

Perth and Kinross Council
Development Control Committee – 17 February 2010
Report of Handling by Development Quality Manager

Erection of a hangarage including offices and pilot amenities (planning permission in principle) on land at Balado Park, Milnathort

Ref No: 09/01548/IPL
Ward No: 8 – Kinross-shire

Summary

This report recommends Conditional Approval, subject to a Legal Agreement, for the erection of a new hangar building for the storage, maintenance and operation of light and rotary wing aircraft, and to include offices and pilot amenities in connection with existing flight activities on land at Balado Park. The application site is located on part of the land at Balado Park, an established outdoor activity centre.

BACKGROUND AND DESCRIPTION

- 1 Balado Park is part of the former Balado Airfield which is located on the south side of the A91, Kinross to Stirling road, approximately 1.5km west of the M90 Motorway. Vehicular access to the site is by way of a surfaced lane from the A91. The application site is located in the north-west corner of the Balado Park site. The site runs to 0.2ha
- 2 Outline planning permission is sought for the erection of single new, detached building. A supporting plan detailing proposed drainage facilities indicates a building footprint of 12m x 40m. A supporting statement is presented as part of the submission and identifies that over the past two decades aeronautical activities of micro-light and rotary wing aircraft have grown from small beginnings to a level where Balado Park receives repeated requests from pilots wishing to store and operate their own aircraft from the site (on both a long and short term basis). The applicant sets out a desire to satisfy and build upon current demand through the provision of new storage and maintenance facilities. The statement contends that the proposal would create several full time and full time equivalent jobs for the Kinross-shire area. In addition to aircraft hangarage facilities the proposal would include office space, a pilots' lounge, briefing rooms and visitor amenities. It is understood that relocation of hangar/workshop facilities to the northern part of the Balado Park site would present an improvement in visitor safety by removing the present arrangements whereby visitors to the site are required to cross the runway to access reception, storage and workshop buildings.
- 3 Balado Park presently offers two small, pre-fabricated hanger facilities in the south-east corner of the site. Pegasus Flight Training school, a commercial business, has operated from the site for the last 12 months offering year-round, 7 day week aircraft training facilities utilising micro-light aircraft.
- 4 This is an application in principle with all matters of detail (means of access, siting, design and landscaping) reserved for future approval.

- 5 Balado Park lies within the Loch Leven Drainage Catchment Area and a notifiable pipeline runs through the site.

NATIONAL POLICY AND GUIDANCE

Scottish Planning Policy (October 2008)

- 6 Sets out the Government commitment to the realisation of an up-to-date planned system in which succinct development plans set out ambitious long-term visions for their area.
- 7 Identifies that planning decisions are required to be made in accordance with the development plan unless material considerations indicate otherwise. Material considerations should be related to the development and use of land. Where a proposal is in accordance with the development plan, the principle of development should be taken as established and the process of assessment should not be used by the planning authority or key agencies to revisit that.
- 8 Conditions imposed on the grant of planning permission can enable development proposals to proceed where it would otherwise have been necessary to withhold planning permission. While the power to impose conditions is wide, it must be exercised in a manner which is fair, reasonable and practicable and the conditions imposed must accord with the established tests set out in Circular 4/1998.

SPP2 Economic Development

- 9 Identifies that the planning system has an important role to play in supporting a competitive Scotland by deciding planning applications for economic development in an efficient and consistent manner on the basis of positive and up-to-date development plans.
- 10 It is highlighted that the planning system should recognise and respond positively to market requirements and other aspirations for the economy, and should be sufficiently flexible to respond to new challenges and unpredicted demands.

SPP15 Rural Development

- 11 Encourages a supportive attitude towards appropriate development in rural Scotland. It identifies that Planning Authorities should support a wide range of economic activity in rural areas and seek environmental enhancement through development at every opportunity.

PAN 51 Planning, Environmental Protection and Regulation

- 12 Identifies that Planning legislation provides for a co-ordinated approach to improving the quality of the built environment and safeguarding the natural environment. The Advice note identifies that all human activities that can have a harmful effect on the water environment but can be controlled by

establishing a framework for co-ordinated controls on water abstraction and impoundment, engineering works near watercourses, and all forms of pollution to water through a system of river basin management to reduce levels of pollution and protect habitats. It is advised that Planning Authorities are expected to consider whether development proposals could have a significant effect on a European site and, if necessary, for such plans to undergo an appropriate assessment. Scottish Natural Heritage (SNH) are required to advise planning authorities and other agencies responsible for controlling pollution on whether development proposals are likely to cause damage to natural habitats and to advise on appropriate measures to protect key sites.

PAN 56 Planning and Noise

- 13 Identifies that the planning system does have an important role to play in preventing and limiting noise pollution. It is recognised that although the planning system cannot tackle existing noise problems directly it has the task of guiding development to the most suitable locations and in regulating the layout and design of new development. The noise implications of development can be a material consideration in determining applications for planning permission.
- 14 The guidance note offers some advice on noise issues associated with larger Civil and Military Aerodromes and Helicopter and Heliport Noise, but no specific guidance in relation to smaller scale micro-light operations. It is recognised that Noise from aerodromes is likely to include activities such as engine testing and ground movements as well as aircraft landing and taking off.
- 15 The guidance includes the following in relation to flight activities:
 - Where land is subject to significant levels of aircraft noise, or is likely to become so planning authorities should seek the co-operation of aerodrome management in reaching appropriate forecasts of air traffic and its effect on noise contours. The objective will be to achieve a clear and stable pattern of constraints against which development control decisions can be made.
 - In relation to helicopter flying routes it is advised that planning applications for heliports should be supported by such information along with information about take offs/landings. It is identified that where such information is not included with any application the planning authority may request it. It is further advised that while it is appropriate that planning authorities should request information about proposed flight routes, they should appreciate that the planning system is concerned with land use; not the use of air space. In particular, planning conditions relating to flight routes are likely to be inappropriate.

DEVELOPMENT PLAN

- 16 The Development Plan for the area comprises the Approved Perth and Kinross Structure Plan (2003) and the Adopted Kinross Area Local Plan (2004)

Perth and Kinross Structure Plan 2003

Sustainable Economy Policy 3

- 17 Provides support to measures which promote an integrated flexible and innovative approach to rural development which encompass economic, social, and environmental considerations and which maintain or enhance local employment opportunities and help to sustain viable rural communities and services.

Environment and Resources Policy 1

- 18 Identifies that the Council will seek to safeguard the long term diversity and sustainability of species and natural habitats in Perth and Kinross.

Environment and Resources Policy 2

- 19 Identifies that the protection and conservation of wildlife and habitats will be supported. Development affecting areas designated as being of national or international importance will only be permitted where it can be demonstrated that the objectives of designation and the overall integrity of the area will not be damaged, there are no alternative solutions; and there are imperative reasons of overriding public interest including social or economic considerations.

Environment and Resources Policy 10

- 20 Identifies the requirement for the use of sustainable drainage solutions to regulate surface water run-off from new developments.

Making it Happen Policy 1

- 21 Identifies that the Council will use S75 legal agreements where appropriate to address deficiencies in facilities or infrastructure created by new development.

Kinross Area Local Plan 2004

- 22 The site lies within the landward area as identified in the Kinross Area Local Plan 2004, outwith the settlement boundary for Milnathort.

The principal relevant policies of the Plan are summarised:

Policy 1 Sustainable Development

- 23 Sets out a development strategy based on sustainable principles. The policy identifies that key considerations include the maintenance and improvement of the quality of the natural environment and the conservation of biodiversity.

Policy 2 Development Criteria

- 24 Provides criteria by which all developments will be judged. In particular, that the development should have an acceptable landscape framework, should have regard to the scale, form, colour and density of development within the locality and should not result in a significant loss of amenity to the local community.

Policy 3 Health and Safety Consultation Zones

- 25 Identifies that the Council will seek the advice of the Health and Safety Executive on the suitability of any proposal within the consultation zone of any notifiable installation.

Policy 5 Landscape

- 26 Indicates that landscape character should be strengthened and enhanced through new development proposals.

Policy 6 Design and Landscaping

- 27 Identifies the Council's commitment to the attainment of high standards of design within the Plan area. Particular consideration will be given to the issue of landscape fit and to ensure that the proportions of any building are in keeping with its surroundings

Policies 10 -12 Drainage within Loch Leven Catchment Area

- 28 Set out the criteria for drainage within the Loch Leven Catchment Area. New development is required to secure a sustainable net reduction of phosphates within the Loch Leven catchment area.

Policy 14 Surface Water Drainage

- 29 Identifies that surface water drainage should accord with the management practices set out in SEPA's Sustainable Urban Drainage Systems Manual.

Policy 19 Nature Conservation International Sites

- 30 Identifies that development affecting conservation interests for which a Special Protection Area or Ramsar site has been designated will be limited to those which will not adversely affect the integrity of the site or where there are over-riding reasons of public interest

Policy 21 National Nature Reserves and Sites of Special Scientific Interest

- 31 Identifies those developments affecting SSSI's will not normally be permitted where the objectives of designation and the overall integrity of the designated area would be compromised.

Policy 51 Rural Diversification

- 32 Identifies that support will be given for landowners seeking to diversify existing businesses which create additional permanent local employment or provide additional recreational facilities provided that site planning is satisfactory, there will be no adverse affect on local amenity, satisfactory vehicular access can be secured, the viability of any agricultural unit will not be compromised and any new buildings are in keeping with the scale of existing buildings.

Policy 55 Tourist Uses

- 33 Identifies the site at Balado Park as an area of predominantly tourist related uses and seeks to safeguard existing land uses.

OTHER POLICIES

- 34 None.

SITE HISTORY

- 35 PK98/0037 - Change of use of land to Class 11 use (assembly and leisure) plus motor sports and funfairs at Balado Activity Centre- Conditionally approved March 1998. This planning application permitted micro light activity at the site. The permission is subject to a condition limiting permission for a temporary period expiring 31 December 2010.

CONSULTATIONS

- 36 Transportation Planning – No objections.
- 37 Scottish Water – No objection. Confirms that there are no public sewers in the vicinity and that capacity exists to serve the development at Glendevon Water Treatment Works.
- 38 SEPA – Initial objection removed following the submission of phosphorous mitigation measures and subject to the inclusion of a planning condition on any permission to secure a SUD system of drainage
- 39 SNH – Objection unless phosphorous mitigation measures are secured through a Legal Agreement to ensure that the integrity of the Loch Leven SPA and RAMSAR site is not materially compromised by the foul drainage proposals to serve the new building. An Appropriate Assessment is advised.

- 40 BP – No objections: advise that applicant liaises with Wayleaves Office throughout construction stage should a planning approval be forthcoming.
- 41 Environmental Health – No objections subject to the inclusion of conditions on any permission to ensure that all maintenance work on micro-lights is undertaken within the proposed hangar building; and that noise from activities within the hangar building is not perceptible at the nearest noise sensitive property.

REPRESENTATIONS

- 42 Seven letters of support have been submitted raising the following issues:
- a purpose built hangar facility is much needed and would be an enhancement to existing operations;
 - the site is well placed geographically to take advantage of an increase in popularity of this form of flying; and
 - that the development would generate social, economic and employment benefits.
- 43 In addition a supporting statement is presented from the applicant. This refers to the aeronautical activities of micro-light and rotary wing aircraft growing from small beginnings 20 years ago to a level where Balado Park now receives repeated requests from pilots who wish to store and operate their aircraft from the site. The aspiration to build upon the current demand is highlighted. It is contended that the proposal will facilitate the creation of several full time and full time equivalent jobs for the Kinross-shire area.
- 44 Twenty-five letters of objection have been submitted from 23 separate households. The following concerns are raised:
- Noise and amenity concerns are generated by existing flight activities at the site. Proposal has the potential to increase the number of planes operating from the site bringing with it an increase in noise nuisance;
 - Loss of privacy from overflying of residential property;
 - Adequate facilities already exist at other airport locations within the area;
 - Threat to public safety in the event of accident from increase flight operations;
 - Inadequate information. Unclear on the number of planes presently giving rise to noise nuisance. Unclear whether proposals would result in expansion of airfield operations and so intensify noise nuisance;
 - Detriment to wildlife from increased flight operations;
 - Affect on quiet enjoyment of countryside amenity;
 - Effects on public health from noise generated by micro- light aircraft;
 - Detriment to local businesses which trade on quiet rural location from further noise nuisance;
 - Any economic benefits arising from proposal outweighed by amenity concerns caused by noise from aircraft movements;
 - Low flying aircraft have the potential to distract vehicle users of adjacent road network affecting road safety;

- Promotion of site as a centre for excellence would encourage unsustainable travel patterns.

45 Late letters of objection were also received but raise no new issues.

46 **Additional Statements Received**

Environmental Statement:	Not required
Screening Opinion:	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment:	Required
Design Statement or Access Statement:	Not required
Report on Impact or Potential Impact:	Not required

APPRAISAL

47 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise. The adopted Development Plan for this area comprises the Perth and Kinross Structure Plan 2003 and the Kinross Area Local Plan 2004.

Development Plan

48 Although in a countryside location, outside of any settlement boundary, the erection of an ancillary building to serve an existing, established commercial operation would not conflict with the provisions of the Development Plan provided that detailed planning issues are satisfied. Other material considerations which fall to be considered in this case and weighed against the provisions of the Development Plan comprise: planning history; use, access, landscape impact, drainage and habitat effects, noise, effects on amenity, pipeline hazard and representations. These issues will be examined in detail below.

Planning History

49 The planning history section of this report identifies that a temporary planning approval for micro-light flying activities at Balado was first granted more than 10 years ago. The Balado Park Activity Centre, of which the micro-light flying formed a core activity, was first established as a diversification of the applicants farming business. The site as a whole benefits from a temporary planning approval (ref PKC 98/0037) which will lapse in December of this year. A separate planning application has been submitted to make permanent the activities carried on from the site (ref 09/01289/FLL). An Environmental Impact Assessment is needed to support that application, which, although requested has yet to be submitted.

50 The flying activities carried on from the site are bound, through the current planning approval by the following planning condition:

51 “No activity shall be permitted on the site which would result in an increase in the existing ambient noise level at the nearest residential properties other than for events which are covered by specific licence conditions.”

52 Flying hours are limited by condition from 9am to sunset but no conditions on that permission limit the number of micro-lights or rotary wing aircraft which may operate from or be stored at the site.

Use

53 The current application is for a hangar and service building only, as an ancillary facility for a longstanding activity.

54 Present workshop/storage facilities are sited some distance from any residential properties.

55 The new facility would be introduced to a part of the site not intensively used at present. Vehicle movements, pedestrian activity and equipment servicing/repair would follow with the introduction of such a facility. Such a use would be appropriate in this location provided that acceptable effects on local amenity would result.

Noise, Effects on Amenity

56 Members may note from the planning history section of this report that the application which has been submitted to make permanent all the activities at Balado Park, including micro-light flying and helicopter landing, will be the subject of an Environmental Impact Assessment. Details of the scale of flying operations and the noise associated with that activity has been requested as part of that EIA.

57 A significant number of representations to the hangar application have been submitted expressing concern about existing noise from micro-light flying from the site and contending that the proposals set out in this application would provide for an intensification of flight activity from Balado Park.

58 In this context information has been requested from the applicant in relation to:

- details of existing hangar facilities at Balado Park and whether these would be removed should a detailed consent be obtained and implemented.
- The scale of activity currently operated from the site (number of flights, number of planes stored); and
- Whether it is envisaged that the new facility would enable an increase in flight school membership, services, use and flights – if so whether this could be quantified?

59 A response to these specific points has not been submitted.

60 Instead the applicant has identified that no actionable complaints have been submitted to the Council in relation to flying activities at the site; that the

nearest dwellings to Balado Park have not raised objection, that no acoustic evidence has been submitted from objectors in relation to aircraft noise, that engine noise is required to meet limits set by the CAA through a system of Noise certification and that the circuit pattern for aircraft flying from Balado Park is set at 600m (where CAA requirements are 500m) and are directed away from residential properties as far as possible.

- 61 Members will note that this application is in outline and seeks consent for the erection of a building only. The nearest building to the site is a commercial seed merchant's storage/distribution facility and office. The nearest noise sensitive dwelling is approximately 250m to the north of the proposed building and separated from the application site by a tree belt and the A91.
- 62 Potential for noise from activities carried out from the new building would exist (engine testing, power tool repairs etc). Environmental Services confirm that workshop noise from the hangar building could effectively be controlled by way of a planning condition on any new approval. This could ensure that all repair and testing takes place from within the building and that noise from activities within the hangar and pilot facilities are not perceptible at the nearest noise sensitive property.
- 63 Vehicle Movements to and from the site would be by way of the existing principal access route which serves the site direct from the A91. A single dwelling faces the entrance on the opposite side of the A91. Vehicle movements associated with use of the new facility would not adversely affect the amenity of the area or nearby residential property to any material extent.
- 64 Concerns about facilitating an increase in the number of aircraft stored at Balado Park and flown from the site are noted. It should be pointed out that this is an outline application for an ancillary facility to an existing, longstanding activity. It does not automatically follow that intensification of flight activities would be a direct consequence of any new building permitted.
- 65 In relation to the concerns about aircraft noise from current flight operations, it may be noted that micro-light aircraft noise emission standards are set by the CAA and certified aircraft will be obliged to meet such standards as a separate licensing requirement. Noise information relating to flight activity would be included as part of the Environmental Impact Assessment which has been requested to support the planning application which seeks to make permanent the use of the site for a number of recreational activities including micro-light flights. The purpose of the original temporary planning approval was to review the effect of activities at the site. If current flight operations have now got to a scale which is problematic in amenity terms this would be considered fully as part of the application for renewal of flying activities at the site.
- 66 Any concerns about noise from existing flight operations can be separately investigated under the present planning approval. Environmental Services and Planning Enforcement have confirmed that to date no complaints have been received in relation to any on-ground noise from current micro-light activity and

Environmental Services confirm that they have no statutory controls to deal with noise from micro-light flying operations.

Access

- 67 Vehicular access to the application building would be by way of the existing surfaced lane from the A91. The proposals would not give rise to any material increase in vehicle movements to and from the site. Visibility from the access is effective and the Councils Transportation Service raise no objections.

Landscape Impact

- 68 This is an outline planning application with detailed appearance of the building reserved for future approval. A sizeable floor area is identified on the supporting drainage plan (480sqm). In landscape terms, the building would rest against a backdrop of established trees and would be in close proximity to sizeable seed storage buildings immediately to the north west of the site. Height, form, design, materials and colour could be appropriately controlled at the reserved matters stage.
- 69 The site lies outside of the Area of Great Landscape Value (AGLV). Although visible across a wide area, through careful design treatment and the incorporation of appropriate new planting, an acceptable landscape fit could be secured in this location. Appropriately worded conditions to secure effective design and landscaping could be included as part of any planning approval for a new hangar facility.

Foul and Surface Water Drainage and Habitat effects

- 70 The site is located within the Loch Leven Catchment Area where Local Plan policies seek to secure phosphate reduction measures in the interests of maintaining the Conservation value and interest of the Loch (SSSI, SPA RAMSAR).
- 71 Scottish Water confirms that there are no mains drains available to serve the site. The proposals indicate a private system to deal with foul flows from the site.
- 72 Scottish Natural Heritage raise objection to the application unless conditions and a Legal Agreement form part of any planning approval to deliver and sustain the phosphate reduction gains necessary to meet Local Plan Policy objectives. The applicant sets out a strategy for delivering the 125% reduction. This would be secured by upgrading existing septic tank facilities at Balado Park which serve a former air traffic control building and through the introduction of a new secondary treatment works with chemical dosing (to discharge below 2mgP/l) to serve the new Hangar facility. The treatment works would discharge to new soakaways. To limit flows to the foul system it is advised that a separate SUDs system is incorporated to deal with surface water drainage. This is shown as part of the sketch layout and could be secured by way of condition on any planning approval. In addition wash down

collection facilities would be incorporated as part of the hangar facility with trapped water disposed outside of the Loch Leven Catchment Area.

- 73 An Appropriate Assessment of the implications of the proposal at this site has been undertaken. The assessment acknowledges that the development could have a significant effect on the qualifying interests of Loch Leven SPA and Ramsar site, however, through consultation with SNH and on the basis of the information presented it is concluded that compliance with planning conditions and the inclusion of a Legal Agreement as part of any planning permission could prevent any potential adverse impact on the integrity of the protected site and habitat.

Pipeline Hazard

- 74 The building is proposed to be sited adjacent to a major hazard pipeline which runs through the land at Balado Park. This is an outline application with the issue of siting reserved for future consideration; however the drainage plan submitted shows the building positioned parallel to the pipe route, within 5m of it.
- 75 The pipeline operator raises no objection to the proposals but advises that should a planning approval be forthcoming, the developer should, at construction stage, liaise closely with the Wayleaves Office. An informative on any planning approval notice would alert the applicant to this requirement.
- 76 The safety risks associated with building close to the pipeline are a material planning consideration; accordingly the advice of the Health and Safety Executive has been sought.
- 77 A HSE consultation using its planning advice software tool has been carried out in this instance. The padhi+ process is a computer modelled risk assessment based on information entered in response to specific questions raised by the computer programme. A scale of sensitivity is used to define the vulnerability of a development population to major accident hazards. It is based on pragmatic criteria; the type of development, use of building and numbers of vulnerable people likely to be present and exposed to risk. The scale ascends from Level 1 to Level 4: the more vulnerable the population, the higher the sensitivity level.
- 78 The HSE assessment indicates that the risk of harm to people at the proposed development is low (sensitivity level 1) and , as such there are insufficient reasons on safety grounds to advise against granting planning permission for the development.

REPRESENTATIONS

- 79 Most of the issues raised in the representations are covered in this appraisal. Additional points made and not covered relate to (i) the flying activities from the site constituting a distraction to road users, and (ii) the proposed facilities promoting unsustainable travel patterns because of the countryside location.

80 In response it may be noted that the existing flight operations do not form part of this application, and the facilities proposed would be an ancillary facility to the current operations at Balado Park and seek to improve upon existing arrangements. Accordingly it is not considered that these concerns can be regarded as overriding in this instance.

LEGAL AGREEMENT

81 A legal agreement will be required for the removal of the existing foul drainage facilities at the site; the provision of a new foul drainage system and long term maintenance to ensure agreed of phosphate discharge levels.

DIRECTION BY SCOTTISH MINISTERS

82 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, regulations 30-32 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

83 The principle of a service and amenity building associated with an existing, longstanding, recreational use at Balado Park is proposed. The application is in outline with detailed matters of siting, design, finishing materials and landscaping all reserved for subsequent approval.

84 In visual terms the proposals would secure an acceptable landscape fit and technical issues relating to the sites development can be adequately addressed through the use of conditions, and at the detailed design stage.

85 Through the use of a legal agreement forming part of any planning approval the integrity, interest, and value of the Loch Leven SPA and Ramsar site can be safeguarded.

86 Whilst concerns have been expressed about existing noise from flying operations at Balado Park, it may be noted that noise generated from repair/maintenance operations within the building could be effectively conditioned to safeguard amenities of residential occupiers in the immediate area of the site.

87 Conditional Approval is therefore recommended together with a S75 Legal Agreement to deliver and sustain the phosphate mitigation measures.

RECOMMENDATIONS

A: Approve subject to the following conditions:

1 The development shall not commence until the following matters have been approved by the Planning Authority: the size, siting, design and external

appearance of the development, the landscaping of the site, all means of enclosure, the car parking and vehicle turning facilities within the site , finishing materials, levels (existing and proposed); means of foul and surface water drainage ; means of ventilation and odour control /discharge to the workshop; means of noise attenuation, all means of site and building illumination.

- 2 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 3 years from the date of the grant of the planning permission in principle,
 - (ii) the expiration of 6 months from the date on which an earlier application for the requisite approval was refused, or
 - (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed.
- 3 The Planning Permission in Principle for this development lapses on the expiration of 2 years from this approval (or, in the case of the approval of different matters on different dates, from the requisite approval for the last such matter being obtained) unless the development to which the permission relates is begun before that expiration.
- 4 The detailed landscaping proposals required to be approved by condition 1 of this permission shall include the provision of a planting belt along the western edge of the application site. Full details shall include plant species, whip sizes and distribution and the approved planting belt shall be planted out in full by the end of the first planting season following the new building being first occupied. Any tree, shrub or plant which within a period of 5 years from the date of planting dies, becomes damaged or diseased shall be replaced by others of a similar size or species unless the Local Planning Authority provides prior written approval to any variation.
- 5 All aircraft maintenance work and engine testing shall be carried out from within the building only.
- 6 Noise from activities within the hangarage and pilot facilities hereby approved shall not be audible at any noise sensitive properties.
- 7 Prior to the new building hereby approved being first brought into use, facilities for the on-site collection and storage of wash-down residues shall have been installed in accordance with details which previously shall have been submitted to and approved in writing by the Local Planning Authority.

Arrangements for disposal of all collected waste water outside of the Loch Leven Catchment Area shall also be submitted to and approved in writing by the Local Planning Authority and the operation of collection and disposal shall fully accord with those details approved

- 8 The surface water drainage details reserved for future approval by condition 1 of this permission shall incorporate three levels of sustainable urban drainage (SUDs) treatment.
- 9 Prior to the new building hereby approved being first brought into use the existing foul drainage facilities serving the former Air Traffic Control building at Balado Park shall have been upgraded from septic tank to secondary treatment works in accordance with details which previously shall have been submitted to and approved in writing by the Local Planning Authority.

Reasons

1. In accordance with the terms of Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc (Scotland) Act 2006.
2. This is a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006.
3. In accordance with the terms of Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc (Scotland) Act 2006.
4. To effectively assimilate any new building into the landscape in the interests of the amenity of the area.
5. To clarify the extent of the permission for the avoidance of doubt and to minimise noise from workshop/repair activity at the site in the interests of the amenity of the area.
6. To clarify the extent of the permission for the avoidance of doubt and to safeguard the amenities of the occupiers of nearby residential properties.
7. To clarify the extent of the permission for the avoidance of doubt and to ensure details are acceptable to the Local Planning Authority in the interest of safeguarding the water environment within the Loch Leven Drainage Catchment Area and to safeguard water quality within the SPA and Ramsar site.
8. To clarify the extent of the permission for the avoidance of doubt and to prevent pollution of the water environment.
9. To clarify the extent of the permission for the avoidance of doubt and to prevent pollution of the water environment.

B JUSTIFICATION

The proposal accords with the policies of the Development Plan and there are no material reasons which justify departing from the Development Plan or refusing the application.

C PROCEDURAL NOTE

Planning consent shall not be issued until a Section 75 Agreement has been signed in respect of the following issue:

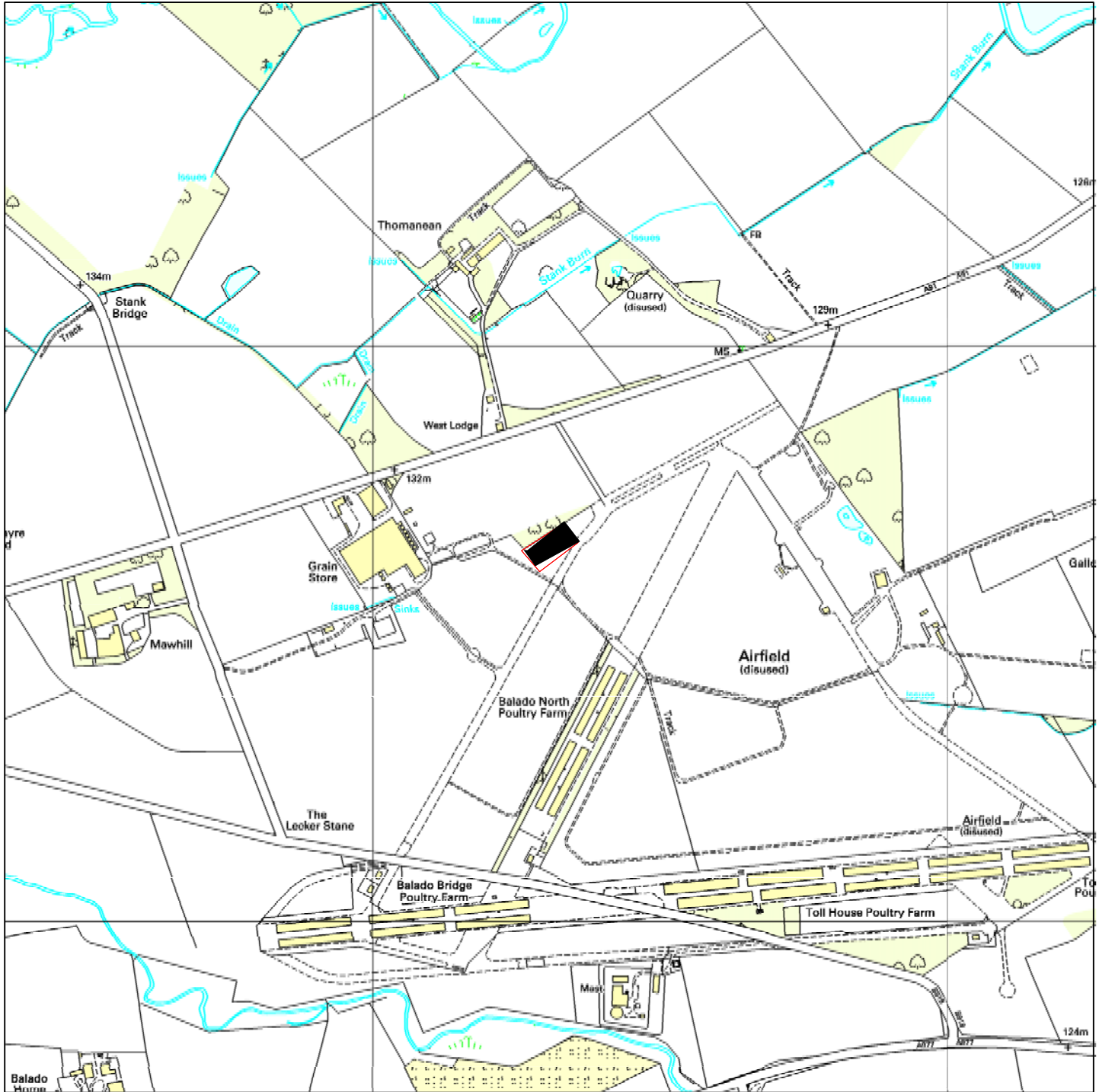
Deliver the necessary phosphate mitigation measures for the Loch Leven Catchment Area.

D INFORMATIVES

The applicant, developer, or agent, is advised to contact BP North Sea Infrastructure Wayleaves Office at Hadrian House PO Box 21 Bo'ness Road, Grangemeouth FK3 9XH prior to the undertaking of any construction works associated with this development.

Background Papers: 32 letters of representation
Planning Officer: Garry Dimeck Ext 76337
Date: 25 January 2010

**Nick Brian
Development Quality Manager**



Scale : 1:10000

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Department	Planning
Comments	
Date	21 January 2010
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