

Case reference	NA-LNP-009
Application details	Removal of double garage and erection of holiday let
Site address	Land to the rear of the Village store, St Fillans
Applicant	Liam Cayliss
Determining Authority	Loch Lomond and Trossachs National Park Authority
Reason(s) for notification	Category 2 (objection by Transport Scotland)
Representations	4
Date notified to Ministers	1 December 2016
Date of recommendation	17 January 2017
Decision / recommendation	Call In

Description of Proposal and Site:

- The proposal seeks planning permission for the removal of a disused double garage and the erection of a holiday let unit, in the village of St Fillans, Perth and Kinross. The holiday let unit is one and a half storeys in height and will be built on the same footprint as the disused double garage.
- The proposed development is located to the rear of the St Fillans village store and coffee shop, which lies adjacent to the A85 trunk road. The proposal will be accessed off the A85 trunk road by a communal driveway to Criagen House, which is situated to the rear of the site. No dedicated on-site parking is to be provided, with occupants expected to use the existing shop car park which is situated approximately 70 metres to the west of the site.
- The proposal lies within the Loch Lomond and Trossachs National Park and the St Fillans Conservation Area.

EIA Development:

- N/A. The Council's assessment of the application highlights that the National Park is identified as a 'Sensitive Area' with the Environmental Impact Assessment (Scotland) Regulations 2011, but this proposal does not fall within Schedule 2 so EIA is not required.

Consultations and Representations:

- Transport Scotland initially did not object to the proposal in a response dated 5 August 2016. However, following re-consideration of the development following the receipt of additional information they objected to the proposal on 12 October 2016 and recommended refusal on the following grounds:
 - a) Insufficient off-street parking within the site which will encourage parking on the trunk road; and
 - b) access not wide enough to cope with additional traffic.
- 4 representations were submitted by owners/occupants of adjacent properties which raise concerns with regards to a number of issues, including:
 - access, parking and road safety concerns
 - overdevelopment of the site
 - general amenity concerns
 - impacts on bats
 - specific amenity concerns upon the adjacent property, Braeside Cottage.
- With regards to parking, access and road safety issues some of the representations make reference to a previous application for the village store and coffee shop that was granted at appeal and specified that car parking provision should be provided for customers. These representations highlight that this car parking provision is not always used and that customers park on road/pavement outside the shop and also obstruct access to the communal driveway.
- Perth and Kinross Council's Transport Planning Section were consulted on the proposal. They noted that as the applicant proposes to use the current access off the A85 trunk road all access issues are more properly dealt with by Transport Scotland. They noted Transport Scotland's original response, which did not object (dated 5th August 2016) and raised no objections in their response dated 25 August 2016.
- Following notification to Scottish Ministers, Transport Scotland were consulted. They continue to maintain their objection and request that the application is called for further review. Their response highlights that Transport Scotland's position is such that the effect of increased parking and difficulties in using the substandard access lane, would increase the likelihood of an accident on the Trunk Road. The adverse impact this would have on road safety, and possible interference with a key east – west link on the trunk road network, especially for freight traffic, would be against the national interests of Scotland.
- Following notification to Ministers a further representation was submitted by an owner/occupier of the adjacent properties. This raises further concerns with parking and road safety. It also highlights their concerns with the previous application for the village store and coffee shop that was granted at appeal.

Assessment:

1. The application has been notified as Transport Scotland has advised against the granting of planning permission on road safety grounds and the possible

interference on the trunk road network (key east – west link). The application was recommended for approval subject to conditions and approved by the National Park Authority's planning and access committee.

2. In determining this application the planning authority considered that the proposal does not accord with the development plan policy TRANS6 which expects proposals to provide sufficient parking to the standards of the relevant roads authority, as no dedicated on-site parking is provided. However, they took the view that traffic associated with the holiday apartment would not significantly add to the existing levels on the road or the driveway, particularly in relation to the current levels associated with the adjoining café and shop. They considered that there is access to a private car park (shop car park) approximately 75m away and the replacement of an unusable building with a sympathetically designed small holiday unit should be approved notwithstanding the absence of on-site car parking.
3. The planning authority considered that a specific condition requiring occupants of the holiday unit to only use the shop car park would not be enforceable. They have therefore attached a condition requiring that the private shop parking area shall always be available to occupants of the holiday apartment for car parking purposes. An informative has also been included which requires the shop and holiday unit owner to advise visitors against using the driveway and direct them to the nearby car park. Whilst these measures may ensure that the car park remains available and that visitors are encouraged to use the car park, there is no guarantee that they will do so.
4. The planning authority have considered all four objections from owners/occupants of neighbouring properties within their committee report. With regards to parking and road safety issues they consider that whilst it is feasible the proposal could add to existing problem it would be unlikely to materially worsen this, particularly in relation to the blocked access driveway.
5. Transport Scotland objected to the proposal on the grounds that there is insufficient off-street parking within the site which will encourage parking on the trunk road and that the access is not wide enough to cope with additional traffic. Following notification to Scottish Ministers they maintain their objection and request that the application is called in. They have provided a further response which substantiates their objection and raises key issues that the proposal is contrary to Scottish Planning Policy, PAN 66 and the Loch Lomond and Trossachs National Park development plan policy on parking provision.
6. In addition Transport Scotland also raise concerns in relation to the layout and visibility of the access, the lack of appropriate parking and the impact that an accident at this location may have on traffic. This is made especially in relation to freight traffic, travelling between Perth, Dundee and the east coast and Fort William, Oban and the west coast ports to the Islands. They highlight this is the only available direct link between these points on the trunk road network, and in the event of an accident the only available diversion route would be substantial, adding 35 miles to the journey.

7. Having considered this notified application we note Transport Scotland's concerns about the potential implications for road safety and possible interference on the trunk road network. An accident at this location and any subsequent delays at this point on the trunk road would be against the national interests of Scotland.

Decision/Recommendation:

8. Accordingly, on the basis of Transport Scotland's objection, it is recommended that this application is considered to be of national significance given its location and the potential implications on road safety and the trunk road network. It is therefore recommended that the application be called in for determination by Scottish Ministers.