

Agenda Item	3.2
Report No	PLC/053/10

10/03344/FUL and 10/03346/LBC: Highland Homeless Trust
The Sutor Inn, High Street, Invergordon

Report by Area Planning and Building Standards Manager

SUMMARY

Description : Conversion of residential premises above former pub to three flats

Recommendation - GRANT

Ward : 07 – Cromarty Firth

Development category : Local development

Pre-determination hearing : Not required.

Reason referred to Committee : Objection by Community Council and five householders

1. PROPOSED DEVELOPMENT

- 1.1 The applications for Planning Permission and Listed Building Consent comprise the conversion of a single residential unit to three flats. The property lies above the Sutor Inn, a former public house, on the north side of Invergordon High Street.
- 1.2 Planning Permission and Listed Building Consent were granted for a similar development in April 2005. Those permissions lapsed in April this year and the current applications propose to re-establish the consents for sub-division of the upper floors of the building into three separate units.
- 1.3 Pre-application consultation has resulted in the applications being submitted following the previous permissions lapsing earlier in the year.
- 1.4 It is proposed to use the existing access from Park Lane to the rear and provide five car parking spaces within the former service yard of the pub adjacent to the existing car parking for the group of four houses immediately to the north.
- 1.5 No supporting documents have been submitted.

2. SITE DESCRIPTION

- 2.1 The property is a two and a half storey three bay stone/slate building dating from approximately 1820. It has its principal frontage onto High Street with a corniced portico supported by Roman Doric columns over the main entrance. To the rear, a small extension with metal staircase gives access to the back of the building and to the hallway and stairs serving the proposed flats on the first and second floors.

Access to the flats will be from Park Lane to the rear through a small car park serving an adjoining group of houses.

3. PLANNING HISTORY

3.1 04/00414/FULRC Change of use from letting bedrooms to form three flats – Planning Permission granted 22.06.2004.

04/01190/LBCRC Change of use from letting bedrooms to form three flats – Listed Building Consent granted 15.04.2005.

06/01039/LBCRC Installation of replacement windows – Withdrawn 09.07.2007.

4. PUBLIC PARTICIPATION

4.1 Advertised : Listed Building and Neighbour Notification

Representation deadline : 17.09.2010

5 timeous letters of representation have been received.

4.2 Material considerations raised are summarised as follows:

- Noise, nuisance and disturbance
- Shared access will create conflict

4.3 Non-material matters raised relate to the occupation of the flats by ‘homeless’ people, the perceived concentration of such people in this area and the impact of such persons who have a history of drug and alcohol abuse on other local residents. It is alleged that the anti-social behaviour of such people will have a detrimental impact on existing residents.

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

5. CONSULTATIONS

5.1 **Invergordon Community Council** : The Community Council objects to the application on the following grounds:

- It is understood that the likely residents of the flats will be persons with acute alcohol and/or mental health problems and yet they will be housed above a licensed premises, albeit closed down at present.
- This part of the town already accommodates many homeless people and to increase this will create a highly vulnerable area which will not enhance the profile of the town and place added burden on the overstretched Health Centre.
- The site is very close to Park Primary School and it is considered that persons with mental health/alcohol problems should not be in close proximity to young children.
- Invergordon is trying to build up its reputation as a major cruise liner port. To allow the application to go ahead would be contrary to the image being created.

5.2 **Conservation Officer** : No objections. A number of extraction points are proposed to break through the wall on the front elevation. It is suggested that an alternative solution be found. Details of the proposed stair to the rear should be provided.

Questions need to move internal walls. Detail of listed building features needed – i.e. fireplaces, cornicing, joinery etc – and asks how these will be treated.

5.3 **Archaeology Unit** : No objections. The application will involve alterations to a Category B Listed Building. It is important that a comprehensive record of the building in its current condition and form is made prior to it being altered or otherwise impacted. A condition requiring a photographic record should be attached to any consent issued.

5.4 **TECS (Transport)** : No objections.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Structure Plan 2001

G1 Conformity with strategy

G2 Design for sustainability

BC5 Listed Buildings and Conservation Areas

6.2 Ross & Cromarty East Local Plan

22 C 1 Town Centre

7. OTHER MATERIAL CONSIDERATIONS

7.1 Draft Development Plan

Not applicable

7.2 Highland Council Supplementary Planning Policy Guidance

Not applicable

7.3 Scottish Government Planning Policy and Guidance

Scottish Planning Policy

8. PLANNING APPRAISAL

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

8.3 Development Plan Policy Assessment

The building is a Category B Listed Building and lies within the commercial town centre of Invergordon as defined within the adopted Ross & Cromarty East Local Plan. It is presently disused and the refurbishment and conversion of the upper floors to flats would provide accommodation close to the amenities of the town centre whilst bringing a vacant listed building back into use.

Surrounding uses are mixed, including a primary school, banks and offices, but it is a predominantly residential area on the fringes of the town centre. It is therefore considered that the proposal complies with national and local policy.

8.4 Servicing

There are no technical objections. TECS (Transport) are content with the arrangements for vehicle access from Park Lane to the rear serving five car parking spaces. All access to the flats is proposed from the rear car parking area. A planning application has now been lodged by the same applicants for change of use of the former pub at ground floor to an office. This shows an additional three car parking spaces.

8.5 Representations

Five third party representations have been received. Invergordon Community Council has also intimated a formal objection to the proposal. The majority of the concerns expressed are not material planning considerations but relate to the potential future occupants of the flats.

The Planning Authority can only consider the application for proposed conversion of the building to three flats and cannot in any way control who the occupants of such flats may be. In response to the concerns, the applicants have pointed out that they (The Highland Homeless Trust) are no more responsible for the community's past experience of crime, anti-social behaviour or noise levels than anyone else. It is further submitted by the applicants that the flats are intended to be used to accommodate individuals who are homeless or experiencing difficulties finding accommodation. The term 'homeless' does not imply that an individual has any mental health and/or alcohol problems. The proposed flats will contribute to addressing the homeless problem in Highland and the social and mental status of any applicants is not relevant to this application or the reputation of Invergordon as a major cruise liner port.

In terms of general concerns over impact on amenity, conflict of access or noise being created, it is submitted that the use of the premises as flats with office below will create less disturbance and nuisance than the previous use as a public house.

8.6 Listed Building

The original plans submitted were in many respects inaccurate and did not show clearly or accurately the proposed alterations to the listed building. Further to comments by the Council's Conservation Officer and other observations made by the Planning office, amended plans were submitted to correct inaccuracies and adjust details shown. The proposed works are largely internal with the outside of the building remaining intact. All existing timber sash and case windows are to be refurbished and retained. Extract vents from shower rooms and kitchens are all now to be taken through the roof or through the rear elevation, with none on the principal frontage to the High Street. The existing steel staircase to the rear is to be replaced with a new steel staircase, to comply with current Building Regulations. It is proposed that the frontage of the building is to be repainted, the rear elevation left as exposed sandstone, and the rear extensions, which have been altered over the years, rendered.

Inside the building, the existing central stairway is to be retained intact. Some internal walls are proposed to be moved or upgraded to comply with Building Regulations. Where possible existing internal walls have been retained and all existing skirting boards will be retained or replicated on the new walls. Other than the windows, there are no features of interest on the second floor. On the first floor, because the ceilings and floors need to be upgraded to comply with fire separation requirements within the Building Regulations, it is the intention of the applicants to remove and replace skirting on completion of the wall and floor upgrade and reuse existing panelled doors wherever possible. To avoid any disruption to the cornices on the first floor it is intended that a suspended ceiling is fitted throughout to retain all cornices intact.

8.7 Matters to be secured by Section 75 Agreement

Not applicable

9. CONCLUSION

- 9.1 The applications reflect almost in their entirety the previous applications (04/00414/FULRC and 04/01190/LBCRC) granted Planning Permission and Listed Building Consent in 2005. The principle of converting the upper floor rooms of the former public house to three flats complies with policy and the details as amended reflect issues raised with regard to the listed building. The sensitive refurbishment of the building is to be welcomed and accordingly it is recommended that permission should be granted. The Listed Building application will however require to be referred to Historic Scotland as the application affects a Category B Listed Building.

10. RECOMMENDATION

Action required before decision issued Y

Notification to Scottish Ministers N

Notification to Historic Scotland Y

Section 75 Agreement N

Revocation of previous permission N

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

10/03344/FUL

1. The development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice.

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

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

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

3. Upon completion of the development the completed Notice of Completion form attached to this decision notice shall be submitted to the Planning Authority.

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

4. Prior to the commencement of development, a photographic record shall be made of the remains of old buildings and/or other features affected by the proposed development, in accordance with the attached specification, and shall thereafter be submitted to the Planning Authority. No site clearance work shall take place until confirmation in writing has been received from the Planning Authority that the record made has been lodged and is satisfactory.

Reason: To protect the historic interest of the site.

5. For the avoidance of doubt, the existing sash and case windows and shutters shall be retained and repaired as necessary to the satisfaction of the Planning Authority. No replacement windows shall be installed, other than the single window shown to be installed in the lean-to extension to the rear of the building.

Reason: To protect the integrity of the Category B Listed Building.

6. For the avoidance of doubt, all existing cornices on the first floor shall be retained intact and protected by a suspended ceiling.

Reason: To protect the integrity of the Category B Listed Building.

7. For the avoidance of doubt, the existing internal curved stair, including balustrades and handrail shall be retained intact. On the second floor landing where a new shower room is proposed, the handrail will remain undisturbed adjacent to the new wall.

Reason: To protect the integrity of the Category B Listed Building.

8. Where floors are required to be upgraded to comply with fire regulations existing skirtings shall be carefully removed and replaced and where not existing replicated to match. Where possible, existing wooden panelled doors shall be reused in new openings.

Reason: To protect the integrity of the Category B Listed Building.

9. The repainting of the frontage of the building shall be undertaken only with breathable paint; and the render of the rear extension shall be undertaken only with a lime based breathable render; samples of which shall be agreed with the Planning Authority prior to development commencing on site.

Reason: To protect the integrity of the Category B Listed Building.

10. Prior to first occupation of any of the units hereby approved, the five car parking spaces and vehicle turning area shown on the approved plans shall be provided and maintained for this purpose in perpetuity.

Reason: In the interests of road safety and safeguarding the established amenity of adjoining properties.

FOOTNOTE TO APPLICANT

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

Important Note: Both planning permission and listed building consent are required for these works. You are not authorised to commencement development until you have both consents in place. Furthermore, both consents and their respective conditions must be read, and complied with, in tandem.

10/03346/LBC

1. The work to which this Listed Building Consent relates must commence within FIVE YEARS of the date of this decision notice.

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

2. Prior to the commencement of development, a photographic record shall be made of the remains of old buildings and/or other features affected by the proposed development, in accordance with the attached specification, and shall thereafter be submitted to the Planning Authority. No site clearance work shall take place until confirmation in writing has been received from the Planning Authority that the record made has been lodged and is satisfactory.

Reason: To protect the historic interest of the site.

3. For the avoidance of doubt, the existing sash and case windows and shutters shall be retained and repaired as necessary to the satisfaction of the Planning Authority. No replacement windows shall be installed, other than the single window shown to be installed in the lean-to extension to the rear of the building.

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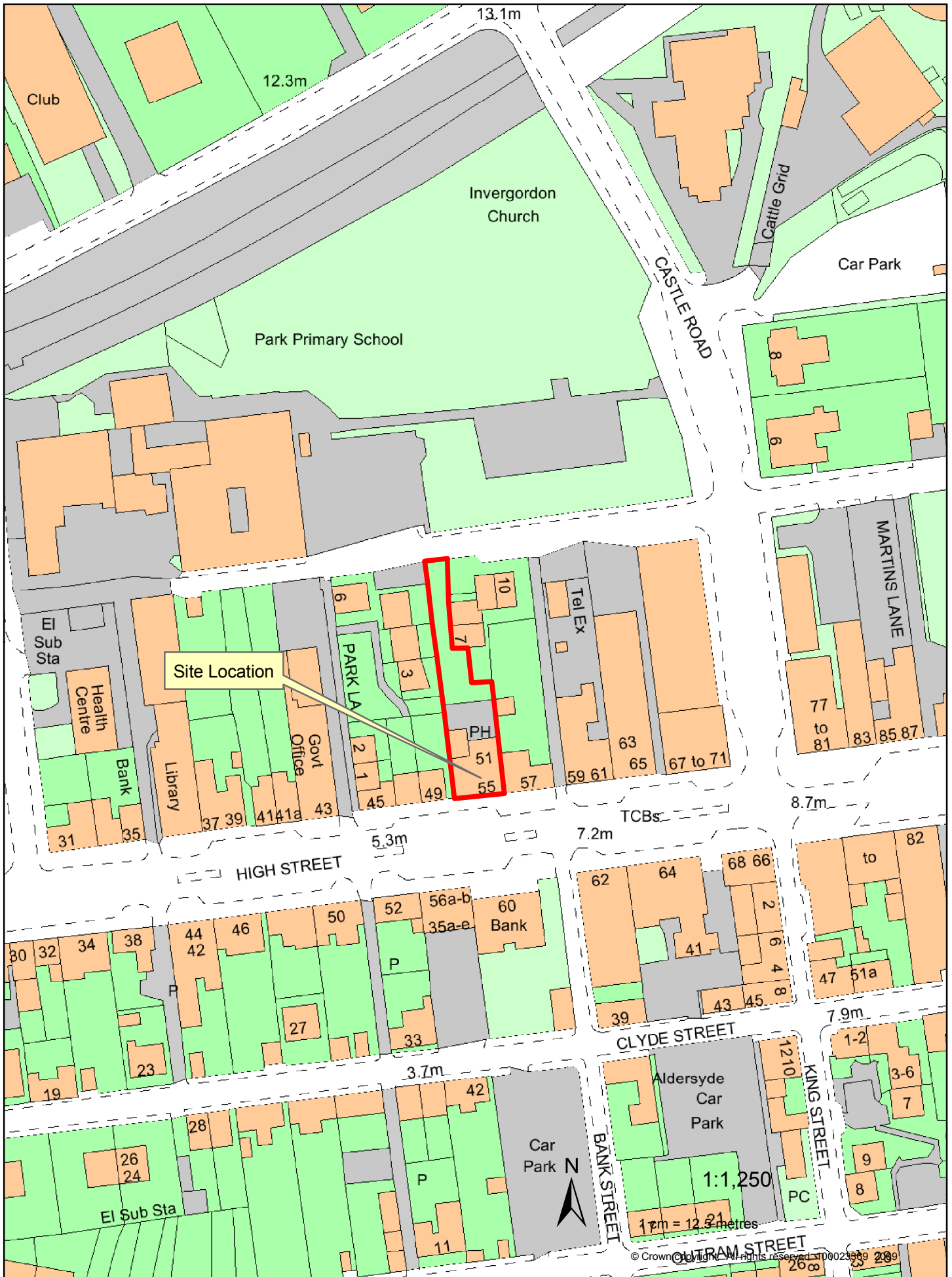
Signature: Allan J Todd

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

Author: Dorothy Stott

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

Relevant Plans: Plan 1 - Location Plan
Plan 2 – Layout Plan
Plan 3 – Elevations (Existing)
Plan 4 – Elevations (Proposed)
Plan 5 – Floor Plans



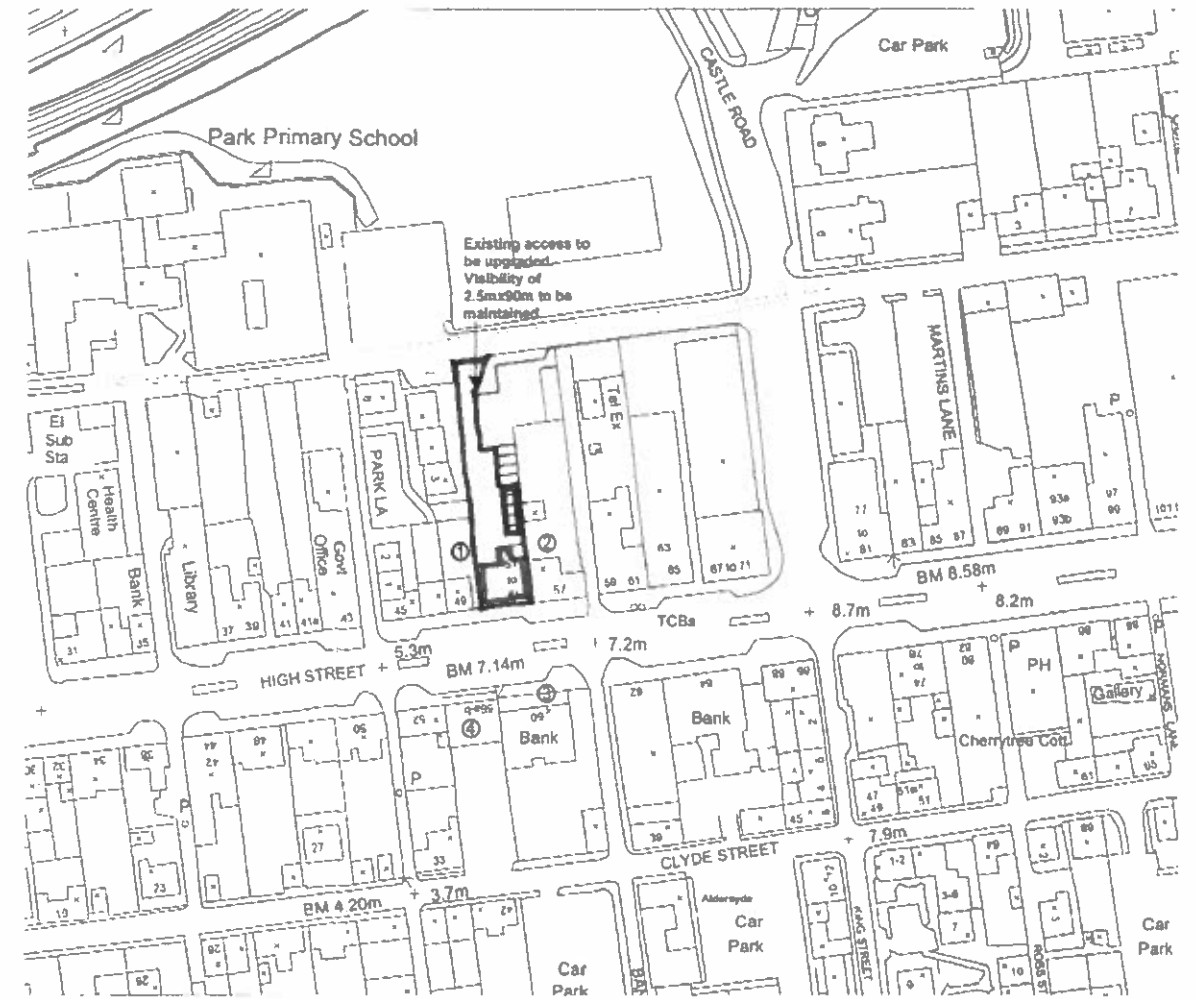
10/03344/FUL

Change of use from residential premises above pub to three flats at Sutor Inn, 51-55 High Street, Invergordon IV18 0DG

Highland Homeless Trust
 per Reynolds Architecture Ltd
 1 Tulloch Street
 Dingwall
 IV15 9JY



SITE PLAN 1:200



LOCATION PLAN 1:1250

for PLANNING

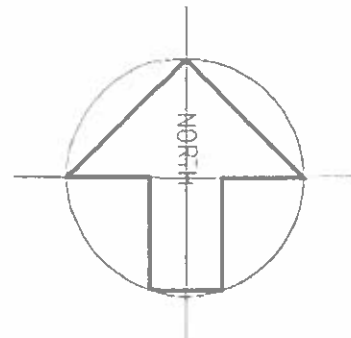
revisions
 A - planning amendments added 22.11.2010

reynolds architecture ltd.
 1 tulloch street, dingwall, IV15 9JY
 tel. 01349 867766 fax. 01349 867769
 www.reynolds-architecture.com

**Alterations to Sutor Inn
 at Invergordon
 for Highland Homeless Trust**

drawing description Site proposals		
drawing number 2010 019-110	revision A	
scale Varies	date 25/10/10	drawn GTR

1. Prepared by ARCHITECT. No reproduction without express permission from ARCHITECT.
 2. Consultant is responsible for ensuring all dimensions prior to construction.
 3. Construction to be referred to contract for details.





REAR ELEVATION
as existing at 1:100

FRONT ELEVATION
at 1:100

revisions

RECEIVED 2 10 10

reynolds architecture ltd.
1 tulloch street, dingwall. IV15 9JY
tel. 01349 867766 fax. 01349 867769
www.reynolds-architecture.com

**Alterations to Sutor Inn
at Invergordon
for Highland Homeless Trust**

drawing description
Existing elevations

drawing number	revision
2010 019-102	

scale	date	drawn
1:100	25/10/10	GIR

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2. Contractor is responsible for checking all dimensions prior to construction.
3. Discrepancies to be referred to architect for decision.



the shaded colour is to be Sierra - LRVB1

the background colour is to be sand stone LRV5E

FRONT ELEVATION



All existing windows to be refurbished & retained

Replace existing steel staircase with new steel staircase. New staircase to comply with current building standards, per below
 Going = 250mm min
 Risers = 170mm max
 Pitch = 34° max
 width = 1m clear between handrails
 Handrails at 900mm above pitch line with maximum 99mm spacing between balustrading
 Handrails to project 300mm beyond top and bottom of flight.
 Risers must be profiled to prevent tripping
 Maximum of 16 risers

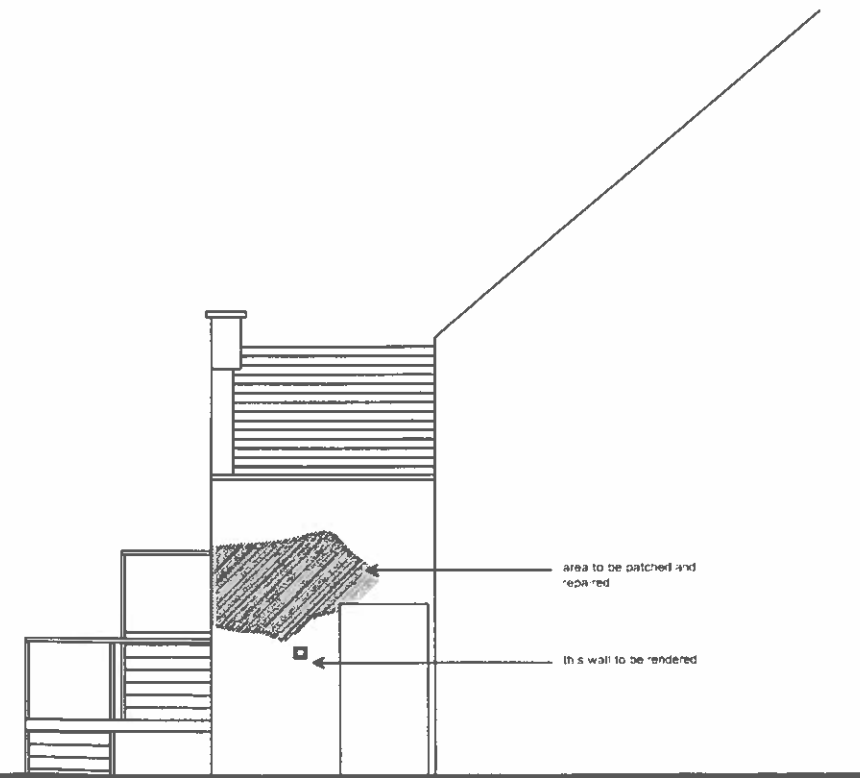
New window in existing opening

new 200mm brickwork wall to be 1' m above stair landing

new roof refer to detail

make good wall and render

REAR ELEVATION

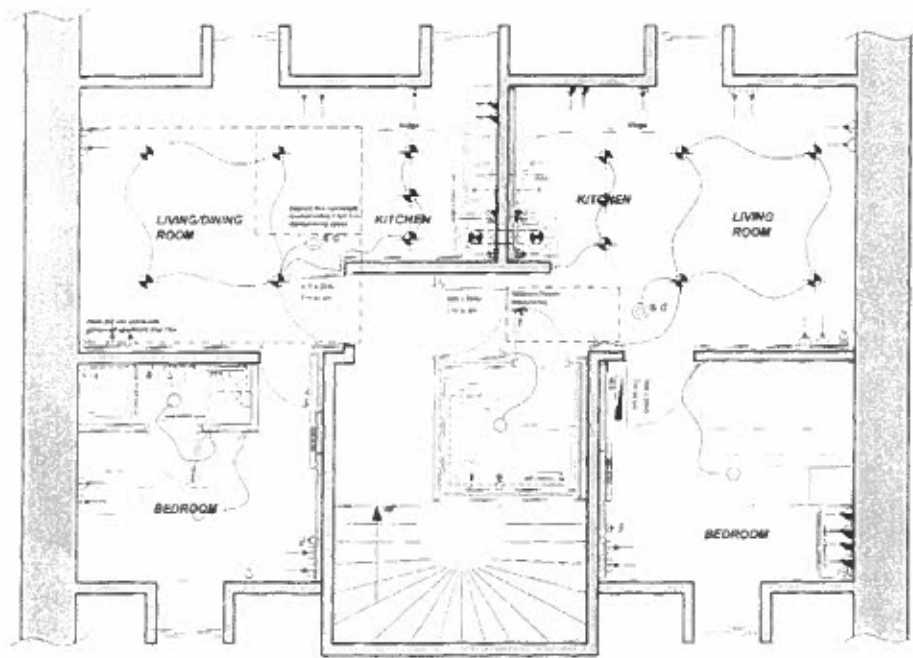


area to be patched and repaired

this wall to be rendered

SIDE ELEVATION

revisions		
reynolds architecture ltd. 1 tulloch street, dingwall, IV15 9JY tel. 01349 867766 fax. 01349 867769 www.reynolds-architecture.com		
Alterations to Sutor Inn at Invergordon for Highland Homeless Trust		
drawing description		
Proposed elevations		
drawing number	revision	
2010 019-104		
scale	date	drawn
1:100	25/10/10	GIR
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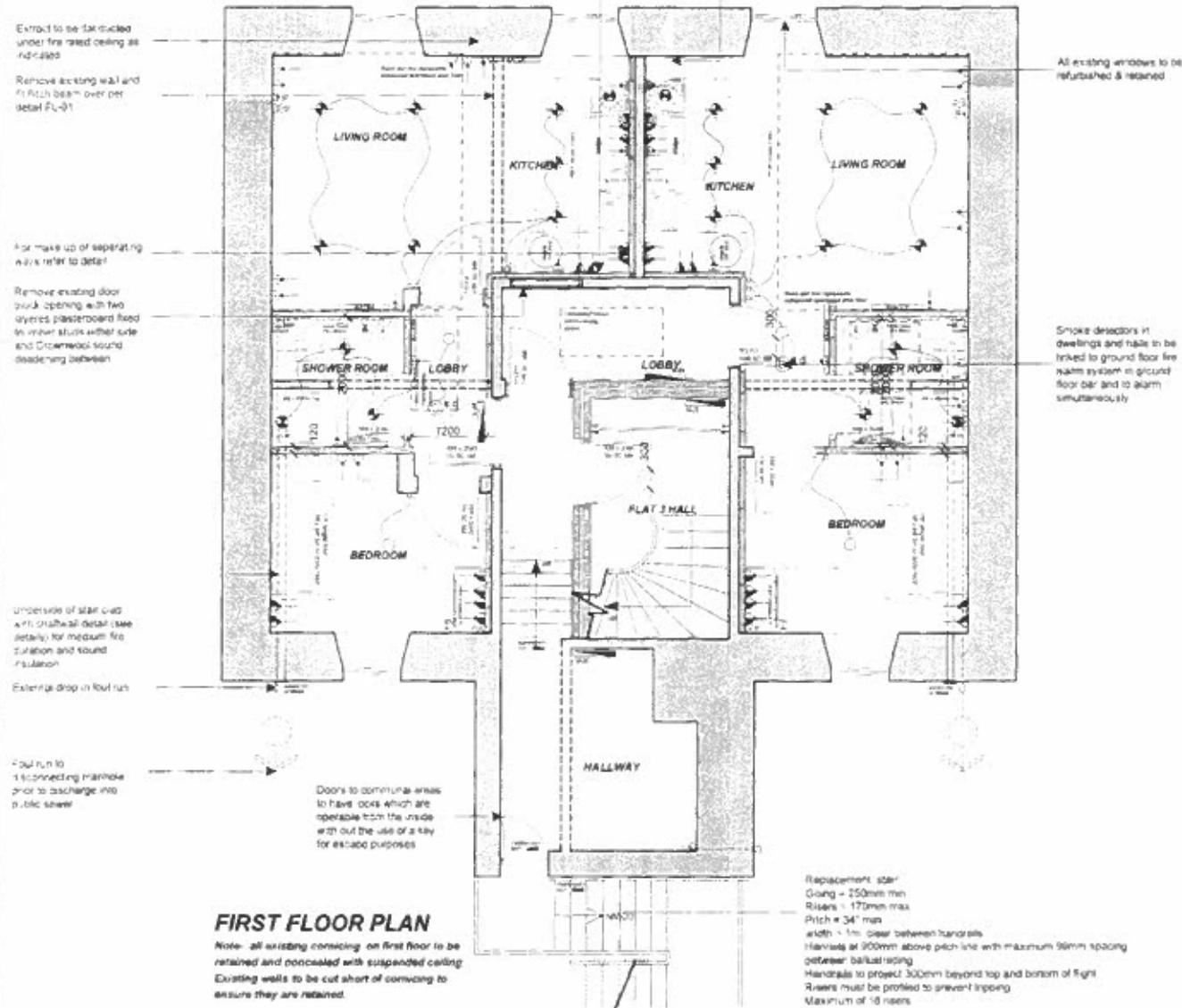
SECOND FLOOR

Legend

- mechanical extract fan 150's min. Ceiling mounted.
- mechanical extract fan 150's min. Wall mounted.
- double switched socket outlet (450mm above ff)
- double switched socket outlet (at high level)
- ceiling pendant light fitting
- electric consumer unit
- smoke detector, mains wired with battery back up, 300mm min from lights
- heated towel rail
- fire alarm panel
- fluorescent strip lights
- one way light switch
- British Telecom outlet (450mm above ff)
- spur outlet for appliances
- two way light switch
- radiator
- cooker 30A isolator switch
- electric shaver outlet
- emergency lighting
- emergency exit sign
- smoke / heat combined detector with sounder.
- break glass call point

Kitchen wall exceeds the 53 dB requirement with a rating of 59 dB from British Gypsum Ltd 'The White Book 2001' compliant with regulation 19 standard H 2

Extract to be fat ducted under fire rated ceiling as indicated



FIRST FLOOR PLAN

Note - all existing conduits on first floor to be retained and protected with suspended ceiling
Existing walls to be cut short of conduits to ensure they are retained.

Replacement stair
Going - 250mm min
Risers - 170mm max
Pitch - 34° max
width - 1m clear between handrails
Handrails at 900mm above pitch line with maximum 90mm spacing between balustrading
Handrails to project 300mm beyond top and bottom of flight
Risers must be profiled to prevent tripping
Maximum of 18 risers

for PLANNING

revision	
reynolds architecture ltd. 1 suloch street, dingwall, n15 5jy tel: 01349 867796 fax: 01349 867709 www.reynolds-architecture.com	
Alterations to Sutor Inn at Invergordon for Highland Homeless Trust	
drawing description	
Proposals	
drawing number 2010 019 - 101	revision
scale 1:50	date 29.07.10
	drawn NC