THE HIGHLAND COUNCIL

CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING APPLICATIONS AND REVIEW COMMITTEE – 19 May 2009

Agenda Item	4.2
Report No	23/09

09/00020/FULCA - Erect One Two Storey Block Containing Six Apartments at Plot 21, Oldwick, Wick

Report by Area Planning and Building Standards Manager

SUMMARY

Re-application is made for the erection of one two storey block containing six apartments. This application has been brought to Committee for determination as there are five objections to the proposed development from local residents and interested parties. The grounds of objection relate to the development being out of character with the surrounding area, overlooking and road safety issues.

The Area Roads and Community Works Manager has not objected to the proposals submitted subject to conditions. The proposal is considered to comply with the provisions of the Development Plan.

The Recommendation is to GRANT planning permission subject to conditions.

Ward Number 3 – Wick

Applicant – M M Miller (Wick) Ltd, Miller House, 55 Macrae Street, Wick, KW1 5QW

1. PROPOSAL

1.1 The application is made in detail to erect a one two storey block containing six single storey apartments. Each apartment contains 2 bedrooms, a kitchen, living room and a bathroom. The site comprises rough grassland and a hard standing area used for the storage of building materials and plant machinery. The site slopes down to the north. The site is loosely enclosed by a one metre high post and wire rear garden fence from the nearest properties 'Golsary' and 'Scaraben'. The majority of buildings in and around the immediate site are single storey dwellings.

2. PLANNING HISTORY

- 2.1 Most recent: 08/00394/FULCA: Erect one two storey block containing six single storey apartments. The proposal attracted 22 objections from local residents and interested parties including a petition letter with 42 signatories. The application was refused under delegated powers on 6 January 2009 on the grounds that there was insufficient information accompanying the application to enable the Council to properly consider its determination.
- 2.2 98/00349/FULCA: Formation of roads and site services granted 14 March 2007.

3. PUBLIC PARTICIPATION

- 3.1 Five letters of objection have been received from local residents and interested parties to this current application. The grounds of objection can be summarised as follows:
 - 1) The plots are very close to the rear of existing properties along Oldwick Road. The windows of neighbouring houses look straight onto the proposed development.
 - 2) The proposed two storey flatted development will be incongruous and out of character with the surrounding area.
 - 3) The proposed two storey flatted development due to its close proximity to adjoining residential properties will cause a loss of view, overlooking and a loss of privacy.
 - 4) The six apartment flatted development will have a much higher density than otherwise would be allowed for the site and this would result in increased traffic, noise and disturbance. Concern is also expressed about the potential client group that the development would be aimed at.

4. CONSULTATIONS

4.1 Internal Consultees

Area Roads and Community Works Manager - No objections subject to conditions.

Contaminated Land – No objections.

4.2 External Consultees

Scottish Water – Previous application 08/00394/FULCA – No objections however indicated that no guarantees could be made to connection to Scottish Water's infrastructure. A separate application would be required to be submitted to Scottish Water if Planning Permission is granted.

It is possible that the proposed development may involve building over or obstruction to existing Scottish Water infrastructure. On receipt of any application made to Scottish Water, the developer would be advised of their requirements.

5. POLICY

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

Highland Structure Plan

• G2 Design for Sustainability

Caithness Local Plan

- Wick Chapter Policy E 29 'c' whereby the site is set aside for residential development with an indicative site capacity for 80 houses.
- 5.2 The proposal requires to be assessed against the following relevant Scottish Planning Policies (SPP's); National Planning Policy Guidelines (NPPG); and Planning Advice Notes (PANs).
 - Scottish Planning Policy

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 The proposed development is considered to accord with the provisions of the Development Plan. Although the proposed development will result in the number of units within the overall allocated site being raised from the **indicative** capacity of 80 identified in the Local Plan to at least 84, this is still considered to be within reasonable limits for the site. The capacity threshold in this particular case is considered to be a guideline to what would be an acceptable level and density of buildings on site.

- In response to the objections received regarding the size and nature of the proposed development, it is accepted that the site is prominent, and that the proposed building is indeed a two storey flatted development containing six apartments. However, that in itself is not necessarily a reason to merit refusal of the application. Although most of the properties in the area are single storey in nature, it is not unreasonable to expect a degree of mix of house style in a larger development such as this. The development has been designed to have the form and appearance of a terraced structure containing three units of development, and the use of quoins and window surrounds give it a more acceptable appearance. The applicant has amended the proposals to try and reduce their impact and as a consequence the proposed development is now more sympathetic in scale and appearance.
- 6.5 In terms of its separation from adjoining properties, the Council's minimum 'standard' for window to window distances is 18 metres. The applicant has demonstrated that such a degree of separation can be achieved in this instance.
- 6.6 Finally, with respect to the objections received regarding access and road safety issues, the Area Roads and Community Works Manager has not objected to the proposal as submitted and has confirmed that the proposed access and parking arrangements are now acceptable subject to appropriate conditions.

7. CONCLUSION

7.1 Given all the above and that the Area Roads and Community Works Manager no longer objects to the proposed development, this application is recommended for approval.

RECOMMENDATION

Grant planning permission subject to the following conditions:

1. Except as otherwise provided by the terms of this permission, the developer shall construct the development in accordance with the plans and supporting information 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.

2. Before any of the apartments hereby approved is occupied, the vehicular access thereto from the public road shall be surfaced to at least base course level.

Reason: In the interests of amenity.

- 3. Each driveway to be constructed shall
 - a) be a minimum of 3.3 metres wide;
 - b) be hard surfaced for a minimum distance of 6 metres from the rear of the public footway;
 - c) be provided with a visibility splay of 2.5 metres by 30 metres which must be maintained at all times; and

d) have drop and bullnose kerbing with the footway lowered across its width. Parking areas shall be constructed to a bound finish for a minimum distance of 6 metres from the rear of the footway. Any access to parking areas shall be at least 15 metres from the road junction. Any wall shall not exceed 1 metre in height.

Reason: In the interests of road safety.

4. Before any of the apartments hereby approved is occupied, two car parking spaces shall be constructed within the curtilage of each apartment and shall be maintained thereafter.

Reason: In the interests of amenity.

5. Notwithstanding the provisions of Class 7 of Schedule 1 to 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, the express approval of the Planning Authority shall be required for any gate, fence, wall or other means of enclosure which extends beyond the building line of the block of apartments on any side of the apartments where its curtilage is bounded by a road.

Reason: In the interests of residential amenity.

Condition 5 restricting development in front of the building line, is a standard condition for the Oldwick Site.

6. Prior to commencement of the development a detailed scheme of landscaping shall be submitted to and approved in writing with the Planning Authority. All planting subsequently approved shall be undertaken in the first planting season following first occupation of the apartments.

Reason: In the interests of visual amenity.

7. Prior to commencement of development, full details of the shared rear pedestrian access to properties shall be submitted to and approved in writing with the Planning Authority. Details shall include a summary of how this part of the site will be managed and maintained. The shared rear pedestrian access shall thereafter be formed and maintained in accordance with the approved details.

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

Signature: Allan J Todd

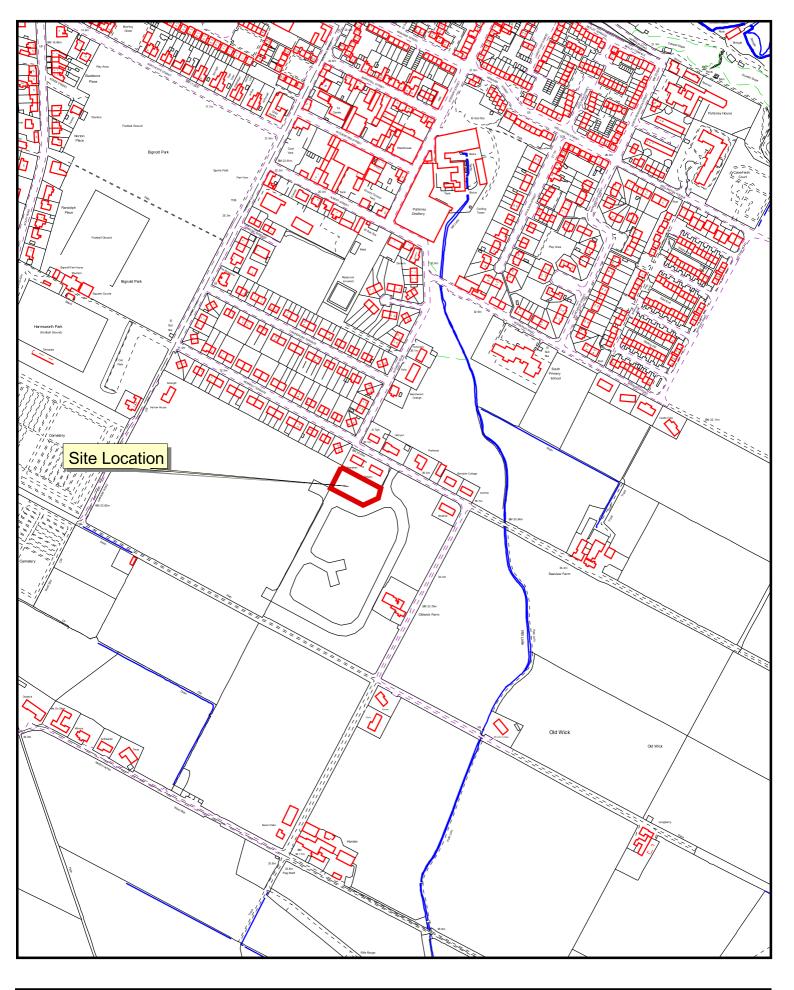
Designation: Area Planning & Building Standards Manager

Author: Andrew Parker 01955 607754

Background Papers: As referred to in the above report and case file reference number

09/00020/FULCA

Date: 6 May 2009





09/00020/FULCA

Erection of one, two storey block containing six single storey apartments at Plot 21, Oldwick, Wick.

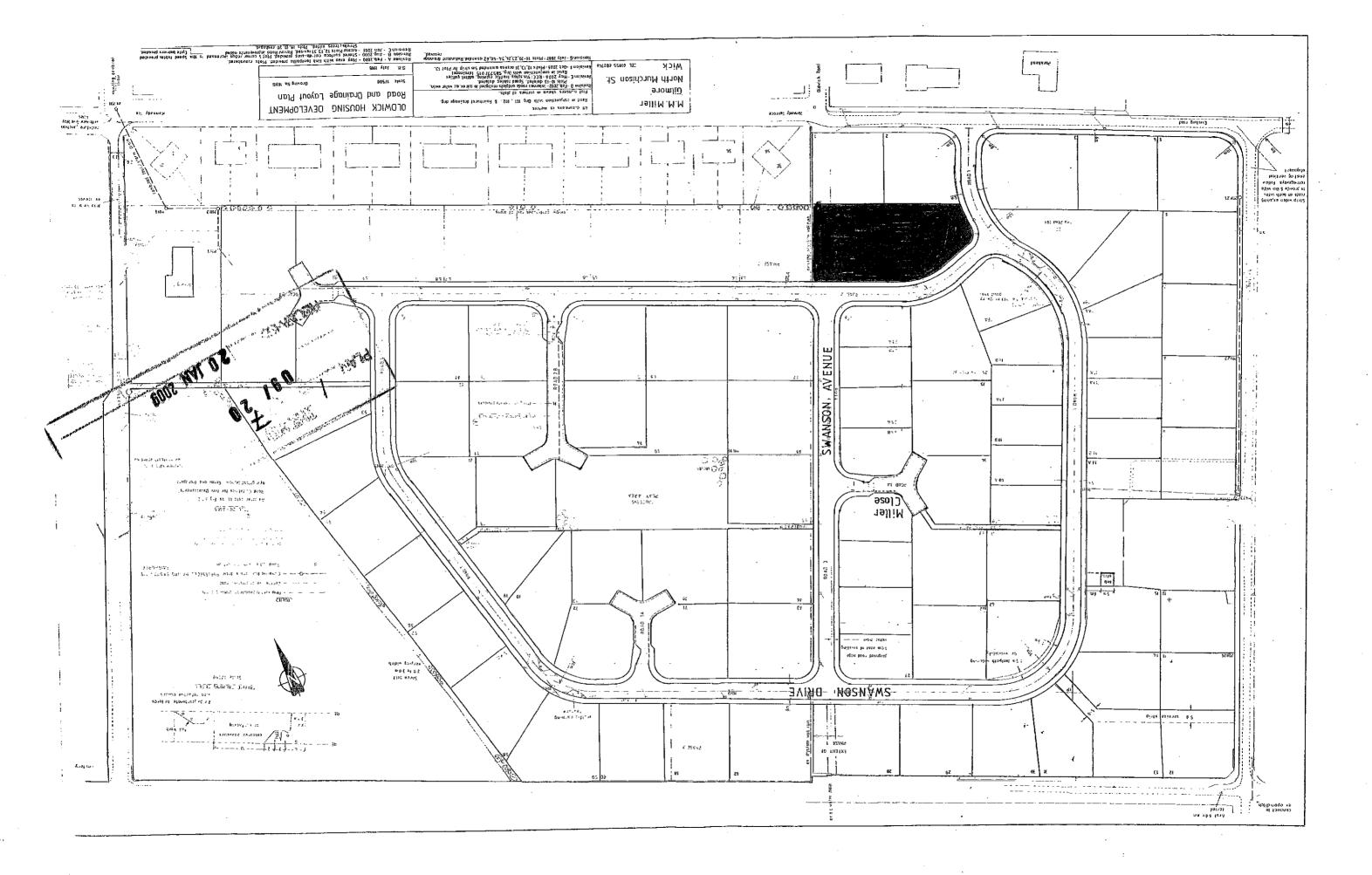
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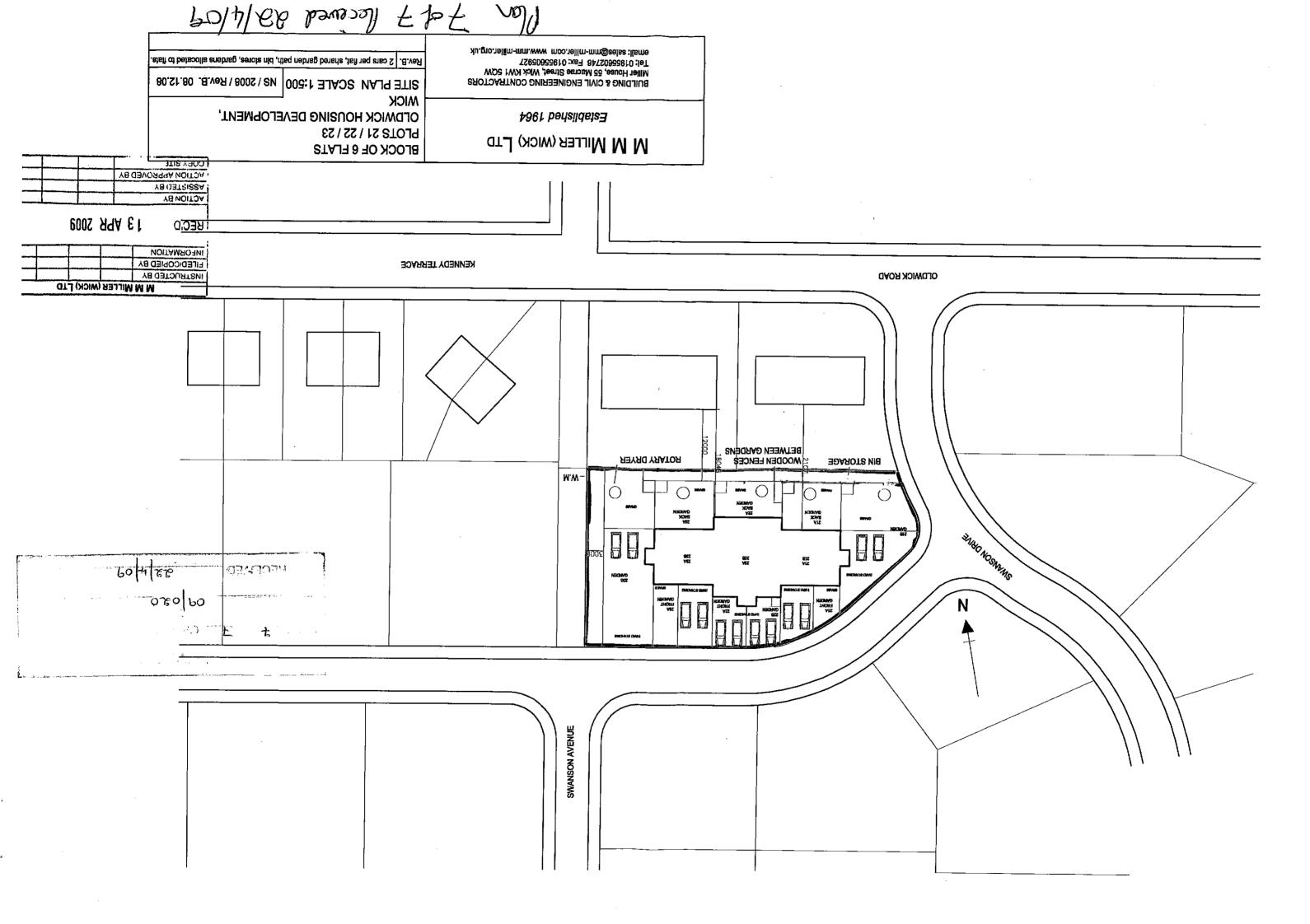


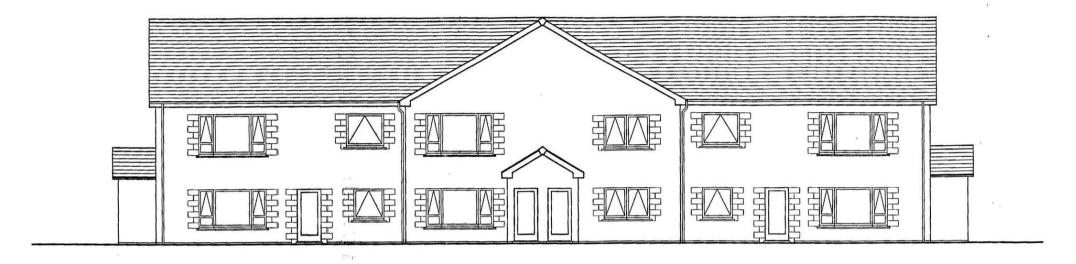
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SUPPLIED BY THE HIGHLAND COUNCIL

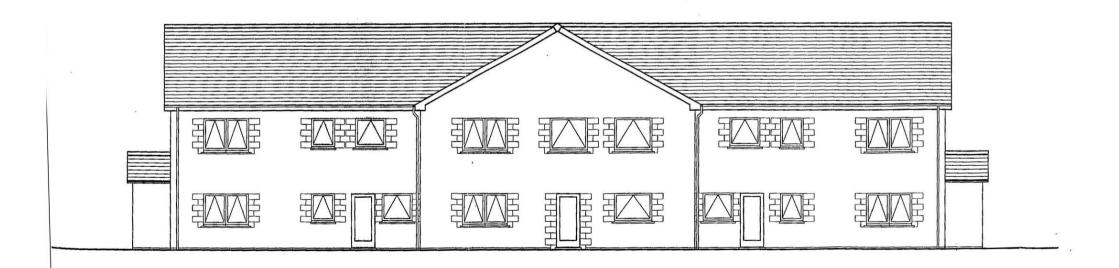
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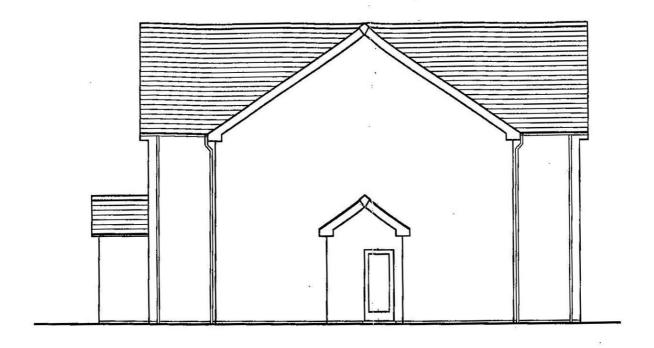






FRONT ELEVATION SCALE 1:100





END ELEVATION SCALE 1:100

