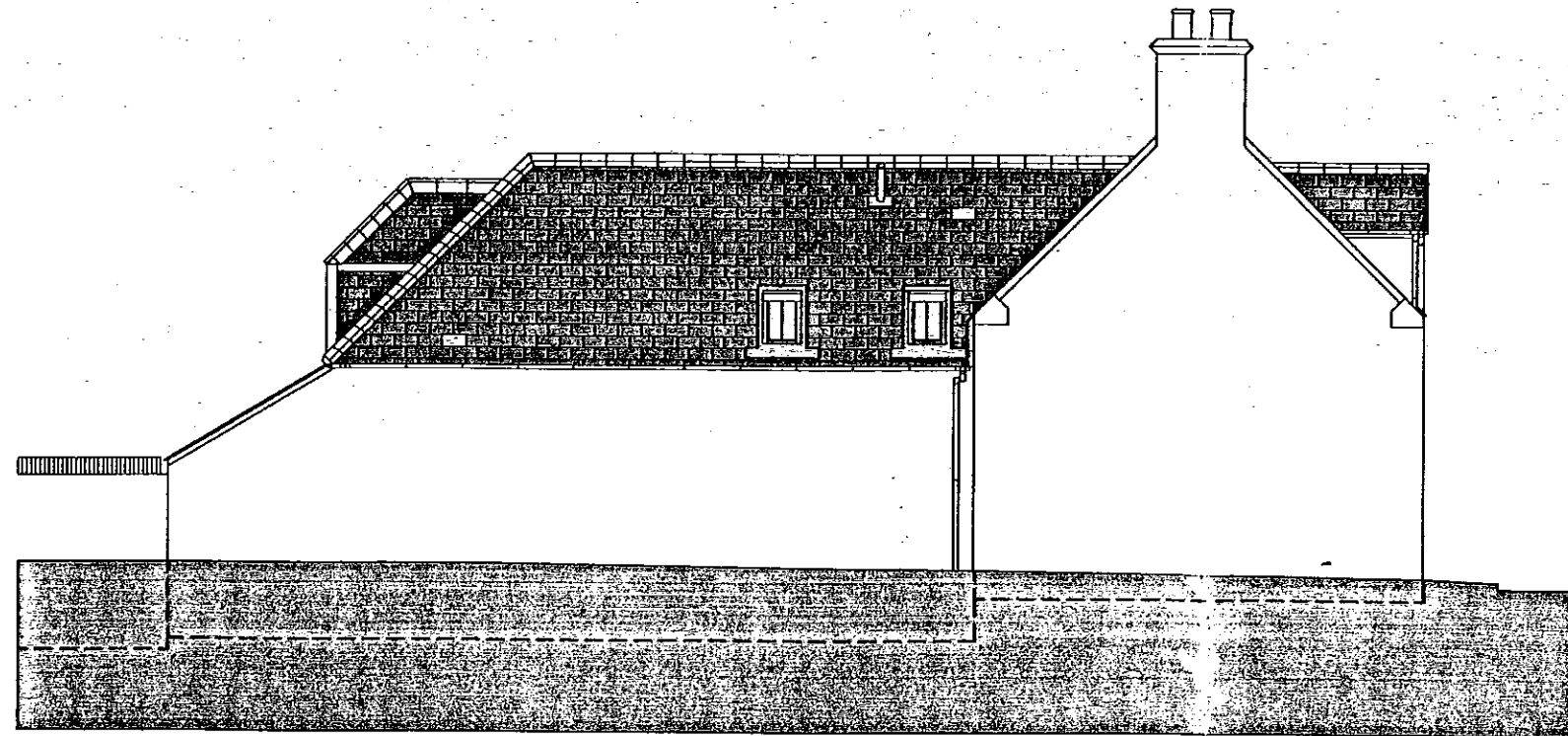
**EXTERNAL WALLS:** CREAM WET DASH HARLING WITH SMOOTH WINDOW & DOOR MARGINS.

**WINDOWS/DOORS:** TIMBER DOUBLE GLAZED.

**RAINWATER GOODS:** BLACK uPVC

**BOUNDARY WALLS:** EXISTING WALLS RETAINED AND REINSTATED FOLLOWING BUILDING WORKS AS NECESSARY

**SE ELEVATION**



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**NW ELEVATION**

**KNIGHT & McDONALD ARCHITECTS**

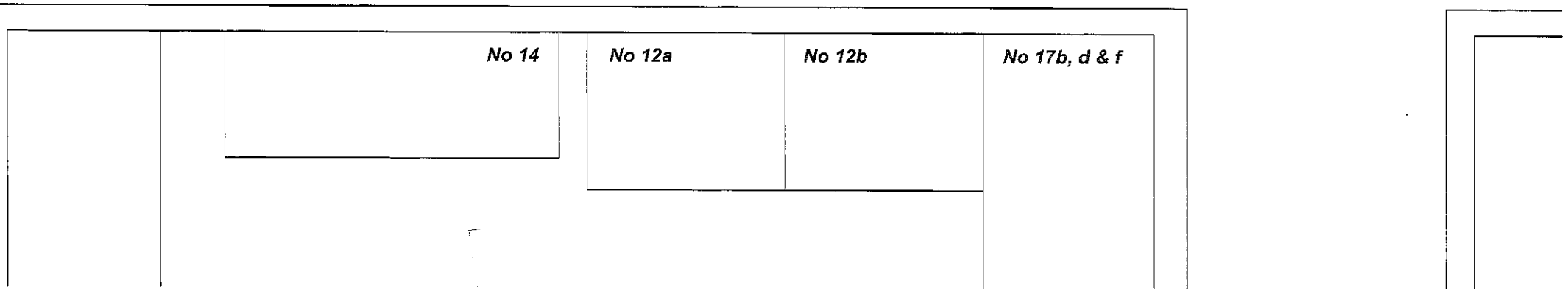
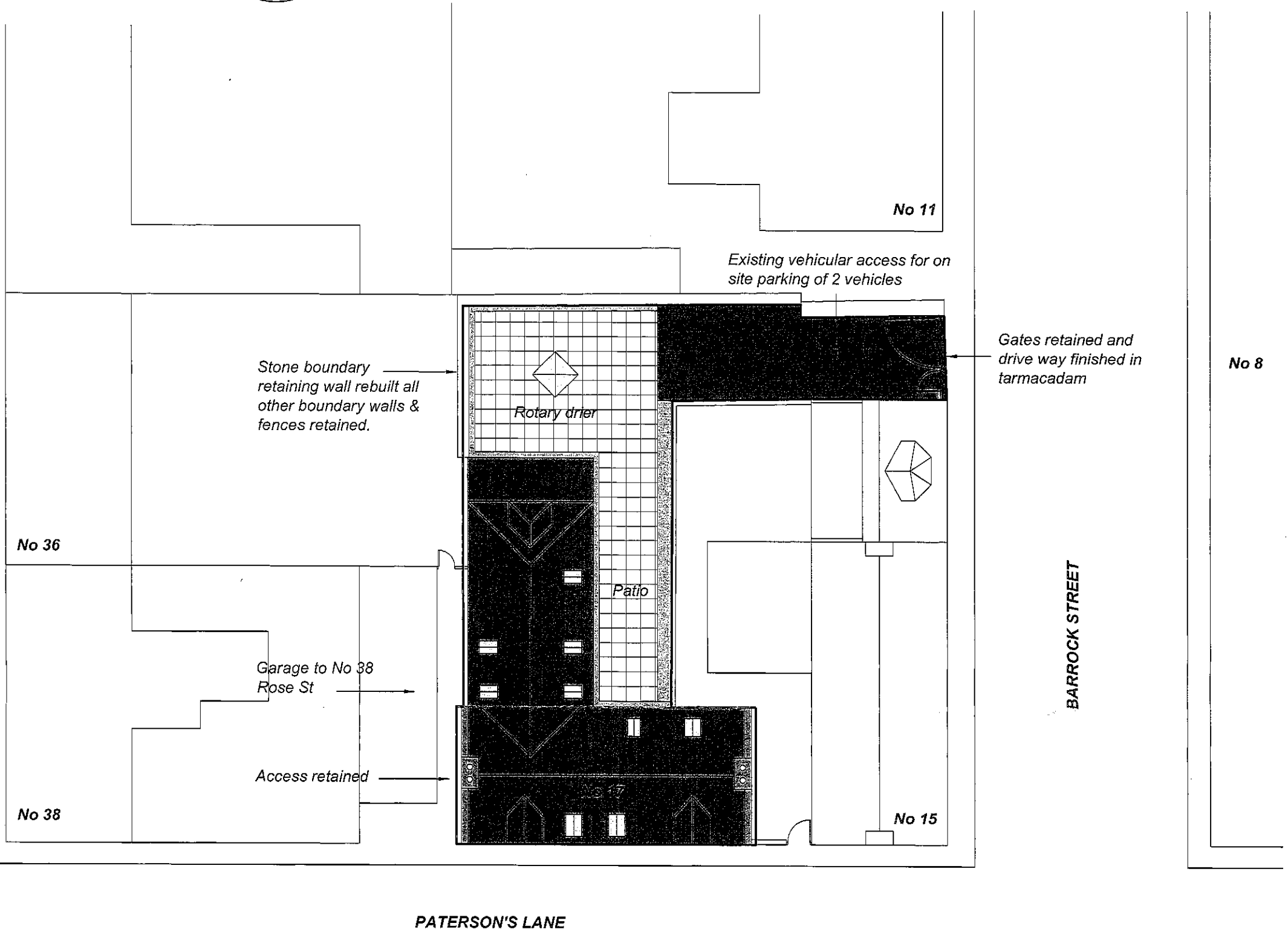
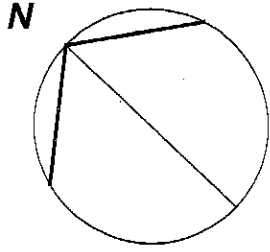
6 Princes Street, Thurso, Caithness, KW14 7BQ  
Tel: 01847 893811  
Fax: 01847 893152  
E-mail: admin@knightandmcdonald.co.uk

**Project:** 17 PATERSONS LANE, THURSO

**Client:** MARK ALEXANDER PROPERTIES LTD.

**Drawing Title:** PROPOSED ELEVATIONS

Scale	Date	Drawn	Checked
1:100	07.01.09	NM	
Job No	Code	Org No	Rev
16831	PL(0)	07	



09/023  
26/1/07

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Tel: 01847 893811			
Fax: 01847 893152			
E-mail: admin@knightandmcdonald.co.uk			
<b>Project:</b> 17 PATERSONS LANE, THURSO			
<b>Client:</b> MARK ALEXANDER PROPERTIES LTD.			
<b>Drawing Title:</b> BLOCK PLAN			
Scale	Date	Drawn	Checked
1:200	07.01.09	NM	
Job No	Code	Dwg No	Rev
16631	PL(0)	08	