

Agenda Item	<b>6.7</b>
Report No	<b>PLN/032/21</b>

## HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee

**Date:** 20 April 2021

**Report Title:** 21/00671/FUL: Smoo Cave Hotel (Hugh Morrison)  
Smoo Cave Hotel, Lerin, Durness, Lairg IV27 4QB

**Report By:** Acting Head of Development Management – Highland

### 1. Purpose/Executive Summary

1.1 **Description:** Form new 6 room accommodation annex

**Ward:** 1 – North, West and Central Sutherland

1.2 **Development category:** Local

**Reason referred to Committee:** Applicant is an Elected Member

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.

### 2. Recommendations

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

### **3. PROPOSED DEVELOPMENT**

- 3.1 The application seeks detailed permission for the erection of an annexe to provide 6 additional en-suite rooms in the grounds of Smoo Cave Hotel. The building is to be formed over a rectangular footprint with a low-pitched roof and entrance canopies to provide weather protection. The proposed materials comprise dark grey/slate coloured metal sheeting roof finish with walls to be clad in white wet dash render. The north west facing elevation also includes extensive glazing and an external seating area is also proposed which would be screened by a 1.8m high timber fence.
- 3.2 In terms of existing infrastructure the site is served by an access from the public road at Lerin with an adjacent large parking area. The development also proposes to connect into the hotel's existing drainage system however a new surface water soakaway is proposed. An additional accessible car parking space will also be provided adjacent to the front of the main hotel.
- 3.3 No pre-application advice was sought in advance of this planning application.
- 3.4 The application is accompanied by a Supporting Statement setting out:
- The tourism business model has changed over the last year and is likely to generate change to tourist behaviour in terms of reduced demand for hotel style accommodation which offers less social distancing;
  - The proposal introduces accommodation which is more flexible in use and offers external access;
  - The proposed units provide a more reliable, sustainable and flexible business helping to support the hotel bar and restaurant;
  - The hotel currently offers 6 rooms therefore this will be increased to 12;
  - The simple long linear form of the annex is in keeping with traditional out-buildings in the far north;
  - The low-pitched roof has been incorporated to help reduce any impact on the existing hotel room and the views enjoyed by them
- 3.5 An amended plan was received on 28<sup>th</sup> February 2021 showing the proposed roof material amended from red sinusoidal sheeting to dark grey sheeting.

### **4. SITE DESCRIPTION**

- 4.1 The site lies to the rear (north west) of the Smoo Cave Hotel on what was previously an area of grass that has now been scraped and levelled and has an open outlook facing west. As noted above, the site is accessed via the existing road at Lerin from the A838 with the road coming to a end just past the hotel. There is an existing house, Lerin Cottage, located immediately north of the site and further houses to the south.

### **5. PLANNING HISTORY**

- 5.1 08/00079/FULSU: Alterations to form 2 Application 14.05.2008  
ensuite bedrooms Permitted

5.2 17/02724/FUL: Alterations to existing rooms to form new box dormer. Application Permitted 19.09.2017

## **6. PUBLIC PARTICIPATION**

6.1 Advertised: Unknown Neighbour  
Date Advertised: 26<sup>th</sup> February 2021  
Representation deadline: 12<sup>th</sup> March 2021  
Timeous representations: 0  
Late representations: 0

## **7. CONSULTATIONS**

7.1 Scottish Water: No objections, there is capacity in both the Durness Keodale Water Treatment Works and Durness Smoo Waste Water Treatment Works however connections should be confirmed by the applicant.

## **8. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **8.1 Highland Wide Local Development Plan 2012**

28 - Sustainable Design  
29 - Design Quality and Place-making  
30 - Physical Constraints  
31 - Developer Contributions  
44 - Tourist Accommodation  
56 - Travel

### **8.2 Caithness and Sutherland Local Development Plan 2018**

No site specific policies apply.

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

Sustainable Design Guide (Jan 2013)

## **9. OTHER MATERIAL POLICY CONSIDERATIONS**

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

Scottish Planning Policy (June 2014, updated December 2020)

## **10. PLANNING APPRAISAL**

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

## **Determining Issues**

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

## **Planning Considerations**

- 10.3 The key considerations in this case are:
- a) compliance with the development plan and other planning policy
  - b) any other material considerations.

## **Development plan/other planning policy**

- 10.4 As a proposal for tourist accommodation the application requires to be assessed principally against Policy 44 of the Highland-wide Local Development Plan. This sets out that there is a need to ensure sufficient delivery of accommodation in order to support the tourism sector. As a proposal to enable the expansion of an existing hotel business there is broad support under the terms of the policy with the detail of the proposal assessed below:

## **Siting, Design and Amenity Impact**

- 10.5 The development is to be sited centrally within the hotel's garden area to the rear of the main building and orientated in a north westerly direction. It is positioned around 26m from the neighbouring house, Lerin Cottage. This house is separated from the site by a simple low post and wire fence which offers no screening at present however the house is angled as such that its gable, which contains one window, faces towards the hotel building rather than the site itself. The side gable of the proposed annex also contains no windows and will also be screened through the addition of a proposed timber fence on the outside of the external seating area. As such, whilst the development will lie in relatively close proximity to Lerin Cottage, no impact on its amenity is anticipated.
- 10.6 The proposed annex has been designed as a contemporary take on the traditional longhouse with a simple form consistent with this rural area however with the addition of more modern features including extensive glazing in order to take advantage of the attractive open views in a westward direction. The roof pitch of the building has intentionally designed with a low pitch to reduce the impact on the main hotel building and ensure it also retains the same views. Its material has been amended from a red sinusoidal sheeting to a dark grey finish to better assimilate into the landscape. Overall there are no concerns in terms of the proposed design when assessed against the general policies of the Highland-wide Local Development Plan.
- 10.7 The agent has confirmed that some external lighting will be required and this will likely consist of an external light per unit with low level lighting along the footpath to the annex. Such low levels lighting are unlikely to be problematic in amenity terms however full details are sought by condition.

## **Access and Parking**

- 10.8 The site is served by existing access and parking arrangements comprising a total of 24 parking spaces at present with one additional accessible parking space to also be provided. This takes the total number of spaces to 25 which is more than sufficient for the number of rooms the hotel will provide through the addition of the annex (12). The layout of the existing car park allows for coach parking if required. As such the proposal is in accordance with the requirements of the Council's Roads Guidelines for New Developments.

## **Drainage**

- 10.9 The development proposes to connect to the hotel's existing drainage system which is served by the public sewer. Surface water will be managed by a new soakaway adjacent to the proposed annex. As such the proposal is considered to be in accordance with Policies 65 and 66 of the Highland-wide Local Development Plan.

## **Developer Contributions**

- 10.10 As a new commercial development the application requires to be assessed against the Council's Developer Contributions Supplementary Guidance. This notes that contributions may theoretically be required towards wastewater infrastructure or transport however in this instance the development is able to utilise existing provision therefore no contributions are applicable.

## **11. CONCLUSION**

- 11.1 The proposed development will allow provision of additional tourist accommodation allowing an existing hotel to expand and respond to the changing tourist market. It has been designed sensitively and to take account of its surroundings and raises no concern in terms of the development plan as detailed in this report.
- 11.2 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.

## **12. IMPLICATIONS**

- 12.1 Resource: Not applicable.
- 12.2 Legal: Not applicable.
- 12.3 Community (Equality, Poverty and Rural): Not applicable.
- 12.4 Climate Change/Carbon Clever: Not applicable.
- 12.5 Risk: Not applicable.
- 12.6 Gaelic: Not applicable.

### 13. RECOMMENDATION

#### **Action required before decision N issued**

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

#### **Conditions and Reasons**

1. Prior to the first occupation of the development hereby approved, 9 car parking spaces shall be provided within the application site. Thereafter, all car parking spaces shall be maintained for this use in perpetuity.

**Reason:** To ensure that sufficient space is provided within the application site for the parking of cars.

2. Prior to the first use of the development hereby approved the timber fence detailed on approved plan ref: A1-PL01 REV A shall be installed and maintained as such in perpetuity.

In order to protect the privacy of the adjacent property.

3. No development shall commence until full details of any external lighting to be used within the site and/or along its boundaries and/or access have been submitted to, and approved in writing by, the Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

**Reason:** In order to ensure that any lighting installed within the application site does not spill beyond the intended target area, does not impact adversely upon the amenity of adjacent properties and does not result in 'sky glow'.

#### **REASON FOR DECISION**

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

#### **TIME 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.

## **FOOTNOTE TO APPLICANT**

### **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

### **Flood Risk**

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

### **Scottish Water**

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

### **Septic Tanks and Soakaways**

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

## **Local Roads Authority Consent**

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area 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/info/20005/roads\\_and\\_pavements/101/permits\\_for\\_working\\_on\\_public\\_roads/2](http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2)

## **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.

**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.

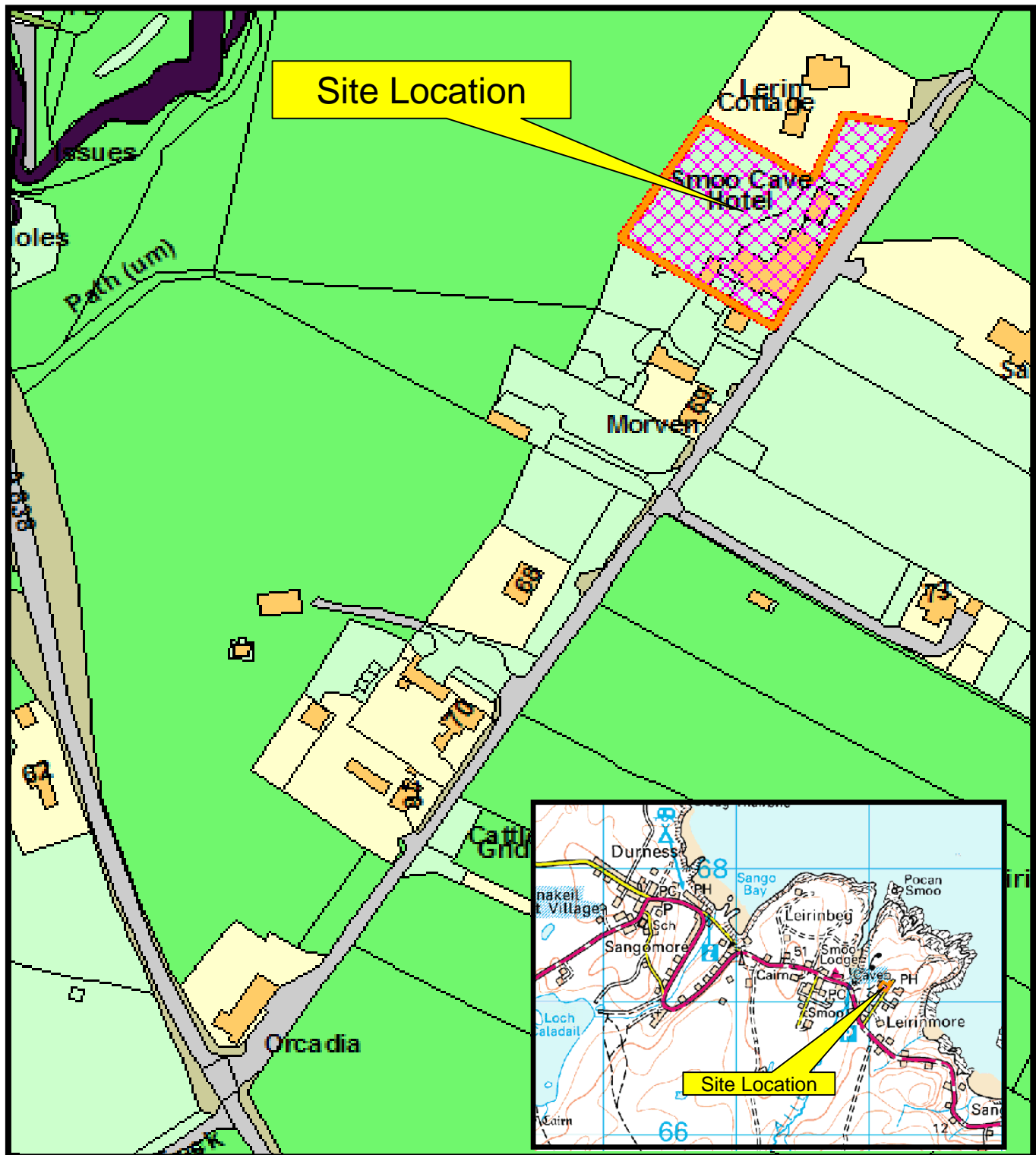
If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. 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.



## **Protected Species – Halting of Work**

You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: [www.snh.gov.uk/protecting-scotlands-nature/protected-species](http://www.snh.gov.uk/protecting-scotlands-nature/protected-species)

Designation: Acting Head of Development Management – Highland  
Author: Gillian Pearson  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 - Location Plan Ref: 20-030  
Plan 2 - Site Layout Plan Ref: A1-PL02 REV A  
Plan 3 - General Plan Ref: A1-PL01 REV A

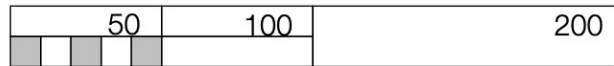


Development & Infrastructure  
Service

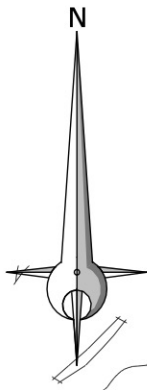
**21/00671/FUL**

Form new 6 room accommodation annex at Smoo Cave Hotel, Lerin, Durness

April 2021



Scale 1:2500



Smoo Cave Hotel, Durness IV27 4QB

**SUTHERLAND  
DRAWING  
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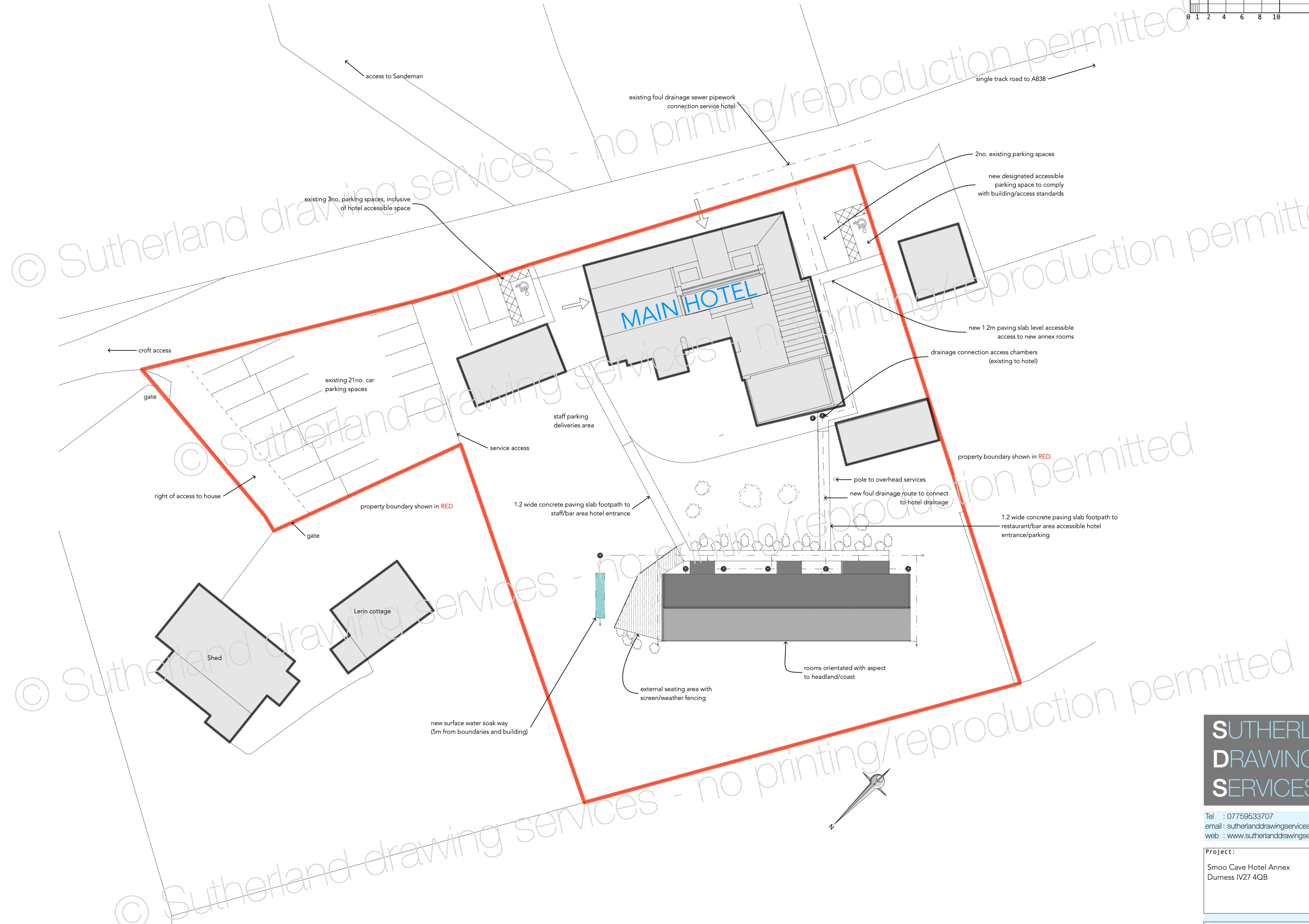
Tel : 07759533707  
 email : sutherlanddrawingsservices@gmail.com  
 web : www.sutherlanddrawingsservices.com

SMOO CAVE HOTEL, DURNESS, LAIRG IV27 4QB

LOCATION PLAN

(REF: 20 - 030) - 13/02/2021





site plan 1:200

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Project:  
Smoo Cave Hotel Annex  
Durness IV27 4QB

Drawing: plans, elevations etc.

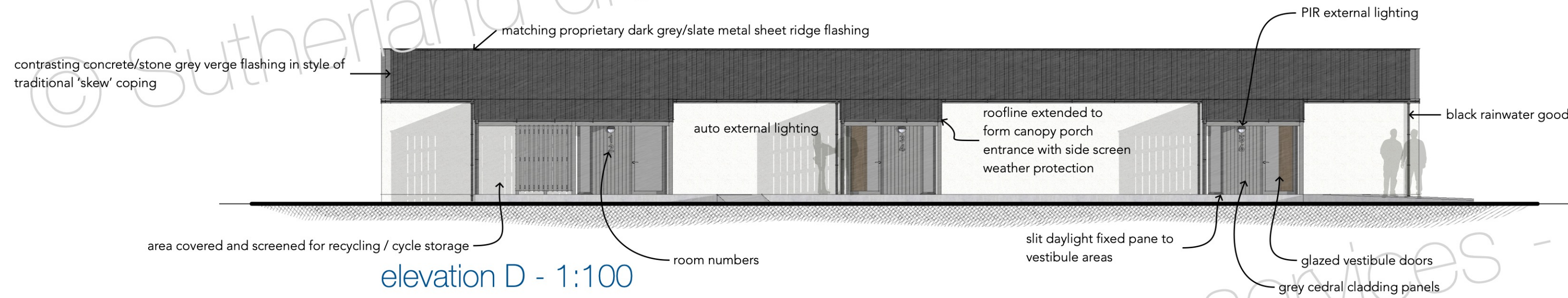
Sheet: A1 / PL02 Date: 28th February 2021

Scale: 1:100 / 1:500 Ref: 20-030 Rev: -A

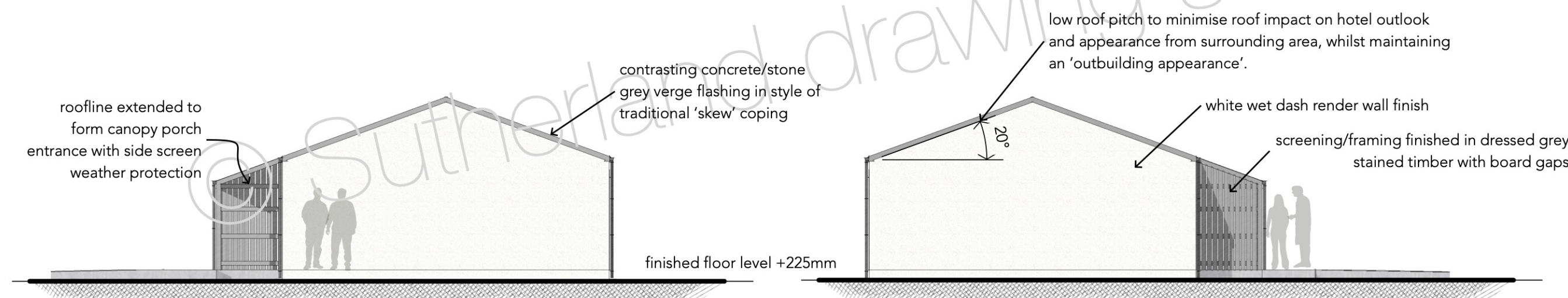


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perspective a

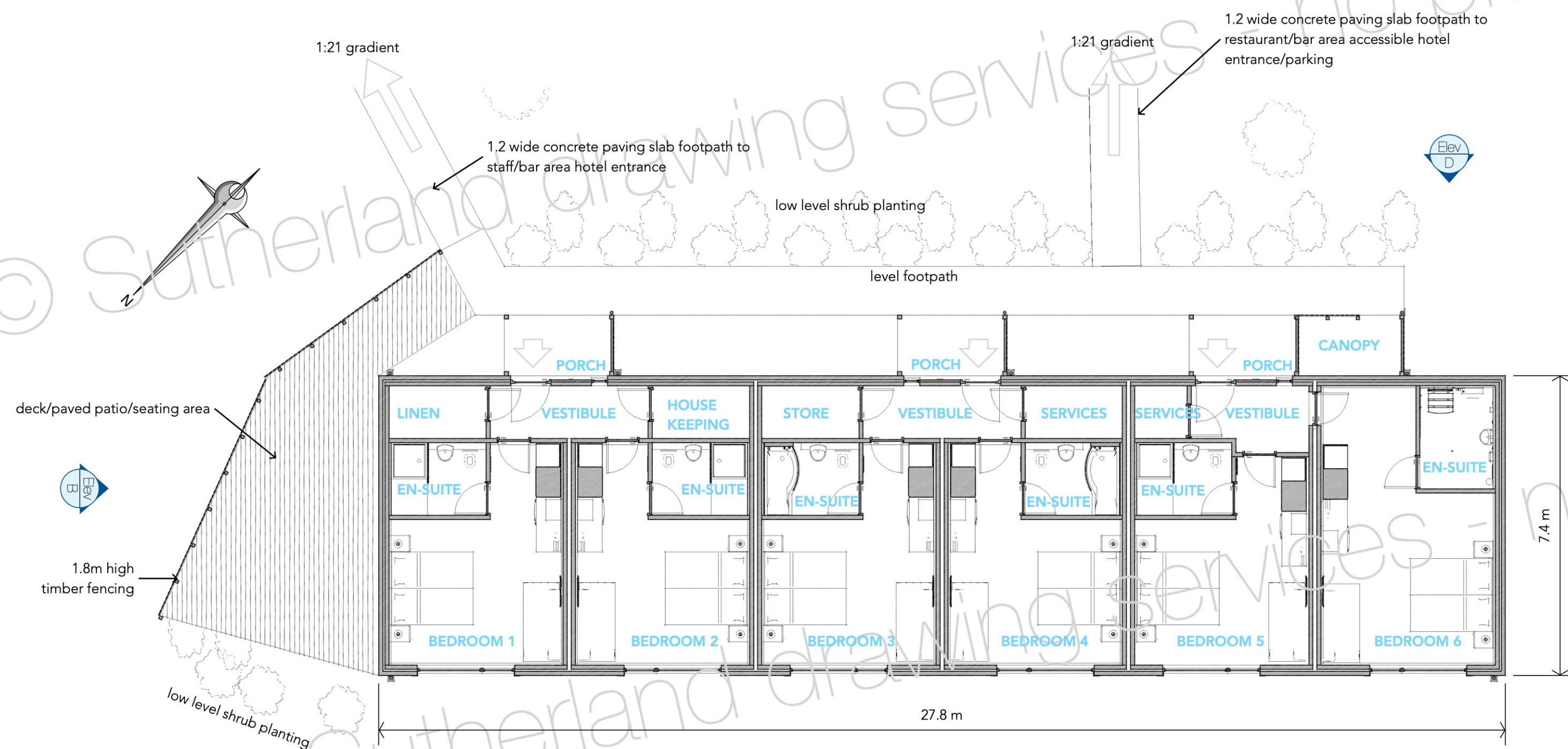


elevation B - 1:100

elevation C - 1:100



perspective b



proposed floor plan 1:50



perspective c

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Drawing: plans, elevations etc.

Sheet: A1 / PL01 Date: 28th February 2021

Scale: 1:100 / 1:500 Ref: 20-030 Rev: -A