



**PLANNING AND ACCESS COMMITTEE**

**MEETING: Monday 24<sup>th</sup> April 2017**

<b>SUBMITTED BY:</b>	<b>Head of Planning &amp; Rural Development</b>
<b>APPLICATION NUMBER:</b>	<b>2016/0234/DET</b>
<b>APPLICANT:</b>	<b>Mrs Alison Rios McCrone</b>
<b>LOCATION:</b>	<b>Altskeith Country House, Aberfoyle, FK8 3TL</b>
<b>PROPOSAL:</b>	<b>Erection of extension to provide additional function room, bar, kitchen and roof terrace</b>

<b>NATIONAL PARK WARD:</b>	Ward 2
<b>COMMUNITY COUNCIL AREA:</b>	Strathard Community Council
<b>CASE OFFICER:</b>	Name: Craig Jardine Tel: 01389 722020 E-mail: <a href="mailto:craig.jardine@lochlomond-trossachs.org">craig.jardine@lochlomond-trossachs.org</a>

**1 SUMMARY AND REASON FOR PRESENTATION**

- 1.1 This application is for an extension to an existing visitor accommodation/venue at Altskeith House, located on the north shore of Loch Ard within The Trossachs area of the National Park.
- 1.2 In accordance with the National Park Authority's Scheme of Delegation, this application must be determined by the Planning and Access Committee as the Strathard Community Council for this area has lodged a formal objection. This paper presents the officer's assessment of the planning application and the officer's recommendation.

**2 RECOMMENDATION**

**That Members:**

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- 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 Altskeith House is a large traditional property with substantial grounds located on the north shore of Loch Ard, approximately 1.5km east of Kinlochard and 3.5km west of Milton in The Trossachs area of the National Park.

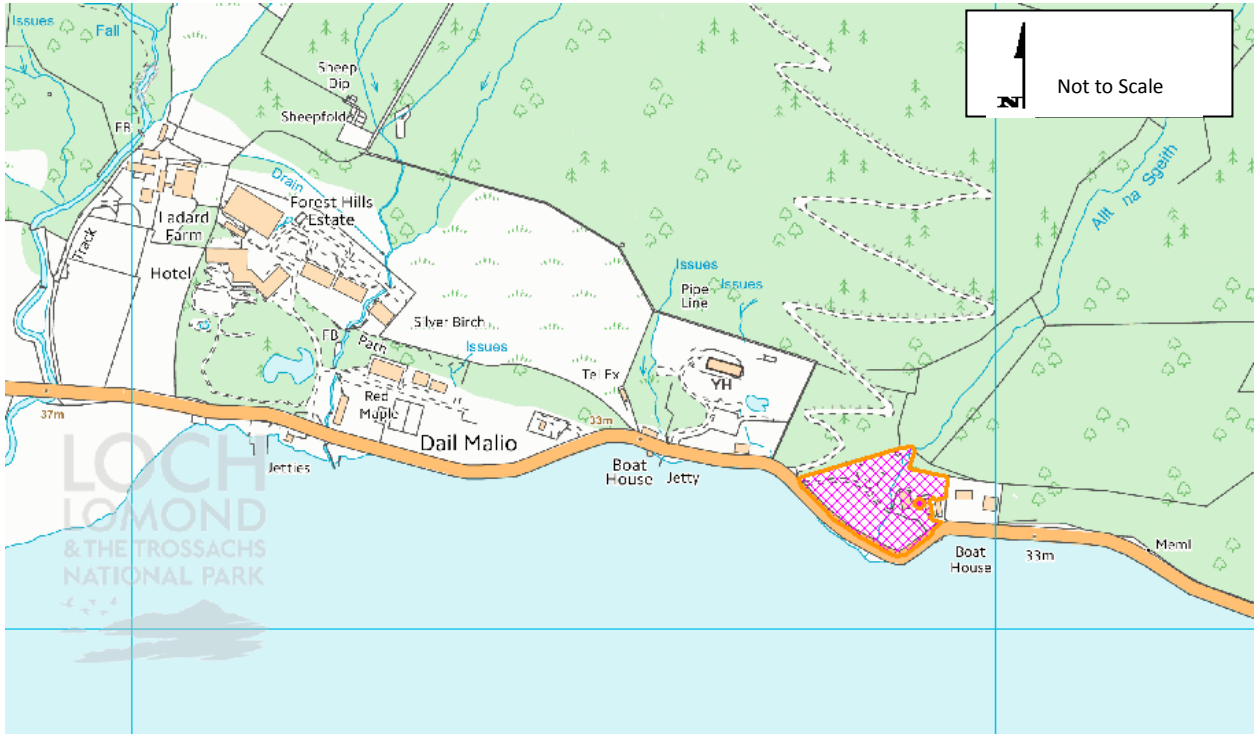


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**Figure 1.** Location Plan (wider context).

- 3.2 Altskeith House is situated on a prominent lochshore location, adjacent to residential properties located either side with an extensive area of ancient woodland on the hillside to the rear. Adjacent to the western corner of the site is access to a network of hill paths through the woodland and hills beyond. Located approximately 500 metres to the west is the buildings and grounds of the ‘Forest Hills’ holiday complex.

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**Figure 2.** Location Plan (close context).

- 3.3 The site has dual access/egress points direct from the public road to the east and west.
- 3.4 A fine example of a traditional house, in keeping with the local vernacular, Altskeith House however is not designated as a listed building. Understood to have been originally constructed as a modest, symmetrical two storey house in the 18<sup>th</sup> century and subsequently extended significantly in the 19<sup>th</sup> century with a two storey twin-gable extension replacing a former single storey wing. The applicant has submitted a historical photo of the property from that period (see Plate 1 below). An additional single storey extension was later added with a flat roof, which the applicant has stated was used as a roof terrace (see Plate 2 below). In 2013 this extension was replaced by the single storey extension that is now present and used as a function room/bar/w.c. facilities for the wedding/events at Altskeith House (see Plate 3 below).



**Plate 1.** Historic photo (taken from lochside)

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**Plate 2.** Pre 2013 photo taken from garden grounds towards west elevations



**Plate 3.** Post 2013 photo from similar viewpoint

### ***Planning Background:***

- 3.5 Altskeith House operated as a hotel until 2004. Planning permission was then approved in 2005 for a change of use from hotel to dwellinghouse and was then occupied as a sole residence until purchased by the current owners (in 2012) who fully refurbished the interior and initially let to groups occupying it as a dwellinghouse (as per the definition in Class 9 of the Use Classes Order 1997).
- 3.6 A rear extension to the dwellinghouse was built in 2013, under Class 1A of the General Permitted Development Order.
- 3.7 Permission was subsequently approved to change the use from dwellinghouse (Class 9) to a broader mixed 'Sui Generis' use comprising self-catering/bed & breakfast holiday accommodation; functions venue with scope for a public restaurant/bar. This flexibility of use was intended to reflect the owners' business proposals for Altskeith and was supported by the development plan policies. The business has grown over the last two years providing a popular wedding venue.

### ***Environmental Impact Assessment (EIA):***

- 3.8 For the purposes of the Environmental Impact Assessment (Scotland) Regulations 2011 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 as the proposal is

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not identified within Schedule 2 of the Regulations.

**Description of Proposal:**

3.9 The development proposed is to erect a new extension to the north elevations of Altskeith House thus partly replacing and extending the existing single storey extension that provides the function room/bar/w.c.facility for this venue.

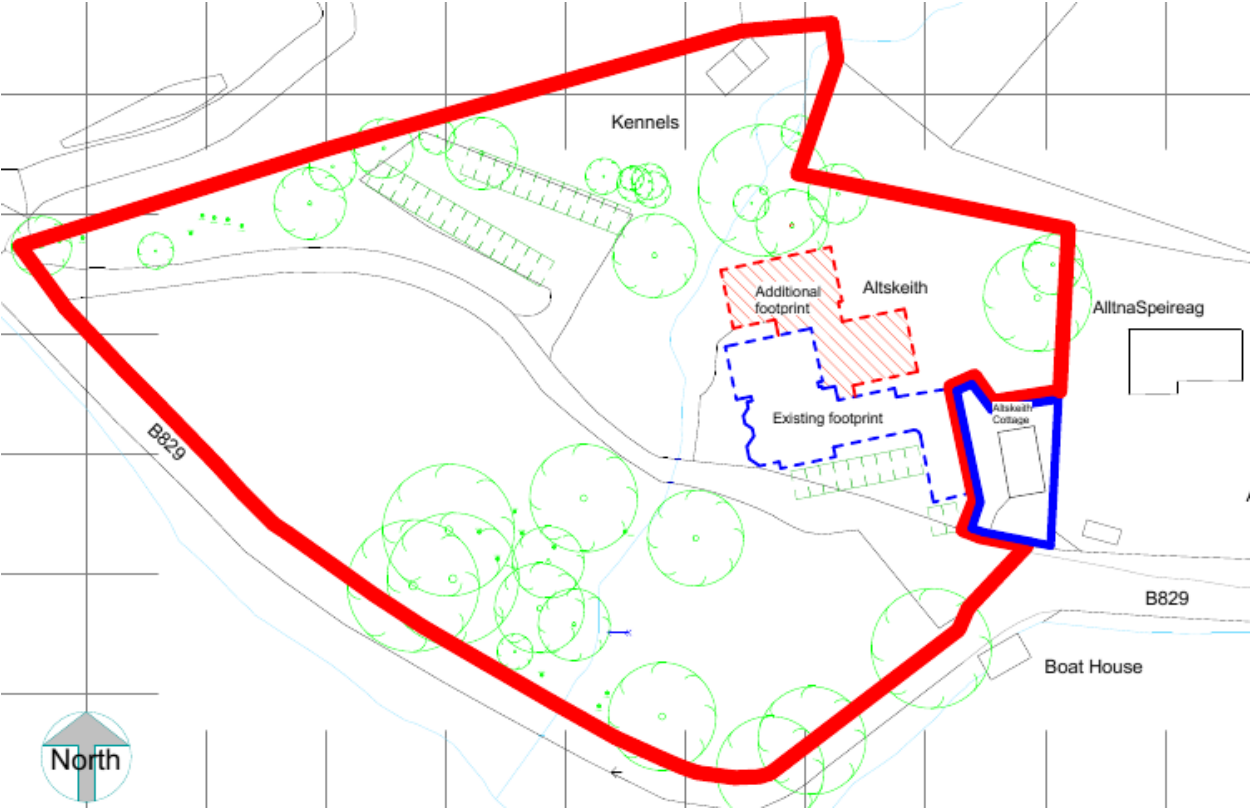


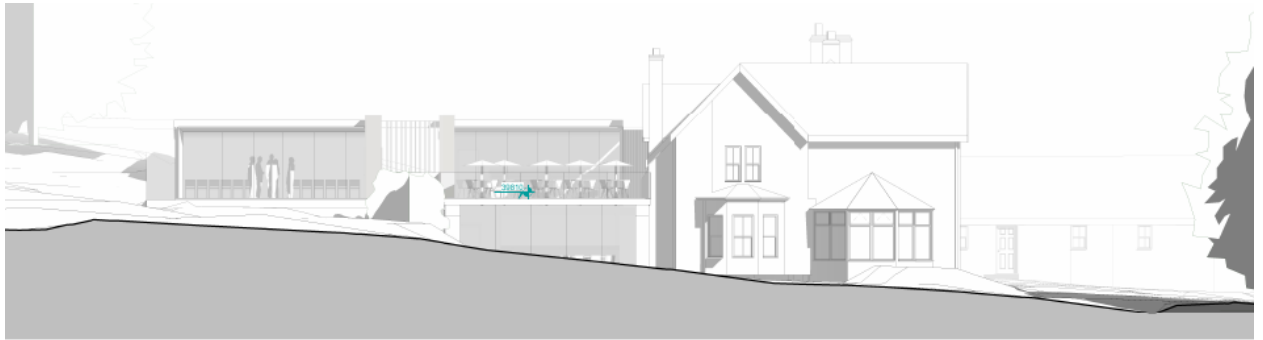
Figure 3. Site Plan



West Elevation - As existing

Purpose

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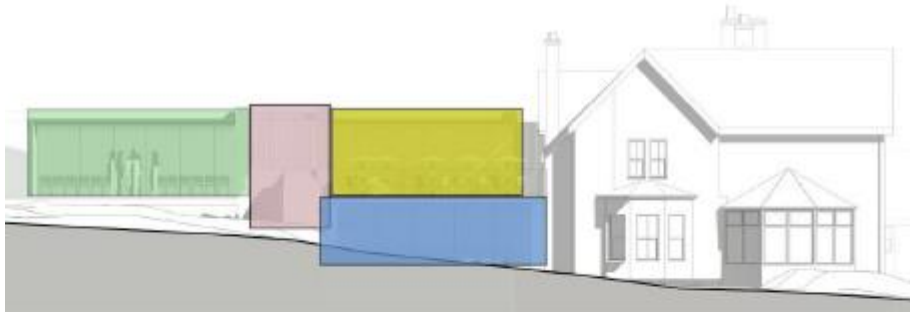


West Elevation - Proposed

Purpose

**Figure 4.** Existing & Proposed West Elevations

- 3.10 The site for the extension slopes upwards in stages from the house towards the northern end of the site. The extension has been designed to utilise and work with the changing levels and also respond to the proposed internal uses proposed by presenting four main building lines or planes set forward/back from the adjacent space.



**Figure 5.** Illustration of proposed staggered planes of extension

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3.11 On the ground floor is proposed an enlarged function room/dining space with w.c. facility and commercial kitchen off to the rear.

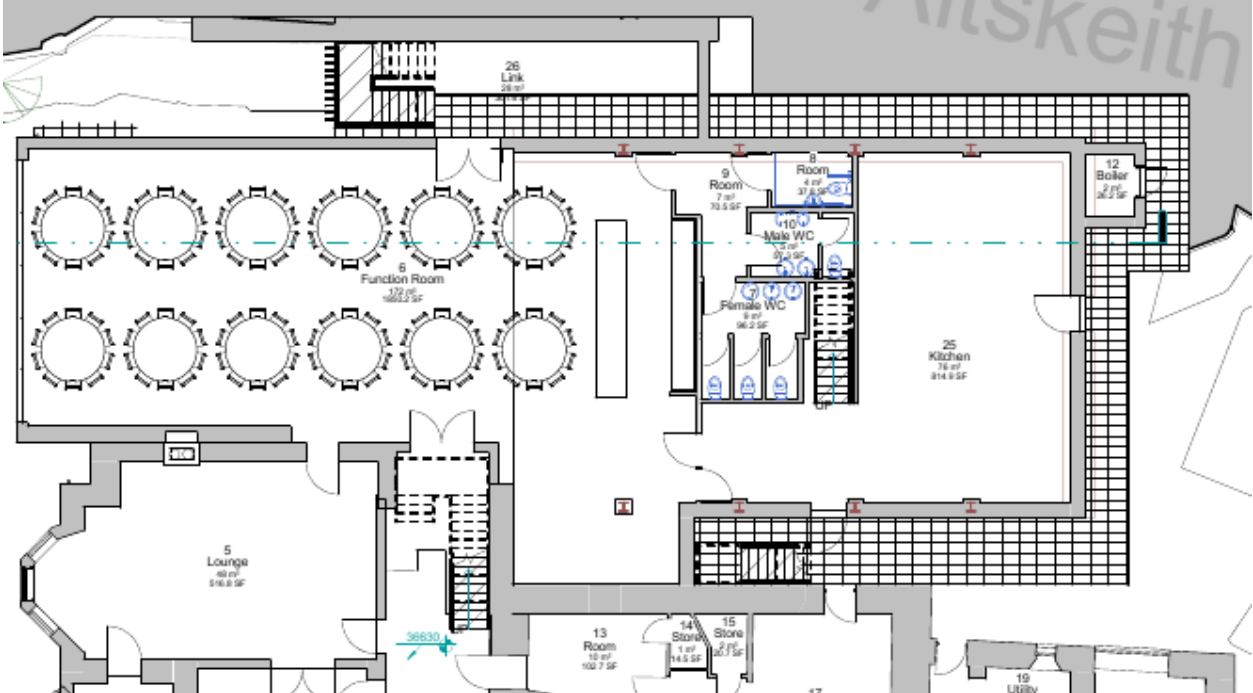
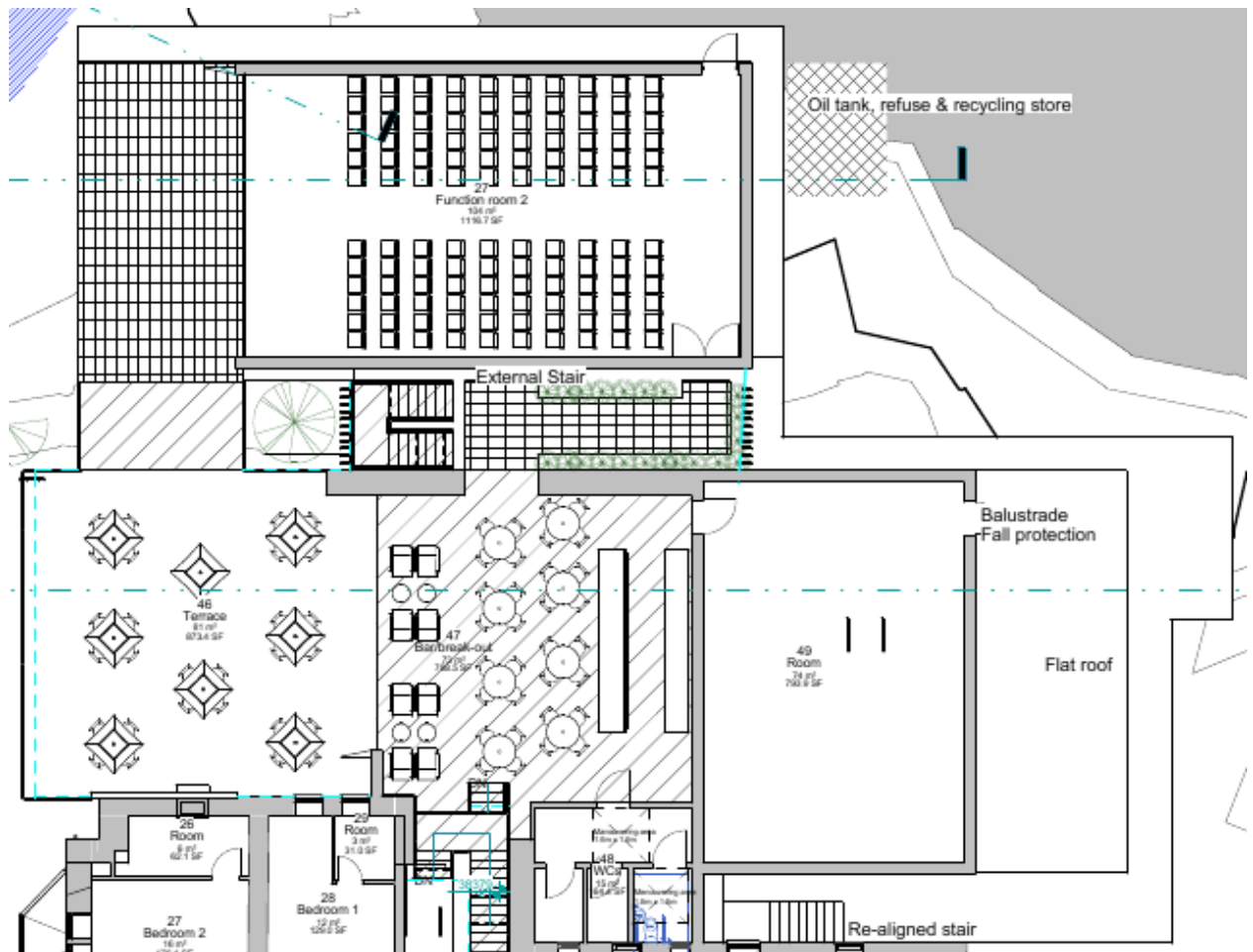


Figure 6. Proposed ground floor

3.12 A central stair/link corridor would provide access to the first floor level, which extends further northwards into the site. On this level, above the function room, a bar/break-out area with roof terrace and wedding party room is proposed. To the north of the central link corridor on this level would be the wedding ceremony room with terrace.



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**Figure 7.** Proposed first floor

- 3.13 In total, the proposed extension would extend 20 metres from the current rear elevation of the main house. This would create a combined west elevation of approx. 33 metres, compared to the existing south loch-facing elevation which is 34 metres. The overall footprint of the existing building would increase from 502sqm to 838sqm.
- 3.14 The proposed extension, over 2 levels, results in a combined total height which sits close to the eaves level of the original building and 2.3 metres below the highest ridge level.
- 3.15 The extension has been designed with a large amount of glazing linking each of the different planes of the building. The more 'solid' external materials proposed are also modern in character i.e. oxidised steel/patinated zinc to the projecting eaves canopies, weathered timber screens to the central link corridor and random coursed local stone on the main structural elements. The less visible north and east elevations would be rendered with a traditional wet-dash finish and flat roof areas clad in a single membrane.
- 3.16 Currently Altskeith House has 10 bedrooms, accommodating 22 overnight guests. The current facility offers events for up to 90 guests with an additional 30 evening guests. For larger groups of up to 150, a marquee can be erected (under temporary terms granted under planning permission ref: 2014/0141/DET). Altskeith is licenced but generally food catering is brought-in. The applicant has stated that the lack of internal space also limits storage needs of the business.



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- 3.17 The applicant, in their supporting information, explains that the purpose of the extension is not to enable a significant increase in the capacity for guests but to maintain current levels. Instead, it is principally to improve facilities and standards. The extension would enable improved storage within the building as extended and remove the need for a marquee; improve visitor experience; provide catering in-house; and improve the flow of guests between spaces and changes in service.
- 3.18 Altskeith House is currently served by a shared septic tank with two other properties. This tank discharges to Loch Ard. There is a public sewer system leading to a waste treatment plant but this only has one user which is Forest Hills Resort. Despite previous intentions the plant has not been upgraded to enable more users to connect. The applicant proposes to disconnect from the existing shared septic tank and provide a separate private system as part of these proposals.
- 3.19 In early 2017, following submission of the current application, some ground and other works have taken place on site as follows:
- Excavation, re-profiling and retention of unstable slope to rear of Altskeith House;
  - Re-distribution of soil to existing landform at parking area;
  - Widened bellmouth at western entrance;
  - Formation of drop-off area adjacent to existing access;
  - Re-surfacing of tarmac access and kerbing;
  - Minor tree works to non-protected trees;
  - Removal and replacement of front boundary fencing.

Discussions took place with the applicants at this time and subsequent modifications to the landform at the parking area were actioned. These abovementioned works are now reasonably considered to constitute general landscaping improvements or are otherwise deemed to be 'permitted development'. Therefore, regardless of the pending planning application, these works would not have required planning permission.

### ***Planning History:***

- 3.20 **2014/0141/DET** - Change of use from Class 9 (Houses) to a mixed Sui Generis use comprising self-catering/bed & breakfast holiday accommodation; functions venue; occasional marquee facility in the grounds; public restaurant/bar; and use of former attached bothy for ancillary purposes. Approved on 25<sup>th</sup> July 2014.

**2008/0027/HAE** - Erection of conservatory extension. Approved on 18<sup>th</sup> February 2008.

**2007/0083/DET** - Reconstruction of boathouse to include formation of jetty. Approved on 21<sup>st</sup> May 2007.

**2005/0220/DET** - Change of use of hotel to dwellinghouse. Approved on 23<sup>rd</sup> August 2005.

## **4 CONSULTATIONS AND REPRESENTATIONS**

### ***Summary of Responses to Consultations***

*(Note: Full responses are available on the National Park Authority's Public Access Website.)*

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### 4.1 SEPA

#### **No objection, subject to conditions**

##### Flood risk

Given the scale of the proposals, SEPA do not believe the proposals constitute a small scale extension or alteration, and cannot therefore be covered by SEPA Standing Advice.

Information indicated a flood risk to the building, nearby access, and the B829 from the Allt na Sgeith watercourse. Due to the steep nature of the surrounding topography there will likely be a risk from surface water runoff here as well.

As some significant modifications were previously made to this short reach of the burn a Flood Risk Assessment, carried out by a suitably qualified person, was required in support of the application. It was established that lowering of these features, previously constructed within the watercourse, may help to alleviate the flood risk.

Based on the proposals set out in the Flood Risk Assessment (Kaya Consulting Ltd., dated Jan 2017) SEPA has removed its initial objection to this planning application as it is satisfied that this will remove risk of flood damage to the building and will ensure no increase in flood risk elsewhere.

However, altering the levels of the waterfalls and undertaking sediment management will likely result in changes to the sediment transport regime and consequently changes to erosion and deposition will be evident. SEPA strongly recommend that advice is taken from a qualified hydro-geomorphologist on the best practice to these watercourse modifications. Bank instability is a likely consequence of the proposed stream-bed lowering and as such the applicant should be prepared for a subsequent period of maintenance to be undertaken.

SEPA recommend that early contact is made with SEPA's local Regulatory team regarding the modifications to the watercourse to determine whether any licensing of the works under Controlled Activities Regulations (2011) is required.

##### Wastewater drainage

The site is currently served by a septic tank (shared with two adjacent properties) discharging to the nearby Loch Ard which is authorised by way of a CAR 'Registration'.

The proposal to install a new private treatment system to service Altskeith House and remove requirement for use of the existing shared septic tank is supported in principle. Further discussion and approval by SEPA of the specific system proposed will be necessary at the regulatory stage to ensure a viable and sustainable level of treatment.

### 4.2 Stirling Council – Flood Officer

**No objection, subject to condition** that the proposed flood mitigation measures are implemented.

It should be noted that access and egress to the property is likely to be restricted during times of flood, as the B829 has a history of flooding.

### 4.3 Stirling Council - Roads

#### **No objection**

The mixed use nature of the Country House makes the calculation of parking requirements difficult, given the proposals do not prescribe to a specific class use. This Service is not aware of any parking issues that have arisen from any functions that have been held to date, and it is anticipated that the applicant will be aware of the parking levels required to cater for the demand that the proposed extension will likely generate. As such, this Service is content that no

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additional parking is required, however it would be prudent for the applicant to safeguard an area of land within their site boundary to provide overspill parking as and when required and to provide facility to enable buses to safely access/egress the public road when dropping off/picking up.

### 4.4 Stirling Council – Environmental Health

#### **No objection subject to conditions**

##### Noise

Noise control measures should be provided to prevent any noise nuisance to neighbouring properties and submitted to the planning authority for approval. Upon completion of development the Significance of Effects (as set out in Scottish Government Technical Advice Note: Assessment of Noise, Table 3.5) shall be no greater than Neutral. Construction works, audible outwith the site boundary, should be restricted to normal working hours Monday – Saturday.

##### Odour

The kitchen ventilation extract system requires to be designed, installed and maintained to prevent any odour nuisance to neighbouring properties. Details of the extract ventilation system and discharge, including details of the methods of treatments of emissions and filters to remove odours should be submitted for the further approval of the planning authority, in consultation with Environmental Health.

##### Light

External lights should be positioned so as not to adversely affect neighbouring properties.

### 4.5 Strathard Community Council

**Objects** on grounds of nature and scale of development.

The additional light and noise pollution towards neighbours and other village residents will be excessive.

There will be an adverse increase in traffic as a result of the development.

Altskeith House is a landmark property in a prominent location. Strathard Community Council do not consider the design of the proposed extension to be in keeping with this fine example of period architecture. The large expanse of glass frontage, visible from the west, would be out of character with other developments supported by the National Park Authority.

#### **Summary of Representations Received**

*(Note: Full representations are available on the National Park Authority's Public Access Website.)*

4.6 At the date of the preparation of this report representations of objection had been received from 7 adjacent and nearby residents.

4.7 A summary of the main issues/concerns from these representations now follows. A response to the range of concerns is provided within the Planning Assessment of this report (section 8) or otherwise noted below.

#### Road Impacts & Parking Issues

- There is limited on-site parking for private cars/coaches/taxis, which is further reduced when a marquee is sited in the car park area for events;
- Coaches sometimes disembark on the public road thus increasing congestion on a narrow road at a corner or in front of adjacent properties;

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An increased capacity for events, as a result of the extension, will exacerbate these issues.

### Flood Risk

- The site is within an area at risk of flooding from Loch Ard and there have been previous flood events from burn that runs through the site, over the drive (shared with Altskeith Cottage) and onto the B829 and into the loch. The current path of burn would require to be altered (believe this has been previously done in 2014 for landscaping/patio purposes) and further alterations may increase flood risk;
- Video footage has been provided of previous flood events following alterations carried out to the course of the burn;
- An assessment of flood risk by the relevant authorities should be carried out.

### Foul Drainage

- Contrary to the statement in the submitted application form – there is no public drainage in this area;
- There have been existing issues with the shared septic tank (Altskeith House/Altskeith Cottage/Allt Na Speireag) and it does not have a soakaway and instead discharges into the loch thus an issue for neighbours and environmental issue;
- The existing septic tank could not cope with the increased discharges resulting from this development. A new septic tank, fit for commercial usage, is required.

*Planning Officer Comment: This error has since been corrected by the agent by confirming that the applicants propose to install an independent septic tank for Altskeith and disconnect from the existing private shared system.*

### Scale

- The length of the extension is disproportionate to, detracts from, and is an over-development of the original building;
- The extension does not reflect the scale and proportions of surrounding buildings in the area;
- The extension will result in a sense of enclosure and will be visually over-bearing to neighbouring properties.

### Design

- The proposed extension is of a modern 'urban' appearance which is inappropriate and does not reflect the built heritage, 'sense of place' or integrate with the existing building;
- The extension is not sympathetic to, and does not enhance, this established, prominent, landmark building of historical significance;
- The nature of use (namely roof terraces) is out of keeping with the local character.

### Cultural Heritage

- The original buildings at this site feature on Roys Highland Map 1745-55 and is featured in the 1959 film adaptation of the '39 Steps' – thus forms part of the cultural heritage of the area which should be protected;
- There has been no demonstration of how the proposal has been appraised or considered with a view to safeguarding and complementing the historic environment, local building traditions and materials.

### Noise/Disturbance Impacts

- Altskeith has been advertised as a wedding venue since 2012 and since then the weddings have increased in frequency and capacity – resulting in increased noise/disturbance impacts to immediate neighbours and wider area as a result of revelry from guests congregating on the adjacent beach and at adjacent properties, leaving by car/coach at midnight or later and from pipers/musicians/recorded music;

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- Unacceptable noise impacts from the marquee and from the function room when doors are open. The proposed development which introduces a further 2 glazed opening elevations and roof terrace will exacerbate this impact on adjacent properties and surrounding area;
- Smell/Odour nuisance concerns from proposed commercial kitchen which would emanate to adjacent houses and their gardens;
- Functions often take place 3 times per week, which could increase as a result of this proposal resulting in noise during weekdays, as well as weekends;
- The proposal demonstrates an imbalance between enabling economic development and protecting amenity and tranquillity of the area.

### Light Pollution

- The existing west extension glazing presents a solid wall of glazing which is unsympathetic to the traditional window openings (and subsequent lower light emissions) of the original house and would adversely affect the building's locally historic identity. These light emissions would increase as a result of the proposed extension.

### Use Class

- Claims that, prior to the 2014 planning application, Altskeith did not operate as a Class 9 House and was already operating as a wedding venue; and therefore the extension on the west elevation should not have been classed as permitted development under Class 1A of the General Permitted Development Order;  
*Planning Officer Comment: This was assessed by the Planning Authority at the time and a decision taken that the extension did benefit from householder 'permitted development rights'. There is no facility for this decision to now be revisited.*
- The current 'Sui Generis' use does not benefit the community, as stated in the 2014 application; it is a private facility and no public bar/restaurant or any local community facility has been provided;  
*Planning Officer Comment: In assessing the 2014 application for the current use of Altskeith House this offer by the applicants was not a key factor in this Authority's support for the application. The applicant confirms that it remains their intention to provide a public bar on occasion. This would be undertaken under the provisions of the existing planning permission and is therefore not addressed in this application.*

### Other matters

- Excavation works started months ago;  
*Planning Officer Comment: This is addressed in Section 3.19 of this report.*
- The submitted drawings do not show the first floor of the former bothy or second floor of the original main house;  
*Planning Officer Comment: This detail is not required for the assessment of this current application for an extension.*
- An alternative proposal could remove the detrimental 2<sup>nd</sup> storey impacts on the western elevation.  
*Planning Officer Comment: The consideration of alternative proposals cannot be a material consideration in the determination of this application.*

## 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:

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- (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.

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 Development Plan (Adopted 2016):

##### *Relevant Policies:*

- Overarching Policy 1: OP1 – Strategic Principles
- Overarching Policy 2: OP2 – Development Requirements
- Visitor Experience Policy 1: VEP1 – Location and Scale of new development
- Visitor Experience Policy 2: VEP2 - Delivering a World Class Visitor Experience
- Historic Environment Policy 3 – Wider Built Environment and Cultural Heritage
- Transport Policy 3: TP3 - Impact Assessment and Design Standards of New Development
- Natural Environment Policy 6: NEP4 – Legally Protected Species
- Natural Environment Policy 6: NEP8 – Development Impacts on Trees and Woodlands
- Natural Environment Policy 6: NEP12 – Surface Water and Waste Water Management
- Natural Environment Policy 6: NEP13 – Flood Risk

Full details of the policies can be viewed at:

<http://www.lochlomond-trossachs.org/planning/planning-guidance/local-development-plan/>

##### ***Other Material Considerations:***

##### Supplementary Guidance

Sustainable Design Supplementary Planning Guidance (adopted Dec 2011)

Draft Planning Guidance - Visitor Experience (May 2015)

Draft Supplementary Guidance - Design & Placemaking (May 2015)

#### 5.4 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 policies are relevant:

- Con Policy 2: Natural Heritage
- Con Policy 6: Cultural Heritage
- VE Policy 2: Sustainable Tourism
- RD Policy 2: Spatial Development Strategy
- RD Policy 3 – Rural Economy
- RD Policy 7: Sustainable Design and Construction



## 6 SUMMARY OF SUPPORTING INFORMATION

6.1 A summary of the documents that have been submitted in support of the application now follows under their respective titles:

6.2 Supporting Planning Statement & Design Statement (Thomas Robinson Architects)

In summary, this document includes a lighting impact study from distanced contextual viewpoints (existing and proposed levels of lighting) and proposals to assist in reducing potential light pollution. The statement sets out proposals for traffic management (by way of vehicle routing and provision of a bus drop-off point) and noise impact management measures to assist in reducing potential adverse impact on neighbours. A viewpoint analysis of the extension and design statement to explain the brief and consideration taken with respect to scale, massing, design, materials whilst referencing the character of the property.

Supporting Letter from applicant

Letter submitted by applicant to further explain the investment made by the current owners and the economic benefits of the business in supporting other local businesses and services i.e. local registrar, laundry and cleaning companies, local tradesmen, hotels/guest houses, restaurants/cafes/, visitor attractions (as guests to Altskeith House generally spend 2 nights in the area). Altskeith House is fully booked for the season and receiving enquiries for 2019/20.

Flood Risk Assessment (Kaya Consulting Ltd., Jan 2017)

The report explains that the Allt na Sgeith burn runs south, close to the west elevation of Altskeith House and discharges into Loch Ard. Adjacent to the property and 20 metres downstream, the burn flows over two waterfalls.

The report sets out the hydrological analysis of the burn and its catchment, flood modelling and assessment of flood risk from the burn, surface water, groundwater and site drainage.

The conclusions are:

- The site is approx. 4 metres above Loch Ard and so is not considered to be at risk of flooding from the loch.
- No significant risk of flooding from surface water flooding
- Groundwater assessments can be evaluated and mitigated if encountered during site investigations and in construction methods;
- Surface water from the development (post construction) can be drained to the burn;
- Separate septic tank can be located 10m from the burn channel;
- With respect to flood risk from the Allt na Sgeith burn, the report recommends maintenance works including lowering/altering the existing two artificial waterfalls and carrying out repairs to banking at places. This would assist in reducing potential flood risk to the existing house whilst avoiding any increased risk of flooding elsewhere outwith the site. SEPA CAR Licencing may be required for these works.

## 7 PLANNING ASSESSMENT

7.1 In determining this application the key issues to consider are deemed to be as follows:

- Whether the principle of the proposed extension to an established tourism venue is in accordance with the adopted Local Development Plan and whether it accords with the suite of draft policies and draft supplementary guidance that has been a through a consultation process as part of the Proposed Local Development Plan;
- Whether the site layout, massing, scale and design of the proposed extension together with the proposed landscape strategy for the development is appropriate having regard

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to the historic character of the property and the landscape setting and local character of Kinlochard;

- Whether the proposed access and parking arrangements within the site are acceptable;
- Whether the development will have a negative or neutral impact on the residential amenity of neighbours by way of noise, odour or impact on privacy; or the environment by way of flooding or drainage impacts.

The report will now address these key issues in turn.

### **Principle of Development**

- 7.2 The proposal seeks to provide a better functioning building for this existing tourism accommodation/venue, the principle of use having previously been accepted and established in the 2014 planning permission and which, if approved, would remove the need for the regular siting and use of the temporary marquee facility within the grounds. Therefore, it is the suitability of the extension and the consolidation of this existing use that is the key consideration of this proposal.
- 7.3 The improvement of this existing established tourism accommodation/venue is supported, in principle, by the National Park's Local Development Plan (LDP) and National Park Partnership Plan (NPPP) as it utilises an existing site within a strategic tourism location and has the potential to provide an enhanced visitor experience. The National Park's vision, as expressed through the LDP and NPPP, recognises that tourism is an important economic function of the area and, where appropriate, it seeks to support such businesses in their sustainable growth where natural and cultural heritage and landscape experience can be safeguarded.
- 7.4 Notwithstanding this support in principle, other key material considerations require to be taken into account as part of this application before a decision can be reached. These matters for consideration are addressed in the remainder of Section 7 of this report.

### **Design & Massing**

- 7.5 The proposed design, massing and detailing of the extension proposes a contrasting contemporary but subservient design approach, rather than attempt to copy the character or appearance of this existing historic building (as extended).
- 7.6 Concerns have been raised by representees and Strathard Community Council that the proposal is disproportionate in scale and not suitably in-keeping with this traditional property and that the over-emphasis on glazing is not appropriate in such a prominent location.
- 7.7 These abovementioned concerns largely raise the question of suitability of modern design to extend traditional, historic buildings. This is a matter that is explored in both Historic Environment Scotland best practice guidance and also the National Park's adopted Listed Building and Conservation Area Planning Guidance (albeit not to be applied directly to this case due to Altskeith House's non-listed status). It is well recognised that contrasting design, of a high quality, on traditional properties is often the most suitable approach. Where this can be combined with scale, massing and positioning which is in deference to the original property and seeks to limit changes to the more historically significant elements of the building, then this is supported by planning policy.
- 7.8 In assessing the proposed extension it is considered that this proposal does respond to all of the key design policy considerations when extending traditional properties; namely:

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- The historical and architecturally significant elements of the existing building (being the south and west elevations) remain unaffected by the proposals;
- The extension extends significantly to the north, working with the ground levels, however this extended elevation would be less dominant than the south (lochside) elevation;
- The front elevation of the extension does not extend beyond the west elevation and sits well below the ridge level of the existing building;
- The proposed extension utilises glazing to give a 'lighter' presence in contrast to the solidity of the original building (consequential matters relating to light pollution are assessed below in sections 7.13 – 7.18 of this report);
- The external treatment of the remaining elements of the extension would be of a high quality timber, stone and metal. Being naturally occurring materials this approach further assists in the prospect of a successful execution of the contemporary design;
- The visible western elevation of the extension is on staggered planes thus assisting in reducing the overall massing of the extension;
- With respect to the setting of the existing building and the wider landscape setting, the proposed extension respects and works with the levels of the site and is positioned and orientated to be primarily to the rear of the existing building thus only visible when approaching the site from the west.

7.9 Altskeith House has been extended previously and contemporaneous with the original build. It is considered that a new 21<sup>st</sup> century extension to this property calls for a modern approach. The extension as proposed has been designed for purpose/function as well as external aesthetics. The objections received to the design and expressed desire for a more traditional approach and reduced scale is understood and has been taken into account in weighting the suitability of the proposal. However, for the reasons outlined above in section 7.8 the proposal, as presented, is considered to be acceptable and in line with policy due to being appropriately designed and detailed to a high quality. Furthermore, although a substantial new addition to the building, the proposed extension is suitably respectful and sympathetic to the original architectural composition, character and appearance of the existing building.

### **Roads and Parking**

7.10 Concerns have been raised by contributors with respect to the disturbance of vehicles arriving/leaving, roads safety matters and adequacy of on-site parking. The applicant has explained that the proposals are not linked to an increase in the number of guests. Notwithstanding this, they have proposed (and since formed – see section 3.19 of this report), a widened bellmouth at the western entrance and bus drop-off point within the site and further propose a traffic management plan to ensure that vehicles exit the site to the west, thereby reducing noise impact on the closest neighbouring residential properties.

7.11 These abovementioned proposals aim to respond to the concerns raised and they also address points made by Stirling Council Roads Officer, who has raised no objection to the proposals.

7.12 In conclusion, subject to the mitigation measures proposed regarding traffic management being secured by planning condition (see Appendix 1: condition 5), as appropriate, it is considered that no adverse road safety issues are raised and that amenity of neighbours has been adequately addressed.

### **Amenity & Environmental Matters**

#### **Light Pollution**

7.13 The use of extensive glazing in the extension has been addressed above as being a suitable

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design approach to respect the original building's character and appearance. However, this extent of glazing has raised concerns about light pollution from representees and Strathard Community Council.

- 7.14 The applicant's response to address this issue is set out in their latest Design Statement (available to view on the National Park Authority's Public Access Website). The applicant's agent has conducted a photographic based lighting impact study of the Lochard area which does acknowledge that the existing lighting levels of Altskeith House will be increased by the proposed extension but seeks to demonstrate that, from distanced views, in the surrounding context of the lighting from other nearby properties (including the Forest Hills holiday complex) would not be a significant level of additional impact.
- 7.15 Furthermore, the applicant proposes measures to assist in reducing residual light pollution including internal controlled lighting and the projecting eaves canopy above the glazing to reduce upwards light spill into the night sky.
- 7.16 Previous versions of the applicant's Design Statement incorporated proposals for controlled blinds to be employed after dusk. This has since been removed from their proposals as they consider that the above measures alone can sufficiently address this issue.
- 7.17 Stirling Council's Environmental Health officer has no objections, subject to any external lighting being positioned so as to not adversely affect neighbouring properties.
- 7.18 Overall, it is considered that there are a number of properties in this location projecting light in the evening and as such Altskeith cannot be viewed in isolation. The primary concern for protecting 'night skies' is reduction and control of upward light spill and it is considered that the proposed design approach and lighting measures secured by planning condition address this satisfactorily (see Appendix 1: condition 7).

### Noise, Disturbance and Odour

- 7.19 Concerns have been raised by neighbours relating to noise and disturbance from the existing operation, anti-social behaviour and noise from guests leaving wedding events late at night. Concerns regarding the routing of guest traffic are addressed above in section 7.10.
- 7.20 The applicant has stated that, prior to the application being submitted, they had received only a few complaints which they subsequently addressed. Furthermore, the applicant has stated that there is no intention to increase the overall capacity of guests for the venue would remain the same and that the removal of the need for the marquee offered by the extension would further reduce any outdoor noise.
- 7.21 To further respond to the issues raised by representees, the applicant proposes to install air conditioning that will enable the glazed doors to be closed in the evening thus reducing noise spill.
- 7.22 Stirling Council's Environmental Health officer has commented on the application and has no objections subject to noise control measures being secured by planning condition and employed, to ensure that the effects from the venue during events is no greater than neutral, in accordance with their technical advice and hours of construction are controlled (see Appendix 1: conditions 3 & 5).

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- 7.23 It is considered that the removal of the need for regular use of a marquee in the grounds is a substantial beneficial element to this proposal and that the further measures to be employed, as may be monitored by the Council's Environmental Health service, are satisfactory to reduce any significant noise disturbance factors. To avoid the risk of subsequent intensification of the use of the grounds through the siting and use of a marquee, it is recommended that 'permitted development' rights be removed to ensure that such proposals are subject to formal planning assessment and control (see Appendix 1: condition 8).
- 7.24 The applicant strongly refutes the references in representations to previous anti-social behaviour from guests. Although primarily in the business interests of the applicant to control, this would otherwise be a potential police, rather than a planning matter.

### Flooding

- 7.25 The southern part of the application site is within the Medium Fluvial Flood Risk Zone (Loch Ard) and an area of Medium Surface Water Flood Risk is located at the north-wing of the existing building.
- 7.26 Following initial responses from SEPA and Stirling Council Flood Officer the applicant commissioned a qualified Flood Risk Assessment, the summary of which is provided in section 6 of this report. This has lead both of these relevant authorities to conclude that the proposals are acceptable, subject to the mitigation measures proposed in the submitted report being finalised and agreed in writing by the Planning Authority (see Appendix 1: condition 1).
- 7.27 In conclusion, subject to these measures being secured by planning condition, the proposal meets the terms of Overarching Policies1 & 2 and Policy NEP13 of the Local Development Plan by avoiding significant adverse impacts of flooding.

### Wastewater Drainage

- 7.28 Concerns have been raised by contributors regarding the continued use of the existing shared septic tank by Altskeith House. However, following discussions with SEPA the applicant now proposes to install a separate private treatment system and has shown the proposed site location for this which, in principle, meets with SEPA's agreement. Therefore, as connection to the public sewer is not possible, this is deemed to be an appropriate solution and meets the terms of Local Development Plan policy NEP12 where secured by planning condition (see Appendix 1: condition 2).

### Ecology

- 7.29 Setting aside minor tree works that have already taken place within the grounds of Altskeith House, only one tree would require to be removed to facilitate the building of the extension. The tree in question is a non-native fir tree of mature height. This tree has been assessed as being of no bat roost potential and as of limited amenity value to the site and surroundings. It is therefore accepted that this tree can be removed. Due to the extensive backdrop of woodland to the rear of the site it is not considered proportionate to require compensatory planting for the loss of this single tree.

### National Park Aims

- 7.30 The proposal has been assessed in light of the National Park Aims and in response to representations received in this regard. It is considered that the proposal will assist to conserve and enhance the cultural heritage of the National Park by virtue of a high quality of design. Furthermore, the landscape and special qualities of the Park will be conserved due to the

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proposed development being of an acceptable scale, design and siting. In terms of the second aim: *“to promote sustainable use of the natural resources of the area”*, the proposal presents the use of sustainable materials and as such meets this aim. The improvement of this established tourism accommodation and venue located adjacent to a large selection of forest paths will undoubtedly help continue to promote the understanding and enjoyment of the special qualities of the area through recreation and as such would meet the third aim. Lastly, the proposal would provide a level of ongoing employment and secondary benefits of supporting local businesses thus would support, in part, the fourth aim which is *“to promote sustainable economic and social development of the area’s communities”*. There is no conflict with the first aim of the National Park and therefore the Sandford principle does not apply in this instance.

### **CONCLUSION**

- 8.1 The use of this site as a wedding/event venue has previously been established and the applicant has made clear that there are no proposals to intensify the capacity for guests but instead to improve the function of the business. Therefore, the principle is supported by the relevant National Park Local Development Plan Visitor Experience policies and the key planning considerations are with respect to the suitability of the extension and other material planning issues as set out in section 7 of this report.
- 8.2 The design suitability of the extension has been raised as an issue by objectors; however, it is considered that the contemporary design approach taken to extend this traditional, landmark building is acceptable and in line with relevant policy. It is concluded that the scale, massing, design and materiality of the extension is of a high quality that will enhance and protect the character and appearance of the existing building and will not result in an unacceptable visual impact on the setting. Final approval of materials and detailing can be secured by planning condition to ensure a high quality of completed development.
- 8.3 The proposal, although not an intensification of use of the existing tourism site, has been assessed by the Council Roads Service and the measures since formed on site to improve the access, parking, driveway and provide a drop off-point respond to the points raised.
- 8.4 Amenity concerns of adjacent neighbours and visitors have been raised with respect to light pollution, noise disturbance and odour. These have been responded to by the applicant with inclusion of mitigation measures which have been assessed and considered to be acceptable and can be secured by planning condition.
- 8.5 Environmental concerns raised with respect to flood risk within, and outwith the site, have been addressed by submission of a Flood Risk Assessment which, subject to the mitigation measures being secured by planning condition and being put in place, are accepted by SEPA and Stirling Council, as Flood Risk Authority.
- 8.6 Technical concerns with respect to wastewater drainage have been responded to by the applicant who proposes to install a new separate private treatment plant and this has been accepted in principle by SEPA and can be secured by planning condition.
- 8.7 Therefore, on the basis of the above assessment it is considered that the proposal to improve this existing tourism business is in accordance with the relevant National Park Local Development Plan policies and Supplementary Guidance. In addition it is considered that the proposal collectively meets the aims of the National Park.



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- 8.8 Other material considerations have been taken into account, such as the level of objection and the issues raised in these objections from neighbours and from Strathard Community Council. These matters have been addressed under their relevant sections and there has been no justification found to warrant an exception to the support provided by the relevant local plan policies. In addition, there are no objections from statutory consultees or non-statutory consultees. A number of modifications have been incorporated into the proposal during the process of considering the application to address concerns and issues raised.
- 8.9 In conclusion, the proposal is in accordance with the Development Plan and other material considerations do not outweigh the conclusion. Therefore, the proposal is recommended for approval, subject to imposition of conditions (detailed in 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 '2016/0234/DET'*

**Appendices:** *Appendix 1 Conditions, Informatives and List of Plans*

**Appendix 1**

**Planning Conditions:**

1. **Flood Risk Management Measures:** Notwithstanding compliance with the approved Flood Risk Assessment (Kaya Consulting Ltd. dated January 2017, received 2<sup>nd</sup> February 2017), prior to commencement of the development hereby approved, the undernoted measures shall be further confirmed and submitted to, and subsequently approved in writing by, the Planning Authority in consultation with SEPA. The subsequently approved measures, pursuant to this condition, shall thereafter be incorporated into the site of the development prior to first use of the extension:
  - a) Detailed methods, as proposed and certified by a qualified hydro-geomorphologist, of the proposed watercourse modifications to lower the stream bed and alter the artificial waterfall features to ensure that this is carried out to best practice and does not result in bank instability.
  - b) Detailed proposals for the ongoing monitoring and maintenance of the watercourse

REASON: To mitigate the risk of flood risk on the site and to ensure flooding is not increased elsewhere as a result of the development.

2. **Provision of Private Wastewater Treatment System:** Prior to commencement of the development hereby approved, full details of the provision of a system of sewage disposal within the application site, shall be submitted to, and approved in writing, by the Planning Authority in consultation with the Scottish Environment Protection Agency. The scheme as may be approved pursuant to this condition shall thereafter be installed and connected prior to first use of the extension.

REASON: To ensure that the development, once occupied, conforms with the appropriate standards and does not result on any adverse impacts on neighbouring properties and the amenity of the area.

3. **Hours of Construction:** Where residential occupiers are likely to be affected by noise, construction works which are audible outwith the site boundary shall be undertaken during normal working hours, viz:- 08.00 to 18.00 hours Monday to Friday, and 09.00 to 13.00 hours on Saturdays. No noisy works, audible outwith the site boundary, are permitted on Sundays or a recognised Scottish Bank Holiday.

REASON: To protect the occupants of nearby dwellings and visitors to the area from excessive noise/disturbance associated with the construction of this permission.

4. **Agreement of Materials and Specifications:** Prior to their installation on the development hereby approved, a further detailed specification or sample of the undernoted details shall be submitted to, and approved in writing by, the Planning Authority. Thereafter the specification and materials approved in accordance with this condition shall be used in the completion of the project:
  - a) The roofing material to be used on the buildings (specification details and finished colour);
  - b) The proposed metal cladding system (specification details and sample showing finished weathered tone);

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- c) Any render to be used on the walls of the buildings (sample panel to be submitted or made available for inspection);
- d) The proposed stone cladding (sample to be provided for inspection);
- e) The timber wall cladding (sample to be submitted, illustrating detail of fixing method and finished appearance);
- f) The colour/treatment/finishes of exposed timberwork (other than principal timber wall cladding);
- g) The window and door units (specification details, frame dimensions and thicknesses, frame colour, opening methods);
- h) The rainwater goods (specification details).

REASON: To ensure a high quality design finish in keeping with the character of the designs approved and to complement and enhance the high quality traditional building.

5. **Noise Mitigation:** Prior to first use of the development hereby approved full details of the proposed noise mitigation measures to be employed (i.e. traffic management, door control measures) shall be submitted in writing to and subsequently approved by the Planning Authority, in consultation with Stirling Council Environmental Health. Upon completion of the development hereby approved, the noise emitted from the building shall not exceed Neutral, as defined in the Scottish Government's Technical Advice Note: Assessment of Noise, Table 3.5 when measured from the boundary of the neighbouring properties. In the event that measurements taken exceed the abovementioned level, then details of further mitigation measures shall be submitted to, and subsequently approved in writing by the Planning Authority, in consultation with Stirling Council Environmental Health and shall then be employed as approved, and maintained thereafter, unless otherwise agreed in writing by the Planning Authority.

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

6. **Odour Generating Assessment:** Prior to first use of the development hereby approved, detailed information regarding potential odour generating activities and mitigation measures to ensure that the development does not result in an odour nuisance (i.e. specification details of proposed extract ventilation and methods of treatments of emissions and filters to remove odours) shall first be submitted to and subsequently approved in writing by the Planning Authority, in consultation with Stirling Council Environmental Health. The scheme as may be approved pursuant to this condition shall thereafter be installed and connected prior to first use of the extension and maintained thereafter, unless otherwise agreed in writing by the Planning Authority. Reference should be made to the following DEFRA document: Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust System. Jan 2005. Odour control from a smokehouse may require more specialist advice.

REASON: The proposed development includes cooking operations that may result in an adverse odour impact on neighbouring residential premises and in order to protect the amenity of neighbouring residential properties.

7. **Light Pollution Controls:** Prior to first use of the development hereby approved, further details of the proposed internal and external lighting plan for the extension and site shall be submitted to, and approved in writing by the Planning Authority, in consultation with Stirling Council Environmental Health. The details to be submitted

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shall include specification and details of the type, number, positioning, orientation and lumen levels of the lighting and shall be so positioned and designed to prevent, as much as possible, glare or light spillage outwith the site boundary. The lighting plan, as may be approved pursuant to this condition, shall thereafter be installed prior to first use of the extension and maintained thereafter, unless otherwise agreed in writing by the Planning Authority.

REASON: To protect the occupants of nearby dwellings and visitors to the area from excessive light disturbance and associated with the implementation of this permission.

8. **Marquee/Canopy – Removal of Permitted Development Rights:** The permission hereby approved is in respect of the use of Altskeith House only and does not relate to the siting of marquees or canopies within the site (as identified as the application site edged red on the approved location plan dwg. no. 203 Rev A) for the holding of functions or events. Any such proposals for the siting of marquees or canopies for this purpose would require to be subject and approval through an application for planning permission.

REASON: For the avoidance of doubt and to ensure that other uses are subject to formal control by the Planning Authority.

### **Informatives**

1. **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.
2. **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.
3. **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.
4. **CAR Licence** - Contact should be made with SEPA's local regulatory team regarding any proposals to undertake alterations to or works on the bank or bed of the watercourse or sedimentation management as this may constitute an activity which requires to be authorised under The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended) (CAR). Details of regulatory requirements and good practice advice can be found on SEPA's website at [www.sepa.org.uk/planning.aspx](http://www.sepa.org.uk/planning.aspx). If you are unable to find the advice you need for a

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specific regulatory matter, please contact a member of the regulatory team in your local SEPA office at: Balloch Office, Carrochan, Carrochan Road, Balloch G83 8EG (tel no. 01389 727770).

5. **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 SEPAs website or from your local SEPA office at: Balloch Office, Carrochan, Carrochan Road, Balloch G83 8EG (tel no. 01389 727770).
6. **Flood Mitigation:** In line with Stirling Council Flood Officer advice the applicant is advised to have an Emergency Egress Plan in place to ensure safe access and egress to/from the site during an extreme flood risk event.

### List of Plans

<b>Title</b>	<b>Reference</b>	<b>Date Received</b>
Location Plan	203 REV A	01/08/16
Site Plan	201 REV A	01/08/16
Site Plan Landscape	202 REV A	01/08/16
Existing Floor Plans Ground Floor	300 REV A	06/10/16
Existing Floor Plans First Floor	310	21/07/16
Plan Demolition Ground Floor	301	21/07/16
Plan Demolition First Floor	311	21/07/16
Existing Elevations East and North	500	21/07/16
Existing Elevations South and West	501	21/07/16
Plan Demolition East and North Elevations	502	21/07/16
Plan Demolition South and West Elevations	503	21/07/16
Proposed Floor Plans Ground Floor	303 REV A	06/10/16
Proposed Floor Plans First Floor	313 REV A	06/10/16
Proposed Elevations East and North Elevations	504	21/07/16
Proposed Elevations South and West Elevations	505	21/07/16
Sections	401	06/10/16
Plan Septic Tank Arrangement	204	13/03/17
General Flood Risk Assessment	KAYA CONSULTING LTD - JAN 2017	02/02/17