

## PERTH AND KINROSS COUNCIL

### Town and Country Planning (Scotland) Act 1997

#### Town and Country Planning, Modification of Planning Permission (Land at Oudenarde, Bridge Of Earn, Perth) Order 2020

Considering that it appears to Perth and Kinross Council, as Planning Authority for the Perth and Kinross District (hereinafter referred to as the "Planning Authority") that it is expedient to modify the permission granted by the Planning Authority in favour Mr G Brown, G S Brown Construction Limited approving the planning application for the formation of residential, commercial and industrial development with associated school provision, open space and landscaping at land at Oudenarde, Bridge of Earn, Perth; NOW THEREFORE the Planning Authority, in exercise of the powers conferred on them by Section 65 of the Town and Country Planning (Scotland) Act 1997, HEREBY MAKE THE FOLLOWING ORDER:-

1. This Order may be cited as The Town and Country Planning, Modification of Planning Permission (Land at Oudenarde, Bridge of Earn, Perth) Order 2020.
2. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies to the interpretation of any Act of Parliament.

The Planning Permission, reference 02/01482/IPM, dated 8 September 2016, which approved in principle the formation of residential, commercial and industrial development with associated school provision, open space and landscaping at land at Oudenarde, Bridge of Earn is hereby modified as follows:-

The Direction and Conditions in the planning permission referred to above are deleted and the following is substituted therefor:-

#### Direction

Perth and Kinross Council direct that sub-sections (2)(a)(i) and (3) of Section 59 of the Town and Country Planning (Scotland) Act 1997 apply as respects the In Principle Permission (02/01482/IPM) with the substitution of the period of 3 years referred to in each of those subsections, of the period of 25 years from date on which the In Principle Permission was granted (8 September 2016).

Reason – This is a modification of planning permission in principle for which, in view of the scale of the proposed development, this extended period is appropriate.

#### Conditions

- 1 No development in connection with any phase of the development hereby approved shall take place until full details of the siting, design, external

appearance and landscaping of the development and the means of access serving the relevant phase of development (hereinafter referred to as the 'Specified Matters') have been submitted to, and approved in writing by the Planning Authority. The Specified Matters include:

- i. an updated phasing and delivery plan;
- ii. a detailed levels survey (existing and proposed) and cross sections showing proposed finished ground and floor levels of all buildings forming part of the relevant development phase, relative to existing ground levels and a fixed datum point; details of all cut and fill operations;
- iii. the siting, design, height and external materials of all buildings or structures within the relevant development phase;
- iv. the details of all accesses, roads, footpaths, cycleways, throughout the relevant development phase and suitable linkages to the wider network;
- v. details of any screen walls/fencing to be provided within the relevant development phase;
- vi. details of all landscaping, structure planting and screening associated with the development of the relevant phase;
- vii. the lighting of all roads and paths within the relevant development phase;
- viii. the layout of any play areas and the equipment to be installed within the relevant development phase;
- ix. full details of the proposed means of disposal of foul and surface water from the relevant development phase.

Reason: To ensure that the matters referred to within this Planning Permission in Principle are given full consideration and to accord with the requirements of Section 59 Town and Country Planning (Scotland) Act 1997 (as amended).

- 2 The land use structure, layout of residential areas, landscaping and open space, business uses, community facilities, access and road layout, density of development and scale and design of buildings shall be in accordance with the Oudenarde Masterplan and Design Principles 2001 unless otherwise agreed in writing with the Planning Authority.

Reason - In the interests of visual amenity and townscape/landscape quality.

- 3 Existing trees and hedgerows shall be retained and shall not be removed without the prior written approval of the Planning Authority.

Reason - In the interests of visual amenity and landscape quality.

- 4 Any existing rights of way shall be safeguarded within the completed village and during the construction phase to the satisfaction of the Planning Authority.

Reason - In order to safeguard public access.

- 5 The development shall comprise a maximum of:
- 1,600 mixed residential dwellings
  - 2,400m<sup>2</sup> GFA Class 1 Retail - Local Shops
  - Primary School (250 pupil)
  - 150 space Park and Ride

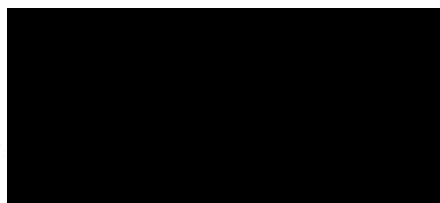
Reason – to define the extent of the permission.

- 6 Not more than 348 residential dwellings shall be constructed prior to completion of modifications to the existing M90 / A912 priority-controlled interchange in accordance with TA Millard drawing numbers 3167/03/418 and 3167/03/419 unless otherwise agreed in writing with the Planning Authority following consultation with Transport Scotland.

Reason: To ensure provision of adequate road infrastructure improvement works, in the interest of pedestrian and road safety.

- 7 Not more than 848 residential dwellings shall be constructed prior to completion of modifications to the existing M90 / A912 Northbound merging arrangement in accordance with TA Millard drawing number 3167/03/420 unless otherwise agreed in writing with the Planning Authority following consultation with Transport Scotland.

Reason: To ensure provision of adequate road infrastructure improvement works, in the interest of pedestrian and road safety: IN WITNESS WHEREOF these presents typewritten on this and the two preceding pages are executed as follows, videlicet:- they are sealed with the Common Seal of Perth and Kinross Council and subscribed for them and on their behalf by Geoffrey David Fogg, one of their Legal Managers and Proper Officer for the purposes hereof all at Perth on the Eighteenth day of May Two thousand and twenty



**TOWN AND COUNTRY PLANNING  
(SCOTLAND) ACT 1997**

**MODIFICATION OF PLANNING  
PERMISSION (LAND AT  
OUDENARDE, BRIDGE OF EARN,  
PERTH) ORDER 2020**

2020

Planning :- 02/01482/IPM  
Reference

Legal Services  
Perth and Kinross Council  
2 High Street  
PERTH  
PH1 5PH