

Perth and Kinross Council  
Development Management Committee – 14<sup>th</sup> October 2015  
Report of Handling by Development Quality Manager

**Erection of 12 dwellinghouses Land At Marlefield Grove Tibbermore**

Ref. No: 15/01007/FLL  
Ward No: 9 - Almond And Earn

**Summary**

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

**BACKGROUND AND DESCRIPTION**

- 1 The site is located in a rural location at Tibbermore around 3.5 kilometres to the west of Perth with an access through Marlefield Grove to the C410 road. The site is set to the rear of Marlefield Grove an existing housing estate comprising of detached single story dwellinghouses. There is a mature hedge along the southern boundary with the existing development and a less substantial field boundary along the northern edge of the site where it borders farmland. A mature hedge is to the eastern boundary with a post and wire fence to the west. There are open views to the north and west to the surrounding countryside. The site is relatively level and grassed. The site is part of the battlefield of Tippermuir.
- 2 The application is in full and is for 12 four bed detached dwellinghouses in a mix of three styles. Two of the houses are proposed as single storey with the remaining ten having accommodation over two levels.
- 3 The access is from Marlefield Grove which currently serves 9 other properties. The access has been partly constructed as part of the implementation of planning permission 11/00781/FLL for three houses on an adjacent site. The site will be served by a shared private waste water treatment plant.

**NATIONAL POLICY AND GUIDANCE**

- 4 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.

**Scottish Planning Policy 2014**

- 5 The Scottish Planning Policy (SPP) was published on 23 June 2014. It sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances.

6 Of relevance to this application are:

- Paragraphs 74 – 84: Promoting Rural Development
- Paragraphs 135 – 151: Valuing the Historic Environment
- Paragraphs 193 - 218: Valuing the Natural Environment

### **Designing Streets – Scottish Government**

7 Designing Streets is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government’s place-making agenda and is intended to sit alongside the 2001 planning policy document Designing Places, which sets out government aspirations for design and the role of the planning system in delivering these.

## **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 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.”*

10 The principal policy is, in summary:

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

11 This recognises the importance of cultural and natural heritage and identifies the importance of only allowing development where it does not adversely impact upon or preferably enhances these assets.

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

12 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.

13 The principal policies are, in summary:

### **Policy PM1A - Placemaking**

- 14 Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaptation.

### **Policy PM2 - Design Statements**

- 15 Design Statements should normally accompany a planning application if the development comprises 5 or more dwellings, is a non-residential use which exceeds 0.5 ha or if the development affects the character or appearance of a Conservation Area, Historic Garden, Designed Landscape or the setting of a Listed Building or Scheduled Monument.

### **Policy PM3 - Infrastructure Contributions**

- 16 Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

### **Policy RD1 - Residential Areas**

- 17 In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where of recreational or amenity value. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

### **Policy EP3B - Water, Environment and Drainage**

- 18 Foul drainage from all developments within and close to settlement envelopes that have public sewerage systems will require connection to the public sewer. A private system will only be considered as a temporary measure or where there is little or no public sewerage system and it does not have an adverse effect on the natural and built environment, surrounding uses and the amenity of the area.

### **Policy EP3C - Water, Environment and Drainage**

- 19 All new developments will be required to employ Sustainable Urban Drainage Systems (SUDS) measures.

### **Policy HE5 - Protection, Promotion and Interpretation**

- 20 Battlefields included on the Inventory of Historic Battlefields will be protected.

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

- 21 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 NE5 - Green Belt**

- 22 Development in the Green Belt will only be allowed where it conforms with the 5 criteria set out. The Housing in the Countryside Policy RD3 does not apply in the Green Belt.

### **OTHER POLICIES**

#### **Developer Contributions August 2014**

- 23 Section 4 of this guidance sets out the basis on which Perth and Kinross Council will seek to secure contributions from developers of new homes towards the cost of meeting primary education infrastructure improvements necessary as a consequence of development. All new housing from the date of adoption including those on sites identified in adopted Local Plans will have the policy applied.

#### **Transport Infrastructure Developer Contributions Supplementary Guidance August 2014**

- 24 The Transport Infrastructure Developer Contributions Supplementary Guidance is about facilitating development. It sets out the basis on which Perth and Kinross Council will seek contributions from developments in and around Perth towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites and support the growth of Perth and Kinross. The statutory Supplementary Guidance was adopted in October 2014.

#### **Affordable Housing Supplementary Guidance August 2014**

- 25 The Affordable Housing Guide has been produced to give advice and information to all those with an interest in affordable housing, and was adopted as statutory Supplementary Guidance in October 2014.

### **SITE HISTORY**

- 26 97/00978/FUL Erection of a 1.8m timber fence. Application refused by Development Control Committee in December 1997
- 27 05/01933/FUL Erection of 3 dwellinghouses and garages Application permitted by Development Control Committee in May 2006
- 28 11/00781/FLL Erection of 3 No. dwellinghouses and garages (Renewal of 05/01933/FUL) Application permitted under delegated powers in July 2011.

- 29 12/01510/FLL Erection of a dwellinghouse and detached garage 28 September 2012  
Application Withdrawn

## CONSULTATIONS

### External

- 30 **Scottish Water** - No objection but cannot guarantee connection to Scottish Water infrastructure until the appropriate application and technical details are received. As the proposal is for more than 10 units a Development Impact Assessment will need to be submitted.
- 31 **Historic Scotland** - The proposals do not raise issues of national significance such that Historic Scotland would object.
- 32 **Perth And Kinross Area Archaeologist** - In respect to the historic environment and the planning process, as outlined by Scottish Planning Policy paragraphs 135-151, the proposed development does not raise issues for the historic environment. No archaeological mitigation is required.

### Internal

- 33 **Transport Planning** – Do not have any objections to this application subject to conditions being attached including the development being compliant with Roads Standards and the provision of appropriate pedestrian access.
- 34 **Education and Children's Services** - This development falls within the Methven Primary School catchment area. Education & Children's Services currently have no capacity concerns in this catchment area.
- 35 **Environmental Health** - No adverse comments to make on the application. A search of the historic records did not raise any concerns regarding ground contamination.
- 36 **Contributions Officer** -. No developer contribution is required with regard to primary education provision. Contribution required with regard to Affordable Housing: £79,500 (3 x £26,500) and Transport Infrastructure: £31,941 (9 x £3,549), £5,325 (3 x £1,775). Total developer contributions of £116,766 required.
- 37 **Community Waste Advisor - Environment Service** - No objection but proposals will require appropriate provision for waste collection.
- 38 **Strategy and Policy** – The Local Development Plan introduced a settlement boundary at Tibbermore under policy RD1 to allow some further development. A robust landscape boundary is required along the northern and eastern boundaries where it adjoins the designated Green Belt.

## REPRESENTATIONS

39 There have been eight letters of objection lodged which have raised the following issues:-

- Contrary to policy - housing in the countryside
- Design – inappropriate
- Residential amenity – overlooking
- Access - unsuitable
- Flooding and surface water drainage – will exacerbate existing problems
- Foul drainage
- Visual Impact – out of keeping with character of area

40 All the relevant planning issues which have been raised are addressed in the Appraisal section of this report.

## ADDITIONAL STATEMENTS

41

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement / Design and Access Statement	Not submitted
Reports on Impact or Potential Impact	Not Required

## APPRAISAL

### Policy Appraisal

42 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 most relevant policy considerations are outlined in the policy section above and will be considered in more detail below.

### Principle

43 The site is located within the settlement boundary for Tibbermore as identified in the adopted Perth and Kinross Local Development Plan 2014 (LDP). Planning permission has previously been granted to develop an adjacent site to the west and south of the application site, and the adopted LDP introduced a settlement boundary at Tibbermore under Policy RD1 to allow some further development. This policy

generally encourages infill residential development at a density that represents the most efficient use of the site while respecting its environs. It is also supportive of proposals that will improve the character and environment of the area.

- 44 Objections have been received with regard to the proposal being contrary to the housing in the countryside policy. The site is within a settlement boundary so this policy is not a relevant consideration.
- 45 There is currently an embargo on developments larger than 0.5 hectares within the Perth Housing Market Area on the A85 corridor prior to the completion of the new A9/A85 junction. However, the new junction project is now at an advanced planning stage and is considered a committed project. Due to the likely trip distribution from this development and the minimal trips that will be generated on to the A85 trunk road it is considered that it would not be reasonable to include a suspensive condition requiring no development until the new junction is completed.

### **Economic Impact**

- 46 The development of 12 new houses should have some positive economic impact. Although Tibbermore has none of the facilities that one would expect of a settlement there are existing businesses in the vicinity that may benefit from additional residents in the area. There will also be some economic impact during the construction period.

### **Residential Amenity**

- 47 There have been objections from neighbouring residents that some of the proposed properties would overlook existing properties and that the site layout be revised so that only single storey properties are located adjacent to the existing properties on Marlefield Grove. In particular there are concerns that plots 3 and 4 will be overlooked and that the houses proposed on plots 13, 14 and 15 should be single storey. Objectors are concerned about a potential loss of light and privacy. In this regard whilst the proposed new dwellinghouses do have rooms at first floor level house Type B which is on house plot 13 only has an opaque bathroom window on the rear elevation. House type A which is on plots 14 and 15 has a master bedroom at the eastern end of the house. The house on plot 15 would look to the side of the existing dwellinghouse at no. 3 Marlefield, not into the rear garden. The house on plot 14 would look towards the rear of the no. 4 Marlefield however there is a substantial hedge along the boundary of the site and the distance between the proposed new house and existing is over 20 metres away, far enough not to have an adverse impact. House plot 12 also has a master bedroom to the rear although again the existing hedge and distance between the window and no. 5 Marlefield would be sufficient mitigation to not adversely impact on residential amenity.
- 48 The height of the new properties to the ridge is proposed to be around 7.5 metres. This is not excessive and would cause any overshadowing of neighbouring properties. The new properties all have sufficient garden ground. I conclude that there is no significant impact in terms of loss of residential amenity in terms of overlooking or overshadowing.

## **Access**

- 49 The proposed access is through Marlefield Grove (an adopted road) to the C410 public road. There have been objections with regard to the increase in traffic that would be generated by the development and concerns that the existing access is not suitable as it is single track with no pavements and unsuitable for large vehicles. It is suggested that an alternative access could be considered, especially during construction.
- 50 Whilst the Transport Planner does not have objections to Marlefield Grove being used to access the site it is noted that as it stands the use of a single access would be contrary to guidance in Designing Streets. However it is noted that the proposed new road at the western side is adjacent to the site boundary and therefore does not preclude a future link to the unclassified road to the west which would help to increase the potential connectivity of the area.
- 51 Road safety on the Tibbermore Road has been raised as an issue. There have not been any adverse comments with regard to this from the Council's Transport Planner and it is not considered that the additional 12 houses would generate a significant amount of extra traffic or have a significantly detrimental effect on the local roads network.
- 52 It is further noted that the submitted plans indicate a footway linking the wider site to the C410 public road. This is considered essential to the overall site and provides a level of connectivity required by Designing Streets and to encourage sustainable travel modes. This link was given planning permission as part of the extant planning permission (11/00781/FLL). It is therefore considered reasonable that this should be constructed to serve this 12 house development as the land is in the same ownership as the application site. As part of the provision of this link it is also considered desirable to construct a footway link on the existing road verge between this pedestrian access point and the existing bus stop on the C410. Provision of these path links is recommended to be conditioned as part of any planning approval.
- 53 Each property shows that it will have dedicated off street parking and space for turning.
- 54 The Transport Planner requested that a condition be attached with regard to street lighting provision. This is required to be provided as part of any roads adoption and should be in accordance with the appropriate standard. It is considered that this should be included within the standard roads condition.

## **Waste collection**

- 55 The Council's Waste Advisor has commented on the proposals and requires provision to be made for bin collection and recycling. An informative note will be added to any permission to ensure that the developer agrees waste collection provision with the Waste Advisor.



## **Drainage and Flooding**

- 56 Concern has been expressed by objectors about existing surface water drainage issues that would be exacerbated by the development and that an effective solution to this be put in place as part of this development. Issues with surface water drainage on both Marlefield Grove and the section of the C410 adjacent have been identified. Objectors are concerned that the new development would exacerbate this problem. Other related issues note include flooding from the field west of Marlefield Grove and concern that any mud generated will block drains in Marlefield Grove.
- 57 Objectors have also questioned the foul drainage arrangements from the new houses and it is proposed that foul drainage is to be to a private shared sewage treatment plant.
- 58 Limited information with regard to surface water and foul drainage infrastructure is shown on the submitted plans. Further details were requested and the agent submitted a proposed drainage layout. From a SUDS perspective the proposals show a driveway filter treatment of the surface water together with the roadway culminating in storage attenuation in plots 8-9 before final discharge into the existing outfall north across the field. Whilst this information helps to understand the drainage strategy for the site full drainage details will be required that meet Scottish Water and SEPA design criteria. It is recommended that a condition with regards SUDS provision is attached to any planning permission. An informative note with regard to Scottish Water's requirements will be attached to any permission.

## **Design/Layout**

- 59 The proposed development is of 10 detached dwellinghouses with accommodation over two levels. These properties are designed with accommodation in the roof space with dormers windows. Two single storey detached dwellinghouses are proposed on the east side of the site.
- 60 The houses will be finished with a slate roof, timber windows and doors and rendered walls with stone base course. There is also some limited stone facing mainly on the single storey properties.
- 61 There have been concerns expressed by neighbours that the proposed design is out of keeping with the existing development and that consideration should be given to positioning the houses in a more random fashion so that they do not have such a regimented look.
- 62 There is also concern that the proposed units are of an excessive height and would be out of character with the area. It is noted by objectors that the previous development had to be single storey due to objections and that this development should be single storey to fit in with the dwellinghouses on Marlefield Grove.

- 63 The maximum proposed height of the dwellinghouses is around 7.5m. I do not consider this to be excessive. Whilst the layout is rather suburban in appearance I do not consider that a more random pattern will be any more appropriate in this location.
- 64 Whilst the properties immediately to the south of the application site are single storey the extant consent (11/00781/FLL) to the east is for two storey properties. There is also a modern two storey property at the entrance to Marlefield Grove and other properties on the U47 road within the Tibbermore settlement boundary have accommodation in the roof space at first floor level. In addition properties in the Powbridge area around 600m to the north east visible from the site are of a similar scale and appearance. I therefore consider that the design proposed is acceptable in this context.

### **Landscaping and visual impact**

- 65 The site is within a settlement boundary bordering the Green Belt. There is an existing mature hedge to the east of the site which would help to screen that side of the development. The properties on this side are also single storey which should have less of a visual impact. The northern boundary with the Green Belt is currently relatively open. The site plans show a post and wire fence and random tree planting within the plots. There have been objections with regard to the impact of the two storey properties on the area and that they would not blend in with the landscape. Whilst any development on this site is going to be relatively visible from the surrounding area this can be mitigated with appropriate landscaping. I also consider that the detailing of the properties proposed with slate roof and timber windows and doors is more appropriate to a rural setting than much of the existing modern housing in Tibbermore. Further details of landscaping will be required by condition on any permission.

### **Impact on cultural heritage**

- 66 The proposed dwellinghouses are located within the site of the Battle of Tippermuir (01 September 1644). This battlefield is included on the Inventory of Historic Battlefields in recognition of its national importance.
- 67 Historic Scotland has been consulted and does not object and does not expect the development to have any impact on how the battlefield is understood and appreciated.
- 68 Perth and Kinross Heritage Trust likewise consider that it is unlikely that archaeological evidence for the battle will survive within the plot as the battle, as it is currently understood, is thought to have taken place further to the east and / or south east.

## **DEVELOPER CONTRIBUTIONS**

## Primary Education

- 69 The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity. This proposal is within the catchment of Methven Primary School.
- 70 Education & Children's Services have no capacity concerns in this catchment area at this time. No developer contribution is required with regard to primary education provision.

## Transport Infrastructure

- 71 The Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth. This site is within the full contribution area and will require a contribution of £3,549 per unit.

## Affordable Housing

- 72 In line with Council's Affordable Housing Policy 25% of the total number of houses, above a threshold of 5 units, is to be in the form of affordable housing.
- 73 The affordable housing requirement for this development is therefore 3 units (12 x 0.25). A commuted sum payment will be accepted in lieu of onsite provision. The commuted sum for the Perth HMA is £26,500 per unit. In this case a commuted sum is appropriate.
- 74 The following developer contributions are required should planning permission be approved.

Affordable Housing: £79,500 (3 x £26,500)

Education: £0

Transport Infrastructure: £31,941 (9 x £3,549)

£5,325 (3 x £1,775)

**Total: £116,766**

## LEGAL AGREEMENTS

- 75 A legal agreement may be required for the deferral of developer contributions if not made as an upfront payment.

## **DIRECTION BY SCOTTISH MINISTERS**

- 76 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, 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**

- 77 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 approved TAYplan 2012 and the adopted Local Development Plan 2014. 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 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, details of the specification and colour of the proposed external finishing materials to be used shall be submitted for the further approval of the Council as Planning Authority. The scheme as approved shall be implemented prior to the completion or bringing into use of the development.

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

- 3 Prior to the commencement of the development hereby approved, details of the proposed boundary treatments for the site shall be submitted for the further approval of the Council as Planning Authority. The scheme as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, to the satisfaction of the Council as Planning Authority.

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

- 4 Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.

Reason - To provide effective drainage for the site.

- 5 Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the further written approval of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full details of all hard landscaping proposals including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development unless otherwise agreed in writing with this Planning Authority and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained to the satisfaction of the Council as Planning Authority.

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

- 6 Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size and species to the satisfaction of the Council as Planning Authority.

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

- 7 Prior to the occupation of the first house, all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water and street lighting, shall be agreed in writing and be in accordance with the standards required by the Council as Roads Authority as detailed within the National Roads Development Guide and to the satisfaction of the Planning Authority.

Reason - In the interests of pedestrian and traffic safety.

- 8 Prior to the occupation of the first house, a pedestrian link from the C410 to the development site shall be provided to the standards required by the Council as Roads Authority.

Reason - In the interests of pedestrian and traffic safety.

- 9 Prior to the occupation of the first house, a 1.8m wide footway constructed to the standard and specifications required by the Council as Roads Authority shall be provided along the C410 from the proposed pedestrian access point west to tie in with the existing footway.

Reason - In the interests of pedestrian and traffic safety.

- 10 Prior to the occupation of the first house a 'Pick up and drop off' area for school children / bus passengers shall be provided on the south side of the C410 opposite the pedestrian access point. The area shall be a minimum of 6m long by nominally 1.8m wide kerbed and surfaced to the requirements of the Council as Roads Authority to the satisfaction of the Planning Authority.

Reason - In the interests of pedestrian and traffic safety.

## **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 NOTE**

The formal planning consent shall not be issued until such time as the required Developer Contributions have been secured. In the event that the applicant does not a) make the required payment upfront within 14 days of the date of the committee decision or b) complete a legal agreement for its delayed payment within a 4 month period, the application will be refused under delegated powers.

## **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 No work shall be commenced until an application for a building warrant has been submitted and approved.
- 5 The applicant shall contact the Council's Community Waste Adviser to confirm the refuse collection arrangements for the development. Tel 01738 475268.

- 6 The applicant should be advised that in terms of Section 21 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. 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.
- 7 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.
- 8 The developer is advised that the granting of planning consent does not guarantee a connection to Scottish Water's assets and is advised to note the contents of comments made on this planning application dated 30 September 2015. Scottish Water reference: 724991

If the developer requires any further assistance or information with regard to this planning application please contact Anne MacNeil on 0141 414 7660 or alternatively additional information is available on the Scottish Water website:  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)

Background Papers: 8 letters of representation.  
 Contact Officer: Persephone Beer – Ext 75354  
 Date: 1 October 2015

**NICK BRIAN  
 DEVELOPMENT QUALITY MANAGER**

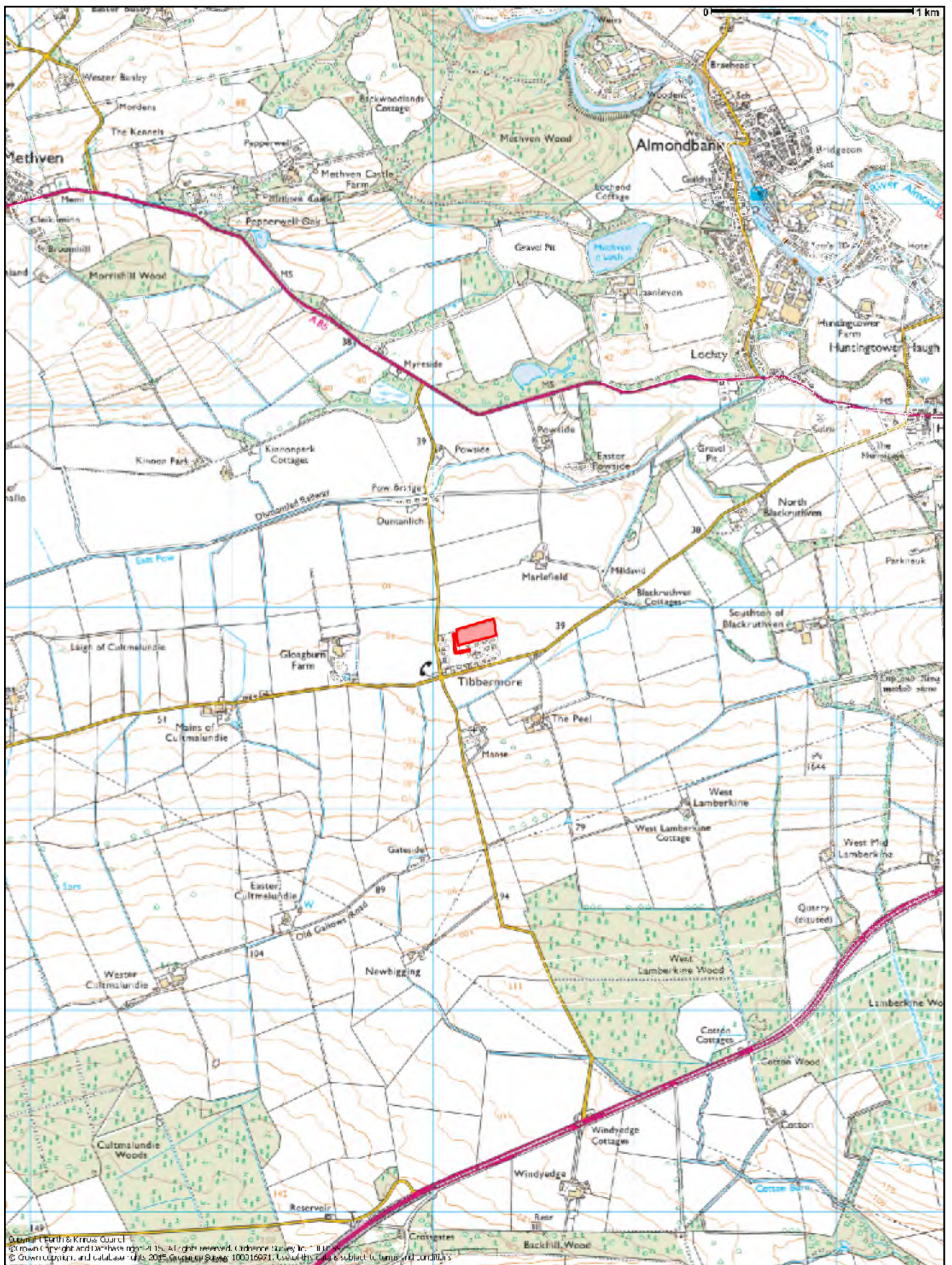
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**Development Management Committee**



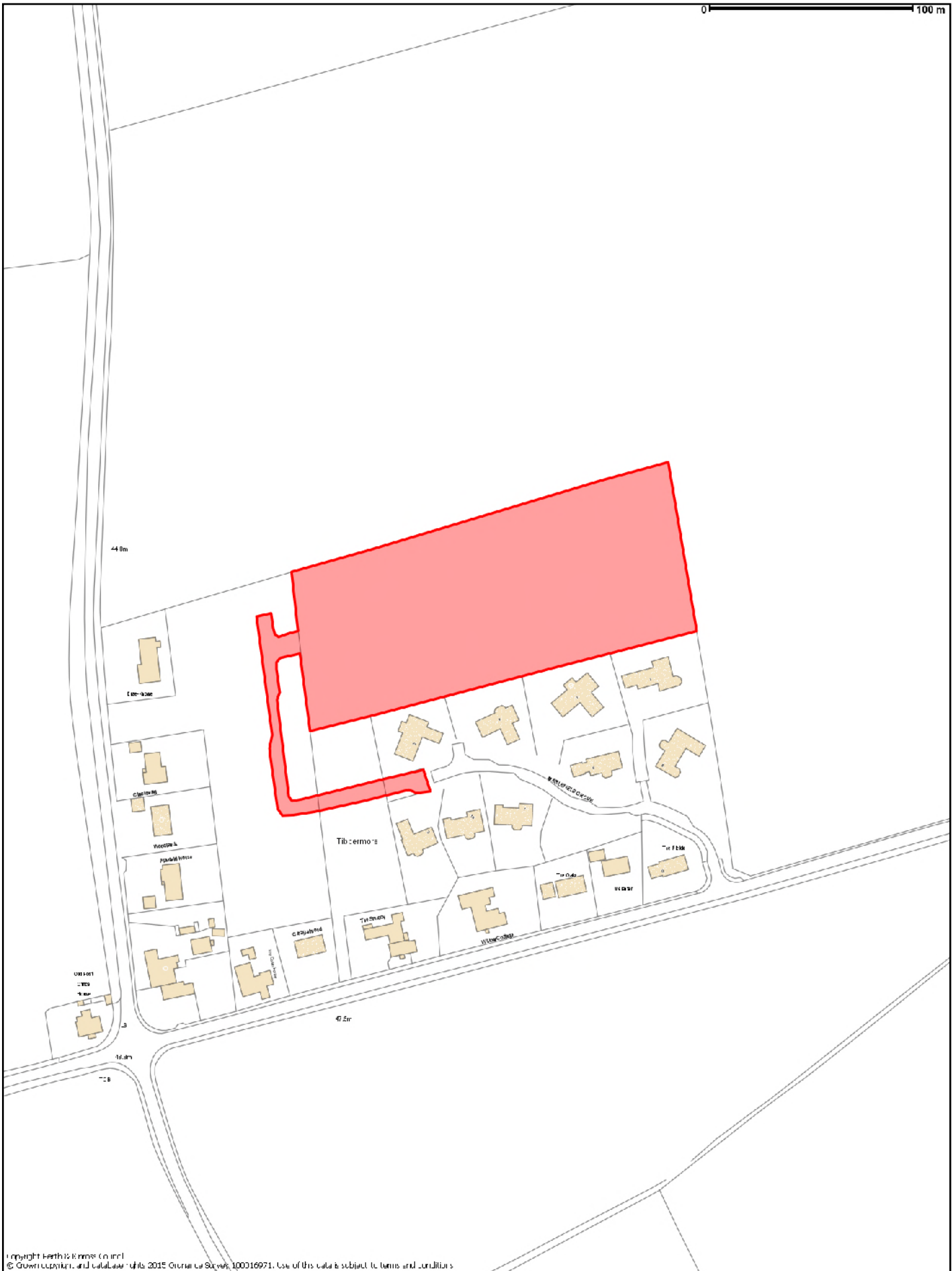
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**15/01007/FLL**

**Erection of 12 dwellinghouses land at Marlefield Grove, Tibbermore**







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**Development Management Committee**



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