

## Item: 4.1

**Planning Committee: 23 January 2019.**

### **Extend a Hotel and Associated Landscaping at Lynnfield Hotel, Holm Road, Kirkwall**

**Report by Executive Director of Development and Infrastructure.**

## **1. Summary**

### **1.1.**

It is proposed to erect a two storey, 10-bedroom extension to the Lynnfield Hotel, Holm Road, Kirkwall, contained within the existing site boundaries. The hotel lies within the settlement boundary and so its extension is acceptable in principle. The proposed orientation, scale, form, materials and finishes would have no adverse impact on the character of the hotel or appearance of the area. Residential amenity would be adequately protected. Sufficient parking would be provided. One objection has been received, on the grounds of capacity of the existing foul/surface drainage from the hotel. Amendments to the proposal include upgrading of foul drainage, and the objection is not of sufficient weight to merit refusal. On balance, the development accords with policies 1, 2, 4, 13 and 14 of the Orkney Local Development Plan 2017.

Application Number:	18/420/PP.
Application Type:	Planning Permission.
Proposal:	Extend a hotel and associated landscaping.
Applicant:	Lynnfield Hotel Limited, Holm Road, Kirkwall, KW15 1SU.
Agent:	Mr Stephen J Omand, 14 Victoria Street, Kirkwall, KW15 1DN.

### **1.2.**

All application documents (including plans, consultation responses and representations) are available for members to view at the following website address:

[http://www.orkney.gov.uk/Service-Directory/D/application\\_search\\_submission.htm](http://www.orkney.gov.uk/Service-Directory/D/application_search_submission.htm)  
(then enter the application number given above).

## **2. Consultations**

Consultees have not objected or raised any issues which cannot be addressed by planning conditions or informative.

### 3. Representations

#### 3.1.

One objection has been received from:

- George and Christine Currie, Highview, Rosebank, Kirkwall, KW15 1WU.

#### 3.2.

The objection is on the grounds of inadequacy of the existing foul/surface water pipe from the Lynnfield Hotel, citing incidents of drains overflowing on several occasions, causing smells and public health issues, impacting on the objectors' property and their residential amenity.

### 4. Relevant Planning History

Reference.	Proposal.	Location.	Decision.	Date.
11/503/AD.	Display 2 externally illuminated signs	Lynnfield Hotel, Holm Road, Kirkwall	Granted.	07.11.2011
07/051/PPF.	Construct a pitched roof over flat roof to create a flat, install an air source heat pump and prune a tree.	Lynnfield Hotel, Holm Road, Kirkwall	Granted subject to conditions.	06.03.2007

### 5. Relevant Planning Policy and Guidance

The full text of the Orkney Local Development Plan 2017 (OLDP 2017) and supplementary guidance can be read on the Council website at:

<http://www.orkney.gov.uk/Service-Directory/D/Planning-Policies-and-Guidance.htm>

The policies listed below are relevant to this application:

- Orkney Local Development Plan 2017:
  - Policy 1 – Criteria for All Development.
  - Policy 2 – Design.
  - Policy 4 – Business, Industry and Employment.
  - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
  - Policy 14 – Transport, Travel and Road Network Infrastructure.
- Supplementary Guidance and Planning Policy Guidance:
  - Supplementary Guidance 'Settlement Statements' Kirkwall (April 2017).

- Planning Policy Advice 'Development Quality within Settlements' (March 2012).

## **6. Legal Aspects**

### **6.1.**

Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended (the Act) states, "Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise...to be made in accordance with that plan..."

### **6.2.**

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 sets a general duty as respects conservation areas in exercise of planning functions: "In the exercise, with respect to any buildings or other land in a conservation area, of any powers, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

### **6.3.**

Where a decision to refuse an application is made, the applicant may appeal under section 47 of the Act. Scottish Ministers are empowered to make an award of expenses on appeal where one party's conduct is deemed to be unreasonable. Examples of such unreasonable conduct are given in Circular 6/1990 and include:

- Failing to give complete, precise and relevant reasons for refusal of an application.
- Reaching a decision without reasonable planning grounds for doing so.
- Not taking into account material considerations.
- Refusing an application because of local opposition, where that opposition is not founded upon valid planning grounds.

### **6.4.**

An award of expenses may be substantial where an appeal is conducted either by way of written submissions or a local inquiry.

## **7. Assessment**

### **7.1. Site and Location**

The Lynnfield Hotel lies to the south of the town near Highland Park Distillery, with access off the A961 Holm Road. The hotel is well established and at present has 10 letting rooms. When originally built, the hotel was on the outskirts of the town with no immediately surrounding residential properties, only Highland Park House and Lynn as well as Highland Park Distillery. The area has subsequently been developed extensively and the hotel now sits surrounded by residential development, including Lynn Park to the north-east, Rosebank to the north-west, and a holiday chalet development to the south with the distillery lying beyond.

## **7.2. Principle**

The site is located within the settlement boundary of Kirkwall, where there is a general presumption in favour of the expansion of existing businesses as set out in policy 4 'Business, Industry and Employment' of the Orkney Local Development Plan 2017.

## **7.3. Design**

### **7.3.1.**

The hotel has been altered and extended over the years, and although the building is predominantly two storeys with hipped Welsh slate roofs, it is a mixture of styles including several different window sizes and the building is therefore not identified by a single architectural style or period. There are quoin-based details to windows and corners which are emphasised by the quoins being painted a different colour to the walls; currently, the quoins are white/off white with the building painted pale blue.

### **7.3.2.**

It is proposed to erect a two-storey extension to the hotel, as indicated on location/site plan attached as Appendix 1 to this report, projecting forward of the front elevation, to the east of the main entrance, and running parallel to the eastern boundary of the site. This area of the ground is presently used for parking, manoeuvring and loading/unloading. The extension would be predominantly rectangular in plan, projecting forward of the main frontage of the hotel. Although the proposed extension is of modern design, it does take some reference from the original building, including scale and roof detail. Given the form and styles of the existing building, an extension of the proposed design is considered acceptable, provided materials and finishes match well with the existing building.

### **7.3.3.**

The colour of the smooth plaster to the extension would be covered by condition to be agreed later, allowing for redecoration of the existing building but ensuring that the extension matches. The most recent amended drawings submitted include a change to the proposed roof cladding of the extension, from a natural slate as originally proposed to a 'Marley Eternit Rivendale' fibre cement slate. The use of a natural and more traditional roof finish would soften the modern design and ensure some cohesion with the existing building; therefore, the introduction of the proposed synthetic roof cladding would impact negatively on the overall appearance of the already prominent building. As such, although the design of the development is acceptable, planning conditions listed include a requirement for a natural slate roof to match the original hotel. The development is therefore considered to accord with policy 1 'Criteria for All Development' and policy 2 'Design' of the Orkney Local Development Plan 2017.

## **7.4. Residential Amenity**

In relation to residential amenity, the Lynnfield Hotel is a well-established business in the locality, and the additional letting rooms would not affect the existing character of the area. The design and layout of the extension has taken account of overlooking

and privacy, and all windows facing towards houses in Lynn Park would be fitted with obscure glazing. It is considered that the proposed development would have no unacceptable impact on adjacent buildings through loss of daylight, privacy or noise. The development is therefore considered to accord with policy 1 'Criteria for All Development' of the Orkney Local Development Plan 2017.

### **7.5. Development Density**

This development is in a relatively built-up location, and the proposal would result in the site being more constrained than at present. However, it is recognised that such mixed uses can benefit an area, provided the site can accommodate the development and adequate parking is provided. It is also accepted that an expansion of the scale proposed is a one-off at this site, utilising available space whilst maintaining adequate outside space.

### **7.6. Sewerage and Drainage**

One letter of objection has been received from neighbours regarding smell and public health issues resulting from the exiting foul and surface water drainage system which runs through Rosebank. The applicant proposes to upgrade the existing foul drainage system and discharge in conjunction with the works to a new foul drainage connection to Holm Road. The proposal also includes a soakaway to manage the surface water from the development which would be located underground within the car park. These proposed changes to the application would result in the foul/surface water drainage no longer passing through Rosebank. A condition would secure the upgrading of the existing system and the new connection to Holm Road, as well as compliance with SuDS. The development is therefore considered to accord with policy 1 'Criteria for All Development' and policy 13 'Flood Risk, SuDS and Waste Water Drainage' of the Orkney Local Development Plan 2017.

### **7.7. Parking Provision/Access**

The development would be laid out to provide 38 car parking spaces including 2 disabled spaces. A manoeuvring area has been provided for collection of bins and delivery vehicles. Initial concerns from Roads Services regarding parking provision have been overcome and the consultation objection has been removed. The development is therefore considered to accord with policy 14C 'Road Network Infrastructure' of the Orkney Local Development Plan 2017.

## **8. Conclusion and Recommendation**

The development would expand an existing business within the Kirkwall settlement boundary. The scale and form would be appropriate and adequate car parking has been provided. The proposal includes the upgrading of the foul and surface water drainage system. Therefore, the development is considered to accord with policies 1, 2, 4, 13 and 14 of the Orkney Local Development Plan 2017. Accordingly, the application is **recommended for approval**, subject to the conditions attached as Appendix 2 to this report.

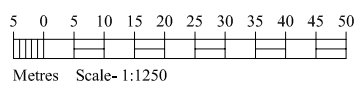
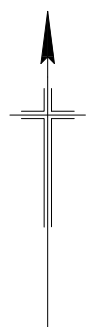
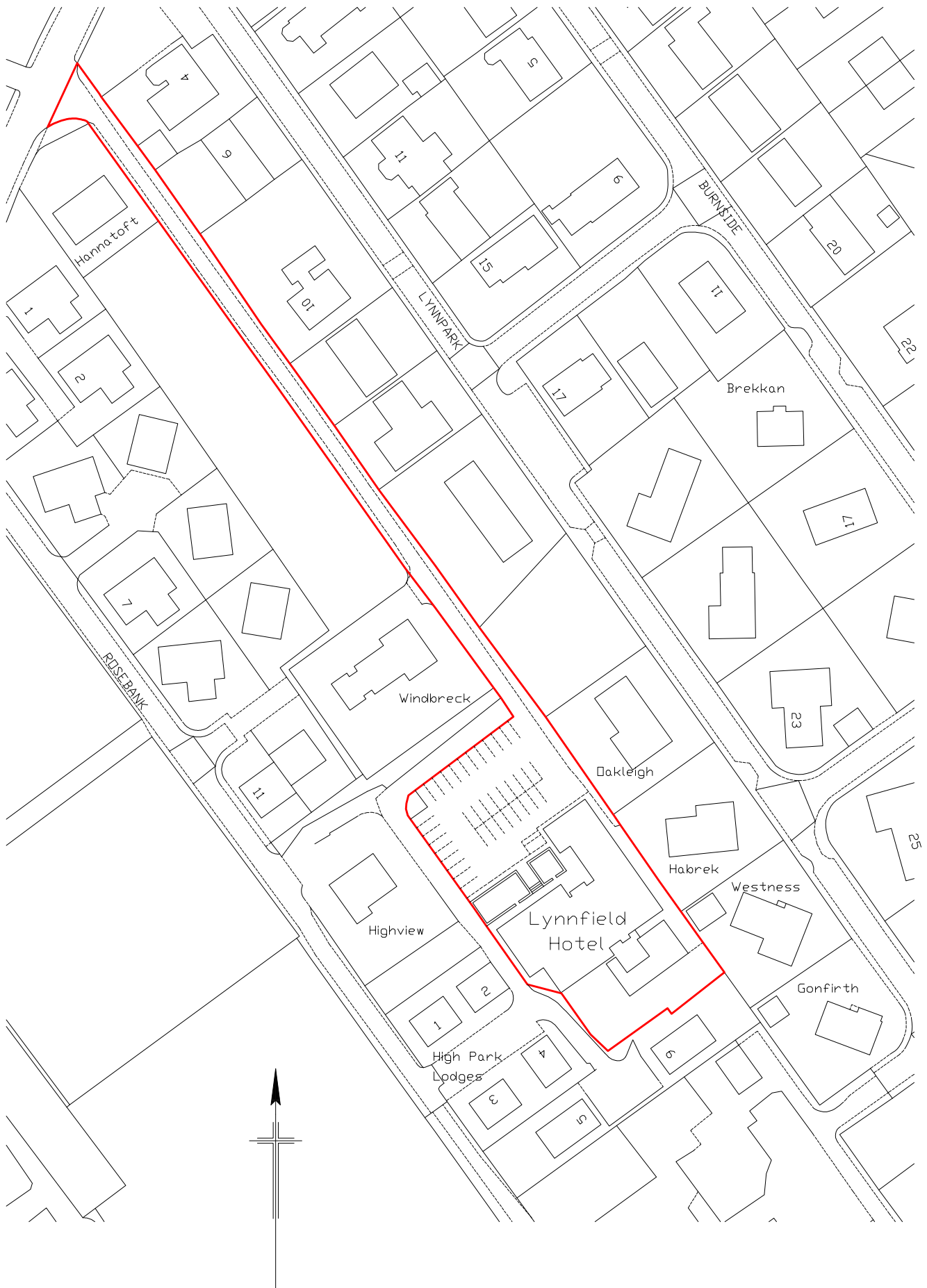
## **9. Contact Officer**

Margaret Gillon, Senior Planner, extension 2505, Email [margaret.gillon@orkney.gov.uk](mailto:margaret.gillon@orkney.gov.uk)

## **10. Appendices**

Appendix 1: Location/Site Plan.

Appendix 2: Planning Conditions.



Erection of ten bedroom extension with some internal accommodation works.  
 At Lynnfield Hotel, Holm Road, Kirkwall.  
 Location Plan. Dwg No 1532/5/P1. Plan Size A4.

OS Licence No- ES100003740

## Appendix 2.

01. Notwithstanding details submitted and included in elevations, the roof of the extension hereby approved shall be finished with natural slates only, to match the existing hotel. Prior to commencement of development, a sample shall be submitted to, and approved in writing by, the Planning Authority, and thereafter the roof shall be clad using the approved slates.

Reason: For the avoidance of doubt, and to ensure a satisfactory appearance for the development.

02. Prior to commencement of development, full details of the finish and colour of external walls of the extension hereby approved shall be submitted to, and approved in writing by, the Planning Authority, and thereafter the walls shall be finished in accordance with the approved details.

Reason: To ensure that the external appearance of the development is acceptable.

03. Prior to commencement of development, full details of proposed foul and surface water drainage systems shall be submitted to, and approved in writing by, the Planning Authority. Prior to the development hereby approved being brought into use, the approved systems shall be implemented and completed in accordance with the submitted layout, specification and other details. Thereafter and throughout the lifetime of the development, the drainage systems shall be retained in accordance with the approved specification, unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that adequate drainage facilities are provided.

04. Surface water drainage provision within the application site shall accord with submitted plans and the principles of Sustainable Urban Drainage Systems (SUDS) and designed to the standards outlined in Sewers for Scotland Second Edition (or any superseding guidance prevailing at the time).

Reason: To ensure that surface water drainage is provided timeously and complies with the principles of SUDS; to protect the water environment.

05. Hours of construction and demolition work on site involving the use of machinery and powered tools, or any other operation, for example hammering, that would generate noise audible beyond the boundary of the site, shall only take place between the hours of 08:00 and 18:00 Mondays to Fridays, 08:00 to 12:30 on Saturdays and not at all on Sundays or the Christmas or New Year Public Holidays, unless otherwise agreed, in writing, with the Planning Authority.

Reason: To safeguard the amenity of nearby residents.

06. Prior to commencement of development, a Construction Method Statement (CMS) shall be submitted to, and approved in writing by, the Planning Authority. That CMS shall include full details of:



- Parking provision for site personnel, operatives, visitors and hotel guests.
- Loading and unloading of plant and materials.
- Construction compound (storage of plant and materials).

Thereafter, and throughout the duration of building operations (including demolitions and site works), the site shall be managed wholly in accordance with the approved CMS.

Reason: In the interests of residential amenity and to ensure the hotel can operate during this period.

07. All windows in the north-east elevation, facing Lynn Park, shall be obscure glazed. Prior to commencement of development, full details of the obscure glazing shall be submitted to, and approved in writing by, the Planning Authority. Prior to the development hereby approved being brought into use, all obscure glazing in the windows in the north-east elevation shall be completed in accordance with approved details, and thereafter shall be retained in accordance with the approved detail throughout the lifetime of the development, unless otherwise agreed in writing with the Planning Authority.

Reason: To safeguard the privacy of the adjoining properties.

08. Prior to the development hereby approved being brought into use, the car park shall be laid out and marked wholly in accordance with the 'Parking and access layout' plan hereby approved, with 38 car parking bays including 2 disabled bays, and providing for the loading and unloading of delivery and refuse vehicles. Throughout the lifetime of the development, parking bays shall be retained for parking purposes only, and no bays shall at any time be used for storage or any other purpose.

Reason: To ensure adequate parking provision within the site.