

Perth and Kinross Council  
Planning & Development Management Committee – 18 October 2017  
Report of Handling by Interim Development Quality Manager

Siting of 14 static caravan chalet units for holiday accommodation, partial infill of pond and associated landscaping on land Tummel Valley Holiday Park Tummel Bridge Pitlochry PH16 5SA

Ref. No: 16/01715/FLL  
Ward No: N4 Highland

### Summary

This report recommends approval of the detailed application for the siting of 14 static caravan chalet units for holiday accommodation, partial infill of pond and associated landscaping on land at Tummel Valley Holiday Park, Tummel Bridge, near Pitlochry. The development is considered to comply with the current Development Plan. The application is recommended for approval, subject to conditions.

### BACKGROUND AND PROPOSAL

- 1 Planning permission is sought for the siting of 14 static caravan chalet units for holiday accommodation, partial infill of pond and associated landscaping at Tummel Valley Holiday Park, Tummel Bridge. The application site is part of an existing holiday park that is located on two sides of the B8019 public road at Tummel Bridge. The application site is currently used as an area for touring caravans and is located in a part of the park to the north of the public road. The proposal is to alter the area where there are currently 28 touring caravan pitches to form 14 static pitches. The application site extends to around 1.1 hectares.
- 2 The site is part of one of a number of holiday parks owned by Parkdean Holiday Parks Ltd across the UK. The company has seven other parks in Scotland.
- 3 The site licence issued by Perth and Kinross Council limits the total number of units (including chalets, tourers and statics) to 276. The statement submitted with the application states that there are currently 200 pitches on the park. Occupancy of the site for touring caravans is limited, by the site licence, to 7.5 months of the year, excluding the period between 1<sup>st</sup> November and 15<sup>th</sup> March. Occupancy of static caravans is not subject to this restriction and where the units have their own facilities and are suitably protected against frost they can be occupied all year round.
- 4 Permission was previously granted for the change of use of the touring pitches and partial infill of the pond to form 28 static stances in 2003 (03/01536/FUL).

## **NATIONAL POLICY AND GUIDANCE**

- 5 The Scottish Government expresses its planning policies through the National Planning Framework 3, the Scottish Planning Policy (SPP) 2014 and Planning Advice Notes (PAN), Designing Places, Designing Streets and the National Roads Development Guide.

### **The Scottish Planning Policy 2014**

- 6 The Scottish Planning Policy (SPP) was published on 23 June 2014. It 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.
- The determination of planning applications and appeals.

- 7 Of relevance to this application are;

- Paragraphs 24 – 35: Sustainability
- Paragraphs 36 – 57: Placemaking

- 8 A Natural, Resilient Place;

- Paragraphs 254 – 268 Managing Flood Risk & Drainage

### **National Roads Development Guide 2014**

- 9 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**

- 10 The Development Plan for the area consists of the Approved TAYplan Strategic Development Plan June 2012 and the Perth and Kinross Local Development Plan February 2014.

### **TAYplan Strategic Development Plan (June 2012)**

- 11 TAYPlan sets out a vision for how the region will be in 2032 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 2032 the TAYplan region 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.”*

- 12 The following section of the TAYplan 2012 is of particular importance in the assessment of this application.

**Policy 3: Managing TAYplan's Assets**

- 13 Seeks to respect the regional distinctiveness and scenic value of the TAYplan area and presumes against development which would adversely affect environmental assets.

**Perth and Kinross Local Development Plan 2014**

- 14 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

- 15 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."*

- 16 Under the LDP, the following policies are of particular importance in the assessment of this application.

**Policy PM1A - Placemaking**

- 17 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 adaptation.

**Policy PM1B - Placemaking**

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

**Policy ED4A - Caravan Sites, Chalets and Timeshare Dev**

- 19 Encouragement will be given to the retention and improvement of existing caravan and camping sites, provided the improvements are compatible with adjoining land uses. There shall be no presumption in favour of residential development if any of the above uses ceases.

**Policy ED4C - Caravan Sites, Chalets and Timeshare Dev**

- 20 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 TA1A - Transport Standards and Accessibility Requirements**

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

### **Policy TA1B - Transport Standards and Accessibility Requirements**

- 22 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 NE1 - Environment and Conservation Policies**

- 23 National, local and European protected species should be considered in development proposals.

### **Policy NE1B - National Designations**

- 24 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 NE2B - Forestry, Woodland and Trees**

- 25 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**

- 26 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 EP2 - New Development and Flooding**

- 27 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 EP5 - Nuisance from Artificial Light and Light**

- 28 Consent will not be granted for proposals where the lighting would result in obtrusive and / or intrusive effects.

#### **Policy EP8 - Noise Pollution**

- 29 There is a presumption against the siting of proposals which will generate high levels of noise in the locality of noise sensitive uses, and the location of noise sensitive uses near to sources of noise generation.

#### **Policy EP15 - Development within the River Tay Catchment Area**

- 30 Nature conservation in the River Tay Catchment Area will be protected and enhanced. To ensure that there are no adverse effects on the River Tay SAC listed criteria will be applied to development proposals in Acharn, Balnaguard, Camserney, Croftinloan/Donavoured/East Haugh/Ballyoukan, Fortingall, Grandtully/Strathtay/Little Ballinluig, Logierait, Tummel Bridge, Concraigie and Kinloch, Bankfoot and Kirkmichael.

#### **OTHER POLICIES**

- 31 The following supplementary guidance and documents are of particular importance in the assessment of this application.
- Flood Risk and Flood Risk Assessments – Developer Guidance June 2014.

#### **Planning Site History**

- 32 There have been numerous applications on the holiday park site. The more recent and relevant include:

03/01536/FUL Change of use of existing touring pitches and partial infill of pond to form 28 static stances at 19 November 2003 Application Permitted under delegated powers

03/01895/FUL Refurbishment of water supply and storage, formation of concrete base and installation of stage 1 tank 16 December 2003 Application Permitted under delegated powers

06/01897/FUL Replacement of 30 existing holiday chalets with new holiday lodges and adjustment of existing road 12 October 2006 Application Permitted under delegated powers

06/02577/FUL Erection of LPG compound to service new lodges 29 January 2007 Application Permitted under delegated powers

17/00217/FLL Siting of 2no. holiday accommodation units 8 March 2017 Application Withdrawn

#### **CONSULTATIONS**

## **EXTERNAL**

### **Scottish Environment Protection Agency**

- 33 Conditions required with regard to requirement for construction method statement. Also comments made with regard to flood risk and occupancy restrictions.

## **INTERNAL**

### **Transport Planning**

- 34 No objections. The proposed development is effectively a modification of a previous consent to replace an area of touring caravan pitches with static caravan lodges. The previous consent was for 28 units compared to the 14 units applied for as part of this application. The traffic generated by static caravans is likely to be less than that generated by touring caravans and the proposal to have fewer (but larger) units will also be a net reduction in overall trips generated.

### **Environmental Health**

- 35 No adverse comments. The Caravan Site Licence for this site will require to be updated to take account of any further units here; contact should be made with the Environmental Health Team to arrange this.

### **Flooding Team**

- 36 Following receipt of further information the Flood Officer does not object subject to conditions including submission of a Flood Action Plan prior to commencement of development.

### **Biodiversity Officer**

- 37 Following discussion with the company's ecologist and the submission of further details of the works to the pond and a tree survey the Biodiversity Officer does not object. Conditions are requested with regard to protected species surveys and ecological monitoring being carried out.

## **REPRESENTATIONS**

- 38 The application has attracted 18 letters of objection. The following issues were raised by the objectors:

- Traffic and road safety
- Noise
- Impact on wildlife
- Visual amenity

- Flood risk
- Light pollution
- Over intensive development
- Impact on water supply
- Capacity of existing sewage treatment facility – insufficient capacity for new lodges, existing treatment facility often smells in summer.
- Road is unsuitable for transporting caravans - plan for transport of caravans

### **Response to issues**

- 39 The material planning concerns are addressed in the Appraisal section of this report.

### **ADDITIONAL STATEMENTS**

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Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	Supporting statement submitted.
Reports on Impact or Potential Impact	Flood Risk Assessment, Phase 1 Habitat Survey submitted.

### **APPRAISAL**

#### **Policy**

- 41 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 as amended by the 2006 Act require that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.
- 42 The determining issues in this case are whether; the proposal complies with Development Plan policy; or if there are any other material considerations which justify a departure from policy.

## **Principle**

- 43 The site is within an area where tourism policies of the Perth and Kinross Local Development Plan 2014 are supported. Policy ED4 is of particular relevance and supports tourism uses specifically referring to caravan sites, chalets and timeshare developments. This encourages the retention and improvement of existing caravan and camping sites provided the improvements are compatible with adjoining land uses and the site makes a positive contribution to the local economy.
- 44 Whilst the principle is in accordance with the Development Plan the details will be assessed in terms of policies including placemaking, trees, biodiversity, noise and light pollution.
- 45 The site is also within the River Tay catchment where policy EP15 seeks to safeguard the River Tay SAC.

## **Design and Layout**

- 46 The proposal is to replace 28 existing caravan pitches sited to the south of a small lochan. This will be partially infilled on the southern edge to accommodate the proposed static caravans and will be expanded on the northern side.
- 47 The static caravans, described as holiday lodges in the supporting statement, will occupy double pitches and each lodge will be sited on a concrete hardstanding base with two parking spaces alongside each pitch. They will be finished in timber with green/grey tiled pitched roofs, similar to lodges approved on the area to the south of the B8019 in 2006. Each unit will have a decked area to the front and side and will measure around 12 m x 6 m.
- 48 The holiday lodges will be accessed via the existing caravan park access off the B8019. The site will be landscaped with trees and grassed areas. The site is well within the body of the holiday park and will not have any visual impact outside of the holiday park boundaries.
- 49 The original submission stated that the applicant would like the lodges to have 12 month occupancy. Currently the touring pitches are available for 7.5 months of the year. For reasons set out later in the report it is proposed to restrict occupancy to 9 months of the year.

## **Landscape and biodiversity**

- 50 The site is in an area where there are existing trees with woodland around the edge. The site also contains a small lochan which will be modified as part of the proposed works. The work to the pond, realigning it by filling in the southern edge and extending it to the north will have an effect on the ecology of the pond and the surrounding area. However it is proposed to mitigate any adverse ecological impact from the works by amending the design of the pond to incorporate features which are likely to contribute to an overall increase in



biodiversity gain for the site. These features will include increasing the wetted perimeter of the pond through the inclusion of a series of spits and bays, graded banks and the retention along the northern edge of existing trees and shrub where possible. Additional planting of native trees and shrub will be included within the landscape design including native/wild flora pond mix, and the use of existing vegetation taken from the existing southern edge before infilling has taken place. A small copse will be planted to the south of the site (located to the north of the existing toilet block), to strengthen the green corridor network throughout the site. Further planting of trees and shrubs will be undertaken between each caravan bay.

- 51 The Council's Biodiversity Officer commented on the original submission and requested some amendments to the original information due to some inaccuracies in the submission. It was also noted that the site is designated as Ancient Woodland and Semi-natural Woodland, although the majority of the development site is not woodland, it is apparent that a number of trees will be affected by the proposals. No tree survey was originally provided to support the application however this was provided following a request by the case officer.
- 52 A tree survey has now been submitted and various recommendations have been made as part of this. A condition will be attached to ensure works are carried out in accordance with the Tree Survey (condition 12). A Landscape and Ecological Management Plan of the Site will also be produced (planning condition 5).
- 53 The Biodiversity Officer notes that the possible presence of European Protected Species is a material consideration. The requirement for surveys including bat survey was discussed with the Council's biodiversity Officer and applicant's ecologist. The Biodiversity Officer noted that the timing of the original submission was not suitable for a bat survey and agreed to pre-commencement condition requiring a bat survey be undertaken. This will be requested by condition (condition 11). Environmental monitoring will also be required as part of the Construction and Environmental Management Plan (condition 3).

### **Residential Amenity**

- 54 The site is within the Loch Tummel settlement boundary and as such there is residential development within the village that is not associated with the caravan park. However the closest residential property to the application site is over 100 metres away. There are no issues with overlooking or overshadowing of exiting residential properties from the proposed lodges. The use of the land will not change from its existing holiday accommodation use and the change to static caravans should not have any impact in terms of existing residential amenity.

## **Roads and Access**

- 55 The site is accessed from the public road by the existing access with some changes being made to the internal road layout on the approach to the lodge site. There have been some objections to the proposal in terms of traffic and road safety however my colleagues in Transport Planning do not object and note that the proposed development is effectively a modification of a previous consent to replace an area of touring caravan pitches with static caravan lodges. The previous consent was for 28 units compared to the 14 units applied for as part of this application. It is noted that the traffic generated by static caravans is likely to be less than that generated by touring caravans and the proposal to have fewer (but larger) units will also be a net reduction in overall trips generated.
- 56 There have been some concerns about the impact, of the delivery of the lodges to the site, on local road users and whether the lodges will be escorted and whether the public would be notified in advance. This issue was covered at an open event held by the caravan park where it was confirmed that whilst load widths of 6 metres do not legally require a police escort the delivery companies can be asked to provide an escort and Parkdean Resorts will ensure an escort is provided. It was also advised that a weeks' notice could be given of intended delivery dates and whether a.m. or p.m. Parkdean Resorts have indicated that signs would be put in place on community noticeboards and also along the road from the A9 to give advance notice of deliveries.

## **Drainage and Flooding**

### **Flood Risk**

- 57 There have been representations from members of the public with regard to flood risk at the site.
- 58 The original submission suggested that the application site lies within an area with a very low chance of flooding from the adjacent river. However additional information was requested by the Council's Flood Officer due to the fact that the SEPA surface water flood map indicates that the area is at risk from localised surface water flooding. A Flood Risk Assessment (FRA) was requested in order to fully assess the implications of the partial in-fill of the pond in terms of drainage and groundwater issues.
- 59 This information was submitted in February 2017 and neighbours were re-notified of the new information. The agent also held a community consultation event on Thursday 16<sup>th</sup> March 2017 at which at least 14 members of the public and ward Councillors attended.
- 60 Since then there has been dialogue between the agent and the Council's Flood Risk Officer with SEPA also being consulted. There has also been some contact with Scottish and Southern Energy (SSE) with regard to releases of water in connection with the nearby power station that could have implications with regard to flood risk.

- 61 From a flood risk perspective, the primary concern is risk to life of the people who may be staying in the chalets at any one time. SEPA have provided information indicating that the months during which there is the highest risk of flooding to that area of the site are December to March inclusive. The particular location of the proposed chalets is within the known overland flow-path of water which overflows from the River Tummel during certain rainfall events; the remainder of the park, with the exception of the access road, is predominantly out with the area of risk.
- 62 In SEPA's comments they suggest a 7.5 month opening season for the chalets to avoid the months during which there is most risk of flooding. Following discussions with the Flood Officer I am of the view that, given the highest risk of flooding is during December, January and February, the chalets should not be occupied during this time and could therefore operate from the beginning of February to the end of November giving a nine month season.
- 63 The Flood Officer notes that the reasons for the concern include the uncertainty around the flood maps for the area with SEPA acknowledging that their maps do not take into account the overland flow following a release of water from the SSE dam upstream. A detailed hydraulic model which takes into account SSE releases would be required to determine the actual flood water depth and extents along the full overland flow path. It is also important to take into account the variable and extreme winter weather that can be experienced at this location in addition to local knowledge of the site and behaviour of the river under different environmental conditions. I discussed with the Flood Officer whether this information to supply further detail of the overland flow path was required prior to determination and it was agreed that the information could be supplied as part of the information required for a Flood Action Plan be submitted prior to commencement of any works on site. It is therefore recommended that a condition to require a Flood Action Plan be attached to any consent (condition 8).
- 64 Given the uncertainties around flood risk at this site and the temporary nature of the occupancy, a 9 month season (vacant during Dec, Jan and Feb) for these chalets is in line with Scottish planning Policy which promotes a precautionary approach to flood risk management. A condition to this effect is recommended on any approval (condition 14).

### **Foul Drainage**

- 65 There have been concerns expressed by neighbours that there is insufficient capacity in the existing sewage treatment facility for the proposed development and that the existing treatment facility often smells in summer.
- 66 In response to these concerns the agent notes that the last 4 years annual SEPA reports on the sewage treatment system have all been ranked Excellent, and this includes for no significant odour. It is also stated by the agent that the existing treatment plant currently serves the 28 touring caravan pitches on the application site and in addition the shower/toilet block for the touring area. Assuming 4 people per caravan then the proposal will result in  $14 \times 4 =$

56 person capacity, compared to  $28 \times 4 = 112$  person capacity therefore reducing the load on the treatment plant by more than 50% taking into account that the shower/toilet block will also no longer be used once the lodges are developed.

- 67 It is also noted that the concerns with regard to odour is not to do with the capacity of the treatment plant but would be related to maintenance of the foul water sewer. This can be addressed by following an appropriate foul water maintenance plan with regular inspection and cleaning. It is noted that Parkdean Resorts will instruct a CCTV survey of the sewer system to identify and repair any blockages/damage in the system, including replacement of manhole covers if required. This work will be carried out by the contractor who installed the treatment plant.

### **Surface Water Drainage**

- 68 The initial submission did not include information about Sustainable Urban Drainage Systems (SUDS). It is expected that surface water from all developments should be treated by SUDS in line with Scottish Planning Policy (Paragraph 268). SUDS help to protect water quality and reduce potential for flood risk.
- 69 It is noted by SEPA that the submitted Flood Risk and Drainage Assessment dated March 2017 sets out a surface water drainage strategy. SEPA is satisfied that the proposed permeable surfaces and swale/ vegetated channel are appropriate SUDS for the site.
- 70 A condition will be attached to ensure SUDS are put in place (conditions 9 and 10).

### **Construction Method Statement**

- 71 Policy EP15 of the Local Development Plan is relevant to this site and requires that a Construction Method Statement (CMS) is provided where the development site will affect a watercourse in the River Tay Catchment area. No CMS has been submitted with the application but given that the proposed development includes the partial infilling and alteration of the lochan SEPA require that a detailed site specific CMS is submitted. The CMS must set out mitigation to ensure that works do not cause pollution of the water environment and should include measures to avoid impacts on ground and surface water and to ensure that hydraulic connectivity of the marshy grassland area.
- 72 SEPA has requested that a suspensive condition be attached to any consent which the Council is minded to approve, to ensure that a CMS is submitted and approved in advance of works commencing on site (condition 2).

### **Light Pollution**

- 73 There is potential for light pollution from the development. Although none is indicated on the plans it is understood that some lighting will be required. A

condition requiring agreement of any proposed lighting scheme is recommended to be attached to any consent (condition 13)

### **Waste and recycling**

- 74 The existing arrangements on site for waste and recycling provision will not be affected by this proposal. The existing facilities will be utilised by occupants of the new lodges.

### **Developer Contributions**

- 75 The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

### **Economic Impact**

- 76 It is expected that there will be a positive economic impact from the proposed investment in the park.

### **LEGAL AGREEMENTS**

- 77 No legal agreements are required as part of this proposal.

### **DIRECTION BY SCOTTISH MINISTERS**

- 78 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**

- 79 In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this case the application seeks consent for siting of 14 caravan chalet units and associated works within an existing holiday park. This complies with LDP policies which support improvements to existing facilities subject to considerations such as flood risk and ecological impact. Safeguards will be put in place through conditions to ensure there are no adverse impacts as part of the works. It is therefore considered the proposal does comply with the relevant provisions of the adopted plan. There are no material considerations that would justify departing from the Development Plan. On that basis the application is recommend for approval subject to conditions.

## **RECOMMENDATION**

### **A Approve the application subject to the following conditions:**

- 1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.

Reason: To ensure that the development is carried out in accordance with the plans approved.

- 2 Development shall not commence until a detailed Construction Method Statement (CMS) has been submitted to the Council as Planning Authority and agreed in consultation with SNH and SEPA. 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 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.

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.

- 3 Development shall not commence until a detailed Construction Environmental Management Plan (CEMP) detailing environmental mitigation measures and construction method statements, including specific measures for environmental monitoring during construction, shall be submitted for the further written agreement of the Council as Planning Authority in consultation with SNH and/or SEPA. Such details shall be submitted not less than two months prior to the agreed scheduled commencement date and 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. For clarification, the CEMP shall include information to satisfy the matters referred to in the consultation response from SEPA and dated 13 June 2017.

Reason - In the interest of proper site management.

- 4 Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the further

written agreement of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full details of all hard landscaping proposals including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier, and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained.

Reason - In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme.

- 5 Prior to the occupation of the development or any phase of the development, whichever is the sooner, a landscape and ecological management plan for the site shall be submitted for the further written agreement of the Council as Planning Authority. The Plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas and include details of tree and woodland management and watercourse and pond management. The landscape and ecological management plan as agreed shall, where appropriate, include phased implementation concurrent with the development and shall be fully implemented and thereafter maintained.

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

- 6 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. Protection measures, once in place, shall remain in place for the duration of construction.

Reason - To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

- 7 Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size, species and number.

Reason - In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme.

- 8 Prior to the commencement of development a Flood Action Plan shall be prepared for the site and submitted for the further agreement in writing of the Planning Authority in consultation with the Council's Structures and Flooding Section. This should detail access and egress arrangements during a flooding event.

Reason - The site is located within the 1/200 (0.5% AEP) flood extent and therefore has a medium to high risk of flooding.

- 9 Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility which accords with SUDS principles shall be implemented on site and maintained for the duration of the approved development works. The temporary surface water treatment facility shall remain in place until the permanent surface water drainage scheme is implemented.

Reason - To ensure the appropriate management of construction surface water run-off to minimise flooding and avoid discharge of sediment/pollution to the local water environment or neighbouring property, in the interests of residential and environmental amenity.

- 10 Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable a Sustainable Urban Drainage System to meet the requirements of best management practices.

Reason - To ensure the provision of effective drainage for the site.

- 11 Prior to commencement of the works a full bat activity survey shall be submitted to the planning authority for approval.

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).

- 12 The conclusions and recommended action points within the supporting biodiversity survey and tree surveys submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.

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).

- 13 Prior to the installation of any external lighting, the details of all external lighting shall be submitted for the further written agreement of the Council as Planning Authority. The scheme shall include details of light spill, brightness of the lighting and the proposed hours of operation. The agreed lighting scheme shall be implemented and maintained in full accordance with the agreed scheme.

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

- 14 The development hereby approved shall only be occupied between 1<sup>st</sup> March and 30<sup>th</sup> November and 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 building and allow the premises to be vacant during the months of the year at most risk of flooding.

## **B JUSTIFICATION**

- 80 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 NOTE**

- 81 None required.

## **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 An application for Building Warrant may be required.
- 5 The applicant should take cognisance of the advice contained in SEPA's letter dated 13 June 2017. Regulatory advice is also available from the local SEPA office at:

Broxden Business Park  
Lamberkine Drive  
PERTH  
PH1 1RX

Tel: 01738 627989

Email : [planning.se@sepa.org.uk](mailto:planning.se@sepa.org.uk)

- 6 The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance.

- 7 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.
- 8 The Caravan Site Licence for this site will require to be updated. Contact should be made with Perth and Kinross Council Environmental Health Team tel. 01738 476415.

Background Papers: 18 letters of representation  
Contact Officer: Persephone Beer Ext 75354  
Date: 5 October 2017

**Anne Condcliffe**  
**Interim Development Quality Manager**

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.
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You can also send us a text message on 07824 498145.
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