

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

DEVELOPMENT CONTROL COMMITTEE

Minute of Meeting of the Development Control Committee held in the Council Chambers, Fourth Floor, 2 High Street, Perth on Wednesday 27 August 2008 at 9.30am.

Present: Councillors W Wilson, K Lyall, R Band (from Art. 453(1)), I Campbell, (substituting for Councillor M Lyle), E Grant, J Law (Substituting for Councillor L Caddell), W Lumsden, H McDonald, S Miller and B Vaughan (substituting for Councillor A Jack).

In Attendance: N Brian, A Condliffe, N Williamson, B McNaughton, A Fleming, C Brien (Arts. 454(2) and (3) only), K Stirton and G Dimeck (all The Environment Service); G Fogg (Corporate Services); P Frazer (up to and including Art 5(4)) and Y Oliver (both Chief Executive's Service).

Apologies for Absence: Councillors L Caddell, A Jack, M Lyle and A MacLellan.

Councillor W Wilson, Convener, Presiding.

449. WITHDRAWAL OF APPLICATION

The Committee noted that the following planning application had been withdrawn from the agenda:

08/01147/TD – PERTH – Proposed installation of telecommunications equipment, land south west of Murray Royal Hospital, Muirhall Road, Perth – Vodafone Limited – Report 08/416

450. DECLARATIONS OF INTEREST

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

451. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Development Control Committee of 30 July 2008 (Arts. 430-433) was submitted, approved as a correct record and authorised for signature.

452. 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.
08/00067/FUL	453(1)
08/01386/FUL	454(1)
07/01998/REM	454(2)

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

07/01997/REM	454(3)
07/02650/FUL	454(4)
08/00186/FUL	454(5)
08/00985/FUL	454(6)
08/00989/FUL	454(7)
08/01116/OUT	454(8)

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

453. PLANNING APPLICATION PREVIOUSLY CONSIDERED

COUNCILLOR R BAND ENTERED THE MEETING DURING CONSIDERATION OF THE FOLLOWING APPLICATION BUT TOOK NO PART IN THE DISCUSSION THEREOF.

- (1) **08/00067/FUL – CARNBO – Alter the terms of Condition 17 of planning consent 05/02389/REM to delete “Prior to the commencement of construction” and in addition to allow minor alternations to external elevations at Pitcairnie, Carnbo – Wilson Homes – Report 08/407**

Mr M Smith, agent, on behalf of the applicant and Mr K Simpson, Chartered Quantity Surveyor, on behalf of the applicant, and Mr R Carruthers, objector to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Resolved:

Defer, to allow a further report to be brought to Committee (i) providing information regarding a Flood Risk Assessment and a Drainage Plan and additional information in connection with the effect the additional height of the houses will have on the neighbouring properties; and (ii) to allow consideration of what further mitigation measures are available with regard to floor level.

454. PLANNING APPLICATIONS FOR DETERMINATION

- (1) **08/01386/FUL – CARNBO – Formation of boundary enclosures, including retaining walls and boundary walls at Pitcairnie, Carnbo – Wilson Homes – Report 08/408**

Mr M Smith, agent, on behalf of the applicant and Mr K Simpson, Chartered Quantity Surveyor, on behalf of the applicant, and Mr R Carruthers, objector to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

Resolved:

Defer, to allow a further report to be brought to Committee providing clarity on the design, visual impact and finish of the retaining wall.

(2) **07/01998/REM – CRIEFF – Retail development (Reserved Matters), Market Park, Broich Road, Crieff – Kensington and Edinburgh Estates – Report 08/409**

Mr N Martin, agent, on behalf of the applicant, followed by Mrs J Miller, objector to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

A Condliffe, Applications Team Leader, advised the Committee that, should they be minded to approve Report 08/409, Conditions 2, 3, 4, 5 and 6 ought to be deleted as they had been repeated at Conditions 19, 20, 21, 22 and 23. A Condliffe also advised that a letter had been received from the agent challenging Procedural Note B which stated a requirement that, should the application be approved, it be notified to the Scottish Government as the Council has a financial interest in part of the application site. Nonetheless, A Condliffe advised that, should the Committee be minded to approve the application, the position of her Service was that the Scottish Government would still be notified.

Resolved:

Grant, subject to the following conditions and Condition 2 (previously condition 7 of report 08/409) being amended to include the provision and availability of parking to serve the town centre as undernoted:

1. The development shall be begun no later than two years from the date of this consent or five years from the date of the outline consent, whichever is the later.
2. Car parking shall be provided within the site to a minimum ratio of 6 spaces per 100 square metres of gross floor area. Additional parking, as agreed in writing by the Council, shall also be provided within the site to serve the town centre. Any measures to manage parking on any part of the site, including the provision and availability of parking to serve the town centre, must be agreed in writing with the Council as Planning Authority prior to implementation (at any expense to the developer). The parking shall be provided prior to the commencement of trading and shall be permanently maintained so and not used for any other purpose.
3. Surface water shall be disposed of by means of a suitable Sustainable Urban Drainage System to meet the requirements of best management practices.
4. Prior to the commencement of any trading a Green Travel Plan (GTP), aimed to encourage more sustainable means of travel, will be submitted and approved in writing by the Council as Planning Authority.
5. No development shall take place until a contaminated ground investigation has been carried out by a suitably qualified

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

consultant and a scheme to deal with any contamination on site has been submitted and approved in writing by the Council as Planning Authority. The scheme shall contain details of proposals to deal with contamination to include:

- (i) the nature, extent and type(s) of contamination on the site including any source, pathways, receptor links.
- (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; and
- (iv) the condition of the site on completion of remediation measures.

Before any unit is occupied the measures to remediate the site shall be fully implemented as approved in writing by the Planning Authority.

6. Details of measures to protect, preserve, repair, enhance and/or maintain the listed boundary walls shall be submitted and agreed in writing with the Planning Authority prior to the start of any works on the site.
7. No development shall take place within the development site until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by Perth and Kinross Heritage Trust and approved in writing by the Planning Authority. 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 site is undertaken to the satisfaction of the Planning Authority in agreement with Perth and Kinross Heritage Trust.
8. The development of the replacement Sports Ground (04/00689/OUT or successor application) shall be constructed and completed prior to the start of works on the Market Park application site, unless otherwise agreed in writing with the Planning Authority.
9. The total food store built element hereby permitted shall not exceed 2,322m² net sales area of which no more than 500 m² shall be non-food. Details of the non food range of goods shall be agreed in writing with the Council as Planning Authority prior to the occupation of the retail unit. Any increase in these areas shall require the written permission of the Planning Authority, and permission for any increase to more than 25% of the net retail floor area for the sale of goods other than food shall also not be permitted without the prior provision of a retail impact assessment on the town centre.
10. The retail warehouse unit hereby permitted shall not be subdivided and have a retail floor space of not more than 930m² gross floorspace/725m² net floor space. The use of the retail warehouse unit shall be limited to the sale of non-food goods such as DIY, furniture, carpets and floor coverings, and

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

- household textiles but specifically excluding electrical goods including computers and related products, clothing, and footwear, or where the goods are of such a size that they would normally be taken away by car and not be manageable by customers travelling by foot, cycle or bus, for example flatpack furniture, or where large, flat areas would be required to display them, e.g. furniture in room sets. The use for the sale of goods other than those specified shall require the permission in writing of the Planning Authority. Any increase of more than 15% of the net retail floor area for the sale of goods other than those specified shall also not be permitted without the provision of a retail impact assessment. The use of the unit for any purpose other than hereby permitted will require to be the subject of a further planning application to the Council as Planning Authority.
11. Details of the specification and colour of all the proposed external finishing materials to be used, including samples of the sandstone for the boundary walls, 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.
 12. All trees on site shall be protected during construction works and details of such protection measures shall be submitted to and agreed in writing by the Planning Authority prior to the start of works.
 13. The future landscape management measures and maintenance for, and management of the facilities on the application site, shall be discussed and agreed in writing with the Council as Planning Authority prior to the development commencing. The measures as agreed shall be implemented as part of the ongoing development programme.
 14. Prior to the commencement of trading and unless otherwise agreed in writing by the Planning Authority, the Burrell Street, King Street, Broich Road junction shall be improved to the standard and specification required by the Council as Roads Authority to the satisfaction of the Planning Authority.
 15. Prior to the commencement of trading and unless otherwise agreed in writing by the Planning Authority, Broich Road ex adverso the site frontage shall be widened to give a carriageway width of 6.00 metres and two 2.00 metre wide footways. All details shall be to the standard and specification required by the Council as Roads Authority to the satisfaction of the Planning Authority.
 16. Prior to the commencement of trading and unless otherwise agreed in writing by the Planning Authority, the access to the site from Broich Road shall be designed to the standard and specification required by the Council as Roads Authority to the satisfaction of the Planning Authority.
 17. Prior to the commencement of trading and unless otherwise agreed in writing by the Planning Authority, turning facilities shall

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

- 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.
18. Prior to the commencement of trading and unless otherwise agreed in writing by the Planning Authority, the service access to the site from Duchlage Road shall comply with access Type E Figure 5.8 of the Perth & Kinross Council Roads Development Guide and be designed to discourage commercial traffic movements north to Commissioner Street.
 19. Prior to the commencement of trading and unless otherwise agreed in writing by the Planning Authority, traffic signal controlled pedestrian crossings shall be provided on Burrell Street, King Street and Broich Road at locations to be agreed by the Roads Authority to the satisfaction of the Planning Authority.
 20. Prior to the commencement of trading and unless otherwise agreed in writing by the Planning Authority, pedestrian facilities shall be provided on Duchlage Road between the site boundary and the junction with Commissioner Street to the standard and specification required by the Council as Roads Authority to the satisfaction of the Planning Authority.
 21. Prior to the commencement of trading and unless otherwise agreed in writing by the Planning Authority, a secure waterproof cycle parking facility for a minimum of twenty cycles shall be provided within the site adjacent to the access to the building to the satisfaction of the Planning Authority.
 22. 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 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 and/or calculated and plotted on an ISO rating curve chart.
 23. The delivery of goods to the premises shall take place in the designated delivery yard and shall take place between 7am to 9pm Mondays to Saturdays and at no other time unless otherwise agreed in writing with the Planning Authority. The idling of delivery vehicle engines is prohibited.
 24. An effective ventilation system commensurate with the nature and scale of cooking to be undertaken shall be installed, operated and maintained, within the commercial areas, such that cooking odours are not exhausted into or escape into any nearby residential property.
 25. All external lighting to be installed shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised.
 26. A scheme for recycling facilities shall be submitted for the further approval of the Council as Planning Authority. The scheme

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

shall include details of types of recycling, noise mitigations where necessary and details of collection and replacement of recycling containers. The scheme as subsequently approved by the Council shall be implemented to the satisfaction of the planning authority.

(3) 07/01997/REM – CRIEFF – Formation of new sports ground (Reserved Matters), land at junction of B8062 and Pittenzie Road, Crieff – Kensington and Edinburgh Estates – Report 08/410

A Condliffe, Applications Team Leader, advised the Committee that, should they be minded to approve Report 08/410, the Planning Authority was requesting the addition of Conditions 16-19 to Report 08/410, copies of which were tabled at the meeting.

Mr C Grassick, Director of Crieff Highland Gathering, on behalf of the applicant, and Mrs J Miller, objector to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Resolved:

Grant, subject to the following conditions and Condition 13 being amended to read "... a minimum of forty cycles shall be provided within the site ...":

1. The development shall be begun no later than two years from the date of this consent or five years from the date of the outline consent, whichever is the later.
2. Surface water shall be disposed of by means of a suitable Sustainable Urban Drainage System to meet the requirements of best management practices.
3. No development shall take place until a contaminated ground investigation has been carried out by a suitably qualified consultant and a scheme to deal with any contamination on site has been submitted and approved in writing by the Council as Planning Authority. The scheme shall contain details of proposals to deal with contamination to include:
 - (i) the nature, extent and type(s) of contamination on the site including any source, pathways, receptor links.
 - (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; and
 - (iv) the condition of the site on completion of remediation measures.

Before any unit is occupied the measures to remediate the site shall be fully implemented as approved in writing by the Planning Authority.

4. No development shall take place within the development site until the applicant has secured the implementation of a programme of archaeological works in accordance with a written

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

scheme of investigation which has been submitted by the applicant, agreed by Perth and Kinross Heritage Trust and approved in writing by the Planning Authority. 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 site is undertaken to the satisfaction of the Planning Authority in agreement with Perth and Kinross Heritage Trust.

5. Details and samples where appropriate, of the specification and colour of all 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.
6. The future landscape management measures and maintenance for, and management of the facilities on the application site, shall be discussed and agreed in writing with the Council as Planning Authority prior to the development commencing. The measures as agreed shall be implemented as part of the ongoing development programme.
7. 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.
8. Prior to the bringing into use of the development hereby approved and unless otherwise agreed in writing by the Planning Authority, the vehicular accesses shall be formed in accordance with the Council's Roads Development Guide Type E Figure 5.8 access detail to the satisfaction of the Council as Planning Authority.
9. Prior to the bringing into use of the development hereby approved and unless otherwise agreed in writing by the Planning Authority, the gradient of the access shall not exceed 3% for the first 10.00 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.
10. Prior to the bringing into use of the development hereby approved and unless otherwise agreed in writing by the Planning Authority, a visibility splay of 4.50m x 160.00m measured from the centre line of the Pittenzie Road junction shall be provided along the nearside channel of the site frontage prior to the completion, or bringing into use, of the development and thereafter maintained free from any obstruction of a height exceeding 1.05 metres above the adjacent road channel level.
11. Prior to the bringing into use of the development hereby approved and unless otherwise agreed in writing by the Planning Authority, visibility splays of 4.50m x 160.00m measured from the centre line of the new access to Broich Road shall be provided in both directions along the nearside channel of the B8062 Broich Road prior to the completion, or bringing

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

- into use, of the development and thereafter maintained free from any obstruction of a height exceeding 1.05 metres above the adjacent road channel level.
12. Prior to the bringing into use of the development hereby approved and unless otherwise agreed in writing by the Planning Authority, visibility splays of 4.50m x 90.00m measured from the centre line of the new access to Pittenzie Road shall be provided in both directions along the nearside channel of Pittenzie Road prior to the completion, or bringing into use, of the development and thereafter maintained free from any obstruction of a height exceeding 1.05 metres above the adjacent road channel level.
 13. Prior to the bringing into use of the development hereby approved and unless otherwise agreed in writing by the Planning Authority, a secure waterproof cycle parking facility for a minimum of forty cycles shall be provided within the site adjacent to the access to the building to the satisfaction of the Planning Authority.
 14. 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 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 and/or calculated and plotted on an ISO rating curve chart.
 15. Full details for any external lighting shall be submitted for the further prior approval of the Council as Planning Authority. The scheme which is subsequently agreed shall be implemented to the satisfaction of the Council. External floodlighting or other lighting within the site shall be sufficiently screened and aligned to ensure that there is no light spillage beyond the boundaries of the site to the satisfaction of the Planning Authority.

The Committee unanimously agreed to the addition of the following conditions:

16. An effective ventilation system commensurate with the nature and scale of cooking to be undertaken shall be installed, operated and maintained such that cooking odours are not exhausted into or escape into any nearby residential property.
17. 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.
18. Sound levels from any public address systems used within the site shall be controlled to prevent noise nuisance to resident occupiers in the vicinity of the site.
19. Hours of operation of the external pitches shall be restricted to 08:00 to 22:30 Monday to Sunday unless otherwise agreed in writing by the Council as Planning Authority.

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

C. BRIEN LEFT THE MEETING AT THIS POINT.

(4) 07/02650/FUL – ST MADDOES – Extension to existing property to form two ground floor shop units (class 1) and two first floor flats at St Madoes Store, St Madoes – Jay Property Ltd – Report 08/411

Mr D S Beckett, agent, on behalf of the applicant, and Mr J Lal, applicant, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Resolved:

Refuse, for the following reasons:

1. The proposal, by virtue of the dormer windows on the rear elevation and proximity to the neighbouring residential property would result in a significant degree of overlooking and loss of privacy to existing residential properties. The proposal is therefore contrary to Policy 71 of the Perth Area Local Plan 1995 (Incorporating Alteration No1, Housing Land 2000) which seeks to ensure that existing residential amenity is not compromised by new developments.
2. In the interests of road safety; the proposal has insufficient provision with regard to visibility splays which would increase the danger to both pedestrian and traffic safety when entering and leaving the site.

P FRAZER LEFT THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEM

(5) 08/00186/FUL – KINROSS – Erection of 4 dwellinghouses at land to the east of Baltree Farm, Hatchbank, Kinross – Graham Hutt – Report 08/412

Mr G Hutt, applicant, and Mr J Drummond, objector to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Resolved:

Grant, subject to a Section 75 Agreement being completed and signed in respect of the securing of 125% phosphorus reduction in perpetuity and the following conditions, with Condition 11 being amended to ensure additional tree planting and landscaping as undernoted:

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. Roads and associated works shall be constructed to the satisfaction of the Council as Planning Authority prior to the occupation of dwellings.

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

4. Prior to the occupation of dwellings the vehicular access shall be formed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.
5. Prior to the occupation of dwellings the public road over a length of 6m immediately adjacent to the access shall be widened to a minimum of 5m.
6. The gradient of the access shall not exceed 3% for the first 3 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 road.
7. Visibility splays of 2.5m x 90m measured from the centre line of the new access shall be provided in both directions along the nearside channel of the public road prior to the commencement of the development and thereafter maintained free from any obstruction of a height exceeding 1.05 metres above the adjacent road channel level.
8. Turning facilities shall be provided within the site prior to the occupation of the units to enable all vehicles to enter and leave in a forward gear and shall be maintained permanently thereafter.
9. A minimum of 2 No. car parking spaces per dwelling shall be provided within the site prior to the occupation of the respective units and shall be permanently maintained thereafter.
10. Prior to the occupation of dwellings 'Pick up and drop off' areas for school children / bus passengers shall be provided on both sides of the public road adjacent to the access to the development. The areas shall be a minimum of 6m long by nominally 1.8m wide kerbed and surfaced to the requirements of the Council as Roads Authority to the satisfaction of the Planning Authority.
11. A detailed landscaping and planting scheme for the site shall be submitted for the further approval of this Planning Authority prior to the commencement of the development and development shall not commence prior to the approval of that scheme. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, species, height, size and density of trees and shrubs to be planted and the scheme as subsequently approved shall be carried out and completed within six months of the commencement of the use; unless otherwise agreed in writing with this Planning Authority and thereafter maintained to the satisfaction of the Planning Authority. For the avoidance of doubt, the scheme shall include, in addition to landscaping elsewhere within the site, substantial tree planting on the area to the north of the position of the houses.
12. No trees shall be felled on the site without the prior approval in writing of the Planning Authority. For the avoidance of doubt, a full tree survey of the site shall be submitted for the prior approval of the Planning Authority in writing and the trees along the site frontage should be retained as part of the landscaping

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

scheme to be agreed under Condition 11. Any repositioning of the footprint of the units to accommodate tree retention shall be the subject of amended plans lodged for the prior approval in writing of the Planning Authority.

13. No development shall take place within the development site as outlined on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by Perth and Kinross Heritage Trust, and approved by the Planning Authority. 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.
14. 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.
15. Details of the proposed boundary treatments for the site shall be submitted for the approval of the Planning Authority prior to the commencement of the development/use and such scheme as may be approved shall be completed prior to the occupation of the development.
16. Details of the design of the windows of noise sensitive rooms shall be approved by the applicant's acoustic consultant. Full details of the design shall be submitted for approval by the Council as Planning Authority prior to any work commencing on site.

(6) 08/00985/FUL – KINROSS – Erection of riding centre at Baltree Farm, Hatchbank, Kinross – Graham Hutt – Report 08/413

Mr G Hutt, applicant, and Mr J Drummond, objector to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Resolved:

Grant, subject to the following conditions and Condition 11 being amended to ensure additional tree planting and landscaping as undernoted:

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 C Figure 5.7 access

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

- detail to the satisfaction of the Council as Planning Authority prior to the development being brought into use.
4. 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 prior to the development being brought into use.
 5. 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.
 6. Visibility splays of 3.00m x 70.00m measured from the centre line of the new access shall be provided in both directions along the nearside channel of Hatchbank 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. Passing places at not more than 100 metre centres shall be provided on Hatchbank Road between the site entrance and the junction with the B996 to the requirements of the Council as Roads Authority to the satisfaction of the Planning Authority prior to the development being brought into use and maintained permanently thereafter.
 8. 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.
 9. No development shall take place within the development site as outlined on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by Perth and Kinross Heritage Trust, and approved by the Planning Authority. 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.
 10. No development shall take place until fencing has been erected, in a manner to be agreed with Perth and Kinross Heritage Trust and the Planning Authority, to protect SAM 7607. Also, no work shall take place beyond this fence without the prior agreement of Historic Scotland, the Planning Authority and Perth and Kinross Heritage Trust.
 11. A detailed landscaping and planting scheme for the site shall be submitted for the further approval of this Planning Authority prior to the commencement of the development and development shall not commence prior to the approval of that scheme. The scheme shall include details of the height and slopes of any

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

mounding or recontouring of the site, species, height, size and density of trees and shrubs to be planted and the scheme as subsequently approved shall be carried out and completed within six months of the commencement of the use; unless otherwise agreed in writing with this Planning Authority and thereafter maintained to the satisfaction of the Planning Authority. For the avoidance of doubt, the scheme shall include, in addition to landscaping elsewhere within the site, substantial tree planting on the periphery of the site.

12. The hours of use shall be restricted to 09:00 – 21:00 hours Monday to Sunday.

(7) 08/00989/FUL – KINROSS – Erection of kennels and cattery at Baltree Farm, Hatchbank, Kinross – Graham Hutt – Report 08/414

Mr G Hutt, applicant, and Mr J Drummond, 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 a Section 75 Agreement being completed and signed in respect of the securing of 125% phosphorus reduction in perpetuity and the following conditions, with Condition 11 being amended to ensure additional tree planting and landscaping and Condition 12 being amended as undernoted:

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 C Figure 5.7 access detail to the satisfaction of the Council as Planning Authority prior to the development being brought into use.
4. 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.
5. Turning facilities shall be provided within the site prior to the development being brought into use to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority and shall be maintained permanently thereafter.
6. Visibility splays of 3.00m x 70.00m measured from the centre line of the new access shall be provided in both directions along the nearside channel of Hatchbank 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.

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

7. **Passing places at not more than 100 metre centres shall be provided on Hatchbank Road between the site entrance and the junction with the B996 to the requirements of the Council as Roads Authority to the satisfaction of the Planning Authority, prior to the development being brought into use and shall be permanently maintained thereafter.**
8. **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.**
9. **No development shall take place within the development site as outlined on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by Perth and Kinross Heritage Trust, and approved by the Planning Authority. 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.**
10. **No development shall take place until fencing has been erected, in a manner to be agreed with Perth and Kinross Heritage Trust and the Planning Authority, to protect SAM 7607. Also, no work shall take place beyond this fence without the prior agreement of Historic Scotland, the Planning Authority and Perth and Kinross Heritage Trust.**
11. **A detailed landscaping and planting scheme for the site shall be submitted for the further approval of this Planning Authority prior to the commencement of the development and development shall not commence prior to the approval of that scheme. The scheme shall include details of the height, size and density of trees and shrubs to be planted and the scheme as subsequently approved shall be carried out and completed within six months of the commencement of the use; unless otherwise agreed in writing with this Planning Authority and thereafter maintained to the satisfaction of the Planning Authority. For the avoidance of doubt, the scheme shall include, in addition to landscaping elsewhere within the site, bunding and substantial tree planting to the east, west and south sides of the buildings.**
12. **The design of the kennels building and associated noise barrier shall be approved by the applicant's acoustic consultant. Full details of the design shall be submitted for approval by the Council as Planning Authority prior to any work commencing on site. For the avoidance of doubt, the details required shall include bunding and landscaping to**

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

be incorporated as part of the requirements under Condition 11 of this consent.

Amendment (Councillors A Cowan and I Campbell) – Refuse, on the grounds that the scale and nature of the proposal would have an adverse environmental impact on the surrounding area and adverse impact on the amenity of neighbouring properties.

Amendment – 3 votes

Motion – 9 votes

Resolved:

In accordance with the Motion.

- (8) **08/01116/OUT – ALYTH – Relocation of driving range, extended leisure facilities including sporting lodge, gymnasium and new club hub building, new chalet accommodation and managers house (in outline) at Strathmore Golf Centre, Leroch, Alyth – Loyal Leisure Limited – Report 08/415**

Mr M O'Donnell, agent, on behalf of the applicant, and Mr D Norman, Loyal Leisure, on behalf of the applicant, and Mr B Thomson and Mr M Barron, objectors to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

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 three years from the date of the grant of outline planning permission.
 - (ii) the expiration of six months from the date on which an earlier application for such approval was refused, or
 - (iii) the expiration of six 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 chalets shall be used solely for holiday accommodation and shall not be occupied as the sole or main residence of any occupant.

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

5. The occupation of the manager's house shall be restricted solely to a person engaged in the management of the Strathmore Golf Centre and shall not be occupied initially until the first phase of sixteen chalets is substantially completed all to the satisfaction of the Council as Planning Authority.
6. The additional landscape plan marked 'A' is intended to reinforce screen planting around the Phase 1 chalet cluster and shall be implemented as part of the wider landscaping proposals and the site development programme and thereafter maintained.
7. Prior to the occupation or use of the approved development any new vehicular accesses to the U102 public road shall be formed in accordance with the requirements of the Council as Roads Authority to the satisfaction of the Planning Authority.
8. Prior to the occupation or use of the approved development the U102 public road over a length of 6m immediately adjacent to any new access shall be widened to a minimum of 5m.
9. The gradient of any new accesses shall not exceed 3% for the first three metres measured back from the edge of the carriageway and the accesses shall be constructed so that no surface water is discharged to the public road.
10. Visibility splays of a minimum of 2m x 70m measured from the centre line of any new accesses shall be provided in both directions along the nearside channel of U102 public road prior to the commencement of the development and thereafter maintained free from any obstruction of a height exceeding 1.05 metres above the adjacent road channel level.
11. Turning facilities shall be provided within the respective elements of the site to enable all vehicles to enter and leave in a forward gear.
12. A minimum of 1 No. car parking spaces per chalet shall be provided within the proposed chalet sites prior to occupation of the chalets and shall be maintained permanently thereafter.
13. Prior to the occupation or use of the approved development a secure waterproof cycle parking facility for a minimum of ten cycles shall be provided within the site of the leisure development to the satisfaction of the Planning Authority and permanently maintained thereafter.
14. The soundproofing of the extended leisure facilities and club hub building and the control of all amplified sound shall be such that no amplified sound is audible in any nearby residential property.
15. An effective ventilation system commensurate with the nature and scale of cooking to be undertaken shall be installed, operated and maintained, within the commercial areas, such that cooking odours are not exhausted into or escape into any nearby dwellings.
16. All plant and equipment (including any ventilation system) shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed International Standards Organisation (ISO) Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
27 August 2008

daily, within any nearby residential property, with all windows slightly open, when measured and/or calculated and plotted on an ISO rating curve chart.

17. 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 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.

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