

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 27 September 2006 at 9.30am.

Present: Councillors Barnacle, Caddell (except for Arts. 611(9) and (10)), Cowan (substituting for Councillor McDonald) (except for Art. 611(1)), E Grant, Hulbert, Hunter (substituting for Councillor Lumsden) (except for Arts. 608(1)(2) and 611(2)), Livingstone, Lyall (except for Art. 609(3)), McEwen (from Art 609), Miller (substituting for Councillor Howie) (except for Arts. 609(1) - 609(7) inclusive and 611(7)-(10)), Stewart and Young.

Attending: G McFarlane, J Robertson, A Fleming, M Watson, A Bendall and I Cameron (until Art. 609(7)) (all The Environment Service); H Richardson and H McRae (both Education & Children's Services) (until Art. 609(7)); C Elliot and J Dickson (both Corporate Services) and J Jarvie (Chief Executive's).

Councillor Caddell, Vice-Convener, Presiding.

605. DECLARATIONS OF INTEREST

Councillor Miller declared a non-financial interest in planning applications 06/01420/FUL, 06/01421/FUL, 06/01422/FUL, 06/01423/FUL, 06/01424/FUL, 06/01426/FUL and 06/01428/LBC; Councillor Cowan declared a non-financial interest in planning application 05/01818/FUL and Councillor Caddell declared a non-financial interest in planning applications 06/01508/MOD and 06/00459/OUT.

606. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Development Control Committee of 30 August 2006 (Arts. 563-569) was submitted, approved as a correct record and authorised for signature.

607. DEPUTATIONS

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

Planning Application No.	Article No.
06/01169/FUL	608(1)
05/00001/HYDRO	610
05/01818/FUL	611(1)
06/00805/FUL	611(2)
06/01481/FUL	611(4)
06/01570/FUL	611(5)
06/01594/FUL	611(6)
06/01846/FUL	611(7)
06/01508/MOD	611(9)

THE COMMITTEE UNANIMOUSLY AGREED IN TERMS OF STANDING ORDER 19, TO VARY THE ORDER OF BUSINESS.

608. PLANNING APPLICATION PREVIOUSLY CONSIDERED

- (1) **06/01169/FUL - PERTH - Alterations to and change of use of City Hall to form speciality shopping centre with café, restaurant and market stalls - Wharfside Regeneration (Perth) Ltd - Report 06/646 (Art. 568(9)).**

Mr Lyall, representing the applicant and Mr Beaton, representing the Architectural Heritage Society, an objector to the planning application, addressed the Committee and following their respective representations, Mr Lyall and Mr Beaton withdrew to the public benches.

The Committee noted in terms of Standing Order 18, that as Councillors Cowan, E Grant, Stewart and Young had not been present during consideration of this application at the meeting on 30 August 2006, they did not participate in the discussion and the taking of the decision.

Motion (Councillors Barnacle and Hulbert) – Grant, subject to the conditions detailed in Report 06/612, and subject to as much as possible of the astragalled window above the new shop doorways on the north and south elevations being retained.

Amendment (Councillors Miller and Livingstone) – 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, 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, 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.**
- 4. 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.**
- 5. Before any work is undertaken in pursuance of this consent to demolish or to alter by way of partial demolition any part of the building, structural engineers' drawings and/or a method statement, indicating the proposed method of ensuring the safety and stability of the building fabric to be retained throughout the period of demolition and reconstruction, shall be submitted to and approved by the Council as local planning authority. The relevant work shall be carried out in accordance with such structural engineers' drawings and/or method statement thus approved**
- 6. In relation to the proposed opening in the east elevation and the associated internal space behind (i.e. retail units 7 & 8), the following conditions shall apply:**
 - a) Before the commencement of any associated work, full details (at an adequate scale and including sections) of the exterior glazing and framework; any signage and advertisements; and the internal layout and fittings of units 7 & 8 shall be submitted for the prior approval of the Council as Planning Authority.**
 - b) No temporary sales or promotional signs shall be displayed on the exterior of the building.**

- c) Internally, for a distance of 5 metres back from the exterior glazing, shop units 7 & 8 shall comprise only the display of goods for sale, the pedestrian route required by d) and there shall be no sales counters, tills, advertising or storage.
 - d) A clear and adequate through route for pedestrians shall at all times be provided between the Kirkside entrance doors and the Events Hall.
 - e) Nothing shall be sited, displayed or promoted within the exterior space between the City Hall and St John's Kirk.
7. The position, type and method of installation of all new and relocated services and related fixtures (for the avoidance of doubt including communications and information technology servicing), shall be specified in advance of any work being carried out, and the prior approval of the Council as local planning authority shall be obtained wherever these installations are to be visible, or where ducts or other methods of concealment are proposed. Any works carried out shall be in accordance with such approval. Particular regard should be given to work associated with the proposed condensers and housings at roof level, together with related ductwork.
8. No new plumbing, pipes, soilstacks, flues, vents, ductwork grilles, security alarms, lighting, cameras or other equipment shall be fixed on the external faces of the building unless shown on the drawings hereby approved.
9. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.
10. The new facing masonry shall match the existing masonry adjacent in respect of type, colour, texture, face bond and pointing, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.
11. The new joinery work shall match the existing joinery work adjacent in respect of materials, dimensions and profiles, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.
12. Details in respect of the following shall be submitted to and approved in writing by the Council as local planning authority before work is commenced on site. The relevant work shall be carried out in accordance with such approved details:
- a) Details of the management of proposed refuse storage areas and refuse collection arrangements;
 - b) Details of the proposed alterations to external masonry at altered and enlarged openings, including: large-scale profiles and sections showing the continuation of existing moulding details and proposed junctions with new work together with a method statement detailing the techniques and finishes to be used;
 - c) Details of the proposed alterations and infill to basement window openings, including proposed materials and finishes together with sections indicating the degree of recess of infill panels behind the existing surface;
 - d) Proposed fixings and equipment for external lighting scheme, including dimensions and manufacturers' specification of equipment and details of lighting pattern, colour and intensity;
 - e) Details of the proposed management of internal and external signage to individual units including locations, maximum dimensions, materials and methods of illumination;

- f) Details of the proposed management of internal space to ensure the central route and views through the entire length of the building remain clear of visual and physical obstructions;
13. No cleaning of masonry, other than a gentle surface clean using a nebulous water spray, is authorised by this consent. Proposals for any other method must be submitted to and approved by the Council as local planning authority before the work is begun and the work shall be carried out in accordance with such approved proposals.
 14. No repainting of masonry is authorised by this consent without prior approval of details. Proposals shall be submitted to and approved by the Council as local planning authority before the work is begun, and the work shall be carried out in accordance with such approved proposals.
 15. All new partitions shall be scribed around the existing ornamental mouldings
 16. All new external joinery shall be of painted timber.
 17. All new external rainwater goods and soil pipes on the visible elevations shall be of cast metal, painted black.
 18. Stands for 10 bicycles shall be provided within the vicinity of City Hall prior to the commencement of trading and following the prior approval of their design and specification by the Council as Planning Authority.
 19. The ventilation system and any other plant or equipment to be installed or operated in connection with the granting of this permission, including air conditioning units, shall be so enclosed, attenuated and/or maintained such that noise there from shall not exceed International Standards Organisation (ISO) Noise Rating 30 between 07:00 and 23:00 hours, or Noise Rating 25 between 23:00 and 07:00 hours within any neighbouring residential premises, with windows slightly open, when measured and/or calculated and plotted on an ISO rating curve chart.
 20. Prior to the operation of the premises, a ventilation system commensurate with the scale and nature of cooking being undertaken, and including both particulate and odour controls, shall be installed, operated and maintained so as to ensure that no cooking odours associated with the development are emitted or exhausted into neighbouring properties to the satisfaction of the Planning Authority.
 21. Any music or speech, amplified or otherwise, emanating from the premises, shall be so controlled or mitigated as to be inaudible within any neighbouring residential properties.

The Committee further agreed, should the application be granted, that prior to the commencement of work, a method statement to mitigate the impact of constructions on residential and commercial properties in the surrounding area and on circulation through the surrounding area would be required.

Amendment – 4 votes

Motion – 2 votes

Resolved:

In accordance with the Amendment.

- (2) **06/01170/LBC - PERTH - Alterations to and change of use of City Hall to form speciality shopping centre with café, restaurant and market stalls - Wharfside Regeneration (Perth) Ltd - Report 06/646 (Art. 568(10)).**

The Committee noted in terms of Standing Order 18, that as Councillors Cowan, E Grant, Stewart and Young had not been present during consideration of this application at the meeting on 30 August 2006, they did not participate in the discussion and the taking of the decision.

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, 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, 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.
4. 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.
5. Before any work is undertaken in pursuance of this consent to demolish or to alter by way of partial demolition any part of the building, structural engineers' drawings and/or a method statement, indicating the proposed method of ensuring the safety and stability of the building fabric to be retained throughout the period of demolition and reconstruction, shall be submitted to and approved by the Council as local planning authority. The relevant work shall be carried out in accordance with such structural engineers' drawings and/or method statement thus approved.
6. In relation to the proposed opening in the east elevation and the associated internal space behind (i.e. retail units 7 & 8), the following conditions shall apply:
 - a) Before the commencement of any associated work, full details (at an adequate scale and including sections) of the exterior glazing and framework; any signage and advertisements; and the internal layout and fittings of units 7 & 8 shall be submitted for the prior approval of the Council as Planning Authority.
 - b) No temporary sales or promotional signs shall be displayed on the exterior of the building.
 - c) Internally, for a distance of 5 metres back from the exterior glazing, shop units 7 & 8 shall comprise only the display of goods for sale, the pedestrian route required by d) and there shall be no sales counters, tills, advertising or storage.
 - d) A clear and adequate through route for pedestrians shall at all times be provided between the Kirkside entrance doors and the Events Hall.
 - e) Nothing shall be sited, displayed or promoted within the exterior space between the City Hall and St John's Kirk.
7. The position, type and method of installation of all new and relocated services and related fixtures (for the avoidance of doubt including communications and information technology servicing), shall be specified in advance of any work being carried out, and the prior approval of the Council as local planning authority shall be obtained wherever these installations are to be visible, or where ducts or other methods of concealment are proposed.

Any works carried out shall be in accordance with such approval. Particular regard should be given to work associated with the proposed condensers and housings at roof level, together with related ductwork.

8. No new plumbing, pipes, soilstacks, flues, vents, ductwork grilles, security alarms, lighting, cameras or other equipment shall be fixed on the external faces of the building unless shown on the drawings hereby approved.
9. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.
10. The new facing masonry shall match the existing masonry adjacent in respect of type, colour, texture, face bond and pointing, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.
11. The new joinery work shall match the existing joinery work adjacent in respect of materials, dimensions and profiles, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.
12. Details in respect of the following shall be submitted to and approved in writing by the Council as local planning authority before work is commenced on site. The relevant work shall be carried out in accordance with such approved details:
 - a) Details of the management of proposed refuse storage areas and refuse collection arrangements;
 - b) Details of the proposed alterations to external masonry at altered and enlarged openings, including: large-scale profiles and sections showing the continuation of existing moulding details and proposed junctions with new work together with a method statement detailing the techniques and finishes to be used;
 - c) Details of the proposed alterations and infill to basement window openings, including proposed materials and finishes together with sections indicating the degree of recess of infill panels behind the existing surface;
 - d) Proposed fixings and equipment for external lighting scheme, including dimensions and manufacturers' specification of equipment and details of lighting pattern, colour and intensity;
 - e) Details of the proposed management of internal and external signage to individual units including locations, maximum dimensions, materials and methods of illumination;
 - f) Details of the proposed management of internal space to ensure the central route and views through the entire length of the building remain clear of visual and physical obstructions;
13. No cleaning of masonry, other than a gentle surface clean using a nebulous water spray, is authorised by this consent. Proposals for any other method must be submitted to and approved by the Council as local planning authority before the work is begun and the work shall be carried out in accordance with such approved proposals.
14. No repointing of masonry is authorised by this consent without prior approval of details. Proposals shall be submitted to and approved by the Council as local planning authority before the work is begun, and the work shall be carried out in accordance with such approved proposals.
15. All new partitions shall be scribed around the existing ornamental mouldings
16. All new external joinery shall be of painted timber.
17. All new external rainwater goods and soil pipes on the visible elevations shall be of cast metal, painted black.
18. Stands for 10 bicycles shall be provided within the vicinity of City Hall prior to the commencement of trading and following the prior approval of their design and specification by the Council as Planning Authority.

19. The ventilation system and any other plant or equipment to be installed or operated in connection with the granting of this permission, including air conditioning units, shall be so enclosed, attenuated and/or maintained such that noise therefrom shall not exceed International Standards Organisation (ISO) Noise Rating 30 between 07:00 and 23:00 hours, or Noise Rating 25 between 23:00 and 07:00 hours within any neighbouring residential premises, with windows slightly open, when measured and/or calculated and plotted on an ISO rating curve chart.
20. Prior to the operation of the premises, a ventilation system commensurate with the scale and nature of cooking being undertaken, and including both particulate and odour controls, shall be installed, operated and maintained so as to ensure that no cooking odours associated with the development are emitted or exhausted into neighbouring properties to the satisfaction of the Planning Authority.
21. Any music or speech, amplified or otherwise, emanating from the premises, shall be so controlled or mitigated as to be inaudible within any neighbouring residential properties.

The Committee further agreed that prior to the commencement of work, a method statement to mitigate the impact of constructions on residential and commercial properties in the surrounding area and on circulation through the surrounding area would be required.

COUNCILLORS McEWEN AND HUNTER ENTERED THE MEETING AT THIS POINT.

IN TERMS OF STANDING ORDER 6, COUNCILLOR MILLER, HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING INVESTMENT IN LEARNING APPLICATIONS, WITHDREW FROM THE MEETING AND LEFT THE CHAMBERS DURING CONSIDERATION OF THESE ITEMS.

609. PLANNING APPLICATION FOR INVESTMENT IN LEARNING

- (1) **06/01420/FUL - CRIEFF - Erection of 800 pupil secondary school with associated community use facilities including library connected to existing Strathearn Leisure Centre at Crieff High School, Crieff - Laing O'Rourke (Scotland) Ltd - Report 06/647.**

Resolved:

Grant, on the grounds that the departure from the Development Plan was justified as the principle of an education establishment with associated leisure and recreational facilities had been established on the site with the granting of outline planning consent in 2004 and the proposal will provide improved educational facilities for the community in a suitable location, well related to secondary school education and public recreational facilities, 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, unless otherwise provided for by conditions imposed on the planning consent.
3. 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 Perth and Kinross Heritage Trust.

4. 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.
5. 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.
6. All traffic signing and lining measures including those within the campus shall be in accordance with the Traffic Sign Regulations and General Directions 2002 to the satisfaction of the Council as Planning Authority.
7. Deliveries and collections of all goods and materials associated with this development should be restricted to 0700 hours -1900 hours Monday – Friday inclusive and 0700 hours – 1300 hours on Saturdays. No deliveries shall be permitted on Sundays.
8. Prior to the commencement of works details of all construction and drainage specifications for the sports pitches shall be submitted to and agreed in writing by the Council as Planning Authority.
9. Details of the proposed cycle facilities shall be submitted and agreed in writing by the Council as Planning Authority. The accommodation shall provide a secure, waterproof facility and be constructed before the school is operational to the satisfaction of the Council as Planning Authority.
10. External floodlighting or other lighting within the site shall be sufficiently screened and aligned to ensure that there is no light spillage beyond the boundaries of the site to the satisfaction of the Planning Authority.
11. The hours of operation of any external floodlighting shall be restricted to between 0800 hours and 2230 hours daily unless otherwise agreed in writing by the Council as Planning Authority.
12. No development of the new sports pitches shall take place until the details of the design and maintenance, in line with Sportscotland advice, have been submitted and agreed in writing by the Council as Planning Authority.

(2) 06/01421/FUL - ABERFELDY - Erection of 250 pupil primary school with 50 child nursery, 600 pupil secondary school with associated community use facilities including public library and replacement of existing recreation centre at Breadalbane Academy, Aberfeldy - Laing O'Rourke (Scotland) Ltd - Report 06/648.

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, 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. 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.

5. All traffic signing and lining measures including those within the campus shall be in accordance with the Traffic Sign Regulations and General Directions 2002 to the satisfaction of the Council as Planning Authority.
6. No part of the development shall be occupied until the junction of the school access with Crieff Road and the junction of Alma Avenue with Kenmore Street are improved to meet the requirements of the Council as Planning and Roads Authority
7. Deliveries and collections of all goods and materials associated with this development should be restricted to 0700 hours -1900 hours Monday – Friday inclusive and 0700 hours – 1300 hours on Saturdays. No deliveries shall be permitted on Sundays.
8. The Council shall be immediately notified in writing if any ground contamination is found during the construction of the development, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by the Council as Planning Authority. The scheme shall include a full timetable for the reclamation measures proposed. Verification shall be provided by the applicant or his agent on completion, that reclamation has been undertaken in accordance with, and to the standard specified in the agreed reclamation scheme.
9. The stack height shall be appropriately increased in accordance with Laing O'Rourke's letter dated 21 July 2006 to ensure that it is higher than the roof of the adjacent Art Department to the satisfaction of the Council as Planning Authority.
10. Prior to the commencement of works details of all construction and drainage specifications for the sports pitches shall be submitted to and agreed in writing by the Council as Planning Authority.
11. Details of the proposed cycle facilities shall be submitted and agreed in writing by the Council as Planning Authority. The accommodation shall provide a secure, waterproof facility and be constructed before the school is operational to the satisfaction of the Council as Planning Authority.
12. External floodlighting or other lighting within the site shall be sufficiently screened and aligned to ensure that there is no light spillage beyond the boundaries of the site to the satisfaction of the Planning Authority.
13. The hours of operation of any external floodlighting shall be restricted to between 0800 hours and 2230 hours daily unless otherwise agreed in writing by the Council as Planning Authority.
14. No development of the new sports pitches shall take place until the details of the design and maintenance, in line with Sportscotland advice, have been submitted and agreed in writing by the Council as Planning Authority.
15. All existing mature trees shall be protected to provide screening for the proposed development with all works adhering to British Standard "BS 5837 2005 - Trees in Relation to Construction" to the satisfaction of the Council as Planning Authority.

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

- (3) **06/01422/FUL - KINROSS - Erection of secondary school with community library/museum facilities and associated playing fields, car parking and landscaping on land at Lethangie, The Muirs, Kinross - Laing O'Rourke (Scotland) Ltd - Report 06/649.**

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, 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. A fully detailed landscape plan, including details of all hard and soft landscaping, boundary treatments and all planting shall be submitted to and approved by the Planning Authority prior to work commencing on site. Further details should be submitted for approval regarding the nature of the play areas to be provided, the courtyards, mounding and the drainage layouts for the play pitches to ensure that no water is shed to any adjoining property.
5. 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.
6. 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.
7. No part of the development shall be occupied until the new junction of Lethangie Road with the Muirs has been constructed to the requirements of the Council as roads authority to the satisfaction of the planning authority
8. No part of the development shall be occupied until the controlled pedestrian crossings on the Muirs and Lethangie Road are installed to the requirements of the Council as roads authority to the satisfaction of the planning authority.
9. All traffic signing and lining measures including those within the campus shall be in accordance with the Traffic Sign Regulations and General Directions 2002 to the satisfaction of the Council as roads authority.
10. Deliveries and collections of all goods and materials associated with this development should be restricted to 0700hrs - 1900hrs Monday to Friday inclusive and 0700hrs - 1300hrs on Saturdays. No deliveries shall be permitted on Sundays.
11. 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 Perth and Kinross Heritage Trust.
12. No development shall take place until fencing has been erected, in a manner to be agreed with the planning authority, about SAM 7614, leaving a 5m buffer zone. Also, no works shall take place within the area inside that fencing without the prior agreement of Historic Scotland and the Planning Authority.
13. Development shall not commence until drainage details are submitted for approval which comply with the requirements of Surface Water Best Management practice for Sustainable Urban Drainage. The approved details shall be implemented prior to the occupation of the development hereby approved.
14. External floodlights or other lighting within the site shall be sufficiently screened and aligned to ensure that there is no light spillage beyond the boundaries of the site to the satisfaction of the Planning Authority.

15. The hours of operation of any external floodlighting shall be restricted to between 0800 hours to 2230 hours daily, unless otherwise agreed in writing by the Council as Planning Authority.

Councillor Barnacle asked for an assurance that the adequacy of the new road junction on The Muirs would be monitored and any problems addressed.

- (4) **06/01423/FUL - PERTH - Erection of nursery, primary and secondary school with community library facilities and associated playing fields, car park and landscaping at St. Columba's RC High School, Perth - Laing O'Rourke (Scotland) Ltd - Report 06/650.**

Resolved:

Grant, on the grounds that the departure from the Development Plan was justified as (1) the loss of open space is relatively small in relation to the extent of the overall open space which surrounds the site, (2) the car park area and the west side of the site was restricted in size and has limited functionality following the construction of the adjacent running track and (3) the area on the east side is elevated above and distinct from the North Inch and will still retain significant open space in the form of a playing field, 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, 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. 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.
5. All traffic signing and lining measures including those within the campus shall be in accordance with the "Traffic Sign Regulations and General Directions 2002" to the satisfaction of the Council as Planning Authority.
6. Deliveries and collections of all goods and materials associated with this development shall be restricted to 0700 hrs - 1900 hrs Monday to Friday inclusive and 0700 hrs - 1300 hrs on Saturdays. No deliveries or collections are permitted on Sundays.
7. Full details of the retaining wall and boundary treatment along the east side of the site, including elevational details and finishing materials pertaining to the retaining wall and safety fence shall be submitted for the further approval of the Planning Authority prior to the commencement of work on site.
8. Additional tree planting shall be provided alongside the east boundary of the site with amended drawings being submitted to the Planning Authority for approval prior to the commencement of work on site.
9. External floodlights or other lighting within the site shall be sufficiently screened and aligned to ensure that there is no light spillage beyond the boundaries of the site to the satisfaction of the Planning Authority.
10. The hours of operation of any external floodlighting shall be restricted to between 0800 hours to 2230 hours daily, unless otherwise agreed in writing by the Council as Planning Authority.

- (5) **06/01424/FUL - PERTH - Erection of primary school, nursery school and library at Craigiehaugh Depot, Perth - Laing O'Rourke (Scotland) Ltd - Report 06/651.**

Resolved:

Grant, on the grounds that the departure from the Development Plan was justified as (1) the existing school at Caldedonian Road is housed in a Victoria Building and located on a cramped site, (2) the largest development site in the city centre is only 0.7 hectares which is too small for a school, (3) the proposal will relieve pressure on Craigie and Moncreiffe Schools, (4) the proposal involves relocating the existing roads depot which is adjacent to a residential area and although there is a limited supply of business land in the area this would be addressed in the local plan review, 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 scheme for the disposal of surface water, designed to meet the requirements of the Scottish Environment Protection Agency, shall be submitted to the Planning Authority for approval prior to the commencement of any work.
4. Deliveries and collections of all goods and materials associated with the development should be restricted to 0700 hours – 1900 hours Monday to Friday inclusive and 0700 hours – 1300 hours on Saturdays with no deliveries permitted on Sundays.
5. The development shall not commence until a scheme for 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 to ensure the site is fit for the proposed use, measures to deal with contamination during the construction of works and condition of the site on completion of decontamination measures. The building shall not be occupied until measures to decontaminate the site have been fully implemented to the satisfaction of the planning authority.
6. A 2m high wire mesh or pallated fence shall be erected along the western boundary of the site on the inside of any existing fence. Details to form part of the landscaping specification required by condition 13 below.
7. Floodlighting shall be operated and aligned such that it does not cause detriment to the amenity of adjacent residential property by reason of light pollution or compromise the safe operation of the adjacent railway, to the satisfaction of the planning authority.
8. The access shall be laid out and constructed in accordance with the Council's approved standards to the satisfaction of the planning authority.
9. 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 to and approved in writing by the planning authority.
10. All traffic signing and lining measures including those within the site shall be in accordance with the Traffic Sign Regulations and General Directions 2002 to the satisfaction of the planning authority.
11. No part of the development shall be occupied until the controlled pedestrian crossing on Glenearn Road is installed in accordance with the Council's approved standards, to the satisfaction of the planning authority.
12. A detailed landscaping specification for the site shall be submitted to the planning authority for approval prior to the commencement of any work. This shall make provision for tree planting along the north-east and south-east boundaries of the site, retention of existing trees and measure for their protection during the construction phase. Landscaping works shall be implemented concurrently with the progress of development and thereafter maintained, all to the satisfaction of the planning authority.
13. The stack height shall be appropriately increased to the satisfaction of the Planning Authority.

14. External floodlights or other lighting within the site shall be sufficiently screened and aligned to ensure that there is no light spillage beyond the boundaries of the site to the satisfaction of the planning authority.
15. The hours of operation of any external floodlighting shall be restricted to between 0800 and 2230 hours daily unless otherwise agreed in writing by the Council as planning authority.

(6) 06/01426/FUL - BLAIRGOWRIE - Erection of primary school, nursery school and library on land at Moyness, Blairgowrie - Laing O'Rourke (Scotland) Ltd - Report 06/652.

Resolved:

Grant, on the grounds that the departure from the Development Plan was justified as (1) the proposal would provide improved education facilities for the community, (2) the current public open space area has poor access and no parking, (3) alternative public open space facilities would be provided and (4) there will be a net overall increase in public open space facilities, 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, unless otherwise provided for by conditions imposed on the planning consent.
3. Deliveries and collections of all goods and materials associated with the development should be restricted to 0700 hours – 1900 hours Monday to Friday inclusive and 0700 hours – 1300 hours on Saturday with no deliveries permitted on Sundays.
4. A detailed landscaping specification for the site shall be submitted to the planning authority for approval prior to the commencement of any work. This shall make provision for tree planting within the boundaries of the site, retention of existing trees and measures for their protection during the construction phase. Landscaping works shall be implemented concurrently with the progress of development and thereafter maintained, all to the satisfaction of the planning authority.
5. Prior to any work on site, the developer shall obtain the written approval of Scottish Water confirming that drainage capacity is available to accommodate the development all to the satisfaction of the Council as Planning Authority.
6. Prior to the start of any work on site, the new replacement playing fields shall be available, or alternatively, an agreed timetable for the phasing is assured in writing all to the satisfaction of the Council as Planning Authority.
7. All matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority and to the satisfaction of the Planning Authority.
8. 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.
9. All traffic signing and lining measures including those within the campus shall be in accordance with the Traffic Sign Regulations and General Directions 2002 to the satisfaction of the Council as roads authority.
10. The stack height shall be increased to the satisfaction of the planning authority.
11. External floodlights or other lighting within the site shall be sufficiently screened and aligned to ensure that there is no light spillage beyond the boundaries of the site to the satisfaction of the Planning Authority.

12. The hours of operation of any external floodlighting shall be restricted to between 0800 and 2230 hours daily unless otherwise agreed in writing by the Council as planning authority.

(7) 06/01428/LBC - ABERFELDY - Demolition of existing grade C listed building to allow construction of new school at Breadalbane Academy, Aberfeldy - Laing O'Rourke (Scotland) Ltd - Report 06/653.

Resolved:

Grant, subject to the following condition:-

1. Demolition shall not commence until the Planning Authority have confirmed that it is satisfied that a contract is in place for the construction of the replacement educational facilities.

COUNCILLOR MILLER REJOINED THE MEETING AT THIS POINT.

I CAMERON, H RICHARDSON AND H McRAE LEFT THE MEETING AT THIS POINT.

610. SECTION 36 OF THE ELECTRICITY ACT 1989 – CONSULTATION BY SCOTTISH MINISTERS

(1) 05/00001/HYDRO - DUNKELD - Erection of a large hydro electric power generating scheme at the River Braan, Near Trochry, Dunkeld - Npower Renewables - Report 06/654.

Mr McNiven, representing the applicant, followed by Mr Steuart Fotheringham, Mrs Steuart Fotheringham, Mr Forsyth and Mr Carroll, supporters of the application and Dr Thom and Mr Dales, objectors to the application addressed the committee and following their respective representations, they withdrew to the public benches.

Motion (Councillors Hulbert and Barnacle) – Scottish Ministers be advised that the Council objects to the proposal to erect a large hydro electric power generating scheme at the River Braan, near Trochry, Dunkeld, for the reasons detailed in Report 06/654.

Amendment (Councillor Miller and Livingstone) – Scottish Ministers be advised that Perth and Kinross Council does not object to the proposal to erect a large hydro electric power generating scheme at the River Braan, near Trochry, Dunkeld on condition that the scheme would be shut down during weekends throughout the year, whenever there are sufficient flows for canoeing.

Amendment – 10 votes

Motion – 2 votes

Resolved:

In accordance with the Amendment.

611. PLANNING APPLICATIONS FOR DETERMINATION

COUNCILLOR COWAN, HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING APPLICATION, WITHDREW FROM THE MEETING AND LEFT THE CHAMBERS.

(1) 05/01818/FUL - FOWLIS WESTER - Erection of a dwellinghouse with integral granny flat, garage and garden shed at Land West Of Easter Cottage, Fowlis Wester, Crieff - Mr J Page and Ms C Houston - Report 06/655.

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

Motion (Councillors Miller and Hulbert) – Refuse for the following reason:

1. **The proposed development, by reason of its scale, form, detailing and orientation on site would be (1) out of character with the surroundings, detrimental to the appearance of the Conservation Area within which**

the site is located and damaging to the setting of adjacent listed buildings, (2) be contrary to Policies 2,5,26,27 and 74 of the Strathearn Area Local Plan 2001, (3) Environment and Resources Policy 8 of the Structure Plan, Historic Scotland's Memorandum of Guidance and (4) the statutory duties under S.59 and S.63 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Amendment (Councillors Livingstone and Lyall) – Grant on the grounds that departure from the Development Plan was justified as the proposal was not (1) out of character with the surroundings, detrimental to the appearance of the conservation area, (2) damaging to the setting of adjacent listed buildings or (3) contrary to the policies detailed in Report 06/655.

Amendment – 4 votes

Motion – 7 votes

Resolved:

In accordance with the Motion.

COUNCILLOR COWAN REJOINED THE MEETING AT THIS POINT.

06/00459/OUT - AUCHTERARDER - Demolition of existing mill, erection of a 66 flats and associated parking together with conversion of existing building to form 2 residential units, Ruthvenvale Mill Site, Abbey Road, Auchterarder - A & L King (Builders) Ltd - Report 06/656.

In light of a particular Housing Association referred to during consideration of this application at this stage, Councillor Caddell declared a non-financial interest in this planning application. The Committee agreed to consider this application at the end of the meeting.

COUNCILLOR HUNTER LEFT AND REJOINED THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEM.

- (2) **06/00805/FUL - PERTH - Demolition of existing building and erection of new visitor centre/manufacturing/retail complex with additional class 1 retail outlets, new vehicular access and reconfigured/extended car and coach parking at Caithness Glass, Ruthvenfield Road, Inveralmond Industrial Estate, Perth - A & L King/Kilmartin Property Group - Report 06/657.**

Mr Pritchett and Mr Morris, representing the applicant, addressed the committee and following their respective representations, they withdrew to the public benches.

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 unless otherwise provided for by conditions imposed on the planning consent.
3. No development shall commence until a scheme to deal with contamination on the site has been submitted to and approved by the Planning Authority. The scheme shall cover the nature extent and type of contamination, measures to remove the contamination, to deal with it during the construction phase and the condition of the site on completion of remediation. No part of the development shall be occupied until the approved scheme has been fully implemented.
4. Details of proposals for disposal of surface water drainage by means of sustainable urban drainage systems shall be submitted to the Planning Authority for approval prior to the commencement of work.
5. Details of lighting within the site shall be submitted to the Planning Authority for approval prior to the commencement of work.

6. Adequate screening shall be provided between the trunk road and the development details to be provided as part of the landscaping plan required by condition 10.
7. There shall be no drainage connections to the trunk road drainage systems.
8. No part of the development shall be occupied until such time as a Travel Plan aimed at encouraging sustainable means of travel has been submitted to the Planning Authority for approval. The Plan shall identify measures to be implemented, system of management, monitoring, review, reporting and duration of plan.
9. No development shall commence until such time as the Inveralmond Roundabout has been upgraded in accordance with Arup Drawing SK 004 Proposed Road Alterations, dated 2 August 2005.
10. A detailed landscaping scheme and biodiversity plan for the site shall be submitted to the Planning Authority for approval and implemented concurrently with the progress of development. This shall make provision for the retention of all existing trees outwith the building solum, tree and hedgerow planting within and on the perimeter of the car park, tree planting along the paved concourse, screening between the trunk road and the development and a programme of ongoing maintenance.
11. Samples of all finishing materials shall be submitted to the Planning Authority for approval prior to application thereof.
12. No retail units shall be occupied until such time as the glass making factory is operational, to the satisfaction of the Planning Authority.
13. Planning consent shall not be issued until approval by the Development Control Committee of the site layout, building design and landscaping and the prior signing of a Section 75 agreement (1) to limit the range of goods to be sold to those categories which support tourism, (2) to limit the size of any one unit and to limit the maximum retail floor area devoted to any one category and (3) a financial contribution to offsite road improvements.

(3) 06/01347/FUL - PERTH - Erection of a heated conservatory on rooftop garden at Flat B10, The Oaklands, Pitheavlis Crescent, Perth - Mr and Mrs T Dickson - Report 06/658.

Resolved:

Refuse, for the following reasons:-

1. The proposal is contrary to Policy 41 of the Perth Area Local Plan 1995 incorporating Alteration No1 – Housing Land 2000 as it represents an incongruous and unsympathetic addition which will adversely affect the visual character of the host building and surrounding area.
2. The proposal is contrary to Policy 41 of the Perth Area Local Plan 1995 incorporating Alteration No1 – Housing Land 2000 as it will adversely affect neighbouring amenity.

(4) 06/01481/FUL - PERTH - Erection of a dwellinghouse on land at 30 King Street, Perth - J Irvine - Report 06/659.

Mr Muir, representing the applicant, addressed the committee and following his representation, withdrew to the public benches.

Resolved:

Refuse, for the following reasons:-

1. The proposals would have a detrimental effect on residential amenity because:
 - The height of the proposed building together with its proximity to the side elevations of adjacent residential properties which contain windows is such that residential amenity in terms of daylighting, sunlighting and outlook would be significantly harmed.

- The site is insufficient in size to accommodate a three bed-roomed dwellinghouse in that there is inadequate private amenity space to the rear of the proposed building.

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

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

(5) 06/01570/FUL - ABERFELDY - Formation of beer garden and children's play area at Palace Hotel, Breadalbane Terrace, Aberfeldy - Steven McCoil - Report 06/660.

Mr Pearson, 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 Highland Area Local Plan Policy 2: Development Criteria in that the proposed development is not compatible with its surroundings in land use terms and would result in a significant loss of amenity to the local community.
2. The proposal is contrary to Highland Area Local Plan Policy 58: Residential and Compatible Uses in that the proposed development would not retain nor enhance the existing level of residential amenity, to the detriment of the surrounding residential properties.

(6) 06/01594/FUL - PERTH - Proposed external awning over entrance to Roca Blu, 21 Speygate, Perth - Centre Global Ltd - Report 06/661.

Mr Fraser, 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 11, Policy 14 and Annex 1 of the Perth Central Area Local Plan 1997 and to Environment and Resources Policy 8 of the Structure Plan as it will adversely affect the setting of the adjacent Conservation Area and listed building.
2. 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 Conservation Areas 1998’ as it will

adversely affect the setting of the neighbouring listed buildings and Conservation Area and accordingly approval would be contrary to the Council's statutory duties relating to listed buildings and Conservation Areas under S.59 and S.64 of the Planning (Listed Buildings and Conservation Areas) Scotland Act 1997.

COUNCILLOR MILLER LEFT THE MEETING AT THIS POINT.

FOLLOWING A FIVE MINUTE RECESS, THE COMMITTEE RECONVENED.

(7) 06/01846/FUL - INCHTURE - Residential development on land at Moncur Farm Road, Inchture - Muir Homes - Report 06/662.

Mr Henderson, an objector to the application, addressed the committee and following his representation, withdrew to the public benches.

Resolved:

Grant, subject to the following conditions:-

1. Prior to the commencement of any works on site the applicant must prepare a satisfactory brief which identifies all the Educational requirements related to the development site (phase 1-4); carry out an accommodation assessment and a feasibility study to the satisfaction of the Council as Planning Authority.
2. Prior to any commencement of any works on site the applicant must submit precise details in writing of their programme to extend the school accommodation for approval in writing by the Council as Planning Authority. This programme must ensure that any school extension is completed, fully furnished and ready for occupation prior to the school reaching its current capacity limits. All costs for the school extension are to be met fully by the applicant including associated fees. The application must take cognisance of the operational needs of the school and develop appropriate periods to build an extension that must be to the satisfaction of the Council as Planning Authority.
3. 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.
4. Prior to any works commencing on site precise details of all external finishes are submitted for the approval in writing by the Council as Planning Authority.
5. Prior to any works commencing on site precise details of all boundary treatments across the entire planning site are submitted for the approval in writing by the Council as Planning Authority.
6. Prior to the commencement of any work on site a detailed layout of the proposed Local Equipment Areas of Play (LEAP) are submitted for the further approval by the Council as Planning Authority. All play areas shall be designed, laid out and equipped in accordance with the Planning Authority's current criteria for play area provision within 6 months of the occupation on the site. The play area and its facilities/equipment shall thereafter be maintained.
7. All areas of public open space shall be planted in accordance with the open space standards of the Planning Authority and completed to phase with the adjacent dwellinghouses in accordance with a programme to be submitted to and agreed in writing with the Planning Authority prior to the commencement of the development. The scheme shall thereafter be maintained.
8. A detailed landscaping and planting scheme for the site shall be submitted for the further approval of the Planning Authority prior to the commencement of any works on site. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, species, height, size and density of the trees and shrubs to be planted and the scheme as subsequently approved shall be carried out and completed within an agreed timescale.

9. Any planting failing to become established within five years shall be replaced in the following planning season with others of similar size and species.
10. All identified affordable houses shall only be developed by a Registered Social Landlord and shall be affordable as defined in PAN 74 and the Council's Affordable Housing Policy.
11. The development shall be begun within a period of five years from the date of this consent.
12. 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.
13. No development shall take place within the development site as outlined in red in the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by Perth and Kinross Heritage Trust, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with Perth and Kinross Heritage Trust.
14. The 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.

(8) 06/01401/FUL - PERTH - Erection of 28 flatted dwellings (affordable housing) at Plots 1 - 28, Mathieson Drive, Perth –G S Brown Construction Ltd - Report 06/663.

Motion (Councillors Hunter and Caddell) – Grant, on the grounds that the proposal did not constitute over development of the site, and subject to conditions to be formulated by the Head of Development Standards.

Amendment (Councillors Young and Barnacle) Refuse for the following reason:-

1. **The unsatisfactory relationship between the height of the flatted blocks and their proximity to the public road, neighbouring houses and the site's boundaries, their design, and the extent of roadway and parking areas relative to limited amenity space provision, constitutes overdevelopment of the site; will seriously harm the privacy and amenity of the houses opposite; and will significantly detract from the street scene and visual amenity of the surrounding area.**

Amendment – 7 votes

Motion – 3 votes

Resolved:

In accordance with the Amendment.

COUNCILLOR CADDELL HAVING DECLARED A NON-FINANCIAL INTEREST IN THE PLANNING APPLICATION 06/01508/MOD AND IN LIGHT OF THE DISCUSSION ON PLANNING APPLICATION 06/00459/OUT, DEMITTED THE CHAIR AND LEFT THE CHAMBERS.

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

COUNCILLOR LIVINGSTONE TOOK THE CHAIR AT THIS POINT.

- (9) **06/01508/MOD - PITLOCHRY - Amendments to conditions 6, 7 and 8 for previous consent (04/02160/FUL) at land west of Finlay Terrace, Pitlochry - Perthshire Housing Association - Report 06/664.**

Mr Johnston, representing the applicant, addressed the committee and following his representation, withdrew to the public benches.

Resolved:

The finishing materials stipulated in conditions 6, 7 and 8 of planning application consent (04/02160/FUL) (Amended) be modified.

- (10) **06/00459/OUT - AUCHTERARDER - Demolition of existing mill, erection of a 66 flats and associated parking together with conversion of existing building to form 2 residential units, Ruthvenvale Mill Site, Abbey Road, Auchterarder - A & L King (Builders) Ltd - Report 06/656.**

Resolved:

The Committee was minded to approve the application but agreed to defer the application pending:-

- (i) Confirmation of the intention of A & L King (Builders) Ltd and Perthshire Housing Association to submit a joint full application for this site with a revised layout that addresses concerns about site planning, potential conflict with the neighbouring agricultural operations and footpath arrangements to access the centre of the town.
- (ii) A commitment from the Northern Edge Consortium of A & L King (Builders) Ltd, Muir Homes and Richmond Homes that the business land of the Northern Edge development known as Opportunity 3 in the Strathearn Local Plan be developed in the first phase of the Northern Edge Masterplan in order to provide an alternative location for business use.
- (iii) A contaminated ground investigation, carried out by a suitable 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.