

DEVELOPMENT CONTROL COMMITTEE

Minute of Meeting of the Development Control Committee held in the Council Chambers, Fourth Floor, 2 High Street, Perth on Wednesday 17 March 2010 at 9.30am.

Present: Councillors W Wilson, K Lyall R Band, I Campbell, C Gillies (up to and including Art. 170(2)(iii)), E Grant, A Jack, W Lumsden, M Lyle, H McDonald (from Art. 170(2)(i)) and S Miller.

In Attendance: Councillors D Melloy (Art. 170(1)(iii) only), B Vaughan (up to and including Art. 170(2)(i)), C Shiers (from Art. 4(2)(i)), B Ellis (from Art. 4(2)(i)); N Brian, A Condliffe, L Darling, A Fleming, A Finlayson (up to and including Art. 170(1)(iii)), G Johnston, J Low (Art. 170(3)(i) only) B McNaughton and G Peebles (all the Environment Service); C Elliott and Y Oliver (both Chief Executive's Service).

Apologies for Absence: Councillors L Caddell and J Kellas.

Councillor W Wilson, Convener, Presiding.

166. WITHDRAWAL OF APPLICATIONS

The Committee noted the following applications had been withdrawn from the Agenda at the request of the applicants:

- (i) 08/00358/IPM – GREENLOANING – Erection of dwellinghouses and formation of access roads, car parking and landscaping (in principle) on land to the South of Millhill Drive, Greenloaning (Report 10/151)**
- (ii) 09/01221/IPM – POWMILL – Change of use of former quarry site to mixed use containing care facility, heritage centre, dwellings, staff accommodation, orchid nursery, manufacturing and retail outlets, anaerobic digester and woodland walks at Devonshaw Whinstone Quarry, Powmill (Report 10/153)**

167. DECLARATIONS OF INTEREST

There were no declarations of interest made in terms of the Councillors' Code of Conduct.

168. MINUTE OF PREVIOUS MEETING

The Minute of Meeting of the Development Control Committee of 17 February 2010 (Arts. 93-97) was submitted, approved as a correct record and authorised for signature.

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169. 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.
09/00577/IPM	170(1)(ii)
09/01530/IPL	170(2)(i)
09/01864/FLL	170(2)(ii)
09/02173/FLL	170(2)(iii)
09/02239/FLL	170(3)(i)

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

170. PLANNING APPLICATIONS FOR DETERMINATION

(1) Major Development Applications

- (i) 07/01226/IPM – BALADO – Residential Development (in principle) on land to the South of the A977 at Balado – David Barlow Homes Limited – Report 10/150**

Resolved:

Grant, subject to the following conditions:

1. Application for the approval required by a condition imposed on this Planning Permission in Principle shall conform with the requirements of Regulation 12 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 and of Section 59(2) and (3) of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006 and, in particular, must be made before whichever is the latest of the following:
 - (i) the expiration of three years from the date of the grant of the planning permission in principle,
 - (ii) the expiration of six months from the date on which an earlier application for the requisite approval was refused, or
 - (iii) the expiration of six months from the date on which an appeal against such refusal was dismissed.
2. The following reserved matters, the siting, design, layout and external appearance of the development, the landscaping of the site including play area provision, a tree survey, public access to woodland areas, all means of enclosure, the car parking and means of access to the site, noise impact from the A977, affordable housing and education contribution shall be as approved by the Planning Authority.

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3. 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 Planning Authority.
4. 'Pick up and drop off' areas for bus passengers shall be provided on both sides of the A977 Kincardine Bridge - Kinross public road adjacent to the development at a location to be agreed with the Council as Roads Authority. The areas shall be a minimum of 6 metres long by nominally 1.8 metres wide kerbed, surfaced and provided with appropriate bus shelters to the requirements of the Council as Roads Authority to the satisfaction of the Planning Authority.
5. A 1.8 metres wide footpath constructed to the standard and specifications required by the Council as Roads Authority shall be provided to connect the site with the public transport pick up and drop off areas and implemented prior to the occupation of houses.
6. 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.
7. On-site affordable housing provision shall be required as part of a reserved matters application in accordance with the Council's Affordable Housing Policy 2005.
8. The indicative layout on drawing number: pod-b-011-01-06 is not approved. All built development shall be within the confines of H19 as defined in the Kinross Area Local Plan 2004.
9. The development shall be in accordance with the Council's Primary Education and New Housing Development Policy approved in May 2009 all to the satisfaction of the Council as Planning Authority.

Justification

The proposals are in accordance with the development plan and there are no material planning reasons for not approving them.

Procedural Notes

1. Prior to the issue of outline planning consent the applicant shall enter into and conclude a Section 75 Agreement for the ownership and maintenance of the sewage treatment plant to ensure phosphorus mitigation to the Loch Leven Catchment.
2. Prior to the issue of a reserved matters or detailed consent, arrangements for the maintenance of all landscape areas in perpetuity requires to be put in place to the satisfaction of the Council.

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3. The applicants are advised that they must apply to the Roads Authority for construction consent to form a new street. They are requested to contact the Construction and Maintenance Manager, The Environment Service, Perth and Kinross Council, The Atrium, Glover Street, Perth.
4. The applicants are advised that in terms of Section 56 of the Roads (Scotland) Act 1984 they 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) 09/00577/IPM – ALYTH – Residential Development (in principle) at land 200 metres North East and 150 metres South East of Westpark, Alyth – Guild Homes (Tayside) Ltd – Report 10/152

Mr M Guild, applicant, addressed the Committee, and, following his representation, withdrew to the public benches.

In accordance with Standing Order 53, Councillor D Melloy, one of the Elected Members representing Ward 2, addressed the Committee, and, following his representation, withdrew to the public benches.

Resolved:

Grant, subject to the following conditions:

1. Application for the approval required by a condition imposed on this Planning Permission in Principle shall conform with the requirements of Regulation 12 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 and of Section 59(2) and (3) of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006 and, in particular, must be made before whichever is the latest of the following:
 - (i) the expiration of three years from the date of the grant of the planning permission in principle,
 - (ii) the expiration of six months from the date on which an earlier application for the requisite approval was refused, or
 - (iii) the expiration of six months from the date on which an appeal against such refusal was dismissed.
2. The development shall not commence until the following matters have been approved by the Planning Authority:
The siting, design and external appearance of the development, the landscaping of the site, areas of open

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space, pedestrian links, all means of enclosure, the car parking and means of access to the site.

3. No development shall take place within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and agreed by Perth and Kinross Heritage Trust. 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.
4. The submitted sketch layouts are purely illustrative at this stage and are not approved and no specific number of houses is agreed at this stage and shall be subject to an acceptable scheme being submitted under Condition 2 above, all to the satisfaction of the Council as Planning Authority.
5. The core located on the site must not be obstructed during building works or on completion. Any damage done to the route during the building works must be made good before the house is occupied or first let.
6. An Area for Play shall be provided by the developer to cater for the age group 4-8 year-olds and integrated within the area of public open space referred to in Condition 2 above.
7. The long term maintenance of the public open space and the play area must be in accordance with one of the three options in line with Council policy as follows:
 - (a) Perth and Kinross Council take title to the land and maintain the ground in perpetuity for a flat rate commuted sum payable by the developer. The sum is set annually per dwelling and is currently £300/unit excluding play areas which are charged as a single sum currently £19,000.
 - (b) The Greenbelt Company can take title to the land and maintain in perpetuity for a charge to the developer with the Council getting sight of the agreement.
 - (c) An approved alternative company maintains the open space in perpetuity for a charge to the developer and a permanent bond is lodged with the Council against default.

The Council does not permit developers or their agents to include title of areas of public open space or levy an annual charge to individual residents for any of the options above.

8. A detailed tree survey should be provided by the developer including topographical survey and any trees

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retained should be within adequate areas of open space and not affected by service trenches or level changes and protected in accordance with BS 5837:2005 all to the satisfaction of the Council as Planning Authority.

9. The development shall be in accordance with the Council's Affordable Housing Policy approved in August 2005 which requires a 25% allocation of affordable units within the development all to the satisfaction of the Council as Planning Authority.
10. The first house within the development shall not be occupied until the flood alleviation measures detailed within the application have been fully implemented all to the satisfaction of the Council as Planning Authority.
11. The development shall be in accordance with the requirements of the Council's Primary Education and New Housing Development Policy approved in May 2009 all to the satisfaction of the Council as Planning Authority.
12. Prior to the occupation and use of the approved development all matters regarding access, car parking, road layout, design and specification (including the disposal of surface water) and facilities for public transport in the form of bus boarders, bus stops and associated shelters within the site and on the public road adjacent to the site shall be in accordance with the standards required by the Council as Roads Authority and to the satisfaction of the Planning Authority.
13. 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

Justification

The application is contrary to the Development Plan, but the revised Housing Land Supply figures recently approved by the Council constitute a valid material consideration which in this case warrants setting aside the Development Plan.

Procedural Notes

Prior to the issue of consent the applicant shall enter into and conclude a Section 75 to cover the delivery of the flood alleviation measures to include burn realignment, ground raising, compensatory storage and increased culvert capacity much of which lies outwith the redline site and is all fully detailed within the applicant's Flood Risk Assessment and on subsequent plans and correspondence.

Informatives

1. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing

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- 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.
2. 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.
 3. No work shall be commenced until an application for building warrant has been submitted and approved.
 4. The granting of planning consent does not guarantee a connection to the main sewer and the applicant is advised to pursue these matters separately with Scottish Water.

COUNCILLOR D MELLOY LEFT THE MEETING AT THIS POINT.

- (iii) 09/01333/IPM – BRIDGE OF EARN – Erection of 22 dwellinghouses, garages and associated parking (Plots 1-22) (in principle) at Clayton Road, Burnbank, Bridge of Earn – Devonshaw Developments – Report 10/154**

Motion (Councillors W Wilson and K Lyall) – Grant, subject to the conditions contained in Report 10/154.

Amendment (Councillors A Jack and W Lumsden) – Refuse, on the grounds that:

- (i) the proposed development would lead to road safety concerns with regard to access and egress to the site;**
- (ii) the proposed development would lead to overdevelopment of the site;**
- (iii) the amenity of future occupiers would be affected due to noise issues from the nearby motorway; and**
- (iv) the proposed development would create a flood risk in relation to the site and where the surface water will go.**

Amendment – 6 votes

Motion – 4 votes

Resolved:

In accordance with the Amendment.

FOLLOWING A SHORT ADJOURNMENT THE COMMITTEE RECONVENED.

COUNCILLORS H MCDONALD, B ELLIS AND C SHIERS ENTERED THE CHAMBERS AT THIS POINT.

(2) Local Applications

(i) 09/01530/IPL – STANLEY – Erection of 35 dwellinghouses in principle on land West of Sheilhill Farm, Stanley – Zurich Assurance Ltd – Report 10/155

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

In accordance with Standing Order 53, Councillor B Vaughan, one of the Elected Members representing Ward 5, addressed the Committee, and, following her representation, withdrew to the public benches.

Resolved:

Grant, subject to the following conditions:

1. Application for the approval required by a condition imposed on this Planning Permission in Principle shall conform with the requirements of Regulation 12 of the Town and Country Planning (Development Management) (Procedures) (Scotland) Regulations 2008 and of Section 59(2) and (3) of the Town and Country Planning (Scotland) Act 2006 and, in particular, must be made before whichever is the latest of the following:
 - (i) the expiration of three years from the date of the grant of the planning permission in principle,
 - (ii) the expiration of six months from the date on which an earlier application for the requisite approval was refused, or
 - (iii) the expiration of six months from the date on which an appeal against such refusal was dismissed.
2. The development shall not commence until the following matters have been approved by the Planning Authority:
The siting, design and external appearance of the development, the landscaping of the site, all means of enclosure, the car parking and means of access to the site.
3. The proposed development shall be carried out in accordance with the approved plans herewith unless otherwise provided for by conditions imposed on the planning consent.
4. This consent relates to the site outlined red on page No 8 of the submitted Design Statement and referred to as Part 2 of that statement.
5. The development shall be laid out and designed broadly in accordance with principles as set out in the Supporting Planning and Design Statement, to the satisfaction of the Planning Authority.

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6. Prior to the occupation of any dwelling unit, the carriageway of Linn Road along the site frontage shall be widened to give a minimum width of 5.50 metres together with a 1.80 metre footway at Athole Drive constructed to the standard and specifications required by the Council to the satisfaction of the Planning Authority.
7. Prior to the occupation of any dwelling, all matters regarding access, car parking road layout design and specification, including disposal of surface water, shall be in accordance with the standards required by the Council to the satisfaction of the Planning Authority.
8. 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.
9. The proposed core paths on the south-east, north-east and north-west boundaries of the site shall not be obstructed during building works or on completion. Any damage done to the route during building works shall be made good prior to the occupation of the first house.
10. The proposal must comply fully with the requirements of the Council's approved Planning Guidance Note on Primary School Education and New Housing Developments May 2009.
11. At least 25% of the development shall constitute affordable housing as defined in the Council's Approved Policy on Affordable Housing-2005.

Justification

The application is contrary to the Development Plan but there are material considerations to justify a departure.

Informatives

The applicant is advised that in terms of Sections 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.

COUNCILLOR B VAUGHAN LEFT THE MEETING AT THIS POINT.

- (ii) **09/01864/FLL – LOGIEALMOND – Change of use of dwellinghouse to Therapeutic Child Care Home, Kindrum, Logiealmond – Mr Campbell Smith – Report 10/156**

Mr C Smith, applicant, and Mrs L Reid, on behalf of the applicant, and Mr J Fairlie and Mr H Anderson, objectors to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

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Motion (Councillors W Wilson and M Lyle) – Defer, to seek further information including from the Care Commission with regard to:

- (i) the fitness of the premises;
- (ii) the suitability of the surrounding area; and
- (iii) seeking clarification from the Care Commission over the suitability of the premises and location.

Amendment (Councillors W Lumsden and B Band) – Refuse, on the grounds that:

- (i) the site is inappropriate for any Class 8 Use given its remote location and as access to the site is not suitable; and
- (ii) the proposal is contrary to the Strathearn Local Plan 2001, Policy 2 in that it is not compatible with the surrounding use in land terms.

Amendment – 6 votes

Motion – 5 votes

Resolved:

In accordance with the Amendment.

- (iii) **09/02173/FLL – CRIEFF – Erection of extension to ground floor flat, Lower Flat, Ivy Knoll, Ancaster Road, Crieff – Mr Kenneth Halls – Report 10/157**

Mr K Halls, applicant, and Ms D Griesbach, objector to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Motion (Councillors W Wilson and W Lumsden) – Grant, subject to conditions contained in Report 10/157.

Amendment (Councillors I Campbell and H McDonald) – Refuse, on the following grounds:

- (i) The application is contrary to the Perth and Kinross Structure Plan 2003, Environment and Resources Policy 8 in that it will not protect and enhance the cultural heritage and will adversely affect the Conservation Area;
- (ii) The application is contrary to the Strathearn Area Local Plan 2001 (a) Policy 2 in that the built form does not meet the criteria of the policy; (b) Policy 5 in that the proposal does not meet the high standards of design throughout the plan area nor are the proportions in keeping with the surroundings and the proposal does not fit the location; and (c) Policy 26 in that it would harm the character and appearance of the Conservation Area.

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Amendment – 7 votes

Motion – 4 votes

Resolved:

In accordance with the Amendment.

FOLLOWING AN ADJOURNMENT THE COMMITTEE RECONVENED.

COUNCILLOR C GILLIES LEFT THE MEETING AT THIS POINT.

- (iv) **10/00006/FLL – COUPAR ANGUS – Change of house types on plots 22 and 23 at Pony Park, Forfar Road, Coupar Angus – Taylor Design Services – Report 10/158**

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 herewith, unless otherwise provided for by conditions imposed on the planning consent.

Justification

The proposal is contrary to the Development Plan, however the extant consent and the terms of consent 09/01385/FLL are material consideration which justifies approving this application.

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

(3) Council Applications

(i) 09/02239/FLL – BLAIRGOWRIE – Erection of a visitor centre with exhibition space, cafe, gift shop, retail space and associated car parking on Land 20 Metres East of 36 Lower Mill Street, Blairgowrie – BARRC – Report 10/159

Mr E Anderson, agent and Mr C Stewart, Chairman of Blairgowrie and Rattray Regeneration Company (BARRC), and Ms J Wilkin, objector to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

In accordance with Standing Order 53, Councillors B Ellis and C Shiers, two of the Elected Members representing Ward 3, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Resolved:

Grant, subject to the following conditions, with an additional condition for the provision of cycle storage:

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 accompanying approved plans, unless otherwise provided for by conditions imposed on the planning consent.
3. Prior to the commencement of development, a detailed hard and soft landscaping and planting scheme for the application site shall be submitted to and approved in writing by the local Planning Authority. The scheme shall include details of the height and slopes of any mounding or re-contouring of the site, species, height, size and density of trees and shrubs to be planted, and the scheme as approved shall be carried out and completed within six months of the occupation of the first house. Any tree, plant or shrub which, within a period of five years from planting dies becomes damaged or diseased shall be replaced with others of a similar size and species unless otherwise agreed in writing by the local Planning Authority.
4. A sample of the roof covering shall be provided and a sample panel of the new stonework showing the proposed masonry type, colour texture, face bond and pointing should be provided prior to application on site and agreed in writing all to the satisfaction of the Council as Planning Authority.
5. An effective ventilation system commensurate with the nature and scale of cooking to be undertaken shall be installed, operated and maintained such that cooking

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odours are not exhausted into or escape into any adjoining dwellings.

6. All plant or equipment (including any ventilation system) associated with the operations of the units 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 neighbouring residential premises, with all windows slightly open, when measured and/or calculated and plotted on an NR curve chart.
7. The soundproofing of the premises and the control of all amplified sound shall be such that no amplified sound is audible in any nearby residential property.
8. The delivery of goods to the premises shall take place between 0700 to 2100 Mondays to Saturdays and at no other time. The idling of delivery vehicle engines is prohibited.
9. No part of the development shall be occupied until a Travel Plan Framework (TPF), aimed at encouraging more sustainable means of travel, has been submitted and approved in writing by the Council. The TPF will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the Plan.
10. Prior to any work commencing on site, a Construction Method Statement giving details of measures to prevent pollution of the River Tay, shall be submitted to the Planning Authority for its approval, in consultation with Scottish Natural Heritage. The Statement shall provide the following information:
 - **pollution prevention safeguards**, including drainage arrangements and the possible use of siltation traps, settlement tanks and bunds;
 - **storage and disposal of materials**, including the siting of stock piles, use of buffer strips and disposal methods;
 - **construction site facilities**, including extent and location of construction site huts, vehicle equipment, and materials compound;
 - **the timing, duration and phasing of construction**, particularly in relation to salmon and lamprey migration/spawning.The Construction Method Statement, as approved and including any conditions attached thereto shall be fully adhered to during construction.
11. Secure cycle storage facilities shall be provided on-site prior to the development being brought into use, in

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accordance with details to be submitted to and agreed in writing by the Planning Authority.

Justification

The proposed development is considered to be contrary to the Development Plan, but may be approved as a departure as it involves a development which has a considerable community benefit which will create an important community/tourism asset to Blairgowrie.

Informatives

1. 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. 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.
2. No work shall be commenced until an application for building warrant has been submitted and approved.
3. 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.
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.

- (ii) **09/01672/FLL – CRIEFF – Redevelopment of Recycling Centre to include material handling building, internal access road, waste bays, unloading area and ancillary works North Forr, Broich Road, Crieff – Perth and Kinross Council – Report 10/160**

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.

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3. Prior to its bringing into use, all external lighting to be installed shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring dwellings/land and that light spillage beyond the boundaries of the site is minimised, all to the satisfaction of the Council as Planning Authority.
4. All vehicles associated with the Materials Handling Building, including the loading shovel, shall be fitted with low noise, white sound reversing alarms or only emit a warning if necessary, e.g. on an infrared signal which detects persons to the rear of the vehicle.
5. All fixed plant or equipment to be installed or operated in connection with the granting of this permission shall be so enclosed, attenuated and/or maintained such that noise therefrom shall not exceed International Standards Organisation (ISO) Noise Rating 35 between 0700 and 2300 hours, or Noise Rating 25 between 2300 and 0700 hours, within any neighbouring residential premises, with windows slightly open when measured and/or calculated and plotted on an ISO rating curve chart.
6. The temporary siting of the skips within the area hereby approved as a car parking area shall be for a period of not more than eight months from their initial siting. At the expiration of that period, or earlier if possible, the skips shall be removed and the authorised use as a car park shall be implemented, to the satisfaction of the Council as Planning Authority.
7. Prior to the commencement of works on site, full details and specifications for all proposed lighting columns shall be submitted for the further approval of the Council as Planning Authority. The scheme as subsequently agreed shall be implemented as part of the permission, to the satisfaction of the Planning Authority.

Justification

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

Informatives

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

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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 (Scotland) 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 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. 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.

(iii) 09/02156/FLL – METHVEN – Erection of 20 affordable dwellinghouses at Lyndoch Road/Rorrie Terrace, Methven – Perth and Kinross Council – Report 10/161

Resolved:

Grant, subject to the following conditions:

1. The development shall be commenced within a period of three years from the date of this consent.
2. The proposed development must be carried out in accordance with the accompanying approved plans unless otherwise provided for by conditions imposed on the planning consent.
3. Prior to the occupation of any dwelling, all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the Council's approved standards to the satisfaction of the Planning Authority.
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.
5. Prior to the occupation of the houses, the watercourse adjacent to the site for a distance of 300 metres upstream and downstream of the site shall be inspected and cleared of any impediments likely to create any obstruction to the free flow of water, all to the satisfaction of the Planning Authority.
6. A detailed landscaping plan for the site shall be submitted to the Planning Authority for approval prior to the commencement of any work. This plan shall provide full

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specifications for all planting work within open spaces area, the construction of remote footpaths, boundary treatment and ongoing maintenance. The approved plan shall be implemented concurrently with the progress of development and thereafter all landscaped areas shall be maintained to the satisfaction of the Planning Authority.

7. Samples of all finishing materials shall be submitted to the Planning Authority for approval prior to the application thereof.

Justification

The application is in accordance with the Development Plan and there are no material considerations to justify a departure.

Informatives

1. 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.
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.

- (iv) **10/00025/FLL – PERTH – Formation of a recycling point at Tulloch Institute 2 Tulloch Terrace, Perth – Perth and Kinross Council – Report 10/162**

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 accompanying approved plans, unless otherwise provided for by conditions imposed on the planning consent.

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3. Prior to the commencement of development details of the colour of the timber screen shall be submitted to and approved in writing by the Planning Authority. Thereafter the screen shall be installed and retained in accordance with the approved details all to the reasonable satisfaction of the Planning Authority.
4. For the avoidance of any doubt the proposed timber fencing/acoustic screen will have a minimum mass per unit area of 15kg/m² and shall be installed around the recycling point prior to the facility being brought into operation and retained thereafter all to the reasonable satisfaction of the Planning Authority unless otherwise agreed in writing.

Justification

Overall the application is considered to comply with the adopted Perth Area Local Plan 1995. The Development Quality Manager has taken account of material considerations and finds none that would justify overriding the adopted Development Plan.

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. This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning (Scotland) 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 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.

- (v) **10/00034/LBC – CRIEFF – Repainting of bandstand, reconfiguration and refurbishment of railings, MacRosty Park, Comrie Road, Crieff – Perth and Kinross Heritage Trust – Report 10/163**

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

Procedural Notes

The application requires to be referred to Historic Scotland for the issuing of the decision notice.

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. An application for Building Warrant may be required.

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