

# 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 February 2007 at 9.30am.

Present: Councillors Barnacle, Caddell, E Grant, Howie, Hulbert (up to and including PK/06/02272/FUL (Art. 86(16))), Livingstone (up to and including PK/06/02516/FUL (Art. 86(19))), Lumsden, MacLellan (up to and including PK/06/02272/FUL (Art. 86(16))), McDonald (up to and including PK/06/02564/FUL (Art. 86(20))), McEwen, Robertson (substituting for Councillor Lyall) and Young.

In Attendance: Councillor Baird (up to and including PK/05/01752/NID (Art. 84(1))), Councillor Ellis (up to and including PK/06/02272/FUL (Art. 86(16))); I Sleith, A Condliffe, M Watson, R Bean, P Sweeney, A Fleming and B Reekie (up to and including PK/05/01752/NID (Art. 84(1))) (all The Environment Service); Y Oliver and E Gizzie (Chief Executive's); and C Elliott (Corporate Services).

Councillor Lumsden, Convener, Presiding.

## 78. WITHDRAWAL OF APPLICATIONS

The Committee noted that the following planning applications had been withdrawn:

- (1) **06/01485/OUT - PERTH – Formation of residential development (in outline) at land at Newhouse Farm, Perth – Mr G Sinclair - Report 07/99.**
- (2) **06/02300/FUL - POWMILL – Erection of replacement house at land at Craigton Farm, Powmill – Mr and Mrs Richmond - Report 07/113.**
- (3) **06/02614/FUL - PERTH – Extension to dwellinghouse at 123 Rannoch Road, Perth – Mr S McRae - Report 07/120.**
- (4) **06/02655/FUL - PERTH – Extension to dwellinghouse at 12 Oakbank Road, Perth – Mr G Bayne - Report 07/121.**

## 79. DECLARATIONS OF INTEREST

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

## 80. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Development Control Committee of 17 January 2007 (Arts. 28-34) was submitted, approved as a correct record and authorised for signature.

## 81. DEPUTATIONS

The Convener advised the Committee that a deputation request had been received from a member of a Community Council to speak on behalf of the Community Council. It was the Committee's practice not to hear deputations on behalf of Community Councils as Community Councils were statutory consultees in the planning process, but the Convener asked if the Committee agreed to hear the deputation request on the objector's own behalf. The Committee unanimously agreed to do so.

Planning Application No.	Article No.
05/01752/NID	84(1)
06/01385/OUT	86(2)
06/01972/FUL	86(8)
06/02145/OUT	86(10)
06/02152/LBC	86(11)
06/02215/FUL	86(14)

06/02272/FUL	86(16)
06/02516/FUL	86(19)
06/02564/FUL	86(20)

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

## 82. APPLICATIONS PREVIOUSLY CONSIDERED

- (1) **05/01411/LBC - PITCAIRNGREEN – Repairs to North Range, Dalcrue Farm, Pitcairngreen – Earl of Mansfield 1992 Trust - Report 07/93.**

The Head of Development Standards advised the Committee that a letter had been received from Scone Estates confirming their commitment to undertaking the necessary repair (as evidenced by the meeting with planning officials since the issue of the report).

**Resolved:**

That the concern of the Committee at the delay in carrying out the works be recorded and that work be taken forward as quickly as possible.

## 83. APPEAL

- (1) **06/02147/OUT – COUPAR ANGUS – Erection of 4 new dwellinghouses at Newbigging Farm, Coupar Angus, Blairgowrie – Mrs B Sladden - Report 07/94.**

**Resolved:**

The proposal, which was subject of an appeal to the Scottish Ministers, be opposed.

## 84. DEVELOPMENT BY PERTH AND KINROSS COUNCIL

- (1) **05/01752/NID - GLENFARG – Erection of recycling containers for the recycling of paper, cans, glass and textiles at the car park at Wallace Park, Duncruevie Road, Glenfarg – Perth and Kinross Council - Report 07/95.**

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

Mr B Reekie, on behalf of Perth and Kinross Council, addressed the Committee. Mr A Johnston followed and advised the Committee that he was speaking on behalf of Glenfarg Community Council.

**Motion (Councillors Young and McEwen) – Refuse to hear the deputation on grounds that it was not the practice of the Committee to hear deputations from Community Councils.**

Amendment (Councillors Lumsden and Hulbert) – Allow Mr Johnston to speak as a member of the public.

Amendment – 3 votes

Motion – 8 votes.

**Resolved:**

In accordance with the Motion.

Mr Johnston was not allowed to make his deputation. E Carswell, objector, then addressed the Committee. The deputations, following their representations, withdrew to the public benches.

**Motion (Councillors Barnacle and Howie) – Defer, for further consideration to ensure that there is not an alternative site that would gain greater community support.**

Amendment (Councillors Livingstone and E Grant) – Grant, subject to the conditions contained in Report 07/95.

Amendment – 2 votes

Motion – 9 votes

**Resolved:**

In accordance with the Motion.

COUNCILLOR BAIRD AND B REEKIE LEFT THE MEETING AT THIS POINT.

#### **85. TELECOMMUNICATIONS DEVELOPMENT**

- (1) **06/02396/FUL - COMRIE – Installation of 2 No. 0.3m transmission dishes on to the existing mast at 20m and 17m AGL and installation of a ground based equipment cabinet and ancillary development within an existing compound at mast site on land to the northeast of Leckin Farm, Comrie – O2 (UK) Ltd - Report 07/96.**

**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.

#### **86. PLANNING APPLICATIONS FOR DETERMINATION**

The Committee noted that any reference to refusal on lack of school capacity grounds must be disregarded until such time as a protocol with Education and Children's Services had been agreed.

- (1) **05/02362/FUL - RATTRAY – Residential development at land at rear of Haugh Road, Rattray – S W Smedley Charitable Trust - Report 07/97.**

**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 commencement of any work on site, the applicant shall obtain written confirmation from Scottish Water that a mains drainage connection is available all to the satisfaction of the Council as Planning Authority.
4. Prior to the start of any development, the developer shall provide written confirmation that the six houses will be made available as affordable housing in conjunction with a Registered Social Landlord in accordance with the terms of the Council's Policy on Affordable Housing to the satisfaction of the Council as Planning Authority.
5.
  - (i) 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.
  - (ii) All access carriageways shall be a minimum of 0.5m from existing buildings.
  - (iii) The 2m wide footpath from Haugh Road to the site shall be lit and constructed to the standard and specifications required by the Council as Roads Authority.
  - (iv) 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.

**(2) 06/01385/OUT - MADDERTY – Erection of 4 dwellinghouses and a new village hall (in outline) at farmland to the south edge of St David’s, Madderty – Mr and Mrs J Sutherland and Madderty Guildhall Committee - Report 07/98.**

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

**Resolved:**

**Grant**, subject to the following conditions:

1. The following reserved matters: the siting, design and external appearance of all aspects 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 layout, design and finish of buildings shall be in accordance with the guidelines contained in the submitted design brief, to the satisfaction of the Planning Authority.
5. A 5m wide mixed hardwood tree belt shall be planted along the southern boundary of the site to form part of the reserved matters required by Condition 1.
6. Full details of the proposed private drainage system shall form part of the reserved matters required by Condition 1.
7. No work shall commence on the erection of the houses until such time as work has commenced on the construction of the hall, to the satisfaction of the Planning Authority, and no house shall be occupied until such time as the hall, car park and play area are complete and available for use.

**(3) 06/01488/OUT - AUCHTERARDER – Erection of dwellinghouse (in outline) at vacant land at Shinafoot, Dunning Road, Auchterarder – Mr and Mrs M Evans - Report 07/100.**

**Resolved:**

**Refuse**, for the following reasons:

1. The proposal is contrary to Policy 54 of the Strathearn Area Local Plan 2001 and the Housing in the Countryside Policy 2005 as it does not meet any of the criteria to justify a new dwellinghouse in this location.
2. The proposal is contrary to Policy 2(a) and Policy 54 of the Strathearn Area Local Plan and the Housing in the Countryside Policy 2005 as it will introduce a visually prominent element into a rural location, to the detriment of the visual amenity of the area.

**(4) 06/01566/OUT - PITRODDIE – Erection of a dwellinghouse to the south of Brantwood, Pitroddie – Mr and Mrs Dagnall - Report 07/101.**

**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 49 of the Eastern Area Local Plan 1998, Housing in the Countryside in that it does not meet any of the categories of development groups and constitutes a residential development within the AGLV which is not required for an 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.

**(5) 06/01691/REM – BRIDGE OF EARN - Proposed residential development (reserved matters) on land at Kintillo Road, Bridge of Earn - Sovereign House Developments Ltd - Report 07/102.**

**Resolved:**

**Grant**, subject to the following conditions:

1. The development shall be begun within a period of five years from the date of this consent.
2. The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.
3. Details of the specification and colour of the proposed external finishing materials to be used shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The scheme as approved shall be implemented prior to the occupation and or use of the development.
4. Development shall not begin until a contaminated ground investigation has been carried out by a suitably qualified consultant and a scheme to deal with any contamination on the site has been submitted to and approved in writing by the Planning Authority. The scheme shall contain details of proposals to deal with contamination to include:
  - (i) the nature, extent and types(s) of contamination on the site including any source, pathway, receptor linkage.
  - (ii) measures to treat/remove contamination to ensure the site is fit for the use proposed.
  - (iii) measures to deal with contamination during construction works.
  - (iv) condition of the site on completion of remediation measures.
5. Prior to the commencement of work on site a fully detailed landscape plan including details of all hard and soft surface and boundary treatments and all planting shall be submitted to and approved in writing by the Planning Authority.
6. The area of land to the north east of the application site indicated in blue on the approved site location plan P001, shall accommodate the affordable element of the housing development as approved in outline, i.e. Phase 2 of the development.
7. Prior to the commencement of work on site the applicant shall submit in writing a Sustainable Urban Drainage Scheme (SUDS) for the approval of the Planning Authority.
8. Prior to the start of work on site details of improvements to the existing public road stub between the Kintillo Road and the site should be provided and include new footways on both sides incorporating crossings for existing car parking areas all to the requirements of the Council as Roads Authority.
9. The 'rumble strip' and narrowing at the entry to the shared use area at the southern end of the site should be removed and replaced by a full width 'ramp' to the requirements of the Council as Roads Authority.

- (6) **06/01951/FUL - MADDERTY – Erection of a dwellinghouse at land northwest of Westbank Farm, Madderty – Mr Edward Burns - Report 07/103.**

**Resolved:**

**Refuse**, for the following reasons:

1. The site does not offer a satisfactory level of residential amenity due to the close proximity of existing buildings used for housing livestock and does not have a defined landscape framework. Approval would therefore be contrary to the Council's Policy on Housing in the Countryside.
2. The proposal does not fall within any of the excepted categories of development in the Housing in the Countryside Policy as set out in the Strathearn Area Local Plan. Approval would therefore be contrary to Policy 54 of the Plan.

- (7) **06/01967/OUT - DRUM – Erection of dwellinghouse (in outline) at land west of Glendale Cottage, Drum – Mr R Forrest - Report 07/104.**

**Resolved:**

**Refuse**, for the following reasons:

1. The proposal is contrary to Policy 2(f) of the Kinross Area Local Plan 2004 as it would reduce the plot size and private amenity space of the existing dwellinghouse to an unacceptably small size.
2. The proposal is contrary to Policy 2(b) of the Kinross Area Local Plan 2004 as it would reduce the plot size and private amenity space of the existing dwellinghouse to a size which is out of character with the pattern of build in the locality.
3. The proposal is contrary to Policy 81 of the Kinross Area Local Plan 2004 as it would reduce the plot size and private amenity space of the existing dwellinghouse to an unacceptably small size which is out of character with the pattern of build in the village.

- (8) **06/01972/FUL - SCONE - Continuation of extended business opening hours of workshop from Monday to Friday 9am-8pm, Saturday 9am-4pm, Marques of Scone, Victoria Road, Scone – Marques of Scone - Report 07/105.**

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

**Motion (Councillors Young and Livingstone) – Grant, subject to the following conditions:**

1. **Consent for the changes to hours of operation is hereby granted for a limited period until 28 February 2017.**
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 working activities should take place within the workshop and the hours of operation are restricted to 9am to 8pm Monday - Friday and 9am to 4pm on Saturdays.**
4. **Loading and unloading operations outwith the building(s) are restricted to the hours of 9am to 6pm Monday to Friday and 9am to 1pm Saturday, with no activities of any nature to occur on Sunday.**

Amendment (Councillors Robertson and McEwen) – Grant, for a limited period to 28 February 2012, and otherwise subject to the conditions contained in Report 07/105.

Amendment – 3 votes

Motion – 9 votes

**Resolved:**

In accordance with the Motion.

FOLLOWING A 10 MINUTE RECESS, THE COMMITTEE RECONVENED AT 11.10AM.

- (9) **06/02017/FUL - BLAIRADAM – Change of use of steading to form 5 dwellinghouses and garages at Flockhouse Farm, Blairadam – Mr Peter Giacomazzi - Report 07/106.**

The Head of Development Standards advised the Committee that, due to the educational capacity issue mentioned previously by the Convener, he was now recommending approval of Report 07/106.

**Resolved:**

**Grant**, subject to conditions to be formulated by the Head of Development Standards, including an element of affordable housing, and in consultation with the Local Member.

- (10) **06/02145/OUT - AUCHTERARDER – Erection of dwellinghouse at land to the east of Firhill, Muirton, Auchterarder – Mr Gerry Gillbanks - Report 07/107.**

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

**Resolved:**

**Refuse**, for the following reasons:

1. The proposal is considered to be contrary to Policy 1 (c) and (f) of the Strathearn Local Plan in degrading the quality of the natural environment within the site and the natural biodiversity of this site.
2. The proposal is contrary to Policy 2(h) of the Strathearn Area Local Plan 2001 as the proposed residential site is not being built within a settlement which is subject of the inset maps.
3. The proposal is contrary to Policy 3 of the Strathearn Area Local Plan 2001 as the development of a residential unit on this natural landscaped site will have a detrimental impact on the surrounding landscape and the current visual divide between Gleneagles and Auchterarder.
4. The proposal is contrary to Policy 44 of the Strathearn Area Local Plan 2001 as no built development should be located adjoining or immediately outwith settlements which are subject of inset maps.
5. The proposal is contrary to Policy 54 of the Strathearn Area Local Plan 2001 and the Housing in the Countryside Policy 2005 as it does not meet any of the criteria to justify a new dwellinghouse in this location.

- (11) **06/02152/LBC - DUNNING – Installation of velux windows (retrospective) at ‘Acharn’, Thimble Row, Dunning – Mr and Mrs Crow - Report 07/108.**

Mrs A Gaunt, representing the applicant, addressed the Committee, and, following her representation, withdrew to the public benches.

**Motion (Councillors Young and Hulbert) – Defer, for further consideration of alterations to the lower, large window in the roof.**

Amendment (Councillors Robertson and McDonald) – Grant, on the grounds that the proposal is not considered to be contrary to the Development Plan as it does not adversely affect the character of the Category C Listed Building.

Amendment – 6 votes

Motion – 5 votes

**Resolved:**

In accordance with the Amendment.

- (12) **06/02607/FUL - DUNNING – Installation of velux windows (retrospective) at ‘Acharn’, Thimble Road, Dunning – Mr and Mrs Crow - Report 07/119.**

Mrs A Gaunt, representing the applicant, addressed the Committee, and, following her representation, withdrew to the public benches.

**Resolved:**

**Grant**, on the grounds that the proposal is not considered contrary to the Development Plan as it does not adversely affect the character of the Category C Listed Building, village or conservation area.

**(13) 06/02193/OUT - SCONE – Residential development (in outline) at land to rear of 21 Victoria Road, Scone – Messers Craik and Smith - Report 07/109.**

**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.  
In accordance with the terms of Section 59 of the Town and Country Planning (Scotland) Act 1997.
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 development shall comply fully with the Council's Affordable Housing Policy 2005 in terms of providing the appropriate affordable housing quota on site.
5. No residential numbers are approved as part of this consent.
6. Development shall not begin until a contaminated ground investigation has been carried out by a suitably qualified consultant and a scheme to deal with any contamination on the site has been submitted to and approved in writing by the Planning Authority. The scheme shall contain details of proposals to deal with contamination to include:
  - (i) the nature, extent and types(s) of contamination on the site including any source, pathway, receptor linkage.
  - (ii) measures to treat/remove contamination to ensure the site is fit for the use proposed.
  - (iii) measures to deal with contamination during construction works.
  - (iv) condition of the site on completion of remediation measures.
7.
  - (i) Roads and associated works shall be constructed in conformity with the Council's specifications and to the satisfaction of the Council as Planning Authority prior to occupation of houses.
  - (ii) 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.
  - (iii) The existing 'Barrel Drain' storm water drain which passes through the site shall be located and protected to the satisfaction of the Council as Roads Authority.
  - (iv) No buildings shall be placed within 6m of the existing 'Barrel Drain' or any realignment of the drain.
  - (v) The vehicular access shall be formed in accordance with specification Type C, Fig 5.7, access detail to the satisfaction of the Planning Authority.

- (vi) The gradient of the access shall not exceed 3% for the first 10 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.
- (vii) Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
- (viii) A minimum of 2 No. car parking spaces per dwelling shall be provided within the site.

**(14) 06/02215/FUL - PERTH – Extension to dwellinghouse at 6 Gilsay Place, Perth – Ms Vicky Thorpe - Report 07/110.**

Mr Rodgers, 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 considered contrary to Policy 41 of the Perth Area Local Plan 1995.

**(15) 06/02252/FUL – PERTH – Extension to dwellinghouse at 15 Ritchie Place, Perth – Mr and Mrs G McAlpine - Report 07/111.**

**Resolved:**

**Refuse**, for the following reason:

1. The proposal is contrary to Policy 41 of the Perth Area Local Plan 1995 incorporating Alteration No1 – Housing Land 2000 as the height, scale and visual prominence of the proposal will detrimentally alter the character of the host building and introduce a visually incongruous element into the street scene to the detriment of the character of the area.

**(16) 06/02272/FUL - BLAIRGOWRIE – Erection of a log dwellinghouse at Netheraird of Glasclune, Blairgowrie – Mr John Carter - Report 07/112.**

In terms of Standing Order 53, Councillor Ellis, as Local Member, addressed the Committee. Mr J Carter, applicant, followed by Mr R Berry, objector to the application, addressed the Committee, and, following their respective representations, all withdrew to the public benches.

**Resolved:**

**Grant**, subject to the amendment by the Head of Development Standards of Condition 3 from that detailed in Report 07/112, to that shown below and otherwise 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. (As Amended) The occupation of the dwellinghouse shall be restricted to a person solely or last employed locally in agriculture at Netheraird of Glasclune as defined in Section 277(1) of the Town and Country Planning (Scotland) Act 1997, or a dependant of such a person residing with him or her (but including a widow or widower of such a person).
4. The existing caravan unit shall be removed from the site once the new house is completed and ready for occupation all to the satisfaction of the Council as Planning Authority.
5. The external walls of the log house shall be finished in a dark brown colour and a sample shall be provided and agreed in writing all to the satisfaction of the Council as Planning Authority.
6. Adequate parking spaces shall be provided to cater for all vehicles likely to visit the premises to the satisfaction of the Council as Planning Authority.

7. The proposed core path shown in green on the plan attached to the application marked 'A' must not be obstructed during building works or on completion of development. Any damage done to the route during building works must be made good before the house is occupied.

COUNCILLORS MACLELLAN, HULBERT AND ELLIS LEFT THE MEETING AT THIS POINT.

- (17) **06/02302/OUT - TIBBERMORE – Erection of two dwellinghouses (in outline) at land south of Bowmanis, Tibbermore – Mr and Mrs Oswald - Report 07/114.**

**Resolved:**

**Grant**, on the grounds that the departure from the Development Plan was justified as the proposal is not contrary to Policy 32 of the Perth Area Local Plan 1995 and the Council's Policy on Housing in the Countryside as it is identified as a site within a building group, and subject to conditions to be formulated by the Head of Development Standards.

- (18) **06/02324/FUL - GLENEAGLES – Amendment to 03/00965/FUL to allow revision to the site layout to erect 4 additional residential units at land between Windsor Gardens and Balmoral Court, Gleneagles, Auchterarder – The Gleneagles Hotel - Report 07/115.**

**Resolved:**

**Grant**, subject to the Applicant making an appropriate contribution towards the provision of affordable housing based on an affordable housing requirement of 3.75 units and subject to the following conditions:

1. The development shall be begun within a period of five years from the date of this consent.
2. The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.
3. Details of the specification and colour of the proposed external finishing materials to be used shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The scheme as approved shall be implemented prior to the occupation and or use of the development.
4. Prior to the commencement of construction on site, full details of the entrance feature at the junction of the private access with the public road shall be submitted for the further approval of the Planning Authority. The details as subsequently agreed shall be implemented as part of the permission.
5. Prior to the commencement of construction on site, full details of the refuse collection point shall be submitted for the further approval of the Planning Authority. The details as subsequently agreed shall be implemented as part of the permission.
6. All trees shown on drawing number 2309 PL12 as being retained shall be retained and protected during construction to the satisfaction of the Council as Planning Authority.
7. Prior to the commencement of work on site a Sustainable Urban Drainage Scheme (SUDS) shall be submitted for the approval of the Planning Authority.
8. Street lighting shall be provided on the C410 Orchill Road between the existing street lighting at the rear entrance to Gleneagles Hotel and the existing street lighting at Windsor Gardens prior to the occupation of the dwellinghouses hereby approved.
9. Prior to the commencement of work on site a fully detailed landscape plan including details of all hard and soft surface and boundary treatments and all planting shall be submitted to and approved in writing by the Planning Authority.

10. The vehicular access to the C410 Orchill Road 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.
11. The gradient of the access shall not exceed 3% for the first 15.00 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.
12. The development shall be served by a private access to the satisfaction of the Council as Planning Authority.
13. 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 Orchill Road to connect with the existing pedestrian facilities and implemented prior to the occupation of the dwellinghouses hereby approved.
14. The development hereby approved cannot be occupied until July 2008 as the new Dunning Primary School is expected to be available for operation in August 2008.

**(19) 06/02516/FUL - CARNBO – Erection of dwellinghouse at land to the east of Carnbo – Mr and Mrs Drysdale - Report 07/116.**

The Committee noted that three additional letters of objection, which had been received since the Committee papers were issued, did not raise further considerations.

Mr K McFarlane, representing 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 Policies 48 and 64 of the Kinross Area Local Plan 2004 as it is part of a building group.

COUNCILLOR LIVINGSTONE LEFT THE MEETING AT THIS POINT.

**(20) 06/02564/FUL - KINROSS – Alterations and extension to dwellinghouse - Kirkgate Cottage, Burns-Begg Street, Kinross – Mr and Mrs Bennet - Report 07/117.**

Mr Montgomery, representing 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 2 (b) of the Kinross Area Local Plan 2004 as the scale and design of the extension would have a significant adverse impact on the character of the dwellinghouse and the visual amenity of the surrounding area.
2. The proposal is contrary to Policy 67 of the Kinross Area Local Plan 2004 as the scale and design of the extension would have a significant adverse impact on the character of the dwellinghouse and the visual amenity of the surrounding area.

COUNCILLOR MCDONALD LEFT THE MEETING AT THIS POINT.

COUNCILLOR HULBERT RE-ENTERED THE MEETING FOR CONSIDERATION OF THE FOLLOWING ITEM.

**(21) 06/02585/OUT - GLENSHEE – Erection of a dwellinghouse at Blairview, Glenshee, Blairgowrie – David Hardy - Report 07/118.**

**Motion (Councillors Lumsden and Caddell) – Refuse, for the following reasons:**

1. 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.**

- 2. The proposal is contrary to Policy 49 of the Eastern Area Local Plan 1998, Housing in the Countryside in that it does not meet any of the categories of development groups.**

Amendment (Councillors Grant and Howie – Grant, on the grounds that the proposal would be in accordance with the proposed alteration to the Glenshee Development Zone Area in the Eastern Area Local Plan Review Strategy and Draft Plan 2005.

Amendment – 3 votes

Motion – 5 votes

**Resolved:**

In accordance with the Motion.