

THE HIGHLAND COUNCIL

Agenda Item	4.10
Report No	PLC/050/10

CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING APPLICATIONS COMMITTEE – 9 November 2010

**10/02768/FUL : Albyn Housing Society Ltd
25-71 Joss Street, Invergordon**

Report by Area Planning and Building Standards Manager

SUMMARY

Description : Erection of 22 two bedroom flats and 2 two bedroom houses

Recommendation - GRANT

Ward : 07 – Cromarty Firth

Development category : Local development

Pre-determination hearing : Not required.

Reason referred to Committee : Council interest

1. PROPOSED DEVELOPMENT

- 1.1 The detailed proposal is for the erection of a terrace of two, three and four storey blocks, comprising a total of 22 two-bedroom flats and 2 two-bedroom houses on the north side of Joss Street in Invergordon. The flatted development is set well back from the public road, largely around 20m back from the road edge, with a staggered frontage and ridge height to break up the massing, and a single leg running back at right angles towards the road towards the eastern end of the site. The development, by Albyn Housing Society, is to cater for the demand for smaller affordable housing units in the town.
- 1.2 The design concept sets the buildings back as far as is practical into the site, retaining a landscaped communal courtyard to the front. This provides an attractive approach to the development from the car parking bays which are proposed to be accessed directly from Joss Street. The use of different materials/colours is proposed to break up the areas of hard surfacing. To the rear it is proposed that the ground is subdivided into small drying greens, one for each property.
- 1.3 The building design is conventional, with a modern twist. A standard rectangular footprint and the use of white coloured dry render is broken up by panels of timber cladding and reconstituted stone. The roofs are proposed to be finished in anthracite coloured roof tiles, with solar panels on the south facing pitch.
- 1.4 Considerable pre-application consultation took place involving the submission of

draft plans for consideration and a meeting involving TECS (Transport) and Housing officials.

- 1.5 It is proposed to use the existing road frontage to serve small compartments of parking bays. A public water and public sewerage system exists and surface water drainage is proposed to be dealt with by on-site SuDS.
- 1.6 No supporting documents have been submitted.
- 1.7 No variations have been made to the application since its submission.

2. SITE DESCRIPTION

- 2.1 The site comprises the area of land formerly occupied by two blocks of four storey flats which were demolished a few years ago because of the need to remove contamination caused by previous use of the site as gasworks. The site extends to approximately 0.32 hectares, is flat land to the north of Joss Street between existing houses and is currently grassed. To the immediate north lies the redundant Seabank Tank Farm (former MOD oil storage tanks).

3. PLANNING HISTORY

- 3.1 07/00230/NIDRC Demolition of houses and remediation of contaminated soils – Permission Granted 02.05.2007

4. PUBLIC PARTICIPATION

- 4.1 Advertised : Schedule 3 and Neighbour Notification
Representation deadline : 30.07.2010
- 4.2 There has been one third party letter of representation from the householder at 23 Joss Street. The contributor does not object to the proposed development however considers that there should be a more robust boundary between the site and this adjoining property to the immediate west.
- 4.3 The letter of representation can be viewed online www.highland.gov.uk, at the Area Planning Office and for Councillors, will be available for inspection immediately prior to the Committee Meeting.

5. CONSULTATIONS

- 5.1 **Invergordon Community Council** : No response.
- 5.2 **TECS (Transport)** : No objection subject to the applicant entering into a Roads Construction Consent agreement with the Roads Authority.
- 5.3 **TECS (Contaminated Land)** : No objection. The land has now been cleared of contamination to the satisfaction of TEC Services (Contaminated Land).
- 5.4 **Scottish Water** : No objection.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Structure Plan 2001

- G1 Conformity with strategy
- G2 Design for sustainability

H5 Affordable Housing

6.2 **Ross & Cromarty East Local Plan**

Invergordon Existing Housing Area

7. **OTHER MATERIAL CONSIDERATIONS**

7.1 **Draft Development Plan**

Not applicable

7.2 **Highland Council Supplementary Planning Policy Guidance**

Affordable Housing

7.3 **Scottish Government Planning Policy and Guidance**

Scottish Planning Policy

8. **PLANNING APPRAISAL**

8.1 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.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

8.3 **Development Plan Policy Assessment**

There are no policy issues as the site lies within the built up area of Invergordon adjacent to other houses and flats. Flats previously occupied the site and the proposed development of 24 small residential units by a registered social housing provider complies with the Council's policies on affordable housing. There are no servicing objections. It therefore complies with policy.

8.4 **Material Considerations**

The land was subject to previous contamination however further to demolition of the previous flats on site in 2007 the contamination has been removed to the satisfaction of TEC Services (Contaminated Land). Remedial action was undertaken at the site under Part IIA of the Environmental Protection Act 1990. It is therefore considered acceptable for the site to be redeveloped for housing purposes.

8.5 A single letter of representation has been received questioning the boundary treatment at the western end of the site. The site plan does not propose any new boundary treatment which suggests that the existing low timber boundary fence will remain. The contributor suggests the erection of a new 2m timber slatted screen fence to match that proposed at the eastern end of the development. The applicant's agent has confirmed that this is acceptable and a condition can be attached to this effect.

8.6 **Matters to be secured by Section 75 Agreement**

None

9. CONCLUSION

- 9.1 It is therefore considered that all issues raised have been properly addressed in consideration of the application and the application is therefore considered acceptable subject to the conditions suggested below. The application has been referred to Committee as the land is owned by the Highland Council.

10. RECOMMENDATION

Action required before decision issued N

Notification to Scottish Ministers N

Notification to Historic Scotland N

Conclusion of Section 75 Agreement N

Revocation of previous permission N

Subject to the above, it is recommended the application be **Granted** subject to the following conditions and reasons:

1. The development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice.

Reason : In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

2. No development shall start on site until the completed Notice of Initiation of Development (NID) form attached to this planning permission has been submitted to and acknowledged by the Planning Authority. From the date of acknowledgement, the Site Notice attached to it shall be posted in a publicly accessible part of the site until the development is completed.

Reason : In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

3. Upon completion of the development the completed Notice of Completion form attached to this decision notice shall be submitted to the Planning Authority.

Reason : In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

4. Prior to first occupation of the flats/houses hereby approved, the access and parking bays shall be completed to the satisfaction of the Planning Authority after consultation with the Roads Authority. This shall include the following:

- the car parking bays shall be adequately delineated and the bays shall be finished in paviers as shown on the approved site plan;
- On street bin storage shall be provided as shown, enclosed within low timber fenced compounds, details to be agreed with the Planning Authority;
- No water shall discharge from the site onto the public road, with all within curtilage surface water dealt with by sustainable drainage systems to the satisfaction of Scottish Water and SEPA;

all works to be completed by the developer to the satisfaction of the Planning

Authority after consultation with the Roads Authority.

Reason: In the interests of road safety and to ensure that the development progresses with sensitivity to its location within the town centre of Invergordon.

5. Notwithstanding the detail of materials included on the approved plans, full details of all finishes (including colour) shall be agreed with the Planning Authority prior to development commencing. For the avoidance of doubt, the roofs shall be finished with plain anthracite coloured roof tiles and the walls shall be finished in white/off-white render and contrasting feature panels of reconstituted stone and timber. All boundary treatment shall be as shown on the approved site plan, with the addition of a 1.9m high timber screen fence to be erected along the mutual boundary with 23 Joss Street to the west, to match that proposed adjacent to 73/75 Joss Street to the east, details of which shall be submitted and approved by the Planning Authority prior to works commencing on site.

Reason: In the interests of ensuring that the development progresses with sensitivity to its location within the town centre of Invergordon.

6. Prior to development commencing, full details of all proposed landscaping and tree planting to be carried out as shown on the approved site plan (including details of protection and long term maintenance) shall be submitted for the approval of the Planning Authority. The development shall thereafter proceed on the basis of such approved details.

Reason : As no such details have been provided and in order to ensure that the development proceeds with sensitivity to the surrounding area.

7. Permission is hereby granted on the basis that the development hereby approved shall comprise 24 affordable housing units within the terms of the Highland Council's Affordable Housing Supplementary Planning Guidance (August 2008) or any future guidance which modifies or replaces it.

Reason: To ensure the provision of affordable housing in accordance with the Council's affordable housing and development plan policy.

8. Construction work associated with the development hereby approved for which noise is audible at the boundary of the site shall only be carried out between 0800 hours and 1900 hours Monday to Friday, between 0800 hours and 1300 hours on Saturday and at no time on Sundays.

Reason: In the interests of safeguarding the residential amenity of neighbouring properties.

FOOTNOTE TO APPLICANT

Conditions: Your attention is drawn to the conditions attached to this permission. Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to meet these conditions may invalidate your permission or result in formal enforcement action.

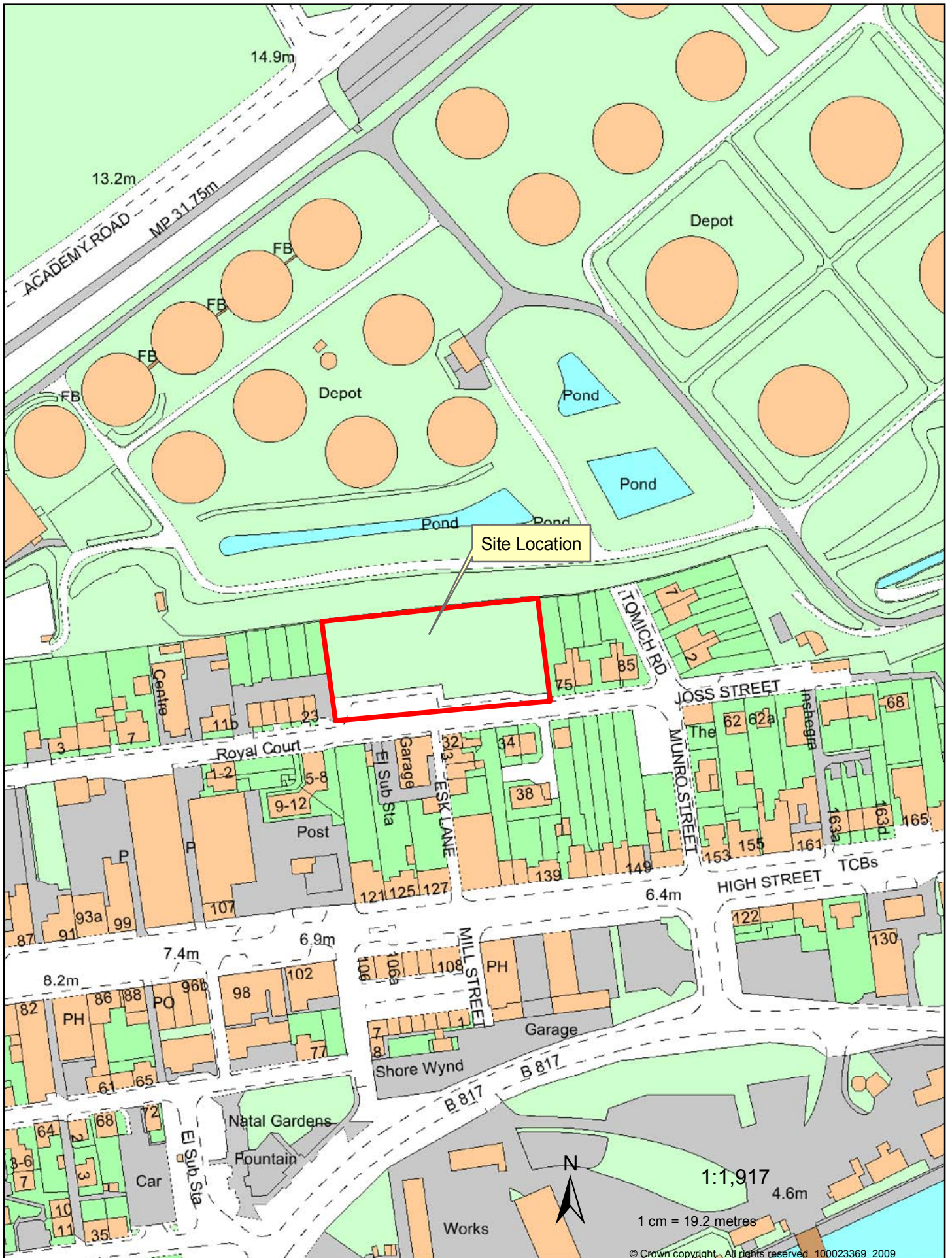
Road Openings Permit / Road Construction Consent: You will require consent from the Roads Authority prior to the commencement of this development. You are therefore advised to contact them direct to discuss the matter.

Scottish Water: You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water at www.scottishwater.co.uk. Due to the size of the proposed development it is necessary for Scottish Water to assess the impact the development will have on the existing infrastructure. Initial investigations have highlighted there may be a requirement for the developer to carry out works on the local network to ensure that there is no loss of service to existing customers.

Street Names: In line with the Council's Gaelic Language Plan and Policies, you are encouraged to consider the adoption of Gaelic or Gaelic-influenced street names in this development. For further guidance, you may wish to contact the Council's Gaelic Development Manager (01463 724287) or Comunn na Gàidhlig (01463 234138).

Contaminated Land: In terms of the remedial action undertaken undertaken Part IIA of the Environmental Protection Act 1990 you are advised that the post remediation conceptual site model (CSM) and details of the chemical and geotechnical analysis are available to inspect, in order that you can make specific assessments for redevelopment of the site (in respect of geotechnical requirements). Please contact the Council's Contaminated Land Team should you require any further information.

Signature: Allan J Todd
Designation: Area Planning & Building Standards Manager
Caithness, Sutherland and Easter Ross
Author: Dorothy Stott
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location Plan
Plan 2 - Site layout
Plan 3 - Elevations



10/02768/FUL
 Development of 22 flats and 2 houses at
 25-71 Joss Street, Invergordon.

Albyn Housing Society Ltd
 per Trevor Black Architects
 64 High Street
 Invergordon