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Council Building
2 High Street
Perth
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14 September 2020

A special meeting of the **Planning and Development Management Committee** will be held virtually on **Wednesday, 23 September 2020 at 10:00**.

If you have any queries please contact Committee Services - Committee@pkc.gov.uk.

KAREN REID
Chief Executive

Those attending the meeting are requested to ensure that all notifications are silent on their device and other devices are in silent mode.

Please note that the meeting will be broadcast online and recorded. The recording will be publicly available on the Council's website following the meeting.

Members:

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

Planning and Development Management Committee

Wednesday, 23 September 2020

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 DEPUTATIONS**
- 4 MINUTE OF MEETING OF PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE OF 25 AUGUST 2020 FOR APPROVAL** **5 - 10**
(copy herewith)
- 5 APPLICATIONS FOR DETERMINATION**
- 5(1) LOCAL APPLICATIONS**
- 5(1)(i) 19/02121/FLL - FEARNAN - ERECTION OF 4 DWELLINGHOUSES, LAND NORTH WEST OF THE CROFT, FEARNAN** **11 - 30**
Report of Handling by Head of Planning and Development
(Recommendation - Approve) (copy herewith 20/169)
- 5(1)(ii) 20/00790/FLL - LOGIEALMOND - ERECTION OF ENTRANCE GATES, BIN STORE AND ASSOCIATED WORKS, LOGIEALMOND ESTATE, LOGIEALMOND** **31 - 44**
Report of Handling by Head of Planning and Development
(Recommendation - Approve) (copy herewith 20/170)
- 5(2) PROPOSAL OF APPLICATION NOTICE**
- 5(2)(i) 20/00006/PAN - PERTH - FORMATION OF A BATTERY ENERGY STORAGE SYSTEM COMPRISING SITING OF CONTAINER UNITS, INSTALLATION OF A SUBSTATION, ERECTION OF FENCING, LANDSCAPING AND ASSOCIATED WORKS AT LAND SOUTH OF NEWHOUSE FARM, PERTH** **45 - 54**
Pre-Application Report by Head of Planning and Development

(copy herewith 20/171)

- 5(2)(ii) 20/00007/PAN - BLAIRGOWRIE - ERECTION OF 109 DWELLINGHOUSES, GARAGES AND ASSOCIATED WORKS (CHANGE OF HOUSE TYPES AND REVISED DESIGNS FOR PLOTS 1-80 AND 88-117 ASSOCIATED WITH PLANNING PERMISSION 17/00961/AMM) AT LAND SOUTH WEST OF MAPLE PLACE, BLAIRGOWRIE**
Pre-Application Report by Head of Planning and Development
(copy herewith 20/172)

55 - 66

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Minute of meeting of the Planning and Development Management Committee held virtually on Tuesday 25 August 2020 at 10.00am.

Present: Councillors R McCall, B Brawn, H Anderson, M Barnacle, T Gray, D Illingworth, I James, C Purves, C Reid, M Williamson and W Wilson.

In Attendance: K Smith, J Scott, A Condliffe, B Nichol, L MacLean, A Rennie, C Elliott, D Williams, A Brown and A Taylor (all Corporate and Democratic Services); J Escott and L Reid (both Housing and Environment); C Wright and B Parker (all IT).

Apologies: Councillors E Drysdale and R Watters.

Councillor R McCall, Convener, Presiding.

1. WELCOME AND APOLOGIES

The Convener welcomed everyone present to the meeting. Apologies were noted as above.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interested made in terms of the Councillors Code of Conduct.

3. MINUTES

The minute of meeting of the Planning and Development Management Committee 29 July 2020 was submitted, approved as a correct record and authorised for signature.

4. DEPUTATIONS

There were no requests for deputations.

5. APPLICATIONS FOR DETERMINATION

(1) Major Application

- (i) 20/00607/FLM - SCONE - Section 42 application to modify Condition 3 (occupancy) of permission 11/00850/FLM, land north of Perth Airport, Scone – Report 20/136 – Morris Leslie Ltd**

Resolved:

Refuse, for the following reasons:

- 1. The Proposal is contrary to the Perth and Kinross Local Development Plan 2 (2019) Policy 6 - Settlements, as the

proposed modification would result in 52 permanent residential dwellings being located outwith any defined settlement boundary as contained in LDP2. There is no operational need or required housing market need for such dwellings at this location. No material considerations submitted by the applicant justify departing from the policy objectives of Local Development Plan 2 (2019) Policy 6 – Settlements.

2. The proposal is contrary to the Perth and Kinross Local Development Plan 2 (2019) Policy 19 – Housing in the Countryside, supported by the Housing in Countryside Supplementary Guidance 2020, as the proposed modification would result in 52 permanent residential dwellings being located within the open countryside and does not meet any of the six housing in the countryside criteria. No material considerations submitted by the applicant justify departing from the policy objectives of Local Development Plan 2 (2019) Policy 19 – Housing in the Countryside and the 2020 Supplementary Guidance on Housing in the Countryside.
3. The proposal is contrary to the Perth and Kinross Local Development Plan 2 (2019) Policy 22 – Particular Needs Housing Accommodation as the proposed modification would result in 52 permanent residential retirement dwellings being located within the open countryside and does not meet any of qualifying criteria as such developments should be located in residential areas where residents have access to local services and facilities and are integrated within the local community. No material consideration submitted by the applicant justify departing from the policy objectives of Local Development Plan 2 (2019) Policy 22 – Particular Needs Housing Accommodation.
4. The proposal is contrary to the Perth and Kinross Local Development Plan 2 (2019) Policy 25 – Housing Mix as the proposed modification to create 52 permanent residential dwellings would not provide an appropriate mix of house types and sizes. No material considerations have been submitted by the applicant justify departing from these policy objectives of Local Development Plan 2 (2019) Policy 25 – Housing Mix.
5. No information has been provided to confirm the arrangements for waste water drainage within the proposed development through a private treatment facility. The applicant has therefore failed to demonstrate that the waste water arrangements for the development are appropriate and that these would accord with Perth and Kinross Local Development Plan 2 (2019) Policy 53: Water Environment and Drainage.
6. No information has been provided to confirm the arrangements of waste service provision, including provision

of waste facilities and a lack of swept path analysis of the approved road layout and its capability to appropriately accommodate refuse vehicles. The applicant has therefore failed to demonstrate that the waste service arrangements for the development are appropriate and that these would accord with Perth and Kinross Local Development Plan 2 (2019) Policy 1B(i): Placemaking and Policy 60B: Transport Standards and Accessibility Requirements – New Development Proposals.

7. No information has been provided to confirm the biodiversity status of the site in terms of woodland and habitats to establish the possible presence of protected species or biodiversity sensitive areas. The applicant has therefore failed to demonstrate that the proposed development has appropriately considered biodiversity matters and that the proposals would accord with Perth and Kinross Local Development Plan 2 (2019) Policy 40: Forestry, Woodland and Trees and Policy 41: Biodiversity.

Justification

The proposal fails to accord with the Development Plan and there are no material considerations to justify a departure from the Development Plan.

(2) Local Applications

- (i) **20/00230/FLL - KELTYBRIDGE - Erection of a dwellinghouse (in part retrospect), land north of Winchester, Main Street, Keltybridge – Report 20/137 – Pelaton Limited**

Resolved:

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 the re-commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the written agreement of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full details of all hard landscaping proposals including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing

into use of the development, whichever is the earlier, and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained to the satisfaction of the Council as Planning Authority.

Reason: To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

3. Prior to the re-commencement of any works on site, the existing hedge which has a Root Protection Area within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.

Reason: To protect the existing hedge during construction.

4. Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type B, Fig 5.6 access detail.

Reason: In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.

5. Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.

Reason: To ensure the provision of effective drainage for the site.

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. 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.
2. 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.

3. No work shall be commenced until an application for building warrant has been submitted and approved.
4. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he/she/they must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
5. The applicant should take note of the information and advice contained within the consultation response from Scottish Water.
6. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
7. Records indicate that at least part of the proposed development site lies within a radon affected area where the measurement/monitoring of radon gas and the installation of mitigation measures may be required.
Further information on radon gas and the associated reports that can be obtained is available at www.ukradon.org and at <http://shop.bgs.ac.uk/georeports/>

6. PROPOSAL OF APPLICATION NOTICE (PAN)

- (i) **20/00005/PAN - ABERNETHY - Extension of substation, comprising installation of 2 replacement transformers and plan equipment, formation of access track, hardstanding, laydown area, SUDS, associated works and infrastructure at land south of Jamesfield Garden Centre, Abernethy – Report 20/138) – Scottish Hydro Electric Transmission Plc**

Councillor Wilson requested that consideration be given to the access to the site both during the construction and developed phases, water courses and flooding, and the proximity to both the rail network and main road.

Councillor Anderson requested that consideration be given to congested areas on surrounding roads, and noise and light issues particularly during the construction phase.

Members noted the issues identified by the Head of Planning and Developments Report.

Perth and Kinross Council
Planning & Development Management Committee – 23 September 2020
Report of Handling by Head of Planning & Development (Report No. 20/169)

PROPOSAL: Erection of 4 dwellinghouses

LOCATION: Land NW of The Croft, Fearnan

Ref. No: [19/02121/FLL](#)
 Ward No: P4 - Highland

Summary

This report recommends approval of a detailed planning application for four dwellinghouses within the village of Fearnan, 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 This proposal seeks detailed planning permission for the erection of four dwellinghouses on an infill site within the identified settlement of Fearnan, a village located west of Aberfeldy & Kenmore. The site is a grassed paddock which slopes from north to south, and east to west. The site is surrounded by residential properties with public roads partly bordering to the south and west. It is situated at the western end of the village, west of the historic central area, where the 'rigg' system (areas of open space) remains evident in the settlement pattern.
- 2 Each of the four dwellinghouses are individually designed and are of a high design standard. Plot 1 is located at the lower part (south) of the site and sits in a gap between two existing properties fronting the A827. The remaining dwellinghouses are positioned progressively up the slope in a northerly direction.
- 3 Plots 1, 3, & 4 will provide living accommodation over two levels, with the upper floor contained partly within the roof space. Plot 2 is single storey providing one floor of accommodation. A detached, flat roofed, single storey ancillary annex is proposed within the grounds of Plot 4. All external finishes comprise slates, wet dash render and timber features.
- 4 Vehicular access to Plots 1, 2 and 3 is proposed via an existing shared private access which joins the A827 to the south. This access will be improved but will remain private. Plot 4 will have its own individual access taken directly from the minor public road to the west (C449).

NATIONAL POLICY AND GUIDANCE

- 5 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.

Scottish Planning Policy 2014

- 6 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.
- 7 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

- 8 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
 - PAN 40 Development Management
 - PAN 61 Planning and Sustainable Urban Drainage Systems
 - PAN 77 Designing Safer Places

Creating Places 2013

- 9 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

- 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.

National Roads Development Guide 2014

- 11 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

- 12 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

- 13 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.”

- 14 There are no specific policies contained in the TAYPlan which are applicable to this proposal.

Perth and Kinross Local Development Plan 2019

- 15 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.
- 16 The site is located within the settlement boundary of Fearnan, where the following policies are applicable:
- Policy 1A: Placemaking
 - Policy 1B: Placemaking
 - Policy 5: Infrastructure Contributions
 - Policy 17: Residential Areas
 - Policy 32: Embedding Low and Zero Carbon Technology
 - Policy 37: Landscape
 - Policy 41: Biodiversity
 - Policy 47: River Tay Catchment Area

SITE HISTORY

- 17 None.

CONSULTATIONS

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

External

- 19 **Scottish Water** – No objection
- 20 **Perth And Kinross Heritage Trust** – No objection subject to a condition.

- 21 **Glen Lyon And Loch Tay Community Council** – Objection to the proposal on several grounds (listed below).

Internal

- 22 **Development Negotiations Officer** – No contributions or affordable housing provision required.
- 23 **Transport Planning** – No objection in terms of the proposed access arrangements, or internal parking and parking arrangements.
- 24 **Environmental Health** – No objection in relation to the proposed stoves or contaminated land.

REPRESENTATIONS

- 25 Twenty eight letters of representations have been received, of which nineteen object, including the local village association and Community Council. The main issues raised by the objectors are;
- Proposals considered contrary to Local Development Plan 2
 - Loss of open space
 - Traffic / road safety concerns
 - Visual impact
 - Residential amenity impact
 - Light pollution
 - Loss of farm land
 - Inappropriate house types
 - Drainage
 - Refuse collection
 - Overlooking / loss of privacy
 - Loss of farm land
 - Climate change issues
 - Impact on Transmission lines
- 26 These issues are addressed in the Appraisal section of the report.
- 27 In terms of the letters of support, these focus on the quality of the development proposed and that the investment of new homes in the area is welcomed.

ADDITIONAL STATEMENTS

28	Screening Opinion	Not Required
	Environmental Impact Assessment (EIA): Environmental Report	Not applicable
	Appropriate Assessment	Not Required. Drainage is via public system.
	Design Statement or Design and Access Statement	Not Required
	Report on Impact or Potential Impact	Not Required

APPRAISAL

- 29 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. 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 the Placemaking Guide 2020, the Affordable Housing and Developer Contributions 2020 and Landscape Supplementary Guidance 2020.

Land Use Acceptability

- 30 The principal issue raised within objections focuses on the developments perceived negative impact on the character of Fearnan, largely from the loss of the open space. In terms of character, the centre of Fearnan contains remnants of a traditional rigg layout. Those important open spaces between buildings, due to their value to the community for either recreational or amenity purposes, are protected from development by Policy 14A of LDP2. However, the application site is not identified as one of these areas.
- 31 The settlement boundary of Fearnan has been drawn to allow for some small-scale infill development to be delivered, to help sustain the existing community, and the application site is one of those opportunities.
- 32 As the site is not part of the protected rigg area a residential development is considered in principle, to be an acceptable land use, providing that it accords with Policy 17 Residential Areas and Policy 1 Placemaking.
- 33 Policy 17 offers general encouragement to proposals for infill residential development, at a density which represents the most efficient use of the site while respecting its environs and encouraging proposals that will improve the character and environment of the area or village. In addition, the Council's placemaking standards seek to ensure that all new development respects existing environs and creates a high standard of development.
- 34 As the site is within the settlement boundary and has not been identified for any specific use, the key considerations are not the acceptability of the land use but rather the acceptability of the proposed density, layout and design.

Density, Design and Layout

- 35 In this regard the proposed density is low, with only four dwellinghouses proposed over w of approximately 0.6ha. Although all four houses have large footprints, they sit comfortably on their plot without appearing cramped or squeezed, whilst maintaining suitable separation and offering sufficient residential amenity space. The surrounding area comprises a mix of house

types of varying footprint sizes and differing plot sizes. As such, the proposed density is in keeping with the surrounding character.

- 36 In terms of the layout, the four dwellinghouses have been positioned so that each plot offers a suitable residential amenity for future occupiers, protects the residential amenity of existing properties and takes full advantage of the views to the south. The layout is successful in delivering all three of these objectives and whilst this results in a slightly random building placement across the site, this pattern does reflect the settlement pattern within the western side of Fearnan, which contrasts to the former rigg area. Indeed, the layout of development within Fearnan has become generally random in the areas which surround that rigg pattern.

Visual Amenity

- 37 As a result of this development there will be an obvious and inevitable change in the appearance of the site, through the development of a 'green' pocket of land, however, this does not render the proposal unacceptable. It is important to recognise that the site does not have the same visual and characteristic qualities that the rigg areas have, and whilst it might offer a green space for the surrounding residents to enjoy visually, it is not protected by the policies of LDP2 and is not subject to the same protection as the rigg area. It is to be accepted that the rising nature of the site means that any form of development will have a visual impact, but the potential impact has been mitigated through design. Particularly, the low density development of well-designed house types rather than increased numbers of properties with less architectural quality is positive. The design approach utilises more 'cuts' than 'fill' which helps to reduce the visual scale of the dwellinghouses and provide a better landscape fit into the rising land. The result is a development which will be visible from adjacent public roads but will not appear out of character with the western edge of Fearnan

Landscape

- 38 Fearnan is part of the Loch Tay Special Landscape Area and by the nature of what is proposed, the development will change the appearance of the site when viewed from the Loch, and from other viewpoints. However, the development will largely be viewed as part of the village, as a well-considered addition, and the change in appearance will not have a significant impact on the wider landscape character.

Residential Amenity

- 39 In terms of the impact on existing residential amenity, with properties adjacent to the south, west and north-east there is a potential for a negative interaction. The impact on existing neighbouring properties is outlined below plot by plot.

Plot 1

- 40 This plot is located between two existing properties to the east and west, and both have existing gable end windows at ground floor level facing towards the

site. In this respect the house design has been amended to consider this interaction, with no windows serving habitable rooms proposed at first floor level facing either neighbour. Specifically, a bathroom window faces east, and several roof lights serving a stairway face west – neither of which will result in unacceptable overlooking or loss of privacy. In terms of garden areas' interaction, subject to suitable boundary treatments being introduced (Condition 3), the residential amenity of both neighbours will be protected from overlooking or loss of privacy.

Plot 2

- 41 The property Pier View is located immediately to the south of Plot 2 and sits considerably lower. Plot 2 will have accommodation over one level but sees a projection that will encroach close to the mutual boundary, currently defined by a post and wire fence. New boundary treatments and landscaping are proposed, which will provide screening to both the rear gardens. Pier View itself will be approx. 18m from proposed windows. However, it is noted that there are a series of large roof lights on the rear of Pier View. Taking into account the levels, the single storey aspect of Plot 2 and also proposed boundary treatments, direct visibility into the living accommodation of Pier View via the rooflights from either the garden area of Plot 2 or the dwellinghouse itself will not be significant. Prior to the commencement of the development, further information on the final boundary treatments and landscaping will be sought required by condition (Condition 3 and 8).
- 42 To the west of Plot 2 is a property called 'Invertay', which is located slightly lower than the site, and therefore will be slightly lower than the proposed dwellinghouse. Several proposed windows face west towards Invertay however these will be approx. 13.5m from the boundary and approx. 20m distance from window to window. Notwithstanding the difference in levels, with suitable boundary treatments and planting, interaction between the two properties can be controlled to an acceptable level. Whilst a great deal of information regarding site levels and sections through the site have been submitted to allow a proper assessment of the proposal, further clarification of the precise ground levels on this plot, and others will be sought via condition (Condition 3).

Plot 3

- 43 Invertay is also located to the west of Plot 3, and again sits slightly lower. The proposed house will be approx. 14.5m from Invertay, and around 10m from the mutual boundary with an outside seating area at ground level encroaching slightly closer. The proposed dwellinghouse is orientated such that there will be no direct window to window interaction. Particularly, the first-floor windows on the gable end (facing west) are angled away from Invertay. Looking south, rooflights, a pair of large dormers and regular windows are all proposed; however, these again are not directly facing Invertay and both the dormers and regular windows will be approx. 20m away. At present, the mutual boundary does have a scattering of trees, which will provide some degree of screening. However, it is proposed to supplement this boundary with new planting which will be agreed prior to the development commencing. Subject to this, the residential amenity of Invertay will be protected (Condition 8).

Plot 4

- 44 To the north-east, house 4 will be located approx. 30m from a neighbouring property to the east (Croft Cottage). A single storey ancillary annex will be closer; however, this will only have entrance doors facing towards that neighbouring property at a distance of approx. 19m. A condition will be imposed restricting the annex to ancillary accommodation only (Condition 2). There could be some interaction between the two garden areas, but new boundary enclosures and landscaping along the mutual boundary is proposed and this will protect each amenity. There is a further dwellinghouse to the north of Plot 4, however this property is a substantial distance away sitting higher up the slope and there will be no significant interaction between the two properties.
- 45 Internally, the proposed dwellinghouses have been designed, positioned and orientated in such a way to ensure that overlooking and loss of privacy does not occur amongst them. All four dwellinghouses also have an acceptable level of usable private amenity space, with suitable parking and turning areas that comply with the Council's standards.
- 46 Due to the sloping nature of the site, engineering works will be required to create level areas for each dwellinghouse, particularly Plots 2 and 3. The proposed works respect the contours of the site and whilst some significant cuts are proposed, the applicant will be using landscaped slopes to manage levels as opposed to more engineered and visually obtrusive retaining structures. This approach will help to ensure that the development progresses up the slope in a visually acceptable manner.

Roads and Access

- 47 Two vehicular access points are proposed: a shared private access that serves Plots 1-3 and a driveway for Plot 4. Both accesses have been reviewed by the Transport Planning team who are satisfied that the geometrics and visibility splays are acceptable, and that road and pedestrian safety will not be compromised upon completion. In order to deliver both accesses, some small trees and bush/scrub vegetation will be removed, all of which are in the control of the applicant.
- 48 The shared access to Plots 1-3 will have the current surface improved, but it is not intended to bring the road up to an adoptable standard and it is not considered necessary by the Council to do so. New passing places will be incorporated into the improvements, but any issues over the long-term maintenance is a civil matter for the various owners and not the Council.
- 49 In terms of an increase in traffic on the local roads, the level of additional vehicular movements generated by the development will be low, and the local road network can absorb such an increase.

Drainage and Flooding

- 50 Foul drainage will be via the public sewer system. Disposal of surface water will be via soakaways, which will be designed in such a way to ensure that no

surface water is dispersed onto neighbouring land, including the public road. Some details have been submitted as part of this application, but further details are required and will be requested prior to the commencement of the development (Condition 13)

- 51 In terms of flooding, the site is not identified as being at risk from flooding. As mentioned above, surface water runoff will be designed to ensure that water is dispersed away from neighbouring land/properties and away from the public road.

Contaminated Land

- 52 A search of the historic records for the site did not raise any concerns regarding ground contamination.

Waste Collection

- 53 An area for the presentation of bins at both access points is proposed. Precise details of the means of the accompanying enclosures will be submitted prior to the commencement of the development (Condition 6).

Conservation Considerations

- 54 The proposal does not directly affect any Listed Building or Conservation Area.
- 55 In terms of local archaeology, the site is potentially archaeologically sensitive due to the close proximity of the Oakbank Crannog (amongst others) in Loch Tay. Whilst previous small-scale archaeological investigations on the immediate shoreline failed to identify any loch side activity, except for a possibly enhanced natural outcrop, it is recommended that prior to the commencement of the development, a programme of archaeological works is undertaken, and this is secured by condition (Condition 7).

Natural Heritage and Biodiversity

- 56 There is no recorded evidence of protected species within the site and, with most trees and hedges being retained, the impact on local wildlife will be minimal. Whilst the main area of the site will be developed, the improved landscaping and planting will provide additional habitat for bio-diversity.
- 57 It is noted that Policy 47 of LDP2 states that otter surveys will be required in relation to sites that are both within 30m of a watercourse, and within the Loch Tay Catchment area. Fearnan is within the catchment, but as the site is more than 30m away from any watercourse that will be suitable for otters, it is not required in this case.

Public Paths

- 58 There are no core path or right of ways affected by the proposal, although it is the Council's understanding that there is a private right of access at the northern end of the site, however, this is a civil issue between the parties involved and not a matter for the Council.

Trees / Hedges

- 59 The majority of the existing trees and hedges along the boundaries will be retained and incorporated into the development. Some removal is proposed to facilitate the required visibility splays for the accesses, however, this is considered acceptable and appropriate replanting will compensate for the losses. Within the site, there are two trees of significant note, one to the north and the other in the centre, both are proposed to be retained. Suitable conditions will be placed on this permission to ensure that these trees (as well as the ones to be retained along the boundaries) are suitably protected during the construction phase (Conditions 9 & 10).

Loss of Historic Farm Land

- 60 In terms of modern farming, the site is small, and its permanent loss will not impact negatively on the overall supply of farming land in the wider area. In terms of its historic significance, it is the view of PHKT that it is possible that the area may have been used by the Crannogs for onshore activity. In this context, whilst earlier survey work of the immediate shoreline did not discover any artefacts of note, it is nevertheless recommended that archaeological work is undertaken. It is however the case that unlike the other rigg areas of the village, this area has not been identified as part of the historic agricultural land, which benefits from specific protection through LDP2.

Holiday / Second Home

- 61 A concern has been raised within the representations that these properties will be second homes, and not primary residences. There is no evidence that this will be the case. However, the planning system has limited controls over the occupation of properties as second homes, and it is not considered that this possibility can be addressed through any planning permission.

Impact on Loch Tay (SAC)

- 62 Loch Tay is part of the River Tay Special Area of Conservation (SAC). In this regard, given the site is located on ground which slopes towards the loch and, whilst it is very unlikely that soil or construction related materials will manage to enter the loch, given the distance and nature of intervening land, it is considered reasonable to require a basic Construction Method Statement. Any required mitigation will be secured via condition (Condition 12).

Open Space

- 63 A small area of open space is proposed at the north eastern corner of the site. This will become the responsibility of future occupiers to maintain and will not be adopted by the Council.

Light Pollution

- 64 All the dwellinghouses will have glazing facing south. However, the dwellinghouses will be seen within the context of the village which already has

light emissions from existing dwellinghouses during darkness. The potential introduction of new light from internal rooms is therefore not considered to be significant.

Climate Change

- 65 The Community Council has raised concerns over impact on climate change. Policy 32 of the LDP2 states that proposals for all new buildings will be required to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies, and that a statement will be required to be submitted demonstrating compliance with this requirement. This will be addressed fully through the Building Warrant process, however, a pre-commencement requirement for a statement of intent will be requested by the applicant (Condition 14).

Overhead Transmission Lines

- 66 The potential need to redirect / move underground any of the existing utility lines which cross the site will be a matter for the applicant to resolve and address via separate discussions with the operators of the lines.

Developer Contributions

Affordable Housing

- 67 This is a development of less than five dwellinghouses, so there is no requirement for any Affordable Housing Provision.

Primary Education

- 68 The local primary school at Kenmore is not operating at capacity, so there is no requirement for any Primary Education contributions.

A9 Junction Improvements

- 69 The site is located outwith the catchment area for A9 Junction Improvements

Transport Infrastructure.

- 70 The site is located outwith the catchment area for Transport Infrastructure contributions.

Economic Impact

- 71 The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

LEGAL AGREEMENTS

- 72 None required.

DIRECTION BY SCOTTISH MINISTERS

- 73 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

- 74 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 75 In this respect, account has been taken of the Local Development Plan and material considerations and in this case, it is considered that the development proposed does not conflict with the Development Plan and there are no material considerations which indicate otherwise.
- 76 Accordingly the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

Approve the application, subject to the following 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. The ancillary accommodation associated with Plot 4 hereby approved shall be used solely in conjunction with the main dwellinghouse and shall not be let, sold or occupied separately from the main dwellinghouse.

Reason – In order to retain control of the use of this building.

3. Prior to the commencement of the development hereby approved, details of the proposed internal and perimeter boundary treatments for the site and garden ground levels (AOD) shall be submitted for the written agreement of the Council as Planning Authority. The schemes as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason – In order to protect residential amenity.

4. Prior to the development hereby approved being completed or brought into use, all matters regarding vehicular access geometrics and surfacing, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority.

Reason – In order to protect road and pedestrian safety.

5. Prior to the commencement of the development hereby approved, visibility splays at both proposed vehicular access points shall be provided to the left and right as per approved plan 19/02121/53, when measured between points 1.05m above the road level, insofar as the land is in the control of the applicant, and thereafter maintained.

Reason – In order to protect road and pedestrian safety.

6. Prior to the commencement of the development hereby approved, detailed drawings showing waste and recycling facility enclosures or waste and recycling facility storage areas and associated locations for bin presentation shall be submitted for the written agreement of the Council as Planning Authority. None of the residential units hereby approved shall be occupied until the agreed scheme for each plot has been provided in full.

Reason – In order to ensure that acceptable provision for waste / recycling storage is provided.

7. Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.

Reason – In order to comply with the aims of the Scottish Planning Policy.

8. Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the written agreement of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full details of all hard landscaping proposals including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier, and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained to the satisfaction of the Council as Planning Authority. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size, species and number to the satisfaction of the Council as Planning Authority.

Reason – In order to clarify the terms of this planning permission and to ensure that residential amenity is protected.

9. Prior to the commencement of the development hereby approved, a 1:200 site plan which identifies a Construction Exclusion Zone (CEZ) shall be submitted for the written agreement of the Council as Planning Authority. This plan shall ensure all related fencing adheres to BS 5837 2012: Trees in Relation to Design, Demolition and Construction. The CEZ as subsequently agreed shall be strictly adhered to during construction of the development.

Reason – In order to ensure that trees which are to be retained are protected during the construction phase.

10. Prior to the commencement of the development hereby approved, all trees on site and along the boundaries (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.

Reason – In order to ensure that trees which are to be retained are protected during the construction phase.

11. All trees on site and along the boundaries, other than those marked for felling on the approved plans, shall be retained.

Reason – In order to clarify the terms of this planning permission.

12. Development shall not commence until a detailed Construction Method Statement (CMS) has been submitted to the Council as Planning Authority and agreed in consultation with Scottish Natural Heritage (SNH) and Scottish Environment Protection Agency (SEPA). The CMS must identify measures to prevent harmful materials entering the River Tay SAC, which could reduce water quality and lead to a damaging impact on the salmon, otter and lamprey interests. The CMS shall include the following:

- (a) pollution prevention safeguards including drainage arrangements and the possible use of siltation traps, settlement tanks and bunds
- (b) storage and disposal of materials including the siting of stock piles, use of buffer strips and disposal methods
- (c) construction site facilities including extent and location of construction site huts, vehicles, equipment, fuel, chemicals and materials compound
- (d) timing, duration and phasing of construction particularly in relation to salmon and lamprey migration/spawning.

The CMS and mitigations as agreed shall be fully implemented as part of the planning permission.

Reason – In order to ensure that the environmental interests of the River Tay Special Area of Conservation are protected.

13. Prior to the commencement of the development hereby approved, details of the means of surface water disposal across the site shall be submitted shall be submitted for the written agreement of the Council as Planning Authority. The approved details shall thereafter be implemented in full.

Reason – In order to ensure that surface water is managed.

14. Prior to the commencement of the development hereby approved, a statement that demonstrates that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies shall be submitted for the written agreement of the Council as Planning Authority. In the event that this statement is revised during the Building Warrant process, it shall be resubmitted to the Council as Planning Authority.

Reason – In order to comply with Policy 32 of Perth and Kinross Local Development Plan 2.

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 stoves shall be installed, operated and maintained in full accordance with the manufacturer's instructions and shall not be used to burn fuel other than that approved for use by the manufacturer of the appliance as detailed in the information supporting this permission.

5. The applicant should be aware that Scottish Water are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, Scottish Water will review the availability of capacity at that time and advise the applicant accordingly.

Background Papers: 28 letters of representation
Contact Officer: Andy Baxter 01738 475339
Date: 10 September 2020

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

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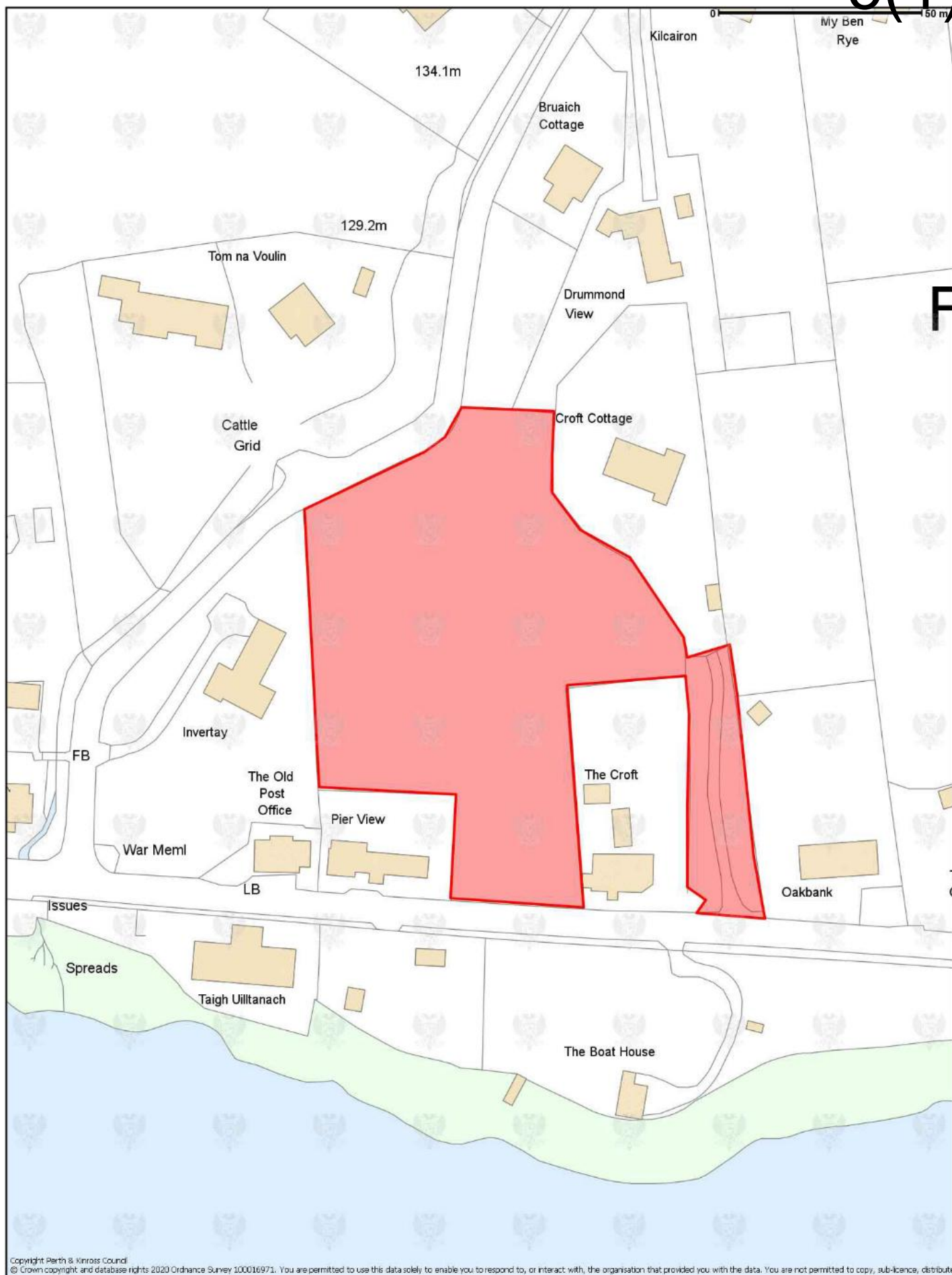
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Scale 1:100000



Erection of 4 dwellinghouses land NW of The Croft, Fearnan





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Scale 1:1250

19/02121/FLL

Erection of 4 dwellinghouses land NW of The Croft, Fearnan



Perth and Kinross Council
Planning & Development Management Committee – 23 September 2020
Report of Handling by Head of Planning & Development (Report No. 20/170)

PROPOSAL: Erection of entrance gates, bin store and associated works

LOCATION: Logiealmond Estate, Logiealmond

Ref. No: [20/00790/FLL](#)
Ward No: P5 - Strathtay

Summary

This report recommends approval of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The application site is located at the southern edge of Logiealmond Estate, in an upland landscape to the west of Harrietfield. The site includes the main access into the estate, northwards from its junction with the minor B8063 public road, for a distance of approximately 300 metres. Stone gate piers are proposed close to the access junction along with a timber-clad bin store. A secondary set of remote-controlled entrance gates are proposed some 85m north. As part of the works, a new path is to be created to the west of the main driveway. It is understood that this path is intended to function as a replacement for the section of existing core path which will be closed off once the gates are installed. Additional landscaping proposals are also intended along the route, including the planting of a beech hedge along either side of the existing access road.
- 2 The estate has recently changed hands and a number of planning applications have been submitted seeking to upgrade and invest in the housing stock. One of these saw permission granted at the former site of Kipney Farm to the north (20/00367/FLL). A condition was added to that permission requiring the first 5 metres of roadway into the estate to be bituminously surfaced.
- 3 It is understood that the previous owners of the estate allowed users of the core path network to park vehicles informally at a location close to the public road however boulders have recently been laid in the verges to deter parking which had apparently restricted large vehicles such as timber lorries from entering or leaving the estate.
- 4 An earlier planning application for similar proposals was withdrawn by the applicant as a result of concerns expressed by third parties over access difficulties and the visual impact of the works (20/00483/FLL). The revised proposals under consideration here have been subject to discussion between the applicant and officers, in an attempt to address the issues of concern.

NATIONAL POLICY AND GUIDANCE

- 5 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

- 6 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

- 7 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.
- 8 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

- 9 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
- PAN 65 Planning and Open Space
 - PAN 75 Planning for Transport

National Roads Development Guide 2014

- 10 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

- 11 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

- 12 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.”

- 13 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application:
- 2 – Shaping Better Quality Places
 - 8 – Green Networks

Perth and Kinross Local Development Plan 2019

- 14 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.
- 15 The principal relevant policies are, in summary:
- Policy 1A: Placemaking
 - Policy 1B: Placemaking
 - Policy 15: Public Access
 - Policy 39: Landscape
 - Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

SITE HISTORY

- 16 [20/00483/FLL](#) Erection of entrance gates, bin store and associated works. Application Withdrawn 5 May 2020.

CONSULTATIONS

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

Internal

- 18 **Community Waste Advisor - Environment Service** – No objection. The submitted scheme includes a designated bin storage area which will assist with waste collection.

- 19 **Transport Planning** - No objection. The submitted scheme incorporates advice given previously. Conditions relating to the access type and standard of the access are recommended.
- 20 **Community Greenspace** – No objection to the planning application but modifications have been suggested, relating to the specification of the potential core path, the provision of a wider, self-closing access gate and the formation of a replacement parking area for users of the core path.

REPRESENTATIONS

- 21 A total of 33 representations have been received from local residents and those residing in the wider area. The comments are split between supporting (17) and objecting (16) to the proposal.
- 22 The points of objection include the following:
- No need or justification for the proposals
 - Development is out of keeping with the character and appearance of the area
 - Adverse impact on core path and its users
 - Incompatibility with access code
 - Safety concerns over width and enclosed nature of proposed path
 - Loss of parking and likelihood of associated inappropriate parking elsewhere
 - Restrictions and negative access perceptions raised by entrance gates
 - Need to secure separate consent to deviate from existing core path route
- 23 The points in support state that:
- The entrance features/gates are traditional in nature and visually appealing
 - Proposals will enhance the area
 - Proposals will improve road safety
 - Proposals will support the local economy
- 24 Most of these issues are addressed in the Appraisal section of the report. Comments raised in respect of need, compliance with the access code and perceived barriers are not matters that can be considered within the planning remit.

ADDITIONAL STATEMENTS

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

APPRAISAL

- 26 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. 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 the Council's Placemaking Guide 2020.

Principle

- 27 The determining factor in the assessment of this application is ultimately whether the principle of the development is acceptable and if the detail of the proposed scheme accords with the relevant provisions of the Local Development Plan. In general terms developments which propose works that are deemed acceptable in land use terms such as the formation of gates, bin stores and access paths will be supported, subject to securing an appropriate design and good fit within the wider landscape.
- 28 Separate to any permission granted here, there is a formal process under the provisions of Section 208 of the Town and Country Planning (Scotland) Act 1997 relating to the stopping up and diversion of footpaths. This process is typically progressed once planning permission is granted. An informative is proposed to highlight the requirements of this process to the applicant (Informative 6).

Design, Layout and Visual Amenity

- 29 The stone pillars and entrance gates form the main physical elements of the proposals and have been designed and sited to provide a focal point and "sense of arrival" at an entrance to the estate. Both sets of gate piers will consist of Bath stone and be sited 4.9m apart, which will enable larger vehicles to gain access. The first set of freestanding entrance pillars will be sited a minimum of 10 metres back from the boundary with the public road and will consist of 0.6m square stone columns with a 0.85m square plinth extending to 3m in height, topped with a 0.5m high circular stone detail. Further to the north, the more recessed gate piers will feature similar stone columns, albeit they will have a larger (1m high) stag's head detail atop. The associated curved metal entrance gates will be painted black. The pedestrian access gate will be set some 3m to the west of the vehicular entrance gates.
- 30 The proposed bin store area will house 3 large bins to the east of the entrance point into the estate, enabling unhindered access for collection and uplift purposes from the adjacent B8063 public road. The bins will be enclosed by 1.5m-high, vertically clad, close-boarded Larch fence, within a rectangularly shaped compound approximately 4.85m x 1.8m in size. The bin store will be lockable and the unit will sit towards the rear of the hardstanding area, with the main access point facing across the entrance roadway to the southwest.

- 31 The scale, form, materials and location of the gates, pillars and bin store facility are considered acceptable within the context of the area and are therefore in accordance with placemaking policy considerations.

Landscape and Trees

- 32 The application site comprises the lower section of a private road travelling north from the public road, and associated land immediately to the west. All trees within the site are being retained and new beech hedging is proposed along both sides of the access track. Conditions are recommended to ensure an appropriate landscape framework remains in situ (Conditions 5 & 6). The stone gate piers will be approximately 10m back from the public road, with the main entrance gates a further 85m to the north. Given the limited landscape change, the proposals do not raise any adverse concerns in terms of loss of any feature of merit or wider, off-site landscape impacts. The new planting proposals are welcomed as they will provide enhanced biodiversity opportunity along with some enclosure and screening to the roadway. The proposal is therefore considered to be in accordance with Policies 1A: Placemaking, 40A: Forestry and 41: Biodiversity.

Residential Amenity

- 33 There are no nearby residential properties and the proposals do not raise any residential amenity concerns.

Access

- 34 The Council's Access Officer, whilst supporting conditional approval, has raised a number of points as they relate to the core path (METH/130). These include questioning the need for the new section of path when one already exists, further that the width and material of the new access gate and path do not meet standard guidelines adopted by the Council or British Horse Society and fundamentally that a parking area should be provided or reinstated in order to facilitate public access along the core path. Concerns have also been expressed over the width/passing ability of multi-users on the new path and the retention and ongoing maintenance of the landscaping either side of the path.
- 35 Whilst the Planning Authority must rightly consider access issues and safeguard core paths when determining planning applications, any conditions attached to permissions must be necessary, relevant, enforceable, precise and reasonable in respect of the actual development being considered. In this instance it would be unreasonable to insist that a new parking area was provided within the estate, nor would it be necessary in respect of the actual proposal (there is no current recognised parking provision). The applicant was asked to consider such provision but declined. It must be noted however that this planning application is not seeking to close or divert the existing core path; that is a process which can only be considered under separate powers. The assessment in this instance is therefore whether, or not, the proposals are acceptable in planning terms and, in that sense, the formation of the new section of path is considered acceptable. Confirmation has been obtained that the path width will be a minimum width of 2.5m, but cross sections provided indicate that there will be at least the same amount of space either side to

enable users to pass safely. Revised plans have also been forwarded which now feature a 1.8-metre-wide access gate at the southern entrance into the new section of path, in accordance with the Access Officer's suggestion. A condition is recommended to secure use of appropriate materials for the path to ensure it could be used by multi-users (Condition 3).

Roads and Access

- 36 The Council's Transport Planning team has no objection, but recommend a condition detailing the layout and partial surfacing of the vehicular access (Condition 4). The proposed access arrangements are satisfactory and do not raise any concerns in respect of traffic or the public road.

Drainage and Flooding

- 37 No consultations have been undertaken as the development proposals and site location do not raise any drainage or flooding concerns.

Waste Collection

- 38 A suitable bin storage and uplift site has been designated at the entrance to the estate. No objections have been received from the Community Waste section.

Conservation Considerations

- 39 The site is not in a designated Conservation Area or near to any Listed Building or any other designated site of historical interest. It is therefore considered that the development will have no adverse impact upon the cultural heritage of the area.

Natural Heritage and Biodiversity

- 40 There are no records of protected species on the development site and, given its location next to a road and agricultural field, it is unlikely to provide a high-quality habitat opportunity for protected species. The intention to plant native hedgerows alongside the main access road will however provide some enhanced opportunities for species to nest or seek cover within.

Developer Contributions

- 41 No developer contributions are required.

Economic Impact

- 42 The development of this site would account for short term economic investment through the construction period and indirect economic investment through the commercial use of associated development proposals elsewhere in the estate.

LEGAL AGREEMENTS

- 43 None required.

DIRECTION BY SCOTTISH MINISTERS

- 44 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

- 45 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, account has been taken of the Local Development Plan and material considerations, and, in this case, it is considered that the development proposed does not conflict with the Development Plan and there are no material considerations which indicate otherwise.
- 46 Accordingly the proposal is recommended for approval subject to the following conditions.

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. The asserted core path must not be obstructed during building works or on completion of the development; unless a diversion order has been obtained and the replacement path has been completed to the satisfaction of the Council as Planning Authority. Any damage done to the route and/or the associated signage during building works must be made good before the development is completed or brought into use, whichever is the earlier.

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

3. Prior to the commencement of works on site, full details of the construction and surface of the path shall be provided for the further written approval of the Council as Planning Authority. The details as subsequently approved shall be implemented to the satisfaction of the Council prior to its use.

Reason - In order to clarify the terms of the permission; to ensure appropriate surfacing within the local path network.

4. Prior to the development hereby approved being completed or brought into use, the vehicular access shall be modified in accordance with the plans submitted. A minimum of the first 5 metres of the vehicle access from the public road network shall be constructed in accordance with Perth & Kinross Council's Road Development Guide using the Construction Type C from the Construction

Details for Access Types C, D and E. For the avoidance of doubt, kerbing must be provided for a minimum of the first 5 metres of the vehicle access from the public road to protect its construction.

Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.

5. All trees identified for retention on the plans including any peripheral trees bounding the site, which may be affected by any element of the approved development and its associated construction, (including land within the blue site area) shall be protected in full accordance with BS 5837: 2012 'Trees in relation to design, demolition and construction'. Any approved Tree Protection measures shall not be removed breached or altered without the prior written authorisation from the Council as Planning Authority and shall remain in a functional condition until the development is completed. If the protection measures are damaged beyond effective functioning, then works that may compromise the protection of trees shall cease, until the protection can be repaired or replaced with a specification that shall provide a similar degree of protection.

Reason - To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

6. Any existing trees which become diseased, damaged or die, or new hedgerows which fail to become established within five years of this permission shall be replaced in the following planting season with others of similar size, species and number to the satisfaction of the Council as Planning Authority.

Reason - To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

B JUSTIFICATION

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

C PROCEDURAL NOTES

None.

D INFORMATIVES

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
2. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.

3. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. An application for Building Warrant may be required.
5. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he/she/they must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
6. The applicant is advised that the granting of planning permission does not stop the continued right of public access along the core path network. The stopping up or diversion of the Core Path METH/130 is subject to agreement under Section 208 of the Town and Country Planning (Scotland) Act 1997 (as amended). All relevant approvals in this regard should be in place prior to any stopping up or diversions taking place.

Background Papers: 33 letters of representation

Contact Officer: Alma Bendall 01738 475358

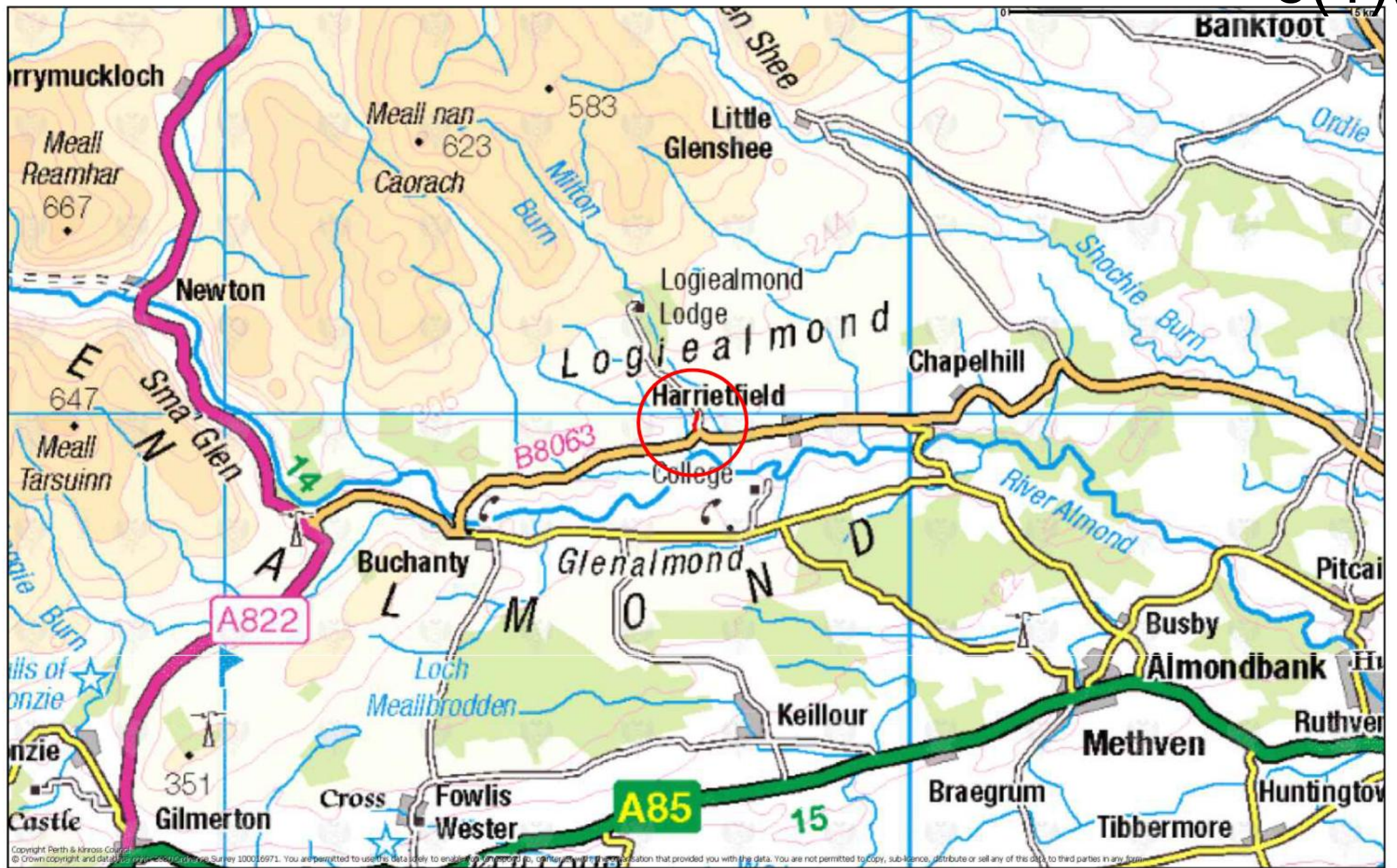
Date: 10 September 2020

**DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT**

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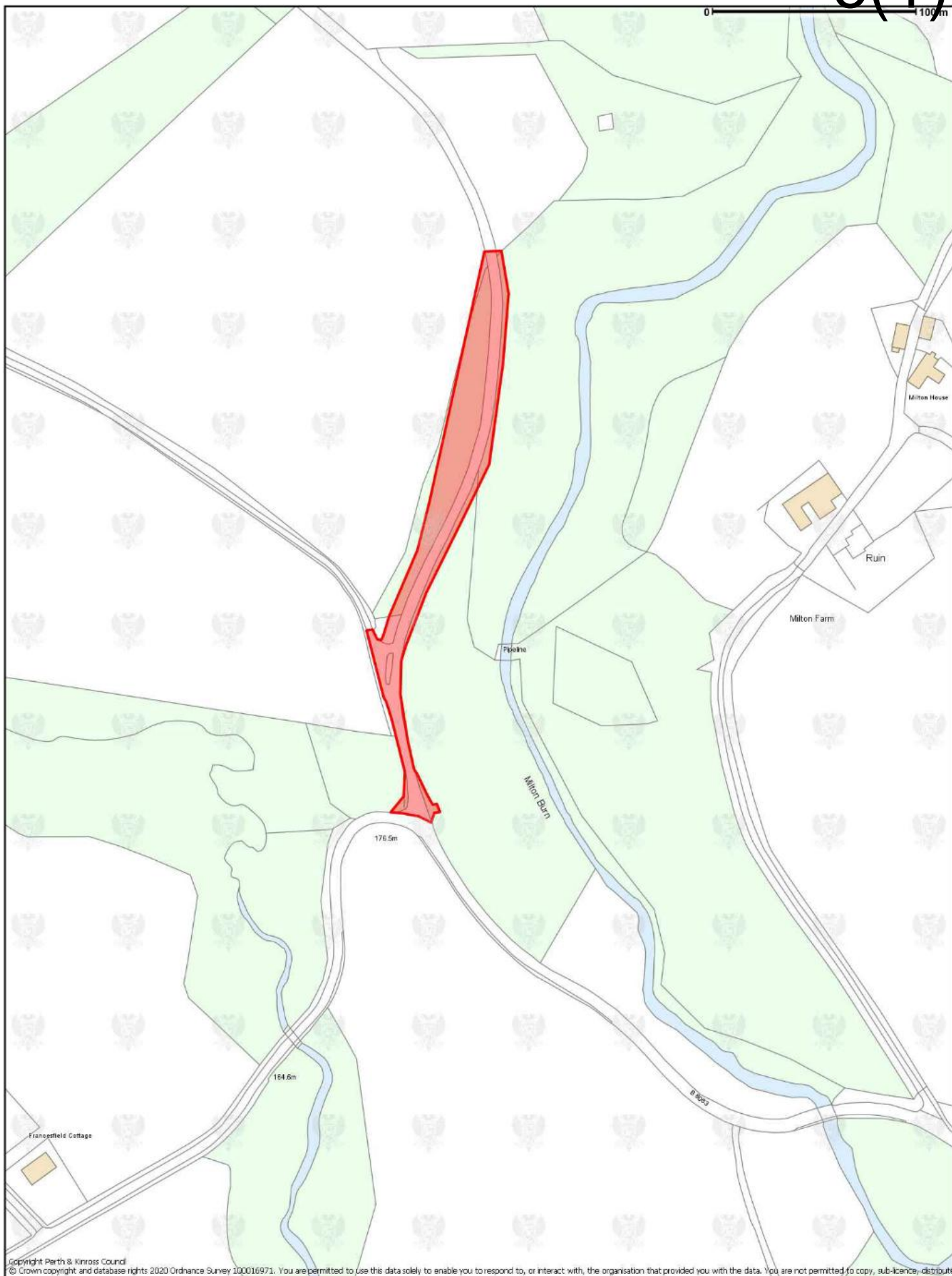
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20/00790/FLL

Erection of entrance gates, bin store and associated works,
Logiealmond Estate





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20/00790/FLL

Erection of entrance gates, bin store and associated works, Logiealmond Estate



Perth and Kinross Council
Development Management Committee – 23 September 2020
Pre-Application Report by Head of Planning and Development (Report No. 20/171)

Formation of a battery energy storage system comprising siting of container units, installation of a substation, erection of fencing, landscaping and associated works at land south of Newhouse Farm, Perth

Ref. No: [20/00006/PAN](#)

Ward No: P9 - Almond and Earn

Summary

This report is to inform the Committee of a potential forthcoming planning application in respect of a major development for the formation of an energy storage compound of up to 30MW capacity comprising elements including steel containers, mini substation, fencing and associated works at Newhouse Farm, Perth. 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 OF PROPOSAL

- 1 In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 as amended, the applicant submitted a valid Proposal of Application Notice (PoAN) on 22 July 2020. The purpose of this report is to inform the Planning & Development Management Committee of a potential forthcoming planning application in respect of a major planning application. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in any planning application.
- 2 This PoAN seeks to formally establish a major development. The exact scale and design of the development will be arrived at during pre-application discussions but based on the description of the development, will be of a scale capable of supporting up to 30 MW storage capacity, contained and accommodated by associated infrastructure.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 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 is required to be submitted by the applicant or shall be screened at the time of a formal planning submission.

PRE-APPLICATION CONSULTATION

- 4 The Proposal of Application Notice (20/00006/PAN) confirmed that Methven Community Council had received notice of the PoAN. As a result of the COVID-19 pandemic, the applicant followed current guidance from the Scottish

Government on holding public consultations associated with major planning applications, which included an online event hosted on the applicant's website with a live presentation and question and answer session on the afternoon and early evening of 18 August 2020. The event was publicly advertised in the Courier on 7 August 2020. The applicant was recommended to follow up on this with notification to local ward Councillors, MSP and MP for the area, for consistency and providing an opportunity for further input. 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 Scottish Planning Policy (SPP) 2014, the National Roads Development Guide 2014 and Planning Advice Notes (PAN).

National Planning Framework

- 6 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. NPF3 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

- 7 The SPP is a statement of Scottish Government policy on land use planning. The following sections will be of particular importance in the assessment of this proposal: -
 - Sustainability: paragraphs 24 – 35
 - Placemaking: paragraphs 36 – 57
 - Supporting Business & 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

Planning Advice Notes

- 8 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are 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 61 Planning and Sustainable Urban Drainage Systems
 - Climate Change Plan: Third Report on proposals and policies 2018-2032

- The future of energy in Scotland: Scottish Energy Strategy (December 2017)

LOCAL POLICY AND GUIDANCE

TAYPlan Strategic Development Plan 2016-2036

- 9 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.”

- 10 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application:
 - Policy 7: Energy, Waste and Resources
 - Policy 8: Green Networks
 - Policy 9: Managing TAYplans Assets

Perth and Kinross Local Development Plan 2019

- 11 The Local Development Plan 2 (2019) (LDP2) was adopted by Perth and Kinross Council on 29 November 2019. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

- 12 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.”

- 13 Within LDP2, the following policies are of particular importance in the assessment of this application:
 - Policy 1: Placemaking
 - Policy 2: Design Statements
 - Policy 7: Employment and Mixed Use Areas
 - Policy 15: Public Access
 - Policy 23: Delivery of Development Sites
 - Policy 33: Renewable and Low Carbon Energy
 - Policy 35: Electricity Transmission Infrastructure
 - Policy 38: Environment and Conservation
 - Policy 39: Landscape
 - Policy 40: Forestry, Woodland and Trees: Forest and Woodland Strategy
 - Policy 41: Biodiversity
 - Policy 42: Green Infrastructure
 - Policy 53: Water Environment and Drainage
 - Policy 55: Nuisance from Artificial Light and Light Pollution

- Policy 56: Noise Pollution
- Policy 60: Transport Standards and Accessibility Requirements

OTHER POLICIES

- 14 The following supplementary guidance and documents are of particular importance in the assessment of this application: -
- Developer Contributions Supplementary Guidance April 2016
 - Flood Risk and Flood Risk Assessments – Developer Guidance June 2014

PLANNING SITE HISTORY

- 15 The site has no specific planning application history but is located partly within LDP2 site MU70, allocated for mixed use development.

CONSULTATIONS

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

External

- Health and Safety Executive (HSE)
- Perth and Kinross Heritage Trust (PKHT)
- Scottish Environmental Protection Agency (SEPA)
- NatureScot (NS) – formerly known as Scottish Natural Heritage (SNH)
- Scottish Water (SW)
- Transport Scotland (TS)
- Methven Community Council (MCC)

Internal

- Biodiversity Officer
- Developer Negotiations Officer
- Environmental Health (Noise and Light)
- Land Quality
- Planning & Housing Strategy
- Structures and Flooding
- Transport Planning

KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED

- 17 The key considerations against which any application will be assessed include:
- a. Visual Impact and Landscape
 - b. Scale, Design and Layout
 - c. Relationship to Nearby Land Uses (existing and proposed through designation)

- d. Natural Heritage and Ecology
- e. Water Resources and Soils
- f. Impacts from Construction and Operational Noise
- g. Transport Implications
- h. Flooding and Drainage
- i. Light Pollution
- j. Economic and Infrastructure impact (including renewable and low carbon energy and electricity transmission infrastructure)

ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED

18 Should an EIA Report not be required, the following supporting documents will need to be submitted with any planning application:

- Planning Statement
- Design and Access Statement
- Pre-Application Consultation (PAC) Report
- Transport Statement/Assessment
- Flood Risk and Drainage Assessment
- Landscape and Visual Impact Assessment
- Habitat Survey
- Sustainability Assessment
- Noise and Light Assessment
- Draft Construction Environmental Management Plan

19 If an EIA Report is required, the necessary topics within the assessment will be determined through the EIA Scoping process. This would likely include at least some if not all of the above.

CONCLUSION AND RECOMMENDATION

20 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.

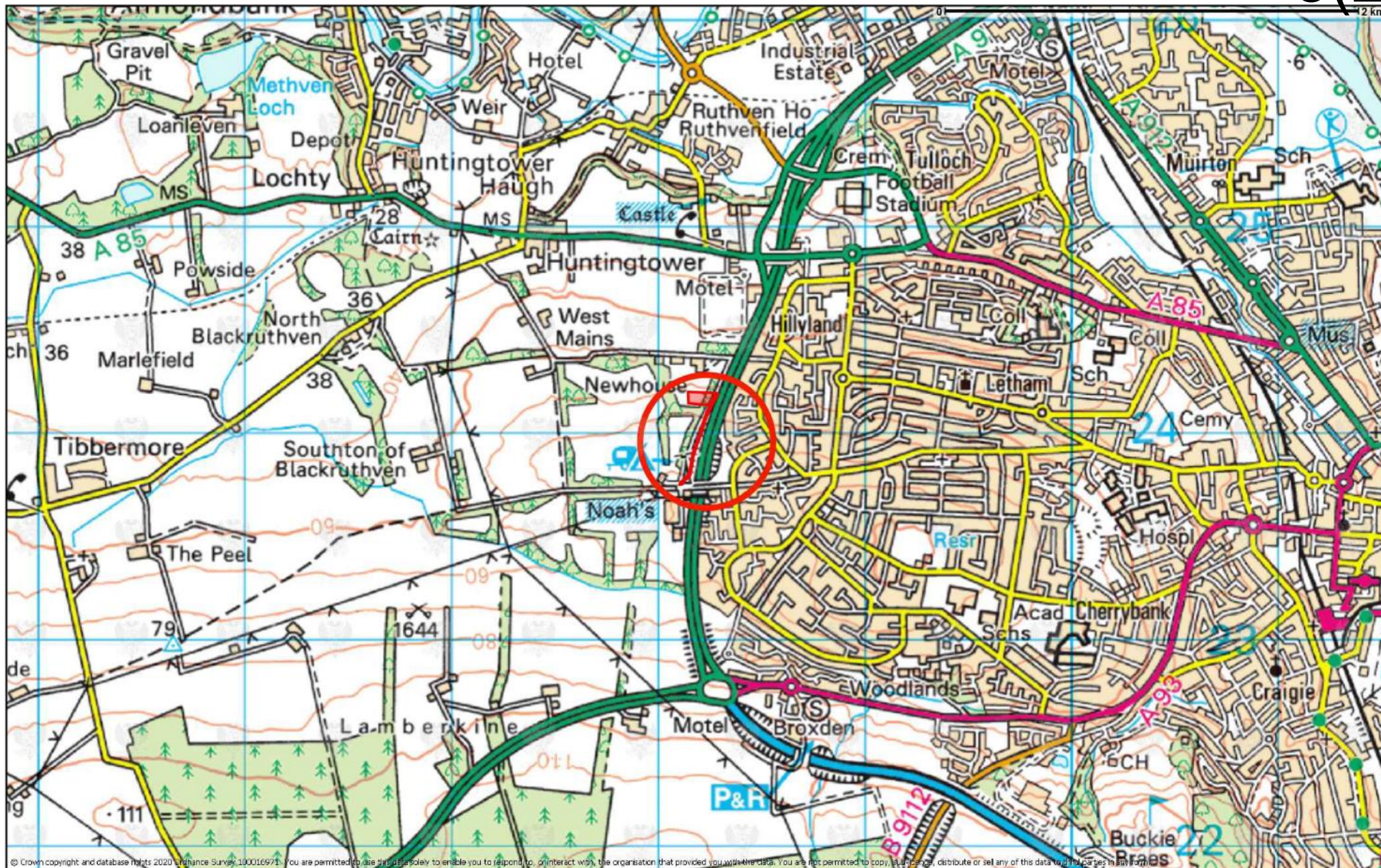
Background Papers: None
 Contact Officer: Callum Petrie
 Date: 10 September 2020

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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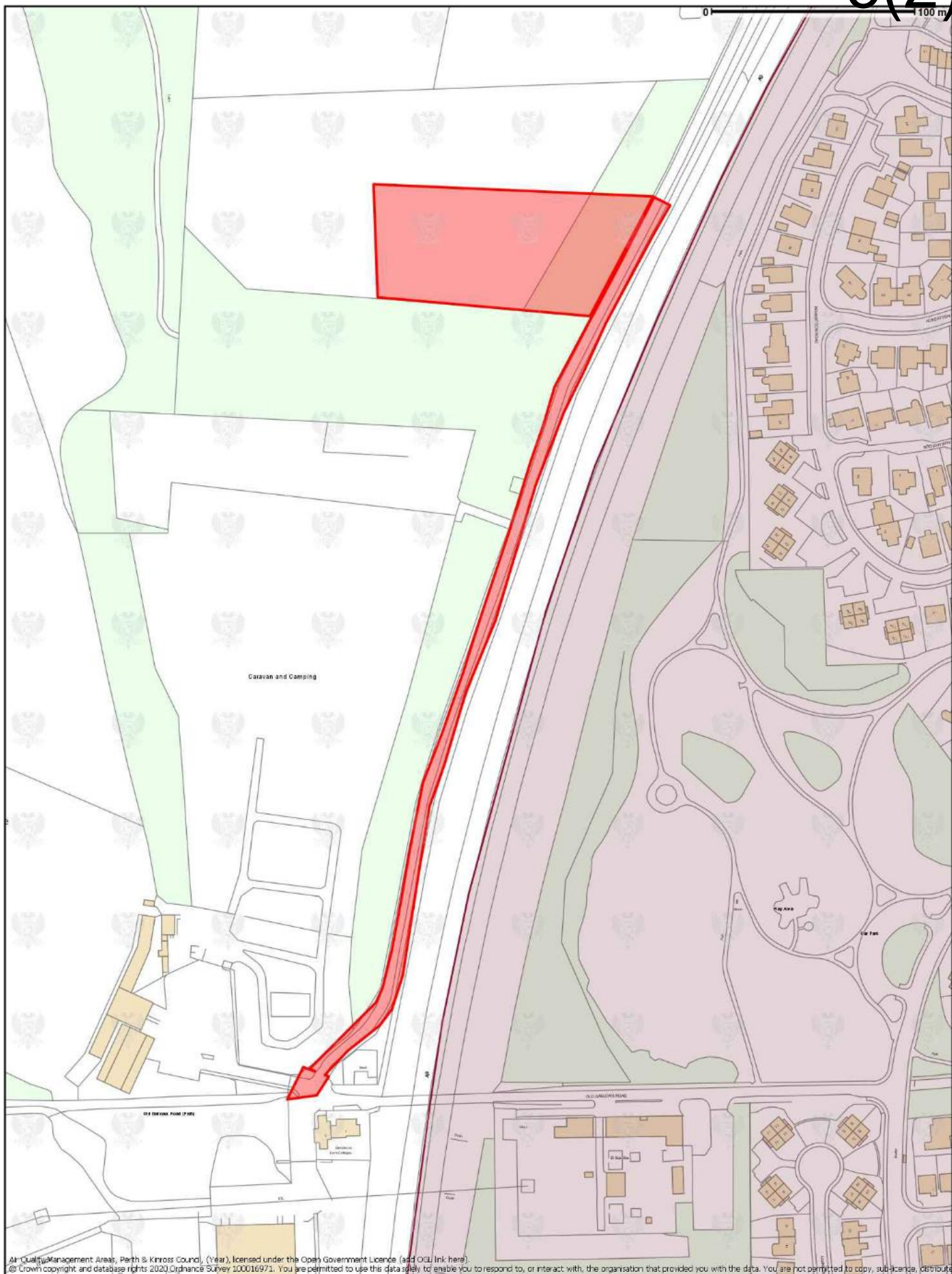
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20/00006/PAN

Formation of a battery energy storage system comprising siting of container units, installation of a substation, erection of fencing, landscaping and associated works





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Scale 1:2500

20/00006/PAN

Formation of a battery energy storage system comprising siting of container units, installation of a substation, erection of fencing, landscaping and associated works



Perth and Kinross Council
Development Management Committee – 23 September 2020
Pre-Application Report by Head of Planning and Development (Report No. 20/172)

Erection of 109 dwellinghouses, garages and associated works (change of house types and revised designs for plots 1-80 and 88-117 associated with planning permission 17/00961/AMM) at land south west of Maple Place, Blairgowrie

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

Ward No: P3 - Blairgowrie and Glens

Summary

This report is to inform the Committee of a potential forthcoming planning application in respect of a major development for a proposed residential development on a site in Blairgowrie benefitting from extant planning permission for 117 dwellinghouses (17/00961/AMM). The report highlights 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 OF PROPOSAL

- 1 In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 as amended, the applicant submitted a Proposal of Application Notice (PoAN) on 5 August 2020. The purpose of this report is to inform the Planning & Development Management Committee of a potential forthcoming planning application in respect of a major planning application. 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 has extensive planning history as set out below. This PoAN requires to be submitted procedurally due to the new developer and material departure from the extant planning permission. The exact scale and design of the development will be arrived at during pre-application discussions and through the ultimate submission of a detailed planning application.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 3 Due to the scale 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 was historically undertaken in association with planning 10/01360/IPM, where it was found that EIA was not required. A screening request has yet to be submitted for the new development.

PRE-APPLICATION CONSULTATION

- 4 The PoAN (20/00006/PAN) confirmed that local ward Councillors, Community Council and Constituency MSP had received notice of the PoAN. As a result of the COVID-19 pandemic, the applicant followed current guidance from the Scottish Government on holding public consultations associated with major

planning applications, which includes a live event on the applicant's website from 14 September 2020 with a virtual online event hosted on early evening of 17 September 2020. The event was publicly advertised in the Courier at least 7 days prior to the website publishing the information. The applicant was recommended to extend the virtual event beyond an hour on the evening of 17 September. 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 Scottish Planning Policy (SPP) 2014, the National Roads Development Guide 2014 and Planning Advice Notes (PAN).

National Planning Framework

- 6 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. NPF3 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

- 7 The SPP is a statement of Scottish Government policy on land use planning. The following sections will be of particular importance in the assessment of this proposal:
 - Sustainability: paragraphs 24 – 35
 - Placemaking: paragraphs 36 – 57
 - Supporting Business & Employment: paragraphs 92-108
 - Maintaining a 5-year Effective Land Supply: paragraphs 123 - 125
 - Affordable Housing: paragraphs 126 - 131
 - Valuing the Natural Environment: paragraphs 193 – 218
 - Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
 - Managing Flood Risk and Drainage: paragraphs 254 – 268
 - Promoting Sustainable Transport and Active Travel: paragraphs 269 – 291
 - Annex B – Parking Policies and Standards

Planning Advice Notes

- 8 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
 - PAN 3/2010 Community Engagement
 - PAN 1/2011 Planning and Noise
 - PAN 40 Development Management
 - PAN 44 Fitting New Housing Development into the Landscape
 - 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 67 Housing Quality
- PAN 68 Design Statements
- PAN 75 Planning for Transport
- PAN 78 Inclusive Design
- PAN 77 Designing Safer Places

Creating Places 2013

- 9 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

- 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.

National Roads Development Guide 2014

- 11 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

- 12 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.”

- 13 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application:
 - Policy 2: Shaping Better Quality Place
 - Policy 8: Green Networks
 - Policy 9: Managing TAYplans Assets

Perth and Kinross Local Development Plan 2019

- 14 The Local Development Plan 2 (2019) (LDP2) was adopted by Perth and Kinross Council on 29 November 2019. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 15 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.”*
- 16 Within LDP2, the following policies are of particular importance in the assessment of this application:
- Policy 1: Placemaking
 - Policy 2: Design Statements
 - Policy 5: Infrastructure Contributions
 - Policy 14: Open Space Retention and Provision
 - Policy 15: Public Access
 - Policy 17: Residential Areas
 - Policy 20: Affordable Housing
 - Policy 22: Particular Needs Housing Accommodation
 - Policy 23: Delivery of Development Sites
 - Policy 24: Maintaining and Effective Housing Land Supply
 - Policy 25: Housing Mix
 - Policy 32: Embedding Low and Zero Carbon Generating Technology in New Development
 - Policy 35: Electricity Transmission Infrastructure
 - Policy 39: Landscape
 - Policy 40: Forestry, Woodland and Trees: Forest and Woodland Strategy
 - Policy 41: Biodiversity
 - Policy 42: Green Infrastructure
 - Policy 53: Water Environment and Drainage
 - Policy 55: Nuisance from Artificial Light and Light Pollution
 - Policy 56: Noise Pollution
 - Policy 60: Transport Standards and Accessibility Requirements

OTHER POLICIES

- 17 The following supplementary guidance and documents are of particular importance in the assessment of this application: -
- Developer Contributions Supplementary Guidance April 2016
 - Flood Risk and Flood Risk Assessments – Developer Guidance June 2014

SITE HISTORY

- 18 The site is allocated for residential development in LDP2 as site H64, Blairgowrie South.

- 19 [10/00007/PAN](#) Proposal of Application Notice (PoAN) for residential development. Content of PoAN satisfactory, decision Issued May 2010.
- 20 [10/01360/IPM](#) Residential development and associated works (in principle) Application approved September 2014.
- 21 [17/00961/AMM](#) Erection of 117 dwellinghouses, garages and associated works (approval of matters specified in conditions 10/01360/IPM). Application approved April 2019.
- 22 [19/01467/FLL](#) Erection of a sales office (for a temporary period). Application approved November 2019.
- 23 [19/01566/FLL](#) Formation of vehicular access (temporary period) Application approved March 2020.
- 24 20/01175/FLL Erection of 7 dwellinghouses and associated works (revised design and layout for plots 81 to 87) (17/00961/AMM). This application has been submitted but remains invalid at the time of writing this Report.
- 25 20/01176/FLL Erection of temporary Cabin with associated parking spaces and access. This application has been submitted but remains invalid at the time of writing this Report.

CONSULTATIONS

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

External

- Scottish Environmental Protection Agency (SEPA)
- NatureScot (NS) – formerly known as Scottish Natural Heritage (SNH)
- Scottish Water (SW)
- Blairgowrie and Rattray Community Council (BRCC)
- Perth and Kinross Heritage Trust (PKHT)

Internal

- Biodiversity Officer
- Community Waste Advisor
- Community Greenspace
- Developer Negotiations Officer
- Environmental Health (Noise and Light)
- Planning & Housing Strategy
- Structures and Flooding
- Transport Planning

KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED

- 27 The key considerations against which any application will be assessed include:
- a. Principle of Development
 - b. Visual Impact and Landscape
 - c. Scale, Design and Layout
 - d. Open Space Provision and Management
 - e. Waste
 - f. Relationship to Neighbouring Land Uses
 - g. Natural Heritage and Ecology
 - h. Water Resources and Soils
 - i. Impacts from Construction and Operational Noise
 - j. Transport Implications
 - k. Flooding and Drainage
 - l. Light Pollution
 - m. Economic Impact

ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED

- 28 Should an EIA Report not be required; the following supporting documents will need to be submitted with any planning application:
- Planning Statement
 - Design and Access Statement
 - Pre-Application Consultation (PAC) Report
 - Transport Statement/Assessment
 - Flood Risk and Drainage Assessment
 - Landscape and Visual Impact Assessment
 - Habitat Survey
 - Sustainability Assessment
 - Noise and Light Assessment
 - Draft Construction Environmental Management Plan
- 29 If an EIA Report is required, the necessary topics within the assessment will be determined through the EIA Scoping process. This would likely include at least some if not all of the above.

CONCLUSION AND RECOMMENDATION

- 30 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: Callum Petrie
Date: 10 September 2020

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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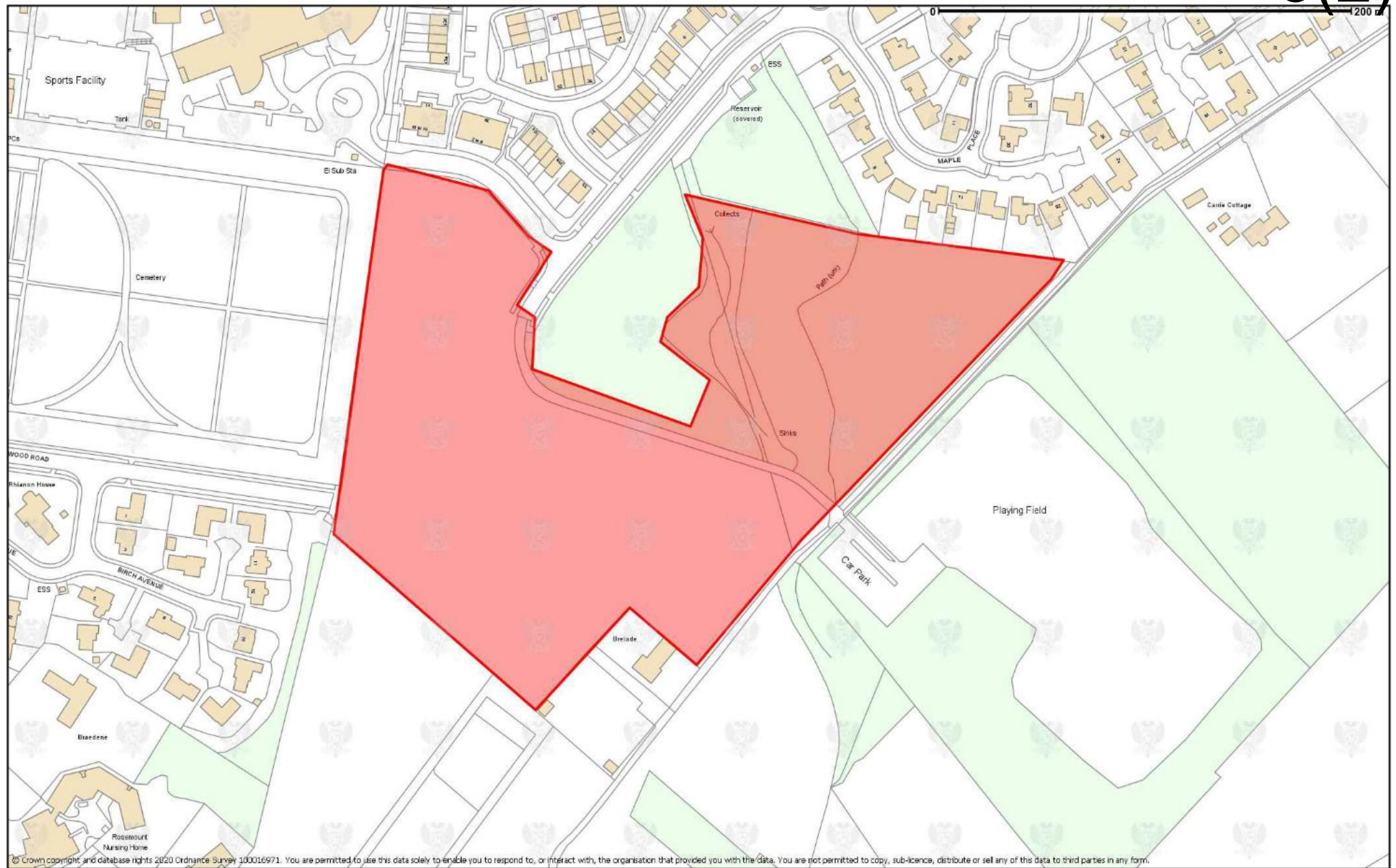
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Erection of 109 dwellinghouses, garages and associated works (change of house types and revised designs for plots 1-80 and 88-117)





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20/00007/PAN

Erection of 109 dwellinghouses, garages and associated works (change of house types and revised designs for plots 1-80 and 88-117)



