

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 Tuesday 19 December 2006 at 9.30am.

Present: Councillors Barnacle, Caddell, E Grant, Howie, Hulbert (up to and including PK/06/01122/LBC (Art. 798(5))), Livingstone (up to and including PK/05/02409/FUL (Art. 798(2))), Lumsden (except for PK/06/01247/OUT (Art. 798(23))), MacLellan (up to and including PK/06/00870/FUL (amended) (Art. 798(3))), McDonald, McEwen (except for PK/06/01148/OUT (Art. 798(6))), Stewart (up to and including PK/06/01122/LBC (Art. 798(5))) and Young (up to and including PK/06/01122/LBC (Art. 798(5))).

In Attendance: Councillor Baird (up to and including PK/05/02409/FUL (Art. 798(2))); Councillor Lloyd (up to and including PK/06/01427/FUL (Art. 798(1))); I Sleith, M Williamson, B McNaughton, D Niven, K McNamara, B Reekie, D Lewin (up to and including PK/06/01427/FUL (Art. 798(1))) and A Fleming (up to and including PK/01/01122/LBC (Art. 798(5))) (all The Environment Service); G Fogg and Y Oliver (both Corporate Services).

Councillor Lumsden, Convener, Presiding.

793. WITHDRAWAL OF APPLICATIONS

The Committee noted that the following planning applications had been withdrawn:

- (1) **06/01928/FUL - MILNATHORT - Erection of garage at 53 New Road, Milnathort - Mrs Meacham - Report 06/880**
- (2) **06/02114/FUL - POWMILL - Part demolition and extension to dwellinghouse at Mutehill, Powmill - Mr C Barr - Report 06/886**

794. DECLARATIONS OF INTEREST

Councillor Lumsden declared a non-financial interest in planning application 06/01247/OUT (Art. 798(23)) in terms of the Councillors' Code of Conduct.

795. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Development Control Committee of 22 November 2006 (Arts. 734-738/06) was submitted, approved as a correct record and authorised for signature.

796. DEPUTATIONS

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

Planning Application No.	Article No.
04/02166/REM	797(1)
06/01350/FUL	797(2)
06/01427/FUL	798(1)
05/02409/FUL	798(2)
06/01405/FUL	798(8)
06/01540/FUL	798(9)
06/01654/OUT	798(10)
06/01914/FUL	798(12)
06/01924/FUL	798(13)
06/02061/FUL	798(18)
06/02163/FUL	798(19)
06/02257/OUT	798(21)
06/02358/FUL	798(22)

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

797. APPLICATIONS PREVIOUSLY CONSIDERED

(1) 04/02166/REM - INCHYRA - Erection of dwellinghouse (Reserved Matters) on land to east of Riverbank, Inchyra - M Kinnear - Report 06/865.

The Committee noted in terms of Standing Order 18, that as Councillors MacLellan, Stewart and Young had not been present during consideration of this application at the meeting on 6 July 2005, they did not participate in the discussion or the taking of the decision today.

Ms C McFie, an objector to the application, addressed the Committee, and, following her representation, withdrew to the public benches.

Resolved:

Grant, subject to the following conditions:

1. The development shall be begun no later than two years from the date of this consent or five years from the date of the outline consent, whichever is the later.
2. The development shall comply with the relevant condition on the planning permission in outline (01/00405/OUT) relating to retention of hedgerow (Condition 5).
3. 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.
4. Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear
5. A minimum of 2 No. car parking spaces shall be provided within the site.
6. Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable sustainable urban drainage systems to meet the requirements of best management practices
7. Prior to the occupation of the houses the watercourse adjacent to the site for a distance of 60m upstream and downstream of the site shall be inspected and cleared of any impediments likely to create any obstruction to the free flow of water, all to the satisfaction of the Council as Roads Authority
8. Unless otherwise agreed by the Council as Roads Authority, the Developer shall provide a maintenance strip 6.00 metres wide along the site frontage of the Pow Burn. No fences, trees or other obstruction, which would interfere with the clear passage of water or maintenance vehicles, shall be allowed in these areas. All details of planting etc. within these areas shall be agreed in writing with the Council as Roads Authority.
9. A 2m high screen fence shall be erected along the north-western boundary of the site to the satisfaction of the Planning Authority.
10. A sample of the roughcast to be used on the external walls of the proposed dwellinghouse shall be submitted for the approval of the Planning Authority prior to the commencement of the development.
11. A planting scheme for the site shall be submitted for the further approval of this Planning Authority prior to the commencement of the development. The scheme shall show the retention of existing trees and hedgerows on the site and the proposed methods of protection during construction. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, species, height, size and density of trees and shrubs to be planted. The development shall not commence until the landscaping and planting scheme has been approved by the Planning Authority and, once approved, the scheme shall be implemented within one year of the occupation of the development and be thereafter maintained to the satisfaction of the Planning Authority.
12. The site levels indicated on the approved drawings shall be maintained to the satisfaction of the Planning Authority.

13. The 3m wide platform around the dwellinghouse shall be retained free from obstructions to the satisfaction of the Planning Authority.
14. No materials shall be imported to the site for the purposes of the creation of the site platform and the construction of the dwellinghouse to the approved finished levels.

(2) 06/01350/FUL - GLENFARG - Erection of dwellinghouse on land adjacent to Easterton Cottage, Glenfarg - Mr and Mrs J Learmonth - Report 06/866.

The Committee noted that in terms of Standing Order 18, Councillors E Grant, Lyall, MacLellan, Stewart and Young had not been present during consideration of this application at the meeting on 25 October 2006 and they did not participate in the discussion or the taking of the decision today.

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

Resolved:

Grant, on the grounds that the departure from the development plan was justified as (a) a satisfactory flood risk assessment had been provided and (b) the applicant had agreed to sign a Section 75 Agreement with regard to the demolition of the existing building subject to conditions to be formulated by the Head of Development Standards.

798. PLANNING APPLICATIONS FOR DETERMINATION

(1) 06/01427/FUL - GLENFARG - Proposed Development of an Energy from Waste Plant together with a Materials Reclamation Facility, associated infrastructure and landscape works at Binn Farm, Glenfarg - SITA UK - Report 06/867.

The Committee noted that two additional letters of objection, which had been received since the Committee papers were issued, did not raise further considerations. They also noted that a letter had been received from Auchtermuchty and Strathmiglo Community Council advising that they had only very recently become aware of the application and asking for deferral to allow further consultation. A letter had also been received from SEPA challenging Report 06/867 and requesting that three conditions should be changed if planning consent were to be granted.

In terms of Standing Order 53, Councillor Baird, as local member, addressed the Committee and Councillor Lloyd also addressed the Committee.

Mr N Roberts, representing the applicant, followed by Mr R Henderson, addressed the Committee in support of the application, followed by Mr C Campbell, speaking on behalf of Glenfarg Community Council, Mr M Gallagher, Mrs A Sangster and Mr G Taylor, objectors to the application and Mr O Webster, in support of the application, all 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 conditions 5 and 14 to reflect issues raised by SEPA, 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. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments, all planting and a Biodiversity Management Plan shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. A Landscape Management Plan shall also be submitted to ensure the establishment and maintenance of the landscape proposals.

4. The specification and colour of the external finishing materials proposed are not approved, as the colour scheme submitted is unacceptable in terms of visual amenity. Prior to the commencement of development therefore the applicant shall consult with the Planning Authority to agree an acceptable colour scheme for the proposed development.
5. The consent hereby granted is for the delivery to the site and treatment of the following specified wastes. The Energy from Waste Plant (EfW) and the Materials Reclamation Facility (MRF) shall treat Municipal Waste which is defined as Household Waste and any other waste under the control of the local authorities or their agents acting on their behalf. The MRF will accept Municipal Waste principally and other waste made up of all paper and cardboard grades, ferrous and non-ferrous metals, all plastic grades, tetrapaks and all glass grades.
6. Prior to the commencement of work on site drainage details for the site shall be submitted and approved by the Planning Authority. The details shall comply with the requirements of Surface Water Best Management practice for Sustainable Urban Drainage (SUDS). This will include detailed measures to ensure that surface water is not polluted before flowing into any watercourses, which will involve monitoring, review, corrective action and maintenance. The approved details of the SUDs scheme shall be implemented prior to the occupation of the development hereby approved.
7. Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
8. Adequate car and HGV parking spaces shall be provided within the site.
9. All heavy commercial vehicles carrying bulk materials or waste into and out of the site during the construction, operational and decommissioning phases of development shall be covered unless the load is otherwise enclosed, except when required to inspect incoming loads of waste.
10. No development shall commence until a written scheme of details has been submitted to and approved in writing by the Planning Authority setting out measures for the control of windblown dust or debris during the construction phase of the development hereby permitted. The scheme shall include details of fencing and damping down with water of excavated construction and cover materials on site. The scheme shall be implemented in accord with the approved details unless the Planning Authority gives its prior written consent to any variation.
11. Development shall not commence until there has been submitted to and approved in writing by the Planning Authority a scheme of lighting of the development hereby permitted for both its construction and operational phases.
12. On commencement of the operation of the development hereby permitted there shall be no storage of materials or equipment on roadways or landscaped areas unless written consent thereto is given by the Planning Authority.
13. The company shall give at least 2 working day's notice to the Planning Authority of any proposed operation of emergency pressure valves or similar equipment. So far as is reasonably practicable these operations shall only take place between the hours of 0900-1700 hours Monday - Saturdays and not on any Sunday or Bank Holiday.
14. A facility shall be provided and maintained within the development to enable steam pass-outs and/or hot water pass-outs and reserve space for the provision of water pressurisation, heating and pumping systems for off-site users of process or space heating;
15. Prior to the commencement of development a feasibility study shall be undertaken in respect of determining the practicability for the beneficial use of excess steam/hot water generated by the facility with a view to harnessing this energy for the benefit of the local community. Such a study shall be submitted to the Planning Authority and thereafter implemented as approved.
16. The EfW facility will operate 24 hours a day, 7 days a week. Waste will be delivered to the site between the hours of 0700 and 1800 Monday - Friday and between 0700 and 1300 on Saturdays. There will be no deliveries on Sundays or public holidays. The MRF delivery and dispatch will be between 0700-1800

Monday - Friday and materials processing shall comprise a single 8 hour shift between 0700 and 1800 Monday - Friday.

17. Prior to the commencement of development the applicant shall submit a Noise Impact Assessment and recommend any mitigation measures required as a result, all to the satisfaction of the Planning Authority.

COUNCILLOR LLOYD, K MCNAMARA, B REEKIE AND D LEWIN LEFT THE MEETING.

- (2) **05/02409/FUL - GLENFARG - Demolition of hotel and erection of residential building containing 14 flats over 4 levels and lower ground floor car parking for 16 cars at Lomond Hotel, Main Street, Glenfarg - Glenfarg Developments - Report 06/868.**

In terms of Standing Order 53, Councillor Baird, the local member, addressed the Committee. Mr C Campbell, on behalf of Glenfarg Community Council, followed by Mr D Craigie, on behalf of the applicant, addressed the Committee, and, following their respective representations, all 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 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. The vehicular access shall be formed in accordance with the Council's Roads Development Guide Type B Figure 5.6 access detail to the satisfaction of the Council as Planning Authority.
5. The gradient of the access shall not exceed 3% for the first 5.00 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public highway.
6. 16 off-street car parking spaces shall be provided within the curtilage of the site to the satisfaction of the Planning Authority prior to the occupation of the dwelling.
7. 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.
8. The existing vehicular access arrangement to the site from Main Street shall be reinstated to form a footway constructed to the satisfaction of the Council as Roads Authority.
9. Prior to the commencement of work on site the applicant shall submit a Noise Impact Assessment in order to assess the impact of motorway noise from the M90 and provide suitable mitigation measures if required, to the satisfaction of the Planning Authority.

COUNCILLORS BAIRD AND LIVINGSTONE LEFT THE MEETING.

- (3) **06/00870/FUL (Amended) - GRANDTULLY - Erection of 11 affordable dwellinghouses on land to the west of Creag Eilid, Little Ballinluig, Grandtully - Mr and Mrs D L Rawson - Report 06/869.**

Resolved:

Grant, subject to the following conditions and to appropriate arrangements for payment by the applicant of financial contributions towards educational and public open space facilities:

1. The development shall be begun within a period of five years from the date of this consent.
2. The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.
3. The recommendations of Arboretum International's Report dated 30 June 2006 shall be fully implemented to the satisfaction of the Council as Planning Authority.
4. All services and material stores shall be located outwith the root protection areas and canopy spread of any of the existing trees on site to the satisfaction of the Council as Planning Authority.
5. The northern boundary of the site to the A872 shall be formed by means of a post and wire fencing and hawthorn hedge to the satisfaction of the Council as Planning Authority.
6. All existing trees on the site shall be retained and protected to the satisfaction of the Planning Authority and details of the proposed methods of protection during construction operations shall be submitted for the approval of the Planning Authority prior to the commencement of the development.
7. The detailed landscaping and planting scheme for the site which is hereby approved shall be implemented by the Developer as part of the site development programme and thereafter maintained to the satisfaction of the Council as Planning Authority.
8. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size and species to the satisfaction of the Planning Authority.
9. 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.
10. 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.
11. A minimum of two off-street car parking spaces per dwelling shall be provided within the curtilage of the site to the satisfaction of the Planning Authority prior to the occupation of the dwelling.
12. Full adherence of the submitted Construction Method Statement shall be undertaken to the satisfaction of the Council as Planning Authority with the exception of section 4 where there is no need to seek SNH approval of the timing of works.
13. The chimneys shall be rendered to match the house to the satisfaction of the Council as Planning Authority.
14. The houses shall be used for the purposes of affordable housing as defined in the Council's policy on "Affordable Houses"

COUNCILLOR MACLELLAN LEFT THE MEETING AT THIS POINT.

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

(4) 06/01121/FUL - PERTH - Alterations and extension to existing dwellinghouse at 25 Melville Street, Perth - Mr and Mrs Cruickshanks - Report 06/870.

Motion (Councillors Lumsden and Caddell) - Grant, subject to design of front door being changed and subject to any other conditions to be imposed by the Head of Development Standards.

Amendment (Councillors Hulbert and Young) - Refuse, for the reasons detailed in Report 06/870.

Amendment - 7 Votes

Motion - 3 Votes

Resolved:

In accordance with the Amendment, and to refuse for the following reasons:

1. The proposed alterations, due to form and fenestration, are out of keeping with the building and, as such, would detract from the special architectural interest for which it is statutorily listed. Approval would therefore be contrary to Section 59 of the Planning (Listed Buildings and Conservation Areas)(Scotland)Act 1997 and to the Memorandum of Guidance on Listed Buildings and Conservation Areas.
2. The proposed hardstanding area and access, due to their prominent location, would detract from the setting of the adjacent building and from the character of the conservation area within which the site is located. Approval would therefore be contrary to Policies 58 and 59 of the Perth Area Local Plan 1995 Incorporating Alteration No1 Housing Land 2000.

- (5) **06/01122/LBC - PERTH - Alter and extend existing dwellinghouse to provide french doors and bedroom accommodation at 25 Melville Street, Perth - Mr and Mrs Cruickshanks - Report 06/871.**

Resolved:

Refuse, for the following reason:

1. The design of the proposed alterations is out of character with the building, due to composition and detailing, and, as such, detracts from the special architectural interest of the building for which it is statutorily listed. Approval would therefore be contrary to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and to the Memorandum of Guidance on Listed Buildings and Conservation Areas.

THE COMMITTEE THEN ADJOURNED FOR LUNCH AND RECONVENED AT 1.00PM.

- (6) **06/01148/OUT - GLENCARSE - Erection of a dwellinghouse at ground adjoining Craigellachie, Glencarse - R Christie - Report 06/872**

Resolved:

Refuse, for the following reasons:

1. The proposal is contrary to Policy 1 of the Perth Area local Plan 1995 (Incorporating Alteration No. 1 Housing Land 2000) as the site fails to provide a satisfactory landscape framework and a suitable access onto the local road network.
2. The proposal for a dwellinghouse in this location is contrary to Policy 32 of the Perth Area Local Plan 1995, Incorporating Alteration No 1, Housing Land 2000, Housing in the Countryside in that it represents residential development within the landward area, contrary to the Council's policy for Housing in the Countryside in that the proposed site is not contained within the existing building group and would therefore lead to an extension of the adjacent small building group, it does not involve the renovation of an abandoned house, and is not justified on the basis of operational need.
3. The proposal does not accord with the Council's Policy on Housing in the Countryside (Dec 2005) as the proposal fails to provide a satisfactory landscape framework for a new dwellinghouse and a satisfactory access can not be provided.

COUNCILLOR MCEWEN ENTERED THE MEETING.

- (7) **06/01246/OUT - KINFAUNS - Residential development at Hill Park, Kinfauns - Mrs M Somers - Report 06/873**

Resolved:

Grant, subject to conditions to the satisfaction of the Planning Authority on the grounds that the departure from the development plan is justified as (1) the proposal is not contrary to Policies 2 and 12 of the Perth Area Local Plan 1995 (incorporating

Alteration No.1 Housing Land 2000) and (2) it is deemed unnecessary for the applicant to provide supporting information relating to both contaminated land issues and noise implications.

COUNCILLOR HAYTON ENTERED THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEM.

(8) 06/01405/FUL - CROOK OF DEVON - Erection of two dwellinghouses at plots 1 and 2, Station Road, Crook of Devon - Mr and Mrs Williamson and Mrs J Mackie - Report 06/874

Mr S Shand, representing the applicant, followed by Ms G Kendrick, an objector to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Resolved:

Grant, subject to the following conditions:

1. The development shall be begun within a period of five years from the date of this consent.
2. The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.
3. The route marked as "proposed public footpath" on the plans must be constructed to the satisfaction of the Council as Planning Authority prior to the occupation of the dwellinghouses. The path must not be obstructed during building works or on completion.
4. The vehicular access shall be formed in accordance with the Council's Roads Development Guide Type B Figure 5.6 access detail to the satisfaction of the Council as Planning Authority.
5. The gradient of the accesses shall not exceed 3% for the first 5 metres measured back from the edge of the carriageway and the accesses shall be constructed so that no surface water is discharged to the public highway.
6. Three off-street car parking spaces shall be provided within the curtilage of the site to the satisfaction of the Planning Authority prior to the occupation of the dwelling.
7. 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.
8. 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.
9. 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.
10. Details of the proposed boundary treatments for the site shall be submitted for the approval of the Planning Authority prior to the commencement of the development/use and such scheme as may be approved shall be completed prior to the occupation of the development.
11. A detailed landscaping and planting scheme for the site shall be submitted for the further approval of this Planning Authority prior to the commencement of the development. The scheme shall include details of the height and slopes

of any mounding or recontouring of the site, species, height, size and density of trees and shrubs to be planted and the scheme as subsequently approved shall be carried out and completed within 6 months unless otherwise agreed in writing with this Planning Authority.

(9) 06/01540/FUL - COMRIE - Erection of a dwellinghouse at land east of Corrieknowe West Cowden, Comrie - B & M Geddes - Report 06/875

Mrs Geddes, the applicant, followed by Mr J Drummond, an objector to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Motion (Councillors Howie and Lumsden) - Grant, subject to conditions to be formulated by the Head of Development Standards on the grounds that the proposal (1) complies with Policy 54 Housing in the Countryside of the Strathearn Area Local Plan 2001; (2) the proposal complies with (i) building group, (ii) infill sites of the Council's policy on Housing in the Countryside (December 2005); (3) the proposal has a landscape framework capable of absorbing or if necessary screening the development; and (4) the proposal meets the aims of General Policy 3 of the Strathearn Area Local Plan.

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

1. **The proposal is contrary to the Development Plan i.e. Policy 54 Housing in the Countryside of the Strathearn Area Local Plan (2001) in that the proposal does not meet any of the categories (a) Building Group (b) Renovation or Replacement (c) Conversions (d) Operational Need.**
2. **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 (3) New houses in the open countryside (4) Renovation or Replacement (5) Conversions (6) Brownfield Site. Whilst potentially complying with (1) Building Group (2) Infill sites, it is not considered that the proposal fully complies with the detailed criteria of these categories.**
3. **The proposal is contrary to the aims of general policy 2 of the Strathearn Area Local Plan in that the site should have a landscape framework capable of absorbing or, if necessary screening the development, the development should be compatible with its surroundings in land use terms and should not result in a significant loss of amenity to the local community and the site should be large enough to accommodate the development satisfactorily in site planning terms.**
4. **The proposal is contrary to the aims of general policy 3 of the Strathearn Area Local Plan in that development should seek to conserve landscape features and sense of local identity, and strengthen and enhance landscape character.**

Amendment - 6 votes

Motion - 2 votes

Resolved:

In accordance with the Amendment.

(10) 06/01654/OUT - BLAIRGOWRIE - Residential development at land at 14 Mitchell Square, Blairgowrie - Mr and Mrs R Milne - Report 06/876

Mr G Darge, on behalf of 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 the development, the landscaping of the site, all means of enclosure, the car parking and means of access to the site shall be as approved by the Planning Authority.
2. The reserved matters shall be submitted for the approval of the Planning Authority in the form of a written application accompanied by detailed plans not later than:-
 - (i) the expiration of 3 years from the date of the grant of outline planning permission.
 - (ii) the expiration of 6 months from the date on which an earlier application for such approval was refused, or
 - (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed;
 whichever is the latest.
3. The development to which this permission relates must be begun not later than:-
 - (i) Five years from the date of the permission; or
 - (ii) Two years from the date of the final approval of all reserved matters.
4. The vehicular access shall be formed in accordance with the Council's Roads Development Guide Type B Figure 5.6 access detail to the satisfaction of the Council as Planning Authority.
5. The gradient of the access shall not exceed 3% for the first 5.00 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public highway.
6. Two off-street car parking spaces per house shall be provided within the curtilage of the site to the satisfaction of the Planning Authority prior to the occupation of the dwelling.
7. A 1.8m wide footway constructed to the standard and specifications required by the Council as Roads Authority shall be provided along the site frontage with Mitchell Square and implemented prior to the occupation of the houses.
8. 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.
9. No residential numbers are approved.
10. The elevations and layout submitted are assumed to be for information only and are not approved as part of this consent.
11. Development should not begin until a scheme to deal with the contamination on the site has been submitted to and approved in writing by the Planning Authority. The scheme shall contain proposals to deal with the contamination to include:
 - (i) the nature, extent and type(s) of contamination on the site
 - (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 decontamination measures
 Before any residential unit is occupied the measures to decontaminate the site shall be fully implemented as approved by the Planning Authority.

(11) 06/01740/OUT - ALMONDBANK - Erection of 3 bedroom detached 1.5 storey dwellinghouse at land to the rear of 33 Bridgeton Brae, Almondbank - Ms S Laing - Report 06/877

Resolved:

Refuse, for the following reasons:

1. The proposal is contrary to Policy 71 of the Perth Area Local Plan 1995 incorporating Alteration No.1 – Housing Land 2000 as the proposed dwellinghouse will have a significant impact on the character and amenity of the existing dwellinghouse at 33 Bridgton Brae.
2. The proposal is contrary to Policy 71 of the Perth Area Local Plan 1995 incorporating Alteration No.1 – Housing Land 2000 as the proposed

dwellinghouse will have a significant detrimental impact on neighbouring residential amenity.

3. The proposal is contrary to Policy 71 of the Perth Area Local Plan 1995 incorporating Alteration No.1 – Housing Land 2000 as the proposed dwellinghouse will constitute overdevelopment of the site.

(12) 06/01914/FUL - KINROSS - Erection of changing rooms, Kinross House, Kinross - Kinross Cricket Club - Report 06/878

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

Resolved:

Grant, on the grounds that the departure from the development plan was justified as there would be no significant visual intrusion into the flat, open landscape in which it is situated, and subject to conditions to be formulated by the Head of Development Standards.

COUNCILLOR HAYTON LEFT THE MEETING.

(13) 06/01924/FUL - SCONE - Attic conversion at 42 Myrtle Road, Scone - Mr and Mrs J F Harris - Report 06/879

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

Resolved:

Defer, to enable further consultation with the applicant on a more acceptable design which would not adversely affect the visual character of the host building and surrounding area.

(14) 06/01952/FUL - PERTH - Extension to dwellinghouse and formation of guesthouse at 91 Glasgow Road, Perth - Mr Ian McCutcheon - Report 06/881

Resolved:

Refuse, for the following reason:

1. The proposed development would be detrimental to the residential amenities of adjacent dwellings due to loss of privacy, reduced sunlight and daylight and increased noise. Approval would therefore be contrary to Policy 41 of the Perth Area Local Plan 1995 Incorporating Alteration No 1 Housing Land 2000.

(15) 06/02014/FUL - SCONE - Residential development at Balgarvie Farm, Scone - A & J Stephen - Report 06/882

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. 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 the houses.
4. 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.
5. The landscaping strip to the rear of the dwellinghouses, as shown on Drg No P8060/376 Rev 2, shall be implemented in full prior to the occupation of the

associated dwellinghouse and thereafter maintained perpetually to the satisfaction of the Council as Planning Authority.

6. Prior to the commencement of any works on site precise details of boundary treatments are submitted for the approval in writing by the Council as Planning Authority.
7. Prior to any works commencing on site further details of the open space area to the south of 29 Myrtle Road are submitted for the approval in writing by the Council as Planning Authority. Details must include all planting arrangements, landscaping, boundary treatments and the internal arrangements of the area.
8. The siting of plots No 189 and 205 are not approved at this time. Revised siting details must be submitted to the Council as Planning Authority which take into account the requirements of the Head of Outdoor Services in relation to the adjacent Play Area. These changes must be approved in writing.
9. A 2m high fence shall be erected along the boundary with the properties of Myrtle Road. Details of this fence must be submitted in writing to the Council as Planning Authority for approval.

(16) 06/02023/FUL - PERTH - Conversion of existing attic to form two separate flats, 39 North Methven Street, Perth - Mr Samera Abdul - Report 06/883

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.

(17) 06/02057/FUL - GLENFARG - Extension over existing garage at 12 Elm Row, Glenfarg - Mr and Mrs ABS Jenkins - Report 06/884

Motion (Councillors Lumsden and Howie) - Grant, on the grounds that the departure from the development plan is justified as the proposal would not adversely affect the character and amenity of the village and subject to conditions to the satisfaction of the Head of Development Standards.

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

1. **The proposal is contrary to Policy 71 of the Perth Area Local Plan 1995, incorporating Alteration No 1 “Housing Land 2000”, as it would visually imbalance the property and introduce an incongruous element into the street scene, which would adversely affect the character and amenity of the village.**

Amendment - 4 votes

Motion - 3 votes

Resolved:

In accordance with the Amendment.

(18) 06/02061/FUL - AUCHTERARDER - Erection of dwellinghouse at Coll Earn House Hotel, Auchterarder - Mr and Mrs J Lindsay - Report 06/885

Ms Aileen Lindsay, the applicant, addressed the Committee, and, following her representation, withdrew to the public benches.

Motion (Councillors Caddell and Lumsden) - Grant, on the grounds that the proposal is not contrary to Policies 2(e), 21 and 27 of the Strathearn Area Local

Plan 2001 and subject to conditions to the satisfaction of the Head of Development Standards.

Amendment (Councillors McDonald and McEwen) - Refuse, for the following reasons:

1. The proposal is contrary to Policy 27 of the Strathearn Area Local Plan 2001 as the further erosion of the already overdeveloped grounds of the B-Listed Coll Earn House Hotel will have a significant adverse impact on the setting of the Listed Building.
2. The proposal is contrary to Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas as the further erosion of the already overdeveloped grounds of the B-Listed Coll Earn House Hotel will have a significant adverse impact on the setting of the Listed Building.
3. The proposal is contrary to Policy 21 of the Strathearn Area Local Plan 2001 as the extent of tree removal cannot be substantiated from the information provided.
4. The proposal is contrary to Policy 2(e) of the Strathearn Area Local Plan 2001 as there is insufficient capacity at the local school to accommodate this development.

Amendment - 4 votes

Motion - 4 votes

In accordance with Standing Order 45, the Convener exercised a casting vote in accordance with the Motion.

Resolved:

In accordance with the Motion.

(19) 06/02163/FUL - ABERNETHY - Internal alterations and attic conversion at 8 Ballo Braes, Abernethy - Mr and Mrs R Rofe - Report 06/887

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

Resolved:

Defer, to provide further information to the Committee on the site circumstances.

(20) 06/02203/LBC - PERTH - Conversion of existing attic to form two separate flats, 39 North Methven Street, Perth - Mr Samera Abdul - Report 06/888

Resolved:

Refuse, for the following reasons:

1. The proposal is contrary to Policy 11 and Annex 1 of the Perth Central Area Local Plan 1997 as it will adversely affect the character and setting of a listed building and that of the surrounding area.
2. The proposal is contrary to Policy 14 of the Perth Central Area Local Plan 1997 as it will adversely affect the character and setting of a listed building.
3. The proposal is contrary to Appendix 1, subsection 1.5.18 'Attics, Dormers, Skylights and Rooflights' of Historic Scotland's Memorandum of Guidance on listed buildings and conservation areas 1998, as the proposed dormer windows will result in the roof being overcrowded and top heavy.
4. The proposed is contrary to Appendix 1, subsection 1.5.18 'Attics, Dormers, Skylights and Rooflights' of Historic Scotland's Memorandum of Guidance on listed buildings and conservations area 1998, as the proposed box dormers on the rear are not considered acceptable for listed buildings.
5. The proposed is contrary to Appendix 1, subsection 1.2.4 'Timber Sash Windows' of Historic Scotland's Memorandum of Guidance on listed buildings and conservation areas 1998, as the proposed upvc windows are not considered an acceptable substitute.

(21) 06/02257/OUT - ERROL - Erection of dwellinghouse at Newbigging Farm, Errol - Messers J R B Kirk - Report 06/889

Ms P Mackay, representing the applicant, addressed the Committee, and, following her representation, withdrew to the public benches.

Resolved:

Refuse, for the following reasons:

1. The proposal does not accord with the Council's Policy on Housing in the Countryside (Dec 2005) as the proposal fails to provide a satisfactory landscape framework for a new dwellinghouse and fails to clearly demonstrate that there is an essential requirement for a dwellinghouse associated with agricultural activities.
2. The proposal does not accord with Policy 32 of the Perth Area Local Plan 1995 (Incorporating Alteration No. 1 Housing Land 2000) as the proposal fails to provide a satisfactory landscape framework for a new dwellinghouse and fails to clearly demonstrate that there is an essential requirement for a dwellinghouse associated with agricultural activities.

(22) 06/02358/FUL - ABERFELDY - Change of use from shop to youth services/youth work partnership centre at 13-15 Bank Street, Aberfeldy - Highland Perthshire Youth Initiative - Report 06/890

Mr D Graham, on behalf of the applicants, addressed the Committee, and, following his representation, 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 herewith, unless otherwise provided for by conditions imposed on the planning consent.

COUNCILLOR LUMSDEN, HAVING DECLARED AN INTEREST IN THE FOLLOWING ITEM, WITHDREW FROM THE COUNCIL CHAMBERS AND COUNCILLOR CADDELL TOOK THE CHAIR.

(23) 06/01247/OUT - BLAIRGOWRIE - Residential Development at land at Sholach Farm, Wester Essendy, Blairgowrie -Mr W R McIntyre - Report 06/891

In terms of Standing Order 53, Councillor Telfer, the local member, addressed the Committee.

Resolved:

Refuse, for the following reasons:

1. The proposal is contrary to Policy 49 of the Eastern Area Local Plan 1998 in that the proposal does not meet any of the required categories and the proposal is within the Lunan Valley Catchment Area where development for non-operational need is prohibited.
2. The proposal is located within the Lunan Valley Catchment Area. Accordingly the proposal is contrary to Policy 45 of the Eastern Area Local Plan 1998 which states that within the Lunan Valley Catchment Area 'there will be a presumption against built development within the area, except for renovations or alterations to existing buildings and developments necessary for operational need which can be shown by the developer to have no adverse impact on the environmental assets of the area or likely to result in an acceptable increase in traffic volumes'.
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.