**THE HIGHLAND COUNCIL**

**CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING APPLICATIONS AND REVIEW COMMITTEE**
**23 OCTOBER 2007**

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| Agenda Item | 4.8 |
| Report No | 31/07 |

**07/00372/FULCA: alterations to workshops (revised plans) at units north west of Radio Station, Neil Gunn Drive, Ormlie Industrial Estate, Thurso.**

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

## 1. BACKGROUND

1.1 Members will recall that a situation has arisen at Ormlie Industrial Estate, Thurso whereby industrial units were being erected on the industrial estate in terms of planning permission reference 03/00434/FULCA granted on 4 December 2003 but where the units being erected are not the same as those which had been approved. That being the case, the developer was instructed to cease operations and to apply for planning permission for the units he was erecting. That application was duly submitted. The difference between the units, ostensibly, was that the originally approved units had an external height of 4m to the eaves and 8m to the roof ridge but the revised units, the subject of the current planning application, have a height of 5.6m to the eaves and 7.2m to the ridge. The footprint of both proposals is the same, and both proposals comply with the Local Plan, being industrial units on land allocated for industrial purposes. The original application attracted no objections from the public but the revised (current) application has attracted 8 letters of objection from residents of the adjacent residential area. A copy of the report of the Area Planning and Building Standards Manager to the Caithness, Sutherland and Easter Ross Planning Applications and Review Committee of 28 August 2007 is appended to this report.

1.2 The recommendation to the Committee was that the revised application should be granted permission. The Committee, however, decided to continue consideration of the application in order for a site inspection by Members to take place and thereafter to make its decision.

1.3 The site inspection duly took place on Tuesday 4 September 2007 following which a Special Meeting of the Committee was held in the Pentland Hotel, Thurso (copy of the minute of the meeting attached) at which the Committee agreed to continue consideration of the application until a future meeting in order to offer the applicant the opportunity to produce to the Planning Officer a scheme for improving the appearance of the front elevation of the building using appropriate materials and landscaping and boundary treatments which would ameliorate the impact of the building on neighbouring properties to the satisfaction of the Committee.

## 2. UPDATE

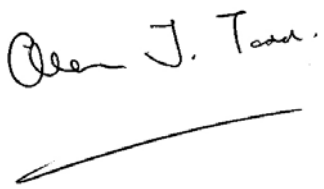
2.1 Communication was thereafter duly made to the applicants' agent advising him of the decision of the Committee following which a number of letters have been received enclosing several plans. The two most pertinent plans are attached to this report.

Drawing No 09 rev C shows a new treatment to the front elevation whereby the metal wall cladding has been replaced by Skye Marble dry dash roughcast blockwork and Duck Egg stained vertical larch cladding.

Drawing No 10 rev A shows the proposal for a 4m wide embankment adjacent to the road to have 50% grass and 50% shrub planting, the shrubs having to be species which grow to no more than 0.9m in height in order not to interfere with traffic visibility splays.

## 3. CONSIDERATION

3.1 Committee is invited to decide whether these amended proposals now satisfy its previous concerns. If they do then it would be appropriate to grant permission subject to the conditions which I recommended in my original report on the application to the Committee which met on 28 August 2007.

Signature: 

Designation: Area Planning & Building Standards Manager

Author: Iain Ewart, Team Leader (01955 607751)

Background Papers: As referred to in the report above and case file reference number 07/00372/FULCA

Date: 12 October 2007

**THE HIGHLAND COUNCIL**

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|---|---|
| Agenda Item | |
| Report No | |

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

**07/00372/FULCA: alterations to workshops (revised plans) at units north west of Radio Station, Neil Gunn Drive, Ormlie Industrial Estate, Thurso.**

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


**SUMMARY**

Planning permission was granted for the erection of six Class 5 industrial units at Plot C. Ormlie Industrial Estate, Thurso on 4 December, 2003 under reference 03/00434/FULCA. Those units had an external height of 4 metres to the eaves and 8 metres to the ridge. The developer now wishes to erect different units having the same footprint but instead of the previous dimensions the proposed units are 5.6 metres to the eaves and 7.2 metres to the ridge. 8 letters of objection have been received. The proposal complies with the Local Plan.

**The Recommendation is to GRANT planning permission.**


Applicant: E. Petrie, Painters, Park Lane, Thurso.

Ward No: 2 – Thurso

## 1. PROPOSAL

1.1 This site is a flat vacant development platform at the north west of the Ormlie Industrial Estate. Until recently it has been overgrown and lacking maintenance. The proposal is in detail and is to erect a terrace of six industrial units, the building being a total of 108 metres in length and 10.9 metres in depth. The proposed units have a height of 5.6 metres to the eaves and 7.2 metres to the ridge. The units are proposed to be finished in box section metal cladding. Access to the site is from the existing Neil Gunn Drive which was constructed to allow development of sites such as this for industrial purposes.

## 2. PLANNING HISTORY

2.1 Planning permission for the erection of six Class 5 industrial units was granted at this site under reference 03/0434/FULCA on 4 December, 2003.

## 3. PUBLIC PARTICIPATION

3.1 The applicant has carried out the required neighbour notification and as a result a total of 8 letters of objection have been received.

Representations relate to the following:

- No recollection is made in the locality of neighbour notification of the previous application.
- Development has commenced at the site on the current proposals before planning permission had been granted.
- The design of the building is not in keeping with a domestic neighbourhood.
- Height of the building.
- Site safety.
- Noise levels.
- Nuisance caused by alarms going off.
- Increased traffic.

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 **Highland Council Contaminated Land Unit**: No objections

4.2 In the course of processing the previous application the Area Roads and Community Works Manager, Scottish Water and Thurso Community Council were consulted and none had objections.

## 5. POLICY

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

**Highland Structure Plan** (2001)

- G2 Design for Sustainability

**Caithness Local Plan** (2002)

- General Policy I – Council will maintain or promote industrial uses.

- Policy 25 of the Thurso Chapter of the Caithness Local Plan states that at Ormlie Industrial Estate most of the remaining undeveloped land served by Henderson Street is available for light industrial purposes.

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.

## 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 provisions of the Caithness Local Plan as this site is allocated for industrial uses.

6.4 The proposal is not considered to have significantly detrimental impact on individual or community amenity and therefore accords with Policy G2. Furthermore the proposed units are standard industrial design quality and similarly accord with the provisions of Policy G2.

6.5 No technical difficulties have been highlighted in determining this or the previous application by any of the consultees.

6.6 With regard to the objections received and summarised in paragraph 3.1 I would respond as follows:

- The applicant's agent certified that all of the neighbours had been notified when the previous application was submitted.
- I agree that the development should not have proceeded on the erection of these units which as yet do not have planning permission in their amended form. That is why building has been stopped.
- This is not a residential area. It is part of an industrial estate and the design and finishes of the units are of acceptable industrial standards.
- This proposed building is actually 0.8 metre lower that the building which was previously approved (7.2 metres compared to 8.0 metres) albeit it is higher to the eaves (5.6 metres compared to 4.0 metres). The revised configuration allows greater flexibility of use of the buildings.
- Site safety is a matter for the contractor and not one relevant to the consideration of the planning application.
- Noise levels should not be unduly troublesome and if any such problem does arise then the Council has power to take action as Environmental Health Authority. Appropriate conditions are recommended.
- Alarms can go off in domestic premises as regularly as other commercial or industrial premises and I do not consider that this should be a problem.

- The Area Roads and Community Works Manager has no misgivings as regard to traffic levels and indeed the roads leading to the site were built specifically for this purpose.

## 7.0 CONCLUSION

7.1 In conclusion the proposal is considered to be acceptable and I recommend that planning permission is granted subject to the same conditions as attached to the previous consent.

**RECOMMENDATION: Grant planning permission subject to the following conditions.**

1. The developer shall ensure that all plant, machinery or equipment installed or forming part of the development including any mechanical extraction, ventilation or refrigeration systems shall be of such a type so designed and installed and thereafter operated and maintained such that noise levels at the nearest noise sensitive properties are not increased. In order to demonstrate this to be the case, prior to the commencement of development the developer shall carry out a background noise survey using a methodology to be approved by the Planning Authority in consultation with the Environmental Health Authority the results of which shall be submitted to and require the approval of the Planning Authority in consultation with the Environmental Health Authority.

Reason:- In the interest of residential amenity and in order to avoid disturbance and nuisance.

2. Noise arising from the erection, construction, alteration or repair of buildings, structures or roads in connection with this planning permission shall be inaudible within any noise sensitive properties between 20.00hrs and 07.00hrs on the following day.

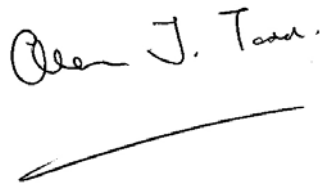
Reason: In the interests of residential amenity and in order to avoid disturbance and nuisance.

3.Any music vocals, amplified sound or similar noise shall be so controlled as to be inaudible within any noise sensitive property.

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

4. This permission only relates to the use of non hazardous substances. The use of any hazardous substances as outlined in the appendix section to the questionnaire for planning applications involving industrial or commercial use shall require the express approval in writing of the Planning Authority.

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

Signature: 

Designation: **Area Planning and Building Standards Manager**
**Caithness Sutherland & Easter Ross**

Author: Iain Ewart 01955 607751

Background Papers: As referred to in the report above and case file Ref No: 07/00372/FULCA

Date 17 August, 2007

Minute of Special Meeting of the Caithness, Sutherland and Easter Ross Planning Applications and Review Committee held in the Pentland Hotel, Thurso on Tuesday 4 September 2007

**Present**
Mr D Mackay
Mr R Rowantree
Lady M Thurso
Mr G Smith
Mr D Bremner
Mr R Coghill

**Non-Members also present:**
Mr D Flear
Mr W Mackay

**In Attendance:**
Mrs F Sinclair, Area Solicitor
Mr I Ewart, Team Leader, Planning and Development Service

**Mr D Mackay in the Chair**

**1. Apologies for Absence**

Apologies for absence were intimated on behalf of Mr J McGilliviray, Mr M Rattray and Mrs C Wilson all on other Council business, and Mr G Farlow, Mr W Fernie, Mr W Ross and Mr R Durham.

**2. Planning Application**

**Alterations to Workshops (Revised Plans) at Units to North West of Radio Station, Neil Gunn Drive, Ormlie Industrial Estate, Thurso for E Petrie (07/00372/FULCA)**

There had been re-circulated report PLC-22-07 by the Area Planning and Building Standards Manager recommending approval of the application 07/00372/FULCA by E Petrie for alterations to workshops (revised plans) at Units to north west of Radio Station, Neil Gunn Drive, Ormlie Industrial Estate, Thurso. At its meeting on 28th August 2007, the Committee had agreed to continue consideration of the application, pending a site inspection to be held on Tuesday 4 September 2007 at 10.30am with particular reference to the level of the site of the proposed development in relation to the level of the neighbouring housing development.

Immediately prior to the meeting all members present at the meeting had gathered at Neil Gunn Drive to inspect the site at 10.30 am accompanied by Mr Ewart, Mrs Sinclair and a number of objectors.

Mr Ewart explained that the building under construction was different to the proposal which had been granted planning permission. An application for retrospective planning permission had then been made and eight letters of objection had been received, the grounds of which had been narrated in paragraph 3.1of the Committee report.

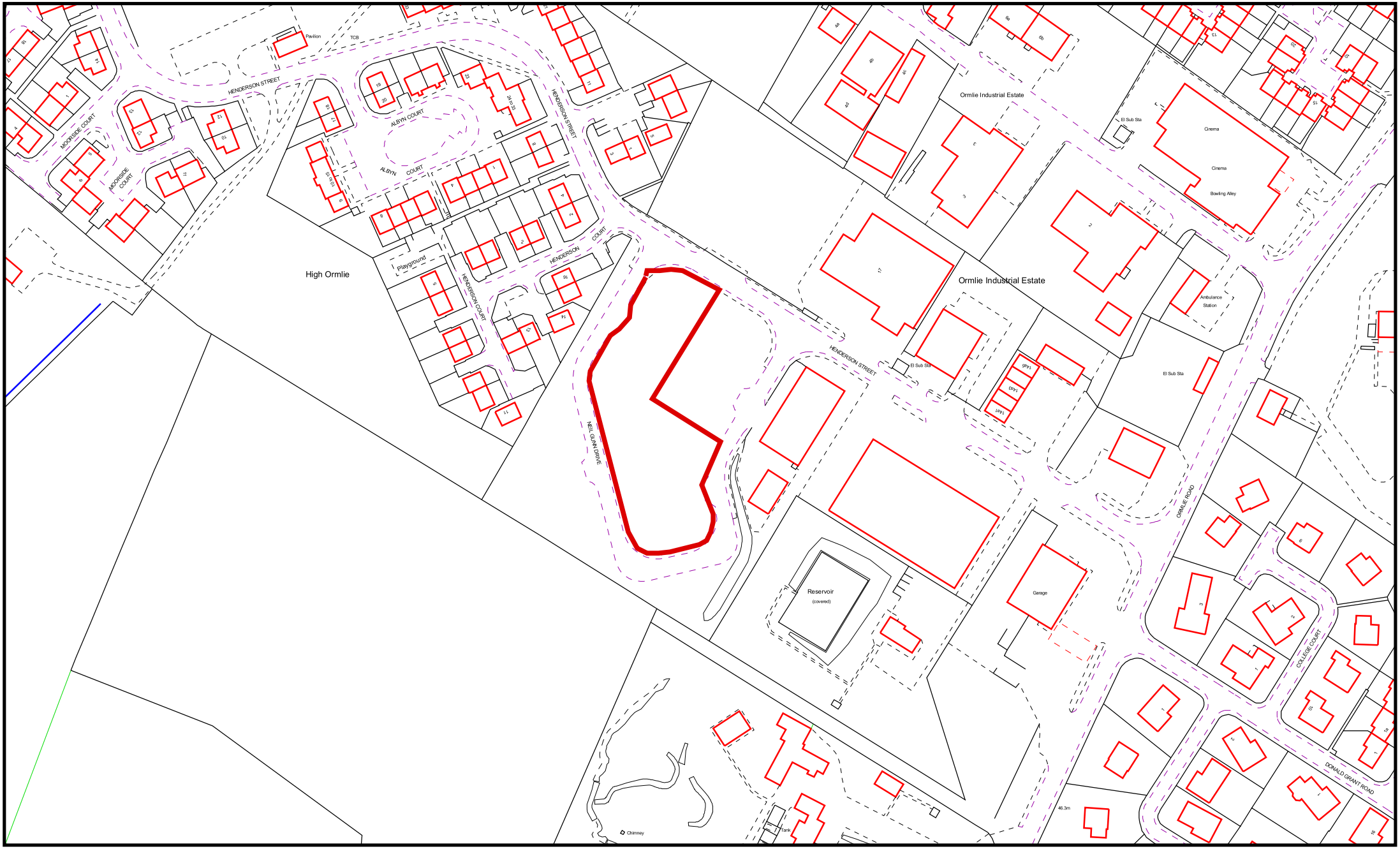
With reference to the suggestion made at the meeting on 28th August that the application site had been raised as part of this development Mr Ewart explained that an application had been granted in 1989 for construction of Neil Gunn Drive and the formation of development platforms for industrial development. The site of the development under consideration had at that time been made up to its existing level. The objectors live in a residential area neighbouring the industrial site. Mr Ewart advised the Committee that although development had commenced without planning consent the units under construction are standard industrial units and not overly intrusive. He invited the Committee to consider the application on its merits.

During discussion, the Committee members expressed grave concern that the development had commenced without planning permission. Members considered the conditions which had been attached to the original consent for the formation of the development platforms in 1989, noted that although the present development was located in an area designated for industrial use it was on the boundary of a residential area and considered that the landscaping and boundary treatments should be given special consideration because of this.

Following discussion, the Committee agreed to continue consideration of the application until a future meeting in order to afford the applicant the opportunity to produce to the Planning Officer a scheme for improving the appearance of the front elevation of the building using appropriate materials and landscaping and boundary treatments which ameliorated the impact of the building on neighbouring properties to the satisfaction of the Committee.

**3. Next Meeting**

The Committee agreed that to cancel the next meeting of the Committee scheduled to take place on 18th September, there being insufficient urgent business. The Committee noted that the next meeting of the Committee will therefore take place in Wick on Tuesday 23rd October.

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The Highland Council
Comhairle na Gaidhealtachd
SERVING The Highland Community

# 07/00372/FULCA - Alterations to workshops (Re-application) at Units North West of Radio Station Neil Gunn Drive Ormiie Industrial Estate Thurso

***SUPPLIED BY THE HIGHLAND COUNCIL***

*15 August 2007*

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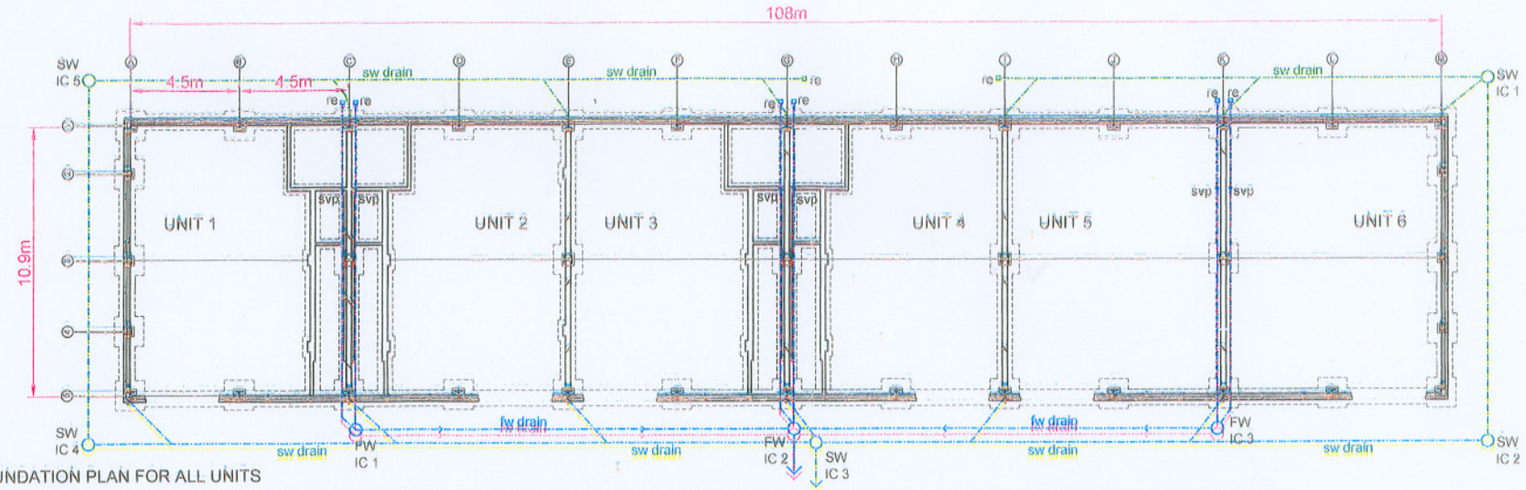
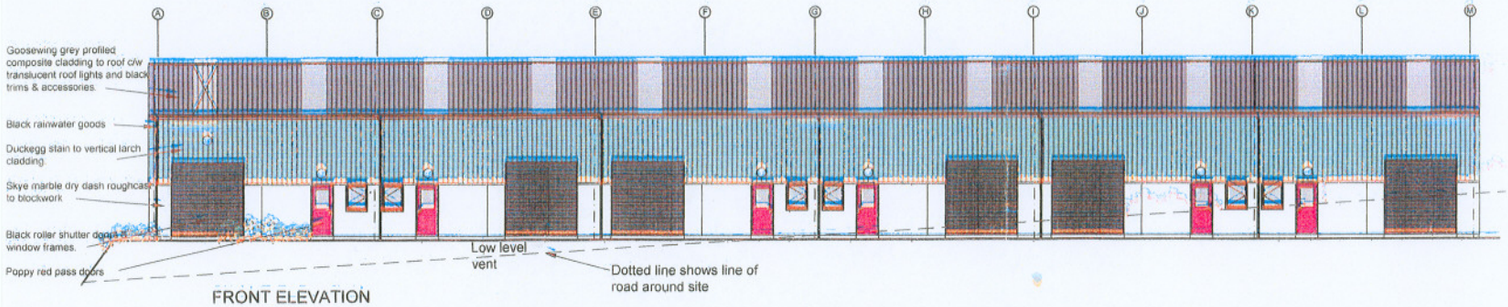
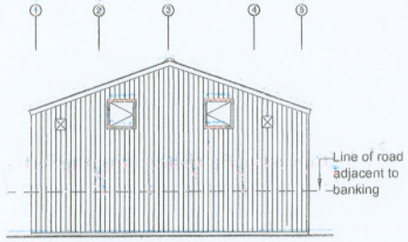


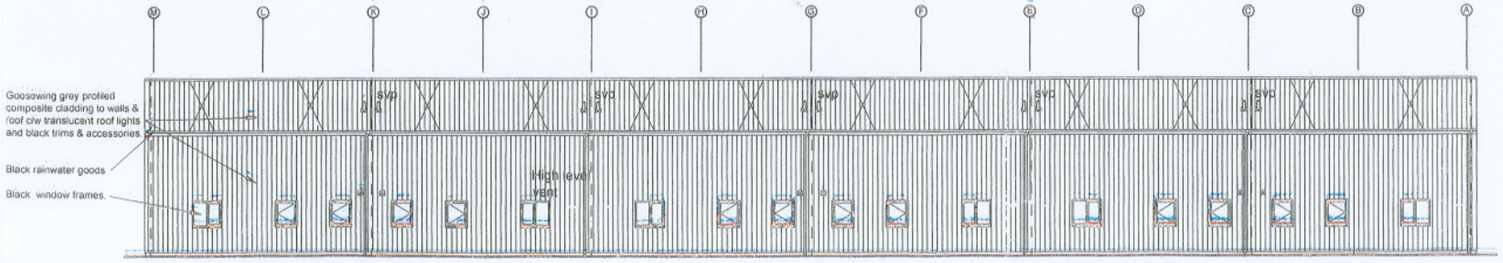

FOUNDATION PLAN FOR ALL UNITS



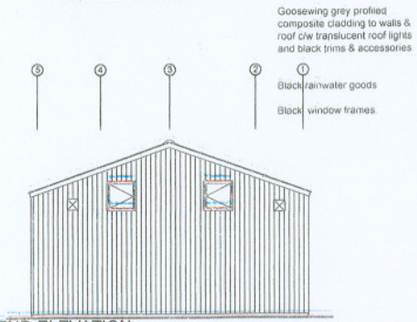

FRONT ELEVATION




END ELEVATION




REAR ELEVATION




END ELEVATION

Rev A: 12.02.07 - High & low level vents shown to each unit

Rev B: 26.04.07 - Cladding extended to basecourse level; 3no. windows added to each unit at Rear Elevation & rear personnel doors removed; Windows at Front Elevation reduced in width. Front personnel doors moved; Extract fans moved from Front to Rear Elevation; Window position altered on End Elevation.
Internal wall founds handed. Units 3 & 4 to have internal walls & foundations as for Units 1 & 2; Drainage shown

Rev C: 04.09.07 - Front Elevation amended to show blockwork up to 2.1m above ground level & larch boarding above up to eaves level.

KNIGHT & McDONALD ARCHITECTS
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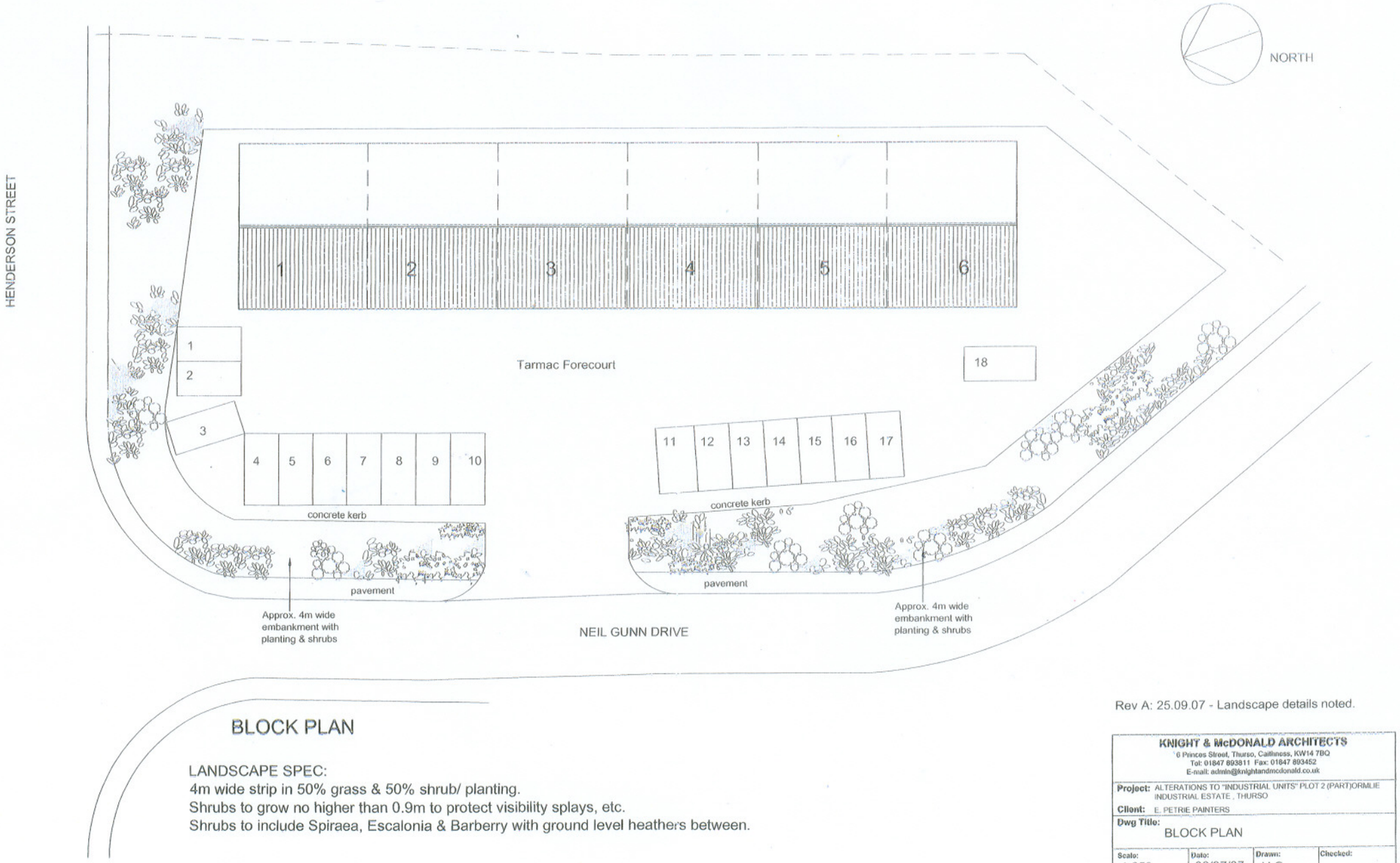
E-mail: admin@knightandmcdonald.co.uk

| | |
|---|---|
| Project: | NEW STORE/ OFFICES AT ORMLIE INDUSTRIAL ESTATE |
| Client: | MR E PETRIE |
| Dwg Title: | PROPOSED ELEVATIONS |

| Scale: | Date: | Drawn: | Checked: |
|---|---|---|---|
| 1:200 | 19.10.06 | DM | |
| **Job No:** | **Code:** | **Dwg No:** | **Rev:** |
| 16376 | A1(0) | 09 | C |




## BLOCK PLAN

LANDSCAPE SPEC:
4m wide strip in 50% grass & 50% shrub/ planting.
Shrubs to grow no higher than 0.9m to protect visibility splays, etc.
Shrubs to include Spiraea, Escalonia & Barberry with ground level heathers between.

Rev A: 25.09.07 - Landscape details noted.


**KNIGHT & McDONALD ARCHITECTS**
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E-mail: admin@knightandmcdonald.co.uk


**Project:** ALTERATIONS TO "INDUSTRIAL UNITS" PLOT 2 (PART)ORMLIE INDUSTRIAL ESTATE , THURSO

**Client:** E. PETRIE PAINTERS

**Dwg Title:** BLOCK PLAN

| Scale: | Date: | Drawn: | Checked: |
|---|---|---|---|
| 1:250 | 06/07/07 | H.C | |
| **Job No:** | **Code:** | **Dwg No:** | **Rev:** |
| 16376 | AL(0) | 10 | A |