

Agenda Item	<b>6.1</b>
Report No	<b>PLS-072-21</b>

## HIGHLAND COUNCIL

**Committee:** South Planning Applications Committee

**Date:** 02 November 2021

**Report Title:** 21/00398/FUL: Lochaber Hotels Limited  
Moorings Hotel, Banavie, Fort William PH33 7LY

**Report By:** Area Planning Manager – South

### **Purpose/Executive Summary**

**Description:** Reconfiguration of and extension to hotel including reconfiguration and extension to car park

**Ward:** 11 – Caol And Mallaig

**Development category:** Local

**Reason referred to Committee:** Community Council objection and more than 5 representations

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.

### **Recommendation**

Members are asked to agree the recommendation to **GRANT** the application as set out in section 11 of the report

## 1. PROPOSED DEVELOPMENT

- 1.1 This application for planning permission relates to an extension to The Moorings Hotel in Banavie, Fort William, comprising:
- The addition of a second floor over the main part of the existing building, including the 2014 extension containing the bistro with rooms above, but set back from the Telford style extension on the NE end of the building; and re-modelling of the existing layout, providing 28 new bedrooms – the hotel has a total of 33 bedrooms at present – this would increase to 56 bedrooms in total (some existing bedrooms lost to accommodate stairways and service areas)
  - A new full height extension projecting from the west (roadside) elevation accommodating a larger entrance area and lift
  - New façade to the bar entrance
  - An extension to either side of the lower car park, next to the large public car park, to provide an additional 29 car parking spaces – increasing its capacity to 64 car parking spaces. This will result in the loss of 6 or 7 trees (cherries?) from near to the entrance to the car park and the loss of the green space between the car park, hotel and behind the canal bank
- 1.2 The additional floor would increase the height of the main, middle part of the building by approx. 3m. It would have an almost flat roof, and result in the loss of the mansard roof on the middle part of the existing building. It would take this part of the building up to match the highest part of the Telford style extension. It would add approximately 3m to the height of the more recent café extension on the south side of the building.
- 1.3 The proposed extension on the west elevation, which would house an enlarged entrance, would be 5.23m wide at its base, widening to 7.5m wide at the top, creating an overhanging south elevation incorporating the new entrance doorway, with covered balconies opening from the rooms above. It would project approx. 3.8m from the existing elevation at its base, and by 5.8m at the top. This would similarly have an almost flat roof, joining approx. 0.5m below the highest part of the proposed roof.
- 1.4 The proposed lift would be incorporated into the new entrance feature, serving all three floors. The existing ramped access would be retained on the north west corner of the building.
- 1.5 Materials for the second floor and entrance feature would match those on the café extension, added following the 2014 permission; that is a Rockpanel façade in a grey and white finish with white aluminium cladding to the balcony fascias. The walls at first floor level would have a white rendered finish in place of the hanging tiles on the mansard elements as at present.
- 1.6 The agent states that whilst the development would result in more goods being delivered to the hotel, there would be no increase in the frequency of deliveries overall. The position of bins and recycling would be as existing in the rear service yard, and it is proposed to increase the number of collections from 2 to 3 times a week. It is proposed to re-configure the existing car park which would create an

additional 29 car parking spaces. In total there would be 13 spaces in the area immediately adjacent to the hotel, and 51 in the lower car park, which is adjacent to the large public car park. Cycle parking for staff is added with the provision of 3 stands for staff cycles in the service yard, and 4 at the front of the hotel for visitor's use. The hotel presently employs 43 people, and the development would create a minimum of at least 8 further full time jobs.

- 1.7 No change is proposed to the access to the service area which is shared with that for the Canalside Apartments. No change also to the existing access immediately in front of the hotel, or to the lower section of car park which is accessed via a ramp from the upper car park, and from the adjacent public car park. No changes are proposed to the existing services: water supply, foul and surface water drainage.
- 1.8 Pre Application Consultation: None, however previous application ref. 20/00340/FUL withdrawn in light of discussions which led to this application.
- 1.9 Supporting Information: Design Statement, Photo/visual information, photo perspectives, response to consultations and public comments, Technical Note on Traffic and Transportation
- 1.10 Variations: amended plans received 1 June 2021:
- Wash up area reduced in kitchen
  - Position of staircase on north wing altered and bedroom 7 reduced from a double to a single in order to increase the separation distance between the proposed second floor extension and the Telford style element by 2m
  - 2 windows in stairway in north wing moved to side elevation to avoid overlooking towards apartments
  - High level windows added to 2 bedrooms above entrance (nos.1 and 31) facing north

## **2. SITE DESCRIPTION**

- 2.1 The hotel is bounded on its north side by a service yard, which also gives access to the car parking for the adjacent Canalside Apartments, which are approx. 9m away at their closest point, across the vehicular entrance. These are privately owned flats, independent of the hotel. They are in a two storey block and the two apartments on the corner closest to the entrance into the service yard have balconies at the corner.
- 2.2 The Caledonian Canal is approx. 10m away to the SE, with many of the hotel's rooms looking out over the central portion of Neptune's Staircase, which are a series of 8 locks, rising 64 feet over a quarter of a mile. This is one of the highlights of the canal, the whole of which is a Scheduled Monument, built by Thomas Telford between 1808 – 1811. There are numerous Listed Buildings associated with the canal, and whilst the element of The Moorings Hotel at its NE end which looks similar to the Lock Keepers Houses, is in fact a recent addition, the Lock Keepers Houses (also named as Telford House East and West), some 50m to the NE, are listed category B; and the former Smithy, Stables and sawpit, some 50m to the east, across the canal, are also listed category B. The towpaths on both sides of the canal are well used paths, used for multiple recreational purposes, and Neptune's staircase is one of the area's

top visitor destinations.

- 2.3 To the south west is a car park for the hotel's guests accessed via a ramp from a small area of parking immediately adjacent to the west elevation, and beyond this is a larger public car park surrounded by open space. Directly across the canal from the hotel are two houses, at a lower level than the canal bank and largely screened from it by trees. Their main aspects are to the SE, away from the hotel and canal.
- 2.4 The Banavie – Gairloch road B8004 runs alongside the NW elevation of the Hotel, with access to the parking off this road into the smaller area of parking, which has a ramp down to the larger car park. There are trees lining the other side of the road, screening gardens to a couple of detached houses beyond.
- 2.5 The hotel is in an area which is mainly residential, some of it used as holiday accommodation, and the surrounding land is well used for recreational purposes. The canal bank is part of the Great Glen Way trail and Caledonia Way cycle path (National Cycle route 78), and both working and recreational boats use the canal which is also Scotland's first canoe trail. Being close to Fort William the canal is also well used for local recreation, and the rugby ground is a short distance to the NW. Many people also congregate at the foot of the locks to watch the Jacobite steam train cross the canal, and the view up the flight of locks is also a popular viewpoint, which is lit at night.

### **3. PLANNING HISTORY**

- |     |              |                |   |                             |
|-----|--------------|----------------|---|-----------------------------|
| 3.1 | 18 Jan 2021  | 20/00340/FUL   | Erection of second floor extension to hotel (17 additional bedrooms) and formation of entrance  | Withdrawn                   |
| 3.2 | 20 Nov 2014  | 14/03165/FUL   | Extension – amended design of 09/00477/FULLO scheme   | Planning Permission Granted |
| 3.3 | 21 May 2010  | 09/00477/FULLO | extension, café, terrace, toilets and 4 bedrooms  | Planning Permission Granted |
| 3.4 | 25 June 2009 | 09/00179/FULLO | alterations to entrance   | Planning Permission Granted |
| 3.5 | 22 Dec 2004  | 04/00585/FULLO | alterations to hotel  | Planning Permission Granted |
| 3.6 | 06 Dec 2000  | 99/00513/FULLO | alterations and extension (revised plans) and demolition of existing annex – this is the element that looks like the Telford Lock Keeper's Houses | Planning Permission Granted |

## 4. PUBLIC PARTICIPATION

### 4.1 Advertised: Oban Times

Date Advertised: 11.2.21 and 1.7.21

Representation deadline: 15.07.2021

Timeous representations: 11 (10 objections from local residents and Lochaber Chamber of Commerce in support)

Late representations: 0

### 4.2 Material considerations raised are summarised as follows:

- Conflict between the hotel's service entrance which is shared with the access for residents of 1-7 Canalside Apartments – lorries blocking the access could prevent an ambulance or fire engine accessing the apartments
- Waste overflows from bins attracting birds, vermin etc
- Increase in noise and smells from the kitchens and service area – existing extractor fans are noisy and can emit smells
- The service area is used by staff on their smoking break – they need a more private area
- Loss of daylight to flats in Canalside Apartments including to their rear garden and patio area, especially Oct – Feb,
- Overlooking from the new accommodation to the Canalside Apartment residents' patio area – loss of privacy, and increase in noise and disturbance
- Construction causing disruption to neighbours including the need for scaffolding within the shared yard
- Negative impact on the value of the Canalside Apartments, and their attraction for holiday letting
- The hotel extension added in 2014 is not in keeping with the character of the canal, or the existing building – it dominates its environs and light from it detracts from the canal lighting
- The existing buildings are a sprawl of different styles which negatively contribute to the flight of locks, and the 2014 extension made this worse
- Several people were going to object to the 2014 proposals but didn't because public toilets were proposed to be included, including provision for the disabled – these were never built
- The additional floor over the older part of the building would not have so much of an impact and is preferable to the proposed additional floor over the 2014 extension
- The hotel's business plans cannot be allowed to override the importance of preserving the integrity of Neptune's Staircase for local people and for future generations.

- The proposed extension will detract from the Telford House which has been incorporated into the current hotel and is a listed building [this is in fact a previous extension designed to be similar in appearance to the original Telford House, which is 50m to the NE]
- The proposed 3<sup>rd</sup> floor mansard roof extension is not in character with and would dwarf the more sympathetic “Telford House” element
- Increase in traffic on the B8004, which is especially busy when the A82 is closed due to accidents
- Over-development of the site which was originally a Bed and breakfast; it will be the only 3 storey building in the area
- Industrial design – looks like a dormitory block
- The increase in accommodation would displace business from other accommodation providers in the area
- Inadequate parking – will rely on customers using the large public car park adjacent which doubles up as a camper van site during the summer
- The car parking layout shown with the additional spaces in the middle is already used in this way and is very tight
- If outside contractors are used there will be no benefit to local trades; similarly will the proposed 10 full and part time jobs be recruited from outwith the area
- The Chamber of Commerce should remain neutral
- The installation of a lift will improve accessibility for guests with mobility issues
- The addition of electric vehicle charging points is welcome
- There is an acknowledged demand for better quality visitor accommodation and The Moorings is one of the only 4 star hotels in the Fort William area
- There will be increased pressure from visitors for quality accommodation and such investment opportunities are important to the local economy

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).

## 5. CONSULTATIONS

### 5.1 **Kilmallie Community Council** (17 Feb 2021):

- Objects due to impact on Scheduled Monument of Neptune’s Staircase and Caledonian Canal. The proposed three storey extension which is closest to the canal is out of character and will dominate the setting of the canal due to its size, style and placement. The canal is a much visited attraction including users of the Great Glen Way and important to local people.
- Several extensions have had a cumulative impact, but the current proposal will dramatically increase the height of the building and bring it closer to the canal because of its sloping design. The 2014 extension was a revised version of 09/00477/FULLO which was granted permission following changes to the design requested by Historic Scotland. Although HS had expressed concerns over the plans in 2010 they did not object to the proposal in 2014 because

permission had been granted for the previous application. The current proposal will have a much greater impact on the setting of Neptune's Staircase than any of the features that were adjusted in the 2010 application following HS input.

- The glass fronted (2014) extension is especially intrusive at night in contrast to the modest lighting of the towpath and lock gates.
- Coaches frequently park on the corner of the B8004, forcing traffic onto the wrong side of the road on a blind corner. Planning conditions could prevent this happening. Similarly service lorries reverse into the service yard, causing a hazard.
- Better facilities for coach access and drop off and servicing are sought.
- The proposed car parking appears unachievable – they are 2.3m x 3.8m in size rather than 2.5m by 5.0m with a manoeuvring space between of 6m, as per Council standards
- The applicant sought a previous objection to the 2014 extension to be withdrawn – stating additional toilets would be provided, including a fully accessible disabled unisex toilet, accessed directly from the outside which will be made available to visitors to Neptune's staircase without the need for those visitors to come into the hotel or use the café. These were never built. This extension has no community benefit.
- The Community Council do recognise the role that the hotel plays in the community and would be happy to re-consider the objection following consultation with the applicant to address the main concerns. In particular, if the 3 storey extension was limited to the older part of the hotel furthest away from the canal then the impact on the canal might be considered acceptable.

#### Further response to amended proposals (11 July 2021)

- Maintains objection, on grounds of architectural style and impact on the Caledonian Canal. Note that Historic Environment Scotland has not commented on the most recent application – and have not given an explanation. Highland Council therefore has the sole responsibility for protecting the setting of Neptune's Staircase and the Scheduled Monument. Their decision not to provide comments should not be taken as support. The extension will cause light pollution over the Caledonian canal, being a 3 storey glass fronted building which overhangs a Scheduled Monument. Lighting within the building will detract from the sympathetic lighting of the flight of locks.
- Also concerned about coaches parking on the sharp bend on the B8004.
- The lack of objection to a previous scheme was partly based on reassurances regarding public access to toilets.
- Disappointment that the applicant has not meaningfully engaged with their neighbours and wider community and attempted to mitigate the impacts of the proposed development.

5.2 **Transport Planning Team:** "The increase from 33 to 58 bedrooms in a 76% increase. The Moorings is accessed off the B8004 in Banavie, which is a twin tracked road subject to a 20mph speed limit. There is limited provision of footways –

with a continuous footway on the east side of the road from the A830 up to the hotel. 64 car parking spaces are shown at the site and there is a large public car park adjacent.

Coach parties do regularly use the hotel; the applicant has confirmed on average 18 coaches visit the hotel per year with the majority between June and August. The agent has confirmed that guests arriving by coach are dropped off and picked up from the lower car park. We consider this arrangement to be acceptable and will not conflict with service deliveries in this location.

Cycle parking – 3 D shaped hoops have been provided near the service entrance capable of accommodating 6 bikes. This is inadequate. To encourage staff to cycle to work a covered, secure staff cycle parking facility is sought by planning condition.

4 D shaped hoops are proposed near to the front entrance for visitors, which is considered adequate.

Waste: Existing provision - 3no. 1100 litre bins, 2 open cages for cardboard recycling and 8 standard (240 litre) bins. All sited near to the service access in the yard to the north of the building. Frequency of commercial collection to be increased from 2x to 3x per week.

Current servicing:

Laundry – 1 no. daily delivered to the front of the hotel

Food – 2no daily

Food – 3 times per week

Refuse and recycling 2x per week collected from the rear of the building

Beer and spirits – 3 no per week delivered to the cellar via the front car park

Gas – once per month

Oil – once per month

The agent states that current servicing will not change with the possible exception of fuel deliveries. The intention is that each delivery will supply and collect more goods. Based on a 78% increase in bedroom capacity we do not support their claim that the number of deliveries will not increase. We recommend that the applicant provide service delivery figures that reflect the hotel's proposed capacity. Based on the comments made by the public, the servicing arrangements appear to impact on the free flow of traffic in the vicinity of the premises and block access to residential properties. Further details sought to show how the deliveries will not conflict with walking, cycling and driving in the vicinity, and also residents accessing their properties."

5.3 **Historic Environment Team:** No objection. "Whilst the architectural design quality is of a fairly basic standard, it is at least consistent with the existing styling and should be a reasonably successful extension. A visual and physical break has been formed at the link to the "Telford style" canal frontage building by pulling back the top floor which was a significant negative element previously. The extended hotel will not have any increased adverse impacts on the setting of the historic canal/lock structures."

5.4 **Environmental Health:** No objections. The agent has confirmed there will be no additional noisy plant and no alterations to the kitchen. Condition recommended to limit hours of operation for which noise is audible at the curtilage of any noise



sensitive property between 08:00 – 19:00 Mon – Fri and 08:00 – 13:00 on Saturdays.

- 5.5 **Lochaber Access Panel:** “The hotel’s owners deserve credit for the investment in upgrades to the facilities. However the Panel is extremely disappointed to see that none of the improvements will focus on the accessibility of the hotel, enabling those with physical and mental impairments to use what will be a hotel with almost 60 bedrooms.”
- 5.5 **Development Plans Team:** “As a business use in terms of the Developer Contributions Supplementary Guidance (see Table 1.1 in the SG) the following headings should be considered for developer Contributions, however no financial payment is considered necessary in this instance:
- Cumulative transport contributions – not in a development brief area and none identified
  - Site specific transport contributions – refer to Transport Planning
  - Public Art – Given the site’s public prominence a higher standard of architectural building and boundary treatment than standard should be required but no financial payment
  - Waste – no financial contribution required
  - Green Infrastructure – retained/augmented boundary planting should be considered to mitigate the potentially adverse visual impact of the development and to provide amenity for visitors. No financial payment.”
- 5.6 **Historic Environment Scotland:** “The application has the potential to affect Scheduled Monument SM3530 Caledonian Canal, Neptune’s Staircase, canal locks, Banavie. The Council’s Historic Environment Team should also be consulted for matters including unscheduled archaeology and category B and C listed buildings.
- No comments. This should not be taken as support for the proposals. The application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.”
- 5.7 **Scottish Water:** No objections. Standard response regarding capacity of existing water supply and foul drainage provision.

## 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
- 29 - Design Quality & Place-making
- 31 - Developer Contributions
- 34 - Settlement Development Areas
- 43 - Tourism
- 44 - Tourist Accommodation
- 51 – Trees and development

56 - Travel

57 - Natural, Built & Cultural Heritage

## 6.2 **West Highland and Islands Local Development Plan 2019**

Placemaking Priorities include:

- Development in Fort William should encourage consolidation within the existing physical limits of the settlement, not further dispersal which would make better internal connectivity more difficult to achieve
- increasing internal cohesion and connectivity are the main design objectives which means every development site and travel project will be asked to contribute to that aim whether it's a footpath, bus, road, green network, visual, sewer, or any other type of connection
- safeguard through appropriate siting and design, areas protected or otherwise important for nature conservation or landscape qualities

The FW2040 Delivery Programme includes Canal related projects – and links their promotion with the need for an enhanced Active travel network.

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

Developer Contributions (March 2018)

Highland Historic Environment Strategy (Jan 2013)

Trees Woodlands and Development (Jan 2013)

Sustainable Design Guide (Jan 2013)

## **OTHER MATERIAL POLICY CONSIDERATIONS**

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

Scottish Planning Policy (as amended December 2020)

National Planning Framework 3

Para 100 – Tourism

Para 106 – Jobs and investment

Para 140 – Historic Environment

Para 297 – sustainable siting of development

Para 288 – accessibility by a range of means

Para 289 – Electric vehicle charging

Para 290 – strategic transport network

## **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.

## **Determining Issues**

- 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.

## **Planning Considerations**

- 8.3 The key considerations in this case are:
- a) compliance with the development plan and other planning policy
  - b) design
  - c) impact on amenity
  - d) impact on scheduled canal and listed buildings
  - e) access, parking and servicing
  - f) any other material considerations.

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

- 8.4 The Moorings Hotel lies within the Settlement Development Area of Fort William in an area where a commercial use fits with the surrounding land uses and the area in general. The hotel provides a valuable service to locals and visitors in offering tourist accommodation, a bar and restaurant that is open to non residents, the new café with its terrace opening onto the canal bank, and facilities for functions. In principle the development would accord with policies 34 and 44 of the HwLDP.
- 8.5 The hotel's proposed expansion would be acceptable provided it made a positive contribution to the architectural and visual quality of the place. Policy 29 of the HwLDP goes on to require applicants to demonstrate sensitivity and respect towards the local distinctiveness of the landscape, architecture, design and layouts in their proposals.
- 8.6 Policy 28 requires proposed developments to be accessible by public transport; cycling and walking as well as by car; the impact on individual and community residential amenity to be considered; to demonstrate sensitive siting and design in keeping with the historic environment; and for the impact on cultural heritage and scenery to be considered; to accommodate the needs of all sectors of the community; and to contribute to the economic and social development of the community. These elements are considered further below.
- 8.7 Building Standards and other legislation requires minimum accessibility standards and that reasonable steps are taken to address the needs of disabled persons in new developments. There is an acknowledged demand for such facilities in this area. The extension would improve the existing situation for disabled access in introducing a lift, improving accessibility throughout the premises and the new bedrooms would need to meet current minimum accessibility standards.

## **Design**

- 8.8 The addition of a second floor would involve increasing the wall heights of the main central section of the building, so that the existing first floor rooms would no longer be accommodated within the existing mansard roof, and to add a second floor with an almost flat roof similar to that over the café extension (2014 permission). The second floor extension has been drawn back from the north elevation since the previous application was considered, which was withdrawn, to step it away from the adjacent Canalside Apartments, and it has similarly been stepped back from the Telford style extension by 5.5m to provide a visual break from that more traditionally designed element. The latest changes seek to avoid an authenticity conflict whereby the extension granted permission in 2000 was strongly guided by Historic Environment Scotland which at the time sought a design treatment that reflected the Telford House further up the canal bank. By the time of the 2014 extension the steer was to adopt a contemporary design that took its cue from marine architecture – and resulted in the prow shaped feature to the café element at the front corner facing the canal.
- 8.9 The current proposal would consolidate this theme and do away with the 1970s style mansard roof and mock Tudor gables over the front entrances facing the road. The addition of the second floor would provide the opportunity for the contemporary design treatment to be incorporated into the earlier parts of the building.
- 8.10 The building is on a constrained site and has evolved over the years resulting in a complicated building and layout and differing architectural styles. The existing building is “book ended” by an element that replicates the listed Telford Lock Keepers’ houses to the NE, and the contemporary café extension with bedrooms above at the south end of the building. The proposed increase in the height of the central and new café sections would increase its prominence by virtue of its mass and bulk. The most recent revision, to leave a break between the second floor extension and the Telford style extension would however avoid an awkward junction where they meet, and this would better respect that traditionally designed element of the building.
- 8.11 The hotel has two very public elevations in facing onto the B8004 as well as the canal. The proposed entrance feature with the inclined south elevation would echo the corner at the south end of the recent café extension in design terms. This would provide an element of cohesion to the design. The roadside elevation will nevertheless appear considerably larger than at present.
- 8.12 The proposed materials for the second floor and the entrance feature would match the recent café extension and are acceptable. A condition is recommended to ensure appropriate matches are secured. The first floor would be finished in white render similar to elsewhere on the building.
- 8.13 Design is especially important given the prominent position of this building within the settlement, and at a key tourist destination next to the Caledonian canal. The 2014 café extension did win a Best Place Making Design Award from the Inverness Architectural Association in 2018.
- 8.14 Whilst the proposed extension will present a significant increase in the size of this building and its visual impact on both the roadside and canalside elevations will be significant, it is now considered to satisfactorily address the design issue in

rationalising the number of styles and replacing some of poorer quality design features such as the mansard roof and mock Tudor gables.

### **Impact on amenity**

- 8.15 The north elevation is directly opposite the Canalside Apartments. At present there are 3 small windows serving en-suites plus a larger window serving a bedroom on the first floor in the part of the north elevation that overlooks the closest apartments. The proposed plans would have windows from bedroom nos. 1, 5 and 7 on the first floor looking north towards the apartments, but these would be set back from the northernmost part of the building line. The intervening distance from the window in bedroom 1, which is a small high level window, to the window opening onto the balcony at the front corner of the apartments would be approx. 20m. From bedroom 5 views would be obscured by the projecting element of bedroom 4, and similarly bedroom 6 would project and clip the views from bedroom 7. On the second floor bedroom nos. 31, 33, 43, 35 and 35 face towards the apartments, however the second floor has been stepped back so that the intervening distance would be approx. 17m. In addition, the flat roof of the projecting part of the second floor below would clip these views which would be down towards the first floor balcony. The intervening distances are acceptable considering the position of the windows, and oblique views which are at least partially obscured by the projecting gable wall and flat roofs of the building. These views are also across the shared access to the hotel's service yard and the main access point into the apartments, which is inevitably a less private space compared with an enclosed more private rear garden or yard, for example.
- 8.16 The revised plans submitted for this application are now considered to adequately address amenity issues in reducing the massing and height of the proposed building at this corner in particular, and along the north elevation. The way the building is stepped down and back at the NW corner and in providing a break between the existing building and the Telford style extension will also break up the impact of the second floor on the apartments that are set further back across the yard in terms of loss of light.
- 8.17 The proposed extensions would have an acceptable impact on visual amenity generally in views in both directions along the B8004. The houses opposite are set back from the road and there are trees along the road frontage to these properties. This is a busy thoroughfare serving much of Banavie, and a number of smaller settlements to the north including a lot of holiday accommodation, and it is a well used tourist route.
- 8.18 The shared use of the service access with the residents of the apartments is a key concern for residents. Delivery vehicles should avoid blocking this access, and there is space for them to reverse further into the site so that this does not occur. This is primarily a matter for the hotel management however and it would be difficult to adequately address this by planning condition, partly because of the enforcement difficulties and partly because it affects a private access whereby the residents/apartment owners themselves have the authority to resolve the issue, as they are likely to have a right to unobstructed access to and from their properties. Those lorries that stop on the road frontage and cause other road users to pass them on a blind bend, will be in breach of road traffic regulations. This could be addressed

through enforcement of the relevant highway legislation, and again, the hotel management should be ensuring that their delivery arrangements are not causing a hazard on the highway. There is sufficient space in the turning head in the service yard for these vehicles to load and unload without causing an obstruction. The proposed increase in service requirements is anticipated to result in more goods being delivered and collected with each delivery but no increase in the frequency of deliveries, apart from for oil and gas.

- 8.19 Coaches have also used the service yard to drop off and collect guests, which on occasion has evidently caused similar issues of obstruction and disturbance to neighbours. The applicant has stated that in future coaches will drop off and collect from the bottom car park only. This is further from the hotel entrance and involves carrying or wheeling luggage up the ramp between the car parks to the hotel, however it would resolve this issue. The commitment to stick to this protocol would however depend on the hotel management.
- 8.20 Planning conditions would not be an effective mechanism to prevent these issues from arising. However, an operational traffic management plan could be sought by condition to demonstrate that deliveries will not conflict with walking, cycling and driving in the vicinity of the hotel, and with residents accessing their properties. This would address Transport Planning's concerns and demonstrate that the servicing arrangements described by the agent can be delivered. Given the location within the settlement and the minimal increase in the level of servicing proposed, the servicing arrangements are considered to be reasonable for such a commercial premises.
- 8.21 The issues around the management of the service area, in particular the storage of waste, and staff smoking in this area is also largely the responsibility of the hotel management. If these issues persist or worsen Environmental Health has powers to act under separate legislation.
- 8.22 The loss of the small group of trees by the car park entrance is unfortunate. These are not significant trees in the landscape however, and compensatory planting can be secured. A landscaping condition is recommended to secure appropriate planting including at least an equivalent number of trees to the areas around the extended car park and the introduction of screen fencing where appropriate in the service yard.
- 8.23 Construction noise is an inevitable consequence of development and is relatively short lived. Excessive noise and works at unreasonable hours would be dealt with under Environmental Health legislation.
- 8.24 Subject to conditions, the impact of the development can be appropriately mitigated.

#### **Impact on Scheduled canal and listed buildings**

- 8.25 The citation for the scheduling states that the Caledonian Canal was built between 1808 – 1811 and originally the flight of locks at Banavie required 12 lock keepers to manage boats through the gates, which were manually operated by capstans. As the largest canal in Scotland capable of taking seafaring vessels it is unique, and it was described at the time of building as the “greatest work of art in Britain” by poet Robert Southey. The lock gates have been replaced several times over the years and their operation was mechanised in the mid 20<sup>th</sup> century. The scheduling extends to the

edge of the canal towpaths on either side and takes in various features related to its historic operation.

- 8.26 The proposed extension would be visible from the canal path at a distance of approximately 10m at its closest point. The existing deck which the café extends onto projects closer than this. The canal however is of a sufficiently large scale, and the flight of locks is such a dramatic feature that the extension would not significantly detract from its character or quality. Similarly, the development would not have an adverse impact on the settings of the listed Telford Lock Keepers Houses, 50m to the NE, and the listed former smithy, stables and sawpit, 50m to the east, due to the distances involved and the scale of the canal and its associated buildings overall.
- 8.27 The impact of lighting from the café extension on the canalside is another issue that is causing concern. Whilst lighting from within the building cannot be controlled through planning, the addition of additional external lighting can be controlled by condition and this is recommended in this case.

### **Access, Parking and Servicing**

- 8.28 The two sections of car park can accommodate 37 car parking spaces at present (based on the Council's standard size for a parking space which is 2.5m x 5m); this will be expanded to achieve 64 spaces, 13 in the upper car park next to the hotel and 51 in the lower car park next to the larger public car park. The Council's parking standard for hotels would require 1 space per bedroom. Therefore, a total of 64 spaces serving 56 bedrooms in total would meet this standard. Two spaces suitable for disabled persons are proposed close to the hotel entrance, and 2 electric vehicle charging points are also proposed in the upper car park. Given the location within Fort William and close to public transport routes – Banavie station and bus stops on the A830 both within walking distance – this is a sustainable location for such a development in any event. The amount of additional traffic generated by such a development can be accommodated on the local road network. The existing accesses into the car parks are acceptable.
- 8.29 Basic provision for cycle parking is shown on the site layout plan, however covered secure cycle shelter(s) should be provided for use by both staff and customers. A condition is recommended to secure such a facility. The site is well connected to the town by cycle paths, it is on the Great Glen Way and a national Cycle route and therefore this is a desirable facility for both locals and visitors.
- 8.30 The existing service access is acceptable in highway safety terms. Amenity issues surrounding the shared use of this access should be addressed through existing controls other than planning, as discussed above.
- 8.31 There is sufficient space for the required amount of waste and recycling provision at the rear of the hotel in the service yard. Amenity issues surrounding noise, disturbance, smells and waste accumulation is also separately controlled by other legislation, through Environmental Health.
- 8.32 The development would provide sufficient access and parking, and issues regarding servicing can be controlled via existing non-planning legislation.

### **Other material considerations**

- 8.33 The issue of hours of operation recommended by Environmental Health, would be more appropriately addressed through the licensing system. As a hotel the premises will have a licence controlling various aspects of its operations, and these will require to be addressed separately by the Council as part of its expansion.

### **Non-material considerations**

- 8.34 The potential impact of the development on the value or letting potential of any of the Canalside Apartments is not a material planning consideration.
- 8.35 The displacement of business from other accommodation providers in the area or competition with other hotels is not a material planning consideration. It is for the market to decide according to local market and trading conditions.
- 8.36 The offer of providing publicly accessible toilets as part of the previous extension, and this public benefit not then materialising is not a material planning consideration.
- 8.37 The use of the shared access during construction, including for scaffolding, is a private matter and would need to be negotiated with the owners and occupiers of the Canalside Apartments.
- 8.38 Whether the developer uses local tradespeople or brings in construction workers is not a material planning consideration.
- 8.39 The stance taken by the Lochaber Chamber of Commerce is a matter for that organisation.

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

- 8.40 None

## **9. CONCLUSION**

- 9.1 Whilst the proposed extension will present a significant increase in the size of this building and its visual impact on both the roadside and canalside elevations will be significant, it is now considered to satisfactorily address the design issue in rationalising the number of styles and replacing some of poorer quality design features such as the mansard roof and mock Tudor gables. The proposed design of the development is therefore considered acceptable.
- 9.2 Subject to conditions to ensure landscape planting, screening and to control additional external lighting, the development would accord with policies 28, 29 and 34 of the HwLDP, in terms of its impact on the occupiers of the Canalside Apartments which are closest to the hotel, and in terms of visual amenity generally from both the roadside and from the canal.
- 9.3 The development would accord with policies 28 and 34 and the WestPlan in terms of access and parking, and the provision of an operational traffic management plan would adequately address issues regarding servicing together with existing



legislation.

- 9.4 The development would not have a significant adverse impact on the scheduled Caledonian Canal, nor on the settings of the listed Telford Lock Keepers Houses, 50m to the NE, and the listed former smithy, stables and sawpit, 50m to the east, due to the distances involved and the scale of the canal and its associated buildings overall.
- 9.5 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.

## 10. IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

## 11. RECOMMENDATION

### Action required before decision issued

Notification to Scottish Ministers	N
Conclusion of Section 75 Obligation	N
Revocation of previous permission	N

**Subject to the above actions**, it is recommended to **GRANT** the application subject to the following conditions and reasons:

- 1 No development or work shall commence until a detailed specification for all proposed external materials and finishes (including trade names and samples where necessary) has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

**Reason:** To ensure that the development is sensitive to, and compatible with, its context and local architectural styles.

- 2 No development or work shall commence until an Operational Traffic Management Plan to demonstrate how deliveries will take place without conflict with walking, cycling and driving in the vicinity of the hotel, and with residents

accessing their properties has been submitted to, and approved in writing by, the Planning Authority.

**Reason:** In the interests of the amenity of residents in the Canalside Apartments, and the wider public.

- 3 No development shall commence until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:
- i. A plan showing existing landscaping features and vegetation to be retained;
  - ii. The location and design, including materials, of all proposed walls and/or fences; to include screening of the waste bins and storages in the service yard
  - iii. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities – to include at least 8 trees; and
  - iv. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

**Reason:** In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

- 4 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 adjacent scheduled Caledonian Canal.

- 5 No development shall commence until full details of a covered and secure communal bicycle storage/racking system for a minimum of 12 bicycles, to be available for use by both staff and visitors, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the storage/racking system(s) shall be installed in accordance with these approved details prior to the first

occupation of the development hereby approved.

**Reason:** In order to facilitate the use of a variety of modes of transport.

## **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.

## **INFORMATIVES**

### **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.

### **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 & 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 & 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 NatureScot 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 NatureScot: <https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species>

Signature: David Mudie  
Designation: Area Planning Manager – South  
Author: Lucy Prins  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 - Location Plan 0832019-A006  
Plan 2 - Existing Site Layout Plan 0832019-A001 RevB  
Plan 3 - Proposed Site Layout Plan 0832019-A002 RevD  
Plan 4 - Existing Ground Floor Plan 0832019-A100  
Plan 5 - Existing First and Second Floor Plan 0832019-A101  
Plan 6 - Ground Floor Plan 0832019-A105 RevB  
Plan 7 - First Floor Plan 0832019-A106 RevB  
Plan 8 - Second Floor Plan 0832019-A107 RevB  
Plan 9 - Elevations North 0832019-A200 RevB  
Plan 10 - Elevations East 0832019-A201 RevB  
Plan 11 - Elevations South 0832019-A202 RevB  
Plan 12 - Elevations West 0832019-A203 RevB  
Plan 13 - General Plan – Perspectives 000001  
Plan 14 - General Plan – Perspectives 000002



Note:  
 The contractor will be held to have checked all dimensions before commencing with any works and in the event of discrepancies, is to refer them directly to this office for clarification prior to commencement of work.  
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— SITE BOUNDARY

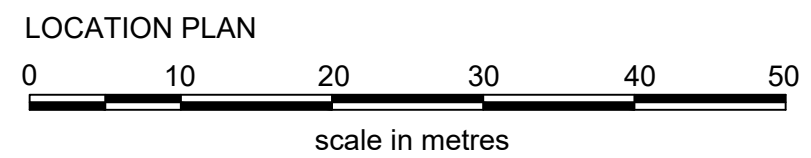
Date	Revisions	Mark

Project	
MOORINGS HOTEL RECONFIGURATION OF AND EXTENSION TO HOTEL	
Client	
LOCHABER HOTELS LIMITED	
Drawing	
PLANNING DRAWINGS AS PROPOSED LOCATION PLAN	
Scale	Date
1:500 @ A3	JAN '21
Drawn	Checked
Dwg. No.	
0832019/ A006	



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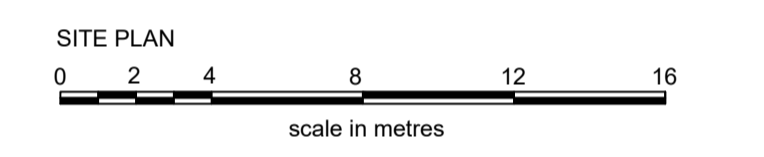




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- SHARED ACCESS
- SITE BOUNDARY
- E Electric Vehicle charging station



Date	Revisions	Mark
27/01	PLANNING SUBMISSION	A
25.05.21	REVISED APPLICATION, cycle parking & Electric vehical charging highlighted	B
19.07.21	PARKING SPACES NUMBERED	C
28.09.21	BIN STORAGE	D

Project  
**MOORINGS HOTEL RECONFIGURATION OF AND EXTENSION TO HOTEL**

Client  
**LOCHABER HOTELS LIMITED**

Drawing  
**PLANNING DRAWINGS AS PROPOSED SITE PLAN**

Scale 1:200 @ A1	Date JAN '21
Drawn	Checked
Drg. No. 0832019/ A002 D	



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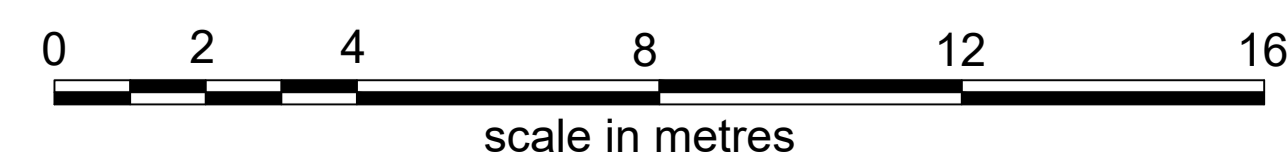








FIRST FLOOR PLAN  
AS PROPOSED



Note :  
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Date	Revisions	Mark
27/01	PLANNING SUBMISSION	A
24.05	REVISED APPLICATION	B
Project MOORINGS HOTEL RECONFIGURATION OF AND EXTENSION TO HOTEL		
Client LOCHABER HOTELS LIMITED		
Drawing PLANNING DRAWINGS AS PROPOSED FIRST FLOOR PLAN		
Scale 1:100 @ A1	Date JAN '21	
Drawn	Checked	
Drg. No. 0832019/ A106 B		



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AS PROPOSED (MAY REVISION) - EAST ELEVATION

0 2 4 8 12 16  
 scale in metres



AS EXISTING - EAST ELEVATION

0 2 4 8 12 16  
 scale in metres

Date	Revisions	Mark
27/01	PLANNING SUBMISSION	A
24.05	REVISED APPLICATION	B
Project MOORINGS HOTEL RECONFIGURATION OF AND EXTENSION TO HOTEL		
Client LOCHABER HOTELS LIMITED		
Drawing PLANNING DRAWINGS AS PROPOSED EAST ELEVATION		
Scale 1:100 @ A1	Date JAN '21	
Drawn	Checked	
Dwg. No. 0832019/ A201 B		

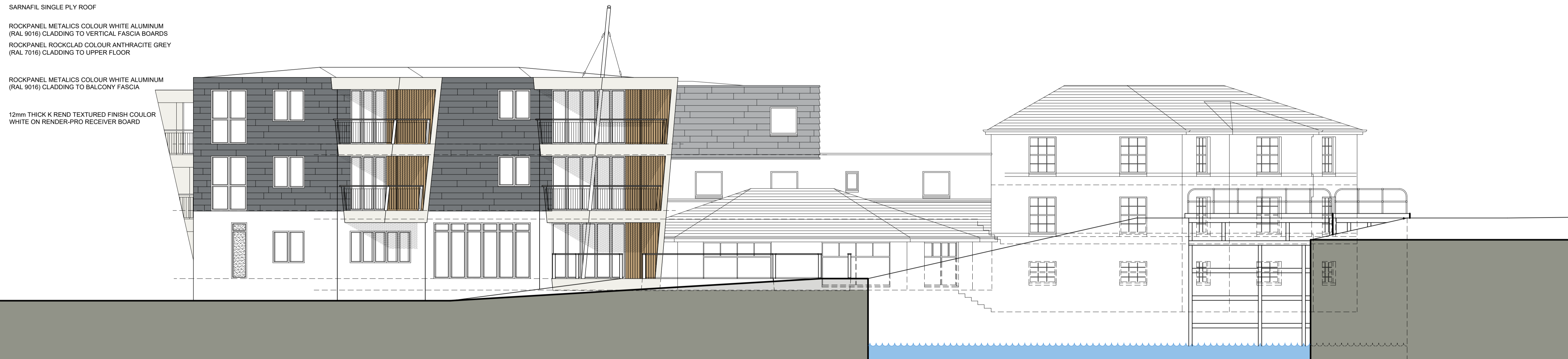


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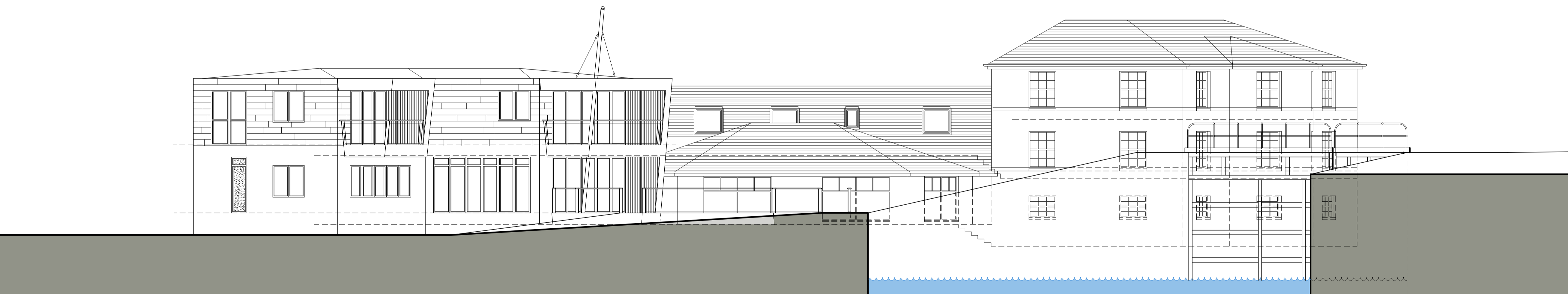


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AS PROPOSED (MAY REVISION) - SOUTH ELEVATION

0 2 4 8 12 16  
 scale in metres



AS EXISTING - SOUTH ELEVATION

0 2 4 8 12 16  
 scale in metres

Date	Revisions	Mark
27/01	PLANNING SUBMISSION	A
2405	REVISED APPLICATION	B
Project MOORINGS HOTEL RECONFIGURATION OF AND EXTENSION TO HOTEL		
Client LOCHABER HOTELS LIMITED		
Drawing PLANNING DRAWINGS AS PROPOSED SOUTH ELEVATION		
Scale 1:100 @ A1	Date JAN '21	
Drawn	Checked	
Dwg. No. 0832019/ A202 B		



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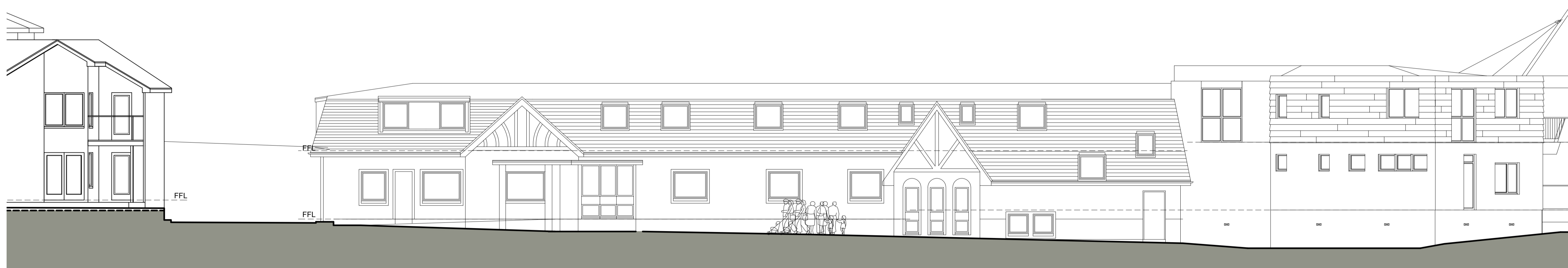
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AS PROPOSED (MAY REVISION) - WEST ELEVATION FROM HOTEL CAR PARK

0 2 4 8 12 16  
 scale in metres

SARNAFIL SINGLE PLY ROOF  
 ROCKPANEL METALICS COLOUR WHITE ALUMINUM (RAL 9016) CLADDING TO VERTICAL FASCIA BOARDS  
 ROCKPANEL ROCKCLAD COLOUR ANTHRACITE GREY (RAL 7016) CLADDING TO UPPER FLOOR  
 ROCKPANEL METALICS COLOUR WHITE ALUMINUM (RAL 9016) CLADDING TO BALCONY FASCIA  
 12mm THICK K REND TEXTURED FINISH COULOR WHITE ON RENDER-PRO RECEIVER BOARD



AS EXISTING - WEST ELEVATION FROM HOTEL CAR PARK

0 2 4 8 12 16  
 scale in metres

Date	Revisions	Mark
27/01	PLANNING SUBMISSION	A
24.05	REVISED APPLICATION	B

Project  
 MOORINGS HOTEL  
 RECONFIGURATION OF AND  
 EXTENSION TO HOTEL

Client  
 LOCHABER HOTELS LIMITED

Drawing  
 PLANNING DRAWINGS  
 AS PROPOSED  
 WEST ELEVATION

Scale  
 1:100 @ A1

Date  
 JAN '21

Drawn

Checked

Dwg. No.  
 0832019/ A203 B



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Top: As Existing Perspective  
Bottom: As Proposed Perspective (May revision, as per comments and consultations)  
Location: View from Caledonia Canal (Side of Great Glen Way)



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Top: As Existing Perspective  
Bottom: As Proposed Perspective (May revision, as per comments and consultations)  
Location: B8004 approach (North-West corner)



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