

Perth and Kinross Council
Planning and Placemaking Committee – 11 October 2023
Report of Handling by Head of Planning & Development
(Report No. 23/270)

PROPOSAL:	Erection of 90 dwellinghouses, 2 residential blocks comprising 10 flats, associated infrastructure, access, SUDS and landscaping (in part, allocated site H69)
LOCATION:	Land 150 Metres South of Station House, Forfar Road, Meigle

Ref. No: 22/01501/FLM
Ward No: P2 – Strathmore

Summary

This report recommends **approval** of the application for a development comprising the erection of 90 dwellinghouses and 10 flats with associated infrastructure, access, SUDS and landscaping on land 150 Metres South of Station House, Forfar Road, Meigle.

The development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations that outweigh this conclusion.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The application site is located predominantly to the south of Forfar Road within the village of Meigle and is currently in agricultural use. A small part of the site includes an area to the north of Forfar Road, which is also currently in agricultural use. The majority of the site, with the exception of the SUDS area, is within the settlement boundary and is allocated within the Perth and Kinross Local Development Plan 2 (2019) (LDP2) as housing proposal H69.
- 2 The site extends to approximately 5.5ha and is bound to the north and west by the rear of residential properties fronting Forfar Road, Strathmore Place and Dundee Road. Meigle Primary School is also located just beyond the site's western boundary. Outwith the site boundary to the east is the route of a disused railway and beyond this to a core path which runs parallel to it. The core path is level with the site but is on the opposite side of the railway which is in a cutting for most of its length where it runs adjacent to the site. Beyond the core path to the east and to the south are agricultural fields.

- 3 The site will have a single vehicular access from Forfar Road at the north-east corner. Pedestrian links will be provided to Strathmore Place at the north-west corner, to Dundee Road to the south-west between the bowling green and Kinloch Memorial Hall and to the agricultural land at the south-east corner. A shared-use safe route to school will also be provided alongside the open space adjacent to the school.
- 4 The site will be laid out around a legible street hierarchy with a singular primary route supplemented by shared surface streets, connecting to private drives and parking courts. The majority of the houses are oriented to face a road or areas of open space. The areas along the north and east boundaries of the site will be landscaped and will incorporate footpath links through the site and adjoining areas beyond. An area of green open space will be provided adjacent to the school and will incorporate a shared use Safe Route to School.
- 5 Of the 100 residential units proposed, 75 will be for private sale with 25 affordable homes. The dwellings comprise a mix of detached, semi-detached and terraced houses and cottage flats. Eight of the dwellings will be bungalows, which will be split equally between the market and affordable housing. The unit numbers and tenure mix includes:
 - 27 x two-bedroom cottage flats and terraced/semi-detached dwellinghouses;
 - 31 x three-bedroom terraced/semi-detached/detached dwellinghouses;
 - 26 x four-bedroom detached dwellinghouses; and
 - 16 x five-bedroom detached dwellinghouses.
- 6 All of the properties will have access to a private external amenity area. The properties will be finished with smooth white render with a grey coloured facing brick base course and weatherboard. The roof coverings will be grey concrete tiles.

Pre-Application Consultation

- 7 Pre-application reference: 22/00012/PAN
- 8 The proposed development is classed as a 'Major' development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 as it proposes a residential development of 50 or more dwellings. Therefore, the applicant was required to undertake formal preapplication consultation with the local community and a Pre-Application Consultation (PAC) Report has been submitted in support of the application.

Environmental Impact Assessment (EIA)

- 9 EIA screening reference: 22/00864/SCRN

- 10 An EIA screening has been undertaken in relation to the proposal. The screening exercise concluded concluding that an EIA was not required as the proposal was not considered likely to have significant environmental effects.

DEVELOPMENT PLAN

- 11 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

- 12 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.
- 13 NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan. The Council's assessment of this application has considered the following policies of NPF4:

- Policy 1: Sustainable Places
- Policy 2: Climate Mitigation and Adaption
- Policy 3: Biodiversity
- Policy 7: Historic Assets and Places
- Policy 13: Sustainable Transport
- Policy 14: Design, Quality and Place
- Policy 15: Local Living and 20 Minute Neighbourhoods
- Policy 16: Quality Homes
- Policy 20: Blue and Green Infrastructure
- Policy 22: Flood Risk and Water Management

Perth and Kinross Local Development Plan 2

- 14 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.
- 15 The principal relevant policies are, in summary:
- Policy 1A: Placemaking
 - Policy 1B: Placemaking
 - Policy 1D: Placemaking
 - Policy 5: Infrastructure Contributions
 - Policy 6: Settlement Boundaries

- Policy 14B: Open Space Retention and Provision: Open Space within New Developments
- Policy 15: Public Access
- Policy 20: Affordable Housing
- Policy 25: Housing Mix
- Policy 26B: Scheduled Monuments and Archaeology: Archaeology
- Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
- Policy 41: Biodiversity
- Policy 42: Green Infrastructure
- Policy 52: New Development and Flooding
- Policy 53A: Water Environment and Drainage: Water Environment
- Policy 53B: Water Environment and Drainage: Foul Drainage
- Policy 53C: Water Environment and Drainage: Surface Water Drainage
- Policy 53E: Water Environment and Drainage: Water Supply
- Policy 58A: Contaminated and Unstable Land: Contaminated Land
- Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

Supplementary Guidance

- Supplementary Guidance - Developer Contributions & Affordable Housing (adopted in 2020)
- Supplementary Guidance - Flood Risk and Flood Risk Assessments (adopted in 2021)
- Supplementary Guidance - Open Space Provision for New Developments (adopted in 2021)
- Supplementary Guidance - Placemaking (adopted in 2020)

Non Statutory Guidance

- Planning Guidance - Delivery of Development Sites
- Planning Guidance - Loch Leven SPA, the Dunkeld-Blairgowrie Lochs SAC and the River Tay SAC
- Planning Guidance - Planning & Biodiversity

Planning Advice Notes

16 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

Creating Places 2013

- 17 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

- 18 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

- 19 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.

Site History

- 20 **17/0050/LDP2** On 3 March 2022 for Residential development of 64-100 units (limited to 50 during the lifetime of the plan) on a 5.7 ha site. The site has previously been allocated for the proposed use.
- 21 **22/00864/SCRN** On 8 June 2022 for Proposed housing development with associated landscape framework and infrastructure (LDP H69).
- 22 **22/00012/PAN** On 2 June 2022 for Residential development with associated landscape framework and infrastructure (in part, allocated site H69).

CONSULTATIONS

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

External

Scottish Water

- 24 No objections. There is currently insufficient capacity at Meigle Wastewater Treatment Works to service the proposed development. However, a growth enhancement project is currently underway at Meigle WWTW to provide

additional capacity that meet the needs of future growth ambitions in the catchment, and this development has been included.

Perth And Kinross Heritage Trust

25 No objections. Written Scheme of Investigation approved prior to the commencement of works.

Scottish Environment Protection Agency

26 No comments.

Dundee Airport Ltd

27 No impact.

Meigle Community Council

28 Object. Consider that there would be an adverse impact on visual amenity, increased flood risk, the development has an inappropriate character and density for the existing village, noise pollution, additional traffic, impact on local sewage works, lack of environmental improvements and lack of opportunity for employment provision.

Internal

Structures And Flooding

29 No objections.

Biodiversity/Tree Officer

30 Biodiversity improvements to be secured via condition.

Community Greenspace

31 No objections. Contribution required towards upgrade of Victory Park.

Environmental Health (Noise Odour)

32 No objections. Request for a condition to ensure that potential noise from the air source heat pumps is adequately attenuated.

Environmental Health (Contaminated Land)

33 No objections. Condition required.

Transportation And Development

34 No objections. Conditions required.

Development Contributions Officer

35 No requirement for an education contribution. 25% affordable housing to be provided on site.

Community Waste Advisor - Environment Service

36 No objections.

Representations

37 59 representations were received objecting to the proposal. The main issues raised within the representations are:

- Concerns over vehicular access to the site
- Increase in traffic
- Road safety concerns
- Loss of agricultural land
- Flooding concerns
- Increased pressure on local services
- Adverse effect on visual amenity
- Inappropriate housing density
- Development is out of character with the area
- Archaeological concerns
- Increased noise and air pollution
- Impact on sewer and drainage systems
- Loss of privacy
- Biodiversity impacts

38 These issues are addressed in the Appraisal section of the report.

ADDITIONAL STATEMENTS

39

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment under Habitats Regulations	AA Not Required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	<ul style="list-style-type: none"> • Archaeological Report • Flood Risk Assessment • Drainage Strategy Report • Ecology Report • Site Investigation Report • Landscape and Visual Appraisal • Road Safety Audit • Transport Statement • Statement of Community Benefit

APPRAISAL

40 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. In terms of other material considerations, this involves considerations of the Council's other approved policies and supplementary guidance.

Principle

- 41 The principle of the proposal has been established through the site's allocation as H69 in LDP2 for a residential development. The LDP2 allocation advises that the residential capacity of the site is 64-100 units, with this being limited to 50 during the lifetime of the Plan. When the limit of 50 units was proposed Local Development Plans were required to be reviewed and replaced over a five-year cycle, with the current LDP2 due to be replaced in 2024. However, the Planning (Scotland) Act 2019 changed this to a 10-year cycle, with LDP3 now programmed to be adopted in 2027. Had this not been changed, current build out rates for residential development sites would mean it is unlikely that more than 50 units would be completed before 2024. Therefore, the proposal for 100 units on the site is acceptable as it complies with the longer-term vision for the site in LDP2.
- 42 The principle of the development is acceptable provided the proposals are compatible with relevant policies of the development plan.

Design and Layout

- 43 Policy 14: Design, Quality and Place, Policy 15: Local Living and 20 Minute Neighbourhoods and Policy 16: Quality Homes of NPF4 are relevant as are LDP2 Policy 1: Placemaking, Policy 14B: Open Space within New Developments, Policy 17: Residential Areas, Policy 25: Housing Mix and Policy 42: Green Infrastructure.
- 44 The layout seeks to provide a logical movement pattern, particularly for non-motorised users with emphasis on creating permeability through the site. Connections take cognisance of desire lines through the site, particularly to the village centre to the north-west and Meigle Primary School that bounds part of the site to the west. The proposed core path to the east is not within the site boundary and land ownership issues mean that it is not possible to include this within the proposal. However, paths along eastern side of the site will ensure that future links can be made to the core path.
- 45 The proposed landscaping of the eastern boundary will form an appropriate transitional area between the development and the open agricultural land to the east. The landscaping will also play an important role in forming a green connection through the site which will allow for a continuation of the landscape character of the site edge. The use of feature walling at the access to the development will create a welcoming entrance to the development.

- 46 The submitted landscape masterplan illustrates a number of trees and hedgerows to be introduced as part of the development. However, it lacks detailed information and a condition (Condition 3) requiring the submission of a detailed planting plan indicating species, location and density will be necessary to secure this.
- 47 A total of 100 houses and flats are proposed. The majority of the units have been orientated to face a road or areas of open space, where they can provide passive surveillance. The proposal provides a suitable mix of 2-5 bedroom units, addressing the needs of a range of households. All of the houses will have a private garden area with the flats having private and communal spaces. Overall, the scale and density of the development is commensurate with the prevailing townscape within Meigle.
- 48 The use of a mix of car parking within the development including in-curtilage, on-street and parking courts ensures that the proposal is not car dominated.
- 49 The proposed palette of materials, including coloured render with grey or buff roof tiles is appropriate in this location and is considered acceptable.
- 50 The site has been well laid out and designed, taking into account the key constraints and opportunities. The site provides good connectivity, both within the development and with the surrounding area. The Design & Access Statement has provided a sound justification for the design and layout of the site, considering a range of key design parameters. The site also incorporates a range of 2–5- bedroom units, with the affordable housing units well interspersed within the site and located close to local amenities. The site also mixes the size range of properties across the development. Overall, the general layout, house designs and materials proposed are acceptable and contribute positively to the quality of the surrounding built and natural environment in compliance with relevant NPF4 and LDP2 policies.

Residential Amenity

- 51 Residential amenity requires to be considered under LDP Policy 1: Placemaking and Policy 17: Residential Areas.

Privacy, Daylight and Overshadowing

- 52 The location of the proposed dwellinghouses relevant to existing residential properties is such that there will be no loss of privacy or loss of daylight or overshadowing. Similarly, the new properties are adequately spaced out to prevent any impact on amenity in terms of loss of privacy, daylight or overshadowing. The proposal is therefore considered to comply with Policy 17: Residential Areas as the proposed use and impact is considered acceptable.

Noise

- 53 Some of the properties are to be fitted with air source heat pumps. Environmental Health have requested that a condition (Condition 4) be imposed to control the noise from the heat pumps in order to protect neighbouring amenity. There is potential for noise issues during the construction phase. A condition (Condition 5) is required to control working hours to ensure the construction activities are kept within reasonable times. There are no noise concerns arising as a result of the proposed development once completed.

Air Quality

- 54 The main potential long-term impact on air quality resulting from the development will be from vehicular trips. The applicant has provided a Transport Statement and traffic generation data which assess the impact of these trips. The increase in vehicle traffic flow is below the criteria requiring a full Air Quality Assessment to be undertaken. Any impact on air quality as a result of the development is considered to be negligible.

Contaminated Land

- 55 In view of the historical agricultural activities conducted, in advance of any development taking place it is deemed appropriate to have an assessment undertaken to identify any potential constraint that would be required to be mitigated through remedial measures (Condition 11).

Roads and Access

- 56 NPF4 Policy 13: Sustainable Transport seeks to encourage developments that prioritise sustainable travel while LDP2 Policy 60 Transport Standards and Accessibility Requirements requires consideration of transport and accessibility. A supporting Transport Statement has been assessed by the Council's Transport Planning team, who do not object with the scale of development and the proposed parking requirements are considered adequate.
- 57 All the detached and semi-detached properties will have driveways, with parking for the terraces and visitors largely provided in parking courts and on street. Many of the properties have driveways extending along the gables to allow vehicles to be parked away from the road in line with Designing Streets principles and aiming to reduce the visual impact of parked cars within the street scene. The use of shared surfaces within the development will reduce vehicle speeds and create a more pleasant environment for cyclists and pedestrians.
- 58 To encourage the use of sustainable transport to and from the development site, the Public Transport Unit have recommended a bus stop is upgraded in Meigle to include a Real Time Passenger Information Display Screen, supplied and fitted. It is suggested that the bus stop at or opposite Meigle Post Office shall be

upgraded, or another location agreed with the team. A condition (Condition 6) will be required to ensure the installation of the RTPPI screen.

- 59 Overall, the proposal is considered to comply with NPF4 Policy 13 and LDP2 Policy 60, subject to conditions on the installation of RTPPI screen, the requirement for a Residential Travel Plan (Condition 7) and the requirement for a Construction Traffic Management Scheme (Condition 8).

Drainage and Flooding

- 60 A SUDS and Drainage Strategy Report has been submitted in support of the application. Flooding and Structures have been consulted and initially sought clarifications in relation to the SUDS proposals. However, following the submission of further technical drawings and information, these concerns have been addressed.
- 61 Scottish Water has advised that there is currently insufficient capacity at the Meigle Wastewater Treatment Works to service the development. They further advise, however, that a growth enhancement project is currently underway at Meigle WWTW to provide additional capacity that meet the needs of future growth ambitions in the catchment, and this development has been included. The developer will be required to undertake a separate consenting process with Scottish Water before development can commence on the site.
- 62 Overall, the proposal complies with NPF4 Policy 22: Flood Risk and Water Management and LDP2 Policy 52: New Development and Flooding and Policy 53: Water Environment and Drainage.

Waste Collection

- 63 Waste collection is considered to be appropriately addressed through both the provision and access to individual properties. A swept path diagram has been submitted that confirms the site can be adequately serviced by refuse vehicles.

Archaeology and Conservation Considerations

- 64 The proposed development site is highly sensitive and is known to have significant archaeological potential. An Archaeological Written Scheme of Investigation (WSI) has been submitted and approved by the Council, in consultation with Perth and Kinross Heritage Trust. The developer is currently in the process of implementing the agreed programme of archaeological works, during which significant archaeological remains have been identified. Most of the field work has now been completed and the post excavation analysis is currently being carried out. Although the WSI has been approved and partially implemented, condition (Condition 9) is required to ensure that the programme of archaeological works is fully completed. The requested condition will ensure that

the proposal complies with NPF4 Policy 7: Historic Assets and Places and LDP2 Policy 26: Scheduled Monuments and Archaeology.

Natural Heritage and Biodiversity

- 65 NPF4 Policy 1: Sustainable Places, Policy 3: Biodiversity and Policy 4: Natural Places are relevant considerations as are LDP2 Policies 38: Environment and Conservation, and 41: Biodiversity.
- 66 A Preliminary Ecological Appraisal (PEA) has been submitted in support of the proposal. The PEA advises that there was no evidence of protected species found within the site. It is noted that the site currently holds little ecological value. However, the development provides an opportunity to create biodiversity enhancements. Therefore, a condition (Condition 10) will be imposed requiring the submission of a Biodiversity Enhancement Plan for the site, in line with NPF4 and LDP2 principles.

Developer Contributions

- 67 It is proposed that 25% of the development will be affordable housing in line with the requirement of NPF4 Policy 16: Quality homes and LDP2 Policy 20: Affordable Housing. A Section 75 legal agreement will be required to secure the delivery of the affordable housing.
- 68 Community Greenspace have advised that the development falls within the catchment for the play area at Victory Park. They have requested that a contribution towards the ongoing maintenance and future upgrade of Victory Park would be preferable to the provision of a new equipped play area within the development as previously proposed, to which the developer has agreed. A sum of £26,852 is sought, being the estimated cost of 10-year maintenance and upgrade of Victory Park.
- 69 Subject to completion of a Section 75, the application is considered to satisfy contribution and infrastructure requirements.

Economic Impact

- 70 During the construction period, jobs will be created and sustained, supporting indirect employment and revenue that this volume of construction activity will generate from employees spending on local goods and services. Longer term, additional residents to the area will support existing local employment and services in the area.

VARIATION OF APPLICATION UNDER SECTION 32A

- 71 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 layout and connections through the site.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

- 72 A Section 75 Agreement will be required to secure necessary infrastructure requirements relating to affordable housing and the upgrade of Victory Park.

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 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 of the relevant material considerations and none has been found that would justify overriding the Development Plan.
- 75 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. 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.

Reason - In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme.

4. All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

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

5. Construction work shall be limited to Monday to Friday 0700 hours to 1900 hours and Saturday 0800 hours to 1300 hours with no noisy works out with these times or at any time on Sundays or bank holidays (as identified by Scottish Government).

Reason - In order to safeguard the residential amenity of the area.

6. Prior to the occupation of any dwellinghouse approved as part of this permission, a Real Time Passenger Information Display Screen will be supplied and installed at the bus stop at Meigle Post Office, or another location as agreed with the Public Transport Unit.

Reason - To encourage the use of sustainable transport to and from the development site.

7. No part of the development shall be occupied until a Residential Travel Plan (RTP), aimed to encourage more sustainable means of travel, has been submitted to and agreed in writing by the Council as Planning Authority. The RTP will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan.

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

8. Prior to the commencement of the development hereby approved, the developer shall submit for the further written agreement of the Council as Planning Authority, in consultation with the Roads Authority (Structures), a Construction Traffic Management Scheme (TMS) which shall include the following:
- (a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;
 - (b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
 - (c) a code of conduct for HGV drivers to allow for queuing traffic to pass;
 - (d) arrangements for liaison with the Roads Authority regarding winter maintenance;
 - (e) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
 - (f) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
 - (g) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
 - (h) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;
 - (i) details of information signs to inform other road users of construction traffic;
 - (j) arrangements to ensure that access for emergency service vehicles are not impeded;
 - (k) co-ordination with other significant developments known to use roads affected by construction traffic;
 - (l) traffic arrangements in the immediate vicinity of temporary construction compounds;
 - (m) the provision and installation of traffic counters at the applicant's expense at locations to be agreed prior to the commencement of construction;
 - (n) monitoring, reporting and implementation arrangements;
 - (o) arrangements for dealing with non-compliance; and
 - (p) details of HGV movements to and from the site.

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

Reason - In the interests of road safety.

9. 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 (WSI) which has been submitted by the developer and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust (PKHT). 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. Should the archaeological works, as required by the WSI, identify a requirement for post-excavation analysis, the development as approved shall not be occupied or brought into use until a Post-Excavation Research Design (PERD) has been submitted to and agreed in writing by the Council as Planning Authority, in consultation with PKHT. The PERD shall be carried out in complete accordance with the approved details. Furthermore, the developer shall afford access at all reasonable times to PKHT or a nominated representative and shall allow them to observe work in progress.

Reason - To ensure a programme of archaeological works is carried out to safeguard and record any archaeological remains within the development area.

10. Prior to the commencement of the development hereby approved, a Biodiversity Enhancement Plan for the site shall be submitted for the written agreement of the Council as Planning Authority. Thereafter, the agreed scheme shall be implemented to the satisfaction of the Council as Planning Authority.

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

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

Permission shall not to be issued until the Section 75 Agreement has been signed and registered to take account of this application. The legal agreement should be concluded and completed within 4 months of the date of any Committee approval. Failure to conclude a legal agreement within 4 months will result in the planning application being re-assessed through failing to comply with the associated developer contributions policy and may be ultimately recommended for refusal under delegated powers.

D 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. 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.
5. 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.
6. 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. <https://www.pkc.gov.uk/ldp2floodrisk>
7. Application for a new postal address should be made via the Street Naming and Numbering page on the Perth & Kinross Council website at www.pkc.gov.uk/snn. Please note there is a charge for this service and submission cannot be made until the relevant Building Warrant has been approved.
8. This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as

amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 the notice must be:

- Displayed in a prominent place at or in the vicinity of the site of the
 - development
 - Readily visible to the public
 - Printed on durable material.
9. No work shall be commenced until an application for building warrant has been submitted and approved.
10. 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 layout and connections through the site.
11. The applicant is advised that any proposed signage will require a further application to be submitted for advertisement consent unless it benefits from express consent as per the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

Background Papers: 61 letters of representation
Contact Officer: Alex Gudgeon
Date: 29 September 2023

**DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT**

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