

Perth and Kinross Council
Planning & Development Management Committee – 14th March 2018
Report of Handling by Interim Development Quality Manager

PROPOSAL:	Renewal of permission 14/00214/FLL (Erection of dwellinghouse).
LOCATION:	Land 80 Metres North East of Cuil An Daraich, Logierait.

Ref. No: 17/02240/FLL
Ward No: N4- Highland

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 on land 80metres North East of Cuil An Daraich, Logierait. The application seeks detailed planning permission for the renewal of permission 14/00214/FLL for the erection of a dwellinghouse. The site itself is located to the north of a small grouping of buildings, all of which lie out with the settlement boundary of Logierait. The site is contained by a stone wall to the west, allotments to the south, rising topography to the north and a post and wire fence to the east with an existing dwelling located beyond this to the southeast. Cuil An Daraich, the building to the south of the development site, is a Category C listed building (LB 44619).
- 2 The site is currently overgrown and accessible only by foot. Vehicular access exists to the south along the rear of the dwellings at Cuil An Daraich. Two parking spaces will be provided at this lower level of ground with a series of steps (in excess of 55 steps) leading to the dwellinghouse itself.
- 3 The proposed dwellinghouse is 1 ½ storey and is a detached 3 bedroomed unit. The proposed unit is stepped to coincide with the topography of the land. The ground floor footprint of the dwellinghouse is approximately 112m² and will measure approximately 14.5metres at maximum width and 16metres at maximum length. The maximum height of the proposed unit, (excluding the chimney), is approximately 6.5metres. The materials are natural stone and larch cladding with a natural slate roof.

- 4 With regards to the background of the site, an application was submitted in 2013 (13/01644/FLL) for the erection of a dwellinghouse on this site. This application was refused under delegated powers due to the principle of the development. This application was resubmitted in 2014 (14/00214/FLL) where the application was also refused under delegated powers. This 2014 decision was appealed to the Local Review Body where consent was granted. This current application seeks a renewal of the consent granted by the Local Review Body.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 5 Directive 2011/92/EU 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. This helps to ensure that the importance of the predicted effects, and the scope for reducing any adverse effects, are properly understood by the public and the relevant competent authority before it makes its decision.
- 7 An Environmental Statement was not required to be submitted with the proposal as the scale of development falls below the EIA thresholds.

NATIONAL POLICY AND GUIDANCE

- 8 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

- 9 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

- 10 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.
- 11 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

- 12 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

- 13 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

- 14 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

- 15 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:
- 16 *“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.”*

Perth and Kinross Local Development Plan 2014

- 17 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.

- 18 The principal relevant policies are, in summary

19 Policy PM1A - Placemaking

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.

20 Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

21 Policy PM3 - Infrastructure Contributions

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.

22 Policy RD3 - Housing in the Countryside

The development of single houses or groups of houses which fall within the six identified categories will be supported. This policy does not apply in the Green Belt and is limited within the Lunan Valley Catchment Area.

23 Policy TA1B - Transport Standards and Accessibility Requirements

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.

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

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

25 Policy HE1 – Scheduled Monuments and Non-Designated Archaeology

The Council will seek to protect areas or sites of known archaeological interest and their setting. Where development is proposed in such areas, there will be a strong presumption in favour of preservation in situ. Where, in exceptional circumstances, preservation of the archaeological features is not feasible, the developer, if necessary through appropriate conditions attached to the granting of planning permission, will be required to make provision for the survey, excavation, recording and analysis of threatened features prior to development commencing.

26 Policy HE2 - Listed Buildings

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

27 Policy NE3 - Biodiversity

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.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

28 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 was approved at the Special Council meeting on 22 November 2017. The Proposed LDP2 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.

29 The Proposed LDP2, as approved by Perth & Kinross Council, was subject of a 9 week period of representation, which ended on 2 February 2018. Any 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. 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.

- 30 The Proposed Plan 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. The Proposed Plan is, however, at a stage in the statutory preparation process where it may be subject to modification. As such limited weight can therefore currently be given to its content and the policies and proposals of the plan are only referred to where they would materially alter the recommendation or decision. The weight of the Proposed Plan may change following consideration of representation received during consultation, at which time the level of significance of any objection to strategy, policies or proposals within the plan will be known.

SITE HISTORY

- 31 13/01644/FLL - Erection of dwellinghouse: Application Refused under Delegated Powers on 8 November 2013
- 32 14/00214/FLL - Erection of dwellinghouse 8 July 2014: Application Refused under Delegated Powers then approved by Local Review Body (LRB)

CONSULTATIONS

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

Internal

- 34 Transport Planning:
No objection to the proposed development.
- 35 Contributions Officer:
No contributions required.
- 36 Environmental Health:
No objection to the proposed development subject to conditional control regarding contaminated land.

External

- 37 Perth & Kinross Heritage Trust (PKHT):
PKHT highlighted that the proposed development site lies within an area considered to have archaeological potential and as such recommended a condition to be added to the consent regarding an archaeological investigation.
- 38 Scottish Water:
Scottish Water highlighted that there is currently sufficient capacity in the Killiecrankie Water Treatment Works to service the development however identified that there is no Waste water Infrastructure within the vicinity of the proposed development.

REPRESENTATIONS

39 9 letters of representation were received regarding the proposal (8 objections and 1 general comment). In summary, the following points were raised in the representations received:

- Contrary to Local development Plan policies
- Out of character with the area
- Impact upon Listed Building and visual amenity of area
- Landscape impacts due to elevated nature of site
- Instability and contamination issues with existing land
- Loss of amenity to existing residents (overlooking and overshadowing)
- Large scale of development
- Impracticality of elevated site for disabled access and emergency services
- Parking and access arrangements concerns
- Land ownership concerns
- Precedent for future development
- Waste collection concerns
- Tree planting growth periods
- Impacts during construction period

40 These issues are addressed in the Appraisal section of the report with the exception of land ownership concerns and the impacts created from the construction period as these are not material planning considerations.

41 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	Not Required

APPRAISAL

- 42 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 Housing in the Countryside Guide 2012 and the Developer Contributions and Affordable Housing Guide 2016.

Principle

- 43 The local plan through Policy PM4 - Settlement Boundaries specifies that development will not be permitted, except within the defined settlement boundaries which are defined by a settlement boundary in the Plan. This is relevant to this application as the site is not within a defined settlement boundary.
- 44 However, through Policy RD3 - Housing in the Countryside, it is acknowledged that opportunities do exist for housing in rural areas to support the viability of communities, meet development needs in appropriate locations while safeguarding the character of the countryside as well as ensuring that a high standard of siting and design is achieved. Thus the development of single houses or groups of houses which fall within the six identified categories will be supported. The Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:
- a) Building Groups
 - b) Infill site
 - c) New houses in the countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance
 - d) Renovation or replacement of houses
 - e) Conversion or replacement of redundant non-domestic buildings
 - f) Development on rural brownfield land
- 45 In this case, the application seeking to be renewed (14/00214/FLL) was refused under delegated powers as the development was not considered to comply with any of the criterion. However, this was appealed to the Local Review Body who considered the proposal to be compliant with the said policy under category (a) building groups. As such, the principle of the development is now considered to be acceptable. The majority of the LRB panel noted that the site lay within the site of the former walled garden of the listed building, which would remain the dominant feature within the landscape. For these reasons the LRB panel were satisfied that the proposed development respected the character, layout and building pattern of the group as required by Policy RD3. As this current

application does not vary from the 2014 consent granted, and the same Local Development Plan is still relevant, there are no material considerations which justify going against the decision of the LRB.

Design and Layout

- 46 The design, proportions and materials of the dwellinghouse are considered to be sympathetic to the location and finished to a high quality. The proposed materials are a combination of natural stone and timber cladding with a traditional slate roof, whilst the retaining walls will have a stone finish. These are considered to blend in with the surrounding environment, namely Cuil An Daraich itself, which is category C listed. The design and materials are acceptable in this location as the maximum height of the proposed dwellinghouse will reduce the impact and the materials and finish is high quality.
- 47 With regards to layout, whilst there are some concerns with the elevated position of the dwellinghouse creating some difficulties with access, which has been voiced through the majority of representations received, as the layout does not differ from the 2014 granted application, it is considered to be acceptable in this instance.

Landscape and Visual Amenity

- 48 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, the siting of the proposed development within an established site is not considered to erode the visual amenity, local distinctiveness, diversity and quality of the landscape.

Residential Amenity

- 49 The proposal, although located on an elevated piece of land, is approximately 50 metres from the dwellinghouses at Cuil An Daraich to the south. This is well in excess of the minimum 18 metres window to window distance for new dwellings as recommended within the Placemaking Guide. The windows to the east are within 9 metres of the boundary but do not overlook a property and to the south, west and north the windows are all more than 9 metres from the boundary. The proposal therefore complies with the guidance in the Placemaking Guide in that the development will not lead to overlooking.
- 50 In relation to overshadowing, the length of shadow cast when taken from a 45 degree angle (from the roof) as outlined in the Placemaking Guide would not cause overshadowing out with the application site. It is therefore considered that the dwelling would not lead to overshadowing of neighbouring land.

- 51 The proposal also cannot be considered to have a detrimental loss of outlook due to the separation distance between it and the existing buildings to the south, the development of the site would alter the view, however loss of a view is not a material planning consideration.
- 52 With regards to the amenity associated with the proposed unit, the topography of the site means that amenity space was required to be clearly demonstrated to meet Council guidance. The agent has demonstrated through the submitted plans that around the dwellinghouse the land will be terraced to create over 280m² of useable amenity space which is acceptable and complies with the Placemaking Guide. It is therefore considered that there are no adverse issues in relation to residential amenity.

Listed Building

- 53 This site is in close vicinity to Cuil An Daraich which is a Category C listed building.
- 54 The Conservation Officer was consulted as part of this application and has confirmed there are no concerns with the proposal subject to conditional control for the finishes.
- 55 The site plan indicates that trees of native species are to be planted on the south side of the site which will reduce inter-visibility between the new built development and the listed building. This is considered to further reduce the impacts of the proposed development upon the Listed structure.

Roads and Access

- 56 The access to the site is to be taken from the A827 within a 40 mph zone. Transport Planning have no objection to the proposal on the access point or parking.
- 57 The existing vehicular access will be used and new parking spaces will be located at the end of the existing parking area serving Cuil An Daraich. A driveway to the new development is not proposed.
- 58 The traffic generation from one property would not cause significant traffic concerns or road safety at this location.
- 59 The access, maintenance and land ownership of this piece of land has been raised as an issue within the representations received as this is a private access. Arrangements would need to be agreed with all owners of the access road and this is not a material consideration to this planning application. A condition is therefore recommended to be added to any consent granted ensuring that the car parking facilities are implemented prior to the development being brought into use. This will ensure that there are adequate parking facilities.

Ground Contamination

- 60 The proposed development is on land that historically formed a walled garden area for the Breadalbane Poorhouse in the late 1800s and early 1900s. This building has since been converted to a care home and laterally a residential development. Ground contamination was raised as a concern within some of the letters of representation received as asbestos is known to have been buried when the Cuil An Daraich building was converted from a care home into flats. Environmental Health was consulted as part of this application and recommended a condition to be attached to any consent regarding ground contamination.

Archaeology

- 61 The proposed development site lies within an area considered to have archaeological potential. A wealth of archaeological remains, much of which is scheduled given its national significance, can be found in the fields to the east of the development site.
- 62 These archaeological remains include prehistoric settlement, likely sited here above the flood plain at the strategic location of the confluence of the Tay and Tummel. Whilst nothing remains above ground of these archaeological sites, their presence is attested by crop marks identified by aerial photographic survey. The development site itself does not contain any previously recorded archaeological sites however the current land use (gardens, allotments, scrubland) is not conducive to aerial photographic survey. There is therefore the possibility that significant sub-surface archaeological remains survive within the development area.
- 63 In line with Scottish Planning Policy historic environment section (paragraphs 110-112 and 123), Perth & Kinross Heritage Trust, who were consulted as part of this application, recommended that a field-based archaeological evaluation should be carried out to determine the presence/absence of archaeology on site and, if necessary, develop a mitigation strategy to deal with any remains. This is therefore recommended as a condition to be attached to any consent granted.

Drainage and Water

- 64 Scottish Water has no objection to this planning application but does not guarantee a connection to Scottish Water's infrastructure. A separate application will be required for connection to the infrastructure after full planning has been granted. Killiecrankie Water Treatment Works currently has capacity to service this proposed development.
- 65 The applicant is proposing a private treatment plant within the site (biodisc and soakaway) if connection to the existing is not possible. Within some of the letters of representation received it was highlighted that a connection to the existing arrangements is not possible. As such, a private treatment plant is the likely route to be taken by the developer.

Flooding

- 66 The site is not within an area of known flood risk and the proposals are not considered to increase the risk of flooding.

Waste Collection

- 67 The applicant has highlighted that the waste collection will be as per the existing arrangements. This has been highlighted as a concern within some of the letters of representation received. It is considered however that there is scope for the existing arrangements to be utilised without compromising the area. There are therefore considered to be no concerns in relation to waste collection.

Natural Heritage and Biodiversity

- 68 No trees are shown for removal and there are no records of protected species on the site, therefore it is considered that there will be minimal disturbance to the natural heritage and biodiversity of the area.

Developer Contributions

Primary Education

- 69 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.
- 70 This proposal is within the catchment of Logierait Primary School.
- 71 Education & Children's Services have no capacity concerns in this catchment area at this time and as such no contributions are required.

Economic Impact

- 72 The development of this site will count towards local housing targets, accounting for short term economic investment through the short term construction period and indirect economic investment of future occupiers of the associated development.

LEGAL AGREEMENTS

- 73 None.

DIRECTION BY SCOTTISH MINISTERS

- 74 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

- 75 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.
- 76 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 Development shall not commence on site until an evaluation for the potential of the site to be affected by contamination by a previous use has been undertaken and, as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) has been submitted for consideration and accepted by the Council as Planning Authority. If the preliminary risk assessment identifies the need for further assessment, an intrusive investigation shall be undertaken to identify;
- (i) the nature, extent and type(s) of contamination on the site
 - (ii) measures to treat/remove contamination to ensure the site is fit for the use proposed
 - (iii) measures to deal with contamination during construction works
 - (iv) condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the measures to decontaminate the site shall be fully implemented in accordance with the scheme subsequently agreed by the Council as Planning Authority. Verification that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

Reason - In order to deal with any potential contamination of the site as a result of its former use.

- 3 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 archaeological monitoring is carried out to safeguard and record any archaeological remains within the development area.

- 4 Prior to the commencement of the development hereby approved, samples of the natural slate and stone for the external finishes shall be submitted for the further written approval of the Council as Planning Authority. The materials as subsequently approved shall be used in the completion of the development. For clarification the natural stone, and associated pointing, to be used should match as closely as possible that of the adjoining Listed Building (Cuil An Daraich).

Reason - In the interests of protecting the special character of the Listed Building.

- 5 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 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.

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

- 6 Prior to the commencement of the development hereby approved, full details of the conservation-style rooflights, including flashing details, shall be submitted for the further written approval of the Council as Planning Authority. The rooflights and flashings as subsequently agreed shall be used in the completion of the development.

Reason – In the interests of visual amenity and to protect the setting of the adjacent Listed Building.

- 7 Prior to the development hereby approved being completed or brought into use, the car parking facilities shown on the approved drawings shall be implemented and thereafter maintained.

Reason - In the interests of road safety; to ensure the provision of adequate off-street car parking facilities.

B JUSTIFICATION

- 77 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

- 78 None.

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 Trees and scrub are likely to contain nesting birds between 1st March and 31st 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.

- 6 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

Background Papers: 9 letters of representation
Contact Officer: Sean Panton
Date: 15th February 2018

ANNE CONDLIFFE
INTERIM DEVELOPMENT QUALITY MANAGER

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.