

THE HIGHLAND COUNCIL

**CAITHNESS, SUTHERLAND & EASTER ROSS
PLANNING APPLICATIONS COMMITTEE – 7 June 2011**

Agenda Item	3.7
Report No	PLC/028/11

**11/01382/FUL : Dornoch Developments Ltd
Royal Golf Hotel, Grange Road, Dornoch, IV25 3LG**

Report by Area Planning and Building Standards Manager

SUMMARY

Description : Amendment of design for erection of 37no. holiday apartments including car parking and landscaping.

Recommendation - GRANT

Ward : 05 - East Sutherland and Edderton

Development category : Local Development

Pre-determination hearing : None

Reason referred to Committee : Five representations.

1. PROPOSED DEVELOPMENT

- 1.1 The proposal is in detail and involves the erection of 3 blocks (A, B, C) of 3-4 storey holiday apartments (37No. in total) within the garden grounds of the Royal Golf Hotel and the provision of a new car park and associated landscaping works.
- 1.2 In the supporting statement submitted by the agent it is suggested that, whilst there is a current planning permission in place for a development of a similar scale (07/00217/FULSU), it has a larger footprint and the current application is for an alternative design solution that will allow the buildings to be built in stages and will provide more open space on the site for new landscaping.
- 1.3 Block A is closest to the existing hotel building, with its principal long elevation facing the hotel (at approximately 90 degrees to blocks B and C). It is 3 storey with 9 apartments.

Block B is the northern block and located to the south side of the stone boundary wall onto Grange Road, running long-side parallel to it. It has 12 apartments.

Block C is in the SW corner of the garden, in a similar plane to Block B. It is 4 storey, contains 16 apartments, and is on the lower part of the main area of the site.

The apartments vary in size from 86sqm to 108sqm and typically have two bedrooms with living room/kitchen, bathroom and en-suite. Access to the blocks is from a common stair with lift.

2. SITE DESCRIPTION

2.1 The Hotel is located in a prominent location within Dornoch and has a mix of residential, commercial and recreational uses surrounding it. The site comprises the garden ground and tennis court area to the west side of the Royal Golf Hotel which itself lies to the south of Grange Road and to the east of Kennedy Avenue. The tennis court is within the Dornoch Conservation Area with the boundary of the Conservation Area running along the southern boundary adjacent to Links House. The Hotel is in a prominent location overlooking the Golf Course and Dornoch Beach. It was originally built as a private house and dates from 1896 and is a mix of two and three storeys. The walls are of local buff coloured dressed sandstone. Whilst the hotel is a large prominent building of local interest, it is not Listed. The hotel and the gardens extend to approximately 0.7ha, with buildings occupying approximately 17% of this. The disused tennis court is approximately 0.15ha. The western boundary of the main hotel garden is defined by the tree-lined Kennedy Avenue. There are also significant trees along the southern boundary of the site with Links House and the Royal Dornoch Golf clubhouse, and to the north on Argyle Street / Grange Road. The site generally slopes from north to south, with a considerable change in level.

3. PLANNING HISTORY

- 3.1
1. 10/05135/FUL - Erection of 37no. holiday apartments including new car parking and landscaping. Withdrawn 20.04.2011.
 2. 07/00217/FULSU - Alteration and extension of hotel building. Demolition and alteration of outbuildings. Erection of spa, 9 bedroomed hotel wing and 11 apartments. Formation of car parking. Alteration of entrance gates and boundary walls. Installation of oil heating storage tank and flagpole. Provision of new hard and soft landscaping (As amended). Approved 24.04.2008.

4. PUBLIC PARTICIPATION

4.1 Advertised : Neighbours, Development in Conservation Area.

Representation deadline : 20.05.2011

Timeous representations: 5 representations from five different households

Late representations : None

4.2 Material considerations raised are summarised as follows:

- Design of the buildings are different and size will dominate the area. Do not reflect the Royal Golf Hotel in any shape, colour, materials or form, and look inappropriate in their location.
- Scale of development – heights should be kept to 2 storeys.
- Works to the Kennedy Avenue junction should be undertaken as part of the first phase of development.
- Position within the plot, and the associated parking and pedestrian areas has been well considered.

- Kennedy Avenue is a single track road lined with trees. Building a car park on the other side of Kennedy Avenue to the development will affect trees.

4.3 All letters of representation can be viewed online www.highland.gov.uk, at the Area Planning Office and for Councillors, will be available for inspection immediately prior to the Committee Meeting.

5. CONSULTATIONS

5.1 **Dornoch Community Council** – No objections provided existing trees and railings on Kennedy Avenue are retained and maintained in good condition.

5.2 **TEC Services** – No objections.

5.3 **Forestry Officer** – Note the submission of the Tree Protection Plan (Drg No.PL003 Rev B) and accompanying notes prepared on 31st May 2011.

Clarification has been sought over the SUDS arrangement and this is now shown on the Tree Protection Plan (Drg No.PL003 Rev B). The layout is generally in accordance with the detail submitted with the previous application (10/05135/FUL).

It is recommended that conditions are attached to a permission to cover the following:

- Tree protection plan
- Arboricultural method statement
- Construction method statement
- Landscape plan and maintenance programme

5.4 **Conservation Officer** has verbally indicated that the proposal is a considerable improvement on the previous application and due to its modern contemporary design sits better on the site than the previous modern pastiche design – it is more honest to the site and is not a modern half take on the old building.

5.5 **Contaminated Land** – No comment (on previous application).

5.6 **Archaeology** – ARC1 condition recommended.

5.7 **Environmental Health** – No comment (on previous application).

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Structure Plan 2001

G1	Conformity with Strategy
G2	Design for Sustainability
T2	Tourism Developments
BC5	Listed Buildings and Conservation Areas

6.2 Sutherland Local Plan

Policy 1	Settlement Development Area
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7. OTHER MATERIAL CONSIDERATIONS

7.1 Highland Wide Local Development Plan – Proposed Plan (2010)

- 29 – Sustainable Design
- 30 – Design Quality and Place Making
- 35 – Settlement Development Areas
- 44 - Tourism
- 45 – Tourist Accommodation
- 52 – Trees and Development
- 58 – Natural, Built and Cultural Heritage

7.2 Scottish Government Planning Policy and Guidance

Scottish Planning Policy

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 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.
- 8.3 **Development Plan Policy Assessment** - The proposal is considered to accord with the Development Plan policies for the area set out at sections 6 and 7.
- 8.4 **Ownership, Management and Operation of the Apartments** - The holiday apartments are to be sold by the developer, but managed by the hotel when not in use by the owners and available for holiday rental by others. Accordingly, the affordable housing policy is not applicable in this instance.

There is existing sewerage, road and water infrastructure on the site.

The developer has submitted a **supporting statement** with the planning application. This sets out the background to the application and details the proposed design solution, materials, development constraints and mitigation for the apartments.

The **design** of the apartments is modern. The now withdrawn application (10/05135/FUL) had a more traditional building design, perhaps more akin to the original building. The current proposal has moved away from a modern pastiche design, with a bolder contemporary design solution making reference to the massing and character of the existing building. The semi-circular 'tower' features refer to the semi-circular bays on the front of the Royal Golf Hotel. The new building has small enclosed balconies on some of these to help the new apartments open out onto the

grounds and take full advantage of the views available over the golf course.

The roofs of the blocks are asymmetric monopitches finished in a metal standing seam roofing system, Kalzip or equivalent. The **external wall materials** are a mix of timber, harl and metal. In particular, the walls will be Tyrolean cement based render (colours to be white and buff/sandstone, with sample panels to be prepared for agreement with Planning) and Siberian larch timber cladding panels. The feature towers are to have 'copper coloured' cladding panels on their uppermost sections.

The windows and doors are to be pre-finished timber or aluminium in dark grey colour, with the details of the colour to be agreed with the Planning Authority prior to the commencement of development. The balconies are to have a frameless glass balustrade system.

The agent's supporting statement suggests that the colours of the materials chosen also make reference to the Royal Golf Hotel and are arranged so as to give different textures and a variety to the new building.

- 8.5 **Trees** – following various pre-application discussions and in-application discussions on the now withdrawn proposal with the Forestry Officer, the revised layout positions the three blocks on or within the footprints of the previously approved scheme (07/00217/FULSU).

There have been extensive pre-application and in-application discussions with the developer. I would advise Members that the proposals are now acceptable, subject to pre-start conditions covering:

- Tree protection plan
- Arboricultural method statement
- Construction method statement
- Landscape plan and maintenance programme

In the existing garden there is a mature Weeping Elm which is to be retained as part of the development (this tree would have been relocated under 07/00217/FULSU). Other trees around the edge of the site are to be protected and a landscaping plan has to be submitted to provide for new planting.

- 8.6 **Conservation Area / Access** – the existing disused tennis court lies in the Conservation Area, with the boundary of the Conservation Area running down Kennedy Avenue. The tennis court will be converted to provide 25 parking spaces marked by logs surfaced in tree bark.

Low level lighting will be provided to all walkways within the site and also within the new car parking area accessed from Kennedy Avenue. These parking spaces are on the lowest part of the site and screened by the existing tree cover along both sides of Kennedy Avenue. A pedestrian access from this car park to the main part of the site to the east will be provided through a new path which will cross Kennedy Avenue and enter the main part of the site via a new gate in the sandstone wall/railings. Footpaths are proposed within the site linking the three blocks to the car parking, hotel and the desire line to the northwest corner of the site at Grange Road/Kennedy Avenue, thus providing a walking route desire line corridor from the Square towards the hotel and Golf Club.

The pedestrian entrance from this junction will be formed by the remodelling of the wall into a crescent shape, pulling the walls away from the junction in an arc of around 6.5m radius with central gate pillars. In addition, the height of the wall is to be lowered. The paths within the site are to be surfaced with Cedec self-binding gravel. The existing pedestrian linkages from the hotel to the Golf Club are unaltered by the proposal.

In addition 10 extra parking spaces are to be formed to the east side of Block B adjacent to the main entrance to the hotel from Grange Road.

8.7 Pre-application discussions were undertaken in relation to both the current application and the previous application (10/05135/FUL). The developer also engaged with the public by having a display of plans before the submission of this earlier application during January 2011.

8.8 An adjusted plan was received on 31 May showing Tree Protection and Surface Drainage.

9. CONCLUSION

9.1 The proposal is a significant development for the tourism and leisure market within Dornoch and will in my assessment enable the diversification and further development and augmentation of an existing large hotel business. This is to be welcomed from an economic and social perspective, helping to provide additional bed spaces in Dornoch. There will undoubtedly be spin-off benefits during construction works and over the longer term with employment and ancillary services at a local level. These will help in consolidating tourism in the area and will contribute to the economic and social development of the community as detailed by development plan policies.

9.2 However, such economic development must be balanced against the impact that the development will have on the character of the area, and in particular with respect to the streetscape. The proposal is a contemporary design of three large apartment buildings set within the existing curtilage of the hotel. In my view the site is large enough to accommodate the development without having a significantly detrimental impact on either individual or community residential amenity as required by development plan policies. It is considered that the proposal strikes a reasonable balance between the existing quality of long established urban streetscape and new development of the hotel business, with a consequential impact on tourism and employment in the area.

9.3 Overall, I consider that the proposal is acceptable and approval is recommended subject to conditions.

10. RECOMMENDATION

Action required before decision issued	n
Notification to Scottish Ministers	n
Notification to Historic Scotland	n
Conclusion of Section 75 Agreement	n
Revocation of previous permission	n

Subject to the above, it is recommended the application be **Granted** subject to the following conditions and reasons:

(1.) No development shall start on site until the completed Notice of Initiation of Development (NID) form attached to this planning permission/approval of matters has been submitted to and acknowledged by the Planning Authority.

Reason In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

(2.) Upon completion of each phase of the development the completed Notice of Completion form attached to this decision notice shall be submitted to the Planning Authority.

Reason In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

(3.) Except as otherwise provided by the terms of this permission, the developer shall construct and operate the development in accordance with the plans and supporting information submitted with the application and docketed as relative hereto with no deviation therefrom unless otherwise approved in writing by the Planning Authority.

Reason: In order to clarify the terms of the permission hereby granted and to ensure that the development is implemented as approved.

- (4.) External material finishes of the apartments:
- No development shall commence on site until the developer has provided sample panels/material samples of the following for the approval in writing of the Planning Authority: Walls shall be finished in a mix of Tyrolean cement based render and Siberian larch timber cladding. For the avoidance of doubt, the colours of the walls shall be from a palette including white and buff/sandstone.
 - Roofs of the apartment blocks shall be finished in a metal standing seam roofing system, Kalzip or equal. Windows and doors are to be pre-finished timber or aluminium in dark grey colour.
 - Balconies are to have a frameless glass balustrade system. Feature towers are to have 'copper coloured' cladding panels on their uppermost sections.

Reason: In the interests of amenity, as no details have been provided and for the avoidance of doubt.

(5.) All drainage arrangements shall be provided to the satisfaction of the Planning Authority in consultation with the Building Standards Authority and Scottish Water. For the avoidance of doubt, foul drainage shall be by means of a connection to the public sewer. Surface water drainage shall be undertaken using SuDS and full written and plan details of the SuDS solution for the development shall be submitted by the developer for the approval in writing of the Planning Authority prior to the commencement of development.

Reason: In the interests of amenity and to ensure that the site is adequately drained.

(6.) All access arrangements, including the new car parking spaces, shall be provided to the satisfaction of the Planning Authority in consultation with the Roads Authority prior to the first occupation of any of the apartments. For the avoidance of doubt, the 10 parking spaces adjacent to Block B shall be finished to match the surface of the existing car park for the Hotel. The new car park to the west side of Kennedy Avenue shall be finished with Cedec self-binding gravel, or as may otherwise be agreed in writing with the Planning Authority, prior to the commencement of construction works on the car park. The link footpaths from the existing hotel building through the site to: Blocks A, B and C; the new car park to the west side of Kennedy Avenue; the new pedestrian entrance to the site at the junction of Kennedy Avenue and Grange Road; shall be provided by the developer before the first occupation of any of the apartments, with details of the communal open pedestrian areas, together with the breaching (and making good thereafter) of the existing walls and railings on Kennedy Avenue/Grange Road being provided in writing and on plan for the approval in writing of the Planning Authority prior to the commencement of development.

Reason: In the interests of amenity and as no details have been provided.

(7.) No development shall commence until the developer has submitted and had approved in writing details of the lighting system designed for the new car park to the west side of Kennedy Avenue. The approved details shall thereafter be implemented prior to any part of the development being brought into use.

Reason: In the interests of amenity and in order to avoid light pollution.

(8.) Prior to the commencement of development, a programme of archaeological work for the preservation and recording of any archaeological features affected by the proposed development, including a timetable for investigation, all in accordance with the attached specification, shall be submitted to and require the approval in writing of the Planning Authority. All arrangements thereby approved shall be implemented by the developer at his expense in accordance with the approved timetable for investigation.

Reason: In order to ensure the protection of the archaeological interest of the site.

(9.) Construction activity on the site shall be restricted to:

- Monday to Friday 0800 – 1800
- Saturday 0900 - 1300
- Sunday - No Sunday working

unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of residential amenity and in order to avoid disturbance and nuisance.

(10.) The apartments hereby approved shall be used for holiday purposes only and shall not be occupied at any time as the sole or main place of residence of any occupant.

Reason: In order to ensure that the apartments are occupied for holiday purposes only and not as permanent residential accommodation.

(11.) The express approval of the Planning Authority shall be required for the installation of any television aerials or satellite dishes.

Reason: In order to allow the Planning Authority to retain effective control over the development of the site and in the interests of amenity.

(12.) The planning permission hereby granted shall supersede 07/00217/FULSU insofar as development has not been pursued in accordance with such planning permission.

Reason: To clarify the terms of the permission hereby granted and to allow the Planning Authority to retain effective control over the development.

(13.) With effect from the date of this permission, no trees shall be cut down, uprooted, topped, lopped (including roots) or wilfully damaged in any way, without the prior written permission of the Planning Authority. No development shall commence on site until the developer has submitted and had approved in writing by the Planning Authority a detailed management scheme identifying any remedial tree works within and surrounding the site. The agreed works shall be implemented in full by the developer and at their expense to the satisfaction of the Planning Authority prior to any site excavation.

Reason: To ensure the protection of retained trees during construction and thereafter.

(14.) No development shall commence on site until the additional work identified in the Tree Protection Plan (Drg No.PL003 Rev B) and accompanying notes prepared by Treeplanning (Jacqueline Waring Consultancy) on 31st May 2011 docquetted hereto, has been undertaken and approved in writing by the Planning Authority. The subsequently approved Tree Protection Plan, Arboricultural Method Statement and Construction Method Statement shall then be implemented in full by the developer and strictly adhered to for the duration of the construction works.

Reason: To ensure the protection of retained trees during construction.

(15.) No development shall commence on site until a detailed Landscape Plan and maintenance programme has been submitted by the developer and agreed in writing by the Planning Authority. The Landscape Plan shall be prepared by a suitably qualified landscape consultant. The approved Landscape Plan shall be implemented by the developer and at their expense in full prior to the first occupation of any apartment, unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of amenity.

(16.) No development shall commence on site until the developer has demonstrated to the Planning Authority that a suitably qualified Arboricultural and Landscape consultant has been appointed to ensure that the Tree Protection Plan, Method Statements and Landscape Plan are implemented to the agreed standard. Any stages of the Tree Protection Plan or Landscape Plan which require supervision shall be agreed with the Planning Authority and completion certificates for each stage shall thereafter be submitted for the approval in writing of the Planning Authority.

Reason: To ensure the protection of retained trees during construction.

(17.) No development shall commence until the developer has appointed a suitably qualified ecologist to establish whether any protected species are present on or adjacent to the site. Should any protected species be present, then a detailed survey report and method statement, including any mitigation measures, shall be submitted for approval in writing by the Planning Authority, with the agreed mitigation measures thereafter implemented by the developer and at their expense to the satisfaction of the Planning Authority.

Reason: To ensure the protection of wildlife.

INFORMATIVE NOTE REGARDING THE TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

FOOTNOTE TO APPLICANT RELATIVE TO APPLICATION 11/01382/FUL

Flood Risk: It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (of emanating from) the application site. As per Scottish Planning Policy 7: Planning & Flooding, planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water: You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Please note: Your attention is drawn to the conditions attached to this permission. Any pre-conditions (those requiring certain works, submissions etc prior to commencement of development) must be fulfilled prior to work starting on site. Failure to meet these conditions may invalidate your permission or result in formal enforcement action.

Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager
Caithness, Sutherland and Easter Ross

Author: Bob Robertson

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

Relevant Plans: PL001 (Rev C) Location/site plan A1

PL002 Elevations A2

PL100 Elevations A1 Rev B

PL101 Elevations A1 Rev B

PL102 Elevations A1 Rev B

Supporting information – photos, 3D images; supporting statement

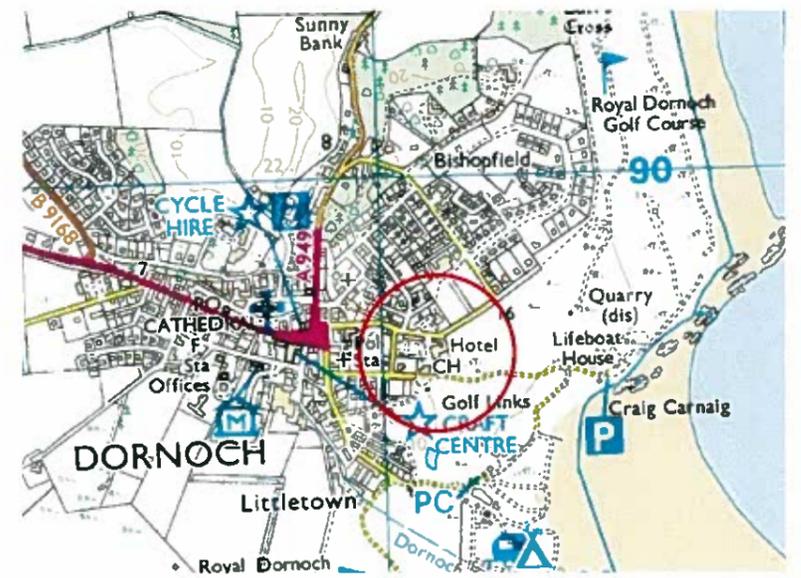


11/01382/FUL
 Amendment of design for erection of 37no. holiday
 apartments including car parking and landscaping
 at Royal Golf Hotel, Grange Road, Dornoch.

Dornoch Developments Ltd.
 per G H Johnston Building Consultants
 Willow House
 Stoneyfield Business Park
 Inverness

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DO NOT SCALE. IF IN DOUBT PLEASE ASK
 All setting out must be checked on site prior to commencement. Any discrepancy must be reported to
 G. H. JOHNSTON Building Consultants Ltd



Location Plan NTS

PLANNING

rev.	description	date
A	balconies removed from apartments	feb 11
B	building footprints updated	apr 11
C	parking & landscaping hatched	apr 11

Client
 Dornoch Developments Ltd

Project
 Proposed Development for
 37no. Holiday Apartments at
 Grange Road, Dornoch

Drawing
 Location & Site Plan

Scale 1:250	Date Nov 2010	Drawn by DM /NM
Project no 1990	Dwg no PL001	Rev C

G.H. JOHNSTON
 BUILDING CONSULTANTS LTD
 WILLOW HOUSE
 STONEYFIELD BUSINESS PARK
 INVERNESS IV2 7PA
 Email: technical@ghjohnston.co.uk
 TEL (01463) 237229
 FAX (01463) 243258

Parking Layout as Per
 Planning Permission
 Ref: 03/00307/OUTSU

Proposed Site Layout 1:250

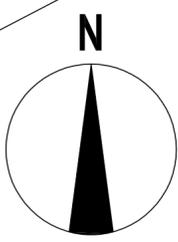


This Tree Protection Drawing is to be read in conjunction with the following information;

- Tree Constraints Survey Schedule, produced by Jacqueline Waring Consultancy
- Tree Removals/Retentions Schedule produced by Jacqueline Waring Consultancy
- Arboricultural Method Statement (AMS) produced by Jacqueline Waring Consultancy (pending due to requirement for input from civil engineering and contractors)
- Construction Method Statement, to be produced by JW Consultancy, in collaboration with contractors/civil engineering (also pending as per reasons given above)

Arboricultural Site Supervision
 It is acknowledged that this project will require on-site supervision by the client's arboricultural consultant at key stages of the construction process. These stages are identified in the AMS, and include exploratory excavation to establish tree rooting patterns, TP fencing inspection, and verification of Cellular Confinement Surfacing installation. Schedule for supervision will be established in consultation with the contractor and described in the AMS.

Please note: If the construction is phased, then the extent of Tree Removal and the positioning of tree Protective Barriers is to be revised and then approved in writing by The Highland Council.



Construction Method Statement to be prepared to establish how works will be carried out in close proximity to line of Protective Barrier and line of CEZ. This document to be agreed in writing with The Highland Council prior to commencement of works

- KEY**
- Trees to be retained
 - Trees to be removed for development
 - Tree protection line of Protective Barrier to BS 5837:2005 marking Construction Exclusion Zone (CEZ) Please see relevant diagram for Protective Barrier (Figure 2)
 - Line of Root Protection Area (R.P.A.)
 - Area of cellular confinement. To be agreed following site investigation.
 - SUDS area of cellular storage as per HGA SUDS Design and details. No SUDS within CEZ

PLANNING

rev.	description	date
A	Notes regarding tree protection added	05/11
B	SUDS shown on drawing	05/11

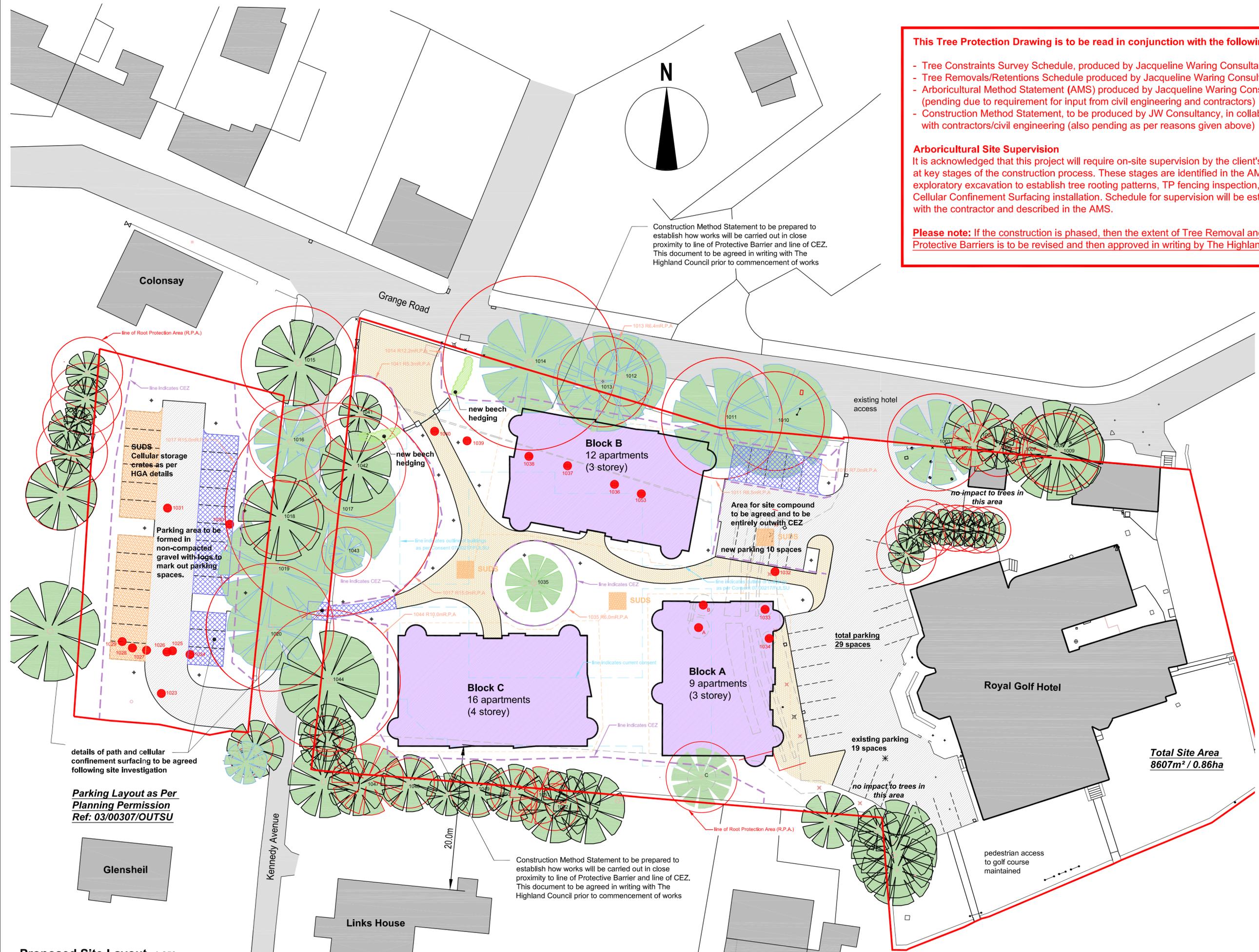
Client
 Dornoch Developments Ltd

Project
 Proposed Development for 37no. Holiday Apartments at Grange Road, Dornoch

Drawing
 Tree Protection Plan

Scale	Date	Drawn by
1:250	May 2011	DM
Project no	Dwg no	Rev
1990	PL003	B

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Parking Layout as Per Planning Permission Ref: 03/00307/OUTSU

details of path and cellular confinement surfacing to be agreed following site investigation

Construction Method Statement to be prepared to establish how works will be carried out in close proximity to line of Protective Barrier and line of CEZ. This document to be agreed in writing with The Highland Council prior to commencement of works

Proposed Site Layout 1:250