

Perth and Kinross Council  
Development Management Committee – 19 October 2016  
Report of Handling by Interim Head of Planning

Part demolition of hotel and demolition of annexe building and outbuildings at Former  
Lomond Hotel, Main Street, Kinnesswood

Ref. No: 16/00325/CON  
Ward No: N8 Kinross-shire

**Summary**

This report recommends approval of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

**BACKGROUND AND DESCRIPTION**

- 1 Conservation Area Consent is sought for the partial demolition of the former Lomond Hotel and the associated demolition of an annexe building and outbuildings at the Former Lomond Hotel, Main Street within the Conservation Area of Kinnesswood. There is an associated full planning application for the redevelopment of the site which is also under consideration at this Committee. This proposal relates to the demolition of part of the main “Inn” building with the north eastern most part of the building (closest to Main Street) to be retained and converted to residential use. The remaining south western end of the Inn together with the numerous additions and extensions to the rear are proposed to be demolished. The proposal also seeks to demolish the adjacent more recent buildings which sit to the immediate south east of the Inn building.
- 2 The site has been occupied for approximately 125 years by the Lomond Inn and the building footprint area has been extended many times, together with the construction of a separate accommodation annexe and garage outbuildings. Details of the marketing and an economic assessment of the Inn and the history of attempts to retain the Inn as a successful business have been submitted with the application. These attempts ultimately resulted in failure and the Inn closed in 2012.
- 3 The application site extends to 4014sqm and includes all of the existing buildings together with the hardstanding/car parking area to the rear (south-west) of the buildings and a strip of agricultural land which sits below the main site and outwith the Kinnesswood settlement boundary. The site slopes from north east to south west.

**NATIONAL POLICY AND GUIDANCE**

- 4 The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

## **DEVELOPMENT PLAN**

- 5 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

### **TAYplan Strategic Development Plan (June 2012)**

- 6 TAYPlan sets out a vision for how the region will be in 2032 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:
- 7 *“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs”*
- 8 The following sections of the TAYplan 2012 are of particular importance in the assessment of this application.

### **Policy 2 – Shaping better quality places**

- 9 Seeks to ensure that climate change resilience is built into the natural and built environment, integrate new development with existing community infrastructure, ensure the integration of transport and land uses, ensure that waste management solutions are incorporated into development and ensure that high resource efficiency and low/zero carbon energy generation technologies are incorporated with development to reduce carbon emissions and energy consumption.

### **Policy 3: Managing TAYplan’s Assets**

- 10 Seeks to respect the regional distinctiveness and scenic value of the TAYplan area and presumes against development which would adversely affect environmental assets.

### **Perth and Kinross Local Development Plan 2014**

- 11 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 12 Under the LDP, the site lies within the settlement boundary of Kinnesswood and within the conservation area where the principal relevant policy is:

#### Policy HE3B - Conservation Areas

- 13 There is a presumption against demolition of buildings within a Conservation Area and in favour of retention and restoration. Proposals for demolition should be accompanied by a detailed application for the replacement development.

## **OTHER POLICIES**

- 14 Historic Environment Scotland Policy Statement 2016

## **SITE HISTORY**

- 15 There have been numerous applications in relation to alterations and extensions to the former Inn which are not relevant to this proposal. The more relevant recent applications are outlined below:
- 16 14/00707/FLL Erection of five dwellinghouses and associated engineering operations  
17 July 2014 Application Withdrawn
- 17 15/00505/FLL Erection of 5 dwellinghouses and associated works 26 February 2016  
Application Withdrawn
- 18 15/00506/CON Demolition of buildings 26 February 2016 Application Withdrawn
- 19 16/00326/FLL Part demolition, change of use and extension to hotel to form dwellinghouse, erection of 4 dwellinghouses and associated works – Pending Consideration

## **CONSULTATIONS**

### **EXTERNAL**

- 20 **Historic Environment Scotland (HES)** – No objection, welcomes new proposal which retains part of historic Inn although they encourage retention of 2 storey south western end of buildings. This may have been built as part of the Inn or earlier house which was incorporated into it and therefore also contributes to the character of the Conservation Area.

### **INTERNAL**

- 21 **Perth and Kinross Heritage Trust** – no archaeological mitigation required.

## **REPRESENTATIONS**

- 22 Three letters of representation have been received, all of which object to the application. It should be noted that these letters make reference to the new development proposed on site. This application relates solely to the demolition of buildings and the detail of new development and summary of objections received relating to it will be assessed within the Committee Report for application 16/00326/FLL. The letters may be summarised as follows:
- Impact on character of Conservation Area
  - Contrary to policy at National and Regional level
- 23 The above issues are addressed within the Appraisal section of this report.

## ADDITIONAL STATEMENTS

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|--|--------------|
| Environment Statement                          | Not required |
| Screening Opinion                              | Not required |
| Environmental Impact Assessment                | Not required |
| Appropriate Assessment                         | Not required |
| Design Statement / Design and Access Statement | Submitted    |
| Reports on Impact or Potential Impact          | Not required |

## APPRAISAL

### Policy Appraisal

- 25 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The determining issues here are whether the proposals comply with Development Plan policy or if there are other material considerations, which justify a departure from policy. The most relevant policy to be considered is policy HE3B of the Local Development Plan and this is assessed in more detail below.

### Principle

- 26 The site is within the Kinnesswood settlement boundary as identified in the LDP 2014. Policy HE3B states that there is a presumption against demolition of buildings within a Conservation Area and in favour of retention and restoration and that proposals for demolition should be accompanied by a detailed application for the replacement development.
- 27 Historic Environment Scotland's Historic Environment Scotland Policy Statement 2016 is also a consideration. In particular applications for Conservation Area Consent must demonstrate the following:
- a. the building is not of special interest; or
  - b. the building is incapable of repair; or
  - c. the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
  - d. the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

## **Impact on Character of Conservation Area**

- 28 Following on site discussions regarding the previous applications the applicant agreed to retain part of the former Lomond Inn as this is considered to play an important part in the historic character of the Conservation Area and acts as a gateway point into the Conservation Area from those travelling from the south east. The attractive south east elevation of the Lomond Inn sits directly adjacent to the footpath. This elevation of the Lomond Inn is proposed to be retained and converted into a dwelling. I consider the retention of this part of the Lomond Inn to be a key element to this proposal to ensure that a fundamental part of the historic character and appearance of the Conservation Area is retained. Furthermore the layout as proposed also allows the existing layout of the Lomond Inn to be retained with the proposed access to remain in a similar position retaining the historic layout. I am therefore of the view that this revised proposal retains the key part of the Lomond Inn which is visible from Main Street and the public realm. This part of the Lomond Inn is considered to have the most attractive and intricate elements of the design and the retention of this element is considered to maintain the character of this historic site to an appropriate degree.
- 29 The plans also indicate the partial retention of the outline of the demolished building to act as part of the hard landscaping/walls around the garden ground for plot 1. This will ensure the historic reading of the demolished element of the former Lomond Inn will remain visible on site. This proposal was recommended by the Conservation Officer following a site visit and whilst the height of the walling does not meet the 1.5m suggested by the Conservation Officer, the retention at 900mm is considered to be acceptable.
- 30 It should also be noted that the site has been unoccupied for almost 4 years and evidence has been provided that there is little market for the Lomond Inn to be re-opened and as outlined in the report for the full application the change of use to residential is considered appropriate. As such the demolition of buildings on the site together with the new development and the associated hard and soft landscaping will deliver an element of benefit to the wider community by bringing the site back into use and removing dereliction from the site.
- 31 A condition is recommended to ensure that no demolition takes place on site until a contract has been agreed to implement the associated planning consent (should it be granted). This is to ensure the site does not become derelict/vacant to the detrimental of the Conservation Area.
- 32 I would therefore conclude that the poor condition of the existing buildings is evident on site inspection and that the demolition will allow for a new development to come forward to bring the site back into active use to the overall benefit of the Conservation Area. The information provided to date, in conjunction with the proposals currently under consideration for redevelopment of the site, are therefore considered sufficient to justify demolition of the buildings in this case. As such the proposal, in its current form is considered to comply with the requirements of Policy HE3B of the LDP and with the Scottish Historic Environment Policy.

- 33 It is recommended that a photographic survey of the existing buildings is undertaken prior to demolition and a condition is recommended to ensure this.

### **LEGAL AGREEMENTS**

- 34 None required.

### **DIRECTION BY SCOTTISH MINISTERS**

- 35 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, regulations 30 – 32 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

### **CONCLUSION AND REASONS FOR RECOMMENDATION**

- 36 In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for approval subject to conditions.

### **RECOMMENDATION**

#### **A Approve the application subject to the following conditions:**

- 1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning permission.

Reason - To ensure that the development is carried out in accordance with the plans approved.

- 2 Prior to the demolition of the buildings a detailed photographic survey shall be undertaken and the findings submitted in writing to the Planning Authority.

Reason – To ensure a survey of the demolished historic building is undertaken in accordance with best practise.

- 3 No demolition shall commence on site until written evidence has been submitted and approved in writing by the Council as Planning Authority that a contract is in place for the construction of the replacement development which has the benefit of full planning consent as detailed in application 16/00326/FLL.

Reason – To avoid the site being left vacant and to protect the character of the Conservation Area.

- 4 The walls on the south western end of the Lomond Inn building shall be taken down to a height of 900mm only and be retained as part of the walling for the garden ground/patio of plot 1 to the satisfaction of the Council as Planning Authority. Prior to the demolition commencing full details of the capping of this wall shall be submitted to and approved in writing by the Planning Authority. The details, as approved, shall be implemented as part of the site development.

Reason – In order to ensure the south western end of the historic Lomond Inn remains as part of the new development in the interests of protecting the character of the Kinnesswood Conservation Area.

- 5 All slates removed from the demolished buildings shall be retained and re-used in the new development to the satisfaction of the Council as Planning Authority.

Reason - In order to protect the character and appearance of Kinnesswood Conservation Area.

## **B JUSTIFICATION**

- 1 The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

## **C PROCEDURAL NOTES**

- 1 None.

## **D INFORMATIVES**

- 1 This Conservation Area Consent will last only for 3 years from the date of this decision notice, unless the development has been started within that period (see section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as amended by Section 20 of the Planning etc (Scotland) Act 2006.

Background Papers: Three letters of representation  
Contact Officer: John Williamson – Ext 75360  
Date: 29 September 2016

**NICK BRIAN**  
**INTERIM HEAD OF PLANNING**

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