

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
14 JANUARY 2015

## **DEVELOPMENT MANAGEMENT COMMITTEE**

Minute of Meeting of the Development Management Committee held in the Gannochy Suite, Dewar's Centre, Perth on Wednesday 14 January 2015 at 10.00am.

Present: Councillors T Gray (Convener), B Band (Vice-Convener), H Anderson, I Campbell, A Gaunt, J Giacomazzi, C Gillies, J Kellas, A Livingstone, W Robertson (substituting for Councillor D Cuthbert) and G Walker.

In Attendance: Councillor D Melloy, D Littlejohn, M Morgan, R Fletcher, S Dunn, S Rickett, A Bendall, N Brian, A Condliffe and J Thomson (all The Environment Service); G Fogg, Y Oliver and H Rheinallt (all Chief Executive's Service).

Apologies: Councillors M Barnacle, D Cuthbert and M Lyle.

Councillor T Gray, Convener, Presiding.

### **6. WELCOME**

The Convener welcomed everyone to the meeting and apologies were noted as above.

### **7. DECLARATIONS OF INTEREST**

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

### **8. MINUTES**

#### **(i) Minute of 19 November 2014**

The Minute of Meeting of the Development Management Committee of 19 November 2014 (Arts.765-769) was submitted, approved as a correct record and authorised for signature.

#### **(ii) Minute of 10 December 2014**

The Minute of Meeting of the Development Management Committee of 10 December 2014 (Arts 801-804) was submitted, approved as a correct record and authorised for signature.

### **9. 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
14/01848/FLL	10(2)(ii)

**10. APPLICATIONS FOR DETERMINATION**

**(1) Major Applications**

- (i) 14/00282/AMM – Erection of 18 dwellinghouses and garages, formation of access and associated works (Phase 1) Land 460 Metres North West of Glenisla Golf Club, Alyth – Report 15/1 – Deveron Glenisla**

**Resolved:**

**Refuse**, for the following reasons:

1. The applicant has failed to produce a satisfactory Transport Assessment and therefore the proposal is contrary to the terms of the outline planning consent (09/01345/IPM) which explicitly required the submission of a Transport Assessment and Policy TA1B of the adopted Local Development Plan 2014 which requires a Transport Assessment to be submitted for proposals which are likely to generate significant travel movements.
2. The applicant has failed to provide precise details of the phasing directly associated with the implementation and delivery of the development and therefore the proposal is contrary to the terms of the outline consent (09/01345/IPM) which required precise phasing details for the implementation of all land uses to be approved prior to any development to be approved prior to the commencement of the development.
3. The applicant has failed to produce a suitable Masterplan for the wider development and therefore the proposal is contrary to the aims of Policy PM1C of the Local Development Plan 2014 which promotes the use of Masterplans for large developments sites (more than 200 houses or 10 ha) to ensure that new sustainable neighbourhoods with a sense of identity are established.
4. As the background information provided by the applicant does not clearly demonstrate that the delivery of the economic benefits envisaged at the outline stage can be achieved, the economic justification for approving the outline consent, contrary to the Development Plan is not being fulfilled.
5. In the absence of a satisfactory Transport Statement and Quality Audit which clearly outlines the overarching principles behind the road structure and the proposed junction arrangement, it has not been demonstrated that the proposed Roads Layout meets with guidance offered in Designing Streets and Creating Places and the requirement of Policy PM1B of the Local Development Plan 2014 (criteria a) which requires all new developments to have a coherent structure of streets.

**Justification**

The proposal is not considered to be in accordance with the requirements of conditions imposed on the outline planning permission. Furthermore the proposal as submitted is not in accordance with the terms of the Development Plan and there are no material considerations which would justify a departure.

**(2) Local Applications**

**(i) 14/01773/FLL – Modification of permission 11/01660/FLL (erection of 13 dwellinghouses) change of house type and revised layout land at Stormont Road, Scone – Report 15/2 – G S Brown Construction Ltd**

Mrs A Condliffe, Applications Team Leader, advised the Committee that, should they be minded to approve the application, Condition 4, which related to turning facilities, should now be delete.

**Resolved:**

**Grant**, subject to the following conditions and the deletion of the previous Condition 4:

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. 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 any part of the development.
3. Prior to the occupation and use of any part of the approved development all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority and to the satisfaction of the Planning Authority.
4. A minimum of 2 No. car parking spaces per dwelling shall be provided prior to the occupation or use of the individual dwelling.
5. Prior to the occupation or use of any part of the approved development 'Pick up and drop off' areas for school children/bus passengers shall be provided on both sides of Stormont Road adjacent to the access to the development. The areas shall be a minimum of 6m long by nominally 1.8m wide kerbed and surfaced to the requirements of the Council as Roads Authority to the satisfaction of the Planning Authority.
6. The public elevation boundary details of plots 2 and 12 are not approved as high level timber fencing. Alternative

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walling or hedging solutions should be submitted for further approval, prior to the commencement of development.

7. A detailed landscaping and planting scheme with a long term landscape maintenance plan for communal areas of the site shall be submitted for the further approval of this Planning Authority prior to the commencement of the development and development shall not commence prior to the approval of that scheme. The scheme shall include details of the height and slopes of any mounding or re-contouring of the site, species, height, size and density of trees and shrubs to be planted, boundary treatments to the properties on Woolcombe Square, Pinedale Terrace and Stormont Road and the scheme as subsequently approved shall be carried out and completed within the first planting season available after the commencement of development or prior to the occupation of the dwelling; unless otherwise agreed in writing with the Planning Authority and thereafter maintained according to the maintenance plan which shall be agreed in writing with the Council as Planning Authority.

**Justification**

The proposal is considered to comply with the approved TAYplan 2012. Whilst the development does not comply directly with the site designation of the Local Development Plan it does directly relate to an extant planning consent, which can be developed out at any stage. Development of this site will aid sustainable growth in line with the requirements of government policy and guidance. Furthermore the proposal is considered to meet associated criteria outlined in Policy RD1 and complies with other relevant policies contained within the Development Plan.

**Procedural Note**

Consent shall not be issued until a modification of the Section 75 Agreement relating to planning reference 11/01660/FLL has been completed and signed to reflect the current planning reference. The modification of the legal agreement should be concluded and completed within 4 months of the date of any Committee approval.

**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

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- 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 should be advised that in terms of Section 21 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of road 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.
  4. No work shall be commenced until an application for building warrant has been submitted and approved.
  5. The applicant should be 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.

**(ii) 14/01848/FLL – Installation of street furniture and hard landscaping: High Street, Kinross – Report 15/3 – Perth and Kinross Council**

The Convener advised the Committee that a late submission had been received from Mrs E Thomas, an objector to the application, which had subsequently been e-mailed out to each Committee member which included a request that the application be deferred. Copies were provided to the two Committee members who had not received this submission.

N Brian, Development Quality Manager, advised that 69 late letters of representation had also been received.

The Committee agreed to proceed to hear the application.

Mr M Morgan, Regeneration Programme Officer, The Environment Service, on behalf of the applicant, addressed the Committee, and, following his representation, withdrew to the public benches.

Mr K Miles, Mrs E Thomas and Mr T McKenna, objectors 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 proposed development must be carried out in accordance with the approved plans, unless otherwise

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- provided for by conditions imposed on the planning consent.
2. Samples of all types and colours of stone to be used for paving, setts, bollards and kerbing shall be provided for the approval of the local Planning Authority prior to commencement of the development.
  3. Prior to commencement of development further design details of the following to be submitted to and approved in writing by the Local Planning Authority:-
    - I. Boundary wall elevations at junction of High Street/Station Road (Sheet 1 of 5 Hardworks, drg. No. 7027/H/04);
    - II. Design and type of bus shelters.

**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. 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) 14/01909/FLL – Replacement of garden store (in retrospect) at Broomfield, 5 Littlewood Gardens, Blairgowrie – Report 15/4 – Mr and Mrs A Garrow**

**Resolved:**

**Grant**, subject to the following conditions:

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.

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2. The development authorised by this consent shall be used solely for purposes incidental to the enjoyment of the dwellinghouse and for no other purpose.

**Justification**

The proposal is in accordance with the Development Plan and there are no other material considerations that would justify a departure therefrom.

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