

THE HIGHLAND COUNCIL

**NORTH PLANNING APPLICATIONS COMMITTEE
21 February 2017**

Agenda Item	7.7
Report No	PLN/018/17

**16/04758/FUL: Royal Dornoch Golf Club per Halliday Fraser Munro
Land 210M SW of Dornoch Health Centre, Shore Road, Dornoch**

Report by Area Planning Manager

SUMMARY

Description: Erection of golf-pro shop (with ancillary office and staff accommodation), driving range bays, formation of driving range and tennis court, demolition of existing building and all ancillary parking, engineering and landscaping works

Recommendation - GRANT

Ward: 5 - East Sutherland and Edderton

Development category: Major

Pre-determination hearing: No

Reason referred to Committee: Major application.

1. PROPOSED DEVELOPMENT

1.1 The application seeks consent for a mixed use development. Specifically the proposal comprises the following elements:

- Golf driving range with 10 bays (3.6 hectares) and associated 'classroom';
- General practice area;
- Tennis court;
- A pro-golf shop;
- Public toilets
- Car parking;
- Coach parking

It is intended that the car and coach parking will not be solely for use of patrons of the golf facility and will provide additional parking facilities for community or tourist use.

1.2 Informal pre-application advice has been provided to the applicant from the Planning Authority in consultation with the Council's Flood Team, Transport Planning team and SEPA.

- 1.3 There is an existing access from Shore Road into the site however no other infrastructure exists at present.
- 1.4 The application is supported by a Drainage Impact Assessment, Flood Risk Assessment, Transport Statement and Planning/Design Statement.
- 1.5 **Variations:** No variations have been made to the proposal however further information has been submitted in respect of flood risk and surface water management. The proposed materials for the driving range bays have also altered during processing of the application from natural stone to render on the north (rear) elevation.

2. SITE DESCRIPTION

- 2.1 The site lies on the southern edge of Dornoch and extends to a total of 8.20 hectares. The Dornoch Business Park and former abattoir lie to the north of the site, the latter of which is being developed as student accommodation (**16/00887/FUL**). There are a number of residential properties lying to the north east of the site, to the east side of Shore Road. The site is generally flat and has open views in a southerly direction. Views of the taller structures within the town centre can be seen looking north. The northern part of the site was previously part of the abattoir site therefore is brownfield in nature. The southern portion of the site is scrubland. The site contains a relatively small former gasworks building at its boundary with Shore Road. This is an L-shaped sandstone building with a blockwork extension which is now in a declining state.

3. PLANNING HISTORY

- 3.1
 - 16/00765/SCRE: Proposed leisure facilities (principally golf related) with associated infrastructure and landscaping. Screening response issued 04.03.2016 - EIA Not Required.
 - 16/00760/PAN: Proposal of Application Notice received on 24.10.2016

The following permission has also been granted to the north of the site:

- 16/00887/FUL: Erection of 40 bed student accommodation block (Permitted 17.06.2016) to the north of the site - development has now commenced.

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Unknown Neighbour - 04.11.2016

Representation deadline: 18.11.2016

Timeous representations: 1 representation

Late representations: 0

- 4.2 One letter of support has been received in relation to the application. This notes support for the application but requests that the stone plaque above the north door of the gasworks building (to be demolished) is removed and either incorporated in the new build or deposited within the Historylinks Museum for safe keeping. This is not an issue that could be addressed by planning condition however the agent has confirmed that the developer is happy to ensure the plaque is either re-used or retained at the nearby museum.

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 **Transport Planning:** No objections subject to a number of conditions.

5.2 **Environmental Health:** No comments/objections.

5.3 **Contaminated Land:** No objections. Records indicate that part of this site has a historic use as gasworks and slaughterhouse which pre-planning site investigation reports have demonstrated has resulted in land contamination. The previously prepared remediation strategy requires to be updated prior to development commencing. This can be secured by condition.

5.4 **Flood Risk Management Team:** Initially objected due to a lack of information regarding surface water management and flood risk. Following the receipt of additional information this objection has been removed and the Flood Risk Management Team have confirmed that the proposals are acceptable with regards flood risk mitigation and surface water drainage subject to a number of conditions.

5.5 **Historic Environment Team:** No objections. The proposed development is located in an area of archaeological potential. A condition is requested to ensure a programme of work for the evaluation, preservation and recording or any features affected by the development is agreed prior to commencement of development.

5.6 **SEPA:** Initially objected due to a lack of information regarding drainage and flood risk. This objection has now been withdrawn subject to the provision that the finalised layout plans matching the proposals outlined in the revised Flood Risk Assessment (FRA) and Drainage Assessment are made approved plans.

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
34	Settlement Development Areas
57	Natural, Built and Cultural Heritage
64	Flood Risk
66	Surface Water Drainage

6.2 Sutherland Local Plan (As continued in force, April 2012)

Dornoch Settlement Development Area

7. OTHER MATERIAL CONSIDERATIONS

7.1 Draft Development Plan

Caithness and Sutherland Local Development Plan (Modified Proposed Plan, 2016). The site is partially covered by Allocation Ref DN03.

7.2 Highland Council Supplementary Planning Policy Guidance

Sustainable Design Guidance

Flood Risk and Drainage Impact Assessment

7.3 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (2014)

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 application requires to be assessed primarily in terms of its compliance with the site allocation defined in the Caithness and Sutherland Local Development Plan (CASPlan) however the general policies of the Highland-wide Local Development Plan listed in section 6.1 are relevant and require due consideration.

8.3.1 The CASPlan allocates the upper section of the site for a mixed use development comprising student accommodation, business, community, open space and recreation. As noted in Section 3.1, planning permission has now been granted for the erection of student accommodation to the north of the application site with this application comprising of uses in accordance with the remainder of the allocation. As such the principle of development is considered to be acceptable. The site of application includes an area of land which is not covered by the allocation; this is due to the area of land required to accommodate the driving range.

8.3.2 As noted above the land is partially brownfield in nature, having been occupied by the former abattoir site and related development. The abattoir was demolished in 2016 and it is encouraging to see development coming forward to re-develop the site, in part through this application as well as the approved student accommodation which is due to be completed later in 2017. There remains a central area - in between the site of this application and the student accommodation - to be develop. At the time of writing no planning application has been received however it is understood that the landowner wishes to pursue a commercial development within this location.

8.4 **Material Considerations**

8.4.1 **Siting and Design**

The site is accessed directly from Shore Road with the built form contained within the northernmost portion of the site. Parking provision is positioned centrally within this northernmost portion, with the golf shop building towards its eastern boundary. The proposed tennis court is located west of the parking area. The remainder of the site is concerned with the driving range bays and its associated green. The driving range would be contained by a 10m high fence on either side. A small putting green is also proposed to the east of the driving range.

8.4.2 The main shop building combines a blend of tradition and contemporary design with a palette of materials to create contrast. The building would have a slate roof and external walls consisting of sandstone, white render and zinc cladding. There is small link connecting the building with the driving range. The existing stone walls to the east of the building have been retained which will create contrast between the existing built form adjacent to the site and the new development. The driving range bays would consist largely of a stone external finish with the rear (north) elevation consisting of render. A full specification of materials is to be agreed by condition. There are no concerns with regards siting or design and it is considered that the development will provide a positive addition to the area.

8.4.3 The agent has confirmed that some external lighting is proposed; to be located the driving range bays as well as throughout the site within the access and parking areas. A detailed specification is sought by condition; suitably positioned and angled lighting on the driving range bays i.e. in a southerly direction will not result in light spill affecting residential areas. It is not considered that the proposal will give rise to any adverse impact to adjoining residential amenity given the nature of the operation and the separation distance to properties in this instance.

8.4.4 **Drainage and Flood Risk**

As noted in the CASPlan allocation, the southernmost portion of the site is within an area identified as being at risk of flooding. This has influenced the site layout, with the buildings all concentrated outwith the flood risk zone, and the southernmost portion of the site i.e. the flood risk area occupied by the driving range green. Further information was requested by the Council's Flood Team and SEPA with regards flood risk and management of surface water. This has assessed the risk of flooding and has proposed mitigation measures to address the risk. The Council's Flood Team and SEPA both accept the findings of the report however it is highlighted that any flood risk is a commercial risk which the applicant should be aware of. The submitted information and drawings will form part of the approved plans.

8.4.5 **Access and Parking**

The site has generally good pedestrian links and vehicular connectivity currently, and is around 400m from the nearest bus stop. As such Transport Planning consider that the development can be accommodated on the local transport network without significant adverse effect. The site will be accessed directly from Shore Road, with car and coach parking provided close to this access point.

A total of 49 parking spaces are to be provided; this exceeds the requirements specified in the Roads Guidelines for New Developments document however it is intended that the parking will not be limited solely to the development and will also be available for general use public parking. Coach parking for 4 coaches is also provided.

Transport Planning are satisfied with the proposed arrangements and conditions have been attached to ensure the proposed measures are implemented and to agree finalised details of pedestrian provision within and adjacent to the site.

8.5 **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 N

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

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

a) 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;

b) the measures to deal with contamination during construction works;

And prior to occupation:

c) a validation report that will validate and verify the completion of the agreed decontamination measures; and

d) 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.

The development shall thereafter progress in accordance with the approved details.

Reason: In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes.

2. No development or work shall commence until a detailed specification for all proposed **external materials and finishes** (including trade names and samples where necessary) shall 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 and local architectural styles.

3. No development shall commence until full details of **site access** shall have been submitted to and agreed in writing by the Planning Authority in consultation with the Roads Authority. Such details shall include; geometry, construction specification, drainage, road markings, signage and lighting. For the avoidance of doubt the access to the site shall be formed at an angle closer to 90 degrees, such that cars and light goods vehicles are able to readily make a left turn into the site and a right turn out of the site. The development shall thereafter progress in accordance with the approved details.

Reason: In the interests of ensuring a suitable access to the site is provided, in the interests of road safety.

4. No development shall commence until full details of a covered and secure **communal bicycle storage/racking system**, which shall include a minimum of 6 stands, shall have been submitted to and agreed in writing and on plan by the Planning Authority in consultation with the Roads Authority. Such details shall include a specification for the cycle parking and its location. For the avoidance of doubt the cycle parking shall be located as close to the golf shop/driving range as practicable. The development shall thereafter progress in accordance with the approved details with the cycle storage system installed prior to first use of the development.

Reason: In order to facilitate the use of a variety of modes of transport.

5. No development shall commence until details of **pedestrian provision** within the site shall have been submitted to and agreed in writing and on plan with the Planning Authority in consultation with the Roads Authority. Such details shall include a specification for the proposed footway on the west side of Shore Street, to the south east side of the site access and the proposed golf shop. For the avoidance of doubt this footway shall be a minimum width of 2 metres. Thereafter the development shall progress in accordance with the approved details.

Reason: In the interests of pedestrian safety.

6. Prior to the first occupation of the development hereby approved, the **car and coach parking arrangements** detailed on approved plan ref. 10301 SK(00)007 shall be completed in full and made available for use. Thereafter, all car parking spaces shall be maintained for this use in perpetuity. For the avoidance of doubt, 49 car parking spaces and 4 coach parking spaces shall be provided and maintained.

Reason: To ensure that sufficient space is provided within the application site for the parking (and, where necessary, turning) of cars, so they do not have to park within or reverse onto the public road.

7. No development shall commence until a **Travel Plan**, which sets out proposals for reducing dependency on the private car, shall have been submitted to, and approved in writing by, the Planning Authority. The Travel Plan shall include:
- i. Measures for extending and/or increasing the frequency of the existing local bus services(s) and associated financial contributions;
 - ii. Details for the management, monitoring, review and reporting of these measures; and
 - iii. Details of the duration of the Travel Plan.

The approved Travel Plan shall thereafter be implemented from the date of first occupation of any part of the development.

Reason: In order to facilitate the use of a variety of modes of transport.

8. No development shall commence on site until a construction phase **Traffic Management Plan** (including a routing plan for construction vehicles) shall have been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt, the approved traffic management plan shall be implemented by the developer prior to development commencing and shall remain in place until the development is complete.

Reason: In order to facilitate the use of a variety of modes of transport.

9. No development shall commence until a scheme for the **storage and collection of refuse and recycling** within the application site shall have been submitted to, and approved in writing by, the Planning Authority. The approved scheme shall thereafter be implemented prior to the first use of the development and thereafter maintained in perpetuity.

Reason: To ensure that waste on the site is managed in a sustainable manner.

10. No development shall commence until full details of any **external lighting** to be used within the site and/or along its boundaries and/or access shall have been submitted to, and approved in writing by, the Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary, and also details of any lighting timer, or other means of control. Lighting shall be by LED bulbs. Thereafter only the approved details shall be implemented.

Reason: In order to ensure that any lighting installed within the application site does not spill beyond the intended target area, does not impact adversely upon the amenity of adjacent properties and does not result in 'sky glow'.

11. No development shall commence until full details of the height, colour and materials of the proposed **fencing** bordering the golf driving range shall have been submitted to and approved in writing by the Planning Authority. The development shall thereafter progress in accordance with the approved details.

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

12. No development shall commence until details of a scheme of hard and soft landscaping works shall 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.

The development shall thereafter progress in accordance with the approved details.

Reason: In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

13. No development or work (including site clearance) shall commence until a programme of work for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation, all in accordance with the attached specification, shall have been submitted to, and approved in writing by, the Planning Authority. The approved programme shall be implemented in accordance with the agreed timetable for investigation.

Reason: In order to protect the archaeological and historic interest of the site.

14. For the avoidance of doubt the development shall proceed in accordance with the flood risk and surface water measures detailed in the approved Flood Risk Assessment (dated November 2016) and approved plan ref: 113346_2000 Rev C. All surface water drainage provision within the application site shall be

implemented in accordance with the approved plans and shall be completed prior to the first occupation of the development to the satisfaction of the Planning Authority.

Reason: To ensure that all flood mitigation infrastructure, required in order to reduce the risk of flooding occurring both within and outwith the application site, is provided timeously and to ensure that surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment.

15. Prior to the commencement of development, the developer shall provide written and plan details detailing surface water **discharge** into the Dornoch Burn for the approval in writing of the Planning Authority in consultation with SEPA. For the avoidance of doubt, this shall be restricted to 5l/s for all storm events up to and including the 1 in 200 year event. The development shall thereafter be undertaken in accordance with the agreed details.

Reason: To protect against the residual risk of flooding during a 1 in 200 year (plus climate change) event.

16. No development shall commence until **programme of maintenance** for the on-site SUDS has been submitted to, and approved in writing by the Planning Authority. The on-site SUDS infrastructure shall be maintained in perpetuity by the developer, unless otherwise agreed in writing with the Planning Authority.

Reason: In order to ensure the surface water drainage network does not increase flood risk to the surrounding area.

17. Minimum finished floor levels of 5.45m AOD should be applied to the golf club building.

Reason: To protect against the residual risk of flooding during a 1 in 200 year (plus climate change) event.

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

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 and 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.

Septic Tanks and Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area 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/info/20005/roads_and_pavements/101/permits_or_working_on_public_roads/2

Mud and 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.

Section 96 Legal Agreement

The development shall be subject to a separate agreement in terms of Section 96 of the Roads (Scotland) Act under which the developer is responsible for the repair of any damage to the public road network that can reasonably be attributed to construction related traffic. As part of this agreement, pre-start and post-construction road condition surveys shall be carried out by the developer to the satisfaction of the Roads Authority.

Signature:	Dafydd Jones
Designation:	Area Planning Manager - North
Author:	Gillian Webster
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 – Location Plan: P001 Plan 2 – Site Layout Plan: P002 Rev A Plan 3 – Building Elevations: P005B Plan 4 - Floor Plan: P003 Rev B Plan 5 - Driving Bay Elevations: P006 Rev A Plan 6 - Driving Bay Floor Plan: P004 Rev A