

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
24 September 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 24 September 2008 at 9.30am.

Present: Councillors K Lyall, R Band, L Caddell, I Campbell, A Cowan (substituting for Councillor H McDonald), A Gaunt (substituting for Councillor W Wilson), E Grant (from Art. 524(2)), A Jack, J Kellas, W Lumsden, M Lyle and S Miller.

In Attendance: R Bean, N Brian, A Condliffe (all The Environment Service); G Fogg (Corporate Services); J Dickson (Chief Executive's Service).

Apologies for Absence: Councillors H McDonald and W Wilson.

Councillor K Lyall, Vice-Convener, Presiding.

520. DECLARATIONS OF INTEREST

There were no Declarations of Interest made in terms of the Councillors' Code of Conduct.

521. MINUTE OF PREVIOUS MEETING

The Minute of Meeting of the Development Control Committee of 27 August 2008 (Arts. 449-454) was submitted, approved as a correct record and authorised for signature.

522. 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	523(1)
08/01386/REM	523(2)
08/00200/FUL	524(1)
08/01034/FUL	524(3)
08/01147/TD	524(4)
08/01286/FUL	524(5)

The Committee unanimously agreed to combine the deputations for Planning Applications 08/00067/FUL and 08/01386/REM.

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
24 September 2008

523. PLANNING APPLICATION PREVIOUSLY CONSIDERED

- (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 08/481**

Mr Malcolm Smith, agent on behalf of the applicant, and Mr Simon Wilson, applicant, followed by Mr Ross Carruthers and Mr Iain Dale, objectors to the application, addressed the Committee on this and the following planning application. Following their respective representations, the speakers withdrew to the public benches.

Resolved:

Grant, subject to Condition 17 of planning consent 05/02389/REM being amended to:

Details shall be submitted for the approval of the planning authority of the proposed re-engineering of site levels (ie to indicate existing site levels, proposed site levels and proposed finished floor levels) throughout the site and the approved details shall then be implemented to the satisfaction of the Planning Authority.

The Committee unanimously agreed to impose the following additional condition:

The windows to the east side of the property shall be obscure glazed to mitigate the potential overlooking into Grace Cottage.

- (2) **08/01386/REM – CARNBO – Formation of boundary enclosures, including retaining walls and boundary walls at Pitcairnie, Carnbo – Wilson Homes – Report 08/482**

Resolved:

Grant, subject to the following conditions:

1. 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.
2. The entire wall shall be faced in natural stone in accordance with a sample to be submitted for the prior approval of the Planning Authority.
3. All matters regarding 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.

Councillor S Miller moved that the application be refused. On failing to find a seconder, the motion fell.

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
24 September 2008

524. PLANNING APPLICATIONS FOR DETERMINATION

- (1) **08/00200/FUL – CLATHY – Erection of four dwellinghouses, land to the north-west of Bearn Larach, Clathy – IPM Associates – Report 08/483**

Mrs Wendy Hubbard, applicant, followed by Mr James Findlay and Professor Jimmy James, both objectors to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Motion (Councillors Lumsden and Jack) – Refuse, for the following reason:

The proposed development is contrary to the Housing in the Countryside Policy 2005 as it fails to reflect the character of the building group and would be detrimental to the residential and visual amenity of the area.

Amendment (Councillors Kellas and Lyall) – Grant, subject to the conditions detailed in Report 08/483.

Amendment – 4 votes

Motion – 6 votes

Resolved:

In accordance with the Motion.

FOLLOWING A 15 MINUTE RECESS, THE COMMITTEE RECONVENED.
COUNCILLOR E GRANT JOINED THE MEETING AT THIS POINT.

- (2) **08/00348/FUL – DRUNZIE – Formation of 10 plots for dwellinghouses and formation of former layout to create settlement centre at land north west of Gwendoline Row, Drunzie – Drysdale Developments Ltd – Report 08/484**

Motion (Councillors Lyall and Gaunt) – Grant, subject to Condition 5 of Report 08/484 being amended to read 'A turning facility shall be provided within the site to enable all vehicles to enter and leave in a forward gear; Condition 11 of Report 08/484 in relation to street lighting being deleted; and 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. 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**

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
24 September 2008

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.
4. Prior to the commencement of development, a full tree survey shall be submitted for the prior approval of the Planning Authority showing the trees to be retained and removed from the development.
 5. *A turning facility shall be provided within the site to enable all vehicles to enter and leave in a forward gear.*
 6. 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.
 7. A 1.8m wide footway constructed to the standard and specifications required by the Council as Roads Authority shall be provided along the site frontage with Duncrievie Road and implemented prior to the occupation of houses.
 8. The carriageway of Duncrievie Road ex adverso the site shall be widened to give a minimum carriageway width of 5.50 metres to the standards required by the Council as Roads Authority to the satisfaction of the Planning Authority and prior to the occupation of any of the dwellings.
 9. Two off-street car parking spaces shall be provided within the curtilage of each site to the satisfaction of the Planning Authority prior to the occupation of the dwelling and permanently maintained thereafter.
 10. 'Pick up and drop off' areas for bus passengers shall be provided on both sides of Duncrievie Road adjacent 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 and prior to the occupation of any of the dwellings and permanently maintained thereafter.
 11. 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.
 12. Development shall not begin until a scheme for the provision of 2 residential units ("the Units") for shared ownership as affordable housing as part of the

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
24 September 2008

development has been submitted to and approved in writing by the Planning Authority. The Units shall be provided in accordance with the approved scheme. The scheme shall include details of

- (i) preferred housing association or registered social landlord;
- (ii) the location of the Units within the development site;
- (iii) the timing of construction of the Units;
- (iv) the occupancy criteria to be used for determining the identity of prospective and successive occupiers of the Units, and the means by which such occupancy shall be enforced.

- 13. The dwellinghouses shall be single storey in appearance.
- 14. Prior to the commencement of development full details shall be provided of the central settlement feature shown in the plans. This feature shall be fully developed prior to the occupation of the first dwellinghouse.

Amendment (Councillors Jack and Cowan) – Refuse, on the grounds that the proposed development was not compatible with the character and amenity of the area and the proposed drainage system was not practical.

Amendment – 3 votes

Motion – 9 votes

Resolved:

In accordance with the Motion.

- (3) **08/01304/FUL – COUPAR ANGUS – Erection of two agricultural buildings at Ryehill Farm, Coupar Angus – Mr J Beale – Report 08/485**

Mr James Beale, applicant, followed by Mr Donny Coutts, agent on behalf of an objector to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Resolved:

Refuse, for the following reason:

The proposal is contrary to General Policy 2 in the Eastern Area Local Plan 1998 which applies throughout the Landward Area by virtue of the commercial nature of the buildings very close to a housing development and the intended uses for the management of livestock which again would conflict with maintaining a suitable residential environment for the already approved houses, one of which has a sunroom and a gable window which closely overlook the proposed buildings and also share a vehicular access with them.

PERTH AND KINROSS COUNCIL
DEVELOPMENT CONTROL COMMITTEE
24 September 2008

(4) 08/01147/TD – PERTH – Proposed installation of telecommunications equipment at land south west of Murray Royal Hospital, Muirhall Road, Perth – Vodafone Limited – Report 08/486

Mr Alistair Napier, on behalf of the Jonathan Gloag Trust, an objector to the application, addressed the Committee, and, following his representation, withdrew to the public benches.

In terms of Standing Order 53, Councillor P Barrett, elected member representing Ward 12, addressed the Committee.

Resolved:

Refuse, for the following reason:

The proposed development does not comply with Policy 64 of the Perth Area/Local Area Draft Plan 2004 as the applicant had not demonstrated that:

- (i) The basis for future mast sharing facility had been considered, or provided justification that it would not be possible.
- (ii) Alternative sites had been considered and why they had been rejected.

(5) 08/01286/FUL – PITLOCHRY – Erection of a dwellinghouse at Pinetrees Hotel, Strathview Terrace, Pitlochry – Mr R Kerr – Report 08/487

Mr Bob Hamilton representing objectors to the application, addressed the Committee, and, following his representation, withdrew to the public benches.

Resolved:

Refuse, for the following reasons:

1. The proposed development is contrary to Policy 76 of the Highland Area Local Plan 2000 as it would adversely affect the existing residential amenity of the area.
2. The proposed development is contrary to Policy 28 of the Highland Area Local Plan 2000 as it would be detrimental to the setting and character of the Grade B Listed Coach House.

~~~~~