

Perth and Kinross Council
Planning & Development Management Committee – 11 March 2020
Report of Handling by Head of Planning & Development (Report No. 20/62)

PROPOSAL: Erection of 183 dwellinghouses and 4 flats, formation of a vehicular access, play park, landscaping and associated works (approval of matters specified in conditions of 17/00088/IPM)

LOCATION: Land at Stanley Village (LDP Site H30)

Ref. No: [19/01130/AMM](#)
Ward No: P5 - Strathtay

Summary

This report recommends approval of the application, as the development is considered to comply with the relevant provisions of the Planning Permission in Principle 17/00088/IPM and those of the Development Plan, in particular its allocation in the Perth and Kinross Local Development Plan 2 (2019) under site reference H30.

There are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The site is allocated in the Perth and Kinross Local Development Plan (2019) (LDP2) as H30. This allocation forms part of a wider masterplan and allocation for residential development across Stanley comprising of five site allocations (H30-34). Cumulatively, the LDP2 allocations total an area of 25.7 hectares (ha), with the indicative range of 248-387 residential units – of which only 280 units can be built by 2024.
- 2 Planning Permission in Principle (PPP) was granted as part of one application across the entire H30-34 allocation in August 2018 (Ref: 17/00088/IPM), which was subject to a Section 75 legal agreement and planning conditions, including an Approval of Matters Specified by Condition (AMSC) requiring detailed layout and design detail for all sites by August 2032. A masterplan and indicative layout plan were submitted with the PPP application indicating 465 units in total for all sites, with 125 dwellings on H30; however, these were not approved. Condition 7 of the PPP does limit the permission to 431 residential units. across the H30-34 allocations.
- 3 This H30 site extends to approximately 14.6 ha, currently used as agricultural land with woodland in the centre and along the west/north-west boundary. This is the southern-most site in the proposed Stanley masterplan, located to the south west of the village and is bounded by residential properties to the north,

the A93 to the east, agricultural land to the south and a core path and railway line to the west. The topography is mixed; with a hill and high point to the south, with a series of undulations towards the northern boundary.

- 4 This current application is the first under the PPP seeking AMSC and proposes the following development:

Open Market

- 8 x 2-bedroom bungalows
 - 3 x 3-bedroom bungalows
 - 56 x 3-bedroom 2 storey dwellinghouses (semi-detached)
 - 34 x 3-bedroom 2 storey dwellinghouses (detached)
 - 33 x 4-bedroom 2 storey dwellinghouses (detached)
- Total =140

Affordable Housing

- 27 x 2-bedroom terraced dwellinghouses
 - 16 x 3-bedroom terraced dwellinghouses
 - 4 x 2-bedroom flats
- Total = 47

Infrastructure

- Vehicle access from A93 – Perth Road;
- Core Path connection and upgrade;
- Accessible paths – with links to core path;
- Open space provision;
- Play area provision;
- Sustainable Urban Drainage System (SUDs) basin;
- Retained and enhanced woodland

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 5 The PPP application was EIA screened (16/01867/SCRN) and determined that an EIA is not required. No further EIA procedure is required for this AMSC application.

PRE-APPLICATION CONSULTATION

- 6 The scale of development proposed is classified as 'Major' in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. However, because the proposal is an AMSC application, further pre-application consultation (PAC) is not necessary beyond that already undertaken for the In-Principle 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 are of importance in the assessment of this proposal:
 - Sustainability: paragraphs 24 - 35
 - Placemaking: paragraphs 36 – 57
 - Valuing the Natural Environment: paragraphs 193 – 218
 - Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
 - Managing Flood Risk and Drainage: paragraphs 254 – 268
 - Promoting Sustainable Transport and Active Travel: paragraphs 269 - 291

Planning Advice Notes

- 11 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
 - PAN 2/2010 Affordable Housing and Housing Land Audits
 - PAN3/2010 Community Engagement
 - PAN 1/2011 Planning and Noise
 - PAN 40 Development Management
 - PAN 51 Planning, Environmental Protection and Regulation
 - PAN 60 Planning for Natural Heritage
 - PAN 61 Planning and Sustainable Urban Drainage Systems
 - PAN 68 Design Statements
 - PAN 69 Planning & Building Standards Advice on Flooding

- PAN 75 Planning for Transport
- PAN 77 Designing Safer Places
- PAN 79 Water and Drainage
- PAN 83 Masterplanning

Designing Streets 2010

- 12 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.

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.

National Roads Development Guide 2014

- 14 This document supports Designing Streets and expands on its principles and is 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 2 (2019) (LDP2).

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 2: Shaping Better Quality Places

- Policy 4: Homes
- Policy 6: Developer Contributions
- Policy 8: Green Networks
- Policy 9: Managing TAYplans Assets

Perth and Kinross Local Development Plan 2 (2019) (LDP2)

- 18 The Perth and Kinross LDP 2 2019 (LDP2) was adopted by the Council on 29 November 2019. It sets out the Council's vision, which echoes that of TAYplan (as set out above). LDP2 also sets out policies and identifies proposals. The principal relevant policies for this application are:

- Policy 1: Placemaking
- Policy 2: Design Statements
- Policy 5: Infrastructure Contributions
- Policy 6: Settlement Boundaries
- Policy 14B: Open Space within New Developments
- Policy 15: Public Access
- Policy 17: Residential Areas
- Policy 20: Affordable Housing
- Policy 23: Delivery of Development Sites
- Policy 25: Housing Mix
- Policy 32: Embedding Low and Zero Carbon Generating Technology in New Developments
- Policy 34: Sustainable Heating and Cooling
- Policy 38A: International Nature Conservation Sites
- Policy 38B: National Designations
- Policy 38C: Local Designations
- Policy 39: Landscape
- Policy 40B: Trees, Woodland and Development
- Policy 41: Biodiversity
- Policy 42: Green Infrastructure
- Policy 47: River Tay Catchment Area
- Policy 50: Prime Agricultural Land
- Policy 52: New Development and Flooding
- Policy 53: Water Environment and Drainage
- Policy 56: Noise Pollution
- Policy 57: Air Quality
- Policy 60: Transport and Accessibility Requirements

LDP2 Allocation – Site References H30-H34: Stanley

- 19 Five sites covering an area of 25.7ha are allocated for an indicative capacity of 248-387 residential units. The Site-Specific Developer Requirements relative to H30 are:

- Development phased to ensure that there is adequate infrastructure to accommodate it;

- Cycle paths, core paths and pedestrian routes incorporated into masterplan;
- The development of a comprehensive landscape masterplan for the village creating a robust landscape framework maximising the potential to enhance biodiversity and protection of habitats;
- Contributions to enhanced community facilities; and
- Flood Risk Assessment required for site H30, as the developable area of the site may be constrained by flood risk from a field drain along the southern and western part of the site.

OTHER POLICIES

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

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

SITE HISTORY

- 21 [15/00010/PAN](#) Proposal of Application Notice (PoAN) for village expansion and masterplan. Content of PoAN agreed June 2015.

[17/00088/IPM](#) In Principle mixed use development for all allocated sites in Stanley. Application approved by Planning and Development Management Committee August 2018.

[19/01373/FLL](#) Detailed application for Alterations to public road, formation of vehicular access and associated works of LDP2 site H30. Currently under consideration.

[20/00096/FLL](#) Detailed application for formation of a crossing point at Duchess Street Stanley. Currently under consideration.

CONSULTATIONS

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

External

- 23 **Scottish Environment Protection Agency (SEPA)** – No objection to the proposal.
- 24 **Scottish Natural Heritage (SNH)** - No objection to the proposal.
- 25 **Scottish Water** – No objection to the proposal, although there may be capacity issues in terms of foul drainage.
- 26 **Transport Scotland** – No objection to the proposal.

- 27 **Royal Society of Protection of Birds (RSPB)** – No response received.
- 28 **Network Rail** – No objection to the proposal provided requested informatives are included in any approval.
- 29 **Forestry Commission Scotland (FCS)** – No objection to the proposal provided compensatory planting is delivered.
- 30 **Stanley and District Community Council** - Object to the proposal mainly on the grounds of traffic and pedestrian safety and consider the proposed access should be relocated.
- 31 **Stanley Development Trust** – Object to the proposal as they have concerns about the proposed access and the impact of additional traffic as well as concerns about the proposed bus stop locations on the Perth Road.

Internal

- 32 **Community Greenspace** – No objection following the relocation of the proposed play area.
- 33 **Structures and Flooding** – No objection to the proposal.
- 34 **Biodiversity/Tree Officer** – No objection to the proposal subject to standard conditions being imposed.
- 35 **Transport Planning** – No objection to the proposal following amendments made to the proposed entrance to the site.
- 36 **Strategy and Policy** – No objection as it generally meets with the requirements set out in LDP2. The site has the potential to provide some really attractive open space and good connections into the village and out into the wider landscape.
- 37 **Community Waste** - No objection to the proposal provided recycling facilities are delivered on-site.
- 38 **Development Negotiations Officer** – No objection to the proposal as a Section 75 legal agreement is already in place covering the required developer contributions.
- 39 **Environmental Health** – Following submission of an addendum Noise Impact Assessment no objection to the proposal.

REPRESENTATIONS

- 40 The following points were raised in the 14 representation(s) received:
- Increased volume of traffic;
 - Road safety concerns especially proposed access and bus stop locations;

- Cycle path connections;
- Inaccurate landscape plans;
- Physical impact on nearby properties (vibration etc.); and
- Air Pollution

41 These issues are addressed in the Appraisal section of the report.

ADDITIONAL STATEMENTS

42	Environment Statement	Not Required
	Screening Opinion	Undertaken at PPP stage – EIA Not Required
	Environmental Impact Assessment	Not Required
	Appropriate Assessment	Not Required
	Design and Access Statement	Submitted
	Reports on Impact or Potential Impact	Transport Assessment; Green Travel Plan; Site Investigation Report; Flood Risk Assessment; Drainage Strategy; Habitat Assessment including Protected Species; Biodiversity Management Plan; Tree Survey; Arboricultural Impact Assessment; Woodland Management Plan; Air Quality Assessment; CEMP; Construction Traffic Management Plan; District Heating Statement

APPRAISAL

43 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 2 (2019) (LDP2). 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, the terms of the PPP and matters raised in representations.

Principle

44 The principle of residential development on the site is well established through the allocation in LDP2 (and previous Local Development Plan) and by virtue

that the site forms part of PPP (Ref: 17/00088/IPM) granted in August 2018. In addition, TAYplan Policy 1 – Locational Priorities seeks to focus most development to the region's principal settlements. Stanley is identified as a Tier 1 Settlement as it is within the Perth Core Area with the potential to make a major contribution to the region's economy.

- 45 The principle of residential development is thus established. It is, however, necessary to undertake an assessment of the detail of this proposal. In terms of the number of dwellinghouses proposed versus those indicated in the PPP, this application is further assessed below.

Density, Design and Layout

- 46 The applicant has submitted a supporting Design & Access Statement, as required for an allocated site under LDP2 - Policy 2 and a Supporting Planning Statement.
- 47 The matters specified in Condition 3 of the PPP sets the required detail in respect of the layout and design considering: phasing, levels, the siting, design, height and external materials of all buildings and structures. The PPP also requires further detail in respect of fencing, landscaping and other technical matters. Several other related planning conditions support these specified matters, which are addressed here or in other sections below, as appropriate. LDP2 Policy 1: Placemaking is relevant in considering these matters.

Density

- 48 The site capacity range of 248-387 units for Sites H30-34 covers the five sites approved under the PPP, without identifying a capacity range for neither all sites collectively nor individual sites. However, the indicative PPP masterplan assumed 120 units for H30. The Site-Specific Developer Requirements does identify H30 as requiring a Flood Risk Assessment for the site due to a field drain located within the site. The applicant has taken account of some initial feedback following submission regarding the site layout and has provided the Council with an updated layout and visualisations as requested.
- 49 The scale of development proposed here for this site is 187 dwellinghouses. This is significantly more than the 120 units previously indicated at the PPP stage. Nonetheless, that figure was indicative, as highlighted by Condition 2 of the PPP, and is not binding. It is recognised that this is a very large site and the number of units proposed would still result in the site being low density (13 dwellings per hectare across the whole site). Large areas of open space are proposed within the site that can be enjoyed by all residents in the area, further demonstrating the site's capacity for the number of dwellings proposed.
- 50 The proposed number of units can be physically accommodated within the site, along with retained woodland, enhanced core path provision, a SUDs pond, open space and a play area. The scale of development for this site is acceptable.

- 51 While it is not a matter for this application, it is noted that, should similar densities be sought for the other sites approved under the PPP (Sites H31-34), this may result in the cumulative capacity range (248-387 units) and indeed the PPP limit of 431 residential units being reached before all sites have detailed approval. The applicant is aware of the PPP limit and potentially the need to seek planning permission for an increased range on the other Stanley sites.

Design and Layout

- 52 This site is a significant extension to Stanley, and it is essential that should be designed with a sense of local identity and context. The applicant has a significant presence in the village, with their development at Linn Road for 69 dwellings almost complete and interest in the other allocated sites following the PPP approval. The proposed dwellings designs are reasonably similar to those already built and occupied on Linn Road but have been updated slightly to meet current Building Regulation requirements.
- 53 Whilst there is a high percentage of 3 and 4 bedroom detached and semi-detached dwellinghouses, there are areas of terraced housing and bungalows which creates a more defined street scene. This provides an acceptable mix of house types that meets the requirements of LDP2 Policy 25. The proposed rear gardens are in excess of the Council's minimum standards and will not compromise daylight or privacy of each other or any of the existing dwellings immediately adjacent to the site boundary.
- 54 The proposed layout provides an acceptable design solution for the site; with open space located centrally, including a play area, further areas of open space to the northwest and southwest and paths linkages throughout. In terms of the proposed design of each house type, there is an acceptable range of designs and materials, reflective of recent developments elsewhere in Perth and Kinross. Finishing materials are dry dash render (white and buff colour) with slate grey flat concrete tile roofs and white uPVC window and door frames which is also acceptable. A Phasing Plan has been submitted with the application and the intention is to build out as one development. The general layout, house designs and materials proposed are acceptable and in accordance with LDP2 Policy 1 - Placemaking.

Open Space and Landscaping

- 55 The LDP2 requires the "identification and provision of suitable public open space/playing fields" to support the expanded requirements of the village. This site provides a large area of open space that will benefit the local community. It is positive to see that the woodland being retained and proposed to be opened up and made accessible, creating paths and clearings.
- 56 The PPP requires landscaping to be addressed, together with a landscaping specification. The proposal sees 'heavy duty' tree planting along the southern boundary of the site and adjacent to the neighbourhood units; and hedge and staggered areas of flower planting, as well as other soft landscaping along the road frontage. Structural tree planting to the eastern boundary. Smaller areas of

planting are proposed throughout the site that will assist in breaking up views and integrating the proposal in to the landscape, minimising impacts. In addition, the existing woodland belts will be opened up, paths formed through them to connect with new paths and will then maintained by the community. Over time the proposed development will blend in with the existing urban environment of Stanley. Subject to a refinement of the landscape species and ensuring ongoing maintenance, which can be secured through condition, the proposal complies with LDP2 Policy 42 (Condition 7 and 8).

Play area

- 57 Originally a play area was proposed to be located at the north western corner of the site but, following feedback, from Community Greenspace, the applicant has now relocated in a more central location along a proposed path within an area of open space in between dwellings where it will benefit from natural surveillance. This location better serves the whole development and a condition will be required to ensure its early delivery (Condition 9).
- 58 Overall the design and layout of the scheme is considered to be appropriate when assessed against the relevant matters specified in the PPP and LDP2 Policy 1.

Landscape and Visual Amenity

- 59 The development of the site will have an obvious impact on the visual amenity of the area. A detailed Landscape and Visual Impact Assessment was submitted, as part of the PPP application. This phase is in line with the indicative PPP masterplan, with the siting of the units on either side of the woodland belt and combined with the topography of the site and proposed additional woodland screening will ensure that landscape effects are minimised. The units will be visible within the locality, particularly on both approaches along the Perth Road.
- 60 This degree of change was envisaged in the site allocation and permission granted under the PPP. The proposed design sits comfortably in the surrounding area, as attention has been paid to massing and building heights when considered from all principal adjacent properties. Overall the impact of the proposed layout including landscaping is considered to be appropriate when assessed against the relevant matters specified in the PPP, LDP2 Policy 1 and the site-specific requirements.
- 61 The proposed development will integrate well within the landscape and will not cause any unacceptable visual impacts. The proposal accords with the provisions of the PPP and meets the objectives of LDP2 Policy 1, Policy 39 and Policy 40B with delivery of the landscaping being secured as detailed above.

Residential Amenity

- 62 Residential amenity requires to be considered under LDP Policy 1 – Placemaking and Policy 17 – Residential Areas. Policy 1D requires

consideration of impacts from housing developments on itself and to also consider associated impacts on infrastructure and open space.

Existing Residential Amenity

- 63 The submitted Transport Assessment estimates approximately 139 and 136 vehicle trips generated in the respective AM & PM peak periods. The equates to an increase of just over 2 cars per minute in traffic on the local road network, the A93 Perth Road. This is deemed by Transport Planning to be an acceptable impact on existing traffic flow in the area. Consequently, it is considered that there would be a minimal impact on existing residential properties in the area. The implementation of a Construction Traffic Management Scheme (TMS) will further assist with any residual amenity impacts (Condition 4). The proposal is therefore considered to comply with LDP2 Policy 17 – Residential Areas as the proposed use and impact is considered acceptable.
- 64 Specific LDP2 policies consider noise and air quality; Policy 56 and Policy 57 respectively. Addressing noise attenuation is also a specific requirement of H30's allocation and the PPP.

Air Quality

- 65 A detailed Air Quality Assessment (AQA) including a Dust Management Plan has been submitted and Environmental Health have confirmed they have no issues to raise. There are therefore no conflicts with LDP2 Policy 57.

Noise and Dust

- 66 An updated Noise Impact Assessment (NIA) was submitted and reviewed by Environmental Health. An addendum NIA was submitted to address queries relating to noise from the underground gas tanks, road traffic and the rail line.
- 67 Following this Environmental Health have expressed no concerns and the proposal complies with LDP2 Policy 56. The four nearest dwellings (Plots 1,2, 113,114) to the Perth Road will require specific window fittings to ensure noise will not be an issue for residents (Condition 24). It is proposed to control the servicing times for the LPG tanks (Condition 23) in the interest of amenity of future residents and similarly to ensure the proposed noise and dust mitigation are adhered to (Conditions 25 and 26).

Roads and Access

- 68 One of the key issues expressed by Community Council and the Development Trust was the impact of the proposed increased density on the road network. A Transport Assessment (TA) has been submitted in support of the application and has been assessed by both Transport Scotland and the Council's Transport Planning team.
- 69 There are well understood issues regarding access into and out of the site due to its location and through constraint for a northern access, with it being

partially cut off from the village by the line of housing along Duchess Street. Vehicular access to the north cannot be achieved without compromising Network Rail's infrastructure. Due to this constraint, it is only possible for one vehicular access point, off the B9099 Perth Road, for the site. It is therefore even more important that other forms of access and connectivity with Stanley Village are maximised and improved.

Vehicle Access

- 70 While most of the representations, including those from the Community Council and Development Trust, raise concern about the proposed access, Transport Planning have assessed this aspect of the proposal in detail and have confirmed that the proposed access location is in the optimum location in terms of achieving acceptable sight lines to allow safe access and egress.
- 71 A separate application (19/01373/FLL) for delivery of the access, bus stops, pedestrian crossing and ghost island is currently under consideration by Planning Authority and expected to be determined following committee's decision on this application. To facilitate safe access in to the site for southbound traffic, a right turn ghost island is also proposed within the existing road network as part of that application.

Non-Vehicular Access, Paths and Public Transport

- 72 Pedestrian and cycling access is proposed at the existing field access in the northwest corner of the site off Duchess Street and this will provide a 'Safe Route to School' for most of the residents of the development with children attending the nearby primary school. An additional planning application (20/00096/FLL) is under consideration at this location for a pedestrian crossing point to facilitate safe crossing of Duchess Street.
- 73 Core path STAN/117 is proposed to connect with the proposed residential footpath network but this is not the preferred option of the Planning Authority. As it is proposed to create informal paths across the whole site and improve permeability and connectivity for pedestrians and cyclists the existing core path running along the north western boundary of the site will remain for the moment. However, there is also a proposed new core path at the south eastern corner of the site that is being designed to link Stanley with Luncarty. The applicant has now shown in their plans that the internal path network will connect with this new core path and the site will help facilitate the north-south connection between Stanley and Luncarty. A condition is proposed to ensure this Core Path is accessible during construction and made good before the development is completed (Condition 18).
- 74 Further pedestrian and cycling access to Stanley village is proposed from the eastern boundary with a path out onto the B9099 Perth Road. A pedestrian crossing is also proposed (slightly off-set) at this location to connect with the existing footpath into Stanley. There is also another separate planning application (20/00096/FLL) under consideration for a pedestrian crossing at the north-western corner of the site on Duchess Street. This crossing will help

facilitate a safe route to school for many children attending the nearby primary school.

- 75 A new bus stop, located just north of the proposed access and off the main road, is also proposed to facilitate public transport provision into the village. A further bus stop is proposed just south of the access to provide public transport connection to Luncarty and Perth.

Parking

- 76 The original submission generally designed parking to be located at the front of dwellings. To positively improve the placemaking quality of the site, some parking provision has been included down the side of houses and thereby allows the proposed dwellings to move closer to the road. This is further enhanced by border planting and fencing that will help screen cars as you travel through the site. This helps create a streetscape that is designed for people rather than cars.
- 77 Proposed electric vehicle charging points are also welcomed within the site and these are also required for home owners as well (Condition 2).
- 78 Overall, proposal with LDP2 Policies 1 and 60 by creating a coherent structure of streets and spaces that are accessible for all, especially those on foot, bicycle and public transport subject to planning conditions (Conditions 2-5).

Drainage and Flooding

Flood Risk

- 79 The PPP required the submission of a detailed Flood Risk Assessment (FRA). This has been submitted and assessed by both SEPA and the Council's Structures and Flooding team.
- 80 Although SEPA did not have any records of historic flooding, there is a small watercourse along the south western boundary of the site which was not incorporated within the SEPA Flood Maps due to its small catchment size.
- 81 Review of the Road and Cross Section Location Plan drawing, the development is located away from the western edge of the site boundary and this will provide mitigation from the risk of flooding from the unnamed tributary of the Benchil Burn. SEPA also recommend elevating finished floor levels above proposed ground levels to mitigate any residual flood risk.
- 82 Based on the submitted Site Long Section drawings, whilst there will be some lowering of ground levels, they will remain significantly above the River Tay and not at risk of flooding. The proposal is compliant with LDP2 Policy 52 – New Development and Flooding as none of the proposed housing is at risk of flooding.

Drainage

Foul Drainage

- 83 Scottish Water have confirmed that foul drainage from this development will need to connect to the public sewer but are uncertain of the capacity of it at present. The developer will be required to undertake a separate consenting process with Scottish Water before development can commence on the site.

Surface Water Drainage

- 84 The PPP requires the final drainage calculations and details of the SUDs pond to be submitted with any AMSC application. SEPA expect surface water to be treated by SUDS in line with Scottish Planning Policy (Paragraph 268) and, in developments of this scale, the requirements of the Water Environment Controlled Activities Regulations (CAR). SUDS help to protect water quality and reduce potential from surface water flood risk.
- 85 The proposed SUDS in the south west corner of the site accords with the SUDS Manual (C753) and will prevent runoff from the site for most rainfall events. SEPA and Structures and Flooding are generally satisfied with the proposed disposal of surface water from the site, although the latter request that the final detailed design of the drainage is agreed with them, which can be addressed through a planning conditions (Condition 19 and 20). The proposal therefore raises no concerns in respect of LDP Policy 53 – Water Environment and Drainage.

Natural Heritage and Biodiversity

- 86 The consideration of natural heritage and biodiversity is integral to the layout, design and landscaping detail required by the PPP. LDP2 Policies 38, 40 and 41 are also relevant considerations. While there is predominance of rough grassland, with some hedgerows and structural woodland belts, the PPP requires a Woodland Management Plan, an updated Ecological Survey, and a Protected Species Survey, all of which have been submitted.
- 87 These surveys and the detailed landscape proposals have been assessed by both the Council's Biodiversity Officer and Community Greenspace. Following an update to the plans to provide more native species within key areas, the details are considered acceptable in terms of landscape and biodiversity value. It is concluded that, within the site, the proposal adequately provides for appropriate biodiversity provision and thereby complies with LDP2 Policies 38, 40 and 41.

Trees/Woodland

- 88 The Council supports proposals which protect existing woodland and trees, especially those with high natural, historic and cultural heritage value. In this regard the site contains two areas of structural woodland that are fenced off and inaccessible to the public at present. The applicants' Woodland

Management Plan aims to diversify and restructure the woodland areas, and this is welcomed.

- 89 Contrary to what is stated in the Forestry Commission Scotland consultation response, no existing woodland area is proposed to be cleared. The submitted Woodland Management Plan describes that some trees within the two existing woodland belts will need to be removed to ensure they are accessible and usable assets that will connect with the proposed paths that can be enjoyed on a day to day basis. The Woodland Management Plan also highlights that the woodland will be maintained by the local community and thereby remain a community asset. In line with Forestry Commission standards there is therefore no requirement for compensatory planting elsewhere in the region.
- 90 In terms of the submitted Landscaping Plans the development, The Perth and Kinross Council Forest and Woodland Strategy aims to increase planting of native trees for the benefit of biodiversity. This development could contribute towards this with mostly native species being planted. The inclusion of a widely spaced oak avenue is welcomed as a valuable addition to biodiversity and landscape. The proposed planting also provides an appropriate level of screening in the interest of protecting visual and existing residential amenity.
- 91 The proposal will deliver multiple benefits to biodiversity and create a more interesting and diverse area for people to live. Overall, the proposed Landscaping Scheme is considered to meet the objectives of LDP2 Policy 40B - Forestry, Woodland and Trees: Trees, Woodland and Development.

Protected Species

- 92 All wildlife and wildlife habitats, whether formally designated or not, should be protected and enhanced in accordance with the criteria set out. Planning permission will not be granted for development likely to have an adverse effect on protected species.
- 93 The Biodiversity Management Plan is welcomed as a proactive approach to incorporating biodiversity into this proposed development. In particular, the ecological enhancements to the SUDS and inclusion of swift bricks are welcomed, as Stanley is a known swift hotspot and swifts are a Tayside Local Biodiversity Action Plan and Scottish Government priority species.
- 94 Perth and Kinross Council does not currently have capacity to maintain the wildflower meadows and an alternative is recommended (Condition 7).
- 95 Planning conditions are proposed to ensure appropriate protection or mitigation of habitats and species during and post-construction (Conditions 11-16). During the construction phase, an updated Construction Environmental Management Plan (CEMP) is required to ensure adequate controls are in place to preserve environmental quality and biodiversity (Condition 10). The proposal therefore addresses the PPP requirements and meets the objectives of LDP2 Policies 38, 40 & 41 in terms of natural heritage and biodiversity.

Sustainability

- 96 SEPA require, through the PPP, substantial developments to ensure their heat demand is met from district heating, subject to the outcome of a Feasibility Assessment (FA). The submitted Assessment has been reviewed by both SEPA and the Council's Strategy and Policy team. Both agree that it should be more site-specific; however, it does show that District Heating is currently unfeasible for the proposed site. This issue can be revisited when approval of future residential phases are proposed. In the interim, a condition requiring that the site is futureproofed for district heating by leaving space within the service strip will be required (Condition 21). This satisfies the PPP requirements and that of LDP2 Policy 34.
- 97 SEPA acknowledge that it is for the Planning Authority to be satisfied as to whether the submissions address relevant conditions, including the adequacy of the sustainability checklist that has been provided. However, the developer will be required to commit to the Scottish Government's recently published Programme for Government requiring new homes consented from 2024 to use renewable or low carbon heat.
- 98 LDP2 Policy 32 requires proposals for new buildings to demonstrate that at least 10% of the current carbon reduction emissions will be met through the installation and operation of zero and low-carbon generating technology. A Sustainability Checklist has been submitted in support of this matter, it advises that the development will use passive design and energy efficiency as the primary means to reduce energy demand and lower carbon monoxide emissions and commits to this. The Checklist concludes that the buildings will achieve a much lower standard than that required under Scottish Building Standards and that the installation and operation of zero and low-carbon generating technology, such as solar photo-voltaic panels or ground source heat pumps, will provide at least 10% of the carbon reduction emissions for the proposed development.
- 99 The proposal does not, however, demonstrate the precise technical details as to how this will be achieved, although it is recognised that this can be technically achieved. The exact nature and specification of these technologies can be verified prior to development commencing and for the technology to be in place prior to occupation of the buildings to ensure the objectives of LDP2 Policy 32 are met (Condition 6).

Rail Infrastructure

- 100 Because the proposed site is adjacent to the Perth-Inverness rail line, Network Rail were consulted. Whilst they have no objections in principle to the proposal, due to its proximity to the operational railway, they request that specific advisory notes are attached with any approval (Informative 17 and 18).

Waste Collection

- 101 The PPP requires a plan specifying the bin storage areas and kerbside collection points be submitted with each AMSC application. These details have been included in the submitted Site Layout plans.
- 102 The Council's Waste Services team confirm they are supportive of the layout and arrangements for waste storage and collection. A suitable location for the provision of a recycling centre is required, to complement the existing kerbside recycling services offered in the area. This can be addressed through a planning condition (Condition 17).

Developer Contributions

- 103 LDP2 Policy 5 - Infrastructure Contributions requires consideration of the individual or cumulative impact of new development on infrastructure and facilities and to secure contributions to address this impact where the development exacerbates impacts or generates additional need.
- 104 The Developer Contribution Officer advised that the site falls under the wider PPP 17/00088/IPM, which has an associated Section 75 Legal Agreement. This agreement secures the necessary infrastructure and associated contribution payments, covering the following subject areas:
- Affordable Housing provision
 - Open Space provision and maintenance
 - Play area provision and maintenance
 - Sports pitch provision and maintenance

Affordable Housing

- 105 The S75 and LDP2 Policy 20 require an Affordable Housing contribution equivalent to 25% of the units being developed. It is confirmed that all of this provision for this AMSC application (of 47 units) will be delivered on-site. The LDP2 and S75 requirements have been fully addressed.

Primary Education

- 106 Primary Education is not required in this instance as there are no capacity issues in Stanley Primary School. The agreement in place continues to meet the objectives of the PPP and LDP2 Policy 5

Health Provision

- 107 The site is allocated in LDP2 and National Health Service Tayside (NHST) were formally consulted during the plan-making process. However, neither NHST or the Perth & Kinross Healthcare and Social Partnership (HCSP) provided detailed feedback at the time of the site being allocated within LDP2 on whether there may be an impact will be on the local health infrastructure. As the

proposed number of dwellings is well below the total number approved in the PPP application, it is not necessary to consider this matter further at this stage.

Economic Impact

- 108 The impact to the local economy both during construction and occupation will be reasonably significant with additional available expenditure on local facilities and services.

LEGAL AGREEMENTS

- 109 The site falls under the wider PPP approval under 17/00088/IPM which has an associated Section 75 Legal Agreement which secures the necessary Developer Contributions including Affordable Housing. No further action is therefore necessary for this application.

DIRECTION BY SCOTTISH MINISTERS

- 110 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

- 111 To conclude, the application must be determined in accordance with the PPP and the adopted Development Plan, unless material considerations indicate otherwise. In this respect, account of the terms of the PPP and the Local Development Plan 2019 (LDP2) and other material considerations and in this case that the development proposal accords with these.
- 112 Accordingly, the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

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

2. Prior to the development hereby approved being completed or brought into use, all matters regarding access, car parking, in curtilage electric car charging, road layout, design and specification, including the disposal of surface water, shall

be in accordance with the standards required by the Council as Roads Authority.

Reason - In the interest of vehicle and pedestrian safety and in accordance with the policies of the adopted Perth and Kinross Local Development Plan 2019.

3. Prior to the commencement of development, a detailed design of road infrastructure improvements as per plan reference 19/01130/138 (drawing number 6148-PL-100-2101 shall be submitted to, and approved in writing by, the Council as Planning Authority. The approved scheme shall thereafter be implemented in full, prior to the occupation of the first residential unit.

Reason - In the interests of road and pedestrian safety.

4. Prior to the commencement of works on the development, the applicant shall submit for the written approval of the Planning Authority a Construction Traffic Management Scheme (TMS) which shall include the following:
 - a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;
 - b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
 - c) arrangements for liaison with the Roads Authority regarding winter maintenance;
 - d) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
 - e) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
 - f) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
 - g) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;
 - h) details of information signs to inform other road users of construction traffic;
 - i) arrangements to ensure that access for emergency service vehicles are not impeded;
 - j) monitoring, reporting and implementation arrangements; and
 - k) arrangements for dealing with non-compliance.

The TMS as approved shall be strictly adhered to during the entire site construction programme all to the satisfaction of the Council as Planning Authority.

Reason - In the interests of road safety.

5. No part of the development shall be occupied until an updated Travel Plan, aimed to encourage more sustainable means of travel, has been submitted and

approved in writing by the Council. The Travel Plan will have regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided (including the provision of new and/or enhanced public transport services), the system of management, monitoring, review, reporting and the duration of the plan.

Reason - In the interests of sustainable transport.

6. Prior to the commencement of development hereby approved, a scheme shall be submitted to, and approved in writing by, the Council as Planning Authority that demonstrates how at least 10% of the current carbon emissions reduction set by the Scottish Buildings Standards will be met through the installation and operation of low and zero-carbon technologies. This scheme shall detail for each building:
 - a) the technology types;
 - b) illustrate, through technical calculations, that these will meet at least the 10% reduction;
 - c) their siting and location; and
 - d) ongoing operation and maintenance.

Once approved, the development shall be completed in accordance with the approved scheme and no individual unit shall be occupied until the scheme has been installed and operating.

Reason - To embed low and zero-carbon technologies within the development in the interest of environmental sustainability.

7. The proposed wildflower meadow mix within the approved landscaping scheme is hereby not approved and an alternative species should be submitted to an approved by the Planning Authority prior to the occupation of the first dwelling. Thereafter, the approved planting shall be implemented in full.

Reason - To ensure the satisfactory implementation of the proposed planting scheme.

8. The landscaping scheme, as approved, shall thereafter be implemented in full, in accordance with the approved scheme. Further, any planting which, within a period of 5 years from the completion of the approved phase of development, in the opinion of the Planning Authority is dying, has been severely damaged or is becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason - In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme.

9. The approved children's play area on plan reference 19/01130/131 (drawing no. SC10463-01) shall be designed, laid out and equipped in accordance with the Planning Authority's current criteria for play area provision within six months

of the occupation of the first dwelling. The play area and its facilities/equipment shall thereafter be maintained.

Reason - In the interests of residential amenity and to ensure the satisfactory provision and implementation of a children's play area.

10. Prior to the commencement of development an updated Construction Environmental Management Plan (CEMP) must be submitted for the approval of the Planning Authority. The measures outlined in the agreed CEMP shall be adhered to at all times during the construction period.

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

11. The conclusions and recommended action points within the supporting Biodiversity Survey, in particular Section 2.15 of the submitted Biodiversity Management Plan submitted by IMT Ecological Consultancy June 2019 and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.

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

12. Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

Reason - In order to prevent animals from being trapped within any open excavations.

13. Prior to the commencement of development, details of the location and specification of the bat and swift brick(s) shall be submitted and approved in writing by the Council as Planning Authority. A minimum of 30% of all completed two storey houses shall incorporate one bat brick and one swift brick each and shall be incorporated at eaves height and positioned appropriately. The agreed detail shall be installed prior to the occupation of the relevant residential unit.

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

14. No removal of hedgerows, trees or shrubs that may be used by breeding birds shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Planning Authority.

Reason - To ensure adequate protection for the trees on the site during the construction, in the interests of the visual amenity of the area.

15. All existing trees and hedgerows shown to be retained shall be protected by suitable fencing in accordance with BS5837:2012 (Trees in Relation to Construction). No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written agreement of the Council as Planning Authority.

Reason - To ensure adequate protection for the trees on the site during the construction, in the interests of the visual amenity of the area.

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

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

17. Prior to the occupation of the first dwelling the developer will incorporate a suitable location agreed by the Planning Authority for the provision of a recycling facility to complement the existing kerbside recycling services offered in the area. The facilities/equipment shall thereafter be maintained.

Reason - In the interests of environmental quality.

18. The asserted core path (STAN/117) must not be obstructed during building works or on completion of the development. Any damage done to the route and/or the associated signage during building works must be made good before the development is completed or brought into use, whichever is the earlier.

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

19. Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility shall be implemented on site and maintained for the duration of the approved development works. The temporary surface water treatment facility shall remain in place until the permanent surface water drainage scheme is implemented.

Reason - In the interests of best practice surface water management; to avoid undue risks to public safety and flood risk.

20. The developer shall ensure that during the construction of the development that all surface water is controlled, treated and discharged under the principles of SUDS all to the satisfaction of the Council as Flood Authority.

Reason - In the interests of best practice surface water management; to avoid undue risks to public safety and flood risk.

21. Prior to the commencement of development a scheme, including a layout plan and cross-sections, that identifies the location and confirms adequate space within the below ground service zone is available to allow for possible future provision of district heating pipes shall be submitted for the further written agreement of the Council as Planning Authority. The scheme must include timescales and any phasing for provision of the service zone within the site. The agreed scheme shall thereafter be implemented in accordance with the agreed details and timescales.

Reason - To allow district heating to be incorporated within the site at a future date.

22. Servicing of and deliveries to the LPG tank compound shall be carried out between 0700 and 1900 Monday to Saturday only, with no servicing or deliveries permitted on Sundays.

Reason - In the interests of residential amenity.

23. All plant or equipment associated with the LPG tank Compound shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

Reason - In the interests of residential amenity.

24. Prior to the commencement of the development details of the mitigation measures specified for acoustic glazing and trickle ventilation for properties No. 1, 2, 113 and 114 as identified in the applicants Noise Impact Assessment by CSP Acoustics 16 October 2019 shall be submitted for the written approval of the Council as Planning Authority. The agreed detail shall be installed prior to occupation of plot 1, 2, 113 and 114.

Reason - In the interests of residential amenity.

25. Prior to the commencement of development an updated Dust Management Plan shall be submitted for the written approval of the Council as Planning Authority. The approved plan shall be implemented throughout the construction phase of the development.

Reason - In the interests of residential amenity.

26. The noise and dust recommendations and mitigation measures within the submitted approved Construction Environmental Management Plan (CEMP) dated 21 June 2019 shall be fully adhered to and undertaken as part of the construction phase of the development.

Reason - In the interests of residential amenity.

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 required, a Section 75 Legal Agreement is already in place for the site.

D INFORMATIVES

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
2. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 41 the notice must be:
 - Displayed in a prominent place at or in the vicinity of the site of the development
 - Readily visible to the public
 - Printed on durable material.
5. The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 they 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 advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks.

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.

7. The applicant should be advised that all proposed structures supporting the road, or which the developer is intending the Council adopt, will require technical approval in accordance with the Design Manual for Roads & Bridges standard BD 2/12 (& HD 22/08 where relevant). Bridges and culverts shall also be designed in accordance with the requirements contained within Perth & Kinross Council's Developers Guidance Note on Flooding & Drainage. The developer is advised to contact Perth & Kinross Council's Structures & Flooding Team (tel 01738 475000, email structuresplanning@pkc.gov.uk) for further information and prior to commencing designs in order to ensure technical compliance.
8. The applicant is reminded that this site is still subject to a Section 75 Legal Agreement, securing Developer Contribution requirements and other matters, as secured as part of planning permission 17/00088/IPM. This permission continues to be tied by this legal agreement and the associated requirements will continue to apply.
9. The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance.
10. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
11. Hedgehogs are a key species in the Tayside LBAP and enhancing connectivity is an objective. Gardens will provide suitable habitat for hedgehogs and commuting should be made possible by creating access gaps in wooden fences 13cm x 13cm at ground level.
12. The applicant is recommended to discuss with the Council's Public Transport Unit the supply of bus services and public transport infrastructure to ensure an adequate public transport provision for the site.
13. The applicant is advised that the granting of planning consent 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.
14. Construction work should minimise the impact on amenity to neighbouring residents, which could be achieved by limiting noise generating activities to

Monday to Friday 07:00 to 19:00 and Saturday 08:00 to 13:00 with no noisy works out with these times or at any time on Sundays or Bank Holidays.

15. All planning conditions attached to the Planning Permission in Principle (PPP) approved on 21 December 2018 (application reference: 17/00088/IPM) continue to apply to the development hereby approved, unless otherwise provided for by condition of this application for the Approval of Matters Specified in Condition.
16. The stopping up or diversion of the Core Path STAN/117 is subject to agreement under Section 208 of the Town and Country Planning (Scotland) Act 1997 (as amended). All relevant approvals in this regard should be in place prior to any stopping up or diversions taking place.
17. Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.
18. Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, see contact details below:

Network Rail Asset Protection Engineer
151 St. Vincent Street, GLASGOW, G2 5NW
Tel: 0141 555 4352
E-mail: AssetProtectionScotland@networkrail.co.uk

Background Papers: 14 letters of representation
Contact Officer: Steve Callan
Date: 27 February 2020

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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

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

All Council Services can offer a telephone translation facility.