

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

Installation of servicing pod, amendments to car parking areas and other ancillary works at Unit 6 and Unit 7A, Ruthvenfield Road, Inveralmond Industrial Estate PH1 3EE

Ref. No: 13/02372/FLL
Ward No: 1– Perth City North

Summary

This report recommends approval of the application for the installation of servicing pod, amendments to car parking areas and other ancillary works as the development is considered to comply with the relevant provisions of the Development Plan.

BACKGROUND AND PROPOSAL

- 1 This application is associated within an application (13/02371/FLL) for the deletion of Condition 5 of permission 12/00228/FLL to allow for the sale of convenience goods from Unit 7A at Highland Gateway. This application relates to Unit 7A and the neighbouring Unit 6 at Highland Gateway. The proposal is to allow for the creation of an Aldi store and this application relates to the physical changes which are required to Units 6 and 7A to cater for the new store. The background to the wider site and history is provided in detail within the Committee Report for the associated application which is also under consideration at this Committee.
- 2 The works proposed include:
 - Alterations to the car park layout, including the addition of trolley shelters and public walkways
 - Addition of servicing pod and refrigeration unit to the rear of unit 6
 - Addition of glazing to the front of the units
 - Addition of a trolley bay in front of the units
- 3 The elevations submitted also show detailed signage and decorative films on the glazing, however this will be subject to a separate application for Display of Advertisement Consent and is therefore not under consideration here.

NATIONAL POLICY AND GUIDANCE

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 Of relevance to this application are:

- Paragraphs 45-48 : Economic Development
- Paragraphs 52-65 : Town Centres and Retailing
- Paragraphs 165-176: Transport

DEVELOPMENT PLAN

6 The Development Plan for the area consists of the TAYPlan: Strategic Development Plan 2012-2032 and the Local Development Plan 2014.

TAYPlan: Strategic Development Plan 2012-2032

7 The principal relevant policy is in summary:-

Policy 3: Managing TAYPlan's Assets

8 Further assist in growing the year round role of the tourism sector.

LOCAL DEVELOPMENT PLAN (LDP) 2014

9 The application site is identified as a Commercial Centre in the adopted LDP where retail units will be encouraged but some uses will be restricted depending on the legal agreements and planning obligations which are in place.

The principal relevant policies are in summary:-

PM1 Place Making

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

RC3: Commercial Centres

11 Proposals for retail units will be promoted in commercial centres depending on restrictions placed on developments through planning consents and legal

agreements. Improvements, including increasing floorspace will be supported provided parking provision and landscaping is not compromised.

Policy RC5 Retail Obligations and Controls

- 12 Proposals to modify planning obligations or other planning controls that control floorspace and / or the range of goods that can be sold must be justified by a health check, a retail impact assessment and where appropriate a transport assessment, and will only be acceptable where they are in accordance with the criteria set out.

OTHER POLICIES

- 13 None.

SITE HISTORY

- 14 06/00805/FUL Planning permission for the demolition of the existing building and the erection of a new visitor centre/manufacturing/retail complex, new vehicular access and re-configured/extended car and coach parking, approved January 2007 but not issued until April 2007 following the drafting of a Section 75 agreement to control the range of goods to be sold and the use of unit 7 for the re-location of Caithness Glass.
- 15 08/01671/FUL Variation of existing consent (06/00805/FUL) to allow occupation of retail units without complying with condition 18 to allow units 1-6 to be occupied in advance of unit 7.
- 16 10/01844/FLM Alterations and change of use from visitor centre/retail to convenience, ancillary goods unit and cafe with associated car parking – Withdrawn
- 17 12/00228/FLL Alterations and change of use from visitor centre and manufacturing unit to form two retail units (class 1) at Unit 7 – Approved August 2012
- 18 13/02371/FLL Modification of existing consent (12/00228/FLL) amend Condition 5 to allow convenience sales at Unit 7A – Recommended for Approval Development Management Committee, 19 March 2014

CONSULTATIONS

- 19 None.

REPRESENTATIONS

- 20 None received.

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

Policy

- 21 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 most relevant policies of the Development Plan are listed in the policy section above.

Visual Impact

- 22 The changes proposed to the rear of the units are all proposed to cater for the loading and storage requirements of the proposed Aldi store and to allow for improved HGV access for deliveries. The rear of the units at Highland Gateway are all functional in their appearance and serve a similar role to that proposed here in that they accept deliveries and allow for the storage of waste and other ancillary items. The materials proposed on this area match that of the existing building. I am satisfied that the loading pod and ancillary elements proposed relate successfully to the functional visual appearance of the rear servicing area of the Highland Gateway and as such do not detrimentally impact on visual amenity.
- 23 The proposed trolley park to the front of the store is small in scale and relates to the retail function of the site and as such is considered to be appropriate. The new glazing proposed again highlights the retail use of the building and relates to the established character of the wider Highland Gateway site. A vinyl print is proposed in front of the proposed amenity block to provide privacy and this vinyl (whilst potentially subject to advertisement consent) is also considered to be visually acceptable.
- 24 The alterations to the car park layout are negligible and again considered acceptable. The proposed trolley bays are relatively small in scale and relate to the proposed function.

- 25 Overall the changes proposed reflect the retail nature of the Highland Gateway site and are considered to be acceptable in terms of impact on visual amenity.

Residential Amenity

- 26 The proposed refrigeration unit to the rear of the building is additional plant associated with the proposed use and as such could potentially impact on residential amenity, however I am satisfied that residential properties are located a sufficient distance away from the premises to mitigate any noise impact.

Transport/Traffic Impact

- 27 The impact of the creation of a convenience store in terms of transport is assessed as part of the associated application. The minor alteration to the layout of the car park proposed under this application is considered acceptable and will not be of detriment to the flow of traffic through the Highland Gateway site.

LEGAL AGREEMENTS

- 28 No S75 is necessary.

DIRECTION BY SCOTTISH MINISTERS

- 29 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

- 30 In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the adopted Local Development Plan 2014 and Tayplan 2012. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. 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.

Reasons

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

B JUSTIFICATION

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

C PROCEDURAL NOTES

None.

D INFORMATIVES

- 1 Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 2 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.
- 3 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)).

Background Papers: None

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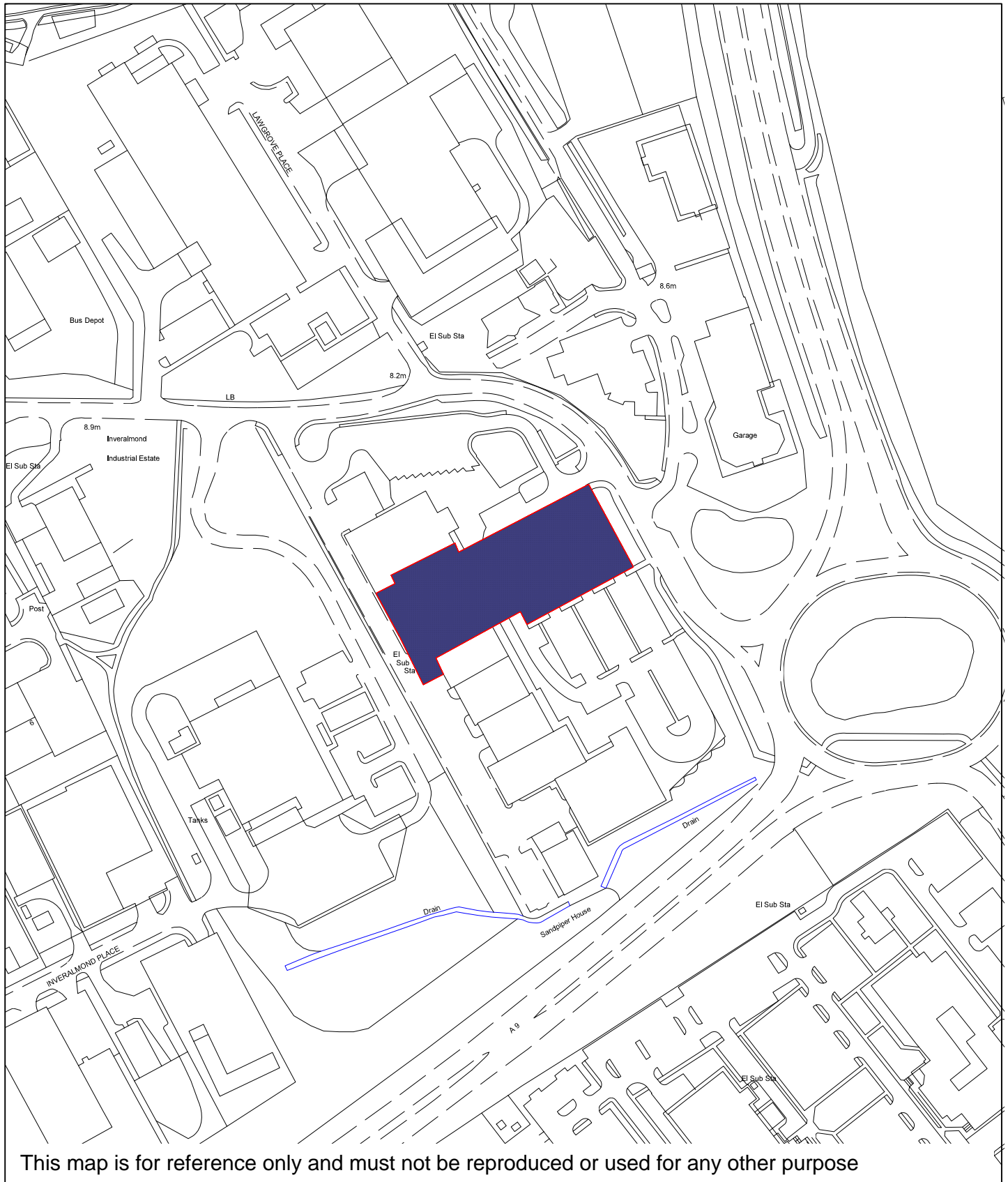
Date: 21 February 2013

Nick Brian
Development Quality Manager

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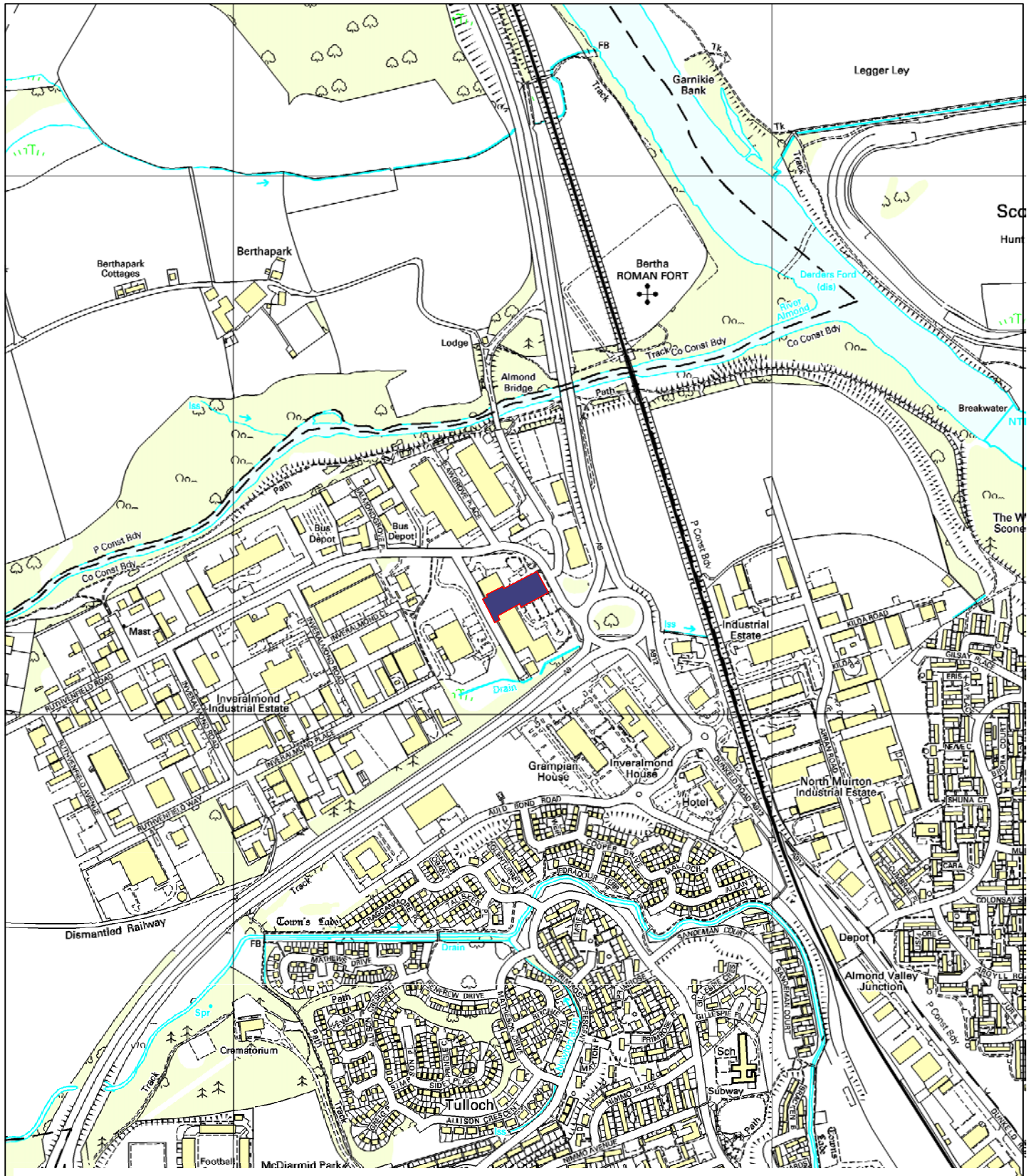
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Perth & Kinross Council

13/02372/FLL

Unit 6 & 7A, Ruthvenfield Road, Inveralmond Ind. Estate, Perth

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