

**TCP/11/16(349)**  
**Planning Application 14/01748/FLL – Change of use and alterations to health centre (class 11) to form dwellinghouse, former leisure centre, Pitheavlis, Perth**

## **INDEX**

- (a) Papers submitted by the Applicant (***Pages 109-142***)
- (b) Decision Notice (***Pages 117-118***)
  - Report of Handling (***Pages 145-154***)
  - Reference Documents (***Pages 131-140***)
- (c) Representations (***Pages 155-168***)



**TCP/11/16(349)**

**Planning Application 14/01748/FLL – Change of use and alterations to health centre (class 11) to form dwellinghouse, former leisure centre, Pitheavlis, Perth**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**



# NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN  
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)  
(SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

**IMPORTANT: Please read and follow the guidance notes provided when completing this form.**  
**Failure to supply all the relevant information could invalidate your notice of review.**

Use BLOCK CAPITALS if completing in manuscript

## Applicant(s)

Name SONDER PKFR LTD

Address C/O AGENT.

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

## Agent (if any)

Name NEIL ROTHNIE ARCHITECTS

Address 116 ROSEMOUNT PLACE  
ABERDEEN

Postcode AB25 2YW

Contact Telephone 1 01224 624724

Contact Telephone 2

Fax No

E-mail\* neila@neilrothnie.co.uk

Mark this box to confirm all contact should be  
through this representative: ☒

Yes ☒ No ☐

\* Do you agree to correspondence regarding your review being sent by e-mail?

Planning authority

PERTH & KINROSS COUNCIL

Planning authority's application reference number

14/PT/48/FU

Site address

FORMER LEISURE CENTRE  
PITHEAVLIS PERTH

Description of proposed  
development

CHANGE OF USE AND ALTERATIONS TO HEALTH CENTRE  
(CLASS 11) TO FORM DWELLINGHOUSE.

Date of application

22ND OCT 2014

Date of decision (if any)

18TH DEC 2014

Note. This notice must be served on the planning authority within three months of the date of the decision  
notice or from the date of expiry of the period allowed for determining the application.

**Nature of application**

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
4. Application for approval of matters specified in conditions ☐

**Reasons for seeking review**

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

**Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

1. Further written submissions ☐
2. One or more hearing sessions ☐
3. Site inspection ☒
4. Assessment of review documents only, with no further procedure ☒

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

**Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- |  | Yes                                 | No                       |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

IF THE LOCAL REVIEW BODY REQUIRED ACCESS TO THE INTERIOR OF THE EXISTING BUILDING IT WOULD BE NECESSARY TO ARRANGE THIS WITH OTHERS

**Statement**

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

REFER TO SUPPORTING STATEMENT

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes ☐ No ☒

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

**List of documents and evidence**

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

ORIGINAL PLANNING APPLICATION  
REFUSAL OF PLANNING  
SUPPORTING STATEMENT

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

**Checklist**

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

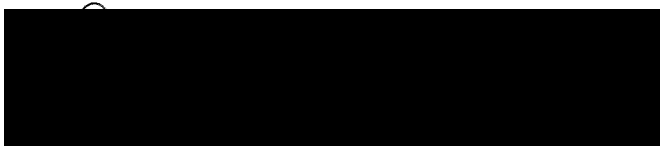
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

**Declaration**

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

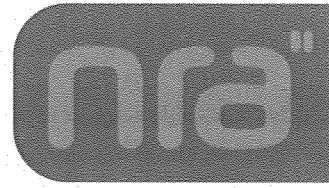
Signed



Date

12/3/15.





3036/-

**PROPOSED CHANGE OF USE AND ALTERATIONS TO HEALTH CENTRE TO FORM A DWELLINGHOUSE ;  
LOCAL REVIEW BODY SUPPORTING STATEMENT**

The site or building was a sports and health centre ancillary to the large office (Aviva) as a perk or service to the employees of Aviva.

This facility was sold to the applicant 5 years ago. As far as we understand this facility was no longer required or used by Aviva. It is important to recognise that this **was** ancillary to the Employment/ Business use of the immediate area and also that the facility could not be used nor viably converted for office or workshop types of use. It is and was possible to use parts of the building for storage use and consent for this use was granted in June 2013. This use was implemented for some 3 months.

From the time this site or building was purchased it has been continuously marketed for lease as a leisure/ health centre, for storage and as a children's nursery. During these 5 years only the large sports hall part of the building has been used for storage.

The reasons for refusal states that the proposals are contrary to TAYplan policy 3 Managing TAYplan's Assets. This states *identifying and safeguarding at least 5 years supply of employment land within principal settlements to support the growth of the economy and a diverse range of industrial requirements*. We do not consider the second bullet point has relevance to this refusal as it is specific to class 4 use which is for research and development of products and processes or light industrial. The experience of our client would confirm that this site is not required for this purpose as it has had minimal interest and that this site or building could not be put to any employment use without significant alterations or demolition. Combined with this is the fact that other areas in Perth which are zoned for employment use (proposed) have had minimal take up which would suggest that the aspirations of the policy are overstated and/or there is sufficient land allocated for period well in excess of 5 years. This would suggest that the removal or loss of a relatively small site would be considered as insignificant. It is worthy of note that other former employment uses have recently been developed for residential use at Pitheavlis at the former Distillers HQ at the entrance to this particular site. There are also further examples of employment land which has been available for a considerable time and offices that remain un-let e.g at Broxden. The very fact that this site has been available and marketed for some 5 years alone would suggest that it has now failed the test set by the policy and that a viable alternative use could or should be found.

The second reason for refusal refer to the conflict between the proposed use and the extant or surrounding use referencing policy ED1. ED1A states *Areas for employment uses should be retained for such uses. Within these areas any proposed development must be compatible with surrounding uses. In addition... the following criteria will be applied to development proposals in these areas .. (a) Proposals should not detract from the amenity of adjoining .. areas.* We would first of all refer to the other specific tests ; (b) We would contend that the local road network is already suitable. (c) We would contend again that there is already good walking, cycling and public transport links and (d)-(f) are not relevant to this proposal. We have put forward a very clear reason why this site was never in employment use as it was ancillary to the large office to the west. Since they no longer have a viable use for this facility and that over a period in excess of 5 years no feasible alternative has been found for what is a very specific building that the use of this site is undetermined.

We strongly disagree that the proposed residential use would detract from the surrounding employment use. The proposed use would have no material effect of the amenity of the extant office users and the applicant site is of an area that can more than adequately provide a range of external areas which in turn would provide privacy and more than an acceptable level of amenity appropriate to the proposed residential use.

In addition, as the building has lain vacant for some 5 years it is deteriorating and is reaching a critical point. The plant which maintains the leisure facilities within may no longer be able to function so the current use within the building can no longer be provided. This further contributes to the fact that this building or site is no longer viable as a leisure facility ; it is not required for it's original purpose (for the occupants of the Aviva offices) and the condition of the building and plant within can no longer provide this function. It is also worth noting that this building does not have it's own plantroom as it was served from a localised district services allied with the large Aviva office.

Finally, the continued use as a leisure facility is virtually impossible beyond the servicing and fabric of the building. As a leisure facility outwith the local authority umbrella it is subject to full rates which places it at an extreme disadvantage commercially. This would support the reason why no other leisure facility operator has shown no interest in this location.

## PERTH AND KINROSS COUNCIL

Sonder PKFR  
c/o Neil Rothnie Architects  
116 Rosemount Place  
Aberdeen  
AB25 2YW

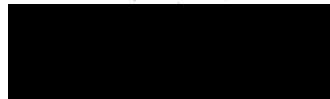
Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD


Date 18th December 2014

### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **14/01748/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 22nd October 2014 for permission for **Change of use and alterations to health centre (class 11) to form dwellinghouse Former Leisure Centre Pitheavlis Perth** for the reasons undernoted.



 Development Quality Manager

#### Reasons for Refusal

1. The proposal is contrary to TAYplan policy 3, Managing TAYplan's assets, which seeks to ensure that employment land is available to support the growth of the economy. The change of use to a dwellinghouse would be inappropriate in this location on land identified for employment generating uses.
2. The site is identified as employment land in the adopted Perth and Kinross Local Development Plan 2014. The proposal for change of use to a dwellinghouse is not considered to be an appropriate use of employment land. The proposal is therefore contrary to policy ED1 of the adopted Local Development Plan which seeks to retain identified employment land for employment uses.

#### Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page

**Plan Reference**

**14/01748/1**

**14/01748/2**

**14/01748/3**

**14/01748/4**

**14/01748/5**

**14/01748/6**

**14/01748/7**

**14/01748/8**

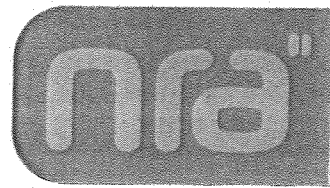
**14/01748/9**

**14/01748/10**

**14/01748/11**

**14/01748/12**

neil rothnie architects



Our Ref: 3036/nar/pl/05

2nd October 2014

**Perth & Kinross Council  
Planning & Regeneration  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD**

Dear Sirs,

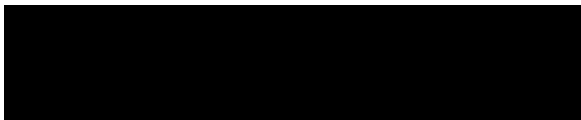
**PROPOSED CHANGE OF USE TO DWELLING HOUSE AT PITHEAVLIS HEALTH CLUB, PERTH.**

Please find enclosed the following documents and drawings in support of our Planning application to change the use of the former health club to a dwellinghouse

- Form Application for Planning Permission duly completed and signed
- Land Ownership Certificate duly completed and signed
- 4no. copies of drawings 3036/01-11
- Lodgement fee £382

Should you have any queries or require any further information please do not hesitate to contact the writer.

Yours faithfully



Neil Rothnie  
**Neil Rothnie Architects Ltd**

Enc/

Cc client



# APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (Scotland) Act 1997  
The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please refer to the accompanying Guidance Notes when completing this application  
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS  
ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title		Ref No.	
Forename		Forename	
Surname		Surname	
Company Name	CLIENTS OF NEIL ROTHWILE ARCHITECTS (AGENTS)	Company Name	NEIL ROTHWILE ARCHITECTS
Building No./Name		Building No./Name	116
Address Line 1		Address Line 1	ROSEMOUNT PLACE
Address Line 2		Address Line 2	
Town/City		Town/City	ABERDEEN
Postcode		Postcode	AB25 2YW
Telephone		Telephone	01224 624724
Mobile		Mobile	—
Fax		Fax	—
Email		Email	neil@neilrothwile.co.uk
<b>3. Postal Address or Location of Proposed Development (please include postcode)</b>			
PITHEAVULIS HEALTH CLUB (FORMER) PERTH PH2 0TR			
NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.			
<b>4. Type of Application</b>			
What is the application for? Please select one of the following:			
Planning Permission			<input checked="" type="checkbox"/>
Planning Permission in Principle			<input type="checkbox"/>
Further Application*			<input type="checkbox"/>
Application for Approval of Matters Specified in Conditions*			<input type="checkbox"/>
Application for Mineral Works**			<input type="checkbox"/>
NB. A 'further application' may be e.g. development that has not yet commenced and where a time limit has been imposed a renewal of planning permission or a modification, variation or removal of a planning condition.			
*Please provide a reference number of the previous application and date when permission was granted:			
Reference No:	13/00837/FLL	Date:	9/5/13.

\*\*Please note that if you are applying for planning permission for mineral works your planning authority may have a separate form or require additional information.

### 5. Description of the Proposal

Please describe the proposal including any change of use:

CHANGE OF USE OF HEALTH CENTRE (CLASS 11) TO  
DWELLINGHOUSE (SINGLE) AT FORMER LEISURE CENTRE  
PITHEAVLIS PULTH

Is this a temporary permission?

Yes ☐ No ☒

If yes, please state how long permission is required for and why:

Have the works already been started or completed?

Yes ☐ No ☒

If yes, please state date of completion, or if not completed, the start date:

Date started:

Date completed:

If yes, please explain why work has already taken place in advance of making this application

### 6. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal?

Yes ☐ No ☒

If yes, please provide details about the advice below:

In what format was the advice given?

Meeting ☐ Telephone call ☐ Letter ☐ Email ☐

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes ☐ No ☐

Please provide a description of the advice you were given and who you received the advice from:

Name:

Date:

Ref No.:

### 7. Site Area

Please state the site area in either hectares or square metres:

Hectares (ha):

1.3

Square Metre (sq.m.)



## 8. Existing Use

Please describe the current or most recent use:

HEALTH CENTRE (CLASS 11)  
USE AS STORAGE (CLASS 6) GRANTED IN MAY 2013.

## 9. Access and Parking

Are you proposing a new altered vehicle access to or from a public road?

Yes ☐ No ☒

If yes, please show in your drawings the position of any existing, altered or new access and explain the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access?

Yes ☐ No ☒

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site?

60

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total number of existing spaces plus any new spaces)

4

Please show on your drawings the position of existing and proposed parking spaces and specify if these are to be allocated for particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)

## 10. Water Supply and Drainage Arrangements

Will your proposals require new or altered water supply or drainage arrangements?

Yes ☐ No ☒

Are you proposing to connect to the public drainage network (e.g. to an existing sewer?)

Yes, connecting to a public drainage network  
No, proposing to make private drainage arrangements  
Not applicable – only arrangement for water supply required

☒  
☐  
☐

What private arrangements are you proposing for the new/altered septic tank?

Discharge to land via soakaway  
Discharge to watercourse(s) (including partial soakaway)  
Discharge to coastal waters

N/A.

☐  
☐  
☐

Please show more details on your plans and supporting information

What private arrangements are you proposing?

Treatment/Additional treatment (relates to package sewer treatment plants, or passive sewage treatment such as a reed bed)

N/A ☐

Other private drainage arrangement (such as a chemical toilets or composting toilets)

N/A ☐

Please show more details on your plans and supporting information.

Do your proposals make provision for sustainable drainage of surface water?

Yes ☐ No ☒ AS NOT REQ'D.

Note:- Please include details of SUDS arrangements on your plans

Are you proposing to connect to the public water supply network? *N/A* *RE-USE EXISTING* Yes ☐ No ☒

If no, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site)

### 11. Assessment of Flood Risk

Is the site within an area of known risk of flooding? Yes ☐ No ☒

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your planning authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? Yes ☐ No ☐ Don't Know ☐

If yes, briefly describe how the risk of flooding might be increased elsewhere.

### 12. Trees

Are there any trees on or adjacent to the application site? Yes ☒ No ☐

*NONE AFFECTED BY APPLICATION.*

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

### 13. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? (including recycling) Yes ☒ No ☐

If yes, please provide details and illustrate on plans.

If no, please provide details as to why no provision for refuse/recycling storage is being made:

### 14. Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? Yes ☒ No ☐

If yes how many units do you propose in total?

1

Please provide full details of the number and types of units on the plan. Additional information may be provided in a supporting statement.

### 15. For all types of non housing development – new floorspace proposed

Does your proposal alter or create non-residential floorspace?

Yes ☐ No ☒

If yes, please provide details below:

Use type:

If you are extending a building, please provide details of existing gross floorspace (sq.m):

Proposed gross floorspace (sq.m.):

Please provide details of internal floorspace(sq.m)

Net trading space:

Non-trading space:

Total net floorspace:

### 16. Schedule 3 Development

Does the proposal involve a class of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008?

Yes ☐ No ☐ Don't Know ☒

If yes, your proposal will additionally have to be advertised in a newspaper circulating in your area. Your planning authority will do this on your behalf but may charge a fee. Please contact your planning authority for advice on planning fees.

### 17. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority?

Yes ☐ No ☒

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority?

Yes ☐ No ☒

If you have answered yes please provide details:

### DECLARATION

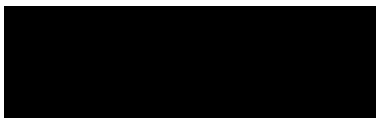
I, the applicant/agent certify that this is an application for planning permission. The accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed ☒

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants

Yes ☐ No ☐ N/A ☒

Signature:



Name:

NEIL ROYAL

Date:

2/10/14

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.



# LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997  
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland)  
Regulations 2013

## CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

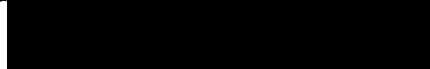
### CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than myself <sup>the applicant</sup> was owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the application. ☒
- (2) None of the land to which the application relates constitutes or forms part of agricultural land. ☒

Signed:

 NEIL ROTUNDE

On behalf of:

CLIENTS OF NEIL ROTUNDE ARCHITECTS

Date:

2/10/14.

### CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

- (1) I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are: ☐

Name	Address	Date of Service of Notice

- (2) None of the land to which the application relates constitutes or forms part of agricultural land ☐

or

- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are: ☐

Name	Address	Date of Service of Notice

Signed:

On behalf of:

Date:

### CERTIFICATE C

Certificate C is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where it has not been possible to identify ALL or ANY owners/agricultural tenants.

- (1) I have been unable to serve notice on **every** person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. ☐

or

- (2) I have been unable to serve notice on **any** person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner of any part of the land to which the application relates. ☐

- (3) None of the land to which the application relates constitutes or forms part of an agricultural holding.

or

- (4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have been unable to serve notice on any person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. ☐

or

- (5) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding I have served notice on each of the following persons other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are: ☐

Name	Address	Date of Service of Notice

- (6) I have taken reasonable steps, as listed below, to ascertain the names and addresses of all other owners or agricultural tenants and have been unable to do so.

Steps taken:

--

Signed:

--

On behalf of:

--

Date:

--

### CERTIFICATE D

Certificate D is for use where the application is for mineral development.

- (1) No person other than myself was an owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application. ☐
- or
- (2) I have served notice on each of the following persons other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application, was to the applicant's knowledge, the owner, of any part of the land to which the application relates. These persons are: ☐

Name	Address	Date of Service of Notice

- (3) None of the land to which the application relates constitutes or forms part of an agricultural holding. ☐
- or
- (4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have served notice on each of the following persons other than myself who, at the beginning of the period of 21 days ending with the date of the application, was an agricultural tenant. ☐
- (5) Notice of the application as set out below has been published and displayed by public notice ☐

Signed:

--

On behalf of:

--

Date:

--

### CERTIFICATE E

Certificate E is required where the applicant is the sole owner of all the land and the land to which the application relates is agricultural land and there are or are not agricultural tenants.

I hereby certify that -

(1) No person other than myself was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application. ☐

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants. ☐

or

(1) No person other than myself was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application. ☐

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants. These people are: ☐

Name	Address	Date of Service of Notice

(3) I have taken reasonable steps, as listed below, to ascertain the names and addresses of the other agricultural tenants and have been unable to do so. ☐

Steps taken:

--

Signed:

--

On behalf of:

--

Date:

--

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act





LOCATION PLAN 1:1250

NEIL ROUTINE ARCHITECTS LTD  
 116 ROXBOROUGH PLACE, ABERDEEN, AB9 8TW  
 TEL 01224 847226 FAX 01224 848884  
 neil@neilroutine.co.uk neilroutine.co.uk

REF	DESCRIPTION	DATE



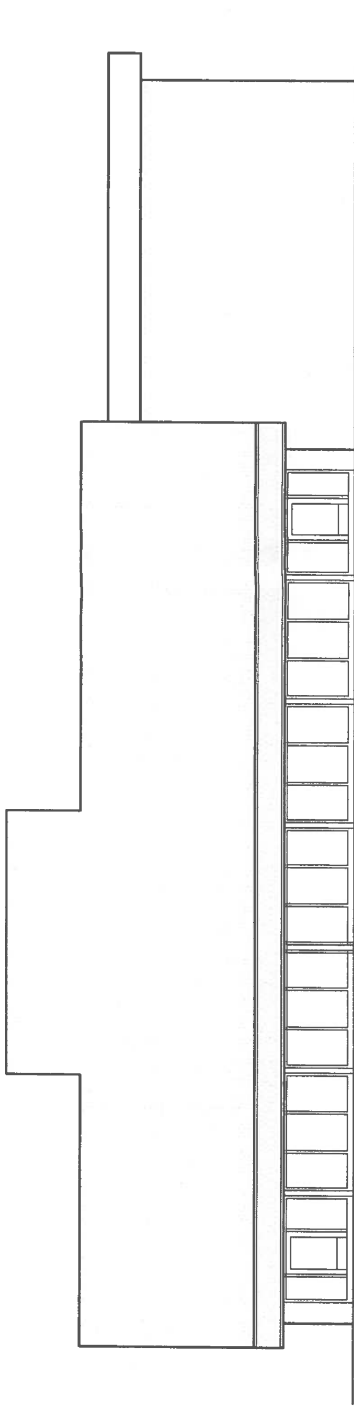
NEIL ROUTINE ARCHITECTS LTD  
 ARCHITECTS AND DESIGN CONSULTANTS  
 116 ROXBOROUGH PLACE, ABERDEEN, AB9 8TW  
 TEL 01224 847226 FAX 01224 848884  
 neil@neilroutine.co.uk neilroutine.co.uk

CLIENT	SONDER PFR LTD
PROMOT	CONVERSION TO RESIDENCE AT THE FORMER PITHEAVLIS HEALTH CLUB
CONTRAT	PROPOSED LOCATION PLAN
SCALE	1:1250 (A3)
DATE	SEPTEMBER 2014
JOB REFERENCE	3036
REV	01
DRAWN BY	

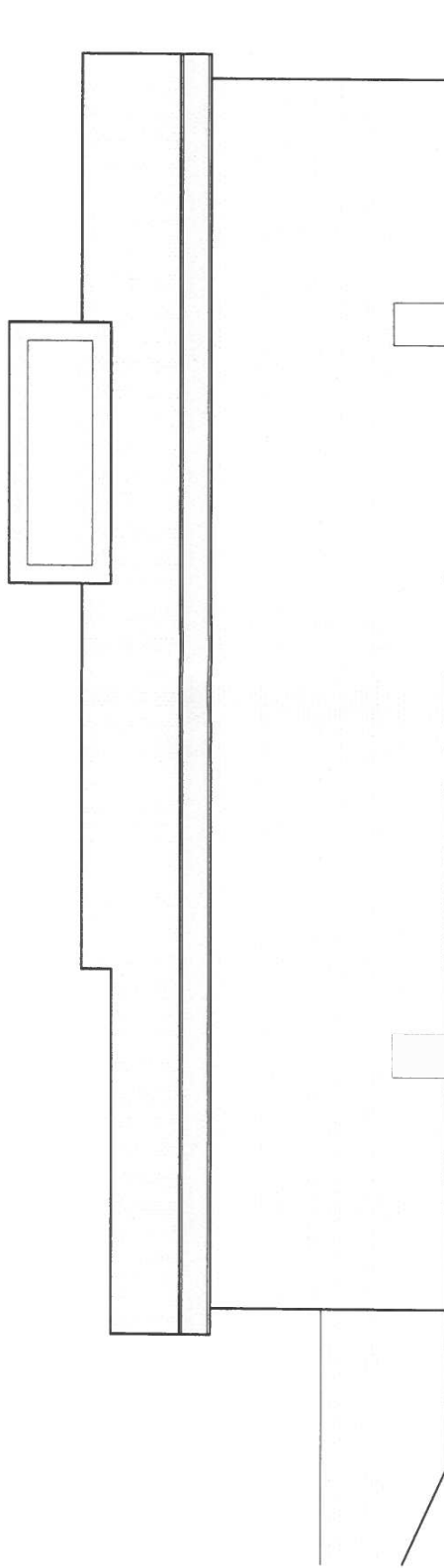


NEIL ROUTINE ARCHITECTS LTD	NEIL ROUTINE ARCHITECTS LTD	NEIL ROUTINE ARCHITECTS LTD	NEIL ROUTINE ARCHITECTS LTD
114 ROXBOROUGH PLACE, ABERDEEN, AB9 1PW	114 ROXBOROUGH PLACE, ABERDEEN, AB9 1PW	114 ROXBOROUGH PLACE, ABERDEEN, AB9 1PW	114 ROXBOROUGH PLACE, ABERDEEN, AB9 1PW
TEL: 01224 614724 FAX: 01224 643404	TEL: 01224 614724 FAX: 01224 643404	TEL: 01224 614724 FAX: 01224 643404	TEL: 01224 614724 FAX: 01224 643404
neilroutine.co.uk	neilroutine.co.uk	neilroutine.co.uk	neilroutine.co.uk
CITY	BENDER PPKR LTD		
PROJECT	CONVERSION TO RESIDENCE AT THE FOREVER PHYSICALS HEALTH CLUB		
COUNTRY	EXISTING LOWER GROUND FLOOR PLAN	PLANNING	
SCALE	1:2000/1:3	DATE	SEPTEMBER 2014
BY REFERENCE	3030	SUBMITTED	BY
			DATE





EXISTING SOUTH ELEVATION 1:200



EXISTING NORTH ELEVATION 1:200

NEIL NOTHNE ARCHITECTS LTD  
 118 RICHMOND ROAD, LONDON, SE18 3PW  
 TEL: 0204 62174 FAX: 0204 62044  
 www.neilnothne.co.uk

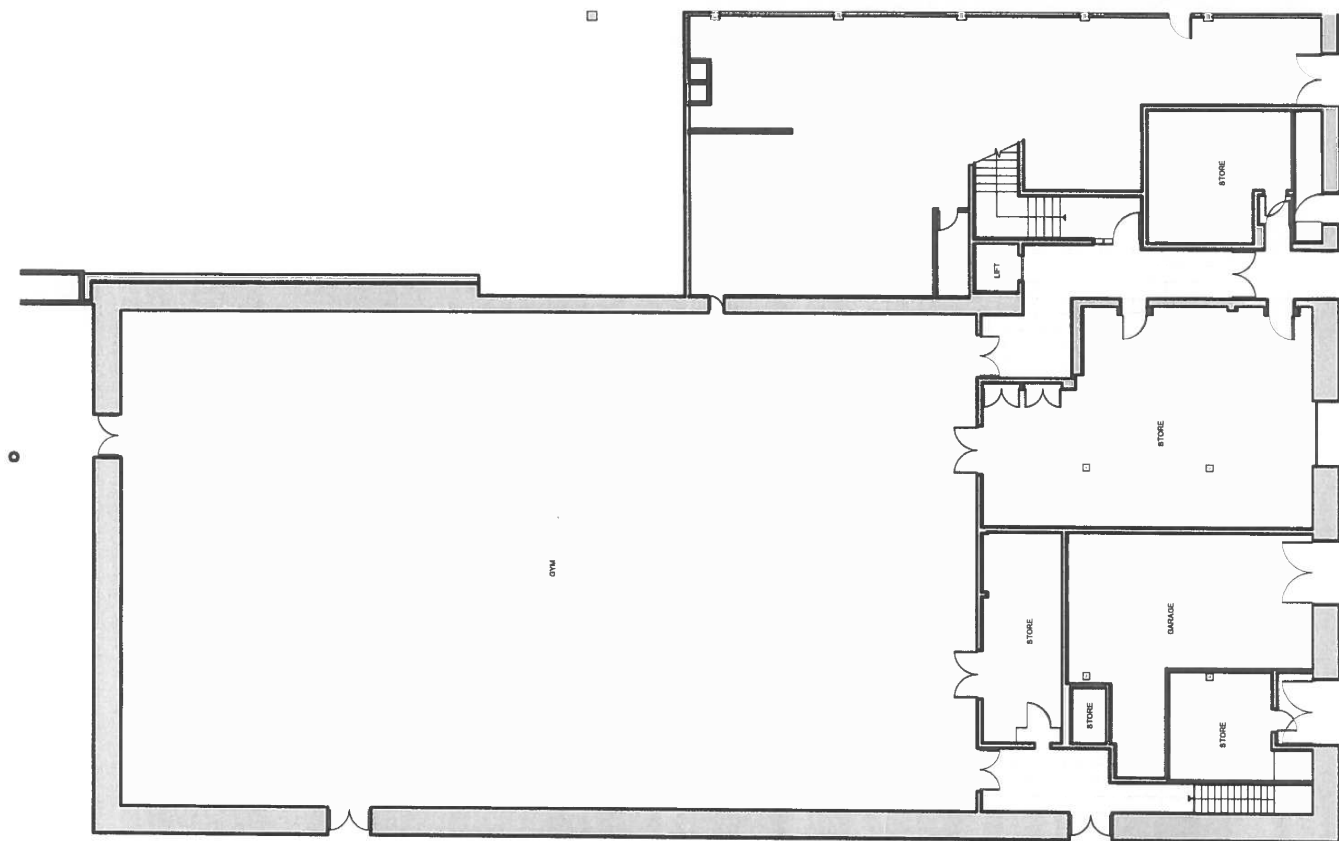
DATE	DESCRIPTION	BY
11/09/14	EXISTING SOUTH ELEVATION	NEIL
11/09/14	EXISTING NORTH ELEVATION	NEIL



NEIL NOTHNE ARCHITECTS LTD  
 118 RICHMOND ROAD, LONDON, SE18 3PW  
 TEL: 0204 62174 FAX: 0204 62044  
 www.neilnothne.co.uk

PROJECT	CONVERSION TO RESIDENCE AT THE FORMER RHYTHMUS HEALTH CLUB
DATE	11/09/14
SCALE	1:200
DATE	11/09/14
BY	NEIL
CHECKED	05





LOWER GROUND FLOOR 1:200

NEIL ROTHWELL ARCHITECTS LTD  
 179 BELMONT PLACE, AMERSHAM, ABBY 7YM  
 TEL: 01494 401291 FAX: 01494 401292  
 E: neil@neilarchitects.co.uk  
 W: www.neilarchitects.co.uk

DATE	12/09/2014
BY	NEIL ROTHWELL
CHECKED BY	NEIL ROTHWELL
DATE	12/09/2014
BY	NEIL ROTHWELL
CHECKED BY	NEIL ROTHWELL



NEIL ROTHWELL ARCHITECTS LTD  
 179 BELMONT PLACE, AMERSHAM, ABBY 7YM  
 TEL: 01494 401291 FAX: 01494 401292  
 E: neil@neilarchitects.co.uk  
 W: www.neilarchitects.co.uk

PROJECT	CONVERSION TO RESIDENCE AT THE FORMER PHYSICIAN'S HEALTH CLUB
SITE	PROPOSED LOWER GROUND FLOOR PLAN
DATE	12/09/2014
BY	NEIL ROTHWELL
CHECKED BY	NEIL ROTHWELL
DATE	12/09/2014
BY	NEIL ROTHWELL
CHECKED BY	NEIL ROTHWELL

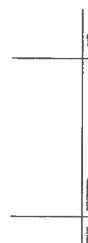
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ARCHITECTS AND DESIGN CONSULTANTS  
1118 ROSEMOUNT PLACE, ABERDEEN, AB21 2TW  
TEL 01224 654724 FAX 01224 645364  
www.rothnie.co.uk

CLIENT SONDER PFKR LTD

PROJECT

CONVERSION TO RESIDENCE AT THE  
FORMER PITHEAVI IS HEALTH CLUB

PROPOSED SECOND FLOOR PLAN

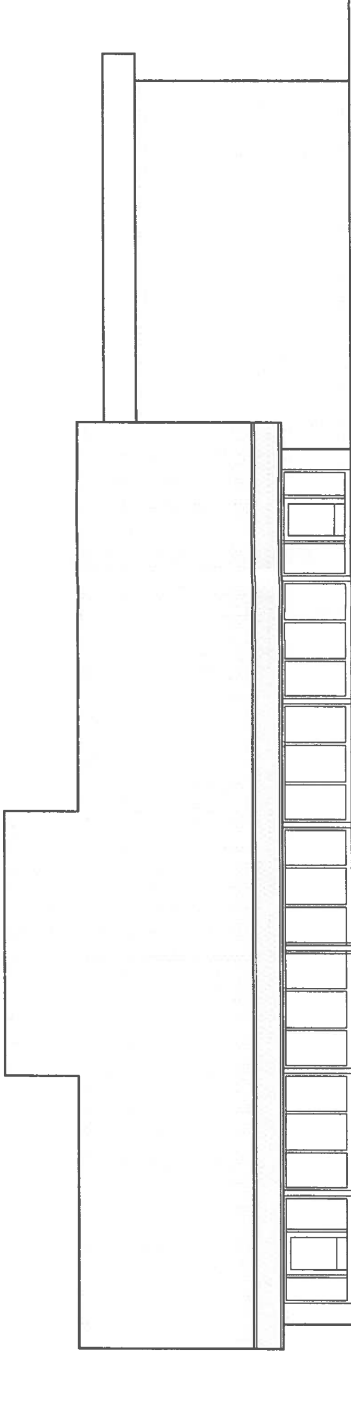
## PLANNING

SCALE 1:2000000 SEPTEMBER 1941

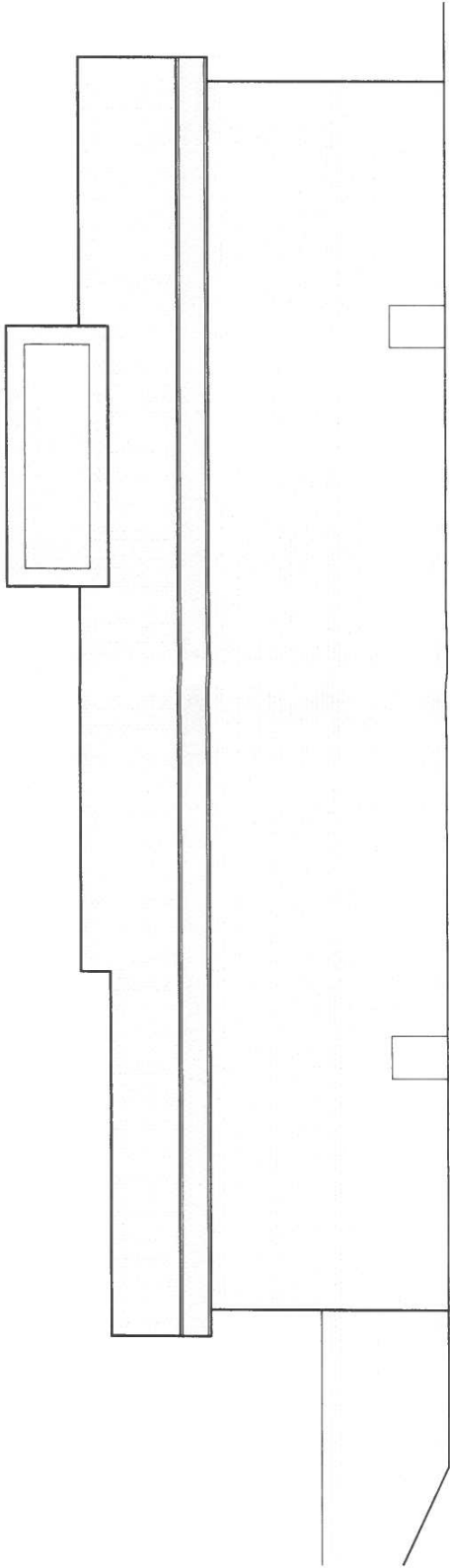
FOR REFERENCE	DATE	REV.

09 3036





SOUTH ELEVATION 1:200



NORTH ELEVATION 1:200

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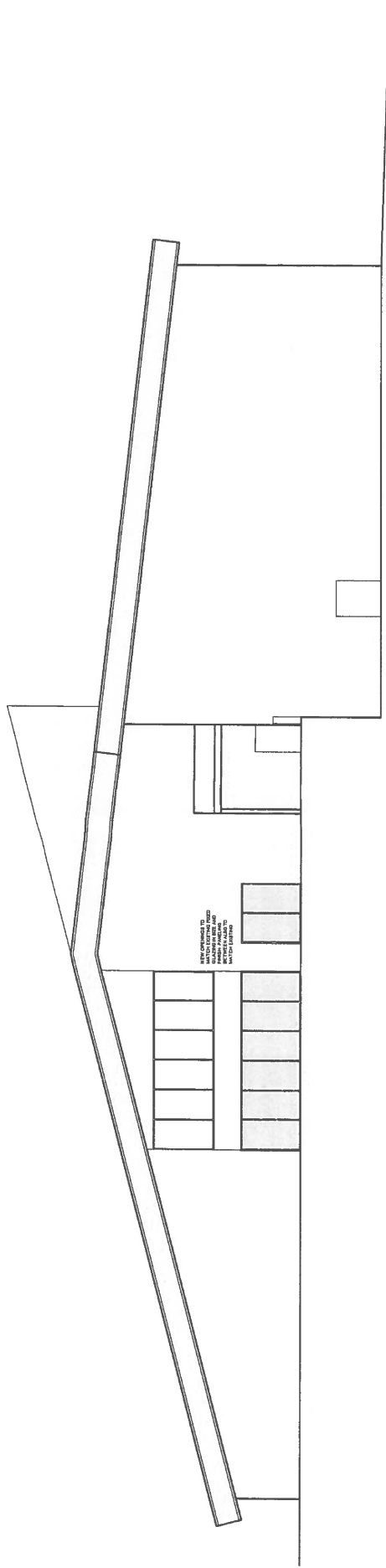
NEIL RATHNIE ARCHITECTS LTD  
 110 RABBITHOLE PLACE, ABERDEEN, ABERDEENSHIRE AB9 8YF  
 TEL: 01224 646464 FAX: 01224 646465  
 WWW.NEILRATHNIEARCHITECTS.CO.UK

CLIENT: BONDEN PPEL LTD

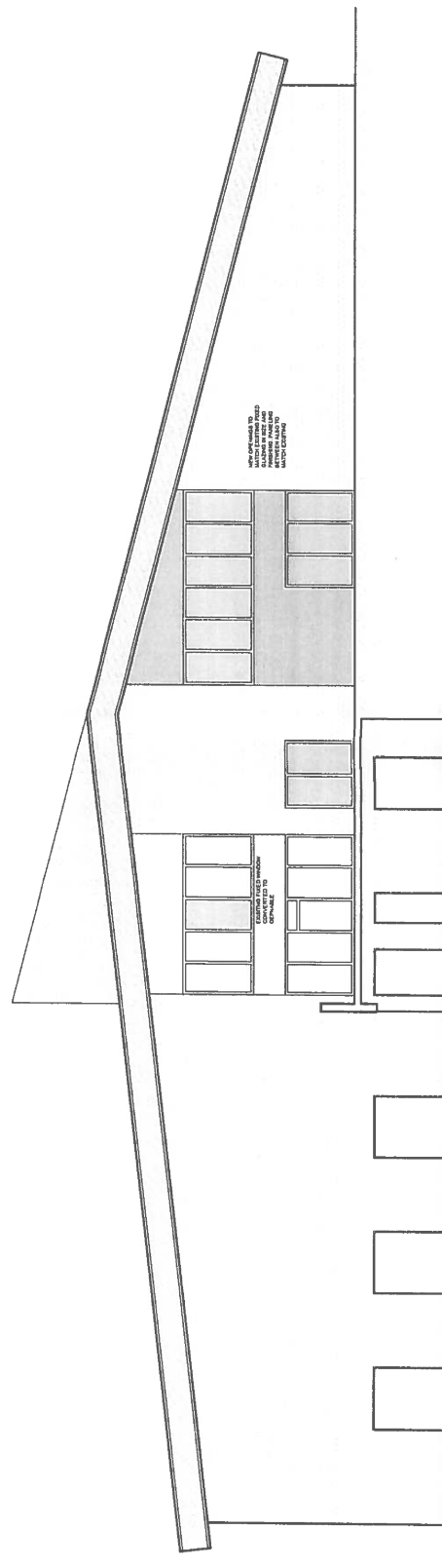
PROJECT: CONVERSION TO RESIDENCE AT THE FORMER PITHEATHE HEALTH CLUB  
 PROPOSED NORTH/EAST ELEVATIONS

DATE: 12/09/13 SCALE: 1:200 DRAWN BY: J. RATHNIE  
 CHECKED BY: J. RATHNIE DATE: 10/09/13

NEIL RATHNIE ARCHITECTS LTD  
 110 RABBITHOLE PLACE, ABERDEEN, ABERDEENSHIRE AB9 8YF  
 TEL: 01224 646464 FAX: 01224 646465  
 WWW.NEILRATHNIEARCHITECTS.CO.UK



SOUTH ELEVATION 1:200



NORTH ELEVATION 1:200

NEIL ROTHWELL ARCHITECTS LTD  
 11 KINGSWAY PLACE, ANDERSEN,  
 TEL 0294 48781 FAX 0294 48808  
 www.neilrothwell.co.uk  
 CONVEYANCE TO NEIL ROTHWELL ARCHITECTS LTD

DATE	DESCRIPTION	BY
11/09/14	11/09/14	11/09/14



NEIL ROTHWELL ARCHITECTS LTD  
 11 KINGSWAY PLACE, ANDERSEN,  
 TEL 0294 48781 FAX 0294 48808  
 www.neilrothwell.co.uk  
 CONVEYANCE TO NEIL ROTHWELL ARCHITECTS LTD

PROJECT	CONVERSION TO RESIDENCE AT THE FORMER PHYSICAL HEALTH CLUB
CONTR	PROPOSED EASTWEST ELEVATIONS
PLAN	PLANNING
DATE	11/09/14
BY	11/09/14
11/09/14	11/09/14



Our Ref: 3036/nr/pl/01

17th December 2014

**Perth & Kinross Council  
Planning & Regeneration  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD**

Dear Sirs,

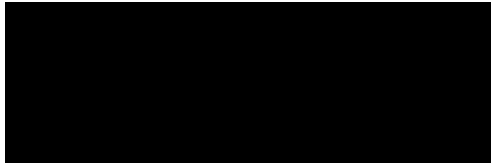
**PROPOSED CHANGE OF USE AT PITHEAVLIS HEALTH CLUB, PERTH. FOR SONDER PKFR LTD. REF: 14/01748/FLL**

We refer to the Comments to the Development Quality Manager on the above Planning application by Katie Briggs dated 20/11/14 and would comment as follows;

- This property has lain vacant for 5 years
- In that period numerous attempts to lease this property as a leisure facility have proven to be unsuccessful
- The use, gained by a previous planning approval for industrial (storage), was only implemented for 3 months
- In the past 5 years no one has been employed on these premises

In conclusion, we would assert that we have demonstrated that this site or land has no value as employment land and that it would be unreasonable that it is retained as such.

Yours faithfully



**Neil Rothnie  
Neil Rothnie Architects Ltd**

Cc client



**TCP/11/16(349)**

**Planning Application 14/01748/FLL – Change of use and alterations to health centre (class 11) to form dwellinghouse, former leisure centre, Pitheavlis, Perth**

**PLANNING DECISION NOTICE** *(included in applicant's submission, see page 117-118)*

**REPORT OF HANDLING**

**REFERENCE DOCUMENT** *(included in applicant's submission, see pages 131-140)*



# REPORT OF HANDLING

## DELEGATED REPORT

Ref No	14/01748/FLL	
Ward No	N10- Perth City South	
Due Determination Date	21.12.2014	
Case Officer	Persephone Beer	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Change of use and alterations to health centre (class 11) to form dwellinghouse

**LOCATION:** Former Leisure Centre Pitheavlis Perth

### SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

**DATE OF SITE VISIT:** 17 November 2014

### SITE PHOTOGRAPHS



## **BACKGROUND AND DESCRIPTION OF PROPOSAL**

The application is for change of use of health centre (class 11) and alterations to form a dwellighthouse at former Pitheavlis Leisure Centre, Pitheavlis, Perth. Within the last two years there have been a number of applications related to the change of use of the building. The most recent approval was for change of use to storage ref. 13/00837/FLL. Prior to that planning permission was approved for change of use to nursery and storage ref 12/02105/FLL.

## **SITE HISTORY**

12/00225/FLL Formation of additional car parking and formation of astroturf pitches 11 April 2012 Application Permitted

12/01131/FLL Alterations and change of use of former games halls to storage area and installation of new gas container boiler 23 August 2012 Application Permitted

12/02105/FLL Change of use from health centre to children's nursery and storage 25 January 2013 Application Permitted

13/00837/FLL Change of use of health centre (class 11) to storage (class 6) 25 June 2013 Application Permitted

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: None recorded in relation to this application.

## **NATIONAL POLICY AND GUIDANCE**

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

## **DEVELOPMENT PLAN**

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

### **TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012**

The Tay Plan vision 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 and visit and where businesses choose to invest and create jobs.”*



The following TAYplan policy; Policy 3: Managing TAYplan's Assets is relevant to this application. This seeks to identify and safeguard at least 5 years supply of employment land within principal settlements to support the growth of the economy and a diverse range of industrial requirements. The supporting text for this policy states that employment land can be affected through redevelopment for alternative uses or by alternative uses nearby. This could hinder or even prevent the start-up of businesses in the future and/or limit business operations.

### **Perth and Kinross Local Development Plan 2014 – Adopted February 2014**

The Local Development Plan was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

#### **Policy PM1A - Placemaking**

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

#### **Policy PM1B - Placemaking**

All proposals should meet all eight of the placemaking criteria.

#### **Policy PM3 - Infrastructure Contributions**

Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

#### **Policy ED1A - Employment and Mixed Use Areas**

Areas identified for employment uses should be retained for such uses and any proposed development must be compatible with surrounding land uses and all six of the policy criteria, in particular retailing is not generally acceptable unless ancillary to the main use.

### **OTHER POLICIES**

None.

## CONSULTATION RESPONSES

### Internal comments

#### Environmental Health

No objection subject to condition with regard to potential contamination.

#### Forward Planning

Policy objection as the proposal does not accord with the Perth and Kinross LDP or TAYplan.

#### Education And Children's Services

This development falls within the Craigie Primary School catchment area.

Based on current information this school will reach the 80% capacity threshold. Request that the Finalised Primary Education and New Housing Contributions Policy be applied to this application.

#### Contributions Officer

Developer contribution required with regard to primary education provision.  
Total: £6,395

This proposal is for a change of use of an existing building. It will not result in the creation of 5+ dwellings and as such the Transport Infrastructure Supplementary Guidance will not apply.

#### Transport Planning

No objections.

## REPRESENTATIONS

There have not been any representations received in relation to this application.

### ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required

Design Statement or Design and Access Statement	Not submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

## **APPRAISAL**

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

### **Policy Appraisal**

The site is within an area designated in the adopted Local Development Plan 2014 as employment land. The applicant wishes to alter an existing leisure centre to form a large detached domestic property. The existing sports hall, squash courts and swimming pool will be retained and the area between the sports halls and swimming pool would be converted into residential accommodation.

Policy ED1A states that “areas identified for employment use should be retained for such use”. This policy aims to ensure that these areas are retained so that existing business can grow and economic opportunities can be realised.

Policy 3: Managing TAYplan’s Assets is also relevant. This requires Local Development Plans to identify and safeguard at least 5 years supply of employment land within principal settlements to support the growth of the economy and a diverse range of industrial requirements. The supporting text for this policy states that where employment land is redeveloped for alternative uses this could hinder or limit future business operations.

There is a history of various permissions being granted on this site for different employment supporting uses. Whilst this planning application proposal could bring back to use the former health centre no evidence is submitted alongside the current application to explain why a future employment use cannot be secured.

With this strong policy background in favour of retaining employment land for employment uses this change of use would result in the loss of valuable employment land to residential, and therefore does not comply with the relevant Development Plan policies.

## **Design and Layout**

The proposal is to change the use of the previous Pitheavlis Leisure Centre into a dwellinghouse. The Leisure Centre is currently disused but previously included gym, squash courts and swimming pool. The residential use relates to the three levels of the building.

The existing layout comprises the gym on the lower ground floor, pool, squash courts and changing rooms on the upper ground/first floor and changing rooms on the second floor.

The proposals show the gym remaining on the lower ground floor along with a garage and various store rooms. The rooms on the upper ground/first floor will be converted/reconfigured to form 6/7 bedrooms with associated laundry, utility room and sauna. The pool and squash courts are to be retained. The second floor will be converted to sun room, study, lounge, kitchen, sitting room, dining room and cinema room.

The red line site boundary identifies a site of 1.3 ha which would effectively become residential curtilage. The plans show proposed tennis courts in an area that at the time of my site visit was partly used for lorry parking

Whilst it may be physically possible to convert the building into residential accommodation I do not consider that this site is appropriate for residential use on what is primarily an employment site. Whilst the proposal could bring back to use the former health centre no evidence has been submitted alongside the current application to explain why a future employment use cannot be secured.

## **Landscape**

No landscaping plans are included with the proposals. There are some existing trees on the site that are marked on the plans plus some shrub planting around the perimeter of the site/building. The application site boundary includes a substantial amount of potential garden ground which includes the former bowling greens and site of former tennis courts. The proposals include formation of tennis courts but do not show any other proposals for use of this extensive curtilage.

## **Residential Amenity**

There are no residential uses in close proximity to this. The neighbouring uses are car parking and office uses associated with Aviva's large Perth office complex.

The Council's Environmental Health Officer has no objection but notes that the application site is located around 115 metres north of the A9 Perth City Bypass. There is therefore the potential for road traffic noise to affect future

residents of this site. However, any occupier of the premises would be fully aware of this.

### **Contaminated Land** (assessment date – 11/11/2014)

The Council's Environmental Health Officer (EHO) has inspected the site with regard to potential for contamination. Given the previous development at the site there is the potential for areas of made ground which may contain contaminants. There is currently a bowling green within the site boundary, under which there may be fill material. The EHO has requested that a watching brief is required during development and request that a condition regarding this be applied to any approval.

### **Visual Amenity**

There are limited changes to the external appearance of the building. The main change is in the addition of windows to the front and rear elevations. These will provide additional light to the central section of the building which is the main area proposed for conversion to residential use. There is currently a coloured motif on the front elevation relating to the building's use as a leisure centre. The inclusion of additional windows would affect this motif so I have assumed that this will be removed as part of the alteration.

The site boundary is extensive and incorporates the former bowling green and a large area of hardstanding that currently contains some storage containers and lorry parking. The site plan shows this area to be proposed as a tennis court which may well have been its former use.

I do not consider that visual amenity will be adversely affected by the proposed development.

### **Roads and Access**

The site is accessed off the main drive into Aviva's premises. The Council's Transport Planners do not have any objections to the proposal.

### **Drainage and Flooding**

There are no issues with drainage or flooding matters with regard to this application.

### **Developer Contributions**

The proposal is subject to consideration for developer contributions in relation to primary education and transport infrastructure in terms of policy PM3 of the adopted Local Development Plan.

## **Primary Education**

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.

This proposal is within the catchment of Craigie Primary School.

A contribution towards education provision of £6,395 would be required.

## **Transport Infrastructure**

With reference to the above planning application the Council Transport Infrastructure Development Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.

This proposal is for a change of use of an existing building. It will not result in the creation of 5+ dwellings and as such the Transport Infrastructure Supplementary Guidance will not apply. No contribution is therefore required in relation to transport infrastructure.

## **Economic Impact**

The change of use of the property to a dwellinghouse could have an adverse economic impact. The site is allocated as employment land and has potential to contribute to the economy in terms of the provision of employment generating uses. The change of use will remove 1.3ha of land from the employment land supply.

## **Conclusion**

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

## **APPLICATION PROCESSING TIME**

The recommendation for this application has been made within the statutory determination period.

## **LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **RECOMMENDATION**

**Refuse the application**

### **Conditions and Reasons for Recommendation**

- 1 The proposal is contrary to TAYplan policy 3, Managing TAYplan's assets, which seeks to ensure that employment land is available to support the growth of the economy. The change of use to a dwellinghouse would be inappropriate in this location on land identified for employment generating uses. Such a use could hinder business operations on this site in the future.
- 2 The site is identified as employment land in the adopted Perth and Kinross Local Development Plan 2014. The proposal for change of use to a dwellinghouse is not considered to be an appropriate use of employment land. The proposal is therefore contrary to policy ED1 of the adopted Local Development Plan which seeks to retain identified employment land for employment uses.

### **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

### **Informatives**

None.

### **Procedural Notes**

Not Applicable.

## **PLANS AND DOCUMENTS RELATING TO THIS DECISION**

14/01748/1

14/01748/2

14/01748/3

14/01748/4

14/01748/5

14/01748/6

14/01748/7

14/01748/8

14/01748/9

14/01748/10

14/01748/11

14/01748/12

**Date of Report 17.12.2014**



**TCP/11/16(349)**

**Planning Application 14/01748/FLL – Change of use and alterations to health centre (class 11) to form dwellinghouse, former leisure centre, Pitheavlis, Perth**

## **REPRESENTATIONS**

- Representation from Development Negotiations Officer, dated 30 October 2014
- Representation from Education and Children's Services, dated 4 November 2014
- Representation from Regulatory Service Manager, dated 14 November 2014
- Representation from Transport Planning, dated 11 December 2014
- Representation from Planning & Regeneration, dated 16 December 2014



## INTERNAL CONSULTATION ON PLANNING APPLICATION



**To:** Development Management  
**From:** Euan McLaughlin  
**Date:** 30 October 2014  
**Planning Reference:** 14/01748/FLL  
**Description of Proposal:** Change of use and alterations to health centre (class 11) to dwellinghouse Former Leisure Centre Pitheavlis Perth for Sonder PKFR

**NB:** Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.

THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, MAY FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.

### Primary Education

With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.

This proposal is within the catchment of Craigie Primary School.

### Transport Infrastructure

With reference to the above planning application the Council Transport Infrastructure Development Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.

This proposal is for a change of use of an existing building. It will not result in the creation of 5+ dwellings and as such the Transport Infrastructure Supplementary Guidance will not apply.

### Summarised as follows

Education: £6,395 (1 x £6,395)

**Total: £6,395**

### Phasing

It is advised that payment of the contribution should be made up front of release of planning permission. The additional costs to the applicants and time for processing legal agreements for single dwelling applications is not considered to be cost effective to either the Council or applicant.

The contribution may be secured by way of a Section 75 Agreement. Please be aware the applicant is liable for the Council's legal expense in addition to their own legal agreement option and the process may take months to complete.

If a Section 75 Agreement is entered into the full contribution should be received 10 days prior to occupation of the dwelling.

### **Payment**

**Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.**

### **Methods of Payment**

On no account should cash be remitted.

### **Scheduled within a legal agreement**

This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice.

**NB:** The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue.

### **Other methods of payment**

Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice.

### **Remittance by Cheque**

The Planning Officer will be informed that payment has been made when a cheque is received. However this will require a period of 14 days from date of receipt before the Planning Officer will be informed that the Planning Decision Notice may be issued.

Cheques should be addressed to 'Perth and Kinross Council' and forwarded with a covering letter to the following:

Perth and Kinross Council  
Pullar House  
35 Kinnoull Street  
Perth  
PH15GD

### **Bank Transfers**

All Bank Transfers should use the following account details;

**Sort Code:** 834700

**Account Number:** 11571138

Education Contributions

For Education contributions please quote the following ledger code:

1-30-0060-0001-859136

#### Direct Debit

The Council operate an electronic direct debit system whereby payments may be made over the phone.

To make such a payment please call 01738 475300 in the first instance. When calling please remember to have to hand:

- a) Your card details.
- b) Whether it is a Debit or Credit card.
- c) The full amount due.
- d) The planning application to which the payment relates.
- e) If you are the applicant or paying on behalf of the applicant.
- f) Your e-mail address so that a receipt may be issued directly.

#### Indexation

All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.

#### Accounting Procedures

Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.

#### Contacts

The main point of contact for enquiries relating to the interpretation of developer contributions will be the Development Negotiations Officer:

Euan McLaughlin  
Tel: 01738 475381  
Email: [emclaughlin@pkc.gov.uk](mailto:emclaughlin@pkc.gov.uk)

If your query specifically relates to the provision of affordable housing please contact the Council's Affordable Housing Enabler:

Stuart McLaren  
Tel: 01738 476405  
Email: [sjmclaren@pkc.gov.uk](mailto:sjmclaren@pkc.gov.uk)



# Memorandum

To	Nick Brian Development Quality Manager	From	Maureen Watt Assistant Asset Management Officer
Your ref	14/01748/FLL	Our ref	
Date	04 November 2014	Tel No	(4) 76308

Education & Children's Services

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Planning Application Ref No 14/01748/FLL

This development falls within the Craigie Primary School catchment area.

Based on current information this school will reach the 80% capacity threshold.

Approved capacity	217
Highest projected 7 year roll	174
Potential additional children from this and previously approved/yet to be determined applications	36.72
Possible roll	210.72
Potential % capacity	97.1%

Therefore I request that the Finalised Primary Education and New Housing Contributions Policy be applied to this application.

Please do not hesitate to contact me should you require any further information.





# Memorandum

To	Development Quality Manager	From	Regulatory Services Manager
Your ref	14/01748/FLL	Our ref	NK
Date	14 November 2014	Tel No	(01738) 476 444

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## **Consultation on an application for Planning Permission PK14/01748/FLL RE: Change of use and alterations to health centre (class 11) to form dwellinghouse Former Leisure Centre Pitheavlis Perth for Sonder PKFR**

I refer to your letter dated 28 October 2014 in connection with the above application and have the following comments to make

### **Environmental Health** (assessment date 14 November 2014)

#### Recommendation

I have no objection in principle to the application.

#### Comments

The applicant wishes to alter an existing leisure centre to form a large detached domestic property.

The existing sports hall, squash courts and swimming pool will be retained with the structure between the halls and swimming pool utilised in the formation of the proposed domestic property.

The plot is located 115 metres North of the A9 Perth City Bypass.

There is the potential for noise issues from road traffic to affect future residents of this site. However, I would advise that future residents could not fail to be aware of road traffic noise, particularly during the night-time period or when outdoors before occupation of the properties is undertaken.

I therefore have no objection in principle to the application.

### **Contaminated Land** (assessment date – 11/11/2014)

#### Recommendation

An inspection of the proposed development site did not raise any real concerns, although given the previous development at the site there is the potential for areas of made ground which may contain contaminants. There is currently a bowling green within the site boundary, under which there may be fill material. A watching brief during redevelopment is required therefore I recommend the following condition be applied to the application.

#### Condition

The Council shall be immediately notified in writing if any ground contamination is found during construction of the development, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by, the Council as Planning Authority. The scheme shall include a full timetable for the reclamation measures proposed. Verification shall be provided by the applicant or his agent, on completion, that reclamation has been undertaken in accordance with, and to the standard specified in, the agreed reclamation scheme.

N/K.

### Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	14/01748/FLL	<b>Comments provided by</b>	Tony Maric Transport Planning Officer
<b>Service/Section</b>	Transport Planning Officer	<b>Contact Details</b>	75329 amaric@pkc.gov.uk
<b>Description of Proposal</b>	Change of use and alterations to health centre (class 11) to form dwellinghouse		
<b>Address of site</b>	Former Leisure Centre Pitheavlis Perth		
<b>Comments on the proposal</b>	Insofar as the Roads matters are concerned I have no objections to the proposed development		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	11 December 2014		



## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	14/01748/FLL	<b>Comments provided by</b>	Katie Briggs
<b>Service/Section</b>	Planning and Regeneration	<b>Contact Details</b>	475390
<b>Description of Proposal</b>	Change of use and alterations to health centre (class 11) to form dwelling house		
<b>Address of site</b>	Former Leisure Centre, Pitheavlis, Perth		
<b>Comments on the proposal</b>	<p><b>1. TAYplan Strategic Development Plan 2012</b></p> <p>The following policy is relevant</p> <p>Policy 3: Managing TAYplan's Assets            "• identifying and safeguarding at least 5 years supply of employment land within principal settlements to support the growth of the economy and a diverse range of industrial requirements;"</p> <p>The supporting text for this policy states "Similarly employment land, particularly in rural areas, can be affected through redevelopment for alternative uses or by alternative uses nearby. This could hinder or even prevent the start-up of businesses in the future and/or limit business operations."</p> <p><b>2. Perth and Kinross Council Local Development Plan 2014</b></p> <p>This former health centre is located in an area designated in the Local Development Plan as employment land. The applicant wishes to alter an existing leisure centre to form a large detached domestic property. The existing sports hall, squash courts and swimming pool will be retained with the structure between the halls and swimming pool utilised in the formation of the proposed domestic property.</p> <p>Policy ED1A states that "areas identified for employment use should be retained for such use". This policy aims to ensure areas that existing business can grow and economic opportunities can be realised.</p> <p>Policy RD1: Residential Areas states "Changes away from ancillary uses such as employment land, local shops and community facilities will be resisted unless there is demonstrable market evidence the existing use is no longer viable."</p>		

	<p><b>3. Overview</b></p> <p>The proposed change of use will result in the loss of valuable employment land to residential, and therefore does not comply with the relevant Development Plan policies.</p> <p>There is a history of various permissions being granted on this site for different employment supporting uses. Whilst this planning application proposal could bring back to use the former health centre no evidence is submitted alongside the current application to explain why a future employment use cannot be secured. This is therefore a policy objection to the planning application as it does not accord with the Perth and Kinross LDP or TAYplan.</p>
<b>Recommended planning condition(s)</b>	
<b>Recommended informative(s) for applicant</b>	
<b>Date comments returned</b>	16/12/14