

**FIRST SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**13<sup>th</sup> September 2016**

**Agenda item 4**

**Application ref. 16/00405/REM**

**Land to rear of former Randles Garage, Higherland**

Since the preparation of the main agenda report the applicant's agent has submitted revised tree survey information. In light of that information received the **Councils Landscape Development Section** has advised the following:-

- The canopy spread information for the trees along the Beaumaris Court boundary is still incorrect.
- There are sufficient restrictions to growth in place (there being an intervening road) to prevent roots from entering the site, and as such there is no objection to the proposed excavation adjacent to proposed building B1 (as shown on the submitted plans) subject to approval of an Arboricultural Method Statement secured by way of a planning condition.
- However the building must be set clear of the tree canopy along the boundary of Beaumaris Court boundary, and sufficient space must be allowed for future growth as well. Neither is achieved. It is not.
- There is also concern that the proposed building B1 does not allow enough room for the a Copper Beach tree on the Tesco Express site to mature which was planted as a replacement for a protected tree which once stood on that adjacent site. Their Officer recommends verbally that a distance 5 metres clearance is required between the tree and the corner of the building (3 metres is the distance to the corner of the balcony and 5 to the walls of the building).

A further letter of objection has been received from the **Thistleberry Residents Association** reiterating concerns that:-

- The development has a harmful impact to the character of the area.
- The impact to mature trees is significant and should result in refusal of the application.
- The development is too close to properties of Seabridge Road negatively impacting on light levels and privacy.
- The cladding of the building should be carefully considered the proposed materials being inappropriate to the location.
- Large vehicles will find it difficult to enter the site and exit which will cause traffic issues.
- The reference to the Locality Action Partnership's non-response and therefore assuming no objections is misleading as they do not consider planning applications.
- The site should be used for a small number of bungalows instead of the development proposed.

Your Officer's comments

In relation to the protection of surrounding visually significant trees, including a protected tree which lies within the boundary of Beaumaris Court, initial concerns in relation to root protection are considered to have been addressed. However there are still some concerns regarding the proximity of the building to the canopies of those trees. One option would be to allow, in a controlled manner, canopy reduction, but this can impact upon the shape of the trees in question.. The view of your officer is that the removal of all of the balcony areas for

building B1 is required to achieve a sustainable relationship between the trees and the flats some limited and sensitively undertaken canopy reduction where required. The affected rooms within the flats have corner windows with glazing facing in two directions which assists, and the flats have an otherwise open outlook. Contrary to the views of the Landscape Development Section the further repositioning of building B1 is not deemed to be necessary subject as indicated above to the removal of the balconies which allows extra room between the building and the trees involved.

With the exception of tree impacts the planning merit points raised by the Residents Association have already been fully considered in the agenda report and it is not thought necessary to advise further on those.

**The RECOMMENDATION on this application is, in light of the above,now revised to the following:-**

**PERMIT subject to conditions relating to:-**

- 1. The development shall be carried out in accordance with the conditions in the outline planning permission.**
- 2. Development to be built in accordance with revised plans unless overridden by a condition as indicated below**
- 3. Prior approval of all external facing materials**
- 4. Prior approval of additional soft and hard landscaping details including tree planting.**
- 5. Highway matters – internal access and vehicle parking provisions.**
- 6. Tree protection matters including Arboricultural Method Statement, Tree Protection Plan, Schedule of works to retained trees and removal of the proposed balconies from the approved plans related to building B1.**