

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
21 SEPTEMBER 2011

DEVELOPMENT CONTROL COMMITTEE

Minute of Meeting of the Development Control Committee held in the Council Chambers, Fourth Floor, 2 High Street, Perth on Wednesday 21 September 2011 at 9.30am.

Present: Councillors W Wilson; R Band; L Caddell; I Campbell; C Gillies; E Grant (up to and including Art. 529(3)(ii)) ; T Gray; A Jack; J Kellas; W Lumsden; M Lyle; H McDonald and S Miller.

In Attendance: Councillor G Hayton (up to and including Art. 529(3)(ii)), N Brian, A Condliffe, A Fleming, J Thomson, K Steven, K Stirton, J Russell, N Lennon and A-M Sinclair (up to and including Art. 529(3)(ii)) (all The Environment Service); H Richardson and B Reid (Education and Children's Services); G Fogg, S Sinclair (up to and including Art. 529(3)(ii)) and Y Oliver (all Chief Executive's Service).

Councillor W Wilson, Convener, Presiding.

Prior to the commencement of the meeting, Councillor W Wilson advised members that Alan Fleming, Principal Environmental Health Officer, was retiring from Perth and Kinross Council. He wished his thanks to be noted for Mr Fleming's help and advice during his attendance at the Development Control meetings and wished him a long and happy retirement.

526. DECLARATIONS OF INTEREST

Councillor W Wilson declared a non-financial interest in Art. 529(1)(i) and Councillor L Caddell declared a non-financial interest in Art. 529(2)(i) in terms of the Councillors' Code of Conduct.

527. MINUTE OF MEETING OF 17 AUGUST 2011

The Minute of Meeting of the Development Control Committee of 17 August 2011 (Arts. 443-447) was submitted, approved as a correct record and authorised for signature.

528. DEPUTATIONS

In terms of Standing Order 59, the Committee agreed to hear deputations in relation to planning applications as follows:

Planning Application No.	Article No.
11/00850/FLM	529(2)(ii)
11/00723/FLL	529(3)(i)
11/00838/FLL	529(3)(ii)
11/01052/FLL	529(3)(iii)

In terms of Standing Order 19, the Committee unanimously agreed to hear the deputations in the order of business.

529. APPLICATIONS FOR DETERMINATION

COUNCILLOR W WILSON, HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING APPLICATION, LEFT THE CHAMBERS AND TOOK NO PART IN THE DEBATE THEREAFTER.

COUNCILLOR B BAND, VICE-CONVENER, TOOK THE CHAIR FOR THE FOLLOWING ITEM.

(1) Application Previously Considered

- (i) 11/00674/FLL – PERTH – Installation of a new multi-use sports pitch with flood lighting and athletics sprint track at Perth High School, Oakbank Road, Perth – Perth and Kinross Council – Report 11/475**

Resolved:

Grant, subject to the following conditions:

1. The development shall be begun within a period of three years from the date of this consent.
2. The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.
3. The floodlighting associated with the new multi purpose sports pitch shall only be operational between 08.00 hours to 20.00 hours Monday to Sunday.
4. All floodlighting associated with the new multi purpose sports pitch shall be installed and aligned to the satisfaction of the local Planning Authority in consultation with the Environmental Health Section so as to ensure that light spillage beyond the boundaries is minimised and maintained.

Justification

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

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.

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2. This development will require the 'Display of Notice while Development is Carried Out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the Notice is set out in Schedule 7 of the Regulations and a draft Notice is included for your guidance. According to Regulation 38 the Notice must be:
 - (i) Displayed in a prominent place at or in the vicinity of the site of the development
 - (ii) Readily visible to the public
 - (iii) Printed on durable material.
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.

COUNCILLOR W WILSON RETURNED TO THE CHAMBERS AT THIS POINT AND RESUMED THE CHAIR.

COUNCILLOR L CADDELL, HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING APPLICATION, LEFT THE CHAMBERS AND TOOK NO PART IN THE DEBATE THEREAFTER.

(2) Major Application

- (i) **11/01333/FLM – PERTH – Demolition of existing care home building, erection of new care facility comprising 2 no. Care Homes, assisted living units and communal facilities and the erection of 3 no. mainstream dwellings with associated access roads, parking and landscaping at Tayside Care Home, Isla Road, Perth – Faskally Care Home Ltd – Report 11/476**

N Brian, Development Quality Manager, advised members that the conditions and subsequent reasons contained in Report 11/476 had been numbered wrongly and required to be amended. He also requested that, should members be minded to approve the report, Conditions 14 and 15 (as printed in Report 11/476), be amended to include the words "and shall be maintained permanently thereafter."

Resolved:

Grant, subject to the following conditions and Conditions 14 and 15 (subsequently renumbered to read Conditions 15 and 16) be amended as undernoted:

1. The development shall be begun within a period of three years from the date of this consent.

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2. The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.
3. Prior to the commencement of any works on-site precise details of an effective ventilation system commensurate with the nature and scale of cooking to be undertaken shall be submitted for the approval in writing by the Council as Planning Authority. The approved scheme shall be implemented in full and operated and maintained, within the kitchen area(s), such that cooking odours are not exhausted into or escape into any neighbouring properties, all to the satisfaction of the Council as Planning Authority.
4. Prior to the commencement of any works on-site precise details of the ventilation and air conditioning systems shall be submitted for the approval in writing by the Council as Planning Authority, and thereafter implemented in full to the satisfaction of the Council as Planning Authority. All plant or equipment including any ventilation or air conditioning systems associated with the operation of the Care Home be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours daily, within any neighbouring residential premises, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart to the satisfaction of the Council as Planning Authority.
5. Prior to the commencement of any works on-site, precise details of all external lighting shall be submitted for the approval in writing by the Council as Planning Authority, and thereafter implemented in full to the satisfaction of the Council as Planning Authority. All external lighting shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised, to the satisfaction of the Council as Planning Authority.
6. Prior to the commencement of any works on-site, precise details of the proposed heating system shall be submitted for the approval in writing by the Council as Planning Authority, and thereafter implemented in full to the satisfaction of the Council as Planning Authority.
7. The use of the 25 assisted living units (located on the second floor) shall strictly be limited to Class 8 (Residential Institutions) of The Town and Country Planning (Use Classes) (Scotland) Order 1997 only (or an equivalent category of use in any subsequent

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legislation), to the satisfaction of the Council as Planning Authority.

8. A detailed scheme to deal with contamination on the site shall be submitted prior to the commencement of any works on-site. The scheme shall contain details of proposals to deal with contamination to include:
 - a) the nature, extent and type(s) of contamination on the site
 - b) measures to treat/remove contamination to ensure the site is fit for the use proposed
 - c) measures to deal with contamination during construction works
 - d) condition of the site on completion of decontamination measures.

Prior to the occupation of either the care facility or any of the dwellings, the measures to decontaminate the site as approved by the Council as Planning Authority shall be fully implemented.

9. All trees which are shown as being retained shall be adequately protected by stout fencing during the course of construction and appropriate root protection zones (RPZ) implemented, to the satisfaction of the Council as Planning Authority. A detailed plan showing the extent of the fencing and the extent of the RPZ shall be submitted for the approval in writing by the Council as Planning Authority prior to the commencement of any ground works on site.
10. Prior to the occupation of the care facility or the occupation of any dwellings, 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.
11. Within six months of the care facility being in use, a detailed Travel Plan, aimed at encouraging more sustainable means of travel, shall be submitted and approved in writing by the Council as Planning Authority and thereafter implemented in full to the satisfaction of the Council as Planning Authority. The approved Travel Plan must have particular regard to provision for walking, cycling and public transport access to and within the site and will include targets for modal shift from the private car to more sustainable means of transport and clearly identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan, all to the satisfaction of the Council as Planning Authority.
12. Prior to the commencement of any works on-site, a Construction Method Statement (CMS) shall be

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submitted for the approval in writing by the Council as Planning Authority which identifies measures to prevent harmful materials potentially entering the River Tay SAC during the construction phases, which could reduce water quality and have a detrimental impact upon the interests of the Special Area of Conservation. The CMS should include the following:

- a) pollution prevention safeguards, including drainage arrangements and the possible use of siltation traps, settlement tanks and bunds;
- b) storage and disposal of materials, including the siting of stock piles, use of buffer strips and disposal methods;
- c) construction site facilities, including extent and location of construction site huts, vehicles, equipment, and materials compound;
- d) timing, duration and phasing of construction.

The approved CMS shall be implemented in full to the satisfaction of the Council as Planning Authority.

13. The ground floor and first floor windows on the south most gable of the Care Facility immediately opposite the property named 'The Lodge' and highlighted in GREEN on the approved plans shall be opaque or obscure glazing for perpetuity, to the satisfaction of the Council as Planning Authority. The second floor window on the south most gable immediately opposite the property named 'The Lodge' and highlighted in GREEN on the approved plans shall either be opaque or obscure glazing for perpetuity, to the satisfaction of the Council as Planning Authority, or revert to a roof light window, to the satisfaction of the Council as Planning Authority.
14. The first floor window on the west most gable on the north elevation of the Care Facility immediately opposite the property named '1 Mansfield Road' and highlighted in PURPLE on the approved plans shall be opaque or obscure glazing for perpetuity, to the satisfaction of the Council as Planning Authority. The second floor window on the south most gable immediately opposite the property named '1 Mansfield Road' and highlighted in PURPLE on the approved plans shall either be opaque or obscure glazing for perpetuity, to the satisfaction of the Council as Planning Authority, or revert to a roof light window, to the satisfaction of the Council as Planning Authority.
15. Prior to the commencement of any works on site precise details of the means of disposal of surface water shall be submitted for the approval in writing by the Council as Planning Authority. The approved scheme shall be implemented in full to the satisfaction of the Council as

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- Planning Authority and shall be maintained permanently thereafter.
16. Prior to the commencement of any works on site precise details of all on site waste and recycle facilities shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full to the satisfaction of the Council as Planning Authority and shall be maintained permanently thereafter.
 17. Prior to the commencement of any works on site a detailed landscaping and planting scheme shall be submitted for the approval in writing by the Council as Planning Authority. The approved scheme shall be implemented in full and thereafter retained in perpetuity to the satisfaction of the Council as Planning Authority.
 18. Prior to the commencement of any works on site precise details of all external wall and roof finishes for both the care facility and the three dwellings shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full to the satisfaction of the Council as Planning Authority.
 19. Prior to the commencement of any works on site precise details of all temporary structures (including the stockpiles of materials) required for the construction phases shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full to the satisfaction of the Council as Planning Authority.

Justification

The development is considered to comply with the Development Plan and there are no material considerations which would warrant a refusal under these circumstances.

Procedural Notes

Formal consent should not be granted until such time as the required primary education contributions have been made, or a legal agreement concluded for the delayed payment of the contributions.

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

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- 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 development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 38 the notice must be:
 - Displayed in a prominent place at or in the vicinity of the site of the development
 - Readily visible to the public
 - Printed on durable material.
 4. The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
 5. 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.

COUNCILLOR L CADDELL RETURNED TO THE CHAMBERS AT THIS POINT.

- (ii) **11/00850/FLM – SCONE – Erection of 52 holiday chalets, associated access roads, sustainable urban drainage system and toddlers play area/picnic at land at Perth Aerodrome, Perth Airport, Scone – Morris Leslie Ltd – Report 11/477**

Mr D Queripel, agent on behalf of the applicant, addressed the Committee, and, following his representation, withdrew to the public benches.

Motion (Councillors W Wilson and T Gray) – Refuse, for the reasons contained in Report 11/477.

Amendment (Councillors L Caddell and J Kellas) – Grant, subject to conditions to be formulated by the Development Quality Manager, including conditions addressing recycling, core landscaping and residency conditions on the grounds that the proposal is not contrary to the Council’s Chalet Policy 1997 or the Development Plan.

Amendment – 7 votes

Motion – 6 votes

Resolved:

In accordance with the Amendment.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

(3) Local Applications

- (i) 11/00723/FLL – GLENLYON – Erection of 4 dwellinghouses and conversion of steading to form one dwellinghouse, land at Slatich Farm, Glenlyon, Aberfeldy – Glen Lyon LP – Report 11/478**

Ms Ellen Webster, on behalf of Mr James Denholm, agent, addressed the Committee, and, following her representation, withdrew to the public benches.

Resolved:

Grant, subject to the following conditions and an additional condition addressing the prevention of contamination of the river by way of requesting a Construction Method Statement:

1. The development shall be begun within a period of three years from the date of this consent.
2. The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.
3. Development should not begin until the applicant or their agent has submitted to and have had approved in writing by the Planning Authority, a ground investigation and reclamation statement that has identified any areas of contamination. This should be restricted to those areas that will form the garden grounds unless the investigation identifies the requirement to assess the ground conditions in relation to the protection of the occupants, building fabric or wider environment from sources identified outwith the application area that may cause constraint to the proposed end use. The investigation should be compliant with relevant good practice, government guidance in force and applicable European and British Standards.

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4. Prior to the commencement of any construction works on site, samples for the exterior finishes, including any coloured stains, shall be submitted for the further written agreement of the Council as Planning Authority. The scheme as subsequently agreed shall be implemented as part of this permission.
5. Prior to the commencement of any construction works on site, full details of the boundary walls proposed shall be submitted for the further written agreement of the Council as Planning Authority. The scheme as subsequently agreed shall be implemented as part of this permission.
6. No development, alterations or extensions, whether or not permitted by virtue of Schedule 1, Part 1, Classes 1, 2, 3, 4, 5, 6A, 6B, 6D, 6E, 6G, 6H, 7 and 9 of the Town and Country Planning (General Permitted Development) (Scotland) Order, 1992 or any Order revoking and re-enacting that Order shall be erected in the curtilage of any dwellinghouse.
7. Notwithstanding the details shown on the drawings hereby approved, no fence shall be erected to the east of the soakaway area, to the south-west of plot 2, thus allowing the field to be retained as a single L-shaped field.
8. Notwithstanding the details shown on the drawings hereby approved, the exact type and location of foul drainage solution, including any enclosure, shall be submitted for the further written agreement of the Council as Planning Authority. The scheme as subsequently agreed shall be implemented as part of this permission.
9. The area of field to the west and south-west of plot 2 which accommodates the septic tank/SBR and soakaway shall be returned to agricultural land after the installation of the drainage works, to the satisfaction of the Council as Planning Authority.
10. The detailed landscaping and planting scheme for the site which is hereby approved shall be implemented as part of the site development programme and thereafter maintained all to the satisfaction of the Council as Planning Authority.
11. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size or species all to the satisfaction of the Council as Planning Authority.
12. All existing trees on the site shall be retained and protected to the standards set out in BS 5837: 2005. Trees In Relation To Construction, to the satisfaction of the Planning Authority.
13. Prior to the occupation and use of the approved development all matters regarding access, car parking, road layout, design and specification, including the

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disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority and to the satisfaction of the Planning Authority.

14. Prior to the occupation or use of the approved development the vehicular access shall be formed in accordance with specification Type C, Fig 5.7 access detail to the satisfaction of the Planning Authority.
15. Prior to work commencing, the applicant must acquire a licence to disturb a bat roost. If bats are found during any works operations will cease at once and SNH consulted to allow for the safe removal of any bats. If the loss of a roost site is unavoidable an artificial roost site must be provided in the form of a bat box or some other approved method.
16. Prior to the commencement of any works on site, a Construction Method Statement (CMS) shall be submitted for the approval in writing by the Council as Planning Authority which identifies measures to prevent harmful materials potentially entering the River Tay SAC during the construction phases, which could reduce water quality and have a detrimental impact upon the interests of the Special Area of Conservation. The CMS should include the following:
 - a) pollution prevention safeguards, including drainage arrangements and the possible use of siltation traps, settlement tanks and bunds;
 - b) storage and disposal of materials, including the siting of stock piles, use of buffer strips and disposal methods;
 - c) construction site facilities, including extent and location of construction site huts, vehicles, equipment, and materials compound;
 - d) timing, duration and phasing of constructionThe approved CMS shall be implemented in full to the satisfaction of the Council as Planning Authority.

Justification

The proposal is considered to comply with the terms of the Development Plan, subject to conditions and no material considerations exist which would outweigh the contents of the Development Plan.

Procedural Note

Permission shall not be issued until such time as a financial payment is made to meet the affordable housing or a Section 75 Agreement is completed for a deferred payment.

Informatives

1. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person

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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. This development will require the 'Display of Notice While Development is Carried Out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 38 the notice must be:
 - Displayed in a prominent place at or in the vicinity of the site of the development
 - Readily visible to the public
 - Printed on durable material.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. The applicant should be advised that in terms of Section 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.
5. The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.

(ii) 11/00838/FLL – METHVEN – Change of use to enable the additional use of the site for the drying of sawdust and the manufacture of wood pellets at South Cassochie Farm, Methven – Perth and Kinross Heritage Trust – Report 11/479

Mr I Pattenden, agent on behalf of the applicant and Mr J Halley, applicant, followed by Mr D Ebby, objector to the application and Mr P Pearson, Chairman, Methven Community Council on behalf of other objectors to the application, addressed the

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Committee, and, following their respective representations, withdrew to the public benches.

Resolved:

Defer, for the purposes of further information being provided on the following:

- (i) Effectiveness of the new multi-cyclone;
- (ii) Roads and access traffic issues;
- (iii) Proposed hours of operation;
- (iv) Noise abatement issues.

COUNCILLORS G HAYTON AND E GRANT LEFT THE MEETING AT THIS POINT.

A-M SINCLAIR AND S SINCLAIR LEFT THE MEETING AT THIS POINT.

- (iii) **11/01052/FLL – PERTH – Alterations and extensions to dwellinghouse (partly in retrospect) at 5 Cairnwell View, Perth, PH1 1RD – Mrs Jillian Whyte – Report 11/480**

Mr A Craig, consultant, on behalf of objectors to the application, addressed the Committee, and, following his representation, withdrew to the public benches.

Resolved:

Grant, subject to the following condition:

The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.

Justification

The proposal is considered to be in accordance with the Perth Area Local Plan 1995 – Incorporating Alteration No.1 Housing Land 2000 and there are no material considerations which would justify over-riding the adopted Development Plan. The application is therefore recommended for approval.

Informatives

1. No work shall be commenced until an application for building warrant has been submitted and approved.
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. The applicant is advised that it is possible the proposed development may involve building over or obstruct access to existing Scottish Water infrastructure. On receipt of an application Scottish Water will provide advice that will require to be implemented by the developer to protect existing apparatus. Scottish Water

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can be contacted at Property Searches Department,
Bullion House, Dundee DD2 5BB.

(4) Applications with Council Interest

- (i) 11/01051/FLL – ABERNETHY – Reduce level of the raised playing field, install temporary school modular cabin accommodation and formation of a new site access route at Abernethy Primary School, 78 Main Street, Abernethy – Perth and Kinross Council – Report 11/481**

Resolved:

Grant, subject to the following conditions:

1. The development shall be begun within a period of three years from the date of this consent.
2. No alterations or amendments shall be made to the details contained in the approved plans referred to in this decision notice unless so indicated by conditions attached to this consent or agreed in writing with the local Planning Authority.
3. The permission for the modular accommodation shall be for a limited period of three years only, expiring on three years from the date of the occupation of the modular accommodation; when the use hereby permitted shall be discontinued and the buildings carried out under this permission removed and the land reinstated to a condition which shall be agreed in writing with the local Planning Authority.
4. Prior to the occupation or use of the approved development the vehicular access shall be formed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.
5. Prior to the occupation or use of the approved development turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.

Justification

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

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

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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. The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
4. No work shall be commenced until an application for building warrant has been submitted and approved.

(ii) 11/01216/FLL – ABERNETHY – Alterations and extension to school and formation of a multi use games area at Abernethy Primary School, 78 Main Street, Abernethy – Perth and Kinross Council – Report 11/482

Resolved:

Grant, subject to the following conditions:

1. The development shall be begun within a period of three years from the date of this consent.
2. No alterations or amendments shall be made to the details contained in the approved plans referred to in this decision notice unless so indicated by conditions attached to this consent or agreed in writing with the Local Planning Authority.

Justification

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

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

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Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.

3. No work shall be commenced until an application for building warrant has been submitted and approved.

(iii) 11/00150/LBC – CRIEFF – Display of advertisement, Town Hall, 33 High Street, Crieff – VisitScotland – Report 11/483

Resolved:

Grant, subject to the following conditions:

1. The development shall be begun within a period of three years from the date of this permission.
2. The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning permission.

Justification

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

Procedural Note

As the application involves work to a Listed Building in which the Council has an interest then it requires to be referred to Historic Scotland for determination.

(iv) 11/00151/ADV – CRIEFF – Display of advertisement, Town Hall, 33 High Street, Crieff – VisitScotland – Report 11/484

Resolved:

Grant, subject to the following conditions:

1. That this grant of express consent shall operate for a period of five years from the date of the granting of consent. On expiration of this period the advertisement shall be removed all to the reasonable satisfaction of the Planning Authority.
2. That the advertisements displayed and any land used for the display of advertisements shall be maintained in a clean, tidy and safe condition to the reasonable satisfaction of the Planning Authority.
3. All other existing Tourist Information signs on the building shall be removed prior to the installation of the new sign subject of this advertisement consent submission.

Justification

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

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Informative

No works in respect of the advertisement hereby approved shall be undertaken until such time as Listed Building Consent has been issued

- (v) **11/00893/LBC – COUPAR ANGUS – Alterations and repair work to Mausoleum, Watch House, Arch, gate and handrails and interpretation board at Abbey Church Graveyard, Queen Street, Coupar Angus – Perth and Kinross Heritage Trust – Report 11/485**

Resolved:

Grant, subject to the following conditions:

1. The development shall be begun within a period of three years from the date of this consent.
2. The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.
3. Full details, including large scale elevation and cross section drawings of the new opening and wrought iron gate with interpretation board shall be submitted for approval of the Planning Authority prior to its installation.
4. Stone removed from the identified low boundary wall shall be salvaged and inspected to ascertain if there is any historical interest. Any stone of historic interest shall be thereafter stored within the building on site referred to as the 'Watch House'.
5. Full details of the repair works proposed and agreed through the Scheduled Ancient Monument process shall be submitted to the Council for information to support the Listed Building Consent, to the satisfaction of the Council as Planning Authority.
6. Prior to any works commencing on site, the applicant shall submit details of the composition of the pointing mixes and specification for the pointing work, to be agreed in writing by the Council as Planning Authority.
7. Samples of the agreed pointing mixes shall be provided on site for inspection and approval to the satisfaction of the Council as Planning Authority.
8. Work undertaken below or into existing ground levels, in or adjacent to the site will require a field based preliminary archaeological evaluation to be carried out to record and establish the presence or absence of any archaeology.

Justification

The proposal is considered to be in accordance with the Eastern Area Development Plan and there are no overriding material reasons which justify departing from the Plan.

Procedural Note

As the application involves work to a Listed Building in which the Council has an interest then it requires to be referred to Historic Scotland for determination.

- (vi) **11/00901/FLL – ABERFELDY – Erection of a vocational building, garage and associated accommodation plus the addition of a sprinkler tank housed within a timber fence with associated pump house (in retrospect) at Breadalbane Community Campus, Crieff Road, Aberfeldy – Laing O'Rourke Scotland – Report 11/486**

Resolved:

Grant, subject to the following condition:

All plant and equipment installed in association with this application shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours daily, within any neighbouring noise-sensitive property, with all windows, slightly open, when measured and/or calculated and plotted on a Noise Rating curve chart.

Justification

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

- (vii) **11/00903/LBC – MEIGLE – Formation of disabled access path from churchyard to museum and associated conservation work: Meigle Parish Church, Ardler Road, Meigle – Perth and Kinross Heritage Trust – Report 11/487**

Resolved:

Grant, subject to the following conditions:

1. The development shall be begun within a period of three years from the date of this consent.
2. The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.
3. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during development work. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. The terms of reference for the watching brief will be supplied by Perth and Kinross Heritage Trust. The name of the archaeological

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organisation retained by the developer shall be given to the Planning Authority and to Perth and Kinross Heritage Trust in writing not less than 14 days prior to commencement of development.

4. If it transpires during wall reinstatement that there will be a shortfall of on-site stone to any of the sections of boundary wall, full details of any proposed stone replacement will be required; including samples provided on-site for inspection and approval prior to such works being undertaken.

Justification

The proposal is considered to be in accordance with the Development Plan and there are no overriding material reasons which justify departing from the Plan.

Procedural Note

As the application involves work to a Listed Building in which the Council has an interest then it requires to be referred to Historic Scotland for determination.

- (viii) **11/01201/FLL – PERTH – Extension to form welfare facilities and office accommodation, re-cladding of roof and installation of solar panels at Friarton Road, Perth – Perth and Kinross Council – Report 11/488**

Resolved:

Grant, subject to the following conditions:

1. The development shall be begun within a period of three years from the date of this consent.
2. The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.

Justification

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

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.

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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. No work shall be commenced until an application for building warrant has been submitted and approved.

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