

Perth and Kinross Council  
Development Management Committee – 09 December 2015  
Report of Handling by Development Quality Manager

**Installation of underground cables and temporary ancillary infrastructure between Tullymurdoch Wind Farm, Welton of Creuchies Wind Farm to the Coupar Angus substation.**

Ref. No: 15/01562/FLM

Ward No: N2 - Strathmore, N3 - Blairgowrie and Glens

**Summary**

This report recommends approval of underground cables with temporary ancillary infrastructure between Tullymurdoch Wind Farm to the Coupar Angus substation via Welton of Creuchies Wind Farm. The proposal is considered to comply with the Strategic Development Plan TAYplan and the Perth and Kinross Local Development Plan 2014.

**BACKGROUND AND DESCRIPTION**

- 1 This application is for the installation of approximately 19 kilometres of underground electricity and fibre optic cables from the consented Tullymurdoch Wind Farm to the primary sub-station near Coupar Angus, via the consented Welton of Creuchies Wind Farm.
- 2 The application site and surrounding areas mainly comprise of agricultural farmland, with some sections of the development passing through watercourses, roads, tracks, paths and small area of trees/woodland.
- 3 Existing field access points and tracks will be used during construction and the corridor is generally 60 m in width centred on the cable route. Excavated material will be stored on the uphill side of the trench to prevent surface runoff entering the trench. Cables will be laid in trenches to a depth of 1.2 m. Cabling and jointing works will be laid in sand bedding, with the upper trench being backfilled with previously removed topsoil. During the backfill of trenches, warning tape will be laid 300 mm above the cables in case of future excavation.
- 4 Reinstatement will be carried out linearly along the route during the installation phase, the original excavated material will be reinstated, compacted, and the original topsoil replaced on top of the 'overburden' material.
- 5 During the installation phase of the project there will be two temporary compounds, one at the Welton of Creuchie turbines and another near Coupar Grange Farm. Smaller temporary compounds will be required at the locations where Horizontal Directional Drilling (HDD) activities are deployed, these occur at A- Class roads and large river crossings, six locations in total. Following completion of the cable route these facilities will be removed and the area returned to its original use.

## **PRE-APPLICATION CONSULTATION**

- 6 Due to the size of the application site, which is over 2 hectares, this proposal is classed as a Major Application as defined in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009. This means there is a statutory requirement imposed on the applicant to undertake pre-application consultation activity with the local community.
- 7 The pre-application consultation report submitted by the agent confirms the extent of consultation activity undertaken and in this case it complies with the measures agreed through the Proposal of Application Notice.

## **NATIONAL POLICY AND GUIDANCE**

- 8 The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

## **DEVELOPMENT PLAN**

- 9 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**

- 10 The overall vision of the Tay Plan 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.”*

- 11 The principal policies are, in summary:

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

- 12 Seeks to respect the regional distinctiveness and scenic value of the TAYplan area and presumes against development which would adversely affect environmental assets.

#### **Policy 6: Energy and Waste/Resource Management Infrastructure**

- 13 Relates to delivering a low/zero carbon future for the city region to contribute to meeting Scottish Government energy targets and indicates that, in determining proposals for energy development, consideration should be given to the effect on off-site properties, the sensitivity of landscapes and cumulative impacts.

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

14 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.

15 The principal policies are, in summary:

### **Policy ER1A - Renewable and Low Carbon Energy Generation**

16 Proposals for the utilisation, distribution and development of renewable and low carbon sources of energy will be supported where they are in accordance with the 8 criteria set out. Proposals made for such schemes by a community may be supported, provided it has been demonstrated that there will not be significant environmental effects and the only community significantly affected by the proposal is the community proposing and developing it.

### **Policy ER2 - Electricity Transmission Infrastructure**

17 Proposals for electricity transmission infrastructure will be supported. Appropriate mitigation will be required in environmentally sensitive locations.

### **Policy ER5 - Prime Agricultural Land**

18 Development on prime agricultural land will not be permitted unless it is necessary to meet a specific established need such as a major infrastructure proposal, there is no other suitable site available on non-prime land or it is small scale development (generally single buildings) linked to rural business.

### **Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes**

19 Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and they meet the tests set out in the 7 criteria.

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

20 Sustainable design and construction will be integral to new development within Perth and Kinross. Proposals for new buildings must be capable of meeting one of the standards set out in the table.

### **Policy EP3A - Water, Environment and Drainage**

21 Proposals which do not accord with the Scotland River Basin Management Plan and any relevant associated Area Management Plans will be refused unless they are considered to be of significant specified benefit to society and / or the wider environment.

### **Policy EP8 - Noise Pollution**

- 22 There is a presumption against the siting of proposals which will generate high levels of noise in the locality of noise sensitive uses, and the location of noise sensitive uses near to sources of noise generation.

### **Policy EP15 - Development within the River Tay Catchment Area**

- 23 Nature conservation in the River Tay Catchment Area will be protected and enhanced. To ensure that there are no adverse effects on the River Tay SAC.

### **Policy HE1A - Scheduled Monuments and Non Designated Archaeology**

- 24 There is a presumption against development which would have an adverse effect on the integrity of a Scheduled Monument and its setting, unless there are exceptional circumstances.

### **Policy NE1 - Environment and Conservation Policies**

- 25 National, local and European protected species should be considered in development proposals.

### **Policy NE2A - Forestry, Woodland and Trees**

- 26 Support will be given to proposals which meet the six criteria in particular where forests, woodland and trees are protected, where woodland areas are expanded and where new areas of woodland are delivered, securing establishment in advance of major development where practicable.

### **Policy NE3 - Biodiversity**

- 27 All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out. Planning permission will not be granted for development likely to have an adverse effect on protected species.

### **Policy NE4 - Green Infrastructure**

- 28 Development should contribute to the creation, protection, enhancement and management of green infrastructure, in accordance with the criteria set out.

### **OTHER POLICIES**

- 29 Tayside Landscape Character Assessment (TLCA), Perth and Kinross Local Landscape Areas and the Scottish Government's Policy on the Control of Woodland.

## SITE HISTORY

- 30 10/00876/FLL Welton of Creuchies Wind Farm, Planning permission was granted at the Local Review Body for 4 turbines (capacity 9.2 MW) in 2011.
- 31 12/01423/FLL Tullymurdoch Wind Farm, Planning permission for 7 turbines (capacity between 14-17.5 MW) approved at appeal in 2014.
- 32 15/00012/PAN Installation of an underground electricity cable, content accepted in June 2015.
- 33 15/01080/SCRN Installation of underground electricity cable, screened as not requiring an Environmental Statement in July 2015.

## CONSULTATIONS

### External

- 34 **Historic Scotland:-** No objection.
- 35 **Scottish Natural Heritage (SNH):** Object to this proposal unless it is made subject to conditions so that the works are done strictly in accordance with the mitigation detailed in their appraisal.
- 36 **Scottish Environment Protection Agency (SEPA):** No objection subject to conditional control.
- 37 **National Grid Plant Protection Team:** No response.
- 38 **Forestry Commission Scotland:** No response.
- 39 **Alyth Community Council:** No response.
- 40 **Blairstown and Rattray Community Council:** No response.
- 41 **Coupar Angus, Ardler and Bendochy Community Council:** No response.

### Internal

- 42 **Transport Planning:** No objection.
- 43 **Local Flood Prevention Authority:** No objection subject to conditional control.
- 44 **Community Greenspace - Access Officers:** No response received.
- 45 **Environmental Health :** The development proposed is in a rural area known to be served by several private water supplies. In order to maintain water quality and supply in the interests of residential amenity, conditional control should be applied.

46 **Perth and Kinross Heritage Trust (PKHT):** - No objection subject to conditional control.

## REPRESENTATIONS

47 A total of three letters of representation were received during the advertisement period for the application.

48 The representations have raised the following issues: -

- Contrary to development plan.
- Concern the development could impact on wildcat.
- The developer should include an upgraded electricity supply, fibre optic cable and gas main for neighbouring property at the same time as the trench is dug.

49 The improvement of infrastructure provision to neighbouring properties is not relevant to the consideration of this planning application. All the relevant planning issues which have been raised above are covered in the Appraisal section of this report.

## ADDITIONAL STATEMENTS

50

Environment Statement	Not required
Screening Opinion	Undertaken
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	Submitted
Reports on Impact or Potential Impact	Submitted

## APPRAISAL

### Policy Appraisal

51 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The determining issues here are whether the proposals comply with Development Plan policy or if there are other material considerations, which justify a departure from policy. The other relevant policy considerations are outlined in the policy section above and will be considered in more detail below.

## **Principle**

- 52 Policy ER2: Electricity Transmission Infrastructure is the principle local development plan policy in the assessment of this application. The proposed undergrounding of the cable sits comfortably with policy ER2 and is preferable to an overhead line. However, environmentally sensitive areas require to be taken into account.
- 53 In this case the applicant's consultants have assessed a wide route corridor at the outset narrowing the width to take account of environmentally sensitive locations as well as other constraints. Where environmentally sensitive areas are unavoidable, such as water crossings, the submission proposes suitable mitigation measures or construction procedures to ensure that there is not a significantly detrimental impact; this is discussed in greater detail under the headings below.

## **Water Course Crossings**

- 54 There a number of watercourses that the cable route crosses. These range from small/medium headwaters to large scale rivers like the Ericht and Isla that feed into the River Tay a designated Special Area of Conservation (SAC).
- 55 In this case the proposed construction methods for the water crossings are detailed in a draft construction method statement (to be updated once a contractor is on board). The construction methods are considered to be appropriate to protect the water environment. This includes sealing the smaller water courses upstream and over pumping to create a dry area for trenching, laying the cable then back filling. While at the larger crossings horizontal directional drilling which negates the need for trenching will be deployed. The
- 56 Consultation with SEPA, SNH and PKC Flooding confirm they have no objection if made subject to conditional control. Accordingly the application of conditions should ensure there is no adverse conflict with LDP policy ER1, ER2, EP3 and EP15 which protects the water environment.

## **Access and Traffic**

- 57 Existing field access points or existing access tracks will be used to gain access and egress for construction purposes or to access permanent infrastructure. No new access tracks or access tracks are proposed.
- 58 There are ten public road crossing points throughout the cable route corridor. These vary from small rural roads to A class roads connecting the main settlements within Strathmore. To ensure there is no adverse impact on the A-class road network horizontal directional drilling will be deployed to ensure they remain fully operational. For smaller rural roads trenching methods will be used to cross the network. The consultants acknowledge the need for traffic management measures to be organised and installed when works to these crossings are being undertaken to reduce the potential disruption it could have on the smaller rural road network.
- 59 I am content that the proposal does not conflict with policy TA1.

## **Paths**

- 60 Outdoor Access has now been given a new context in Scotland, since the Land Reform (Scotland) Act 2003. This establishes a duty on local authorities to uphold the outdoor access rights as specified in Section 13(1) of the Act. This duty on local authorities does not stop them from carrying on with the authority's other functions, an example of this is when they are considering planning applications for development on land over which access rights are exercisable, they will still be able to give consent for developments. Although, where appropriate, local authorities should consider attaching a suitable planning condition to enable them to ensure reasonable continuing public access.
- 61 Good practice during construction would respect and manage public access rights. This could be achieved through signage or providing appropriate contact details so advice on safe public access provision could be provided. I note that the consultant recognises this can be implemented as a form of mitigation in their supporting statement to limit disruption to the path network.

## **Residential Amenity (including Private Water Supplies)**

- 62 The route avoids passing through settlements however there are a number of individual properties that are located in the cable corridor route. These properties will likely experience a visual and noise impact from the construction activity in comparison to the status quo. However, this will be temporary in nature and does not conflict with Policy ER1a.
- 63 The applicant's consultant has identified that there are a number of private water supplies in close proximity to the corridor. These supplies may be adversely affected by the development. SEPA initially objected to the application due to the potential impact on private water supplies. However, following clarification from the applicant SEPA has requested conditional control to safeguard water supplies.
- 64 Environmental Health recommended that an Environmental Protection Plan should include a water management plan which should include full details of the sources, infrastructure including treatment and properties served by private water supplies arising within, or likely to be affected by the development. In addition, to include details of the proposed nature and frequency of baseline water supply monitoring prior to commencement, during and subsequent to completion of the development must also be included. Also details of proposed methods of alerting affected individuals as a result of a contamination issue arising from the development along with alternative water supply arrangements, also to be included.

## **Cultural Heritage**

- 65 Historic Scotland has confirmed that they have no objection to the application with regards to their historic environment interests, world heritage sites, scheduled monuments and their setting, category A listed buildings and their setting and gardens and designed landscapes and battlefields
- 66 The proposed cable route would not have a significant effect on listed buildings, conservation areas or historic garden and designed landscape, or on the setting of any of these assets and the Council's Conservation Officer has offered no objection to the proposed development. Consequently the proposal does not contravene policies HE1A or HE2 of the LDP.
- 67 Consultation has been undertaken with the Perth and Kinross Heritage Trust's archaeologist. They generally agree with the mitigation measures contained within the submitted archaeological report. To ensure the development complies with the non-designated archaeology policy HE1B conditional control can secure a programme of archaeological works.

## **Woodland Removal**

- 68 NE2B specifically requires the Council to follow the principles of the Scottish Government's Policy on Woodland Removal and in accordance with that document there should be a presumption in favour of protecting woodland resources. The pipeline corridor predominantly avoids woodland however there are localised areas (mixed woodland and coniferous woodland) where tree removal will be required. I consider it appropriate to have a micro-siting condition which will allow scope for the pipeline to be sited in a way that would limit felling where possible. Where this is not possible then replanting will be secured through conditional control.

## **Natural Heritage**

- 69 The LDP contains a number of policies that seek to protect important species and sites designated for their natural heritage interest and to ensure that proposals that may affect them are properly assessed. NE1A relates to International Nature Conservation Sites, NE1B relates to National Designations, NE1C covers Local Designations while NE3 Bio-diversity confirms that protection should apply to all wildlife and wildlife habitats, whether formally designated or not.
- 70 Development which could have a significant effect on an international nature conservation designated site will only be permitted where an Appropriate Assessment shows that the integrity of the site will not be adversely affected, that there are no alternative solutions and there are imperative reasons of overriding public interest. In this particular case the route corridor crosses watercourse that are associated with the River Tay Special Area of Conservation (SAC).

- 71 The main impact on the qualifying features of the SAC is the potential release of sediments or chemical run-off into the water courses. SNH has confirmed that the proposal has the potential to have a significant effect on the qualifying interests of the site. However they have advised Perth and Kinross Council that if the proposal is undertaken strictly in accordance mitigation measures then the potential significant effect on the qualifying interests of this designation can be avoided. They advise that mitigation is required and can be secured by conditional control and through detailed site specific Construction Management Statement (CMS).
- 72 SNH also recommends measures are put in place to minimise any potential impacts on breeding wildcat through a species protection plan.

### **Landscape and Visual**

- 73 The Consultants assessment of effects indicates that the development will result in very localised modification of landscape character through the removal of short lengths of hedge, drystone walls, grassland and potentially some trees. The installation of the development will result in temporary changes to vegetation pattern where the cable trench is excavated. Vegetation within the working corridor and along the length of the cable trench will generally take 2 or 3 years to re-establish to its pre-installation condition. Sections of hedge that are removed will be reinstated and after 5 years hedges will be trimmed in accordance with the existing management regime.
- 74 The effects on landscape character during installation are temporary, of short duration and reversible. Effects on visual amenity will be of short duration and predominantly very limited due to the fact that installation works will be similar to roadworks or agricultural activities.
- 75 The landscape policies seek to ensure that the landscape within Perth & Kinross is not adversely affected by new development, specifically considering effects on landscape character, visual amenity and landscape designations.
- 76 Overall it is considered that the development complies with the landscape aspects of Policies 3 and 6 of the TAYPlan and Policies ER3 and ER6.

### **Economic Impact**

- 77 The construction of the development has the potential to provide opportunities for local contractors to become involved in the construction phase of the development.

### **LEGAL AGREEMENTS**

- 78 None required.

## **DIRECTION BY SCOTTISH MINISTERS**

- 79 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**

- 80 In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the effects from the proposal are temporary and largely localised. Securing mitigation by conditional control will result in the development complying with the over-riding thrust of the development plan and there are no material reasons that justify withholding planning permission.

## **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 permission.

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

- 2 Prior to the commencement of the development hereby approved, a full site specific Construction Method Statement (CMS) shall be submitted for the further written agreement of the Council as Planning Authority in consultation with SEPA and SNH. The CMS contained within the Environmental Statement can form the basis for the full site specific CMS. The CMS should incorporate the principles of all proposed pollution prevention and mitigation measures. Thereafter the development shall be fully undertaken in accordance with the agreed CMS.

Reason: In the interests of protecting the natural heritage, to minimise the environmental impact of construction and operational activities resulting from the proposed development.

- 3 A private Water Management Plan (WMP) shall be submitted to and approved in writing by the planning authority prior to commencement of the development in consultation with SEPA and the Council's Environmental Health Section. The WMP shall include:-

- i) details of proposed methods of alerting affected individuals as a result of a contamination issue arising from the development should be included along with alternative water supply arrangements.

- ii) a plan for groundwater flow monitoring at the Chapelton Farm supply source. The monitoring should be undertaken at least 2 months before the commencement of the works and carried out at suitable intervals to establish the minimum background flow to be preserved throughout the year. Monitoring will be carried on during and after the cable installation at suitable frequency for a period of 1 year.
- iii) a construction methodology for the meltwater channel that acts as a source for the Chapelton Farm supply, which will include, impermeable bunds appropriately spaced along the trench excavation to avoid the creation of a groundwater preferential pathway parallel to the meltwater channel.
- iv) In the eventuality that a significant reduction of groundwater flow is noted then the applicant will be requested to provide an alternative water supply at Chapelton Farm as proposed in the letter from Arcus dated 9 November section 5.1.2 'Permanent Mitigation Measures'.

Thereafter the development shall be fully undertaken in accordance with the agreed water management plan.

Reason: In the interests of residential amenity; and to avoid undue risks to private water supply infrastructure.

- 4 Prior to the commencement of the development, an independent and suitably qualified ecologist shall be appointed as the Ecological Clerk of Works (ECOW) for the site, by the developer and at the developer's expense. This appointment shall be subject to the prior written approval of the Planning Authority. The ECOW shall oversee, on behalf of the Planning Authority, in consultation with SNH, the implementation of all ecology related planning conditions throughout the construction of the underground cabling. The ECOW shall undertake a watching brief throughout the construction of the cable and compounds and shall have the authority to stop operations or to alter construction methods should there be any works occurring which is having an adverse impact on the natural heritage.
- 5 The ECOW shall have responsibility for the following:-
  - ii) Monitoring compliance with the mitigation works related to the development as set out in the Construction Environment Management Plan.
  - iii) Advising the developer on adequate protection of nature conservation interest on the site, including altering construction practices if existing practices are having an adverse impact on the natural heritage of the site.
  - iv) Advising on the acceptability of micro-siting the cable if any protected species are found on site, the Ecological Clerk of Works will ensure that work is suspended at that location and that a protected species protection plan is implemented.

6 The ECOW is required to notify the Planning Authority:-

- ii) If there has been a requirement to stop or alter works in relation to this condition.
- iii) They are required to submit a monthly report for the review of the Planning Authority during construction operations.
- iv) They will have the power to amend the Construction Method Statement, where required, with any amendments and measures to mitigate submitted to the Planning Authority.

Reason: In order to ensure that the appointed ECOW is suitability qualified and has a suitable job description and powers.

7 Prior to construction commencing measures for the protection of/ or benefits to European and other protected species, including the formation of any species protection plans and implementation measures for any such plans shall be submitted for the written approval of the Planning Authority in consultation with SNH. Thereafter the species protection plan shall be implemented in accordance with the approved documentation all to the satisfaction of Planning Authority.

Reason: In the interest of protecting environmental quality and of bio-diversity.

8 Prior to the commencement of the development hereby approved, a management plan indicating any temporary diversions and signage needed to facilitate the development and/or any works proposed to the right of way/core path as part of the development shall be submitted for the further agreement of the Council as Planning Authority. The plan as agreed shall be implemented in accordance with the timings identified in the plan to the satisfaction of the Council as Planning Authority.

Reason: To ensure continued public access and in the interests of public safety within the site.

9 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 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 Planning Authority in agreement with Perth and Kinross Heritage Trust.

Reason: To ensure there is no adverse impact on local archaeology.

- 10 A fully detailed landscaping mitigation plan which will ensure there is no net loss of trees and hedging associated with any felling required to implement the consent shall be submitted to and approved in writing by the Planning Authority within one month of the cable installation. The approved scheme shall be fully implemented to the satisfaction of the Planning Authority no later than the first planting season following approval of the mitigation plan. Any plant failures through disease, weather exposure, neglect or damage shall be replaced with equivalent species within one year of such failure.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and to preserve and enhance nature conservation interests.

- 11 The cable shall be laid in the position indicated in Figures 2.1 to 2.14, save for the ability to vary the indicated position of the cable by up to 15 metres either side of the approved cable alignment under the supervision of the ECOW appointed under condition 4 above. Variation between 15 and 30 metres in the position of the proposed cable alignment, but within the application site boundary, shall only be permitted with the prior written approval of the Planning Authority.

Reason: To allow limited flexibility in the laying of the cable in the interests of nature conservation/ecology and to minimise landscape impacts.

- 12 The developer shall ensure that during the construction of the development that all surface water is controlled, treated and discharged under the principles of SUDS all to the satisfaction of the Council as Flood Authority.

Reason: In the interests of best practice surface water management; to avoid undue risks to public safety and flood risk.

## **B JUSTIFICATION**

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the development plan.

## **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 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 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 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.
- 4 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.
- 5 The applicant should ensure that any existing way leaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.
- 6 The applicant shall ensure the private water supply for the development complies with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/pipe work and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.

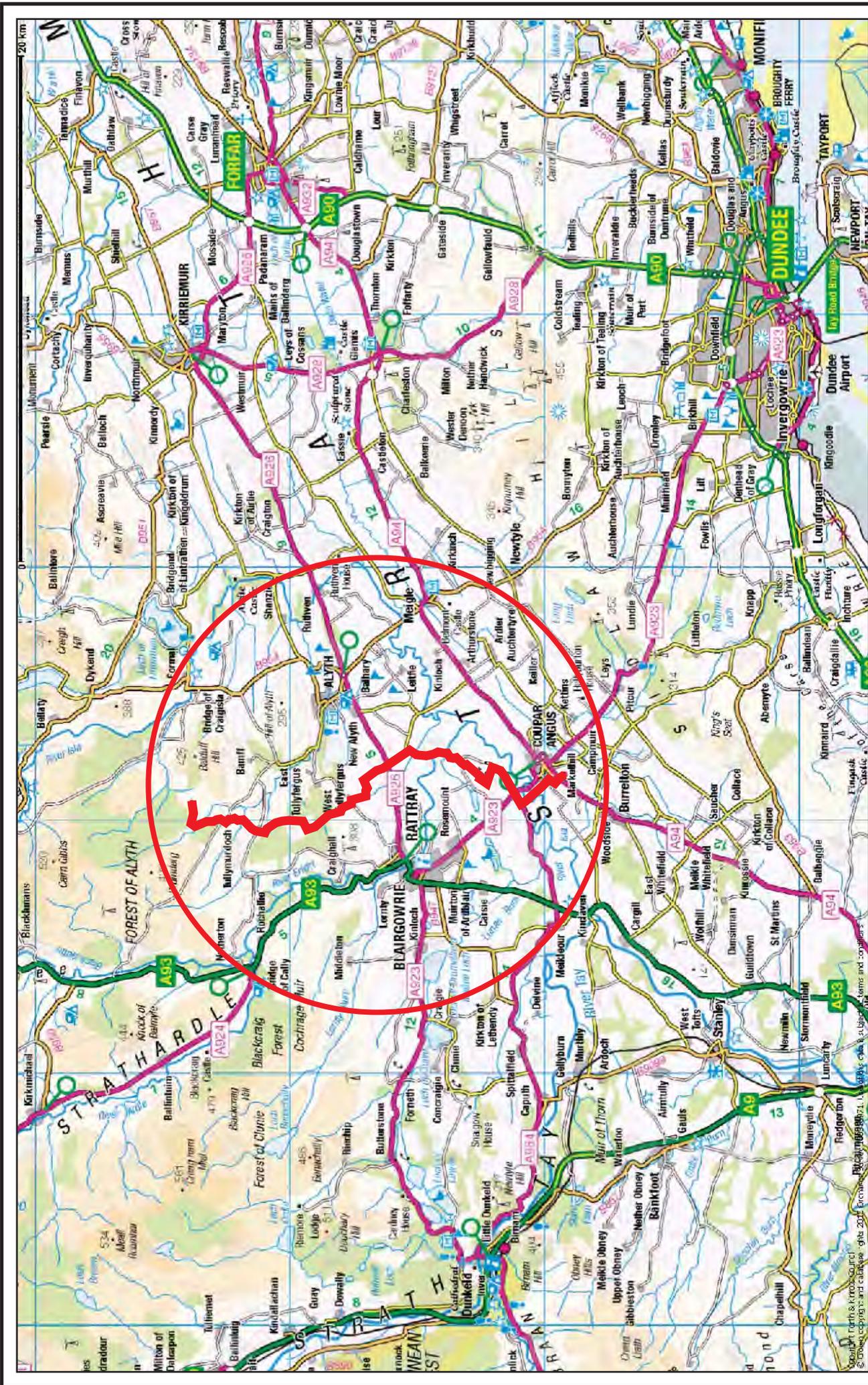
Background Papers: 3 letters of representation  
Contact Officer: John Russell – Ext 75346  
Date: 24 November 2015

**NICK BRIAN**  
**DEVELOPMENT QUALITY MANAGER**

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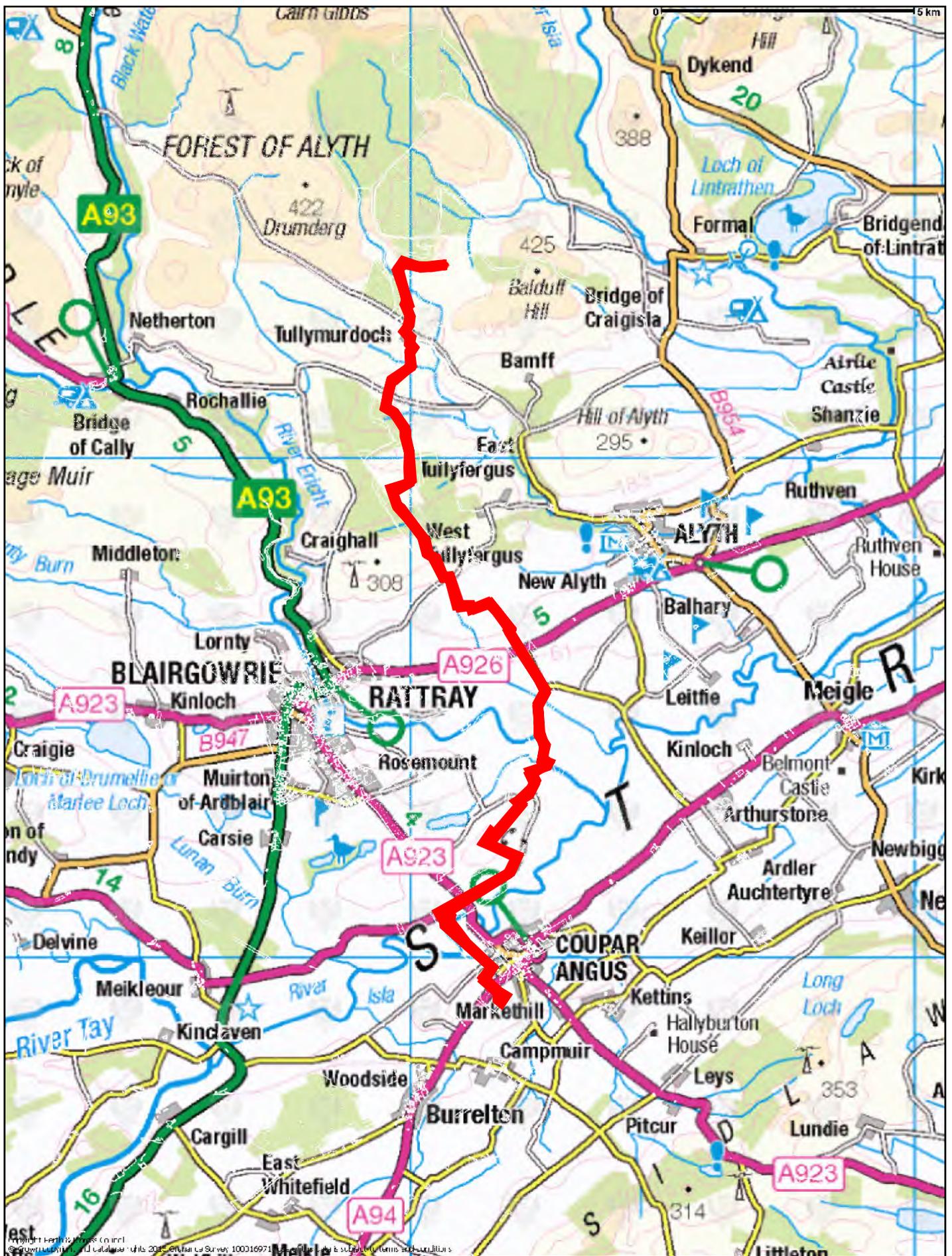
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