

**THE HIGHLAND COUNCIL**

**CAITHNESS, SUTHERLAND AND EASTER ROSS  
PLANNING APPLICATIONS COMMITTEE – 26 April 2011**

Agenda Item	<b>4.2</b>
Report No	<b>PLC/016/11</b>

**10/04448/FUL: The Links House Limited  
Links House, Kennedy Avenue, Dornoch**

**Report by Area Planning and Building Standards Manager**

**SUMMARY**

**Description:** Construction of detached guest accommodation (3 suites), manager's flat and basement storage, construction of detached golf bag store, siting of oil tank, car parking, hard and soft landscaping and bin store

**Recommendation - REFUSE**

**Ward :** 05 - East Sutherland And Edderton

**Development category :** Local

**Pre-determination hearing :** Not required

**Reason referred to Committee :** Request of a majority of the Ward Members

**1. PROPOSED DEVELOPMENT**

- 1.1 This application seeks planning permission for an annexe building that will provide additional accommodation for the main house, a golf bag store, the formation of additional parking, the siting of an oil tank and landscaping including the formation of a putting green.
- 1.2 Separate applications for planning permission and listed building consent to alter and extend the house and to convert it to a guest house have also been submitted.
- 1.3 The agent has been in discussion with the Council since November 2009. The principle of this development has been supported throughout but the detailed proposals for the annexe are considered to be inappropriate in this location.
- 1.4 A Design Statement, Supporting Statement and letter in support have been submitted with the application.
- 1.5 The original submission included proposals to breach the boundary wall to create a pedestrian access onto Golf Road and to widen the vehicular access on Kennedy Avenue. This work requires listed building consent and was subsequently removed from this application. The oil tank has also been relocated to remove it from the tree root protection area on the northern boundary.

## **2. SITE DESCRIPTION**

- 2.1 The site is to the rear of Links House which is a former manse dating from around 1843. It is a B listed building. The vehicular access to the site is from Kennedy Avenue to the west. The new building is proposed to the rear (east) of the house. The land slopes up to the east so that any new building would be higher than the main house. The site is within the Dornoch Conservation Area.

## **3. PLANNING HISTORY**

- 3.1 10/04442/FUL and 10/04443/LBC  
Change of use from dwelling house to guest house. Alterations, repairs and extension to house. New window openings formed in North and South Elevations, new roof lantern formed, existing garage and 2 small lean-to demolished. Orangery extension and internal alterations. Widen drive entrance gate and add new gate to Golf Road.  
Pending Consideration
- 3.2 02/00329/FULSU and 02/00330/LBCSU  
Reinstatement of chimney on rear elevation.  
Approved 18/12/02

## **4. PUBLIC PARTICIPATION**

- 4.1 Advertised : Neighbour Notification and Development Affecting the Setting of a Listed Building  
Representation deadline : 17 December 2010  
Timeous representations : 0  
Late representations : 1 (support)
- 4.2 Material considerations raised are summarised as follows:
- Economic benefits of the development
  - The merit of the design
  - The improvement of the site
- 4.3 All letters of representation can be viewed online [www.highland.gov.uk](http://www.highland.gov.uk), at the Area Planning Office and for Councillors, will be available for inspection immediately prior to the Committee Meeting.
- 4.4 Letter of Support  
The applicant's agent submitted a letter in support of the application in March. The key points are as follows:

Our Client wishes to create a destination, high-end small hotel in Dornoch, based on the history and tradition of the region, town, golf-course and culture. His target market is the sophisticated Scottish, English, Continental and American golf tourist who increasingly visits Turnberry and Troon. People will come to Links House for the history and culture. The style and location of the house were major factors in the decision to purchase the property.

In our design statement dated 10 November 2010 submitted with our application, we noted, under the heading 'Design Context', the architectural characteristics of Links House and how these had remained fundamentally unchanged since its construction in 1840 (C). We noted later 19<sup>th</sup> and early 20<sup>th</sup> Century development in the vicinity of Links House had followed these principles in the choice of traditional materials, proportion, scale and details (Ross House, cottages on Argyle Street, Royal Golf Hotel) and how these evoked the character of the High Street in Dornoch. We commented that today the setting of Links House has become much more mixed 'urban' with amorphous infill development typical in its styles and choice of materials of the mid and later 20<sup>th</sup> Century (rendered blockwork, concrete tiles, etc.). The Royal Dornoch Golf Club which overlooks Links House garden is the closest example.

The Council's Local Plan policy seeks a high quality of design in new developments. Policy 18 states that new development should be designed to make a positive contribution to the architectural and visual quality of its location and **should exhibit sensitivity and respect towards local architectural characteristics.**

Accordingly the original design of the Annexe submitted for approval in November 2010 took the following matters into account:

1. **Careful siting** of elements to reduce the impact on the Listed Building. The Annexe is set as close to the rear boundary as is reasonably possible and set back from Golf Road.
2. **Massing** in order to reduce its impact on the Listed Building. The Annexe is set as low as is reasonable in the circumstances – the site rises towards the rear boundary.

In order to mitigate its impact the Annexe upper storey is reduced in height to 1¾ storeys and the roof follows the hipped form of Links House.

3. **High quality traditional materials** are proposed in the form of sandstone to the three principal elevations and sandstone detailing to the rear, natural slates to roofs and traditional timber sash and case windows and external doors.
4. **Observance of details** in regard to proportion, symmetry, stone dressings, leadwork and other period details all rooted in the mid 19<sup>th</sup> Century and being subservient to but empathetic with those of Links House which is essentially unpretentious.

Our Client is absolutely committed to executing a project of which he can be proud and which will make a significant contribution to Dornoch. He is of the opinion that a traditional stone building is the most appropriate response to the site and to his requirements and will be an enhancement of the locality. The proposed development fulfils the Highland Council's planning criteria in that:

1. It will conserve and maintain one of the town's Listed Buildings which has been neglected for a considerable time.
2. It will provide economic benefit to the area by way of direct and indirect spend.
3. It will retain visitors to the area.
4. It will promote the area to a global market.
5. It will enhance employment opportunities, especially in its relationship to the Northern College.
6. It will reinforce the earlier traditional character of this part of Dornoch.

## **5. CONSULTATIONS**

### **5.1 Conservation Officer: Objects.** The key points are as follows:

1. Good design should take into the local context. There has never been a large stone coach house associated with this category B listed building. Therefore, the false representation of a traditional form is likely to have a difficult architectural relationship with the established listed building and other surrounding developments.
2. The massing and scale of the proposed is likely to be exaggerated by the choice of materials, design and detailing. This is likely to add a sense of presence and mass to the building which will result in dominance in its presence within the historic curtilage of Links House. National guidance makes clear that new developments should be subservient to the main listed building and should compliment rather than dominate.
3. New developments in sensitive settings should respond to the rhythm, proportions and detail of established built forms. Again the desire to create a certain building type out of context has resulted in a proposal which has failed to respond to the local established building rhythms and proportions.

Scottish Planning Policy encourages developments which support economic growth and provide diversity and choice in local business provision. On this basis the officers of the Council have consistently expressed support for the principle of the proposed development. However, in relation to economic development Scottish Planning policy, paragraph 48, states that "high environmental quality can be an important component in attracting investment into an area and can provide important economic opportunities, for example through tourism and recreation." It is considered that in accepting a design solution that fails to respond to local context the Council will be allowing a form of development which is likely to have a negative impact on the environmental quality of a crucial area of Dornoch. Therefore, it is considered that the current proposal will not meet the requirements of national planning policy in relation to economic development.

Similarly the national policy in relation to rural development states that “the aim should be to enable development in all rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality.” As above it is considered that by way of design the proposed development is likely to have an unacceptable impact on the setting of the category B listed building and will therefore inevitably dilute the local environmental quality.

National policy for the Historic Environment states that “the historic environment is a key part of Scotland’s cultural heritage and it enhances national, regional and local distinctiveness, contributing to sustainable economic growth and regeneration. It is of particular importance for supporting the growth of tourism and leisure”. As local planning authority Highland Council has a statutory duty to secure developments which preserve the setting of listed buildings. It is considered that the design proposed for the Annexe to Links House in Dornoch is such that it will fail to preserve the setting of the listed building. Therefore the proposal fails to accord with the national policy for the Historic Environment.

**Note:** It is important to note that as per the pre-application advice there is **no objection to the principle of the proposed development and subject to a design which is contextually appropriate and subservient to the main listed building this development proposal would certainly be supported.**

5.2 **Forestry Officer** : No objection subject to conditions

5.3 **Roads Authority** : No objection subject to conditions

5.4 **Dornoch Community Council** : No response

5.5 **Scottish Water:** No objection

## **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **6.1 Highland Structure Plan 2001**

G2 Design for Sustainability

G6 Conservation and promotion of the Highland Heritage

BC5 Listed Buildings and Conservation Areas

### **6.2 Sutherland Local Plan**

Policy 1 Settlement Development Areas

Policy 4 Natural, Built and Cultural Heritage

Policy 18 Design Quality and Place-Making

## **7. OTHER MATERIAL CONSIDERATIONS**

### **7.1 Draft Highland Wide Local Development Plan**

Policy 29 Sustainable Design

Policy 35 Settlement Development Areas

Policy 58 Natural, Built and Cultural Heritage

### **7.2 Highland Council Supplementary Planning Policy Guidance**

Not applicable

### **7.3 Scottish Government Planning Policy and Guidance**

Scottish Planning Policy (SPP), Scottish Historic Environment Policy (SHEP), Historic Scotland Managing Change Guidance - Setting

## **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**

In failing to achieve a solution that will not detract from the setting of Links House and will protect or enhance the Dornoch Conservation Area the proposals for the annexe are considered to be contrary to national and local policy and guidance. Scottish Planning Policy (SPP) requires the Planning Authority to have special regard to the desirability of preserving a listed building and its setting and requires that the design and materials of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Furthermore SPP states that planning permission should normally be refused for development within a conservation area that fails to preserve or enhance the character or appearance of the area. The duties of the Planning Authority in relation to listed buildings and conservation areas are set out the Scottish Historic Environment Policy (SHEP). Historic Scotland has also produced a series of guidance notes on managing change in the historic environment. The document relating to 'setting' states that proposals should seek to avoid or mitigate detrimental impacts on the setting of a historic asset.

8.4 At a local level Highland Structure Plan Policy G2 and policy 29 of the emerging Highland Wide Local Development Plan require high quality design in keeping with local character and the historic environment and Structure Plan Policies G6 and BC5 seek to conserve historic buildings and groups of buildings.

Any proposal judged to have significantly detrimental effect on the built heritage is considered to be contrary to Sutherland Local Plan policy 1 and Draft Highland Wide Local Plan policy 35. Local Plan Policy 18 Design Quality and Place-Making requires that new development should be designed to make a positive contribution to the architectural and visual quality of the place in which it is located and demonstrate sensitivity to local distinctiveness. It is felt that the proposed annexe has failed to achieve this.

8.5 The proposals for the annexe are not considered to have due regard for the setting of Links House or for the character and appearance of the Conservation Area and as such the proposal is considered to be contrary to policy.

## 8.6 **Material Considerations**

### 8.7 **Design and Materials**

The proposed annexe building sits on the eastern boundary which adjoins the golf club. It is intended to provide three guest suites and manager's accommodation in this building. Natural slate is proposed for the roof and the north, south and western elevations will be finished in sandstone while the eastern (rear) elevation is to be rendered. The building is on two floors with a basement. The design statement submitted with the application describes it as being in the style of a nineteenth century outbuilding of the type associated with large country houses from that period.

8.8 It should be reiterated that there is no objection to the principle of the development or the footprint of the building as currently proposed. However the design of the annexe is considered to be inappropriate in this location. National guidance makes it clear that new developments should be subservient to listed buildings. It is felt that the detailing of the design and the proposed materials will result in a development that is excessively dominant in relation to Links House. It is felt that the proposed materials will add to the massing of the building and make it appear more commanding in relation to the existing house.

Furthermore it is considered that the design is based on an inappropriate assessment of the location, context and surroundings of the site. While it is reasonable to consider some form of ancillary building within this site the notion of a nineteenth century outbuilding here is historically inaccurate. This is a fact that is alluded to in the design statement submitted with the application which likens the annexe building to the outbuildings or offices associated with large country houses of the early nineteenth century and cites the example of Both House and its Steading. Links House was a Free Church Manse and presents quite a different context to a large country house set within a large estate. This site is unlikely to have accommodated a contemporary building of this type and as the agent notes the setting of the house has become significantly more urban as Dornoch has developed around it. A nineteenth century outbuilding is incongruous both in terms of the historic and modern setting of Links House. The false representation of a traditional form is unlikely to sit comfortably with the existing house or surrounding development.

New development in sensitive settings should respond to the rhythm, proportions and detail of the established built forms but it is considered the proposed annexe reflects a desire to create a specific style of building out of context and has failed to respond to its surroundings. The potential for the development of this site to bring economic benefits for Dornoch is recognised but it is felt that this development is likely to detract from the quality of the environment and as such would not comply with national policy on economic development.

- 8.9 Efforts have been made to engage in discussion with the agent over the design. It has been suggested that an attempt should be made to lighten the overall appearance of the building to create a development that is more clearly subservient to Links House and more appropriate to its context. The agent has put forward sketches that show potential revisions including a change in materials and a reduction in the roof pitch but neither proposal was felt to sufficiently address the concerns raised.
- 8.10 In a supporting statement submitted with the application the agent states that this element of the application is essential to provide an economically viable business. In March the agent submitted a letter supporting the annexe proposals and responding to the concerns raised by the Council. The letter sets out the applicant's vision for a high quality small hotel in Dornoch and outlines the design principles guiding the development. The principle of the development is supported by the Council but while the agent's comments regarding the design are noted the proposed design is considered to be unacceptable for the reasons set out above.
- 8.11 The small golf bag store will be sited in the south eastern corner of the site. It is a simple building measuring 5.6m x 4m with a hipped roof. It will be timber clad with a natural slate roof. While the form and style of the store is in keeping with the character of the main house it is clear that this will be a modern and distinctive element. This is an ancillary building and has clearly been designed to be subservient to the listed building. The design and materials of this building are considered to be acceptable.
- 8.12 **Trees and Landscaping**  
The site is within a Conservation Area therefore trees are protected. Works to trees consist of the crowning and thinning of the trees on the northern boundary and the removal of all other trees within the site. The original location of the oil tank has been changed to remove it from the root protection area. The Forestry Officer does not object to the proposals provided that the extent of the works to the trees on the northern boundary are agreed in advance, specimen trees are planted along the southern boundary and screen planting is provided along the eastern boundary. Should the application be permitted the Forestry Officer recommends suspensive conditions requiring the submission of details of the works to the trees on the northern boundary, a tree protection plan and a tree planting plan.
- 8.13 **Access**  
The site is served by an existing access from Kennedy Avenue and parking will be provided within the site. Roads do not object to the proposal.



8.14 **Layout and Privacy**  
The proposed layout is considered to be acceptable. Both the annexe building and the golf bag store are to the east of the site close to the boundary shared with Dornoch Golf Club. However, it is considered that there is unlikely to be any undue loss of privacy as a result of the development.

8.15 **Representations**  
One late representation has been lodged in support of the application noting the shortage of tourist accommodation in Dornoch and the wider appeal of such an enterprise. The letter also welcomes the tidying up of the Links House site and is supportive of the design of the proposed annexe.

8.16 **Other Considerations – not material**

None

8.17 **Matters to be secured by Section 75 Agreement**

None

## 9. **CONCLUSION**

9.1 The design and detailing of the proposed annexe are considered to be inappropriate in this location and would lead to a development that would detract from the setting of Links House and would fail to enhance or protect the character and appearance of the Dornoch Conservation Area. The application is considered to be contrary to policy and as such is recommended for refusal.

## 10. **RECOMMENDATION**

**Action required before decision issued** 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 **REFUSED** for the following reasons:

1. The design of the proposed annexe is considered to be inappropriate to the character and appearance of Links House and its setting contrary to Scottish Planning Policy.
2. The proposed annexe is considered to be inappropriate in terms of its design and as such fails to preserve or enhance the character or appearance of the Conservation Area contrary to Scottish Planning Policy and The Scottish Historic Environment Policy.

- 3 The proposed annexe is considered to be inappropriate in terms of its design and as such fails to demonstrate high quality design in keeping with local character and the historic environment contrary to Highland Structure Plan Policy G2 Design for Sustainability and Draft Highland Wide Local Development Plan Policy 29 Sustainable Design.
- 4 The proposed annexe is considered to be inappropriate in terms of its design and as such does not conserve the setting of Links House or the Dornoch Conservation Area contrary to Highland Structure Plan Policies G6 Conservation and promotion of the Highland Heritage and BC5 Listed Buildings and Conservation Areas.
5. The proposed annexe is considered to have a significantly detrimental effect on the setting of Links House and the Dornoch Conservation Area contrary to Sutherland Local Plan Policy 1 Settlement Development Areas and Draft Highland Wide Development Plan policy 35 Settlement Development Areas.
- 6 The proposed annexe is considered to have an unacceptable impact on the amenity and setting of Links House and the Dornoch Conservation contrary to Sutherland Local Plan Policy 4 Natural, Built and Cultural Heritage and Draft Highland Wide Local Development Plan Policy 58 Natural, Built and Cultural Heritage.
- 7 The annexe is not considered to make a positive contribution to the architectural and visual quality of the place in which it is located and fails to demonstrate sensitivity to local distinctiveness contrary to Sutherland Local Plan Policy 18 Design Quality and Place-Making.
- 8 The proposal, if approved, would set an undesirable precedent, making it difficult to refuse applications of a similar nature in the future.

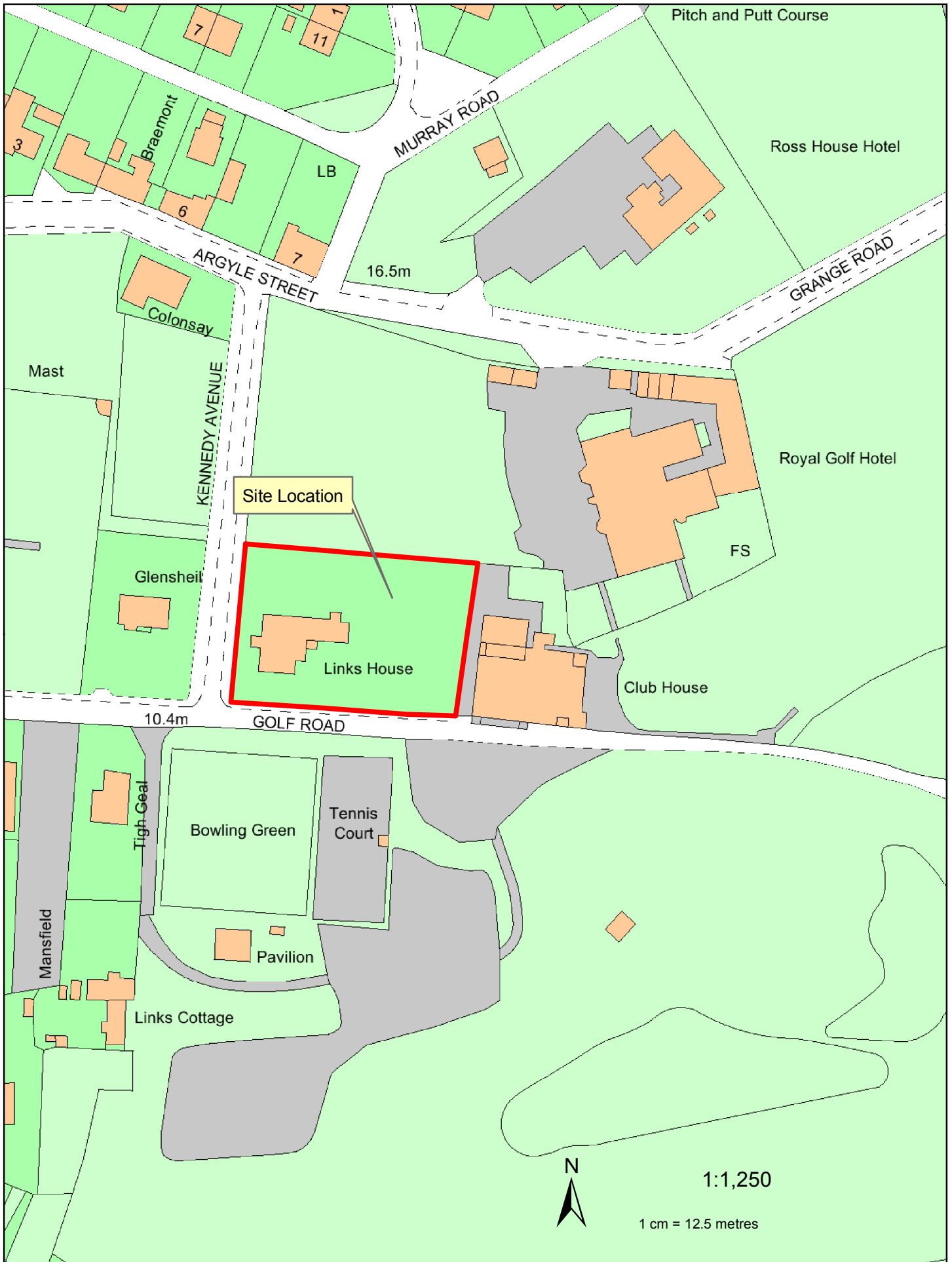
Signature: Allan J Todd

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

Author: Lisa MacKenzie

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

Relevant Plans: Plan 1 – Location Plan  
Plan 2 – Existing Site Plan  
Plan 3 – Proposed Site Plan  
Plan 4 – Site Sections  
Plan 5 – Annexe Elevations and Floor Plans  
Plan 6 - Bag Store Elevations and Floor Plans  
Plan 7 – Car Park Sections  
Plan 8 – Aerial Photograph



10/04448/FUL  
 Construction of detached guest accommodation (3 suites), manager's flat and basement storage, construction of detached golf bag store, siting of LPG tank, car parking, hard and soft landscaping and bin store at Links House, Kennedy Avenue, Dornoch.

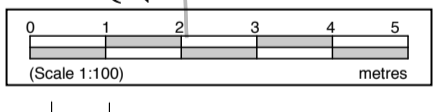
The Links House Ltd  
 per Maxwell & Co.  
 Larkfield  
 23 Southside Road  
 Inverness



Kennedy Avenue + 11.25

Golf Road

280100E



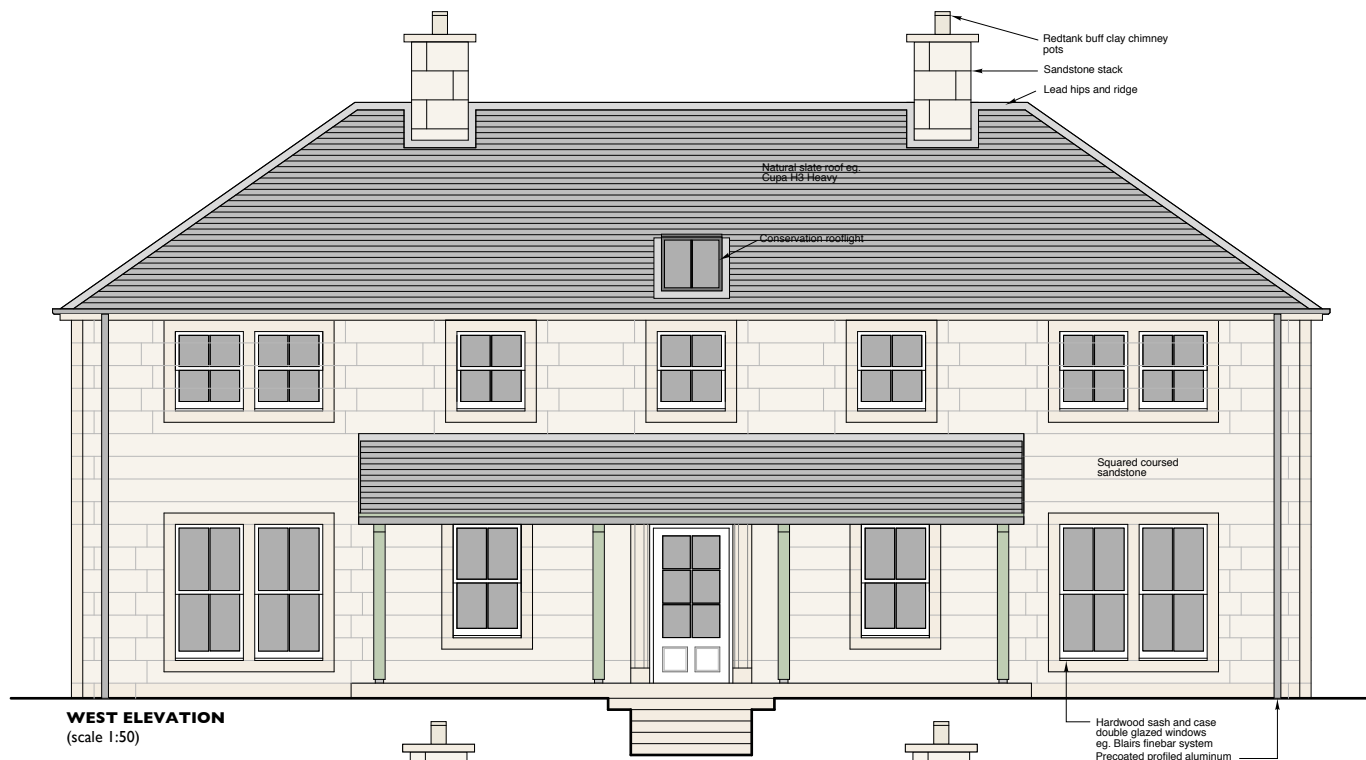
Rev	Date	Init	Check	Notes
C	15/03/11	GL		General Amendments
A	11/11/10	RW		Cloakroom amended to suit floorplans.

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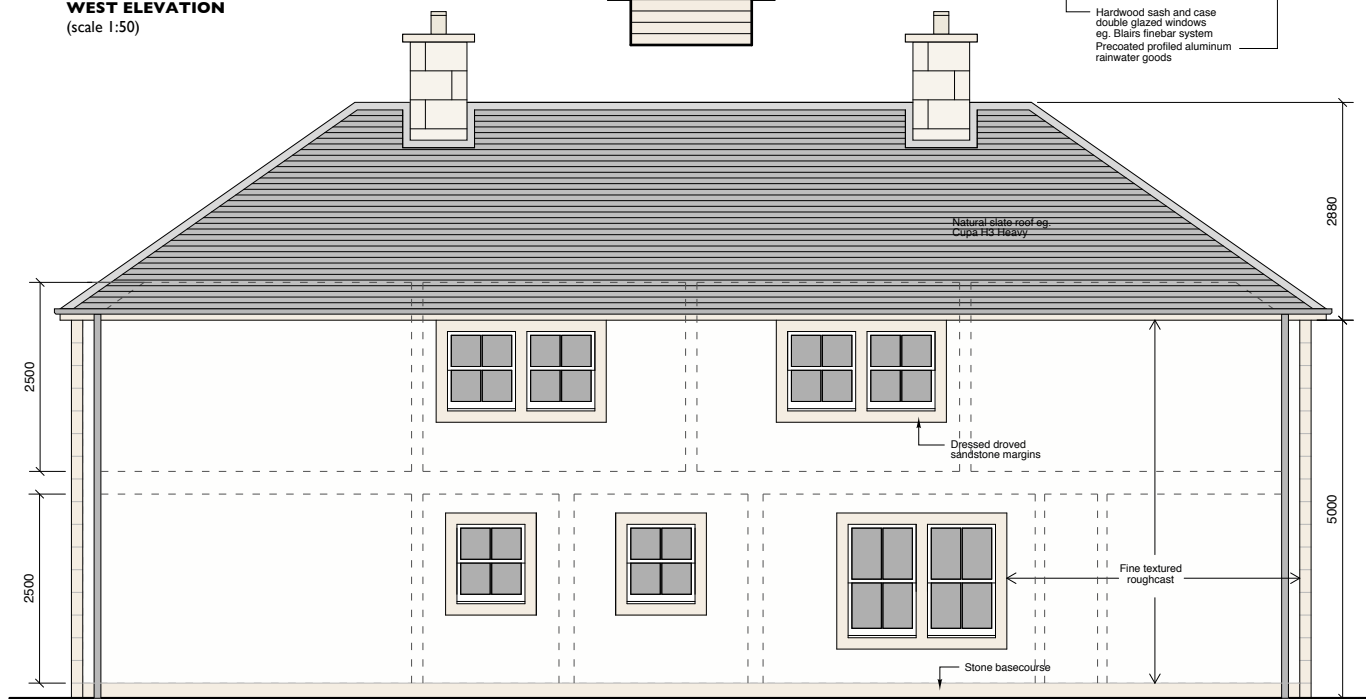
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Project : **Alterations and Extension to Links House, Gold Rd, Dornoch**  
 Client : **The Links House Limited**  
 Drawing : **Site Plan of Proposed Annex**

Date : **Oct 10** Scale : **1:100** Drawn : **GL**  
 Project No : **10012** Drawing No : **110** Revision : **C**



**WEST ELEVATION**  
(scale 1:50)

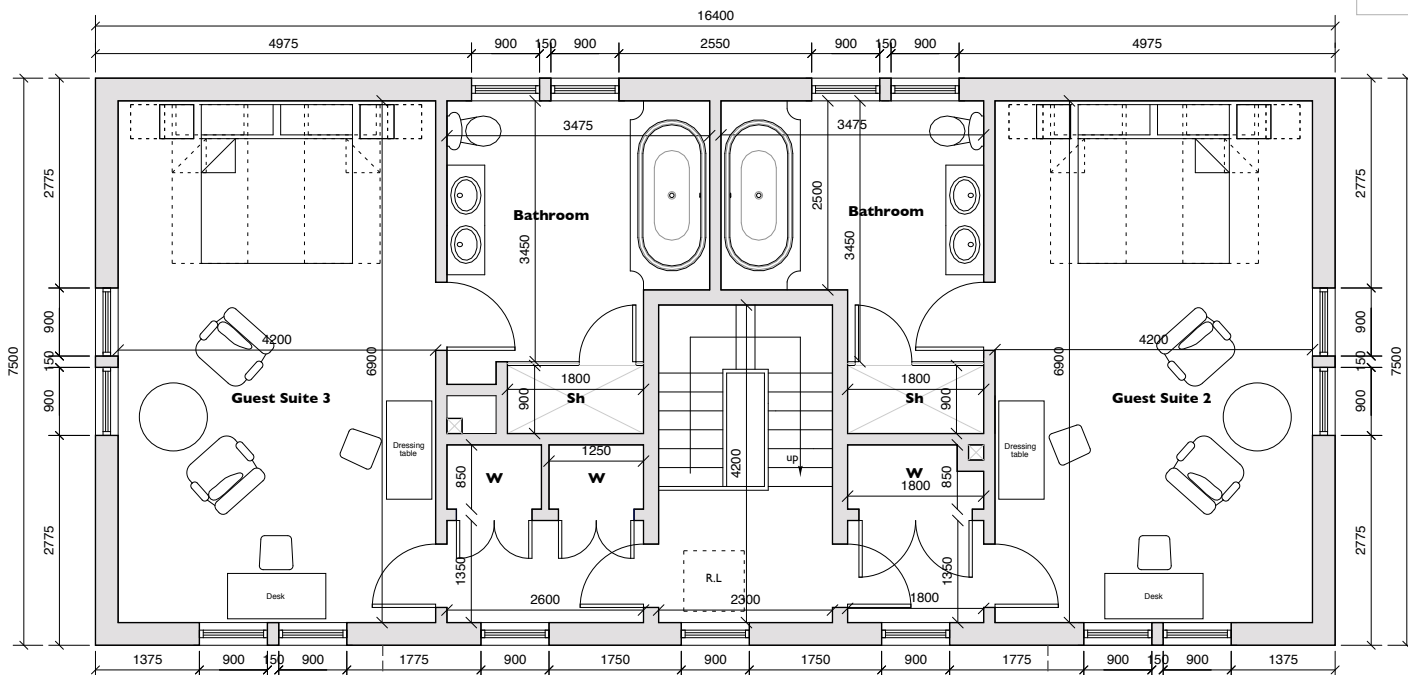


**EAST ELEVATION**  
(scale 1:50)

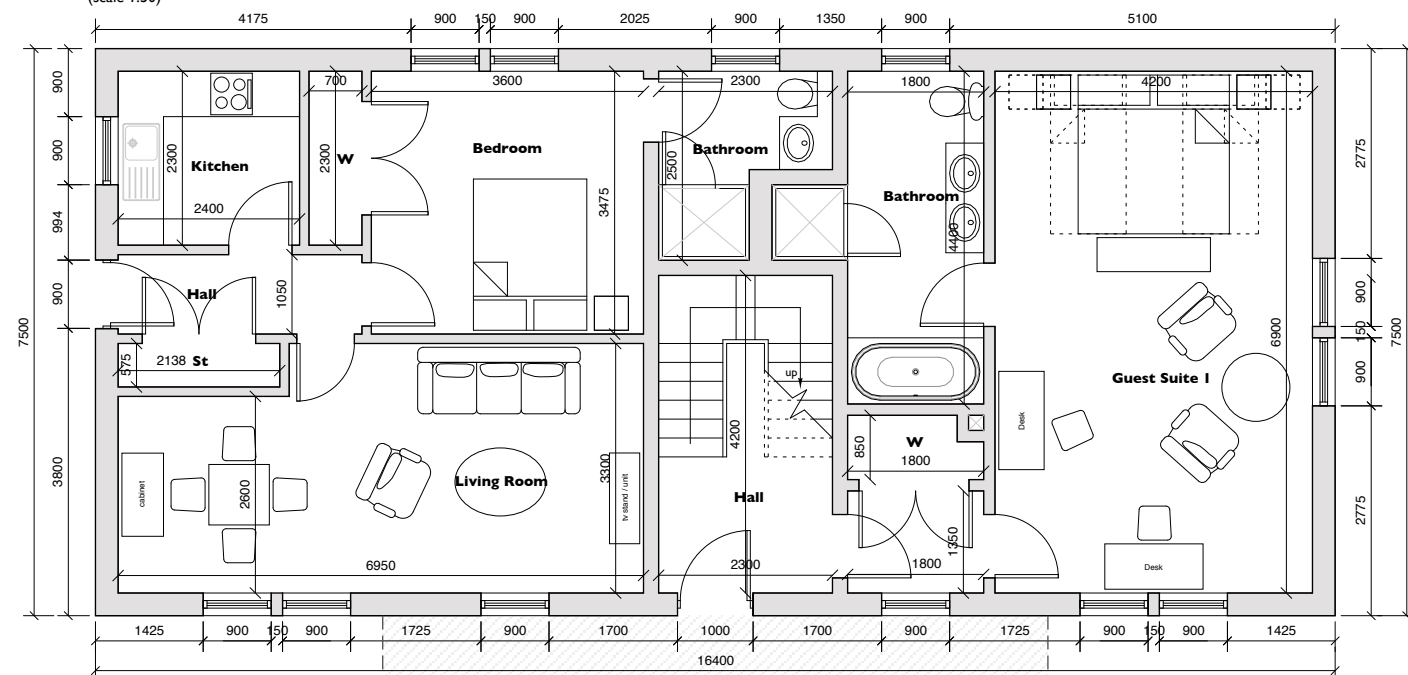


**SOUTH ELEVATION**  
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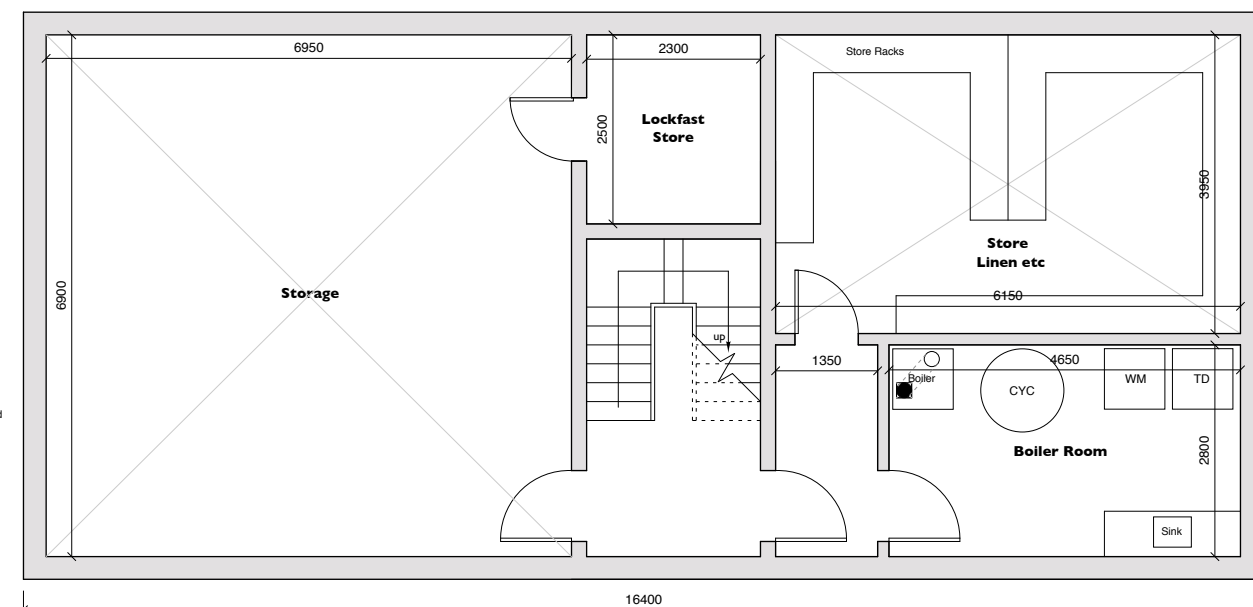
**NORTH ELEVATION**  
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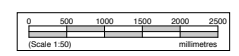
**FIRST FLOOR PLAN**  
(scale 1:50)



**GROUND FLOOR PLAN**  
(scale 1:50)



**BASEMENT PLAN**  
(scale 1:50)

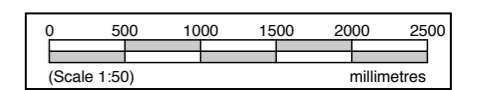
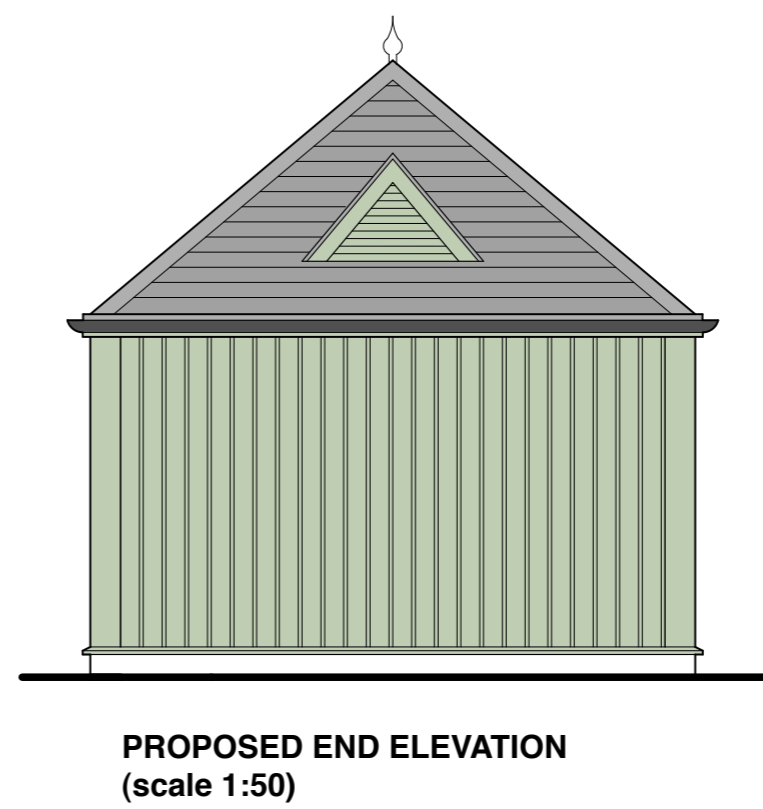
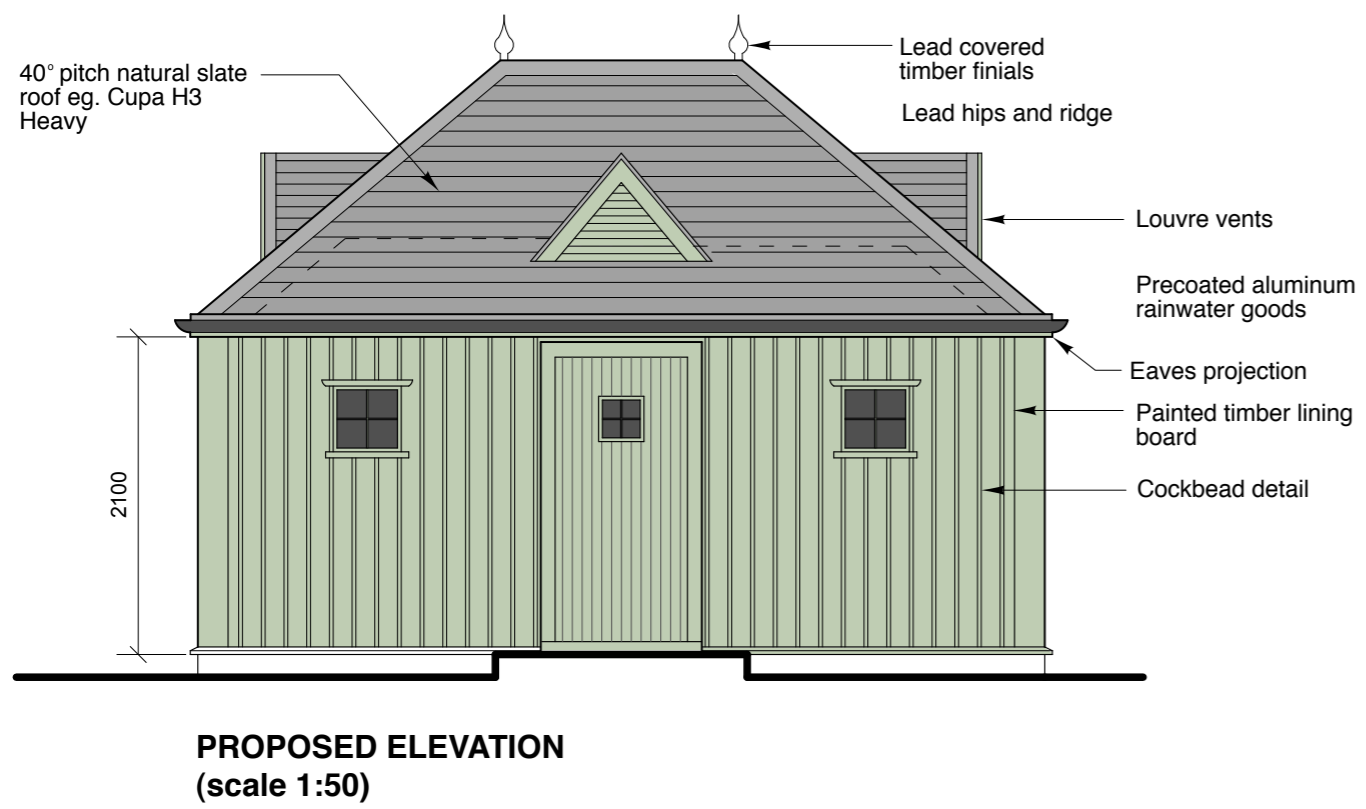
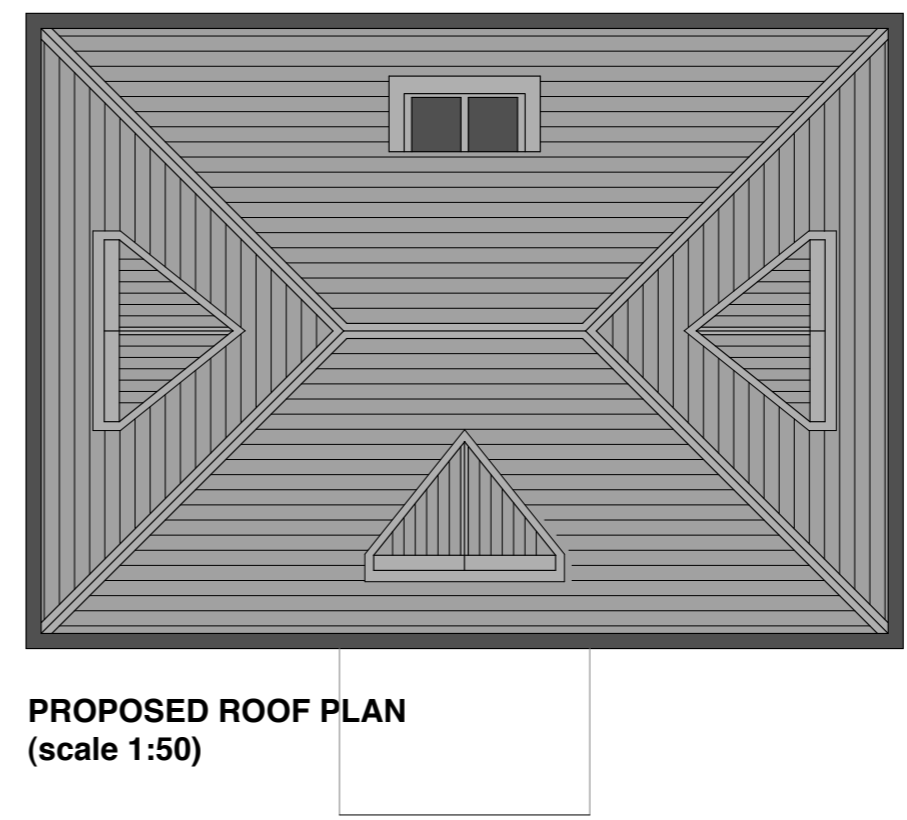
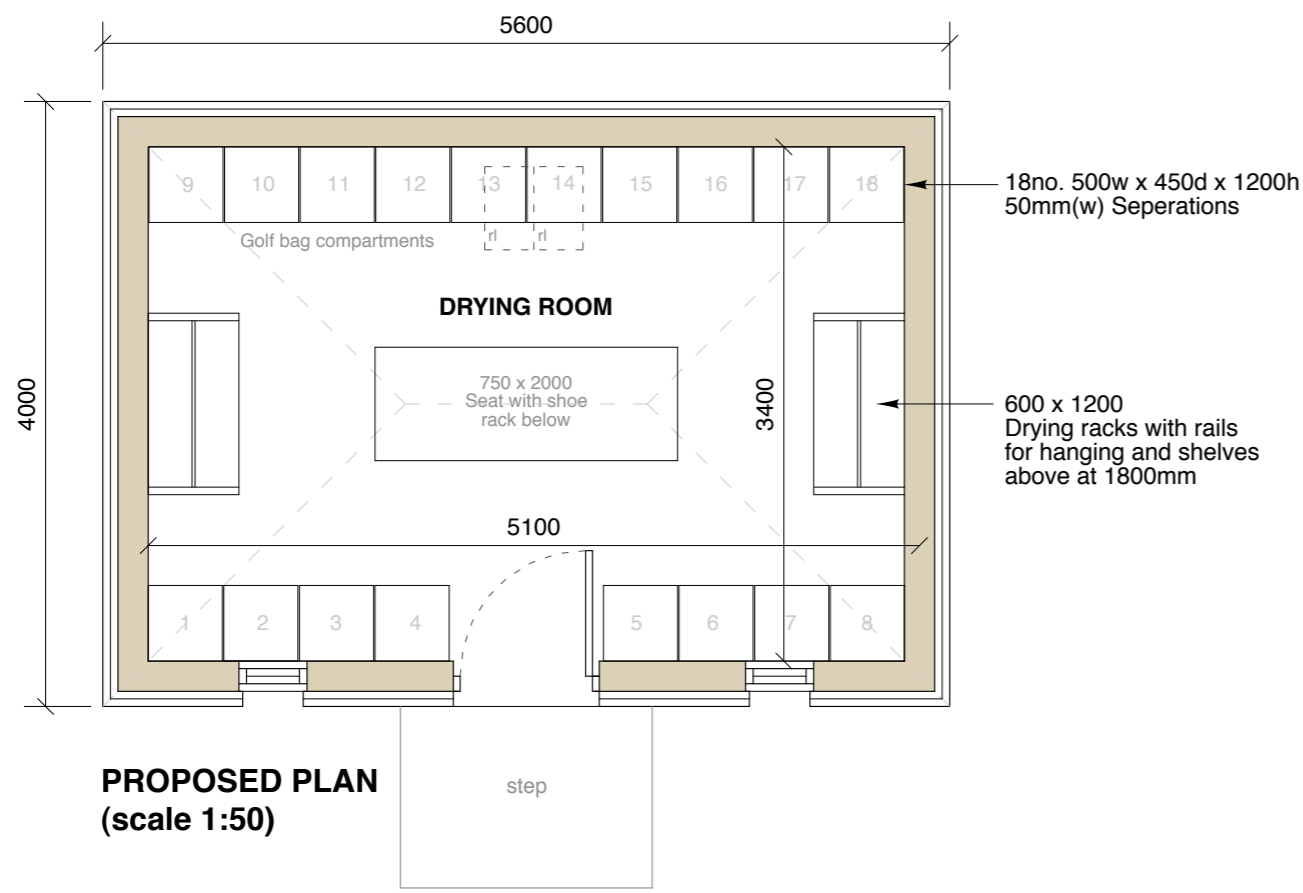


Rev	Date	Init	Check	Notes
A	11/11/10	RW		Windows on front elevation corrected to sash and case and verandah added to North Elevation. Dims added.

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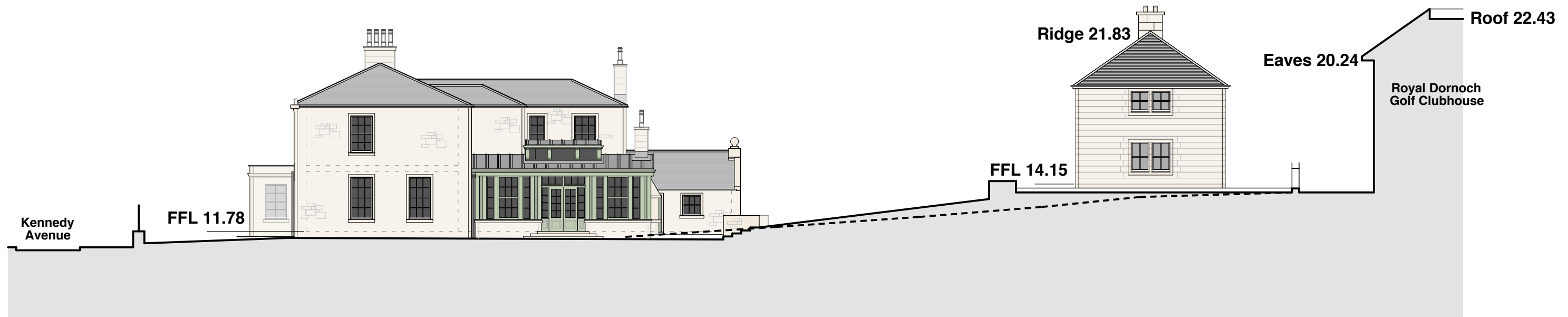
Project : **Alterations and Extension to Links House, Kennedy Ave. Dornoch**  
Client : **The Links House Limited**  
Drawing : **Proposed Annex**  
Date : **Sept 10** Scale : **1:50** Drawn : **AC/RW**  
Project No : **10012** Drawing No : **116** Revision : **A**



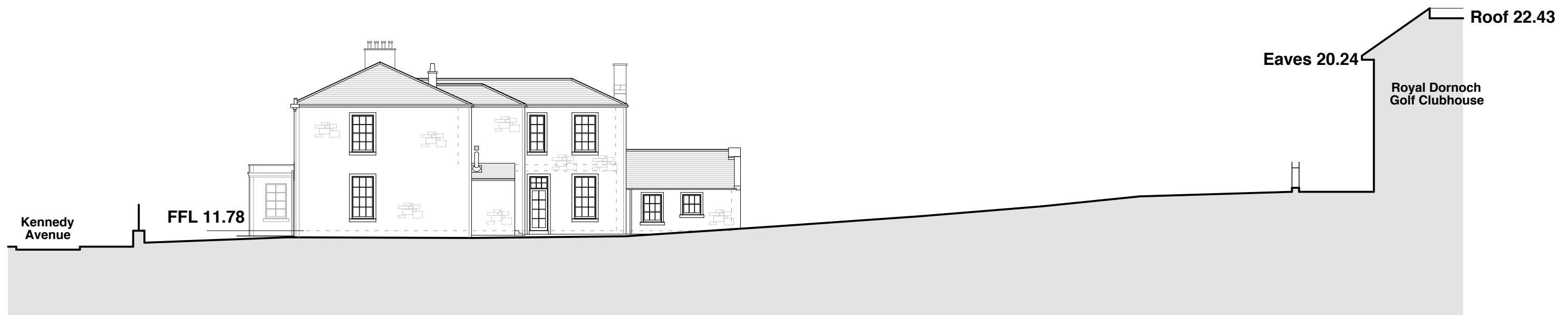
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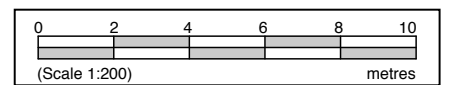
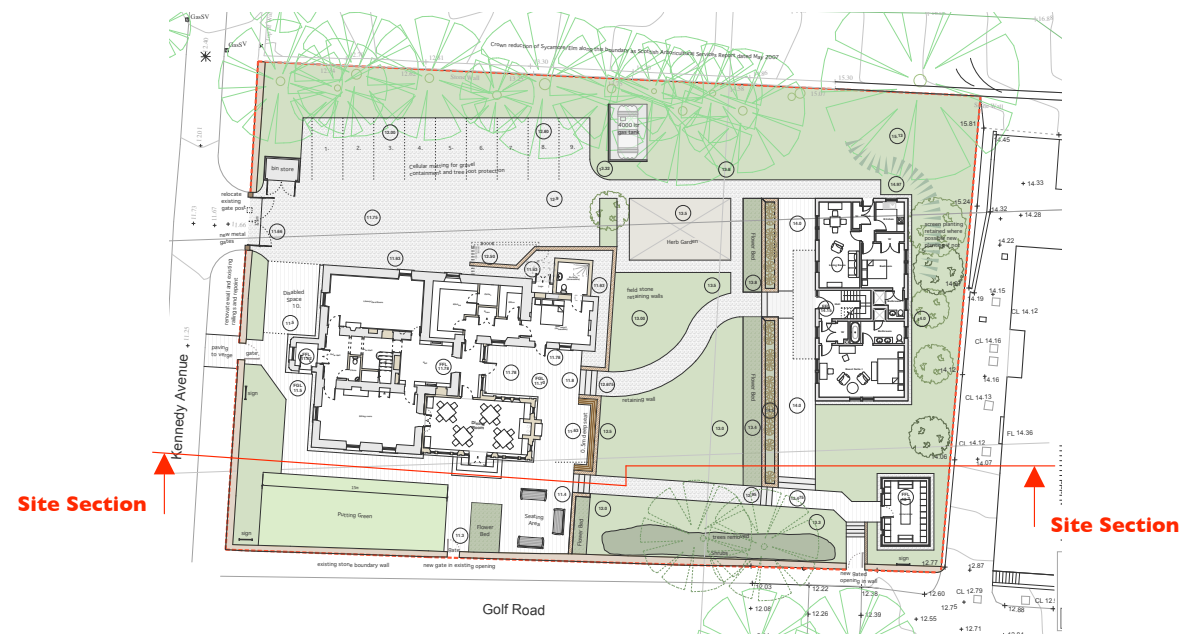
Project	: <b>Alterations and Extension to Links House, Kennedy Ave. Dornoch</b>		
Client	: <b>The Links House Limited</b>		
Drawing	: <b>Golf Bag and Drying Store</b>		
Date	: <b>05/10/10</b>	Scale	: <b>1:50 @A3</b>
		Drawn	: <b>RW</b>
Project No	: <b>10012</b>	Drawing No	: <b>117</b>
		Revision	: -



**Proposed Site Section  
(Scale 1:200)**



**Existing Site Section  
(Scale 1:200)**



Project :	<b>Alterations and Extension to Links House, Kennedy Avenue, Dornoch</b>	
Client :	<b>The Links House Limited</b>	
Drawing :	<b>Existing Proposed Site Sections</b>	
Date :	Scale :	Drawn :
<b>27/10/10</b>	<b>1:200</b>	<b>GL</b>
Project No :	Drawing No :	Revision :
<b>10012</b>	<b>III</b>	