#### CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING APPLICATIONS COMMITTEE – 28 August 2007

Agenda Item	4.14	
Report No	PLC-20-07	

### 06/00483/FULSU Erection of 4 no. affordable 3 bedroom semi detached villas, 6 no. affordable 2 bedroom semi detached single storey houses and 27 no. private plots. Formation of new access onto public road (As amended) at land 150m North West of Edderton Village Hall, Edderton

# Report by Area Planning and Building Standards Manager

**SUMMARY** – The proposal is in detail for the erection of 37 houses, comprising 4 no. affordable 3 bedroom semi detached villas, 6 no. affordable 2 bedroom semi detached single storey houses and 27 no. private plots, plus a new road and various off site road improvements. The site is allocated for residential use by the Ross and Cromarty East Local Plan and lies to the west of Station Road.

# The recommendation is to GRANT planning permission.

Applicant - Caledonian Forestry, c/o MacAndrew & Jenkins, 5 Drummond Street, Inverness IV2 5EL.

Ward Number 5 – East Sutherland and Edderton.

# 1. PROPOSAL

- 1.1 **The site** is relatively flat in nature and is currently used for agricultural grazing. It is open with trees along its southern edge towards the A836. To the northern corner of the site is the Clach Chairidh Symbol Stone, whilst outwith the site boundary to the north east of the site and immediately adjacent to Station Road is the Carrieblair Stone Circle and Cist. Both the Symbol Stone and Stone Circle and Cist are Scheduled Ancient Monuments. The water supply for Edderton Distillery runs under the site, with power lines running overhead.
- 1.2 **The proposal** is in detail for the development of land for housing to the west side of Station Road within the centre of Edderton village. The housing development is staged with detailed plans of an initial 10 affordable houses with:
  - 4 no. 3 bedroom 1<sup>1</sup>/<sub>2</sub> storey semi detached houses
  - 6 no. 2 bedroom semi detached single storey houses

The houses have a beige or cream dry dash render finish to the external walls with some vertical timber panel cladding, and grey flat profile concrete roof tiles. The roof pitches vary between 35° and 45°.

- 1.3 The remaining development has been amended from that originally submitted with 27 no. individual private plots (originally 30 no.). The plans for these 1<sup>3</sup>/<sub>4</sub> storey detached houses show similar external finishes to the first 10 houses.
- Access to the site is by a new road to be formed from opposite 4 Station Road, with 1.4 a distributor road and 3 culs-de-sac. Turning heads are formed at the end of each cul-de-sac, with traffic calming by means of road narrowing and tabling. The new junction at Station Road is to be formed with a combined raised speed table and crossing point. An additional combined raised speed table and crossing point is proposed at the junction of Carrieblair Crescent and Station Road. The junction at Station Road/A836 Tain to Ardgay road is to be altered with the road kerb radius reduced to the south east side of the junction to 6m to create a footpath around the war memorial. A crossing point with dropped kerbs and signage is to be located south of the war memorial as part of the Safer Routes to School initiative. The existing footpath down the edge of Station Road is to be improved as the designated safe route to school and the traffic speed reduced. To the west end of the A836 in the village, the 40mph speed limit is to be reduced to 30mph and rumble strips and signage for children and elderly crossing is to be installed. To the north of the housing site, a 1200mm wide path is to be provided along the boundary with Station Road to the Edderton Inn. Five parking spaces are to be provided at the end of one cul-de-sac for visitors to the Scheduled Ancient Monuments, as parking is currently informal on the Station Road verge. Four new off-street parking spaces are proposed to the south side of the new site access road and opposite 1 Station Road. Remote 1200mm pedestrian whin dust paths are to be provided within the site.
- 1.5 A 20m deep tree belt is to be provided along the edge of the site with the A836 to give amenity screening. This will supplement the existing tree cover along this edge. Beech hedging is also to be provided to the northern edge of the housing to minimise the impact of the development on the Clach Chairidh Symbol Stone, and the view from it and the Stone Circle and Cist towards the hills to the south west and west of the Kyle of Sutherland.
- 1.6 In the area of land to the north of the A836 and the rear of the initial phase of 10no. units, a 100m x 50m playing field is proposed, with a play area adjacent to the west. A high fence is to be constructed to the east side of the playing field to protect existing houses to the east from ball games.
- 1.7 Surface water drainage from the site is to be attenuated by means of a Sustainable Drainage System. This is located in the western corner of the site between the A836 and the rear of Plot 16. To the north east of this running towards Station Road and the Clach Chairidh Symbol Stone, and to the north west of the housing area, the ground is to be left as open amenity space.
- 1.8 The development will connect to the public water and sewerage systems serving the village.

# 2. PLANNING HISTORY

2.1 The site has no previous planning history.

# 3. PUBLIC PARTICIPATION

- 3.1 The application was advertised on 10 January 2007 and 8 June 2007. Four representations were received on the initial submission (4 December 2006), highlighting various concerns. Following submission of the amended proposal (25 May 2007) and re-notification of neighbours, a petition from residents was received. Representations relate to the following:
  - Alternative access via A836
  - Traffic calming and parking bays create dangerous hazard on Station Road
  - Loss of on street parking
  - Potential impact on Balblair Distillery Water Supply which crosses the site
  - Housing should be built on land occupied by forestry and rough grazing not arable land
  - Layout proposed is urban
  - Character and openness of site will be lost
  - Scheduled Ancient Monuments affected relocate housing further from SAM
  - Alternative sites for housing e.g. land just south of the railway and Edderton Inn
- 3.2 The letters of representation are available in the Area office and will be available at the Committee meeting. The names of those making representations are listed at the end of this report.

# 4. CONSULTATIONS

# 4.1 Edderton Community Council

16 January 2007 – Welcome principle of providing housing, which will support local services, in particular the school, but oppose road layout. Suggest vehicle access should be directly from A836.

14 June 2007 – Oppose road layout. Wish a loop road with entrance off A836 near entrance to former Balblair residential home. Limited traffic using an (alternative) access and lowering of speed limit would not bring a significant increase in road safety risks. We do not wish the introduction of raised table crossings, fearing the noise generated by vehicles crossing the tables will largely outweigh any traffic calming benefits. Wish the whole site landscaped at the same time footpaths laid out; and car parking directly onto Station Road at Plot 1 is removed as any potential benefits would outweigh the increased traffic risk.

# 4.2 Internal Consultees

### **TEC Services**

20 December 2006 – The whole development will be subject to a Road Construction Consent agreement, for which the developer must apply to the Roads Authority. This development is likely to increase the numbers of children heading to Edderton Primary School and others and therefore consider that a continuous footpath be provided down the west side of Station Road to the War Memorial. Properties with direct access to Station Road should have in curtilage turning as well as parking for two vehicles. Some of the tighter bends within the proposed development are likely to have forward visibility splays which cut across gardens and driveways. These visibility splays are adoptable and consideration will need to be given to the finish on these visibility splays. SuDS for roofwater will only be acceptable within the front gardens if they lie below the proposed road level, otherwise SuDS should only be in rear gardens. The tree belt along the southern boundary should be at least 5m from the existing road boundary.

13 June 2007 – Following additional comments from the Community Council, I do not consider that there is a problem with driveways entering onto Station Road, especially as in curtilage parking and turning is provided. I still consider that it would be preferable to have the access onto Station Road. There is a general presumption against minor access roads joining major routes. Even if the access was onto the main road I would still require traffic calming measures on Station Road and the improvements at the War Memorial as this is still likely to be the preferred route for pedestrians to the school.

**Archaeology** – The site lies close to or around two nationally important prehistoric ritual remains that are protected as Scheduled Ancient Monuments. There is a high potential that further remains will be present within the development area. There are sightlines between Carrieblair Stone Circle and Cist, and the Clach Chairidh Symbol Stone and the originally submitted proposal would directly interfere with the setting and alignment of these. No planting of any kind should be provided along the line of the planned path or near the standing stone itself, including along the boundaries of the nearest houses. Following submission of the amended proposal, there are still concerns over buried archaeological remains. However, these issues can be successfully mitigated within the planning process and through a condition (ARC1).

### **Contaminated Land** – No comment.

**Education** – Edderton Primary School classrooms can just cope with the anticipated increase of 10 primary pupils, but the canteen would not be able to hold extra. The main concern is the parking and drop-off zones.

# 4.3 External Consultees

**Scottish Water** – Scottish Water are currently in discussions with the developer regarding water and wastewater infrastructure problems constraining the development.

**SEPA** – The developer has submitted a Drainage Impact Assessment. This is acceptable to SEPA in terms of water quality as it provides the required one level of treatment for surface water run-off from the residential development. SEPA therefore withdraws its objection to this element of the application.

**Historic Scotland** (6 June 2007) – Following various discussions with the Applicant and Highland Council, we are content that the applicant has changed the scheme in order to lessen the impact of the proposals on the two Scheduled Ancient Monuments. We wish to limit the size of houses on plots 16, 17, 22, 31 to single storey.

# 5. POLICY

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

### Highland Structure Plan (2001):

- G2 Design for Sustainability
- H5 Affordable Housing
- H7 Housing for varying needs
- H8 Access arrangements for new and existing development
- BC1 Preservation of Archaeological Sites

# **Highland Council's Supplementary Development Plan Policy Guidance – Affordable Housing** – this states that all new housing developments in the private sector of 10 or more homes in areas of identified housing stress must contain 25% affordable homes.

### Ross and Cromarty East Local Plan (2007):

BP2 – permit development unless this would be likely to have a significantly adverse effect on, or be significantly adversely affected by the feature for which the area has been designated.

The 7ha of land to the west of Station Road is allocated for the future expansion of the village, subject to: connection to the public sewer; full archaeological investigation and mitigation; enhance the landscape setting of the symbol stone; design open space and planting to create a setting for housing and provide sheltered areas; 20m deep tree shelter belt adjoining the A836 with amenity planting; 1ha for a playing field. The site has the potential for 30 - 50 houses. An access point from Station Road into the site is shown on the village proposals map.

- 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).
  - SPP1 The Planning System
  - SPP3 Planning for Housing

- PAN 52 Planning and Small Towns
- PAN 67 Housing Quality
- PAN 74 Affordable Housing
- PAN 76 New Residential Streets

# 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 **Policy** The proposal accords with the Ross and Cromarty East Local Plan, which allocates the site for residential development with a suggested density of between 30 and 50 units. The Plan provides a framework for the development of the site (para 5.1) which is adopted by the proposal.
- 6.4 The proposal has been amended (25 May 2007) in order to address technical issues raised by both Historic Scotland with respect to the setting of the Scheduled Ancient Monuments (SAM) and TEC Services. The amended layout reduces the impact of the proposed development on and helps to safeguard the setting of the SAM and Members will note that the changes are now acceptable to Historic Scotland. I therefore consider that the proposal accords with Policies BC1 and G2 with respect to the SAM. The proposal is also now acceptable to TEC Services with traffic calming measures along Station Road and various junction improvements (para 1.4). TEC Services have indicated that these measures are necessary for the development to proceed. A separate access to the development from the A836 would separate it from the village and would not improve safety for new or existing I consider that it is safer to concentrate traffic at lower speeds residents. negotiating the junction from Station Road onto the A836 rather than creating an additional access which would, in my view, draw more traffic at greater speed across the crossroads going towards Tain.
- 6.5 I would advise Members that the improvements will have a benefit to the wider community by reducing vehicle speeds throughout the village and helping in meeting the aspirations of the Safer Routes to Schools initiative. Members will note that there is a general presumption against minor access roads joining major routes. The proposal therefore accords with the road servicing requirements of Policy G2 and Policy H8.

- 6.6 The proposal is not considered to have a significantly detrimental impact on individual or community and therefore accords with Policy G2. Furthermore, the proposal is, following the submission of the amended scheme, considered to demonstrate sensitive siting in relation to the landscape, scenic and cultural heritage as required by Policy G2.
- 6.7 The design of the houses is considered to be acceptable and accords with Policy G2. The layout of the development is suburban in form and would extend the village to the west. The village hall would then lie at the centre of the lower part of Edderton.

# 6.8 No technical difficulties have been highlighted by consultees.

### 6.9 **Representations** have been received and these are set out at para 3.1.

- Alternative access via A836 The Local Plan indicates that development of the site should be by a new access from Station Road. Furthermore, there is a general presumption against minor access roads joining major routes.
- Traffic calming and parking bays create dangerous hazard on Station Road It is considered that traffic calming is necessary to make the proposal acceptable and to maximise road and pedestrian safety for the development and the existing built environment. The provision of off street parking bays will help to remove on street parking from the raised speed table area in front of 4 Station Road.
- Loss of on street parking This is compensated for by 4 off street parking bays opposite 1 Station Road.
- Potential impact on Balblair Distillery Water Supply which crosses the site Following discussions with the developer the Distillery have withdrawn their objections provided a replacement water pipe is installed by the developer prior to work on the development site commencing.
- Housing should be built on land occupied by forestry and rough grazing not arable land Site allocated by the Local Plan for housing development and the proposal accords with the guidelines set out in the Plan.
- Layout proposed is urban The layout is an extension to the village.
- Character and openness of site will be lost Development of the site will result in the loss of the long-standing outlook and change the character of the site and area. However, Members will note that following the submission of an amended proposal, Historic Scotland have not objected. The site is allocated in the Local Plan for housing development and the proposal accords with the guidelines set out in the Plan.
- Alternative sites for housing Alternative sites would be assessed on their individual merits, but are not material to the consideration of the proposal.
- 6.10 The proposed layout is considered to be acceptable as an extension to the village. Whilst there will be an impact on the amenity of the area, the site is allocated for residential use and the guidance set out in the Local Plan has been used as a framework and therefore the basis for the proposal. There are no outstanding technical difficulties with the proposal. I would advise Members that I do not consider that any of the issues raised in representations can be given sufficient weight to recommend refusal of the proposal.

6.11 In my view, the developer has met with the requirements set out by the new Local Plan for the village. The developer has engaged with the Community at an early stage in the development of the proposal. During consideration of the application, the developer has also tried to take on board the concerns expressed by the Community and the various consultees including TECS and Historic Scotland. These concerns and technical difficulties appeared to have been successfully resolved. However, it is disappointing that despite this earlier work, the Community have now objected to the proposal, despite the developer addressing their previously identified concerns.

# 7. CONCLUSION

The proposal accords with the Development Plan and the proposal is considered to be acceptable.

### RECOMMENDATION

### Grant planning permission subject to 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 docquetted hereto with no deviation there from unless otherwise approved in writing by the Planning Authority.

Reason: In order to clarify the terms other permission hereby granted and to ensure that the development is implemented as approved.

2 All drainage arrangements shall be provided to the satisfaction of the Planning Authority, in consultation with the Scottish Environment Protection Agency, the Water Authority and Building Standards Authority. Prior to the commencement of development, detailed proposals for the disposal of surface water from the site, which shall require to meet the Best Management Practice Guidelines of the Scottish Environment Protection Agency, shall be submitted to and require the approval in writing of the Planning Authority in consultation with the Roads Authority and SEPA. All proposals thereby approved shall be implemented prior to occupation of the houses.

Reason: In order to ensure that the site is properly drained, as no details have been provided and for the avoidance of doubt.

3 Prior to the commencement of construction of the houses, the developer shall submit full details in writing and on plan of the proposed equipment for the play area for the approval in writing of the Planning Authority. For the avoidance of doubt, the play area shall have suitable screen fencing of at least 2m in height. The play area, playing field and surrounding fence shall be provided by the developer and ready for use prior to the completion of the tenth house. The fence to the east side of the playing field shall be at least 5m in height, or as may otherwise be agreed in writing with the Planning Authority.

Reason: In order to secure a satisfactory level of provision associated with the development.

4 Prior to the commencement of construction of the buildings, detailed arrangements for the on-going maintenance, in perpetuity, of all landscaped areas, public open space, and play space shall be submitted to and require the approval in writing of the Planning Authority.

<u>Note</u>: It is the general preference of the Planning Authority that the developer should negotiate a maintenance agreement with the Highland Council in this regard.

Reason: In the interests of amenity.

5 Prior to the commencement of development, details of the lighting system designed for the development shall be submitted to and require the approval in writing of the Planning Authority in consultation with the Roads Authority in order to limit urban sky glow and light spillage onto surrounding areas. The approved details shall thereafter be implemented prior to any part of the development being brought into use.

Reason: In the interests of residential amenity, in order to avoid light pollution and for the avoidance of doubt.

6 Prior to the commencement of development the developer shall provide full written details of the materials, finishes and colours of the individual houses for the approval in writing of the Planning Authority. For the avoidance of doubt the roofs shall be finished in a flat slate grey roof tile. The external wall finishes may incorporate timber features and wet or dry dash render.

Reason: In the interests of residential amenity, as exact details have not been provided, and for the avoidance of doubt.

7 Prior to the commencement of development, a programme of archaeological work for the preservation and recording of any archaeological features affected by the proposed development, including a timetable for investigation, all in accordance with the attached specification, shall be submitted to and require the approval in writing of the Planning Authority. All arrangements thereby approved shall be implemented by the developer at his expense in accordance with the approved timetable for investigation.

Reason: In order to ensure the protection of the archaeological interest of the site.

8 Prior to the commencement of any development on the site, the developer shall provide a replacement water pipe to service Edderton Distillery to the satisfaction of the Planning Authority.

Reason: In order to safeguard and ensure the continuity of water supply for Edderton Distillery, and for the avoidance of doubt.

9 Prior to the completion of any house on plots no.16,17,22,23,30,31,32,33,37, a beech hedge, or as may otherwise be agreed in writing with the Planning Authority prior to the commencement of any development on these plots, shall be planted to screen the plots from the amenity areas to the north. The hedge shall be retained in perpetuity and any failures shall be replaced within the next planting season, unless otherwise agreed in writing with the Planning Authority.

Reason: In order to screen the development from the Schedule Ancient Monument, in the interests of amenity and for the avoidance of doubt.

10 All drainage arrangements shall be provided to the satisfaction of the Planning Authority, in consultation with the Scottish Environment Protection Agency, the Water Authority and Building Standards Authority. For the avoidance of doubt, foul drainage shall be by means of a connection to the public sewer. All proposals thereby approved shall be implemented prior to occupation of the houses

Reason: In order to ensure that the site is properly drained, and for the avoidance of doubt.

11 No development shall commence on site until evidence is exhibited to the Planning Authority that an agreement has been reached by the applicant with Scottish Water to the provision of a drainage and/or water scheme to serve the development.

Reason: In order to ensure that the necessary pre-condition(S) for commencement of use of the development are met.

12 All access arrangements shall be provided to the satisfaction of the Planning Authority in accordance with the Roads Authority. For the avoidance of doubt, all roads and footpaths shall be constructed to the adoptive standards of the Roads Authority and no buildings shall be constructed until such time as Road Construction Consent has been granted for the site access roads.

Reason: In the interests of road safety and for the avoidance of doubt.

13 The permission is hereby granted on the basis that the development of the site shall include at least 25% affordable housing units within the terms of the Council's Structure Plan Policy H5 and Supplementary Development Plan Policy Guidance on Affordable Housing. Prior to the commencement of development, detailed proposals for ensuring that the units of affordable housing are to be made available shall be submitted to and require the approval in writing of the Planning Authority.

Reason: In order to meet the objectives of the Council's policy with respect to the provision of low-cost accommodation for local persons and for the avoidance of doubt.

Unless otherwise approved in writing by the Planning Authority, hours of operation 14 on the site shall be restricted to 7.30am to 7.00pm Monday to Friday and 7.30am to 1pm on Saturdays, with no Sunday working.

Reason: In the interests of residential amenity, in order to avoid disturbance and nuisance, and for the avoidance of doubt.

15 Within 6 months from the date of this permission, the developer shall submit for the approval in writing of the Planning Authority a detailed landscaping plan, to include details of phasing, a maintenance programme specifying weed control; adjustment / replacement of shelters, stakes and ties; formative pruning; and replacement of failures, and a method statement, specifying the quantity, position, size, species and protection measures (tree shelters, stakes and ties) of all trees/shrubs to be planted together with an indication of how they integrate with the proposal in the long term. All trees shall be retained in perpetuity and any failures shall be replaced within the next planting season, unless otherwise agreed in writing with the Planning Authority. For the avoidance of doubt, a 20m deep tree belt shall be planted and thereafter maintained in perpetuity by the developer along the southwestern edge of the site adjacent to the A836. The tree belt shall be planted before the occupation of the first house.

Reason: In the interest of residential amenity and for the avoidance of doubt.

16 Houses on plots 16, 17, 22, 31 shall be single storey only.

Reason: In the interests of residential amenity and in order to protect the setting of the Carrieblair Stone Circle and Cist, and the Clach Chairidh Symbol Stone Scheduled Ancient Monuments.

#### Informative

The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network at the appropriate time. It is important to note that the granting of planning consent does not guarantee a connection to Scottish Water's assets. The applicant must contact Scottish Water Operations Technical Support Team to ascertain what measures are to be taken to protect this apparatus. A connection to the public sewer network system is dependent on the spare capacity at the time of application for a sewer connection. A supply from the public water network is dependent on spare capacity at the time of application for a water connection.

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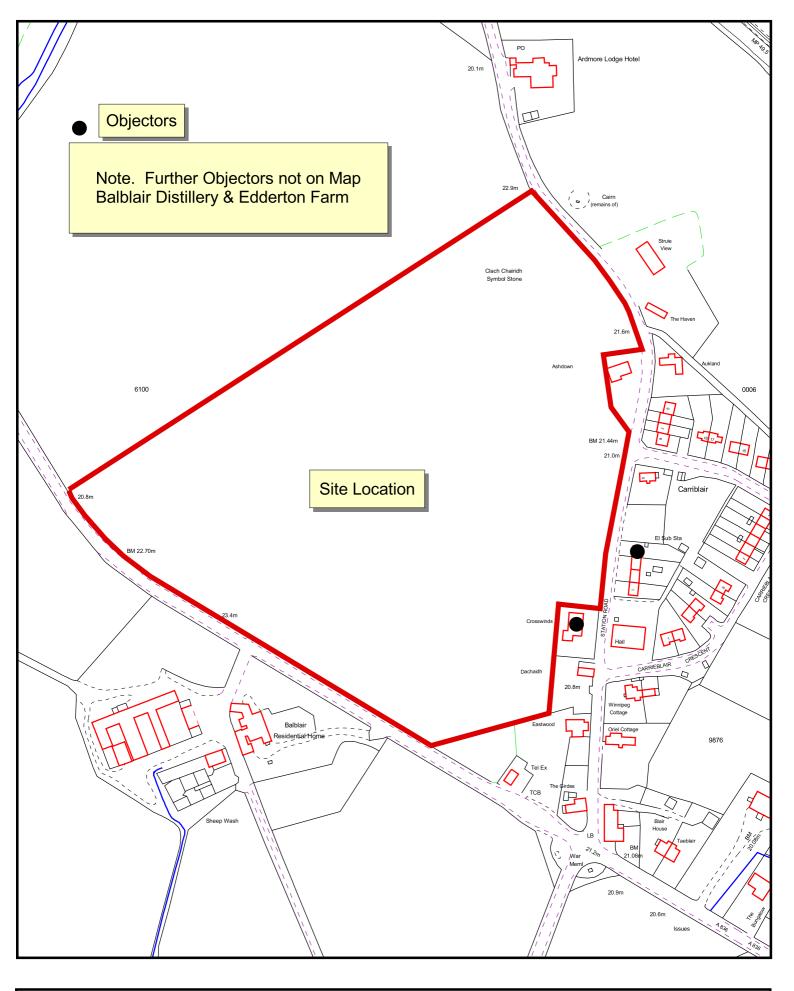
Signature:

Designation: Area Planning and Building Standards Manager

Author: Bob Robertson 01862 812044

Background Papers: As referred to in the report above and case file reference number 06/00483/FULSU

Date: 14 August 2007





06/00483/FULSU

Erection of 4 no. affordable 3 bedroom semi detached villas, 6 no. affordable 2 bedroom semi detached single storey houses and 30 no. private plots. Formation of new access onto public road (As amended) at Land 150m NW of Edderton Village Hall, Edderton.

Caledonian Forestry per Bracewell Stirling Architects 5 Ness Bank Inverness.

1:2500

Date: 26 July 2007

#### SUPPLIED BY THE HIGHLAND COUNCIL

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