

Perth and Kinross Council
Planning and Placemaking Committee – 7 February 2024
Report of Handling by Strategic Lead – Economy, Development and Planning
(Report No. 24/48)

PROPOSAL:	Erection of a dwellinghouse and garage
LOCATION:	Land 55 Metres North East Of Inn On The Tay, Grandtully, Pitlochry

Ref. No: [23/01038/FLL](#)
Ward No: P4- Highland

Summary

The application proposes a new house and garage on the site of a former rafting centre building on the banks of the River Tay.

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 a former rafting centre on the south bank of the River Tay at Grandtully.
2. The proposal is to demolish a timber building associated with the former rafting centre and erect a dwellinghouse and detached garage. That house being of one and half stories and containing 4-bedrooms. Finishing materials include stone and timber cladding and a slate roof.
3. The site is accessed via the junction and car park off the A827, to the south. That car park associated to The Inn on The Tay. Three trees along the roadside to the east (C447), close to the north-east corner of the site are to be removed for safety reasons and nine replacement trees are proposed as compensatory planting, together with a beech hedge around the majority of the site boundary, excluding the point of vehicular access.
4. The site is within the Strathtay and Grandtully Conservation Area, on the east/south bank of the River Tay, which is a Special Area of Conservation (SAC).
5. The proposal has attracted more than six objections from members of the public and is therefore required to be considered at Planning and Placemaking Committee.

Pre-Application Consultation

6. Pre-application Reference: 22/00082/PREAPL – removal of shed and erection of dwellinghouse. Outlined general considerations of the proposal, and the information that would be required to accompany an application.
7. Advice was that the outlined development was not classed as a ‘Major’ development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009; therefore, the applicant was not required to undertake not any formal pre-application consultation with the local community.

NATIONAL POLICY AND GUIDANCE

8. The Scottish Government expresses its planning policies through The National Planning Framework, Planning Advice Notes, Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

National Planning Framework 4

9. The National Planning Framework 4 (NPF4) is the Scottish Government’s long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve people’s lives by making sustainable, liveable and productive spaces. NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.
10. The Council’s assessment of this application has considered the policies of NPF4, and it is considered that the development proposal accords with the intentions of this document.

Planning Advice Notes

11. The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
 - PAN 40 Development Management
 - PAN 51 Planning, Environmental Protection and Regulation
 - PAN 61 Planning and Sustainable Urban Drainage Systems
 - PAN 68 Design Statements
 - PAN 69 Planning and Building standards Advice on Flooding
 - PAN 75 Planning for Transport
 - PAN 77 Designing Safer Places

Creating Places 2013

12. 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

13. Designing Streets is the policy statement in Scotland for street design and changes the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It was created to support the Scottish Government's place-making agenda, alongside Creating Places.

National Roads Development Guide 2014

14. This document supports Designing Streets and expands on its principles and is the technical advice that should be followed in designing and approving of all streets including parking provision.

DEVELOPMENT PLAN

15. The Development Plan for the area comprises National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2 (2019) (LDP2).

National Planning Framework 4

16. The National Planning Framework 4 (NPF4) is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve people's lives by making sustainable, liveable and productive spaces.
17. NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.
18. The Council's assessment of this application has considered the following policies of NPF4:
 - Policy 2: Climate Mitigation and Adaptation
 - Policy 3: Biodiversity
 - Policy 4: Natural Places
 - Policy 6: Forestry, Woodland and Trees
 - Policy 7: Historic Assets and Places
 - Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings
 - Policy 13: Sustainable Transport
 - Policy 14: Design, Quality and Place
 - Policy 16: Quality Homes
 - Policy 18: Infrastructure First
 - Policy 22: Flood Risk and Water Management
 - Policy 23: Health and Safety

Perth and Kinross Local Development Plan 2

19. The Local Development Plan 2 (2019) (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.
20. The principal relevant policies are, in summary:
 - Policy 1A: Placemaking
 - Policy 1B: Placemaking
 - Policy 2: Design Statements
 - Policy 5: Infrastructure Contributions
 - Policy 15: Public Access
 - Policy 17: Residential Areas
 - Policy 28A: Conservation Areas: New Development
 - Policy 28B: Demolition within Conservation Areas
 - Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
 - Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development
 - Policy 41: Biodiversity
 - Policy 47: River Tay Catchment Area
 - Policy 52: New Development and Flooding
 - Policy 53A: Water Environment and Drainage: Water Environment
 - Policy 53B: Water Environment and Drainage: Foul Drainage
 - Policy 53C: Water Environment and Drainage: Surface Water Drainage
 - Policy 56: Noise Pollution
 - Policy 58A: Contaminated and Unstable Land: Contaminated Land
 - Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

Site History

21. [09/01991/FLL](#) Full planning permission was approved on the 22/12/2009 for the erection of a shed and fence, at Grandtully Activities Centre.
22. [23/01314/FLL](#) Full planning permission was approved on the 07/11/2023 for the siting of a staff accommodation unit for a temporary period until 1 March 2024 (in retrospect).

CONSULTATIONS

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

External

Scottish Water

24. No objection.

Internal

Environmental Health (Noise Odour)

25. No objection. Noise Impact Assessment reviewed and no adverse comments.

Conservation Team

26. Initially concerns about the impact on the conservation area. A change to finishing materials was therefore recommended and achieved to obtain a timber as opposed to composite cladding.

Structures And Flooding

27. No objection. A Drainage Impact Assessment was submitted on request of the Flooding Team and confirms there is no identified risk of surface water or river flooding on the property during a 0.5% AP + CC flood event. Also that the proposed drainage is sufficient to prevent increased flood risk to the surrounding area.

Environmental Health (Contaminated Land)

28. No objection. Historic records do not raise any concerns regarding ground contamination.

Transportation And Development

29. No objection. Accept that access shall be through the existing current private car park which connects to the A827. The level of parking meets requirements.

Development Contributions Officer

30. No objection. Advise the proposal is within the catchment of Grandtully Primary School and that Education & Children's Services have no capacity concerns at this time and as such no contributions required.

Biodiversity/Tree Officer

31. No objection, subject to conditions.

Representations

32. 9 objections were received, summarised as follows:
- Visual impact.
 - Inappropriate land use.
 - Impact on nationally important canoeing site.
 - Restrict access to and from the river.
 - Removal of trees.
 - Pollution of watercourse.
 - Loss of commercial site and impact on the local economy. Site suitable for businesses offering outdoor pursuits and paddle sports and lack of visible marketing of a commercial site on the open market.
 - Impact on River Tay SAC from insufficient and inadequate wastewater capacity.
33. These issues are addressed in the Appraisal section of the report.
34. Land ownership has also been raised but is not a material planning consideration. The ownership certificate has been completed by the Agent/Applicant and the application advertised in a local paper in line with The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.
35. A late representation was received on 14 September 2023 from Mid Atholl Strathtay and Grandtully Community Council. This noted that the applicant and their representative discussed the proposal at a Community Council meeting on 29 August 2023 and that there was universal support for the proposals. The proposal being welcomed by the CC and seen as a significant improvement for the village.

ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment under Habitats Regulations	Habitats Regulations Appraisal / AA Not Required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact e.g., Flood Risk Assessment	Noise Impact Assessment; Drainage Design; Bat Survey and Ecological Report; Tree Survey Report

APPRAISAL

36. 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 Development Plan comprises NPF4 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.
37. In this instance, section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities in determining such an application as this to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is relevant and requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the designated conservation area.

Principle

38. The application site is in the settlement of Grandtully and formally occupied by an outdoor company specialising in rafting activities, that company now operating from a base in Aberfeldy.
39. The principal policies for consideration include NPF4 Policy 9 which supports the sustainable reuse of brownfield land, including vacant and derelict land and empty buildings. NPF4 Policy 16 also, in limited circumstances, lends support to proposals for new homes on land not allocated for housing in the LDP. These limitations including smaller scale opportunities within an existing settlement boundary. LDP2 highlights that to protect the historic environment of the settlement of Grandtully, Strathtay and Little Ballinluig, additional development will be limited to small-scale infill opportunities within the existing settlement boundary (page 208).
40. The redevelopment of the site in the settlement boundary is supported by NPF4 Policy 9 and Policy 16 through the re-use of a previously developed site, and the delivery of quality new homes.
41. LDP2 identifies areas of residential and compatible uses inside settlement boundaries where existing residential amenity will be protected and, where possible, improved. LDP2 Policy 17 states that changes away from ancillary uses such as employment land, local shops and community facilities, for example pubs and restaurants will be resisted unless there is demonstrable market evidence that the existing use is no longer viable as a commercial venture or community-run enterprise. Generally, encouragement will be given to proposals which fall into one or more of the following categories of development and which are compatible with the amenity and character of the area:

- (a) Infill residential development at a density which represents the most efficient use of the site while respecting its environs.
 - (b) Improvements to shopping facilities where it can be shown that they would serve local needs of the area.
 - (c) Proposals which will improve the character and environment of the area or village.
 - (d) Business, homeworking, tourism or leisure activities.
 - (e) Proposals for improvements to community and educational facilities.
42. The site is not specifically identified in the LDP however the site history shows it to have been in use as an activity centre since at least 2011. Also, documentation submitted by the business owner with the pre-application enquiry states the business has operated from the site for 28 years (22/00082/PREAPL).
43. The supporting statement notes that the rafting business has relocated its operations to a base in Aberfeldy, the head of the rafting run and thus making the business more efficient. It also highlights a legal restriction imposed on the access arrangement which creates a difficult scenario. Specifically, the access is owned and controlled by The Inn on The Tay and the existing leisure business has a grant of access for 'rafting' only. Therefore, an open market commercial marketing exercise or subsequent sale, could not be performed as the end user would not be able to access/ operate a business from this location other than for rafting purposes. It states several local rafting companies were approached to purchase the site with no interest received and evidence of this is provided.
44. It has been considered that proportionately sufficient information has been submitted to demonstrate that the existing use is no longer viable as required by LDP2 Policy 17. The proposal is compatible with the amenity and character of the area and falls into LDP2 Policy 17 category (a) and (c) above.
45. NPF4 Policy 14: Design, Quality and Place aims to encourage, promote and facilitate well designed development to improve the quality of an area whether in urban or rural locations and regardless of scale. Proposals that are consistent with the six qualities of successful places will be supported. LDP2 Policy 1: Placemaking states development must contribute positively to the quality of the surrounding built and natural environment. Whereas all development should be planned and designed with reference to climate change, mitigation and adaptation. The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development. Further assessment is provided below.
46. As the application site is next to the River Tay Special Area of Conservation NPF4 Policy 4 (b): Natural Places is relevant as is LDP2 Policy 47: River Tay

Catchment Area. Also, given the characteristics of the site a bat survey was carried out and NPF4 Policy 3: Biodiversity and NPF4 Policy 4 (f): Natural Places are relevant together with LDP2 Policy 41: Biodiversity. The site also sees a number of mature trees and a Tree Survey Report was submitted in line with NPF4 Policy 6: Forestry, Woodland and Trees and LDP2 Policy 40B: Trees, Woodland and Development. Further assessment is again provided below.

Design, Layout and Visual Amenity

47. Being within the Conservation Area, a Design Statement has been submitted, in line with LDP2 Policy 2. This highlights the site topography, which slopes down from the public road (A827) to the river; and the characteristics of the surrounding area. It considers a modest one and a half storey dwellinghouse can be accommodated and the bespoke design and palette of materials will deliver a high level of architectural quality, without detracting from the surrounding historic built environment. Also, that the design has sought to deliver a unique and sympathetic iteration of the buildings found in Grandtully. It notes that the proposal will remove a building that offers little to the overall aesthetic of the conservation area.
48. The location is highly visible in its surroundings and initial concerns were expressed by conservation colleagues. As such a further supporting statement, visuals and a site section were submitted (Documents 24, 27, 28). This set out in more detail the site context, topography and the design approach to ensure a sympathetic development which respects the surrounding environment.
49. The quality of the bespoke design is acknowledged, with views of the river setting capitalised from the floor to ceiling glazing on the ground floor living spaces and a balcony from the master bedroom. The Placemaking Supplementary Guidance (2020) highlights sourcing high-quality, sustainable materials locally whenever possible and that the use of timber can provide a high-quality, natural finish if sensitively designed. Further information was submitted during the application process on the finishing materials (Document 23). This shows the use of locally sourced reclaimed stone to match the surrounding built environment, together with charcoal-stained larch vertical timber cladding. A condition is recommended to ensure full details and samples of the finishing materials are submitted for approval (Condition 4).
50. The position of the dwellinghouse along the tree line reflects the position of the existing timber building and provides some screening. Further planting is proposed to enhance the setting and compensate for the loss of three trees, for safety reasons. Conditions are recommended to ensure that details of boundary treatments and a landscape plan are approved (Conditions 5 and 9).
51. A detached garage is proposed which is designed to reflect the house's architectural style and finish. It's location and design were amended during the application process to move it closer to the house, reduce its height and remove a first-floor level. This was in order to minimise the wider visual impact of the

development upon the immediate environs. A condition is also recommended to ensure the garage is only used incidentally to the house (Condition 3).

52. In respect of the design, no information has been provided on the installation and operation of low and zero-carbon generating technologies as required by NPF4 Policy 2 and LDP2 Policy 32. A condition is therefore recommended to ensure 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 (Condition 10).
53. The attractive bespoke design respects the surrounding environment, and the finishing materials acknowledge local architecture to ensure the new home reflects well in its surroundings. The proposal will replace a redundant timber structure, which impacts the amenity of the area. The proposal is considered to satisfy NPF4 Policy 14: Design, Quality and Place and LDP2 Policy 1: Placemaking and related Supplementary Guidance and LDP2 Policy 17: Residential Areas, subject to conditions.

Residential Amenity

54. There is an established public house/restaurant 55m to the south-west. Due to this and the proximity to public roads and river a Noise Impact Assessment (NIA) was submitted with the application (Document 18). This was reviewed by Environmental Health who do not consider that residential amenity would be negatively impacted.
55. The proposal satisfies NPF4 Policy 23 (e): Health and Safety and LDP2 Policy 56: Noise Pollution.

Conservation Considerations

56. The location within the Grandtully and Strathtay Conservation Area saw initial concerns addressed through the submission of further supporting information. This notes the finished floor level would be the same as the existing timber structure and a modest increase in overall height is mitigated by positioning the higher element, one and a half storey, next to the roadside trees with further planting proposed to enhance the setting.
57. In respect of finishing materials, composite cladding with a wood grain effect has been amended to a natural timber finish. A natural timber finish is considered more appropriate given the site characteristics and is in line with Placemaking Supplementary Guidance (2020). A material finishes document now shows the use of locally sourced reclaimed stone, to match the surrounding built environment and charcoal stained larch vertical timber cladding (Document 23).
58. It is considered that the proposal has been sympathetically designed and together with the finishing materials acknowledges local architecture to ensure the new home fits with its surroundings. The proposal will replace a redundant timber structure which impacts on the amenity of the conservation area. To ensure

a high-quality development, a condition is recommended to ensure full details and samples of the finishing materials are approved (Condition 4).

59. The proposal therefore satisfies NPF4 Policy 7: Historic Assets and Places and LDP2 Policy 28: Conservation Areas, subject to conditions.

Natural Heritage and Biodiversity

River Tay Special Area of Conservation

60. In order to protect the watercourse from the impact of pollution and sediment and in line with LDP2 Policy 47, a condition is recommended to require a Construction Method Statement (Condition 6).
61. The proposal thus satisfies NPF4 Policy 4: Natural Places and LDP2 Policy 47: River Tay Catchment Area, subject to condition.

Trees

62. A tree survey (Document 08) has categorised, examined tree conditions and provided advice as to likely impact of the development, and protection measures identified. It did not propose any removals. However, the report has been reviewed by the PKC Tree Officer, who advises for safety reasons that three pine trees (472, 476 and 477) should be removed. The proposed site plan has been revised to show this (Document 26).
63. The Tree Officer recommends that the development is capable of being implemented without adverse impact on other trees identified for retention. Conditions are recommended to ensure a pre-site meeting is held with the applicant's arboriculturalist and the Councils Enforcement Officer (Trees); tree protection measures are in place in accordance with BS5837: 2012; the specific measures detailed within the tree report are carried out and a detailed landscape plan is submitted for approval (Condition 9).
64. The proposal is considered to satisfy NPF4 Policy 6: Forestry, Woodland and Trees and LDP2 Policy 40B: Trees, Woodland and Development, subject to condition.

Biodiversity

65. A Bat, Bird and Protected Species Survey Report was submitted (Document 10) and reviewed by the Biodiversity Officer. It concludes that the proposed development will not have a detrimental impact on the bat population, as no bat roosts were confirmed and the foraging and commuting habitats will remain. Thus a bat licence is not required. A condition is recommended to ensure the recommendations of the report are carried out (Condition 7).
66. In respect of biodiversity enhancement, the Biodiversity Officer recommends a condition to ensure the installation of four swift boxes/bricks (Condition 8).

67. The proposal satisfies NPF4 Policy 3: Biodiversity and LDP2 Policy 41: Biodiversity, subject to conditions.

Roads and Access

68. Vehicular access to the site is proposed through the current private car park of the Inn on The Tay, which connects to the A827. Transportation and Development were consulted and raise no issues with this arrangement and note that the level of car parking proposed for the property will meet the requirements of the National Road Development Guide.
69. The site is in the settlement of Grandtully with shops and services nearby and is accessible by sustainable modes, with a bus stop on the A827 to the south.
70. The proposal thus satisfies NPF4 Policy 13: Sustainable Transport and LDP2 Policy: Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals.

Public Access to River

71. The representations raise concern with access to the river path. There is a well-used pedestrian access to the path from the road bridge (C447), in the north-east corner of the site.
72. LDP2 Policy 15: Public Access states development proposals that would have an adverse impact upon the integrity of any (proposed) core path, disused railway line, asserted right of way or other well-used route and connectivity proposals identified in the Regional Transport Strategy and Delivery Plan will not be permitted.
73. The existing access to the river path will not be impacted by the proposed development and is to be retained as indicated on the revised site plan (Document 26).
74. The proposal therefore satisfies LDP2 Policy 15: Public Access.

Drainage and Flooding

75. The Flooding Team requested a Drainage Impact Assessment (DIA).
76. The DIA shows the surface water from the buildings will be directed to attenuation crates using a piped system and surface water will drain by gullies into the sub-base.
77. The Flooding Team confirmed there is no known risk of surface water or river flooding during a 0.5% AP + CC flood event. Also, that the proposed drainage is sufficient to prevent an increased flood risk to the surrounding area.

78. The representations raised the issue of sewage discharging into the river and this is a matter related to Scottish Water infrastructure. Foul water from the proposed development is proposed to connect to the existing Scottish Water sewer as shown on the submitted drainage strategy plan (Document 15). The applicant must make a separate application to Scottish Water Planning & Development Services team for consent to connect to the public wastewater system.
79. Scottish Water was consulted and do not raise any concerns.
80. The proposal is considered to satisfy NPF4 Policy 22: Flood Risk and Water Management and LDP2 Policy 52: New Development and Flooding, LDP2 Policy 53B: Foul Drainage and Policy 53C: Surface Water Drainage.

Other Material Considerations

Representations

81. There are issues raised beyond what is assessed above. Several representations refer to this part of the river being a nationally important canoeing site and the proposed development would adversely impact this. With regards to the installation of equipment on the river for sporting use this is not a material planning consideration and is a private civil matter between landowners. Comments regarding retaining access to the river have been clarified and a revised site plan submitted to show the domestic curtilage and the retention of an existing access to the river path from the road bridge, as per deeds.
82. There are no material considerations of sufficient weight to justify refusal of the application.

Developer Contributions

83. This proposal is within the catchment of Grandtully Primary School and Education & Children's Services have no capacity concerns and therefore no contributions are required.

Economic Impact

84. The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development. In respect of the loss of the existing facility, it would be limited to the specific site, and there remain other rafting opportunities on the River.

VARIATION OF APPLICATION UNDER SECTION 32A

85. This application was varied prior to determination, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as amended. The variations incorporate changes to the material finish, the detached garage and boundary planting.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

86. None.

DIRECTION BY SCOTTISH MINISTERS

87. Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

88. To conclude, the application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with NPF4, and the adopted Local Development Plan 2 (2019). Account has been taken account of the relevant material considerations and none has been found that would justify overriding the Development Plan.
89. Accordingly, the proposal is recommended for approval subject to the following conditions.

RECOMMENDATION

Approve the application.

Conditions and Reasons for Recommendation

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been lawfully started within that period.

Reason: This is a Planning Permission in terms of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of the Planning (Scotland) Act 2019.

2. 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.

3. The garage hereby approved shall be used solely for purposes incidental to the domestic enjoyment of the dwellinghouse.

Reason: In order to control and restrict the use of the building.

4. Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

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

5. 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 NatureScot 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 should 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 stockpiles, 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 the development does not impact negatively on the nearby Special Area of Conservation.

6. The conclusions and recommended action points within the supporting biodiversity survey submitted and hereby approved (document(s) 10. relates) shall be fully adhered to, respected and undertaken as part of the construction phase of development, to the satisfaction of the Council as Planning Authority.

Reason: In the interests of protecting environmental quality and of biodiversity.

7. Prior to the completion or occupation of the building(s) hereby approved, whichever is the earlier, four swift boxes/bricks shall be provided on the development hereby approved. Thereafter, the agreed scheme shall be maintained in a reasonable condition for the life of the development, to the satisfaction of the Council as Planning Authority.

Reason: In the interests of protecting environmental quality and of biodiversity.

8. Prior to the commencement of the development hereby approved, the following shall be undertaken:
- i) a pre-site meeting with the applicant's arboriculturist and the Council's Enforcement Officer (Trees) shall be held to review the recommendations of the Tree Survey Report (Document 8) and any subsequent actions from the meeting will be agreed in writing by the Council as Planning Authority and carried out to the satisfaction of the Council as Planning Authority.
 - ii) full details of the tree protection measures shall be submitted for the written agreement of the Council as Planning Authority. All trees for retention shall be protected in full accordance with BS 5837: 2012 'Trees in relation to design, demolition and construction'. Approved Tree Protection measures shall not be removed breached or altered without prior written authorisation from the local planning authority but shall remain in a functional condition throughout the entire development or as per the phasing plan. If such 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.
 - iii) a detailed landscaping and planting scheme for the site shall be submitted to and approved in writing by the Planning Authority. The scheme shall include details of boundary treatments, 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 which fails to become established within five years being replaced in the following planting season with others of a size and species as previously approved 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.

9. Prior to the commencement of development a statement shall be submitted for approval in writing by the Council as Planning Authority 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. The statement as agreed shall be fully implemented 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.

JUSTIFICATION

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

PROCEDURAL NOTES

None.

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. Please use the form attached herewith.
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. Please use the form attached herewith.
3. This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. The required information must be submitted via the ePlanning portal if your original application was lodged that way, otherwise send it to us at developmentmanagement@pkc.gov.uk. Please be aware that a fee is payable in respect of each request made, though there is no limit to the number of conditions that can be discharged in a single request. The Fees Charter is available on our website www.pkc.gov.uk.

The Council has two months to consider the information. You should therefore submit the required information more than two months before your permission expires. We cannot guarantee that submissions made within two months of the expiry date of your permission will be able to be dealt with before your permission lapses.

4. The applicant is advised to refer to Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2021 as it contains advice relevant to your development.
5. 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. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for consent to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
7. The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.
8. 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.
9. This application was varied prior to determination, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as amended. The variations incorporate changes to the material finish, the garage and boundary planting.
10. The findings and recommendations contained with the Bat Survey remain valid for a period of 24 months. If the approved planning permission is not implemented within 24 months of the date of the survey it is strongly recommended that an updated Bat Survey is undertaken prior to any works commencing. Failure to do so could potentially leave you open to prosecution should any bats be harmed as a result of the works. Please note that bats are protected by law, and it is a criminal offence to deliberately harm, capture, kill or disturb a bat or its resting place.

Background Papers: 9 letters of representation
Date: 26 January 2024

DAVID LITTLEJOHN
STRATEGIC LEAD - ECONOMY, DEVELOPMENT & PLANNING

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