

Report of Handling

Application Number: 2016/0391/DET
Location: Land To The North Of Hawthorn Cottage, Luss
Proposal: Erection of 10 no. dwellinghouses with associated access, drainage infrastructure and landscaping.
Case Officer: Caroline Strugnell
Target Decision Date: 27 Feb 2017



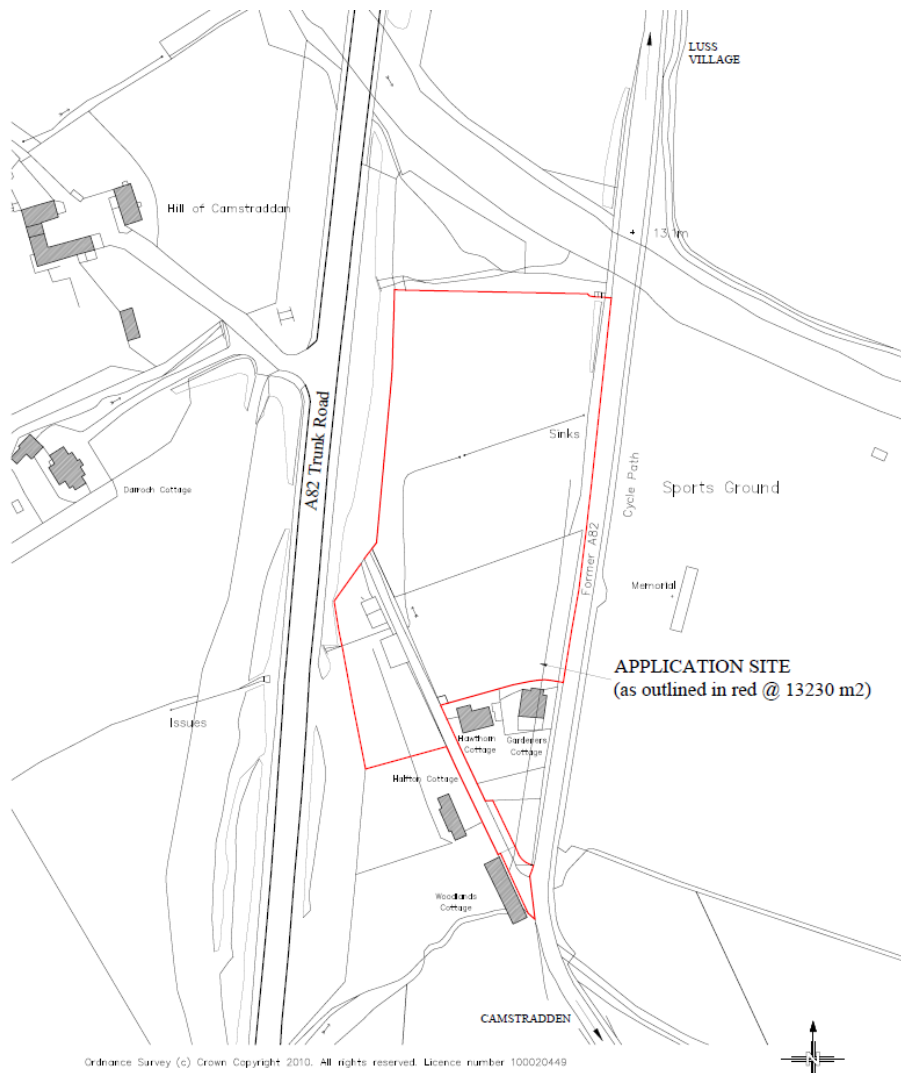
1 Introduction

Background

This planning application is one of eight applications which have been submitted by Luss Estates to address the strategic aims of the West Loch Lomondside Rural Development Framework Area Supplementary Guidance (RDF). The other planning application reference numbers are 2016/0387/DET, 2016/0388/DET, 2016/0389/DET, 2016/0390/DET, 2016/0392/DET, 2016/0393/DET & 2016/0394/DET. The location of these sites is shown in Figure 1 of the Overarching Report.

Site Description:

The application site is located around 450m south of Luss village on the east side of the old A82 (see Figure 1). A location plan is provided at Appendix 1.



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Figure 1: Extract from Site Location Plan (not to scale)

The site currently comprises two distinct parcels. The northern part of the site is open grassland used for grazing and occasionally as an overflow car park during local events. It is enclosed by a post and wire fence and mature vegetation and trees on the western and northern boundaries. A public footpath runs adjacent to the northern boundary and the north eastern corner beyond which the land falls steeply down a vegetated bank to Luss Water. An open ditch crosses the site from the south west corner to the centre where it is culverted under the old A82.



Photograph 1: Northern parcel – looking north west from the old A82



Photograph 2: Northern parcel – looking south west from the old A82

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Photograph 3: Footpath on northern site boundary – looking west from the old A82



Photograph 4: View southwards across the site from the footpath on northern site boundary

The southern part of the site is the Luss Estates' former vegetable garden and fruit tree orchard which is has been disused for a number of years and is now overgrown with a variety of trees and conifers. It is bounded to the south and along the old A82 by a mature hedge. Immediately beyond the hedge on the southern boundary there are two residential dwellings of traditional vernacular, the eastern one of which is Category C listed.

The application site incorporates a disused and ruinous stone outbuilding adjacent to the western boundary which is accessed by a private drive from the old A82. The entire site is traversed by overhead electric cables which stretch north/south up the western side. The main A82 trunk road occupies an

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elevated position to the west atop a vegetated road embankment.



Photograph 5: Boundary between northern and southern parcel (southern parcel comprises the vegetated land to the left, the northern parcel is the field). The ruinous outbuilding is visible in the background.



Photograph 6: Southern parcel with vegetation and boundary hedge as viewed from Old A82

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Photograph 7: The listed Gardener's Cottage with the southern parcel in the backdrop



Photograph 8: Driveway entrance to Plot 10 from Old A82

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Photograph 9: Access to outbuilding



Photograph 10: Stone outbuilding (to be demolished)

Proposal:

It is proposed to create a new access onto the old A82 and erect 10 no. dwellings for market sale. These would comprise six one and a half story dwellings (plots 1 and 3-7), three single story cottages (plots 8, 9 and 10) and one 4 bed one and a half story dwelling (plot 2) (see Figure 2).

Nine of the proposed dwellings would be arranged in two courtyard clusters off a central access. The tenth dwelling (plot 10) would be on the site of the disused outbuilding (which would be demolished) and would be served by the existing private drive. An open space on the north side of the entrance would provide 'village green' style amenity land with new tree planting. This area would also house a private shared

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sewage treatment system.



Figure 2: Extract from Site Layout Plan 02 RevJ

The existing overhead electricity cables would be undergrounded at the point where they enter and leave the site. The existing open ditch crossing the site would be diverted around the rear of the dwellings on the western side. The existing boundary hedge around the southern part of the site would be retained and new hedges would be planted along the eastern and northern site boundaries. The plots would be separated by new hedge planting and there would be a number of new trees planted within the

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	<p>development.</p> <p>The dwellings would be of a traditional style with hipped roofs and dormers, finished in a traditional pallet of stone, white render, timber and slate.</p>
2	Relevant Planning History
	None
3	Policy Context
	<p><u>Local Development Plan (Adopted 2016)</u></p> <p>OP1 - Overarching Policy 1: Strategic Principles OP2 - Overarching Policy 2: Development Requirements HP1 - Housing Policy 1: Providing a diverse range of housing HP2 - Housing Policy 2: Location and types of new housing required NEP1 - Natural Environment Policy 1: National Park Landscapes, seascape and visual impact NEP4 - Natural Environment Policy 4: Legally Protected Species NEP6 - Natural Environment Policy 6: Enhancing Biodiversity NEP8 - Natural Environment Policy 8: Development Impacts on Trees and Woodlands NEP11 - Natural Environment Policy 11: Protecting the Water Environment NEP12 - Natural Environment Policy 12: Surface Water and Waste Water Management TP2 - Transport Policy 2: Promoting Sustainable Travel and Improved Active Travel Options TP3 - Transport Policy 3: Impact Assessment and Design Standards of New Development HEP7 - Historic Environment Policy 7: Other Archaeological Resources WMP1 – Waste Management Policy 1: Waste Management Requirement for New Developments</p> <p><u>Supplementary Guidance</u></p> <p>Design and Placemaking Housing West Loch Lomondside Rural Development Framework</p> <p><u>Other Material Considerations:</u></p> <p><u>National Park Aims</u></p> <p>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. Policy NP1 of the National Park Local Plan outlines the Park's overarching policy position on new development with regard to the statutory aims.</p> <p><u>National Park Partnership Plan (2012-2017)</u></p> <p>Relevant Outcomes and Priorities: Outcome 10: Placemaking (Rural Development Priority 10.1: Improving Towns & Villages) Outcome 12: Sustainable Population (Rural Development Priority 12.2: Affordable Housing)</p>
4	Environmental Appraisal
	<p><u>Environmental Impact Assessment</u></p> <p>The National Park is identified as a 'Sensitive Area' within the Environmental Impact Assessment (Scotland) Regulations 2017. In this instance the proposal falls under Schedule 2 of the regulations within the 'urban infrastructure project' category. The proposal was screened collectively with the other eight linked applications to assess the cumulative impact. It was determined that significant environmental effects on the environment are unlikely and therefore an EIA is not required. The screening opinion is available to view as part of the application file.</p> <p><u>Habitats Regulations Assessment</u></p> <p>Not applicable.</p>
5	Summary of Consultations
	<p><u>Scottish Environmental Protection Agency – no objection</u></p> <p>Original objection removed following submission of further information clarifying the foul drainage arrangements. Given the proximity to Luss Bay Designated Bathing Beach SEPA require an enhanced tertiary sewage treatment system to ensure adherence to the microbiological standards associated with bathing water requirements.</p>

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	<p><u>ABC Flood Prevention</u> No objections subject to a condition to control the detailed soakaway design for each dwelling.</p> <p><u>West Of Scotland Archaeology Service (Glasgow) – no objection</u> The application site lies within an area of some archaeological sensitivity. WOSAS advise that the application area be subject to an archaeological evaluation ahead of the construction program so any archaeological remains can be identified, excavated, recorded and published prior to construction and a condition relating to the archaeological issue should be placed on any consent granted.</p> <p><u>Scottish Water (Glasgow) – no objection</u> There is currently sufficient capacity in the Finlas Water Treatment Works.</p> <p><u>ABC Roads – no objection</u> No objections subject to conditions for visibility splays to be provided, for the detail of the internal roads to be designed to adoptable standard and approved by the Roads Authority prior to commencement and for upgrades to the existing private driveway to proposed plot 10.</p> <p><u>Luss And Arden Community Council – support</u> The Community Council supports this application which they consider contributes to the wider aims of the current Local Development Plan for Luss and Arden. They request a programme of phasing to secure affordable housing against the market housing delivery and a restriction on the market houses to ensure 'primary residence' to pre-empt sale for holiday home use.</p>
6	Summary of Representations
	One contribution was received in objection. The representation did not raise objection specifically to this application but to the generality of the eight applications submitted by Luss Estates. These are considered in the Overarching Report.
7	Summary of Supporting Information
	<p><u>Mabbett Ltd Memorandum Report</u> dated 21 February 2019 (received 21 February 2019) – technical justification for the use of a water-water treatment plant rather than connection to mains sewage system.</p> <p><u>Supporting Statement</u> prepared by The Hay Partnership (received 22 November 2018) – Overarching Letter highlighting the revisions and changes since the original application submissions (eight applications in total made in December 2016) and the rationale and justification for the package of developments now proposed.</p> <p><u>Protected Species Survey Update</u> dated 9th August 2018 prepared by Wild surveys Ltd (received 29 August 2018) – update of previous survey.</p> <p><u>Design and Access Statement</u> prepared by Hay Partnership (received 28 August 2018) – describing the site and explaining the design rationale.</p> <p><u>Flood Risk Assessment</u> prepared by Kaya Consulting Ltd (received 22 December 2016) – assessment of flood risk and requirements for surface water management.</p> <p><u>Extended Phase 1 Habitat Survey</u> prepared by Wild Surveys Ltd (received 22 December 2016) – assessment of the site's ecology value and requirements to address any impacts arising.</p> <p><u>Soakaway Calculations (Rev A) for Plots 1-10</u>– received 25 July 2019</p>
8	Planning Assessment
	<p>The planning considerations are as follows:</p> <ul style="list-style-type: none"> • Principle of Development • Housing Mix and Density • Roads • Design • Drainage • Landscape & Trees

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- Ecology
- Archaeology

Principle of development

The principle of development of this site is established in the LDP which allocates the southern two thirds of the application site for housing (10 houses) (ref. Luss H2). The inclusion of additional land to the north to achieve the 10 houses envisaged by the allocation raises no planning issues in principle. However the allocation is for 100% affordable housing and open market housing in this location is not supported under Policy HP2(c).

Notwithstanding, this application is one of eight applications submitted by the applicant which collectively seek to offer a package of housing designed to deliver the strategic development objectives of the West Loch Lomondside Rural Development Framework Area Supplementary Guidance (the “RDF”). Whilst development of market housing in building groups is not permitted under LDP Policy HP2(c) the RDF provides flexibility to depart from LDP policy under certain circumstances. It states:

“Flexibility in the LDP housing policies within this area will be supported to allow variance of the policy requirements at each site. This will enable individual sites to be developed within a wider strategic context as part of a package of development for the area as a whole.”

Compliance with the RDF strategy, principally in terms of the balance of market and affordable housing (or equivalent) proposed across the eight applications and the approach to delivery, is considered in the Overarching Report which should be read alongside this Report of Handling. This concludes that the eight applications, as a package of proposals, are acceptable in principle subject to completion of a Section 75 agreement to control the phasing of development. The proposal for 10 open market houses on this site is therefore acceptable in principle.

Housing Mix and Density

Policy HP2(b) supports developments on sites adjacent or close to towns and villages where new housing is sensitive to the scale and character of the host community. HP1 also states development should be at a density in keeping with or, where appropriate, higher than the surroundings. In terms of scale the proposal accords with the site’s LDP allocation under Policy H2 for 10 houses and is therefore appropriate.

LDP Policy HP1 requires housing sites to deliver a diverse range of housing, sizes and tenures and to address the needs of smaller sized households, older people and families. In relation to mix the RDF is clear that the priority for the West Loch Lomondside area is for provision of family housing. The proposed houses are modest, mid-market predominantly 3 bedroom family homes (with one 4 bed home) reflecting this requirement. The houses are also proposed to incorporate internal arrangements and door widths to cater for disabled/elderly access. The proposal therefore accords with Policy HP1.

Design

Rather than seeking differentiation through a modern/contemporary aesthetic, the proposed houses would be traditional in style and materiality taking a cue from the neighbouring dwellings and the prevailing character of Luss as a whole. The approach is appropriate given the site’s visibility and location on one of the main approach roads to Luss Village and siting close to the Luss Conservation Area boundary which is adjacent to the northern side of Luss Water about 30m to the north of the site boundary. This reserved design approach would not therefore compete with or detract from the sense of place experienced in and around Luss Village.

There are three different house designs proposed (see Figures 3, 4 and 5). The single story cottages have been placed along the roadside, reflective of the scale and arrangement of the cottages in Luss village. The one and a half story houses have been placed further into the site where they would be partially obscured by existing development or roadside vegetation and viewed against a backdrop of woodland.

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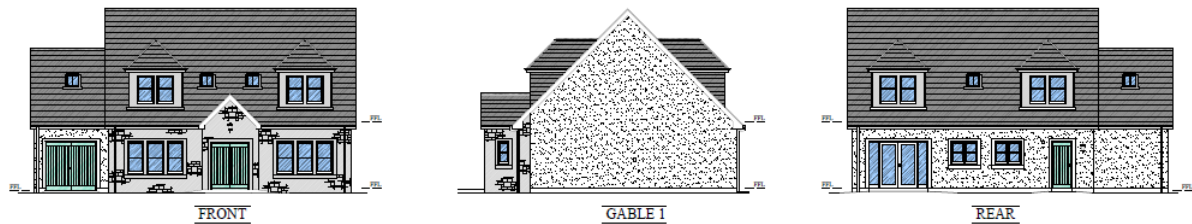


Figure 3: House Elevations for Plots 1, 3, 4, 5, 6 & 7 - Extract from Plan 04 Rev G (not to scale)

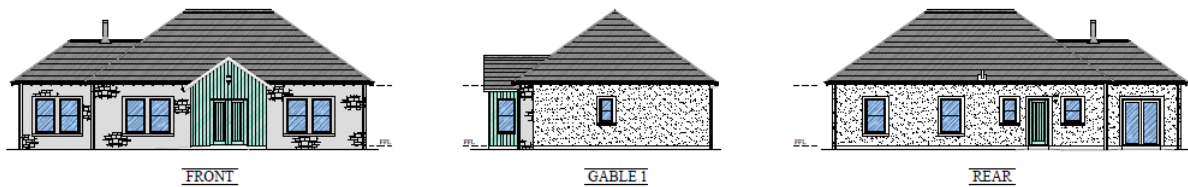


Figure 4: House Elevations for Plots 8, 9 & 10 - Extract from Plan 04 Rev G (not to scale)



Figure 5: House Elevations for Plot 2 - Extract from Plan 04 Rev G (not to scale)

The placement of a 'village green' on the north side of the access opens up views of the scheme and provides a focal point from the road as well as providing informal play and amenity space for residents.

Residential Amenity

The distance between the principle elevations of the all proposed houses ranges between approximately 22m to 25m which is sufficient to maintain privacy between habitable rooms. The nearest adjacent house (Gardener's Cottage) has a blank gable on its northern side so no issues of privacy between plot 7 and the existing house would arise.

Road noise at the site is apparent due to proximity to the A82 to the west which means it would be difficult to mitigate noise levels within west-facing rear gardens. However this is the case for the existing dwellings and others in the Luss area. The houses will likely require enhanced noise reduction measures (such as higher specification glazing and ventilation) to ensure acceptable internal noise levels are achieved for bedrooms and a condition is recommended to secure this.

Refuse storage areas are incorporated in accord with Policy WMP1.

Climate-Friendly Design

The access requirements have necessarily determined the arrangement and orientation of the houses rather than climate considerations, however the arrangement of the houses is acceptable and responds appropriately to the site constraints. Some shelter from wind would be provided by the existing tree belts to the north and west.

There are no specific details confirmed in relation to the proposed renewable energy measures to achieve compliance with Policy OP2. However the applicant is not likely to be the ultimate developer and to provide flexibility in relation to the final measures to be employed a condition is recommended for these

details to be submitted in advance of development commencing.

With the conditions proposed the proposal accords with Policy OP2 in terms of design, amenity and climate friendly measures.

Roads

Policy TP3 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.

All the 3 bed dwellings have two on-plot parking spaces and the 4 bed dwelling has three. Turning heads are provided at plots 4, 6 and 7 and within the amenity space allowing refuse vehicles to turn. For plot 10 a turning area to accommodate service and emergency vehicles and an inter-visible passing place between the plot site and the junction with the Old A82 are provided on the access road.

The Roads Authority require the detailed design of the roads within the development to achieve the relevant adoption standard. They confirm they have no objections subject to conditions for visibility splays to be provided, for the detail of the internal roads design to be approved by the Roads Authority prior to commencement and for the upgrades to the existing private driveway to proposed plot 10 to be undertaken including minimum width, provision of a passing place and resurfacing of the entrance (all of which are shown on the submitted Lower Site Plan. Conditions are recommended accordingly. On the basis of the above the proposal accords with TP3.

Policy TP2 requires 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. The site is within walking and cycling distance of Luss village (along the old A82) and has ready access to its facilities and services including wider public transport (ferry boat and bus services). The proposed site entrance is approximately 360m south from the nearest bus stop. There is a footway on the east side of the old A82 along its full length and therefore safe passage on foot from the site to Luss Village is possible. The public footpath adjacent to the northern boundary provides convenient access to the public footpath network. The proposal therefore complies with Policy TP2.

Drainage

In relation to foul water, Policy NEP12 requires developments to connect to the public waste water drainage system where available. The nearest mains sewerage connection is 500m away from the site. The applicant has submitted supporting information (prepared by Mabbett Ltd) which confirms that connecting to the existing public sewer would require a pumping station and pipe across Luss Water and is cost prohibitive. SEPA has therefore agreed to a private wastewater treatment facility discharging to Luss Water. As Luss Bay is a designated Bathing Water any private sewage treatment system installed will need to utilise enhanced tertiary treatment to ensure adherence to the microbiological standards associated with bathing water requirements. This will be governed by SEPA licencing requirements.

Surface water would be collected from each dwelling and discharged to individual soakaways as shown on the submitted drainage layout plan J2498-P-04C. The submitted Site Investigation Report by Ardmore Point demonstrates that the site has suitable ground conditions for soakaways and this approach is therefore acceptable. The Flood Authority has no objections subject to a condition to ensure that the detailed soakaway design complies with Sewers for Scotland 4th Edition with sensitivity testing to ensure that any exceedance in the 1 in 200 year flood event would not pose a risk to properties. A condition is recommended accordingly.

The drainage proposal complies with Policies NEP11 and NEP12 and is acceptable.

Landscape & Trees

The site is contained by mature vegetation and views into the site are restricted to those from the old A82. The National Park's Landscape Advisor has no objections to the scheme on landscape grounds however they advise that the proposed soft landscaping should comprise native species. A landscape plan is conditioned to clarify the details of plot boundaries and enclosures, the details for the planting including numbers and species of plants, the specification of hard surfaces and earthworks and reinstatement works.

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The southern part of the site contains some non-native conifers and fruit trees that will be removed to facilitate development. These losses will be compensated by new hedge and tree planting within the scheme. The remaining boundary trees and hedgerows will be retained and will be protected during construction by measures secured by condition. With these measures the proposal accords with Policy NEP8.

Ecology

The site is largely made up of improved grassland, dense scrub and small areas of woodland which contain limited habitats of ecological importance. No field signs of any protected species were found but there is suitable habitat for nesting birds. The outbuilding that is to be demolished was assessed as having low potential to support roosting bats and the trees within the site do not contain features likely to support bats.

A condition is recommended to ensure compliance with the recommendations and mitigation measures in Section 4.2 of the Extended Phase 1 Habitat Survey and subsequent Update. This includes a walkover survey to check for nests if clearance works are to be undertaken during the bird nesting season, a pre-construction survey for bats four to six weeks before construction and measures to enhance biodiversity (such as use of native species and installation of bird boxes). With these measures the proposal accords with Policies NEP4 and NEP6.

Archaeology and Heritage

The dwelling to the immediate south of the application site fronting the road (Gardeners Cottage) including boundary wall and railings is Category C listed. The main views of this dwelling are afforded from the Old A82 from the south where it is viewed together with the dwelling to the immediate west. The boundary hedge of the application site partially obscures views from the north.

The proposed development site is separated from the curtilage of Gardener's Cottage physically and visually by the mature boundary hedge which is to be retained. Whilst there may have been an historic relationship between the gardener's cottage and the former use of the southern end of the application site as a 'garden', this relationship is no longer apparent to the casual observer and the listing does not include any adjacent land. The roof of the nearest proposed dwelling would be visible in the backdrop when viewed from the south, however there is sufficient separation and the proposed dwelling would be of a similar scale (1.5 story) and style (roof dormer windows) and the relationship would not be harmful to the setting of the listed building. The proposal is therefore acceptable having regard to Policy HEP3

The application site lies within an area of some archaeological sensitivity. The topography of the application site is considered to be entirely suitable for past human use and so buried remains are a distinct possibility. As such WOSAS has advised that the application site requires to be subject to an archaeological evaluation ahead of construction so any archaeological remains can be appropriately identified, excavated, recorded and published. Accordingly a condition is recommended to secure a Written Scheme of Investigation (WSI). The proposals therefore accord with Policy HEP7.

Conclusion

The principle of development of this site for open market family housing is acceptable having regard to the LDP allocation H2 and the policies of the West Loch Lomondside Strategic Rural Development Framework. The mix and density is appropriate having regard to Policy HP1. The access arrangement, layout of roads and parking accord with Policy TP3. The on-site sewage treatment plant and surface water drainage proposals are acceptable having regard to Policies NEP11 and NEP12. There would be no adverse landscape impacts and new planting proposals would maintain a high quality of visual amenity in accord with Policy NEP1 and OP2. Important trees and hedges will be retained and protected during construction in accordance with Policies NEP8 and NEP9. There will be no adverse impacts on protected species and subject to mitigation secured by condition requirements to safeguard species and habitats and for biodiversity enhancement will be met in accord with Policies NEP4 and NEP6. There would be no adverse impacts on archaeological or listed heritage assets in accord with Policies HEP3 and HEP7.

Recommendation: Approve

Conditions

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1. **Tree and Hedge Retention and Protection:** Prior to site clearance a Tree Retention and Protection Plan shall be submitted to and approved in writing by the local planning authority. The plan shall be based on the submitted Topographic Survey (received 29 August 2018) and shall identify the trees and hedgerows within the site to be lost and those to be retained (including those on or adjacent to the site boundary). The retained trees and hedges shall, prior to site clearance works commencing, be protected by fencing in accordance with British Standard BS 5837(2012) 'Trees in Relation to Construction', or by such other means of protection as shall be agreed in advance in writing with the Planning Authority. The protection measures shall be maintained for the duration of construction and no storage of building materials or piling of soil shall take place within the protected areas established pursuant to this condition.

REASON: To protect retained trees and hedges against loss and accidental damage during the course of the development in accordance with Local Plan Policies NEP8 and NEP9.

2. **Bat Risk Survey:** A pre-construction survey for bats shall be carried out no earlier than 6 weeks before site works commence. The survey shall be submitted to and approved by the planning authority prior to clearance works commencing.

REASON: To ensure the proposed works are not carried out in a manner liable to contravene Nature Conservation laws relating to a protected species and to safeguard protected species and nature conservation interests in accordance with NEP4.

3. **Archaeological Investigation:** No development shall take place until a programme of archaeological works has been implemented on 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 and the recovery of archaeological resources and recording has been 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.

4. **Detailed Roads Design:** Prior to the commencement of development a detailed design for the access road serving plots 1-9 shall be submitted to and approved in writing by the planning authority in consultation with the Roads Authority. The submission shall include a detailed design for the proposed turning heads. The development thereafter shall be constructed in accordance with the approved details.

REASON: To achieve a satisfactory standard of design in accord with Policy TP3.

5. **Revised Elevations for Plot 2:** Notwithstanding the information on submitted drawing 05 Rev F (received 04 September 2018) prior to construction works commencing on plot 2 a revised elevation drawing shall be submitted to and approved in writing by the planning authority showing the garage entrance on the road facing (southern) elevation of the property.

REASON: so the garage can be accessed by vehicles from the driveway and so that the development achieves a satisfactory standard of design in accordance with Policy OP2.

6. **Visibility Sightlines:** Visibility sightlines for the main accesses onto the old A82 shall be provided prior to the first occupation of the development and maintained as follows 75m x 2.4mx 1.05m. All walls, hedges and fences within the visibility splays to be maintained at a height not greater than 1 metre above the road level.

REASON: To maintain adequate visibility from the junction in the interests of road safety.

7. **Private Drive Upgrade:** The works to upgrade the private drive serving plot 10 shall be completed in accordance with the approved plan 'Lower Site Plan' to include passing place, minimum width of 3.7m and surfaced in bitumen for the first 10m at the junction with the old A82.

REASON: To provide an appropriate standard of access in the interest of safety of the users in accord

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with Policy TP3.

- 8. Renewable energy:** Prior to the commencement of development details of the proposed renewable energy technology to be incorporated into the development shall be submitted to and approved by the local planning authority. Thereafter the approved measures shall be implemented prior to the development hereby approved being brought into use.

REASON: To comply with Local Plan Policy OP2 that requires the incorporation of renewable energy measures in all new developments.

- 9. Details of Landscaping:** Prior to the commencement of development a detailed landscaping scheme shall be submitted to and approved by the local planning authority. The scheme shall include:
- any earthworks and associated proposed finished levels or contours;
 - details of all soft landscaping including a planting schedule (plant sizes and proposed numbers/densities)
 - specifications for the establishment and maintenance of native trees, shrubs, hedging and grass seeding;
 - materials/specification for all proposed hard surfaces;
 - details of any new walls, fences, hedges, enclosures or gates;
 - details of any minor structures (e.g. refuse or other storage units);
 - A programme/timetable for implementation.

Thereafter the landscaping of the site shall be undertaken in accordance with the approved scheme.

REASON: The proposed development site requires landscaping to fully integrate the development into its surroundings and to mitigate the landscape and visual impacts. Without such landscaping the proposal would be considered contrary to the provisions of the development plan Policies NEP1 and OP2.

- 10. Finalised Soakaway Design:** The soakaways for each dwelling shall be designed to accommodate the 30-year Return Period flood event with 30% allowance for climate change and sensitivity tested to ensure there would be no adverse impacts on the event of exceedance during a 1:200-year + 30% climate change flood event as per Scottish Water's 'Sewers for Scotland v4.0, section 2.6: Hydraulic Modelling Design'. Details of the final design shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development.

REASON: To ensure the soakaways would not lead to increased risk of flooding in the 1:200-year + 30% climate change flood event and to accord with Policy NEP12.

- 11. Biodiversity Enhancement:** Prior to the commencement of the development hereby permitted, a scheme for the enhancement of biodiversity within the development site, which shall include measures to enhance habitat for nesting birds and a method for the translocation of the bluebell soil at Target Note 10 of the submitted Extended Phase 1 Habitat Survey (received 22 December 2016)), shall be submitted to, and approved in writing by, the Planning Authority. This scheme shall then be implemented in full in a timescale to be agreed in writing with the Planning Authority.

REASON: To secure biodiversity enhancement as required under Natural Environment Policy 6: Enhancing Biodiversity.

- 12. Breeding Birds:** No site clearance works shall be undertaken during the main bird breeding season (March – August inclusive) unless a prior walk over survey for nesting birds is undertaken and details of the survey have been submitted to and approved by the planning authority prior to clearance works commencing.

REASON: To ensure an illegal action does not take place contravening the Wildlife and Countryside Act 1981 (as amended).

- 13. Noise Assessment:** Prior to commencement of development a noise assessment shall be submitted to and approved in writing by the Planning Authority. The assessment shall identify appropriate measures to be incorporated into the development to ensure compliance with the following internal noise levels:
- 40 dB LAr, T (Internal with Windows Closed - Day);

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

National Park Headquarters, Carrochan, Carrochan Road, Balloch, G83 8EG Long: 4°34'24"W Lat: 56°00'12"N

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30 dB LA_{r,T}) (Internal with Windows Closed - Night).

REASON: The development site is in close proximity to a Trunk Road (A82) and assessment of noise and appropriate mitigation is required to ensure a satisfactory standard of residential amenity for the occupiers of the dwellings in accordance with Local Plan Policy OP2.

- 14. Wildlife Protection:** The development shall be carried out in accordance with the mitigation measures identified in Section 4.2 of the Extended Phase 1 Habitat Survey (received 22 December 2016) and subsequent Protected Species Survey Update (received 29 August 2018).

REASON: To safeguard protected species and nature conservation interests in accordance with Policy NEP4 and to ensure an illegal action does not take place contravening the Wildlife and Countryside Act 1981 (as amended).

- 15. External Materials:** All external materials and finishes shall be as indicated on the approved plans unless otherwise agreed in writing by the Local Planning Authority prior to their incorporation within the development.

REASON: To ensure that the external appearance of the development is appropriate to the rural character of the area in accordance with Policy OP2.

- 16. Hours of Construction:** 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.

Planning Obligations

A Section 75 legal agreement is required to secure the phasing of the provision of the open market homes which are the subject of this application against provision of the affordable housing plots and community infrastructure (village green) which are the subject of the wider package of application proposals.

List of Plans

Title	Reference	Date Received
Location Plan	Loc RevA	22/07/19
Proposed site plan	02 Rev J	22/07/19
Lower Site Plan	S01	22/07/19
Proposed Drainage Layout	J2498-P-04C	25/07/19
Proposed Elevations Plots 8,9 and 10 : Elevations and Floorplans	03 Rev F	04/09/18
Plots 1,3,4,5,6 and 7 : Elevations and Floorplans	04 Rev G	04/09/18
Topographic Survey - Sheet 1 of 2	Sheet 1 of 2	29/08/18
Topographic Survey - Sheet 2 of 2	Sheet 2 of 2	29/08/18
Site Assessment Plan	01	29/08/18
Plot 2 - Elevations and Floor Plans	05 Rev F	04/09/18
Extended Phase 1 Habitat Survey		22/12/16
Protected Species Survey Update		29/08/19

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
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(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.

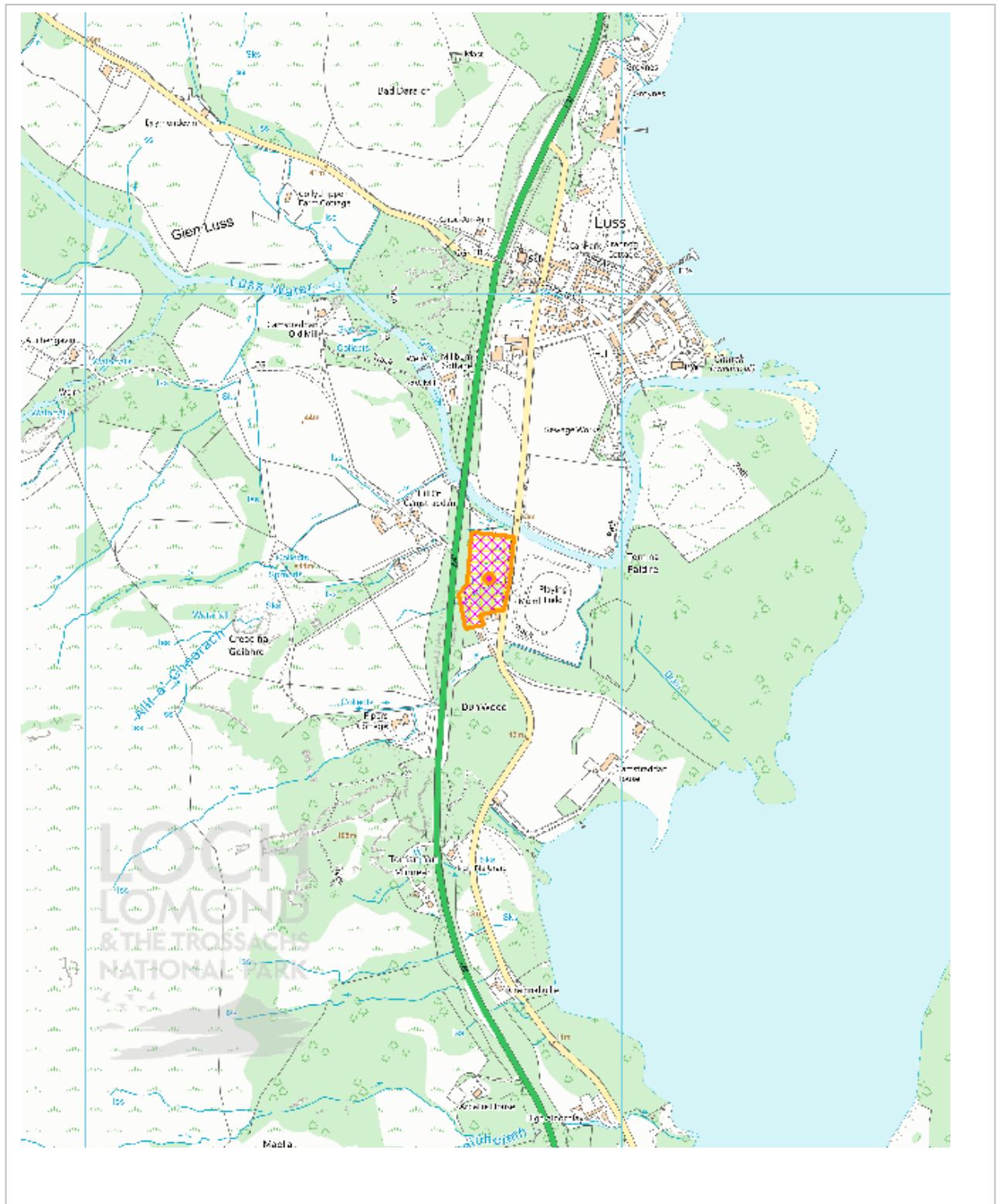
4. Roads Consent - The applicant is advised that in terms of Sections 21 and 56 of the Roads (Scotland) Act 1984 he/she/they must obtain from the appropriate Council as Roads Authority consent to construct a new or to alter, open or extend an existing road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.

Appendix 1 - Site Location Plan

Land To The North Of Hawthorn Cottage, Luss

 2016/0391/DET

Not to Scale



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