

## **DEVELOPMENT MANAGEMENT COMMITTEE**

Minute of Meeting of the Development Management Committee held in the Council Chambers, Fourth Floor, 2 High Street, Perth on Wednesday 16 July 2014 at 10.00am.

Present: Councillors T Gray (Convener), B Band (Vice-Convener), H Anderson, M Barnacle, I Campbell, D Cuthbert, A Gaunt, J Giacopazzi (from Art. 519(1)(iv) onwards), J Kellas, M Lyle, A Munro (substituting for Councillor C Gillies) and G Walker.

In Attendance: N Brian, A Condliffe, M Williamson (up to and including Art. 519(1)(iii) only), J Thomson, S Dunn and M Barr (all The Environment Service); G Fogg and Y Oliver (both Chief Executive's Service).

Also In Attendance: Mr M Eddowes, Eddowes Aviation Safety Ltd.

Apologies: Councillors C Gillies and A Livingstone

Councillor T Gray, Convener, Presiding.

### **515. WELCOME AND APOLOGIES/SUBSTITUTES**

The Convener welcomed everyone to the meeting and apologies were noted as above. It was also noted that Councillor A Munro was substituting for Councillor C Gillies.

### **516. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct, Councillor J Giacopazzi declared a non-financial interest in Arts. 519(1)(i), 519(1)(ii) and 519(1)(iii) and did not enter the Chambers until these applications had been deliberated.

### **517. MINUTE OF PREVIOUS MEETING**

The Minute of Meeting of the Development Management Committee of 18 June 2014 (Arts. 438-443) was submitted, approved as a correct record and authorised for signature.

### **518. DEPUTATIONS**

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

Planning Application No.	Art. No
09/00936/FLL	519(1)(i)
12/01935/FLL	519(1)(ii)
13/01312/FLL	519(1)(iii)
13/00680/FLL	519(1)(iv)
13/01780/FLL	519(1)(v)
14/00705/FLL	519(1)(vi)

**519. APPLICATIONS FOR DETERMINATION**

**(1) Local Applications**

*THE COMMITTEE UNANIMOUSLY AGREED TO CONJOIN THE FOLLOWING THREE APPLICATIONS*

**(i) 09/00936/FLL –SCOTLANDWELL – Erection of a dwellinghouse at Causeway Cottage, Scotlandwell, Kinross –Mrs R Dick – Report 14/315**

N Brian, Development Quality Manager, advised members of an amendment requiring to be made to Paragraph 2 of Report 14/315, i.e the date should read '1996' (and not 2000).

Mr A Higgins, agent on behalf of the applicant and Mr J Williams and Mr A Stephenson, on behalf of the Scottish Gliding Centre, objectors to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Mr M Eddowes, Eddowes Aviation Safety Ltd, answered members' questions.

**Motion (Councillors J Kellas and T Gray) – Grant, subject to the following conditions and informatives:**

- 1. The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.**
- 2. 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.**
- 3. 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.**
- 4. Two parking spaces shall be provided and maintained to the satisfaction of the Council as Planning Authority.**

**Justification**

**The proposal is considered to comply with the Development Plan and the material considerations available add weight to a recommendation of approval.**

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
16 JULY 2014

**Informatives**

1. **This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).**
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.**
4. **No work shall be commenced until an application for building warrant has been submitted and approved.**
5. **The developer should consult Shell Exploration and Production prior to laying any services that would require to cross the pipeline.**
6. **The applicant shall consult with SEPA to confirm the requirements for any private waste water treatment provisions and licencing under the CAR Regulations.**

Amendment (Councillors D Cuthbert and H Anderson) – Refuse, on the grounds that the proposal is contrary to Policy EP13 of the Perth and Kinross Council Local Development Plan 2014 in that it will breach aircraft security.

In accordance with Standing Order 44, a roll call vote was taken.

5 members voted for the Amendment as follows:  
Councillors H Anderson, M Barnacle, D Cuthbert, A Munro and G Walker.

6 members voted for the Motion as follows:  
Councillors T Gray, B Band, I Campbell, A Gaunt, J Kellas and M Lyle.

Amendment – 5 votes

Motion – 6 votes

**Resolved:**

In accordance with the Motion.

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
16 JULY 2014

(ii) **12/01935/FLL – SCOTLANDWELL – Alterations to stable block at Causeway Cottage, Scotlandwell, Kinross – Mrs R Dick – Report 14/316**

Mr A Higgins, agent on behalf of the applicant and Mr J Williams and Mr A Stephenson, on behalf of the Scottish Gliding Centre, objectors to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

**Resolved:**

**Grant**, subject to the following condition and informatives:

1. 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 Development Plan and the material considerations available add weight to a recommendation of approval.

**Informatives**

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
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) **13/01312/FLL - SCOTLANDWELL – Extension to cattery and office at Causeway Cottage, Scotlandwell, Kinross – Mrs R Dick – Report 14/317**

Mr A Higgins, agent on behalf of the applicant and Mr J Williams and Mr A Stephenson, on behalf of the Scottish Gliding Centre, objectors to the application, addressed the Committee, and,

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
16 JULY 2014

following their respective representations, withdrew to the public benches.

**Resolved:**

**Grant**, subject to the following condition and informatives:

1. 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 Development Plan and the material considerations available add weight to a recommendation of approval.

**Informatives**

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
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.

*FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.  
COUNCILLOR J GIACOPAZZI ENTERED THE CHAMBERS AT THIS POINT.*

**(iv) 13/00680/FLL – TEMPLE HILL – Erection of a single wind turbine up to 84m in height at Temple Hill – Mr K Ramcharran – Report 14/318**

Mr A McLean, landowner, accompanied by Mr K Ramcharran and Mr T Rippon, on behalf of the landowner, followed by Mr M Best, on behalf of Friends of the Ochils, and Mr P Hessey, on behalf of Mr and Mrs J Burlison, all objectors to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
16 JULY 2014

**Motion (Councillors I Campbell and M Barnacle) – Refuse, as the proposal is contrary to Policies ER1A(a) and ER 6 of the Perth and Kinross Council Local Development Plan 2014 on the grounds that it will have an adverse cumulative effect on the landscape character, an adverse sequential impact, adversely affect the visual integrity and residential amenity of the surrounding area and set a precedent for further wind turbine development in the Ochil Hills area.**

Amendment (Councillors J Kellas and H Anderson) – Grant, subject to the conditions and informatives contained in Report 14/318.

In accordance with Standing Order 44, a roll call vote was taken.

4 members voted for the Amendment as follows:  
Councillors T Gray, H Anderson, J Giacobazzi and J Kellas.

8 members voted for the Motion as follows:  
Councillors B Band, M Barnacle, I Campbell, D Cuthbert, A Gaunt, A Munro, M Lyle and G Walker.

**Resolved:**

In accordance with the Motion.

- (v) **13/01780/FLL – DUNNING – Change of use of agricultural land to form extension to caravan park including an additional 18 pitches and landscaping at 7 Holding, Leadketty, Dunning – Mr W Stewart – Report 14/319**

Mrs A Condliffe, Applications Team Leader, advised the Committee that, should they be minded to approve the application, Condition 3 be amended slightly.

Mr W Stewart, applicant, and Mr J Lochhead, agent on behalf of the objectors, addressed the Committee, and, following their respective representations, withdrew to the public benches.

**Resolved:**

**Grant**, subject to the following conditions and informatives and amended Conditions 3 and 4, all as undernoted:

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
2. Visibility splays of 2.4m x 160m measured from the centre line of the new access shall be provided in both directions along the nearside channel of the public road prior to the commencement of the development and thereafter maintained free from any obstruction of a

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
16 JULY 2014

height exceeding 1.05 metres above the adjacent road channel level.

3. Prior to the occupation or use of the new pitches the new vehicular access shall be formed in accordance with specification Type C, Fig 5.7 access detail to the satisfaction of the Council as Planning Authority.
4. Prior to the commencement of works, details of the landscape treatment to the western and southern boundary of the site shall be submitted and approved in writing by the Planning Authority. The details of the western boundary shall include substantial landscaping behind the visibility splays. The approved landscaping and planting scheme shall be fully implemented within the first planting season following the commencement of works on the development and thereafter maintained to the satisfaction of the Council as Planning Authority.
5. The additional 18 pitches hereby approved shall be for touring caravans only, in accordance with the existing 12 touring caravan pitches on the site and all touring caravans approved at this location shall be occupied for holiday purposes only and shall not be occupied for residential purposes in accordance with the caravan site licence, all to the satisfaction of the Planning Authority.

**Justification**

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**Informatives**

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
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.
4. The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
16 JULY 2014

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.

5. The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.
6. The applicant should contact SEPA to confirm whether approval and licencing is required for the extended facilities and to confirm that the arrangements for crossing the burn with the new access bridge are acceptable.

**(vi) 14/00705/FLL – BLAIRINGONE – Removal of Condition 3 (occupancy) of permission 11/01839/FLL (Erection of an indoor horse arena building for equestrian business and erection of a dwellinghouse and garage ) at Dollar Equestrian, Blairingone – Dollar Equestrian – Report 14/320**

Mr J Anderson, on behalf of objectors to the application, addressed the Committee, and, following his representation, withdrew to the public benches.

**Motion (Councillors J Kellas and B Band) – Grant the removal of Condition 3 (occupancy) of permission 11/01839/FLL.**

Amendment (Councillors M Barnacle and D Cuthbert) – Refuse, on the grounds that the proposal is contrary to Policy RD3 – Housing in the Countryside of the Perth and Kinross Council Local Development Plan 2014 in that there is insufficient justification for the removal of Condition 3 (occupancy) of permission 11/01839/FLL.

In accordance with Standing Order 44 a roll call vote was taken.

4 members voted for the Amendment as follows:  
Councillors M Barnacle, D Cuthbert, A Gaunt and A Munro.

6 members voted for the Motion as follows:  
Councillors T Gray, B Band, H Anderson, I Campbell, J Kellas and G Walker.

Councillors J Giacomazzi and M Lyle abstained from taking part in the vote.

**Resolved:**

In accordance with the Motion.

~~~~~