

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

**Formation of 6 car parking spaces
Land 10 Metres West Of 58 Glasgow Road, Perth PH2 0PB**

Ref: No: 09/01623/FLL
Ward No: 10 – Perth City South

Summary

This report recommends approval of the application for the construction of six parking spaces on land to the west of 58 Glasgow Road, Perth as the proposal is considered to comply with the Development Plan for the area and there are no material considerations apparent which would outweigh the Development Plan in this instance.

BACKGROUND AND DESCRIPTION

- 1 The proposal is to provide off street car parking for Nos. 48, 50 and 58 Glasgow Road, Perth. These properties have no provision within their individual curtilages for off street parking.
- 2 The site comprises an area of private amenity ground of some 199 square metres on the north east side of Strathearn Terrace between the junction with Glasgow Road and Strathearn Place. The ground is currently poorly maintained with scrub planting and the stumps of felled trees. There is no formal defined boundary enclosure to the public road.
- 3 The site runs alongside Strathearn Terrace which is a public road maintained by Perth & Kinross Council as roads authority and leads to Strathearn Place and Tullylumb Lane.

NATIONAL POLICY AND GUIDANCE

- 4 No relevant National Planning Policy given the small scale of the development.

DEVELOPMENT PLAN

- 5 The Development Plan for the area comprises the Approved Perth & Kinross Structure Plan 2003 and the Adopted Perth Area Local Plan 1995 Incorporating Alteration No 1 Housing Land 2000.

Perth & Kinross Structure Plan 2003

- 6 There are no specific policies which relate to the proposal given the small scale of the development.

Perth Area Local Plan 1995 Incorporating Alteration No 1 Housing Land 2000

General Residential and background Policies: Policy 41

- 7 Identifies areas of residential and compatible uses where existing residential amenity will be retained and where possible improved, where sites in other uses become available for development, housing will generally be the most suitable alternative use. Some scope may exist for infill development, but only where this will not significantly affect the density, character or amenity of the area concerned. Small areas of private and public open space will be retained where they are of recreational or amenity value to their surroundings. Change of use to hotel, boarding and guest house use will be permitted normally only on the main radial routes in the city.

SITE HISTORY

- 8 PK/95/1277 – Change of use and alterations to form private parking area at Tullylumb Lane, Perth
- 9 A previous application in 1995 (PK/95/1277) for a parking area was refused by the former Perth & Kinross District Council as local planning authority on the grounds of detriment to visual amenity and road safety. The proposal was not opposed by the former Tayside Regional Council on road safety grounds.
- 10 An appeal to the Secretary of State resulted in the reporter approving the construction of two parking spaces at the south end of the site with the remainder being retained as private amenity space with a post and rail fence erected on the road boundary. It should be noted that in 1995 there were mature trees on the site and these trees have now been felled and the post and rail fence has been removed.

CONSULTATIONS

- 11 None

REPRESENTATIONS

- 12 There are seven letters of objection to the proposals. The grounds for objection as summarised as follows:
- Road safety.
 - Lack of road width and inadequate space for vehicles to pass
 - Substandard junction with Glasgow Road
 - Loss of amenity space

13 Additional Statements

Environmental Statement:	Not required
Screening Opinion:	Not required
Environmental Impact Assessment	Not required

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

APPRAISAL

- 14 The proposed car park would provide off street parking for numbers 48, 50 and 58 Glasgow Road. These properties have no dedicated off street parking within the property boundaries. It is not possible to provide these facilities due to physical constraints caused by the location of the houses on Glasgow Road where a safe means of access is not possible due to the close proximity of a busy major junction, lack of adequate visibility and engineering constraints caused by the difference in level between the public road and front gardens.
- 15 I also consider that the proposal now complies with Policy 41 of the Perth Area Local Plan 1995 as the reason for maintaining the private amenity space was to retain the trees. These trees were not protected and as previously stated have been felled.
- 16 The objectors to the proposal raise several concerns. The loss of amenity space has been covered above. As far as the concerns about road safety are concerned Strathearn Terrace already serves a number of residential properties. The provision of car parking will not significantly increase the traffic movements in and out of the site and I am of the view that the provision of off street parking has wider benefits by removing on street parking from the surrounding streets. The appeal decision required that a fence be erected along the site boundary. This fence has since been removed. However I am of the view that the fence, if erected, would cause greater inconvenience to road users as it would restrict the road width for most of the length of Strathearn Terrace. The proposed car parking area would not, therefore, make the situation any worse.

LEGAL AGREEMENTS REQUIRED

- 17 Not required.

DIRECTION BY SCOTTISH MINISTERS

- 18 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

- 19 The proposed parking area is considered to be acceptable in terms of residential amenity, visual amenity and road safety. I am now of the view that the ground has little amenity value and there are now no material

considerations apparent which would outweigh the contents of the Development Plan in this instance

RECOMMENDATION

A Approve the application subject to the following conditions:

- 1 The development shall be begun 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 The edge of the carriageway which comprises Strathearn Terrace adjacent to the site shall be defined by a dropped kerb constructed to the requirements of the Council as roads authority to the satisfaction of the planning authority.

Reasons:

- 1 In accordance with the terms of 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 that the development is carried out in accordance with the plans approved.
- 3 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

B JUSTIFICATION

The proposed development is considered to comply with the terms of the Development Plan and would provide much needed additional off-street parking for existing residential units and there are no material reasons to justify a departure there from.

C PROCEDURAL NOTE

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.

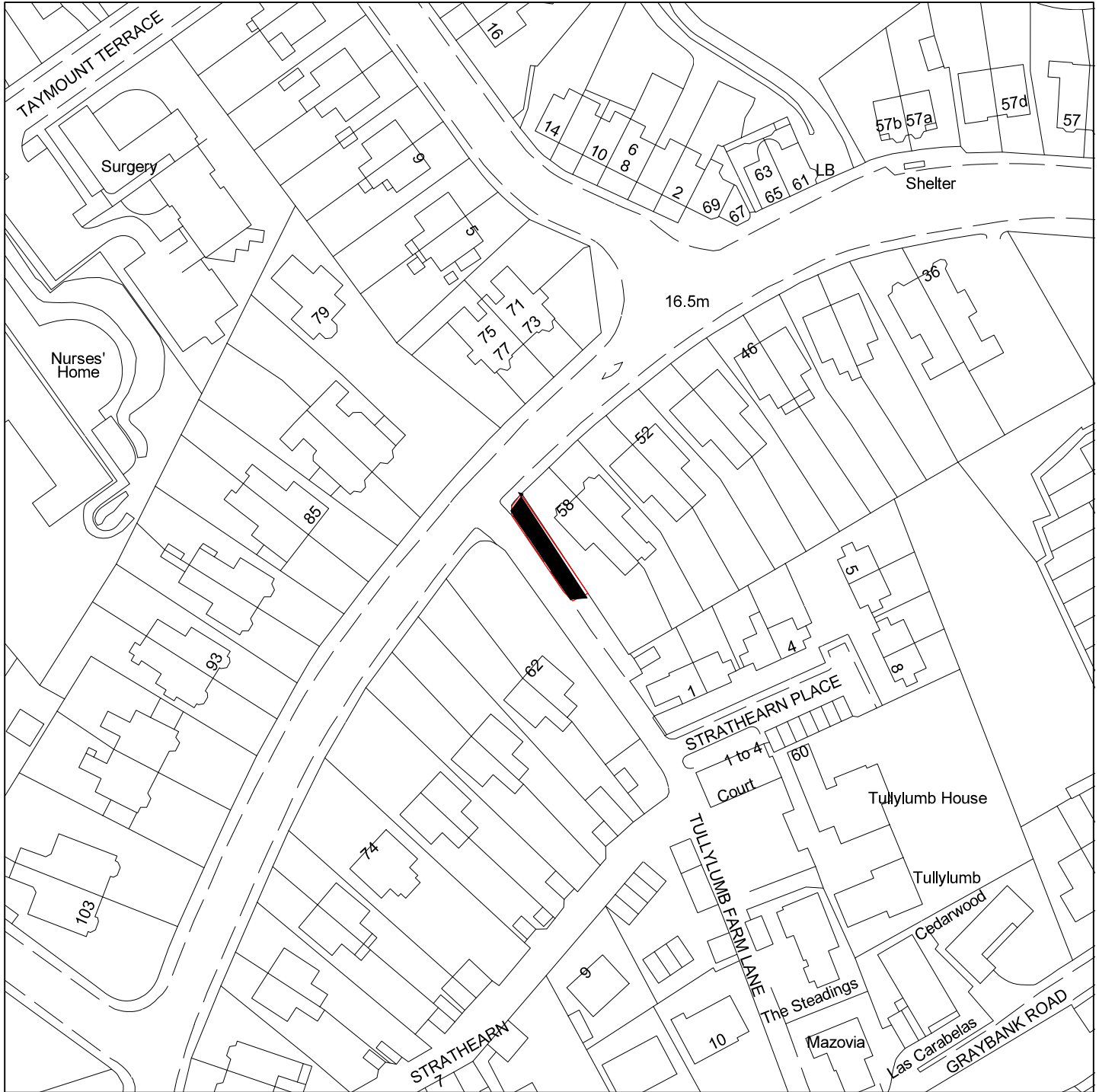
- 2 This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the notice is set out in Schedule 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.
- 3 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: Seven letters of representation have been received
Contact Officer: Bruce McNaughton
Date: 20 January 2010

Nick Brian
Development Quality Manager

09/01623/FLL

Formation of 6 parking spaces, 58 Glasgow Road, Perth



Scale : 1:1250

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Organisation	Perth & Kinross Council
Department	Planning
Comments	
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