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Council Building  
2 High Street  
Perth  
PH1 5PH

6 December 2019

A Meeting of the **Planning and Development Management Committee** will be held in the **Council Chamber, 2 High Street, Perth, PH1 5PH** on **Tuesday, 17 December 2019** at **10:00**.

If you have any queries please contact Committee Services on (01738) 475000 or email [Committee@pkc.gov.uk](mailto:Committee@pkc.gov.uk).

**KAREN REID**  
Chief Executive

***Those attending the meeting are requested to ensure that all electronic equipment is in silent mode.***

***Please note that the meeting will be recorded and will be publicly available on the Council's website following the meeting.***

**Members:**

Councillor Roz McCall (Convener)	Councillor Willie Wilson
Councillor Bob Brawn (Vice-Convener)	
Councillor Henry Anderson	
Councillor Bob Band	
Councillor Michael Barnacle	
Councillor Eric Drysdale	
Councillor Tom Gray	
Councillor David Illingworth	
Councillor Ian James	
Councillor Callum Purves	
Councillor Crawford Reid	
Councillor Richard Watters	



**Planning and Development Management Committee**

**Tuesday, 17 December 2019**

**AGENDA**

***MEMBERS ARE REMINDED OF THEIR OBLIGATION TO DECLARE ANY FINANCIAL OR NON-FINANCIAL INTEREST WHICH THEY MAY HAVE IN ANY ITEM ON THIS AGENDA IN ACCORDANCE WITH THE COUNCILLORS' CODE OF CONDUCT.***

- 1 WELCOME AND APOLOGIES/SUBSTITUTES**
- 2 DECLARATIONS OF INTEREST**
- 3 MINUTE OF MEETING OF THE PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE OF 20 NOVEMBER 2019 FOR APPROVAL (copy herewith) 5 - 12**
- 4 APPLICATIONS FOR CONSIDERATION**
- 4(1) PROPOSAL OF APPLICATION NOTICE (PAN)**
- 4(1)(i) 19/00008/PAN - FOSS - ERECTION OF ELECTRICITY SUBSTATION WITH ASSOCIATED PLANT, INFRASTRUCTURE AND CREATION OF ACCESS TRACK, LAND 1.1KM NORTH OF BRAES LODGE, FOSS 13 - 22**  
Pre-Application Report by Head of Planning and Development  
(copy herewith 19/368)
- 4(1)(ii) 19/00009/PAN - PERTH - RESIDENTIAL DEVELOPMENT INCLUDING LANDSCAPING AND ASSOCIATED WORKS, LAND 40 METRES WEST OF NEWTON OF HUNTINGTOWER FARMHOUSE, CRIEFF ROAD, PERTH 23 - 32**  
Pre-Application Report by Head of Planning and Development  
(copy herewith 19/369)

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PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
20 NOVEMBER 2019

## PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Minute of meeting of the Planning and Development Management Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 20 November 2019 at 10.00am.

Present: Councillors R McCall, B Brawn, H Anderson, B Band, E Drysdale, T Gray, D Illingworth, X McDade (substituting for C Purves), C Reid, R Watters and W Wilson.

In Attendance: M Lee (Housing and Environment) K Smith, A Condliffe, G Fogg and D Williams (all Corporate and Democratic Services).

Apologies: Councillors M Barnacle, I James, and C Purves.

Councillor R McCall, Convener, Presiding.

### 579. WELCOME AND APOLOGIES

The Vice-Convener welcomed everyone present to the meeting.

### 580. DECLARATIONS OF INTEREST

Councillor E Drysdale declared a non-financial interest in Art. 583(2)(i).

### 581. MINUTES

The minute of meeting of the Planning and Development Management Committee of 23 October 2019 (Arts. 516-520) was submitted, approved as a correct record and authorised for signature.

### 582. DEPUTATIONS

There were no requests for deputations received.

### 583. APPLICATIONS FOR DETERMINATION

#### (1) Local Applications

- (i) **19/00511/FLL – COTTOWN – Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to modify condition 5 (private access roads to adoptable standard) or planning permission 15/00150/FLL (erection of 4 dwellinghouses), land north of Cottown House, Cottown, Glencarse – Report 19/332 – J and C Khazaka**

**Resolved:**

**Grant**, subject to the following conditions and informatives:

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
20 NOVEMBER 2019

**Conditions**

1. The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.  
Reason - To ensure that the development is carried out in accordance with the plans approved.
2. Prior to the commencement of the development, precise details of the proposed foul drainage arrangement shall be submitted to and agreed in writing by the Council as Planning Authority. The agreed details shall thereafter be implemented in full, and prior to the occupation of each dwelling.  
Reason - In order to ensure that the site is adequately drained.
3. Prior to the commencement of any development on site, precise details of the proposed SUDS system shall be submitted to and agreed in writing by the Council as Planning Authority. The agreed details shall be implemented in full prior to the first house occupation.  
Reason - In order to ensure that the site is adequately drained.
4. Prior to the commencement of any development on site, a detailed landscaping and boundary treatment plan (including timescales for implementation) shall be submitted to and agreed in writing by the Council as Planning Authority. The agreed details shall be implemented in full as the development progresses.  
Reason - In the interest of proper site management and to ensure that the visual amenity of the area is protected.
5. Prior to the commencement of the development, precise details of the proposed design and specification of the proposed surfacing works (including surface water drainage) to the existing private access and details of the turning areas shall be submitted to and agreed in writing by the Council as Planning Authority. The agreed details shall be implemented in full prior to the occupation of the last dwelling.  
Reason - In the interests of pedestrian and traffic safety and in the interests of free traffic flow, and to ensure that works to the road do not adversely affect any existing property via flood risk.
6. For the duration of the construction phase, the existing private access shall be maintained to a standard which is comparable to the condition prior to construction works commencing. Prior to the commencement of the development, a photographic record of the condition of the existing access shall be submitted to the Council as Planning Authority. If any damage occurs during the construction phase, the developer shall remedy the

PERTH AND KINROSS COUNCIL  
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damage within 14 days, all to the satisfaction of the Council as Planning Authority.

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

7. Prior to the commencement of any development on site, full details of the colour of the wet dash render shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be implemented in full prior to the occupation of each of the dwellings.

Reason - In order to protect existing residential amenity.

8. All plant or equipment associated with any air source heat pump shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 30 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours daily, within any neighbouring residential premises, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

Reason - In order to protect existing residential amenity.

9. Prior to the commencement of any development on site, an evaluation for the potential of the site to be affected by contamination by a previous use shall be undertaken and as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) shall be submitted to and agreed in writing by the Council as Planning Authority. If the preliminary risk assessment identifies the need for further assessment, an intrusive investigation must be undertaken to identify;

- The nature, extent and type(s) of contamination on the site
- Measures to treat/remove contamination to ensure the site is fit for the use proposed
- Measures to deal with contamination during construction works
- Condition of the site on completion of decontamination measures.

Prior to the occupation of any dwelling, 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 shall be submitted to and agreed in writing by the Council as Planning Authority prior to the occupation of any dwelling.

Reason - In order to ensure that any land contaminates are adequately dealt.

10. Prior to the commencement of any development on site, detailed plans of the proposed works to the existing Right of Way shall be submitted to and agreed in writing by the Council as Planning Authority. The detailed plans must

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detail the route of the right of way between Dalreach (cottage) and the track south of Cottown House, the surfacing and any furniture thereon (e.g. gates), how the path links into other parts of the route to the north and south, and must show a path a minimum of 2.5m wide and of similar distance and of a similar or improved surface to that of the original path. The agreed details must be completed and made available for the public to use prior to the commencement of any other development on site.

Reason - In order to protect the existing Right of Way.

11. Prior to the commencement of the development, precise details of the proposed bin/recycling collections facilities shall be submitted to and agreed in writing by the Council as Planning Authority. The agreed details shall thereafter be implemented in full, prior to the occupation of the first dwelling.

Reason - In order to clarify the terms of this permission.

**Justification**

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

**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 will be required.
5. 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



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sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency

6. With regard to the terms of Condition 10 of this decision notice, the applicant is advised to make early contact with the Council's Access Officers regarding the Right of Way to ensure it is not adversely affected by the development proposed. For the avoidance of doubt, any changes to the alignment of the path should not be onto another owner's land. The applicant should also be aware that any temporary restrictions to public access required during the construction of the dwellinghouses must be agreed in writing (and in advance of the restriction) with the Council as Planning Authority.
7. There is a Section 75 legal obligation associated with this planning permission, which relates to Primary Education and Transport Infrastructure contributions. A copy is available to view on the Council's Public Access portal.

**(ii) 19/01387/FLL – BLAIRGOWRIE – Change of use from vacant land to form a vehicle storage area (in retrospect), Piob Mhor Workshop, 14 Mitchell Square, Blairgowrie– Report 19/333 – R and N Autocentre**

Motion (Councillor T Gray and D Illingworth)

Grant, subject to the conditions and informatives contained in Report 19/333.

1<sup>st</sup> Amendment (Councillor B Brawn and W Wilson)

Grant, subject to alteration of Condition 4 contained in Report 19/333– Servicing of and deliveries to the site for storage purposes shall only be carried out between 7.00am and 7.00pm, Monday to Saturday.

2<sup>nd</sup> Amendment (Councillor H Anderson and X McDade)

**Grant, subject to the following conditions and informatives:**

**Conditions**

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 operations re-commencing at the site, a plan detailing the proposed surface of the site and layout of the vehicle storage area that enables all vehicles to turn and exit onto the public road in a forward gear,**

shall be submitted to and approved in writing by the Council as Planning Authority. The approved plan shall be implemented prior to the re-commencement of the use and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason - In the interests of road safety; to ensure the provision of acceptable manoeuvring space within the curtilage of the site and to enable a vehicle to enter and leave the site in forward gear.

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

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

4. Servicing of and deliveries to the site shall only be carried out between 0700 and 1900 hours daily.

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

#### **Justification**

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

#### **Informatives**

1. 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.

In terms of Standing Order 58 a roll call vote was taken.

3 members voted for the 1<sup>st</sup> Amendment as follows:  
Councillors B Brawn, C Reid and W Wilson

4 members voted for the 2<sup>nd</sup> Amendment as follows:  
Councillors H Anderson, B Band, E Drysdale and X McDade.

4 members abstained as follows:  
Councillors T Gray, D Illingworth, R McCall and R Watters.

The 2<sup>nd</sup> Amendment therefore became the substantive Amendment.

5 members voted for the Motion as follows:  
Councillors B Brawn, T Gray, D Illingworth, R McCall and R Waters.

6 members voted for the Amendment as follows:  
Councillors H Anderson, B Band, E Drysdale and X McDade and C Reid and W Wilson.

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**Resolved:**

In accordance with the Amendment.

**(2) Proposal of Application Notice (PAN)**

- (i) 19/00006/PAN – KETTINS – Erection of replacement poly tunnels, Colbeggie Farm, Kettins – Report 19/334 – Mr A Barrie**

Members noted the issues identified by the Head of Planning and Development's Report.

- (ii) 19/00007/PAN – PERTH – Erection of a replacement high school, with associated car parking, playgrounds and the relocation of existing sports pitches, Perth High School, Oakbank Road, Perth – Report 19/335 – Perth and Kinross Council**

Councillor Wilson requested that consideration be given to residential amenity, due to the proximity of the proposed development to existing low-rise domestic properties.

Councillor Wilson requested that consideration be given to parking, including during the construction phase, in addition to staff and student parking. Councillor Wilson also requested that consideration be given to road safety and speeding during the construction phase and the relationship of the staff and student drop-off in relation to pedestrian safety.

Councillor Wilson requested that consideration be given to drainage concerns at the site. Councillor Wilson also requested that consideration be given to tree/hedge landscaping, and also that consideration be given to floodlighting and noise from the proposed sports pitches, with regards to residential amenity of the neighbouring area.

Councillor Drysdale requested that particular attention is paid to safety of any possible demolition of the existing Perth High School building. Councillor Drysdale also requested that consideration be given to the scale of the proposal in relation to expected population growth.

Councillor Watters drew attention to the Climate Change Emergency motion agreed by Council on 19 June 2019, requesting that development was undertaken to the highest possible standard in relation to construction methods, materials and heating.

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Perth and Kinross Council  
Planning and Development Management Committee – 17 December 2019  
Pre-Application Report by Head of Planning and Development (Report No. 19/368)

|                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Erection of electricity substation with associated plant, infrastructure and creation of access track, land 1.1km north of Braes Lodge, Foss, Perthshire |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|

Ref. No: [19/00008/PAN](#)  
Ward No: P4 - Highland

### **Summary**

This report is to inform the Committee of a potential forthcoming planning application in respect of a national development for a proposed electricity substation in a rural part of Highland Perthshire. The report also aims to highlight the key planning policies and the likely stakeholders who would be involved in the decision making process, and to offer a brief overview of the key planning issues which are likely to be relevant to the proposal.

## **BACKGROUND AND DESCRIPTION**

- 1 In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 as amended, the applicant's submitted a Proposal of Application Notice (PoAN) on 8 October 2019. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
- 2 The application site is an area of grassland with Loch Kinardochy immediately to the south and Forestry Commission Scotland woodland to the east, north and west. There is no planning history associated with this site. This PoAN seeks to formally establish a national development comprising uses as previously set out. The exact range, scale and design of the development may be arrived at during pre-application discussions or through the ultimate submission of a detailed planning application. The proposal forms part of the infrastructure delivery highlighted in National Planning Framework 3 (NPF3) and because it is classified as a national development the planning application will require determination by Full Council and not the Planning and Development Management Committee.

## **ENVIRONMENTAL IMPACT ASSESSMENT**

- 3 Due to the scale and nature of the proposal it will require to be screened as to whether the proposal is an Environmental Impact Assessment (EIA) development under the EIA 2017 regulations. A screening request has yet to be submitted.

## **PRE-APPLICATION PROCESS**

- 4 The PoAN confirmed that a public exhibition was held on 21<sup>st</sup> November at Kynachan Hall in Tummel Bridge. The nearest Community Council (Dull and Weem), the Ward Councillors, MP, MSP and Regional MSPs were all notified. The nearest residential properties have also been consulted through a leaflet drop in the area. The results of the community consultation will be submitted with the

planning application as part of the required Pre-Application Consultation (PAC) Report.

## **NATIONAL POLICY AND GUIDANCE**

- 5 The Scottish Government expresses its planning policies through the National Planning Framework (NPF) 3, the National Roads Development Guide 2014, Scottish Planning Policy (SPP) 2014 and Planning Advice Notes (PAN).

### **National Planning Framework**

- 6 The 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 a 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.

### **The Scottish Planning Policy 2014**

- 7 The SPP is a statement of Scottish Government policy on land use planning. 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
  - Supporting Business and Employment: paragraphs 92-108
  - Delivering Heat and Electricity: paragraphs 152-174
  - Valuing the Natural Environment: paragraphs 193 – 218
  - Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
  - Managing Flood Risk and Drainage: paragraphs 254 – 268
- 8 The following Scottish Government Planning Advice Notes are likely to be of relevance to the proposal: -
- PAN 3/2010 Community Engagement
  - PAN 1/2011 Planning and Noise
  - PAN 40 Development Management
  - PAN 51 Planning, Environmental Protection and Regulation
  - PAN 60 Planning for Natural Heritage
  - PAN 61 Planning and Sustainable Urban Drainage Systems
  - PAN 68 Design Statements
  - PAN 79 Water and Drainage

## **LOCAL POLICY AND GUIDANCE**

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

- 9 TAYPlan sets out a vision for how the region will be in 2032 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 2032 the TAYplan region 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”*

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

- Policy 2: Shaping Better Quality Places
- Policy 7: Energy, Waste and Resources
- Policy 9: Managing TAYplans Assets
- Policy 8: Green Networks

### **Perth and Kinross Local Development Plan 2 (2019)**

- 11 The LDP2 (2019) was adopted on 29 November 2019. LDP2 is consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. The relevant policies are:

- Policy 1 – Placemaking
- Policy 2 – Design Statements
- Policy 14 – Open Space Retention and Provision
- Policy 15 – Public Access
- Policy 26 – Scheduled Monument and Non-Designated Archaeology
- Policy 35 - Electricity Transmission Infrastructure
- Policy 38 – Environment and Conservation
- Policy 39 – Landscape
- Policy 40 – Forestry, Woodland and Trees
- Policy 41 – Biodiversity
- Policy 42 – Green Infrastructure
- Policy 47 – River Tay Catchment
- Policy 51 – Soils
- Policy 52 – New Development and Flooding
- Policy 53 – Water Environment and Drainage
- Policy 56 – Noise Pollution
- Policy 60 – Transport Standards and Accessibility Requirements

### **OTHER POLICIES**

- 12 The following supplementary guidance and documents are of particular importance in the assessment of this application:-

- Flood Risk and Flood Risk Assessments – Developer Guidance June 2014
- Tayside Landscape Character Assessment 1999 by SNH

### **PLANNING SITE HISTORY**

- 13 None

### **CONSULTATIONS**

- 14 As part of the planning application process the following would be consulted: -

## **External**

- Scottish Environmental Protection Agency (SEPA)
- Scottish Natural Heritage (SNH)
- Scottish Water
- Transport Scotland
- Forestry Commission Scotland
- Health and Safety Executive
- Royal Society of Protection of Birds (RSPB)
- Perth and Kinross Heritage Trust (PKHT)
- British Geological Survey (BGS)
- Dull and Weem Community Council

## **Internal**

- Environmental Health
- Strategic Planning and Policy
- Community Greenspace including Access
- Transport Planning
- Structures and Flooding
- Biodiversity Officer

## **KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED**

- 15 The key considerations against which the eventual application will be assessed include: -
- a. Need
  - b. Landscape and Visual Impact
  - c. Scale, Design and Layout
  - d. Relationship to Nearby Land Uses
  - e. Natural Heritage and Ecology
  - f. Water Resources and Soils
  - g. Impact of Noise (Construction and Operational)
  - h. Transport Implications
  - i. Flooding and Drainage
  - j. Cultural Heritage
  - k. Light pollution

## **ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED**

- 16 In the absence of an EIA, the following supporting documents will need to be submitted with any planning application or would form possible topics for assessment as part of any EIA Report:
- Planning Statement
  - Design and Access Statement
  - Pre-Application Consultation (PAC) Report
  - Landscape and Visual Impact Assessment



- Ground Investigation Survey including peatland and groundwater
- Transport Statement/Assessment including Construction Traffic Management Plan (CTMP)
- Flood Risk and Drainage Assessment
- Phase 1 Habitat Survey including protected species and breeding birds
- Sustainability Assessment
- Noise Assessment
- Tree/Woodland Survey
- Construction Environment Management Plan (CEMP)

## **CONCLUSION AND RECOMMENDATION**

- 17 This report summarises the key issues which should be considered as part of the appraisal of any subsequent planning application which may be lodged in respect of this development and members are recommended to note these key issues and advise officers of any other issues which they consider should be included as part of the application and assessment.

Background Papers:None

Contact Officer: Steve Callan – Ext 01738 475337

Date: 4 December 2019

**DAVID LITTLEJOHN**  
**HEAD OF PLANNING AND DEVELOPMENT**

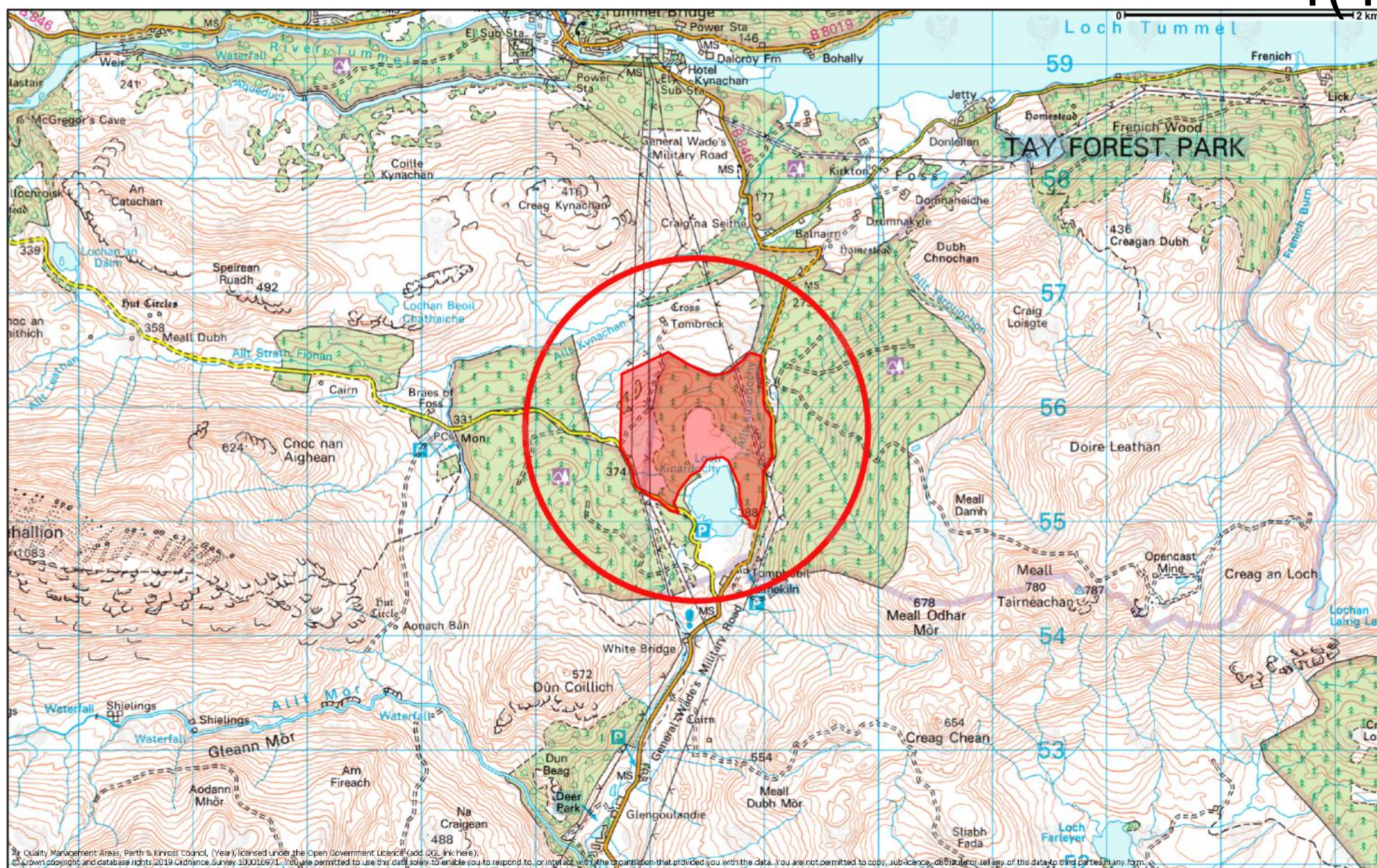
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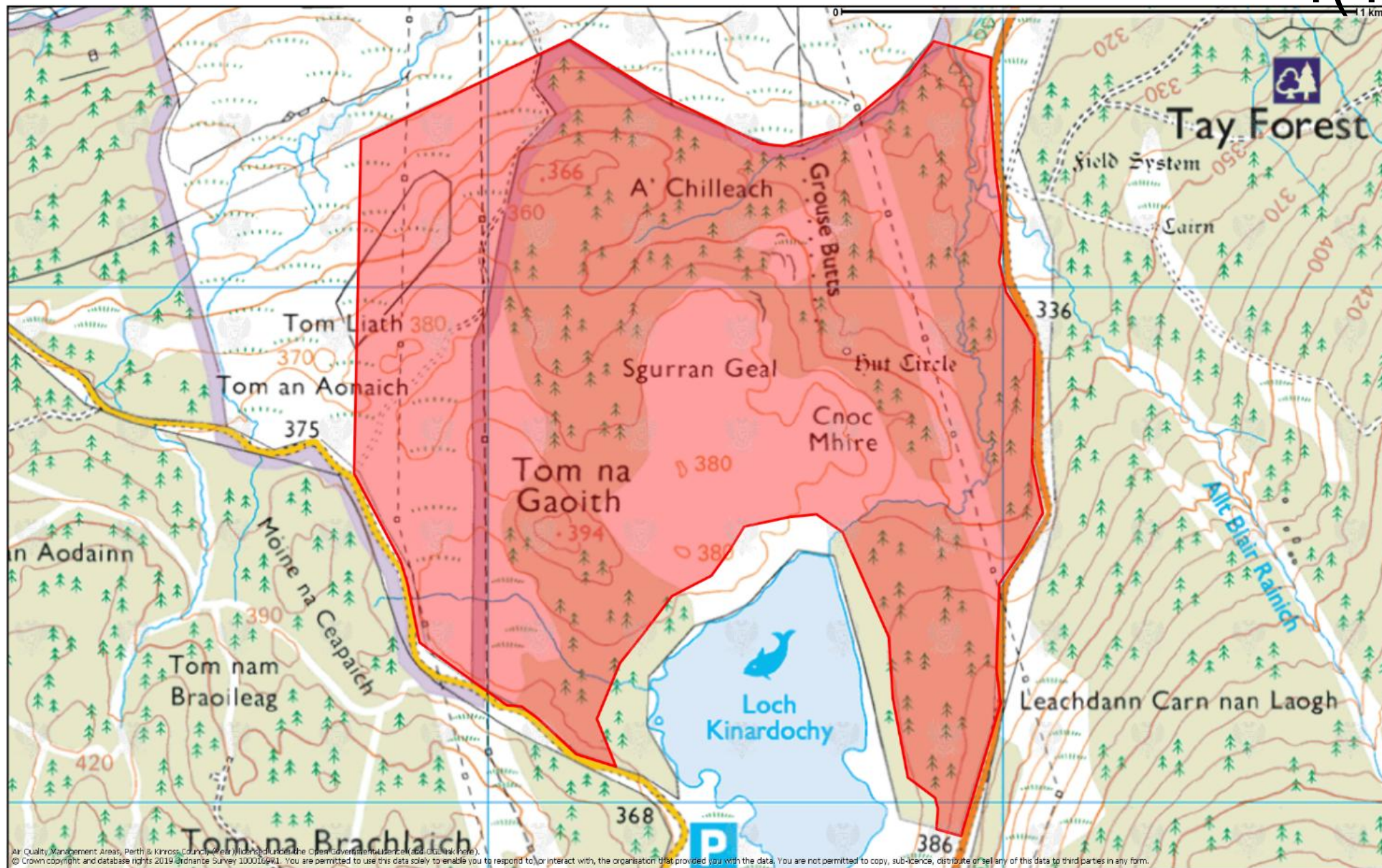
19/00008/PAN

Erection of electricity substation with associated plant, infrastructure and creation of access track at land 1,100 metres north of Braes Lodge, Foss









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19/00008/PAN

Erection of electricity substation with associated plant, infrastructure and creation of access track at land 1,100 metres north of Braes Lodge, Foss





Perth and Kinross Council  
Planning and Development Management Committee – 17 December 2019  
Pre-Application Report by Head of Planning and Development

|                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Residential development including landscaping and associated works, land 40 metres west of Newton of Huntingtower Farmhouse, Crieff Road, Perth |
|-------------------------------------------------------------------------------------------------------------------------------------------------|

Ref. No: [19/00009/PAN](#)

Ward No: P11- Perth City North

### **Summary**

This report is to inform the Committee of a forthcoming planning application in respect of a major development for a residential development at land 40 metres west of Newton of Huntingtower Farmhouse, Crieff Road, Perth. The report also aims to highlight the key planning policies, the likely stakeholders who would be involved in the decision-making process and to offer a brief overview of the key planning issues which are likely to be relevant to the proposal.

## **BACKGROUND AND DESCRIPTION**

- 1 In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 as amended, the applicants submitted a Proposal of Application Notice (PoAN) on 15 October 2019. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
- 2 The site is located south east of St Johnstone Football Stadium and fronts onto both Crieff Road and the new A9/A85 road. There are numerous agricultural buildings located in the south western corner of the site and current vehicular access into the site is from Crieff Road.
- 3 There is an extensive planning history for the site, and it forms part of a larger site (H71) allocated for residential development in LDP 2. This PoAN seeks to formally establish a major residential development on the site. The exact scale and mix of dwelling types will be arrived at through the submission of a detailed planning application with associated background supporting information.

## **ENVIRONMENTAL IMPACT ASSESSMENT**

- 4 A previous proposal required an Environmental Impact Assessment (EIA) development under the EIA 2011 regulations to be submitted with any planning application. A fresh EIA Screening under the 2017 Regulations will be required for any future planning application, which has not yet been requested.

## **PRE-APPLICATION PROCESS**

- 5 The PoAN confirmed that a public exhibition was held on 10 December 2019 at St Johnstone Football Club. The ward Councillors, MP and MSP for the area have all been notified. Letham and Tulloch Residents Association have also been notified and a leaflet drop in the area has been carried out. The results of the community consultation will be submitted with the application as part of the Pre-Application Consultation (PAC) Report.

## **NATIONAL POLICY AND GUIDANCE**

- 6 The Scottish Government expresses its planning policies through the National Planning Framework (NPF) 3, the National Roads Development Guide 2014, Scottish Planning Policy (SPP) 2014 and Planning Advice Notes (PAN).

### **National Planning Framework**

- 7 The 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.

### **The Scottish Planning Policy 2014**

- 8 The SPP is a statement of Scottish Government policy on land use planning. 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 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
- 9 The following Scottish Government Planning Advice Notes (PAN) are likely to be of relevance to the proposal:
- PAN 3/2010 Community Engagement
  - PAN 1/2011 Planning and Noise
  - PAN 40 Development Management
  - PAN 51 Planning, Environmental Protection and Regulation
  - PAN 60 Planning for Natural Heritage
  - PAN 61 Planning and Sustainable Urban Drainage Systems
  - PAN 65 Planning and Open Space
  - PAN 68 Design Statements
  - PAN 75 Planning for Transport
  - PAN 77 Designing Safer Places
  - PAN 79 Water and Drainage

### **Designing Streets 2010**

- 10 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.

### **Creating Places 2013 – A policy statement on architecture and place for Scotland 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.

### **National Roads Development Guide 2014**

- 12 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.

## **LOCAL POLICY AND GUIDANCE**

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

- 13 TAYPlan sets out a vision for how the region will be in 2032 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 2032 the TAYplan region 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”*

- 14 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application.
- Policy 1: Locational Priorities
  - Policy 2: Shaping Better Quality Places
  - Policy 3: Managing TAYplans Assets
  - Policy 6: Developer Contributions
  - Policy 8: Green Networks

### **Perth and Kinross Local Development Plan 2 (LDP2)**

- 15 The LDP2 (2019) was adopted on 29 November 2019. LDP2 is consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. The relevant policies are:
- Policy 1 – Placemaking
  - Policy 2 – Design Statements
  - Policy 5 – Infrastructure Contributions
  - Policy 6 – Settlement Boundaries
  - Policy 14 – Open Space Retention and Provision

- Policy 15 – Public Access
- Policy 17 – Residential Areas
- Policy 20 – Affordable Housing
- Policy 23 – Delivery of Development Sites
- Policy 25 – Housing Mix
- Policy 32 – Embedding Low and Zero Carbon Generating Technology in New Development
- Policy 34 – Sustainable Heating and Cooling
- Policy 38 – Environment and Conservation
- Policy 39 – Landscape
- Policy 40 – Forestry, Woodland and Trees
- Policy 41 – Biodiversity
- Policy 42 – Green Infrastructure
- Policy 52 – New Development and Flooding
- Policy 53 – Water Environment and Drainage
- Policy 55 – Nuisance from Artificial light and Light Pollution
- Policy 56 – Noise Pollution
- Policy 57 – Air Quality
- Policy 58 – Contaminated Land
- Policy 60 – Transport Standards and Accessibility Requirements

## **OTHER POLICIES**

- 16 The following supplementary guidance and documents are of particular importance in the assessment of this application:
- Developer Contributions Supplementary Guidance including Affordable Housing April 2016
  - Flood Risk and Flood Risk Assessments – Developer Guidance June 2014
  - Draft Placemaking Supplementary Guidance 2019
  - Draft Open Space Provision for New Developments Supplementary Guidance 2019
  - Draft Air Quality and Planning Supplementary Guidance 2019

## **PLANNING SITE HISTORY**

- 17 The site and immediate surrounding area has extensive planning history and the following is of particular importance.

**10/00004/PAN:** Proposal of Application Notice (PoAN) for erection of Class 1 foodstore and petrol filling station with associated car parking landscape and access. Contents of PoAN approved May 2010.

**12/00001/PAN:** Proposal of Application Notice (PoAN) for erection of Class 1 foodstore and petrol filling station with associated car parking landscape and access. Contents of PoAN approved February 2012.

**12/00964/IPM:** In Principle permission for demolition of building and erection of Class 1 foodstore with associated petrol filling station, car parking, access road, landscaping and new link road and junction. Application withdrawn September 2012.

**15/00014/PAN**: Proposal of Application Notice (PoAN) for residential and retail development. Contents of PoAN approved August 2015.

**15/00036/FL**: Detailed planning permission for upgrading of roads infrastructure including the formation of new roads, roundabouts, bridges, car parking, landscaping and associated works on land immediately east and south of current PAN site. Application approved March 2015 and works completed Autumn 2018.

**15/01840/SCRN**: EIA Screening request for residential and retail development. Decision issued November 2015. EIA Required.

## **CONSULTATIONS**

- 18 As part of the planning application process the following would be consulted:

### **External**

- Scottish Environmental Protection Agency (SEPA)
- Scottish Natural Heritage (SNH)
- Scottish Water
- Transport Scotland

### **Internal**

- Environmental Health (Noise/Odour)
- Land Quality Officer (Contaminated Land)
- Strategic Planning and Policy
- Developer Negotiations Officer including Affordable Housing
- Community Greenspace including Access
- Transport Planning
- Structures and Flooding
- Biodiversity Officer
- Community Waste Advisor

## **KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED**

- 19 The key considerations against which the eventual application will be assessed includes:
- a. Design /Placemaking
  - b. Visual Impact
  - c. Scale, Design and Layout
  - d. Relationship to nearby land uses
  - e. Natural Heritage and Ecology
  - f. Water resources and soils
  - g. Impact of Noise (Construction and Operational)
  - h. Transport Implications
  - i. Flooding and Drainage including SUDs
  - j. Air Quality
  - k. Waste

- l. Open space/Play Area provision
- m. Contaminated Land
- n. Light Pollution

### **ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED**

- 20 In the absence of an EIA, the following supporting documents will need to be submitted with any planning application or would form possible topics for assessment as part of any EIA Report:
- Planning Statement
  - Design and Access Statement
  - Pre-Application Consultation (PAC) Report
  - Landscape and Visual Impact Assessment
  - Ground Investigation Survey including Contaminated Land Assessment
  - Transport Statement/Assessment including Construction Traffic Management Plan (CTMP)
  - Flood Risk and Drainage Assessment
  - Phase 1 Habitat Survey including protected species and breeding birds
  - Sustainability Assessment
  - Noise Assessment
  - Air Quality Assessment
  - Tree Survey
  - Construction Environment Management Plan (CEMP)

### **CONCLUSION AND RECOMMENDATION**

- 21 This report summarises the key issues which should be considered as part of the appraisal of any subsequent planning application which may be lodged in respect of this development and members are recommended to note these key issues and advise officers of any other issues which they consider should be included as part of the application and assessment.

**DAVID LITTLEJOHN**  
**HEAD OF PLANNING AND DEVELOPMENT**

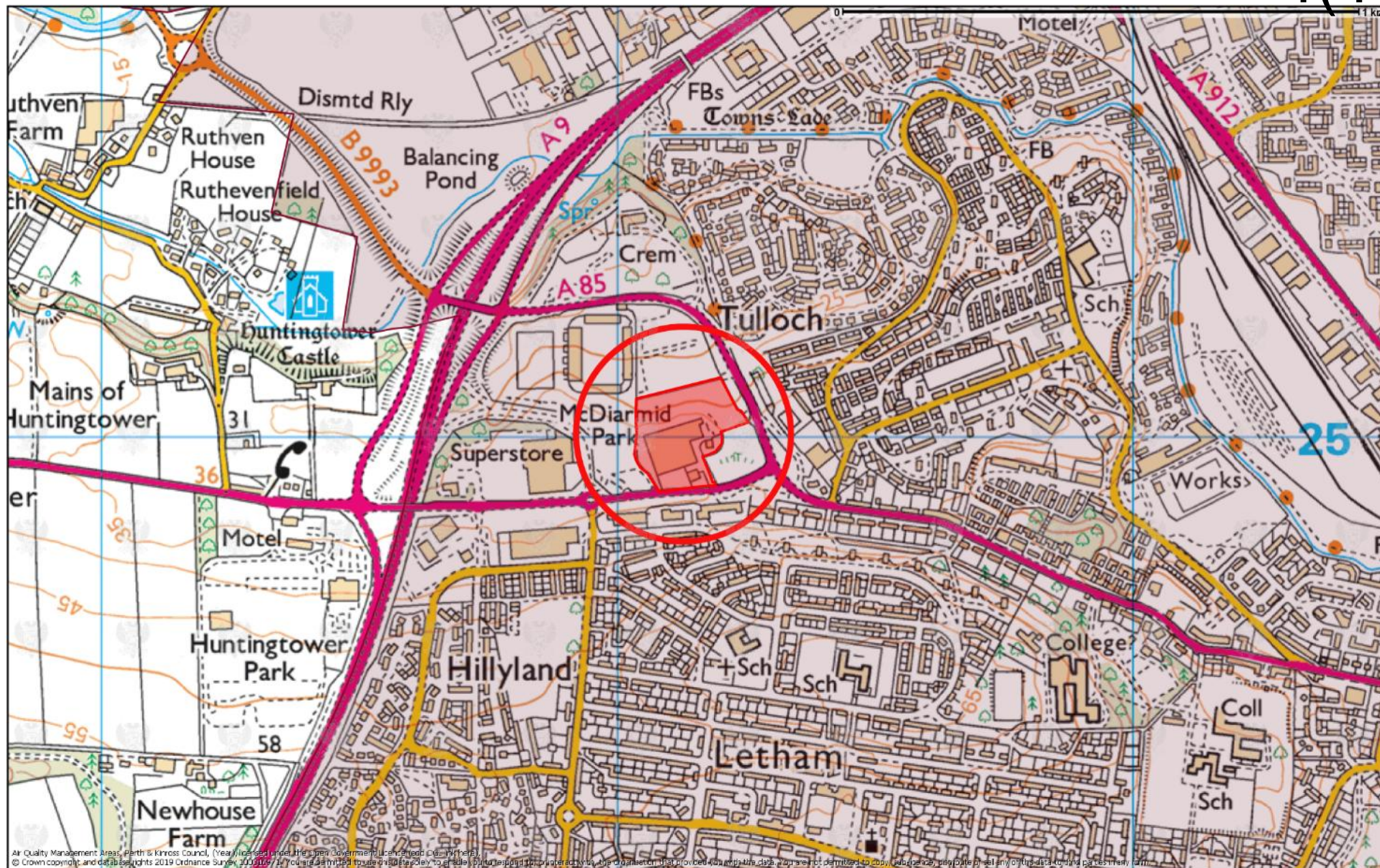
Background Papers: None  
 Contact Officer: Steve Callan – Ext 75337  
 Date: 4 December 2019

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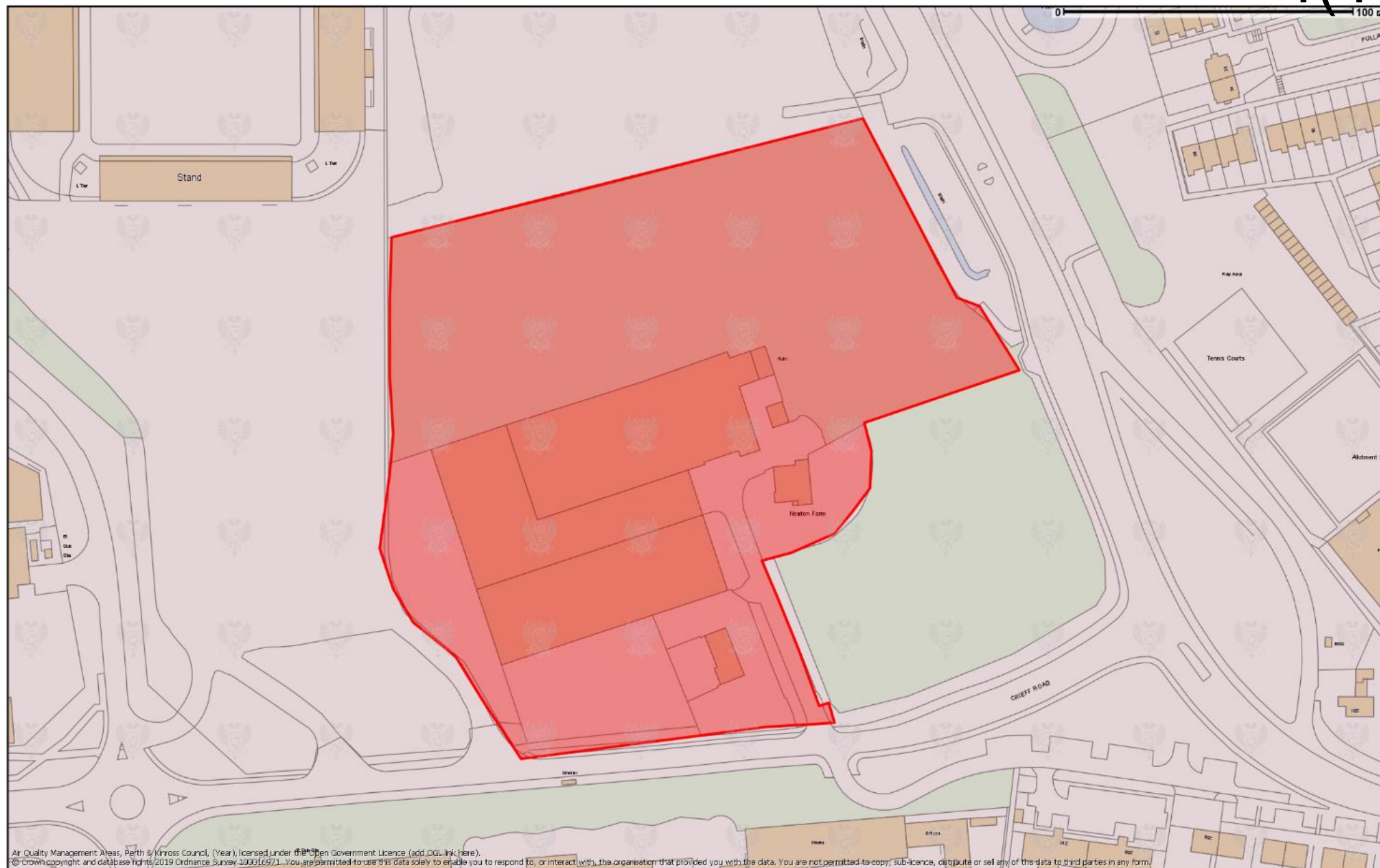
19/00009/PAN

Residential development, landscaping and associated works at land west of Newton of Huntingtower Farmhouse, Crieff Road, Perth









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