

DEVELOPMENT CONTROL COMMITTEE

Minute of Meeting of the Development Control Committee held in the Council Chambers, Fourth Floor, Council Building, 2 High Street, Perth on Wednesday 7 June 2006 at 9.30am.

Present: Councillors Barnacle, Caddell (until 06/00634 (Art. 391(17))), Cowan (substituting for Councillor Bushby), Culliven (substituting for Councillor Howie), E Grant, Hulbert, Livingstone, Lumsden (until 06/01031/FUL (Art. 391(22))), Lyall, McDonald, McEwen and Young.

Apology for Absence: Councillor MacLellan

Attending: Councillor Ellis; I Sleith, J Robertson, G McFarlane, B McNaughton, J Williamson and A Fleming (all The Environment Service); G Fogg and Y Oliver (Corporate Services).

Councillor Lumsden, Convener, Presiding.

386. WITHDRAWAL OF APPLICATIONS

The Committee noted that the following planning applications had been withdrawn:

- (1) 06/00495/FUL – CROOK OF DEVON – Extension to dwellinghouse at Aitken Cottage, Main Street, Crook of Devon – Mr & Mrs Steven Nicoll – Report 06/399.
- (2) 06/00935/FUL – SCOTLANDWELL – New internal bathroom and first floor extension of sun room at Craigard, Lochgelly Road, Scotlandwell, Kinross – J R Hughes and J A Close– Report 06/411.

387. DECLARATIONS OF INTEREST

In terms of the Councillors' Code of Conduct, Councillor Lumsden declared a non-financial interest in planning application 06/00567/FUL (Art. 392(1)) and a financial interest in planning application 05/02230/FUL (Art. 393(24)); and Councillor Caddell declared a non-financial interest in planning application 05/02230/FUL (Art. 393(24)).

388. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Development Control Committee of 10 May 2006 (Arts. 305-315) was submitted, approved as a correct record and authorised for signature.

389. DEPUTATIONS

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

<u>Planning Application No.</u>	<u>Article No.</u>
05/00525/FUL	391(1)
05/00527/FUL	391(2)
05/01435/FUL (Amended)	391(3)
06/00015/MOD	391(5)
06/00099/FUL	391(6)
06/00196/OUT	391(7)
06/00423/FUL	391(8)
06/00434/FUL	391(10)
06/00527/FUL	391(12)
06/00559/LBC	391(13)
06/00634/FUL	391(16)

The Committee unanimously agreed in terms of Standing Order 19 to vary the order of business.

390. PLANNING APPLICATION PREVIOUSLY CONSIDERED

- (1) **04/00976/FUL – ABERFELDY – Proposed use of back shop as a kitchen for food preparation at 13 Dunkeld Street, Aberfeldy – Mr Steven Dow – Report 06/441 (Arts. 05/428 and 05/358).**

The Committee noted that in terms of Standing Order 18, Councillors Culliven, E Grant and Livingstone had not been present during consideration of this application at the meeting on 8 June 2005 and they did not participate in the discussion or the taking of the decision today.

Resolved:

Grant, subject to the following conditions:-

1. The proposed development must be carried out in accordance with the approved plans unless otherwise provided for by conditions imposed on the planning consent.
2. An adequate ventilation system shall be installed, operated and maintained such that nuisance from odours, fumes or smoke is not carried to neighbouring residents.
3. The ventilation system shall incorporate an electrostatic precipitator or alternatively the ventilation duct shall terminate at chimney height level.
4. Additional high level vents shall be positioned in the kitchen to remove odours from the cooling areas. These shall be ducted into the existing system.
5. Full details of proposed changes to the ventilation system shall be provided to the Council prior to any work being carried out.
6. The recommendations in the technical report reference 0943λ01λR dated 25 July 2005 from Charlie Fleming Associates shall be implemented in full to the satisfaction of the Council as Planning Authority.
7. Any alterations or additions to the ventilation system shall be carried out in such a way as to prevent noise transmission to the adjoining properties.
8. All works must be carried out within 2 months of the date of this approval.

391. PLANNING APPLICATIONS FOR DETERMINATION

- (1) **05/00525/FUL – FORGANDENNY – Change of use for the creation of a paintballing facility to form part of an adventure activity centre at Ardargie Mains Farm, Forgandenny – Mr A Gammell – Report 06/389.**

The Committee noted that an additional letter of objection which had been received since the committee papers were issued did not raise further considerations.

Mr Lindsay, representing the Ardargie Proprietors' Association and also representing Mrs H Morrison, objectors to the application, addressed the Committee and following his representation, withdrew to the public benches. Although Mr Cantlay, an objector to the application, had requested a deputation to speak on this application, he indicated that he had nothing further to add to Mr Lindsay's representation, and declined the opportunity to address the Committee.

Resolved:

Grant, subject to the following conditions:-

1. Consent is granted for a limited period of 3 years from the date of approval and after such time the use of the land for the operation of a paintballing

facility shall be discontinued permanently and the site reinstated to its former condition unless the prior consent of the Planning Authority has been obtained in writing for a further period of the use.

2. The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed by the planning consent.
3. The hours of operation shall be restricted from 0900 hours to 1800 hours on a daily basis.
4. A maximum of 20 participants shall be involved in any paintball activity at any one time.
5. No amplified music or vocals shall be played on the paintballing site and pyrotechnics during the games are prohibited.
6. Any practice area proposed as part of this facility should be enclosed by a 2.5m high closely boarded timber fence to the approval of the Planning Authority.
7. The vehicular access shall be formed in accordance with the Council's Roads Development Guide type C Figure 5.7 access detail to the satisfaction of the Council as Planning Authority.
8. The gradient of the access shall not exceed 3% for the first 6.00 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public highway.
9. Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.
10. Visibility splays of 4.50m x 70.00m measured from the centre line of the new access shall be provided in both directions along the nearside channel of the "insertion" prior to the occupation of the development and thereafter maintained free from any obstruction of a height exceeding 1.05 metres above the adjacent road channel level.

The Committee unanimously agreed to impose a further condition as follows:-

11. A new inlet supply pipe to feed the first settlement trap shall be installed and a new source located to prevent the contamination of the private water supply from the paintballing activity to the satisfaction of the Planning Authority.

(2) 05/00527/FUL – FORGANDENNY – Change of use for the creation of an off road driving facility to form part of an adventure activity centre at Ardargie Mains Farm, Forgandenny – Mr A Gammell – Report 06/390.

The Committee noted that an additional letter of objection had been received since the papers were issued.

Mr Lindsay, representing the Ardargie Proprietors' Association and also representing Mrs H Morrison, objectors to the application, addressed the Committee and following his representation, withdrew to the public benches. Although Mr Cantlay and Mrs L McMillan, objectors to the application, had requested a deputation to speak on this application, they both indicated that they had nothing further to add to Mr Lindsay's representation and declined the opportunity to address the Committee.

Resolved:

Grant, subject to the following conditions:-

1. Consent is hereby granted for a limited period of 3 years from the date of approval and after such time the use of the land for the operation of an off road driving facility shall be discontinued permanently and the site reinstated to its former condition unless the prior consent of the Planning Authority has been obtained in writing for a further period of the use.
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.
3. The hours of operation shall be restricted from 0900 hours to 1800 hours on a daily basis.
4. All music and vocals, amplified or otherwise shall be so controlled as to be inaudible within any neighbouring premises.

The Committee unanimously agreed to impose an additional condition as follows:-

5. Quad bikes shall not be allowed and the activity vehicles shall have legal exhaust systems and be suitably silenced to reduce noise impact and noise levels to ensure that noise emissions are within World Health Organisation guidelines.

(3) 05/01435/FUL (Amended) – ABERNYTE – Erection of 7 dwellinghouses at Abernyte Farm, Abernyte – Drumbow Homes Ltd – Report 06/391.

Mr J Shabashow, representing Dr N Alm and Ms A Davies, and Ms C Caudwell, objectors to the application, addressed the Committee and following their respective representations they withdrew to the public benches.

Resolved:

Refuse, on the grounds that (i) the proposal constitutes over-development adversely affecting the density, character and amenity of Abernyte contrary to Policy 72 of the Perth Area Local Plan 1995; and (ii) the proposal fails to provide a suitable residential environment.

NOTE:

Councillor Lumsden moved that the application be granted for the reasons detailed in Report 06/391. On failing to find a seconder, Councillor Lumsden's amendment fell.

(4) 05/02251/FUL – FORGANDENNY – Change of use for the creation of a clay pigeon shooting facility to form part of an adventure activity centre at Ardargie Mains Farm, Forgandenny – Mr A Gammell – Report 06/393.

The Committee noted that an additional letter of objection had been received since the committee papers were issued.

Resolved:

Grant, subject to the following conditions:-

1. Consent is hereby granted for a limited period of 3 years from the date of approval and after such time the use of the land for the operation of a clay pigeon shooting facility shall be discontinued permanently and the site reinstated to its former condition unless the prior consent of the Planning Authority has been obtained in writing for a further period of the use.

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 hours of operation shall be restricted from 0900 hours to 1800 hours on a daily basis and a maximum of two guns will be used at any one time.
4. The recommendations in Section 5 of the technical report (reference C/3818B/05) dated 10 January 2006 from RMP Acoustic Consultants shall be implemented in full to the satisfaction of the Council as Planning Authority.

COUNCILLOR LYALL LEFT AND REJOINED THE MEETING DURING CONSIDERATION OF THE NEXT ITEM.

- (5) **06/00015/MOD – MEIGLE – Modification of existing consent 02/01869/PPLB to alter condition 2 to permit occupation of the bothy by domestic staff at North Cottage Arthurstone, Meigle, Blairgowrie – Bon Accord Bonding Company – Report 06/394.**

Mr J Dagen, representing the applicant, addressed the Committee and, following his representation, withdrew to the public benches.

Resolved:

Grant, on the grounds that the proposal would not constitute a departure from the Council's Housing in the Countryside Policy, subject to conditions to be formulated by the Head of Development Standards.

COUNCILLOR COWAN LEFT THE MEETING AT THIS POINT.

- (6) **06/00099/FUL – CRIEFF – Change of use from residential to holiday let for 3 months of the year (June, July and August) at Flat 1, Croftweit, Strathearn Terrace, Crieff – Mr John Burke – Report 06/395.**

Mr R Crighton, an objector to the application, addressed the Committee and, following his representation, withdrew to the public benches.

Motion (Councillors Livingstone and Hulbert) – Grant, subject to the conditions detailed in Report 05/395.

Amendment (Councillors Lumsden and McDonald) – Defer, to allow the presentation of a management/action plan showing how the developer will minimise the adverse impact of holiday use on existing residential occupiers.

Amendment - 7 votes

Motion - 3 votes

Resolved:

In accordance with the Amendment.

COUNCILLOR COWAN RETURNED TO THE MEETING AT THIS POINT.

- (7) **06/00196/OUT – SCONE – Erection of 2 bedroom cottage (in outline) at The Paddocks, Little Gairdrum, Scone – Miss C Cantwell – Report 06/396.**

Miss Cantwell, applicant, and Mr J Hanson, on behalf of an objector to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Resolved:

Grant, on the grounds that the proposal would not be incompatible with the surroundings and location, subject to conditions to be formulated by the Head of Development Standards.

(8) 06/00423/FUL – PITLOCHRY – Alterations, extension to existing stables building and garage to form temporary chocolates production unit, cafeteria and sales area with associated car parking at Grandtully Bridge House, Grandtully, Pitlochry – Grandtully Bridge Galleries Ltd – Report 06/397.

Mr Burnett, representing the applicant, addressed the Committee, and, following his representation, withdrew to the public benches.

Resolved:

Grant, subject to the following conditions:-

1. Consent is hereby granted for a limited period of time until 30 June 2008.
2. Unless otherwise agreed in writing, the public opening hours shall be between 09.00 and 18.00 hours Monday to Saturday and 10.00 and 17.00 hours on Sundays.
3. The hours for deliveries shall be restricted to 09.00 to 17.00 hours Monday to Saturday with no deliveries on Sundays.
4. An effective ventilation system commensurate with the intended use shall be installed, operated and maintained in such a way that odours from the unit are not exhausted into, or escape into, any neighbouring dwelling.
5. Full details of the ventilation system shall be submitted to the Planning Authority for approval prior to the system being installed and use commenced.
6. All fixed plant and machinery to be installed or operated in connection with the granting of this permission shall be so enclosed, attenuated, operated and maintained such that noise therefrom shall not exceed International Standards Organisation (ISO) Noise Rating 30 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, calculated or a combination of both and plotted on an ISO rating curve chart.
7. The stables building roof shall be finished in natural slate or suitable alternative to the satisfaction of the Council as Planning Authority.
8. A visibility splay of 3m by 70m measured from the centre line of The Paddock shall be provided in a north easterly direction along the nearside channel of the A827 public road prior to the occupation of the development and thereafter maintained free from any obstruction of a height exceeding 1.05 metres above the adjacent A827 road channel level.
9. The vehicular access to The Paddock shall be formed in accordance with specification Type C, Fig 5.7, access detail to the satisfaction of the Planning Authority.
10. Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
11. A minimum of 20 No. car parking spaces shall be provided within the site.
12. A secure waterproof cycle parking facility for a minimum of 6 cycles shall be provided within the site 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.

14. The existing boundary hedging shall be retained and supplemented by additional landscaping proposals throughout the site to the satisfaction of the Council as Planning Authority. Full details of the landscaping shall be agreed in writing with the Planning Authority and implemented by the second planting season following the commencement of the use.

THERE THEN FOLLOWED A TEN MINUTE RECESS.

- (9) **06/00790/FUL – PERTH – Extension to dwellinghouse at 72 Cavendish Avenue, Perth – Mr & Mrs M Longden – Report 06/408.**

Grant, on the grounds that the proposal would not adversely affect the density, character or amenity of the area, subject to conditions to be formulated by the Head of Development Standards and on condition that the garage be removed to increase the area of usable back garden.

- (10) **06/00434/FUL – BLAIRGOWRIE – Erection of 21 dwellinghouses and associated garages at Burnhead Paddocks, David Street, Blairgowrie – West Residential Ltd – Report 06/398.**

Mr Coutts and Ms J Proctor (on behalf of the Burnhead Action Plan), objectors to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

In terms of Standing Order 53, Councillor Ellis, the local member, addressed the Committee.

Motion – (Councillors E Grant and McEwen) – Refuse, on the grounds that (i) the proposal is contrary to Policy 56 of the Eastern Area Local Plan 1998 as it would have a significant adverse effect on the density, character and amenity of the area and (ii) the proposal is contrary to the density proposed in the draft Eastern Area Local Plan.

Amendment – (Councillors Lumsden and Caddell) – Grant, subject to the conditions detailed in Report 06/398.

Amendment – 3 votes

Motion – 8 votes

Resolved:

In accordance with the Motion.

- (11) **06/00519/OUT – GLENALMOND – Erection of dwellinghouse (in outline) at Wester Pickston Meadow, Glenalmond, Perth – Mr R Browne – Report 06/400.**

Resolved:

Grant, subject to the following conditions:-

1. The following reserved matters, 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 shall be as approved by the Planning Authority.
2. The reserved matters shall be submitted for the approval of the Planning Authority in the form of a written application accompanied by detailed plans not later than:-
 - (i) the expiration of 3 years from the date of the grant of outline planning permission.
 - (ii) the expiration of 6 months from the date on which an earlier application for such approval was refused, or
 - (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed;

whichever is the latest.

3. The development to which this permission relates must be begun not later than:-
 - (i) Five years from the date of the permission; or
 - (ii) Two years from the date of the final approval of all reserved matters.
 4. The vehicular access shall be formed in accordance with the Council's Roads Development Guide Type B Figure 5.6 access detail to the satisfaction of the Council as Planning Authority.
 5. The gradient of the access shall not exceed 3% for the first 5.00 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public highway.
 6. Visibility splays of 2.50m x 90.00m measured from the centre line of the new access shall be provided in both directions along the nearside channel of the Pitcairngreen – Glenalmond – Buchanty Road prior to the occupation of the development and thereafter maintained free from any obstruction of a height exceeding 1.05 metres above the adjacent road channel level.
 7. Two off-street car parking spaces shall be provided within the curtilage of the site to the satisfaction of the Planning Authority prior to the occupation of the dwelling.
 8. Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.
 9. The proposed dwelling shall be no higher than one and a half storey(s) in height and of a design, details and finishing materials sympathetic to existing traditional dwellings in this area, and in accordance with the Council's "Guidance on the Siting and Design of Houses In Rural Areas".
 10. All existing trees on the site shall be retained and their retention shall be shown in the submission of the reserved matters referred to in Condition No 1.
- (12) 06/00527/FUL – PERTH – Erection of dwellinghouse on land at 30 King Street, Perth – James Irvine – Report 06/401.**

Mr Irvine, the applicant, and Mr Kerr, the applicant's agent, addressed the Committee, followed by Mr McDougall, an objector to the application. Following their respective representations, Mr Irvine, Mr Kerr and Mr McDougall withdrew to the public benches.

Resolved:

Refuse, for the following reasons:-

1. The proposals would have a detrimental effect on residential amenity because:
 - (i) The height of the proposed building together with its proximity to the side elevations of adjacent residential properties which contain windows is such that residential amenity in terms of daylighting and outlook would be seriously harmed.
 - (ii) The proposed balcony at first floor level on the rear elevation and the fenestration on the south elevation will harm the privacy of the neighbouring residential properties to the south of the site.
 - (iii) The site is insufficient in size to accommodate a five bed-roomed dwellinghouse in that there is inadequate private amenity space to the rear of the proposed building.

Accordingly, the proposal is contrary to the objective of the Perth Central Area Local Plan 1997 to "improve the amenity of residential areas" (p 33) and the priority in residentially-zoned areas of "preserving and enhancing a satisfactory residential environment".

2. The relatively limited width of the site means that the proposed building is very close to the buildings on either side and it is not, in terms of its proportions, sympathetic to the buildings in the immediate vicinity. This, together with the use of flat roofed dormers on the front elevation and the contemporary style and finishes at the rear, results in the proposal being contrary to Policy 54 (design guidance) in the Perth Central Area Local Plan, 1997 and detracting from the setting of nearby listed buildings and from the character and appearance of the King Street Conservation Area. The proposal does not therefore accord with sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and is also contrary to Environment and Resources Policy 8 of the Structure Plan and Policy 14 of the Perth Central Area Local Plan 1997.
3. The loss of existing car parking for 30 King Street would be contrary to the Council's policies on car parking, including Policy 31 of the Perth Central Area Local Plan 1997.
4. The proposal does not accord with the advice in paragraph 4.39 of Historic Scotland's Memorandum of Guidance on listed buildings and conservation areas. This states that in considering applications for development within a conservation area, the first priority should be to have regard to those special architectural and visual qualities which gave rise to the area's designation. Any proposal which could erode these qualities may have to be refused. The proposal is considered to harm the visual quality of the King Street Conservation Area.

(13) 06/00559/LBC – PERTH – Building up 2 existing windows and painting of dummy sash and case windows at 30 King Street, Perth – Mr James Irvine – Report 06/402.

Mr J Irvine, the applicant, and Mr A Kerr, the applicant's agent, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Resolved:

Refuse, for the following reason:-

The proposal would harm the character and appearance of the listed building both internally and externally. Approval of the application would therefore be contrary to Environment and Resources Policy 8 of the Structure Plan and to Policy 14 of the Perth Central Area Local Plan 1997, to Historic Scotland's "Memorandum of Guidance on Listed Buildings and Conservation Areas" and to the Council's statutory duty in relation to listed buildings under Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

(14) 06/00581/FUL – PERTH – Demolition of existing dwellinghouse and erection of 5 flats at 31-33 King Street – Mr & Mrs D Donaldson – Report 06/403.

Resolved:

Refuse, for the following reasons:-

1. The size of the proposed building, in terms of its roof form and height together with the extent of its footprint and its location within the site, will harm the amenity of the house to the south of the site, the privacy of housing to the east and will detract from the character of the King Street Conservation Area. Furthermore, the proximity of the proposed flats to the building at the rear will produce a poor level of residential amenity and privacy for their future occupants. The proposal does not therefore accord with the Perth Central Area Local Plan, 1997 which has the objective (p33) of improving amenity within residential areas.

2. The proposal is, by virtue of its proportions, detailing and finishes, contrary to Policy 54 (design guidance) in the Perth Central Area Local Plan, 1997 and detracting from the setting of nearby listed buildings and from the character and appearance of the King Street Conservation Area. The proposal does not therefore accord with sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and is also contrary to Environment and Resources Policy 8 of the Structure Plan and Policy 14 of the Perth Central Area Local Plan 1997.
3. The level of proposed off-street parking is insufficient and the application is therefore contrary to policy 31 of the Perth Central Area Local Plan, 1997. Additional parking would however further erode soft landscaping within the site which would harm the character and appearance of the King Street Conservation Area.
4. The proposal does not accord with the advice in paragraph 4.29 of Historic Scotland's Memorandum of Guidance on listed buildings and conservation areas. This states that in instances where demolition is to be followed by re-development of the site, consent to demolish should only be granted where there are acceptable proposals for the new building.
5. The proposal does not accord with the advice in paragraph 4.39 of Historic Scotland's Memorandum of Guidance on listed buildings and conservation areas. This states that in considering applications for development within a conservation area, the first priority should be to have regard to those special architectural and visual qualities which gave rise to the area's designation. Any proposal which could erode these qualities may have to be refused. The proposal is considered to harm the visual quality of the King Street Conservation Area.

(15) 06/00582/CON – PERTH – Demolition of existing dwellinghouse at 31-33 King Street, Perth – Mr & Mrs D Donaldson – Report 06/404.

Resolved:

Refuse, for the following reasons:-

1. The proposal does not accord with section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The proposal would neither preserve nor enhance the character or appearance of the King Street Conservation Area.
2. The proposal does not accord with the advice in paragraph 4.29 of Historic Scotland's Memorandum of Guidance on listed buildings and conservation areas. This states that in instances where demolition is to be followed by re-development of the site, consent to demolish should only be granted where there are acceptable proposals for the new building.
3. The proposal does not accord with the advice in paragraph 4.39 of Historic Scotland's Memorandum of Guidance on listed buildings and conservation areas. This states that in considering applications for development within a conservation area, the first priority should be to have regard to those special architectural and visual qualities which gave rise to the area's designation. Any proposal which could erode these qualities may have to be refused. The proposal is considered to harm the visual quality of the King Street Conservation Area.

(16) 06/00634/FUL – KINFAUNS – Erection of dwellinghouse at land at The Oaks, The Holdings, Kinfauns, Perth – Mrs Yvonne Dewar – Report 06/405.

Mrs Dewar, applicant, addressed the Committee, and, following her representation, withdrew to the public benches.

Resolved:

Grant, on the grounds that the proposal would not adversely affect the density, character and amenity of the settlement, subject to conditions to be formulated by the Head of Development Standards.

COUNCILLOR CADDELL LEFT THE MEETING AT THIS POINT.

- (17) **06/00691/FUL – KINROSS – Extension to front and rear to form additional single storey accommodation at 6 Muir Grove, Kinross – Mr & Mrs Deas – Report 06/406.**

Resolved:

Refuse, for the following reasons:-

1. Contrary to Policy 2 (b) of the Kinross Area Local Plan 2004 that appropriate regard should be had to the form of development within the locality.
2. Contrary to Policy 2 (f) of the Kinross Area Local Plan 2004 that any site should be large enough to accommodate the impact of the development satisfactorily in site planning terms.
3. Contrary to Policy 6 (e) of the Kinross Area Local Plan 2004 that any given development should fit its location.
4. Contrary to Policy 67 of the Kinross Area Local Plan 2004 that scope will only exist for infill development where there is no significant adverse effect on the density, character or amenity of the area concerned.

- (18) **06/00716/FUL – SCONE – Formation of a beer garden at Scone Arms Inn, Cross Street, Scone – Punch Pub Company – Report 06/407.**

Resolved:

Grant, subject to the following conditions:-

1. Consent is hereby granted for a limited period until 31 May 2008.
2. The use authorised by this permission shall be discontinued upon the expiry of the period of consent.
3. The hours of use shall be restricted to 0900 to 2300 hours.
4. All music and vocals, amplified or otherwise, shall be so controlled as to be inaudible within any neighbouring premises.
5. No amplified sound shall be permitted outside the premises.
6. A close boarded timber fence with a minimum mass per unit area of 15kg/m² shall be erected at the site boundary with the neighbouring residential property. The height of the fence should be such that the line of sight from the proposed beer garden to the windows of the neighbouring property is broken, all to the satisfaction of the Council as Planning Authority.

- (19) **06/00796/FUL (Amended) – PITLOCHRY – Erection of dwellinghouse and detached garage at Plot 7, Croftcroy, Croftinloan, Pitlochry – Mr & Mrs Munro – Report 06/409.**

Resolved:

Grant, subject to the following conditions:-

1. The development shall be begun within a period of five 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.
- 3 The vehicular access shall be formed in accordance with the Council's Roads Development Guide Type A Figure 5.5 access detail to the satisfaction of the Council as Planning Authority.
- 4 The gradient of the access shall not exceed 3% for the first 5.00 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public highway.
- 5 Four off-street car parking spaces shall be provided within the curtilage of the site to the satisfaction of the Planning Authority prior to the occupation of the dwelling.

(20) 06/00829/FUL – CARNBO – Erection of a conservatory at 'Croit Oran', Carnbo – D Gordon Menzies – Report 06/410.

Motion – (Councillors Barnacle and McEwen) – Grant, on the grounds that the proposal would not detrimentally affect the character of the host building and surrounding area, subject to appropriate conditions to be formulated by the Head of Development Standards and on condition that Fyfestone be used.

Amendment – (Councillors Lumsden and E Grant) – Refuse, for the reasons contained in Report 06/410.

Amendment – 4 votes

Motion – 7 votes

Resolved:

In accordance with the Motion.

(21) 06/01031/FUL – AUCHTERARDER – Modification of existing consent (05/01640/OUT) to remove conditions 4 and 5 at Greengables, Caledonian Crescent, Gleneagles, Auchterarder – Mr Andrew B Laing – Report 06/412.

Resolved:

Condition 4, restricting the height of the house and garage to one and a half storeys and Condition 5, restricting the access driveway to the line of the old railway, be removed from the previous consent granted in February 2006.

COUNCILLOR LUMSDEN, HAVING DECLARED AN INTEREST IN THE FOLLOWING ITEMS IN TERMS OF STANDING ORDER 6, WITHDREW FROM THE MEETING AND LEFT THE CHAMBERS.

IN TERMS OF STANDING ORDER 23, IN THE ABSENCE OF THE CONVENER AND VICE-CONVENER, IT WAS UNANIMOUSLY AGREED TO APPOINT COUNCILLOR LIVINGSTONE TO THE CHAIR.

COUNCILLOR LIVINGSTONE TOOK THE CHAIR AT THIS POINT.

392. PLANNING APPLICATION FOR TELECOMMUNICATION DEVELOPMENT

(1) 06/00567/FUL – BLAIRGOWRIE – Erection of 2 telecommunications base stations and 15m monopole tower at site adjacent to Blairgowrie Cemetery, Perth Road, Blairgowrie – O2 – Report 06/388.

In terms of Standing Order 53, Councillor Ellis, the local member, addressed the Committee.

Resolved:

Refuse, for the following reason:-

The proposal will introduce an incongruous element into the immediate streetscene and is therefore contrary to Policy 56 of the Eastern Area Local Plan 1998 which seeks to maintain the amenity of the area.

393. PLANNING APPLICATION FOR DETERMINATION

(22) 05/02230/FUL – BRIDGE OF EARN – Erection of 18 affordable apartments and 13 private houses on Kintillo Road, Bridge of Earn – Langvale Homes and Perthshire Housing Association – Report 06/392.

Resolved:

Grant, subject to the following conditions:-

1. The development shall be begun within a period of five 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.
3. Details of the specification and colour of the proposed external finishing materials to be used shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The scheme as approved shall be implemented prior to the occupation and or use of the development.
4. Development shall not begin until a contaminated ground investigation has been carried out by a suitably qualified consultant and a scheme to deal with any contamination on the site has been submitted to and approved in writing by the Planning Authority. The scheme shall contain details of proposals to deal with contamination to include:
 - (i) the nature, extent and types(s) of contamination on the site including any source, pathway, receptor linkage.
 - (ii) measures to treat/remove contamination to ensure the site is fit for the use proposed
 - (iii) measures to deal with contamination during construction works
 - (iv) condition of the site on completion of remediation measures.
5. A fully detailed landscaping plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
6. The approved landscaping scheme shall be fully implemented within 6 months of the completion of the development and thereafter maintained by the applicants and/or their successors to the satisfaction of the Planning Authority; maintenance shall include the replacement of plant stock which fails to survive for whatever reason, as often as is required.
7. Development shall not commence until drainage details for the site have been submitted and approved by the Planning Authority. The details shall comply with the requirements of Surface Water Best Management practice for Sustainable Urban Drainage. The approved details shall be implemented prior to occupation of the development hereby approved.

8. Prior to the occupation of the development hereby approved details of the waste and recycling facilities shall be submitted for the approval of the Planning Authority.
9. That part of the development for "affordable housing" shall be as defined in the Council's Policy on Affordable Housing.
10. All matters regarding access, car parking, road layout, design and specification (including street lighting and disposal of surface water) shall be in accordance with the standards required by the Council as Roads Authority.
11. A secure waterproof cycle parking facility for a minimum of 10 cycles shall be provided within the site to the satisfaction of the Planning Authority.
12. No building works shall commence on site until it has been confirmed that there is sufficient educational capacity to accommodate the development hereby approved to the satisfaction of the Planning Authority.