

PLANNING AND ACCESS COMMITTEE

MEETING: 25th January 2021

SUBMITTED BY:	Director of Rural Development and Planning
APPLICATION NUMBER:	2019/0305/DET
APPLICANT:	Stronachlachar Development Ltd.
LOCATION:	Stronachlachar Cottage, Stronachlachar, Aberfoyle FK8 3TY
PROPOSAL:	Change of use and extension of 1 no. existing building to dwellinghouse and erection of 5 no. terraced dwellinghouses and 1no. detached dwellinghouse

NATIONAL PARK WARD:	Breadalbane and the Trossachs (Ward 2)
COMMUNITY COUNCIL AREA:	Strathard Community Council
CASE OFFICER:	Name: Craig Jardine Tel: 01389 722020 E-mail: craig.jardine@lochlomond-trossachs.org

1 SUMMARY AND REASON FOR PRESENTATION

- 1.1 The planning application is for the erection of a housing development, to comprise a total of 7 dwellinghouses, on the site of the former Scottish Water stores and associated office, located centrally within the dispersed rural building group of Stronachlachar.
- 1.2 The planning application is being presented to the Planning and Access Committee as Strathard Community Council has lodged an objection to the application. The National Park's Scheme of Delegation, relative to planning, requires all such applications, recommended for approval, to be referred to the Committee for determination.

2 RECOMMENDATION

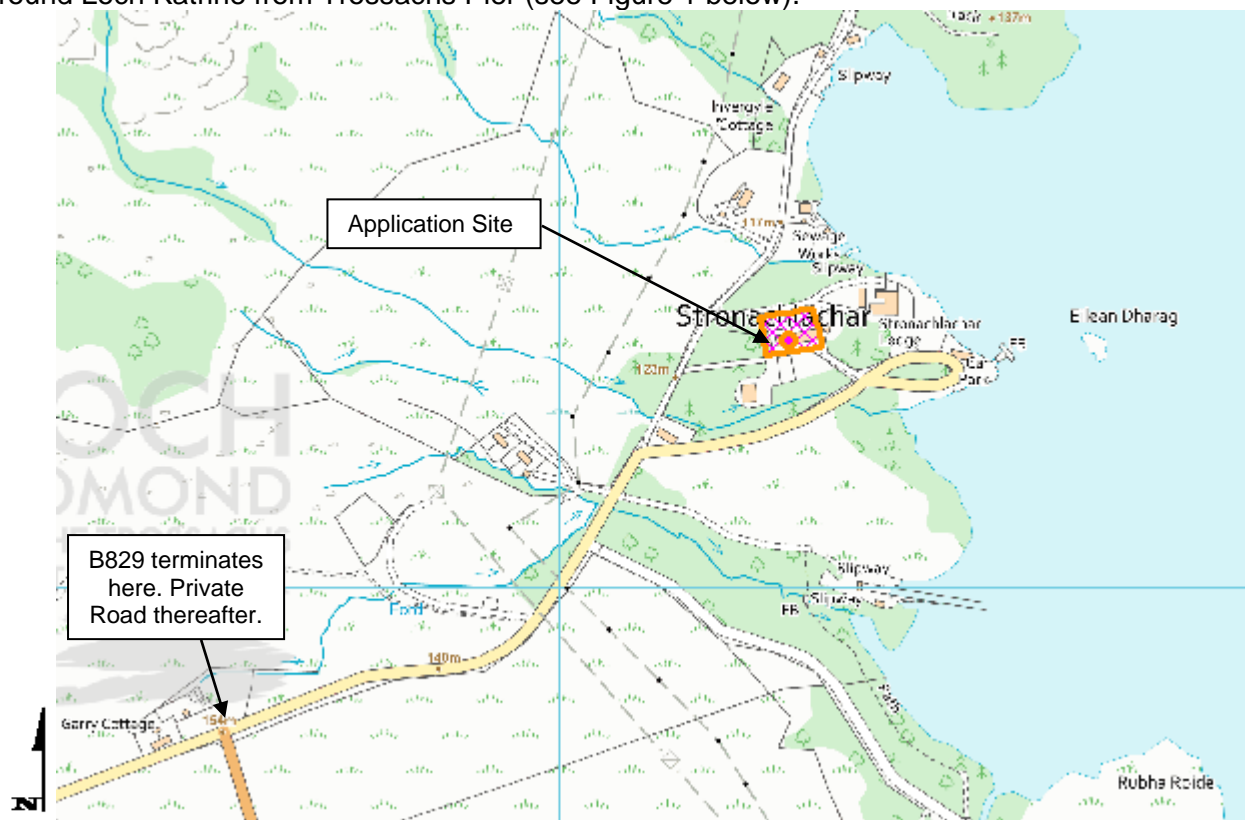
That Members:

APPROVE the application subject to the imposition of the conditions set out in Appendix 1 of the report and the completion of a planning obligation (s.75 Legal Agreement) addressing the Heads of Terms summarised in Appendix 2 of the report.

3 BACKGROUND

Site Description

- 3.1 The application site is within Stronachlachar located on the western banks of Loch Katrine in the Trossachs area of the National Park.
- 3.2 The site can be accessed from the south from the B829 public road and thereafter via the private road leading to Stronachlachar Pier, or from the north east by the private road that extends north round Loch Katrine from Trossachs Pier (see Figure 1 below).

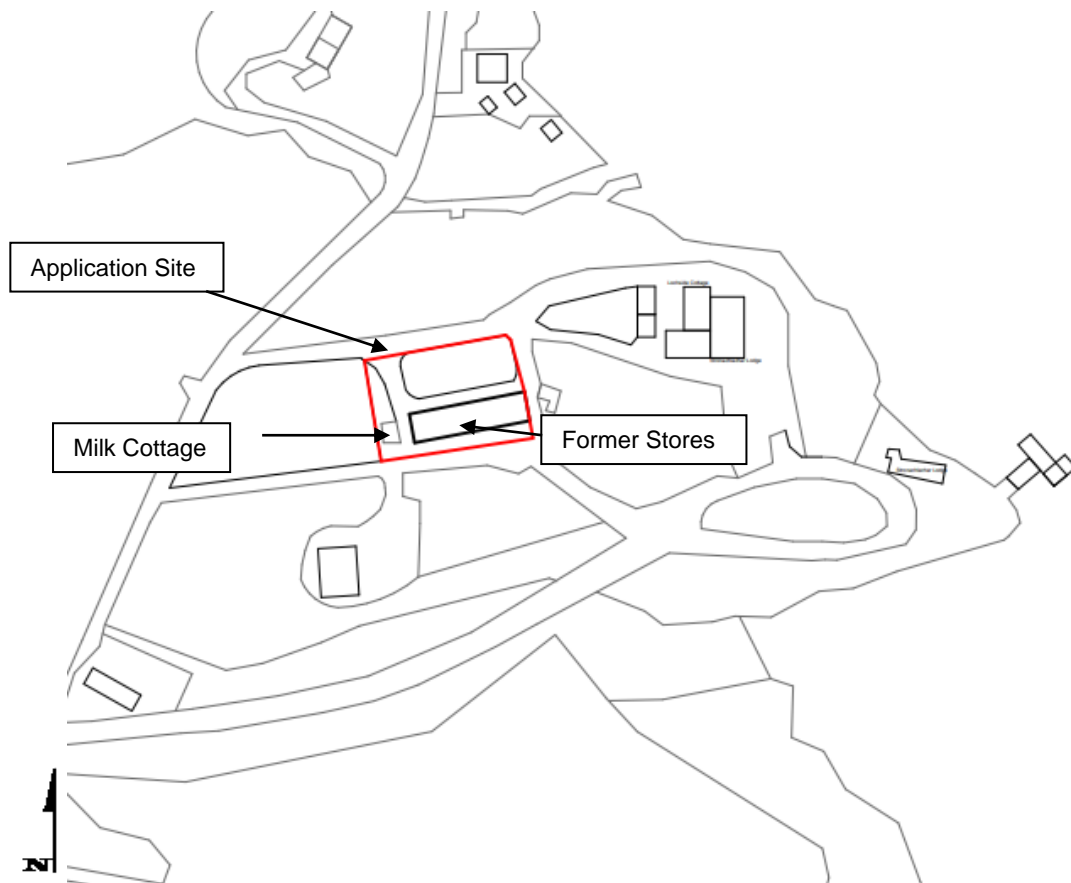


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Figure 1: Location Plan – application site highlighted

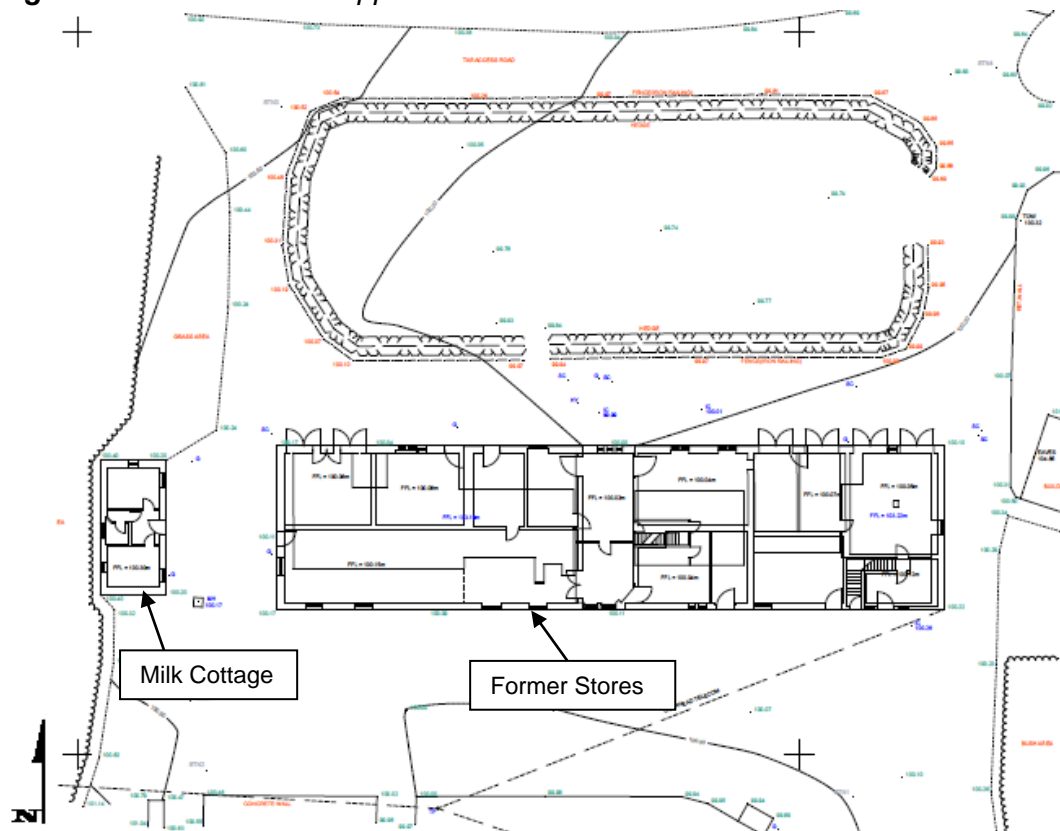
- 3.3 The site (approx.0.24 hectares) is currently occupied by two buildings (see Figure 2 & 3 below). The 'principal building' on the site is the 1 ½ storey building (approx. 510 square metres footprint) formerly owned and used by Scottish Water as workshop/office and accommodation space, and later as stables (referred to in this report as the 'former Stores building'). Constructed in stone, and painted white, the building is rectangular in form with timber trussed, slate finish pitched roof with central ridge line. Several gabled roof projections extend from the ridge on both the front and rear elevations (see photos 1 & 2 further below).

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Figure 2: Location Plan – application site outlined in red



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Figure 3: Existing Site Plan

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Photo 1: former Stores building (south elevation)



Photo 2: former Stores building (north elevation)

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- 3.4 To the west of the principal building (as described above and highlighted in Figure 2 & 3 above), is the single storey former Scottish Water office (referred to in this application and report as 'Milk Cottage') with a footprint of approximately 43 square metres, constructed in stone with slated pitched roof and projecting porch canopy roof (see photos 3 & 4 below).



Photo 3: Milk Cottage (east elevation)



Photo 4: Milk Cottage (west elevation)

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- 3.5 Both buildings are in a poor, to derelict, condition as evidenced by the officer's site visits and the structural survey appraisal submitted by the applicant (see section 7 of this report for a summary of the appraisal).
- 3.6 To the north of the former Stores building is a grassed/hardstanding area with established hedging on the northern boundary of the site. To the east, and outwith the application site, is a small stone building which continues to be occupied by Scottish Water as an office. There is an existing access between the two buildings. There are no mature trees located within the development site (see Photos 5 & 6 below).



Photo 5 – current Scottish Water office located on left.



Photo 6 – existing access between former Stores and Milk Cottage

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- 3.7 The applicant has indicated that the application site (but no other land outwith the red line application site) is held within their ownership.

Description of Proposal

- 3.8 The development proposed is for the erection of a housing development, following the demolition and clearance of the existing former Stores building.
- 3.9 Neither of the two existing buildings on the application site have any statutory protection under planning or listed building legislation. Therefore, notwithstanding requirements for consents from other regulatory authorities, demolition and site clearance could be undertaken without the need for prior permission from the Planning Authority. Nonetheless the applicant has sought to retain, where feasible and viable to do so (this is discussed in Section 8 of this report, further below).

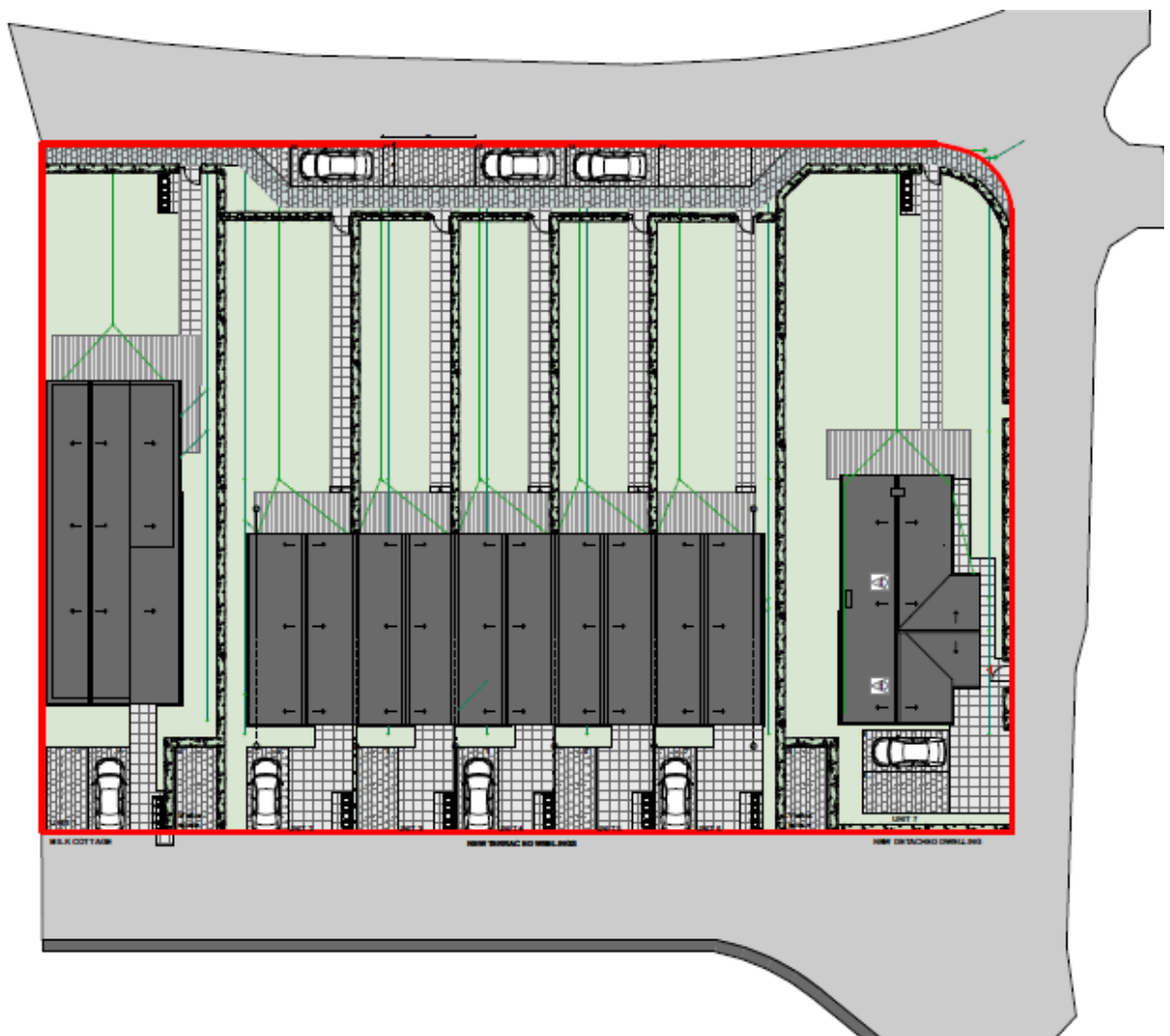


Figure 4: Proposed Site Plan (extended Milk Cottage to left, terrace of 5 units in centre and detached single dwelling to right)

- 3.10 The application proposal presented, comprises of a redevelopment of the cleared site with three buildings in a 'U-shape' courtyard style arrangement (see Figure 4 above and Figure 5 below), comprising of the following:

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- Renovation, conversion and extension of the existing single storey 'Milk Cottage' (increasing the existing 43m² building to a total of 100m² floorspace). This new building, as extended, would retain its single storey form, and would provide a single dwellinghouse of three bedrooms, with associated private garden and vehicle parking.
- One new 'principal building' containing five terraced dwellings (each unit = 100m² floorspace), positioned on part of the former footprint and axis of the demolished 'principal' former stores building. This new building would be of 1 ½ storeys with each self-contained dwellinghouse containing three bedrooms, and with associated private garden and vehicle parking.
- Erection of a new 1 ½ storey detached single dwellinghouse (130m² floorspace) containing three bedrooms, positioned on the east side of the new terraced 'principal building', with associated private gardens and vehicle parking.

In summary, a total of 7 new dwellinghouses is proposed for the redevelopment of this currently derelict site (see Figure 4 below).



Figure 5: South & North (respectively) Contextual Elevations of Proposed Development

- 3.11 The new development proposed would be constructed from timber kit with the aims of achieving a high performance insulation and air tightness value above standard Building Regulation requirements; minimising energy requirements through conservation measures - such as passive solar gain, triple glazing, energy efficient lighting, services and controls; and would include low carbon technology in the form of a Mechanical Ventilation with Heat Recovery system (MHVR).
- 3.12 The existing stone from the former Stores building would be salvaged for use primarily for any requisite stone repair of the retained Milk Cottage; and secondly to be utilised within landscaping or for hardstanding base for the redevelopment of the site. All new development would consist of natural slate roofs, a combination of horizontal & vertical fibre cement wall cladding. The glazing and doors would be triple-glazed aluminium/timber composite units with sliding doors at ground level and a Juliette balcony above, with a galvanised metal barrier. Rainwater goods would be black uPVC.
- 3.13 In addition to the above, the following infrastructure and servicing for the development is proposed:
- A total of 16 vehicle parking spaces (14 for resident use with an additional 2 visitor spaces) located within property curtilages and otherwise in a lay-by arrangement on the northern boundary of the site;
 - Proposed connection to public water supply and waste-water discharge to the public treatment plant (located 85 metres to the north-east of the site). Surface Water Drainage

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managed via on-site attenuation areas with hydro-break and residual treated drainage discharge to nearby burn.

Planning History

- 3.14 2019/0159/DET - Change of use of 2no. existing buildings to 8no. dwellings and erection of 2no. dwellings. Withdrawn on 8th November 2019.

2015/0134/DET – Conversion of outbuilding and cottage to form 7 dwellinghouses; Erection of 4 holiday accommodation units. Approved by Planning & Access Committee on Aug 2015, and decision subsequently issued on 4th September 2015.

- 3.15 As material to the assessment of this planning application, Members should note the planning history that planning permission, previously approved by the Planning & Access Committee in 2015, ref: 2015/0134/DET ('2015 planning permission') comprised a total of 11 units on the site, 4 of which were for holiday letting. The withdrawn planning application ref: 2019/0159/DET ('2019 planning application') proposed a total of 10 units. The current proposal under consideration proposes a lower density of development than the previous scheme, comprising a total of 7 units.

4. ENVIRONMENTAL IMPACT ASSESSMENT (EIA) AND HABITAT REGULATIONS ASSESSMENT

Environmental Impact Assessment (EIA)

- 4.1 For the purposes of the Environmental Impact Assessment (Scotland) Regulations 2017 the National Park is identified as a 'Sensitive Area'. As a 'Competent Body' the National Park Authority has a statutory duty to consider whether proposals for development should be subject to the EIA process.

The proposal falls under Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2017. A screening opinion was adopted and, in this instance, it has been determined that there would unlikely be 'significant' environmental effects as a result of the proposed development and therefore an EIA is not required.

The screening opinion is available to view on our website.

Habitat Regulations Assessment (HRA)

- 4.2 Not applicable to this planning application.

5 CONSULTATIONS AND REPRESENTATIONS

Consultation Responses

A summary of the consultation responses received are as follows:

- 5.1 Stirling Council – Roads (Transport Development): **No objection and no conditions recommended.** This service notes the Community Council's concerns regarding the proposed visitor parking bays on the northern boundary of the site (with respect to concerns of limited forward visibility afforded to cyclists using this section of road). This is a private road, outwith this Service's jurisdiction. However, to address this matter it is suggested that the boundary hedge for the new detached dwelling could be maintained to a height of no greater than 1.05m, to ensure forward visibility is afforded to all road users following development. Whilst this is not a development that Stirling Council would seek to adopt the roads within, the vehicle parking rates, set out in the Council's Supplementary Guidance, would still be applicable and the proposed 16 spaces conforms with the minimum requirements for parking.

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- 5.2 Stirling Council - Flood Prevention: **No objection.** The site lies outwith the functional floodplain and raises no issues with respect to flood risk. Hard standing areas should be sustainably drained.

- 5.3 Stirling Council - Environmental Health: **No objection**, subject to conditions controlling the handling of any previously unsuspected or unencountered contamination discovered during development; and highlighting the requirement for the developer to contact the Local Authority for guidance and advice regarding the suitability and compliance of any proposed private water supply, under the relevant Private Water Supplies (Scotland) Regulations 2006.

Officer comment: The development proposes to connect to the public water network, rather than provide a private water supply.

- 5.4 Stirling Council – Education Strategy: The primary and secondary schools currently have capacity and no developer contributions would be required to support the provision of education in the area.

- 5.5 Scottish Water: **No objection.** Scottish Water is unable to confirm capacity in the public network to service the development. Once a formal connection application is submitted to Scottish Water, after full planning permission has been granted, the availability of capacity will be reviewed at that time and the applicant advised accordingly.

The applicant must identify any potential conflicts with Scottish Water assets and contact the Asset Impact Team directly. The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

The proposed development falls within a Drinking Water Protected Areas (DWPA) under Article 7 of the Water Framework Directive and it is essential that water quality and quantity in the area are protected by specific protection measures.

Scottish Water will not accept any surface water drainage connections into the combined sewer system.

- 5.6 Strathard Community Council: **Objects** on the grounds that the siting and use of the proposed vehicle parking bays located on the northern boundary of the site would present a danger to cyclists traversing this blind corner (often at speed) and despite the Roads Authority suggestion of limiting the roadside hedging height this would not negate these concerns of the Community Council.

Representations Received

- 5.7 At the date of the preparation of this report representations (objecting to the application) had been received from 3 individuals, all residents from the Stronachlachar and Strathard area. No letters of support were received.
- 5.8 In summary, the matters raised in **objection** are as follows:

Road Safety

- Concerns regarding the siting of parking bays at the northern boundary and the development in general restricting safe access and forward visibility for vehicles, cyclists

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and pedestrians using the private road around the perimeter of the site (and particularly at the corner)

Officer comment – assessment of this concern is contained under the heading ‘Road & Public Access’, in section 8 of this report, further below.

Amenity - noise

- Questions raised regarding the proposed heating system for the development with respect to noise - given the concerns raised previously with 2015 planning application regarding a communal air source heat pump facility to serve the development.

Officer comment – air source heat pumps are no longer proposed for this development. The proposed energy provision is summarised in para. 3.10 above and the applicant’s submitted statement (summarised in section 7 of this report, further below).

Community Life Plan

- The proposal is at odds with many of the development guidelines expressed in the Community life plan - particularly around points such as affordability, lack of existing infrastructure, creation of holiday lets and speculative developments.

Officer comment – assessment of this concern is contained under the heading ‘Other Material Considerations’ in section 8 of this report, further below – see also para 6.11.

- 5.9 The full content of the consultation responses and representations are 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 ‘2019/0305/DET’).
- 5.10 The Officer’s response to the outstanding issues raised in section 5 of this report above are addressed in section 8 of this report below.

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 (2017-2021)

- 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 and 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
 - HP1 - Housing Policy 1: Providing a diverse range of housing
 - HP2 - Housing Policy 2: Location and types of new housing required
 - HEP3 – Wider Built Environment and Cultural Heritage

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- NEP1 - Natural Environment Policy 1: National Park Landscapes, seascape and visual impact
- NEP4 - Natural Environment Policy 4: Legally Protected Species
- NEP5 – Natural Environment Policy 5: Species and Habitats
- NEP6 - Natural Environment Policy 6: Enhancing Biodiversity
- NEP12 - Natural Environment Policy 12: Surface Water and Waste-Water Management
- NEP13 - Natural Environment Policy 13: Flood Risk
- TP2 - Transport Policy 2: Promoting Sustainable Travel and Improved Active Travel Options
- TP3 - Transport Policy 3: Impact Assessment and Design Standards of New Development
- WP1 – 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:
- Housing
 - Design and Placemaking

Planning Guidance

- 6.6 None of the National Park's Planning Guidance is of relevance to this application.

Other Material Considerations

National Park Aims

- 6.7 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.

- 6.8 Section 9 of the Act then states that these aims should be achieved collectively. However, if in relation to any matter it appears to the National Park Authority that there is a conflict between the first aim, and the other National Park aims, greater weight must be given to the conservation and enhancement of the natural and cultural heritage of the area.

National Park Partnership Plan (2018-2023):

- 6.9 All planning decisions within the National Park require to be guided by the policies of the Partnership Plan, where they are considered to be material, in order to ensure that they are

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consistent with the Park's statutory aims. In this respect the following policies are relevant:

- Outcome 2: Landscape Qualities
- Outcome 10: Placemaking
- Outcome 12: Sustainable Population

Scottish Planning Policy (SPP):

6.10 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.

6.11 Stronachlachar/Inversnaid Community Life Plan (CLP) 2019

Prepared and consulted upon by the community, with a high level of buy-in from the community residents, this document is considered to be an initial step towards the production of a Strathard Rural Development Framework (to be prepared in partnership with the community, the National Park and key stakeholders). This document is considered to be a material consideration in the assessment of this planning application.

With respect to this development proposal the relevant sections of the (CLP) are as follows:

- The application site is mentioned on pg.6 and 7 as a 'community action' to 'facilitate a community right to buy bid for the storehouse to provide live and work units and/or staff accommodation in line with the CLP';
- Pg. 12 of the CLP states the community's guidelines for local housing which seeks to resist speculative 'for profit' or 'second home' housing developments and is resistant to any new holiday lets at this application site.

The Stronachlachar/Inversnaid Community Life Plan 2019 can be accessed online at: <https://www.ccstrathard.org/community-life-plans/>

7. SUMMARY OF SUPPORTING INFORMATION

7.1 The applicant has submitted the following documentation in support of the planning application:

Planning Statement (by ICDP Architects, dated Sept 2020)

Summary of the proposals, the condition and heritage considerations of the existing buildings, energy conservation measures, sustainability, car parking provision, protected species, active travel and site drainage measures.

Structural Appraisal (by MacGregor McMahon, dated October 2018)

Visual survey of the building undertaken concluding that both buildings have significantly deteriorated since the original planning permission. The report states that a conversion of the buildings would require a significant extent of work comprising the removal of roof trusses, ground and first floor timbers and timber safe lintols and internal excavation of ground levels and underpinning of walls to achieve a rebuild of the remaining shell and that this work would certainly make any such scheme commercially unviable.

Affordable Housing Statement (by ICDP Architects, dated Oct 2020)

Statement that summarises the sequential approach that the applicants have addressed to satisfy the requirements of the Local Development Plan Housing Policy and Supplementary Guidance on Housing. The steps undertaken by the applicant, and subsequently ruled out as unfeasible, consist of:

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- seeking subsidised affordable housing delivery through the local Registered Social Landlords (Rural Stirling Housing Association);
- Assessing all other options to deliver unsubsidised affordable housing by other means (i.e. discounted sale options, shared ownership/equity options, mid-market rental options);
- Commuted sum towards off-site affordable housing delivery elsewhere in the National Park.

The statement concludes that none of the above can be delivered and that the submitted financial matrix for the development indicates marginal viability of the development. Statement concludes, that despite all efforts over the last year, traditional affordable housing mechanisms cannot be delivered in this location, whilst delivering a redevelopment of the site.

Letter from Rural Stirling Housing Association (dated 20th July 2020)

Copy of letter to developer confirming that Rural Stirling Housing Association do believe there is affordable housing demand in the area. However, Stirling Council's current Strategic Housing Investment Plan has no funding programmed for the area for the next 3 years and the level of costs associated with the proposed project mean that it would not be viable for the Association to acquire any of the units in this development.

Letter from Scottish Water (dated 24th July 2020 and valid for a period of 12 months)

Copy of Scottish Water Pre-Development Enquiry response to the applicant confirming that there is currently capacity in the Turret Water Treatment Works and Stronachlachar Waste Water Treatment Works to service the proposed development. Letter also confirms that existing on-site combined sewers infrastructure could be diverted at developer's cost.

Protected Species Licence (Scottish Natural Heritage - now NatureScot)

Evidence of roosting bats found only in Milk Cottage. No evidence of bats were found in the former Stores Building.

Copy of Bat Licence approved by Scottish Natural Heritage (now NatureScot) valid until 31 Dec 2020 which permits destruction of ten common pipistrelle non-breeding summer roosts, 1 non-breeding brown long-eared bat summer roost and 1 common pipistrelle winter roost for the purpose of Milk Cottage, Stronachlachar. All works must be carried out in accordance with the supporting document entitled: "Bat Roosting Potential Survey and subsequent correspondence agreed in writing with the SNH Licensing Team, subject to modifications or amendments imposed by the conditions of the licence.

Heating & Energy Proposals (ICDP Architects, dated 30th Nov 2020)

Correspondence explaining the proposed energy conservation measures proposed for the development, namely highly insulated buildings with highly efficient all-electric heating and mechanical heat recovery ventilation system (MHRV), adding to energy efficiency. Statement explains that the alternative option of air source heat pumps may not perform well due to the potential 'cold spot' geography and low seasonal temperatures of the site. There would be a marginal difference in running costs between electric and air source heating - noting that electrical supply would be from a renewable source supplier. The statement concludes that, in this instance, the choice of an all-electric scheme would be the most energy efficient and sustainable option.

Statement on Revised Car Parking Layout (ICDP Architects, dated March 2020)

Statement, provided on a superseded parking layout, but nonetheless relevant to the principle of the proposed parking layout currently under consideration in this application. Statement seeks to justify the applicant's proposals of including vehicle spaces on the northern boundary and responding to concerns raised by the Community Council regarding forward visibility of cyclists.

8. PLANNING ASSESSMENT

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

Principle of Development – *historic environment, housing policies, affordable housing*

Layout & Design

Road and Public Access

Ecology

Services

Other Material Considerations

National Park Aims

Principle of Development

- 8.2 The principle of development of this site, for housing, requires to be assessed in accordance with the development plan, in this case the vision and strategy of the Local Development Plan (LDP), the Overarching Policies, Historic Environment Policy 3, and Housing Policies 1 and 2 and the Supplementary Guidance on Housing.

Historic Environment

- 8.4 Historic Environment Policy 3 of the LDP expects development proposals to protect, conserve and/or enhance a building of architectural and/or historical merit or of cultural significance. In this instance, the former Stores Building and Milk Cottage buildings are considered to be both of historical merit and of cultural significance - being connected to the public water system of Glasgow which is also a key part of Stronachlachar and the Strathard area's cultural heritage. In addition, the buildings, although not unique or exceptional, do exhibit architectural merit, being of traditional form and construction, with the Stores building being characterised by its striking projecting gable form and roofscape.
- 8.5 Since the 2014 structural survey (undertaken to support the '2015 planning permission' the building has continued to deteriorate. It is noted that the current applicant/owner has made clear that the previous approved scheme (ref: 2015/0134/DET) was not possible to construct.
- 8.6 The '2019 planning application' (ref: 2019/0159/DET) sought to undertake significant downtakings, modifications and redesign of the former Stores building to address the substantial structural issues to deliver a scheme capable of construction and to provide a viable scheme with sufficient accommodation (of 7 units within that building) to return a profit. In consideration of the '2019 planning application' the planning officer concluded that the extent of changes and design proposed to the existing former Stores building was such that the requirements of Historic Environment Policy 3 was not satisfied in that it would neither protect or conserve the existing heritage building nor enhance its original character. This conclusion led the developer to their current proposal - to demolish the former Stores building - as the only viable, feasible option.
- 8.7 In assessing the merits of the current planning application proposal (to demolish the former Stores building and retain, renovate and extend Milk Cottage) one must refer to the submitted Structural Appraisal which was undertaken in October 2018 (submitted alongside the previous planning application (ref: 2019/0159/DET- *a copy of which is also held on this current planning application file*). This Structural Appraisal highlights the extensive downtakings required and calls into question the viability of any such development scheme to retain both buildings, further strengthening the applicant's viability case.

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- 8.8 On the basis of a full exploration of the alternatives, the applicant now seeks an exception under Historic Environment Policy 3 to demolish the former Stores building and erect a new building on its footprint. It has been satisfactorily investigated through the previous '2019 planning application' that options to retain the existing Stores building are not possible due to the extensive works involved and marginal viability of the scheme. It is concluded that the satisfactory retention and incorporation of the existing former Stores building is not viable and therefore its demolition can be supported under the policy wording of Historic Environment Policy 3. It should be noted that the secondary building on the site, 'Milk Cottage', would be retained and incorporated as part of this proposal, and the principle of this is supported under Historic Environment Policy 3.

Housing Policy

- 8.9 The National Park's Local Development Plan vision and delivery strategy for housing in the National Park is for sustainable communities, with new housing being primarily focussed within existing towns and villages. The Plan also seeks to support housing that meets the housing needs and addresses population decline through the provision of a range of housing tenure and affordable housing provision. This is reiterated in Housing Policies 1 and 2 of the LDP.
- 8.10 Housing Policy 2 of the LDP is supportive, in principle, of the development of sites located within building groups in the countryside, subject to criteria. To gain support under this policy the proposal must help reinforce the character of an existing building group.
- 8.11 In assessing this proposal, a number of factors are considered in its favour. Firstly, the existing building grouping, which comprises Stronachlachar, is a dispersed grouping of at least 7 properties, extending from 'Thistle Cottage' & 'Hillview Cottage' in the west, to '1 & 2 Invergyle House' in the north and the properties of the 'Stronachlachar Lodge' grouping to the east. Therefore, in terms of the principle of re-development for housing, this proposal would occupy an existing developed site within the centre of the building grouping of Stronachlachar and the proposal for 7 new dwellinghouses would substantially supplement and consolidate the existing residential community, and would reinforce the existing development character of the site.
- 8.12 Secondly, it is material that this proposal for 7 houses offers a lower density proposal to that previously approved in 2015 and that as withdrawn in 2019 (see paras 3.14 & 3.15 of this report for details of these previous applications).
- 8.13 Thirdly, it is evident that re-development of the site has proven difficult over the last 5-years and that it is at risk of further dereliction and blight.
- 8.14 Housing Policy 1 of the LDP seeks to deliver a range of house types, sizes and tenures to meet the housing needs of the National Park (as also set out in the LDP vision and strategy). This proposal offers a range in types and sizes with 5 terraced units and one smaller (all approx. 100m² floorspace) and one larger (130m²) 'enabling' detached dwelling. This smaller size of 3-bed property is of an 'affordable size' as referenced in pg15 of the Supplementary Guidance on Housing. Tenure and Affordable Housing matters are addressed in the following paragraphs.
- 8.15 In conclusion, the principle of the location and proposed density and sizes of the re-development of this derelict site for housing is supported by Housing Policy 2 and the specific sections (pgs.13-14) of Supplementary Guidance on Housing. The second part of Housing Policy 2 addresses the affordable housing requirements for new housing in these such locations, and this is addressed in the following paragraphs.

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Affordable Housing

- 8.16 Housing Policy 2 of the Local Development Plan sets a delivery strategy of 100% affordable housing for new housing development in building groups in the countryside, such as this case under consideration. The National Park's Supplementary Guidance on Housing (in pgs. 20 and 21 of that guidance) provides exemptions for conversions of existing buildings and, where justified, abnormal costs of development can be considered, and where supported, offers a further reduction of 25% of the overall requirement.
- 8.17 The case presented (as summarised in an Affordable Housing Statement – see Section 7 of this report) seeks the Authority's support for these aforementioned exemptions. It is accepted that the conversion of Milk Cottage would be exempt from affordable housing. The applicant's case of 'abnormal costs of development' at this site would, if accepted, justify a 25% reduction of the affordable requirement on the remaining 6 units. To assist in an uplift of development profit to offset the costs, the applicant seeks this 25% (equivalent of 1-unit) reduction to apply to the larger detached dwellinghouse. In comparison to a more accessible town/village location, it is accepted that the demolition/salvage/clearance and redevelopment costs for this site in this remote location together with the additional costs of relocating existing on-site services and providing infrastructure connections to service the development reasonably amount to being 'abnormal costs'. It is therefore recommended that the affordable housing policy requirements, under Housing Policy 2 and Supplementary Guidance on Housing, should apply only to the remaining 5 terraced units proposed.
- 8.18 As summarised in the submitted Affordable Housing Statement (see Section 7 of this report) it is accepted that the applicant has explored all options for the delivery of on-site affordable housing on these 5 terraced dwellinghouses, generally following the steps and information as set out in Appendix 3 of the Supplementary Guidance on Housing. This exercise has been carried out by the applicant in consultation with the planning officer, the local Housing Association and has also provided 'open-book' financial calculations to explain their findings and rationale.
- 8.19 It is accepted and concluded, on the basis of the financial calculations presented (stating an overall development profit well below the current recognised industry standard) that the delivery options and other models of development have been fully investigated and ruled out as being unviable or unfeasible. These options could have been: subsidised on-site delivery by a local Housing Association; un-subsidised on-site delivery (i.e. discounted sale, shared ownership/equity and mid-market rental), off-site delivery of affordable housing elsewhere; and finally (although not explicitly part of the policy in this instance) a commuted sum towards affordable housing funds.
- 8.20 It is considered that the applicant has fully sought to comply with the requirements of Housing Policy 2 and has carried out a policy compliant sequential approach to their investigations. However, this has concluded that delivery of affordable housing, or a commuted sum (despite no policy allowance for payment of this sum in this type of location) in this instance is not possible due to the marginal viability of the scheme and any further reduction or loss of value would render the development and site unviable for redevelopment. To ensure that the merits offered by this proposal to redevelop this derelict site are not lost, it is recommended that an exemption from the delivery of affordable housing on the 5 terraced units be supported given the particulars of this case. However, to ensure that the aspirations of the Local Development Plan and National Park's Partnership Plan to address population decline in rural areas can be achieved it is recommended that the 5 terraced units be secured in their tenure as 'primary residences'. This would specifically ensure that the properties are not occupied as second or holiday homes. It is recommended that an appropriately worded clause would be applied to the titles of these properties, secured through a planning obligation (section 75 agreement as noted in Appendix 2)

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and it is further recommended that permitted development rights for extensions/outbuildings on these 5 properties be removed to ensure that they remain as 'affordable sized' properties (as detailed in Appendix 1).

- 8.21 In conclusion on the principle of this development proposal, it is considered that the options explored by the applicant, the resultant viability case, and the other merits of the case justify an exemption from the full requirements of Historic Environment Policy 3 and Housing Policy 2 (with respect to retention of both historic buildings and provision of on-site affordable housing) and that otherwise the proposals comply with the remaining criteria of Housing Policies 1 and 2 in terms of being a redevelopment in an acceptable location, density and size for housing to supplement this dispersed rural building group and community. Therefore, it is recognised that the characteristics of this case are particularly unique and it is recommended that the application should be supported on its merits, subject to the imposition of specific controls secured in perpetuity by planning obligation (section 75 legal agreement) and planning condition. This planning obligation would require to be referred to the National Park's Solicitors to conclude with the applicant's legal advisors, prior to any planning permission decision being issued.

Layout and Design

Layout

- 8.22 The proposed redevelopment of the site seeks to replicate the footprint, scale and architectural rhythm and presence of the (proposed for demolition) former Stores building. The renovation, retention and extension of Milk Cottage is welcomed and the proposal supplements this pre-existing L-shaped building layout with a 'bookended' new building to create a traditional U-shaped layout on the site. Established building lines to the southern portion of the site are retained. The proposed building layout retains and reinforces the historic character and pattern of development on the site and is sympathetic to the existing built context and character of Stronachlachar.
- 8.23 Taking into account the landscape context, the development is unlikely to result in visual impacts on the Special Landscape Qualities, the setting of Stronachlachar, or the area's local landscape character (i.e. Loch Shore Fringe & Strath and Glen Floor Loch), or visual amenity. The proposal therefore raises no concerns with respect to the terms of Overarching Policy 1 and 2 and Natural Environment Policy 1 of the LDP.
- 8.24 It is recommended that any permission should be subject to a condition requiring a detailed landscape plan for the site and also to secure control over building/hard landscaping materials and also external lighting to ensure that any landscape/visual or amenity impacts are avoided/mitigated. New landscaping to appropriately integrate the development, would also enhance biodiversity to accord with the Overarching Policies and Natural Environment Policy 6 of the LDP.

Design and scale

- 8.25 The design of the proposed new buildings is considered appropriate and seeks to replicate a traditional rural form and be sympathetic to the multiple gabled form of the former Stores building. External materials (being principally slate roofs and wall cladding) which are appropriate within this rural building grouping.
- 8.26 The proposed extension to Milk Cottage has increased in scale since the '2015 planning permission' and this was raised with the applicant during consideration of the application. The applicant has maintained that they have considered all options and this is the most suitable approach to achieving a marketable sized dwelling from the particularly small sized Milk Cottage. On balance, it is considered that this proposal still retains the majority of the original building's traditional form and appearance and that the extension, although doubling its footprint, would be

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read fully as a later addition of complimentary form and materiality to the original.

- 8.27 Subject to final confirmation and agreement of external materials and associated fixtures (as secured by planning condition), it is recommended that the layout, scale and design of development represents a suitably high quality and sustainable redevelopment of this site and would accord with the Overarching Policies, the Supplementary Guidance on Design & Placemaking and historic Environment Policy 3.

Road & Public Access

- 8.28 The Overarching Policies and Transport Policies 2 & 3 of the LDP requires new development to accord with the Roads Authority standards (to ensure adverse impacts on public road traffic safety and flows are minimised) and that new developments do not result in an unacceptable conflict with existing path connections and users.
- 8.29 Access to the application site (beyond that of the B829) is via a controlled barrier and private road (owned and managed by Scottish Water), the use/management of which is a matter for Scottish Water and the applicant to agree under the legal terms of their site ownership and therefore is not a material planning consideration.
- 8.30 The safe access for the development from the public road (B829) and that of all other users of the private road bounding the application site is a material planning consideration. The advice and comments of Stirling Council, as Roads Authority, and any representations received on this point are key to the planning assessment in this regard.
- 8.31 The Roads Authority has responded to the proposal advising that, within the scope of their remit, they have no objections and no recommended conditions. Notwithstanding this, the Roads Authority has advised on the parking standards for new development – which amounts to a total of 16 vehicle spaces for this development.
- 8.32 Strathard Community Council, and an individual representation, raise concerns that limited forward visibility would be afforded to other road users, in particular cyclists travelling northwards beyond the controlled barrier and approaching the corner illustrated below (figure 6 and photo 7 below). The representations received on this point state that the concern could be eliminated with the removal of the proposed 5no. parking bays located on the northern boundary of the site.

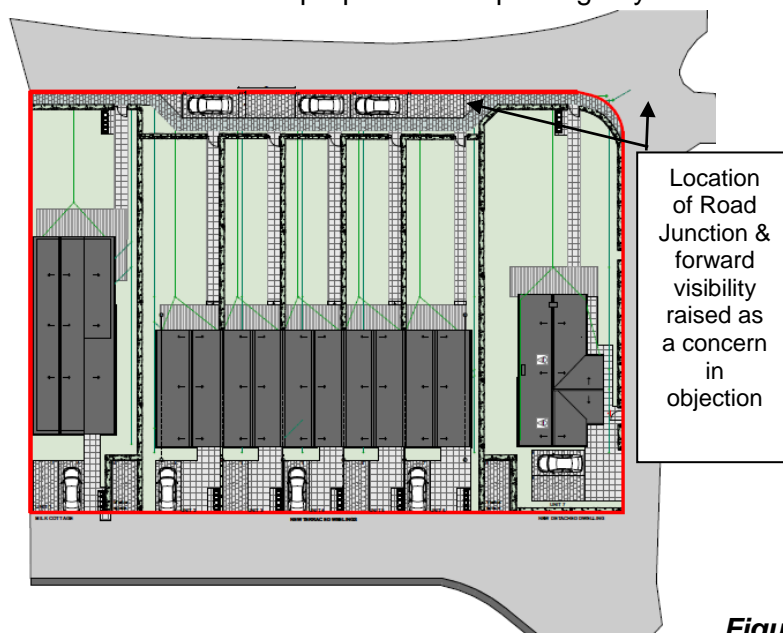


Figure 6: Road junction highlighted

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Photo 7 – looking west at road junction highlighted in Figure 6 above

- 8.33 The Roads Authority has provided comment (see para 5.1 above) on this point and suggesting that employing a restriction on the height of the boundary hedging for the proposed new-build detached dwellinghouse at this junction would assist in further reducing any residual concerns.
- 8.34 The applicant has detailed a hedge height of 1.2 metres on their submitted plans but has also considered fully and responded to the representations and consultation responses received on this point (see supporting information in para 7.1).
- 8.35 Having considered all the points raised, it is accepted that the applicant has limited scope to locate all parking spaces to the southern boundary whilst enabling suitable width of accessibility to the houses, bin storage facilities and still achieving an attractive environment and amenity for the prospective occupants. Further to this, the Roads Authority advice on safety issues in this private context are also taken into account. In conclusion, it is accepted that (although not considered to be a significant concern, given low speeds and the design/location of the proposed parking bays) a high hedge or other boundary treatment or development at this junction could reduce forward visibility at this corner and it would be reasonable to secure a degree of control to any landscaping or development at this corner to ensure enhanced visibility. It is recommended, in the interests of road users' safety that a planning condition be applied to secure these restrictions on the proposed detached dwelling (see Appendix 1).
- 8.36 The options for active travel and sustainable modes of public transport are limited in this location. However, the applicant has offered to install electric vehicle charging points at the new dwellings to provide facility for encouraging a shift from petrol car use to more sustainable travel. It is considered that this would sufficiently aspire to the aims of Transport Policy 2 and the installation of this facility can be secured by planning condition.
- 8.37 To ensure road safety of users during construction, it is recommended that the developer install and maintain advance signage of construction works and employ banksmen during vehicle movements and that this be secured by planning condition.
- 8.38 In conclusion, it is considered that there is safe vehicular access to the site and safe access for all road users can be safeguarded and the Roads Authority's advice on these matters is key to this recommendation. Subject to planning conditions controlling and delivering on the measures detailed above, it is recommended that the application complies with the Overarching Policies, Transport Policy 2 Transport Policy 3 of the LDP.

Ecology

- 8.39 The existing buildings have previously been surveyed for the presence of bats in February 2018. No roosts were identified within the former Stores building. The survey identified non-breeding summer roosts, and one winter roost within Milk Cottage. A licence was subsequently granted by Scottish Natural Heritage (now NatureScot) for the destruction of these roosts, subject to the mitigation/compensation measures, as set out in the bat survey report. The work to exclude these roosts has yet to be undertaken and the licence that covers these works expired on 31 December 2020. The applicant has advised that they will apply to NatureScot for an extension to the bat licence, into 2021.
- 8.40 Members should note that the demolition of the former Stores building, does not constitute 'development' and is therefore outwith the control of the Planning Authority. Consequently, any matters relating to bats would be a matter for the developer to comply with the relevant Conservation (Natural Habitats, &c.) Regulations 1994. For the avoidance of doubt, the redevelopment of Milk Cottage does require planning permission and so bat issues, for this part of the proposals, do require to be addressed in this planning application.
- 8.41 On the basis of the previous survey and licence it is considered that the situation with respect to bats has been established sufficiently to move to determination of this application. However, given the period of time taken to resolve the Authority's position regarding the 'principle of development', this has led to delays. The bat licence expired on 31 December 2020 and the supporting survey data is now over 18 months old (*note: it is generally recognised that bat surveys remain valid for a period of 18 months*). Therefore, taking account of these aforementioned specifics of this case, it is deemed acceptable to require an updated survey prior to development. This would firstly re-establish the presence, or otherwise, of roosts and would update any species protection plan (setting out the necessary bat mitigation/compensation measures).
- 8.42 This approach has been discussed and agreed with the National Park's Ecology Adviser. Therefore, it is recommended that any approval of this application would be subject to conditions requiring an updated bat survey of the buildings and the subsequent implementation of any species protection plan to ensure compliance with Natural Environment Policy 4 and 5 of the LDP.
- 8.43 It is recommended that the standard planning condition with respect to breeding birds be applied to any permission issued for this proposed development.
- 8.44 To enhance biodiversity under the terms of Natural Environment Policy 6 of the LDP, it is considered reasonable to require the developer to make accommodation for swift/house sparrow nesting within the development to assist in providing habitat for these conservation priority species. A suitably worded condition is recommended in Appendix 1 of this report, worded to provide a degree of flexibility towards the developer's chosen option of installation, taking account of the proposed form of construction.
- 8.45 The site is currently developed, as such the proposed development raises no direct issues with any other habitat. However, as with the '2015 planning permission' it is recommended that a planning condition be applied to ensure the correct management of the removal of on-site rhododendron hedging (to be replaced by native hedging to enhance biodiversity of the site), as part of the landscaping scheme to be submitted, approved and implemented.

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- 8.46 In conclusion, ecology matters (as set out in Natural Environment Policies 4, 5 and 6 of the LDP) can be fully addressed and satisfied through submission of additional information and measures as secured by planning conditions set out in Appendix 1 of this report.

Services

- 8.47 Natural Environment Policy 12 of the LDP requires that new developments, located within or adjacent to the public network, should seek to connect to the public network. The development intends to connect to the mains water supply and public foul drainage. Scottish Water has advised, in their letter (summarised in section 7 above) that they are currently able to confirm capacity at the Treatment Works. Delivery of this requirement would also be through planning condition, to accord with the requirements of Natural Environment Policy 12 in the interests of sustainable drainage and protection of the natural environment.
- 8.48 The site is located outwith the functional flood plain and therefore complies with Natural Environment Policy 13 of the LDP. Surface water drainage measures are proposed and detailed by the applicant, and subject to their installation prior to occupation (as secured by planning condition), this part of the proposal would accord with Natural Environment Policy 12 of the LDP.
- 8.49 As stated above, the proposed 16 vehicle parking spaces accord with the Roads Authority's technical standards and, subject to a planning condition requiring them to be provided prior to first occupation of the development, the proposal would accord with Transport Policy 3 of the LDP.
- 8.50 Bin areas have been identified on the revised site plan and can be accommodated within the site; however, it is recommended that bin stores or sheds are provided to contain them to protect the built environment qualities of the proposed development and so a condition is recommended that details are submitted for consideration. The proposal therefore accords with Waste Management Policy WP1 of the LDP
- 8.51 Overarching Policy 2 of the LDP requires new development to meet energy efficiency needs and low-zero carbon and the applicant's proposal (as summarised in Section 7 of this report) is accepted.

Other Material Considerations

- 8.52 A representation received has raised concerns about the potential impact that the development would have on the amenity of the existing residential neighbours as a result of air source heat pumps, should this form part of the development proposal. The applicant has confirmed (see section 7 of this report) that this no longer forms part of their development proposals. It is considered that this aspect has been addressed but that a condition should nonetheless be applied requiring the confirmation of installation of the measures proposed in this application (see Appendix 1)
- 8.53 The planning history of this site (see paras 3.14 & 3.15 of this report) are material to the consideration of this application. Permission for a higher density of development was previously approved in 2015 and measures to retain and incorporate both of the existing buildings have been fully investigated and exhausted. The proposal under consideration seeks to retain where feasible to do so, and to provide housing to meet the Community and National Park aspirations for sustainable communities.
- 8.54 Stirling Council Environmental Health has provided comment on this planning condition with recommendations regarding contaminated land and water supply controls. It is noted that the '2015 permission' also included additional standard conditions with regards to controls on the

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working hours of development. It is recommended that this standard planning condition be reiterated and added in this recommendation of approval, to protect neighbouring amenity during construction.

- 8.55 A representation received (see para 5.9 above) states that the proposed development is at odds with the Stronachlachar/Inversnaid Community Life Plan (CLP). It is acknowledged that the site is identified in the CLP as an aspiration for future community purchase. The National Park is required to determine the planning application as presented and on its merits. It is considered that this proposal provides housing (without holiday accommodation) and seeks to propose 5 of the 7 units as being sold as 'primary residencies'. As such, it is deemed that the proposal does meet some of the housing aspirations of the community and that the proposed development wouldn't necessarily preclude the community from some form of community ownership of part of the development in the future (for example, purchase of one or more unit for rent). It is concluded that the proposal is not necessarily at odds with the CLP and that this representation does not provide sufficient justification to outweigh the support otherwise offered by the development plan.
- 8.56 It is concluded that all representations received from individuals and the Community Council's objections to the development have been fully considered and are addressed in the development as proposed or will be secured by planning condition. Therefore, there are no material considerations that would outweigh the LDP policy conclusions stated above and further concluded in section 9 below.

National Park Aims

- 8.57 It is considered that the proposal would collectively achieve the National Park's four statutory aims. The proposal has sought to incorporate, where feasible and viable to do so, the existing buildings and therefore the cultural heritage of the area and sustainable use of an existing site with energy efficient buildings. As such the proposal achieves the first and second aim with respect to cultural heritage and sustainable use of natural resources. The proposal seeks to mitigate for unavoidable impacts on protected species and therefore does not present a conflict with the first aim of the National Park, with respect to the natural heritage of the area. It is considered that the proposal achieves the third aim, as assessed, it would not have a detrimental impact on the existing enjoyment of public access use of the wider core path network surrounding Stronachlachar and the application site, but notwithstanding this assessment mitigation measures are proposed to further reduce the likelihood of an impact. The fourth aim seeks to promote the sustainable social development of the area's communities. The proposed redevelopment of this derelict site, for seven new houses in this rural community, five of which to be secured as 'primary residencies', would achieve this aim. Finally, by association of this collective achievement of the National Park's aims, the proposal would also comply with the relevant 'National Park Aims' criteria of Overarching Policy 1 of Local Development Plan.

9. CONCLUSION

- 9.1 The difficulties with the redevelopment of these existing buildings, with the site stalling for the last five years since permission was first granted, are acknowledged and accepted. It is within this context, and the related viability issues, that the application has been considered alongside the merits of the proposals as noted below.
- 9.2 The application site is located within an existing dispersed building grouping and, would offer a compatible expansion but consolidation of this existing grouping. This development of housing would support the growth of this community with new housing, which is considered to also accord with the key objectives of the Strathard/Inversnaid Community Life Plan.

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- 9.3 The site's current derelict condition would be enhanced with the redevelopment of seven new houses of a range of sizes (five of which are recommended to be secured as 'primary residencies') to supplement this rural community.
- 9.4 The proposals seek to retain one of the original buildings and offer a high quality layout and design of small affordable, but also family, sized properties to accord with the National Park's Supplementary Guidance.
- 9.5 Overall, the abovementioned merits of the case - coupled with the presentation of a marginally viable development - lead to conclude that an exception from the policy requirement of delivery of any on-site affordable housing is accepted, to help achieve a positive reversal of prospects for this site. Therefore, it is recommended that this application be supported on this basis.
- 9.6 In conclusion, the proposal sufficiently accords with the Development Plan and the National Park Aims as detailed in section 8 of this report, and the other material considerations raised have been fully considered but do not outweigh this conclusion. Therefore, the proposal is recommended for approval, subject to conditions (as detailed in Appendix 1) and the conclusion and registering of a planning obligation under section 75 of the Town and Country Planning (Scotland) Act 1997 (as detailed in Appendix 2).

Background <http://www.lochlomond-trossachs.org/planning/>

Documents: *Click on view applications, accept the terms and conditions then enter the search criteria as '2019/0305/DET'*

List of *Appendix 1 - Conditions & Informatives*

Appendices: *Appendix 2 - Heads of Agreement of Planning Obligation (s75 Agreement)*

Appendix 1 - Conditions & Informatives

Conditions

1. **Built Heritage** – For the avoidance of doubt, this permission relates to the retention of Milk Cottage (as detailed in the approved plans). Any alternative proposal for this extant building would require to firstly be subject to approval of a new planning application prior to development. A proportion of stone walling material (taken from the proposed demolition of the former Stores building - as detailed in the approved plans) shall be retained and stored securely on-site to be used for stone walling repairs to Milk Cottage, to avoid a shortfall of suitable, compatible material for completion of this development.

REASON: To retain and enhance the retained built heritage elements of the site to be incorporated in the proposals for restoration, where relevant to accord with Policy HEP3 of the National Park's Local Development Plan and the first statutory aim of the National Park, to conserve and enhance the cultural heritage of the area.

2. **Terraced Dwellings: 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 be built within the curtilage of any of the 5no. terraced dwellinghouses 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 affordable size of these terraced dwellinghouses to accord with the requirements set out in Housing Policy 2 of the National Park's Local Development Plan and the National Park's Supplementary Guidance on Housing.

3. **Control of invasive non-native species:** Prior to site clearance works commencing an Invasive Non-Native Species (INNS) management plan to irradiate any INNS present on the site (including *Rhododendron ponticum*) and prevent spread shall be submitted to and approved in writing by the planning authority. This plan shall be informed by the results of a pre-clearance INNS survey. Thereafter the INNS shall be implemented as approved prior to construction works commencing.

REASON: To prevent the spread of invasive non-native species to comply with Natural Environment Policy 6 of the National Park's Local Development Plan.

4. **Protected Species – Bats:** Prior to the commencement of development of Milk Cottage (as detailed on the approved plans), a further detailed survey for bats shall be undertaken and the results, together with a scheme of mitigation measures (where required), shall be submitted to, and approved in writing by, the Planning Authority. The survey methodology shall be in accordance with the Bat Conservation Guidelines. The scheme of mitigation measures (where required) shall be implemented in full accordance with the time-scale to be agreed in writing with the Planning Authority.

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REASON: To safeguard protected species and nature conservation interests and to accord with Policy NEP4 and NEP5 of the National Park's Local Development Plan and the first statutory aim of the National Park, to conserve and enhance the natural heritage of the area.

5. **Breeding Birds:** No vegetation clearance, demolition or development shall take place between March and August (inclusive) unless a pre-works check for active nests has been carried out immediately prior to the works commencing. Should any active nests be recorded, a suitable buffer must be put in place (to be submitted to, and approved in writing by, the Planning Authority) and complied with until the nest is no longer in use.

REASON: To ensure that no offences are committed with regards to breeding birds in accordance with Policy NEP4 and NEP5 of the National Park's Local Development Plan and the first statutory aim of the National Park, to conserve and enhance the natural heritage of the area.

6. **Public Access Management** – No development shall commence until details of public access management for construction works has been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt, these details shall include the wording, sizes and locations of advance signage have been submitted to and approved in and details for the use and assignment of banksmen to manage public access when required to facilitate safe passage of visitors through the working corridor. The details as may be approved pursuant to this condition shall be complied with at all times during development hereby approved.

REASON: To ensure the construction phase is carefully managed to avoid and to minimise and mitigate adverse impacts on public access to accord with Policy TRAN2 of the Local Development Plan.

7. **Discovery of Contaminated Land:** The presence of any significant contamination found during the implementation of the development hereby permitted shall, within one week of discovery, be brought to the attention of the Planning Authority. No work shall proceed in the immediate vicinity of the area of contamination until a detailed site investigation has been carried out, in consultation with the relevant Environmental Health Officer, and a mitigation plan submitted to, and agreed in writing by, the Planning Authority. The aforementioned mitigation plan shall include a timetable for implementation of the work(s) required to address the contamination identified.

REASON: To ensure that any contamination within the site is dealt with timeously and in accordance with best practice and to accord with Overarching Policy 2 and Policy NEP16 of the National Park's Local Development Plan.

8. **Restriction on Construction Hours:** No machinery shall be operated, no activity carried out and no deliveries received at, or dispatched from the site outwith the hours of 8.00am to 6.00pm Monday to Friday, and 9.00am to 1.00pm on Saturdays, nor at any time on Sundays, unless otherwise agreed in writing by the Local Planning Authority. This limitation applies to development that is subject to planning control only and does not apply to internal works that are not audible at the boundaries of the site.

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REASON: To protect the occupants of nearby housing from excessive noise/disturbance associated with the implementation of this permission and to accord with Overarching Policy 2 and Policy NEP16 of the National Park's Local Development Plan.

9. **Agreement of Materials and Specifications:** Prior to their installation, application or affixation on the development hereby approved, a further detailed specification of the undernoted proposed external finishing materials to be utilised on the buildings, 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 occupation.
- a) Roofing Material - The natural slate to be used on all roof surfaces of the buildings (sample of slate and details relating to the quarry source of the slate, the specification details, sizes of slate and laying method proposed to be submitted) or alternative roofing material as may be approved in writing by the Planning Authority;
 - b) Wall cladding – The cladding to be used on the exterior walls and the method of application (sample required of all colours proposed, confirmation of specifications, dimensions, and details of the fixing and board arrangements methods of all cladding to be submitted);
 - c) Mortar & Stone – lime based mortar mix to be utilised in the repointing/repair of stonework on Milk Cottage and confirmation of the type and source of any new stone required for repairs on Milk Cottage;
 - d) Windows & Doors - Manufacturers details of the windows and doors and colour(s) of framing to be submitted;
 - e) Timberwork - The colour/treatment/finishes of all other exposed exterior timberwork;
 - f) Rainwater Goods - The details of the material and colour of rainwater goods
 - g) Services - Details, dimensions and colours of any other external flues, vents to be installed;
 - h) Energy Efficiencies and Low/Zero Carbon Technology – finalised details of the carbon reduction measures and electric vehicle charging points to be employed, as set out in the planning application submission, and subsequent confirmation and evidence of their installation/use in the completed development; and
 - i) Swift bricks/boxes – numbers, locations and specifications to be incorporated into the development (refer to CIEEM resource on incorporating swift habitat in new development at <https://cieem.net/resource>).

REASON: To ensure that the external appearance of the development complements the rural character and enhances the biodiversity of the area and to safeguard the appearance and integrity of the existing, retained, building 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 and to accord with the terms of Overarching Policy 2 of the National Park's Local Development Plan and the National Park's Supplementary Guidance on Design & Placemaking and Natural Environment Policy 6 of the Local Development Plan.

10. **Details of Landscaping:** Prior to the first occupation of the development hereby approved, a landscape scheme/plan shall be submitted to and subsequently

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approved in writing by the Planning Authority. The scheme/plan (at a scale of 1:500 or greater) shall include:

- a) Existing and proposed site levels where any changes are proposed;
- b) Surfacing materials and specifications for vehicle parking, footpaths and hardstandings/patios;
- c) Boundary treatments - materials, specifications, dimensions and designs of boundary treatments i.e. walls, fences, hedges, gates;
- d) Bin sheds - materials, specifications, dimensions and designs of bin sheds/storage enclosures;
- e) External lighting – specifications, including positions, angles of lighting, cowlings, lux light and colour levels of any external lighting proposed on the buildings or within the application site;
- 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;
- g) Rhododendron management plan (to remove it from site and prevent it spreading); and
- h) A programme of implementation and management of the above noted hard and soft landscaping.

Thereafter, the details, as may be approved pursuant to the terms of this planning condition, shall be implemented in accordance with the approved programme of implementation and prior to first occupation of the development. Any trees or plants which, within a period of 5 years thereafter, die are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species unless otherwise agreed in writing by the Planning Authority.

REASON: The proposed development and its location requires landscaping and a scheme of implementation to fully integrate the proposal with its surroundings and to safeguard the amenities of the area and to accord with Overarching Policy 2 and Policy NEP1 of the National Park's Local Development Plan.

11. **Parking:** The dwellinghouses hereby permitted shall not be first occupied until vehicular parking has been constructed and delineated on site in accordance with the approved plans. The aforementioned parking spaces shall thereafter be retained and capable of use at all times and shall not be removed or altered without the prior written approval of the Planning Authority.

REASON: To ensure a satisfactory provision of parking throughout the site to accord with Transport Policy 3 of the Local Development Plan.

12. **Visibility Splays** – Visibility Splays shall be provided and maintained at the road junction with the north-east corner of the application site as detailed by the area shaded green on the 'Visibility Splay Plan' (dated 8th January 2021) within which there shall be no obstruction to visibility above 1.05m above the carriageway level.

REASON: To ensure there is an adequate forward visibility provided to all road users approaching this junction, following construction and occupation of the approved units, in the interests of enhancing road safety and recreation and to accord with Policy TP2 and TP3 of the National Park's Local Development Plan.

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- 13. Connection to the Public Drainage Network:** The waste water drainage from the development hereby permitted shall connect to the Scottish Water public drainage network, unless alternative details of an equally sustainable drainage solution has firstly been submitted to and approved in writing by, the Planning Authority.

REASON: To safeguard the water quality of Loch Katrine water catchment and to accord with Natural Environment Policy 12 of the National Park's Local Development Plan.

- 14. Surface Water Drainage (SuDS):** The SuDS scheme for the development hereby approved shall be implemented in accordance with the principles of The CIRIA SuDS Manual, SEPA's Regulatory Method for SuDS (WAT-RM-08), Water Assessment and Drainage Assessment Guide (Sustainable Urban Drainage Scottish Working Party) and Guidance and Sewers for Scotland (v4.0), or any subsequent revisions/equivalent publications prior to first occupation of the units hereby approved.

REASON: To ensure that the SUDS design incorporates adequate pollution control measures to protect the water quality of Loch Katrine water catchment and accords with the requirements Natural Environment Policy 12 of the National Park's Local Development Plan Local Plan.

Informatives:

1. Duration of permission - In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of 3 years beginning from the date of this permission, unless the development to which this permission relates is begun before that expiration.
2. Notification of Initiation of Development - Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. We recommend this is submitted 2 weeks prior to the start of work. A failure to submit the notice, included in the decision pack, would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. Notification of Completion of Development - As soon as practicable after the development is complete, the person who completes the development is required by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give written notice to the planning authority of the completion of the building works. As before, there is notice for you to complete for this purpose included in the decision pack. In larger, phased developments, a notice of completion is to be submitted as soon as practicable after each phase is finished by the person carrying out the development.
4. Protected species in vicinity – Bats are known to be in the vicinity of the proposed development. Please be aware that they are fully protected under the Conservation (Natural Habitats, &c.) Regulations 1994, and it is an offence to deliberately, capture, injure or kill them or to damage, destroy or obstruct their breeding or resting places. It is also an offence to disturb them in their breeding or resting places.

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5. Surface Water - Disposal of surface water from the site should comply with General Binding Rules (GBRs) 10 and 11 of The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended). Details of the requirements of these GBRs can be found on SEPAs website or from SEPAs Perth Environmental Protection and Improvement Team on 01738 627989.

List of Plans

Title	Reference	Date Received
Location Plan	1001	08/11/19
Site Plan Existing	1002	08/11/19
Existing Floor Plans Store	1003	08/11/19
Existing Elevations Store	1004	08/11/19
Existing Elevations Milk Cottage	1005	08/11/19
Site Plan Proposed	2001 Rev B	30/03/20
Proposed Elevations Proposed Site Elevations	2000 Rev A	30/03/20
Proposed Floor Plans Terrace	2002	08/11/19
Proposed Elevations Terrace	2003 Rev A	23/12/20
Proposed Floor Plans Milk Cottage - Plan and Elevations	2004 Rev A	23/12/20
Proposed Floor Plans Detached Dwelling - Plans and Elevations	2005 Rev A	23/12/20
Visibility Splay Plan	2001 Rev B	08/01/21

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Appendix 2 - Section 75 Heads of Terms

1.1 A Section 75 Legal Agreement is required to secure the following:

- 1) The 5no. terraced dwellinghouses approved must only be occupied as a primary residence in perpetuity.