

Perth and Kinross Council  
Development Management Committee – 11 May 2016  
Report of Handling by Development Quality Manager

**Residential development to provide up to 1,500 new homes, a primary school, community facilities, open space, landscaping and associated infrastructure (in principle) at land adjacent to Huntingtowerfield and Ruthvenfield, Perth**

Ref. No: 15/01157/IPM  
Ward No: 9 – Almond & Earn

**Summary**

This report recommends approval of the in principle application to formally establish the principal of residential development and associated uses at land adjacent to Huntingtowerfield and Ruthvenfield (referred to as Almond Valley Village). The development is considered to comply with the current Development Plan. The application is recommended for approval, subject to conditions and associated legal agreement.

**BACKGROUND AND PROPOSAL**

- 1 The application site is situated to the north west of Perth and covers an area of 159 hectares, set within the lowland river corridor landscape associated with the River Almond and Town Lade.
- 2 Historically the site was a centre of cotton and linen industries including printing and bleaching and much of the landscape reflects this background. The area is characterised by watercourses, both natural and man-made; industrial heritage of rail lines, lades, vestiges of mill workings and workers' cottages.
- 3 The current landscape and context of Almond Valley is characterised by the physical presence of the River Almond to the north and west and framed by a steep embankment to the south. The eastern boundaries of the site are adjacent to existing residential and commercial properties before opening towards the A9 bypass and the Inveralmond industrial estate to the north east. The historical Town Lade dissects the site from East to West.
- 4 Land within the site is predominantly made up of low lying arable and grazing land with the occasional historic building group and more recent housing clustered at Huntingtowerfield. The landscape varies outwith the boundaries of the site, including open fields to the south and north with business units immediately to the east and west. Almondbank village is situated further west. An area known as Berthapark lies further north of the site and is identified in the Local Development Plan for 3,000+ dwellings and associated infrastructure), separated by the River Almond. This allocated site is also subject of a planning application for mixed use development including 3,000 dwellings and is also subject to a report elsewhere on this agenda.

- 5 Existing man made features within this site include Huntingtower Hotel, a prominent feature on the landscape, with a modest country house setting. South east of the site is Huntingtower Castle, an A Listed building and tourist attraction. Overland power lines pass through the site along a south west / north east alignment and an underground gas main passes through on a north to south dog leg.
- 6 Current vehicular access into the site consists principally of 2 junctions accessed from the A85, Crieff Road, with a tertiary road which snakes through the site and links up with Inveralmond Industrial Estate and the A9 at the Inverlamond roundabout. New vehicular access to the site will also be achieved off a roundabout which forms part of the A9/A85 road improvements approved under planning application (15/00036/FLL) in March 2015
- 7 Historically, planning applications have been submitted on this site with the most recent in 2008 (08/00678/IPM - Mixed use development including residential for 1,800 dwellings, a primary school, leisure, retail and office facilities and associated road works and landscaping). This application was refused by Development Management Committee in January 2012. A subsequent appeal to Scottish Ministers was also refused as was a High Court challenge to the decision taken by the Scottish Ministers.
- 8 The proposed site forms the majority of the site allocated (H73) in the Perth and Kinross Local Development Plan (LDP) 2014 for mixed use development of 1,500 dwellings (approx.) and a Primary School. This proposal seeks to formally establish the principle for the development of a new satellite village, serving the north west of Perth with the submission of a Masterplan, indicative site layout plan and phasing plan. The proposed new village comprises the following uses:
  - Residential development of up to 1,280 houses.
  - Primary school provision.
  - Community facilities including retail/local centre.
  - Open space.
  - Play areas.
  - Sports pitches.
  - Community woodland.
  - New vehicular and pedestrian routes including connecting to recently approved A9/A85 link road.
- 9 The exact scale, mix and final numbers relating to the above uses will be arrived at through the production and submission of further detailed planning applications with associated supporting information.

- 10 The application has been accompanied by a supporting design and access statement, pre-application consultation report, sustainability checklist and environmental statement.

### **Environmental Impact Assessment (EIA)**

- 11 The proposed development, as an urban development project with a site area exceeding 0.5ha, falls under Schedule 2 (10(b)) of the Environmental Impact Assessment (Scotland) Regulations. An Environmental Statement was therefore prepared to fully assess any environmental issues likely to arise as a result of the proposals and any mitigation measures which need to be considered in this regard.

### **Content and Adequacy of the Environmental Impact Assessment**

- 12 The purpose of the EIA is to examine the likely significant environmental effects from a proposed development having regard to the project and its nature, size or locality. Through the EIA process, a proper understanding of the interaction between the project and its location should be assessed to determine if the effects on the environment are likely to be significant and if there are associated mitigation measures which make this acceptable.
- 13 Part II, Schedule 4 of the Environmental Impact Assessment (Scotland) Regulations 2011 outlines the information required to be included in any EIA.
- 14 The basic content and the associated background information of the Environmental Statement are considered to meet the basic requirements of those regulations.
- 15 Because the application is 'in principle' at this stage there were several areas of the Environmental Statement, which will require further development and updating, particularly flooding, transportation and biodiversity/natural habitat, noise and air quality when the detailed design stages are submitted in any matters specified by condition planning applications. At this stage both internal and external consultees are satisfied with the baseline findings at this stage.

### **PRE-APPLICATION PROCESS**

- 16 The proposed development is classed as a Major development under class 9 of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. This requires pre-application consultation with the local community to be undertaken. The results of the community consultation have been submitted with the application as part of the Report on Community Consultation.
- 17 A two day public consultation events was held at the Huntingtower Hotel in October 2014 to allow members of the public the opportunity to make comments on the proposal and contribute to the Masterplan process. A follow-up event was also held to communicate the final Masterplan. In addition specific meetings have been held with other stakeholders relevant to the

proposals, including Methven Community Council, local business and community groups.

## **NATIONAL POLICY AND GUIDANCE**

- 18 The Scottish Government expresses its planning policies through the National Planning Framework 3, the Scottish Planning Policy (SPP) 2014 and Planning Advice Notes (PAN), Designing Places, Designing Streets and the National Roads Development Guide

### **The Scottish Planning Policy 2014**

- 19 The Scottish Planning Policy (SPP) was published on 23 June 2014. It 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.
- The determination of planning applications and appeals.

- 20 Of relevance to this application are;

- Paragraphs 24 – 35: Sustainability
- Paragraphs 36 – 57: Placemaking

- 21 A successful Sustainable Place

- Paragraphs 126 – 131 Affordable Housing
- Paragraphs 135 – 151 Valuing the Historic Environment

- 22 A Natural, Resilient Place.

- Paragraphs 219 – 233 Maximising the Benefits of Green Infrastructure
- Paragraphs 254 – 268 Managing Flood Risk & Drainage

- 23 A Connected Place

- Paragraphs 286 – 291 Promoting Sustainable Transport and Active Travel

- 24 The following Scottish Government Planning Advice Notes (PAN) are also of interest:

- PAN 2/2010 Affordable Housing and Housing Land Audits
- PAN 1/2011 Planning and Noise

- PAN 40 Development Management
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 58 Environmental Impact Assessment
- PAN 60 Planning for Natural Heritage
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 63 Waste Management Planning
- PAN 65 Planning and Open Space
- PAN 67 Housing Quality
- PAN 68 Design Statements
- PAN 69 Planning & Building Standards Advice on Flooding
- PAN 75 Planning for Transport
- PAN 79 Water and Drainage
- PAN 83 Masterplanning

### **Designing Places 2001**

- 25 The first policy statement which marks the Scottish Government's determination to raise standards of urban and rural development.

### **Designing Streets 2010**

- 26 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 and is intended to sit alongside the 2001 planning policy document Designing Places, which sets out Government aspirations for design and the role of the planning system in delivering these.

### **National Roads Development Guide 2014**

- 27 This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.
- 28 The following documents from Historic Environment Scotland (HES) are also of importance in the determination of the application given the historic significance of sites within and surrounding the site:-
- Scottish Historic Environment Policy July 2009 (SHEP)
  - Managing Change in the Historic Environment Guidance Series

## **DEVELOPMENT PLAN**

- 29 The Development Plan for the area consists of the Approved TAYplan Strategic Development Plan June 2012 and the Perth and Kinross Local Development Plan February 2014.

### **TAYplan Strategic Development Plan (June 2012)**

- 30 TAYPlan sets out a vision for how the region will be in 2032 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

*“By 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, study and visit, and where businesses choose to invest and create jobs”*

- 31 The following sections of the TAYplan 2012 are of particular importance in the assessment of this application.

#### **Policy 1 – Location Priorities**

- 32 Seeks to focus the majority of development in the region’s principal settlements. Perth Core Area is identified as a Tier 1 Settlement with the potential to accommodate the majority of the region’s additional development over the plan period and make a major contribution to the region’s economy.

#### **Policy 2 – Shaping better quality places**

- 33 Seeks to ensure that climate change resilience is built into the natural and built environment, integrate new development with existing community infrastructure, ensure the integration of transport and land uses, ensure that waste management solutions are incorporated into development and ensure that high resource efficiency and low/zero carbon energy generation technologies are incorporated with development to reduce carbon emissions and energy consumption.

#### **Policy 3: Managing TAYplan’s Assets**

- 34 Seeks to respect the regional distinctiveness and scenic value of the TAYplan area and presumes against development which would adversely affect environmental assets.

#### **Policy 4: Strategic Development Areas**

- 35 Confirms that local development plans should identify specific sites for the Strategic Development Areas and allocate land uses set out in the TAYplan. This includes a strategic development area to the West/ North West of Perth for 4000+ homes and 50ha of employment land.

## **Policy 6: Energy and Waste/Resource Management Infrastructure**

- 36 Relates to delivering a low/zero carbon future for the city region to contribute to meeting Scottish Government energy targets and indicates that, in determining proposals for energy development, consideration should be given to the effect on off-site properties, the sensitivity of landscapes and cumulative impacts.

## **Policy 8 – Delivering the Strategic Development Plan**

- 37 States, *“To ensure that quality is designed-in to development and places, developer contributions shall be sought for new development to mitigate any adverse impact on infrastructure, services and amenities brought about by development including contributions towards schools, affordable housing, transport infrastructure and facilities (including road, rail, walking, cycling and public transport) and other community facilities in accordance with the Scottish Government Circular 1/2010”.*

## **Perth and Kinross Local Development Plan 2014**

- 38 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 39 The LDP sets out a vision statement for the area and states that:
- “Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”*
- 40 Under the LDP, the following policies are of particular importance in the assessment of this application.

## **Policy PM1A - Placemaking**

- 41 Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

## **Policy PM1B - Placemaking**

- 42 All proposals should meet all eight of the placemaking criteria.

## **Policy PM1C - Placemaking**

- 43 Proposals of more than 200 houses or 10 ha should create a sustainable neighbourhood and seek to meet the key needs of residents or businesses either within or adjacent to the development. A Masterplan will be required in most cases.

### **Policy PM2 - Design Statements**

- 44 Design Statements should normally accompany a planning application if the development comprises 5 or more dwellings, is a non-residential use which exceeds 0.5 ha or if the development affects the character or appearance of a Conservation Area, Historic Garden, Designed Landscape or the setting of a Listed Building or Scheduled Monument.

### **Policy PM3 - Infrastructure Contributions**

- 45 Where new developments (either alone or cumulatively) exacerbate a current or generate a 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 ED1A - Employment and Mixed Use Areas**

- 46 Areas identified for employment uses should be retained for such uses and any proposed development must be compatible with surrounding land uses and all six of the policy criteria, in particular retailing is not generally acceptable unless ancillary to the main use.

### **Policy RD1 - Residential Areas**

- 47 In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where of recreational or amenity value. Changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

### **Policy RD4 - Affordable Housing**

- 48 Residential development consisting of 5 or more units should include provision of an affordable housing contribution amounting to 25% of the total number of units. Off-site provision or a commuted sum is acceptable as an alternative in appropriate circumstances.

### **Policy TA1A - Transport Standards and Accessibility Requirements**

- 49 Encouragement will be given to the retention and improvement of transport infrastructure identified in the Plan.

### **Policy TA1B - Transport Standards and Accessibility Requirements**

- 50 Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public



transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

#### **Policy CF1B - Open Space Retention and Provision**

- 51 Appropriate areas of informal and formal open space should be provided as an integral part of any new development where existing provision is not adequate. Where there is an adequate supply of open space a financial contribution towards improved open space may be acceptable. Opportunities should be to create, improve and avoid the fragmentation of green networks.

#### **Policy CF2 - Public Access**

- 52 Developments will not be allowed if they have an adverse impact on any core path, disused railway line, asserted right of way or other well used route, unless impacts are addressed and suitable alternative provision is made.

#### **Policy CF3 - Social and Community Facilities**

- 53 The loss or change of use of land or buildings used for community purpose will only be permitted where the availability of community facilities in the locality is not seriously affected, no suitable alternative community use can be found or alternative facilities of equivalent benefit and provided

#### **Policy HE1A - Scheduled Monuments and Non Designated Archaeology**

- 54 There is a presumption against development which would have an adverse effect on the integrity of a Scheduled Monument and its setting, unless there are exceptional circumstances.

#### **Policy HE1B - Scheduled Monuments and Non Designated Archaeology**

- 55 Areas or sites of known archaeological interest and their settings will be protected and there will be a strong presumption in favour of preservation in situ. If not possible provision will be required for survey, excavation, recording and analysis.

#### **Policy HE2 - Listed Buildings**

- 56 There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.

#### **Policy HE4 - Gardens and Designed Landscapes**

- 57 The integrity of sites included on the Inventory of Gardens and Designated Landscapes will be protected and enhanced.

### **Policy NE1A - International Nature Conservation Sites**

- 58 Development which could have a significant effect on a site designated or proposed as a Special Area of Conservation, Special Protection Area or Ramsar site will only be permitted where an Appropriate Assessment shows that the integrity of the site will not be adversely affected, there are no alternative solutions and there are imperative reasons of overriding public interest.

### **Policy NE1B - National Designations**

- 59 Development which would affect a National Park, National Scenic Area, Site of Special Scientific Interest or National Nature Reserve will only be permitted where the integrity of the area or the qualities for which it has been designated are not adversely affected or any adverse impacts are clearly outweighed by benefits of national importance.

### **Policy NE2A - Forestry, Woodland and Trees**

- 60 Support will be given to proposals which meet the six criteria in particular where forests, woodland and trees are protected, where woodland areas are expanded and where new areas of woodland are delivered, securing establishment in advance of major development where practicable.

### **Policy NE2B - Forestry, Woodland and Trees**

- 61 Where there are existing trees on a development site, any application should be accompanied by a tree survey. There is a presumption in favour of protecting woodland resources. In exceptional circumstances where the loss of individual trees or woodland cover is unavoidable, mitigation measures will be required.

### **Policy NE3 - Biodiversity**

- 62 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.

### **Policy NE4 - Green Infrastructure**

- 63 Development should contribute to the creation, protection, enhancement and management of green infrastructure, in accordance with the criteria set out.

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

- 64 Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and they meet the tests set out in the 7 criteria.

### **Policy EP1 - Climate Change, Carbon Reduction and Sustainable Construction**

- 65 Sustainable design and construction will be integral to new development within Perth and Kinross. Proposals for new buildings must be capable of meeting one of the standards set out in the table.

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

- 66 There is 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. Built development should avoid areas at significant risk from landslip, coastal erosion and storm surges. Development should comply with the criteria set out in the policy.

### **Policy EP3A - Water, Environment and Drainage**

- 67 Proposals which do not accord with the Scotland River Basin Management Plan and any relevant associated Area Management Plans will be refused unless they are considered to be of significant specified benefit to society and / or the wider environment.

### **Policy EP3B - Water, Environment and Drainage**

- 68 Foul drainage from all developments within and close to settlement envelopes that have public sewerage systems will require connection to the public sewer. A private system will only be considered as a temporary measure or where there is little or no public sewerage system and it does not have an adverse effect on the natural and built environment, surrounding uses and the amenity of the area.

### **Policy EP3C - Water, Environment and Drainage**

- 69 All new developments will be required to employ Sustainable Urban Drainage Systems (SUDS) measures.

### **Policy EP3D - Water, Environment and Drainage**

- 70 Development over an existing culvert or the culverting of watercourses as part of a new development will not be supported unless there is no practical alternative. Existing culverts should be opened and redundant water engineering features removed whenever possible.

### **Policy EP8 - Noise Pollution**

- 71 There is a presumption against the siting of proposals which will generate high levels of noise in the locality of noise sensitive uses, and the location of noise sensitive uses near to sources of noise generation.

### **Policy EP11 - Air Quality Management Areas**

- 72 Development proposals within or adjacent to designated Air Quality Management Areas which would adversely affect air quality may not be permitted.

### **Policy EP12 - Contaminated Land**

- 73 The creation of new contamination will be prevented. Consideration will be given to proposals for the development of contaminated land where it can be demonstrated that remediation measures will ensure the site / land is suitable for the proposed use.

### **Policy EP15 - Development within the River Tay Catchment Area**

- 74 Nature conservation in the River Tay Catchment Area will be protected and enhanced.

### **OTHER POLICIES**

- 75 The following supplementary guidance and documents are of particular importance in the assessment of this application.
- Tayside Landscape Character Assessment (TLCA) 1999.
  - Developer Contributions and Affordable Housing Supplementary Guidance April 2016.
  - Flood Risk and Flood Risk Assessments – Developer Guidance June 2014.
  - Employment and Mixed Use Areas Supplementary Guidance May 2014.
  - Sustainable Design and Zero Carbon Development Supplementary Guidance May 2014.
  - Perth and Kinross Retail Study 2014.

### **Perth & Kinross Community Plan (2006 – 2020)**

- 76 Key aim - Create a vibrant and successful area through:
- A thriving economy including successful tourism and cultural sectors.
  - A positive image locally, nationally and internationally.
  - Improved infrastructure and transport links.
  - A sustainable natural and built environment.

## **Perth & Kinross Corporate Plan 2013-2018**

- 77 Corporate Plan Vision includes – Promoting a prosperous, inclusive and sustainable economy. Creating safe and sustainable places for future generations.

## **Perth and Kinross Local Transport Strategy**

- 78 The Local Transport Strategy (LTS) for Perth & Kinross is located within 'Shaping Perth's Transport Future – A Transport Strategy for Perth and the wider region' (2010). The LTS sets out the Council's transport vision.

## **79 The Perth City Plan 2015 – 2035**

This plan produced by the City Development Board sets out the long-term vision for Perth as one of Europe's great small cities. It sets out a framework for investment in strategic infrastructure, along with a 5 year delivery plan for economic development and placemaking.

## **Planning Site History**

- 80 03/00212/OUT - Mixed use development including residential, commercial, educational, recreational and retail development with associated road works and landscaping– Application withdrawn prior to determination.
- 81 08/00678/IPM Mixed use development including residential, commercial, educational, recreational and retail development with associated road works and landscaping. Application refused by Development Management Committee January 2012. Subsequent appeal refused by Directorate of Planning and Environmental Appeals (DPEA).
- 82 15/00546/IPM Mixed use development including residential, commercial, educational, recreational and retail development with associated road works and landscaping– Application withdrawn prior to determination to rectify a land ownership notification issue.

## **CONSULTATIONS**

### **External**

### **Transport Scotland**

- 83 No objection to the proposal. The Transport Assessment does not include an assessment of the wider impact the proposal will have on the Broxden and Inveralmond Roundabouts. As a consequence of modelling work undertaken by Perth and Kinross Council they have recommended a series of conditions and a financial contribution required to be imposed with any planning permission.

### **Historic Environment Scotland (HES)**

- 84 Object to the proposal unless a condition is included with any planning permission that seeks to protect the scheduled monument located on the south side of the A85 as the masterplan and indicative layout may affect it.

### **Scottish Environmental Protection Agency (SEPA)**

- 85 Following several months of discussion and further work SEPA have now have no objection to the proposed development on flood risk grounds. They are satisfied that the consultant's model output is now appropriate for establishing a development layout as shown in the indicative layout plan which will avoid greenfield areas currently at risk to 1:200 year fluvial flood from the Pow and Gelly Burns, the Town Lade and the River Almond.
- 86 The development of Almond Valley Village site is expected to progress in phases over many years flood statistics and design flood estimation techniques may change, SEPA recommend as each phase comes forward there should be consideration of a need to update the submitted Flood Risk Assessment. Any updated FRA's should also consider the potential flood risk from surface water, groundwater and Scottish Water infrastructure and also take account of local field drainage.
- 87 SEPA also advise that the River Almond has areas of active erosion which should be monitored and taken into consideration as phases of the development reach detailed planning stage. Changes in design flow statistics and channel configuration can impact on flood levels and the risk of flooding therefore it is important that development layouts and development levels are based on the best and most up to date available information when detailed applications are submitted.
- 88 Due to previous activities on a site adjacent to the application site SEPA recommends a radioactivity walkover survey should be carried out and this can be controlled by way of a planning condition.

### **Scottish Natural Heritage (SNH)**

- 89 No objection to the proposal and development can be progressed to the detailed stages provided the mitigation measures referred to in the ES are brought forward and conditioned.

### **Scottish Water**

- 90 No objection to the proposal. Turret Water Treatment Works currently has capacity to service this proposed development.

### **Health & Safety Executive**

- 91 No objection to the proposal.

### **RSPB Scotland**

- 92 No response received.

### **Forestry Commission Scotland**

- 93 Are satisfied with the woodland work proposed within the EIA and have no objections to the proposal.

### **SportScotland**

- 94 No objection to the proposal. Based on predicted pupil numbers they recommend that the proposed primary school contains at least 1 natural and 1 synthetic sports pitch or 3 natural pitches (60m x 40m).

### **Perth & Kinross Heritage Trust (PKHT)**

- 95 No objection, subject to appropriate conditions, including an archaeological programme of works and a condition relation to sensitive design near scheduled monuments especially the Huntingtower Cairn south of the A85.

### **Methven & District Community Council**

- 96 Consider the current proposal unsupportable. Consider that the competing proposals at Berthapark and Perth West are more preferable. They raised the following concerns:

- Is contrary to existing residents wishes.
- Unnecessary to achieve the objectives of the LDP.
- Threat to conservation needs of the River Almond and Town Lade.
- Development on flood plain.
- Land ownership issues

### **Tulloch Residents Association**

- 97 No response received.

### **Internal**

### **Environmental Health**

- 98 Initially raised concerns regarding lack of information submitted in terms of air quality and noise. They have revised their position to 'no objection' as much of the required information can only be produced at the detailed design stage and not at the 'In Principle' stage. They recommend suspensive conditions be applied to any consent to deal with air quality and noise.

### **Land Quality Officer**

- 99 Due to historical and previous uses within the site there are some potential contamination issues. To deal with this potential issue a condition is recommended to be applied to any decision.

### **Biodiversity Officer**

- 100 No objections to the proposal. The proposal covers an area of predominantly agricultural land with limited biodiversity value. The highest biodiversity value is along the watercourses such as the River Almond, the East Pow and the Town Lade.
- 101 Mammal, breeding bird and bat activity surveys will require to be updated prior to any further applications for different phases of the development as such surveys normally have a limited life of 18 months before they are no longer valid. The Bat survey includes recommendations for further survey work which should be made a condition of any approval, as should the recommendations contained in Table 7.1 of the ES.
- 102 The masterplan indicates that there are decent buffers between the development and watercourses which will help protect the wildlife value of these green corridors. There are mature trees across the site that should be protected and conserved on site wherever possible.

### **Flood Risk and Structures**

- 103 No objections and is satisfied with the competency of the Flood Risk Assessment and Drainage Strategy. Specific conditions are recommended at detailed matters stages to ensure there is no flood risk to existing and future residential properties.

### **Community Greenspace**

- 104 No objection and confirmed that 2 full sized grass pitches are required for community uses in addition to the pitch proposed for the primary school. They are supportive of the intention to integrate open space within the neighbourhood and ensure they are within easy reach of the housing areas and to link them through the path network.
- 105 For the detailed applications more detail will need to be provided to ensure all greenspace provides a clear set of functions within the design and plans should highlight the intended purpose of all landscape areas. Any leftover spaces, lacking a clear purpose, should be avoided. Public open spaces should be well located, well designed and adaptable. Garden ground should be clearly distinguished from public open space.
- 106 Community Greenspace are supportive of the intentions to improve path links along the river and lade and potential to create a new path along the old railway



line and connect to neighbouring developments, these paths and indicated within the masterplan.

- 107 Detailed plans should include an extensive path provision for pedestrians and cyclists within the site and connecting to the site, to provide in particular, safe routes to greenspaces, schools and other community facilities and allow for those commuting by bike to work in Perth. Paths for cyclist and pedestrians should be a minimum width of 2.5 m and ideally will be within a wider green corridor.

### **Tree Officer**

- 108 The Tree and Woodland Survey is an accurate and detailed representation of the trees and woodlands within and adjacent to the proposal area. It is proposed to retain the existing tree and woodland framework and to incorporate this as an integral part of the future development of the site and this is supported.
- 109 The survey makes recommendations for the Root Protection Area (RPA) and also a dwelling standoff distance. The Root Protection Area and standoff distance is a welcome recommendation which applies common sense distances between the woodland edges and the building line for dwellings. The inclusion of a stand-off distance will reduce the number of requests to prune or remove trees once the development is complete. Accordingly I would strongly advise this recommendation is adhered to and that no dwellings are constructed closer than the standoff distance identified in the tree and woodland survey.

### **Waste Services**

- 110 No objection to the proposed development. They have provided recommendations and suitable conditions regarding bin types and storage for different dwelling types.

### **Developer Negotiations including Affordable Housing and Transport Infrastructure**

#### Affordable Housing

- 111 Requirement for 25% of total number of houses to be affordable units. An appropriate condition to reflect this should be included with any planning approval and Section 75 Legal Agreement. The phasing and tenure of affordable housing delivery will be determined through future detailed applications.

#### Primary Education

- 112 In line with the Councils Developer Contributions Supplementary Guidance a financial contribution towards increased primary school capacity has been identified. Ruthvenfield Primary School has a capacity constraint and the scale

of the proposal requires the delivery of an appropriate area of land for a new primary school and a financial contribution based on the final development numbers.

- 113 As the application is “in principle” it is not possible to provide a definitive answer at this stage what the final primary education requirement will be. This will require further discussion between the applicant and the Council and will be subject to a Section 75 legal agreement being required.

#### Transport Infrastructure

- 114 The Council’s Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth. The application falls within the identified Transport Infrastructure Supplementary Guidance boundary and a condition to reflect this should be attached to any planning approval.

#### **Transport Planning**

- 115 No objection to the proposal. There is an opportunity to utilise the existing Public Transport network that operates close by the proposed development by rerouting buses through the proposed development areas; augmented with additional journeys at key times.
- 116 Significant constraints currently exist in terms of available capacity on the A85 corridor (Service 15 Crieff - Perth) along with limitations in the remainder of the network that currently offers limited off peak and evening services. It is therefore proposed that a developer contribution be paid after the occupation of the first 50 units and thereafter phased to reflect the requirements of the various parts of the development that come forward. This will allow the existing network to be expanded to offer the same level of basic service proposed for the Berthapark proposal, namely hourly Monday to Saturday 0700 to 1900, and provide for additional capacity on Service 15.
- 117 In addition to new local bus services, appropriate provision for passenger waiting facilities will be required both on the A85 trunk road and the local road network along with adequate walking links between trip start and end points. It is anticipated that details regarding the exact location and specification of these facilities will be agreed as part of future detailed planning applications and associated roads construction consent applications.

#### **Enterprise Officer**

- 118 Proposal is in line with current national, regional and local policies in terms of economic development. There will be a positive economic impact both during construction and after. Some negative impact is expected during construction but this will be temporary.

## REPRESENTATIONS

119 The application has attracted 85 representations against the proposals. The previous 15/00477/IPM application which was withdrawn attracted 72 objections. Incorrect advice was provided in the media that any representations from 15/00477/IPM would carry forward onto this application. Between the two periods of representations the following issues were raised by the objectors:

- Against principle of development.
- No need due to other surrounding developments (Berthapark, Perth West, Oudenarde, Luncarty, Broxden).
- Projected population figures by Scottish Government too high.
- Excessive scale.
- Loss of countryside - Green lung of Perth.
- Adverse impact on quality of life for existing residents and visitors.
- Building site for 25 years.
- Adverse impact on paths for walkers and cyclists.
- Adverse impact on biodiversity.
- Loss of agricultural land.
- Noise from adjacent land uses e.g. Vector Aerospace.
- Adverse impact on air quality.
- Flood Risk – development on flood plain behind flood protection works.
- Inadequate transport infrastructure.
- Adverse impact on existing housing.
- Adverse impact on existing school.
- Lack of community consultation.
- Lack of jobs in area.
- Erosion of river bank.
- Lack of greenspace and play areas.
- Adverse impacts on town lade.
- Land/Tenant ownership issue.
- Impact on property values.
- Lead to no sense of community.

- Adverse impact on health of existing residents.
- Adverse impact on Huntingtower Castle.

### **Response to issues**

- 120 The Appraisal section of this report responds to the material planning concerns raised.

### **ADDITIONAL STATEMENTS**

Environment Statement	Submitted
Screening Opinion	Scoping Undertaken
Environmental Impact Assessment	Submitted
Appropriate Assessment	TAY SAC – Appropriate Assessment included
Design Statement/Design and Access Statement	Submitted
Report on Impact or Potential Impact	Submitted as part of the Environmental Statement; including Flood Risk Assessment, Transport Assessment and Landscape and Visual Impact Assessment

### **APPRAISAL**

#### **Policy**

- 121 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) requires that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise. The determining issues here are whether the proposals in principle comply with current Development Plan policy, or if there are other material considerations, which justify departure from policy.
- 122 The most relevant policies of the Development Plan are TAYplan Strategic Development plan 2012 and Perth and Kinross Local Development Plan 2014 including Supplementary Guidance.

#### **Principle**

- 123 TAYplan Policy 1 (Location Priorities) focuses the majority of development to Tier 1 settlements as they have the greatest potential to accommodate the majority of the region's additional development in the next 20 years. The proposed site is located within the Tier 1 settlement of Perth and is within the Perth Core Area and therefore complies with the objective of this policy.

- 124 TAYplan Policy 4 (Strategic Development Areas) is of particular importance as well as the site specific requirements contained in the LDP. The other relevant policy considerations are outlined in the policy summary section above and is considered in more detail below.
- 125 TAYplan sets the strategic framework for the LDP under Policy 4 and identifies the Perth Core Area as being the location for the majority of development in Perth and Kinross to meet the projected population growth by identifying three strategic development areas at North West Perth, Oudenarde and Invergowrie at the James Hutton Institute. Almond Valley Village is located within the North West Perth Strategic Development Area. Therefore the principle of development as proposed with this application is considered acceptable because it is consistent with the aspirations of TAYplan Policy 4.
- 126 The LDP further establishes the principle of development by allocating the Almond Valley Village site for mixed used development (H73) for 1,500+ houses, primary school and community facilities. The principle of the uses proposed in the application submitted is consistent with LDP allocation and as a result the principle of development is considered to be acceptable.
- 127 It is important to note that two parcels of the allocated site in the LDP are not included in the red line boundary of the application site. These two parcels of land are under separate landownership and the current proposal does not prevent them from coming forward at a later date. Pre-application discussions are ongoing for the remainder of the LDP application to come forward as a planning application. Notwithstanding this, there are a number of site specific developer requirements, as detailed in the following table that require detailed assessment.

Ref	Location	Size	Number
H73	Almond Valley Village	150 ha	1,500 approximately

#### **Site Specific Developer Requirements**

- ⇒ A Masterplan will be required for the comprehensive development of this site setting out the phased release of both the housing and community land.
- ⇒ Flood Risk Assessment
- ⇒ Delivery of a suitable road access through the site from Site E38 into Site H7 across the River Almond (phasing details to be agreed).
- ⇒ Facilities to enable connection to Perth's bus network.
- ⇒ Network of paths and cycle routes providing good active travel links to Perth and Almondbank.
- ⇒ Green corridors in particular networks to link the site with Perth and the wider countryside.
- ⇒ Enhancement of biodiversity.
- ⇒ Integration of existing landscape framework into the development.
- ⇒ New Primary School provision.
- ⇒ Investigation of the provision of a district heating system and combined heat and power infrastructure using renewable resources.

⇒ A Construction Method Statement shall be provided where a development site will affect a watercourse. The methodology should provide measures to protect the watercourse from the impact of pollution and sediment so as to ensure no adverse effects on the River Tay Special Area of Conservation.

⇒ Where a development site is within 30 metres of a watercourse an otter survey should be undertaken and a species protection plan provided, if required, so as to ensure no adverse effects on the River Tay Special Area of Conservation

## **SITE SPECIFIC REQUIREMENTS**

- 128 These requirements will be assessed in turn and many will address concerns raised by objectors.

**A Masterplan will be required for the comprehensive development of this site setting out the phased release of both the housing, and community land.**

- 129 A Masterplan including indicative layout plan and phasing plan for the majority of the LDP allocated site has been submitted as part of this 'In Principle' application. This sets out the principal components, uses and estimated timescales of the proposed development.
- 130 The Masterplan identifies 21 phases of residential development within the Almond Valley site which are further defined by structural and buffer landscaping that takes account of existing and proposed landscape components to ensure there will be not be a significant impact on existing residential and commercial properties within and near the site. Landscape and buffer planting is proposed to be established from the commencement of development of Phases 1-3 and two years prior to the start of each of the other phases.

### Phases 1-3

- 131 The first three phases are located centrally within the site immediately west and adjacent to the proposed Primary School and Local Centre. Initially it will be accessed from the proposed new roundabout off the A85 before the first roundabout off the new A9/A85 road is constructed. A large village green is also proposed at this location to help create an attractive central village area within the development. The housing for these phases is proposed to be medium to high density owing to their central location within the proposed village. The development of Phases 1-3 along with the primary school, local centre and village green will form the village core and help create a sense of identity for the following phases.

### Phases 4 - 21:

- 132 The remaining phases expand out sustainably from the central area of Phases 1-3 and the Primary School and Local Centre towards the north, west and the south.

- 133 Five phases of development are proposed in between the River Almond and the Town Lade. These phases are expected to be delivered following completion of the new A9/A85 Road to prevent construction activity travelling through any of the established residential areas within the valley site. Also included within this area of the site are the proposed sports pitches and pavilion. The sports pitches will be located within an area of recorded flood risk.
- 134 Four phases of development are proposed to the south west of the village centre close to the A85 and construction is predicted to begin within years 5-6.
- 135 Six phases are proposed west of the village core towards the River Almond and existing industry including Vector Aerospace. The estimated years of development will be years 9-12.
- 136 It is expected that as development moves out from the central core the density will drop from higher to medium/low density residential.
- 137 To the north west of the valley and beyond the River Almond there is a large parcel of land at the eastern edge of Inveralmond Village that is also proposed to be housing and its expected delivery timescale is year 14-15. It is also expected that this phase can deliver a connection into the Berthapark site.
- 138 South of the A85 is also a large area of proposed residential that is expected to be delivered in years 15-17. This area relates better to the Perth West allocation and is slightly compromised by an existing scheduled monument (Huntingtower Cairn). Care will be required to ensure this scheduled monument is protected and not adversely impacted by development. Both Historic Environment Scotland and Perth and Kinross Heritage Trust have agreed a planning condition that should ensure the scheduled monument is suitably protected.
- 139 Immediately east of this phase is an existing area of employment and to ensure their operations are not compromised a buffer area is recommended and this can be controlled by way of a planning condition.
- 140 There are two areas of land along the western boundary of the application site that are difficult to access and therefore no significant development is proposed at these locations other than potential community woodland and a possible skate park (if required). These areas could also potential support some allotment development.

Indicative Build out Rate:

- 141 Based upon the submitted Indicative Phasing Plan provides an estimated of 73 homes being completed per annum and the development of all the phases is anticipated to be built out over a 15 to 17 year time period.
- 142 The Proposed Masterplan and Phasing Plan analyses the sites assets and constraints and looks at delivering a village core area where one does not presently exist whilst maintaining its relationship and connection with Perth and

the surrounding hinterland. It is considered that the Proposed Masterplan and Phasing Plan sets out an acceptable vision, timescale and platform to create a new village and create a stronger identity for Almond Valley that is deliverable without a significant impact on existing residents and companies.

- 143 The phasing strategy sets out how the areas of land are to be released and their provisional timescales. Because the application is 'In Principle' at this stage there are other triggers associated with the delivery of on and off-site infrastructure that need to be taken into account in greater detail. While some of these issues will likely be secured by legal agreement it will also be necessary to secure a detailed phasing or delivery plan by way of conditional control.

### **Flood Risk Assessment**

- 144 LDP Policy EP2 confirms 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. In addition, built development should avoid areas at significant risk from landslip, erosion and storm surges.
- 145 The site is located within an area with a history of flooding, a fact which is acknowledged in the LDP and ongoing flood protection works by Perth and Kinross Council. Areas of the site are at risk of flooding from the River Almond, the East Pow Burn, the Gelly Burn and the Perth Town Lade. The Town Lade is a man-made watercourse which runs through the centre of the site from east to west, with an intake structure on the southern bank of the River Almond, immediately upstream of Low's Work Weir.
- 146 A Flood Risk Assessment (FRA) has been undertaken and is included in the applicant's ES. Considerable time has been spent by the Councils Flood Risk team and SEPA who have carefully examined the FRA. The Council's Flood Risk Officer raised no objections to the proposal but has recommended several conditions are imposed with any consent to ensure there is no flood risk to existing or proposed properties. SEPA initially raised an objection to the proposal but following significant modelling work by the applicant and several meetings they are now in a position to **remove their objection** to the proposed development on flood risk grounds subject to the imposition of conditions.
- 147 SEPA initially had concerns relating to the baseline modelling study for the proposed site. The model output showed significantly less inundation on the site than previous studies including those to support the Almondbank Flood Protection Scheme; and the approved A9/A85 Link Road. Following a meeting in December 2015 between SEPA, the applicant and the Council it was agreed that there should be an exchange of models so that all parties could check and determine the reasons for the significant differences in the outputs.
- 148 Further meetings were held with SEPA to consider the difference in the outputs between the available models. It was agreed that the main difference between the results was due to the representation of Low's Weir in the model. SEPA



visited the site in January 2016 to observe the River Almond at Low's Weir and have confirmed that the applicant's hydraulic model now provides a closer representation to reality for water levels in the area around Low's Weir compared to other currently available models for the River Almond as the flood levels in the area around the weir largely determines the flow of water overtopping onto the application site. SEPA confirm they are now satisfied that the flood inundation map prepared by the applicant for the pre-development scenario for the 1:200 year flood risk is the best available information available at this time to inform the development layout.

- 149 Early in the application process SEPA also clarified its position on new development on functional floodplain behind flood defences and identified that additional modelling was required to satisfy them that the risk of flooding to the development site was fully understood and taken into account. Following updates to the modelling work it is SEPA's understanding that the model instability issue has now been addressed.
- 150 The modelling work and associated report contains a flood inundation map for the 1:200 year flood risk on the existing application site and confirms that no built development will take place within the land adjacent to the Pow Burn currently shown to be at risk of flooding. This is important as it is one of the factors that allows SEPA to withdraw their objection to the planning application.
- 151 There is an existing flowpath for floodwaters to be conveyed from the Pow Burn to the Perth Lade. It is agreed that a similar pathway will be maintained within the development layout which should ensure that any proposed built development will be outwith any flow path of fluvial or surface water.
- 152 It has also been agreed that the out of bank flowpath will be incorporated into proposed open space and the current proposal is that the floodwater flowpath will lead towards the proposed SUDS basin location. The exact details of the green space requirements will need to be agreed at detailed planning stage.
- 153 The post development topography for the model has been updated to include the Councils flood prevention scheme, currently under construction, and the approved A9/A85 Link Road with its new river crossing, the breached flood embankment on the north bank of the River Almond, culverts through the road embankment and lowered areas to formalise overland flowpaths to the culverts. It has been agreed that the existing greenfield areas behind the proposed flood defences that are currently at risk of flooding will remain undeveloped or be replaced so that a potential flowpath will be maintained within green space in the site layout ensuring that there should be no significant risk from residual flooding to the proposed built development.
- 154 Low lying greenfield areas of the application site currently receive some protection from a raised pedestrian path along the River Almond which will also be adopted as green space in the development layout to ensure that the new houses are not located in areas of significant flood risk.

- 155 SEPA has previously expressed concern about the risk of river bank erosion at the north-east corner of the application site and is immediately upstream of the proposed new road crossing over the River Almond.
- 156 Part of the planning approval for the new Link Road and Bridge is that the right bank of the River Almond will also be raised in this area to reduce the risk of flooding due to elevated flood levels. The final bank levels can be reviewed at the detailed design stage of the proposed development as well as some land raising across this area of the site as housing is proposed in this area of the site. The right bank of the River Almond has some erosion bank protection in place in the form of gabion baskets but may be coming to the end of its expected life expectancy. SEPA have noted on a site visit that the river bank has been undercut in some places and the gabion baskets have failed and collapsed. They also note that at the upstream end of the bend there are gabions installed half way across the channel bed. These are also showing signs of some collapse. SEPA therefore strongly advises that it is important that a further assessment of flood risk in this area of the site is undertaken after the completion of the new Link Road, Bridge and associated erosion mitigation works as this may have implications in determining the extent of flood risk and as such the developable area.
- 157 I would advise that it has been and will continue to be Perth and Kinross Council's requirement to maintain the river bank and ensure however there is a low risk of flooding or that any failure of this bank could impact on the flood risk to any houses constructed in this area. This stretch of the River Almond is monitored regularly by Perth and Kinross Council.
- 158 Considerable time and work has been undertaken by the applicant, the Councils Flood Prevention Team and SEPA to resolve the issues raised by SEPA and we are now in a position where there is no objection from SEPA on the grounds of flood risk. This now means the proposed development is considered to comply with LDP Policy EP2 – New Development and Flooding and allows the proposal to come forward to detailed design stage. Both SEPA and Flood Prevention recommend several conditions be included with any permission to ensure there is minimal flood risk to the site including existing residents.

**Delivery of suitable road access through the site from E38 into Site H7 (Berthapark) across the River Almond**

- 159 The proposed Masterplan shows a route through the site from the A85 and connecting up with the approved A9/A85 Link Road which provides connection to both the allocated employment site (E38) at Inveralmond Industrial Estate and H7 (Berthapark) via an roundabout.
- 160 One of the later phases of this proposal and Almondbank also provides the opportunity to connect up with the Berthapark development.

- 161 The proposal in conjunction with the approved Link Road will ensure there is connectivity between all the allocated sites in the area and the wider Perth area.

**Facilities to ensure connection to Perth's bus network.**

- 162 Further analysis as part of future detailed applications to ensure that public transport is available from the earliest possible stage of development will be required. This should also include the provision of passenger waiting facilities throughout the development.
- 163 Both the Council's Transport Planning and Public Transport Sections agree that the provision of public transport is required at an early stage to promote sustainable transport modes of travel and provide transport for those without access to a car. A funding mechanism to provide for new public transport service during the build out of Phase 1 of the development can be secured by legal agreement and has been included in the Draft Heads of Terms and this has been agreed by the applicant.

**Network of paths and cycle routes providing good active travel links to Perth and Almondbank.**

- 164 The Transport Assessment assesses the proposed walking and cycling provision within the site with good potential for these modes to provide meaningful levels of trips.
- 165 Almond Valley is located within and adjacent to a network of existing core paths and cycle routes including National Cycle Route 77 along the river bank. The Masterplan and indicative Footpath Plan takes account of these paths and integrates with the paths to provide an off-road traffic free route to the centre of Perth and the surrounding hinterland.
- 166 The Masterplan also provides an additional opportunity for routes within the site through landscape corridors and there is also the potential to connect one of the later development phases with the Berthapark development to the north. This new path network connecting with the existing network is considered to comply with the site specific requirement and the active travel criterion incorporated into LDP Policies TA1B and CF2.

**Green corridors in particular networks to link site with Perth and the wider countryside.**

- 167 Green Corridors and networks are shown in the Masterplan which will create a multi-functional landscape that serves habitat, visual amenity, drainage, play and path networks as well as landscape buffering in between the phases of development. Both Community Greenspace and the Councils Biodiversity Officer are supportive of the proposed green corridors.
- 168 The delivery of these green corridors and landscape buffers and how they relate to the phasing of the development will be particularly important and

require to be integrated into the delivery plan which can be controlled by way of condition at this stage of the planning process.

**Protection and enhancement of biodiversity.**

- 169 The Masterplan retains, enhances and expands these habitats, through the establishment of extensive green corridors within the Masterplan. This will in turn enhance the biodiversity by connecting habitats and greater protection of any species/wildlife in the area.
- 170 The Councils Biodiversity Officer has confirmed that the proposal covers an area of predominantly agricultural land with limited biodiversity value. The highest biodiversity value is along the watercourses such as the River Almond, the East Pow and the Town Lade.
- 171 The proposal looks to enhance and expand these habitats, through the establishment of an extensive system of green corridors within the Masterplan. This will in turn enhance the biodiversity by connecting habitats and provide greater protection of any species/wildlife in the area. The Masterplan also indicates that there are decent buffers between the development and watercourses which will help protect the wildlife value of these green corridors. There are mature trees across the site that should be protected and conserved on site wherever possible.
- 172 SNH have confirmed that the development site is adjacent to the River Almond which forms part of the River Tay Special Area of Conservation (SAC) and is important for otter, salmon, and brook, river and sea lampreys and. The creation and occupation of the proposed number of houses, school and other community facilities has, without adequate mitigation and management the potential to reduce the water quality of the River Almond and Perth Lade.
- 173 SNH have reviewed the proposal and ES and in their view, the proposal could be progressed to the detailed stages as long as mitigations described in Appendix 11.5 'Report to inform Habitat Regulations Appraisal' of the ES are brought forward and conditioned into the phased development at detailed application stage.
- 174 SNH understand the significance of this long term expansion area and that it will provide many opportunities to improve quality of life and place for people and biodiversity.
- 175 Based on the advice received from both SNH and the Councils Biodiversity Officer it is considered that provided the appropriate mitigation is achieved the proposal will actually enhance the biodiversity of the area and therefore result in a positive impact for both existing and future residents. The Environmental Statement helpfully highlights a series of mitigation measures at Table 11.5.3 and these can be secured by conditional control to protect and enhance biodiversity.

- 176 The creation of green corridors in particular will provide wildlife habitats where they do not presently exist due to current farming of the land. Therefore the proposal is considered to comply with LDP Policy NE3-Biodiversity.

### **Integration of existing landscape framework into the development**

- 177 SNH have confirmed that the proposal and in particular the area around the Perth Lade has the potential to provide the development with a significant and attractive feature, rich in wildlife, of recreational and landscape benefit. It is an identified green corridor in the Masterplan and runs broadly west to east through the Almond Valley site and links to Perth city centre. This link has excellent potential to become a strategic green corridor and help the development integrate with the existing landscape of the area.
- 178 Community Greenspace have confirmed they are supportive of the intention to integrate open space within the neighbourhood and ensure they are within easy reach of the housing areas and to link them through the existing path network.
- 179 Community Greenspace are also supportive of the intentions to improve path links along the river and lade and potential to create a new path along the old railway line and connect to neighbouring developments.
- 180 Overall the approach complies with the site specific requirement as well as LDP Policy ER6 – Managing Future Landscape Change to Enhance the Diversity and Quality of the Area's Landscapes.

### **New Primary School provision**

- 181 The Masterplan allocates land for in a central location of the site for a primary school and this will be secured via a legal agreement. This new school will be delivered by the Council to meet any demand associated with the development and also potentially Berthapark and Perth West. Existing pupils from Ruthvenfield Primary School will also be expected to be decanted from the existing school to the new facility.
- 182 Because the new Primary Schools site will be located centrally and adjacent to the Local Centre it will become part of the new village core and helps meet the placemaking objectives for this area and therefore is considered to comply with LDP Policy PM1.

### **Investigation of the provision of a district heating system and combined heat and power infrastructure utilising renewable resources.**

- 183 The applicants Sustainability Checklist and Design and Access Statement acknowledges that they are aware of proposals for a potential Biomass power plant east of the site and adjacent to the Inveralmond Industrial Estate which would use wood fuel to generate electricity for 11,000 homes within the Perth area. It is understood that due to drop in feed in tariffs for renewables this proposal is unlikely to go ahead.

- 184 The applicant is nonetheless keen to investigate district heating further at the detailed application stage as to how their proposals could accommodate a district heating scheme. They are keen to continue to work with Perth & Kinross Council as to the feasibility of new renewable technologies and how this can be incorporated as the development progresses.
- 185 Whilst it is the view that the site specific requirement has not been fully addressed at this stage it is likely that Perth and Kinross Council will take forward and investigate the potential for district heating systems with the developers of all the strategic sites to the North and West of Perth. Taking this into account I consider this matter can be secured through conditional control with the outcomes of the study incorporated into detailed phases of the development. The wording of the proposed condition has been discussed and agreed with SEPA as they will be the Regulating Authority for any district heating facility.

**A Construction Method Statement shall be provided where a development site will affect a watercourse**

- 186 As this is an 'In Principle' application it is considered too early in the planning and development process to fully assess any Construction Method Statement (CMS) as we do not have finalised layout details. This can be dealt with effectively at the detailed design stage and a condition requiring a Construction and Environmental Management Plan (CEMP) and including a CMS will be required for these later applications.

**Where the development of the site is within 30 metres of a watercourse an Otter survey should be undertaken and a species protection plan provided, if required so as to ensure no adverse effects on the River Tay Special Area of Conservation.**

- 187 Survey work undertaken for the ES has identified that the River Almond, East Pow Burn and Perth Town Lade provides potential habitat facilities for Otter foraging, commuting and shelter opportunities. However recorded evidence of otters showed to be relatively low and SNH did not raise any issue with these findings at this stage.
- 188 SNH confirm that it will be necessary for repeat or more detailed surveys to be made in the period immediately prior to work taking place and if necessary species protection plans prepared to support detailed planning phases and any disturbance licences sought from SNH.
- 189 The need for updated survey work and species protection plans are due to the longevity of the site build-out that it has potential habitats for Otters and this can be secured through conditional control. It is considered this would achieve compliance with LDP Policy NE3 – Biodiversity and Policy EP15 - Development within the Tay Catchments.

## **Need for Proposed Site**

- 190 A high number of representations submitted against the proposal questioned the need for this proposal to come forward as the planning application for Berthapark with 3,000 dwellings, the allocation of Perth West for 550 dwellings and Oudenarde for 1,600 dwellings is considered to be more than enough sites to meet the projected population growth of Perth.
- 191 The need for sites such as Almond Valley are based on the Scottish National Records population projections for each Local Authority area. The population projection for Perth and Kinross is predicted to grow by up to 24% between 2012 and 2037 making it one of the fastest growing regions in Scotland. As a consequence Perth and Kinross Council are required through their Annual Housing Land Availability Studies to ensure there is enough land available for housing development to meet this projected growth. With most of the population growth expected to be in and around Perth City itself, it was considered through both TAYplan and the LDP process that large scale strategic sites were required.
- 192 Due to topographical, landscape and infrastructure constraints it was considered that the best and most sustainable location was around west/north west Perth due to its proximity to Perth City Centre, Inveralmond Industrial Estate and the A9 Trunk Road. This has resulted in Almond Valley Village, Berthapark and Perth West being allocated in the LDP as Strategic Development areas that could help deliver over 5,000 dwellings and thereby significantly meet the expected population growth.
- 193 To not meet this predicted population growth could lead to a significant housing shortfall within the Perth Housing Market Area and result in the Planning Authority having to consider alternative sites in less accessible and sustainable locations. Should the population growth not be as high as predicted then this will result in market forces dictating which strategic site comes forward first or at a different rate of development. The planning system has no control over this but what it must do is provide the appropriate level of housing sites to meet the projected demand. On the basis of the above there is a need for the allocation of Almond Valley Village in the LDP.
- 194 The application seeks to establish the basic acceptability of residential and community development uses on this site through the granting of planning consent in principle. A Masterplan, indicative layout plan and phasing plan has been submitted which outlines how the development will be expected to come forward with detailed proposals and allow the housebuilding industry to progress further.

## **Landscape Impact**

- 195 The Almond Valley Village site is specifically referred to in the Tayside Landscape Character Assessment (TLCA) 1999 as a development opportunity. Although 17 years old the TLCA recognises the development of the site is represents an opportunity to address any ambiguous development growth to

the North and North West of Perth, firming up the edge between urban and rural, while providing clear gateways into the Perth City.

- 196 As part of the proposed design principles, a network of linked green spaces and corridors are proposed, utilising some of the development site constraints as an opportunity, integrating with existing robust landscape features and providing alternative pedestrian and cycle routes through the site. The proposed linked areas of open space are also proposed to form wildlife corridors.
- 197 Community Greenspace as already mentioned earlier has identified that the proposed Masterplan stage of the process can be supported and recommended to be worked up in further detail with a detailed landscape strategy, including retention of the majority of existing tree cover and other established `landscape features. The proposed area of green corridors and structural planting which enhance the existing landscape character of the area.
- 198 In relation to visual impact, the site offers acceptable development capacity and the creation of green corridors and structural planting will help mitigate much of the changes to the visual amenity of the area that a development of this scale will undoubtedly create.

### **Cultural Heritage and Archaeology**

- 199 The ES has identified 45 sites of cultural heritage interest within the application site line boundary. These range from buildings of local vernacular interest to crop marks indicating the presence of burial features of local archaeological importance.
- 200 These items include a scheduled monument (Huntingtower Cairn) and four category B listed buildings (Low's work weir, Waterside Cottages, Ruthven House and Ruthven House Garden Wall & Lodge)
- 201 It is proposed that each of the specifically mentioned sites would be retained and their settings respected and protected through sensitive design. Other existing historic environmental features will also be retained where possible. It is however acknowledged that not all identified features will be preserved in situ for the development to be viable. There will be direct, irreversible damage on certain burial features, resulting in probable loss. It is proposed these adverse effects would be offset by appropriate mitigation, involving full recording of the sites and recording of archaeological data.
- 202 Two tree preservation orders exist on the site; Huntingtower Bleachworks and Huntingtower Hotel. It is recommended these are accounted for and taken forward in any future stage of the development of this site.
- 203 HES, PKHT and the Council's Conservation Officer are largely content with the methodology and findings of the Cultural Heritage section ES. One of the main concerns for both HES and PKHT relates to proposed development in the vicinity of Huntingtower Crain Scheduled Monument on the south side of the



A85. Both HES and PHKT have agreed a suitable worded condition to protect this scheduled monument when detailed applications are submitted.

- 204 In comparison to the 2008 application neither HES nor the Conservation Officer have raised any issue regarding potential adverse effects on the setting and relationship with Huntingtower Castle. The proposed site boundary is not as close as it was previously and the use of Castle Brae East as a dedicated vehicular route is no longer proposed.
- 205 Overall, taking account of proposed mitigation and the opportunity to further address any concerns identified at this point by HES and PHKT the principle of development on this site is not considered to have a significant adverse impact upon the integrity of cultural heritage within the site or surrounding area. Therefore the proposed masterplan is considered to comply with LDP Policy HE1 – Scheduled Monuments and Non-Designated Archaeology and Policy HE2 – Listed Buildings.

### **Noise**

- 206 The planning system has an important role to play in preventing and limiting noise pollution. Although the planning system cannot tackle existing noise problems directly, it has the task of guiding development to the most suitable locations and regulating the layout and design of new development. The noise implications of development are a material consideration in determining applications for planning permission.
- 207 Some of the representations submitted raised issues in relation to construction traffic, ongoing additional motorised vehicle traffic and residential development taking place close to existing commercial properties.
- 208 Whilst the Councils Environmental Health Officer initially raised concern about the Noise Assessment submitted within the ES he has confirmed that because the exact scale, design and layout is unknown at this stage that a detailed noise assessment is considered premature. Noise assessments will be required at the detailed design stage and each noise assessment should help inform the actual design of each development phase and therefore will be more useful. If the noise assessments are redone at the next stage and are of a similar nature as currently submitted it will lead to delays. A more robust Noise Assessment is therefore recommended for the detailed phases.
- 209 Provided noise is adequately assessed and mitigated before houses are occupied Environmental Health have confirmed their support for the proposal and recommend a suspensive condition with any planning permission. At this stage of the planning process the proposal is considered to comply with LDP Policy EP8 – Noise Pollution.

### **Air Quality**

- 210 Perth and Kinross Council have a statutory duty under the Environment Act 1995 to review and assess air quality within its area. This is done by the

Environmental Health Team and under these duties the whole city of Perth was declared an Air Quality Management Area (AQMA) on the basis of exceedances of the annual mean nitrogen dioxide (NO<sub>2</sub>) and particulate (PM<sub>10</sub>) standards and a subsequent Air Quality Action Plan (AQAP) was finalised in 2009. Whilst this application is not within the boundary of the AQMA, it is directly adjacent to it and the scale of the application means it is likely that a large number of vehicles will access the centre of Perth for work or leisure. This has the potential to have a detrimental effect on the levels of the aforementioned pollutants and the operation of the AQAP. Due to this the applicant has submitted an air quality assessment which has been assessed.

- 211 Environmental Health at this stage broadly agrees with the methodology of the assessment, but they raised concern about the assessment submitted within the ES. They have since confirmed that because the exact scale, design and layout is unknown at this stage and the A9/A85 Link Road is not yet in place that the air quality assessment is considered premature. Provided air quality is adequately assessed and mitigated at the next stage Environmental Health have confirmed their support for the proposal and recommend suspensive condition with any planning permission. At this stage of the planning process the proposal is considered to comply with LDP Policy EP11 Air Quality Management Area.

### **Wider Health Concerns**

- 212 Objectors raised concerns in relation to the traffic pollution and noise impact which have been addressed in the aforementioned paragraphs. Other objections were received to the perceived safety risk of future occupiers of the development with a close relationship to the overhead pylons. The Health and Safety Executive has not raised any issue in relation to the overhead pylons and an underground gas pipeline passing through the site. The Masterplan takes account of these by incorporating them within the proposed green corridors and minimum recommended distances will be respected.
- 213 As mentioned above the Councils Environmental Health team have recommended that more detailed air quality and noise impact assessments are submitted for approval as part of the detailed design stages, taking account of any identified restrictions and informing the final layout and detailed design.
- 214 At this stage, the council are satisfied that adequate information has been supplied as part of the ES to determine that the principal of development on this site is reasonable in relation to noise, air quality and wider health concerns, but acknowledge that further details will require to be worked up and supplied as part of any further applications.

### **Natural Heritage**

- 215 Chapter 11 – Ecology of the supporting ES has attempted to broadly address and assess the potential impacts of the proposed development on ecology and nature conservation. Much of this has been covered in the Site Specific Requirements section above.

Designated Habitats:

- 216 The proposed development is adjacent to the River Almond which forms part of the River Tay Special Area of Conservation (SAC). The Gelly Burn, East Pow and Town Lade all flow close to or through the site and they also form part of the River TAY SAC. The qualifying interests of the Tay Special Area of Conservation are as follows:
- Atlantic salmon
  - Sea lamprey
  - River lamprey
  - Brook lamprey
  - Clear-water lochs
  - Otters
- 217 When determining applications the Planning Authority is required to have regard to the Habitats Directive and the Habitats Regulations. Consideration of how 'European Protected Species' (EPS) are affected must be included as part of the consent process, not as an issue to be dealt with at a later stage. Three tests must be satisfied before a license under the Habitats Regulations so as to permit otherwise prohibited acts.
- 218 Both SNH and the Council's Biodiversity Officer submitted consultee responses to advise that at the time of submission, the surveys submitted in relation to birds and protected species were sufficient but advised that further surveys will be required for the detailed phases of development as the surveys are generally out of date after 18 months.
- 219 The Councils Biodiversity Officer has confirmed that the proposal covers an area of predominantly agricultural land with limited biodiversity value. The highest biodiversity value is along the watercourses such as the River Almond, the East Pow and the Town Lade.
- 220 The proposal looks to enhance and expands these habitats, through the establishment of extensive green corridors and this will in turn enhance the biodiversity by connecting habitats and greater protection of any wildlife in the area. Buffers between the development and watercourses will also help protect the wildlife value of these green corridors. There are mature trees across the site that should be protected and conserved on site wherever possible.
- 221 SNH have confirmed that the creation and occupation of the proposed number of houses, school and other community facilities has, without adequate mitigation and management the potential to reduce the water quality of the River Almond and Perth Lade.

- 222 SNH have reviewed the ES and in their view, the proposal could be progressed to the detailed stages as long as mitigations described in Appendix 11.5 'Report to inform Habitat Regulations Appraisal' of the ES are brought forward and conditioned into the phased development at detailed application stage.
- 223 SNH understand the significance of this long term expansion area and that it will provide many opportunities to improve quality of life and place for people and biodiversity.
- 224 Based on the comments received from both SNH and the Councils Biodiversity Officer it is considered that provided the appropriate mitigation can be achieved and the proposal will enhance the biodiversity of the area and therefore a positive impact for both existing and future residents. The Environmental Statement helpfully highlights a series of mitigation measures at Table 11.5.3 and these can be secured by conditional control to protect and enhance biodiversity.
- 225 SNH confirm that it will be necessary for repeat or more detailed surveys to be made in the period immediately prior to work taking place and if necessary species protection plans prepared to support detailed planning phases and any disturbance licences sought from SNH. Overall, it is considered the proposal at this stage complies with LDP Policy NE3 – Biodiversity and Policy EP15 - Development within the Tay Catchments.

### **Scale and Design**

- 226 Some representations raised concerns in relation to the overall scale of the proposed development. The proposed Masterplan utilises existing landscape features to shape the layout and areas suitable for development and is supported. The design concept includes organic, fragmented perimeter sub-blocks with a generous open space provision and green corridors, which has the potential to respond positively to the existing site characteristics. At the detailed design stage, the development areas should be sensitively guided by existing boundaries, planting and watercourses, enhancing existing views, natural features and the setting of listed and unlisted historic buildings.
- 227 The proposed primary school, local centre and village green are critical to the success or failure in achieving a sense of place and providing a platform for a sustainable community environment to be nurtured and continue to exist. The residential elements closest to the local centre should be designed at a higher density and as you move further out become more medium to low density.
- 228 It is expected that building design should reflect the age of the building, be contemporary in appearance and form, and should avoid a pastiche or pattern book approach. Designs of each development phase should be site specific, considering localised identity, outlook and solar orientation. Innovative, architectural design and provision of energy saving infrastructure including district heating systems will be supported. A comprehensive design and access statement will need to be submitted with each detailed design application to fully justify the architectural and urban design approach.

- 229 Overall, the proposed dwelling numbers of 1,280 are not approved at this stage as this figure is purely indicative. The exact scale of development will be ascertained through the outcome of the detailed applications of each development phase and depends on what the housing market is like at the time of submission. The exact numbers will inform associated infrastructure requirements and facilities including education and community facilities, affordable housing provision, open space and play area provision and public transport improvements.
- 230 Full details in respect of building heights and housing design will be fully investigated and form part of the detailed design applications.

### **Waste**

- 231 The Councils Waste Services team provided guidance as part of their consultation response to ensure all properties have the required number and type of bins and that there should be adequate space within each property to accommodate the required bins and that the road network will be able to accommodate the required refuse vehicles to service the site. Both conditional control and informatives will ensure the collection of waste will not be compromised.

### **Contaminated Land**

- 232 The Council's Land Quality Officer has identified that owing to historical uses of areas within the development for landfill, bleachworks, gasworks, printworks, textile works and agriculture may have resulted in contamination of some areas. A Phase 1 Contaminated Land Assessment has been completed by the applicant and has identified local areas of contamination associated with the former land uses.
- 233 As the application is 'In Principle' at this stage the Land Quality Officer has recommended a condition be applied to any planning consent to further identify any contamination and propose mitigation measures if required. This conditional control will ensure the development complies with LDP Policy EP12 – Contaminated Land.
- 234 As part of SEPA's remit they also identified that there may be the possibility of some radioactive contamination associated with parts of the adjacent former MOD site and transport route to the rail stop within the Almond Valley site. No records show there to be any radioactive contamination within the application site but SEPA recommend a walkover radioactive survey be carried out by the applicant. SEPA have accepted that a condition requiring this survey will be sufficient at this time.

### **Open Space and Recreation Provision**

- 235 In addition to the proposed greenspace corridors the Masterplan looks to provide a wide range of open space, play areas, sports and recreation area and community woodland to meet the needs of the existing and future residents.

- 236 A new village green and, three play areas and two full sized sports pitches including a sports pavilion is proposed. Two areas of community woodland are also proposed and there is also the potential for a skatepark. There is also the opportunity for some of the open space to be utilised for garden allotments purposes.
- 237 Community Greenspace have agreed that the proposed provision is acceptable. It is considered that the proposed open space, play areas and recreation facilities will be a significant improvement to the existing situation and will be a benefit to both existing and future residents in the area. As a result the proposal complies with LDP Policies CF1 – Open Space Retention and Provision and CF3 – Social and Community Facilities.

### **Drainage**

- 238 Because the application is 'In Principle' full drainage details are not required at this stage. Appendix 9.2 of the ES provides a Drainage Strategy for the proposed development. The Councils Flood Risk Officer has reviewed the Drainage Strategy and has no objection to the proposal provided the detailed phases conform to the Councils Flood Risk Assessment Guidelines. The predicted discharge rates from SUDS is considered to be acceptable in principle but would point out that it is unlikely that consent will be given to discharge to the Town Lade watercourse unless the greenfield runoff rates is significantly lower in order to reduce flood risk. Any SUDS features must look natural and not be designed based on storage volume alone.
- 239 The Masterplan and FRA recommends two surface water management features and these should be developed as part of the SUDS facilities. Because the Town Lade frequently blocks a maintenance strip of 10 metres is required for the length of the Lade through the development. Similarly Finished Floor Levels of properties surrounding the Lade must be at least 600mm above the top of bank. Accordingly numerous drainage conditions are provided that must be met at the detailed design stage to ensure there is no risk of flooding within or outwith the site. At this stage the proposal is considered to accord with LDP Policy EP3 – Water Environment and Drainage.

### **Retail Provision**

- 240 A new local centre is proposed centrally within the site and is adjacent to the proposed primary school. It is envisaged that part of this local centre will be the provision of a convenience foodstore to meet the day to day shopping needs of the resident population. It is considered that the provision of 300 dwelling will be required to make the provision of a foodstore viable and a condition to deliver this has been included.
- 241 The provision of a new local centre including a small foodstore does not raise any issues regarding impact on Perth City Centre or commercial centres as it is of a scale that will only serve the local population. Its central location should result in residents not requiring to travel by car for day to day shopping needs.

## **Other Material Considerations**

### Double Dykes Travelling Site

- 242 Scottish Planning Policy recommends that appropriate account should be made to Gypsies and Travellers in relation to housing need and site location.
- 243 It is considered that the Double Dykes site now being the opposite side of the approved A9/A85 Link Road and not visible to/from Almond Valley Village has been accounted for in planning and design process and is in line with national best practice.

## **Non-Material Matters**

- 244 Some representation submitted referred to land ownership, tenancy and property devaluation issues. The Planning Authority is aware of an on-going Land Court issue between the landowners and tenant farmer but this is a not material planning consideration in the assessment and determination of a planning application. Land ownership and tenancy issues are civil issues that are required to be addressed outside of the planning process.

## **Developer Contributions**

- 245 A Section 75 legal agreement is required to secure infrastructure for Almond Valley Village to ensure it complies with Policy PM3 - Infrastructure Contributions and associated Supplementary Guidance on Developer Contributions. A Draft Heads of Terms has been prepared and has been agreed with the applicant. It will cover the following topics:

- Primary School Delivery
- Transport Infrastructure Contributions
- Public Transport Improvement
- Affordable Housing Provision
- Open Space Provision and Maintenance
- Sports Pitches and Pavilion Provision and Maintenance
- Play Area Provision and Maintenance
- Structure Planting Delivery
- Community Facilities Delivery
- Community Contribution

## **Economic Impact**

- 246 Chapter 12 of the ES deals with the socio-economic impact of the proposal. During the construction period it is predicted that up to 397 full time jobs will be created and this will impact on the level of in-direct jobs that the construction activity will generate from employees spending on local goods and services.
- 247 Once operational it is predicted that the proposed new primary school will create 35 new jobs and a new local shop is estimated will create 11 full time jobs. New residents should also fill job vacancies and support numerous existing employers in the local area, including Inveralmond Industrial Estate and Perth City.
- 248 The development of up to 1,500 as per the LDP allocation will provide a significant increase in available expenditure for the economy of Perth in particular and further afield. The Perth and Kinross Retail Study in 2014 estimate that average convenience goods available expenditure in 2019 per household will be £2,047 per annum and the average comparison goods available expenditure per household will be £3,634 per annum. Based on these figures and 1,500 dwellings the estimated annual expenditure on convenience and compassion goods will be in the region of £8.5 million. This expenditure should have a significant positive impact on Perth City Centre, nearby commercial centres and Inveralmond Industrial Estate with its many ancillary retail facilities. The proposal accords with the aspirations of the Perth City Plan 2015 - 2035 by providing additional expenditure and skilled workforce to the local economy that will help sustain the city.

## **LEGAL AGREEMENTS**

- 249 A legal agreement is required to secure infrastructure for Almond Valley. A Draft Heads of Terms are suggested and have been agreed between the parties:
- Delivery of site for 2 stream Primary School.
  - Primary school financial contribution.
  - Delivery of Affordable Housing.
  - Delivery of sports pitches, sports pavilion, play areas, open space, paths and associated maintenance.
  - Delivery of community facilities including community woodland
  - Contribution towards public transport provision.
  - Contribution towards a community fund.



## **DIRECTION BY SCOTTISH MINISTERS**

- 250 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 32 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**

- 251 Section 25 of the Act requires that determination of the proposal should be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The proposal seeks to formally establish the principal of development on the associated site and it is consistent with the objectives of the Development Plan.
- 252 Mixed use development at Almond Valley Village is a longstanding, committed development site and is allocated in the LDP and forms part of the Strategic Development Area of West/North West Perth in TAYplan 2012. The site is well placed to deliver a new sustainable community, serving as a well-connected satellite settlement to Perth. The proposal will provide a significant contribution toward meeting the projected population growth of Perth and Kinross. It will also help assist funding of significant committed strategic transportation improvements for the wider area.
- 253 The proposed development at the allocated Almond Valley Village site is therefore considered to accord with the Development Plan, will lead to the creation of new homes to meet the predicted population growth, jobs both during the construction period and afterwards with the creation of a local centre, enhanced community and educational facilities, which will significantly assist in meeting local and national targets in a sustainable and measured fashion.
- 254 Accordingly the proposal is recommended for approval subject to the following conditions and associated legal agreement.

## **RECOMMENDATION**

- A Approve the application subject to the following conditions:**

### **Approval of Matters Specified in Conditions**

- 1 The Council as Planning Authority hereby directs that formal application(s) for the Approval of Matters Specified in Conditions as specified below shall be submitted to, and approved by, the Planning Authority before the commencement of development. For the proposed phased development the application for Approval of Matters Specified in Conditions for Phase 1 shall be made no later than 2 years from the date of this permission and subsequent applications for the totality of this proposed development shall have been made not later than 17 years from the date of this permission or, if later, within 6 months from when an earlier approval for the same matters was refused or dismissed at appeal. Notwithstanding this, the proposed development shall be

commenced within 5 years from the approval of this planning application for planning permission in principle, or within 3 years from the date of approval of the first application for such matters, whichever date is the earlier.

*Reason: To ensure that the matters referred to are given full consideration and to accord with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.*

- 2 The site layout plan, phasing plan and housing numbers as submitted are purely indicative and are not approved.

*Reason: The application is for planning permission in principle only at this stage.*

- 3 No development shall commence until a detailed delivery plan confirming the phased delivery of the site and construction works has been submitted and approved in writing by the Planning Authority. Once approved, the development shall be implemented in accordance with the delivery plan otherwise agreed in writing by the Planning Authority

*Reason: In order to ensure the implementation and completion of the development components of the proposal to coincide with infrastructure delivery and to release the elements of the proposed development which the planning authority considers will bring economic and social benefits to the area.*

- 4 No development shall commence on each phase until further planning application/applications have been submitted to the Planning Authority in respect of the following matters to coincide with the delivery plan to be secured under the legal agreement:

- a) The delivery of the development in phases associated with the areas prescribed in the Masterplan.
- b) Details of all cut and fill operations.
- c) Full details of the proposed means of disposal of foul water to serve the development.
- d) Full details of the disposal of surface water from the development by means of a Sustainable Urban Drainage System.
- e) The siting, design, height and external materials of all buildings or structures.
- f) Measures to enhance environmental sustainability through design, orientation and planting or any other means.
- g) Details of any screen walls/fencing to be provided.

- h) Details of all landscaping, planting including structural planting and screening associated with the development
- i) Details of play areas and the equipment to be installed.
- j) Details regarding access, car parking, public transport facilities, walking and cycling facilities, the 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 (as detailed in the National Roads Development Guide).
- k) Detailed specification of all street and footpath lighting.
- l) Detailed specification of noise mitigation measures to be incorporated along properties that face the A85 and Cross Tay Link Road.
- m) Detailed plan of public access across the site (existing, during construction and upon completion).

The development shall be implemented in accordance with the planning application(s).

*Reason: permission for the development has been granted in principle only and subsequent approval is required for the reserved matters in accordance with Sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997.*

- 5 In pursuance of condition 4 c), foul drainage for each phase of the development shall be drained to the mains sewerage system or by other alternative means of adoptable sewerage and plant. The details of the foul drainage system shall be submitted to and approved in writing by the Council as Planning Authority in consultation with Scottish Water, Scottish Environment Protection Agency and Scottish Natural Heritage. The agreed foul drainage shall thereafter be implemented prior to the completion of the development.

*Reason: in the interests of public health and to prevent pollution.*

- 6 In pursuance of Condition 4 d), disposal of surface water:-
  - a) all storm water drainage from all paved surfaces shall be disposed of by means of suitable Sustainable Urban Drainage Systems.
  - b) Full drainage calculations and the final layout and depth of the proposed SUDS pond and associated infrastructure to be agreed in writing with the Council as Planning Authority, in consultation with the Council's Flooding Team to ensure the discharge of any surface water drainage shall be limited to the greenfield runoff rates as detailed in Appendix 9.2 (Scheme Drainage Strategy) of the Environmental Statement. The agreed detail shall thereafter be implemented prior to the completion of the development.

- c) 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, as contained in the SUDS Manual (C697) and Site Handbook for the Construction of SUDS (C698) published by CIRIA, all to the satisfaction of the Council as Flood Authority.
- d) The discharge of any surface water drainage shall be limited to the greenfield runoff rates for the River Almond and East Pow Burn. The discharge of any surface water drainage to the Perth Town Lade will be limited to 50% of the greenfield runoff rate. All discharge rates shall be agreed in writing with the Perth and Kinross Council Flooding Team prior to the commencement of any works on site.

*Reason: In the interests of best practise surface water management; to avoid undue risk to public safety and flood risk.*

- 7 In pursuance of condition 4 f), measures to maximise environmental sustainability through design, orientation and planting or any other means each development phase shall also include:-

- a) The submission of sustainability checklists
- b) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into that phase of the development.
- c) Details on sustainability label of the domestic and non-domestic buildings to be erected to ensure it complies with Silver Active from 2016 and Gold Active from 2020 as per the 'Building Standards Technical Handbook Section 7 – Sustainability'.

Following written approval from the Planning Authority each development phase shall be undertaken in accordance with the approved details.

*Reason: To ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and the LDP Policy EP1: Climate Change, Carbon Reduction and Sustainable Construction.*

- 8 In pursuance of condition 4 j), all applications for each development phase shall include a transport statement scoped to include the means of access to the site from the wider public road network to include all modes of transport (walking, cycling, public transport and private car).

*Reason: In the interest of sustainable transportation.*

- 9 In pursuance of condition 4 (g, h, i, k), schemes of hard and soft landscaping works shall be submitted as part of the matters specified by condition application for each phase of development. Details of the scheme shall include:-

- a) Existing and proposed finished ground levels relative to a fixed datum point.
- b) Existing landscape features and vegetation to be retained.
- c) Existing and proposed services including cables and pipelines substations.
- d) The location of new trees, shrubs, hedges, grassed areas and water features.
- e) A schedule of plants to comprise species, plant sizes and proposed numbers and density.
- f) The location, design and materials of all hard landscaping works including walls, fences, gates, any other means of enclosure, street furniture and play equipment.
- g) An indication of existing trees, shrubs and hedges to be removed.
- h) A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development on that part of the site, or such other date as may be agreed in writing with the Planning Authority.

Any planting which, within a period of 5 years from the completion of the 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: To ensure the implementation of satisfactory schemes of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.*

- 10 In pursuance of Condition 4 h) no works in connection with any phase of development hereby approved shall take place until such time as the structural landscaping works relevant to that phase as shown on the structural planting plan have been completed in full prior to each phase.

*Reason: to ensure the completion of the agreed structural landscaping scheme at an early stage in the interests of the amenity of the area and existing residents.*

- 11 In pursuance of condition 4 m), a detailed plan of public access across the site (existing, during construction and upon completion) for each phase of

development, will be submitted for the written approval of the Council as Planning Authority and show:-

- a) All existing paths, rights of way, tracks, core paths and 'National Cycle Route 77'.
- b) Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance of curtilage, in relation to proposed buildings or structure.
- c) All paths and tracks proposed for construction, for use by walkers, riders, cyclists, all-abilities users etc.
- d) Any diversions of paths – temporary or permanent – proposed for the purposes of the development.
- e) The detailed specification of the proposed paths and tracks, along with how they will be constructed to avoid impact on trees.

*Reason:* In the interest of sustainable transportation.

- 12 Unless otherwise agreed in writing by the Planning Authority in consultation with Transport Scotland, the number of residential (Class 9) dwellings constructed shall not exceed 1,500 units.

*Reason: To ensure that the scale of development does not exceed that assessed by the supporting Transport Assessment and to ensure that the scale of development is commensurate with the infrastructure required to support the development.*

- 13 No development shall commence until the A9/A85 Junction Improvement, generally as proposed by Perth and Kinross Council as part of its 'Perth Transport Futures Project' transport strategy to support the Local Development Plan, has been designed, approved and contract let to the satisfaction of the Planning Authority in consultation with Transport Scotland.

*Reason: To ensure that the scale of development does not exceed that assessed by the supporting Transport Assessment and to ensure that the scale of development is commensurate with the infrastructure required to support the development.*

- 14 No more than 90 residential units are permitted to be occupied until the A9/A85 Junction Improvement, generally as proposed by Perth and Kinross Council as part of its 'Perth Transport Futures Project' transport strategy to support the Local Development Plan, is operational and until the following infrastructure has been delivered:

- a) Provision has been made for pedestrian connections and public transport facilities in the form of footways, crossings and bus stops on and along the A85.

- b) The new roundabout on the A85 connecting to the site and the Tibbermore Road shall be constructed and operational.
- c) The current junction of the A85 and Tibbermore Road shall be closed by the Council.

The nature of these works shall generally be as illustrated on Grontmij Drawings 14024(SK)003A and 14024(SK)004. All details shall be submitted for written approval and thereafter installed and made fully operational all to the satisfaction of the Planning Authority in consultation with Transport Scotland.

*Reason: To ensure that the scale of development does not exceed that assessed by the supporting Transport Assessment and to ensure that the scale of development is commensurate with the infrastructure required to support the development.*

- 15 No more than 700 residential units are permitted to be occupied until the Cross Tay Link Road Improvement including the Tay Crossing, generally as proposed by Perth and Kinross Council as part of its 'Perth Transport Futures Project' transport strategy to support the Perth and Kinross Local Development Plan, has been designed, approved and contract let to the satisfaction of the Planning Authority in consultation with Transport Scotland.

*Reason: To ensure that the scale of development does not exceed that assessed by the supporting Transport Assessment and to ensure that the scale of development is commensurate with the infrastructure required to support the development.*

- 16 No development shall commence until appropriate mitigation measures have been agreed to address the impact of the development at both the Broxden Roundabout on the A9 trunk road. The nature of the mitigation shall either be physical improvements to these junctions in the form of traffic signals and widening of approaches or a financial contribution in lieu of the said physical works. The details of the physical works or the level of financial contribution required shall be agreed in writing with the Planning Authority in consultation with Transport Scotland.

*Reason: To ensure that the scale of development does not exceed that assessed by the supporting Transport Assessment and to ensure that the scale of development is commensurate with the infrastructure required to support the development.*

- 17 No development shall commence until a Construction Traffic Management Plan (CTMP) has been approved in writing by the Planning Authority in consultation with Transport Scotland. In particular the CTMP shall identify measures to control the use of any direct access onto the A85 trunk road. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed plan.

*Reason: To mitigate the adverse impact of development traffic on the safe and efficient operation of the trunk road.*

- 18 Prior to approval of further detailed applications, details of the lighting within the site likely to impact on the A85 trunk road shall be submitted for the written approval of this Council as Planning Authority and thereafter installed all to the satisfaction of the Planning Authority in consultation with Transport Scotland.

*Reason: To ensure that there will be no distraction or dazzle to drivers on the road, and that the safety of the traffic on the road will not be diminished.*

- 19 Prior to approval of further detailed applications for the southern portion of the application site, details of the barrier/boundary fencing and frontage landscaping treatment along the A85 trunk road shall be submitted for written approval and thereafter installed all to the satisfaction of the Planning Authority.

*Reason:-To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road, with the consequential risk of accidents.*

- 20 No more than 300 residential units of the Almond Valley Village Development approved by virtue of this planning permission in principle shall be occupied prior to the delivery of a new local centre unless otherwise agreed in writing by the Planning Authority.

*Reason: To ensure delivery of infrastructure essential to serve the development is provided in a timely manner.*

- 21 Castle Brae East shall not be used at any time by construction traffic associated with the development.

*Reason: In the interests of pedestrian and traffic safety, residential amenity and protection of Huntingtower Castle.*

- 22 Prior to approval of further detailed applications a Public Transport Plan shall be submitted for written approval to this Council as Planning Authority and fully implemented to the satisfaction of this Council prior to the occupation of the 50<sup>th</sup> dwelling.

The Public Transport Plan will set out what additional services will be provided, how the contribution funding will be used and how the developer will seek to promote sustainable travel.

*Reason: In the interest of sustainable travel.*

- 23 Prior to the completion of 1,000 dwellings and every 6 months during construction, the River Almond, East Pow Burn and Perth Town Lade for a distance of 300m (or length otherwise agreed with the Planning Authority) upstream and downstream of the proposed development shall be inspected and cleared of any impediments arising as a result of the development likely to



create any obstruction to the free flow of water; all to the satisfaction of the Council as Roads Authority.

*Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in accordance with the adopted development plan.*

*Reason: To reduce the risk of flooding.*

- 24 No works shall take place within 25 metres of any flood apparatus constructed as part of the Perth Flood Prevention Scheme or Almondbank Flood Protection Scheme without the prior written approval of the Perth and Kinross Council Flooding Team.

*Reason: To maintain the integrity of the Perth Flood Prevention Scheme defences.*

- 25 Unless otherwise agreed in writing by the Planning Authority the Finished Floor Level of all properties shall be a minimum of 600mm above the 200 year flood level.

*Reason: To reduce the risk of flooding.*

- 26 Unless otherwise agreed in writing by the Planning Authority, the garden level of all properties shall be a minimum of 300mm above the 200 year flood level.

*Reason: To reduce the risk of flooding.*

- 27 Prior to the commencement of development the soffit level of all bridges/culverts shall be agreed in writing by Perth and Kinross Councils Flooding Team.

*Reason: To reduce the risk of flooding.*

- 28 A 5m maintenance strip must be provided either side of any flood protection apparatus and the watercourses along the River Almond, East Pow Burn and Perth Town Lade.

*Reason: To allow suitable access to the watercourse and flood protection apparatus for maintenance purposes.*

- 29 Mitigation measures submitted as part of the Environmental Statement shall be incorporated into subsequent applications for the approval of matters specified in conditions attached to this consent and thereafter fully implemented.

*Reason: To ensure environmental impacts are satisfactorily mitigated.*

- 30 The Ecology and Habitat Surveys undertaken in respect of the Environmental Statement submitted with the planning application 15/01157/IPM shall be updated and re-submitted to the Planning Authority for each phase of development as part of any further matters specified by condition applications.

*Reason: To ensure a satisfactory standard of local environmental quality; to safeguard the welfare of any protected wildlife.*

- 31 As part of each phase of development the mitigation measures specified in Appendix 11.5 (Report to Inform Habitat Regulations Appraisal) of the Environmental Statement submitted with the planning application 15/01157/IPM shall be fully implemented.

*Reason: To ensure a satisfactory standard of local environmental quality; to safeguard the welfare of any protected wildlife.*

- 32 All existing trees and hedgerows shall be retained and protected by suitable fencing in accordance with BS5837 2012 (Trees in Relation to Construction), unless otherwise agreed in writing by the Planning Authority. The details of the protective fencing and its location shall be first submitted to and agreed in writing by the Planning Authority. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the Planning Authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks.

*Reason: to ensure adequate protection for the trees on the site during the construction, in the interests of the visual amenity of the area.*

- 33 As part of each phase of development the recommendations contained within the Tree and Woodland Survey submitted with the Environmental Statement (Chapter 15) shall be adhered to in full. In particular the recommendations for Root Protection Area (RPA) and dwelling standoff distances shall be followed.

*Reason: To ensure a satisfactory standard of local environmental quality; to safeguard the welfare of any protected wildlife.*

- 34 Prior to the commencement of development a Construction Environment Management Plan (CEMP), incorporating a Construction Method Statement (CMS), a Construction Traffic Management Plan (CTMP), a Site Waste Management Plan (SWMP), a Site Access Management Plan, a Drainage Management Plan (DMP) and Environmental Management Plan (EMP) detailing pollution prevention and control measures for all phases of the felling, construction and operation programmes will be submitted to and be approved in writing by the Planning Authority, in consultation with Scottish Environment Protection Agency and Scottish Natural Heritage. The CEMP shall be updated and submitted not less than two months prior to the commencement of each phase and shall incorporate detailed pollution avoidance and mitigation measures for all construction elements. Thereafter the development shall be fully undertaken in accordance with the CEMP unless otherwise agreed in writing by the Planning Authority.

*Reason: In the interest of protecting environmental quality and of bio-diversity.*

- 35 Two months prior to the commencement of the development, an independent and suitably qualified ecologist shall be appointed by the developer at its expense as the ECOW ('Ecological Clerk of Works') for the site. This appointment shall be subject to the prior written approval of the Planning

Authority. The ECOW shall undertake a watching brief throughout the construction of the development and shall have the authority to stop operations or to alter construction methods should there be any works occurring which are having an adverse impact on the natural heritage. The ECOW shall oversee in consultation with the Planning Authority and SNH, the implementation of all ecology related planning conditions throughout the construction of the development.

The ECOW shall have responsibility for the following:

- a) Monitoring compliance with the mitigation works related to the Plan.
- b) Advising the developer on adequate protection of nature conservation interest on the site, including altering construction practices if existing practices are having an adverse impact on the natural heritage of the site.
- c) If any protected species are found on site, the Ecological Clerk of Works will ensure that work is suspended at that location and that a protected species protection plan is implemented.

The ECOW is required to notify the Planning Authority:

- a) If there has been a requirement to stop or alter works in relation to this condition.
- b) They are required to submit a monthly report for the review of the Planning Authority in consultation with Scottish Environment Protection Agency and Scottish Natural Heritage during construction operations.
- c) They will have the power to amend the Construction Method Statement, where required, with any amendments and measures to mitigate submitted to the Planning Authority.

*Reason: In order to ensure that the appointed ECOW is suitability qualified and has a suitable job description and powers.*

- 36 As part of any detailed application for each phase of development following consultation with Perth and Kinross Heritage Trust and Historic Environment Scotland, a plan detailing the sensitive design of the development to protect and maintain the setting of key a scheduled monument at Huntingtower Cairn shall be submitted to and approved by the Planning Authority in agreement with Perth and Kinross Heritage Trust and Historic Environment Scotland.

*Reason: in order to maintain the setting of a Scheduled Monument at Huntingtower Cairn.*

- 37 No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant, agreed by Perth and

Kinross Heritage Trust, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with Perth and Kinross Heritage Trust.

*Reason: In the interest of protecting archaeological interest within the site*

- 38 Prior to the commencement of works on site, an evaluation for the potential of the site to be affected by contamination by a previous use should be undertaken. As a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) will be submitted for consideration by the Council as Planning Authority. If after the preliminary risk assessment identifies the need for further assessment, an intrusive investigation should be undertaken to identify;

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

Prior to the completion or bringing into use of any part of the development the agreed measures to decontaminate the site shall be fully implemented as approved 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: To prevent harm to human health and pollution of the environment in accordance with the aims and objectives of the development plan.*

- 39 Prior to commencement of any development works, a Radiological Walkover Survey report shall be submitted for the consideration of the planning authority and shall be carried out to a methodology submitted and approved in consultation with SEPA.

*Reason: To prevent harm to human health and pollution of the environment in accordance with the aims and objectives of the development plan.*

- 40 Prior to the commencement of development of each phase a detailed noise impact assessment must be prepared by a suitably qualified consultant and shall be submitted to and approved in writing by the Planning Authority. This assessment should include proposed mitigation measures such that an acceptable level of amenity is ensured for the proposed development.

Before any residential unit is occupied the measures agreed to mitigate noise shall be fully implemented as approved by the Planning Authority.

*Reason: In the interests of public health and to prevent noise pollution.*

- 41 Any plant and equipment, such as air conditioning, mechanical extraction, air receivers etc, must be designed and installed so as to prevent noise disturbance to adjoining properties.

*Reason: To prevent disturbance from noise.*

- 42 No development shall take place at the eastern end of Phase H16 as shown in the submitted Masterplan until the results of a detailed noise assessment and mitigation are known and agreed by the Planning Authority.

*Reason: To prevent potential noise pollution of future residential properties and protect the amenity of existing business operations.*

- 43 A scheme of mitigation to minimise impact on air quality shall be submitted to the Planning Authority as part of the matters specified by condition applications. The approved scheme shall be implemented before the occupation of that phase of the development all to the satisfaction of the Council as Planning Authority.

*Reason: In the interests of public health and to prevent pollution.*

- 44 For each phase of the development, a site specific plan, detailing bin storage areas, kerbside collection locations and recycling facilities shall be submitted to and approved in writing by the Planning Authority and thereafter undertaken in accordance with the approved details.

*Reason: in the interests of the sustainable disposal of waste.*

- 45 All domestic properties require an appropriate storage area for a minimum of 3 x 240 litre bins (1 for general waste, 1 for garden & food waste and 1 for dry mixed recyclates/paper) and suitable access/surface to wheel the bins from the storage area to the kerbside where they must be presented for collection.

**Bin Dimensions**

Capacity (litres)	Width (mm)	Height (mm)	Depth (mm)
240	580	1100	740

*Reason: in the interests of the sustainable disposal of waste.*

- 46 Prior to the submission for approval of further detailed applications a Feasibility Study shall be submitted in writing for the approval of the Planning Authority. This report should investigate the technical feasibility and financial viability of heat network/district heating for this site, identifying any available sources of heat (either within the site or offsite) and other factors such as where land will be safeguarded for future district heating infrastructure. The accompanying Design and Access Statement or other document as agreed by the Council should show/demonstrate how the findings of the feasibility study has been incorporated into the finalised design and layout of the proposal.

*Reason: To investigate future district heating opportunities for the development.*

- 47 The development shall be in accordance with the Council's Developer Contributions and Affordable Housing Policy approved in April 2016 which requires a 25% allocation of affordable units within the development all to the satisfaction of the Council as Planning Authority.

*Reason: To comply with the Council's approved policy on Developer Contributions and Affordable Housing.*

## **B JUSTIFICATION**

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

## **C PROCEDURAL NOTES**

- 1 None.

## **D INFORMATIVES**

- 1 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.
- 2 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.
- 3 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 38 of the Development Management Procedure (Scotland) Regulations 2008. 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 38 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.
- 4 Applicants are advised that should their application for 'matters specified by condition' be refused and/or their appeal against such refusal dismissed outwith the three year time limit they are entitled to submit a revised application for 'matters specified by condition' within six months after the date of refusal of the earlier application or of the dismissal of an appeal against such refusal.

- 5 The applicant is advised that to enable some of the negative suspensive conditions to be fulfilled works which are operational development may have to be undertaken outwith the application site. These works themselves may require the submission of a planning application.
- 6 The developer is advised to contact Mr David Strachan, Archaeologist to discuss terms of reference for work required Tel 01738 477080.
- 7 The applicants are advised that they must apply to the Roads Authority, for construction consent to form a new street. Please contact The Construction and Maintenance Manager, The Environment Service, Perth and Kinross Council, The Atrium, Glover Street, Perth.
- 8 Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD
- 9 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.
- 10 No work shall be commenced until an application for building warrant has been submitted and approved.
- 11 The Radiological Walkover Survey shall prioritise areas for monitoring on the western boundary of the site (proximity to former naval depot) and alongside water courses and shall be completed in accordance with The Radioactive Contaminated Land (Scotland) Regulations 2007 (as amended) and The Radioactive Substances (Basic Safety Standards) (Scotland) Direction 2000. Any wastes arising shall be addressed in accordance with the Radioactive Substances Act 1993 (and the associated exemption orders).
- 12 The delivery timescale of the new on-site primary school will be determined by the Councils Education and Children's Services Department to ensure there is sufficient local primary education capacity for the proposed development.

Background Papers: 85 letters of representation  
 Contact Officer: Steve Callan Ext 75337  
 Date: 28 April 2016

**Nick Brian**  
**Development Quality Manager**

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