



PLANNING AND ACCESS COMMITTEE

MEETING: Monday 23rd November 2015

SUBMITTED BY:	Head of Planning & Rural Development
APPLICATION NUMBER:	2015/0256/DET
APPLICANT:	Luss Estates Company
LOCATION:	Shore Cottage, Church Road, Luss
PROPOSAL:	Erection of museum

NATIONAL PARK WARD:	Lomond North Ward
COMMUNITY COUNCIL AREA:	Luss and Arden Community Council
CASE OFFICER:	Name: Julie Gray Tel: 01389 727753 E-mail: julie.gray@lochlomond-trossachs.org

1 SUMMARY AND REASON FOR PRESENTATION

- 1.1 It is proposed to erect a museum on a plot within the existing curtilage of Shore Cottage (Category C Listed Building) which is within the settlement boundary, and Conservation Area, of Luss.
- 1.2 The application is being presented to Committee because an objection has been received from Argyll and Bute Council Roads Authority.

2 RECOMMENDATION

That Members:

- 1. **APPROVE** the application subject to the imposition of the conditions set out in Appendix 1 of the report.

3 BACKGROUND

Site Description:

- 3.1 The application site is located at the south-eastern corner of Church Road and is within Luss Conservation Area. A location plan is outlined in Figure 1.
- 3.2 The application site comprises the existing Shore Cottage (Category C Listed), which is currently used as a museum, and surrounding garden ground. Shore Cottage is positioned at the lowest level of the site at the south-east corner and faces onto the shore path and beyond that, Loch Lomond. The land rises to the west and the proposed position for the new museum, facing the public road.
- 3.3 The site contains a collection of trees and shrubs concentrated along its western and southern boundary which gives the site an overgrown appearance. A number of large rhododendrons are present. A mature, healthy, Yew tree is located towards the centre of the site. A large multi-stem Beech tree is located out-with the application site, within the garden ground of the neighbouring property to the north.
- 3.4 Residential properties neighbour the site to the north. On the opposite side of Church Road to the west is The Manse (Category C Listed) and to the south is Luss Parish Church (Category B Listed) and Graveyard. The Church and Graveyard are separated from the application site by a Core Path which travels down to the shoreline and beach area. The residential properties to the north of the site, and on the east side of Church Road, are also either Category B or C Listed.
- 3.5 Church Road is relatively level but rises slightly on passing the site of the proposed museum on its route south to the Church (rising from 11.6 AOD to 11.8 AOD). It should be noted that Church Road has, in operation, a one-way traffic system which routes traffic anti-clockwise which means that traffic approaches the site from the south-west.
- 3.6 Photographs of the site are provided in Figures 2-4.

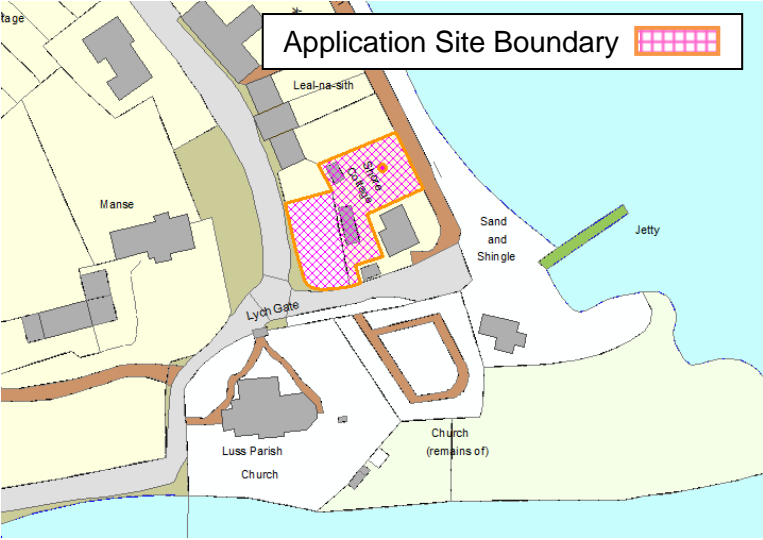


Figure 1: Location Plan

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Figure 2: Photograph looking north east



Figure 3: Photograph looking south



Figure 4: Photograph down lane to south of site

Environmental Impact Assessment (EIA):

3.7 For the purposes of the Environmental Impact Assessment (Scotland) Regulations 1999 the National Park is identified as a 'Sensitive Area'. As a 'Competent Body' the National Park Authority has a statutory duty to consider whether proposals for development should be subject to the EIA process. In this particular instance it has been determined that an EIA is not required.

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Description of Proposal:

- 3.8 The development proposed is for the erection of a single storey museum fronting onto Church Road. The siting, scale and design of the building is exactly the same as the previous permission granted on 7th February 2013 for the erection of a dwellinghouse. This consent has not been implemented.
- 3.9 The building would have a four gabled form arranged in a cross-plan form with a ridge chimney located to the rear. The east-west axis would have a pitched roof and the north-south axis would have a hipped roof. The Church Road frontage would measure 15.15 metres in length and the front to rear length would measure 12.3 metres. The height of the building (measured at the front elevation) would be 5.3 metres above ground level. Proposed elevations of the building are provided in Figure 6.
- 3.10 The finished floor level of the property would be 0.3 metres above existing ground level (11.6 metres AOD) at the front elevation. The proposal would involve a change in existing ground levels within the vicinity of the proposed building footprint to create a level platform at 11.3 metres AOD. A maximum ground level change of 1 metre is proposed at the rear of the proposed building footprint to achieve this. This change in levels is indicated on the submitted plans.
- 3.11 The proposed materials would consist of the following:
- grey random natural stone walls on the north, south and west elevations to match adjacent cottage;
 - Red sandstone quoins, cills and lintels (which will sit proud of the walls) to match adjacent cottage;
 - smooth render on the east (rear) elevation and chimney;
 - Natural slate roofs with zinc ridging and exposed rafter ends to match adjacent cottage;
 - Timber sash and case windows (double glazed) with astragals to match adjacent cottage;
 - Solid timber panelled doors with glazed fanlight to match adjacent cottage;
 - Black half round aluminium guttering and downpipes.
- 3.12 The proposal also includes the formation of a new driveway from Church Road to serve the property. The driveway would be located at the northern boundary of the application site and to the immediate north of the proposed museum. The proposed surfacing for the driveway would be tarmac on the first 2 metres and thereafter stone chips.
- 3.13 The proposed garden curtilage for the museum would be located to the south and to the rear of the museum. The rear garden area would extend down to the western extent of the site, thus providing an area of garden which would be to the north of the existing Shore Cottage. Shore Cottage would retain its own private curtilage. A proposed site plan is outlined in Figure 5.
- 3.14 Shore Cottage (which houses the existing museum) has a valid planning permission in place to be used as a retail unit (ref: 2013/0325/DET). It is proposed that the operation of the museum from Shore Cottage would cease and be relocated to the

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new museum building. The supporting statement which the applicant has provided with the current proposal outlines that the use of Shore Cottage as a seasonal shop is therefore a possibility.

- 3.15 The proposed museum would connect into the existing public network for water and foul drainage.

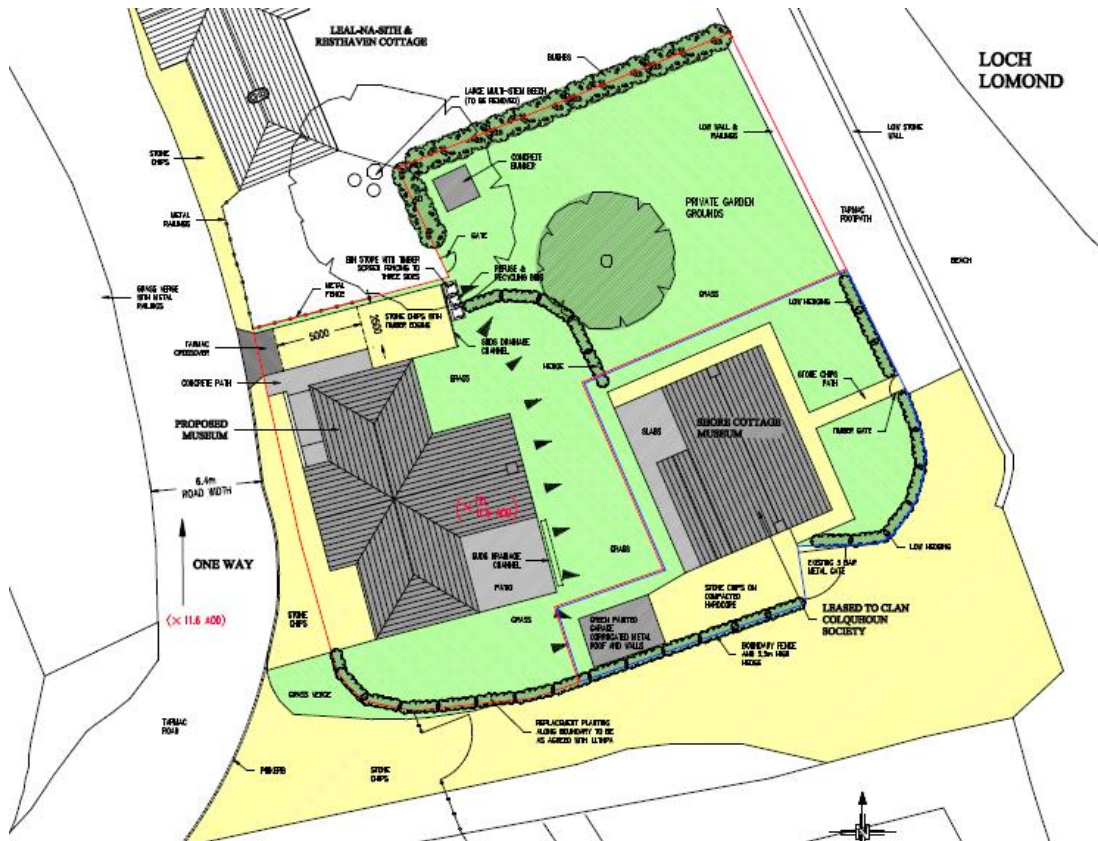


Figure 5: Proposed Site Plan

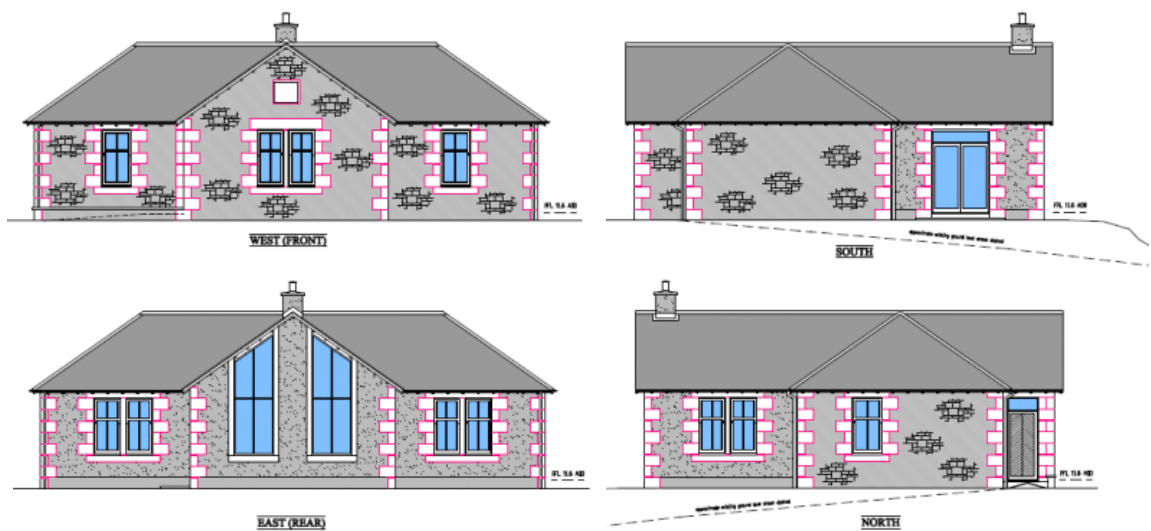


Figure 6: Proposed Elevations

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Planning History:

- 3.16 2009/0170/DET - Erection of dwellinghouse (with a dispensation for short-term holiday accommodation use) and formation of driveway access.
Approved -07 February 2013

2010/0101/DET - Change of use to form museum
Approved with Conditions -9 July 2010

2010/0099/LBC - Internal alterations to form museum.
Approved with conditions on 07 October 2010.

2013/0325/DET - Proposed change of use of cottage/museum to a shop unit (Class1)
Approved -10 February 2014

4 CONSULTATIONS AND REPRESENTATIONS

Responses to Consultations:

- 4.1 Historic Scotland - No objection. The proposed new museum building will not have an adverse impact on the setting of the scheduled monument (Luss Churchyard, tombstones). Although there will be potential views of the new building from the burial ground, it will be seen as part of the existing settlement. The proposal does not raise issues of national significance.
- 4.2 West of Scotland Archaeology Service – Advice remains the same as for the previous house development on this site.
No objection subject to further on-site analysis being conducted
No modern archaeological work has taken place outside the churchyard, so it has not been possible to define the area of archaeological sensitivity more closely. Because of the low intensity of more modern development in the village, it is likely that archaeological evidence of the early settlement and burgh may survive below present ground levels. The current application would involve small-scale, but significant ground-breaking works that may damage or destroy sensitive remains and this raises an archaeological issue. Given the site and its proximity to the early church and burial ground this is a tangible possibility – so there should be an attempt to investigate this possibility before the application is determined (an initial assessment; followed by an archaeological field evaluation)
- 4.3 If the survival of significant archaeological remains on site were confirmed by evaluation, the planning authority would need to consider the weight that should be given in their decision or any modification of proposal
- 4.4 WoSAS recommend that a prior archaeological evaluation of this proposed development site be carried out before the planning authority determines the application (intrusive trial trenching within the site)

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- 4.5 In the event that the planning authority is unable or unwilling to ask for such an evaluation, the alternative would be to attach a negative suspensive condition requiring a programme of archaeological works in accordance with a written scheme of investigation.
- 4.6 SEPA – No objection on flood risk grounds provided that a condition is imposed to ensure no development takes place below 10.51m AOD.
- 4.7 Argyll and Bute Flood Authority – No objection provided that a condition is imposed regarding the finished floor level of the development.
- 4.8 Argyll and Bute Roads Authority –
Initial response received 21.07.15
The existing public road “Church Road” is one way at this location therefore the sightline visibility to the south is important. A sightline 2.4 x 25 x 1.05 metres would require to be provided at the driveway/parking spaces.
- 4.9 Luss village is heavily congested with vehicle parking, the provision of two parking spaces is not sufficient to support this development. The number of spaces required to support this proposal including staff members should be five. Therefore, considering the current conflicts with vehicle parking within the village, the proposal is recommended for refusal in the interests of road safety and the lack of suitable land within the site to create the five spaces that are required.
- 4.10 A supporting statement presenting the case for only two spaces was subsequently submitted by the applicant and the roads authority was reconsulted.
- 4.11 *Further response from Roads Authority received 21.09.15*
The consultation with the community on traffic movements and car parking within the village recently carried out by our office has not given sufficient strength to proceed with the pedestrianisation of Luss Village.
Proposals to proceed with a restricted parking zone with resident parking permits and some on street charging spaces have been proposed and approved by the local area committee. These measures will hopefully make a significant impact on improving the situation within the village. However, the reality of preparing the formal traffic orders, the statutory consultation period (with the likely hood of objectors) will mean this process may take some time before these measures can be implemented.
- 4.12 The Roads Authority is not in a position to remove its objection on the lack of parking provision at this time although the service is confident that the character of the traffic movements and parking provision within the village will change for the better. The introduction of decriminalised parking with the support of the new parking enforcement officers will also support a more positive parking regime within the village which will encourage a more pedestrian environment for local residents and visitors.

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Representations Received:

- 4.13 Two representations have been received in relation to the application.
- 4.14 One from a neighbouring property owner raising concerns about the proposal. The issues raised have been summarized below and a response to the range of concerns is provided within the text on the Planning Assessment (Section 7):
- Is the proposal contrary to the local plan?
 - Concern regarding parking provision, the proposed use will exacerbate the parking issues within the village.
 - The residential nature of this part of the village will be adversely affected.
- 4.15 One other letter of support was received from Loch Lomond Rescue Boat. Points in support of the application are outlined below. The letter also raises concerns which have been summarized and responded to below.
- 4.16 Support
The proposed building is in keeping with the village and will improve the site which is currently overgrown. Supportive that the museum could be housed in a building above the flood level and be accessible.
- 4.17 Concern
Concern has been raised regarding the access lane to the boat shed and a vehicle parking area used by the lifeboat crew. The concerns are focused around access being maintained to the lane for crew and emergency services as well as pedestrians. It is also requested that stone chips proposed to be laid on the lane are not laid too deeply due to large vehicles using the lane.
- 4.18 *Officer response:*
The lane is outwith the application site and therefore does not form part of this application. Notwithstanding this, it is not anticipated that the proposal will have an impact on the access currently enjoyed by Loch Lomond Rescue Boat crew. The existing site plan shows that stone chips are existing.

5 POLICY CONTEXT

National Park Aims:

- 5.1 The four statutory aims of the National Park are a material planning consideration. These are set out in Section 1 of the National Parks (Scotland) Act 2000 and are:
- (a) to conserve and enhance the natural and cultural heritage of the area;
 - (b) to promote sustainable use of the natural resources of the area;
 - (c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
 - (d) to promote sustainable economic and social development of the area's communities.

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- 5.2 Section 9 of the Act then states that these aims should be achieved collectively. However, if in relation to any matter it appears to the National Park Authority that there is a conflict between the first aim, and the other National Park aims, greater weight must be given to the conservation and enhancement of the natural and cultural heritage of the area.

Development Plan:

5.3 National Park Local Plan (adopted Dec 2011)

Policy TOUR1 – New Tourism Development
Policy D1 – Design Quality
Policy ED1 – Economic Development Opportunities
Policy ENV9 – Development Impacts on Trees and Woodlands
Policy ENV11 – Connection to Sewerage and Water Supply
Policy ENV16 – Development in Medium to High Flood Risk Areas
Policy ENV20 – Conservation Areas
Policy ENV21 – Listed Buildings
Policy ENV27 – Sites with unknown Archaeological Potential
Policy SUSDEV1 – Sustainable Development
Policy TRAN3 – Impact of New Development on the Road Network
Policy TRAN6 – Parking Provision

Finalised Supplementary Planning Guidance: Sustainable Design

Draft Supplementary Planning Guidance: Luss Conservation Area Appraisal

Other Material Considerations:

5.4 National Park Proposed Local Development Plan

The 'Proposed Local Development Plan' (LDP) was approved by the National Park Board on 27th April 2015. The 'Proposed Plan' has since been through a six-week period of public consultation which is now closed. At this time the 'Proposed Plan' is a material consideration in the assessment of planning applications, depending on the policies that would be applied and the proposal.

The Proposed Plan provides an indication of likely changes in current planning policy. In this respect, the following policies are relevant:

- Overarching Policy 1: OP1 – Strategic Principles
- Overarching Policy 2: OP2 – Development Requirements
- Visitor Experience Policy 1: VEP1 – Location and Scale of New Development
- Economic Development Policy 2: EDP1 - Economic Development in Towns and Villages

The above do not raise any new policy considerations relative to the proposed development.

5.5 National Park Partnership Plan (2012-2017)

All planning decisions within the National Park require to be guided by the policies of the Partnership Plan, where they are considered to be material, in order to ensure that they are consistent with the Park's statutory aims. In this respect the following

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policies are relevant:

Con Policy 6: Cultural Heritage

VE Policy 2 : Sustainable Tourism

RD Policy 7: Sustainable Design and Construction

5.6 Supplementary Guidance

- Sustainable Design Supplementary Planning Guidance (adopted Dec 2011)
- Design & Placemaking Draft Supplementary Guidance (dated May 2015)

6 **SUMMARY OF SUPPORTING INFORMATION**

6.1 Design and Access Statement

A summary of the contents of the statement is outlined below:

- Background to the flooding experience of existing museum (Shore Cottage) and the requirement for a new museum which is not as susceptible to weather;
- Utilisation of approved building design due to complex planning history;
- Design considerations for the proposed development;
- Sustainable design elements;
- Planning considerations.

6.2 Supporting email

A supporting email was submitted outlining the applicant's stance on the parking situation in Luss in response to the objection from the roads authority. The main points are summarised as follows:

- The proposed museum is an enhancement of the existing facility and should not be regarded as generating more vehicular traffic;
- Car movement in Luss is currently under review;
- The preference is for visitors to walk to the museum from recognised car parks (as they do at present);
- Additional car movement on Church Road should not be encouraged by the provision of parking bays;
- Due to the environment and importance of the site, the preference is for two parking bays to allow integration into the setting.

6.3 Flood Risk Assessment

The conclusions of the report were as follows:

- Existing Shore Cottage is at risk of flooding from high water levels in Loch Lomond. It is also at risk from wind waves generated within the loch when loch levels are moderate to high. The cottage will continue to experience flooding problems;
- It is suggested that finished floor level of the building be set no lower than 11.6 m OD as this should be above the 1 in 200 year "worst-case" scenario;
- Care will need to be taken in the design of the site not to allow surface water runoff from Church Road to enter site and affect the building. Although such

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flows are likely to be small, they should be diverted towards the loch without affecting any properties; and

- It is good practice to design finished floor levels an appropriate height above surrounding ground levels and arrange finished ground levels sloping away from buildings. General ground levels should be finished in a way not to allow ponding of surface water within the site where it could increase the risk of flooding of properties.

7 PLANNING ASSESSMENT

7.1 There is a valid consent in place for the erection of a dwellinghouse on this site (ref: 2009/0170/DET). The current proposal is for the same approved building, however for use as a museum. The principle of the proposed building on the site has therefore been agreed through the determination of planning application ref: 2009/0170/DET. Considerations in relation to flood risk, design, cultural heritage, impact on listed buildings, archaeology and trees have been resolved through the assessment of that application and the relevant conditions continue to be recommended in relation to this revised proposal. There has been no material change on site in the intervening period and the assessment of the proposal will therefore focus on the issues relative to the change of proposed use of the building.

7.2 The principle issues to be considered in the determination of this application are therefore:

1. The policy context to the proposed use
2. Amenity and character of surrounding area
3. Car Parking

These are addressed as follows:

Principle of Development and Policy Context

7.3 Policy TOUR1 of the Adopted Local Plan supports new tourism development where:

- a. The proposal is within or adjacent to settlement boundaries or where it fulfils the requirements of the larger scale tourism development opportunity sites identified in schedule 4 of the Adopted Local plan; and
- b. Amenity and character is protected and the proposal will not result in unacceptable levels of increased traffic movements, noise or hours of operation.

The proposal is located within the centre of Luss village and therefore complies with point (a) above. Point (b) is further considered through the following sections.

Amenity and Character of surrounding area

7.4 The size of the proposed building limits the scale of development and therefore potential impact of a non-residential use. The museum is anticipated to have 2 staff members and a similar level of visitor numbers as the existing museum. Visitors would be expected to visit the museum by foot as public parking is not proposed to be provided on site. Consequently, there should be no additional vehicular traffic as a result of the proposal. Similarly, given the small scale of the proposal it is not anticipated to result in significant noise levels or inappropriate hours of operation which could impact on residential amenity.

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- 7.5 The use as a museum falls under Use Class 10 of the Use Classes (Scotland) Order 1997 (UCO). Use Class 10 includes, but is not limited to, uses such as a public library or exhibition hall which would be acceptable in this location. However, it also includes use as a crèche, day nursery or day centre. Whilst there is a general presumption against the use of conditions designed to restrict future changes of use which, by virtue of the UCO, would not otherwise constitute development, it is considered to be necessary in this case, to restrict the future change of use of the museum to a creche, day nursery or day centre as these particular uses could have significant traffic implications and potentially an adverse impact on residential amenity in terms of noise. It should be noted that the future use of the existing museum is also restricted by a similar planning condition.
- 7.6 The building proposed currently has consent but for use as a dwelling. Its physical form has been carefully designed to take account of the sensitive location within the conservation area. As it was originally designed as a dwelling house it has a residential character. The appearance of the proposed building will therefore not have an adverse visual impact on the character of the conservation area or the predominantly residential nature of this area.
- 7.7 In conclusion, as the proposal relates to a tourism development within a settlement which has no impact on amenity or character, its principle is supported by policy TOUR1 for the development of new tourism opportunities

Parking Provision

- 7.8 Two parking spaces are proposed for inclusion in the development. Argyll and Bute Council as Roads Authority have objected to the proposal on grounds of insufficient parking provision, expressing the view that five spaces are required to serve the development.
- 7.9 In response to this objection from the Roads Authority, a supporting email was submitted by the applicant outlining that it is the expectation of the applicant for visitors to park in the existing public car parks and travel to the museum on foot. This is the case for the existing museum.
It is recognised that parking and vehicular traffic is a long standing issue within Luss and the situation is currently under review by the Roads Authority.
- 7.10 The existing museum only has two car parking spaces. This museum will close and relocate into the new building and provide the same number of spaces. It is not anticipated that the new museum would generate significant additional traffic or visitor numbers in comparison to the existing museum.
- 7.11 The sensitive location of the building within Luss Conservation Area restricts the opportunities for parking spaces to be accommodated within the site. The site is on a prominent corner plot and is surrounded by mature hedging. The provision of additional spaces would require the hedging to be removed and would result in a significant adverse impact on the character of the conservation area and be detrimental to the setting and integration of the new building on the site.
- 7.12 Given the scale and nature of the museum it is unlikely to be a 'destination' but rather one of many facilities/attractions that people will visit within Luss as a whole. Visitors are therefore unlikely to want to or expect to park at the museum but will

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park in the public car parking facilities close to the village.

- 7.13 The majority of visitors to Luss use the large public parking facility located to the north of the village. It is acknowledged that the two in curtilage spaces as proposed could provide dedicated provision for disabled visitors or occasional staff/delivery use.

8 CONCLUSION

- 8.1 The proposal is considered to comply with policy TOUR1 of the National Park Local Plan; the development is located within the settlement boundary of Luss and will not impact on the amenity and character of the area.

- 8.2 It is considered that the objection noted by the Roads Authority is outweighed by the following considerations:

- The development is not expected to generate significant additional traffic or parking requirement;
- The proposed museum would have the same number of parking spaces as the existing museum which is to be relocated;
- It is reasonable for visitors to Luss to park in the substantial public car park which is within walking distance of the development;
- The location and size of the site restricts the provision of additional parking on site; and if it were provided it would be detrimental to the character of the conservation area;
- It is noted that the Roads Authority has an intention to further control parking within the village core and move towards an improved, pedestrian friendly, environment. Agreeing a reduced onsite parking provision would be consistent with this future direction.

- 8.3 In conclusion, the proposal accords with the principles of the Development Plan and other material considerations do not outweigh this conclusion. Therefore, the proposal is recommended for approval subject to the conditions recommended within Appendix 1.

Background <http://www.lochlomond-trossachs.org/planning/>

Documents: *Click on view applications, accept the terms and conditions then enter the search criteria as '2015/0256/DET'.*

The previous application for the erection of a dwelling house can be viewed under reference '2009/0170/DET'.

The previous application for the change of use of Shore Cottage to form a museum can be viewed under reference '2010/0101/DET'.

List of Appendix 1 Conditions and Informatives Appendices:

Appendix 1 Conditions and Informatives

1. **Restriction on Use:** Notwithstanding Class 10 (a) of The Town and Country Planning (Use Classes) (Scotland) Order 1997, as amended, the building and associated land the subject of this application, shall not be used as a crèche, day nursery or day centre.

REASON: To safeguard the residential character and amenity of the surrounding area.

2. **Visibility Sightlines:** No development shall take place prior to clear visibility splay sightlines measuring not less than 2.4 x 35 x 1.05 metres to the south being provided to the satisfaction of the Planning Authority and maintained at all times, at the junction with Church Road,

REASON: To ensure a suitable standard of access provision prior to the commencement of the approved use and in the interests of highway safety.

3. **Archaeological Scheme:** No development shall take place within the development site, as outlined in red on the approved plan, until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority.

REASON: To ensure that any archaeological remains are adequately protected during construction.

4. **Landscaping:** Notwithstanding the approved plan (dwg. 150704 01) no development shall commence until a further detailed landscaping plan, for the development hereby approved, has been submitted to, and approved in writing by, the Planning Authority. The further landscaping details to be approved shall include: details of species; precise details of planting locations; details of species and sizes; percentage compositions; planting densities; methods of protection during establishment; and details of maintenance etc.

REASON: The proposed development and its location requires landscaping to fully integrate the proposal with its surroundings and the details currently submitted do not provide sufficient details.

5. **Implementation of Landscaping:** Unless otherwise agreed in writing with the Planning Authority, all approved landscaping works shall be carried out within the first planting season following the first occupation of any building or the substantial completion of the development hereby permitted, whichever is the sooner. Any trees or plants which, within a period of 5 years thereafter, die are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species unless the Planning Authority gives written consent to any variation.

REASON: To ensure the long term future of the landscaped setting for the development that integrates it with its surroundings and safeguards the visual amenities of the area.

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6. **Surface Water and Drainage:** No development shall commence prior to the submission of further details of the SUDS scheme to the Planning Authority (i.e. cross-sectional drawings of the SUDS drainage system and SUDS calculations), and these details shall be certified by a chartered civil engineer or Building Standards Officer as complying with appropriate SEPA SUDS guidance. The approved scheme shall then be implemented prior to first occupation of any of the buildings hereby approved and shall incorporate the principles of Sustainable Urban Drainage (SUDS) as contained in PAN 61 – Planning and Sustainable Urban Drainage Schemes and the Sustainable Urban Drainage Systems – Design Manual for Scotland and Northern Ireland (Sustainable Urban Drainage Scottish Working Party), or any subsequent revisions/equivalent publications.

REASON: Insufficient detail has been submitted regarding surface water drainage treatment and these details are considered of importance in securing an environmentally sensitive standard of development and consistent with National Guidance and the first statutory aim of the National Park.

7. **Materials:** The materials to be used in carrying out the development hereby permitted shall match in material, colour, form and texture, and shall otherwise harmonise with the neighbouring building (“North Hall Cottage”/”Resthaven Cottage”) at the date of the application, unless otherwise agreed in writing by the Planning Authority.

Prior to their use, installation or application, a detailed specification and samples (as indicated) of the proposed external finishing materials for the development hereby permitted, shall be submitted to, or made available for inspection on site and agreed in writing, by the Planning Authority.

The samples and details to be submitted shall address:

- a. The proposed natural stone to be utilised on the main walls of the west, north and south elevations and details (sample panel to be constructed for prior approval);
- b. The natural stone to be used on the window and door surrounds and quoins (sample to be submitted);
- c. The proposed exterior wall render for the east elevation and chimney, which shall comprise a sample panel (measuring approx. 0.5 metres square) showing the finished colour and appearance, and further details of the render mix and specification;
- d. The proposed natural roof slate (sample and further details of the proposed sizing, coursing and fixing);
- e. The proposed windows to be installed (comprising of details to fully describe the window frame widths, proportions, openings methods, pane arrangements and astragals, and details of the type and thickness of glazing to be used in the windows);
- f. The materials to be utilised in the surfacing of the proposed driveway and other paths, ramps and patios (samples to be submitted);
- g. The timber door on the north elevation;
- h. The rainwater goods;
- i. The colour/treatment/finishes of exposed timberwork

REASON: To ensure the materials are appropriate for this new building located within the Luss Outstanding Conservation Area and in accordance with the first statutory aim of the National Park ‘To conserve and enhance the natural and cultural heritage’.

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8. **Protection of Existing Trees:** The Yew Tree located on the site of the development hereby approved shall not be topped, lopped or felled without prior written approval by the Planning Authority and shall be protected throughout the course of the development by a scheme of tree protection which shall first be agreed and approved in writing by the Planning Authority. The approved tree protection plan shall then be carried out in accordance with the agreed scheme during the entire construction period. The tree protection scheme shall comprise of a plan showing the methods and areas of tree and ground protection in the vicinity of mature tree root zones. For the avoidance of doubt, no storage of building materials or piling of soil or engineering operations shall take place within the protected areas established pursuant to this condition and all methods of tree protection shall be in accordance with BS5837:2005.

REASON: To protect established trees against accidental damage during the course of the development.

9. **Flood Risk Avoidance:** No development (including land raising) shall take place below 10.51 metres AOD and the finished floor level of the property hereby approved shall be set no lower than 11.6 metres AOD (as detailed on the approved plan dwg. no. 150704 02).

REASON: For the avoidance of doubt and to ensure that the risk of flooding has been reduced by the use of appropriate mitigation measures.

10. **Hours of Construction:** Unless otherwise agreed in writing by the Planning Authority, no machinery shall be operated, no activity carried out, and no deliveries received at, or despatched from the site, outwith the hours of 8.00am to 6.00pm Monday to Friday, and 9.00am to 1.00pm on Saturdays, nor at any time on Sundays or a recognised Scottish Bank Holiday. This condition shall not apply to works internal to the proposed buildings which are not audible at the boundary of the site.

REASON: To protect the occupants of nearby dwellings, adjacent commercial businesses and visitors to the area from excessive noise/disturbance associated with the implementation of this permission.

List of Plans

Title	Reference	Date Received
Location Plan	LOC	16/07/15
Site Plan Existing and Proposed	150704 01	16/07/15
General Proposed Floor Plan and Elevations	150704 02	16/07/15
General Front and Rear Streetscapes	150704 03	16/07/15
General Window Detail	150704 04	16/07/15

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Informatives

1 Notification of Initiation of Development - Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. We recommend this is submitted 2 weeks prior to the start of work. A failure to submit the notice, included in the decision pack, would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.

2 Notification of Completion of Development - As soon as practicable after the development is complete, the person who completes the development is required by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give written notice to the planning authority of the completion of the building works. As before, there is notice for you to complete for this purpose included in the decision pack. In larger, phased developments, a notice of completion is to be submitted as soon as practicable after each phase is finished by the person carrying out the development.

3 Duration of permission - In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of 3 years beginning from the date of this permission, unless the development to which this permission relates is begun before that expiration.

4 Surface Water - Disposal of surface water from the site should comply with General Binding Rules (GBRs) 10 and 11 of The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended). Details of the requirements of these GBRs can be found on SEPA's website or from SEPA's Perth Environmental Protection and Improvement Team on 01738 627989.

5 Disabled Access - The applicants are reminded of the duty imposed on them by Sections 4 and 5 and 7 to 8A of the Chronically Sick and Disabled Persons Act, 1970 requiring any person providing premises (including sanitary conveniences) which are to be open to the public to make provision, where reasonable and practicable, for the means of access and parking to be designed to meet the needs of disabled people, with appropriate signposting and indicating the availability of the facilities. Your attention is drawn specifically to the BSI Code of Practice on Access for the Disabled to Buildings 8BS5810:1979).

6 Drainage/Water Impact Assessment - The applicant is advised that there is a requirement to submit a fully completed Development Impact Assessment form to Scottish Water for any proposed connection to the public water and/or drainage network.
