



Planning and Access Committee

Meeting: 25 November 2024

Agenda item 7: 2024_0118_DET Committee Report

SUBMITTED BY: Director of Place

APPLICATION NUMBER:	2024/0118/DET
APPLICANT:	Mr And Mrs Chris Sweeney
LOCATION:	Braeside, 5 Main Street, Drymen
PROPOSAL:	Siting of pod for office use; formation of 2 no. covered storage areas and 1 no. covered seating area; formation of pergola and outdoor fireplace; re-roofing of dwellinghouse and formation of pitched roof to dormer (partially retrospective)
NATIONAL PARK WARD:	Ward 4 - East Loch Lomond and Port of Menteith
COMMUNITY COUNCIL AREA	Drymen
CASE OFFICER:	Name: Julie Gray Tel: 01389 727753 E-mail: Julie.gray@lochlomond-trossach.org

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1. Summary and reason for presentation

1.1. It is proposed to site an office pod; form two covered storage areas; one covered seating area and erect an outdoor fireplace within the grounds of the property known as Braeside. It is also proposed to reroof the dwellinghouse and form a pitched roof on an existing dormer to the front of the property. The works within the grounds have already been carried out. The site is within Drymen Conservation Area.

1.2. The application is being presented to Committee because an objection has been received from Drymen Community Council.

2. Recommendation

2.1. That Members:

APPROVE the application subject to the imposition of the conditions set out in **Appendix 1** of the report.

3. Background

Site Description	
3.1.	The application site is located to the north of Drymen Square on the west side of Old Gartmore Road. The site comprises a guest house fronting the road together with a detached outbuilding to the rear which is used as self-contained holiday accommodation/business accommodation (ref: 2013/0128/DET and 2007/0075/HAE) and a further holiday unit within the garden ground (ref: 2016/0277/DET). A location plan is provided in Figure 1.
3.2.	The site is within Drymen Conservation Area.

Site Description

3.3. The garden ground is bound by mature hedging with Drymen Village Hall to the north, The Drymen Inn to the east (rear) and a residential property separated by a private driveway to the south. The guesthouse fronts the road and is directly on the pavement line. The Clachan Inn is located on the opposite side of the road. An aerial image is provided in Figure 2 and is annotated to demonstrate the site is primarily surrounded by commercial properties.

3.4. site

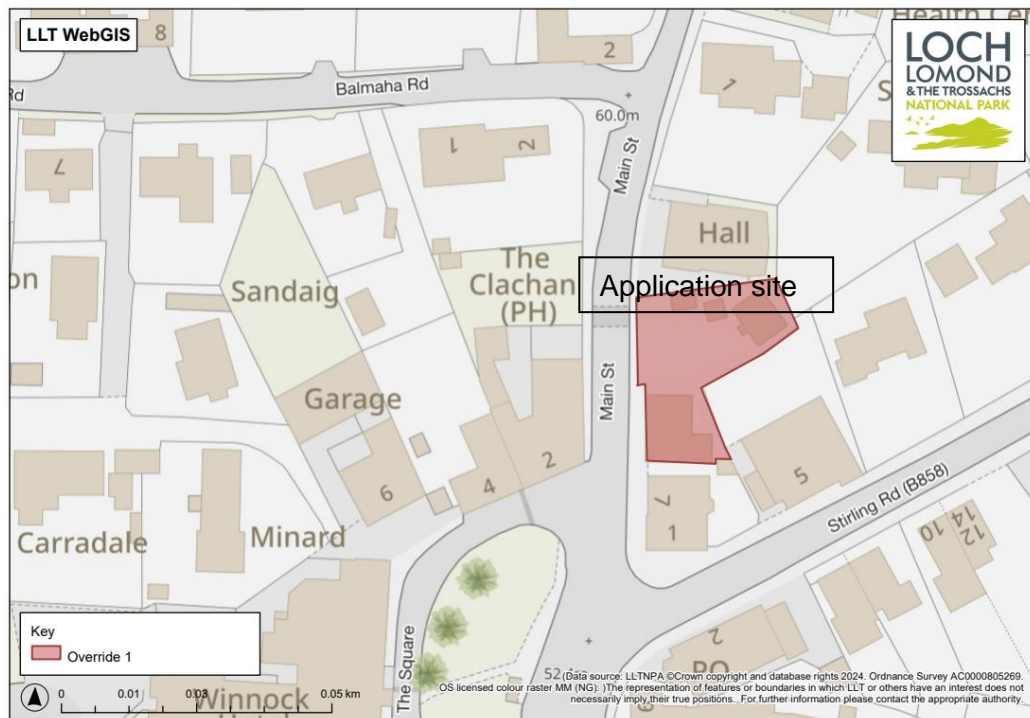


Figure 1: Location Plan

Site Description

3.5.

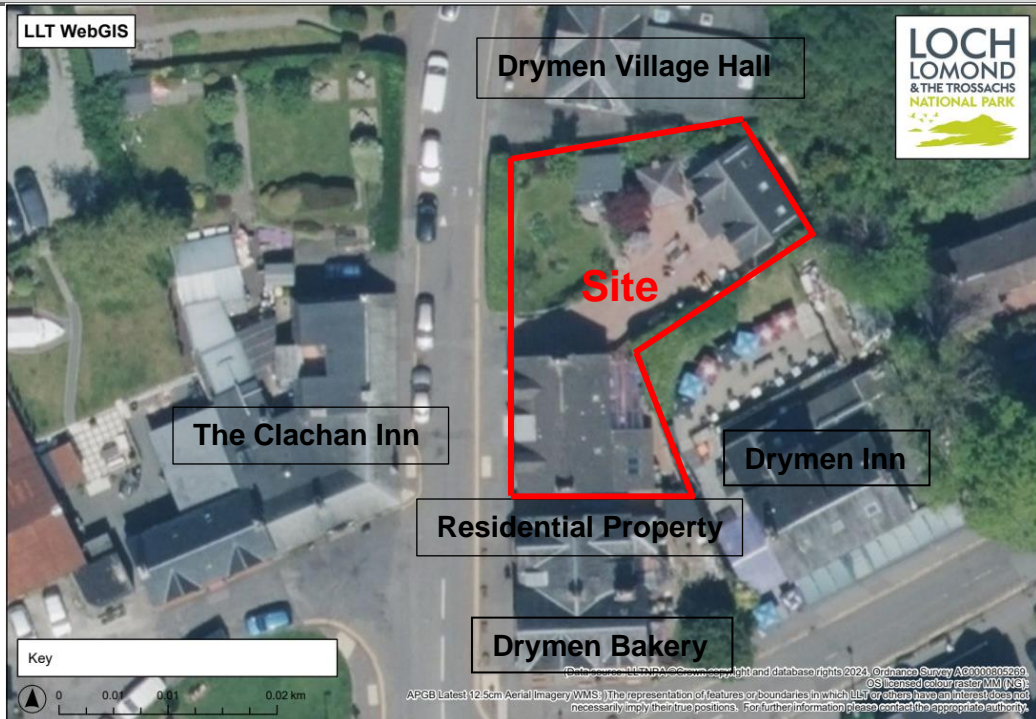


Figure 2: Aerial Image of site

Description of Proposal

3.6.

Retrospective planning permission is sought for a number of external works in the garden area comprising:

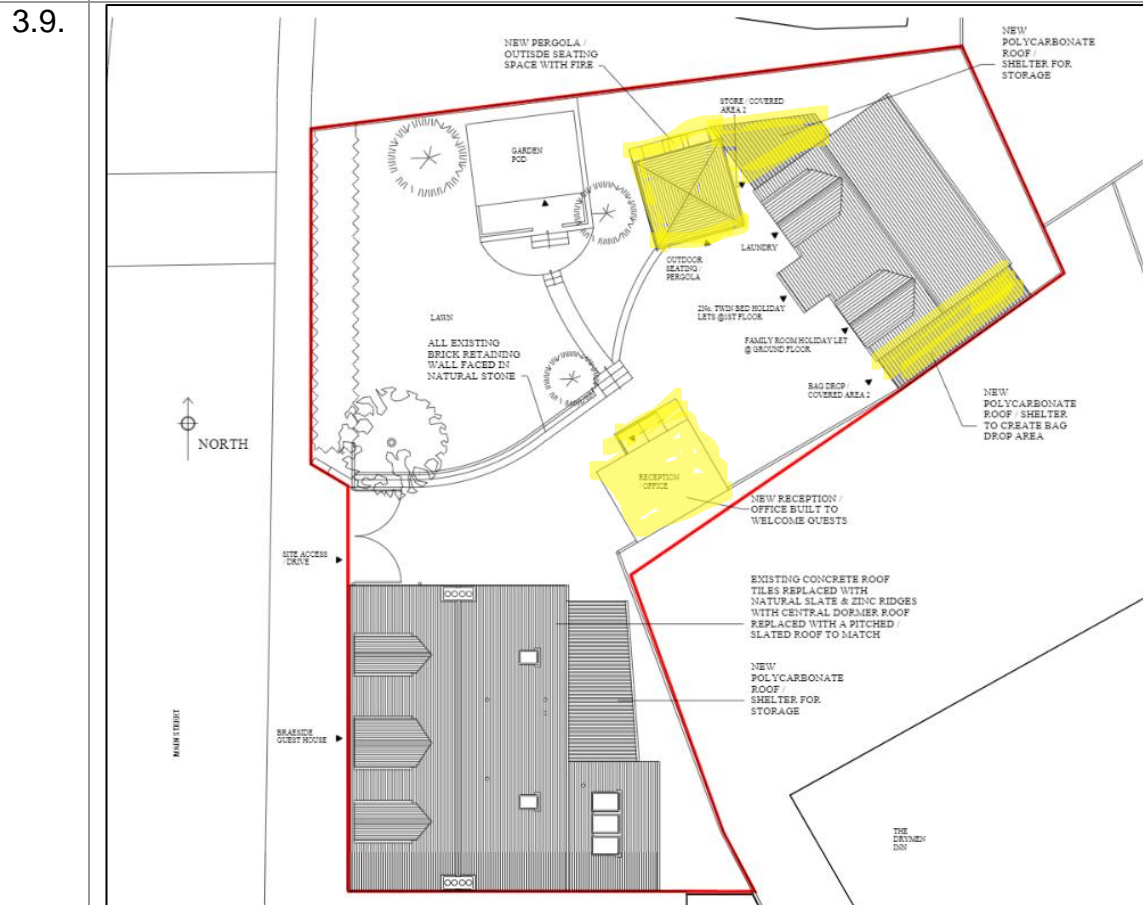
1. The formation of two covered areas to the sides of the existing garage/holiday let building. These are lean to structures supported by the garage to one side and supported on timber posts to the lower side. They have clear poly carbonate roofs and provide secure storage areas for luggage and bikes.
2. The erection of an oak framed pergola measuring 3.5m x 3.5m and 3.4m high. The pergola has a slate roof with lead flashings.
3. A solid brick fireplace and chimney within the pergola structure.
4. Siting of an office pod measuring 4.2m x 3.2 m. It is located on the sloping driveway and measures 3.5m high as measured at the elevation which faces Old Gartmore Road. It is clad with dark grey composite cladding and had a flat roof.

3.7.

The site plan submitted in support of the application and photographs showing the works already carried out are provided in Figures 3-7.

Description of Proposal

3.8. Planning permission is also sought for proposed works to the guest house comprising the re-roofing of the property from concrete tiles to natural slate and to form a pitched roof over the central dormer to the front elevation.



Description of Proposal

3.10.



Figure 4: View towards site from Old Gartmore Road. Office pod is visible.

3.11.

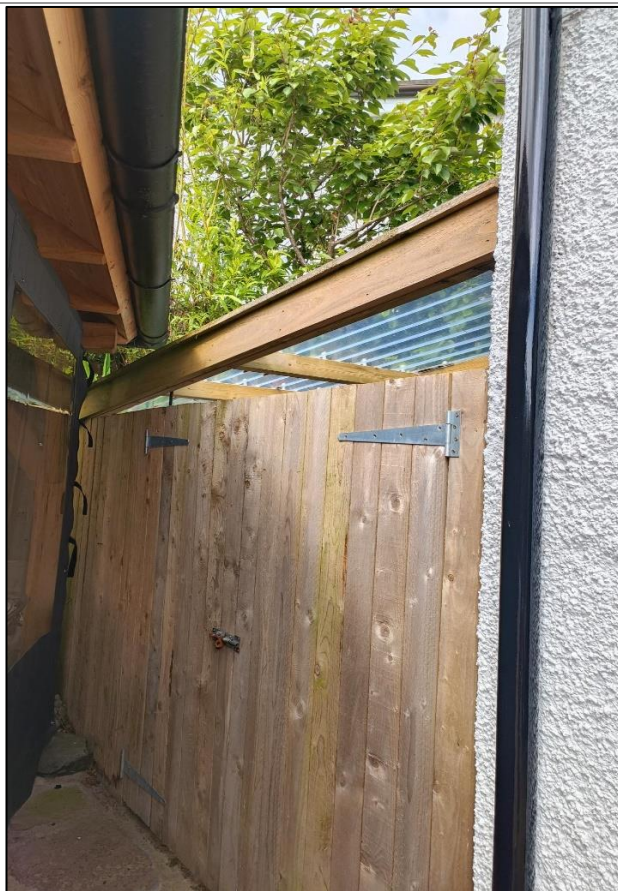


Figure 5: Luggage/cycle store to the north of the existing outbuilding

Description of Proposal

3.12.



Figure 6: Luggage store to the south of the existing outbuilding

Description of Proposal

3.13.



Figure 7: Pergola and Outdoor Fireplace

Planning History

- 3.14. 2016/0277/DET - Approve -13 January 2017
Siting of detached holiday unit ancillary to existing Bed and Breakfast
- 2013/0128/DET - Approve -13 August 2013
Conversion of ground floor garage to provide short-term holiday unit/owner's accommodation with garage/storage accommodation; and amendment to occupancy restriction detailed in Condition 4 of planning permission ref: 2007/0075/HAE.
- 2009/0361/DET - Approve without Conditions -31 March 2010
Change of use of dwellinghouse to Class 7 (Hotels and Hostels)
- 2007/0075/HAE - Approve with Conditions -13 September 2007

Planning History

	Erection of double garage with bunkroom accommodation in roofspace
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4. Environmental impact and habitat regulations assessment

Environmental Impact Assessment (EIA)

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| 4.1. | The National Park is identified as a 'Sensitive Area' within the Environmental Impact Assessment (Scotland) Regulations 2011. As a 'Competent Body' the National Park Authority has a statutory duty to consider whether proposals for development should be subject to the EIA process. |
| 4.2. | In this instance it has been determined that an Environmental Impact Assessment (EIA) is not required as the proposal is not within Schedule 1 or 2 of the Regulations. |

Habitat Regulations Assessment (HRA)

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|------|---|
| 4.3. | The Habitats Regulations require that where an authority concludes that a development proposal is likely to have a significant effect on a European site (SPA or SAC) it must undertake an Appropriate Assessment (AA) of its implications for the European site in view of the site's conservation objectives. |
| 4.4. | An AA is not required in this case as the proposed development would not be near to/impact upon any European protected species or designated sites. |

5. Consultations and representations

Responses to Consultations

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|------|---|
| 5.1. | <u>Drymen Community Council</u> – Objects to the development on the grounds that the proposal is over development of the site and prohibits parking on the driveway associated with the business and forces parking on to the pavement or double yellow lined road. |
| 5.2. | <u>Stirling Council Roads Authority</u> – No objection and no transport conditions are required to be applied to any consent granted. |

Responses to Consultations

5.3.	<u>Stirling Council Environmental Health</u> – No objection, however the covered seating area and fireplace are features which could impact on neighbours as a result of patron noise and smoke. It is recommended that the applicant has procedures in place to limit any impacts such as: hours of use, weather conditions, lighting and operation of the fireplace and use of appropriate fuels. An informative to note this is recommended as in the event of nuisance arising, this would be investigated by Stirling Council Environmental Health Authority as a potential statutory nuisance.
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Representations Received

5.4.	Two representations have been received objecting to the proposal, one of the objections received is on behalf of the Drymen Village Hall.
5.5.	In summary the matters raised in objection are: <ul style="list-style-type: none"> • Onsite parking provision removed • Multiple vehicle movements are required to the site (laundry, baggage drop and collection, maintenance, staff and guest) which now park on the double yellow lined road. • The reception/office building is only open 4-6 suggesting it is not required. • Over-development of site. • The additional elements including CCTV, lean to structures and fireplace suggest there is a large number of visitors on site at any one time.
5.6.	One objection also raised the issue of the use class of the property and notes that it appears to be used as a guest house (class 7). By way of clarity – permission was granted in 2010 (ref: 2009/0361/DET) for a change of use of the property to a guest house. The property therefore benefits from Class 7 use.
5.7.	The full content of the representations is available to view on the National Park Authority's Public Access website . Click on view applications, accept the terms and conditions then enter the search criteria as '2024/0118/DET'.

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 2016) along with Supplementary Guidance.
6.2.	<p><u><i>National Planning Framework 4 (NPF4) (Feb 2023)</i></u></p> <p>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:</p> <p>Policy 1 - Tackling the climate and nature crises Policy 2 - Climate mitigation and adaptation Policy 3 - Biodiversity Policy 7 - Historic assets and places Policy 13 - Sustainable transport Policy 14 - Design, quality and place Policy 26 - Business and industry Policy 27 - City, town, local and commercial centres Policy 29 - Rural development Policy 30 - Tourism</p>
6.3.	<p><u>Local Development Plan (2017-2022)</u></p> <p>The Local Development Plan (LDP) sets out the vision for how the National Park should change over the next 20 years. The LDP covers the period from 2017 to 2026 is updated every 5 years.</p> <p>The following LDP Policies are relevant to the determination of this application:</p> <p>OP1 – Overarching Policy 1: Strategic Principles OP2 – Overarching Policy 2: Development Requirements VE1 - Visitor Experience Policy 1: Location and Scale of new development</p>

The Development Plan

VE2 - Visitor Experience Policy 2: Delivering a World Class Visitor Experience
 TP2 - Transport Policy 2: Promoting Sustainable Travel and Improved Active Travel Options
 TP3 - Transport Policy 3: Impact Assessment and Design Standards of New Development
 NEP6 - Natural Environment Policy 6: Enhancing Biodiversity
 HEP1 - Historic Environment Policy 1: Listed Buildings
 HEP2 - Historic Environment Policy 2: Conservation Areas
 WMP1 - Waste Management Policy 1: Waste Management Requirement for New Developments

Other Material Considerations

6.4. National Park Aims

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.

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.

6.5. National Park Partnership Plan (2024-2029)

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:

Other Material Considerations

	Section 3.1: Transitioning to a Greener Economy - 2045 Outcome: A greener and more diverse rural economy. 1. Increase sustainable tourism 2. Support low carbon businesses 3. Grow green and nature-based jobs and skills
6.6.	<u>Planning Guidance</u> Visitor Experience (revised 2022) Listed Buildings and Conservation Areas
6.7.	Drymen Local Place Plan (2023-2032)
6.8.	Drymen Conservation Area Appraisal

7. Summary of supporting information

Supporting Information

7.1.	The applicant has submitted the following documentation in support of the planning application: <ul style="list-style-type: none">Supporting statement outlining the works which have already been carried out as well as the proposed works including an assessment of how the work is perceived to comply with the relevant planning policies.
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8. Planning assessment

Key Issues

8.1.	The key issues for consideration in the determination of this application are: <ul style="list-style-type: none">Principle of DevelopmentImpact on the character and appearance of Drymen Conservation AreaResidential AmenityParking and Traffic
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Principle of Development

8.2.	NPF4 Policy 30 (Tourism) supports development proposals for new or expanded tourist accommodation in locations identified in the Local Development Plan (LDP). LDP Visitor Experience Policy 1 supports improved/expanded/altered visitor accommodation within town and village locations. The principle of the proposal is therefore supported as the works relate to the expansion and alteration of an existing visitor accommodation within a village setting.
8.3.	<p>NPF4 Policy 30 also requires proposals to take into account the following matters:</p> <ul style="list-style-type: none">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;iii. Impacts on communities, for example by hindering the provision of homes and services for local people;iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;v. Accessibility for disabled people;vi. Measures taken to minimise carbon emissions;vii. Opportunities to provide access to the natural environment.
8.4.	Overall, the proposal is for works to expand the facilities of an existing local business by providing secure luggage and bike storage, office space as well as an outdoor seating area. The nature of the business – which is primarily focussed on users of the West Highland Way for one night stays – is complementary to other local providers, for example, luggage transport and dining options and thereby supports the local economy in supporting footfall through the village. The proposal does not hinder the provision of homes or services for local people. The guesthouse is one of a number of stops along the WHW route and provides accommodation to support access to the popular long distance walking route. It is considered to comply with the further considerations of NPF4 Policy 30.

Impact on the character and appearance of Drymen Conservation Area

8.5.	NPF4 Policy 7 (historic assets) supports development proposals in Conservation Areas where the character and appearance of the Conservation Area and its setting is preserved or enhanced. LDP Historic Environment Policy 2 is consistent with the requirements of NPF4 Policy 7.
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Impact on the character and appearance of Drymen Conservation Area

8.6.	<p>The site is located to the northern edge of Drymen Conservation Area on Old Gartmore Road. Due to the location of the guesthouse directly on the pavement line and presence of tall mature hedging along the boundary to Old Gartmore Road, the garden ground is only publicly visible when looking directly through the driveway accessing the north side of the property. Public view of the development in the garden ground is therefore very limited.</p> <p>There is existing approved development within the garden ground, namely the holiday let pod and outbuilding. Given the presence of approved built development in the garden ground, the siting of the office pod does not present a significant change to the outward appearance of the development. This, together with the limited public visibility of the site, means that there is no impact on the character and appearance of the Conservation Area and it is therefore preserved in accordance with NPF4 Policy 7.</p>
8.7.	<p>The proposal does not add to the bedroom provision and therefore it is not anticipated that the development will lead to an increase in visitor numbers - it is to improve the function of the business. Wider impacts on the Conservation Area, as a result of increased visitor numbers or traffic, are not expected.</p>
8.8.	<p>The proposed works to the roof of the guesthouse- the formation of a pitched roof above the central flat roofed dormer and installation of natural slates will enhance the character and appearance of the Conservation Area and are supported by NPF4 Policy 7.</p>
8.9.	<p>Objection has been raised on the grounds that the site has been over developed. The further development in the garden ground has resulted in the overall presence of 3 outbuildings and a substantially sized pergola as well as the infill of the sides of the original garage building to form the covered secure storage areas. It is accepted that this does present a substantial level of built development within the garden ground in proportion to the existing building on the site. Notwithstanding this, there is remaining garden ground for use as amenity space as outlined in the statement submitted in support of the application. Given there is no wider impact on the character and appearance of the Conservation Area, as a result of the proposals within the garden ground, the level of development on the site is not considered to present sufficient reason to refuse the application.</p>

Residential Amenity

8.10.	There is one residential property to the south of the guesthouse which is separated by a private driveway. There is potential for noise nuisance to arise, impacting on residential amenity, due to the outdoor seating area. However, the seating area and fireplace are located to the northern edge of the site – furthest away from the residential property. There will also be a management presence on site within the guesthouse.
8.11.	Given the siting of the outdoor seating area away from the neighbouring residential property and onsite management presence, it is not anticipated that neighbouring amenity will be impacted upon as a result of the development. Furthermore, this aspect of the proposal is retrospective, and no complaints have been received to date on the grounds of noise nuisance from the development relative to the outdoor seating.
8.12.	Stirling Council Environmental Health were consulted on the application and have recommended that the management of the guesthouse has a procedure in place to limit any impacts of the outdoor seating area and fireplace on residential amenity. An informative is recommended to highlight this to the applicant. Any complaints arising as a result of the outdoor seating area and fireplace would be investigated by the Environmental Health Authority as a potential statutory nuisance.
8.13.	The works carried out have been sited on areas of existing hardstanding, there is therefore no impact on biodiversity at the site. NPF4 Policy 3 does however require local developments to include appropriate measures to conserve, restore and enhance biodiversity. A condition is therefore recommended to ensure that proportionate biodiversity enhancement is delivered on site.

Parking and Traffic

8.14.	LDP Transport Policy 2 requires development proposals to make a positive contribution towards encouraging safe, sustainable travel and improving active travel options. LDP Transport Policy 3 requires development to minimise any adverse impact on traffic flows on the local road network and be serviced by roads infrastructure to the specification of and in consultation with the Roads Authority.
8.15.	Stirling Council as Roads Authority were consulted on the application and have not raised any concerns or required any roads conditions to be applied.

Parking and Traffic

8.16.	Objection has been raised on the grounds that the office pod removes parking provision from the site and that service vehicles (laundry and luggage transport) are parking on the double yellow lined road. Whilst these points are noted, the target guests for the guesthouse are West Highland Way walkers who do not require parking provision. There is also the public car park a short distance away for guest who do require to park. Further, it is common for service vehicles to park in front of businesses for short periods to carry out specific tasks. Notwithstanding this common practice, there remains the opportunity for vehicles to access the driveway of the guesthouse. Importantly, the proposal does not increase visitor accommodation at the site but enhances the existing provision, it will not therefore result in an increase in the required service provision to the property. The proposal is considered to comply with the requirements of LDP Transport policies 2 and 3.
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Conclusion

8.17.	The principle of the proposal is supported by NPF4 Policy 30 (Tourism) and LDP Visitor Experience Policy 1 as the development is an enhancement of an existing visitor accommodation within a village setting.
8.18.	The garden ground is largely screened from public view and the works undertaken in this area do not impact on the character and appearance of the Conservation Area. Proposed works to the roof of the guest house are in keeping with character of the property and the introduction of the slate roof will enhance the appearance and character of the property and Conservation Area. The proposal complies with NPF4 Policy 7 (Historic Assets) and LDP Historic Environment Policy 2: Conservation Areas.
8.19.	There is not anticipated to be any impact on residential amenity as a result of the development due to the siting of the outdoor seating area to the northern edge of the garden ground at the furthest point away from the neighbouring residential property, and onsite management presence.
8.20.	The proposal does not increase the amount of visitor accommodation at the site but provides an enhancement to the existing provision. Disruption caused by service vehicles to the site is therefore not anticipated to be significantly increased as a result of the development and the Roads Authority have not raised any concerns with regards to parking provision at the site. The proposal complies with LDP Transport Policies 2 and 3. The enhancement measures at the site will aid in supporting walkers of the West Highland Way and cyclists in providing

Conclusion

secure luggage and cycle storage and thereby supports sustainable transport options.

9. Appendix 1 Conditions

Conditions

- 9.1. **Proposed Slate:** Prior to the re-roofing of the building hereby approved, a sample of the natural slate and details of the sizing of slates and method of laying shall be submitted to, or made available for inspection by, and subsequently approved in writing by the Planning Authority prior to their being affixed to the roof structure.

REASON: To safeguard the character and appearance of Drymen Conservation Area.

- 9.2. **Biodiversity enhancement:** Within 3 months of the date of the decision notice, a scheme for the enhancement of biodiversity within the development site shall be submitted to, and approved in writing by, the Planning Authority. This scheme shall then be implemented in full in a timescale to be agreed in writing with the Planning Authority.

REASON: To secure biodiversity enhancement as required under NPF4 Policy 3: Biodiversity and adopted local development plan Natural Environment Policy 6: Enhancing Biodiversity.