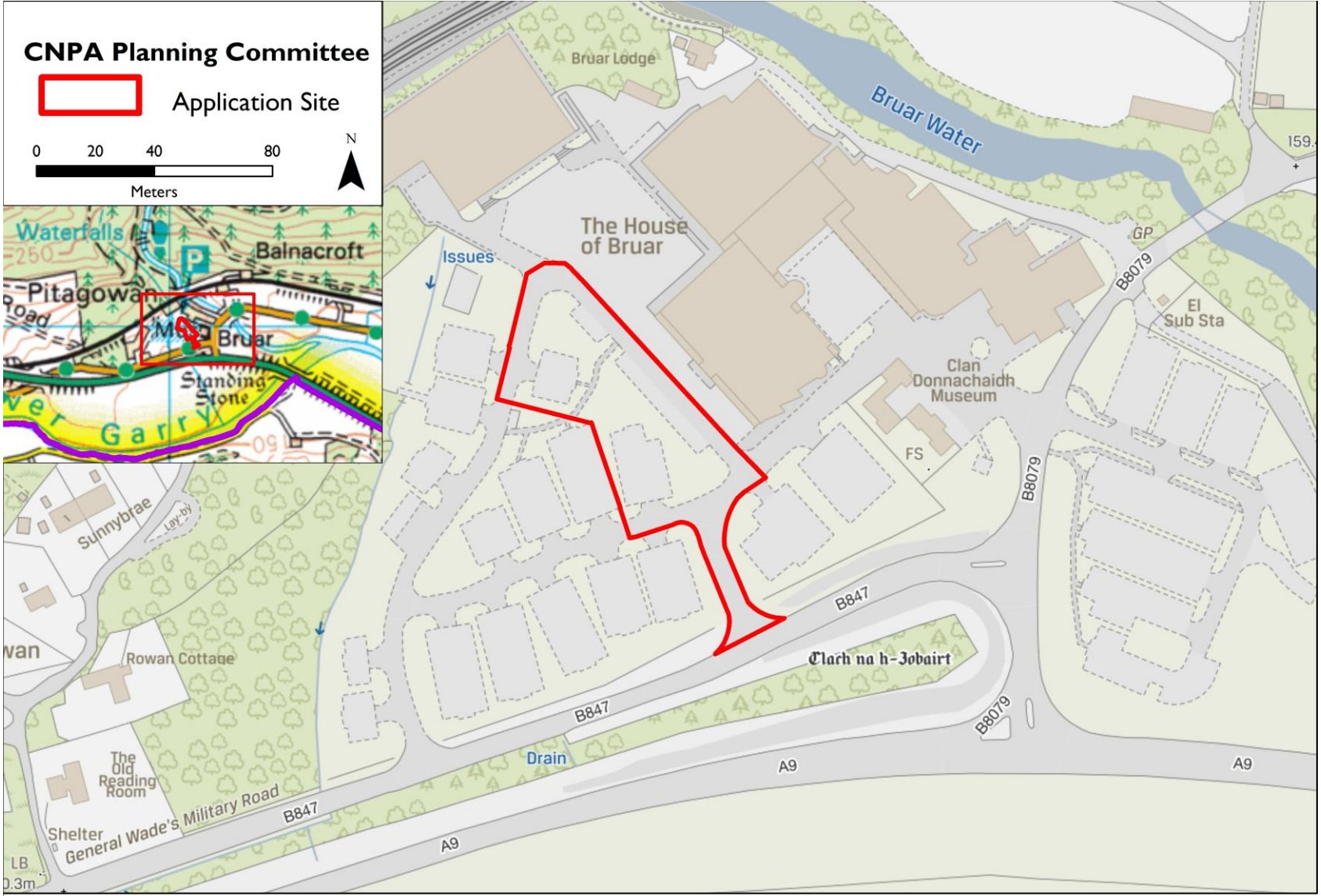


CAIRNGORMS NATIONAL PARK AUTHORITY

DEVELOPMENT PROPOSED:

Renewal of permission 19/02111/FLL (Erection of art gallery building, reconfigure car park, installation of 4 air source heat pumps, landscaping and associated works). at House Of Bruar B8079 From The Junction Of The A9t At Bruar To The Access Road Leading To Woodhouselee Pitagowan Blair Atholl Pitlochry Perth And Kinross

REFERENCE: 2023/0145/DET
APPLICANT: The House Of Bruar
DATE CALLED-IN: 27 March 2023
RECOMMENDATION: Approve, subject to Conditions.
CASE OFFICER: Stephanie Wade, Planning Officer



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SITE DESCRIPTION, PROPOSAL AND HISTORY

Site Description

1. The application site is located to the north of, and adjacent to the Pitagowan A9/B8079 road junction with the B847 running along the southern site boundary and the railway line bounding the site to the north with mature woodland beyond. Bruar Water runs along the north-eastern site boundary. The application relates to the well-known House of Bruar retail complex, which is situated in a prominent position and covers an 11-acre site. The site at present comprises a group of buildings, with a central courtyard, which are used for retail purposes, a foodhall and a café / restaurant. Buildings to the northern area of the site include officing and warehousing with visitor car parking located predominantly to the west of the buildings and to the south-east, on the other side of the B8079. The hamlet of residential dwellings at Pitagowan is located to the west of the Bruar site complex and is separated from the site by woodland.
2. Regarding site designations, part of the building complex, on the on the east and north side of the wider site, are included within the Falls of Bruar (ref: GDL00177), which is designated as a Garden and Designed Landscape. Bruar Lodge, located within grounds, is designated as a Category C listed building and the scheduled monument of Clach na h'lobairt, standing stone, is located to the south of the application side, on the southern side of the B847. Bruar Water also forms part of the River Tay Special Area of Conservation.

Proposal

3. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:

<http://www.eplanningcnpa.co.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RRZ5ATSI0CP00>

Title	Drawing Number	Date on Plan*	Date Received
PLANS			
Plan – Location Plan at 1:10,000	1915.1.01	25/10/19	23/03/23
Plan – Location Plan at 1:2500	195.2.02b	25/10/19	23/03/23
Plan – Site Plans	1.03b	25/10/19	23/03/23
Plan – Gallery Drawings-4a	P04a	25/10/19	23/03/23

Plan – Gallery Drawings- 4b	P04b	25/10/19	23/03/23
Plan – Gallery Drawings-5	P05	25/10/19	23/03/23
SUPPORTING DOCUMENTATION			
Other – Supporting Statement	19/240	07/01/20	23/03/23
Other – Retail Statement		01/12/19	23/03/23
Other – Planning Statement		09/03/23	19/05/23
Other – Planning Statement		01/12/19	23/03/23
Other – Construction Method Statement	19/240	01/12/19	23/03/23
Other – Air Source Heat Pump Brochure	PUHZ-W-VAA		23/03/23
Other – Flooding Information	19/240	25/04/23	28/04/23
Other – Soakaway Design			28/04/23
Other – Calculation Sheet – Porosity Test for Car Parking		16/03/11	28/04/23

*Where no specific day of month has been provided on the plan, the system defaults to the 1st of the month.

4. This application is submitted for renewal of a timeous permission referenced 2020/0012/DET, which gained consent for the “erection of an art gallery building together with car park reconfiguration and landscaping” at House of Bruar. The original application was approved at the March 2020 CNPA committee meeting and decision notice issued on 20th March 2020.
5. The renewal application has been submitted to extend the decision period for the development and proposes no changes to the scheme as approved which is outlined below in full, for reference:
 - a) Erection of a detached building to the west of and in parallel with the main building complex, within part of the existing landscaped car parking area. The building is proposed to be used for retail space as an art gallery and covers a total gross floor area of 720 square metres with the retail area covering 680 square metres of this and staff facilities and retail storage covering the remaining 30 square metres.
 - b) The building has a long, rectangular form, measuring 72 metres in length and 10 metres in width. The building is proposed with a maximum ridge height of 5.5 metres. Four air source heat pumps are proposed to be installed adjacent to the north-western elevation of the building. The walls of the building are proposed to be a mix of off-white render and glazed units under a dark grey, profiled sheeting, pitched roof.

- c) The landscaped car parking areas are proposed to be reconfigured to accommodate the building and the following amendments would be made to the parking spaces:

Car Park Location (as illustrated on the site plan)	Existing number of parking spaces	Proposed number of parking space following the realignment of the parking area
Parking on the north	10	10
Parking on the north- east	23	26
Parking on the south	18	15
TOTAL	51	51

- d) The reconfigured car parking areas would have a gravel finish to match the existing car parking areas within the site and the existing footpath from the west car parks leading to the main building complex is proposed to be realigned to serve an entrance on the western elevation of the proposed art gallery. A low wall is proposed to be erected along the north-eastern elevation separating this from the car parking spaces, which abut this elevation. The wall is proposed to be finished in off white harling. The hard and soft landscaping will match the existing landscaping scheme on site with the trees currently located in the proposed location of the building, being relocated within the site.
- e) The proposed opening hours of the art gallery for the public are 1000hrs to 1700hrs, seven days a week, excluding Christmas Day and New Year's Day.

6. Plans of the proposal are included within **Appendix 1**.

History

7. The site benefits from several planning applications, which are outlined below and were all determined by the Local Authority, Perth and Kinross Council:
- a) Planning application ref: 23/00071/FLL, for the 'Extension to warehouse/ offices to form additional office space (class2), produce development/ food preparation areas with associated storage and distribution (Class 6)'. The application is currently under consideration by the Local Authority.
 - b) Planning application ref: 17/00362/FLL, for the 'Change of use from museum (class 10) to form staff accommodation, change of use of shop (class 1) to restaurant/café (class 3) and erection of extension to form store' was granted conditional consent on 16 May 2017.

- c) Planning application ref: 17/01858/FLL, for the 'Change of use from restaurant (Class 3) to hot food takeaway (in retrospect), was granted conditional consent on 18 December 2017.
 - d) Planning application ref: 17/01070/FLL, for the 'formation of a pitched roof was granted conditional consent on 25 August 2017.
 - e) Planning application ref: 13/01885/FLL, for the 'Erection of a glass house enclosing part of the existing courtyard and existing canopy structure' was granted conditional consent on 11 November 2013.
8. Of relevance to this application, is planning permission 2020/0012/DET which permitted the original proposal for the erection of the Art Gallery and associated infrastructure which is the subject of this renewal application. The original permission was determined by CNPA Planning Committee in March 2020.

Habitats Regulations Appraisal

9. A Habitats Regulations Appraisal [HRA] has been undertaken to consider the potential effects of the proposal on the River Tay Special Area of Conservation. A copy of the HRA can be found at **Appendix 2**. The River Tay SAC is approximately 100m east at its nearest point (Bruar Water). The HRA concludes that given the lack of obvious connectivity between the proposed development and the River Tay SAC, all conservation measures are considered to be met and no adverse impact on any of the designated features is anticipated. A Pollution Prevention Plan for construction is recommended as good practice to ensure the contractors are aware of their responsibilities given the proximity to the River Tay SAC.

DEVELOPMENT PLAN CONTEXT

Policies

National Policy	National Planning Framework 4 (NPF4) Scotland 2045
POLICY 1	Tackling the Climate and Nature Crises
POLICY 2	Climate Mitigation and Adaptation
POLICY 3	Biodiversity
POLICY 4	Natural Places
POLICY 7	Historic Assets and Places
POLICY 9	Brownfield, Vacant and Derelict Land, and Empty Buildings
POLICY 13	Sustainable Transport
POLICY 14	Design, Quality and Place
POLICY 22	Flood Risk and Water Management
POLICY 28	Retail

POLICY 29	Rural Development	
Strategic Policy	Cairngorms National Park Partnership Plan 2022 – 2027	
Local Plan Policy	Cairngorms National Park Local Development Plan (2021) Those policies relevant to the assessment of this application are marked with a cross	
POLICY 1	NEW HOUSING DEVELOPMENT	
POLICY 2	SUPPORTING ECONOMIC GROWTH	X
POLICY 3	DESIGN AND PLACEMAKING	X
POLICY 4	NATURAL HERITAGE	X
POLICY 5	LANDSCAPE	X
POLICY 6	THE SITING AND DEISGN OF DIGITAL COMMUNICATIONS EQUIPMENT	
POLICY 7	RENEWABLE ENERGY	
POLICY 8	OPEN SPACE, SPORT AND RECREATION	
POLICY 9	CULTURAL HERITAGE	X
POLICY 10	RESOURCES	X
POLICY 11	DEVELOPER OBLIGATIONS	X

10. All new development proposals require to be assessed in relation to policies contained in the adopted Local Development Plan. The full wording of policies can be found at:

<https://cairngorms.co.uk/wp-content/uploads/2021/03/CNPA-LDP-2021-web.pdf>

Planning Guidance

11. Supplementary guidance also forms part of the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross.

Policy 1	Housing Supplementary Guidance	
Policy 2	Supporting Economic Growth Non-Statutory Guidance	X
Policy 3	Design and Placemaking Non-Statutory Guidance	X
Policy 4	Natural Heritage Non-Statutory Guidance	X
Policy 5	Landscape Non-Statutory Guidance	X
Policy 7	Renewable Energy Non-Statutory Guidance	
Policy 8	Open Space, Sport and Recreation Non-Statutory Guidance	
Policy 9	Cultural Heritage Non-Statutory Guidance	X
Policy 10	Resources Non-Statutory Guidance	X
Policy 11	Developer Obligations Supplementary Guidance	X

CONSULTATIONS

Summary of the main issues raised by consultees

12. **Transport Scotland** has no objections.
13. **Scottish Water** has no objections, but request that the developer submits a pre-development enquiry to them following the granting of planning permission to confirm capacity availability.
14. **Perth and Kinross Council Transport Planning Team** has no objections subject to the inclusion of planning conditions. The Officer recommends the inclusion of a planning condition for the agreement of a Construction Traffic Management Plan which shall include management of traffic flows past the construction site and through the construction site, regarding the bus service route and whether a temporary bus stop will be required during the construction works. The Officer notes that the parking levels provided for the whole site will remain the same. A planning condition is recommended for the prior agreement and subsequent installation of a 12-cycle storage facility.
15. **Perth and Kinross Commercial Waste Team** confirm the existing bin store will be sufficient for the site.
16. **Perth and Kinross Council Development Negotiations Officer** confirms that no developer contributions are required from this development.
17. **Perth and Kinross Council Environmental Health Officer** has not provided any comments on this renewal application.
18. **Perth and Kinross Council Flood Risk Management Officer** originally requested the submission of additional information. Following this, the Officer confirmed they have no objection and require no further information.
19. **CNPA Ecology Officer** has no objection. The Officer notes the intentions to transplant the existing trees to be affected by the development or replaced with similar size species and trees. The significant of effects for protected species/ breeding birds is slight with limited habitats for supporting protected species. Pollution prevention measures are proposed by condition to ensure that construction works do not affect the Bruar Water which forms part of the River Tay Special Area of Conservation.
20. **Blair Atholl & Struan Community Council** were consulted on the application but have not provided any response.

REPRESENTATIONS

21. The application has been advertised and no letters of public representation have been received.

APPRAISAL

22. The main planning considerations are the principle of development; design, scale, and materials; the impact on the natural and historic environment; access and servicing; and the impact on amenity.
23. Since the consideration of the previous application, the Development Plan for Cairngorms National Park has now changed to the Cairngorms National Park Local Development Plan 2021 and the National Planning Framework 4. This report therefore appraises the scheme against the current Development Plan.

Principle of Development

24. **Policy 29(b): Rural Development** of NPF4 requires development in rural areas to be suitably scaled, sited, and designed to be in keeping with the character of the area. Both **Policy 28: Retail** of NPF4 and **Policy 2: Supporting Economic Growth** of the Cairngorms National Park Local Development Plan 2021 support new retail development where it uses a sequential approach to site selection out of settlements and where the development supports economic vitality and viability of the community. Both policies also stipulate that development proposals should be of appropriate scale for the location; have an acceptable impact on the character and amenity of the area; and located to best channel footfall and activity to benefit the place as a whole.
25. Bruar and Pitagowan are small communities which lie four miles to the north of Blair Atholl and are classed as rural settlements. They rely on tourism and the House of Bruar to support their community. The Settlement Objectives for the two communities within the Local Development Plan 2021, include support for the strategically important development at the House of Bruar and ensure it benefits the local community.
26. The application proposes the erection of a new building within the House of Bruar retail complex to be used as an art gallery. A Retail Statement was submitted in 2019 to accompany the original application to address the retail policy implications. The document demonstrates the use sequential approach to the development submitted. The document describes The House of Bruar as a 'a high-quality stand-alone specialist retail destination in Highland Perthshire selling clothing, country living (home and garden), other merchandise as well as a food hall, delicatessen and a small art gallery, including goods particularly associated with the tourism industry'. The

planning history over the last 15-year period includes significant expansion of the business at the site and the site is described as not offering a main shopping function typically associated with a town centre.

27. The Retail Statement indicated that the intention is to provide 680sqm of sales/gallery area with the remaining area proposed for storage. The existing space within the current buildings, which is currently used as the gallery will be utilised for further retail space of other products. The assessment states regarding shopping patterns, that customers are typically those making a 'day trip' to visit House of Bruar, and those already on the traffic network. Given the unique nature of House of Bruar and the type of product it currently sells, it is not considered likely that an extension to increase the art gallery sales space, will impact significantly on existing retail use of nearby towns. The proposal provides improvements to the existing shopping facilities on site, and there is scope within the site to accommodate the required floorspace. The Retail Assessment demonstrates that the proposal would not result in an adverse impact on the vitality and viability of nearby centres or settlements; and it broadens the offering and experience at the House of Bruar. The Assessment also confirms that there is no alternative, suitable site available within either nearby settlements or centres and the principle of development, is therefore considered to be acceptable in accordance with Policy 2: Supporting Economic Growth of the Cairngorms National Park Local Development Plan 2021 and Policies 28 and 29 of NPF4.

Landscape Impacts, Design, Scale and Materials

28. **Policy 14: Design, Quality and Place** of NPF4 requires development proposals to improve the quality of an area and meet the six qualities of successful places. **Policy 5: Landscape** of the Cairngorms National Park Local Development Plan 2015 presumes against development, which does not conserve and enhance the landscape character and special qualities of the National Park and in particular the setting of the proposed development. This is reinforced by **Policy 3: Design and Placemaking**, which seeks to ensure that all new development is sympathetic to the traditional pattern and character of the surrounding areas, local vernacular, and local distinctiveness. It is therefore clear that policy requires all new development to enhance and complement both the National Park and the character of the settlement itself, using landscape to complement the setting.
29. The House of Bruar has an established, prominent position, adjacent to the local road network which adjoins the A9 at Pitagowan. The proposal is to extend the built form westwards into the car park, taking form of a narrow building running in a north-south direction, in parallel to the existing buildings and incorporating the same design features and palette of external material as the existing built form. The scale, design and massing of the building are

acceptable and subservient to the existing built form, whilst maintaining and reinforcing the established character and appearance of the area. Views into the site will see the proposed building in context with the existing structures of House of Bruar.

30. Regarding hard and soft landscaping, the proposal looks to maintain the established landscaping character on site by using matching hard landscaping materials for the proposal and by moving the existing trees on site, which are currently sited in the footprint of the proposed building to an alternative position adjacent to the new building. To accord with Policy 3: Biodiversity of NPF4, a Biodiversity statement is recommended by condition which demonstrates how the proposal will conserve, restore, and enhance biodiversity, including nature networks.
31. The proposal is therefore considered to be acceptable and in accordance with Policy 3: Sustainable Design and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021.

Access and Servicing

32. **Policy 3: Design and Placemaking** and **Policy 10: Resources** of the Cairngorms National Park Local Development Plan 2021 set out the need for new development to be satisfactorily serviced and without harm to resources or the environment.
33. In this case, the roof water is proposed to be drained into two soakaways, located to the west of the building. The building includes no provision for foul wastewater as these facilities are catered for within the main building complex on site. The Perth and Kinross Flood Risk Management Officer notes that the development is outwith the functional floodplain and has no objection on flood risk grounds or drainage matters. The surface water drainage provision is, therefore, considered to be acceptable.
34. **Policy 3: Design and Placemaking**, under criterion 1(d) supports development proposals, which make sustainable use of resources, including the minimisation of energy. Four air source heat pumps are proposed to be installed adjacent to the northern elevation of the building to provide the heating system for the gallery. The previous noise restrictive condition on the original permission is proposed to be carried forward to this application to ensure that the noise level emitted from the proposed air source heat pumps does not adversely impact on the residential amenity of neighbouring properties. The positioning of the air source heat pumps to the north of the proposed building, allows for the adequate screening of the pumps to be afforded by the existing buildings at House of Bruar, reducing the visual impact of the structures. The installation of the air source heat pumps is

acceptable in accordance with Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021.

35. The proposal will utilise the existing waste management, storage, and collection facilities on site for refuse and recycling, which is deemed sufficient by the Perth and Kinross Commercial Waste Team.
36. **Policy 3: Design and Placemaking** also requires that new development should include an appropriate means of access, egress and space for off-street parking. The proposal will utilise the existing access and egress arrangements at House of Bruar. The proposal would reconfigure the location of some of the vehicular parking spaces within the western car park however, the number of parking spaces on site would be maintained to the current level and the proposal would not, therefore, give rise to any loss of parking facility serving the site. Transport Scotland raises no objection to the proposal. Perth and Kinross Council Transport Planning Team also has no objection to the proposed scheme and does not raise any requirement for any additional car parking to be provided. The Team recommends the inclusion of planning conditions to include a construction traffic management plan and the prior agreement of details for the installation of a 12-cycle storage facility.
37. Subject to the inclusion of the recommended planning conditions, the proposal is considered to accord with Policy 3: Design and Placemaking and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2021.

Impact on the Historic Environment

38. **Policy 7: Historic assets and places** of NPF4 protects the historic built environment. Of relevance to the application is that development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest. Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve, or enhance their cultural significance, character, and integrity and where proposals will not significantly impact on important views to, from and within the site, or its setting. **Policy 9: Cultural Heritage** of the adopted Local Plan stipulates the same requirements for developments.
39. Within the immediate surrounding area of the application site are: the Falls of Bruar Garden and Designed Landscape; Category C listed Bruar Lodge and Clach na h'lobairt standing stone. The application site is enclosed within a developed area and therefore would not have any direct or indirect effects on the setting of these listed structures and Designed Landscape. The site has already been developed and landscaped as part of the car parking for House of Bruar and therefore the likelihood of any archaeological preservation within the site is low. No further archaeological mitigation is recommended in this instance.

40. Taking the above into account, the works are not considered to cause serious detriment to the historic environment assets and their designation qualities, and the proposal is therefore considered to accord with Policy 9: Cultural Heritage of the Cairngorms National Park Local Development Plan 2021 and Policy 7 of NPF4.

Impact on the Natural Environment

41. **Policy 3: Biodiversity** of NPF4 requires development proposals to contribute to the enhancement of biodiversity, including restoring degrading habitats. **Policy 4: Natural Heritage** of the Cairngorms National Park Local Development Plan 2021 seeks to ensure that there is no adverse impact upon protected species or biodiversity.
42. The application relates to previously developed land and although it has no specific environmental designations itself, regarding habitats and species, it is located over 100 metres from the watercourse Bruar Water, which is a tributary of the River Tay. The HRA (attached at **Appendix 2**) concludes that due to the distance to the watercourse, the topography of the site and the proposed drainage measures to serve the development, the proposal is not considered to adversely affect the integrity of the designation. A Construction Method Statement has been submitted in support of the application and it is recommended that a condition is attached to any subsequent decision requesting the submission of an updated construction method statement following the appointment of a contractor and to include a pollution prevention plan due to the proposal's proximity to Bruar Water.
43. Regarding protected species, the proposed site is within an area of hardstanding with minimal vegetation offering limited potential for supporting protected species or breeding birds and the car park is generally very busy during the breeding season. The CNPA Ecology Officer confirms that the proposal will therefore have no adverse impact on protected species. Biodiversity enhancement, as previously mentioned is to be dealt with by condition.
44. Subject to the recommended planning conditions relating to pollution prevention and biodiversity enhancement, the proposal is considered to comply with Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2021 and Policy 3 of NPF4.

Impact upon Residential Amenity

45. **Policy 3: Design and Placemaking** of the Cairngorms National Park Local Development Plan 2021 seeks to protect the amenity enjoyed by neighbours. In this regard, it is considered that the development is sufficiently distant from

any other properties to ensure ready compliance with the requirements of Policy 3: Design and Placemaking of the adopted Local Development Plan. The inclusion of the noise restriction planning condition, as outlined earlier in this report, ensures that the existing amenity levels currently enjoyed by neighbouring properties will not be adversely impacted by the introduction of this development.

Developer Contributions

46. **Policy 11: Developer Contributions** of the Cairngorms National Park Local Development Plan 2021 sets out that where development gives rise to a need to increase or improve public services, facilities, or infrastructure, or mitigate adverse effects then the developer will normally be required to make a fair and reasonable contribution towards additional costs or requirements.
47. The Perth and Kinross Council Development Negotiations Officer confirms that no developer contributions are required from this development. The development therefore complies with the requirements of Policy 11: Developer Contributions of the Cairngorms National Park Local Development Plan 2021.

Other Issues Raised in Consultations and Representations

48. The matters raised by consultees and contributors have been addressed throughout this report. The Blair Atholl and Struan Community Council have provided no comments on the scheme and no letters of public representation have been received.

CONCLUSION

49. The proposed development involves the erection of an additional building at House of Bruar to be used as a gallery/ sales area, to expand the business space on site, in support of the business growth requirements. The design, scale and materials of the building together with its landscape and visual impact are considered to be acceptable and the proposal would not give rise to any impacts on the existing road network or road safety within the area.
50. The impacts on amenity are acceptable subject to the inclusion of the noise restriction planning condition and the proposal does not give rise to any adverse environmental impacts.
51. In these overall circumstances the development is considered to comply with all relevant policies of the Cairngorms National Park Local Development Plan 2021, NPF4 and the collective aims of the National Park. There are no other material considerations which would warrant the refusal of planning

permission. Approval is therefore recommended subject to appropriate planning conditions.

RECOMMENDATION

That Members of the Committee support a recommendation to APPROVE the Renewal of permission 19/02111/FLL (Erection of art gallery building, reconfigure car park, installation of 4 air source heat pumps, landscaping and associated works). at House Of Bruar B8079 From The Junction Of The A9t At Bruar To The Access Road Leading To Woodhouselee Pitagowan Blair Atholl Pitlochry Perth And Kinross subject to the following conditions:

Those conditions listed below in bold text are suspensive conditions, which require to be discharged prior to implementation of the development.

Conditions

1. No development shall commence on site, until a revised site specific Construction Method Statement has been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. This plan is to include the following:
 - a) Drawing- Method Statement Plan;
 - b) Plant and machinery to be used in the construction works;
 - c) Pollution prevention measures;
 - d) Construction programme, including timings;
 - e) Confirmation of temporary mammal ramps to be installed in all open excavations;

The construction of the development shall thereafter be implemented in accordance with the approved plan.

Reason: The works are to be undertaken in an environmentally sensitive area. It is therefore necessary for a revised construction method statement to be agreed prior to the commencement of any works to ensure that work on site proceeds without damage to the environment in accordance with Policy 4: Natural Heritage and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2021 and Policy 3 of NPF4.

2. No development shall commence on site, until a Construction Traffic Management Plan has been submitted to and approved in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with the Roads Authority (Structures). The Plan shall include but not be limited to:
 - a) Restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;

- b) Timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
- c) A code of conduct for HGV drivers to allow for queueing traffic to pass;
- d) Arrangements for liaison with the Roads Authority regarding winter maintenance;
- e) Emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
- f) Arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
- g) Arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
- h) Arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic to provide safe access for pedestrians, cyclists and equestrians;
- i) Arrangement for the service buses to access the bus stop within the site and if this is not possible, the proposed temporary bus stop location with a suitable turning facility for service buses;
- j) Details of information signs to inform other road users of construction traffic;
- k) Arrangements to ensure that access for emergency service vehicles are not impeded;
- l) Traffic arrangements in the immediate vicinity of temporary construction compound;
- m) Monitoring, reporting and implementation arrangements;
- n) Arrangements for dealing with non-compliance; and
- o) Details of HGV movements to and from the site.

The construction of the development shall thereafter be implemented in accordance with the approved plan.

Reason: In the interest of site management and road safety during the construction works as required by the Road's Authority.

3. No development shall commence on site, until a detailed design for the secure covered cycle parking facility for a minimum of 12 cycles has been submitted to and agreed in writing by the Cairngorms National Park Authority, acting as Planning Authority, in consultation with the Roads Authority. The cycle parking shall thereafter be implemented in accordance with the approved details prior the development being brought into first use.

Reason: To encourage active travel and meet advice within National Planning Framework 4 on transport.

4. **No development shall commence on site, until a revised landscaping scheme together with a Biodiversity Statement has been submitted to and agreed in writing by the Cairngorms National Park Authority, acting as Planning Authority. The documents should demonstrate how the proposal will conserve, restore, and enhance biodiversity including nature networks so that they are in a demonstrably better state than without intervention. This should include details of future management and should be informed by best practice methods. The approved landscaping scheme shall be carried out in the first planting season unless otherwise agreed in writing by the Cairngorms National Park Authority acting as Planning Authority and shall be maintained for a period of 10 years, such maintenance to include the replacement of any trees or vegetation that die.**

Reason: To assist with the integration of the proposal with its surroundings in the interests of amenity and to ensure that the development conserves and enhances the landscape character and biodiversity in accordance with Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021 and Policy 3 of NPF4. This is also in accordance with the recommendations of the CNPA Ecology Officer consultation response.

5. All plant or equipment for the air source heat pumps, of the development hereby permitted, 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 20 between 2300 and 0700 hours daily nor any vibration therefrom be detectable, within any neighbouring residential property, with all windows slightly open, when measured and/or calculated and plotted on a rating curve chart.

Reason: To protect the amenity of the occupiers of neighbouring properties to ensure that the noise emissions from the air source heat pumps does not reach such a level that it would cause a nuisance. In accordance with Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021.

6. There shall be no vehicle deliveries to the premises, hereby permitted, outside the hours of 0700 hours and 2200 hours. Any delivery outside this time shall only be carried out with prior approval of the Cairngorms National Park Authority, acting as Planning Authority.

Reason: In the interests of protecting the amenity of neighbouring land uses in accordance with Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021.

7. The premises the subject of this permission shall not be used other than for the purposes falling within Class 1(a): Shops of the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997 (or any provision

equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, without the prior grant of planning permission from the Local Planning Authority.

Reason: To ensure that the use remains compatible with surrounding land uses in the area in accordance with Policy 2: Supporting Economic Growth and Policy 3: Design and Placemaking of the Cairngorms National Park Local Development Plan 2021 and Policy 28 of NPF4.

Informatives

1. The development hereby approved, must commence within three years of the date of this decision notice. If this has not commenced within this period, then this planning permission consent shall lapse.
2. 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. Attached to this decision notice is a Notice of Initiation of Development for completion and submission. Submission of this information assists the Cairngorms National Park Authority Monitoring and Enforcement Officer in monitoring active work within the area to ensure compliance with the approved details and to identify and correct any potential problems, as they arise, rather than later when it may be more difficult and more costly to rectify. Failure to give notice would constitute a breach of planning control, which may result in enforcement action being taken.
3. Following completion of the development, a notification of the completion shall, as soon as practicable, be given to the Planning Authority. Attached to this decision notice is a Notice of Completion of Development for completion and submission. Submission of this form will assist the Cairngorms National Park Authority Monitoring and Enforcement Officer in making a final inspection and checking compliance with the approved drawings and conditions. If the development hereby approved, is to be carried out in phases, then a notice of completion should be submitted at the completion of each phase.
4. Construction work (including the loading/unloading of delivery vehicles, plant or other machinery) should not take place outwith the hours of 0800 hours to 1900 hours Mondays to Fridays, 0800 hours to 1300 hours on Saturdays or at any time on Sundays or Bank Holidays in order to minimise disturbance to residents in the area.
5. The applicant can seek guidance on the detailed design and positioning of the cycle storage from Transport Scotland's Cycling by Design 2021 or similar design guide.

6. The applicant is advised to refer to Perth & Kinross Council's [Supplementary guidance on Flood Risk and Flood Risk Assessments 2021](#) as it contains advice relevant to your development.

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