

Perth and Kinross Council  
Development Control Committee-7 July 2010  
Report of Handling by Development Quality Manager

**Change of Use from General Industry to Storage and Distribution, Unit 1,  
Arran Road, North Muirton Industrial Estate, Perth, PH13DZ**

Ref. No: 10/00618/FLL

Ward No: 12

**Summary**

This report deals with an application in which the Council has an interest as owners of the site to which it relates. Approval is recommended as the development is considered to comply with the Development Plan and there are no material considerations to justify a departure.

**BACKGROUND AND DESCRIPTION**

- 1 North Muirton Business Park occupies a flat area of land at the north end of Perth between the Perth-Inverness rail link and a 1970's housing estate. It is served by a main distributor road, known as Arran Road, with business premises on either side, most of which are contemporary in appearance. The application refers to a site of 0.3ha located on the western edge of the business park. This comprises a modern industrial building and associated yard area, which is part of a block of two units fronting Arran Road. Unit 1, the application site, is the larger of the two, at 1290sqm, and has a more extensive forecourt, although this is only accessible via the car park for the adjoining unit. Bounding the site on the west is the Perth-Inverness railway, on the south the access road to an electricity sub-station and on the north the Acorn Business Centre.
- 2 Although currently vacant, the premises were last used for industrial purposes and consent is sought for change of use to storage or distribution i.e. Class 6 of the Town and Country Planning (Use Classes)(Scotland) Order 1997. More specifically, the applicants intend to operate a parcel distribution centre from the unit. This would involve goods being brought to the premises, sorted and then forwarded to sub-depots or couriers. Some 45 staff would be required to man this operation over a 24 hour period. It should be noted that no alterations are proposed to the external appearance of the building.

**NATIONAL POLICY AND GUIDANCE**

**Scottish Planning Policy 2010**

- 3 The SPP is a statement of Scottish Government Policy on land use planning and contains:
  - The Scottish Government's view of the purpose of planning.
  - The core principles for the operation of the system and the objectives for the key parts of the system.
  - Statutory guidance on sustainable development planning under Section 3E of the Planning etc (Scotland) Act 2006.

- Concise subject planning policies including the implications for development management and
  - The Scottish Government's expectations for the intended outcomes of the planning system.
- 4 Of relevance to this application is para 45 which deals with economic development. This requires that the planning system supports economic development by taking account of the economic benefits of proposals in development plans and development management decisions.

## **DEVELOPMENT PLAN**

- 5 The Development Plan for the area consists of the Approved Perth and Kinross Structure Plan 2003 and the Adopted Perth Area Local Plan 1995.

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

- 6 There are no strategic policy issues relevant to the proposal.

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

#### **Policy 48**

- 7 In the Perth Area Local Plan the site lies within an area zoned for business uses where Policy 48 is applicable. This supports proposed developments falling within classes 4 and 6 of the Town and Country Planning (Use Classes)(Scotland) Order 1997, which includes light industry, offices and storage or distribution. The policy requires that the following factors be taken into account in considering new proposals within business areas:
- Business uses should be compatible with the amenity of adjacent residential areas.
  - Business uses should contain a high proportion of landscaping and open space.
  - Business uses should only generate traffic appropriate to their location.

### **Draft Perth Area/ Central Area Local Plan 2004**

- 8 Members will be aware that on the 30 January 2008 the Council's Enterprise and Infrastructure Committee took the decision not to progress this plan to a finalised stage, therefore although the contents of the Draft Plan should be noted, I consider the weighting which is given to its policies and proposals should be limited at this point in time.
- 9 Policy 15 relates to areas zoned for employment uses which cover the application site. Within these areas a wide range of uses will be supported including those within Classes 4 and 6 of the Use Classes Order.

## **OTHER POLICIES**

10 There are no other relevant policies.

## **SITE HISTORY**

11 There is no planning history pertaining to the application site.

## **CONSULTATIONS**

12 Scottish Water has no objection to the proposal.

## **REPRESENTATIONS**

13 No representations have been received.

## **ADDITIONAL STATEMENTS**

14

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	Not required
Report on Impact or Potential Impact	Not required

## **APPRAISAL**

15 This proposal raises the following issues:

### **POLICY**

16 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The determining issues here are whether the proposals comply with Development Plan policy or if there are other material considerations, which justify a departure from policy. As the site lies within an area zoned for business use, the most relevant Development Plan policy is Policy 48 of the Perth Area Local Plan 1995. The proposal conforms to that policy since business use includes a storage and distribution operation, in this case parcels, and the site is not adjacent to any residential property.

### **Traffic**

17 The proposed use may generate more traffic than the previous one but the road system within the business park has been laid out to industrial estate geometric standards and is generous. Therefore the main distributor road and

site access could accommodate any increase in traffic volume. In addition there is sufficient space within the yard area for approximately 70 No car parking spaces which is well in excess of the minimum requirement of 26 No spaces based on the Council's approved standard for business parks i.e. 2 No spaces per 100sqm.

### **Drainage and Flooding**

- 18 The premises already have a connection to the public drainage system and there is spare capacity within the system to service the proposed development.
- 19 Although the site lies within the indicative flood plain for a 1 in 200 year event, this takes no account of the Perth Flood prevention scheme which includes protection for North Muirton. In any event, the proposal is simply for a change of use and does not involve any new build works.

### **Residential Amenity**

- 20 As noted, the site for the proposed parcel depot is located within an existing business park and this is separated from the adjacent housing estate by a wedge of open space. Given that, the impact of the development on the amenities of the nearest residential properties, which are well over 100 metres from the premises, would therefore be negligible in my view.

### **Planning Authority with an Interest in the Land**

- 21 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.

### **LEGAL AGREEMENTS**

- 22 None required

### **DIRECTION BY SCOTTISH MINISTERS**

- 23 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**

- 24 All applications must be determined in accordance with the Development Plan unless material considerations to indicate otherwise. This application is for a

use falling within Class 6 of the Use Classes Order, to take place on a site which is zoned for business purposes in the Local Plan. There are no constraints of a technical nature and the development is compatible with the surroundings. In my view the proposal is therefore in accordance with the relevant policies.

## **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 shall be carried out in accordance with the approved plans herewith unless otherwise provided for by conditions attached to this consent.
3. Prior to the commencement of the use, provision shall be made for a minimum of 26 No parking spaces within the site, to the satisfaction of the Planning Authority.
4. Prior to the commencement of the use, adequate turning facilities shall be provided within the site to cater for all vehicles calling at the premises, to the satisfaction of the Planning Authority.
5. The use of the premises shall fall within Class 6 of the Town and Country Planning (Use Classes)(Scotland ) Order 1997 i.e. Storage or Distribution.

## **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 that the proposal conforms to Council policy.

## **B JUSTIFICATION**

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

## **C PROCEDURAL NOTES**

None

## **D INFORMATIVES**

- 1 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 2 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.

Background Papers: None

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Date: 14 June 2010

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