

**THE HIGHLAND COUNCIL**

**NORTH PLANNING APPLICATIONS COMMITTEE**  
**28 April 2015**

Agenda Item	5.3
Report No	PLN/023/15

**14/03574/FUL and 14/03576/LBC : Highland Council**  
**Drummuie Area Office, Golspie**

**Report by Area Planning Manager**

**SUMMARY**

**Description** : Reconstruct chimney stack to original height, but at 800mm thickness using original stones plus additional stonework

**Recommendation - GRANT PLANNING PERMISSION AND REFER LISTED BUILDING CONSENT APPLICATION TO HISTORIC SCOTLAND**

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

**Development category** : Local development

**Pre-determination hearing** : None

**Reason referred to Committee** : Community Council objection

**1. PROPOSED DEVELOPMENT**

- 1.1 The building was built in 1903 as a boarding and technical school by the Countess of Sutherland. It is a large and symmetrical with projecting wings and a U-plan, over 3 floors, with ridge and wallhead chimney stacks and a slate roof. The building is category B Listed.

The building was converted to offices by Highland Council in 2008 and is now used by the Council as a corporate office serving the area. Following the detection of movement in a chimney stack on the east wing of the building in November 2013 during strong winds, the Council submitted a Planning Application and Listed Building Consent to reduce its height.

- 1.2 Early, informal pre-application discussions were held between Highland Council, the Planning Authority and Historic Scotland over remedial measures to the stack once the problem had been identified. Advice was provided by the Planning Authority, in consultation with Historic Scotland, into what would be acceptable with regards to the historic fabric of the building, and what information would be required in support of applications. The Planning Application and Listed Building Consent applications were received on 29.10.2014. Initially it had been proposed

to reduce the height of the affected chimney stack. This however was not considered acceptable in terms of national guidance and policy and could not be supported. Following extensive discussions with the Conservation Officer and Historic Scotland agreement the proposal has been amended and acceptable solution found whereby it is proposed to reconstruct the chimney stack to its original height, but at 800mm thickness using original stones plus additional stonework.

1.3 Various documents have been submitted in support of the applications for Planning Permission and Listed Building Consent:

- Engineer inspection assessment of existing chimney (19.12.2013)
- Photographs
- Letter from Historic Scotland (18.02.2014)
- Supporting letter (16.09.2014)

1.5 **Variations:** None

## 2. **SITE DESCRIPTION**

2.1 The building is located to the south of Golspie and to the west side of the A9(T).

## 3. **PLANNING HISTORY**

3.1 1. 05/00315/NIDSU and 05/00316/LBCSU Refurbishment of existing grade B listed building to form office accommodation. Reconfiguration of main entrance stairs for DDA compliance. Extension / upgrade of existing access road and formation of car park. Change of use to class 4 property. Approved by Scottish Ministers 18.07.2006, following consideration by Committee on 31.05.2006.

## 4. **PUBLIC PARTICIPATION**

4.1 Advertised :

- 14/03574/FUL – 14.11.2014, expiry 28.11.2014
- 14/03576/LBC – 14.11.2014, expiry 05.12.2014

Timeous representations : 1

Late representations : 0

4.2 Material considerations raised are summarised as follows:

- The chimney does not add to the visual appearance of the building and would not be missed
- Lowering its height would not visually improve the building

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](http://www.wam.highland.gov.uk/wam). Access to computers can be made available via Planning and Development Service offices.

## **5. CONSULTATIONS**

- 5.1 **Conservation Officer** : The proposed development requires to be fully justified in terms of the applicable legislation and national guidance. The applicant's Engineer has stated that it is possible to retain the chimney. The proposal as originally submitted to reduce the height of the chimney had not been properly justified and could not be given supported under current policy and guidance.  
Following the provision of further supporting information (19.03.2015) justifying the works to the chimney, the proposal as submitted is now considered to be acceptable.
- 5.2 **Historic Scotland (19.03.2015)** : They had raised concerns initially over the original proposal to reduce the height of the chimney. However following the submission of further information they accepted that it was not feasible to rebuild to its original height and accept the current proposal.

## **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

57 Natural, Built and Cultural Heritage

### **6.2 Sutherland Local Plan (2010)**

## **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 Historic Environment Policy (SHEP)

## **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.  
Furthermore, under s59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the Planning Authority shall 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**

The proposal has to be assessed against the Listed Building legislation, particularly with regards to the potential loss of architectural fabric and consequent impact on the historic interest of the building.

### 8.4 **Material Considerations**

The proposal is for the reduction in the height of the existing chimney stack. The original submission was lacking in supporting information, particularly a clear identification of potential options and assessment of solutions. Initially 4 options had been identified however as outlined above these had not been properly assessed and justified as required

Subsequent lengthy discussions between the applicant and the Planning Authority have resulted in the submission of additional information which in turn has been provided to and assessed by Historic Scotland and the Planning Authority's Conservation Officer.

Following this, an additional document (27.02.2015) outlining 6 options was provided by the agent. This outlined x options which were (we should summarise)

#### **Summary of Options:**

##### **1 – Lower chimney to ground**

Carefully remove the cans, cope stone and stack stones, and lower to the ground. Check that the fireplaces are bricked up and fill the flues with lightweight mortar. Install new rafters as per the Structural Engineer's recommendations. Install new sarking, underfelt and slates over void where stack removed. Strike scaffolding.

##### **2 – Reduce height of chimney from 6.35m to 3.75m from gutter line**

Number the stack stones. Carefully remove the cans, cope stone and stack stones, lower to the ground and store for re-use. Install temporary rafter bridging timbers to support the bridle. Fill the flues with lean mix concrete and insert steel reinforcing bars. Install a steel angle at the corbel and rebuild the stack to a safe height, all as recommended by the Structural Engineer. Refix the cope stone and cans. Install new bridle to the rafters as per the Structural Engineer's recommendations. Fit new lead flashing, etc around stack. Strike scaffold.

The top floor is disrupted for the reconstruction, and the lower floors are disrupted for works to fireplaces and flues, The chimney is of similar construction to the original but with lesser height. The roof structure does not require to be strengthened.

##### **3 – Rebuild chimney stack to original height**

Carefully remove the cans, cope stone and stack stones, and lower to the ground. Install new bridle as per the Structural Engineer's recommendations. Install new strengthening to the existing roof structure as per the Structural Engineer's recommendations. Rebuild the chimney stack, cope and cans to the original height

and thickness. Install collars round the stack with ties back to the roof structure as per the Structural Engineer's recommendations. Fit new lead flashing, etc around stack. Strike scaffold.

**4 - Reconstruct chimney stack to original height, but at 800mm thickness using original stones plus additional stonework as necessary**

Number the stack stones. Carefully remove the cans, cope stone and stack stones, lower to the ground and store for re-use.

Install temporary rafter bridging timbers to support the bridle. Check that the fireplaces are bricked up and fill the flues with lean mix concrete. Remove flooring adjacent to stack to allow access around stack. Install additional foundation, and build extra skin of blockwork up inside face of gable wall all as recommended by Structural Engineer. Reinstall floors and internal finishes. Reconstruct chimney stack to original height, but at 800mm thickness using original stones plus additional stonework as necessary. Supply and install new cope stone to suit increased thickness of stack. Refix cans. Install new bridle to the rafters as per the Structural Engineer's recommendations. Fit new lead flashing, etc around stack. Strike scaffold.

**5 - Reconstruct chimney stack to original height, but at 800mm thickness using original stones plus additional stonework as necessary; augment corbelling**

Number the stack stones. Carefully remove the cans, cope stone and stack stones, lower to the ground and store for re-use. Augment the corbelling within the roof space to take extra weight. Reconstruct chimney stack to original height, but at 800mm thickness using original stones plus additional stonework as necessary. Supply and install new cope stone to suit increased thickness of stack. Refix cans. Install new bridle to the rafters as per the Structural Engineer's recommendations. Fit new lead flashing, etc around stack. Strike scaffold.

**6 - As Option 4**

Using steel columns on the inside face of the gable wall rather than a skin of blockwork.

All of the options were carefully considered by the Planning Authority and Historic Scotland. Option 1 for the complete removal of the chimney was unacceptable as the appearance of the building would be changed by its removal removing to its detriment and would conflict with national and local guidance.

Golspie Community Council had objected to the applications noting that the chimney did not add to the visual appearance of the building and would not be missed nor would lowering its height visually improve the building. However the removal or lowering of the chimney stack would impact on the visual character of the building and would accordingly impact on the architecture and historic interest of the building.

Notwithstanding this, it is considered that the evaluation and assessment of all options which the applicant has now undertaken does clearly demonstrate that the proposal – Option 4: Reconstruct chimney stack to original height, but at 800mm

thickness using original stones plus additional stonework as necessary. It balances the need for a practical repair solution with the least impact on both the external appearance and internal fabric of the building. It is therefore assessed as not having a significant impact on the architectural and historic fabric of the building; and therefore accords with Development Plan policies 28 and 57, as well as s59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Both Historic Scotland and the Conservation officer are satisfied that it has been demonstrated that the suggested course of action is the most appropriate in this instance having regard to relevant legislation

**The Planning Authority considers that this solution (Option 4) is acceptable and accords with the Development Plan policies.**

#### 8.5 Other Considerations – not material

This is a case where the Highland Council could save public money – *Planning Comment* - Whilst the Planning Authority recognises the costs involved in the works, this is not a material planning consideration in the assessment of the proposal. The Planning Authority has a statutory responsibility to ensure the preservation and enhancement of listed buildings. Notwithstanding this, a proportionate balance does have to be struck between the requirements of the Act and Development Plan policies and the practicality (and costs) of undertaking work on the historic fabric of a listed building. It is considered that the assessment of various options and the resultant justification to the preferred Option 4 is acceptable.

#### 8.6 Matters to be secured by Section 75 Agreement

None

### 9. CONCLUSION

9.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations. The original proposal to reduce the height of the affected chimney stack was unacceptable and could not be supported in terms of national guidance and policy. Following extensive discussions the proposal has been amended and an acceptable solution found whereby it is proposed to reconstruct the chimney stack to its original height, but at 800mm thickness using original stones plus additional stonework. This will ensure the character and integrity of this listed building is retained.

### 10. RECOMMENDATION

<b>Action required before decision issued</b>	y	
Notification to Scottish Ministers	N	
Notification to Historic Scotland	y	14/03576/LBC
Conclusion of Section 75 Agreement	N	

Revocation of previous permission N

**Subject to the above**, it is recommended

- **14/03574/FUL – GRANT** planning permission, subject to conditions /notes to applicant
- **14/03576/LBC – refer to Historic Scotland** as the development is by the Council and involves a Category B Listed Building, with a recommendation to APPROVE, subject to suggested conditions / notes to applicant

#### **14/03574/FUL**

1. The development shall be undertaken in accordance with the specification and details set out (Option 4 - engineer's drawing no. 102545/002) in the Supporting Statement ('Highland Council Offices, Drummuie, Golspie - Unsafe East Chimney') dated 27.02.2015.

Reason: In order to protect the architectural and historic interest of the Category B Listed Building and so as to clarify the terms of the permission granted.

#### **LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION**

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

#### **Mud and Debris on Road**

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

#### **Local Roads Authority Consent**

In addition to planning permission, you may require one or more separate consents (such as dropped kerb consent, a road openings permit, occupation of the road permit etc.) from TECS Roads prior to work commencing. Consent may also be required for any works impacting upon the road surface, the verge, drainage or any roadside footway or pavement.

These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local TECS Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at:  
<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm>

### **Damage to the Public Road**

Please note that the Council, under Section 96 of the Roads (Scotland) Act 1984, reserves the right to recover all costs for repairing any damage to the public road (and/or pavement) which can be attributed to construction works for this development.

### **Construction Hours and Noise-Generating Activities**

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact [env.health@highland.gov.uk](mailto:env.health@highland.gov.uk) for more information.

### **Initiation and Completion Notices**

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

### **Accordance with Approved Plans and Conditions**

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to



commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action.

### **Listed Buildings**

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

### **14/03576/LBC**

1. The development shall be undertaken in accordance with the specification and details set out (Option 4 - engineer's drawing no. 102545/002) in the Supporting Statement ('Highland Council Offices, Drummuie, Golspie - Unsafe East Chimney') dated 27.02.2015.

Reason: In order to protect the architectural and historic interest of the Category B Listed Building and so as to clarify the terms of the permission granted.

### **TIME LIMIT FOR THE IMPLEMENTATION OF THIS LISTED BUILDING CONSENT**

In accordance with Section 16(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended), the works to which this listed building consent relates must commence within THREE YEARS of the date of this decision notice. If work has not commenced within this period, then this listed building consent shall lapse.

### **Listed Buildings**

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

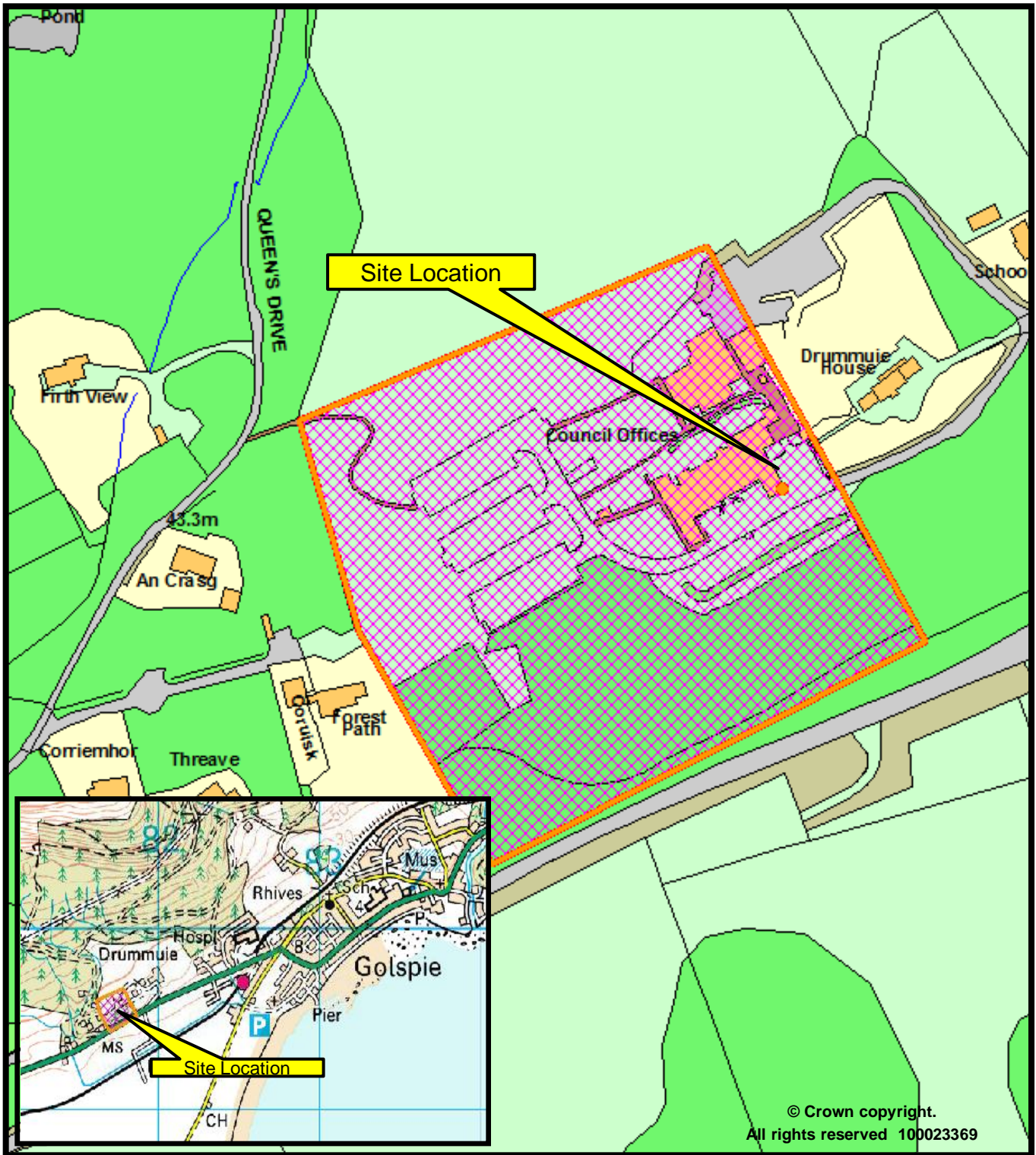
Signature: Dafydd Jones  
Designation: Area Planning Manager North  
Author: Bob Robertson  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans:

### **14/03574/FUL**

1 Location  
2 Photo  
3 Option 4

### **14/03576/LBC**

1 Location  
2 Photo  
3 Option 4



The Highland Council  
Comhairle na Gàidhealtachd

Planning & Development  
Service

**14/03574/FUL & 14/03576/LBC**

Reduce the height of a chimney stack at  
Drummie Area Office, The Highland Council,  
Golspie, KW10 6TA

Date: 14/05/2015

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