

THE HIGHLAND COUNCIL
CAITHNESS PLANNING, DEVELOPMENT,
EUROPE AND TOURISM COMMITTEE
3rd July 2006

Agenda Item	2.1
Report No	C/P/155/06

**05/00544/FULCA Erection of Community Centre and formation of car park
and play area at land to the south east of Huddart Street, Wick**

Report by the Planning and Building Standards Manager (Caithness)

SUMMARY

Application is made to erect a Community Centre with associated car parking and play area. The site is allocated for industrial development in the Caithness Local Plan and as such this proposal does not comply with the Local Plan. Three letters of objection and a petition have been received in relation to this proposal. In accordance with Council procedure, therefore, a hearing will be heard before consideration of this application. Without prejudice to representations which will be forthcoming at the hearing, at the time of writing this report the documentary evidence leads me to conclude that this application should be granted planning permission.

Recommendation: Grant Planning Permission.

1.0 APPLICATION DETAILS

1.1 Proposal: It is proposed to erect a mainly two storey community centre on vacant land to the south east of Huddart Street, immediately to the north of the Pultneytown Distillery. The proposal incorporates a multi purpose sports and function hall which is slightly higher than the other two storey elements of the building. The overall height of the building however, has been minimised through the use of curved aluminium roofing. The walls of the building are multi textured but are basically finished in dry dash render, Caithness stone banding and aluminium frame curtain walling. On the ground floor the building will provide a sports and function hall with adjacent store, a plant room, a youth project room, two classrooms, a cafeteria with internet access, a kitchen, a soft play area and a nursery crèche with adjacent rooms. On the upper floor there will be an office for the Pultneytown Peoples Project with adjacent committee room, office and reception room, a meeting/function room, 6 social economy office units, a kitchen, a recording studio and 3 IT suites.

1.2 Applicant : Pultneytown Peoples Project, 44 Murchison Street, Wick, KW1 5HW

1.3 Agent: Pentarq, 41 Traill Street, THURSO, KW14 8EG

2.0 POLICY BACKGROUND

2.1 The site is subject to Policy I of the Wick Chapter of the Caithness Local Plan which presumes in favour of the development and retention of industrial uses.

3.0 CONSULTATIONS

3.1 AREA ROADS AND COMMUNITY WORKS MANAGER: No objections

3.2 SCOTTISH WATER: No objections subject to certain conditions being attached to any consent that is issued.

3.3 ENVIRONMENTAL HEALTH OFFICER: No objections.

3.4 CONTAMINATED LAND OFFICER: No objections but requires that a condition attached to any consent issued.

4.0 PUBLIC PARTICIPATION

4.1 I have received 3 letters of objection and 1 petition signed by 11 people, the grounds of objection can be summarised as follows:

1. The north east elevation of the building contains glazing which will compromise privacy of householders to the north east.
2. The building is of such a height that it will cause overshadowing and an unacceptable loss of light to the houses to the north east.
3. The proposed development will exacerbate existing traffic and parking problems in the vicinity of Huddart Street and Kinnaird Street.
4. The proposed building will inevitably result in increased noise and litter pollution and anti-social behaviour in the area and contains elements which will create a rat run around the building.
5. The proposed building being in such close proximity to the existing distillery and the proposed heating plant will pose a fire hazard.
6. The area is subject to subsidence and contamination and these aspects need to be investigated.
7. Wick already has a well used youth club which caters for a wide range of community uses and the town is not of such a size to justify this development.

5.0 APPRAISAL

5.1 The application site is vacant land adjacent to and owned by the distillery. It is a relatively valuable asset given that it is a vacant site within the built up area of Wick. During the formation of the Local Plan it was anticipated that it may be used for some form of extension to the distillery adjacent and as such was identified as being suitable for industrial development mainly in anticipation of an expansion of the distillery which is an industrial use. The distillery however apparently have no intention of extending into this site and have agreed to its sale. In these circumstances this application for a community facility would seem to be a reasonable alternative use for the site.

5.2 This proposed use of the site does not give rise to any serious concerns on behalf of any of the consultees and therefore it is a project which should be reasonably easily technically deliverable. The main matters therefore to be explored lie with the grounds of objection outlined in paragraph 4.1 above. Taking these in turn I would comment as follows:-

1. The only glazing in the north east elevation of the building is a small section of curtain walling at first floor level which is at the side of a small committee room. The house immediately to the north east of this glazing presents a gable elevation with no windows in that gable towards it. I do not therefore see how privacy can therefore be unduly compromised.
2. I do have some sympathy with this ground of objection as the building is in relatively close proximity to houses to the north east and is fairly imposing being built on land which rises to the south. However this is a site within the town which is allocated for industrial uses and buildings of this height are to be expected within such an area. The building will cut out a significant element of direct sunlight but will not unduly compromise daylight. As such the effect of the building on neighbouring properties is not in my opinion unduly onerous.
3. The Area Roads and Community Works Manager does not anticipate any unacceptable traffic and parking problems being created by way of the development of this proposal.
4. It should not be assumed that such problems will arise as a result of this development and if such problems do arise there are areas of law which exist to combat and deal with these problems.
5. The building will require to comply with building and fire regulations and will not pose any undue fire hazard.
6. Matters with regard to potential subsidence will be dealt with by the developers engineers as a matter of course at the early stages of site preparation and a condition is being attached to the consent which will ensure that any contamination issues are addressed.
7. This is the objectors opinion. The fact of the matter is that an applicant wishes to provide this facility presumably because the applicants feel that there is a need for this facility.

5.3 In conclusion it is my opinion that in the absence of an industrial use being brought forward to develop this site that this alternative use of the site is a reasonable proposal which is acceptable. Indeed the development of the site for which it is allocated ie. industry could have a much more onerous impact on the adjacent houses than this proposed use would have and as such the grounds of objection are somewhat ill conceived. On balance therefore I consider the proposals to be acceptable and I recommend that this application be granted.

RECOMMENDATION

Grant Detailed Planning Permission subject to the following condition:-

1. Prior to the commencement of the 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 should be carried out thereafter in accordance with the approved details.

Reason: In the interests of amenity.

2. No development shall commence until evidence exhibited to the Planning Authority that an agreement has been reached by the applicant with Scottish Water for the provision of a drainage and water scheme to serve the development.

Reason: In order to ensure that development has adequate water provision and drainage arrangements.

3. Prior to the commencing on site, a scheme will be submitted by the Developer (at his/her expense) to deal with potential contamination on site. No construction work must commence until such scheme has been submitted to and approved by the Planning Authority, and is thereafter implemented to like satisfaction. The scheme shall contain details of proposals to deal with potential contamination and must include:-

- a) The nature, extent and type of contamination on site, identification of pollutant linkages and assessment of risk (i.e. Contaminate Land Risk Assessment and Remediation Plan). The scope and method of this assessment to be agreed **IN ADVANCE** with the Planning Authority, and undertaken in accordance with PAN 33 (2000) and BS10175:2001.
- b) Remedial strategy (if required) to treat/remove contamination to ensure that the site is fit for the uses proposed (this shall include a method statement, programme of works, and proposed verification plan).
- c) Submission of a Validation Report (should remedial action be required) by the competent person employed by the developer who will validate and verify the completion of works to a satisfactory standard as agreed with the Planning Authority.
- d) Submission, if necessary, of monitoring statements at periods to be agreed with the Planning Authority for such time period as is considered appropriate by the Planning Authority.

Written confirmation from the Planning Authority that the scheme has been implemented, completed and if appropriate, monitoring measurements are satisfactorily in place, shall be required by the Developer **BEFORE ANY DEVELOPMENT HEREBY APPROVED COMMENCES.**

Reason: To ensure that the development site is free from contamination.

4. Except as otherwise provided by the terms of this permission, the developers shall construct and operate the development in accordance with the plans and supporting information submitted with the application and docquetted 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.

Background Papers:

1. Application Form and plans.
2. Caithness Local Plan
3. Memo from Area Roads and Community Works Manager dated 29th November 2005.
4. Consultation response from Scottish Water dated 25th November 2005.
5. Memorandum from Environmental Health Officer dated 29th November 2005.
6. Memos from Scientific Officer dated 5th July 2005 and 13th June 2006.
7. Letter of objection from Vilma Kerr, 34 Kinnaird Street, Wick, KW1 5BB dated 18th January 2006.
8. Letter of objection from R G Center, 30 Kinnaird Street, Wick dated 12th December 2005.
9. Petition signed by 11 people c/o V Kerr, 34 Kinnaird Street, Wick, KW1 5BB dated 23rd November 2005.
10. Letter of objection from C & D Rosie, 32 Kinnaird Street, Wick, KW1 5BB dated 12th December 2005.
11. Letter from Rob Gibson MSP, 4 Grant Street, Wick, KW1 5AY dated 19th January 2006.
12. Letter from SSE power distribution dated 23rd November 2005.
13. Letter from John Thurso MP, House of Commons, London, SW1A 0AA dated 30th January 2006.

Any persons wishing to inspect the above background papers should contact Iain Ewart 01955 607751.

Signature:

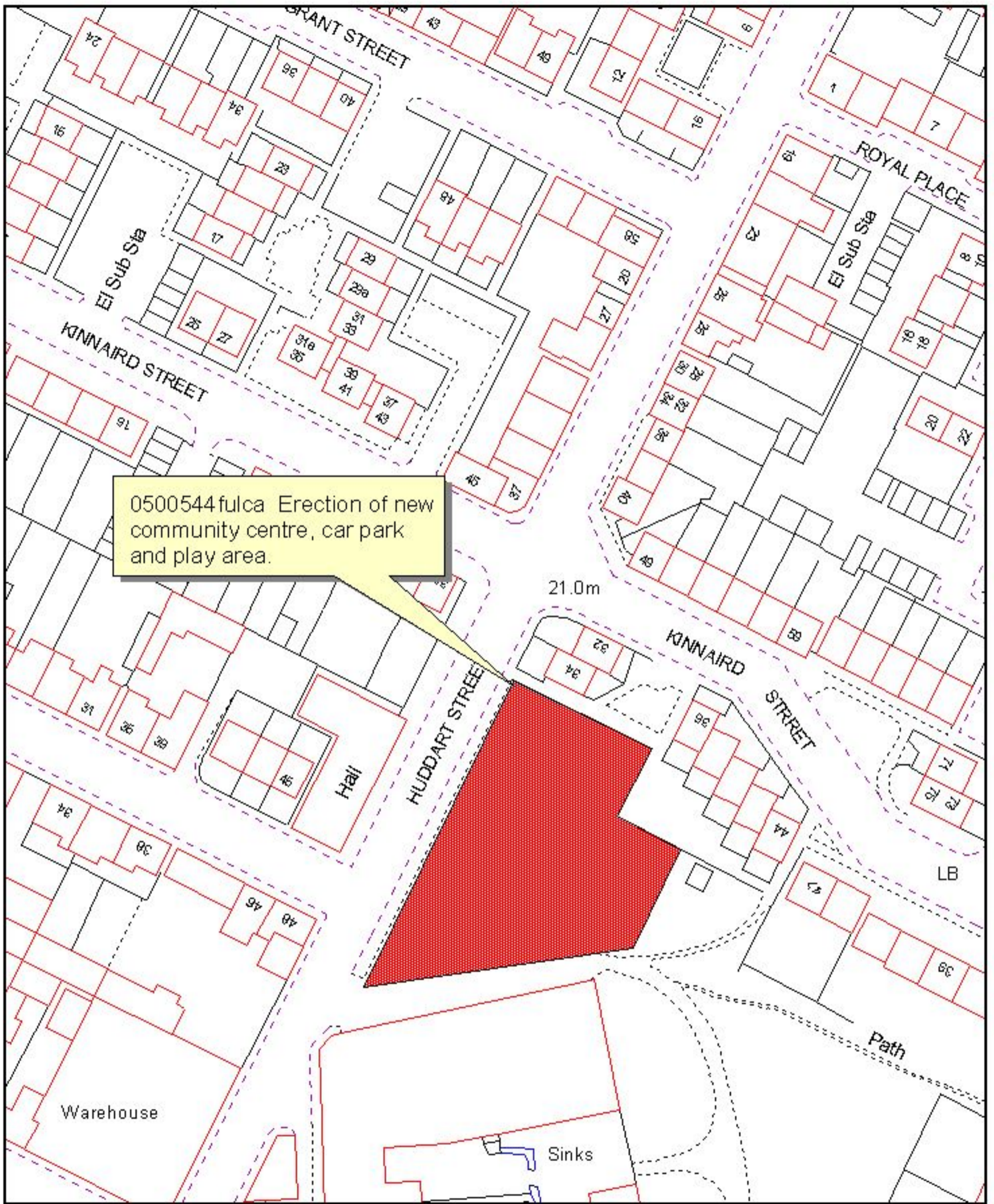
Designation: Area Planning and Building Standards Manager

Date: 22nd June 2006

Author: Iain Ewart

Tel: 01955 607751

Ref: **05/00544/FULCA**



0500544 fulca Erection of new community centre, car park and play area.



Land to the south east of Huddart Street

Wick

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1:1000

Date

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