

Perth and Kinross Council
Development Control Committee –8 September 2010
Report of Handling by Development Quality Manager

Change of lodge designs (Modification of previous consent 07/01768/FUL to erect 10 holiday units) at Altamount House Hotel, Coupar Angus Road, Blairgowrie, PH10 6JN

Ref No: 10/00494/FLL
Ward No: 3 Blairgowrie & The Glens

Summary

This report recommends approval of the application on the grounds that the modification in the design of the lodges will have no impact on setting of the adjacent listed building or on the amenity of the surrounding residential properties and therefore the proposal is in accordance with the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 The application is for design modifications to 10 holiday lodges within the grounds of Altamount House Hotel, an attractive listed building within a wooded setting, located on the entrance to Blairgowrie. Detailed planning consent was obtained in December 2007 under 07/01768/FLL. The extant planning consent approved two different lodges types (A & C), split evenly between the 10 lodges. A tree management plan (which included tree removal) was also approved as part of the 2007 consent.
- 2 The proposed new lodges will have a similar appearance to the approved lodges, and will still provide accommodation over two levels by introducing accommodation within the roofspace. The principal changes consist of an increased ridge height (200mm on lodge type A, and 400mm on lodge type C), an increase in the wall heads (1.8m on lodge C, and 700mm on lodge A) and slightly larger floor areas on both lodge types. All four elevations of each lodge type are affected by the aforementioned elements, as well as various omissions and insertion of veluxes and windows.
- 3 Some small changes of the position of the lodges on their individual plots have also been included in this application, however the general position of the 10 lodges and their distance from the site boundaries will remain much the same as the approved scheme, and as per the approved schemes, only two lodge types are proposed, of which there will be five lodges of each. No additional trees are proposed as part of this application.
- 3 Following advice from the Planning Service, the lodges have been amended from what was initially submitted as part of this application. This has resulted in Lodge A having a reduced roof pitch from 50 degrees to 45 degrees and a reduction of floor level by 170mm. On both lodges timber windows have been introduced rather than uPVC.

NATIONAL PLANNING POLICY AND GUIDANCE

- 4 The Scottish Government expresses its planning policies through The National Planning Framework 1 & 2, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Designing Places, Designing Streets, and a series of Circulars.

The Scottish Planning Policy 2010

- 5 This SPP is a statement of Scottish Government policy on land use planning and contains:
- the Scottish Government's view of the purpose of planning,
 - the core principles for the operation of the system and the objectives for key parts of the system,
 - statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
 - concise subject planning policies, including the implications for development planning and development management, and
 - the Scottish Government's expectations of the intended outcomes of the planning system.
- 6 Of relevance to this application are paragraphs 113-114, which relate to Listed Buildings.

Scottish Historic Environmental Policy 2008

- 7 This document, produced by Historic Scotland provides guidance to Planning Authorities on how to deal with planning applications which affect both Listed Buildings and Conservation Areas, and the settings of both.

DEVELOPMENT PLAN

- 8 The Development Plan for the area comprises the approved Perth and Kinross Structure Plan 2003 and the adopted Eastern Area Local Plan 1998.

Perth and Kinross Structure Plan 2003

- 9 The principal relevant policies are in summary:

Environment and Resources Policy 8 (ERP8)

- 10 The Council will seek to ensure that the rich and varied cultural heritage resources of Perth and Kinross are recognised, recorded, protected and enhanced as appropriate. New development which would adversely affect Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Historic Gardens and Designed Landscapes or their settings will not be permitted unless there is a proven public interest where social, economic or safety considerations outweighs the cultural interest in the site. The same protection will be afforded to sites proposed for designation. Other important

archaeological sites or landscapes will also be protected from inappropriate development. Local Plans will bring forward policies for their protection and enhancement.

Eastern Area Local Plan 1998 (EALP)

11 The principal relevant policies are in summary:

Policy 23 (Listed Buildings)

12 There will be a presumption against the demolition of Listed Buildings and a presumption in favour of consent for development involving the sympathetic restoration of a Listed Building, or other buildings of architectural value. The setting of Listed Buildings will also be safeguarded.

Policy 25 (Tourism)

13 There will be a presumption in favour of sustainable tourism related developments, which improve the range and quality of tourist attractions and accommodation provided these are consistent with other Local Plan policies.

Policy 56 General Residential and Background Policies

14 Identifies areas of residential and compatible uses where existing residential amenity will be retained and where possible improved. Where sites become available for development, housing will generally be the most obvious alternative use. Some scope may exist for infill development, but only where this will not have a significant adverse effect on the density, character or amenity of the area concerned. Small areas of private and public open space will be retained where they are of recreational or amenity value.

Policy 61 (Environment and Conservation Policy)

15 Identifies an existing Tree Preservation Orders. There will be a presumption against developments likely to have an adverse impact on the trees.

Eastern Area Draft Plan 2005

16. As the Council's Enterprise and Infrastructure Committee, at their meeting on 30 January 2008, took the decision not to progress the draft plan to a finalised stage, limited weight should be attached to the contents of this document.

OTHER COUNCIL POLICIES

17 None applicable to this proposal.

SITE HISTORY

07/00566/FUL -

Erection of 14 holiday lodges and implementation of tree management survey

- 18 This application was withdrawn by the applicant prior to it being determined by the Council.

07/01768/FUL-

Erection of 10 holiday lodges and implementation of tree management survey

- 19 Following the withdrawal of 07/00566/FUL, detailed planning consent for this scheme was approved at the Development Control Committee on 13 December 2007 (07/01768/FUL), subject to conditions, one of which restricted the use of the lodges to holiday accommodation only.

CONSULTATIONS

- 20 **The Council's Conservation Section** has commented on the application, and despite having some concerns regarding the original submission, have confirmed that subsequent amendments are acceptable.

REPRESENTATIONS

- 21 One letter of representation has been received from the Blairgowrie & Rattray Community Council. The Community Council have raised concerns regarding the use of the lodges as private holiday accommodation (as opposed to accommodation tied to the Altamount House Hotel) and the potential impact that the lodges may have on the local wildlife in the area. These issues are addressed in the appraisal section of the report.

ADDITIONAL STATEMENTS:

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	Not required
Report on Impact or Potential Impact	None

APPRAISAL

Policy

- 22 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 23 In terms of the Development Plan, the principal policies are contained in the adopted Eastern Area Local Plan 1998. Although there are a number of general policies contained in the Local Plan relating to tourism and the protection of trees, as this application is only for the change of design of the lodges, the key Development Plan consideration of this application is ultimately whether or not the change in design of the lodges is acceptable in terms of the impact on the listed Altamount House Hotel (Policy 23 of the EALP & ERP 8 of the Structure Plan) and whether or not the residential and visual amenity of the area will be adversely affected by change of design (Policy 56 of the EALP). For reasons stated elsewhere in the report, I consider the proposal to be in accordance with the Development Plan, and therefore should be supported.

Extant Consent

- 24 The extant planning consent is a material consideration for this proposal. Although the changes proposed from the extant consent are relevantly minor in nature, they are nevertheless sufficiently material in planning terms to merit a fresh planning application. However, as the proposal is essentially for the change of lodge designs only, I do not consider it necessary to re-assess the land use merits of the lodges again.

Visual Impact

- 25 The site is located within a wooded setting and as such, the lodges will not be readily visible from public view points. Nevertheless, the designs of the lodges (after revisions) are entirely acceptable in their own right.

Residential Amenity

- 26 In terms of overlooking or overshadowing the principal area of conflict relates to lodges 6-10 which back onto existing residential properties. Despite the design changes and small re-siting of the lodges on these individual plots, it is my opinion that there will be limited direct impact on the existing neighbouring properties, providing that the existing trees and hedges along the site boundaries are retained. All trees and hedges along the southern boundary of the site which have not previously been approved to be removed shall be retained, unless otherwise agreed in writing by the Council as Planning Authority. I accept that a new window has been introduced into the rear elevation of lodge type C (lodges 6-10) at first floor level; however as this window serves a bathroom, it will be opaque glass to ensure no overlooking occurs. I therefore do not consider there to be any adverse impact on the residential amenity of the area.

Impact on the Historic Heritage

- 27 Detailed dialogue has taken place throughout the course of this application between the applicant and the Councils Conservation Section in respect of the potential impact on the listed Altamount House Hotel. The amendments which have been made fully addresses the initial concerns of the Conservation Section in relation to the potential impact on the setting of the Listed Building.

Impact on Trees

- 28 The applicant has not applied for any further tree removal over and above that approved under the extant 2007 consent. As the site is covered by a blanket Tree Preservation Order (L/PD/11(3)/017), consent will be required for the removal of any additional trees.

Impact on Red Squirrels / Bats

- 29 The presence of red squirrels and bats are known within the local area. However, as this application does not include the removal of additional trees, I do not consider it necessary for any additional ecological surveys to be carried out at this stage. As per good planning practice, each tree which is due to be removed shall be surveyed within 7 days of their removal, to ensure that no licences from Scottish Government are necessary.

Use of the Lodges

- 30 The use of the lodges was debated at some length during the consideration of the 2007 application, and it was the view of the Committee at the time that it would be unreasonable to restrict the use of the lodges to guests only associated with the Altamount Hotel. It was however considered entirely appropriate that a restrictive condition relating to holiday use in general be attached to the consent to ensure that the lodges were not used as mainstream residential properties. I have no reason to take a different approach and therefore recommend that the same occupancy condition is imposed on the current proposal.

LEGAL AGREEMENTS

- 31 There are no legal agreements required prior to the issuing of the consent.

DIRECTION BY SCOTTISH MINISTERS

- 32 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 REASON FOR RECOMMENDATION

- 33 This application does not raise any significant planning issues in terms of the Development Plan and there are no material reasons why this simple modification to the design of the approved lodges should not be approved.

RECOMMENDATION

A Approve application for the following reasons:

- 1 The development shall be begun within a period of three years from the date of this consent.
- 2 The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.
- 3 No tree(s) shall be removed, unless otherwise agreed in writing by the Council as Planning Authority.
- 4 The existing boundary hedge along the entire south boundary of the site shall not be lopped, felled or trimmed, unless otherwise agreed in writing by the Council as Planning Authority.
- 5 All trees which are to be retained must be adequately protected prior to the commencement of any works on site, and during the entire construction period, to the satisfaction of the Council as Planning Authority and in accordance with BS5837 'Trees in Relation to Construction.'
- 6 All the lodges have been approved as holiday accommodation only and shall not be occupied as the sole or main residence of any occupant, to the satisfaction of the Council as Planning Authority.
- 7 Prior to the commencement of any works on site precise details of the finished floor levels of all the lodges shall be submitted for the approval in writing by the Council as Planning Authority.
- 8 Prior to the commencement of any works on site precise details of the means of construction of the new access drive shall be submitted for the approval in writing by the Council as Planning Authority.
- 9 The existing tree belt adjacent to the access drive shall be maintained in perpetuity, to the satisfaction of the Council as Planning Authority.
- 10 Prior to the commencement of any works on site precise details of the boundary treatments between the lodges shall be submitted for the approval in writing by the Council as Planning Authority.
- 11 Prior to the commencement of any works on site all external finishing materials must be agreed in writing with the Council as Planning Authority.

- 12 Prior to the occupation of any of the units, turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear prior to the occupation of the first lodge and thereafter retained in perpetuity, all to the satisfaction of the Council as Planning Authority.
- 13 Prior to the commencement of any works on site a plan which indicates all the parking arrangements (a minimum of 1 No. car parking spaces per lodge) shall be submitted for the approval in writing by the Council as Planning Authority.
- 14 Development should not begin until a scheme to deal with the contamination on the site has been submitted to and approved in writing by the Council as Planning Authority. The scheme shall contain proposals to deal with the contamination to include:
 - i the nature, extent and type(s) of contamination on the site
 - ii measure to treat/remove contamination to ensure the site is fit for the use proposed.
 - iii measures to deal with contamination during construction works
 - iv condition of the site on completion of decontamination measures.

Before any holiday lodge is occupied the measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority.

- 15 Prior to the commencement of any works on site a detailed planting and landscaping scheme (including implementation timescales) shall be submitted for the approval in writing by the Council as Planning Authority. The scheme shall include replanting for those trees to be felled and a management and monitoring plan for all existing and proposed planting. The approved scheme shall be implemented in full within the agreed timescale and retained in perpetuity, all to the satisfaction of the Council as Planning Authority.
- 16 Within 7 days of any proposed tree removal, each tree that is due to be removed shall be surveyed for the presence of red squirrels and bats. The survey must be carried out by a suitably qualified person(s), and the recommendations contained in the subsequent report implemented in full. A copy of the survey / report shall be submitted to the Council as Planning Authority prior to any tree(s) being removed.
- 17 The window at first floor level on the rear elevation of lodge type C shall be opaque glass for perpetuity, to the satisfaction of the Council as Planning Authority.

Reasons:

- 1 In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning etc (Scotland) Act 2006.
- 2 To ensure that the development is carried out in accordance with the plans approved.

- 3 In the interest of visual amenity.
- 4 In the interest of residential amenity.
- 5 In the interest of proper site management
- 6 To prevent permanent residential use of the site.
- 7 In the interest of visual amenity.
- 8 In the interest of proper site management.
- 9 In the interest of visual amenity and to safeguard the setting of the listed building.
- 10 In the interest of proper site management.
- 11 In the interest of visual amenity.
- 12-13 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 14 In order to ensure that any potential contaminates within the site are dealt with in a satisfactory manner.
- 15-16 In the interest of proper site management.
- 17 In the interest of residential amenity.

B JUSTIFICATION

The proposal accords with the Development Plan and there are no material reasons to merit a refusal.

C INFORMATIVES

- 1 No work shall be commenced until an application for building warrant has been submitted and approved.
- 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 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.

- 4 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.
- 5 A licence from the Scottish Government will be required for any activity that has the potential to kill, injure, take or sell a Red Squirrel or Bat; to damage, destroy or obstruct access to their place of shelter; or to disturb a Red Squirrel or Bat while it is using such a place.

D PROCEDURAL NOTES

None applicable to this proposal.

Background Papers: One letter of representation.

Contact Officer: Andy Baxter, Ext 75339

Date: 19 August 2010

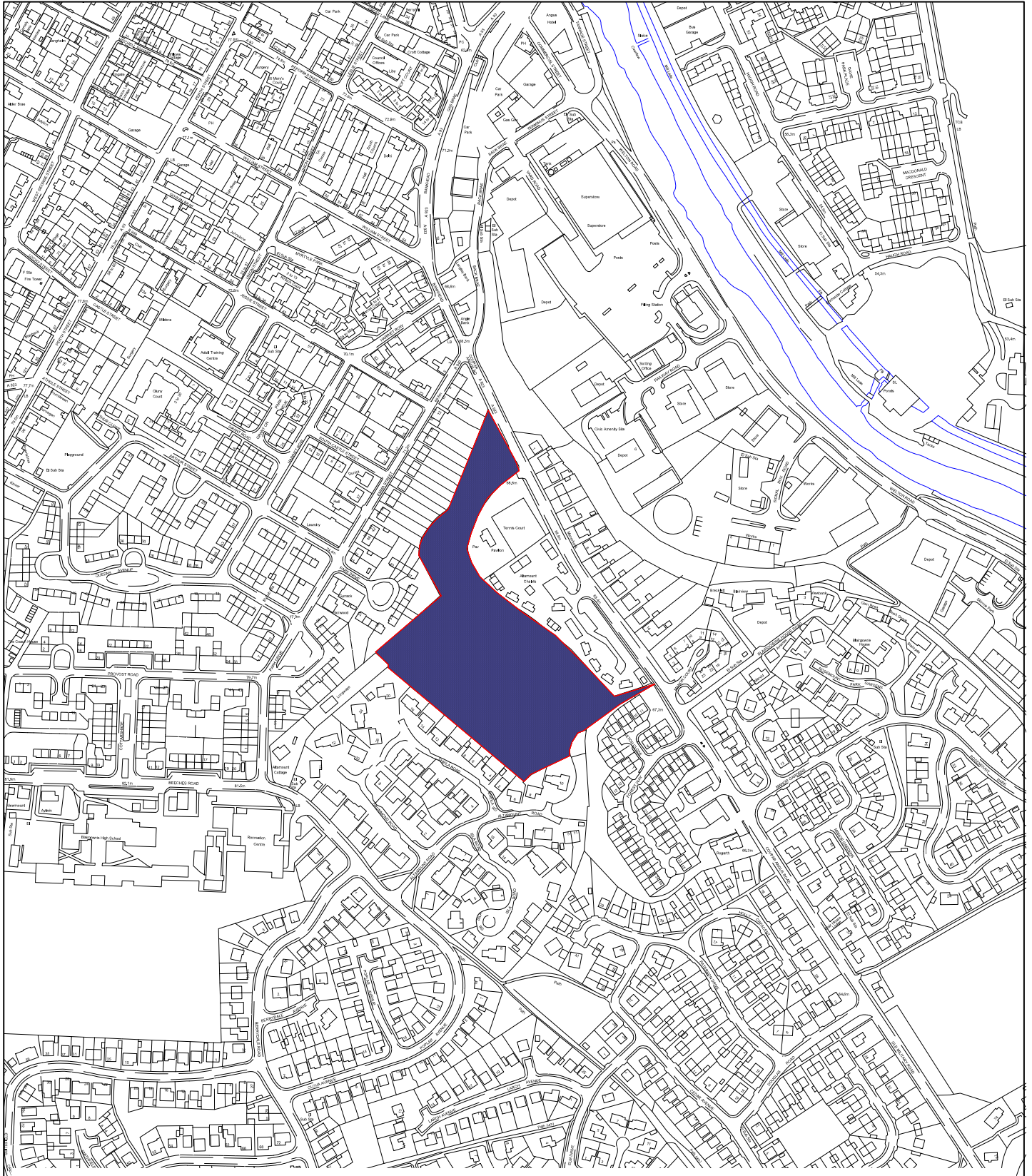
Nick Brian
Development Quality Manager

Perth & Kinross Council

10/00494/FLL

Altamont House Hotel, Coupar Angus Road, Blairgowrie

Change of lodge designs (modification of previous consent 07/01768/FUL)



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↑ Scale
1:5000

