

Perth and Kinross Council
Planning & Development Management Committee – 13 March 2019
Report of Handling by Interim Development Quality Manager (Report No. 19/69)

PROPOSAL: Erection of an agricultural building

LOCATION: Land South East of A M Howie Yard, Yetts Road, Dunning

Ref. No: [18/01614/FLL](#)
Ward No: P7 - Strathallan

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 The application site is located to the south east of the village of Dunning. The land has been historically in agricultural use, prior to the regrading of the field. The land is categorised as Grade 3.2 which is not prime agricultural land.
- 2 The site is defined by the Dunning Burn running along the north and east boundary. A residential area of Dunning known as Newton of Pitcairns is located beyond the burn to the north. To the south and west is an application site which has approval for the erection of 3 agricultural buildings, workshop/office/staff accommodation building and land engineering operations (15/02097/FLL). To date this development has not commenced in terms of any buildings but the permission remains extant as a consequence of the groundworks that were undertaken.
- 3 The agent has confirmed that this application is proposed in addition to the buildings already approved on the site. A further application is also being considered at this committee for the erection of two smaller storage buildings to the south of this site.
- 4 This current proposal is for the erection of an agricultural building to be used entirely for storage and will be erected to the east of the approved workshop/office/staff accommodation. The building is 60m x 22m with an overall height of 11.8m. The materials have not been detailed on the plans and would need to be covered by condition to ensure they are of an appropriate colour to blend in with the other buildings already approved on the adjacent site
- 5 The access road to the site is from the B 934 via an access road formed as a secondary access to Millhouse Farm.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

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

NATIONAL POLICY AND GUIDANCE

- 10 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

- 11 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

- 12 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.

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

- Paragraphs 24 – 35 Sustainability
- Paragraphs 36 – 57 Placemaking
- Paragraphs 74 – 91 Promoting Rural Development
- Paragraphs 92 – 108 Supporting Business and Employment
- Paragraphs 254 – 268 Managing Flood Risk and Drainage

Planning Advice Notes

- 14 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 1/2011 Planning and Noise

DEVELOPMENT PLAN

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

TAYPlan Strategic Development Plan 2016-2036

- 16 TAYPlan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

- 17 *“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 2: Shaping Better Quality Places

- 19 Seeks to deliver distinctive places by ensuring that the arrangement, layout, design, density and mix of development are shaped through incorporating and enhancing natural and historic assets, natural processes, the multiple roles of infrastructure and networks, and local design context.
- 20 Proposals should demonstrate that they contribute to infrastructure that supports active and healthy communities and incorporate design which is adaptable and resilient to a changing climate. There is also an emphasis on

resource efficiency which should be achieved through renewable energy generation, high quality design and providing solutions for waste management.

Policy 3: Managing TAYplan's Assets

- 21 Seeks to identify and safeguard at least 5 years supply of employment land within principle settlements to support the growth of the economy and a diverse range of industrial requirements.

Policy 6: Developer Contributions

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

Perth and Kinross Local Development Plan 2014

- 23 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.
- 24 The principal relevant policies are, in summary;

Policy PM1A - Placemaking

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

Policy PM1B - Placemaking

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

Policy PM3 - Infrastructure Contributions

- 27 Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

Policy ED3 - Rural Business and Diversification

- 28 Favourable consideration will be given to the expansion of existing businesses and the creation of new business. There is a preference that this will generally be within or adjacent to existing settlements. Outwith settlements, proposals may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that permanent employment is created or additional tourism or recreational facilities are provided or existing buildings are re-used. New and existing tourist related development will generally be supported. All proposals are required to meet all the criteria set out in the policy.

Policy TA1A - Transport Standards and Accessibility Requirements

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

Policy TA1B - Transport Standards and Accessibility Requirements

- 30 Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

Policy EP2 - New Development and Flooding

- 31 There is a general presumption against proposals for built development or land raising on a functional flood plain and in areas where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere. Built development should avoid areas at significant risk from landslip, coastal erosion and storm surges. Development should comply with the criteria set out in the policy.

Policy EP8 - Noise Pollution

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

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

- 33 Perth & Kinross Council is progressing with preparation of a new Local Development Plan to provide up-to-date Development Plan coverage for Perth & Kinross. When adopted, the Perth & Kinross Local Development Plan 2 (LDP2) will replace the current adopted Perth & Kinross Local Development Plan (LDP). The Proposed Local Development Plan 2 (LDP2) was approved at the Special Council meeting on 22 November 2017.
- 34 The representations received on the Proposed LDP2 and the Council's responses to these were considered at the Special Council meeting on 29 August 2018. The unresolved representation to the Proposed Plan after this

period is likely to be considered at an Examination by independent Reporter(s) appointed by the Scottish Ministers, later this year. The Reporter(s) will thereafter present their conclusions and recommendations on the plan, which the Council must accept prior to adoption. It is only in exceptional circumstances that the Council can elect not to do this.

- 35 The Proposed LDP2 represents Perth & Kinross Council's settled view in relation to land use planning and as such it is a material consideration in the determination of planning applications. It sets out a clear, long-term vision and planning policies for Perth & Kinross to meet the development needs of the area up to 2028 and beyond. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. However, the outcome of the Examination could potentially result in modifications to the Plan. As such, currently limited weight can be given to its content where subject of a representation, and the policies and proposals of the plan are only referred to where they would materially alter the recommendation or decision.

SITE HISTORY

- 36 [12/02169/FLL](#) Formation of access - Application Approved under delegated powers 1 March 2013
- 37 [15/02097/FLL](#) Erection of 3 agricultural buildings and workshop/office/staff accommodation building and land engineering operations (in part retrospect). Application Refused by Development Management Committee on 28 February 2017. Appeal to DPEA upheld and permission was granted 15 August 2017
- 38 18/00340/SCRN Proposed agricultural storage shed Decision Issued 12 March 2018
- 39 [18/01941/FLL](#) Erection of 2 agricultural storage buildings - under consideration & on the Agenda for this Committee 13 March 2019.

CONSULTATIONS

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

External

- 41 No external consultation required

Internal

Transport Planning

- 42 No objection to the proposal in relation to access and traffic generation.

Environmental Health (Noise Odour)

- 43 No objection subject to conditions to control odour and noise from development consistent with the related application 15/02097/FLL.

Environmental Health (Contaminated Land)

- 44 No contaminated land identified as site was previously used for grazing.

Structures and Flooding

- 45 No objection subject to condition requiring the submission of a detailed sustainable urban drainage system for the site.

Development Negotiations Officer

- 46 No contributions required.

REPRESENTATIONS

- 47 The following points were raised in the 13 representations received including the Dunning Community Council. The community council have the following concerns; proximity to dwellings, noise pollution, inadequate landscaping, piecemeal approach to development unacceptable.
- Visual impact
 - Noise Pollution
 - Light Pollution
 - Contrary to LDP
 - Excessive height
 - Over looking
 - Traffic Congestion
 - Road Safety Concerns
 - Inappropriate Land Use
 - Out of character
 - Over intensive development
 - Impact on residential amenity
 - Inability for the site to comply with previous planning conditions (7.00hrs to 19.00hrs operation restriction)
 - Inclusion of access road misleading (as it has already been approved)
 - Detrimental Impact on Dunning Burn
- 48 These issues are addressed in the Appraisal section of the report.
- 49 The inclusion of the access road is not considered as a material planning consideration as access from an application site to the public road is required to validate the planning application.

ADDITIONAL STATEMENTS

50

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement / Design and Access Statement	Not Required
Reports on Impact or Potential Impact	Submitted – Noise and Odour Assessment

APPRAISAL

- 51 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.

Principle

- 52 The site is located out with the settlement boundary of Dunning and the principle of establishing development on the site is considered primarily under Policy ED3 Rural Business and Diversification.
- 53 Policy ED3 states that the Council will give favourable consideration to the expansion of existing businesses and the creation of new ones in rural areas. There is a preference that this will generally be within or adjacent to existing settlements. Sites out with settlements may be acceptable where they offer opportunities to diversify an existing business. This is provided that they will contribute to the local economy through the provision of in this case permanent employment.
- 54 The site has approval for agricultural buildings and the proposed building is to be used in conjunction with this use. Therefore the principle of this type of building has already been accepted on the site.
- 55 Proposals should also be compatible with the surrounding land uses and not detrimentally impact on the amenity of residential properties within or adjacent to the site. This is covered in detail in later sections of the report.

Design and Layout

- 56 The building proposed is 11.8m in height to accommodate farm machinery and the area of the building is approx. 1240sqm. The building will infill a gap in the site left in the previous application.

- 57 The building has three large machinery door openings on the south elevation and one on the west elevation. Windows are proposed on the west, south and north elevations. Roof lights and solar panels are proposed on the roof. The finish materials have not been detailed on the plans but can be covered by condition (Condition 6).
- 58 The building will be located beside an approved workshop/office building which is over 8.28m in height to the northwest of the site. It is therefore considered that a building of this size running in line with the approved building would not be out of scale when viewed in context with the wider development of the site.

Residential Amenity

- 59 The principle of developing the site for farm buildings has been established and this proposal is to add an additional agricultural storage building. The previous application on the site sought approval, in addition to agricultural buildings, for a workshop and cattle building. The noise and odour from these uses was considered in detail due to the proximity of existing dwellings to the site. This agricultural storage building is proposed to the north of the cattle building beside the workshop.
- 60 The applicant has submitted further information on noise and odour which assessed the effects of this application and the 18/01941/FLL application on residential receptors; this is covered below in detail in the sections noise and odour.
- 61 The development of the site is not considered to have an impact with regards to overlooking due to the proposed use not being residential.

Odour

- 62 The building is for the storage of a combine harvester, farm implements, trailer and tools. It will also store dried goods such as artificial fertilisers, dry animal feeds and concentrates.
- 63 The storage of dried goods such as fertilisers, animal feeds and concentrates can have the potential to cause odours if these are not stored correctly. Environmental Health are in agreement with the applicants consultant that the odour effect of these products are not significant in comparison with the storage of silage and manure, however they still have the potential to become odorous if storage conditions are inappropriate or compromised (for example by the moisture content of goods).
- 64 An Odour Management Plan was submitted and agreed for the previous approval on the site. A New Odour Management Plan is required to include the procedures for storage of these goods (open/unopened), stock rotation and procedure for inspection of goods for spoilage and the removal/disposal of spoiled goods from building. This is proposed to be covered by condition (Condition 2).

Noise

- 65 Noise is a consideration due to the scale of building being able to accommodate machinery however, it has been confirmed that the building will not contain any noise generating equipment.
- 66 An additional noise assessment has been submitted in support of this application based on the baseline survey and predictions of the 15/02097/FLL Noise Impact Assessment. The NIA report includes two additional scenarios based on this application and 18/01941/FLL (scenarios 5 & 6). The NIA report gives the predicted noise levels for;
- all activities that is scenario 5 & 6 and previous noise modelled.
 - Scenario 5 - telehandler being used to unload or load an HGV near the straw barns.
 - Scenario 6 - telehandler movements at the store building only
- 67 The assessment concluded that the additional noise from the additional activities associated with the proposed building would have a neutral/slight adverse significance and there would be no significant cumulative impact.
- 68 Environmental Health agrees with the assessment of the Consultant. They note that the noise conditions for the 15/02097/FLL consent should still be applicable to this application. (Conditions 4, 5, 8 and 9)

Glint and Glare

- 69 The applicant proposes to install PV solar panels onto the roof of the proposed agricultural building.
- 70 There is the potential for glare/glint to affect amenity of existing residential properties that sit at a higher level, however the panels are located on the south elevation of the roof which is angled away from the nearest residential receptors which lie to the north. In addition to this the installation of solar panels on agricultural buildings is permitted development.

Planning Conditions

- 71 The previous application for the wider site, through the use of planning conditions, tightly controlled the operations on the site. This was required due to the proximity of existing residential dwellings, particularly at Newton of Pitcairns. A number of conditions were imposed to cover noise, odour, operations, etc. In particular the hours of operations were limited to 07.00 – 19.00 hours (apart from the occupancy of one of the buildings by cattle). The proposed development is clearly an integral part of the previously approved development and is located in the same area, close to residential properties. This proposal therefore requires to be conditioned in the same manner as the other buildings and cannot be operated independently as their use may have implications on noise and odour. It is worth noting that had the buildings been proposed in another location and not in association with the cattle and

workshop buildings then such strict conditional control would not have been required. The need to impose the strict conditions has been raised with the agent and applicant who are content that the building would not be used outwith the previously conditioned operational hours.

- 72 A query was raised in relation to wider farm operations outwith the site which would not be controlled by the operating conditions, for example use of a combine harvester and its return to the storage building outwith hours. In this case the applicant has confirmed that the combine harvester would be left in the field overnight and not returned to the shed outwith the specified hours and that additionally, other locations are available for storage if necessary.

Landscape

- 73 It was considered that this area of the site (in the previous application) would have benefitted from a landscaping proposal to provide a buffer between the settlement of Dunning and the development site. A scheme was subsequently submitted and agreed.
- 74 The planting along this edge has been shown on the plans. The proposed planting will not screen the building but will certainly soften its impact. The provision of a building in this area will however help to contain the site and the operations taking place in the yard beyond. Therefore the building in itself will provide additional screening and site containment. A landscaping scheme however will be required to be submitted to agree the planting under this permission. (Condition 11)

Visual Amenity

- 75 The application site is on the edge of Dunning village and the development infills within an approved set of buildings. It is within an area already characterised by a mix of dwellings, agricultural buildings for example at Millhouse Farm and more industrial scale buildings at Findony.
- 76 It is considered that as the site is set back from the public road B934 with rising land to the south between the site and the road, the visual impact would be reduced to an acceptable level. The site is well screened from within the residential area of Newton of Pitcairns, located to the north.

Roads and Access

- 77 The site is served by an existing access road from the B934 to Millhouse Farm, approved under planning permission reference 12/02169/FLL. This access road has been constructed up to a standard which can serve the proposed development.
- 78 Concerns have been raised regarding the existing road network and HGV traffic. Most movements will be confined to the immediate area and daily movements will not involve HGVs. Transport Planning have no objection to the proposal and consider that the scale of the development and vehicle movements are not significant. They also note that movements along the

public road cannot be controlled and given that there are no restrictions in place on the public road which serves the site, it is acceptable for large vehicles to use the route.

Pollution/Impact on Dunning Burn

- 79 Agricultural pollution is the contamination of the soil, air and water environments resulting from farming activities. In this case the run-off from farm roads and yards, farm buildings and roofs after rainfall are all potential sources of pollution. Measures to reduce the risk of pollution at the farm steading (for example, improved collection and storage of silage effluent, fuel oil and pesticides) have successfully reduced the risk of direct discharges to rivers.
- 80 The Scottish Government in the 'The Prevention of Environmental Pollution from Agricultural Activity' Code of Good Practice gives detailed advice on minimising pollution in relation to farming activities.
- 81 The development would therefore not be expected, if managed correctly, to pollute nearby watercourses if good practice advice is followed.

Drainage and Flooding

- 82 The building does not require any drainage connection and the roof/site runoff and surface water will be handled through an onsite SUDS attenuation system full details of which will be required by condition (Condition 13).

Conservation Considerations

- 83 The site is located over 300m from Dunning Conservation Area. It is considered that the intervening distance incorporating the landscape features and existing built development will reduce any impact from the development on the setting or character of the Conservation Area.

Developer Contributions

- 84 The Transport Infrastructure Supplementary Guidance does not apply to the agricultural buildings and this proposal is exempt from contributing towards Transport Infrastructure.

Economic Impact

- 85 The building will complement the approved buildings and assist the operation of the farming unit.

LEGAL AGREEMENTS

- 86 No legal agreement required

DIRECTION BY SCOTTISH MINISTERS

- 87 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

- 88 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, I have taken account of the Local Development Plan and material considerations and in this case I am content that the development proposed does not conflict with the Development Plan.
- 89 Accordingly the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

Conditions and Reasons for Recommendation

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning permission.

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

2. Prior to the commencement of development, an Odour Management Plan (OMP) taking account of the one approved under application 15/02097/FLL dated 7 October 2016 shall be submitted and agreed in writing with the Council as Planning Authority. The plan as agreed shall be fully implemented and maintained as part of the planning permission to the satisfaction of the Council as Planning Authority.

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

3. Should any aspect of the development result in verified odour complaint determined by the Council as Planning Authority in consultation with Environmental Health, within 14 days of written request by the Council as Planning Authority, the applicant shall arrange for an Odour Impact Assessment (OIA) to be carried out by a qualified consultant. The OIA findings shall be submitted for the written approval of the Council as Planning Authority, in consultation with Environmental Health and must draw conclusions and make recommendations as necessary. Thereafter any necessary measures to ameliorate the odour nuisance shall be put in place, and a new or revised Odour Management Plan must be submitted to the council within a specified agreed timescale.

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

4. Noise levels arising from the development shall not exceed a Rating Level of LAeq time rating 52 dB, when measured over any given 1 hour period, at the façade of any residential property. All measurements shall be determined using the guidance of BS4142:2014 RATING FOR INDUSTRIAL NOISE AFFECTING MIXED RESIDENTIAL & INDUSTRIAL AREAS, and measurements shall be corrected appropriately for acoustic features as described by this standard.

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

5. Should any aspect of the operation of this facility lead to a breach of the condition 4, within 14 days of written request by the Council as Planning Authority the applicant shall arrange for an investigation by a suitably qualified noise consultant with the scope and timescale submitted to and agreed in writing with the Council as Planning Authority in consultation with Environmental Health. Thereafter the agreed measures shall be implemented to ameliorate the nuisance.

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

6. Prior to the commencement of development 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 visual amenity; to ensure a satisfactory standard of local environmental quality.

7. The hours of operations shall be restricted to 0700 hours to 1900 hours daily.

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

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

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

9. Audible vehicle reversing alarms shall be operated on the method that they only emit the warning if necessary, e.g. on an infrared signal which detects persons to the rear of the vehicle.

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

10. Prior to the installation of any external lighting the details shall be submitted for the further written agreement of the Council as Planning Authority. The scheme shall include details of light spill, brightness of the lighting and the proposed hours of operation. The agreed lighting scheme shall be implemented and maintained in full accordance with the agreed scheme.

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

11. Prior to the commencement of development a detailed landscaping and planting scheme for the site shall be submitted for the further written agreement of the Council as Planning Authority. The scheme shall include an area of planting to the northeast to provide a buffer between the site and the residential properties to the north. 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.

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

12. During construction the public road shall be kept free from mud and debris at all times and suitable wheel cleaning facilities shall be provided within the site to prevent the deposition of mud and debris on to the public road.

Reason - To ensure the appropriate management of construction surface water run-off to minimise flooding and avoid discharge of sediment/pollution to the local water environment or neighbouring property, in the interests of residential and environmental amenity.

13. Development shall not commence on site until a detailed sustainable urban drainage system (SUDS) has been submitted for the further 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.

B JUSTIFICATION

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

C PROCEDURAL NOTES

None.

D INFORMATIVES

1. 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. An application for Building Warrant may be required.

Background Papers: 13 letters of representation

Contact Officer: Joanne Ferguson

Date: 28 February 2019

ANNE CONDLIFFE
INTERIM DEVELOPMENT QUALITY MANAGER

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