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Council Building
2 High Street
Perth
PH1 5PH

24 December 2020

A meeting of the **Planning and Development Management Committee** will be held virtually on **Wednesday, 13 January 2021 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 Tom Gray
Councillor David Illingworth
Councillor Ian James
Councillor Tom McEwan
Councillor Callum Purves
Councillor Crawford Reid
Councillor Willie Robertson
Councillor Richard Watters
Councillor Willie Wilson

Planning and Development Management Committee

Wednesday, 13 January 2021

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**
- 2 DECLARATIONS OF INTEREST**
- 3 MINUTE OF MEETING OF THE PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE OF 15 DECEMBER 2020 FOR APPROVAL (copy herewith) 5 - 28**
- 4 DEPUTATIONS**
- 5 APPLICATIONS FOR DETERMINATION**
- 5(1) MAJOR APPLICATION**
- 5(1)(i) 19/02033/IPM - PERTH - EMPLOYMENT USE DEVELOPMENT (CLASS 4, 5 AND 6) AND ASSOCIATED WORKS (LDP2 ALLOCATED SITE E38), LAND SOUTH OF TARGET HOUSE, RUTHVENFIELD ROAD, INVERALMOND INDUSTRIAL ESTATE, PERTH 29 - 58**
Report of Handling by Head of Planning and Development
(Recommendation - Approve) (copy herewith 21/1)
- 5(2) PROPOSAL OF APPLICATION NOTICE (PAN)**
- 5(2)(i) 20/00010/PAN - PERTH - MASTERPLAN COMPRISING RESIDENTIAL DEVELOPMENT, EXTENSION TO HOTEL, ERECTION OF HOTEL ACCOMMODATION UNITS, STAFF ACCOMMODATION UNITS, SPA FACILITY, GOLF TRAINING AND INDOOR SPORTS BUILDING, FORMATION OF CAMPING GROUNDS, OUTDOOR SPORTS GROUNDS, PHOTOVOLTAIC SITES, ACCESS ROADS, SUDS PONDS, LANDSCAPING AND ASSOCIATED WORKS, MURRAYSHALL HOUSE HOTEL, MURRAYSHALL, PERTH 59 - 70**
Pre-Application Report by Head of Planning and Development

(copy herewith 21/2)

- 5(2)(ii) 20/00011/PAN - PERTH - FORMATION OF ENERGY STORAGE FACILITY COMPRISING BATTERY STORAGE CONTAINER UNITS, ANCILLARY EQUIPMENT, BOUNDARY TREATMENTS, LANDSCAPING AND ASSOCIATED WORKS, LAND SOUTH WEST OF NOAH'S ARK, OLD GALLOWS ROAD, PERTH**
Pre-Application Report by Head of Planning and Development
(copy herewith 21/3)

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Minute of meeting of the Planning and Development Management Committee held virtually on Tuesday 15 December 2020 at 10.00am.

Present: Councillors R McCall, B Brawn, H Anderson (up to and including Item 5(1)(i)), M Barnacle, E Drysdale, T Gray, D Illingworth, I James, C Purves, C Reid, R Watters, M Williamson and W Wilson.

In Attendance: D Littlejohn, K Smith, J Scott, A Condliffe, L MacLean, A Rennie, H Donaldson, A Belford, C Stewart, G Bissett, L Reid, C Elliott, D Williams, A Brown, M Pasternak, C Wright, B Parker and A McMeekin (all Corporate and Democratic Services).

Councillor R McCall, Convener, Presiding.

1. WELCOME AND APOLOGIES

The Convener welcomed everyone present to the meeting.

2. DECLARATIONS OF INTEREST

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

3. MINUTES

The minute of meeting of the Planning and Development Management Committee 18 November 2020 was submitted and approved as a correct record subject to Appendix 1 being altered to indicate that the mover of the Amendment was Councillor C Purves and not Councillor M Williamson.

4. DEPUTATIONS

In terms of Standing Order 72, the Committee agreed to hear deputations in relation to the following planning application:

Planning Application No.
20/01242/FLM
20/00883/IPL

Art. No.
5(1)(i)
5(2)(ii)

5. APPLICATIONS FOR DETERMINATION

(1) Major Applications

- (i) **20/01242/FLM – GLENFARG – Erection of an energy from waste facility including ancillary buildings, formation of vehicular access, infrastructure, landscaping, drainage and associated works, Binn Farm, Glenfarg – Report 20/243 – Binn Group Ltd**

Mr J Scott introduced the report and provided the following update:

In recommended condition 5(c) the word “alter” in the last line to instead read “alert”, and in recommended condition 16 the words “National Grid” in the third and fifth lines to instead read “national electricity grid”.

Mr S Fraser, on behalf of the applicant, addressed the Committee and answered members questions via audio conference.

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 that the development is carried out in accordance with the plans approved.
2. Prior to the development hereby approved being completed or brought into use, all matters regarding access, 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 the interests of pedestrian and traffic safety and in the interests of free traffic flow.
3. The approved Energy from Waste facility is hereby permitted to operate 24 hours a day, 7 days a week. The delivery of waste and consumables to the site shall be carried out between 0700 and 1900 Monday to Sunday only.
Reason: In the interests of residential and environmental amenity.
4. The chimney stack hereby approved as part of this development shall not be lower than 70 metres in height.
Reason: In the interest of environmental quality.
5. Prior to commencement of work on site, the applicant shall submit a Traffic Management Plan for the written agreement of the Council as Planning Authority, in consultation with the Roads Authority. This plan should specify:
 - a) proposals that encourage all HGVs delivering or servicing to/from the Energy from Waste Facility to access the site via Junction 9 of the M90 and

thereafter the northern approach to the site via the A912;

- b) detailed monitoring arrangements; and
- c) a scheme for the provision of site notices at the Binn Farm access off the A912, to alert drivers to follow the preferred route.

Once approved, site delivery and servicing shall be undertaken in accordance with the approved Traffic Management Plan.

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

6. All heavy commercial vehicles carrying bulk materials or waste into and out of the site during the construction, operational and decommissioning phases of development shall be covered unless the load is otherwise enclosed, except when required to inspect incoming loads of waste.

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

7. Prior to the commencement of the development hereby approved, the applicant shall submit for the 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) 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 pedestrian and traffic safety and in the interests of free traffic flow.

8. Development shall not commence until a detailed Construction Environmental Management Plan (CEMP) detailing environmental mitigation measures for the control of dust and noise and construction method statements, including specific measures for environmental monitoring during the construction, shall be submitted for the further written agreement of the Council Planning Authority in consultation with Environmental Health and/or SEPA.

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 the development hereby approved, an independent and suitably qualified Ecological Clerk of Works (ECoW) shall be appointed at the developers' expense. Details of this appointment shall be subject to the prior written agreement of the Council as Planning Authority. The appointed person will remain in post for the duration of the proposed development.

The ECoW shall have responsibility for the following:

- a) Implementation of the Construction Environmental Management Plan (CEMP) approved by this permission.
- b) Implementation of biodiversity improvements including retention of M27 priority habitat for use elsewhere within the site.
- c) Implementation of the Aftercare Monitoring Plan (AMP) required by this permission.
- d) Authority to stop operations or to alter construction methods should there be any works occurring

which are having an adverse impact on the natural heritage.

- e) Prior to the commencement of development, they shall provide an environmental/ecological tool box talk for construction staff.
- f) They will have authority to amend working practices in the interests of natural heritage. Any amendments shall be submitted to the Council as Planning Authority as an addendum to the approved CEMP.
- g) They shall make weekly visits to the development site at a time of their choosing. No notification of this visit is required to be given to the developer or contractor.
- h) Within 10 working days of the end of each calendar month, they are required to submit a detailed monthly report for the review of the Planning Authority in consultation with Scottish Environment Protection Agency (SEPA) for the duration of development.
- i) They shall notify the Council as Planning Authority in writing of any requirement to halt development in relation to this condition as soon as reasonably practicable.

The above shall be implemented throughout the construction of the development hereby approved unless otherwise agreed in writing with the Council as Planning Authority. The CEMP shall contain a site-specific Construction Method Statement (CMS) which will provide concise details for the implementation of the CEMP for site operatives.

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

10. Prior to the commencement of the development hereby approved, details of the proposed boundary treatments for the site shall be submitted for the written agreement of the Council as Planning Authority. The scheme as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

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

11. All external lighting shall be sufficiently screened and aligned to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.

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

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

13. The conclusions and recommended action points within the supporting Invasive Species Report submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.

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

14. Development shall not commence on site until a detailed sustainable urban drainage system (SUDS) has been submitted for the written agreement of the Council as Planning Authority, in consultation with SEPA where necessary. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C753) and the Council's Flood Risk and Flood Risk Assessments Developer Guidance and shall incorporate source control. All works shall be carried out in accordance with the agreed scheme and be operational prior to the bringing into use of the development.

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

15. Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility which implemented for the site and maintained for the duration of the approved development works. The temporary surface water treatment facility shall remain in place until the permanent surface water drainage scheme is implemented.

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

16. Prior to the acceptance of any waste for treatment at the facility the operator shall have written permission from the relevant competent authority to export electricity to the national electricity grid and have a physical connection in place such that power generated for export can be sent to the national electricity grid from the commencement of operations.

Reason: To ensure onward grid connection.

Justification

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

Informatives

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. 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. Please send the required information to us at developmentmanagement@pkc.gov.uk. Please be

aware that the Council has two months to consider the information (or four months in the case of a Major planning permission). You should therefore submit the required information more than two months (or four months) before your permission expires. We cannot guarantee that submissions made within two months (or four months) of the expiry date of your permission will be able to be dealt with before your permission lapses.

5. The applicant is advised to refer to Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2014 as it contains advice relevant to your development.
https://www.pkc.gov.uk/media/24772/Flood-Risk-and-FRA/pdf/Flood_Risk_and_FRA_-_June_2014.pdf?m=635379146904000000
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 is advised that in terms of Sections 21 of the Roads (Scotland) Act 1984 he/she/they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. 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.
8. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
9. The site will be regulated by SEPA under the Pollution Prevention and Control (PPC) Regulations. As such the applicant will require to apply to SEPA for a permit to operate under these Regulations.
10. Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).
11. Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or

screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

12. A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from the construction site.
See SEPA's [Sector Specific Guidance: Construction Sites \(WAT-SG-75\)](#) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office. Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website or by contacting waterpermitting@sepa.org.uk or wastepermitting@sepa.org.uk.
13. No work shall be commenced until an application for building warrant has been submitted and approved.

Environmental Impact Assessment (EIA) Decision

The proposed development was determined by Perth & Kinross Council under the provisions of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 to be EIA development. In accordance with Regulation 29, notice of this decision is hereby given in respect of the following:

The application submitted an EIA Report dated August 2020. The public had opportunity to participate in the decision-making process through notification of the EIA Report was undertaken for premises on neighbouring land and it was publicised on the Planning Authority's website, in the Edinburgh Gazette and the Perthshire Advertiser. The EIA Report was also available for public inspection online.

The EIA Report provides a summary of the baseline, the information gathered to consider the likely significant effects on the environment and details of environmental mitigation and monitoring that are to be incorporated in to the proposal. The significant effects on the environment were identified to be:

- Air Quality
- Noise Pollution
- Ecology
- Traffic and Transport
- Scheduled Monument of Balvaird Castle

The Planning Authority is satisfied that the EIA Report is up-to-date and complies with Regulation 5 and is therefore suitable for determination of the planning application.

The Planning Authority has considered the EIA Report, other environmental information and recommendation from the consultation's bodies. It is concluded that the development will not give rise to any unacceptable significant environmental effects. In reaching this conclusion, regard has been given to environmental design and mitigation measures incorporated into the proposal, as well as a regime for the ongoing monitoring measures for the construction and operation of the development. These mitigation and monitoring measures include the provision of the following;

- Woodland Planting and Landscaping
- Assessment of visual impact on Scheduled Monument
- Construction and Environment Management Plan (CEMP)
- Construction Traffic Management Scheme (CTMS)
- Travel Plan
- SUDs
- Air Quality Assessment
- Noise Assessment
- Habitat Assessment

In the absence of unacceptable and significant environmental impacts, and subject to the mitigation and monitoring measures secured through planning conditions 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14 and 15 as set out herein, the proposal is acceptable and can be approved.

COUNCILLOR H ANDERSON LEFT THE MEETING AT THIS POINT.

- (ii) **20/01513/AMM - AUCHTERARDER - Erection of 29 dwellinghouses, 5 garages and associated works (revised design and change of house type for plots 27-30, 36, 43, 82, 89, 107, 109, 120, 121-129, 130-137 and 139), land south of Benton Road, Auchterarder – Report 20/244 – Stewart Milne Homes**

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. 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 the interests of public health and to prevent noise pollution.

3. The detailed landscaping and planting scheme which is hereby approved shall be completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier. The approved scheme shall thereafter be maintained to the satisfaction of the Council as Planning Authority, with 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.

Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and to ensure the satisfactory implementation of the proposed planting scheme.

4. 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.

5. Prior to the commencement of development hereby approved, a scheme shall be submitted to, and approved in writing by, the Council as Planning Authority that demonstrates how at least 10% of the current carbon emissions reduction set by the Scottish Buildings Standards will be met through the installation and operation of low and zero-carbon technologies. This scheme shall detail for each building:

- a) the technology types;
- b) illustrate, through technical calculations, that these will meet at least the 10% reduction;
- c) their siting and location; and
- d) ongoing operation and maintenance.

Once approved, the development shall be completed in accordance with the approved scheme and no individual unit shall be occupied until the scheme has been installed and operating.

Reason: To embed low and zero-carbon technologies within the development in the interest of environmental

sustainability and in accordance with Policy 32 of Perth and Kinross Local Development Plan 2 (2019) (LDP2).

Justification

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure from the relevant policies.

Informatives

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this permission or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
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. 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. According to 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.
5. The applicant is advised that in terms of Sections 21 of the Roads (Scotland) Act 1984 he/she/they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. 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 detailed design of all SUDS shall conform to 'PKC Flooding and Flood Risk

Guidance Document (June 2014)', or any subsequent update.

7. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD for a new postal address. The form is downloadable from www.pkc.gov.uk and should be returned to snn@pkc.gov.uk.
8. 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 permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
9. No work shall be commenced until an application for building warrant has been submitted and approved.
10. The applicant is continued to be encouraged to provide for hedgehog shelter, hibernation in, and commuting through the development, through the design of gardens, decking and access to gardens and greenspaces. Access gaps in wooden fences should be 13cm x 13cm. Advice and assistance is available directly from the Tayside Biodiversity Partnership. Further guidance is available on <https://www.hedgehogstreet.org/>
11. The applicant is reminded that this site is still subject to a Section 75 Legal Agreement, securing Developer Contribution requirements and other matters, as secured as part of planning permission 16/0189/IPM. This permission continues to be tied by this legal agreement and the associated requirements will continue to apply. The terms of the obligation can be viewed via PKC [Public Access](#) or at the Registers of Scotland (www.ros.gov.uk).

(2) Local Applications

- (i) **20/00505/FLL - PERTH - Erection of 49 dwellinghouses and associated works (LDP2 allocated site E340), land to the west of Cherrybank Gardens, Perth – Report 20/245 – The John Dewar Lamberkin Trust/CPL/Bellway Homes**

Motion (Councillors R McCall and I James)

Grant, subject to the following conditions and informatives:

Conditions

1. **The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.**

Reason: To ensure that the development is carried out in accordance with the plans approved.

- 2.** Prior to the occupation of any residential plot, all matters regarding access, 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 and to the satisfaction of the Planning Authority.

Reason: In the interest of vehicle and pedestrian safety and in accordance with the policies of the adopted Perth and Kinross Local Development Plan 2019.

- 3.** Prior to the occupation of any residential plot, details of the specification including materials of all footpaths shall be submitted to the Planning Authority for further approval. The agreed detail shall thereafter be implemented prior to the completion of the development to the satisfaction of the Council as Planning Authority.

Reason: In the interest of pedestrian safety.

- 4.** Prior to the commencement of development, authorised by this permission, a landscape strategy and plan addressing the following shall be submitted for the further approval of this Planning Authority;
- a detailed planting scheme of the northern embankment (off-site), and
 - a detailed plan including planting associated to the path connection with Phase 3 and the Broxden Park and Ride (off-site)

The scheme shall include details of the height and slopes of any mounding or recontouring of the site, species, height, size and density of trees and shrubs to be planted, as well as paths and hard landscaping elements, and the scheme as subsequently approved shall be implemented fully within one calendar year of the commencement of development and thereafter 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 sizes and species and maintained to the satisfaction of the Council as Planning Authority.

Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in pursuance of suitably satisfying placemaking policy criteria of the adopted Perth and Kinross Local Development Plan 2019.

5. Prior to commencement of development, an updated and detailed Construction Environmental Management Plan (CEMP) detailing environmental mitigation measures and construction method statements, including specific measures for environmental monitoring during construction, shall be submitted to and approved in writing by the Planning Authority. Such details shall be submitted not less than two months prior to the agreed scheduled commencement date and shall incorporate detailed pollution avoidance and mitigation measures for all construction elements. Thereafter the approved CEMP shall thereafter be fully respected and adhered to through the construction phase of the development.
Reason: To ensure the construction phase is carefully managed to minimise landscape impacts and mitigate for any associated impacts on ecology, neighbours, general public and the wider environment.
6. For the duration of all construction activities, where site boundaries affect trees, the development shall fully comply with, respect and remain in full accordance with BS5837 2012: 'Trees in relation to construction, demolition and construction. Recommendations'.
Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
7. Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility shall be implemented on site and maintained for the duration of the approved development works. The temporary surface water treatment facility shall remain in place until the permanent surface water drainage scheme is implemented unless otherwise agreed in writing by the Council as Planning Authority.
Reason: To ensure the appropriate management of construction surface water run-off to minimise flooding and avoid discharge of sediment/pollution to the local water environment or neighbouring property, in the interests of residential and environmental amenity.
8. The occupation of the first dwelling hereby approved shall not occur until the proposed off-site footpath connection linking this site to both Phase 3 of the 'Charlotte Gate' residential development and the Broxden Park and Ride site, as shown in drawing

number 20/00505/33 and 20/00505/35, has been delivered to the satisfaction of the Planning Authority.

Reason: In the interest of sustainable transport.

9. The occupation of the first dwelling hereby approved shall not occur until the proposed off-site land embankment along the northern boundary, as shown in drawing number 20/00505/33 and 20/00505/34, is completed to satisfaction of the Planning Authority.

Reason: In the interest of structural integrity and visual amenity.

10. Within the development hereby approved, 25% of two storey-dwellings shall contain a bird nesting brick or box. Prior to the commencement of development hereby approved, details a scheme that details the location and specification of the bird nesting bricks or boxes; bat bricks, boxes or tubes shall be submitted for the further written agreement of the Council as Planning Authority. Thereafter, the bird nesting bricks or boxes shall be installed in accordance with the agreed details prior to the occupation of the relevant residential unit.

Reason: In the interest of enhancement of biodiversity.

11. Prior to the occupation of Plots 418 to 431 (inclusive), a 1.8-metre-high acoustic barrier shall be installed along the southern boundary of the gardens adjacent to these plots to accord with the fencing scheme and specifications set out in Figure 6 of the approved Noise Impact Assessment (document reference 'AS0788 Broxden Noise rev04' dated 21 October 2020) and drawing number 20/00505/32.

Reason: In the interests of residential and environmental amenity.

12. Prior to the occupation of Plots 401 to 411 (inclusive), a 1.8-metre-high acoustic barrier shall be installed along the northern boundary of the gardens adjacent to these plots to accord with the fencing scheme and specifications set out in Figure 6 of the approved Noise Impact Assessment (document reference 'AS0788 Broxden Noise rev04' dated 21 October 2020) and drawing number 20/00505/32.

Reason: In the interests of residential and environmental amenity.

13. Prior to the occupation of the relevant houses, acoustic glazing with a sound reduction index of 33dB R_w and a trickle vent reduction index of 35dB $D_{n,e}$ shall be installed in all ground floor and first floor habitable room windows on the most exposed elevation of dwellings within the plots as detailed in

Figures 5.1 and 5.2 of the approved Noise Impact Assessment (document reference 'AS0788 Broxden Noise rev04' dated 21 October 2020) and drawing number 20/00505/32. The glazing and trickle vents as installed shall be retained.

Reason: In the interests of residential and environmental amenity.

14. Prior to commencement of the development, a detailed Construction Management Plan (CMP) detailing mitigation measures for dust and noise controls and specific measures for monitoring during construction, shall be submitted to and approved in writing by the Planning Authority. Thereafter the approved CMP shall be fully respected and adhered to through the construction phase of the development.

Reason: In the interests of residential and environmental amenity.

15. The discharge of any surface water drainage shall be limited to a greenfield betterment runoff rate of 50%. All discharge rates shall be agreed in writing with the Planning Authority, in consultation with the Flood Risk Team, prior to the commencement of works on site and thereafter implemented to the agreed rate.

Reason: To reduce flood risk.

16. No works shall take place within 10m of any flood apparatus constructed as part of the Perth Flood Prevention Scheme without the prior written approval of the Perth & Kinross Flooding Team.

Reason: Maintain the integrity of the Perth Flood Prevention Scheme defences.

17. Prior to the completion of the development, Watercourses 1, 2 and 3 (as referred to in the Flood Risk Assessment dated 2 August 2012 KC485) shall be inspected and cleared of any impediments likely to create any obstruction to the free flow of water within the development and for 300m (or length otherwise agreed with the Planning Authority) upstream and downstream of the proposed development; all to the satisfaction of the Council as Roads Authority.

Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in accordance with LDP2.

18. The developer shall ensure that during the construction of the development that all surface water is controlled, treated and discharged under the principles of SUDS, as contained in the SUDS Manual (C697) and Site Handbook for the Construction of

**SUDS (C698) published by CIRIA, all to the satisfaction of the Council as Flood Authority.
Reason: In the interests of best practise surface water management; to avoid undue risk to public safety and flood risk.**

- 19. Storm water drainage from all paved surfaces shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.**

Reason: In the Interest of vehicle and pedestrian safety and in accordance with the drainage policies of LDP2.

Justification

There are material considerations that result in a recommendation to depart from the approved Development Plan.

Procedural Notes

Decision should not be issued until after the developer contributions are paid.

Informatives

- 1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.**
- 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 applicant is advised that to enable any remaining negative suspensive conditions associated with the 20/00505/FLL planning approval to be fulfilled development may have to**

be undertaken outwith the application site. These works themselves may require the submission of a planning application.

5. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
6. The applicant is advised that in terms of Sections 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. 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.
7. The applicants are advised that they must apply to the Roads Authority, for construction consent to form a new street. Please contact The Construction and Maintenance Manager, The Environment Service, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
8. The applicant is advised that the granting of planning consent 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 permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
9. The applicant is advised that the works are likely to need a license under the Water (Controlled Activities) Regulations 2005 (CAR). The applicant should contact SEPA's Perth Environmental Protection and Improvement Team (Tel: 01738 627989) in regard to this. The applicant should ensure that all works on site comply with the best practice guidelines laid out in SEPA's published Pollution Prevention Guidance, found at www.sepa.org.uk.
10. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
11. Hedgehogs are a key species in the Tayside LBAP and enhancing connectivity is an objective. There are records of hedgehogs in the area and the urban

habitat and gardens will provide a suitable resource for hedgehogs. Commuting should be made possible by creating access gaps in wooden fences 13cm x 13cm at ground level.

12. Developer should note that refuse collection vehicles will only enter the site during development where there is clear access and suitable turning; this means that Waste Services may not be able to provide a full kerbside recycling service to residents whilst the build is ongoing and bins may have to be emptied from a specified collection point until full access is made available for refuse collection vehicles.
13. The developer should contact the Community Waste Team to discuss bin collections as the site progresses.
14. The road and pavement from the bin collection point to the refuse collection vehicle must be at maximum 10 metres and a hard-standing surface. It must have a level gradient and a smooth surface; use dropped kerbs where appropriate.
15. All domestic properties require an appropriate storage area for a minimum of 3 bins (1 for general waste, 1 for garden & food waste and 1 for dry mixed recyclates/paper) and suitable access/surface to wheel the bins from the storage area to the kerbside where they must be presented for collection.

Amendment (Councillors W Wilson and E Drysdale)

Defer the application, to allow for additional information to be brought forward to a future meeting of the Planning and Development Management Committee, with regards to:

1. The inspection of the wet ponds following recent flood events;
2. Scottish Water infrastructure and the effect of the proposal on that;
3. SEPA's position on flooding and the extent to which recent flood events have been taken into account; and
4. Recent flood events and the mitigation measures of the proposal.

In accordance with Standing Order 58, a roll call vote was taken.

6 members voted for the Motion as follows:

Councillors B Brawn, T Gray, D Illingworth, I James, R McCall and M Williamson.

6 members voted for the Amendment as follows:

Councillors M Barnacle, E Drysdale, C Purves, C Reid, R Watters and W Wilson.

In terms of Standing Order 56 the convener took the casting vote in favour of the Motion.

Resolved:

In accordance with the Motion.

- (ii) **20/00883/IPL - COUPAR ANGUS - Renewal of planning permission 17/00958/IPL (residential development) (in principle), land to the west of Highfield, Beech Hill Road, Coupar Angus – Report 20/246 – Mr W Abernethy**

Mr D Roche, objector, addressed the Committee and answered members questions via audio conference.

Resolved:

Grant, subject to the following conditions and informatives:

Conditions

1. The development shall not commence until the following specified matters have been the subject of a formal planning application for the approval of the Council as Planning Authority: the siting, design and external appearance of the development, the hard and soft landscaping of the site, all means of enclosure, means of access to the site, vehicle parking and turning facilities, levels, drainage and waste management provision.
Reason: This is a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006.
2. The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2020 in line with Policy 5: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2 (2019) with particular regard to primary education infrastructure, or such subsequent Guidance and Policy which may replace these.
Reason: To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2020.
3. The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2020 in line with Policy 20: Affordable Housing of the Perth & Kinross Local Development Plan 2 (2019),

or such subsequent Guidance and Policy which may replace these.

Reason: To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2020.

4. Further to Condition 1 above, all matters regarding access, 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 the interest of road and pedestrian safety.

5. 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 Scottish Planning Policy.

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. Application for the approval of matters specified in conditions shall be made before the expiration of 3 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.

The approved development shall be commenced not later than the expiration of 3 years from the date of grant of planning permission in principle or 2 years from the final

approval of matters specified in conditions, whichever is later.

2. The applicant should be fully aware of the comments and recommendations made by Transport Planning in their memorandum dated 4 August 2020.

5(3) Proposal of Application Notice (PAN)

- (i) **20/00009/PAN - PERTH - Proposed employment/business park (use classes 4, 5 and 6) and associated works, land north of Thomson Landscapes, Inchcape Place, Perth – Report 20/247**

Councillor Wilson requested that consideration be given to road traffic matters, with particular reference to heavy goods vehicles during the construction phase, roads, and access. Councillor Wilson further requested that consideration be given to landscaping of the site, and drainage and flooding matters.

Councillor Drysdale requested that, at application stage, North Muirton Community Council be consulted.

The contents of the Head of Planning Development's Report were noted.

Perth and Kinross Council
Planning & Development Management Committee – 13 January 2021
Report of Handling by Head of Planning & Development (Report No. 21/1)

PROPOSAL: Employment use development (Class 4, 5 and 6) and associated works (LDP2 allocated site E38)

LOCATION: Land south of Target House, Ruthvenfield Road, Inveralmond Industrial Estate, Perth

Ref. No: [19/02033/IPM](#)
Ward No: P11 - Perth City North

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 would warrant departing from the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The site comprises approximately 15 hectares (ha) of agricultural land, bordered by primarily by Inveralmond Industrial Estate to the north (across Ruthvenfield Road) and to the east. The B993 Bertha Park link road defines the western boundary, this mainly serves the ongoing Bertha Park development further to the north. That road also forms part of the first phase of the Cross Tay Link Road (CTLR) project – the A9/85 junction. The A9 trunk road lies to the south. To the north-west, across Ruthvenfield Road is the Double Dykes Gypsy/Traveller site and beyond the proposed Almond Valley Village development area.
- 2 The application site forms the majority of the Local Development Plan 2 (LDP2) allocation known as 'E38' (23.6ha), which is identified for employment uses.
- 3 Planning Permission in Principle (PPP) is sought to provide a mix of Class 4 (business), Class 5 (general industrial) and Class 6 (storage or distribution) uses and related access, landscaping, drainage and other infrastructure. As required by the site-specific requirements of its allocation in LDP2, an indicative masterplan has been submitted. This indicates buildings combining to provide around 30,000sqm of floorspace. Two road junctions are proposed, the primary access off Ruthvenfield Road to the north and the second would see a continuation of Ruthvenfield Way from the existing employment area to the east.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 4 The proposal is of a type listed within Schedule 2 of the EIA Regulations and has been subject of EIA screening (18/01958/SCRN). Having considered the

proposal's characteristics, location and likely significant environmental effects, the Planning Authority adopted an opinion that the proposal is EIA development. An EIA Report has been submitted and an assessment of the report's findings and significant environmental effects is provided in the appraisal section below.

Pre-Application Consultation

- 5 The proposed development is classed as a Major development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Therefore, the applicant was required to undertake formal pre-application consultation with the local community and a Report on this supports the application.

National Policy and Guidance

- 6 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 2014

- 7 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. This is a statutory document and material consideration in any planning application. It 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

- 8 The Scottish Planning Policy (SPP) 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.
- 9 The following sections of the SPP will be of particular importance in the assessment of this proposal:
 - Sustainability: 24 – 35
 - Placemaking: 36 – 57
 - Valuing the Natural Environment: 193 – 218
 - Maximising the Benefits of Green Infrastructure: 219 – 233
 - Managing Flood Risk and Drainage: 254 – 268
 - Promoting Sustainable Transport and Active Travel: 269 – 291.

Planning Advice Notes

- 10 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 1/2011 Planning and Noise
- PAN 40 Development Management
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 60 Planning for Natural Heritage
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 68 Design Statements
- PAN 69 Planning & Building Standards Advice on Flooding
- PAN 75 Planning for Transport
- PAN 77 Designing Safer Places
- PAN 79 Water and Drainage
- PAN 83 Masterplanning.

Designing Streets 2010

- 11 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.

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.

National Roads Development Guide 2014

- 13 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

- 14 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

- 15 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.”

- 16 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application;
- Policy 1: Locational Priorities
 - Policy 2: Shaping Better Quality Places
 - Policy 3: A First Choice for Investment
 - Policy 8: Green Networks
 - Policy 9: Managing TAYplans Assets
 - Policy 10: Connecting People, Places and Markets.

Perth and Kinross Local Development Plan 2

- 17 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.
- 18 The principal relevant policies are, in summary;
- Policy 1: Placemaking
 - Policy 2: Design Statements
 - Policy 4: Perth City Transport and Active Travel
 - Policy 5: Infrastructure Contributions
 - Policy 7: Employment and Mixed Used Areas
 - Policy 15: Public Access
 - Policy 21: Gypsy/Traveller Sites
 - Policy 23: Delivery of Development Sites
 - Policy 26: Scheduled Monuments and Archaeology
 - Policy 27: Listed Buildings
 - Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
 - Policy 34: Sustainable Heating &Cooling
 - Policy 38: Environment and Conservation
 - Policy 39: Landscape
 - Policy 41: Biodiversity
 - Policy 42: Green Infrastructure
 - Policy 47: River Tay Catchment Area
 - Policy 51: Soils
 - Policy 52: New Development and Flooding
 - Policy 53: Water Environment and Drainage
 - Policy 54: Health and Safety Consultation Zones
 - Policy 55: Nuisance from Artificial Light and Light Pollution
 - Policy 56: Noise Pollution

- Policy 57: Air Quality
- Policy 58: Contaminated and Unstable Land
- Policy 60: Transport Standards and Accessibility Requirements.

LDP2 Allocation

19 E38 Ruthvenfield Road 23.6ha Employment uses (core)

Site-Specific Developer Requirements

- A Masterplan setting out the phasing and the comprehensive development of the whole of this site is required at the time of any planning application.
- A Flood Risk Assessment will be required. Areas protected by the Flood Protection Schemes should be subject to appropriate mitigation measures including water resistance, and water resilience measures and evacuation procedures.
- Perth Area contribution to road infrastructure (A9/A85 junction improvements required at commencement of development) (phasing details to be agreed).
- Facilities to enable expansion area to be connected to Perth's bus network.
- Tree survey required: integration of existing landscape framework into the development to the site and in particular the protection of woodland so that it forms the backdrop to the development.
- Integration of existing landscape framework into the development.
- Network of paths and cycle routes providing good active travel links.
- Green corridors in particular along the River Tay to link the site with Perth and wider countryside.
- Enhancement of biodiversity.
- Energy Statement is required investigating the potential for the provision of, and/or extension to, a heat network to serve the development. The Energy Statement will be expected to consider possible linkages to site H319.
- Area of archaeological potential, investigation required.

Other Policies

- 20 Tay Cities Region Economic Strategy 2019-2039.
- 21 Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016.

Relevant Site History

- 22 [17/00551/SCRN](#) EIA Screening for development of site for business, industrial and storage use and associated works. Decision Issued May 2017 – EIA Required.
- 23 17/00004/PAN Proposal of Application Notice (PoAN) Commercial development (classes 1, 3, 4, 5, 6 and car showroom sui generis), landscaping, vehicular access and associated works. Approved May 2017.

- 24 [18/00006/PAN](#) Proposal of Application Notice (PoAN) Erection of industrial units (classes 4, 5 and 6), formation of SUDS, landscaping and associated works. Approved July 2018.
- 25 [18/01958/SCRN](#) EIA Screening for employment development (Class 4, 6 and 6) and associated works. Decision issued November 2018 – EIA Required.

CONSULTATIONS

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

External

- 27 **Scottish Environment Protection Agency:** No objection.
- 28 **NatureScot:** No objection.
- 29 **RSPB:** No comments received.
- 30 **Transport Scotland:** No objection. A condition relating to strategic road infrastructure developer contribution will be required.
- 31 **Scottish Water:** No objection. There are no water or foul water capacity issues at present time.
- 32 **Historic Environment Scotland:** No objection. Any impact on cultural heritage assets in area is not significant.
- 33 **Perth and Kinross Heritage Trust:** No objection. Recommend a standard archaeology condition is applied with any permission.
- 34 **Health and Safety Executive:** No objection.
- 35 **Methven Community Council:** No comments received.
- 36 **Tulloch Residents Association:** No comments received.

Internal

- 37 **Structures and Flooding:** No objection. A drainage condition is requested.
- 38 **Environmental Health:** No objection. Conditions are requested for applied for acoustic, air quality and residential amenity reasons.
- 39 **Land Quality:** No objection.
- 40 **Transport Planning:** No objection. Conditions for road and pedestrian safety and public transport provision are requested.
- 41 **Development Negotiations Officer:** Transport infrastructure contributions will be required at detailed application stage. A condition seeking this contribution, which recognises the current economic situation, is requested.

- 42 **Planning and Housing Strategy:** Advise that the proposal complies with LDP2 allocation and the site-specific requirements.
- 43 **Biodiversity/Tree Officer:** No objection. Standard biodiversity conditions are requested relating to: protection of animals and a biodiversity action plan.
- 44 **Commercial Waste Team:** No objection.
- 45 **Community Greenspace:** No comments received.

Representations

- 46 No representations have been received.

ADDITIONAL STATEMENTS

47	Screening Opinion	EIA Required (18/01958/SCRN)
	Environmental Impact Assessment (EIA): Environmental Report	Submitted
	Appropriate Assessment	HRA Not Required AA Not Required
	Design Statement or Design and Access Statement	Submitted
	Report on Impact or Potential Impact	<ul style="list-style-type: none"> • Masterplan • Transport Assessment; • Viability Assessment; • Energy Statement; • Geo-Environmental Assessment; • Habitat Survey; • Tree Survey; • Flood Risk Assessment; • Drainage Impact Assessment; • Noise Impact Assessment; • Air Quality Assessment

APPRAISAL

- 48 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.

Principle

- 49 The site is within the settlement boundary of Perth and is identified in TAYplan under Policy 3 as part of the West/North West Strategic Development Area (SDA), which is to provide over 50ha of employment land. It is also allocated in LDP2 as within site E38 for employment uses. This allocation in LDP2 is intended to support the growth and expansion of the existing Inveralmond Industrial Estate.
- 50 As a result of the site's location, the existing surrounding uses and the identification of the site in the Development Plan, the principle of the proposed development is considered acceptable. The class 4, 5 and 6 uses proposed are compatible with existing facilities at Inveralmond and will facilitate an identified expansion to provide land for more employment generation for the city of Perth and the wider area.

Design and Layout

- 51 As a PPP application, there is no proposed detailed design. However, the indicative masterplan shows a potential layout shows a wide mix of development plots and building footprints (c. 30,000sqm) located immediately adjacent to the existing group of buildings, businesses and facilities in Inveralmond Industrial Estate. Based on this masterplan, the development would likely contribute positively to the existing employment offer and related quality of the surrounding built and natural environment and meets the site-specific requirement in LDP2.
- 52 In addition, the applicant has confirmed in their Energy Statement that the masterplan and intent consider climate change, mitigation and adaptation. This approach will ensure compliance with LDP2 Policy 32 – Embedding Low and Zero Carbon Generating Technologies in New Development and the site-specific criteria (Condition 1 (vi)). It also considered the feasibility of distributing heat and connections beyond the site, including to LDP2 site H319 (Almond Valley Village) in particular, concluding that a district heating scheme would not be viable. This position is accepted.
- 53 The indicative design, density and siting of development is considered to respect the character and amenity of the existing Inveralmond employment area and surroundings. This issue will nevertheless be assessed in detail via Approval of Matters Specified in Conditions (AMSC) applications. Overall, the indicative design and layout is considered an acceptable approach to ensure compliance with LDP2 Policy 1 – Placemaking.

Landscape and Visual Impact

- 54 As part of the EIA Report, Landscape and Visual Impact was assessed and was reviewed by NatureScot and Historic Environment Scotland (HES).
- 55 NatureScot have not raised any issue with regards impact on landscape and visual impact. Overall it is considered that the proposed development is a logical extension of the existing employment offer at Inveralmond and as such

the proposal is considered, subject to condition 14, to meet the intent of LDP2 Policy 39 – Landscape.

Residential Amenity

- 56 The Double Dykes Gypsy/Taveller caravan site is 40 metres to the north-west. Whilst other residential areas are beyond the A9 and A9/A85 roads. As part of the EIA Report, an Air Quality Assessment (AQA) and Noise Impact Assessment (NIA) were provided and both have been reviewed by SEPA and the Council's Environmental Health team.

Air Quality

- 57 The AQA predicts that the developments effect on air quality, at both the construction and operational stages, is not significant.
- 58 Environmental Health advise that during the construction stage, a range of best practice mitigation measures will need to be implemented to ensure dust emissions are reduced. A draft Construction Environmental Plan (CEMP) has been submitted however there is no reference to a Dust Management Plan. An updated CEMP (Condition 10) including a detailed Dust Management Plan is required to support any AMSC application. This will ensure further assessment can be undertaken and compliance with LDP2 Policy 57 – Air Quality is achieved.
- 59 Environmental Health agree with the AQA; that the development will not have a significant effect on air quality. They do encourage the applicant to consider further operational mitigation measures such as sustainable travel plans and/or electric vehicle (EV) charging points. (Condition 1)

Noise

- 60 The Noise Impact Assessment (NIA) submitted concludes that no mitigation measures are required for both the operational and construction stage.

Construction Noise

- 61 The NIA states that the existing noise levels of Ruthvenfield Road means any construction activity will not result in noise disturbance. However, Environmental Health advise that there is no full assessment showing calculations of predicted noise from construction activities, including HGV movements, at the closest noise sensitive residential properties at the Double Dykes Gypsy/Traveller site. The draft CEMP refers to Noise Control, however, the information set out is not considered sufficient. As a result, Environmental Health advise that, during construction, measures that follow best practicable means to reduce noise levels and to ensure compliance with acceptable levels must be implemented. Options for the control and mitigation of construction impacts include: effective site management, engineering control, acoustic screening, and restricted hours of work.

- 62 To address this, the CEMP will need to be updated to provide more detailed information on mitigation measures to be implemented to control to acceptable levels: noise, vibration and dust levels generated by construction activities. Where control measures are identified as being inadequate and justifiable complaints are received, additional mitigation measures may need to be applied and what monitoring will be undertaken needs to be included in an updated CEMP (Condition 10).

Operational Noise

- 63 The NIA sets out justifications as to why a detailed noise impact assessment has not been undertaken and why it has been concluded that no mitigation was required.
- 64 The submitted NIA also states that Perth and Kinross Council (PKC) had included traffic and accepted traffic noise relating to this application site within the 2015 EIA undertaken for planning application 15/00036/FLL, related to the A9/A85 junction upgrades. The applicant contends that the mitigation measures implemented in association to that road project, an acoustic fence at Double Dykes, was not installed by PKC in accordance with the recommended mitigation of the associated EIA. The applicant therefore feels that this materially prejudices the accurate consideration of this site in respect of noise impact and mitigation and that it is not for them to now undertake this work to address what they see as a Council failing.
- 65 In response to this matter, it is clarified that the acoustic fence specification implemented was redesigned from the initial proposal, at the request of affected residents who were concerned about being 'hemmed in' due to its scale. In response the Council carried out further modelling, considering reduced fence heights, but also to ensure the required specification was still met. However, it is important to point out that the specification was to address impacts from noise associated to the road project and did not consider the impacts which may result from development within the current application site. Therefore, any additional noise controls required in association to the current proposals must be appropriately addressed via any grant of planning permission.
- 66 Environmental Health advise that traffic noise generated by the proposed development would not be the only resultant noise source. Particularly, there is also the potential for noise from plant/equipment and loading/unloading operations associated with the operations of premises which may be developed and that these could have an adverse effect on residential amenity on the closest noise sensitive receptors, such as at Double Dykes. However, as the application is a PPP and without full details of future uses, buildings and layouts, such that associated noise can be reasonably quantified. Environmental Health recommend that a detailed NIA supports any future MSC applications, to assess matters and secure appropriate mitigation (Condition 11). Through discussion the applicant has submitted an alternative suggested condition, which they consider would mitigate the need for any further NIAs. However, this has been assessed by Environmental Health and is not considered to be acceptable and they maintain their recommendation that NIAs

will be required for any future detailed applications. This approach will ensure the objectives of LDP2 Policy 56 – Noise pollution will be met.

Land Quality (Contaminated Land)

- 67 A Site Investigation Report has been submitted as part of the EIA Report and has been reviewed by the Council's Land Quality Officer. It sets out that extensive site investigations were undertaken, and the primary source of contamination identified and assessed. Chemical analysis and the interpretation of the results indicates the site as being a low risk and the Land Quality Officer accepts this conclusion. The proposal therefore complies with LDP2 Policy 58 – Contaminated and Unstable Land.

Roads and Access

- 68 A Transport Assessment (TA) has been submitted as well as there being a Traffic and Transport Chapter within the EIA Report. The TA has been assessed by Transport Scotland, while both documents have been assessed by the Council's Transport Planning team. Neither have raised any objection, subject to conditions.
- 69 However, Transport Scotland have requested that the applicant engages with them to examine more fully the impact of the proposed development on the Trunk Road network, so they can ascertain if a developer contribution is required towards improvements of the Inveralmond and Broxden Roundabouts. Notwithstanding it is understood that such engagement has not taken place. However, as this is a PPP application, the Transport Scotland recommended condition that requires the applicant to fully assess the traffic impact of the proposal at the detailed application stage and ascertain if a financial contribution is required (Condition 3) can be applied. Although this includes for the possibility of contributions from the first 10,000sqm of floorspace, it otherwise reflects the position of PKC.
- 70 As required by the site-specific requirements it is also proposed to provide sustainable transport links with the recently completed pedestrian and cycling infrastructure at the A9/A85. This will ensure there are sustainable connections with Inveralmond Industrial Estate, Bertha Park, Almond Valley Village and the western edge of Perth on the other side of the A9 trunk road.
- 71 One of the other site-specific requirements in LDP2 is the expansion of the bus network through the site. Condition 7 requires new public transport infrastructure, suitable to serve buses in both directions on Ruthvenfield Road as well as two-way bus movements internally within the site, are to be provided within any future detailed application.
- 72 Overall, the site is very well connected to the immediate and wider area in terms of vehicular and sustainable transport modes, with access via the Inveralmond Roundabout and Phase 1 of the CTRL. New pedestrian and cycling links have been developed in the immediate vicinity, which the proposed developed will connect with and provide future employees with multi-modal transport choices. These connections address the site-specific

requirements for a network of path and cycle links with the wider area including green corridor links with the River Tay.

- 73 Transport Planning have recommended a number of conditions (4 - Standards, 5 – Green Travel Plan including electric vehicle charging points, 6 - CTMS, 7 – Bus provision and 8 - Path provision) is provided to ensure the site is developed in accordance with LDP2 site-specific requirements, Policy 60 – Transport and Accessibility Requirements and the National Roads Development Guide.

Natural Heritage and Biodiversity

- 74 A Habitat Survey has been submitted as part of the EIA Report and has been examined by both NatureScot and the Council's Biodiversity/Tree Officer. Neither have expressed significant concern in terms of impact on natural heritage including protected species. The Biodiversity/Tree Officer has recommended a number of standard conditions.

Trees

- 75 As per the site-specific requirement, a Tree Survey was submitted. It notes the loss of some small trees but is unclear which are to be removed. The Survey notes that some trees have the potential to develop fully, if given space in the new development. It is unclear whether this has been accommodated into the submitted landscape plan. Consequently, an updated landscape plan, which should account for existing landscaping and include compensatory planting to mitigate any losses, will be required (Condition 14). Species included in any planting schedule should be native to Scotland, of local provenance and include fruit-bearing trees to maximise biodiversity value. Retaining and managing the existing trees and improving connectivity to surrounding trees and grassland is also encouraged. This will ensure the proposal at this stage complies with LDP2 site-specific requirement and Policy 40 – Forestry, Woodland and Trees.

Biodiversity

- 76 The proposed site is predominantly cultivated land or land derived from agricultural use (96%), the remaining 4% being semi-improved neutral grassland located on field boundaries. No semi-natural habitat is present. The application sees an Extended Phase 1 Habitat Survey and surveys for bat roosts, water vole, red squirrel and badger were carried out in accordance with best practice and did not find evidence of protected species, habitats or invasive non-native invasive species.
- 77 One bird species, Yellowhammer, was recorded feeding on the site. This is a Red List Species of Conservation Concern and a Tayside Local Biodiversity Action Plan priority action species. The effect of the development will be displacement of at least one pair. The loss of cultivated land will result in a local loss of foraging opportunity, although this is not considered significant in the context of the area of this habitat in Tayside.
- 78 Mitigation measures are listed in EIA Report Chapter 11, including making the SUDS ponds wildlife friendly and installation of swift nest boxes. Exact detail of

which biodiversity enhancing measures will be incorporated into this development when it comes forward should be provided in the form of a Biodiversity Action Plan (Condition 15). This will ensure compliance with LDP2 site-specific requirement for biodiversity enhancement and Policy 41 – Biodiversity.

Cultural Heritage

- 79 A Cultural Heritage Assessment, including for Archaeology, has been submitted as part of the EIA Report and has been assessed by both Historic Environment Scotland (HES) and Perth and Kinross Heritage Trust (PKHT). HES have assessed the impact on its assets of listed buildings and Scheduled Monuments and this is addressed in the LVIA section above.

Listed Buildings and Scheduled Monuments

- 80 The key interest for HES was the potential setting impacts on local scheduled monuments: Huntingtower Castle (SM 90164 and Property in Care) and Mains of Huntingtower, henge, enclosures, pits and road WSW of (SM 3630) and the assessment below focuses on these assets.
- 81 The HES assessment of effects on the A Listed Huntingtower Castle and Scheduled Monument 750m to the west notes that there are views from the parapets of the castle which may have some visibility of the proposed development, despite intervening tree belts. A visualisation from the parapet to demonstrate the level of impact on the setting would also have been useful, given the proximity.
- 82 HES are, however, content that the limited potential inter-visibility from the castle is not likely to be a significantly adverse impact on the setting of the monument. Rather, the proposed development will appear as an extension of the existing industrial estate and will be clearly separated by road infrastructure. Existing trees and landscaping proposals along the edges of the proposed development and intervening roads will also assist in screening the majority of the proposals from the castle. HES are therefore largely content with the limited assessment of impacts and that the proposed development will not have a significant adverse effect on the setting of the scheduled monument.
- 83 Overall, there is limited potential impact, and, on that basis, they have not raised any significant concerns. HES consider that the proposal will not result in significant effects on historic environment assets within their remit and it will not raise issues of national interest within their remit. As a PPP application, this matter will be addressed in more detail as part of subsequent AMSC applications.

Archaeology

- 84 PKHT advise that the area surrounding the proposed development is archaeologically sensitive, which is highlighted by the site-specific requirement within LDP2. The Cultural Heritage Assessment concludes that the proposed development may negatively impact on both known and unknown

archaeological sites. To address this the proposed mitigation is a programme of archaeological work in advance of development, firstly: to assess the character, condition and significance of any archaeological deposits presumed to be present, and the extent to which the development will impact upon them. This evaluation will inform a second stage mitigation strategy, if required, to either: preserve significant deposits within the development; or for further archaeological works to consist of excavation, post-excavation analysis and publication of the results of the work. PKHT agree with the proposed mitigation and condition wording to secure the programme of work, should consent be granted (Condition 13).

- 85 Overall, the proposal complies with the site-specific requirements of LDP2 and Policies 26 – Scheduled Monuments and Archaeology and 27 – Listed Buildings.

Flood Risk and Drainage

- 86 A Flood Risk Assessment (FRA) and Drainage Impact Assessment (DIA) have been submitted, as required under the LDP2 allocation, as part of the EIA Report. Both have been examined by SEPA, Scottish Water and the Council's Structures and Flooding team.

Flood Risk

- 87 The application site lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of SEPAs Flood Maps, indicating it may be at medium to high risk of fluvial (river) flooding. However, the FRA states the recent Almondbank Flood Protection Scheme works, and the new A9/A85 road crossing, has reduced the flood extent in the area, which is not reflected in SEPAs Flood Maps.
- 88 SEPA have reviewed the previous A9/A85 study and, because the hydrology has not changed since this time, the FRA shows that the proposed site is now outwith the 1 in 200-year functional floodplain, as was the case in the A9/A85 model. Based on the information SEPA do not have any objection on the grounds of flood risk. The proposal complies with LDP2 Policy 52 – New Development and Flooding.

Drainage

- 89 Scottish Water have confirmed that there are no capacity issues in terms of water supply or foul water drainage infrastructure.
- 90 However, as a PPP application, surface water drainage arrangements cannot be finalised. SEPA indicate a preference for surface water to be discharged to the River Almond or Perth Lade but note there are issues with this. If the applicant proposed to discharge surface water to the Scottish Water sewer then no licence from SEPA would be required as this would be under the responsibility of Scottish Water. The Council's Structures and Flooding team have advised of the drainage requirements that will need to be met at the

detailed application stage (Condition 18). This will ensure that LDP2 Policy 53 – Water Environment and Drainage can be met.

Waste Collection

- 91 No issues of principle have been identified by the Council's Commercial Waste Services team, MSC applications will consider detailed arrangements and access requirements. (Condition 1(xi))

Health and Safety

- 92 The Health and Safety Executive (HSE) recommended the Planning Authority carried out an online PADHI+ Assessment to ascertain if there is any risk to national oil and gas pipelines in the area. This assessment found there to be no risk to any oil and gas pipeline infrastructure from the proposed development. The proposal thus complies LDP2 Policy 54 – Health and Safety Consultation Zones.

Developer Contributions

- 93 The Council's Development Contributions Officer confirmed that, in line with the Developer Contributions Supplementary Guidance, the proposed development requires contributions for transport infrastructure associated to the local road network. In response the applicant raised early in the process that these contributions ought not to apply, citing the significant economic benefit the development will bring to Perth and the significant investment costs of developing the site. The leading to the belief that the ability to viably undertake the development would be compromised if the contributions were paid.
- 94 As such, and in order for PKC to consider the case for contributions being either reduced or set aside, the applicant was advised that detailed and robust information would be required to justify any such approaches. In response an 'Economic Benefits and Developer Contributions Statement' was submitted in May 2020. After assessment this was found not to robustly justify reducing or waiving the required developer contributions. In order to further clarify their position additional development viability information was provided in October 2020. This was also subject to detailed assessment and the conclusion again reached that it was not possible to fully accept the case being made. Particularly, this is due to the uncertainty over the precise nature and scale of the development which will result. The assessment undertaken having been based on indicative and hypothetical levels of development, reflecting that only PPP is being sought. A clear position could only realistically be reached if the precise nature of development that might ultimately come forward was available. Indeed, the extent of development proposed may differ from the scale identified in the indicative masterplan and have a differing viability profile. As is appropriate it is not proposed that developer contributions at the PPP stage; instead a planning condition is attached requiring any AMSC applications to comply with the Supplementary Guidance, with payment made or a S75 entered in to at that stage before the detailed approval is given.

- 95 Therefore, it is considered appropriate to apply control so as to reserve the position to the detailed stages. At that point, if the development then proposed is demonstrated not to be viable, and if the contributions are required, an assessment of the appropriate position can take place. This would provide a level of flexibility and reasonableness for both the applicant and the Council, reflective of the uncertainty over the viability question. Otherwise to remove the requirement to make contributions at this time, based on a theoretical development which may not progress to a detailed planning application, is not considered reasonable or appropriate. Particularly this would remove the opportunity for the Planning Authority to legitimately secure developer contributions. Therefore, this suggested approach of the applicant represents an unacceptable risk to the Council, as it would be liable for the proportionate cost of the road infrastructure works covered by the Supplementary Guidance.
- 96 In an effort to progress the application and bring forward the economic benefits of the proposed development, it has for some time been proposed by officers to apply flexibility. This resulted in a suggested modification of the standard developer contribution condition being proposed (Condition 2). This would see a clause that exempts the first 10,000sqm floorspace from developer contributions, allowing the development to progress in its early stages with certainty that contributions would not be required, most likely based on the indicative layout. But to otherwise reserve a further review of viability until additional detailed phases come forward. This is considered a proportionate and reasonable approach in the current circumstances. While the development will be led by market demand, it is anticipated that this extent of floor space would cover the initial years of development. This approach would also largely address the LDP2 allocation's site-specific requirement to make contributions towards the A9/A85 junction upgrades and address the requirements of LDP2 Policy 5 – Infrastructure Contributions, whilst reserving the ability to review viability going forward.
- 97 This approach does not prejudice any possible future exemptions as a result of emerging Council strategies and would not preclude the applicant from being eligible for any flexibility these strategies would offer. It is anticipated that any such strategy would outline a five-year developer contribution exemption for non-retail employment development projects. The proposed condition has been worded to reflect this position, whilst also accounting for the questions over viability of the project at this time.

Economic Impact

- 98 As discussed above in relation to Developer Contributions, an Economic Viability Assessment has been submitted. This has been reviewed by the Council's Economic Development team who agree that developing 15ha of employment land will support economic development by providing immediately available employment land. They also note that there are likely to be more commercial properties on the market due to impact of Covid-19, but some are likely to need further investment and that not all current stock is fit for purpose, especially in terms of energy efficiency standards.

- 99 In terms of employment generation, the methodology used to calculate employment figures is commonly used and considered acceptable. The proposed site, once fully operational, is thus predicted to provide 443 jobs. There would also be employment at construction phases, which have not been estimated.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

- 100 None required at the PPP application stage. Condition 2 highlights that a transport infrastructure contribution will be required after the first 10,000sqm are constructed.

DIRECTION BY SCOTTISH MINISTERS

- 101 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

- 102 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the approved TAYplan 2016 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 adopted Development Plan.
- 103 Accordingly, the proposal is recommended for approval subject to the following direction and conditions.

A RECOMMENDATION

Approve

Direction

Perth and Kinross Council direct that sub-sections (2)(a)(i) and (3) of Section 59 of the Town and Country Planning (Scotland) Act 1997 apply as respects the In-Principle Permission (19/02033/IPM) with the substitution of the period of 3 years referred to in each of those subsections, of the period of 15 years.

Reason – This is a modification of an application in principle for which, in view of the scale of the proposed development, this extended period is appropriate.

Conditions and Reasons for Recommendation

1. No works in connection with the development hereby approved shall take place until full details of the siting, design, external appearance and landscaping of the development and the means of access serving the development (hereinafter referred to as the 'matters specified by condition') have been

submitted to and approved in writing by the Planning Authority. The specified matters include:

- (i) a detailed updated phasing and delivery plan for the whole site;
- (ii) a detailed levels survey (existing and proposed) and cross sections showing proposed finished ground and floor levels of all buildings forming part of the development phase, relative to existing ground levels and a fixed datum point.
- (iii) the siting, design, height and external materials of all buildings or structures;
- (iv) the details of all access, car parking, public transport facilities, footpaths/cycleways, the road layout, design and specification (including the disposal of surface water) and related structures throughout the development;
- (v) details of any screen walls/fencing including any retaining walls to be provided;
- (vi) for each building, specifying measures to maximise environmental sustainability through design, orientation and planting or any other means. These measures shall include a scheme that demonstrates how at least 10% of the current carbon emissions reduction set by the Scottish Buildings Standards will be met through the installation and operation of low and zero-carbon technologies, specifying what these technology types are, their location and ongoing operation and maintenance;
- (vii) details of any landscaping, structure planting and screening associated with the development;
- (viii) full details of the proposed means of disposal of foul and surface water from the development;
- (ix) noise impact assessment;
- (x) lighting details;
- (xi) bin storage, collection location, recycling facilities provision and access;
- (xii) biodiversity action plan;
- (xiii) a green travel plan including provision of electric vehicle (EV) charging points;
- (xiv) archaeological working scheme of investigation;
- (xv) finished floor levels;
- (xvi) vehicular access and egress road levels.

Reason: This is a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. Subject to the exemption referred to immediately hereafter, the development shall accord with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy 5: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2 (2019) with regards to Transport Infrastructure. Notwithstanding these requirements, the Planning Authority will allow the first 10,000 sqm of Class 4, 5, or 6 of Gross Internal Area (as defined in the Developer Contributions and Affordable Housing Supplementary Guidance 2016), approved as part of a future Approval of Matters Specified in Conditions application(s), to be exempt from these Developer Contributions.

Reason: To ensure that the development approved makes a contribution towards improvements of regional transport infrastructure, in accordance with the Development Plan policy and Supplementary Guidance relating to this application, but with appropriate mitigation to reflect economic conditions.

3. As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed application, an assessment of the potential impact that the development would have on the safe and efficient operation of the A9 Broxden Roundabout shall be submitted to, and agreed in writing by, the Planning Authority, in consultation with Transport Scotland.
Where the conclusions of the assessment identify that the potential impact of the development is considered significant by Transport Scotland, the applicant shall be required to agree, before the commencement of development, appropriate mitigation for the A9 Broxden Roundabout to address this impact.

Reason: To ensure that the scale and operation of the proposed development does not adversely affect the safe and efficient operation of the trunk road network.

4. As part of any application for the Approval of Matters Specified by Condition (AMSC) under Condition 1(v), 1 all matters shall be in accordance with the standards required by the Council as Roads Authority (as detailed in the National Roads Development Guide) and to the satisfaction of the Planning Authority.

Reason: In the interests of road safety.

5. Development shall not commence until a detailed Green Travel Plan (GTP), aimed at encouraging more sustainable means of travel, as required under Condition 1 (xiii), has been submitted to and agreed in writing by the Council as Planning Authority. The GTP will have particular regard to provision for walking; cycling; public transport access to and within the site; electric vehicle (EV) charging points and will identify the measures to be provided (including the provision of new and/or enhanced public transport services), any phasing, the system of management, monitoring, review, reporting and the duration of the Plan. The GTP as agreed shall be fully implemented to the satisfaction of the Council as Planning Authority.

Reason: In the interests of sustainable transport.

6. Prior to the commencement of the development hereby approved, the applicant 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 (CTMS) 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.

7. Prior to the development hereby approved being completed or brought into use, new public transport infrastructure, suitable to serve buses in both directions on Ruthvenfield Road as well as two-way bus movements internally within the site, are to be provided and available for use to a design and specification to the satisfaction of Perth & Kinross Council as planning authority.

Reason: In the interests of public transport provision.

8. As part of any application for the Approval of Matters Specified by Condition (AMSC), a scheme for a new shared path of an appropriate standard along an agreed section of Ruthvenfield Road shall be submitted for the written approval of the Council as Planning Authority. The approved scheme shall thereafter be fully installed prior to any part of the development being brought into use.

Reason: In the interests of road and pedestrian safety.

9. 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 outwith these times or at any time on Sundays or bank holidays.

Reason: To ensure a satisfactory standard of local environmental quality.

10. As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed application, an updated Construction Environment Management Plan (CEMP) including a detailed Dust Management Plan for the construction stage, detailing prevention control and mitigation measures for dust, shall be submitted for the approval of the Council as Planning Authority. Thereafter the agreed plan will be undertaken in full to the satisfaction of the Council as Planning Authority.

Reason: To ensure a satisfactory standard of local environmental quality.

11. As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed application a detailed noise impact assessment must be prepared by a suitable qualified consultant and shall be submitted for the approval of the Council as Planning Authority. Thereafter the agreed plan will be undertaken in full to the satisfaction of the Council as Planning Authority.

Reason: To ensure a satisfactory standard of local environmental quality.

12. All external lighting included within Approval of Matters Specified by Condition (AMSC) applications sought under Condition 1 shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.

Reason: To ensure a satisfactory standard of local environmental quality.

13. 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: To safeguard archaeology in the area.

14. As part of any application for the Approval of Matters Specified by Condition (AMSC) sought under Condition 1, a detailed landscaping and planting scheme for the site shall be submitted for the approval 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 local environmental quality;

15. As part of any application for the Approval of Matters Specified by Condition (AMSC), a Biodiversity Action Plan shall be submitted to and approved in writing by the Council as Planning Authority.

Reason: To ensure a satisfactory standard of local environmental quality; to safeguard the welfare of any protected wildlife.

16. The conclusions and recommended action points within the supporting Biodiversity Survey by ECOS Countryside Services LLP (December 2019) are hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.

Reason: To ensure a satisfactory standard of local environmental quality; to safeguard the welfare of any protected wildlife.

17. Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

Reason: To ensure a satisfactory standard of local environmental quality; to safeguard the welfare of any protected wildlife.

18. As part of any application for the Approval of Matters Specified by Condition (AMSC), detailed sustainable urban drainage system (SUDS) shall been submitted for approval of the Council as Planning Authority, in consultation with SEPA where necessary. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C753) and the Council's Flood Risk and Flood Risk Assessments Developer Guidance and shall incorporate source control. All works shall be carried out in accordance with the agreed scheme and be operational prior to the bringing into use of the development.

Reason: In the interests of flood risk.

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 required.

D INFORMATIVES

1. 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. Please send the required information to us at developmentmanagement@pkc.gov.uk. Please be aware that the Council has two months to consider the information (or four months in the case of a Major planning permission). You should therefore submit the required information more than two months (or four months) before your permission expires. We cannot guarantee that submissions made within two months (or four months) of the expiry date of your permission will be able to be dealt with before your permission lapses.
2. The developer is advised to contact Sophie Nicol, Historic Environment Manager (tel: 01738 477027) Perth and Kinross Heritage Trust, to discuss terms of reference for work required.
3. 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.
4. The applicant should be advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. 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 be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works.
6. The applicant is advised to refer to Perth & Kinross Council's [Supplementary guidance on Flood Risk and Flood Risk Assessments 2014](#) as it contains advice relevant to your development.
7. For information, foul flows only will be allowed to discharge to the public system. The Developer should arrange to dispose of surface water privately, to the satisfaction of the statutory Drainage Authority.
8. The applicant should take note of the information and advice contained within the consultation response from Scottish Water.

9. 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.

E ENVIRONMENTAL IMPACT ASSESSMENT (EIA) DECISION

The proposed development was determined by Perth & Kinross Council under the provisions of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 to be EIA development. In accordance with Regulation 29, notice of this decision is hereby given in respect of the following:

The application submitted an EIA Report dated December 2019. The public had opportunity to participate in the decision-making process through notification of the EIA Report was undertaken for premises on neighbouring land and it was publicised on the Planning Authority's website, in the Edinburgh Gazette and the Perthshire Advertiser. The EIA Report was also available for public inspection online.

The EIA Report provides a summary of the baseline, the information gathered to consider the likely significant effects on the environment and details of environmental mitigation and monitoring that are to be incorporated in to the proposal. The significant effects on the environment were identified to be:

- Scheduled Monuments
- Archaeology
- Flood Risk
- Air Quality
- Noise Pollution
- Ecology
- Traffic and Transport

The Planning Authority is satisfied that the EIA Report is up-to-date and complies with Regulation 5 and is therefore suitable for determination of the planning application.

The Planning Authority has considered the EIA Report, other environmental information and recommendation from the consultation's bodies. It is concluded that the development will not give rise to any unacceptable significant environmental effects. In reaching this conclusion, regard has been given to environmental design and mitigation measures incorporated into the proposal, as well as a regime for the ongoing monitoring measures for the construction and operation of the development. These mitigation and monitoring measures include the provision of the following;

- Assessment of impact on Scheduled Monument
- Archaeological evaluation
- Flood Risk Assessment
- Air Quality Assessment

- Noise Assessment
- Habitat Assessment
- Tree Survey
- Draft Construction and Environment Management Plan (CEMP)
- Transport Assessment

In the absence of unacceptable and significant environmental impacts, and subject to the mitigation and monitoring measures secured through planning conditions 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 as set out herein, the proposal is acceptable and can be approved.

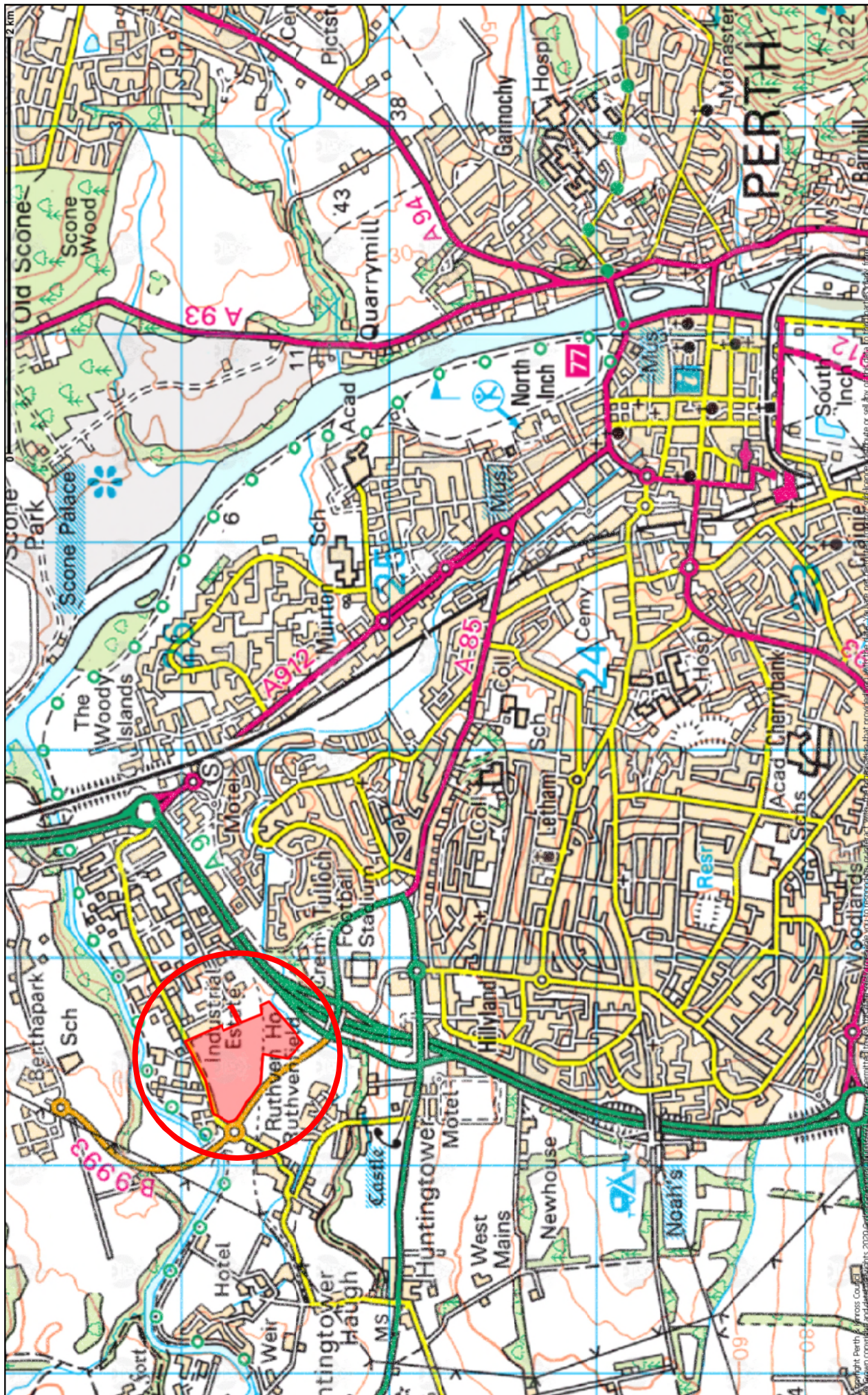
Background Papers: None
 Contact Officer: Steve Callan Extn: 75337
 Date: 23 December 2020

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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19/02033/IPM

Employment development (class 4, 5 and 6) at land 150m south of Target House, Ruthvenfield Road, Inverlorn Industrial Estate, Perth (LDP2 Site E38)



Scale 1:25000

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PERTH & KINROSS
COUNCIL

Perth and Kinross Council
Planning & Development Management Committee – 13 January 2021
Pre-Application Report by Head of Planning and Development (Report No. 21/2)

Masterplan comprising residential development, extension to hotel, erection of hotel accommodation units, staff accommodation units, spa facility, golf training and indoor sports buildings, formation of camping grounds, outdoor sports grounds, photovoltaic sites, access roads, SUDS ponds, landscaping and associated works, Murrayshall House Hotel, Murrayshall, Perth, PH2 7PH

Ref. No: [20/00010/PAN](#)
 Ward No: P2 - Strathmore

Summary

This report is to inform the Committee of a potential forthcoming planning application in respect of a major development for a masterplan development comprising residential, extension to hotel, erection of hotel accommodation units, staff accommodation units, spa facility, golf training and indoor sports buildings, formation of camping grounds, outdoor sports grounds, photovoltaic sites, access roads, SUDs, landscaping and associated works at Murrayshall House Hotel, Murrayshall, 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

- 1 In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 as amended, the applicants submitted a Proposal of Application Notice on 20 November 2020. The purpose of this report is to inform the Planning and Development Management Committee of a potential forthcoming planning application in respect of a major development involving a masterplan development comprising residential development, extension to hotel, erection of hotel accommodation units, staff accommodation units, spa facility, golf training and indoor sports buildings, formation of camping grounds, outdoor sports grounds, photovoltaic sites, access roads, SUDS ponds, landscaping and associated works. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
- 2 This proposal of application notice (PoAN) seeks to formally establish a major development. The exact scale and design of the development will be arrived at during ongoing pre-application discussions.

ENVIRONMENTAL IMPACT ASSESSMENT

- 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 request (20/01688/SCRN) has recently been submitted and is currently being assessed.

PRE-APPLICATION PROCESS

- 4 The Proposal of Application Notice confirmed that an online public exhibition will be held on 18 December 2020 with a live question and answer session. In addition, a [website](#) for the proposed development has been live since 10 December 2020. The Ward MP, MSP, Councillors and Scone and District Community Council have been notified. The results of the community consultation will be submitted with the planning application as part of the required Pre-Application Consultation (PAC) Report.

NATIONAL POLICY AND GUIDANCE

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

National Planning Framework

- 6 The NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. Under the Planning etc (Scotland) Act 2006, this is now a statutory document and a material consideration in any planning application. The document provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

The Scottish Planning Policy 2014

- 7 The SPP is a statement of Scottish Government policy on land use planning. The following sections of the SPP will be of particular importance in the assessment of this proposal:
 - Sustainability: 24 – 35
 - Placemaking: 36 – 57
 - Promoting Rural Development: 74 – 91
 - Supporting Business and Employment: 92 – 108
 - Enabling Delivery of New Homes: 109 – 134
 - Valuing the Historic Environment: 135 – 151
 - Valuing the Natural Environment: 193 – 218
 - Maximising the Benefits of Green Infrastructure: 219 – 233
 - Managing Flood Risk and Drainage: 254 – 268
 - Promoting Sustainable Transport and Active Travel: 269 – 291.

- 8 The following Scottish Government Planning Advice Notes are likely to be of relevance to the proposal:

- PAN 2/2011 Planning and Archaeology
- PAN 3/2010 Community Engagement
- PAN 40 Development Management
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 73 Rural Diversification
- PAN 75 Planning for Transport.

LOCAL POLICY AND GUIDANCE

TAYPlan Strategic Development Plan 2016-2036

- 9 TAYPlan sets out a vision for how the region will be in 2032 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”

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

- Policy 1: Locational Priorities
- Policy 2: Shaping Better Quality Places
- Policy 3: First Choice for Investment
- Policy 4: Homes
- Policy 6: Developer Contributions
- Policy 7: Energy, Waste and Resources
- Policy 8: Green Networks
- Policy 9: Managing TAYplan’s Assets
- Policy 10: Connecting People, Places and Markets.

Perth and Kinross Local Development Plan 2019

- 11 The Local Development Plan 2 (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 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.”
- 13 Under the LDP, 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 6: Settlement Boundaries
- Policy 8: Rural Business and Diversification
- Policy 9: Caravan Sites, Chalets and Timeshare Developments
- Policy 14: Open Space Retention and Provision
- Policy 15: Public Access
- Policy 16: Social, Cultural and Communities Facilities
- Policy 19: Housing in the Countryside
- Policy 20: Affordable Housing
- Policy 23: Delivery of Development Sites
- Policy 25: Housing Mix
- Policy 26: Scheduled Monuments and Archaeology
- Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
- Policy 33: Renewable and Low Carbon Energy
- Policy 38: Environment and Conservation
- Policy 39: Landscape
- Policy 40: Forestry, Woodland and Trees
- Policy 41: Biodiversity
- Policy 42: Green Infrastructure
- Policy 43: Green Belt
- Policy 52: New Development and Flooding
- Policy 53: Water Environment and Drainage
- Policy 54: Health and Safety Consultation Zones
- Policy 56: Noise Pollution
- Policy 57: Air Quality
- Policy 59: Digital Infrastructure
- Policy 60: Transport Standards and Accessibility Requirements
- Policy 61: Airfield Safeguarding.

OTHER POLICIES

- 14 The following supplementary guidance and documents are of particular importance in the assessment of this application:
- Developer Contributions and Affordable Housing Supplementary Guidance July 2020
 - Placemaking Supplementary Guidance March 2020
 - Housing in the Countryside Supplementary Guidance March 2020
 - Flood Risk and Flood Risk Assessments – Developer Guidance June 2014.

RELEVANT PLANNING SITE HISTORY

- 15 The following planning history is considered relevant:

87/01582/FUL Alterations to golf clubhouse. Approved December 1997.
 91/01000/FUL Change of use to form 18-hole golf course. Approved September 1991.

98/00988/FUL Erection of accommodation units. Refused October 1998.

99/00905/OUT Erection of lodge accommodation. Refused April 2001.

99/00906/OUT Erection of clubhouse pavilion. Approved August 1999.

99/00907/OUT Erection of accommodation units and parking facilities.
Approved August 1999.

02/01754/FUL Alterations and extension to clubhouse. Approved February 2003.

[07/00283/OUT](#) Erection of 12 dwellinghouses. Refused September 2007 and subsequent appeal dismissed.

[07/00284/OUT](#) Replacement of existing indoor driving school and erection of dwellinghouse. Approved September 2007.

[07/00285/OUT](#) Erection of leisure and health facilities. Approved September 2007.

[07/00286/OUT](#) Erection of 4 dwellinghouses. Refused September 2007 and subsequent appeal dismissed.

[07/00287/OUT](#) Erection of 17- bedroom suite. Approved September 2007.

[10/00133/FLL](#) Erection of dwellinghouse. Approved April 2010.

[10/00505/IPL](#) Erection of leisure and health facility. Approved May 2010.

[10/00506/IPL](#) Erection of 17-bedroom suite. Approved May 2010.

20/01688/SCRN EIA Screening for mixed use development. Not EIA development.

CONSULTATIONS

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

External

- Scottish Environmental Protection Agency
- NatureScot
- Scottish Water
- Transport Scotland
- Historic Environment Scotland
- Scottish Forestry
- Health and Safety Executive
- Perth and Kinross Heritage Trust
- Scone and District Community Council
- Shell

- INEOS
- National Grid

Internal

- Environmental Health
- Land Quality Officer
- Strategic Planning and Policy
- Developer Negotiations Officer
- Community Greenspace
- Transport Planning
- Structures and Flooding
- Economic Development
- Waste Services
- Biodiversity/Tree Officer.

KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED

- 17 The key considerations against which the eventual application will be assessed include:
 - a. Principle
 - b. Need
 - c. Developer Contributions
 - d. Housing in the Countryside
 - e. Green Belt
 - f. Visual Impact
 - g. Scale, Design and Layout
 - h. Relationship to Nearby Land Uses including oil and gas pipelines
 - i. Natural Heritage and Ecology
 - j. Landscape
 - k. Water Resources and Soils
 - l. Air Quality
 - m. Transport Implications
 - n. Tourism and Economy
 - o. Archaeology and Cultural Heritage.

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
 - Leisure/Economic Impact Assessment
 - Transport Assessment
 - Flood Risk and Drainage Assessment
 - Landscape and Visual Impact Assessment

- Tree and Woodland Survey
- Habitat Survey
- Archaeological and Cultural Heritage Assessment
- Sustainability Assessment.

CONCLUSION AND RECOMMENDATION

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

Background Papers: None

Contact Officer: Steve Callan – Ext 75337

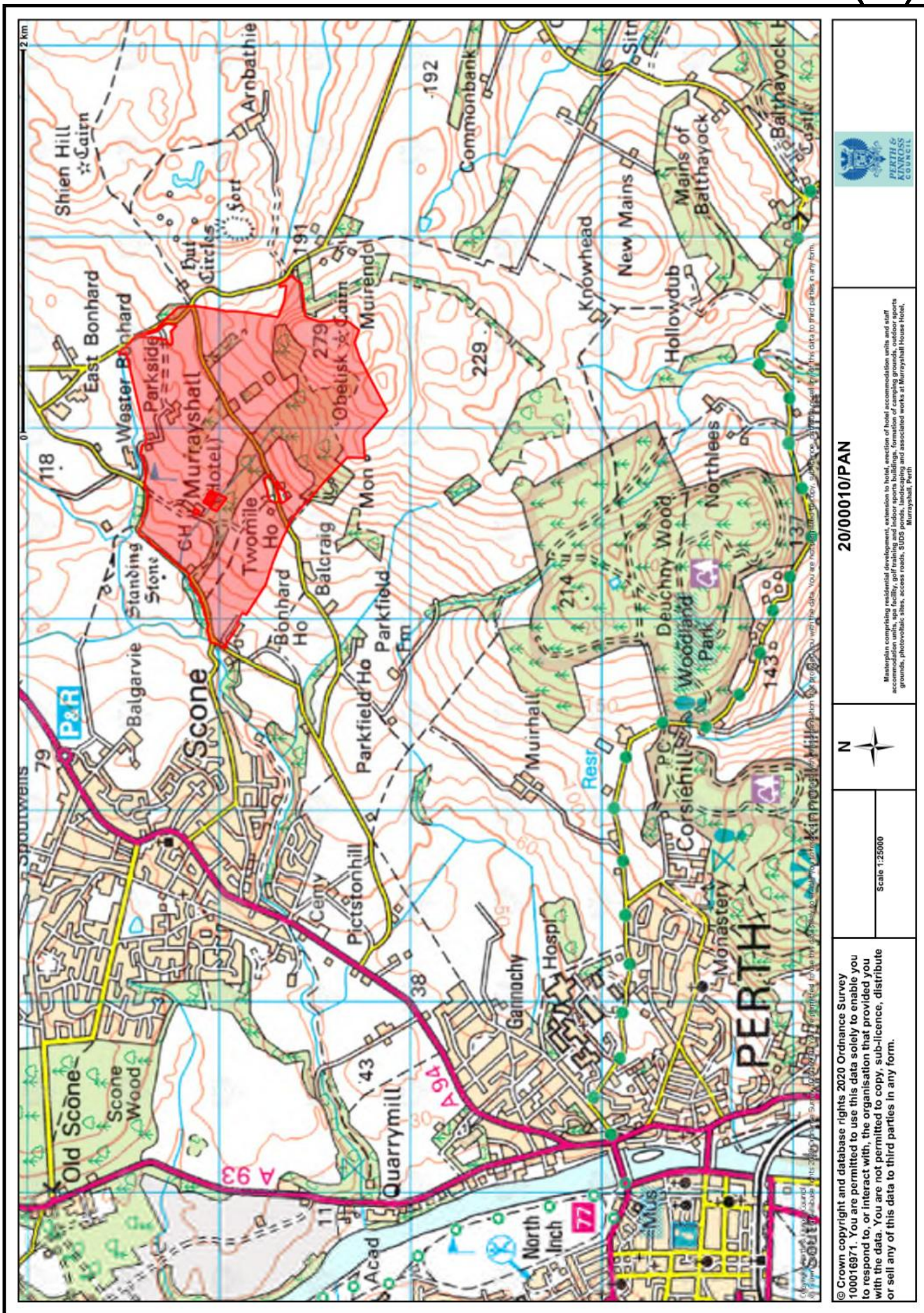
Date: 23 December 2020

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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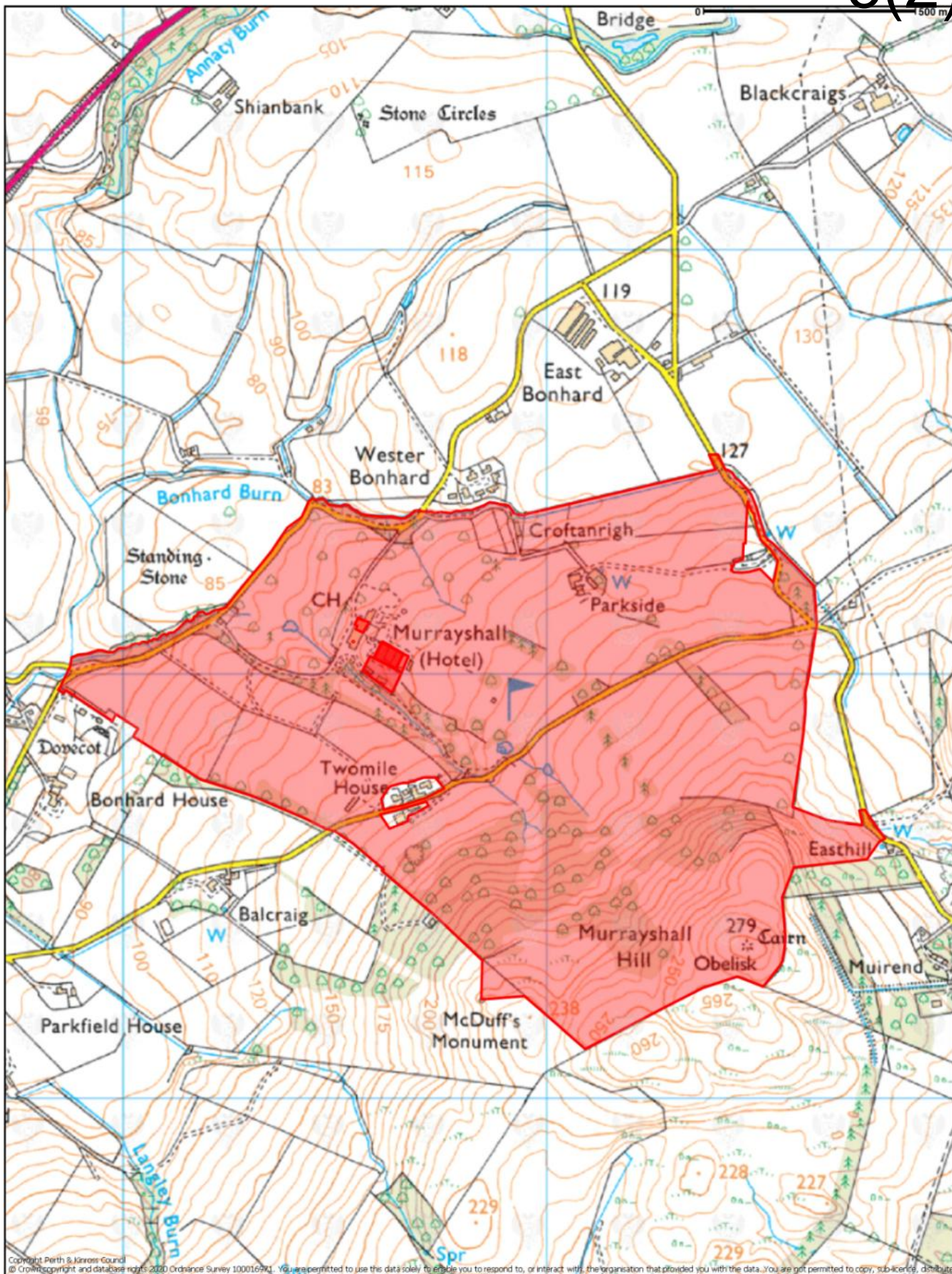
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Masterplan comprising residential development, extension to hotel, erection of hotel accommodation units and staff accommodation, grounds, landscaping and associated works at Murrayshill House Hotel, Murrayshill, Perth



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Scale 1:12000

20/00010/PAN

Masterplan comprising residential development, extension to hotel, erection of hotel accommodation units and staff accommodation units, spa facility, golf training and indoor sports buildings, formation of camping grounds, outdoor sports grounds, photovoltaic sites, access roads, SUDS ponds, landscaping and associated works at Murrayshall House Hotel, Murrayshall, Perth



Perth and Kinross Council
Planning & Development Management Committee – 13 January 2021
Pre-Application Report by Head of Planning and Development (Report No. 21/3)

Formation of an energy storage facility comprising battery storage container units, ancillary equipment, boundary treatments, landscaping and associated works at land south west of Noahs Ark, Old Gallows Road, Perth

Ref. No: [20/00011/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 facility with up to 50 individual battery storage units, housed within metal containers, ancillary structures including transformers and switchgear. The site would be surrounded by native tree planting on the south and western boundaries, supplemented by an acoustic fence and deer stock fencing at Glendevon 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 23 November 2020. The purpose of this report is to inform the Planning and 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 maybe arrived at during pre-application discussions but is anticipated to be cumulatively less than 50 MW generating capacity, which is the current threshold for Scottish Minister determination.

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 determination 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 (20/00011/PAN) confirmed that Methven Community Council had received notice of the PoAN alongside neighbouring properties and businesses. 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. This included an online event hosted by the applicant, with a question and answer session on the afternoon and early evening of Thursday 17 December 2020. The event was publicly advertised in the Perthshire Advertiser on 4 December 2020. The applicant was recommended to follow up on this to keep the background material available online before and after the event (for up to a month) with notification to local ward Councillors, MSP and MP for the area, ensuring 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 2014

- 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 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 (July 2020)
 - 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)
- 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.

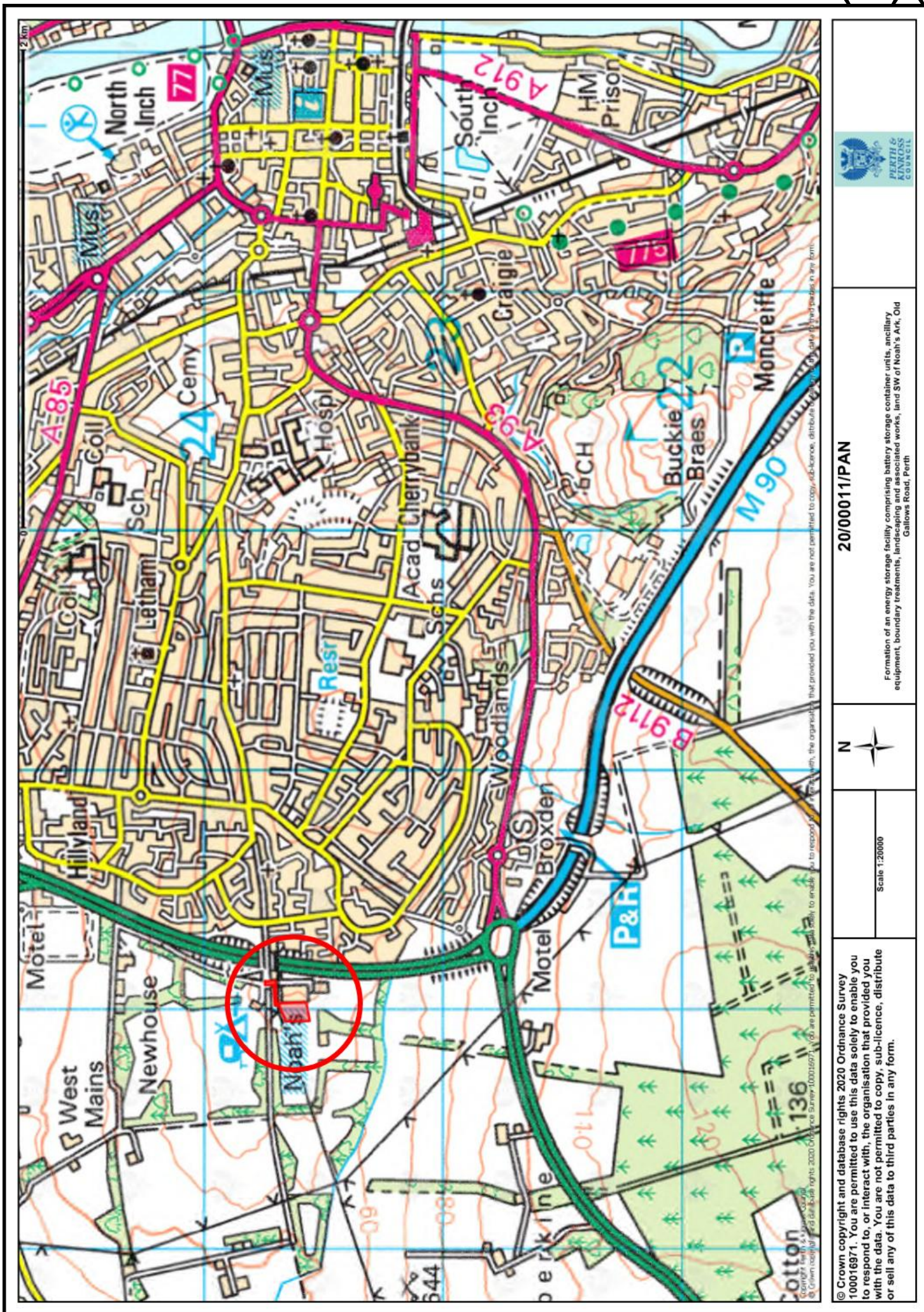
Background Papers: None
Contact Officer: Callum Petrie
Date: 23 December 2020

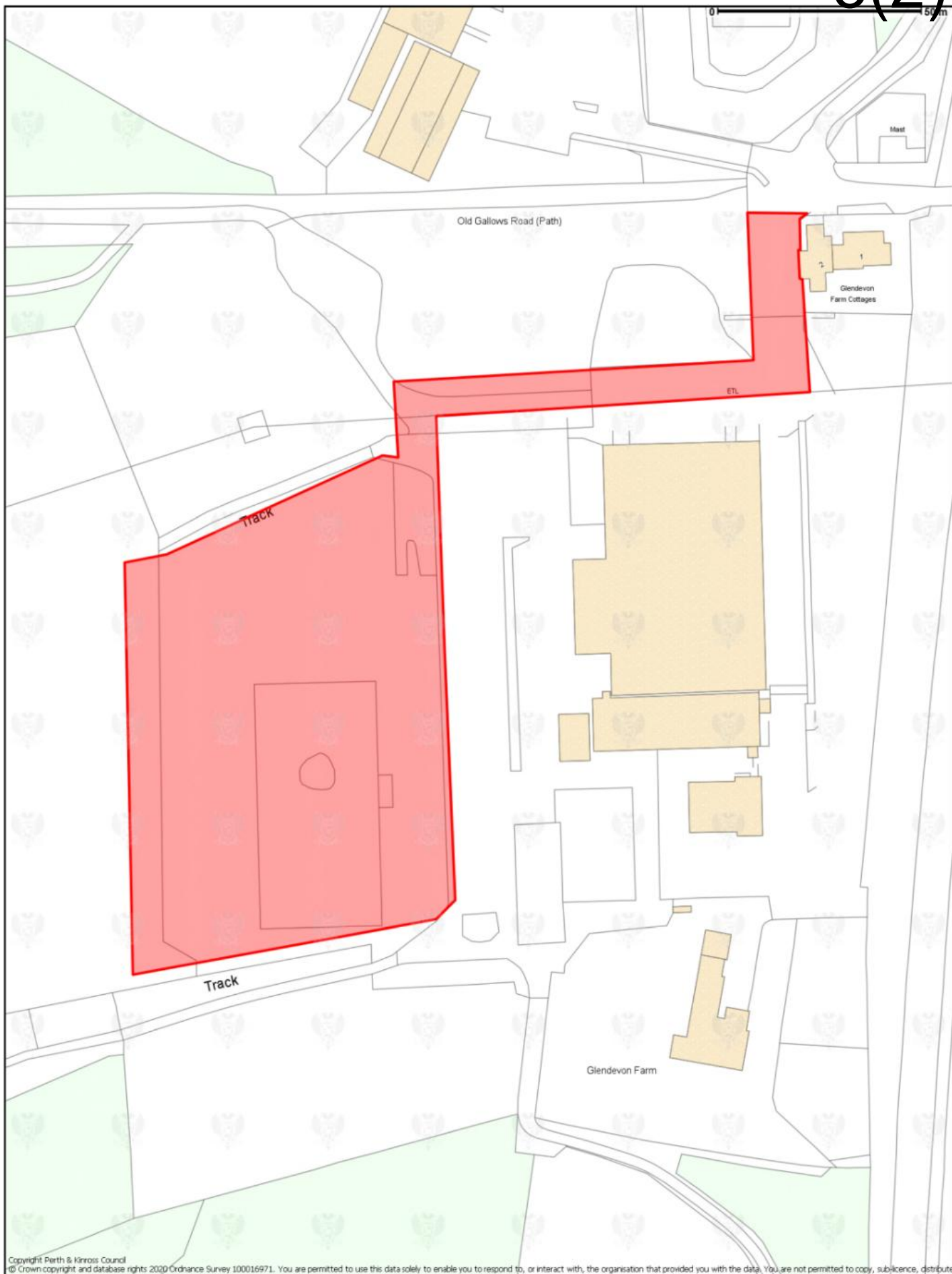
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20/00011/PAN

Formation of an energy storage facility comprising battery storage container units, ancillary equipment, boundary treatments, landscaping and associated works, land SW of Noah's Ark, Old Gallows Road, Perth



