## THE HIGHLAND COUNCIL

# SOUTH PLANNING APPLICATIONS COMMITTEE 12 April 2016

Agenda Item	6.2
Report	PLS
No	022/16

15/03207/FUL: Cruachan Hotel

Cruachan Hotel, Achintore Road, Fort William, PH33 6RQ

Report by Area Planning Manager - South

## SUMMARY

**Description:** Demolish existing extension and erection of 14 bedroom extension

**Recommendation: GRANT** 

Ward: 22 - Fort William and Ardnamurchan

**Development category:** Local Development

Pre-determination hearing: Not required

Reason referred to Committee: Objections from the public residing at five or more

addresses and Community Council objection.

## 1. PROPOSED DEVELOPMENT

Planning permission is sought for a two storey extension in place of a single storey extension at the back of the Cruachan Hotel on Achintore Road in Fort William. The original building is a distinctive tall "baronial" style building in grey stone and slate, approximately 200m from the edge of the town. It is set between a private house on one side, and a guest house on the other, close to other small hotels facing Loch Linnhe across the main A82 road into the town from the south.

The land rises steeply behind the hotel, with the 2 annexes in an elevated situation behind the original building, now linked by "bridges" to the upper floors of the building in front.

The proposed extension would measure 21m by 10.1m in floor area. It would be built on a steep slope, and it would measure 5.9m in height at the rear, and 6.55m in height at the front from the proposed ground floor level, though with the considerable underbuild it would measure approximately 11.65m in height at the front. The extension would be two storeys with 8 rooms on the ground floor and 6 rooms on the first floor, with the building reduced to single storey at the NE side. There would be a raised element in the centre of the roof 2.7m by 2.3m in size and 1m high containing headroom for a lift.

Materials for the extension would be render and timber for the walls and steel sheeting for the roof, which would be a monopitch design.

- 1.2 No pre-application discussions. Three previous applications for larger extensions have been either withdrawn or returned prior to this application being progressed.
- 1.3 The hotel fronts onto the A82 Trunk Road, a short distance SW of the West End roundabout and public car park. The site is served by mains services.
- 1.4 A Design and Access Statement has been submitted.
- 1.5 **Variations**: Floor area amended/corrected in annotation on drawing from 525sqm to 327sqm.

## 2. SITE DESCRIPTION

The site is approximately 260m SW of the West End roundabout in Fort William, on the A82. It is outwith the designated town centre. The frontage of the site is hard standing with car parking for 16 cars and 3 coaches. To the rear is Grange Terrace with a pair of semis at a distance of approximately 32m immediately behind (measured from the proposed elevation of the extension to the facing elevations of the existing houses). A detached house, Garrisdale, is the closest property at approximately 17m to the SW (facing gable elevation to facing gable elevation) and Toravaig just over 30m to the SE. Alongside the original Hotel building is a private dwelling house, Carna to the NE, and Myrtle Bank which is a quest house to the SW.

There is a large hedge which belongs to the houses behind, on the boundary with the hotel to the rear, and an evergreen hedge part way along the boundary with Garrisdale. A more open boundary fence divides the property from Carna. The land slopes steeply between the front of Garrisdale and the rear corner of the previous annex extension of the hotel. There are a few bushes in the grounds of the hotel at the rear; the rear garden curtilage is otherwise largely unkempt.

# 3. PLANNING HISTORY

3.1 00/00323/FULLO: Installation of ventilation and ducting system for hotel kitchen - granted Sept 2000

09/00255/FULLO: erection of new entrance lobby and new lift in accommodation block - granted permission Aug 2009

14/04394/FUL: demolish existing extension and erection of 24 bedroom extension application withdrawn

15/01127/FUL: demolish existing extension and erection of 20 bedroom extension application returned

15/01621/FUL: demolish existing extension and erection of 16 bedroom extension - application withdrawn

## 4. PUBLIC PARTICIPATION

4.1 Advertised: unknown neighbour

Representation deadline: 16 Oct 2015

Timeous representations: 6
Late representations: 0

- 4.2 Material considerations raised are summarised as follows:
  - Over-development of the site originally a 10 bedroom hotel
  - Extension is too large height and bulk
  - Loss of amenity to neighbours due to height of extension and loss of light, and loss of privacy - a breach of the European Convention on Human Rights regarding the right to a family life
  - Design and materials not in keeping with the Victorian original building
  - Fire escape is an utilitarian structure which will detract from the outlook of overlooking properties
  - Inadequate access for emergency services with fire escapes leading into the very restricted area around the building adjoining neighbours' properties
  - Access unsafe
  - Inadequate parking
  - Increased noise and disturbance
  - No sustainable drainage scheme
  - Concerns regarding ground stability
  - Inadequate bin storage
- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet <a href="www.wam.highland.gov.uk/wam">www.wam.highland.gov.uk/wam</a>. Access to computers can be made available via Planning and Development Service offices.

## 5. CONSULTATIONS

Transport Planning: Access is the responsibility of Transport Scotland; the parking requirement would be approximately 70 spaces for a development with this number of rooms and staff. The current provision is less than 25% of the expected amount. The applicant states that the majority of business is from coach parties. The proposal cannot be supported unless the applicant demonstrates that the vast majority of visitors to the hotel arrive by coach and the current level of parking is sufficient for the hotel.

Secure covered cycle parking is also required.

- 5.2 **Flood Team**: Submitted details considered reasonable in principle.
- 5.3 **Access Panel**: Some concerns regarding limited accessibility to the existing and proposed extension.
- 5.4 **Transport Scotland**: No objections; concerns regarding the adequacy of the parking.

5.5 **Fort William Community Council**: Objects due to inadequate parking, poor design, over-development, and no provision for sustainable surface water drainage.

## 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
34	Settlement Development Areas
44	Tourism Accommodation
66	Surface Water Drainage

# 6.2 West Highlands 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

Flood Risk & Drainage Impact Assessment Jan 2013 Sustainable Design Guide Jan 2013

# 7.3 Scottish Government Planning Policy and Guidance

Para 108. Proposals for business, industrial and service uses should take account of surrounding sensitive uses, areas of particular natural sensitivity or interest and local amenity, and make a positive contribution towards place making.

# 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

Policy 44 of the HwLDP states that proposals for tourist accommodation within settlement boundaries will be supported if the Council is satisfied that the proposal can be accommodated without adverse impacts upon neighbouring uses, complies with Policy 28 and will not prejudice the residential housing land supply. The key issue in this case is the impact on neighbouring residential properties, and the design of the extension. The principle of upgrading and extending tourist accommodation at an existing small hotel is otherwise supported.

# 8.3.2 **Scale and Design**

The proposed extension would replace an existing poor quality single storey extension. The proposal would have a larger footprint, in extending 2.7m further to the NE towards the boundary of Carna, and it would be taller as it would be 2 storey rather than single storey. The roof would be monopitch and slope towards the rear so that properties behind would look onto the rear roof plane, including the feature accommodating the top of the lift shaft. There would be fire escapes at both ground and first floor level on the gable facing Garrisdale. The extension would be utilitarian in appearance, and it would not relate to the character of the original Victorian hotel building. However the extension would be behind a large 3 storey existing annex extension, which is similar in character and appearance to the extension now proposed. The existing extension is wider than the original hotel building and so it is visible from the site frontage, and it would block views of the proposed extension from the main road. The proposed extension would be higher than the existing annex, because it is sited on rising ground, however it would be similar in height to the original hotel building, and again, it would not be prominent from the public frontage because of the angle it would be viewed at, with the original hotel building largely blocking public views to the proposed annex at the rear.

The design and materials would relate to the existing annex extension, which is itself not sympathetic to the original building or to the area. However the proposed extension is relatively small and not prominent in public views. The proposal has been scaled down from a 24 bedroom extension, to a 20 bedroom extension, then a 16 bedroom extension before the current proposal was arrived at. On balance, given the enclosed situation surrounded by other development, the size of the extension now proposed and the degree of separation from the original hotel, the size and design of the proposed extension would be considered acceptable. Whilst the site would be likely to be nearing capacity with the proposed extension, this proposal would not be considered over-development. The proposal would therefore accord with Policy 29.

# 8.3.3 Impact on Amenity

The views from the side and rear are largely confined to those from the four properties behind: Garrisdale, Fasnahuile (14 Grange Rd), Dunfally (12 Grange Road) and Toravaig. From Garrisdale the extension would be prominent from a side window and patio door serving a sitting/dining room, and from a terrace at the front of the property. The property has its principal elevation and main aspect facing NW towards the loch, whilst the extension would be to the NE. There is an evergreen hedge around this front corner of the property which screens the view of the existing hotel to an extent. Given the anticipated separation distance of approximately 17m, the fact that the extension would be most prominent from a side extension rather than the principal elevation, and the fact that the extension would be to the NE of Garrisdale and thus not have a significant impact on sunlight to this property, on balance this relationship is considered to be acceptable in terms of amenity and privacy. The loss or change to a private view from another private property is not something that can be safeguarded or protected under planning rules.

The two properties on Grange Road, to the rear of the hotel, Fasnahuile and Dunfally, would be slightly further from the proposed extension at approximately 32m. They would however look directly towards the proposed extension which is directly in line with their main aspect which is towards the loch. They currently look across the top of the existing flat roofed extensions and onto the narrower steeply pitched rear roof plane of the original hotel building, along with other properties on the Achintore Road frontage, with the loch beyond. There is a substantial evergreen hedge at the foot of the gardens to these two properties, which, because of the steep slope beyond it, largely screens the existing annex that is to be demolished and replaced by the proposed extension. As the proposed extension would be taller and wider it would be more prominent in this view from these two houses, and rooms in the first floor of the extension would be likely to overlook these properties to some degree. Planning cannot however safeguard a view from private properties, and at the distance concerned the proposed extension would not be overbearing in relation to these houses, nor would existing residents' privacy or standards of amenity be unacceptably compromised. It is considered that the occupant's rights to family life, as referred to in the European Convention on Human Rights, would not be lost as a result of this development.

The impact on Toravaig would be similar to that for the neighbouring 2 houses, though at a slightly lesser distance of 28m and at a slightly different angle, the proposed extension being more to the WNW, and not so directly in line with their main aspect, which is also towards the loch.

The proposed extension would be closer to the boundary of the garden of Carna; 8m rather than 13m to the side elevation of the present extension. However the existing annex extension is wider and so the view from the garden facing windows of Carna would be little affected.

Glentower is beyond Carna and therefore would be affected less.

The increase in the total number of bedrooms as a proportion of the hotel as a whole would not result in an unacceptable increase in the amount of noise and disturbance. The elements nearest to neighbours are bedrooms rather than function rooms or communal areas such as bars. In addition, the new extension would be built to better standards in terms of noise insulation than the previous poor quality extension. A certain amount of noise and disturbance is inevitable during construction, however this would be short lived. An informative is recommended to advise of other legislation that would deal with excessive noise relating to construction at anti-social times.

Overall the impact on neighbours' amenity is considered acceptable and would accord with Policy 28.

# 8.3.4 Access and Parking

16 car parking spaces are shown on the site layout plus 3 coach parking bays. The numbers given in the design statement and annotation on the drawing are incorrect. The extension would provide 14 rooms. As a whole the hotel would increase its room provision from 53 to 64 - a net increase of 11 bedrooms.

The Transport Planning Team's advice is that the Council's standards would direct that there should be approximately 70 car parking spaces, and that the current and proposed provision of 16 car parking spaces plus 3 coach parking bays is less than 25% of that number. The applicant has proposed that because the majority of their customers come on coach tours, the standards should be relaxed. Details have been supplied to show that 6 different coach tour companies have bookings with the hotel. One of these, Abbey Tours, has block booked the whole hotel last year and again this year, and guarantees occupancy of approximately half of the available rooms. If the hotel car park is full, the nearest public car park is at the West End roundabout which is within 100m walk from the hotel. The hotel is also close to bus stops at the west end of the town, and it is within walking distance of the bus and train station at the other end of the town. On the basis that the majority of visitors arrive by coach, and supported by the close proximity to the town centre and alternative means of travel and parking, the reduced provision is considered adequate and would not conflict with Policy 28 in this respect.

It is recommended however that cycle parking provision is sought and this can be secured by planning condition.

Emergency access would be controlled by Building Standards. There is sufficient space in the grounds at the rear of the premises as well as at the front for people to assemble on evacuation.

The hotel has undergone refurbishment in recent times to improve accessibility to disabled persons. The extension would incorporate another lift which would ensure that the proposed extension would be accessible. All parts of the hotel except for a few rooms in the original hotel building would then be fully accessible. The proposed extension would be subject to Building Standards as well as more general equalities legislation regarding accessibility.

# 8.3.5 **Drainage/Services**

The site is at the foot of a steep slope and it is reported that there are surface water drainage issues in the area. The extension would have a larger footprint than the existing extension that it would replace, and the whole of the frontage of the property comprises hard standing. The applicant has been asked to explore the possibility of installing some mitigation to attenuate the flows which ultimately are directed into drains under the A82 and to Loch Linnhe. A 6m by 3.5m wide by 0.4m deep cellular attenuation tank is proposed in the grounds alongside the NE side of the extension, together with a 0.6m wide cut off drain/filter trench at the back of the site. This would result in surface water run off being reduced from 4.7 litres /second to 1.9litres/second. This proposal would improve the surface water drainage situation, and it is considered reasonable by the Council's Flood Risk Management Team. A condition is recommended to ensure this scheme is installed. The proposal would therefore accord with Policy 66.

The stability of the slope is of concern to neighbours, and it is for the developer to ensure that the construction work does not adversely affect neighbours' property. Building Standards would ensure the foundations properly deal with the ground conditions and slope stability, and a condition is recommended to secure full engineering details of the cut and retaining structures as they may affect the boundaries of adjoining properties.

The hotel's bins are adjacent to the kitchen entrance on the NE corner of the frontage of the building. A condition is recommended to seek a better arrangement because of the proximity to the neighbouring property, Carna.

## 8.4 Material Considerations

Six letters of objection have been received plus an objection from the Fort William Community Council (received before it recently disbanded). The issues raised have been covered in the assessment above.

The site is tightly constrained at the front with the existing buildings taking up most of the width of the site, which would present a challenge to the construction of the proposed extension. A condition is therefore recommended requiring the submission of a Construction Management Plan.

# 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  $\ \underline{N}$ 

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 and notes to applicant:

- 1. No development, including any demolition works, shall commence until a Construction Method Statement has been submitted to and approved in writing by the Planning Authority. The statement shall provide for:
  - (a) the parking of vehicles of site operatives and visitors;
  - (b) loading and unloading of plant and materials;
  - (c) storage of plant and materials used in constructing the development;
  - (d) measures to control the emission of dust and dirt during construction; and,
  - (e) a scheme for recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Method Statement shall be adhered to throughout the construction period.

**Reason:** In the interests of residential amenity, pollution prevention, and road and pedestrian safety.

2. No development shall commence on site until full engineering details, including sections and specification, of the excavation and retaining structures as they may affect the boundaries of adjoining properties, have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be carried out strictly in accordance with the approved plans.

**Reason:** In order to ensure that any potential impact on neighbouring properties as a result of any excavation works close to the site boundaries, which may not fall under the Building Regulations, are fully considered, in accordance with Policy 28 of the Highland-wide Local Development Plan.

3. No development shall commence until full details of a covered and secure bicycle storage/racking system for 6 bicycles have been submitted to, and approved in writing by, the Planning Authority. Thereafter, the storage/racking system shall be installed in accordance with these approved details prior to the first occupation of the development hereby approved.

**Reason:** In order to facilitate the use of a variety of modes of transport, in accordance with Policy 28 of the Highland-wide Local Development Plan.

4. No development shall commence on site until the final surface water drainage scheme, with supporting calculations, has been submitted to and approved in writing by the Planning Authority. Thereafter the final surface water drainage scheme shall be fully installed prior to the initial occupation of the new bedroom extension and maintained thereafter in perpetuity. The finalised scheme shall be based on the details submitted in dwg no.J1455 P001 on 25 March 2016.

**Reason:** To ensure that surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment, in accordance with Policy 66 of the Highland-wide Local Development Plan.

5. The development hereby approved shall not be brought into use until details of bin storage for the hotel as a whole have been submitted to and approved in writing by the Planning Authority. The bins shall be stored in the place as approved, and the lids closed except when in use.

**Reason:** In the interests of the neighbour's amenity, in accordance with Policy 28 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 LIMITS 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.

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.

## 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.259), 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.

## Mud & Debris on Road

Please note that it 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.

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.

**Building Regulations:** Please note that Building Regulations and/or a Building Warrant may be applicable to some or all of the works described in this decision notice. You must check with the Council's Building Standards service prior to work commencing to establish what compliance or approval is necessary. If a warrant is required, you must not commence work until one has been applied for and issued. For more information, please contact Building Standards at Building.Standards@highland.gov.uk or on 01349 886606.

**Building on the Boundary:** It is noted that your proposals may involve building retaining structures on or up to the boundary of your property. Please be advised that this permission does not entitle you to build on, under or over ground outwith your ownership or to enter private ground to demolish, construct or maintain your property. You must ensure that all development, including retaining structures, and foundations are contained wholly within your own ground, unless you have the agreement of any neighbouring landowner for any works which encroach on their property.

Signature: Allan J Todd

Designation: Area Planning Manager - South

Author: Lucy Prins

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

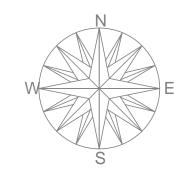
Relevant Plans: Plan 1 – Location Plan

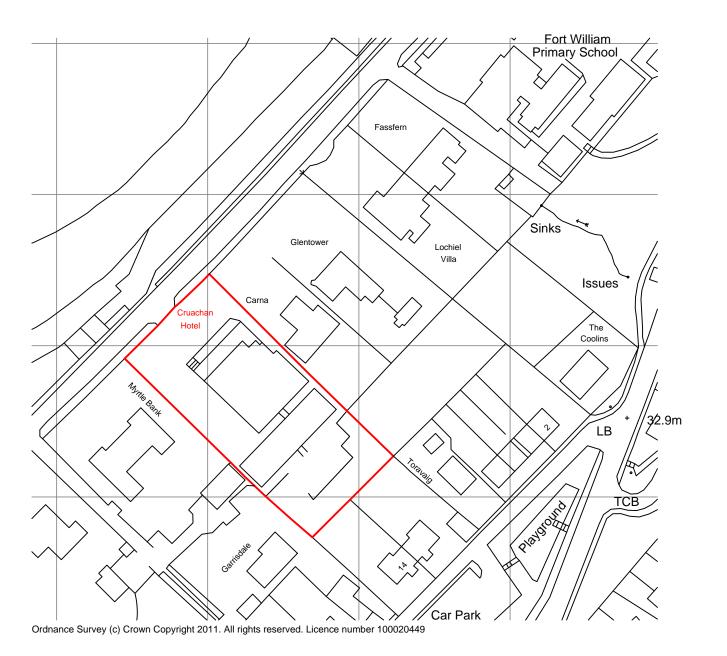
Plan 2 – Site Layout Plan

Plan 3 – Lower Ground Floor Plan Plan 4 – Upper ground Floor Plan

Plan 5 – Elevations

Plan 6 - Section





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Cruachan Hotel

Removal of existing extension & erection of 14 bedroom extension Cruachan Hotel, Achintore Road, Fort William PH33 6RQ

Location Plan

1:1250

0711.1752.505

