

PLANNING AND ACCESS COMMITTEE

MEETING: Monday 29 July 2019

SUBMITTED BY:	Director of Rural Development and Planning
APPLICATION NUMBER:	2018/0139/DET
APPLICANT:	Mactaggart & Mickel Homes Ltd
LOCATION:	Land to the North Of Gartness Road, Drymen, Stirling
PROPOSAL:	Residential development of 88 dwellings with access, public car park, hard and soft landscaping, drainage and associated infrastructure

NATIONAL PARK WARD:	Ward 4 South East Loch Lomond
COMMUNITY COUNCIL AREA:	Drymen
CASE OFFICER:	Name: Caroline Strugnell Tel: 01389 722148 E-mail: caroline.strugnell@lochlomond-trossachs.org

1. SUMMARY AND REASON FOR PRESENTATION

- 1.1. A planning application has been submitted for the development of 88 dwellings with access, public car park, hard and soft landscaping, drainage and associated infrastructure on land to the north of Gartness Road, Drymen. The land is allocated for housing development in the Local Development Plan (LDP)
- 1.2. In accordance with the National Park Authority's Scheme of Delegation, this application requires to be determined by the Planning and Access Committee because the application is for major development as defined under the 2009 Regulations; and the proposed development is considered to represent a material departure from the LDP.

2. RECOMMENDATION

- 2.1. That Members:

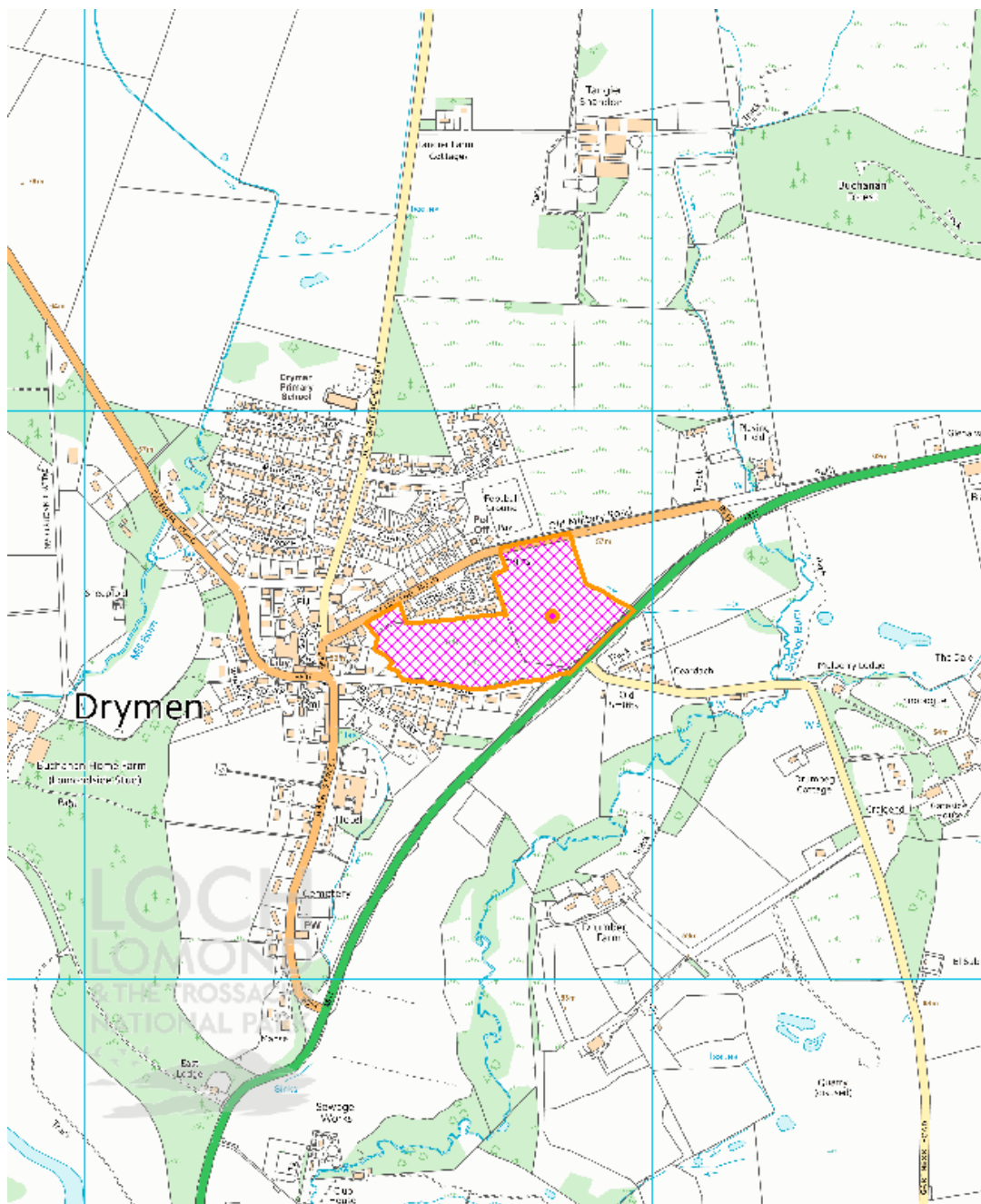
1. **APPROVE** the application subject to the imposition of the conditions set out in **Appendix 1** of the report and the conclusion of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in **Appendix 2**.

3. BACKGROUND

- 3.1. The current planning application was submitted on 14 May 2018. The first submission was for 101 houses with access, public car park, hard and soft landscaping, drainage and associated infrastructure.
- 3.2. Officers advised that the proposal raised issues of principle since it challenged the scale of development envisaged in the recently adopted LDP. Further justification was requested for the proposed approach. The submission attracted an objection from the Community Council.
- 3.3. In response the applicant entered a dialogue with the Community Council whom they met in August 2018 and again in October 2018. Following these discussions and officer feedback the proposal was subsequently revised to 95 houses in November 2018 along with changes to the public car park design including provision of a perimeter footpath, and retention of the majority of the protected roadside trees on Stirling Road. The submission was accompanied by a statement explaining the rationale for the proposed approach. A further amended submission (which clarified minor design details in relation to the public car park) was received in March 2019 along with a further statement containing additional explanation and justification for the approach at the request of officers.
- 3.4. In early April 2019 the Community Council confirmed their objection to the 95 unit scheme and a further period of dialogue between the applicant and the Community Council took place in April and May 2019. The applicant subsequently agreed to further reduce the scale to 88 houses and make alterations to the arrangement of the houses on the eastern boundary and on the south side of Stirling Road and an additional zebra crossing point on Stirling Road at the eastern end.
- 3.5. On the 21 June 2019 the application was amended to the 88 dwelling proposal that is now presented for Member's consideration. Re-notification of all contributors was undertaken at the time of submission of the final revised proposal.

Site Description

- 3.6. The application site is 6.77 hectares of undeveloped land located to the east of Drymen between the Old Military Road (B858 Stirling Road) to the north, Gartness Road to the south and the A811 to the southeast (Figure 1).



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right July 2019. All rights reserved. Ordnance Survey Licence number 100031883. This map was produced by LLTNPA for the Planning Committee Meeting to show the location of the site as referenced above. The representation of features or boundaries in which LLTNPA or others have an interest does not necessarily imply their true positions. For further information please contact the appropriate authority

Figure 1: Location Plan

- 3.7. The eastern area of the site comprises open pasture currently used for grazing, the central and southern areas are characterised by scrub vegetation and the northwest corner closest to the village centre is in use as a public car park.



Figure 2: Aerial View

- 3.8. There are two Core Paths which pass in close proximity to the site. One is located along the northern side of Stirling Road adjacent to the site boundary which links to the West Highland Way (WHW) some 260m to the east of the site boundary. The second is the National Cycle Network Route no. 7 (NCN7) which runs along Gartness Road on the southern boundary. A public path along the east of Ardmore Gardens follows the field boundary north/south through the centre of the site connecting to the A811.
- 3.9. The site sits adjacent to the eastern boundary of the Drymen Conservation Area. The Conservation Area designation follows the site's western boundary and incorporates the existing public car park.
- 3.10. The northern boundary abuts existing housing on Ardmore Gardens and, at the eastern extent, the Old Military Road (B858 Stirling Road) which is flanked on both sides by a number of mature oak trees. To the west there are a number of larger residential properties beyond which lies the central area of Drymen.
- 3.11. The site slopes from north to south down towards an unnamed ditch before rising steeply up again to be level with Gartness Road and the houses beyond on the southern side. The site also slopes down to the east towards another unnamed ditch which marks the eastern site boundary.

Agenda Item 5



Figure 3 View of the site (eastern half) looking north from Gartness Road



Figure 4: View of the site (western half) looking north from Gartness Road

Agenda Item 5



Figure 5: View of the site (eastern half) looking west along Stirling Road towards Drymen.



Figure 6: View from within the site (western half) looking east towards the A811. Gartness Road is at an elevated position to the right of the picture; the rear of Ardmore Gardens is visible on the left.



Figure 7: View towards the eastern site boundary looking west across the unnamed ditch from the adjacent field.

Description of Proposal

- 3.12. Planning permission is sought for the development of 88 dwellings with access from Stirling Road, public open space with drainage infrastructure and an extension to the existing public car park.



Figure 8: Proposed Layout.

Housing

- 3.13. The proposal would comprise 44 houses for open market sale and 44 affordable houses. The open market housing would be a mix of 3, 4 and 5 bedroom 2-story properties (plots 33-35 and 46-88). The affordable houses would comprise 30 no. 1, 2 and 3 bed houses for social rent (plots 1-30 on the western part of the site) which would be let and managed by Rural Stirling Housing Association. The other 14 would be 2 and 3 bed houses (plots 31-32, 87-88 and 36-45) which would sold at a discount to market value in perpetuity and made available to local people in the first instance.
- 3.14. Re-profiling of the ground ('cut and fill') is proposed to create a development platform. Levels to the south of Ardmore Gardens and the higher ground in the central area of the eastern field would be reduced and levels towards the ditches to the east and south would be raised. Retaining structures would comprise vegetated slope embankments in the main however some retaining walls ranging in height up to 2.0m are proposed in places between the development and the open space. Four split-level units are proposed (plots 83-86) to accommodate the change in levels in the centre part of the site.

Agenda Item 5

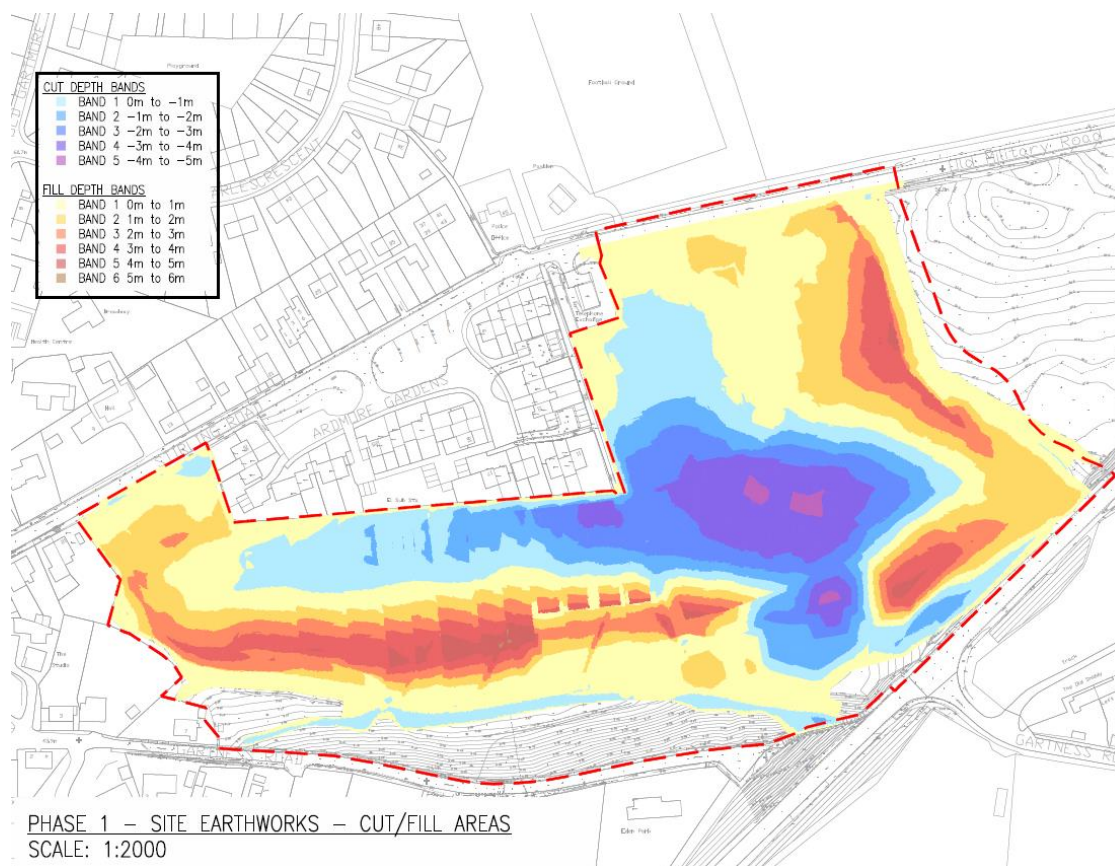


Figure 9: Proposed cut and fill earthworks.

- 3.15. Rear garden boundary treatments would comprise 1200mm to 1800mm high fences and front boundary treatments would be ornamental hedges. 1800mm brick walls are proposed for rear gardens on the more prominent frontages within the development. Garden trees are proposed in front gardens and incidental areas throughout the development.
- 3.16. The houses would have a stone base-course, white render, slate-look grey concrete roof tiles, grey windows and doors and dark rainwater goods.

Access

- 3.17. The main vehicular access to the site would be from a new junction on Stirling Road at the development's eastern end. There are four existing mature oak trees in the verge which are the subject of a Tree Preservation Order. One of these is required to be removed to facilitate the proposed access however the remaining three would be retained.

Agenda Item 5



Figure 10: View from the east boundary of Ardmore Gardens looking north towards Stirling Road.

- 3.18. The 30mph zone is proposed to be relocated further east to slow traffic on the approach to the village and the new access.
- 3.19. To the west of the main access a new pedestrian footpath would be provided along the south side of Stirling Road as far as the telephone exchange (see Figure 10) where a new dropped kerb with tactile paving and zebra crossing point is proposed to access the existing footpath on the north side of Stirling Road.
- 3.20. At the development's eastern end a further zebra crossing is proposed adjacent to the northwest corner of the public car park to facilitate access the footpath on the north side of Stirling Road (which connects onwards to Drymen Primary School which is situated in the north of the village).

Open Space

- 3.21. The remainder of the site to the east and south of the housing would be landscaped to provide a new accessible public open space. A landscaped frontage to Stirling Road would also be created which would contain the retained mature roadside oak trees.



Figure 11: Public Open Space and Landscape Proposals

- 3.22. New paths are proposed through the open space including an all-access pedestrian and cycle path which would link the NCN National Cycle Route on Gartness Road to the public car park. A perimeter footpath would provide a circular route around the outside of the development with connections to the housing at points along the southern and eastern boundaries. This path would also provide access to the proposed children’s play area. The existing footpath that runs along the eastern boundary of Ardmore Gardens would be retained and would be linked into the new housing by a set of steps.
- 3.23. Native planting is proposed on the new embankments and adjacent to the retaining walls along the southern and eastern boundaries of the housing development. This comprises a native hedge against the rear garden fences and tree and shrub planting including a number of heavy standard trees.
- 3.24. On the eastern site boundary, on the east side of the existing ditch, a belt of native tree planting is proposed. The existing vegetation on the southern boundary adjacent to Gartness Road and the A811 is proposed to be retained and augmented with native tree planting. The low stone dyke on Gartness Road would be retained and repaired.
- 3.25. The landscaped area contains drainage infrastructure in the form of a Sustainable Urban Drainage (SUDS) detention basin which would collect and attenuate surface water from the development. This would discharge into the ditch that flows west into a culvert in the southwest corner and onwards from there to the Mill Burn.
- 3.26. The applicant’s visualisations (Figures 12a-c) show how the open space could look as a matured scheme.

Agenda Item 5



Figure 12(a): Open Space Visualisation (looking west across proposed SUDS pond)



Figure 12(b): Open Space Visualisation (looking west)



Figure 12(c): Open Space Visualisation (looking east)

Public Car Park

- 3.27. The existing car park provides parking for approximately 40 cars. It is proposed, as part of this development proposal that the car park be upgraded and extended southwards into the site to accommodate 87 marked parking spaces including 4 wider marked bays for disabled vehicles and 4 larger spaces suitable for minibuses and motorhomes. The car park will continue to be managed by Stirling Council after the works are complete. A shared cycle-footpath would be incorporated around the western side providing access to the development's western end and the open space to the south.
- 3.28. The car park expansion necessitates the removal of the hedge along the frontage and the existing trees and vegetation along the southern boundary of the car park. The frontage hedge would be reinstated and the removed trees replaced with new native tree planting to the south of the extended car park.

Phasing

- 3.29. It is proposed that the development would be constructed in 4 distinct development phases (see Figures 13a-d below) over approximately a 5 year period from 2019 to 2024/25 as follows.
- Phase 1 comprising cut and fill earthworks followed by the expansion of the existing public car park and development of the first 41 units (including 34 affordable) with landscaping (including all access route and drainage infrastructure). A temporary replacement public car park with 45 spaces would be provided on the eastern part of the site adjacent to the new main access on Stirling Road. A temporary access, for residents of the first phase of new homes would be provided through the existing public car park with a temporary turning head at the eastern end. Construction access would be

Agenda Item 5

taken from the new main access. The site compound and show homes /sales complex would also be established.



Figure 13a: Phase 1 (extract from *Phasing Plan* drawing ref. 122202/7200 Rev C)

- Phase 2 comprising the first phase of market housing on the eastern part of the site with eastern boundary landscaping.

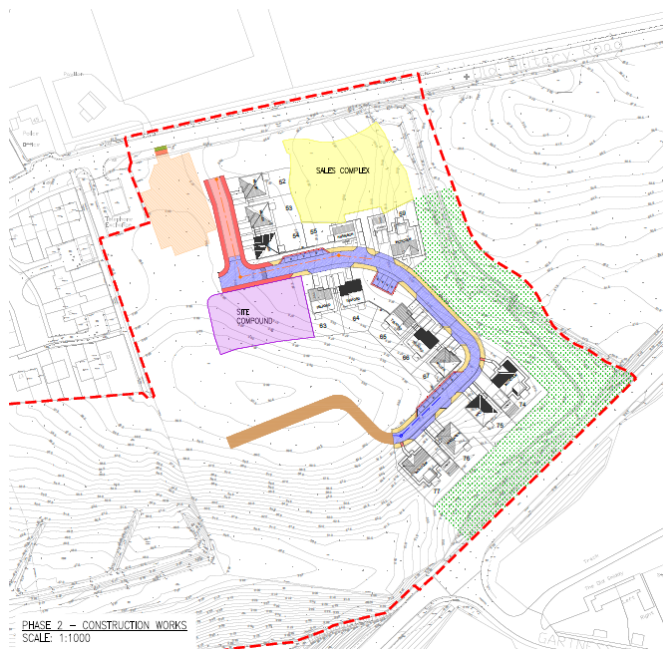


Figure 13b: Phase 2 (extract from *Phasing Plan* drawing ref. 122202/7200 Rev C)

Agenda Item 5

- Phase 3 comprising the second phase of market housing (including some discounted for sale affordable housing) with adjacent landscaping and planting, removal of the temporary residential access and turning head and completion of the upgraded public car park.



Figure 13c: Phase 3 (extract from *Phasing Plan drawing ref. 122202/7200 Rev C*)

- Phase 4 comprising the completion of the remaining market and discounted for sale affordable housing.

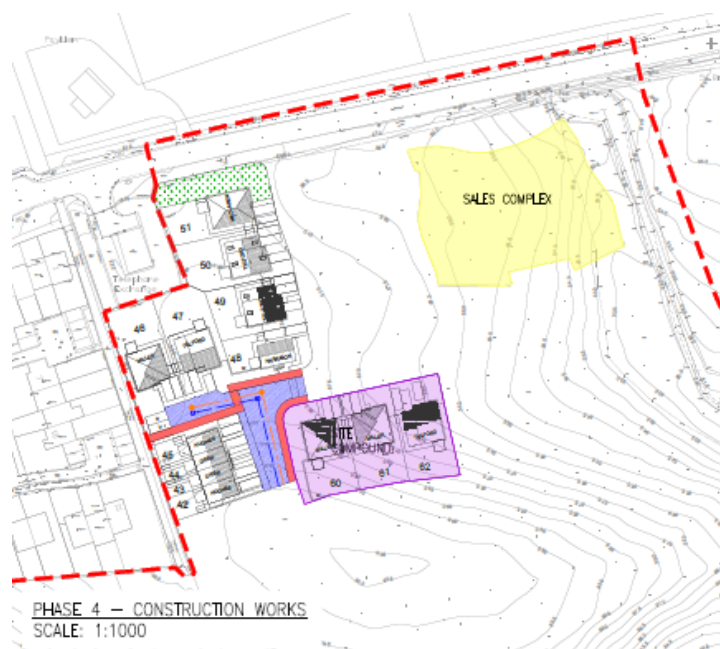


Figure 13d: Phase 4 (extract from *Phasing Plan drawing ref. 122202/7200 Rev C*)

Planning History

Planning Application History

- 3.30. The eastern part of the application site has no planning application history however the western part of the application site has been the subject of five historic planning permissions dating back to 2002; none of which have been implemented to date.
- 3.31. The most recent is for the development of 36 houses, public car parking and open space which was originally granted in 2010 and renewed in 2013 and 2017. Both the original and the subsequent renewal applications were made by the same applicant (Mactaggart & Mickel Homes Ltd). The permission (2016/0360/DET) has yet to be implemented but remains extant until 07 August 2020.
- 3.32. The details are summarised below. Full details can be found at <http://www.lochlomond-trossachs.org/planning/> (click on view applications, accept the terms and conditions then enter the application reference)
- 2016/0360/DET -Approve -7 August 2017 (extant until 07 August 2019): Renewal of planning consents 2013/0134/DET and 2008/0375/DET for erection of 36 residential dwellings, formation of access road, extended public car park, creation of public park and associated engineering works;
 - 2003/0031/DET -Approve with Conditions -31 July 2003 (lapsed): Formation of vehicular access road to housing development (Scheme A - T-Junction) and change of use of land to form public car park and associated engineering works;

Agenda Item 5

- 01/00030/NONDET/S – Allowed on Appeal September 2002 (lapsed):
Erection of 20 no. new dwelling houses.

Local Development Plan History

- 3.33. The application site is allocated for housing development in the LDP under two separate allocations within Drymen: H1 'Stirling Road' which covers the western half of the site (including the public car park) and LT1 'South Stirling Road' which covers the eastern half.

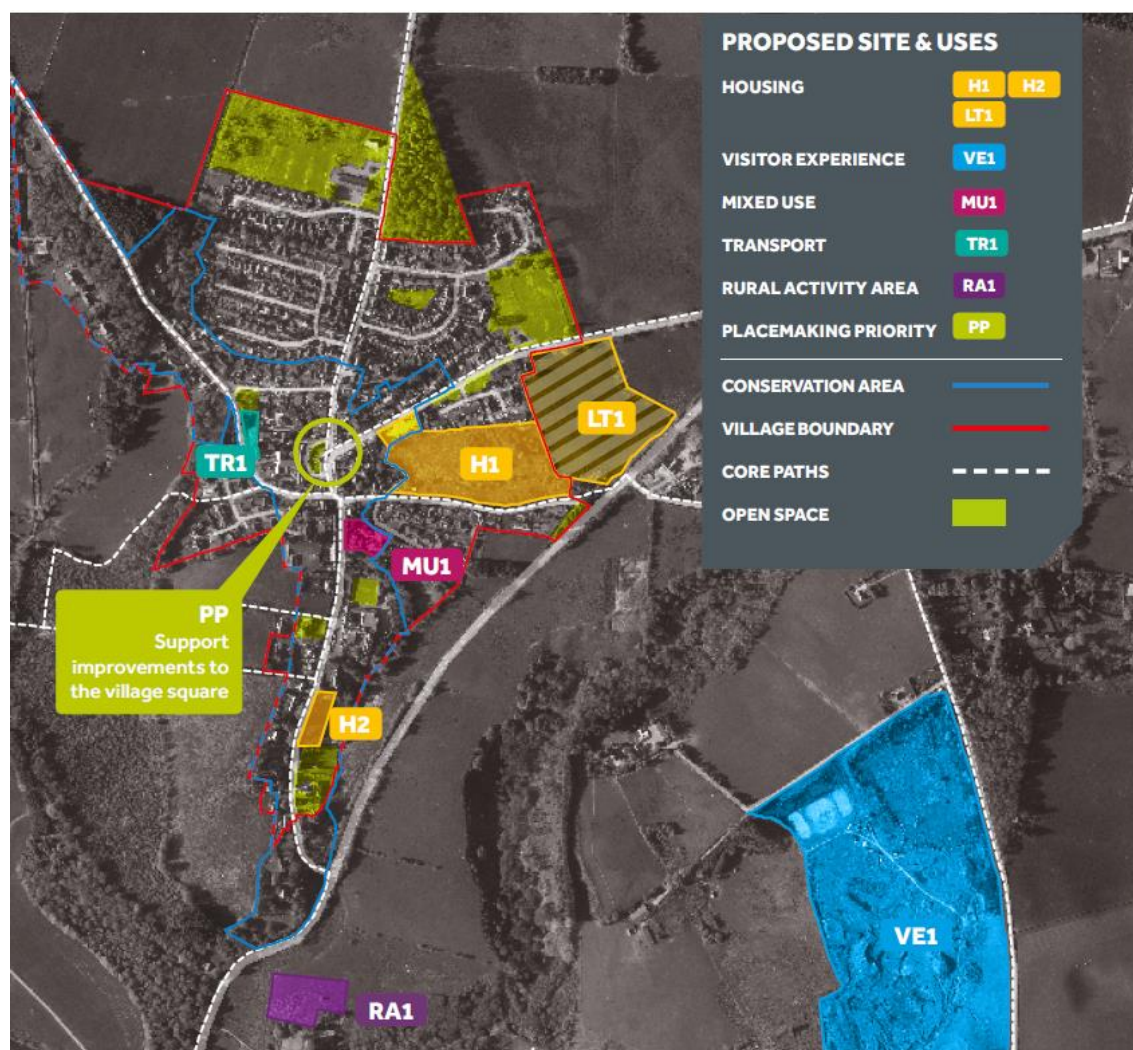


Figure 14: Local Development Plan Extract for Drymen showing allocations H1 and LT1

- 3.34. H1 is one of three allocated sites which make up the housing supply for Drymen during the period to 2026; the other two being H2 Laurelfields (10 houses) and the former Salmon Leap mixed-use site (4 houses). H1 sits inside the defined village boundary and is allocated for the development of 36 homes and public car parking.
- 3.35. Land to the east of Drymen (LT1) is allocated for potential future development (30 houses) beyond the plan period (i.e. in from 2026/7 onwards). LT1 sits outwith the defined village boundary.

Agenda Item 5

- 3.36. The growth strategy for Drymen reflects the feedback from numerous public consultation events over an extended period of Local Plan preparation prior to adoption of the plan in 2017. The long term site LT1 was included with the phasing reflecting the particular community sensitivities about new development in the village and the community's "*desire to preserve the current feel and character of the village*" (see *Local Development Plan Charette Report (May 2013)*). Development on the long term site, whilst agreed by the community as an appropriate location for housing, was not countenanced for some time into the future and this is reflected in the LDP phasing.
- 3.37. During the preparation of the LDP the applicant made representations seeking the inclusion of the LT1 site within the village boundary to permit its development for housing within the plan period 2017-2026. The applicant's representations included two indicative masterplans showing options for a comprehensive development proposal spread across both the H1 and LT1 sites. Both variants included the 36 houses and public car parking on H1 as per the extant planning permission but with alternative layouts for 33 or 38 houses on LT1 accessed via H1 and from differing locations on Stirling Road. The National Park Planning Authority declined to modify the LDP.
- 3.38. The Proposed Loch Lomond and the Trossachs Local Development Plan: Report of the Examination (29 September 2016) is the account of the Reporter's consideration of all 29 issues arising from unresolved representations to the then proposed LDP. In each case, the Reporter took account of the original representations, as well as the Planning Authority's summaries of the representations and the authority's responses. It sets out the Reporter's conclusions and recommendations in relation to each issue.
- 3.39. The Reporter considered the applicant's representations at the LDP Examination in January 2016 and in the Report of the Examination (dated September 2016) determined as follows:

"Firstly, I note that the proposed plan includes 3 housing allocations for Drymen that the park authority states can all be delivered in the lifetime of the plan (before any need for implementing the LT1 site as a longer term designation). Most importantly, all of those other 3 sites (H1, H2 and H3[MU1]) are situated closer to the centre of Drymen and so - in line with the sustainability principles of the plan - those 3 sites should be promoted for development in advance of the LT1 site in my view. Indeed that this was also the conclusion of the Charrette consultation process within the local community when various site development options were being explored. I note, however, that some site-specific difficulties with progression of those 3 allocated sites have been acknowledged by the park authority. I am not persuaded that those problems cannot be overcome during the plan period - and I note that planning permission has now been granted for development of H1, the largest of the 3 sites. In summary, based on all of the above considerations and after careful examination of the representations lodged I conclude that there are not sufficient reasons to bring forward the LT1 site to the earlier part of the plan period."

Agenda Item 5

- 3.40. No modifications were proposed and allocation LT1 remains a 'long-term' (i.e. post 2027) site in the adopted LDP.
- 3.41. The Report of the Examination is not a statement of Policy but is material in so far as it provides context for the LDP policies of key relevance to the consideration of this application. Further consideration is provided in the Planning Assessment.

4. ENVIRONMENTAL IMPACT AND HABITAT REGULATIONS ASSESSMENT

Environmental Impact Assessment (EIA)

- 4.1. The National Park is identified as a 'Sensitive Area' within the Environmental Impact Assessment (Scotland) Regulations 2011. 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.
- 4.2. The proposal falls under Schedule 2 (10(b)) of the regulations as an 'Infrastructure project' sub-category 'urban development project' and the regulations therefore require the proposed development to be screened. In this instance the screening process concluded that it is not likely that there would be any significant environmental effects on the environment as a result of the development and therefore an EIA is not required. The screening opinion (reference PSC/2017/0005) is available to view as part of the application file.

Habitat Regulations Assessment (HRA)

- 4.3. The Habitats Regulations require that where an authority concludes that a development proposal is likely to have a significant effect on a European site (SPA or SAC) it must undertake an Appropriate Assessment (AA) of its implications for the European site in view of the site's conservation objectives.
- 4.4. In this instance the development has the potential to affect the Endrick Water SAC and SSSI via watercourses that link to the site. Therefore an Appropriate Assessment (AA) was undertaken. This concluded that there would be no adverse effect on the integrity of the SAC from the development subject to the implementation of appropriate mitigation measures. Further discussion regarding the assessment and mitigation can be found in the Biodiversity chapter of this report and a copy of the AA is provided at **Appendix 3**.

5. CONSULTATIONS AND REPRESENTATIONS

Responses to Consultations

Scottish Environmental Protection Agency (SEPA)

- 5.1. **No objection.** SEPA originally objected to the application based on lack of information on Ground Water Dependent Terrestrial Ecosystems (GWDTES). Following submission of a National Vegetation Classification survey the updated response confirms no objection subject to conditions for the translocation of

Agenda Item 5

fleabane. Following review of the submitted *Peat Management Plan* a further response from SEPA dated 08 July objected to the proposals to deposit excavated peat onto an area of land where there is not already peat and which is not hydrologically connected to existing peat habitat. A revised *Peat Management Plan* was subsequently submitted which addresses this concern and the further response from SEPA dated 16 July removes their objection.

Scottish Natural Heritage (SNH)

- 5.2. **No objection.** SNH provided advice regarding the need for Appropriate Assessment of the potential effects on the Endrick Water SAC and SSI and provided an initial appraisal to assist with this exercise in which they advise that on the basis of the information provided, if the proposal is undertaken strictly in accordance with the application, then the proposal will not adversely affect the integrity of these sites. SNH also provided information in relation to the Gartness Geological Conservation Review (GCR) and note that whilst the site is of some geological interest that would be diminished by the development the affected area is not an area of the highest importance. Finally SNH notes the tree bat report and concurs with the recommendations.

West of Scotland Archaeology Service (Glasgow)

- 5.3. **No objection** subject to condition to secure further investigations prior to commencement of development.

Transport Scotland - Trunk Road Network (Glasgow)

- 5.4. **No objection.**

Scottish Water (Glasgow)

- 5.5. **No objection.** Water supply - advise that there is currently sufficient capacity in the Carron Valley Water Treatment Works. Waste water - the development would be serviced by Drymen Waste Water Treatment Works. Where it is confirmed through the Pre-development Enquiry process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution Regulations.

STC Roads (Stirling)

- 5.6. **No objection** subject to conditions relating to provision of details of the public car park layout, details of retaining structures for the development, compliance with access dimension standards, design and construction of roads to achieve the Roads Authority's specification, driveway access dimensions, visibility site lines at junctions and driveways, implementation of the proposed pedestrian crossing facilities and submission of a Travel Plan including proposals for reducing dependency on the private car.

STC Housing Strategy (Stirling)

- 5.7. **No objection.** Advise that the Council's Strategic Housing Investment Programme (SHIP) approved by Committee in November 2018 includes for 33

Agenda Item 5

units social rented housing to be provided at this site for Rural Stirling Housing Association (RSHA).

STC Housing Services - Landlord Regist. (Stirling)

- 5.8. No response received.

STC Environmental Health (Stirling)

- 5.9. **No objection.** Conditions are recommended in relation to noise (including hours of construction, installation of acoustic fencing and trickle vents to specific units and details of air source heat pumps); ground (installation of gas protection measures and standard conditions for remediation and requirements for investigation in the event contamination is found); and air quality (submission of an air quality assessment).

STC Educational Services (Stirling)

- 5.10. **No objection** subject developer contributions of £4,511 per dwelling (£396,968) towards provision of an additional classroom at Drymen Primary School to meet the pupil demand created by the proposed development.

STC Flood Prevention (Stirling)

- 5.11. **No objection** subject to conditions to agree a maintenance schedule for the culvert to the southwest corner discharging to the Mill Burn prior to works on site.

Drymen Community Council

- 5.12. **No objection.** The Community Council initially objected to the submitted 101 and 95 unit schemes (in October 2018 and April 2019) on the basis of the scale of development and the impacts on the village infrastructure and services. The Community Council's most recent response outlines the direct consultation that the applicant has undertaken with the 'new' Community Council (since their reformation in February this year). Following submission of amended plans reducing housing numbers to 88 and with other amendments the Community Council's objection was withdrawn on 01 July 2019. The response notes that aspects of the development should be subject to completion of a S75 agreement if the Planning Authority is minded to grant the application.

Representations Received

- 5.13. At the date of publication of this report 44 representations had been received from 34 contributors.
- 5.14. 35 of these representations were in relation to the schemes for 101 or 95 houses which included 29 (from 24 contributors) in objection, 4 in support and 2 neutral (neither in support nor objection).
- 5.15. 9 representations were received in relation to the current proposal (88 units), 5 of which were from contributors who maintained their previous objection and 4 of which were new objections.

Agenda Item 5

5.16. In summary the matters raised in **support** are:

- Support for the provision of new all-access paths from the car park through the landscaped area which will be of benefit to locals and visitors;
- Support for low cost housing for first time buyers to allow young people to stay in Drymen;
- Support for the proposed housing mix which caters for first time buyers, old people and larger families;
- Recognition that the services and businesses in Drymen are struggling and new residents would help to keep the community viable;
- The development would address the current lack of affordable housing in Drymen;
- The scale of development is in proportion to the village and its facilities.

5.17. In summary the matters raised in **objection** are:

- The proposal is contrary to the Local Development Plan which allocates the site for long term development;
- The number of houses (either 101 or 95) is too great and contrary to the Local Development Plan;
- The development density is too high and of a 'suburban' nature;
- Concerns that the development would place pressure on local services and infrastructure (e.g. Drymen Primary School, Drymen Health Centre, Drymen Dental Practice and sewage infrastructure);
- Concerns that the development would be detrimental to the character of the village and its setting (including Conservation Area);
- Concerns raised about the impact of additional traffic on the local road network (particularly during peak holiday periods), road safety and air quality;
- Concerns raised about loss of wildlife and habitat for endangered bird and other species;
- Concerns raised about the loss of existing vegetation and trees;
- Concern raised about loss of neighbour privacy and light;
- Concern raised about the development impact on flood risk to nearby properties;
- The proposed houses and materials are not of sufficient design quality.

5.18. The full content of the representations is available to view on the National Park Authority's Public Access website (<http://www.lochlomond-trossachs.org/planning/> click on view applications, accept the terms and conditions then enter the search criteria as '2018/0139/DET').

6. **POLICY CONTEXT**

The Development Plan

6.1. Section 25 of the Town and Country Planning (Scotland) Act 1997 states that planning applications are to be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The Development

Agenda Item 5

Plan comprises the Loch Lomond & The Trossachs National Park Local Development Plan (LDP) (adopted 2017) and Supplementary Guidance (SG).

Local Development Plan (2017-2022)

6.2. The Local Development Plan (LDP) sets out the vision for how the National Park should change over the next 20 years. The LDP covers the period from 2017 to 2026 and shows development for the next 10 years and an indication of development for the subsequent 10 years (i.e. from 2027). It is updated every 5 years. The following LDP Policies are relevant to the determination of this application:

- Overarching Policy 1 (OP1): Strategic Principles
- Overarching Policy 2 (OP2): Development Requirements
- Overarching Policy 3 (OP3): Developer Contributions
- Housing Policy 1 (HP1): Providing a Diverse Range of Housing
- Housing Policy 2 (HP2): Location and Types of New Housing Required
- Transport Policy 2 (TP2): Promoting Sustainable Travel and Improved Active Travel Options
- Transport Policy 3 (TP3): Impact Assessment and Design Standards of New Development
- Natural Environment Policy 1 (NEP1): National Park Landscapes, Seascape and Visual Impact
- Natural Environment Policy 2 (NEP2): European sites - Special Areas of Conservation and Special Protection Areas
- Natural Environment Policy 3 (NEP3): Sites of Scientific interest, National Nature Reserves and RAMSAR Sites
- Natural Environment Policy 4 (NEP4): Legally Protected Species
- Natural Environment Policy 6 (NEP6): Enhancing Biodiversity
- Natural Environment Policy 7 (NEP7): Protecting Geological Conservation Review Sites
- Natural Environment Policy 8 (NEP8): Development Impacts on Trees and Woodlands
- Natural Environment Policy 10 (NEP10): - Protecting Peatlands
- Natural Environment Policy 11 (NEP11): Protecting the Water Environment
- Natural Environment Policy 12 (NEP12): Surface Water and Waste Water Management
- Natural Environment Policy 13 (NEP13): Flood Risk
- Natural Environment Policy 16 (NEP16): Land Contamination
- Historic Environment Policy 2 (HEP2): Conservation Areas
- Historic Environment Policy 7 (HEP7): Other Archaeological Resources
- Waste Management Policy 1 (WMP1): Waste Management Requirement for New Developments

Agenda Item 5

- 6.3. Full details of the policies can be viewed at: <http://www.lochlomond-trossachs.org/planning/planning-guidance/local-development-plan/>

Supplementary Guidance

- 6.4. The adopted Supplementary Guidance provides support to the policies of the LDP and carries the same weight in the determination of applications. The Supplementary Guidance of relevance to this application comprises:
- Housing
 - Design and Placemaking
 - Developer Contributions

Other Material Considerations

National Park Aims

- 6.5. 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.
- 6.6. Section 9 of the Act 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.

National Park Partnership Plan (2018-2023)

- 6.7. All planning decisions within the National Park require to be guided by the Partnership Plan, where they are considered to be material, in order to ensure that they are consistent with the Park's statutory aims. The following outcomes and priorities of the Partnership Plan are relevant.
- Outcome 12: Sustainable Population
Rural Development Priority 12.2: Affordable Housing: *"Facilitating and encouraging investment in more affordable housing provision..."*
 - Outcome 10: Placemaking
Rural Development Priority 10.1: Improving Towns and Villages: *"supporting new development, infrastructure and public realm improvements focussing on ... villages identified as 'Placemaking Priorities' in the Local Development Plan"*
Rural Development Priority 10.3: Improved Resilience: *"Improving the resilience to the effects of climate change...and encouraging high quality development that embodies low carbon technologies"*

Agenda Item 5

Scottish Planning Policy

- 6.8. The SPP is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. It is non-statutory but directly relates to the determination of planning applications and appeals. As a statement of Ministers' priorities the content of the SPP is a material consideration that carries significant weight, though it is for the decision-maker to determine the appropriate weight in each case.

7. SUMMARY OF SUPPORTING INFORMATION

- 7.1. The applicant has submitted various documents in support of the planning application. A list is provided at **Appendix 4**.
- 7.2. The supporting information is available to view on the National Park Authority's Public Access website (<http://www.lochlomond-trossachs.org/planning/> click on view applications, accept the terms and conditions then enter the search criteria as '2018/0139/DET').

8. PLANNING ASSESSMENT

- 8.1. The application site incorporates two LDP housing allocations; H1 and the 'long term' site LT1 which is outwith the village boundary and is reserved for development after 2027 (refer to paragraphs 3.31 to 3.38 of this report). Therefore, in proposing a comprehensive development across both sites the applicant proposes to bring forward the long term site earlier than the LDP envisages.
- 8.2. The LDP is only recently adopted (2017) and given the Reporter's conclusions rejecting earlier phasing of LT1 there must be material justification for the development of the LT1 site as now proposed.
- 8.3. The key issue for consideration in the determination of this application is therefore whether the material departure from the LDP is justified, and if so, whether the proposal is in accord with LDP policy in all other regards. These aspects are now considered in turn.

What is the justification for bringing forward the development of the LT1 site?

- 8.4. At the request of officers the applicant submitted addendums to the *Planning Statement* in November 2018 and March 2019 providing rationale for the comprehensive development approach and phasing. These highlight the benefits of the comprehensive development approach and specific technical and other considerations that the applicant considers to be relevant.
- 8.5. Following review of the case presented by the applicant the key planning considerations are identified as follows:
1. Whether development of H1 would be viable without LT1;

Agenda Item 5

2. The placemaking benefits of the comprehensive design approach;
3. The significance of the material departure from the LDP strategy and whether the proposal would undermine the strategy for the National Park;
4. Whether the LT1 site is needed to meet the National Park's housing requirements;
5. The impacts of the development on Drymen village services and infrastructure;
6. Whether the development would deliver other public benefits.

8.6. These are now discussed in turn.

1) Would the development of H1 proceed without LT1?

- 8.7. The applicant says that viewing the site as one development opportunity is key to deliverability because there are a number of technical, viability and design considerations which necessitate the development of both the H1 and LT1 sites together.
- 8.8. The applicant contends that the stand-alone planning permission for H1 is now technically unviable and undeliverable. In correspondence with officers the applicant has advised that, although a compliant design solution at the time, the drainage arrangement is no longer acceptable to Scottish Water. The consented design therefore won't achieve Sewer Technical Approval from Scottish Water and so the detailed planning permission cannot be implemented in that form. The applicant says that the only viable way to drain H1 is via the proposed drainage basin located at the low point on LT1 and this means therefore that the delivery of both the H1 site and the LT1 site will always be technically linked.
- 8.9. Further the applicant says that to create viable development platforms the H1 site requires significant material import and LT1 requires significant material export (potentially going to landfill). By designing the two allocations as a single development site they say a significantly more sustainable ground works operation can be implemented where the cut requirement on LT1 can be used for the fill requirement on H1. The applicant states that undertaking this exercise comprehensively is significantly more viable and sustainable than would be the case if the sites were developed independently.
- 8.10. In discussions with officers the applicant has highlighted the ongoing difficulties in developing a commercially viable scheme for H1 as a stand-alone site given the costs associated with the policy requirement for 50% affordable housing, the works to redevelop and expand the public car park, the extensive ground engineering requirements and dealing with abnormal ground conditions including peat deposits affecting the H1 site. These issues have culminated in the non-delivery of the site despite allocation in the previous Local Plan and historic planning permissions dating back to 2002.
- 8.11. Members will note that the Examination Reporter acknowledged apparent site specific difficulties in realising development on H1 but, in rejecting earlier phasing LT1, reasoned that the existence of planning permission meant H1 could still

Agenda Item 5

conceivably be developed within the plan period. As the planning permission cannot now be implemented in the current form (and will lapse on 07 August 2019) and in the apparent absence of a technically viable alternative, this now seems unlikely.

- 8.12. The applicant has indicated a willingness to provide open-book viability appraisal to substantiate the commercial viability aspects of their case. This has not been insisted upon by officers given it is evident from the information presented allied with the 16 year history of non-delivery (despite allocations and planning permissions), that the H1 site presents some genuine delivery challenges. The culmination of the above factors gives credence to the applicant's argument that without an alternative approach there is a real prospect of further delay or even no development occurring at all.
- 8.13. For development to occur it is recognised that there must be an implementable planning permission and a willing developer. Through the submission of this detailed application the applicant has made a substantial investment and commitment to development. However, to move forward, a technically viable, efficient and cost-effective approach is needed and it is accepted that realistically this is only likely to be achieved by bringing the sites forward together as one. The additional sustainability advantages in the combined approach in terms of minimising landfill and off-site HGV movements are also acknowledged.
- 8.14. In summary it is agreed that the planning permission for H1 is not implementable and comprehensive development inclusive of LT1 would overcome technical and viability constraints to ensure development is finally realised.

2) *The place-making benefits of the comprehensive design approach*

- 8.15. The applicant's supporting Planning Statement highlights that the development of LT1 facilitates place-making benefits that would not be possible were the sites to be developed independently.
- 8.16. For example the applicant highlights that the comprehensive approach allows the permanent vehicular access to H1 to be taken from Stirling Road via LT1. This removes the need to create a permanent road through the public car park thereby maximising the number of parking spaces for the public benefit.
- 8.17. Construction traffic is also proposed to access the site via a haul road through LT1. This would remove the need for HGVs and other construction traffic to share access via the public car park. This approach would also remove potential for conflicts between residential traffic and car park users in the longer term.
- 8.18. Whilst not specifically part of the applicant's case a new main access on Stirling Road in the location proposed (rather than via the car park) may encourage more journeys via the Stirling Road/A811 northern junction instead of through the village centre.

Agenda Item 5

- 8.19. The release of LT1 for development also facilitates provision of a temporary replacement car park to ensure that public parking provision within Drymen is maintained in the short term until works on the car park upgrade are complete.
- 8.20. There are design and placemaking advantages in the joined-up approach in terms of securing a high level of pedestrian permeability between the two allocations and enhanced accessibility to Drymen centre and links to the wider surrounds via the proposed open space.
- 8.21. Further advantage arises from the holistic approach to landscape mitigation and the earlier establishment of an enhanced eastern (gateway) settlement edge (see section on Landscape and Trees).
- 8.22. In summary it is agreed that the comprehensive development approach has some distinct placemaking advantages over the individual site approach that would be beneficial both during construction and over the longer term.
- 3) *Is the material departure from the LDP strategy significant and would the scale of the proposal undermine the wider spatial strategy for the National Park?*
- 8.23. As explained at earlier in this Section of the Report the LT1 site is allocated for housing and as such the principle is established as being acceptable in the LDP. It is therefore a matter of when, not if, the site should be developed.
- 8.24. It is relevant to note that the LDP phasing of the allocations within Drymen is underpinned by a 'village centre first' principle which promotes the development of sites located within the village boundary first. Upholding this principle was one of the key considerations in the LDP Examination Reporter's rejection of the earlier phasing of the LT1 site.
- 8.25. In order to maintain the 'village centre first principle' the applicant is committed to bringing forward the H1 site in advance of any substantial development on LT1. This is confirmed in the submitted Phasing Plan which shows completion of the entirety of the H1 site (primarily affordable housing and the extended public car park) prior to any substantial development occurring on LT1. As such the proposal would maintain the 'village centre first' principle in terms of the sequence of development. Compliance with the phasing plan would be secured by planning condition.
- 8.26. In terms of the wider strategy for housing in the National Park the LDP states;
- 8.27. "the towns and villages are central to the plan's development strategy as this is where the majority of development is directed. This is appropriate as it is where the majority of services are located, such as shops, schools and health centres".
- 8.28. "The majority of new homes will be built within Towns and Villages..."
- 8.29. Drymen, which is classified as a 'village', is one of the main locations to which the LDP directs new housing. It is also the most significant of the Park's villages in terms of the short term housing allocations (50 homes in total). The additional 22

Agenda Item 5

units proposed over and above the LDP figures (notwithstanding that these figures are not maxima) would therefore align with the spatial strategy in terms of appropriate locations for housing development.

- 8.30. A number of the public objections received have likened the overall scale of development proposed to that expected of a Town and not a Village. The relatively large scale of the proposed development (by virtue of combining the two allocations as one) is acknowledged. However, the development of 88 houses, even when combined with the other allocated sites in Drymen (total 102 houses), would not be comparable to the scale of growth envisaged for Callander (a Town with allocations totalling 148 houses). The proposed development would not therefore undermine the wider spatial strategy as regards the relative quantum and spatial distribution of new housing development.
- 8.31. On the basis of the above the proposal to bring forward housing on LT1, whilst not in accord with the timeframes envisaged, does not represent a significant departure from the LDP spatial strategy.
- 8.32. In summary the assessment concludes that the earlier delivery of LT1 would not conflict with the strategy's underlying 'village centre first' principle since H1 will be developed first and the resulting quantum of housing proposed in this location would not undermine the spatial strategy for the wider National Park.

4) Is the development of LT1 needed to meet the LDP housing targets?

- 8.33. National Planning Policy (SPP) (para 115) requires local plans to establish a housing target and states (at paragraph 123) that planning authorities should actively manage the housing land supply to ensure a generous supply of housing land is maintained and enough effective land for at least five years. It also determines the relative weight to be applied to the presumption in favour of development and the Development Plan in decision making where there is no 5 year effective land supply (paras 32-35 and 125).
- 8.34. The applicant contends that the development is needed to help meet the LDP housing target and maintain the effective 5 year housing land supply. The submitted Planning Statement Addendum highlights a trend within the National Park of allocated housing sites being ineffective and identifies a total of 69 'constrained' units within the allocated effective supply that the applicant considers to be at risk of non-delivery (including the 36 houses on H1 and Laurelfields – another site in Drymen allocated site for 10 units). The statement also highlights a potential overreliance on a future windfall supply 'assumption' which they say has consistently fallen short of the 150 units (30 per annum) based on past trends from (2013-2017).
- 8.35. The applicant's analysis does not demonstrate conclusively that the five year target would not be met. As Members will be aware from recent updates the current Housing Land Audit (HLA) demonstrates an effective supply (547 units or 7 year's supply). Whilst delivery of some allocations has not kept pace with expectations, the National Park is still able to maintain a robust housing supply

Agenda Item 5

position at present. There is therefore no overriding need to release LT1 to achieve the 5 year 'effective' supply target at this point in time. As such the primacy of the LDP is maintained.

- 8.36. Notwithstanding, the development inclusive of LT1 would secure the 36 planned units for H1 which form part of the 'effective supply' for this plan period. The remaining 52 units would secure a generous supply going forward.
- 8.37. In summary the assessment concludes that LT1 is not needed to meet housing targets but the development as a whole would deliver H1 which makes up an important component of the LDP housing supply.

5) Would the scale of development proposed adversely affect the village services, facilities or infrastructure?

- 8.38. Objections have been raised in relation to the pressure the overall scale of the development proposed would place upon the local primary school. The response from Stirling Council's Education department confirms that Drymen Primary School would require additional capacity to accommodate the additional pupils that the development would generate. A financial contribution of £4,511 per dwelling (£396,968) is therefore requested to fund development of an additional classroom at Drymen Primary. Subject to the financial contribution being secured by the S75 legal agreement, Stirling Council Education raises no objection to the proposal. The applicant is willing to meet this cost. Members should note that at the time of publication further information is awaited to confirm how the contribution has been calculated and if for any reason the figure changes then this will be reported as an update at the meeting.
- 8.39. Objectors have referred to the potential lack of capacity of the local doctor's and dentist surgeries in Drymen and potential for delays in appointments and increased waiting times. Health and dentist provision are services over which neither the Planning Authority, Stirling Council nor the applicant has any control. The developer is not obliged to remedy any existing issues and it is the responsibility of the relevant provider to respond to local demand. Neither the SPP, nor the LDP and Developer Contributions Supplementary Guidance contain any specific policies on these matters or make any specific provision for financial contributions to be sought for such purposes. Therefore while objector's concerns are noted there is no specific basis in planning policy to refuse the application on these grounds.
- 8.40. Objectors have highlighted inadequate sewer capacity. In terms of sewage infrastructure Scottish Water has raised no objection to the application. They have advised that capacity upgrades required to the Drymen Waste Water Treatment Works to accommodate the development would need to be funded by the developer via the relevant water Acts. Such infrastructure would require to be in place before a connection is approved by Scottish Water and this can be controlled by condition. There would therefore be no adverse impacts on sewage

Agenda Item 5

infrastructure capacity that cannot be mitigated in the normal course of development progression.

- 8.41. Objectors have raised concerns about the potential impact of additional traffic on the local road network and road safety and the potential for the development traffic exacerbate tourist traffic issues experienced at peak times. Specifically mention is made of congestion and indiscriminate parking at the centre of Drymen which is often as a result of temporary road closures at peak tourist times/weekends. The potential impact of construction traffic is also raised as a concern.
- 8.42. The applicant submitted a Transport Assessment which assesses local road capacity and has been assessed by Stirling Roads Authority. They have endorsed its findings that the impact of additional vehicular traffic on the local road network would be acceptable and they raise no objections to the proposal on either traffic capacity or road safety grounds. Transport Scotland has considered impacts on the strategic network, including both junctions onto the A811 and they have no objections. Construction traffic would access the development site at the eastern end using the temporary haul road (see Figure 13a) which would avoid the need for construction vehicles to travel through the village centre. A requirement for a construction traffic management plan is conditioned which will cover this matter.
- 8.43. The specific issues connected to temporary road closures at Balmaha are acknowledged however development is not required to address existing issues. Residents of the new development would not be required to access the site via the centre of Drymen as the location of the proposed new access allows for (and may even encourage) journeys via the A811 at the northern junction. As such the additional impact on traffic at busy times in the village centre is not likely to be significant. Indeed the development may assist in alleviating some of the existing parking and traffic issues at busy times through the provision of the expanded and upgraded public car park and contributions to sustainable and active travel initiatives.
- 8.44. Further discussion on roads matters can be found in the 'Roads and Accessibility' section of this report.
- 8.45. In summary the assessment concludes that the development would not have an unacceptable impact on education, health services, sewage infrastructure or road capacity.

6) Would the development deliver wider public benefits?

Car park and Public Open Space

- 8.46. The creation of an enlarged public car park within Drymen has been a longstanding ambition (hence the allocation for H1 includes a public car park) and the proposal would secure its provision in accord with the policy aim. This would include an increase in current capacity from c. 40 spaces to 87 spaces including 4

Agenda Item 5

no. disabled spaces and 4 no. larger parking bays for motorhomes. In addition the developer is providing £30,000 funding for measures to encourage sustainable travel to be implemented in association with the improved car park facility.

- 8.47. The application would deliver a large expanse of accessible public open space incorporating path networks and children's play area and perimeter walk which connects to all areas of the development and its surroundings. The size of the space is generous (occupying approximately 42% of the application site area) which the developer points out is generous in comparison to what would normally be offered in association with a development on this size. The S75 would ensure that the open space remains accessible to the public in-perpetuity.

Affordable Housing

- 8.48. The proposal would deliver 44 new affordable houses (as opposed to the 18 that the LDP envisaged in the short term or the combined 33 over the longer term). The applicant contends that the delivery of a larger scheme incorporating LT1 also provides opportunity for a more diverse mix of tenure including 14 discounted sale units. These would be secured as discounted units in perpetuity to be occupied as primary residence only in accord with National Park Supplementary Housing Guidance. Further the applicant intends to make these houses available to local people first for a period of 3 months in accord with Stirling Council's Housing Strategy before wider marketing of the opportunity to purchase (although there is no LDP policy obligation to do so).
- 8.49. Representations in objection refer to a lack of need for affordable housing in the village. Conversely representations in support of the application refer to the lack of suitable and affordable housing for young families in Drymen and in particular support for low cost housing for first time buyers to allow young people to stay in the village.
- 8.50. Rural Stirling Housing Association (RSHA), who will manage the proposed affordable housing, have written in support of the application confirming Drymen is an area of high demand and they would foresee no difficulty in being able to allocate new homes to local people and to those on the waiting list.
- 8.51. The LDP highlights high levels of housing need within the National Park and extreme affordability pressures in the Accessible Loch Lomondside villages in particular (page 24). In relation to Drymen specifically, Stirling Council's Housing Management and Development team commented that the proposal "*would certainly assist in meeting the current unmet demand (demand as expressed by first choice applicants to the Council)*". The Strategic Housing Investment Programme (SHIP) approved by Stirling Council in November 2018 includes for 33 units social rented housing at the site. The applicant's *Planning Statement Addendum (March 2019)* notes that correspondence from Stirling Council's housing department confirms there are currently 27 households for whom Drymen is their first choice and 18 more with a local connection which are on Stirling

Agenda Item 5

Council's transfer and waiting lists. However it is understood that stock availability is limited with average lets being 2 per annum.

- 8.52. It is clear that the 30 social rented homes would go some way to meeting the identified need for social housing in Drymen. The additional 14 low cost (discounted) dwellings would also assist first time buyers in an area of the Park where acute affordability pressures are apparent.

Economic Benefits

- 8.53. Finally the applicant has highlighted the local economic benefits that are estimated would arise from the development. The submitted *Economic Statement* quantifies the economic benefits of the proposal (based on 101 units and 115 working age people resident in the new development) with reference to national and local statistics and economic indicators.
- 8.54. Adjusted pro-rata for 88 units and 100 working age residents the anticipated local¹ economic benefits of the proposal are:
- 13 direct jobs per year of construction and 4 indirect jobs in the supply chain;
 - £12.4m in construction value (amount invested in materials/professional fees/labour etc.);
 - £2.5m uplift in gross annual income (new residents in the village);
 - £435,000 spent on first occupation (home furnishings etc);
 - £1.3m additional annual retail expenditure (ongoing);
 - £780,000 additional annual leisure expenditure (ongoing);
 - £200,000 in additional council tax revenue.
- 8.55. Objectors claim that there are no jobs locally in Drymen and that all the new residents would therefore have to commute further afield (mostly by car) to access job opportunities. The applicant has made no explicit commitment to providing local employment opportunities however, as voiced by supporters of the development, the local economy, including local shops and services in Drymen, stand to benefit from a portion of the additional spending power brought by residents of the new development. This in itself may lead to new job opportunities arising locally.
- 8.56. The extension and upgrading of the existing public car park will also cater for increased numbers of tourists to spend time locally and who are therefore also likely to spend money in the local businesses, benefiting the local economy.
- 8.57. In summary the assessment concludes that the proposed development would deliver significant public benefits including:
- An expanded and upgraded public car park which has been a longstanding aspiration for the village;
 - An integrated, accessible and comprehensively managed public open space with children's equipped play area;

¹ Within the Stirling Council Administrative Area

Agenda Item 5

- Additional affordable homes of varying tenure which would address identified affordable housing needs in Drymen and contribute to wider LDP objectives to increase the supply of affordable housing specifically in the pressurised Loch Lomondside area;
- Local economic benefits that would support job creation and the sustainability and vitality of the village's services and facilities.

Summary of the justification for the material departure and conclusions

- 8.58. The LDP is up to date and carries full weight in the determination process. The application proposes the earlier delivery of the long term site LT1 which departs from the LDP's phasing strategy. It must therefore be determined whether there are material considerations sufficient to outweigh the conflict with this aspect of the LDP.
- 8.59. The assessment concludes:
1. The H1 site has a history of non-delivery. The planning permission for H1 is not now implementable and comprehensive development inclusive of LT1 would allow the developer to overcome technical and viability constraints to ensure development is finally realised;
 2. The comprehensive development approach would have distinct placemaking advantages both during construction and over the longer term;
 3. The proposal would maintain the 'village centre first' principle which underpins the LDP's phasing strategy and would not undermine the spatial strategy for the wider National Park;
 4. The development is not needed to meet housing targets but would secure a significant component of the LDP housing supply and provide a generous housing supply moving forward;
 5. The development as a whole would have no unacceptable impacts on the village services, education, community facilities or local sewage and road infrastructure; and
- 8.60. A judgement must now be made as to whether these considerations ought to override the conflict with the LDP in the planning balance.
- 8.61. The applicant has provided a reasoned justification for the comprehensive development of both allocations which is logical and has some clear sustainability and placemaking benefits. Given the history of non-delivery of H1 and in the light of the technical information now provided, it would seem unrealistic to maintain the view that development could or would ultimately proceed in the separate manner envisaged in the LDP.
- 8.62. The early development of LT1 would secure development on H1, a current and longstanding LDP allocation. The certainty of housing delivery is fundamental to fulfilling the LDP strategy and is a key consideration in favour of the proposals.
- 8.63. The LT1 site is not needed to meet short term housing targets. Affordable need based on waiting list data would not amount to sufficient reason in itself to justify

Agenda Item 5

market housing on unallocated sites. However the LT1 site is allocated. Such is the priority for affordable housing that the LDP strategy makes exceptions for 100% affordable housing development on sites adjacent to settlements (under Policy HP2 – see below). The contribution the release of LT1 would make to early affordable housing provision weighs in favour on balance given the priority the LDP attaches to this objective particularly in this high pressure area of the Park.

- 8.64. The development would provide a significant investment in community infrastructure via provision of an expanded public car park and accessible community open space and this is afforded significant weight. There would be no demonstrable harm to village infrastructure and the overall impact of the development is likely to be positive in terms of supporting local services and economic vitality.
- 8.65. The SPP is clear that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. In view of the development's long term public benefits and in the absence of any material planning harm arising from the earlier delivery of housing contrary to LT1, it is considered on balance that the material considerations are sufficient to outweigh the conflict with the LDP's phasing.
- 8.66. Compliance with the remaining policies of the LDP is now considered in the following sections.

Housing Mix and Density

- 8.67. Housing Policy 1 (HP1) requires sites to deliver of diverse range of housing, sizes and tenures and states that proposals should address the needs of smaller sized households, older people and families, preferably built to 'lifetime homes' standards.
- 8.68. The proposal provides a mix of smaller houses including 12 no. 1 bed units and a further 32 no. 2 and 3 bed houses (all affordable). A good range of family housing is also proposed incorporating 3, 4 and 5 bedroom market homes. The houses would not be 'lifetime homes' however they would be built to the relevant building standards for accessibility and adaptability and the required housing association standards for affordable houses. The proposal therefore achieves compliance with Policy HP1.
- 8.69. Policy HP2(a) states; "Each site shall be developed to a density which is in keeping, or where appropriate, a higher density to its surroundings."
- 8.70. The applicant has submitted a Drymen Settlement Density Appraisal which compares the proposed density (based on the previous 95 dwelling scheme) to that of other housing estates within Drymen. It concludes that the proposed density 14 dwellings per hectare (95 units over 6.7ha) is a comparatively low-density housing development overall and acceptable when compared to densities within Drymen as a whole which range from 8dph to 23dph. Extrapolating the

Agenda Item 5

figures would equate to 13dph for the 88 unit scheme as a whole. Additionally the applicant argues that the inclusion of smaller units inevitably results in an increase in density and increasing the unit sizes to reduce density would not address the LDP's aspiration for smaller, more affordable units.

- 8.71. Some objectors consider the proposed density to be too high and have suggested that the conclusions of the Drymen Settlement Density Appraisal are misleading since the 14 dph figure is a gross figure (i.e. it incorporates the open space within the calculations) and seeks to compare this with net densities within Drymen. The applicant has subsequently clarified that the net density is around 27dph on average (extrapolated to 25dph for the 88 unit scheme) but argues that this figure ignores the generous level of open space which should not be disregarded in their view.
- 8.72. It is evident that the average density in Drymen is lower than that proposed for the application site given a predominance of comparatively larger dwellings on more extensive plots. This is particularly evident in relation to the properties on Gartness Road to the south. However it would not be appropriate for the development to replicate this pattern since the LDP (Policy H1) specifically seeks provision of smaller houses within new development which naturally results in a higher density development. This is allied to a requirement for 50% of the development to be affordable homes which generally translates to smaller 1, 2 and 3 bed houses on smaller plots. Further, the development would be principally related to the adjacent Ardmore Gardens which is higher density than the remainder of Drymen and of comparable density to the proposed development.
- 8.73. Given the above it is appropriate in policy terms, for the application site to reflect a higher density than its surrounds. The higher density housing proposed on the west of the site is in keeping with the neighbouring Ardmore Gardens estate. The plots on the eastern half of the site towards the development edge are generally larger and lower density appropriate for an urban-edge to rural transition. Overall the proposed density strikes an appropriate balance between the LDP objectives to deliver smaller homes and maintaining the character of the settlement.
- 8.74. Objectors have highlighted that the number of dwellings proposed is a significant (and unacceptable) increase on the combined LDP figure of 66 houses (36 for H1 and 30 for LT1). However these figures are based on indicative site capacity and are not expressed as maximums.
- 8.75. The number of units that can be accommodated within the allocations is a product of other factors including housing density and mix (which, as discussed above, are considered appropriate) and other considerations such infrastructure capacity (which has been covered in the previous section) and landscape impact (which is discussed in the next section). It would be difficult to substantiate a reason for refusal based solely on the housing numbers exceeding the LDP figures if all these associated factors are otherwise deemed acceptable.
- 8.76. Policy HP2(a)(i) requires developments of 4 or more houses in Accessible Rural Loch Lomondside Villages (including Drymen) to provide 50% affordable housing.

Agenda Item 5

This policy is supported by the Housing Supplementary Guidance which sets out the requirements for affordable housing to remain affordable in-perpetuity and to restrict occupation to primary residence. The proposal would deliver a policy-compliant 50% affordable housing in accordance with Policy HP2(ai) and the terms of the Housing Guidance. The delivery of the range of affordable housing that is proposed would be secured via a Section 75 legal agreement.

- 8.77. Finally Policy HP2(b) provides support for development on sites adjacent or close to town and village boundaries where there are no housing allocations (or difficulties in delivering allocated sites) inside the village boundary; but only for 100% affordable housing. The proposal for market housing on the LT1 part of the site does not strictly accord with Policy HP2(b). However LT1 is not being proposed as a stand-alone site and application of this policy must have regard to all of the foregoing and the fact that the proposal when viewed as a whole, delivers a policy-compliant level of affordable housing. The proposal does not offend the overall objectives of Policy HP2(b) which is to facilitate affordable housing delivery in circumstances where there would otherwise be none. Therefore on balance the proposal is acceptable in relation to Policy HP2.
- 8.78. The proposal accords with the Housing Policies of the LDP.

Landscape and Trees

- 8.79. Policy NEP1 requires development to protect the special landscape qualities of the National Park, be sympathetic to their setting and to minimise visual impact.
- 8.80. The Landscape Character Type (LCT) for this area is River Valley Farmlands (with Estates) and the application site reflects the small rolling pastures and thorn and beech hedging which are characteristic of this LCT type. The mature oak trees on Stirling Road (which are subject to a Tree Preservation Order) make a significant contribution to the landscape character and visual amenity of the area. The drystone dyke along the southern site boundary on Gartness Road and to the east of Ardmore Gardens are also characteristic farmland features (Figure 15).

Agenda Item 5



Figure 15: Drystone Dyke on Gartness Road; proposed to be retained and repaired.

- 8.81. The application site is highly visible from the A811, Stirling Road and Gartness Road, the latter two also being established recreational routes into Drymen (the West Highland Way and National Cycle Network Route 7). The eastern part of the site is therefore a key gateway into Drymen Village from the east. Today the village's nucleated form is heavily influenced by 20th century housing including Ardmore Gardens which is visually prominent at the village's eastern edge.
- 8.82. The proposed development provides an opportunity to soften the edge of the settlement with new hedging and field trees in order to enhance the village setting. The submitted *Landscape and Visual Impact Assessment (June 2018)* shows how the development would be viewed in select long range and local views. This assessment informed discussions with the National Park Natural Heritage Planning Advisor concerning the landscape design approach to the eastern boundary in particular. This led to a revision of the previous linear arrangement of houses and rear gardens with fences atop retaining walls on this boundary.
- 8.83. On the eastern boundary the housing has been rearranged with units fronting out to form a less regimented edge and achieve more visual permeability in views from the east. Structural planting on the boundary has been enhanced from earlier versions to provide more heavy standard trees to better mitigate the visual impact from year 1. New native hedge and field boundary trees are proposed on the east side of the unnamed ditch plus new shrub and heavy standard trees on the slopes and adjacent to the (now reduced lengths of) retaining walls on the opposite side adjacent to the housing. The applicant's *CGI Photomontages* (Figures 16-19 below) demonstrate how this boundary would potentially be viewed from the main approaches on Stirling Road and the A811.

Agenda Item 5



Figure 16a: View from Stirling Road (looking west) - Photomontage as Existing



Figure 16b: View from Stirling Road (looking west) - Photomontage at Year 1



Figure 16c: View from Stirling Road (looking west) - Photomontage at Year 15

Agenda Item 5



Figure 17a: View from Stirling Road (looking south west) - Photomontage as Existing



Figure17b: View from Stirling Road (looking south west) - Photomontage at Year 1



Figure17c: View from Stirling Road (looking south west) - Photomontage at Year 15

Agenda Item 5



Figure 18a: View from the A811 - Photomontage as Existing



Figure 18b: View from the A811 - Photomontage at Year 1



Figure 18c: View from the A811 - Photomontage at Year 15

Agenda Item 5



Figure 19a: View from the A811 - Photomontage as Existing



Figure 19b: View from the A811 - Photomontage at Year 1



Figure 19c: View from the A811 - Photomontage at Year 15

- 8.84. In relation to the remainder of the scheme the TPO trees on Stirling Road are retained within a green landscape frontage at the main entrance providing a sensitive rural to urban transition. The trees to be removed behind the car park

Agenda Item 5

and the hedge along the frontage are to be replaced by new native planting at the car park rear. Overall the proposed landscaping within the open space and retention of much of the vegetation along the site boundary with Gartness Road (plus enhancement of the drystone dyke) provides a generous green and characterful setting for the new development.

- 8.85. A document entitled *Planting Notes & Landscape Maintenance and Management Proposals (May 2018)* has been submitted setting out planting methodologies for the establishment of plants and a management and maintenance regime for the open space. A condition is recommended to ensure implementation of the scheme-wide planting in accord with the submitted document.
- 8.86. The ongoing maintenance of the open space would be via a factor or other management body paid for by annual fees levied on the new residents sufficient to cover the ongoing management and maintenance costs. Conditions are recommended to ensure that appropriate management contracts are in place prior to occupation. The Section 75 agreement will include the necessary obligations on the land to ensure that the open space remains publically accessible in perpetuity.
- 8.87. The National Park's Natural Heritage Planning Advisor's view is that the landscaping proposal would adequately mitigate the visual impact of the development but would also represent a long term enhancement of the character of the eastern settlement edge compared to the existing. They raise no objections to the scheme on landscape grounds. Overall the proposal would accord with Policy NEP1.

Biodiversity

Endrick Water SAC and SSSI

- 8.88. Watercourses within the site connect downstream to Endrick Water which is located 1km to the south-west of the site boundary and is a designated Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). Construction works are proposed in close proximity to these watercourses and there is therefore potential for sediment and pollution from the development site to enter the Endrick Water SAC and impact on the qualifying features of the SAC (which are Atlantic salmon (*Salmo salar*), Brook lamprey (*Lampetra planeri*) and River lamprey (*Lampetra fluviatilis*)). In accordance with the Habitat Regulations and Policy NEP5 of the LDP an Appropriate assessment was therefore undertaken (a copy is appended at Appendix 3). The Appropriate Assessment concludes that provided mitigation measures are adhered to there would be no adverse effect on the integrity of the SAC / SSSI.
- 8.89. The ecological mitigation measures are set out in Section 1.6 of the submitted *Updated Ecology Appraisal (April 2018)*. Table 5(5) states that wherever development takes place within 50m of any watercourse, relevant SEPA guidelines must be adhered to ensure their complete protection against pollution, silting and erosion.

Agenda Item 5

- 8.90. The relevant guidelines are in effect the General Binding Rules (GBR) authorisation of the Water Environment (Controlled Activities) (Scotland) Regulations 2013 (CAR). The relevant GBRs relating to surface water discharge require the proposed development to be drained via SUDS to ensure that the surface water runoff from the development does not affect water quality in the received water environment. The *Drainage Strategy Rev 06 (June 2019)* details appropriate SuDS to ensure adequate treatment. This includes the use of permeable paving to collect surface water from driveway and roofs and the attenuation basin within the open space area.
- 8.91. Section 7.0 of the *Drainage Strategy* addresses surface water management during construction and states that all measures to treat surface water runoff should be in place prior to works commencing. In this regard the report recommends implementing good site practice and following the guidance outlined in the Guidance for Pollution Prevention (GPPs); PPG1: Understanding your environmental responsibilities – good environmental practices, GGP5: Works and Maintenance in or Near Water, PPG6: Working at Construction and Demolition sites published by NetRegs, the CIRIA Manual C532 – Control of water pollution from Construction Sites: Guidance for consultants and contractors.
- 8.92. Whilst it is not necessary to condition compliance with other regulations conditions are proposed to identify the specific measures that are proposed to be put in place to protect the water environment both prior to commencement and during construction (as part of a Construction Method Statement) and for adherence to the proposed SUDS strategy. The proposal would therefore accord with policies NEP2 and NEP3.

Protected Species and their Habitats

Bats

- 8.93. All trees within the development site and a 50m buffer were assessed for their potential to support roosting bats using a combination of ground and aerial inspections. This includes the mature oak trees on Stirling Road which all are assessed as having low or negligible suitability for bats (including the tree that is to be removed to provide the access).
- 8.94. The *Updated Tree Bat Assessment (February 2019)* confirms that the most recent surveys (completed in February 2019) found only one tree with moderate potential for roosting bats and this lies outwith the development boundary. It was not possible to fully inspect one tree that will be affected by the development (Tree 1) as it was unsafe to climb. As a result, the report recommends that the felling of this tree is overseen by an SNH licensed bat worker. This, along with the mitigation measures outlined in the report, are recommended to be secured by condition.

Breeding Birds

- 8.95. Objectors have raised concerns regarding the destruction of the wood and scrub (including that behind the public car park) that may result in loss of habitat for Red and Amber list bird species.

Agenda Item 5

- 8.96. The development site contains habitat suitable for breeding birds within the areas extensive scrub and grassland. The proposals for the open space include a wide variety of native trees (some 1700 new trees), shrub planting and seeding. This planting would enhance the value of the site for nesting birds and other wildlife in the longer term and is considered sufficient compensation for losses that would result from development.
- 8.97. A condition is recommended to ensure that the timing of vegetation clearance works avoids the bird nesting season from March to August.

Reptiles

- 8.98. The site contains habitats with the potential to support reptile refugia. These comprise two areas of rubble/old pipes within the site, the stone boundary walls along Stirling Road and Gartness Road and the grassland habitat which provides the potential for basking areas. A condition is recommended to ensure compliance with the recommendations of the report including disturbance of the refugia only during the reptile active season (March to October).

Groundwater Dependent Terrestrial Ecosystems

- 8.99. The site contains mire and grassland/marsh habitats and SEPA therefore requested a National Vegetation Classification (NVC) survey to assess the significance of this habitat.
- 8.100. The submitted NVC survey identifies a rare population of fleabane (*Pulicaria dysenterica*) at the location of the proposed SUDS basin. The survey report recommends that these plants are transplanted during the winter months to the wet soil close to the edge of the existing water course to prevent loss of the species from the site.
- 8.101. SEPA have advised that the impacts on GWDTE are acceptable as the affected habitats are common in the area and they support the proposal to transplant the rare fleabane specimens. Compliance is recommended to be secured by condition.

Geology

- 8.102. The development is located within the Gartness Geological Conservation Review site (GCR). Policy NEP7 requires developments that affect GCR sites to enhance or safeguard the objectives and integrity of such sites unless any adverse effects are outweighed by social or economic benefits of national importance.
- 8.103. The GCR is a wide designation which is important for its river-cut sediment sequences and glacial features. There are differing levels of importance within the GCR 'crucial' and 'context' and the application site is located in the latter. SNH advise that the development of the site will result in a diminishing of the overall importance since 'context' areas provide supporting evidence for the site as a whole.
- 8.104. Again the protection that Policy NEP7 affords the designation must be balanced against the allocation of the site for housing in the LDP which accepts its

Agenda Item 5

development. Given this, and the fact that the most important areas of the GCR are not affected the development is considered to be acceptable having regard to Policy NEP7.

Peat

- 8.105. The submitted *Ground Conditions Report* highlights an area of peat in the south of the site in varying thicknesses of between 0.1 and 2.4 metres affecting the southern part of H1 and the open space area. Peat cannot be built upon and 2,818 m³ of peat will therefore need to be extracted in order to develop the site.
- 8.106. Policy NEP10 requires development to avoid the unnecessary disturbance of undisturbed areas of peat and carbon-rich soils unless there is no viable alternative and the impacts are outweighed by economic and social benefits. Where development is permitted a depth survey must be undertaken to show that the areas of deepest peat have been avoided and a peat management plan is required to show unnecessary disturbance, degradation or erosion is avoided.
- 8.107. There would be no viable alternative in order to develop H1 since the majority of the plots on the southern area would be affected. In this case the objectives of the LDP to avoid peat disturbance must be balanced against the status of the site as an allocated housing site, the contribution that development of the site makes to delivering the wider LDP objectives, the existence of an extant planning permission approving development of this area plus the specific social and economic benefits of the development for Drymen.
- 8.108. The deepest deposits are located to the south of the site, which is also the lowest point topographically and which will remain undeveloped in accord with Policy NEP10. Further the peat will be managed in accord with the SEPA guidelines which promotes reuse on site where peat extraction is unavoidable. It is anticipated that all of the excavated peat is capable of being re-used on site as part of bunding, landscaping or adjacent peat habitat enhancement works. The submitted *Peat Management Plan (Rev B)* (July 2019) at Section 6.0 identifies a number of methods to minimise the disturbance and/or structural damage to peat and the environment during and after construction. SEPA was consulted and their response confirms the proposed methods for the management of peat are acceptable. Compliance with the *Peat Management Plan* is secured by condition.

Summary of biodiversity considerations

- 8.109. There are no objections to the development on biodiversity grounds from SEPA, SNH or the National Park's Ecologist or Natural Heritage Planning Advisor. Subject to conditions for development to adhere to the recommendations and mitigation measures set out in the *Updated Ecological Appraisal* the submitted *Drainage Strategy* and the *Phasing Plan* the proposal accords with Policies NEP2, NEP3, NEP4 and NEP6.

Roads and Accessibility

Agenda Item 5

- 8.110. Transport Policy 2 (TP2) requires development proposals to encourage safe, sustainable and active travel options and enabling opportunities for sustainable transport and modal change from the private car to more sustainable forms of transport. Transport Policy 3 (TP3) part (a) requires submission of a Transport Assessment (TA) for large-scale developments and Travel Plan (TP) identifying measures to reduce the impact of travel. Part (b) requires access for new development proposals to follow place making principles, be sensitive to the special qualities of the National Park, and be serviced by roads infrastructure that conforms to the design standards of the Roads Authority and/or Transport Scotland.

Sustainable Travel

- 8.111. The site is immediately accessible by walking and cycling to the shops and services at the centre of Drymen and provides convenient access to the network of recreational paths. It is accepted the public transport services within Drymen to locations further afield are limited. However there is little scope for the proposal to improve upon this and it is accepted that in rural villages of this nature the private vehicle will be a more predominate mode of transport for non-local journeys.
- 8.112. Whilst a fully detailed TP has not been submitted (as this cannot be fully developed until the development is operational) the TA refers to the measures would be included in any future Travel Plan for the development. This includes residential travel pack containing information for residents and an outline of the specific mechanisms, initiatives and targets to help reduce the impact of travel. The Roads Authority has requested submission of a full travel plan by condition.
- 8.113. Further, in recognition of the increased car usage that would be brought about in association with both the development and the expanded car park (along with associated emissions) the developer is providing £30,000, to be held by the National Park Authority, for measures to encourage sustainable and/or emission-less travel by both residents and tourists to be implemented in association with the improved car park facility to off-set these impacts. This accords with the provisions of Policy TP2 (3rd bullet) and the Developer Contributions Supplementary Guidance (page 9) and would be secured in the S75 legal agreement.

Impact Assessment and Design Standards

- 8.114. The submitted *Transport Assessment (April 2018)* (TA) assesses the impact of the development on the local and strategic road network. It does so by estimating the predicted trip generation and distribution of traffic from the development site at peak times of the day.
- 8.115. The assessment relates to the original 101 dwelling scheme which it estimates would generate a maximum of 62 and 68 (two-way) vehicle movements during the weekday AM (08:00-09:00) and PM (17:00-18:00) peak hours, respectively (approximately one car in and one car out every minute). This would be less for the 88 unit scheme now proposed. The TA concludes that the predicted increase

Agenda Item 5

in traffic movements can be accommodated on the road network with negligible impact to existing road users.

- 8.116. It is proposed to relocate the 30mph speed limit further east on Stirling road and introduce road markings. The two pedestrian crossing facilities (dropped kerb and zebra crossing) on Stirling Road at the east and west ends would allow pedestrians safe access from the development to the existing footpaths on the northern side of Stirling road and from there on to Drymen Primary School.
- 8.117. In addition to the proposed footway connection from the development to the public car park new footways will be provided from the main access on the southern side of Stirling Road along the site frontage along with a pedestrian crossing point. This will ensure that the eastern area of the site has a continuous footway link to the village centre. A new pedestrian crossing point is also provided at the western end adjacent to the public car park.
- 8.118. The proposed car parking provision in terms of on-plot car parking spaces and visitor spaces complies with Stirling Council's guidance on parking standards for residential developments.
- 8.119. Stirling Council Roads and Transport Scotland raise no objections to the proposal on road capacity or safety grounds. The Roads Authority has advised that the Traffic Management Team is in the process of implementing 20mph speed limits within Drymen and this will take into account the location of the new access. They have requested a number of conditions to ensure compliance with standards and in the interests of road safety. These include agreeing the detailed designs for the off-site pedestrian crossings, for the public car park and the implementation of appropriate visibility at the access and throughout the development.
- 8.120. The proposal is therefore in accordance with Policies TP2 and TP3.

Design and Residential Amenity

Neighbour Amenity

- 8.121. Policy OP2 requires developments to avoid any significant adverse impacts of loss of privacy and sunlight/daylight.
- 8.122. The nearest existing residential properties to the proposed development are those in the Ardmore Gardens on the northern site boundary. The submitted Site Sections AA and BB show the relationship between the properties on Ardmore Gardens and the proposed houses. The earthworks would generally reduce the ground levels along the northern boundary (by up to 3m behind Ardmore Gardens nos. 11-13) from the existing and the proposed houses would be slightly set down which avoids any overlooking of existing residents. Notwithstanding the rear gardens afford sufficient separation between existing and proposed houses and therefore adequate levels of privacy and light will be maintained.

Agenda Item 5

- 8.123. The proposed rear garden enclosures (fences and walls in prominent locations) are of sufficient height to afford adequate privacy and are acceptable. The arrangement of the fences and walls is shown on the submitted *Fencing Plan*, however this lacks clarity regarding the details of the wall and fence materials. As such a condition is recommended to agree the details of the final boundary treatments prior to any building works starting.

Dwelling Appearance and Materials

- 8.124. In terms of the design of the houses the elevations are simple and un-fussy in their style. The fenestrations are slim and modern. The proposed materials comprise a limited palette of country stone base course, white roughcast render and slate-look concrete tiles (with some red-coloured variants proposed for visual interest). All windows and doors would be anthracite. Some feature chimneys are proposed to some dwellings to add visual interest and reflect the villages' older character.
- 8.125. The style and materiality is replicated across the house types (including the market and affordable types) to provide a coherent scheme overall. It is considered that the proposed styles and materials would deliver a scheme with an attractive contemporary rural aesthetic that has sufficient cognisance of the buildings elsewhere within Dymen and to its rural setting.
- 8.126. One objection raises concerns that the aesthetics and materiality of the dwellings would detract visually from the setting of the Conservation Village. The appearance of the dwellings would reflect the white render and colouring of the slate roofs that characterise the Conservation Area. The submitted *Design and Access Statement* refers to a slate-look substitute tile rather than natural slate. The specification is a thin leading edge flat tile which gives a slate appearance. Its use is not considered inappropriate in this context (and neither are the red variants) given the variety of roof tile materials and colourings visible in the immediate vicinity of the Conservation Area, including at Ardmore Gardens and in Drymen more widely. The overall appearance of the development would preserve the Character of the Conservation Area and would not be detrimental to it.
- 8.127. Notwithstanding the submitted information, a condition is recommended for the final details and specifications of the proposed materials to be submitted for approval. This is to provide an element of flexibility ensure the final specifications for both the affordable houses and market houses

Heritage

- 8.128. Policy OP2 requires developments to protect and/or enhance the character, appearance and setting of the historic environment. Policy HEP2 states that buildings within or adjacent to Conservations Areas that that preserve or enhance its character and appearance or setting through use of materials, appropriate scale, proportion siting massing and design will be supported provided that important views from and into the Conservation Area are maintained.

Agenda Item 5

- 8.129. The Drymen Conservation Area covers the historic core of Drymen and incorporates the public car park. The proposal maintains the green frontage onto Stirling Road by replacement of the hedge that is to be removed to facilitate the car park expansion works. The line of trees that form a backdrop to the car park at this location is to be replaced at the rear of the expanded car park which would maintain a green outlook from the Conservation Area. The development itself is set well back from the Conservation Area boundary and would be partially screened in views from it by the proposed planting.
- 8.130. The response from the National Park's Built Heritage Advisor is that the proposal raises no issues with respect to the setting of the Conservation Area or the setting of a nearby listed building (former church hall). As such the proposal accords with Policy HEP2.

Energy Efficiency and Renewable Energy

- 8.131. Policy OP2 requires that new developments minimise overall energy requirements through conservation measures and incorporate on-site low and zero carbon generating technologies to meet 10% of the overall energy requirements.
- 8.132. The submitted *Sustainability Statement* contains details of the energy efficiency measures to be included in the construction of the dwellings and confirms it is proposed to install air source heat pump technology for each dwelling which the applicant has confirmed would generate an immediate CO2 reduction of 20% over the 2015 Building Standards Technical Handbook requirements. The submitted SAP (Standard Assessment Procedure) measures of the energy efficiency of the proposed Bryce and Salmon house types demonstrate a 21.5% and 25.4% reduction respectively in the dwelling CO2 emission rate with this measure incorporated.
- 8.133. At the request of environmental health condition is recommended for further details of the heat pumps to be submitted for approval to ensure that any noise impacts of the heat pumps can be ruled out or adequately addressed. The condition is also recommended to ensure the installation of the proposed heat pumps (or alternative measures) to comply with Policy OP2.

Noise/Vibration

- 8.134. Policy OP2 requires developments to avoid any significant adverse impacts of noise and vibration.
- 8.135. The submitted *Road Traffic Noise Impact Assessment (July 2018)* identifies a requirement for standard acoustic mitigation measures to address the impact of traffic noise on the A811 and Stirling Road. This is in the form of 1500mm high close boarded fencing to some rear gardens and also acoustic trickle vents within the glazing of some affected dwellings. The locations of the required mitigation measures are shown on the *Acoustic Mitigation Plan (ref. PL11)* and a condition is recommended to ensure that the mitigation for each affected dwelling is in place prior to its occupation.

Agenda Item 5

8.136. A *Construction Method Statement* is required by condition which will set out how issues of noise and vibration from construction activity will be managed and mitigated throughout the development phase. A standard condition is also recommended to restrict noisy activities on site to normal daytime working hours only.

8.137. Subject to the recommended conditions the proposal accords with Policy OP2.

Air Quality

8.138. Policy OP2 requires developments to avoid any significant adverse impacts resulting from air emissions/odour/fumes and dust.

8.139. Stirling Environmental Health has requested an air quality assessment be required by condition to quantify the impact of the proposed development on local air quality. Some objectors have referred to the increased particulates that would arise from the additional vehicles generated by the development.

8.140. A *Construction Method Statement* is required by condition which will set out how issues relating to air quality from construction activity will be managed and mitigated throughout the development phase. This will include measures to combat dust.

8.141. As regards emissions from the development it is accepted that traffic associated with new housing developments (and in this instance also the expansion of the public car park) will likely raise the level of vehicle emissions locally. However there are no existing air quality issues that would be exacerbated to an unacceptable level. The new path network to encourage walking and cycling, the commitment to travel plan measures to reduce car use, infrastructure for the future installation of electric car charging for each dwelling plus a financial contribution towards local sustainable travel initiatives/infrastructure comprise mitigation measures that would be proportionate to mitigate the likely impact on air quality. No conditions regarding air quality are therefore proposed and the development accords with Policy OP2.

Land Contamination

8.142. Policy NEP16 requires developments to provide a risk assessment to demonstrate that potential impacts arising from land contamination have been addressed and the site remediated in accord with PAN33 to ensure it is suitable for the intended use.

8.143. The submitted *Geo-Environmental & Geotechnical Interpretative Report (June 2019)* contains a full analysis of the ground conditions and risks. This concluded no potential sources of contamination were been recorded on the site. However the presence of organic peat deposits and the results of the gas monitoring to date gas protective measures are recommended to include a reinforced gas membrane and under floor ventilation system for all areas of the proposed development.

Agenda Item 5

- 8.144. Compliance with the recommendations of the report is secured by condition. A precautionary condition is also proposed to secure remediation in the event unanticipated contamination is encountered during construction.
- 8.145. Subject to these conditions the development would accord with Policy NEP16.

Drainage and Flood Risk

Foul Drainage

- 8.146. Policy NEP12 states that new development must connect to the public network where this is available. Scottish Water has no objection to the application but their consultation response indicates capacity in the Drymen Waste Water Treatment Works cannot be confirmed prior to submission of a Pre-Development Enquiry (PDE).
- 8.147. The applicant submitted a PDE enquiry and Scottish Water's response is appended to the submitted *Drainage Strategy (June 2019)*. This confirms there is currently insufficient capacity in the Drymen Waste Water Treatment Works to service the development and that the developer will be required to meet the cost of any upgrade required to deliver the necessary capacity. This would be dealt with under the relevant water Acts as part of the technical approval process for connections to Scottish Water infrastructure.
- 8.148. To address the issue in part the applicant proposes to create some additional capacity in the combined sewer network by removing the surface water run-off to the network from the public car park (redirecting this via the proposed SUDS) thereby creating some capacity in the network to accept foul drainage from the development. This would be of benefit (as it reduces the risk of pollution events) but may not provide sufficient capacity in the system for the totality of the development.
- 8.149. Therefore, in order to ensure that the development can only proceed once Scottish Water is satisfied that sufficient capacity is available a suspensive condition is proposed. Subject to this condition the proposal would accord with Policy NEP12.

Surface Water Drainage

- 8.150. Two means of attenuation are proposed as detailed in the submitted *Drainage Strategy (June 2019)* comprising an attenuation basin in the east of the site and underground storage crates in the west. Surface water from the site would be attenuated via this infrastructure to a rate that mimics the Greenfield run-off rate before discharge to the unnamed ditch which enters a culvert in the south west corner of the site which then leads westwards to Endrick Water via Mill Burn.
- 8.151. Runoff from road and car parking areas will be treated by SUDS in the form of permeable paving (with the stone sub-base) which will discharge to the onsite attenuation. Run-off from roofed areas will be conveyed to the permeable paving also. The treatment afforded by the SUDS would ensure the pollution mitigation

Agenda Item 5

indices would be adequately achieved. A condition is recommended to ensure compliance with the SUDS strategy as detailed in the submitted *Drainage Strategy* to ensure the protection of the water environment and the Endrick Water SAC in accordance with Policy NEP11 and the Appropriate Assessment.

Flood Risk

- 8.152. The submitted *Flood Risk Assessment (June 2019)* confirms that the site is out-with the functional flood plain and is therefore not at risk of flooding from fluvial or coastal flooding. However the report identifies a potential risk of flooding from infrastructure failure, overland flow, sewer flooding: and groundwater. However the risks to the development from these sources are concluded to be generally low and can be mitigated by setting finished floor levels above surrounding ground level and profiling site ground levels to route flood waters around and away from buildings.
- 8.153. In the event of blockage of the culvert in the south west corner, surface water discharging to the culvert could back up and cause upstream flooding within the extents of the development. To ensure that it remains free-flowing the Flood Authority has recommended a condition to secure a maintenance scheme for the culvert post development and minimum finished floor levels of 51mA.
- 8.154. Neither the Flood Authority nor SEPA have any objections on drainage or flood risk grounds. The proposal therefore accords with Policies NEP12 and NEP13.

Archaeology

- 8.155. Evaluation trenching was conducted across the eastern portion of the site. This identified two pits which could not be dated. WOSAS has recommended additional but limited investigation in the vicinity of these features prior to development commencing.
- 8.156. Trench evaluation works could not be undertaken on the western portion due to access difficulties and vegetation cover. Previous investigations revealed a well is likely to be present and identified some charcoal remnants that could indicate previous industrial activity.
- 8.157. WOSAS has no objection to the development of the sites and is content that the evaluation remaining to be undertaken on the eastern half and the additional investigative works on the western half can be carried out under a condition attached to any consent. A condition is therefore recommended to secure a programme of archaeological works in advance of development commencing. Subject to this condition the proposal accords with Policy HEP7.

National Park Aims

- 8.158. The assessment outlined in the previous sections demonstrates that the proposed development achieves compliance with the four statutory aims of the National Park:

Agenda Item 5

- a) *To conserve and enhance the natural and cultural heritage of the area* – the development provides an appropriate design response to the Conservation Area and key landscape views and would not adversely impact upon the natural and cultural heritage of the area;
- b) *To promote sustainable use of the natural resources of the area* – the development seeks to minimise waste by efficient development across the two allocated sites and adopting best practice for the management of peat;
- c) *To promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public* – the development proposes expanded public car park for use by tourists to the village and a new open space connecting with nearby recreational routes;
- d) *To promote sustainable economic and social development of the area's communities* – the new housing would provide new market and affordable housing for local people and contribute positively to the economic vitality of the village.

Overall Summary and Conclusions

- 8.159. This application would, if approved, be a material departure from the Local Development Plan by bringing forward delivery of a long term housing site as part of a wider scheme that includes an adjacent allocated housing site. In assessing the justification for this early delivery of a housing site, consideration has been given to the case made by the applicant, consultation responses from statutory consultees, and those that have made representations in objection, support and comment.
- 8.160. During the assessment of this application, changes have been made by the applicant as a result of dialogue directly between the applicant and the Community Council and in response to queries and questions from the Park Authority.
- 8.161. The assessment of the material considerations outlined earlier in this report, on balance, support the applicant's case to bring forward the long term site LT1 with the allocated housing site. The assessment also concludes that the proposal would accord with all other LDP policies.
- 8.162. This is a major housing development within Drymen, which requires careful consideration, particularly in respect of the inclusion of the long term site and any resultant impacts of an increase in housing earlier in the plan period. The applicant's justification based on technical, viability, design and placemaking considerations are accepted. The proposal would deliver a comprehensive scheme, with benefits of open space, foot/cycle path provision, enlarged and improved public car parking set within a well-designed and landscaped development. It would deliver the 50% affordable housing requirement and set against a series of lapsed or renewed permissions on the main allocated housing site in Drymen over the last 16 years, support a new approach to securing new housing in this key village. In addition, approval would secure a £30,000 contribution to sustainable and active transport initiatives.

Agenda Item 5

- 8.163. Whilst this proposal would bring forward the delivery of housing and increase the total number of house delivered on these sites, Drymen is one of the Park's towns and villages where new housing developed is directed to and therefore is in keeping with the LDP's Development Strategy.
- 8.164. In the absence of any demonstrable reasons to the contrary, it is concluded that there are no reasons that ought to justify refusal of the application and approval is recommended subject to the various conditions set out at **Appendix 1** and a Section 75 legal agreement to secure the Heads of Terms set out at **Appendix 2**.

Appendix 1 Conditions

1. **Foul Drainage:** No work shall commence on the development hereby approved prior to the submission of written confirmation that there is sufficient capacity in the Drymen Waste Water Treatment Works to accept foul drainage from the development (in its entirety) and that a connection to the public network has been agreed with Scottish Water. In the event that an alternative proposal for foul drainage is proposed then details must be first agreed with the planning authority and may require the submission of a further application for planning permission. Any alternative proposal for foul drainage that may be subsequently approved shall be implemented in accordance with the approved details prior to the first occupation of any dwelling.

REASON: The development requires to connect to the public sewer system in accord with Policy NEP12.

2. **Phasing Plan:** The development hereby approved shall be undertaken in strict accordance with the *Phasing Plan 122202-7200-C (received 20 June 2019)*. For the avoidance of doubt the phasing shall accord with the following:
 - i. The temporary public car park to be implemented and open to the public prior to the closure of the existing public car park;
 - ii. None of the market dwellings shown for development in phase 2 shall be occupied until the substantial completion of all 30 units of social rented housing in Phase 1,
 - iii. The completion of the public car park as shown in phase 3 shall be undertaken and the car park shall be open to the public prior to the removal of the temporary public car park;
 - iv. The completion of all 14 of the affordable (discounted sale units) prior to the disposal of the 40th market unit (phase 4);
 - v. Implementation of the landscaping for each phase no later than the first planting season immediately following the commencement of the development phase.

Thereafter the development shall not be undertaken otherwise than in conformity with the agreed phasing plan, unless revisions are otherwise agreed in writing by the Local Planning Authority.

REASON: So that the sequential phasing of development reflects Local Development Plan allocations H1 and LT1, to ensure adequate alternative temporary public car park provision during construction and to ensure the timely implementation of all access, road works, SUDS infrastructure and landscaping.

3. **Construction Traffic Management Plan:** Prior to the construction works commencing for each phase of the development a Construction Traffic Management Plan (CTMP) shall be submitted and approved in writing by the Planning Authority, in consultation with the Roads Authority. Thereafter the

Agenda Item 5

approved CTMP shall be complied with at all times throughout the course of development.

Reason: To ensure that the traffic management for the construction phase of each phase of the development minimises the impact on the surrounding area and ensures the maintenance of road safety.

- 4. Construction Method Statement:** Prior to commencement of the development hereby approved, a Construction Method Statement (CMS) shall be submitted to, and approved in writing by, the Planning Authority. The CMS shall detail the following [
- i. Method of working and mitigation measures to control pollution control, dust and vibration/ measures to control the emission of dust and dirt during construction ;
 - ii. Details of pollution prevention measures and sediment control during the construction phase including contingency plans designed to prevent run-off and sediment release during construction from entering the unnamed ditch in the east of the development site and the culverted watercourse leading to Mill Burn and Endrick Water;.
 - iii. Details of the temporary public car park including surface materials, enclosures and signage;
 - iv. The location of the site compound (if different to that indicated on *Phasing Plan 122202-7200-C (received 20 June 2019)* and parking area for vehicles of site operatives and visitors;
 - v. The location of the storage area for plant and materials used in constructing the development;
 - vi. The location for the temporary storage of extracted peat;
 - vii. The erection and maintenance of security hoarding;
 - viii. Details of wheel washing facilities for vehicles joining the public road

Thereafter all works shall be carried out in accordance with the agreed Construction Method Statement.

REASON: To prevent damage to the environment and to minimise disturbance to the amenity of the occupants of neighbouring properties during construction.

- 5. Tree and Woodland Scrub Protection:** No works in connection with the permission hereby approved shall take place until a revised *Tree Protection Plan* has been submitted and approved showing retention and protection of the line of beech and hawthorne hedge adjacent to the A811 to the rear of plots 74 to 77. Thereafter the trees and woodland/scrub identified for retention on the *Tree Protection Plan Drawing Nos: 0951 / 07 Rev D 0951 / 06 Rev D* contained in the approved *Arboricultural Report Rev G (June 2019)* as amended pursuant to the above shall be protected by fencing in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction prior to works commencing. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or

Agenda Item 5

construction activities shall be permitted within the protected areas without the written consent of the Planning Authority.

REASON: To ensure the retention of important landscape features and retain the existing visual amenity and special landscape qualities of the site.

- 6. Archaeological Investigation:** No development shall take place until a programme of archaeological works has been undertaken on the western part of the site in accordance with a Written Scheme of Investigation which has been agreed by the West of Scotland Archaeology Service, and approved in writing by the Planning Authority. All recovery of archaeological resources and recording shall be undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

REASON: to identify, protect, preserve or recover and appropriately record any items of archaeological interest which may be found on the site in accordance with Policy HEP7.

- 7. Protection of GWDTEs:** Prior to the commencement of development a scheme for the transplantation of fleabane (*Pulicaria dysenterica*) in accordance with the recommendations of the *National Vegetation Classification Survey Report Rev C (August 2018)* including translocation methods, timings and protection following transplantation shall be submitted to and approved by the Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details.

REASON: To preserve and protect the rare species of fleabane at the site in accordance with Policy NEP6

- 8. Public Car Park Details:** Notwithstanding the details shown on the submitted drawings, prior to commencement of development a revised detailed design for the public car park shall be submitted to and approved by the Planning Authority in consultation with the Roads Authority. The details shall include:
- i. A revised arrangement for the proposed path in the north west corner which shall connect directly to the pedestrian crossing point on Stirling Road along with measures to discourage desire-line walking;
 - ii. The location and details of cycle parking provision;
 - iii. All hardstanding/surfacing materials and markings (marked bays for cars shall be a minimum of 2.5m wide by 5.0m length and served by a 6.0m aisle width);
 - iv. All associated signage and lighting.

Thereafter the car park shall be implemented in accordance with the approved details and the phasing shown on the approved *Phasing Plan*.

REASON: To ensure the detailed design encourages safe pedestrian movement and accords with the requirements of the Roads Authority.

Agenda Item 5

- 9. Pedestrian Crossing Details:** Prior to commencement of development a detailed design for the proposed pedestrian crossing points on Stirling Road shall be submitted to and approved by the Planning Authority in consultation with the Roads Authority. Thereafter the works shall be undertaken in accordance with the approved details prior to the occupation of any of the dwellings hereby approved

REASON: To enable safe pedestrian passage from the development to the north side of Stirling road in the interests of road safety and to comply with Policy TP3.

- 10. Revised Landscape Plan:** Notwithstanding the details on the submitted *Detailed Planting Plan (Sheet 1 of 6) Drawing No: 0951 / 20 Rev D* prior to the commencement of development a revised Landscape Plan shall be submitted to and approved by the Planning Authority. This shall include the following:
- i. Revised details of the species listed in the Plant Schedule;
 - ii. Revised width for the path linking NCN7 to car park extension from 3m to 2.5m;
 - iii. Revised landscape proposal for the north west corner of the public car park to reflect the design revisions pursuant to Condition 8)
 - iv. Retention of the mixed Beech and Hawthorne hedge on the site boundary adjacent to the A811 to the rear of plots 74-77.

REASON: To ensure the planting of native species in accord with Policy NEP6 and retention of important landscape features and to ensure an appropriate standard of design in accord with Policy NEP1.

- 11. Hard Landscaping (Open Space):** Prior to the commencement of development further details of the following shall be submitted and approved by the Planning Authority:
- Retaining wall construction details and proposed facing materials;
 - Construction details and materials for the proposed footpaths, steps and bridge cross-overs;
 - Details of the proposed steps including any safety railings/barriers adjacent to slopes;
 - A method statement for the repair of the drystone walls to the southern site boundary (which shall include salvage of stone from the site where possible).

All works shall thereafter be carried out in accordance with the agreed details.

REASON: To ensure details are acceptable in the interest of the visual amenity of the area and in accordance with the objectives of Policy OP2 and the Design and Placemaking Guidance of the Adopted Local Development Plan 2017-2021

- 12. Details of Dwelling External Materials:** Prior to the commencement of development details/samples of the materials to be used for the external walls and roofs of the dwellings hereby approved shall be submitted to (or made available for inspection on site) and approved in writing by the Planning

Agenda Item 5

Authority. Thereafter, such details as agreed shall be incorporated into the development hereby approved.

REASON: To ensure details are acceptable in the interest of the visual amenity of the area and in accordance with the objectives of Policy OP2 and the Design and Placemaking Guidance of the Adopted Local Development Plan 2017-2021.

- 13. Details of Dwelling Boundary Treatments and Hard Surface Materials:** Prior to commencement of development details of the proposed boundary fences and walls (including proposed materials and finishes) and hard surfacing materials for the roads, footpaths and driveways within development shall be submitted to (or alternatively made available on site for inspection) and approved in writing by the Planning Authority. Thereafter, such details as agreed shall be incorporated into the development hereby approved.

REASON: To ensure details are acceptable in the interest of the visual amenity of the area and in accordance with the objectives of Policy OP2 and the Design and Placemaking Guidance of the Adopted Local Development Plan 2017-2021.

- 14. Details of External Lighting:** Prior to the commencement of development lighting details to be provided for the development and which shall include the proposed pedestrian connection from Stirling Road (west at the public car park end) to the residential development) and any other external lighting shall be submitted to and approved by the Planning Authority. The design of all lighting shall have regard to the impact on wildlife and residential amenity and shall be installed in accordance with the approved details.

REASON: In order to avoid light pollution in the interests of the visual and residential amenity of the area and to protect the quality of the dark skies and wildlife from inadvertent intrusive light levels in accordance with Policy OP2.

- 15. Refuse Facilities:** Prior to the commencement of the development hereby permitted details of facilities to be provided within the curtilage of the application site, for the storage of refuse and waste materials, shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the waste storage area per household shall be approximately 2m x 1 metre of hardstanding. The approved facilities shall be constructed and made operational prior to first occupation of the residential units.

REASON: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality.

- 16. Play Area Design:** Prior to the commencement of the construction of the children's play area, details of the play equipment proposed, including colours and materials and the proposed colour of the rubber mulch safety surfacing shall be submitted to, and approved in writing by, the Planning Authority. Thereafter

Agenda Item 5

the play park shall be constructed in accordance with the agreed details and completed prior to first occupation of the residential units hereby approved.

REASON: In the interests of visual amenity, to ensure the design, materials and colour of equipment within the play park complements the special qualities of the site and the wider area.

- 17. Travel Plan:** Prior to the occupation of any dwellings within the application site, a comprehensive Travel Plan shall be submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority. The Travel Plan shall set out proposals for reducing dependency on the private car against approved targets and identify measures to be implemented, the system of management, enforcement, monitoring, review and funding arrangement to sustain commitments for the duration of the Travel Plan. The submitted details of the Residential Travel Pack shall form part of the Travel Plan. Thereafter the approved Travel Plan shall be implemented in accord with the timescales to be set out within the Travel Plan.

REASON: to promote sustainable travel and improved travel options in accord with Policy TP3 and OP2.

- 18. Culvert Maintenance Schedule:** Prior to the first occupation of the development a maintenance schedule for the culvert to the southwest corner discharging to the Mill Burn shall be submitted to and approved by the planning authority. Thereafter the culvert shall be maintained in accordance with the approved strategy and be incorporated into the maintenance programme managed by the appointed managing body/organisation.

REASON: to minimise the risk of flooding from surface water that discharges from the site to the culvert.

- 19. Landscaping Carried Out:** All landscaping shall be carried out in the relevant phase (as per the *Phasing Plan 122202-7200-C (received 20 June 2019)*) in accordance with the details on the approved *Detailed Planting Plans (Sheets 1 to 6)* as amended pursuant to Condition 10 and in accord with the hard landscaping details approved pursuant to Condition 11). Planting shall be completed no later than the planting season immediately following the commencement of the development phase or as otherwise agreed in writing with the Planning Authority.

REASON: To ensure a suitable standard of hard and soft landscaping in the interests of visual amenity and habitat creation, to ensure the development is assimilated into the landscape at the earliest stage in accord with Policies NEP1, NEP4 and NEP6.

- 20. Landscape Management Scheme:** The public open space and all communal areas shall be managed and maintained in accordance with the details and methods set out in the submitted *Planting Notes & Landscape Maintenance and*

Agenda Item 5

Management Proposals (May 2018) (as may be amended from time to time with the prior written agreement of the Planning Authority) and which, for the avoidance of doubt, shall include the Culvert Maintenance Schedule approved pursuant to Condition 18.

REASON: To ensure a suitable standard of future maintenance of the public open space and communal area landscaping.

- 21. Open Space Management Contract:** No development shall take place on the site until a draft legal contract between the applicant and the relevant managing body or organisation who are to carry out on-going management and maintenance of the open space and communal areas in accordance with the Landscape Management Scheme referred to in Condition 20, has been submitted to and approved in writing by the Local Planning Authority. The draft legal contract shall detail the amount and timing of money to be paid to the managing body or other organisation.

REASON: To secure an appropriate mechanism and funding for the future management and maintenance of the public open space and to enhance the landscape amenity and biodiversity of the area.

- 22. Final Open Space Management Contract:** No dwellings shall be occupied until evidence of a signed contract further to the provisions of Condition 21 is provided to the Local Planning Authority.

REASON: To ensure that arrangements are in place to secure the future maintenance of the public open space and communal areas.

- 23. Replacement Planting (3 Years):** Within three years of the implementation of the approved Planting Plans, any trees and/or hedging removed, dying, being severely damaged or becoming seriously diseased, or areas of grass which become eroded or damaged shall be replaced and reinstated by the end of the next planting season, to the satisfaction of the Planning Authority.

REASON: To ensure that the proposed scheme of landscaping is established and maintained in the interests of the amenity of the site and the surrounding area.

- 24. Peat Management:** The development shall be carried out in complete accordance with the *Peat Management Plan ENVr1028 Rev B (dated July 2019)*.

REASON: To ensure the satisfactory management of peat in accord with Policy NEP10.

- 25. Contaminated Land:** The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one

Agenda Item 5

week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested by the Planning Authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution '*The investigation of potentially contaminated sites-Code of Practice (BS10175:2001)*'. The report must include a site specific risk assessment of all relevant pollutant linkages, as required in the Scottish Executive Planning Advice Note 33.

REASON: To ensure potential risks arising from previous site uses have been fully assessed.

- 26. Detailed Remediation Strategy:** Where a risk assessment undertaken pursuant to Condition 25 identifies any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, a detailed remediation strategy shall be submitted to the Planning Authority for approval. No further works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy by the Planning Authority.

REASON: To ensure the proposed remediation strategy is suitable.

- 27. Remediation:** Remediation of the site shall be carried out in accordance with the approved remediation strategy. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority.

REASON: To ensure the remedial works are carried out to the agreed protocol.

- 28. Confirmation of Remediation Work Carried Out:** On completion of the remediation works the developer shall submit a report to the Planning Authority confirming the works have been carried out in accordance with the remediation plan.

REASON: To provide verification the remediation has been carried out to the Authority's satisfaction.

- 29. Ground Gas Protection Measures:** The gas protection measures identified as necessary in the '*Fairhurst Geo-Environmental and Geotechnical Interpretative Report*' (June 2019) must be suitably installed in the dwellings on site. On completion of the remediation works and prior to the dwellings being occupied, the developer shall submit a validation report to the planning authority confirming that the gas protection measures have been suitably installed.

REASON: To ensure the occupants of the dwellings are sufficiently protected against the ingress of ground gas.

- 30. Access:** Access to the site shall be taken via a standard bellmouth comprising of a minimum 6 metres radii, leading to an entrance throat width of 5.5 metres for a

Agenda Item 5

minimum distance of 10m from the edge of the carriageway. The access shall be formed with a vehicular dwell area (initial 5m from the nearside edge of the public road) of gradient 0 – 2% and which thereafter achieves a gradient of no greater than 6.67% (1:15).

REASON: In order to accommodate the two-way movement of vehicles at the road junction in the interests of road safety.

- 31. Visibility:** Visibility at the new access junction on Stirling Road shall be provided and maintained by forming visibility splays of 4.5 metres x 43 metres in either direction from the centre of the proposed access, within which there shall be no obstruction to visibility above 1.05 metres above carriageway level.

REASON: In order to ensure vehicle drivers have safe visibility over the length of the road in both directions in the interests of road safety.

- 32. Forward Visibility:** 25 metre forward visibility envelopes (measured from the centre line of the nearside lane to the centre line of the nearside lane) shall be provided as required at the curves within the access road outwith garden ground within which there should be no obstruction to visibility more than 0.6m above road level.

REASON: To ensure vehicle drivers have adequate forward visibility to safely manoeuvre through the development.

- 33. Driveway Access / Dimensions:** Driveways shall not exceed gradients of 1:10 and be suitably drained and surfaced to ensure no surface water or loose material is discharged from them out onto the adjacent access road. Where driveways fall towards the access road, a surface water interceptor drain shall be provided across the driveway to the rear of the footway to ensure that no water discharges out over the footway. Any access gates shall open inwards only. Driveways shall be dimensioned as follows:

- Single Driveway – 3m wide x 5.5m long.
- Double Driveway – 3m wide x 11m long, or 5m wide x 5.5m long
- Triple Driveway – a combination of the above to accommodate three cars

There shall be no obstruction to visibility over 1.05m in height above road level within 2.0m of the carriageway edge.

REASON: To ensure the designs of driveways and driveway accesses are acceptable to the Roads Authority.

- 34. Retaining Structures:** Any retaining structures associated with the public car park or housing development shall be designed and certified by an approved structural engineer. The design details shall be submitted and approved by the Planning Authority in consultation with Stirling Council's Bridges and Flooding Team prior to construction.

Agenda Item 5

REASON: To ensure the designs of retaining structures are acceptable to the Roads Authority.

- 35. Restriction on Construction Works:** 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 Bank Holidays.

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

- 36. Implementation of Sustainable Urban Drainage Scheme (SUDS):** The SUDS scheme shall be implemented in accordance with the Drainage Strategy Report R01-190509_122202 Rev 6 (June 2019), Conceptual Drainage Layout Plan (122202-7104-F), *Flood Risk Assessment R02-190509_122202 Rev 6* and *Phasing Plan 122202-7200-C (received 20 June 2019)* to achieve discharge to the greenfield run-off rate up to the 1 in 200 year storm event plus 30% climate change and 10% urban expansion. For the avoidance of doubt finished floor levels shall be a minimum of 51mA.

REASON: To ensure the implementation of the SUDS drainage control to ensure that surface water run-off rates to the culverted water course do not exceed pre-development levels in the interests of managing flood risk in accord with Policy NEP13.

- 37. Watercourse Mitigation:** The development shall be carried out in strict accordance with the watercourse mitigation measures referred to in Section 1.6 (Ref No 5) of the *Updated Ecological Appraisal (April 2018)*.

REASON: To ensure that the development does not have an adverse effect on the integrity of the Endrick Water SAC and SSSI.

- 38. Protection for Bats:** The development must be carried out strictly in accordance with the mitigation measures for bats detailed in Section 1.7 of the *Updated Tree Bat Assessment (February 2019)* including the supervision of the felling of tree 1 (identified in Figure 1 of the report) by an SNH licenced bat worker and re-surveys if development has not begun before 06.08.2020.

REASON: To comply with Policies NEP4 and NEP6 and to ensure that no offences are committed under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) in relation to bats.

- 39. Breeding Birds:** The development must be carried out strictly in accordance with the mitigation measures for breeding birds detailed in Section 1.6 (Ref No 3) of the *Updated Ecological Appraisal (Brindley Associates, April 2018)* which

Agenda Item 5

includes no vegetation clearance to take place between 1 March and 30 August inclusive without prior bird nesting checks.

REASON: To comply with Policies NEP4 and NEP6 and to ensure that no offences are committed under the Wildlife and Countryside Act 1981 (as amended) in relation to breeding birds.

- 40. Reptiles** The development must be carried out strictly in accordance with the mitigation measures for reptiles detailed in Section 1.6 (Ref No 4) of the Updated Ecological Appraisal (Brindley Associates, April 2018) including disturbance to reptile refugia only during the reptile active season (March to October).

REASON: To comply with Policies NEP4 and NEP6 and to ensure that no offences are committed under the Wildlife and Countryside Act 1981 (as amended) in relation to reptiles.

- 41. Wildlife Protection:** The development must be carried out strictly in accordance with the General Good Practice measures and Survey Validity detailed in Section 1.6 (Ref Nos 6, 7, 8 & 9) of the Updated Ecological Appraisal (Brindley Associates, April 2018) including a re-survey if development has not commenced by 24/10/2019.

REASON: To comply with Policies NEP4 and NEP6 and to ensure that no offences are committed under protected species legislation.

- 42. Noise Mitigation Measures:** The noise mitigation measures as shall be installed in accordance with the *Acoustic Mitigation Plan (PL)11* and the *Road Traffic Noise Impact Assessment (July 2018)* and shall be in place for each dwelling prior to its occupation.

REASON: To protect the occupants from excessive noise/disturbance associated with road traffic noise.

- 43. Renewable Energy Measures:** Prior to installation the details of the proposed air source heat pump technology (or other renewable energy technology) to be installed at the site shall be submitted to and approved in writing by the Planning Authority in consultation with Environmental Health. Thereafter the technology shall be installed for each dwelling prior to its occupation.

REASON: To ensure the noise impact of the chosen technology is acceptable and so that development complies with Policy OP2 requiring inclusion of renewable energy technology.

Agenda Item 5

List of Plans

Document / Plan	Reference	Received
Site Layout	(PL)00F	20 Jun 2019
Site Layout Plan	(PL)01G	20 Jun 2019
Site Levels Plan	(PL)02C	20 Jun 2019
Site Sections A-A + B-B	(PL)04D	20 Jun 2019
Site Sections C-C	(PL)05D	20 Jun 2019
Site Sections D-D + E-E	(PL)06E	20 Jun 2019
Fencing Layout	(PL)07H	10 Jul 2019
Garden Area Plan	(PL)09D	20 Jun 2019
Chimney Layout	(PL)10C	20 Jun 2019
Acoustic Mitigation Plan	(PL)11	10 Jul 2019
Planting Plan sheet 1 of 6	0951-20 Rev D	20 Jun 2019
Planting Plan sheet 3 of 6	0951-21 Rev B	20 Jun 2019
Planting Plan sheet 2 of 6	0951-21 Rev C	20 Jun 2019
Planting Plan sheet 4 of 6	0951-23 Rev B	20 Jun 2019
Planting Plan sheet 5 of 6	0951-24 Rev A	20 Jun 2019
Planting Plan sheet 6 of 6	0951-25 Rev A	20 Jun 2019
Proposed Site levels Sheet 1 of 3	122202-7101-F	20 Jun 2019
Proposed Site levels Sheet 2 of 3	122202-7102-F	20 Jun 2019
Proposed Site levels Sheet 3 of 3	122202-7103-F	20 Jun 2019
Conceptual Drainage layout	122202-7104-F	20 Jun 2019
Overland flow routes	122202-7105-F	20 Jun 2019

Agenda Item 5

Site earthworks cut and fill volumes Sheet 1 of 3	122202-7106-D	20 Jun 2019
Site earthworks cut and fill volumes Sheet 2 of 3	122202-7107-D	20 Jun 2019
Site earthworks cut and fill volumes Sheet 3 of 3	122202-7108-D	20 Jun 2019
Phasing plan	122202-7200-C	20 Jun 2019
Beattie-2019 PLANNING LAYOUT	(00)	20 Jun 2019
Bryce Detached (TPE) Urban-2019 PLANNING LAYOUT	(03)	20 Jun 2019
Burnet (TPJ) Urban-2019 PLANNING LAYOUT	(04)	20 Jun 2019
Hughes Semi (TPC) Urban-2019 PLANNING LAYOUT...	(06)	20 Jun 2019
Hughes-Drew Terrace-2019 PLANNING LAYOUT	(06-20)	20 Jun 2019
MacLaren (TPB) Urban-2019 PLANNING LAYOUT...	(08)	20 Jun 2019
Miller (TPK) Urban-2019 PLANNING LAYOUT	(09)	20 Jun 2019
Telford (TPL) Urban-2019 PLANNING LAYOUT	(13)	20 Jun 2019
Inchcolm (TPS) Urban-2019 PLANNING LAYOU...	(18)	20 Jun 2019
Harrison (TPV) Urban-2019 PLANNING LAYOUT...	(21)	20 Jun 2019
2B4P Terrace-2019 PLANNING LAYOUT	(34)	20 Jun 2019
1B2P Flats - PLANNING LAYOUT	(52)	20 Jun 2019
3B5P Semi-Detached - PLANNING LAYOUT	(S5)	20 Jun 2019
Drymen Peat Management Plan Rev B (July 2019)	ENVr1028	15 July 2019
Geo-Environmental & Geotechnical Interpretative Report (June 2019)	122202/GL/G/R01	20 Jun 2019
Drainage Strategy Rev 06 (June 2019)	R01- 190509_122202	20 Jun 2019
Flood Risk Assessment Rev 6 (June 2019)	R02- 190509_122202	20 Jun 2019
Arboricultural Report Rev G (Revised June 2019)	Brindley Associates	20 Jun 2019

Agenda Item 5

Updated Tree Bat Assessment (February 2019)	Brindley Associates	25 Feb 2019
Planting Notes & Landscape Maintenance and Management Proposals (May 2018)	Brindley Associates	16 Nov 2018
NVC Survey Report (August 2018)	Brindley Associates	23 Aug 2018
Road Traffic Noise Impact Assessment – Rev 01 (July 2018)	New Acoustics	31 July 2018
Updated Ecological Appraisal (April 2018)	Brindley Associates	14 May 2018

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. **Protected Species in Vicinity:** Bats and breeding birds may be in the vicinity of the proposed development. Please be aware that they are fully protected, and it is an offence to deliberately, capture, injure or kill them or to damage, destroy or obstruct their breeding or resting places. It is also an offence to disturb them in their breeding or resting places. Bats are protected under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). Subsequently, the applicant requires to apply for a European Protected Species (EPS) licence from SNH before any works, that could disturb or destroy a bat roost, can go ahead. Sufficient period of time will require to be given to enable SNH to assess the licence application in line with the three legal tests. Prior to obtaining this licence, no work shall be undertaken which will contravene the legislation. SNH Licensing Team can be contacted at email: licensing@snh.gov.uk; tel. no. 01463 725364.
5. **Surface Water:** The development will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the surface water discharge does not result in pollution of the water environment. Details of regulatory requirements and good practice advice can be found on the Regulations section of SEPA's website or please contact a member of the regulatory services team in your local SEPA office at Carrochan, Carrochan Road, Balloch, G82 8EG, Tel no 0141-945-6350

Agenda Item 5

- 6. CAR Licence:** Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs). Details of regulatory requirements and good practice advice can be found on the Regulations section of SEPA's website or please contact a member of the regulatory services team in your local SEPA office at Carrochan, Carrochan Road, Balloch, G82 8EG, Tel no 0141-945-6350
- 7. Peat Management:** Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012.
- 8. Roads Construction Consent:** In accordance with Section 21 and 65 of the Roads (Scotland) Act 1984 the developer must obtain from the appropriate Council a Roads Authority Consent to construct a new or to alter, open or extend an existing road prior to the commencement of roadworks.

Agenda Item 5

Appendix 2: Section 75 Heads of Terms

- 1) A financial contribution of £4,511 per dwelling (£396,968) to fund additional capacity at Drymen Primary School;
- 2) A financial contribution of £30,000 to fund sustainable and active travel initiatives in the Drymen area;
- 3) 50% affordable housing comprising:
 - 30 units of social rent to be managed by a Registered Social Landlord and;
 - 14 units of discounted market sale to be sold at first and subsequent occupations at a discount value and to only be occupied as a primary residence)
- 4) Public access to the open space secured in perpetuity.

Agenda Item 5

Appendix 3 - Appropriate Assessment

Endrick Water Special Area of Conservation (SAC)

2018/0139/DET

Residential development of 88 dwellings with access, public car park, hard and soft landscaping, drainage and associated infrastructure

Gartness Road/Stirling Road, Drymen



9. Requirements of the Habitats Regulations

European Sites are **Special Areas of Conservation (SACs)** designated under the EC Habitats Directive to protect particular habitats and non-bird species and **Special Protection Areas (SPAs)** designated under the EC Birds Directive to protect wild birds.

The EC Directive is applied in Scotland through the *Conservation (Natural Habitats &c) Regulations 1994*, which is known as the “Habitats Regulations”.

The requirements of the Habitats Regulations are summarised in Planning Circular 6/1995 as amended June 2000.

The Habitats Regulations require that:

Where an authority concludes that a development proposal is likely to have a significant effect on a European site (SPA or SAC), it must undertake an appropriate assessment of its implications for the European site in view of the site’s conservation objectives.

The need for appropriate assessment extends to projects outwith the boundary of the SAC or SPA, in order to determine their implications for the interest protected within the site.

Significance Test

Regulation 48(1) of the Habitats Regulations requires the competent authority to first carry out a ‘significance test’. The test for significant effects acts simply as a filter to exclude any projects which have no possible connection to the interests of the SAC or SPA.

Under Regulation 48 of the Habitats Regulations, the LLTNPA, as a competent authority, has a duty to:

- determine whether or not the proposal is directly connected with or necessary to SAC/SPA management for conservation; and, if not,
- determine whether the proposal is likely to have a **significant effect** on the SAC/SPA either individually or in combination with any other plans or projects; and, if so, then
- make an **appropriate assessment** of the implications (of the proposal) for the SAC/SPA in view of that site's conservation objectives.

The first bullet should only be accepted where it is part of a fully assessed, and agreed, management programme.

Appropriate Assessment

Habitats Regulation 48 (5) requires that *“in the light of the conclusions of the assessment, the authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site”*, in relation to its conservation objectives.

10. Agency Role

In undertaking the Appropriate Assessment, the Habitats Regulations require LLTNPA to have regard to the advice we receive from statutory consultees including SNH, SEPA and HSE (Health and Safety Executive). However, the responsibility for undertaking the Appropriate Assessment rests with LLTNPA.

11. Background Information on the Endrick Water SAC

Name of European site: Endrick Water	
Site Type: Special Area of Conservation (SAC)	
Qualifying Interests:	
SCIENTIFIC NAME	COMMON NAME
<i>Salmo salar</i>	Atlantic salmon
<i>Lampetra planeri</i>	Brook lamprey
<i>Lampetra fluviatilis</i>	River lamprey
Conservation Objectives:	
<p>To avoid deterioration of the habitats of the qualifying species (listed above) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and</p> <p>To ensure for the qualifying species that the following are maintained in the long term:</p> <ul style="list-style-type: none"> • Population of the species, including range of genetic types for salmon, as a viable component of the site • Distribution of the species within site • Distribution and extent of habitats supporting the species • Structure, function and supporting processes of habitats supporting the species • No significant disturbance of the species 	

12. Project Information

A planning application (2018/0139/DET) has been submitted to Loch Lomond and the Trossachs National Park Authority for a residential development of 88 new dwellings with access, public car park, hard and soft landscaping, drainage and associated infrastructure.

13. Significance Test for Planning Application 2018/0139/DET

Qualifying Features of the SAC

As listed above, the Qualifying Interests for the Endrick Water SAC are:

- Atlantic salmon (*Salmo salar*);
- Brook lamprey (*Lampetra planeri*) and;
- River lamprey (*Lampetra fluviatilis*).

Significance Test

The application site lies around 1km away from the Endrick Water SAC. A small unnamed watercourse runs along the eastern boundary of the development site and this is hydrologically connected to the Endrick Water SAC via the School Burn. A further unnamed watercourse runs along the south-western perimeter of the site and, although this is culverted at the south-western corner of the site, it is thought to be connected to the Endrick Water SAC via the Mill Burn.

Given that construction works are proposed in close proximity to both of these unnamed watercourses, there is potential for pollution from the development site to enter the Endrick Water SAC and impact on the qualifying interests of the SAC. As a consequence, SNH have advised that the proposal is likely to have a significant effect on the qualifying interests of the SAC and that, as competent authority, Loch Lomond and the Trossachs National Park Authority is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests.

14. Appropriate Assessment

<p>Elements of project likely to give rise to significant effects on the site.</p>	<p>As highlighted above, the proposal includes construction works in close proximity to two unnamed watercourses that are hydrologically linked to the Endrick Water SAC. As a result, there is potential for pollution from the development site to enter the Endrick Water SAC via these watercourses and for this to impact on the qualifying interests of the SAC during construction (e.g. silt or fuel oil).</p>
<p>Describe how the integrity of the site (determined by structure and function and conservation objectives) is likely to be affected by the project (e.g. loss of habitat, disturbance, disruption, chemical changes, hydrological changes and geological changes etc.).</p>	<p>Although the proposal lies entirely outwith the boundary of the SAC, salmon and lamprey both require high quality water and any reduction in water quality as a result of the proposal could be significant. If sediment is released into the watercourses during construction, this could result in the gills of salmon or lamprey being smothered, or their upstream passage impeded. It can also smother the gravels used for spawning salmon and lamprey or the areas used by juvenile fish, making them unsuitable. There is also a possible risk of contamination of the watercourses from the fuel and chemicals used on site.</p> <p>As a consequence, the proposal could affect the following conservation objectives:</p>

Agenda Item 5

	<ul style="list-style-type: none"> • Population of the species; • Distribution of the species within site; • Distribution and extent of habitats supporting the species.
<p>Describe what mitigation measures are to be introduced to avoid any adverse effects on the integrity of the site.</p>	<p>SNH have advised that if the proposal is undertaken strictly in accordance with the watercourse mitigation measures detailed section 1.6 of the <i>Updated Ecological Appraisal</i> (Brindley Associates, April 2018) – Ref No. 5, there will be no adverse effect on the integrity of the SAC. This mitigation measure requires that:</p> <ul style="list-style-type: none"> • All works in proximity (50m) to waterbodies or watercourses must follow SEPA guidance to ensure their complete protection against pollution, silting and erosion. <p>This will ensure that adequate pollution control measures are implemented during the construction of the development.</p>
<p>Conclusion</p>	<p>Provided the above mitigation is secured via an appropriately worded planning condition, the proposal will not have an adverse effect on the integrity of the Endrick Water SAC.</p>

Agenda Item 5

Appendix 4 – List of Applicant’s Supporting documentation

No.	Supporting Information	Consultant	Date Received
1	Design and Access Statement (May 2018)	Fouin & Bell Architects Ltd	14 May 2018
2	Transport Statement (April 2018)	ECS Transport Planning Limited	14 May 2018
3	Updated Ecological Appraisal (April 2018)	Brindley Associates	14 May 2018
4	Pre-Application Consultation (PAC) Report (May 2018) Addendum (November 2018)	ICENI Projects Limited	18 May 2018 16 November 2018
5	Economic Impact Statement (May 2018)	Turley Economics	21 May 2018
6	Planning Statement (May 2018) Addendum (November 2018) Addendum (March 2019)	ICENI Projects Limited	29 May 2018 16 November 2018 22 March 2019
7	Landscape and Visual Impact Assessment (May 2018) Additional Visualisations (July 2018)	Brindley Associates	04 June 2018 25 July 2018
8	Road Traffic Noise Impact Assessment Rev 01 (July 2018)	New Acoustics	31 July 2018
9	NVC Survey Report Rev C (August 2018)	Brindley Associates	23 August 2018
10	Archaeological Trial Trenching (October 2018)	Headland Archaeology	04 October 2018
11	Sustainability Statement (November 2018)	ICENI Projects Limited	16 November 2018
12	Planting Notes & Landscape Maintenance and Management Proposals (November 2018)	Brindley Associates	16 November 2018
13	Drymen Settlement Density Study (December 2018)	Brindley Associates	12 December 2018
15	Updated Tree Bat Assessment dated (February 2019)	Brindley Associates	25 February 2019
16	SAP Calculations for Salmon and Bryce house types	Mactaggart & Mickel	22 March 2019
17	Geo-Environmental & Geotechnical Interpretive Report (June 2019) Ref 122202/GL/G/R01	Fairhurst	20 June 2019
18	Drainage Strategy Report Rev 06 (June 2019) Ref 122202/GL/S/R01	Fairhurst	20 June 2019
19	Flood Risk Assessment Rev 06 (June 2019) Ref: 122202/GL/S/R02	Fairhurst	20 June 2019
20	Arboricultural Report Rev G (Revised: June 2019)	Brindley Associates	20 June 2019

Agenda Item 5

22	CGI Viewpoint Photomontage Images x12	Brindley Associates	02 July 2019
21	Drymen Peat Management Plan Rev B (July 2019) Ref. ENVr1028	Nevis Environmental Ltd	15 July 2019