

PLANNING AND ACCESS COMMITTEE

MEETING: Monday 31st August 2020

SUBMITTED BY:	Director of Rural Development and Planning
APPLICATION NUMBER:	2018/0051/DET
APPLICANT:	Lomond Active Ltd
LOCATION:	Land Adjacent To Dundarroch Brig O Turk Callander Stirling FK17 8HT
PROPOSAL:	Erection of 2 no. houses for holiday accommodation within the garden grounds of Dundarroch House

NATIONAL PARK WARD:	Ward 2 - Breadalbane and the Trossachs
COMMUNITY COUNCIL AREA:	Trossachs
CASE OFFICER:	Name: Amy Unitt Tel: 01389 722 606 E-mail: amy.unitt@lochlomond-trossachs.org

1. SUMMARY AND REASON FOR PRESENTATION

- 1.1. This is an application for the erection of two dwellings to be used as short-term holiday lets within the grounds of an existing dwelling.
- 1.2. In accordance with section 5.6 of the National Park Authority's Scheme of Delegation, this application must be determined by the Planning and Access Committee as a statutory consultee, Trossachs Community Council, have formally objected and the officer recommendation is to approve.

2. **RECOMMENDATION**

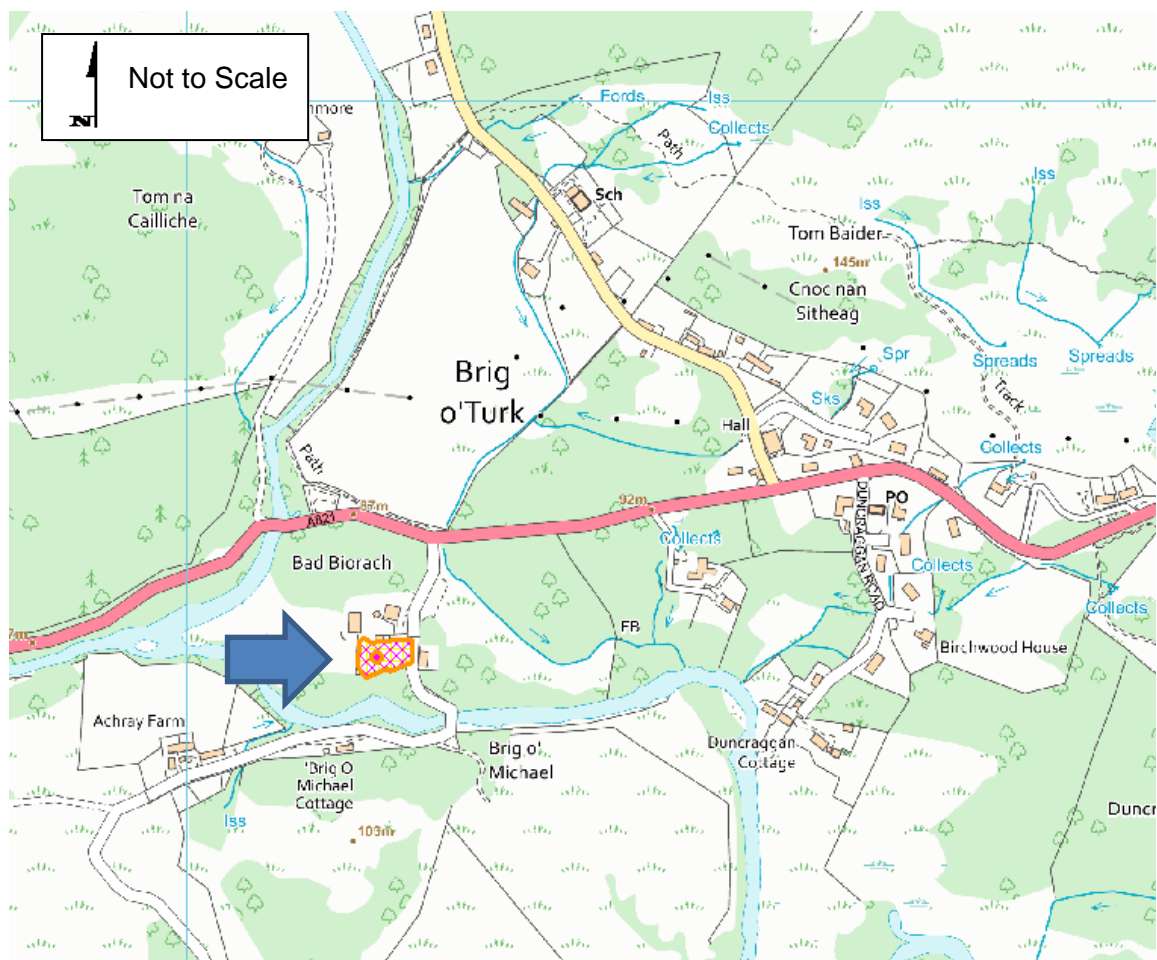
2.1. That Members:

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 and acknowledgement of the registration of the section 75 agreement in the Land Register/Register of Sasines.

3. **BACKGROUND**

Site Description

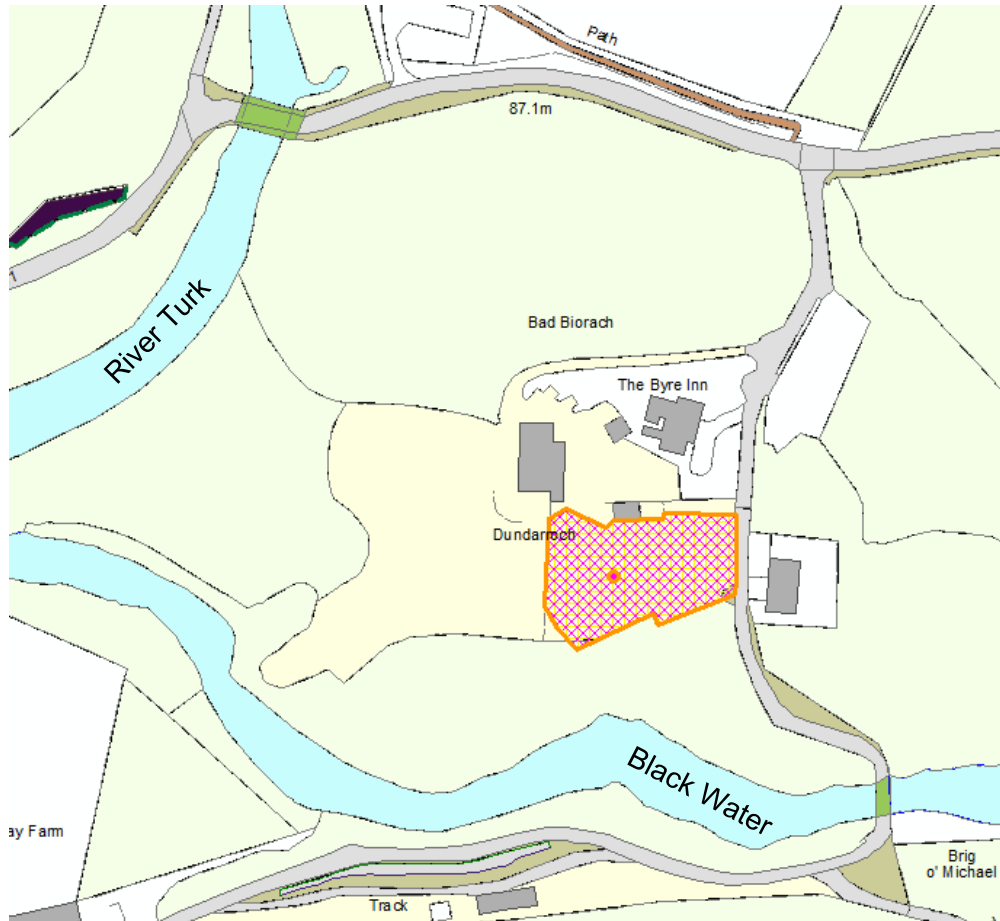
- 3.1. The proposed site is south west of Brig O'Turk and is accessed off the A821.



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Figure 1: Location Plan (wider context)

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- 3.2. The site is immediately south east of Dundarroch House, which is a detached two storey dwelling. The proposal is located within garden grounds for the house and is characterised by a flat lawn with a mound of shrub and tree growth to the east which can be seen in the topographical plan in Figure 3. There is an existing timber access gate on the south east corner of the site. The Byre Inn is located north of the proposed site and there is a dwelling located to the east on the opposite side of the access road. The River Turk is west of the site and connects to the Black Water to the south.



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Figure 2: Location Plan

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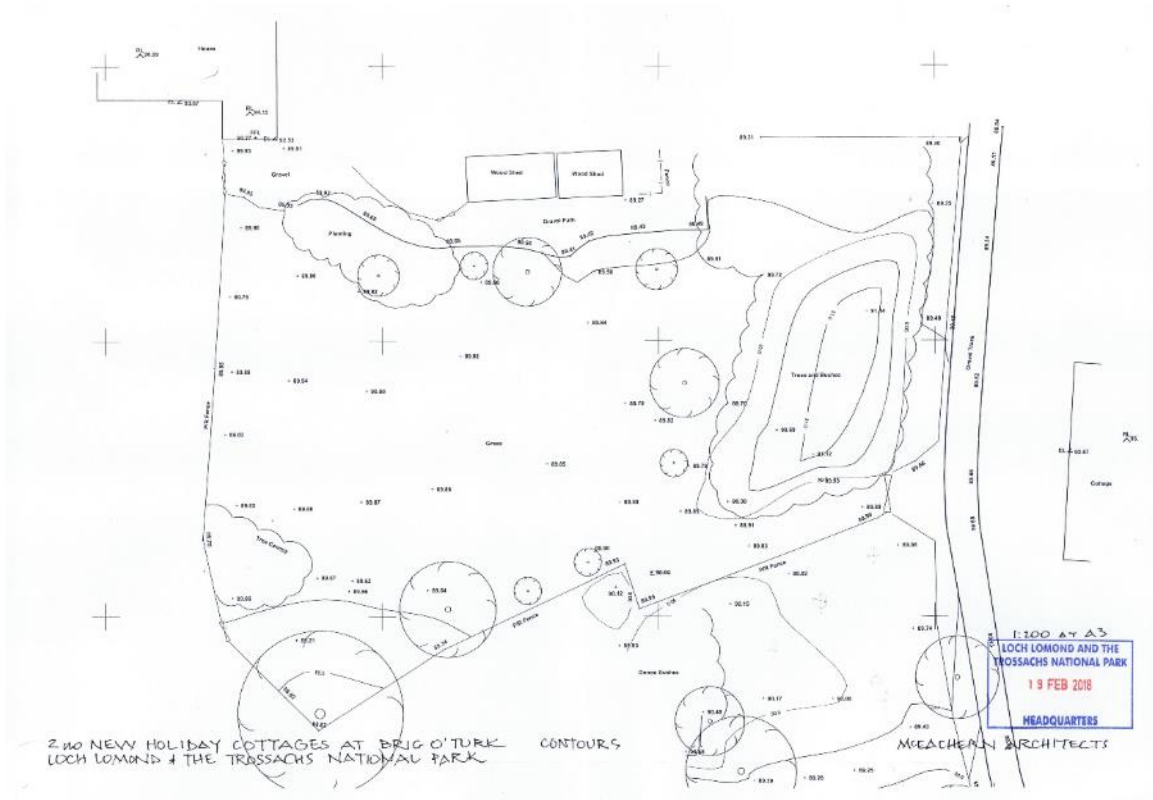


Figure 3: Existing Site Plan

Description of Proposal

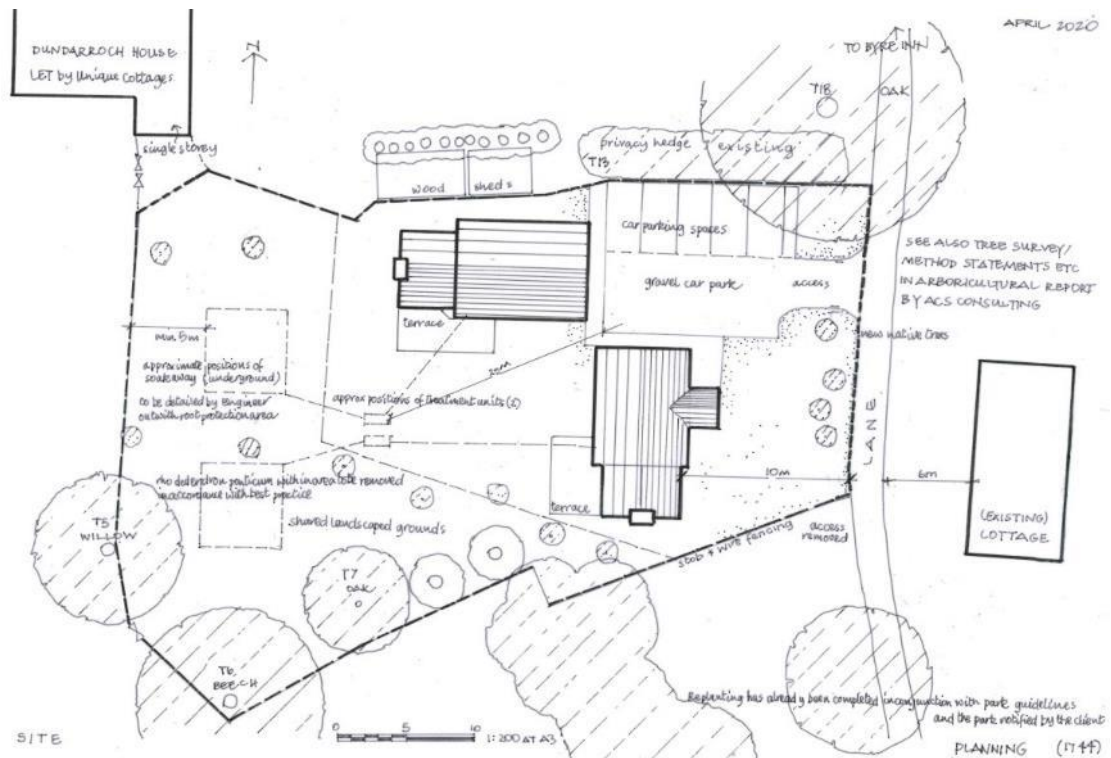


Figure 4: Proposed Site Plan

- 3.3. It is proposed to erect two detached dwellinghouses which would be used as holiday lets. The one and a half storey unit would be located opposite the existing cottage with the one storey unit sited perpendicular to it as shown in Figure 4. A new access would be created

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along with a gravel car park with 5 spaces. To accommodate the development, it is proposed to remove 4 individual trees and one group of trees forming the mound at the eastern end of the site.

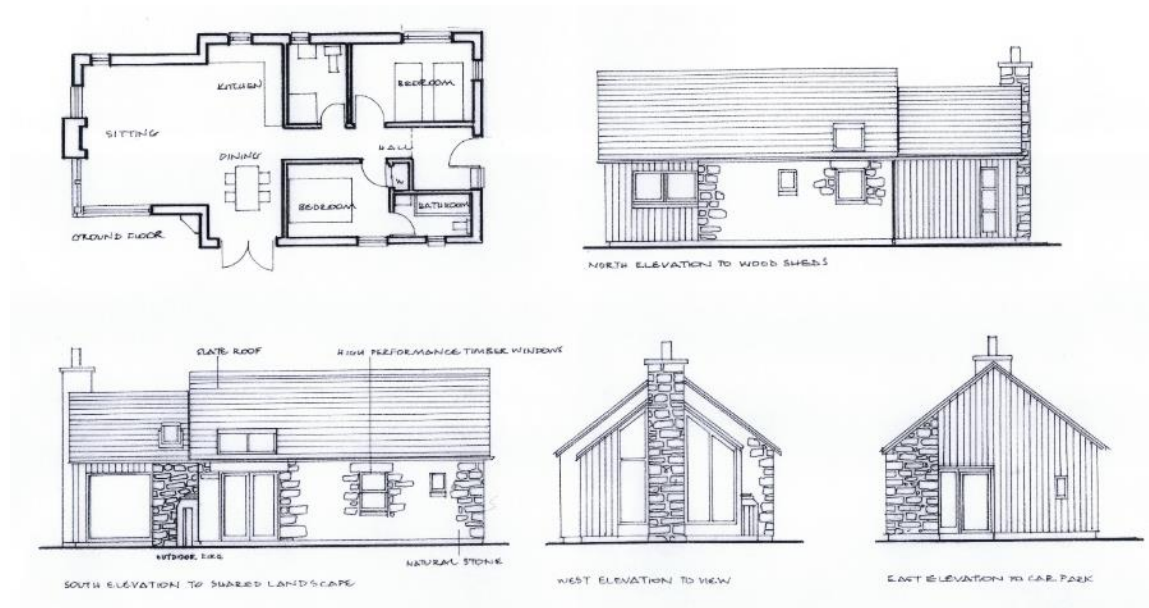


Figure 5: Proposed One Storey Dwelling

- 3.4. The proposed dwellings, shown in figure 5 and 6, would be clad in natural stone and timber cladding. The one and a half storey dwelling would also have elements of render on the walls. Both buildings would have slate roofs and timber windows. The one storey dwelling would have two bedrooms and the one and a half storey dwelling four bedrooms.



Figure 6: Proposed One and a Half Storey Dwelling

Planning History

- 3.5. There is a history of planning applications for Dundarroch House dating back to the 1990's including applications for a garage and conservatory. In 2001 outline permission was refused for a dwelling. An application was approved for an ancillary garage in 2006 and in 2016 permission was granted to use this garage as a holiday let. In 2017 an application was received for three holiday lets. Whilst this application was under consideration the landowner felled two mature trees and some established young trees in the land immediately south of the current proposed site. The location of the tree works and the woodland surrounding Dundarroch House was assessed by the National Park Trees and Woodlands Officer, subsequently a Tree Protection Order was approved by the National Park Planning and Access Committee. The area covered by the Tree Protection Order is not part of the current application site. The National Park had concerns about the extent of the previously proposed site area and potential impacts on woodland. The 2017 application was withdrawn and a revised proposal was submitted under the current application. This history is listed below:

2017/0005/TPO – Confirmed – 28 August 2017 - Loch Lomond and the Trossachs National Park Authority Tree Preservation Order Number 5 of 2017

2017/0134/DET – Withdrawn – 19 June 2017 - Erection of 3 no. holiday let lodges

2016/0281/DET – Approve – 4 November 2016- Change of use of garage/ outbuilding into holiday accommodation and associated alterations

2006/0381/HAE – Approve with Conditions – 18 December 2006 - Erection of garage

01/00647/OUT/A – Refused – 20 June 2001 - Outline permission for formation of plot for erection of dwelling

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. In this particular instance it has been determined that an EIA is not required as the proposal is not identified within Schedule 2 of the regulations.

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 closest point of the site boundary is approximately 20 metres from the Black Water, which is part of the River Teith Special Area of Conservation. It is proposed for a discharge pipe and outfall to be installed on the banks of the black water connecting to a new waste water treatment plant. A significance test was carried out and the proposal

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is likely to have a significant effect on the qualifying interests of the SAC therefore an appropriate assessment is required. The appropriate assessment has been carried out and is in Appendix 3 of this report.

5. CONSULTATIONS AND REPRESENTATIONS

Responses to Consultations

Trossachs Community Council

- 5.1. The Community Council **objects** to the proposal on a number of grounds, which it states are contrary to planning policy, and these include:
- The water supply to the area is limited and a formal planning policy is required to allocate resources.
 - The proposed site does not have safe access/egress during flooding events.
 - The proposal is too large, creating 4 holiday let properties on the site. This is not small scale and will result in creeping development.
 - The proposal will have an intrusive visual impact due to its location adjacent to a core path, a C-listed building (Brig O'Michael) and the Trossachs National Scenic Area.
 - There is no waste management plan or provision for access for waste collection.
 - The site plan implies the access road adjacent to the site will be reduced in width.
 - The height and proximity of the building closest to the road will overlook, affect the privacy and reduce natural sunlight for the neighbouring property.
- 5.2. After the submission of the revised Flood Risk Assessment (FRA) by the applicant the Community Council further objected, stating the FRA was not accurate in that it underestimates the flood level over the proposed evacuation route. The Community Council also objects to the proposed evacuation route into the forest on the grounds of safety and flooding on the route.
- 5.3. The Community Council also provided a copy of correspondence with Forestry and Land Scotland which stated that although the route through the forest was open during certain times of the year it would not be open at all times and they are not prepared to allow the drive to be used as an alternative route for emergency access and egress.
- 5.4. Further to the submission of revised plans the Community Council advised that although they welcome the proposed drainage solution and the revisions to the site layout they retain their objection on the grounds of flood risk and the lack of requirement for the development.

Stirling Council Transport Development Department

- 5.5. The road access to the A821 is acceptable for the proposed level of development. Transport Development have **no objections**.

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Stirling Council Flood Prevention

- 5.6. The flood officer requested a revised flood risk assessment to include information about the flood levels over the main and secondary accesses. Based on the additional information the flood officer initially removed their objection, however, this position was revised as the new information had not taken into account revised climate change calculation guidance from SEPA and although they had demonstrated that the flooding level at the A821 was less than 300mm the actual track connecting to the A821 would flood over the acceptable level of 300mm. The Flood Prevention Team has **no objection** to the planning application provided conditions are applied ensuring a flood evacuation plan and the properties are not available for let when flood alerts are issued for the Central region through Floodline.

Scottish Water

- 5.7. Advised that there is sufficient capacity for water supply, however further investigations would be required once a formal application is made to connect. There is no waste water infrastructure in the vicinity of the proposal and therefore private treatment is required.

Scottish Environment Protection Agency (SEPA)

- 5.8. SEPA initially objected to the application on the grounds of lack of information about flood risk and waste water drainage.
- 5.9. *Flood risk:* SEPA **removed their objection** on flood risk grounds as the flood risk assessment confirmed that the development site is outwith the floodplain.
- 5.10. *Waste water drainage:* The applicant submitted further information in regards to waste water drainage infrastructure and SEPA **removed their objection**.

Representations Received

- 5.11. 10 representations were received from 4 households and one organisation. All the representations **object** to the application.
- 5.12. 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 '2018/0051/DET').
- 5.13. The matters raised are summarised as follows:

5.14. Principle of Development

- The proposed development would be too much for the area and would bring excessive tourism. The proposal would mean a disproportionate level of holiday accommodation in the local area compared to permanent residences. This will alter the character and sustainability of the village.
- The proposed two units would be in addition to the existing dwelling (used as a holiday let) and small holiday let bringing the overall development to four units and this is not small-scale development. Therefore, it should demonstrate market demand and community benefit to meet Visitor Experience Policy 1 (h) and (i).

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- The applicants do not live in the area and the proposal would not benefit the local economy.
- The National Park should be clear about how many holiday lets should be in villages.
- There is no commercial requirement for additional holiday lets in the area

Officer Response: See paragraphs 8.3-8.10 Principle of Development. The proposed development is not of a scale which would require the applicant to demonstrate community benefit or commercial requirement.

5.15. Flooding

- There is a history of flooding of the access to the site which has been at a greater depth (70cm) than that stated in the Flood Risk Assessment as a worst-case scenario (50cm). Photographs of previous flooding provided by objectors are shown in Figure 8.
- The emergency access and egress route goes through private land and there is no permission from landowners for this to be used.

Officer Response: See paragraphs 8.11-8.28 Flood Risk.

5.16. Design

- The proposed buildings will be too dominant in the locality.
- Other more suitable locations in the applicants ownership could be used.
- A site masterplan should be provided.

Officer Response: See paragraphs 8.41-8.42 Design, a site masterplan is not a reasonable requirement for this scale of development.

5.17. Access

- The development is in close proximity to a core path.
- The access to the site is too tight a turn to be suitable and safer access could be provided through the current entrance to Dundarroch.

Officer Response: See paragraphs 8.43 Roads and Accessibility. There are no concerns around the proximity of the development to a core path.

5.18. Amenity

- The proposal will bring the total accommodation on site up to 26 people across four units. The associated noise, light and traffic will adversely affect the tranquillity of the area.
- The proposal will overlook neighbouring properties and have an imposing presence on the adjacent core path.
- The proposal will block sunlight to neighbouring properties.
- No consideration has been given to the management of domestic waste from the site.
- The signage used on current property by the applicant is aggressive, unfriendly and inappropriate and similar signage may appear on this proposed development.

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Officer Response: See paragraphs 8.44-8.45 Amenity. Signage for the development is dealt with under separate advertisement regulations.

5.19. Impact on setting of listed buildings

- The proposal will adversely impact the views from the nearby C-listed bridge (Brig O'Michael), particularly the one and a half storey property proposed adjacent to the core path. The proposed headwall for the waste water drainage infrastructure will also adversely impact the listed bridge.

Officer Response: See paragraphs 8.29-8.32 Waste Water Drainage and Water Supply, and paragraphs 8.46 Impact on Listed Building.

5.20. Landscape and Visual Impact

- The proposal is out of character with the area and does not complement the current built character.
- It is an area of great landscape value and a visual impact statement should be carried out.
- It will take some time for screening to grow and mitigate any impacts.
- The proposal will disrupt views from the track to Ben Venue.

Officer Response: See paragraphs 8.40 Landscape Impact.

5.21. Ecological Impact

- Another bat survey should be carried out.
- The exclusion zone for otters and beavers should be for the whole riverbank extent and not just the points identified in the survey.
- The exclusion zone for natal holts is 200 metres and the proposed exclusion zone is 30 metres.
- It is not clear how the access would be constructed through the root protection areas.
- The proposed waste water drainage outfall is through an area of ancient woodland and discharges to the Black Water which is in the Special Area of Conservation. There is potential for damage to trees and the watercourse.

Officer Response: See paragraphs 8.33-8.37 Ecological Impact and paragraphs 8.38-8.39 Impact on Trees and Woodland.

5.22. Water Supply

- Scottish Water have previously advised Trossachs Community Council that the local treatment works only has a capacity for 45 buildings and there are more than 70 being treated at this time. Further development could not be supported.

Officer Response: See paragraphs 8.29-8.32 Waste Water Drainage and Water Supply.

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5.23. Problems with application quality and accuracy

- A fee exemption for a revised application was applied for this proposal. However, the new application is for a different site boundary than that shown in the previous application and a fee exemption should not apply.

Officer Response: Planning Circular 1/04 states that the exemption applies for one further application for the same site or part of it. The majority of the current application site was within the boundary of the previous application. The area outwith that shown in the previous application is to accommodate proposed soakaway infrastructure and landscaping, the footprint of the proposed dwellings is within the previous red line boundary, therefore a fee exemption is fair and reasonable for this application.

- The application form has inaccuracies or inconsistencies with the proposed plans.

Officer Response: The recommendation is made on the basis of the proposed plans which have been confirmed to be accurate on a site visit.

- The application could be considered to be development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, specifically Class 8 which includes *“the construction of buildings, operations and use of buildings or land which will... (b) alter the character of an area of established amenity... (e) introduce significant change into a homogeneous area.”* This would have meant a site notice and advertisement should have been posted.

Officer Response: The proposal for two holiday lets in land adjacent to existing dwellings/holiday lets and a pub/restaurant would not be a significant departure in terms of existing uses in the locality. Therefore, it is not schedule 3 development.

5.24. The following are matters raised in objection that cannot be considered as part of this application as they are not planning matters.

- The proposal will interrupt views from neighbouring properties.

Officer Response: There is no protection of private views in planning.

- The owners have obstructed access to public rights of way and there are concerns the applicant will obstruct access to the core path.

Officer Response: Accusations of previous behaviour by the applicant are not relevant or material.

- The owners have obstructed access to a private right of way for the Byre Inn.

Officer Response: This is a private civil matter.

5.25. The representation received from Forest Enterprise Scotland (now Forestry and Land Scotland) objected on the grounds that they have a right of access to the A821 through the road adjacent to the site and the drawings provided indicate that the road width would be reduced from 3.8 metres to 2 metres which would not be acceptable. A number of other representations raised this issue and it was also raised by the Community Council.

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Officer Response: The applicant is not proposing to reduce the road width, on a site visit the road was measured and the running surface immediately adjacent to the site was approximately 2.5 metres. This is in accordance with topographical plans submitted by the applicant.

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 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 2021 is updated every 5 years.

- 6.3. The following LDP Policies are relevant to the determination of this application:

- OP1 - Overarching Policy 1: Strategic Principles
- OP2 - Overarching Policy 2: Development Requirements
- VE1 - Visitor Experience Policy 1: Location and Scale of new development
- VE2 - Visitor Experience Policy 2: Delivering a World Class Visitor Experience
- TP3 - Transport Policy 3: Impact Assessment and Design Standards of New Development
- NEP1 - Natural Environment Policy 1: National Park Landscapes, seascape and visual impact
- NEP2 - Natural Environment Policy 2: European sites - Special Areas of Conservation and Special Protection Areas
- NEP4 - Natural Environment Policy 4: Legally Protected Species
- NEP 9 - Natural Environment Policy 9: Woodlands on or adjacent to development sites
- NEP11 - Natural Environment Policy 11: Protecting the Water Environment
- NEP12 - Natural Environment Policy 12: Surface Water and Waste Water Management
- NEP13 - Natural Environment Policy 13: Flood Risk
- WMP1 - Waste Management Policy 1: Waste Management Requirement for New Developments

- 6.4. Full details of the policies can be viewed at:

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

Supplementary Guidance

- 6.5. 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:

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- Design and Placemaking

Other Material Considerations

National Park Aims

- 6.6. 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.
- 6.7. 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.

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.

Planning Guidance

- 6.9. Planning Guidance provides support to the policies of the LDP. The Planning Guidance of relevance to this application comprises:
- Visitor Experience

7. SUMMARY OF SUPPORTING INFORMATION

- 7.1. The applicant has submitted the following documentation in support of the planning application:
- Flood Risk Assessment (FRA) and Technical Note to support FRA.
 - Arboricultural Report including Method Statement.
 - Bat Activity Report.
 - Fresh Water Pearl Mussels Survey.
 - Otter Survey Report and Camera Trapping Report with Otter Protection Plan.
 - Soakaway Design.
 - Site Inspection and Percolation Test.
 - Proposed Waste Water Treatment Tank Specification.
 - Design Statement.

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- Marketing Strategy and Research.
- Copies of correspondence with SEPA relating to Flood Risk.
- Photographs of the flooding at the A821 in February 2020.
- Aerial images of the site.

8. **PLANNING ASSESSMENT**

8.1. The key issues for consideration in the determination of this application are:

- The principle of the development against Local Development Plan policies;
- The suitability of the proposal in terms of flood risk;
- Waste water drainage and water supply;
- Ecological Impact;
- Impact on Trees and Woodland;
- Landscape Impact;
- Design;
- Roads and Accessibility;
- Amenity;
- Impact on Listed Building; and
- National Park Aims

8.2. Each issue will be considered in turn below.

Principle of Development

8.3. The site is located within an area identified in the Local Development Plan under Visitor Experience Policy 1(b) (VEP1(b)) as suitable for small scale development within areas of countryside because it has access to the recreation path network and other visitor facilities. The site is immediately adjacent to the Byre Inn, which is a restaurant and pub. It is also adjacent to the core path network which connects the Three Lochs Drive, Loch Katrine and Glen Finglas Reservoir as well as the village of Brig O'Turk which is approximately 500 metres from the site. This core path also connects to the wider National Cycle Network 7 and the Lochs and Glens Way. Areas identified in VEP1(b) are also likely to have landscape capacity for appropriately sited small scale development. An assessment of the landscape impact is in paragraph 8.40 below.

8.4. *Small scale development:* To be supported in principle under VEP1(b) the proposed development must be small scale. The National Park Visitor Experience Guidance states that a balance is required to support small scale development which would in turn support the rural economy whilst protecting the landscape and environment from overdevelopment. The guidance further states that small scale accommodation should be assessed on building footprint, massing, height and number of bed spaces.

8.5. Dundarroch House is an existing large dwelling which is let out for short-term holiday accommodation. It can accommodate large groups of up to 12 people. Planning

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permission is not currently required for the use of the house for short term holiday lets and it could be used as a permanent residence in the future. Within the grounds is a garage which was converted into a short-term holiday let accommodating up to 2 people (one bedroom). The current proposal would provide two additional properties within the grounds of Dundarroch House, one accommodating 8 people (four bedrooms) and the other, 4 people (two bedrooms).

- 8.6. The proposed units would be accessed through a separate entrance and they are shown on the proposed plan as separated from the garden grounds of Dundarroch House by fencing. The applicant has indicated in the proposed marketing strategy that the two units could be let together for larger groups but would be available for let separately. An assessment of the impact on amenity is at paragraphs 8.44-8.45 below.
- 8.7. The proposed single storey dwelling has a footprint of 88.1 metres square and internal floorspace of 74.3 metres square. It would be 5.8 metres to ridge height (2.8 metres to eaves). It has a linear layout and the massing is broken up by a step down in roof height over the living area.
- 8.8. The proposed one and a half storey dwelling has a footprint of 92.7 metres square and internal floorspace of 124.5 metres square. It would be 7.1 metres to ridge height (4.2 metres to eaves). There is a small flat roof stairwell which is 5.5 metres tall and the massing is broken up by a single storey section over the living area.
- 8.9. The overall footprint of the proposed buildings is relatively small and in keeping with neighbouring properties. Dundarroch House is approximately 8 metres to ridge height and has a floor space of approximately 353 metres square. The National Park Housing guidance provides a sizing guide for the internal area of 'modest' dwellings as 70-80 metres square for 2 bedrooms and 100 – 113 metres square for 4 bedrooms. The proposed dwellings are either within or just outwith this guide and therefore are considered to be 'modest' or small dwellings.
- 8.10. Although the proposal would increase the potential population of the locality by 12 people, it is limited to two additional units which have relatively small footprints. It is also noted that the people visiting the properties would be groups or families living together as one. The units would be within existing garden grounds for the larger Dundarroch House and would not dominate the locality or the existing historic buildings. The proposed development is small-scale, and the principle is accepted under Visitor Experience Policy 1. If members are minded to approve the application it is recommended that a condition is applied to ensure the properties are only occupied as short-term holiday lets. Furthermore, it is recommended that all permitted development rights for dwellinghouses are removed by condition.

Flood Risk

- 8.11. Natural Environment Policy 13 states that development will not be supported unless it is demonstrated that the proposal complies with the Flood Risk Framework defined in Scottish Planning Policy. The proposed site is compliant with the Flood Risk Framework, as it is at '*Little or No Risk of flooding*' and therefore no constraints apply to the development site itself.

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- 8.12. SEPA initially objected to the proposal on the grounds of lack of information and requested a Flood Risk Assessment (FRA). On receipt of the FRA they removed their objection on the grounds that the application site itself was not within the flood plain. They further advised that the Local Authority flood officer should be consulted. SEPA had some criticisms of the FRA but they acknowledged that any flood modelling would be difficult due to the complexity of the hydrology of the area.
- 8.13. Although the site itself is not within the flood plain, it is surrounded by an area identified as at medium risk (1 in 200 year) to fluvial flooding. The access to the A821 and the access over Brig O'Michael are both within this flood risk area.
- 8.14. When applying the flood risk framework, Scottish Planning Policy states that, *"it is not possible to plan for development solely according to the calculated probability of flooding"* and therefore, in applying the flood risk framework other considerations should be taken into account. One consideration is the *"effects of flood on access including by emergency services."*

Access via A821

- 8.15. Information provided in the FRA states that the A821 has been closed for flooding in 2002, 2009 and 2015. Photographic and anecdotal evidence from the Community Council and contributors states the access to Dundarroch flooded in 2015. Measurements of permanent features put the level of flooding in 2015 to at least 700mm.
- 8.16. It is important to note this flood event and the depth of the water at that time. The applicant has also submitted recent photos of the access at times when a flood warning was in place which show flooding of the access well below the 0.3 metre depth. However, photographs of flood events are not necessarily representative of a 1 in 200 year flood event in the area and the National Park Authority relies on SEPA and Stirling Council Flood Authority's (STC Flood) expert advice and assessment of the technical documents provided.
- 8.17. STC Flood initially objected to the application and requested further information. This was provided by the applicant in the form of a technical note to be read in conjunction with the FRA. The flood officer had requested that, to allow access for emergency services, the flooding along the primary (A821) and secondary (Brig O'Michael) access routes would have to be less than 0.3 metres deep. The technical note only provides flood calculations on the access to the A821, it does not address the proposed route over the Brig O'Michael.
- 8.18. The technical note provided demonstrates that the centre line of the A821 would not flood more than 0.279 metres but the access connecting to the A821 floods above the 0.3 metre level (see figure 7). Emergency vehicles could not turn into that access. These figures do not account for the 40% uplift, required by SEPA guidance, to account for climate change. Based on the information provided it has been demonstrated by the applicant that the access to the A821 would not be suitable for emergency access and egress in a 1 in 200 year flood event.

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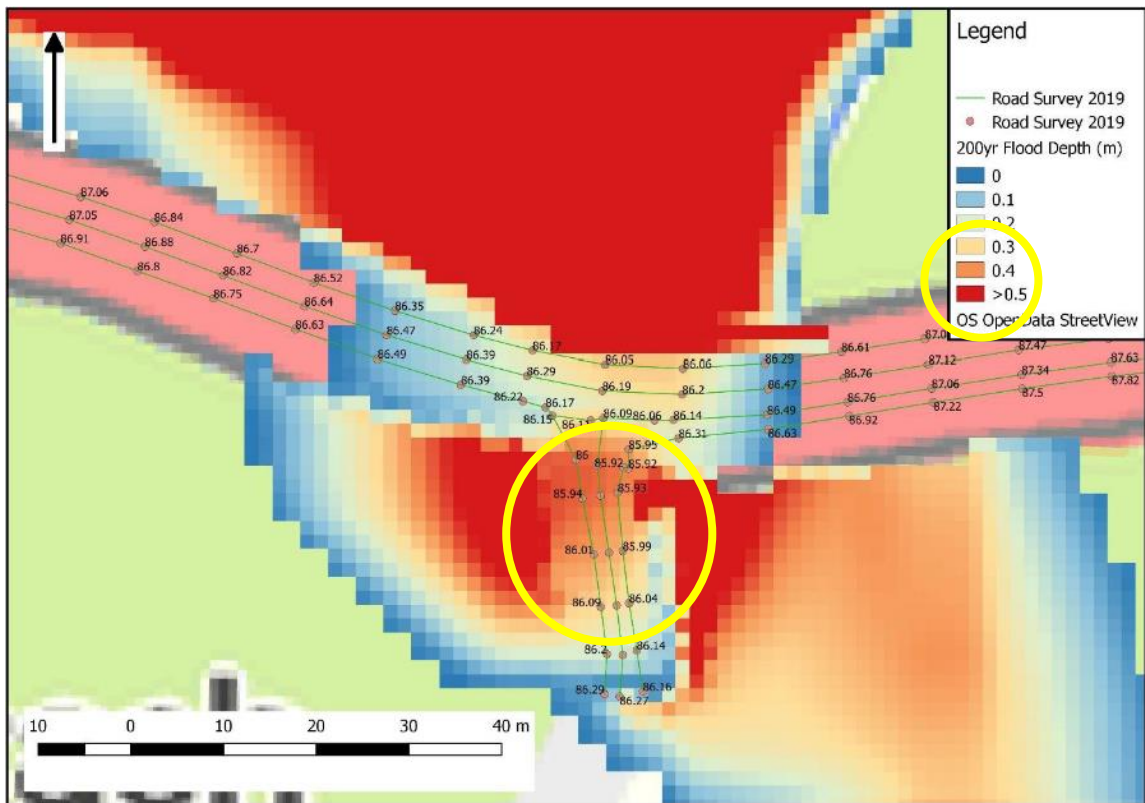


Figure 7: Modelling for 1 in 200 year flood event provided in Technical Note





Figure 8: Photographs of entrance to A821 provided by Community Council. Flood event shown is dated 2015.

Access via Brig O'Michael

- 8.19. A flood alert and evacuation plan was provided in Appendix B of the FRA. This recommends that occupants only evacuate the property if told to do so by emergency services. The proposed exit route, shown in figure 9, is for the road to the south and follows forestry tracks into commercial forestry.

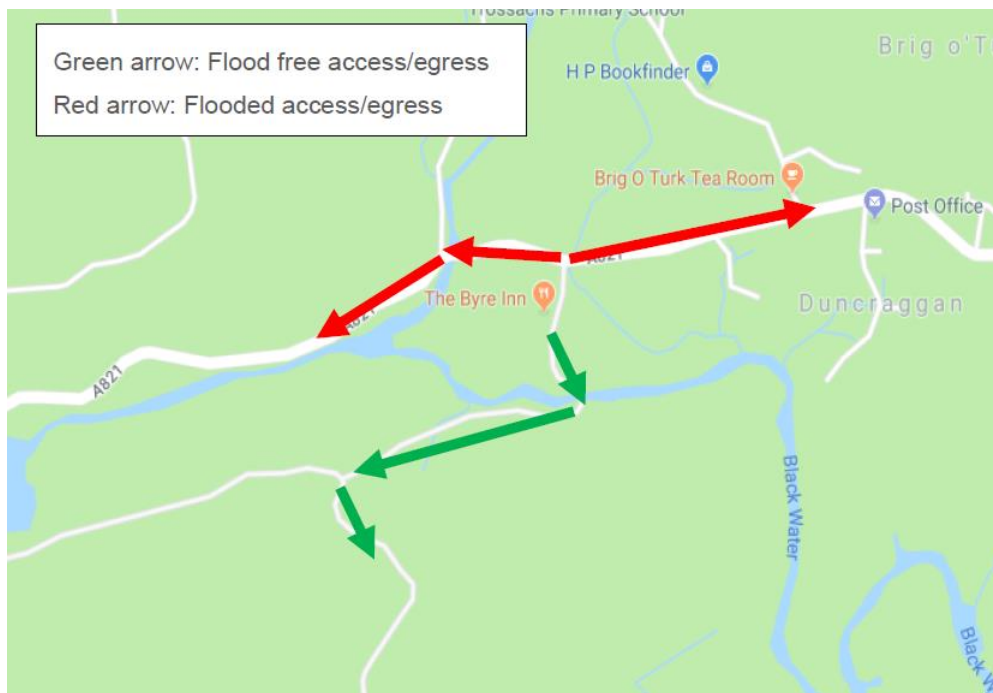


Figure 9: Proposed exit route from FRA

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- 8.20. It is not clear from the information provided if this route over Brig O'Michael would flood, and if so, that the level of flooding would be below the recommended 0.3 metres level to allow safe access and egress for emergency vehicles.
- 8.21. There are further issues with the proposed route to the south, it is over private land with a locked gate and the proposed evacuation route is into a large area of plantation forestry. STC Flood have indicated that this route would only be considered acceptable if the applicant could demonstrate successful negotiations with the landowners for vehicular access. Representations to the application have indicated this would be unlikely to be achieved.
- 8.22. On the balance of the evidence presented to the application there would not be an acceptable emergency access and egress route during a 1 in 200 year flood event.

Flooding Conclusion

- 8.23. The specific circumstances of the proposal have been discussed with STC Flood. Although the access and egress has not been demonstrated, the use of the buildings must also be taken into account alongside the fact that the site itself does not flood, providing safe refuge in a flood event. STC Flood have recommended that, as the proposed properties are holiday lets, the occupancy of the buildings at times of flood risk can be restricted through appropriate conditions. It has also been noted that historical flood events have been short term, further reducing the probability that emergency evacuation would be required concurrently with a flood.
- 8.24. It would not be reasonable to refuse the application based on flooding of the access and egress routes to the property given the reasons set out in paragraph 8.23 and that neither STC Flood nor SEPA object to the application. An Evacuation Plan is recommended by Stirling Council Flood Authority which requires the applicant, or whoever would be managing the properties, to subscribe to Flood Alerts through Floodline. Floodline is a free advance warning service for the public managed by SEPA. As part of the Evacuation Plan the proposed properties should not be available for let when warnings are issued by Floodline. This is recommended to minimise the risk of guests becoming stranded and to ensure that no additional burden would be placed on emergency services during a 1-200 year flood event.
- 8.25. To secure the Evacuation Plan through condition it would need to be necessary, relevant to planning, relevant to the development, enforceable, precise and reasonable in all other respects. The proposed condition is necessary as per the STC Flood recommendation, it is relevant to the development and to planning and it is a reasonable requirement to make the development acceptable. The condition could be enforced although it may be difficult for the National Park Authority to prove the property was being let at times of high flood risk and to enforce compliance with the condition.
- 8.26. It would be difficult to precisely set out by condition who would be responsible for receiving the flood alerts and what would occur if the Floodline service was replaced in the future. Therefore, it is considered that the Evacuation Plan could not be secured by condition as it would not be precise.
- 8.27. It is recommended that the Evacuation Plan, alongside a Letting Management Plan is secured through a section 75 planning agreement. The Letting Management Plan will

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outline details of how the properties will be managed when a flood warning is in place including the keeping of a register of dates of occupation and dates of flood warning. The terms of the Section 75 would be agreed between the applicant, the National Park Authority and STC Flood. The agreement would be enforceable, and can account for changes in ownership/management of the site and for changes to the national flood alert system.

- 8.28. Subject to the recommended section 75 planning agreement the proposed development would be in accordance with the advice from STC Flood and the Flood Risk Framework as set out in Scottish Planning Policy and in accordance with Natural Environment Policy 13.

Waste Water Drainage and Water Supply

- 8.29. There is no public waste water infrastructure in the vicinity of the development and therefore it is proposed to install two treatment plants which would subsequently discharge to the Black Water. The proposed discharge pipe would pass through the ancient woodland to the south of the site and it is proposed to erect a concrete outfall on the banks of the river. SEPA have advised the proposal is potentially consentable under The Water Environment (Controlled Activities) (Scotland) Regulations 2011, however, they recommended the discharge pipe should be designed to discharge below the water to avoid the need to install the proposed concrete outfall. They also recommended that a perforated pipe in a bed of gravel is used to enhance the treatment of the waste water before it reaches the watercourse.
- 8.30. The proposed outfall pipe through the ancient woodland has the potential to adversely impact trees and ecology and this is considered in the paragraphs 8.33-8.39 below. If members are minded to approve it is recommended that a condition is applied to ensure that the proposed drainage layout is adjusted to accord with SEPA's recommendations.
- 8.31. It is proposed to connect the proposal to the public water supply and Scottish Water have confirmed there is currently sufficient capacity in the Brig O'Turk Water Treatment works. Trossachs Community Council have stated that Scottish Water have previously informed them there is a limited capacity of 45 properties from the existing water treatment works and that the service is already "sensitive". The Community Council have requested that there should be a moratorium on new development in the area until the management of the water supply in the area can be subject to further planning policy.
- 8.32. The application is required to be assessed against the current Local Development Plan policies and there is no limitation on new development in the area due to water supply. Scottish Water have no objections to the development and have advised there is sufficient capacity. Therefore, it would not be reasonable to refuse the application on the basis of limited water supply in the area.

Ecological Impact

- 8.33. In accordance with Natural Environment Policy 4, surveys have been carried out by the applicant for protected species in the vicinity of the site. This includes for Bats, Otters and Fresh Water Pearl Mussels. The surveys also identified potential habitat for beavers and squirrels.

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- 8.34. *Bats/Squirrels*: Bat roosts were identified in the nearby woodland and in Dundarroch House. As the proposed development will not impact these roosts, no further survey work is required. It was noted in the bat survey that signs at the entrance to the property highlight the presence of red squirrels although no dreys were identified in the survey. It is recommended by the National Park Natural Heritage Planning Officer that a further survey for dreys is conducted prior to works commencing.
- 8.35. *Otters/Beavers*: Survey work was submitted in September 2018 which identified the presence of otters in the area. Further survey work stated that holts in the area were 'non-natal' meaning a construction exclusion zone of 30 metres is recommended. Although at that time there were no natal holts, it is recommended that surveys are carried out prior to construction and if a natal holt is identified that the appropriate licence and mitigation measures are implemented.
- 8.36. *Fresh Water Pearl Mussels*: No Fresh Water Pearl Mussels were found in the vicinity of the development.
- 8.37. *River Teith Special Area of Conservation (SAC)*: The Black Water running south of the site is part of the River Teith SAC and, in compliance with the Habitat Regulations, an appropriate assessment of the proposal was carried out. There is some risk of pollution to the river from construction works and there is further risk from the construction and operation of an outfall to the river from the proposed waste water treatment plants. SEPA have advised that the proposed treatment plants are acceptable. They have nevertheless recommended that the outfall pipe should be a partial soakaway (perforated pipe buried in gravel) and that it should discharge below the water line. The National Park Ecologist has also recommended that a Construction Method Statement (CMS) be secured by condition to ensure appropriate pollution prevention measures are in place throughout construction.

Impact on Trees and Woodland

- 8.38. There are a number of trees on and around the site. It is noted that woodland surrounding the site was recently subject to a Tree Protection Order (TPO) which is detailed in the planning history in paragraph 3.5. It is proposed to remove 5 individual trees and two small groups of trees to accommodate this development. Compensatory planting of native trees is proposed. The National Park Trees and Woodlands Officer has recommended that a replacement tree planting plan is secured by condition to ensure suitable replacement planting is undertaken in accordance with Natural Environment Policy 8.
- 8.39. In addition to removing trees, it is proposed to form car parking in the root protection area of a high-quality oak adjacent to the north east corner of the site. As previously described it is also proposed to install an outfall pipe through the woodland south of the site which is subject to a TPO. It is recommended by the National Park Trees and Woodlands Officer and the National Park Ecologist that a Tree Protection Plan and CMS be secured by condition to ensure the construction of these elements does not have an adverse impact on the trees on site.

Landscape Impact

- 8.40. The proposed development site is sheltered from views to the north and south by tree planting. The most open view is towards Ben Venue to the west. The Trossachs National Scenic Area is approximately 80 metres to the south and 275 metres to the west. The proposed buildings would be read within the context of existing buildings and are within garden grounds. It is not considered that there will be a significant adverse landscape impact or an adverse visual impact as a result of the proposed development.

Design

- 8.41. The proposed design of the buildings is in accordance with the National Park Design and Placemaking Guidance. Natural materials are proposed and the massing is broken up through different roof heights. The new structures are to be sited on an existing level site and are relatively sheltered from wider views in the landscape. A condition is recommended to secure further details on the final materials to ensure a high quality finish.
- 8.42. Overarching Policy 2 requires that new buildings minimise overall energy requirements and incorporate low or zero carbon technologies. The proposed dwellings would be built to a modern standard and are sited to take advantage of solar gain and shelter from wind. It is proposed that heating will be provided by air source or hybrid heat pumps. A condition is recommended to secure further details of the proposed heat pumps and to ensure they are incorporated into the development.

Roads and Accessibility

- 8.43. Stirling Council Roads Authority have confirmed that the access road is acceptable for the level of development proposed and have raised no concerns around road safety. Five defined parking spaces are proposed for the two units. Stirling Council has issued Supplementary Guidance for parking, requiring 1.5 spaces for two bed dwellings and 2.25 spaces for four bed dwellings. The proposed level of parking is therefore adequate.

Amenity

- 8.44. When the application was first submitted it was proposed to site the one and a half storey unit across the track from the existing cottage (An Tuiric - which is also subject to an occupancy condition as a holiday let/staff accommodation) at a distance of 14 metres. Through the course of the application process it was negotiated that the separation distance between the properties be increased to 18 metres which is sufficient to mitigate any issues in terms of privacy and overlooking.
- 8.45. There is only one residence, Dundarroch House, which is in close proximity to the development and is currently in use as a holiday let. The other surrounding properties are the pub/restaurant The Byre Inn, and holiday let/staff accommodation An-Tuiric. The proposal raises no significant concerns in terms of noise impact on residential properties.

Impact on Listed Building

- 8.46. The proposed development is approximately 65 metres from Brig O'Michael which is a C-listed bridge. Views of the proposed development from the bridge would be screened by existing tree cover. It is not considered that the proposed development is in close enough proximity to adversely affect the setting of the listed building. As set out in paragraphs

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8.29-8.30 above it is required that the proposed outfall be redesigned which would mitigate any visual impact.

National Park Aims

- 8.47. The proposal must be assessed as to whether it contributes to the National Park aims, as required by Local Development Plan Overarching Policy 1: Strategic Principles which states that all development should contribute to the National Park being a successful, sustainable place by contributing to the collective enhancement of the 4 aims of the National Parks (Scotland) Act, as outlined in paragraphs 6.6-6.7.
- 8.48. The proposed development would conserve and enhance the natural and cultural heritage of the area through replacement planting and by safeguarding protected species. The proposal would be sustainable by providing long term, high quality accommodation which would bring economic development to the locality whilst promoting understanding and enjoyment of the area. The proposed development would therefore contribute to all 4 of the National Park aims.

9. CONCLUSION

- 9.1. The proposal is for high-quality visitor accommodation located in an area identified as suitable for small scale tourism development in the Local Development Plan. The size, design and massing of the proposed holiday lets is small scale. Therefore, the proposal is supported in principle under Visitor Experience Policy 1 and 2.
- 9.2. It is accepted that the development site is at low or no risk from flooding. On the balance of the evidence submitted to the application it is determined that the access to the site would not be suitable to enable safe vehicle movement during a 1 in 200-year flood event. However, as the proposal is specifically for holiday lets, the occupancy of the properties can be restricted at times of high flood risk, as recommended by Stirling Council Flood Authority, through a section 75 planning agreement. Therefore, with this important mitigation as set out in the Heads of Terms proposed in Appendix 2, the proposal complies with the Flood Risk Framework as defined in Scottish Planning Policy and is acceptable under Natural Environment Policy 13.
- 9.3. The proposed waste-water drainage infrastructure has been confirmed as acceptable by SEPA and, subject to minor changes to the proposed outfall, will have no adverse impact on the water environment in accordance with Natural Environment Policies 11 and 12.
- 9.4. The necessary surveys for protected species have been undertaken and, subject to the recommended conditions for further survey work and mitigation, the proposed development will have no adverse impact on protected species in accordance with Natural Environment Policy 4. The proposed development will result in the removal of trees from the land, however replacement planting is proposed which will enhance the setting of the proposed development in accordance with Natural Environment Policy 8. In addition, existing trees will be protected during development by the recommended conditions for a Construction Method Statement and tree protection measures in accordance with Natural Environment Policy 9.
- 9.5. The proposal raises no significant issues in terms of landscape impact, visual amenity, residential amenity, design, safe access and parking or impact on the setting of a Listed

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Building. Therefore, the proposal is in compliance with Overarching Policy 2, Natural Environment Policy 1 and Historic Environment Policy 1.

APPENDIX 1: CONDITIONS

1. **Short Term Holiday Accommodation:** The units hereby approved shall be used solely for short-term holiday use and not for permanent residential use. The units shall not be occupied by any one individual or group for a period exceeding 90 days in any one calendar year. A register of occupant's details (names and dates of stay) shall be kept and shall be made available to the National Park Authority on request.

[Note: This condition does not prohibit the letting of the units by a management company or other management arrangement on behalf of the owner]

REASON: The proposal has been assessed as a tourism development and the approval of permanent residences would be contrary to the policies contained in the adopted Local Development Plan.

2. **Removal of Permitted Development for Extensions and Outbuildings:** Notwithstanding the provisions of Part 1 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking or re-enacting that Order with or without modification) no extensions shall be undertaken, nor shall any building or enclosure, hard surface, oil or gas storage tank, be built within the curtilage of the buildings hereby approved, without application to, and the grant of permission by, the Planning Authority.

REASON: The Planning Authority considers that such development should be subject to formal control in order to safeguard the amenities of the area.

3. **Waste Water Drainage:** Prior to the commencement of the development hereby approved the Proposed Site Drainage Layout dated 24 Sep 2019 shall be revised to show the outfall pipe below the water and to include a partial soakaway between the Black Water and the treatment plant(s). The revised Site Drainage Layout shall be submitted to and approved in writing by the Planning Authority. Prior to the first occupation of the development hereby approved the Site Drainage Layout shall be implemented in full.

REASON: To ensure there will be no adverse effect on the integrity of the River Teith Special Area of Conservation in accordance with Natural Environment Policies 2 and 12 and to ensure a satisfactory standard of appearance of the development.

4. **Construction Method Statement (CMS):** Prior to commencement of construction of the development hereby approved, a detailed Construction Method Statement (CMS), which sets out how the construction of the development will be managed, shall be submitted to, and approved in writing by, the Planning Authority. In particular, the CMS shall include the following:

- a) Full details of the pollution prevention safeguards that will be implemented to protect the water quality of the Black Water/River Teith SAC during the construction works including the new discharge pipe and outfall from the waste water treatment plant. These measures shall accord with Scottish Environment Protection Agency, Guidance for Pollution Prevention 5: Works and maintenance in or near water (February 2018) and other relevant Guidance for Pollution Prevention (GPP)/Pollution Prevention Guidance (PPG).

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- b) Full details of how the discharge pipe and soakaway will be installed including a detailed plan showing the location of the pipe in relation to trees and root protection areas.
- c) Full details of how the car park shall be installed in the root protection area of the oak adjacent to the site.

Unless otherwise agreed in writing by the Local Planning Authority, all works shall thereafter be carried out in accordance with the approved Construction Method Statement.

REASON: To ensure there will be no adverse effect on the integrity of the River Teith Special Area of Conservation or on the woodland surrounding the site in accordance with Natural Environment Policies 2, 9 and 12

5. **Agreement of Materials and Specifications:** Prior to the commencement of the development hereby approved on site, a further detailed specification of the undernoted proposed external finishing materials to be utilised on the building, including samples as indicated shall be submitted to, and agreed in writing by, the Planning Authority. Thereafter the specification and materials as may be approved in accordance with this condition shall thereafter be undertaken and used respectively in the completion of the project, prior to the proposed development being brought into use.

- a) The natural slate to be used on all roof surfaces of the building (details relating to the sizes, type of slate proposed and laying method to be submitted);
- b) The natural stone to be used on the walls (sample required);
- c) The render to be used on the walls;
- d) Manufacturers details of the windows and doors;
- e) The colour/treatment/finishes of all exposed timberwork including the timber boarding; and
- f) The details of the material and colour of rainwater goods, barge boards and fascias.

REASON: To ensure that the external appearance of the development complements the rural character of the area and to ensure the implementation of the development in accordance with the further details as may be approved in compliance with the conditions attached to this permission.

6. **Refuse and Recycling 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, recycling and waste materials, shall be submitted to, and approved in writing by, the Planning Authority. Such facilities as maybe approved shall be constructed and made operational within 1 month of the date of the substantial completion of the development, and shall be maintained as such thereafter.

REASON: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality and to accord with adopted local development plan Waste Management Policy 1: Waste Management Requirement for New Developments.

7. **Zero Carbon technology:** The air source heat pumps as proposed, shall be installed prior to the first occupation of the houses hereby approved. Further details, including revised

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elevation drawings, of the pumps shall be submitted and approved in writing by the planning authority prior to installation. If there is a change to the technology then this shall be first approved in writing by the planning authority.

Reason: To ensure the detailing and siting of the units do not cause adverse impact on the design and appearance of the development and to comply with Policy OP2 in relation to providing 10% of energy requirements from zero and low carbon technology.

8. **Red Squirrels:** Prior to the commencement of the development hereby permitted a detailed survey for red squirrels shall be undertaken and the results, together with a scheme of protection/mitigation measures, shall be submitted to, and approved in writing by, the Planning Authority. The scheme of protection/mitigation measures shall be implemented in full accordance with a time-scale to be agreed in writing with the Planning Authority.

REASON: To safeguard protected species and nature conservation interests and to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area

9. **Otters:** The development shall be carried out strictly in accordance with the recommendations of the Otter Protection Plan contained in *Camera Trapping Report & Otter Protection Plan* dated 13 Sep 2018. The pre-construction survey shall be submitted to and approved in writing by the Planning Authority prior to works commencing.

REASON: To safeguard protected species and nature conservation interests and to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area.

10. **Replacement tree planting:** Prior to the removal of the trees hereby approved, the size, siting, species and provenance of replacement trees shall be submitted to, and agreed in writing by, the Planning Authority. The replacement trees shall then be planted on site in accordance with the approved details, in the first available planting season. Any tree that within a period of five years after planting, dies or, in the opinion of the Planning Authority, becomes seriously damaged or defective shall be replaced with another of the same species and size as originally approved in a timetable to be agreed in writing with the Planning Authority.

REASON: In the interests of visual amenity and to accord with adopted local development plan Natural Environment Policy 8: Development Impacts on Trees and Woodlands.

11. **Details of Landscaping:** Prior to the commencement of construction works within the development site, a landscape scheme/plan shall be submitted to and approved in writing by the Planning Authority. Thereafter the approved scheme/plan shall be implemented in full. The said scheme/plan (at a scale of 1:200 or greater) shall include:

- a) proposed finished levels or contours;
- b) any new hardstanding in access and car parking surfacing materials, pedestrian areas/paths;
- c) any new walls, fences, hedges, gates;
- d) any minor structures (e.g. furniture, play equipment, refuse or other storage units);
- e) existing trees and hedgerows to be integrated into the scheme;

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- f) planting plans and written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and
- g) a programme of implementation.

REASON: The proposed development and its location requires landscaping to fully integrate the proposal with its surroundings. Without such landscaping the proposal would be considered contrary to the provisions of the development plan.

APPENDIX 2: SECTION 75 HEADS OF TERMS

Prior to a grant of planning consent the applicant must enter into a legal agreement which secures the following matters:

1. **A Flood Evacuation Plan:** The preparation and implementation of a Flood Evacuation Plan in perpetuity. The Evacuation Plan shall include a requirement to receive flood alerts (through SEPA's Floodline) and shall outline the procedures to evacuate the properties in the event that a flood alert is issued.
2. **Letting Management Plan:** The preparation and implementation of a letting management plan to be maintained in perpetuity. The properties shall not be available for let if a flood alert is in place and the plan shall include details of how this shall be managed should the properties either be occupied or due to be occupied at the time of a flood alert. This will include the keeping of a register of dates of occupation and dates when flood alerts were in place. The letting management plan will only relate to the letting of the properties at times of flood risk.

APPENDIX 3: APPROPRIATE ASSESSMENT

<p>Elements of project likely to give rise to significant effects on the site.</p>	<p>The application includes works within or directly adjacent to the SAC and there is potential for pollution from the construction of the new outfall (e.g. silt or fuel oil) to enter the SAC and impact on the qualifying interests of the site. In addition, there is potential for the foul drainage from the development to impact on the water quality of the SAC in the longer term as the development will not be connected to the public drainage network.</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>Salmon and lamprey both require high water quality therefore any reduction in water quality as a result of the proposal could be significant. In the short-term, if sediment is released into the SAC 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 from the fuel and chemicals used on site, or in the longer term, pollution from the foul drainage system.</p> <p>As a consequence, the proposal could affect the following conservation objectives:</p> <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>SEPA have confirmed that they are satisfied that the proposed foul drainage arrangements are consentable in principle under the terms of The Water Environment (Controlled Activities)(Scotland) Regulations 2011(as amended).</p> <p>Prior to the operation of the foul drainage arrangements, the applicant will be required to apply to SEPA for a registration for the new discharge of sewage effluent into the SAC. This will ensure that the sewage treatment arrangements are appropriately designed to ensure that there will be no deterioration in the water quality of the SAC in the longer term.</p> <p>The following additional mitigation measures are to be secured via planning conditions to ensure that there will be no adverse effect on the integrity of the SAC:</p> <p><i>Outfall design:</i> <i>In order to further minimise any potential impacts on the water environment, the design of the outfall shall be amended to include a partial soakaway between the treatment plant and the Black Water and the outfall pipe designed to discharge below the water level (these amendments are in line with advice from SEPA).</i></p>

	<p>Construction Method Statement (CMS): Prior to commencement of construction of the development, a detailed Construction Method Statement (CMS), which sets out how the construction of the development will be managed, shall be submitted to, and approved in writing by, the Planning Authority. In particular, the CMS shall include the following:</p> <ul style="list-style-type: none"> • Full details of the pollution prevention safeguards that will be implemented to protect the water quality of the Black Water/River Teith SAC during the construction works including the new discharge pipe and outfall from the waste water treatment plant. These measures shall accord with Scottish Environment Protection Agency, Guidance for Pollution Prevention 5: Works and maintenance in or near water (February 2018) and other relevant Guidance for Pollution Prevention (GPP)/Pollution Prevention Guidance (PPG). <p>Unless otherwise agreed in writing by the Local Planning Authority, all works shall be carried out in accordance with the approved Construction Method Statement.</p> <p>Implementation of these mitigation measures will ensure that adequate pollution control measures are implemented during the construction of the development and that the sewage treatment arrangements are appropriately designed to ensure that there will be no deterioration in the water quality of the SAC in the longer term.</p> <p>The implementation of these measures is to be secured via planning conditions.</p>
Conclusion	<p>Provided the above mitigation measures are secured via appropriately worded planning conditions, the proposal will not have an adverse effect on the integrity of the River Teith SAC. SNH have confirmed that they are satisfied with the conclusions of this appropriate assessment.</p>