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|  | <h1>Report</h1> | <b>Agenda Item</b><br><br><h1>4</h1> |
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Report to: **Planning Committee**  
 Date of Meeting: **10 March 2009**  
 Report by: **Executive Director (Enterprise Resources)**

Application No CL/08/0500  
 Planning Proposal: Change of Use, Alteration and Extension of Vacant Building to Form Additional Hotel Accommodation

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr & Mrs John Fraioli
- Location : Cornhill House Hotel  
Coulter  
Biggar  
ML12 6QE

## 2 Recommendation(s)

### 2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission – (Subject to Conditions – Based on Conditions Listed)

### 2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent: Alex Cullen & Co.
- ◆ Council Area/Ward: 03 Clydesdale East
- ◆ Policy Reference(s): **Upper Clydesdale Local Plan (Adopted 1996)**
  - Policy 72: Remoter Rural Area – Area of Restricted Development
  - Policy 76: Scenic Area
  - Policy 103: Existing Hotels

### **Finalised South Lanarkshire Local Plan – (As Modified)**

- Policy STRAT4: Accessible Rural Area
- Policy CRE2: Stimulating the Rural Economy
- Policy ECON9: Tourism Development
- Policy ECON12: Tourist Accommodation
- Policy ENV4: Protection of the Natural and Built Environment

- Policy ENV11: Design Quality
- Policy ENV28: Regional Scenic Area and Areas of Great Landscape Value
- Policy DM1: Development Management
- Policy ENV33: Development in the Countryside

◆ Representation(s):

|   |    |                   |
|---|----|-------------------|
| ▶ | 14 | Objection Letters |
| ▶ | 0  | Support Letters   |
| ▶ | 0  | Comments Letters  |

◆ Consultation(s):

Biggar & District Civic Society

Biggar Community Council

S.E.P.A. (West Region)

Scottish Water

Power Systems

Roads and Transportation Services (South Division)

Scottish Natural Heritage

# Planning Application Report

## 1 Application Site

- 1.1 The application site (1.63 ha) consists of Cornhill House Hotel, the Court of Offices, surrounding grounds, car park and main access road. The principal focus of the application relates to the Court of Offices (a category B-listed building) which is situated to the south of the main hotel. It is formed around a courtyard with the right hand wing containing dormers, a porch and a hayloft access. Sections of the roof are currently protected by tarpaulin. The central section contains coach houses with semi-circular arched doorway. The left wing is largely derelict and most of the roof has fallen in. The intact roof areas are finished in natural slate whilst the walls are built of random rubble with ashlar stone marking the windows and door margins and wall edges. Doors have vertical boarding and there is evidence of ornate woodwork on the dormers and porch. Other features include stone chimney heads, piend roofs and projecting eaves. To the rear of the central bay is a brick built extension containing a plant room. The existing gross floor area is 686 m<sup>2</sup> and historically the building contained bothy accommodation, coach houses, hay barn, stables, storage and estate offices associated with the estate attached to Cornhill House. A random rubble wall attached to the west elevation forms an enclosed garden with access via an opening
- 1.2 The Court of Offices was designed by William Leiper who also designed Cornhill House and farm creating, a cohesive built environment within a functioning estate. Unfortunately the building has since declined and is now considered to be at risk.
- 1.3 The Court of Offices is bound to the north, west and east by the hotel grounds and to the south by an access road and beyond by Cornhill Grove a small residential development containing 9 large detached dwellings built in the last four years.

## 2 Proposal(s)

- 2.1 The applicant seeks detailed permission for a change of use and restoration of the existing buildings with alterations and extension to form additional hotel accommodation. Listed Building Consent is also required; a separate report CL/08/0483 considering that application will also be put before this Committee.
- 2.2 The conversion will result in the full restoration of the exterior allowing the retention of most of the existing features. The existing window and door openings will be utilised although for practical purposes some doors will be transformed into windows and vice-versa. In particular the arched doorways will become large windows with astragal divisions. In addition a new dormer and door will be formed. A u-shaped extension (200 m<sup>2</sup> in area) will be formed around the alignment of the existing boundary wall which encloses a grassed area. An access piend will be formed which links the old with the new building. The extension will be single storey with the pend roof finished in natural slate. The walls will be finished in wet dash render to distinguish it from the random rubble original building. The brick plant room will be left in situ.
- 2.3 The proposal also involves the formation of an access link from the hotel to the private access to the front of the Court of Offices which also serves Cornhill Grove. The purpose is to provide a route an area of car parking to the rear of the hotel and to take account of adjustments to title deeds as a result of land transfers to Muir Homes who developed Cornhill Grove.

- 2.4 The conversion and extension will allow the formation of 15 twin/double bedrooms with ensuite bathrooms for use by paying guests. Although separate the main hotel will be accessed via a new pathway. This development is an integral part of the hotel business plan and it will enhance its potential. A detailed planning application (CL/08/0499) for the erection of 4 houses on land to the east of the site is the subject of a separate report.

### **3 Background**

#### **3.1 Relevant Government Advice**

- 3.1.2 Policy SPP15: Planning for Rural Development emphasizes the importance of facilitating business development. In particular the importance of tourism to the economic and social well being of rural Scotland is recognized.

#### **3.2 Local Plan Status**

- 3.2.1 The location site falls within the Upper Clydesdale Local Plan and is specifically covered by Policies 72: Remoter Rural Area - Area of Restricted Development, 76: Scenic Area and 103: Existing Hotels. Policy 72 specifically relates to residential development however as the proposal involves conversion for accommodation it is relevant. The policy states that in the case of disused buildings of sufficient architectural merit where retention is justified, favourable consideration should be given to conversion provided that the character of the building is not substantially changed, no longer capable of beneficial use for the purpose for which it was designed or last used, the structure of the building is reasonably sound and large enough to allow for conversion without needing substantial extensions and, the proposal meets normal development control criteria.
- 3.2.2. Policy 103 states that the Council recognises the relative importance of hotels in Upper Clydesdale for visitors and locals and shall seek to protect and enhance the setting or surroundings of hotels to safeguard the viability of existing units and strongly support incentives for the upgrading of hotels particularly in respect of the provision of private facilities. Policy 76 states the Council will exercise control over development to ensure the special quality of the countryside is maintained.
- 3.2.3 In the Finalised South Lanarkshire Local Plan – (As Modified) there are several relevant policies which apply in respect of this proposal. The site is within the Accessible Rural Area where Policy STRAT4 advises a key part of the Council's strategy for the area will be to build upon its tourism potential.
- 3.2.4 New building development outwith settlement boundaries will only be permitted where this forms part of a larger proposal for the rehabilitation or change of use of disused or redundant traditional buildings where this consolidates such groups. Any business proposals in the Accessible Rural Area should conform to Policy CRE2: Stimulating the Rural Economy which states the Council will endeavour to maximise job creation outwith established settlements by encouraging development which can comply with set criteria. Proposals for the rehabilitation or conversion of disused or redundant rural buildings will be considered favourably as long as the proposed use can be accommodated without significant alteration or extension to its size or character. Any alterations or extensions must be designed to retain the traditional character and scale of the building and must not affect the rural character of the area. The proposed use should be compatible with adjoining land uses and avoid adverse impacts upon rural amenity, landscape character and nature conservation. Extensions of existing properties should be of an appropriate design to the original building and as a general rule, should appear secondary to the original building. Where protected species exist on site, supporting information must be submitted with planning applications to demonstrate that there is no adverse impact on them.

- 3.2.5 Policy ENV4: Protection of the Natural and Built Environment states that the Council will assess all development proposals in terms of their effect on the character and amenity of the natural and built environment. The Council will seek to safeguard Regional Scenic Areas within which the site is located. Developments will only be permitted where the integrity of the protected resource will not be undermined. Policy ENV28 states that within the Regional Scenic Area and Areas of Great Landscape Value development will only be permitted if it satisfies the requirements of STRAT4 and can be accommodated without adversely affecting the overall quality of the designated landscape area.
- 3.2.6 Policy ENV33: emphasises the need to respect the existing landscape and avoid adversely interfering with existing view in and out of the site. Energy efficient designs and sustainable use of materials which contribute to sustainable development will be encouraged. Policy DM1 aims to avoid detrimental impacts upon visual and environmental amenity and that the proposal should respect the local context. Policy ENV11: Design Quality encourages good quality developments which enhance the character of the area and adheres to the principles of sustainability.
- 3.2.7 Policy ECON9 supports proposals to develop and expand tourism in South Lanarkshire consistent with the objectives of the local plan and the Tourism Action Plan, and the needs of the local area. All proposals will be assessed against relevant development control considerations and impact upon the natural and built environment. Policy ECON12 states favourable consideration will be given to proposals for tourist accommodation where they comply with local plan policies. Preference will be given to the renovation or conversion of existing buildings rather than new build. Where new build is proposed a high standard of design and finish will be expected. For new tourist accommodation in rural areas a supporting business case is required to justify the economic sustainability of the proposal.

### 3.3 **Planning History**

- 3.3.1 In 2000, planning permission and listed building consent was granted for the erection of a single storey extension to Cornhill House to form a function room and accommodation (CL/00/0241 and CL/00/0242). The function room has now been built and includes ancillary accommodation including foyer, toilets, cloakroom and servery. In July 2005 Planning Permission (CL/04/0156) was granted for 9 dwellings after a Section 75 Agreement was concluded to ensure that money accrued from the sale of the land was used to finance the function suite extension to Cornhill House Hotel plus works to the Court of Offices to make the building wind and water tight.

## 4 **Consultation(s)**

- 4.1 **Scottish Water** – does not object however they have advised that the Coulter Water Treatment Works have limited capacity available for new demand.  
**Response:** Noted. A condition requires the applicant to demonstrate a connection can be made before work starts would be attached to any consent issued.
- 4.2 **Scottish Power** – no objection to proposal. Providing normal care is exercised it is not anticipated that Scottish Power will be affected but it will be recognized that in the event of Scottish Power being put to any expense to protect, alter or make good any apparatus, the cost of such works will be fully rechargeable to the applicant.  
**Response:** Noted.

- 4.3 **SEPA** – advise they have discussed the proposed foul drainage system with the applicants and have agreed in principle to the proposed new septic tank to serve the development. A Sustainable Urban Drainage System is recommended.  
**Response:** Noted. Approval of details for the sewerage disposal system and the requirement for SUDS can be covered by conditions if consent is granted.
- 4.4 **Roads and Transportation Services** – although visibility from the hotel access onto the public road is below standards because of existing geometry, traffic speeds and the modest increase in traffic flows from the proposals mean that the existing visibility is acceptable. Inter-visible passing, places should be provided along the full length of the existing access.  
**Response:** Noted. The requirement for passing places can be covered by conditions if consent is granted.
- 4.5 **SNH** – have highlighted the need for a licence from the Scottish Government to carry out work which could potentially disturb bats. Three tests need to be passed before the licence can be granted, these are 1) the proposal is deemed to be over-riding public interest; 2) there is no satisfactory alternative and 3) will not affect the conservation status of a protected species. The mitigation measures proposed by the bat survey would not seem inappropriate as a means of addressing the third test. However more detail would be required and this should be conditional on planning consent being granted.  
**Response:** If consent is granted an informative will be attached to the decision notice advising the applicant of the need to apply for a licence. In my opinion the proposal meets tests 1) and 2) as it is required to save a B-listed building at risk and there are no suitable alternatives. A suspensive condition can be attached requiring approval of detailed mitigation measures prior to the commencement of work which will enable the third test to be met.
- 4.6 **Biggar Community Council** – no response has been received.  
**Response:** Noted.
- 4.7 **Biggar Civic Trust** – no response has been received.  
**Response:** Noted.

## **5 Representation(s)**

- 5.1 In response to the carrying out of neighbour notification 14 letters of objection have been received from six separate parties. The issues raised are summarized as follows.

**(a) The designation of the building as Court Offices is wrong.**

**Response:** In historic records the building is referred to as the Court of Offices.

**(b) Require clarification on whether the development will access the septic tank serving Cornhill Grove.**

**Response:** A new septic tank will be formed to serve the development. This has been agreed in principle with SEPA/

**(c) Plan states private access despite residents having a right of access along the route.**

**Response:** The wording on the plan does not affect legal rights of access.

**(d) The existing service yard is not shown in the correct location on the location plan.**

**Response:** The hotel is surrounded by open gravel areas which have not been delineated therefore it is difficult to dispute the information detailed in the plan.

**(e) Drainage problems experienced during periods of heavy rain will be exacerbated by the new link road.**

**Response:** If consent is granted a condition will be applied requiring the installation of a Sustainable Urban Drainage System to address surface water run-off.

**(f) Parking should be directed to the hotel frontage.**

**Response:** There are expansive areas within the immediate confines of the hotel where parking can be accommodated. However it does make sense for guests staying in the Court of Offices to be reasonably close to their accommodation and therefore the parking area to the rear to be considered acceptable.

**(g) The loss of mature trees will reduce the screen to housing at Cornhill Grove.**

**Response:** The mature trees between the building and existing housing will be retained,

**(h) The development would result in overlooking of nearby residents.**

**Response:** The rooms will not be permanently occupied while the distance between the houses at Cornhill House and the Court of Offices is sufficient to ensure adequate standards of privacy. Indeed they would meet the Council's guidelines on new residential development.

**(i) A reduction in provision of accommodation in the building would off-set the financial contribution of the proposed enabling development.**

**Response:** At present there are only 9 guest bedrooms within the hotel and the additional 15 bedrooms will improve the marketability of the hotel as a venue for functions. The proposal makes sense as a means of securing the long term viability of the hotel and enhancing tourist accommodation in the area.

**(j) Gravel parking areas and footpaths have been formed around the hotel.**

**Response:** These are ancillary works linked to the current hotel operation but are not really relevant to the assessment of this proposal.

**(k) A reversal of the courtyard with the central section backed across the lane and facing inwards containing open space inside should be considered.**

**Response:** Such changes would disrupt the design concept under consideration and detract from the character of the listed building.

**(l) The plans showing the existing building show it in a perfect condition in contrast to the reality of its ruinous state.**

**Response:** I agree the existing plans are not an accurate representation however they are useful as a record of how the building would have appeared prior to deterioration. A photographic record of their current condition has been made and used to assess the proposal.

**(m) The existing building has a floor area of 686 m<sup>2</sup> and the extension 200 m<sup>2</sup>, a 29% increase in area which is excessive and out of proportion for a restoration application. It is not set back from the main building frontage. The use of wet dash render on the extension is not in sympathy with the natural stone on the existing building. The extension will result in the removal of the original walled garden.**

**Response:** The extension is sympathetic and proportionate to the existing building the overall character of which shall be retained. Amended plans show the extension set back from the frontage of the Court of Offices. The purpose of the render is to distinguish the old from the new in order that the character of the original building can be clearly read. The extension follows the alignment of the existing wall and respects the sense of enclosure by retaining a small open court yard in the centre. It should be noted that the listed building description does not refer to the enclosure as a walled garden.

**(n) The new development will cause artificial light pollution.**

**Response:** The level of lighting will not be markedly different from light emissions at Cornhill Grove where the objector lives.

**(o) Hotel functions will bring crowds much closer to the existing residential area causing noise. The proposal will cause an increase in activity and noise between 8.00 pm and 8.00 am caused by the arrival and departure of guests.**

**Response:** The hotel functions will not be brought any closer, as the proposal relates to the provision of bedrooms. Footpath links to the hotel are orientated to the rear away from Cornhill Grove. Noise levels associated with the proposed bedrooms are not expected to increase significantly. The hotel was in operation before the Muir Homes development was approved and therefore any purchaser of the houses would have been aware of the proximity of the hotel and associated activities.

**(p) A farm road which runs parallel to the private road connects with it close to the turn off to the hotel rear entrance, has not been shown on the location plan.**

**Response:** The farm road falls outwith the application site boundary. The use of the road by farm vehicles is recognized and considered in the determination of this application. This would remain in operation after the development is completed.

**(q) The financial documentation referred to in the application apparently makes mention of the sale of holiday apartments in the redevelopment site as part of the financial case. Reference is made to a staff house and it also refers to work done for a Dobbies garden centre.**

**Response:** The application is not for holiday apartments or a staff house. A condition will be imposed limiting occupation of the bedrooms for short term holiday let only. The reference to Dobbies was made in error and the report has now been adjusted to omit the error. The financial report submitted as a supporting document provides estimates on the alterations and extensions to the Court of Offices.

**(r) Supporting information was not available for inspection.**

**Response:** Since the complaint was made all documents have been made available and adequate time has been allowed for any subsequent representations.

**(s) Parking will be located to the front of the principal elevation.**

**Response:** Parking will in fact be located to the rear of the principal elevation.

**(t) A condition survey has not been carried out.**

**Response:** A full and comprehensive condition report was carried out as a requirement of the Section 75 Agreement attached to Planning Permission (CL/04/0156) for the 9 houses. The purpose of the report was to identify necessary remedial works to preserve the building in the short/medium term and prevent any further serious decline.



**(u) The appearance of the building would not fit in with the landscape and become an office block for the hotel.**

**Response:** The conversion and extension is sympathetic to its setting, is visually contained by existing woodland and from a wider perspective is relatively inconspicuous. The Court of Offices is an important component of the historic and built heritage of the area, in some ways it is also an integral element of the manmade landscape. Its restoration is to be welcomed.

**(v) Plans do not detail the Muir Homes development.**

**Response:** Amended plans have been submitted showing the Muir Homes development.

**(w) Drainage pipe can not cope with additional loads.**

**Response:** The drainage consultants acting for the applicant have developed a drainage strategy based on septic tank treatment with effluent from the tanks being discharged to the River Clyde via the outfall that conveys effluent from the hotel treatment plant together with surface water. SEPA has no objection to the proposal.

**(x) Access for farm traffic will be blocked due to the scaffolding erected to the front of the building. Construction traffic will cause blockages.**

**Response:** Even taking account of scaffolding the access has sufficient width to allow the access of wide vehicles. The construction traffic should not impinge access other than through normal temporary turning and reversing movement which would not constitute a significant burden on existing users.

**(y) The development would result in the destruction of the natural wood.**

**Response:** The surrounding woodland will remain intact.

**(z) The building contains nesting barn owls and bats.**

**Response:** The wildlife survey of the building no evidence of owls however bats were identified. Necessary mitigation measures set out in the report will be implemented to avoid adverse impacts upon bats.

**(aa) Impact upon powerline.**

**Response:** It is the responsibility of the service provider to ensure the power supply will not be affected by the development.

**(bb) All access traffic should be orientated towards the hotel rather than past the Court of Offices.**

**Response:** Access past the front of the building is required to reach a service and parking area. Notwithstanding on a daily basis the number of vehicles using the route is expected to be minimal and will not have an adverse impact on residential amenity.

**(cc) The private road past Cornhill Farm is unsuitable for additional traffic as it will cause hazardous traffic conditions and have a detrimental effect upon public safety. There was a serious road accident at the junction with the main road recently. Signage will be ineffective in preventing unauthorized access along this access. Staff and patrons do not use main hotel access.**

**Response:** Access by hotel staff and guests shall be restricted to the main entrance to the hotel from the north and this requirement will be backed up by a condition attached to the consent requiring signage to be erected at the entrance to the hotel driveway. In respect of the access past Cornhill Farm the only additional traffic relates to the proposal to build four new houses further eastwards from the Court of

Offices. In their consultation response Roads and Transportation Services have not objected nor have they raised any issues concerning public safety.

These letters have been copied and made available for inspection in the usual manner.

## **6 Assessment and Conclusions**

- 6.1 The application seeks detailed consent to convert and extend the Court of Offices Building (B-listed and on the Buildings at Risk Register) to allow the formation of 15 hotel bedrooms. The main determining issue is whether the proposal complies with the development plan and its impact on the amenity and character of the area.
- 6.2 The site is within an Area of Restricted Development in the Remoter Rural Area in the adopted Upper Clydesdale Local Plan where, in terms of residential development, Policy 72 favours the conversion of disused buildings of sufficient architectural merit as long as its character is not substantially altered, the original use is no longer viable, the structure of the building is reasonably sound and can accommodate the development without requiring substantial extensions and the proposal meets normal development control criteria. The building is B-listed, in a state of dilapidation and unless a new use can be found its long term future is in doubt. Originally it functioned as offices, stables, storage and other ancillary uses associated with the management of a country estate. Historic changes led to the demise of the estate and Cornhill House the original estate house grounds became a nursing home. On closure of the nursing home the applicant bought Cornhill House along with grounds including the Court of Offices and established a hotel business which is proving to be successful. However expansion of the business has been restricted by the limited number of bedrooms (only 9) within Cornhill House and therefore this proposal is an opportunity to use a vacant building for the purposes of accommodating additional bedrooms. The building is in need of urgent remedial works however the elevational walls and large areas of the roof along with detailing and features are still intact. The proposed extension has been sensitively designed to ensure that it is in proportion to and respects the original historic building, the external character of which will be retained as the main visual focus in the new complex. The conversion is sensitive to its surroundings and there are no infrastructure constraints. Although Policy 72 specifically relates to residential developments I am satisfied that the proposal complies with the spirit of the policy.
- 6.3 Policy 103 of the Upper Clydesdale Local Plan supports incentives for up-grading of hotels. At present there are only 9 bedrooms which is insufficient to meet demand and limits the marketability of the hotel as a venue for functions. Assessing the above against Policy 103, I consider that the proposed development will not have a detrimental impact on the setting of the hotel and associated grounds as the site is well contained by trees which visually screen it from its surroundings. As outlined above approval of the application would enable the hotel to increase the number of bedrooms for paying guests and would be of benefit to the local economy. In view of this I am satisfied that the proposal complies with the aspirations set down in Policy 103.
- 6.4 Policy STRAT4 of the Finalised Local Plan aims to build upon the areas tourism potential and ensure its high quality environment is not eroded. Any business development should conform to Policy CRE2 which encourages building conversion for business/job creation purposes as long as the traditional character of the building and the rural area is retained. Extensions should be sensitive and appear secondary to the original building. Adverse impacts upon protected species should be avoided.

This proposal will allow the restoration of an important historic building. Its fabric, features and ornamentation will be reinstated thereby ensuring character retention. The new extension will be set back from the frontage and finished in render to differentiate it from the random rubble Court of Offices. The scale and size is proportionate and sensitive to the adjacent traditional building. Consequently the extension will give the appearance of being secondary. The Court of Offices and proposed extension are located close to Cornhill House to the existing structure and together these buildings will form a cohesive, interlinked group which are part of a hotel enterprise. Bats have been identified roosting in the building and foraging in the area. However mitigations measures outlined in the bat survey report can be applied as conditions of consent to ensure that any potential harm to the conservation status of the species can be avoided. In view of this I am satisfied that the proposal complies with Policies STRAT4 and CRE2.

- 6.5 Policies 76 of the adopted Local Plan and ENV4 and ENV28 of the Finalised Local Plan aim to protect landscape quality of the Scenic and Regional Scenic Areas respectively. The Court of Offices is an integral component of the historic landscape associated with Cornhill House however in its present condition it is unsightly. The restoration project will result in improvements to visual amenity while the surrounding woodland will be maintained ensuring a continuing sense of containment. Therefore in these circumstances the aforesaid policies would not be compromised.
- 6.6 In the Finalised South Lanarkshire Local Plan (as modified) Policies ENV11, ENV33 and DM1 encourage high quality developments which respect the local surroundings, landscape, avoid impinging upon views in and out of the site, discourage suburbanisation and adhere to the principles of sustainability. The proposal will result in significant improvements to the appearance of the Court of Offices, enhancing its setting and that of Cornhill House. Its restoration will contribute positively to the landscape and heritage experience of which historically it has been an important component of. The use of a vacant building utilising existing walls and materials does adhere to the principles of sustainability. Therefore I am of the opinion that the proposal complies with the aforesaid policies.
- 6.7 Policies ECON9 and ECON12 support tourist related development. Proposals for tourist accommodation are supported where they comply with local plan policies. Preference will be given to conversion of existing buildings. New build should be of a high quality. A business plan should be submitted to justify the proposal. The applicant has presented a business case clearly setting down the need to create additional bedroom space in order to enhance the attractiveness of Cornhill House as a venue location. The proposal involves conversion and the extension which has been appropriately designed. Therefore I conclude that the proposal complies with these policies.
- 6.8 It is noted that objections have been received from the residents at Cornhill Grove and Cornhill Farm. These objections centre, on the amenity implications of the activities associated with the hotel. The conversion of the Court of Offices will be used for bedrooms and should not generate noisy activity. The degree of overlooking is limited and will not impinge upon privacy. The number of vehicles passing the front of the Court of Offices on a daily basis is expected to be low. The new link road will ensure that traffic from the hotel will avoid the junction with Cornhill Grove. Access by hotel patrons, staff and service deliveries will be restricted to the main entrance to the north. The restoration of the building will result in amenity gains for existing residents. There are no infrastructure constraints and none of the consultees have objected subject to conditions

- 6.9 The proposal will secure the long term future of an historic B listed Building and allow the business development of the hotel thereby securing its viability and important contribution to the local economy. In view of this and the fact that amenity and landscape quality will be unaffected I recommend that planning permission be granted.

## **7 Reasons for Decision**

- 7.1 The proposal complies with policies 72, 76 and 103 of the Upper Clydesdale Local Plan adopted and Policies STRAT4, CRE2, ENV4, ENV11, ENV28, ENV33, DM1, ECON9 and ECON12 of the Finalised South Lanarkshire Local Plan (as modified). The proposal will make an important contribution to the local economy and restore an important B listed building.

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

**24 February 2009**

### **Previous References**

- ◆ CL/00/0241, CL/00/0242 & CL/04/0156

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
  
- ▶ Consultations
  - Scottish Water 09/09/2008
  - Power Systems 19/09/2008
  - S.E.P.A. (West Region) 02/10/2008
  - Roads and Transportation Services (South Division) 05/11/2008
  
- ▶ Representations
  - Representation from : Lee and Isabel Rhodes, 5 Cornhill Grove, Biggar, ML12 6GN, DATED 26/08/2008 & 19/09/2008
  - Representation from : Mr & Mrs G Mullen, 4 Cornhill Grove, Coulter, DATED 01/09/2008, 12/09/2008 & 19/09/2008
  - Representation from : M Walpole, 8 Cornhill Grove, Coulter, ML12 6GN, DATED 28/08/2008, 19/09/2008, 17/10/2008 and 06/01/2009
  - Representation from : R McCaskie, Cornhill Farm, Biggar, ML12 6QE, DATED 26/08/2008

Representation from : Mr & Mrs M Butler, 9 Cornhill Grove, Coulter, ML12 6GN,  
DATED 03/09/2008

Representation from : Mr & Mrs M Bell, 2 Cornhill Grove, Coulter, ML12 6GN,  
DATED 02/09/2008, 15/09/08 and 16/11/08.

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please  
contact:-

Ian Hamilton, Planning Officer, South Vennel, Lanark ML11 7JT

Ext 810 3186 (Tel :01555 673186 )

E-mail: [Enterprise.lanark@southlanarkshire.gov.uk](mailto:Enterprise.lanark@southlanarkshire.gov.uk)

**CONDITIONS**

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That the type and distribution of external finishes shall be as shown on the approved plan, but prior to the commencement of any work on site, samples of the materials to be used shall be submitted to and approved by the Council as Planning Authority.
- 4 That the roof of the development hereby approved shall be clad externally in natural slate.
- 5 All external colours shall be agreed in writing with the Council as Planning Authority prior to the commencement of works.
- 6 That no trees within the application site shall be lopped, topped, pollarded or felled, or otherwise affected, without the prior written consent of the Council as Planning Authority.
- 7 That the existing trees to be retained must be protected in accordance with methods as set out in BS5837/1991 during and until completion of all site operations and building works.
- 8 That intervisible passing places shall be provided along the full length of the existing access in compliance with the Council's Guidelines for Development Roads. The details and location of these passing places shall be submitted to and approved by the Planning and Roads Authority in consultation with the Council's Arboriculture Manager.
- 9 Vehicular access along the existing avenue from the junction of Cornhill Road to the junction of Cornhill Grove shall be restricted to use by the occupants of the four dwellings approved under the terms of CL/08/0499, existing houses in Cornhill Grove and farm traffic associated with Cornhill Farm. All hotel staff, guests and deliveries to Cornhill House Hotel shall use the main entrance to the north. Signage shall be installed at the junction of Cornhill Road clearly explaining these restrictions prior to commencement on work on the approved development. The details, wording and location of the signage shall be submitted to and approved by the Council as Roads and Planning Authority.
- 10 That the development shall not be occupied until the developer provides a written agreement from Scottish Water that the site can be served by a water scheme constructed to the specification and satisfaction of Scottish Water as the Water Authority.

- 11 That before the development hereby approved is completed or occupied it shall be served with a suitable effluent drainage scheme to the satisfaction of the Council as Planning Authority in consultation with SEPA.
- 12 That the hotel bedrooms hereby approved shall be for short term holiday occupation only and shall not at any time be occupied on a permanent residential basis.
- 13 That all works to the buildings shall be carried out, out with the main active period for bats (October to March). The area where bats have been recorded by the bat survey ( Building Survey for bats - Summer (Wild Surveys Ltd, June 2008)) shall be hand stripped in the presence of a licensed surveyor and inspected for any roosting bats. Prior to the hand stripping an area of intact attic space within the courtyard shall be made available for the brown long eared bats to use temporarily whilst the roost area is being refurbished. Unheated bat boxes shall be erected in the vicinity of the roost area as well as incorporation into the refurbishment, an area of attic space suitable for the brown long eared bats to return to. That prior to the commencement of work on site the details and location of the bat boxes and attic space roost area shall be submitted to and approved by the Council as Planning Authority in consultation with SNH.

## **REASONS**

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 In the interests of amenity and in order to retain effective planning control.
- 5 In the interests of amenity and in order to retain effective planning control.
- 6 To ensure the protection and maintenance of the existing mature trees within the site
- 7 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 8 In the interest of road safety and to avoid adverse impacts upon trees.
- 9 In the interests of amenity and in order to retain effective planning control.
- 10 To ensure that the development is served by an appropriate water supply.
- 11 To ensure the development is served by an appropriate effluent disposal system.
- 12 In the interests of amenity and in order to retain effective planning control.
- 13 To ensure that adequate precautions are taken to safeguard the presence of bats in the area.

For information only

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