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| Agenda Item | 6.9 |
| Report No | PLN/040/19 |

THE HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 9 April 2019

Report Title: 19/00243/FUL: Mr Richard Drummond
Seaforth Inn, Quay Street, Ullapool IV26 2UE

Report By: Acting Head of Development Management – Highland

Purpose/Executive Summary

Description: Painting of stone wall (Part Retrospective)

Ward: 05 – Wester Ross, Strathpeffer and Lochalsh

Development category: Local

Reason referred to Committee: Five or More Objections

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.

Recommendation

Members are asked to agree the recommendation to **Grant** planning permission as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 The application comprises the proposed painting in white of a section of wall supporting the outdoor seating area of the Seaforth Inn, around the corner of Quay Street and Shore Street in the centre of Ullapool.
- 1.2 The application is part retrospective as some painting work had commenced prior to this formal planning application being submitted.
- 1.3 Pre Application Consultation: No formal pre-application consultation. The applicant was advised that planning permission is required.
- 1.4 Supporting Information: None
- 1.5 Variations: None

2. SITE DESCRIPTION

- 2.1 The Seaforth Inn is a two storey property with stone faced underbuilding at the junction of Quay Street and Shore Street, opposite the harbour in Ullapool. A large outdoor seating area with a pergola wraps around this corner, elevated from the street. The underbuilding wall of this structure is faced in natural stone with cement pointing. The building is not listed but lies within Ullapool Conservation Area. The application is to whitewash the stone underbuilding of this elevated seating area.

3. PLANNING HISTORY

- | | | | | |
|-----|------------|----------------|---|---------------------|
| 3.1 | 14.01.2000 | 99/00909/FULRC | Siting of oil tank and covered area to serviced courtyard | Planning Permission |
| 3.2 | 19.11.2002 | 02/00830/FULRC | Erection of extension to takeaway and construction of new balcony | Planning Permission |
| 3.3 | 18.07.2006 | 06/00576/FULRC | Erection of pergola and retractable awnings | Planning Permission |
| 3.4 | 16.03.2009 | 08/01018/FULRC | Alterations to building to form terrace, basement, roof terrace and extension to takeaway | Planning Permission |
| 3.5 | 01.07.2011 | 11/01761/FUL | Erection of pergola and retractable awnings (renewal) | Planning Permission |

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Section 65 – Affecting Conservation Area
Date Advertised: 08.02.2019
Representation deadline: 01.03.2019

Timeous representations: Five objections

Late representations: Twelve (Eleven objections and one in support)

4.2 Material considerations raised are summarised as follows:

Objections:

- a) The painted wall is an eyesore and would become more so if maintenance wasn't carried out;
- b) Wall is historical part of Ullapool as a rural fishing village and should be retained as it is;
- c) Painting fundamentally alters appearance and character of one of Ullapool's older buildings directly opposite buildings dating back to 1788;
- d) The painting already carried out should be removed and the wall restored back to its original state;
- e) The wall was built by hand by locals and such craftsmanship should not be defaced by painting.

In Support:

- a) The owners should be able to paint the wall if they want and if this is not supported then this ban should extend to the whole of Shore Street as the street is blinding in the summer.

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.

5. CONSULTATIONS

5.1 Lochbroom Community Council: No response

5.2 **Historic Environment Team:** No objection. The wall in question dates, at the earliest, to the mid-1970s (it is not shown on OS mapping dating to 1975) and is not therefore considered to be an integral part of the historic or architectural fabric of Ullapool. In architectural terms and method of construction it bears many of the hallmarks of a late 20th century stone wall (regularity of build, regular pointing width (in cement), relatively small masonry size and integral planting system in the wallhead). The wall does, however, purely by virtue of its prominent location in the heart of the conservation area, make a contribution to its character.

Whilst there is no particular benefit in conservation terms in white washing the wall, equally it is not considered that it will have a significantly negative effect on the character of the conservation area. White washing is a traditional finish and painting the wall will not obscure any important historic fabric or architectural detailing.

Ongoing maintenance is the main concern as any white washed wall requires regular maintenance. In this case, given the wall's position adjacent to the road on two sides, it will be exposed to an increased number of factors that will cause the paint finish to degrade relatively quickly. Provided the wall is well maintained it should continue to have a neutral effect on the character of the conservation area.

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 & Place-making
34 – Settlement Development Areas
57 - Natural, Built & Cultural Heritage

6.2 Wester Ross Local Development Plan 2006

Within Ullapool Settlement Development Area and Ullapool Conservation Area

6.3 West Highland and Islands Local Development Plan (Proposed Plan 2017)

Within Ullapool Settlement Development Area

6.4 Highland Council Supplementary Planning Policy Guidance

Highland Historic Environment Strategy (Jan 2013)
Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (The Scottish Government, June 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.

Determining Issues

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.

Planning Considerations

8.3 The key considerations in this case are:

- a) compliance with the development plan and other planning policy;
- b) impact on the historic environment;
- c) any other material considerations.

Background

- 8.4 In November last year it was brought to the attention of the Planning Authority that part of the stone wall of the Seaforth Inn was being painted. Contact was made with the hotel manager and he confirmed that the wall around the outdoor seating area facing Quay Street was being painted white to tie in with other buildings in the area. There was no intention to paint the remainder of the stone sections of the gable facing Shore Street. He advised that he was not aware that the works required planning permission.
- 8.5 Advice was given that as the building lies within Ullapool Conservation Area, planning permission is required for any such painting. The work was stopped on receipt of this advice and a part retrospective application for planning permission was submitted at the end of January, 2019. The application clarifies that the intention is to paint only this section of wall, largely facing Quay Street, white and confirmation was given that as this will require regular maintenance, this work will be carried out by the hotel's maintenance person.

Development plan/other planning policy

- 8.6 The site lies within Ullapool Settlement Development Area and Ullapool Conservation Area as identified in the adopted Wester Ross Local Plan. The proposal therefore requires to be considered against Highland wide Local Development Plan policies 28, 29, 34 and 57. Specifically the development should demonstrate that it will not have an unacceptable impact on the heritage resource and demonstrate sensitivity in keeping with local character and the historic environment.
- 8.7 In this respect, the proposal involves white washing of a modern stone wall within a townscape setting where many of the adjacent buildings have a white rendered or painted finish. It is therefore considered that the proposed painting of the wall will not have an unacceptable impact on the building or its setting within the conservation area and thereby complies with the development plan.

Historic Environment

- 8.8 As noted above, the building lies within Ullapool Conservation Area. Ullapool was originally created as a Telford grid pattern settlement intended to service the fishing industry. Its character is dominated by it's setting contained by hills to the east and the sea to the west and south; the relatively dense grid iron street pattern; the harbour and ferry terminal; and the row of white washed buildings fronting the sea.
- 8.9 The Seaforth Inn is not reflective of the original building on this site, as can be seen from historic maps and photographs of Quay Street. It has a conventional rectangular footprint, but is a bulky building elevated above Shore Street and has a mix of natural stone and rendered finish to external walls, a concrete tiled roof, large windows, external steps and balconies, as well as a large 'sitooterie' with pergola cover on the frontage to Quay Street. The section of wall proposed to be painted appears to date from the 1990's and is built in natural stone with a cement mortar. The wall also contains signs of white efflorescence staining.

- 8.10 Consultation with the Council's Historic Environment Team has been carried out and the response advises that the impact on the conservation area will be neutral given that the building does not form part of the historic fabric of Ullapool. It is nonetheless stressed that any painting should be subject to regular maintenance to ensure that any potential degradation of the paintwork is addressed. The hotel manager has confirmed that regular maintenance will be carried out and it would be in the interests of the business to ensure that this is the case.

Other material considerations

- 8.11 As can be noted from Section 4 above, a number of objections have been received; however reference to the historic nature of the wall is misplaced as it appears to date from the 1990's. The hotel building itself may well have incorporated part of the previous historic building on the site but by the 1970's it had been modified/extended beyond all recognition from the original simple white washed building with small window openings which can be seen in historic photographs. The raised outdoor seating area appears to have been formed probably around 20 years later in the early 1990's.
- 8.12 Reference is made by some objectors to the local craftsmanship which went into building the wall, and this is acknowledged. However, whilst the stone work is of good quality, the use of cement pointing is inappropriate and has contributed to the white staining of the stone. Similarly, It is acknowledged that there would appear no technical or historic reason to paint the stonework and that it looks good as it is, however neither is there any justifiable reason not to paint the stone white, given the white washed buildings adjacent. The Seaforth Inn itself is partly finished in white painted render. In such circumstances, it would therefore be unreasonable for the Council to refuse planning permission for the works.
- 8.13 Comment is made that if the paintwork is not maintained then the structure would become an eyesore, however there is no reason to suppose that the wall would not be maintained as part of ongoing works to enhance this established business. The applicant has confirmed that maintenance would be carried out and this can be secured by condition.

Matters to be secured by Section 75 Agreement

- 8.14 None

9. CONCLUSION

- 9.1 It is acknowledged that a large number of objections have been received to the proposed change in appearance and that the stone wall is an attractive feature of the hotel building. In addition, the commencement of work is not condoned, however as noted at paras. 8.4 and 8.5 above the painting was stopped as soon as the hotel manager was advised that planning permission was needed.
- 9.2 The proposed painting of this small section of wall at the Seaforth Inn does not breach any planning policies and it is considered that it will have a neutral effect on the setting of the building within the conservation area. The wall is around twenty years old and therefore does not form part of the historic fabric or architectural

character of Ullapool. Thus, whilst it is accepted that there is no particular enhancement to the conservation area as a consequence of the proposed painting, it is considered that there is no justifiable reason in historic environment terms to refuse the application.

- 9.3 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. IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued No

Subject to the above, it is recommended that planning permission be **GRANTED** subject to the following:

Condition and Reason

1. For the avoidance of doubt, the white paintwork hereby approved shall be restricted to the section of wall under the existing external seating/pergola area and shall be maintained in good condition in perpetuity to the satisfaction of the Planning Authority.

Reason: In order to safeguard the character and qualities of Ullapool conservation area.

REASON FOR DECISION

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.

FOOTNOTE TO APPLICANT

Completion Notice

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.

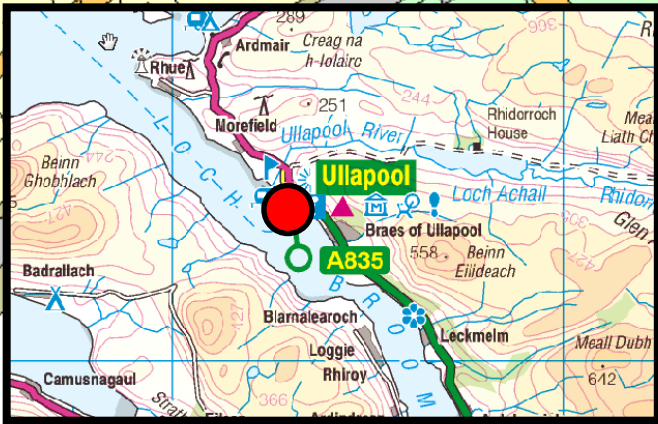
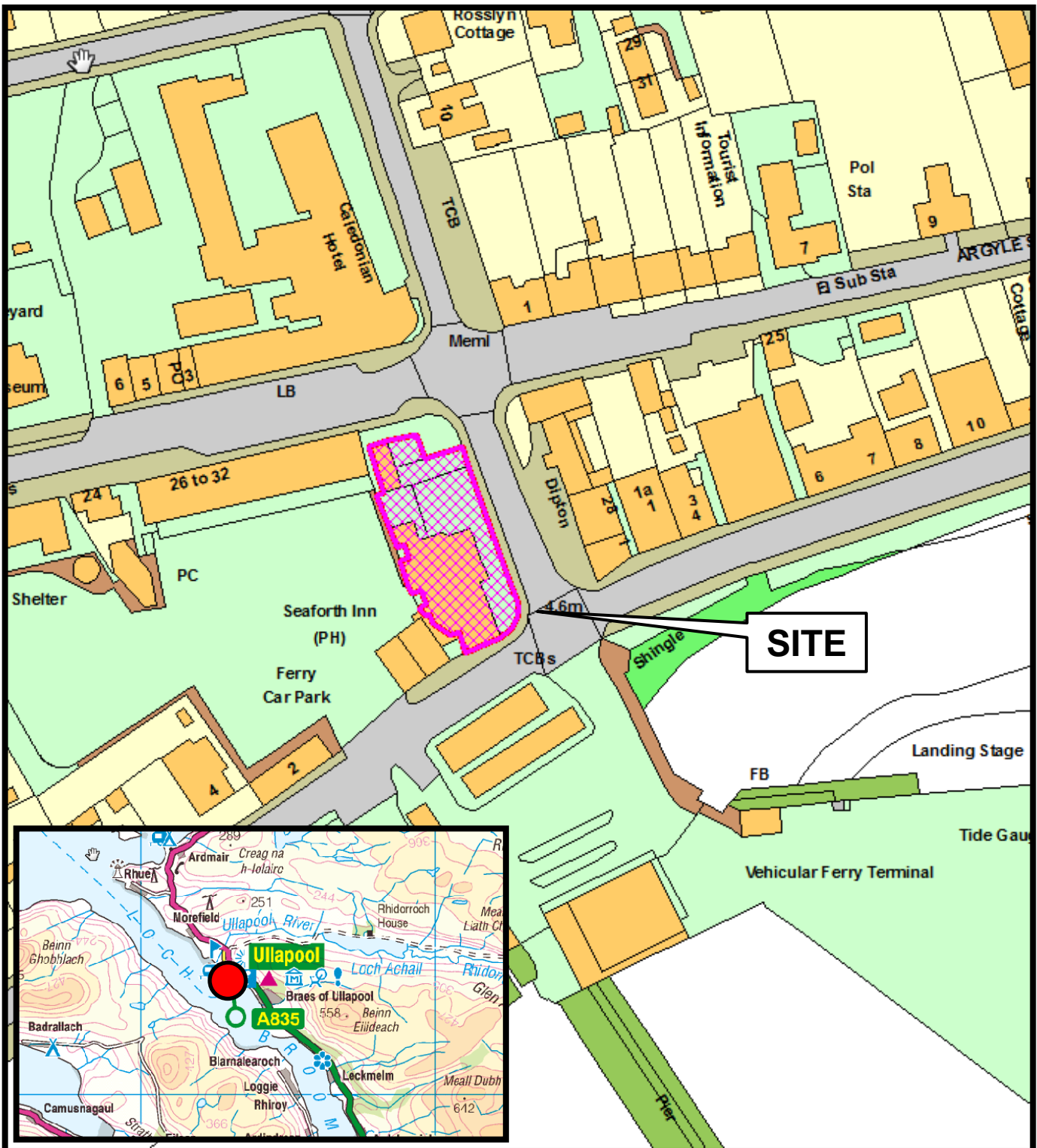
1. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

A copy of the notice referred to is 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

Designation: Acting Head of Development Management – Highland
Author: Dorothy Stott
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location Plan
Plan 2 – Location Plan
Plan 3 - Site Layout Plan



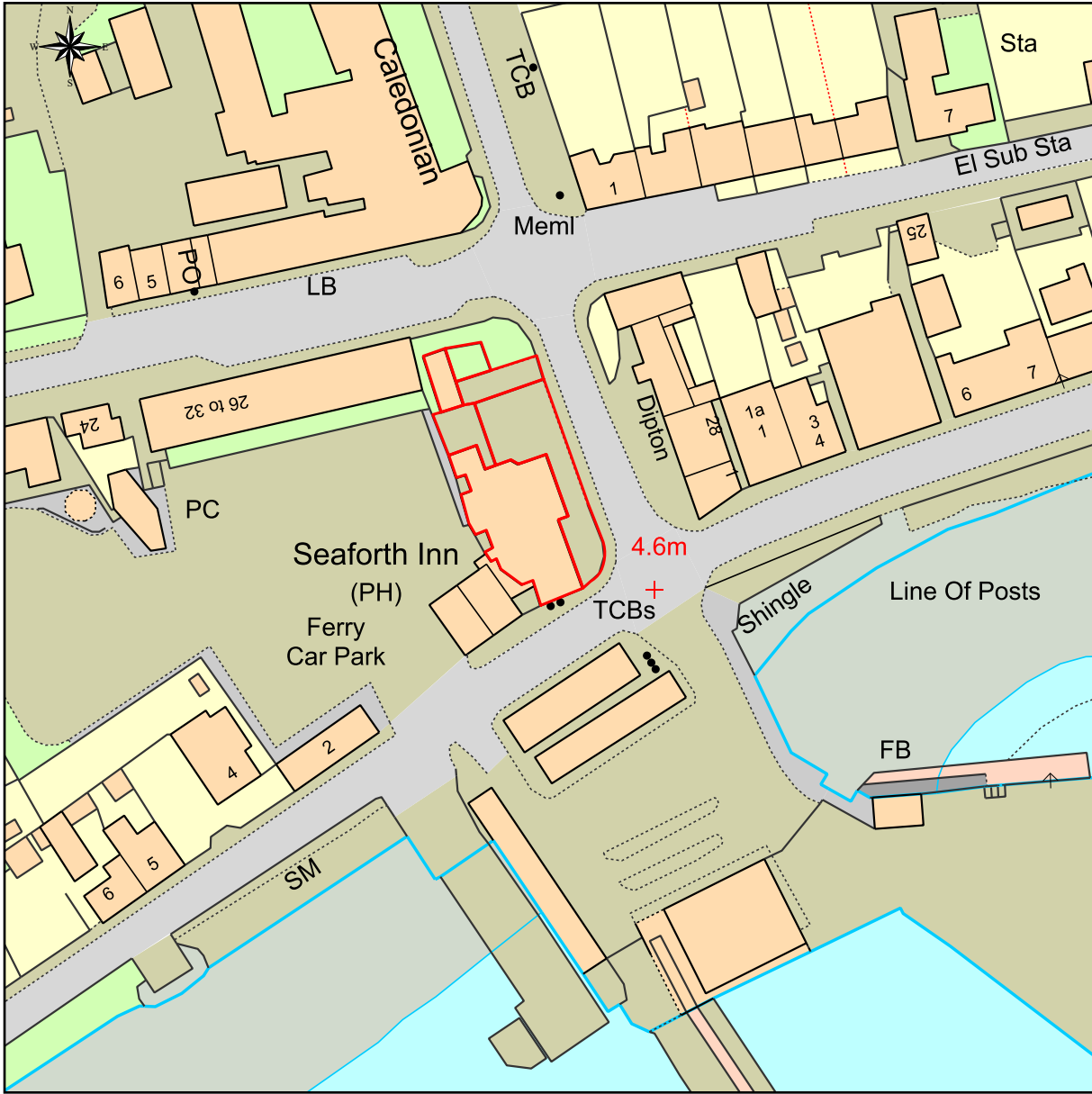
Planning & Development
Service

19/00243/FUL

Painting of stone boundary wall (retrospective)
at Seaforth Inn, Quay Street, Ullapool, IV26 2UE



Location Plan of iv26 2ue



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