

DEVELOPMENT CONTROL COMMITTEE

Minute of Meeting of the Development Control Committee held in the Council Chambers, Fourth Floor, 2 High Street, Perth on Wednesday 8 September 2010 at 9.30am.

Present: Councillors W Wilson, K Lyall, E Grant, T Gray (substituting for R Band), L Caddell, I Campbell, C Gillies (up to and including Art. 508(2)(vi)), A Jack, J Kellas, W Lumsden, M Lyle, S Miller and H McDonald.

In Attendance: Councillors C Shiers (up to and including 508(2)(ii)); N Brian; A Condliffe, A Fleming, B McNaughton, D Niven, J Lowe and K Stirton (all the Environment Service); C Elliott and P Frazer (both Chief Executive's Service).

Apology for Absence: Councillor R Band.

Councillor W Wilson, Convener, Presiding.

The Convenor thanked Bruce McNaughton, the Environment Service, for all the assistance and support he had given the Committee over the years and wished him all the best for his retirement.

505. DECLARATIONS OF INTEREST

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

506. MINUTE OF PREVIOUS MEETING

The Minute of Meeting of the Development Control Committee of 11 August 2010 (Arts. 401-404) was submitted, approved as a correct record and authorised for signature.

507. 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.
10/00494/FLL	508(2)(ii)
10/00715/FLL	508(2)(iv)
10/00982/FLL	508(2)(vi)

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

508. APPLICATIONS FOR DETERMINATION

(1) Planning Application Previously Considered

- (i) 10/00456/FLL – BLAIRGOWRIE – Erection of 2 industrial buildings sub-divided into 18 units and formation of associated parking on Land 70 Metres South East Of Forest and Field Engineering, Welton Road, Blairgowrie Report 10/468**

Resolved:

Grant, subject to the following conditions:

1. The development shall be commenced within a period of three years from the date of this consent.
2. The proposed development shall be carried out in accordance with the approved plans unless otherwise provided for by conditions attached to this consent.
3. The use of the premises shall fall strictly within Classes 4 and 6 of the Town and Country Planning (Use Classes)(Scotland) Order 1997 i.e. Business Uses together with Storage and Distribution only.
4. The delivery/collection of goods to/from the premises shall take place between the hours of 0700 and 2300 Mondays - Saturdays and at no other time. The idling of delivery vehicle engines is strictly prohibited.
5. All plant or equipment (including any ventilation system) shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours daily, within any neighbouring noise-sensitive property, with all windows slightly open, when measured and/ or calculated and plotted on a Noise Rating curve chart.
6. An effective ventilation system commensurate with the nature and scale of any industrial process to be undertaken shall be installed, operated and maintained, within the industrial buildings, such that any resultant odours are not exhausted into or escape into any nearby dwellings.

Justification

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure there from.

Informatives

1. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would

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constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.

2. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
3. No work shall be commenced until an application for building warrant has been submitted and approved.

(2) Local Applications

- (i) 08/00805/AML – MILNATHORT – Erection of 5 dwellinghouses and garages, formation of access road and associated site works at Old Perth Road, Milnathort – Report 10/469**

Resolved:

Grant, subject to the following conditions:

1. The Planning Permission in Principle for this development lapses on the expiration of two years from this approval (or, in the case of the approval of different matters on different dates, from the requisite approval for the last such matter being obtained) unless the development to which the permission relates is begun before that expiration.
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. No trees on the site shall be lopped topped or felled without the prior written approval of the Planning Authority. Trees should be protected during construction work in accordance with BS 5837: 2005 Trees in Relation to Construction.
5. The approved landscaping scheme and long term maintenance of the scheme shall be carried out in accordance with the Landscape Specification & Tree, Thicket and Hedge Planting Schedule dated 24 June 2008 by Dougal Thornton.
6. Prior to the occupation of the dwellinghouses a 2.5 metre high bund shall be constructed along the northern boundary of the site approximately 5 metre from the

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- existing motorway fence barrier to the satisfaction of the Planning Authority.
7. Prior to occupation of the three northerly dwellinghouses closest to the M90 double glazing specification greater than 4/12/4, such as 10/12/6 shall be installed in the three dwellinghouses to the satisfaction of the Planning Authority.
 8. During the construction stage the vehicular access to any neighbouring property shall not be interrupted to the satisfaction of the Council as Planning Authority.
 9. Prior to the occupation of the first dwellinghouse, the stone wall running along the boundary of the application site with Old Perth Road shall be fully reinstated/repared to the satisfaction of the Council as Planning Authority.
 10. The site shall be served from Old Perth Road and the existing junction of Old Perth Road with Hattonburn Road shall be improved to comply with the Council's Roads Development Guide Type C Figure 5.7 access to the satisfaction of the Council as Planning Authority prior to the occupation of the dwellinghouses.

Justification

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure there from.

Procedural Notes

Prior to the issue of planning consent the applicant shall make a financial contribution of £18 750 towards affordable housing provision. The applicant may be able to defer payment of this sum through the conclusion of a suitable legal agreement.

Informatives

1. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.
2. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
3. The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works.

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Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.

4. No work shall be commenced until an application for building warrant has been submitted and approved.
5. The applicant is advised that a Controlled Activities Regulations (CAR) application is required and contact should be made with SEPA at an early date to establish the requirements for this application

(ii) 10/00494/FLL – BLAIRGOWRIE – Change of lodge designs (Modification of previous consent 07/01768/FUL to erect 10 holiday units) at Altamount House Hotel, Coupar Angus Road, Blairgowrie – Report 10/470

Mr J Brown, agent, on behalf of the applicant, addressed the Committee, and, following his representations, withdrew to the public benches.

In terms of Standing Order 53, Councillor C Shiers, one of the elected members representing Ward 3, addressed the Committee, and, following her representations, withdrew to the public benches.

Resolved:

Grant, subject to the following conditions:

1. The development shall be begun within a period of three 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 tree(s) shall be removed, unless otherwise agreed in writing by the Council as Planning Authority.
4. The existing boundary hedge along the entire south boundary of the site shall not be lopped, felled or trimmed, unless otherwise agreed in writing by the Council as Planning Authority.
5. All trees which are to be retained must be adequately protected prior to the commencement of any works on site, and during the entire construction period, to the satisfaction of the Council as Planning Authority and in accordance with BS5837 'Trees in Relation to Construction.'
6. All the lodges have been approved as holiday accommodation only and shall not be occupied as the sole or main residence of any occupant, to the satisfaction of the Council as Planning Authority.
7. Prior to the commencement of any works on site precise details of the finished floor levels of all the lodges shall be

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- submitted for the approval in writing by the Council as Planning Authority.
8. Prior to the commencement of any works on site precise details of the means of construction of the new access drive shall be submitted for the approval in writing by the Council as Planning Authority.
 9. The existing tree belt adjacent to the access drive shall be maintained in perpetuity, to the satisfaction of the Council as Planning Authority.
 10. Prior to the commencement of any works on site precise details of the boundary treatments between the lodges shall be submitted for the approval in writing by the Council as Planning Authority.
 11. Prior to the commencement of any works on site all external finishing materials must be agreed in writing with the Council as Planning Authority.
 12. Prior to the occupation of any of the units, turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear prior to the occupation of the first lodge and thereafter retained in perpetuity, all to the satisfaction of the Council as Planning Authority.
 13. Prior to the commencement of any works on site a plan which indicates all the parking arrangements (a minimum of one car parking space per lodge) shall be submitted for the approval in writing by the Council as Planning Authority.
 14. 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 Council as 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) measure 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 holiday lodge is occupied the measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority.
 15. Prior to the commencement of any works on site a detailed planting and landscaping scheme (including implementation timescales) shall be submitted for the approval in writing by the Council as Planning Authority. The scheme shall include replanting for those trees to be felled and a management and monitoring plan for all existing and proposed planting. The approved scheme shall be implemented in full within the agreed timescale

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- and retained in perpetuity, all to the satisfaction of the Council as Planning Authority.
16. Within seven days of any proposed tree removal, each tree that is due to be removed shall be surveyed for the presence of red squirrels and bats. The survey must be carried out by a suitably qualified person(s), and the recommendations contained in the subsequent report implemented in full. A copy of the survey/report shall be submitted to the Council as Planning Authority prior to any tree(s) being removed.
 17. The window at first floor level on the rear elevation of lodge type C shall be opaque glass for perpetuity, to the satisfaction of the Council as Planning Authority.

Justification

The proposal accords with the Development Plan and there are no material reasons to merit a refusal.

Informatives

1. No work shall be commenced until an application for building warrant has been submitted and approved.
2. The applicant is advised that the granting of planning consent does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning and Development Services Team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
3. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.
4. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
5. A licence from the Scottish Government will be required for any activity that has the potential to kill, injure, take or sell a Red Squirrel or Bat; to damage, destroy or obstruct access to their place of shelter; or to disturb a Red Squirrel or Bat while it is using such a place.

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(iii) 10/00670/FLL – METHVEN – Alterations and change of use from baker/coffee shop to hot food shop at 68 Main Street, Methven – Report 10/471

Nick Brian, Development Quality Manager advised the Committee that, if granted, Condition 5 on page 55 of the Report should be amended on the last line to refer to 'plotted on a noise rating curve chart.'

Motion (Councillors W Wilson and G Gilles) – Grant, subject to the following conditions:

- 1. The development shall be begun within a period of three 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 the opening of the premises details of the proposed ventilation system shall be submitted and agreed in writing by the Council as Planning Authority. The system shall incorporate odour control, and shall be installed, operated and maintained to ensure that no cooking odours associated with operation of the development are emitted or exhausted into any neighbouring residential property.**
- 4. The ventilation system shall discharge at a point at least 1 metre above eaves level or 1 metre above any openable windows or nearby properties, whichever is higher.**
- 5. All plant or equipment including any ventilation system associated with operation of commercial areas shall be so enclosed, attenuated and/or maintained such that any noise shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours daily, within any neighbouring residential premises, with all windows slightly open, when measured and/or calculated and plotted on a noise rating curve chart.**

Amendment (Councillors W Lumsden and A Jack) – Refuse, as the proposed development is contrary to Policy 71: Perth Area Local Plan 1995 - General Villages Policy relating to detriment to neighbouring properties on the grounds of inadequate ventilation.

Amendment – 2 votes

Motion – 11 votes

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Resolved:

In accordance with the Motion.

Justification

The proposal is considered to comply with the Development Plan and there are no other material considerations which would justify a departure therefrom.

Informatives

1. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.
2. This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 38 the notice must be:
 - Displayed in a prominent place at or in the vicinity of the site of the development
 - Readily visible to the public
 - Printed on durable material.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. No work shall be commenced until an application for building warrant has been submitted and approved.

(iv) 10/00715/FLL – GLENCARSE – Erection of 3 dwellinghouses at Leetown, Glencarse – Report 10/472

Mr G Kerr, agent, on behalf of the applicant, and Mr G McCrickard, 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 three years from the date of this consent.

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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 the commencement of any works on site precise details of all boundary treatments shall be submitted for the approval in writing by the Council as Planning Authority.
4. Prior to the commencement of any works on site precise details of all external finishes shall be agreed in writing by the Council as Planning Authority.
5. Prior to the occupation of each dwellinghouse, the vehicular accesses shall be formed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Council as Planning Authority.
6. Prior to the occupation of each dwellinghouse, the access shall be formed to ensure that the gradient does not exceed 3% for the first 5.00 metres measured back from the edge of the carriageway and that the access is constructed so that no surface water is discharged to the public road, all to the satisfaction of the Council as Planning Authority.
7. Prior to the occupation of each dwellinghouse, turning facilities shall be provided within each site to enable all vehicles to enter and leave in a forward gear, to the satisfaction of the Council as Planning Authority.
8. Prior to the occupation of each dwellinghouse, a minimum of two car parking spaces per dwelling shall be provided, to the satisfaction of the Council as Planning Authority.
9. For Plot 1 only, permitted development rights associated with Class 1 (The enlargement, improvement or other alteration of a dwellinghouse) and Class 3 (The provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse, or the maintenance, improvement or other alteration of such a building or enclosure) of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any equivalent class in any subsequent legislation), are hereby revoked.

Justification

The application accords with the Development Plan and there are no material reasons which merit a refusal.

Procedural Notes

Planning consent should not be issued until payment of £19,185 for Primary education provision has been received in full, or a legal agreement has been concluded for its delayed payment.

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Informatives

1. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
2. No work shall be commenced until an application for building warrant has been submitted and approved.
3. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.
4. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
5. The applicant is advised that the Executive Director (Education and Children's Services) can give no guarantee that any school age children arising from this development application can be accommodated at St Madoes Primary School. This may result in such children being placed in the nearest school with capacity to accommodate them.
6. The applicant is advised that details of foul and surface water drainage should be subject to the appropriate consents from Building Standards of this Council and Scottish Environment Protection Agency.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

(v) 10/00751/FLL – PITLOCHRY – Erection of 3 holiday units and fence at Burnside Apartment Hotel, 19 West Moulin Road, Pitlochry – Report 10/473

N Brian, Development Quality Manager, referred to page 72, paragraph 7, line 2, and advised the Committee that it should read 'Highland Area Local Plan 2000' not 'Strathearn Local Area Plan 2001'.

Motion (Councillors W Wilson and A Jack) – Refuse, as the application is contrary to the Highland Area Local Plan 2000 for the following reasons:

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- (i) Policy 5 as the application does not represent high standards of design and fails to ensure the proportions of the building is in keeping with the surroundings and fails to ensure the development fits its location.
- (ii) Policy 76 as the application does not meet the criteria to protect the residential character and amenity of the area and does not protect residential amenity in relation to the adjoining dwelling houses.

Amendment (Councillors J Kellas and L Caddell) – Grant, subject to the following conditions:

1. The development shall be begun within a period of three 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 holiday apartments hereby approved shall be used solely for holiday accommodation and shall not be occupied as the sole or main residence of any occupant.
4. A sample of the slate finish interlocking tiles, external wall render and new surface material for car parking area; shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The samples as approved shall be implemented prior to the occupation and or use of the development.
5. Prior to the commencement of works on site the existing bungalow which occupies the site shall be demolished with the ground reinstated to the satisfaction of the Council as Planning Authority.
6. No external lighting shall be installed without prior approval from the Council as Planning Authority.
7. Prior to the commencement of works on the holiday units and the demolition of the bungalow, the remainder of the existing hedge on the northern boundary shall be removed and the proposed fence to be erected on this boundary shall be completed and shall be permanently maintained to the satisfaction of the Council as Planning Authority.
8. Prior to the occupation or use of the approved development a minimum of eleven car parking spaces shall be laid out as on the approved plans to the satisfaction of the Council as Planning Authority and permanently maintained as such.

Amendment – 8 votes

Motion – 5 votes

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Resolved:

In accordance with the Amendment.

Justification

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure there from.

Informatives

1. No work shall be commenced until an application for building warrant has been submitted and approved.
2. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.

(vi) 10/00982/FLL – ABERFELDY – Erection of 5 dwellinghouses at Site of Former Cruachan House Residential Home, Kenmore Street, Aberfeldy – Report 10/474

Mr B Hall, A & G Architects, agent 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 development shall be begun within a period of three 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 the commencement of development, samples of the proposed stonework and render shall be provided for the further written approval of the Planning Authority.
4. Prior to the commencement of development, 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,

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height, size and density of trees and shrubs to be planted and the scheme as subsequently approved shall be carried out and completed during the development of the site and thereafter maintained unless otherwise agreed in writing with this Planning Authority.

5. The existing trees on the eastern boundary of the application site shall be retained in their entirety. These trees shall be protected during construction with all works adhering to British Standard "BS 5837 2005 - Trees in Relation to Construction" to the satisfaction of the Council as Planning Authority.
6. Prior to the commencement of development, details of the proposed block paving on the courtyard area shall be submitted for the further written approval of the Planning Authority.
7. The low level stone walling to the frontages of the properties shall be a local natural stone to the satisfaction of the Council as Planning Authority.

Justification

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure there from.

Procedural Notes

Consent not to be issued until a Section 75 Agreement has been completed and signed in respect the following issues:
Affordable Housing Contribution of £23,750

Informatives

1. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.
2. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
3. No work shall be commenced until an application for building warrant has been submitted and approved.
4. The applicant is advised that the granting of planning consent does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning and Development Services Team for permission to connect to the public

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wastewater system and/or water network and all their requirements must be fully adhered to.

COUNCILLOR C GILLES LEFT THE MEETING AT THIS POINT

(3) Applications with Council Interest

- (i) 10/00271/FLL – KINROSS – Change of use from commercial use to form two dwellinghouses including external alterations at 80 High Street and 2 Swansacre, Kinross - Report 10/475**

Resolved:

Grant, subject to the following conditions:

1. The development shall be begun within a period of three 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 the commencement of development a method statement clarifying the specification of the external repairs to the buildings facade shall be submitted to and approved in writing by the Planning Authority. Thereafter the specification as approved shall be implemented all to the reasonable satisfaction of the Planning Authority.
4. Prior to the commencement of development the specification of the proposed windows shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt the windows shall be sliding sash and case and of timber construction. The windows shall be installed in accordance with the approved specification all to the reasonable satisfaction of the Planning Authority.
5. A sample of the proposed slate and material to construct the external stairs shall be submitted for the written approval of the Planning Authority prior to the commencement of the development. Thereafter the scheme as approved shall be implemented prior to the occupation of the building.
6. For the avoidance of any doubt no consent is granted for the proposed fencing and bin storage positions at present. Prior to the occupation of the use hereby approved, revised positions/enclosures for the dustbins shall be undertaken with details submitted to and approved in writing by the local Planning Authority. Following approval, the scheme shall be implemented in accordance with the approved plans all to the reasonable satisfaction of the local Planning Authority.

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Justification

The proposal is considered to comply with the adopted Development Plans and there are no material considerations that would justify overriding the adopted Development Plans.

Informatives

1. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.
2. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
3. No work shall be commenced until an application for building warrant has been submitted and approved.
4. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
5. The applicant is advised that the granting of planning consent does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning and Development Services Team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.

(ii) 10/01105/FLL – PITLOCHRY – Change of Use from Common Ground to Garden Ground 15 Finlay Terrace, Pitlochry - Report 10/476

Resolved:

Grant, subject to the following conditions:

1. The development shall be begun within a period of three 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.

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Justification

It is considered the proposal complies with the adopted Highland Area Local Plan 2000, in particular policies 2, 39 and 76. There are no material considerations that would justify refusing the application.

Informatives

1. The applicant is advised that it is possible the proposed development may involve building over or obstruct access to existing Scottish Water infrastructure. On receipt of an application Scottish Water will provide advice that will require to be implemented by the developer to protect existing apparatus. Scottish Water can be contacted at Property Searches Department, Bullion House, Dundee DD2 5BB.
2. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.

(iii) 10/01131/FLL – BLAIRGOWRIE – Alterations to walls and associated engineering works at Riverside Walk, Blairgowrie - Report 10/477

Resolved:

Grant, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three 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.

Justification

The proposal is considered to comply with the terms of the Development Plan, subject to conditions, and no material considerations exist which would outweigh the contents of the Development Plan.

Informatives

1. The proposed development is located within the 1/200 year outline shown on SEPA's indicative River and

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8 September 2010

Coastal Flood Map (Scotland). Therefore, suitable safety measures should be put in place in order to ensure that personnel and loose equipment/materials can be removed quickly during times of heavy flooding.

2. The necessary Car licence should be sought from SEPA prior to the commencement of works.
3. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of that Act, which may result in enforcement action being taken.
4. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.

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