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Council Building
2 High Street
Perth
PH1 5PH

23 August 2019

A Meeting of the **Planning and Development Management Committee** will be held in the **Council Chamber, 2 High Street, Perth, PH1 5PH** on **Wednesday, 28 August 2019** 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 Willie Wilson
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	

Planning and Development Management Committee

Wednesday, 28 August 2019

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 DEPUTATIONS**
- 4 MINUTE OF MEETING OF THE PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE OF 31 JULY 2019 FOR APPROVAL AND SIGNATURE**
(copy to follow)
- 5 APPLICATIONS FOR DETERMINATION**
 - 5(1) MAJOR APPLICATION**
 - 5(1)(i) 18/02231/AMM - SCONE - ERECTION OF 42 DWELLINGHOUSES, LANDSCAPING AND ASSOCIATED WORKS (APPROVAL OF MATTERS SPECIFIED BY CONDITIONS 16/02127/IPM) (PHASE 1A), SCONE NORTH, SCONE** **5 - 30**
Report of Handling by Head of Planning and Development
(Recommendation - Approve) (copy herewith 19/232)
 - 5(2) LOCAL APPLICATIONS**
 - 5(2)(i) 19/00090/FLL - COUPAR ANGUS - ERECTION OF A DWELLINGHOUSE, LAND EAST OF ABBEYHILL, PRECINCT STREET, COUPAR ANGUS** **31 - 52**
Report Withdrawn from Agenda (19/233)
 - 5(2)(ii) 19/00697/FLL - PERTH - ERECTION OF BOUNDARY TREATMENTS, RETAINING WALLS AND A BIN STORE, INSTALLATION OF A SUBSTATION AND SCREENED SPRINKLER TANK, FORMATION OF PARKING AREAS, LANDSCAPING AND ASSOCIATED WORKS (REVISED** **53 - 68**

**DESIGN), LAND AT CONACHAR COURT, ISLA ROAD,
PERTH**

Report of Handling by Head of Planning and Development
(Recommendation - Approve) (copy herewith 19/234)

5(2)(iii) 19/00975/FLL - FEARNAN - ERECTION OF A REPLACEMENT DWELLINGHOUSE, SITE OF FORMER BRIAR CROFT, FEARNAN

69 - 84

Report of Handling by Head of Planning and Development
(Recommendation - Approve) (copy herewith 19/235)

5(3) PROPOSAL OF APPLICATION NOTICE (PAN)

5(3)(i) 19/00003/PAN - MEIGLE - ERECTION OF A SUBSTATION, ANCILLARY BUILDINGS AND INFRASTRUCTURE, FORMATION OF HARDSTANDING, ACCESS TRACK, LANDSCAPING AND ASSOCIATED WORKS, LAND NORTH WEST OF HAUGHEND FARM, MEIGLE

85 - 94

Pre-Application Report by Head of Planning and Development
(copy herewith 19/236)

5(3)(ii) 19/00004/PAN - SCONE - MAJOR INFRASTRUCTURE PROJECT APPLICATION - CROSS TAY LINK ROAD AT THE A9 OVER THE RIVER TAY TO THE A93 AND A94 NORTH OF SCONE

95 - 104

Pre-Application Report by Head of Planning and Development
(copy herewith 19/237)

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Perth and Kinross Council
Planning & Development Management Committee – 28 August 2019
Report of Handling by Head of Planning & Development (Report No. 19/232)

PROPOSAL: Erection of 42 dwellinghouses, landscaping and associated works (approval of matters specified by conditions 16/02127/IPM) (Phase 1A)

LOCATION: Scone North, Scone

Ref. No: [18/02231/AMM](#)
 Ward No: P2 - Strathmore

Summary

This report recommends approval of the application for the erection of 42 dwellinghouses, as the development is part of an allocated housing site, which benefits from an extant planning permission in principle (PPP). The proposals are considered to comply with the relevant provision of the Development Plan, the conditional terms of the PPP and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The site extends to 4.18 hectares and is situated on the north western extents of Scone. It forms the first part of Scone North, which is an identified residential expansion of Scone allocated for 700 dwellings within the Local Development Plan (LDP) as H29. Planning Permission in Principle (PPP) Ref: 16/02127/IPM and an associated Section 75 legal agreement relates.
- 2 The site is relatively level, sloping gently from east to west, characterised by farmland and Scone Wood to the west. A linear tree corridor dissects the site, together with Core Path SCON/30. This area is also the lowest part of the wider allocated site, which prompted the applicant to identify this area as Phase 1 for drainage and construction reasons. The areas to east and north east, which are currently farm land, also form part of the wider approved Scone North site. The Cramock burn lies immediately to the north of the site boundary with woodland and farm land beyond. Vehicular access is to be from U87 (off Stormont Road) on the southern boundary, adjacent to existing housing at Harper Way with further residential properties to the south and south east.
- 3 The proposed housing mix is:
 - 1 x 2 bed bungalow
 - 12 x 3 bed bungalow
 - 2 x 4 bed bungalow
 - 3 x 2 bed semi-detached bungalow
 - 5 x 3 bed semi-detached bungalow

- 2 x 4 bed 1.5 storey detached
 - 4 x 3 bed 2 storey detached
 - 13x 4 bed 2 storey detached
- 4 Overall, 16 different house styles are being proposed throughout the 42 dwellinghouses, including 59% single storey detached and semi-detached bungalows. Omitting the undeveloped construction site area (as shaded out in grey on plan 18/02231/151), the net site density is circa 13 dwelling units per ha. This is considered a 'low' density for urban developments within Perth and Kinross, but appropriate to this site context.
 - 5 The application has been accompanied by supporting information required by matters specified and suspensive conditions of the PPP. Further drainage and flooding information was provided, along with clarification on other matters. This resulted in the application being re-advertised and neighbours re-notified.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 6 An Environmental Statement (ES) was submitted and assessed as part of the 16/02127/IPM application. The applicant has submitted an up-to-date EIA Addendum for this application for Phase 1A which includes a general assessment of the implications of the proposals. The original ES, Supplementary Environmental Information (SEI) and the EIA update cumulatively form the EIA Report for considering this EIA development. This assessment concludes that the impacts arising from this development have not changed from the original EIA development.

NATIONAL POLICY AND GUIDANCE

- 7 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

- 8 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

- 9 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.

10 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
- Affordable Housing: paragraphs 126 – 131
- Valuing the Natural Environment: paragraphs 193 – 218
- Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
- Managing Flood Risk and Drainage: paragraphs 254 – 268
- Promoting Sustainable Transport and Active Travel: paragraphs 269 – 291

Planning Advice Notes (PANs)

11 The following Scottish Government PANs and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management
- PAN 2/2010 Affordable Housing and Housing Land Audits
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 60 Planning for Natural Heritage
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 63 Waste Management Planning
- PAN 65 Planning and Open Space
- PAN 67 Housing Quality
- PAN 68 Design Statements
- PAN 77 Designing Safer Places

Creating Places 2013

12 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

13 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

- 14 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.

Historic Environment Scotland's 'Managing Change' guidance series

- 15 Gardens and Designed Landscapes (2016)
Setting (2016).

DEVELOPMENT PLAN

- 16 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

- 17 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:

“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.”

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

Policy 1 – Location Priorities

Policy 2 – Shaping better quality places

Policy 3 - Managing TAYplan's Assets

Policy 5 - Housing

Policy 6 - Energy and Waste/Resource Management Infrastructure

Policy 8 – Delivering the Strategic Development Plan

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.

20 The principal relevant policies are;

Housing Land Allocation H29
Policy PM1A, B & C – Placemaking
Policy PM2 - Design Statements
Policy PM3 - Infrastructure Contributions
Policy RD1 - Residential Areas
Policy RD4 - Affordable Housing
Policy TA1A & B - Transport Standards and Accessibility Requirements
Policy CF1B - Open Space Retention and Provision
Policy CF2 - Public Access
Policy HE1B - Scheduled Monuments and Non Designated Archaeology
Policy HE4 - Gardens and Designed Landscapes
Policy NE2A & B- Forestry, Woodland and Trees
Policy NE3 - Biodiversity
Policy NE4 - Green Infrastructure
Policy NE5 Green Belt
Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes
Policy EP1 - Climate Change, Carbon Reduction and Sustainable Construction
Policy EP2 - New Development and Flooding
Policy EP3A, B & C - Water, Environment and Drainage
Transport Infrastructure Paragraphs 5.1.17 – 5.1.18

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

21 The Proposed LDP2 2017 represents Perth & Kinross Council's settled view in relation to land use planning and is a material consideration in determining planning applications. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. It is now the subject of an Examination Report (published 11 July 2019). This includes the Reporter's consideration of issues and recommended modifications to the Plan, which are largely binding on the Council. It is therefore anticipated that they will become part of the adopted Plan; however, this is subject to formal confirmation. The Council is progressing the Proposed Plan (as so modified) towards adoption which will require approval by the Council and thereafter submission to the Scottish Ministers. It is expected that LDP2 will be adopted by 31 October 2019. The Proposed LDP2, its policies and proposals are referred to within this report where they are material to the recommendation or decision.

22 The following supplementary guidance/documents are material considerations:

- Developer Contributions and Affordable Housing Supplementary Guidance April 2016.
- Flood Risk and Flood Risk Assessments – Developer Guidance June 2014

SITE HISTORY

23 [15/00017/PAN](#) Residential development and associated infrastructure, access, landscaping, SUDS and open space. PAN decision issued 8 December 2015

- 24 [16/00762/SCRN](#) Residential development screening decision issued 2 May 2016
- 25 [16/00995/SCOP](#) Residential development and associated infrastructure, access, landscaping, drainage, SUDS and open space. Scoping decision issued 11 July 2016
- 26 [16/02127/IPM](#) Residential development with open space, landscaping, drainage and associated infrastructure (in principle) Approved by Development Management Committee. (Decision issued 18 April 2018).
- 27 [18/00759/ADV](#) Display of signs. Approved under delegated powers 22 June 2018.

CONSULTATIONS

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

EXTERNAL

Civil Aviation Authority

- 29 No response.

Forestry Commission Scotland

- 30 No response.

Historic Environment Scotland

- 31 No objection.

Perth and Kinross Heritage Trust

- 32 No objection, recommending a further suspensive condition in light of initial archaeology findings and potential for this Phase 1A site area.

Perth Scone Airport

- 33 Set out concerns, identifying that the development is directly in the flight path of Scone Aerodrome/Perth Airport, recommending consideration should be given to emergency landing.

R S P B

- 34 No response.

Scone and District Community Council

- 35 Detailed objection received through both consultation opportunities, summarised in the representation section below.

Scottish Water

- 36 No objection, advising sufficient capacity at both the Perth Water Treatment Works and the Scone Waste Water Treatment Works.

Scottish Environment Protection Agency

- 37 Original objection (24 Jan 2019) received based on a lack of groundwater and flooding information, subsequently withdrawn in June 2019 based on an updated Flood Risk Assessment. This provided satisfaction that there is no risk of groundwater flooding to Phase 1A of the development with no further assessment required for current application and site area.

Scottish Natural Heritage

- 38 No objection.

INTERNAL

Environmental Health (Noise Odour)

- 39 No objection. Satisfied the submission meets the terms of PPP condition 19 Construction Environment Management Plan (CEMP) and condition 27 relating to noise matters. Detailed comments provided on the content of the CEMP submission.

Development Negotiations Officer

- 40 No objection, subject to ongoing compliance with the requirements of the S75 in place.

Community Waste Advisor - Environment Service

- 41 No objection.

Structures and Flooding

- 42 No objection. Raised no concerns in respect of flooding and advised that the updated drainage information is satisfactory, as is the overarching drainage approach proposed for the whole site for this stage of the development. Conditions of the PPP remain applicable with a condition recommending that final drainage specification details to be provided.

Biodiversity Officer

- 43 No objection, subject to ongoing compliance and adherence to PPP conditions and recommended conditions.

Community Greenspace

- 44 No objection with updated consultation response accepting that 2.5m wide shared path is acceptable where 3m cannot be achieved.

Transport Planning

- 45 No objection, with recommended conditions.

REPRESENTATIONS

- 46 46 objections were received from 40 households (Including Scone Community Council, but not including any follow-up comments), and are summarised under the following category headings:

47 **Technical**

- Phasing detail not consistent with original Masterplan;
- Information provided is not exact in certain areas; and
- Failure to comply with associated suspensive conditions, including no Air quality study.

48 **Transport/movement and congestion/air pollution**

- Aviation safety implications;
- Accuracy and suitability of green travel plan;
- Air quality and pollution;
- Transport/traffic –including impact on Stormont road/Old Scone Road versus Angus Road;
- Impact on Core Path SCON/30 during construction;
- Lack of paths/cycleways for Non-Motorised Users – including impact on SCON/30 Core Path.

49 **Design & Placemaking**

- Over intensive development; and
- Out of character with area.

50 **Open space and biodiversity**

- Planning officers should insist all green spaces re-instated;
- Intrusion on greenbelt;
- Impact on wildlife and biodiversity, including loss/displacement of marsh orchids; and
- Loss of open space.

51 **Drainage & Flooding**

- Lack of identified springs;
- Lack of detail regarding storage of groundwater/SUDS;
- Lack of drainage detail or information for the whole masterplan area;
- Drainage/flooding; and
- Capacity concerns for water and sewerage with no formal approval by Scottish Water.

52 Residential Amenity

- Noise pollution; and
- Air quality.

53 Other

- No demand for housing in PKC with population figures exaggerated;
- Infrastructure cannot cope (school, roads and medical);
- No commitment to affordable housing through this phase;
- New village entrance should be pursued in light of traffic concerns;
- Green space amenity from southern section missing (never committed to);
- Light pollution; and
- Destroying part of Scone Woods and ancient woodland inventory.

54 Additional neighbour notification was undertaken (as referred to in Para 5). Overall, no new material considerations were raised, with some specific reference to the updated and new material submitted.

55 These representations are addressed in the Appraisal section below. However, concerns in respect of: the positioning of the Cross Tay Link Road (CTLR) and other matters pertaining to the wider H29 site area which were originally addressed in the PPP are not directly considered as part of this submission.

ADDITIONAL STATEMENTS

56	Environment Statement	Required
	Screening Opinion	EIA Required
	Environment Impact Assessment	EIA development. An updated EIA Report provided in an addendum in support of original ES submission.
	Appropriate Assessment	Not Required
	Design Statement / Design and Access Statement	Submitted
	Reports on Impact or Potential Impact	Submitted

APPRAISAL

57 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 as set out.

Principle

- 58 The 42 dwellinghouses remains consistent with this PPP. Additionally, although the wider masterplan does not specifically define the scale of development, the residential land use, street hierarchy and layout is considered consistent with the Scone North Masterplan. The principle of the proposals is therefore considered acceptable. The information submitted as part of the application is considered sufficient to determine the application on its merits and in respect of satisfying the relevant condition criteria of the PPP. There will, however, still be suspensive elements to be further addressed or refined in relation to the terms of the PPP, as identified in informatives.

Design and Layout

- 59 Condition 1 of 16/02127/IPM requires the siting, design and external appearance to be approved. The design and access statement (18/02231/138) sets out the background as to how this has been approached.
- 60 The layout is considered to satisfy placemaking policy criteria, taking cues from surrounding built development in scale and form and responding to the original masterplan. The layout adopts a street hierarchy approach with the central principal spine road with secondary lanes and courtyard/squares off. There is an emphasis on maintaining movement patterns, including non-motorised users (NMU's) with emphasis on a range of choices, tying into a wider network such as Core Pan SCON/30.
- 61 The proposed house types include an appropriate mix, ranging from single storey bungalows, semi-detached and up to two storey detached dwellinghouses. External finishes include a mixture of timber cladding, rendered and brick/reconstituted stone walls, brown and grey concrete roof tiles, UPVC windows and timber doors. Low level hedging is predominantly used to define front gardens and the street edge. These proposals are all considered appropriate to the Scone character and context, and adhere to the original masterplan and design concepts, including a high quality and specification of finish at the development entrance.
- 62 The proposed housing mix is welcomed with over 50% bungalow and single storey options, which is appropriate in giving choice and flexibility to future residents as well as its edge of settlement location.
- 63 Overall, the proposed design, scale, layout, material finishes and mix is considered acceptable and in accordance with LDP placemaking Policy PM1A and PM1B and consistent with the PPP.

Landscape and Visual Amenity

- 64 LDP Policy ER6 seeks to ensure development proposals have a good landscape framework within which the development can be set and, if necessary, can be screened. The identified open spaces within this phase are considered to be complementary to the built development, with adequate

useable public open space on the periphery of the site, supplemented by compensatory planting.

- 65 Overall, the detailed landscaping and open space provision is considered to address the PPP, within this particular site context and including the masterplan and Policy ER6.

Green Belt

- 66 The Proposed LDP2 adjusts the settlement boundary of Scone to reflect the site boundary approved for H29 through 16/02127/IPM in May 2017. The Green Belt boundary was also adjusted accordingly, with a small area being taken out of the green belt to accommodate this settlement boundary change. There were a number of representations submitted during the Proposed Plan consultation relating to this change to the green belt boundary. As a result, this was put forward as an issue for Examination. The Examination Report was published on 11th July 2019. The Reporter agreed with the Council and concluded that *“the change to the green belt boundary at this point is a consequential effect of that permission. I agree that the change to the green belt boundary should be retained in view of the benefit for existing residents. No modification.”* (Examination Report, page 515). The Proposed Plan with Modifications will now be put to Council in September 2019 for adoption. On this basis the material weight given to the proposed LDP2 position override the original LDP policy position.

Residential Amenity

- 67 Overall, the PPP and the criteria for LDP Policy RD1 are considered to have been satisfied. A reasonable level of amenity for the new residents has been catered for, causing no unacceptable impact on the amenity of occupants of nearby properties.
- 68 Policy EP8 seeks to mitigate noise impacts. The initial noise impact assessment undertaken demonstrated that Phase 1A of the development would meet target criteria for both external and internal amenity areas without the need for any noise mitigation measures.
- 69 In relation to air quality, the original EIA process predicted the increase in traffic movements for up to 100 dwelling houses, would be in the order of 3% which is less than the 5% threshold requiring a detailed air quality assessment to be undertaken. Therefore no further assessment will be required for Phase 1A of the development.
- 70 The overall distances between the proposed existing dwellinghouses ensure a minimum of 18 metre separation creates a sufficient buffer, in the interest of ensuring reasonable private residential amenity. The applicant has additionally proposed to provide the option for several properties on Harper Way to have optional garden. This is not essential but would however maintain an adequate separation in the interests of amenity.

- 71 A draft Construction Environmental Management Document (CEMP) has been submitted. There is a requirement of condition 19 of the PPP, which requires approval of a CEMP prior to the commencement of development, which will address Phase 1A. This will consider the potential for dust/airborne pollution and noise during construction. Subject to control through a CEMP, there are negligible air and noise pollution concerns. Having regard to these measures the terms of the PPP and LDP Policy EP8 are satisfied.
- 72 Overall, the PPP and the criteria for LDP Policy RD1 have been satisfied. A reasonable level of amenity for the new residents has been catered for, causing no unacceptable impact on the amenity of occupants of nearby properties.

Roads and Access

- 73 LDP Policy TA1 requires local road networks be capable of absorbing the additional traffic generated by the development and that a satisfactory access to the network is to be provided. SPP also emphasises the importance of locating development in places well served by public transport and a wide choice of transport modes, including on foot and by cycle.
- 74 There has been significant objection in relation to both motorised transport and NMU matters. Taking matters individually, the U87 (continuing on from Stormont Road at Harper Way junction) and the junction of the U87 & A93 to accommodate the additional traffic loading from 42 dwellinghouses is considered appropriate, with no concern that this will place undue strain on the existing road infrastructure. A development of this scale is anticipated to produce less than 30 traffic movements during the peak AM & PM hour periods. This volume of additional traffic has been described as difficult to distinguish from daily variation in overall traffic flow volumes through the Bridgend Junction, which was originally assessed through the PPP.
- 75 In relation to NMUs, the main pedestrian access will be taken from Harper Way, with a 2.5 metre wide path proposed at this point. There is an existing core path adjacent to the new development access (SCON/30), which currently leads along the verge towards Harper way and onto Stormont Road. Core paths were requested to be upgraded but it is understood that the short section of verge on the U87 is not under control of the applicant and they are unable to similarly upgrade this section of core path from its current standard.
- 76 A draft Green Travel Plan (GTP) has been submitted for consideration, applicable to condition 23 of the PPP. A GTP purpose is to inform new residents to support sustainable travel with an aim to reducing the impact of travel on the environment; complimenting hard measures of infrastructure within the site, designed in accordance with Designing Streets and the National Roads Development Guide (footways, shared use core paths and Bus Stops etc.). Soft measures should also be identified by the GTP such as identifying walking & cycling routes, car share schemes and local bus services.
- 77 Both the draft Construction Traffic Management Scheme (CTMS) and GTP are pending approval by Transport Planning. However, in line with the PPP, approval of these is not required for this AMSC application and instead must be

approved prior to commencement of construction or prior to occupation for the latter as previously conditioned (Conditions 19, and 23 of the PPP).

- 78 Overall, it is considered the submission and supporting information go far enough to address the concerns raised and comply with the requirements of the PPP and LDP policies TA1B and CF2.

Drainage and Flooding

- 79 Policies EP2 and EP3C and the conditions terms of the PPP, requires development on this site to have appropriate consideration towards flooding and drainage. There has been significant concern from local objection relating to flooding, groundwater conditions and overall drainage of this and the wider site area. Following an initial objection from SEPA and comment from Structures and Flooding team, it was considered appropriate to seek further clarification on the SUDS. As such, detailed surface water drainage details and calculations were required, along with groundwater details. As advised previously, additional information in this regard was submitted. The drainage layout and discharge rates are considered acceptable, with clarification still sought via condition regarding the specific final drainage design, submitted for approval prior to the commencement of the drainage works. It was concluded through the Groundwater Report and findings that groundwater in Phase 1A is not considered a high risk.
- 80 Overall, the updated proposals are considered to satisfy both the current required conditions of the PPP and LDP Policy EP2 and Policy EP3C. It is recommended to address the final technical drainage design detail prior to this system being implemented (condition 5) and ensure other best practice matters are addressed (informatives 9-11).

Waste Collection

- 81 Waste collection requirements have been addressed in terms of provision and access for each property. The Waste Services team confirmed that complementary recycling opportunities could more appropriately be accommodated within the wider expansion phasing, as opposed to within this specific site (1 per 70 units is standard applied).

Conservation Considerations

- 82 Lying within an area rich in archaeological potential, PKHT have identified there is a wealth of archaeological remains in the area, much of which is scheduled and can be found in close proximity to the site. An initial investigation has been undertaken with a more detailed archaeological assessment is recommended (Condition 7).
- 83 It is not considered that the proposed development would have an adverse impact on the setting of Scone designed landscape, with Historic Environment Scotland offering no objection. In this regard the terms of LDP Policies HE1A and HE1B have been satisfied.

Natural Heritage and Biodiversity

- 84 LDP Policy NE3 is a relevant consideration in respect of potential biodiversity impacts or opportunities arising from the development.
- 85 Condition 12 of the PPP requires updated ecology and habitat surveys to be submitted in support of AMSC applications and the development to accord with the conclusions and recommended of these.
- 86 The submitted ecological report identifies a number of actions across the whole site which must be adhered to as far as they are relevant to this site. These include:
- Pre-works check for non-native invasive species
 - Pre-works checks for nesting birds, red squirrel and otter
 - Vegetation clearance to be conducted out-with the bird breeding season
 - Covering of excavations to prevent animals being trapped (this extends to pipework and a condition is provided to cover this).
 - Temporary lighting to be shaded to prevent light spillage on trees and woodland
 - A toolbox talk with contractors regarding actions to take if native species including breeding birds are encountered.
- 87 The consideration and attention to the displacement of Marsh Orchids, which has been specifically identified through objection is considered to remain appropriately covered within the terms of the ecological report. Conditions are recommended to ensure that the development continues to accord with conditions 12 – 15 of the PPP (Conditions 2 and 3).
- 88 Overall, the proposals are considered to satisfactorily address the requirements of LDP Policy NE3 and PPP.

Developer Contributions

- 89 A Section 75 legal agreement covers the 16/02127/IPM permission to ensure necessary infrastructure is delivered, including:
- Community Facility Delivery
 - Contribution towards Sports Facilities, including provision towards Sports pitches and pavilion.
 - Open Space Provision and Maintenance
 - Compensatory Tree Planting
 - Public Transport Improvement
 - Affordable Housing
 - Structure Planting Delivery
- 90 The legal agreement in place adequately secures these elements and no further changes are required.

- 91 In relation to affordable housing specifically, which has been raised consistently as an objection, it is considered acceptable that Phase 1A does not provide any on-site provision, with affordable units coming through further phases.

Economic Impact

- 92 During the construction period, jobs will be created and sustained, supporting indirect employment and revenue that this volume of construction activity will generate from employees spending on local goods and services. Longer term, additional residents to the area will support existing local employment and services in the area.

Other Matters

Sustainability & Energy Requirements

- 93 In association with the PPP and LDP Policy EP1 and LDP2 Policy 32 Heat and Electricity, the proposals are required to identify and include carbon emission reduction measures.
- 94 Two reports were submitted, seeking to satisfy PPP condition 4(f) and 5 (a) sustainability checklist (18/02231/135) and (18/02231/131) which, identify “measures to enhance environmental sustainability”. These submissions are considered competent and provide a commitment to the LDP Policy EP1 intentions and terms of the PPP. Fundamentally, there is a commitment set out in achieving the carbon reduction measures as required by the Silver Active building standards. The intentions of the PPP and LDP Policy EP1 are considered to have been satisfied for the purposes of the submission for works on Phase 1A. Acknowledging the specific terms of PPP condition 5 and the associated proposed LDP2 Policy 32 (superseding Policy EP1); the terms of the PPP are considered to have been met.

Tree loss and impact on Ancient Woodland Inventory

- 95 Objections raised concerns over tree loss and unsatisfactory replacement/compensatory planting. This is, however, considered to have been satisfied through the provision of 1.5ha of new woodland to the north of this site to compensate the 0.9ha lost. These areas will ensure connectivity between remaining areas of woodland with the proposed planning species mixed and are considered appropriate, secured as part of proposed Condition 1 and in association with the S.75 Agreement.

Local Surgery Capacity

- 96 No objection has been received from NHS Tayside regarding the capacity of the doctors’ surgery or their ability to cope with the population increase. As advised in the PPP assessment, development of this scale is envisaged in the Framework and identified within the LDP, at which stage NHS Tayside were consulted.

Impact on School

- 97 School capacity has previously been assessed, via the PPP. The wider proposal includes the option for a new school and the associated legal agreement secures this option.

Phasing - subdivision

- 98 A phasing plan is a pre-commencement matter as set out in the PPP. An indicative plan has been submitted, however, it cannot be formally approved as part of this planning application. Comment has been provided to the applicant for further review, including the inclusion of the required Neighbourhood equipped area of play (NEAP) within the first full phase of the development. In relation to comments on the proposed subdivision of the phasing, this is not considered something which is necessarily inappropriate or against spirit of Masterplan and associated PPP. This matter will be addressed as part of condition 3 of the PPP.

LEGAL AGREEMENTS

- 99 A legal agreement has been secured for the 16/02127/IPM planning permission to secure infrastructure and/or contributions that will be impacted by the current and wider phased proposals.

DIRECTION BY SCOTTISH MINISTERS

- 100 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

- 101 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 102 In this case the application seeks permission for the erection of 42 dwellinghouses on an approved housing site, benefitting from PPP and is within the settlement boundary of Scone.
- 103 Overall, the proposal is considered compliant with the key principles of the DP policy and the terms of the PPP and is recommended for approval. Account has been given to the matters raised in representation and these have been addressed in the appraisal above. There are no material considerations which would warrant a refusal of the proposal.
- 104 Accordingly the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

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 development hereby approved, details of the location and specification of the bat/swift brick(s) and/or bat/swift nest box(s) shall be submitted for the further written agreement of the Council as Planning Authority (incorporated into 30% of buildings of 2 or more storeys at eaves height). Thereafter, the swift brick(s) and/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 employing best practice ecology measures.

3. All road gullies within 500m of a waterbody or Sustainable Urban Drainage (SUDS) pond shall have wildlife kerbs installed adjacent to the gully.

Reason - In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

4. The detailed landscaping and planting proposal specifications as approved shall be undertaken and delivered commensurate with the residential development elements, in accordance with the approved phasing delivery plan, prior to the completion and occupation of plot 42 and thereafter maintained. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar sizes and species to the satisfaction of the Council as Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in pursuance of satisfying placemaking policy criteria of the adopted LDP.

5. Notwithstanding the submitted drainage details, prior to the installation of any drainage works on site, the final technical drainage designs shall be submitted to, and approved in writing by, the Planning Authority in consultation with the Council's Structures and Flooding team. The drainage details as approved shall be carried out in accordance with the agreed scheme and operational prior to bringing in to the use of the development.

Reason - To ensure the technical specification of the drainage system for the site accords with Policy EP3C - Water, Environment and Drainage (Surface Water Drainage) of the Perth and Kinross Local Development Plan 2014.

6. All trees identified for retention and any peripheral trees bounding the site, which may be affected by any element of the approved development and its associated construction, (including land within the blue site area) shall be protected in full accordance with BS 5837: 2012 'Trees in relation to design, demolition and construction'

Reason - In the interest of tree protection in the interests of biodiversity and amenity of the area.

7. 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.

8. 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 D Figure 5.7 access detail, of Type B Road construction detail.

Reason – In the interests of road safety; to ensure the provision of adequate visibility of the vehicular access.

9. Prior to the occupation of the first dwellinghouse hereby approved, the existing 30 mph signage and Traffic Regulation Orders will be amended, so as to extend the existing 30mph zone beyond the proposed new vehicular access (a minimum of 43 metres), within the public road boundary to the satisfaction of Perth & Kinross Council as Planning Authority.

Reason - In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

10. Prior to the development hereby approved being completed or brought into use, provision of pedestrian facilities to a design and specification to the satisfaction of Perth & Kinross Council as Roads Authority shall be provided, linking the development to existing pedestrian facilities at Harper Way as per drawing ref 18/02231/153.

Reason - In the interests of road safety; to ensure that a satisfactory standard of road and footpath is provided timeously in the interest of the amenity of the residents.

11. Prior to the development hereby approved being completed or brought into use, provision of two. 3 bay bus shelters (including power supply and lighting) and associated hard stand areas to a design and specification to the satisfaction of Perth & Kinross Council as Roads Authority shall be provided within the road boundary in the vicinity of the proposed new access onto the U87 to the satisfaction of Perth & Kinross Council as Planning Authority.

Reason - In the interest of promoting sustainable public transport.

12. 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 (SCON/30) as part of the development (including timings and resurfacing works post completion) shall be submitted for the further agreement of the Council as Planning Authority. The plan as agreed shall be implemented in accordance with the timing identified in the plan.

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

B JUSTIFICATION

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure from the relevant policies.

C PROCEDURAL NOTES

None.

D INFORMATIVES

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this permission or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
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. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997,

as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 41 the notice must be:

- Displayed in a prominent place at or in the vicinity of the site of the development.
 - Readily visible to the public.
 - Printed on durable material.
5. The applicant is advised that in terms of Sections 21 of the Roads (Scotland) Act 1984 he/she/they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks.
 6. 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. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
 7. The applicant should be advised to contact Perth & Kinross Council Street Lighting Department to obtain technical approval for all street lighting provision.
 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. The applicant is advised that the detailed design of all SUDS shall conform to 'PKC Flooding and Flood Risk Guidance Document (June 2014)', or any subsequent update.
 10. The applicant is advised to take full account of all matters relating to the Structures and Flooding Memo (dated 30 July), particularly in relation to fulfilling ongoing obligations and for any future application and/or phase of development associated with In Principle Permission 16/02127/IPM.
 11. In association with informative 10, the applicant is requested to further provide as-built drawings, maintenance plan, adoption schedule and CCTV survey of the drainage system to the Structures Flooding Team on completion of each phase of the works.
 12. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.

13. No work shall be commenced until an application for building warrant has been submitted and approved.
14. 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
15. 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 permission for a development does not provide a defence against prosecution under this Act.
16. The applicant is encouraged to provide for hedgehog shelter, hibernation in, and commuting through the development. Access gaps in wooden fences should be 13cm x 13cm at ground level. Advice and assistance is available from the Tayside Biodiversity Partnership.
17. The applicant should note that refuse collection vehicles will only enter the site during development where there is clear access and suitable turning; this means that Waste Services may not be able to provide a full kerbside recycling service to residents whilst the build is ongoing and bins may have to be emptied from a specified collection point until full access is made available for refuse collection vehicles.
18. The applicant is reminded that this site remains subject to a Section 75 Legal Agreement, securing Developer Contribution requirements and other matters, as secured as part of planning permission 16/02127/IPM. This permission continues to be tied by this legal agreement and the associated requirements will continue to apply. The terms of the obligation can be viewed via PKC [Public Access](#) or at the Registers of Scotland (www.ros.gov.uk).
19. The applicant is reminded of existing ongoing obligations pertaining to PPP 16/02127/IPM and the suspensive conditions as set out.
20. For clarification, the indicative Phasing plan and Construction Environment Management Plan submitted in draft form as part of this application are not approved as part of this permission.

E ENVIRONMENTAL IMPACT ASSESSMENT (EIA) DECISION

The proposed development was determined by Perth & Kinross Council under the provisions of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 to be EIA development. In accordance with Regulation 29, notice of this decision is hereby given in respect of the following:

The application submitted an EIA Addendum dated April 2019. The EIA Addendum provides a summary of the baseline, the information gathered to consider the likely significant effects on the environment and details of

environmental mitigation and monitoring that are to be incorporated in to the proposal. The Addendum considers the conclusions reached in the 2016 Environmental Statement (ES).

The Addendum concludes that through the proposed submission of the approval of matters specified of phase 1a, there would be no material or substantive effect on the conclusions reached through the original 2016 ES and the associated 2017 SEI.

The Planning Authority is satisfied that the EIA Addendum is up-to-date and complies with Regulation 5 and is therefore suitable for determination of the planning application.

The Planning Authority has considered the EIA Addendum Report, other environmental information and recommendation from the consultations bodies. It is concluded that the development will not give rise to any unacceptable significant environmental effects. In reaching this conclusion, regard has been given to environmental design and mitigation measures incorporated into the original proposal, as well as a regime for the ongoing monitoring measures for the construction and operation of the development.

In the absence of unacceptable and significant environmental impacts, and subject to the mitigation and monitoring measures secured through planning conditions and ongoing S75 control, the proposal is acceptable and can be approved.

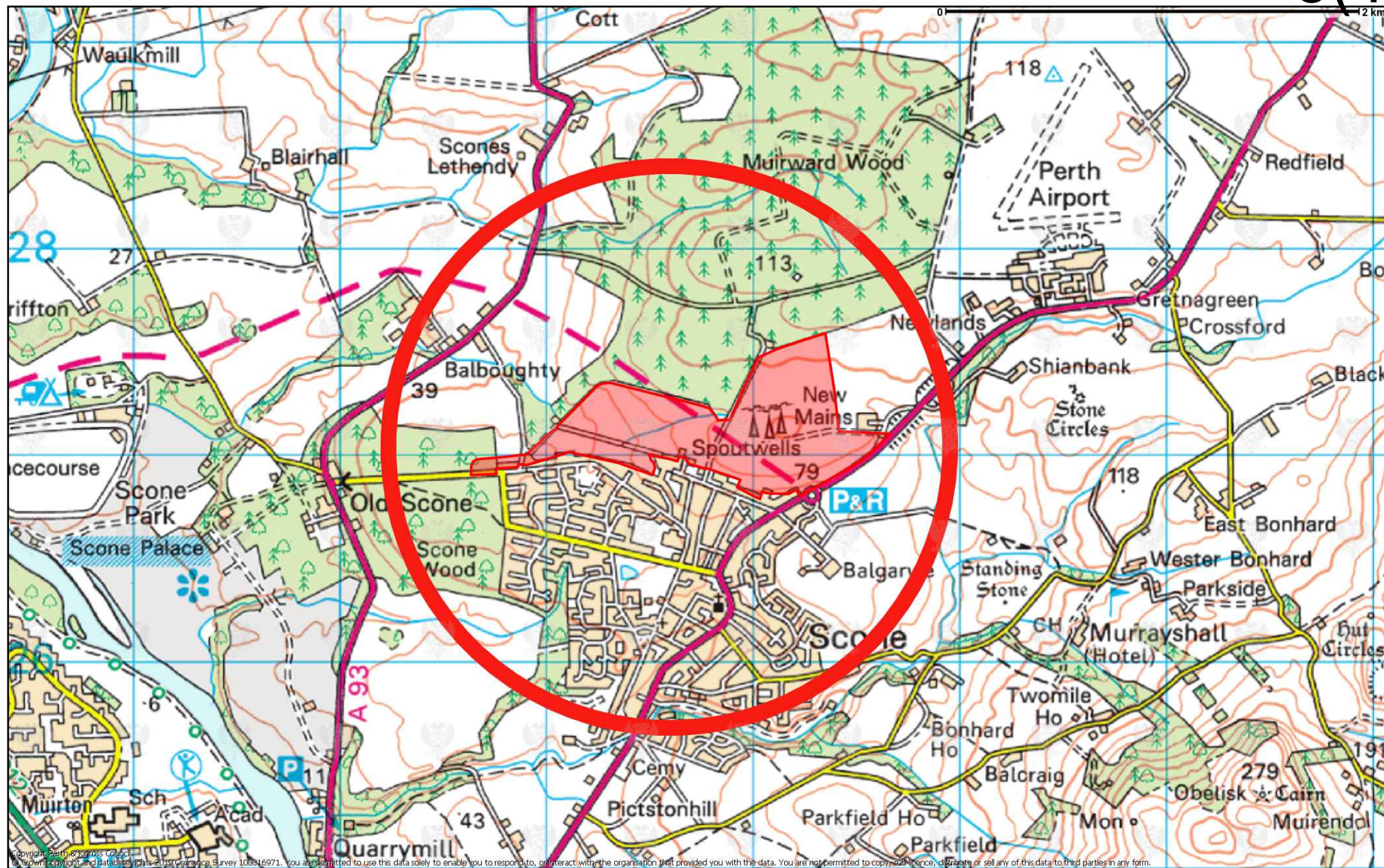
Background Papers: 46 letters of representation
Contact Officer: Callum Petrie
Date: 15 August 2019

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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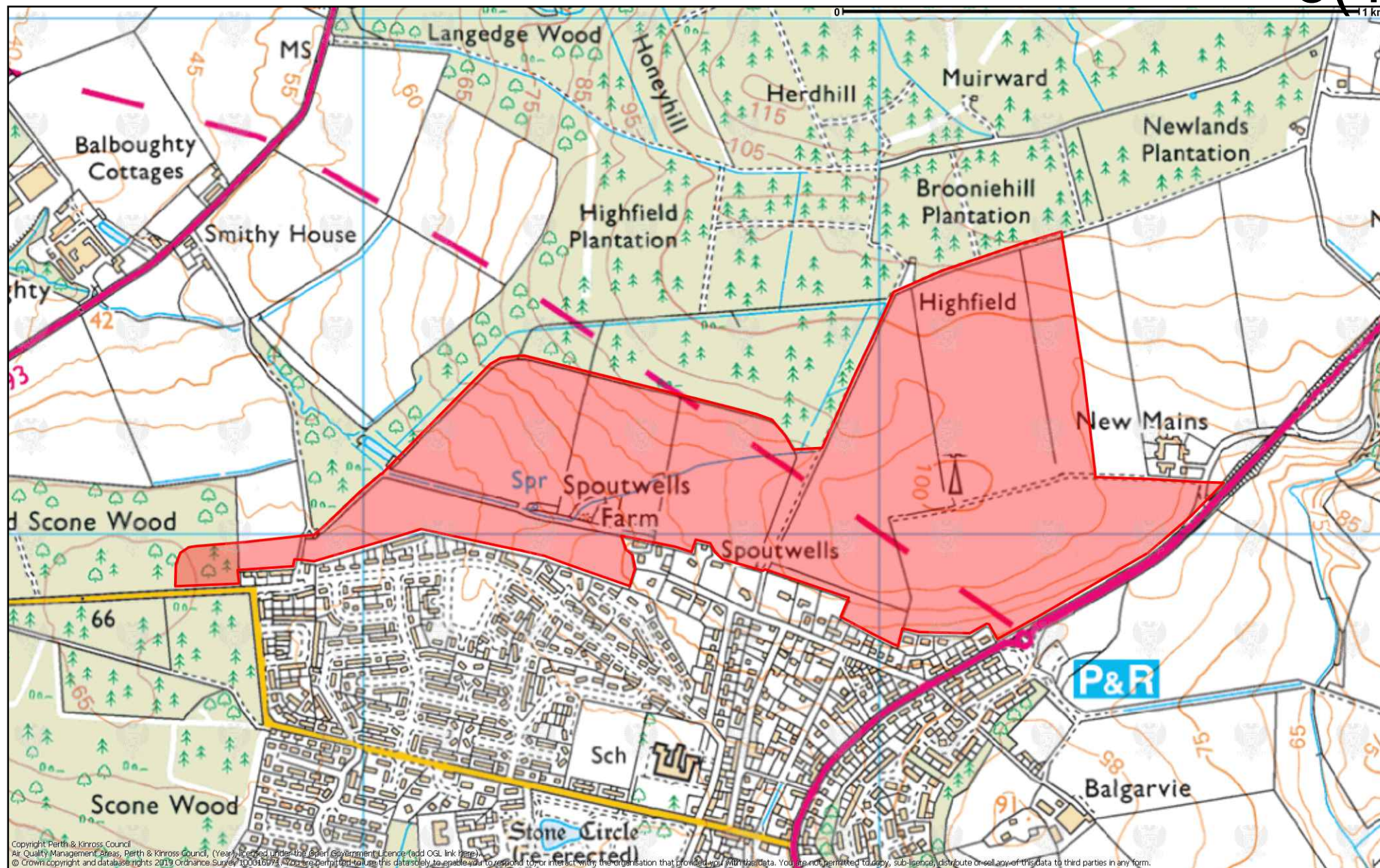
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18/02231/AMM

Erection of 42 dwellinghouses, landscaping and associated works
(approval of matters specified by conditions 16/02127/IPM) (phase 1a)





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18/02231/AMM

Erection of 42 dwellinghouses, landscaping and associated works
 (approval of matters specified by conditions 16/02127/IPM) (phase 1a)



Report has been withdrawn

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Perth and Kinross Council
Planning & Development Management Committee – 28 August 2019
Report of Handling by Interim Development Quality Manager (Report No. 19/234)

PROPOSAL: Erection of boundary treatments, retaining walls and a bin store, installation of a substation and screened sprinkler tank, formation of parking areas, landscaping and associated works (revised design)

LOCATION: Land at Conachar Court, Isla Road, Perth

Ref. No: [19/00697/FLL](#)

Ward No: P12 - Perth City Centre

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 This site was previously occupied by the Tayside Care Home, a converted office block providing 61 care home beds with 50 en-suite facilities, which closed in 2010.
- 2 The Balhousie Care Group submitted an application in 2013 to replace the closed care facility with a new build, four storey care home to provide the high quality accommodation required by modern care standards and included sheltered accommodation for 76 residents, communal residents' facilities and car parking facilities. The application was granted planning approval on 7 April 2014 (13/00942/FLM) and the sheltered accommodation has been built.
- 3 In 2018 Balhousie Care Group revisited the original proposals of the care home to deliver a project which better suited the present care home requirements of both the Care Commission and the company's current client demographic. Following a review of the original proposals, a subsequent non-material variation application was submitted to change the accommodation type and several window locations. The non-material variation application was granted in August 2018.
- 4 A further application was submitted to create a light well at the south east elevation of the care home to house the water tank and air handling unit required for the running of the home (18/02214/FLL). This application was granted in February 2019.
- 5 Further refinement of the care home scheme has been undertaken and, as part of this process, further changes to the external layout are now sought through

this application. This includes installation of a new substation (replacing a previous substation), installing a screened sprinkler tank, formation of a bin store parking area, landscaping and associated works including boundary treatments and retaining walls.

NATIONAL POLICY AND GUIDANCE

- 6 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

- 7 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

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

- Placemaking : paragraphs 36 – 57

Planning Advice Notes

- 10 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
 - PAN 61 Planning and Sustainable Urban Drainage Systems
 - PAN 68 Design Statements

Creating Places 2013

- 11 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

- 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:

“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

- 14 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.

- 15 The principal relevant policies are, in summary;

Policy PM1A & B - Placemaking
Policy PM2 - Design Statements
Policy NE2A & B- Forestry, Woodland and Trees
Policy HE3A - Conservation Areas

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

- 16 The Proposed LDP2 2017 represents Perth & Kinross Council’s settled view in relation to land use planning and is a material consideration in determining planning applications. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. It is now the subject of an Examination Report (published 11 July 2019). This includes the Reporter’s consideration of issues and recommended modifications to the Plan, which are largely binding on the Council. It is therefore anticipated that they will become part of the adopted Plan; however, this is subject to formal confirmation. The Council is progressing the Proposed Plan (as so modified) towards adoption which will require approval by the Council and thereafter submission to the Scottish Ministers. It is expected that

LDP2 will be adopted by 31 October 2019. The Proposed LDP2, its policies and proposals are referred to within this report where they are material to the recommendation or decision.

- Policy 1A - Placemaking
- Policy 1B - Placemaking
- Policy 2 - Design Statements
- Policy 28A - New Development
- Policy 38A - Forestry and Woodland Strategy
- Policy 38B - Trees, Woodland and Development

SITE HISTORY

- 17 [10/00021/PAN](#) Demolition of existing care home and erection of 2 No. 60 bed care homes, training and administration centre, assisted living units, 4 No. residential dwellinghouses and formation of new access, parking and landscaping Decision Issued 13 January 2011
- 18 [11/00490/FLM](#) Demolition of existing care home, erection of care facility comprising two care homes, assisted living units and communal facilities, three mainstream houses with associated access roads, parking and landscaping Decision Issued 9 August 2011 Application Withdrawn
- 19 [11/01333/FLM](#) Demolition of existing care home building, erection of new care facility comprising 2 No Care Homes, assisted living units and communal facilities together with 3 no mainstream houses with associated access roads, parking and landscaping. Decision Issued 8 January 2013 Application Approved
- 20 [13/00001/PAN](#) Amendment to planning consent (11/01333/FLM) for the erection of 52 sheltered units Decision Issued 21 February 2013
- 21 [13/00749/SCRN](#) Screening opinion for modification of consent (11/01333/FLL) - erection of a care home, 11 assisted living flats and 52 sheltered housing units Decision Issued 29 April 2013
- 22 [13/00942/FLM](#) Modification of existing consent (Ref: 11/01333/FLM) - Replacement of care home with 50 sheltered units Decision Issued 7 April 2014 Application Approved
- 23 [14/00550/ADV](#) Display of hoarding Decision Issued 2 June 2014 Application Refused
- 24 [14/02171/ADV](#) Display of sign Decision Issued 27 January 2015 Application Approved
- 25 [18/02214/FLL](#) Engineering operations to form retaining wall and lightwell Decision Issued 19 February 2019 Application Approved

CONSULTATIONS

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

Internal

Structures and Flooding

- 27 Structures team confirms that if retaining walls are over 1.5 metres in height then technical approval will be required, an informative confirms the technical approval process. Flooding team confirms that they have no objection to the proposals subject to conditional control to manage surface water.

Environmental Health (Noise Odour)

- 28 There is potential for future residents of the proposed residential care home to be affected by low frequency noise from the substation. Conditional control is required to protect residential amenity.

Development Negotiations Officer

- 29 No objection.

REPRESENTATIONS

- 30 The following points were raised in the 29 representation(s) received that object to the application:

- Concerns with traffic, construction traffic, roads and pedestrian safety, damage to vehicles from construction works, traffic congestion as well as access for emergency vehicles.
- Location of substation to housing.

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

- 32 The following matters have also been raised but they are not material planning considerations:

- Concerns with the maintenance of existing boundary treatment and maintenance of telephone pole – The maintenance of boundary walls will depend on the extent of ownership and is a civil matter to resolve between parties. The maintenance or removal of a telephone pole will be a matter for the statutory undertaker and how this relates to any wayleave agreement in place with the site owner.
- How the proposed development and planned works will relate to health and safety – Construction works and the operation of the care home will need to comply with health and safety legislation. This falls out with the remit of planning.

ADDITIONAL STATEMENTS

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

APPRAISAL

- 34 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.
- 35 In addition, section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is pertinent, which requires the Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 36 The key determining issues are whether the proposal is consistent with the relevant provisions of the Development Plan, whether there are any factors that would justify a potential departure from the Development Plan and how the development relates to the character or appearance of a conservation area.

Principle

- 37 The principle of a residential care home on this site has already been assessed as acceptable. There is an extant permission in place therefore the assessment of this application purely focuses on the changes to the external layout of the extant scheme. Effectively, the installation of the substation and screened sprinkler tank, formation of parking areas, landscaping and associated works including boundary treatments, retaining walls and a bin store.

Design Layout and Conservation Considerations

- 38 In support of the application a Design Statement has been submitted by the agent to comply with Policy PM2. This document sets out the project ethos.
- 39 It confirms that once the care home is constructed it will not be possible to provide vehicular access to the existing substation next to 1 Springbank. As a consequence the design team have had to look at alternative locations. They note that the following criteria were used to inform the new location of the substation:-

- Locate the sub-station where it's visual prominence will be as low as possible;
 - provide vehicle access to the sub-station for maintenance purposes;
 - sub-station must be outwith the construction exclusion zones identified around the retained trees; and
 - The sub-station must be a minimum of 5m away from any buildings.
- 40 The new substation location is now next to the site entrance between the care home building and the parking area. It is prominent in comparison to its existing position but, taking account of the site constraints and Scottish & Southern Electricity (SSE) requirements, the new location has been justified by the agent. The industrial appearance of the substation will be reduced with the deployment of screen fencing but it will ultimately be the screen planting that will assist in successfully integrating this feature into the site.
- 41 From a design and layout perspective the previous substation location was preferable and less prominent being located at the southern corner of the site next to Isla Road. The storage tank for the sprinkler system will be installed at the former substation and this is an acceptable change to the layout.
- 42 Retaining walls are utilised to enable access into the service area of the care home, with a refuse bin store placed adjacent to the service area. The proposed retaining wall and railing design is appropriate. The proposed bin store being located at the top of a slope when viewed from the access road associated with the three houses fronting the River Tay has the potential to be dominant. Once again it will be the implementation of a successful landscaping scheme that will make this element of the proposal acceptable. Conditional control will secure an appropriate landscape specification and implementation (Condition 4).
- 43 Overall the approach complies with the requirements of Policy PM1A and Policy PM1B as well as Policy HE3A as the character of the Conservation Area is preserved. Furthermore there is no conflict with the emerging LDP2 policies.

Landscape

- 44 The site has a mature tree resource and this requires to be retained with appropriate protective fencing deployed within the root protection areas. There will be a requirement for an arborist to provide advice via an arboricultural method statement on how elements of the development will be undertaken to protect the tree resource. With the conditional control applied, there is no conflict with Policy NE2A or NE2B of the approved LDP or Policy 38A or 38B of the emerging LDP2 (Conditions 2 & 3).

Residential Amenity

- 45 Environmental Health note the SSE specifications for a secondary distribution substation states that the sound power level from the transformer is 61 dB (A) per transformer at fundamental frequency 100Hz.

- 46 The relocation of substation means that existing properties at Springbank no longer have the potential to be adversely effected from low frequency noise from the substation. However, there is potential for future residents at the care home to be affected. A detailed scheme to mitigate noise from the substation is required (Condition 5).

Roads and Access

- 47 The majority of representations received on the application raise concerns over construction traffic, traffic, roads and pedestrian safety, damage to vehicles from construction works, traffic congestion as well as access for emergency vehicles.
- 48 The acceptability of the access arrangements into the site has already been assessed under the earlier applications. This application does not alter the access onto Isla Road. Accordingly the proposal still complies with Policy TA1B of the LDP.
- 49 With the sheltered accommodation now built it is acknowledged that a potential conflict between construction traffic and this use could occur. Letters of representation highlight the need to meet health and safety procedures and as part of the contractor's site organisation and establishment, access will form part of this process.

Drainage and Flooding

- 50 Colleagues in Structures & Flooding highlight that with amendments to some of the paved areas there may be an increase in how this affects surface water. They note that the applicant should ensure that there isn't an overall increase in impermeable areas from the previous proposal. This can be satisfactorily controlled by condition (Condition 6).

Developer Contributions

- 51 The Developer Contributions Supplementary Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

- 52 There will be a positive economic impact associated with this proposal due to the delivery of specialist accommodation. There will also be a positive economic impact associated with the construction phase of the development.

LEGAL AGREEMENTS

- 53 None required.

DIRECTION BY SCOTTISH MINISTERS

- 54 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

- 55 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.
- 56 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. All trees identified for retention and any peripheral trees bounding the site, which may be affected by any element of the approved development and its associated construction, (including land within the blue site area) shall be protected in full accordance with BS 5837: 2012 'Trees in relation to design, demolition and construction'.

Approved Tree Protection measures shall not be removed breached or altered without prior written authorisation from the local planning authority but shall remain in a functional condition throughout the entire development or as per the phasing plan. If such protection measures are damaged beyond effective functioning then works that may compromise the protection of trees shall cease until the protection can be repaired or replaced with a specification that shall provide a similar degree of protection.

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

3. The development hereby permitted shall not commence until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations has been submitted to and approved in writing by the Planning Authority. The AMS scheme as subsequently agreed shall be strictly adhered to during construction of the development. The AMS shall include full details of the following:

- a) Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme.
- b) Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees.
- c) Details of any changes in ground level, including existing and proposed spot levels required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme.
- d) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement

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, 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 to the satisfaction of the Council as Planning Authority.

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

- 5. The development hereby permitted shall not commence until a detailed scheme has been submitted to and approved by the Council as Planning Authority in writing in order to mitigate the impact of low frequency noise from the electrical substation upon noise levels within the residential care home hereby permitted. 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 order to safeguard the residential amenity of the area.

- 6. Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.

Reason - To ensure the provision of effective drainage for the site.

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

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. All proposed structures supporting the road, or which the developer is intending the Council adopt, will require technical approval in accordance with the Design Manual for Roads and Bridges standard BD 2/12 (and HD 22/08 where relevant). Bridges and culverts shall also be designed in accordance with the requirements contained within Perth and Kinross Council's Developers Guidance Note on Flooding & Drainage. The developer is advised to contact Perth and Kinross Council's Structures & Flooding Team (tel 01738 475000; email structuresplanning@pkc.gov.uk) for further information and prior to commencing designs in order to ensure technical compliance.
5. An application for Building Warrant may be required.
6. 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.

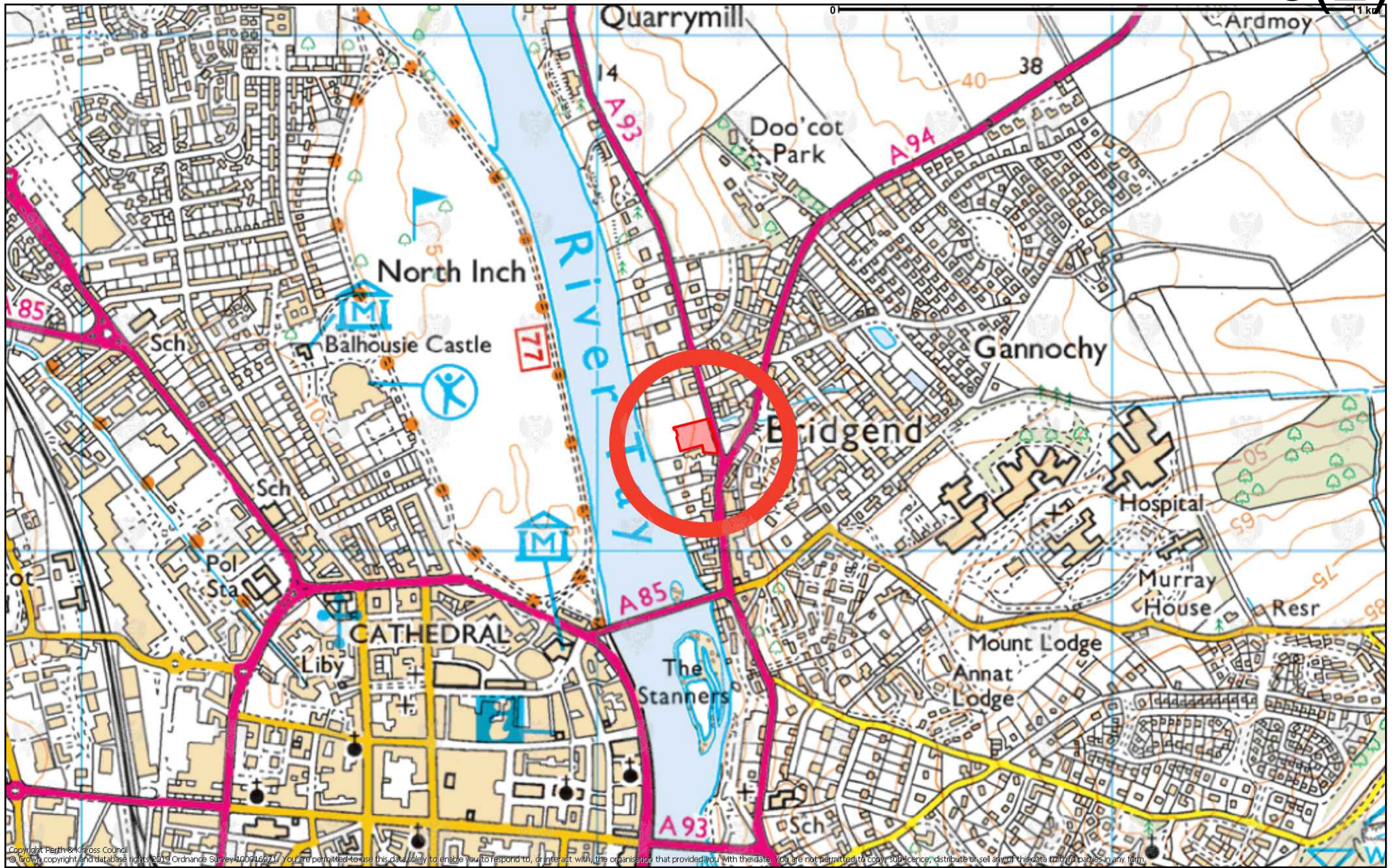
Background Papers: 29 letters of representation
Contact Officer: John Russell
Date: 15 August 2019

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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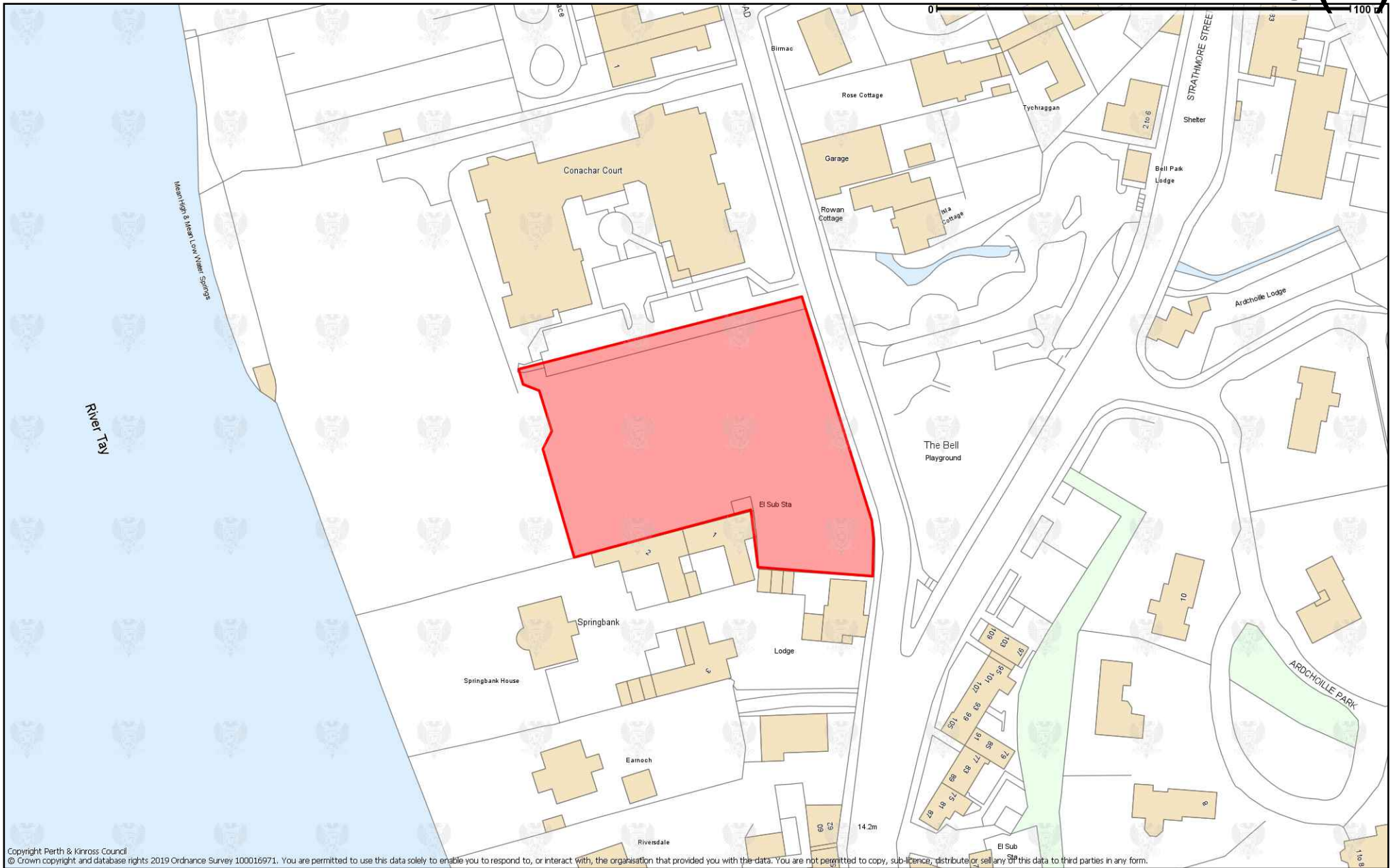
Scale 1:10000



19/00697/FLL

Erection of boundary treatments, retaining walls and a bin store, installation of a substation and screened sprinkler tank, formation of parking areas, landscaping and associated works (revised design)





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Perth and Kinross Council
Planning & Development Management Committee – 28 August 2019
Report of Handling by Head of Planning & Development (Report No. 19/235)

PROPOSAL: Erection of a replacement dwellinghouse

LOCATION: Site of former Briar Croft, Fearnan

Ref. No: [19/00975/FLL](#)
 Ward No: P4 - 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 Briar Croft, Fearnan. The application seeks detailed planning permission for the erection of a replacement dwellinghouse. The site is located within the settlement boundary of Fearnan and within the Breadalbane Environmentally Sensitive Area and the Loch Tay Special Landscape Area.
- 2 The existing dwellinghouse is a detached 3 bedroomed bungalow with a small veranda on the principal elevation. The existing dwellinghouse is of a limited quality design with concrete roof tiles and off white render. The majority of the windows and doors are white uPVC units. The footprint of the building is approximately 131m².
- 3 The proposed dwellinghouse is a detached 3 bedroomed 2 storey unit which will be built into the hillside utilising the topography of the site. The proposed dwellinghouse will therefore appear as a single storey unit when viewed from the north. The design of the unit is of a contemporary nature with a glass frontage. The materials will be a combination of zinc, glass, smooth white render and timber cladding. There will also be a small garden store linked by a covered car port. The footprint of the proposed dwellinghouse, excluding the roof overhang and covered car port, will be approximately 266m².

PRE-APPLICATION CONSULTATION

- 4 Pre-application Reference: 19/00266/PREAPP. A pre-application consultation was undertaken for a similar scheme to that under consideration where it was identified that the principle of the development was acceptable and the design of the proposed scheme was considered suitable for the site.

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.

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:

“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:

- Policy 1: Location Priorities
- Policy 2: Shaping Better Quality Places
- Policy 4: Homes
- Policy 6: Developer Contributions
- Policy 9: Managing TAYplan's Assets

Perth and Kinross Local Development Plan 2014

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.

- 15 The principal relevant policies are, in summary;

Policy PM1A & B- Placemaking
Policy PM3 - Infrastructure Contributions
Policy RD1 - Residential Areas
Policy TA1B - Transport Standards and Accessibility Requirements

Policy NE3 - Biodiversity

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

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

- 16 The Proposed LDP2 2017 represents Perth & Kinross Council's settled view in relation to land use planning and is a material consideration in determining planning applications. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. It is now the subject of an Examination Report (published 11 July 2019). This includes the Reporter's consideration of issues and recommended modifications to the Plan, which are largely binding on the Council. It is therefore anticipated that they will become part of the adopted Plan; however, this is subject to formal confirmation. The Council is progressing the Proposed Plan (as so modified) towards adoption which will require approval by the Council and thereafter submission to the Scottish Ministers. It is expected that LDP2 will be adopted by 31 October 2019. The Proposed LDP2, its policies and proposals are referred to within this report where they are material to the recommendation or decision.

SITE HISTORY

- 17 None.

CONSULTATIONS

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

External

Scottish Water

- 19 No objection to the proposed development as there is currently sufficient capacity in the Killiecrankie Water Treatment Works to service the development. Scottish Water is however unable to confirm capacity at the Fearnan Waste Water Treatment Works.

Glen Lyon & Loch Tay Community Council

- 20 No objection to the demolition of the existing bungalow although objects to the design of the replacement dwellinghouse as it is considered out of character and of inappropriate scale and materials for the area.

Internal

Transport Planning

- 21 No objection to the proposed development.

Environmental Health (Noise Odour)

- 22 No objection to the proposed development subject to conditional control regarding the operation of the proposed stove.

Development Negotiations Officer

- 23 No contributions required.

Biodiversity Officer

- 24 No objection to the proposed development subject to conditional control regarding bats.

REPRESENTATIONS

- 25 19 letters of representation were received (including a letter from Glen Lyon & Loch Tay Community Council) regarding the proposed development. In summary, the letters highlighted the following concerns:

- Out of character with the area
- Will destroy the rigg system
- Excessive height and scale
- Not proportionate to the site
- Inappropriate material choice
- Contrary to LDP
- Inaccuracies in the submitted plans
- Loss of amenity
- Proposal will set a precedent

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

ADDITIONAL STATEMENTS

27	Environment Statement	Not Required
	Screening Opinion	Not Required
	Environment Impact Assessment	Not Required
	Appropriate Assessment	Not Required
	Design Statement / Design and Access Statement	Submitted
	Reports on Impact or Potential Impact	Submitted (Ecology Survey)

APPRAISAL

- 28 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 Council's Placemaking Guide.

Principle

- 29 The determining factors in the assessment of this application are ultimately whether the principle of the development is acceptable and if the proposed scheme accords with the relevant provisions of the Local Development Plan. In this instance, the application site is located within the identified settlement boundary of Fearnan, where Policy RD1 'Residential Areas' is directly applicable. As this proposal is within an identified Residential Area, the principle of a replacement dwellinghouse is therefore considered acceptable. Nevertheless, full consideration must be given to the design, layout, scale, massing and potential impact upon other residential properties. Other policies are also directly applicable to ensure that the amenity and the biodiversity of the area and the values that give rise to the designation of the Breadalbane Environmentally Sensitive Area and the Loch Tay Special Landscape Area are not compromised.

Design and Layout

- 30 The existing dwellinghouse to be demolished is not considered to be of a high quality design and its removal affords the opportunity to create a new building which enhances the character of the area. The majority of the letters of representations received do not raise the removal of the existing dwellinghouse as a concern.
- 31 In relation to the proposed dwellinghouse, the design of the unit is contemporary in nature. Within the neighbouring area in Fearnan, a number of contemporary designs have already been granted by the Planning Authority. This includes the immediately neighbouring property to the east, 'Grey Timbers', which was granted under application 07/01232/FUL and has now been constructed. Although less modern, another application (17/01563/FLL) for a replacement dwellinghouse at 'Bruaich Cottage' was also approved 230m to the west of the site. Construction has now commenced on this project. It is considered that a contemporary proposal is acceptable within Fearnan providing that it does not appear out of place and it effectively links with the surrounding environment.
- 32 With regards to the height of the building, the proposed dwellinghouse will have the same finished ground floor level as the existing dwellinghouse and its maximum height will be approximately 3.1metres higher than the existing dwellinghouse, although it is noted that the majority of the roof does not reach this maximum height. There is a mix in heights of buildings in the surrounding area. The maximum height of the proposed dwellinghouse is considered to be acceptable forming an effective step between the existing buildings Dalmore and Grey Timbers neighbouring the site.

- 33 The public road is approximately 4.3metres higher than the finished ground level to the front of the proposal. Due to the proposed dwellinghouse being built into the hillside, the proposed unit will only appear as a single storey building when viewed from this public road. Building into the hillside will therefore reduce the visual massing and scale of the unit. It is worth noting that the maximum height of the proposed dwellinghouse is the same as the finished floor level of the property (Bracken) to the immediate north of the site. Bracken will therefore remain to be the highest house on the streetscene.
- 34 With regards to the scale of the proposed dwellinghouse, the footprint of the building, excluding the roof overhang and covered car port, will be approximately 266m². This is approximately double the footprint of the existing building. Whilst this is a large increase from the existing footprint, as a result of the large plot in which it is situated, the proposal will only occupy approximately 8% of the development site. The Council recommends that new developments do not exceed 25% of the building plot. In this instance, at only 8%, this is well in accordance with the Council's Placemaking Guide. The plot is also capable of accommodating a building of this scale without compromising the character or amenity of the area.
- 35 In relation to materials, a contemporary palette has been chosen including zinc, smooth white render, glass and timber cladding. These materials are considered to complement the varying materials of neighbouring buildings and are not considered to be of any detriment to the surrounding area. The zinc and glass will complement the natural colouring of Loch Tay and the elements of timber cladding will help the proposal to blend in to the surrounding greenery. The white render will also not appear out of place as there are a number of properties within Fearnan that include white render. The materials are considered to be an improvement from the existing dwellinghouse which is concrete roof tiles and off white render with white uPVC windows and doors.

Landscape and Visual Amenity

- 36 The site is located within the Loch Tay Special Landscape Area. The proposal must therefore ensure that the design does not compromise the special values that give rise to this designation. As the proposed dwellinghouse is to be built into the hillside within an existing building group, whilst also being located within the settlement boundary of Fearnan, it is not considered to be of significant detriment to the landscape qualities or visual amenity of the area. The scale of the dwellinghouse will not appear highly intrusive when viewed from prominent locations at Loch Tay or within Fearnan itself. Furthermore, due to the established vegetation within Fearnan and surrounding the site, this will help to provide a landscape setting for the proposed development.

Residential Amenity

- 37 The orientation and location of the proposed unit does not raise any adverse concerns in relation to residential amenity. There will be no overshadowing to neighbouring properties and the majority of the windows are located on the south elevation of the building facing into the applicant's garden ground. The

closest point of the southern elevation to the southern boundary is approximately 52m. To the western boundary with Dalmore, whilst the distance to the boundary from the windows is only approximately 7.2m, there is an established hedge on this boundary exceeding approximately 3m in height. This established hedge reduces any overlooking to the neighbouring bungalow Dalmore. Furthermore, the Council recommends that window to window distance boundary should exceed 18metres. In this instance, the closest window on the proposed development to the closest window on Dalmore is approximately 23m.

- 38 As there is no adverse overlooking considered to be created by the location of windows on the proposed development, attention now turns towards the proposed balcony at first floor level on the southern elevation. The balcony will overlook the applicant's garden rather than the neighbouring property Dalmore. Again, due to the established boundary hedge which exceeds 3m in height, this will help to reduce any overlooking created. Even if the hedge was removed, the balcony would only overlook the garden ground of Dalmore and not significantly upon the dwellinghouse itself. It is noted that the hedge is within the ownership of Dalmore therefore the applicant would not be entitled to remove this hedge.
- 39 The Council's Environmental Health team were consulted as part of this application and do not have any objection to the proposed development, subject to conditional control regarding the operation of the proposed stove. It is considered appropriate to attach this recommended condition to any permission granted to ensure that there is no smoke and odour nuisance to neighbouring properties. This will further help to protect residential amenity (Condition 4).

Roads and Access

- 40 As the proposal seeks to replace an existing 3 bedroomed unit with a new 3 bedroomed unit, it is considered that the proposal will likely have a similar impact upon the local road network. The existing access to Briar Croft will be used for the proposed development which will lead to a new parking area which is capable of accommodating approximately 4 standard sized motor vehicles. The parking area will also provide turning facilities to allow for all vehicles to exit the site in a forward gear. This arrangement is considered to be acceptable for the level of traffic likely to be generated by the proposed development. Furthermore, the Council's Transport Planning Team, consulted as part of this application, has no objection subject to conditional control regarding the vehicular access (Conditions 2 & 3).

Drainage and Flooding

- 41 The site is not in an area of known flood risk and the proposed development is not considered to create any drainage implications. As the proposed dwellinghouse only occupies approximately 8% of the development site, there is sufficient soft landscaping for drainage for the scale of the proposed building.

Furthermore, due to the topography of the land, the site naturally drains towards Loch Tay to the south.

Waste Collection

- 42 There is sufficient storage space on the site for the storage of waste bins. An informative is recommended to highlight the Council's waste requirements to the applicant (Informative 7).

Conservation Considerations

- 43 The site is not in a designated Conservation Area, or in close proximity to a listed building or any other historic designated site of interest. It is therefore considered that the development will have no adverse impact upon the cultural heritage of the area.
- 44 Fearnan is however characterised by a rigg system which contributes positively to the cultural heritage of the area. The riggs generally slope downwards from north to south towards Loch Tay and average at approximately 38m in width. Within some of the letters of representations received, concerns were raised at the impact of the proposed development upon this rigg system. The proposed development does not propose to alter any of the site boundaries or introduce any new boundaries. It is therefore considered that there will be no impact upon the rigg system.

Natural Heritage and Biodiversity

- 45 The site is located within the Breadalbane Environmentally Sensitive Area and the existing dwellinghouse has the potential to accommodate roosting bats. As such, an ecology survey was submitted. This survey identified that no bats, red squirrels or breeding birds were found on the development site. The Council's Biodiversity Officer has reviewed the submitted survey and has confirmed that the survey is of a good quality and was carried out in accordance with published best practice. As such, the Biodiversity Officer has no objection to the proposed development subject to informatives regarding bats and breeding birds (Informatives 5 & 6).

Developer Contributions

Primary Education

- 46 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 at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.
- 47 This proposal is within the catchment of Kenmore Primary School.

- 48 Education & Children's Services have no capacity concerns in this catchment area at this time; therefore no education contribution is required. In any event the proposal is for a replacement house.

Economic Impact

- 49 The development of this site would account for short term economic investment through the construction period and indirect economic investment of future occupiers of the associated development.

LEGAL AGREEMENTS

- 50 None required.

DIRECTION BY SCOTTISH MINISTERS

- 51 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

- 52 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.
- 53 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 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 B Figure 5.6 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, control of surface water & provision of an adequate gradient of access.

3. Prior to the development hereby approved being completed or brought into use, the gradient of the access shall not exceed 3% for the first 5 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public highway.

Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary, control of surface water & provision of an adequate gradient of access.

4. The stove shall be installed, operated and maintained in full accordance with the manufacturer's instructions and shall not be used to burn fuel other than that approved for use by the manufacturer of the appliance.

Reason - To ensure that emissions from the development do not result in undue loss of amenity for surrounding properties.

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

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. Due to the nature of the proposed work it is important to keep in mind the possibility of finding bats when doing demolition works. If bats are found during works, all work must stop immediately and you should contact SNH Licencing Team (01463 725 000) immediately for advice. For further information visit the Bat Conservation Trust website <http://www.bats.org.uk/>. Please note that bats are protected by law, and it is a criminal offence to deliberately harm, capture, kill or disturb a bat or its resting place. It is also an offence to damage or destroy a resting or breeding place used by bats.
6. Existing buildings or structures may contain nesting birds between 1st March and 31st August inclusive. 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.
7. 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.
8. 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. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.

Background Papers: 19 letters of representation
 Contact Officer: Sean Panton
 Date: 15 August 2019

**DAVID LITTLEJOHN
 HEAD OF PLANNING & DEVELOPMENT**

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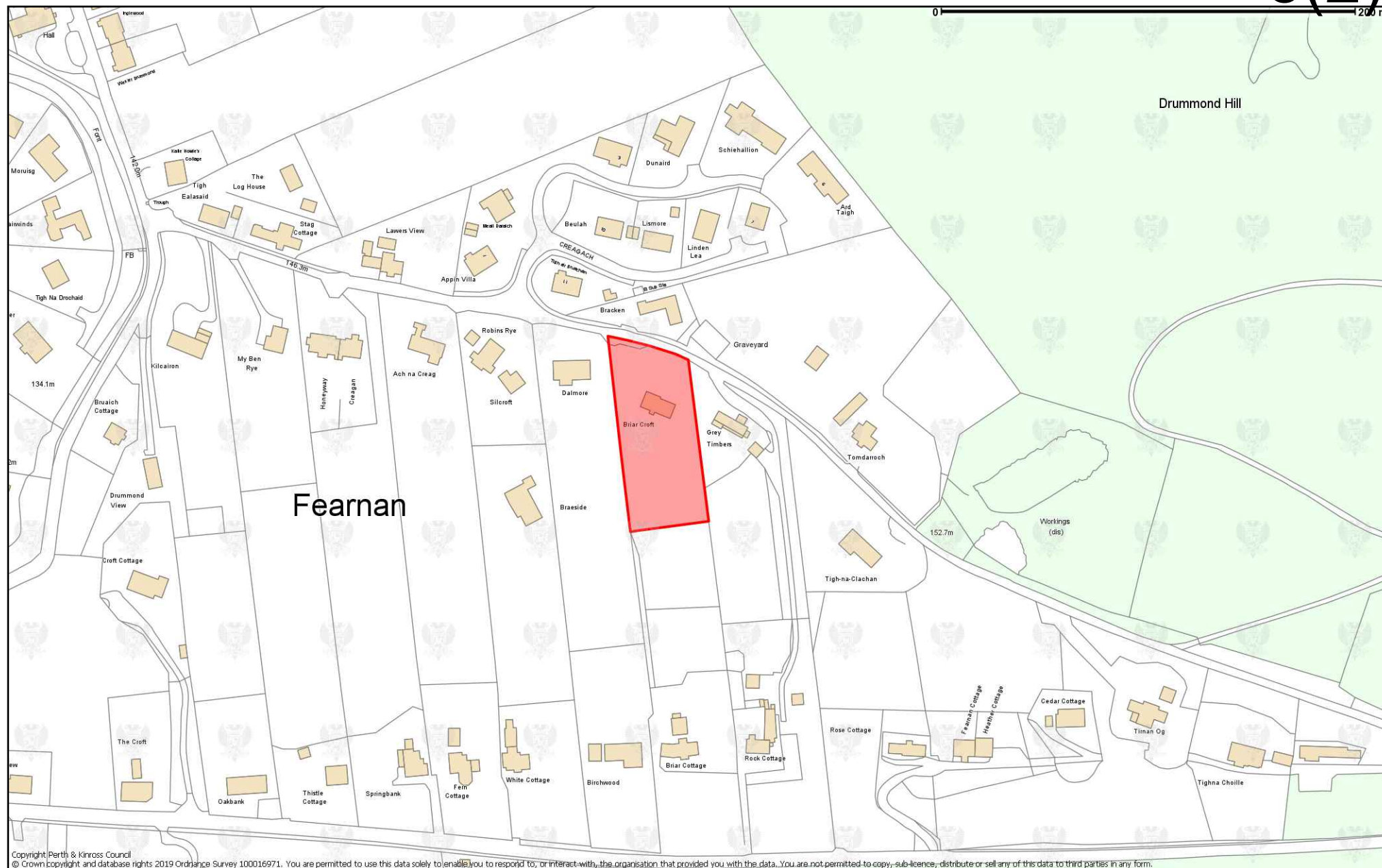
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19/00975/FLL

Erection of a replacement dwellinghouse





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Scale 1:2500



19/00975/FLL

Erection of a replacement dwellinghouse



Perth and Kinross Council
Development Management Committee – 28 August 2019
Pre-Application Report by Head of Planning and Development (Report No. 19/236)

Erection of a substation, ancillary buildings and infrastructure, formation of hardstanding, access track, landscaping and associated works land north west of Haughend Farm, Meigle

Ref. No: [19/00003/PAN](#)
Ward No: P2 - Strathmore

Summary

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

BACKGROUND AND DESCRIPTION

- 1 In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 as amended, the applicants submitted a Proposal of Application Notice (PoAN) on 10 June 2019. The purpose of this report is to inform the Planning & Development Management Committee of a potential forthcoming planning application in respect of a potential modification of extant national permission 18/00200/FLN. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
- 2 This proposal of application notice (PoAN) seeks to formally establish a major development. The exact range of uses, scale and design of the development will be arrived at during pre-application discussions.

ENVIRONMENTAL IMPACT ASSESSMENT

- 3 Due to the scale of the proposal it will require to be screened as to whether the proposal is an Environmental Impact Assessment (EIA) development under the EIA 2017 Regulations. A screening request has been submitted and a screening decision advised that the development was not EIA based on previous mitigation already undertaken; mitigation proposed and background environmental reports in support of any planning application.

PRE-APPLICATION PROCESS

- 4 The PoAN confirmed that a public exhibition was held on 10 July 2019 at Alyth Town Hall. A wide range of notification has gone out; including the minimum required advising the local Ward Councillors, alongside Alyth, Meigle and Ardler

Community Councils in PKC. In addition, Community Councils and Ward Councillors in Angus have also been informed; along with local MP's, MSP's and regional MSP's. The results of the community consultation will be submitted with the planning application as part of the required Pre-Application Consultation (PAC) Report.

NATIONAL POLICY AND GUIDANCE

- 5 The Scottish Government expresses its planning policies through the National Planning Framework (NPF) 3, the National Roads Development Guide 2014, Scottish Planning Policy (SPP) 2014 and Planning Advice Notes (PAN).

National Planning Framework

- 6 The 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 a 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.

The Scottish Planning Policy 2014

- 7 The SPP is a statement of Scottish Government policy on land use planning. The following sections of the SPP will be of particular importance in the assessment of this proposal:-
- Paragraphs 92-108 Supporting Business & Employment
 - Paragraphs 135 – 151 Valuing the Historic Environment
 - Paragraphs 152 – 174 Delivering Heat & Electricity
 - Paragraphs 193-218 Valuing the Natural Environment
 - Paragraphs 219 – 233 Maximising the Benefits of Green Infrastructure
- 8 The following Scottish Government Planning Advice Notes are likely to be of relevance to the proposal:-
- PAN 3/2010 Community Engagement
 - PAN 1/2011 Planning and Noise
 - PAN 40 Development Management
 - PAN 51 Planning, Environmental Protection and Regulation
 - PAN 60 Planning for Natural Heritage
 - PAN 61 Planning and Sustainable Urban Drainage Systems
 - PAN 68 Design Statements
 - PAN 79 Water and Drainage

LOCAL POLICY AND GUIDANCE

TAYPlan Strategic Development Plan 2016-2036

- 9 TAYPlan sets out a vision for how the region will be in 2032 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:

“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”

- 10 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application:

- Policy 7: Energy, Waste and Resources
- Policy 9: Managing TAYplans Assets
- Policy 8: Green Networks

Perth and Kinross Local Development Plan 2014

- 11 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

- 12 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.”

- 13 Under the LDP, the following policies are of particular importance in the assessment of this application:-

- Policy NE3: Biodiversity
- Policy NE4: Green Infrastructure
- Policy ER2 Electricity Transmission Infrastructure
- Policy ER5: Prime Agricultural Land
- Policy ER6 Managing Future Landscape Change to Conserve, Enhance the Diversity and Quality of the Areas Landscapes.
- Policy EP2 New Development and Flooding
- Policy EP3: Water Environment and Drainage
- Policy EP4: Health and Safety Consultation Zones
- Policy EP5: Nuisance from Artificial Light and Light Pollution

OTHER POLICIES

- 14 The following supplementary guidance and documents are of particular importance in the assessment of this application:-

- Flood Risk and Flood Risk Assessments – Developer Guidance June 2014

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

- 15 The Proposed LDP2 2017 represents Perth & Kinross Council's settled view in relation to land use planning and is a material consideration in determining planning applications. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. It is now the subject of an Examination Report (published 11 July 2019). This includes the Reporter's consideration of issues and recommended modifications to the Plan, which are largely binding on the Council. It is therefore anticipated that they will become part of the adopted Plan; however, this is subject to formal confirmation. The Council is progressing the Proposed Plan (as so modified) towards adoption which will require approval by the Council and thereafter submission to the Scottish Ministers. It is expected that LDP2 will be adopted by 31 October 2019. The Proposed LDP2, its policies and proposals are referred to within this report where they are material to the recommendation or decision.

PLANNING SITE HISTORY

- 16 [11/00005/PAN](#) Formation of a 6 hectare 275/400kV substation, including site access, site drainage, landscaping and construction of laydown areas. PAN decision issued 17 May 2011
- 17 [12/00948/FLM](#) Erection of a new 400/275 kV electricity substation and associated works including landscaping and access tracks. Approved by Development Management Committee (Decision issued 12 December 2012).
- 18 [12/01393/FLL](#) Erection of tower and timber structures. Approved under Delegated Powers 15 October 2012.
- 19 13/00858/OHL Installation of East Coast 400 kV reinforcement project. No objection lodged 26 June 2013.
- 20 [14/01915/FLL](#) Road widening, formation of stairs and demolition of railway bridge | Land 450 Metres North West Of Haughend Farm Meigle. Approved under Delegated Powers 23 December 2014.
- 21 [14/01949/FLM](#) Renewal of permission (12/00948/FLM) erection of a new 400/275kV electricity substation and associated works including landscaping and access tracks. Approved by Full Council (Decision issued 26 February 2015).

- 22 [18/00200/FLN](#) Section 42 of the Town and Country Planning (Scotland) Act 1997 to modify condition 3 (landscaping) of planning permission 12/00948/FLM (Erection of an electricity substation, formation of landscaping, access tracks and associated works). Approved by Full Council (Decision issued 20 June 2018).
- 23 19/00921/SCRN Construction of a new 275/400kV Substation and access track.

CONSULTATIONS

- 24 As part of the planning application process the following would be consulted:-

External

- Health and Safety Executive
- Historic Environment Scotland
- Perth and Kinross Heritage Trust
- RSPB
- Scottish Environmental Protection Agency (SEPA)
- Scottish Natural Heritage (SNH)
- Scottish Water
- Local Community Councils

Internal

- Environmental Health
- Strategic Planning and Policy
- Transport Planning
- Structures and Flooding
- Biodiversity Officer

KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED

- 25 The key considerations against which the eventual application will be assessed include:-
- a. Visual Impact and Landscape
 - b. Scale, Design and Layout
 - c. Relationship to Nearby Land Uses
 - d. Natural Heritage and Ecology
 - e. Water Resources and Soils
 - f. Impacts from Construction and Operational Noise
 - g. Transport Implications
 - h. Waste
 - i. Flooding and Drainage
 - j. Cultural Heritage
 - k. Light Pollution

ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED

26 In the absence of an EIA, the following supporting documents will need to be submitted with any planning application;

- Planning Statement
- Design and Access Statement
- Pre-Application Consultation (PAC) Report
- Transport Statement/Assessment
- Flood Risk and Drainage Assessment
- Phase 1 Habitat Survey including protected species and breeding birds
- Sustainability Assessment
- Noise and Air Quality Assessment
- Construction Environment Management Plan

CONCLUSION AND RECOMMENDATION

27 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: Callum Petrie

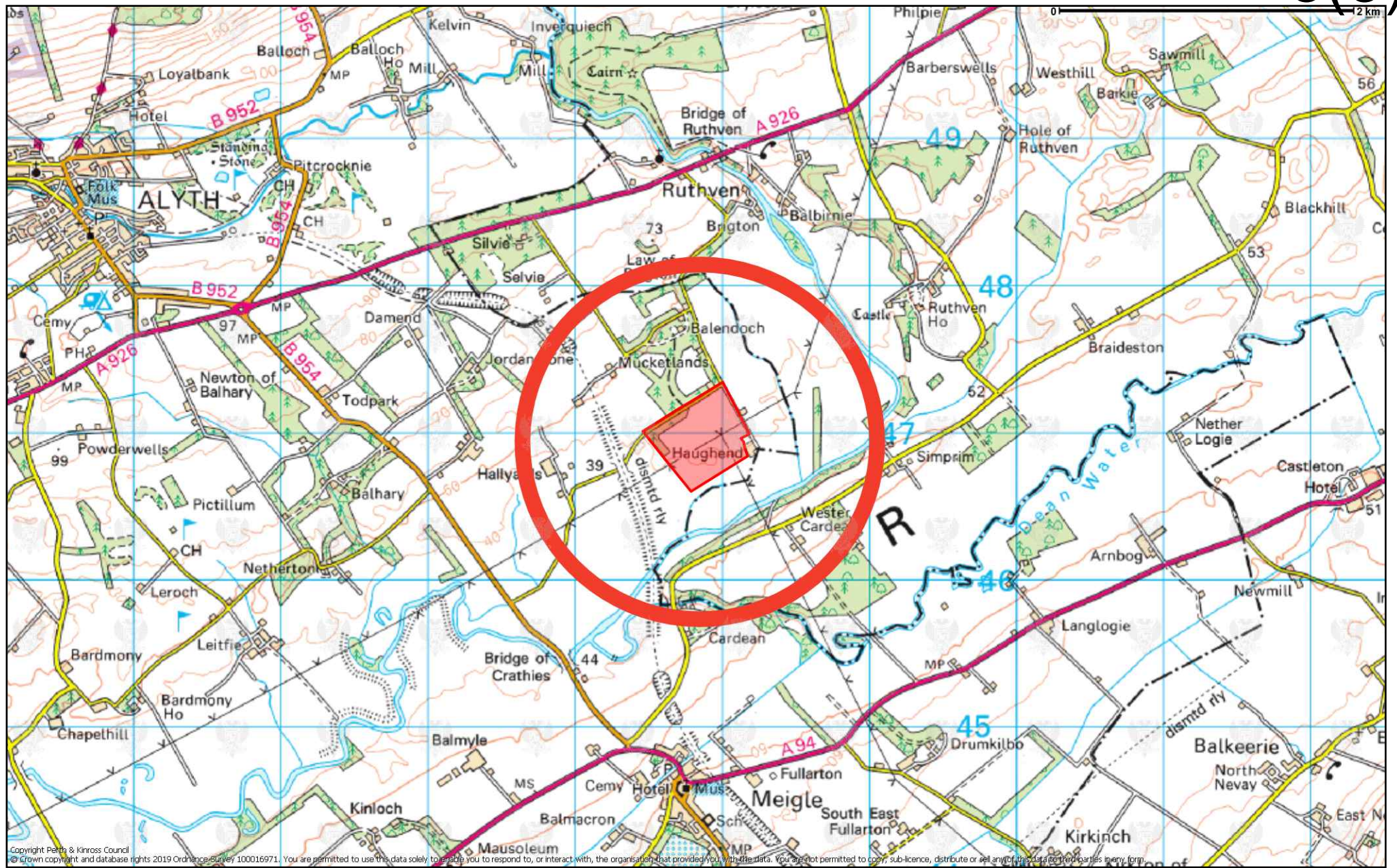
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DAVID LITTLEJOHN
HEAD OF PLANNING AND DEVELOPMENT

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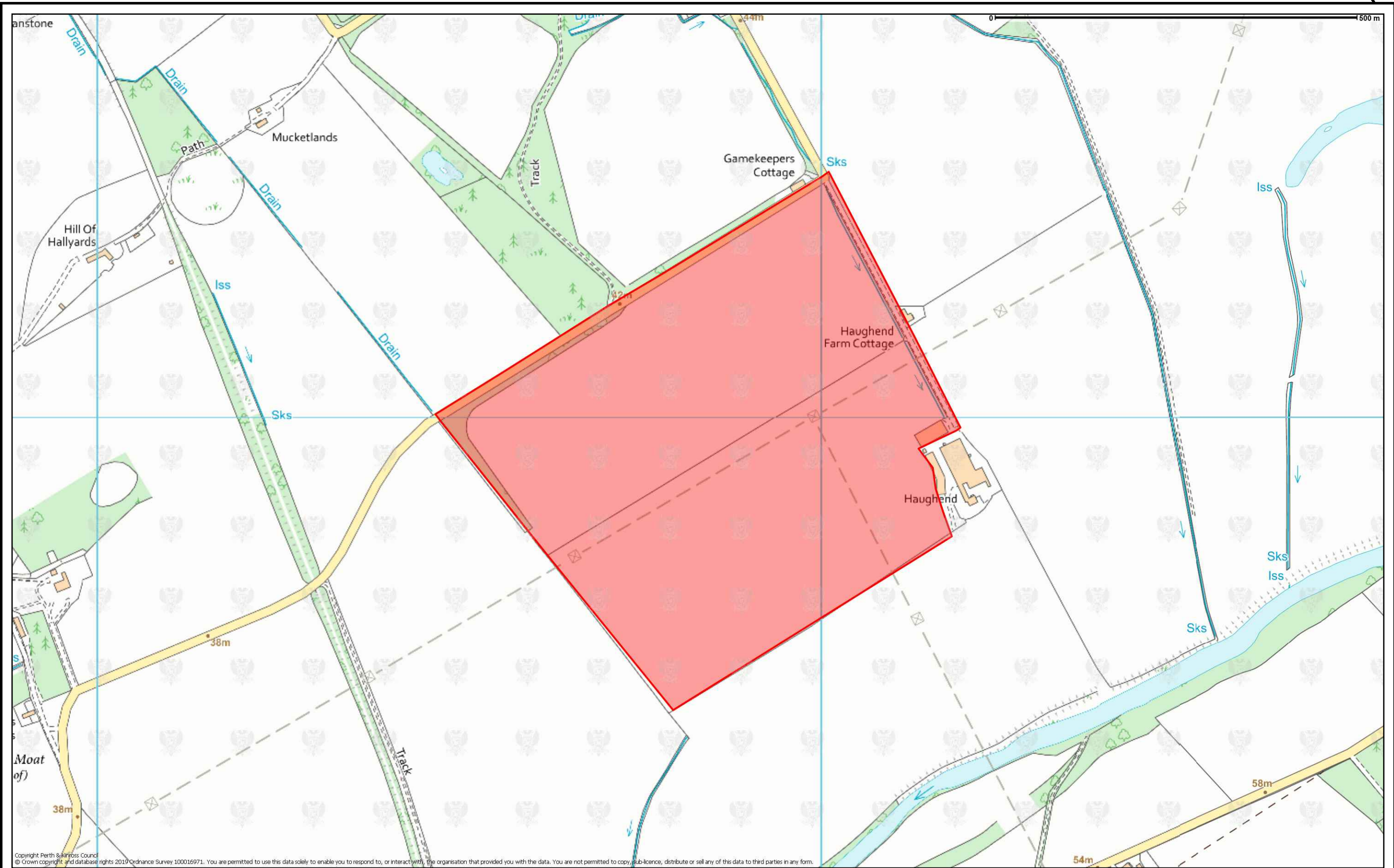
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19/00003/PAN

Erection of a substation, ancillary buildings and infrastructure, formation of hardstanding, access track, landscaping and associated works





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Perth and Kinross Council
Development Management Committee – 28 August 2019
Pre-Application Report by Head of Planning and Development (Report No. 19/237)

Major Infrastructure Project Application - Cross Tay Link Road at the A9 over the
River Tay to the A93 and A94 north of Scone

Ref. No: [19/00004/PAN](#)

Ward No: P2 – Strathmore, P6 - Strathtay

Summary

This report is to inform the Committee of a potential forthcoming planning application in respect of a major development for Major Infrastructure Project Application - Cross Tay Link Road. The report also aims to highlight the key planning policies and the likely stakeholders who would be involved in the decision making process, and to offer a brief overview of the key planning issues which are likely to be relevant to the proposal.

BACKGROUND AND DESCRIPTION

- 1 In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 as amended, the applicants submitted a Proposal of Application Notice (PoAN) on 10 July 2019. The purpose of this report is to inform the Planning & Development Management Committee of a potential forthcoming planning application. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
- 2 The application site extends to over 80 hectares of permanent land and 40 hectares of temporary land, extending several kilometres from west to east to the north of Perth City. This PoAN sets out its intentions in seeking to formally establish a major development comprising an infrastructure project known as the Cross Tay Link Road (CTLR). This is phase 2 of the CTLR project, consisting of a new road linking the A9 over the River Tay to the A93 and A94 north of Scone. It is intended to include the realignment of a section of the A9, provision of a new bridge over the River Tay and railway line, provision of a new grade separated junction on the A9 north of Inveralmond roundabout, a roundabout at Highfield Lane, a new roundabout onto the A94 and a green bridge crossing at Highfield Plantation. The proposal also includes new and improved cycling and walking infrastructure along the length of the route.

ENVIRONMENTAL IMPACT ASSESSMENT

- 3 Due to the scale of the proposal it was required to be screened as to whether the proposal was an Environmental Impact Assessment (EIA) development under the EIA 2017 Regulations. This has been done and the project has been determined as an EIA development with a Scoping opinion requested in 2018. The application will therefore be supported by an Environmental Report.

PRE-APPLICATION PROCESS

- 4 The PoAN confirmed that due to the scale and nature of the project, public exhibitions would be held at the following locations and dates:
 1. Luncarty: 21st August 2019 14:00 to 19:00, Luncarty Memorial Hall, Woodside, Off Scarth Road, Luncarty, PH1 3HF.
 2. Scone: 22nd August 2019 14:00 to 19:00, Robert Douglas Memorial Hall, 102 Abbey Road, Scone, PH2 6RU.
 3. Coupar Angus: 27th August 2019 14:00 to 19:00, Coupar Angus Town Hall, Union Street, Coupar Angus, PH13 9AE; and
 4. Perth: 28th August 2019 14:00 to 19:00, Civic Hall, 2 High Street, Perth, PH1 5PH.
- 5 The events are intended to provide an update on how the design has developed following earlier public consultation events and liaison with landowners. In addition, an extensive PoAN notification list has been drawn up, including looking local community councils, local councillors, MPs, MSPs, regional MSPs, members of European Parliament and other non-political stakeholders. The results of the community consultation will be submitted with the planning application as part of the required Pre-Application Consultation (PAC) Report.

NATIONAL POLICY AND GUIDANCE

- 6 The Scottish Government expresses its planning policies through the National Planning Framework (NPF) 3, the National Roads Development Guide 2014, Scottish Planning Policy (SPP) 2014 and Planning Advice Notes (PAN).

National Planning Framework

- 7 The 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 a 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.

The Scottish Planning Policy 2014

- 8 The SPP is a statement of Scottish Government policy on land use planning. 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
 - Supporting Business & Employment: paragraphs 92-108
 - Enabling Delivery of New Homes: paragraphs 109 - 125
 - Valuing the Natural Environment: paragraphs 193 – 218

- Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
- Managing Flood Risk and Drainage: paragraphs 254 – 268
- Promoting Sustainable Transport and Active Travel: paragraphs 269 – 291
- Supporting Digital Connectivity: paragraphs 292 - 300

9 The following Scottish Government Planning Advice Notes are likely to be of relevance to the proposal:-

- PAN 3/2010 Community Engagement
- PAN 1/2011 Planning and Noise
- PAN 1/2013 Environmental Impact Assessment
- PAN 40 Development Management
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 60 Planning for Natural Heritage
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 66 Best Practice in Handling Planning Applications Affecting Trunk Roads
- PAN 75 Planning for Transport
- PAN 78 Inclusive Design
- PAN 79 Water and Drainage
- Circular 1/ 2005 Notification of Planning Application Development Affecting Trunk Roads and Special Roads
- Circular 1/2017: Environmental Impact Assessment Regulations

National Roads Development Guide 2014

10 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.

LOCAL POLICY AND GUIDANCE

TACTRAN Regional Transport Strategy 2015-2036 (refresh)

11 The RTS sets out a Vision of:

“a transport system shaped by engagement with its citizens, which helps delivery prosperity and connects communities across the region and beyond, which is socially inclusive and environmentally sustainable and which promotes the health and wellbeing of all”.

TAYPlan Strategic Development Plan 2016-2036

12 TAYPlan sets out a vision for how the region will be in 2032 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:

“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”

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

- Policy 1: Location Priorities
- Policy 2 Shaping Better Quality Places
- Policy 3 A First Choice For Investment
- Policy 4 Homes
- Policy 8: Green Networks
- Policy 9 Protecting Tayplan’s Assets
- Policy 10 Connecting People, Places and Markets

Perth and Kinross Local Development Plan 2014

- 14 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

- 15 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.”

- 16 Under the LDP, the following policies are of particular importance in the assessment of this application:-

- Policy PM1 – Placemaking
- Policy RD1 – Residential Areas
- Policy TA1 – Transport Standards and Accessibility Requirements
- Policy NE2 – Forestry, Woodland and Trees
- Policy NE3 – Biodiversity
- Policy NE4 – Green Infrastructure
- Policy CF2 - Public Access
- Policy ER5 - Prime Agricultural Land
- Policy EP2 – New Development and Flooding
- Policy EP3 – Water Environment and Drainage
- Policy EP8 – Noise Pollution
- EP10 - Management of Inert and Construction Waste
- EP11- Air Quality Management Areas
- EP15 - Development within the River Tay Catchment Area

OTHER POLICIES

- 17 The following supplementary guidance and documents are of particular importance in the assessment of this application:-

- Flood Risk and Flood Risk Assessments – Developer Guidance June 2014

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

- 18 The Proposed LDP2 2017 represents Perth & Kinross Council's settled view in relation to land use planning and is a material consideration in determining planning applications. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. It is now the subject of an Examination Report (published 11 July 2019). This includes the Reporter's consideration of issues and recommended modifications to the Plan, which are largely binding on the Council. It is therefore anticipated that they will become part of the adopted Plan; however, this is subject to formal confirmation. The Council is progressing the Proposed Plan (as so modified) towards adoption which will require approval by the Council and thereafter submission to the Scottish Ministers. It is expected that LDP2 will be adopted by 31 October 2019. The Proposed LDP2, its policies and proposals are referred to within this report where they are material to the recommendation or decision.

PLANNING SITE HISTORY

- 19 [18/01661/SCOP](#) A9 Over The River Tay to the A93 and A94 North of Scone Cross Tay Link Road (Phase 2) Scoping Decision issued 23 October 2018.

CONSULTATIONS

- 20 As part of the planning application process the following would be consulted:-

External

- Scottish Environmental Protection Agency (SEPA)
- Scottish Natural Heritage (SNH)
- Scottish Water
- Transport Scotland
- Local Community Councils
- Perth and Kinross Heritage Trust
- Forestry Commission Scotland
- RSPB

Internal

- Environmental Health
- Strategic Planning and Policy
- Community Greenspace including Access
- Transport Planning
- Structures and Flooding
- Biodiversity Officer

KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED

- 21 The key considerations against which the eventual application will be assessed include:-
- Visual Impact and Landscape
 - Scale, Design and Layout
 - Relationship to Nearby Land Uses
 - Natural Heritage and Ecology
 - Water Resources, Geology and Soils
 - Impact on Noise
 - Impact on Air Quality
 - Transport Implications
 - Open Space Provision
 - Waste
 - Flooding and Drainage
 - Cultural Heritage
 - Agriculture, Forestry and Sporting/Tourism
 - Socio-Economic and Human Health
 - Cumulative Effects

ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED

- 22 In support of the planning application, as an EIA development, an Environmental Report should be submitted. Consistent with the Scoping Report, the following topic headings should be addressed within the Environmental Report:
- Project description and route alternatives
 - Air Quality
 - Cultural Heritage
 - Landscape and Visual Impact
 - Biodiversity
 - Geology and Soils
 - Materials
 - Noise and Vibration
 - People and Communities
 - Agriculture, Forestry and Sporting Interests
 - Road Drainage and the Water Environment
 - Climate
 - Socio-economic and Human Health
- 23 The following should also be submitted as part of the planning submission:
- Planning Statement
 - Design and Access Statement
 - Pre-Application Consultation (PAC) Report
 - Construction Management Plan

CONCLUSION AND RECOMMENDATION

- 24 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: Callum Petrie

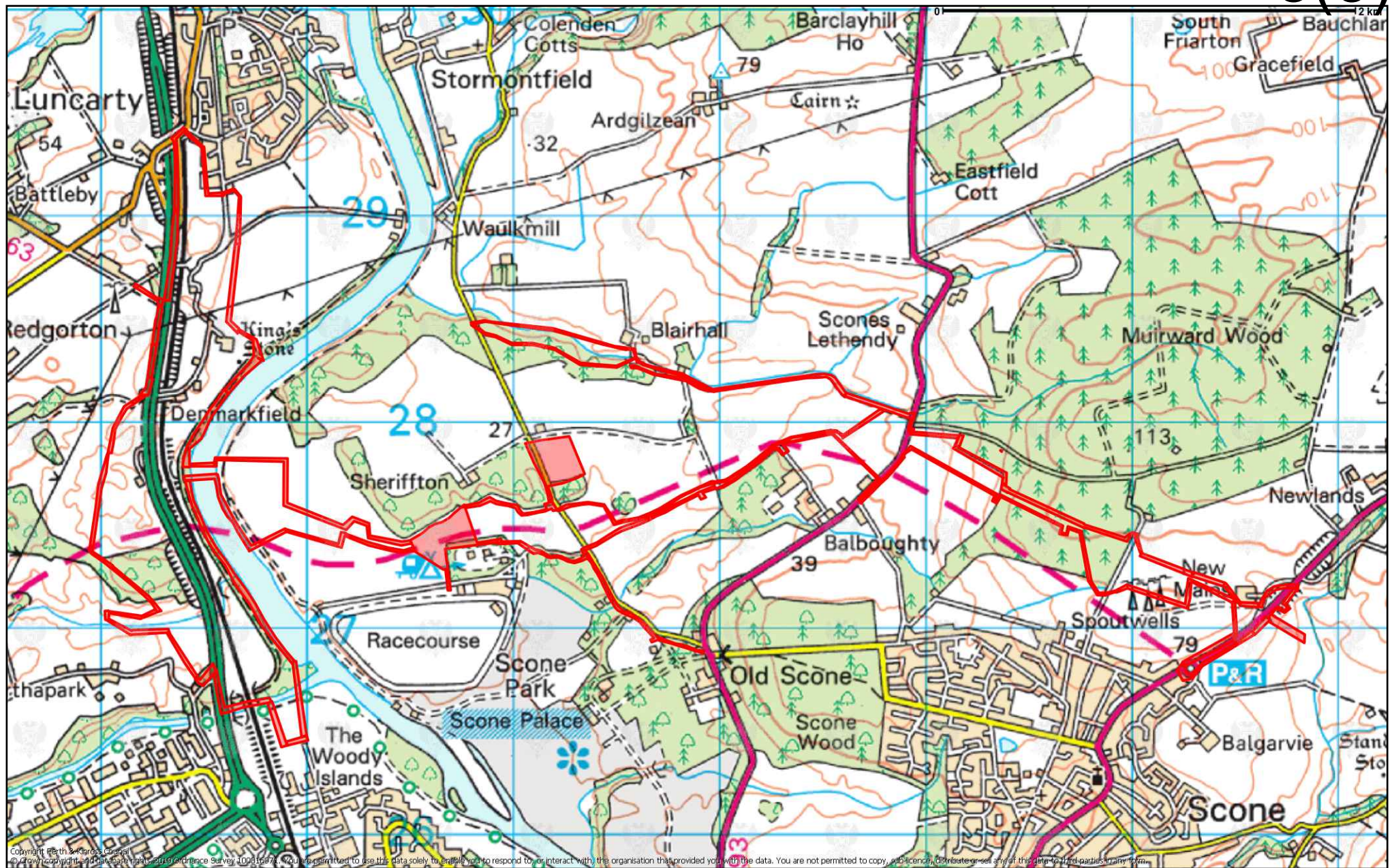
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DAVID LITTLEJOHN
HEAD OF PLANNING AND DEVELOPMENT

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Scale 1:25000



19/00004/PAN

Major Infrastructure Project Application - Cross Tay Link Road
at the A9 over the River Tay to the A93 and A94



