

Perth and Kinross Council  
Planning and Placemaking Committee – 10 August 2022  
Report of Handling by Head of Planning & Development  
(Report No. 22/178)

<b>PROPOSAL:</b>	Erection of replacement recreation centre with swimming pool, sports hall, gymnasium, fitness suite, dance studio and ancillary facilities, installation of a substation, siting of sprinkler tank, air source heat pump and bin store enclosures, formation of outdoor sports pitch, parking areas, landscaping and associated works
<b>LOCATION:</b>	Blairgowrie Recreation Centre, Beeches Road, Blairgowrie, PH10 6PN

Ref. No: 21/02249/FLM  
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 Planning permission is sought for the erection of a new/replacement recreation centre, including a swimming pool, sports hall, gymnasium, fitness suite, dance studio and ancillary facilities. The proposal also includes the formation of a synthetic outdoor sports pitch, parking areas, landscaping and associated works. The development will be within the campus of Blairgowrie High School, with the new recreation centre and sports pitch located immediately to the south of the existing school buildings.
- 2 The development will be carried out in two phases with the existing recreation centre remaining operational during the initial construction of the replacement centre and then demolished once the new building comes into use.
- 3 The area to be developed currently forms part of the school playing fields, thus a flat grass area. It is bound to the south, east and west by residential properties. The high school buildings are to the north and the existing recreation centre occupies the north-east of the site. Access is from Beeches Road and this will be retained as the access for the new recreation centre.

- 4 The recreation centre building will be laid out in a north-south orientation and see accommodation over two storeys, including:
- Four court sports hall
  - Two court sports hall/Gymnasium
  - Shared Storage
  - 25m x 6 lane swimming pool
  - Wet & Dry Changing facilities
  - Offices for Live Active Leisure & School Staff
  - Changing rooms for external pitch
  - PE Classroom
  - Fitness Suite
  - Dance Studio
- 5 The large volume spaces such as the gym and sports halls will be double height. The building design has been kept simple and uncluttered, in order to achieve the air tightness required to comply with Passivhaus standards.
- 6 The new external sports pitch will be located to the west of the recreation centre, where a synthetic surface and floodlighting will allow it to be utilised all year round and more intensively than the existing grass surfaces.

### **Pre-Application Consultation**

- 7 The proposed development is classed as a Major development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Therefore, the applicant undertook formal pre-application consultation with the local community and a Pre-Application Consultation (PAC) Report on this supports the application. An online public consultation event was held on 7 July 2021 between 16:00 and 19:00hrs. A website providing information relating to the proposal went live on 6 July 2021 and remained live for review and comment until 28 July 2021. The on-line exhibition had 534 viewers in total and 10 live chats during the live event with the design team. Six on-line submissions and 10 email comments were received by the closing date of 28 July 2021.

### **ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**

- 8 An EIA screening exercise (21/01308/SCRN) was carried out in relation to the proposal, concluding that EIA was not required. On this basis, an EIA Report was not prepared. An overview of the relevant matters is contained in the submitted planning statement.

### **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 2014**

- 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. This is a statutory document and material consideration in any planning application. It 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.

## **The Scottish Planning Policy 2014 (SSP)**

- 11 The Scottish Planning Policy (SPP) 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.
- 12 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
  - Managing Flood Risk and Drainage: paragraphs 254 – 268
  - Promoting Sustainable Transport and Active Travel: paragraphs 269 – 291

## **Planning Advice Notes**

- 13 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
- PAN 40 Development Management
  - PAN 51 Planning, Environmental Protection and Regulation
  - PAN 61 Planning and Sustainable Urban Drainage Systems
  - PAN 68 Design Statements
  - PAN 69 Planning and Building standards Advice on Flooding
  - PAN 75 Planning for Transport
  - PAN 77 Designing Safer Places

## **Creating Places 2013**

- 14 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**

- 15 Designing Streets is the policy statement in Scotland for street design and changes the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It was created to support the Scottish Government's place-making agenda, alongside Creating Places.

## **National Roads Development Guide 2014**

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

## **Development Plan**

- 17 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019. This paragraph will need to be revised for applications within Cairngorm National Park where other local plans apply.

## **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:

*"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."*

- 19 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application:

- Policy 1: Locational Priorities
- Policy 2: Shaping Better Quality Places

## **Perth and Kinross Local Development Plan 2**

- 20 The Local Development Plan 2 (2019) (LDP2) 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.

- 21 The principal relevant policies are, in summary;

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 2: Design Statements

- Policy 13: Retail and Commercial Leisure Proposals
- Policy 14A: Open Space Retention and Provision
- Policy 16: Social, Cultural and Community Facilities
- Policy 17: Residential Areas
- Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
- Policy 39: Landscape
- Policy 41: Biodiversity
- Policy 52: New Development and Flooding
- Policy 53B: Water Environment and Drainage: Foul Drainage
- Policy 53C: Water Environment and Drainage: Surface Water Drainage
- Policy 55: Nuisance from Artificial Light and Light Pollution
- Policy 56: Noise Pollution
- Policy 58A: Contaminated and Unstable Land: Contaminated Land
- Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

### **Other Policies**

#### **Placemaking Supplementary Guidance March 2020**

- 22 The Council has prepared Placemaking Supplementary Guidance (2020) to support Policy 1 (Placemaking) of the Perth and Kinross Local Development Plan 2 (2019). It is to be used in the assessment of planning applications and to assist in the placemaking process.

#### **Supplementary Guidance Flood Risk and Flood Risk Assessment**

- 23 This document provides guidance relating to the Perth and Kinross Local Development Plan (LDP) 2 Policy 52: New Development and Flooding, and Policy 53: Water Environment and Drainage.

### **Site History**

- 24 **21/00010/PAN** A Proposal of Application Notice relating to the erection of a sports facility to include swimming pool, external sports pitch, vehicular access, parking, landscaping and associated works was submitted to PKC and the approach set out accepted on 28 June 2021.
- 25 **21/01308/SCRN** An EIA Screening Request for the replacement of the existing recreation centre and provision of a new synthetic sports pitch was submitted to PKC, with a Screening Opinion issued on 23 July 2021 – advising that EIA was not required.

### **CONSULTATIONS**

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

## **External**

### **Scottish Water**

- 27 No objection. There is currently sufficient capacity at Lintrathen Water Treatment Works and Blairgowrie Waste Water Treatment Works to service the development.

### **Sport Scotland**

- 28 No objection, subject to a condition requiring further approval for the design and specification of the synthetic pitch.

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

- 29 SEPA's triage framework confirms that consultation is not required. Their Standing Advice has been considered in the determination of the application.

### **Blairgowrie And Rattray Community Council**

- 30 No comments.

## **Internal**

### **Environmental Health (Contaminated Land)**

- 31 No objection. No concerns regarding ground contamination.

### **Environmental Health (Noise Odour)**

- 32 No objection, subject to conditions controlling hours of operation, noise and external lighting.

### **Community Greenspace**

- 33 No comments.

### **Transport Planning**

- 34 No objection, subject to a pre-commencement condition requiring the submission and agreement of a Construction Traffic Management Scheme. A Travel Plan is also requested.

### **Biodiversity/Tree Officer**

- 35 No objection, subject to conditions on biodiversity enhancement and further approval of the landscaping specification, including planting schedule and maintenance.

### **Structures And Flooding**

36 No objection, subject to conditions on drainage design.

### **Commercial Waste Team**

37 No objection.

### **Perth And Kinross Heritage Trust**

38 No objection, subject to a condition requiring a programme of archaeological works.

### **Development Contributions Officer**

39 No contributions required.

### **Representations**

40 4 representations have been received, summarised as follows:

#### **Material considerations**

- Height of the building
- Loss of daylight/sunlight
- Noise
- Privacy
- Impact from increased use of the playing fields

#### **Non-material considerations**

- Loss of view
- Impact on property values

41 The material issues are addressed in the Appraisal section of the report.

### **ADDITIONAL STATEMENTS**

42

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment	Habitats Regulations Appraisal Not Required
Design Statement or Design and Access Statement	Submitted

Report on Impact or Potential Impact eg Flood Risk Assessment	<ul style="list-style-type: none"> <li>• Planning Statement</li> <li>• Archaeological Assessment</li> <li>• Flood Risk Assessment</li> <li>• Drainage Impact Assessment</li> <li>• Noise Impact Assessment</li> <li>• Sustainability Assessment</li> <li>• Transport Assessment</li> <li>• Habitat Survey</li> <li>• Bat Survey Report</li> </ul>
--	---

## APPRAISAL

- 43 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) require the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The adopted Development Plan comprises the TAYplan Strategic Development Plan 2016–2036 and the Perth and Kinross Local Development Plan 2019. 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.

### Principle

- 44 The LDP2 Settlement Summary for Blairgowrie/Rattray identifies the high school as a site for a new recreation centre. However, the existing school playing field is designated in as Open Space. Policy 14 'Open Space' advises that development of open spaces will generally be resisted, but includes an exception where *'proposals involving the loss of a recreational facility, the facility which would be lost would be replaced by provision of one of comparable or greater benefit and in a location which is convenient for its users, or by the upgrading of an existing provision to provide a better quality facility, either within the same site, or at another location which is convenient for its users.'*
- 45 The new floodlit synthetic sports pitch will allow the site to be used more intensively, thereby increasing the opportunities for people to participate in sport and leisure activities. Consequently, it is considered that the completed development will provide greater benefit than the existing provision.
- 46 Policy 16 'Social, Cultural and Community Facilities' states that *'development involving the loss or change of use of land or buildings presently or last used for community purposes will only be permitted where the proposal would result in the provision of alternative facilities of equivalent community benefit.'*
- 47 The existing recreation centre is more than 30 years old and is beyond its designed lifespan. A programme of continual condition surveys, repairs and a maintenance schedule are currently needed to ensure the ongoing operation of the facility. The proposed recreation centre will provide an improved, modern facility providing increased benefit to Blairgowrie and the



broader Eastern Perthshire area and is therefore considered compliant with Policy 16.

- 48 Policy 13 'Retail and Commercial Leisure Proposals' requires that the location for any use that generates significant footfall, including community and cultural facilities, should follow a sequential approach based on a 'town centre first' principle. However, the location of the recreation centre within the high school site has been identified through LDP2 and Policy 13 is therefore not considered applicable in this instance.
- 49 Policy 17 'Residential Areas' aims to prevent loss of residential amenity within settlement boundaries. It states that encouragement will be aimed at proposals that fall under specific categories which are compatible with the amenity and character of the area. One of the categories is '*proposal for improvements to community and educational facilities.*' The redevelopment of new leisure facilities meets with this category and therefore there is no conflict with LDP2.
- 50 Overall, the proposal is considered to comply with Policy 13, 14, 16 and 17. The principle of the development is therefore acceptable, subject to compliance with other relevant LDP2 policies.

### **Design and Layout**

- 51 The overall design concept for the recreation centre has been based on obtaining Passivhaus certification. The building is broadly rectangular in shape with consistent massing and a simple functional design. The building has been positioned to the east of the site, with the public entrance at the north-east corner so that it is clearly identified and visible from the main road. A separate dedicated access from the school campus is provided at the north-west corner.
- 52 The external material is predominantly dark-grey standing seam cladding with curtain walling and feature metal cladding on the north elevation to emphasise the entrance. The south-east corner will have glazed curtain walling around the swimming pool.
- 53 Internally, the building has a simple circulation system with a single spine corridor that gives access to the dry changing village, which serves the gym and four court hall, and the wet changing village serving the pool. Access to the pool for spectators will be from the spine corridor, without accessing the changing village.
- 54 The swimming pool and related changing village, where internal temperatures are higher, are positioned on the east side of the building with east and south facing glazing positioned to maximise solar gain and reduce heating demand, while evenly distributing natural light through the space and so reducing demand for lighting energy. The games hall and gym are located on the west side of the building where internal temperatures are lower.
- 55 A stair and lift are situated at the main entrance. These give access to first floor accommodation which includes a Fitness Suite, Dance Studio, P.E. Classroom and Changing facilities.

- 56 The external synthetic sports pitch will be located centrally on the existing playing fields and immediately to the west of the recreation centre. The pitch will be laid out in a north-south orientation, as advised by SportScotland. The pitch area will be surrounded by ball-stop fencing panels and will have eight 15m high floodlighting masts.
- 57 Overall, in terms of its scale and form, the recreation centre is considered an appropriate development in this location and will not be visually overbearing in its context within the school grounds. Similarly, the sports pitch is entirely functional and is appropriate in the context of the new recreation centre and existing school playing fields. The proposal is considered to comply with Policy 1 'Placemaking'.

### **Residential Amenity**

- 58 Although a school, leisure centre and playing fields are well established in the locality, it is considered that the operation of a floodlit all-weather pitch will allow this area to be used more frequently and later into the evenings than has previously been the case. Environmental Health has requested that conditions be imposed restricting the hours of operation of the pitch, hours of operation of the floodlighting and to ensure sufficient screening of the floodlighting so that it does not adversely affect neighbouring properties (Conditions 4, 7 and 8). In addition, a Noise Management Plan is required to manage potential noise associated with the recreation centre and all-weather pitch (Condition 9).
- 59 A further condition (Condition 6) will also be required to control amplified music within the recreation centre.
- 60 An objection comment has also raised the possibility of noise disturbance for the substation. A further condition (Condition 5) will ensure that all noise from plant and equipment associated with the development must be below required levels.
- 61 At its closest point the recreation centre building will be approximately 6m from the boundary with the properties to the east. At this point the elevation will have a height of 11m. Sun path diagrams have been submitted in support of the application. These show that, at the spring equinox, some of the gardens of the properties to the east of the proposal will suffer from additional overshadowing beyond 15:00. At the summer solstice the gardens will begin to be overshadowed after 17:00. It is considered that the properties' gardens will receive adequate sunlight for a large portion of the day and the overshadowing does not represent a significant or unacceptable detrimental impact on amenity.
- 62 In terms of privacy, existing boundary treatments will prevent overlooking to adjacent properties. However, five upper floor windows on the east elevation will face the gardens and rear elevations of the properties on Berrydale Road. However, the windows serve a dance studio and fitness suite, and their function is primarily to allow daylight into the building rather than to provide outlook and it is not considered that they will give rise to any privacy issues.

- 63 Overall, the proposal will not result in any unacceptable impact on neighbouring residential amenity. The development is acceptable subject to the proposed conditions to control potential noise and light overspill.

### **Roads and Access**

- 64 Phase one of the development will see the existing access from Beeches Road extended to the proposed centre and wrapping around its east and south sides to form a service access. A new drop-off and turning area and car parking will be provided in an area to the south of the existing recreation centre. A total of 33 car parking spaces will be provided, including six accessible spaces and six for electric vehicles.
- 65 Phase two of the development, following the demolition of the existing recreation centre, will result in the provision of an additional 19 car parking spaces and five motorcycle spaces. The drop off area will be extended to form a one-way system with the remainder of the site to be landscaped. The existing car park for the recreation centre, which has 16 spaces and includes one accessible space, will also be removed and landscaped.
- 66 The site will provide 16 covered cycle spaces, which complies with recommendations of the National Roads Development Guide.
- 67 It is recommended that a Construction Traffic Management Scheme and a Travel Plan are submitted and agreed prior to the commencement of development. Conditions have been recommended to secure these (Conditions 10 and 11).
- 68 Overall, the proposal is considered to comply with LDP2 Policy 60B: Transport Standards and Accessibility Requirements.

### **Landscape**

- 69 The proposal includes significant landscaping to the south and east of the site where it sits closest to neighbouring residential properties. The design includes for tree planting, grass areas, hedgerows, and shrub borders, at the site entrance which will soften the hard surfacing at this area.
- 70 Proposed tree species comprises ornamental and native trees within the larger stock range, and entirely native species within smaller stock size used within the woodland mix. The woodland mix is augmented with *Ligustrum vulgare* (privet) which in addition to the Scots pine, will provide evergreen content throughout the south woodland area.
- 71 Tree species selection within the east boundary of the site, uses small stature trees, which should not impact the neighbouring residential properties in terms of loss of light.
- 72 The Council's Biodiversity / Tree Officer has advised that the proposal should provide a planting specification, initial maintenance schedule, and confirmation of timing for adoption by PKC. This will be required by a condition (Condition 2).

- 73 Overall, the landscape proposals are considered to be acceptable and in compliance with Policy 1 'Placemaking'.

### **Drainage and Flooding**

- 74 The site is not located within an area of Flood Risk and Scottish Water has no objection to the proposal.
- 75 The submission is supported by a Flood Risk Assessment and Drainage Impact Assessment. The Structures and Flooding Team has no objection to the proposals subject to a pre-commencement condition for the detailed drainage design (Condition 15). It is considered that the proposal complies with LDP2 Policy 52 – New Development and Flooding and Policy 53 - Water Environment and Drainage.

### **Sustainable Development**

- 76 Policy 34 'Sustainable Heating and Cooling' identifies Blairgowrie as having the potential for a heat network. However, exemptions exist where a development can prove it will achieve significant energy savings to a standard equivalent to Passivhaus or BREEAM Outstanding. The development aims to achieve Passivhaus certification and a statement will require to be submitted to confirm that this high level of sustainable building design is being delivered (Condition 16).

### **Waste Collection**

- 77 A bin storage area and turning head is provided at the rear (south) of the building. The Commercial Waste Team has advised that the proposal is satisfactory.

### **Natural Heritage and Biodiversity**

- 78 A Bat Survey has identified seven bat roosts within the existing high school building and one in the recreation centre. A derogation licence from NatureScot will be required prior to the demolition of the building. The Biodiversity Officer has advised that, based on the submitted information, it is likely that a licence would be issued.
- 79 The bat roosts on the school building are all on or near the south elevation close to where the all-weather pitch will be located. The floodlighting of the pitch has been designed to ensure it will cause minimal disruption to the bat roosts.
- 80 Enhancement for biodiversity should be an objective of all planning projects and can be realised in several ways depending on location, surrounding habitats and landscape character. A condition (Condition 13) will ensure that biodiversity enhancement measures are provided for the site.

### **Developer Contributions**

- 81 The proposal is a replacement recreation centre that directly supports Council objectives. There is no requirement for infrastructure contributions as a result of the development.

### **Economic Impact**

- 82 During the construction period, jobs will be created and sustained, supporting in-direct employment and revenue that this volume of construction activity will generate from employees spending on local goods and services.

### **VARIATION OF APPLICATION UNDER SECTION 32A**

- 83 This application was varied prior to determination, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as floodlighting of the sports pitch to minimise their impact on the bat roosts in the school building.

### **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

- 84 None required.

### **DIRECTION BY SCOTTISH MINISTERS**

- 85 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**

- 86 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2 (2019). Account has been taken account of the relevant material considerations and none has been found that would justify overriding the adopted Development Plan.
- 87 Accordingly, the proposal is recommended for approval subject to the following conditions.

## **A RECOMMENDATION**

### **Approve the application**

#### **Conditions and Reasons for Recommendation**

##### **General**

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

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

##### **Finishes**

2. Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority.

The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

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

##### **Landscaping and Biodiversity**

3. Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the written agreement of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full details of all hard landscaping proposals including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier, and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained to the satisfaction of the Council as Planning Authority.

Reason - To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

4. Prior to the commencement of development, the proposed provision of biodiversity enhancement measures for the site will be submitted for the written agreement of the Council as Planning Authority. Thereafter, they shall be implemented prior to the development being brought into use.

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

### **Archaeology**

5. Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.

Reason - To ensure a programme of archaeological works is carried out to safeguard and record any archaeological remains within the development area.

### **Amenity**

6. Prior to the commencement of the development a Noise Management Plan shall be submitted for the written approval of the planning authority. The plan shall include all sources of noise associated with the use of the all-weather pitch and recreation centre, including user noise, activity noise and plant equipment and the measures that will be put in place to minimise and/or control noise. The plan shall be reviewed on a regular basis or, following receipt of a justified complaint or at the request of the Planning Authority. Once the Noise Management Plan has been approved, it shall be fully implemented for the lifetime of the development.

Reason - In order to safeguard the neighbouring residential amenity in the area.

7. The hours of operation of the all-weather pitch and the external floodlighting shall be restricted to 0800 hours to 2200 hours daily. The use of the all-weather pitch may have to be curtailed at the beginning and end of this timeframe in order to comply with floodlighting restriction.

Reason - In order to safeguard the neighbouring residential amenity in the area.

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

Reason - In order to safeguard the neighbouring residential amenity in the area.

9. No music amplified or otherwise shall be permitted outside the premises and efforts must be made to minimise the impact of noise from inside the premises so no sound is audible in any nearby residential property.

Reason - In order to safeguard the neighbouring residential amenity in the area.

10. All external lighting shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.

Reason - In order to safeguard the neighbouring residential amenity in the area.

### **Transport**

11. Prior to the commencement of the development hereby approved, the developer shall submit for the further written agreement of the Council as Planning Authority, in consultation with the Roads Authority (Structures), a Construction Traffic Management Scheme (TMS) which shall include the following:
  - (a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;
  - (b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
  - (c) a code of conduct for HGV drivers to allow for queuing traffic to pass;
  - (d) arrangements for liaison with the Roads Authority regarding winter maintenance;
  - (e) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
  - (f) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
  - (g) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
  - (h) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;
  - (i) details of information signs to inform other road users of construction traffic;
  - (j) arrangements to ensure that access for emergency service vehicles are not impeded;
  - (k) co-ordination with other significant developments known to use roads affected by construction traffic;
  - (l) traffic arrangements in the immediate vicinity of temporary construction compounds;
  - (m) the provision and installation of traffic counters at the applicant's expense at locations to be agreed prior to the commencement of construction;
  - (n) monitoring, reporting and implementation arrangements;



- (o) arrangements for dealing with non-compliance; and
- (p) details of HGV movements to and from the site.

The TMS as approved shall be strictly adhered to during the entire site construction programme.

Reason - In the interests of pedestrian and traffic safety.

12. Development shall not commence until a detailed Travel Plan (TP), aimed at encouraging more sustainable means of travel, has been submitted to and agreed in writing by the Council as Planning Authority. The TP will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided (including the provision of new and/or enhanced public transport services), any phasing, the system of management, monitoring, review, reporting and the duration of the Plan. Prior to the operation of the development, the TP as agreed shall be fully implemented to the satisfaction of the Council as Planning Authority.

Reason – To encourage sustainable means of travel by site users.

### **Pitch Specification**

13. The new floodlit synthetic pitch (minimum dimensions 106 x 66m) will be designed and constructed by a recognised (e.g., SAPCA\* registered) specialist pitch contractor(s). Details of the contractor(s) and pitch specification shall be submitted for the written approval of the Planning Authority prior to the commencement of development.

\*SAPCA is The Sports and Play Construction Association ([www.sapca.org.uk](http://www.sapca.org.uk))

Reason – To ensure appropriate replacement provision is provided.

### **Drainage**

14. Development shall not commence on site until a detailed sustainable urban drainage system (SUDS) has been submitted for the written agreement of the Council as Planning Authority, in consultation with SEPA where necessary. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C753) and the Council's Flood Risk and Flood Risk Assessments Developer Guidance, and shall incorporate source control. All works shall be carried out in accordance with the agreed scheme and be operational prior to the bringing into use of the development.

Reason - To ensure the provision of effective drainage for the site.

### **Sustainability**

15. The recreation centre aims to achieve energy savings to a standard equivalent to Passivhaus. Prior to the occupation of the recreation centre building, a statement shall be submitted by the applicant/agent to confirm that this high level of sustainable building design has been delivered.

Reason – To ensure the proposal complies with Policy 34.

## **B JUSTIFICATION**

- 88 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**

- 89 None required.

## **D INFORMATIVES**

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. No work shall be commenced until an application for building warrant has been submitted and approved.
5. The findings and recommendations contained with the Bat Survey remain valid for a period of 24 months. If the approved planning permission is not implemented within 24 months of the date of the survey it is strongly recommended that an updated Bat Survey is undertaken prior to any works commencing. Failure to do so could potentially leave you open to prosecution should any bats be harmed as a result of the works. Please note that bats are protected by law, and it is a criminal offence to deliberately harm, capture, kill or disturb a bat or its resting place.
6. The proposed demolition and/or building works likely to cause harm to bats should not commence until the applicant has obtained the relevant licence issued by SNH pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development to go ahead.
7. Existing buildings or structures may contain nesting birds between 1st March and 31st August inclusive. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being

built. Planning permission for a development does not provide a defence against prosecution under this Act.

8. This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. The required information must be submitted via the ePlanning portal if your original application was lodged that way, otherwise send it to us at [developmentmanagement@pkc.gov.uk](mailto:developmentmanagement@pkc.gov.uk). Please be aware that a fee is payable in respect of each request made, though there is no limit to the number of conditions that can be discharged in a single request. The Fees Charter is available on our website [www.pkc.gov.uk](http://www.pkc.gov.uk).

The Council has two months to consider the information. You should therefore submit the required information more than two months before your permission expires. We cannot guarantee that submissions made within two months of the expiry date of your permission will be able to be dealt with before your permission lapses.

9. The applicant is advised that any proposed signage will require a further application to be submitted for advertisement consent unless it benefits from express consent as per the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.
10. The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.
11. The developer is advised to contact Sophie Nicol, Historic Environment Manager (tel 01738 477027) Perth and Kinross Heritage Trust, to discuss terms of reference for work required.
12. This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 the notice must be:

Displayed in a prominent place at or in the vicinity of the site of the development

Readily visible to the public

Printed on durable material.

13. Further information on the need for and level of provision of Changing Places Toilet Facilities can be found in section 41B of the Town and Country Planning (Scotland) Act 1997, the Town and Country Planning (Changing Places Toilet Facilities) (Scotland) Regulations 2020 and the associated Circular 1/2020: Changing Places Toilets Regulations.

14. This application was varied prior to determination, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as amended. The variations incorporate changes to the floodlighting of the sports pitch.

Background Papers: 4 letters of representation  
Contact Officer: Alex Gudgeon  
Date: 29th July 2022

**DAVID LITTLEJOHN**  
**HEAD OF PLANNING & DEVELOPMENT**

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

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

All Council Services can offer a telephone translation facility.