

Perth and Kinross Council
Development Management Committee – 15 January 2014
Report of Handling by Development Quality Manager

Erection of 2 dwellinghouses
(Modification of 06/00668/FUL to subdivide plot 8) Land Between Abbotsfield
Terrace And Montrose Road Auchterarder

Ref: No: 13/01912/FLL
Ward No: N7 - Strathallan

Summary

This report recommends approval of the application for the erection of two dwellinghouses as complying with the relevant policies of the local plan.

BACKGROUND AND DESCRIPTION

- 1 Planning permission is sought for the erection of 2 dwellinghouses on land at Ochil View, Auchterarder. The application is a modification of a previous consent granted for residential development for 11 detached dwellinghouses on 1.2ha of land adjacent to Montrose Road. The original road network and plot layout was agreed as part of planning permission granted in 2000 (99/01960/FUL). This application relates to plot 8 of the consent granted in 2007 (06/00668/FUL) and is for sub-division of this plot to form two semi-detached properties as opposed to a single detached dwellinghouse.

NATIONAL POLICY AND GUIDANCE

- 2 The Scottish Government expresses its planning policies through the National Planning Framework 1& 2, the Scottish Planning Policy (SPP) and Planning Advice Notes (PAN). Of specific relevance to this application are:

Scottish Planning Policy (February 2010)

- 3 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.
- 4 Of relevance to this application is:

- Paragraph 25: Determining Planning Applications

DEVELOPMENT PLAN

- 5 The Development Plan for the area comprises Approved TayPlan 2012 and the Strathearn Area Local Plan 2001. The principal relevant policies are in summary: -

TAYplan: Strategic Development Plan 2012-2032

- 6 The principal relevant policy is in summary: -

Policy 2: Shaping better quality places

- 7 Requires new development to be fit for place and be capable of supporting more sustainable ways of life for people and businesses.

Strathearn Area Local Plan 2001

- 8 Under the local Plan the site lies within the Auchterarder settlement boundary and within an area designated as H4 Housing.

- 9 The principal relevant policies are in summary: -

Policy 2 Development Criteria

- 10 Provides criteria by which all developments will be judged. In particular, that the development should have a landscape framework, should have regard to the scale, form, colour and density of development within the locality.

Policy 4: Landscape

- 11 Requires details to be submitted for consideration and to show that satisfactory arrangements will be made for the future maintenance of such areas.

Policy 5: Design

- 12 Seeks high standards of design for all developments.

Policy 58: General Residential and Housing

- 13 Seeks to retain and, where possible, improve residential amenity and character. Where sites become available for development, housing will be the most obvious alternative use.

14 **Housing Site H4**

The site lies within Housing Site H4 with a notional allocation of 101 residential units.

PERTH AND KINROSS COUNCIL LOCAL DEVELOPMENT PLAN – PROPOSED PLAN JANUARY 2012

15 On the 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 has undergone an Examination following which a report was published on 11 October 2013 containing the Reporter's recommendations. The Council has a three month period to consider the Reporter's recommendations and the modified Plan will be published by 11 January 2014. This will be the Plan that the Council intends to adopt, subject to agreement by Scottish Ministers. Prior to adoption, 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.

16 The following policies apply:

Policy PM1: Placemaking

17 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. The design and siting of development should respect the character and amenity of the place.

Policy RD1: Residential Areas

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

Other Key Policies

19 Perth and Kinross Developer Contributions Policy 2012.

SITE HISTORY

20 There is an extensive application history on this site. The most relevant applications are:

- 99/01960/FUL Erection of 8 houses, formation of plot layout 22 houses and layout of 26 terrace houses with associate roads and landscaping and

indicative layout for a further 45 houses at Land Between Abbey Park and Montrose Road, Auchterarder – Application Approved

- 06/00668/FUL Residential Development 6 February 2007 Application Permitted
- 13/01815/FLL Subdivision of Plot 7 for the erection of two dwellinghouses at Plot 7A and Plot 7B - Pending consideration

CONSULTATIONS

21

Scottish Water

No objection.

Education and Children's Services

The occupancy of this school including potential pupils from approved planning applications, at today's date, does not reach the 80% threshold. Therefore there is no requirement for the Finalised Primary Education and New Housing Contributions Policy to be applied to this application.

REPRESENTATIONS

22 A total of 6 letters of objection have been received. The grounds of objection may be summarised as follows:

- Development is not in keeping with surroundings – there are no other semi-detached houses in the vicinity. Site is off-set, not in line as other properties in that row.
- Traffic congestion, parking and road safety
- Have been misled by developer – told that all plots would be 4 bed detached houses
- Building site is untidy -
- Concern that adjacent plot will also be sub-divided
- Loss of privacy
- Drop kerb required for altered driveway. This is not shown on plans that show no change to road access or footpath. Driveway would be opposite drive on other side of road and cars will reverse in to each other.

23 These issues are all raised in the Appraisal section of this report.

ADDITIONAL STATEMENTS

24	Environment Statement	Not required
	Screening Opinion	Not required
	Environmental Impact Assessment	Not required
	Appropriate Assessment	Not required
	Design Statement / Design and Access Statement	None submitted
	Business Plan	No

APPRAISAL

Policy

- 25 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 adopted Development Plan that is applicable to this area comprises of the TayPlan 2012 and the Strathearn Area Local Plan 2001.
- 26 The determining issues in this case are whether: - the proposal complies with Development Plan policy; or if there are any other material considerations which justify a departure from policy.
- 27 The principle of development on this site has been established by previous applications. This current application therefore seeks permission for a pair of semi-detached properties on an existing building plot within a part completed housing development only.

Design/Visual Impact/Landscaping

- 28 The proposed pair of houses will be finished in a mix of stone cladding and wet dash render with concrete tile roof. This is similar in finish to other properties in the immediate area. The other properties are detached. Visually the proposed dwellings, as viewed together, would be of a similar scale and mass to the detached house previously approved on this site (06/00668/FUL).
- 29 Objectors have suggested that the development is not in keeping with its surroundings. I would disagree with this view and consider that visually the proposal fits in with the surrounding properties. The objectors feel that they have been misled by the developer who originally stated that all houses would be detached. This is not a planning matter however the applicant has stated that the house type change is due to market conditions and that the original intention was to build detached properties. In any event, the presence of a

pair of semi-detached houses within the development would not be considered to be visually unacceptable.

- 30 The previous consent (06/00668/FUL) required the submission of a landscaping plan, prior to commencement of development. I have researched the history of the development and find no record of this plan being submitted. The plans submitted for this current application do not show any proposed landscaping or boundary treatment. To ensure that landscaping, boundary treatment and finishing materials are covered as part of this application I intend to recommend that appropriate conditions are attached to any approval.

Road Safety

- 31 Objectors have expressed concern that road safety may be compromised by the additional unit created by sub-division of the plot. The site is at the end of a cul-de-sac where traffic flow is likely to be light. Each unit will have two off-street parking spaces which is considered adequate. No issues with regard to vehicular access to the site or road safety have been identified by the Council's Transport Planners.
- 32 There has been a comment that additional dropped kerbs to accommodate the different parking arrangements should be shown on the plans. To ensure that development complies with Council roads guidance I intend to attach a condition requiring compliance with the appropriate standards.

Residential Amenity

- 33 There has been concern expressed by objectors that the proposed development may have an impact on the privacy of the neighbouring rear garden. Whilst the semi-detached properties are set slightly further back into the plot, nevertheless, the separation distance from other dwellings would be sufficient and I do not consider therefore that this would significant impact on residential amenity.
- 34 The rear gardens proposed are around 120 square metres. This is adequate garden ground for the development in terms of the provision of residential amenity space.

LEGAL AGREEMENTS REQUIRED

- 35 No legal agreement is required for this proposal.

DIRECTION BY SCOTTISH MINISTERS

- 36 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

- 37 In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, it is considered the proposal complies with the Adopted Strathearn Area Local Plan 2001. There are no material considerations that would justify refusing the application. On that basis the application is 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 drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
- 2 All matters regarding access, car parking, road layout, design and specification (including street lighting and disposal of surface water) shall be in accordance with the standards required by the Council as Roads Authority.
- 3 A landscaping plan shall be submitted for the approval of the Planning Authority prior to commencement of development. The approved plan shall be implemented during the first planting season following the completion of the house and thereafter the landscaped areas shall be maintained in accordance with the approved programme.
- 4 Details of the proposed boundary treatments for the site shall be submitted for the approval of the Planning Authority prior to the commencement of the development and such scheme as may be approved shall be completed prior to the occupation of the development.
- 5 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.

Reasons:-

- 1 To ensure that the development is carried out in accordance with the plans approved.
- 2 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 3 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
- 4 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

5 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

B JUSTIFICATION

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

C PROCEDURAL NOTES

None.

D INFORMATIVES

- 1 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).
- 2 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.
- 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 An application for Building Warrant may be required.

Background Papers:	6 letters of representation
Contact Officer:	Persephone Beer – Ext (4)75354
Date:	11 December 2013

Nick Brian
Development Quality Manager

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