

Perth and Kinross Council  
Planning & Development Management Committee – 3 June 2020  
Report of Handling by Head of Planning & Development (Report No. 20/97)

**PROPOSAL:** Demolition of gym, conversion and erection of 12 flats, formation of communal courtyard and associated works

**LOCATION:** 15 Canal Street, Perth, PH2 8LQ

Ref. No: [20/00007/FLL](#)

Ward No: P12 - Perth City Centre

**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 proposal is for demolition of a modern building, conversion of a traditional building and erection of an associated two-storey building, combining to form 12 flats with a communal courtyard, and associated works. The site currently comprises a single storey building which accommodates a gym with a three-storey redundant industrial building to the rear.
- 2 The site is located in the city centre/ Perth Conservation Area and is bounded by a mix of commercial units and upper floor residential to the east and west. The Salutation Hotel is to the north, whilst Canal Street bounds to the south, with a public car park opposite.
- 3 An associated application for the demolition of the gym building is also under consideration (reference 20/00061/CON).
- 4 The demolition of the single-storey gym building would fully expose the traditional, stone and slate building behind. Within part of the space resulting, a two-storey building is proposed, orientated gable on to the street, with the remaining area retained as a communal courtyard with low wall and railing fronting the street.
- 5 In 2019 planning permission was granted to convert the building behind the gym into flats and retain the gym. In order to do this, the proposals required parts of the building to be reconfigured to allow access through to the stairwell, which in turn gave access to the first floor of that historic building. The agent has confirmed that that proposal cannot be progressed due to the difficulty of accessing the building to carry out the works, and other site constraints. The more workable option being to open up the site to improve accessibility and bring the original building back into use, by removing the modern-day addition.

## **NATIONAL POLICY AND GUIDANCE**

- 6 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**

- 7 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**

- 8 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.
- 9 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
  - Valuing the Historic Environment: paragraphs 135-137
  - Conservation Areas: paragraphs 143-144

### **Planning Advice Notes**

- 10 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 75 Planning for Transport
  - PAN 77 Designing Safer Places

### **Creating Places 2013**

- 11 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**

- 12 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**

- 13 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**

- 14 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019.

### **TAYPlan Strategic Development Plan 2016-2036**

- 15 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."*

- 16 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application.
- Policy 2: Shaping Better Quality Places
  - Policy 5: Town Centres First

### **Perth and Kinross Local Development Plan 2019**

- 17 The Local Development Plan 2 (2019) (LDP2) was adopted by Perth and Kinross Council on 29 November 2019. The 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.

18 The principal relevant policies are, in summary;

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 2: Design Statements
- Policy 5: Infrastructure Contributions
- Policy 11: Perth City Centre Secondary Uses Area
- Policy 20: Affordable Housing
- Policy 26: Scheduled Monuments and Archaeology
- Policy 27: Listed Buildings
- Policy 28: Conservation Areas
- Policy 52: New Development and Flooding
- Policy 53A: Water Environment and Drainage: Water Environment
- Policy 53B: Water Environment and Drainage: Foul Drainage
- Policy 53C: Water Environment and Drainage: Surface Water Drainage
- Policy 53E: Water Environment and Drainage: Water Supply
- Policy 58A: Contaminated and Unstable Land: Contaminated Land
- Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

## **SITE HISTORY**

- 19 [12/00675/FLL](#) Change of use of two vacant shop units (class 1) to fitness suite (class 11) Application Approved under delegated powers decision issued 22 May 2012
- 20 [12/00676/ADV](#) Display of signs Application Refused under delegated powers decision issued 22 May 2012
- 21 [15/01378/IPL](#) Change of use from vacant warehouse to residential – this application was withdrawn
- 22 [19/00523/FLL](#) Part change of use and alterations to gymnasium and ancillary stores to form 6 flats, and installation of railings and gate Application Approved under delegated powers decision issued 11 June 2019

## **CONSULTATIONS**

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

### **External**

- 24 **Historic Environment Scotland:** No objection or comment

25 **Scottish Water:** No objection

### **Internal**

26 **Environmental Health:** Recommendations made in relation to air quality and noise

27 **Environmental Health (Contaminated Land):** Advise contaminated land condition required

28 **Perth And Kinross Heritage Trust:** Advise archaeology condition required

29 **Transport Planning:** No objection, note cycle storage provided

30 **Structures and Flooding:** No objection, informatives required related to Flood Risk and the abandoned lade.

31 **Development Negotiations Officer:** Proposal considered against policy and no contributions required.

### **REPRESENTATIONS**

32 The following points were raised in the 34 representations received:

- Job losses
- Loss of gym facility
- No need for housing
- Loss of footfall from city centre
- Increase in traffic
- Wider health implications
- Disruption during construction
- Party wall issues

33 These issues are addressed in the Appraisal section of the report, with the exception of the party wall issue as approval of the application would not override any civil legal agreements required regarding party wall matters.

### **ADDITIONAL STATEMENTS**

34	Screening Opinion	Not Required
	Environmental Impact Assessment (EIA): Environmental Report	Not Applicable
	Appropriate Assessment	Not Required
	Design Statement or Design and Access Statement	Submitted
	Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

## **APPRAISAL**

- 35 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 (LDP2). 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**

- 36 The site is located within Perth City Centre and Perth Conservation Area and is zoned for secondary city centre uses under Policy 11 of LDP2. This policy states that within this area a mix of appropriate uses will be supported, including residential. The policy encourages residential uses within the secondary use area, whilst letters of representation state that there is no need for housing, a flatted development in the identified zoning complies in principle with the policy.
- 37 Clearly the proposal involves the loss of commercial premises and the letters of representation make it clear that the gym facility and staff have provided benefits to users of the facility and the wider community, and that the loss of the gym would have wider health implications for the local population. The loss of the facility is regrettable for those who use it but access to fitness and wellbeing facilities are still available in the area.
- 38 Typically gyms tend to be small employers although the business can bring large numbers of users into the area. Therefore the use may generate a footfall within the city centre but this would not be considered to be at a level where the loss of the gym would directly lead to a downturn in trade in the wider area. The provision of the proposed flats, although not bringing in the same number of users, may see an increase in spending in the city centre through the use of facilities, shopping and through increased night-time use which is to be encouraged.
- 39 It is acknowledged that the proposal would see the gym displaced. However, the granting of planning permission will simply give the land owner an option in terms of development, it will not override any agreement that the current lessee may have with the land owner. The proposal does result in the loss of a business premises but the zoning in the LDP does not require the retention of business premises as it does in town centre zonings. Ultimately the refusal of planning permission may not result in the retention of the gym as there are factors which will remain out with the control of the Planning Authority. The Council would however be happy to assist the current business operator to find new premises if required.

- 40 Whilst the loss of the business premises is a consideration, the proposal must also be considered against the wider benefits that it brings through the removal of an unsympathetic building design, the streetscape improvements and the reuse of a vacant traditional building. The proposal also has significant benefits for the Conservation Area and meets the objectives in enhancing its character or appearance. This is discussed in more detail later but, in principle, townscape improvements are a significant consideration therefore the proposal meets conservation objectives.
- 41 The application is therefore considered to comply, in terms of use, with the Policy 11 of LDP2.

### **Design and Layout**

- 42 The three-storey traditional building is of blonde sandstone finish with timber windows and stone surrounds, a traditional slated roof with feature cupolas and rooflights. This traditional building is partially hidden from the principal Canal Street elevation by the gym building which consists of a single storey warehouse-style unit under a large metal-clad pitched roof.
- 43 The demolition of the gym building would: allow access to ease conversion of the traditional building to 10 flats; to erect a smaller building accommodating 2 flats; with the remaining space to form a communal courtyard.
- 44 Historic photos show the traditional building fronted by a forecourt area when it was used as a car garage, repair centre and sales garage in the early 1900's. Removing the gym building would allow this to be re-instated, and, more importantly, allowing the original, quality building to be accessible and visible from ground level. The proposal also includes a new two-storey mews-style building which will contain two flats and face the new landscaped courtyard. This building would have a wet-dash render finish to walls and slated roof. The windows and doors are to match existing but no details of finish have been provided so this will be conditioned (Condition 3).
- 45 The demolition would ease access to this building, allowing it to be converted. As it has not seen much alteration over the years, although in a poor state of repair, the main features remain. The conversion to 8 flats, would see small alterations to the exterior of the building for new window openings, which pick up existing window proportions, and the formation of 12 traditionally proportioned dormers. The dormer design is acceptable, with the majority to the rear and the large roof mass helps absorb their impact.
- 46 The proposal includes the conversion of the ground floor of an adjoining building to the east to form two smaller units, one of which will be accessed from the courtyard and the other from Canal Street. The unit onto Canal Street involves the infilling of a pend to form a one bedroom flat. The infill finishes and window proportions are to match the existing elevation and are therefore acceptable.

- 47 Feature iron railings are to be reintroduced along Canal Street, forming a boundary far more in keeping with the historical streetscape. Furthermore, this boundary will not significantly obscure the proposals from the street but instead allow a visual connection through the landscaped courtyard to the refurbished historical building behind.
- 48 The alterations to the existing building and the design and scale of the new building are considered to comply with LDP2 Policies 1A and B, which relate to placemaking.

### **Residential Amenity**

- 49 Policy 1 Placemaking seeks to ensure, amongst other criteria, that new development respects the residential amenity of the surrounding area.
- 50 There are several residential and commercial properties within close proximity: the Salutation Hotel is attached to the proposed building conversion which will accommodate the three storey residential flatted units.
- 51 In city centre locations the expectations for residential amenity are not be the same as suburban areas. This is due to city centre locations generally leading to a higher likelihood of potential impacts on residential amenity from noise and night-time activities. However future residents will be aware of neighbouring uses and the potential night-time noise and activity.
- 52 There is the potential that noise from the adjacent hotel could impact on the residential amenity of any future residents within the three storey building. Environmental Health consider that potential impacts could be reduced through introducing sound insulation and sound transmission properties to the structure and finishes of the residential units (Condition 6).
- 53 The demolition of the gym building would provide a communal amenity space, which is welcomed in this city centre location. The arrangement of the building would see windows face Canal Street (over the amenity space) or overlook the single storey roof of the hotel to the rear. The development is not considered to have a detrimental impact on any neighbouring dwellings, in terms of overlooking or loss of privacy.
- 54 Taking the aforementioned into account, the proposal is considered compliant with the Council's Placemaking Supplementary Guidance 2019 and LDP2 Policies 1A and 1B in relation to residential amenity.

### **Air Quality**

- 55 The location is within Perth's Air Quality Management Area, although Environmental Health confirm that, due to the scale of the development, no air quality assessment is required.



## **Demolition/Construction**

- 56 There is the potential for dust, etc. to adversely affect air quality and existing residential amenity during the demolition and construction stages. Thus submission of a Construction Management Plan, including mitigation measures and monitoring to control dust emissions from the site from demolition and construction activities and will be required by condition (Condition 5).

## **Contaminated Land**

- 57 The site was formerly occupied a garage and records of a number of underground fuel storage tanks exist. No information is available on whether these tanks have been removed or how they have been decommissioned. There are also records of a suspected tank leak, but again no information detailing any remediation works.
- 58 Given there is potential for contamination it is necessary for an assessment of the site to be undertaken to determine measures to address this to a standard suitable for residential use. A contaminated land condition is therefore recommended (Condition 8).

## **Roads and Access**

- 59 Typical of many flatted properties in the city centre, there is no residential parking provided. Off-street car parking is available at several locations nearby and to encourage active travel a secure waterproof cycle shelter should be provided. Space for cycle stands has been shown on the plans however no details have been submitted to show it will be waterproof so a condition will be added to agree these details (Condition 10).
- 60 There is also concern that the proposal would lead to an increase in traffic however the proposal, by virtue of its city centre location, offers the residents a number of public transport options and the trip generation compared to the gym will be lower.

## **Drainage and Flooding**

- 60 The SEPA flood hazard map and shows that the development lies outwith the functional floodplain, due to the Perth Flood Protection Scheme (PFPS) which is believed to have a standard of protection equal to a 1 in 250 year flood event.
- 61 However, there remains a residual flood risk if the PFPS failed or was overtopped by an exceedance event. As such the Flood Team recommend that the development incorporates flood resilient materials on the ground floor. Furthermore, SEPA operates a flood warning service in this area in the event that the scheme was exceeded and residents could to sign up to this.
- 62 The Flood Team also note that there is an abandoned lade, believed to run underneath Canal Street. However if this is exposed during excavation works,

contact should be made with the Council's Flood Team and their recommendations will be added as informatives.

- 63 Scottish Water were consulted and do not object, however the applicant will still need to secure a connection to the public infrastructure.

### **Waste Collection**

- 64 The plans show provision for bin storage area within the development, whilst refuse collections would be from the street.

### **Conservation Considerations**

- 65 Policy 28 of LDP2 seeks to ensure that new development contributes positively to the character and appearance of the Conservation Area. Thus implications of the demolition will be considered separately through the associated Conservation Area Consent application, which is also under consideration at this Committee.
- 66 The building to be demolished is modern in construction and of no significant architectural or historic merit. This building, because of its design and materials, has a negative impact on the character and appearance of the Conservation Area, whereas the architecture and materials of the retained building to be converted and the proposed flats are in keeping with the scale, form and massing of the surrounding buildings.
- 67 The proposed courtyard garden, wall and gates will allow greater visibility of the historic building and their design and materials will also represent a significant improvement on the existing gym building, in terms of visual impact. Further, the proposed dormers are considered in keeping with the appearance of the existing building and would have no detrimental impact on the Conservation Area.
- 68 Overall the proposed development would have a positive impact on the character and appearance of the Conservation Area which complies with LDP2 Policy 28.

### **Archaeology**

- 69 The proposed development site lies within an archaeologically sensitive area within the medieval burgh of Perth. A building is depicted at this location on Rutherford's 1774 map of Perth.
- 70 As significant archaeological deposits can survive at shallow depths it is recommended that archaeological monitoring take place during the grubbing out of the building foundations and that an archaeological evaluation take place to assess the presence / absence, character and significance of archaeological deposits on the site. The evaluation will inform a mitigation strategy, if required, to either preserve significant deposits within the development; or for further archaeological works, to consist of the excavation and post-excavation analysis / publication of these deposits. This can be controlled by a condition (Condition 4).

## **Developer Contributions**

### **Affordable Housing**

- 71 The Council's Affordable Housing Policy requires that, in general, 25% of the total number of houses, above a threshold of 5 units, for which planning permission is being sought is to be in the form of affordable housing, though there are some exceptions.
- 72 In this case as the site is within the Perth City Centre Zone and will create less than 20 units, no contributions will be required, as established in clause 7.7 of the Guidance.

### **Primary Education**

- 73 The Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.
- 74 This proposal is within the catchment of Inch View Primary School. Education & Children's Services have no capacity concerns in this catchment area at this time and therefore no contribution in this regard is required.

### **Transport Infrastructure**

- 75 The Council's Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.
- 76 Again as the site is within the Perth City Centre Zone and will create less than 20 units, therefore in line with clause 6.6 of the Guidance, no contributions will be required.

### **Economic Impact**

- 77 The development will result in the loss of a commercial premises and its associated employment but will create 12 dwellings within the city centre which will have their own economic benefits in stimulating the city centre economy with the added benefit of bringing a disused, traditional building back into use.

## **LEGAL AGREEMENTS**

- 78 No legal agreement required.

## **DIRECTION BY SCOTTISH MINISTERS**

- 79 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**

- 80 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, the Development Management team are content that the development proposed does not conflict with the Development Plan.
- 81 Accordingly the proposal is recommended for approval, subject to the following conditions.

### **A 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 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 order to protect the traditional character of the building and the appearance of the Conservation Area.

3. Prior to the commencement of the development hereby approved, details of the specification, finish and colour of the proposed replacement and new windows and doors 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 order to protect the traditional character of the building and the appearance of the Conservation Area.

4. 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.

5. Prior to the commencement of development a Construction Management Plan which should include mitigation measures and monitoring to control dust emissions from the site from demolition and construction activities shall be submitted to and agreed in writing by the Council as Planning Authority. The plan as subsequently agreed shall be implemented throughout the demolition and construction stage of the development.

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

6. The sound insulation and sound transmission properties of the structure and finishes of residential units shall be such that any airborne noise from the operations within the adjoining commercial hotel premises does not constitute a statutory noise nuisance as determined by the Council as Planning Authority.

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

7. During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site which would result in noise which could be considered a statutory nuisance outside the following times: Monday-Friday 07.00 to 19:00-hours, Saturday 08.00 to 13:00 nor at any time on Sundays, Bank or Public Holidays.

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

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

- I. the nature, extent and type(s) of contamination on the site
- II. measures to treat/remove contamination to ensure the site is fit for the use proposed

- III. measures to deal with contamination during construction works
- IV. condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the agreed measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

Reason: In order to deal with any potential contamination of the site as a result of its former use.

- 9. No part of the development shall be occupied until a Residential Travel Plan (RTP), aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council as Planning Authority. The RTP 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. The agreed RTP should be issued to residents at the time of their occupation.

Reason: To promote sustainable transport options and to meet advice within Scottish Planning Policy on transport.

- 10. Prior to the occupation or use of the approved development a secure waterproof cycle parking facility for a minimum of 14 cycles shall be provided within the site to the satisfaction of the Planning Authority.

Reason: To encourage active travel and meet advice within Scottish Planning Policy on transport.

## **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. The developer is advised to contact Mr David Strachan, Archaeologist to discuss terms of reference for work required Tel 01738 477080.
5. 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. Please send the required information to us at [developmentmanagement@pkc.gov.uk](mailto:developmentmanagement@pkc.gov.uk) . Please be aware that the Council has two months to consider the information (or four months in the case of a Major planning permission). You should therefore submit the required information more than two months (or four months) before your permission expires. We cannot guarantee that submissions made within two months (or four months) of the expiry date of your permission will be able to be dealt with before your permission lapses.
6. The applicant is advised to refer to Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2014 as it contains advice relevant to your development.
7. The applicant is advised that there is an abandoned lade which runs along Canal Street. This is believed to run underneath the main road, however if this is exposed during excavation works, contact should be made with the flooding team.
8. 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 Environmental Protection Agency.
9. Please apply to the Street Naming and Numbering Officer, The Housing & 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](http://www.pkc.gov.uk) and should be returned to [snn@pkc.gov.uk](mailto:snn@pkc.gov.uk).

Background Papers: 34 letters of representation  
Contact Officer: Joanne Ferguson – 01738 475320  
Date: 21 May 2020

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

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