

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

Residential development (in principle) at land 200 metres North East and 150 metres South East of Westpark, Alyth PH11 8AR

Ref No: 09/00577/IPM
Ward No: 2 Strathmore

Summary

This report recommends approval of the application for residential development which is contrary to the Eastern Area Local Plan but is considered to assist with the latest Housing Land Supply figures which require additional housing sites within the Eastern Area which is seen as a material consideration which justifies a departure from the Local Plan.

BACKGROUND AND DESCRIPTION

- 1 The application relates to conjoined sites on the west side of Alyth. The northern site is bounded to the north by Albert Street to the east by the primary school playing fields and to the south by St Ninians Road. The site extends to about 2.1 hectares, is in agricultural use and is relatively flat with little in the way of landscape features. The adjoining site to the south extends to about 3.1 hectares and is bounded to the north by St Ninians Road and to the east by a modern 1970's housing development and with New Alyth beyond to the south.
- 2 The developer envisages a conjoined development over the two fields which it is envisaged would accommodate about 91 houses. It is felt that there would be a wide mix of house types to include large detached to smaller more affordable semi detached/terraced houses with possibly an element of flatted units. The northern part of the site would take access from Albert Street and being the smaller area would accommodate perhaps 26 units over the larger house type range. The southern section of the application site would have a linked access between St Ninians and New Alyth Road. It is envisaged that this larger area would accommodate around 65 houses within the more affordable range and Perth Housing Association have confirmed an interest in part of this area. It is also the intention that the play and kickabout area would be within this area. A footpath and cycle link is planned to link both housing areas.
- 3 The applicant has carried a voluntary Community Consultation locally by meeting the Alyth Community Council and holding a separate public exhibition. Questionnaires were delivered to the majority of households in Alyth and on the basis of 519 returned forms it was estimated that 86.7% were in favour of the development and 8.5% opposed.

NATIONAL POLICY AND GUIDANCE

The Scottish Planning Policy 2010

- 4 This 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 key parts of the system,
 - statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
 - concise subject planning policies, including the implications for development planning and development management, and
 - the Scottish Government's expectations of the intended outcomes of the planning system.

Of relevance to this application are

- Paragraphs 66 - 91 : Housing
- Paragraphs 86 - 88 : Affordable Housing
- Paragraphs 92 - 97: Rural Development
- Paragraphs 149 -158: Open Space and Physical Activity
- Paragraphs 165 -181: Transport
- Paragraphs 196 -211: Flooding and Drainage

Planning Advice Note 67: Housing Quality

- 5 Designing Places, published November 2001, sets out the Scottish Governments aspirations for design and the role of the planning system in delivering them. This Planning Advice Note (PAN) explains how Designing Places should be applied to new housing.

Planning Advice Notice 74: Affordable Housing

- 6 This Planning Advice Note sets out how the planning system can support the Government's commitment to increase the supply of affordable housing. It provides advice and information, including existing examples of better practice. It seeks to speed up the development of both market and affordable housing by ensuring that any affordable housing requirement included in the development plan is realistic and that the planning contribution is set within the wider housing policy context.

Planning Advice Note 76: Designing new residential streets

- 7 The PAN has been produced in line with the Scottish Governments drive to promote the design agenda. It follows on from *Designing Places* and forms part of the design based series of PANs. In particular, it complements, and should be read in conjunction with, *PAN 67 Housing Quality*. The advice applies to everyone engaged in the planning, design and approval of streets in new

residential developments including planners, road engineers, architects and developers. In particular, it means that planners and engineers should work more closely together.

DEVELOPMENT PLAN

- 8 The development plan for the area comprises the Approved Perth and Kinross Structure Plan 2003 and the Adopted Eastern Area Local Plan 1998.

Perth & Kinross Structure Plan 2003

- 9 *Making it Happen Policy 1* states that the Council will identify in Local Plans and/or development briefs deficiencies in facilities and infrastructure that may be created or exacerbated by a proposed development. In addition the need for affordable housing will be assessed. In these circumstances, provision of affordable housing and/or the necessary infrastructure or contributions to overcome these deficiencies will be sought from developers through mechanisms including the use of Section 75 agreements. These contributions will be proportionate to and commensurate with the scale of development. In instances where a developer wishes to proceed before or in the absence of public bodies providing the necessary infrastructure or facilities, the Council will support mechanisms, including the use of Section 75 agreements, to achieve satisfactory provision.

Sustainable Communities Policy 3

- 10 This seeks to secure affordable and low-cost housing in local areas as identified through housing needs assessments.

Sustainable Communities Policy 4

- 11 The Council will seek to ensure sufficient provision is made for a minimum 5-year effective housing land supply in each Housing Market Area.

Eastern Area Local Plan 1998

- 12 The site lies outwith the village envelope identified for Alyth in the Eastern Area Local Plan 1998 and comprises agricultural land contrary to Policy 38.
- 13 **Policy 38** applies throughout the Landward Area and in particular stipulates siting criteria to assist the integration of development sites within rural landscapes with particular regard to visual impact, residential amenity, suitable access to road network and available services. In addition, the policy also discourages development adjacent to settlements which are the subject of inset maps such as Alyth village in this case.

Draft Strategy Eastern Area Local Plan 2005

- 14 The Draft Area Local Plan identifies the conjoined sites as AH6 (northern site) as suitable for 46 houses with 25% affordable units based on a medium

density. Whereas the larger southern site is identified as AH7 is identified as suitable for 31 houses with the same affordable requirement. The Enterprise and Infrastructure Committee, at its meeting on 30 January 2008, took the decision not to progress the draft plan to a Finalised Stage, so limited weight should be attached to the contents of this document.

OTHER POLICIES

Affordable Housing Policy (2005)

- 15 The Council's policy on Affordable Housing seeks a 25% quota of affordable housing on all new housing sites comprising 5 or more units.

Planning Guidance Note – Primary Education and New Housing Development

- 16 The developer contributions policy applies to the whole of Perth and Kinross and seeks to secure contributions from developers of new homes towards the cost of meeting primary education infrastructure improvements necessary as a consequence of development where there are capacity issues at the catchment primary school. Currently a contribution of £6,105 per qualifying house is required where a primary school is at or would reach capacity as a result of the development proposed. A Section 75 agreement to secure the contribution may be required at the time of a detailed application unless the required level of financial contribution is made prior to the consent being issued.

SITE HISTORY

- 17 There is no previous planning history.

CONSULTATIONS

- 18 **Scottish Environmental Protection Agency** have raised no objections.
- 19 **Perth and Kinross Area Archaeologist** recommends conditional approval.
- 20 **Scottish Water** has raised no objections although the Alyth Waste Water Treatment Plant does have limited capacity and it will be necessary for the developer to fund infrastructure improvements.
- 21 **Executive Director (Education and Children's Services)** have confirmed that the proposal will trigger the Education Contributions policy at the 69th house which will potentially bring the school roll to 80% capacity.
- 22 **Head of Public Space Management** recommends conditional approval.
- 23 **The Environmental Health Manager** confirms that the site has no history of ground contamination.

REPRESENTATIONS

24 30 letters of representation have been received from local residents and the Alyth Community Council which raise the following relevant issues: -

- Development is contrary to Local Plan and there is no need and all alternatives should be examined first.
- The site is visually prominent and development will be obtrusive.
- The density is excessive and will cause overlooking.
- Extra pressure on health and education facilities.
- The site has a history of flooding.
- The access roads are narrow and there are road safety issues.
- Noise and disturbance due to construction traffic.
- Drainage capacity issues in Alyth.
- Loss of agricultural land as shelter for wildlife.

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

25 ADDITIONAL STATEMENTS

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

APPRAISAL

Policy

- 26 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 applicable to this area comprises the Perth and Kinross Structure Plan 2003 and the Eastern Area Local Plan 1998. The determining issues in this case are whether the proposal complies with Development Plan policy; the proposal complies with supplementary planning guidance; or if there are any other material considerations which justify a departure from policy. The application site lies within an area identified in the Eastern Area Local Plan 1998 as lying outwith but adjacent to the Alyth village envelope where Policy 38 discourages development.
- 27 Policy 38 (g) states that built development should not be located adjoining and outwith those settlements which are the subject of inset maps, and is of course not a form of development for which a countryside location is essential. Nevertheless, the site was included in the draft Local Plan (2005), but, albeit, this plan is not being finalised. It is the principle of whether the development

is necessary for an adequate housing land supply which is of most relevance. The proposal attracted both positive and negative responses as a result of its inclusion in the draft plan; however the current application has attracted fewer objections.

Housing Land Requirement

- 28 Although the proposal is contrary to the adopted Local Plan, the issue is whether there is good reason to depart from that Plan in this instance. The Housing Land Supply figures have been the subject of a recent review and following the loss of two recent planning appeals in Rattray where the Reporter concluded that the Local Plan was out of date, the 5 year land supply figures were insufficient to cover a five year period and the compelling requirement of SPP which advises local authorities to look favourably on new sites suited to housing development, in such circumstances. Both appeals were allowed on the basis of this background. In the circumstances the latest position with the Housing Land Supply figures is an all-important material consideration in the determination of this application.
- 29 The Enterprise & Infrastructure Committee on 27 January agreed a strategy for the release of housing land through the development management process to address the issue of a shortfall in housing supply until the publication of the new Local Development Plan. In the Eastern Area this is to give consideration to releasing sites which are in line with the existing Development Plan strategy and which will be effective by 2012. The strategy in the Eastern Area Local Plan was to direct additional housing supply primarily to Alyth and Coupar Angus rather than to Blairgowrie since at that time there had been significant house building in Blairgowrie, but not in the other two burghs. This situation has changed in recent years, however.
- 30 Based on the 2008 Housing Land Audit in the Eastern Area there was only a 3.4 year effective land supply with a shortfall of 138 units. At 2009 this shortfall was expected to increase to 209.
- 31 These figures do not take account of any consents since the Housing Land Audit of June 2008, and specifically there are 2 large sites in Rattray which were consented on appeal in August 2008 which have contributed a total of some 119 houses to the overall supply in Eastern Area, which would go some way to alleviating this shortfall in provision of a 5 year land supply. It is not clear, however, what proportion of these 2 sites would be brought forward in a 5 year period, there is still, therefore, an overall deficit of at least some 90 for the whole of Eastern Area as at 2009, a proportion of which will relate to Alyth.
- 32 However the requirement in SPP is to maintain a 5 year effective housing land supply at all times. Therefore although the immediate shortfall at 2009 is relatively small, consideration needs to be given to the maintenance of an effective supply in the longer term. Ensuring the provision of a 5 year supply of effective housing land by the time the new proposed Local Development Plan is published in 2012 will require the allocation of an additional 466

houses in the Eastern Area. Approximately 65 additional houses will need to be provided in Alyth, meaning that approval of this site could be justified in terms of meeting the projected shortfall in housing sites.

Affordable Housing

- 33 The Council seeks an affordable housing quota of 25% on all new housing sites of 5 units and above, except where individual Local Plans vary this quota. For sites of 10 houses or over then on site provision is preferred whereas with smaller sites an appropriate financial contribution is sought. As this application is in outline it is current practice for a planning condition to be included to require a 25% allocation for on site affordable housing provision in line with approved Council policy. This is an important element of both central and local government policy and is all important in order to achieve a balanced and mixed development which caters for a wide mix of housing opportunity.

Education

- 34 The Alyth Primary School will breach the 80% capacity trigger once the development reaches the 69th house which means that the Education Contributions policy would apply thereafter requiring payment on each house excluding the affordable element currently £6105.00. As this is an outline application and as the final number of houses is not known at this stage, it can be adequately covered as a planning condition at this stage.

Traffic

- 35 In view of an earlier scoping exercise with officials it was agreed that a full Transport Assessment was not required as the development was not considered significant in terms of gross traffic volumes. The applicant has however, submitted a Transport Statement which examines all modes of transport relating to the site in line with the requirements stipulated in SPP which prioritises the various modes in the following order: walking, cycling, public transport and car. The applicant examines all these modes and concludes that footpath linkages are good with the school and the local town centre facilities all within a short walk of the site.
- 36 The proposals also include plans for a 3m shared cycle/footway connecting New Alyth Road with St Ninians Road. There are also scheduled bus services operating from the town centre which would be further improved with the new road linkages to the New Alyth Road. The study also examines the number of vehicle trips which would be generated by the development and concludes that in view of the limited scale of the development that this would not be significant and this is confirmed by Transport Planning.
- 37 Vehicular access to the smaller northern site is via Albert Street and takes the form of a cul de sac with two short spurs branching off on each side and is only linked to the larger site by a footpath. The southern site at its northern boundary will join St Ninians Road at a new 'T' junction and access road will

then continue through the development to a new junction with New Alyth Road. The new through access through the site will have an internal loop and individual spurs serving the houses as all depicted in illustrative sketch plans. However, it must be remembered that the application is in principle only at this stage and all internal detailing are diagrammatic only. Issues have been raised with regard to the narrow road system and future construction traffic causing problems, but any change can cause inconvenience but such difficulties are purely of a temporary nature and inevitable.

Drainage

- 38 The applicant in conjunction with Scottish Water completed a Drainage Impact Assessment during 2008 which concluded that there were no network constraints within the drainage system and that there was sufficient capacity to accommodate the development. However, there is a problem at the Waste Water Treatment Works itself where Scottish Water has confirmed that there is limited capacity. Scottish Water though do not object to the grant of planning consent and once granted it would be up to the developer to discuss funding to carry out the necessary improvement works and agree delivery timescales.

Flooding

- 39 The applicant commissioned a flood risk assessment report into the potential flooding which has characterised the south eastern most part of the site, and have devised a flood prevention scheme designed to alleviate the current flooding situation for the houses adjacent to that part of the site. The works involved lie mostly outwith the redline site area and include the realignment of a local burn, raising of site levels in the southern site to form an embankment, the creation of compensatory water storage and the installation of a larger culvert under St Ninians Road. SEPA had accepted that these flood alleviation measures would resolved the historical flood issues within the St Ninians Road area and had no objection in principle to the proposed schedule of works. Flooding has consistently been raised as a live issue by many local residents and understandably. I am reassured that the extensive alleviation measures will finally resolve this historical problem. However, the Council's flood hydrologist did have concerns that the intended works might solve the problem in one area but would move the problem to another area at the New Alyth Road. The applicant's engineers have now agreed to further works including a new culvert at the New Alyth Road which resolves this concern and have followed this up with a comprehensive flood alleviation plan incorporating all agreed measures which will be the subject of a Section 75 agreement to ensure effective delivery as all the works involved lie outwith the application site.

Design and Layout

- 40 The intention is to develop the northern site at a medium density of 12.4 units per hectare and the southern site which is flatter for a higher density at about 21 units per hectare which would still be compatible with the thinking

expressed in the Draft Plan. The surrounding area particularly within the Albert Street area could also be described as medium density while to the south of St Ninians Road the density is higher which again reflects the developer's own design concept. The Draft Plan had suggested a total development over both sites of 77 units and the applicant's aspiration is 91 units. However, as this is an outline application no specific number should be agreed prior the submission of detailed layouts. Clearly, any layout will have to incorporate significant open space requirements which will serve to reduce densities and incorporate a 25% allocation for affordable housing which would tend to be at a higher density. The intention would be that house design and layout would reflect the character of existing housing. Concerns have been raised that the density is excessive and will cause overlooking, however, the anticipated density is commensurate with adjacent housing and in any case neighbours will have a further opportunity to comment when full details are finally lodged.

Landscape and visual impact

- 41 The site is south facing and in a visually prominent position in relation to Alyth which is a concern raised by objectors. However, the western edge of the village is already not clearly defined and the proposed site does consolidate the edge of the settlement in a more cohesive form and together with the new boundary landscaping will in time provide a wooded edge to Alyth which will be to its benefit. I am satisfied that this is the best and most logical area to develop by virtue of its favourable aspect, the fact that it consolidates the western edge of the village and its proximity to the local school and the town centre.

Archaeology

- 42 The development site is considered to have archaeological potential because it lies to the north of a prehistoric archaeological site ring ditch (MPK 4916) which has been identified by aerial photographic survey of crop marks near New Alyth. The ring ditch may represent the remains of settlement or burial activities during the prehistoric era. Also, in general the development site is a location conducive to human settlement in the past on a south facing slope and close to the historic town of Alyth. In line with current planning policy to protect the historic environment, it is appropriate to secure a programme of archaeological works through planning conditions.

Natural Heritage

- 43 Issues have been raised with the loss of wildlife currently present within the site. However, I am not aware of any protected species present within the site which would be under threat and any other wildlife would be of a transient nature which would simply relocate to adjacent habitats.

Sustainability

- 44 Providing housing in existing centres is in accordance with the principles of sustainability. The proposed development will be required to include measures to make the development energy efficient and reduce carbon emissions. These are outlined within the applicant's Supporting Statement where the applicant refers to completing 14 eco houses in Kingennie, Angus which complied with the BRE "excellent" rating. The applicant intends this development should meet sustainable objectives by the careful selection, transportation and sourcing of materials, energy efficiency in the operation of buildings, solar gain, water use, water recycling, are all issues which the developer intends to apply.

LEGAL AGREEMENTS REQUIRED

- 45 Section 75 will be required to deliver the flood alleviation measures as the majority of these lie outwith the redline site and involve third party land where planning conditions alone could not secure their delivery.

DIRECTION BY SCOTTISH MINISTERS

- 46 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

- 47 Although the proposed development is directly contrary to the Eastern Area Local Plan 1998 this must be balanced against other material considerations. In particular, the recently reviewed Housing Land Supply figures which officially confirm the shortfall in additional allocations necessary to maintain the five year land supply in Alyth at 65 units and within the Eastern Area generally at 466 units. Clearly, this is a significant shortfall and in view of the age of the Local Plan and the fact that the New Local Development Plan will not be published until 2012 a refusal on the basis of prematurity would be hard to sustain.
- 48 Under the terms of SPP, local authorities are encouraged to grant planning consent for housing development where plans are out of date and where there is an identified shortfall, provided the development is of a high quality and in the right location. It is worth remembering that it was primarily due to the identification of the shortfall in available sites that we lost two recent appeals in Rattray. The Sustainable Communities Policy 4 in the Structure Plan states that Local Plans should be flexible enough to accommodate changes through the statutory planning process to ensure that the supply and choice is maintained and, if necessary augmented by suitable new sites.

- 49 I am satisfied that this is an ideal housing site being adjacent to existing housing and the local school and the development would have the added advantage of resolving historical flooding issues within the neighbouring area which have been a major source of complaints for many years. A comprehensive scheme of flood alleviation measures have been agreed with the Council's flood hydrologist and can be delivered through a Section 75 to finally resolve a long term problem. It is also important to support applications which do offer real benefits rather than other applications which offer no such benefits. It is on the basis of this reasoning that I feel the Local Plan can in this case be set aside and the development can be fully supported as a departure.

RECOMMENDATION

A Approve subject to the following conditions:

- 1 Application for the approval required by a condition imposed on this Planning Permission in Principle shall conform with the requirements of Regulation 12 of the Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2008 and of Section 59 (2) and (3) of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006 and, in particular, must be made before whichever is the latest of the following:
 - (i) the expiration of 3 years from the date of the grant of the planning permission in principle,
 - (ii) the expiration of 6 months from the date on which an earlier application for the requisite approval was refused, or
 - (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed.

- 2 The development shall not commence until the following matters have been approved by the Planning Authority:

The siting, design and external appearance of the development, the landscaping of the site, areas of open space, pedestrian links, all means of enclosure, the car parking and means of access to the site.

- 3 No development shall take place within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant agreed by Perth and Kinross Heritage Trust. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with Perth and Kinross Heritage Trust.

4. The submitted sketch layouts are purely illustrative at this stage and are not approved and no specific number of houses is agreed at this stage and shall be subject to an acceptable scheme being submitted under Condition 2 above, all to the satisfaction of the Council as Planning Authority.
- 5 The core located on the site must not be obstructed during building works or on completion. Any damage done to the route during the building works must be made good before the house is occupied or first let.
- 6 An Area for Play shall be provided by the developer to cater for the age group 4-8 year olds and integrated within the area of public open space referred to in Condition 2 above:
- 7 The long term maintenance of the public open space and the play area must be in accordance with one of the three options in line with Council policy as follows:
 - (a) Perth and Kinross Council take title to the land and maintain the ground in perpetuity for a flat rate commuted sum payable by the developer. The sum is set annually per dwelling and is currently £300/unit excluding play areas which are charged as a single sum currently £19,000.
 - (b) The Greenbelt Company can take title to the land and maintain in perpetuity for a charge to the developer with the Council getting sight of the agreement.
 - (c) An approved alternative company maintains the open space in perpetuity for a charge to the developer and a permanent bond is lodged with the Council against default.

The Council do not permit developers or their agents to include title of areas of public open space or levy an annual charge to individual residents for any of the options above.
- 8 A detailed tree survey should be provided by the developer including topographical survey and any trees retained should be within adequate areas of open space and not affected by service trenches or level changes and protected in accordance with BS 5837:2005 all to the satisfaction of the Council as Planning Authority.
- 9 The development shall be in accordance with the Council's Affordable Housing Policy approved in August 2005 which requires a 25% allocation of affordable units within the development all to the satisfaction of the Council as Planning Authority.
- 10 The first house within the development shall not be occupied until the flood alleviation measures detailed within the application have been fully implemented all to the satisfaction of the Council as Planning Authority.

- 11 The development shall be in accordance with the requirements of the Council's Primary Education and New Housing Development Policy approved in May 2009 all to the satisfaction of the Council as Planning Authority.
- 12 Prior to the occupation and use of the approved development all matters regarding access, car parking, road layout, design and specification (including the disposal of surface water) and facilities for public transport in the form of bus boarders, bus stops and associated shelters within the site and on the public road adjacent to the site shall be in accordance with the standards required by the Council as Roads Authority and to the satisfaction of the Planning Authority.
- 13 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

Reasons

- 1 In accordance with the terms of Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc (Scotland) Act 2006.
- 2 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.
- 3 In order to protect archaeological interests.
- 4 In order to safeguard the visual and residential amenity of the area; to ensure a satisfactory standard of local environmental quality and to avoid the over intensive development of the site.
- 5 In order to protect public rights of way.
- 6-7 In order to comply with the Council's Open Space standards and policies.
- 8 In the interests of visual and residential amenity.
- 9 To comply with the Council's approved policy on affordable housing.
- 10 In order to avoid any potential flood risk.
- 11 To comply with the Council's approved Education Contributions policy.
- 12-13 In the interests of road and public safety.

B JUSTIFICATION

The application is contrary to the Development Plan, but the revised Housing Land Supply figures recently approved by the Council constitute a valid

material consideration which in this case warrants setting aside the Development Plan.

C PROCEDURAL NOTES

Prior to the issue of consent the applicant shall enter into and conclude a Section 75 to cover the delivery of the flood alleviation measures to include burn realignment, ground raising, compensatory storage and increased culvert capacity much of which lies outwith the redline site and is all fully detailed within the applicant's FRA and on subsequent plans and correspondence.

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.
- 2 The applicant should be advised that in terms of Section 21 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
- 3 No work shall be commenced until an application for building warrant has been submitted and approved.
- 4 The granting of planning consent does not guarantee a connection to the main sewer and the applicant is advised to pursue these matters separately with Scottish Water.

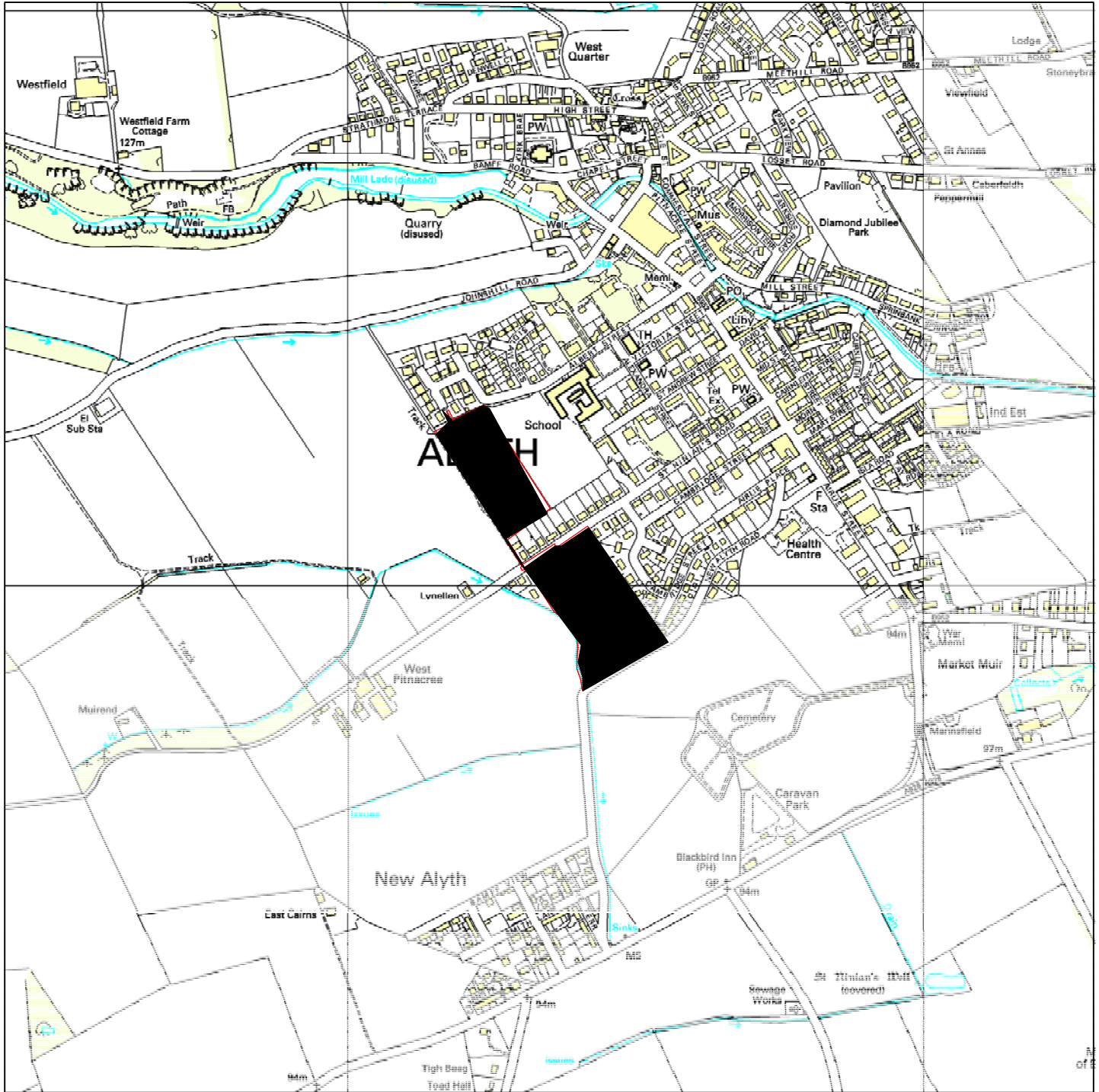
Nick Brian
Development Quality Manager

Background Papers: Nil

Contact Officer: John Culbert– Ext 75353

Date: 4 March 2010

Residential development, land SE of Westpark, Alyth



Scale : 1:10000

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Organisation	Perth & Kinross Council
Department	Planning
Comments	
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