Report of Handling

ERECTION OF DWELLING HOUSE (DUPLICATE APPLICATION OF LOCH LOMOND & THE TROSSACHS NATIONAL PARK APPLICATION 2017/0111/DET DUE TO GARDEN GROUND AND PART OF DRIVEWAY BEING ON LAND WITH STIRLING COUNCIL AS PLANNING AUTHORITY) AT LAND 50M SOUTH WEST OF BRIDGE OF LOCHAY HOTEL, KILLIN, , - AR HOSPITALITY - 17/00378/FUL

DECISION: **Approve with Conditions**

DATE: **11 July 2017**

Summary of Representations

No representations received.

Summary of Consultation Responses

Transport Development (Roads): No objection and there are no conditions required to be added to any planning permission granted.

Development Plan and Other Material Considerations

Adopted Stirling Local Development Plan - 2014:

Policy 2.10: Housing in the Countryside
(a) New houses (including those for holiday let out with managed chalet developments), of a scale, layout and design suitable for their intended location, will be supported in the Countryside* where one or more of the following circumstances apply: -

i) When they are within or closely and cohesively visually related to existing Building Groups and Clusters.

ii) Where they will occupy Infill sites relative to existing rows of houses.

iii) Outwith existing groups or Infill situations when the proposal is for a Single house at a specific type of site or for a specific purpose.

iv) When the Replacement or Renovation of a single house is proposed.

v) When the proposal is for the Conversion, redevelopment or replacement of a Farm Steading or other range or cluster of Non-Domestic Buildings.

vi) When the proposal will result in the beneficial re-use of a Brownfield Site.

(b) Development opportunities within designated Green Belts will be significantly constrained (see Policy 1.5 and SG10).

[SG10 supports this policy by providing details of the definition of terms used, requirements relative to Listed Buildings, affordable housing, Green Belts, etc., and includes guidance on siting and design, landscaping, energy efficiency etc. SG36 sets out the procedures allowing for the identification and formation of Small Settlements within the Countryside and policy interpretation therein].

Policy 10.1: Development Impact on Trees and Hedgerows
(a)   Development proposals should provide protection from adverse impacts resulting from

development to important individual trees, groups of trees or hedgerows that contribute to local amenity or have nature conservation or historic interest.

(b)   During the construction phase ensure the protection and management of retained trees on development sites in accordance with BS 5837:2012 Trees in relation to design, demolition and construction (April 2012).

(c)   All proposals on sites with existing trees or other significant vegetation features within or close to the site boundaries should: -

(i)   Include an appropriate tree survey and demonstrate how the findings of the tree survey and assessment have informed the development proposals.

(ii) Identify trees proposed for removal and retention, with details of how protection will be afforded.

(iii) Bring forward tree planting proposals to compensate for any removal and/or workable mitigation measures where development would impair connectivity between important woodland habitats.

(iv) Demonstrate suitable arrangements for the long-term management of retained trees and any compensatory planting (on or off-site as appropriate according to the nature and scale of the development). Developers should notify owners of any affected trees.

(v)   Ensure the long-term retention of existing and proposed trees by positioning buildings an appropriate distance from them, taking into account the ultimate height of the trees.

[SG31 supports this policy by providing guidance on the protection and management of trees on development sites].

[SG32 supports this policy by providing guidance on the legal circumstances surrounding trees].

Summary of Submission

The area proposed for the footprint of the house and the majority of the site is within the Planning Authority area of Loch Lomond and Trossachs National Park. The application has been submitted to Stirling Council as Planning Authority as part of the site - rear garden and a small section of driveway is within the Stirling Council area.

The applicants, who are owners of the hotel, have been living in staff accommodation for 7 years. Planning permission in principle for a house at the Bridge of Lochay was granted by Loch Lomond and Trossachs National Park on 12 December 2016 on the grounds that the house is required to manage a rural business - reference 2016/0321/PPP. As the principle of a house has been established, the siting and design of the house is a matter for the National Park to determine. It is only the proposal for garden ground and part of the driveway that is within the Council's administrative responsibility to determine.

The application requires tree removal within the hotel ownership and so mitigation and new planting is required by a planning condition so the proposed house would fit into the landscape setting of the hotel and local area. The proposal for the house complies with the Loch Lomond and Trossachs National Park Local Development Plan - Housing Policy 2 (d) as the accommodation is for managers of the existing hotel business, and will also have the benefit of vacating the existing staff accommodation for staff use and help with recruitment and retention of staff at the hotel. The removal of trees shown on the plan to permit the development would be acceptable subject to a condition that requires replacement planting and landscaping plan.

Summary of Main Issues Raised In Respect of:

Any Environmental Statement submitted.
Any assessment under Conservation (Natural Habitats &c.) Regulations 1994 carried out.
Any Design Statement or Design and Access Statement submitted.
Any report on impact or potential impact of the proposed development (e.g. retail, transport, noise or risk of flooding) submitted.

Not applicable.

Summary of terms of Section 75 Legal Agreements

Not applicable.

Directions Under Regulations 30, 31 or 32

Not applicable.