

TCP/11/16(565) – 18/00024/FLL – Alterations to building (in retrospect), staff accommodation, Dunalastair Hotel, Kinloch Rannoch, Pitlochry

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**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form.
Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Telephone 2 Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Mark this box to confirm all contact should be
through this representative: ☒ Yes ☐ No

* Do you agree to correspondence regarding your review being sent by e-mail?

☒ Yes ☐ No

Planning authority

Planning authority's application reference number

Site address

Description of proposed
development

Date of application

Date of decision (if any)

Note. This notice must be served on the planning authority within three months of the date of the decision
notice or from the date of expiry of the period allowed for determining the application.

Nature of application

1. Application for planning permission (including householder application) ☐
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☒
4. Application for approval of matters specified in conditions ☐

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

1. Further written submissions ☐
2. One or more hearing sessions ☐
3. Site inspection ☐
4. Assessment of review documents only, with no further procedure ☒

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see Appeal Statement which is part of the supporting documents.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes ☐ No ☒

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

Appeal statement
Photos of hotel taking from the road and perimeter of site

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

23.10.2018

DUNALASTAIR HOTEL & SUITES

PLANNING APPEAL – APPLICATION NUMBER 18/00024/FLL

DATE

October 23, 2018

PREPARED BY

Tim Bystedt

STATEMENT

Dunalastair Hotel Suites is located in the centre of the square in the village of Kinloch Rannoch. When we acquired the property in 2013, it was in a state of disrepair, dilapidated and on course to be derelict. It used to be the beating heart of the village and on its closure, many local jobs were lost with the village losing some of its historic appeal resulting in a significant number of less visitors with local businesses substantially impacted.

Following a multi-million pound restoration and refurbishment of this historic building, we are pleased to have reinstated the beating heart of the village of Kinloch Rannoch. Dunalastair Hotel Suites now stands proud as a beacon of historic significance and importance in the highlands following its sympathetic restoration in which most of the asset has been returned to its original glory.

The hotel now provides employment for some 40 employees directly, many of which live locally. The hotel also helps, supports, and collaborates with local businesses and services on a daily basis.

Due to the extent of the restoration work required, the project would not have been viable without a few small compromises. To make the buildings to the rear of the site work spatially and get the appropriate room count for both hotel rooms and staff accommodation, the dormers were required as otherwise there the head room would not have been adequate accommodation on the first floor. This would have posed a risk to the viability of the project and also the type of facility we would have been able to provide.

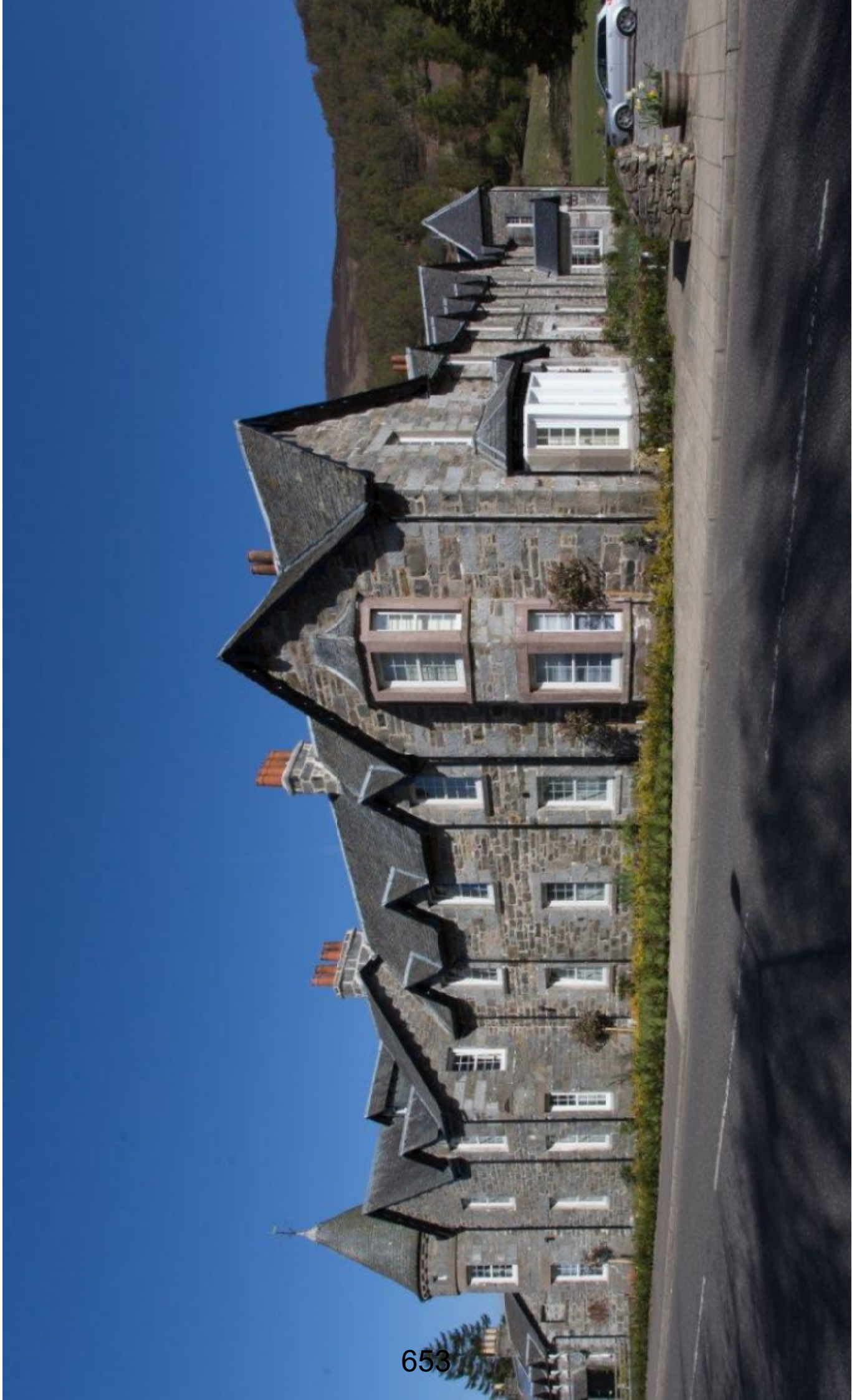
The original annexe building had a roof structure affected by dry rot and roofs and dormers covered in an unsightly corrugated metal roof with a number of Velux type rooflights.

The dormers on the annexe are internal facing and constructed to the same high standards and materials as the rest of the annexe and the main building. Whilst wider, the new dormers are the same height as the original dormer, approximately 1700mm below the apex of the roof. Like the rest of the roof, they are clad in Welsh slate and have the same type of windows as the rest of the buildings, making them blend in. Aside from a partially visible side profile, the dormers cannot be seen from the road or other buildings (see pictures appended) and has not impacted the uniformity of the surrounding area in any material way. The annexe elevation facing outward and towards the other building have no dormers (see picture appended) and retains the original pitched roof line. These roofs blend in with the rest of the buildings and now look as if they are part of the fabric of the building.

The hotel has brought additional visitors who are now frequenting the village which is helping village life in various positive ways. All of our hotel guests like the result of the refurbishment and we have received nothing but positive feedback on the restoration and the appearance of the hotel in its entirety.







TCP/11/16(565) – 18/00024/FLL – Alterations to building (in retrospect), staff accommodation, Dunalastair Hotel, Kinloch Rannoch, Pitlochry

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS

PERTH AND KINROSS COUNCIL

Mr Kashif Usmani
c/o Lino Iglesias
Henley Construct
50 Havelock Terrace
London
SW8 4AL

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 24th July 2018

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **18/00024/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 2nd February 2018 for permission for **Alterations to building (in retrospect) Staff Accommodation Dunalastair Hotel Kinloch Rannoch Pitlochry PH16 5PW** for the reasons undernoted.

Interim Development Quality Manager

Reasons for Refusal

- 1 The dormer extensions, by virtue of the excessive proportions, inappropriate combined bulk, massing, design and composition, would compromise the character and architectural integrity of the host building, resulting in an adverse impact on the visual amenity of the area. Approval would therefore be contrary to Policies RD1, PM1A and PM1B(c) of the Perth & Kinross Local Development Plan 2014, which seek to ensure that development contributes positively to the character and appearance of the area by complementing its surroundings in terms of design, appearance, scale and massing.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

Notes

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

18/00024/1

18/00024/2

18/00024/3

18/00024/4

18/00024/5

18/00024/9

18/00024/10

REPORT OF HANDLING

DELEGATED REPORT

Ref No	18/00024/FLL	
Ward No	P4- Highland	
Due Determination Date	01.04.2018	
Case Officer	Joanne Ferguson	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Alterations to building (in retrospect)

LOCATION: Staff Accommodation Dunalastair Hotel Kinloch Rannoch
Pitlochry PH16 5PW

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

DATE OF SITE VISIT: 26 March 2018

SITE PHOTOGRAPHS





BACKGROUND AND DESCRIPTION OF PROPOSAL

The application is for alterations (in retrospect) at Dunalastair Hotel, Kinloch Rannoch. The building is located centrally within Kinloch Rannoch. This application follows on from an earlier application for alterations, extension and change of use from hotel to self-contained holiday units, erection of 5 new holiday units and alterations and extension of outbuildings to form restaurant (class 3) and laundry ref 16/00976/FLL.

This application is for the scheme as built which has not been done in accordance with the approved plans and relates specifically to the installation of 5 new dormers on the east elevation of the courtyard to the rear of the hotel.

On visiting the site it became clear that the proposed elevations did not match the development as built. The clock was therefore stopped to allow revised elevation drawings to be submitted.

The applicant has been advised that there are concerns with the proposal but wishes to submit an application to be able to explore all options.

SITE HISTORY

06/00852/FUL Formation of external decking, extension to bar area (in retrospect) 23 June 2006 Application Permitted

06/01135/FUL Alterations to courtyard elevations 19 July 2006 Application Permitted

06/01364/FUL Proposed replacement conservatory/entrance porch 19 July 2006 Application Permitted

06/01371/ADV Display of a sign 19 July 2006 Application Permitted

06/01372/FUL Erection of playpark equipment 1 September 2006 Application Permitted

06/01373/FUL Proposed extractor flue from new kitchen 19 July 2006 Application Permitted

16/00976/FLL Change of use, alterations and extension of hotel (class 7) to form 32 holiday accommodation units, change of use, alterations and extension of outbuildings to form restaurant (class 3) and laundry, erection of 5 holiday accommodation units, landscaping and associated works (part in retrospect) 10 October 2016 Application Permitted

16/00977/ADV Display of signs 15 August 2016 Application Permitted

18/00025/FLL Alterations to building (in part retrospect)

PRE-APPLICATION CONSULTATION

Pre application Reference: Various discussions

NATIONAL POLICY AND GUIDANCE

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

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area 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.”*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy PM1A - Placemaking

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy RD1 - Residential Areas

In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy NE3 - Biodiversity

All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out. Planning permission will not be granted for development likely to have an adverse effect on protected species.

Policy ED3 - Rural Business and Diversification

Favourable consideration will be given to the expansion of existing businesses and the creation of new business. There is a preference that this will generally be within or adjacent to existing settlements. Outwith settlements, proposals may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that permanent employment is created or additional tourism or recreational facilities are provided or existing buildings are re-used. New and existing tourist related development will generally be supported. All proposals are required to meet all the criteria set out in the policy.

OTHER POLICIES

No other policies

CONSULTATION RESPONSES

No consultations required

REPRESENTATIONS

No letters of representation received

ADDITIONAL INFORMATION RECEIVED:

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2016 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

Policy Appraisal

The site is located within the settlement boundary of Kinloch Rannoch within an area zoned under Policy RD1: Residential Areas. The other applicable policies are PM1 Placemaking and ED3 Rural Business and diversification.

For reasons stated in the appraisal sections of the report the alterations are not considered to be acceptable.

Design and Layout

This application relates to the west wing of the rear courtyard. In the original application the upper floor of this area was to be used for staff accommodation with the accommodation wholly contained within the existing roof space. The works completed have provided additional holiday letting rooms with the installation of 5 dormers; two of which are blank with a stained timber panel finish to internally accommodate en-suite facilities.

The dormers are flat roof wall head dormers with slate finish and run the full length of the elevation with less than a metre gap between each one. In particular the end dormer sits in front of a hipped roof which is odd. The overall mass of the dormers swamps the roof giving it an unbalanced top

heavy appearance. It's also distorts the original proportions of the original standing form.

I consider the dormer insertions are excessive and out of character with the original building.

Residential Amenity

The site is centrally located within the village and the alterations relate to the internal courtyard. The proposal would therefore not impact existing residential amenity in terms of overlooking and privacy.

Visual Amenity

The alterations are confined to an internal courtyard which faces onto an outdoor seating area. I consider that the dormers are out of scale and therefore detract from the overall character of the existing buildings reflecting negatively on the visual amenity of the area.

Roads and Access

No road or access implications.

Drainage and Flooding

No drainage or flooding implications

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

Conclusion

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 not to comply with the approved TAYplan 2016 and the adopted 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 refusal.

APPLICATION PROCESSING TIME

The recommendation for this application has not been made within the statutory determination period as the plans submitted did not reflect the works completed on site and new plans were required.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Reasons for Recommendation

1 The dormer extensions, by virtue of the excessive proportions, inappropriate combined bulk, massing, design and composition, would compromise the character and architectural integrity of the host building, resulting in an adverse impact on the visual amenity of the area. Approval would therefore be contrary to Policies RD1, PM1A and PM1B(c) of the Perth & Kinross Local Development Plan 2014, which seek to ensure that development contributes positively to the character and appearance of the area by complementing its surroundings in terms of design, appearance, scale and massing.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

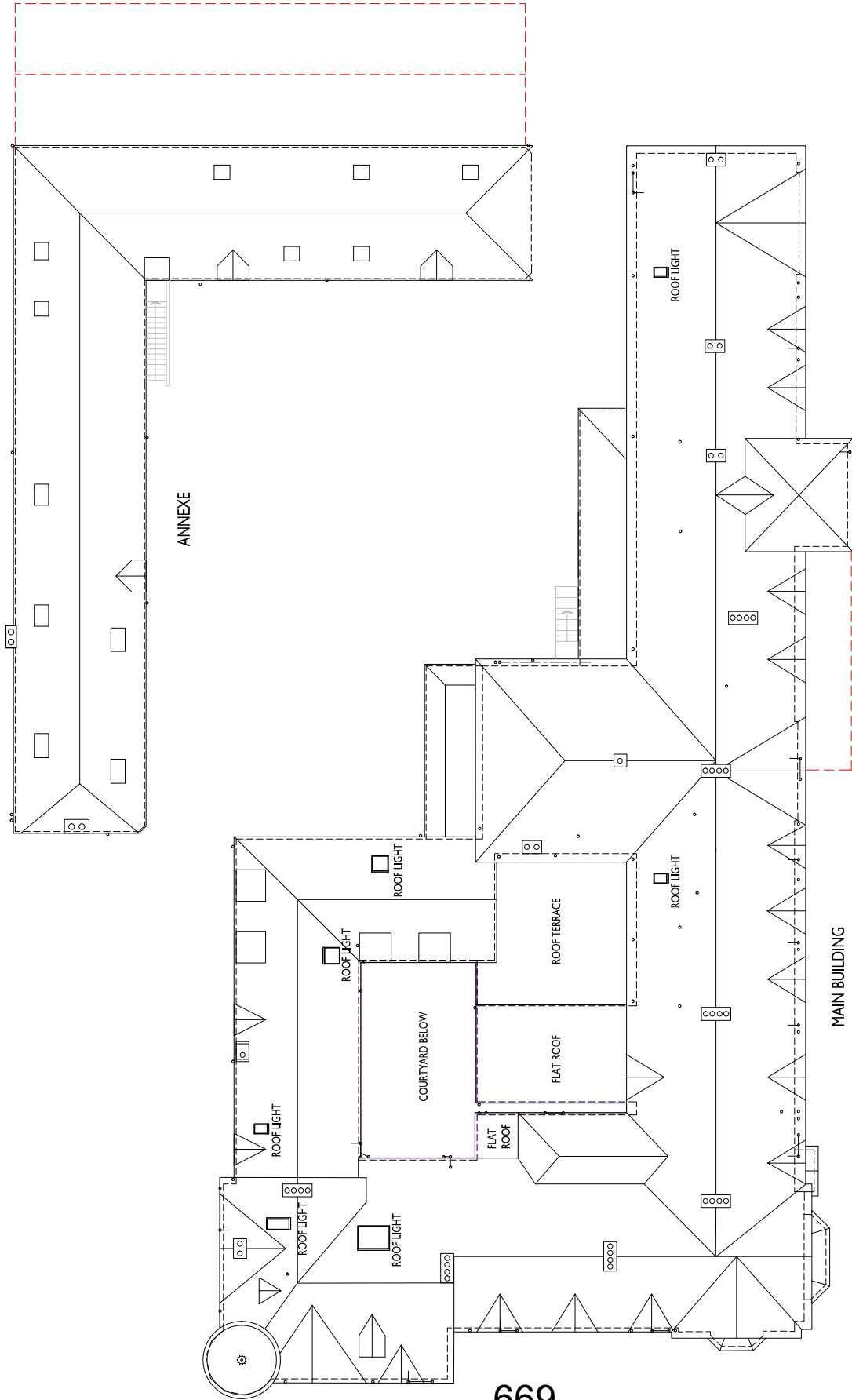
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18/00024/9
18/00024/10

Date of Report 24.07.18



NOTES
ONLY SCALE FOR PLANNING PURPOSES
ALL DIMENSIONS TO BE REPORTED TO REIS IMMEDIATELY



669

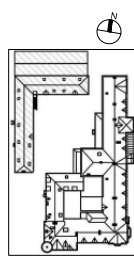
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NO.	DATE	REVISION	BY	CHKD.
1	10/10/2016	ISSUED FOR PLANNING	U	U
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REIS
CONSTRUCT



10 GENERAL ARRANGEMENT
000 EXISTING PLANS
EXISTING
ROOF PLAN

DUNALASTAIR HOTEL KINLOCH RANNOCH
PITLOCHRY PH16 5PW
PROJECT NO
024
1:100 @ A1
DATE
May 2016
AR
P03

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NOTES
DO NOT SCALE FROM DRAWINGS. ALL DISCREPANCIES TO BE
REPORTED TO REIS CONSTRUCT IMMEDIATELY. ALL DIMENSIONS
TO BE VERIFIED BY CONTRACTOR ON SITE PRIOR TO ANY WORKS

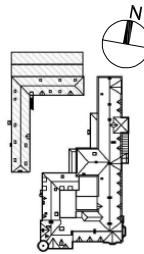
LAUNDRY ROOM LEGEND

KEY	
EL	4No 25A 230 SUPPLY PROTECTED BY 32A MCB ROTARY ISOLATOR OR 32A SWITCH
LP	2No 22MM STAND-PIPE WASTE
HW	2No HOT WATER SUPPLY
CW	2No COLD WATER SUPPLY
	2No 103MM CORED HOLES FOR SOLID 100MM DUCT

[illegible]

Ref: C000327
50 Haverlock Terrace,
London SW10 4AL UK
T +44 (0)20 7491 8633

REIS



A1 GENERAL ARRANGEMENT

100-199 KEY LOCATIONS PLANS

GRD FL SETTING OUT PLAN

project
DUNALASTAIR HOTEL KINLOCH RANNOCH

PH16 5PW

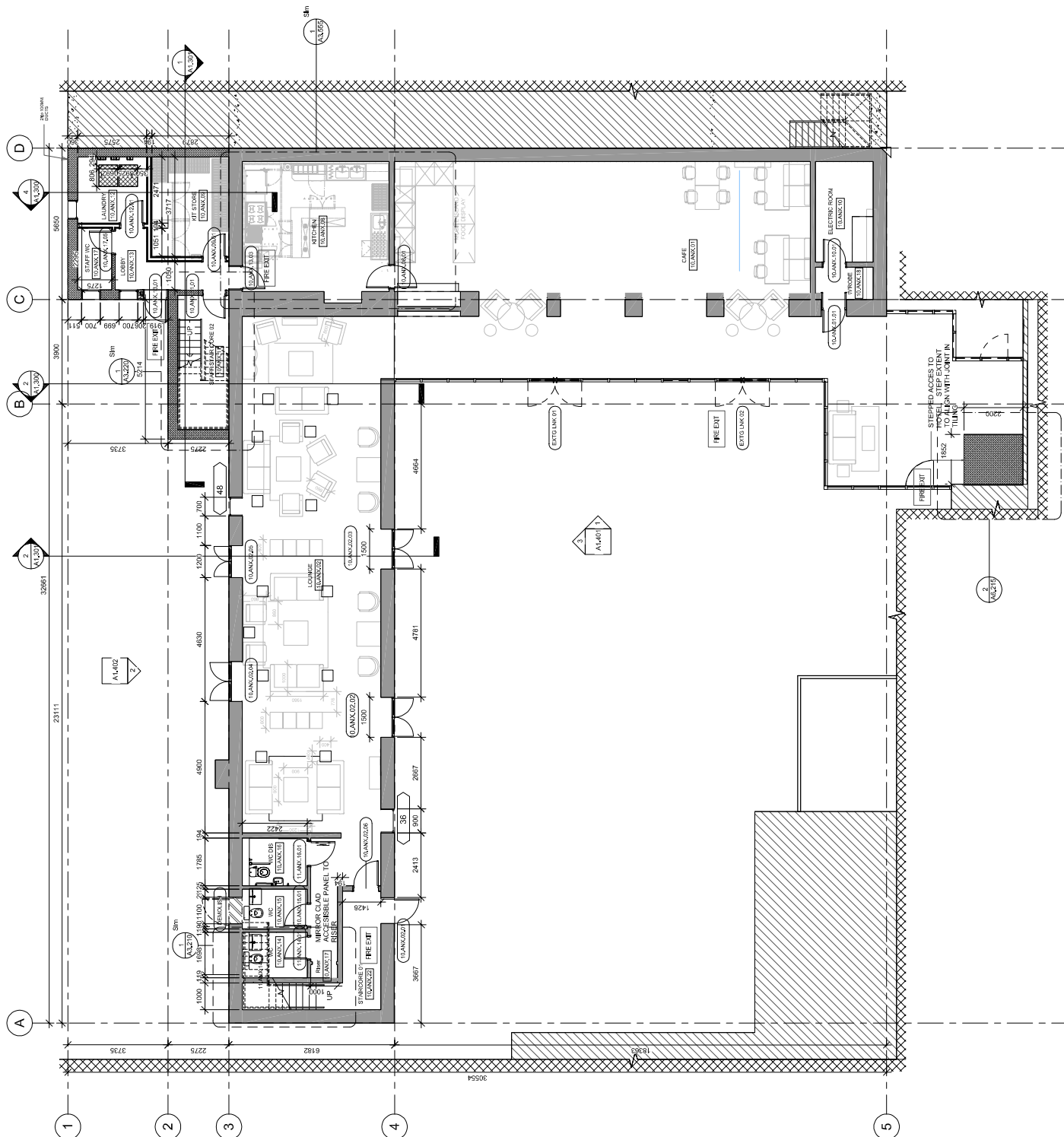
024

date	date
As indicated @ A1	05/13/16

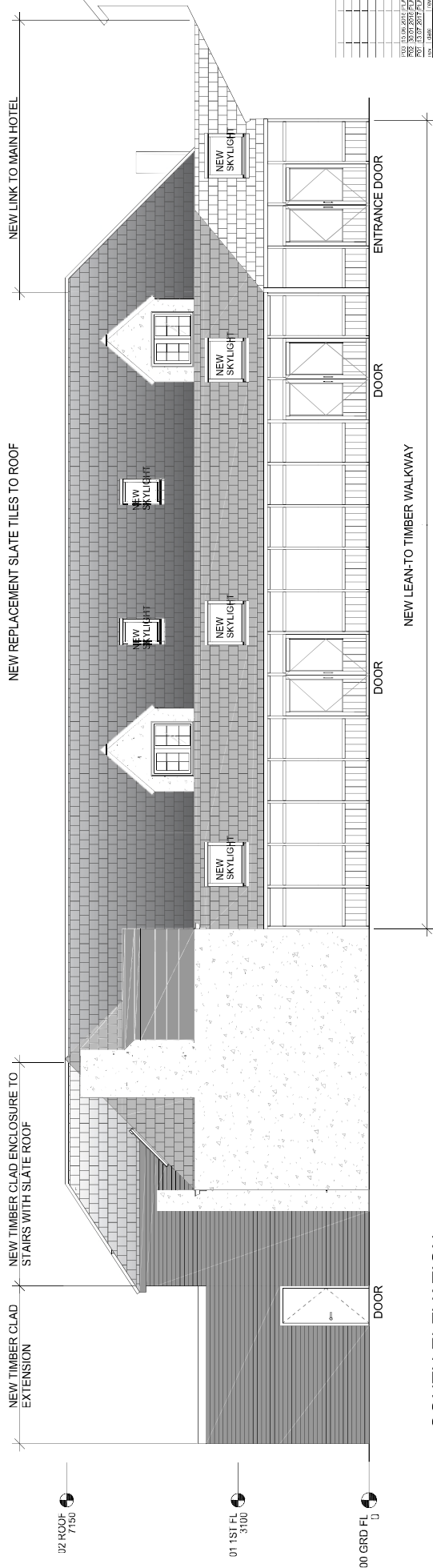
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A1.100

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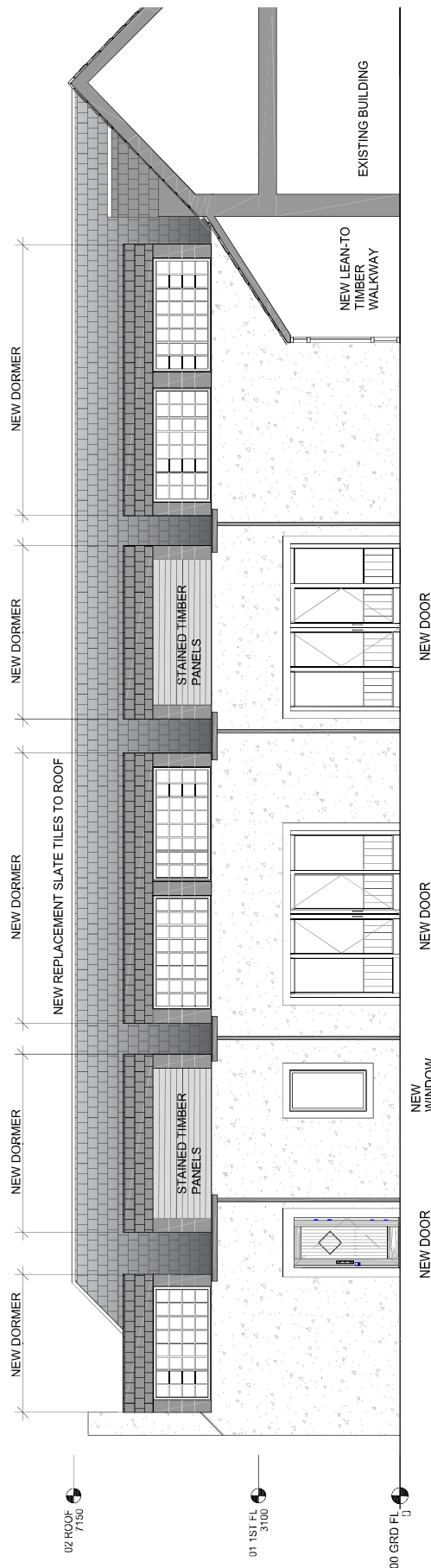
NOTES
ONLY SCALE FOR PLANNING PURPOSES.
ALL DISCREPANCIES TO BE REPORTED TO REIS IMMEDIATELY.



1 SOUTH ELEVATION 1:50



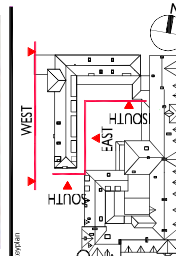
672



2 EAST ELEVATION 1:50

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Reiss Construct
50 Handeluk Terrace,
London SW8 4NL UK
T +44 (0)20 7401 8003
F +44 (0)20 7401 0988

REIS
CONSTRUCT

category
A1 GENERAL ARRANGEMENT
family
400-499 ELEVATIONS

life

ANNEX COURTYARD

ELEVATIONS w/ dormers

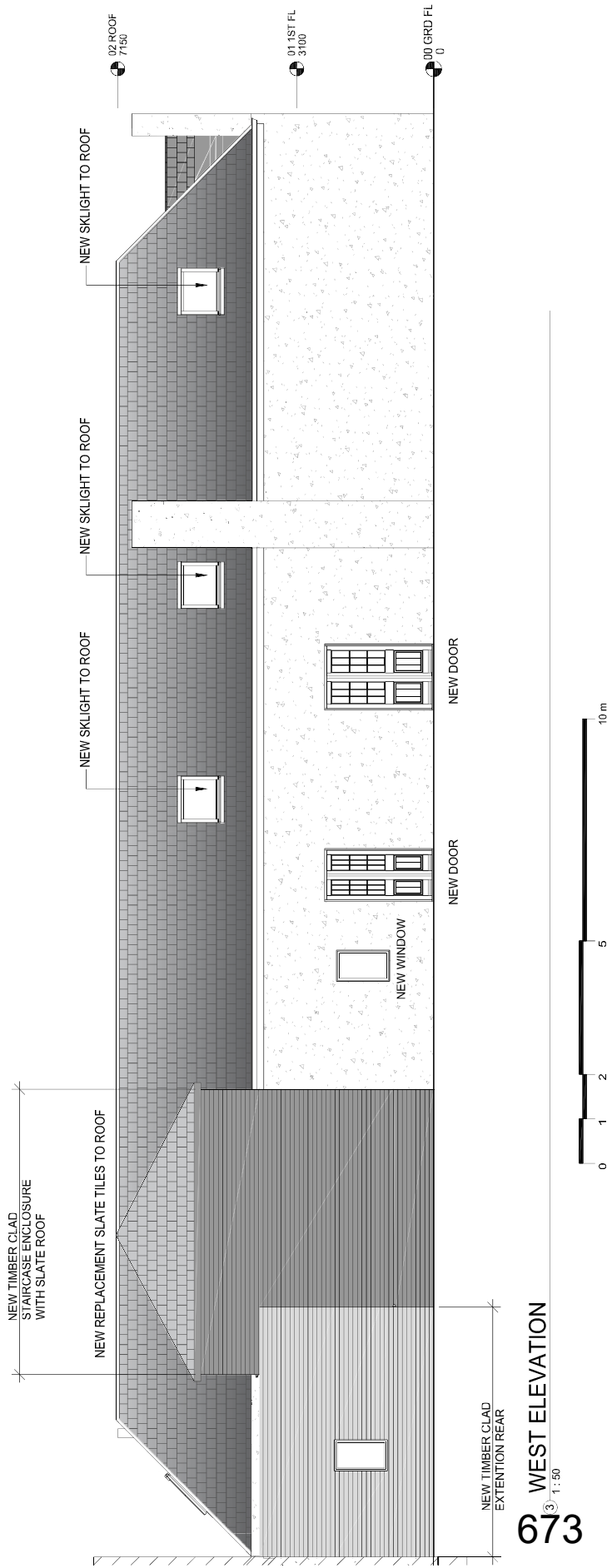
Project
DUJMALASTAIR HOTEL, KINLOCH RANNOCH
DITI OCHRY PH16 5PW

Project	024
Scale	1" = 50' @ A1
Date	05/12/16
Drawn	KM

Number	REV
A1.401	P03

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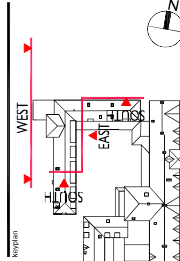
NOTES
ONLY SCALE FOR PLANNING PURPOSES.
ALL DISCREPANCIES TO BE REPORTED TO REIS IMMEDIATELY.



WEST ELEVATION
1:50
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Account description	12/31/2015	12/31/2016	12/31/2017	12/31/2018
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Reis Construct
50 Hemlock Terrace
London SW8 4AL UK
T +44 (0)20 7407 6033
F +44 (0)20 7401 0999
www.reisconstruct.com

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category	A1 GENERAL ARRANGEMENT
family	400-499 ELEVATIONS
title	ANNEX COURTYARD ELEVATIONS w/ dormers

project
DUNALASTAIR HOTEL, KINLOCH RANNOCH
PITLOCHRY PH16 5PW

FILELOGINT.FM10.3FW	project	no 024	scale	1:50 @ A1	date	10/31/16	drawn	KM	KM
	number								rev

number **A1.402** rev **P03**

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