Planning and Access Committee

Meeting: 25 November 2024

Agenda item 5: 2022_0329_PPP Committee Report

SUBMITTED BY: Director of Place

APPLICATION NUMBER:	2022/0329/PPP
APPLICANT:	Mr Warren Lewis
LOCATION:	Pirniehall House, Croftamie, Glasgow, G63 0HD
PROPOSAL:	Mixed-use residential and tourism development comprising change of use, alteration (part demolition) and conversion of former residential school (Class 8) to residential dwelling (Class 9) with ancillary swimming pool, gymnasium, and outdoor games court, erection of ancillary detached garage with self-contained flat above, alteration (part demolition and extension) and conversion of outbuildings to form 7 no. holiday apartments, formation of new road access and gateway structures, associated parking, drainage infrastructure and erection of 8 no. holiday lodges.
NATIONAL PARK WARD:	Ward 4 - East Loch Lomond and Port of Menteith
COMMUNITY COUNCIL AREA	Croftamie
CASE OFFICER:	Name: Caroline Strugnell Tel: 01389 722148 E-mail: caroline.strugnell@lochlomond-trossachs.org

1. Summary and reason for presentation

1.1. The application is for a mixed-use tourism and residential development comprising the change of use, restoration and conversion of Pirniehall House and its outbuildings into a private residential dwelling and 7 no. holiday apartments. Ancillary development includes an annexed double garage with self-contained flat above, gym, swimming pool and outdoor games court. In addition, 8 no. new build holiday lodges are proposed in the grounds and a new vehicular access is proposed from the public road.

1.2. This application was originally classed as a 'major' application under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and was subject to the pre-application consultation process for major development proposals. However, through modifications made during the course of determination, the proposed development is now of a scale that no longer falls within the class of major development.

1.3. This application requires to be determined by the Planning and Access Committee in accordance with the National Park Authority's 2024 Scheme of Delegation (Part A paragraphs 2.1.5 and 2.1.6) because, because the Community Council has formally objected on valid planning grounds and because the application has been the subject of a significant level of valid objection, and the officer recommendation is to approve.

2. Recommendation

2.1. That Members:

APPROVE the application subject to the conditions set out in **Appendix 1** and the Section 75 Heads of Terms at **Appendix 2** of this report**.**

3. Background

Site Description

3.1. The application site is located on the north side of a minor road (the C118) approximately 700m to the west of the village of Croftamie (Figure 1).

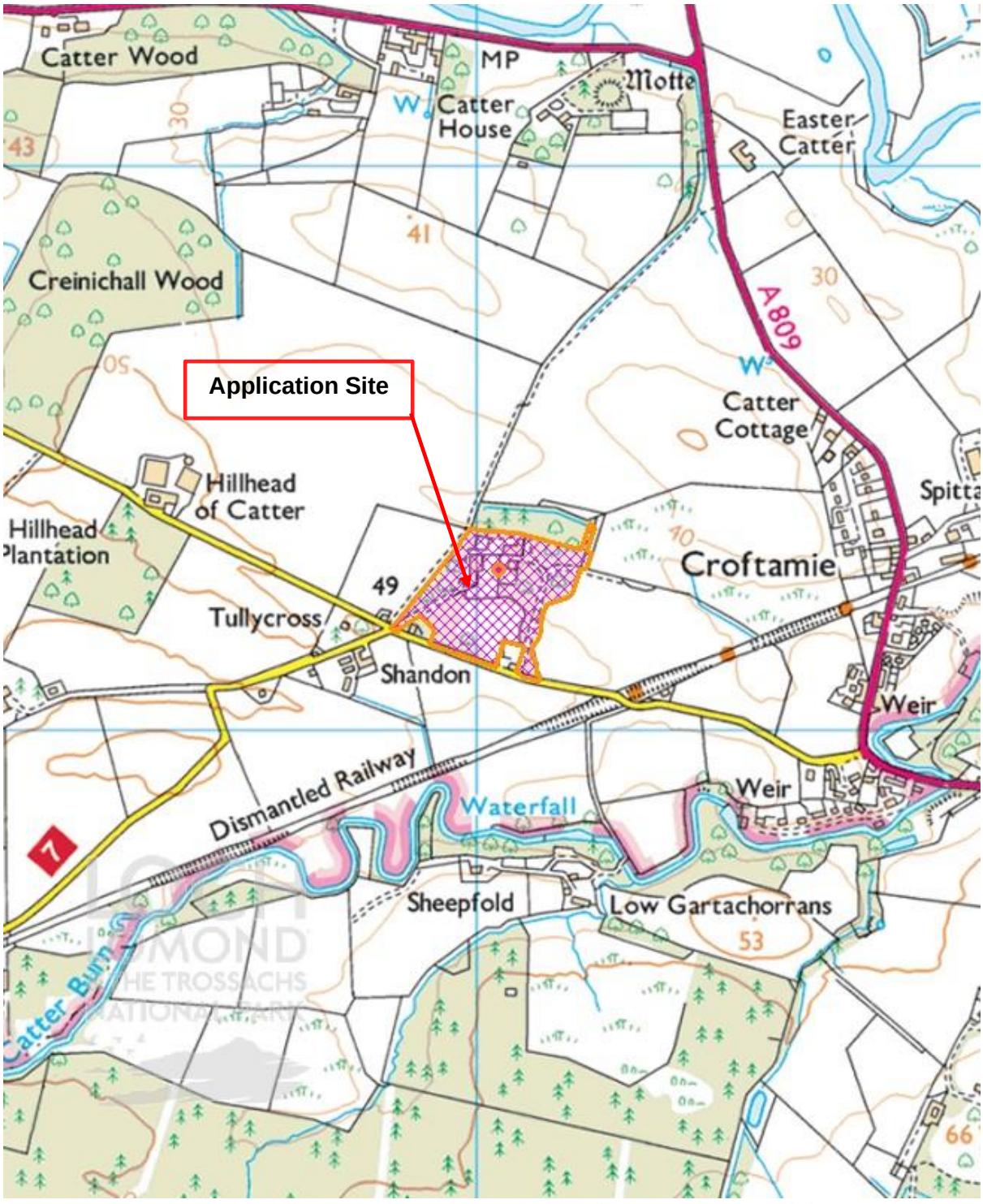

Figure 1 Location of application site 1:10000 scale (image not to scale)

3.2. Figure 2 shows an annotated aerial view of the application site which comprises Pirniehall House ("Pirniehall") and its grounds. Pirniehall is a former residential school that was vacated around 30 years and now sits derelict and in an advanced state of disrepair. The grounds extend to c. 5 hectares and comprise areas of lawn, woodland and open scrub. A looped internal access road adjoins the public road (C118) on the southern boundary – both vehicular access points are shared by residential properties (the Witches Hat (guesthouse) and West Cottage). The woodland in the site is covered by a woodland Tree Preservation Order (TPO). The site is surrounded by open fields to the east, west and north.

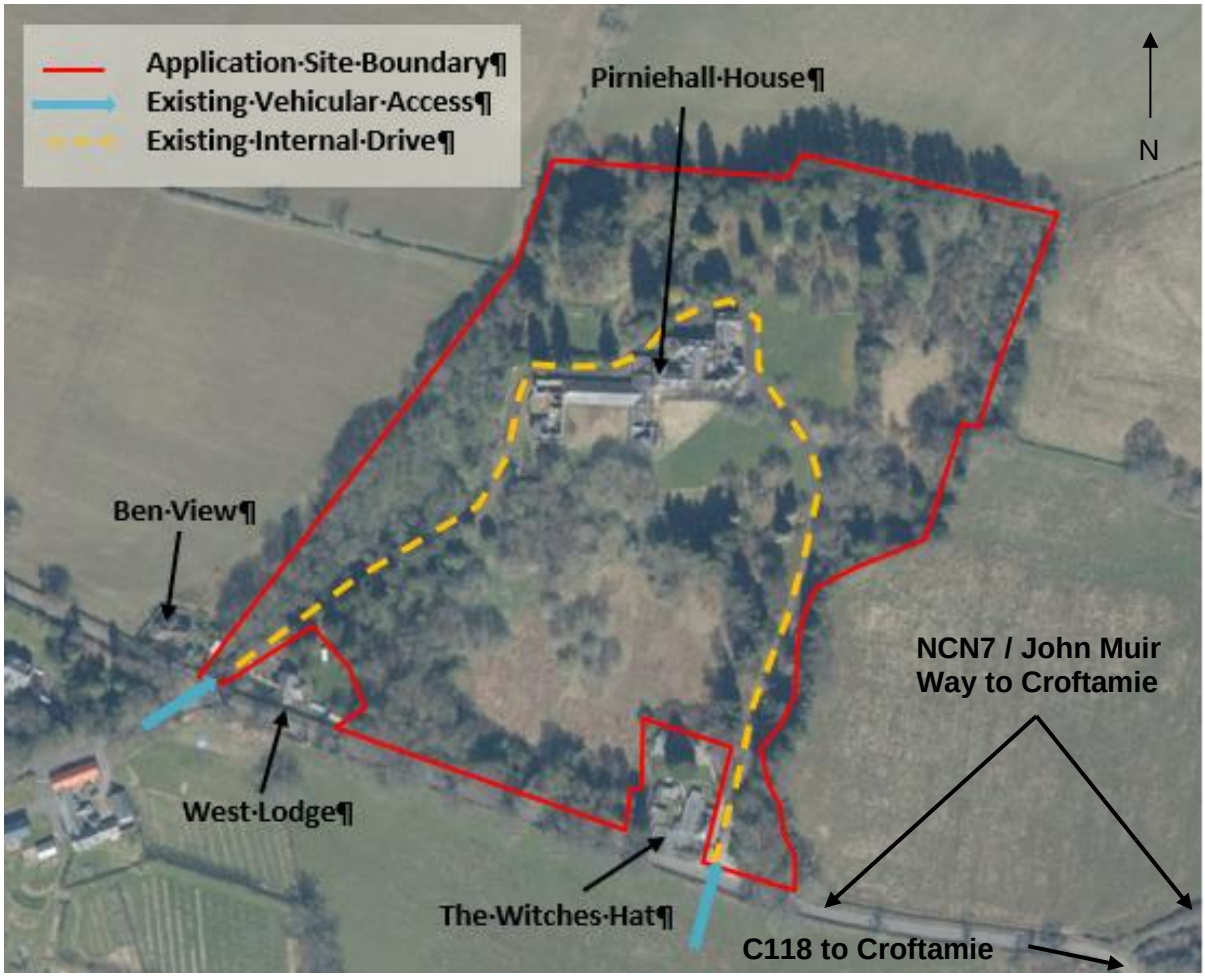

Figure 2 Aerial View of the application site and surroundings (Image produced using National Park Authority GIS Mapping and annotated by the Planning Officer).

3.3. The C118 public road forms part of the John Muir Way long distance footpath and National Cycle Network (NCN) Route 7. Although it is not clearly visible on the ground, there is public right of way accessed from the C811 adjacent to Ben View which runs through the field alongside the western site boundary connection the C118 to the A089 towards Drymen.

Figure 3 View of the western site boundary from the public right of way.

3.4. Pirniehall House (Figure 4) as built in 1896 as a private dwelling. It was altered during the 1970s and 80s for use as a residential education facility which closed in 1993. Since that time the building has been disused, and its condition has significantly deteriorated having been subject to the elements, vandalism and fire damage. It is not listed but features on the 'Buildings at Risk Register for Scotland. It has two former gatehouses to the east and west (The Witches Hat and West Lodge) now in separate ownership.

Figure 4 Pirniehall House – Aerial View (photograph extracted from applicant's Structural Inspection Report – date of photograph unknown).

3.5. The footprint can be broadly divided into four areas (Figure 5). The main house (blue) is the original building. The classroom and dormitory wings (yellow) are later 20th century additions constructed to house the educational facility. The stables (orange) are the original stables associated with the main house. The outbuildings (purple) comprise former potting sheds and, located directly to the south of these (shown in the indented image), are the glasshouses (no colour).

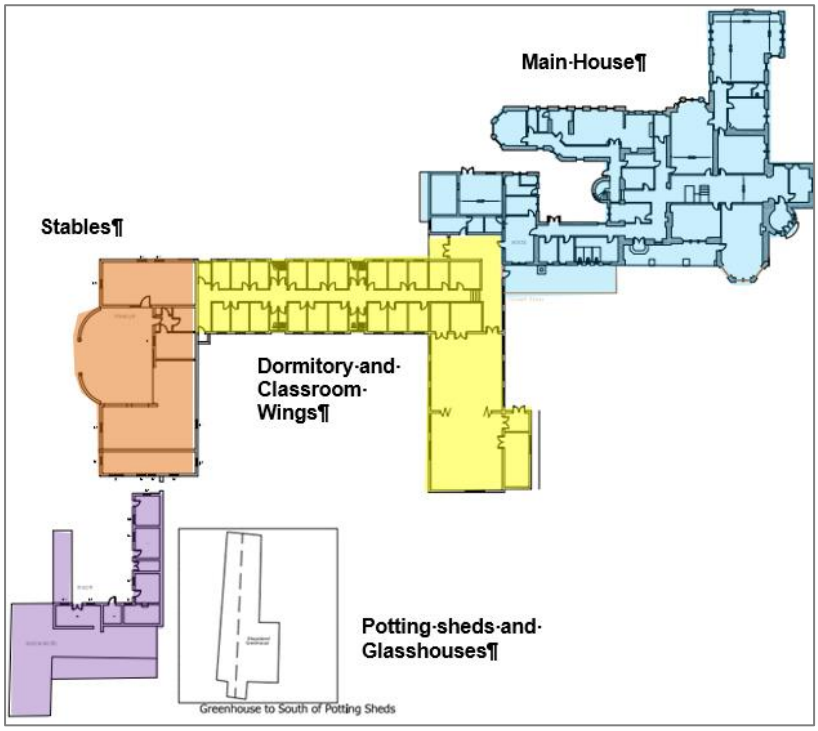

Figure 5 Footprint of Pirniehall House and outbuildings as existing

3.6. All areas of the building are in a derelict and ruinous state with part of the main building having been partly destroyed by fire. The following paragraphs provide a brief description of each of the above building elements.

Main House

3.7. The main house is constructed from rounded red sandstone with harled walls and red sandstone dressings, predominantly sash and case timber framed windows, timber weatherboards, overhanging eaves and natural slate roofs. Prominent architectural features include an entrance tower with bell cast roof on the south-eastern corner (Figure 6), a second turret and covered veranda on the south elevation (Figure 7), brick chimneys, circular doorways, mullions, lintels and cornerstones.

Figure 6 Main entrance tower on southeast corner (photograph extract from Preliminary Ecological Appraisal)

Figure 7 Pirniehall, south elevation with open veranda and turrets (view looking north-east)

Figure 8 View of building in disrepair (photograph extract from Preliminary Ecological Appraisal)

Classroom and Dormitory Wings

3.8. Dormitories and classroom wings were later added in the 1970s and 80s which connected the main house with the stables buildings. These are constructed of common masonry brick with stone chip render, timber roof trusses, sarking and traditional roof slates.

Figure 9 Former dormitories and classroom (later 20th century additions) – view looking north east

Stables

3.9. The former stables building (Figure 10) is of the same period as the main house and is similar in its architecture with a solid red sandstone wall construction, harling and architectural stonework with natural slate roof.

Figure 10 Former stables building - view looking north east

Potting Sheds and Glasshouses

3.10. To the south of the stables are the remains of the former potting sheds (Figure 11). These are constructed of brick with cast in situ concrete slab roofs and render. The glasshouses are located to the south of the potting sheds, these comprise what remains of some single-skin brick walls which lack their glass roofs.

Figure 11 Former potting sheds (photograph extract from Preliminary Ecological Appraisal) – view looking south east

3.11. The grounds of Pirniehall are varied in character. There are lawned areas to the east of the main house (Figure 12).

Figure 12 Lawns to the east of Pirniehall House -view looking west

3.12. In the middle of the site (Figure 13 and Figure 14) there is an open scrub area containing marshy grassland surrounded by some areas of scattered trees and some pockets of taller, ruderal vegetation. Greater butterfly orchids are noted in this area.

Figure 13 Scrub area in the centre of the site. (Photograph extract from Preliminary Ecological Appraisal)

Figure 14 Marshy grassland in the centre of the site. (Photograph extract from Preliminary Ecological Appraisal)

3.13. Between the field to the west of the site and the internal driveway, there is an area of broadleaved woodland, predominantly beech (Figure 15). This woodland contains a dilapidated brick building located on the west side of the driveway opposite the stables and potting sheds (Figure 16).

Figure 15 Woodland in the west of the site. View looking southwest. (Photograph extract from Preliminary Ecological Appraisal)

Figure 16 Dilapidated Building within wooded area in the west of the site – view looking north west.

3.14. There are other areas of woodland within the site including mixed woodland on the east side of the eastern drive (Figure 17). Invasive Rhododendron has

established in the understorey within some of the woodland areas. There is also an area of coniferous woodland which extends a short distance to the north of the site (beyond the application site boundary) (Figure 18).

Figure 17 Mixed woodland lining the east of the drive leading from the southeast entrance (photograph extract from applicant's Preliminary Ecological Appraisal)

Figure 18 Thin belt of coniferous woodland and drainage ditch just beyond the northern application site boundary (Photograph extract from applicant's Preliminary Ecological Appraisal)

Description of Proposal

3.15. The proposal (as revised – see paragraphs 3.38 to 3.42) is for the redevelopment and restoration of Pirniehall for use as a private dwelling alongside visitor accommodation comprising the redevelopment and conversion of the outbuildings to 7 no visitor apartments and 8 no. new build lodges in the grounds.

3.16. The application is submitted in outline seeking planning permission in principle (PPP), although full details of the proposed renovation of the main house and outbuildings have been provided as well as a proposed layout for the access and the siting of the proposed new lodges. No details have been provided for the design of the new build lodges as the applicant wishes to retain flexibility in relation to their future design, however indicative images are provided to show how these may look, and details would be provided at the later Approval of Matters Specified in Conditions (AMSC) stage.

3.17. The proposals comprise the following:

A. Main house: Alteration and conversion for use as a private 7 bed dwelling including demolition of the dormitory and part demolition of the classroom wing and formation of ancillary indoor swimming pool and gymnasium. An outdoor sports court would be constructed on the footprint of the demolished dormitory wing.

B. Erection of detached garage with flat above for ancillary use associated with the main house conversion.

C. Stables building: Restoration and conversion to 3 no. holiday apartments.

D. Potting sheds: Partial demolition and rebuild with extension to form 4 no. holiday apartments.

E. New access from the C811 with gateway structures.

F. Erection of 8 no. holiday lodges (new build).

3.18. The above elements are shown on the annotated General Layout Plan (Figure 19) and described in greater detail below.

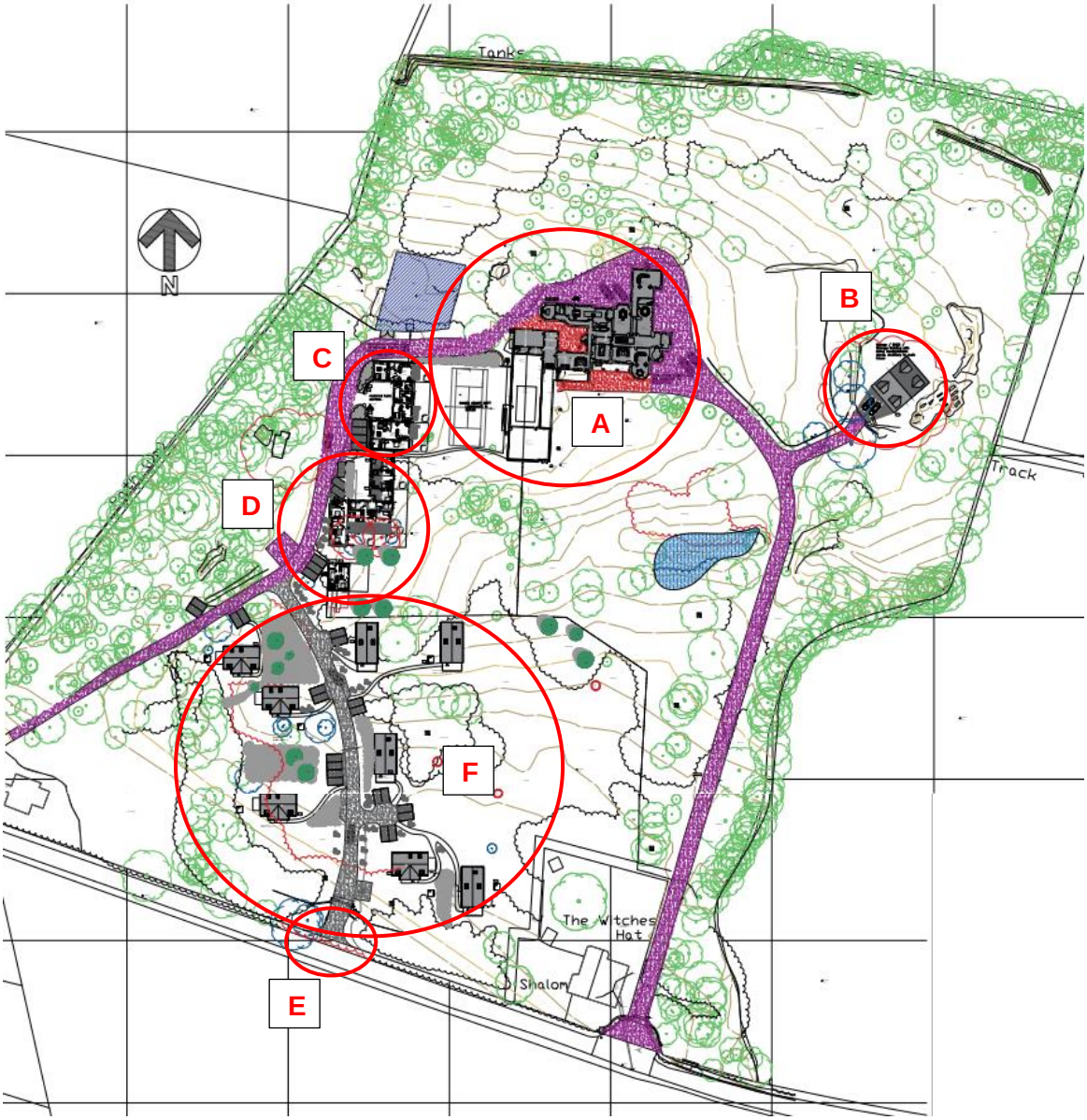

Figure 19 General Layout (Figure amalgamated from General Layout Plans 489-50n and 489-51n)

Main Building

3.19. The main building would be restored and converted to provide a large private family home over approximately 1,462 sqm (15,736 sq. ft.). The internal floorplan of the house would remain similar to the existing, retaining main structural walls but with some layout modifications. The ground floor would include a grand entrance hall with Y-plan staircase, living and dining rooms, kitchen, garden room, billiard room, games room and cinema room along with utility, w/c and service areas (the existing and proposed floorplans are shown in Figure 20 and Figure 21). On the first floor there would be a Master bedroom with ensuite, dressing room and balcony, five further double bedrooms, each with a variety of en-suite and dressing rooms, a further guest bedroom suite and two outdoor roof terraces (the existing and proposed floorplans are shown in Figure 22 and Figure 23).

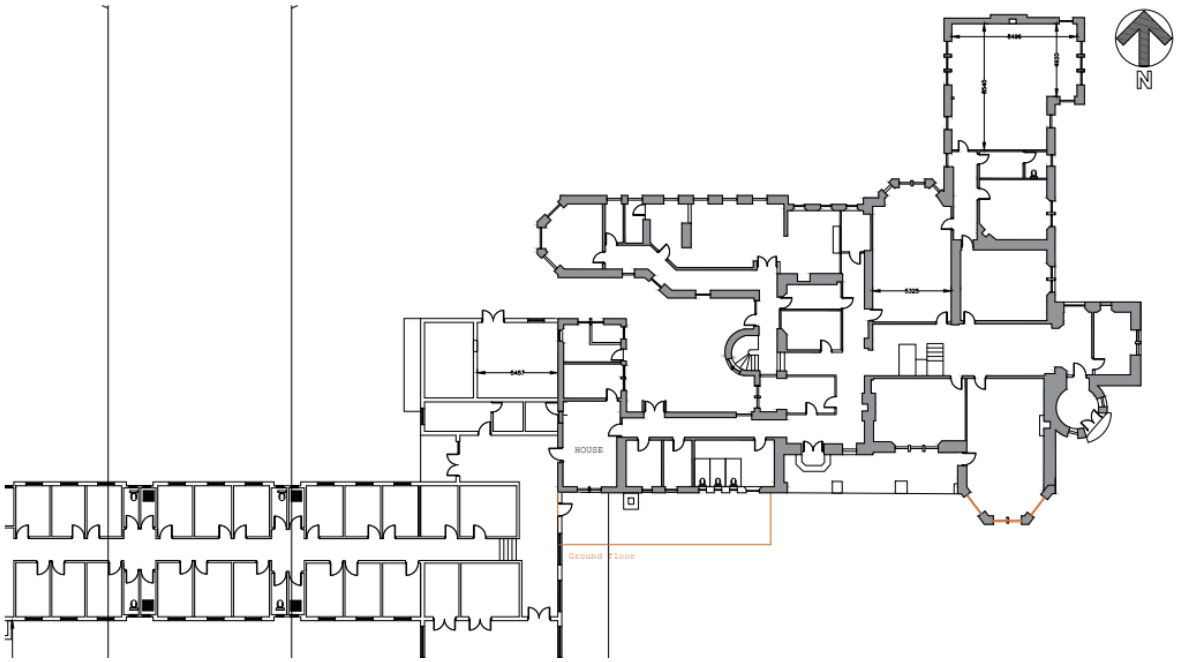

Figure 20 Main House Ground Floor as Existing (Extract from Plan 489-101)

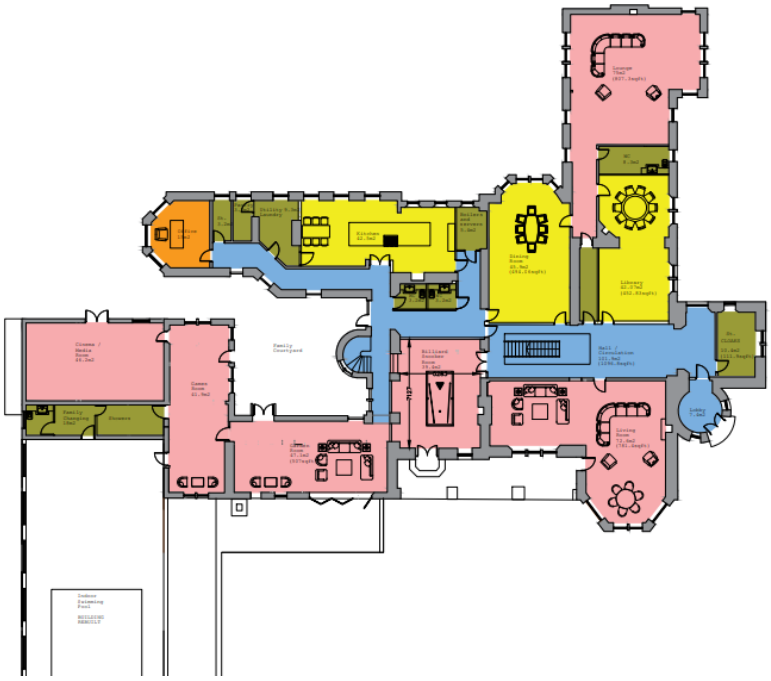

Figure 21 Main House Ground Floor as Proposed (Extract from Plan 489-201-1)

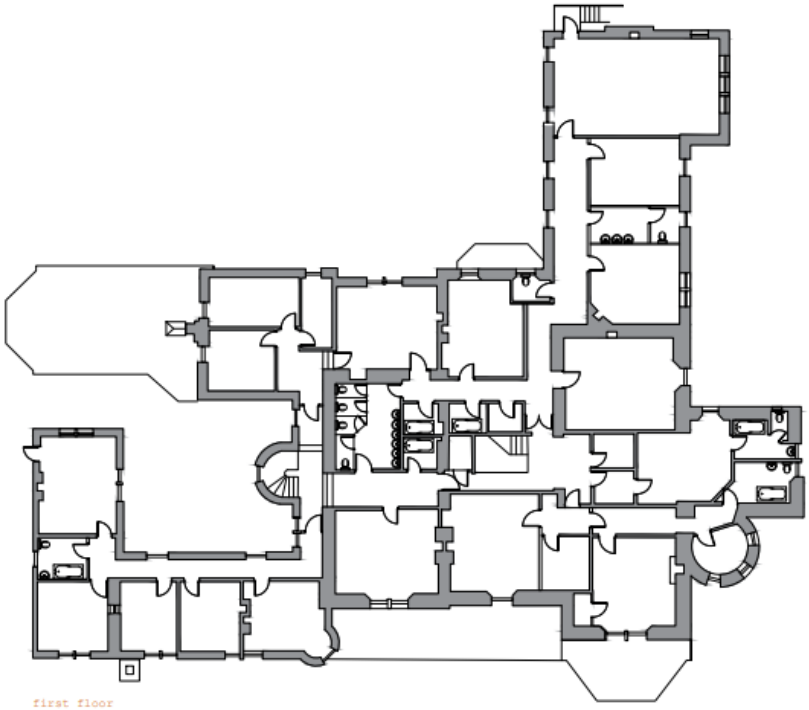

Figure 22 Main House First Floor as Existing (Extract from Plan 489-102)

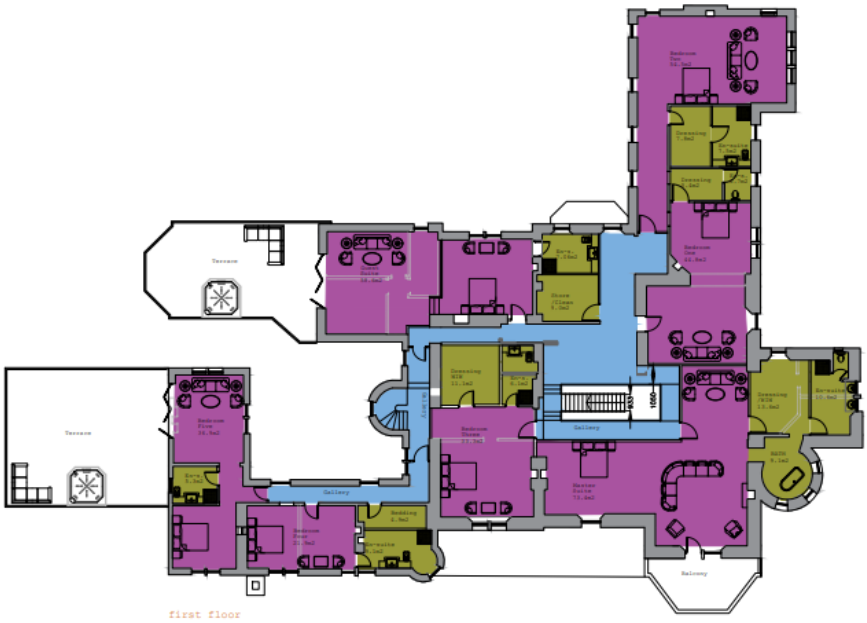

Figure 23 Main House First Floor as Proposed (Extract from Plan 489-202)

3.20. The elevations would remain predominantly as existing but with some modest interventions. On the south elevation the alterations include the creation of an opening for modern bifold doors and insertion of a door into one half of the existing window opening above the living room bay window (Figure 24). Doors would also be inserted in the west elevation in place of two existing windows to provide level access from the guest bedroom to the proposed roof terrace above and behind the projecting bay window (see west and north elevations Figure 25 and Figure 26).

Figure 24 Proposed South Elevation showing addition of bifold doors and new door to proposed balcony - Main House (Extract from Plan 489-211 Rev D)

Figure 25 Proposed North Elevation showing balcony – Main House (Extract from Plan 489-213 Rev B)

Figure 26 Proposed West Elevation showing balcony and proposed doors- Main House (Extract from Plan 489-214 Rev D)

3.21. The existing classroom wing extending south (as can be seen in Figure 26 and Figure 27) would be redeveloped, utilising the existing walls where salvageable, to form an attached gymnasium and indoor pool which would be accessed directly from the main house and also via a ramp and doors in the west elevation. The later wing extending to the west of the main house would be demolished in its entirety to make way for an outdoor grassed sports court. These facilities would be both for the applicant's personal use and for use by guests of the wider development and possibly also for the wider community.

Figure 27 Proposed East Elevation showing rebuilt dormitory wing for use as gym and indoor swimming pool - Main House (Extract from Plan 489-212 Rev D)

Stables

3.22. The stables building (Figure 28and Figure 29) would be restored using the existing structure where sound and rebuilding where required to form three one-and-a-half-storey holiday apartments (two 3-bed and one 2-bed). There would be pitched dormer window additions on the north and south elevations and box dormer to the rear (east elevation), all clad in crimped vertical zinc or equivalent in appearance. The roof would be finished in natural or imitation slate with the addition of conservation-style rooflights. Original stonework, brickwork and harling would be reinstated. Outside, adjacent to the east elevation there would be a private space for each apartment complete with raised deck area and hot tub.

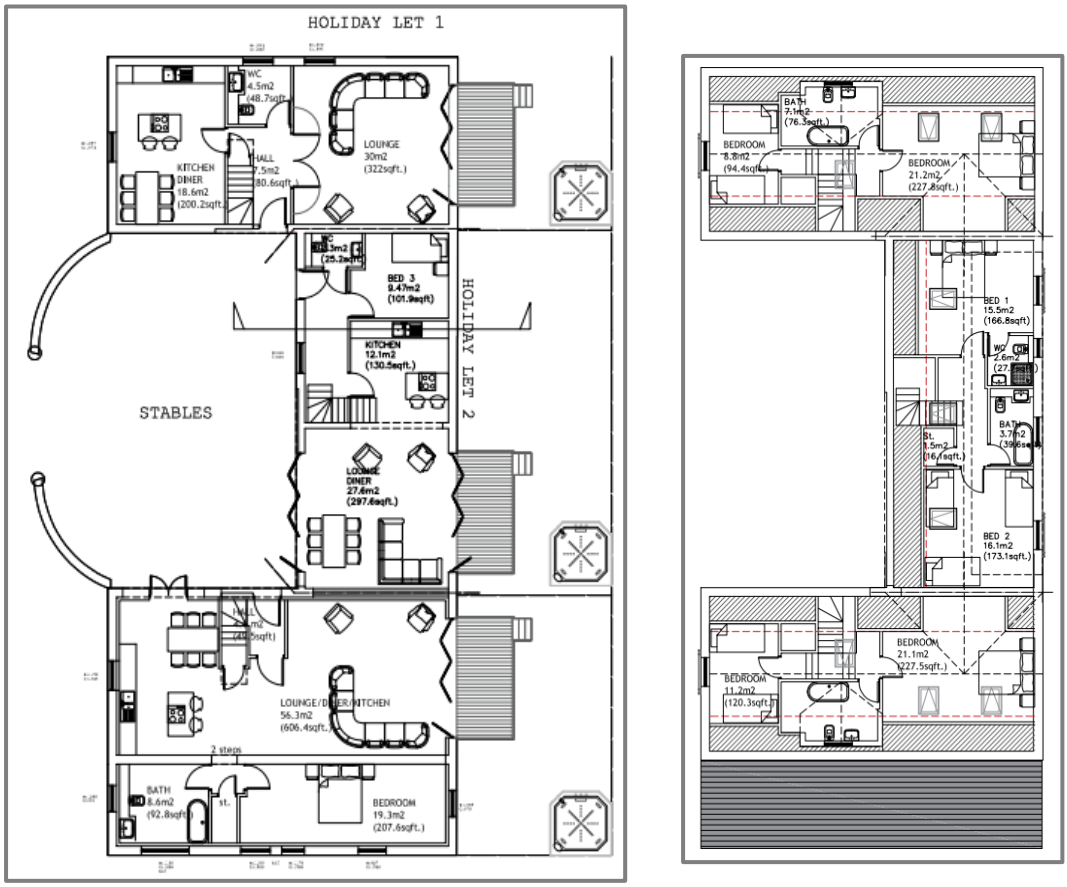

Figure 28 Stables – Proposed Ground and Upper Floorplans

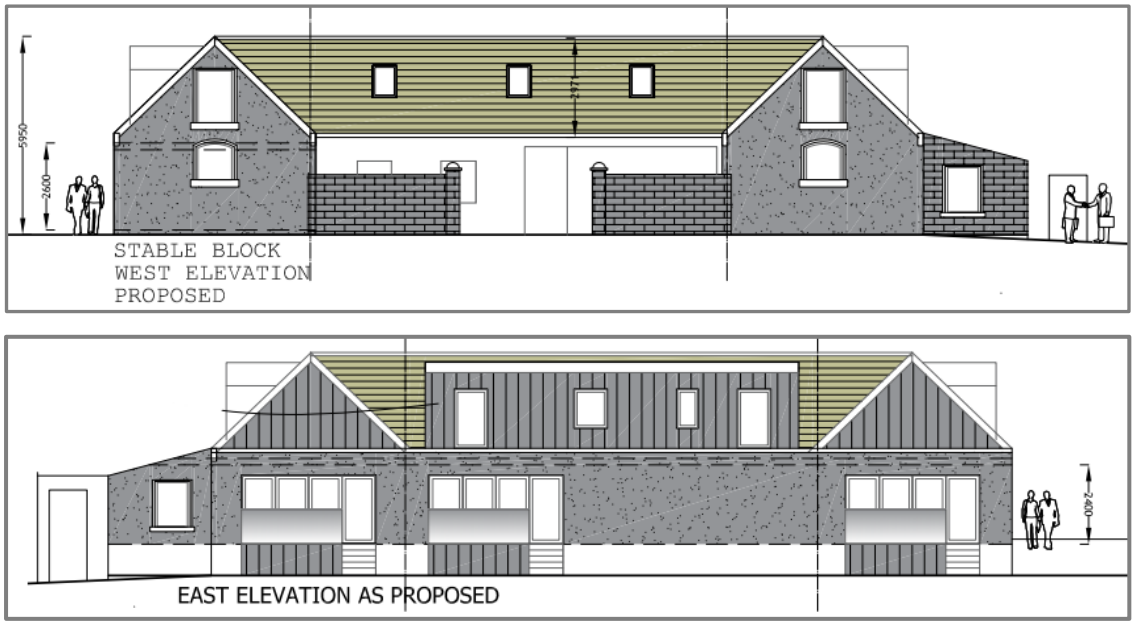

Figure 29 Stables – West and East Elevations as Proposed (Extract from Plan 489-511)

Potting Sheds and Glass Houses

3.23. It is proposed to redevelop the former potting sheds (Figure 30 and Figure 31) to provide 3 no. single-storey 3-bed holiday apartments. Modest extensions to the west and south elevations are proposed (hatched areas in Figure 30) and a pitched roof would be added. If the existing structure allows, the intention is to reuse some of the existing brick walls with thermal upgrading within the structure. Materials would comprise a mix of roughcast render with red sandstone feature panels and natural or imitation slate roofs. Each would have a private outdoor area and hot tub.

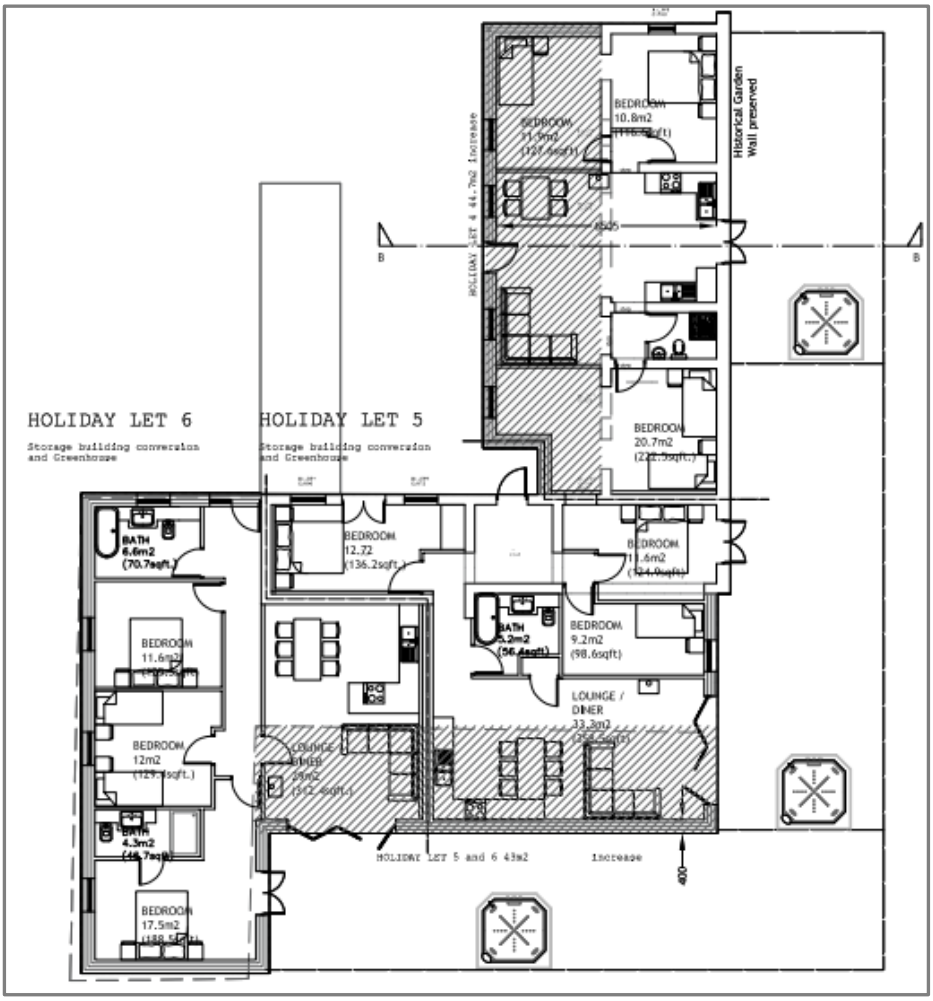

Figure 30 Potting Shed Redevelopment – Proposed Floorplan (Extract from Plan 489-440 Rev B)

Figure 31 Potting Sheds: West and East Elevations as Proposed (Extracts from Plan 489-411)

3.24. A detached new build unit on the footprint of the glasshouses to the south of the potting sheds (Figure 32) would provide a 2-bed apartment with mezzanine floor. Materials would comprise a mix of roughcast render with red sandstone feature panels and natural or imitation slate roofs.

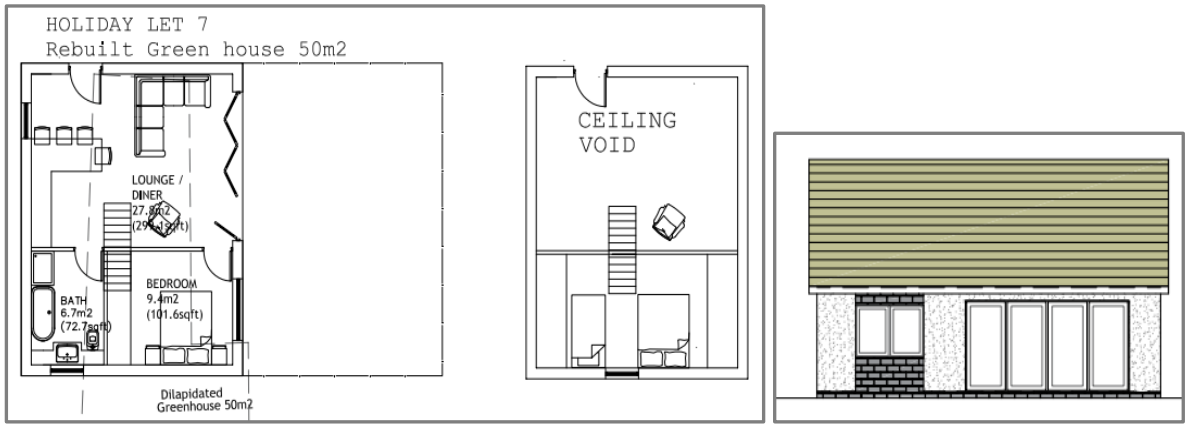

Figure 32 Glasshouse (new build) – Proposed Floorplan and Elevation (Extract from Plan 489-440 Rev B)

Detached Ancillary Garage with Flat Above

3.25. To the east of the main house, across the lawn on bare-ground adjacent to the existing driveway, it is proposed to build a detached garage with a 2-bed flat above for ancillary use in conjunction with the main house (Figure 33). The building would be c. 7.9m high with a footprint of 10.8 x 14.4m. On the ground floor there would be garage space and a workshop with shower and w/c room.

3.26. The garage building is proposed to be used in the short term as temporary accommodation for the applicant whilst he is undertaking the restoration works. When the works are complete it would be used as ancillary accommodation for the main house.

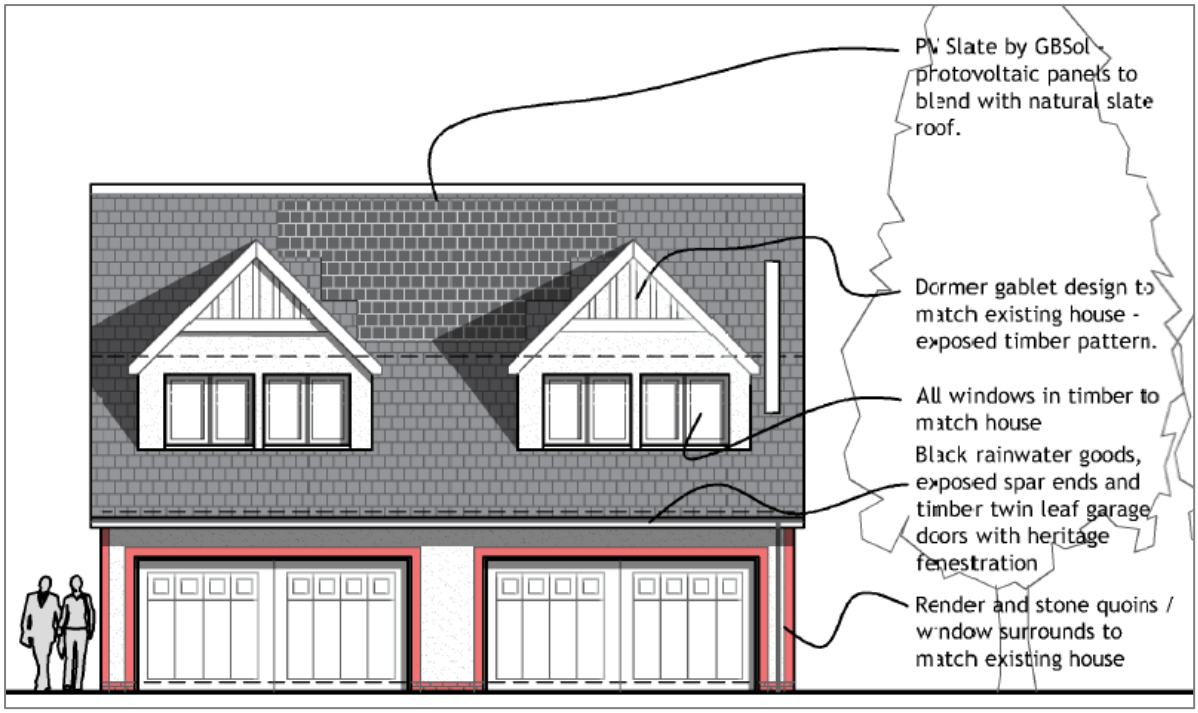

Figure 33 Proposed detached garage with flat over for ancillary use

3.27. A new vehicular access is proposed direct on to the C811 on the southern boundary which would be the main vehicular entrance for visitors and guests of the development. The occupier of the main house would use the existing private eastern access. The entrance would be secured with an entry barrier flanked with red sandstone walls with gate piers and a pedestrian gate to one side (Figure 34). Traditional black estate railing would extend 10m in each direction from either side of the entrance walls.

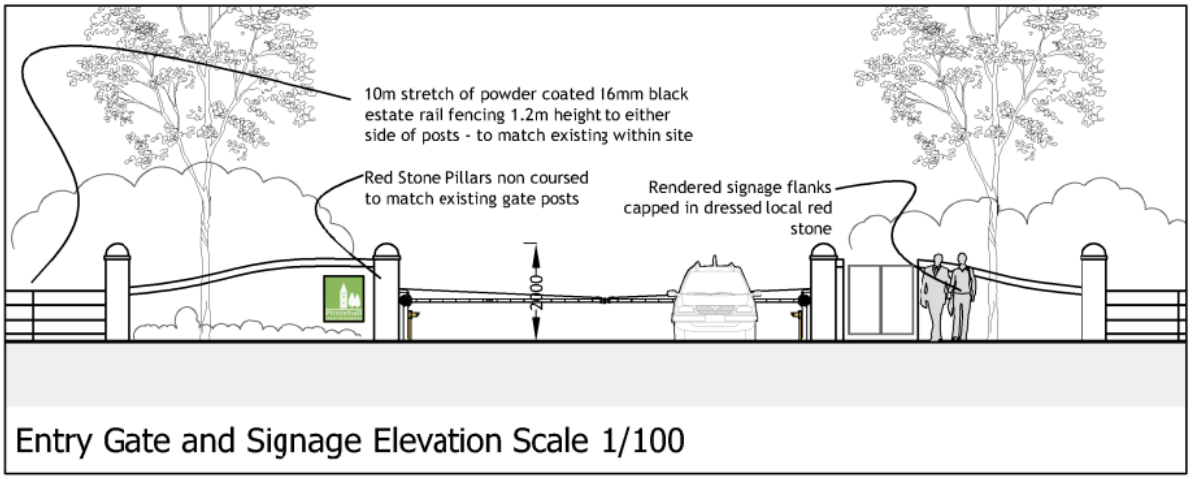

Figure 34 Proposed gateway entry gate and feature wall (image not to scale)

Holiday Lodges

3.28. Outline planning permission is sought for 8 no. lodges accessed directly from the new access and new internal driveway. The lodges are proposed for private sale to help fund and 'enable' the restoration works for the main house and to provide ongoing finance in the form of future leasehold fees/ground rent towards its future maintenance and upkeep.

Figure 35 Proposed layout and indicative footprints for holiday lodges (Figure compiled from extracts of General Layout Plans 489-50n and 489-51n)

3.29. To provide lodge purchasers with flexibility in design, the detailed design of the lodges reserved to be assessed at the Matters Specified in Conditions (MSC) stage. An indication of the proposed scale and design of the lodge buildings has, however, been provided in the 'Holiday Home Design Guide' which sets out the key design principles to ensure development coherence.

3.30. The lodges would be two or three bed and range in height but would be no more than 1.5 storey (5m to 7m total height to ridge) with a floor area of 80m2 to 120m2 (upper limit). They would have expanses of glazing to the front elevation with dressed sandstone in features and plinths, rendered walls in white, with natural or imitation slate roofs. Each lodge would have a dedicated

parking space and single shed of no more than 2m by 2m footprint. Illustrative floorplans and elevations are provided in the supporting information (see indicative illustrations in Figure 36).

Figure 36 Indicative illustrations of the proposed lodge designs (Extract from submitted 'Holiday Home Design Guide')

3.31. The applicant has submitted a phasing plan (Figure 37) with commentary on the sequence of development provided within the Planning Statement Addendum. This indicates an intention to begin work on the new access and internal road, the stables building restoration and main house (along with ancillary garage) together as a first phase. This would be followed by the

redevelopment of the potting sheds and glass houses in the second phase. Finally, the lodge development would commence as a third phase along with the ancillary gym, swimming pool and outdoor court. The Phasing Plan has been revised from earlier versions to prioritise those parts of the building that have the greater architectural and historical merit with the redevelopment of the potting sheds and glass houses moved to a later phase.

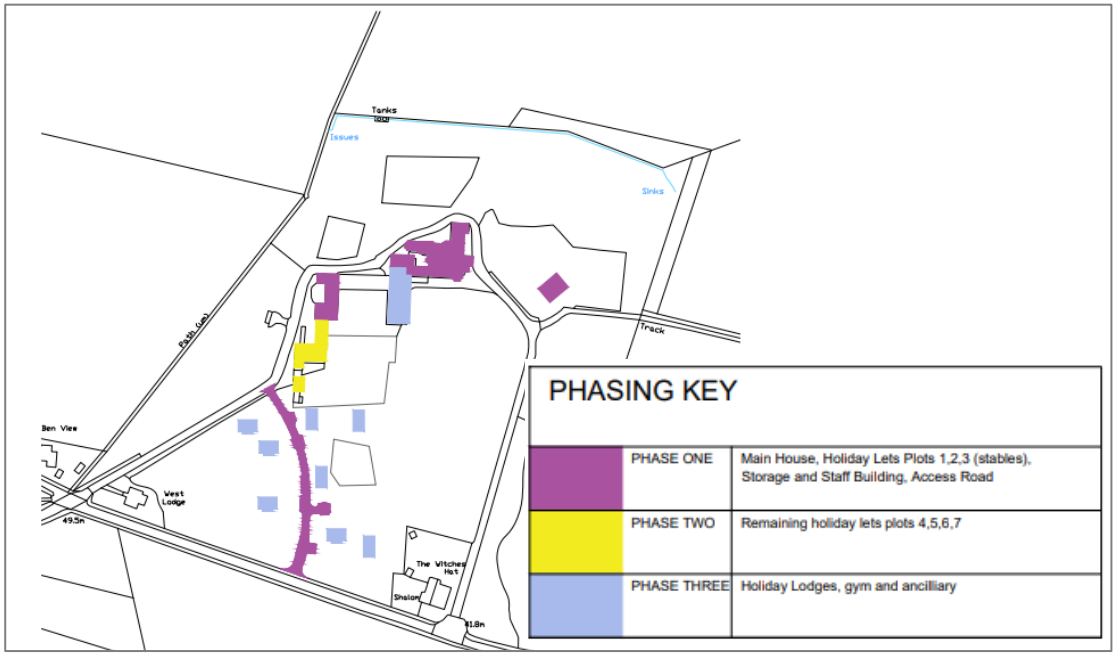

Figure 37 Phasing Plan

Planning History

3.32. There is no planning application history for this site with this present application being the first planning application on the National Park Authority's record which dates back as far as the early 1990s.

3.33. The site is allocated in the Local Development Plan for Visitor Experience development (VE1) (Figure 38).

Figure 38 Local Plan Visitor Experience allocation for Pirnie Hall

3.34. The principal aim of the Visitor Experience allocation is to encourage tourism reuse of the building and grounds to help secure the future of Pirniehall. The accompanying text states, *"some limited housing development could potentially be supported at Pirniehall if this could be demonstrated to be providing an enabling role for visitor experience development and in order to secure conservation of this historic building."*

3.35. The present allocation followed a similar allocation for tourism development in the earlier adopted Local Plan (2010-2015) in which the site was allocated under reference ST11 for 'Sustainable Tourism'. The commentary from this Local Plan states, *"The restoration and refurbishment of Pirnie Hall on the outskirts of Croftamie will provide opportunities for tourism and/or educational and conferencing facilities".*

Pre-application Consultation

3.36. A Pre-application Consultation Report accompanies the application which describes the consultation with the community that took place prior to the application being lodged. Consultation comprised three public meetings in April and May 2022. Information was made available concurrently online with a facility to submit comments directly. In addition, the applicant's agent attended Community Council meetings in March, April, May and August 2022.

3.37. The Pre-application Consultation Report confirms around 20 people participated in the consultation events in total. The consultation process highlighted concerns including the scale of development, traffic impact, impacts on wildlife and trees, residential amenity and infrastructure requirements. Questions were also asked about the applicant's business case and the

proposed format of the application. The feedback resulted in a reduction in the number of holiday lodges from 23 to 16. A new, independent access was also proposed to minimise impacts on the existing residential properties adjacent to the existing accesses and proposed development was moved further away from their boundaries.

Modification of the Application

3.38. This application was submitted back in December 2022. The application has been subsequently altered in response to community feedback, site constraints and having regard to National Planning Framework 4, which was published in February 2023, a short time after the application was submitted.

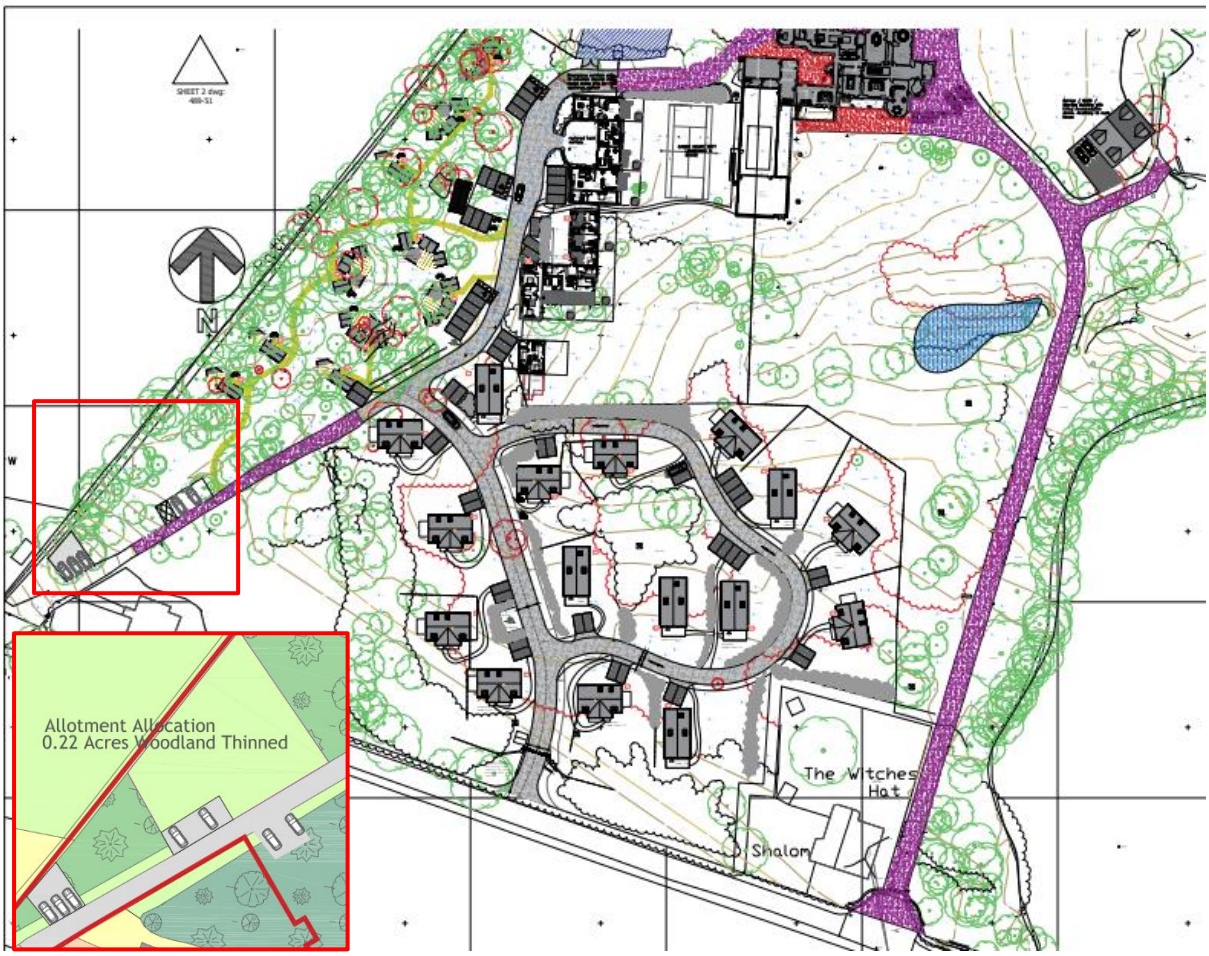

Figure 39 Application proposal as originally submitted in December 2022

3.39. The original proposal (Figure 39) included an area for community allotments (c. 0.2ha) along with outline/in-principal proposals for 10 no. timber tree houses and timber ancillary reception building with shop/café within the woodlands in the west of the site. The applicant took the decision to remove the allotments and tree houses from the plans in response to community concerns regarding development scale and in consideration of woodland impacts. The submission of amended plans in March 2024 triggered a public renotification of the application.

3.40. The proposal was revised further in October 2024, reducing the number of proposed holiday lodges from 16 to 8. This was in response to additional survey work which identified the presence of greater butterfly orchids in part of the site where the lodges were proposed. Consequential amendments include removal of the timber visitor reception building with shop/cafe and the gateway control booth. The phasing of the development has also been adjusted and clarified with four of the seven proposed holiday apartments (potting sheds and glass house redevelopment) moved from phase 1 into phase 2 and the eight new-build holiday lodges moved into a subsequent phase 3. Phase 1 now includes only the works to the stables building and the main house along with construction of the ancillary garage. Other minor changes include modifications to the proposed gateway railings and elevation detail for the proposed ancillary garage. A preliminary Bat Roost Assessment of the trees to be felled in Phase 1 also accompanies the amended plans. Public re-notification was undertaken in the second week of October 2024.

3.41. For completeness, it is noted here that public re-notification also took place back in November 2023 following the receipt of additional supporting information including a tree survey, a landscape and visual assessment, transport statement and travel plan leaflet, structural inspection report for Pirniehall and additional development phasing and financial information. This information all related to the scheme as originally proposed. Details of the public response to these re-notifications are detailed in Section 5 below.

3.42. When the application was first submitted, the area over which the original development was proposed met the 2-hectare threshold meaning that it fell within the class of 'major development' as defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. The subsequent reduction in the scale of the proposal has meant that the scheme no longer falls within the class of 'major development'.

4. Environmental impact and habitat regulations assessment

Environmental Impact Assessment (EIA)

4.1. The National Park is identified as a 'Sensitive Area' within the Environmental Impact Assessment (EIA) (Scotland) Regulations 2017. 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 comprises development listed in Schedule 2 under category 12(c) Tourism and Leisure *"Holiday villages and hotel complexes outside urban areas and associated developments".* The development has therefore been screened. The screening process concluded that the development would not have any significant environmental effects, and EIA is not therefore required. The National Park Authority's Screening Opinion can be viewed as part of the planning application file.

Habitat Regulations Assessment (HRA)

4.2. The Conservation (Natural Habitats, &c.) Regulations 1994 implements the Habitats Directive in Scotland and provides protection to European designated sites. The National Park Authority must consider whether a proposed development will have a 'likely significant effect' on a European site, and if so, it must carry out an 'appropriate assessment' (AA) of the effects on the site's conservation objectives. This process is known as Habitats Regulations Appraisal (HRA). An AA is not required in this instance as the proposed development would not be near to or impact upon any European designated sites.

5. Consultations and representations

Responses to Consultations

5.1. The below provides a summary of the consultee responses in alphabetical order.

Croftamie Community Council

5.2. Objection. The Community Council has submitted objection to all three re-notifications on the application (March 2023, March 2024 and October 2024). A summary of the reasons included in their most recent response are set out below.

- The revised application has deleted some aspects of the original plans however we do not think the proposal is appropriate for Pirniehall, our community, or the local environment.
- Inappropriate scale and type of development. The proposals, both in size and type would place an unreasonable burden on Pirniehall and the Croftamie community.
- Non-compliance with the Local Development Plan and Community Place Plan. The site is for visitor experience as a catalyst for the restoration and reuse of the original Pirniehall house. It specifically states that only limited, or proportionate additional development outside the hall footprint should be considered and only when it provides an enabling role for the heritage conservation of the hall (the original hall is approximately 1,500m2, and the additional development is a further 2,000m2).
- Lack of feasible protection for the heritage of the hall. The proposed phasing does not offer or ensure the restoration of the hall. If approved, it could easily lead to the hall remaining derelict or demolished.
- Failure to comply with the Sandford Principle and protect Pirniehall from over commercialisation. This is a negative proposal with unnecessary removal of trees and undergrowth, damage to habitats of rare wildlife and fauna that are well established within the grounds and disregard for the impact of additional traffic, noise and other pollutants.

- There is no public transport. This development threatens the quality and use of a popular cycling and walking route and would change this quiet rural road into a jumble of entrances, signage, gateways, security barriers and lighting with additional visitor and delivery vehicles.
- There will be no access to the grounds for public vehicles, no parking, and no changing facilities or toilets for the public. Cars left parked on the roadside to access the facilities is also just not practical.
- Even if the planning department restricts the number of days of occupancy, is this not a second home?
- The house plots have no fixed design, and the numbers, sizes and occupancies will grow by piecemeal development (fences, sheds, amenity grass and patio areas, driveways or garages - their true impact on the natural environment is not provided.
- There are conflicts in the documents regarding impact on the trees and vegetation. The ecology statement recommends a raft of measures that are ignored in the general arrangements including the species for tree and plant replacements.
- The drainage design solution is not feasible and could cause flooding at the culvert in the village. The strategy does not account for all the hot tubs and swimming pool and the SUDS is not therefore suitable for a wetland.
- If the application is approved, we request a section 75 agreement to ensure no work begins outside the footprint of the original hall before substantial completion, occupation, and operation of the original hall.

Scottish Water

5.3. Scottish Water has no objection to this planning application. There is currently sufficient capacity in the Carron Valley Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us. Waste Water Capacity Assessment Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

Stirling Council Environmental Health

5.4. Land Quality - Past uses of the site may have included fuel storage and the importation of soils for levelling (made ground). In addition, waste materials from the derelict house and building fires may be present. Therefore, a land quality investigation is recommended to ensure that the site is suitable for the proposed developments (as outlined on the planning application). Conditions (or equivalent) are recommended.

5.5. Noise - The development will result in additional vehicle movements; however, the proposed position of the main entrance should limit the potential for impact.

5.6. Lighting - It is recommended that any external lighting scheme is designed to limit the potential for light leakage and adverse impact on neighbouring properties.

Stirling Council Flood Prevention Team

5.7. This development does not fall within any known area of flood risk according to the SEPA flood maps and Stirling Council flooding team records. The drainage strategy submitted in support of this application adequately manages surface water associated with increased hard standing from this development. The strategy also contains elements of SUDS to manage surface water onsite. We therefore recommend no objection to this development on the grounds of flood risk.

Stirling Council Roads Authority

5.8. The consultation response below (no objection subject to conditions) is in respect of the scheme which at the time of consultation included 10 no. treehouses and 16 no. holiday lodges.

5.9. The C118 at this location is a typical rural road, in that its width varies along its length, and there are no specific facilities for walkers or cyclists. Traffic volumes on the road are very light, with vehicle speeds in the vicinity of the proposed access in the region of 40mph. The C118 at this location also doubles as the John Muir Way (long-distance walking and cycling route connecting Helensburgh and Dunbar), along with the National Cycle Network (NCN) Route 7 (linking Sunderland to Inverness). Walkers and cyclists share the road with vehicles. Whilst the majority of trips to the site will initially be undertaken by private car, residents will have the option to undertake local journeys by both walking and cycling. It is recommended that additional advance warning signage be erected within the road boundary to advise users that the road is shared with pedestrians.

5.10. The Transport Statement has considered the likely increase in trips via a TRICS assessment. The outcome indicates that there will be a minimal uplift in traffic on the surrounding road network, with a peak hour 6 additional vehicle trips anticipated. Therefore, the development proposals will have a negligible impact on the surrounding road network, including junctions. Accident data indicates no accident trends on either the C118, or within Croftamie village, and given the relatively low anticipated increase in trips associated with the development, it is considered that there will be no detriment to road safety.

5.11. Additional response: The Roads Authority is comfortable with a reduced-width internal road provided the double width is retained at the junction where the internal road meets the public road to ensure vehicles have the opportunity to turn into the access without obstruction. A reduced internal road width requires passing places (which are intervisible) and sufficient space to the rear of the passing places to allow space for vehicles to manoeuvre.

5.12. The analysis regarding the proposal for the swimming pool and gym to become available to the public is light, however given the scale of both of the facilities, it is not anticipated that these would generate significant movements as a result.

On site car parking and cycle parking is required should these facilities be open to the public.

Representations Received

5.13. From the time it was initially submitted, the application has attracted responses from a total of 42 individuals in objection and 2 individuals in support.

5.14. The total representations received in response to each of the re-notifications on the application (as explained in paragraphs 3.38 to 3.41 above) is given in the table below. The figures in brackets indicate how many of the representations received were from individuals who had already submitted representations previously.

	December 2022	**November 2023** (additional information submitted)	**March 2024** (allotments and 10 no. treehouses removed)	**October 2024** (holiday lodges reduced from 16 to 8)
Representations in Objection	30	24 (12)	5 (5)	7 (7)
Representations in Support	2	1 (1)	0	0

5.15. The representations received in response to the amended plans (renotified in March 2024) and those which followed the further amended plans (renotified in October 2024) repeated all the concerns raised in representations to the initial consultation in December 2022. The summary reasons for objection below have been grouped under topics for ease.

Principle and Scale

- The revised plans do not address any of the concerns previously raised.
- Despite the reduction in numbers the proposal remains contrary to the Local Development Plan in scale and type (the Local Plan envisaged small hotel or educational facility).
- Over-development of the village.
- No guarantee Pirniehall will be restored and could be demolished.
- Concern about phasing and profiteering from lodges prior to building restoration (repeat of Dalnair Castle example).
- Distrust of applicant motivations and commitment to the restoration of Pirniehall.
- Constant unease, concern and fear about possible future development proposals.

Traffic, Transport, Road Safety

- Increased traffic on dangerous road between C811 road and A809 Badshalloch and further damage to roads.

- Safety on the John Muir Way.
- Fences and barrier at entrance out of keeping with rural surrounds.

Nature

- The proposal is contrary to the Sandford Principle.
- Habitat destruction including nesting and breeding red squirrels, badgers, woodpeckers, hedgehogs (even on areas that aren't developed) due to noise and light pollution.
- Removal of the appeal of our nature tourism.
- Negative environmental impact.
- Damage of root formations.
- Discrepancies in the ecological surveys.

Infrastructure and Amenity

- Noise and disturbance during years of construction.
- Concern about proposed water draining onto neighbouring land.
- Pressure on utilities and water.
- Invasion of privacy.
- Light pollution.
- Noise pollution.

Other

- Development is not consistent with net zero objectives.
- Forcing settled residents to reconsider staying in the area due to the development.
- Additional cost to two Councils for road maintenance and refuse
- Negative impact on farming/livestock.
- Over-saturation of holiday homes/accommodation.
- Littering.
- Loss of history.
- Development would undermine existing accommodation businesses.

5.16. In summary, the reasons given for supporting the proposals are as follows:

- This lovely old building needs restoring.
- Without intervention Pirniehall will be demolished on safety grounds which would not benefit the community.
- The property is derelict and dangerous and attracts vandals and fire setters on a regular basis.
- It will bring more business to the area.

- It will be fantastic to have a gym so close by.
- The part of the road it is situated on is wide enough for two cars so no issues with passing places.
- The applicant and his family are coming to live as members of the community and should be welcomed.
- The applicant's community consultations were hijacked by a vocal minority trying to stop the owner from benefitting from his investment.

5.17. The full content of the representations is available to view on the National Park Authority's Public Access website http://www.lochlomond-trossachs.org/planning/ (enter the search criteria as '2022/0329/PPP').

6. Policy context

The Development Plan

6.1. Section 25 of the Town and Country Planning (Scotland) Act 1997 states that planning applications are to be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The Development Plan comprises National Planning Framework 4 (NPF4) and the Loch Lomond & The Trossachs National Park Local Development Plan (LDP) (adopted 2017) along with Supplementary Guidance (SG).

National Planning Framework 4 (NPF4)

6.2. NPF4 is the fourth National Planning Framework for Scotland. It sets out the Scottish Governments priorities and 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 NPF4 policies are relevant to this proposal:

- Policy 1 - Tackling the climate and nature crises
- Policy 3 – Biodiversity
- Policy 6 - Forestry, woodland and trees
- Policy 7 - Historic assets and places
- Policy 9 - Brownfield land, vacant and derelict land and empty buildings
- Policy 13 - Sustainable transport
- Policy 14 - Design, quality and place
- Policy 29 – Rural development
- Policy 30 – Tourism

- Policy 29 - Rural development
- Policy 30 – Tourism

6.3. 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/

Local Development Plan (2017-2022)

6.4. The Local Development Plan (LDP) outlines 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 this proposal:

- Overarching Policy 1 (OP1): Strategic Principles
- Overarching Policy 2 (OP2): Development Requirements
- Visitor Experience Policy 1 (VEP1): Location and Scale of New Development
- Transport Policy 2 (TP2): Promoting sustainable Travel and Improved active Travel Options
- Transport Policy 3 (TP3): Impact Assessment and Design Standards of New Development
- Natural Environment Policy 1 (NEP1): National Park Landscapes, seascape and visual impact
- Natural Environment Policy 4 (NEP4): Legally Protected Species
- Natural Environment Policy 6 (NEP6): Enhancing Biodiversity
- Natural Environment Policy 8 (NEP8): Development Impacts on Trees
- Natural Environment Policy 9: (NEP9): Woodlands on or adjacent to development sites
- Natural Environment Policy 12 (NEP12) - Surface Water and Wastewater Management
- Natural Environment Policy 16: (NEP16): Land Contamination
- Historic Environment Policy 3: (HEP3): Wider Built Environment and Cultural Heritage
- Historic Environment Policy 5 (HEP5): Conversion and Re-use of Redundant Buildings
- Waste Management Policy 1 (WMP1): Waste Management Requirement for New Developments

6.5. The full LDC policy wording along with the Supplementary and Planning Guidance listed below can be viewed on the National Park's website at: http://www.lochlomond-trossachs.org/planning/planning-guidance/local-development-plan/

Supplementary Guidance

6.6. 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:

- Design and Placemaking

Material Considerations

National Park Partnership Plan (2024-2029)

6.7. The National Park Partnership Plan (NPPP) is the overarching vision to guide how all those with a role in looking after the National Park will work together to ensure a successful, sustainable future. By 2045 the NPPP aims to deliver nine outcomes by focussing on 31 objectives from 2024-2029 which are listed under three themes: Restoring Nature, Creating a Low Carbon Place and Designing a Greener Way of Living. The following outcomes and objectives are relevant to this proposal:

- Section 3.3: Outcome - A responsive approach to new development - Objective 2. 'Adapt to Climate Change and Restore Nature'

National Park Aims

6.8. 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:

- 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; and
- to promote sustainable economic and social development of the area's communities.

6.9. 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.

Planning Guidance

6.10. Planning Guidance does not form part of the Development Plan, but it supports the LDP and is a material consideration in decision making. The following Planning Guidance is of relevance to the determination of this application:

- Visitor Experience (Revised 2022)
- Sustainable and Active Travel

Local Place Plans and Action Plans

6.11. The local community is working on a new Local Place Plan for Croftamie and have undertaken engagement with the community throughout the year and as recently as October 2024. At the time of writing no Local Place Plan documents have been published. The Community Action Plan (CAP) (2015-2020) is the most recently completed community plan.

7. Summary of supporting information

7.1. The applicant has submitted the following documentation in support of the planning application (in alphabetical order):

- Bat Activity Survey Report by Brindley Associates. Survey of the buildings assessed that they offer moderate potential to support roosting bats during the summer months. Following activity surveys, bat roosts were recorded in six separate locations a Habitats Regulations licence from NatureScot and Species Protection Plan (SPP) will be required to permit the destruction/disturbance of the identified bat roosts.
- Business Statement with Financial Appraisal (Redacted) – by MKA Economics – Statement analysing the market demand for the development and calculating the economic benefits the development would generate.
- Design and Access Statement by MCD Architects – Illustrated statement outlining the proposed development and design rationale.
- Drainage Strategy Report by Civil Engineering Solutions – Outline drainage strategy confirming proposed surface water drainage by way of an on-site attenuation pond and foul drainage to on-site private treatment plant both with outfall to the existing watercourse along the northern boundary.
- Holiday Home Unit 2 – 3D colour images – Artist rendered illustrative images of the type 2 holiday lodge design (internal and external).
- Holiday Home Design Guide – Statement setting out the design guidelines including scale, form and materials parameters for the proposed lodges that future detailed designs are intended to adhere to.
- Landscape and Visual Appraisal – by Wardell Armstrong – Assessment of the landscape character and visual amenity of the site and its surroundings. Assessment concludes the overall potential adverse visual effects are low to negligible and that the that while there would be limited adverse effects in close proximity at the new proposed entrance, the effects on the overall landscape and its qualities and characteristics are low to negligible.
- Orchid Assessment Report (July 2024) by Brindley Associates – Survey for orchids found presence of greater butterfly orchid (Platanthera chlorantha) (four orchids in three locations were noted).

- Phasing and Financing Information – Statement by MKA Economics as an update to the Business Case submitted in November 2022 (Superseded)
- Phasing Plan – by MCD Construction Consultancy Ltd (November 2023) - A written statement on the proposed phasing containing a plan with colour coded phasing and a Gantt chart outlining the associated timescales (Superseded).
- Planning Statement by Houghton Planning – Description and assessment of the proposals against relevant planning policy.
- Planning Statement Addendum by Houghton Planning – explaining the changes to the scheme during the determination period and providing an outline of the proposed phasing and summary of the biodiversity enhancement measures.
- Pre-Application Consultation Report by Houghton Planning - Report of the consultation undertaken by the applicant prior to the application submission.
- Preliminary Bat Roost Assessment (September 2024) – by Aquila – Report of the preliminary bat roost assessment of shrubs and trees that would be removed to accommodate the proposed development. The survey finds that the area assessed has low-negligible suitability for roosting bats.
- Preliminary Ecological Assessment - by Brindley Associates. Assessment of the habitats and plant species recorded within the survey area which are considered widespread and common throughout the local region. Recommendations are made in relation to bats, red squirrels, nesting birds and invasive non-native species.
- Schedule of Accommodation – List of accommodation types including proposed floor areas.
- Site Management Plan – by Brindley Associates - Provides management actions that can be undertaken for the conservation, enhancement and creation of habitats and biodiversity at the site.
- Structural Inspection and Survey Report – by Corebrook Engineering Ltd - Survey of the structural condition of the buildings with recommendations.
- Survey of Trees v2 by Hinshelwood Arboricultural Consultants – Survey of the existing trees on the site including their age, species and characteristics.
- Topographical Survey – detailed topographical survey of the application site.
- Transport Statement – by Modus Transport Solutions (June 2023) Assessment of the traffic impacts of the development on the local road network including anticipated trip generation.

- Travel Plan Leaflet – Example leaflet providing information on active travel options for guests of the development.
- Tree Survey and Arboricultural Planning Statement (March 2024) – by Hinshelwood Arboricultural Specialists - A statement identifying the location of trees on the site and their condition, and trees to be removed to accommodate the development which includes approximately 50 trees of low-value or limited life expectancy within groups or woodlands.
- Updated Ecological Appraisal – by Brindley Associates (February 2024) - Update of the Preliminary Ecological Appraisal. Notes that the habitats and plant species recorded within the survey area are considered widespread and common throughout the local region. Recommendations are made in relation to bats, red squirrels, nesting birds, invasive non-native species and orchids.
- Woodland Management Plan 2022 to 2032 – 10-year plan including proposed activities to manage the woodland on the site, including actions in respect of individual trees.

7.2. The supporting information is available to view on the National Park Authority's Public Access website http://www.lochlomond-trossachs.org/planning/ (enter the search criteria as '2022/0329/PPP').

8. Planning Assessment

8.1. The planning matters requiring assessment in this case are:

- Principle of Development
- Design and Heritage
- Trees and Woodland
- Ecology and Biodiversity
- Traffic and Transport
- Residential Amenity
- Landscape
- Drainage
- Other Matters

Principle of Development

Visitor Experience – Location and Scale

8.2. Policy 30 (a) of NPF4 states, "Development proposals for new or extended tourist facilities or accommodation […] in locations identified in the LDP, will be supported." The application site is allocated for Visitor Experience development in the Local Development Plan (ref. VE1). The principal aim of the allocation (as explained at paragraph 3.34) is to secure the conservation of the

historic Pirniehall through encouraging a visitor experience use or development. The policy is not prescriptive about the nature or scale of the visitor experience development it seeks to encourage.

8.3. Visitor Experience Policy 1(a) also provides a supportive context for tourism development that is *"within or within a safe walking distance of a town or village".* Safe walking distance is discussed on page 11 of the updated Visitor Experience Planning Guidance which states:

> *"To provide a safe walking distance, preference will be given to routes that are off-road, all ability paths and routes that avoid busy roads. In terms of walking distance, this will vary as people will be willing, or able, to walk different distances. Research indicates that the average person is likely to walk 10 mins (1km) to a nearby facility or service. Applications will be considered on both the safety of the route and the distance to the nearest town or village. In some instances, distances greater than 1km may be supported where, for example, these utilise a safe and attractive route".*

8.4. The application site is within 700m of the centre of Croftamie which can be reached via the National Cycle Route 7 and John Muir Core Path. The first 200m of this route is on the road (also the John Muir Way) with the rest following the off-road section of the Core Path to Croftamie. It is therefore considered that the site is within a safe walking distance of the village and thus represents a location where tourism development is supportable in principle.

8.5. However, notwithstanding the above policy support in principle for tourism development at the site, it is recognised that Croftamie is a small village that has a well-established café, but which lacks a full range of amenities and a bus service. Therefore, the scale of any new tourism development must be considered in that context. NPF4 Policy 30 (Tourism) is a key policy in this respect. This states:

> *"b) Proposals for tourism related development will take into account: [inter alia], i. The contribution made to the local economy; ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors, iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation…".*

8.6. The tourism aspect of the proposal is for 15 units of visitor accommodation (reduced from the initially proposed 33 units). This is considered, on balance, to be an acceptable scale of development given the following:

- The site's visitor experience allocation which supports tourism development at this location.
- The accessibility of the site to Croftamie (which is within a safe walking distance and accessible by active travel modes).
- The location of the site directly on long distance recreational routes (John Muir Way and NCN7).
- 7 of the 15 holiday units involve redevelopment and/or restoration and reuse of previously developed land and buildings (supported by NPF4 Policy 9).

- The number of people/families accommodated across the 15 units would be broadly comparable to (or perhaps less than) the number that could be accommodated in the main house if this were converted to use as a hotel, based on the existing footprint and number of rooms (of which there are in excess of 15 on the first floor and not including the ground floor or the 25 dormitory rooms).
- Sale receipts from the new build lodges and letting income will help support the financial viability of the restoration of Pirniehall, its outbuildings and its future upkeep.
- No unacceptable traffic impacts on the surrounding roads (see discussion on traffic and transport below).
- The site has the capacity to absorb this scale of development in woodland, landscape and ecological terms whilst delivering appropriate biodiversity enhancement (see later sections).
- The community would benefit from both the use of the ancillary gym and pool (if made available) and local spending by holiday-makers.

8.7. In view of the above, the proposal is considered to be in accordance with NPF4 Policy 30 having regard to its scale and compatibility with the surrounding area and the impacts of increased visitors.

8.8. Visitor Experience Policy 2 requires that tourism accommodation is appropriately controlled by occupation condition to ensure it is only used for this purpose and not for permanent residential occupation. A condition that ensures the apartments and lodges can only be occupied as holiday accommodation is recommended accordingly.

8.9. Visitor Experience Policy 2 also states *"Arrangements for the long term management and maintenance of communal areas within new holiday accommodation developments will be required, by means of a legal agreement if necessary".* A Section 75 legal agreement is recommended in this case to restrict future development of the tourism development and their immediate grounds by future individual owners and to retain the setting of these as managed and maintained communal grounds.

<u>Use of Pirniehall as a Private Dwelling</u>

8.10. The Community Council and others in objection point out that the proposed use of Pirniehall as a single private residential dwelling does not align with the LDP Visitor Experience allocation. The LDP allocation for tourism development does not expressly support residential use other than some limited housing development *"if it can be demonstrated to provide an enabling role for visitor experience development and in order to secure conservation of the building".* However, both NPF4 Policy 17 (Rural Homes) and Policy 29 (Rural Development) are supportive of the reuse of redundant or unused buildings and where the use is an appropriate use of a historic environment asset. Additionally, NPF4 Policy 7(m) states *"Development proposals which sensitively repair, enhance and bring historic buildings, as identified as being at risk locally or on the national Buildings at Risk Register, back into beneficial use will be supported".* Similarly, LDP Historic Environment Policy 5 is supportive of

the conversion of historic buildings for any use where these are structurally capable of conversion (as is confirmed by the submitted structural inspection report – see below).

8.11. Although the Visitor Experience allocation is focussed on tourism, it is nevertheless accepting of the principle of limited housing at this location in an enabling role. It is also important to recognise that this site has been allocated for tourism (including education and conferencing uses) since 2010. In that time, and indeed in the 15 years prior to that (now some 30 years ago), no development proposal for the re-use of the building for such purposes has been forthcoming. Notwithstanding the original intention of the Visitor Experience allocation, the clear policy support for the reuse of heritage assets within NPF4's rural policies and the now urgent need for action to avoid further deterioration of a building on the national 'Buildings at Risk' register are material considerations. Use of Pirniehall as a private dwelling can therefore be supported.

Phasing

8.12. The phasing of the development is key to ensuring that the principal aim of the allocation and the relevant policies within NPF4 referred to above, are addressed, that being that the proposal safeguards and secures the restoration of Pirniehall. Accordingly, it is important that the restoration works are frontloaded and phased appropriately against the completion of the tourism development in the grounds. This addresses one of the concerns of the Community Council.

8.13. The applicant's revised Phasing Plan outlines how he intends to phase the development in sequence. The main house, along with the stables building are of comparatively greater architectural merit and historic value than the potting sheds and glass houses. Therefore, Phase 1 now prioritises works to the main house and the proposed three apartments in the stables building concurrently alongside the new access and internal road to facilitate construction vehicles and to serve the stables apartments on completion. The stables apartments would provide a rental income stream on completion to help fund the ongoing works to the main house.

8.14. The redevelopment of the potting sheds to four apartments would then follow at a point agreed by the National Park Authority when the works to the main house are well progressed. Once the works to the main house are substantially completed, work would begin on the construction of the lodges (following approval of their detailed design through applications for matters specified in conditions). These would be sold privately with the capital receipt used to pay back some of the borrowing for the restoration and would generate annual site fees which would go towards the future upkeep of the main house and the grounds.

8.15. The ancillary garage with flat over would form part of the first phase. The applicant intends to undertake all the restoration works himself whilst living in the flat on site and, on completion, intends to occupy the main house with his family with the flat providing ancillary accommodation. A condition is proposed to control the occupancy of the flat. This is to ensure that the flat is not

occupied or sold on as a separate dwelling and can only be used as accommodation for on-site workers whilst the works are in progress and thereafter be used only as ancillary to the completed main house.

8.16. The submitted phasing plan forms the basis of the recommended conditions that include restrictions on the commencement of each phase until agreed milestones on the restoration are reached. A condition is also included for the avoidance of doubt that requires a new planning application to be submitted if any demolitions, other than those which are specifically agreed by the planning authority, are undertaken. These conditions address concerns raised in representations regarding uncontrolled demolition and fears that the applicant could abandon the restoration of the main house in favour more profitable development in the grounds.

Conclusions on the Principle of Development

8.17. Overall, the proposed development (comprising the change of use and restoration and conversion of Pirniehall to a private dwelling and outbuildings 7 no. apartments with 8 holiday lodges in the grounds) is considered acceptable in principle. The proposed tourism development aligns with the Local Plan Visitor Experience allocation and is consistent with Visitor Experience 1(a), the site being within a safe walking distance of Croftamie. The proposal is considered compliant with NPF4 Policy 30 (Tourism) as the scale is appropriate to the rural location, having regard to its good accessibility, and would be compatible with the surroundings noting that the impacts of increased visitor traffic on the site and the local road / core path network would be negligible (see below). The site also has the capacity to absorb the proposed development with no unacceptable impacts on landscape or the site ecology and there is scope to deliver the requisite biodiversity enhancements on site (see below discussion). The residential aspect of the proposal is supported by NPF4 policy 7m and policies 17 (rural housing), 29 (Rural Development) because it involves the restoration of a heritage asset ‘at risk’. Appropriate development phasing, controlled by condition, will ensure that the development satisfies the NPF4 rural development policies, and the Local Plan visitor experience allocation all of which aim to secure appropriate development that will safeguard and secure the restoration of Pirniehall.

Design and Heritage

8.18. Overarching Policy 2 and NPF4 Policy 14 requires design to be of high quality and to satisfy the 6 qualities of successful places. Historic Environment Policy 3 expects proposals to protect, conserve and/or enhance a building or feature of architectural and/or historical merit or of cultural significance. Buildings or features of merit which are important to the cultural heritage of the National Park should be retained and incorporated in new developments where possible and any adverse impacts of the development should be avoided or mitigated.

Restoration of Main House, Stables and Potting Sheds

8.19. The proposals seek to safeguard and restore the main house as it exists at present. Figure 39 shows the extent of demolition required based on the

building's structural condition. Some of the existing internal walls within the main house are unsafe and will require to be demolished to allow further investigation and survey of what remains. This stage will clarify the extent to which the remaining walls are salvageable, and the extent of any further down-takings and rebuilding required.

Figure 40 Required Demolitions (Extract from Appendix 2 of the Structural Survey and Inspection Report.

8.20. To ensure that the full extent of the demolitions and restoration works to the buildings is fully understood, it is recommended that only initial demolition works (removal of unsafe walls as highlighted in the structural report) are permitted prior to submission of a fully detailed schedule of proposed down-takings, accompanied by a method statement detailing how the remainder of the structure would be safeguarded during the works. This approach ensures the planning authority retains oversight of the extent of demolition works and addresses concerns raised in representations that the plans are not clear about the extent of demolitions and rebuilding required and that the buildings may be subject to uncontrolled demolition.

8.21. Proposed modifications to the external elevations of the main house and stables are described in Section 3 and are limited to new door openings and roof-top balconies with dormer extension to the stables. These modifications would not harm the overall traditional character of the building and the National Park's built heritage advisor raises no concerns.

8.22. It is proposed to replace all the windows with sash and case double glazed units in either timber or modern replica uPVC. The latter material could be acceptable subject to the appearance of the windows very closely mirroring the

existing sash and case designs. The detailed specification of the windows and doors is recommended to be subject to a planning condition for prior approval to ensure that their design and appearance is suitable and retains the building's traditional character. A condition is also proposed to ensure an appropriate specification of natural slate for the roof coverings (imitation slate is not considered appropriate for these traditional buildings) and the specification of all other external materials.

8.23. Renewable energy is proposed in the form of heat pumps and solar PV installations are proposed on the roof. Although not shown on the drawings, the design and access statement (page 12) show these positioned on one of the principal elevations (south). Locating the panels here could harm the character and appearance of the building and alternative suitable roofscapes on the other parts of the building or even a ground mounted array may be more appropriate to help retain the building's character. A condition is recommended to defer consideration of the proposed siting of all solar PV panels to the matters specified in conditions stage. Further details of the proposed renewable measures to achieve 20% of the energy needs for all the proposed buildings are required by condition.

Ancillary Garage

8.24. The proposed garage/workshop and flat above would be sited across the lawns some 65m from the main house on an area of bare ground and partially obscured by the lawn edge trees. The proposed design reflects the traditional form of the main house in the gable dormer windows and detailing, including the oval window design. The proposed external materials, including roughcast render and red artstone heads and sills and quoins to reflect the palette of the main building. Again, the proposed use of imitation slate would not be appropriate in this heritage context, so a condition is recommended to secure the use of natural slate as well as a further detailed specification for all of the proposed external materials and finishes. In terms of climate-friendly design, a 5kw solar array is proposed to be set into the tiles on the south elevation of the garage building. This is considered acceptable although the detailed specification of this will require to be approved by condition.

The new access and gateway feature

8.25. A new internal access would connect the tourism development with the C811 public road on the southern boundary. The width has been reduced from previous iterations and passing places introduced to minimise the area of hardstanding. The bellmouth must retain two-vehicle width over a short distance to allow safe access and egress for opposing vehicles and be surfaced in bitumen to the road authority standard. Surface materials for the remainder of the internal road and any lighting proposed is reserved for later consideration.

8.26. The gateway feature would comprise of natural stone walling and stone piers either side of the vehicle and pedestrian accesses with traditional estate railing extending out for 10m either side. Representations in objection suggest that this feature and the control booth (since removed) would be out of place in this rural landscape. However, the design is not dissimilar to other traditional estate

gateways in the National Park and is deemed acceptable. A specification for the proposed barrier has not been supplied at this stage however this would be a minor feature of the entrance and is not unacceptable. A condition for further details of the proposed materials and a specification for the barrier prior to installation is recommended to ensure the gateway feature remains in keeping with the rural surrounds.

Holiday Lodges

8.27. The proposed layout for the lodges is shown on the plans although the design of each lodge would be the subject of further Matters Specified in Conditions applications. This is because the design of each could differ depending on the purchaser's requirements. The submitted Holiday Home Design Guide sets out the key principles and parameters (including maximum size parameters) and materials palette that is intended to guide the design so that there is cohesion across the lodge development. The proposed designs are contemporary, although the materials seek to reflect Pirniehall including dressed red sandstone features and white render with imitation or natural slate roofs. The detailed design for the lodges would be subject to further consideration prior to development commencing. It is considered that, as the lodges would be visually divorced from the main building, there is scope to depart from the Holiday Home Design Guide principles in terms of materiality and appearance. However, the overall size would need to comply with those parameters to ensure that the overall scale of the lodges remains appropriate to the setting. A condition is recommended accordingly. A condition is also proposed to remove permitted development rights for the lodges to control their scale, and incidental development, and to retain future cohesion in their appearance. This would be reinforced in the Section 75 legal agreement for the avoidance of doubt for individual owners and successors in title. This would also govern future management and maintenance of the associated communal grounds.

Trees and Woodland

8.28. Nearly all the trees on the application site are subject to a Tree Preservation Order (TPO) (Figure 41 Map showing the extent of the Tree Preservation Order) which protects them for their collective amenity value. The woodland on the site is not ancient woodland.

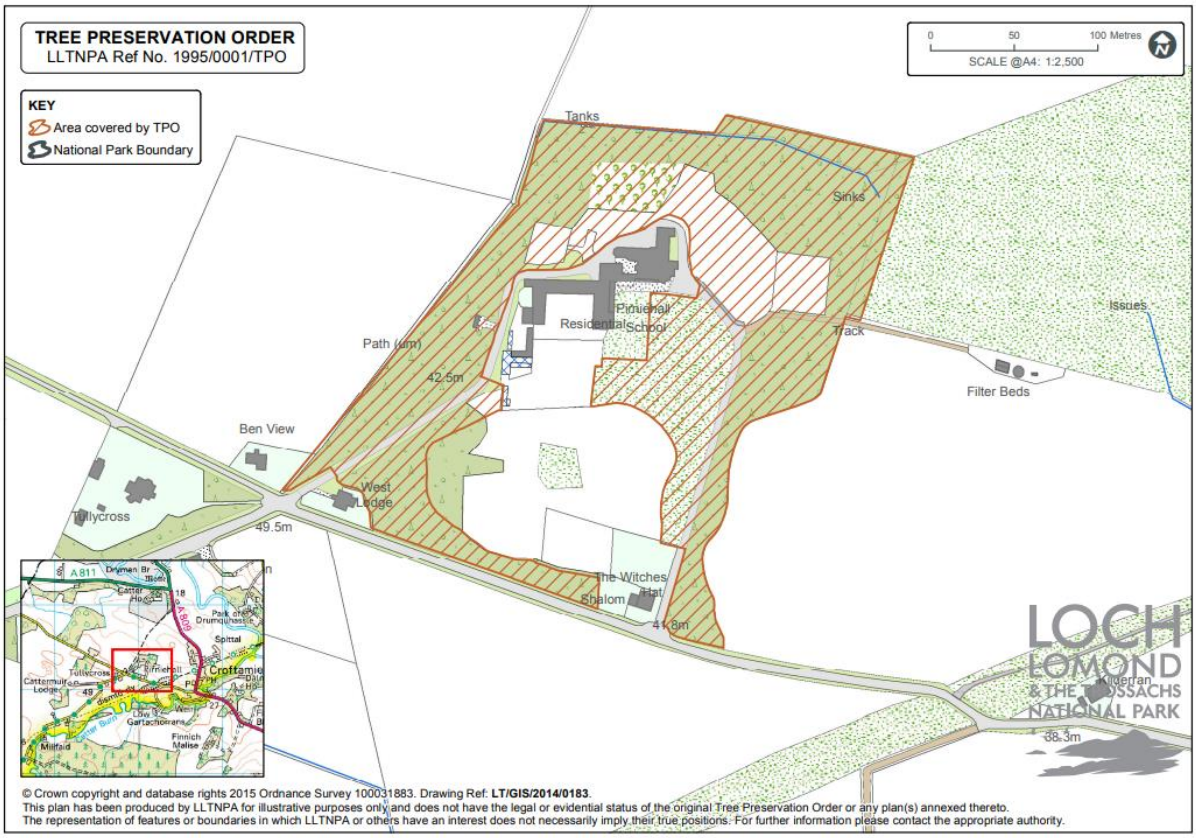

Figure 41 Map showing the extent of the Tree Preservation Order (hatched area)

8.29. Following officer's request, a revised tree survey and report was undertaken to BS 5837:2012 *'Trees in relation to design, demolition and construction – Recommendations'.* The National Park's Trees and Woodland advisor has confirmed that the revised survey and reporting on tree groups and woodland elements has been done appropriately.

8.30. The areas where trees would be lost is shown in the extract from the tree survey in Figure 42. Although no detailed plan of the individual trees to be lost has been provided, the tree survey has stated that a total of 51 trees would need to be removed to facilitate the development. Within area W6, which is within the TPO, 18 no. trees will need to be removed to facilitate the new access. This includes thirteen non-native cypress, one oak, three birch, and one beech. The report confirms that, due to wind-blown failure of a large beech tree, many of these trees (including the oak tree) have been compromised or are in poor condition with limited life expectancy. The trees along the frontage with the C811 are set sufficiently back from the carriageway such that they lay outwith the required visibility sightlines for the new access, and this has been verified on site by officers.

8.31. To enable the redevelopment of the stables and potting shed buildings, trees will require to be removed from area W4 including 24 birch (primarily immature specimens), one non-native cotoneaster, one non-native cypress, one holly, one spruce, one sycamore and four alders. The majority of these trees are outside of the TPO. The survey confirms that most of these trees are situated in proximity or within the footprints of the buildings and are contributing to their dereliction and so require to be removed.

8.32. A single birch of Category U value (signs of serious irreversible decline) is also to be removed in the vicinity of the proposed lodge development.

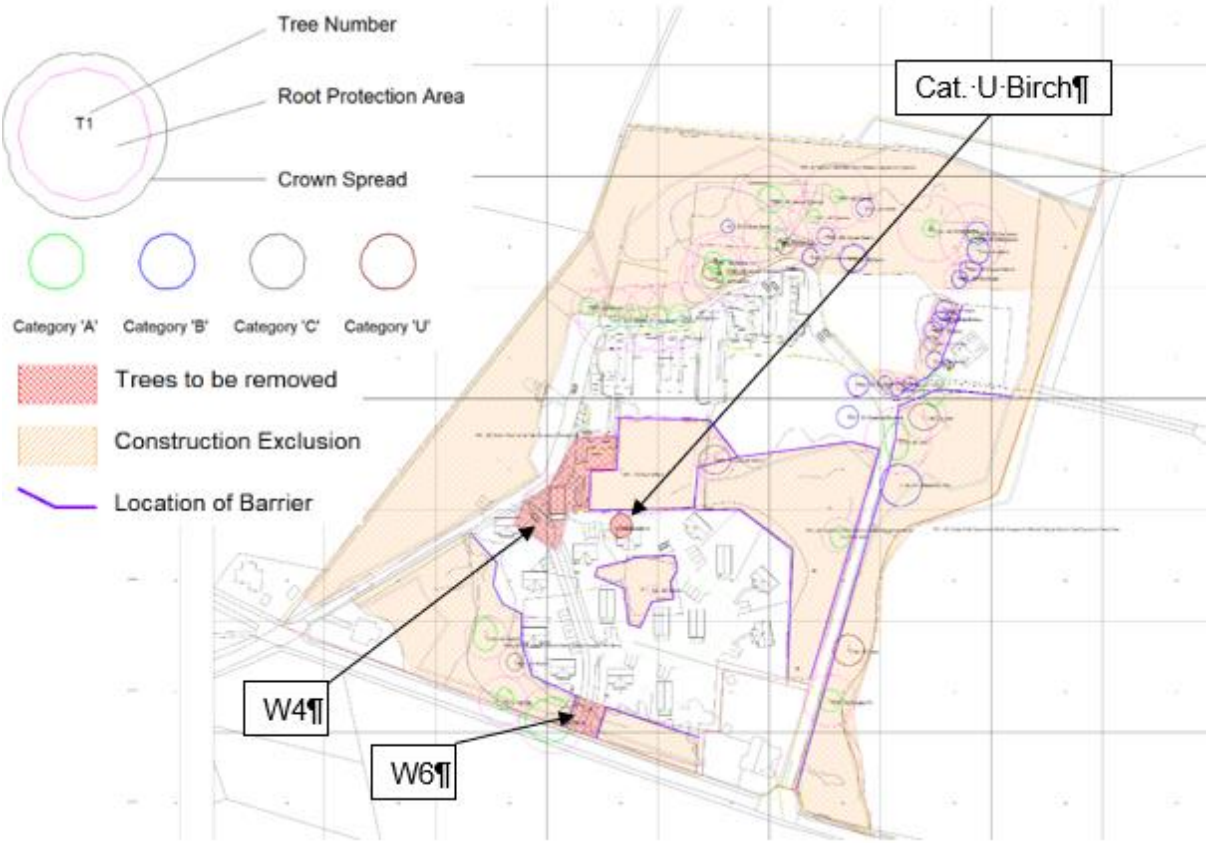

Figure 42 Extract from the Tree Survey and Arboricultural Planning Statement

8.33. The report states that all services will be routed to avoid root protection areas and that the NPA will be consulted should this differ. A root protection methodology using industry-standard materials and process is proposed where the access construction over root protection areas of retained trees is unavoidable.

8.34. The National Park's Tree and Woodland advisor has assessed the proposal and has no objection. Although some tree losses are proposed to facilitate development, these would not affect individual trees of importance, or nature conservation value (see biodiversity). Overall, the scale of woodland and tree removal is limited, and care has been taken to site development where it would avoid removal of mature healthy trees and native tree species. The National Park's Tree and Woodland Advisor is satisfied that the proposed woodland removal with compensatory planting is acceptable and in accord with NPF4 Policy 6 and Natural Environment Policy 8. Conditions are recommended to secure compliance with the Tree Protection Plan and implementation of a scheme of compensatory tree planting to achieve an overall net gain in native tree coverage across the site.

Ecology and Biodiversity

8.35. The application site has no ecological designations and there are no European designated sites nearby that would be affected by the development. The

application is accompanied by an ecological survey (and update) assessing the site's ecological value and a bat survey report which considers the presence of bats in the ruinous buildings. Latterly, a preliminary survey of bat potential of the trees to be removed has also been submitted as well as an Orchid Survey Report. The assessment of impact of the proposal on the identified habitats and species is set out below.

Bats

8.36. The applicant has submitted a Bat Activity Survey Report. This confirms five separate non-maternity summer roosts beneath gaps in the roof slates on the south and east aspect of the main building, each containing one soprano pipistrelle bat. In addition, a brown-long eared bat roost was recorded in the partially collapsed southern section of the building. The remainder of the building also provides suitable roost locations and, as bats are transient in nature, it is likely that other areas of the building are being utilised by roosting bats during the activity season. A Habitats Regulations licence from NatureScot and Species Protection Plan (SPP) will be required to permit the destruction/disturbance of the identified bat roosts. Conditions are recommended by the National Park's Natural Heritage advisor to ensure that appropriate re-survey is undertaken should development not commence prior to the survey expiry.

8.37. A preliminary bat roost survey has also been undertaken of the trees that would be removed. This identified negligible to low potential for roosts to be present, although some of the tree canopies could not be inspected thoroughly due to the trees being in leaf. The survey recommends that further pre-felling aerial checks to confirm absence are undertaken prior to the trees being felled. A condition is recommended accordingly.

Red Squirrel

8.38. The ecological survey did not find red squirrels or dreys in the site however the site provides suitable habitat and squirrel feeding signs were identified in the site's woodland areas. Red squirrels are known to be present nearby and may be present within the site. The ecological survey recommends pre-construction checks for red squirrel dreys prior to works commencing. If dreys are found, then a suitable buffer must be maintained with the size of the buffer dependent on the seasonality of the works and whether the drey is active. A condition is recommended accordingly.

Nesting Birds

8.39. Due to the presence of suitable nesting habitat within the site, it is recommended that, if required, the route study area trees and vegetation are worked upon outside of the bird nesting season, which runs from March to August, inclusive. If this is not possible, and works are due to take place between March to August, then nesting bird checks should be undertaken by a suitably qualified ecologist, immediately prior to the tree or vegetation works commencing.

Flora

8.40. Representations stated that rare orchid species are present within the site that would be affected by the proposed development. The ecological survey was undertaken outwith the growing season for most orchid species so a separate orchid survey was undertaken in July 2024. This confirmed the presence of four greater butterfly orchids (Platanthera chlorantha) within the marshy grassland area at the time of the survey. Greater butterfly orchid currently receives no legal status however it has been recognised as an increasingly rare meadow plant and is on the Scottish Biodiversity List (SBL). The report recommends that the orchids are translocated to an appropriate receptor site prior to works commencing, or that the layout of the proposed development is altered to avoid the species. The applicant has responded by reducing and relocating the lodge development away from the habitat where orchids are present.

Conclusions on protected species

8.41. The submission demonstrates a good understanding of the site's potential for protected species and the mitigation needed to ensure that species that are present are safeguarded during construction. Subject to the recommended conditions, there would be no adverse impacts on protected species or habitats.

8.42. Taking account of the presence of protected species and the complexity around the phasing of the development and seasonal constraints, the National Park's Natural Heritage Planning advisor has recommended a condition for an Ecological Clerk of Works to oversee the development and assist the developer in ensuring that the works take place in accord with the recommended conditions and safeguards. A condition is recommended accordingly.

Invasive Non-Native Species (INNS)

8.43. Rhododendron (Rhododendron ponticum) was noted to be well established within the site. The applicant proposes to remove approximately 160 m2 of rhododendron to facilitate development which would be of ecological benefit and prevent spread. Natural Environment Policy 6 encourages removal of INNS in association with development proposals as part of delivering biodiversity enhancement and it is recommended that a suitable treatment programme for the control of these species should be agreed and implemented prior to any occupation at the site. A condition is recommended accordingly.

Biodiversity Enhancement

8.44. NPF4 has heightened consideration of climate and nature by requiring significant weight to be given to the global climate and nature crises in determining applications.

8.45. Policy 3c states, *"Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development"* and *"d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and*

design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration."

8.46. Most of the site and its woodlands are proposed to remain undeveloped and this provides generous scope to deliver biodiversity enhancement. The submitted Site Management Plan and the Planning Statement Addendum identifies various measures to achieve enhancement including compensation tree planting, a natural Sustainable Urban Drainage feature pond, wildflower seeding, planting of an orchard, planning and management of trees and hedgerows, and hibernacula in log and leaf piles. A condition for a Site Planting and Management Plan to include compensation tree planting is recommended to secure appropriate measures that will result in biodiversity enhancement overall.

Traffic and Transport

8.47. NPF4 Policy 30 requires proposals take account of opportunities for sustainable travel, appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas as well as accessibility for disabled people and opportunities to provide access to the natural environment. LDP Transport Policy 3 requires proposals to (a) follow placemaking principles, and (b) be of a design and specification that are sensitive to the special qualities of the National Park and in conformity with the design standards required by the Roads Authority.

8.48. The applicant has submitted a Transport Statement which has been assessed by the Roads Authority. This was undertaken prior to the scheme alterations and so is based on the original scheme which proposed 33 units of tourism accommodation. It also includes consideration of the potential wider public use of the proposed ancillary facilities (swimming pool, gym and outdoor court).

8.49. The Transport Assessment anticipated that the original scheme would have resulted in a peak of 6 additional two-way vehicle trips in the busiest hour (1 every 10 minutes) and an average of 4 two-way trips per hour over the course of a typical day (06:000am to 23:00pm). With a 54% reduction in the scale of the proposed development, the traffic generated would now be substantially less.

8.50. The Road Authority has confirmed they have no objection to the proposal noting that the development (which then included the 33 tourism units originally proposed) would result in a minimal uplift in traffic on the surrounding road network. They are also content that there would be very little traffic generated by the public's use of the ancillary size of the gym and swimming pool, noting their small size, the accessibility to Croftamie by non-car means and the population size of Croftamie itself. The Roads Authority also considered the impact on the shared use of the road as a Core Path and National Cycle Route (John Muir Way and NCN7). They considered that the low traffic volumes did not give rise to safety concerns but recommended additional signage on the C118 to warn users of the shared use, and this is recommended to be secured

by condition. They have also requested conditions to ensure that the design of the access, including width and visibility splays, are provided and maintained.

8.51. The applicant has prepared a Travel Plan leaflet that would be given to guests to encourage active travel including information on the available cycle routes and public transport. Conditions are recommended to secure measures to promote active travel including cycle parking/storage for each of the visitor accommodation units. The roads authority has also requested a condition for the provision of appropriate parking on site (including in the event of wider public use of the ancillary swimming pool and gym) and electric vehicle charging points.

8.52. Supplementary comments were received from the Roads Authority following a direct request by Croftamie Community Council to review the increase in traffic on the back roads from Gartocharn (Badshalloch Road and Finnery Road which stated as being single track in bad condition and lacking official passing places and sightlines) and the junction of the C118 and the A809 where a number of accidents have occurred. In their response the Roads Authority acknowledge these concerns but consider objection on safety grounds based on “such a minimal level of additional vehicle movements” would not be reasonable.

8.53. A Construction Traffic Management Plan as required by the Road Authority is recommended to be secured by condition to manage construction vehicle routing including use of suitable approach roads.

Residential Amenity

8.54. NPF4 Policy 26 and Overarching Policy 2 of the Local Development Plan require developments to be compatible with surrounding land uses and avoid any significant adverse impacts of noise/vibration, air emissions/ odour/fumes/dust, light pollution, loss of privacy/sunlight/daylight.

8.55. The nearest neighbours are located adjacent to each of the existing accesses. The boundary of the Witches Hat (adjacent to the south east corner of the site) would be located c. 12m from the nearest lodge which would be c. 35m away from the dwelling. The boundary of West Lodge is located c. 57m away from the nearest lodge which would be c. 64m away from the dwelling. The separation distances are more than sufficient to maintain privacy.

8.56. Creation of the new access to the C118 and internal road is proposed as a first phase. This is to minimise construction traffic impacts on the neighbouring residential properties and so that the access is available to serve the tourism development on completion, again to minimise traffic impacts on these properties. A condition is recommended to ensure that the main access is constructed prior any of the visitor accommodation being occupied. Although the existing accesses were used historically to serve Pirniehall when it was an educational establishment, the applicant has indicated his intention to cease use of the western access entirely and for the eastern access to serve only the main house on completion.

8.57. Stirling Council Environmental Health raised no objection to the proposal and have not requested any assessment of noise or air quality. Development for

tourism accommodation is not a ‘bad neighbour’ development type and therefore does not warrant such assessments. A standard condition is recommended to control construction hours to avoid unacceptable disturbance to neighbours during the construction period.

Landscape

8.58. The applicant has submitted a Landscape and Visual Assessment appraising the landscape and visual impacts of the development (at the larger scale of development that was originally proposed).

8.59. In terms of landscape character, a change in the baseline is acknowledged where trees and lower storey vegetation is to be removed to create the new access. However, the effect on the character would be very localised – from a short section of the public road. From wider afield the visibility would be limited or screened entirely by intervening existing vegetation and effects are assessed as negligible. The assessment concludes that the landscape can accommodate the development with only localised changes in character and while having limited adverse effects in close proximity at the new proposed entrance, the effects on the overall landscape and its qualities and characteristics are low – negligible.

8.60. In terms of visual effects, the assessment notes that the site is well contained and has an immediate mature tree setting and canopy structure that provides screening. The visibility of the proposed development would be limited to receptors within proximity to the boundaries where small gaps in the existing vegetation would afford narrow views in – for example from the boundaries of the neighbouring dwellings and from the C118 (particularly where trees are removed for the access) as well as small sections of the local footpath directly west of the site. It is concluded overall that potential adverse effects are low to negligible for the identified visual receptors.

8.61. The National Park’s Natural Heritage Planning advisor is satisfied that there would be no adverse effects on the Special Landscape Qualitied or unacceptable visual impacts.

8.62. Along the frontage with the C118, the removal of the invasive Rhododendron (INNS) (and tree removal for the access) will create greater visual permeability into the area of lodge development. This is highlighted in some representations in objection. However, the effects can be mitigated with new native planting. Conditions to secure a revised Site Management Plan and detailed landscaping plans are recommended.

Drainage

8.63. An outline drainage strategy has been submitted which confirms surface water would be drained to an on-site attenuation pond. This would discharge to the watercourse/ditch on the northern boundary with a ‘hydro-break’ to control the discharge rate so that the risk of flooding downstream of the outfall will not be increased - as is standard practice. The Local Authority flood prevention team raises no objection to the proposed drainage strategy and the approach is fully in accordance with Natural Environment Policy 12.

8.64. In the absence of a Scottish Water sewer in the vicinity, foul drainage would be directed to a new on-site private treatment plant in the northeast of the site with treated effluent discharging to the same watercourse. The system would be contained fully within land which is within the ownership of the applicant. SEPA does not require to be consulted on private sewage treatment plants at the planning stage however all new systems will require a licence and SEPA approval. The licence process considers the design and capacity, including to accept swimming pool waste and a de-chlorination facility as necessary.

8.65. Concerns have been raised in objections that the drainage proposal would involve land outwith the applicant's ownership and that discharges would cause flooding downstream in the village. For clarity, the submitted drainage report considered various options, one of which included utilising an existing disused foul drainage facility on land to the east. This option is not being pursued at the present time and in any event would require third party landowner agreement.

Other Matters

8.66. Concerns have been raised by the Community Council and others around the relationship between the restoration works and development in the grounds as well as the applicant's motives. Although the applicant's personal circumstances and motives are not material planning considerations, they are nevertheless considered in the discussion here.

8.67. Concerns centre around the applicant's commitment to the main house restoration, and that this could be abandoned in favour of more 'profitable' development in the grounds. Recommended planning conditions tying the phasing of the lodges to stages of completion of the restoration address this concern. The same restrictions would apply to any future developer in the event of onward sale.

8.68. The application has been compared with Dalnair Castle (a B Listed building off the A809 about 500m east of Croftamie outwith the National Park) which had 'enabling development' approved by Stirling Council for 19 houses in the grounds to bring it back from ruin. This was followed later by an application for a further 3 dwellings to support scheme viability. Fears have been expressed that, similarly, more development will be applied for in future to fund the completion of Pirniehall.

8.69. The Dalnair example is not directly comparable to Pirniehall because Dalnair is listed. As such, 'enabling development' (that is, development that is not otherwise acceptable in planning terms), can be accepted but it merits greater scrutiny of the financial aspects to ensure that such development is the minimum required to fund completion of restoration works. In this case, the building is not listed, and the site is expressly allocated for tourism, so there is no such requirement to ensure that the development is either the minimum required (or sufficient) to fund the restoration. That said, in view of concerns about overdevelopment and because restoration is a key aim of the site allocation, officers have considered whether the scale of the lodge development is commensurate with the cost of the restoration works (as set out by the applicant within a confidential financial appraisal). This shows that the profits from the sale of the lodges would not cover the anticipated costs of the

restoration. However, the applicant is willing to move forward because he is undertaking the works with the intention to reside at the property afterwards as his main home rather than seeking to extract a developer's profit from the site. He has, however, significantly reduced the amount of development proposed and has expressed concern that reducing the number of holiday lodges any further would risk undermining his ability to viably fund the restoration and to afford its upkeep on completion. If a future application for development is submitted for additional development, then this would require to be assessed on its merits and in accordance with policy at that time.

8.70. Finally, concerns have been expressed about market saturation of self-catering accommodation in the area and competition from the development putting existing accommodation businesses at risk. However, planning does not favour one business over another and so loss of trade and the effects of competition are not relevant planning considerations.

9. Conclusions

9.1. Pirniehall House makes an important contribution to the area's historic and cultural heritage, yet the house and its outbuildings are at risk, have remained disused since the 1980s and in a state of advancing dereliction. This application, the first for this site in the last 30 years, proposes the change of use and restoration of Pirniehall House into a private dwelling along with restoration and redevelopment of the outbuildings to seven apartments for let to tourists. The restoration and future upkeep of the building would be supported by the development and sale of eight new-build holiday lodges within the grounds.

9.2. The tourism development proposals align with the Local Development Plan's Visitor Experience allocation for the site, which was predicated on attracting tourism-led development to support and enable the restoration of this historic building. The location is also consistent with Visitor Experience 1(a), which supports tourism development on sites that are within a safe walking distance of villages. NPF4 Policy 30 a) explicitly supports new or extended tourist facilities or accommodation in locations identified in the Local Development Plan. This site is the only site identified and allocated for tourism in the vicinity of Croftamie.

9.3. The applicant has responded positively to community concerns regarding development scale and, since lodging the application, has significantly reduced the overall number of tourism accommodation units (by some 54%) from 33 to 15. The proposal is considered compliant with NPF4 Policy 30 (Tourism) with the scale of development and impacts considered compatible with this rural location and its surroundings. The site has the landscape and ecological capacity to absorb the proposed development with no adverse impacts and the impacts of increased visitors on the village, primarily in terms of increased traffic, would be minimal. The proposed ancillary gym and swimming pool, if made publicly available, would also benefit the community as would future local spend by occupants.

9.4. The establishment of Pirniehall House as a private dwelling is supported by NPF4 policy 7m and policies 17 (Rural Housing) and 29 (Rural Development)

because it involves the restoration of a heritage building that is ‘at risk’. It also makes positive use of redundant land and buildings in accordance with NPF4 Policy 9 which prioritises the use of brownfield sites.

9.5. Appropriate development phasing, controlled by planning condition, will ensure that the restoration of Pirniehall is prioritised and satisfies the principle aim of the Local Development Plan visitor experience allocation, that being to secure the future of the building. These conditions, alongside the Section 75 legal agreement, address community concerns about uncontrolled demolition and future piecemeal expansion of the tourism development.

9.6. There would be minimal impacts on protected trees with select removals acceptable subject compensation and there is clear scope to deliver the requisite compensation tree planting and biodiversity enhancements within the undeveloped areas of the site.

9.7. Aside from Croftamie Community Council, who’s concerns have been fully taken into account and carefully considered in the assessment, there are no objections from statutory consultees. Overall, it is considered that the proposal complies with the Development Plan, and it is recommended that Members therefore approve the application.

Appendix 1: Conditions

1. **Duration of Permission in Principle:** This permission lapses unless the development is begun within 2 years from the date the last approval is obtained for the matters specified in Conditions 3 to 6.

   Application(s) for the approval of the matters specified in Conditions 3 to 6, must be made within 3 years from the date of this permission. If an application for approval of matters specified in Conditions 2 to 5 has been refused, the time limit for further application for approval of matters specified in Conditions 3 to 6 is whichever is the latest of the following:

   (a) 3 years from the date of this permission,

   (b) 6 months from the date of the refusal,

   (c) 6 months from the date an appeal is dismissed for such a refusal.

   REASON: In accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. **Built Heritage Retention:** For the avoidance of doubt, this permission relates to the repair and conversion of Pirniehall House and associated outbuildings with limited downtakings agreed (as detailed in the approved plans, in particular the demolitions shown as ‘full demolition’ (as indicated in purple) on the demolition strategy at Appendix 2 of the Structural Inspection and Survey Report by Corebrook Engineering dated 25 April 2023). Any alternative proposal that involves demolition 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. **AMSC for Phase 1 - Main Building and Stables Demolitions and Detailed Works Plan:** No works to the existing buildings shall be undertaken other than the demolitions shown as ‘full demolition’ (as indicated in purple) on the demolition strategy at Appendix 2 of the Structural Inspection and Survey Report by Corebrook Engineering dated 25 April 2023, until full details of the proposed restoration works have been submitted to and approved in writing by the planning authority. Such details shall include:

   (a) A follow-up structural survey to inform the wider structural strategy for the renovation of the building;

   (b) Schedule of retained walls and any further demolitions required;

   (c) Full details of the proposed restoration work (building warrant drawings and any consequential amendments to floorplans and/or elevations);

   (d) Method statement detailing how the remainder of the structure would be safeguarded during the building works.

Thereafter the works to the buildings shall progress in full accordance with the details approved under c and d above.

REASON: In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 21 of the Planning Etc. (Scotland) Act 2006 and to ensure a satisfactory form of development in accordance with Local Development Plan requirements.

4. **AMSC for Phase 1: Main Access and Internal Road:** Prior to commencement of development of the main access and through road, the following shall be submitted to and approved in writing by the planning authority:

    (a) Design details of the through road connecting the main access to the internal drive (west) including passing places and details of proposed materials;

    (b) Details of the individual trees to be removed and tree protection for retained trees where the routing affects the root protection area;

    (c) Detailed drawings and specification of stone for the entrance walls;

    (d) Specification for the estate railings;

    (e) Details of the proposed vehicular and pedestrian barrier/gates;

    (f) Details of any external lighting;

    (g) Landscaping to be implemented in association with this phase including the design of the Sustainable Urban Drainage System.

    Thereafter the development shall take place in full accordance with the approved details.

    REASON: In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 21 of the Planning Etc. (Scotland) Act 2006 and to ensure a satisfactory form of development in accordance with Local Development Plan requirements.

5. **AMSC for Phase 3 - The Lodges (Layout and Landscaping Details):** Prior to commencement of development of any of the lodges the following shall be submitted to and approved in writing by the planning authority:

    (a) Details of the proposed layout and siting for the proposed lodges and the access arrangements for each

    (b) Details of lodge plot layout including:

        i. Plot boundary treatments (if proposed)

        ii. The location of the parking

        iii. Any hard surfacing

        iv. Details of the shed/cycle storage and location

    (c) Details of any external lighting proposed

    (d) Details of the refuse storage area, any related structures and refuse collection arrangements

Thereafter the development shall take place in full accordance with the approved details.

REASON: In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 21 of the Planning Etc. (Scotland) Act 2006 and to ensure a satisfactory form of development in accordance with Local Development Plan requirements.

6. **AMSC for Phase 3 - Lodge Details:** Prior to the construction of each lodge commencing, full details of the design for that lodge including floorplans, elevations and all external finishing materials, shall be submitted to and approved in writing by the planning authority. Unless otherwise agreed in writing by the planning authority, the details to be submitted shall not exceed the size parameters (floor area and height) stated in the 'Holiday Home Design Guide' and shall reflect the design approach set out therein unless otherwise agreed in writing by the planning authority. Thereafter the development shall take place in full accordance with the approved details.

   REASON: In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 21 of the Planning Etc. (Scotland) Act 2006 and to ensure a satisfactory form of development in accordance with Local Development Plan requirements.

7. **Restriction on commencement of the potting sheds (Phase 2):** Phase 2 works, as identified on the submitted phasing plan, shall not commence until the main house and the stables buildings have been restored to a state of watertightness or otherwise to a state of completion that is to the satisfaction of the planning authority in writing.

   REASON: The allocation for tourism envisages development as supporting the restoration of the main house (Pirniehall) and development must therefore be suitably phased to ensure that the restoration is prioritised in accordance with allocation VE1 and NPF4 Policy 7(n)

8. **Restriction on commencement of Lodges (Phase 3):** Construction of the development in Phase 3 shall not commence unless and until the main house (Pirniehall) has been restored to a condition suitable and ready for occupation or is otherwise at a stage of completion that is to the satisfaction of the planning authority as agreed in writing.

   REASON: The allocation for tourism envisages development as supporting the restoration of the main house (Pirniehall) and development must therefore be suitably phased to ensure that the restoration is prioritised in accordance with allocation VE1 and NPF4 Policy 7(n)

9. **Occupation of Short-Term Holiday Accommodation:** The holiday units hereby approved, which for the avoidance of doubt comprises the 7 no. holiday apartments (in the former Stables and Potting Sheds/Glasshouse buildings) and the 8 no. Lodges shall be used solely for short-term holiday use and not for permanent residential use. The units shall not be occupied by any one individual or group for a period exceeding 90 days in any one calendar year.

REASON: To discourage use as a second home and because occupation of these units as permanent residences would be contrary to the housing policies of the adopted local development plan.

10. **Occupation of Flat over Garage:** The flat over the garage shall not be occupied (other than as accommodation for construction workers actively engaged and/or employed in construction works at the site) unless and until the main house has been restored to a condition suitable and ready for occupation or otherwise to a stage of completion as may be agreed in writing by the planning authority. The use of the flat shall be for ancillary purposes only in association with the main house (Pirniehall House) and shall at no time shall the flat be occupied as a separate dwelling.

    REASON: Permission has been granted for the use of the garage with flat above as ancillary to the main house and therefore is not permitted to be occupied other than in association with the construction and occupation of the main house.

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

    REASON: The Planning Authority considers that such development should be subject to formal control in order to prevent intensification of the tourism use and to safeguard the amenity and biodiversity value of the site.

12. **Renewable Energy Measures:** The buildings hereby approved shall all be serviced by renewable energy generating technology to provide a minimum of 20% of the buildings' energy needs. The details of the proposals for the renewable energy measures to supply each building (technology and location) shall be submitted to and approved in writing by the planning authority prior to incorporation on or within that building or within the grounds.

    REASON: Overarching Policy 2 requires all developments to be supplied by renewable energy technology to meet at least 20% of the building's overall energy requirements.

13. **Site Planting and Management Plan:** Prior to the commencement of development, a revised Site Planting and Management Plan shall be submitted to and approved in writing by the Planning Authority. The Site Management Plan shall include:

    (a) Detailed landscaping drawings at a scale of 1:1250 including all proposed plant and tree species and numbers/planting densities.

    (b) The details of compensatory tree planting to replace trees felled to accommodate development and methods to ensure their protection and establishment.

    (c) Measures to deliver net biodiversity enhancement within the site following development which shall have regard to Nature Scot's

'Developing with Nature guidance: Guidance on securing positive effects for biodiversity from local development to support NPF4 policy 3(c)'.

(d) A timetable for the implementation of the above on site based on the phasing of the development.

The Site Planting and Management Plan, including the biodiversity enhancement measures, shall thereafter be implemented in accordance with the agreed timetable or otherwise be implemented in full within 24 months of the first occupation at the site.

REASON: To comply NPF4 Policy 3(c) and LDP Natural Environment Policy 6 which require all new developments to deliver biodiversity enhancement and to satisfy Natural Environment Policy 8 which requires compensatory tree planting where trees are lost to development.

14. **Replacement Planting:** Any tees or plants forming part of the woodland compensation pursuant to the Site Planting and Management Plan which die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of their planting, shall be replaced in the next available planting season with others of similar sizes and species unless the Planning Authority gives written approval to any variation.

    REASON: To ensure that the required planting is effective to deliver appropriate tree compensation and to deliver overall biodiversity enhancement in accordance with Natural Environment Policies 6 and 8 and NPF4 Policy 3.

15. **Tree Protection During Construction**: Retained trees shall be protected during the course of construction by the erection of fencing in the locations outlined in the 'BS 5837:2012 Tree Survey and Arboricultural Planning Statement' by Hinshelwood Arboricultural Consultants dated March 2024. No storage of building materials, machinery or equipment or piling of soil, nor travelling of machinery or vehicles, shall take place within the Root Protection Areas of retained trees.

    REASON: To protect established trees against damage during construction.

16. **Ecological Clerks of Works:** Prior to the commencement of construction works within the development site, an appropriately qualified ecologist shall be appointed as an Ecological Clerks of Works by the developer. They shall oversee the implementation of the development and ensure relevant legislation and conditions on protected species (bats), nesting birds, red squirrels and tree protection are adhered to. Confirmation of the appointment, qualifications and contact name and details shall be submitted to the planning authority prior to commencement of development. Within 2 weeks of the appointment a detailed planned work programme shall be submitted to and approved by the planning authority.

    REASON: To ensure construction works are undertaken in a manner that complies with the planning conditions and safeguards ecological species and habitats on the site.

17. **Bat Protection:** Works to buildings after September 2024 shall not take place unless a further bat survey of the buildings is undertaken during the active bat season (April – September inclusive). This survey shall be submitted to an approved in writing by the planning authority prior to works to the buildings. If required, a bat licence must be obtained from Nature Scot and the conditions and mitigation detailed within the bat survey and the licence (Species Protection Plan) shall be carried out and adhered to at all times.

    REASON: To ensure the proposed works are not carried out in a manner liable to contravene Nature Conservation laws relating to a protected species and to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area.

18. **Bats in Trees:** Prior to tree works commencing on site, a prior check for the presence of bats in any trees to be lopped, chopped felled or removed shall be undertaken and the results submitted to and approved in writing by the planning authority along with details of any mitigation required to safeguard bats that are found to be present. Thereafter the works to the trees shall only be undertaken in accordance with the approved mitigation.

    REASON: To ensure the proposed works are not carried out in a manner liable to contravene Nature Conservation laws relating to a protected species and to accord with the first statutory aim of the National Park to conserve and enhance the natural heritage of the area.

19. **Red Squirrel:** No earlier than 2 months prior to each phase of works commencing, the site shall be subject to a pre-commencement survey for red squirrel. Works which may have the potential to disturb red squirrels shall be avoided within 50m of an active drey during the breeding season (February to September inclusive). During the non-breeding season, works which have the potential to disturb red squirrels shall be avoided within 5m or one tree's distance to dreys (whichever is less). The results of the survey shall be submitted to and approved in writing by the planning authority prior to the phase of works commencing.

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

20. **Breeding Birds:** No trees or vegetation shall be cleared or works undertaken to buildings during the main bird breeding season (March – August inclusive) unless a walk over survey for nesting birds is undertaken (no earlier than 7 days prior to such works commencing) and details of the survey and findings shall be submitted and approved by the planning authority prior to undertaking the clearance works. If nesting is identified, an appropriate exclusion zone for that particular bird species shall be erected around the nest. No vegetation within this exclusion zone shall be cut or removed and no works shall take place within this exclusion zone until the chicks have fledged.

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

21. **Invasive Non-Native Species Eradication:** An invasive species management plan for Rhododendron ponticum shall be submitted to the planning authority detailing the eradication treatment to take place. The

eradication treatment shall thereafter be carried out in accordance with the approved invasive species management plan and evidence that the site is free of Rhododendron ponticum shall be submitted to and approved by the planning authority prior to the occupation of any buildings within the site.

REASON To ensure that non-native invasive plant management is undertaken to enhance and protect the environment.

22. **External Lighting:** Prior to the installation of any external lighting, an external lighting plan shall be submitted and approved in writing by the Planning Authority. This shall include a lighting management strategy incorporating details of the lighting design and positioning of any outdoor lights. This should follow guidance for bats and external lighting. There shall be no temporary lighting of the site for construction purposes.

    REASON: In order to minimise the effects of light pollution in the interests of the amenity of the area and protect bats from the disturbance effects of external lighting.

23. **Public use of on-site facilities**: Prior to any of the ancillary gym, swimming pool and outdoor courts being made available for use by the public other than by occupiers of the development, a scheme for appropriate visitor parking (including vehicle and cycle parking) shall be submitted to and approved in writing by the planning authority. Thereafter the parking shall be implemented on site prior to the use of the facilities by the wider pubic.

    REASON: Appropriate parking provision on site is needed to support wider public use of these facilities.

24. **Parking:** Parking (cycle and vehicle) provision shall comply with the rates in Stirling Council's Supplementary Guidance: Transport and Access for New Development. Parking shall be provided in full in advance of the occupation of any part of the proposed development. No development shall commence until a specification for cycle parking for that part of the development has been submitted for the written approval of the Planning Authority, in consultation with the Transport Development Team. Consideration shall be given to the provision of accessible parking.

    REASON: To ensure that the development includes appropriate on-site parking provision to avoid indiscriminate parking outside of the site.

25. **Electric Vehicle Charging:** No development shall commence until a scheme has been submitted detailing the provision of electric vehicle charging points within the site. Proposals shall be submitted to and approved in writing by the Planning Authority, in consultation with Stirling Council Transport Development Team. The approved scheme shall be implemented in line with the approved timescales.

    REASON: To ensure that the development addresses the climate aims of NPF4 Policies 1 and 2.

26. **Access Geometry:** The access shall be constructed at right angles to the public road, as a bellmouth formed comprising 6m kerbed radii, leading to an entrance throat width of 5.5m. The design and construction of the access shall be undertaken in accordance with the requirements of the Roads Authority.

REASON: In the interests of road safety.

27. **Swept Path:** No development shall commence until a swept path analysis of the proposed site access is submitted for the written approval of the Planning Authority, in consultation with the Transport Development Team. The swept path analysis should include a fire tender and refuse vehicle as a minimum.

    REASON: To ensure that the development can be appropriately accessed by refuse and emergency services vehicles.

28. **Access Construction:** The access shall be constructed in accordance with the requirements of the Roads Authority, with the access being suitably surfaced/drained to ensure that no loose material or surface water will be carried or discharged from it onto the public road. The access shall be fully formed and available for use prior to the occupation of any part of the proposed development. At the point of occupation, none of the 7 apartments or lodges shall take access other than from the new main access.

    REASON: In the interests of road safety because the existing accesses have not demonstrated adequate visibility splay standards to serve the development.

29. **Access Visibility:** The development hereby approved shall not be occupied unless visibility splays of 2.4m x 70m, measured in either direction from the centreline of the access and along the public road edge, have been provided at the vehicular access point to the site from the public road. 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.

30. **Advance Pedestrian Signage:** A drawing detailing proposed locations for advance pedestrian warning signage (in accordance with The Traffic Signs Regulations and General Directions; Diag. 544.1 Pedestrians in Road Ahead) shall be submitted for the written approval of the Planning Authority, in consultation with the Transport Development Team. Thereafter the agreed signage arrangement shall be implemented in full prior to the occupation of any part of the proposed development.

    REASON: To advise drivers and pedestrians that the use of the road is shared. In the interests of road safety.

31. **Access Gates:** No access gates shall be permitted within the initial 6m of any access track, measured from the edge of the adjacent public road, and gates shall open inwards only.

    REASON: In the interests of road safety.

32. **Construction Traffic Management Plan:** Prior to the commencement of any works on site, a 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. The approved Construction Traffic Management Plan, or any future iterations approved by the planning authority, shall be implemented prior to development commencing and remain in place until the development is complete.

REASON: In the interests of road safety.

33. **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.

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

34. **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.

35. **Site 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.

36. **Verification Report:** 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.

37. **Unexpected Contamination:** 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 all contamination within the site is dealt with appropriately.

38. **Working Hours:** No construction activity shall be carried out, and no deliveries received at, or despatched 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 a recognised Scottish Bank Holiday. This condition shall not apply to works internal to the proposed buildings which are not audible at the boundary of the site.

REASON: To protect the occupants of nearby dwellings from excessive noise and disturbance associated with construction works.

Appendix 2: Section 75 Heads of Terms

1. **Removal of Permitted Development Rights for tourism development (dwellings):** Notwithstanding the provisions of Part 1 and Part 2 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking or re-enacting that Order with or without modification) no extensions to the buildings hereby permitted to be constructed shall be undertaken, nor shall any building or enclosure, hard surface, oil or gas storage tank, be installed/built within the curtilage of the new buildings which comprise the tourism/short term let development that is the subject of this planning permission without planning permission being granted on an application made to the Planning Authority.

2. **Landscaping and Maintenance of Common Areas:** The proprietors shall be obliged to maintain the landscape setting of the Development as a single common entity for all time coming in a manner consistent with the terms of the planning permission.

   The common areas of the planning application site, which common areas shall comprise any part of the planning application site not having a building on it and not being the curtilage of a building, shall be maintained and managed in perpetuity by the landowner of the planning application site in accordance with a maintenance and management plan to be submitted to the Planning Authority for its approval. The maintenance and management plan shall include, but not be limited to, ongoing landscaping of the planning application site.

Appendix 3: List of Plans

Title	Reference	Date Received
Site as existing and location	489 - 00 - Rev b	11/11/22
Main Buildings Ground Floor Refurbishment	489 - 101	11/11/22
Main Buildings First Floor Refurbishment	489 - 102	11/11/22
Main Buildings South Elevation	489 - 111 Rev a	11/11/22
Main Buildings Ground Floor as Proposed Sheet 1	489 - 121	11/11/22
Proposed Section	489 - 132	11/11/22
Existing Sections	489 - 150	11/11/22
Main Buildings Ground Floor as Proposed Sheet 1	489 - 201 1	11/11/22
Main Buildings First Floor Refurbishment	489 - 202	11/11/22
Main Buildings South Elevations Proposed	489 - 211 Rev d	11/11/22
Main Buildings North Elevations Proposed	489 - 213 Rev b	11/11/22
Main Buildings Existing Roof Plan	489 - 216	11/11/22
Holiday Lets units	489 - 440 Rev b	11/11/22
Units 4 to 6 Elevations Proposed	489 - 441	11/11/22
Stables Holiday Lets Units 1 - 3	489 - 510 Rev b	11/11/22
Stables Holiday Lets Units 1 - 3	489 - 511	11/11/22
Main Buildings East Elevation	489 - 112 Rev b	11/11/22
Main Buildings North Elevation	489 - 113 Rev b	11/11/22
Main Buildings East Elevations Proposed	489 - 212 Rev d	11/11/22
Existing Section	489 - 130	11/11/22
Existing Section	489 - 131	11/11/22
Main Buildings Proposed Roof Plan	489 - 215	11/11/22
Holiday Lets Unit 7	489 - 570 Rev a	11/11/22
Main Buildings Ground Floor Refurbishment	491 - 103	11/11/22
Outline Drainage Strategy	CES751/01/01 REV B	14/11/22
Main Buildings West Elevation	489-114 REV A	29/01/24
Main Building West Elevation Proposed	489-214-Rev D	30/01/24
General Layout Sheet 1 South	489-50 REV N	09/10/24
General Layout Sheet 2 North	489-51 REV N	09/10/24
Holiday Homes Southeast General Layout	489-52 REV G	09/10/24
Lodge Park North West General Layout	489-53 REV I	09/10/24
Main House General Layout	489-54 REV F	09/10/24
Holiday Homes Northwest General Layout	489-55 REV H	09/10/24
Phasing Plan		09/10/24
Highways Design Sheet 2	489-61	11/11/22
Demolitions Plan	489-71	06/12/22
Garage Ancillary Accommodation	489-120a	13/08/24

'BS 5837:2012 Tree Survey and Arboricultural Planning Statement' by Hinshelwood Arboricultural Consultants dated March 2024		18/03/24
Structural Inspection and Survey Report by Corebrook Engineering dated 25 April 2023		27/04/23
Holiday Home Design Guide		11/11/22