

Perth and Kinross Council
Development Management Committee – 9 October 2013
Report of Handling by Development Quality Manager

Residential development comprising 143 dwellinghouses/flats, roads, footpath, open space and associated works on land south east of Townhead, Auchterarder

Ref. No: 12/00431/FLM
Ward No: 7 – Strathallan

Summary

This report recommends approval of the application for the erection of 143 dwellinghouses/flats as the development is within a zoned housing site and forms part of a wider area of land at Townhead where the Council had made a decision in May 2009 to grant planning consent in principle subject to the conclusion of a Section 75 Agreement. The Townhead land along with two other areas in Auchterarder at Kirkton and Castlemains are part of the Auchterarder Expansion Development Framework, the masterplan for the expansion of housing in Auchterarder. The Kirkton and Castlemains land is the subject of two separate planning applications which the Council is minded to grant subject to the completion of a Section 75 Agreement. This proposal is considered acceptable as a zoned site for housing development and it complies with the provisions of the adopted Development Plan, national policy and guidance and the Auchterarder Expansion Development Framework.

Background and Description

1. The application site is situated within Auchterarder to the south east of the Townhead area and extends to 5.8 hectares and comprises agricultural land associated with Townhead Farm. The site is linear in configuration and the land falls in a south easterly direction to the A9 to the south. The site is bounded by agricultural land to the east with housing beyond this and to the west on lower lying ground by a public park. The site is bounded to the north by Townhead Farm and housing and the site is accessed from the A824, Western Road/Townhead. Existing public footpaths including Provost's Walk and Townhead Path run within the site to the south and close by to the east and west.
2. The application site forms part of 3 areas of land within Auchterarder which are identified in the adopted Strathearn Area Local Plan 2001 as Opportunity Sites –O3 for residential and compatible uses. The 2 other areas at Kirkton and Castlemains to the north east which are the subject of detailed planning applications, where at the meeting of this Committee in April 2013, the Council were minded to grant planning consent subject to the signing of the Section 75 Agreement and issue of the consent in principle for these areas under application 08/01133/IPM. The development of these areas for housing is the

subject of the Auchterarder Expansion Development Framework which was approved at the Council's Enterprise and Infrastructure Committee on 26 March 2008 as supplementary planning guidance, following public consultation in April and May 2006. This framework was prepared by a consortium of developers including Muir Homes, Stewart Milne and a community steering group. The development of this land constitutes a significant element of the housing land supply in the Strathearn Housing Market Area.

3. This application comprises a detailed proposal by Robertson Homes for the erection of 143 residential units, including 30 affordable flatted units, a play area, landscaping and planting and a SUD's pond. Access to the site will be from Townhead to the north via a new mini roundabout formed at the site entrance. A Design and Access Statement, Traffic Statement, Noise Impact Assessment, Habitat Survey and Bat Survey have been submitted in support of the application.
4. The housing proposed for the site is configured in 3 character zones, with zone 1 comprising a high density urban theme in the north of the site nearer the town centre, zone 2 a medium/high density open space boulevard theme and zone 3 to the south of the site comprising lower density. The house types throughout the development comprise a mixture of flatted mews, terraced villas, semi-detached and detached properties from 2 to 5 bedroomed in size. In terms of height, the properties vary from 2 to 3 storeys. External materials include grey roof tiles, white roughcast, reconstituted stonework in contrasting colours and finishing, grey windows and external doors. The frontage of the properties will be open plan in approach with boundary wall detailing and hedging where necessary to provide gateway features and entrance details. The rear of the properties will be enclosed by vertical boarded fencing. A detailed landscaping and maintenance plan has been submitted proposing tree, shrub and hedge planting and hard surface treatment. An equipped play area is provided in the centre of the development and a SUD's pond at the southern end. There are footpath links proposed from the development to the park to the west and links with the existing footpath network.

Environmental Impact Assessment (EIA)

5. EEC Directive (No 2003/35/EC) requires an authority giving a planning consent for particular large scale projects to make its decision in the knowledge of any likely significant effects on the environment. The Directive sets out a procedure that must be followed for certain types of project before they can be given 'development consent'. This procedure, known as Environmental Impact Assessment (EIA), is a means of drawing together, in a systematic way, an assessment of a project's likely significant environmental effects. This helps to ensure that the importance of the predicted effects, and the scope for reducing any adverse effects, are properly understood by the public and the relevant competent authority before it makes its decision.
6. Following a screening exercise having been undertaken by the Council under the EIA (Scotland) Regulations 1999 (as amended) a Screening Opinion was issued on the 7 May 2012 stating that an EIA is not required for this proposal.

Pre-Application Consultation

7. The proposed development is classed as a Major development under class 2 of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. This requires pre-application consultation with the local community to be undertaken. A Proposal of Application Notice (PAN) was submitted to the Council as required by Regulation 6 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 and Section 35B of the Planning Act etc. (Scotland) Act 2006. The content of the PAN was subsequently agreed by the Council on the 23 September 2011 under 11/00015/PAN.
8. A Pre-application Consultation Report dated March 2012 has been submitted documenting the pre-application consultation process, this highlights the methodology used to engage with the community and key stakeholders, provides details of the exhibition meeting and feedback from attendees. It is considered that the pre-application consultation process has been carried out satisfactorily.

NATIONAL POLICY AND GUIDANCE

Scottish Planning Policy 2010

9. 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.
10. Of relevance to this application are:
 - Paragraphs 66 – 91: Housing
 - Paragraphs 86 - 88 : Affordable Housing
 - Paragraphs 110-124: Historic Environment
 - Paragraphs 149-158: Open Space & Physical Activity
 - Paragraphs 165 -181: Transport

Designing Places 2001 & Designing Streets 2010

11. Designing Places 2001 is the first policy statement which marks the Scottish Government's determination to raise standards of urban and rural development. Designing Streets supports Designing Places and is the first policy document 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.

Planning Advice Note 68: Design Statements

12. This notes that design statements will enable the applicant to explain why the selected design solution is the most suitable in the circumstances in terms of the building(s) and the quality of spaces created.

Planning Advice Note 84: Reducing Carbon Emissions in New Development:

13. Highlights the key role of the planning system in supporting a move towards low and zero carbon development through the use of energy efficiency, micro-generation and decentralised renewable energy systems.

DEVELOPMENT PLAN

14. The Development Plan for the area consists of TAYplan Strategic Development Plan 2012 – 2032 and the Adopted Strathearn Area Local Plan 2001.

TAYplan Strategic Development Plan 2012 – 2032 Approved June 2012

15. Under the TAYplan the principal relevant policy is:

Policy 5: Housing

16. Ensures that the mix of housing type, size and tenure meets the needs and aspirations of a range of different households throughout their lives, including the provision of an appropriate level of affordable housing based on defined local needs. Local Development Plans (where applicable) will need to set affordable housing requirements for or within each housing market area.

Strathearn Area Local Plan 2001

17. The site is within Auchterarder settlement and is identified in the adopted Strathearn Area Local Plan 2001 as an Opportunity Site – 03 for residential and compatible uses for the expansion of Auchterarder on the northern edge and at Townhead Farm.
18. The principal relevant policies are:

Policy 1 Sustainable Development

19. This sets out the criteria to ensure the goals for sustainable development are achieved including use of non renewable resources, maintain or improve the quality of the environment, the precautionary principle is applied, biodiversity is conserved, minimisation of waste and pollution and to meet local needs and enhance access to employment facilities, goods and services.

Policy 2 Development Criteria

20. All developments within the Plan area will be judged against a series of criteria including landscape framework capable of absorbing, and if necessary, screening the development, the scale, form, colour, and density of development, compatibility with its surroundings in land use terms, local road network, sufficient spare capacity in drainage, water and education services, the site should be large enough, buildings and layouts to be energy efficient, where possible be located in those settlements which are the subject of inset maps.

Policy 4 Landscape

21. Where developments shall seek to mitigate any adverse landscape impacts.

Policy 5 Design

22. The Council require high standards of design for all development with encouragement given to the use of good quality materials, energy efficiency, innovative design and good landscape fit.

Policy 7 Flood Risk

23. Development in areas liable to flood or where remedial measures would adversely affect flood risk elsewhere will not normally be permitted.

Policy 12 Light Pollution

24. The Council will not grant consent for proposals that would result in unnecessary and intrusive light pollution.

Policy 23 Archaeology

25. The Council will safeguard the settings and archaeological landscapes associated with Scheduled Ancient Monuments from potential adverse development.

Policy 35 Public Access and Informal Recreation

26. The Council will continue to encourage public access to the countryside and informal recreation provision for a wide variety of users.

Policy 36 Open Space Provision

27. The Council will seek the provision of appropriate areas of informal and formal recreational space as an integral part of a new housing development.

Policy 39 Transport Standards

28. Adequate provision of parking, servicing and where appropriate public transport must be made in all new developments.

Policy 41 Cycling

29. The Council will strongly encourage proposals which make cycling safer and it will take account of the needs of cyclists when considering all development proposals.

Policy 58 Residential Character and Amenity

30. Where sites become available for development housing will be the most obvious alternative use. Important trees and hedges will be retained.

Policy 60 Northern Edge and Townhead Farm Expansion

31. The Council, in consultation with the relevant parties will prepare a Master Plan for the development of land identified as Opportunity 3. This will include proposals to deal with private sector contributions towards the removal of infrastructure constraints.

Opportunity 3

32. Development opportunity for residential and compatible uses as part of the Townhead and northern expansion of Auchterarder.

PERTH AND KINROSS PROPOSED LOCAL DEVELOPMENT PLAN (PLDP) 2012

33. On 30 January 2012 the Proposed Plan was published. The adopted Local Plan will eventually be replaced by the Proposed Local Development Plan. The Council's Development Plan Scheme sets out the timescale and stages leading up to adoption. The Proposed Local Development Plan underwent a period of representation ending in April 2012 and is currently the subject of an examination, but it not expected that the Council will be in a position to adopt the Local Development Plan before December 2014. The Proposed Local Development Plan 2012 is a material consideration in the determination of this application, reflecting a more up to date view of the Council than those contained in the relevant adopted Local Plan.
34. Under the PLDP the site lies within the settlement of Auchterarder. The principal relevant policies are in summary:-

Policy PM1: Placemaking

35. Development must contribute positively to the quality of the surrounding built and natural environment.

Policy PM2: Design Statements

36. Design Statements will normally need to accompany a planning application if the development comprises 5 or more dwellings.

Policy PM3: Infrastructure Contributions

37. Infrastructure contributions will be required from new developments which by virtue of their scale will exacerbate a current or generate a future need for additional infrastructure.

Policy RD1 Residential Areas

38. The plan identifies areas of residential and compatible uses where existing residential amenity and character will be protected and where possible improved.

Policy RD4: Affordable Housing

39. Residential development consisting of 5 or more units should include provision of an affordable housing contribution amounting to 25% of the total number of units.

Policy TA1: Transport Standards

40. The Plan identifies existing transport infrastructure; encouragement will be given to the retention and improvement of these facilities provided the improvements are compatible with adjoining land uses.

Policy CF1B: Open Space within New Developments

41. The Council will seek the provision of appropriate areas of informal and formal open space as an integral part of any new development.

Policy HE1B: Non Designated Archaeology

42. The Council will seek to protect areas or sites of known archaeological interest and their settings.

Policy NE4: Green Infrastructure

43. Development should contribute to the creation, protection, enhancement and management of green infrastructure to mitigate negative environmental impacts in new developments.

Policy EP1: Climate Change, Carbon Reduction and Sustainable Construction

44. Sustainable design and construction will be integral to new development within Perth & Kinross.

OTHER RELEVANT POLICY/GUIDANCE

Affordable Housing Policy

45. This policy is applicable to all new housing sites (even ones identified in the local plans) with the exception of those with existing consents or an approved development brief. This policy seeks a 25% allocation of affordable housing; preferably on site however for developments of less than 10 units commuted payments maybe acceptable.

Auchterarder Expansion Development Framework

46. At the meeting of the Council's Enterprise and Infrastructure Committee on 26 March 2008 the Auchterarder Expansion Development Framework was approved as supplementary planning guidance, subject to further discussions to take place with the developers to finalise the details of carbon emission reduction requirements.

Perth & Kinross Council Planning Guidance Note – Primary Education and New Housing Development May 2009

47. This guidance sets out the basis on which Perth and Kinross Council will seek to secure contributions from developers of new homes towards the cost of meeting primary education infrastructure improvements necessary as a consequence of development. All new housing from the date of adoption including those on sites identified in adopted Local Plans will have the policy applied. It should be noted that no contributions are required for affordable or sheltered housing.

Perth & Kinross Council Planning Guidance Note 2009 - A9 Auchterarder Junction Improvements

48. This guidance sets out the basis on which Perth and Kinross Council will seek to secure contributions from developers of new homes towards the cost of meeting A9 junction improvements in the Auchterarder area necessary as a consequence of development.

SITE HISTORY

49. An application in principle for the erection of 67 detached houses at Townhead Farm was refused in July 2002 as the access was unacceptable, lack of drainage capacity and a required masterplan had not been completed. (02/00521/OUT)

An outline application for residential development at Castlemains and Kirkton which is part of the northern expansion framework for the town was approved at the Development Control Committee on 13 May 2009 (08/01133/OUT) subject to the signing of a Section 75 Agreement.

50. An outline application for residential development at Townhead Farm which is part of the Auchterarder expansion framework for the town was approved at the

Development Control Committee on 9 December 2009 (08/01131/OUT) subject to the signing of a Section 75 Agreement to cover the delivery of affordable housing, A9 junction improvements, provision of employment land, provision and maintenance of public open space and play areas, financial contribution towards community facilities, an annual monitoring report on house completions for school capacity evaluation and education contributions.

A detailed application for the eastern half of the Castlemains site for 147 houses. (08/01279/FUL) was presented to the Development Management Committee on the 24 April 2013, where the Committee was minded to grant consent subject to the completion of the Section 75 Agreement associated with the application in principle 08/01133/OUT.

A detailed application for the Kirkton site for 261 houses. (09/01290/FUL) was presented to the Development Management Committee on the 24 April 2013, where the Committee was minded to grant consent subject to the completion of a Section 75 Agreement associated with the application in principle 08/01133/OUT.

CONSULTATIONS

51. **Scottish Water** - No objections.
52. **Environmental Health** - No objections subject to condition.
53. **Auchterarder C.C.** - No objections.
54. **SEPA** - No objections subject to conditions.
55. **Transport Scotland** - No objections subject to condition.
56. **Education** - No objections
57. **Archaeology** - No objections

REPRESENTATIONS

58. 2 letters of representation have been received raising the following issues:-
 - overlooking to existing neighbouring property
 - access for maintenance to existing property is retained
 - affect of building work on existing property
59. These issues are all addressed in the Appraisal section of this report under Residential Amenity.

ADDITIONAL STATEMENTS

60.

Environment Statement	Not required
Screening Opinion	Completed
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	Submitted
Report on Impact or Potential Impact on Habitat/Biodiversity, Bat Survey, Noise Impact Assessment and Traffic Statement	Submitted.

APPRAISAL

Policy

61. 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. The application site is within an area identified within the Strathearn Area Local Plan 2001 under Policy 60 where O3 is a development opportunity site for residential and compatible uses, including an allocation for general business uses. An outline application for the wider area which includes the application site is still pending subject to the completion of a Section 75 Agreement. Given the application site's position and designation within Auchterarder it is considered that the principle of providing housing on the site is acceptable. The delivery of housing land in Auchterarder on a zoned site is in accordance with both national and regional planning policy. The emerging new Local Development Plan 2012 also supports the development of this site for housing. The proposal is therefore acceptable in planning policy terms.

Design, Layout & Landscaping

62. The detailed design of the housing and the site layout is based on the Auchterarder Expansion Development Framework which provided a masterplan for the Townhead and north eastern expansion of the town, setting the context for the detailed proposals. A Design Statement has been submitted with the application which sets out the design framework for the site and is based on the following:-

- layout based on rectilinear street format
- residential core road
- housing character zoning with decreasing density from the town centre
- a central open space linked with footpaths and boulevard theme
- open frontages
- footpath connections to the west, south and east

63. The detailed design and layout was the subject of negotiation with the Council's Planners and Transport Planners during which there was an emphasis on creating housing character zone areas and providing permeability of movement within and through the development to the town and beyond to the surrounding countryside. A variety of house types will provide a wider choice and varied age structure throughout the development. Open space provision within the centre of the site in the form of an equipped play area and footpath linkages to the larger adjacent recreational park and footpath network will provide good opportunities for informal recreation. The detailed design of the housing and the boundary treatment was based on elements of the local vernacular identified through the master planning process. Structure planting is proposed to the countryside edges of the site. The provision and maintenance of public open space and access to play areas will be controlled through the Section 75 Agreement.
64. The applicants have developed their housing product to include the use of highly insulated energy efficient timber frame construction, high quality UPVC windows, with energy saving hermetically sealed double glazing units and central heating system which fully complies with the latest building regulations.
65. The layout design is in accordance with the principles set out in 'Designing Streets' guidance and encourages pedestrian through movement rather than dead end cul-de-sacs with dwellings and car parking being visible from surrounding housing in accordance with 'Secure by Design' advice.

Residential Amenity

66. The housing layout meets the standards required with regard to garden sizes and distances between proposed houses and existing properties to the north and north east of Auchterarder. Concern was raised by neighbours about access for maintenance and the affect of building work on property, however these are not strictly material planning considerations, with the latter issue being considered through the building warrant process. It is considered that there will be no adverse impact on any neighbouring property as a result of the development. Play area provision within the site along with easy pedestrian access to the town's existing recreational facilities and the wider countryside allows sufficient access in terms of recreational amenity.
67. The proposed site is on land which is currently agricultural land. The properties outlined in the development will be between 60 metres and 500 metres from the A9 dual carriageway.
68. A Noise Impact Assessment was carried out on 23 November 2011 which split the proposed development into 3 groups set at increasing distances from the A9 dual carriageway. Group 1 encompassed around 20 properties between 60 and 175 metres from the A9, Group 2 encompassed 60 properties set at 175 to 350 metres and Group 3 with 50 properties set at 350 to 500 metres distance.
69. The results of the NIA indicate the noise levels from the A9 would result in external noise levels exceeding the World Health Organisation guidelines and BS8233 noise limit of 55dB LAFmax by 3dB in Group 1 but that the external

noise levels would be less than 55dB for Groups 2 and 3. With a 10-15dB reduction to calculate internal noise levels it would be unlikely that many of the proposed properties would be affected.

70. Where the noise levels in the properties located to the south of Group 1 (closest to the A9) exceed the permitted noise levels it is believed that by assessing the internal levels with the windows closed and using alternative ventilation, the standards can be met. Assessments of amenity are normally done with the windows open, however there is a precedent at other sites for assessing with the windows closed. Therefore this proposal is acceptable in terms of noise impact subject to suitable conditions.
71. Overall the proposal provides a satisfactory level of residential amenity to the occupants of the development and will not prejudice the residential amenity enjoyed by existing adjoining residents.

Affordable Housing

72. There is a requirement to provide affordable units within the development and this will be implemented and controlled through the Section 75 Agreement where there is a requirement to provide 25% affordable housing for any new housing development over 5 units either with on site provision or a commuted payment towards provision off site. In this case 30 affordable units are proposed as part of the development on the site and the remaining 6 units will be achieved through a commuted payment towards off site provision. The payment would be delivered either by an upfront payment or a deferred payment through a Section 75 Agreement.

Traffic and Road Layout

73. The road layout and specification including the SUD's provisions were based on negotiation with the Council's Transport Planners where the design was based upon the existing rectilinear street format present within Auchterarder. Instead of proposing a standard local access road, the design introduces a residential core road in short section converging onto public spaces surrounding by clusters of buildings. The sharp changes in direction within the local access road and within the public areas will provide traffic calming. A new mini-roundabout will be provided at the access to the site from Townhead. There are no objections to the proposal in terms of access, road safety and parking subject to conditions. The strategic road traffic improvements including the junction improvements on the A9 are implemented through the Section 75 process which will be attached to this application in conjunction with the development proposals at Kirkton and Castlemains.

Natural Heritage

74. A Strategic Environmental Assessment was carried out for the Auchterarder Expansion Development Framework which includes the application site and the key findings from this were that the main environmental effects will occur during the construction phases and relate to roadside noise and air quality effects from operational noise. There will be landscape and visual impact effects during

construction, however given the relatively low ecological value of the application site which was farmland, there will be no adverse impact on wildlife habitat or biodiversity.

75. A Phase 1 Habitat Survey and Assessment has been completed for the site which has confirmed that there are no habitats of high conservation importance. The semi-improved grassland habitats together with the developing broadleaved plantation add to the biodiversity of the area and provide valuable habitat for wildlife. There are opportunities to improve biodiversity through hedgerow planting and structure planting and habitat creation associated with the SUD's basin and surroundings. It is recommended that site clearance operations in areas where there is dense vegetation, including shrub should be undertaken outwith the bird breeding season.
76. There is potential for there to be disturbance to bats in the removal of the farm outbuildings consisting of a small single storey stone built shed and a small wooden stable both of which require to be demolished to accommodate the vehicular access to the site. The Bat Survey recommended that no additional surveys are required due to the low risk of roosting bats being present based on the results of the survey. Due to the number of bats commuting across and foraging on the site, it is recommended that the roof of the steading is removed by hand and joins between the roof and the wall are carefully inspected prior to the full demolition as bats are highly mobile and could still be found to use the building in a limited capacity. There was no evidence relating to the presence of badgers within the study area and therefore no direct impacts relating to badger setts is considered likely. A condition will be attached to any consent for the development to be carried out in accordance with the recommendations of the Phase 1 Habitat Survey and Bat Survey.

Education

77. School capacity issues have been covered previously in the approved Auchterarder Expansion Development Framework. The new school at Auchterarder had been designed to accommodate the housing in the expansion area. Education and Children's Services have been concerned that there are other developments which have been consented in the interim which will impact on school capacity. This is covered by the Section 75 which will be attached to this consent where a contribution towards school facilities will be sought from all Open Market Housing Units over and above the site allocation in the Auchterarder Development Framework.

Drainage and Flooding

78. This proposal for Townhead and the wider expansion area has been accommodated by a major upgrade to the Waste Water Treatment Works at Auchterarder. Surface water will be dealt with through a SUDs scheme which is included to the south of the application site. There will be no adverse impact on flood risk.

Contamination

79. The majority of the proposed development is on what has historically been agricultural ground and a search of historical records has not raised any concerns regarding ground contamination.

Sustainability

80. Providing housing and employment in existing centres is in accordance with the principles of sustainability with good access to public transport, employment, social and community facilities. As recommended in the approved Auchterarder Expansion Development Framework carbon reduction measures will be incorporated into the detailed design of the proposed housing and regulated through the Building Standards process.

Community Facilities and Sports Provision

81. Under the Section 75 Agreement attached to this application the applicant is required to make a Community Facility Contribution to the Council who will use this contribution towards improving amenity in Auchterarder. Generally this could include car parking facilities, a public hall, adaptation of school changing room facilities to allow access to the sports pitches, a public library, new or enhanced public transport services, improvements to the core path network and recycling facilities. A financial contribution to a sports facility will also be provided towards off site facilities, elsewhere within the Masterplan area for sports pitches and changing facilities, controlled through the Section 75 Agreement.

Economic Benefits

82. This is a major housing proposal within the area which will provide employment opportunities within the construction industry. Through the construction phase there will be a significant spend within the local economy. Once occupied the residents will provide added value to the local economy through spending on goods and services. There is a significant contribution being made by the developer to local infrastructure and community facilities which will provide both economic and social benefits to the local community.

LEGAL AGREEMENTS REQUIRED

83. A Section 75 legal agreement is required to be concluded prior to the issue of planning consent to cover planning obligations by the developer under the following Heads of Terms – affordable housing, community facility contribution, sports facility contribution, road improvement works contribution and primary education contribution.

DIRECTION BY SCOTTISH MINISTERS

84. 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

85. The principle of providing housing on the allocated site at Townhead is established and it will contribute significantly towards the housing supply for the Strathearn Area. The design and layout of housing is in accordance with the recommendations set out in the masterplan and will provide good quality housing, including affordable housing. The impact of the proposal on existing infrastructure has been accommodated through the local planning process and the Section 75 to be attached to this application, where contributions towards improvements to roads infrastructure, affordable housing, sports and open space provision, education and community facilities will be secured. The proposal will not have any adverse impact on the natural or built heritage of the area or the character and appearance of Auchterarder. It is therefore considered to be acceptable.

RECOMMENDATION

A Approve the application subject to the following conditions:

Conditions:

1. The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.
2. Details of the specification and colour of the proposed external finishing materials to be used shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The scheme as approved shall be implemented prior to the occupation and or use of the development.
3. The approved landscaping and planting scheme for the site shall be fully implemented within 6 months of the completion of the development and thereafter shall be maintained by the applicants and/or their successors to the satisfaction of the Planning Authority, maintenance shall include the replacement of plant stock which fails to survive for whatever reason as often as is required to ensure the establishment of the approved landscaping scheme.
4. Prior to occupation of the development the recommendations contained in the report titled 'Noise Impact Assessment, Townhead Farm, Auchterarder' dated 23 November 2011 from RMP shall be implemented to the satisfaction of the Planning Authority.
5. The houses shall be designed and constructed such that at the time of completion internal noise levels in bedrooms from road traffic noise shall not exceed $L_{Aeq} 2300-0700$ 35dB, with windows open. In any bedroom where such a level is not achievable with windows open, sound insulating mechanical

ventilators shall be installed. This would be in addition to any acoustic trickle ventilators to be provided. Details of the required noise mitigation shall be submitted for the approval of the Planning Authority prior to occupation of the development.

- 6 The development shall be carried out in accordance with the recommendations of the Extended Phase 1 Habitat Survey dated October 2011 and the Bat Survey dated June 2012 by URS Scott Wison to the satisfaction of the Planning Authority.
- 7 Roads and associated works shall be constructed in conformity with the Council's specifications and to the satisfaction of the Council as Planning Authority prior to occupation and use of the approved development.
- 8 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, shall be in accordance with the standards required by the Council as Roads Authority and to the satisfaction of the Planning Authority.
- 9 Prior to the occupation or use of the approved development the passenger waiting facilities on the A824 opposite and adjacent to the new development access shall be upgraded to include new 3-bay enclosed bus shelters in conformity with the Council's specifications and to the satisfaction of the Council as Planning Authority.
- 10 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 To ensure that the development is carried out in accordance with the plans approved.
- 2 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
- 3 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
- 4-5 In the interests of residential amenity.
- 6 In the interests of biodiversity.
- 7-9 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 10 In the interests of surface water runoff and flood risk.

B JUSTIFICATION

The proposal is considered to comply with the Development Plan and the material considerations available add weight to a recommendation of approval.

C PROCEDURAL NOTE

This consent shall not be issued until such time as a Section 75 Agreement is concluded to cover the following Heads of Terms – affordable housing, community facility contribution, sports facility contribution, road improvement works contribution and primary education contribution.

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.
- 3 No work shall be commenced until an application for building warrant has been submitted and approved.
- 4 The applicant is advised that in terms of Section 21 of the Roads (Scotland) Act 1984 he/she/they 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 Environment Protection Agency.
- 5 The applicant should be advised that in terms of Section 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.
- 6 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).

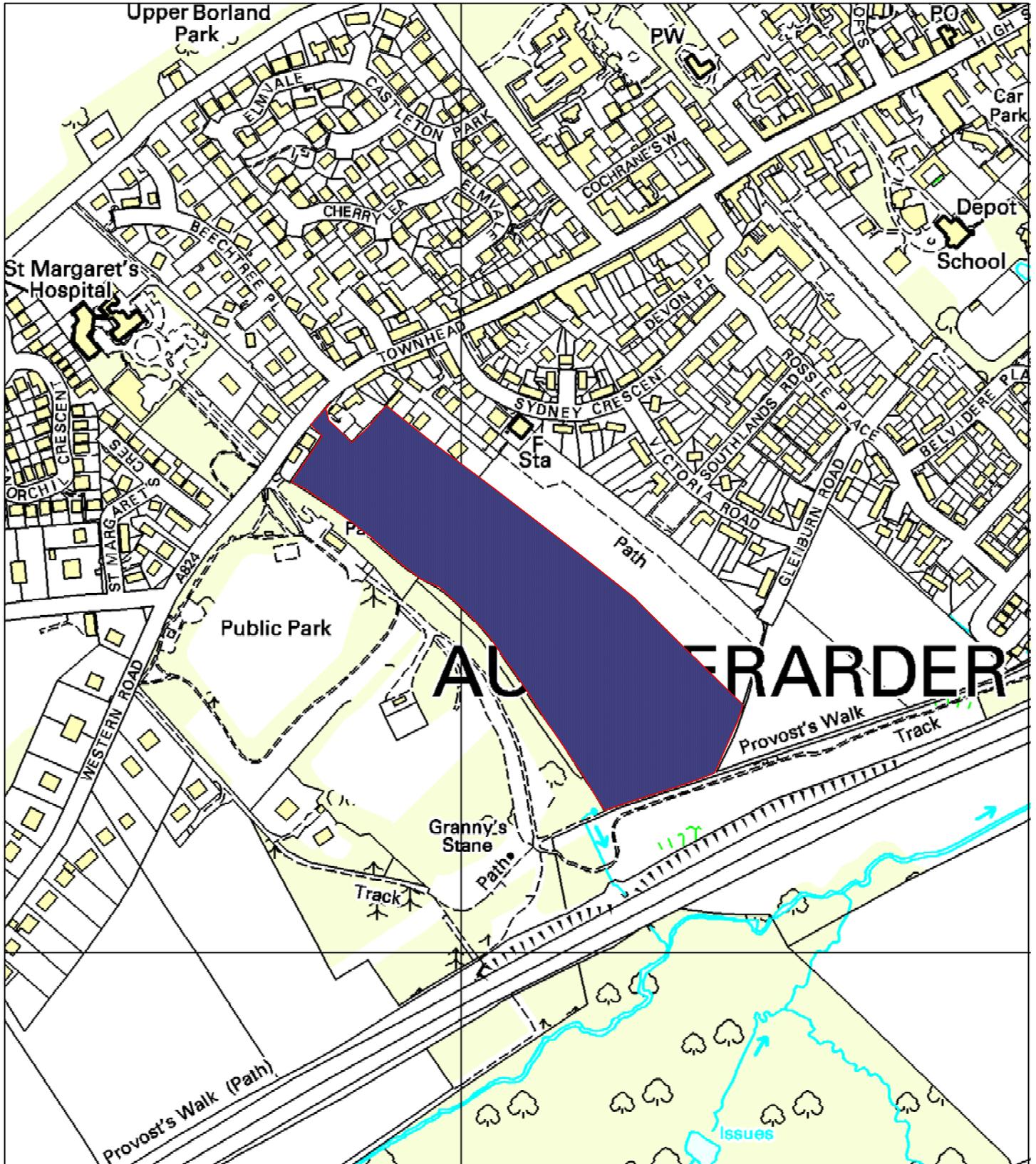
Background Papers: 2 letters of representation
Contact Officer: Mark Williamson – Ext 75355
Date: 18 September 2013

**NICK BRIAN
DEVELOPMENT QUALITY MANAGER**

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