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Council Building
2 High Street
Perth
PH1 5PH

12 November 2018

A Meeting of the **Planning and Development Management Committee** will be held in the **Council Chamber, 2 High Street, Perth, PH1 5PH** on **Wednesday, 21 November 2018 at 10:00**.

If you have any queries please contact Committee Services on (01738) 475000 or email Committee@pkc.gov.uk.

KAREN REID
Chief Executive

Those attending the meeting are requested to ensure that all electronic equipment is in silent mode.

Please note that the meeting will be recorded and will be publicly available on the Council's website following the meeting.

Members:

Councillor Roz McCall (Convener)
Councillor Bob Brawn (Vice-Convener)
Councillor Henry Anderson
Councillor Bob Band
Councillor Michael Barnacle
Councillor Harry Coates
Councillor Eric Drysdale
Councillor Tom Gray
Councillor Ian James
Councillor Anne Jarvis
Councillor Lewis Simpson
Councillor Richard Watters
Councillor Willie Wilson

Planning and Development Management Committee

Wednesday, 21 November 2018

AGENDA

MEMBERS ARE REMINDED OF THEIR OBLIGATION TO DECLARE ANY FINANCIAL OR NON-FINANCIAL INTEREST WHICH THEY MAY HAVE IN ANY ITEM ON THIS AGENDA IN ACCORDANCE WITH THE COUNCILLORS' CODE OF CONDUCT.

- 1 WELCOME AND APOLOGIES/SUBSTITUTES**
- 2 DECLARATIONS OF INTEREST**
- 3 MINUTE OF MEETING OF THE PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE OF 24 OCTOBER 2018 FOR APPROVAL AND SIGNATURE
(copy to follow)**
- 4 APPLICATIONS FOR DETERMINATION**
- 4(1) LOCAL APPLICATIONS**
- 4(1)(i) 18/01091/FLL - BLAIRGOWRIE - ERECTION OF 3 DWELLINGHOUSES, LAND WEST OF DARKFAULDS COTTAGE, BLAIRGOWRIE 5 - 22**
Report of Handling by Interim Development Quality Manager
(Recommendation - Approve) (copy herewith 18/380)
- 4(1)(ii) 18/01144/FLL - MEIGLE - ERECTION OF 29 DWELLINGHOUSES AND 4 FLATS, FORMATION OF SUDS, LANDSCAPING, ROADS INFRASTRUCTURE AND ASSOCIATED WORKS (ALLOCATED SITE H68), LAND NORTH WEST OF PARK HOUSE, ARDLER ROAD, MEIGLE 23 - 48**
Report of Handling by Interim Development Quality Manager
(Recommendation - Approve) (copy herewith 18/381)
- 4(1)(iii) 18/01492/FLL - KELTYBRIDGE - CHANGE OF USE AND ALTERATIONS TO GARDEN GROUND TO FORM WASTE RECYCLING BUSINESS (CLASS 6) COMPRISING THE SITING OF A SKIP, ERECTIONS OF A WALL, FENCE AND REPLACEMENT GATES, FORMATION OF RAISED HARDSTANDING, STEPS AND ASSOCIATED WORKS (IN RETROSPECT), BRIDGE HOUSE, MAIN STREET, KELTYBRIDGE, KELTY, KY4 0JH 49 - 64**
Report of Handling by Interim Development Quality Manager
(Recommendation - Approve) (copy herewith 18/382)

4(2) PROPOSAL OF APPLICATION NOTICE (PAN)

- 4(2)(i) 18/00011/PAN - PERTH - RESIDENTIAL DEVELOPMENT
COMPRISING DWELLINGHOUSES, APARTMENTS AND
AFFORDABLE HOUSING, ACCESS AND OPEN SPACE
INCLUDING LANDSCAPING AND SUDS WITH ASSOCIATED
INFRASTRUCTURE AND SERVICES, FORMER HILLSIDE
HOSPITAL, DUNDEE ROAD, PERTH** **65 - 78**
Report of Handling by Interim Development Quality Manager
(copy herewith 18/383)

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Perth and Kinross Council
Planning & Development Management Committee – 21 November 2018
Report of Handling by Interim Development Quality Manager (Report No. 18/380)

PROPOSAL: Erection of 3 dwellinghouses.

LOCATION: Land west of Darkfaulds Cottage, Blairgowrie.

Ref. No: [18/01091/FLL](#)

Ward No: P3- Blairgowrie And Glens

Summary

This report recommends approval of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The application site relates to an area of garden ground on the south side of Blairgowrie, close to Perth Road. The site measures 870sqm and was originally part of a wider residential plot associated with Darkfaulds Cottage containing a mix of trees, grass and other vegetation. The site has been subdivided from Darkfaulds Cottage by a timber fence along its eastern boundary. The west side of the site fronts an access road that runs parallel to Perth Road and serves a number of existing residential properties including Ardblair Cottages. There is a parking area and substation to the south of Ardblair Cottages, opposite to the southern end of the site. A private access runs adjacent to the southern site boundary. Garden ground associated with another private access is to the north bounded by a timber fence.
- 2 Planning permission in principle was given in 2014 ([14/01147/IPL](#)) for the erection of a dwellinghouse on this site. An application for four dwellinghouses on the site ([17/02082/FLL](#)) was submitted in November 2017. This application was withdrawn due to concerns with the number of properties proposed on the site. Subsequently, this current application was submitted for the erection of three dwellinghouses. Each of the proposed dwellinghouses has three bedrooms with accommodation over two levels and associated car parking.
- 3 There are a number of trees on the site and a tree survey has been submitted to assess the condition of the trees.
- 4 There is a mix of development in the area including a row of single storey modern properties opposite the site.

- 5 During the course of considering the application slight amendments were made to the parking areas and garages and consequently neighbours were re-notified of the revised proposals on 12 September 2018.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 6 Directive 2011/92/EU (as amended) requires the 'competent authority' (in this case Perth and Kinross Council) when giving a planning permission 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.
- 7 This 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. The EIA Report 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.
- 8 An EIA Report was not required to be submitted with the proposal as the scale of development falls below the EIA thresholds.

PRE-APPLICATION CONSULTATION

- 9 Pre-application discussions have been held with the agent and applicant.

NATIONAL POLICY AND GUIDANCE

- 10 The Scottish Government expresses its planning policies through The National Planning Frameworks, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

National Planning Framework

- 11 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.

Scottish Planning Policy 2014

- 12 The Scottish Planning Policy (SPP) was published in June 2014 and 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.

13 The following sections of the SPP will be of particular importance in the assessment of this proposal:

- Sustainability : paragraphs 24 – 35
- Placemaking : paragraphs 36 – 57

Planning Advice Notes

14 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 68 Design Statements
- PAN 75 Planning for Transport
- PAN 77 Designing Safer Places

Creating Places 2013

15 Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

Designing Streets 2010

16 Designing Streets is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government's place-making agenda, alongside Creating Places, which sets out Government aspirations for design and the role of the planning system in delivering these.

National Roads Development Guide 2014

17 This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.

DEVELOPMENT PLAN

- 18 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYPlan Strategic Development Plan 2016-2036

- 19 TAYPlan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:
- 20 *“By 2036 the TAYplan area 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, study and visit, and where businesses choose to invest and create jobs.”*
- 21 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application.
- 22 The following section of the TAYplan 2016 is of particular importance in the assessment of this application.

Policy 1: Locational Priorities

- 23 Seeks to focus the majority of development in the region’s principal settlements. Perth Core Area is identified as a Tier 1 Settlement with the potential to accommodate the majority of the region’s additional development over the plan period and make a major contribution to the region’s economy. Tier 2 settlements also have the potential to make a major contribution but will accommodate a smaller share of the additional development. Tier 3 settlements play an important but more modest role and will therefore accommodate a small share of the growth.
- 24 The release of land shall be based on the sequential approach: within principal settlements; edge of principal settlements; expansion of other settlements.
- 25 Outwith principle settlements, development may be supported where it genuinely contributes to the outcomes of the Plan however suburbanization of the countryside and unsustainable travel and development patterns should be avoided.

Perth and Kinross Local Development Plan 2014

- 26 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. The LDP sets out a vision statement for the area and states that, *“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population*

and economic growth.” It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

- 27 The principal relevant policies are, in summary;

Policy PM1A - Placemaking

- 28 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

- 29 All proposals should meet all eight of the placemaking criteria.

Policy PM3 - Infrastructure Contributions

- 30 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 RD1 - Residential Areas

- 31 In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy NE2B - Forestry, Woodland and Trees

- 32 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

- 33 All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out. Planning permission will not be granted for development likely to have an adverse effect on protected species.

Policy TA1B - Transport Standards and Accessibility Requirements

- 34 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.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

- 35 Perth & Kinross Council is progressing with preparation of a new Local Development Plan to provide up-to-date Development Plan coverage for Perth & Kinross. When adopted, the Perth & Kinross Local Development Plan 2 (LDP2) will replace the current adopted Perth & Kinross Local Development Plan (LDP). The Proposed Local Development Plan 2 (LDP2) was approved at the Special Council meeting on 22 November 2017.
- 36 The representations received on the Proposed LDP2 and the Council's responses to these were considered at the Special Council meeting on 29 August 2018. The unresolved representation to the Proposed Plan after this period is likely to be considered at an Examination by independent Reporter(s) appointed by the Scottish Ministers, later this year. The Reporter(s) will thereafter present their conclusions and recommendations on the plan, which the Council must accept prior to adoption. It is only in exceptional circumstances that the Council can elect not to do this.
- 37 The Proposed LDP2 represents Perth & Kinross Council's settled view in relation to land use planning and as such it is a material consideration in the determination of planning applications. It sets out a clear, long-term vision and planning policies for Perth & Kinross to meet the development needs of the area up to 2028 and beyond. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. However, the outcome of the Examination could potentially result in modifications to the Plan. As such, currently limited weight can be given to its content where subject of a representation, and the policies and proposals of the plan are only referred to where they would materially alter the recommendation or decision.

SITE HISTORY

- 38 [14/01147/FLL](#) Erection of a dwellinghouse (in principle) Application Approved under delegated powers 14 October 2014.
- 39 [17/02082/FLL](#) Erection of 4 dwellinghouses Application Withdrawn 26 June 2018

CONSULTATIONS

- 40 As part of the planning application process the following bodies were consulted:

External

Scottish Water

41 No objection.

Internal

Transport Planning

42 No objection.

Development Negotiations Officer

43 No objection if contributions are secured. Primary education contribution of £19,380 (3 x £6,460) required.

Environmental Health (Contaminated Land)

44 No adverse comments.

REPRESENTATIONS

45 A total of 11 representations were received. Ten of these were objections to the proposals. One is in support. The following points were raised in the 10 representations of objection received:

- Contrary to Development Plan
- Impact on visual amenity
- Design – out of character
- Impact on trees
- Impact on biodiversity
- Over development
- Impact on residential amenity - loss of light, loss of privacy
- Traffic and road safety
- Precedent for other building in gardens

46 These issues are addressed in the Appraisal section of the report.

47 ADDITIONAL STATEMENTS

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement / Design and Access Statement	Not Required
Reports on Impact or Potential Impact	Tree survey submitted

APPRAISAL

- 48 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 adopted Development Plan comprises the TAYplan Strategic Development Plan 2016–2036 and the Perth and Kinross Local Development Plan 2014. The relevant policy considerations are outlined in the policy section above and are considered in more detail below.

Principle

- 49 TAYplan Policy 1 (Location Priorities) seeks to focus the majority of development in the region's principal settlements. Blairgowrie/Rattray is identified as a Tier 2 principal settlement which has the potential to make a major contribution to the regional economy but will accommodate a smaller share of the additional development in comparison to Tier 1 Settlements. The provision of three residential units satisfies this TAYplan Policy.
- 50 The site is located within the settlement boundary of Blairgowrie where Policy RD1 of the adopted Local Development Plan 2014 applies. This supports development that is compatible with surrounding uses, protects residential amenity and meets various criteria. The principle of residential development on this site has previously been accepted and is still considered to be appropriate.
- 51 Placemaking policies PM1A and PM1B seek to ensure that development makes a positive contribution to the quality of the surrounding built and natural environment with the design and density respecting the character and amenity of the place. For reasons set out in the report below it is considered that the proposal accords with these policies in the Development Plan.

Design and Layout

- 52 A previous scheme was submitted for this site for four dwellinghouses. That scheme could not be supported due to concerns with impact on the existing trees and character of the area. The applicant was advised to withdraw that application and amend their proposals.
- 53 The revised scheme has reduced the number of proposed houses from four to three. These are set fronting the access road that serves Ardblair Cottages. The three houses are detached properties with a height of 8.6m to the roof ridge and 4m to the eaves. They are proposed to be finished with a slate roof, rendered walls and upvc windows. There is a mix of house styles in the area including a terrace of single storey properties to the west. It is considered that the proposed development will not look out of place in this context. A condition requiring full details of external finishes is recommended (Condition 2).

Landscape

- 54 Policy NE2B of the Local Development Plan requires a tree survey to be submitted where there are existing trees on a site. The site, as former garden ground to the residential property of Darkfaulds Cottage, was previously well vegetated. Some of this vegetation has been removed. A tree survey was submitted with the application detailing the existing trees on the site. A number of trees have been identified for removal particularly along the frontage of the site including some leylandii, a birch tree and a holly tree. However, three large beech trees will be retained on the site and incorporated into the garden ground of two of the proposed new houses.
- 55 It is recommended that conditions be attached to protect the trees to be retained (Condition 3) and also to require further information of boundary treatment (Condition 4).

Residential Amenity

- 56 The proposal has been assessed in terms of its potential to impact on residential amenity of both existing and future residents. Council guidance seeks a distance of 9m from windows to boundaries to achieve sufficient window to window distance between properties of not less than 18m. In this case the rear boundary distance of plot 3 is below 9m at between 5m and 6m. However the ground levels compensate for this as Darkfaulds Cottage sits higher than the site and is over 20m away. The distance from the dwellinghouse to the rear boundaries increases for plots 1 and 2 and is between 7m and 11m. This is considered to be acceptable. Amenity space for plot 2 is around 105sqm and for plot 1 it is 150sqm. Plot 3 also has extensive amenity ground to the side giving a total of around 180sqm making up for having a smaller rear garden area. This meets the Council draft guidance that recommends a minimum of 80 square metres for three bed properties.
- 57 There have been objections with regard to potential overlooking from the front of the proposed properties to Ardblair Cottages located to the west of the site across an access road, as well as possible loss of light. The gardens of Ardblair Cottages are open and visible to anyone passing. One of the proposed new houses is opposite the southern part of 1 Ardblair Cottages but the other new houses are offset to the south. As there is a 5.5m wide road between the proposed site for development and the existing properties of Ardblair Cottages, I am satisfied that sufficient amenity will be maintained. The layout of the three properties does not raise any issues of overlooking between the new properties and all have sufficient amenity space.
- 58 The proposals protect existing and proposed residential amenity and therefore comply with policy RD1 (residential areas) of the Local Development Plan.

Visual Amenity

- 59 There have been a number of objections with regard to the visual impact of the proposals and that the design is not in keeping with the surroundings. Whilst there are some large houses in large plots there are also smaller properties such as the row opposite. The visual impact will change from a well vegetated former garden ground to a three house development. However, the scale of the properties is relatively modest and the retention of some of the mature trees to the north and south of the site will help to retain some of the existing character of the site and the wider area.

Roads and Access

- 60 There have been a number of objections relating to road safety matters. The Transport Planner originally had concern with the dimensions of the proposed parking provision. This comprises a mix of garage and off-street parking. After a slight revision to the plans Transport Planning is now satisfied with the proposals. However, objectors have expressed concern with regard to the width of the access road adjacent to the development and the impact that the new houses will have by accessing this road. It is noted that the carriageway is 5.5 metres wide and this is considered to be capable of accommodating the vehicular movements required. The radius of each new access would also be constructed as detailed in the National Roads Development Guide and Designing Streets, thus enabling ease of entry and exit from the properties. The properties provide parking for six additional vehicles and Transport Planning is of the view that this will not impact significantly on the existing traffic flows. I would agree with this view and consider the proposal is acceptable in terms of road and access matters. The proposal accords with policy TA1B - Transport Standards and Accessibility Requirements.

Drainage and Flooding

- 61 The development utilises mains sewerage and water supplies. No implications with regard to drainage or flooding have been identified on this site. The site is not in an area at risk of flooding.

Waste Collection

- 62 An informative note will be attached to ensure that the developer is aware of the Council's requirements with regard waste collection from the site (Informative 6).

Conservation Considerations

- 63 The site is not in a designated Conservation Area or in close proximity to a listed building or any other designated site. It is therefore considered that the development will have no adverse impact upon the cultural heritage of the area.

Natural Heritage and Biodiversity

- 64 The site has some natural heritage and biodiversity interest from the trees and other vegetation on the site. Some of the larger trees are being retained. An informative note will be added to ensure that works do not impact on nesting birds or protected species (Informatives 7 and 8).
- 65 In order to enhance biodiversity at the site it is recommended that bat and swift bricks be incorporated into the proposed development (Conditions 5 and 6).

Developer Contributions

Primary Education

- 66 The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.
- 67 This proposal is within the catchment of Newhill Primary School which is operating at or above 80% capacity.
- 68 A contribution towards primary education of £19,380 (3 x £6,460) is required.

Contaminated Land

- 69 The proposed development is just to the north west of an area of land that was once an old quarry. This quarry has previously been investigated and remedial works carried out and verified by Environmental Health (Contaminated Land Officer). No further information is required with regard to contaminated land.

Economic Impact

- 70 There will be some positive economic impact from the development, mainly during the construction phase.

LEGAL AGREEMENTS

- 71 A section 75 legal agreement may be required should the applicant seek to defer payment of the developer contribution required with regard to primary education.

DIRECTION BY SCOTTISH MINISTERS

- 72 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 there have been

no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 73 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, I have taken account of the Local Development Plan and material considerations and in this case I am content that the development proposed does not conflict with the Development Plan.
- 74 Accordingly the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

- 1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

- 2 Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason - In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

- 3 Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.

Reason - To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

- 4 Prior to the commencement of the development hereby approved, details of the proposed boundary treatments for the site shall be submitted for the further written agreement of the Council as Planning Authority. The scheme

as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

- 5 A minimum of 1 swift brick or swift nest box shall be incorporated into each dwellinghouse. Prior to commencement of the development hereby approved details of the location and specification of the swift brick(s) or swift nest box(s) shall be submitted and approved in writing by the Council as Planning Authority. Thereafter, the swift brick(s) or swift nest box(s) shall be installed in accordance with the agreed details prior to the occupation of the relevant residential unit.

Reason - In the interests of enhancing biodiversity.

- 6 A minimum of 1 bat brick or bat nest box shall be incorporated into each dwellinghouse. Prior to commencement of the development hereby approved details of the location and specification of the bat brick(s) or bat nest box(s) shall be submitted and approved in writing by the Council as Planning Authority. Thereafter, the bat brick(s) or bat nest box(s) shall be installed in accordance with the agreed details prior to the occupation of the relevant residential unit.

Reason - In the interests of enhancing biodiversity.

B JUSTIFICATION

- 75 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

- 76 The planning permission decision notice shall not be issued until such time as the required Developer Contributions have been secured or paid in full.
- 77 In the event the applicant does not either make the required payment within 28 days from the date the agent/applicant is advised of the need for the contributions, or complete a legal agreement for delayed payment within a 4 month period from the date the agent/applicant is advised of the need for the contributions, the application may be refused under delegated powers without any further discussion with the applicant.

D INFORMATIVES

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).

- 2 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.
- 3 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.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.
- 5 The applicant is advised that in terms of Sections 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 Environmental Protection Agency.
- 6 The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.
- 7 Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
- 8 The presence of protected species, and the extent to which they could be affected by the proposed development, should be established before works commence. Should protected species be identified within the site the developer should ensure that all appropriate measures required to comply with the relevant legislation are carried out.

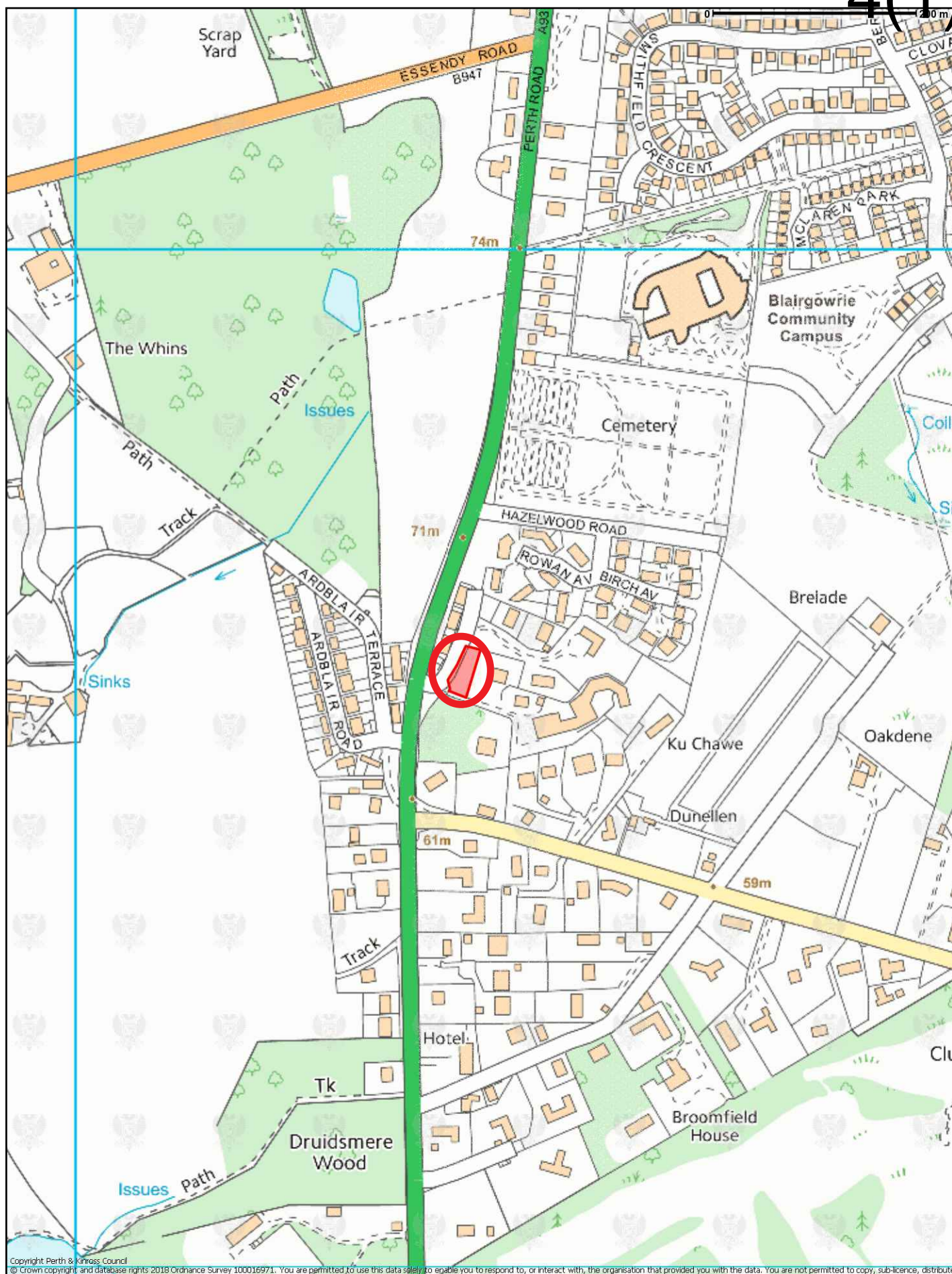
Background Papers: 11 letters of representation including one of support
Contact Officer: Persephone Beer
Date: 8 November 2018

ANNE CONDLIFFE
INTERIM DEVELOPMENT QUALITY MANAGER

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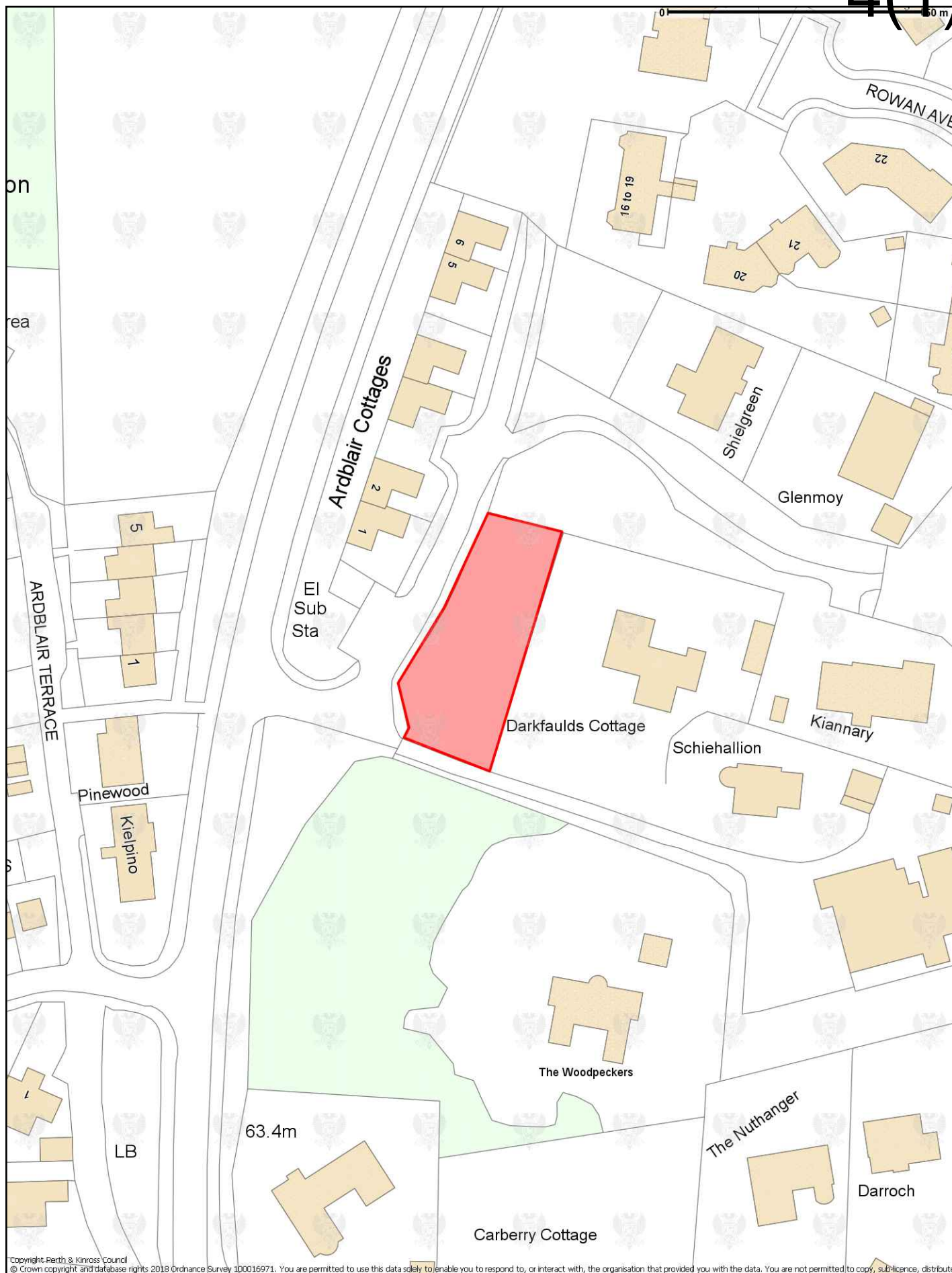


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18/01091/FLL

Erection of 3no. dwellinghouses Land 30
Metres West Of Darkfaulds Cottage





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Scale 1:1000

18/01091/FLL

Erection of 3no. dwellinghouses on Land 30
Metres West Of Darkfaulds Cottage



Perth and Kinross Council
Planning & Development Management Committee – 21 November 2018
Report of Handling by Interim Development Quality Manager (Report No. 18/381)

PROPOSAL: Erection of 29 dwellinghouses and 4 flats, formation of SUDS, landscaping, roads infrastructure and associated works (allocated site H68).

LOCATION: Land NW of Park House, Ardler Road, Meigle.

Ref.No: [18/01144/FLL](#)

Ward No: P2 - Strathmore

Summary

This report recommends approval of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The site measures approximately 1.2 Hectares in area and lies to the southwest of Meigle within the settlement boundary. The site is currently in agricultural use but due to its location within the village has limitations due to the restricted access. It is bound by Ardler Road to the southeast, Tree Back Lane to the north, dwellings to the northeast and a single dwelling/Victory Park to the southwest. The dwellings within the area consist of a range of single and two storey heights with a mix of finish materials such as coloured render, stone, tiles and slate
- 2 The application site is allocated in the Adopted Perth and Kinross Local Development Plan 2014 (LDP) for residential development through Site H68. The LDP gives an indicative figure of 20 units for the site. The Proposed LDP 2 has a different approach to site density and has increased the figures to a range between 23-36 units. The current proposal is for 29 houses and 4 flats and will provide 8 on site affordable units and 25 open market units.
- 3 The application proposes a mix of cottage flats, semi-detached and detached units all in two storey buildings comprising the following:
 - 18 x 3 bed semi-detached (open market);
 - 3 x 3 bed detached (open market);
 - 4 x 4 bed detached (open market);
 - 2 x 2 bed semi-detached (affordable);
 - 2 x 3 bed semi-detached (affordable); and
 - 4 x 2 bed cottage flats (affordable).

- 4 The proposed finishes for the dwellings are off-white dry dash render, facing brick and concrete roof tiles. The vehicular access to the site is from Ardler Road with two pedestrian links to Victory Park and two links proposed to Tree Back Road via the open space area, which would join to the existing core path network.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 5 Directive 2011/92/EU (as amended) requires the 'competent authority' (in this case Perth and Kinross Council) when giving a planning permission 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.
- 6 This 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. The EIA Report 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.
- 7 An EIA Report was not required to be submitted with the proposal as the scale of development falls below the EIA thresholds.

PRE-APPLICATION CONSULTATION

- 8 The applicant engaged in pre-application discussions prior to submission; however the layout has changed from initial discussions due to further site investigations.

NATIONAL POLICY AND GUIDANCE

- 10 The Scottish Government expresses its planning policies through The National Planning Frameworks, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

National Planning Framework

- 11 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.

Scottish Planning Policy 2014

- 12 The Scottish Planning Policy (SPP) was published in June 2014 and 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.

- 13 The following sections of the SPP will be of particular importance in the assessment of this proposal:

- Sustainability : paragraphs 24 – 35
- Placemaking : paragraphs 36 – 57

Planning Advice Notes

- 14 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 68 Design Statements
- PAN 75 Planning for Transport
- PAN 77 Designing Safer Places

Creating Places 2013

- 15 Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

Designing Streets 2010

- 16 Designing Streets is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government's place-making agenda, alongside Creating Places, which sets out Government aspirations for design and the role of the planning system in delivering these.

National Roads Development Guide 2014

- 17 This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.

DEVELOPMENT PLAN

- 18 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2016-2036

- 19 TAYplan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:
- 20 *“By 2036 the TAYplan area 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, study and visit, and where businesses choose to invest and create jobs.”*
- 21 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application.

Policy 1: Locational Priorities

- 22 Seeks to focus the majority of development in the region’s principal settlements.

Policy 2: Shaping Better Quality Places

- 23 Seeks to deliver distinctive places by ensuring that the arrangement, layout, design, density and mix of development are shaped through incorporating and enhancing natural and historic assets, natural processes, the multiple roles of infrastructure and networks, and local design context.

Policy 4: Homes

- 24 Seeks to ensure there is a minimum of 5 years effective housing land supply at all times. Land should be allocated within each Housing market Area to provide a generous supply of land to assist in the delivery of 25,020 units up to year 2028 and a further 16,680 by 2036.

Policy 9: Managing TAYplans Assets

- 25 Seeks to respect the regional distinctiveness and scenic value of the TAYplan area through safeguarding the integrity of natural and historic assets;

including habitats, wild land, sensitive green spaces, forestry, water environment, wetlands, floodplains (in-line with the Water Framework Directive), carbon sinks, species and wildlife corridors, and also geo-diversity, landscapes, parks, townscapes, archaeology, historic battlefields, historic buildings and monuments; and by allowing development where it does not adversely impact upon or preferably enhances these assets.

Perth and Kinross Local Development Plan 2014

- 26 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. The LDP sets out a vision statement for the area and states that, *“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”* It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

- 27 The principal relevant policies are, in summary;

Policy PM1A - Placemaking

- 28 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

- 29 All proposals should meet all eight of the placemaking criteria.

Policy PM2 - Design Statements

- 30 Design Statements should normally accompany a planning application if the development comprises 5 or more dwellings, is a non-residential use which exceeds 0.5 ha or if the development affects the character or appearance of a Conservation Area, Historic Garden, Designed Landscape or the setting of a Listed Building or Scheduled Monument.

Policy PM3 - Infrastructure Contributions

- 31 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 RD1 - Residential Areas

- 32 In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes of use away from ancillary

uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy RD4 - Affordable Housing

- 33 Residential development consisting of 5 or more units should include provision of an affordable housing contribution amounting to 25% of the total number of units. Off-site provision or a commuted sum is acceptable as an alternative in appropriate circumstances.

Policy TA1B - Transport Standards and Accessibility Requirements

- 34 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 HE1B - Non Designated Archaeology

- 35 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 CF1B - Open Space Retention and Provision

- 36 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

- 37 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 NE3 - Biodiversity

- 38 All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out. Planning permission will not be granted for development likely to have an adverse effect on protected species.

Policy EP2 - New Development and Flooding

- 39 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

- 40 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

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

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

- 42 Perth & Kinross Council is progressing with preparation of a new Local Development Plan to provide up-to-date Development Plan coverage for Perth & Kinross. When adopted, the Perth & Kinross Local Development Plan 2 (LDP2) will replace the current adopted Perth & Kinross Local Development Plan (LDP). The Proposed Local Development Plan 2 (LDP2) was approved at the Special Council meeting on 22 November 2017.
- 43 The representations received on the Proposed LDP2 and the Council's responses to these were considered at the Special Council meeting on 29 August 2018. The unresolved representation to the Proposed Plan after this period is likely to be considered at an Examination by independent Reporter(s) appointed by the Scottish Ministers, later this year. The Reporter(s) will thereafter present their conclusions and recommendations on the plan, which the Council must accept prior to adoption. It is only in exceptional circumstances that the Council can elect not to do this.
- 44 The Proposed LDP2 represents Perth & Kinross Council's settled view in relation to land use planning and as such it is a material consideration in the determination of planning applications. It sets out a clear, long-term vision and planning policies for Perth & Kinross to meet the development needs of the area up to 2028 and beyond. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. However, the outcome of the Examination could potentially result in modifications to the Plan. As such, currently limited weight can be given to its content where subject of a representation, and the policies and proposals

of the plan are only referred to where they would materially alter the recommendation or decision.

SITE HISTORY

- 45 No site history

CONSULTATIONS

- 46 As part of the planning application process the following bodies were consulted:

External

Perth and Kinross Heritage Trust

- 47 The site could have archaeological interest and a planning condition is required to cover archaeological investigations.

Scottish Water

- 48 Scottish Water has no objection to the proposal and highlights the presence of their infrastructure through the site.

Internal

Strategy and Policy

- 49 Policy position set out in relation to land use, layout and density, site specific developer requirements and the current status of LDP2.

Development Negotiations Officer

- 50 Contributions requirement for affordable housing only.

Transport Planning

- 51 Comments have been made on the layout with feedback given and improvements made to the scheme.

Structures and Flooding

- 52 Additional information has been requested and initial objection removed.

Community Waste Advisor - Environment Service

- 53 No objection, recycling/waste requirements outlined.

Community Greenspace

- 54 Comments made in relation to Core Paths, tree planting and proximity to the play area.

REPRESENTATIONS

- 55 21 letters of representation were received regarding the proposed development (14 objections, 4 letters of support and 3 general comments). In summary the letters highlighted the following points;

- Contrary to LDP
- Traffic congestion
- Road safety concerns
- Loss of core path/Impact on Right of Way
- Flood Risk
- Impact on archaeology
- Out of character
- Over development
- Inappropriate design
- Neighbour notification process
- Adverse impact on schools and local services
- Support for more housing in the area

- 56 These issues are addressed in the Appraisal section of the report.

ADDITIONAL STATEMENTS

57

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement / Design and Access Statement	Submitted
Reports on Impact or Potential Impact	Ecological Appraisal Transport Statement Flood Risk Assessment

APPRAISAL

- 58 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 adopted Development Plan comprises the TAYplan Strategic Development Plan 2016–2036 and the Perth and Kinross Local Development Plan 2014. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, this involves considerations

of the Council's other approved policies and supplementary guidance, namely Developer Contributions Supplementary Guidance including Affordable Housing April 2016.

Principle

- 59 The application site is allocated in the Adopted Perth and Kinross Local Development Plan (LDP) 2014 for residential development through Site H68. The LDP gives an indicative figure of 20 units for site. While this is not a maximum limit or an exact requirement the proposed 33 units is higher than this indicative figure.
- 60 The Proposed Local Development Plan 2 (LDP2) takes a different approach and identifies a capacity range for housing sites based on the developable area and the appropriate density. The Proposed Plan supports a higher density development for H68. The site has the potential to accommodate affordable units as well as smaller homes for downsizing and first time buyers, both of which are in high demand. Based on the assumption that 75% of the site is developable and high density can be achieved, the capacity range was increased to 23-36. The proposal for 33 units, which mainly includes smaller 2-3 bed houses as well as on site affordable accommodation, is considered to be in line with the aspiration of the Proposed Plan.
- 61 The Proposed LDP2 was approved by Councillors in November 2017 and has undergone public consultation. Three representations have however been received in objection to the proposed increased site density and capacity range, as proposed in LDP2, which means that the issue will form part of the Examination by the Reporter. Therefore, at this stage of the process, limited weight can be given to the Proposed Plan.
- 62 It is considered appropriate to clarify at this stage that the housing numbers reflected in the site allocation is purely an indicative figure, originally identified as a means to satisfy housing land supply requirements for the housing market area and the wider LDP housing numbers. This number does not reflect a fixed or upper site capacity; the assessment of the site in terms of scale and density of development is borne out of detailed site layout designs, landscape capacity studies and wider site context appraisals. Fundamentally, the intended outcome is to seek a high standard of development, influenced by detailed site assessments and design input, rather than being constrained by a specific housing number. Information has been submitted in support of this application with higher numbers than suggested in the LDP and these matters will be further considered in the Design, Scale and Layout section below. Notwithstanding this assessment, the principle of residential development does comply with Development Plan policy.

Design and Layout

- 63 This area of Meikle is characterised by a number of differing design styles and material finishes. The surrounding dwelling types are primarily two storey terraced and semi-detached properties; however, there are also detached

houses of single and 1 ½ storey height. The properties in the surrounding area are finished in a mixture of materials including coloured harling, sandstone, slate and concrete tiles.

- 64 The application site is linear in form with the access taken from Ardler Road and extending to Tree Back Lane, where pedestrian links only are proposed. This linear form, coupled with the Scottish Water infrastructure on the site, directs the form and layout of the proposed development. This layout provides a straight access road with two cul-de-sac offshoots that link with pedestrian accesses to Victory Park. An open area has been retained to the north which accommodates the proposed underground SUDS storage area.
- 65 The proposed development has a mix of 2, 3 and 4 bedroom dwellinghouses which includes onsite affordable housing in the form of 2 bedroom cottage flats and 2/3 bedroom semi-detached dwellinghouses. The dwellinghouses are all two storey with gable detailing and simple contemporary finishes. The finishes are grey tiles, dry dash render (off white) and facing brick. Given the mixture of finishes in the surrounding area I consider the proposed grey tiles and render to be appropriate in this context; however, samples will be required by condition to ensure that the specification is acceptable (Condition 2). I am less convinced by the facing brick detailing, which is not a building material used in the vicinity of the site, further details will be required by condition to consider brick or other wall materials (Condition 2).
- 66 The site is higher in density than indicated in the LDP allocation, at approximately 27.5 dwellings per hectare across the whole site, to provide on-site affordable housing and a range of smaller houses aimed at first time buyers. The site is fairly flat meaning minimal underbuild is required and the gardens are fully useable. The amenity space provided ranges from the lowest at 60sq metres for a two bedroom affordable dwelling and the 2 bedroom cottage flats to an average of 80 to 90sq metres for smaller three bedroom semis, 90 - 130sq metres for 3 bedroom detached and 120 – 190 for 4 bedroom detached dwellings. This is in line with the draft Placemaking Guide which recommends a minimum of 60sq metres for 1-2 bedroom units and 80sq metres for 3 + bedrooms units.
- 67 The design and scale is therefore considered to comply with policies PM1A and B of the LDP which relate to placemaking and the criteria outlined in policy RD1.

Residential Amenity

- 68 Three residential properties (Westpark, Gowanbank and Maryfield) share a boundary with the application site all of which are located on Ardler Road (one to the southwest and two to the east). The relationship between the existing properties and the proposed development is a consideration in terms of impacts on daylight/sunlight and privacy.
- 69 The site arrangement is such that six dwellinghouses are proposed along the north east site boundary. The depth of the rear gardens to these properties is

9 metres and no windows to habitable rooms are proposed on the gables. It is therefore considered that there would be no detrimental impact on existing residential amenity from overlooking. In addition the intervening distance and these existing properties being located to the southeast would not result in a loss of light from overshadowing.

- 70 The other existing dwellinghouse (Park House) lies to the southwest of the site is proposed to be bound by a proposed dwellinghouse to the east and a block of four cottage flats to the north. There are no windows to habitable rooms proposed on the gable of the property proposed to the east and to the north. A distance in excess of 9 metres has been retained between the proposed flats and the boundary. In addition, this existing property lies to the west which means the development will not result in a loss of light. In addition 1.8 metre fencing is proposed as a boundary treatment between the site and this existing dwellinghouse.
- 71 Within the application site the layout of the proposed dwellinghouses has been configured so that 9 metre window to boundary distances and 18 metre distances for facing windows has been met. The layout therefore does not raise any issues of overlooking between the new properties.
- 72 As the site accommodates smaller units aimed at first time buyers, people downsizing and providing onsite affordable, the site does reflect a higher density of development than the indicative LDP numbers would provide. The extent in which private amenity space is used relates specifically to the dwellings occupant. It is therefore particularly difficult to forecast the extent of garden ground required and ultimately overtime this will change with any new inhabitant. Nevertheless, it is important to seek an outside area that can perform the minimum to be expected of a garden i.e. clothes drying, dustbin storage and sitting out. In this case a sufficient amount of private amenity space to the rear of all dwellinghouses and flats is provided to perform the minimum expected of a garden ground taking account of the proposed dwellinghouse type.
- 73 The site lies adjacent to the Victory Park which has a small play park, cricket pavilion and playing fields. This public amenity space complements the open space provided to the north of the site and supplements private garden areas. Community Greenspace note that the housing is proposed along the boundary with the existing park and playpark, which could lead to further residents being disturbed by noise from park users. The minimum separation distance between proposed housing and open space, laid out within the Council's play strategy, is 30 metres. Whilst this may be appropriate in larger zoned sites where large play facilities are to be provided this will not always be achievable on smaller sites, particular like this site with the width of the developable area is 80 metres. Future residents of the site will be aware of the presence of the play park and the park is aimed at younger children with five small pieces of play equipment. I consider that it would be unreasonable to further limit the developable area of the site and that any issues with antisocial behaviour from the park would be controlled under other legislation and departments within the council.

Core Path/Right of Way

- 74 Tree Back Lane to the north of the site is a core path (MEGL/2) and right of way (20/2) it provides a safe off-road route which is likely to be well used by the residents within the development and those within the area. The core path also runs through the northwest corner of the site.
- 75 As part of the development, pedestrian links are proposed via the core path and a new path to both Tree Back Lane and Victory Park. Additional linkages are also proposed at the end of each street running west to the park.
- 76 Community Greenspace have requested that Tree Back Road be improved as a condition of this permission. However, this is a private road outwith the site boundary and is not within the applicant's control to upgrade. It would therefore not be reasonable to impose such a condition. It is, however, reasonable to upgrade the core path link which runs through the northwest corner of the site. A condition is therefore recommended to ensure connections to the core paths and that the part of the core path MEGL/2 which is incorporated within the development, shall be fit for purpose being at least 1.5m wide and surfaced (Condition 5).

Trees and Landscaping

- 77 A plan has been submitted to show the proposed soft and hard landscaping. This includes small species tree planting, boundary treatments to plots (feature walls, 1.8m and 1.2m timber fences) hedgerow and shrub planting. The open area to the north is proposed to have a mix of woodland planting around the site boundaries with central grassed areas.
- 78 The proposal would benefit from a more prominent entrance and street frontage along Ardler Road. The existing boundary treatments along Ardler Road are characterised by low walls and hedges to define the plots. The two proposed dwellings which front Ardler Road have driveway access which is already an established feature; however, the open aspect of the gardens is out of character. A condition is proposed to require the submission of a plan detailing boundary treatments (Condition 10).
- 79 As changes have been made to the SUDS scheme this has resulted in revisions being required to the landscaping scheme. An amended landscaping scheme will therefore be required and this will be covered by condition (Condition 8).

Roads and Access

- 80 The vehicular access to the site is from Ardler Road. The site, due to its linear nature and Scottish Water sewer location, has dictated the road layout. Unfortunately this has resulted in a form which has a straight road with cul-de-sacs. The layout does, however, provide good pedestrian links to Victory Park and to the Core Path network.

- 81 The site layout provides off-street parking for each dwelling; at two spaces per dwelling, 1 space per dwelling for the onsite affordable, 6 parking spaces provided for the cottage flats and a further 6 visitor spaces. The Planning Authority is satisfied that the level of parking provision proposed by the applicant is in accordance with current guidelines and constitutes an adequate level of provision.
- 82 The road layout has also been improved to link with the footpath on Ardler Road and improve pedestrian links and desire lines throughout the site.
- 83 A Transport Statement has been submitted with the application and it concludes that the traffic flows from the development are modest and would not cause any significant capacity issues at the junctions on the network. Transport Planning colleagues have assessed the Transport Assessment and are satisfied with the contents and this position is accepted.

Drainage and Flooding

- 84 The indicative SEPA flood hazard maps show that there may be risk to the site from the Meikle Burn beyond the sites north western boundary. The maps are indicative in nature and should not be used to assess flood risk at the site-specific scale.
- 85 A Flood Risk Assessment (FRA) was submitted as part of the application. The Flood Team initially confirmed that they would expect more detailed investigations to be carried out (e.g. hydraulic modelling) to fully understand the flood risk at the site.
- 86 The Flood Team also considered the proposed SUDS basin located within the indicative floodplain to be unacceptable. The Flood Team considered that it needed to be re-located or a more detailed FRA would be required to understand the 1:200 year flood level at the site to ensure it is positioned above this. The concern was that potential land raising to construct the basin would potentially increase flood risk elsewhere in Meikle, which would not be acceptable.
- 87 As a result, the surface water proposals have been redesigned to remove construction from the functional floodplain. Attenuation of flows will now be delivered through an underground storage tank and filter trenches, prior to discharge to the Meikle Burn.
- 88 As a result of the revised proposals the Flood Team have withdrawn their objection and are satisfied with the proposal.

Waste Collection

- 89 The road layout and turning provision allows for refuse vehicles to enter and leave the site with a kerbside collection proposed.

- 90 The Community Waste Team note that the developer should consider incorporating a mini glass recycling point within the completed development to compliment the kerbside recycling services that will be provided. A condition will be added in this regard (Condition 7).

Archaeology

- 91 The proposed development site lies within an area that is considered to be archaeologically sensitive. The site is located approximately 100m to the historic core of Meigle, which is renowned for its collection of early medieval sculpture found in the churchyard and the village itself. The collection of sculpture dates from the early medieval period, suggesting that Meigle was either an early monastic centre or an early church site with a wealthy patron.
- 92 This site does not appear to have been developed historically, with no evidence of construction on either the first or second edition Ordnance Survey, therefore there is the potential likelihood of the survival archaeological remains.
- 93 It is recommended that an archaeological evaluation should take place to assess the presence / absence, character and significance of archaeological deposits on the site. The evaluation will inform a mitigation strategy, if required, to either preserve significant deposits within the development or for further archaeological works, to consist of the excavation and post-excavation analysis / publication of these deposits. It is recommended that a condition for a programme of archaeological works be attached to consent (Condition 12).

Natural Heritage and Biodiversity

- 94 An ecological Assessment of the site was undertaken which included assessment of the impacts on the River Tay SAC, otters and breeding birds.
- 95 The report outlines mitigation measures to ensure best practices are applied during the construction phase as well as to comply with legal requirements associated with protected species and habitats. It is considered that with the measures detailed the proposed development will not lead to any significant impacts to protected species or habitats present.
- 96 The mitigation includes a Construction Environmental Management Plan (CEMP), which will include measures to prevent any accidental incursion into the Meigle Burn, as well as the safe storage of materials and chemicals away from this area of the site. Siltation measures will be implemented to prevent increased run-off into the Meigle Burn from the construction site. This may include the use of sealed bunds and silt fencing as well as the erection of Heras fencing to prevent unauthorised access to the burn.
- 97 The report also recommends that the site is re-surveyed for otter and that any artificial lighting used during the construction phase should be directed away from the burn, and no lights should be included in the final design which light up the Meigle Burn.

- 98 Works within 100m of the Meigle Burn will cease between 1 hour before sunset and one hour after sunrise to enable otters to continue using the burn for commuting or foraging during the night time.
- 99 Any trenches dug over 1m deep will be covered at the end of the working day, or else an escape ramp included at a 45 degree angle to allow escape. Any pipes stored on site should be capped, except where their full interior extent can be viewed prior to being moved to ensure no otters are occupying them at the time.
- 100 Scrub and tree removal may disturb nesting birds if undertaken during the bird breeding season. Works should therefore be scheduled to commence out with the bird breeding season in order to avoid potential disturbance to nesting birds. If works are scheduled to commence within the bird breeding season then a screening survey should be undertaken by an ecologist prior to work at the site.
- 101 The recommendations of the Ecological Survey will be covered by condition (Condition 11).

Developer Contributions

Affordable Housing

- 102 The Council's Affordable Housing Policy requires that 25% of the total number of houses, above a threshold of 5 units, for which planning consent is being sought is to be in the form of affordable housing.
- 103 The Affordable Housing requirement is 8.25 units (33 x 0.25). The proposal will provide 8 Affordable units on site and a condition is recommended to secure this contribution (Condition 4). The remaining 0.25 requirement should be made by way of commuted sum payment. The commuted sum for the Strathmore and Glens HMA is £11,500 per unit. The required commuted sum is £2,875 and must be secured prior to any decision notice being issued.

Primary Education

- 104 The Council's Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.
- 105 This proposal is within the catchment of Meigle Primary School. Education & Children's Services have no capacity concerns in this catchment area at this time therefore no contributions are required

Economic Impact

- 106 There is likely to be some economic benefit associated with the construction of this development. However this is not considered to hold significant weight in the determination of this application.
- 107 The representations have also raised issues regarding the strain on local services however the increase in population would generate increased footfall and spending in the local economy.

LEGAL AGREEMENTS

- 108 It is anticipated that, due to the small contribution amount, this would be paid upfront rather than by entering into legal agreement however clarification of this will need to be sought subject to a S75 not being required for the 8 onsite units.

DIRECTION BY SCOTTISH MINISTERS

- 109 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 110 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, I have taken account of the Local Development Plan and material considerations and in this case I am content that the development proposed does not conflict with the Development Plan.
- 111 Accordingly the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

- 1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

- 2 Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to, and agreed in writing by, the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason - In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

- 3 Prior to the commencement of the development hereby approved, details of the proposed boundary treatments for the site shall be submitted to, and agreed in writing by, the Council as Planning Authority. The scheme as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

- 4 The onsite affordable units hereby approved (plots 7-14) shall be occupied solely for the purposes of affordable housing, as defined in the Council's Developer Contributions and Affordable Housing Supplementary Guidance September 2016, to the satisfaction of the Council as Planning Authority.

Reason - To comply with the Council's policy on affordable housing.

- 5 Prior to the commencement of development hereby approved details of the proposed connections to the existing core paths, paths within the site and core path MEGL/2, which is incorporated within the development, shall be submitted to, and agreed in writing by, the Council as Planning Authority. The proposed paths within the site shall be at least 1.5m wide and surfaced. The scheme as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason - To ensure that the core path and other path linkages are provided to an acceptable standard.

- 6 Prior to the commencement of the development hereby approved, a management plan indicating any temporary diversions and signage needed to facilitate the development and/or any works proposed to the right of way/core path as part of the development shall be submitted to, and agreed in writing by, the Council as Planning Authority. The plan as agreed shall be implemented in accordance with the timings identified in the plan to the satisfaction of the Council as Planning Authority.

Reason - To ensure that public access is maintained at all reasonable times, to the local path network.

- 7 Prior to the commencement of works on site, detailed drawings showing waste and recycling facility enclosures including a mini glass recycling point or waste and recycling facility storage areas and associated locations for bin

presentation shall be submitted for the further written agreement of the Council as Planning Authority. None of the residential units hereby approved shall be occupied until the agreed scheme has been provided in full.

Reason - To ensure that adequate recycling facilities are provided within the site.

- 8 Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the further written agreement of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full details of all hard landscaping proposals (to include the site entrance) including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier, and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained to the satisfaction of the Council as Planning Authority.

Reason - In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme.

- 9 Prior to the occupation of the development or any phase of the development, whichever is the sooner, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small privately-owned domestic gardens) shall be submitted to, and agreed in writing by, the Council as Planning Authority. The landscape management plan as agreed shall, where appropriate, include phased implementation concurrent with the development and shall be fully implemented and adhered to.

Reason – To ensure satisfactory management of the scheme.

- 10 Prior to the commencement of the development hereby approved, details of the proposed boundary treatments for the site (in particular in relation to Ardler Road) shall be submitted for the further written agreement of the Council as Planning Authority. The boundary treatments as agreed for each plot shall be implemented prior to the completion or occupation of each dwellinghouse/flat, whichever is the earlier.

Reason - In the interests of visual amenity and to ensure the satisfactory implementation of the proposed boundary treatments.

- 11 The conclusions and recommended action points within the supporting biodiversity survey dated 27th June 2018 by FDM Ecology Limited and hereby approved shall be fully adhered to, respected and undertaken as part of the

construction phase of development to the satisfaction of the Council as Planning Authority.

Reason - In the interests of protecting environmental quality and of biodiversity.

- 12 Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.

Reason - To ensure a programme of archaeological works is carried out to safeguard and record any archaeological remains within the development area.

- 13 Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type C Figure 5.7 access detail, of Type B Road construction detail.

Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.

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

The planning permission decision notice shall not be issued until such time as the required Developer Contributions have been secured or paid in full.

If the a payment is not paid up-front, a Section 75 Legal Agreement will require to be drafted in relation to securing on and off-site Affordable Housing provision . The Heads of Terms have been agreed by the applicant and the Councils Legal Services have been formally instructed.

In the event the applicant does not either make the required payment within 28 days from the date the agent/applicant is advised of the need for the contributions, or complete a legal agreement for delayed payment within a 4 month period from the date the agent/applicant is advised of the need for the

contributions the application may be refused under delegated powers without any further discussion with the applicant.

D INFORMATIVES

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
- 2 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.
- 3 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.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.
- 5 The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.
- 6 The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance.
- 7 The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
- 8 Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD for a new postal address. The form is downloadable from www.pkc.gov.uk and should be returned to snn@pkc.gov.uk
- 9 No work shall commence until and application for a Building Warrant has been submitted and approved.
- 10 The applicant should be advised that in terms of Section 21 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority

consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.

- 11 The applicant 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.

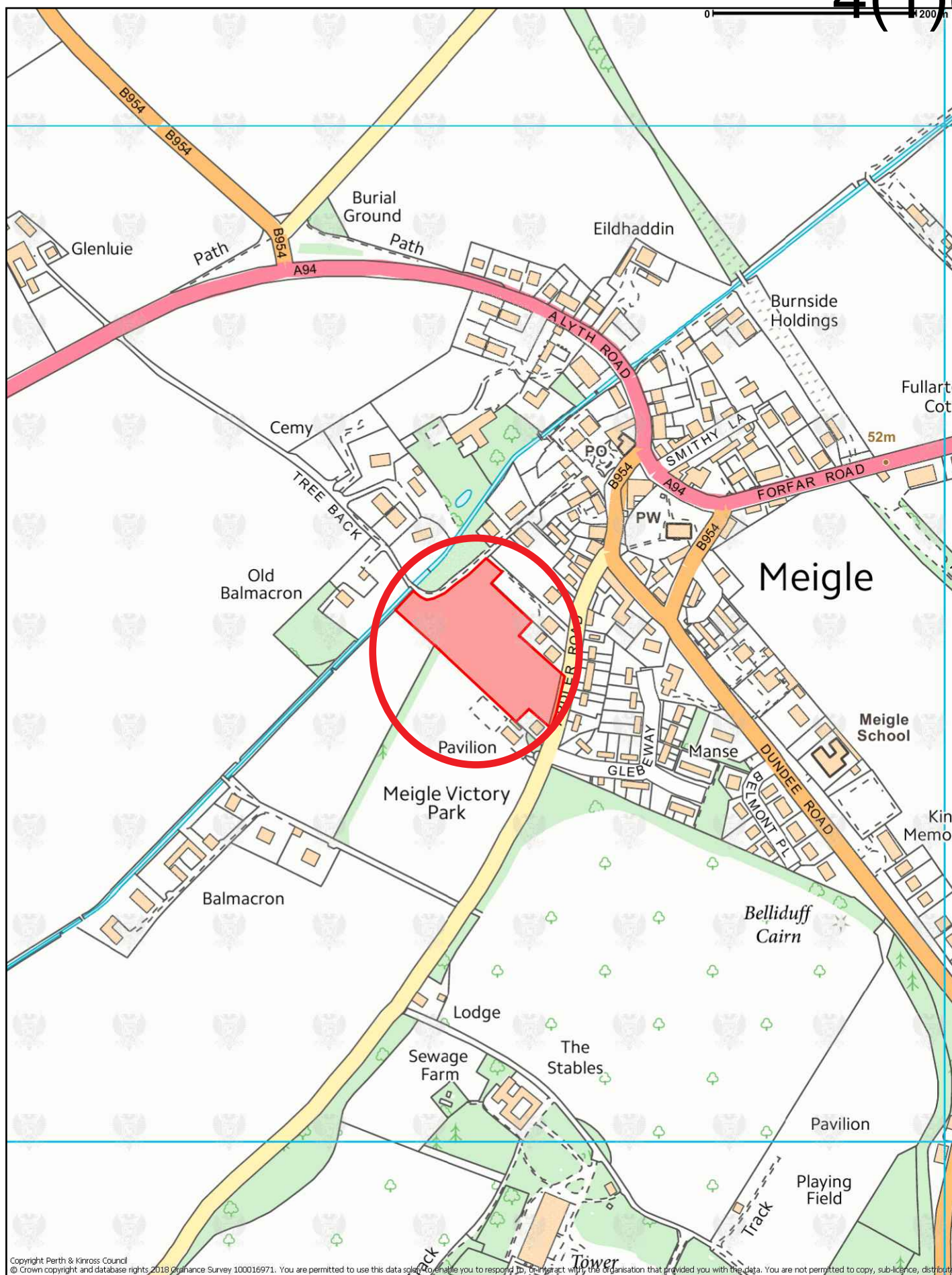
Background Papers: 21 letters of representation
Contact Officer: Joanne Ferguson 01738 475320
Date: 8 November 2018

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INTERIM DEVELOPMENT QUALITY MANAGER

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Scale 1:5000

18/01144/FLL

Erection of 33no. dwellinghouses, formation of SUDS, landscaping, roads infrastructure and associated works (allocated site H68)on Land 100 Metres North West Of Park House





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Scale 1:1000

18/01144/FLL

Erection of 33no. dwellinghouses, formation of SUDS, landscaping, roads infrastructure and associated works (allocated site H68)on Land 100 Metres North West Of Park House



Perth and Kinross Council
Planning & Development Management Committee – 21 November 2018
Report of Handling by Interim Development Quality Manager (Report No. 18/382)

PROPOSAL: Change of use and alterations to garden ground to form waste recycling business (class 6) comprising the siting of a skip, erection of a wall, fence and replacement gates, formation of raised hardstanding, steps and associated works (in retrospect)

LOCATION: Bridge House, Main Street, Keltybridge, Kelty, KY4 0JH

Ref. No: [18/01492/FLL](#)

Ward No: P8- Kinross-shire

Summary

This report recommends **approval** of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The application site is Bridge House, Main Street, Keltybridge, Kelty. The application seeks detailed planning permission in retrospect for the change of use of garden ground to the storage of waste associated with an established plumbing and heating business (class 6). The existing business on the site (Crombie Plumbing and Heating) was granted planning permission in 1995 under application 95/01473/FUL. The current application for the change of use also includes the siting of a skip, the erection of a wall, fence and replacement gates, the formation of raised hardstanding, steps, and associated works.
- 2 The waste storage area has been operating for approximately 6 years without planning consent. In this time, the Council did not receive any complaints regarding its use. A complaint was however sent to Planning Enforcement in early 2018 concerned that the relevant consents were not in place. Planning Enforcement consequently investigated, hence the current application in retrospect.
- 3 The overall site area for Bridge House is approximately 1200sq m and the proposed area subject to the change of use is approximately 30sq m, which is 2.5% of the overall site. It is indicated that the skip will be removed and replaced every 4 – 5 weeks.

PRE-APPLICATION CONSULTATION

- 4 No pre-application consultation was undertaken; however there was enforcement interest on the site therefore there was correspondence between the applicant and the Planning Enforcement Officer.

NATIONAL POLICY AND GUIDANCE

- 5 The Scottish Government expresses its planning policies through The National Planning Frameworks, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

National Planning Framework

- 6 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.

Scottish Planning Policy 2014

- 7 The Scottish Planning Policy (SPP) was published in June 2014 and 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.

- 8 The following sections of the SPP will be of particular importance in the assessment of this proposal:

- Sustainability : paragraphs 24 – 35
- Placemaking : paragraphs 36 – 57

Planning Advice Notes

- 9 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management
- PAN 68 Design Statements

Creating Places 2013

- 10 Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

DEVELOPMENT PLAN

- 11 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2016-2036

- 12 TAYplan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:
- 13 *"By 2036 the TAYplan area 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, study and visit, and where businesses choose to invest and create jobs."*
- 14 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application.

Perth and Kinross Local Development Plan 2014

- 15 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. The LDP sets out a vision statement for the area and states that, *"Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth."* It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 16 The principal relevant policies are, in summary;

Policy PM1A - Placemaking

- 17 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

- 18 All proposals should meet all eight of the placemaking criteria.

Policy RD1 - Residential Areas

- 19 In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy TA1B - Transport Standards and Accessibility Requirements

- 20 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 EP2 - New Development and Flooding

- 21 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 EP8 - Noise Pollution

- 22 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 EP12 – Contaminated Land

- 23 Consideration will be given to proposals for the development of contaminated land, as defined under Part IIA, Section 78A(2) of the Environmental Protection Act 1990, where it can be demonstrated to the satisfaction of the Council that appropriate remediation measures can be incorporated in order to ensure that the site/ land is suitable for the proposed use and in order to ensure that contamination does not adversely affect the integrity of a European designated site.

Policy EP9B – New Waste Management Infrastructure

- 24 The development of waste management infrastructure, including any activity ancillary to any industrial or commercial process, will be supported where it meets a number of criteria set out by the Plan.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

- 25 Perth & Kinross Council is progressing with preparation of a new Local Development Plan to provide up-to-date Development Plan coverage for Perth & Kinross. When adopted, the Perth & Kinross Local Development Plan 2 (LDP2) will replace the current adopted Perth & Kinross Local Development Plan (LDP). The Proposed Local Development Plan 2 (LDP2) was approved at the Special Council meeting on 22 November 2017.
- 26 The representations received on the Proposed LDP2 and the Council's responses to these were considered at the Special Council meeting on 29 August 2018. The unresolved representation to the Proposed Plan after this period is likely to be considered at an Examination by independent Reporter(s) appointed by the Scottish Ministers, later this year. The Reporter(s) will thereafter present their conclusions and recommendations on the plan, which the Council must accept prior to adoption. It is only in exceptional circumstances that the Council can elect not to do this.
- 27 The Proposed LDP2 represents Perth & Kinross Council's settled view in relation to land use planning and as such it is a material consideration in the determination of planning applications. It sets out a clear, long-term vision and planning policies for Perth & Kinross to meet the development needs of the area up to 2028 and beyond. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. However, the outcome of the Examination could potentially result in modifications to the Plan. As such, currently limited weight can be given to its content where subject of a representation, and the policies and proposals of the plan are only referred to where they would materially alter the recommendation or decision.

SITE HISTORY

- 28 89/00716/FUL Reserved Matters to erect a dwellinghouse 17 July 1989. Application Approved under delegated powers.
- 29 95/01473/FUL Formation of a business (class 6) and associated works 21 December 1995. Application Approved by Committee decision.
- 30 [11/01947/FLL](#) Alterations to garage to form ancillary accommodation 16 January 2012. Application Refused under delegated powers.
- 31 [14/00542/FLL](#) Alterations and extension to dwellinghouse 25 April 2014. Application Approved under delegated powers.

CONSULTATIONS

- 32 As part of the planning application process the following bodies were consulted:

External

Cleish & Blairadam Community Council

- 33 Expressed concerns with regards to access and the proposed use.

The Coal Authority

- 34 No response to the consultation.

Internal

Structures & Flooding

- 35 Initially requested a Flood Risk Assessment (FRA) however accepted site levels as a suitable alternative and now have no objection to the proposed development.

Environmental Health (Contaminated Land)

- 36 No comment to make on the application.

Environmental Health (Noise Odour)

- 37 No objection to the proposed development subject to conditional control regarding hours of operation and the burning of materials on site.

Transport Planning

- 38 No objection to the proposed development.

Development Negotiations Officer

- 39 No contributions required.

REPRESENTATIONS

- 40 8 letters of representation were received regarding the proposed development (6 objections, 1 letter of support and 1 general comment). In summary, the letters highlighted the following points:

41 Letter of Support

- Results in environmental improvements (reference to recycling over landfill)
- Supports economic development
- Site is well screened
- Minimal disturbance

42 Letters of Objection and General Comment

- Inappropriate access (reference to ownership and maintenance of access)
- Road safety
- Traffic congestion
- Impacts upon pedestrians and cyclists (reference to right of way)
- Noise disturbance
- Out of character with the area
- Concerns with existing water pipes and damage to existing properties
- Smoke and odour nuisance from burning goods
- Health and safety concerns
- Litter generation

43 These issues are addressed in the Appraisal section of the report, with the exception of litter generation, as this is not a material planning consideration.

ADDITIONAL STATEMENTS

44

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

APPRAISAL

45 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 adopted Development Plan comprises the TAYplan Strategic Development Plan 2016–2036 and the Perth and Kinross Local Development Plan 2014. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, this involves considerations of the Council's other approved policies and supplementary guidance, namely the Placemaking Guide.

Principle

46 The application site is within the settlement of Keltybridge as identified within the LDP; therefore Policy RD1 'Residential Areas' is directly applicable. As this proposal is within a residential area, the proposed use must therefore be compatible with residential uses. In this instance, as the proposal is for waste storage facilities, Policy EP9B 'New Waste Management Infrastructure' will also be applied. This policy states that the development of waste management infrastructure, including any activity ancillary to any industrial or

commercial process, will be supported where it meets a number of criteria set out by the Plan. Other policies are also directly applicable to ensure that the residential amenity of the area is not compromised. These include the Placemaking Policies PM1A and PM1B which seek to ensure that all new developments contribute positively to the quality of place.

- 47 It is considered that the proposed use is of a scale which is compatible in a residential area with appropriate conditional control. This will be discussed further within this report.

Design and Layout

- 48 The proposal is for a modest store building, along with a hardstanding to house a single skip, with two open recycling bays, all enclosed by a secure boundary fence, gates and a rendered wall within the curtilage of the original boundary wall.
- 49 The overall scale and height of the building and associated enclosure is relatively low level and is not highly visible from the private access track due to the height and established nature of the surrounding enclosure. It is therefore considered that there are no design and layout implications arising from the proposed development.

Landscape and Visual Amenity

- 50 Development and land use change should be compatible with the distinctive characteristics and features of Perth and Kinross's landscape. Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross. In this case, as the proposal is for a small scale development on a contained site within the settlement boundary of Keltiebridge, this is not considered to erode the visual amenity of the area, or the local distinctiveness, diversity and quality of the landscape.

Residential Amenity

- 51 The closest property to the waste storage area, outwith the applicant's ownership, is 4 Blairadam Grove which is approximately 52m away. The access to the storage area is down a single track road to the rear of Bridge House and Esfahan House sits at the junction of the road.
- 52 There is the potential for noise from the daily operation of the waste storage site to impact upon residential amenity. The noise sources are vehicle movements, disposing of materials into the skip and the removal and replacement of the skip; predominately banging and clattering noises. This has also been raised within some of the letters of representation received.
- 53 Environmental Health were consulted as part of this application and have stated that they have no objection to the proposed development, subject to conditional control regarding hours of operation and the prohibition of burning

of materials. It has been recommended to limit the hours of operation from 0830 hours to 1700 hours Monday to Friday only, with no operations permitted on Saturdays & Sundays. These hours were recommended after Environmental Health assessed information submitted by the agent. It is considered that by limiting hours and by prohibiting the burning of materials, that due to the scale of the development, this will be sufficient to protect existing residential amenity (Conditions 3 and 4). Environmental Health also further stated that in the 6 years that this waste storage area has been operating there has been no complaints with regards to noise from the general operations of the plumbing business.

- 54 Within some of the letters of representation received, concerns were also raised with regards to the usage of the site. It is considered appropriate to condition that the use of the waste storage area is restricted to purposes ancillary to the business on the site of Bridge House (granted under application 95/01473/FUL), and not to be used by any member of the public or other business, or sold or let separately from the Bridge House. This will ensure that in the future, should the area wish to be operated as a separate business or facility, then this can be controlled by the Council as Planning Authority(Condition 2).

Roads and Access

- 55 The site is accessed by a small access road which leads to Main Street. This access road is a right of way. Within some of the letters of representation received, it was raised that this access road is not considered to be sufficient for the proposed development.
- 56 The agent has stated that the total number of vehicle movements daily within the waste storage area is 5 plumbing vans inward to deposit waste and 5 outward, so a total of 10 vehicle movement daily.
- 57 The agent has also advised that the skip uplift is every 4-5 weeks or when the skip is full. The process involves the skip trailer reversing into site, the removal of new skip from skip trailer onto hard standing, uplift of full trailer onto skip trailer and then vehicle drives away. The whole uplift/removal process takes approximately 15 - 20 mins from when skip trailer vehicle arrives at the site.
- 58 Transport Planning were consulted as part of this application and have no objection to the proposed development, as the existing access track is considered to be sufficient for a development of this scale. Some concerns have been raised regarding ownership of the track and whilst this is not a material consideration an informative is recommended to be added to the consent to highlight the matter to the applicant's attention (Informative 3).

Drainage and Flooding

- 59 Indicative SEPA flood risk maps show most of this site to lie within the medium risk area for fluvial flooding from the adjacent Kelty Burn. As such,

the Structures and Flooding team were consulted as part of the application. They initially requested a Flood Risk Assessment (FRA) however accepted site levels as a suitable alternative and now have removed their objection to the proposed development. It is therefore considered that there is no drainage or flooding implications associated with the proposed development.

Conservation Considerations

- 60 The site is not in a designated Conservation Area or in close proximity to a listed building or any other designated site. It is therefore considered that the development will have no adverse impact upon the cultural heritage of the area.

Natural Heritage and Biodiversity

- 61 The proposed development is not considered to have any adverse impact upon the natural heritage and biodiversity of the area.

Developer Contributions

- 62 The Developer Negotiations Officer was consulted as part of this application and confirmed that no comments are relevant on this proposal in terms of the Developer Contributions and Affordable Housing Guidance. No contributions are therefore required.

Economic Impact

- 63 The proposed development will aid the existing established plumbing business whilst also being of economic benefit to a licenced recycling contractor.

LEGAL AGREEMENTS

- 64 None.

DIRECTION BY SCOTTISH MINISTERS

- 65 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 66 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, I have taken account of the Local Development Plan and material considerations and in this case I am content that the development proposed does not conflict with the Development Plan.

- 67 Accordingly the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

Approve the application.

Conditions and Reasons for Recommendation

- 1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

- 2 The waste storage area hereby approved shall be used solely for the purposes ancillary to the business on the site of Bridge House (granted under application 95/01473/FUL), and shall not be used by any member of the public or other business, or sold or let separately from the Bridge House, all to the satisfaction of the Council as Planning Authority.

Reason - In order to safeguard the residential amenity of the area.

- 3 The hours of operation of the waste storage area shall be restricted to between 0830 hours and 1700 hours Monday to Friday only, with no operations permitted on Saturdays and Sundays.

Reason - In order to safeguard the residential amenity of the area.

- 4 There shall be no burning of materials on the site at any time.

Reason - In order to safeguard the residential amenity of the area.

B JUSTIFICATION

- 68 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

- 69 None.

D INFORMATIVES

- 1 The applicant should be aware of the Perth & Kinross Council Flooding and Flood Risk Guidance Document (June 2014) for advice on development within a flood risk area.

- 2 The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.
- 3 The applicant is advised that the granting of planning permission does not guarantee rights of access to the site. This should be agreed with the relevant landowner(s).

Background Papers: 8 letters of representation
Contact Officer: Sean Panton
Date: 8 November 2018

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INTERIM DEVELOPMENT QUALITY MANAGER

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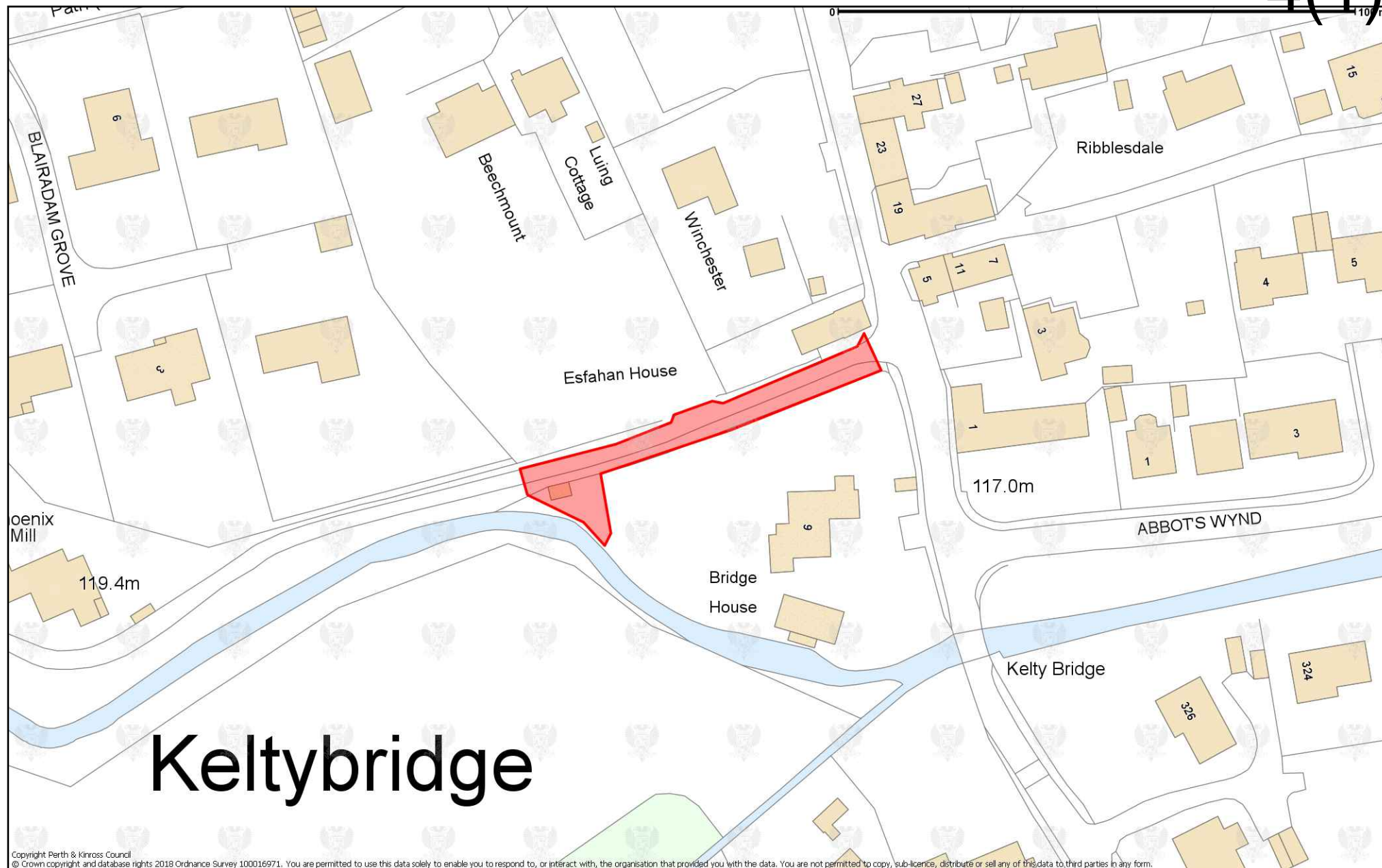
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Scale 1:5000



Change of use and alterations to garden ground to form waste recycling business (class 6) comprising the siting of a skip, erection of a wall, fence and replacement gates, formation of raised hardstanding, steps and associated works (in retrospect) Bridge House





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Scale 1:1000



18/01492/FLL

Change of use and alterations to garden ground to form waste recycling business (class 6) comprising the siting of a skip, erection of a wall, fence and replacement gates, formation of raised hardstanding, steps and associated works (in retrospect) Bridge House



Perth and Kinross Council
Planning & Development Management Committee – 21 November 2018
Report of Handling by Interim Development Quality Manager (Report No. 18/383)

PROPOSAL: Residential development comprising dwellinghouses, apartments and affordable housing, access and open space including landscaping and SUDS with associated infrastructure and services

LOCATION: Former Hillside Hospital, Dundee Road, Perth

Ref. No: [18/00011/PAN](#)
 Ward No: P12- Perth City Centre

Summary

This report is to inform the Committee of a potential forthcoming planning application in respect of a major development for proposed residential development and associated infrastructure. The report also aims to highlight the key planning policies, the likely stakeholders who would be involved in the decision making process and to offer a brief overview of the key material planning issues which are likely to be relevant to the proposal.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997 as amended, the applicant has submitted a Proposal of Application Notice (POAN) on 11 September 2018. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in any planning application.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 2 Directive 2011/92/EU (as amended) requires the 'competent authority' (in this case Perth and Kinross Council) when giving a planning permission 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.

This 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. The EIA Report 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.

PRE-APPLICATION CONSULTATION

- 3 The POAN outlined that a public exhibition will be held at Kinnoull Parish Church Hall on 22 November 2018. Bridgend, Gannochy and Kinnoull Community Council and local ward Councillors have also been notified and invited to attend. The results of the community consultation will require to be submitted with any application as part of the required Pre-Application Consultation (PAC) Report.

NATIONAL POLICY AND GUIDANCE

- 4 The Scottish Government expresses its planning policies through The National Planning Frameworks, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

National Planning Framework

- 5 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.

Scottish Planning Policy 2014

- 6 The Scottish Planning Policy (SPP) was published in June 2014 and 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.

- 7 The following sections of the SPP will be of particular importance in the assessment of this proposal:

- Sustainability : paragraphs 24 – 35
- Placemaking : paragraphs 36 – 57
- Valuing the Natural Environment: paragraphs 193-218
- Managing Flood Risk and Drainage: paragraphs 254 – 268
- Promoting Sustainable Transport and Active Travel: paragraphs 269 - 291

Planning Advice Notes

- 8 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 3/2010 Community Engagement
- PAN 40 Development Management
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 68 Design Statements
- PAN 75 Planning for Transport
- PAN 77 Designing Safer Places

Designing Streets 2010

- 9 Designing Streets is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government's place-making agenda, alongside Creating Places, which sets out Government aspirations for design and the role of the planning system in delivering these.

Creating Places 2013

- 10 Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

National Roads Development Guide 2014

- 11 This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.

DEVELOPMENT PLAN

- 12 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2016-2036

- 13 TAYplan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:
- 14 *"By 2036 the TAYplan area 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, study and visit, and where businesses choose to invest and create jobs.”

- 15 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application.

Policy 2: Shaping Better Quality Places

- 16 Seeks to deliver distinctive places by ensuring that the arrangement, layout, design, density and mix of development are shaped through incorporating and enhancing natural and historic assets, natural processes, the multiple roles of infrastructure and networks, and local design context.

Policy 4: Homes

- 17 Seeks to ensure there is a minimum of 5 years effective housing land supply at all times. Land should be allocated within each Housing market Area to provide a generous supply of land to assist in the delivery of 25,020 units up to year 2028 and a further 16,680 by 2036.

Policy 6: Developer Contributions

- 18 Seeks to ensure suitable infrastructure is in place to facilitate new development, developer contributions shall be sought to mitigate any adverse impact on infrastructure, services and amenities brought about by development. This may include contributions towards schools, the delivery of affordable housing, transport infrastructure and facilities (including road, rail, walking, cycling and public transport), green infrastructure and other community facilities in accordance with the Scottish Government Circular 3/2012: Planning Obligations and Good Neighbour Agreements.

Perth and Kinross Local Development Plan 2014

- 19 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. The LDP sets out a vision statement for the area and states that, *“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”* It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal relevant policies are, in summary;

Policy PM1A – Placemaking

- 20 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

- 21 All proposals should meet all eight of the placemaking criteria.

Policy PM2 - Design Statements

- 22 Design Statements should normally accompany a planning application if the development comprises 5 or more dwellings, is a non-residential use which exceeds 0.5 ha or if the development affects the character or appearance of a Conservation Area, Historic Garden, Designed Landscape or the setting of a Listed Building or Scheduled Monument.

Policy PM3 - Infrastructure Contributions

- 23 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 RD1 - Residential Areas

- 24 In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy RD4 - Affordable Housing

- 25 Residential development consisting of 5 or more units should include provision of an affordable housing contribution amounting to 25% of the total number of units. Off-site provision or a commuted sum is acceptable as an alternative in appropriate circumstances.

Policy TA1B - Transport Standards and Accessibility Requirements

- 26 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 CF3 – Social and Community Facilities

- 27 Seeks to prevent the loss or change of use of land or buildings presently used or last used for community purposes unless the loss does not seriously affect

the available community facilities in the locality and that no suitable alternative community use can be found for the land or buildings.

Policy NE3 – Biodiversity

- 28 All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out. Planning permission will not be granted for development likely to have an adverse effect on protected species.

Policy EP2 - New Development and Flooding

- 29 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 EP3C - Water, Environment and Drainage

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

Policy EP12 - Contaminated Land

- 31 The creation of new contamination will be prevented. Consideration will be given to proposals for the development of contaminated land where it can be demonstrated that remediation measures will ensure the site / land is suitable for the proposed use.

OTHER POLICIES

- 32 The following supplementary guidance and documents are of particular importance in the assessment of this application;
- Developer Contributions Supplementary Guidance including Affordable Housing April 2016
 - Flood Risk and Flood Risk Assessments – Developer Guidance June 2014

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

- 33 Perth & Kinross Council is progressing with preparation of a new Local Development Plan to provide up-to-date Development Plan coverage for Perth & Kinross. When adopted, the Perth & Kinross Local Development Plan 2 (LDP2) will replace the current adopted Perth & Kinross Local Development Plan (LDP). The Proposed Local Development Plan 2 (LDP2) was approved at the Special Council meeting on 22 November 2017.

- 34 The representations received on the Proposed LDP2 and the Council's responses to these were considered at the Special Council meeting on 29 August 2018. The unresolved representation to the Proposed Plan after this period is likely to be considered at an Examination by independent Reporter(s) appointed by the Scottish Ministers, later this year. The Reporter(s) will thereafter present their conclusions and recommendations on the plan, which the Council must accept prior to adoption. It is only in exceptional circumstances that the Council can elect not to do this.
- 35 The Proposed LDP2 represents Perth & Kinross Council's settled view in relation to land use planning and as such it is a material consideration in the determination of planning applications. It sets out a clear, long-term vision and planning policies for Perth & Kinross to meet the development needs of the area up to 2028 and beyond. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. However, the outcome of the Examination could potentially result in modifications to the Plan. As such, currently limited weight can be given to its content where subject of a representation, and the policies and proposals of the plan are only referred to where they would materially alter the recommendation or decision.

SITE HISTORY

- 36 **99/00555/OUT** Proposed demolition of existing building and erection of 11 dwellings and 44 flats. Appealed on grounds of non-determination. Appeal dismissed June 1999.
- 37 **01/01142/OUT** Demolition of existing hospital building, erection of a hotel and nursing home with associated assisted living housing and one private house. Application withdrawn September 2001.
- 38 **06/01241/FUL** Demolition of existing building and proposed mixed use development (health care and residential). Application approved by Development Management Committee November 2006.

CONSULTATIONS

- 39 As part of the planning application process the following bodies will be consulted:
- 40 **External**
- Scottish Environmental Protection Agency (SEPA)
 - Scottish Natural Heritage (SNH)
 - Scottish Water
 - Network Rail
 - Bridgend, Gannochy and Kinnoull Community Council

41 **Internal**

- Environmental Health
- Strategy & Policy
- Developer Negotiations Officer
- Affordable Housing Enabling Officer
- Community Greenspace (including Access)
- Transport Planning
- Structures and Flooding
- Waste Services

KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED

42 The key considerations against which the eventual application will be assessed includes:

- a. Principle of residential development
- b. Visual impact
- c. Scale, design and layout
- d. Relationship with surrounding land uses
- e. Natural heritage and ecology
- f. Landscaping
- g. Water resources and soils
- h. Transport implications
- i. Open space provision
- j. Access provision
- k. Waste
- l. Affordable housing
- m. Education provision
- n. Flooding & drainage

ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED

43 The following supporting documents will need to be submitted with any planning application;

- Planning Statement(including robust marketing of site position)
- Design and Access Statement
- Pre-Application Consultation (PAC) Report
- Transport Assessment/Statement
- Flood Risk and Drainage Assessment
- Phase 1 Habitat Survey
- Sustainability Assessment
- Waste Management and Minimisation Plan
- Construction Method Statement (CMS)

CONCLUSION AND RECOMMENDATION

- 44 This report summarises the key issues which should be considered as part of the appraisal of any subsequent planning application which may be lodged in respect of this development and members are recommended to note these key issues and advise officers of any other issues which they consider should be included as part of the application and assessment.

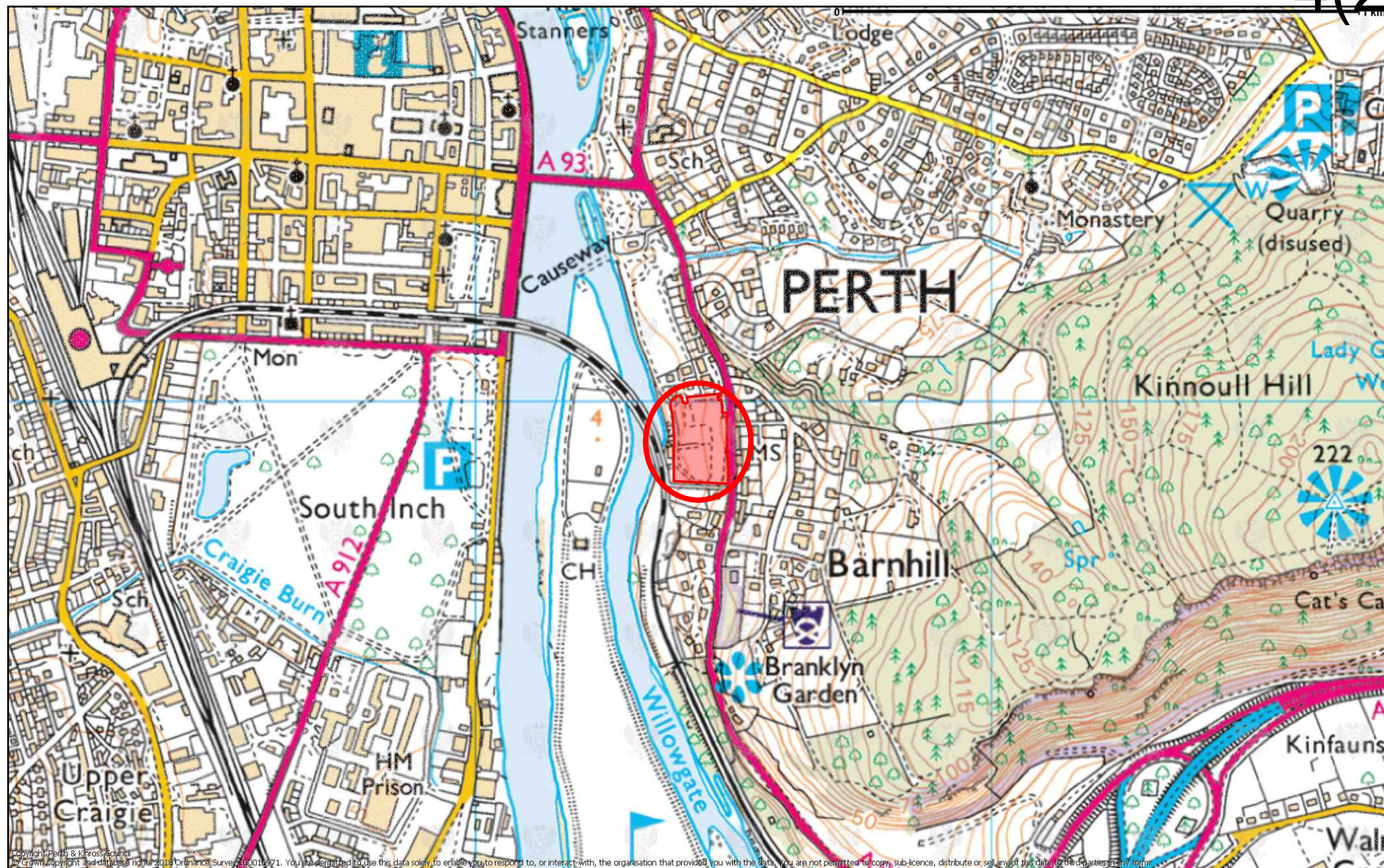
Background Papers: None
Contact Officer: Steve Callan 01738 475337
Date: 8 November 2018

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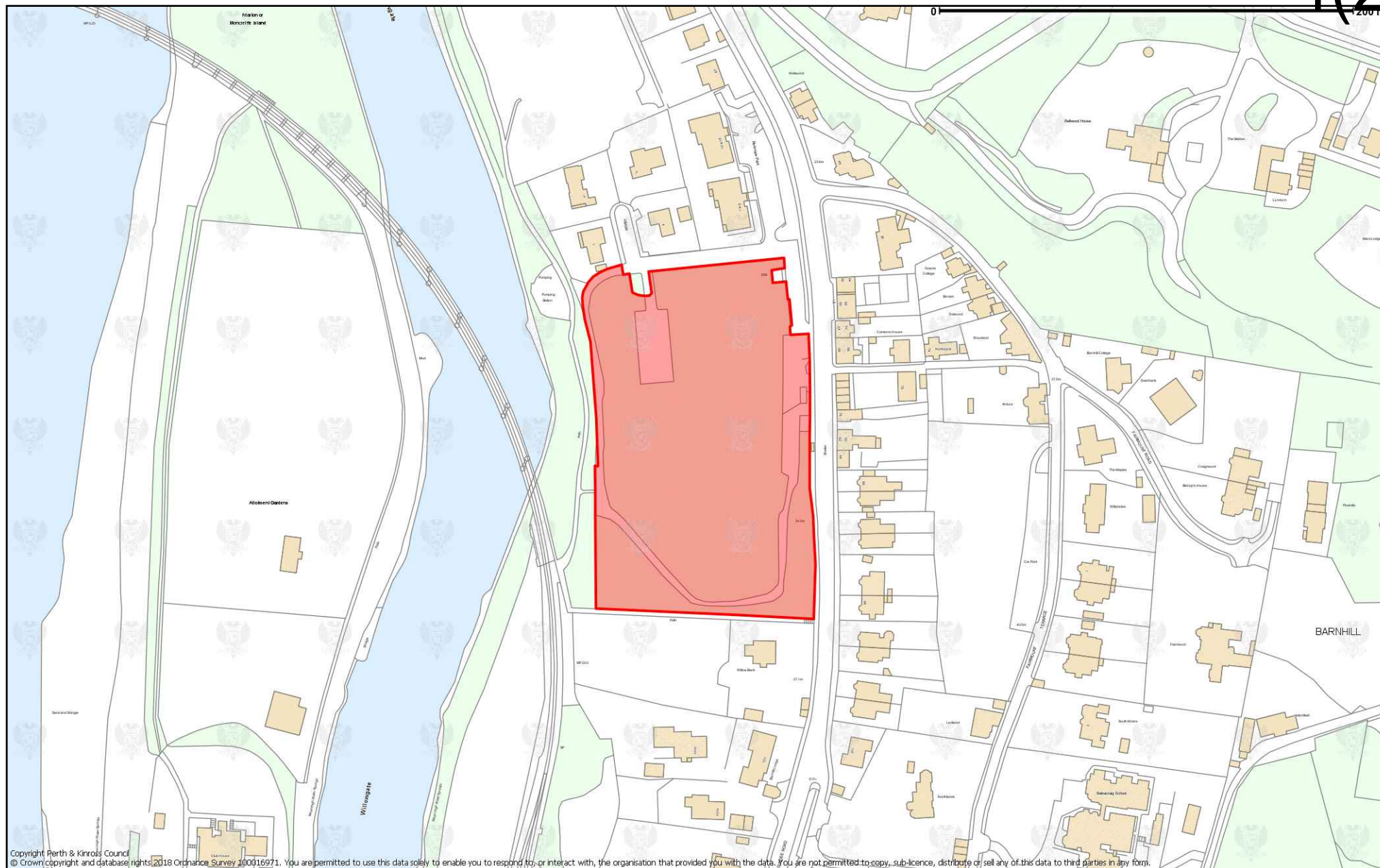
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18/00011/PAN

Residential development comprising dwellinghouses, apartments and affordable housing, access and open space including landscaping and SUDS with associated infrastructure and services at Former Hillside Hospital





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18/00011/PAN

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