

Perth and Kinross Council
Planning & Development Management Committee – 28 August 2019
Report of Handling by Head of Planning & Development (Report No. 19/232)

PROPOSAL: Erection of 42 dwellinghouses, landscaping and associated works
(approval of matters specified by conditions 16/02127/IPM) (Phase 1A)

LOCATION: Scone North, Scone

Ref. No: [18/02231/AMM](#)
Ward No: P2 - Strathmore

Summary

This report recommends approval of the application for the erection of 42 dwellinghouses, as the development is part of an allocated housing site, which benefits from an extant planning permission in principle (PPP). The proposals are considered to comply with the relevant provision of the Development Plan, the conditional terms of the PPP and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The site extends to 4.18 hectares and is situated on the north western extents of Scone. It forms the first part of Scone North, which is an identified residential expansion of Scone allocated for 700 dwellings within the Local Development Plan (LDP) as H29. Planning Permission in Principle (PPP) Ref: 16/02127/IPM and an associated Section 75 legal agreement relates.
- 2 The site is relatively level, sloping gently from east to west, characterised by farmland and Scone Wood to the west. A linear tree corridor dissects the site, together with Core Path SCON/30. This area is also the lowest part of the wider allocated site, which prompted the applicant to identify this area as Phase 1 for drainage and construction reasons. The areas to east and north east, which are currently farm land, also form part of the wider approved Scone North site. The Cramock burn lies immediately to the north of the site boundary with woodland and farm land beyond. Vehicular access is to be from U87 (off Stormont Road) on the southern boundary, adjacent to existing housing at Harper Way with further residential properties to the south and south east.
- 3 The proposed housing mix is:
 - 1 x 2 bed bungalow
 - 12 x 3 bed bungalow
 - 2 x 4 bed bungalow
 - 3 x 2 bed semi-detached bungalow
 - 5 x 3 bed semi-detached bungalow

- 2 x 4 bed 1.5 storey detached
 - 4 x 3 bed 2 storey detached
 - 13x 4 bed 2 storey detached
- 4 Overall, 16 different house styles are being proposed throughout the 42 dwellinghouses, including 59% single storey detached and semi-detached bungalows. Omitting the undeveloped construction site area (as shaded out in grey on plan 18/02231/151), the net site density is circa 13 dwelling units per ha. This is considered a 'low' density for urban developments within Perth and Kinross, but appropriate to this site context.
 - 5 The application has been accompanied by supporting information required by matters specified and suspensive conditions of the PPP. Further drainage and flooding information was provided, along with clarification on other matters. This resulted in the application being re-advertised and neighbours re-notified.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 6 An Environmental Statement (ES) was submitted and assessed as part of the 16/02127/IPM application. The applicant has submitted an up-to-date EIA Addendum for this application for Phase 1A which includes a general assessment of the implications of the proposals. The original ES, Supplementary Environmental Information (SEI) and the EIA update cumulatively form the EIA Report for considering this EIA development. This assessment concludes that the impacts arising from this development have not changed from the original EIA development.

NATIONAL POLICY AND GUIDANCE

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

National Planning Framework

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

Scottish Planning Policy 2014

- 9 The Scottish Planning Policy (SPP) was published in June 2014 and sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The

SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- The preparation of development plans;
- The design of development, from initial concept through to delivery; and
- The determination of planning applications and appeals.

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

- Sustainability: paragraphs 24 – 35
- Placemaking: paragraphs 36 – 57
- Affordable Housing: paragraphs 126 – 131
- Valuing the Natural Environment: paragraphs 193 – 218
- Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
- Managing Flood Risk and Drainage: paragraphs 254 – 268
- Promoting Sustainable Transport and Active Travel: paragraphs 269 – 291

Planning Advice Notes (PANs)

11 The following Scottish Government PANs and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management
- PAN 2/2010 Affordable Housing and Housing Land Audits
- PAN 51 Planning, Environmental Protection and Regulation
- 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 77 Designing Safer Places

Creating Places 2013

12 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

13 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

- 14 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's 'Managing Change' guidance series

- 15 Gardens and Designed Landscapes (2016)
Setting (2016).

DEVELOPMENT PLAN

- 16 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

- 17 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.”

- 18 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application.

Policy 1 – Location Priorities

Policy 2 – Shaping better quality places

Policy 3 - Managing TAYplan's Assets

Policy 5 - Housing

Policy 6 - Energy and Waste/Resource Management Infrastructure

Policy 8 – Delivering the Strategic Development Plan

Perth and Kinross Local Development Plan 2014

- 19 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.

20 The principal relevant policies are;

Housing Land Allocation H29
Policy PM1A, B & C – Placemaking
Policy PM2 - Design Statements
Policy PM3 - Infrastructure Contributions
Policy RD1 - Residential Areas
Policy RD4 - Affordable Housing
Policy TA1A & B - Transport Standards and Accessibility Requirements
Policy CF1B - Open Space Retention and Provision
Policy CF2 - Public Access
Policy HE1B - Scheduled Monuments and Non Designated Archaeology
Policy HE4 - Gardens and Designed Landscapes
Policy NE2A & B- Forestry, Woodland and Trees
Policy NE3 - Biodiversity
Policy NE4 - Green Infrastructure
Policy NE5 Green Belt
Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes
Policy EP1 - Climate Change, Carbon Reduction and Sustainable Construction
Policy EP2 - New Development and Flooding
Policy EP3A, B & C - Water, Environment and Drainage
Transport Infrastructure Paragraphs 5.1.17 – 5.1.18

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

21 The Proposed LDP2 2017 represents Perth & Kinross Council's settled view in relation to land use planning and is a material consideration in determining planning applications. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. It is now the subject of an Examination Report (published 11 July 2019). This includes the Reporter's consideration of issues and recommended modifications to the Plan, which are largely binding on the Council. It is therefore anticipated that they will become part of the adopted Plan; however, this is subject to formal confirmation. The Council is progressing the Proposed Plan (as so modified) towards adoption which will require approval by the Council and thereafter submission to the Scottish Ministers. It is expected that LDP2 will be adopted by 31 October 2019. The Proposed LDP2, its policies and proposals are referred to within this report where they are material to the recommendation or decision.

22 The following supplementary guidance/documents are material considerations:

- Developer Contributions and Affordable Housing Supplementary Guidance April 2016.
- Flood Risk and Flood Risk Assessments – Developer Guidance June 2014

SITE HISTORY

23 [15/00017/PAN](#) Residential development and associated infrastructure, access, landscaping, SUDS and open space. PAN decision issued 8 December 2015

- 24 [16/00762/SCRN](#) Residential development screening decision issued 2 May 2016
- 25 [16/00995/SCOP](#) Residential development and associated infrastructure, access, landscaping, drainage, SUDS and open space. Scoping decision issued 11 July 2016
- 26 [16/02127/IPM](#) Residential development with open space, landscaping, drainage and associated infrastructure (in principle) Approved by Development Management Committee. (Decision issued 18 April 2018).
- 27 [18/00759/ADV](#) Display of signs. Approved under delegated powers 22 June 2018.

CONSULTATIONS

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

EXTERNAL

Civil Aviation Authority

- 29 No response.

Forestry Commission Scotland

- 30 No response.

Historic Environment Scotland

- 31 No objection.

Perth and Kinross Heritage Trust

- 32 No objection, recommending a further suspensive condition in light of initial archaeology findings and potential for this Phase 1A site area.

Perth Scone Airport

- 33 Set out concerns, identifying that the development is directly in the flight path of Scone Aerodrome/Perth Airport, recommending consideration should be given to emergency landing.

R S P B

- 34 No response.

Scone and District Community Council

- 35 Detailed objection received through both consultation opportunities, summarised in the representation section below.

Scottish Water

- 36 No objection, advising sufficient capacity at both the Perth Water Treatment Works and the Scone Waste Water Treatment Works.

Scottish Environment Protection Agency

- 37 Original objection (24 Jan 2019) received based on a lack of groundwater and flooding information, subsequently withdrawn in June 2019 based on an updated Flood Risk Assessment. This provided satisfaction that there is no risk of groundwater flooding to Phase 1A of the development with no further assessment required for current application and site area.

Scottish Natural Heritage

- 38 No objection.

INTERNAL

Environmental Health (Noise Odour)

- 39 No objection. Satisfied the submission meets the terms of PPP condition 19 Construction Environment Management Plan (CEMP) and condition 27 relating to noise matters. Detailed comments provided on the content of the CEMP submission.

Development Negotiations Officer

- 40 No objection, subject to ongoing compliance with the requirements of the S75 in place.

Community Waste Advisor - Environment Service

- 41 No objection.

Structures and Flooding

- 42 No objection. Raised no concerns in respect of flooding and advised that the updated drainage information is satisfactory, as is the overarching drainage approach proposed for the whole site for this stage of the development. Conditions of the PPP remain applicable with a condition recommending that final drainage specification details to be provided.

Biodiversity Officer

- 43 No objection, subject to ongoing compliance and adherence to PPP conditions and recommended conditions.

Community Greenspace

- 44 No objection with updated consultation response accepting that 2.5m wide shared path is acceptable where 3m cannot be achieved.

Transport Planning

- 45 No objection, with recommended conditions.

REPRESENTATIONS

- 46 46 objections were received from 40 households (Including Scone Community Council, but not including any follow-up comments), and are summarised under the following category headings:

47 **Technical**

- Phasing detail not consistent with original Masterplan;
- Information provided is not exact in certain areas; and
- Failure to comply with associated suspensive conditions, including no Air quality study.

48 **Transport/movement and congestion/air pollution**

- Aviation safety implications;
- Accuracy and suitability of green travel plan;
- Air quality and pollution;
- Transport/traffic –including impact on Stormont road/Old Scone Road versus Angus Road;
- Impact on Core Path SCON/30 during construction;
- Lack of paths/cycleways for Non-Motorised Users – including impact on SCON/30 Core Path.

49 **Design & Placemaking**

- Over intensive development; and
- Out of character with area.

50 **Open space and biodiversity**

- Planning officers should insist all green spaces re-instated;
- Intrusion on greenbelt;
- Impact on wildlife and biodiversity, including loss/displacement of marsh orchids; and
- Loss of open space.

51 **Drainage & Flooding**

- Lack of identified springs;
- Lack of detail regarding storage of groundwater/SUDS;
- Lack of drainage detail or information for the whole masterplan area;
- Drainage/flooding; and
- Capacity concerns for water and sewerage with no formal approval by Scottish Water.

52 Residential Amenity

- Noise pollution; and
- Air quality.

53 Other

- No demand for housing in PKC with population figures exaggerated;
- Infrastructure cannot cope (school, roads and medical);
- No commitment to affordable housing through this phase;
- New village entrance should be pursued in light of traffic concerns;
- Green space amenity from southern section missing (never committed to);
- Light pollution; and
- Destroying part of Scone Woods and ancient woodland inventory.

54 Additional neighbour notification was undertaken (as referred to in Para 5). Overall, no new material considerations were raised, with some specific reference to the updated and new material submitted.

55 These representations are addressed in the Appraisal section below. However, concerns in respect of: the positioning of the Cross Tay Link Road (CTLR) and other matters pertaining to the wider H29 site area which were originally addressed in the PPP are not directly considered as part of this submission.

ADDITIONAL STATEMENTS

56	Environment Statement	Required
	Screening Opinion	EIA Required
	Environment Impact Assessment	EIA development. An updated EIA Report provided in an addendum in support of original ES submission.
	Appropriate Assessment	Not Required
	Design Statement / Design and Access Statement	Submitted
	Reports on Impact or Potential Impact	Submitted

APPRAISAL

57 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 as set out.

Principle

- 58 The 42 dwellinghouses remains consistent with this PPP. Additionally, although the wider masterplan does not specifically define the scale of development, the residential land use, street hierarchy and layout is considered consistent with the Scone North Masterplan. The principle of the proposals is therefore considered acceptable. The information submitted as part of the application is considered sufficient to determine the application on its merits and in respect of satisfying the relevant condition criteria of the PPP. There will, however, still be suspensive elements to be further addressed or refined in relation to the terms of the PPP, as identified in informatives.

Design and Layout

- 59 Condition 1 of 16/02127/IPM requires the siting, design and external appearance to be approved. The design and access statement (18/02231/138) sets out the background as to how this has been approached.
- 60 The layout is considered to satisfy placemaking policy criteria, taking cues from surrounding built development in scale and form and responding to the original masterplan. The layout adopts a street hierarchy approach with the central principal spine road with secondary lanes and courtyard/squares off. There is an emphasis on maintaining movement patterns, including non-motorised users (NMU's) with emphasis on a range of choices, tying into a wider network such as Core Pan SCON/30.
- 61 The proposed house types include an appropriate mix, ranging from single storey bungalows, semi-detached and up to two storey detached dwellinghouses. External finishes include a mixture of timber cladding, rendered and brick/reconstituted stone walls, brown and grey concrete roof tiles, UPVC windows and timber doors. Low level hedging is predominantly used to define front gardens and the street edge. These proposals are all considered appropriate to the Scone character and context, and adhere to the original masterplan and design concepts, including a high quality and specification of finish at the development entrance.
- 62 The proposed housing mix is welcomed with over 50% bungalow and single storey options, which is appropriate in giving choice and flexibility to future residents as well as its edge of settlement location.
- 63 Overall, the proposed design, scale, layout, material finishes and mix is considered acceptable and in accordance with LDP placemaking Policy PM1A and PM1B and consistent with the PPP.

Landscape and Visual Amenity

- 64 LDP Policy ER6 seeks to ensure development proposals have a good landscape framework within which the development can be set and, if necessary, can be screened. The identified open spaces within this phase are considered to be complementary to the built development, with adequate

useable public open space on the periphery of the site, supplemented by compensatory planting.

- 65 Overall, the detailed landscaping and open space provision is considered to address the PPP, within this particular site context and including the masterplan and Policy ER6.

Green Belt

- 66 The Proposed LDP2 adjusts the settlement boundary of Scone to reflect the site boundary approved for H29 through 16/02127/IPM in May 2017. The Green Belt boundary was also adjusted accordingly, with a small area being taken out of the green belt to accommodate this settlement boundary change. There were a number of representations submitted during the Proposed Plan consultation relating to this change to the green belt boundary. As a result, this was put forward as an issue for Examination. The Examination Report was published on 11th July 2019. The Reporter agreed with the Council and concluded that *“the change to the green belt boundary at this point is a consequential effect of that permission. I agree that the change to the green belt boundary should be retained in view of the benefit for existing residents. No modification.”* (Examination Report, page 515). The Proposed Plan with Modifications will now be put to Council in September 2019 for adoption. On this basis the material weight given to the proposed LDP2 position override the original LDP policy position.

Residential Amenity

- 67 Overall, the PPP and the criteria for LDP Policy RD1 are considered to have been satisfied. A reasonable level of amenity for the new residents has been catered for, causing no unacceptable impact on the amenity of occupants of nearby properties.
- 68 Policy EP8 seeks to mitigate noise impacts. The initial noise impact assessment undertaken demonstrated that Phase 1A of the development would meet target criteria for both external and internal amenity areas without the need for any noise mitigation measures.
- 69 In relation to air quality, the original EIA process predicted the increase in traffic movements for up to 100 dwelling houses, would be in the order of 3% which is less than the 5% threshold requiring a detailed air quality assessment to be undertaken. Therefore no further assessment will be required for Phase 1A of the development.
- 70 The overall distances between the proposed existing dwellinghouses ensure a minimum of 18 metre separation creates a sufficient buffer, in the interest of ensuring reasonable private residential amenity. The applicant has additionally proposed to provide the option for several properties on Harper Way to have optional garden. This is not essential but would however maintain an adequate separation in the interests of amenity.

- 71 A draft Construction Environmental Management Document (CEMP) has been submitted. There is a requirement of condition 19 of the PPP, which requires approval of a CEMP prior to the commencement of development, which will address Phase 1A. This will consider the potential for dust/airborne pollution and noise during construction. Subject to control through a CEMP, there are negligible air and noise pollution concerns. Having regard to these measures the terms of the PPP and LDP Policy EP8 are satisfied.
- 72 Overall, the PPP and the criteria for LDP Policy RD1 have been satisfied. A reasonable level of amenity for the new residents has been catered for, causing no unacceptable impact on the amenity of occupants of nearby properties.

Roads and Access

- 73 LDP Policy TA1 requires local road networks be capable of absorbing the additional traffic generated by the development and that a satisfactory access to the network is to be provided. SPP also emphasises the importance of locating development in places well served by public transport and a wide choice of transport modes, including on foot and by cycle.
- 74 There has been significant objection in relation to both motorised transport and NMU matters. Taking matters individually, the U87 (continuing on from Stormont Road at Harper Way junction) and the junction of the U87 & A93 to accommodate the additional traffic loading from 42 dwellinghouses is considered appropriate, with no concern that this will place undue strain on the existing road infrastructure. A development of this scale is anticipated to produce less than 30 traffic movements during the peak AM & PM hour periods. This volume of additional traffic has been described as difficult to distinguish from daily variation in overall traffic flow volumes through the Bridgend Junction, which was originally assessed through the PPP.
- 75 In relation to NMUs, the main pedestrian access will be taken from Harper Way, with a 2.5 metre wide path proposed at this point. There is an existing core path adjacent to the new development access (SCON/30), which currently leads along the verge towards Harper way and onto Stormont Road. Core paths were requested to be upgraded but it is understood that the short section of verge on the U87 is not under control of the applicant and they are unable to similarly upgrade this section of core path from its current standard.
- 76 A draft Green Travel Plan (GTP) has been submitted for consideration, applicable to condition 23 of the PPP. A GTP purpose is to inform new residents to support sustainable travel with an aim to reducing the impact of travel on the environment; complimenting hard measures of infrastructure within the site, designed in accordance with Designing Streets and the National Roads Development Guide (footways, shared use core paths and Bus Stops etc.). Soft measures should also be identified by the GTP such as identifying walking & cycling routes, car share schemes and local bus services.
- 77 Both the draft Construction Traffic Management Scheme (CTMS) and GTP are pending approval by Transport Planning. However, in line with the PPP, approval of these is not required for this AMSC application and instead must be

approved prior to commencement of construction or prior to occupation for the latter as previously conditioned (Conditions 19, and 23 of the PPP).

- 78 Overall, it is considered the submission and supporting information go far enough to address the concerns raised and comply with the requirements of the PPP and LDP policies TA1B and CF2.

Drainage and Flooding

- 79 Policies EP2 and EP3C and the conditions terms of the PPP, requires development on this site to have appropriate consideration towards flooding and drainage. There has been significant concern from local objection relating to flooding, groundwater conditions and overall drainage of this and the wider site area. Following an initial objection from SEPA and comment from Structures and Flooding team, it was considered appropriate to seek further clarification on the SUDS. As such, detailed surface water drainage details and calculations were required, along with groundwater details. As advised previously, additional information in this regard was submitted. The drainage layout and discharge rates are considered acceptable, with clarification still sought via condition regarding the specific final drainage design, submitted for approval prior to the commencement of the drainage works. It was concluded through the Groundwater Report and findings that groundwater in Phase 1A is not considered a high risk.
- 80 Overall, the updated proposals are considered to satisfy both the current required conditions of the PPP and LDP Policy EP2 and Policy EP3C. It is recommended to address the final technical drainage design detail prior to this system being implemented (condition 5) and ensure other best practice matters are addressed (informatives 9-11).

Waste Collection

- 81 Waste collection requirements have been addressed in terms of provision and access for each property. The Waste Services team confirmed that complementary recycling opportunities could more appropriately be accommodated within the wider expansion phasing, as opposed to within this specific site (1 per 70 units is standard applied).

Conservation Considerations

- 82 Lying within an area rich in archaeological potential, PKHT have identified there is a wealth of archaeological remains in the area, much of which is scheduled and can be found in close proximity to the site. An initial investigation has been undertaken with a more detailed archaeological assessment is recommended (Condition 7).
- 83 It is not considered that the proposed development would have an adverse impact on the setting of Scone designed landscape, with Historic Environment Scotland offering no objection. In this regard the terms of LDP Policies HE1A and HE1B have been satisfied.

Natural Heritage and Biodiversity

- 84 LDP Policy NE3 is a relevant consideration in respect of potential biodiversity impacts or opportunities arising from the development.
- 85 Condition 12 of the PPP requires updated ecology and habitat surveys to be submitted in support of AMSC applications and the development to accord with the conclusions and recommended of these.
- 86 The submitted ecological report identifies a number of actions across the whole site which must be adhered to as far as they are relevant to this site. These include:
- Pre-works check for non-native invasive species
 - Pre-works checks for nesting birds, red squirrel and otter
 - Vegetation clearance to be conducted out-with the bird breeding season
 - Covering of excavations to prevent animals being trapped (this extends to pipework and a condition is provided to cover this).
 - Temporary lighting to be shaded to prevent light spillage on trees and woodland
 - A toolbox talk with contractors regarding actions to take if native species including breeding birds are encountered.
- 87 The consideration and attention to the displacement of Marsh Orchids, which has been specifically identified through objection is considered to remain appropriately covered within the terms of the ecological report. Conditions are recommended to ensure that the development continues to accord with conditions 12 – 15 of the PPP (Conditions 2 and 3).
- 88 Overall, the proposals are considered to satisfactorily address the requirements of LDP Policy NE3 and PPP.

Developer Contributions

- 89 A Section 75 legal agreement covers the 16/02127/IPM permission to ensure necessary infrastructure is delivered, including:
- Community Facility Delivery
 - Contribution towards Sports Facilities, including provision towards Sports pitches and pavilion.
 - Open Space Provision and Maintenance
 - Compensatory Tree Planting
 - Public Transport Improvement
 - Affordable Housing
 - Structure Planting Delivery
- 90 The legal agreement in place adequately secures these elements and no further changes are required.

- 91 In relation to affordable housing specifically, which has been raised consistently as an objection, it is considered acceptable that Phase 1A does not provide any on-site provision, with affordable units coming through further phases.

Economic Impact

- 92 During the construction period, jobs will be created and sustained, supporting indirect employment and revenue that this volume of construction activity will generate from employees spending on local goods and services. Longer term, additional residents to the area will support existing local employment and services in the area.

Other Matters

Sustainability & Energy Requirements

- 93 In association with the PPP and LDP Policy EP1 and LDP2 Policy 32 Heat and Electricity, the proposals are required to identify and include carbon emission reduction measures.
- 94 Two reports were submitted, seeking to satisfy PPP condition 4(f) and 5 (a) sustainability checklist (18/02231/135) and (18/02231/131) which, identify “measures to enhance environmental sustainability”. These submissions are considered competent and provide a commitment to the LDP Policy EP1 intentions and terms of the PPP. Fundamentally, there is a commitment set out in achieving the carbon reduction measures as required by the Silver Active building standards. The intentions of the PPP and LDP Policy EP1 are considered to have been satisfied for the purposes of the submission for works on Phase 1A. Acknowledging the specific terms of PPP condition 5 and the associated proposed LDP2 Policy 32 (superseding Policy EP1); the terms of the PPP are considered to have been met.

Tree loss and impact on Ancient Woodland Inventory

- 95 Objections raised concerns over tree loss and unsatisfactory replacement/compensatory planting. This is, however, considered to have been satisfied through the provision of 1.5ha of new woodland to the north of this site to compensate the 0.9ha lost. These areas will ensure connectivity between remaining areas of woodland with the proposed planning species mixed and are considered appropriate, secured as part of proposed Condition 1 and in association with the S.75 Agreement.

Local Surgery Capacity

- 96 No objection has been received from NHS Tayside regarding the capacity of the doctors’ surgery or their ability to cope with the population increase. As advised in the PPP assessment, development of this scale is envisaged in the Framework and identified within the LDP, at which stage NHS Tayside were consulted.

Impact on School

- 97 School capacity has previously been assessed, via the PPP. The wider proposal includes the option for a new school and the associated legal agreement secures this option.

Phasing - subdivision

- 98 A phasing plan is a pre-commencement matter as set out in the PPP. An indicative plan has been submitted, however, it cannot be formally approved as part of this planning application. Comment has been provided to the applicant for further review, including the inclusion of the required Neighbourhood equipped area of play (NEAP) within the first full phase of the development. In relation to comments on the proposed subdivision of the phasing, this is not considered something which is necessarily inappropriate or against spirit of Masterplan and associated PPP. This matter will be addressed as part of condition 3 of the PPP.

LEGAL AGREEMENTS

- 99 A legal agreement has been secured for the 16/02127/IPM planning permission to secure infrastructure and/or contributions that will be impacted by the current and wider phased proposals.

DIRECTION BY SCOTTISH MINISTERS

- 100 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

- 101 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 102 In this case the application seeks permission for the erection of 42 dwellinghouses on an approved housing site, benefitting from PPP and is within the settlement boundary of Scone.
- 103 Overall, the proposal is considered compliant with the key principles of the DP policy and the terms of the PPP and is recommended for approval. Account has been given to the matters raised in representation and these have been addressed in the appraisal above. There are no material considerations which would warrant a refusal of the proposal.
- 104 Accordingly the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

Conditions and Reasons for Recommendation

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

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

2. Prior to the commencement of development hereby approved, details of the location and specification of the bat/swift brick(s) and/or bat/swift nest box(s) shall be submitted for the further written agreement of the Council as Planning Authority (incorporated into 30% of buildings of 2 or more storeys at eaves height). Thereafter, the swift brick(s) and/or swift nest box(s) shall be installed in accordance with the agreed details prior to the occupation of the relevant residential unit.

Reason - In the interests of employing best practice ecology measures.

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

Reason - In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

4. The detailed landscaping and planting proposal specifications as approved shall be undertaken and delivered commensurate with the residential development elements, in accordance with the approved phasing delivery plan, prior to the completion and occupation of plot 42 and thereafter maintained. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar sizes and species to the satisfaction of the Council as Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in pursuance of satisfying placemaking policy criteria of the adopted LDP.

5. Notwithstanding the submitted drainage details, prior to the installation of any drainage works on site, the final technical drainage designs shall be submitted to, and approved in writing by, the Planning Authority in consultation with the Council's Structures and Flooding team. The drainage details as approved shall be carried out in accordance with the agreed scheme and operational prior to bringing in to the use of the development.

Reason - To ensure the technical specification of the drainage system for the site accords with Policy EP3C - Water, Environment and Drainage (Surface Water Drainage) of the Perth and Kinross Local Development Plan 2014.

6. All trees identified for retention and any peripheral trees bounding the site, which may be affected by any element of the approved development and its associated construction, (including land within the blue site area) shall be protected in full accordance with BS 5837: 2012 'Trees in relation to design, demolition and construction'

Reason - In the interest of tree protection in the interests of biodiversity and amenity of the area.

7. 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.

8. Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type D Figure 5.7 access detail, of Type B Road construction detail.

Reason – In the interests of road safety; to ensure the provision of adequate visibility of the vehicular access.

9. Prior to the occupation of the first dwellinghouse hereby approved, the existing 30 mph signage and Traffic Regulation Orders will be amended, so as to extend the existing 30mph zone beyond the proposed new vehicular access (a minimum of 43 metres), within the public road boundary to the satisfaction of Perth & Kinross Council as Planning Authority.

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

10. Prior to the development hereby approved being completed or brought into use, provision of pedestrian facilities to a design and specification to the satisfaction of Perth & Kinross Council as Roads Authority shall be provided, linking the development to existing pedestrian facilities at Harper Way as per drawing ref 18/02231/153.

Reason - In the interests of road safety; to ensure that a satisfactory standard of road and footpath is provided timeously in the interest of the amenity of the residents.

11. Prior to the development hereby approved being completed or brought into use, provision of two. 3 bay bus shelters (including power supply and lighting) and associated hard stand areas to a design and specification to the satisfaction of Perth & Kinross Council as Roads Authority shall be provided within the road boundary in the vicinity of the proposed new access onto the U87 to the satisfaction of Perth & Kinross Council as Planning Authority.

Reason - In the interest of promoting sustainable public transport.

12. Prior to the commencement of the development hereby approved, a management plan indicating any temporary diversions and signage needed to facilitate the development and/or any works proposed to the right of way/core path (SCON/30) as part of the development (including timings and resurfacing works post completion) shall be submitted for the further agreement of the Council as Planning Authority. The plan as agreed shall be implemented in accordance with the timing identified in the plan.

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

B JUSTIFICATION

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

C PROCEDURAL NOTES

None.

D INFORMATIVES

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this permission or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997,

as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 41 the notice must be:

- Displayed in a prominent place at or in the vicinity of the site of the development.
 - Readily visible to the public.
 - Printed on durable material.
5. The applicant is advised that in terms of Sections 21 of the Roads (Scotland) Act 1984 he/she/they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks.
 6. The applicant should be advised that in terms of Section 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 Environment Protection Agency.
 7. The applicant should be advised to contact Perth & Kinross Council Street Lighting Department to obtain technical approval for all street lighting provision.
 8. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD for a new postal address. The form is downloadable from www.pkc.gov.uk and should be returned to snn@pkc.gov.uk.
 9. The applicant is advised that the detailed design of all SUDS shall conform to 'PKC Flooding and Flood Risk Guidance Document (June 2014)', or any subsequent update.
 10. The applicant is advised to take full account of all matters relating to the Structures and Flooding Memo (dated 30 July), particularly in relation to fulfilling ongoing obligations and for any future application and/or phase of development associated with In Principle Permission 16/02127/IPM.
 11. In association with informative 10, the applicant is requested to further provide as-built drawings, maintenance plan, adoption schedule and CCTV survey of the drainage system to the Structures Flooding Team on completion of each phase of the works.
 12. 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 permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.

13. No work shall be commenced until an application for building warrant has been submitted and approved.
14. The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance
15. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
16. The applicant is encouraged to provide for hedgehog shelter, hibernation in, and commuting through the development. Access gaps in wooden fences should be 13cm x 13cm at ground level. Advice and assistance is available from the Tayside Biodiversity Partnership.
17. The applicant should note that refuse collection vehicles will only enter the site during development where there is clear access and suitable turning; this means that Waste Services may not be able to provide a full kerbside recycling service to residents whilst the build is ongoing and bins may have to be emptied from a specified collection point until full access is made available for refuse collection vehicles.
18. The applicant is reminded that this site remains subject to a Section 75 Legal Agreement, securing Developer Contribution requirements and other matters, as secured as part of planning permission 16/02127/IPM. This permission continues to be tied by this legal agreement and the associated requirements will continue to apply. The terms of the obligation can be viewed via PKC [Public Access](#) or at the Registers of Scotland (www.ros.gov.uk).
19. The applicant is reminded of existing ongoing obligations pertaining to PPP 16/02127/IPM and the suspensive conditions as set out.
20. For clarification, the indicative Phasing plan and Construction Environment Management Plan submitted in draft form as part of this application are not approved as part of this permission.

E ENVIRONMENTAL IMPACT ASSESSMENT (EIA) DECISION

The proposed development was determined by Perth & Kinross Council under the provisions of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 to be EIA development. In accordance with Regulation 29, notice of this decision is hereby given in respect of the following:

The application submitted an EIA Addendum dated April 2019. The EIA Addendum provides a summary of the baseline, the information gathered to consider the likely significant effects on the environment and details of

environmental mitigation and monitoring that are to be incorporated in to the proposal. The Addendum considers the conclusions reached in the 2016 Environmental Statement (ES).

The Addendum concludes that through the proposed submission of the approval of matters specified of phase 1a, there would be no material or substantive effect on the conclusions reached through the original 2016 ES and the associated 2017 SEI.

The Planning Authority is satisfied that the EIA Addendum is up-to-date and complies with Regulation 5 and is therefore suitable for determination of the planning application.

The Planning Authority has considered the EIA Addendum Report, other environmental information and recommendation from the consultations bodies. It is concluded that the development will not give rise to any unacceptable significant environmental effects. In reaching this conclusion, regard has been given to environmental design and mitigation measures incorporated into the original proposal, as well as a regime for the ongoing monitoring measures for the construction and operation of the development.

In the absence of unacceptable and significant environmental impacts, and subject to the mitigation and monitoring measures secured through planning conditions and ongoing S75 control, the proposal is acceptable and can be approved.

Background Papers: 46 letters of representation
Contact Officer: Callum Petrie
Date: 15 August 2019

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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