

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
CHIEF PLANNING OFFICER**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 15/01557/FUL
APPLICANT : Book Developments
AGENT : Camerons Ltd
DEVELOPMENT : Erection of dwellinghouse
LOCATION: Builders Yard
Land South West Of 76 St Andrew Street
Galashiels
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
9249/1.01	Location Plan	Refused
9249/1.02	Existing Layout	Refused
9249/1.03	Existing Elevations	Refused
9249/1.04	Site Plan	Refused
9249/1.05	Floor Plans	Refused
9249/1.06	Sections	Refused
9249/1.07	Elevations	Refused

NUMBER OF REPRESENTATIONS: 0

SUMMARY OF REPRESENTATIONS:

Consultations

Roads Planning Service: Although the internal arrangement for parking and turning is slightly constrained, they are content to support this proposal as they consider it to be far superior to its current use as a builder's yard. The pend access onto St Andrew Street has never appeared to be a safety issue in the past, and this proposal significantly reduces the number and type of vehicles which use this site at present. No objections.

Education and Lifelong Learning: Contributions of £9823 and £4512 are required towards Burgh Primary School and Gala Academy respectively

Environmental Health Service: The application appears to propose the redevelopment and change of use of land which was previously operated as a builder's yard. This land use is potentially contaminative and it is the responsibility of the developer to demonstrate that the land is suitable for the use they propose. A standard condition is recommended requiring site investigation and risk assessment, including remediation and verification (where required).

PLANNING CONSIDERATIONS AND POLICIES:

Consolidated Local Plan 2011

G1, G2, G5, G6, G7, NE3, H2, INF4, INF5, INF6

SPG Guidance on Householder Development 2006; Developer Contributions 2015; Placemaking and Design 2010; Biodiversity 2005

Recommendation by - Carlos Clarke (Lead Planning Officer) on 15th March 2016

Site and application description

This application seeks full consent to erect a single-storey-and-attic dwellinghouse on the site of a former builder's yard. The site is located behind terraced residential properties fronting onto St Andrew Street to the north-east, from which it has existing vehicular access via a pend. The site contains a number of buildings, the largest being a pitch-roofed mainly brick-built, slate-roofed workshop. The site is bound by high fencing to either side (not strictly as per the plan, but any variations have no material bearing on the application). Neighbouring residential gardens flank the site either side, with the gardens of terraced properties backing onto it to the rear, south-westerly side.

The house would be hip-roofed, principally finished with brick walls and zinc roof. It would be detached, with the existing buildings all demolished to provide for garden ground and parking for two cars within the remainder of the yard.

Principle

The site is within the settlement boundary as defined by the Consolidated Local Plan 2011. It has no allocations. This would be the same within the proposed Local Development Plan 2016. The principle of development can be explored, with policy G7 being the principal policy consideration. The site is not open space of value or allocated employment land. The proposed residential use would not be in conflict with surrounding residential uses and, indeed, would be an improvement on the historical use of the site as a workshop. It is, however, a backland site and this is considered further in this report.

Ecology

There are no ecological designations. The site has been subject to an ecologist's walkover survey and it is considered very unlikely that it supports bats. No breeding birds evidence was found either.

Contaminated Land

Given the historical use of the site as a builder's yard, our Environmental Health Service recommend an assessment of potential contamination. A standard condition can cover this.

Services

Mains water and drainage services would need confirmed by standard condition. Surface water drainage from the building would be technically addressed via the Building Warrant process. Run-off from the site is unlikely to be a difficulty. A condition can ensure existing run off levels be maintained, for which porous finishes for any new hardstandings could potentially be sought.

Contributions

A legal agreement would be necessary to secure contributions towards local schools and the Waverley Line in accordance with Policies G5 and G6.

Access and parking

The development would reuse the existing access and provide two parking spaces within the curtilage of the proposed house. This would satisfy our policy requirements, and the RPS is content with the arrangement, particularly when compared against the historic use of the site.

Neighbouring amenity

There would be no loss of daylight or sunlight to neighbouring properties by my estimation. There may be overshadowing of garden ground, but this would be a relatively minor issue and no representations have been received on behalf of neighbours suggesting this is a particular concern.

As regards impact on outlook, neighbouring properties to the north-east would be at risk of outlook loss. However, most windows are on upper floors and those on ground floors are behind high fencing and outbuildings now. I would not consider this development would make any significant difference to outlook from neighbouring properties.

In terms of privacy, the house has clearly been designed to minimise the extent to which neighbouring properties would be affected. Indeed, the fact that it has suggests the site has particular constraints on its form and design because of its location directly behind established terraces (see later). Ground floor openings to habitable rooms are limited to two bedroom windows behind an 'internal court' with high fencing on the boundaries. No loss of privacy will result.

Upper floor openings are also limited. One window on the north-east leads to a stairwell. A condition of consent could ensure this is fixed and obscure glazed given its proximity to neighbours. To the rear, three roof lights to a lounge will overlook gardens though a condition could require that these be fixed to above eye level. The other three rooflights won't allow direct overlooking but will allow views from the dining room. These could be obscure glazed (required by condition). Two upper floor windows will allow views past slots in the internal court, however, the slots will restrict views to awkward angles and, with measures to limit overlooking from rooflights (as above), I would suggest the resulting impacts would be agreeable. This is particularly the case since gardens in this area are already overlooked by a large number of neighbouring windows. The house and its garden would be overlooked by neighbours itself but that would be an inevitable outcome of developing this particular site.

Restriction of Permitted Development rights by condition (alterations, extensions and outbuildings) would be recommended if consent were to be granted.

Siting, form, design and materials

Policy G1 requires that developments be compatible with neighbouring built form. Policy G7 requires that developments respect the scale, form and density of their surroundings. Our Placemaking and Design guidance requires that developments relate appropriately to their context. In this case, this proposal would be behind established roadside terraces and, unlike them, it would have no street frontage. It would be a backland development and would be the only one of its kind in this area. A development here could not relate to the established townscape and would be at odds visually with all surrounding buildings by virtue of its location, its relative scale, its overall hipped roof form, design and external materials. The use of zinc and pale coloured facing brick, as is proposed, would be significantly different in appearance to stone and slate terraces and, indeed, outbuildings built with engineering brick.

Aside from views from many neighbouring windows, external public visibility is, however, limited to a gap in the roadside frontage to the south-east, and passing the pond. The proposal would replace existing buildings and the proposed use would benefit surrounding neighbours in terms of general amenity. There are also neighbouring outbuildings which punctuate the gardens here. External materials could be covered by condition and the zinc roof proposed may be acceptable in the context if a dull grey finish is specified.

It will, however, be considerably larger than the existing buildings and too big to be interpreted as a garden outbuilding. It would appear as a backland house neither relating to the existing terraces or to gardens and their existing outbuildings. The proposal, as it currently stands, would not relate comfortably to its context. If it were redesigned and reduced in scale so it could be read as a large outbuilding, with material specifications to allow it to visually integrate with other large outbuildings here, then its overall visual impact on this back garden setting would be more comfortable. The applicant was asked to consider a different design approach, but wishes for the current application to be determined as it has been submitted. As it is

currently proposed, the development would not relate comfortably to its context and, therefore, it would conflict with the objectives of Policies G1 and G7 and our Placemaking and Design guidance.

Site boundaries, levels and existing features

High fencing frames the site now, in a rather intrusive manner with respect to the closest windows of neighbours. This proposal is to retain some and replace/add fencing to the same specification. The most intrusive part alongside a neighbour's window to the north-east would remain. Also, it is not appropriate to increase the height of fencing at the northerly corner where a wall already provides screening for privacy. The fence being retained could also be improved by simple cutting of the posts. If consented, therefore, it would be recommended that a scheme be agreed for an overhaul of the existing fencing, alongside details of new/replacement fencing to ensure screening is achieved from ground floor openings but in a manner which is more sympathetic to both the proposed dwellinghouse and neighbouring properties. A condition could require this scheme.

There are no trees or hedging of note that would be lost. Demolition of the buildings on site does not require planning approval.

The site is generally flat, as are the surroundings. Though the floor level should be confirmed along with an off-site datum (by condition of consent, if granted), there should be no difficulty in achieving confirmation of a suitable level.

REASON FOR DECISION :

The development would conflict with Policies G1 and G7 of the Consolidated Local Plan 2011 and Supplementary Planning Guidance "Placemaking and Design" 2010 because the scale, form and design of the development would, in this backland location, lead to an unacceptable visual impact on the character of the surrounding area and neighbouring built form

Recommendation: Refused

- 1 The development would conflict with Policies G1 and G7 of the Consolidated Local Plan 2011 and Supplementary Planning Guidance "Placemaking and Design" 2010 because the scale, form and design of the development would, in this backland location, lead to an unacceptable visual impact on the character of the surrounding area and neighbouring built form

"Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling".