

Perth and Kinross Council  
Development Management Committee – 15 March 2017  
Report of Handling by Interim Head of Planning

**Erection of a dwellinghouse with ancillary accommodation at Land 90 Metres South  
West Of 1 Mansfield Place, Isla Road, Perth, PH2 7GZ**

Ref. No: 16/02175/FLL  
Ward No: N12 - Perth City Centre

**Summary**

This report recommends approval of a detailed planning application for a change of house type on a consented residential site on Isla Road, Perth as the proposed house type is considered to comply with the relevant policies of the Development Plan, and despite the high level of local representation there are no material reasons which justify refusing the application.

**BACKGROUND AND DESCRIPTION**

- 1 This planning application seeks to obtain a detailed planning permission for a change of house type on a consented residential plot on the eastern bank of the River Tay, immediately west of the recently completed Connacher Court development on Isla Road, Perth – a flatted, McCarthy & Stone ‘retirement living’ development - which I understand is now largely occupied. The site is fairly regular in its shape and measures approx. 50m in its width (north to south), with a depth of approx. 48m (east to west). To the west of the site is the River Tay, whilst to the north is the curtilage of an existing residential dwelling. To the south is the undeveloped land which benefits from an extant planning permission for two detached dwellings.
- 2 Detailed planning consent for a mixed use development on a larger site which comprised 2 care homes, assisted living units with associated facilities and 3 detached dwellings was granted in 2011. The proposed dwellings were proposed along the western boundary on the site, and this current planning application relates to one of those approved dwellings. Subsequent planning applications have since been approved on the larger site which have changed the layout of other blocks, and changed one of the care homes to sheltered accommodation which has subsequently been built out by McCarthy & Stone. Detailed planning permission still exists for the three dwellings along the western edge of the site by virtue of the fact that the initial planning consent commenced by virtue of the early demolition works. Therefore, this current planning application is essentially for a change of house type only, as opposed to assessing the principle of a dwelling on the site.
- 3 The extant permission relates to a large dwelling that offered living consent over three storeys, with the upper level partly within the roofspace. The house type now proposed has a larger footprint and floor area, but will only offer living accommodation over two levels only with a slightly lower ridge line than that of the previously approved house type. An ancillary accommodation unit attached to the main living space is proposed at the northern end of the dwelling at first floor level, which accounts in part for the increased floor area. The location of the dwelling is to be similar to that of the extant consent insofar as it is proposed to be sited at the

eastern end of the plot, immediately west of the existing building, separated from that building by an internal access road which will also serve the remaining two plots. The external finishes of the dwelling will comprise natural slate roof and a smooth render, and will incorporate timber and reconstituted stone features.

- 4 Vehicular access into the site will be via an existing private access which has an existing junction arrangement with Isla Road, and which will also serve the remaining two residential plots to the south.

## **NATIONAL POLICY AND GUIDANCE**

- 5 The Scottish Government expresses its planning policies through the National Planning Frameworks, the Scottish Planning Policy (SPP), National Roads Development Guide, and Planning Advice Notes (PAN). Of specific relevance to this planning application are:

### **Scottish Planning Policy 2014**

- 6 The Scottish Planning Policy (SPP) was published in June 2014 and sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:
  - The preparation of development plans;
  - The design of development, from initial concept through to delivery; and
  - The determination of planning applications and appeals.
- 7 Of relevance to this application is Paragraphs 109 – 134, which relates to enabling the delivery of New Homes

## **DEVELOPMENT PLAN**

- 8 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

### **TAYplan Strategic Development Plan 2012**

- 9 Whilst there are no specific strategies that are directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *"By 2032 the TAYplan region 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 and visit and where businesses choose to invest and create jobs."*
- 10 **Policy 3 (Managing TAYplan's assets)** seeks to protect our cultural heritage from inappropriate new developments.

## **PERTH AND KINROSS LOCAL DEVELOPMENT PLAN 2014**

- 11 The Local Development Plan 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. Within the Local Development Plan, the site lies within the settlement boundary of Perth where the following policies are directly applicable:

### **Policy RD1 – Residential Areas**

- 12 The Plan identifies areas of residential and compatible uses where existing residential amenity will be protected and, where possible, improved. Infill residential development at a density which represents the most efficient use of the site while respecting its environs will generally be supported.

### **Policy PM1A - Placemaking**

- 13 States that new development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

### **Policy PM3 – Contributions**

- 14 Where the cumulative impact of new developments will exacerbate a current or generate a future need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

### **Policy NE1 – Environmental and Conservation Policies**

- 15 Seeks to protect designated sites (such as Special Areas of Conservation) from inappropriate developments.

### **Policy NE2 – Listed Buildings**

- 16 Seeks to protect listed buildings and their settings against inappropriate new developments.

### **Policy NE3 – Conservation Areas**

- 17 Seeks to protect the historic character and appearance of Conservation Areas from inappropriate new developments.

### **Policy EP2 – New Development and Flooding**

- 18 There will be a general presumption against proposals for built development or land raising on a functional flood plain and in areas where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere.

## OTHER COUNCIL POLICIES

### Developer Contributions and Affordable Housing (April 2016)

- 19 This document sets out the Council's policies on Developer Contributions in relation to Primary Education and Transport Infrastructure/A9 junction upgrades, as well as setting out what Affordable Housing provision is required for new developments.

## SITE HISTORY

- 20 Detailed planning permission was granted in 2011 (11/01333/FLM) for the demolition of the former care home building and the erection of a new care facility comprising 2 Care Homes, assisted living units and communal facilities together with 3 mainstream houses with associated access roads, parking and landscaping on a larger site which included the area subject to this application. Since the commencement of that permission, an amendment was subsequently approved in 2013 which replaced one of the care homes with a 'U' shaped block of sheltered residential units and this has now been implemented. This block contains sheltered living accommodation - which is currently being marketed as 'retirement living' apartments. This block offers residents' living space over 3 full levels, with a small 4<sup>th</sup> level also utilised for plant, kitchen and changing facilities for staff. The other elements of the 2011 permission remained largely unchanged, including the three private dwellings along the river bank.
- 21 Earlier this year a detailed planning application (16/01111/FLL) for a change of house type on the site subject of this current planning application was submitted, and which included a larger footprint and with a projection closer to the existing building than what is currently proposed. That application was withdrawn by the applicant prior to determination after feedback from the Council which raised concerns over the proximity of the projecting element to the existing building. To this end, this current planning application is essentially a resubmission of that proposal.

## CONSULTATIONS

### External

- 22 **Scottish Water** where consulted but have not issued a response.
- 23 **SEPA** have commented on the planning application and have raised no objection to the proposal, providing that the previously agreed compensatory flood storage is implemented.

### Internal

- 24 **Transport Planning** have commented on the planning application and raised no objection to the proposal in terms of access or parking arrangements.
- 25 **Environmental Health** have commented on the planning application and raised no objection to the proposal in terms of the contaminated land issues, subject to a condition being attached to any permission.

## REPRESENTATIONS

- 26 Eighteen letters of representations have been received from local residents, all raising concerns over the development proposed. The main issues raised by the within the representations are:
- Impact on residential amenity;
  - Impact on visual amenity
  - Loss of sunlight/daylight
  - Flooding Issues
  - Impact on Trees
  - A view that was originally approved, should be built and nothing else.
- 27 These issues are addressed in the Appraisal section of the appraisal.

## ADDITIONAL STATEMENTS

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Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Carried out by PKC
Design Statement / Design and Access Statement	Not required
Report on Impact or Potential Impact	Tree report submitted.

## APPRAISAL

- 29 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of the application to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 30 The Development Plan for the area comprises the approved TAYPlan 2012 and the adopted Perth and Kinross Local Development Plan 2014. In terms of other material considerations, this involves considerations of the Councils other approved policies, namely those which relate to Developer contributions and also the extant planning permission for a detached dwelling on the site.

## Policy

- 31 The key land use policies are contained within the Local Development Plan 2014 (LDP). Within the LDP, the site lies wholly within the settlement boundary of Perth (outwith the Conservation Area) where Policy RD1 is directly applicable. This policy seeks to ensure that all new developments within existing settlements are compatible with existing land uses and that the character and amenity (visual and residential) of the area concerned is not adversely affected by the development proposed.
- 32 Policy PM1A is also applicable and this policy seeks to ensure that the quality of the surrounding built and natural environment is maintained and that all new development respects the existing character and amenity of the existing area.

- 33 For reasons stated below, I consider the proposal to be consistent with the aforementioned land use policies.

### **Land Use**

- 34 In terms of land use issues, as planning consent for a detached dwelling already exists on the site I consider the principle of a dwelling on this site to be firmly established, especially as the site is currently identified within the LDP settlement boundary of Perth where infill residential developments are generally encouraged by the LDP providing that the density proposed represents the most efficient use of the site and that the development respects the surrounding environs. To this end, I ultimately consider the key consideration for this proposal to be whether or not the house type proposed is acceptable in this location in terms of its impact on the existing visual and residential amenity of the area.

### **Design and Layout**

- 35 The proposed design, and in particular the increased footprint has caused a degree of concern from a number of residents of the adjacent sheltered housing / 'retirement living' block. The extant consent approved a dwelling with an external footprint of approx. 185 sqm, and the proposed house type is approx. 275 sqm. This increased footprint, and the increase in floor space is a result of a longer length of dwelling and the addition of the ancillary unit. Whilst larger than what already benefits from planning permission, the physical size of the site is clearly capable of accommodating the larger footprint in terms of general built ratio standards and also amenity space standards. It is also my view that in this riverside location, the scale of house proposed would ordinarily, be expected to be present. In terms of its overall design, I consider the design to be acceptable and it would not introduce an incongruous element into the rear streetscene of Isla Road, when viewed from the North Inch. To this end, I have no objections to the proposal in terms of design or layout matters.

### **Impact on Existing residential amenity**

- 36 Within the letters of representation concerns have been raised regarding the impact that the proposal would have on the existing residential amenity which is enjoyed by residents of the McCarthy & Stone development – who are largely retirees. The concerns raised focus on three main issues which are
- a) loss of privacy/overlooking
  - b) impact on existing sun/daylight
  - c) impact on existing views

- 37 I shall address these issues in turn.

#### **Loss of Privacy / Overlooking**

- 38 In terms of potential overlooking and loss of privacy, there are a number of windows proposed on the east elevation facing towards the existing building. However, the separation distance between the existing building and the proposed new dwelling is significant, and offers a window to window distance of approx. 18m at its closest point, and for some areas more. A distance of 18m is the Council's normal minimum

standards for direct window to window interaction for living rooms to living rooms, and if this distance is achieved then overlooking and / or loss of privacy is unlikely to occur. To this end, and considering the distances involved, I consider the potential for overlooking or loss of privacy to occur to an unacceptable level, as a result of this development, to be unlikely. It is also the case that the position of the approved house type was similar to that which is now proposed.

#### Loss of Sunlight / Daylight

- 39 In terms of loss of sunlight and daylight, the loss of either could have an adverse impact on existing residential amenity, and I note that this has been raised within some of the letters of representations. The normal tests used by Local Authorities in establishing whether there is an issue in terms of loss of either sunlight or daylight are the 25 and 45 degree tests. The Building Research Establishment (BRE) considers these two tests to be helpful rules of thumb in determining whether or not any further tests or investigations are required.
- 40 The 25 degree test is used where the development proposed is directly opposite an affected window(s), so this test would be applicable to this case. To carry out the test, the centre of the lowest affected habitable room is used as a reference point and a line is drawn at 25 degrees towards the new development. If the development proposed falls beneath the 25 degree line, then there is unlikely to be any loss of sun or daylight caused by the development proposed. In this case the new dwelling falls beneath the 25 degree line. In terms of the other test, the 45 degree test, this is used principally to check extension that are perpendicular to a window, so in this case is not applicable against this proposal. Consequently, I do not consider there to be any issue with the potential loss of sun or daylight.

#### Loss of a view

- 41 Within some of the objections, the impact that this proposal would have on their existing views has been raised as a point of concern. It has been established in planning law that the loss of a (personal) view is not a valid material planning consideration in the consideration of a planning application.
- 42 It should however be noted that the 'view' out from the existing building was always going to be altered to some degree when any of the consented residential plots were eventually developed. I do accept that the footprint of the dwelling has increased from what was originally proposed, however I do not consider the location or scale of what is proposed to be unacceptable, and the applicant has reduced the projection of the proposed ancillary accommodation from their initial scheme to try and reduce any issues of possible visual oppression from the existing block.

#### **Proposed Residential Amenity**

- 43 In terms of being able to offer a suitable level of residential amenity for future occupiers of the dwelling, I also have no concerns. The existing plot is large, and whilst the footprint of the dwelling is increasing there is a sufficient amount of usable private amenity space available for future occupiers.

## **Visual Impact**

- 44 In terms of the impact on the visual amenity of the area, I have no concerns. The proposal is located outside the Conservation Area of Kinnoull, but it would be readily visible from the popular North Inch area. However the design of the proposed dwelling is acceptable and would not look out of character with the existing rear streetscene. It is also the case that the rear streetscene when viewed from the west, and from the North Inch is varying, with a range of different house types from different eras. The proposed dwelling will certainly be visible once erected, however I do not consider its visibility alone to be problematic and its placement in front of the larger flatted development will go some way to break up the large mass of the existing McCarthy and Stone building which does dominate existing views. I therefore have no objections to the proposal from a visual amenity point of view, subject to final agreement on proposed external finishes.

## **Impact on Conservation Area / Listed Buildings**

- 45 As stated previously the site lies just outwith the Conservation Area of Kinnoull. Whilst there are listed buildings present along Isla Road, the location and design of the dwelling is such that it will not affect the setting of these or the character or appearance of the Conservation Area. This view is shared by a colleague with Conservation expertise.

## **Contamination Land Issues**

- 46 The site has the potential to be affected by contaminated land, and therefore it is recommended that the Council's standard condition in relation to contaminated land is attached to any permission.

## **Impact on Wildlife**

- 47 There are no known protected species or local wildlife which are directly affected by this proposal. The applicant will however be made aware of their responsibilities in terms of local wildlife and protected species via appropriate informatives. The trees on the site, which could be habitats, will be protected during the course of construction and thereafter.

## **Road Related Issues**

- 48 The site is accessed by a surfaced private access track, which will also serve the remaining two plots. This arrangement is considered acceptable, and raises no issues with my Transport Planning colleagues. The long term maintenance of the access will be a matter for the individuals with an interest in the access to agree upon and deliver, but it would not be the intention of the Council to adopt the access, or secure long term maintenance arrangements for its upkeep. Waste and recycling facilities are to be agreed with the Council prior to the occupation of the dwelling.



## **Drainage**

- 49 As the site lies within an area covered by a public drainage system, the foul drainage will be connected to the public sewerage system. It would be a matter for Scottish Water to confirm (when an application is made for connections) whether or not capacity is available to accommodate the development. With regards to the disposal of surface water, this would be through an individual soakaway systems which would be advanced in accordance with the standards required by Building Standards and the Council's Flooding Team, and SEPA any formal outflow is proposed to the River Tay.

## **Flooding Issues**

- 50 The location of the site, and the other two consented dwellings lies within the 1:200 year flood envelope. As part of the planning application 11/01333/FLM it was proposed that compensatory flood storage was to be introduced largely within the areas identified as garden ground for the dwellings which would offered a 'betterment' in terms of storage capacity from the existing. As it remains the case that compensatory storage is required, a suitability worded condition will be attached to any permission to ensure precise details of the ground levels within the garden ground are submitted for the approval in writing by the Council as Planning Authority.

## **Impact on the River Tay**

- 51 The River Tay is environmentally sensitive and is a Special Area of Conservation as well as other designations. To ensure that the integrity of the River Tay is not adversely affected by any pollution incidents during the construction phase, a Construction and Environmental Management Plan (CEMP) will be a pre-commencement requirement of any permission to ensure that suitable pollution mitigation measures are in place.

## **Trees / Landscaping**

- 52 Two mature trees are located within the site, and adjacent to the location of the proposed dwelling. These trees are protected by an existing Tree Preservation Order (TPO). The applicant has proposed to undertake some remedial works to these trees, and thereafter proposes to retain them (as required by the TPO) and protect during the construction process. A tree survey has been submitted by a suitably qualified consultant that outlines the scope of the proposed works, and confirms that their retention is possible and I have no reason to offer a different view. Consequently, I have no concerns regarding the impact on the existing trees subject to clarification of the final scope of tree works and also ensuring that tree protection measures are in place for the entire construction phase.

## **Archaeology Issues**

- 53 There is no known scheduled or local archaeology within the area.

## **Construction Nuisance**

- 54 Construction noise and associated nuisance are not ordinarily considered to be material planning considerations, but controls over hours of operation and noise are enforced through Environmental Health legislation

## **Future subdivision of the dwelling**

- 55 Within the letters of representations, concerns have been raised that the ancillary accommodation annex may be used as a separate dwelling or a holiday home in the future. A condition will be attached to the permission which will limit the use of the annex to a family member only.

## **DEVELOPER CONTRIBUTIONS**

### **Affordable Housing**

- 56 As the development comprises less than 5 residential units, there is no requirement for any developer contributions (or onsite provision) in relation to affordable housing.

### **Transport Infrastructure**

- 57 In terms of Transport infrastructure contributions, as there is an extant permission on the site for the same number of residential units which pre-dated the Developer Contributions Policy, there is no requirement for any Developer Contribution in relation to Transport Contributions.

### **Primary Education**

- 58 In terms of Primary Education contributions, as the local primary school is operating at over 80% of its capacity there is a requirement of Developer Contributions of £6,490 as part of this development. The extant consent also required a developer contribution which was controlled via a legal agreement.

## **ECONOMIC IMPACT**

- 59 With the exception of works associated with the construction phase of the development, which may or may not be carried out by local tradesmen, the proposal will have little economic impact on the local area.

## **LEGAL AGREEMENTS**

- 60 In the event that the applicant wishes to defer the required developer contributions, then a new legal agreement or an amendment to the existing agreement will be required prior to the issuing of the formal decision notice.

## **DIRECTION BY SCOTTISH MINISTERS**

- 61 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**

- 62 The proposal is in accordance with the relevant land use policies contained in the Local Development Plan 2014. Whilst I appreciate the concerns raised within the representations, I do not consider the proposal to have an adverse impact on the character or amenity (visual or residential) of the existing area and ultimately consider the proposal to be acceptable, subject to conditions.

## **RECOMMENDATION**

### **A Approve the planning application subject to the required Developer Contributions being secured and the following conditions:**

- 1 The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.

Reason - To ensure that the development is carried out in accordance with the plans approved.

- 2 Prior to the commencement of any works on site, precise details of the proposed means of surface water disposal associated with all hard surfaces shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full, to the satisfaction of the Council as Planning Authority.

Reason – In order to ensure that the site is adequately drained.

- 3 Development shall not commence on site until an evaluation for the potential of the site to be affected by contamination by a previous use has been undertaken and, as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) has been submitted for consideration and accepted by the Council as Planning Authority. If the preliminary risk assessment identifies the need for further assessment, an intrusive investigation shall be undertaken to identify;

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

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

that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

Reason – In order to ensure that all land contamination is adequately dealt with.

- 4 Prior to the commencement of any works on site, all existing trees on 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 unless otherwise agreed in writing by the Council as Planning Authority.

Reason – In order to protect the existing trees during the construction phase.

- 5 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 further written approval 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 unless otherwise agreed in writing by the Council as Planning Authority.

Reason – In order to protect the existing trees during the construction phase.

- 6 Full details of any proposed tree works shall be submitted to and approved in writing by the Council as Planning Authority.

Reason – In order to afford some flexibility to the applicant in terms of tree works, but to retain control of what is actioned.

- 7 Prior to any engineering works adjacent to the river bank, repairs or otherwise, precise details of the nature of the works shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall thereafter be implemented in full.

Reason – In the interest of proper site management, and to ensure that the River Tay is not adversely affected by inappropriate developments on its river bank.

- 8 Prior to the commencement of any works on site, precise details of the ground levels within the site shall be submitted, which must provide suitable compensatory flood storage, for the approval in writing by the Council as Planning Authority. The approved details shall thereafter be implemented in full as the development progresses and completed prior to the occupation of the dwelling.

Reason - In order to ensure that suitable compensatory flood storage is provided as part of the development.

- 9 The ancillary accommodation shall only be occupied by a person(s) directly connected to the main dwelling, and shall not be used as a separate unit either for holiday use or as a separate dwelling from that of main dwelling.

Reason – In order to control the use of the ancillary accommodation.

## **B JUSTIFICATION**

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

## **C PROCEDURAL NOTES**

The formal planning consent shall not be issued until such time as the required Developer Contributions have been secured. In the event that the applicant does not:

- a) Make the required payment upfront within 14 days of the date of the committee decision, or
- b) Complete a new legal agreement for its delayed payment / or submit an application to amend the extant agreement within a 4 month period, then the application may be refused under delegated powers.

## **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 An application for Building Warrant will be required.
- 5 The existing trees are likely to 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.
- 6 The applicant is advised to make contact with both SEPA and the Council's Flooding and Structures team in relation to the requirements of condition 8 relating to compensatory flood storage measures.

Background Papers: 18 letters of representation  
Contact Officer: Andy Baxter – Ext 5339  
Date: 23 February 2017

**Nick Brian**  
**Interim Head of Planning**

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