

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 14 March 2007 at 9.30am.

Present: Councillors Lumsden (excluding Art. (33)), Caddell (excluding Arts. (1), (34) and (35)), Barnacle, Barrett (substituting for Livingstone), E Grant, Howie, Hulbert (excluding Art. *Item 5(22)*), Lyall (up to and including Art. (23)), MacLellan (up to and including Art. *Item 5(24)*), McDonald; McEwen (except for Arts. *Item 5(20)*, (21), (22) and (23)), Stewart and Young.

In Attendance: I Sleith, R Bean (up to and including Art. *Item 5(10)*), A Fleming, B McNaughton, A Baxter, D Niven and J Crothers (all The Environment Service); G Fogg (Corporate Services) and Y Oliver (Chief Executive's Service).

Councillor Lumsden, Convener, Presiding.

178. WITHDRAWAL OF APPLICATIONS

The Committee noted that the following planning applications had been withdrawn by the applicants:

- (1) **06/01941/FUL - PERTH – Erection of two air conditioning units in retrospect at 13 Charlotte Street, Perth – Mr J Ross – Report 07/212.**
- (2) **06/01942/LBC - PERTH – Erection of two air conditioning units in retrospect at 13 Charlotte Street, Perth – Mr J Ross – Report 07/213.**
- (3) **07/00168/OUT - STANLEY – Erection of a dwellinghouse in outline on land at Gowrie Farm, Stanley – Mr and Mrs G Scott – Report 07/232.**

179. DECLARATIONS OF INTEREST

In terms of the Councillor's Code of Conduct, Councillor Lumsden declared a non-financial interest in planning application 06/01580/FUL (Art. (33)) and Councillor Caddell declared a non-financial interest in planning applications 06/02346/OUT (Art. (1)), 06/02569/LBC (Art. (34)) and 06/02570/FUL (Art. (35)) and Councillor Hulbert declared a non-financial interest in planning application 06/02515/FUL (Art. (22)).

180. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Development Control Committee of 14 February 2007 (Arts.) was submitted, approved as a correct record and authorised for signature.

181. DEPUTATIONS

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

Planning Application No.	Article No.
06/02346/OUT	183(1)
07/00079/FUL	183(2)
06/00816/FUL	183(4)
06/01840/FUL	183(10)
06/01877/FUL	183(11)
06/01878/OUT	183(12)
06/01977/OUT	183(15)
06/02062/FUL	183(17)
06/02100/FUL	183(18)
06/02515/FUL	183(22)

06/02588/REM	183(23)
07/00093/CON	183(28)
07/00094/FUL	183(29)
07/00138/FUL	183(31)
07/00172/OUT	183(32)

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

182. APPLICATIONS PREVIOUSLY CONSIDERED

(1) 06/01924/FUL - SCONE – Proposed attic conversion at 42 Myrtle Road, Scone – Mr and Mrs J F Harris – Report 07/198.

The Committee noted that in terms of Standing Order 18, Councillors Barrett, Hulbert, MacLellan, Stewart and Young had not been present during consideration of this application at the meeting on 19 December 2006 and they did not participate in the discussion or the taking of the decision today.

In terms of Standing Order 53, Councillor Simpson, the Local Member, addressed the Committee.

Resolved:

Grant, subject to conditions to be formulated by the Head of Development Standards on the grounds that the design will not adversely affect the visual character of the host building and surrounding area.

183. PLANNING APPLICATIONS FOR DETERMINATION

COUNCILLOR CADDELL, HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEM, IN TERMS OF STANDING ORDER 6, WITHDREW FROM THE MEETING AND LEFT THE CHAMBERS.

THE HEAD OF DEVELOPMENT STANDARDS RETIRED TO THE OFFICERS' GALLERY FOR CONSIDERATION OF THE FOLLOWING ITEM.

(1) 06/02346/OUT - PERTH – Erection of new mental health facilities at Murray Royal Hospital, Muirhall Road, Perth – NHS Tayside – Report 07/199.

The Committee was informed by the Legal Adviser that an additional letter of objection had been received, taking issue with an aspect of Report No. 07/199.

In that regard the Committee was advised that public anxiety or concern can be a material planning consideration but that the Committee required to assess the grounds on which it is based when determining what weight should attach to that consideration. To this extent, challenge to Report No. 07/199 was justified.

Mr D McLaren, on behalf of the applicant, followed by Dr T Myers, Mr G Fleming, Mr R Salvin, Mr W McKenzie, Ms M Summers and Mr C Harvie, all objectors to the application, addressed the Committee and, following their respective representations, withdrew to the public benches.

Motion: (Councillors Barrett and MacLellan) – Defer, to allow a Master Plan to be prepared for the whole site within the Applicant's control in order to address all relevant planning concerns.

Amendment: (Councillors Lumsden and Hulbert) – Grant, subject to (1) appropriate risk assessments being provided; (2) the submission of a tree survey for the application site; and (3) the conditions contained in Report No. 07/199.

Amendment – 5 votes

Motion – 7 votes

Resolved:

In accordance with the Motion.

COUNCILLOR CADDELL RETURNED TO THE CHAMBERS.

THERE THEN FOLLOWED A FIVE MINUTE RECESS.

I SLEITH RETURNED FROM THE OFFICERS' GALLERY AND R BEAN RETIRED TO THE OFFICERS' GALLERY.

- (2) **07/00079/FUL - KINLOCH RANNOCH – Proposed erection of 3 residential units, consisting of 8 affordable housing units, 6 terraced houses and 16 flats with associated parking at site of former Bunnannoch Hotel, Kinloch Rannoch – Langvale Homes Ltd – Report 07/200.**

Mr B Thomson, on behalf of the applicant, followed by Mrs Monckton, an objector to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Resolved:

Refuse, for the following reasons:

1. The proposal is contrary to the Perth and Kinross Structure Plan 2003 Sustainable Communities Policies 3 and 7 in that a need has not been formally identified for the development and as the scale is not considered appropriate for this rural location.
2. The proposal is contrary to the Perth and Kinross Structure Plan 2003 Environment and Resources Policies 1, 2 and 3 due to the potential negative impact the proposals will have upon locally and nationally recognised areas of biodiversity, wildlife habitats and scenic quality.
3. The proposal is contrary to the aims of General Policy 3 of the Highland Area Local Plan (2000) in that development should seek to conserve landscape features and sense of local identity, and strengthen and enhance landscape character.
4. The proposal is contrary to Policy 5 of the Highland Area Local Plan (2000) as it is not considered that the proposal is of a sufficiently high standard of design or layout and as a result would be detrimental to the visual and residential amenity of the surrounding area.
5. The proposal is contrary to Policy 13 of the Highland Area Local Plan as the development is likely to adversely affect the adjoining Special Area of Conservation.
6. The proposal is contrary to Policy 87 of the Highland Area Local Plan 2000 which encourages small scale infill development which does not adversely affect the density, character or amenity of the village.
7. The proposal is contrary to Policy 93 of the Highland Area Local Plan as the development will erode and impact upon the area zoned for public open space.
8. The site lies within the Kinloch Rannoch Primary School catchment area, which currently has no spare capacity.

- (3) **04/02079/FUL - BANKFOOT – Redevelopment of mill, steading and outbuilding to form 3 residential units at Mill of Tullybelton, Bankfoot – Mr J A H Chalmers – Report 07/201.**

Resolved:

Grant, subject to the following conditions:

1. The development shall be commenced 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 unless otherwise provided for by conditions imposed on the planning consent.

3. Development shall not commence until a scheme to deal with contamination on the site has been submitted to and approved by the Planning Authority. The scheme shall contain proposals to deal with the nature, extent and type of contamination, measures to treat/remove the contamination, measures to deal with contamination during construction and condition of the site on completion of decontamination.
4. None of the dwellinghouses shall be occupied until such time as approved decontamination measures have been fully implemented to the satisfaction of the Planning Authority.
5. The vehicular accesses shall be improved/constructed in accordance with the Council's approved standards, to the satisfaction of the Planning Authority.
6. The public road over a length of 10m immediately adjacent to the main access shall be widened to a minimum of 5m.
7. The level of the main access shall be raised over the first 5m of its length to ensure clear visibility over the adjacent bridge parapet.
8. The gradient of the accesses shall not exceed 3% for the first 5m 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.
9. Turning facilities shall be provided so that vehicles may enter and leave in forward gear.
10. A minimum of 2 parking spaces per dwelling shall be provided within the site.
11. Storm water drainage from all paved surfaces, including the accesses, shall be disposed of by means of sustainable urban drainage systems to the satisfaction of the Planning Authority.
12. Prior to the occupation of the houses the watercourse adjacent to the site and for a distance of 300m upstream and downstream shall be inspected and cleared of any impediments likely to create any obstruction to the free flow of water.
13. A 6m wide maintenance strip shall be provided along the Wharry Burn within which no fences or other structures, which could interfere with the clear passage of water or maintenance vehicles, shall be erected without the prior consent of the Planning Authority.
14. Full visibility splays of 3m by 100m shall be provided to the right and left of the main access measured between points 1m above adjacent road channel level.
15. No houses shall be occupied until the emergency access shown on the plan has been constructed to the satisfaction of the Planning Authority.
16. Samples of all finishing materials shall be prepared on site for approval by the Planning Authority prior to the application thereof.

(4) 06/00816/FUL - REDGORTON – Conversion of existing stone steading to form 2 dwellinghouses, and replacement of existing steading/agricultural building with 8 dwellinghouses at Farm Buildings, Denmarkfield Farm, Redgorton – A and J Stephen Ltd – Report 07/202.

Mr J Lochhead, on behalf of the applicant, addressed the Committee, and, following his representation, withdrew to the public benches.

Resolved:

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

(5) 06/01136/LBC - RATTRAY – Demolition of the Marfield Bar, Hatton Road, Rattray – Glenalmond Developments Ltd – Report 07/203.

Motion (Councillors Lumsden and Lyall) – Grant, subject to conditions to be formulated by the Head of Development Standards on the grounds that the proposal would not constitute a departure from the Eastern Area Local Plan 1998.

Amendment (Councillors Barrett and Howie) – Refuse, for the reasons detailed in Report 07/203.

Amendment – 2 votes

Motion – 11 votes

Resolved:

In accordance with the Motion.

(6) 06/01370/FUL - GLENCARSE – Proposed land restoration at former Clashbenny Quarry, Glencarse – Holden Environmental Ltd – Report 07/204.

Motion (Councillors Hulbert and Barrett) – Grant, subject to a suspensive condition that work will not commence until the proposed 30 miles an hour speed limit has been imposed and subject to the following conditions:

1. This consent is limited to a period of five years which will expire on 1 April 2012.
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 temporary access road and the former quarry site shall be fully reinstated immediately following the completion of the development and full details of the reinstatement plan including landscaping details shall be agreed in writing prior to the start of the development all to the satisfaction of the Council as Planning Authority.
4. The areas of mixed woodland around the site edges shall be retained and protected during the period of the infilling operations all to the satisfaction of the Council as Planning Authority.
5. 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.
6. 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.
7. The site shall be served by the existing private access and a proposed section of new access which shall be provided with intervisible passing places at approximately 100m centres. The access shall be provided with a bitumenously bound surface to the satisfaction of the Council as Planning Authority.
8. The hours of operations shall be restricted to 8am to 6pm Monday to Friday with no weekend working, unless otherwise agreed in writing with the Planning Authority.
9. The materials to be used for infilling the quarry shall comprise a mixture of crushed rubble and recycled/screened soil as specified in the application.
10. All plant and equipment to be installed or operated in connection with the granting of this permission shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed International Standards Organisation [ISO] Noise Rating 30 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential premises, with all windows slightly open, when measured and/or calculated and plotted on an IOS rating curve chart, all to the satisfaction of the Council as Planning Authority.
11. Burning of materials at the site is not permitted.
12. Adequate measures shall be taken at all times to minimise generation of dust on the site.
13. Development shall not begin until a scheme to deal with contamination on the site has been submitted to and approved in writing by the Planning Authority. The scheme shall contain proposals to deal with the contamination to include:
 1. the nature, extent and type[s] of contamination on the site.

2. **measures to treat/remove contamination to ensure the site is fit for the use proposed.**
3. **measures to deal with contamination during construction works.**
4. **condition of the site on completion of decontamination measures.**

Amendment (Councillors Lumsden and McDonald) – Grant, subject to the conditions contained in Report 07/204.

Amendment – 3 votes

Motion – 10 votes

Resolved:

In accordance with the Motion.

- (7) **06/01463/FUL - RATTRAY – Erection of 34 dwellinghouses and the demolition of the Marfield Bar, Hatton Road, Rattray – Glenalmond Developments Ltd – Report 07/205.**

Resolved:

Grant, subject to conditions to be formulated by the Head of Development Standards on the grounds that the proposal would not constitute a departure from to Policy 23 Listed Buildings of the East Area Local Plan 1998.

- (8) **06/01626/OUT - MAWMILL – Erection of a dwellinghouse (in outline) at land at Woodlands, Mawmill, Kinross – Mr B Ramsay – Report 07/206.**

Resolved:

Refuse, for the following reason:-

The applicant has not provided sufficient supporting information to demonstrate that new residential development is justifiable on the site and the proposal is therefore contrary to Kinross Area Local Plan Policy 64 and the Council's Housing in the Countryside Policy 2005.

- (9) **06/01759/OUT - CRIEFF – Demolition of workshops, erection of supermarket, non-food retail units and business units and formation of new access, car parking, landscaping and associated works (in outline) at land at Industrial Estate, Muthill Road, Crieff – Deanway Development Ltd – Report 07/207.**

Resolved:

Refuse, for the following reasons:-

1. The proposal is contrary to the findings of the Crieff Supermarket Working Group which were approved by the Enterprise and Infrastructure Committee on 24 August 2005 in that the Duchlage Farm area has been identified as the preferred location for a supermarket in Crieff.
2. The proposal is contrary to Policy 1 of the Strathearn Area Local Plan which seeks to ensure that development is carried out in a manner in keeping with the goal of sustainable development. The proposal is remote from the town centre and major housing areas with poor pedestrian and cycle links and is unsustainable in transport terms.
3. The proposal is contrary to Policy 68 of the Strathearn Area Local Plan which states that retail development outwith town centre areas will be resisted unless it can be demonstrated that they meet local needs and will not adversely affect the town centre. This has not been demonstrated.
4. The proposal is contrary to Policy 72 of the Strathearn Area Local Plan in that the proposal would result in a loss of land zoned for industrial and business uses.
5. The proposal is contrary to the guidance in Scottish Planning Policy 8 (SPP8) Town Centres and Retailing in terms of the sequential test.
6. The proposal is contrary to Perth and Kinross Structure Plan 2003 Sustainable Economy Policy 8 and SPP8 in that the proposed non-food retail

floorspace would result in an over provision to the detriment of the existing town centre.

- (10) **06/01840/FUL - LOGIEALMOND – Demolition of existing cottage and erection of replacement cottage at Kindrum Cottage, Harrietfield, Logiealmond – Mr C Smith – Report 07/208.**

Mr C Smith, the applicant, addressed the Committee, and, following his representation, withdrew to the public benches.

Motion (Councillors Macdonald & Barnacle) – Grant, subject to conditions to be formulated by the Head of Development Standards on the grounds that the proposal is not contrary to the Strathearn Area Local Plan and does not constitute a departure from the Housing in the Countryside Policy.

Amendment (Councillors Barrett and Grant) – Refuse, for the reasons contained in Report 07/208.

Amendment – 3 votes

Motion – 9 votes

Resolved:

In accordance with the Motion.

FOLLOWING A BREAK FOR LUNCH, THE COMMITTEE RE-CONVENED.

COUNCILLOR McEWEN ENTERED THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEM AND ACCORDINGLY DID NOT PARTICIPATE IN THE DETERMINATION.

- (11) **06/01877/FUL - ERROL – Erection of 50 dwellinghouses at land at the Horn Farm, Errol – Mr James Farquharson – Report 07/209.**

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

Resolved:

Refuse, for the following reasons:-

- 1. The proposal is contrary to Sustainable Communities Policy 6 of the Perth and Kinross Structure Plan 2003 as the development is liable to have an adverse impact on the local environment.**
- 2. The proposal is contrary to Policy 1 of the Perth Area Local Plan 1995 (incorporating Alteration No 1 Housing Land 2000) as the site is not zoned for residential use or development, lies outwith any defined settlement and as the development fails to meet the required criteria for residential development within the landward area.**

- (12) **06/01878/OUT - ERROL – Development of roadside service facilities, light industrial units, retail units, business park and hotel on A90 Perth-Dundee trunk road at Horn Farm, Errol – Mr James Farquharson – Report 07/210.**

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

Motion (Councillors Hulbert and Howie) – Grant, subject to conditions to be formulated by the Head of Development Standards on the grounds that the proposal is not contrary to the Development Plan.

Amendment (Councillors Barrett and Caddell) - Refuse, for the following reasons:-

- 1. The proposals contrary to Sustainable Communities Policies 2, 8 and 9 and Sustainable Economy Policy 8.**

2. **The proposal is contrary to Policy 38 of the Perth Area Local Plan 1995 (Incorporating Alteration No1 Housing Land 2000)**
3. **The proposal is premature in terms of the emerging Perth Area/Central Area Local Plan 2004.**

Amendment – 7 votes

Motion – 5 votes

Resolved:

In accordance with the Amendment.

- (13) **06/01929/OUT - DRUNZIE – Erection of a dwellinghouse (in outline) at Rose Cottage, Drunzie – Mr Mckeen and Ms Ashton – Report 07/211.**

Resolved:

Refuse, for the following reasons:-

1. The proposal is considered to be contrary to Policy 2 of the Kinross Area Local Plan (2004) in failing to accord with all the associated criteria.
2. The proposal is contrary to Policy 5 of the Kinross Area Local Plan (2004) in failing to conserve existing landscape features and sense of local identity, conversely diluting the existing landscape features.
3. The proposal is contrary to Policy 94 of the Kinross Area Local Plan (2004) in failing to accord with the existing pattern of building and open space within the settlement.
4. The proposal is contrary to the Kinross Area Local Plan, 2004, in that it does not meet the developer requirements given in Opportunity 6, Rural Development, Inset Map 19, for Drunzie, as there is no provision made for public drainage with the capacity to accommodate surrounding development.

- (14) **06/01971/OUT - RUTHVENFIELD – Erection of four dwellinghouses (in outline) at land adjacent to Ruthven House, Ruthvenfield – Messrs Hugh and John Brydon – Report 07/214.**

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 reserved matters required by condition 1 shall make provision for a 10m wide strip of mixed planting along the eastern boundary of the site.

- (15) **06/01977/OUT - REDGORTON – Erection of a dwellinghouse (in outline) at Coldrochie Farm, Redgorton – Mr and Mrs Grant – Report 07/215.**

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

Resolved:

Grant, subject to conditions to be formulated by the Head of Development Standards including two additional conditions relating to (1) the property being used for agricultural occupancy only; and (2) the provision and maintenance of a landscaping framework, including the species, height, size and planting density of proposed trees and/or shrubs on the grounds that the proposal is not contrary to Policy 32 of the Perth Area Local Plan 1995 or to the Council's Policy on Housing in Countryside.

- (16) **06/02058/FUL - PERTH – Change of use of car parking spaces to hand car valeting operation including the provision of a cabin to house full water recycling system and the siting of a canopy at Tesco Stores Ltd, Crieff Road, Perth – SPP (Southern) Ltd – Report 07/216.**

Motion (Councillors Howie and Hulbert) – Grant, subject to conditions to be formulated by the Head of Development Standards on the grounds that the proposal would not constitute a departure from the Development Plan.

Amendment (Councillors Lumsden and Caddell) – Refuse, for the following reason:-

The proposed development by reason of its location and design, would be visually obtrusive and involves a reduction in the capacity of a heavily used car park. Approval would therefore be contrary to Policy 65 of the Perth Area Local Plan 1995 Incorporating Alteration No 1 Housing Land 2000.

Amendment – 11 votes

Motion – 2 votes

Resolved:

In accordance with the Amendment.

- (17) **06/02062/FUL - BLAIRINGONE – Erection of a pole barn shed and formation of earth mound at Tethyknowe Farm, Blairingone – Mr Shortreed – Report 07/217.**

Mr D Johnson, objector to the application, addressed the Committee, and, following his representation, withdrew to the public benches.

Resolved:

Refuse, for the following reasons:-

1. The proposal is contrary to policy 2 of the Kinross Area Local Plan (2004) as the retrospective development fails to be compatible with its immediate surroundings in land use terms and subsequently results in a loss of amenity to the surrounding community.
2. The agricultural shed for purposes of intensive livestock farming is located well within the recommended 400m zone from buildings used to house livestock, in line with the code of Good Practice "Prevention of Environmental Pollution from Agricultural Activity" and as such would result in an adverse effect on neighbouring residential amenity.

- (18) **06/02100/FUL - METHVEN – Erection of a dwellinghouse on land at The Pines, Methven – Mr and Mrs J Scott – Report 07/218.**

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

Resolved:

Refuse, for the following reasons:-

1. The proposal is contrary to Policy 1 of the Perth Area Local Plan as the existing road network is not capable of absorbing the additional traffic or provide a satisfactory access on to the road network.
2. The proposal is contrary to Policy 17 of the Perth Area Local Plan as the development will have a detrimental impact on the character and setting of a historic garden and designed landscape.

3. The proposal does not accord with the Council's Policy on Housing in the Countryside (revised December 2005) as it does not fall within any of the excepted categories of that policy and is contrary to Policy 32 of the Perth Area Local Plan, 1995 (amended by Alteration No 1 , Housing Land, 2000).

(19) 06/02127/ADV - PERTH – Display of signs at 1 St Catherines Retail Park, Old Market Place, Perth – Streetbroadcast Ltd – Report 07/219.

Resolved:

Refuse, for the following reasons:-

The proposed display units, because of their location, number and design, when taken together with existing signage, will create a clutter of advertisements within the retail park to the detriment of the visual amenities of the area. Approval would therefore be contrary to the Town and Country Planning (Control of Advertisement) (Scotland) Regulations 1984.

COUNCILLOR McEWEN LEFT THE MEETING AT THIS POINT.

(20) 06/02277/FUL - STANLEY – Demolition of farmhouse and steading and erection of 10 dwellinghouses with garages at Gowrie Farm, Stanley – Grovebury Management Ltd – Report 07/220.

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. Prior to the occupation of any dwellinghouse, the vehicular access improvements, bin storage facilities and bus boarder platforms, all as detailed on the approved drawing 020.01.A, shall be completed to the satisfaction of the Council as Planning Authority.
4. The gradient of the access to the B9099 Luncarty to Stanley public road shall not exceed 3% for the first 5 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.
5. Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
6. Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable sustainable urban drainage systems to meet the requirements of best management practices.
7. No development shall be started until a contaminated ground investigation has been carried out in respect of the site by a suitably qualified consultant, and a scheme to deal with any contamination on the site has been submitted to and approved by the Planning Authority. The scheme shall include the following details:
 - (i) The nature, extent and types of contamination on the site including any source, pathway or 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 remedial measures.Before any dwelling is occupied any necessary measures to remedy contaminated land shall be fully implemented as approved to the satisfaction of the Planning Authority.
8. No development shall take place within the development site as outlined in red 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 the Perth and Kinross Heritage Trust.

9. The use of timber screen fencing is not approved and full details of the boundary treatments and landscaping, including the species, height, size and planting density of proposed trees and/or shrubs, shall be submitted to the Planning Authority for approval prior to the commencement of the development. The scheme as subsequently approved shall be completed prior to the occupation of any of the dwellinghouses and maintained thereafter to the satisfaction of the Planning Authority.
10. No development or extensions, whether or not permitted by virtue of Schedule 1, Part 1, Classes 1 and 3 of the Town and Country Planning (General Permitted Development) (Scotland) Order, 1992 or any Order revoking and re-enacting that Order shall be erected in the curtilage of the dwellings, as shown on the approved site layout plan, without the express consent of the Council as Planning Authority.

(21) 06/02464/FUL - MONEYDIE – Extension to dwellinghouse at Newhouse, Moneydie – Mr and Mrs R Chard – Report 07/221.

Resolved:

Refuse, for the following reasons:-

1. The proposal is contrary to Policy 1 of the Perth Area Local Plan 1995 incorporating Alteration No1 – Housing Land 2000 as the proposal will impact on the scale, form and character of the existing dwellinghouse.
2. The proposal is contrary to Policy 25 of the Perth Area Local Plan 1995 incorporating Alteration No1 – Housing Land 2000 as the proposal will affect the setting of the neighbouring listed building.
3. The proposal is contrary to Appendix 1 subsection 10.1.0 ‘Development affecting the setting (of a listed building)’ of Historic Scotland’s Memorandum of Guidance on listed buildings and conservations area 1998, as it will adversely affect the setting of the neighbouring listed building.

COUNCILLOR HULBERT LEFT THE MEETING AT THIS POINT.

(22) 06/02515/FUL - ABERFELDY – Erection of a dwellinghouse at land to north of Balhomais Farm, Aberfeldy – Dr Ian Hulbert – Report 07/222.

Dr Ian Hulbert, the applicant, addressed the Committee, and, following his representation, withdrew to the public benches.

Resolved:

Grant, subject to conditions to be formulated by the Head of Development Standards on the grounds that the proposal is not contrary to the Council’s Housing in the Countryside Policy (December 2005).

NOTE: Councillor Barrett moved that the application be refused in accordance with Report No. 07/222. On failing to find a Seconder, Councillor Barrett’s Amendment fell.

COUNCILLOR McEWEN RE-ENTERED THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEM AND DID NOT TAKE PART IN ITS DETERMINATION.

COUNCILLOR HULBERT RE-ENTERED THE MEETING AT THIS POINT.

COUNCILLOR LYALL LEFT THE MEETING AT THIS POINT.

(23) 06/02588/REM - BRIDGE OF EARN – Erection of 14 dwellinghouses including roads and boundary treatments (reserved matters) at Station Yard, Station Road, Bridge of Earn – Boyack Homes – Report 07/223.

Mr L Saunders, the applicant, followed by Mr B Armstrong, 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 by virtue of the layout and design is considered to be contrary to Policy 71 in failing to be part of a proposal which will improve the character and environment of the village.

(24) 06/02699/FUL - MURTHLY – Change of house type on plots 3, 4, 5 and 6 and change the priority defined in condition 11 (on roads) of the approval 04/01228/FUL at Southfield Site, Druids Park, Murthly – B&B Joiners – Report 07/224.

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. A sample of all external finishes shall be submitted for the approval of the Planning Authority prior to the commencement of the development.
4. The trees indicated on the approved drawing no.3083/SP/01 shall be retained and protected to the satisfaction of the Council as Planning Authority and details of the proposed methods of protection during construction operations shall be submitted for the approval of the Planning Authority prior to development commencing.
5. The detailed landscaping and planting scheme for the site which is hereby approved shall be implemented as part of the site development programme and thereafter maintained to the satisfaction of the Council as Planning Authority.
6. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size and species to the satisfaction of the Planning Authority.
7. All trees which are to be retained on site shall be protected by stout fencing enclosing an area to protect the ground and roots beneath the full canopy spread as recommended in Clause 7.5 of BS5837 : 2005: Trees in Relation to Construction. Such fencing must be erected before any materials or machinery are brought on the site and before any demolition or development, including erection of site huts, has commenced. Once erected, fences shall be regarded as sacrosanct and should not be removed or altered without prior consultation with the Council's Tree and Woodland Officer. The fence should be at least 1.2m high. If temporary vehicle access is required through the protected area, a reinforced concrete slab or similar protection should be laid over the existing soil surface, all to the satisfaction of the Council as Planning Authority.
8. The ground levels beneath the canopy spread of the tree/s to be retained shall not be altered. Any proposed changes in ground levels must be shown on the site layout and working drawings.
9. Services should be grouped together in the same trench wherever possible and must be positioned outwith the canopy spread of the tree/s to be retained. Trenches and Services shall be in accordance with BS 5837 2005: Trees in Relation To Construction. The location of services must be shown on the site layout and working drawings

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. The roads, footways and footpaths layout shall be in accordance with the approved drawings and no development of dwellinghouses on Plots 7 to 31 shall take place until the new access road from Kinclaven Road through the site has been constructed to the satisfaction of the Council as Planning Authority.
12. The existing vehicular access to Kinclaven Road at the Lodge shall be reformed with a 1.8m wide footway across the full width of the entrance connecting to the existing footways. A Type B access shall be provided to cater for vehicular traffic at the Lodge, all details to be to the satisfaction of the Council as Planning Authority. Suitable signs shall be erected to indicate the changed access arrangement.
13. A full visibility splay of 4.5m by 70m shall be provided to the right of the new road access to Kinclaven Road measured between points 1m above the adjacent road channel level to the satisfaction of the Council as Planning Authority.
14. 5m long by 1.8m wide paved areas to serve as pick up and drop off points for public transport shall be provided on both sides of Kinclaven Road adjacent to the Lodge. All details to the satisfaction of the Council as Planning Authority.
15. Prior to the occupation of Plots 1 to 6, the existing access via the Lodge shall be closed off to vehicular traffic at the new turning head position north of the Lodge and the road known as The Avenue be constructed, all to the satisfaction of the Council as Planning Authority.
16. Prior to the occupation of the houses, the new watercourses adjacent to the site and for a distance of 300 metres of the length upstream and downstream of the site shall be inspected and cleared of any impediments likely to create an obstruction to the free flow of water to the satisfaction of the Council as Planning Authority.
17. Unless otherwise agreed by the Council as Roads Authority, the developer shall provide a maintenance strip of 6 metres wide along the site frontage of the watercourse, with no fences, trees or other obstruction which would interfere with clear passage of water or maintenance vehicles allowed in these areas, and all details of planning etc within these areas to be agreed with the Council as Roads Authority

COUNCILLOR MACLELLAN LEFT THE MEETING AT THIS POINT.

(25) 06/02774/FUL - PITLOCHRY – Proposed residential development (18 dwellinghouses) at land adjacent to Atholl Road, Pitlochry – A&J Stephen – Report 07/225.

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. 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.
4. The junction of the A924 public road and Clunie Bridge Road shall be reformed to the requirements of the Council as Roads Authority to the satisfaction of the Planning Authority prior to the occupation of the dwellings.
5. A Traffic Regulating Order to extend the 30mph speed limit on the A924 public road northwards from the A924 /Clunie Bridge Road junction to a point to be agreed with the Council as Roads Authority shall be promoted and

implemented prior to the occupation of the dwellings. All costs associated with promoting and implementing the Order shall be the responsibility of the Applicant.

6. 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.
7. 'Pick up and drop off' areas for bus passengers shall be provided on both sides of the A924 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.
8. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, agreed by Perth & 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 & Kinross Heritage Trust.
9. The permissive path and proposed core path shown in green/black dashed line on the attached plan must not be obstructed during building works or on completion. Any damage done to the route during building works must be made good prior to the occupation of the first house hereby approved.
10. The existing Oak woodland within the west corner of the site shall remain and no trees shall be removed without the prior consent of the Council as Planning Authority.
11. All recommendations contained within the tree survey by Arboretum Internationale Ltd dated 8 January 2007 shall be fully undertaken to the satisfaction of the Council as Planning Authority.
12. Prior to the commencement of development details of the proposed maintenance for the adoption of open space shall be agreed in writing by the Council as Planning Authority in accordance with the policies and procedures of the Council.
13. Prior to the commencement of development, details of the landscape buffer to the existing cemetery shall be submitted and agreed in writing by the Council as Planning Authority.

(26) 06/02775/FUL - KINFAUNS – Erection of a new dwellinghouse and office at Over Kinfauns Farm, Church Road, Kinfauns – Mr and Mrs MacLehose – Report 07/226.

Resolved:

Refuse, for the following reasons:-

1. The proposal is located within an Area of Great Landscape Value (AGLV). Accordingly the proposal is contrary to policy 12 of the Perth Area Local Plan 1995 (Incorporating Alteration No1 Housing Land 2000) which states 'there will be presumption against built development within the AGLV, except for development necessary for operational need'.
2. The proposal is contrary to Policy 32 of the Perth Area Local Plan 1995 (Incorporating Alteration No1 Housing Land 2000) where it relates to new housing in the countryside as it does not meet any of the criteria relating to [a] development zones [b] building groups [c] renovation of abandoned houses [d] replacement houses [e] conversion of non domestic buildings [f] operational need.
3. The proposal is contrary to the Council's Policy on Housing in the Countryside (December 2005) in that the proposal does not meet any of the categories (1) Building Group (2) Infill Sites (3) New houses in the open

countryside (4) Renovation or Replacement (5) Conversions or (6) Brownfield Site.

(27) 07/00089/OUT - WOLFHILL – Proposed residential plot (in outline) at Parkhead Farm, Wolfhill – Mr R Croal – Report 07/227.

Resolved:

Refuse, for the following reasons:-

1. The site occupies an open and visually prominent position with no natural boundaries contrary to Policy 1 in the Perth Area Local Plan 1995 which requires rural sites to have a good landscape framework where development can be set and screened in the interests of visual amenity.
2. The proposal is contrary to Policy 32 in the Perth Area Local Plan 1995 where it relates to Housing in the Countryside and also the Council's revised policy of December 2005 as neither policy allows for additional development next to an isolated house and also apply locational criteria in common which further discourages development on visually prominent sites which have no natural boundaries or screening and which are visible over wide areas of countryside.

(28) 07/00093/CON - LONGFORGAN – Demolition of existing cottage and construction of new dwellinghouse and replacement of existing garage to double garage at Lilac Cottage, 39 Main Street, Longforgan – Mr and Mrs J Taylor – Report 07/228.

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

Motion (Councillors Hulbert and Lumsden) – Grant, subject to conditions to be formulated by the Head of Development Standards on the grounds that the proposal is not contrary to the Development Plan.

Amendment (Councillors Howie and Young) – 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 Longforgan Conservation Area.**
2. **The proposal would be contrary to Policy 74 in the Perth Area Local Plan which applies to the Longforgan Conservation Area, which indicates that there is a presumption against development which would not preserve or enhance the area.**
3. **The applicant has failed to provide full structural and economic justification to support the proposal and therefore consideration of demolition of this building is deemed to be premature.**

Amendment – 8 votes

Motion – 3 votes

Resolved:

In accordance with the Amendment.

(29) 07/00094/FUL - LONGFORGAN – Demolition of existing cottage and construction of new dwellinghouse and replacement of existing garage to double garage at Lilac Cottage, 39 Main Street, Longforgan – Mr and Mrs J Taylor – Report 07/229.

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

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 Longforgan Conservation Area.
2. The proposal would be contrary to Policy 74 in the Perth Area Local Plan which applies to the Longforgan Conservation Area which indicates that there is a presumption against development which would not preserve or enhance the area.
3. The applicant has failed to provide full structural and economic justification to support the proposal and therefore consideration of demolition of this building is deemed to be premature.

- (30) **07/00099/FUL - CRIEFF – Construct raised conservatory with access balcony and steps to rear of existing house at 36 Commissioner Street, Crieff – Mr and Mrs Simpson – Report 07/230.**

Motion (Councillors MacDonald and Lumsden) – Grant, subject to conditions to be formulated by the Head of Development Standards on the grounds that the proposal is not contrary to the Strathearn Area Local Plan 2001 in that it will not adversely affect the residential amenity or significantly harm the privacy of residential properties.

Amendment (Councillors Barrett and Hulbert) – Refuse, for the reasons contained in Report 07/230.

Amendment – 5 votes

Motion 5 votes (+ casting vote of Convener)

Resolved:

In accordance with the Motion.

- (31) **07/00138/FUL - CRIEFF – Erection of one dwellinghouse to replace existing ruin at East Lochlane Farm, Crieff – Mr G Halley – Report 07/231.**

James Denholm, on behalf of the applicant, addressed the Committee, and, following his representation, withdrew to the public benches.

Resolved:

Grant, subject to conditions to be formulated by the Head of Development Standards on the grounds that the proposal is not contrary to the Council's policy on Housing in the Countryside (December 2005) in that it falls within the categories (a) Building Group (b) Conversion or replacement of non-domestic buildings or (d) Operational Need.

NOTE: Councillor Barrett moved that the application be refused for the reasons contained in Report 07/231. On failing to find a Seconder, Councillor Barrett's Amendment fell.

- (32) **07/00172/OUT - STANLEY – Erection of a dwellinghouse in outline on land at Gowrie Farm, Stanley – Mr and Mrs G Scott – Report 07/233.**

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

Resolved:

Refuse, for the following reasons:-

1. The proposal does not accord with the Council's Policy on Housing in the Countryside (revised December 2005) as it does not fall within any of the

- excepted categories of that policy and is contrary to Policy 32 of the Perth Area Local Plan, 1995 (amended by Alteration No 1, Housing Land, 2000).
2. The site is visually prominent, is poorly defined by existing landscape features and does not provide a suitable landscape setting. The development will consequently have a detrimental effect on the visual amenity of the rural area. The application is therefore not in accordance with Policy 1 of the Perth Area Local Plan, 1995 (amended by Alteration No 1, Housing Land, 2000) and is contrary to the Council's adopted Guidance on the Siting and Design of Houses in Rural Areas.

COUNCILLOR LUMSDEN, HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEM, IN TERMS OF STANDING ORDER 6, WITHDREW FROM THE MEETING AND LEFT THE CHAMBERS.

(33) 06/01580/FUL - PERTH – Formation of hotel car park and erection of development for housing at Plots 1-28 on land at Station Hotel, Leonard Street, Perth – GS Brown Construction Ltd – Report 07/234.

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 proposed access shall be laid out and constructed in accordance with the Council's approved standards to the satisfaction of the Planning Authority.
4. The existing bus stop and shelter on Leonard Street within the site boundaries shall be relocated to the satisfaction of the Planning Authority prior to the commencement of any work on the approved development.
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. A secure waterproof cycle parking facility for a minimum of 12 cycles shall be provided within the curtilage of the flats and one for 10 spaces within the new hotel car park, to the satisfaction of the Planning Authority.
7. Development shall not commence until a scheme to deal with contamination on the site has been submitted to and approved by the Planning Authority. The scheme shall contain proposals to deal with the nature extent and type of contamination, measures to treat/remove contamination, measures to deal with contamination during construction and condition of the site on completion of decontamination.
8. The approved decontamination scheme shall be fully implemented prior to the occupation of any dwellinghouse.
9. A noise impact assessment by a suitably qualified consultant, to address the issue of noise from the adjacent railway line and hotel, shall be submitted to and approved by the Planning Authority prior to the commencement of any work and any recommendations contained therein shall be implemented as part of the development to that Authority's satisfaction.
10. A detailed landscaping specification for the site shall be submitted to the Planning Authority for approval prior to the commencement of any work. This plan shall make provision for additional planting around the edges of the hotel car park, retention of existing trees and measures for their protection during construction. The approved landscaping works shall be implemented concurrently with the progress of development and thereafter maintained to the satisfaction of the Planning Authority.
11. A surfacing specification for the proposed hotel car park, which shall include the use of cobbles adjacent to the building, shall be submitted to the Planning Authority as part of the landscaping scheme required by condition 10 above.

12. Samples of all surfacing and finishing materials shall be submitted to the Planning Authority for approval prior to the application thereof.
13. At least 50% of the units shall be affordable houses as defined in the Council's Policy on Affordable Housing and the manner in which these units will be delivered shall be the subject of a formal agreement with the Planning Authority prior to the commencement of any work.

COUNCILLOR LUMSDEN RETURNED TO THE MEETING AT THIS POINT.

COUNCILLOR CADDELL, HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEMS, IN TERMS OF STANDING ORDER 6, WITHDREW FROM THE MEETING AND LEFT THE CHAMBERS.

(34) 06/02569/LBC - PERTH – Demolition of Cornhill House at Perth Royal Infirmary, Taymount Terrace, Perth – NHS Tayside – Report 07/235.

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. Prior to development commencing, the developer shall secure the implementation of an archaeological standing building survey of the extant structures (of Cornhill House), to be carried out by an archaeological organisation acceptable to the Planning Authority. The scope of the archaeological standing building survey will be set by Perth and Kinross Heritage Trust on behalf of the Planning Authority. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the Perth and Kinross Heritage Trust in writing not less than 14 days before development commences. Copies of the resulting survey shall be deposited in the National Monuments Record for Scotland and in the Perth and Kinross Historic Environment Record upon completion.

COUNCILLORS LUMSDEN AND HOWIE REQUESTED THAT THEIR DISSENT FROM THE COMMITTEE'S ACCEPTANCE OF THE NEED FOR THE DEMOLITION OF THIS PROPERTY BE RECORDED.

(35) 06/02570/FUL - PERTH – Erection of a palliative care hospice with associated access roads, parking and garden areas at Perth Royal Infirmary, Taymount Terrace, Perth – NHS Tayside – Report 07/236.

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. No part of the development shall be occupied until a Green Travel Plan (GTP), aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. The GTP will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan.
4. 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.

5. A minimum of 26 No. car parking spaces shall be provided within the site.
6. 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.
7. 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.
8. Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable sustainable urban drainage systems to meet the requirements of best management practices.
9. Details of the landscaping, including the species, height, size and planting density of proposed trees and/or shrubs, shall be submitted to the Planning Authority for approval prior to the commencement of the development. The scheme as subsequently approved shall be completed prior to the occupation of the hospice and maintained thereafter to the satisfaction of the Planning Authority.
10. No trees shall be removed other than indicated for felling on the approved plans and tree report from PR Trees Ltd dated 4 January, 2007 without the prior written consent of the Council as Planning Authority.
11. The ground levels beneath the canopy spread of the trees to be retained shall not be altered and the surface of adjacent footpaths and roadways shall be of a porous construction with a no-fines granular material as a base or 'geotex' fabric to allow water and oxygen to reach the roots as per BS 5837: 2005 Trees In Relation To Construction.
12. Services shall be grouped together in the same trench wherever possible and shall be positioned outwith the canopy spread of the trees to be retained. If trenches need to be excavated within the canopy spread, a trench should only be dug on one side of the tree. The routing and excavation of trenches and provision of services shall be in accordance with Publication No. 10 of the National Joint Utilities Code of Practice and BS 5837 2005: Trees In Relation To Construction.
13. Prior to the commencement of any development (including demolition and the importation of plant, materials and machinery), all trees within the site which are shown on the approved plans as being retained, together with those trees outwith but overhanging the site, shall be protected to BS 5837:1991 by chespale fencing fixed top and bottom to horizontal rails, all on 75mm treated posts, to a height of 1200mm. The fencing shall be set no closer to the trees than their canopy spread, and shall remain intact for the duration of construction works, unless otherwise agreed in writing with the Planning Authority. No construction work, changes to levels, or storage of plant or materials shall take place within the protected zone.
14. Prior to development commencing, the developer shall secure the implementation of an archaeological standing building survey of the extant structures (of Cornhill House), to be carried out by an archaeological organisation acceptable to the Planning Authority. The scope of the archaeological standing building survey will be set by Perth and Kinross Heritage Trust on behalf of the Planning Authority. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the Perth and Kinross Heritage Trust in writing not less than 14 days before development commences. Copies of the resulting survey shall be deposited in the National Monuments Record for Scotland and in the Perth and Kinross Historic Environment Record upon completion.