

# Public Document Pack

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Dear Councillor

## **PLANNING COMMITTEE - TUESDAY, 9TH FEBRUARY, 2016**

Please find attached an additional representation submitted by the applicant's agent in respect of the planning application below for the Tuesday, 9th February, 2016 meeting of the Planning Committee, forwarded to Members under separate cover.

<b>Agenda No</b>	<b>Item</b>
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7	<b><u>PLANNING APPLICATION 15/0394 - 138 STONY HILL AVENUE</u> (Pages 1 - 2)</b>
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Yours sincerely

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# Agenda Item 7

Additional Information submitted by the Applicant's Agent for 15/0394- 134 Stony Hill Avenue. In response to the submission of the Head of Transportation outlined in the Update Note.

I respond accordingly

1. The response failed to mention the small number of shops on Squires Gate because these are not materially relevant to the site. The garage and furniture shop have their own parking and there is parking on Squire Gate lane. At which point should we draw the line of for consideration – an overflow for Morrison Supermarket or the Airport possibly? The loss of two spaces is not material relevant particularly to an area where car parking is not currently a problem.

The consultant fails to quantify or justify his comments, particularly regarding numbers of spaces etc. In order for this comment to be relevant there should be some illustration of spaces required and those that would remain. This should be for the site as offices and when developed. Previous approvals are not material in this application as it does not nor will not exist. Without this information the consultants comments are merely those of opinion and should be treated accordingly.

A material point which is not mentioned by your consultant is that it is well known that motorist will park as close as practicable (Not necessarily legally) to the place of their visit. Therefore there is a limit to how far along stony Hill someone would park if wishing to visit the shops on Squires Gate. Furthermore there is a limit to the car parking required for these shops. All are small shops and I would contend that there is sufficient car parking provided even allowing for a reduction of two spaces on Stony Hill.

If parking was acute in this area I would question why the loss of three spaces for driveways was permitted in the first place; however in their response the consultant has implied agreement to the loss of these three spaces. I fail to see the significance of an increase from 3 to 5 in consideration to the wider highways network.

I also note that the consultant raises no issue with regard to provision of the numbers of onsite car parking spaces, assuming that these are satisfactory if not exceeding standards. The development itself will not contribute to on street parking.

I also note your consultant has failed to mention the net gain in relation to the existing use of the building.

In conclusion this should be considered an observation rather than an objection

2. No comment
3. I concur that this is a cul-de-sac development (infill is not a highway term, rather a planning term and not appropriate in respect of responding to highways issues), and therefore concur with your consultants comments insofar that the examples cited are through roads and therefore have a higher potential risk of conflict than this proposal. I.e. the recommendations made in Manual for Streets is more appropriate in the situation proposed by this application than that implemented by the Council. I fail to see that this revised layout should raise any concerns, particularly as your previous report to committee suggested the scheme analogous to our revised drawings, i.e. removal of throttle and shared carriageway. Either way, there is sufficient space for footpath and carriageway or for shared drive way which ever option you would prefer. I am happy to allow this to be a condition, however I would point out that this is a private driveway for three properties only and not intended to be adopted.

Again, I consider this to be an observation from the consultant rather than an objection

4. In my response I provide the explanation why a fire appliance would not enter the private drive way – the 45m distance. The radius is drawn on the drawing illustrating that the whole development can be serviced by a fire appliance. I quoted the document and in their response your consultant even cites the same document. I assume you will both be able to find this reference within the approved document. Your consultants states that the only

reason that in his opinion the turning head is insufficient is to accommodate the fire appliance. His response already acknowledges that there is no requirement for a refuse vehicle to enter site. As previously stated there is no requirement for the fire appliance to enter, therefore we have designed the turning head adequate to accommodate private cars and lights goods which is sufficient and by implication is agreed by your consultant.

On a final point, if the comments raised by your consultant are interpreted correctly, the Part B Building regulations are analogous to the Scottish regulation in that it states for a dead access in excess of 20m. This implies that as stated in Scottish regulations the maximum a fire appliance can reasonably be expected to reverse is 20m.

The consultant suggests that the fire appliance would have to enter the site by 42m. This is incorrect the overall depth of the site is 41m to the back wall. If the appliance reverse 20m into the site this would be on or about level with the back boundary of the houses fronting Stony Hill which is more than sufficient.

There is no requirement for a fire appliance to enter the site. The Consultants objection should be discounted as fundamentally flawed.

5. No comment

6. No comment

7. I am not sure what your consultant is referring to by “illuminance” this is not a word in the English language. However assuming they are referring to illumination; whilst it is true that street lighting is more efficient way of providing street lighting the consultant equally does not state that adequate LUX level cannot be achieved by bollards. In order to achieve adequate LUX levels a greater number of bollards would be required as opposed to using pole mounted lights. Therefore this is not an objection by purely an observation  
Again, this is a private drive way and not intended to be adopted  
As a note, the original proposal included for a pole mounted lighting scheme however the light pollution was considered a concern by neighbours and therefore the reasonable response is to remove the pole lighting in preference to bollard light which removes or greatly reduces the light pollution to the neighbours. I would remind you that illuminated bollards have been requested as a preference by your own officers on other less illuminated developments – I remind you of Cauce Street development, also carried out by this office circa 2008/ 09.

8. No comment

9. Again, your consultant fails to explain a none standard term. I note that the consultant agrees that the visibility splays comply with necessary standards. If the consultant is referring to parked cars being an hindrance surely this applies to all road junctions where there are no parking restrictions and cannot be an objection but a statement of the blindingly obvious. This is also contradictory to his previous comments/ observations in point 1 as to comply with his observation the only solution would be to introduce parking restriction, which are not necessary given the vehicle speeds on both carriageways i.e. less than 30mph.

This comment from the consultant should be taken as an observation and not an objection

10. No comment

11. No comment

In conclusion, the points raised by your consultant appear to be for the most part observation, some of which are misguided. The objection raised with regard to adequate turning circle for a fire appliance is incorrect and should be disregarded/ overruled

I have received the update which includes your Highway consultants comments I trust that my response will be similarly published, as I will check at committee