

Perth and Kinross Council
Planning & Development Management Committee – 5 June 2019
Report of Handling by Interim Development Quality Manager (Report No. 19/165)

PROPOSAL: Mixed use development comprising holiday accommodation, spa, restaurants, retail, public house, events spaces, storage, landscaping and associated infrastructure.

LOCATION: Land North West of Easterton Farm, Blackford.

Ref. No: [17/00950/IPM](#)
Ward No: P7- Strathallan

Summary

This report recommends approval of the 'In Principle' application for a tourism-related mixed use development 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 The site is 104.4 hectares and located approximately 3km west of Gleneagles Hotel and 4km west of Auchterarder. The site is bound to the north, west and east by open countryside. A public road bounds the site to the south. Eight farm buildings and two associated residential dwellings are located on site and will be partially retained. There are small areas of forestry on site, in particular the eastern area and a band of trees along the southern boundary which is designated as ancient woodland. There are two small watercourses that run north-south through the site. The approved and implemented, but never fully completed, gWest golf course is located across this road further to the south. The site is bisected by two gas pipelines with one at the northern perimeter and the other close to the southern boundary. The masterplan illustrates the routes of both pipelines along with the associated lines of the inner, middle and outer consultation zones.
- 2 The site is currently farm land used for rough grazing. It has an existing farm access off public road on the southern boundary. This minor road runs between the A822 near Braco to the west and the A823 at Gleneagles and onwards to Auchterarder to the east.
- 3 The site is located outwith any settlement boundary, in a countryside location. Other than the aforementioned band of Ancient Woodland, there are no statutory natural heritage designations on the site. The Land Capability Classification for Agriculture map shows that the site comprises mainly Class 4.1 - mixed agriculture soils suitable for a narrow range of crops/predominantly

grass with some Class 3.2 soils. These soils are not classed as being prime agricultural land and are primarily used for grassland.

- 4 The application seeks In Principle permission for the creation of a rural leisure destination, comprising a range of accommodation types, facilities such as a spa, restaurants and a bar. The applicant, Gleneagles Hotel, is seeking to enhance its offer and increase the seasonality of activities at Gleneagles.
- 5 An indicative masterplan submitted in support of the application illustrates how the proposed development could be laid out. An accommodation schedule accompanying the masterplan sets out indicative levels of accommodation types and other uses with approximate floorspaces. The following uses are included:

Accommodation

- 24 x Steading Studio Apartments
- 35 x 1 Bed Cabin
- 35 x 2 Bed Cabin
- 14 x 3 Bed Cabin
- 7 x 4 Bed Cabin
- 1 x 7 Bed Cabin
- 56 x Safari Tents (Permanent)
- 43 x Tipi Tents (Seasonal)

215 Total Units

305 Total Bedrooms

Facilities

- 1 Gatehouse Building
- 1 Existing Cottage (Staff Use)
- 2 Event Barns
- 2 Restaurants
- 5 Workshops/Retail
- Guest Services building
- 1 Country Pub
- 1 Spa facility
- 1 Energy Centre
- 2 Storage Buildings

- 6 Originally an area for housing plots was included at the southern part of the site but this has since been dropped following advice that this element would not be supported. The indicative masterplan shows how all of the proposed elements can be accommodated within the middle third of the site that is not constrained by the pipelines. The existing Easterton farm cottage would be retained and used as ancillary to the leisure development. The other farm buildings on site would be demolished. The barns could cater for various activities such as weddings, parties, corporate events etc.

- 7 Access is proposed from the existing farm access at the southern boundary of the site. Car parking would be provided at the south eastern area of the site close to the entrance and guests would be transported from there to their accommodation or to the events spaces.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 8 Directive 2011/92/EU (as amended) requires the 'competent authority' (in this case Perth and Kinross Council) when giving a planning permission for particular large scale projects to do so in the knowledge of any likely significant effects on the environment. The Directive therefore sets out a procedure that must be followed for certain types of project before 'development consent' can be given.
- 9 This procedure, known as Environmental Impact Assessment (EIA), is a means of drawing together, in a systematic way, an assessment of a project's likely significant environmental effects. The EIA Report helps to ensure that the importance of the predicted effects, and the scope for reducing any adverse effects, are properly understood by the public and the relevant competent authority before it makes its decision.
- 10 An EIA Report was not required to be submitted with the proposal as the scale of development falls below the EIA thresholds.

PRE-APPLICATION CONSULTATION

- 11 The proposed development is classed as a Major development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Therefore the applicant was required to undertake formal pre-application consultation with the local community. The submitted Pre-Application Consultation (PAC) Report outlined that a public exhibition was held locally on 22 March 2017. It was attended by approximately 31 people. The main issues raised were regarding transport, noise, light, ecology, archaeology, pedestrian and cycling routes.

NATIONAL POLICY AND GUIDANCE

- 12 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

- 13 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. Under the Planning etc. (Scotland) Act 2006 this is now a statutory document and material consideration in any planning application. The document 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.

Scottish Planning Policy 2014

- 14 The Scottish Planning Policy (SPP) was published in June 2014 and 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.
- 15 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
 - Valuing the Natural Environment : paragraphs 193 – 218
 - Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
 - Managing Flood Risk and Drainage: paragraphs 254 – 268
 - Promoting Sustainable Transport and Active Travel: paragraph 269 - 291

Planning Advice Notes

- 16 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
- PAN 3/2010 Community Engagement
 - PAN 40 Development Management
 - PAN 51 Planning, Environmental Protection and Regulation
 - PAN 60 Planning for Natural Heritage
 - PAN 61 Planning and Sustainable Urban Drainage Systems
 - PAN 65 Planning and Open Space
 - PAN 68 Design Statements
 - PAN 75 Planning for Transport
 - PAN 77 Designing Safer Places
 - PAN 79 Water and Drainage
 - PAN 83 Masterplanning

Designing Streets 2010

- 17 Designing Streets is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government's place-making agenda, alongside Creating Places, which sets out Government aspirations for design and the role of the planning system in delivering these.

Creating Places 2013

- 18 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

- 19 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

- 20 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYPlan Strategic Development Plan 2016-2036

- 21 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 plans 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."

- 22 The following sections of the TAYPlan 2016 are of particular importance in the assessment of this application.

Policy 2: Shaping Better Quality Places

- 23 Seeks to deliver distinctive places by ensuring that the arrangement, layout, design, density and mix of development are shaped through incorporating and enhancing natural and historic assets, natural processes, the multiple roles of infrastructure and networks, and local design context.

Policy 8: Green Networks

- 24 Seeks to protect and enhance green and blue networks by ensuring that:
- Development does not lead to the fragmentation of existing green networks
 - Development incorporates new multifunctional green networks (that link with existing green networks) of appropriate quantity and quality to meet the needs arising from the nature of the development itself.

- The provision of networks of green infrastructure is a core component of any relevant design framework, development brief or masterplan

Policy 9: Managing TAYPlans Assets

- 25 Seeks to respect the regional distinctiveness and scenic value of the TAYPlan area through safeguarding the integrity of natural and historic assets; including habitats, wild land, sensitive green spaces, forestry, water environment, wetlands, floodplains (in-line with the Water Framework Directive), carbon sinks, species and wildlife corridors, and also geo-diversity, landscapes, parks, townscapes, archaeology, historic battlefields, historic buildings and monuments; and by allowing development where it does not adversely impact upon or preferably enhances these assets.

Perth and Kinross Local Development Plan 2014

- 26 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. The LDP 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.
- 27 The principal relevant policies are, in summary;

Policy PM1A - Placemaking

- 28 Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

Policy PM1B - Placemaking

- 29 All proposals should meet all eight of the placemaking criteria.

Policy PM2 - Design Statements

- 30 Design Statements should normally accompany a planning application if the development comprises 5 or more dwellings, is a non-residential use which exceeds 0.5 ha or if the development affects the character or appearance of a Conservation Area, Historic Garden, Designed Landscape or the setting of a Listed Building or Scheduled Monument.

Policy PM3 - Infrastructure Contributions

- 31 Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

Policy ED3 - Rural Business and Diversification

- 32 Favourable consideration will be given to the expansion of existing businesses and the creation of new business. There is a preference that this will generally be within or adjacent to existing settlements. Outwith settlements, proposals may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that permanent employment is created or additional tourism or recreational facilities are provided or existing buildings are re-used. New and existing tourist related development will generally be supported. All proposals are required to meet all the criteria set out in the policy.

Policy ED4B - Caravan Sites, Chalets and Timeshare Development

- 33 Proposals for new or expanded transit and touring caravan and camping sites will be supported where they are compatible with placemaking policies. There shall be no presumption in favour of residential development if any of the above uses ceases.

Policy ED4C - Caravan Sites, Chalets and Timeshare Development

- 34 Favourable consideration will be given to new chalet and timeshare / fractional ownership developments where it is clear that these cannot be used as permanent residences and where they satisfy the criteria set out. There shall be no presumption in favour of residential development if any of the above uses ceases.

Policy ED5 - Major Tourism Resorts

- 35 The improvement or expansion of Major Tourism Resorts will be encouraged, and the landscape setting which is integral to their tourism offer will be protected.

Policy TA1A - Transport Standards and Accessibility Requirements

- 36 Encouragement will be given to the retention and improvement of transport infrastructure identified in the Plan.

Policy TA1B - Transport Standards and Accessibility Requirements

- 37 Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

Policy CF2 - Public Access

- 38 Developments will not be allowed if they have an adverse impact on any core path, disused railway line, asserted right of way or other well used route, unless impacts are addressed and suitable alternative provision is made.

Policy HE1B - Non Designated Archaeology

- 39 Areas or sites of known archaeological interest and their settings will be protected and there will be a strong presumption in favour of preservation in situ. If not possible provision will be required for survey, excavation, recording and analysis.

Policy HE4 - Gardens and Designed Landscapes

- 40 The integrity of sites included on the Inventory of Gardens and Designated Landscapes will be protected and enhanced.

Policy NE1A - International Nature Conservation Sites

- 41 Development which could have a significant effect on a site designated or proposed as a Special Area of Conservation, Special Protection Area or Ramsar site will only be permitted where an Appropriate Assessment shows that the integrity of the site will not be adversely affected, there are no alternative solutions and there are imperative reasons of overriding public interest.

Policy NE1B - National Designations

- 42 Development which would affect a National Park, National Scenic Area, Site of Special Scientific Interest or National Nature Reserve will only be permitted where the integrity of the area or the qualities for which it has been designated are not adversely affected or any adverse impacts are clearly outweighed by benefits of national importance.

Policy NE2A - Forestry, Woodland and Trees

- 43 Support will be given to proposals which meet the six criteria in particular where forests, woodland and trees are protected, where woodland areas are expanded and where new areas of woodland are delivered, securing establishment in advance of major development where practicable.

Policy NE2B - Forestry, Woodland and Trees

- 44 Where there are existing trees on a development site, any application should be accompanied by a tree survey. There is a presumption in favour of protecting woodland resources. In exceptional circumstances where the loss of individual trees or woodland cover is unavoidable, mitigation measures will be required.

Policy NE3 - Biodiversity

- 45 All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out. Planning permission will not be granted for development likely to have an adverse effect on protected species.

Policy ER6 - Managing Future Landscape -Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes

- 46 Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and they meet the tests set out in the 7 criteria.

Policy EP1 - Climate Change, Carbon Reduction and Sustainable Construction

- 47 Sustainable design and construction will be integral to new development within Perth and Kinross. Proposals for new buildings must be capable of meeting one of the standards set out in the table.

Policy EP2 - New Development and Flooding

- 48 There is a general presumption against proposals for built development or land raising on a functional flood plain and in areas where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere. Built development should avoid areas at significant risk from landslip, coastal erosion and storm surges. Development should comply with the criteria set out in the policy.

Policy EP3A - Water, Environment and Drainage

- 49 Proposals which do not accord with the Scotland River Basin Management Plan and any relevant associated Area Management Plans will be refused unless they are considered to be of significant specified benefit to society and / or the wider environment.

Policy EP3B - Water, Environment and Drainage

- 50 Foul drainage from all developments within and close to settlement envelopes that have public sewerage systems will require connection to the public sewer. A private system will only be considered as a temporary measure or where there is little or no public sewerage system and it does not have an adverse effect on the natural and built environment, surrounding uses and the amenity of the area.

Policy EP3C - Water, Environment and Drainage

- 51 All new developments will be required to employ Sustainable Urban Drainage Systems (SUDS) measures.

Policy EP4 - Health and Safety Consultation Zones

- 52 Full account will be taken of advice from the Health and Safety Executive in determining planning applications for development within the consultation zones identified on the proposals and inset maps.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

- 53 Perth & Kinross Council is progressing with preparation of a new Local Development Plan to provide up-to-date Development Plan coverage for Perth & Kinross. When adopted, the Perth & Kinross Local Development Plan 2 (LDP2) will replace the current adopted Perth & Kinross Local Development Plan (LDP). The Proposed Local Development Plan 2 (LDP2) was approved at the Special Council meeting on 22 November 2017.
- 54 The representations received on the Proposed LDP2 and the Council's responses to these were considered at the Special Council meeting on 29 August 2018. The unresolved representation to the Proposed Plan after this period is likely to be considered at an Examination by independent Reporter(s) appointed by the Scottish Ministers, later this year. The Reporter(s) will thereafter present their conclusions and recommendations on the plan, which the Council must accept prior to adoption. It is only in exceptional circumstances that the Council can elect not to do this.
- 55 The Proposed LDP2 represents Perth & Kinross Council's settled view in relation to land use planning and as such it is a material consideration in the determination of planning applications. It sets out a clear, long-term vision and planning policies for Perth & Kinross to meet the development needs of the area up to 2028 and beyond. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. However, the outcome of the Examination could potentially result in modifications to the Plan. As such, currently limited weight can be given to its content where subject of a representation, and the policies and proposals of the plan are only referred to where they would materially alter the recommendation or decision.

SITE HISTORY

- 56 [17/00001/PAN](#) Proposal of Application Notice for mixed use development comprised of holiday accommodation, spa, restaurants, retail, public house, events spaces, residential dwellings, storage, landscaping and associated infrastructure. Content of PAN approved 15 February 2017
- 57 [17/00727/SCRN](#) EIA Screening request for leisure led mixed-use development Decision Issued 15 May 2017 – No EIA required.

CONSULTATIONS

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

External

Scottish Environment Protection Agency (SEPA)

- 59 No objection provided condition on de-culverting is applied.

Scottish Natural Heritage (SNH)

- 60 No objection provided remit of applicants Recreation Access Management Plan (RAMP) is fully adhered to prior to operation of the facility.

Transport Scotland

- 61 No objection.

Historic Environment Scotland (HES)

- 62 No objection.

Scottish Water

- 63 No objection.

Forestry Commission Scotland (FCS)

- 64 No response received.

Perth and Kinross Heritage Trust (PKHT)

- 65 No objection provided archaeology condition is imposed.

National Grid

- 66 No objection.

Health and Safety Executive

- 67 No objection.

Blackford Community Council

- 68 Expressed concern about potential light pollution; poor road condition and width; will be visible from the Ochil Hills; adverse impact on biodiversity; unrealistic traffic numbers and economic impact.
- 69 In addition they would like to see walking and cycling routes in area improved

Braco and Greenloaning Community Council

- 70 No response received.

Auchterarder and District Community Council

- 71 No response received.

Muthill and Tullibardine Community Council

72 No response received.

Internal

Structures and Flooding

73 No objection provided certain conditions regarding SUDs are applied.

Biodiversity Officer

74 No objection provided conditions on habitat protection are applied.

Transport Planning

75 No objection.

Environmental Health

76 No objection provided certain conditions on noise and air quality are applied.

Strategy and Policy

77 Supportive of proposal as complaint with LDP policy.

Development Negotiations Officer

78 No developer contributions required.

Community Greenspace

79 No response received.

Commercial Waste

80 No response received.

Enterprise Team

81 Supports the proposal as it will have a positive economic impact for Perthshire.

REPRESENTATIONS

82 The following points were raised in the one representation received. These issues are addressed in the Appraisal section of the report:

- Contrary to LDP
- Inappropriate land use/out of character with area
- Over intensive development
- Flawed Transport Statement - Road safety concerns including congestion

- Adverse impact on biodiversity
- Exaggerated economic impact

ADDITIONAL STATEMENTS

83

Environment Statement	Not Required
Screening Opinion	Submitted
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design and Access Statement	Not Required
Reports on Impact or Potential Impact	Planning Statement, Flood Risk Assessment, Recreational and Access Management Plan, Breeding Bird Survey, Transport Statement, Addendum Capacity Assessment, Pre-application Consultation Report, Economic and Tourism Report, Landscape and Visual Assessment, Noise Assessment, Cultural Heritage Report, Ecological Report

APPRAISAL

- 84 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 2014. The relevant policy considerations are outlined in the policy section above and are considered in more detail below.

Principle

- 85 The Perth and Kinross Local Development Plan 2014 does not allocate the site for any specific use class. As it is located outwith the settlement boundary of both Auchterarder and Blackford the site is classified as rural.
- 86 The proposed development is designed to meet the growing demand for holiday style accommodation in rural locations with easy access to outdoor pursuits such as hill walking, mountain biking, fishing etc. As the proposal is a rural tourism proposal associated with and in close proximity to Gleneagles Hotel Policy ED3 - Rural Business and Diversification; Policy ED4 - Caravan Sites,

Chalets, and Timeshare Developments; and Policy ED5 - Major Tourism Resorts are all applicable.

- 87 Gleneagles Hotel and its associated facilities is a major tourism resort and significant employment provider in the area. It plays a significant role in the local, national and international tourism economy. Policy ED5 supports the improvement or expansion of such resorts provided the landscape setting can be protected.
- 88 Policy ED4C supports new chalet type developments where it is clear they will not be used for permanent residential purposes. The location, layout, design, materials and supporting information contained within the application indicates that none of the proposed accommodation types will be used for all year round permanent residency. Control of the occupation of the accommodation is recommended to ensure this is achieved and as a consequence the proposal is considered to comply with Policy ED4C (Condition 32).
- 89 Policy ED3 Rural Business and Diversification supports the expansion of existing rural businesses and the creation of new ones. Sites outwith settlements may be acceptable if related to a site specific opportunity and contribute to the local economy through the provision of jobs, visitor accommodation and help extend the tourism season.
- 90 The proposed development is a significant expansion of Gleneagles Hotel tourist accommodation portfolio close to numerous outdoor activity pursuits at their own complex and others in the area. It is considered that the proposal and its location close to walking routes, fishing facilities etc. will help extend the tourism season. Based on the above it is considered that the proposal complies with LDP Policy ED3.

Design and Layout

- 91 The proposed development will provide a complementary leisure experience to the Gleneagles Hotel. The design includes the development of 5 different types of accommodation, 2 event spaces, up to 2 restaurants, a pub, a spa facility and studio/workshop space alongside a gatehouse and associated car parking and ancillary buildings.
- 92 The proposed Gate House is located a few hundred metres off the public road and is where it is proposed that guests will transfer from their own car and be transported to their accommodation. The car park has been designed to be low impact so it should not spoil the rural aspect of the development or the surrounding countryside. The indicative masterplan does show it will impact the ancient woodland along the southern boundary. This is not acceptable but can be addressed during the detailed application stage.
- 93 The proposed restaurants, pub, spa workshops and events spaces have been designed to create a central hub for the development. It has been arranged around two courtyards to resemble traditional farm steading buildings.

- 94 Immediately west of the Hub is the first accommodation type, 2 storey studio apartments, also based around a steading type configuration and most will enjoy views of the Ochil Hills to the south. Permanent tents, designed in the style of a traditional “safari tent” are proposed to be located in clusters to the west of the Hub and studio apartments. These permanent tents which will sit on a raised deck platform and will contain bathroom facilities, electricity, and stoves etc.
- 95 The remainder of the cabins are arranged into clusters of 3 or 4 arranged around a social fire pit space and positioned to maximise views over the Ochil Hills to the South and Orchil Castle to the west and north west. The cabins are a mix of 1 to 4 bed accommodations.
- 96 Located centrally in the site the proposal is to create two small bodies of water (lochans) along the route of the western watercourse which will form part of a larger landscaped outdoor activity area. This area will be the central point for the leisure activities on the site including an area for swimming. Adjacent to the northern lochan is a proposed 7 bed lodge house.
- 97 A small public house is proposed to be located within proposed landscaped trees to the north of the site. To the north west of the site, within proposed landscaped trees, is a spa facility which includes a natural outdoor pool and indoor treatment rooms.
- 98 Seasonal camping, which will be in the form of temporary bell type tents is proposed at the north western corner of the site enjoying views toward Orchil Castle.
- 99 The development is expected to be delivered in phases over a number of years, being developed in phases in reaction to market demand. Therefore, a Direction extending the period for the submission of applications for the Approval of Matters Specified in Conditions (AMSC) from 3 years to 6 years is recommended. Overall, the proposed development will bring a modest change to the landscape setting but the planting of native trees and foliage will help soften the impact of the guest accommodation and activity areas. The tracks and roads are designed to be low impact and proposed in an informal nature in order to sit comfortably in a rural location. The proposal is considered to adopt good placemaking ideals as the design and siting respects the character and setting with a low impact proposal and thereby accords with LDP Policy PM1- Placemaking. The layout design will be given in detail as part of any subsequent application(s) for AMSC submitted, against the specific criteria recommended (Condition 3).

Landscape and Visual

- 100 A Landscape and Visual Impact Assessment has been submitted in support of the planning application. By its very nature the proposed development will result in landscape and visual effects that will cause modest changes to local landscape character and affect views from certain locations.

- 101 The characteristics of the proposed development will be of a farmstead group of buildings located on agricultural grassland, together with small buildings dispersed amongst woodland and meadow settings.
- 102 There is significant existing screening from the public road to the south which will screen views from passing traffic. Structural woodland planting is proposed, particularly along the eastern boundary of the site. The main visual effects of development will be from the northern parts of the site.
- 103 The scale of buildings proposed will be of agricultural proportions for the hub area, so not uncommon in rural locations. The proposed lodges and the semi-permanent tents will be a feature that will be quite visible. The proposed woodland planting will be important in helping the new buildings settle into their setting as without it would appear very open with built development on it.
- 104 At the detailed design (AMSC) stage the applicant proposes to address the following:
- Confirmation of exact building materials
 - A rural approach to road engineering, with no kerbs and narrow carriageway;
 - Embedding of car parking and infrastructure within woodland planting on the eastern boundary;
 - Micro-siting of buildings and tents to respond closely to the topography, so that they do not appear uniform in layout or imposed upon the terrain;
 - Provision of biodiverse habitats at the transitions between woodland, meadow, wetland and pasture;
 - Minimisation of any cut and fill, to preserve the integrity of fluvial glacial deposition features and to reduce disturbance of soils and vegetation cover;
 - Variation in the orientation of roof gables, to reduce the visual massing of buildings;
 - Maintaining the existing strong boundary to the road, using drystone walls, hedging and woodland planting;
 - Avoiding conspicuous branding and signing at the roadside, which would be inappropriate to the rural setting and aspirations of the design;
 - Enhanced path will improve permeability and access in the countryside, subject to operational considerations;
 - Advanced establishment of tree planting early in the construction programme rather than at the end.
- 105 With such information properly integrated into the design process at the detailed stage, it is considered that the proposal will result in a site landscape offering diversity that has responded to the rural topography in a sensitive manner. The proposal will be integrated into the landscape and will not cause a significant adverse impact on the landscape character and therefore acceptable. As advised above, this will be considered in detail as part of AMSC applications against the specific criteria recommended (Condition 3).

Roads and Access

- 106 A Transport Statement and an Addendum Capacity Assessment report has been submitted in support of the application and has been examined by both Transport Scotland and Transport Planning.
- 107 The Transport Statement provided data from a traffic survey that was carried out and has indicated that the nearby A823 road at the proposed development site was very lightly trafficked. A junction capacity assessment was also carried out that shows that the junctions in the area are all currently operating well within capacity. Given this, and Transport Planning's assessment of the data, they are content that the local road network will be able to satisfactorily cope with traffic generated by the proposed development.
- 108 Transport Planning also note that the applicant has re-iterated their commitment to making the development as sustainable as possible and has committed to extending the existing pedestrian footway from Gleneagles to the entrance of the development and to widening the 'Braco Road' to 6m in the vicinity of the development, together with working with the current bus operators to extend the current bus services to serve the proposed development. These commitments are welcomed and will help to facilitate more sustainable development to the site without impacting on the ancient woodland. The exact details of these improvements will be considered in detail for subsequent AMSC applications against the specified matter for road widening/improvement and footpath provision (Condition 3(v)).
- 109 At this stage of the planning process the proposal is considered to comply with LDP Policy TA1 - Transport Standards and Accessibility Requirements. Consideration of policy consideration will be further assessed at the detailed design stage.

Drainage and Flooding

- 110 A Flood Risk Assessment (FRA) has been submitted in support of the application and this has been assessed by both SEPA and the Council's Structures and Flooding Team. Both SEPA and Structures and Flooding initially objected due to a lack of information on flood risk. An updated Flood Risk Assessment was submitted in February 2019.
- 111 Both SEPA and the Council's Flooding section have reviewed this further information and are now in a position to remove their objections subject to specific planning conditions being applied with any decision notice.
- 112 The updated FRA describes several flood risk factors affecting the proposed development. There are several areas of proposed development that are situated in areas of possible overland flood risk. These include the Cabin Cluster D, Camping Concept 1 Zone C, Cabin Cluster E (especially the Family unit [065]) and the Family unit (091) in Cabin Cluster G. The affected units will be moved out of the flow accumulation areas or details provided showing how the overland flow of water will be handled in these areas. Finished Floor Levels (FFL) will be required to be at least 600mm above ground level in these areas,

with the structures designed to be flood resilient. The vehicular access road in this area will also need to be shown to be passable in these areas for emergency access (Condition 27).

- 113 Various swales and interception trenches are proposed to capture and divert overland flow around the accommodation clusters and appear appropriate in principle. A surface water flood map and animation will be required to be produced at the detailed planning stage to show how the flood waters would flow across the site, taking into account the proposed overland flow interception and diversion interventions. This would show exactly where the cabins and camping pitches should be located and the effectiveness of the interventions.

Watercourse 1

- 114 There were several issues involving Watercourse 1 (western) as there was a lodge (no. 92) shown on the masterplan built on top of the tributary. This lodge was required to be moved out of the functional floodplain and have a FFL of 600mm above the 1:1000 year +20% Climate Change (CC) flood water level.
- 115 The revised masterplan and updated FRA shows the lodge is relocated out of the floodplain. The FRA suggests a buffer zone of 6m between any watercourse bank and any building/plot. In principle this is considered to be acceptable.
- 116 To reduce the flood risk caused by the overtopping of the tributaries W1-T1 and W1-T2 at their respective culverts, the culverts will need to be resized to accommodate the 1:200 year +20% CC flood flows (Condition 23).

Watercourse 2

- 117 There is a preference for Watercourse 2 (eastern) to be de-culverted to reduce the flood risk from overtopping and the applicant has agreed to look into the de-culverting of this watercourse at the detailed stage. In this case the access road culvert should still be resized to accommodate the 1:200 year +20% CC flood flows (Condition 23).

New Lochans

- 118 There are several new lochans in the Masterplan, and further details will be submitted at the detailed planning stage (Condition 25).

Surface Water Drainage

- 119 A surface water drainage design plan showing the proposed SUDs layout will be provided at the detailed planning permission stage to ensure there is no flood risk elsewhere in the area (Condition 26).

Cultural Heritage

- 120 A Cultural Heritage Assessment was submitted in support of the application and has been assessed by both Historic Environment Scotland (HES) and Perth and Kinross Heritage Trust (PKHT).
- 121 HES have assessed the proposal and the potential for it to affect the nearby Gleneagles Hotel and Golf Courses Garden and Designed Landscape. They have considered the information received and do not have any comments to make on the proposals.
- 122 PKHT have confirmed that while there are no known archaeological sites within the proposed development site, the proposed development site lies within an area that is considered to have archaeologically potential, given the proximity of the development site to the remains of an extensive later prehistoric settlement discovered at the adjacent G West Golf Course, 500 metres to the southeast of the proposed site and an ancient fort 400 metres to the north west. The evaluation and subsequent excavation at the golf course revealed extensive remains of later prehistoric settlement activity.
- 123 Given the record of archaeological discoveries in the area, it is recommended that an archaeological evaluation should take place to assess the presence/absence, character and significance of archaeological deposits on the site. The evaluation will inform a mitigation strategy, if required, to either preserve significant deposits within the development or for further archaeological works, to consist of the excavation and post-excavation analysis / publication of these deposits. This will be required to ensure the proposal complies with LDP Policy HE1B - Non Designated Archaeology (Condition 16).

Natural Heritage and Biodiversity

- 124 Initially an Ecology and Protected Bird Survey was submitted in support of the application and have been reviewed by both SNH and the Council's Biodiversity Officer.
- 125 The Biodiversity Officer commented that the site is predominantly pasture grazing farmland with some woodland and hedgerows with trees of varying quality. The submitted Preliminary Ecological Assessment (PEA) is considered to be acceptable for an 'In Principle' application. It will therefore be necessary to provide updated comprehensive habitat and protected species surveys with any further applications for this development, or each phase of the development, as the validity of surveys is limited by time (Conditions 3 (xiv), 4, 5, 6, and 7).
- 126 The existing farm buildings located in the south east corner of the site are proposed to be demolished. The PEA identifies the 'significant bat roost potential' and these will require to be re-surveyed during the bat activity season as part of the requirements for detailed surveys for any further detailed planning applications for the site (Conditions 3 (xiv) and 4). This will ensure that demolitions or other demolitions will not have an unacceptable impact on bats.

- 127 The submitted bird survey is dated July 2017 and further surveys will be required for any detailed applications (Conditions 3 (xiv) and 5). Geese were found to be grazing the pastures to varying degrees over the winter months, the proposed development may displace them to other areas.
- 128 Any vegetation removal should be undertaken outside of the bird breeding season to avoid disturbance of breeding birds. If not possible a pre-commencement survey prior to the vegetation clearance should be carried out by a suitably qualified ecologist (Condition 10).
- 129 Any trees on site which are to be felled will need to be re-assessed for bat roost features and the appropriate bat surveys should be undertaken prior to felling of trees (Conditions 3 (xiv) and 4).
- 130 The PEA indicates a commitment to produce and implement a Biodiversity Action Plan for the site. This is supported and should be provided with any future application for the site (Condition 7).
- 131 A development of this scale offers opportunities to provide suitable nest/roost sites for particular bird species and bats. It is therefore recommended that a proportion of all 2 storey properties should incorporate nest boxes and bat roosts to provide suitable habitats (Condition 13).
- 132 SNH initially objected to the proposal regarding the potential impact on to the pink-footed geese, greylag geese and waterfowl assemblage of the South Tayside Goose Roosts SPA located 1.2km south west of the proposed site from disturbance due to increased public access to the SPA.
- 133 They also expressed concern regarding the potential impact on Carsebreck and Rhynd Lochs SSSI wetland features located 1.2km south west of the proposed site through pollution due to mitigation agreed with SEPA for the treatment of any waste water drainage.
- 134 A detailed Recreation and Access Management Plan (RAMP) was requested and this was submitted in August 2018. SNH have now confirmed that the measures contained in the RAMP are sufficient to allow them to withdraw their objection in relation to the issue of disturbance of the nearby SPA interests.
- 135 SNH also advise that the measures contained in the RAMP confirm there will be no adverse effect on the integrity of the protected features of South Tayside Goose Roost SPA.
- 136 SNH do advise, for the Council to have a high degree of certainty of 'no Adverse Effect on Site Integrity (AESI)', it should be explicit in any planning consent that all the relevant RAMP measures (i.e. works on all tracks, signage, planting, reduction of car parking etc.) are all implemented completely before operation of the facility can begin (Condition 8).
- 137 Implementation of these measures also needs to take account of the presence of wintering geese and be done between May and September or 1 hour after dawn to 1 hour before dusk during the period October to April.

- 138 As noted in the RAMP, implementing some of the mitigation is also likely to require discussions and agreement from the landowner of the SSSI. SNH advise that a programme of action should be drafted between the Council and the applicant to achieve the mitigation (Condition 9).

Noise and Air Quality

- 139 A Noise Assessment and Sustainability Statement has been submitted in support of the application and has been assessed by Environmental Health.

Construction Noise

- 140 Environmental Health have confirmed there is the potential for existing residential properties to be affected by noise and dust during the construction stage of the development from plant/machinery and increased vehicle movements to the site. They recommend that a Construction Management Plan is submitted and approved prior to the commencement of the development which forms part of this recommendation (Condition 19).

Road Traffic Noise

- 141 The Noise Assessment concluded that the only area to be affected by road traffic noise is the 'Camping Concept 1 Zone A' and the report recommends that either an earth bund or acoustic barrier will need to be installed to screen this area from the main access road to the resort site. Environmental Health consider that it is acceptable for the noise impact to be reassessed as part of any detailed application and require the provision of appropriate mitigation where necessary to protect the amenity of the residential units and camping areas (Condition 17).

Entertainment Noise

- 142 The Noise Assessment concluded that existing noise sensitive properties (Westervale/ Orchill House & Whitehills) would not be adversely affected from entertainment noise from proposed event barns. The assessment also concluded that certain assumptions have been made such as the barns construction materials and thus the sound installation properties of these materials are unknown at this stage. The actual hours of operations of the event barns are also unknown. It is recommended that once this information is available at the detailed design stage that the Noise Impact Assessment (NIA) model should be updated to give a more accurate noise assessment (Condition 17).

Plant/Equipment Noise

- 143 The applicant's Sustainability Statement outlines arrange of options such as air conditioning and ventilation, heat recovery, space heating and cooling which will be considered at the detailed design stage. Environmental Health advise there is the potential for noise from such plant equipment to affect the residential amenity of existing dwellinghouses. They therefore recommend that any plant

or equipment associated with the development be taken into account when the NIA is reassessed at the detailed design stage (Condition 17).

Wood Burning

- 144 The Sustainability Statement also outlines that there is the option of fire pits and wood burning stoves to be installed or available in association with the cabin accommodation with the development. If a large number of these were available as part of the development it could have an impact on the air quality levels around the development area. If it is indeed the intention that a large number of stoves are to be installed and fire pit areas available, the effect on local air quality must be assessed as part of any detailed application (Condition 18).

Pipelines

- 145 The proposed site is bisected by two gas pipelines, one to the north and one to the south. The masterplan illustrate the lines of both pipelines along with the associated lines of the inner, middle and outer consultation zones. The issues relating to the gas pipeline were discussed with the Council during the pre-application phase. The applicant met with the Health and Safety Executive, and this included a full site walkover and discussion. At this meeting a full discussion was had regarding the masterplan and the positioning of the various uses with the linear consultation zones around the pipelines.
- 146 Of the two gas pipelines on site, only the potential seasonal camping area is in the outer consultation zone of the northern pipeline. No development is proposed here and so does not require to be considered against the HSE guidance.
- 147 The applicant's discussion with the HSE focused primarily on the pipeline running through the middle of the site. Appendix 1 of the applicants Planning Statement contains a written account by the HSE of the meeting. This letter demonstrates the compliance of the proposal with the HSE's Land Use Planning Methodology, which is a document that sets out the broad uses and relative intensities of use that are acceptable within the various inner, middle and outer consultation zones of a pipeline.
- 148 A couple of potential issues were brought to light. Firstly, the positioning of the hub and events space was moved further north as a result of HSE's advice, taking it out of the middle consultation zone altogether. Secondly the configuration of the car parking and drop-off areas has been modified. This was directly raised as a safety issue and it was decided to relocate any parking and drop off areas away from the inner consultation zone and the direct line of the gas pipeline.
- 149 The updated masterplan is acceptable to the HSE as full cognisance has been taken of the advice provided by the HSE. The Proposed Development is now considered to be compliant with LDP Policy EP4 - Health and Safety Consultation Zones.

Developer Contributions

- 150 The Council's Developer Contributions Officer has assessed the applicants Transport Statement and the Addendum Capacity Assessment which identifies that the road network can accommodate the proposed development and the trips generated would be off-peak. No specific impact on the Loaninghead junction has been identified and the applicants have identified a commitment to sustainable development including working to extend the bus route to the site and extending the footpath from Gleneagles Village to the site. As a result no contribution towards the A9 Junctions will be required.

Economic Impact

- 151 The applicant submitted an Economic Impact Assessment in support of the application and this has been assessed by the Council's Economic development team.
- 152 In general terms, capital investment in a development of this nature is to be welcomed. There is a clear fit with the national tourism strategic objective of encouraging investment in new, high quality accommodation and the Council's tourism plan specifically recognises that ongoing investment in improving facilities is essential for the development of quality products that allow Perthshire compete in an increasingly competitive destination market place.
- 153 This particular development would have a well-established upscale brand behind it and would appear to be on trend in terms of its offer and positioning as an outdoor tourism destination.
- 154 The report describes the potential impact on the economy at the Perth and Kinross and Scotland levels and estimates that the construction phase of development would support the creation of an additional 188 temporary jobs during construction as well as 64 additional permanent jobs once the resort is operational.
- 155 The operational and visitor impacts (including net additional expenditure) have largely been based on supply side information with certain assumptions made regarding occupancy, length of stay, expenditure per person etc. The report estimates that once it is operational the guests at the resort would generate net additional annual expenditure of £3.4 million. Much of this will relate to accommodation and on site expenditure. The report further estimates that a proportion of expenditure in relation to 'eating/drinking', 'shopping' and 'entertainment' would be spent off site in the wider Perth and Kinross economy, amounting to £699,000 per annum. The estimated outcomes are considered reasonable.
- 156 The report provides a useful indication of the potential positive impacts that the resort would have on the local and national economy. Taking this information into account, and having considered how this proposed resort development would support wider strategic tourism considerations, Economic Development consider that it would bring a welcome addition to the Perthshire destination offer.

LEGAL AGREEMENTS

157 None required at this stage.

DIRECTION BY SCOTTISH MINISTERS

158 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 159 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. The proposed development represents a significant expansion of the tourist accommodation portfolio in the area and close to numerous outdoor activity pursuits at Gleneagles itself and others in the area. It is considered that the proposal and its location will help extend the tourism season and have positive impact on the local economy. The proposed development will have a modest visual impact on the landscape but with planting of native trees and foliage will help soften the impact of the guest accommodation and activity areas. The proposal is considered to adopt good placemaking ideals as the design and siting respects the character and setting with a relatively low impact proposal.
- 160 In this respect, I have taken account of the Local Development Plan and material considerations and in this case I am content that the development proposed does not conflict with the Development Plan.
- 161 Accordingly the proposal is recommended for approval subject to the following direction and conditions.

RECOMMENDATION

A DIRECTION

Perth and Kinross Council direct that sub-sections (2)(a)(i) and (3) of Section 59 of the Town and Country Planning (Scotland) Act 1997 apply with respect to the in Principle Permission (17/00939/IPM) with the substitution of the period of 3 years referred to in each of those subsections, with the period of 6 years.

Conditions and Reasons for Recommendation

1. Application for the approval required by a condition imposed on this Planning Permission in Principle shall conform with the requirements of Regulation 12 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and of Section 59 (2) and (3) of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006 and, in particular, must be made before whichever is the latest of the following:

- (i) the expiration of 6 months from the date on which an earlier application for the requisite approval was refused, or
- (ii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed.

Reason: In accordance with the terms of Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006

2. The masterplan and numbers as submitted is purely indicative and is not approved.

Reason: The application is for planning permission in principle only at this stage and details of a layout would be considered in subsequent applications for the Approval of Matters Specified in Conditions.

3. No works in connection with the development hereby approved shall take place until full details of the siting, design, external appearance and landscaping of the development and the means of access serving the development (hereinafter referred to as the 'Approval of Matters Specified Condition' (AMSC)) have been submitted to and approved in writing by the Planning Authority. The specified matters include:

- (i) an updated masterplan and a phasing plan;
- (ii) a detailed levels survey (existing and proposed) and cross sections showing proposed finished ground and floor levels of all buildings forming part of the development phase, relative to existing ground levels and a fixed datum point; details of all cut and fill operations;
- (iii) the siting, design, height and external materials of all buildings, structures, roads and camping areas;
- (iv) the details of all accesses, roads, car parking, footpaths, cycleways, path connections throughout the development;
- (v) the details of public road widening/improvement and footpath improvement/connection with Gleneagles Hotel and Auchterarder;
- (vi) details of any screen walls/fencing to be provided
- (vii) measures to maximise environmental sustainability through design, orientation and planting or any other means;
- (viii) details of all landscaping, structure planting and screening associated with the development of each site;
- (ix) the lighting of all roads and paths;
- (x) the layout of any play areas and the equipment to be installed;
- (xi) details of watercourse alignments and any de-culverting
- (xii) full details of the proposed means of disposal of foul and surface water from the development;
- (xiii) details of car charging points to be provided within the car park;
- (xiv) updated ecological/biodiversity/protected species/breeding bird survey;
- (xv) submission of Construction and Environment Management Plan (CEMP);
- (xvi) archaeological assessment;
- (xvii) noise assessment; and
- (xviii) air quality assessment.

Reason - To ensure that the matters referred to within this Planning Permission is Principle are given full consideration and to accord with the requirements of Section 59 Town and Country Planning (Scotland) Act 1997 (as amended).

4. In pursuance of Condition 3 (xiv), a detailed protected species survey covering the site shall be submitted as part of any application for the Approval of Matters Specified by Condition (AMSC). The report shall include appropriate mitigation to protect any identified species.

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

5. In pursuance of Condition 3 (xiv), a detailed breeding bird survey covering the site shall be submitted as part of any application for the Approval of Matters Specified by Condition (AMSC). The report shall include appropriate mitigation to protect any identified species.

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

6. In pursuance of Condition 3 (xiv), an updated ecology report covering the site shall be submitted as part of any application for the Approval of Matters Specified by Condition (AMSC). The report shall include appropriate mitigation to protect any identified species.

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

7. In pursuance of Condition 3 (xiv), a biodiversity action plan covering the site shall be submitted as part of any application for the Approval of Matters Specified by Condition (AMSC). The report shall include appropriate mitigation to protect any identified species.

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

8. Prior to the operation of the facility, all the relevant measures stated within the applicant's Recreation and Access Management Plan (RAMP) shall be fully implemented. For the avoidance of doubt, the implementation of these measures needs to take account of the presence of wintering geese and be done between May and September or 1 hour after dawn to 1 hour before dusk during the period October to April.

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

9. Prior to the operation of the facility, and as noted in the RAMP, a programme of mitigation shall be submitted to and for the approval of the Planning Authority in consultation with SNH.

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

10. No site clearance or removal of vegetation, including trees and shrubs will take place between 1 March and 31 August inclusive unless a competent ecologist has undertaken a careful and detailed check of vegetation for active birds' nests immediately before the vegetation is to be cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds on site. Any such written confirmation must be submitted to the planning authority prior to commencement of works.

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

11. As part of any application for the Approval of Matters Specified by Condition (AMSC), measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be incorporated within proposals and, once approved, implemented for the duration of the construction works of the development. 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 150 mm outside diameter being blanked off at the end of each working day.

Reason: In order to prevent animals from being trapped within any open excavations.

12. In pursuance of Condition 3 (viii), where it is intended to create semi-natural habitats, a detailed native species planting proposal shall be submitted as part of any application for the Approval of Matters Specified by Condition (AMSC).

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

13. In pursuance of Condition 3 (iii), as part of any application for the Approval of Matters Specified by Condition (AMSC), details of the location and specification of swift brick(s) and bat nest box(s) shall be incorporated in to the submitted application for the approval in writing by the Council as Planning Authority. Thereafter, the swift brick(s) and bat nest box(s) shall be installed in accordance with the agreed details prior to the occupation/operation of the relevant building.

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

14. In pursuance of Condition 3 (iii and viii), as part of any application for the Approval of Matters Specified by Condition (AMSC) and prior to any work starting, on the relevant parts of the site, a tree survey shall be submitted to identify all trees on site, all trees to be retained, including ancient woodland, as identified in the submitted surveys. Thereafter, all trees to be retained shall be protected by suitable fencing in accordance with BS5837 2012 (Trees in Relation to Construction). The details of the protective fencing and its location shall be first submitted to and agreed in writing by the Planning Authority. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the Planning Authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks.

Reason: to ensure adequate protection for the trees on the site during the construction, in the interests of the visual amenity of the area.

15. In pursuance of Condition 3 (xv), any Construction Environment Management Plan (CEMP) submitted as part of any application for the Approval of Matters Specified by Condition (AMSC) shall incorporate detailed pollution avoidance and mitigation measures for all construction elements. Thereafter the development shall be fully undertaken in accordance with the agreed CEMP.

Reason: In the interest of protecting environmental quality and of bio-diversity.

16. In pursuance of Condition 3 (xvi), as part of any application for the Approval of Matters Specified by Condition (AMSC) and prior to development commencing, the developer shall 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: In the interest of protecting archaeological interest within the site

17. In pursuance of Condition 3 (xvii), any noise impact assessment submitted as part of any application for the Approval of Matters Specified by Condition (AMSC) shall include proposed mitigation measures such that an acceptable level of amenity is ensured for the proposed development. Before any residential unit is occupied the measures agreed to mitigate noise shall be fully implemented as approved by the Planning Authority.

Reason: In the interest of residential amenity.

18. In pursuance of Condition 3 (xviii), should any wood burning stoves /flues and fire pits be proposed, an air quality assessment shall be required to be

submitted as part of any application for the Approval of Matters Specified by Condition (AMSC). The report shall assess the impact of these facilities on the air quality of the environs.

Reason: In the interest of residential amenity and air quality.

19. In pursuance of Condition 3 (xvii and xviii) a Construction Management Plan (CMP), detailing pollution prevention, control and mitigation measures for noise and dust shall be submitted as part of any application for the Approval of Matters Specified by Condition (AMSC).

Reason: In the interest of residential amenity.

20. In pursuance of Condition 3 (iv), a plan of public access across the site (existing, during construction & upon completion) submitted as part of any application for the Approval of Matters Specified by Condition (AMSC) shall illustrate:
- a) all existing paths, tracks & any (including proposed) rights of way.
 - b) any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or curtilage, in relation to proposed buildings or structures;
 - c) all paths & tracks proposed for construction, for use by walkers, riders, cyclists, all-abilities users, etc.
 - d) any diversions of paths - temporary or permanent- proposed for the purposes of the development
 - e) the detailed specification of the proposed paths and tracks, along with how they will be constructed to avoid impacts on trees.

Reason: In the interest of sustainable transportation.

21. Prior to the start of any work on the site, an agreed construction programme shall be submitted to and approved in writing by the Planning Authority. The construction programme shall accord with the approved phasing plan.

Reason: To ensure the implementation and completion of the proposed development

22. Prior to the commencement of the development hereby approved, the applicant shall submit for the further 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 applicant'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: To mitigate the adverse impact of development traffic.

23. In pursuance of condition 3 (xi) full details and method statements of any proposed de-culverting of watercourses shall be submitted as part of any application for the Approval of Matters Specified by Condition (AMSC).

Reason: To prevent flood risk.

24. As required by condition 3 (xii), storm water drainage from all hard surfaces shall be disposed of by means of suitable sustainable urban drainage systems to meet the requirements of best management practices.

Reason: In the interest of vehicle and pedestrian safety and in accordance with the policies of the adopted development plan.

25. In pursuance of condition 3 (xii), full drainage calculations and the final layout and depth of the proposed lochans and associated infrastructure shall be submitted as part of any application for the Approval of Matters Specified by Condition (AMSC). The agreed detail shall thereafter be implemented prior to the completion of development.

Reason: In the interests of best practice surface water management; to avoid undue risks to public safety and flood risk.

26. As required by condition 3 (xii), the developer shall ensure that during the construction of the development that all surface water is controlled, treated and discharged under the principles of SUDS all to the satisfaction of the Council as Flood Authority.

Reason: In the interests of best practice surface water management; to avoid undue risks to public safety and flood risk.

27. In pursuance of Condition 3 (ii) and (iii), any application for the Approval of Matters Specified by Condition (AMSC) shall detail that the Finished Floor Level of all properties shall be a minimum of 600mm + 20% Climate Change above the 200 year flood level.

Reason: To reduce the risk of flooding.

28. In pursuance of condition 3 (xii) details of the soffit level of any bridges or culverts shall be submitted as part of any application for the Approval of Matters Specified by Condition (AMSC). The agreed detail shall thereafter be implemented prior to the completion of development.

Reason: To reduce the risk of flooding.

29. In pursuance of condition 3 (xii), details of the foul drainage system shall be submitted as part of any application for the Approval of Matters Specified by Condition (AMSC). For the avoidance of doubt foul drainage from the site shall be drained to the mains sewerage system or by other alternative means of adoptable sewerage and plant.

Reason: In the interests of public health and to prevent pollution.

30. In pursuance of condition 3 (viii), the hard and soft landscaping scheme, including woodland shelter planting, submitted as part of any application for the Approval of Matters Specified by Condition (AMSC) shall include specification of the following:

- (i) existing and proposed finished ground levels relative to a fixed datum point;
- (ii) existing landscape features and vegetation including ancient woodland to be retained;
- (iii) existing and proposed services including cables, pipelines and substations;
- (iv) the location of new trees, shrubs, hedges, grassed areas and water features;
- (v) a schedule of plants to comprise species, plant sizes and proposed numbers and density;
- (vi) the location, design and materials of all hard landscaping works including walls, fences, gates, any other means of enclosure, street furniture and play equipment;
- (vii) an indication of existing trees, shrubs and hedges to be removed;
- (viii) a programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development on that part of the site, or such other date as may be agreed in writing with the Planning Authority.

Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, has been severely damaged or is becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of satisfactory schemes of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

31. In pursuance of Condition 3 (xvi), a site specific plan, detailing bin storage areas, collection locations and recycling facilities shall be submitted as part of any application for the Approval of Matters Specified by Condition (AMSC).

Reason: In the interests of the sustainable disposal of waste.

32. The development hereby approved shall be used solely for holiday accommodation and shall not be occupied as the sole or main residence of any occupant.

Reason: In order to clarify the terms of the permission; to control and restrict the use of the buildings.

B JUSTIFICATION

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

C PROCEDURAL NOTES

None required at this stage.

D INFORMATIVES

1. 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.
2. 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.

3. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997, as amended, and Regulation 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 38 the notice must be
 - Displayed in a prominent place at or in the vicinity of the site of the development.
 - Readily visible to the public.
 - Printed on durable material.
4. Applicants are advised that should their application for 'matters specified by condition' be refused and/or their appeal against such refusal dismissed outwith the three year time limit they are entitled to submit a revised application for 'matters specified by condition' within six months after the date of refusal of the earlier application or of the dismissal of an appeal against such refusal.
5. The applicant is advised that to enable some of the negative suspensive conditions to be fulfilled works which are operational development may have to be undertaken outwith the application site. These works themselves may require the submission of a planning application.
6. The developer is advised to contact Mr David Strachan, Archaeologist to discuss terms of reference for work required Tel 01738 477080.
7. The applicants are advised that they must apply to the Roads Authority, for construction consent to form a new street. Please contact The Construction and Maintenance Manager, Housing and Environment, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
8. Please consult the Street Naming and Numbering Officer, Housing and Environment, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
9. The applicant is advised that the granting of planning consent 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.
10. No work shall be commenced until an application for building warrant has been submitted and approved.
11. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
12. The applicant should be advised that a caravan and camping licence is required in terms of Section 1 of the Caravan Sites and Control of Development Act 1960

and therefore an application should be made to The Environment Service (Environmental Health) if planning consent is approved.

13. Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).
14. Please contact Scottish Water as further investigations may be required to be carried out as there is a 12" Trunk Water Main running through this site.
15. No works are to be undertaken in the vicinity of the gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place with the operator (Ineos).

Background Papers: 1 letter of representation
Contact Officer: Steve Callan
Date: 23 May 2019

ANNE CONDLIFFE
INTERIM DEVELOPMENT QUALITY MANAGER

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