



# **INTERURBAN DEVELOPMENTS LTD**

## **LAND ACQUISITION - PLANNING - DEVELOPMENT**

### **PLANNING AND DESIGN STATEMENT**

**PROPOSAL:** RESIDENTIAL DEVELOPMENT IN-PRINCIPLE (4 UNITS VIA FORMATION OF SEMI-DETACHED BUILDINGS)

**SITE:** LAND AT TOMNABAT LANE, TOMINTOUL (TO THE REAR OF HEATHERLEA, MAIN STREET)

**COUNCIL:** MORAY COUNCIL (LOCATED WITHIN CAIRNGORMS NATIONAL PARK)

### **INTRODUCTION**

Interurban Developments Ltd is a land acquisition company which predominantly specialises in de-risking sites through the planning system for onward sale to local builders, businesses, developers or investors. Although on occasion sites are retained for Interurban's own development and investment strategy.

This planning and design statement has been prepared to support the in-principle planning application for residential development (4 units via the formation of semi-detached buildings) within the settlement of Tomintoul by Interurban Developments Ltd. The document takes cognisance of Planning Advice Note 68 issued by the Scottish Government on the preparation of Design Statements.

### **THE APPLICATION SITE**

The Tomintoul planned village is constructed on a grid pattern with a single (Main) street running down a north-south ridge and a central square built on a flatter area. Parallel lanes flank the main street which creates a strong form of built development which all new development should hang to respect the urban grain and framework.

The site at Tomnabat Lane is some 666sqm in area. It is located on Tomintoul's southern flanking lane overlooking zoned openspace. To the west of the site is a development of new build semi-detached units and a flatted four in a block unit developed by the Council via their permitted development rights. To the North at a lower level there is a detached unit on Main Street, Heatherlea. To the east there is a further semi-detached property that appears to be from the 70's.

### **LEGISLATIVE REQUIREMENTS OF THE PLANNING ACT**

There is a duty imposed on the Planning Authority through Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) which requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

It is understood that the most up to date development plan is the Cairngorms National Park Local Development Plan 2015.

## **STRATEGIC POLICY**

There are not considered to be any strategic policies that are directly linked to the assessment of this application.

## **LOCAL POLICY**

### **LANDUSE**

Policy 1 'New Housing Development' of the 2015 Cairngorms National Park Local Development Plan is one of the main policies to consider in the determination of this application. This policy along with the Scottish Government's Scottish Planning Policy (SPP) recognise that residential development within existing settlements can often make a useful contribution to the supply of housing land.

This proposed residential development is located in the settlement boundary and is identified as a housing site EP1 in the Local Plan. The proposal utilises underused land within the settlement to provide infill development, it takes cognisance of the scale, form and density of the surroundings to ensure the proposal delivers housing in a suitable manner in line with local and national policy without conflicting with the character of the area.

### **BIO-DIVERSITY**

The creation of bio-diversity and ecological opportunities within the site can be explored at the detailed application stage.

### **NATURAL HERITAGE**

The proposal is not considered to adversely impact on natural heritage interests. It is not in contravention of Policy 4 of the Cairngorms Local Plan.

### **LANDSCAPE**

The block plan shows the proposed site layout. It is not considered to adversely impact on landscape character of the area. The detailed design can be conditioned and dealt with at the 'matters specified by conditions stage'. The proposal does not contravene Cairngorms Local Plan Policy 5.

### **RESOURCES**

The development will be connected to the public sewer and public water supply.

The principles of Suds can be incorporated into the detailed application, however, underground storage and permeable pavers to driveways are envisioned.

## **DESIGN STATEMENT**

The submission of this design statement complies with the requirements of Local Plan Policy 3.

Although the application is in principle, which usually results in minimal details being presented, Interurban Developments is aware that issues relating to the amenity of both neighbours and future occupants frequently arise with urban development projects. To assist the Planning Officer and neighbouring occupiers this statement has gone beyond the usual legislative requirements and illustrates the rationale that can be employed to overcome issues such as privacy, outlook, light/overshadowing, amenity, parking and access.

## **PRIVACY**

The insertion of residential units into the built environment has potential to result in overlooking to neighbouring dwellings and garden ground. There is a need to secure privacy for all the parties to the development those who would live in the new dwellings and those that live in adjoining dwellings.

In this case the proposal can be accommodated without resulting in an unacceptable level of overlooking from the units by insuring that windows face Tomnabat Lane or into the rear private amenity space. The final layout and scale of the dwellings can be conditioned.

## **OVERSHADOWING/LOSS OF LIGHT**

Although Overshadowing is not a matter specifically referred to in ministerial guidance, the protection of neighbouring developments from unreasonable loss of light is a well established proper planning consideration. The Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight-a guide to good practice 1991' sets out guidelines on how to assess the potential impact, it should be noted that the standards are not mandatory and should be interpreted flexibly.

Interurban has taken cognisance of the BRE document in the preparation of the site layout. In this case it is considered a reasonable level of daylight and sunlight is maintained to neighbouring properties.

## **PRIVATE AMENITY SPACE**

The extent in which private amenity space is used relates specifically to the dwellings occupant and ultimately overtime this will change with any new inhabitant. In some cases an outdoor space is a burden on the lifestyle of certain occupants, while in other cases it is a necessity.

Interurban is aware that it is particularly difficult to forecast the extent of garden ground required or if it is required at all. In the preparation of this application the layout has sought to provide a reasonable level of external amenity space for potential purchasers of the lower flats with room for external storage to the rear to accommodate dustbin and/or cycle storage for all the residential units.

## **PARKING AND TRANSPORT PLANNING IMPLICATIONS**

The thrust of Government Policy seeks to provide greater variety of transport options to influence attitudes and change the behaviour of individuals to avoid car dominance. Interurban Developments ability to assist is limited due to the sites position within the existing urban framework which effectively drives the potential modes of transport that could be used by any future occupant.

Interurban Developments has incorporated parking provision into the layout with similar access and egress arrangements to the neighbouring development to the North.

The scheme also incorporates public access improvements by continuing the footpath/pavement along the frontage of the site and repositioning the lamppost to the heel of the pavement.

## **DESIGN**

With regards to sustainability the detailed scheme that comes forward will need to meet the new requirements incorporated into the Building Standards Technical Handbook.

Conditional control can secure appropriately detailed dwellings of suitable architectural design and character. However the submitted plans are considered sufficient to demonstrate that the four in the can be accommodated on the site (similar to the semi-detached units developed by the Council under Permitted Development).

Overall the layout respects the building line and the block pattern of development in the locale.

## **CONCLUSION**

In this case the proposed scheme meets the vision and policies of the adopted development plan as well as national policy and guidance which are material considerations. There are no other material considerations that would indicate that the proposed use would not accord with the development plan. Accordingly it is requested that the Planning Authority grant conditional planning consent as ultimately there are no justifiable grounds for withholding permission.