

Perth and Kinross Council
Planning & Development Management Committee – 24 September 2019
Report of Handling by Interim Development Quality Manager (Report No. 19/271)

PROPOSAL:	Complete demolition of buildings, erection of 2 dwellinghouses, 4 flats and associated works (in part retrospect)
LOCATION:	Kirklands Garage, 10 High Street, Kinross, KY13 8AW

Ref. No: [19/01096/FLL](#)
Ward No: P8 - Kinross-shire

Summary

This report recommends approval of the planning application for complete demolition of buildings, erection of 2 dwellinghouses, 4 flats and associated works (in part retrospect) the development is considered to comply with the relevant provisions of the Development Plan if conditional control is applied. There are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 An earlier planning application for the redevelopment of the former Kirkland's Garage site on the High Street in Kinross was approved by Committee under application 18/01054/FLL. That application consisted of two dwellinghouses to the front of the site and four flats to the rear. The dwellinghouses to the front of the site were to be formed by utilising and extending the retained façades of the traditional sandstone Manse building located to the front of the site.
- 2 Due to the former use of the site and the content of the phase 1 contaminated land report condition 12 of the 2018 planning permission sought an intrusive ground investigation to ensure that the potential for contamination was considered with any remedial works undertaken to ensure the site was fit for residential development.
- 3 Limited and partial demolition works started on agreement to enable the site investigation to be undertaken under consent 18/01054/FLL. During a visit from the Health and Safety Executive, it was discovered that there were three underground storage tanks that had not been identified in the phase 1 survey and these had not been rendered safe. Works on the site were stopped to allow the tanks to be degassed.
- 4 The location and the positioning of the newly discovered tanks resulted in the design and project management of the scheme being reviewed and prompted the submission of a new Conservation Area Consent Application for full

demolition of buildings on the site (Ref: 19/00818/CON). Unfortunately, following the submission of this application, the building was demolished without the necessary consent which resulted in enforcement action being pursued and a stop notice being placed on the site.

- 5 With the demolition of the Manse, the earlier detailed application cannot be lawfully implemented. As a consequence, the applicant now seeks approval for the full demolition of the Manse in retrospect and the rebuilding of the Manse along with the redevelopment of the wider site as per the original 2018 permission.
- 6 The Conservation Area Consent Application for full demolition of buildings on the site (Ref: 19/00818/CON) is also before the Committee today to be considered in conjunction with this application.

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

Planning Advice Notes

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

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

Creating Places 2013

- 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.

DEVELOPMENT PLAN

- 15 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

- 16 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.”

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

- Policy 1: Locational Priorities
- Policy 9: Managing TAYplans Assets

Perth and Kinross Local Development Plan 2014

- 18 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.

- 19 The principal relevant policies are, in summary;

- Policy PM1A &B - Placemaking
- Policy PM2 - Design Statements
- Policy PM3 - Infrastructure Contributions
- Policy PM4 - Settlement Boundaries
- Policy RD1 - Residential Areas
- Policy RD4 - Affordable Housing
- Policy TA1B - Transport Standards and Accessibility Requirements
- Policy HE3A & B - Conservation Areas
- Policy NE3 - Biodiversity
- Policy EP12 - Contaminated Land

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

- 20 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

- 21 [18/00155/FLL](#) Part demolition of buildings, erection of 2 dwellinghouses and 6 flats and associated works Application Withdrawn 28 February 2018
- 22 [18/00156/CON](#) Part demolition of buildings Application Withdrawn 28 February 2018
- 23 [18/00401/FLL](#) Part demolition of buildings, erection of 2 dwellinghouses and 6 flats and associated works Application Withdrawn 23 April 2018
- 24 [18/01054/FLL](#) Part demolition of buildings, erection of 2 dwellinghouses and 4 flats and associated works Application Approved 21 November 2018
- 25 [18/01055/CON](#) Part demolition of buildings Application Approved 21 November 2018
- 26 [19/00818/CON](#) Demolition of buildings (in retrospect) currently under consideration and recommended for approval at this Committee

CONSULTATIONS

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

External

Historic Environment Scotland

- 28 No objection but recommend that more detailed survey information is available to ensure that the rebuilding is done properly.

Scottish Water

- 29 No objection.

Internal

Transport Planning

- 30 No objection subject to conditional control relating to the vehicular access.

Development Negotiations Officer

- 31 No objection if agreed contributions are secured by an updated legal agreement or upfront payment of contributions. The contributions are for affordable housing and education.

Environmental Health (Contaminated Land)

- 32 The tanks require to be removed with the remaining infrastructure that serviced the fuel pumps. The applicant is required to undertake the full site investigation once these tanks have been removed.

Structures and Flooding

- 33 Advise that further details on the SUDS arrangement for the site are required.

Community Waste Advisor - Environment Service

- 34 Provide advice on bin collection requirements.

Biodiversity Officer

- 35 No objection to proposals subject to conditions regarding the biodiversity survey and installation of two bat boxes and two swift bricks in appropriate positions.

REPRESENTATIONS

- 36 The following points were raised in the eleven letters of representation received, eight of which raise objections including a representation from Kinross-shire Civic Trust and three are in support of the development.

- 37 The letters of objection can be summarised as follows:

- Overshadowing
- Impact on privacy
- Retention of communal boundary walls
- Ownership of the communal boundary walls
- Structural risk to walls
- Manse should be rebuilt prior to the other building work on site
- Overdevelopment
- Ground stability
- Design and materials are unacceptable
- Original stone must be re-used in re-construction
- Impact on conservation area
- Lack of justification for demolition

- 38 The letters of support can be summarised as follows:

- Will enhance the High Street and contribute positively to Conservation Area
- New building will replicate the original Manse
- Re-use of original stone would have led to poor appearance due to condition of stone

- 39 Ownership of boundary walls – Concerns or disputes regarding the ownership of any of the walls along the mutual boundaries would be a civil matter to resolve between the parties affected it is not a material planning consideration.
- 40 Structural risk – Impact from the way construction works are undertaken and how this relates to retaining walls/foundations would be a civil matter to resolve between the parties affected it is not a material planning consideration.
- 41 Ground stability – The developer has indicated in the submission that three tanks within the site will be removed. The stability of the ground conditions beneath the site following the completion of the development is not a material planning consideration and will be assessed and verified separately by a qualified structural engineer during submission of the Building Warrant.
- 42 The other remaining points of objection are addressed in the Appraisal section of the report.

ADDITIONAL STATEMENTS

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Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement / Design and Access Statement	Submitted
Reports on Impact or Potential Impact	Bat Survey, Phase 1 Contaminated Land Report, Structural Condition Report, Drainage Strategy, Sustainability Statement

APPRAISAL

- 44 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.
- 45 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.

Principle

- 46 It should be noted that an application for Conservation Area Consent has been submitted which deals with the retrospective demolition of buildings on the site, application 19/00818/CON refers. The Conservation Area Consent application and planning application are inextricably linked as the demolition under the Conservation Area Consent cannot be granted until a satisfactory replacement scheme is in place.
- 47 The principle of redeveloping the site has previously been established through the planning permission granted by the Development Management Committee in November 2018 but this approval included the retention of the Manse building that until recently stood on the site. However the demolition of this building has triggered the requirement for a new planning application for the entire scheme.
- 48 The plans for the flatted development to the rear are exactly the same as the plans that were approved under the original permission. The only significant change being proposed under this current application relates to the total demolition and reconstruction of the Manse to provide two semi-detached dwellinghouses, as per the previous permission. The proposals also include relatively minor alterations to the boundary treatments.
- 49 As such it is not considered necessary to revisit the principle of redeveloping the site, with the main consideration in this case being the proposed replacement structure in lieu of the original dwellinghouse.

Design and Layout and Conservation Considerations

- 50 The proposed design and layout of the replacement building has been modelled on the original, with the general layout and frontage remaining almost identical in scale and form. The other contemporary additions to the side and rear all remain as per the previously approved plans with the exception of some minor alterations to the fenestration.
- 51 In terms of materials, unfortunately the condition of the original stonework has been found to not be suitable for the reconstruction of the frontage or the façade of the side extension. Instead it is proposed that the principle façade of the building will be constructed in matching stonework with the remaining original stonework re-used in the construction of new boundary walls within the site. The side extension will also now be entirely clad in brickwork to match the rest of the rear extension and the gables will be constructed in textured masonry. Whilst this approach is considered acceptable it is appropriate in this case to ensure that updated plans are sought at a scale of 1:20 with further information included on the new stone specification and detailing of architectural features. This can be secured by condition (Condition 2). A separate condition (Condition 6) also secures the submission of detailed specifications for all of the remaining finishing materials including the textured masonry product.

- 52 In addition to the above, it is noted that the plans indicate that the windows on the façade of the building will be timber double glazed windows but the opening method is unclear. For the avoidance of doubt and to ensure a high standard of finish a condition has been applied to ensure the windows are timber sash and case windows to match the original windows (Condition 3).
- 53 In respect to the general layout of the development and design of the flatted block to the rear, these elements remain exactly the same as previously approved under the 2018 permission with no changes being proposed.
- 54 Securing the phased development is warranted in this instance and can be secured via conditional control (Condition 5). While it will make sense to remediate, service and undertake ground works in one phase the erection of the superstructure and the completion of the new manse building should be secured prior to the rest of the sites occupation.
- 55 Overall, subject to conditions, it is considered that the proposal with regards to design, layout and conservation issues still complies with policy RD1, HE2, HE3B, PM1A and PM1B of the adopted Perth and Kinross Local Development Plan 2014.

Residential Amenity

- 56 It is noted that concerns have again been expressed regarding overlooking and overshadowing, particularly in regards to alterations to the existing boundary walls.
- 57 It should be highlighted that the boundary treatments being proposed under this current application are exactly the same as previously approved under the 2018 permission. The plans for the flats to the rear of the site are also identical to the previously approved plans with no changes to the detailed design or layout of the flats. As such it is not considered that there is any need to revisit the matters regarding overshadowing and overlooking as they were addressed under the previous permission.
- 58 It was noted that the applicant did initially submit an elevation plan of the new house that showed a section of the boundary wall between the rear garden of House 1 and the converted school building to the north as being reduced in height with a new trellis above. However this was identified as not being consistent with proposed boundary treatment plan. As such the developer has amended the elevation plans and is now proposing a 1.8m meter high stone wall as per the previously approved plans. The plans have been updated to reflect this minor change.

Roads and Access

- 59 It is noted that concerns have been raised regarding road safety, particularly in relation to increased traffic and reduced visibility due to parked cars. As already highlighted, the proposals do not seek any alteration to the access or parking

arrangement that were approved under the previous permission. Nevertheless, Transport Planning has again been consulted and they have raised no concerns in regards to road safety or parking.

- 60 It is therefore considered that with conditional control applied (Conditions 10, 11, 12 and 13) there is no conflict with Policy TA1B.

Drainage and Flooding

- 61 The applicant has again confirmed that the foul drainage will be connected to the public sewer and a condition can be imposed to ensure this connection is achieved (Condition 16).
- 62 The site is not in an area subject to river flooding. Disposal of surface water should be via a sustainable urban drainage system and this will need to be incorporated into the site layout to comply with policy EP3C. The applicant has submitted the same drainage strategy and Structures and Flooding Team have again advised that further information is required in order to demonstrate that it can attenuate flows up to the 1 in 200 year plus climate change rainfall event. As per the previous permission this can be controlled by condition (Condition 8).

Contaminated Land

- 63 As outlined above, during initial investigative works it was discovered that there were three underground storage tanks that had not been identified and rendered safe. These tanks have subsequently been degassed but require to be removed along with the remaining infrastructure that serviced the fuel pumps. This has unfortunately resulted in the requirement to demolish the Manse.
- 64 Upon the removal of these tanks the developer is required to undertake the full site investigation prior to any works commencing on the redevelopment of the site. This is proposed to be conditioned accordingly (Condition 9).

Natural Heritage and Biodiversity

- 65 A full bat survey was previously undertaken. That Report set out a number of recommendations and mitigation works that required to be deployed before demolition. As well as mitigation measures to be incorporated into the redevelopment of the site.
- 66 Following the demolition of the building the Bio-diversity Officer contacted Scottish Natural Heritage (SNH). This confirmed that a licence had been obtained and works had progressed with appropriate supervision. The Bio-diversity Officer reaffirms the requirement for mitigation measures to be incorporated into the redevelopment of the site, namely the placement of two bat boxes and two swift bricks in appropriate locations on the replacement building.

- 67 With mitigation measures secured via condition (Condition 7) there is no conflict with Policy NE3 Biodiversity.

Waste Collection

- 68 The Council's Community Waste Advisor has again advised that a refuse collection vehicle will not enter this development so bins will be collected from the High Street. The proposal includes a bin store area within the central courtyard area and the site layout also incorporates a bin collection point that will allow for refuse uplift at the High Street entrance.

Developer Contributions

- 69 An affordable housing contribution of £18,750 (1.25 x £15,000) and education contribution of £24,225 (3.75 x £6,460) was secured by legal agreement under the previous permission. This legal agreement is still enforceable and will ensure the payment of the aforementioned contributions should permission be granted for this proposal.

Economic Impact

- 70 There will be a positive economic impact associated with the redevelopment of this site. Employment opportunities will exist during the construction phase and consequently achieve increased available expenditure through net growth in residential occupation, resulting in a positive but minor impact on consumer spend within the Kinross Market Area.

LEGAL AGREEMENTS

- 71 There is an existing legal agreement that covers the payment of both education and affordable housing contributions.

DIRECTION BY SCOTTISH MINISTERS

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

CONCLUSION AND REASONS FOR RECOMMENDATION

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

RECOMMENDATION

A Approve the application subject to the following conditions:

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 document.

- 2 Prior to the re-commencement of development, detailed plans of the proposed new Manse building (Houses 1 & 2) at a scale of 1:20 shall be submitted for the approval of the Planning Authority. These plans shall provide details of the proposed architectural features such as the cornicing, window surroundings, door surrounds and quoins. Thereafter, the building shall be constructed in accordance with the approved plans 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.

- 3 Prior to the re-commencement of development, plans showing the detailed construction of the proposed windows on the façade Houses 1 and 2 shall be submitted for the approval of the Council as Planning Authority. For the avoidance of doubt the windows shall be of a timber sliding sash and case construction. Thereafter, the windows shall be constructed and installed in accordance with the approved plans 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.

- 4 Prior to the re-commencement of development a sample board of the proposed stonework to be used in the construction of the façade of the Manse building (Houses 1 & 2) shall be made available on site for the review and approval of the Council as Planning Authority. The sample board is required to demonstrate the stone type, coursing and mortar jointing. Thereafter, the approved stonework shall be used in the construction of the building in accordance with the approved plans 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 The reconstruction of the Manse building (Houses 1 & 2) shall be completed to the satisfaction of the Council as Planning Authority prior to the occupation of any of the Units 3, 4, 5 or 6.

Reason – In the interests of visual amenity; to ensure that the principal building at the frontage of the site is reinstated and completed at the earliest opportunity.

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

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

- 7 Prior to the re-commencement of development, details of the location and specification of the swift brick(s) or swift nest box(s) shall be submitted and approved in writing by the Council as Planning Authority. Thereafter, the swift brick(s) or swift nest box(s) shall be installed in accordance with the approved details prior to the occupation of the relevant dwelling(s).

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

- 8 Development shall not re-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. 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.

- 9 Development shall not re-commence on site until an intrusive investigation of the site has been undertaken, submitted for consideration and accepted by the Council as Planning Authority. The intrusive investigation shall be undertaken to identify;

- The nature, extent and type(s) of contamination on the site.
- Measures to treat/remove contamination to ensure the site is fit for the use proposed.
- Measures to deal with contamination during construction works.
- Condition of the site on completion of decontamination measures.

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

Verification that the scheme has been fully implemented must also be submitted to the Council as Planning Authority and approved in writing.

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

- 10 Prior to House 1 and House 2 hereby approved being completed or brought into use, the car parking facilities at the front of these houses as shown on the approved drawing ref 19/01096/18 shall be implemented and thereafter maintained to the satisfaction of the Council as Planning Authority.

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

- 11 Prior to Units 3, 4, 5 and 6 hereby approved being completed or brought into use, the car parking facilities in the courtyard area at the front of these units as shown on the approved drawing ref 19/01096/18 shall be implemented and thereafter maintained to the satisfaction of the Council as Planning Authority.

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

- 12 Prior to Units 3, 4, 5 and 6 hereby approved being completed or brought into use, the turning facilities shown on the approved drawing ref 19/01096/18 shall be implemented and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason – In the interests of road safety; to ensure the provision of acceptable manoeuvring space within the curtilage of the site to enable a vehicle to enter and leave the site in forward gear.

- 13 Prior to the development hereby approved being completed or brought into use, the cycle parking facilities shown on the approved drawing ref 19/01096/18 for Units 3, 4, 5 and 6 shall be installed and thereafter maintained to the satisfaction of the Council as Planning Authority.

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

- 14 The bathroom windows on the western façade of Unit 6 (located on the upper level of the western block of the development) hereby permitted shall be glazed in obscure glass and thereafter obscure glass shall be retained and maintained at all times to the satisfaction of the Council as Planning Authority.

Reason – In the interests of residential amenity; in order to safeguard the privacy and amenity of the residents of the neighbouring dwelling house(s).

- 15 The spandrel panel arrangement incorporating high level windows on the western façade for the dining/kitchen living room of Unit 6 (located on the upper

level of the western block of the development) hereby approved shall be retained and maintained at all times to the satisfaction of the Council as Planning Authority.

Reason – In the interests of residential amenity; in order to safeguard the privacy and amenity of the residents of the neighbouring dwelling house(s).

- 16 The foul drainage for the development shall be drained to the public mains sewerage system to the satisfaction of the Council as Planning Authority.

Reason – To ensure appropriate drainage arrangements are installed thereby ensuring compliance with policy EP3B of the Local Development Plan 2014.

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 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.
- 2 No work shall be commenced until an application for building warrant has been submitted and approved.
- 3 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
- 4 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.
- 5 The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.

- 6 The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.
- 7 This is approval of your application Ref no 19/01096/FLL for Planning Permission only. It does not include any approval for your related Conservation Area Consent Ref no 19/000818/CON.
- 8 There is a Section 75 legal obligation associated with this planning permission, which relates to the payment of both education and affordable housing contributions. A copy is available to view on the Council's Public Access portal.

Background Papers:	7 letters of representation
Contact Officer:	David Niven 01738 475345
Date:	12 September 2019

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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