

Perth and Kinross Council
Development Management Committee – 12 May 2015
Report of Handling by Development Quality Manager

Change of use of land and associated operations for the purpose of holding an annual music festival including permanent works relating to water supply and drainage, access and engineering works and temporary works relating to event site preparation and decommissioning at Strathallan Castle Estate, Strathallan, Auchterarder

Ref. No: 15/00081/FLM
Ward No: 7 - Strathallan

Summary

This report recommends approval of the application for a temporary period to allow for a single event (music festival) to take place in 2015, 2016 and 2017. This period is considered appropriate as it will allow for monitoring and review of all aspects of the event to be undertaken to inform future assessment of the event at Strathallan. Furthermore on the basis of the submitted information and review of all consultation responses and letters of representation it is considered that the development complies with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 The applicant hosted a large music festival, known as T in the Park at Balado near Kinross since 1997, and previously hosted the event in Glasgow from 1994. The last T in the Park at Balado was hosted in July 2014. There is a 'major hazard' pipeline which runs through the site at Balado. The music festival operated from Balado from 1997 utilising both the site at Balado Park Activity Centre and surrounding agricultural land under a series of planning consents and the rights afforded under the Town and Country Planning (General Permitted Development Order) (Scotland) Order 1992.
- 2 In terms of its scale and the amount of land utilised, the music festival has grown over time. The event is now held over 4 days and incorporates a significant proportion of camping and car parking.
- 3 Members will also note that planning consent (12/00078/FLM) for a 371ha site at Balado was granted in 2012 for the temporary change of use of the site for the purposes of holding a music festival once in 2012 and once in 2013. A further temporary consent was then granted in 2014 to host the event once in July of that year (13/02107/FLM).
- 4 The Health and Safety Executive identified in their consultation responses to the above applications the potential effects of a pipeline failure at Balado and that the hosting of the event raised safety issues of substantial concern and continued to advise the Council against the development. Consent was therefore granted for the temporary hosting of the event in 2014 to facilitate the relocation of the event on the understanding that an alternative site would be

identified. This application is a result of that search for an alternative site, which will be considered in more detail within the appraisal section below.

- 5 The application site covers an area of 325 hectares and sits approximately 3km to the north of Auchterarder. The A9 trunk road sits 4km to the south and the A85 trunk road sits 8km to the north. The application site is sandwiched between Tullibardine to the south and the River Earn to the north.
- 6 The site is predominantly farm land with a rolling topography. There are small areas of woodland within the site boundary together with larger areas of woodland immediately adjacent to the application site boundaries. Strathallan Airfield and associated buildings occupy part of the north area of the site. Strathallan Castle and farm buildings sit adjacent to the western boundary of the application site but occupy a relatively central position on the overall site. There are numerous residential properties within the application site.
- 7 There are two main watercourses which flow west to east, the Machany Water and its tributary and the smaller Prestney Burn both of which flow into the River Earn. There are other smaller watercourses located on the site, the Buchanry Burn and the Sawmill Burn which flow from undulating land to the south.

PROPOSAL

- 8 Since 1997, the T in the Park music festival has become an annual fixture at Balado, has more than doubled in population size and area, and increased from a 2 day to a 3 day festival, with camping entertainment in addition, with a shift to a more resident based event than a day visit destination. The festival attracted an audience population to Balado of 85,000+ with 7,500 staff. In the weeks either side of the event itself activity levels at Balado Park involved commissioning and de-commissioning works (site assembly, service installation, stage construction/de-construction, litter picking etc.). The event now has an international profile with full media exposure; has assumed cultural significance over time as a Scottish festival and has run continuously for over 15 years.
- 9 The proposed event at Strathallan would be open to the public over a period of five days, beginning at 1100hrs on Thursday with the arrival of campers and ending on Monday. The event site is proposed to be closed to the public at 1600hrs on the Monday.
- 10 The proposed hours of operation of the main event area are as follows:

Friday 1200hrs - 2400hrs
Saturday 1130hrs - 2400hrs
Sunday 1130hrs - 2300hrs
- 11 Campsite entertainment is proposed to continue to 2400hrs on Thursday and 0200hrs on Friday, Saturday and Sunday.

12 An indicative site layout has been provided with the submission and it is proposed to comprise:

- Event arena
- Production Area
- Visitor parking
- Transport Hubs
- Staff parking
- Camping and campervan area

Event Arena

13 This area is proposed to include temporary stages, tents, buildings, structures and a fun fair and is to be located to the south east of the castle. The proposed production area is to the north west of the event area and would include temporary accommodation for staff and performers.

Buses and Parking

14 Visitor parking is proposed to be divided into two areas for weekend visitors and day visitors. Staff parking would be located adjacent to the castle. There are also proposed to be dedicated pick up and drop off areas (PUDO) for public and private transport. Buses for campers and day travellers are proposed to operate from separate transport hubs.

Camping

15 The proposed campsites are to be located in the north and north west sides of the application site.

16 The proposal also includes a series of engineering operations and installation of infrastructure associated with the event.

Temporary Fences

17 Temporary fences are proposed around the entire site to control people movement, provide security and also to limit access to woodland areas and watercourses to protect wildlife.

Access Tracks

18 Vehicles and pedestrians on the site would utilise temporary trackway, new permanent private access tracks and upgraded existing private access tracks.

Field Entrances

19 Five existing field entrances are proposed to be widened to provide access from roads into the application site. Four new field entrances are also proposed to access parking and PUDO zones.

Earthworks and Borrow Pits

- 20 Earthworks are proposed to reprofile gradients for new private access tracks and temporary bridges. Material from these works and from two borrow pits is proposed to be used to surface new tracks.

Bridges

- 21 Temporary removable bridges are proposed to cross watercourses which will involve permanent footings with removable bridge decks.

Water Storage Tanks and Pipework

- 22 Permanent water storage tanks are proposed adjacent to existing buildings at the airfield. These are proposed to be connected to a series of proposed underground pipes with a gravity fed system supplying water to temporary stand pipes for the event. The pipes are proposed to be buried in shallow ditches and over footbridges.

Trees

- 23 A small number of trees are proposed to be felled to accommodate the event.

Commissioning and Decommissioning

- 24 The ES indicates that the commissioning of the event will commence four weeks before the event opens to the public. Removal of all temporary elements would be completed two weeks after the close of the event. Staff camping and car parking is proposed to come into operation two weeks before the event opens.
- 25 The installation of permanent infrastructure and engineering works is proposed to commence upon the granting of planning consent.

ENVIRONMENTAL IMPACT ASSESSMENT

- 26 Directive 2011/92/EU requires the 'competent authority' (in this case Perth and Kinross Council) when giving a planning consent for particular large scale projects to do so in the knowledge of any likely significant effects on the environment. The Directive therefore sets out a procedure that must be followed for certain types of project before 'development consent' can be given.
- 27 The procedure, known as Environmental Impact Assessment (EIA), is a means of drawing together, in a systematic way, an assessment of a project's likely significant environmental effects. This helps to ensure that the importance of the predicted effects, and the scope for reducing any adverse effects, are properly understood by the public and the relevant competent authority, before it makes its decision.

28 A scoping exercise was carried out by the Planning Authority on the 12 December 2014 (14/01959/SCOP). The response indicates the environmental issues likely to be raised by the proposal. At that time key environmental concerns identified through that scoping opinion were:-

- Site Selection
- Traffic and Transport
- Noise
- Ecology
- Ornithology
- Soils and Water
- Archaeology and Cultural Heritage
- Socio-Economic Impacts

PRE-APPLICATION CONSULTATION

29 Under the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009 this proposal is defined as a major application due to the site falling under category 9 of the Major Developments Schedule with the site being over 2 hectares in area. This means there is a statutory requirement imposed on the applicant to undertake pre-application consultation with the local community.

30 Pre-application consultation was agreed under Proposal of Application Notice 14/00010/PAN with two public consultation events being undertaken in November 2014.

31 The following Community Councils were also sent copies of the Proposal of Application Notice.

- Braco and Greenloaning
- Comrie and District
- Muthill and Tullibardine
- East Strathearn
- Blackford
- Dunning
- Earn
- Milnathort
- Kinross
- Methven
- Fossoway
- Cleish and Blairadam
- Auchterarder and District
- Crieff Community Council

FURTHER CONSULTATION

32 The Planning Authority has confirmed that further consultation was required and that the relevant Ward Councillors (Cllrs Brock, Cowan, Younger, Gaunt,

Gray and Lyle) for the area were sent copies of the Proposal of Application Notice.

33 It was also clarified that the invitation to the public event should include:-

- Auchterarder Community Partnership
- Community School of Auchterarder
- Auchterarder Network
- Muthill Action Group
- Muthill Parish Church
- Muthill Village Hall Committee
- Crieff Community Trust
- Muthill Golf Club
- Crieff and Strathearn Tourist Association
- Probus, Friends of St Margarets
- Auchterarder Golf Club
- Rural Institute
- Auchterarder Co-operative

34 The applicant also consulted and invited local residents to the events by using a postal drop service which targeted approximately 8000 properties. This leaflet provided a location plan of the proposed site, together with a brief introduction of the proposal and details of the two community consultation events in Crieff and Auchterarder.

35 The applicant has also provided a website which supplies details and information regarding the proposal and has set up an email address where members of the public are able to submit queries regarding the proposal to the applicant.

36 The level of consultation carried out met the minimum standards required and carried out further activity beyond this.

POLICY

National Policy and Guidance

National Planning Framework 3: A Plan for Scotland: Ambition, Opportunity, Place

37 The NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. Under the Planning etc. (Scotland) Act 2006 this is now a statutory document and material consideration in any planning application. The document provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

The Scottish Planning Policy 2014

- 38 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.

- 39 Of relevance to this application is/are,

A Successful Sustainable Place

- Paragraphs 74 - 83 Promoting Rural Development
- Paragraphs 92 – 108 Supporting Business & Employment
- Paragraphs 135 – 151 Valuing the Historic Environment

A Low Carbon Place

- Paragraphs 152 - 174 Delivering Heat & Electricity
- Paragraphs 175 – 192 Planning for Zero Waste

A Natural, Resilient Place

- Paragraphs 193 – 218 Valuing the Natural Environment
- Paragraphs 219 – 233 Maximising the Benefits of Green Infrastructure
- Paragraphs 254 – 268 Managing Flood Risk & Drainage

A Connected Place

- Paragraphs 269 – 291 Promoting Sustainable Transport & Active Travel
- Paragraphs 292 – 300 Supporting Digital Connectivity

- 40 **Scottish Government Planning Advice Notes (PAN)**

The following are also of relevance:-

- PAN 1/2011 Planning and Noise
- PAN 2/2011 Planning and Archaeology
- PAN 1/2013 Environmental Impact Assessment
- PAN 40 Development Management
- PAN 60 Planning for Natural Heritage
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 63 Waste Management Planning
- PAN 65 Open Space

- PAN 66 Best Practice in Handling Planning Applications Affecting Trunk Roads
- PAN 68 Design Statements
- PAN 69 Planning and Building Standards Advice on Flooding
- PAN 73 Rural Diversification
- PAN 75 Planning for Transport
- PAN 77 Designing Safer Places
- PAN 79 Water and Drainage

DEVELOPMENT PLAN

- 41 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 – 2032 - Approved June 2012

- 42 The overall vision of the Tay Plan 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.”*
- 43 The principal relevant policies are, in summary:

Policy 1: Location Priorities

- 44 Focuses the majority of development in the region’s principal settlements and prioritises land release for all principal settlements using the sequential approach in this Policy; and prioritise within each category, as appropriate, the reuse of previously developed land and buildings.

Policy 2: Shaping Better Quality Places

- 45 Seeks to ensure that climate change resilience is built into the natural and built environment, integrate new development with existing community infrastructure, ensure the integration of transport and land uses, ensure that waste management solutions are incorporated into development and ensure that high resource efficiency and low/zero carbon energy generation technologies are incorporated with development to reduce carbon emissions and energy consumption.

Policy 3: Managing TAYplan’s Assets

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

Perth and Kinross Local Development Plan 2014 (PKLDP)

47 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.

48 The principal relevant policies are, in summary:

Policy ED3 - Rural Business and Diversification

49 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

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

Policy PM1B - Placemaking

51 All proposals should meet all eight of the placemaking criteria.

Policy PM3 - Infrastructure Contributions

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

Policy TA1B - Transport Standards and Accessibility Requirements

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

Policy CF1B - Open Space Retention and Provision

54 Appropriate areas of informal and formal open space should be provided as an integral part of any new development where existing provision is not adequate.

Where there is an adequate supply of open space a financial contribution towards improved open space may be acceptable. Opportunities should be to create, improve and avoid the fragmentation of green networks.

Policy CF2 - Public Access

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

Policy HE1A - Scheduled Monuments and Non Designated Archaeology

- 56 There is a presumption against development which would have an adverse effect on the integrity of a Scheduled Monument and its setting, unless there are exceptional circumstances.

Policy HE1B - Scheduled Monuments and Non Designated Areas

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

Policy HE2 - Listed Buildings

- 58 There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.

Policy EP2 - New Development and Flooding

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

Policy EP3B - Water, Environment and Drainage

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

Policy EP3C - Water, Environment and Drainage

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

Policy EP8 - Noise Pollution

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

Policy EP15 - Development within the River Tay Catchment Area

- 63 Nature conservation in the River Tay Catchment Area will be protected and enhanced. To ensure that there are no adverse effects on the River Tay SAC. The supplementary planning guidance 'River Tay Special Area of Conservation' is referenced.

Policy NE1 - Environment and Conservation Policies

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

Policy NE2A - Forestry, Woodland and Trees

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

Policy NE2B - Forestry, Woodland and Trees

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

Policy NE3 - Biodiversity

- 67 All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced. Planning permission will not be granted for development likely to have an adverse effect on protected species.

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

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

OTHER POLICIES

Tayside Landscape Character Assessment

PLANNING HISTORY OF EVENT

- 69 The planning application for Balado Park (09/01289/FLM) sought to make permanent activities which had been carried on from the site under a temporary consent since 1998, and also intensify activities at the site. Amongst those activities was the use of the land in connection with the T in the Park music festival. Through its planning consultation role the Health and Safety Executive (HSE) registered concern about the suitability of this use so close to a major hazard pipeline.
- 70 The 2009 application highlighted, in public safety terms, the incompatibility of that site for a large scale music festival. HSE advised against the issue of a permanent, intensified, planning approval.
- 71 Notwithstanding that HSE advice, this Council resolved to approve the application and as a consequence the recommendation was referred to Scottish Government for clearance. In response Scottish Government directed that an approval be granted subject to conditions, one of was that it should not continue after 2011.
- 72 Since the issue of that planning permission the festival organiser has explored with HSE and Perth & Kinross Council practical measures which might have the effect of reducing and removing risks associated with the pipeline. The planning approved in 2012 (12/00078/FLM) arose out of that process and responded to many of the concerns of HSE. Those changes were also embraced by a further temporary permission which was granted under reference 13/02107/FLM to allow the music festival to be held at Balado in 2014. The current application has come about following the applicant's search for an alternative site given the restrictions apparent at Balado.

PLANNING HISTORY OF SITE

- 73 Whilst there have been numerous applications in relation to this site none are of a significant scale and have any bearing on the assessment of this proposal.

CONSULTATIONS

- 74 For ease of reference the consultation responses received in relation to both the Planning Application and the Environmental Statement are amalgamated below.
- 75 Two periods of consultation were carried out, one upon receipt of the original application and ES and a second, commencing on 27 March 2015 following receipt of an addendum to the ES following a request for additional information from the Planning Authority. The information outlined below indicates the

responses received during the first and second consultation periods where applicable.

External

Scottish Government

- 76 Under the Environmental Impact Assessment (Scotland) Regulations 2011 the Scottish Government are a statutory consultee to any submitted EIA. The comments detailed below are summary responses to either the content of the Environmental Statement and the appropriateness or otherwise of the submitted development proposal.

Transport Scotland (Scottish Government)

- 77 No objection – conditions recommended requesting finalised Traffic Management Plan and Transport Communications Management Plan.

Supplementary Environmental Information comments (SEI):-

- 78 Transport Scotland indicate that discussions regarding the TMP are ongoing with Transport Scotland. They are satisfied that the traffic generated by the build and deconstruction phases will have a negligible impact on the trunk road network so the focus should be on the operational phase. Satisfied that noise associated with increase in traffic will not be significant in relation to the trunk road. Retain the view that a Transport Management and Transport Communications Plans should be requested by condition whilst allowing Transport Scotland to be involved in the agreement of these documents.

Historic Scotland (Scottish Government)

- 79 Comments provided regarding three scheduled ancient monuments located within the development site. Content with the findings of the ES but consider impact of proposals on Scheduled Monuments to be neutral. Satisfied with mitigation and these can be addressed through scheduled monument consent process.

Supplementary Environmental Information comments (SEI):-

- 80 No further comments. Reiterates that discussions regarding SM consent process is ongoing.

Scottish Environment Protection Agency (SEPA)

Flood Risk

- 81 Initially objected to application on grounds of lack of information regarding campsites being located within 1:200 year flood plain, cross sections on Prestney Burn, detailed drawings of permanent crossings, clarification on type of weir to be used.

- 82 Following additional information in the form of email from applicant's agent objection regarding flood risk has been removed subject to a condition which ensures all camping areas are removed from 1 in 200 year flood areas. SEPA also advise on other regulatory requirements and that PKC should undertake their role as flood prevention authority.

Groundwater Environment and Ecology

- 83 Herras fencing to protect wetland is considered appropriate and should be secured through condition.
- 84 Control of non-native species outlined in section 9.120 of the ES is welcomed.

Private Water Supplies (PWS)

- 85 At scoping stage details of all private water supplies (PWS) were requested, however, no indication of the location of springs has been provided. Full details of location and abstraction is required. Objection regarding impact on PWS was provided in response dated 4 February. Further discussion and information was provided in an email from agent dated 11 February.
- 86 This information includes details of the sources of the Strathallan Castle Supply, the Tullibardine Spring and Bernie Farm Borehole. SEPA is satisfied that the proposal will not impact on these PWS sources as the Strathallan Spring is located upgradient from the site, the Tullibardine Spring is over a kilometre to the south of the site and the Bernie Farm borehole is located to the east of the site where a 50m buffer is proposed and a cut off drain will be installed to direct any water draining from the site away from the borehole. It also states that this proposal has been agreed with the owner of the supply (this has been disputed and will be referred to in the appraisal section below).

Supplementary Environmental Information comments (SEI):-

- 87 Considered sources of PWS and not objected.

Pollution Prevention and Environmental Licensing

- 88 Construction and Environmental Management Plan required which should include Construction Management Plan (CMP) and a Site Waste Management Plan. This document should make reference to SEPA's pollution prevention guidelines. Ecological Clerk of Works (ECoW) recommended. CEMP should also address waste water treatment and disposal, pollution incident responses and wet weather contingency. Detailed recommendations are provided in regard to content of CEMP.
- 89 Condition recommended to ensure
- all waste water is collected and taken off site for disposal.
 - ensure protection of watercourses and use of buffer strips.

- SUDS should be provided and be in accordance with SUDS Manual which should be covered by condition.
- all waste is removed from site in 14 days following event.

Supplementary Environmental Information comments (SEI):-

90 Satisfied with information provided subject to conditions.

Scottish Natural Heritage (SNH)

- 91 Agree with conclusions of ES that impacts on ecology will be of local significance but that there are several protected species which are potentially at risk from disturbance. Proposals for mitigation which have been outlined partly in ES and partly through further correspondence should be aggregated into coherent protection plans for each relevant species.
- 92 Mitigation measures in regard to bats and red squirrels are not yet complete and require further refinement.

Osprey

- 93 Accepts proposal to relocate osprey nest and agree intervening topography and woodland should provide additional protection from noise and disturbance. Remains a risk that ospreys will not use new nest site and also remains a risk that disturbance could still occur at new nest site. Recommend any planning consent is granted subject to a condition requiring implementation of osprey management plan. Adequate monitoring should also identify proposals for alternative action if, for any reason, the plan is unsuccessful in preventing disturbance in practise.

Otter

- 94 Licence would likely be required. Mitigation is outlined in ES but augmented by various email correspondence which should be collated into coherent protection plan. Monitoring of holt should be carried out without delay. Further survey work is required to inform contemporary otter use and to allow additional mitigation if required and reduce risk of inadvertent disturbance. Alternative holt could be provided away from main disturbance area.

Bats

- 95 Lack of distinction between breeding and non-breeding roosts in ES and further correspondence. Licence for disturbance could not be issued on basis of information submitted to date. Follow up survey work is required and status of any roosts identified should be ascertained. Upon receipt of this information SNH can provide further advice.

Red Squirrels

- 96 Further survey work required and collated detailed squirrel protection plan provided.
- 97 Overall, the Planning Authority needs to be confident that the applicants can meet species licensing requirements before issuing planning consent so that there can be certainty that the event can proceed without risk of an offence against protected species.

Supplementary Environmental Information comments (SEI):-

- 98 Further detail provided regarding species protection plans which can be addressed through conditions and additional correspondence also provided regarding proposed osprey mitigation which is detailed within appraisal section.

RSPB

Bird Species

- 99 No objection but disappointed with lack of compensation or enhancement as a result of removal of breeding habitat for birds (not including osprey). Off-site habitat replacement should be considered. Disappointment that sufficient information has only been supplied at the last minute. Much of advice relates to activities and surveys that will need to take place prior to determination of the planning application due to timing of the bird breeding season.

Osprey

- 100 Osprey nest located on edge of proposed event area. Details protection afforded to osprey under Wildlife and Countryside Act 1981 (as updated in 2004). Notes that proposal is now to remove current nest, lop the top of this tree to make unsuitable for nesting and erect a new nest a further 300m away prior to return of ospreys. Ornithologist advising a new nest location and has extensive experience in moving osprey pairs to new nest sites and is confident of success.
- 101 New nest site is still within 750m of main stage but is at top end of advised disturbance distance and that intervening topography and woodland may provide additional protection. No heavy traffic is proposed to use access close by. Site should be closely monitored and this should be secured through condition. Disturbance may still occur due to unique nature of event.
- 102 There is a chance that bird may reject new nest site and choose a tree closer to disturbing activities. If this occurs an infringement of their legal protection may still occur. Welcome daily surveys from 15 March onwards.
- 103 It is not clear from information provided what action the applicant or consultants will take if nest building begins in another tree.

Kingfisher

- 104 Nesting areas to be made inaccessible by placing rubber matting on exposed banks. Measures are compliant with EIA guidance and provided they are carried out prior to bird breeding season no offence will occur. Artificial nesting banks should be created to compensate for loss of habitat and secured through condition.

Barn Owl

- 105 Birds nesting in buildings may be disturbed. Buildings should be checked from February onwards and secured through planning condition.

Red Kite

- 106 No detail within ES regarding survey methods or disturbance distances for this species. Disturbance distances can be secured through planning condition and determined by Ecological Clerk of Works (ECoW).

Ground Nesting Birds

- 107 Proposal will result in permanent loss of habitat through mowing of grass leading up to event. Alternative nesting habitat should be provided to compensate through retention of some areas of rough grass and off site enhancement to replace lost habitat. Should be secured through planning condition. Fields should be checked prior to mowing to establish if any ground nesting birds exist.

Supplementary Environmental Information comments (SEI):-

- 108 Object on grounds of potential impact on osprey unless conditions recommended are applied.

Forestry Commission Scotland (FCS)

- 109 Acknowledges proposed felling and expects to see compensatory planting provided to make up for loss.

Supplementary Environmental Information comments (SEI):-

- 110 No additional impact on forestry. Advise that they expect to receive a draft forest plan in the near future that will seek approval for forest operations at Strathallan Estate, including track construction and that PKC will be consulted on this.

Scottish Wildlife Trust

- 111 Objection due to impact on nesting ospreys and lack of information submitted.

Supplementary Environmental Information comments (SEI):-

112 No further comments.

Police Scotland

113 Insufficient information on traffic management to form definitive view on overall suitability of roads surrounding the event in terms of capacity. Delivery of detailed TMP should mitigate this risk. Police Scotland will engage with applicant to determine adequate levels of policing for the event. Adequate communications and logistical infrastructure also required. Requirement to manage potential disruption to local community.

Supplementary Environmental Information comments (SEI):-

114 Progress on preparation of a traffic management plan is positive in addressing above issues. Need for continued refinement of plan to ensure robust plan is developed to maintain traffic flow.

115 Effective arrangements for public safety require to be put in place on assumption that the land allocated for the purpose of camping is sufficient size to safely accommodate the projected crowd.

116 Advises on legislative requirement in relation to ornithology.

117 Remain committed to working with all parties to ensure interests are understood and addressed through planning (if granted) and the licensing process.

Tay District Salmon Fisheries Board

118 No response within statutory period.

Health and Safety Executive

119 Weekend parking area lies within consultation zone of 10 Feeder Kirriemuir/Braco major accident hazard pipeline. HSE does not advise against this subject to conditions controlling the use of this area.

Supplementary Environmental Information comments (SEI):-

120 No comments to make and stand by advice previously provided.

Stirling Council

121 No response within statutory period.

Clackmannanshire Council

122 No response within statutory period.

Loch Lomond and Trossachs National Park Authority

123 No response within statutory period.

National Grid Plant Protection Team

124 No objection.

Network Rail

125 No response within statutory period.

Braco and Greenloaning Community Council

126 Concerns regarding traffic impact and associated impact on local community, lack of transparency in process, potential for antisocial behaviour, litter. Recommends numbers of attendees should be limited and a park and ride system is used.

Crieff Community Council

127 Concerns regarding traffic impact and lack of detailed TMP. Impact on structure of listed Kinkell Bridge, pedestrian access/impact and safety. Not a formal objection but raising awareness of difficulties which they consider are appropriate.

East Strathearn Community Council

128 Seek appropriate conditions to mitigate against impact on local community. Issues including noise, satellite campsites and access raised. Welcome economic benefits of event. Raise concerns regarding access, pollution, ecology, site selection.

Supplementary Environmental Information comments (SEI):-

129 Identify concerns regarding specific access routes and junctions within their community council area.

Methven and District Community Council

130 Objection on lack of information, contrary to policy, damaging to local population and other commercial interests, concerns regarding access arrangements, flooding and ornithology.

Supplementary Environmental Information comments (SEI):-

131 Maintains objection and concerns regarding access through their CC area.

Muthill and Tullibardine Community Council

- 132 Objects to application but if consent is granted it should be for period of 1 year only. Concerns expressed regarding traffic impact, wildlife, site selection, lack of detail in submission.

Supplementary Environmental Information comments (SEI):-

- 133 Objection withdrawn and now neutral position.

Auchterarder and District Community Council

- 134 Neutral position. Any approval should include conditions allowing for continued public engagement specifically regarding traffic management, impact on local people and potential nuisance factors.

Internal

Environmental Health (Noise)

- 135 As part of the noise impact assessment music noise levels from the entertainment have been assessed in line with Perth and Kinross Council's requirements for outdoor concerts which are based on the long standing Noise Council's Code of Practice for Outdoor Concerts. Predicted levels at the worst affected noise sensitive receptor were predicted to be Laeq 15mins 62dB compared to a maximum acceptable level of 65dBA. The night time levels, cumulatively speaking were predicted to be 49dBA compared to a maximum acceptable level of 45dBA which causes some concern, however, it should be noted that the predicted levels in the NIA will be subject to a large change depending on the meteorological conditions and will be subject to further mitigation. Due to this, officers from the Environmental Health Team do ad hoc noise checks during the event and respond to complaints arising from music noise and based on the levels measured, and would expect remedial action to be taken. To avoid duplication of regulatory controls, noise levels arising from music are controlled/conditioned through licensing of the event by the Licensing Committee of Perth and Kinross Council and as such will not be conditioned in this planning consent.
- 136 It is expected that at times there will be noise associated with the site preparation, build and break activities including traffic movement in relation to this activity, however, given that this is a temporary operation it is believed that noise levels can be controlled through times of operation.
- 137 Noise assessment in ES requires to be undertaken again on the basis of windows being open.
- 138 Overall, EH are confident that a reasonable level of amenity can be maintained subject to licensing conditions regarding noise being adhered to.

- 139 Further comments have also been provided addressing specific issues raised through letters of representation which will be addressed within the appraisal section below.

Supplementary Environmental Information comments (SEI):-

- 140 EH reiterate their previous comments that the impacts predicted at nearby receptors are acceptable given the temporary nature of the event. Therefore as long as the conditions of their previous memo are met, they have no objections to this proposal.

Environmental Health (Private Water Supplies)

- 141 The development is for a temporary event in a rural area with private water supplies (including the Strathallan Castle and Tullibardine Spring supplies) known to serve properties in the vicinity. To maintain water quality and supply in the interests of residential amenity and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance a condition has been recommended.

Supplementary Environmental Information comments (SEI):-

- 142 No objection subject to conditions.

Transport Planning

- 143 Concerns expressed regarding content of ES and conclusions reached regarding impact of event on traffic and transport issues. Further information and clarification sought.

Supplementary Environmental Information comments (SEI):-

- 144 In addition to the written statements the applicant has employed a specialist consultant who has produced an industry standard PARAMICS traffic flow model. This model provides fuller appreciation and understanding of all the traffic impact this event will have, including junction analysis, over a full day using the worst case Friday scenario. This model uses all the available traffic information, and clearly indicates that, as anticipated for such a major event, there will be traffic congestion and some delays to traffic entering the event.
- 145 A key aspect is how the knowledge and experience gained from Balado can be transferred to this new site and how it will impact on the local and trunk road network effectively. It is clear that traffic congestion and disruption is anticipated. However, effective mitigation methods are detailed and Transport Planning have confidence in the co-ordinated and multi-agency management of this.

Countryside Access Officer

- 146 No objection.

Flood Prevention

- 147 No objection subject to conditions to ensure all watercourses are cleared of impediments both during and on completion of event, to ensure buffer zones are provided around watercourses, SUDS is utilised, all camp sites are outwith 1:200 year flood risk areas and that the detailed design of two culverts are agreed prior to installation.

Supplementary Environmental Information comments (SEI):-

- 148 No objection as clarification provided. Conditions recommended.

Perth and Kinross Heritage Trust

- 149 Scheduled monuments and non-scheduled archaeological sites have been taken account of in ES. Archaeological monitoring will take place during formation of access tracks, creation of temporary borrow pits and excavation of drainage ditches. Generally accept content of draft Written Scheme of Investigation. In line with SPP, condition is recommended to ensure WSI is prepared to ensure programme of archaeological works is fully implemented.

Bio Diversity Officer

- 150 Echo comments made by SNH and RSPB in regard to protected species. Raises concern regarding assessment, surveys and mitigation proposed. Various conditions recommended.

Supplementary Environmental Information comments (SEI):-

- 151 Identifies concerns with potential impact on various protected species and recommends conditions in order to ensure protection of species.

Conservation Officer

- 152 Satisfied with extent of information in ES regarding listed buildings and notes that structural review of listed bridges has been undertaken. Mitigation in the form of regular survey and remediation is recommended which is appropriate. Development is considered acceptable in terms of stated physical impact and mitigation in relation to the impact to the listed bridges on and near the site. Due to the temporary and reversible nature of the change of use of the site, the impact on the setting of listed buildings is considered acceptable. It is hoped that investment in the site will ensure the sensitive, long-term maintenance and management of its historic assets.

Supplementary Environmental Information comments (SEI):-

- 153 No further comments to make.

Strategic Planning and Policy

154 Lists relevant policy considerations.

REPRESENTATIONS

155 During the first public advertisement period a total of 526 letters of representation were received, 275 of which object to the application, 241 in support and 10 neutral. The letters of objection included letters from Braco and Greenloaning Community Council, Muthill and Tullibardine Community Council, Methven and District Community Council and East Strathearn Community Council.

156 The Auchterarder and District Community Council have stated a neutral position.

157 Following receipt of an addendum to the Environmental Statement a second period of public consultation commenced on 27 March where a further 1351 letters of objection and 552 letters of support were received. A further 4 neutral comments were received. A petition with 1922 signatures all of whom support the application has also been received.

158 The letters of objection to the second period include letters from East Strathearn Community Council and Methven and District Community Council.

159 Muthill and Tullibardine Community Council have now stated a neutral position.

160 Therefore in total 1626 letters of objection have been received and 793 letters of support have been received. 14 neutral comments have been received. This equates to a total of 2433 letters of representation. A petition with 1922 signatures has been received all of whom support the application.

161 Within the letters of objection the following issues are raised:

Objections

162 Amenity

- Noise – impact on various receptors both residential and commercial
- Public Nuisance (potential for satellite campsites)
- Noise from music
- Inadequate assessment of noise (music, build, traffic, temporary power supplies, car parks, waste transfer station (assessment should be made with windows open)
- Lack of assessment of cumulative noise impact
- Night time noise impact for deliveries (condition no night time deliveries)
- Noise from people/additional vehicles
- Need for buffer zones around properties within red line boundary
- Light pollution

- Disruption during event and pre and post event – needs linked to TMP
- Size and appearance of security fencing
- How long will steel security fencing remain in place
- Impact on commercial aviary and kennels

163 Community Engagement

- Didn't answer all concerns raised
- Lack of information
- Lack of appropriate members of staff available for discussions

164 Crime

- Disorderly/antisocial behaviour/disturbance
- Alcohol and drug related issues

165 Cultural Heritage

- Detrimental impact on listed bridges around site
- Impact on setting of listed buildings
- Impact on archaeological interests
- Impact on Scheduled Ancient Monuments

166 Ecology

- Impact on red squirrels, otter, badger, pine martens, bats, hedgehogs, hare and other species
- Loss of habitat
- Flora and fauna
- Impact on fisheries
- Impact on water quality of watercourses
- Timing of surveys and lack of proper surveys in relation to this year's proposed event
- Impact on invertebrates
- Impact on woodland/trees
- Pollution to watercourses

167 Flooding/Drainage

- Inability of site to drain
- Flooding of event site due to heavy rainfall
- Safety and flood evacuation
- Pollution of watercourses both from set up and during event
- Impact of event on foul drainage systems

168 Health and Safety

- Ability of site to safely accommodate proposed numbers of people and vehicles
- Need to restrict number of attendees?

169 Lack of Economic Benefit

- People who attend event only spend money within event rather in local area
- Drop in trade in local shops due to event/traffic restrictions etc.
- Minimal benefit to local economy due to remoteness of site
- No local employment at site
- Impact on local tourism

170 Noise

- Noise disturbance from music
- Noise disturbance from traffic
- Noise disturbance from commissioning and decommissioning
- Lack of reference to other noise sensitive receptors outwith those identified in ES
- Impact of temporary holding facility (remote from site) in terms of noise impact and why it is not included in noise assessment
- Noise Management Plan only in draft form and requires to be finalised and submitted as part of application
- Need for cumulative assessment of noise impact in relation to all aspects of the proposal

171 Other

- Lack of transparency in process
- Re-advertisement and additional information required
- If consent is granted it should be for 1 year only
- Impact of satellite/unofficial campsites
- Cumulative impact of event over years
- Errors in submission (sec 7.67 of ES)
- Lack of planning and rush in application process
- Lack of independence by Council in process
- Impact on telecommunications infrastructure – broadband etc.
- Lack of access to public access website
- Contrary to Local Development Plan and Tayplan and International, European, National and Local Law
- Contrary to EIA Regs
- Presence of asbestos close to site
- Impact on human rights
- Lack of community benefit
- Impact on other local events

- Works taking place on site and associated impact on access
- Need for 3rd public consultation period regarding osprey
- Rights of access to estate

172 Ornithology

- Detrimental impact on protected osprey
- Proposed osprey nest removal is in an area outwith ownership of applicant
- Detrimental impact on kingfisher, oystercatcher, skylarks, pheasants, barn owls, tawny owls and other protected bird species
- Impact on ground nesting birds from mowing
- Disturbance to nesting ospreys has occurred

173 Private Water Supplies (PWS)

- Detrimental impact on private water supplies/lack of reference to specific properties within ES
- Human effluent and impact on private water supplies
- Lack of reference to shallow aquifer used to supply potable water to Castle and 22 other properties
- Potential for water supplies to be contaminated through urine onto open ground above aquifer and water courses
- Need for plan showing network of pipes through site serving PWS
- Missing Appendix E of Preliminary Risk Assessment for Contaminated Land

174 Site selection

- Identified in correspondence as twelfth most appropriate site out of fourteen options
- Too remote
- Why is this suddenly the preferred site?
- Other suitable locations available
- Needs update to ES

175 Traffic

- Pedestrian movements – lack of footpaths, control over movements, links to railway station and Auchterarder, shuttle bus to/from railway station at Gleneagles?
- Lack of detail and clarification of proposals and too much reliance on “draft/evolving” Traffic Management Plan
- Inaccuracy of traffic figures
- Lack of details regarding egress from event
- ES underestimates traffic on busiest approach routes
- Congestion in rural areas and settlements
- Capacity of roads (local and trunk roads)
- Roads repairs following event

- Access for emergency vehicles
- Increase in accident risk
- Accommodation of local traffic/residential and commercial
- Impact on emergency service access
- Need for park and ride system
- Irrelevance of Ryder Cup and other events in terms of traffic management as application site is more remote and other events were planned over a longer period
- Lack of existing road infrastructure to service holding area
- Refute conclusions of ES that local road network will not be impacted upon significantly
- Lack of traffic and transport emergency response plans
- No comparison to Balado event as application site is remote from trunk roads
- Air pollution
- Failure to provide fully detailed TMP
- Roads are incapable of accommodating event

176 Visual/Landscape Impact

- Litter within site and surrounding area
- Lopping of trees to remove osprey nest
- Loss of trees
- Visual impact of water tanks
- Visual impact of fencing

Support

177 Within the letters of support the following issues are raised:

- Benefit to local economy/community/charities
- Impact on traffic is addressed in submission
- Impact on wildlife is addressed in submission
- Benefit to estate/castle in terms of maintenance improvements to listed building and sustaining long term future
- Excellent event management skills of applicant at previous site
- Similar events have been held in local area (G8 summit/Ryder Cup)
- Benefit to music industry
- Support from various local commercial companies
- Any disruption would be for a limited period only
- Disputes statement that most locals are against event
- Opportunity to build community/business partnerships in local area
- Existence of community forum to allow feedback to be provided on event
- Additional infrastructure on estate will be of benefit to hosting of other events
- Benefit in terms of perception and global attention of event
- National economic/cultural benefit maintained
- Multi agency meetings held in order to plan and run event

- £15.4m generated to Scottish economy, £2.7m locally
- Water supply will not be impacted upon

178 Other issues raised which are not material planning considerations:

- Loss of value to property
- Potential civil compensation matters

179 All the relevant planning issues which have been raised are covered in the Appraisal section of this report.

ADDITIONAL STATEMENTS

180

Environment Statement	Yes
Screening Opinion	Yes
Environmental Impact Assessment	Required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	Submitted
Reports on Impact or Potential Impact	Planning Statement submitted

APPRAISAL

Policy Appraisal

181 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. The relevant policy considerations are outlined in the policy section above and will be considered in more detail below.

Principle

182 The Development Plan provides support in principle to a large scale festival event in Perth and Kinross as a sustainable economic and tourism development proposal, provided that site specific planning issues are satisfied and meet the detailed requirements of relevant planning policy.

183 Those planning issues would include the appropriateness of the proposed use, access, landscape impact, drainage and ecology and habitat effects, flooding and the water environment, noise, effects on local amenity and cultural heritage. In addition, other material considerations which also fall to be considered in this case and weighed in the balance with the provisions of the Development Plan and detailed planning issues include planning history,

economic benefits, and the representations received. Those issues will be examined by the following appraisal of the detailed planning issues.

Site Selection

- 184 Chapter 2 of the ES states that a formal search for an alternative site for the event began in 2012 and drew on earlier work carried out under commission by Perth and Kinross Council in 2011 and 2012.
- 185 The 2011 survey produced a short list of sites from which two were identified for further consideration. One of the sites identified to the south of Balado was abandoned due to resistance from a key landowner.
- 186 Assessment by a screening panel was carried out based upon discussions of the benefits and constraints of each site. Screening of sites was carried out against a high level criteria after which more detailed assessment of suitable sites was carried out. This detailed assessment involved assessment from experts in fields including landscape planning, utilities distribution, economic development, transportation, design and rural land management.
- 187 The ES indicates that site selection criteria were based on size, accessibility, constraints, topography, ownership, existing land use, ecology, geology/soils, population density, transport infrastructure and aesthetics.
- 188 A total of eight sites were identified after the initial review process and landowners/tenants were approached to establish their view on whether to engage in the appraisal process. Drumdowie on the Drummond Estate was identified as the “front runner”.
- 189 The selection panel then reviewed the original sites considered in the 2011 review in light of potential changes to base criteria.
- 190 The outcome of the final exercise was that two options were apparent, one at Drumdowie Farm on Drummond Estate and Strathallan Castle Estate. The ES provides a comparison of each site based upon the principle criteria above and indicates that the sites were relatively closely matched but that Strathallan Castle Estate was favoured due to aesthetics, minimal use of public roads crossings, gradient and proximity to powerlines.
- 191 It is noted from numerous letters of representation that reference is made to the high level searches which were carried out early in the above process and an indication that Strathallan was identified as one of 14 sites under consideration and was placed twelfth out of fourteen sites due to concerns with accessibility and transport and its remoteness from settlements. The applicant was asked to submit Supplementary Environmental Information (SEI) which addressed this issue and explain further the reasoning behind Strathallan being identified as the preferred site.

Supplementary Environmental Information (SEI):-

- 192 This information indicates that a search for an alternative site within the Perth and Kinross Council area was carried out in 2011 by PKC to establish whether there were alternative sites to Balado to allow T in the Park to be retained within the PKC area. A set of criteria were used to score each site and Strathallan scored as follows:
- 193 Location- 3/10, Accessibility- 2/10, Rail Link- 0/10, Land Take (size)- 10/10, Space for Growth- 2/10, Proximity to Settlements- 7/10, Hardstanding areas- 1/10, Topography- 4/10, Utilities/Pylons/Pipelines- 8/10, River/flooding- 3/10.
- 194 The specific details of each of these categories can be found within the ES Addendum.
- 195 Following this exercise the search for a new site moved from being PKC led to DF Concerts and the search criteria changed to address more technical requirements.
- 196 The information indicates that following further consideration the early assumptions outlined above regarding traffic concerns were incorrect and that proximity to a major grade separated junction (GSJ) was a problem rather than an advantage. It is noted that traffic was diverted away from the immediately adjacent GSJ at Balado. This was done as any minor incident which occurred could potentially turn to a major incident if traffic were allowed to back up onto the trunk road. The addendum argues that a network of smaller B and C class roads gives greater flexibility to control and any incident can be planned around with the use of contingency routes. This will be considered in more detail within the Traffic and Transport section below.
- 197 The addendum then goes on to argue that the aesthetics of the parkland setting at Strathallan were a key consideration in the site choice.
- 198 The addendum concludes by stating that the land to the north of the A9 along the stretch served by Greenloaning and Gleneagles junctions is ideally suited and after extensive searches and based upon the criteria outlined in the original ES Strathallan was identified at the most suitable location.
- 199 Ultimately, Strathallan is the site which has been chosen by DF Concerts and is subject to consideration under this application and it is evident from the content of this report that there are a number of considerations associated with the hosting of the event in this location which the applicant is attempting to mitigate and address. These will be fully considered as part of the assessment contained within this report to ascertain whether, in land use planning terms, the siting of the event at Strathallan is considered appropriate or not.

Traffic and Transport

- 200 Chapter 7 of the ES provides an assessment of the traffic and transport implications of the event. The assessment considers both the event traffic

generated between Thursday and Monday and also the build traffic associated with the event. It includes a Draft Traffic Management Plan (DTMP) which has been prepared with a “multi-agency sub group” which includes PKC, Police Scotland and Transport Scotland. The ES states that the DTMP will continue to develop up until the event and that has yet to be completed.

- 201 The Council’s Transport Planning (TP) and Transport Scotland (TS) have both provided comments on the proposal in terms of potential traffic impact. TP have indicated that they agree with the analysis that examined the event’s traffic volumes and flow profiles associated with previous T in the Park events and that, combined with existing baseline traffic volumes was compared to the theoretical road capacities of the affected routes at Strathallan to understand the capabilities of these routes in dealing with this proposed event’s traffic.
- 202 In addition, TP agree that using information of traffic origins and flow patterns based on the previous event site at Balado and using historic ticketing postcode data is adopting the best information available, albeit that the new site and other circumstances may influence that pattern to an extent.
- 203 TP note from the written statement that the peak traffic flow calculations indicate sufficient road capacities to accommodate the event traffic. However, they also note that the theoretical assessment assumes a constant movement of vehicles along a route, and that any delay could cause overcapacity. This is a key concern and TP consider that although capacity is addressed there is no consideration for the congestion relief factors that road widths would influence substantially. In addition, delays at junctions and traffic management measures would add additional delays to trips. These factors have not been considered. The probability of other additional disruption to traffic flows from unforeseen events, such as breakdowns, based on previous event experience, is medium. Therefore TP consider that disruption to traffic flows for all these reasons is a reasonable assumption to make and as such delays on the local road network are to be expected.
- 204 As a consequence, TP cannot agree with Vol. 2, 7.12 which states the aim is to produce a Transport Management Plan such that the event does not impact on the local road network of local communities. It is reasonable to assume that the road network will encounter traffic delays and disruption and that benefit would be gained in clearly identifying and quantifying this through analysis so that appropriate mitigation measures are put in place.
- 205 In addition TP are concerned with the assumption in 7.63 that all traffic will exit on the Monday. Past experience has indicated that weather conditions and other considerations do have a capacity to generate substantial exit patterns on the Sunday night and that this should be considered particularly from a safety and security aspect.
- 206 TP has also indicated that they consider that an emergency exit and evacuation strategy should be included within the Transport Management Plan. TP have indicated that they are disappointed with the content of the DTMP and that it

fails to address a large range of critical issues. TP then outline the details which should be included within a TMP.

- 207 TS have also been consulted on the content of the application and ES and have indicated that they have no objections to the application subject to conditions which request a comprehensive and detailed multi modal Transport Management Plan and a Transport Communications Plan.
- 208 As can be seen in the representations section above a number of concerns regarding the traffic impact of the event on the local community have been expressed. The initial information submitted failed to provide sufficient reassurances that the likely impact on the local traffic network can be successfully managed and mitigated. As such the applicant was requested to submit further information in the form of a detailed Traffic/Transport Management Plan which addresses the issues outlined in the consultation responses and letters of representation. A request was made to ensure that Chapter 7 of the ES is updated to reflect the findings of the TMP.
- 209 TP has recommended conditions regarding the physical upgrade works to accesses associated with the proposed event.

Supplementary Environmental Information (SEI):

- 210 Members should be aware that there are two distinct transport phases associated with this application.
- 211 The build and break traffic is associated with the overall infrastructure and production preparation operations, which includes such activity as security fence erection, stage and tent erection, traders and entertainment provider preparations etc.
- 212 The more onerous event traffic demand comprises of ticket holders attending and leaving the event over the festival's immediate duration.
- 213 Festival traffic denotes all traffic associated with this festival.
- 214 It should be noted that a fully finalised and detailed TMP has not been provided at this stage despite a request to do so. Appendix 2 of the Addendum includes a revised TMP which is based on newly obtained information from an analysis of the type of ticket purchased and post code data from the sales of 30,000 tickets for the 2015 event. This is in contrast to the previously submitted TMP which was based upon predicted traffic movements based on the 2014 data from Balado. The addendum is therefore believed to provide a better overall understanding of the likely traffic implications of the event. This information has been considered by TP and TS. It is recognised that a fully detailed TMP cannot be produced at this stage.

Traffic Flow and Volumes

- 215 It is clear that this event will result in increased traffic and its impact on the local road and trunk road network is a key consideration, specifically understanding the levels of disruption, where it occurs and how it is managed.
- 216 In addition to the written statements the applicant has employed a specialist consultant who has produced an industry standard PARAMICS traffic flow model. This model provides fuller appreciation and understanding of all the traffic impact this event will have, including junction analysis, over a full day using the worst case Friday scenario. This model uses all the available traffic information as noted above, and clearly indicates that, as anticipated for such a major event, there will be traffic congestion and some delays to traffic entering the event.

Strategic Trunk Roads

- 217 TS have offered no objection to the impact on the trunk road network and have indicated that they feel the event can be sufficiently managed to minimise traffic disruption on the trunk road network. As such they have requested that a finalised Transport Management Plan and Transport Communications Plan is agreed by condition.

Local Traffic

- 218 The PARAMICS model reflects the increase in traffic and by analysing these levels on an hourly basis provides details as to how and where this effect impacts on both the trunk and local road network. In addition, the model identifies the duration over which the traffic is disrupted. Information from this model identifies that the more intense traffic congestion and therefore disruption to roads is limited to access vehicles over the early PM period. This disruption is limited to the surrounding "A" class roads, the A822/A823 junction and minor approach roads.
- 219 The applicant has included in their Transport Management Plan (TMP), mitigation measures to assist with relieving this disruption, which consist of altering traffic flows onto lesser used routes to relieve congestion. Additionally, recovery vehicles are being located to address blockages, such as breakdowns, and maintain smooth traffic flows. These mitigation measures are actioned primarily in conjunction with the communication and command processes which are referred to below.
- 220 With regard to traffic exiting the site, the model also demonstrates traffic exiting the site along identified routes and although there are some traffic delays on minor roads they do not result in any delay impact on the major "A" class road system.
- 221 Traffic routing does use limited lengths of private roads which need upgraded to cope with the traffic volumes. This will be addressed in the TMP approval process.

- 222 The TMP has identified that in conjunction with these traffic flows, a range of Traffic Regulation Orders, restricting traffic flows to one way on identified roads for ingress and switching to egress, is required to assist traffic flows for the events duration.
- 223 The updated TMP details traffic volumes from various Scotland wide geographic origins and the routes that are allocated to this traffic flow. This effectively limits the roads affected by event traffic. To assist with restricting and managing such event traffic to these routes the TMP details specific signing strategies, details of individual signs, locations and details of traffic light and junction controls employed and where they will be deployed . This approach and detail increases confidence in the management of all traffic on the surrounding road system. It is considered that by limiting traffic to certain roads there remains a contingency for emergency and other traffic routing.
- 224 Regards emergency access, this event is unique as it centres much of the national emergency services on site during the event so access to medical and security response is enhanced due to their proximity. Furthermore, the Joint Operations Control Centre (J.O.C.C.) which will operate during the event would be in contact with any emergency response vehicles required for both the event or for the local community to ensure that these vehicles can enter the area as quickly and safely as possible. Furthermore, arrangements can also be made for local residents who require to make journeys to and from their homes during the event. It is understood that the developer is in contact with a number of residents to discuss the arrangements for this.
- 225 In addition to the TMP information, TP have been aware, particularly over the last 8 years that there has been a noticeable drop in numbers of cars using the car park facilities provided at Balado, and a related increase of patrons, currently around 60%, who use specially provided Public Transport from locations across Scotland. This trend is strongly encouraged and is expected to be maintained which progressively relieves congestion pressure on the surrounding road network over the years.

Site Traffic, Pedestrian Movement and Public Transport

- 226 The updated TMP addresses the production build and break traffic implications in sufficient detail to understand the duration and daily transport implications during the entire events' temporary nature.
- 227 Additional car park access and egress details give reasonable confidence that all known eventualities are capable of being managed such that no additional disruption to the local road network will be encountered.
- 228 Public transport routes are detailed for patrons both accessing and egressing the site to the designated public transport hubs. In addition, provision of perimeter shuttle bus routes around the site is detailed.

- 229 Pre-consultation discussions have resulted in improved understanding of how this location varies from the previous Balado location and officer concerns have been noted with a view to resolution through the TMP approval process.
- 230 Discussions as to how patrons and build staff best gain access to local shopping and facilities through either walking or provided public transport is work in progress through a Transport Action Plan. This aspect will be agreed by officers as a part of the TMP approval process. Furthermore, discussions continue regarding proposals to cater for local bus services during the event to ensure these are not disrupted to any significant extent during the event. Overall, it is considered that the information provided to the Council to date provides sufficient reassurances regarding site traffic, pedestrian movement and public transport from a land use planning perspective and that the specific details can be agreed through the Transport Action Plan.

Car Parks, Drop off and Pick-up Facilities and Transport Hub

- 231 The updated TMP has addressed car park and drop off facilities in detail. Key aspects are the ability of these to function under a range of weather conditions such that the local road network is not obstructed. Pre-consultation discussions with the applicant have outlined the required technical standards of such access points. In addition, car park, pedestrian access and road crossing points have been discussed in detail with the applicant and much has been included in the signing schedule contained in the updated TMP.
- 232 As this work is only required if permission is granted the technical details can be agreed as a part of the TMP approval process.
- 233 The updated TMP addresses the remaining technical points identified in Transport Planning's last response under this heading.
- 234 It is acknowledged that the current increasing trend in using public transport and the use of bus pick-up points around Scotland mitigates to some extent the use of more immediate drop off or park and ride sites. It is acknowledged that this process may have an opportunity to expand in future years if permission is granted. This is an aspect that will be monitored through the TMP process to maximise opportunity over time to mitigate individual car journeys.

Communications, Control and Command of Traffic Movements

- 235 The updated TMP contains some details of the overall strategy of the transport command and control aspect based in the Joint Operations Control Centre (J.O.C.C) within the event site. This is considered a key aspect of the overall Traffic management of the event. Pre-consultations have gone into more detail regards the use of CCTV in addition to radio to monitor and improve immediate response to manage traffic on the wider road network. The inclusion of a transport related hub with all relevant agencies being co-located within the J.O.C.C. is being developed. All this has been agreed in principle but can be expanded in the TMP approval process.

236 Traditionally, at Balado, a transport desk top management exercise was carried out which included all the relevant agencies. This exercise is used to clarify agency roles, the command structure and work through a range of potential transport related issues that may be encountered over the event. Pre-consultation discussions have confirmed that if permission is granted this activity, which is led by the Police will continue to be supported. This activity, which evolves over time and is considered to be a key aspect of the event management, would be included in the developing TMP process.

Conclusion

237 It is apparent that such an event as “T in the Park” has phased traffic implications, but the worst case event traffic conditions are identified, publicised and managed over the limited period of the event. However, it is clear that there is no absolute understanding about this application’s event traffic volume due to a number of unique variables.

238 This application is unique and involves a wide range of agencies, experience and knowledge to make a determination on the transport aspect of such a major event. This Council is well versed in managing major temporary events and as such has knowledge and experience in working with this applicant who is also knowledgeable and experienced. All of which, in addition to the traffic flow model provides confidence in developing this applicant’s Transport Management Plans successfully if permission is granted.

239 A key aspect is how the knowledge and experience gained from Balado can be transferred to this new site and how it will impact on the local and trunk road network effectively. It is clear that traffic congestion and disruption is anticipated. However, effective mitigation methods are detailed and there is confidence in the co-ordinated and multi-agency management of this. As such the proposal is considered to comply with Policy TA1B of the Local Development Plan and the relevant regional and national policies in regard to traffic and transport.

Amenity/Noise

240 The planning system has an important role to play in preventing and limiting noise pollution. Although the planning system cannot tackle existing noise problems directly, it has the task of guiding development to the most suitable locations and regulating the layout and design of new development. The noise implications of development can be a material consideration in determining applications for planning permission. Sound levels in gardens and amenity areas also need to be considered in terms of enabling a reasonable degree of peaceful enjoyment of these spaces for residents and this is an issue that has been raised in letters of representation. Policy EP8 of the PKLDP outlines this. Despite comments from objectors, the noise sensitive receptors identified within the ES which were discussed with PKC Environmental Health prior to submission are considered sufficient to demonstrate a worst case impact in terms of noise.

Noise Associated with Build/Break and Delivery Vehicles

- 241 This impact can be generated from temporary increase in traffic noise including the use of HGVs to bring structural components to the site, operation of the temporary holding area and the use of temporary generators. Environmental Health (EH) have been consulted on the proposal and a number of objectors have raised concerns regarding the outcome of the noise assessment within the ES. The ES indicates that a Noise Management Plan will be prepared which will outline procedures for ensuring compliance with noise control, following best practice in terms of noise control and limiting times when activities can take place.
- 242 The ES concludes that noise levels associated with the above will have the potential to cause temporary impacts of major significance in the gardens with direct line of site to the road and states that internal levels are likely to be acceptable provided windows are closed. Given that the event takes place in the summer it is reasonable to assume that windows will be open and the applicant was asked to revise their calculations to address this issue in Supplementary Environmental Information.
- 243 The assessment which has been carried out has been undertaken on the basis of the traffic assessment carried out in Chapter 7 of the ES. Given that this is to be updated the noise implications of the updated traffic assessment will also require to be considered.
- 244 For 9 days there is an impact of major significance at some of the receptors due to the increase in road noise resulting from the event, however, it is important to note that this increase in noise is of a temporary nature.
- 245 Letters of representation have expressed concerns regarding the noise levels and comparisons which can be made with relevant standards and these will be considered in more detail below. It is also important to consider the provenance of the minor/moderate/major impact descriptors which are in the Scottish Government document Technical Advice on Noise (TAN). This recommends using a 16 hour long assessment period for noise during the day (LAeq 16hour) whilst other road traffic noise standards (DMRB) use an 18 hour standard to describe the increase in noise levels (LA10 18hour). Table 8.10 within the ES uses a 1 hour LAeq to quantify and describe the magnitude of the impacts. Given the event build up and breakdown traffic is only active for 12 hours rather than the 16 or 18 hours usually used for traffic noise, the levels over 16 or 18 hours would be expected to be less than those reported.
- 246 The same can be said for internal levels. The World Health Organisation (WHO) is clear that the standard is 16 hours during the day; therefore the 1 hour predicted levels in table 8.10 of the ES are not directly comparable with the 35dBA recommended in WHO. It is also important to note that the 35dBA recommended by WHO is for speech to be 100% intelligible and represents a somewhat aspirational case. Looking more in depth at this document, it states that speech “*can be understood fairly well in background levels of 45dBA*”.

45dBA is the maximum 1 hour value predicted and this occurs on 1 day of the build-up/break.

- 247 BS8233 "Guidance on Sound Insulation and Noise Reduction for Buildings" mirrors WHO in some of the noise values. This document recommends 35dBA as a 'good' level for living spaces during the day and 40dBA as 'reasonable'. Based on table 8.10, once corrected for open windows, the reasonable level internally according to BS8233 would be slightly exceeded for 6 days, which is short term and considered acceptable by Environmental Health. EH have recommended a condition to ensure that the site preparation for the event be restricted to 0700hrs to 1900hrs Monday to Friday and 0800hrs to 1700hrs Saturday and Sunday.
- 248 The assessment gives no consideration to night time impacts from the event and given that the ES makes reference to vehicles using the holding area at night this has also been requested through SEI.

Temporary Power Supplies

- 249 The assessment is carried out on the basis of windows closed and an update is to be provided in the SEI. EH have also recommended conditions which will control noise from temporary power supplies.

Road Traffic Noise Associated Ingress and Egress of Patrons and Staff

- 250 The TMP prepared for the event and discussions which have taken place with the applicant indicate that road traffic will increase significantly during the event but that this will be for a temporary period only. The ES provides tables which outline the predicted noise levels from event traffic for a notional receptor 10m from the nearside kerb of the routes into and exiting from the event site and also details regarding the impact which the use of the transport hubs and car parks will have. This indicates both daytime and night time assessments. It is concluded that event traffic using local roads has the potential to cause temporary adverse impacts of major significance on the Friday, Saturday and Sunday and during the day time on the Thursday and Monday, particularly along the routes converging on the west car park and PUDO.

Supplementary Environmental Information (SEI):

- 251 The noise assessment has been updated within the ES addendum to take account of windows being opened as requested.
- 252 The ES Addendum concludes that no physical mitigation measures are proposed as they are not considered to be reasonable or practicable and that appropriate mitigation will be provided within the TMP which will control traffic flows to and from the event. It is therefore clear that the traffic associated with ingress and egress of patrons and staff will result in disturbance to the local community in terms of noise, however, this is for a limited period only and as such is considered to be acceptable. Environmental Health have offered no objection to this aspect of the proposal.

Operation/Music

- 253 It is inevitable that an event of this nature will result in disturbance to the local community as it will result in amplified noise well into the evening, particularly against the low background noise levels experienced at Strathallan.
- 254 In terms of hours of operation the event is proposed to operate as follows. The curfew for operation on the Sunday within the main arena has been altered from 0100hrs to 2300hrs due to the potential significant adverse impact on the local community at the start of the working week:

Thursday:

Campsite Entertainment: 1100-2400hrs

Friday:

Main Arena: 1200hrs-2400hrs

Campsite Entertainment: 0930-0200hrs

Saturday:

Main Arena: 1200hrs-2400hrs

Campsite Entertainment 0930hrs-0200hrs

Sunday

Main Arena: 1130-2300

Campsite Entertainment: 0930-0200hrs

- 255 A total of seven Noise Sensitive Receptors (NSRs) have been identified in the ES which have been discussed with EH, and are considered to be an appropriate representative sample of the potential impact on all nearby properties in the area. These NSRS are North Mains Farm, Millfield, Brackenhill Cottage, Allanfield, Monkscroft and Bernie Farm.
- 256 The ES outlines potential noise levels at all NSRs both pre curfew at the main arena and between the curfew in the main arena and the curfew at the campsite.
- 257 The Noise Council Code of Practice (COP) is recommended as the relevant document within the Scottish Government's Technical Advice Noise to advise on planning applications with a noise element. The $L_{Aeq\ 15\ min}$ Music Noise Level (MNL) limit is 65dBA within the COP, recommended for rural sites.
- 258 Letters of representation have raised concern regarding the assessment which has been carried out in the ES. The ES indicates that the day time music noise levels up to 2300hrs is 65dB. The WHO (World Health Organisation) Guidelines for Community Noise indicates that serious annoyance will be caused in outdoor living areas as a result of this noise level as the recommended level is 55dBA to prevent annoyance. The letters then go on to argue that allowing for a 15dB reduction for attenuation by open windows the indoor music noise level would equate to 50dB.

- 259 EH were asked to comment on this issue and have stated that it is not appropriate to compare the WHO outdoor level of 55dBA to prevent annoyance with the condition of 65dB outlined in COP of $L_{Aeq\ 15\ min}$ Music Noise Level (MNL). This is because the WHO level is a 16 hour LAeq and the COP is a 15 minute LAeq. There is therefore no direct comparison which can be made. Firstly, the music noise is operational for around 12 hours, not 16. Secondly, gaps between bands on the various stages will also serve to push down 16 hour LAeq. Thirdly, EH also reiterate that the temporary nature of the impacts mean that the WHO levels are more intended to inform long term noise impacts.
- 260 A 5dB stated uncertainty factor requires to be considered for these noise levels to take account of meteorological conditions. 5dB uncertainty means the values may be either 5dB lower or higher than presented. An example of how this works can be seen by looking at last year's festival whereby on one day of the weekend the wind was blowing from Balado to the festival site, in which case the MNL was 55dBA. The next day it was blowing from the festival site to Balado, which pushed levels up to 65dBA. Once they go above 65dBA, the council step in to control the levels and bring it back down below this threshold by ensuring the volume of music is lowered.
- 261 Overall, EH have indicated that conditions can be applied to the Public Entertainment Licence (which is a requirement for an event of this nature) to limit the pre curfew noise levels to 65dBA and the post curfew noise levels to 45dBA. It is noted that the ES indicates that these could potentially be breached at some of the NSRs but EH have indicated that they will maintain a presence on site at all times to ensure these levels can be met and control music noise accordingly and as such are confident that a reasonable level of amenity can be attained throughout the course of the event.

Impact on Domestic Animal Welfare

- 262 Some local residents have identified the potential for the event to disturb domestic animal welfare at nearby residences. It is inevitable that some form of disturbance may occur to domestic animals but this impact is not considered to be an issue which requires to be assessed as part of consideration of this planning application and EIA.

Supplementary Environmental Information (SEI):

- 263 An updated assessment of noise has been provided within the ES Addendum following the request for additional information on:
- Noise impacts with windows open
 - build and break traffic,
 - operational traffic,
 - use of the car parks,
 - temporary power supplies
 - effects of update to the TMP
 - changes to the permanent infrastructure build programme

- operation of the waste transfer station (WTS)/bulking station

- 264 This information is based upon a more detailed understanding of the proposed traffic management of the event referred to in the transport section above and is therefore considered to provide a more accurate representation of the likely noise levels of the traffic associated with the event.
- 265 The applicant has indicated that the "bulking station" relates to the picking up of litter from the event site and its transfer off site for separation and recycling and state that the noise implications will be "minimal".
- 266 Environmental Health have indicated that the additional information presented in the Addendum, including updated noise level predictions on the basis of windows being opened, was anticipated by them and therefore does not affect their opinion that the impacts predicted at nearby receptors are acceptable given the temporary nature of the event. Therefore as long as the conditions of their previous memo are met they have no objections.

Conclusion

- 267 Accordingly, the noise levels which are likely to be generated by the operation of the event itself are considered to be appropriate by EH and they consider that they have sufficient controls to ensure that these levels are not breached and as such the proposal and noise controls which will be provided on site will ensure the development meets the requirements of Policy EP8 of the PKLDP. Furthermore, although there will be noise levels associated with build and break traffic, together with operational traffic, these are considered to be short term in nature and therefore acceptable.

Light Pollution

- 268 Concerns have been expressed through letters of representation regarding the potential light pollution associated with the event. The effects of light disruption are primarily linked to artist performances which are restricted by operating hour limits on the Public Entertainments Licence (PEL).
- 269 However, the event site including the camping area requires to be lit to allow movement of attendees around the site. No details of this lighting have been provided in order for an assessment on impact to be made. EH have recommended a condition to ensure lighting is screened and aligned to prevent light spillage onto neighbouring land. It was considered appropriate to seek this information for assessment now. As such this was requested as part of the Supplementary Environmental Information.

Supplementary Environmental Information (SEI):

- 270 The addendum indicates that there is a strong economic incentive for DF Concerts to minimise excess lighting at the site. The information indicates that detailed lighting layouts and design will vary from year to year, however, a lighting proposal which outlines the proposed lighting in the arena, campsite,

circulation routes, car parks and access and egress points has been provided. It also states that the event is proposed to take place at a time of year when ambient light levels are high.

- 271 It is clear that light pollution from the event will have an impact and that there will be higher levels of light in the local area than are normally experienced. The most prominent element of lighting will be from the main event arena where lighting associated with the music acts would predominantly be on the main stage and 2nd stage. The event arena is located in an area not immediately adjacent to residential dwellings and is screened from public roads and properties by intervening woodland. As such the impact on lighting pollution for the short duration of the event is not considered to be significant. Other lighting during the event, including at the campsite and circulation routes would be of a lower level than that used within the main arena during acts and is proposed to take the form of festoon lighting which was evident at Balado. Supplementary tower lights within the campsite areas are focussed downwards to minimise light spillage and a condition can control this. There would also be set off distances for residential properties, which are considered in more detail in the following paragraphs which will also help to minimise the impact of light pollution. Overall, it is considered that the impact from light pollution of the event will be temporary in nature and therefore the conclusion in the addendum that the overall impact will be minor, is accepted.

Amenity/Fencing

- 272 Outwith the impact generated by noise and light there are other elements of the proposal which would potentially result in disturbance to the local community during the event. Figure 6.3b of Volume 2 of the ES provides a map which outlines the proposed locations of fencing associated with the event. This proposed fencing includes herras style fencing in order to protect woodland and watercourses but also larger metal security fencing which is proposed to be erected around the site and adjacent to the residential properties in the immediate vicinity of the event site. The size and imposing nature of this fencing together with the length of time it will be in place has the potential to be of significant detriment to the amenity of residential premises both within and immediately adjacent to the application site boundary. Conversely, the fencing is proposed by the applicant to allow for set off distances between residential properties and the event area in order to minimise disturbance. Further clarification has been sought from the applicant to establish the appearance and height of this fencing, together with all proposed set off distances from residential properties and an indication of how long the fences will remain in place.

Supplementary Environmental Information (SEI):

- 273 The addendum includes an updated plan (Figure 7.4) which demonstrates the locations and height of security fencing adjacent to residential properties and throughout the site. Individual plans of specific properties have also been provided (ES Figure no. 7.3A-I) It also indicates that a target set off distance of 50m is proposed between event boundaries and neighbouring residential

properties. Mostly the distances are met or exceeded but there are some exceptions.

274 The addendum states that there is proposed to be:

- 2m high heras fencing which will be used to protect woodland and watercourses.
- 3m high "steelshield" fencing
- 3.5m high "steelshield" fencing
- 4.2m high "super fortress" fencing

275 The heights of fencing varies throughout the site and some of the fencing is proposed following discussions with owner/occupiers of particular properties.

276 The erection of the heras and steelshield fencing is proposed to start in Build Week 2 each year, with 50% of this removed by week 5 and then completed early in week 6. The ES addendum therefore indicates that fencing will be present on site for a total of five weeks but is only anticipated to be complete in its entirety for a period of two weeks. The applicant states that there is flexibility in the above 5 week build period and that they would endeavour to accommodate requests from individual properties in regard to their personal preference regarding timescales. It goes on to state that fencing around residential properties will remain in place for a maximum of 14 days. It is appreciated that the presence of fencing around residential properties will have a detrimental impact on the residential amenity of these properties in terms of the potential sense of enclosure and overshadowing, however, this will be for a temporary period only of a maximum of 14 days, which can be controlled by condition. As such, it is considered that, on balance, the presence of fencing in these locations for a maximum period of 14 days each year will not be of significant detriment to the residential amenity of these properties to merit refusal of the application on this particular issue.

Amenity/Location of Toilet Facilities

277 The campsite areas are located adjacent to residential properties and therefore there is further potential for odours from toilet facilities to cause disturbance to residential amenity. The Addendum states that toilet facilities will not be placed closer than 100m from the nearest residential properties other than disabled toilet provision within the disabled campsite. It is recommended that this aspect is covered by a condition. It is considered that this set off distance is sufficient to minimise the impact on residential properties in terms of odour.

Contaminated Land

278 A Phase 1 Desk Study report has been completed for the proposed development site. Based on the findings of this report PKC Environmental Health have no adverse comments to make regarding the application.

Flooding and Drainage and Water Environment

- 279 Chapter 11 of the ES provides an assessment of impact of the development on soils and water.

Flooding

- 280 SEPA initially objected to the application on grounds of flood risk. However, they have now received updated information which clarifies a number of issues, including moving campsite areas out with the 1 in 200 year flood plain. A condition has been recommended to ensure that this remains the case. A flood warning and evacuation plan has also been recommended which can also be sought by planning condition. The Council's Structures and Flooding Team have offered no objection on flood risk grounds subject to conditions.

Ecology

- 281 SEPA have recommended a condition to ensure an area of wetland is fenced off annually.

Pollution Control

- 282 The watercourses which drain the application site run into the River Earn to the north of the site and SEPA require that there is no deterioration in quality on the main River Earn and its tributaries. This is particularly in relation to pollution from sediments and oil during the construction period. The applicant will be required to meet SEPA's Pollution Prevention Guidelines. A Construction Management Plan (CMP) is included within the ES. This outlines the proposals for pollution control. An Environmental Management Plan (EMP) is also to be required. SEPA have requested that this document also includes environmental monitoring and comparison with conditions on site prior to works commencing. SEPA have also requested that the EMP includes a Site Waste Management Plan (SWMP). The EMP should also address waste water treatment and disposal, pollution incident response and a wet weather contingency plan. Likewise an Ecological Clerk of Works (ECoW) should be present on site to ensure operations are carried out appropriately and this again can be ensured by condition. The CMS should be a live document and used to advise and educate site operatives.
- 283 Following on from the above, SEPA have provided an updated response as the applicant had requested that SEPA approve the Construction Management Plan (CMP) for the one off permanent infrastructure works at the event. SEPA have now indicated that they consider the CMP submitted with the ES is sufficient in order to provide suitable pollution prevention measures and they note that the main pollution prevention principles are buffer strips of 15 to 30m. They have also indicated that they consider the proposed SUDS systems to be acceptable and advise that no amendments to these should take place with prior approval with SEPA.

- 284 SEPA have also recommended that an accident management plan is used during construction which takes account of best practice, statutory requirements and sensitive areas in providing a site spill response procedure, emergency contact details and equipment inventories and their location.
- 285 SEPA have requested a condition to ensure waste water is collected and taken off site.
- 286 SEPA have also indicated that they are satisfied with the proposed fencing off of sensitive water courses and the use of buffer strips (15-30m) and seek that this also be covered in a condition.
- 287 The ES indicates that discharge of surface water will be carried out in accordance within the general principle of the SUDS (Sustainable Drainage Systems) Manual (C697) published by CIRIA and SEPA have requested that this be covered by condition.
- 288 It is considered that the above measures will be sufficient to ensure appropriate construction and environmental management and site drainage and pollution prevention on site subject to the documents being adhered to by those on site. As such it is considered that these measures will ensure the protection of watercourses on the site and tributaries.

Water Environment/Private Water Supplies (PWS)

289 At the scoping stage for the ES SEPA requested locations of all PWS, however, these were not provided in the original submission. The impact on PWS has been raised by a number of objectors as a key concern of the proposal. There are three sources of PWS which serve the site. These are the Strathallan Castle Spring, the Tullibardine Spring and the Bernie Farm borehole. As outlined above, the impact on PWS has been raised as a key concern by local residents and the concerns may be summarised as follows:

- Presence of shallow aquifer that is used to supply potable water for PWS to at least 23 local households
- Potential for uncontrolled sanitation leaching into PWS and the lack of proper mitigation
- Potential for groundwater bodies used for the abstraction of drinking water being contaminated.
- Lack of detail on the extent of the pipe network serving PWS
- Failure of ES to properly assess impact of the event on PWS

290 The applicant has been asked to clarify the above through submission of Supplementary Environmental Information.

Supplementary Environmental Information (SEI):

291 The SEI provides a plan which provides full details of the PWS sources and the existing pipe network (Figure 5.1 of the ES Addendum). The ES states that water from these sources is piped to properties through a closed, pressurised

system which is located 600mm below ground in order to avoid freezing and to be below ploughing depth and is therefore isolated from the shallow aquifer beneath the site.

- 292 The Strathallan Castle supply source is 1.6km upstream from the site and the Tullibardine Spring is also remote from the site. The sources of the PWS are located at a sufficient distance and upgradient/upstream from the site to ensure that impact from groundwater during the event will not pollute these PWS sources. Furthermore, at the Bernie Farm borehole which serves Bernie Farmhouse and Kinkell Grange, a cut off drain has been installed as additional mitigation and the construction of the borehole itself are considered sufficient to prevent surface water infiltration and therefore pollution rise is considered highly unlikely. It is unfortunate that the locations of the PWS were not known during the initial assessment provided in the ES but this has now been clarified and it is considered that the location of these sources are sufficiently remote and upgradient from the site to ensure that they are not contaminated by the event. Environmental Health and SEPA share this view and SEPA have provided a detailed report on the issue within their consultation response dated 22 April 2015.
- 293 SEPA have also provided comment on the location of campsites and parking areas located within close proximity to the PWS network and indicate that some parts of the campsite are located at a higher ground level than the PWS but some areas are not. SEPA indicate that they are satisfied that flow from uncontrolled sanitation on campsites and car parking areas will generally flow parallel to or away from the PWS due to the topography of the area or will be controlled by existing drains.
- 294 Whilst the impact on the groundwater body has been identified within the letters of representation, SEPA and Environmental Health have concluded in their consultation responses that the pollution resulting from uncontrolled sanitation over a period of four days would have little effect on the overall qualitative status of the groundwater body. Environmental Health have recommended conditions to ensure the protection of the PWS in accordance with the protection measures outlined in the ES. With the absence of any objection from these consultees it is concluded that this issue has been adequately addressed.

Impact on Foul Drainage Systems

- 295 Given the information outlined above regarding pollution prevention, it is considered that the event will not have any impact on existing foul drainage systems of properties within and adjacent to the application site boundary. Furthermore, trackways will be installed around the site to cater for large vehicles traversing the site to prevent impact to pipework associated with foul drainage systems.

Ecology/Bio Diversity

- 296 Chapter 9 of the ES evaluates (non avian) ecology and the impacts predicted of the proposed development. Consideration of ornithological issues is provided in a separate section of this report. A walkover survey of the site was carried out to identify the relevant species and assessment of these particular species is provided within the ES. The ES presents suggested mitigation measures to avoid or reduce impacts and an assessment of the predicted residual and cumulative impact after mitigation has been implemented.
- 297 It is clear that the T in the Park event will result in large scale changes to the environment within the development site; these will be short duration, although repeated annually. The ES states that the impact on natural heritage will only have local significance and SNH have agreed with this conclusion. There are, however, several protected species which are at risk of disturbance. The ES has presented various mitigation actions which could minimise some of the impacts, and discussions have been taking place between SNH, PKC Planning and the PKC Bio Diversity Officer regarding how impact on these species can be suitably mitigated and it is felt that the mitigation outlined in this correspondence is appropriate.
- 298 In their consultation response SNH have indicated that for clarity the mitigation measures which have been discussed should be aggregated into coherent protection plans for each relevant species, what actions are proposed to address them, and explain how they will satisfy the legal requirements for either avoidance or disturbance for licensing purposes. This detail has been requested as part of the Supplementary Environmental Information.
- 299 For clarity it is intended to outline the impact and mitigation identified for each relevant species below.

Otter

- 300 The mitigation proposed for otter is presented in the ES but is augmented by a number of email responses to subsequent SNH queries. SNH have advised that a licence will be required and have indicated that based on the information made available to them it is likely that this could be granted. An otter holt was initially identified on site and the ES proposes action as follows:
- If there is no evidence of use by otters access to the potential holt would be blocked without need for a licence.
 - If evidence of use is found by non-breeding otter an application for licence to exclude is proposed and it is probable that a licence could be granted.
 - If breeding is confirmed temporary exclusion of the holt is proposed, after breeding is complete and pups have dispersed.
- 301 SNH have advised that it is essential that monitoring of the holt takes place without delay (dated 6th March) to establish what actions are needed.

- 302 As otters are regularly utilising the general area proposed for the event, there is a possibility that they could establish a new holt elsewhere within the development site. Hence SNH advise that the development area is resurveyed around the watercourses well in advance of any further site works. This is to ensure that contemporary otter use is known, and would allow for the identification and implementation of additional mitigation actions if needed. This would also reduce the risk of inadvertent disturbance.
- 303 SNH also recommend that alternative artificial holts could be provided away from the main disturbance area. This would compensate for any loss of the potential breeding holt.

Bats

- 304 In developing proposals for mitigating impacts on bats, in the ES and in various additional emails and phone calls, there has been no clear distinction between breeding (maternity) and non-breeding roosts. The ES reported the discovery of several small (non-breeding winter) roosts for pipistrelles. As the event is in summer, winter roosting bats would not be at any risk. More relevantly, the Initial Roost Assessment Report indicated that there were 37 trees in the vicinity of the event arena which had been assessed as having definite bat roost potential but which had not been properly surveyed.
- 305 SNH have advised that on the basis of the information contained within the ES and subsequent email correspondence that they would not be able to issue a licence to disturb bat roosts. As such, follow up surveys of those trees in the vicinity of the event area in the original report required to be undertaken and that if evidence of roosts is found the species of the bat involved must be ascertained.
- 306 The developers would then have the information needed to apply for a licence to take appropriate action. This would include early action to prevent subsequent occupation for breeding by blocking access. This further information has been requested as part of the Supplementary Environmental Information.

Red Squirrel

- 307 A number of potential red squirrel dreys are inside the recommended buffer distance for noise activity. The ES does not explain which phases of the event and which activities are likely to cause disturbance. SNH recommend that a thorough survey is conducted of all potential red squirrel dreys within 100m of the event area as soon as possible. These surveys should ascertain their use, the nature of the risk to them from what event activities, and what mitigation is proposed in response. This information should be provided within a collated squirrel protection plan. It is important to avoid the need to consider licensing the disturbance of a maternity drey. This information has also been requested as part of the Supplementary Environmental Information.

Pine Martens

- 308 The ES claims that no evidence of pine martens was apparent during their walkover survey. Pine marten dens are normally located within woodlands or buildings. However, photographic evidence of pine marten within the Andrews Wood has been provided by objectors. The ES does not consider the impact of the event on pine marten however following discussion with the Council's Bio Diversity Officer it is noted that the fencing proposed on the south boundary of the site is likely to ensure the pine marten den is not disturbed.

Badger

- 309 A badger sett has been identified on the application site. Studies have shown that loud noise and vibrations can have an adverse effect on badgers, and could lead to the abandonment of a sett. It is therefore essential to understand what use is being made of the possible sett in Bernie Wood. The ES has assumed a "worst case scenario" where the sett is in active use and the applicant is proposing to install a badger gate in the fence and pipe under a new track to allow movement of badgers and other mammals from Bernie Wood. This is an acceptable action considering the lack of confirmed use of the possible sett.

Invertebrates

- 310 Letters of representation have raised concern regarding the potential impact on invertebrates. Given the nature of the site which is made up of predominantly grassland the Bio Diversity Officer is satisfied that any impact on invertebrates would not be significant.

Mammal Movement

- 311 The ES proposes that a series of tunnels within proposed bridge structures in fenced off watercourse areas would allow the movement of mammals around the event site which is considered appropriate mitigation. Further clarification on this matter has been sought with a series of amended drawings submitted.

General

- 312 The ES indicates that the internal layout of activities and structures may change from year to year. The ES has not assessed any alternative infrastructure layouts. SNH advise that any changes should be assessed afresh each year as relevant for the impact they might have on protected species. Any amendments may also give rise to the need for new licence applications.
- 313 It is clear from the ES that there will be significant activity and noise on the site during the site preparation, annual build and break phases. The ES does not indicate with sufficient clarity which species may be affected by the risks of increased disturbance during these phases. In order to minimise disturbance it would be helpful to have no working after dark and have lighting and noise kept

to a minimum during night time hours. The detail of this has been requested as part of the protection plans for each relevant species.

- 314 Variable heights of fencing are referred to in the ES. The use of the 3m high steel wall fencing may be helpful in protecting species from disturbance and for preventing light pollution, particularly along watercourses. SNH advise that this and the use of cowled lighting should be considered along all woodland edges when drawing up the various species protection plans.

Supplementary Environmental Information (SEI):

Otter

- 315 The Addendum to the ES confirms that following further monitoring the potential holt identified in the ES is not in use by otter. A licence is therefore not required. The hole has been blocked to prevent any other mammals using it which is in line with accepted mitigation measures to prevent disturbance. An Otter Protection Plan has been submitted as an appendix. It outlines and addresses the possibility that new resting places/holts may be found in subsequent years and what actions will be taken. The plan also includes the potential for provision of an artificial holt. SNH state that the plan needs to be updated to ensure the protection of the otter species on site and provide details on the extent of information required to provide further protection. It is recommended that a more detailed Otter Protection Plan is requested by planning condition.

Bats

- 316 A follow up survey of all trees has been undertaken with bat roost potential. Twelve roost were identified. All but one were small, non maternity roosts. Seven roosts were found in the proposed Arena area, four on North Castle Drive and one within Strathallan Castle.
- 317 A Bat Protection Plan (BPP) has been included with the addendum which includes proposed blocking of roosts, future monitoring, lighting mitigation, licence application protocols and the potential for establishing artificial roosts. SNH provides advice in regard to the licensing tests which require to be considered and provides further advice on what should be contained within this BPP. The Bio Diversity Officer has also provided comments and suggestions regarding updates to the BPP to ensure protection. It is intended to request a detailed BPP by planning condition.

Red Squirrel

- 318 Additional surveys have now been carried out of the 14 potential dreys identified in the ES. Six of these are considered to be dreys but no signs of use were seen. Mitigation is outlined which includes 50m zones around certain dreys and 35m around other dreys. A Red Squirrel Protection Plan has been prepared and included with the addendum. The layout has also been adjusted to take account of these dreys. SNH have provided advice regarding the

licence requirements for red squirrels and provided comment on the content of the protection plan. The Bio Diversity Officer has also provided comments on the content of the protection plan. Similar to otters and bats above it is intended to seek an updated red squirrel protection plan by condition which takes account of the comments made by SNH and the Bio Diversity Officer.

Badger

- 319 The addendum advises that there are no signs of current use of the badger sett identified in the ES as a monitoring period was undertaken. Although no evidence of badger was found, the wildlife corridor referred to above will allow for the movement of badger around the site. It is recommended that monitoring of badger takes place over a period of six months to establish whether they use the site. This can be addressed through a condition.

Conclusion

- 320 The addendum includes further survey work for various protected species and outlines specific mitigation measures as requested. SNH have advised that additional information and clarification is required to be provided but it is considered that subject to receipt of these additional details that the impact of the event on ecology and protected species can be suitably mitigated. As such the proposal is considered to comply with policy NE3 of the PKLDP.

Ornithology

- 321 Chapter 10 of the ES provides an assessment of ornithological interests within and around the site.

Osprey

- 322 Ospreys have been known to breed at Strathallan, either on or close by the development site, for around 5 years. SNH have confirmed that the potential worst case impact on osprey at Strathallan would not affect the favourable conservation status of the species in Scotland.
- 323 Policy NE3 of the PKLDP states the Council will seek to protect and enhance all wildlife and wildlife habitats, whether formally designated/protected or not. It goes on to state that planning permission will not be granted for development that would be likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation.
- 324 The prime consideration is the protected status of osprey within Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) and of further consideration is the risk of disturbance in contravention of Section 1 (5):
- (5) *Subject to the provisions of this Part, if any person intentionally or recklessly*
 - (a) *disturbs any wild bird included in Schedule 1 while it is building a nest or is in, on or near a nest containing eggs or young; or*

(b) disturbs dependent young of such a bird, he shall be guilty of an offence.

- 325 In response, an Osprey Management Plan (OMP) (dated 18th February 2015) has been drawn up for the applicant by a recognised expert on the species. It proposes the re-siting of the osprey nest further away from the event arena. SNH acknowledge and respect the contractor's expertise and long experience with this species and note his confidence in the success of the proposed relocation. Whilst the new location is still less than the minimum buffer distance of 750m set out in SNH's guidance, they agree that it should be effective as the intervening topography and woodland cover should provide some additional protection from visual and noise disturbance. Steps should be taken to minimise disturbance at this new nest site throughout the period of preparation for and after the event in order to maximise the likelihood of successful breeding.
- 326 SNH and RSPB had agreed initially that the proposed relocation was likely to be effective but only if the ospreys used it. SNH advised that there remained a risk that the high levels of noise and the lighting effects during the event phase could still cause disturbance in practice. Disturbance is also possible if the ospreys reject the new nest and choose instead an alternative location closer to the main disturbing activities.
- 327 It is also noted that the original proposal to minimise risk of disturbance to osprey was to remove the existing nest site and lop the tree where it is located to encourage the ospreys to utilise the new nest. However, the applicant has indicated that they could not obtain permission from the owner of the woodland where the existing nest is located to carry this out. A series of measures were undertaken on site to discourage the ospreys from nesting in the existing nest site by deploying a cherry picker with a flag and balloons attached to it.
- 328 As such the applicant was asked to submit a finalised OMP which clearly outlines how they intend to minimise the risk of disturbance. Concerns were expressed to the applicant at that time that the issue remains that the ospreys could nest in their original nest site close to the arena or could choose a different new nest site and therefore there remains a risk of disturbance and the applicant has been asked to outline what they intended to do should this happen. This has been requested through Supplementary Environmental Information.
- 329 SNH initially recommended that any planning consent includes a condition requiring the implementation of the OMP; adequate monitoring of its effectiveness in the setting up period, during the running of the event and its tidy up, and also identifies proposals for alternative action if, for any reason, the plan is found to be unsuccessful in preventing disturbance in practice. In conclusion, the mitigation measures outlined in general, which relate to the removal of the existing nest and relocation to an alternative nest are acceptable and it is expected that this mitigation be carried out in future years should consent be granted.

Supplementary Environmental Information (SEI):

- 330 On Monday 6th April 2015 correspondence was received from members of the public regarding the possibility of the ospreys having returned to Strathallan. This included photographic and video evidence. The cherrypicker was therefore removed from the site. The evidence suggests that the pair of ospreys have chosen to nest in the original nest site despite the applicant's confidence that the ospreys would choose the new nest site. The applicant has an ornithologist present on site monitoring the nesting sites on a daily basis. RSPB have indicated that they consider the nest to now be "active". The nest remains active for the duration of the nesting period until any chicks fledge and the parents and chicks depart for North Africa in mid to late August. Given the location of the nest there is now potential for the ospreys to be disturbed by the event.
- 331 A further Osprey Management Plan (OMP) has been submitted, as part of a confidential annex to the ES Addendum. This outlines a series of measures to mitigate any disturbance to the osprey at Strathallan.
- 332 The Addendum which has been submitted still refers to the proposed relocation of the ospreys to an alternative nest site. This is considered appropriate as this remains the overall conclusion of the ES in the long term in regard to the osprey. It is noted that further mitigation is required to host the event in 2015 because the ospreys have returned to their original nest. Ongoing discussion has been taking place regarding the specific mitigation for this years event, which is discussed in more detail below. This has required the submission of a further confidential annex and given the sensitive nature of this document it is not considered appropriate to place it in the public domain and therefore it was concluded that no further public consultation period was necessary. It was, however, distributed to SNH, RSPB and the Council's Bio Diversity Officer for consideration.
- 333 The OMP submitted with the addendum provides an outline of the activity which has taken place in previous years at Strathallan during the osprey nesting period which seeks to demonstrate that the osprey is habituated to human activity. These events include show jumping, pony and horse shows, off road driving activities and weddings.
- 334 SNH's advice is that generally a buffer zone is required around a nest of 750m to prevent disturbance taking place. However, it should be noted that this distance is based upon a lot lesser level of disturbance than is likely to be generated by a music festival and therefore has limited relevance. The applicant has made it clear in discussions that a potential buffer zone of this size to minimise disturbance is not an achievable solution given the layout of the site and the location of the proposed event arena.
- 335 The new OMP seeks to reduce the potential risk to the breeding ospreys without jeopardising the holding of the festival. These measures include modifications to the existing pre-event work programme, alterations to the

internal layout and mitigation measures to reduce noise, light and other activity in proximity to the osprey nest site.

336 This document has been prepared based on examples of osprey tolerance and habituation to human activity on current examples of nesting ospreys in Scotland. It has involved input from experienced ornithologists who have experience of osprey nesting and breeding behaviour. It also provides reference to other estate activity on the site (including agricultural operations, large scale events including fireworks and aviation/sky jumping which has been carried out on site when the ospreys have been nesting. The document also refers to SNH Guidance titled "A Review of Disturbance Distances in Selected Bird Species: M. Ruddock and D.P Whitefield (SNH 2007)".

337 This document reviews osprey set back distances and concludes that there is no fixed distance at which disturbance to osprey is recognised to occur. The SNH Guidance states:

"As for many other species, the close presence of some pairs to centres of human activity but other pairs being remote from human activity, points to the futility of a universal inflexible protective buffer. The ready use by nesting ospreys of both existing anthropogenic structures and purpose-built artificial nest sites also provides considerable scope for both proactive management and mitigation against potentially disturbing human activities."

338 During the build and break periods it is proposed that work activity will be phased to ensure that works furthest from the nest location are carried out first. There will also be an ornithological clerk of works on site to monitor the osprey behaviour and with the authority to halt work when required. SNH welcome these measures which should reduce the risk of disturbance during these phases of the event. They recognise that much of the build and break activities will not be dissimilar to other activities on the estate which have been undertaken in previous years. Given the advice received from SNH it is concluded that the impact from the build and break phases is comparable to other activities which have been undertaken on site.

339 In their response, SNH have stated that the latest version of the OMP presents a number of welcome measures to reduce the risk of disturbance during the event and that these measures probably represent the most the organisers of T in the Park can do without radical changes to its timing or location. The types of disturbance associated with the festival event include the sound levels, lighting effects, large scale firework display and the large number of people. SNH indicate that these are likely to be much more acute and intense than anything considered in their guidance and for this reason they have continually advised that there would be a risk of disturbance. SNH state that there is a residual risk that high levels of noise, lighting and human presence associated with the event may result in disturbance. They state that they are unable to quantify that risk with any degree of certainty.

340 RSPB have also provided a review of the document and stated that they object to the proposal unless a series of measures are implemented on site and

secured through planning conditions to ensure "that the chances of the birds nesting successfully are maximised". They state that without such measures they believe that disturbance to breeding ospreys is highly likely.

- 341 The applicant has been asked to comment on whether the conditions proposed by RSPB are workable in practice. The applicant states that it is their intention that an OMP should be finalised for each annual event and that the OMP prepared to date is in draft form only and having reviewed the conditions recommended by RSPB feel that the detail contained within the conditions could be dealt with in such a plan. The applicant states that any distances in relation to activity/location of structures should be properly mapped and should not be left to a general distance.

Conclusion

- 342 When applying the tests of the PKLDP in terms of Policy NE3 the Council has an obligation to protect and enhance all wildlife and wildlife habitats and consider whether the development would be likely to have an adverse effect on protected species.
- 343 SNH have confirmed that the potential worst case impact on osprey at Strathallan would not affect the favourable conservation status of the species in Scotland.
- 344 In terms of protecting the ospreys locally at Strathallan, whilst SNH have not objected nevertheless they have raised concern that there may be a residual risk which may result in disturbance to the nesting ospreys at Strathallan which they are unable to quantify. Mitigation measures have been proposed by the developer which are outlined above and the majority of the conditions recommended by RSPB in their consultation can be secured through a detailed Osprey Management Plan (OMP) for the event in 2015. Some of the conditions recommended by RSPB would fail to meet the tests for conditions contained within Circular 4/1998 as they would be unenforceable and lacking in precision. Furthermore, some of the conditions recommended are already covered within the submitted OMP and therefore do not require to be repeated. As such the relevant conditions contained within RSPB's consultation can be requested through an updated OMP. In subsequent years further mitigation is proposed in the form of removing the existing osprey nest and providing an alternative nest which is more remote from the site. It is considered that this mitigation would be a reasonable approach in reducing the risk of disturbance. Given the mitigation requires to be put in place and the behaviour of the ospreys monitored it is recommended that a temporary consent be granted for a suitable period which will allow monitoring, assessment and review.
- 345 A temporary consent for a period to allow for three annual events, namely in 2015, 2016 and 2017 would be appropriate. Three years is considered to be a reasonable period as this would allow the mitigation measures to be put in place and allow further information to be gathered on the impact of the development on osprey and may inform any future assessment.

- 346 Conditions are recommended which take account of the consultation responses from SNH and RPSB. Those conditions are considered proportionate to allow the event to take place for a temporary period but also to seek to minimise the impact on the osprey and allow for re-assessment of this at a future date.
- 347 It should be noted that in addition to the nest referred to above there is a second nest close to the site boundaries which appears to be occupied by a male osprey with no mate and no mitigation for this nest has been provided in the OMP. The same mitigation in terms of this nest and potential for disturbance should therefore apply. The proposed OMP condition can include reference to mitigation for this other nest.
- 348 Having considered all of the above it is recognised that this proposal will not affect the favourable conservation status of the species in Scotland. SNH have not objected to the application. In terms of ensuring the protection of wildlife under Policy NE3 it is legitimate to consider what mitigating conditions could be applied in order reduce the risk of disturbance to osprey. As such and having taken advice from the Council's Bio Diversity Officer, SNH and RSPB it is considered appropriate to impose conditions to minimise the potential for disturbance to the osprey.

Kingfisher

- 349 Kingfisher is a Schedule 1 species protected from disturbance during the breeding season. In response to the possibility of kingfishers nesting in areas of high disturbance (installation of fence footings and fencing) it has been proposed that these areas are made inaccessible by placing rubber matting/landscape fabric over the exposed banks (Confidential Annex and Supplementary Information). Such measures are compliant with EIA guidance that states that adverse effects should be avoided and if carried out before the breeding season then a Schedule 1 offence has not been committed. RSPB welcome that some areas have been identified that can be left uncovered.
- 350 RSPB Scotland believes that such measures (undertaken in the timescale described i.e. before the breeding season) will reduce the risk of a disturbance offence being committed. It is also possible to create artificial nesting banks to compensate for lost potential nesting habitat for kingfisher and sand martin. Opportunities for this should be considered fully and secured as part of a planning condition.

Supplementary Environmental Information (SEI):

- 351 The addendum confirms that the landscaping fabric has now been installed. One area, which is far enough away from festival activities has been left available for nesting.

Barn Owl

- 352 As well as disturbance and nest destruction there is a risk that birds nesting in buildings (such as barn owl) will be prevented access to nests containing young if buildings are used for storage or other activities. Fencing such sites off is not always appropriate. If breeding birds are present, staff should be made aware, and access maintained for these species. Section 10.86 states that monitoring will start in April and that '*this is prior to the commencement of site works*'. Barn owl can start breeding in February and RSPB Scotland notes that numerous works have already taken place on site from January 2015.
- 353 The ES also states that: *It is not known which estate buildings are to be used and if so, to what extent. Nor is it known whether any species nest in any of the buildings that may be used during the planned activities.* Therefore suitable buildings should be checked from February onwards each year.
- 354 This should be secured through planning condition.

Supplementary Environmental Information (SEI):

- 355 The applicant acknowledge the survey requirements identified by SNH and RSPB referred to above.

Red Kite

- 356 RSPB Scotland notes that a pair of red kites has been prospecting within the site boundary and displayed over the site in 2005. No detail has been provided regarding survey methods or disturbance distances for this species. RSPB have recommended that if a red kite nest is located an Ecological Clerk of Works (which will be conditioned as a requirement of any consent granted) should ensure a 300m buffer is marked and no disturbing activities (fencing and mowing) should take place until the birds have fledged. This can be secured by planning condition.

Supplementary Environmental Information (SEI):

- 357 The addendum states that survey methods were outlined in the ES and this has been acknowledged by RSPB. It also states that no evidence of the species nesting on the site was found. Therefore the condition referred to above is no longer required.

Ground Nesting Birds

- 358 Ground preparation will include intensive grazing and then six weeks prior to the event sheep will be removed, and the fields will be mown on a weekly basis. The ES states that annual event preparation will cause temporary habitat loss with the placement of fencing, stages and associated event facilities. This will cause a localised impact on birds nesting, particularly ground nesting birds. Table 10.10 (Vol 2) summarises that the impact of habitat loss duration for all species is acute/short term. However, as a planning application which could

result in preparatory ground works and management to make areas unsuitable for nesting birds taking place annually during the breeding season in perpetuity, this is clearly a permanent loss of habitat. The applicant is therefore required to create alternative nesting habitat for ground nesting birds through the retention of some areas of rough grass and off-site enhancement to replace lost habitat. Again, although it would be difficult to secure this for 2015, it should be secured through planning condition for future years.

- 359 The ES also outlines monitoring for ground nesting birds which is scheduled to take place in April each year. RSPB have recommended that if fields are to be mown weekly that they should be checked for ground nesting birds before each mowing. This can be secured through a planning condition. They have also advised that details of monitoring methods be secured through condition as these were not available within the ES.

Supplementary Environmental Information:

- 360 The addendum acknowledges the need to secure alternative areas to provide habitat for ground nesting birds. It also states that some track construction is now no longer going to be undertaken before the event in 2015 which will allow work to take place outwith the 2015 breeding season. The applicant indicates that they intend to provide alternative habitat elsewhere on the site. This can be secured by condition.

Pipeline

- 361 The ES indicates that an area of weekend parking is proposed to be located within the consultation distance of a major accident hazard pipeline ref 2359 (10 Feeder Kirriemuir/Braco). It states that the layout has been designed to ensure only vehicle parking is located within this consultation zone in accordance with advice from the Health and Safety Executive (HSE). HSE have accepted this proposal subject to conditions to limit public access to the area as much as possible. The pipeline operator, National Grid has indicated that they have no objections to the proposal. As such the proposal is considered to comply with Policy EP4 of the PKLDP.

Archaeology

- 362 An assessment of impact on archaeology is contained within Chapter 12 of the ES. Perth and Kinross Heritage Trust (PKHT) have indicated that they consider the methodology, results and mitigation measures set out in the Cultural Heritage chapter of the Environmental Statement (ES) to be robust.
- 363 The ES considers the impact of the development on designated and non-designated cultural heritage assets. There are three Scheduled Monuments (SM) within the development site – all of which are sub-surface sites. The proposals have taken the SM into account during the design stage with any potential minor impact to be mitigated through measures such as protective fencing, adapting the construction methods of the security fence, raising walkways and crowd management. Historic Scotland have intimated that

Scheduled Monument Consent will none-the-less be required. In regards to non-designated archaeological sites, these too have been taken into account in the design process with the re-routing of a number of access tracks and the siting / layout of the event arena.

- 364 Approximately half of the development site has been identified as having archaeological potential. This consists of the NE half of the site defined by the southern boundaries of fields 22, 26 and 38 plus three additional fields around Beltedstane Wood (see Figure 12.3 of ES). To protect non-designated archaeological sites and any sub-surface remains that are currently undiscovered within this area, archaeological monitoring will take place on the following: 1) creation and upgrade of access tracks (that also include services) 2) two temporary borrow pits and 3) excavation of drainage ditches in parking areas. A draft Written Scheme of Investigation (WSI) for this archaeological work is presented in Annex 1 of Appendix 6 of the ES. PKHT has some minor comments about this document but, in general, approves of its content. In line with Scottish Planning Policy and Policy HE1A and B of the PKLDP, PKHT have recommended a condition for a programme of archaeological works to be undertaken should consent be granted.

Cultural Heritage

- 365 An assessment of the impact which the development will have on cultural heritage is included within Chapter 12 of the ES.

Listed Buildings and Structures

- 366 In addition to Strathallan Castle itself, which is category B listed, the estate has a number of listed buildings, both within and outside the site boundary. The stable block adjacent to the castle is category B listed, as is the North Lodge. Within the site there are two listed bridges; that over the Prestney Burn on the south Drive, and over the Machany Water on the North Drive. The category C listed Waulkmill Bridge is on the boundary of the site, and outwith the site are two additional listed bridges on main access routes: the C listed bridge at Knappilands, and Kinkell Bridge (B listed). The C listed walled garden and B listed South Lodge are outside the site boundary.
- 367 Within Chapter 12 it is noted that no alteration work is planned to any of the listed buildings on the site in connection with the event. Although all of the listed buildings are sensitive to setting impacts, the only potential physical impacts are derived from increased or abnormal traffic loads over bridges during preparation, operation and decommissioning of the event. It is noted that an early structural review of the listed bridges within the site identified that they were suitable for all normal loads associated with the event without any remedial work being required. Mitigation in the form of regular survey and remediation as necessary is proposed (para. 12.81/ 12.93). Only one abnormal load is expected during preparation/ decommissioning, and this will reach and leave the site without crossing any of the listed bridges. It is stated in relation to off-site bridges that no vehicle movements are planned that should give rise to

a problem for bridges currently deemed suitable for public roads. Manned traffic controls will operate at Kinkell Bridge at peak times.

368 It is therefore considered that the development is acceptable in terms of the stated potential physical impact and mitigation measures in relation to the listed bridges on and near the site.

369 The assessment in relation to the potential impact on the setting of listed buildings on the site concludes that there is likely to be a moderate adverse impact on the settings of two categories B listed buildings and a minor adverse impact on the setting of three Category C listed buildings, but no mitigation is proposed. The event will undoubtedly have an adverse visual impact on the landscape setting of the castle and its associated estate buildings. Due to the temporary and reversible nature of the change of use of the site, however, this is considered acceptable. As such the proposal in terms of impact on Cultural heritage is considered to comply with Policy HE2 of the Local Development Plan and also the relevant national and regional policies in this regard.

Scheduled Monuments

370 There are three scheduled monuments located within the application site. The ES proposes mitigation through design. This includes re-routing proposed tracks and fencing. Historic Scotland have indicated that they are content within the mitigation outlined in the ES and that these can be enforced through the requirement for Scheduled Monument Consent (SMC). As such the proposal is considered to comply with the requirements of Policy HE1A of the Local Development Plan.

Landscape and Visual Impact

Permanent Physical Works

371 Permanent physical works are proposed to the estate to cater for the event and these are outlined in detail within the proposal section above and include installation of permanent footings for temporary pedestrian bridges, a series of new and upgraded tracks (detailed in figure 6.6 of the ES), drainage works (figure 6.5 of ES), installation of water tanks and a water supply network and upgraded field entrances.

372 Some access tracks have been installed on the estate to date and the applicant's agent has indicated that these have been installed as a result of proposed tree felling works and that approval will be sought from the Forestry Commission for this felling.

373 An Enforcement Notice regarding this unauthorised track installation which has taken place to date has been served on the landowner and the requirements of this notice will be enforced pending the outcome of this application.

374 The proposal involves a series of 6m wide permanent tracks across the estate to serve both the proposed arena area and the campsites to facilitate the

movement of vehicles and pedestrians across the site. These proposed tracks are extensive and clearly go beyond the level of track development which would normally be associated with the operation of an estate. However, the undulating nature of the site and the presence of intervening woodland means that the cumulative impact of the tracks on the visual amenity and landscape character is not considered to be significant. It is noted that some of the tracks which will facilitate access for pedestrians between the campsite and arena will be over-seeded to a 3-4m width to minimise visual impact. An indication of the specification of the tracks has been provided within the ES. It is noted that construction of the tracks will occur in phases and not necessarily completed in the first year, should planning consent be granted, mainly due to ecological and timing restrictions. Borrow pit areas are proposed within the site to provide material for track construction. The ES also states that additional material may be required from off site sources to form the tracks. Letters of representation have raised concern regarding the extent of off site material required and the potential increase in the number of HGV trips associated with any material required to be brought to site. Full details of the build traffic associated with the event, including any material required for track construction can be agreed through the detailed, staged Transport Management Plan which will be requested by condition. This will ensure that this detail and the level of additional traffic required can be fully considered by the relevant consultees and phased if required to minimise potential disruption to the public road network.

- 375 The remainder of the permanent site works, including the installation of water tanks are not considered to have any significant impact on the visual amenity of the area, and it is considered that these can be absorbed by the scale of the estate and or are located adjacent to existing site buildings and infrastructure and therefore directly visually relate to those buildings. As a consequence these works could be retained permanently on the site and would not be subject to removal upon expiry of the temporary consent.

Temporary Works

- 376 Temporary features are also proposed and these will be erected prior to each year of the event. These include laying of trackway, formation of site compounds including offices, toilets and generators, erection of tents and stages, lighting and bridge decks amongst other associated temporary works.
- 377 The experience of the T in the Park event has been to introduce a scale of development which does not rest comfortably in a rural landscape in terms of its form, colour, nature and scale. Post event, the impacts of litter in particular is a significant visual issue.
- 378 However, it may be recognised that event structures (marquees, tents, stages), cars and the nature of festival activity (noise and light shows etc.) whilst visible and apparent across a wide area, are all transient and temporary in nature and as a consequence, would not result in any permanent harm to the character and experience of the landscape. Accordingly, having regard to the limited duration of the event it is not considered that any visual harm to landscape would be such as to justify planning refusal on landscape grounds.

379 Accordingly, it is considered that significant visual and amenity effects from festival activity could be mitigated in the following way:

- Dismantling condition - two weeks post event
- Waste collection condition - to be completed two weeks post event

Trees/Woodland

380 The Tayside Landscape Character Assessment defines the southern part of the site as the Lowland Hills Landscape Character Type and the northern part of the site as Broad Valley Lowlands.

381 The Lowland Hills landscape type is characterised by extensive woodlands and low ridges and hills which are evident on this site. The Broad Valley Lowlands Landscape Character Type is characterised by extensive large estates, particularly in terms of woodland and policies and by broad straths. It also indicates that tree loss weakens character. The woodland in an around the site is designated as Ancient Woodland, this includes the North and South Castle Woods, Andrews Wood and Bernie Wood. This woodland is either located outwith the application site and/or access to the woodland area is to be prevented with the installation of herras fencing. Given the protection proposed it is considered that the event will not result in any significant impact on these areas of ancient woodland and as such the proposal accords with Policy NE1A of the PKLDP.

382 Whilst some minor tree felling is proposed this is not considered to result in any significant change to the landscape character of the area. The only area within a designated area of Ancient Woodland where felling is proposed is in the North West corner of Bernie Wood where a total of six trees are proposed to be felled. This makes up a very small portion of the overall woodland and it is not considered this small level of felling would have any significant impact on the character of the ancient woodland. SPP seeks to protect, conserve and enhance ancient woodland and this is echoed in policy NE2A of the PKLDP. The woodland areas within the site are to be fenced off to prevent public access and the type of fencing and extent of buffers between the woodland and the fencing is considered to be appropriate to mitigate any detrimental impact. As such it is considered that the proposed development will not have any significant impact on the woodland character of the area or upon the designated ancient woodland located within and adjacent to the site boundaries and as such is considered to comply with Policy NE2A and the SPP.

Capacity of Site to Host Event

383 The use of the site is restricted by a number of factors, including fencing to protect woodland and water courses and restrictions on use of certain areas to allow for cultural heritage and flood risk and to allow for set off distances between proposed fencing for residential properties. Given that the application site is smaller (by approximately 30%) than the Balado site and that the intention is to host the same number of people some clarification is sought on the sites ability to do so. Furthermore the scale of the site may have

implications regarding the need or otherwise for further camping areas, either associated with the event or by third parties. This has been requested as Supplementary Environmental Information (SEI):

Supplementary Environmental Information (SEI):

- 384 The ES addendum indicates that the minimum standard ascribed to camping for the event is 7m² per person which would require 52.5 hectares to accommodate 75000 people. The applicant proposes a maximum of 70000 people, providing just in excess of 10m² of space per person. Letters of representation have raised concern regarding the ability of the site to safely accommodate the number of people proposed particularly given the restrictions outlined above and the accuracy of the figures outlined above. They have suggested that a plan be prepared to demonstrate the exact extent of land available for camping taking into account all restrictions. No detail has been provided as to where the above space per person figures have come from but given the applicant's experience in hosting events where camping makes up a significant proportion of the site it is considered that the applicant has sufficient experience to be able to ascertain the required level of space for campers at an event of this nature. Furthermore, it is in the applicant's interest to ensure there is adequate space available on the site for campers. As such it is not intended to request any further information in this regard.

Site Boundaries

- 385 Letters of representation raised concerns regarding a difference in site boundaries throughout the submission documents. No evidence of this was found.

Telecommunications Infrastructure

- 386 Letters of representation have raised concern regarding the event potentially disrupting the existing telecommunications infrastructure in the area. The applicant has confirmed that no broadband connection is planned and that an external wired connection to the site may be provided by a statutory undertaker which could potentially allow for local residents to connect.

Security and Crime

- 387 Matters in relation to security and potential crime being committed at the event in respect to issues including residential properties are a matter for the police to consider and are not part of the Planning Authority's remit.

Health and Safety

- 388 Whilst the Planning Authority has some remit in regard to health and safety, such as consideration of pipeline proximity and hazardous installations, the general impact of health and safety as a result of hosting this event is a matter controlled by other legislation and not within the Planning Authority's remit.

Infrastructure Contributions

- 389 Following discussions with the Council's Developer Negotiations Officer an event of this nature does not trigger the requirement for any financial contributions outlined in Policy PM3 of the PKLDP.

Socio-Economic Impacts

- 390 SPP identifies that the planning system should seek to support economic development in all areas by taking account of the net economic benefits of proposals in development management decisions.
- 391 The ES makes reference to the Economic Assessment of T in the Park at Balado in 2014 and also to an assessment of the Glastonbury Festival in 2007.
- 392 Overall, the assessment in this section demonstrates an understanding of the characteristics of the local economy and its tourism performance as well as the main issues relating to the event being hosted in that locality. The potential benefits and, importantly, dis-benefits to the economy and community are outlined. In so doing, relevant research and source material has been used including the most recent economic impact assessment of T in the Park (2014) which is provided in the submission and which highlights the estimated net economic impact at the Perth and Kinross, Tayside, and Scottish level. It also estimates the number of full time equivalent jobs (50) that this expenditure safeguards in the Perth and Kinross area. The methodology used in this is consistent with that used in the assessment of other major events.
- 393 It is worth noting, however, that this figure is based on attendances at Balado of approximately 100K and the development of the event over time at this site which is in close proximity to Kinross. Some caution should, therefore, be exercised in assuming the same level of economic impact as a consequence of the event relocating to Strathallan. The report does consider the potential negative impacts, the distance of Strathallan from a town, and the preparedness of local businesses in relation to the festival etc. Some mitigation measures are recommended including efforts to prevent leakages through, for example, awarding contracts to local suppliers and "meet the buyer" type events to facilitate this as part of local engagement activities.
- 394 It is noted that the majority of expenditure within the proposed music festival boundary will be to vendors within the boundary and that the majority of visitors will remain on site thus reducing their ability to spend in the local area. There will however, be staff who could potentially stay overnight in the local area who could contribute to local spend.
- 395 There is also an argument that the hosting of the event in this location could potentially lead to negative perceptions of the area that could potentially lead to a reduction or displacement of existing economic activities which take place within the local area.

- 396 The Strathallan site is very different in its nature than Balado. There are a number of residential properties either within or immediately adjacent/surrounded by the proposed festival site and that the hosting of the event each year would cause a degree of disturbance which could impact negatively on their house value, however, ultimately the impact on the value of property is not a material consideration in the assessment of a planning application.
- 397 The hosting of the music festival at Strathallan will clearly be of significant benefit to the Strathallan Castle Estate and allow an additional source of funding to invest in the estate infrastructure and buildings.
- 398 It is clear that there is economic benefit at a national, regional and at a local level. The overall economic benefit of the event to the Scottish economy would be apparent regardless of the location provided the event remained within Scotland and as such it is not considered that the overall benefit to the Scottish economy holds a particularly significant weight in this planning recommendation as to whether Strathallan Estate, specifically, is an appropriate site in land use planning terms for this event. The specific land use planning issues at Strathallan which are identified in the above paragraphs are considered to be the key determining factors in the assessment of the application

European Convention of Human Rights

- 399 Representations have been made that the development would constitute a breach of the European Convention of Human Rights and in particular the right to respect for private and family life (ECHR, Article 8) and the protection of property (ECHR, Protocol 1, Article 1). It is important to note that these rights are not unqualified and that the principle of proportionality applies particularly in regard to Protocol 1 which allows interference which is carried out lawfully and in the public interest which arguably is achieved through the planning process.
- 400 Article 8 seeks to protect private and family life, home and correspondence. Although those living in the vicinity of the application will be aware of it in their homes and even feel to some extent disturbed by it, the effect will be of relatively short duration and will not deprive anyone of the ability to have a private life or a family life. The issue of correspondence does not arise. With regard to the home and the right to protection of property, again it should be noted that any effects will be of relatively short duration and also the effects of the application on the property interests of those in the vicinity of the development are comprehensively assessed in this section of the report and are not found to be so significant as to justify refusal. In the light of that appraisal, it is concluded that there will be no breach of human rights in respect of the home or protection of property.

LEGAL AGREEMENTS

- 401 None required.

DIRECTION BY SCOTTISH MINISTERS

402 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 32 there was a direction by the Scottish Government in respect of an Environmental Impact Assessment screening opinion dated 21 August 2014 which dictated that the proposed development was EIA Development for the purposes of the EIA Regulations.

CONCLUSION AND REASONS FOR RECOMMENDATION

403 This application seeks consent for the staging of a large scale music festival with associated camping and vehicle parking. The music event has operated from a site at Balado since 1997. The applicant's experience of managing the operational and environmental effects of this scale of event, albeit in an alternative location which also was considered a sensitive environment has been relied upon in setting out, through the supporting planning statement and Environmental Statement and Addendum, the measures of mitigation proposed. This has been the subject of consultation with interested bodies.

404 The mitigation measures outlined in the ES and Addendum are considered to be appropriate and following discussions with statutory consultees, none of whom have raised a formal objection to the proposal, it is considered the overall impact on the area can be suitably mitigated and controlled both through the controls identified within the ES and Addendum and confidential annex and through conditions attached to this recommendation.

405 In the circumstances and after careful consideration of the contents of the submission, consultation responses and letters of representation both for and against the proposal and an assessment of the traffic and transport implications, ecology and ornithology, landscape and visual impact, cultural heritage and other issues and consideration of these issues in accordance with the relevant national, regional and local planning policies it is concluded that the proposal is in accordance with this legislation and therefore the application is recommended for approval.

406 The permanent works which are proposed as part of this consent are considered acceptable as their visual and landscape impact is considered appropriate and in accordance with policy.

407 Whilst we are satisfied that a consent can be granted on the site, we acknowledge that certain issues can only be ascertained and reviewed after the event has taken place. As such it is considered appropriate to grant consent for a temporary period only to allow a music festival to take place in 2015, 2016 and 2017. This will allow the Planning Authority to review the impact of the event during the period of these three events which will inform future assessment.

RECOMMENDATION

A Approve the application subject to the following conditions:

- 1 Consent is hereby granted to allow for the construction and permanent retention of all permanent physical works as outlined in the Environmental Statement and Addendum.

Reason: These works are considered to be acceptable in terms of national, regional and local policy.

- 2 Consent is hereby granted for a temporary period only for the hosting of a single music festival event and associated temporary works on this site in 2015, 2016 and 2017 only.

Reason: To limit the number of events to be held on the site and to inform future assessment of the impact of the development on this site.

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

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

- 4 Prior to any works associated with this consent each year, a phased, comprehensive and detailed multimodal Transport Management Plan (TMP) shall be submitted for the written approval of the Planning Authority in consultation with the Roads Authority (PKC and Transport Scotland) and Police Scotland. This shall include a comprehensive Transport Communications Management Plan and shall provide the details requested in Transport Scotland's consultation response dated 17 April 2015. The TMP requires to be phased such that no build or break site traffic (referred to as build traffic) is permitted until that phase of the TMP is approved in writing. Additionally, no event traffic is permitted until the event phase TMP is approved in writing. The details of the phased TMP, as approved each year, shall be strictly adhered to during the relevant phases of the event.

Reason - To detail how adverse impacts on the safe and efficient operations of the transport network arising from the event will be minimised and managed.

- 5 Prior to use by either build or event traffic, specific to that location, all affected vehicular accesses shall be formed in accordance with specification *Type B, Fig 5.6* access unless otherwise agreed in writing with the Planning Authority in consultation with the Roads Authority.

Reason: In the interests of pedestrian and traffic safety

- 6 Prior to the commencement of all build phase traffic operations all road improvements identified in the Transport Management Plan shall be

implemented in accordance with appropriate specifications to be approved in writing by the Planning Authority in consultation with the Roads Authority.

Reason: In the interests of pedestrian and traffic safety

- 7 Prior to the commencement of event phase traffic flows, all road improvements associated with upgraded accesses on private land as identified as access roads within the TMP shall be implemented in accordance with appropriate specifications to be approved in writing by the Planning Authority in consultation with the Roads Authority.

Reason: In the interests of pedestrian and traffic safety

- 8 Prior to each annual music festival, the applicant will inform and agree with the Roads Authority all necessary Traffic Regulation Orders as identified in the Transport Management Plan, and at his expense and with sufficient advanced notice, arrange for such orders to be produced.

Reason: In the interests of pedestrian and traffic safety

- 9 Prior to each annual music festival, a plan detailing the extent of the public road network affected by the hosting of the music festival, shall be agreed in writing with the Planning Authority in consultation with the Roads Authority.

Reason: In the interests of pedestrian and traffic safety

- 10 Prior to each annual music festival, a road condition survey of the affected roads, as agreed under condition 7, shall be undertaken at the expense of the applicant in conjunction with the Roads Authority. A report detailing the condition of the affected roads shall be submitted to the Planning Authority as public record.

Reason: To identify the condition of the road network prior to the event.

- 11 Immediately upon completion of the break phase, each year, a further roads condition survey shall be undertaken at the expense of the applicant in conjunction with the Roads Authority to identify relevant deterioration resulting from festival related traffic.

Reason: To establish any deterioration of the road network as a result of the event and to inform the need for a Section 96 agreement to make good exceptional deterioration of the local road network due to festival traffic.

- 12 Prior to each annual music festival the developer shall agree, in conjunction with the Council's Public Transport Unit, including notifying the Scottish Traffic Commissioner, measures to ensure the effective management and resultant variations to the current public transport arrangements during the festival. This shall include, at the applicant's expense, any additional resources required to be put in place by the Council's Public Transport Unit to maintain current public transport provision.

Reason: To ensure that public transport provision for the local community is not detrimentally impacted upon during the event.

- 13 Prior to the 2016 and 2017 annual music festival, the developer shall maintain and update the PARAMICS Traffic Flow Model and undertake annually at their expense, a traffic survey during all the festival traffic movements at locations to be agreed with the Road Authority to understand, confirm and inform future updates to the Strategic Festival Traffic Management Plan.

Reason: In the interests of pedestrian and traffic safety.

- 14 During construction and de-commissioning phases of the music festival event permitted by this consent, reinforced track surfacing for ground protection to site access, service roads and car park entrances within the application site shall be laid, and utilised by vehicles, and shall remain in place for the duration of the event itself.

Reason: To clarify the extent of the permission for the avoidance of doubt and to ensure details are acceptable to the Council as Planning Authority to safeguard the water environment in the interests of amenity.

- 15 The hours of operations during the site preparation, build and break shall be restricted to 0700 hours to 1900 hours Monday to Friday and 0800 hours to 1700 Saturday to Sunday unless otherwise agreed in writing with the Council as Planning Authority.

Reason - In the interests of residential amenity.

- 16 All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

Reason - In the interests of residential amenity.

- 17 All external lighting 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, to the satisfaction of the Council as Planning Authority.

Reason - In the interests of residential amenity.

- 18 All toilet facilities within campsite areas, other toilet facilities within the campsite for the disabled, shall be located at least 100m from the nearest residential properties, all to the satisfaction of the Council as Planning Authority.

Reason - In the interests of residential amenity.

- 19 During and on completion of the event each year all watercourses in the confines of the site shall be inspected and cleared of any impediments likely to create any obstruction to the free flow of water; all to the satisfaction of the Council as Roads Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in accordance with the adopted Development Plan.

- 20 The soffit level of any temporary bridge over any watercourse shall be designed to be a minimum of height of the equivalent 1 in 30 year flood return period and any permanent foundations shall set back from the existing bank profile.

Reason: In the interests of best practise; to reduce flood risk.

- 21 Surface Water runoff shall be managed on site by implementing SUDS in accordance with the principles of the SUDS (Sustainable Drainage Systems) Manual (C697) published by CIRIA. Any changes to the SUDS details outlined in the ES shall be agreed in advance with the Planning Authority in consultation with SEPA.

Reason: To reduce flood risk.

- 22 At least one month prior to the commencement each annual music festival event authorised by this permission a site and event specific Environmental Management Plan, fully detailing the mitigation and contingency measures outlined in the Environmental Statement and Addendum and incorporating operational plans for sanitation, waste management, water management, drinking water, flood prevention measures (including flood warning and evacuation), drainage management, construction methods, environmental monitoring, pollution incident response and a wet weather contingency plan shall be submitted for the written approval of the Council as Planning Authority in consultation with SEPA and SNH. This document should address the details and requirements outlined in SEPA's consultation response dated 9th February 2015 (ref:PCS/138067) and PKC Environmental Health's consultation response dated 24th February 2015 regarding the protection of private water supplies. The approved mitigation and contingency measures shall be put in place for each annual event in accordance with those approved details.

Reason - To clarify the extent of the permission for the avoidance of doubt and to ensure details are acceptable to the Council as Planning Authority to safeguard the water environment in the interests of amenity.

- 23 Development shall not commence until an independent and suitably qualified Ecological Clerk of Works (ECoW) or Environmental Manager has been appointed at the developers expense. Details of this appointment shall be subject to the prior written approval of the Planning Authority. The appointed person will remain in post for the duration of permanent site works, operation of the event and subsequent decommissioning of the event each year. The

ECoW or Environmental Manager in representation of the Planning Authority relating to this development shall have responsibility for the following:

- a) Implementation of the Environmental Management Plan (EMP) approved by this permission.
- b) Authority to stop operations or to alter construction methods should there be any works occurring which are having an adverse impact on the natural heritage.
- c) Prior to the commencement of development they shall provide an environmental / ecological tool box talk for construction staff.
- d) They will have authority to amend working practices where required. Any amendments shall be submitted to the Council as Planning Authority as an addendum to the approved EMP.
- e) They shall notify the Council as Planning Authority in writing of any requirement to halt development in relation to this condition as soon as reasonably practicable.
- f) Ensure all protection and mitigation measures outlined within the ES and submitted species protection plans are fully adhered to.

The above shall be implemented to the satisfaction of the Council as Planning Authority during each year of the event and during all permanent construction works.

Reason: To minimise disturbance to ecology, protected species and sensitive areas during all stages of the event.

- 24 All waste water generated during the event shall be collected and taken off site for proper disposal.

Reason: In the interests of protection the environment.

- 25 The clearance of waste, litter and other debris from the application site and generated by each annual music festival permitted by this consent shall be completed within 14 days following the closure of the music festival site to the public.

Reason: In the interests of visual and residential amenity.

- 26 A minimum 15-30m fenced buffer zone shall be erected around all watercourses and sensitive features in accordance with Environmental Statement and Addendum. The fencing used should not unduly impede the flow of water. The fencing shall prohibit public access to the relevant sensitive features and shall remain in place throughout the duration of each annual music festival.

Reason - In order to protect sensitive features on the site.

- 27 The area of wetland (M23b) identified in Section 9.48 and 9.88 of the ES shall be fenced off prior to each annual music festival event to prevent incursion into this area during all phases of the development and shall be retained during all

phases of the music festival until decommissioning is complete all to the satisfaction of the Council as Planning Authority.

Reason - To protect the area of wetland.

- 28 Within 6 months of the date of this decision, details of alternative artificial nesting sites for Kingfisher shall be submitted for the written approval of the Planning Authority in consultation with RSPB and SNH.

Reason - In order to provide alternative nesting sites for Kingfisher as a result of the loss of nesting sites within the application site

- 29 All buildings within the application site with potential for nesting birds shall be monitored from February onwards each year and appropriate mitigation carried out should any impact be identified to the satisfaction of the Council as Planning Authority.

Reason: In order to ensure the protection of any nesting bird species.

- 30 Within 6 months of the date of this decision the applicant shall supply detail, for the written approval of the Planning Authority in consultation with SNH and RSPB, of alternative nesting habitat for ground nesting birds through the retention of some area of rough grass or off site enhancement. The details, as approved in writing, shall be fully implemented.

Reason: To provide alternative habitat for ground nesting birds.

- 31 Areas of grassland to be mowed to accommodate the event shall be examined for the presence of ground nesting birds before mowing takes place. Full details of all monitoring methods for ground nesting birds shall be submitted for the written approval of the Planning Authority in consultation with SNH and RSPB prior to the commencement of site works.

Reason: To ensure the protection of ground nesting birds on site.

- 32 Within the consultation distance (305 metres) of the 10 Feeder Kirriemuir/Braco pipeline as identified on the "Constraints Map (Rev A) Figure 6.1 in the ES Addendum:

- i) No member of the public shall be present with the exception of parking their vehicles and access/egress.
- ii) Parking provision (except that restricted to the applicants or operator's employees in relation to the major music event authorised by this permission or is contracted workforce), shall be in a manned controlled area, solely for vehicles used to transport the public.
- iii) Control shall be put in place to prevent members of the public being present for more than 30 minutes within the consultation zone. This shall include assembly, picnicking, camping, sleeping in vehicles, and dispersion of those attending the event at the end of each day.

Reason - To control the population levels within the pipeline consultation zone.

- 33 No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant, agreed by Perth and Kinross Heritage Trust, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in consultation with Perth and Kinross Heritage Trust.

Reason - To protect archaeological interests on the site.

- 34 Prior to the commencement of works on the tracks associated with the event, full details of the proposed track construction and landscape mitigation for the tracks shall be submitted for the written approval of the Planning Authority. The works shall be implemented in accordance with those approved details.

Reason - In the interests of visual amenity.

- 35 A comprehensive approach to tree protection on site shall be adhered to in accordance with BS 5837:2012 Trees in Relation to Design, Demolition and Construction.

Reason: In order to protect retained trees on site.

- 36 The applicant shall ensure that the existing private water supply networks within or affected by the development shall be protected in accordance with paragraphs 5.19 5.21 of ES Addendum; Section 5 - Water Management/Private Water Supplies to the satisfaction of the Council as Planning Authority.

Reason: In order to protect PWS.

- 37 The applicant shall maintain the private water protective measures put in place before the site works commence and be maintained throughout the period of construction, the event and deconstruction to the satisfaction of the Council as Planning Authority.

Reason: In order to protect PWS.

- 38 Prior to the commencement of any development a fully detailed Otter Protection Plan (OPP) which can be based upon the OPP contained within Appendix 3 of the ES Addendum shall be submitted for the written approval of the Planning Authority in consultation with SNH. This shall fully detail the requirements outlined on page 5 of SNH's consultation response dated 24th April 2015 and reflect the comments in the PKC Bio Diversity Officer's consultation response dated 29th April 2015. The OPP, as approved in writing, shall be strictly adhered to during all phases of the festival.

Reason: In order to ensure the protection of otters.

- 39 Prior to the commencement of any development a fully detailed Bat Protection Plan (BPP) which can be based upon the BPP contained within Appendix 3 of the ES Addendum shall be submitted for the written approval of the Planning Authority in consultation with SNH. This shall fully detail the requirements outlined on page 5 and 6 of SNH's consultation response dated 24th April 2015 and reflect the comments in the PKC Bio Diversity Officer's consultation response dated 29th April 2015. The OPP, as approved in writing, shall be strictly adhered to during all phases of the festival.

Reason: In order to ensure the protection of bats.

- 40 Prior to the commencement of any development a fully detailed Red Squirrel Protection Plan (RSPP) which can be based upon the RSPP contained within Appendix 3 of the ES Addendum shall be submitted for the written approval of the Planning Authority in consultation with SNH. This shall fully detail the requirements outlined on page 6 and 7 of SNH's consultation response dated 24th April 2015 and reflect the comments in the PKC Bio Diversity Officer's consultation response dated 29th April 2015. The OPP, as approved in writing, shall be strictly adhered to during all phases of the festival.

Reason: In order to ensure the protection of red squirrels.

- 41 The applicant shall arrange for monitoring of badger activity on the site over a 6 month period. The sett identified within the ES shall be monitored using trail cameras to record use and mitigation provided based upon these findings. Details of the mitigation shall be submitted for the written approval of the Planning Authority in consultation with SNH. The mitigation, as approved in writing, shall be strictly adhered to during all operations on site.

Reason: In order to ensure the protection of badgers.

- 42 Within 6 months of the date of this permission full details of alternative artificial nesting habitat for kingfisher and sand martin shall be provided for the written approval of the Planning Authority. The details, as approved, shall be implemented prior to the 2016 event.

Reason: In order to provide alternative habitat.

- 43 Development shall not commence until an independent and suitably qualified Ornithological Clerk of Works (OCoW) has been appointed at the developers expense. Details of this appointment shall be subject to the prior written approval of the Planning Authority. The appointed person will remain in post for the duration of permanent site works, operation of the event and subsequent decommissioning of the event each year. The OCoW in representation of the Planning Authority relating to this development shall have responsibility for the following:

- a) Implementation of the Osprey Management Plan (OMP) approved by this permission and any subsequent amendments to the OMP.
- b) Authority to stop operations or to alter construction methods should there be any works occurring which are having an adverse impact on breeding birds
- c) Prior to the commencement of development they shall provide an ornithological tool box talk for construction staff.
- d) They will have authority to amend working practices where required. Any amendments shall be submitted to the Council as Planning Authority as an addendum to the OMP.
- e) They shall notify the Council as Planning Authority in writing of any requirement to halt development in relation to this condition as soon as reasonably practicable.
- f) Ensure all protection and mitigation measures outlined within the ES and OMP are fully adhered to

The above shall be implemented to the satisfaction of the Council as Planning Authority during each year of the event and during all permanent construction works.

Reason: To minimise disturbance to protected bird species during all stages of the event.

- 44 Prior to the commencement of development an updated Osprey Management Plan (OMP) shall be submitted for the written approval of the Planning Authority. This shall contain the mitigation provided in the OMP Draft April 2015 and shall also include the following:

- ornithological monitoring of osprey nests on and adjacent to the site
- use of access tracks adjacent to nests is not permitted
- update the document to ensure the position of all nests within and adjacent to the site are accurately mapped
- propose appropriate mitigation for all osprey nests within and adjacent to the site
- no fireworks are permitted
- the funfair and big wheel shall be located at least 500m from all osprey nests
- provide a detailed layout plan of the event arena

The OMP as approved in writing shall be strictly adhered to during all operations on site and shall be updated for each of the annual music festivals permitted by this consent to take account of the monitoring of ospreys which will occur on site.

Reason: In order to mitigate impact on ospreys.

- 45 All fencing erected around residential properties shall remain in place for a maximum duration of 14 days to the satisfaction of the Council as Planning Authority.

Reason: In the interests of residential 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 Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.
- 2 As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
- 3 The developer is reminded that a Public Entertainment Licence and also an alcohol license are required for the event.
- 4 The developer 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.
- 5 The developer should be fully aware of the advice and guidance contained within SEPA's consultation responses regarding their regulatory role.
- 6 The developer should be aware of the requirement for Schedule Monument Consent referred to in Historic Scotland's consultation responses dated 5th March 2015 and 16th April 2015.
- 7 The developer 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
- 8 The developer should open dialogue with the Council and SNH regarding positive implementation of osprey monitoring at Strathallan.

- 9 The developer is advised that there are septic tanks and soakaways or outfall pipes serving neighbouring properties within the site and the surrounding area. The applicant should therefore take all reasonable precautions to ensure their continued operation.
- 10 The developer 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.
- 11 The developer should be aware of the requirement for licenses from SNH in regard to protected species and should discuss this requirement directly with them.
- 12 The developer should consider the implementation of a series of bio diversity habitat enhancement measures throughout the site.

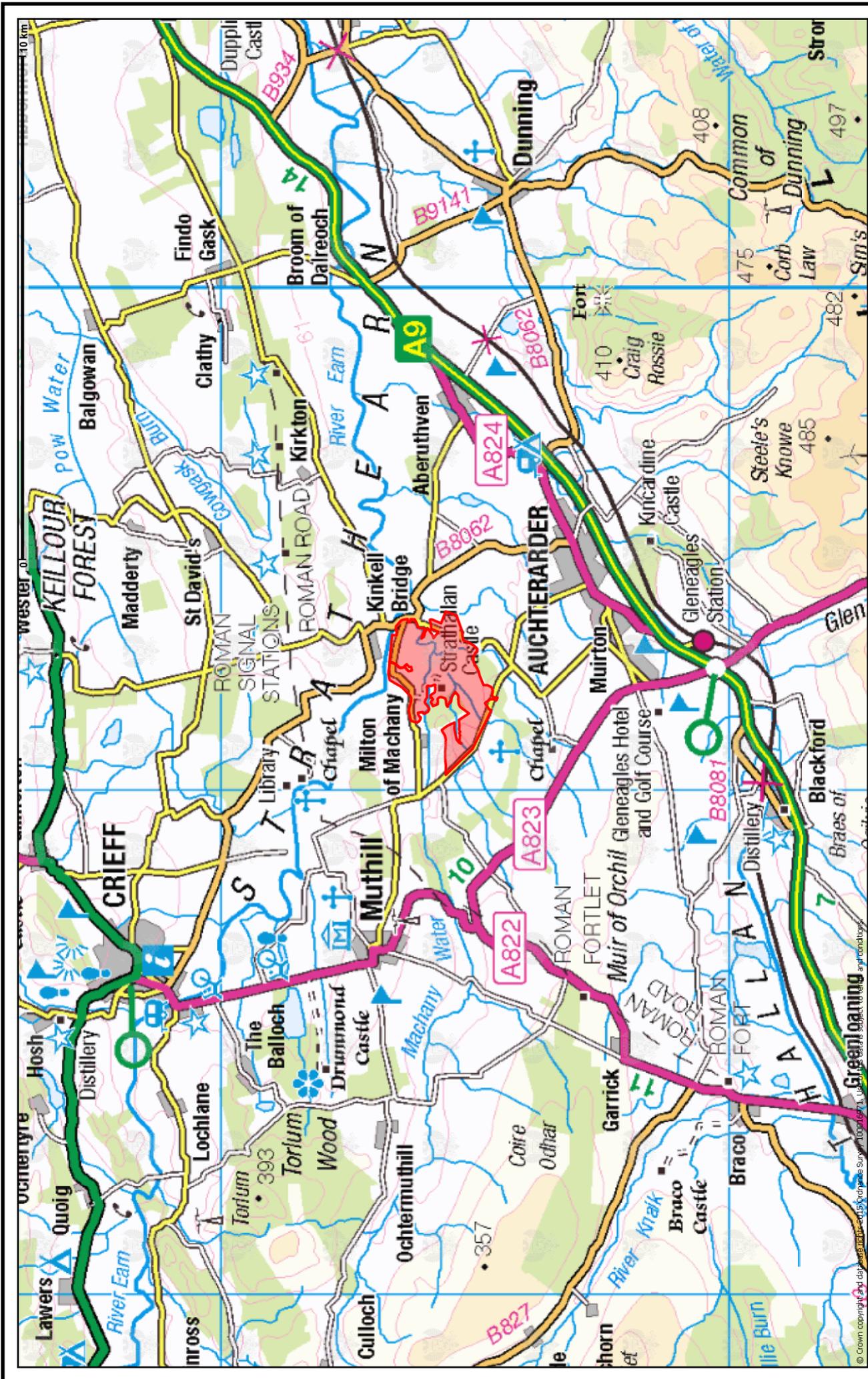
**NICK BRIAN
DEVELOPMENT QUALITY MANAGER**

Background Papers: 2433 letters of representation
Contact Officer: John Williamson – Ext 75360
Date: 29th April 2015

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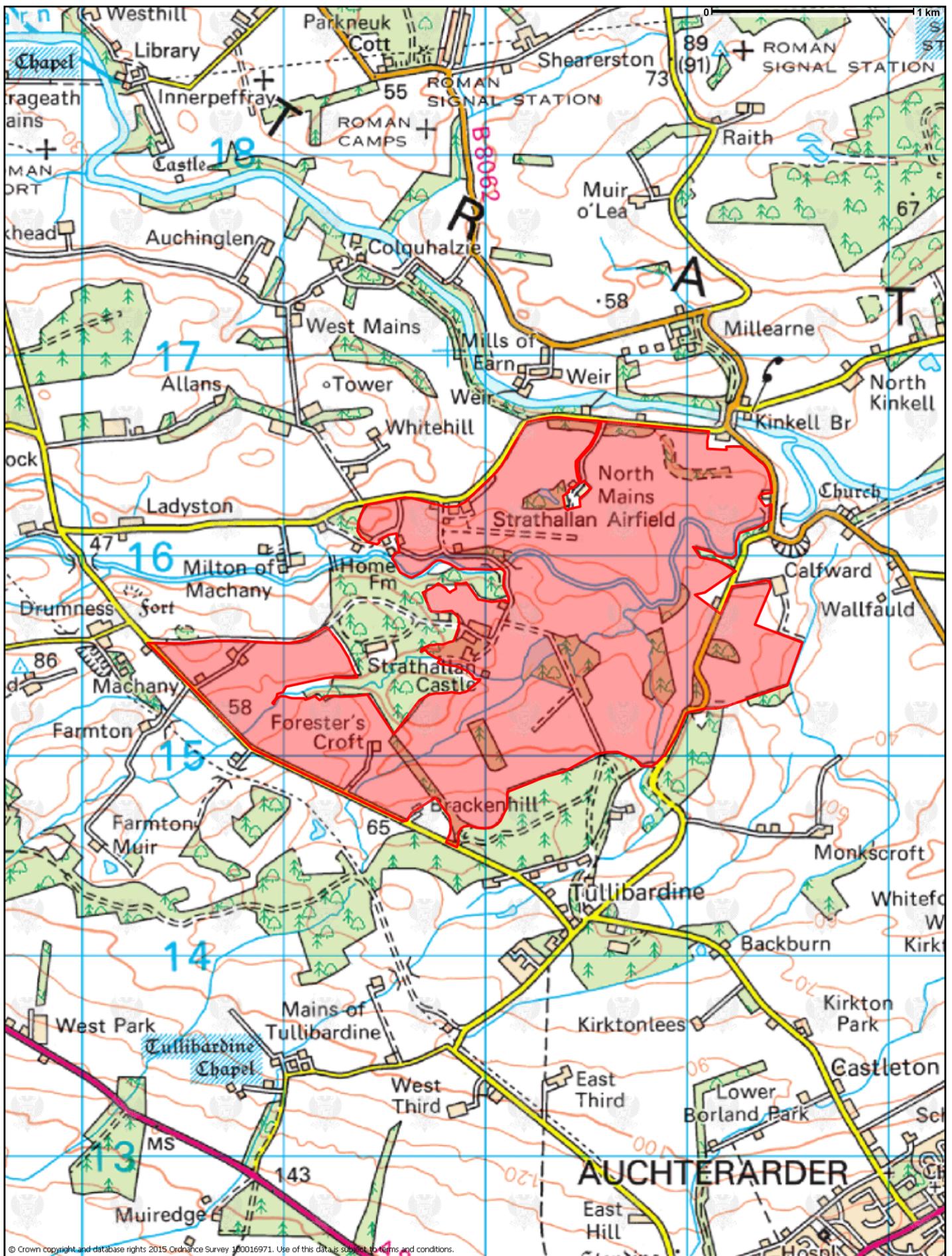
15/00081/FLM

Change of use of land and associated operations for the purpose of holding annual music festival including permanent change of use of land for the purpose of site preparation and decommissioning at Strathallan Castle Estate, Strathallan.



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15/0081/FLM

Change of use of land and associated operations for the purpose of holding annual music festival including permanent works relating to water supply and drainage, access and engineering works and temporary works relating to event site preparation and decommissioning at Strathallan Castle Estate, Strathallan

