

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

**Alterations and extension to Perth Theatre 185 High Street, Perth, PH1 5UW**

Ref. No: 13/01395/FLL  
Ward No: 12 - Perth City Centre

### **Summary**

This report recommends approval of the application for alterations and extension at Perth Theatre as the development is considered to comply with the provisions of the Development Plan and supplementary Planning Guidance subject to compliance with conditions.

### **BACKGROUND AND DESCRIPTION**

- 1 This report deals with the alteration and extension of Perth Theatre, a category B Listed Building, located within the Perth City Centre and Perth Central Conservation Area. This application covers revisions made to approved 2010 application following a design review in 2013 between the applicant and their agent.
- 2 The principal changes between the scheme which was granted planning approval in 2010 and the current adjusted proposals can be summarised as follows:
  - The central foyer space has been increased in size with consequent increase in the size of the café and bar areas.
  - the new studio theatre and north façade of the building has been slid northwards, closer to Mill Street by approximately 6m.
  - the third community room/rehearsal studio which was on the third (top) floor is relocated to sit beside the Youth theatre room on the second floor. This effectively reduces the height of the building in this area.
  - the general footprint of the studio theatre has been realigned so that it sits parallel with the original buildings which results in a simplification of the overall building geometry which helps mitigate the cost of the larger footprint.
  - larger washroom facilities have been introduced.
  - the stage door/dock/delivery area has been reorganised.
  - The Mill Street façade has been redesigned to create a cohesive elevation, wrapping the layers of cladding around both the studio theatre and the dressing room wing.
- 3 There is no change to the intentions or scope of work related to the existing listed theatre and other retained spaces as previously approved under the 2010

listed building application, this is discussed further in the separate listed building report reference 13/01396/LBC, which is also being presented to this Committee.

- 4 In accordance with Section 65 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Act 1997 the application has been advertised in the Local Press as potentially affecting the character or appearance of a Conservation Area, a site notice was displayed on 26 August 2013.

## **NATIONAL POLICY AND GUIDANCE**

### **Designing places**

- 5 The first policy statement which marks the Scottish Government's determination to raise standards of urban and rural development.

### **The Scottish Planning Policy 2010**

- 6 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.

### **Scottish Historic Environment Policy (SHEP)**

- 7 Sets out Scottish Ministers' policies, providing direction for Historic Scotland and a policy framework that informs the work of a wide range of public sector organisations.

## **DEVELOPMENT PLAN**

- 8 The Development Plan for the area consists of the Tayplan Strategic Development Plan 2012 – 2032 Approved June 2012 and the Adopted Perth Central Area Local Plan 1997.

### **TAYplan Strategic Development Plan 2012**

- 9 The vision set out in the TAYplan states that:

*“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality*

*of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs.”*

- 10 The principal relevant policies are:-

**Policy 1: Locational Priorities**

- 11 Seeks to focus the majority of development in the region’s principal settlements. Perth Core Area is identified as a Tier 1 Settlement with the potential to accommodate the majority of the region’s additional development over the plan period and make a major contribution to the region’s economy.

**Policy 2: Shaping Better Quality Places**

- 12 Seeks to ensure that climate change resilience is built into the natural and built environment, integrate new development with existing community infrastructure, ensure the integration of transport and land uses, ensure that waste management solutions are incorporated into development and ensure that high resource efficiency and low/zero carbon energy generation technologies are incorporated with development to reduce carbon emissions and energy consumption.

**Policy 3: Managing TAYplan’s Assets**

- 13 The policy seeks to safeguard townscapes, archaeology, historic buildings as well as other assets.

**Perth Central Area Local Plan 1997**

- 14 Under the local plan the site lies within the Perth settlement boundary and the Perth Conservation Area. The principal relevant policies are in summary: -

**Policy 04 Perth Central general land use**

- 15 The Council will encourage development/ redevelopment/ expansion of commercial/office uses provided that (i) where practicable existing residential use is retained (ii) prime retail frontages are protected and (iii) the amenity or viability of other land uses are not adversely affected (See Pol 1 and Pol 41).

**Policy 11 Perth Central Design**

- 16 Proposals for new buildings, changes to the appearance of existing buildings (including signs, new shop fronts and advertisements) will be assessed having regard to the design guidelines contained in Annex 1 to the Plan (See Pol 40).

**Policy 12 Perth Central Design**

- 17 Where practical, and where the quality of the building merits it, preference will be given to the adaption and extension of existing buildings in a sympathetic manner rather than redevelopment.

**Policy 13 Perth Central archaeology**

- 18 The Council will protect sites of archaeological significance (See Pol 57).

**Policy 15 Perth Central Listed Buildings**

- 19 There will be a presumption against the demolition of Listed Buildings and a presumption in favour of consent for development involving their sympathetic restoration.

**Policy 16 Perth Central Listed Buildings**

- 20 Changes of use of Listed Buildings will be favourably considered where this ensures their retention in an appropriate manner and would not have an adverse effect on adjoining land uses.

**Policy 17 Perth Central Public Open Space**

- 21 The Council will not permit existing areas of public and open space to be developed and will support the creation of additional public and open spaces as part of environmental improvement schemes or in conjunction with new development.

**Policy 19 Perth Central Historic Routes**

- 22 The Council supports the retention where possible of historic pedestrian routes through the Central Area and will seek their improvement as part of environmental improvement schemes or in conjunction with new development.

**Policy 29 Perth Central Access for Disabled**

- 23 The Council will encourage the provision of facilities which afford easier access and mobility for the disabled.

**Policy 54 Perth Central Conservation Area**

- 24 Proposals for new buildings, changes to the appearance of existing buildings and, where appropriate, demolition of buildings will be assessed having regard to the design guidelines applicable to Conservation Areas contained in Annex 1 (See Pol 14).

**Policy 57 Perth Central Archaeology**

- 25 Within the Area of Archaeological Interest the Council shall seek to protect archaeological remains from avoidable disturbance. Where development is proposed there will be a strong presumption in favour of preservation in situ and where in exceptional circumstances preservation of the archaeological remains is not feasible, the developer, if necessary through appropriate conditions attached to planning consents, will be required to make provision for the excavation and recording of threatened features prior to the development commencing (See Pol 13).

## **PERTH AND KINROSS COUNCIL LOCAL DEVELOPMENT PLAN - PROPOSED PLAN JANUARY 2012**

26 On 30 January 2012 the Proposed Plan was published. The Council's current adopted Local Plans will eventually be replaced by the Local Development Plan. The Council's Development Plan Scheme sets out the timescale and stages leading 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.

27 The principal relevant policies are in summary:

### **Policy PM1A – Placemaking**

28 Development must contribute positively, to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation.

29 The design and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.

### **Policy PM1B - Placemaking**

30 All proposals should meet all the following placemaking criteria:

- (a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.
- (b) Consider and respect site topography and any surrounding important landmarks, views or skylines.
- (c) The design should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours
- (d) Respect and existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.
- (e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.
- (f) Buildings and spaces should be designed with future adaptability in mind wherever possible.

- (g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.

### **Policy PM2 – Design Statements**

- 31 Design statements will normally need to accompany a planning application if the development:(a) comprises five or more dwellings; or(b) is a non-residential use greater than 0.5 ha in area; or(c) affects the character and/or appearance of a Conservation Area, Historic Garden, Designed Landscape, or the setting of a Listed Building or Scheduled Monument. A design statement may also be required to accompany a Planning Application for other forms of development where design sensitivity is considered a critical issue. If applicants are uncertain as to whether a design statement is expected, or on the level of scope and detail that will be appropriate, then the views of the Council should be sought.

Note: Further guidance can be found in Planning Advice Note (PAN) 68 Design Statements.

### **Policy RC4: Retail and Commercial Leisure Proposals**

- 32 Retail and commercial leisure facilities will be expected to locate in town and neighbourhood centres or other commercial centres.

### **Policy HE2: Listed Buildings**

- 33 There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use, and any proposed alterations or adaptations to help sustain or enhance a building's beneficial use should not adversely affect its special interest. Encouragement will be given to proposals to improve the energy efficiency of listed buildings within Perth and Kinross, providing such improvements do not impact detrimentally on the special interest of the building. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the buildings character, appearance and setting.

### **OTHER POLICIES**

- 34 None.

### **SITE HISTORY**

- 35 89/00831/FUL Alterations and extension to Perth Theatre, application approved, 21 August 1989
- 36 01/00351/ADL Alterations to external signage and entrance walkway, application approved, 01 August 2001

- 37 01/00775/ADV Display of 3 x poster display cases, application approved, 06 July 2001
- 38 01/01147/ADV Installation of poster display boxes to lamp standards to front, application approved, 18 September 2001
- 39 03/00758/PPLB Replace fire escape doors leading from Theatre into Cutlog Vennel and improve lighting along Cutlog Vennel, application approved, 20 August 2003
- 40 10/00914/FLL Alterations, extension and formation of new entrance, application approved, 19 November 2010
- 41 10/00915/LBC Alterations, extension and formation of new entrance, application approved 7 February 2011
- 42 13/01273/FLL Refurbishment of Perth Theatre 26 July 2013 Application Withdrawn
- 43 13/01274/LBC Refurbishment of Perth Theatre 26 July 2013 Application Withdrawn

## CONSULTATIONS

- 44 **Architecture and Design Scotland:-** On this occasion A+DS have not provided commentary on the application. However their comments on the previous 2010 application supported the client's aspiration to redevelop the existing theatre and commend the way the Design Team had handled the complexity of the project. To assist Members, the appraisal section will provide an update on how the scheme before them relates to previous comments.
- 45 A+DS highlight concern that the Theatre's revised orientation onto Mill Street could be compromised by the changing context of the street with regards to the consented Castle Wynd retail development to the East and commented on the proposed materials associated with the new extensions principal elevation on Mill Street. They also recommended that a suitable Public Realm strategy be implemented between the Theatre and Mill Street which should be more sophisticated than just good quality paving.
- 46 **Perth and Kinross Area Archaeologist:-** The site is located in an archaeologically sensitive site given its location within the core of medieval Perth. It is therefore recommended that a programme of archaeological works is undertaken as a condition of the consent if approved.
- 47 **The Theatre Trust:-** The trust supports the application for alterations, extension and formation of a new entrance to Perth Theatre because the proposed works will provide essential new and upgraded facilities, whilst conserving the historic auditorium. They highlight that Theatres need substantial development if they are to keep pace with the public's expectations and the needs of performers and producers. They recognise that the new studio space, youth theatre and community and rehearsal rooms will enable the

theatre to reach out to wider audiences and provide a broader range of performance and events including community-based work and educational activities. They recommend that planning permission be granted.

- 48 **Transport Planning:-** No Objection.
- 49 **Head of Environmental and Consumer Services:-** No objection subject to conditions relating to noise and lighting.

## REPRESENTATIONS

- 50 The application has attracted one letter of objection raising concerns which can be summarised as follows:
- Dust and noise associated with construction activity.
  - Impact on amenity, loss of light, overlooking.
  - Loss of views from property.
- 51 The Appraisal section of this report responds to the material planning concerns raised. With regards to the loss of a view I can advise that there is no private 'right to a view' that the planning system should protect and therefore this is not a material consideration.

## 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	Submitted
Report on Impact or Potential Impact	Submitted.

## APPRAISAL

- 52 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 requires that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise. The adopted Development Plan for this area comprises the TAYplan Strategic Development Plan 2012 and the Perth Central Area Local Plan 1997. The Perth and Kinross Council Local Development Plan – Proposed Plan January 2012 is a material consideration in the determination of the application and has progressed to examination by the Scottish Ministers.
- 53 In addition section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is pertinent which requires the Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

## **Policy**

- 54 The determining issues in this case are whether: the proposal complies with Development Plan policy; the proposal pays special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area; or if there are any other material considerations which justify a departure from policy.

## **Land Use:**

- 55 The site is located within Perth City Centre where there is a focus for retail, commercial, leisure and Service activity. The proposed uses within the extension and existing building are considered to comply with the landuse aims and objectives of the adopted Perth Central Area Local Plan Policy 4. Additionally the proposal is considered to comply with the objectives in the emerging local plan under policy RC4 Retail and Commercial Leisure Proposals.

## **Design Layout:**

- 56 Through Designing Places (November 2001) Scottish Ministers have signalled the importance they attach to achieving improvements in the design and quality of new development, and bringing long-term benefits to the urban and rural environment. It should be noted that good design should be the aim of everyone in the planning and development process, it is important at all scales of development. Ill conceived and poorly designed development is not in the public interest, as mistakes cannot be easily or cheaply rectified. An important outcome of the planning process is the quality of development on the ground.
- 57 In support of the application and in accordance with Planning Advice Note 68 the applicants have submitted an updated Design Statement in support of the application. This statement details the philosophy and concepts behind the development proposals and it specifies the amendments to the previously approved scheme which seeks to improve the functionality of the building as well as its design.
- 58 Architecture and Design Scotland's previous advice on the 2010 application is worth bringing to member's attention. A+DS had concern regarding the future plans of Mill Street, its changing context due to the Castle Wynd retail development and how public realm works would integrate with both schemes. Apprehension was also expressed regarding the materials to the theatre's new Mill Street elevation.
- 59 In July 2013 as a consequence of the legal agreement not being concluded, the Castle Wynd development was refused permission. The uncertainty surrounding the street context, permeability and traffic arrangements associated with the Castle Wynd development and the theatre scheme therefore no longer exist.
- 60 The refusal of the Castle Wynd development also means the issue regarding public realm are also resolved. It is however worth pointing out that the Council

is now actively investigating public realm improvements on Mill Street as detailed in the Perth City Plan which details how the Fair City will take full advantage of the economic, social and cultural opportunities made available by the award of City Status in 2012. The agent accepts the need for co-ordination to realise the integration of the theatre's external space/landscape with wider public realm improvements and it is considered that conditional control can secure a holistic approach between the

- 61 In terms of materials, the new Mill Street frontage has been reworked and now includes translucent glass and acrylic panels arranged in three bands which wrap around the studio theatre and the original dressing room wing. This delivers significant improvement to the underused and currently uninspiring southern street frontage of Mill Street. It is considered that the amendments to this elevation are an enhancement to the previous 2010 scheme.

**Pedestrian routes:**

- 62 Cutlog Vennel is located to the West of the site. A new theatre access will be formed onto this pedestrian route which will improve permeability into the theatre and provide increases supervision and security of this historic vennel. This complies with Council Policy 19 which seeks the retention of historic pedestrian routes through the Central Area along with their improvement through environmental schemes or enhancement in conjunction with new development.

**Overlooking**

- 63 In this case I do not consider that the proposed works will result in excessive overlooking to neighbouring properties. Current separation distances between the proposal and residential units remain unchanged.

**Overshadowing, loss of sunlight and daylight.**

- 64 The Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight - a guide to good practice 1991' sets out guidelines on how to assess the potential impact. It should be noted that the standards are not mandatory and should be interpreted flexibly.
- 65 Taking cognisance of the BRE document I consider a reasonable level of daylight and sunlight is maintained to neighbouring properties and the extent of overshadowing of does not warrant refusal. It should be noted that the amendments associated with this scheme has actually resulted in a reduction to the height if the proposed extension.

**Construction Noise:**

- 66 The letter of objection that has been received on the application has highlighted concern regarding noise and dust associated with construction works. It is recognised that construction activities associated with the development of this site will undoubtedly result in an element of disturbance to neighbouring properties from the status quo. However, I do not consider that the impact will

be significant and should problems arise these issues are best resolved under Environmental Health legislation.

**Noise:**

- 67 The planning system has an important role to play in preventing and limiting noise pollution. Although the planning system cannot tackle existing noise problems directly, it has the task of guiding development to the most suitable locations and regulating the layout and design of new development. The noise implications of development can be a material consideration in determining applications for planning permission.
- 68 The Council's Environmental Health Officer has been consulted on the application and offers no objection subject to noise attenuation measures and the restriction on delivery times which can be integrated into conditions of the consent to protect nearby noise sensitive premises.

**Floodlighting:**

- 69 Environmental Health have expressed concerns regarding the potential impact floodlighting could have on the area and have highlighted that this matter should be addressed to limit light spillage. In this case I consider this issue can be controlled through a suitably worded condition.

**Traffic**

- 70 The Council's Transport planners have offered no objection to the application.

**Archaeology:**

- 71 Archaeological sites and monuments are an important, finite and non-renewable resource and should be protected and preserved in situ wherever feasible. The presence and potential presence of archaeological assets should be considered by planning authorities when allocating sites in the development plan and when making decisions on planning applications. Where preservation in-situ is not possible planning authorities should, through the use of conditions or a legal agreement, ensure that developers undertake appropriate excavation, recording, analysis, publication and archiving before and/or during development.
- 72 Consultation with the Perth and Kinross Area Archaeologist confirms that previous developments at neighbouring sites indicate that there is potential for very well preserved organic deposits of up to 5m in depth in the centre of Perth. In this case it is considered that a programme of archaeological works should be sought for this site by condition to satisfy the requirements of Policy 57.

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

- 73 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**

74 None required.

## **DIRECTION BY SCOTTISH MINISTERS**

75 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**

76 Overall the Planning Authority acknowledges the benefits of the scheme, improved facilities, improved access arrangements for members of the public, continued use of listed building for its original function as well as an enhanced streetscape on Mill Street. As a result I consider the application to be in accordance with the adopted Development Plan, I have taken account of material considerations and find none that would justify refusing the application. The application is therefore recommended for approval subject to conditions.

## **RECOMMENDATION**

### **A Approve the application subject to the following 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. No development shall take place within the development site as outlined in red on the approved plan(s) until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, agreed by Perth & Kinross Heritage Trust, and approved by the Local Planning Authority. 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 reasonable satisfaction of the Local Planning Authority in agreement with Perth & Kinross Heritage Trust.
3. No development shall commence until samples of new external finishing materials have been submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme as approved shall be implemented all to the reasonable satisfaction of this Council as Local Planning Authority.

4. No development shall take place until full details of both hard and soft landscaping works for the public realm between Mill Street and the new theatre entrance have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of the building/site being brought into use or earlier. These details shall include pedestrian access and circulation areas; hard surfacing materials; minor artifacts and structures (e.g. furniture, signs, lighting etc.). Soft landscape works shall include planting plans; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and intended implementation programme.
5. The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that no impact or airborne noise from the normal operations within the application premises is audible in any nearby noise-sensitive property all to the reasonable satisfaction of this Council as Local Planning Authority.
6. The sound proofing of the premises and the control of all amplified sound shall be such that no amplified sound is audible in any nearby noise-sensitive property all to the reasonable satisfaction of this Council as Local Planning Authority.
7. All plant or equipment (including any ventilation system) shall be acoustically enclosed to attenuate sound, such that it does not exceed International Standards Organisation (ISO) Noise Rating 35 between 0700 and 2300 hours and Noise Rating 25 between 2300 and 0700 hours. The rating shall be calculated within any neighbouring dwelling with windows slightly open, when measured and/or calculated and plotted on an ISO rating curve chart, if considered necessary by the Council as Planning Authority in the event of a noise nuisance complaint being authenticated.
8. An effective ventilation system commensurate with the nature and scale of cooking to be undertaken shall be installed, operated and maintained such that cooking odours from the development are not exhausted into or escape to any neighbouring property all to the reasonable satisfaction of this Council as Local Planning Authority.
9. Deliveries and collections of all goods and materials associated with this development shall be restricted to 0700 hours -2100 hours Mondays – Saturdays and at no other time all to the reasonable satisfaction of this Council as Local Planning Authority.
10. All external lighting installed shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that all light spillage beyond the boundaries of the site is minimised all to the reasonable satisfaction of this Council as Local Planning Authority.

## **Reasons**

1. To ensure that the development is carried out in accordance with the plans approved.

2. To safeguard any archaeological interest of the site.
  3. In order to safeguard the special architectural or historic interest of the building and to ensure the Planning Authority maintains effective control over the development.
  4. To ensure that the proposed development does not prejudice the appearance of the locality.
- 5-10. To ensure the amenity of nearby premises are adequately safeguarded.

## **B JUSTIFICATION**

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

## **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 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.
- 4 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 Environment Protection Agency.

- 5 No work shall be commenced until an application for building warrant has been submitted and approved.
- 6 No work shall be commenced until an application for Listed Building Consent has been approved.
- 7 The developer is advised to contact Mr David Strachan, Archaeologist to discuss terms of reference for work required Tel 01738 477080.

Background Papers: One

Contact Officer: Name John Russell Ext 75346

Date: 18 September 2013

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

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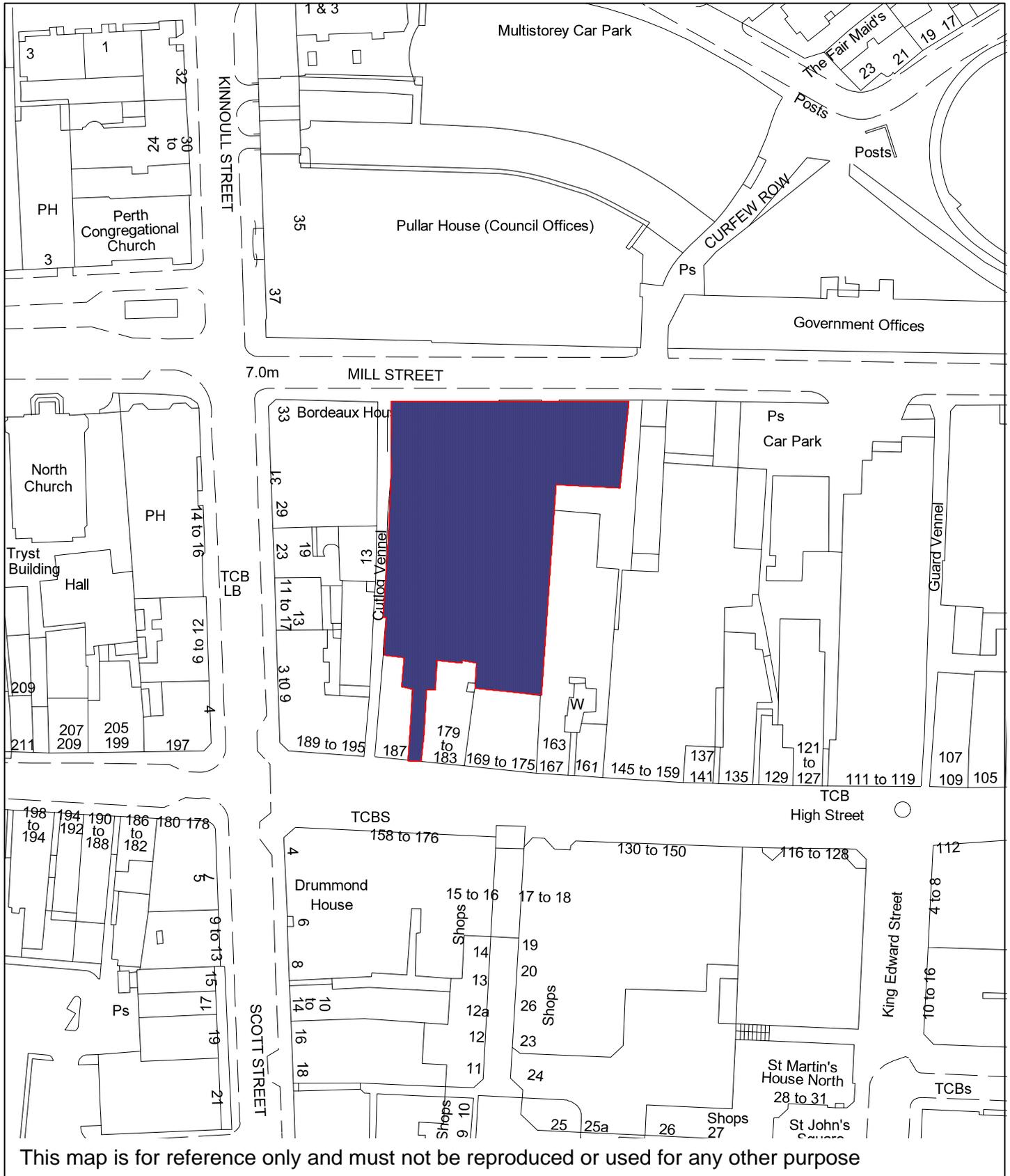


# Perth & Kinross Council

13/01395/FLL

185 High Street, Perth

Alterations and extension to theatre



↑ Scale  
1:1250

