



Planning and Access Committee

Meeting: Monday 18 December 2023

Agenda item:

SUBMITTED BY:

Director of Place

APPLICATION NUMBER:	2022/0357/DET
APPLICANT:	Swilken Construction Pension
LOCATION:	Coldrach Farm, Coldarach Lane, Buchanan Smithy G63 0EB
PROPOSAL:	Redevelopment of steading to form 6no. residential units, erection of 1no residential unit on footprint of former animal pen and erection of 3no detached holiday let units and associated parking, infrastructure and landscaping
NATIONAL PARK WARD:	Ward 4 - East Loch Lomond and Port of Menteith
COMMUNITY COUNCIL AREA	Buchanan
CASE OFFICER:	Name: Craig Jardine Tel: 01389 722020 E-mail: craig.jardine@lochlomond-trossachs.org

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1. Summary and reason for presentation

1.1. This planning application is for the redevelopment and extension of a redundant Category B listed steading building to form a residential development of 7 units, and 3 detached short-term holiday let units are proposed in the field to the north of the steading. The site is within a countryside location to the north of Drymen village. The site has a history of previous planning permissions and listed building consents (since expired) for a similar nature of development.

1.2. The planning application is being presented to the Planning and Access Committee due to the level of valid objection to the application. Section 5.7 of the National Park Authority’s Scheme of Delegation relative to planning, which states that all such planning applications require to be referred to Members for determination.

2. Recommendation

2.1. That Members:

APPROVE the application subject to (1) the imposition of the conditions, informatives and plans set out in **Appendix 1** of this report and (2) the completion of and recording/registration in the General Register of Sasines/Land Register of a section 75 agreement/planning obligation incorporating the Heads of Terms summarised in **Appendix 2** of this report.

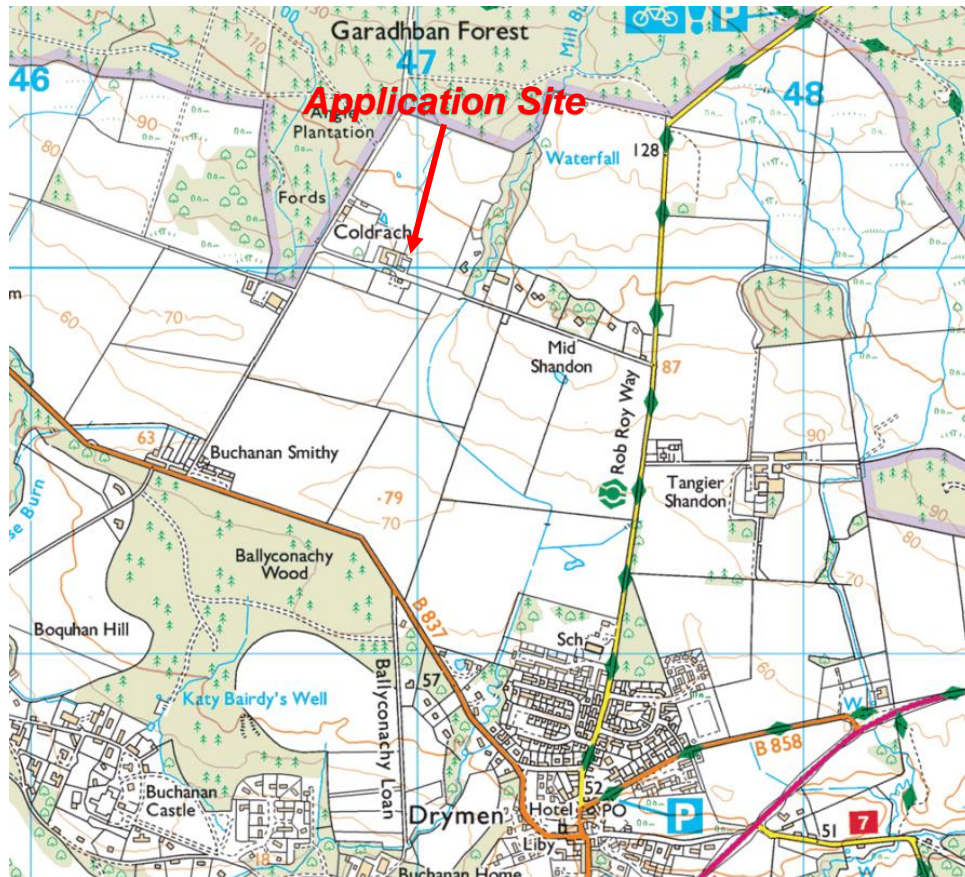
3. Background

Site Description

3.1.	The application site is located approx. 1.5km north-west of the centre of Drymen and 0.7km north of Buchanan Smithy. The site can be accessed via two possible
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Site Description

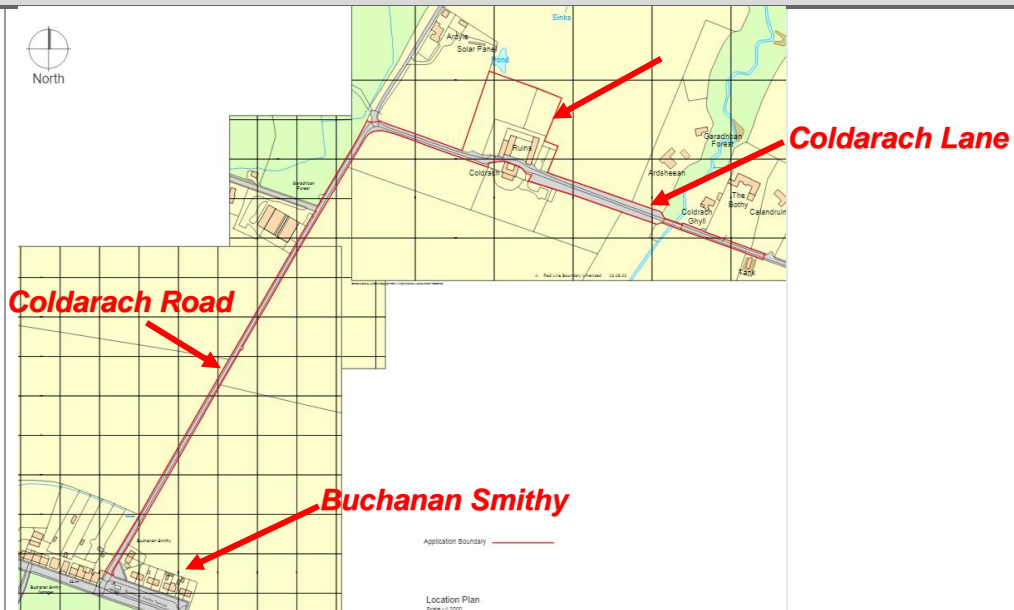
routes: From Drymen - via Old Gartmore Road, the site can be accessed along the private road of Coldarach Lane. From Buchanan Smithy and the B837, the site can be accessed via (the opposite end of) the farm track of Coldarach Road (also referred to as 'The Loan'). These sections of the private roads to the site are included within the planning application site.



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Figure 1: Location Plan – map showing the site within the surrounding context of Buchanan Smithy and Drymen to the south and with the application site identified

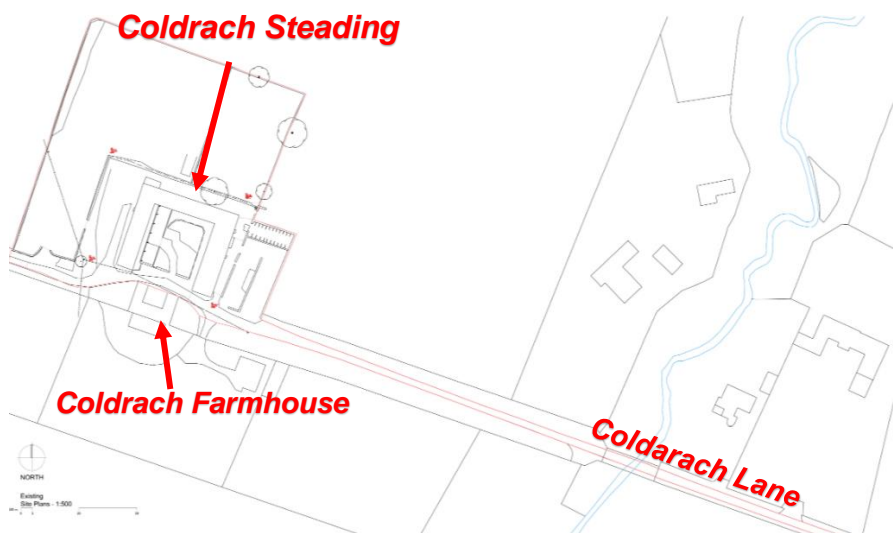
Application Site

Site Description



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Figure 2: Location Plan – map showing the application site boundary (outlined with a red line) which extends to include the proposed development site and sections of the private road to the south and east of the site

- 3.2. The focussed development area of the planning application site comprises of Coldrach steading, a traditional stone-built U-plan agricultural steading, and surrounding land to the north, east and west. Coldrach steading relates to, and forms part of, a Category B listed building, which includes the adjacent Coldrach farmhouse, which is situated immediately to the south of the application site – and in separate ownership.



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Figure 3: Site Plan – map showing the site of the existing steading within the context of the existing residential properties to the east

Site Description

- 3.3. The steading is predominantly of rubble stonework with squared quoins, although there is some harling evident on the elevations. The original U-plan steading has, over the years, been altered and had additions to provide function to its agricultural use - a former cattle stall enclosure situated to the east of the steading, being one of these additions. To the west is a yard area bounded by a stone wall.

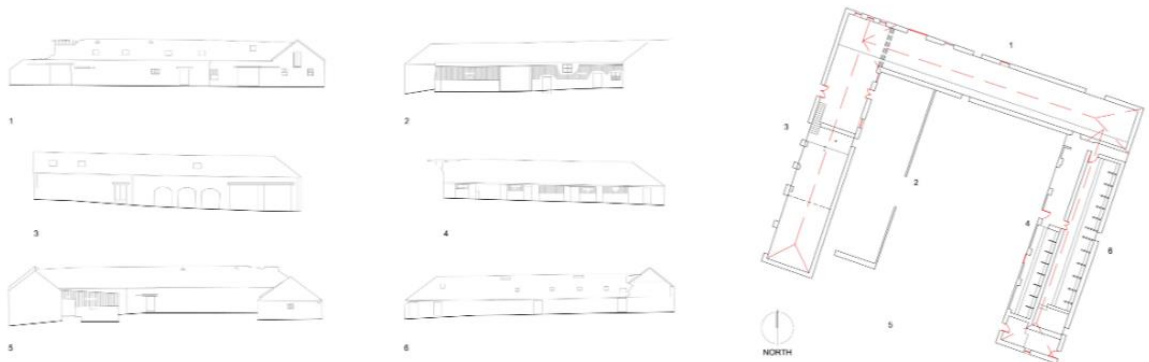


Figure 4: Plan & Elevations of the existing steading building



Site Description

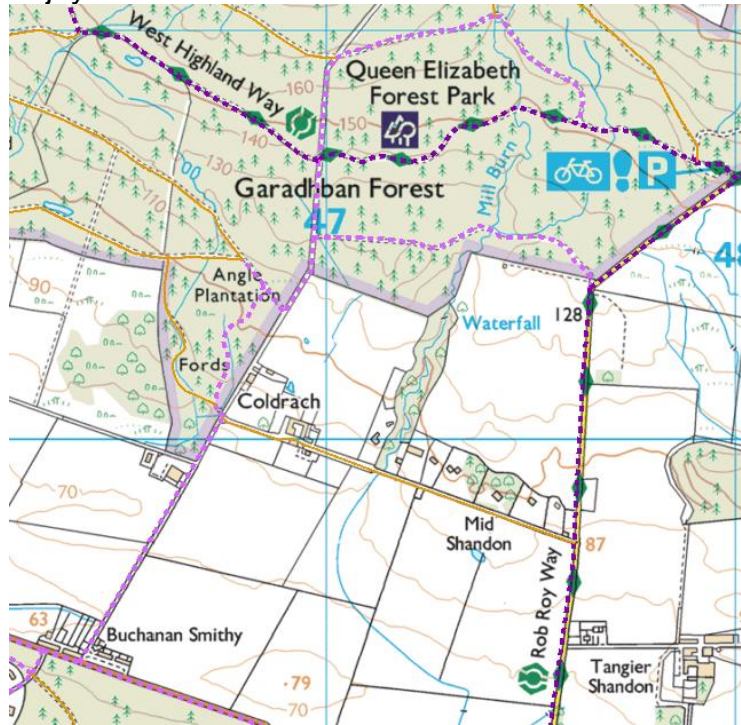


Figure 5: Photos of the existing steading building - photos (in sequence from top to bottom) of north-eastern corner of steading; north-western corner; north elevation; west elevation; and former cattle stalls to the east of the steading.

- 3.4. The steading had been in agricultural use prior to 2012 but has since deteriorated with sections of the building fabric structurally compromised and roof coverings and areas collapsed and removed. The building is currently in poor condition and is at risk of further structural loss and collapse.
- 3.5. The site is located outwith the Loch Lomond National Scenic Area and there are no other specific designations for this site.
- 3.6. The site is well connected to the network of established path routes with Old Gartmore Road (to the east of the site) forming part of the Rob Roy Way long distance route, which connects into the West Highland Way to the north. A network of routes in the Garadhban Forest can be accessed via, and from the eastern end of, Coldarach Lane (again connecting to the West Highland Way).

Site Description

Coldrach Road forms part of the Core Path network to Buchanan Smithy and beyond. This area is popular with a variety of path users for recreation and enjoyment of the area.



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Figure 6: Path and Core Path Map – map showing the location of recognised paths (orange line) and Core Paths (dashed purple line) and long-distance routes (green diamonds) within the context of the application site.

Description of Proposal

- 3.7. As introduced above, the proposals under consideration comprise mainly of the repair and reconstruction and alteration of the existing steading to form 6 residential dwellings, a standalone new build element (on the site of the former cattle stalls) to provide an additional standalone residential dwelling (total = 7 residential units) and the erection of 3 detached short-term holiday let units situated to the north of the steading. Parking for the dwellings would be positioned to the west, north and east of the buildings and parking for the holiday units would be within a central courtyard to the rear of these buildings. Two vehicular accesses to the site are proposed. Amenity space and bin and general storage is provided for each of the proposed units. Landscaping and tree planting would be provided as part of the development. The key elements of the proposed development are shown in Figure 7 below and are outlined in the following paragraphs.

Description of Proposal



Figure 7: Proposed Site Plan – plan showing the proposed steading redevelopment for 6 dwellings, the additional single dwelling to the east and the three holiday let units to the north and associated access, parking and amenity space.

- 3.8. Steading Repair/Refurbishment and Conversion for 6 Dwellinghouses
Due to the poor condition of the steading (as explained in detail in the submitted Structural Survey Report – see Section 7 of this report further below) the applicants have presented a proposal that seeks to retain and repair the sections of the building that are capable of repair and suitable for conversion in their current condition. The proposals explain that the remaining eastern wing of the steading is not structurally capable of retention and repair. Instead, the proposal is to carry out dewatering and salvaging of stone from the eastern wing, for rebuilding on its existing footprint.

Description of Proposal

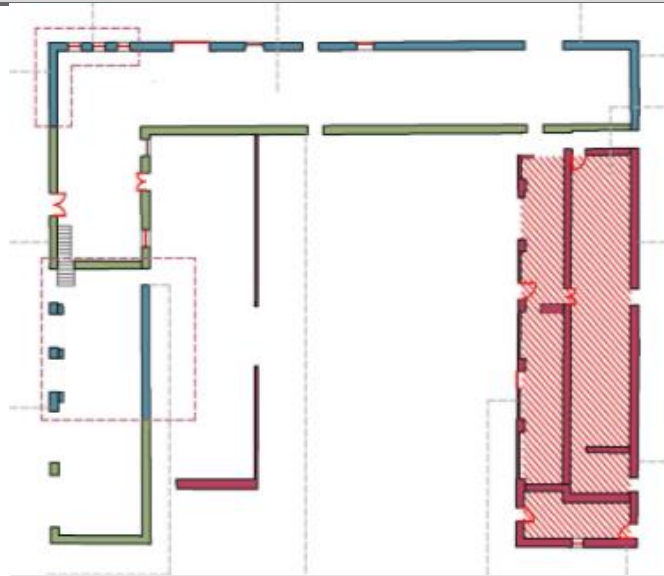


Figure 8: Proposed Repair/Refurbishment Plan – plan submitted by the applicant demonstrating the existing walls to be retained and repaired (in blue or green) and the sections to be demolished and rebuilt (in red).

- 3.9. Following repair and refurbishment of the existing stone building (with any shortfall using a suitable match of stone) it is proposed to convert the steading building to create 6no. 3-bed dwellings. Units 1 – 4 would be one and a half storey and units 5 & 6 would be single storey. The proposals would retain the large existing cart openings and the overall roof form and slated finish of the steading. To convert and provide sufficient openings and light for the proposed dwellings some additional openings are proposed. Catslide style dormers are proposed on the north and west elevations and rooflights across the roofscape.



Figure 9: Proposed Elevations – plan submitted showing the proposed finished appearance of the steading and adjacent single dwelling.

Description of Proposal

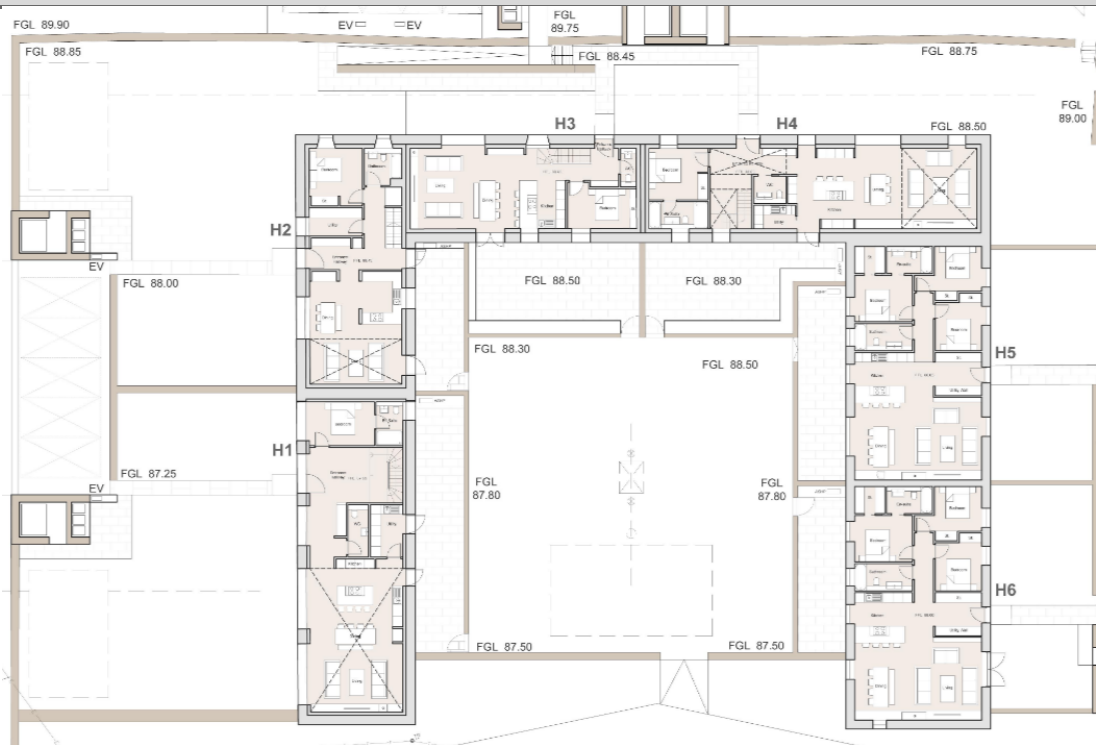


Figure 10: Proposed Plan – plan submitted showing the proposed divisions and layout of the converted steading.

3.10. Single Dwelling

To the east of and positioned in line with the rear building line of the steading (on the site of the former cattle stalls) a three-bed single storey dwelling is proposed. As seen in Figure 7 and Figure 9 above, although this would be a new building it would be finished with stone walls and slate roof to accord with the character and appearance of the adjacent steading.

3.11. Holiday Let Units

Situated to the rear of the steading conversion and proposed dwelling would be 3no. 3 bed, one and a half storey detached short-term holiday accommodation units. These units would be spaced in a staggered line with parking to the rear. The buildings would have a modern agricultural style with steep pitched roof forms. These units would contrast to the solidity of the listed steading with lighter-touch materials of standing seam metal roofing, modern glazed openings and larch clad walls.

Description of Proposal

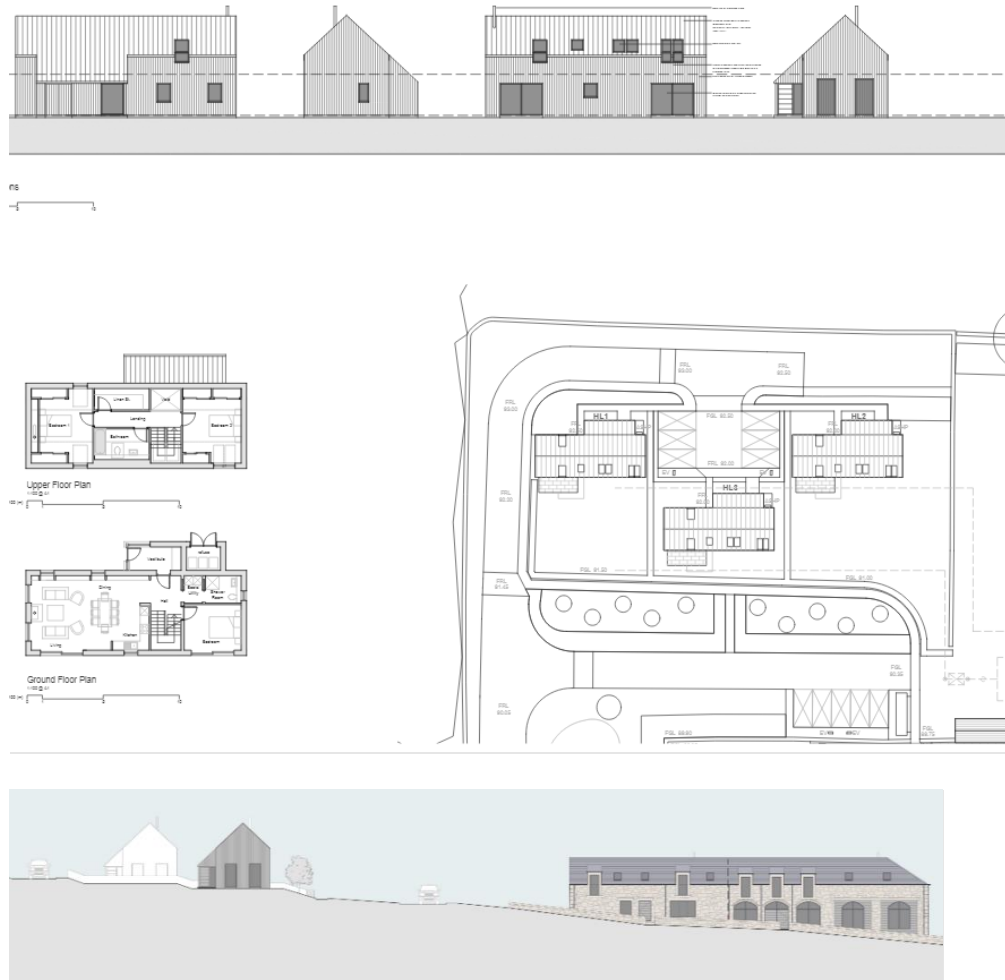


Figure 11: Proposed Elevations, Plans and Site Section of proposed holiday let units – plan submitted showing the proposed siting, scale, design and finished appearance of the proposed holiday units.

3.12. Proposed Road/Bridge Repairs

It is proposed, in the applicants submitted Construction Traffic Management Plan (summarised in Section 7 of this report) that construction traffic would utilise the junction with the B837 at Buchanan Smithy and access the site via Coldarach Road and eastwards along Coldarach Lane to the development site. Following discussion with the Roads Authority and in response to representations received on this application, the applicant has submitted proposals for the infilling the rutted surface of the road, maintenance of the verge and provision of an intervisible passing place on Coldarach Road. Other repairs to the fabric of Coldarach Lane are proposed as are repairs to the bridge crossing on Coldarach Lane - with the addition of a segregated pedestrian path at the side of the bridge.

Description of Proposal

3.13.



Figure 12: Proposed Road Repairs – plan submitted detailing the location and proposals for passing place, road and bridge repairs along Coldarach Road (outlined in yellow) and Coldarach Lane (outlined in red).

Planning History

3.14. The planning history for the application site is as follows:

Original Permissions

- 2012/0322/LBC & 2012/0251/DET – Refurbishment and change of use of steading building to form 6No. dwellinghouses and erection of 4No. holiday let chalets. Both approved on 03/01/13.

Amendment to Listed Building Consent

- 2014/0322/LBC – Amendment to Listed Building consent 2012/0264/LBC for refurbishment and change of use of steading building to form 6No. dwellinghouses. Approved on 19/02/15.

Renewal of 2013 dated original Planning Permission

- 2016/0012/DET - Refurbishment and change of use of steading building to form 6No. dwellinghouses and erection of 4No. holiday let chalets. Approved on 24/05/16.

Renewal of 2015 dated Listed Building Consent

Planning History

	<ul style="list-style-type: none"> 2018/0169/LBC – Refurbishment and change of use of steading building to form 6No. dwellinghouses. Approved on 17/09/18. <p><u>Revised Proposals</u></p> <ul style="list-style-type: none"> 2019/0312/LBC – Demolition of steading & 2019/0311/DET – Reconstruction of steading to form 8 no. dwellinghouses and erection of 4 no. detached dwellinghouses (holiday lets). Both withdrawn on 13/02/20. 2020/0175/LBC – Demolition of steading & 2020/0173/DET – Reconstruction of steading to form 8 no. dwellinghouses and erection of 4 no. detached dwellinghouses (holiday lets). Both withdrawn on 12/04/21. <p><u>Pending Applications – associated Listed Building Consent</u></p> <ul style="list-style-type: none"> 2022/0358/LBC - Partial demolition/reconstruction, repair and alteration of steading to form residential units. Pending consideration.
3.15.	In summary, permissions at this site (originally a scheme of 6 dwellings and four holiday let units) date back to 2013. These were subsequently amended and renewed between 2015 and 2016. The most recent planning permission for development at this site expired in May 2019, and a corresponding listed building consent expired in September 2021. During 2019 & 2020 new applications were submitted for the full demolition of the steading to be rebuilt to form 8 dwellings and 4 holiday let units in the grounds – these applications were subsequently withdrawn. The current proposal seeks to retain and repair the structurally sound building elements and rebuild the remaining elements for a reduced number of 7 dwellinghouses and 3 holiday let units.
3.16.	There is a pending, associated Listed Building Consent application (ref: 2022/0358/LBC) which has not received the level of objections as this planning application. Should Members support the planning application under consideration, the associated Listed Building Consent would then be determined under ‘delegated officer powers’.

4. Environmental impact and habitats regulations assessment

Environmental Impact Assessment (EIA)

4.1.	The National Park is identified as a ‘Sensitive Area’ within the Environmental Impact Assessment (Scotland) Regulations 2017. 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. In this case the proposal was screened as it comprises development listed in Schedule 2 under category 10(b) Infrastructure Projects ‘Urban development’ and category 12(c) Tourism and Leisure ‘Holiday villages’. The screening process concluded that there would
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Environmental Impact Assessment (EIA)

not be any likely significant environmental impacts as a result of the development proposed and EIA is not therefore required. The screening opinion can be viewed as part of the planning application file.

Habitats Regulations Assessment (HRA)

- | | |
|------|---|
| 4.2. | 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. |
| 4.3. | In this instance the proposed development presents no likely implications for any European Site and a Habitats Regulations Appraisal is therefore not required. |

5. Consultations and representations

Consultation Responses

- | | |
|------|---|
| 5.1. | <u>Scottish Water</u>
No objection – currently capacity in the public water network to facilitate the proposed development. There is no public waste-water system in the vicinity of the proposed development. |
| 5.2. | <u>Stirling Council – Roads</u>
No objection, subject to planning conditions controlling the delivery of construction traffic management measures, junction visibility, passing places, site accesses/parking and bridge repairs. |
| 5.3. | <u>Stirling Council – Environmental Health</u>
No objection, subject to conditions controlling environmental and amenity matters such as land and building contamination, noise and lighting and water supply. |
| 5.4. | <u>West of Scotland Archaeological Service</u>
No archaeological conditions necessary as a Standing Building Survey has been previously undertaken and WoSAS are satisfied with its findings as a historical record of the building, prior to any refurbishment. |

Representations Received

5.5.	A total of 30 representations have been received to this planning application: 28 in objection and 2 neutral responses (i.e. raising concerns but neither objecting nor supporting the proposals).
5.6.	<p>In summary the matters raised by members of the public in objection, or contribution are:</p> <p><u>Traffic Impacts</u></p> <ul style="list-style-type: none">• Impact of increased traffic from construction and occupation – impacts on neighbouring residential amenity, road network, safety of pedestrians/core path users, children playing, bus stop, and health of residents.• Impact of Construction Traffic on road network and safety via nearby Drymen.• Disagreement with the methodology and conclusions of the applicant's Transport Assessment and the proposals set out in the Construction Traffic Management Plan. <p><u>Road Infrastructure</u></p> <ul style="list-style-type: none">• Existing road and junction from Buchanan Smithy to the site – unsuitable to accommodate additional traffic, particularly heavy construction traffic and concerns of road safety and damage.• Existing road at Buchanan Smithy Terrace - insufficient load bearing to accommodate construction vehicles with resultant damage to road and underlying services.• Passing Places/Verges - Lack of passing places and limited road verges on to accommodate existing users and construction traffic. Reliance on resident's driveways to act as passing places for traffic is unacceptable.• Bridge on Coldarach Lane - Poor condition and structural instability of the existing bridge to accommodate the additional traffic from the development.• Coldarach Lane/Old Gartmore Road Junction – limited width particularly for construction vehicles.• Concern that the obligations for private road maintenance (currently two existing owners) may not be met by the new development. <p><u>Construction Impacts</u></p> <ul style="list-style-type: none">• Object to the construction hours (originally proposed as 7am – 7pm Mon – Fri & 7am – 2pm Sat) due to the noise disturbance and adverse impact on residents amenity. <p><u>Residents/Visitors Amenity</u></p> <ul style="list-style-type: none">• Impact of increased traffic on quiet enjoyment of the area.• Impact of development on special character of the area.

Representations Received

	<ul style="list-style-type: none"> Overdevelopment –considered to be out-of-context for the local development pattern and rural context of the area. <p><u>Services</u></p> <ul style="list-style-type: none"> Impact of development on existing resident’s water pressure levels and supply. <p><u>Listed Building</u></p> <ul style="list-style-type: none"> Question the listed status of the building when it has been left to deteriorate for the last 10 years. <p><u>Other Development Impacts</u></p> <ul style="list-style-type: none"> Disturbance to local wildlife. Lack of school and childcare capacity for new development. <p><u>Non-material considerations</u></p> <ul style="list-style-type: none"> Impact on existing views from property and property prices.
5.7.	<p>In addition, Drymen Community Council, as the neighbouring community council for this site, have raised the following matters:</p> <ul style="list-style-type: none"> Construction traffic impacts on current users of the road(s) and on nearby Drymen and seeking provision of a safe shared use path/road during construction and thereafter.
5.8.	<p>The full content of the representations is available to view on the National Park Authority’s Public Access website. Click on view applications, accept the terms and conditions then enter the search criteria as ‘2022/0357/DET’.</p>

6. Policy context

The Development Plan

6.1.	<p>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 National Planning Framework 4 and the Loch Lomond & The Trossachs National Park Local Development Plan (LDP) (adopted 2017) and Supplementary Guidance (SG).</p>
6.2.	<p><u>National Planning Framework 4 (Adopted 13th February 2023)</u> National Planning Framework 4 (NPF4) is the fourth National Planning Framework for Scotland. It sets out the Scottish Governments priorities and</p>

The Development Plan

policies for the planning system up to 2045 and how the approach to planning and development will help to achieve a net zero, sustainable Scotland by 2045. NPF4 supports the achievement of six overarching spatial principles (just transition, conserving and recycling assets, local living, compact urban growth, rebalanced development, and rural revitalisation) through the planning and delivery of sustainable, liveable and productive places. NPF4 contains 33 policies to guide development management decisions.

The following policies are of relevance:

- Policy 1 - Tackling the climate and nature crises
- Policy 2 - Climate mitigation and adaptation
- Policy 3 - Biodiversity
- Policy 4 - Natural places
- Policy 7 - Historic assets and places
- Policy 9 - Brownfield land, vacant and derelict land and empty buildings
- Policy 12 - Zero waste
- Policy 13 - Sustainable transport
- Policy 14 - Design, quality and place
- Policy 15 – Local living and 20-minute neighbourhoods
- Policy 16 – Quality Homes
- Policy 17 – Rural Homes
- Policy 22 - Flood risk and water management
- Policy 23 - Health and Safety
- Policy 29 - Rural development
- Policy 30 - Tourism

The full policy wording can be viewed on the Scottish Government's website at <https://www.gov.scot/publications/national-planning-framework-4/pages/3/>

6.3. National Park Local Development Plan (2017-2022)

The [Local Development Plan \(LDP\)](#) sets out the vision for how the National Park should change over the next 20 years, including the strategy for development and the policy approach for key topics. There remains broad alignment between the LDP and NPF4 policies however, where any incompatibility does arise, then NPF4 prevails as the more recent policy.

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 housing required

- VE1 - Visitor Experience Policy 1: Location and Scale of new development
- VE2 - Visitor Experience Policy 2: Delivering a World Class Visitor Experience

The Development Plan

	<p>TP2 - Transport Policy 2: Promoting Sustainable Travel and Improved Active Travel Options</p> <p>TP3 - Transport Policy 3: Impact Assessment and Design Standards of New Development</p> <p>NEP1 - Natural Environment Policy 1: National Park Landscapes, Seascape and Visual Impact</p> <p>NEP4 - Natural Environment Policy 4: Legally Protected Species</p> <p>NEP5 - Natural Environment Policy 5: Species and Habitats</p> <p>NEP6 - Natural Environment Policy 6: Enhancing Biodiversity</p> <p>NEP12 - Natural Environment Policy 12: Surface Water and Wastewater Management</p> <p>NEP16 - Natural Environment Policy 16: Land Contamination</p> <p>HEP1 – Listed Buildings</p> <p>HEP5 – Conversion and Re-use of Redundant Buildings</p> <p>WMP1 - Waste Management Policy 1: Waste Management Requirement for New Developments</p>
6.4.	<p><u>Supplementary Guidance</u></p> <p>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:</p> <ul style="list-style-type: none"> • Housing • Design and Placemaking • Buchanan South Rural Development Framework
6.5.	<p>The full LDP policy wording along with the Supplementary and Planning Guidance listed below can be viewed on the National Park’s website at: Our Local Development Plan - Here. Now. All of us. - Loch Lomond & The Trossachs National Park (lochlomond-trossachs.org)</p>

Other Material Considerations

6.6.	<p><u>National Park Aims</u></p> <p>The four statutory aims of the National Park are a material planning consideration. These are set out in Section 1 of the National Parks (Scotland) Act 2000 and are:</p> <ul style="list-style-type: none"> • to conserve and enhance the natural and cultural heritage of the area; • to promote sustainable use of the natural resources of the area; • to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; <p>and</p>
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Other Material Considerations

	<ul style="list-style-type: none"> to promote sustainable economic and social development of the area's communities. <p>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.</p>
6.7.	<p><u>National Park Partnership Plan (2018-2023)</u> The National Park Partnership Plan (“Partnership Plan”) is the overarching vision to guide how all those with a role in looking after the National Park will work together to widen the environmental, social and economic benefits of the National Park. All planning decisions within the National Park require to be guided by the Partnership Plan, where they are considered to be material, in order to ensure that they are consistent with the Park’s statutory aims.</p>
6.8.	<p>The following outcomes and priorities of the National Park Partnership Plan are relevant:</p> <p>Outcome 1: Natural Capital The Park’s natural resources are enhanced for future generations: important habitats are restored and better connected on a landscape scale. Conservation Priority 1.2 Species</p> <p>Outcome 2: Landscape Qualities The Park’s special landscape qualities and sense of place are conserved and enhanced with more opportunities to enjoy and experience them. Conservation Priority 2.1 Landscape & Heritage</p> <p>Outcome 3: Climate Change The natural environment of the Park is better managed to help mitigate and address the impacts of climate change. Conservation Priority 3.1 Climate Change</p> <p>Outcome 7: Visitor Economy The Park’s visitor economy is thriving with more businesses and organisations working together to create a world-class destination. Visitor Experience Priority 7.1 Growing Tourism Markets</p> <p>Outcome 10: Placemaking The National Park’s towns, villages and countryside are enhanced with investment in the built and historic environment, public spaces and infrastructure. Rural Development Priority 10.2 Built Heritage</p> <p>Outcome 12: Sustainable Population</p>

Other Material Considerations

	Population decline is being addressed by attracting and retaining more skilled working age and young people within the National Park and the development of a better range of housing options. Rural Development Priority 12.2 Affordable Housing
6.9.	Public Consultation on a draft National Park Partnership Plan (2024-2029) was undertaken from 26th April – 19th July 2023. The final draft will be presented to the National Park Authority Board in December for approval before being submitted to the Scottish Ministers.
6.10.	<u>Planning Guidance</u> Planning Guidance does not form part of the Development Plan, but it supports the LDP and is a material consideration in decision making. The National Park's Planning Guidance of relevance to this application comprises: <ul style="list-style-type: none"> • Visitor Experience • Listed Buildings and Conservation Areas • Sustainable and Active Travel
6.11.	<u>Local Place Plan/Community Action Plan</u> The Buchanan 2015-2020 Community Action Plan is the applicable community plan of relevance to this planning application site. The Community Action Plan contains no actions that are of direct relevance to this planning application.

7. Summary of supporting information

Supporting Information

7.1.	<p>The applicant has submitted the following documentation in support of the planning application, as summarised below:</p> <p><u>Design Statement (by Bobby Haliday Architects)</u> Statement explaining the proposed development and site, a review of the relevant planning policies and an outline of the considerations taken in the design approach and viability of the proposals.</p> <p><u>Landscape and Visual Appraisal (by Ironside Farrar)</u> Appraisal of the existing site, visual receptors, the landscape and visual effects of the proposed development and proposed design/mitigation measures. The appraisal concludes with an assessment that the visual and landscape effects of the proposed development would be limited and the redevelopment of a derelict feature would have some beneficial effects.</p> <p><u>Structural Survey Report of Steading (by Form Structural Engineers)</u></p>
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Supporting Information

Survey reporting on the current structural and general condition of the steading and presentation of three options ranging from (i) repair/reuse of existing structure; (ii) full demolition and rebuilding; or (iii) partial demolition, reconstruction and repair. The report recommends option 2 for ease of construction, but states that Option 3 could be adopted if required by the Planning Authority. For option 3 the report details on plan the northern and western wings of the building that could be repaired and the eastern wing which would require to be partially demolished and rebuilt due to its structural condition.

Viability Assessment (by Graham & Sibbald LLP – Chartered Surveyors and Property Consultants)

Appraisal of the viability of the proposed development taking account of the costs of the refurbishment and new build elements, property estimates and developer's profit return. The appraisal concludes on the marginal viability of the proposed scheme, where flexibility on affordable housing provision or financial contributions can be offered.

Bat Survey Report (by Auritus Wildlife Consultancy)

Bat Survey Report concludes that the building has low potential for bat roosting and recommends that the surveys to date are sufficient, subject to precautions regarding bats (and nesting birds) be taken during any dismantling and renovation works.

Transport Statement (by Tetra Tech)

Transport Statement (as requested by the Roads Authority) that provides a route assessment of the existing conditions, traffic flows and users of the public/private road network and a trip generation assessment of the proposed development. The Statement also includes a draft Travel Plan and Construction Traffic Management Plan. The report concludes that the existing infrastructure is fit for purpose to accommodate the construction and post occupation traffic generated by the proposed development.

The following further supporting information was submitted during consideration of the planning application:

Construction Traffic Management Plan - Rev.03 (by Tetra Tech – updated Oct 2023 to respond to objections)

Document detailing the updated proposed management, levels and routing of construction traffic and the days/hours of construction (modified to 8am – 6pm Mon – Fri and 8am – 1pm Sat with no Sunday or Scottish Bank Holiday working).

Proposed Road Repairs (by Bobby Haliday Architects – submitted Aug 2023 to respond to Roads Authority comments)

Supporting Information

Plan detailing the proposed location of a new passing place and the identification of the location and proposals for the repair of the road surface and bridge.

8. Planning assessment

Key Issues

- 8.1. The key issues for consideration in the determination of this application are:
- Principle of development – brownfield / listed building / housing / tourism
 - Scale and Design
 - Landscape and Visual Effects
 - Road and Public Access
 - Natural Environment
 - Other Material Considerations

Principle of Development

- 8.2. The acceptability of the principle of change of use of the former steading to housing and new build tourism units within this site has previously been approved (as referenced in Section 3.14 & 3.15 of this report further above). It is noted that the National Park Proposed Local Development Plan (LDP) was a material consideration in the most recent of those planning permission (decision dated 2016 and LDP having been submitted to Scottish Ministers at that point). The current adopted Local Development Plan was the determining development plan for the 2018 approved Listed Building Consent. It is therefore considered that material weight should be afforded to these previous approvals for housing and tourism development at this site when considering the principle of development.
- 8.3. An assessment of the key elements of the proposal will now be considered under the current development plan.
- 8.4. Principle – steading repair/refurbishment
The application (in contrast to the recent withdrawn applications detailed in Section 3.13 above, that proposed demolition of the steading building) now proposes retention and repair of the existing building, albeit with partial demolition and rebuilding of the most structurally compromised sections of the building (as demonstrated by the submitted Structural Survey detailed in Section 7 of this report above). It is considered that this proposal would present the best opportunity for safeguarding this, at risk, Category B listed building whilst

Principle of Development

	<p>presenting a meaningful repair and reconstruction that would preserve its overall character, appearance and listed status - and also achieve the sustainable, beneficial reuse of brownfield land and derelict buildings. There are no substantive land contamination issues that would restrict the redevelopment that cannot otherwise be addressed by planning condition (as recommended by Stirling Council Environmental Health).</p>
8.5.	<p>This principle of repair/refurbishment for reuse of this existing developed land and built heritage asset is supported by Historic Environment Scotland and the National Park's Built Heritage Adviser. In addition, the Buchanan South Rural Development Framework supports development proposals within the wider countryside where they relate to the renovation, conversion or extension of existing buildings. In terms of the Development Plan, the proposal accords with Policy 1, Policy 7, Policy 9 and Policy 12 of NPF4 and the relevant sections of Overarching Policies 1 & 2, Historic Environment Policy 1, Historic Environment Policy 5 and the National Park's Listed Building and Conservation Area Planning Guidance and Natural Environment Policy 16 of the Local Development Plan. In conclusion, the principle of repair/refurbishment for reuse of this steading accords with the Development Plan and other material considerations.</p>
8.6.	<p><u><i>Principle – conversion of steading to housing and additional standalone dwelling</i></u> The principle of conversion, of the repaired and refurbished steading, to housing use, is supported by the National Park's Supplementary Guidance on Housing. The guidance states that conversions of redundant rural buildings (that accord with Historic Environment Policy 5 – such as in this case) and being of under 3 units would be exempt from the requirement for affordable housing. The proposal under consideration would be for 6 units within the existing steading building (and a further 1 unit within the footprint of the former cattle stalls). On this basis, the Supplementary Guidance would normally expect a proportion of the proposed housing development to provide for affordable housing needs but may also allow, in certain cases, a financial contribution. The guidance does, however, acknowledge that certain developments may be subject to viability issues resulting from abnormal costs and states that a relaxation or exemption may be afforded in justified instances. In this case it is considered that the overall merits and benefits of safeguarding and reusing this existing historic asset are a primary concern and that the applicant's viability case (see Section 7 of this report further above) should be given due consideration in achieving a reasonable balanced approach to the determination of this planning application.</p>
8.7.	<p>The applicant's commissioned Viability Assessment explains the anticipated marginal profit return for this development based on there being no affordable housing or financial contribution within the proposed scheme. This viability case is also based on having the additional standalone single dwelling and tourism development as 'enabling development' (discussed in more detail under the relevant sub-headings further below). The applicant has requested that the flexibility afforded under the Housing Supplementary Guidance and the Listed Building and Conservation Area Planning Guidance be afforded to this proposal.</p>

Principle of Development

8.8.	Following negotiation, the proposal presented by the applicant for determination is as follows: each of the 7 dwellings being subject to a planning obligation/section 75 agreement clause restricting their use as a primary residence in perpetuity (to benefit the sustainable growth and development of the community and avoid potential use as second-homes/holiday lets) and that a single financial contribution (i.e. £30,000) be offered in connection with the standalone single dwelling unit (to assist the delivery of affordable housing in the local area).
8.9.	Overall, it is considered that the proposals presented achieve an appropriate balance between the relevant policy and guidance requirements of retaining/reusing the steading for a new local housing use and acknowledging the long-standing and viability issues of this scheme - whilst still providing a degree of local housing and an affordable housing contribution.
8.10.	It is acknowledged that the 'local living' objectives of Policy 15 of NPF4 cannot always be achieved in the rural areas of the National Park and in certain cases the stated 20-minute distance needs to be extended slightly to take account of the settlement characteristics of the area. However, this site is located 1.5km from Drymen Primary School and 1.8km to the centre of Drymen. Therefore, it is concluded that the proposed development is around the 20-minute walking distance to nearby Drymen's facilities and therefore accords with this policy.
8.11.	Therefore, it is recommended that the proposal presented accords with the relevant sections of Policies 15, 16 and 17 of NPF4 and Housing Policy 1 of the National Park's Local Development Plan and the Housing Supplementary Guidance by providing accessible/adaptable new housing of varying sizes, whilst contributing to the provision of local housing and delivery of off-site affordable housing. In conclusion, the principle of housing use in this steading and additional one dwelling accords with the Development Plan.
8.12.	<u>Principle – enabling development</u> 'Enabling development' is often recognised and accepted as being a necessary element in the costly redevelopment of listed buildings which are seriously at risk and/or with a longstanding planning history of trying to secure a new viable use. This is detailed in Historic Environment Policy 1 of the National Park's Local Development Plan.
8.13.	The applicant has been through various iterations over recent years seeking to achieve a viable scheme that also meets the key policy objectives. The applicant's case being that the previous approvals similarly incorporated a degree of new building elements to balance the costs and return a modest profit from the site. With the well-recognised rising building costs over recent years and the further deterioration of the steading building, the proposal now includes an alternative enabling development in the form of one additional dwelling on the site of the former cattle stalls, whilst reducing the number of holiday lets to three

Principle of Development

	<p>(from the original planning permission for four units). Giving material weight to the previous permissions at this site, it is considered that this current iteration and new balance of enabling development is acceptable and would accord with the overall objectives and terms of Historic Environment Policy 1 to assist with the preservation and reuse of the listed building.</p>
8.14.	<p><u><i>Principle – short-term holiday accommodation</i></u> As stated in Sections 3.15 and 8.13 of this report (above) previous planning permissions existed for the provision of 4no. holiday let units within the application site and this is a material consideration, alongside the applicant's case for 'enabling development' for the repair/refurbishment and conversion of the listed building. Following negotiation, the proposal has been reduced to 3no. holiday units. In considering the principle of tourism development in this location, Policy 30 of NPF4 and the National Park's Local Development Plan Visitor Experience Policies 1 and 2 and the Visitor Experience Policy Guidance are relevant.</p>
8.15.	<p>The site is located within an area where small-scale tourism development will be supported (being within the area identified on the Development Strategy Map on pg.17 of the Local Development Plan) and being well located with access to the existing recreational network of paths. It is considered that the proposed three holiday let units are of a size, character and number that would qualify as 'small-scale' under the terms of the policy. In addition, the Buchanan South Rural Development Framework supports small-scale tourism development proposals within the wider countryside of the Buchanan South area. In conclusion, the principle of new tourism development of the scale proposed at this location accords with the Development Plan and the applicant's case as 'enabling development' is accepted as providing additional material support for this tourism element of the proposed development.</p>
8.16.	<p>In conclusion, it is recommended that the principle of development of the repair/refurbishment of the listed steading for use as local housing, with enabling development of an additional single dwelling and a small-scale tourism development be supported at this application site, in accordance with the Development Plan and other material considerations.</p>

Scale and Design

8.17.	<p>The overriding consideration with respect to the scale of proposed development at this site, is whether it can be achieved whilst respecting the important physical/historical/landscape features of the site and the surrounding area, in accordance with Overarching Policy 1 of the Local Development Plan.</p>
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Scale and Design

8.18.	As stated further above (see Section 8.13 above) the proposal under consideration has resulted from an iterative process of design changes which, through negotiation, has rested on a proposal that manages to respect the key architectural features of the steading and retain its symmetrical position relative to the adjacent farmhouse. Existing openings have largely been respected and dormers re-designed to be sympathetic to the historical use and style of building. The proposed standalone dwelling would still utilise a former building footprint and would not significantly detract from the primacy of the U-shape plan of the steading.
8.19.	The siting of the three holiday accommodation units to the rear of the site achieves a good balance of adequate separation to protect the residential amenity of the proposed steading units whilst still being viewed in association with the steading (as opposed to development in the open countryside). The units, following negotiation, have been reduced in scale and designed and finished to appear subordinate to, and not unduly detract from the setting of, the listed building.
8.20.	Representations have been received in objection to the scale of development proposed, stating that it is out of context for the local development pattern and rural context of the area. However, it is considered that the proposed development is largely similar to the previous planning permissions and that the applicant has presented a scheme that accommodates the units required to ensure a viable/deliverable scheme, whilst safeguarding the character/appearance and setting of this listed building. In this regard the scale of development is considered to be acceptable. The landscape/visual and roads considerations are addressed further below (under their relevant headings).
8.21.	All developments are required to meet the climate friendly and sustainable objectives set out in Policy 1 and 2 of NPF4 and Overarching Policy 2 of the Local Development Plan. In this regard, the proposed development would utilise and reuse the existing building, upgrade its fabric with a highly insulated internal timber kit system thus reducing the heating requirements and address remaining heating needs with air source heat pumps. Solar photovoltaics were discounted on the steading to avoid a potential negative impact on the character/appearance of the listed building but could be incorporated into the proposed holiday let units. The potential scope for the dwellings to provide home working space, the close connections to path networks and nearby Drymen and the provision of electric changing facilities and cycle parking would help reduce reliance on motorised transport and therefore support the objectives for promoting active and sustainable travel. Therefore, subject to conditions requiring the implementation of these measures, the proposal adequately complies with the aforementioned Development Plan policies.
8.22.	In conclusion, the scale and design of the conversion of the steading with additional unit and the holiday let development to the north is, subject to planning conditions controlling the extent of downtakings, and the methods,

Scale and Design

materials and finishes, considered to accord with Policy 14 of NPF4 and the relevant sections of Overarching Policy 1 and 2 of the National Park's Local Development Plan and the National Park's Design and Placemaking Guidance.

Landscape and Visual Effects

- 8.23. As stated above (see Section 8.17 above) proposed development should respect the landscape context of the site and surrounding area to meet the terms of the Overarching Policies and Natural Environment Policy 1 of the National Park's Local Plan.
- 8.24. Noting that the proposed development would often be viewed in close association with the nearby Coldrach Farmhouse, and some visual improvement would result from the restoration of the steading, the appropriateness of the proposed development and landscaping within the wider and localised landscape has been considered. Overall, and on the advice of the National Park's Landscape Adviser, the proposal is considered to be in accordance with the relevant considerations of Overarching Policy 2 and Natural Environment Policy 1 of the Local Development Plan. The design and proposed landscaping respect the visual amenity and important views and would safeguard the landscape character and qualities of the area. The scale and siting of development, combined with the proposed landscaping, is sympathetic to its setting and complies with the relevant terms of the Design and Placemaking Supplementary Guidance. In conclusion, the scale, siting and design of the proposed development is considered to be appropriate for the location and setting and complies with the relevant policy and guidance.

Roads and Public Access

- 8.25. The majority of representations received from members of the public and the adjacent Drymen Community Council relate to concerns of the unsuitability of the road (public/private) and bridge to accommodate the proposed development and the potential impacts of the construction, and also the additional, post-occupation, traffic.
- 8.26. Full consideration has been given to the representations received, both by the Planning Officer and Stirling Council as Roads Authority, who's advice has been sought – as well as the applicant in their submitted proposals for road surface improvements, passing place and providing a Construction Traffic Management Plan.

Roads and Public Access

8.27.	The Roads Authority has reviewed the applicant's proposals in detail and on site and is satisfied with the methodology and content of the submitted Transport Statement and Construction Management Method Statement.
8.28.	The Roads Authority consider that the overall level of trip generation from the proposed development would not be significant or detrimental to the operation and safety of the public road network. Subject to a condition requiring a Travel Plan (to support the use of active travel and further reduce reliance on motor vehicle use) the Roads Authority has no objection to the principle of this development.
8.29.	The proposals for construction traffic to utilise the Coldarach Road via Buchanan Smithy and the B837 is accepted by the Roads Authority. It is recognised that the use of Coldarach Lane may be the principle post-occupation route to serve the completed development.
8.30.	It is accepted that the current condition of both routes to the site contain sections of poor surfacing, limited widths and visibility splays with shared non-segregated access and the bridge on Coldarach Lane is in poor condition. Therefore, the Roads Authority has recommended a suite of planning conditions to address each of these issues, which corresponds with those proposed by the applicant. The conditions recommended by the Roads Authority can be secured by planning condition as these are either within the extent of the application site (which extends along the private roads as shown in Figure 2 further above) or within the adopted verges of the public road (and therefore within the grant of the Roads Authority to approve any required works).
8.31.	To address the suitability of the development conditions are recommended to ensure; a safe and suitable access, visibility, parking standards and measures to support sustainable/active transport and waste collection.
8.32.	The representations received, with respect to road and traffic concerns, have been fully taken into account and it is considered that the advice of the Roads Authority, alongside their recommended planning conditions, are sufficient to ensure that the matters raised have been addressed and ensure that the development would not have a detrimental impact on the public and private road network.
8.33.	With respect to the safety of other users of the private road/core paths, this has also been taken into account and it is concluded that the overall trip generation post occupation is not significant and that the measures proposed will help mitigate these impacts to ensure that the quality and safety of non-motorised users of the roads is safeguarded. Therefore, from a roads and public access perspective it is determined that the proposed development would not have a detrimental impact and is therefore of an appropriate scale of development for this locality.

Roads and Public Access

- 8.34. In conclusion, it is considered that the proposed development, subject to the conditions recommended by the Roads Authority and those addressing public access, would adequately satisfy the requirements of Policy 13 of NPF4 and the Transport Policies 2 and 3 of the Local Development Plan and the National Park's Sustainable and Active Travel Planning Guidance.

Natural Environment

- 8.35. The site currently has a low level of biodiversity, with limited trees or natural vegetation. Therefore, the level of landscaping proposed for this development would not only assist its visual integration with its surrounding, it would also provide a net gain of biodiversity enhancement. The existing trees to be retained would be protected during development and this would be addressed by planning condition. The measures proposed are considered proportionate to the nature and scale of development and are therefore supported by Policies 3 and 4 of NPF4 and the relevant section of Overarching Policy 2 and Natural Environment Policy 6 of the Local Development Plan.
- 8.36. A bat licence was previously granted by NatureScot to disturb a previously existing bat roost. An updated bat survey has been submitted with this planning application and the building's suitability for bats is now recorded as being low. On the advice of the National Park's Natural Heritage Adviser, it is recommended that the mitigation/protection measures contained within the submitted Bat Survey Report be adhered to during repair/refurbishment works to ensure suitable safeguards are put in place in the event that transitory bats are identified during these works. Subject to this recommended planning condition, the proposals present no detrimental impacts for habitats or species and would accord with Policies 3 and 4 of NPF4 and the relevant section of Overarching Policy 1 and Natural Environment Policies 4, 5 and 6 of the Local Development Plan.

Other Material Considerations

- 8.37. Environmental Health & Amenity
As addressed further above (see Section 8.4 above), although the development of the site does not raise any 'in principle' issues with respect to contaminated land, due to the site's historic agricultural use the Council's Environmental Health Authority has recommended that appropriate planning condition be applied to require an investigation to be undertaken prior to commencement and to address any unsuspected contamination that becomes evident. Furthermore, the Environmental Health Authority recommends a set of further conditions to protect the health and safety of the development's occupants and the amenity of local residents (with respect to water supply, asbestos, noise and lighting).

Other Material Considerations

	<p>Concerns have been raised by local residents regarding the proposed working hours set out in the applicant's original Construction Management Plan. However, following negotiation, this has been amended by the applicant to the standard recognised working hours for such developments and can be further ensured by a suitably worded planning condition. Subject to the inclusion of these conditions, it is considered that the proposals would comply with the relevant sections of Policy 23 of NPF4 and the relevant sections of Overarching Policy 2 and Natural Environment Policy 16 of the Local Development Plan.</p>
8.38.	<p><u>Services/Infrastructure</u></p> <p>As the site is outwith the public waste-water network, it is accepted in this instance, that a private treatment plant is required to service the proposed development. The location of this is detailed on the applicant's plans and a planning condition is recommended to address this and the implementation of surface water drainage measures to ensure compliance with Policy 22 of NPF4 and Natural Environment Policy 12 of the Local Development Plan. With respect to school services, it is understood, from Stirling Council, that this small-scale housing development would not present significant issues with respect to the current capacity at Drymen Primary School.</p>
8.39.	<p>Representations by local residents have raised concern over the potential impact of the proposed development on existing water pressure and services. No objection by Scottish Water has been raised regarding the principle of this development and the developer would otherwise require to ensure adequate water pressure and supply to meet Scottish Water requirements. Any potential damage to existing services, by construction vehicles or works, would be a private civil matter between the developer and third parties, and is not a planning matter.</p>

Conclusion

8.40.	<p>The proposals for the repair, refurbishment and conversion of the former steading building not only represents a repeat of a series of previous permission approved by the National Park Authority, also would reverse the ongoing decline of this listed building (which is at serious risk of being lost) and repurpose it for local housing, to help preserve the cultural heritage of the area and support the growth of the local community. This sustainable reuse of derelict buildings of heritage value is supported and the proposed alterations are sympathetic to the character of the building.</p>
8.41.	<p>As is recognised by the National Park's policies and guidance, such re-development proposals present viability issues. This is particularly relevant with listed buildings where the traditional materials and methods and requirement to retain its special interest results in higher costs than a new build proposal. These viability factors were recognised with the previously approved schemes and</p>

Conclusion

	costs have continued to rise making such developments even more difficult to deliver. Therefore, on the basis of the submitted viability case it is accepted that the enabling development of an additional dwelling unit on the site of the former cattle stalls is justified, as is the additional holiday let accommodation. The scale, siting and design of these additional elements would still safeguard the setting and character of the listed building.
8.42.	Taking account of the viability case and the long-standing planning history (where no affordable housing provision was required) and the site's stalled development it is accepted that a reduced obligation for affordable housing is justified in this instance. The proposal for restricting occupation of the dwellings to 'primary residences' would assist in ensuring their contribution to the community's housing stock whilst the financial contribution would assist the delivery of affordable housing in the area. This is deemed to be an appropriate balance and outcome from this planning application.
8.43.	The holiday units proposed would accord with the tourism and visitor experience policies and are of an appropriate scale and design. The negotiations undertaken with the applicant have resulted in a reduction to three holiday units (compared to the previously approved scheme of four units). This further helps ensure an appropriate balance for the design and amenity of the overall development, the setting of the listed building and the locality.
8.44.	The roads and public access issues raised by representees, being the primary concerns expressed, have been fully taken into account and it has been concluded that the issues can adequately be addressed by the Roads Authority's recommended planning conditions. This approach will ensure that the impacts from construction traffic are managed and remaining matters are addressed.
8.45.	All other material considerations, either raised by Development Plan policy or the representations and consultation responses received, have been fully taken into account and (where applicable) would be addressed by planning condition, in the event that a permission is granted.
8.46.	The proposed development is considered to collectively accord with the National Park Aims (set out in Section 6.6 further above) and would support the relevant outcomes and priorities of the National Park Partnership Plan (set out in Section 6.8).
8.47.	In conclusion, it is recommended that the planning application be supported on the basis that, subject to the recommended planning conditions, informatives and plans and planning obligations (set out in Appendix 1 and 2 of this report) it would accord with the relevant Development Plan policies and guidance and that there are no other material considerations that would outweigh the support offered by the Development Plan.

9. Appendix 1: Conditions, Informatives and Plans

Conditions:

1. **Duration of Permission:** 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.

REASON: In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

Principle – Protection and Conversion of Steading

2. **Built Heritage Retention:** For the avoidance of doubt, this permission relates to the repair and conversion of Coldrach Steading with limited downtakings agreed (as detailed in the approved plans, in particular dwg. no. 22.23 PL 010, received on 05/12/22). Any alternative proposal that does not accord with the approved plans, unless considered by the Planning Authority to constitute non-material variations to the approved permission, would require to firstly be subject to the submission and approval of a new planning application, prior to any development.

REASON: This permission relates to the retention and enhancement of the built heritage elements of the site and does not extend to an alternative proposal.

3. **Method Statement - Protection, Downtakings, Salvage & Reuse:** Prior to the commencement of the development hereby approved, a method statement shall be submitted to the Planning Authority detailing:
 - i. the strategy, scope and methods for stabilising and protecting the extant building and safely undertaking any down-takings in a manner to protect the integrity of the listed building;
 - ii. the proposals and methods for the salvaging, safe storing and assessment of stonework reclaimed from the building as part of the downtakings,
 - iii. the proposals and methods for the salvaged stonework to be reutilised in the rebuilding of the sections of walls approved for downtaking as part of this permission;
 - iv. the proposals for the retention and repair of existing stone boundary walls within the development site.

The method statement, approved pursuant to this planning condition, shall thereafter be complied with in the undertaking and completion of the development hereby approved, unless otherwise agreed in writing by the Planning Authority.

REASON: In order to protect the extant building, agree the methods and procedures for downtakings and recording, protect and salvage items which can reasonably be retrieved, in the interests of the integrity and historical and architectural qualities of the listed building.

Holiday Let Units Occupancy & Permitted Development controls

- 4. Short Term Holiday Accommodation:** The 3no. holiday units hereby approved (as detailed on dwg. no. 22.23 PL 009, received on 05/12/22) shall be used solely for short-term holiday use and not for permanent residential use. The unit 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 Planning 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 residence would be contrary to the housing policies contained in the National Park's Local Development Plan.

- 5. Permitted Development (holiday let units & single dwelling):** 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 material alterations or extensions shall be undertaken, nor shall any building or enclosure, hard surface, oil or gas storage tank, be provided within the curtilage of the holiday let units (as detailed on dwg. no. 22.23 PL 009, received on 05/12/22) or the single dwelling (as detailed on dwg. no. 22.23 PL 003, received on 05/12/22) hereby approved, without application to, and the grant of permission by, the Planning Authority.

REASON: The holiday let units have been assessed as a tourism development and the single dwelling has been assessed within the context of the listed building and the planning authority considers that any further development should be subject to formal control in order to safeguard the amenities of the area and the setting of the Category B listed building.

Roads Conditions

- 6. Road Condition Survey:** Prior to the occupation of the development, and after the substantive construction of the proposed development, a Road Condition Survey shall be undertaken on the extents of the private roads shown yellow and red within the location plan on drawing ref: PL 010 Rev A, received on 30/08/23. The survey shall examine the general condition of the road, noting areas for improvements to surfacing and road levels that have been impacted by construction operations. The survey shall be submitted for the written approval of the Planning Authority, with the works identified to be undertaken within the survey undertaken within 12 months of the survey's completion.

REASON: To ensure no deterioration of the private road as a result of the construction of the development.

7. **Private Road Upgrades:** The development hereby approved shall not be occupied unless the proposed upgrades to the private roads, as set out within drawing ref: PL 010 Rev A, received on 30/08/23 have been carried out on site.

REASON: To ensure no deterioration of the private road as a result of the construction of the development.

8. **Bridge Upgrades:** Prior to the commencement of the development hereby approved, a detailed submission and schedule of works of the improvement works to the bridge along the private road shown in red within drawing ref: PL 010 Rev A, received on 30/08/23, shall be submitted to the Planning Authority for approval. The bridge upgrades as approved pursuant to this planning condition shall be undertaken prior to the first occupation of the approved development.

REASON: To ensure a safe access for the completed development.

9. **Passing Place Formation:** Prior to commencement of the development hereby approved, the passing place along the private road shown in yellow within drawing ref: PL 010 Rev A, received on 30/08/23 shall be fully constructed, providing a passing area with a minimum width of 5.5m for a length of 12m.

REASON: To ensure appropriate passing facility for use during construction of the development.

10. **Passing Place Signage:** The development hereby approved shall not be occupied unless 2no. passing place signs are erected along the private roads. 1no. passing place shall be erected at the passing place along the private road shown in yellow within drawing ref: PL 010 Rev A, received on 30/08/23, with 1no. sign erected at the road widening to the west of the bridge along the private road shown in red within drawing ref: PL 010 Rev A, received on 30/08/23.

REASON: To ensure a safe access for the completed development and other road users.

11. **Construction Traffic Management Plan:** Notwithstanding the approved Construction Traffic Management Plan, prior to commencement of development hereby approved, a Finalised Construction Traffic Management Plan (including a routing plan for construction vehicles) shall be submitted for the written approval of the Planning Authority, in consultation with the Transport Development Team. Thereafter, the development shall be carried out in full accordance with the approved Construction Traffic Management Plan, or any future iterations approved by the Planning Authority, and remain in place until the development is complete.

REASON: To ensure the appropriate routing and management of construction vehicles in the interests of the safety and free flow of all road users.

12. **Visibility Splays (Old Gartmore Road):** The development hereby approved shall not be occupied unless a visibility splay of 2.4m x 120m, measured in either direction from the centre of the access, have been provided. Thereafter, the visibility splays shall remain in perpetuity and within which there should be no obstruction to visibility more than 1.05m above carriageway level.

REASON: In the interests of road safety.

13. **Site Access Construction:** The development hereby approved shall not be occupied unless the 2no. site access points on Coldarach Lane has been constructed as follows:

(a) Shall be formed at right angles to the lane as access lay-by junctions;
(b) Shall have a minimum lay-by length of 12m, and a minimum lay-by width of 2.5m (c) Shall have a minimum driveway width of 5.5m to the rear of the access;

(d) Shall have a gradient not exceeding 1 in 10 over its initial 6m;

(e) Shall be suitably surfaced and drained; and

Once constructed, the access points shall be permanently retained and maintained as approved.

REASON: To ensure a safe access for the completed development.

14. **Visibility Splays (Site Access Points on Coldarach Lane):** The development hereby approved shall not be occupied unless visibility splays of 2.4m x 23m have been provided at the sites access points on Coldarach Lane. The visibility splays shall be measured in either direction from the centre of the access. Thereafter, the visibility splays shall remain in perpetuity and within which there should be no obstruction to visibility more than 0.6m above carriageway level.

REASON: To ensure a safe access for the completed development.

15. **Vehicular Parking:** Each individual dwelling or holiday accommodation unit hereby approved shall not be occupied until its associated parking facilities, as hereinafter detailed, have been provided in accordance with the plans submitted to, and approved by the Planning Authority in writing. The parking details referred to are as follows:

- a) Dwelling Parking: A minimum of 2no. standard parking spaces shall be provided for each dwelling within the curtilage of the site, with a cumulative total of 14no. allocated parking bays within the site. Each bay shall measure a minimum of 2.5m x 5m.
- b) Holiday Accommodation Parking: A minimum of 6no. standard parking spaces shall be provided within the curtilage of the site in support of the holiday accommodation units. Each standard bay shall measure a minimum of 2.5m x 5m.
- c) Holiday Accommodation Accessible Parking: A minimum of 1no. accessible parking space (inclusive of the above 6no. total) shall be provided within the curtilage of the site. The accessible bay shall

measure a minimum of 2.4m x 4.8m and be provided with a 1.2m hatched surround on 3 sides. The accompanying markings shall comply with the standards set out in Transport Scotland's Roads for All and the Department for Transport's Inclusive Mobility guidance.

- d) **Circulation Areas:** All parking area aisle widths shall be 6m within the site, with all circulation roads areas a minimum of 3m widths.

REASON: To ensure adequate vehicle parking provision for the completed development.

- 16. **Cycle Parking:** A minimum of 6no. secure cycle parking stands shall be provided within the curtilage of the holiday accommodation units. Prior to its erection, a specification for the cycle parking shall be submitted for the written approval of the Planning Authority, in consultation with the Transport Development Team. The specification shall be provided in accordance with the standards set out in Transport Scotland's Cycle By Design. Once provided, cycle parking facilities shall be permanently retained and maintained as approved.

REASON: To ensure adequate cycle parking provision for the completed development.

- 17. **Electric Vehicle Charging Strategy:** No development shall commence until an Electric Vehicle Charging Strategy has been submitted for the written approval of the Planning Authority, in consultation with the Transport Development Team. The strategy shall detail the specification and provision of charging infrastructure for all appropriate vehicle parking areas within the site. Charging infrastructure shall be provided in accordance with drawing ref: 22.23 PL 003, received on 05/12/22, with a minimum of 8no. charging unit commissioned prior to the occupation of the development. Consideration shall also be given to the provision of sufficient ducting infrastructure to allow future charger installation.

REASON: To ensure adequate electric vehicle charging provision for the completed development.

- 18. **Travel Plan:** Prior to the occupation of the development, a Travel Plan shall be submitted to and approved in writing by the Planning Authority, in consultation with the Transport Development Team. The Travel Plan shall set out proposals for reducing dependency on private car journeys and identify measures to be implemented, the system of ongoing management, enforcement, monitoring, and review the plan, and funding arrangements to sustain commitments for the duration of the plan.

REASON: To assist in the reduction of private motorised vehicle use and promote sustainable travel for the completed development.

- 19. **Waste Collection:** Prior to the commencement of any works on site, full details of the waste and service arrangements for all aspects of the development, including bin storage areas and waste collection points, shall

been submitted to and approved in writing by the planning authority. Such structures and collection points shall be located outwith the required visibility splays. The development approved shall not be occupied unless waste provisions have been provided in accordance with the agreed details. Thereafter the waste storage and collection infrastructure shall be permanently retained as such.

REASON: To provide adequate waste collection provision for the completed development.

Environmental Health

20. **Contaminated Land Investigation:** Prior to commencement of any site works, a comprehensive contaminated land investigation shall be submitted to and approved by the planning authority in writing. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution 'The investigation of potentially contaminated sites - Code of Practice (BS 10175:2011)'. The report must include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33. Note – it is recommended that the applicant (or their advisors) read the consultation response from Environmental Health (available on the planning website) to check for any further advice and if any specific contamination issues are raised as being of particular concern.

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

21. **Contaminated Land – Remediation Strategy:** Where the risks assessment identifies any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, a detailed remediation strategy shall be submitted to the planning authority for approval. No works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy by the planning authority.

REASON: To ensure the proposed remediation plan is suitable.

22. **Contaminated Land – Remediation:** Remediation of the site shall be carried out in accordance with the approved remediation plan. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the planning authority.

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

23. **Remediation Verification:** On completion of the remediation works and prior to the site being occupied, the developer shall submit a report to the planning authority confirming the works have been carried out in accordance with the remediation plan.

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

24. **Contaminated Land:** The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the planning authority within one week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested by the planning authority.

REASON: To ensure that any contamination within the site is dealt with timeously and in accordance with best practice.

25. **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 or recognised Scottish Bank Holidays, unless otherwise agreed in writing by the 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.

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

Materials and Specifications

26. **Agreement of Materials and Specifications:** Prior to their installation, application or affixation on the development hereby approved (i.e. steading conversion, detached dwelling and holiday let units), 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

- i. The natural slate to be used on all roof surfaces of the steading conversion and single dwelling (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.
- ii. Specification of the roofing material and finish to be used on the holiday let units;

b) Wall cladding

- i. The cladding to be used on the exterior walls of the development 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
 - i. lime-based mortar mix to be utilised in the pointing/repair of stonework on Coldrach Steading
 - ii. confirmation of the type, source and manner of sizing & coursing of any new stone required to address any shortfall of existing salvaged stone repairs to be used in the refurbishment/repair of Coldrach Steading and/or the single detached dwelling unit;
 - d) Windows, Rooflights & 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 low/zero carbon technology to be utilised in the approved development (including noise specification details of external air source pumps or plant) 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;
 - i) External Lighting – further details, locations, numbers and lighting specifications of any external lighting proposed – to be designed and installed to ensure no adverse effect on residential amenity.

REASON: To ensure that the external appearance of the development complements the rural character and safeguards the appearance and character of the existing, retained, listed 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.

Tree Protection and Landscaping/Biodiversity Enhancement

27. Arboricultural Method Statement - Prior to the commencement of the development hereby approved, a detailed Arboricultural Method Statement, based on the existing trees within, and on the boundary of, the development site as identified in the approved plan ref: 22.23 PL 001, received on 05/12/22, shall be submitted to, and approved in writing by, the Planning Authority. This shall detail the measures that are to be taken during construction to protect the health of existing trees that are to be retained. The measures contained in the approved method statement shall be implemented in full throughout the construction phase.

REASON: To prevent damage to trees in the interests of the natural environment and visual amenity of the area.

28. **Details and Implementation of Landscaping:** Notwithstanding the approved Landscaping Plan, prior to the first occupation of the development hereby approved, a finalised landscape scheme/plan shall be submitted to and subsequently 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) A programme and schedule for the 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 benefit biodiversity.

Protected Species

29. **Protected Species – Bats:** The development shall be carried out in accordance with the recommendations of the Bat Survey Report as set out in Section 5 of the report by Auritus Wildlife Consultancy (dated September 2022, received on 05/12/22) in relation to bats, unless otherwise submitted to, and approved in writing by, the Planning Authority.

REASON: To safeguard protected species and nature conservation interests and to accord with Policy 4 of NPF4 and 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.

30. **Breeding Birds:** No vegetation clearance, demolition or development shall take place between March and October (inclusive – to account for potential barn swallow/swift breeding periods) 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.

Infrastructure/Services Conditions

31. **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 an appropriate SuDS design is incorporated as part of the completed development.

32. **Water Supply:** The development hereby approved should be connected to the public mains water supply. If this is not feasible, a suitable and sufficient private supply must be available. Any water provided from a private water supply for human consumption purposes must be suitably treated to ensure that it is wholesome and meets the standards for both microbiological and chemical parameters. The Local authority must be contacted for advice and guidance if a Private Water supply is to be installed. If it is Type B supply, providing water to less than 50 persons or less than 10m³ per day, it must comply with the Private Water Supplies (Scotland) Regulations 2006.

REASON: To ensure that an appropriate water supply is incorporated as part of the completed development.

Informatives

1. 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.

2. 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.
3. 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.
4. 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.
5. Roads Consent - The applicant will require to apply to this Roads Authority for permission to undertake works to the public road verge in order to form the visibility splays from Coldarach Lane onto Old Gartmore Road, prior to the commencement of any works, in accordance with Section 56 of the Roads (Scotland) Act 1984

Plans

Title	Reference	Date Received
Location Plan	LP001 Rev A	30/08/23
Existing Site Plan	22.23 PL 001	05/12/22
Existing Information	22.23 PL 002	05/12/22
Existing Wall Conditions	22.23 PL 010	05/12/22
Proposed Site Plan	22.23 PL 003	05/12/22
Ground Floor Layout	22.23 PL 004	05/12/22
First Floor Layout	22.23 PL 005	05/12/22
Proposed Elevations 1	22.23 PL 006 Rev A	16/02/23
Proposed Elevations 2	22.23 PL 007	05/12/22
Proposed Elevations 3	22.23 PL 008	05/12/22
Proposed Holiday Let Units	22.23 PL 009	05/12/22
Landscape Proposals	S4 P01	05/12/22
Proposed Road Repairs	PL 010 Rev A	30/08/23
Bat Survey Report: Section 5 - Recommendations	Auritus Wildlife Consultancy	05/12/22
Construction Traffic Management Plan	Tetra Tech	11/10/23

10. Appendix 2: Planning Obligation/Section 75 Heads of Terms

A recorded or registered Section 75 Legal Agreement is required to be entered into between the Park Authority and the Landowner to secure the following:

1. The 7no. dwellinghouses approved must only be occupied as a primary residence in perpetuity.

“Primary Residence” means the main or primary residence of an Occupier in respect of a Dwellinghouse (located on the Agreement Subjects) and the dwelling where the Occupier usually lives and meeting all of the following criteria: (1) a person can only have one primary residence at any given time which must be the relevant Dwellinghouse (located on the Agreement Subjects); (2) the Occupier is registered to vote at the Dwellinghouse and also registered for attending local services; (3) the Dwellinghouse shall not at any time be let to an Occupier for a period of less than 6 months; (4) the Dwellinghouse cannot be used to operate as any form of short term commercial visitor accommodation; (5) the Dwellinghouse is the Occupier’s main home for the purposes of paying Council Tax or any substitute local property tax.

2. Prior to the occupation of the third dwellinghouse (located within the Agreement Subjects) a Commuted Sum of £30,000 shall be paid to the Planning Authority. The Commuted Sum shall be Indexed.