

Perth and Kinross Council
Planning and Placemaking Committee – 13 December 2023
Report of Handling by Strategic Lead – Economy, Development and Planning
(Report No. 23/351)

PROPOSAL: Mixed-use development comprising spa and leisure facility including ancillary food and drink; holiday accommodation including lodges luxury units and timeshare/ vacation ownership properties extension to hotel central delivery hub for deliveries staff facilities and relocated greenkeeping services outdoor pursuits small-scale residential conversion of existing greenkeepers compound and associated works including photovoltaic array servicing access drainage and landscaping

LOCATION: Murrayshall House Hotel, Murrayshall, Perth, PH2 7PH

Ref. No: [23/00833/IPM](#)

Ward No: P2- Strathmore

Summary

This report recommends approval of a Planning Permission 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. Planning Permission in Principle (PPP) is sought for a mixed-use development comprising spa and leisure facility including ancillary food and drink; holiday accommodation including lodges, luxury units and timeshare/ vacation ownership properties; extension to existing hotel; erection of central delivery hub to house deliveries, staff facilities and relocated greenkeeping services; provision of outdoor pursuits; small-scale residential development including conversion of existing greenkeepers compound; and associated works, including a photovoltaic array; servicing, access, drainage and landscaping. The application site currently comprises the existing Murrayshall Estate, which incorporates a country house hotel, two golf courses, a driving range, self-catering lodges, existing residential housing and staff accommodation.
2. The hotel itself sits within a rural landscape setting and is characterised by a mixture of landscaped golf courses and woodland groups.
3. There are several Core Paths running through and adjacent to the site.
SCON/50: Murrayshall Hill via Lynedoch Obelisk and SCON/21: McDuff's

Monument Walk (Golf driving range to Murrayshall Hill) form a circular route between Balcraig Road and Murrayshall Hill (via the Lynedoch Obelisk).
SCON/116: Coronation Road in Deuchny Wood to Murrayshall Hill forms a branch from this circular route to the south of McDuff's Monument. SCON/15: Parkside Path, Maidenwells to Wester Bonhard runs through the north of the site, which then connects to ITUR/50 and SCON/9 both to the east but out with the site. SCON/7: Two Mile House Path runs through the application site from Balcraig Road to Murrayshall Road, between the existing golf course and driving range.

4. Gas pipelines (National Grid, INEOS and Shell) are situated close to the eastern site boundary, with an eastern part of the site within consultation zones for each of the pipelines.

Spa and Leisure Facility (Area 6)

5. A new spa and leisure facility is proposed to serve both hotel guests and the public. The scale of the building reflects the accommodation requirements of the various associated uses, including a spa and leisure club (pool, saunas, steam rooms, gym, changing facilities, cafés), the requirements of these uses has determined the chosen location, which is currently part of the Lynedoch golf course, which has been reconfigured and holes decommissioned in recent years to reduce it to a 10 hole course.

Lodges and Fractional Ownership Accommodation (Areas 7 and 8)

6. Up to 40 lodges and up to 30 vacation ownership properties are proposed. The accompanying 'Business Repositioning' statement, in the executive summary, recommends the phasing of new accommodation in line with market demand. Consequently, the intention is to initially deliver 25 lodges, as a first phase on area 8 nearest to the hotel, followed by a further 15 lodges and 30 vacation ownership properties on area 7 of the masterplan (existing driving range).

Landscape Framework Zone (Area 9)

7. A landscape buffer zone, to include new planting and screening, is proposed on either side of the existing housing group on Balcraig Road (Area 10 on the Masterplan).
8. This landscape zone will create separation between the proposed lodges and the existing housing, to offset the impact on views where the landscape falls away from that housing group. The intention to use new planting to screen the tops of the proposed building structures but maintain the long views from the houses across the landscape.

Luxury Cabins (Areas 2 and 11)

9. As part of an initial phase, to provide additional accommodation quickly and efficiently, the intention is to deliver up to 19 luxury cabins immediately adjacent to the hotel, on the existing underused tennis court.
10. The cabins would be temporarily sited here during phase 1 of the proposal until the proposed extension to the hotel is to be developed as part of the second phase.
11. Following delivery of the hotel extension, these cabins would be redistributed to area 11, which comprises former golf holes of the Lynedoch course and is an area which are well screened by existing trees.

Extension to Existing Hotel (Area 2)

12. A 50-bedroom extension is proposed to the hotel, to adjoin the east elevation and repurpose the existing tennis court area.

Erection of Central Delivery Hub (Area 4)

13. A new hub building is proposed in the southwest of the site, adjacent to the approved relocated driving range. This would receive goods deliveries, contain staff facilities and relocated greenkeeping services. This keeps these operational aspects close to the hotel, and would be served by a new access off Murrayshall Road, limiting HGVs entering the estate via other routes.
14. Goods and services can then be distributed around the resort using electric buggies, which is commonly the case across golfing resorts throughout the UK.

Outdoor Pursuits (Areas 12)

15. The proposal seeks to introduce outdoor activities on site and are exploring the possibility of 'zip lining', high ropes and clay pigeon shooting.

Small-scale Residential Development (Area 13)

16. The only residential component proposed within the Masterplan is the conversion of the existing greenkeepers compound. This includes traditional stone buildings and would likely result in up to 4 dwellings.

Photovoltaic Array/ Renewables (Area 14)

17. Low carbon renewable technology is proposed in the northeast corner of the site, in the form of a solar array which will help to cover the energy requirements of the estate.

Environmental Impact Assessment (EIA)

18. The impact of the wider development site was screened for EIA (20/01688/SCRN) and it was determined that the proposal does not constitute an EIA development.

Pre-Application Consultation

19. Pre application Reference: [22/00024/PAN](#)
20. A previous application for planning permission in principle was submitted in April 2021 ([21/00508/IPM](#)) for a residential development, extension to hotel, erection of hotel accommodation units, café, spa and leisure facilities and groundskeeping buildings, formation of camping grounds, outdoor sports grounds, photovoltaic site, access roads, SUDS ponds, landscaping and associated works. This application was subsequently withdrawn following advice from officers that the nature and extent of the residential element proposed was significantly contrary to green belt policy.

NATIONAL POLICY AND GUIDANCE

21. The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy, Planning Advice Notes, Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

National Planning Framework 4

22. The National Planning Framework 4 (NPF4) was approved by the Scottish Parliament on 11 January 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.
23. NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan. The Council's assessment of this application has considered the following policies of NPF4:
 - Policy 1: Tackling the Climate and Nature Crisis
 - Policy 2: Climate Mitigation and Adaptation
 - Policy 3: Biodiversity
 - Policy 4: Natural Places
 - Policy 6: Forestry, Woodland and Trees
 - Policy 7: Historic Assets and Places
 - Policy 8: Green Belts
 - Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings
 - Policy 11: Energy
 - Policy 12: Zero Waste

- Policy 13: Sustainable Transport
- Policy 14: Design, Quality and Place
- Policy 20: Blue and Green Infrastructure
- Policy 22: Flood Risk and Water Management
- Policy 29: Rural Development
- Policy 30: Tourism

Planning Advice Notes

24. The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
- PAN 40 Development Management
 - PAN 51 Planning, Environmental Protection and Regulation
 - PAN 61 Planning and Sustainable Urban Drainage Systems
 - PAN 68 Design Statements
 - PAN 69 Planning and Building standards Advice on Flooding
 - PAN 75 Planning for Transport

Creating Places 2013

25. 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.

DEVELOPMENT PLAN

26. The Development Plan for the area comprises NPF4 (as mentioned above) and the Perth and Kinross Local Development Plan 2 (2019).

Perth and Kinross Local Development Plan 2

27. The Local Development Plan 2 (2019) (LDP2) sets out a vision statement for the area and states that, "Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth." It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
28. The principal relevant policies are, in summary:
- Policy 1A: Placemaking
 - Policy 5: Infrastructure Contributions
 - Policy 8: Rural Business and Diversification
 - Policy 9B: Caravan Sites, Chalets and Timeshare Developments: New and Expanded Touring Caravan, Motorhome / Campervan, and Camping Sites

- Policy 9C: Caravan Sites, Chalets and Timeshare Developments: Chalets, Timeshare and Fractional Ownership
- Policy 14A: Open Space Retention and Provision: Existing Areas
- Policy 19: Housing in the Countryside
- Policy 26A: Scheduled Monuments and Archaeology: Scheduled Monuments
- Policy 26B: Scheduled Monuments and Archaeology: Archaeology
- Policy 27A: Listed Buildings
- Policy 33A: Renewable and Low Carbon Energy: New Proposals for Renewable and Low-Carbon Energy
- Policy 39: Landscape
- Policy 40A: Forestry, Woodland and Trees: Forest and Woodland Strategy
- Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
- Policy 41: Biodiversity
- Policy 42: Green Infrastructure
- Policy 43: Green Belt
- Policy 52: New Development and Flooding
- Policy 53A: Water Environment and Drainage: Water Environment
- Policy 53B: Water Environment and Drainage: Foul Drainage
- Policy 53C: Water Environment and Drainage: Surface Water Drainage
- Policy 54: Health and Safety Consultation Zones
- Policy 56: Noise Pollution
- Policy 57: Air Quality
- Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals
- Policy 61: Airfield Safeguarding

Site History

[07/00283/OUT](#) was Refused On 11 September 2007 for Erection of 12 dwellinghouses (plot F) (in outline).

[07/00284/OUT](#) was Approved On 11 September 2007 for Replacement of existing indoor driving school with 1no dwellinghouse (plot E) (in outline).

[07/00285/OUT](#) was Approved On 11 September 2007 for Leisure and health facilities 'timeshare' lodge and fractional ownership accommodation 70 bedrooms and 10 staff living/bedroom studio residences (plot A) (in outline).

[07/00286/OUT](#) was Refused On 11 September 2007 for Erection of 4 dwellinghouses (plot B) (in outline).

[07/00287/OUT](#) was Approved On 11 September 2007 for Erection of 17 bedroom suite accommodation including public lounge (plot D) (in outline).

[10/00505/IPL](#) was Approved On 17 May 2010 for Leisure and health facilities 'timeshare' lodge and fractional ownership accommodation 70 bedrooms and 10 staff living/bedroom studio residences (plot A) (in principle) (renewal of 07/00285/OUT).

[10/00506/IPL](#) was Approved On 17 May 2010 for Erection of 17 bedroom suite accommodation including public lounge (plot D) (in principle) (renewal of 07/00287/OUT).

[20/01688/SCRN](#) On 24 December 2020 for Screening opinion request.

[20/00010/PAN](#) On 9 December 2020 for Residential development, extension to hotel, erection of hotel accommodation units and staff accommodation units, spa facility, golf training and indoor sports buildings, formation of camping grounds, outdoor sports grounds, photovoltaic sites, access roads, SUDS ponds, landscaping and associated works.

[21/00508/IPM](#) application was Withdrawn On 4 April 2022 for Residential development, extension to hotel, erection of hotel accommodation units, café, spa and leisure facilities and groundskeeping buildings, formation of camping grounds, outdoor sports grounds, photovoltaic site, access roads, SUDS ponds, landscaping and associated works (in principle).

[21/01673/FLL](#) Full Planning Permission was Approved On 11 July 2022 for Relocation of driving range, erection of golf academy building and shop, formation of parking area, part diversion of core path, landscaping and associated works.

[22/00023/PAN](#) On 2 February 2023 for Residential development, extension to hotel, erection of hotel accommodation units, timeshare and fractional ownership accommodation units, café, spa and leisure facility, formation of camping grounds including camping pods, outdoor sports grounds, relocation of green keeping buildings, formation of central delivery hub, photovoltaic sites and associated access, drainage, and landscaping works (in principle).

[22/00024/PAN](#) On 2 February 2023 for Extension to hotel, erection of hotel accommodation units, timeshare and fractional ownership accommodation units, café, spa and leisure facility, formation of camping grounds including camping pods, outdoor sports grounds, relocation of green keeping buildings, formation of central delivery hub, photovoltaic sites, associated access, drainage, and landscaping works (phase 1).

[23/01798/FLL](#) Full Planning Permission for Alterations and extension to core path, installation of signage and associated works.

CONSULTATIONS

29. As part of the planning application process the following bodies were consulted:

External

Shell UK

No objections. Conditions related to protection of their assets required.

Scone And District Community Council

Object. Consider that the proposal is inappropriate development in the green belt; there would be noise, air and light pollution; traffic issues; drainage/infrastructure concerns; landscape concerns; concerns over residential aspect; solar array is too large and will impact the airport; outdoor pursuits proposed are unsuited to area; and biodiversity concerns.

Bridgend Gannochy And Kinnoull Community Council

Objects on the grounds of roads infrastructure, due to congestion at Bridgend and the A94.

Perth And Kinross Heritage Trust

No objection. Advise that the area has high archaeological potential, and a condition is recommended to ensure that a programme of archaeological works is required, and any archaeological remains are appropriately dealt with.

Historic Environment Scotland

No objection.

Scottish Water

No objection. Advise there is currently sufficient capacity at Perth Water Treatment Works and Scone Waste Water Treatment Works to service the development.

Structures And Flooding

No objection. Advise that further drainage and flooding information requires to be submitted at detailed design phase.

Scottish Environment Protection Agency

No objection. This followed discussions with the applicant and the submission of additional information.

INEOS FPS

No Comments.

Perth Scone Airport

No comments.

NatureScot

No comments.

Scottish Forestry

No comments.

Health And Safety Executive (HSE)

HSE do not advise against the proposal, provided that the 'outdoor pursuits' area is not located within the pipeline inner zone and limitations are imposed on the number of people that will gather in the middle and outer zones.

Internal

Conservation Team

No objection. Advise the proposed development has the potential to impact on the setting of listed buildings. The significance of any impact will require to be considered at detailed design stage. Content with the scope of the heritage impact assessment carried out.

Enterprise Team

No objection. Advise that the proposal would represent a significant boost to the local visitor economy and demonstrates the wider benefits that can be accrued to a local area from a resort development such as this.

Community Greenspace

No comments.

Commercial Waste Team

No objections.

Biodiversity/Tree Officer

No objections, subject to conditions requiring further ecological and tree surveys to be carried out at detailed design stage.

Development Plan

No objection. Advise that the principle of the proposals would be broadly in line with green belt policy.

Environmental Health (Noise Odour)

No objections, subject to conditions requiring a Noise Impact Assessment, an Air Quality Impact Assessment and a Glint and Glare Assessment to be submitted at detailed design stage.

Transportation And Development

No objections, subject to conditions requiring further assessment of the transport impacts to be carried out at detailed design stage.

Development Contributions Officer

No objections, subject to conditions to ensure that required contributions may be sought at detailed design stage.

Representations

30. 272 representations were received, 217 object and 55 support. The main issues raised within the objections are:

- Visual impact
- Inappropriate use in green belt
- Traffic impacts
- Noise impacts
- Flood concerns
- Inappropriate land use
- Light pollution
- Loss of open space
- Loss of trees
- Road safety concerns
- Overdevelopment
- Impacts on ecology and wildlife
- Air quality impacts
- Impact on soils
- Archaeological impacts
- Impact on core paths
- Glint and glare implications

31. The main reasons for supporting the application are:
- Proposals will generate significant investment
 - Job creation
 - Will support other local businesses
 - Enhances the character of the area
 - Will modernise the area with attention to green energy
 - Facilities will secure a sustainable future for the Estate
32. These matters are addressed in the Appraisal section of the report.

ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment under Habitats Regulations	AA Not Required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	<ul style="list-style-type: none"> • Archaeological Report • Flood Risk and Drainage Assessment • Design and Access Statement • Energy Statement • Geotechnical Report • Heritage Impact Assessment • Landscape and Visual Appraisal • Business Review and Strategy • Noise Impact Assessment • Preliminary Ecological Appraisal • Transport Statement • Economic Report • Tree Report • Planning Statement • Solar PV Feasibility Report • Pre-application Consultation Report

APPRAISAL

33. 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 Development Plan comprises NPF4 and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, this involves considerations of the Council’s other approved policies and supplementary guidance.

Principle

34. The site is within the green belt and therefore Policy 8 of NPF4 and Policy 43 of LDP2 are applicable. NPF4 makes allowance for development proposals in the green belt if it is 'for outdoor recreation, play and sport or leisure and tourism uses; and developments that provide opportunities for access to the open countryside (including routes for active travel and core paths)' or where it is an 'intensification of established uses, including extensions to an existing building where that is ancillary to the main use.' Similarly, in the case of LDP2, the proposed development could in principle comply with LDP2 policy 43 criterion (a) supporting an established use, criterion (e) improving public access to the countryside around Perth, and criterion (f) renewable energy developments, providing that the proposals are appropriate to meet the overall objectives of the Green Belt to protect and enhance the character, landscape setting and identity of settlements.
35. In terms of the residential element, this proposal constitutes alterations to an existing building to form residential development. Policy 43 permits housing which complies with categories 3.3, 4 and 5 of Policy 19: Housing in the Countryside i.e. proven economic need, conversions or replacement buildings. The renovations and conversion of existing buildings to form new housing could therefore be supported in principle providing that a positive benefit to the green belt can be demonstrated.
36. This proposal is a tourism related development. LDP2 Policy 8: Rural Business & Diversification supports such proposals when they improve the quality of existing visitor facilities. It states that "proposals for rural business outwith identified settlements whose viability requires some mainstream residential development will only be supported where this fits with Policy 19: Housing in the Countryside". The proposal could potentially meet with Policy 8 criteria (a) "*The proposal will contribute to the local economy through the provision of permanent employment, visitor accommodation, additional tourism or recreational facilities, or the re-use of existing buildings*". Policy 19 allows for the small-scale conversion of existing buildings to residential use in the green belt.
37. LDP2 Policy 9: Caravan Sites, Chalets and Timeshare Developments generally supports the improvement of existing holiday-related uses. Policy 9C states that "the Council will give favourable consideration to new chalet and timeshare/fractional ownership developments where it is clear these cannot be used as permanent residences".
38. NPF4 Policy 30: Tourism, sets out that proposals for tourism related development will take into account factors such as the contribution made to the local economy; compatibility with the surrounding area and impacts on communities, along with sustainable principles and consideration of the natural environment.

39. Overall, NPF4 and LDP2 policies are generally supportive of the proposal as the intensification of an existing tourist facility. Therefore, the development proposals are acceptable in principle, subject to compliance with other relevant development plan policies and material considerations, which are assessed below.

Design and Layout

40. The proposed development will provide a complementary leisure experience to Murrayshall Estate. The proposal includes the development of four different types of accommodation including an extension to the hotel building, spa facilities, delivery hub, repurposed buildings for residential use, photovoltaic array, outdoor pursuits and landscaping.
41. The majority of the built development will be focused near to the main hotel building and to the western extent of the site. This is the lowest part of the estate and will allow the development to sit within the established landscape while limiting its visual impact. The detailed design of development within the various Areas will be required at AMSC stage (Condition 3). The detailed design and layout will require to be sympathetic to the countryside location while being acceptable in terms of scale and density and utilise appropriate materials.
42. A number of objectors have raised concern over the realignment of the Core Path SCON/7, as shown on the masterplan. However, the masterplan is purely indicative and any realignment of the core path will have to go through the formal planning and legal process, which is not under consideration as part of this application.
43. 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 new accommodation and leisure areas. The proposal is considered to adopt good placemaking principles as the design and siting respects the character and setting with a low impact proposal and thereby accords with NPF4 Policy 14: Design, Quality and Place and LDP2 Policy 1: Placemaking.

Landscape and Visual Amenity

44. NPF4 Policy 4: Natural Places, advises that development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified. LDP2 Policy 39: Landscapes, states that development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross.
45. The site is situated in the Sidlaw Hills Local Landscape Area (LLA) and a Landscape and Visual Impact Assessment (LVIA) has been submitted in support of the application.

46. The Estate has a well-established structure of policy woodlands and mature trees, and this will be supplemented through additional planting and landscaping. 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. The LVIA concludes that the magnitude of change to the landscape character is assessed to be low. Furthermore, the effect of the development on surrounding landscape designations is assessed to be minor.
47. The introduction of solar PV offers more of a potential to add new features to the view. However, a relatively small scale of PV, set within an established landscape framework, with additional screen planting should result in a very limited impact in the views to the north. Environmental Health has advised that a Glint and Glare Assessment will be required within the AMSC for the solar pv to minimise its impacts and this will be required by condition (Condition 24).
48. 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.
49. By improving and increasing recreation opportunities in the area and enhancing the woodland structure of the Estate the proposal is considered in accordance with the guidance for the Sidlaw Hills Local Landscape Area. The proposals will not detract from the qualities of this LLA and the identified landscape character of the site and surroundings. The indicative masterplan does show locations for the proposed luxury cabins potentially impacting on the ancient woodland. This is not acceptable but can be addressed during the detailed application stage (Condition 11).
50. The visual effects of the proposal from surrounding representative receptors are not considered to be significant. Any adverse effects will decrease in time through maturing screening and landscape mitigation. The proposal is therefore considered to comply with the aims of NPF4 Policy and LDP2 Policy 39.

Roads and Access

51. NPF4 Policy 13: Sustainable Transport seeks to encourage developments that prioritise sustainable travel while LDP2 Policy 60 Transport Standards and Accessibility Requirements requires consideration of transport and accessibility. The applicant has submitted a Transport Statement in support of the application, and this has been considered by PKC Transport Planning. As the application is only an in-principle application the submitted TA assesses the overall site in general terms. Improvements to the immediate access roads have been investigated, proposing a number of passing places and localised widening, which is welcomed. However, additional infrastructure and further details and

investigation will be required as part of any detailed application (Conditions 3(iv), 3(v) and 5).

52. The SYSTRA model was used to assess traffic impacts and the report concluded that there will be slight increases in traffic on the local road network with the predicted changes at the A94/Murrayshall Road junction being the largest. The modelling suggests a change in queuing behaviour at the junction of A93 Strathmore Street/A94 Isla Road/Main Street and slight increases in the level of queuing are predicted in the AM peak. There will be a slight increase in journey times on the A94 northbound between Perth Bridge/Charlotte Street and the A94 Murrayshall in the PM Peak, the AM Peak journey times remaining relatively consistent. In the southbound direction, the model predicts a slight increase in both the AM and PM peaks.
53. Overall, Transport Planning have no objections to the proposal subject to the imposition of the suggested conditions (Conditions 3(iv), 3(v), 4, 5, 6 and 7).

Drainage and Flooding

54. 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. An updated FRA was submitted on 17 July 2023 and SEPA has confirmed their acceptance of its content. The submitted FRA is high level, which is accepted at this stage when limited details of the specific elements of the development are available. However, an updated FRA will be required at AMSC stage (Condition 27).
55. 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 28).
56. Overall, the site is generally at a low risk of flooding and the proposal complies with NPF4 Policy 22: Flood Risk and Water Management; and LDP2 Policy 52: New Development and Flooding and Policy 53: Water Environment and Drainage.

Conservation Considerations

57. A Heritage Impact Assessment has been submitted in support of the application and has been assessed by both Historic Environment Scotland (HES) and Perth and Kinross Heritage Trust (PKHT).
58. HES has assessed the proposal and the potential for it to affect the Wester Bonhard, Bonhard Park and Mill of Bonhard Scheduled Monuments. They have considered the information received and do not have any comments to make on the proposals.

59. PKHT has advised that the proposed development site lies within an area that has known archaeological remains and is considered to have high archaeological potential.
60. As a result, PKHT recommend that a programme of archaeological works is attached as a condition (Condition 20) to ensure the development and its impact on known and potentially unknown archaeological remains is appropriately dealt with. The details of this programme should be agreed in advance of works in a Written Scheme of Investigation with PKHT. It is likely that for the majority of areas in the first instance an archaeological evaluation consisting of trial trenching takes place prior to any development to assess the presence / absence, significance and condition of any archaeological deposits within the development site. Following this evaluation, if necessary, a mitigation strategy for either the preservation of significant archaeological deposits in situ or by record can be agreed.
61. The requested condition will ensure that the proposal complies with NPF4 Policy 7: Historic Assets and Places and LDP2 Policy 26: Scheduled Monuments and Archaeology.

Natural Heritage and Biodiversity

62. NPF4 Policy 1: Sustainable Places, Policy 3: Biodiversity, Policy 4: Natural Places and Policy 6: Forestry, Woodland and Trees are relevant considerations as are LDP2 Policies 38: Environment and Conservation, 40: Forestry, Woodland and Trees and 41: Biodiversity.
63. The Council applies the principles of the Scottish Government Policy on Control of Woodland Removal and there will be a presumption in favour of protecting woodland resources. Where the loss of woodland is unavoidable, mitigation measures in the form of compensatory planting will be required.
64. The site contains attractive and biodiverse woodland of over 300 individual trees and groups representing a broad range of species and age class. The submitted Tree Survey identified the presence of two veteran (including ancient) trees on the site. The implications of their presence on the use of the surrounding land should be assessed at the earliest possible stage of the design process and these veteran trees must be retained as part of this development (Condition 11).
65. There is a strong presumption against the removal of ancient semi-natural woodland in the Scottish Government Policy on Control of Woodland Removal unless removal of woodland would achieve significant and clearly defined additional public benefits.
66. Some areas of woodland are classed as ancient woodland. Although not legally protected, Ancient Woodland Inventory sites are important and irreplaceable habitat and the Tayside Local Biodiversity Action Plan seeks to enhance, restore and extend coverage of ancient woodland. Some woodland areas are listed on

the Native Woodland Survey of Scotland as upland birchwood and upland oakwood – all priority habitats in the UK Biodiversity Action Plan that should be protected and enhanced.

67. More information is required to inform a detailed approval of matters: a tree/woodland survey outlining the impact of the proposed development on the woodland resource (Condition 11). The mitigation hierarchy of avoid, reduce and compensate must be followed to reduce impacts of development to woodland, trees and biodiversity. Due to the classification as ancient woodland, management measures that would improve and enhance the condition of the woodland is strongly encouraged to form part of any AMSC proposal.
68. A detailed landscape plan will be required as part of the submission of any AMSC (Condition 3(viii)). Compensatory tree planting is required on a ratio of 1:3 for every tree lost. A detailed landscaping plan and planting schedule is required indicating species, location, tree stock size, type, planting spec, maintenance, and weed control. Species should be predominantly native to Scotland and include fruit-bearing trees.
69. Planting native hedgerows would be beneficial to biodiversity as long as planted at least 1.5m from path edges to allow shrubs room to grow to their maximum spread without requiring considerable maintenance by Community Greenspace.
70. The Council will seek to protect and enhance all wildlife and habitats, whether formally designated or not, considering natural processes in the area. AMSC proposal should demonstrate that the development will not have an adverse effect on protected species unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated.
71. The submitted Preliminary Ecological Appraisal Report (PEAR) notes the presence of potential red/grey squirrel dreys and a badger sett. More detailed survey is recommended in the report and this information is required at AMSC stage (condition 3(xiv) and 13). In addition, the presence of bat roosts within buildings was assessed but not the many mature trees on site. Mature trees need to be surveyed for the presence of bats.
72. Surveys need to include impact assessments, mitigation measures and any licensing requirements. In addition, section 6.8 of the submitted PEAR recommends an INNS management plan be prepared and implemented for the construction phase (Condition 16).
73. NPF4 requires major developments to ensure significant enhancement to biodiversity. Meaning that proposed actions and management will make the site significantly better for biodiversity than before the development. Enhancement of biodiversity should be demonstrated in all projects and needs to be site specific based on surveys, location, development size, surrounding habitats and landscape character, and follow ecologist recommendations.

74. Requirements detailed in the LDP2 and PKC Planning for Nature Supplementary Guidance should be used to create a Site Biodiversity Action Plan. It should contain quantity, locations, techniques, timescales, and monitoring arrangements.
75. Planting native tree species and a boundary hedge of native species such as hawthorn, guelder rose and hazel would increase the biodiversity value of the site and enhancing connectivity by linking to existing hedgerows and trees would contribute towards a key action in the Tayside LBAP.
76. A checklist of information required to inform a planning application regarding biodiversity is provided in Annex 4 of the PKC Planning for Nature Supplementary Guidance.

Noise and Air Quality

Noise

77. A Noise Impact Assessment (NIA) has been submitted in support of the application and Environmental Health are satisfied with the target levels shown. Noise concerns have been raised about clay pigeon shooting potentially being part of the proposed outdoor pursuits. However, it has been confirmed that this will be laser clay pigeon shooting.
78. The NIA concludes that commercial noise and possible mitigation will need to be assessed at AMSC stage, and Environmental Health are happy to accept that at this stage subject to conditions requiring an updated NIA and Noise Management Plan (NMP) (Conditions 3 (xviii), (xix) and 23).

Air Quality

79. An Air Quality Screening Assessment (AQSA) has been submitted in support of the application. This is largely based on predicted additional vehicle trips to the site. As the specific proposals on site are not yet known a condition (Condition xx) requiring the submission of a Noise Impact Assessment (NIA) will be required at AMSC stage. Environmental Health are satisfied with this approach.

Pipelines

80. The site lies within the consultation zone of two major accident hazard pipelines. NPF4 Policy 23: Health and Safety and LDP2 Policy 54: Health and Safety Consultation Zones both require consideration to be taken of the associated risks and potential impacts of proposals on pipelines. The Health and Safety Executive (HSE) and the pipeline operators, Shell UK and Ineos FPS, were all consulted on the proposals.
81. Two areas of the proposal, Area 12 and Area 14 are located within the consultation zone. The masterplan identifies Area 12 as being used for 'Potential

Outdoor Pursuits' and is located within the inner, middle and outer HSE consultation zones as well as outside of the consultation zones. Within HSE's methodology this type of use is considered to be 'Outdoor Use by Public'.

- Inner zone – HSE would advise against this part of the development located within the inner zone.
 - Middle zone – HSE would not advise against this part of the development located within the middle zone as long as there was no more than 100 people gathered at any one time within the middle zone.
 - Outer zone – HSE would not advise against this part of the development located within the outer zone as long as there was no more than 1000 people gathered at any one time within this outer zone.
82. Shell UK has offered similar comments and concerns to the proposal, in particular the possibility of erecting a 'hub building' in this area. Shell UK note in their submission that they have been in dialogue with the applicant's agent and acknowledged that the current plans are indicative and a willingness from the applicants to engage further with them at detailed application phase. As such conditions (Condition 21 and 22) will be required to ensure that the pipelines are duly considered in any AMSC.
83. The masterplan identifies Area 14 for the siting of the photovoltaic panels. Area 14 is located within the HSE middle zone, outer zone and outside of the consultation zones. Solar Farms are usually not a relevant development in relation to land-use planning in the vicinity of major hazard sites and major accident hazard pipelines. This is because they do not, in themselves, involve the introduction of people into the area. HSE's land use planning advice is mainly concerned with the potential risks posed by major hazard sites and major accident hazard pipelines to the population at a new development. HSE has offered no concerns to the location of the photovoltaics.

Developer Contributions

Affordable Housing

84. The Council's Affordable Housing Policy requires that 25% of the total number of houses, above a threshold of 5 units, for which planning consent is being sought is to be in the form of affordable housing.
85. The application proposes "up to 4 dwellings", a condition is recommended (Condition 8) to ensure future detailed applications comply with Policy 20 of Local Development Plan 2 (2019).

Primary Education

86. The Council's Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is

defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity. A condition (Condition 9) is required to ensure future detailed applications comply with Policy 5 of Local Development Plan 2 (2019).

Transport Infrastructure

87. The Council's Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.
88. The application falls within the identified Transport Infrastructure Supplementary Guidance boundary and a condition (Condition 10) to reflect this should be attached to any planning application granted.

Economic Impact

89. The applicant has submitted an Economic Impact Statement and an Operational Business Review and Repositioning Strategy Executive Summary in support of the application and this has been assessed by the Council's Business Development team.
90. The proposed development at Murrayshall would represent a very significant capital investment in hospitality and leisure facilities and one of the biggest in the Perth area in recent times. The range of accommodation types and associated spa and leisure services that have been outlined would see the establishment of a contemporary resort which would attract both leisure and business events visitors and strengthen the year-round proposition of Perth & Kinross as both a short breaks and conference destination.
91. The Economic Impact Statement provides a policy context and demonstrates a good understanding of the characteristics and tourism performance of Perth & Kinross. The Statement comprises indicative assessments at both the construction and operational stages. As with other reports of this nature these rely on certain assumptions regarding input data and multipliers in order to provide the calculations and these appear fair and consistent with what one would expect.
92. Broadly, the report has adopted a cautious position with regards to, for example, GVA productivity per job, particularly given the impact of Covid on tourism performance in recent years. Nevertheless, it is estimated that approximately £4.6 million net could be generated for the local Perth & Kinross economy (discounting accommodation and travel expenditure) on a profile of 119,000 net additional overnight guest visits and with 107 jobs created locally within Perth & Kinross.

93. This would represent a significant boost to the local visitor economy and demonstrates the wider benefits that can be accrued to a local area from a resort development such as this.
94. In terms of the overall proposition, Perth itself has lost hotel capacity in recent times and the emergence of a licensing scheme and planning guidance in respect to short term lets may impact on the supply of self-catering accommodation. Therefore, the proposed development would see accommodation capacity increased over time and would assist in reaching broader strategic objectives in growth in the value of tourism. The need for continual capital investment in tourism infrastructure is recognised in order to keep ahead in an intensely competitive tourism marketplace. Ultimately the market would determine the success or otherwise of the development but the overall package of accommodation types, spa and activities facilities that has been outlined for Murrayshall is a welcome tourism investment proposal.

LEGAL AGREEMENTS

95. None required at this stage.

DIRECTION BY SCOTTISH MINISTERS

96. 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

97. To conclude, the application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with NPF4, and the adopted Local Development Plan 2 (2019). Account has been taken account of the relevant material considerations and none has been found that would justify overriding the Development Plan.
98. Accordingly, the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

1. This planning permission in principle will last only for five years from the date of this decision notice, unless the development has been started within that period.

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 scale, massing, layout and design of the masterplan and information contained within the supporting documentation to this application 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, vehicle turning facilities, footpaths, cycleways, path connections throughout the development;
 - (v) the details of public road widening/improvement and footpath improvement/connections;
 - (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) submission of a landscape plan showing details of all hard and soft landscaping, structure planting and screening associated with the development of each phase;
 - (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 impact assessment;
 - (xviii) air quality impact assessment; and
 - (xix) details of waste management provision.

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. As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed application a signing strategy for the development shall be undertaken for the local road network, along with a date for their implementation shall be agreed in writing by the Council as Planning Authority.

Reason: In the interests of road safety.

5. As part of the first application for the Approval of Matters Specified by Condition (AMSC) or detailed application a detailed design showing mitigation for the public road network to accommodate the development are subject to detailed approval required by the Council as Roads Authority to the satisfaction of the Planning Authority. The vehicular mitigation, as approved in writing, shall be implemented in accordance with the approved details to the satisfaction of the Council as Planning Authority and undertaken prior to commencement of works on site.

Reason: In the interests of pedestrian and traffic safety.

6. No part of the development shall be occupied until a Travel Plan, aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. The Travel Plan will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided (including the provision of new and/or enhanced sustainable transport access to the site), the system of management, monitoring, review, reporting and the duration of the plan.

Reason: To promote sustainable transport options.

7. 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: In the interest of proper site management.

- 8. The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2020 in line with Policy 20: Affordable Housing of the Perth & Kinross Local Development Plan 2 (2019), or such subsequent Guidance and Policy which may replace these.

Reason: To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2020.

- 9. The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2020 in line with Policy 5: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2 (2019) with particular regard to primary education infrastructure, or such subsequent Guidance and Policy which may replace these.

Reason: To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's

policy on Developer Contributions and Affordable Housing Supplementary Guidance 2020.

10. The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2020 in line with Policy 5: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2 (2019) with particular regard to transport infrastructure, or such subsequent Guidance and Policy which may replace these.
Reason: To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2020.
11. In pursuance of Condition 3 (vii), (viii) and (xv), as part of any application for the Approval of Matters Specified by Condition (AMSC), an updated woodland/tree survey with clear impact assessment of the proposed development on trees and woodland shall be submitted. The survey shall include measures for the retention of the identified veteran trees.
Reason: In the interests of protecting environmental quality and of biodiversity.
12. In pursuance of Condition 3 (vii) and (viii), as part of any application for the Approval of Matters Specified by Condition (AMSC), a tree protection plan, Arboricultural Impact Assessment and Arboricultural Method Statement shall be submitted.
Reason: In the interests of protecting environmental quality and of biodiversity.
13. In pursuance of Condition 3 (xiv), as part of any application for the Approval of Matters Specified by Condition (AMSC), an ecological survey undertaken by suitably qualified and experienced persons, including specific survey for badger, red squirrel and bats in trees including any licensing requirements shall be submitted.
Reason: In the interests of protecting biodiversity.
14. As part of any application for the Approval of Matters Specified by Condition (AMSC) a Site Biodiversity Action Plan including biodiversity enhancement measures shall be submitted.
Reason: In the interests of protecting and enhancing biodiversity.
15. In pursuance of Condition 3 (ix), as part of any application for the Approval of Matters Specified by Condition (AMSC), information regarding lighting during construction and operation of the site shall be submitted. Development lighting should be low lux-level, downward facing and directed away from hedgerows,

treelines and woodland to avoid fragmentation of foraging and commuting opportunities for bats.

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

16. As part of any application for the Approval of Matters Specified by Condition (AMSC) an Invasive Non-Native Species (INNS) Management Plan shall be submitted.

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

17. The detailed design for Areas 2, 8 and 11 shall include a minimum 6m buffer left free of development from the banks of the watercourse. A detailed site layout clearly annotated with pre- and post-development ground and finished floor levels (mAOD) should be submitted for the subsequent approval of PKC Flooding and Structures in consultation with SEPA.

Reason: In order to take account of the flood risk from the adjacent watercourse.

18. Where relevant, any application for the Approval of Matters Specified by Condition (AMSC) shall include details of any proposed bridges or culverts and these shall be designed with an appropriate freeboard above the 0.5%AEP+CC water level and maintained as such in perpetuity.

Reason: In the interests of flood prevention.

19. In pursuance of Condition 3 (iv) and (v), a landscape plan providing the design, promotion and maintenance standards of all public open space including proposed paths, core paths and rights of way shall be submitted as part of any application for the Approval of Matters Specified by Condition (AMSC). The core paths/rights of way must be respected and incorporated within landscaped public open space green corridors. Existing core paths and rights of way must not be obstructed during construction or on completion. Any diversions to these core paths/rights of way must be created and be available for use prior to any works which would require closure of the existing core path and right of way.

Reason: To ensure continued public access to the public paths and in the interests of public safety within the site.

20. Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Archaeological Investigation (WSI) which has been submitted by the developer and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust (PKHT). 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. Should the archaeological works, as required by the WSI, identify a requirement for post-excavation analysis, the development

as approved shall not be occupied or brought into use until a Post-Excavation Research Design (PERD) has been submitted to and agreed in writing by the Council as Planning Authority, in consultation with PKHT. The PERD shall be carried out in complete accordance with the approved details. Furthermore, the developer shall afford access at all reasonable times to PKHT or a nominated representative and shall allow them to observe work in progress.

Reason: To ensure archaeological monitoring is carried out to safeguard and record any archaeological remains within the development area.

21. Any application for the Approval of Matters Specified by Condition or detailed application on any part of the site within or where it may affect an area covered by a pipeline consultation zone will require the further approval of HSE and the pipeline operators.

Reason: Development and activities within these areas may be limited in the interests of the protection of the public.

22. As part of the first application for approval of matters specified, a Pipeline Protection Scheme shall be submitted to and approved in writing by the Planning Authority in consultation with the HSE and the pipeline operators and HSE. The Pipeline Protection Scheme shall indicate how the development will proceed in relation to the pipelines which cross the application site. It shall include details of any required exclusion zones, details of levels and dimensions of the development in relation to the pipelines, any required pipeline protections, scope of works and work methods including laying of new services and any roads, cycle or footpaths which have the potential to encroach upon the pipelines. The details of the Pipeline Protection Scheme, as approved in writing, shall be implemented as part of the development of the site and maintained as such.

Reason: Development and activities within these areas may be limited in the interests of the protection of the public.

23. In pursuance of Condition 3 (xviii), an updated Noise Impact Assessment (NIA) shall be undertaken by a suitably qualified consultant and submitted to the Planning Authority as part of any application for the Approval of Matters Specified by Condition (AMSC). The NIA should include all noise sources associated with the development and assess impact on neighbouring residential properties.

Reason: In the interests of amenity and to prevent undue noise.

24. Any application for the Approval of Matters Specified by Condition that includes the solar photovoltaic array shall include a Glint and Glare Assessment. The assessment shall be undertaken by a suitably qualified consultant and should be carried out in line with the PagerPower Solar Photovoltaic and Building Development - Glint and Glare 2021 Guidance.

Reason: In the interests of landscape and visual amenity.

25. In pursuance of Condition 3 (xix), an updated Air Quality Impact Assessment (AQIA) shall be undertaken by a suitably qualified consultant and submitted to the Planning Authority as part of any application for the Approval of Matters Specified by Condition (AMSC).

Reason: In the interests of protecting air quality.

26. With the exception of the repurposed building group identified as Area 13 on the masterplan, 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.

27. As part of any Approval of Matters Specified by Condition (AMSC) application, an Updated Flood Risk Assessment, shall be submitted for approval of the Council as Planning Authority, in consultation with SEPA where necessary. Thereafter the development shall be fully undertaken in accordance with the agreed Flood Risk Assessment.

Reason: To reduce flood risk.

28. As part of any Approval of Matters Specified by Condition (AMSC) application, an updated Drainage Strategy including detailed sustainable urban drainage system (SUDS) shall be submitted for approval of the Council as Planning Authority, in consultation with SEPA where necessary. The strategy and scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C753) and the Council's Flood Risk and Flood Risk Assessments Developer Guidance and shall incorporate source control. All works shall be carried out in accordance with the agreed scheme and be operational prior to the bringing into use of the development.

Reason: To ensure the provision of provide effective drainage for the site.

29. Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility 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 unless otherwise agreed in writing by the Council as Planning Authority.

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.

B JUSTIFICATION

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

C PROCEDURAL NOTES

None.

D INFORMATIVES

1. Part of the approved development includes 'caravans', i.e. the 'lodges and cabins'. The developer is advised that caravans require to be licensed under the terms of Section 1 of the Caravan Sites and Control of Development Act 1960 and therefore a licence application should be made to Environmental Health. Application forms are available at <https://www.pkc.gov.uk/article/15600/Licence-caravan-site>.
2. 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.
3. Where necessary, no work shall be commenced until an application for building warrant has been submitted and approved.
4. 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.
5. The granting of planning permission does not stop the continued right of public access along the existing core paths SCON/7, SCON/15 and SCON/50 . An order under the Town and Country Planning (Scotland) Act 1997, Section 208 or an amendment of the Core Path Plan under the Land Reform (Scotland) Act 2003 should be sought in advance of any works authorised by this planning permission being commenced. All relevant approvals should be in place prior to any stopping up and diversion of the core path taking place.
6. The applicant is advised that any proposed signage will require a further application to be submitted for advertisement consent, unless it benefits from express consent as per the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.
7. The applicant is advised that, in terms of Sections 56 of the Roads (Scotland) Act 1984, he/she/they must obtain from the Council, as Roads Authority, consent to open an existing road or footway prior to the commencement of works.

Information on junction types, requirements for Vehicular Access consents (VA1) and application forms are available at www.pkc.gov.uk/vehicleaccess.

8. Advice on the disposal of surface water should be sought at the initial stages of design from Scottish Water and SEPA.
9. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for consent to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.

Background Papers: 272 letters of representation
Date: 1 December 2023

DAVID LITTLEJOHN
STRATEGIC LEAD – ECONOMY, DEVELOPMENT AND PLANNING

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