

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
12 MAY 2015

## **DEVELOPMENT MANAGEMENT COMMITTEE**

Minute of Meeting of the Development Management Committee held in the Gannochy Suite, Dewars Centre, Perth on Tuesday 12 May 2015 at 10.00am.

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

In attendance: Councillor C Shiers; B Renton, Depute Director (Environment), K McNamara, M Petrie, D Williamson, C Haggart and J Williamson (all up to and including Art. 275(1)(i)); N Brian, A Condliffe, S Dunn, J Thomson, (all The Environment Service); S Hendry, H Rheinallt, A Brown (all up to and including Art. 275(1)(i)), G Fogg, Y Oliver and Linzie Carson (all Chief Executive's Service).

Apologies: Councillors M Barnacle and A Livingstone.

Councillor T Gray, Convener, Presiding.

### **271. WELCOME AND APOLOGIES**

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

### **272. DECLARATIONS OF INTEREST**

There were no declarations of interest in terms of the Councillors' Code of Conduct.

### **273. MINUTE OF PREVIOUS MEETING**

The Minute of Meeting of the Development Management Committee of 15 April 2015 (Arts 247-251) was submitted, approved as a correct record and authorised for signature.

### **274. DEPUTATIONS**

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

<b>Planning Application No.</b>	<b>Art. No.</b>
15/00081/FLM	275(1)(i)
15/00037/FLL	275(2)(i)

**275. APPLICATIONS FOR DETERMINATION**

**(1) Major Applications**

- (i) 15/00081/FLM – STRATHALLAN – Change of use of land and associated operations for the purpose of holding an annual music festival including permanent works relating to water supply and drainage, access and engineering works and temporary works relating to event site preparation and decommissioning at Strathallan Castle Estate, Strathallan, Auchterarder – Report 15/172 – DF Concerts Ltd**

N Brian, Development Quality Manager, advised the Committee that, should they be minded to approve the application, he would also wish approval of the following amendments to the conditions:

1. Where the conditions refer to “applicant”, this has now been changed to “developer”.
2. Some clarity has been provided as to when certain elements of the conditions are required to be submitted to ensure robustness. For example, the first sentence of many conditions has been changed to state “Prior to any build works associated with each annual music festival”. This makes the timing for submission clearer.
3. The wording within most conditions has been changed from “shall be submitted for the written approval of the Planning Authority” to “shall be submitted to and approved in writing by the Planning Authority”.
4. The original Condition 8 (as per Report 15/172) has been deleted and is now an informative (No. 13).
5. The original Condition 42 (as per Report 15/172) has been deleted as it was a repeat of Condition 28 of the original report.
6. The two osprey conditions (now Conditions 43 and 44) have been swapped for chronology.
7. The condition numbers have changed as a result of the deletion of Conditions 8 and 42.

Mr G Ellis, applicant; Mr R Dalglish and Mr J Roberts, supporters; followed by Ms A Mackintosh and Mr L Fuller, objectors to the application, addressed the Committee and, following their respective representations, withdrew to the public benches.

**Resolved:**

**Grant**, subject to the following amended conditions and informatives:

1. Consent is hereby granted to allow for the construction and permanent retention of all permanent physical works

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- as outlined in the Environmental Statement and Addendum.
2. Consent is hereby granted for a temporary period only for the hosting of a single music festival event and associated temporary works on this site in 2015, 2016 and 2017 only.
  3. 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.
  4. Prior to any build works associated with each annual music festival, a phased, comprehensive and detailed multimodal Transport Management Plan (TMP) shall be submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority (PKC and Transport Scotland) and Police Scotland. This shall include a comprehensive Transport Communications Management Plan and shall provide the details requested in Transport Scotland's consultation response dated 17 April 2015. The TMP requires to be phased such that no build or break site traffic (referred to as build traffic) is permitted until that phase of the TMP is approved in writing. Additionally, no event traffic is permitted until the event phase TMP is approved in writing. The details of the phased TMP, as approved each year, shall be strictly adhered to during the relevant phases of the event.
  5. Prior to use by either build or event traffic, specific to that location, all affected vehicular accesses shall be formed in accordance with specification *Type B, Fig 5.6* access unless otherwise agreed in writing with the Planning Authority in consultation with the Roads Authority.
  6. Prior to any build works associated with each annual music festival all road improvements identified in the Transport Management Plan shall be implemented in accordance with appropriate specifications to be approved in writing by the Planning Authority in consultation with the Roads Authority.
  7. Prior to the commencement of all build phase traffic operations all road improvements identified in the Transport Management Plan shall be implemented in accordance with appropriate specifications to be approved in writing by the Planning Authority in consultation with the Roads Authority.
  8. Prior to the commencement of event phase traffic flows, all road improvements associated with upgraded accesses on private land as identified as access roads within the TMP shall be implemented in accordance with appropriate specifications to be approved in writing by the Planning Authority in consultation with the Roads Authority.

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9. Prior to any build works associated with each annual music festival, a plan detailing the extent of the public road network affected by the hosting of the music festival, shall be agreed in writing with the Planning Authority in consultation with the Roads Authority.
10. Prior to any build works associated with each annual music festival, a road condition survey of the affected roads, as agreed under Condition 8, shall be undertaken at the expense of the developer in conjunction with the Roads Authority. A report detailing the condition of the affected roads shall be submitted to the Planning Authority as public record.
11. Immediately upon completion of the break phase, each year, a further roads condition survey shall be undertaken at the expense of the developer in conjunction with the Roads Authority to identify relevant deterioration resulting from festival related traffic.
12. Prior to any build works associated with each annual music festival the developer shall agree, in conjunction with the Council's Public Transport Unit, including notifying the Scottish Traffic Commissioner, measures to ensure the effective management and resultant variations to the current public transport arrangements during the festival. This shall include, at the developer's expense, any additional resources required to be put in place by the Council's Public Transport Unit to maintain current public transport provision.
13. Prior to the 2016 and 2017 annual music festival, the developer shall maintain and update the PARAMICS Traffic Flow Model and undertake annually at their expense, a traffic survey of all traffic movements during each festival, at locations to be agreed with the Roads Authority to understand, confirm and inform future updates to the Strategic Festival Traffic Management Plan.
14. During build and break phases of the music festival event permitted by this consent, reinforced track surfacing for ground protection to site access, service roads and car park entrances within the application site shall be laid, and utilised by vehicles, and shall remain in place for the duration of the event itself.
15. The hours of operations during the site preparation, build and break shall be restricted to 0700 hours to 1900 hours Monday to Friday and 0800 hours to 1700 Saturday to Sunday unless otherwise agreed in writing with the Council as Planning Authority.
16. All plant or equipment 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 25 between 2300 and 0700 hours

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- daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.
17. All external lighting shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised, to the satisfaction of the Council as Planning Authority.
  18. All toilet facilities within campsite areas, other than toilet facilities within the campsite for the disabled, shall be located at least 100m from the nearest residential properties, all to the satisfaction of the Council as Planning Authority.
  19. During and on completion of the event each year all watercourses in the confines 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.
  20. The soffit level of any temporary bridge over any watercourse shall be designed to be a minimum of height of the equivalent 1 in 30 year flood return period and any permanent foundations shall set back from the existing bank profile.
  21. Surface Water runoff shall be managed on site by implementing SUDS in accordance with the principles of the SUDS (Sustainable Drainage Systems) Manual (C697) published by CIRIA. Any changes to the SUDS details outlined in the ES shall be agreed in advance with the Planning Authority in consultation with SEPA.
  22. At least one month prior to the commencement of each annual music festival event authorised by this permission a site and event specific Environmental Management Plan, fully detailing the mitigation and contingency measures outlined in the Environmental Statement and Addendum and incorporating operational plans for sanitation, waste management, water management, drinking water, flood prevention measures (including flood warning and evacuation), drainage management, construction methods, environmental monitoring, pollution incident response and a wet weather contingency plan shall be submitted to and approved in writing by the Planning Authority in consultation with SEPA and SNH. This document should address the details and requirements outlined in SEPA's consultation response dated 9th February 2015 (ref:PCS/138067) and PKC Environmental Health's consultation response dated 24th February 2015 regarding the protection of private water supplies. The approved mitigation and contingency measures shall be put in place for each annual event in accordance with those approved details.

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23. Development shall not commence until an independent and suitably qualified Ecological Clerk of Works (ECoW) or Environmental Manager has been appointed at the developer's expense. Details of this appointment shall be subject to the prior written approval of the Planning Authority. The appointed person will remain in post for the duration of permanent site works, operation of the event and subsequent decommissioning of the event each year. The ECoW or Environmental Manager in representation of the Planning Authority relating to this development shall have responsibility for the following:
- a) Implementation of the Environmental Management Plan (EMP) approved by this permission.
  - b) Authority to stop operations or to alter construction methods should there be any works occurring which are having an adverse impact on the natural heritage.
  - c) Prior to the commencement of development they shall provide an environmental / ecological tool box talk for construction staff.
  - d) They will have authority to amend working practices where required. Any amendments shall be submitted to the Council as Planning Authority as an addendum to the approved EMP.
  - e) They shall notify the Council as Planning Authority in writing of any requirement to halt development in relation to this condition as soon as reasonably practicable.
  - f) Ensure all protection and mitigation measures outlined within the ES and submitted species protection plans are fully adhered to.

The above shall be implemented to the satisfaction of the Council as Planning Authority during each year of the event and during all permanent construction works.

24. All waste water generated during the event shall be collected and taken off site for proper disposal.
25. The clearance of waste, litter and other debris from the application site and generated by each annual music festival permitted by this consent shall be completed within 14 days following the closure of the music festival site to the public.
26. A minimum 15-30m fenced buffer zone shall be erected around all watercourses and sensitive features in accordance with Environmental Statement and Addendum. The fencing used should not unduly impede the flow of water. The fencing shall prohibit public access to the relevant sensitive features and shall remain in place throughout the duration of each annual music festival.

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27. The area of wetland (M23b) identified in Section 9.48 and 9.88 of the ES shall be fenced off prior to each annual music festival event to prevent incursion into this area during all phases of the development and shall be retained during all phases of the music festival until decommissioning is complete all to the satisfaction of the Council as Planning Authority.
28. Within 6 months of the date of this decision, details of alternative artificial nesting sites for Kingfisher shall be submitted to and approved in writing by the Planning Authority in consultation with RSPB and SNH. The details as approved shall be implemented prior to any build works associated with the 2016 festival.
29. All buildings within the application site with potential for nesting birds shall be monitored from February onwards each year and appropriate mitigation carried out should any impact be identified to the satisfaction of the Council as Planning Authority.
30. Within 6 months of the date of this decision the developer shall supply details, for the written approval of the Planning Authority in consultation with SNH and RSPB, of alternative nesting habitat for ground nesting birds through the retention of some area of rough grass or off site enhancement. The details, as approved in writing, shall be fully implemented.
31. Areas of grassland to be mowed to accommodate the event shall be examined for the presence of ground nesting birds before mowing takes place. Full details of all monitoring methods for ground nesting birds shall be submitted to and approved in writing by the Planning Authority in consultation with SNH and RSPB prior to the commencement of site works. The monitoring methods, as agreed in writing, shall be fully implemented.
32. Within the consultation distance (305 metres) of the 10 Feeder Kirriemuir/Braco pipeline as identified on the "Constraints Map (Rev A) Figure 6.1 in the ES  
Addendum:
  - i) No member of the public shall be present with the exception of parking their vehicles and access/egress.
  - ii) Parking provision (except that restricted to the developer's or operator's employees in relation to the major music event authorised by this permission or their contracted workforce), shall be in a manned controlled area, solely for vehicles used to transport the public.
  - iii) Control shall be put in place to prevent members of the public being present for more than 30 minutes within the consultation zone. This shall include assembly, picnicking, camping, sleeping in

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vehicles, and dispersion of those attending the event at the end of each day.

33. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the developer, agreed by Perth and Kinross Heritage Trust, and approved by the Planning Authority. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in consultation with Perth and Kinross Heritage Trust.
34. Prior to the commencement of works on the tracks associated with the event, full details of the proposed track construction and landscape mitigation for the tracks shall be submitted for the written approval by the Planning Authority. The works shall be implemented in accordance with those approved details.
35. A comprehensive approach to tree protection on site shall be adhered to in accordance with BS 5837:2012 Trees in Relation to Design, Demolition and Construction.
36. The developer shall ensure that the existing private water supply networks within or affected by the development shall be protected in accordance with paragraphs 5.19 5.21 of ES Addendum; Section 5 - Water Management/Private Water Supplies to the satisfaction of the Council as Planning Authority.
37. The developer shall maintain the private water protective measures put in place before the site works commence and be maintained throughout the period of construction, the event and deconstruction to the satisfaction of the Council as Planning Authority.
38. Prior to any build works associated with each annual music festival a fully detailed Otter Protection Plan (OPP) which can be based upon the OPP contained within Appendix 3 of the ES Addendum shall be submitted to and approved in writing by the Planning Authority in consultation with SNH. This shall fully detail the requirements outlined on page 5 of SNH's consultation response dated 24th April 2015 and reflect the comments in the PKC Bio Diversity Officer's consultation response dated 29th April 2015. The OPP, as approved in writing, shall be strictly adhered to during all phases of the festival.
39. Prior to any build works associated with each annual music festival a fully detailed Bat Protection Plan (BPP) which can be based upon the BPP contained within

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Appendix 3 of the ES Addendum shall be submitted to and approved in writing by the Planning Authority in consultation with SNH. This shall fully detail the requirements outlined on page 5 and 6 of SNH's consultation response dated 24th April 2015 and reflect the comments in the PKC Bio Diversity Officer's consultation response dated 29th April 2015. The OPP, as approved in writing, shall be strictly adhered to during all phases of the festival.

40. Prior to any build works associated with each annual music festival a fully detailed Red Squirrel Protection Plan (RSPP) which can be based upon the RSPP contained within Appendix 3 of the ES Addendum shall be submitted to and approved in writing by the Planning Authority in consultation with SNH. This shall fully detail the requirements outlined on page 6 and 7 of SNH's consultation response dated 24th April 2015 and reflect the comments in the PKC Bio Diversity Officer's consultation response dated 29th April 2015. The OPP, as approved in writing, shall be strictly adhered to during all phases of the festival.
41. The developer shall arrange for monitoring of badger activity on the site over a 6 month period. The sett identified within the ES shall be monitored using trail cameras to record use and mitigation provided based upon these findings. Details of the mitigation shall be submitted to and approved in writing by the Planning Authority in consultation with SNH. The mitigation, as approved in writing, shall be strictly adhered to during all operations on site.
42. Prior to any build works associated with each annual music festival an updated Osprey Management Plan (OMP) shall be submitted to and approved in writing by the Planning Authority. This shall contain the mitigation provided in the OMP Draft April 2015 and shall also include the following:
  - \* ornithological monitoring of osprey nests on and adjacent to the site
  - \* update the document to ensure the position of all nests within and adjacent to the site are accurately mapped
  - \* propose appropriate mitigation for all osprey nests within and adjacent to the site
  - \* no fireworks are permitted
  - \* the funfair and big wheel shall be located at least 500m from all osprey nests
  - \* provide a detailed layout plan of the event arenaThe OMP as approved in writing shall be strictly adhered to during all operations on site and shall be updated, submitted to and approved in writing by the Planning

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Authority prior to build works commencing on each of the annual music festivals permitted by this consent to take account of the monitoring of the ospreys.

43. Development shall not commence until an independent and suitably qualified Ornithological Clerk of Works (OCoW) has been appointed at the developer's expense. Details of this appointment shall be subject to the prior written approval of the Planning Authority. The appointed person will remain in post for the duration of permanent site works, operation of the event and subsequent decommissioning of the event each year. The OCoW in representation of the Planning Authority relating to this development shall have responsibility for the following:
- a) Implementation of the Osprey Management Plan (OMP) approved by this permission and any subsequent amendments to the OMP.
  - b) Authority to stop operations or to alter construction methods should there be any works occurring which are having an adverse impact on breeding birds
  - c) Prior to the commencement of development they shall provide an ornithological tool box talk for construction staff.
  - d) They will have authority to amend working practices where required. Any amendments shall be submitted to the Council as Planning Authority as an addendum to the OMP.
  - e) They shall notify the Council as Planning Authority in writing of any requirement to halt development in relation to this condition as soon as reasonably practicable.
  - f) Ensure all protection and mitigation measures outlined within the ES and OMP are fully adhered to

The above shall be implemented to the satisfaction of the Council as Planning Authority during each year of the event and during all permanent construction works.

44. All fencing erected around residential properties shall remain in place for a maximum duration of 14 days to the satisfaction of the Council as Planning Authority.

**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 developer is reminded that a Public Entertainment Licence and also an alcohol licence are required for the event.
  4. The developer 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.
  5. The developer should be fully aware of the advice and guidance contained within SEPA's consultation responses regarding their regulatory role.
  6. The developer should be aware of the requirement for Schedule Monument Consent referred to in Historic Scotland's consultation responses dated 5th March 2015 and 16th April 2015.
  7. The developer 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. 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.
  8. The developer should open dialogue with the Council and SNH regarding positive implementation of osprey monitoring at Strathallan.
  9. The developer is advised that there are septic tanks and soakaways or outfall pipes serving neighbouring properties within the site and the surrounding area. The applicant should therefore take all reasonable precautions to ensure their continued operation.
  10. The developer 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.
  11. The developer should be aware of the requirement for licenses from SNH in regard to protected species and should discuss this requirement directly with them.
  12. The developer should consider the implementation of a series of bio diversity habitat enhancement measures throughout the site.
  13. The applicant should inform and agree with the Roads Authority all necessary Temporary Traffic Regulation

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Orders as identified in the Transport Management Plan, and at his expense and with sufficient advanced notice, arrange for such orders to be produced.

- (ii) **15/00240/IPM – MILNATHORT – Variation of Conditions 1 and 2 of permission 13/00436/IPM (modification of 07/00442/OUT residential development) to allow additional time for the submission of applications for the approval of matters specified in conditions, and the commencement of development on land at Pitdownies Farm, Manse Road, Milnathort – Report 15/173 – The General Trustees of the Church of Scotland**

**Resolved:**

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

1. The reserved matters relating to planning approval 07/00442/OUT 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 10 years from the date of the grant of that 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.
2. The development to which this permission relates must be begun not later than:-
  - (i) 7 years from the date of the permission; or
  - (ii) 2 years from the date of the final approval of all reserved matters.
3. The conditions contained in planning permission notice ref. 07/00442/OUT dated 07 March 2008 in respect of proposed residential development with associated landscaping, car parking, infrastructure and community woodland with footpath links (in outline) on Land At Pitdownies Farm, Manse Road, Milnathort remain in full force and effect, except only insofar as expressly modified by Condition Nos. 1 and 2 attached to this planning permission notice.

**Justification**

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

**Informative**

The applicant is reminded that the conditions and informatives set out in outline planning approval 07/00442/OUT remain in force and form an important part of this multi-stage planning consent.

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(2) **Local Applications**

(i) **15/00037/FLL – BLAIRGOWRIE – Erection of a pavilion and formation of tennis courts at Land 50 Metres South East of Blairgowrie and District Rifle Club, Coupar Angus Road, Blairgowrie – Report 15/174 – Blairgowrie Tennis Club**

Ms S Whiteford, on behalf of the applicants, addressed the Committee, and, following her representation, withdrew to the public benches.

**Resolved:**

**Grant**, subject to the following conditions and informatives and an additional Condition 14 as undernoted:

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. A close boarded timber fence constructed of double skinned 25mm thick boards, (as specified in the Environmental Assessment Report, Report No.09/1628, dated 9 October 2009 prepared by IW Kellie), shall be erected to the south and east side of the courts. The fence should be not less than 2m in height and in any case built to obscure direct line of sight from the ground floor windows of the adjacent properties as specified in the report. Prior to the commencement of any works on site, precise details of the location and specification of the fence shall be submitted for the approval in writing by the Council as Planning Authority, and shall thereafter be implemented in full prior to the use of the courts commencing, all to the satisfaction of the Council as Planning Authority.
3. No amplified music shall be permitted outside the pavilion at any times.
4. All external lighting must be installed and shall be sufficiently screened and aligned to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised, all to the satisfaction of the Council as Planning Authority.
5. The hours of operation of any external floodlighting shall be restricted to between 09:00 and 22:00 hours only.
6. All plant or equipment (including any ventilation system) shall be acoustically enclosed to attenuate sound therefrom, such that it does not exceed Noise Rating 30 between 07.00 and 23.00 hours, or Noise Rating 20 between 23.00 and 07.00 hours, within any neighbouring noise-sensitive property with windows slightly open, when measured and/or calculated and plotted on a noise rating

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- curve chart, all to the satisfaction of the Council as Planning Authority.
7. The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that any impact or airborne noise from the normal operations and/ or amplified music within the application premises does not constitute a statutory nuisance in any neighbouring/nearby residential property, as determined by the Council as Planning Authority.
  8. Prior to the use of the tennis courts, secure parking for a minimum of six bicycles must be provided. Prior to the commencement of the development precise details of the parking facilities shall be submitted for the approval in writing by the Council as Planning Authority. The approved details must be implemented in full (prior to the tennis courts being brought into use), all to the satisfaction of the Council as Planning Authority.
  9. Prior to the commencement of any works on site, precise details of all the proposed (temporary and permanent) foul drainage arrangements and sources of water supplies shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full prior to the use of the pavilion commencing, to the satisfaction of the Council as Planning Authority.
  10. The existing hedging along the eastern and southern boundaries shall be retained and adequately protected during the course of construction by stout fencing, all to the satisfaction of the Council as Planning Authority.
  11. Prior to the commencement of any works on site, precise details of the proposed landscaping around the perimeter fencing shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full within the agreed timescales and thereafter maintained to the satisfaction of the Council as Planning Authority.
  12. Prior to the commencement of any works on site, precise details of the external finishes of the 'hitting' wall shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full prior to the use of the courts commencing, all to the satisfaction of the Council as Planning Authority.
  13. Prior to the commencement of any works on site, precise details of the external finishes of the lighting columns shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in accordance with the approved details to the satisfaction of the Council as Planning Authority.

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**Justification**

The proposal is considered to comply with the Development Plan and there are no other material considerations that 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.
4. 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 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 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.
5. No works shall commence until such time as a building warrant has been granted.

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