

THE HIGHLAND COUNCIL

SOUTH PLANNING APPLICATIONS COMMITTEE
25 February 2014

Agenda Item	5.2
Report No	PLS/011/14

13/04363/FUL: Mr John Mann
Corran Ferry Hotel, Onich, Fort William, PH33 6SE

Report by Area Planning Manager – South

SUMMARY

Description : Erection of restaurant and bar

Recommendation - GRANT

Ward : 22 - Fort William and Ardnamurchan

Development category : Local Development

Pre-determination hearing : None required

Reason referred to Committee : Timeous objections from members of the public residing at 5 or more separate addresses.

1. PROPOSED DEVELOPMENT

- 1.1 Planning permission is sought for a replacement for the Corran Inn, which was demolished in late 2013. The proposed development would comprise a bar and restaurant, with the restaurant on ground and first floors, and a self contained one bedroom manager's flat, accessed via an external stair, on the first floor. The proposed footprint would largely coincide with the former building.
- 1.2 Informal pre-application enquiry 12/04272/PREAPP was submitted: change of use from hotel/B&B accommodation to 4/5 self catering units within existing building, with existing bar retained. Generally supportive response subject to occupancy controls to prevent units being sold off separately.
- 1.3 The site is just off the A82 approximately 9 miles south of Fort William, adjacent to the queue for the ferry crossing from Nether Lochaber to Ardgour, and next to the Corran Bunkhouse.
There is a car park in front of the former Inn, accessed off the road to the ferry. No changes are proposed to the existing access and car park.
- 1.4 No supporting information submitted.

- 1.5 **Variations:** The scheme has been reduced in size; as submitted this application initially included 8 bedrooms, 4 on the ground floor and 4 above, each with bathroom, in addition to the bar and restaurant. The design has also been amended to alter the appearance of the main front elevation.

2. **SITE DESCRIPTION**

- 2.1 The land falls from the A82, approximately 70m to the rear, to the ferry landing approximately 100m in front of the site. There are trees behind, and a footpath runs along the side of the site, cutting the corner off the road to the ferry and up to the main road. The existing car park lies in front of the site and the access and car park to the Bunkhouse are beyond this. The site's principal aspect is towards the ferry. A row of tall trees screens the public toilets and the public car park by the ferry crossing. There are large houses in generous plots currently under construction on the other side of the ferry road.

3. **PLANNING HISTORY**

- 3.1 13/02959/FUL: Demolition of existing restaurant/hotel and construction of replacement bar/restaurant, and 4 self catering flats, and 4 en suite bedrooms - withdrawn Nov 2013
13/00876/FUL: Alterations and change of use of hotel to form restaurant/bar and 5 self contained residential units plus owners accommodation - withdrawn August 2013
09/00095/FULLO: Siting of catering trailer in car park and new reception entrance to Corran Ferry Hotel - permission July 2009 (permission lapsed)
06/00476/FULLO: Alterations to Corran Inn - permission Dec 2006
02/00415/FULLO: Erection of 2 holiday cottages and 12 person bunkhouse - permission Dec 2002
01/00273/OUTLO: Erection of 4 chalets - permission August 2001
01/00159/COULO: Change of use and alterations to outbuilding to form staff accommodation - permission May 2001
01/00116/DEMLO: Demolition of outbuilding - prior approval granted April 2001

4. **PUBLIC PARTICIPATION**

- 4.1 Advertised : Schedule 3 development
Representation deadline : 26.12.13 and amended scheme re-advertised with deadline of 13.02.14
Timeous representations : 6 (1 in support)
Late representations : 0
- 4.2 Material considerations raised are summarised as follows:
- Demolition of the historic Inn was wanton vandalism
 - The Inn should have been made a listed building and protected from demolition

- The proposed design, as originally submitted, and as revised, is not in keeping with this historic site; it is modern and suburban in character and has no regard for its location
- The re-built Inn should be of a traditional design in stone and slate

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam. Access to computers can be made available via Planning and Development Service offices.

5. CONSULTATIONS

5.1 **Lochaber Disability Access Panel:** No objections. Recommend that the access into the hotel be suitable for disabled persons, the car park include 2 spaces reserved for disabled visitors, and the internal layout is suitable for wheelchair users.

5.2 **TECS Roads:** The proposed development is of a similar size to the previous hotel, with a shift from residents to restaurant guests. The access in its present location is satisfactory and is covered with a yellow box marking on the nearside lane to discourage ferry queue parking. The current car park is unsurfaced and unmarked but it is estimated that it has a capacity of around 30 cars. Although there is no note of projected customer numbers this would appear to be a reasonable capacity. There is also a public parking area within 100 metres. No concerns regarding access and parking facility if the projected business usage is similar in scale to the original hotel.

5.3 **Contaminated Land** (previously consulted): No objection. Condition recommended due to the presence of a redundant fuel tank - precise position unknown, but probably under the car park - to ensure the developer addresses the potential for Contaminated Land at the site and its remediation.

5.4 **Scottish Water** (previously consulted): No objections. Standard advice regarding water supply and foul and surface water drainage.

5.5 **SEPA** (previously consulted): No comment.

5.6 **Archaeology** (previously consulted): Advised that the Inn was of local historical and architectural importance, dating from the 1870s, with the front element of the building of a later date. Historic Scotland was informally asked to look at the building with a view to listing, but they did not consider it met the criteria for listing. The service of a Buildings Preservation Notice was also considered by the Council but rejected as being too difficult to justify and it would likely only offer the building a brief reprieve. The proper recording of the building prior to its demolition would have been recommended as a condition of planning permission, however the building was demolished under "permitted development" rights before any application was determined by the Council.

5.7 **Access Officer** (previously consulted): The footpath alongside the former hotel is a Core Path and if disturbed during construction it should be reinstated to its former condition or better. If a temporary closure is required during construction permission is required from the Council.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland-wide Local Development Plan 2012

- 28 Sustainable Design
- 29 Design Quality and Place Making
- 36 Development in the Wider Countryside
- 42 Previously Developed Land
- 43 Tourism

6.2 West Highland and Islands Local Plan - as continued in force

7. OTHER MATERIAL CONSIDERATIONS

7.1 Draft Development Plan

Not applicable

7.2 Highland Council Supplementary Planning Policy Guidance

Sustainable Design
Siting and Design Guide

7.3 Scottish Government Planning Policy and Guidance

The planning system should support economic development in all areas by promoting development in sustainable location, promoting regeneration and the full and appropriate use of land, buildings and infrastructure, and supporting development which will provide new employment opportunities (para 45).

Planning Authorities should support high quality tourism related development, whilst ensuring new development safeguards and enhances an area's environmental quality (para 48).

Planning authorities should support proposals to bring vacant or derelict land back into productive use for development (para 48).

7.4 Other

Roads and Transport Guidelines for new developments.

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**

8.3.1 **Principle**

The demolition of the former Inn, whilst regrettable, did not require prior approval under planning legislation. The current proposal for the replacement building must be assessed on its own merits. The site is in the wider countryside but it would closely align with the footprint of the former Inn, and the proposed use is essentially the same. The provision of a restaurant and bar in this location would continue the tradition of hospitality for tourists and local residents at this location. It is close to tourist accommodation, within walking distance of the bunkhouse and nearby chalets and other tourist accommodation at Onich. The proposal would accord in principle with Policies 36, 42 and 43 of the Highland wide Local Development Plan.

8.3.2 **Siting and Design**

The position of the building would be similar to the previous Inn, next to the road to the ferry, and it would take advantage of the view down to the ferry crossing. It would relate satisfactorily with the adjacent bunkhouse and houses across the road.

The design is contemporary, and contains a large glazed front gable which would project to a central point, with an unusual sail-like feature projecting from the middle of the front elevation. Stonework is shown to the front elevation beneath the glazing. Glazed patio doors would lead from the restaurant onto a terrace at the front of the building. The entrance would be at the side of the building, as it was in the old Inn. The main part of the building would be orientated with the feature gable facing the ferry, and a subordinate element extending towards the neighbouring bunkhouse. There would be an external stair on this elevation to serve the manager's flat, and another on the rear elevation to provide emergency egress from the first floor part of the restaurant. There are a mixture of window styles including rooflights, arched and round porthole type openings.

It would be difficult to replicate the traditional character of the old Inn in a new build, and there is no compelling reason to specifically seek a traditional style of building on this site. The adjacent bunkhouse is a modern building, and the new houses on the other side of the road are modern in design. The proposed development would be a striking addition to the built environment here. It is quite a prominent location, being adjacent to the ferry queue and visible when coming over from Ardgour on the ferry. It is on lower ground in relation to the A82 and the treed embankment largely screens it from the trunk road. It is considered that the design would fit satisfactorily into the landscape in this location, and is a significant improvement to the scheme originally proposed. A condition is recommended to ensure the materials and finishes for the walls and roof are of a high quality. The development would accord with Policies 28 and 29 of the Highland-wide Local Development Plan.

8.3.3 Access and services

The existing access from the public road and car park would remain unchanged. There would be sufficient parking for the development, given it would be comparable in capacity to the previous Inn. A landscaping condition is recommended to ensure some planting is provided around the building and to control the materials and layout for paths from the car park to the premises, together with the type of means of enclosure. The development would accord with Policy 28 in this respect.

8.4 Material Considerations

Following consultation on the previous application, the Council's Contaminated Land Unit recommended a planning condition be attached to ensure that potential contamination of the site is addressed prior to its redevelopment. This is due to the presence of a redundant fuel tank (precise position unknown, but probably under the car park).

8.5 Other Considerations – not material

The fact that the previous Inn was demolished and that this happened before the planning application was determined is not material to the consideration of this application. The demolition did not require approval under planning legislation.

Matters relating to the licensing of the premises, liquor, hours of opening, and entertainment would be dealt with separately under Licensing legislation.

Accessibility for disabled persons is principally covered by other legislation including Building Standards.

8.6 Matters to be secured by Section 75 Agreement

None

9. CONCLUSION

9.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. RECOMMENDATION

Action required before decision issued No

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

1. **No development shall commence** until a scheme to deal with potential contamination on site has been submitted to and agreed in writing by the Planning Authority. The scheme shall include:

- a) the nature, extent and type of contamination on site and identification of pollutant linkages and assessment of risk (i.e. a land contamination investigation and risk assessment), the scope and method of which shall be submitted to and agreed in writing by with the Planning Authority, and undertaken in accordance with PAN 33 (2000) and British Standard BS 10175:2011+A1:2013 Investigation of Potentially Contaminated Sites - Code of Practice;
- b) the measures required to treat/remove contamination (remedial strategy) including a method statement, programme of works, and proposed verification plan to ensure that the site is fit for the uses proposed;
- c) measures to deal with contamination during construction works;
- d) in the event that remedial action be required, a validation report that will validate and verify the completion of the agreed decontamination measures;
- e) in the event that monitoring is required, monitoring statements shall be submitted at agreed intervals for such time period as is considered appropriate by the Planning Authority.

No development shall commence until written confirmation has been received that the scheme has been implemented, completed and, if required, monitoring measurements are in place, all to the satisfaction of the Planning Authority.

Reason : In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site in accordance with Policy 42 of the Highland-wide Local Development Plan.

2. **No development or work shall commence** until full details of all of the external materials and finishes for the walls, stonework, glazing and roof coverings (including samples) have been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

Reason : To ensure that the development is sensitive to, and compatible with, its context in accordance with Policies 28 and 29 of the Highland-wide Local Development Plan.

3. **No development shall commence** until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:

- i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
- ii. A plan showing existing landscaping features and vegetation to be retained;
- iii. The location and design, including materials, of any existing or proposed walls, fences and gates;

- iv. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and
- v. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged, shall be replaced in the next planting season with others of the same size and species.

Reason : In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site in accordance with Policies 28 and 29 of the Highland-wide Local Development Plan.

REASON FOR DECISION

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

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

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Accordance with Approved Plans & Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). 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 adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

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 (or emanating from) the application site. As per Scottish Planning Policy (p.198), 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.

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as dropped kerb consent, a road openings permit, occupation of the road permit etc.) from TECS Roads prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local TECS Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: <http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm>

Mud & Debris on Road

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Public Access

Public access to any Core Path adjacent to the application site shall at no time be obstructed or deterred by construction-related activities, unless otherwise approved in writing by the Council's Access Officer as a temporary measure required for health and safety or operational purposes. Under such circumstances, any temporary obstruction or determent shall cover only the smallest area practicable and for the shortest duration possible, with waymarked diversions provided as necessary.

Construction Hours and Noise-Generating Activities: You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Signature: Allan J Todd
Designation: Area Planning Manager - South
Author: Lucy Prins
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location plan - revised red line
Plan 2 - Site Layout Plan dwg no. 600
Plan 3 - Ground Floor Plan dwg no.601
Plan 4 - First Floor Plan dwg no.602
Plan 5 - Front and Side Elevations dwg no.603
Plan 6 - Rear and Side Elevations dwg no.604

Appendix – Letters of Representation

Name	Address	Date Received	For/Against
Dr Michael Foxley	2, Achaphubuil. By Fort William	15 Dec 2013	Against
Ms Lesley Stewart	Mo Dhachaidh, Onich, Fort William	19 Dec 2013 & 25 Jan 2014	Against
Mr Nigel Heardman	2 Glenloch View, Achintore Road, Fort William	13 Jan 2014	Against
Mr Douglas Watt	Sruthan House Lochaline, Morvern	31 Jan 2014	Against
Mr Iain Thornber	Knock House, Lochaline, Morvern, Argyll	1 Feb 2014	Against
Mrs Fiona Ferreira	25 Moray Place, Fort William	10 Feb 2014	For

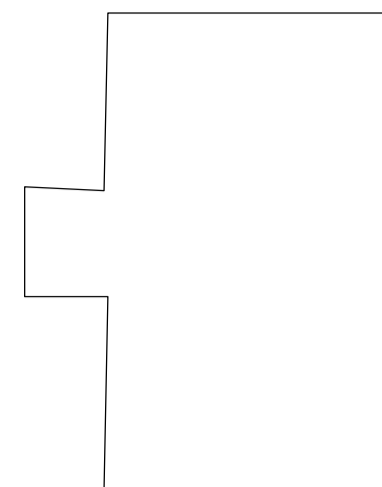
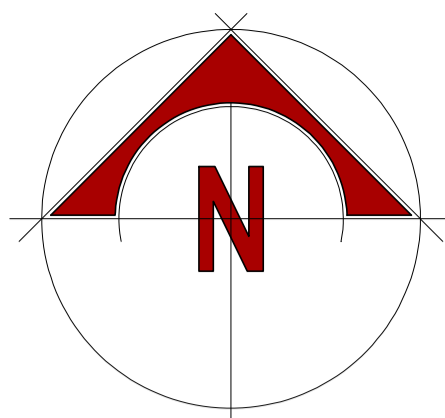
**The
Corran
Inn**

Bunkhouse

Birchwood

ara





TO A82

TO CORRAN FERRY

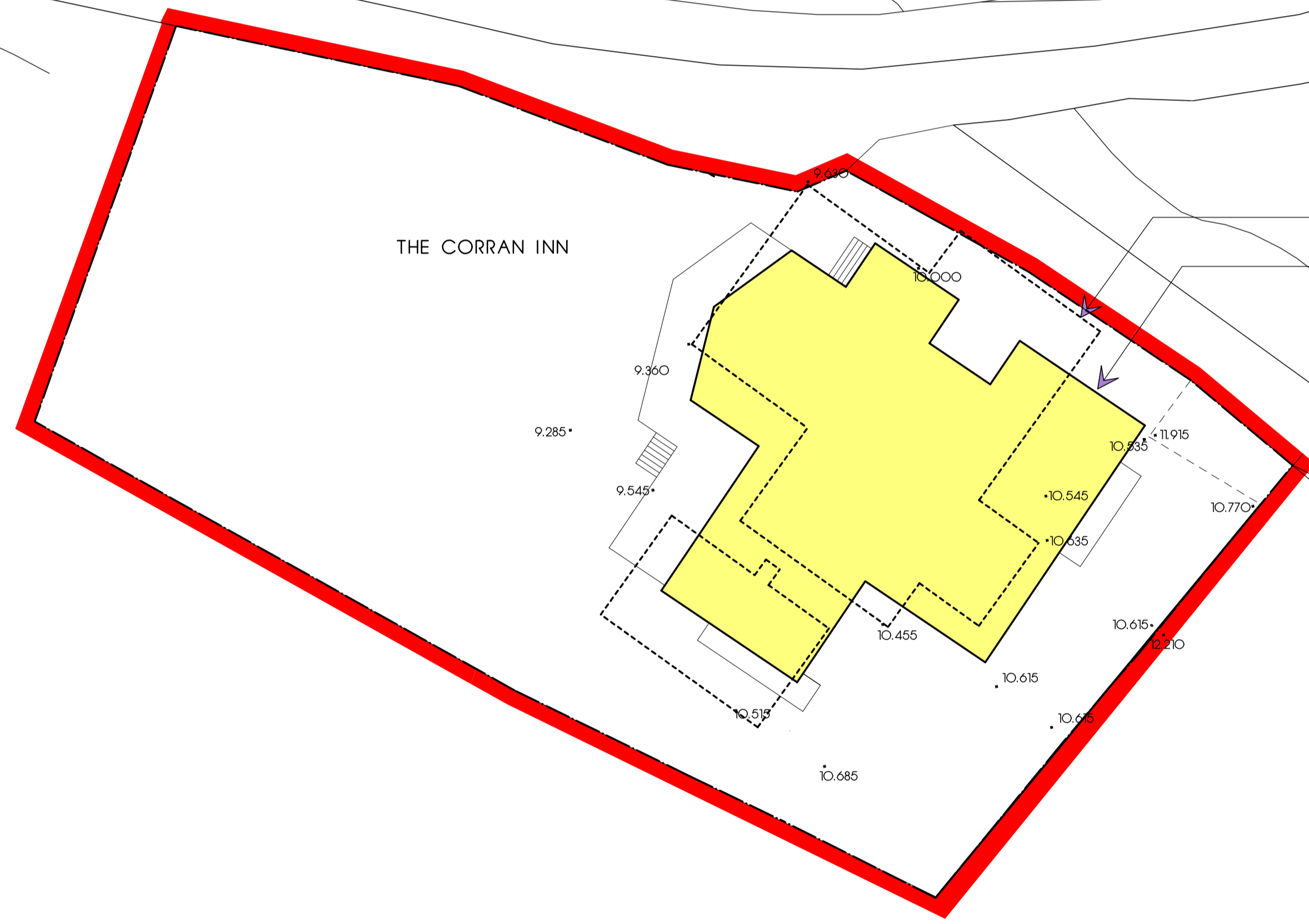
A 82 - TRUNK ROAD

TO BALLACHULISH

THE CORRAN INN

PREVIOUS BUILDING SHOWN DOTTED

PROPOSED REPLACEMENT BUILDING SHOWN SHADED



Note
The contractor will be held to have checked all dimensions before commencing with any works and, in the event of discrepancies, is to refer them directly to this office for clarification prior to commencement of work.
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project
PROPOSED DEMOLITION OF EXISTING INN, CORRAN, FORT WILLIAM

client
MR. J. MANN

detail
PROPOSED SITE LAYOUT 2

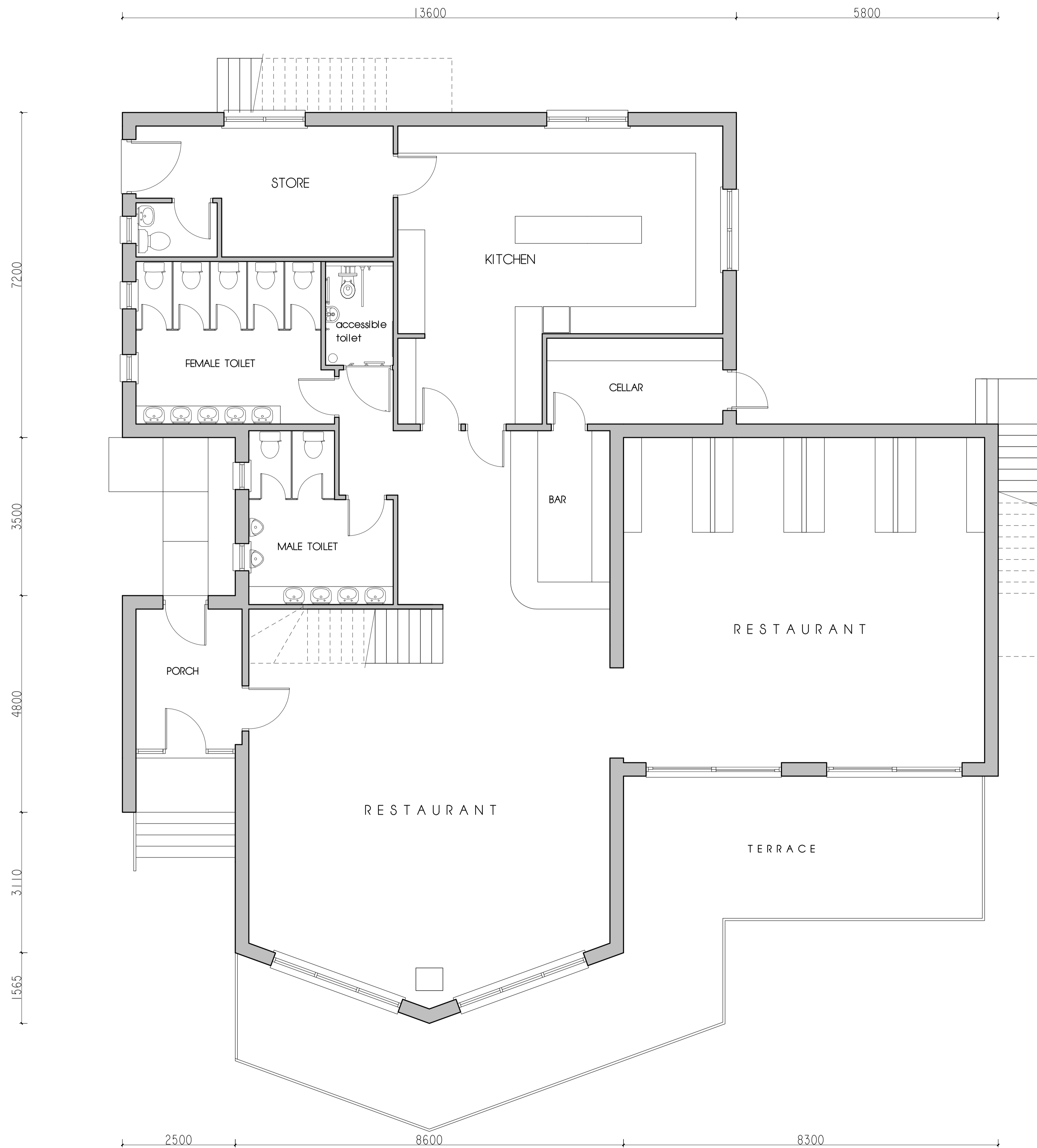


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scale 1 : 200 date 03. 01. 14

job no. 12/099 drg no. 600 drawn D. KELLY

PROPOSED SITE LAYOUT



GROUND FLOOR PLAN

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CORRAN INN, ONICH, FORT WILLIAM

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detail
AS PROPOSED GROUND FLOOR PLAN

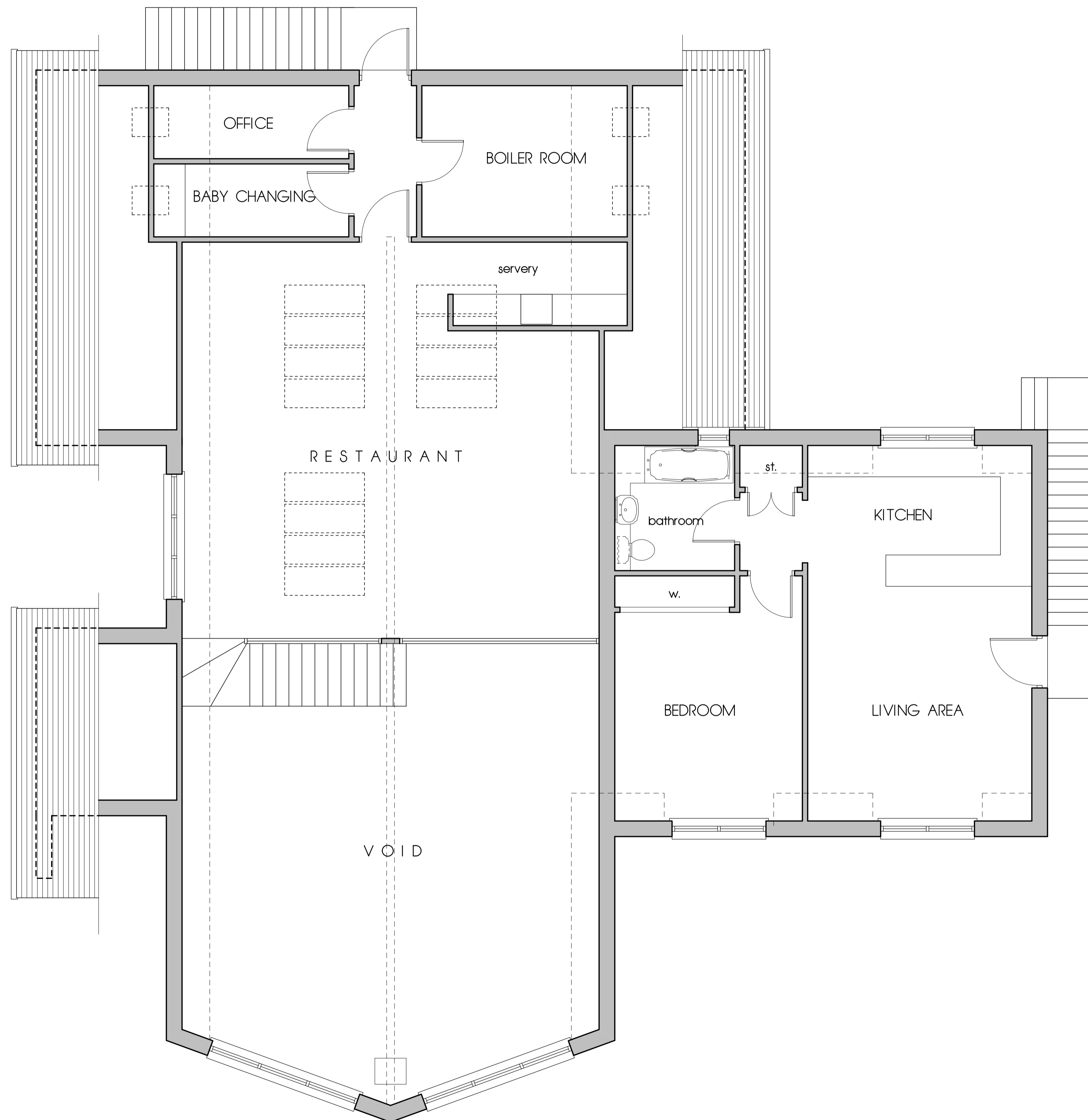
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Architectural Consultant

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FIRST FLOOR PLAN

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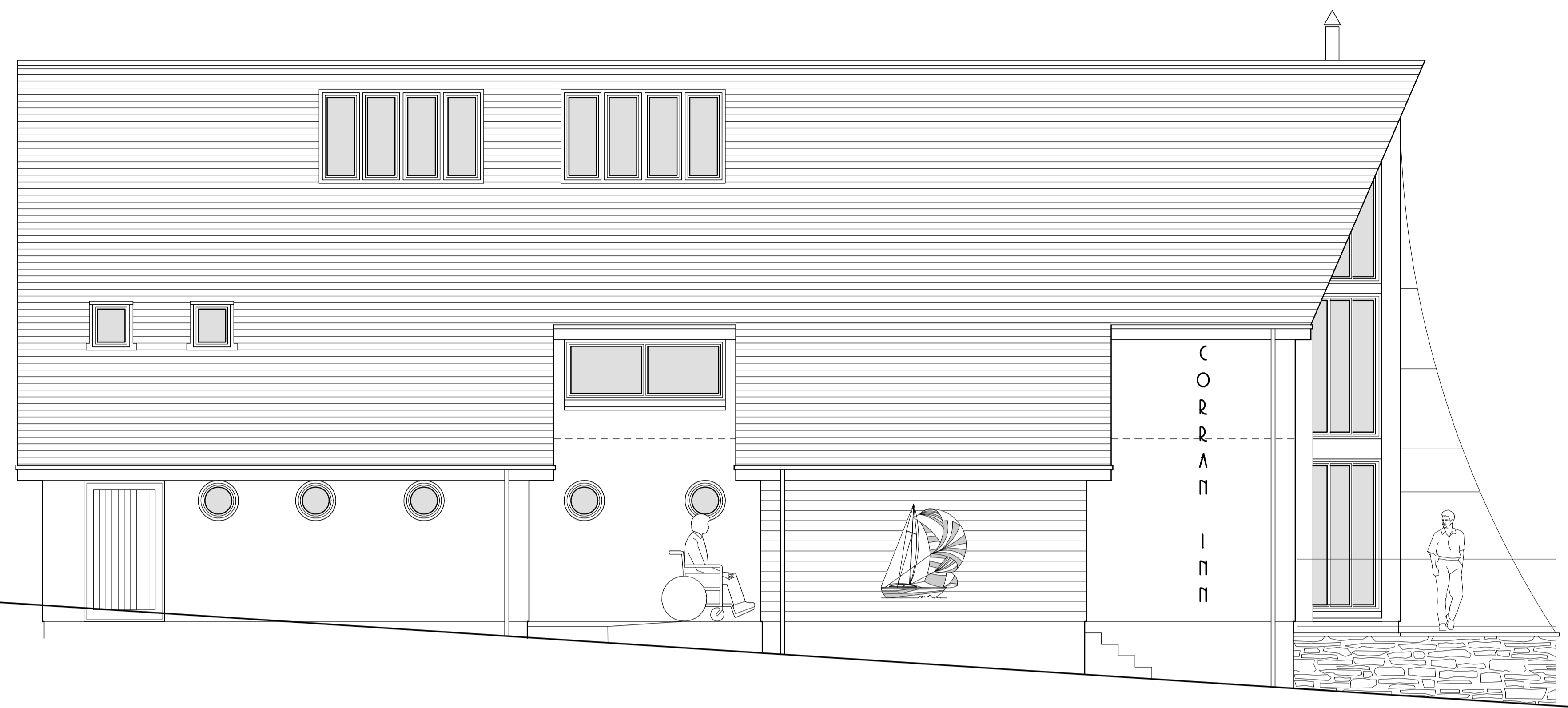
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SIDE ELEVATION



FRONT ELEVATION

project
 PROPOSED DEVELOPMENT AT THE
 CORRAN INN, ONICH, FORT WILLIAM

client
 MR. J. MANN

detail
 AS PROPOSED –
 FRONT & SIDE ELEVATIONS

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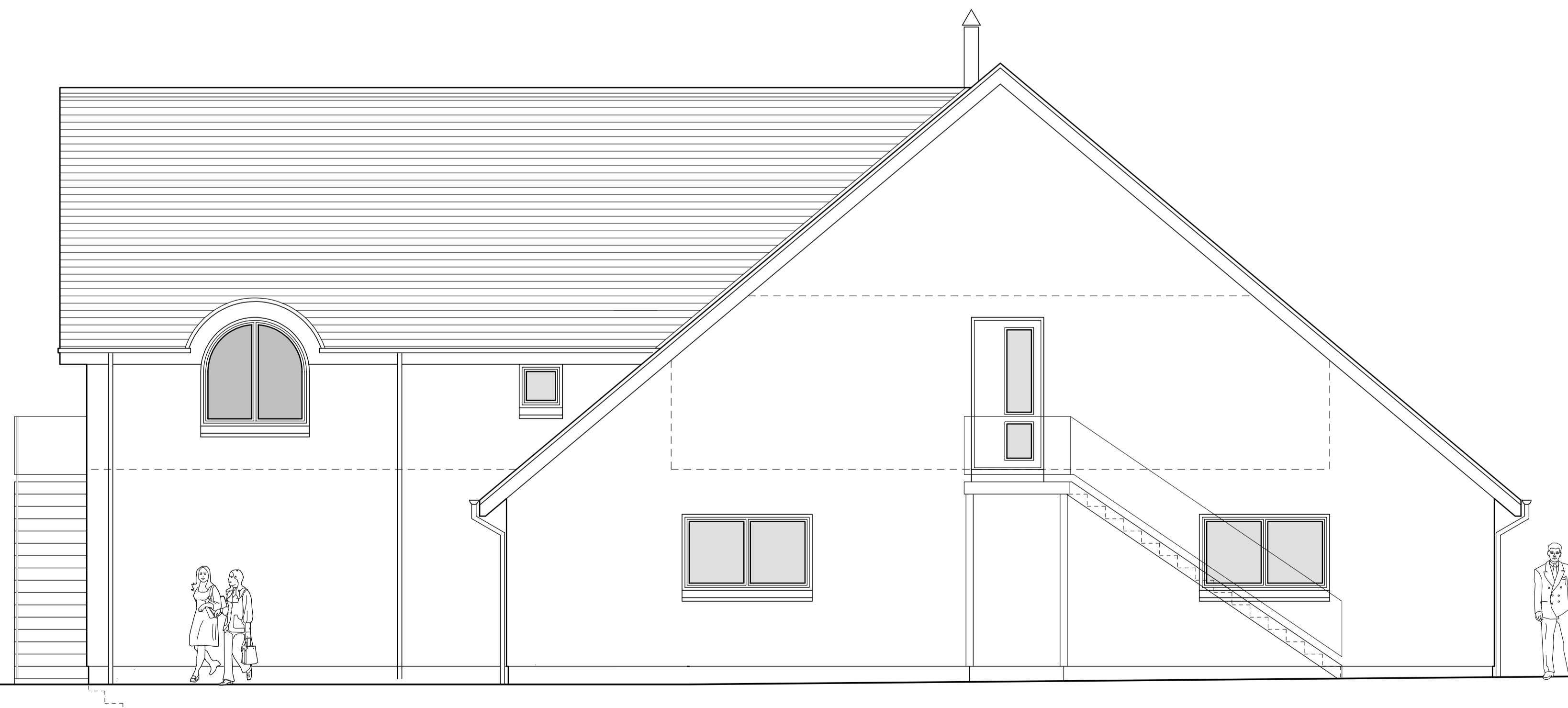
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SIDE ELEVATION



REAR ELEVATION

project
 PROPOSED DEVELOPMENT AT THE
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detail
 AS PROPOSED -
 REAR & SIDE ELEVATIONS

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