

Perth and Kinross Council
Planning & Development Management Committee – 15 December 2020
Report of Handling by Head of Planning & Development (Report No. 20/246)

PROPOSAL: Renewal of planning permission 17/00958/IPL (Residential development) (in principle)

LOCATION: Land to the west of Highfield, Beech Hill Road, Coupar Angus

Ref. No: [20/00883/IPL](#)
Ward No: P2 - Strathmore

Summary

This report recommends approval of an application for a renewal of an extant planning permission (in principle) for a small residential development in Coupar Angus. The development is considered to comply with the relevant provisions of the Development Plan, and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The application site relates to an infill area of land which is located within the settlement boundary of Coupar Angus. The 0.55ha site is a grassed paddock which has housing to the east, south and west with the north defined by the A923 sitting lower than the site. At the north eastern corner of the site is Beech Hill Road.
- 2 This planning application seeks the renewal of an extant 2017 planning permission (in principle) for a small residential development, which was a renewal of an earlier 2014 permission.
- 3 No details have been submitted by the applicant either previously or currently in support of the application in terms of a layout or the number of units, however the applicant has indicated that the vehicular access into the site will be from Beech Hill Road and not directly from the A923.

NATIONAL POLICY AND GUIDANCE

- 4 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

- 5 NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. Under the Planning etc. (Scotland) Act 2006 this is now a statutory document and material consideration in any planning application. The

document provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

Scottish Planning Policy 2014

- 6 The Scottish Planning Policy (SPP) was published in June 2014 and sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:
 - The preparation of Development Plans;
 - The design of development, from initial concept through to delivery; and
 - The determination of planning applications and appeals.
- 7 The following sections of the SPP will be of particular importance in the assessment of this proposal:
 - Sustainability: paragraphs 24 – 35
 - Placemaking: paragraphs 36 – 57
 - Enabling Delivery of New Homes: paragraphs 109 -134

Planning Advice Notes

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

Creating Places 2013

- 9 Creating Places is the Scottish Government's policy statement on architecture and place. It sets out the comprehensive value good design can deliver. It notes that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy and set out actions that can achieve positive changes in our places.

Designing Streets 2010

- 10 Designing Streets is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government's place-making agenda, alongside Creating Places, which sets out Government aspirations for design and the role of the planning system in delivering these.

National Roads Development Guide 2014

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

DEVELOPMENT PLAN

- 12 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019.

TAYPlan Strategic Development Plan 2016-2036

- 13 TAYPlan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”

- 14 There are no TAYPlan policies of specific relevance.

Perth and Kinross Local Development Plan 2019

- 15 The Local Development Plan 2 (2019) (LDP2) was adopted by Perth and Kinross Council on 29 November 2019. The LDP2 sets out a vision statement for the area and states that, *“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”* It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 16 Within LDP2, the site lies within the settlement boundary of Coupar Angus where the following policies are directly relevant.

- Policy 1 & 2: Placemaking
- Policy 5: Infrastructure Contributions
- Policy 17: Residential Areas
- Policy 20: Affordable Housing
- Policy 41: Biodiversity

SITE HISTORY

- 17 [14/00303/IPL](#). Residential development (in principle). Decision Issued 27 June 2014. Application Approved

[17/00958/IPL](#). Renewal of planning permission 14/00303/IPL (Residential development) (in principle). Decision Issued 11 July 2017. Application Approved

CONSULTATIONS

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

External

19 **Scottish Water** – No objection.

20 **Perth And Kinross Heritage Trust** – No objection, subject to a condition.

Internal

21 **Development Negotiations Officer** – Recommend conditions.

22 **Transport Planning** – No objection, subject to conditions.

REPRESENTATIONS

23 Seven letters of representations have been received, one in support and six objecting to the proposal on the following grounds,

- Contrary to Local Development Plan 2
- Inappropriate land use
- Too dense a development
- Road safety issues
- Impact on existing private drainage
- Overlooking / loss of privacy
- Loss of open/green space
- Adverse impact on visual amenity
- Adverse impact on habitat/wildlife

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

25 In addition to the above, the following matters have also been raised but are not considered to be material planning considerations,

- Lack of interest in the site / lack of movement to implement earlier permissions
- Private access rights across the site.

ADDITIONAL STATEMENTS

26	Screening Opinion	Not Required
	Environmental Impact Assessment (EIA): Environmental Report	Not applicable
	Appropriate Assessment	Not Required
	Design Statement or Design and Access Statement	Not Required
	Report on Impact or Potential Impact	Not Required

APPRAISAL

- 27 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 2 (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 consideration of the Council's other approved policies and supplementary guidance, namely Placemaking Guide 2020 and the Development Contributions and Affordable Housing 2020. The site's planning history is also a material consideration, as is the limited change in land use policies since the previous approval in 2017.

Land Use

- 28 As was the position in 2017, within the adopted Local Development Plan, the site lies within the settlement boundary of Coupar Angus and is an area identified as being residential with compatible uses. Whilst LDP2 has been approved in the intervening period since the last approval on this site it replicates the content of the former LDP in relation to this site's status within the settlement of Coupar Angus.
- 29 LDP2 states that when new sites within settlement boundaries become available for development, their most obvious use will normally be for residential, unless identified for an alternative use by the plan. However, new infill residential developments within settlements will only be supported when they are considered to be compatible with the amenity and character of the area, and would be at a density which represents the most efficient use of the site while respecting its environs.
- 30 The key tests for the acceptability of this proposal is therefore whether or not a residential development on this site would have an adverse impact on the character or amenity (visual and residential) of the area.
- 31 In terms of the impact on the character of the area, the site is surrounded by existing housing and the character of the surrounding area is clearly residential. The proposed residential use is therefore entirely compatible with the existing (residential) character of the area.
- 32 In terms of the impact on both visual and residential amenity, as this is a planning in principle application, no details are under consideration at this stage. However, a suitability designed development with appropriately designed house types, layout, and at a suitable density would not compromise either the visual or residential amenity of the existing area.
- 33 It is noted that some concerns have been raised regarding the potential impact that the proposal will have on the visual amenity 'value' of the area, which is associated with the existing openness of the site. Some objectors are of the view that the openness of the site is a key characteristic of the local area

and that its removal would be to the detriment to the general amenity of the area.

- 34 Whilst these concerns are noted, the site is within private ownership and is not readily available for public use. Whilst the historic openness and 'green' appearance of the site does have a degree of visual amenity 'value' for the local neighbouring residents, the lack of a functional recreational purpose makes it difficult to make a valid argument for its retention as an area of private open space, particularly when the site has not been identified in either the current or previous LDP as an area of open space to be protected. It should be noted that the LDP2 identifies a number of areas of both private and public open space within settlements which have a high amenity value which should be protected, and this site is not one of them. A proposed land use of the site, for a residential development, is therefore considered to be acceptable.

Design and Layout

- 35 As this is a planning in principle application, there are no detailed issues to consider relating to the density, design or layout of the development. As the shape and size of the site would allow for many options to be brought forward, it is reasonable to take the view at this stage that a detailed scheme can be advanced that would be in line with the Council's placemaking standards in terms of plot sizes, separation distances etc and be designed so that there is no adverse impact on the existing residential amenity of any neighbouring properties.

Visual Amenity

- 36 In terms of the impact on the existing visual amenity of the area, a suitability designed development would not compromise the visual amenity of the area. The implications of the elevated nature of the site from the adjacent public road will be considered at the detailed stage, with levels, house types and siting all important matters to ensure that any development does not detract from the existing character of the area.

Residential Amenity

- 37 In terms of the impact on neighbouring residential amenity, subject to suitable details being brought forward, the development of this site should not compromise the residential amenity presently enjoyed by existing residents. Likewise, an acceptable level of residential amenity for any future residents of the site should be deliverable.
- 38 Any detailed submission will require to comply with the Council's placemaking standards.

Roads and Access

- 39 Several objections have raised concerns regarding the proposed vehicular access into the site. The applicant has indicated that the vehicular access will be via Beech Hill Road which adjoins the site at its north eastern corner. Beech Hill Road is narrow, but in road traffic safety terms would be suitable to

accommodate a small scale development. The exact specification of the vehicular access into the site, and the internal road and details of any access point will be advanced as part of a detailed planning application but will have to be meet with the Council's Road Standards (Condition 4).

Drainage and Flooding

- 40 The site lies within a publicly sewered area and therefore the site can connect to the public system. With regard to any existing infrastructure which may be located on the site, this is a civil matter between the parties involved which would be resolvable through a suitable technical solution.
- 41 The site is not at risk from flooding.

Contaminated land

- 42 There is no known contaminated land issues associated with the site.

Waste Collection

- 43 Details of the means of presentation for waste collection will be subject to the detailed submission.

Conservation Considerations

- 44 The site lies to the north west of a Category B listed building (Beech Hill House). The site is suitably distant and screened from the listed building to avoid any significant impact on its setting.
- 45 In terms of local archaeology, within the site there is some historical evidence of archaeology interest in the site. A condition will therefore be attached to the permission requesting aa written scheme of archaeological investigation. (Condition 5).

Natural Heritage and Biodiversity

- 46 Within the representations, concerns have been raised regarding the impact that this proposal will have on the local wildlife. There are no known protected species within the site, or within the immediate area.

Developer Contributions

- 47 As this is a planning in principle application, standard compliance conditions will be attached to the permission in relation to both Affordable Housing and Primary Education. (Conditions 2 & 3)

Economic Impact

- 48 With the exception of works associated with the construction phases, which may or may not be undertaken by local tradesmen, this development is unlikely to have a significant economic impact on the local area.

LEGAL AGREEMENTS

- 49 None required.

DIRECTION BY SCOTTISH MINISTERS

- 50 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

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

RECOMMENDATION

Approve the planning application, subject to the following 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.

B JUSTIFICATION

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

C PROCEDURAL NOTES

None.

D INFORMATIVES

1. 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.

Background Papers: Seven letters of representation

Contact Officer: Andy Baxter 01738 475339

Date: 3 December 2020

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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