

Perth and Kinross Council
Planning & Development Management Committee – 14 March 2018
Report of Handling by Interim Development Quality Manager

PROPOSAL:	Residential development (in principle)
LOCATION:	Land north of Morvich House, Golf Course Road, Blairgowrie

Ref. No: 17/02057/IPL
Ward No: P3- Blairgowrie & Glens

Summary

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

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 This planning application seeks to obtain a planning in principle consent for a small residential development on a former small holding located within the settlement boundary of Blairgowrie, in the area locally referred to as 'Rosemount'. The site is *broadly* rectangular in its shape with a length ranging from 120m-140m (east to west) and a width (north to south) of approx. 55m.
- 2 The site is surrounded by existing residential curtilages to the north, south and east. To the north of the site is a private access to a residential property, whilst to the west is Woodlands Road, a narrow but adopted public road. Further to the west are undeveloped paddock areas.
- 3 Vehicular access to the site would be directly off Woodland Road, and this would most likely (based on the width and shape of the site) be a single access which would then serve the proposed dwellings. An existing field access already exists at the southern end of the road side frontage.
- 4 The site is currently occupied by rough grass and is generally flat across the majority of the site, with a scattering of small trees inside the boundaries. Along the boundaries is mix of mature hedging and larger trees, with the hedge boundary along the western edge (alongside Woodlands Road) being particularly impressive.
- 5 An indicative layout has been submitted by the applicant that shows a four plot development served by one principal vehicular access taken from Woodlands Road, with separate individual accesses then taken from that one new internal vehicular access that is indicatively shown along the southern part of the site. Any proposed layout at this stage is indicative only and would not form part of any approved plans.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 6 Directive 2011/92/EU requires the 'competent authority' (in this case Perth and Kinross Council) when giving a planning permission for particular large scale projects to do so in the knowledge of any likely significant effects on the environment. The Directive therefore sets out a procedure that must be followed for certain types of project before 'development consent' can be given.
- 7 This procedure, known as Environmental Impact Assessment (EIA), is a means of drawing together, in a systematic way, an assessment of a project's likely significant environmental effects. This helps to ensure that the importance of the predicted effects, and the scope for reducing any adverse effects, are properly understood by the public and the relevant competent authority before it makes its decision.
- 8 An Environmental Statement was not required to be submitted with the proposal as the scale of development falls below the EIA thresholds.

NATIONAL POLICY AND GUIDANCE

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

National Planning Framework

- 10 NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. Under the Planning etc. (Scotland) Act 2006 this is now a statutory document and material consideration in any planning application. The document provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

Scottish Planning Policy 2014

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

The following sections of the SPP will be of particular importance in the assessment of this proposal:

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

Planning Advice Notes

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

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

Creating Places

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

Designing Streets 2010

- 14 Designing Streets is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government's place-making agenda, alongside Creating Places, which sets out Government aspirations for design and the role of the planning system in delivering these.

National Roads Development Guide 2014

- 15 This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.

Historic Environment Scotland Policy Statement 2016

- 16 This document sets out how Historic Environment Scotland fulfils its regulatory and advisory roles and how it expects others to interpret and implement Scottish Planning Policy.

DEVELOPMENT PLAN

- 17 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYPlan Strategic Development Plan 2016-2036

- 18 TAYPlan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:
- 19 *“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”*
- 20 The following policies of the TAYplan 2017 are of particular importance in the assessment of this application.

Policy 6 - Developer Contributions

- 21 Seeks to ensure suitable infrastructure is in place to facilitate new development. Developer contributions shall be sought to mitigate any adverse impact on infrastructure, services and amenities brought about by development. This may include contributions towards schools, the delivery of affordable housing, transport infrastructure and facilities (including road, rail, walking, cycling and public transport), green infrastructure and other community facilities in accordance with the Scottish Government Circular 3/2012: Planning Obligations and Good Neighbour Agreements

Perth and Kinross Local Development Plan 2014

- 22 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. The LDP sets out a vision statement for the area and states that, *“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”* It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 23 Within the LDP, the site lies within the settlement boundary of Blairgowrie. To this end, the principal relevant policies which are applicable to this proposal are,

Policy PM1A - Placemaking

- 24 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 PM3 - Infrastructure Contributions

- 25 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 RD1 - Residential Areas

- 26 In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are 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

- 27 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 NE3 - Biodiversity

- 28 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 CF1A – Open Space Retention and Provision

- 29 The Plan identifies Sports Pitches, Parks and Open Space. These are areas of land which have value to the community for either recreational or amenity purposes. Development proposals resulting in the loss of these areas will not be permitted, except in certain circumstances.

Policy HE2 - Listed Buildings

- 30 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.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

- 31 Perth & Kinross Council is progressing with preparation of a new Local Development Plan to provide up-to-date Development Plan coverage for Perth & Kinross. When adopted, the Perth & Kinross Local Development Plan 2 (LDP2) will replace the current adopted Perth & Kinross Local Development Plan (LDP). The Proposed Local Development Plan 2 was approved at the Special Council meeting on 22 November 2017. The Proposed LDP2 sets out a clear, long-term vision and planning policies for Perth & Kinross to meet the development needs of the area up to 2028 and beyond. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014.
- 32 The Proposed LDP2, as approved by Perth & Kinross Council, was subject of a 9 week period of representation, which ended on 2 February 2018. Any unresolved representation to the Proposed Plan after this period is likely to be considered at an Examination by independent Reporter(s) appointed by the Scottish Ministers. The Reporter(s) will thereafter present their conclusions and recommendations on the plan, which the Council must accept prior to adoption. It is only in exceptional circumstances that the Council can elect not to do this.
- 33 The Proposed Plan represents Perth & Kinross Council's settled view in relation to land use planning and as such it is a material consideration in the determination of planning applications. The Proposed Plan is, however, at a stage in the statutory preparation process where it may be subject to modification. As such limited weight can therefore currently be given to its content and the policies and proposals of the plan are only referred to where they would materially alter the recommendation or decision. The weight of the Proposed Plan may change following consideration of representation received during consultation, at which time the level of significance of any objection to strategy, policies or proposals within the plan will be known.

OTHER COUNCIL POLICIES

Developer Contributions and Affordable Housing 2016

- 34 This policy outlines the Council's position in relation to Developer Contributions in relation to Primary Education, A9 upgrades and Transport Infrastructure as well as Affordable Housing provision.

SITE HISTORY

- 35 There has been no previous planning history on this site.

CONSULTATIONS

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

External

- 37 **Scottish Water** – No objection to the proposal in terms of foul or water capacity.

Internal

- 38 **Transport Planning** – Have commented on the proposal, and confirmed that the planning application has been discussed with the road safety team. At this stage, they have no objections to the proposal and consider the existing junction at Woodlands Road/Golf Course Road to be capable of accommodating the extra vehicular movements that this development may generate.
- 39 **Development Negotiations Officer** – A standard compliance condition should be placed on any consent in relation to Primary Education.
- 40 **Environmental Health** – No objection to the proposal in terms of contaminated land issues. .

REPRESENTATIONS

- 41 23 letters of representations have been received, of which 3 are offering support for the proposal and 20 are raising an objection to the proposal.
- 42 The main issues raised by the objectors are,
- Inappropriate Land use
 - Contrary to the Local Development Plan
 - Contrary to previous Local Plan (Eastern Area Local Plan 1998)
 - Visual impact
 - Impact on Residential Amenity
 - Impact on Visual amenity of the Area
 - Loss of Open Space
 - Impact on Trees
 - Impact on Wildlife
 - Impact on Roads safety issues
- 43 The main point raised within the letters of support is that additional traffic which may be generated by this development would be low, and would not impact on the local road network.
- 44 These issues are addressed in the Appraisal section of the appraisal.

45 ADDITIONAL STATEMENTS

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement / Design and Access Statement	Not submitted
Reports on Impact or Potential Impact	Planning Statement Lodged

APPRAISAL

- 46 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) require the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The adopted Development Plan comprises the TAYplan Strategic Development Plan 2016–2036 and the Perth and Kinross Local Development Plan 2014. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, this involves considerations of the Council's other approved policies and supplementary guidance, namely the Developer Contributions and Affordable Housing 2016 document.

Principle

- 47 The application site lies within the settlement boundary of Blairgowrie in the adopted LDP, where Policy RD1 is directly applicable. This policy states that within settlement boundaries, infill residential developments are generally encouraged by the LDP providing that the density proposed represents the most efficient use of the site and that the development respects the surrounding environs. As the surrounding land uses are largely residential, in land use terms only, I consider the proposed residential use to be entirely compatible with the existing uses purely from a compatible uses point of view.
- 48 Policies RD1 and PM1A of the LDP both seek to restrict new development when it would adversely affect the density, character or amenity of the area concerned. To this end, I consider the key test of the acceptability (or otherwise) of this proposal in land use terms to be whether or not a residential development on this site would have an adverse impact on the character, density or amenity (residential and visual) of the area.
- 49 In terms of the impact on the character of the area, as the site is surrounded by existing housing, the general character of the surrounding area is clearly a residential one. A suitably designed residential development on this site, reflecting the surrounding house types, layout and densities, would in my view, be perfectly in keeping with the existing, surrounding character of the area and would not in my opinion have an adverse impact on the general character of the surrounding area.

- 50 However, I note that within the representations some concerns have been raised regarding impact that the proposal would have on the visual amenity value associated with the existing openness of the site, which is considered by some objectors to be a key characteristic of the local area, and that the permanent loss would be to the detriment to the general amenity of the area.
- 51 The adopted LDP identifies areas that have an amenity value to the community for either recreational or amenity purposes (both within private and public ownership), and *Policy CF1A* of the LDP specifically seeks to protect these areas from being lost. This site has not been identified with the adopted LDP as such an area
- 52 Notwithstanding this position, Policy RD1 of the LDP does seek to offer protection to other, unidentified smaller areas of open space if such areas are considered to have a high recreational or amenity value that is worth protecting.
- 53 I do appreciate the concerns of some of the local residents and their anxiety about the loss of this 'green' area, however the site is within private ownership, and is not currently operating as a functional area of open space for recreational or community uses. Whilst the historic openness and 'green' appearance of the site may give it a degree of visual amenity value for the neighbouring residents who overlook it, I do not consider the area to be of such visual importance that it requires protection. I am also of the view that the lack of a functional, recreational or community purpose for the site make it extremely difficult to make a valid argument for its retention as a private area of open space. The site has not been specifically identified in the adopted LDP as an area of open space retention whilst other parts of Rosemount have been so designated.
- 54 In terms of the impact on the density and residential amenity, as this is a planning in principle application no numbers or layout are to be approved as part of this permission. Nevertheless, I am satisfied that a suitably designed development can be achieved which would be in-keeping with the existing surrounding building pattern and density, whilst not adversely affecting the residential amenity presently enjoyed by neighbouring residents.

Design and Layout

- 55 This is a planning in principle application only. No details of the design, layout, orientation or numbers of dwellings are under consideration at this stage. However, I note that the applicant has suggested an indicative number of 4. Whilst it is not my intention to limit, or specifically approve a particular number or density, I would suggest at this stage that a proposal for 4 detached dwellings is unlikely to gain my support as it will not accord with the surrounding building pattern.

Residential Amenity

- 56 In terms of the potential direct impact on existing residential amenity i.e. overlooking or loss of privacy, I am confident that an appropriately designed development can be accommodated on this site which will not compromise

existing residential amenity, and which would be line with the Councils standards in terms of separation distances, depth of rear gardens etc.

- 57 In terms of being able to provide a suitable level of residential amenity for future occupiers, subject to appropriate density and layout being brought forward at the approval of matters specified stage, I see no reason why a suitable level of residential amenity cannot be delivered for the future residents of the development.

Visual Amenity

- 58 As stated previously, the development will have an impact on the visual amenity of the area as it will result in the removal of an existing area of open space. However, a change in the appearance of a site is not a reason for rendering it unacceptable. What is important is whether or not the likely change is acceptable in its own right. Subject to a suitability designed detailed submission (which includes the retention of the existing trees/hedges where it is reasonable to do so), I am confident that the development would be visually compatible with the existing surrounding area, and would not be incongruous.

Roads and Access

- 59 I note that within the representations, considerable concerns have been raised regarding the potential increase in traffic movements that this proposal would generate on the local roads. In addition to this, the suitability of Woodlands Road / Golf Course Road junction to accommodate the development has also been raised as an area of specific concern.
- 60 Whilst this is a planning in principle application, bearing in mind the character of the area and the size of the adjacent residential plots, an acceptable development is not likely to exceed any more than 3 residential units, with 2 more likely to be acceptable. In light of this, the number of additional vehicular movements that are likely to be generated would be extremely low in actual numbers and in the context of the existing usage. It is the view of my Transport Planning colleagues that the level of movements would not exceed a typical daily variance in movements in the area.
- 61 It is therefore my view that the surrounding local road network is capable of accommodating the vehicular movements associated with a small residential development, without jeopardising road or pedestrian safety.
- 62 In terms of the existing junction between Woodlands Road and Golf Course road, the acceptability of this junction to accommodate more vehicular movements has been raised within the majority of objections as an area of concern. Visibility when leaving and entering Woodlands Road is restricted in both directions due to high hedges. It is the case that the applicant owns land to the east of the junction and therefore if required, adjustments could be made which are in the applicants control.

- 63 As stated above, the level of additional vehicular movements generated by this development that would be using the local road network and the junction - both in actual numbers, and as a proportion of the existing traffic, would be low.
- 64 Based on the above, and after discussions with the Road Safety Team, Transport Planning are satisfied that the existing junction arrangement is satisfactory, and I therefore do not propose any off site mitigation at the Woodlands Road / Golf Course Road junction as part of this planning application.
- 65 With regards to the vehicular access from Woodlands Road into the site, I also have no objections. Precise details of the point of access, and suitable visibility splays will be required as part of the application for approval of matters specified.

Drainage

- 66 The site lies within a publicly sewered area and to this end the development would be connected to the public system for foul drainage. A SUDS scheme will be required for the disposal of surface water

Flooding

- 67 The site has no known flooding issues. The disposal of surface water from hard surfaces will be via a SUDS system, which will ensure that neighbour properties are not affected by runoff.

Loss of Agricultural Land

- 68 The site is currently used for rough grassing, and I understand that it has been used for horses in the past. Bearing in mind its current use and its physical size, its potential permanent loss would not compromise the function ability of agricultural operations in the area.

Impact on Trees

- 69 Although the majority of the site is grassed, there are a number of trees which align the sites boundaries. It is expected that the applicant will seek to remove some of these for creating the access point and perhaps an internal access. However, I see no reason why the majority of the trees cannot be retained. Whilst I acknowledge that the trees may not be prime examples of specimen trees, collectively, they nevertheless have a visual amenity value which should be retained and incorporated into a detailed scheme. A condition (2) has been recommended to this effect.

Waste Collection

- 70 This is a planning in principle application so precise details regarding the means of storage of waste and recycling bins and / or communal areas will be addressed at the approval of matters specified stage.

Natural Heritage and Biodiversity

- 71 There are no known protected species within the site, or within the immediate area. However, as the Rosemount area has a reputation for squirrels, I recommend that a habitat survey of the trees/hedges shall be undertaken to ensure that no local wildlife is adversely affected by the proposal, particularly if some trees / hedges are proposed for removal as part of an application for approval of matters specified (condition 3).

Impact on Listed Building

- 72 To the north of the site is the property named 'Shian', which is a category B listed Arts and Crafts villa. Whilst this does not preclude the development of the site, protecting and respecting the setting of this property should be taken into account when considering the acceptability of an application for the approval of matters specified.

Access to further Development

- 73 Within the letters of representation a concern has been raised regarding the possibility of this development providing access to other potential sites, such as the area at 'Stonefield' behind the existing care home. If a proposal was to be brought forward that proposed to access another site via this site, the suitability of such a proposal would be fully considered in its own right through the submission of a separate formal application for planning consent.

Eastern Area Local Plan 1998

- 74 Within some of the letters of representations, concerns have been raised that a proposed residential development on this site would be contrary to the Eastern Area Local Plan, which was adopted by the Council in 1998. Whilst the adoption of the current Local Development Plan supersedes the 1998 plan, I consider it worthwhile to respond to this specific point which has been raised within the letters of representation.
- 75 Within the 1998 plan the site was located within a residential area where new residential proposals were supported provided that certain site specific criteria could be met. It is suggested within some of the objections that the 1998 plan provided an outright ban on new (residential) proposals that used Woodlands Road as a means of access. Within the Strategy and Justification section of the 1998 plan, it was stated that *'Inadequate road access is a severe constraint on the availability of sites particularly in the Woodlands Road and Brucefield areas'*.
- 76 This reference was highlighting a potential issue for the Council with identifying new housing sites of a scale that would have a material impact on movement on the existing local road network in the knowledge that junction visibility, and roads widths are problematic. It did not seek to impose an outright restriction on new development within the area. As stated previously, the number of new vehicular movements which would likely be generated by a small residential

development on this site would be low, and any increase would be less than the typical daily variance in movement.

Developer Contributions

Affordable Housing

- 77 Whilst it is unlikely that a development compromising 5 or more residential units would be acceptable on this site, I consider it reasonable to recommend a standard compliance condition (6) to be attached to this permission which requires compliance with the requirements of Policy RD4 of the LDP and also the Developer Contributions Supplementary Guidance.

Primary Education

- 78 A standard compliance condition (5) in relation which requires compliance with Policy PM3 of the LDP and also the Developer Contributions Supplementary Guidance.

A9 Junction Improvements

- 79 The site is located outwith the catchment area for A9 Junction Improvements.

Transport Infrastructure

- 80 The site is located outwith the catchment area for Transport Infrastructure contributions.

Economic Impact

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

LEGAL AGREEMENTS

- 82 There are no legal agreements required.

DIRECTION BY SCOTTISH MINISTERS

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

CONCLUSION AND REASONS FOR RECOMMENDATION

- 84 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, I have taken account of the Local Development Plan and material considerations and in this case I am content that the development

proposed does not conflict with the Development Plan. Accordingly the proposal is recommended for approval subject to conditions.

RECOMMENDATION

Approve the planning application subject to the following conditions,

- 1 The development shall not commence until the following specified matters have been the subject of a formal planning application for the approval of the Council as Planning Authority: the siting, design and external appearance of the development, the hard and soft landscaping of the site, all means of enclosure, means of access to the site, vehicle parking and turning facilities, levels, drainage and waste management provision.

Reason – This is a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006.

- 2 All existing trees and hedging on the site shall be retained and their retention or proposed lopping, topping or felling shall be shown in the submission of the matters specified in Condition 1 above.

Reason – In order to protect the existing trees and hedges.

- 3 Notwithstanding the terms of condition 1 above, a biodiversity / habitat survey shall be submitted with an application for the approval of matters specified.

Reason – In the interest of proper site management and to protect any existing biodiversity / habitats.

- 4 Notwithstanding the details submitted by the applicant, no permission is granted for any layout, number of plots or house types.

Reason - This is a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006.

- 5 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to primary education infrastructure, unless otherwise agreed in writing with the Council as Planning Authority.

Reason - To ensure the development is in accordance with the terms of the Perth and Kinross Council Local Development Plan 2014 and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2016.

- 6 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy RD4: Affordable Housing of the Perth & Kinross Local Development Plan 2014, or such subsequent Guidance and Policy which may replace these.

Reason - To ensure the development is in accordance with the terms of the Perth and Kinross Council Local Development Plan 2014 and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2016.

- 7 Prior to the development hereby approved being completed or brought into use, all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority.

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

B JUSTIFICATION

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

C PROCEDURAL NOTES

None.

D INFORMATIVES

- 1 Application for the approval of matters specified in conditions shall be made before the expiration of 3 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.
- 2 The approved development shall be commenced not later than the expiration of 3 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.
- 3 Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.

- 4 For information, foul flows only will be allowed to discharge to the public system. The Developer should arrange to dispose of surface water privately, to the satisfaction of the statutory drainage Authority.
- 5 The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
- 6 The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for consent to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.

Background Papers: 23 letters of representation

Contact Officer: Andy Baxter, 01738 475339

Date: 1 March 2018

ANNE CONDLIFFE
INTERIM DEVELOPMENT QUALITY MANAGER

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