Agenda Item	6.6
Report No	PLS-009-21

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 03 February 2020

Report Title: 20/02155/FUL: Mr M. MacLeod

Riverbank, 22 Island Bank Road, Inverness IV2 4QS

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Alterations to house and formation of additional vehicular access

Ward: 15 – Inverness Ness-Side

Development category: Local

Reason referred to Committee: Member referral

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

Recommendation

Members are asked to agree the recommendation to **Refuse** planning permission as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 This proposal is to convert one of the twin garages to an en-suite, blocking-up the door-opening and inserting a upvc window, with other internal alterations to the kitchen and lounge. To the rear of the house, a new decking-platform will extend towards the river. An additional vehicular entrance is proposed to the southern end of the roadside boundary wall, with curved opening to match the existing; the new vehicular entrance is approximately 3.9m wide. Two trees are required for removal to facilitate the new opening, with additional tree-works proposed.
- 1.2 The site has an existing vehicular access onto Island Bank Road, to the NE-side of the road-frontage, which is approximately 3.4m wide.
- 1.3 Pre Application Consultation: none
- 1.4 Supporting Information: Private Access Checklist; Tree Survey.
- 1.5 Variations: None.

2. SITE DESCRIPTION

- 2.1 No.22 Island Bank Road is a detached bungalow which sits within its walled garden between the roadway and the River Ness. The house is white-rendered with a brick base-course, interesting half-moon arched entrance and bow-window; the roof is tiled and hipped either end, with a bowed dormer-window and frontage chimney.
- 2.2 The boundary wall onto Island Bank Road is masonry with stone-capping, behind which is a hedge, and a tall leylandii tree at the SW corner; the wall varies in height from 1.4 to 1.7m tall. Attached to the northern gable of the house is a twin-garage.

3. PLANNING HISTORY

3.1 23 Nov 2018 18/05429/PDENQ To alter the existing road Planning access (gated) and possibly add another Permission is access at the other end.

4. PUBLIC PARTICIPATION

4.1 Advertised: No

Date of neighbour notifications: 25.06.2020

Representation deadline: 18.07.2020

Timeous representations: 0

Late representations: 0

- 4.2 Material considerations raised are summarised as follows:
 - a) None

5. CONSULTATIONS

5.1 **Transport Planning Team**: "The proposed development is for the conversion of an existing garage to form additional living space and an additional private access at 22 Island Bank Road. Generally, the Council acting as the Roads Authority would expect one vehicular access be sufficient to serve a single house. This house is

served by an existing private vehicular access that joins Island Bank Road. An additional private access is being promoted. We haven't identified any supporting information in the application package that explains why an additional private access is being promoted. We don't recognise a need for a second access. If provided, the additional access would cause increased disruption to the free flow of pedestrians, cyclists and other road users on Island Bank Road, which we don't support. Notwithstanding the above, were a new driveway access that crosses a public footway is being promoted, we would seek an access layout that provides inter-visibility between drivers utilising the access and pedestrians, as per Figure 5.5 Driveway Visibility for Pedestrians in our guidelines. Reason: in the interest of public safety. For information, the appropriate driveway visibility for an urban road without footway provision and a 30mph speed limit is 2.4 metre by 45 metres, as per Table 5.3 of our guidelines. Consultation Summary: Based on our finding, we object to this development due to the introduction of a second private access at the single house development and that the access layout doesn't comply with Council guidelines."

- 5.2 Historic Environment Team: "My only concern with the proposal is the expanse of horizontal timber cladding supporting the raised deck, and how visible this may be from the Ness Islands. Efforts to soften/break up the cladded area would be advisable through a suitably recessive painted finish and/or planting a series of shrubs, climbers or small trees at the base. Otherwise, in conservation terms the application can be supported."
- 5.3 **Forestry Officer** supports the principle of these proposals, however indicates that "trees 7 & 8 cannot be consented for removal as they are outwith the red-line. A TPO tree work application would be required for the removal of these two trees. A further tree (5361) is recommended for re-pollarding and this is accepted. In addition, on the Site Plan Tree drawing, the architect has proposed the removal of category 8 tree (5363) in order to form a new vehicular access. I would have no objection to the loss of this tree providing adequate replacement tree planting is provided. There are no tree protection plans in support of the application. These will be required, but on this occasion they could be required as a condition of consent. There are no tree planting proposals in support of the application. These will be required, but could be as a condition of consent. Conclusion: I have **no objections** to the proposed development, subject to the following conditions: -

With effect from the date of this permission, no trees other than those specifically agreed are to be cut down, uprooted, topped, lopped (including roots) or wilfully damaged in any way, without the prior written permission of the planning authority. Reason: To ensure the protection of retained trees during construction and thereafter.

Prior to any site excavation or groundworks, a Tree Protection Plan is to be submitted to and subsequently approved in writing by the planning authority, in accordance with 8S5837:2012 (Trees in Relation to Design, Demolition and Construction). Thereafter all retained trees are to be protected against construction damage using protective barriers located as per the Tree Protection Plan. Barriers are to remain in place throughout the construction period and must not be moved or removed without the prior written approval of the Planning Authority. Reason: To ensure the protection of retained trees throughout the construction period.

A suitably qualified Arboricultural consultant must be employed by the applicant to

ensure that the Approved Tree Protection Plans are implemented to the agreed standard. Stages requiring supervision are to be set out in the AMS for the written agreement of the planning authority and certificates of compliance for each stage are to be submitted for approval. Reason: To ensure the protection of retained trees throughout the construction period.

No development shall commence until a Tree Planting Plan and maintenance programme has been submitted to and approved by the planning authority. The Tree Planting Plan shall be implemented in full during the first planting season following commencement of development or as otherwise agreed in writing by the planning authority. Reason: In the interests of amenity."

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

- 28 Sustainable Design
- 29 Design Quality & Place-making
- 34 Settlement Development Areas
- 51 Trees and Development
- 56 Travel
- 57 Natural, Built & Cultural Heritage
- 58 Protected Species
- 64 Flood Risk

6.2 Inner Moray Firth Local Plan 2015

No site-specific policies, refer to HwLDP

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Highland Council Supplementary Planning Policy Guidance

Access to Single Houses and Small Housing Developments (May 2011)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Sustainable Design Guide (Jan 2013)

Trees, Woodlands and Development (Jan 2013)

Roads and Transport Guidelines for New Developments (May 2013)

Historic Windows and Doors: Planning Guidance for Listed Buildings and Unlisted Buildings in Conservation Areas (May 2017)

7.2 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (The Scottish Government, June 2014)

Historic Environment Policy for Scotland (HEPS) May 2019

Historic Environment Circular 1 (June 2016)

Historic Environment Scotland – Managing Change in the Historic Environment Guidance Note Series

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 Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that the Planning Authority has to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Determining Issues

8.3 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.

Planning Considerations

- 8.4 The key considerations in this case are:
 - a) compliance with the development plan and other planning policy
 - b) impact on road safety
 - c) design and impact upon the Inverness Riverside Conservation Area
 - d) impact upon trees
 - e) any other material considerations

Development plan/other planning policy

8.5 The site lies with the defined Settlement Development Area of Inverness. Policy 34 Settlement Development Areas will judge proposals in terms of how compatible they are with the existing pattern of development and adjacent land uses. Furthermore Policy 28 requires that proposals will enhance community safety and security, as well as demonstrating sensitive siting and high-quality design inkeeping with local character. Providing that proposals are not significantly detrimental to individual and community residential amenity, have no significant adverse impact on existing infrastructure and would not adversely impact on built or natural heritage of the area the proposals would comply with the Development Plan.

Road Safety

- The agent has submitted a Private Access Checklist, as well as a plan indicating the visibility splays achievable by the proposed access; these indicate visibility splays of 15m, which are considerably below the required safety standard (of *at least* 45m) and to which Transport Planning has objected.
- 8.7 Visibility splays are measured from a point midway on a proposed access, 2.4m back from the edge of the carriageway, at a height of 1.05m (to replicate a typical driver's eye-line). Its worth noting that the 'Access to Single Houses and Small Housing Developments' guidance (adopted May 2011) requires a 90m visibility splay in each direction on a 30mph roadway. Table 5.3 in the 'Roads and Transport

Guidelines for New Developments' (May 2013) allows for 45/70m splays in a 30mph zone for minor/major residential streets; arguably Island Bank Road could be consider a major residential street, but Transport Planning has allowed the lower figure as it's a single-home access. The proposal does however fall far short of the minimum required safety standards.

Island Bank Road is a very busy road, which provides a quick connection from the ring-road/bypass to the city-centre, via the Holm roundabout. While it is a 30mph zone, traffic is considered to be generally fast as this is a relatively straight road with few interruptions to a driver's speed. Due to the historic pattern of development, with many large houses having been built on either side of the road, there are a proliferation of individual vehicular accesses directly onto the carriageway, which add an element of danger to road-users and pedestrians. No.22 Island Bank Road already has an access point onto the carriageway; to add another is to add to the existing proliferation and thereby to increase the potential dangers and risks to public safety. It's worth noting that the existing vehicular access to No.22 also fails to meet the safety standards; the agent queried whether blocking-this-up in favour of the proposed access would be viewed favourably, but exchanging one dangerous opening for another is not achieving anything positive.

Design and impact on Inverness Riverside Conservation Area

8.9 The external design elements of this proposal are three-fold: the new vehicular access; the infilled garage-door/window, and; the rear deck. In theory the new vehicular access can be formed with walls and gates to match the existing, so aesthetically it need not be an issue. Infilling the garage doorway with a window and rendered wall to match would also be acceptable. The proposed upvc window is however unacceptable within a conservation area. Policy 57 Natural, Built and Cultural Heritage requires that development must not have an unacceptable impact on the natural environment, amenity and the heritage resource. The Historic Environment Team has noted that the rear platform/deck is visible from Ness Islands and have requested that the platform be painted/stained in a dark colour to make it less visible, which could be conditioned.

Trees

8.10 Policy 51 Trees and Development notes that compensatory planting will be required for any removal. This has been noted by the Forestry Officer who has no objection to the removal of the large leylandii on the frontage, or other trees as noted, subject to a scheme of replacement planting being in-place and controlled by condition.

Other material considerations

8.11 None

9. CONCLUSION

9.1 The proposal fails to meet the basic minimum road-safety design guidance as setout in Highland Council standards. The proposal does not therefore comply with the Development Plan and other policies/guidance, primarily on road-safety grounds, but also in the use of upvc windows in the conservation area.

- 9.2 The proposal for upvc windows is contrary to Highland Council guidance for conservation areas and cannot be supported.
- 9.3 The proposed tree-works and extended deck to the rear could be supported, subject to conditions.

10 IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

It is recommended that planning permission be **Refused** for the following reasons:

Reasons for Refusal

- 1. The 15m visibility splays to the proposed new vehicular access are considerably below the Highland Council minimum standards and represent a serious risk to public safety, both to road users and pedestrians. The proposal would create a substandard access onto the Island Bank Road and fails to comply with the Roads and Transport Guidelines for New Developments' (May 2013) for the formation of the access meeting required visibility splays. The proposal would have an adverse impact on the safety and flow of traffic, and safety of pedestrians, on the local road network, contrary to policies 28 and 56 of the Highland-wide Local Development Plan, 2012.
- 2. The proposal for a new upvc window in the front of the building is unacceptable within the Inverness Riverside Conservation Area. This is contrary to Historic Windows and Doors: Planning Guidance as well as Policies 28, 29, 34 and 57 of the Highland-wide Local Development Plan, 2012.

Designation: Area Planning Manager – South

Author: Norman Brockie

Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 - 900 Location Plan

Plan 2 - 001 Site Plan - Trees

Plan 3 - 002 Rev.A Site Plan Visibility Splays
Plan 4 - 101 Rev.B Floor Plan/Elevations

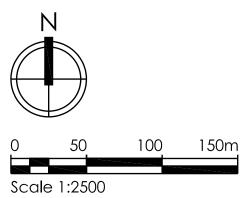
Plan 5 - 102 Rev.A First Floor Plan

Plan 6 - 105 Rev.A 3D View

Plan 7 - 110 Rev.A Floor Plans

Plan 8 - 1117-TCP Tree Constraints Plan

Plan 9 - Private Access Checklist



Rev Description Date

COLIN ARMSTRONG ARCHITECTS

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Mr & Mrs. M. MacLeod

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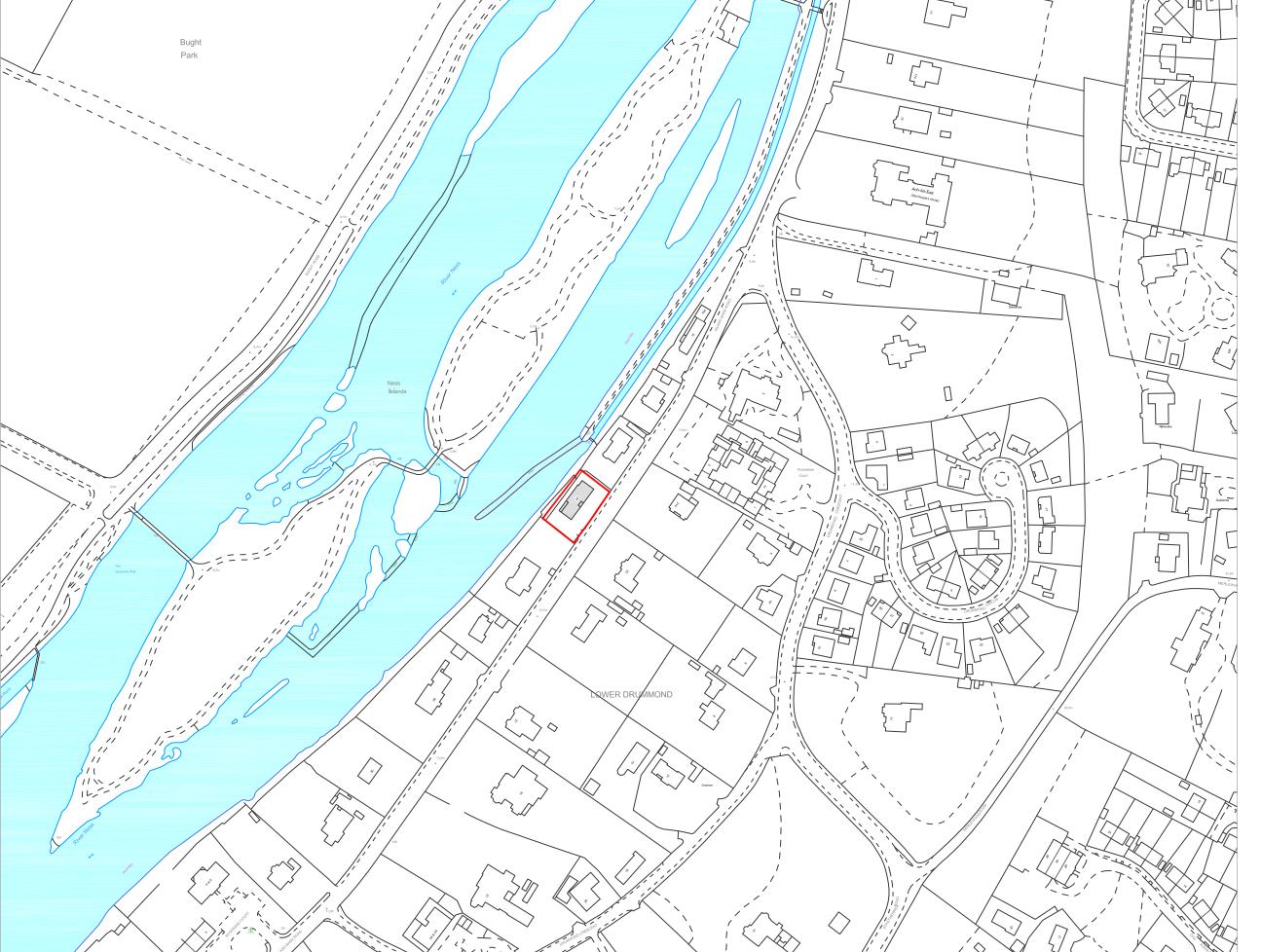
Proposed alterations to Riverside, 22 Island Bank Road Inverness IV2 4QS

Project No. 1937

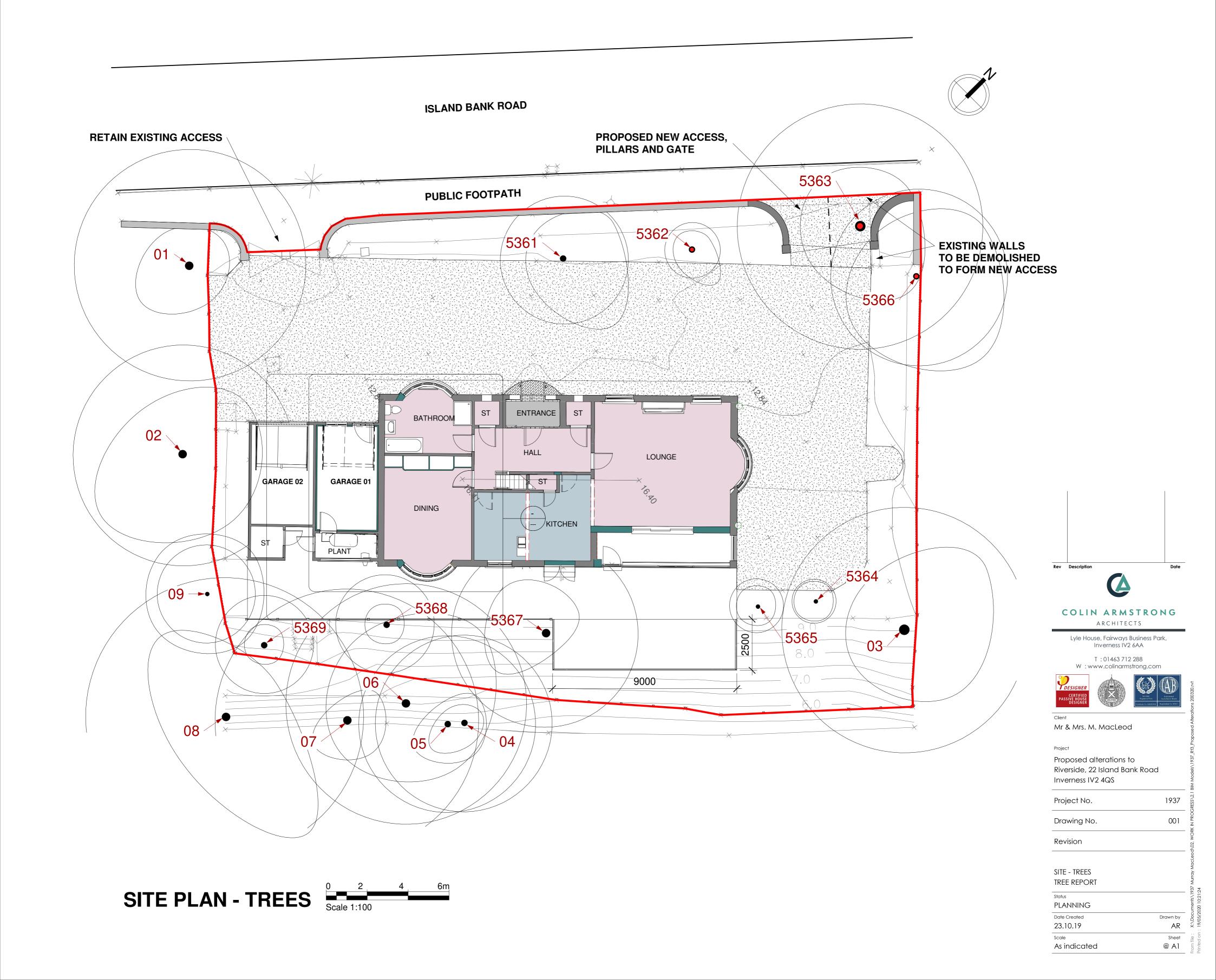
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Revision

LOCATION PLAN



PROP	OSED REMEDIAL	WORKS	- TREES(TO BE READ IN CONJUNCTION WITH PALS TREE SURVEY1117-TCP)
TREE ID	SPECIES	CONDITION	ACTION
5361	CIDER GUM	FAIR	RETAIN (REDUCE CROWN RECOMMENDED)
5362	WILD CHEERY	DEAD	REMOVE (REMOVAL RECOMMENDED)
5363	LAYLANDII CYP	GOOD	REMOVE (DAMAGE TO EX. PUBLIC FOOTPATH - FORM NEW ACCESS)
5364	BIRD CHERRY	POOR	RETAIN (PLUM TREE, IN DECLINE)
5365	APPLE	FAIR	RETAIN
5366	LEYLANDII CYP	POOR	REMOVE (REMOVAL RECOMMENDED)
5367	ASH	FAIR	RETAIN (SEVER IVY RECOMMENDED)
5368	BIRD CHERRY	POOR	REMOVE (REMOVAL RECOMMENDED)
5369	BIRD CHERRY	POOR	RETAIN (SEVER IVY RECOMMENDED)
01	SYCAMORE	FAIR	RETAIN (OFF-SITE ADJOINING NEIGHBOUR - RECOMMENDED CUT BACK OVERHANGING)
02	SILVER BIRCH	FAIR	RETAIN (OFF-SITE ADJOINING NEIGHBOUR - RECOMMENDED CUT BACK OVERHANGING)
03	LEYLANDII CYP	FAIR	RETAIN (POSSIBLE OFF-SITE TIDY CANOPY RECOMMENDED)
04	ASH	POOR	RETAIN (POSSIBLE OFF-SITE THC - TIDY, SEVER IVY RECOMMENDED)
05	ASH	POOR	RETAIN (POSSIBLE OFF-SITE THC - TIDY, SEVER IVY RECOMMENDED)
06	SYCAMORE	FAIR	RETAIN (POSSIBLE OFF-SITE THC SEVER IVY, DIEBACK TOP CROWN - TIDY RECOMMENDED)
07	ASH	POOR	REMOVE (REMOVAL RECOMMENDED)
08	ASH	POOR	REMOVE (POSSIBLE OFF-SITE NEAR DEAD - REMOVAL RECOMMENDED)
09	HOLLY	FAIR	RETAIN (OFF-SITE ADJOINING NEIGHBOUR- RECOMMENDED CUT BACK OVERHANGING)



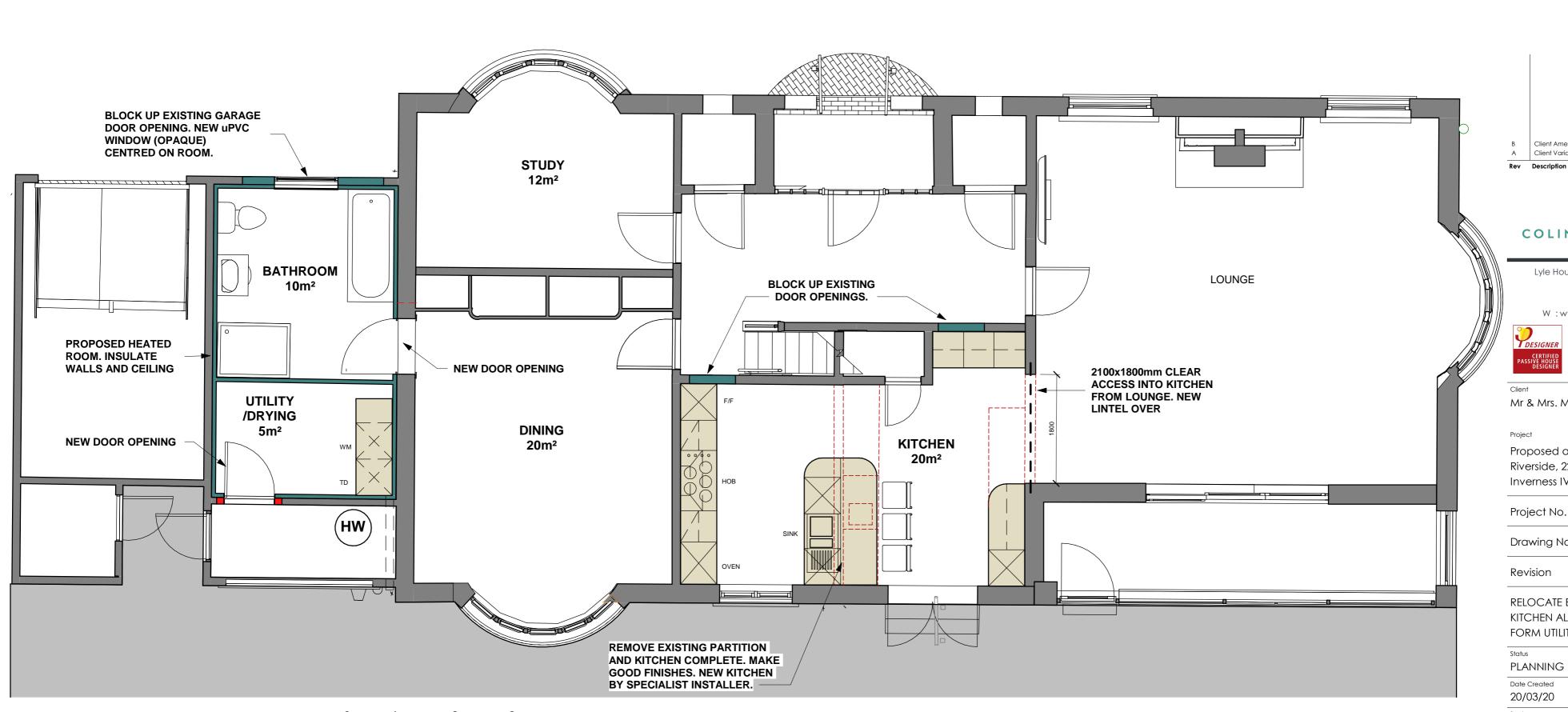
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CDM: Hazard Elimination & Risk Reduction has been undertaken and recorded where appropriate, in accordance with the requirements of "The Construction (Design and Management) Regulations 2015" and the associated "Industry Guidance for Designers"





3D VIEW



Client Amendments 03/06/20 Client Variations email 19.03.20 200320 COLIN ARMSTRONG ARCHITECTS Lyle House, Fairways Business Park, Inverness IV2 6AA T:01463712288 Mr & Mrs. M. MacLeod Proposed alterations to Riverside, 22 Island Bank Road Inverness IV2 4QS 1937 Project No. 101 Drawing No. Revision В RELOCATE BATHROOM KITCHEN ALTERATIONS FORM UTILITY ROOM

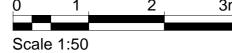
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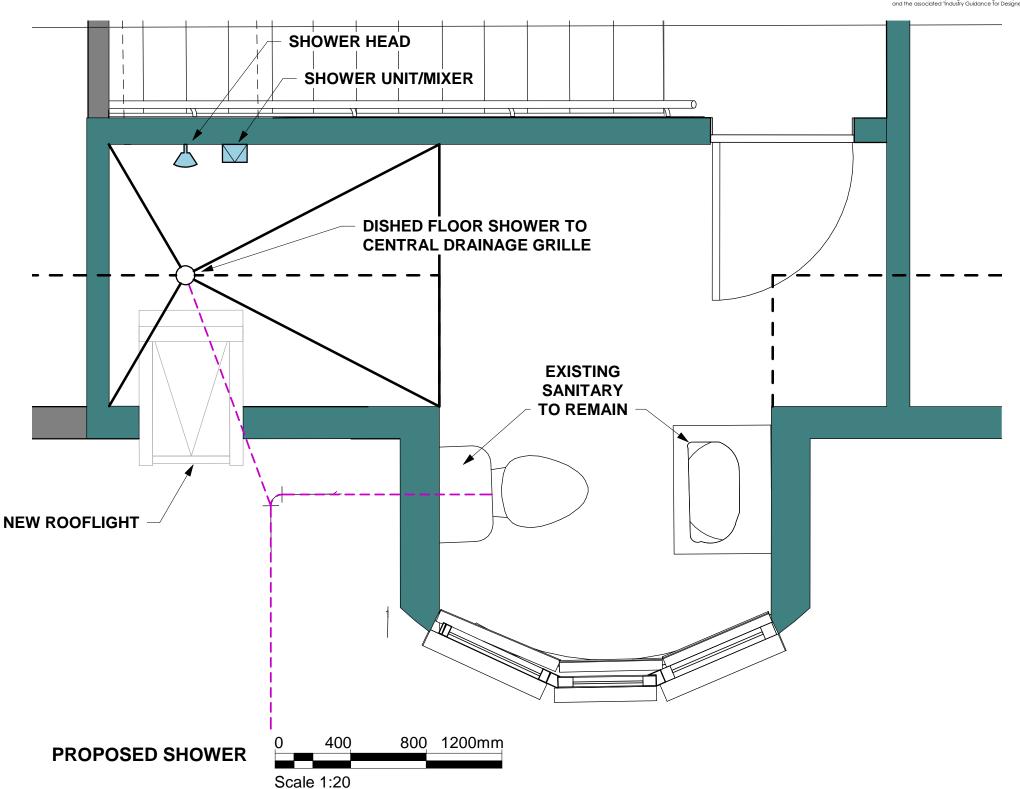
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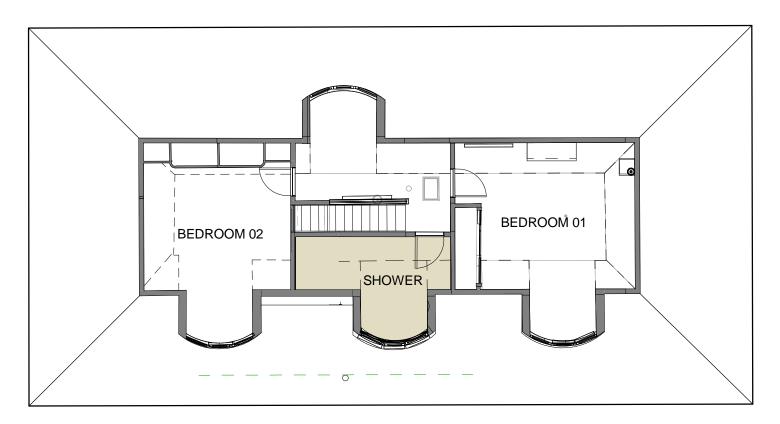
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GROUND FLOOR PLAN



CDM: Hozard Elimination 8, Risk Reduction has been undertaken and recorded where appropriate, in accordance with the requirement of "The Construction (Design and Management) Regulations 2011 and the associated "Industry Guidance for Designers".





OVERALL FIRST FLOOR PLAN



FF SHOWER

- 1. PLYWOOD OVERLAY TO EXISTING FLOOR BOARDS
- 2. MAKE GOOD WALL FINISHES
- 3. EXTRACTOR FAN/IP RATED LIGHTING
- 4. NEW DISHED FLOOR SHOWER
- 5. REPOSITION SANITARY WARE
- 6. REPLACE EXISTING ROOFLIGHT WITH CONSERVATION VELUX
- SUITABLE FOR HIGH MOISTURE LOCATION.
 7. REPOSITION EXISTING HATCH ACCESS.
- 8. TILED OR WET WALL FINISH THROUGHOUT.
- 9. VINLY FLOORING/REPLACE OR MAKE GOOD EXISTING SKIRTING
- 10. OPAQUE PRIVACY FILM TO LOWER HEIGHT GLAZING.





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1937

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Proposed alterations to

Project No.

Riverside, 22 Island Bank Road Inverness IV2 4QS

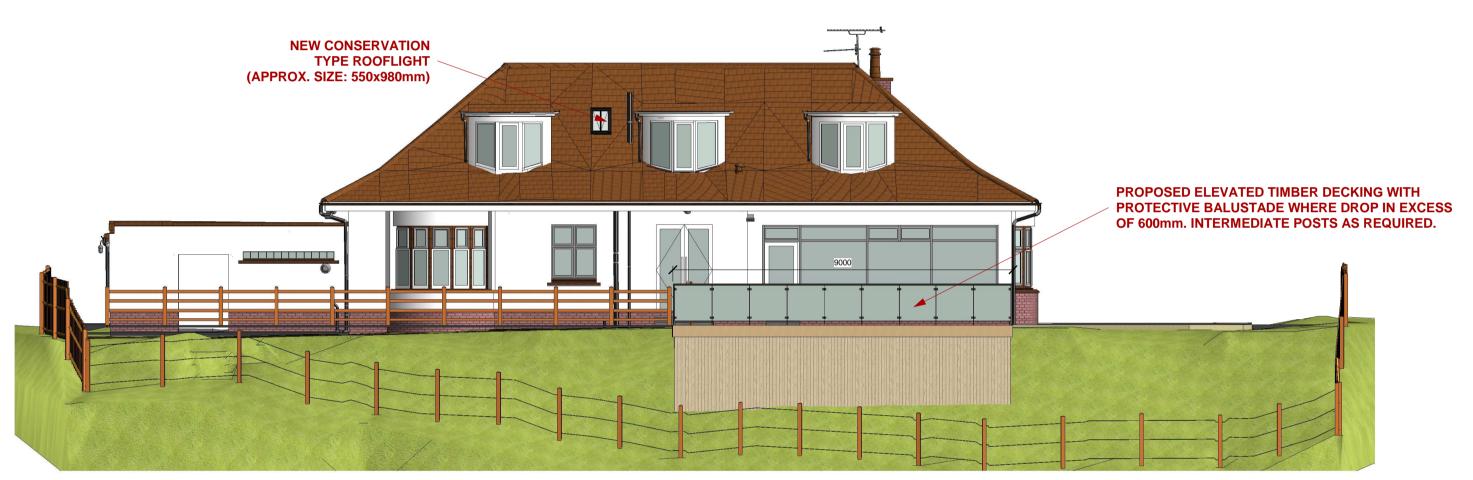
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FF SHOWER ROOM

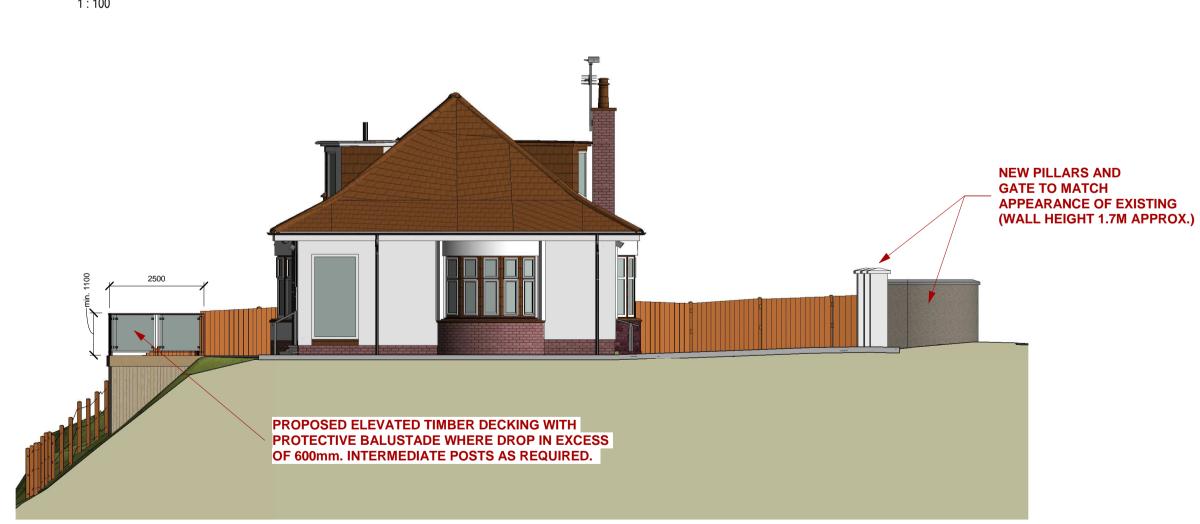
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3D RENDER VIEW - BALCONY







South Elevation

Figured dimensions only are to be taken from this drawing. All dimensions are to be checked on site before any work is put in hand. IF IN DOUBT ASK.

CDM: Hazard Elimination & Risk Reduction has been undertaken and recorded where appropriate, in accordance with the requirements of "The Construction (Design and Management) Regulations 2015" and the associated "Industry Guidance for Designers"

Rev Description



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Project

Project

Proposed alterations to Riverside, 22 Island Bank Road Inverness IV2 4QS

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3D Render - Balcony

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NEW PILLARS AND
GATE TO MATCH
APPEARANCE OF EXISTING

(WALL HEIGHT 1.7M APPROX.)

INTENDED POSITION OF NEW ACCESS



Google Street View - New Road Access Location



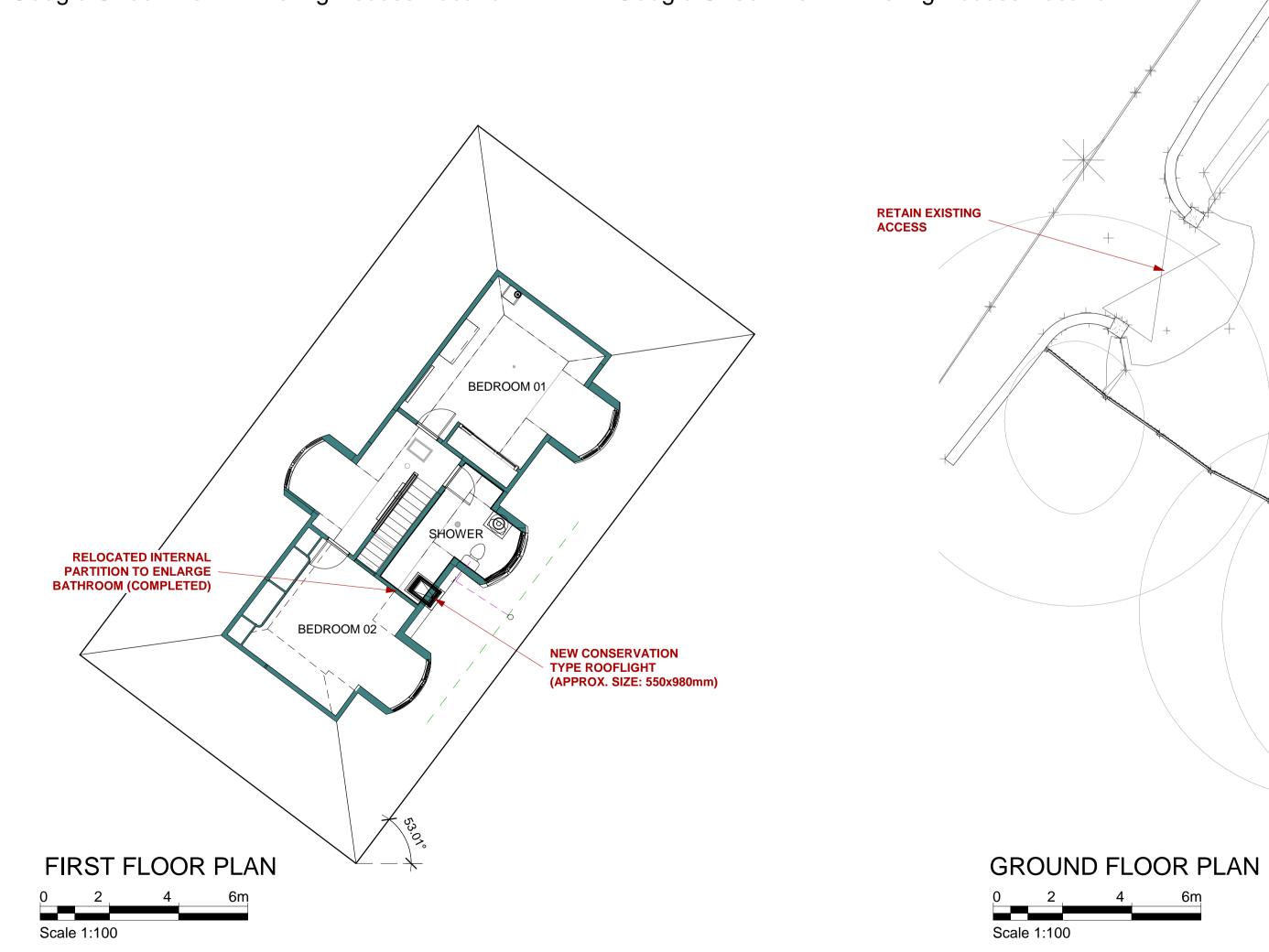
Google Street View - Existing Access Location

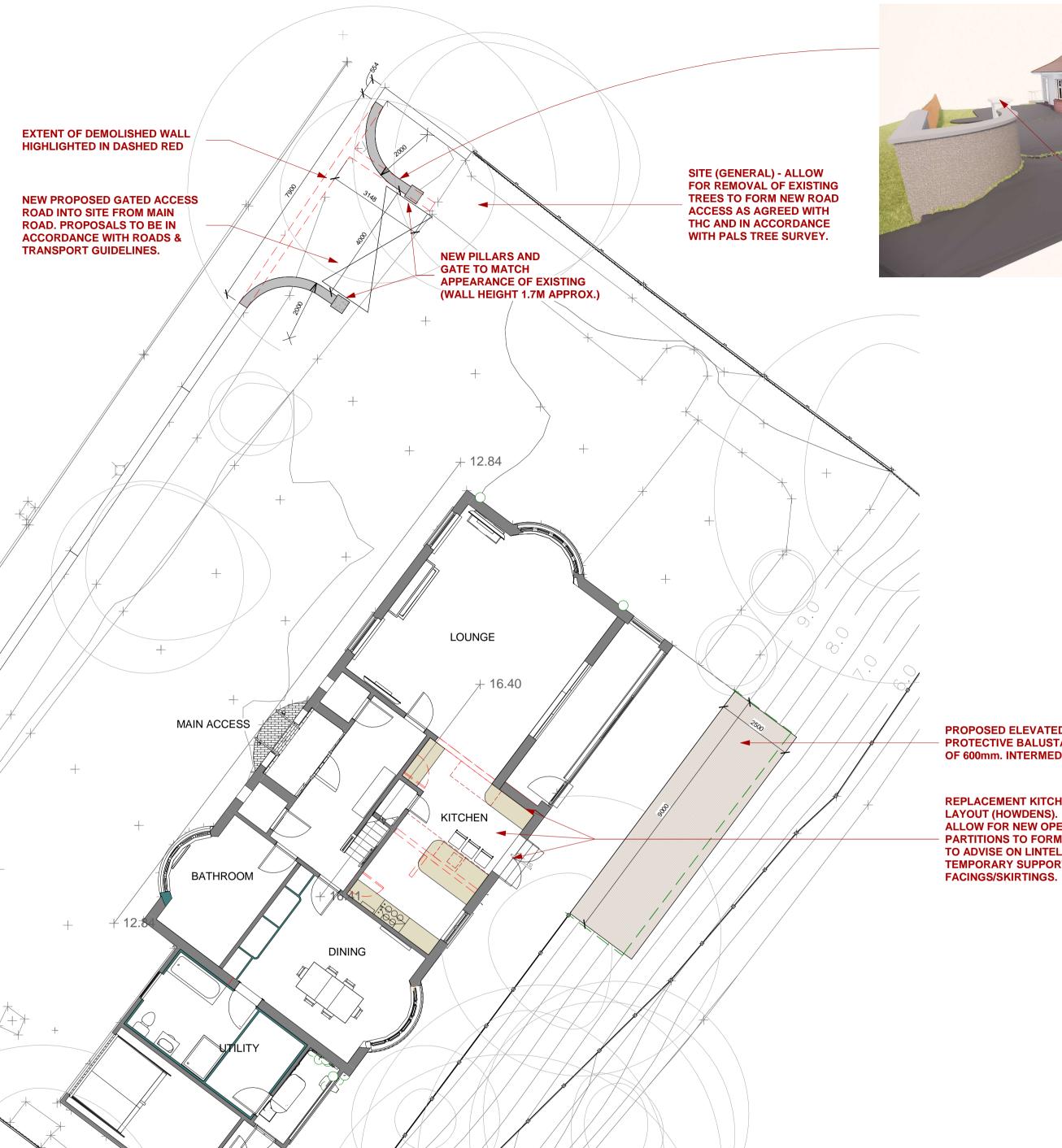


Google Street View - New Road Access Location



Google Street View - Existing Access Location





PROPOSED ELEVATED TIMBER DECKING WITH
PROTECTIVE BALUSTADE WHERE DROP IN EXCESS
OF 600mm. INTERMEDIATE POSTS AS REQUIRED.

REPLACEMENT KITCHEN AS PER SPECILIST SUPPLIERS LAYOUT (HOWDENS). **ALLOW FOR NEW OPENINGS IN EXISTING LOADBEARING** PARTITIONS TO FORM KITCHEN AND ACCESS. ENGINEER TO ADVISE ON LINTEL REQUIRED. ALLOW ALL TEMPORARY SUPPORT. MAKE GOOD FINISHES INCL





ARCHITECTS

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Project

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FLOOR PLANS-TRUE NORTH

PLANNING Date Created 14.10.2019 AR ∻ Š Sheet G

