

Agenda Item	6.6
Report No	PLN-071-22

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 13 September 2022

Report Title: 22/02374/FUL: Groam House Museum

Arndene, 19 High Street, Rosemarkie, Fortrose, IV10 8UF

Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Change of use from residential to museum and erection of replacement building

Ward: 09 - Black Isle

Development category: Local development

Reason referred to Committee: Number of 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 Planning permission is sought for a change of use of an existing dwelling house (Class 9) to provide additional facilities to support the Groam House Museum (Class 10). The application dwelling is a separate property, located some 50m further to the south along Rosemarkie High Street, from the Groam House Museum, located at 38 High Street, on the opposite side. The change of use also involves the erection of a single storey rear extension to form a conference room, on the site of an existing boiler room extension. The proposed extension is of a shed - roofed profile and measures approximately 5m in width across the rear elevation of the property, extending approximately 5m into the rear garden, with a height to the roof ridge of approximately 3.8m. The extension would be finished in render to match the existing building, with a vertical larch boarding detail above the windows and external door, and zinc standing seam roofing.
- 1.2 The application site can be accessed directly from High Street to the front and Courthill Road to the rear, where an unsurfaced access parking bay exists.
- 1.3 Pre-Application Consultation: the case officer discussed the proposed change of use informally with the applicant during March 2022, when the potential access and parking issues were noted.
- 1.4 Supporting Information: Supporting Covering Letter, Parking and Access Statement
- 1.5 Variations: none

SITE DESCRIPTION

2.

- 2.1 The application site is a 1½ storey traditional dwelling, located within the Rosemarkie Conservation Area. The property is harled in off-white smooth render, with a natural slate roof and modern brown timber windows. The property is semi-detached, sharing the south wall with an adjacent shop unit which is of a different style. The property has an extensive back garden area, sloping steeply uphill to the west where a gate allows pedestrian access onto Courthill Road.
- 2.2 The property is not listed but is located adjacent to listed buildings located on both sides of the High Street, the closest being 21 and 23 High Street, directly neighbouring to the north.
- 2.3 Rosemarkie is located within the Sutors of Cromarty, Rosemarkie and Fort George Special Landscape Area (SLA)

3. PLANNING HISTORY

- 3.1 None found

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Ross-shire Journal - Section 65 - Affect Con Area 21 Days

Date Advertised: 8 July 2022

Representation deadline: 12 July 2022

Timeous representations: 12 from 12 households

Late representations: 3 from 3 households

4.2 Material considerations raised by those objecting to the change of use:

- The proposal would reduce local housing stock, particularly stock suitable for elderly people, through change to a non-residential use.
- Concerns regarding the lack of dedicated parking and potential impact on traffic volumes and pedestrian safety along Hight Street.
- Concerns over the potential for the proposals to create noise disturbance and the impact of the proposed change of use on the residential amenity of nearby properties.
- Concern that the proposals include limited details of refuse storage and collections.
- Concerns over the lack of community engagement on the proposals and over the timing of display of the required site notice for applications within a conservation area.

4.3 Material considerations raised by those supporting the change of use:

- The proposal will provide further space for the museum, providing training and educational opportunities and supporting local economic development.
- The proposals will offer the museum a secure base within Rosemarkie Town Centre.

4.4 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.

5. CONSULTATIONS

5.1 **Fortrose and Rosemarkie Community Council** objected to the application as public comments and not as a consultee. The objection comments noted the reduction in housing stock in Rosemarkie, questioning the proposals appropriateness within the development plan policy context. They cited that there had been no community engagement from the applicant and raised concerns over the access and parking issues as well as the impact on the amenity of the neighbouring property. The Community Council also queried the timing of the display of notices on site and noted that there is already space for meetings and courses within the Town.

5.2 **The Access Officer** did not object to the proposals and provided information about right of ways in the area.

5.3 **Environmental Health** did not object to the proposals and raised no further comments.

- 5.4 **Historic Environment Team (Archaeology)** do not object to the application. As the proposal involve development within the historic core area of Rosemarkie a programme of work for the survey, preservation and recording of any archaeological features is required by condition, in advance of development commencing.
- 5.5 **Historic Environment Team (Conservation)** do not object to the application. The proposed rear extension is discretely positioned, minimising any impacts upon the character and appearance of the conservation area. The contemporary design of the extension, is not problematic in this location.
- 5.6 **Transport Planning Team** do not object to the proposals. The Team's initial concerns on lack of information on the access and parking implications of the change of use, were addressed by the submission of a more detailed supporting statement by the applicant.

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
56 – Travel
57 - Natural, Built & Cultural Heritage
61 – Landscape

6.2 Inner Moray Firth Local Development Plan (2015)

Policy 1 – Promoting and Protecting City and Town Centres
Within the Rosemarkie Conservation Area

6.3 Inner Moray Firth Proposed Local Development Plan (2022)

Within the Rosemarkie Conservation Area

6.4 Highland Council Supplementary Planning Policy Guidance

Highland Historic Environment Strategy (Jan 2013)
Special Landscape Area Citations (June 2011)
Standards for Archaeological Work (March 2012)
Sustainable Design Guide (Jan 2013)
Historic Windows and Doors (May 2017)

7. OTHER MATERIAL CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (as amended December 2020)

National Planning Framework 3

Designing Streets

Creating Places

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) siting, design and amenity
 - c) pedestrian and road safety
 - d) Impact on infrastructure and services and proposed mitigation (developer contributions)
 - e) any other material considerations.

Development Plan / Other Planning Policy

- 8.4 The application site is located within the Settlement Development Area (SDA) and so Policy 34 of the Highland-wide Local Development Plan (HwLDP) applies. Policy 34 generally supports development proposals if they are not judged to be significantly detrimental in terms of the following matters: siting and design, pattern of development, and servicing, particularly roads. Policy 28 requires sensitive siting and quality design in keeping with local character and historic and natural environments. This Policy also requires proposed developments to be assessed on the extent to which they are compatible with service provision, as well as their impact on individual and community residential amenity. Policy 29 repeats the emphasis on good design in terms of compatibility with the local landscape setting and in terms of place making. Policy 31 requires an assessment for Developer Contributions. Under Policy 43, proposals for tourist facilities will be assessed in terms of their scale and fit within the settlement pattern of the area. Where proposals involve travel generation, Policy 56 requires that they must include sufficient information with the application to enable the Council to consider any likely on- and off- site transport implications of the

development. Proposals should be well served by sustainable modes of travel.

- 8.5 The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires planning authorities when determining application to have special regard to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest which they possess. HwLDP Policy 57 will only support development proposals that protect and enhance the built heritage resource, in this case, the setting of the surrounding Rosemarkie Conservation Area.
- 8.6 Policy 61 requires proposals to be assessed to the extent that they reflect the special characteristics of a designated landscape area, including National Scenic Areas (NSA's) and Special Landscape Areas (SLA's).
- 8.7 IMFLPD Policy 1 recognises and aims to bolster the role of local centres within the area. All footfall generating uses will be directed to Town Centre locations in the first instance

Principle of Change of Use

- 8.8 The applicant's supporting statement noting that the main purpose of the proposals is to allow the museum's collection to be moved out of existing rented storage space, on the Rosehaugh Estate, near Avoch, to be more centralised as well as providing training and meeting space to enable the museum to continue its work in the community. The proposals represent the opportunity to support a key local community facility and visitor attraction, retaining a town centre location. While the loss of a dwelling in the town centre, as noted by the representation comments, is regrettable, the nature of the modifications to bring about the change of use do not preclude conversion back into a dwelling, should the museum's needs change in the future. On balance therefore, the principle of the change is considered acceptable in terms of HwLDP Policies 28, 29, 34 and 57 as well as IMFLDP Policy 1, subject to detailed consideration of the design, amenity, access and servicing impacts.

Design and Amenity

- 8.9 The change of use will involve no external alterations to the street facing front elevation of the property, beyond refreshing the harl and painting the cement window surrounds blue, to match the colour scheme of the main Groam House museum, located further up the High Street to the north. Internally, the space will be converted to an office, exhibition space and craft workshop, with accessible WC facilities. While the concerns regarding loss of privacy from the change of use are acknowledged, the change of use does not in itself, alter the privacy issues for properties facing onto the public space of the High Street as there will be no alterations to the windows. To the rear, the existing boiler house 'lean to' will be replaced with a new shed roofed profiled, single storey extension, to accommodate a meeting room. This element of the proposals measures approximately 5m in width x 5m in depth, with a height to the roof ridge of approximately 4m, complementing the eaves height of the existing building. The extension is located out of sight of the High Street, within the terraced rear garden area of the property and will be finished in render on the external walls, with

horizontal larch cladding details and metal standing seam roofing. The design of the extension is suitably subservient and sensitive to the character of the existing building, with the use of quality materials serving to further integrate this element of the proposals with the conservation area setting. The proposed extension raises no loss of privacy issues with the neighbouring 21 and 23 High Street due to the presence of a detached garage within the curtilage of this property, directly to the north. No additional overshadowing will result as the extension is itself, overshadowed by the two-storey property directly to the south.

Pedestrian and Road Safety

- 8.10 The applicant has submitted supporting information regarding the access and delivery requirements of the proposal. It is intended that the change of use would act as an annexe to the museum, providing alternative space for the current activities and allowing more of the museum's collection to be displayed at any one time. As such, it is anticipated that the proposal will not increase visitor number beyond those already experienced. The applicant has confirmed that pedestrian movements in and out of the building will be low and restricted to business hours. During normal use, these movements will be up to 2 persons a day plus two meetings per month involving up to 9 people at each. Future exhibitions may result in visitors to Groam House being directed on foot across the road to the premises, amounting to an average of 20 people per day in peak season, in small groups of 2-3 spread over opening hours. The applicant has confirmed they will monitor and manage any problems from inconsiderate parking by visitors at these times.
- 8.11 The applicant has confirmed in their supporting information that that there will not be regular vehicular deliveries to and from the museum during operation and that the items to be transported are small and can be moved from the main museum premises to the application property by trolley or being carried. The vehicles required are usually cars and will utilise parking at the Groam House Museum's main premises, approximately 50m away
- 8.12 The Transport Planning Team did not raise concerns regarding general road safety, but did initially raised concerns with how parking could be managed, due to the pressure on parking in the town centre and the layout of the traffic calming measures adjacent. At this point, the traffic calming surface changes sides of the road, meaning that no on street parking is designated directly adjacent the property. Nevertheless, parking is available within walking distance along Marine Terrace, as well as at the Mill Street car park. The proposal location on Rosemarkie High Street also permits access to the local bus routes and key active travel links are also present along the High Street, connecting to the surrounding areas. The Transport Planning Team considered that the proposal does not represent any significant increase in the demand for parking or deliveries above that of the existing residential dwelling. As such, it is considered that the change of use can be sustainably accommodated without detriment to road safety or parking availability within the surrounding town centre.

Developer Contribution's

- 8.13 Due to the scale of the proposals, developer contributions toward the Council's standard transport requirements are not necessary. As the change of use is a local development on a non-prominent site of no particular cultural or historic significance in its own right, contributions towards public art are not justified in this case.

Other material considerations

- 8.14 The representations raised concerns that there had been no wider community engagement on the proposals. While engagement is welcomed, there is no statutory requirement to do so in this case, as the change of use is a local development. It is expected that the current bin servicing arrangements, understood to be collected from Courthill Road, may be continued. While Rosemarkie is technically located in a Special Landscape Area (SLA), the effect of change of use of an existing town centre property on the character of the SLA is negligible.
- 8.15 Some concerns were raised with the timing of the site notice on the premises, for an application in the conservation area: the applicant has provided a signed statement that the notice was displayed correctly

Non-material considerations

- 8.16 The representations raised concerns over the impact of the proposed extension on the stability of the party wall with the adjacent property to the south. This issue is not a material planning consideration but will be considered at the Building Warrant stage, should the proposed change of use proceed. The issues raised in the representation comments over land ownership and property boundaries are not material considerations within the scope of the planning system. The representations also raised that a Community Asset Transfer request had been submitted in respect of another property in the area, for similar proposals and that there is already being meeting space in Rosemarkie. These issues are not material to the current proposal, which must be decided on its own merits.
- 8.17 Several of the supporting comments noted that the change of use has been triggered by the termination of the Museum's current lease of premises in Avoch. This is not in itself a material consideration, however, the challenges of finding alternative accommodation in the area are acknowledged.

9. CONCLUSION

- 9.1 The proposals represent the opportunity to support a key local community facility and visitor attraction, retaining a town centre location. The nature of the modifications to bring about the change of use do not preclude conversion back into a dwelling, should the museum's needs change in the future and the proposals can be accompanied without detriment to pedestrian and traffic safety and the character and setting of the conservation area, in accordance with HwLDP Policies 28, 29, 34 and 57.

9.2 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.

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 N
Obligation

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 (including site clearance) shall commence until a programme of work for the survey, evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation, has been submitted to, and approved in writing by, the Planning Authority. The approved programme shall be implemented in accordance with the agreed timetable for investigation.

Reason: In order to protect the archaeological and historic interest of the site.

- 2 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 in the Rosemarkie Conservation Area and the local architectural styles.

- 3 Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended, revoked or re-enacted; with or without modification) and Article 3 and Classes 10 to 13 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), the development hereby approved shall be used solely as an annexe to the Groam House Museum and for no other use or purpose.

Reason: In order to enable the Planning Authority to retain effective control over future development within the application site so that it is carefully managed and does not result in over-development or an adverse impact on the amenity of the area.

REASON FOR DECISION

The proposals represent the opportunity to support a key local community facility and visitor attraction, retaining a town centre location. The nature of the modifications to bring about the change of use do not preclude conversion back into a dwelling, should the museum's needs change in the future and the proposals can be accompanied without detriment to pedestrian and traffic safety and the character and setting of the conservation area, in accordance with HwLDP Policies 28, 29, 34 and 57.

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

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 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>

Insert other appropriate notes/delete any not relevant

Designation: Area Planning Manager North

Author: Michael Kordas

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

Relevant Plans:

Document Type	Document No.	Version No.	Date Received
Location Plan	2206-6		24 May 2022
Proposed Ground Floor Plan	2206-7		24 May 2022
Proposed First Floor Plan	2206-8		24 May 2022
Proposed Elevation Plan Front	2206-9		24 May 2022
Proposed Section Plan	2206-11		24 May 2022
Proposed Elevation Plan Rear	2206-10		25 May 2022

The Highland Council
eProcessing Centre
Date Received:

24 MAY 2022



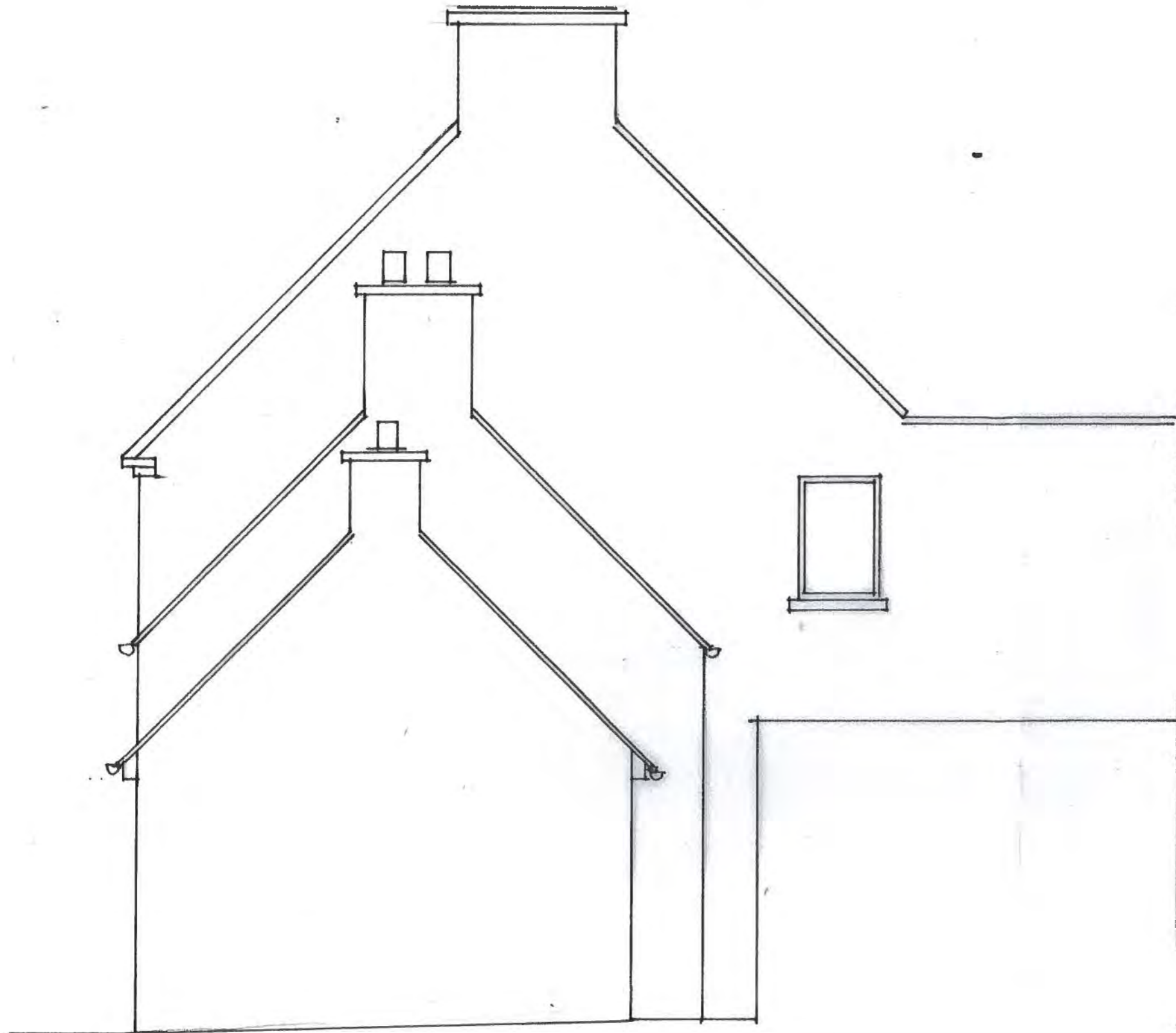
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RED POPPY FLAT, MAIN STREET, STRATHPEFFER

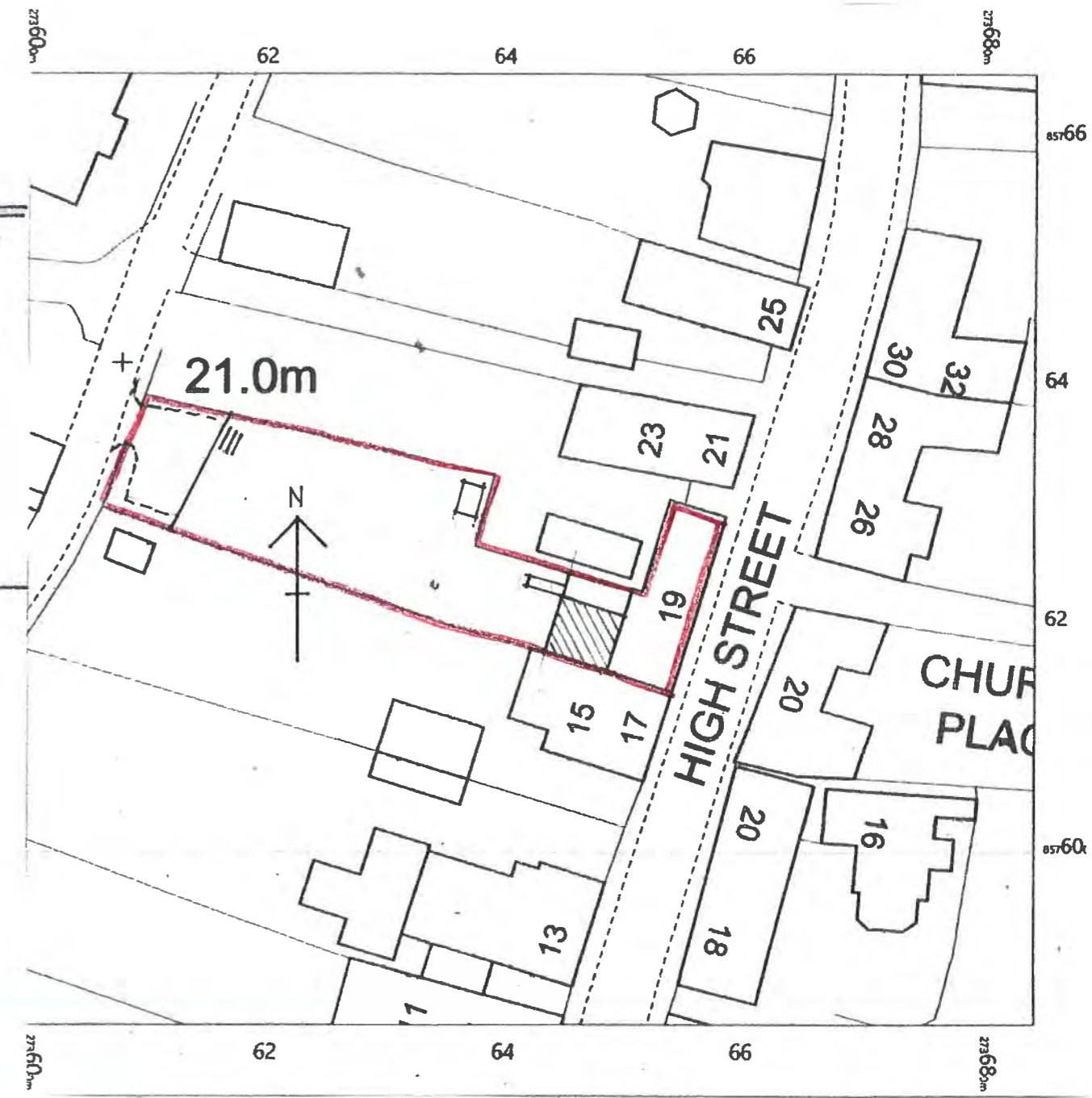
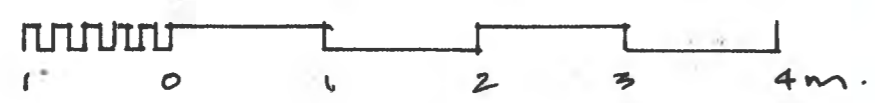
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SCALE
REVISION

DATE



● NORTH ELEVATION ●
AS EXISTING



● LOCATION/SITE PLAN 1:500 ●





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RED POPPY FLAT, MAIN STREET, STRATHPEFFER.

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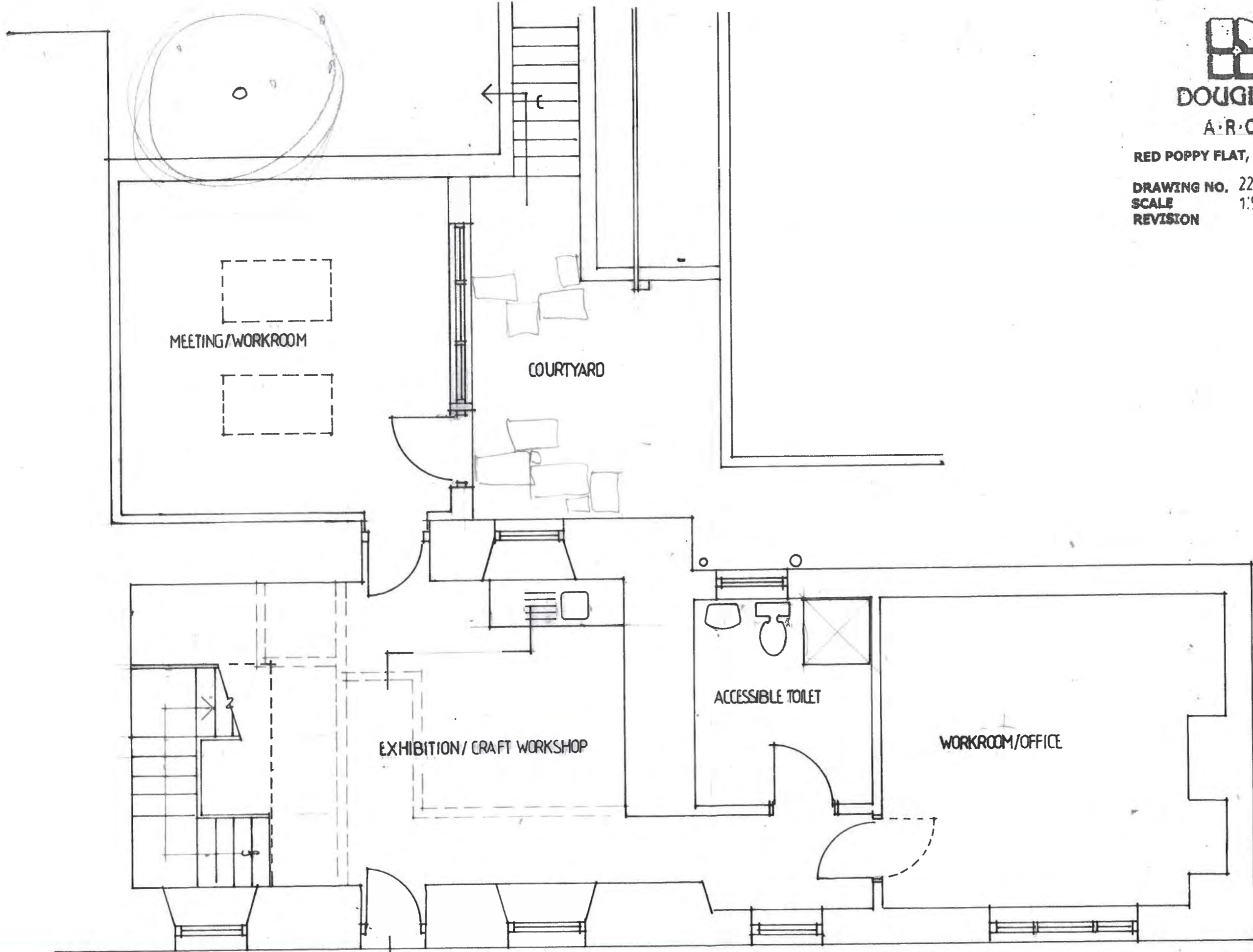
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● GROUND FLOOR PLAN ●
AS PROPOSED





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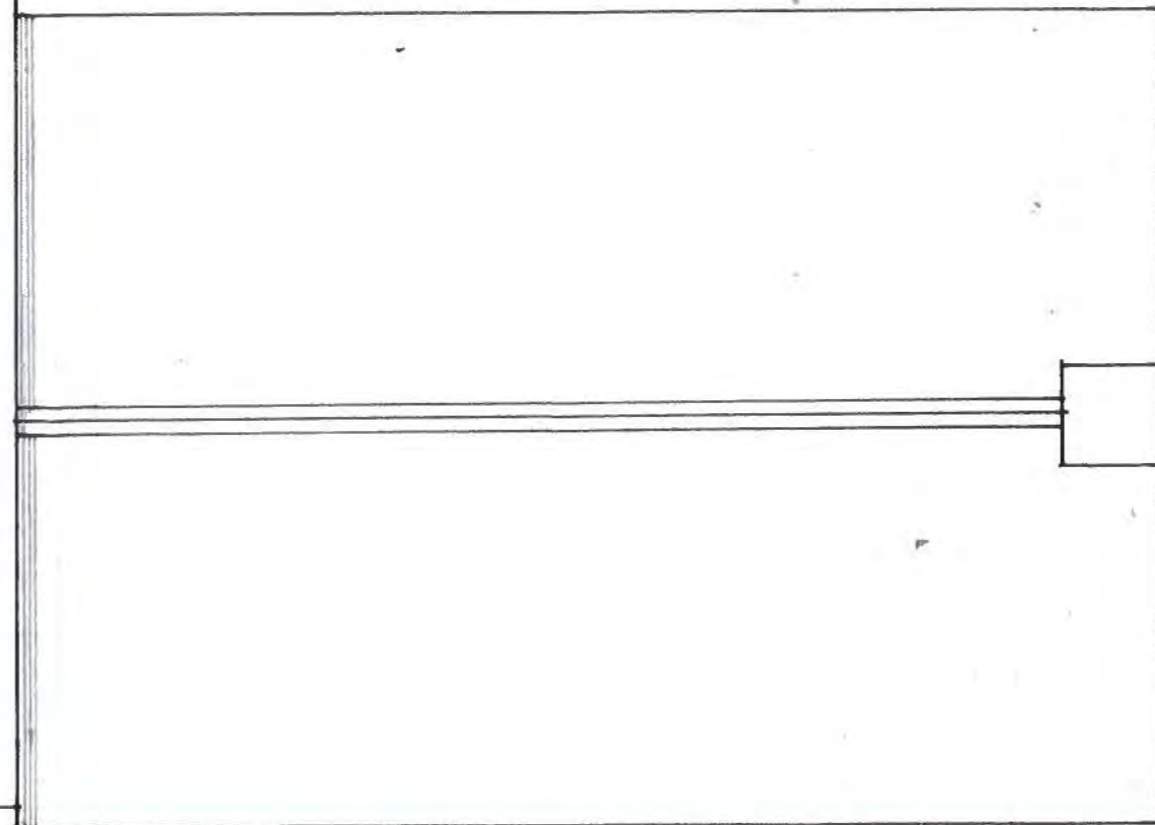
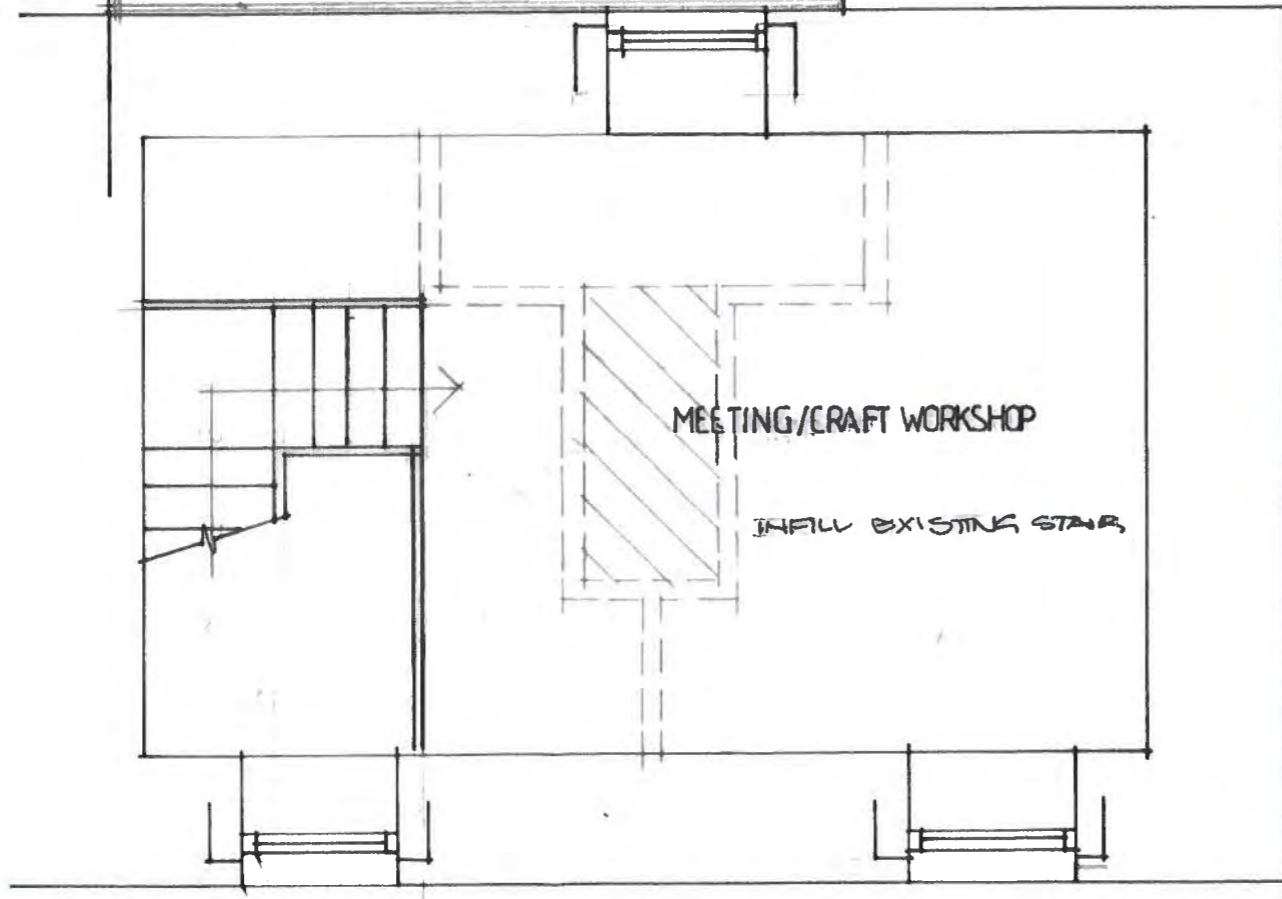
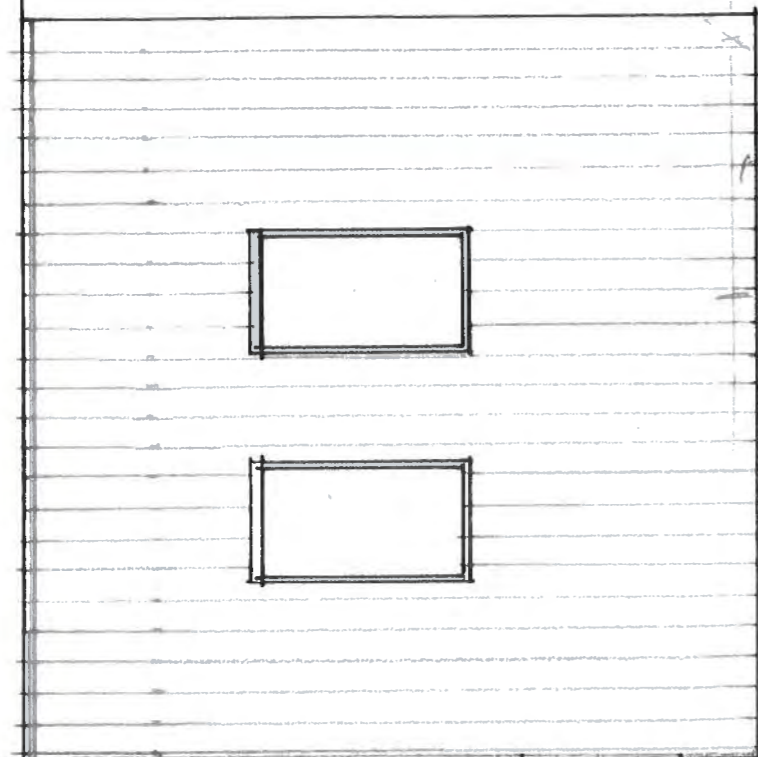
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DRAWING NO. 2206-8
SCALE 1:50
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24 MAY 2022



● FIRST FLOOR PLAN ●
AS PROPOSED



The High Street
eProcessing Centre
Date Received:

24 MAY 2022



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RED POPPY FLAT, MAIN STREET, STRATHPEFFER

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REVISION

DATE

ROUGHCAST TO BE PAINTED WHITE
SMOOTH ORMENT BANDS TO ALL
OPENINGS PROPOSED AND
PAINTED FAIR BLUE AS GROOM HOUSE



● FRONT ELEVATION ●
AS PROPOSED



The Highland Council
eProcessing Centre
Date Received:

24 MAY 2022



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RED POPPY FLAT, MAIN STREET, STRATHPEFFER

DRAWING NO. 2206 - 10
SCALE 1:50
REVISION

DATE



● REAR ELEVATION ●
AS PROPOSED



The Highland Council
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Date Received:

24 MAY 2022



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RED POPPY FLAT, MAIN STREET, STRATHPEFFER

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SCALE 1:50
REVISION

DATE



MEETING ROOM

ROUGHCAST MADE GOOD AND PAINTED

● REAR ELEVATION ●
AS PROPOSED

