

Perth and Kinross Council  
Development Control Committee – 17 February 2010  
Report of Handling by Development Quality Manager

**Erection of Six Two Storey Dwellinghouses, Letham Primary School, Struan Road, Perth PH1 2NL**

Ref: No: 09/01871/FLL  
Ward No: 11 Perth City North

**Summary**

This report refers to an application by Perth and Kinross Council for a social housing development on a part brownfield and part greenfield site within a housing estate. Approval is recommended on the basis that the proposal complies with policy.

**BACKGROUND AND DESCRIPTION**

- 1 Letham Primary School was built in the 1960s and has a central location within the post war housing estate. There are generous grounds associated with the school which front Struan Road and are partially accessible to the public. Bounding the grounds on the north is a 7m wide service road with adjacent parking which once included some wooden garages, but these are now demolished. Beyond that lie the rear gardens of the houses on Fortingall Place some of which take private access from the service road.
- 2 The site to which the application refers is owned by PKC and comprises the north-east corner of the school grounds. It also includes a small area of public open space, and the solum of the adjoining service road/parking area. Extending to 0.35ha, the L shaped site is bounded on the north and east by residential property and on the south by a private driveway to the school, as well as by the playground. It is a generally flat site with a drop of about 1m in level from south to north.
- 3 Full consent is sought by PKC for the erection of a social housing development in the form of six, two-storey family dwellings in a terraced block. These would be a mix of four and five apartment units, although the internal space has been flexibly designed to accommodate additional bedrooms if desired. The architecture is contemporary with the use of mono-pitch roofs clad in reconstituted slate which will also provide the main wall cladding on the south elevation. As regards the site layout, this is formal, reflecting the building pattern in the surrounding area, with a uniform building line on the public street. Each dwelling would have two in-curtilage parking spaces accessed from the existing service road which is to be upgraded to make provision for a footway and turning head within the site. In addition, all rear gardens will have a minimum area of 70sqm and will be enclosed by screen walls or fences. A further point to note is that the residential development does not occupy the whole site. The balance of the land, some 930sqm, of open space, will be given over for the exclusive use of the school to compensate for the loss of playground arising from the development. Finally the existing security fence around the school would be relocated to

accommodate the development and also to enclose the additional area of ground to be annexed

## **NATIONAL POLICY AND GUIDANCE**

### **Scottish Planning Policy 3-Planning for Housing**

- 4 SPP 3 requires that housing developments are sustainable, well connected to public transport networks and local amenities and use land efficiently through development at appropriate densities, reuse of brownfield land and infill sites.

### **Scottish Planning Policy 11-Physical activity and Open Space**

- 5 This SPP sets out national planning policy for the protection and enhancement of open space in and around towns and cities. It requires Sport Scotland to be consulted on any development involving the loss of more than 0.4ha of land used as playing fields, although this is not applicable to this planning application.

### **Planning Advice Note 67-Housing Quality**

- 6 Essentially PAN 67 provides guidance on achieving quality in the design of new housing by reference to case studies and concludes that this requires developments to be distinctive, safe and pleasant, easy to move around, welcoming, adaptable and resource efficient.

## **DEVELOPMENT PLAN**

- 7 The Development Plan for the site comprises of the Approved Perth and Kinross Structure Plan 2003 and the Adopted Perth Area Local Plan 1995.

### **Perth and Kinross Structure Plan 2003**

- 8 The principal relevant policies are in summary: -

#### **Sustainable Communities Policy 3**

- 9 The Council will seek to secure affordable housing in local areas as identified through housing needs assessments and will work with communities to secure adequate provision.

### **Perth Area Local Plan 1995**

- 10 Under the Local Plan the site lies within an area identified for residential and compatible uses. The principal relevant policies are in summary: -

## **Policy 41**

- 11 Within areas of residential and compatible use existing residential amenity will be retained and where possible improved. Some scope may exist for infill development provided this does not affect the density, character or amenity of the area.

## **Policy 41A**

- 12 The Council will seek to achieve the highest possible provision of affordable housing in areas of particular need.

## **Policy 65**

- 13 Adequate provision of parking and servicing must be made in all new development in conformity with the appropriate standards.

## **SITE HISTORY**

- 14 There is no relevant history pertaining to the application site.

## **CONSULTATIONS**

- 15 The Council's Waste Services Manager considers that adequate provision for storage of waste and recycling facilities and access for service provision has not been made in the site layout. This can be addressed by an appropriate condition however.
- 16 The Environmental Health Manager points out that there is a low risk of ground contamination within the area of the former lock up garages, but considers that this can be dealt with by condition.
- 17 Scottish Water does not object to the application but points out that planning approval does not guarantee connection to its infrastructure.

## **REPRESENTATIONS**

- 18 A total of 27 letters of objection have been received from local residents.
- 19 Summary of issues raised by objectors:
- There has been insufficient consultation with local residents on the project.
  - Loss of public open space.
  - Adverse impact on the residential amenities of the area.
  - Detriment to road safety and increased congestion on local roads.
  - Loss of existing off-street parking.
  - There may be other more suitable sites in the area which could be developed.

20 It should be noted that this is not a major application as defined in planning legislation and, as such, there was no statutory requirement on the applicant to consult with the local community. A public meeting did take place but this was discretionary. In addition, the loss of public open space would be minimal and well within the statutory threshold for consultation with Sport Scotland. All other points are covered in the appraisal section.

21 **Additional Statements Received**

Environmental Statement:	Not required
Screening Opinion:	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment:	Not required
Design Statement or Design and Access Statement:	Submitted
Report on Impact or Potential Impact i.e. Flood	Not required
Risk Assessment:	

**APPRAISAL**

22 The application raises the following issues:-

**Policy**

23 The main thrust of national and local policy on housing is to support the delivery of social housing in sustainable locations which provide a suitable environment for residential use without impacting adversely on the surroundings, and also to achieve a high standard in the quality of design. Building on brownfield land or gap sites within existing neighbourhoods is considered to be the most appropriate means of satisfying these requirements, as reflected in Policy 41 of the Perth Area Local Plan. In broad policy terms therefore the land use principle of developing the application site, is acceptable.

**Education**

24 There are no capacity concerns with regard to the local primary school and ECS has made no comment on the application.

**Traffic**

25 The existing access to the site from Fortingall Place is considered adequate to serve the development in terms of geometry and visibility requirements and, in any event, the traffic likely to be generated by the proposed houses will be not be significantly greater than the existing use of the site as a car park. Similarly, any additional traffic would have minimal impact on the local road network. Although the first 25m of the access roadway is only 4m wide, there are no individual private driveways adjoining that section and the restriction in width provides natural traffic calming.

- 26 As far as the internal road layout is concerned, this meets the appropriate standards and represents an opportunity to provide a proper footway and turning head. The removal of existing off-street parking provision enjoyed by local residents is regrettable but there is ample capacity within the on-street facilities to off-set this. In addition, householders on Fortingall Place also have the option of providing in-curtilage parking accessed from the service road which adjoins their rear gardens.

### **Drainage**

- 27 It is proposed that foul drainage would be disposed of to the public sewer and surface water run-off by means of SUDS. The surface water will be attenuated in chambers beneath the parking spaces before being discharged to the main surface water drainage network. This is apparently considered by SEPA to be satisfactory.

### **Residential Amenity**

- 28 The site is overlooked by adjacent rows of two storey terraced housing to the east and north. The block to the east is 17m away but this would be faced by the gable end of the proposed development which contains only one bedroom window. There may be a small amount of overshadowing of rear garden areas in late afternoon but this would not cause an unacceptable loss of sunlight or daylight. The existing terraced blocks to the north are at least 29m away, well in excess of the normal minimum standard of 18m for housing layouts. As regards the proposed development, this satisfies the appropriate spatial requirements for house to plot ratios, parking provision and private amenity space.

### **Design and Layout**

- 29 The townscape context to the site is characterised by low rise terraced buildings of traditional appearance, with the exception of the adjacent primary school which is an example of 1960's modernism. However, the design of the proposed development reflects the scale and form of the existing houses albeit in a more contemporary idiom, as reflected in the mono-pitch roof and palette of materials. In terms of the streetscape the overall effect is to create a strong, clearly defined edge and sense of enclosure to the forecourt without being incongruous. From the south the development will be seen in an open setting but also in relation to the school building. It presents a completely different elevation to that side with a high vertical face and more glazing. Therefore when viewed as a whole, the development manages to provide a bridge between the two contrasting styles of architecture.

### **LEGAL AGREEMENTS**

- 30 None required.

## **PLANNING AUTHORITY WITH AN INTEREST IN THE LAND**

- 31 The Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 advises on the procedure for notification of planning applications to the Scottish Ministers for developments in which planning authorities have an interest in. The Direction states that notification to the Ministers is only required where the proposal involves a significant departure from the authority's own Development Plan. As the recommendation of approval is not a significant departure from the Development Plan, a notification to the Ministers is not required.

## **DIRECTION BY SCOTTISH MINISTERS**

- 32 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, regulations 30 – 32 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**

- 33 This application represents the first PKC social housing project to be brought forward since the 1980's and will make an important contribution to the affordable housing stock in the Letham area of Perth. In addition it presents an opportunity to transform a non-descript backland area into an attractive street with a strong identity and a sense of place. Nevertheless, all applications must be determined in accordance with the Development Plan unless there are material considerations to justify a departure. The key part of the Development Plan is Policy 41 of the Perth Area Local Plan 1995. This proposal conforms to that policy since it constitutes infill within an existing residential area and would not detract significantly from the amenity of the surroundings. There are no material considerations which justify setting aside the Development Plan in this instance.

## **RECOMMENDATION**

### **A Approve the application subject to the following conditions:**

- 1 The development shall be commenced within a period of three years from the date of this consent.
- 2 The proposed development must be carried out in accordance with the approved plans herewith unless otherwise provided for by conditions imposed on the planning consent.
- 3 All matters regarding access, parking, road layout design and specification, including disposal of surface water, shall be in accordance with the standards required by the Council prior to the occupation of any dwelling, to the satisfaction of the Planning Authority.

- 4 Storm water drainage from all paved surfaces including the access shall be disposed of by means of suitable sustainable urban drainage systems to meet the requirements of best management practices.
- 5 The Planning Authority shall be notified if any ground contamination is found during construction and thereafter a scheme to deal with the contamination shall be submitted to and agreed with the Planning Authority. The scheme shall include a full timetable for reclamation measures proposed and verification shall be provided on completion that reclamation has been undertaken in accordance with and to the standard specified in the approved reclamation scheme.
- 6 Samples of all finishing materials shall be submitted to the Planning Authority for approval prior to the commencement of work.

### **Reasons**

- 1 In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by section 20 of the Planning etc (Scotland) Act 2006.
- 2 To ensure the development is carried out in accordance with the plans approved.
- 3 In the interests of road safety.
- 4 In the interests of road safety.
- 5 In order to remove any contamination from the site.
- 6 In order to safeguard the visual amenities of the area

### **B JUSTIFICATION**

The application is in accordance with the Development Plan and there are no material considerations to justify a departure.

### **C PROCEDURAL NOTES**

None

### **D INFORMATIVES**

- 1 The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
- 3 No work shall be commenced until an application for building warrant has been submitted and approved.

- 4 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 5 This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 38 the notice must be:
  - Displayed in a prominent place at or in the vicinity of the site of the development
  - Readily visible to the public
  - Printed on durable material.
- 6 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.

Background Papers: 27 letters of objection  
Contact Officer: Brian Dunkin – 75354  
Date: 21 January 2010

**Nick Brian**  
**Development Quality Manager**

09/01871/FLL

Erect 6 dwellings, Letham Primary School, Perth



Scale : 1:2500

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<b>Organisation</b>	Perth & Kinross Council
<b>Department</b>	Planning
<b>Comments</b>	
<b>Date</b>	13 January 2010
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