

Perth and Kinross Council
Development Management Committee – 18 June 2014
Report of Handling by Development Quality Manager

**Residential development (in principle) at Land 70 Metres West Of Highfield
Beech Hill Road, Coupar Angus**

Ref. No: 14/00303/IPL
Ward No: 2– Strathmore

Summary

This report recommends approval of a planning in principle application for a residential development as the application is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which would outweigh the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 The application site relates to an infill area of land which is located in the centre of Coupar Angus, adjacent to the A923. The 0.55ha site is currently a grassed paddock which is surrounded by housing on two sides, with the third side (to the north) defined by the A923. The site sits slightly higher than the public road. At the north eastern corner of the site, the site is adjacent to Beech Hill Road.
- 2 This planning application seeks to obtain a planning in principle consent for a residential development. No further details have been submitted by the applicant in support of the application in terms of a layout or the number of units; however the applicant has indicated within his supporting statement that vehicular access to the site will be from Beech Hill Road and not directly off the A923.

NATIONAL POLICY AND GUIDANCE

- 3 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 relevance to this application is,

Scottish Planning Policy 2010

- 4 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.

- 5 The most relevant paragraphs are,
- Paragraphs 66-91: New housing
 - paragraphs 113-114: Listed Buildings.

Scottish Historic Environment Policy

- 6 This document, produced by Historic Scotland provides guidance to Planning Authorities on how to deal with planning applications which affect Listed Buildings and their settings.

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

- 7 Section 59 of this Act requires the Council to have special regard (when determining planning applications) to the desirability of preserving the settings of listed buildings.

DEVELOPMENT PLAN

- 8 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

- 9 Whilst there are no specific strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *“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 In addition to this, **Policy 3 (Managing Tay Plan’s Assets)** of the Tay Plan seeks to ensure that the settings of Listed Buildings are not adversely affected by inappropriate developments.

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

- 11 The Local Development Plan was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 12 Within the Local Development Plan, the site lies within the settlement boundary of Coupar Angus within an area identified as being residential with compatible uses, where the following policies are directly applicable.

Policy RD1 - Residential Areas

- 13 In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private open space to be retained changes of use

away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy HE2 - Listed Buildings

- 14 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. 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 building's character, appearance and setting.

Policy PM1A - Placemaking

- 15 Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

Policy NE3 -Biodiversity

- 16 All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out.

OTHER COUNCIL POLICIES

Developer Contributions 2012

- 17 This document sets out the Council's policy towards obtaining developer contributions in relation to Primary Education and A9 junction upgrades.

Affordable Housing Supplementary Guidance 2012

- 18 This guidance is the most recent document in relation to affordable housing, and sets out the Council's requirement for the provision of affordable housing on new housing sites.

SITE HISTORY

- 19 The most recent site history on the site relates to two similar planning applications made in 2010 (10/00780/IPL) and 2012 (12/00292/IPL), both seeking to obtain consent for a residential development in principle. The 2010 application was refused on the following ground, '*The proposal is contrary to Eastern Area Local Plan 1998 Policy 66 which carries a strong presumption against built development on the site and the retention of the land for agricultural purposes. Sufficient alternative sites exist elsewhere within Coupar Angus to satisfy such local housing demand*'.
- 20 The 2012 application was refused for a similar reason, '*The proposal is contrary to Eastern Area Local Plan 1998 Policy 66 which carries a strong presumption against built development on the site and the retention of the land for*

agricultural purposes in that it would result in the permanent loss of agricultural land’.

- 21 The 2012 application was subject to review to the Council’s Local Review Body who duly upheld the decision to refuse, but they also added an addition reason for refusal, which read;

‘The granting of planning permission (in principle) for the development of this land for housing on the basis of the proposal in the Proposed Local Development Plan 2012 to extend the Coupar Angus settlement to include the application site, and for which representations against that proposal have been received, would be premature before an examination on behalf of the Scottish Ministers of the Proposed Local Development Plan has taken place’.

CONSULTATIONS

- 22 **PKHT** Raised no objection, subject to a standard condition.
- 23 **SNH** were consulted on the planning application, but have chosen not to comment.
- 24 **Scottish Water** Raised no concerns.
- 25 **Environmental Health Manager** Raised no concerns.
- 26 **Education and Children Services** Indicated that the Developer Contributions document should be applied to the development.
- 27 **The Waste Community Advisor** Raised no concerns.

REPRESENTATIONS

- 28 Six letters of representations have been received from local residents, all objecting to the proposal. The main issues raised within the representations are,
- Proposal is contrary to the Local Development Plan 2014
 - Road safety issues
 - Loss of open space
 - Impact on existing wildlife
 - Impact on the setting of a listed building
 - Impact on existing visual amenity
 - Impact on existing residential amenity
- 29 These issues are addressed in the Appraisal section of this report.

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	None
Report on Impact or Potential Impact	None

APPRAISAL

Significance of Site History / Local Development Plan 2014

- 30 As indicated earlier in this report, the site has a history of refusals associated with proposed residential developments on the site. Those previous refusals were based largely on land use issues associated with the previous Local Plan (Eastern Area Local Plan) which identified the site as agricultural land where there was a presumption against new development (Policy 66). Whilst it is accepted that the site history of a particular site is a material planning consideration, it should also be noted that since those previous refusals there has been a significant change in the land use policies associated with the site since the Council adopted its new Local Development Plan 2014. Within the new adopted Local Development Plan, the site lies is now located settlement boundary of Coupar Angus within an area identified as being residential with compatible uses.
- 31 During the consultation phases of the Local Development Plan, several representations regarding this site were submitted to the Council, and the Reporter subsequently considered these. Below are the extract of the comments made by the Council in response to those representations, and the associated Reporter's conclusions, which led to the site being retained within the adopted Local Development Plan 2014.

Council Comments

- 32 "The site in question is a small field, which accesses off Beech Hill Road. The site is well defined, and, although visible from the A923 Coupar Angus to Blairgowrie Road, a modest development on this site need not be visually intrusive. As with any site which may have some archaeological interest, an appropriate investigation would be a prerequisite before approval of any application. Beech Hill Road is a narrow road, however, in road traffic safety terms a small development here is considered acceptable."

The Reporters conclusions on this site

- 33 "Beech Hill Road is a narrow lane which runs between Bogside Road and the Blairgowrie Road, but is stopped up at its junction with the A923. It gives access to traditional stone properties, and the more recently built houses at its north end. The unused land at the end of Beech Hill Road is elevated above the

A923, but has a gated access at road level. There is no reason in principle why a modest development of sympathetic design could not be accommodated which ensured satisfactory privacy for the existing houses. The scale of the development would be severely limited by the capacity of the lane to accept additional traffic. There is no reason to modify the settlement boundary in this location therefore.”

Policy

- 34 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of the application to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 35 The key test of the acceptability of this proposal is whether or not the proposed is consistent with the requirements of Policies RD1 and PM1A of the Local Development Plan, both of which seek to ensure that all new proposals in residential areas are compatible with existing land uses and that the character and amenity of the existing area is not adversely affected by inappropriate developments.
- 36 For reasons stated elsewhere, I consider the proposal to be consistent with the aforementioned policies.

Land Use Acceptability

- 37 Within the adopted Local Development Plan, the site lies within the settlement boundary of Coupar Angus within an area identified as being residential with compatible uses. As explained previously, this is a significant change from the previous Local Plan, which identified the site as an area of agriculture where there was a presumption against new development (Policy 66 of the Eastern Area Local Plan).
- 38 In terms the current Local Development Plan, when new sites within settlement boundaries become available for development, their most obvious use will normally be for a residential use, unless otherwise identified for an alternative use. However, new developments within settlements should only be supported when the development proposed would not adversely affect the character or amenity of the area concerned. To this end, I consider the key test of the acceptability (or otherwise) of this proposal in land use terms to ultimately be whether or not a residential development on this site would have an adverse impact on the character or amenity (visual and residential) of the area.
- 39 In terms of the impact on the character of the area, as the site is surrounded by existing housing, the general character of the surrounding area is clearly a residential one and to this end, I would consider the development of the site for a residential use to be compatible with the existing character of the area.

- 40 In terms of the impact on both visual and residential amenity, I'm confident that a suitability designed development with appropriately designed house types will not compromise either the visual or residential amenity of the existing area.
- 41 However, I note that some concerns have been raised regarding the potential impact that the proposal will have on the visual amenity 'value' of the area, which is associated with the existing openness of the site - which is considered by some to be a key characteristic of the local area and that its part removal would be to the detriment to the general amenity of the area.
- 42 Although I appreciate the concerns which some local residents may have, it is a matter of fact that the site is within private ownership and is not operating as (or likely to be) a functional area of open space for the community, or even one which is readily available for public use. Whilst the historic openness and 'green' appearance of the site does undoubtedly have a degree of visual amenity 'value' for the local neighbouring residents who perhaps overlook it, the lack of a functional recreational purposes makes it extremely difficult to make a valid argument for its retention as a private area of open space, particularly bearing in mind that the site has not been identified in the Local Development Plan as an area of open space which should be retained and / or protected. It should be noted that the Local Development Plan does identify a number of areas of both private and public open space within settlements which have a high amenity value that should be protected, however this site is not one of them.
- 43 To this end, I consider the proposed land use of the site (for a residential development) to be acceptable.

Residential amenity

- 44 In terms of the impact on the existing residential amenity of the area, I'm confident that a suitability designed development with appropriately designed house types in a suitable layout can be achieved which will not compromise the residential amenity which is presently enjoyed by existing neighbours.

Visual Amenity

- 45 In terms of the impact on the existing visual amenity of the area, I'm confident that a suitability designed development with appropriately designed house types can be achieved which will not compromise the visual amenity of the area. Whilst I accept that the site is slightly elevated from the adjacent public road, the elevated nature of the site (and its prominence) will be taken into account at the detailed stage to ensure that the development does not develop into an incongruous development.

Traffic Safety/Access

- 46 Within the representations concerns have been raised regarding the point of vehicular access into the site. The applicant has indicated that they intend to access the site via Beech Hill Road which adjoins the site at its north eastern

corner. Whilst Beech Hill Road is narrow, it is nevertheless in road traffic safety terms suitable to accommodate a small scale development subject to an appropriate access being formed into the site which will involve the removal of part of an existing wall which runs along part of the sites boundary.

Bio-Diversity

- 47 Within the representations, concerns have been raised regarding the impact that this proposal will have on the local wildlife. There are no known protected species within the site, or within the immediate area.

Drainage

- 48 The site lies within a publicly sewered area and therefore the site would be connected to the public system. With regard to any existing infrastructure which may be located on the site, this is a civil matter between the parties involved which would be resolvable through a suitable technical solution.

Contaminated Land

- 49 There is no known contaminated land issues associated with the site.

Impact on the setting of Listed Buildings

- 50 The site lies to the north west of a Category B listed building, namely Beech Hill House. The site is suitably distant and screened from the listed building to avoid any significant impact on its setting.

Archaeology Issues

- 51 Within the site there is some historical evidence of archaeology remains of interest. To this end, a restrictive condition will be attached to any consent.

Affordable Housing

- 52 As this is a planning in principle residential application which has the potential to be for 5 or more residential units, a standard condition will be attached to the consent requiring compliance with the Council's Affordable Housing Policy.

Primary Education

- 53 As this is a planning in principle residential application, a standard condition will be attached to the consent requiring compliance with the Council's Developer Contribution Policy

Economic Impact

- 54 With the exception of works associated with the construction phases, which may or may not be undertaken by local tradesmen, this development is unlikely

to have a significant economic impact on the local area – either positively or negatively.

LEGAL AGREEMENTS

55 None required.

DIRECTION BY SCOTTISH MINISTERS

56 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

57 The proposal, subject to conditions complies with the Development Plan and there are no reasons to recommend the application for refusal.

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.

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

2 No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by Perth and Kinross Heritage Trust, and approved by the Council as 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 satisfaction of the Council as Planning Authority in agreement with Perth and Kinross Heritage Trust.

Reason - In order to comply with the aims of the Scottish Planning Policy

3 The proposal must comply fully with the requirements of the Council's approved Developer Contributions Document 2012, or any subsequent policy in relation to Primary Education contributions.

Reason - In order to comply with Council Policy

- 4 The proposal must comply fully with the requirements of the Council's approved Affordable Housing Supplementary Guidance 2012, or any subsequent policy in relation to Affordable Housing provision.

Reason - In order to comply with Council Policy

- 5 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.

Reason - In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

- 6 For the avoidance of doubt, no numbers or vehicular access arrangements are approved as part of this consent.

Reason - In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

B JUSTIFICATION

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

C PROCEDURAL NOTES

None

D INFORMATIVES

- 1 Application for the approval of matters specified in conditions shall be made before the expiration of 3 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.

The approved development shall be commenced not later than the expiration of 3 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.

- 2 The applicant should be aware of the contents and requirements of the memorandum from the Head of Environment and Regulatory Services dated the 5 March 2014.

Nick Brian
Development Quality Manager

Background Papers: Six letters of representation
Contact Officer: Andy Baxter – Ext 5339
Date: 25 May 2014

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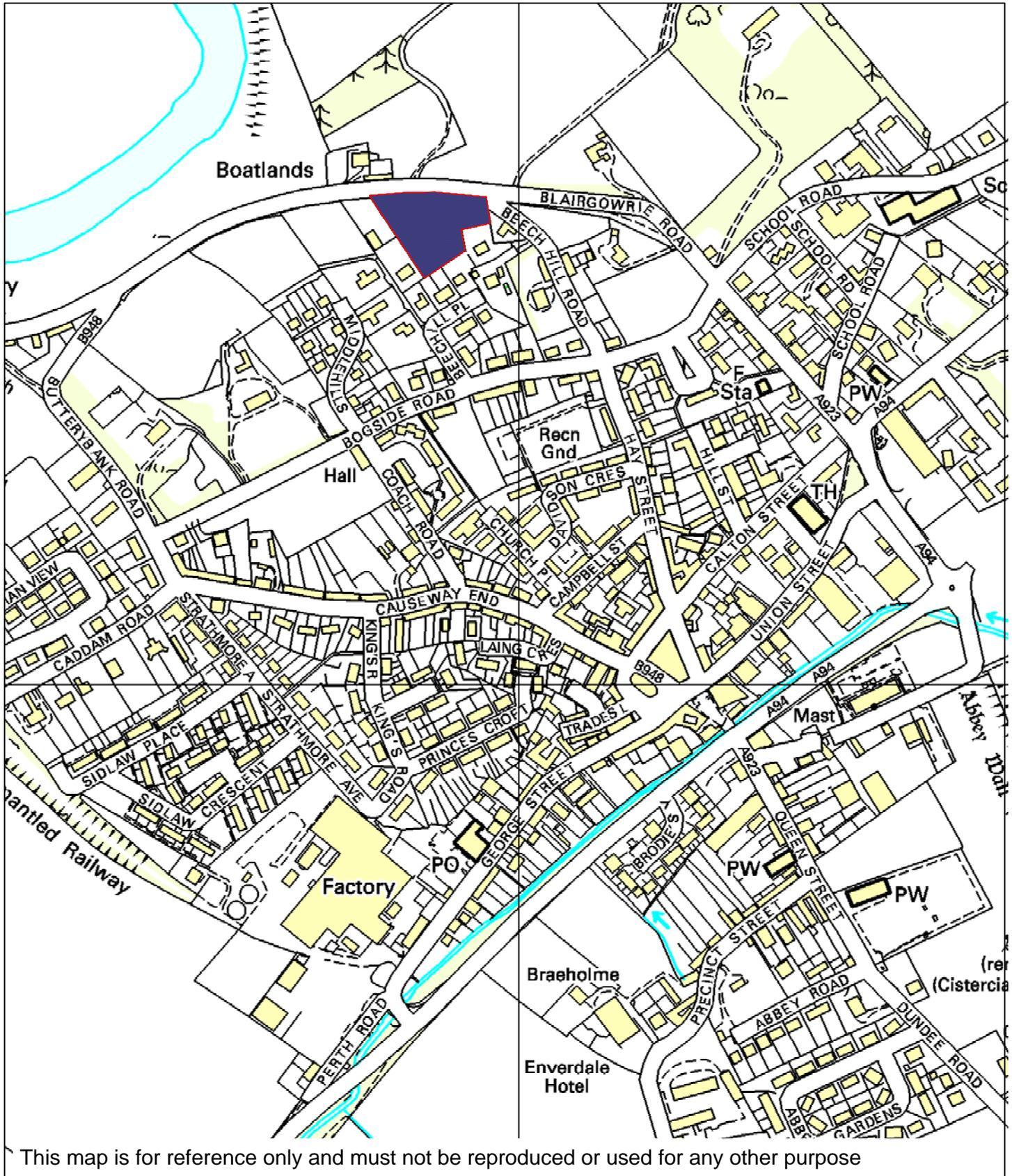
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Perth & Kinross Council

14/00303/IPL

Residential development (in principle)

land at Highfield, Beech Hill Road, Coupar Angus



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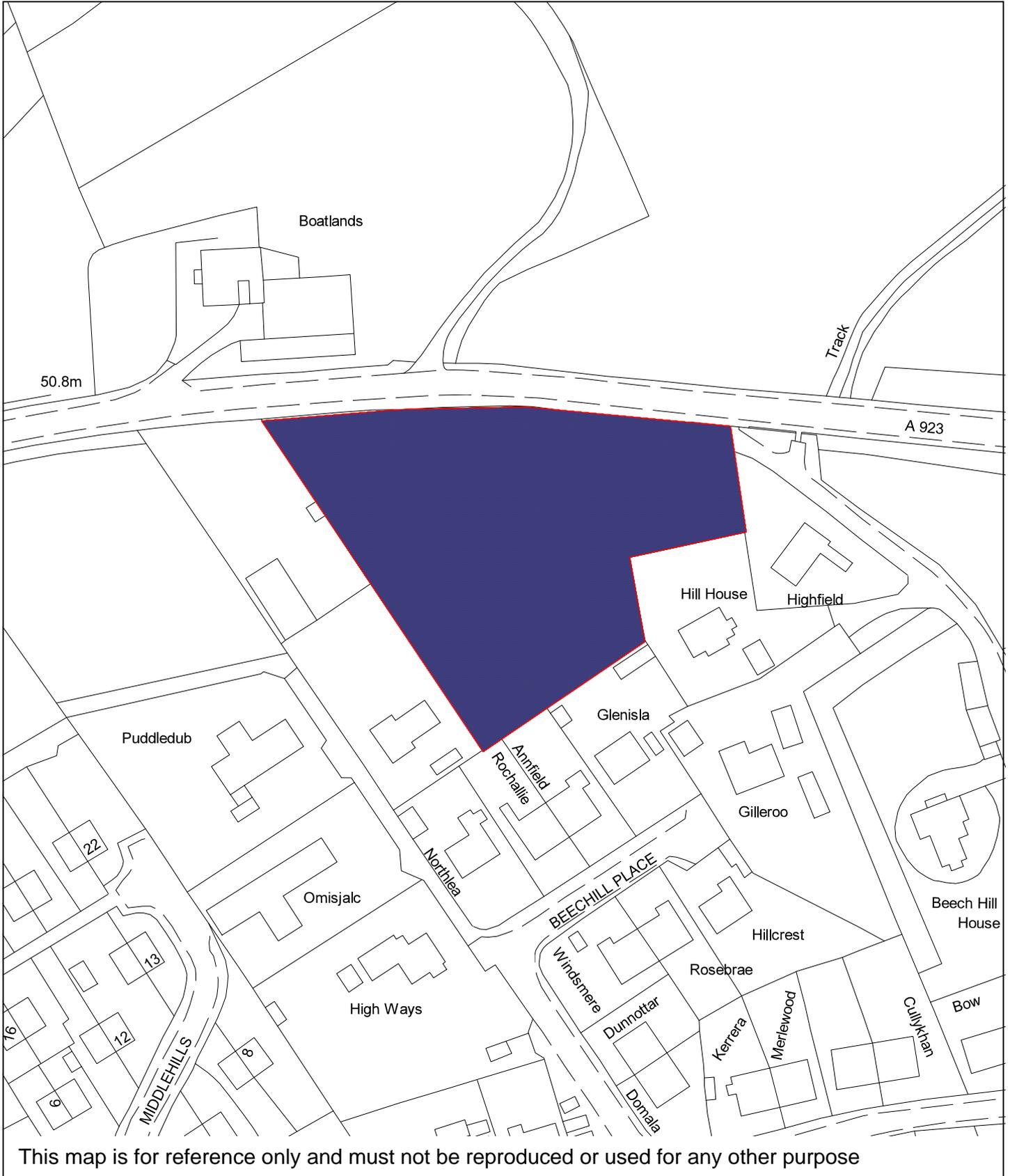
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