

Perth and Kinross Council
Planning and Placemaking Committee – 14 September 2022
Report of Handling by Head of Planning & Development
(Report No. 22/220)

PROPOSAL:	Erection of visitor centre comprising crannog, roundhouse, demonstration structures, café/retail, museum/office, car and coach parking, landscaping and associated works
LOCATION:	Land 60 Metres South-East of Drummond House, Kenmore

Ref. No: [22/00711/FLL](#)
Ward No: P4 – Highland

Summary

This report recommends approval of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 Full planning permission is sought for the erection of a visitor centre associated to the Scottish Crannog Centre (SCC). It is proposed to develop a crannog, roundhouse, demonstration structures, cafe/retail and museum/office facilities, car and coach parking, landscaping and other associated works all at Dalerb on the north shore of Loch Tay. Specifically positioned between the A827 and the loch shore. The development area extends to approximately 1.9 hectares and is a broad, slightly projecting peninsula approximately 1km to the west of Kenmore on the road towards Fearnan. Loch Tay sits on its south and west sides, whilst the A827 is to the north with single storey residential properties beyond, and to the east is the remainder of the wider Dalerb site which is a further 1.7 hectares in site area bringing the total land holding to 3.6 hectares. The land to the east may be proposed for further SCC associated development in the future. Topographically the site slopes from north to south, towards Loch Tay, by approximately 8.5m.
- 2 The site is currently used for recreation and was previously owned by Forestry and Land Scotland. There is an existing access onto the A827 and an access track which links to a series of small car parking areas. This enables members of the public to access the loch shore, there are also scattered areas of woodland and dense scrub, undulating areas of mown grassland, a small toilet block and litter bins. The loch shore comprises rock and shingle. The western part of the site is currently in separate private use for boat maintenance and water access.

- 3 The Scottish Crannog Centre is currently located on the south side of Loch Tay adjacent to Taymouth Marina and the submission indicates that that site no longer has the capacity to meet the demands of the SCC's operations, which includes a visitor attraction, research facility, social enterprise and skills development, interpretive exhibition and teaching space. The Scottish Crannog Centre Trust (SCCT) acquired the site at Dalerb in early 2020 and this application forms phase 1 of a wider development project proposed to accommodate up to 80,000 visitors per annum.
- 4 In June 2021 there was a fire at the current SCC facility, which accelerated plans to deliver the project at Dalerb.
- 5 As outlined above the proposal is split into two phases, this application relates to phase 1 and would enable the SCC to become operational at a new location, by providing: an iron age village and roundhouse, construction of the first crannog, footpaths, utilities and infrastructure. A temporary car park is also proposed along with a new visitor centre comprising a cafe, retail use, museum and office. It is indicated that a separate application will follow for the remainder of the site, to expand the offering further.
- 6 Phase 1 at Dalerb is proposed at the western side of the overall site, utilising the existing access from the A827. A car and coach parking area is proposed on the eastern area, with associated access tracks. Parking for 47 cars, four disabled vehicles and three coaches together with a bus drop off point are proposed.
- 7 The main visitor centre is proposed to the south-west of the access, comprising two interlinked timber clad modular buildings with 'green' roofs. The northern building will accommodate a museum area and office. The link structure will serve as the main entrance. The southern building will accommodate the main reception, a small retail area, cafe and accessible WC.
- 8 To the north of the visitor centre a smaller timber clad toilet block and plant room is proposed, largely re-using the existing toilet block. This would be a simple pitched roof structure with male, female and accessible WC facilities, accessible shower and plant room. A small office building is proposed to the west of the plant room, contained within a portable cabin.
- 9 A re-created iron age village is proposed to the north-west of the visitor centre which, comprising numerous relatively small-scale structures to enable demonstration of iron age life including: cooking, textiles, metal work and other activities. Structures will be of varying designs, with construction including the use of drystone walling, turf and thatch roofs.
- 10 A larger "roundhouse" is proposed as a focal point and used for education, performance and interpretation. It is also proposed to be constructed with turf walling and a thatch roof.
- 11 A "Woodman's Yard" would be developed to the north of the roundhouse, containing two storage containers and will serve as the construction and

maintenance and training area for traditional skills such as: coppicing, timber framing, green woodworking and other related craft skills.

- 12 A series of footpaths are also proposed around the loch shore, together with outdoor "performance spaces" scattered amongst the existing woodland.
- 13 A crannog structure is proposed in the western area, extending into Loch Tay. This will be similar to the existing crannog at Taymouth and would provide a learning and performance space. It will be accessed via a timber walkway and mounted on timber posts with a thatch roof.

Pre-Application Consultation

- 14 The proposed development is not classed as a Major development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Therefore, the applicant had no statutory requirement to undertake any formal pre-application consultation with the local community. However, it is noted that numerous discussions have been undertaken with the local community prior to the application being submitted.

National Policy and Guidance

- 15 The Scottish Government expresses its planning policies through The National Planning Frameworks, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

National Planning Framework 2014

- 16 NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. This is a statutory document and material consideration in any planning application. It provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

The Scottish Planning Policy 2014 (SPP)

- 17 The Scottish Planning Policy (SPP) sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:
 - The preparation of development plans;
 - The design of development, from initial concept through to delivery; and
 - The determination of planning applications and appeals.
- 18 The following sections of the SPP will be of particular importance in the assessment of this proposal:

- Sustainability: paragraphs 24 – 35
- Placemaking: paragraphs 36 – 57
- Supporting Business and Employment: paragraphs 32 – 108
- Valuing the Historic Environment: paragraphs 135 – 151
- Managing Flood Risk and Drainage: paragraphs 254 – 268
- Promoting Sustainable Transport and Active Travel: paragraphs 269 – 291

Planning Advice Notes

- 19 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40: Development Management
- PAN 51: Planning, Environmental Protection and Regulation
- PAN 60: Natural Heritage
- PAN 61: Planning and Sustainable Urban Drainage Systems
- PAN 68: Design Statements
- PAN 69: Planning and Building standards Advice on Flooding
- PAN 75: Planning for Transport
- PAN 77: Designing Safer Places
- PAN 79: Water and Drainage
- PAN 1/2011: Planning and Noise

Creating Places 2013

- 20 Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

National Roads Development Guide 2014

- 21 This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.

Development Plan

- 22 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019.

TAYplan Strategic Development Plan 2016-2036

- 23 TAYplan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plan states that:

“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”

- 24 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application. - Policy 1: Locational Priorities
- Policy 2: Shaping Better Quality Places
 - Policy 3: A First Choice for Investment
 - Policy 8: Green Networks
 - Policy 9: Managing TAYplans Assets

Perth and Kinross Local Development Plan 2

- 25 The Local Development Plan 2 (2019) (LDP2) sets out a vision statement for the area and states that, *“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”* It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 26 The principal relevant policies are, in summary;
- Policy 1A: Placemaking
 - Policy 1B: Placemaking
 - Policy 2: Design Statements
 - Policy 5: Infrastructure Contributions
 - Policy 6: Settlement Boundaries
 - Policy 8: Rural Business and Diversification
 - Policy 15: Public Access
 - Policy 27A: Listed Buildings
 - Policy 28A: Conservation Areas: New Development
 - Policy 29: Gardens and Designed Landscapes
 - Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
 - Policy 38A: Environment and Conservation: International Nature Conservation Sites
 - Policy 38B: Environment and Conservation: National Designations
 - Policy 38C: Environment and Conservation: Local Designations
 - Policy 39: Landscape
 - Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
 - Policy 41: Biodiversity
 - Policy 47: River Tay Catchment Area
 - Policy 52: New Development and Flooding
 - Policy 53B: Water Environment and Drainage: Foul Drainage
 - Policy 53C: Water Environment and Drainage: Surface Water Drainage
 - Policy 55: Nuisance from Artificial Light and Light Pollution
 - Policy 56: Noise Pollution

- Policy 57: Air Quality
- Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

Other Policies

Developer Contributions and Affordable Housing Supplementary Guidance April 2020

- 27 This document sets out the Council's policies on Developer Contributions in relation to Primary Education and Transport Infrastructure/A9 junction upgrades, as well as setting out what Affordable Housing provision is required for new developments.

Placemaking Supplementary Guidance 2020

- 28 The Council has prepared Placemaking Supplementary Guidance (2020) to support Policy 1 (Placemaking) of the Perth and Kinross Local Development Plan 2 (2019). It is to be used in the assessment of planning applications and to assist in the placemaking process.

Flood Risk and Flood Risk Assessments Supplementary Guidance 2020

- 29 The Adopted Flood Risk & Flood Risk Assessment (PDF) [5MB] supports the Adopted Perth and Kinross Local Development Plan 2 (2019) Policy 52: New Development and Flooding, and Policy 53: Water Environment and Drainage.

Supplementary Guidance - Open Space Provision for New Development

- 30 The [Adopted Open Space Provision for New Developments Supplementary Guidance \(2021\) \(PDF\) \[6MB\]](#) has been produced to accompany the Local Development Plan 2 (2019) Policy 14: Open Space Retention and Provision and contains information on SUDS drainage design.

Site History

- 31 None relevant to this location/proposal.

CONSULTATIONS

- 32 As part of the planning application process the following bodies were consulted:

External

- 33 **Nature Scot:** No objection. Subject to conditions which secure mitigation relating to River Tay Special Area of Conservation.
- 34 **Perth and Kinross Heritage Trust:** No objection subject to condition which secure implementation of archaeological investigation.
- 35 **Kenmore Community Council:** No comments.

- 36 **Scottish Water:** No Scottish Water infrastructure in the vicinity of the site and therefore private treatment and water options are recommended.
- 37 **Scottish Environment Protection Agency (SEPA):** No objection in relation to flood risk and are content that there is no risk to hydromorphology. SEPA are content with the methodology and conclusions of the Ecological Impact Assessment Report. Further advice is also provided on the regulatory requirements associated with the development.
- 38 **Historic Environment Scotland:** No objection.

Internal

- 39 **Transport Planning:** No objection. Access arrangements considered acceptable, subject to a condition relating to a visibility splay and speed limit reduction on the public road, which requires to be secured through a Traffic Regulation Order. Advise that proposed traffic generation is capable of being accommodated on the public road and the level of car parking proposed is appropriate. A Travel Plan to encourage use of sustainable transport methods should be secured by condition. The proposed provision of electric car and bicycle charging points is welcomed.
- 40 **Environmental Health (Private Water):** No objection. Subject to an informative advising the developer of legal responsibilities regarding protection of existing private water supplies.
- 41 **Enterprise Team:** Advise that the supporting Business Plan and Economic Statement are considered an accurate representation of the potential economic benefit of development.
- 42 **Community Greenspace:** No objection. Initial concerns regarding potential impact on public access to the loch shore. This has been addressed through submission of further information which clarifies extent of impact and benefits which the development will bring to the public and associated improvements to facilities.
- 43 **Planning and Housing Strategy:** No objection. Comments provided on policy background of proposal provided, with the proposal generally considered to comply with the Perth and Kinross Local Development Plan 2019.
- 44 **Biodiversity/Tree Officer:** No objection. Advise Ecological Impact Assessment Report findings and mitigation are considered acceptable, subject to conditions. Tree loss is also considered to be appropriate, subject to implementation of a compensatory planting scheme.
- 45 **Commercial Waste Team:** No objection.
- 46 **Environmental Health (Noise/Odour):** No objection. Concerns initially expressed regarding proposed “events” and use of generators and related noise implications. Further information and clarity submitted confirm comfort, subject

to conditions controlling noise levels, the number of events, ventilation, chainsaw use, servicing, noise management and to ensure provision of a complaints procedure.

47 **Structures and Flooding:** No objection.

Representations

48 A total of 14 representations were received, 13 objecting and 1 in support. The main issues raised within the objections are:

- Impact on visual amenity
- Impact on residential amenity
- Overlooking
- Light pollution
- Loss of open space
- Noise pollution
- Traffic and pedestrian safety
- Traffic generation
- Lack of car parking
- Loss of public access to shore/site
- Loss of trees
- Impact of evening events
- Lack of compensatory planting
- Construction impact
- Lack of sustainable connections to site
- Land ownership
- Inappropriate land use
- Contrary to Development Plan
- Air pollution
- Over intensive development
- Loss of view

49 The main issues raised within the letter of support are:

- Economic benefit
- Job creation
- Opportunity for world class learning, social action research and education facility
- Positive consultation with local community

50 These issues are addressed in the Appraisal section of the report.

ADDITIONAL STATEMENTS

51

Screening Opinion	Undertaken and EIA Not Required (ref:21/01903/SCRN)
Environmental Impact Assessment (EIA): Environmental Report	Not required

Appropriate Assessment	Habitats Regulations AA Completed
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact	<ul style="list-style-type: none"> • Landscape and Visual Assessment • Drainage Strategy Report • Tree Survey • Tree Protection Plan • Archaeological Impact Assessment • Business Plan • Economic Statement • Transport Statement • Traffic Survey • Ecological Impact Assessment

APPRAISAL

- 52 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) require the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The adopted Development Plan comprises the TAYplan Strategic Development Plan 2016–2036 and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, this involves considerations of the Council's other approved policies and supplementary guidance which are outlined above.
- 53 In this instance, section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities in determining such an application as this to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is relevant and requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the designated conservation area.

Principle

- 54 Policy 1 of TAYplan advocates the developing of land within the principal settlements rather than beyond their boundaries. It does however acknowledge the need to sustain rural economies while protecting the countryside, where it genuinely contributes to the outcomes of the Plan. However, suburbanisation of the countryside and unsustainable travel and development patterns should be avoided.

- 55 This principle is reflected in LDP2 Policy 6 - Settlement Boundaries, which stipulates that for defined settlements development will not generally be permitted out with settlement boundaries.
- 56 Although the proposal is not located within a settlement boundary and thus fails to comply with Policy 1 of TAYplan and Policy 6 of LDP2 there are exceptions. Particularly in this case through Policy 8: Rural Business Diversification, which states that favourable consideration will be given to the expansion of existing businesses or creation of new ones in rural areas, and that sites out with settlements may be acceptable where they offer opportunities to diversify an existing business or are related to a site-specific resource or opportunity. It is also stated that proposals for new tourism related developments and the expansion of existing facilities will be supported where it can be demonstrated that they improve the quality of existing facilities, allow a new market to be exploited or extend the tourism season.
- 57 The proposed facilities clearly seek to improve and expand upon the existing offering of the SCC, but at a new location. The submission explains that the existing site is physically constrained with little opportunity for growth. Whereas Dalerb offers more space to allow the SCC to grow and provide an improved visitor facility. The proposal is therefore considered to result in an improvement to the existing facilities of the SCC, as required by Policy 8. This will be considered in more detail below.
- 58 In addition to the above, Policy 8 also requires that the following criteria be addressed:
- a) The proposal will contribute to the local economy through the provision of permanent employment, visitor accommodation (see also Policy 9), additional tourism or recreational facilities, or the re-use of existing buildings;
 - b) The proposal will not result in suburbanisation of the rural area or encourage unsustainable travel patterns;
 - c) The proposed use is compatible with the surrounding land uses and will not detrimentally impact on the amenity of residential properties within or adjacent to the site;
 - d) The proposal can be satisfactorily accommodated within the landscape and environmental capacity of the site;
 - e) The proposal meets a specific need by virtue of its quality or location in relation to existing business or tourist facilities;
 - f) Where any new building or extensions are proposed they should achieve a high quality of design to reflect the rural nature of the site and be in keeping with the scale of the existing buildings; and
 - g) The local road network must be able to accommodate, or be capable of upgrading in order to accommodate, the nature and volume of the traffic generated by the proposed development in terms of road capacity, safety and environmental impact.
- 59 Considering several of these detailed requirements of Policy 8, support is given to the expansion of existing businesses. However, whilst it is more regularly the case that expansion would be within or adjacent to the existing facility, the

applicant has set out the reasons why the current site is no longer appropriate and an alternative sought. Information is also provided on the options which were considered. As such it is considered that the proposal is generally in line with the intentions of Policy 8. Particularly there is clearly a site-specific locational requirement for the siting of the Scottish Crannog Centre adjacent to the loch shore. The proposal would also offer improved tourism and visitor facilities as required by criterion (a).

- 60 The proposal is not considered to result in the ‘suburbanisation’ of the area nor unacceptable or unsustainable travel patterns (as explained in the Traffic and Transport section below), thus addressing criterion (b). In terms of criterion (c) there are residential buildings located to the north, beyond the A827, but given the existing tree cover and the mitigation outlined within the submitted Noise Impact Assessment the proposals are not considered likely to impact significantly on residential amenity. However, detailed assessment of this is provided in the Residential Amenity section below, with impacts, e.g., lighting and noise generation controllable through conditions. The proposal is therefore considered to meet criterion (c). The proposal can also be successfully accommodated within the landscape as illustrated in the Design and Layout and Landscape Impact paragraphs below and therefore meets criterion (d).
- 61 Criterion (e) requires a specific need by virtue of its quality or location in relation to existing business or tourism facilities. It is accepted that the proposal will improve the quality of existing visitor facilities, albeit via relocation, and information has been given on the economic impact of the proposal, how it will be funded, and how the proposal will complement the existing visitor offer in the area. A business plan has been submitted, reviewed and accepted, so this requirement of the policy has been met.
- 62 Criterion (f) requires development to be of a high-quality design and to reflect the rural nature of the site. In this respect the proposed buildings will be scattered amongst existing tree cover and will be of a scale and form which is conducive to the rural character. The Crannog building will be more visible, given it extends into the loch, but this is already the case at Taymouth and not considered unacceptable. The scale of the development and associated work and their relationship with the landscape is considered acceptable, as outlined in the Design and Layout and Landscape Impact paragraphs below. The proposal is therefore considered to meet criterion (f).
- 63 Criterion (g) requires the local road network to be capable of accommodating the development. This is considered in more detail in the Traffic and Transport paragraphs below, where it is considered that the local road network can accommodate the associated traffic.
- 64 As such the proposal is considered to accord with the criteria contained within policy 8 of LDP2.

Design and Layout

- 65 Policies 1A and B relate to placemaking and require new development to respect the character and visual amenity of the area. Furthermore policies 8 and 39 state

that the existing landscape should be capable of accommodating the new development. Further guidance is also provided within the associated Placemaking Supplementary Guidance. There are a number of buildings proposed within the site but these are proposed to be accommodated within the woodland setting of the site and have been laid out to take account of the findings of the topographical, tree and habitat surveys which accompany the application.

- 66 A Landscape and Visual Assessment (LVA) also accompanies the application which provides a zone of theoretical visibility of the development, together with a series of viewpoints and visualisations from various receptors. Viewpoints were agreed within the Planning Authority prior to submission and represent residential, recreational, road and cultural heritage impacts. The findings of the LVA are accepted and the visualisations demonstrate that the visual impacts are appropriate and in accordance with the placemaking requirements of the LDP2.
- 67 The visual amenity of the area will clearly change as a result of the development, with the introduction of a series of low-lying buildings and associated daytime activity together with periodic evening activity. Much of the development is set back from the loch, which enables the retention of existing woodland along the shore side, thus helping to provide screening and containment from users of the loch and those on the southern shore. The scale, form and material of the numerous buildings will nestle appropriately within the existing woodland setting and the proposed finishing materials, including timber, natural stone, turf and thatch roofs are considered high quality and will contribute to the rural setting.
- 68 The outlook from the existing residential properties on the north side of the A827 will change significantly as a result of the development, however existing mature vegetation is proposed to be retained adjacent to the site entrance which will help to provide a degree of screening. Furthermore, following the submission of amended plans a revised landscaping and planting scheme has been prepared which includes enhanced native tree and shrub planting along the northern boundary, screening views of the proposed car park from residential properties. The implementation of this landscaping will be secured by condition (Condition 4).
- 69 The submitted Design Statement demonstrates the various alternative layouts and arrangements considered, with the layout and design of the site as submitted considered the most appropriate, whilst respecting the visual amenity and character of the area.
- 70 As such, the proposal is considered of appropriate scale and design and conducive to the rural character and visual amenity of the area as required by Policies 1A, 1B and the criteria outlined within Policy 8 of LDP2.

Landscape Impact

- 71 Policy 39: Landscape requires proposals to be compatible with the landscape character of the area, where a good fit with the landscape and, amongst other things, not erode local distinctiveness. Development and land use change should also be compatible with the distinctive characteristics and features of Perth &

Kinross's (P&K) landscape. Generally, proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of P&K. An important consideration is that the site is located within the Loch Tay Local Landscape Area (LLA).

- 72 The criteria contained within Policy 39 seek to safeguard the tranquil qualities of an area's landscape, safeguard local distinctiveness and the visual and scenic qualities. Policy 39 also mentions the requirement to consider the Tayside Landscape Character Assessment (TLCA), prepared by Nature Scot.
- 73 The TLCA identifies this area as part of the 'Mid Upland with Lochs Character Type' and highlights the extent of development which has occurred along the shore of Loch Tay, particularly along the north side and eastern end of the loch. It also identifies the importance of woodland along the loch shore.
- 74 The detailed Landscape and Visual Assessment Report assesses the degree of impact the proposal will have on landscape character. The findings of the LVA, in terms of landscape impact, is that they would be acceptable. Particularly the location within a lowland area adjacent to the loch shore, follows the landscape character of development along the shore of the eastern end of Loch Tay. The proposal also involves the retention of the existing woodland which helps to retain a key landscape element of this part of Loch Tay.
- 75 The findings of the assessment are generally accepted, whereby it is concluded that wider viewed landscape impacts will have minimal/negligible impacts on the landscape character type and the local landscape area designation. In the context of the LLA the reintroduction of the crannog to the loch can be considered a beneficial impact given the cultural and historical significance of the structure and the materials proposed. The use of appropriate materials and green roofs in the new buildings is also supported and will help mitigate the impacts of the development. The workshops appear to be largely in line with those at the previous Crannog centre and are again low impact and appropriate to this landscape.
- 76 The new buildings and associated works are considered to respect site topography and will not have any adverse impact on surrounding local landmarks, views or skylines as demonstrated within the LVA. The proposal is therefore considered to relate successfully to the established landscape character of the area and therefore comply with Policy 39 of LDP2.

Traffic and Transport

- 77 Policy 60B of the LDP2 and the National Roads Development Guide are relevant and require an assessment of the impact which the development may have on pedestrian and traffic safety. The policy requires a Transport Statement to demonstrate the extent of traffic movements for both staff, visitors and servicing to the site and should be based on the TRICS database. All required demonstrate the current baseline situation with traffic counts for all modes of transport to the site, accessibility by all modes of transport including active travel, trip generation for the site, distribution of traffic to the site and a traffic impact assessment on the local roads.

- 78 A Transport Statement (TS) has been submitted and outlines the implications on the road network.
- 79 The TS provides an indication of the existing operational characteristics of the site, the existing road network and details on the proposed offering and transport arrangements for the proposed development. It also includes trip generation data based upon the TRICS database, an industry recognised standard in assessing potential traffic generation. PKC Transport Planning have confirmed that the TS has been undertaken using the correct methodology.
- 80 The level of traffic generation for the development site has been estimated on a forecasted visitor trip number of 80,000 by 2040. The TS indicates that the development will generate an estimated 100 visitor trips per day. A traffic survey has also been undertaken which shows that there is currently a low level of traffic on the A827. Transport Planning have also undertaken a review of publicly available data in relation to traffic flows, in addition to the submitted information, and have concluded that the road network can accommodate the development.
- 81 Discussions between the applicant and Perth & Kinross Council (including Traffic and Network) have taken place over the promotion of a 40mph speed limit on the A827 and it is the intention to promote a 40mph speed limit at Dalreb, to suit the proposed junction and visibility arrangements. A condition is recommended to ensure this is implemented and in place prior to the development being brought into use (Condition 23).
- 82 Proposed parking arrangements include 8 electric vehicle (EV) charging spaces.
- 83 It is also proposed to include 15 cycle parking spaces, located at the 'welcome' building. Ten e-Bike charging points are included, which is welcomed to encourage visitors to cycle.
- 84 There are also east and west bound bus stops located immediately adjacent to the site access which are served four times a day. The submission also indicates that the intention to operate a peak season shuttle bus, as part of phase 2, from Kenmore – but this does not form part of the current application.
- 85 The existing vehicular access is to be upgraded to improve visibility, with a condition recommended to ensure delivery (Condition 22).
- 86 Transport Planning have assessed the TS and consider the level of additional traffic to be acceptable, capable of being accommodated on the existing road network and therefore accept the conclusions. Conditions are recommended to ensure implementation of the mitigation and improvements proposed and to secure a Travel Plan Framework for the site to manage travel and transport to and from the site (Conditions 24 and 25).
- 87 Overall, the proposal is acceptable in terms of traffic and road safety and therefore accords with Policy 60B of LDP2.

Trees and Landscape

- 88 Policy 40B of LDP2 relates to trees and woodland and requires a tree survey accompany proposals where there are existing trees which may be affected.
- 89 Policy 40B also notes the Council will follow the Scottish Government Policy on Control of Woodland Removal (PCWR) which states that there is a presumption in favour of protecting woodland resources.
- 90 Policies 1A and B of the LDP2 seek (amongst other things) to ensure that all new sites have a suitable landscape framework which can absorb the development proposed and that development contributes positively to the surrounding built and natural environment. In this respect it is considered that the site has a suitable landscape framework in the form of the existing trees, woodland and topography.
- 91 The site is also generally contained by woodland which would be largely retained. There are 15 tree groups within the boundaries, six are to be removed, one due to its condition. This would see 27 trees felled, five due to their condition the rest to accommodate the development. In mitigation 66 native trees are to be planted along the northern boundary. These will help to screen development from the A827 and adjacent residential properties. The extent of compensatory planting is considered to be appropriate, and its implementation can be secured by condition (Condition 4). It should also be noted that this is only phase 1 of a wider project, thus there may be opportunity for additional compensatory planting. Furthermore, it is noted that the applicant has limited the amount of planting proposed around the car parking area, given this aspect may be temporary and over the mid to longer term replaced in phase 2 with additional built development and alternative car parking arrangements presented. All of this would be subject to assessment as part of any future application.
- 92 A condition is recommended to ensure the findings and mitigation contained within the tree report and tree protection measures are implemented (Condition 2). A further condition requiring the implementation of the landscaping plan is also recommended, to compensate for the tree loss (Condition 4).
- 93 Subject to the above conditions the proposal is considered to accord with Policies 1A and B relating to placemaking and 40B relating to trees and woodland of LDP2.

Biodiversity

- 94 Policy 41 of the LDP2 states that the Council will seek to protect and enhance all wildlife and habitats, whether formally designated or not, considering natural processes in the area. Planning permission will not be granted for development likely to have an adverse effect on protected species unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated. Loch Tay is designated as part of The River Tay Special Area of Conservation (SAC) and therefore Policy 38A is applicable.
- 95 The submission includes an Ecological Impact Assessment Report (EIAR) which has been reviewed and accepted by the Council's Biodiversity Officer. This

includes a survey of all potential species on the site as well as an aquatic survey, given the loch shore location. Furthermore, Nature Scot and SEPA have also been consulted and have concluded that the assessment is appropriate subject to the mitigation measures contained within the EIAR being secured by condition (Condition 5). A detailed Construction Method Statement will also be required to ensure that the qualifying features of the SAC are not impacted upon during construction operations. This will also require details on how wastewater is catered for during construction, as requested by Nature Scot (Condition 7).

- 96 A Non-Native/Invasive Species Control Plan will also be secured by condition (Condition 6). A further condition (Condition 9) to ensure ramps to allow mammals to escape from any excavations will also be applied. Finally, a condition to secure biodiversity enhancement across the site in accordance with the measures outlined within the ecology report is also recommended (Condition 8).
- 97 An Appropriate Assessment has been undertaken, reflecting the River Tay is an SAC, and concludes that there is likely to be significant effect on the qualifying features of the SAC but that these can be suitably addressed through the use of an appropriately worded condition controlling construction methods (Condition 7).
- 98 The submitted lighting scheme has been designed to minimise upward light pollution as well as being an appropriate colour temperature to ensure there is no impact on wildlife.
- 99 Subject to these conditions it is considered that the proposal will meet the requirements of Policies 38A and 41 of LDP2 in relation to the SAC and Biodiversity.

Flood Risk

- 100 Policy 52 of the LDP2 states that there is a presumption against proposals for built development or land raising on flood plains. This proposed phase is located out with the 1 in 200 year functional flood plain and therefore both SEPA and the Council's Structures and Flooding Team are content. The proposal is therefore considered to accord with Policy 52 of the LDP2.

Drainage

- 101 The submission indicates that the site will be served by private drainage arrangements. Policy 53B seeks to ensure that a public wastewater drainage connection is utilised where available. In this instance there is a public system available at Kenmore, but not within the immediate vicinity of the site. Given this the principle of a private drainage system is considered acceptable. The developer, however, should be aware of the regulatory requirements under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) and should be aware that early engagement with SEPA's water permitting team is recommended to ensure the requirements of these regulations are met. Details of proposed foul sewage for the construction phase have been submitted. These are acceptable in principle but again SEPA have indicated that

there are separate regulatory requirements which the developer should be aware of. An informative is recommended to make the developer aware.

- 102 Policy 53C requires surface water drainage to be managed by a Sustainable Urban Drainage System (SUDS). The Drainage Report indicates that SUDS will be accommodated within the site which is considered to accord with Policy 53C. There is also a requirement to manage surface water during the construction phase of the development and this can be secured through the Construction Method Statement which is referenced above.

Private Water Supplies

- 103 The submission indicates that the site is proposed to be served by a private water supply provided via a borehole. The use of a private water supply is considered to be acceptable in principle and accords with the LDP2, however there are separate legislative processes to ensure that the private water supply is appropriate.
- 104 The Council's Private Water Team have indicated that there are existing private water supplies in the vicinity, which could be impacted upon by the development. Therefore, an informative is recommended to advise the developer of their responsibilities regarding private water supplies under the relevant regulations.

Cultural Heritage

- 105 There are a significant number of cultural heritage designations in the surroundings, including Kenmore Conservation Area to the east which includes a number of listed buildings. The Taymouth Castle Historic Garden and Designed Landscape (HGDL) is located to the north, on the opposite side of the A827 public road. Therefore, Policies 27A, 28A and 29 of the LDP2 are applicable. The LVA demonstrates that the site does have some visibility from the settlement of Kenmore but this is c.1km distant and the existing tree cover ensures that views will be limited. Therefore, the proposal is not considered to impact on the character of the Conservation Area or the setting of listed buildings within Kenmore and therefore complies with Policies 27A and 28A.
- 106 Historic Environment Scotland have been consulted given the proximity to the HGDL and offered no objection. The extent of development proposed and the location of the site next to the western edge of the HGDL is considered sufficient to ensure the character and quality of the HGDL is not impacted upon by the development. The proposal is considered to accord with Policy 29 of the LDP2.

Residential Amenity

- 107 Policy 56 of the LDP2 relates to noise pollution and states that there is a presumption against the siting of development which will generate high levels of noise in the locality of existing noise sensitive land uses.
- 108 Planning control has a duty to future occupiers not to create situations of potential conflict between neighbours.

- 109 As with all proposals, it is expected and anticipated that existing residential amenity enjoyed by existing dwellinghouses will be protected. There are residential dwellings located to the north of the site and because of this a Noise Impact Assessment (NIA) accompanies the application.
- 110 The NIA makes reference to "events" to be held on the site and representations raise concerns regarding what these will entail and the noise which may be generated. Environmental Health (EH) are aware of noise from a wedding event which took place on the site prior to submission of the application, which resulted in noise which impacted on residential amenity this is referenced in representations. Environmental Health consider the methodology of the NIA to be appropriate. Further information has been submitted on the proposed events, advising they would generally consist of: storytelling, songs, open-air theatre, and demonstrations of traditional crafts. That they would be acoustic only, with no amplified music and/or speech. There could be up to 15 events per year, with 12 finishing before 9pm and the remaining three by 10.30pm. Further information has stated that generators (included in the predicted noise levels within the NIA) will not be required during these events. The number of events and their type are considered acceptable and are not likely to impact significantly on residential amenity. A condition is recommended to ensure there is control over the number and times of these events and to ensure that no amplified music or speech takes place (Conditions 13 and 17).
- 111 The submission makes reference to the use of chainsaws, to prepare wood for craft displays, and the NIA concludes that the noise levels will be significantly above measured ambient noise levels and advises that the hours of use should be restricted and screened from receptors. Due to this impact EH have recommended a condition to limit the use of chainsaws to a one-hour period per day and to ensure acoustic screening is put in place is undertaken out with these agreed periods (Condition 18).
- 112 A series of other conditions are also recommended to control servicing and deliveries (Condition 12), noise levels (Conditions 14 and 19) and to ensure the submission of a Noise Management Plan and implementation of a complaints procedure (Conditions 20 and 21).
- 113 Given the location of the buildings within the site and the site topography which slopes away from the residential dwellings to the north, there are not considered to be any concerns relating to overlooking or overshadowing from the development.
- 114 Whilst it is accepted that activity on the site will increase as a result of the development and that the residential amenity of the neighbours to the north will alter as a result, the extent of change is considered to be acceptable and in accordance with the requirements of Policies 1A and B and 56 of the LDP2. Mitigation can be secured by the conditions referenced above.

Lighting

- 115 Policy 55 of LDP2 relates to light pollution and states that consent will not be granted for proposals where lighting would result in obtrusive and/or intrusive effects.
- 116 The original plans indicated that 29 x 4m high lighting columns would be installed, but further information received from the applicant advises that this has been reduced to 10. Specifically, those next to the northern boundary are replaced by low level bollard lighting, to reduce the impact on residential neighbours.
- 117 The submission also includes a light spill plan demonstrating the illuminance resulting from the lighting and demonstrates that it will not significantly impact on nearby residences and that no light spill will occur beyond site boundaries. The extent of lighting proposed is thus considered acceptable and will help to limit light pollution as much as possible, whilst ensuring the safety of employees and patrons of the visitor centre.
- 118 For the avoidance of any doubt a condition is recommended to control lighting levels (Condition 16).
- 119 The proposal is therefore considered to accord with Policy 55 of the LDP2.

Construction and Construction Access

- 120 There is potential for construction operations and construction traffic to impact the amenity of local residents. It is therefore necessary to consider appropriate mitigation measures during construction to limit this. It is accepted that there will be a degree of temporary disturbance during construction operations, as is regularly the case with any development proposal. There is separate legislation in place which provides controls on construction hours. A Construction Traffic Management Plan will be requested by condition to ensure the extent of impact is limited as much as possible (Condition 26).

Public Access to Loch Shore

- 121 The site currently provides access to the loch shore for various recreational users including walkers, swimmers and boat users. Policy 15 of the LDP2 is applicable. Representations have been received which raise concerns regarding the reduction in public access to the shore. The Council's Community Greenspace Team also initially identified these concerns.
- 122 The developer has indicated that they are committed to maintaining access to the loch and picnic area at Dalerb. The submission indicates that 82.5% of the Dalerb site will remain accessible to the public with only 17.5% comprising the new Crannog Centre. Furthermore, it is indicated that public access will be maintained during construction and a phasing strategy has been provided to demonstrate this (doc ref: 15-17)
- 123 There is a beach in the sites south-west corner, referenced within representations and where the crannog is proposed. The applicant's agent has clarified that the

crannog is located here as it represents the most technically feasible option, results in limited tree loss and limits archaeological impacts.

- 124 A series of marked improvements will be delivered as part of the development for use by the public including: improved parking facilities, with electric car and cycle charging points; upgraded footpaths and public toilets; and an accessible shower room. There is also a separate dedicated new boat mooring proposed. Furthermore, the presence of the Crannog Centre will potentially deter anti-social behaviour, via an on-site presence and also maintain a clean and litter free environment.
- 125 On balance, whilst it is accepted that public access to part of the site will be lost this is not considered to be unacceptable when considered against the overall improvements which will result and the retention of public access to much of the site. Community Greenspace, following review of the above information, have confirmed they have no concerns in relation to public access.

Archaeology

- 126 Policy 26B of the LDP2 states that the Council seeks to protect areas of known archaeological interest and their settings. The site is archaeologically sensitive and Loch Tay contains and wealth of information on crannog structures. Some initial concerns had been expressed by Perth and Kinross Heritage Trust regarding the impact which the new crannog structure may have on underwater archaeological remains. As a result, a Written Scheme of Investigation has been prepared which outlines a desk-based assessment of marine archaeology. This has been accepted by (PKHT) and they are content for development to proceed subject to a condition which ensures that a programme of archaeological investigation is undertaken (Condition 11). Subject to this condition the proposal is considered to comply with Policy 26B of the LDP2.

Waste

- 127 Waste storage facilities are indicated on the submitted plans and Waste Services have confirmed that these are acceptable. Furthermore, swept path details for waste vehicles have been provided and are acceptable. Therefore, the arrangements for waste storage and collection are appropriate.

Economic Impact

- 128 The objective of Scotland's National Strategy for Economic Transformation is to build a more dynamic and faster growing economy that will increase prosperity, help tackle Scotland's health and social challenges and establish a fairer and more equal society. Sustainability is vital to help protect the environment and ensure that future generations can enjoy a better quality of life.
- 129 It is considered that it is undoubtable that there will be some economic benefit associated with the operation of the new Scottish Crannog Centre, but this must be seen in the context of the spatial strategy and general policies of the Local Development Plan.

- 130 When looking at Economic Development Policy 8: Rural Business and Diversification, the submission is considered by Economic Development colleagues to be sufficient to demonstrate that the proposal is an appropriate rural business development in accordance with Policy 8 of LDP2.

Active Travel Route

- 131 The submission makes reference to a potential active travel route between the site and Kenmore, to promote sustainable travel given the limited scope to walk to the site from Kenmore along the A827, as there is no footway. The proposed phasing of this is outlined within the Design Statement and indicates that this could potentially be routed through the Drummond Hill Wood to the north, with a crossing point over the A827 identified. This, however, does not form part of the current submission. A feasibility study is being undertaken to assess the viability of this route, given the gradients. The Design Statement references this being an extension to the River Tay Way, a proposed new long distance active travel route between Perth and Kenmore. It is envisaged that the active travel route would be submitted as part of a separate planning application in line with phase 2 of the development. Nevertheless, the proposal does involve facilities for active travel users on the site which is welcomed.

Low Carbon Technology

- 132 Policy 32 (Embedding Low and Zero Carbon Generating Technology in New Development) seeks to ensure that all proposals for new buildings are required to demonstrate that at least 10% of the current carbon emissions set by the Scottish Building Standards will be met through the installation and operation of low and zero carbon generating technologies. A statement to demonstrate this will be required, as previously highlighted as part of the pre-application response. This can be secured by condition (Condition 10).

Loss of View

- 133 The loss of a view is not a material planning consideration and therefore has no bearing on the assessment of this application.

Developer Contributions

- 134 There are no developer contributions required for this development.

VARIATION OF APPLICATION UNDER SECTION 32A

- 135 This application was varied prior to determination, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as amended. The variations incorporate changes to the compensatory planting lighting and clarity being provided on public access to the loch shore. The nature of the changes were not considered to require the application to be re-advertised.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

- 136 None.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 137 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to Policies 1 and 6 of the Development Plan because the site is located out with a settlement, however there are exceptions for this which are catered for by Policy 8 which allows for development out with settlements subject to meeting specific criteria. These criteria are met by this proposal and account has been taken of other relevant material considerations and therefore a minor departure from the Perth and Kinross Local Development Plan 2 (2019) is considered to be appropriate in this instance.
- 138 Accordingly, the proposal is recommended for approval subject to the following conditions:

A RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason – To ensure the development is carried out in accordance with the approved drawings and documents.

2. Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction and in accordance with the mitigation outlined within the approved tree survey (doc ref:52). Protection measures, once in place, shall remain in place for the duration of construction.

Reason – In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

3. All trees on site, other than those marked for felling on the approved plans, shall be retained.

Reason – In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

4. The detailed landscaping and planting scheme which is hereby approved shall be completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier. The approved scheme shall thereafter be maintained to the satisfaction of the Council as Planning Authority, with any planting which fails to become

established within five years being replaced in the following planting season with others of a size and species as previously approved.

Reason – In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

5. The conclusions and recommended action points within the supporting biodiversity survey submitted and hereby approved (document 103 relates) shall be fully adhered to, respected and undertaken as part of the construction phase of development, to the satisfaction of the Council as Planning Authority.

Reason – In the interests of protecting environmental quality and of biodiversity.

6. Prior to the commencement of the development hereby approved, an Invasive Non-Native Species Control Plan shall be provided for the written approval of the Council as Planning Authority. The plan shall contain measures to eradicate and control invasive non-native species. Thereafter, the agreed scheme shall be implemented in full accordance during the construction phase.

Reason – In the interests of protecting environmental quality and of biodiversity.

7. Development shall not commence until a detailed Construction Method Statement (CMS) has been submitted to and approved in writing by the Council as Planning Authority. The CMS must identify measures to prevent harmful materials entering the River Tay SAC, which could reduce water quality and lead to a damaging impact on the salmon, otter and lamprey interests. The CMS should include the following:

- (a) pollution prevention safeguards including surface water drainage arrangements and the possible use of siltation traps, settlement tanks and bunds
- (b) storage and disposal of materials including the siting of stock piles, use of buffer strips and disposal methods
- (c) construction site facilities including extent and location of construction site huts, vehicles, equipment, fuel, chemicals and materials compound
- (d) timing, duration and phasing of construction particularly in relation to salmon and lamprey migration/spawning.
- (e) measures to cater for waste water during construction

The CMS and mitigations as agreed shall be fully implemented as part of the planning permission.

Reason – In order to ensure the development does not impact negatively on the nearby Special Area of Conservation.

8. Prior to the commencement of development on site a Site Biodiversity Action Plan which lists opportunities for Biodiversity Enhancement shall be submitted

to and approved in writing by the Planning Authority. The Action Plan shall include details of quantity, locations, techniques, timescales and monitoring arrangements for the biodiversity enhancement measures outlined within the Ecological Impact Assessment Report (doc ref: 103). The Action Plan, as approved in writing, shall be fully implemented for the lifetime of the development.

Reason – In the interests of protecting environmental quality and of biodiversity.

9. Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150mm outside diameter being blanked off at the end of each working day.

Reason – In the interests of protecting environmental quality and of biodiversity.

10. Prior to the commencement of development a detailed statement shall be submitted for the approval of the Council as Planning Authority which demonstrates that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. The approved measures shall thereafter be implemented to the satisfaction of the Council as Planning Authority.

Reason – In order to demonstrate compliance with both Policy 32 of the local development plan and the carbon emissions reduction set by Scottish Building Standards.

11. Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.

Reason – To ensure an appropriate archaeological standing building survey is carried out and the resulting survey is recorded properly.

12. Servicing of and deliveries to the premises shall be carried out between 0700 and 1900 Monday to Saturday only, with no servicing or deliveries permitted on Sundays.

Reason – In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

13. No amplified music or speech shall be permitted in any external area at any time.

Reason – In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

14. All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/or calculated and plotted on a rating curve chart.

Reason – In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

15. Prior to the development hereby approved being completed or brought into use, an effective ventilation system commensurate with the nature and scale of cooking to be undertaken within the cafe shall be installed and operated such that cooking odours are not exhausted into or escape into any neighbouring buildings. Thereafter the system shall be maintained.

Reason – In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

16. All external lighting shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.

Reason – In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

17. The maximum number of events held within any external area shall be restricted to 15 per calendar year. Up to three events per calendar year must cease operation by 2230hrs. The remaining twelve events must cease operation by 2100hrs.

Reason – In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

18. The use of chainsaws shall be restricted to one hour per day. This hour-long period is restricted to between 0900-1700 Monday to Friday only. Any use of chainsaws out with these hours or for prolonged periods shall be discussed in advance with the Planning Authority and details of acoustic screening to be utilised shall be submitted for the written approval of the Planning Authority. The acoustic screening, as agreed in writing with the Planning Authority, shall remain in place for the duration of the chainsaw use.

Reason – In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

19. Between 0700hrs and 2300hrs noise from the premises shall not exceed L A90,1 hour background noise level plus 5dB (A), including any relevant penalties for tonality, impulsivity, intermittency, or other sound characteristics, when measured at any residential property in accordance with BS4142:2014

Reason – In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

20. Prior to the commencement of the development a Noise Management Plan shall be submitted for the written approval of the Planning Authority. The plan shall include all sources of noise associated with the premise, including patron noise and the measures that will be put in place to minimise and/or control noise. The plan shall be reviewed on a regular basis or, following receipt of a justified complaint or at the request of the planning authority. Once the Noise Management Plan has been approved, it shall be fully implemented for the lifetime of the development.

Reason – In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

21. In the event, that justified complaints for noise are received by the Council, the applicant at their own expense, shall employ a consultant to carry out an assessment of noise from the development, with the appointment and methodology to be approved in writing by the Planning Authority. Thereafter recommendations/mitigation measures along with timescales for implementation will be submitted to the Planning Authority within 28 days of the assessment. All mitigation measures shall then subsequently be implemented in accordance with the agreed timescales.

Reason – In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

22. Prior to the commencement of the development hereby approved, full visibility splays of 120 metres shall be provided to the left and right of the access, at a set-back of 2.4 metres measured 1.05m above the road level, insofar as the land is in the control of the applicant, and thereafter maintained.

Reason – In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.

23. Prior to occupation and/or use of the development hereby approved the applicant shall promote a Traffic Regulation Order (TRO) for a reduced speed limit on the A827 for a distance to be agreed with the Council as Roads Authority. The speed limit on the A827 public road shall be reduced to the agreed limit and distance prior to the occupation and/or use of the development.

Reason – In the interests of road safety.

24. Prior to commencement of any development on site, a detailed design for the proposed secure cycle parking facility for a minimum of 30 cycles shall be submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority. The applicant can seek guidance on the detailed design and positioning of the cycle storage from Transport Scotland's Cycling by Design 2021 or similar design guide. The cycle parking, as approved in writing, shall be implemented in accordance with the approved details to the satisfaction of the Council as Planning Authority prior to the development being brought into use.

Reason – To encourage active travel and meet advice within Scottish Planning Policy on transport.

25. No part of the development shall be occupied until a Staff Travel Plan (STP), aimed to encourage more sustainable means of travel, has been submitted to and agreed in writing by the Council in consultation with Transport Planning. The STP will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan.

Reason – To promote sustainable transport options and to meet advice within Scottish Planning Policy on transport.

26. Prior to the commencement of the development hereby approved, the developer shall submit for the written agreement of the Council as Planning Authority, in consultation with the Roads Authority (Structures), a Construction Traffic Management Scheme (TMS) which shall include the following:

- (a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;
- (b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
- (c) a code of conduct for HGV drivers to allow for queuing traffic to pass;
- (d) arrangements for liaison with the Roads Authority regarding winter maintenance;
- (e) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
- (f) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
- (g) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
- (h) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;
- (i) details of information signs to inform other road users of construction traffic;
- (j) arrangements to ensure that access for emergency service vehicles are not impeded;

- (k) co-ordination with other significant developments known to use roads affected by construction traffic;
- (l) traffic arrangements in the immediate vicinity of temporary construction compounds;
- (m) the provision and installation of traffic counters at the developer 's expense at locations to be agreed prior to the commencement of construction;
- (n) monitoring, reporting and implementation arrangements;
- (o) arrangements for dealing with non-compliance; and
- (p) details of HGV movements to and from the site.

The TMS as approved shall be strictly adhered to during the entire site construction programme.

Reason – In the interest of proper site management.

B JUSTIFICATION

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

C PROCEDURAL NOTES

None.

D INFORMATIVES

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
4. No work shall be commenced until an application for building warrant has been submitted and approved.
5. Records indicate that at least part of the proposed development site lies within a radon affected area where the measurement/monitoring of radon gas and the installation of mitigation measures may be required.

6. Further information on radon gas and the associated reports that can be obtained is available at www.ukradon.org and at <http://shop.bgs.ac.uk/georeports/>.
7. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
8. The developer should be aware of the regulatory advice under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 contained within SEPA's consultation response dated 21 July 2022.
9. The applicant shall ensure the private water supply for the dwellinghouse/ development complies with the Water Scotland Act 1980 (Section 63), The Private Water Supplies (Scotland) Regulations 2006 and The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above Act and Regulations.
10. The developer is advised to contact Sophie Nicol, Historic Environment Manager (Tel: 01738 477027) Perth and Kinross Heritage Trust, to discuss terms of reference for work required.

Background Papers: 14 letters of representation

Contact Officer: John Williamson

Date: 2 September 2022

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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