

Perth and Kinross Council
Planning & Development Management Committee – 8 May 2019
Report of Handling by Interim Development Quality Manager (Report No. 19/132)

PROPOSAL: Alterations and extension to building

LOCATION: Rattray Primary School, High Street, Rattray, Blairgowrie PH10 7DG

Ref. No: [19/00113/FLL](#)

Ward No: P3- Blairgowrie & Glens

Summary

This report recommends approval of the application for alterations and extension to Rattray Primary School. 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 Full planning permission is sought for alterations and extension to Rattray Primary School to increase the capacity of the nursery and provide enhanced nursery education facilities. At present the nursery serves 10 two year olds and 38 three-five year olds (48 in total). The proposals will provide for an increase in the capacity of the nursery, creating an additional 26 places for children aged three to five year old, taking the total capacity of the nursery school to 74.
- 2 The proposal is to extend the existing nursery within the curtilage of the school grounds.
- 3 The primary school was originally constructed as a single storey building in 1873. There have been various extensions over the years. The existing nursery is located within an existing blockwork extension to the west of the main school building. There is a paved slab external play area to the west. The nursery is accessed from the south via steps and a ramp. As part of the works, this access would be extended to link to the proposed new nursery entrance area.
- 4 The proposals comprise a new extension located to the west of the existing building with a footprint of 255m². Internal alterations and refurbishments to the existing nursery area are also proposed.
- 5 The proposed extension is to be built on the area that is currently part of the school's outdoor play space as well as on the existing paved slab area associated with the nursery.

- 6 The proposed extension will be single storey, finished in contemporary materials comprising primarily of timber larch cladding.
- 7 The extension would provide a single large nursery space, broken up into separate areas. It will be extensively glazed with high ceilings to profile extensive natural light. Ancillary nursery accommodation will largely be located within the proposed refurbished area of the existing nursery including mangers office, staff room, parent's rooms, cloak room, toilets, utility and internal stores.
- 8 An external play area, for the nursery, is to be formed to the south of the extended building which will be larger than the previous provision, to suit the higher numbers of children. This will comprise of a hardstanding area, soft play and artificial grassed area. An external store is also proposed to the south of the extension to service the proposed external play area.
- 9 The main external play area serving the primary school will be marked with a basketball court and road junction for teaching bicycle safety skills. An existing courtyard to the east of the school building will be refurbished and used as additional play space for the primary school.

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:

- Sustainability: paragraphs 24 – 35
- Placemaking: paragraphs 36 – 57

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 68 Design Statements
- PAN 75 Planning for Transport
- PAN 77 Designing Safer Places

Creating Places 2013

- 15 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

- 16 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

- 17 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

- 18 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

- 19 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.”

- 20 The following section of the TAYplan 2016 is of particular importance in the assessment of this application:

Policy 2: Shaping Better Places

- 21 Seeks to locate that community, healthcare, education and sporting facilities are at the heart of the communities they serve.

Perth and Kinross Local Development Plan 2014

- 22 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.

- 23 The principal relevant policies are, in summary;

Policy PM1A - Placemaking

- 24 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

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

Policy RD1 - Residential Areas

- 26 In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy PM2 - Design Statements

- 27 Design Statements should normally accompany a planning application if the development comprises 5 or more dwellings, is a non-residential use which exceeds 0.5 ha or if the development affects the character or appearance of a Conservation Area, Historic Garden, Designed Landscape or the setting of a Listed Building or Scheduled Monument. A design statement is also required where design sensitivity is considered to be a critical issue.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

- 28 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.
- 29 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.
- 30 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.

OTHER POLICIES

- 31 Perth and Kinross Placemaking Guide 2017
- 32 Flood Risk and Flood Risk Assessments Supplementary Guidance June 2014.
- 33 Scottish Government Guidance 'Space to Grow - Design guidance for early learning and childcare and out of school settings', June 2017

SITE HISTORY

- 34 [98/01531/FUL](#) Demolition of two temporary classroom units and erection of new extension comprising of four classrooms, offices and nursery school unit at Decision Issued 15 September 1998 Application Approved under delegated powers.
- 35 [99/01375/FUL](#) Playground extension and staff car parking at Decision Issued 23 November 1999 Application Approved by Committee (17.11.1999).
- 36 12/01326/FLL Alterations and extension to form new stair case Decision Issued 4 October 2012 Permission Not required (Permitted Development).
- 37 [12/01332/FLL](#) Alterations and extension to form sports hall Decision Issued 6 December 2012 Application Approved by Committee (28.11.2012).
- 38 [12/01960/FLL](#) Installation of biomass heating system Decision Issued 22 February 2013 Application Approved by Committee (20.1.2013).

CONSULTATIONS

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

External

Scottish Water

- 40 No objection.

Internal

Environmental Health (Noise Odour)

- 41 No adverse comments.

Commercial Waste Team

- 42 No objection.

Structures And Flooding

- 43 No objection. Note that there a slight improvement in surface water drainage. The applicant is advised to refer to Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2014.

Transport Planning

- 44 No objection subject to condition with regard to Traffic Management Scheme (Condition 2).

Development Negotiations Officer

- 45 No objection in terms of the Developer Contributions and Affordable Housing Supplementary Guidance

REPRESENTATIONS

- 46 The following points were raised in the 8 representations received:
- Contrary to Development Plan
 - Inappropriate land use
 - Loss of school playground
 - Design
 - Road safety
 - Inadequate public consultation
 - Construction disruption
- 47 The above issues are addressed in the Appraisal section of the report.
- 48 The issues below were also identified in representations but are not material considerations in the assessment of this planning application:
- Cost
 - Unfair – not of benefit to the community as all will be eligible and local children will be displaced
 - Need to invest in existing school

ADDITIONAL STATEMENTS

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

APPRAISAL

- 50 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, namely Perth and Kinross Placemaking Guide 2017 and Flood Risk and Flood Risk Assessments June 2014.

Principle

- 51 In terms of TAYPlan, Policy 2 is directly applicable as are the aforementioned Policies of the approved Development Plan.
- 52 Policy 2 of TAYPlan seeks to locate that community, healthcare, education and sporting facilities are at the heart of the communities they serve. The proposal is within the existing settlement and in accordance with TAYPlan.
- 53 The proposal is located within the settlement boundary of Blairgowrie and Rattray where Policy RD1 of the LDP applies. Category (e) of the policy specifically states that proposals will be supported where it will provide improvements to community and educational facilities. The proposal improves provision for nursery education and is in accordance with Policy RD1.
- 54 The principle of extending the nursery is considered to be acceptable. The acceptability of the detail of the proposal will be assessed against policies such as PM1A and PM1B, placemaking. These policies require proposals to contribute positively to the surrounding built and natural environment and to respect the character and amenity of the place.
- 55 In support of the application a Design Statement has been submitted to comply with Policy PM2. The agent's design statement discusses the project ethos. The approach set out is acceptable. For reasons set out in the appraisal section of the report I am of the view that the design is acceptable and that the proposal complies with policy RD1, PM1A and PM1B of the adopted Perth and Kinross Local Development Plan 2014.

Design and Layout

External

- 56 There have been a number of objections to the proposed design of the extension, particularly in relation to the size of the proposed nursery play area. It is noted that the Scottish Government does not have an agreed standard of provision for outdoor play space so there is no prescribed minimum in terms of the outdoor play area. Nevertheless, the nursery school will have an dedicated outdoor space that extends to over 160 m² which has been designed to provide an external play area with a suitable mix of surfaces and textures, including hardstanding, soft play and artificial grass of an appropriate scale for this size of nursery. Furthermore, as outlined below, the nursery will also have an indoor area which exceeds the minimum space requirements as set out by Scottish Government guidance.
- 57 Objectors are also concerned that the proposal will reduce the overall amount of playground available to the primary school and that this will split the existing

playground in two. It is accepted that the extension does decrease the existing primary school playground space; however, it does not split the playground in two as there is still space between the extension and the boundary fence (15m wide) that, along with the majority of the existing playground will be available for outdoor play for the primary school. The proposals also aim to improve the existing primary school playground by installing new court markings in the northern end of the playground and bicycle proficiency markings to the southern end of the playground. Another area of underused outdoor space to the east of the school building is also to be re-furbished. The installation of artificial grass in this area will give the primary school children an alternative area, of a proportional size to the proposed nursery extension, for outdoor play. This will effectively offset the usable play area taken up by the proposed nursery extension.

Internal

- 58 There have also been objections expressing concern that the proposal does not have sufficient indoor space for children. However it is noted that the minimum space requirements set out in the Scottish Government's 'Space to Grow' document suggests a total 175.2m² free floor space will be required for indoor children's play. Excluding the snack prep and arts and crafts areas, this proposal currently proposes 187.1m² of free floor space nursery classroom area, which exceeds the space standards.

It is therefore considered that the proposed design and layout is acceptable and that it accords with policies RD1, PM1A and PM1B.

Landscape

- 59 The proposed extension is single storey and set back within the site. The proposals will not have a significant impact on the wider landscape setting of the site.

Residential Amenity

- 60 The proposal is some distance away from any residential dwellings being set back within the school grounds. I am content that the development can be accommodated without resulting in any overlooking or overshadowing to any residential property.

Visual Amenity

- 61 The proposal is for a single storey building. There is a range of building styles within the site. The extension is of a different design to the existing building and uses contemporary materials. The mass and scale is appropriate to the site. The extension will be clad in a mix of horizontal and vertical larch cladding. The windows and parapet flashings would be grey powder coated aluminium with grey rainwater goods.

- 62 The low profile of the extension and its position set well within the school grounds will ensure be no significant impact on visual amenity.

Roads and Access

- 63 The nursery will have its own dedicated access within the existing school playground via the extended access ramp. There will be no changes to the existing school access arrangements from this proposal. There have been objections expressing potential concerns with disruption during building works particularly in terms of traffic and road safety issues. It is noted that during construction the existing car park will be temporarily reduced to two accessible spaces and will be used as a temporary construction compound. This will be reinstated to the existing accessible / staff car park following completion of works. The main access gate to the school from the High Street will remain open for staff and the public throughout the construction process. The Council's Transport Planning team has commented on the plans and has requested that a condition with regard to traffic management during the works be added. This will ensure that any issues with regard to traffic management during the works is addressed (Condition 2).

Drainage and Flooding

- 64 Drainage for the new extension would utilise existing foul and surface water systems. It is stated by the agent that SUDS (Sustainable Urban Drainage System) will be implemented to control surface water from the roof. Structures and Flooding note that there will be a slight improvement in surface water drainage. An informative note will be attached to any planning permission to advise the applicant to refer to the Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2014 (Informative Note 5).

Waste Collection

- 65 The provision of waste and recycling facilities will be unaffected by the development.

Conservation Considerations

- 66 The site is not within a Conservation Area. There are no listed buildings in close proximity to the site. The proposal is not considered to impact on any cultural heritage assets. No external alterations are proposed to the original school building.

Natural Heritage and Biodiversity

- 67 The proposal will not impact on the natural heritage and biodiversity interests in the area.

Developer Contributions

- 68 The proposal is not within an area where developer contributions are required.

Economic Impact

- 69 There will be a positive economic impact associated with this proposal due to the improvement of the education facility as well as the economic impact associated with the construction phase of the development.

LEGAL AGREEMENTS

- 70 None required.

DIRECTION BY SCOTTISH MINISTERS

- 71 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

- 72 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.
- 73 Accordingly the proposal is recommended for approval subject to the following conditions.

A RECOMMENDATION

Approve the application

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 works on the development, the applicant shall submit for the written approval of the Planning Authority a Construction Traffic Management Scheme (TMS) which shall include the following:
- a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;
 - b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;

- c) arrangements for liaison with the Roads Authority regarding winter maintenance;
- d) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
- e) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
- f) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
- g) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;
- h) details of information signs to inform other road users of construction traffic;
- i) arrangements to ensure that access for emergency service vehicles are not impeded;
- j) monitoring, reporting and implementation arrangements; and
- k) arrangements for dealing with non-compliance.

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

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. No work shall be commenced until an application for building warrant has been submitted and approved.
5. 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.
<http://www.pkc.gov.uk/article/15061/Supplementary-guidance-Flood-risk-and-flood-risk-assessments>

Background Papers: 8 letters of representation
Contact Officer: Persephone Beer 01738 475354
Date: 25 April 2019

ANNE CONDLIFFE
INTERIM DEVELOPMENT QUALITY MANAGER

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