

Perth and Kinross Council  
Development Management Committee –19 February 2014  
Report of Handling by Development Quality Manager

Erection of a replacement primary school building and nursery accommodation with associated access and parking, landscaping, sports pitch, multi-use games area, playground, boundary fences, sprinkler tank, pumphouse and bin store at Oakbank Primary School, Viewlands Road West, Perth PH1 1NA

Ref. No: 13/02022/FLM  
Ward No: 10 Perth City South

**Summary**

This report recommends approval of a detailed planning application for a new purpose built primary school and nursery accommodation with associated ancillary works including a new sports pitch, multi-use games area and playground on the site of the existing Oakbank Primary School in Perth. The proposal accords with the Development Plan and will provide a considerable benefit to the local community.

**BACKGROUND AND DESCRIPTION**

- 1 The application site of 2.4 hectares relates solely to ground associated within the existing Oakbank Primary School and Nursery (including school playing fields), located on Viewlands Road West in a primarily residential area to the west of Perth city centre. The site is situated in between the secondary schools of Perth High School (immediately west) and Perth Academy. A series of dwellings run along the eastern boundary of the site along Fairies Road with Perth Academy immediately further east.
- 2 In terms of the existing school, the main building is located on the northern half of the site with a stand-alone temporary nursery building to the east. The current playing fields are located on the southern half of the site. Vehicular and pedestrian access is via the service road off Viewlands Road West that runs along the western boundary of the site and also serves Perth High School. The car park is located at the northern edge of the site.
- 3 This planning application seeks to obtain detailed planning consent for the erection of a new detached primary school and nursery to the south of the existing school on the existing playing fields. To help facilitate the proposals and accessibility to the existing primary school the construction and demolition periods will be in tandem with each other.
- 4 The new school will be located on the southern half of the site to ensure the existing buildings are not compromised during the construction period. The grass playing field will relocate from the southern half of the site to the north east of the site.

- 5 Vehicular access, staff parking and pupil drop off will continue to be located off the existing service access road and will also continue to serve the current service area and Perth High School. The access road will continue past the entrance to the parking and drop off area to serve the new service yard with its associated bin stores, sprinkler tank and pump house.
- 6 Pedestrian access will remain as before from Viewlands Road West. A pedestrian access gate will continue to be located at the south eastern corner of the site.
- 7 The proposed school building will be a contemporary, flat roofed design offering teaching accommodation over two levels with some double void elements incorporated into the building, such as the gymnasium and dining areas. The external finishes will comprise a mix of predominantly buff facing brick with areas of black facing brick to highlight entrance areas. A dark coloured cladding panel is proposed to the 2 storey area of the dining hall and gym hall. A high percentage of glazing and rooflights are proposed to maximise natural light and ventilation. The flat roof will largely be finished in a typical membrane material, with part of the roof design clad with paving slabs to accommodate a roof terrace providing views over the break out areas.
- 8 The proposed building will be built on a north south axis to ensure maximum levels of daylight will be possible throughout the school day, with no overshadowing. In terms of energy provision it is proposed to provide a Combined Heat and Power unit within the proposed plant room. This unit will provide on-site electricity generation and will contribute 59.4% of the thermal and 30.8% of the electrical demand at the school. There will be carbon reduction of 29.2% when compared to traditional gas and electricity.
- 9 Recycling and waste collection facilities will be stored 10 metres from the new school building, along the western boundary and beside the service area consisting of a sprinkler tank and pump house. All will be surrounded by a 2.4 metre high timber fence. The turning head to the front of the school will allow adequate space for refuse vehicles to turn.
- 10 The proposed landscaping to the site is extensive and designed to be flexible and adaptable that will provide for use by staff and pupils as part of the school curriculum. The playground area will provide for active and passive play opportunities.
- 11 To the front of the new school, a new multi-use games area (MUGA) is proposed which will be enclosed by 3m high fencing. The remaining boundaries of the school will be enclosed by a standard 2.4m security fencing.

## **NATIONAL POLICY AND GUIDANCE**

- 12 The Scottish Government expresses its planning policies through The National Planning Framework 1 & 2, the Scottish Planning Policy (SPP) 2010, Planning Advice Notes (PAN), Designing Places, Designing Streets, and a series of Circulars. Of particular relevance to this planning application are:-

### **Scottish Planning Policy 2010**

- 13 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.
- 14 Of particular relevance to this planning application are paragraphs 149-158 which relates to the provision of open space, physical activity and playing fields.

### **PAN - 1/2011: Planning & Noise**

- 15 This Planning Advice Note (PAN) provides advice on the role of the planning system in helping to prevent and limit the adverse effects of noise. Information and advice on noise impact assessment (NIA) methods is provided in the associated Technical Advice Note. It includes details of the legislation, technical standards and codes of practice for specific noise issues.

## **DEVELOPMENT PLAN**

- 16 The Development Plan for the area comprises the approved TAYPlan 2012 and the Perth and Kinross Local Development Plan 2014.

### **TAYPlan 2012**

- 17 The principal relevant **Policy 2: Shaping better quality places** in summary;
- 18 Seeks to ensure new development integrates with existing infrastructure and land uses; is resilient to climate change and is of high resource efficiency through its orientation, design of building and materials.

## **PERTH AND KINROSS COUNCIL LOCAL DEVELOPMENT PLAN FEBRUARY 2014**

- 19 The site is within the Perth settlement boundary and the most relevant policies are summarised as follows;

### **Policy PM1 Placemaking**

- 20 Development should contribute positively to the quality of the surrounding built and natural environment and designed with reference to climate change. The design and siting of development should respect the character and amenity of the place and improve links beyond the site.

### **Policy RD1 Residential Areas**

- 21 As proposal is within and identified residential area proposals for non-residential use must be compatible with the amenity and character of the area. Improvements to community and education facilities are regarded as compatible.

### **Policy TA1 Transport Standards and Accessibility Requirements**

- 22 All developments that involve significant traffic generation should be well served by and easily accessible to all modes of transport, in particular sustainable modes of walking, cycling and public transport.

### **Policy CF1A Open Space Retention and Provision – Existing Areas**

- 23 Development proposals in existing areas should not result in the loss of sports pitches, parks and open space.

### **Policy EP1 Climate Change, Carbon Reduction and Sustainable Construction**

- 24 Developments should demonstrate they will uphold sustainable construction principles and contribute to mitigating and adapting to climate change.

### **OTHER COUNCIL POLICIES**

- 25 Draft Sustainable Design and Zero Carbon Development Supplementary Guidance.

### **SITE HISTORY**

- 26 There is no relevant planning history for this site.

## CONSULTATIONS

- 27 **SEPA** has no objection to the proposal provided an appropriate condition regarding a Sustainable Urban Drainage Scheme (SUDS) is applied to any consent.
- 28 **Scottish Water** has no objection to the proposal.
- 29 **Sport Scotland** have commented on the proposal and raised no objection subject to appropriate conditions being applied to any consent.
- 30 **Environmental Health** has no objection to the proposal subject to appropriate conditions being applied to any consent.
- 31 **Community Greenspace** is supportive of the proposed landscape plan and the principles within the submitted Design and Access Statement. They have requested that a final planting plan be submitted to them for approval following consent.

## REPRESENTATIONS

- 32 No letters of representations have been received regarding the proposal.

## ADDITIONAL STATEMENTS

|    |   |   |
|----|---|---|
| 33 | Environmental Statement                         | Not required  |
|    | Screening Opinion                               | Yes   |
|    | Environmental Impact Assessment                 | Not required  |
|    | Appropriate Assessment                          | Not required  |
|    | Design Statement or Design and Access Statement | Submitted   |
|    | Report on Impact or Potential Impact.           | Transport Statement;<br>Tree Survey; Acoustic<br>Report; Ground<br>Investigation Report;<br>Low & Zero Carbon<br>Technology Report<br>submitted |

## APPRAISAL

### Development Plan Policy

- 34 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. In terms of the Development Plan, it complies because it involves the replacement of an existing school in an area where it's use is already compatible with the surrounding residential area.

- 35 The proposal will not adversely impact on the visual and residential amenity of the area and therefore complies with Policy PM1 and RD1 of the Perth and Kinross Local Development Plan 2014 and Policy 2 of TAYplan 2012. The proposal will result in improved opportunities for outdoor sports provision for the pupils and therefore also complies with Policy CF1A of the Local Development.

### **Local Development Plan**

- 36 Within the LDP, the site is located in an area of primarily residential use and **Policy RD1 Residential Areas** provides support for the improvement of community and educational facilities in such areas.
- 37 The proposed design, siting, materials and energy technology complies with **Policy PM1 Placemaking** as its modern design, layout and materials will make a positive contribution to the surrounding built and natural environment and will be a substantial improvement on the existing building. The proposed materials and energy technology (CHP) also responds positively to mitigating and adapting to climate change and carbon reduction targets and as a result complies with **Policy EP1 Climate Change, Carbon Reduction and Sustainable Construction**.
- 38 The proposed development will continue to be easily accessible to all modes of transport, in particular sustainable modes of walking, cycling and public transport and is therefore compliant with **Policy TA1 Transport Standards and Accessibility Requirements**.
- 39 The proposed development proposal will result in improved leisure and open space provision with a new sports pitch, new MUGA and playground areas for the pupils. As a result the proposal complies with **Policy CF1A Open Space Retention and Provision – Existing Areas**.

### **Visual Impact**

- 40 The introduction of a new replacement school will create a slight change to the local streetscene; particularly from Viewlands Road West as the school building will be set further back into the site than the existing building with the playing field, MUGA and parking to the front. When the proposed building is viewed in the context of the surrounding buildings I consider its visual impact to be a positive one because the existing school building is outdated and in poor condition and will be replaced by a structure of high design standards that will be sensitively landscaped.

### **Impact on Residential Amenity**

- 41 In terms of the impact on existing residential amenity, there will be minimal impact on the surrounding residential area as it is a replacement of the existing school within the same site. There will be no increase in potential overlooking,

loss of privacy or loss of light as a result of the development. The separation distances are consistent with the Council standards to ensure none of the aforementioned matters occur to any significant level.

- 42 All plant and equipment will be installed to ensure that no noise from these installations will be audible from any adjacent residential property. In terms of playground noise, in the event that noise arising from the playground area is above a level which is considered to be acceptable, the Council will investigate and implement additional mitigation if it considers it reasonable and necessary.
- 43 In terms of the MUGA, this site does not raise a significant issue regarding noise, anti-social behaviour or adverse impact on residential amenity. To ensure any potential noise nuisance or anti-social behaviour does not occur, the proposed MUGA will be subject to appropriate conditions (including monitoring).

### **Impact on Playing fields**

- 44 As the proposed new school will be located on the existing grass area, a new grass playing field to the north east of the proposed school, and an additional MUGA area are proposed to compensate for the loss of the existing playing field. These two areas will increase the playing capacity available to the school above its current levels, and deliver more opportunities for outdoor sports provision. The proposal is therefore in line with the requirements of the Scottish Planning Policy 2010 which requires the loss of playing fields to be off-set with the creation of an approved facility. Sport Scotland, the lead agency for the development of sport in Scotland, has raised no objection to the proposal.

### **Road & Pedestrian Safety**

- 45 In terms of vehicular access arrangements and pedestrian safety, the proposal will lead to continued road and pedestrian safety improvement with vehicular access to continue to be via the existing service access road. However there will be dedicated drop off areas within the car park area and disabled bays will be located close to the school entrance. Pedestrian access will continue to be from Viewlands Road East and therefore helps separate any potential conflict between vehicles and pedestrians.

### **Trees & Landscape**

- 46 The majority of the existing trees within the site are quite young and in good condition. The submitted tree survey proposes that only two trees out of 49 should be felled and this is as a result of the health of the tree. The proposed hard and soft landscaping as part of the proposal will be to the benefit of both the staff and pupils and will provide outdoor educational opportunities. It will also provide a significant improvement to the visual and residential amenity.

## **Contamination**

- 47 A geo-environmental ground investigation confirmed there are no known contamination issues with the site.

## **Recycling & Waste**

- 48 Recycling and waste collection facilities will be stored within 10 metres of the front of the new school building, alongside the proposed sprinkler tank and pump house. All will be surrounded by a 2.4 metre high timber fence. The turning head to the front of the school will allow adequate space for refuse vehicles to turn. Specific details of the facilities will be requested prior to the occupation of the building.

## **Climate Change, Carbon Reduction and Sustainable Construction**

- 49 The submitted Low and Zero Carbon Technologies Report confirms that Combined Heat and Power (CHP) technology will make significant contributions to both the thermal (59.4%) and electrical (30.8%) demand of the new primary school. The use of CHP will result in a reduction of CO2 emissions of 29.2% when compared to gas and mains electricity usage. The payback period for CHP is 13 years and is therefore considered a cost effective method of providing heat and electricity to the school.

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

- 50 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 proposal is policy compliant a recommendation of approval is not a significant departure from the Development Plan, a notification to the Ministers is not required.

## **LEGAL AGREEMENTS REQUIRED**

- 51 No legal agreement is required for this proposal.

## **DIRECTION BY SCOTTISH MINISTERS**

- 52 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**

- 53 The proposal complies with both the adopted Strategic Development Plan and the Local Development Plan. It will provide significant community and educational benefits to the area without any adverse impact on the residential amenity. Its location, design, materials and sustainability credentials warrants support for the proposal.

## **RECOMMENDATION**

### **A Approve 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 Prior to the occupation of the school, 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 Council as Planning Authority.
- 3 Prior to the commencement of any works, a SUDS scheme demonstrating 2 levels of treatment shall be submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme.
- 4 Deliveries into the site shall be limited from 07.00 to 19.00hrs Monday to Friday only, unless otherwise agreed in writing by the Council as Planning Authority.
- 5 Details of the proposed cycle facilities shall be submitted to and agreed in writing by the Council as Planning Authority. The accommodation shall provide a secure, waterproof facility and be constructed before the school is operational to the satisfaction of the Council as Planning Authority.
- 6 All external lighting within the site shall be sufficiently screened and aligned to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to the satisfaction of the Planning Authority.
- 7 Details of pitch specification including drainage and maintenance shall be submitted and agreed in writing by the Council as Planning Authority, in consultation with sportscotland, prior to the commencement of development of pitch.
- 8 Prior to the use of the MUGA, a detailed management plan to control, monitor and react to noise nuisance and anti-social behaviour arising from the active use of the MUGA shall be submitted for the approval in writing by the Council as Planning Authority. The plan shall include specific details of perimeter fence

type, acceptable activities on the MUGA, details of the users, operation times, details of an operational protocol that all users must agree to and details of the mechanism for dealing with breaches of the operational protocols. The approved plan shall be implemented in full, to the satisfaction of the Council as Planning Authority and shall be reviewed at any time at the discretion of the Council as Planning Authority.

- 9 All existing trees proposed to be retained in the submitted Tree Survey shall be protected during the proposed development with all works adhering to British Standard "BS 5837:2012 - Trees in Relation to Design, Demolition and Construction" to the satisfaction of the Council as Planning Authority.
- 10 Prior to the commencement of development, a detailed planting scheme shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full, to the satisfaction of the Council as Planning Authority.
- 11 The sound insulation properties of the structures and finishes shall be such that no airborne or impact noise from the normal operations of the premises, and the control of all amplified sound including music and speech is audible within nearby residences.
- 12 All plant or equipment including any ventilation system associated with operation of the commercial areas be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours daily, within any neighbouring residential premises, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.
- 13 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 are not exhausted into or escape into any nearby dwellings, to the satisfaction of the Council as Planning Authority.
- 14 A sample of the proposed external wall finishes shall be submitted for the approval of the Planning Authority prior to the commencement of the development.
- 15 Prior to the commencement of works, precise details of all boundary fences and security fences within the site and along its perimeter shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full, to the satisfaction of the Council as Planning Authority.
- 16 Prior to the commencement works, precise details of all temporary site compounds and other temporary structures shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full, to the satisfaction of the Council as Planning Authority.

- 17 Prior to the occupation of the building, precise details of the proposed recycling and waste collection facilities shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full to the satisfaction of the Council as Planning Authority

**Reason:**

- 1 To ensure that the development is carried out in accordance with the plans approved.
- 2 In the interest of protecting road and pedestrian safety.
- 3 To ensure adequate protection of the water environment from surface water run-off.
- 4 In the interest of protecting residential amenity.
- 5 In the interest of cycle safety.
- 6 In the interest of protecting residential amenity.
- 7 To ensure the sports pitch is constructed and maintained to an acceptable standard.
- 8 In the interest of protecting residential amenity.
- 9-10 In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme.
- 11-13 In the interest of protecting residential amenity
- 14-15 In the interest of visual amenity and to ensure a satisfactory standard of local environmental quality.
- 16 In the interest of protecting residential amenity.
- 17 In the interest of protecting residential amenity.

**B JUSTIFICATION**

The proposal is considered to accord with the Development Plan with significant community and education benefits that justify approving the planning application.

## **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 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. 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 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.

Background Papers: None  
Contact Officer: Steve Callan– Ext 75337  
Date: 29 January 2014

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

If you or someone you know would like a copy of this document in another language or format, (On occasion only, a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre  
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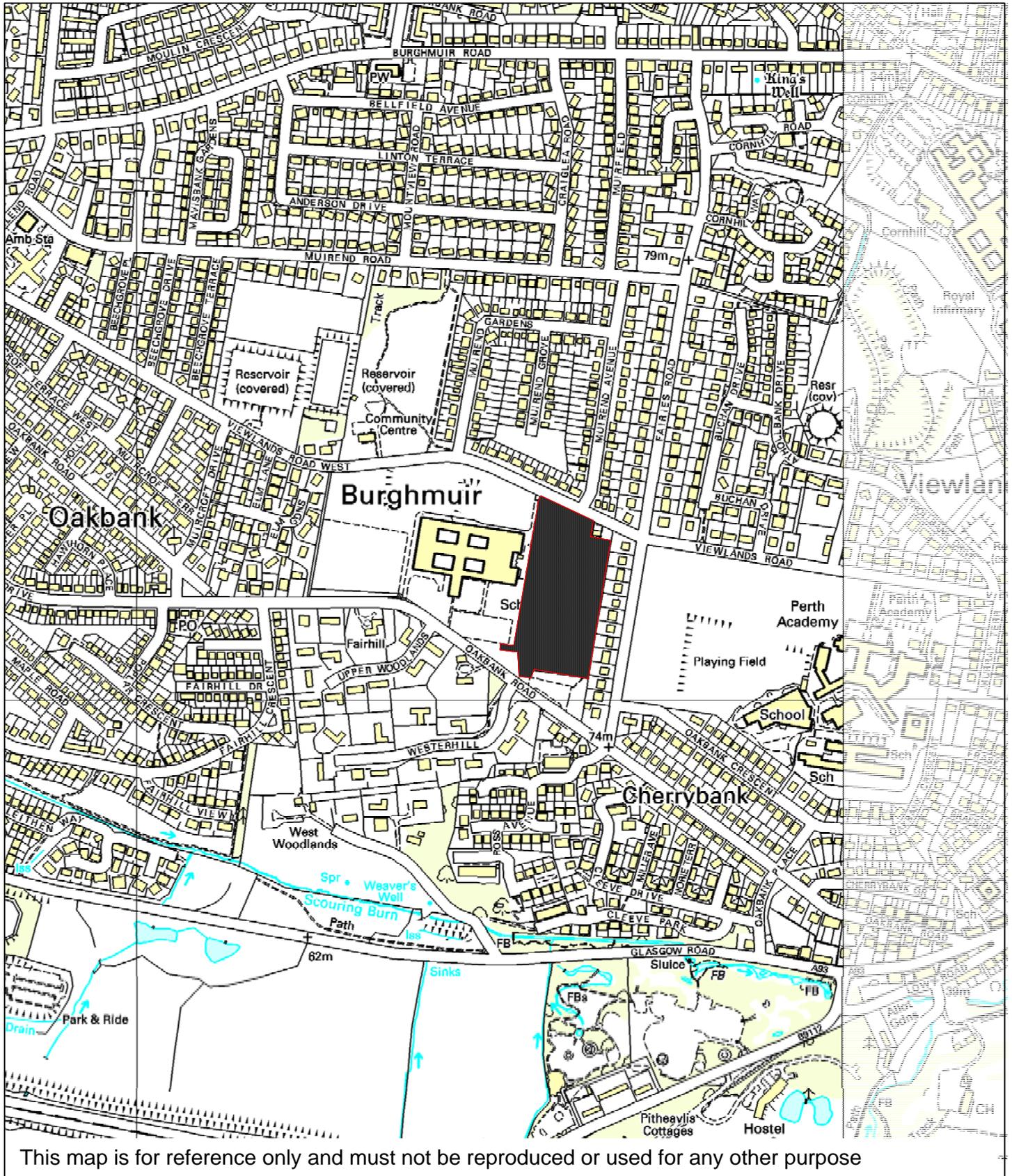
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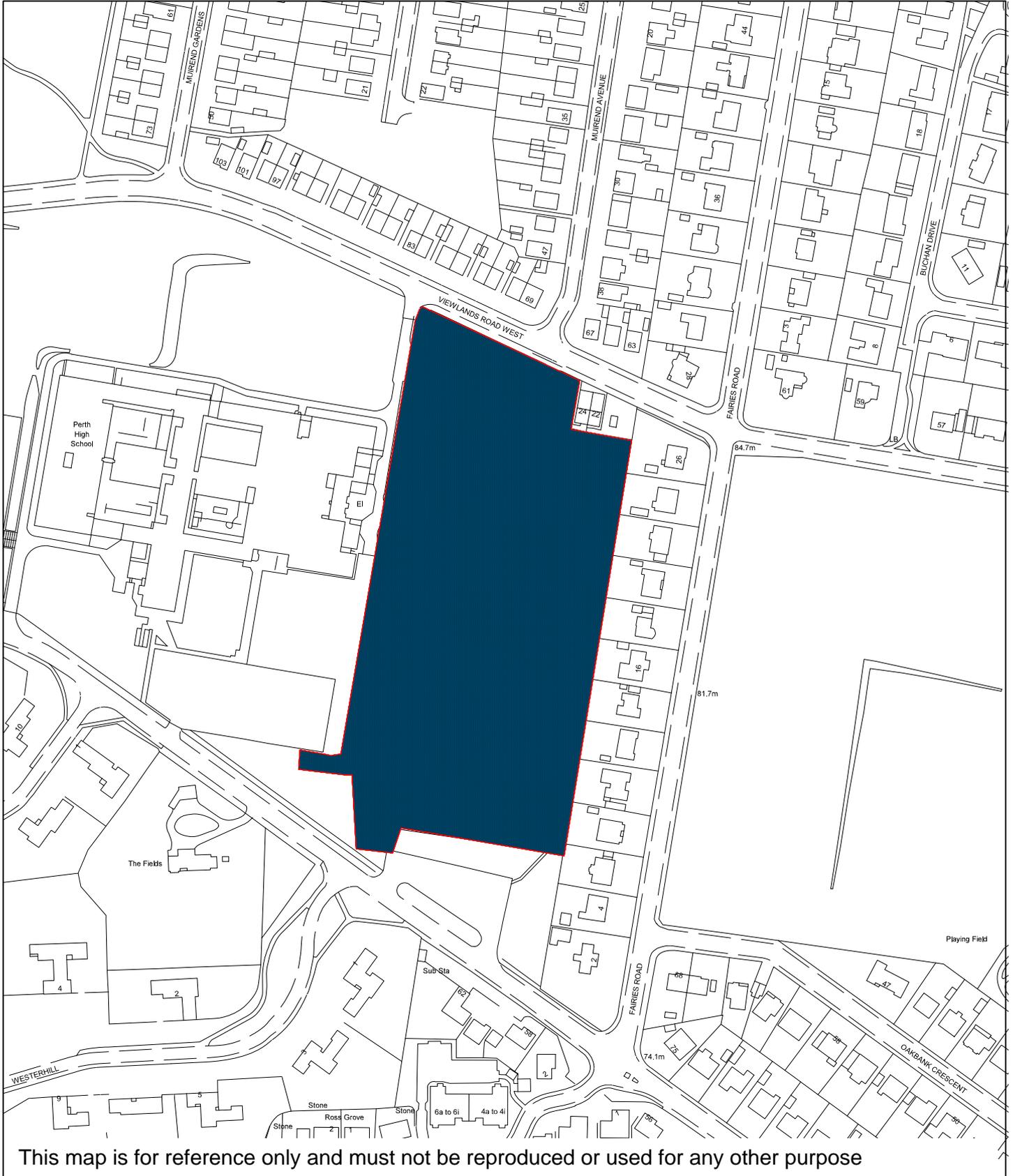
## Oakbank Primary School, Viewlands Rd West, Perth

Erection of replacement primary school & nursery accomodation with assoc. works



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↑ Scale  
1:7500



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↑ Scale  
1:2500

