

Perth and Kinross Council  
Development Management Committee – 15 July 2015  
Report of Handling by Development Quality Manager

**Erection of 3 holiday lodges on Land 150 Metres West Of Pinnerwood,  
Tulliebardine, Auchterarder**

Ref: No: 15/00525/FLL  
Ward No: 7 - Strathallan

**Summary**

This report recommends approval of the application as the proposal will not adversely affect the visual or residential amenity of the area and is considered to comply with the Scottish Planning Policy (2014) and the Development Plan.

**BACKGROUND AND DESCRIPTION**

- 1 The application site is a 1.72 ha area of ground situated in a mature woodland context and forms part of an area of wider land associated with Gleneagles Forestry Limited at Pinnerwood Estate, Tulliebardine which is located 1.5km to the north west of Auchterarder. The interior of the site is cleared grass covered ground and the edges of the site are bounded by mature trees and reinforced with mature beech hedging. The small hamlet of Tulliebardine lies immediately to the north of the site on the other side of the public road.
- 2 The estate is approximately 37 acres and comprises blacksmith workshops, forestry fencing, wood related works and a domestic residence. Pinnerwood Estate has been under the ownership of the applicants since 1998 and originally developed and extended the existing forestry workshop with a tree nursery. The business elements of the estate continue to be profitable and as part of a strategic long term diversification plan, Gleneagles Forestry are proposing to extend their portfolio of businesses to include tourist related lodge accommodation.
- 3 Planning consent was refused in principle under application 08/00340/OUT for the erection of dwellinghouse at Pinnerwood on 21 May 2008. The reasons for refusal being: contrary to the Housing in the Countryside Policy, lack of information on tree removal and being adjoining and outwith the settlement boundary of Tulliebardine. A proposal for the erection of a dwellinghouse, workshop and holiday lodges was withdrawn on the 25 March 2015 under application 14/01059/FLL.
- 4 This application is for the erection of 3 holiday lodges on a 1.72 ha area of ground. The holiday lodges proposed comprise a simple, modern flat roofed building design with 2 bedrooms and terrace. Materials include single ply membrane to the roof, horizontal timber cladding to the walls and timber windows and doors.

- 5 An existing access to the site from the public road will be used. An internal access will be formed using quarry grit. A pond/wetland habitat will be formed within part of the cleared area of the site. Foul drainage will be via a private waste water plant in the form of a biodigester/reed bed. In support of the application the applicant has provided an Architectural Supporting Statement, a Business Plan and Justification for the development and an Arboricultural Survey.

## **NATIONAL POLICY AND GUIDANCE**

- 6 The Scottish Government expresses its planning policies through the National Planning Frameworks, the Scottish Planning Policy (SPP) and Planning Advice Notes (PAN). Of relevance to this application is:-

### **Scottish Planning Policy 2014**

- 7 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; and
- the determination of planning applications and appeals.

Of relevance to this application are:

- Paragraphs 74 – 83: Promoting Rural Development

## **DEVELOPMENT PLAN**

- 8 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

### **TAYplan Strategic Development Plan 2012**

- 9 Whilst there are no specific strategies or policies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *“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 and visit and where businesses choose to invest and create jobs.”*

## **PERTH AND KINROSS LOCAL DEVELOPMENT PLAN 2014**

- 10 The Local Development Plan 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.
- 11 Within the Local Development Plan, the site lies in the landward area where the following policies are directly applicable.

### **Policy ED3: Rural Business and Diversification**

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

### **Policy PM1A: Placemaking**

- 13 Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

### **Policy PM1B: Placemaking**

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

### **Policy NE2B: Trees**

- 15 Where there are existing trees on a development site, any application should be accompanied by a tree survey. Where the loss of individual trees or woodland cover is unavoidable, mitigation measures should be provided.

### **Policy NE3: Biodiversity**

- 16 All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out.

## **SITE HISTORY**

- 17 08/00340/OUT Erection of dwellinghouse (in outline) at Pinnerwood. Refused under delegated powers on 21 May 2008 as being contrary to the Housing in the Countryside Policy, lack of information on tree removal and being adjoining and outwith the settlement boundary of Tulliebardine.
- 18 14/01059/FLL an application for the erection of a dwellinghouse, workshop and holiday lodges was withdrawn on the 25 March 2015.

## CONSULTATIONS

### Internal

- 19 **Transport Planning** – no objections subject to conditions on access configuration and visibility splays.
- 20 **Environmental Health** - no objections subject to a condition on the flues for the wood burning stoves.
- 21 **Waste Services** – no objections subject to waste bins being provided for the site.

## REPRESENTATIONS

- 22 There have been 9 letters of representation relating to the application, which can be summarised as follows:
- Concerns over road safety, traffic and access
  - Impact on private water supplies
  - Impact on biodiversity
  - Impact on residential amenity
  - Loss of visual amenity
  - Loss of trees and hedging
  - Contrary to local plan policy
  - Over intensive development
  - Overlooking
  - Impact on green belt land

## ADDITIONAL STATEMENTS

23	Environment Statement	Not required
	Screening Opinion	Not required
	Environmental Impact Assessment	Not required
	Appropriate Assessment	Not required
	Design Statement / Design and Access Statement	Submitted
	Tree Survey	Submitted

## APPRAISAL

### Policy

- 24 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 determining issues here are whether the proposals comply with development plan policy or if there are other material considerations, which justify a departure from policy.

- 25 The application site is situated within the landward area of the LDP where the main relevant policies are ED3 Rural Business and Diversification. Under Policy ED3 the Council will give favourable consideration to the expansion of existing businesses and the creation of new ones in rural areas. Sites outwith settlements may be considered acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity provided this will contribute to the local economy through the provision of permanent employment or visitor accommodation or additional tourism or recreational facilities. All proposals should also satisfy specific siting and design criteria including compatibility with surrounding land uses and that it will not impact detrimentally on residential amenity within or adjacent to the site and it can be accommodated within the landscape capacity of the location.
- 26 As outlined in the supporting information the proposed holiday lodges are part of a 'strategic long term diversification plan' for the existing Gleneagles Forestry business. The principle of rural diversification is considered to be acceptable in this situation and is encouraged through the LDP. The application site has a strong landscape framework which contains and buffers the development from the surrounding area.
- 27 The diversification of the business into this area is considered to be compatible with surrounding rural land uses and nearby residential use. Impact on residential amenity will be mitigated by a condition for the specification of the flues for the wood burning stoves in the chalets to be to an acceptable standard in terms of emissions.

### **Design and Layout**

- 28 The design of the holiday lodges is considered to be acceptable in this rural context. The holiday lodges are single storey and modern in outlook, however they are considered to sit satisfactorily within the woodland. The external materials proposed are complementary in terms of fabric and colour between the buildings, which improves the visual appearance of the overall development. The separation and density of the proposals is such that there is not an overdevelopment of the site.

### **Landscape and visual Impact**

- 29 The application site has a strong landscape framework with mature trees, hedging and bunding to all boundaries which will allow containment, acting as a buffer to the wider landscape and the residential properties to the north. The Tree Report submitted with the application has identified that one significant tree requires removal to facilitate development – a hybrid oak situated to the west of the site near the site access and the removal of a small number of sitka spruce, which are “relatively young examples of their species”. Tree removal is minimal and the tree retention on the boundaries of the site will maintain their visual amenity value to the wider area. There will be no loss of beech hedging in order to achieve the recommended visibility splay and this can be achieved by trimming back the hedging. It is considered therefore that the proposed

holiday chalets will not have any adverse impact on the character or appearance of the wider area or properties around the application site.

### **Residential Amenity**

- 30 Concerns were raised from neighbours on the impact of the proposals on neighbouring amenity. In terms of overlooking and overshadowing the proposed buildings are sufficiently distant and screened adequately to the boundaries to avoid any adverse issues arising in this regard. There was also a concern from neighbours with regard to noise and light pollution. Environmental Health have been consulted and have no objections subject to conditions being attached to any consent for the control of lighting and odours from the holiday chalets wood burning stoves in order to protect residential amenity within and outside the site. It is considered that the proposal will not result in noise disturbance of a level which would have an adverse impact on any neighbouring residential amenity.

### **Traffic Safety/Access**

- 31 The road safety and access implications of the proposals were issues raised by neighbours. In consultation with the Council's Transport Planner there were no objections raised subject to conditions being recommended on any consent to confirm the site access configuration and for suitable visibility splays being put in place to achieve safe exit from the site. The visibility splays which are recommended can be achieved without loss of the beech hedging which runs along the northwest boundary of the site, the hedge will require to be trimmed back by approximately 0.6m to achieve the splay, as the hedge growth is 1.8m from the carriageway. The hedge line is at 3.5m from the carriageway and the tree line is 4.8m from it, both of which are behind the start of the visibility splay which is 2.4m from the carriageway. It is considered therefore that the hedge and the trees along the roadside will not be lost in achieving the visibility splay.

### **Impact on Trees and Biodiversity**

- 32 An arboricultural report was submitted with the application. There are a number of trees on the site situated primarily to the site boundaries. The site comprises an area of open ground surrounded by trees on all sides, to the south the site is bordered by young woodland, the other 3 sides are fringed with various tree species forming boundary shelterbelts of varying ages. The proposed built development will be within the open ground area and it is considered it will not have any significantly adverse with the loss of only one mature tree to the west of the site and the visual amenity of the existing trees to the boundaries of the site will be retained. The main conclusions of the report were that:-

“One significant hybrid oak requires removal and the removal of a small number sitka spruce which are relatively young examples of their species and new replacement planting could quickly mitigate the short term loss of what is an insignificant number of trees. In the main the affected tree cover has a very limited safe useful life expectancy; it could be replaced relatively quickly

through new planting with species that have a much longer safe useful life expectancy in keeping with the local tree population.”

The recommendations of the arboricultural report will be a condition on any consent.

- 33 With the loss of only a small number of trees on the site it is considered that the proposals will not have any adverse impact on biodiversity and the proposed pond and wetland area will enhance habitat opportunities on the site. Concerns were raised on the impact of the proposals on roe deer and red squirrels. As there is minimal tree removal proposed it is considered that the proposals will not have any adverse impact on the roe deer population in the area and when carrying out tree removal care should be taken to ensure that no red squirrels are harmed and that any active dreys shall not be destroyed.

### **Drainage and Flood Risk**

- 34 Foul drainage for the proposals will be dealt with through a private waste water treatment plant in the form of a bio-digester and reed bed system. This system will require approval and licencing by SEPA, including details of surface water treatment. There are no flood risk issues at this site. Concerns were raised over the impact of the proposals on a private water supply outwith and adjacent to the site. In order to mitigate any impact on this an informative is recommended on any consent to ensure that any development on the site does not impact on the integrity of any private water supply outwith the site.

### **Developer Contributions**

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

### **Economic Development**

- 36 The proposal forms part of the diversification of an existing business which will provide an opportunity to expand the business and secure it's viability into the future.

### **LEGAL AGREEMENTS**

- 37 None required.

### **DIRECTION BY SCOTTISH MINISTERS**

- 38 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, regulations 30 – 32, 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

- 39 In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In respect of the above assessment, the proposal is considered to comply with the overriding aims and policy objectives of the approved TAYplan 2012 and the adopted Local Development Plan 2014.

## RECOMMENDATION

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

- 1 The proposed development must be carried out in accordance with the approved plans, 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 Details of the specification and colour of the proposed external finishing materials to be used shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The scheme as approved shall be implemented prior to the occupation and or use of the development.

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

- 3 The external length of flue pipe from the wood burning stove must be of an insulated type meeting BS EN 1856:2009, Part 1 titled "Chimneys: Requirements for metal chimneys and system chimney products" and BS EN 1856:2009, Part 2 titled "Chimneys: Requirements for metal chimneys. Metal flue liners and connecting flue pipes".

Reason – In the interests of residential amenity

- 4 Any external lighting to be installed shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised.

Reason – In the interests of residential amenity

- 5 Prior to the occupation or use of the approved development the vehicular access shall be formed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.

Reason - In the interests of road safety.

- 6 Visibility splays of 2.4m x 120m measured from the centre line of the new access shall be provided in both directions along the nearside channel of the



public road prior to the commencement of the development and thereafter maintained free from any obstruction of a height exceeding 1.05 metres above the adjacent road channel level.

Reason - In the interests of road safety.

- 7 Any tree removal, tree works and tree protection on the site shall be carried out fully in accordance with the recommendations of the Arboricultural Impact Assessment by Arboretum Internationale dated 9 September 2014, unless otherwise agreed in writing by the Planning Authority.

Reason – In the interests of tree protection

- 8 Prior to commencement of work on site a fully detailed SUDs scheme shall be submitted for the approval of the Planning Authority and implemented prior to occupation of the development.

Reason – In the interests of surface water treatment.

- 9 In carrying out tree removal or tree works care shall be taken to ensure that no red squirrels are harmed and no active dreys shall be destroyed as part of this work.

Reason - In the interests of red squirrel protection.

- 10 Prior to commencement of site works, details of the location and measures proposed for the safeguarding and continued operation, or replacement, of any septic tanks and soakaways / private water sources, private water supply storage facilities and/or private water supply pipes serving properties in the vicinity, sited within and running through the application site, shall be submitted to and approved in writing by the Council as Planning Authority. The approved protective or replacement measures shall be put in place before the site works commence and shall be so maintained throughout the period of construction.

Reason – In the interests of private water supplies.

## **B JUSTIFICATION**

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

## **C PROCEDURAL NOTES**

None

## **D     INFORMATIVES**

- 1     This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
  
- 2     Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
  
- 3     As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
  
- 4     An application for Building Warrant will be required.
  
- 5     If connection to the public mains proves to be impractical the following should be noted if a private water supply is utilised.
  
- 6     The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.
  
- 7     The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.

Background Papers:           9 letters of representation  
Contact Officer:             Mark Williamson Ext 75355  
Date:                         30 June 2015

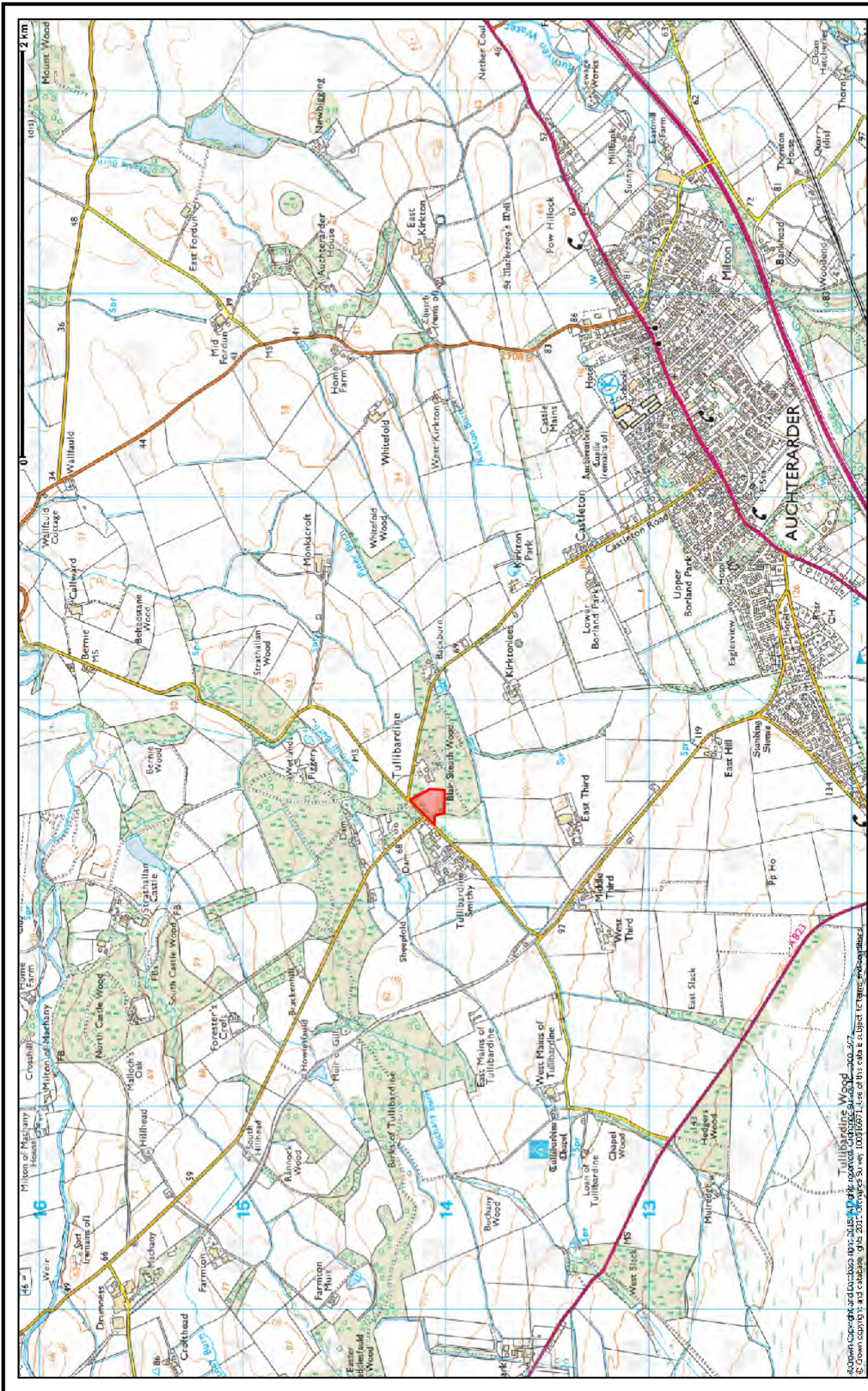
**Nick Brian**  
**Development Quality Manager**

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Erection of 3 holiday lodges at Land West of Pinnerwood,  
Castleton Road, Auchterarder

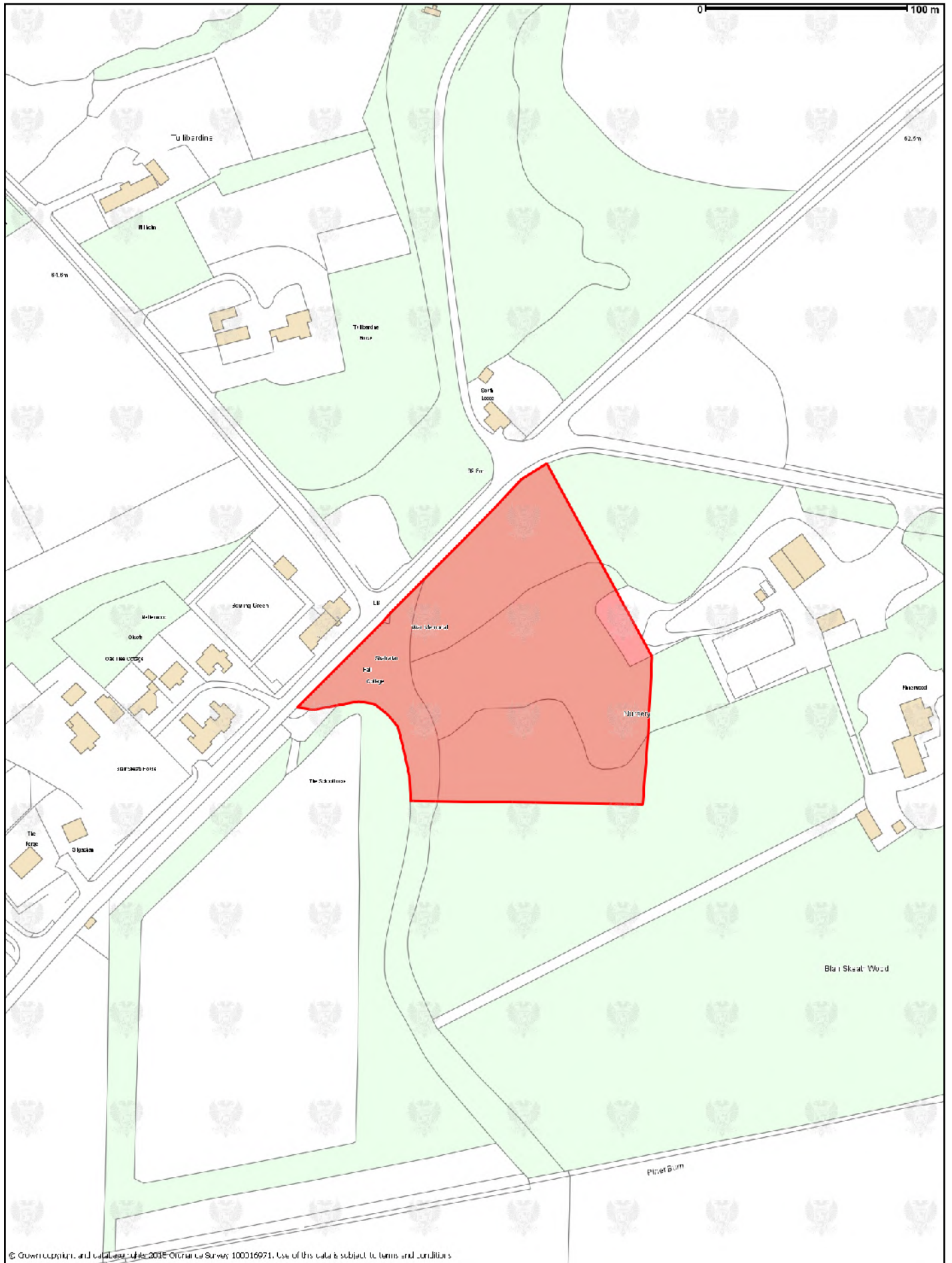


Development  
Management Committee

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