

SPECIAL MEETING OF PERTH AND KINROSS COUNCIL

Minute of Special Meeting of Perth and Kinross Council held in the Council Chambers, Fourth Floor, 2 High Street, Perth on Wednesday 16 June 2010 at 2.00pm.

Present: Provost J Hulbert; Councillors B Band, L Caddell, I Campbell, J Coburn, A Cowan* (from Art. 357), B Ellis (with the exception of Art. 357), J Flynn, C Gillies, A Grant, E Grant, T Gray, G Hayton, K Lyall, M Lyle, E Maclachlan*, A MacLellan, H McDonald, D Melloy, I Miller, S Miller*, P Mulheron*, M Roberts, D Scott, A Stewart, H Stewart, B Vaughan, A Wylie and A Younger*.

* These Councillors were not present at the Pre-Determination Committee meeting earlier in the day and did not take part in the decisions made with regard to Arts. 356 and 357.

In Attendance: B Malone, Chief Executive; J Irons, Depute Chief Executive and Executive Director (Environment); R Bean, N Brian, B McNaughton, J McCrone, P Marshall, J Low, A Seggie, J Valentine, J Ferguson and K Crerar (all The Environment Service); G Taylor, I Innes (Art. 358 only), J Mackay, F Mackay, C Elliott (with the exception of Art. 358) and Y Oliver (all Chief Executive's Service); M Bellshaw, Colliers, Consultants.

Apologies for Absence: Councillors K Baird, M Barnacle, P Barrett, A Gaunt, K Howie, A Jack, J Kellas, W Lumsden, W Robertson, C Sheirs, L Simpson and W Wilson.

Provost J Hulbert, Presiding.

355. DECLARATIONS OF INTEREST

With regard to Item 3 on the Agenda (Art. 357), Councillor B Ellis indicated a non-financial interest in terms of the Councillors' Code of Conduct.

356. PLANNING APPLICATION 09/01273/IPM – REDEVELOPMENT OF ESTATE TO PROVIDE EXCLUSIVE PRIVATE MEMBERS' CLUB INCORPORATING A LUXURY HOTEL DEVELOPMENT WITH HEALTH SPA, CLINIC, LEISURE AND RETAIL FACILITIES, TWO 18 HOLE GOLF COURSES, CLUBHOUSE AND ANCILLARY FACILITIES BROCH DEVELOPMENT AND LOCH SIDE RESTAURANT, LOCHSIDE HOUSING AND CLUB MEMBERS' HOUSING, STAFF ACCOMMODATION, ACCESS AND PARKING, LANDSCAPING AND ASSOCIATED WORKS, DALL HOUSE, DALL, RANNOCH, PITLOCHRY PH17 2QH – DALL ESTATES AND M JAMES DEVELOPMENTS (Art. 353 refers)

There was submitted a Report of Handling (10/338) by the Development Quality Manager on the above application – all other information and representations pertaining to this application having been made available on the Council's Public Access website.

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N Brian, Development Quality Manager, advised members that this was a major application presenting significant issues which are contrary to the Development Plan and if approved, will require to be referred to the Scottish Government.

C Elliott, Solicitor, advised members that, although they had heard references made to land ownership and lack of community consultation in the deputations heard at the meeting of the Pre-Determination Committee held earlier in the day, these were non-material issues and should not be taken into account when considering the planning application. Also, the lack of information on woodlands may be, depending on the circumstances, relevant to a decision in principle rather than being limited to consideration at the reserved matters stage.

Council officers answered questions from members concerning the application.

Motion (Councillors I Campbell and A Grant)

Refuse, for the reasons contained in Report 10/338 and also on the grounds that the scale of the proposal is inappropriate for the location.

Amendment (Councillors K Lyall and L Caddell)

Defer, for provision of further information regarding environmental issues.

Amendment – 3 votes

Motion – 21 votes

Resolved:

In accordance with the Motion.

COUNCILLOR B ELLIS, HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEM, LEFT THE CHAMBERS AT THIS POINT.

COUNCILLOR A COWAN ENTERED THE CHAMBERS AT THIS POINT.

357. PLANNING APPLICATION 09/01345/IPM – IMPROVEMENTS TO GOLF CLUBHOUSE/COURSE, ERECTION OF 9 BUSINESS UNITS, 3 * HOTEL, NURSING HOME, 216 RESIDENTIAL UNITS (INCLUDING 25% AFFORDABLE) AT GLENISLA GOLF CLUB, ALYTH, BLAIRGOWRIE, PH11 8JJ – DEVERON GLENISLA LLP – REPORT 10/339 (Art. 354 refers)

There was submitted a Report of Handling (10/339) by the Development Quality Manager on the above application – all other information and representations pertaining to this application having been made available on the Council's Public Access website.

C Elliott, Solicitor, advised members that although there had been reference to roads issues outwith the proposal site at the meeting of the Pre-Determination Committee held earlier in the day, it would not be reasonable for a developer to be held responsible for a pre-existing roads issue. However, it would be a relevant

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consideration if it was a significant roads issue which would occur as a result of the proposal.

Council officers answered questions from members concerning the application.

Motion (Councillors I Miller and C Gillies)

Grant, for the reason that the proposal would bring considerable benefit to the local economy, subject to conditions to be formulated by the Development Quality Manager to include the following:

- 1. The layout, density and exact numbers of houses on the submitted plan should not be approved and an upper limit should be placed on the number of combined residential units proposed.**
- 2. Prior to the commencement of any works on site, an air quality assessment should be carried out to the satisfaction of the Planning Authority.**
- 3. Prior to the commencement of any works on site, a detailed landscaping and maintenance scheme shall be submitted to, and approved in writing by, the Planning Authority.**
- 4. Prior to the commencement of any works on site, a scheme for surface water run off attenuation (SUDs scheme) shall be submitted to the Council as Planning Authority for further agreement. The scheme as subsequently agreed shall be implemented as part of the permission.**
- 5. Prior to the commencement of any works on site, a method statement for the timing and phasing of the construction shall be provided for the written approval of the Planning Authority, prior to the commencement of any works.**
- 6. Planning consent shall not be issued until a Section 75 Agreement has been signed in respect of a 25% allocation for on-site affordable housing provision and a financial contribution of a significant level for education provision.**
- 7. Prior to the commencement of any works on site, a plan shall be provided for the written approval of the Planning Authority showing detailed walking and cycling routes.**
- 8. Prior to the commencement of any works on site, agreement shall be reached to protect the continual use of the road by walkers.**
- 9. A detailed condition over the phasing of the development.**
- 10. Protection of the Pitcrockie standing stone.**

Amendment (Councillors D Melloy and B Vaughan)

Refuse, for the reasons contained in Report 10/339.

Amendment – 3 votes

Motion – 20 votes

Resolved:

In accordance with the Motion.

COUNCILLOR B ELLIS RETURNED TO THE CHAMBERS AT THIS POINT.

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C ELLIOTT, SOLICITOR, LEFT THE CHAMBERS AT THIS POINT.

I INNES, HEAD OF LEGAL SERVICES, ENTERED THE CHAMBERS AT THIS POINT.

358. PERTH CITY HALL (Art. 667/09 refers)

There was submitted a report (10/340) by the Depute Chief Executive on the results of the consultation on the future of Perth City Hall, and recommending (1) its complete demolition to allow the creation of a civic square/public space; and (2) detailed proposals be prepared to enable this option to be progressed through the planning process. It was noted that the Options Appraisal referred to in Report 10/340 had been made available on the Council's website.

Council officers answered questions from members concerning the proposals. Mr M Bellshaw, Colliers, Consultants, also answered members' questions.

Resolved:

- (i) The results of the consultation process, be noted.
- (ii) The costs and benefits of the various options identified through the "Green Book" appraisal process, be noted.
- (iii) Further consideration be given to the complete demolition of the City Hall and the creation of a civic square/public space, on the basis that it will deliver significant benefits to economic growth and the wider community, be agreed.
- (iv) Officers be instructed to develop detailed proposals for the public space, including consultation with key stakeholders.
- (v) Officers be instructed to submit applications for planning and listed building consents in due course.

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