

Perth and Kinross Council
Planning and Placemaking Committee – 23 November 2022
Report of Handling by Head of Planning & Development
(Report 22/286)

PROPOSAL:	Erection of 3 dwellinghouses, 3 garages and associated works
LOCATION:	Land 30 metres north east of Rantrie Knowe, Drum

Ref. No: [21/01755/FLL](#)

Ward No: P8 – Kinross-shire

Summary

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

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 Full planning permission is sought for the erection of three dwellinghouses each with detached garages and other associated works, including a SUDS pond, within Drum, Crook of Devon. The application site is approximately 0.3ha in area and extends to the south, towards the B9097, to accommodate drainage infrastructure.
- 2 The site is considered an 'infill' and is bound by: the A977 public road to the north-west; a line of mature trees to the north-east, with residential development beyond; to the south-west by Rantrie Knowe, a dwellinghouse owned by the applicant; and to the south-east by open fields where the drainage system would be located.
- 3 The existing access onto the A977 which serves Rantrie Knowe would be used. Plot 1 is proposed to the immediate east of this access and would extend to 773sqm. A new access track and turning head is proposed to the south of Plot 1 and would serve Plot 2 (875sqm) and Plot 3 (817sqm) in the eastern part of the site.
- 4 Plot 1 is proposed to have a 3-bedroom dwellinghouse with a rectangular footprint and see accommodation over two levels, with the upper floors served by dormer windows on both north and south elevations. It is proposed to be finished in smooth white render, cedar weatherboarding and a natural slate roof.
- 5 Plot 2 is of a similar design/footprint to Plot 1 and with 3 bedrooms, however dormer windows are only proposed on the south-west elevation. Larger window openings are proposed on the gables.

- 6 Plot 3 is the largest, containing 4 bedrooms, and would have pitched roof projections on the north-west and south-east elevations. All houses are proposed to be c.8 metres in height.
- 7 There is a considerable amount of history associated with this site. A planning permission in principle was originally granted in April 2008 and this consent was renewed in May 2011 under application [11/00461/IPL](#). In January 2012 there was a serious accident on the A977 adjacent to the site where approximately 20,000 litres of aviation fuel was released from a tanker and caused contamination on the site, which was cleared up under direction from SEPA. A further renewal of the consent was then approved under application [14/00732/IPL](#). Following this an Approval of Matters application for three dwellings, with exactly the same layout as the application under consideration here, was approved in June 2017 ([17/00606/AML](#)) but this has since expired.

NATIONAL POLICY AND GUIDANCE

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

National Planning Framework 2014

- 9 NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. This is a statutory document and material consideration in any planning application. It 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 (SSP)

- 10 The Scottish Planning Policy (SPP) sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:
 - The preparation of development plans;
 - The design of development, from initial concept through to delivery; and
 - The determination of planning applications and appeals.
- 11 The following sections of the SPP will be of particular importance in the assessment of this proposal:
 - Sustainability: paragraphs 24 – 35
 - Placemaking: paragraphs 36 – 57
 - Enabling Delivery of New Homes: paragraphs 109-134
 - Valuing the Natural Environment: paragraphs 193-218

- Managing Flood Risk and Drainage: paragraphs 254-268

Planning Advice Notes

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

- PAN 40 Development Management
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 68 Design Statements
- PAN 69 Planning and Building standards Advice on Flooding
- PAN 75 Planning for Transport
- PAN 77 Designing Safer Places
- PAN 69 Planning and Building standards Advice on Flooding
- PAN 75 Planning for Transport
- PAN 77 Designing Safer Places
- PAN 79 Water and Drainage

Creating Places 2013

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

Designing Streets 2010

- 14 Designing Streets is the policy statement in Scotland for street design and changes the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It was created to support the Scottish Government's place-making agenda, alongside Creating Places.

National Roads Development Guide 2014

- 15 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

- 16 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019.

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.”

Perth and Kinross Local Development Plan 2

- 18 The Local Development Plan 2 (2019) (LDP2) 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.
- 19 The principal relevant policies are, in summary;
- Policy 1A: Placemaking
 - Policy 1B: Placemaking
 - Policy 5: Infrastructure Contributions
 - Policy 6: Settlement Boundaries
 - Policy 17: Residential Areas
 - Policy 40A: Forestry, Woodland and Trees: Forest and Woodland Strategy
 - Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
 - Policy 53B: Water Environment and Drainage: Foul Drainage
 - Policy 53C: Water Environment and Drainage: Surface Water Drainage
 - Policy 56: Noise Pollution
 - Policy 58A: Contaminated and Unstable Land: Contaminated Land
 - Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

OTHER POLICIES

Developer Contributions and Affordable Housing Supplementary Guidance April 2020

Placemaking Supplementary Guidance 2020

SITE HISTORY

- 20 [07/02361/OUT](#) was approved on 5 April 2008 for the erection of 3 dwellinghouses with double garages (in outline)
- 21 [11/00461/IPL](#) was approved on 19 May 2011 for the renewal of planning consent 07/02361/OUT for the erection of 3 dwellinghouses with double garages (in principle)

- 22 [14/00732/IPL](#) was approved on 17 July 2014 for the renewal of permission (11/00461/IPL) erection of three dwellinghouses with double garages (in principle)
- 23 [17/00606/AML](#) was approved on 13 June 2017 for the erection of three dwellinghouses and garages (matters specified by conditions 14/00732/IPL)
- 24 [20/00706/AML](#) Renewal of permission 17/00606/AML (Erection of 3 dwellinghouses and garages) - Withdrawn on 25 August 2020
- 25 [21/01164/FLL](#) Full Planning Permission application for the erection of 3 dwellinghouses, 3 garages and associated works - Withdrawn on 27 August 2020

CONSULTATIONS

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

External

Scottish Water

- 27 No objection, advise that a separate application is required to connect to their assets.

Fossway And District Community Council

- 28 Object, due to flood risk both on site and the impact development may have on flood risk downstream. Concerns have also been expressed regarding contamination of site from aviation fuel spill.

Internal

Transport Planning

- 29 No objection. Access and parking arrangements considered to be acceptable and public road capable of accommodating increased traffic associated with development.

Development Contributions Officer

- 30 No contribution required as there are no capacity constraints at Fossway Primary School.

Biodiversity/Tree Officer

- 31 No comments.

Environmental Health (Contaminated Land)

- 32 No objection. Advise the site is fit for residential development following clean-up of aviation fuel.

Environmental Health (Noise Odour)

- 33 No objection. Consider the Noise Impact Assessment submitted in relation to road traffic noise acceptable, subject to conditional control.

Structures And Flooding

- 34 No objection. Advise the information submitted demonstrates that the proposals will have a neutral impact on flood risk and therefore are acceptable.

REPRESENTATIONS

- 35 Seven representations were received. The main issues raised are:

- Visual impact
- Flood risk and surface water drainage
- Wastewater drainage capacity
- Loss of open space
- Loss of trees
- Road safety and traffic generation
- Contamination from fuel spill
- Neighbour notification process
- Servitude rights of access/impacts on existing drainage system

- 36 These issues are addressed in the appraisal section of the report. However, servitude rights of access/impacts are not a material planning consideration.

ADDITIONAL STATEMENTS

37

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment	Habitats Regulations Appraisal AA Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact	<ul style="list-style-type: none">• Flood Risk Assessment• Drainage Design and Storm Water Calculations• Tree Survey• Noise Impact Assessment for Road Traffic Noise

APPRAISAL

- 38 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 2019. 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 Placemaking Supplementary Guidance and the Developer Contributions and Affordable Housing Supplementary Guidance.

Principle

- 39 Crook of Devon/Drum is identified as a settlement within the Perth and Kinross Local Development Plan 2 (2019) and the identified as "white land" where Policy 17 applies. This states that infill residential development will be appropriate subject to it reflecting the character, layout and amenity of the area. Policies 1A and B echo this and state that new development should complement its surroundings in terms of form, appearance, height, scale, massing, materials, finishes and colours, amongst other criteria.
- 40 There have been numerous 'in principle' and 'detailed' permissions on this site, which are material considerations, and the site is seen as a logical infill site given the residential development which surrounds.
- 41 The general principle of the residential development is therefore acceptable and the proposal and is considered to accord with Policy 17 of the LDP2. An assessment of the design and layout along with other technical matters including drainage and access is provided below.

Design and Layout

- 42 Generally, the design and scale of development should respect its surroundings and adhere to Policies 1A and B of LDP2, which relate to placemaking. Further guidance is also provided within the associated Placemaking Supplementary Guidance.
- 43 Furthermore, through Creating Places 2013, Scottish Ministers set 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.
- 44 The character of the area is relatively uniform, with detached properties located to the west and east of the site, fronting the public road but also extending southwards. Plot sizes are relatively mixed but generally quite large and contributing to an open feel to the area.

- 45 The proposal to accommodate three detached dwellings and garages on the site is considered to be appropriate in the context of the areas character. The plot sizes and build to plot ratios are generally considered to reflect the established character and therefore the proposal is considered to comply with the Council's Placemaking Supplementary Guidance (SG) and Policies 1 and 17 of the LDP2. Furthermore, the layout and design of the dwellinghouses is identical to that which was approved in 2017. Whilst a new Local Development Plan has been published since then, the policies in terms of design and layout are broadly similar.
- 46 The proposal for one and three-quarter storey dwellings and single storey detached garages is considered appropriate in terms of scale and mass for this site. The area being characterised by a mixture of single storey and two storey dwellings. The design and scale of each dwelling is considered to be appropriate and utilises high quality materials which would respect the context.
- 47 The proposed layout and design of the houses is therefore considered to reflect the character and amenity of the area and therefore complies with the criteria outlined in policies 1A, B and 17 of the LDP2 and the associated SG.

Landscape

- 48 The previous approval on the site included a condition to ensure the provision of appropriate landscaping and boundary treatments for the site. The submission includes some reference to additional planting on the site but no details on species and density of planting has been submitted. It is considered necessary to secure details of the proposed planting and boundary treatments, as this remains an important part of the original planning approval. Accordingly, these details will be secured through conditions (Conditions 3 and 4).

Trees

- 49 Scottish Planning Policy specifies that trees which have a significant biodiversity value and make a significant contribution to landscape character and quality should be protected from adverse impacts resulting from development.
- 50 In support of this application a tree survey had been undertaken in accordance with BS:5837 Trees in relation to construction and the recommendations contained within are considered to comply with Policy 40B. The tree locations are also shown on the site plan to demonstrate the relationship of the houses to the trees.
- 51 In this case there is a slight overlap between Plot 2 and the root protection area and further mitigation will be required to facilitate the construction of the dwelling in this location and these mitigation measures are indicated within the tree survey and are considered to be acceptable. Conditions are recommended to ensure implementation of this mitigation (Conditions 6 and 7).

Residential Amenity

- 52 Policy 1A and B require any development to not detrimentally impact on residential amenity and to ensure any occupiers of new development have an adequate level of residential amenity.

Impacts on adjoining properties

- 53 The formation of residential development has the potential to result in overlooking and overshadowing to neighbouring dwellings and garden ground. There is a need to secure privacy for all the parties to the development those who would live in the new dwellings, those that live in the existing house and those that live in adjoining dwellings. Planning control has a duty to future occupiers not to create situations of potential conflict between neighbours.
- 54 The Council's guidance generally seeks to ensure there is a minimum distance of 9m from windows to boundaries in order to mitigate overlooking from new development. In this instance the windows on the north facing elevation of plot 2 are within 7.5m of the boundary to the north, however these are only ground floor windows and thus boundary is occupied by a number of mature trees which will provide screening. This is considered to be acceptable. There are not considered to be any overlooking concerns from the other plots.

Daylight/Overshadowing

- 55 Although overshadowing is not a matter specifically referred to in ministerial guidance, the protection of neighbouring developments from unreasonable loss of light is a well-established proper planning consideration.
- 56 The Council's adopted Supplementary Guidance relating to Placemaking includes specific information on how the issue of overshadowing can be assessed. This is known as the 25 degrees rule. Any proposed development should maintain and allow for a reasonable amount of natural daylight to the internal living space of neighbouring residential properties. Established practise determines that 25 degrees is a suitable maximum obstruction path which should be afforded directly to a front or rear aspect. Having carried out an assessment of the proposed development the height of the proposed buildings does not breach the 25-degree obstruction path as outlined in the Supplementary Guidance. Therefore, the proposed development is thus considered acceptable in terms of its impact on daylight.

Private Amenity Space

- 57 The extent in which private amenity space is used relates specifically to the dwellings occupant. It is therefore particularly difficult to forecast the extent of garden ground required and ultimately overtime this will change with any new inhabitant. Nevertheless, it is important to seek an outside area that can perform the minimum to be expected of a garden i.e., clothes drying, dustbin storage and sitting out. Each house is provided with an adequate level of garden ground for the size of house.

- 58 Overall, the development is considered acceptable in terms of the impact on residential amenity of neighbours and the amenity of future occupiers and therefore accords with the Local Development Plan where it relates to residential amenity.

Road Traffic Noise

- 59 The planning system has an important role to play in preventing and limiting noise pollution. Although the planning system cannot tackle existing noise problems directly, it has the task of guiding development to the most suitable locations and regulating the layout and design of new development. The noise implications of development can be a material consideration in determining applications for planning permission. In this instance the applicant has submitted information on noise as this was identified as an issue with previous applications on the site including a Noise Impact Assessment (NIA) to consider the impact which road traffic noise from the A977 may have on occupiers of the dwellings.
- 60 The NIA assessment states that the external noise; daytime would be 59dB (A) and for night-time would be 49 dB (A) at Plot 1, the closest proposed dwellinghouse to the road.
- 61 The NIA assessment concludes that there will be a negligible adverse effect on future residents and slight significance during the night. During the daytime the effects on future residents from road noise will be a minor adverse impact and slight /moderate significance during the day.
- 62 Environmental Health (EH) note that the applicant must however ensure a reduction of at least 19dB to meet the BS 8233:2014 internal night-time bedroom criteria of 30 dB (A). The World Health Organisation (WHO) also recommends that the outside garden areas should be no more than 55 dB (A).
- 63 Therefore, to protect residential amenity from road traffic noise EH recommend conditional control to comply with Policy 56 of the Local Development Plan 2. (Condition 8).

Flooding and Surface Water Drainage

- 64 There are surface water/ground water issues in the wider Drum area and a series of photographs have been received in letters of representation showing flooding. The proposal includes the formation of a SUDS pond to the south-east of plot 3, in order to cater for surface water flood risk. Concerns have been expressed in letters of representation that developing the site and increasing the extent of hardstanding may alter/increase downstream flood risk. The Council's Structures and Flooding Team (S&F) therefore requested that a Flood Risk Assessment (FRA) be carried out. S&F raised a number of queries following review of the letters of representation and the FRA. This sought clarity from the author of the FRA on various matters including input rainfall information and surface water modelling, amongst other issues. They also sought clarity on the design and operation of the proposed SUDS pond. There was some concern that the development will exacerbate downstream flood risk, by increasing impermeable areas. However, the provision of a suitably designed drainage

system should ensure that the development will have a neutral impact on flood risk in the local area. S&F sought clarity on the sizing of the system, to account for additional surface water that enters the site from the NW (as shown by the FRA). They also sought confirmation of the proposed 2.4l/s discharge rate, with submission of the greenfield run-off rate calculations to evidence this.

- 65 This further information has been submitted and reviewed by S&F. The agent has also provided a basic overland flow route for the post-development situation, which shows surface water being directed toward the drainage system which helped to clarify the queries raised by S&F.
- 66 The applicant's consultant clarified the approach taken within the FRA, which has been accepted by S&F and the drainage design is considered acceptable. This will ensure that the site will have at least a neutral impact on flood risk in the wider area, through the attenuation and controlled discharge of surface water from impermeable areas of the site. For the avoidance of any doubt a condition (Condition 10) is recommended to ensure the detailed finalised design of the SUDS system is submitted for approval.
- 67 It is important to note that there are known wider flooding issues in the area. However, the information submitted by the developer and their consultants demonstrates that the proposals will have a neutral impact on flood risk. The proposal is therefore considered to comply with Policy 53C of the LDP2.

Foul Drainage

- 68 The proposal is to connect the development to the Scottish Water foul drainage infrastructure which is appropriate and accords with the requirements of Policy 53B of the LDP2. However, a separate application process to Scottish Water is required to connect to their assets and a condition (Condition 9) is recommended to ensure the development connects to the public drainage system. An informative is also recommended to make the developer aware of the requirement for a separate application to Scottish Water.

Contaminated Land

- 69 As mentioned above there was a serious accident where a lorry carrying aviation fuel crashed causing contamination on the site. Letters of representation have raised concern that there is a noticeable amount of Extractable Petroleum Hydrocarbons (EPH) in flood water, evidenced by an oily film. This matter has been discussed within the Council's Contaminated Land Team who have clarified that SEPA were the lead authority in the clean-up operation following the accident and have declared that the site is suitable for development and that it has been decontaminated appropriately. Investigations were undertaken at the time and a remedial scheme was designed and implemented to remove/treat the identified impacted soils and groundwater. In addition, ground water monitoring at the site was undertaken up to February 2014. This has been reviewed and the Contaminated Land Team are satisfied that the levels of hydrocarbon being recorded do not present a risk in relation to the development of the land for residential use. On that basis it is not considered necessary for a contaminated land investigation to be carried out on site.

Access and Parking

- 70 Policy 60B of LDP2 is relevant and requires that new development does not impact on the road safety of the area. The National Roads Development Guide (NRDG) is also considered to be relevant. This provides detail on parking and access requirements. The proposed access arrangements and parking levels are considered to be acceptable. Each dwelling is provided with a large parking and turning area together with garages. Furthermore, the existing public road network is capable of accommodating the traffic associated with the development. Transport Planning have offered no objection to the application. The proposal therefore complies with Policy 60B of the LDP2.

Developer Contributions

- 71 The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating 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.
- 72 This proposal is within the catchment of Fossoway Primary School. Education & Children's Services have no capacity concerns in this catchment area at this time and therefore no developer contributions are required.

Servitude Rights of Access/Impacts on Existing Drainage Systems

- 73 Letters of representation raise concern that the development may impact on existing servitude rights of access. However, such matters are not a material planning consideration and rather a private civil matter between the parties involved. It should be noted that the granting of planning permission does not overwrite any existing rights of access or land ownership issues/restrictions which are apparent on any area of land or access and the applicant has been made aware of the comments received from neighbours regarding these issues. It would be up to the applicant to resolve these issues should they wish to develop the site.

Neighbour Notification Process

- 74 The neighbour notification and public advertisement process has been undertaken in accordance with the relevant legislation.

Economic Impact

- 75 The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

VARIATION OF APPLICATION UNDER SECTION 32A

- 76 There have been no variations to the application.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

77 None.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 78 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2 (2019). Account has been taken account of the relevant material considerations and none has been found that would justify overriding the adopted Development Plan.
- 79 Accordingly, the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

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.

Reason - This is a Planning Permission in terms of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of the Planning (Scotland) Act 2019.
2. 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.
3. Prior to the commencement of the development hereby approved, details of the proposed boundary treatments for the site shall be submitted for the written agreement of the Council as Planning Authority. The scheme as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
4. Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the 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 - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

5. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size, species and number 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.

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

Reason - To ensure the protection of all retained trees, in the interests of visual amenity.

7. Prior to the commencement of the development hereby approved, a 1:200 site plan which identifies the Construction Exclusion Zone (CEZ) shall be submitted for the written agreement of the Council as Planning Authority. This plan shall ensure all fencing adheres to BS 5837 2012: Trees in Relation to Design, Demolition and Construction. The CEZ as subsequently agreed shall be strictly adhered to during construction of the development.

Reason - To ensure the protection of all retained trees, in the interests of visual amenity.

8. The dwellinghouses shall be designed and constructed such that at the time of completion internal noise levels in bedrooms from road traffic noise shall not exceed LAeq 2300-0700 30dB, with windows open. Any bedroom where such a level is not achievable with windows open, sound insulating mechanical ventilators shall be installed in addition to any acoustic trickle ventilators to be provided.

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

9. The foul drainage for the development shall be drained to the public mains sewerage system.

Reason- To ensure appropriate drainage arrangements are installed thereby ensuring compliance with Policy 53B of the Local Development Plan 2019.

10. Development shall not commence on site until a detailed sustainable urban drainage system (SUDS) has been submitted for the further written agreement of the Council as Planning Authority, in consultation with SEPA where necessary. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C753) and the Council's Flood Risk and Flood Risk Assessments Developer Guidance, and shall incorporate source control and shall be based upon the information submitted and discussed with PKC Structures and Flooding. All works shall be carried out in accordance with the agreed scheme and be operational prior to the bringing into use of the development.

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. Records indicate that at least part of the proposed development site lies within a radon affected area where the measurement/monitoring of radon gas and the installation of mitigation measures may be required.
2. Further information on radon gas and the associated reports that can be obtained is available at www.ukradon.org and at <http://shop.bgs.ac.uk/georeports/>.
3. 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.
4. 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.
5. No work shall be commenced until an application for building warrant has been submitted and approved.

6. 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.
7. 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.
8. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he/she/they must obtain from the Council, as Roads Authority, consent to open an existing road or footway prior to the commencement of works. Information on junction types, requirements for Vehicular Access consents (VA1) and application forms are available at www.pkc.gov.uk/vehicleaccess. Advice on the disposal of surface water should be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.

Background Papers: 7 letters of representation
Contact Officer: John Williamson
Date: 11 November 2022

**DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT**

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