THE HIGHLAND COUNCIL

CAITHNESS, SUTHERLAND AND EASTER ROSS PLANNING APPLICATIONS COMMITTEE – 2 AUGUST 2011

Agenda Item	4.1
Report No	PLC/050/11

10/04442/FUL & 10/04443/LBC: The Links House Limited Links House, Kennedy Avenue, Dornoch

Report by Area Planning Manager

SUMMARY

Description:

- Change of use from house to guest house.
- Alterations, repairs and extension.
- Window openings formed in South Elevation,
- roof lantern formed,
- Garage and 2 small lean-to buildings demolished.
- Widen drive entrance gate and add new gate to Golf Road

Recommendation - GRANT

Ward: 05 - East Sutherland And Edderton

Development category: Local

Pre-determination hearing: None

Reason referred to Committee : Area Managers discretion

1.	PROPOSED DEVELOPMENT
1.1	These applications seek planning permission and listed building consent for works to convert Links House to a guest house. The building is currently a house (class 9 use) but planning permission is sought to change the use to class 7 which covers hotels and hostels including guest houses. The works to the building include the erection of two extensions, complete re-roofing, significant internal alterations and various repairs.
	Two modern extensions to the rear will be removed to make way for the development. These will be replaced with a large single storey dining room and walkway on the eastern elevation and a small single storey extension on the northern elevation which will form an accessible shower room. A log store will be built onto this. The dining room extension is a combination of stone and timber with a lead roof. The shower room extension will be finished to match the rest of the house.

A new window opening is to be installed on the southern elevation and all existing windows are to be repaired. The roof will be re-slated and all lead work renewed. A new roof lantern is to be installed, a modern chimney and skylight removed and existing chimneys repaired and partially rebuilt. Internally changes to the layout are proposed, the lathe and plaster ceilings and some lathe and plaster walls will be removed and replaced with plaster board. The ground floor floors which are a combination of solid and timber floors will be replaced with a solid floor. The cornices will be removed and reinstalled where necessary. All internal doors are to be removed and fire resistant replacements installed. Existing windows will be retained with an electromagnetic hold shut device installed as part of the fire safety windows. All rainwater goods are to be renewed and any plastic to be replaced with cast iron. Existing cement mortar pointing on the south and west elevations will be removed and the repointing done with lime mortar. In the grounds the existing vehicular access onto Kennedy Avenue will be widened and new gates installed. The boundary wall on the south will be breached to create pedestrian access to Golf Road. 1.2 A separate application for an annexe building in the grounds was granted at committee in April 2011. 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 extent of intervention to the listed building proposed was not initially made clear. concerns have been raised at the piecemeal manner in which details of the works have been brought forward. 1.4 A Supporting Statement has been submitted with the application along with further written justification of the works proposed. 1.5 During the course of the application further plans have been provided which give some more detail on the extent of the intervention proposed. Following a meeting on 1 August between the planning service. Historic Scotland and the developer a more detailed justification was provided and further changes were made. proposal to insert a steel structure that would increase head room at the stairs has been removed. Some minor additions have been made to the plans including the erection of a small log store at the rear of the building and the introduction of a pressurised plant store to house the smoke control system. 2. SITE DESCRIPTION 2.1 Links House is a two storey stone built former manse. It has been maintained as a house but is currently empty. It is a B listed building in the Dornoch Conservation Area. 3. **PLANNING HISTORY** 10/04448/FUL Construction of detached guest accommodation (3 suites), 3.1 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 Granted 5 May 2011 02/00329/FULSU and 02/00330/LBCSU Reinstatement of chimney on rear elevation. Granted 18 December 2002 4. **PUBLIC PARTICIPATION** Advertised: 4.1 10/04442/FUL: Neighbour Notification 10/04443/LBC: Listed Building Consent Representation deadline: 3 December 2010 Timeous representations: 0 Late representations : 4.2 Material considerations raised are summarised as follows: None 4.3 All letters of representation can be viewed online www.highland.gov.uk, at the Area Planning Office and for Councillors, will be available for inspection immediately prior to the Committee Meeting. CONSULTATIONS 5. **Conservation Officer:** 5.1 These detailed comments are provided following the revised plans to meet the fire regulation requirements for the conversion of the listed building and a site meeting on Monday 4th July 2011. The proposed plans dated 15 April 2011 present a scheme of intervention for the listed building which will include alterations as follows; 1. **Extension to form dining room** – it is considered that in supporting the proposed change of use for the listed building there is some acceptance that an extension will be required to meet the needs of future users. Therefore with the proposed end use in mind and, in principle acceptable, the principle of the proposed extension is accepted. 2. Insertion of one new window opening to south elevation – again as above with the proposed end use of the building in mind it was considered that the insertion of a new window in the proposed location would allow greater use of the internal space of the building and therefore in principle support was given for this proposed change. 3. Removal of all existing lath and plaster walls - this part of the proposal was always resisted. Although unseen traditional lath and plaster finishes form a fundamental part of historic buildings and are a key part of their over all design. Therefore retention of traditional

- materials and finishes is always advocated best practice.
- 4. Removal of all existing lath and plaster ceilings as above the issue with this element is the principle of lost traditional materials, details and fabric for the building. However, the removal of ceilings is arguably more crucially linked to point 5 below.
- 5. **Removal of all cornices** there are cornices to the principle rooms of Links House. The proposed removal of ceilings will result in the removal of all cornices. The application proposes to replace these however again there is a principle of the removal of original traditional materials and detailing for the listed building.
- 6. Replacement of all existing floors this element is a little more difficult to understand. Although no all floors are traditional it is considered that where they are it would be a more appropriate sensitive solution to retain the timber floors and provide ventilation and breathable insulation to improve thermal efficiency and prevent damp issues within the solums. The application allows for the introduction of non breathable membranes and materials which Historic Scotland's technical support team advocate can lead to wider issues for the historic fabric of older buildings. Equally the introduction of these elements is not a requirement of the building standard regulations.
- 7. New steel structure to support stair/landing the purpose of this part of the proposal is unclear and does not, as far as I am aware, form part of any building standard requirements.
- 8. Replacement of all existing doors although not all doors are original their loss is again a matter of principle in terms of historic fabric and detail. In other historic buildings in the Highland area schemes have replaced individual doors but simply upgraded where possible to fire proof the existing.

The proposed interventions will, collectively, result in substantial loss of historic fabric and detail for the listed building. It is suggested by the applicant that the proposed level of intervention is the only option to meet the building standard and fire requirements for the proposed change of use. However, a pre application meeting was held on the 7th May 2010 to discuss the implications of conversion for the listed building. At this time Building Standards Officers and the Conservation Officer offered to meet together with the agent to ensure that all issues were fully understood by the applicant. This offer was declined and the meeting took place between the Conservation Officer and the agent only. At this time it was stated by the applicants that a fire safety solution could be devised which would not require extensive intervention to the listed building. On this basis the principle of the scheme was supported. However, this has not proven to be the case and the extensive interventions proposed are now being justified by the applicant as necessary to meet the fire safety requirements brought about by the proposed change of use. This justification is slightly flawed for some of the proposed intervention which is not relevant to the regulations.

It is considered overall that the proposed scheme is for a level of intervention which will result in loss of special architectural and historic interest for Links House. It is unfortunate that despite great efforts to compromise to achieve the desired change

of use the scheme cannot be supported as it is not supported by local and national policy and guidance in relation to the historic environment. Following the submission of further information after the meeting of 1 August the following comments were provided: I believe that the impact of the collective extensions, alterations and loss of historic fabric and detail to the listed building are likely to have a significantly negative impact on its special architectural and historic interest. 5.2 Area Roads and Community Works Manager: No objection subject to conditions 5.3 Forestry Officer: No objection subject to conditions 5.4 **Archaeology**: No objection subject to conditions 5.5 **Dornoch Community Council:** No response 5.6 **Historic Scotland:** Historic Scotland originally made the following comments: In such a case involving change of use, we would expect the applicant/agent to demonstrate that less interventionist options are not achievable. In considering the information I have available, I am of the view the extent of the works will have an adverse affect on the existing internal fabric of the building, much of which is of interest and overall contributes to the building's character. Following the submission of further information after the meeting of 1 August Historic Scotland made the following comments: The justification document is helpful in understanding more fully the extent of works proposed in relation to building standards and fire safety. This information was requested by the council as a result of our site meeting in August and will now enable a more informed view to be reached. The conversion of the building will result in the loss of historic fabric. The loss of the existing doors, as an example, would be unfortunate. However, if your council considers the approach taken is overall acceptable (other potential options likely to have a similar or greater impact) then we would not challenge that view. I've not looked at the fire engineers report as a detailed analysis of this would need to be undertaken by qualified fire engineer due to its technical content. Advice will also be available from the Conservation Officer who was copied into my response, as I'm also conscious that new applications for internal works of this nature are likely to now fall under the removal of the duty to notify. **SNH**: The bat survey results indicated that the minimal bat usage found does not 5.7 constitute a bat roost and resting place. Therefore, no adverse impacts to bats have been identified. Survey effort to assess roosting bats has been consistent with good practice guidelines, with a good report format allowing the impacts of the proposal to be fully considered.

	Our advice on the potential impacts on bats, is that provided the development is carried out in accordance with the conclusions within the bat survey report (R & T Coachman, 25 July 2011), the proposal is unlikely to result in an offence under Regulation 39 of the Habitats Regulations 1994 (as amended).		
5.8	Scottish Water: No response		
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 11	Protected Species	
7.	OTHER MATER	IAL CONSIDERATIONS	
7.1	Draft Highland Wide Local Development Plan		
	Policy 29 Sustai	nable Design	
	Policy 35 Settlement Development Areas		
	Policy 58 Natura	al, Built and Cultural Heritage	
	Policy 59 Protec	ted Species	
7.2	Highland Council Supplementary Planning Policy Guidance		
	None		
7.3	Scottish Gover	nment Planning Policy and Guidance	
	Scottish Planning Policy (SPP), Scottish Historic Environment Policy Historic Scotland Managing Change Guidance - Extensions		
8.	PLANNING APP	PRAISAL	
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.		

	Furthermore, section 59 of the Planning (Listed Buildings and Conservation Areas) (Section 2) Act 1997 requires the Planning Authority to have appoint regard to the
	(Scotland) Act 1997 requires the Planning Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
8.2	This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.
8.3	Development Plan Policy Assessment
8.4	The development is considered to demonstrate high quality design in keeping with local character and the historic environment in accordance with Highland Structure Plan Policy G2 and policy 29 of the emerging Highland Wide Local Development Plan. The proposals are also considered to accord with Structure Plan Policies G6 and BC5 which seek to preserve historic buildings. It not judged to have a significantly detrimental effect on built heritage in line with Sutherland Local Plan policy 3 and draft Highland Wide Development Plan Policy 35.
	The proposal is considered to accord with the development plan.
8.5	Material Considerations
	The principle of the development is considered to be acceptable. The proposed change of use is appropriate to this location and will not unduly impact on neighbours or wider amenity.
8.6	Impact on the Listed Building
	The principle of converting the building is accepted but it is recognised that a significant programme of repair, alteration and extension is proposed. Members will note that the Council's Conservation Officer has expressed concerns about the proposal.
8.6.1	It is recognised that in order to facilitate the change of use some alterations to the building will be required. The impact of each of these has to be considered individually and cumulatively.
8.6.2	individually and cumulatively.

8.6.3 A significant amount of internal works is also proposed. It is recognised that some works such as changes to the internal layout are required to facilitate the proposed change of use and again it is accepted that some level of intervention is inevitable if the change of use is to go ahead. 8.6.4 The Conservation Officer has expressed particular concern about some of the internal works proposed. These concerns were put to the agent who has attempted to address this. In response to the advice given the proposal to install a steel structure to increase the head room in the stair well has now been completely removed from the application. A further attempt has also been made to set out the justification for some of the contentious interventions proposed. The removal of lath and plaster walls and ceilings with the resultant removal of cornicing is resisted by the Conservation Officer. It should be noted that any cornicing that is to be removed will be reinstated as will cornicing that has previously been lost. The cornicing is plain and while the retention of traditional detailing is always preferable this element of the proposal is considered to be acceptable. The agent has also provided a detailed justification for the proposals for the loss of lath and plaster ceilings and walls. This sets out the relevant Building Standards requirements and the alternative options that were considered. It is recognised that the loss of traditional detailing is regrettable. However, this element of the works is required to comply with Building Standards and will help to secure the future of the building. 8.6.5 All floors on the ground floor are to be removed and replaced with new solid floors with a damp proof membrane (dpm). This is also an area of concern for the Conservation Officer. The agent concedes that this part of the scheme is not necessary to comply with fire regulations but states that the floors have little architectural merit and notes that the ground levels to the rear make under floor cross ventilation difficult. Raising the floor level would create accessibility issues. Given, the limited contribution of the existing floors to the special interest of the building this element of the proposal is considered to be acceptable. The loss of all internal doors is also resisted by the Conservation Officer. Some 8.6.6 the doors are original and make an important contribution to the special interest of the building. Their loss is therefore particularly regrettable. However, the agent advises that the doors are not capable of being upgraded to meet to comply with Building Standards. The loss of this type of detail is unfortunate but in the context of the wider scheme it is judged to be acceptable. While individual elements of the scheme are supported to a lesser or greater extent 8.6.7 it is the impact of the development as a whole that must be considered. The strong reservations of the Conservation Officer in this regard are acknowledged. Any loss of traditional materials or detailing is to be regretted. However Scottish Planning Policy (SPP) states that change to a listed building should be managed to protect its special interest while enabling it to remain in active use. In this case it is considered that the interventions are justified to facilitate the proposed change of Furthermore, some of the works, for example the removal of the cement mortar and the replacement of plastic rainwater goods with cast iron will bring about an improvement to the building. Links House has now sat empty for some time and it is considered important to secure a viable future for the building. In this context the impact on the listed building is considered to be acceptable.

8.7	Bats – SNH originally raised concerns about the potential presence of bats in the building. Survey work was carried out and SNH have now confirmed that they are satisfied provided that the works proceed in line with the good practice identified in the bat surveyor's report.			
8.8	Access – The existing vehicular access from Kennedy Avenue is to be widened. Roads do not object to the proposal subject to conditions.			
8.9	Trees – The Forestry Officer submitted a joint response on these applications and the application for the annexe. He has no objections subject to conditions which were attached to the permission granted for the annexe. It is recommended that these conditions be replicated on the planning permission for the main house. It should be noted that an aboriocultural statement which is required by one of the conditions has been submitted and is currently under consideration by the Council's Forestry Officer.			
8.10	Other Considerations – not material			
	None			
8.11	Matters to be secured by Section 75 Agreement			
	None			
9.	CONCLUSION			
9.1	The proposal is considered to accord with local and national policy. The concerns of the Conservation Officer about the impact of the development on the special interest of the listed building are noted. However, it is considered that in order to secure the future of the listed building a holistic and pragmatic approach should be adopted. The works proposed will facilitate a development that will return a vacant building to use. The scale and nature of the works are considered to be acceptable in this case and do not detract from the character of this listed building and will ensure its long term viability. It is recommended that Planning Permission and Listed Building Consent be granted for the reasons set out below.			
10.	RECOMMENDATION			
	Action required before decision issued	Υ		
	Notification to Historic Scotland	Υ		
	Subject to the above, it is recommended application 10/04442/ Granted subject to the following conditions and reasons:			
1.	No development shall start on site until a property of the start of th	has be be cut	en approved in writing by the down, uprooted, topped, lopped	

	Reason: To ensure the protection of retained trees during construction and thereafter.
2.	No development shall start on site until a Tree Protection Plan in accordance with BS5837:2005 (Trees in Relation to Construction) and including details of appropriate protection measures for all retained trees before and for the duration of the development has been submitted to and approved in writing by the Planning Authority. This must include an Arboricultural Method Statement for the installation of the cellular confinement system within the car parking area. The development shall thereafter proceed in accordance with the approved Tree Protection Plan and Aboricultural Statement. Reason: To ensure the protection of retained trees during construction.
3.	No development shall start on site until a detailed Tree Planting Plan and maintenance programme has been submitted to and approved in writing by the Planning Authority. At least four standard sized trees shall be planted along the southern boundary and screen planting established along the eastern boundary with the Royal Dornoch Golf clubhouse. All planting shall be undertaken during the first planting season following approval of the tree planting plan.
	Reason: In the interests of amenity.
4.	No development shall start of on site until a photographic record has been made of the remains of old buildings and / or other features affected by the proposed development, in accordance with the attached specification, and 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.	No development shall start on site until details of any new slates to be installed been submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in accordance with the agreed details. For the avoidance of doubt all rainwater and sanitary goods shall be cast iron.
	Reason : In order to preserve the character, appearance and setting of the listed building and because no such details were submitted with the application.

6.	No development shall start on site until details of any new rain water goods or sanitary pipes have been submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in accordance with the agreed details. For the avoidance of doubt all rainwater and sanitary goods shall be cast iron.
	Reason : In order to preserve the character, appearance and setting of the listed building and because no such details were submitted with the application.
7.	No development shall start on site until details of all new gates have been submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in accordance with the agreed details. For the avoidance of doubt all rainwater and sanitary goods shall be cast iron.
	Reason: In order to preserve the character, appearance and setting of the listed building and because no such details were submitted with the application.
8.	All access arrangements shall be provided to the satisfaction of the Planning Authority, in consultation with the Roads Authority, and in accordance with the Schedule attaching to this permission, prior to occupation of the house.
	Reason: In the interests of road safety.
9.	All drainage arrangements shall be to the satisfaction of the Planning Authority, in consultation with the Scottish Environment Protection Agency, the Drainage Authority, and the Building Standards Authority.
	Reasons: In the interests of amenity and public health.
	Subject to the above, it is recommended application 10/04443/LBC be approved subject to the following conditions and reasons:
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 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

No development shall start on site until details of any new slates to be installed been submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in accordance with the agreed details. For the avoidance of doubt all rainwater and sanitary goods shall be cast iron.
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 No development shall start on site until details of any new rain water goods or sanitary pipes have been submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in accordance with the agreed details. For the avoidance of doubt all rainwater and sanitary goods shall be cast iron.
 Reason: In order to preserve the character, appearance and setting of the listed building and because no such details were submitted with the application.

Signature: Dafydd Jones

Designation: Area Planning Manager North

Author: Lisa MacKenzie

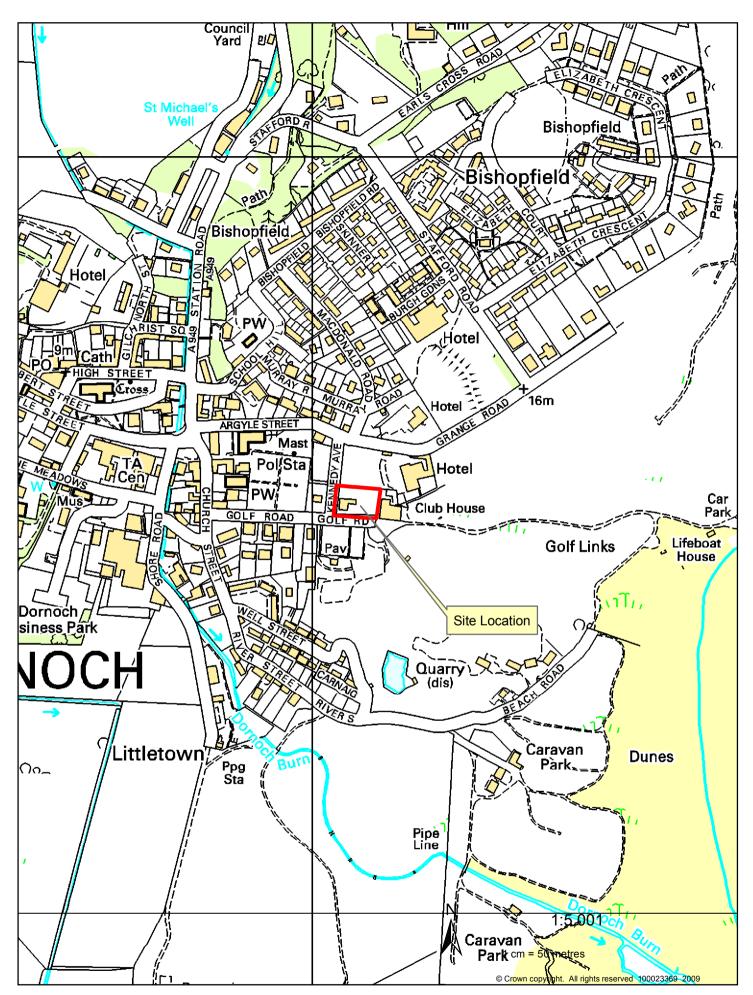
Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 – Site Layout

Plan 2 Existing Elevations

Plan 3 – Proposed Elevations

Plan 4 Proposed downtakings



10/04442/FUL & 10/04443/LBC

Change of use from house to guest house. Alterations, repairs and extension. Window openings formed in South Elevations, roof lantern formed, garage and 2 small lean-to buildings demolished.

Widen drive entrance gate and add new gate to Golf Road at Links House, Kennedy Avenue, Dornoch IV25 3LW

The Links House Limited per Maxwell & Company Larkfield 23 Southside Road Inverness IV2 3BG

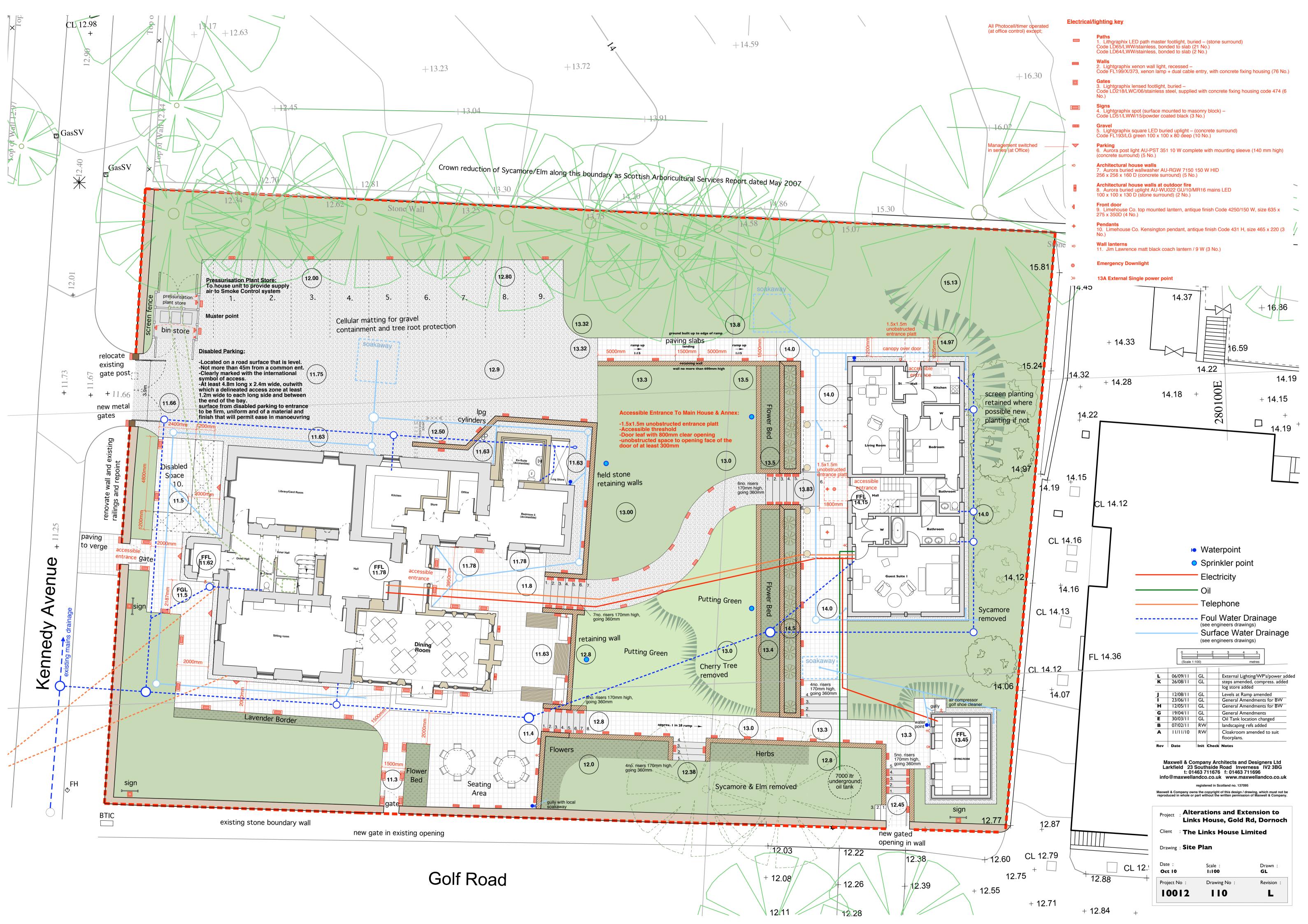


10/04442/FUL & 10/04443/LBC

Change of use from house to guest house. Alterations, repairs and extension. Window openings formed in South Elevations, roof lantern formed, garage and 2 small lean-to buildings demolished.

Widen drive entrance gate and add new gate to Golf Road at Links House, Kennedy Avenue, Dornoch IV25 3LW

The Links House Limited per Maxwell & Company Larkfield 23 Southside Road Inverness IV2 3BG







----- Existing to be demolished/removed

 Existing lath & plaster ceilings taken down and replaced with 2 sheets 12.5mm thk plasterboard deep screwed with non-corrodible screws (skim coat finish) Cornice reinstated where required.

 Existing lath & plaster ceilings taken down and replaced with 1 sheet 12.5mm thk plasterboard deep screwed with non-corrodible screws (skim coat finish) Cornice reinstated where required.

2 sheets 12.5mm thk plasterboard deep screwed with non-corrodible screws onto existing ceiling

 - - - 2 sheets 12.5mm thk plasterboard deep screwed with non-corrodible screws onto existing ceiling, new lowered ceiling added for service void

Existing wall plaster on the hard

Existing wall lath & plaster taken down and replaced with 2 sheets 12.5mm thk plasterboard deep screwed with non-corrodible screws (skim coat finish) Cornice reinstated where required.

Note: intumescent seal to all wall/floor junctions.

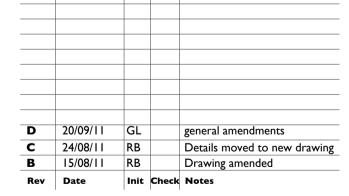
 New fire rated wall in attic space up to underside of roof sarking with 2 sheets 12.5mm thk plasterboard deep screwed with non-corrodible screws on 100mm timber frame wall

Note: intumescent seal to all wall/floor junctions.

NOTES:

de de

denotes demolition works



MAXWELL & COMPANY architects and designers

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Project: Alterations and Extension to Links House, Kennedy Ave.
Dornoch

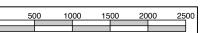
Client: The Links House Limited

Drawing: Downtakings/Firestopping
Details (Fire Strategy Drg I)

Date: Scale: Drawn:
15/04/11 1:50 GL

Project No: Drawing No: Revision:

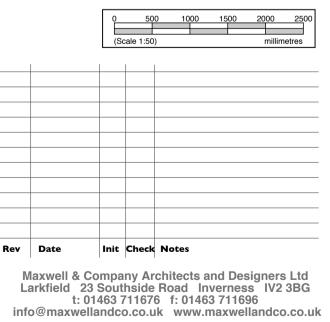
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Alterations and Extension to Links House, Kennedy Ave. Dornoch Client : The Links House Limited

Existing Elevations

Drawn : 10/12/09 Drawing No: Project No: Revision: 10012 104

SOUTH ELEVATION

(scale 1:50)

