

THE HIGHLAND COUNCIL

**CAITHNESS, SUTHERLAND AND EASTER ROSS
PLANNING APPLICATIONS COMMITTEE –
25 OCTOBER 2011**

Agenda Item	4.4
Report No	PLC/053/11

**11/02401/FUL: Community Council Of The Royal Burgh Of Tain
Land To SE Of Arthurville Gardens, Tain, IV19 1PL
Report by Area Planning Manager**

SUMMARY

Description : Development of allotments on 1.3 hectare site including the erection of security fence

Recommendation - GRANT

Ward : 08 - Tain And Easter Ross

Development category : Local

Pre-determination hearing : Not required

Reason referred to Committee:

- Council as landowner have an interest
- More than four objections.

1. PROPOSED DEVELOPMENT

- 1.1 This application seeks planning permission for to form allotments. Fifty Eight individual plots each measuring 18m x 9m will be formed with access roads through the site. Each allotment will have a shed measuring 2.4m x 1.8m and 2m high. One allotment will house a toilet block and meeting room unit. Twenty parking spaces will be formed at the entrance to the site. An existing field access will be improved to serve the site. The parking area and internal roads will be covered in gravel. A fence will be erected around the site but will be set back from the entrance. This is to allow the owner to retain access to the remaining part of the field. The fence will be 2m high apart from the boundary with Arthurville Gardens where it will be reduced to 1.8m to avoid conflict with the existing stone wall which is 1.8m high.
- 1.2 A pre-application site meeting was held in May.
A number of variations have been made since the application was lodged. The number of allotments has reduced to 58, the number of parking spaces has been increased from 14 to 20, cycle parking has been added, the position of the toilet block has been altered and a French drain has been added. Further details of the boundary treatment and exact shed and toilet block/meeting room unit have also

been supplied.

2. SITE DESCRIPTION

2.1 The site is to the south east of Arthurville Gardens off Scotsburn Road, Tain. There are houses immediately to the north east and south west of the site. The site is vacant at present.

3. PLANNING HISTORY

3.1 None known

4. PUBLIC PARTICIPATION

4.1 Advertised :

Neighbour Notification, Schedule 3

Representation deadline : 22/07/11

Timeous representations : 6

Late representations : 0

4.2 Material considerations raised are summarised as follows:

- Proximity of houses
- Inadequate parking provision
- Drainage
- The need for and suitability of the proposed boundary fence
- Impact of future development

4.3 Response from Allotment Group

The allotment group state that they intend to be good neighbours and make the following points in response to the comments made by objectors:

- The plots will only be used for horticulture
- Responsible use of water and waste disposal will be encouraged
- All buildings will be finished to match each other
- Further development on plots will be controlled by the allotment group and through the Planning process
- Plot holders will be encouraged not to use cars
- The access will be formed safely
- Concerns over drainage have been addressed
- The boundary wall with Arthurville Gardens remains the responsibility of other parties
- Boundary fencing is required to secure the site under the Council's allotment guidance
- A community plot will be provided

4.4 All letters 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 Area Roads and Community Works Manager:

TECS Roads expressed some concerns about the level of parking. They have confirmed that they are content with the revised proposals.

5.2 **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

G2 Design for Sustainability

6.2 Ross and Cromarty East Local Plan 2007

BP2 Background policy 2

7. OTHER MATERIAL CONSIDERATIONS

7.1 Draft Highland Wide Local Development Plan

Policy 29 Sustainable Design

Policy 59 Protect Species

7.2 Highland Council Supplementary Planning Policy Guidance

Not Applicable

7.3 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (SPP)

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

In demonstrating sensitive siting and having due regard for individual and community amenity the proposal is considered to accord with Structure Plan policy G2 and draft Local Development Plan policy 29. The site is just beyond the Tain

Settlement boundary identified in the Local Plan but the proposal is considered to accord with Local Plan policy BP2 and draft Local Development Plan policy 59.

The proposal is considered to accord with the development plan.

8.4 **Material Considerations**

8.5 **Siting** - One objector has expressed concerns that the allotments are sited too close to houses. However, this is intended to be a community facility and as such it is appropriate that the allotments are located in an area that is accessible both by car and on foot. Furthermore, the site will be used exclusively for horticultural purposes which should sit comfortably in a residential area. The development is considered to be appropriately sited.

8.6 **Design and materials** – It is proposed that each allotment will have a single garden shed. Each shed shall measure 2.4m x 1.8m with a height of 2m. A toilet block and meeting room unit will also be installed. This consists of a timber clad shipping container with a metal mono pitch roof. The structures are simple and are considered to be appropriate in this context. A condition will be attached to control the details of these elements of the proposal. Overall the design and materials are considered to be acceptable.

8.7 **Fence** – the plots will be surrounded by a stock proof fence. The fence will be 2m high on all sides except the boundary with Arthurville Gardens. This boundary is already delineated with a 1.8m high wall and following concerns from objectors the allotment group agreed to reduce the height of the fence here to 1.8m to reduce the visual impact for neighbours. The fence is required to protect the allotments from deer and any livestock in neighbouring fields. The group advise that they are mindful of the concerns expressed by neighbours regarding potential damage to the existing wall and feel that the fence will help to keep people away from it.

8.7.1 The fence is a simple mesh structure and as such will have minimal visual impact. The height and appearance of the fence is considered to be appropriate to the use and the location. Furthermore, a concerted attempt has been made to address the points raised by objectors regarding the fence. The fence is considered to be acceptable.

8.8 **Impact on Amenity** – The allotments and associated structures are designed and sited such that there is unlikely to be any undue impact on neighbours as a result of the development. One objector has expressed concern about the maintenance and use of the facilities on site. However, it is considered that these are management issues for the allotment group.

8.8.1 Objectors have also expressed concerns that unregulated future development on the site could lead to it becoming unsightly. It should be noted that the allotments would enjoy only very limited permitted development rights. Further development such as poly tunnels or other structures on individual plots would require planning permission. However, a condition is also recommended to control the erection of fences on individual allotments. This will enable the Planning Authority to control the further development of the site and safeguard amenity. Subject to conditions the development is not considered to be significantly detrimental to individual or community amenity.

8.10 **Access and Parking provision** – Objectors have expressed concern about the number of parking spaces shown on the plans and suggest that it will create parking issues on Arthurville Gardens. The Council’s Allotment policy recommends that parking should be provided at a level of one space for every ten plots and the original submission proposed twice that level of provision. However, TECS Roads shared some of the concerns of objectors regarding parking provision particularly given the location of this site and experiences elsewhere. The proposals were therefore altered to provide 20 parking spaces and 3 cycle spaces. This amendment also led to the number of plots being reduced to 58 which further increased the ratio of plots to spaces. TECS Roads have confirmed that they are now happy with the proposals. The access and parking arrangements are therefore considered to be acceptable.

8.11 **Drainage-** Some objectors have expressed concern about the drainage of the site. Again it should be noted the TECS Roads who are the flooding authority do not object. However a condition requiring the installation of a suitable field drainage system is recommended. Following concerns expressed by contributors a French drain discharging to a burn was added to the plans. The toilet block on the site will be connected to the public sewer. The drainage proposals are considered to be acceptable.

8.12 **Other Considerations – not material**

Maintenance of the existing boundary wall shared with Arthurville Gardens

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

None

9. CONCLUSION

9.1 The proposal accords with policy. The use is considered to be appropriate in this location and the proposed structures are considered to be acceptable. There are no technical objections. It is recommended that planning permission is granted subject to the conditions below.

10. RECOMMENDATION

Action required before decision issued N

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

1. No development shall start on site until exact details of the external wall and roof finishes of the toilet block and meeting room hereby approved have been submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in accordance with the agreed details. For the avoidance of doubt the structure shall be clad in natural stained shiplap timber cladding and the roof shall be finished in grey green metal sheeting.

Reason: In the interests of amenity

2. No development shall start on site until proposals for field drainage have been submitted to and agreed in writing with the Planning Authority in consultation with the Roads Authority. The development shall thereafter proceed in accordance with the agreed details. For the avoidance of doubt there shall be no increase in surface water run-off from the site to adjacent properties.

Reason: In the interests of amenity and public health.

3. For the avoidance of doubt, the erection of any structures on each of the plots shall be restricted, to a single timber shed measuring no more than 2.4m x 1.8m and 2m high, unless with the further express permission of the Planning Authority. All sheds shall be stained to match the toilet block/meeting room hereby approved.

Reason: In the interests of amenity and to ensure that the Planning Authority retains effective control.

4. Notwithstanding the provisions of class 7 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended, or any Order revoking and re-enacting that Order, with or without modification no fence, gate, wall or other means of enclosure shall be erected on the site except for the boundary fence shown on approved plan 000006 docquetted hereto and 1m high post and wire fences delineating each plot, without the express permission of the Planning Authority.

Reason: In the interests of amenity and to ensure that the Planning Authority retains effective control.

5. All access arrangements shall be provided to the satisfaction of the Planning Authority, in consultation with the Roads Authority, and in accordance with the Schedule attaching to this permission, prior to the first use of the site as hereby approved.

Reason: In the interests of road safety.

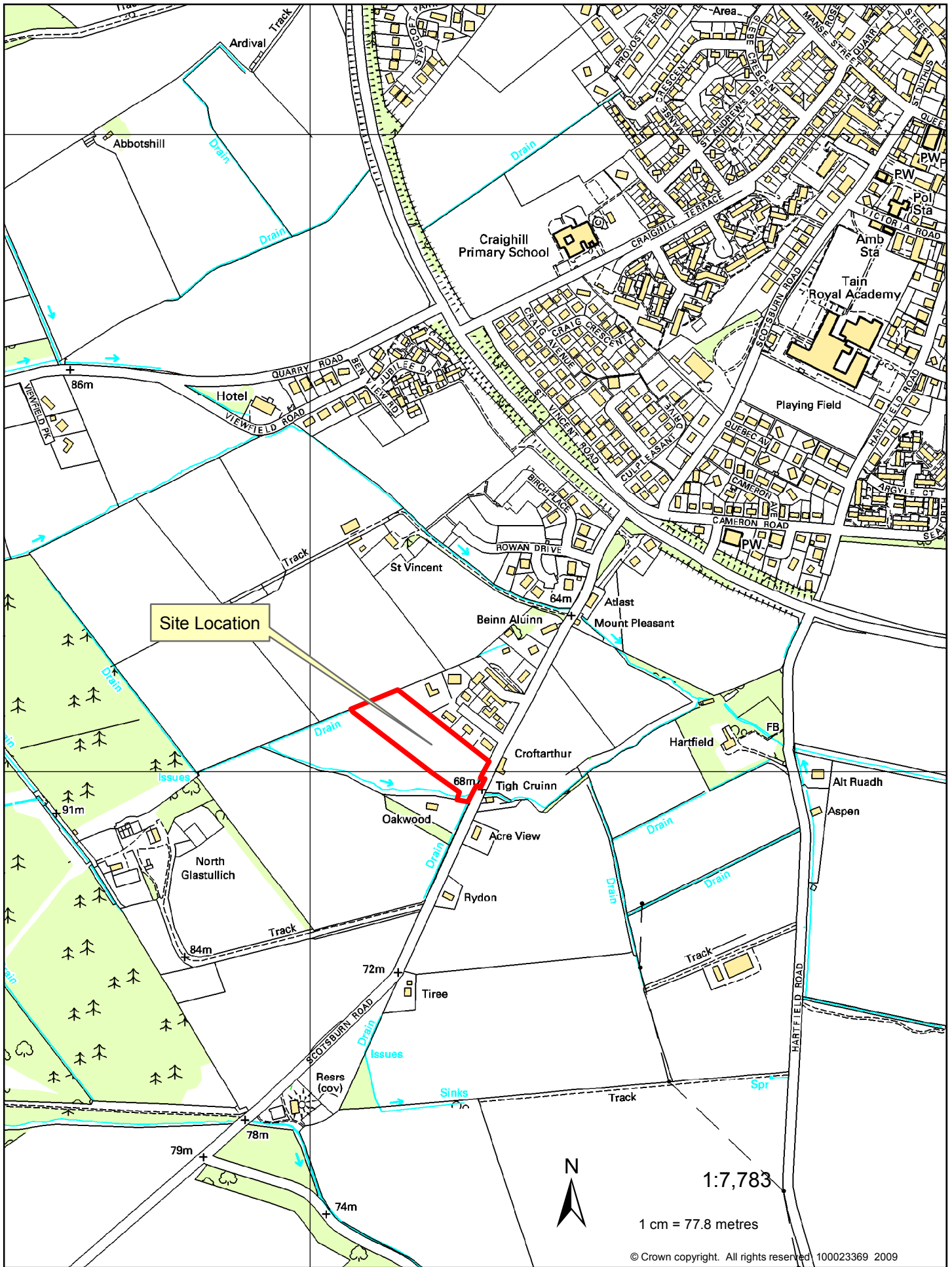
6. All drainage arrangements shall be to the satisfaction of the Planning Authority, in consultation with the Scottish Environment Protection Agency, the Drainage Authority, and the Building Standards Authority.

Reason: In the interests of amenity and public health.

Signature: Dafydd Jones
Designation: Area Planning Manager North
Author: Lisa MacKenzie
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 Location/Site Plan
Plan 2 Elevations
Plan 3 Floor Plan
Visual information

Appendix – Letters of Representation

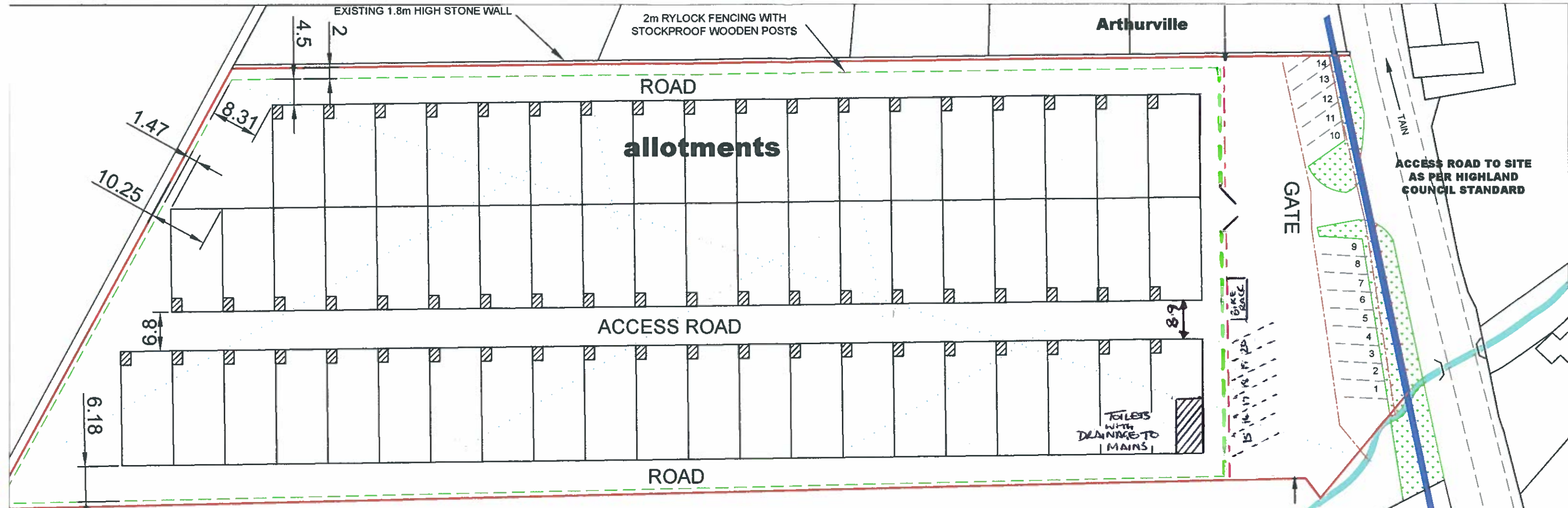
Name	Address	Date Received	For/Against
Henry Bowden	Ardfern, Arthurville Gardens, Tain	12/07/11	Against
Julian Fryer	4 Arthurville Gardens Tain	15/07/11	Against
Margaret Macrae	3 Arthurville Gardens Tain	18/07/11	Against
Susan Bryce	6 Arthurville Gardens Tain	19/07/11	Against
Stephen Simpson	5 Arthurville Gardens Tain	20/07/11	Against
Robert Mackintosh	Karrob, Arthurville Gardens Tain	22/07/11	Against



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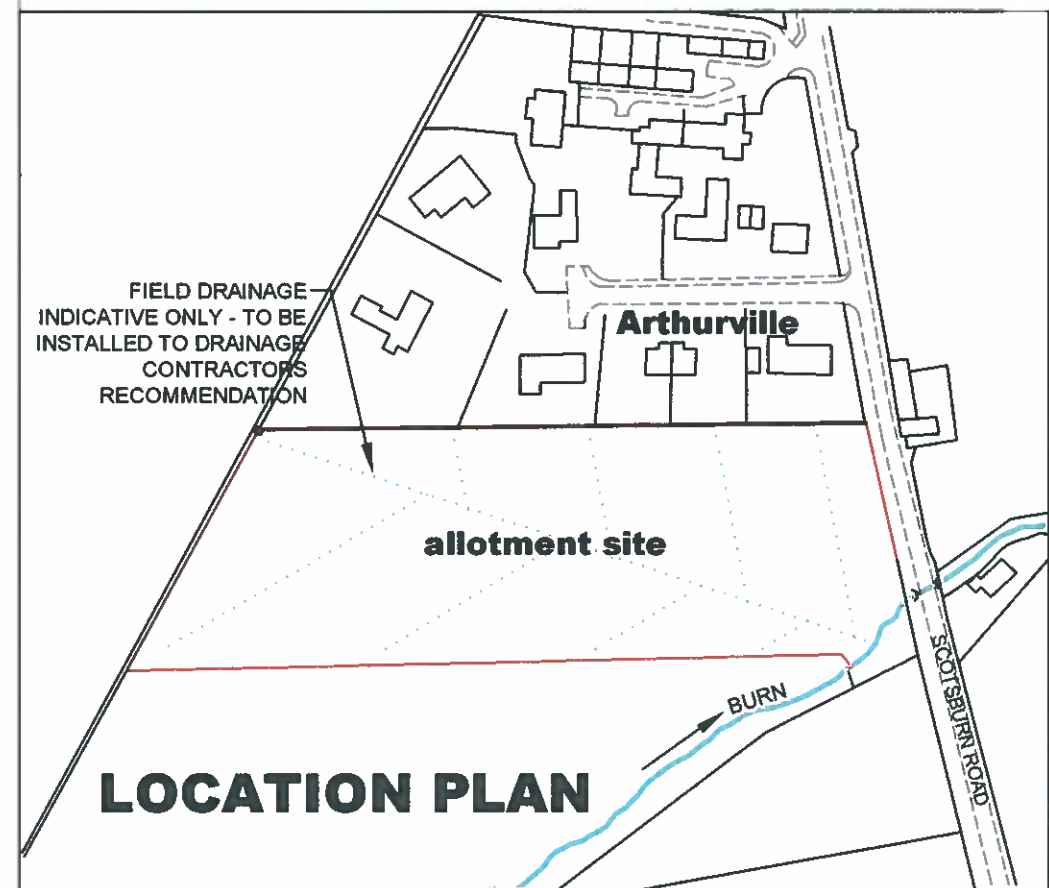
11/02401/FUL
 Development of allotments on 1.3 hectare site including the erection of security fence at Land to SE of Arthurville Gardens, Tain IV19 IPL

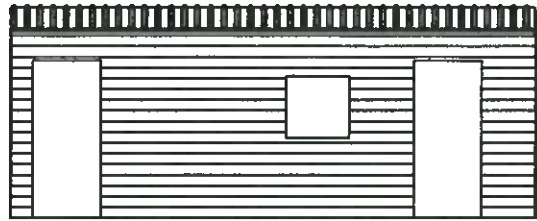
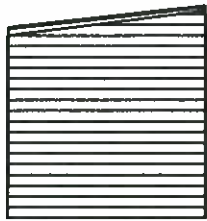
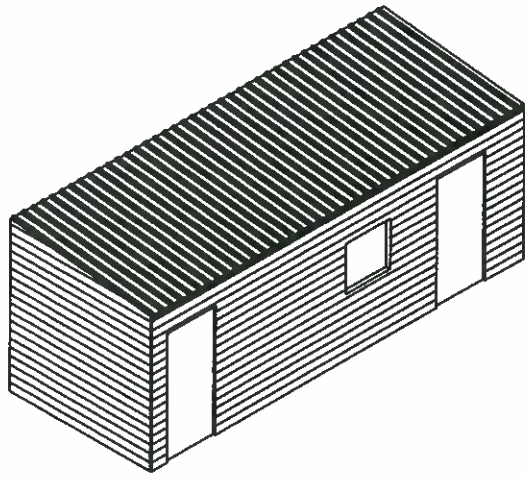
Community Council of the Royal Burgh of Tain
 per Susan Thompson
 Tigh Na Sona
 Arthurville Court
 Tain
 IV19 1PW



SITE PLAN
 scale 1:1000
 EACH PLOT (18 x 9m)
 TO HAVE 1 GARDEN SHED (2.4 x 1.8m)
 TOTAL OF 58 PLOTS
 ALL DIMENSIONS IN METRES

TAIN ALLOTMENT GROUP
 Arthurville Site Tain
LAYOUT 3
 UPDATED 11TH OCTOBER 2011





UNLESS OTHERWISE SPECIFIED:
 DIMENSIONS ARE IN MILLIMETERS
 SURFACE FINISH:
 TOLERANCES:
 LINEAR:
 ANGULAR:

FINISH:

DO NOT SCALE DRAWING

REVISION

	NAME	SIGNATURE	DATE		
DRAWN					
CHKD					
APPVD:					
MFG					
Q.A					
				MATERIAL:	
				WEIGHT:	

TITLE:	
DWG NO.	ALLOTMENT TOILET BLOCK
	A4
SCALE: 1:100	SHEET 1 OF 1