

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
10 JUNE 2015

## **DEVELOPMENT MANAGEMENT COMMITTEE**

Minute of Meeting of the Development Management Committee held in the Gannochy Suite, Dewar's Centre, Perth on Wednesday 10 June 2015 at 10.00am.

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

In attendance: N Brian, C Brien, A Condliffe, S Dunn, T Maric, and M Barr (all The Environment Service); G Fogg and P Frazer (all Chief Executive's Service).

Apology: Councillors D Cuthbert and A Gaunt.

Councillor T Gray, Convener, Presiding.

### **393. WELCOME**

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

### **394. DECLARATIONS OF INTEREST**

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

### **395. MINUTES**

- (i) The revised Minute of Meeting of the Development Management Committee of 18 March 2015 (Arts.188 - 193) was submitted, approved as a correct record and authorised for signature.
- (ii) The Minute of Meeting of the Development Management Committee of 12 May 2015 (Arts. 271-275) was submitted, approved as a correct record and authorised for signature.

### **396. DEPUTATIONS**

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

Planning Application No.	Art. No
15/00518/FLL	397(2)(iv)

**397. APPLICATIONS FOR DETERMINATION**

**(1) Major Applications**

- (i) 15/00001/CONSUL - KIRRIEMUIR – Consultation response on Section 36 application in Angus for the proposed Macritch Wind Farm on land close to Backwater Reservoir, Kirriemuir, Angus – Report 15/184 .**

N Brian advised, should the Committee be minded to support the consultation response, that the following amendment be also agreed: page 49, paragraph 75 of the report that 'Blackhill/Saddlehill, Glen Isla, Angus', be amended to 'Blackwater Reservoir, Kirriemuir'.

**Resolved:**

The Committee supported the recommendation of objection to the proposed Macritch Wind Farm on land at Blackwater Reservoir, Kirriemuir.

**Justification**

1. The location, dominance, scale and layout of the proposed wind farm on its own would result in unacceptable visual impacts. Accordingly the proposal is contrary to Policies ER1A (a) and ER6 (b) of the Perth and Kinross Local Development Plan 2014.
2. The proposal by virtue of the location, prominence, scale and layout of the proposed wind farm and its relationship to other wind turbine developments in the area would give rise to unacceptable cumulative visual impacts. Accordingly the application is contrary to Policies ER1A (a) and ER6 (b) of the Perth and Kinross Local Development Plan 2014.

**(2) Local Applications**

- (i) 14/01922/FLL – DUNNING – Change of use of agricultural land to form extension to caravan park including an additional 18 pitches, new access and landscaping to provide a total of 30 chalet/lodge pitches with associated works and landscaping at 7 The Holding, Leadketty, Dunning – Report 15/195**

**Motion (Councillors M Lyle and A Livingstone) – Grant subject to the following conditions and informatives:**

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

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- 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 height exceeding 1.05 metres above the adjacent road channel level.
3. Prior to the occupation or use of the approved development the vehicular accesses shall be formed in accordance with specification Type C, Fig 5.7 access detail to the satisfaction of the Planning Authority.
  4. The approved landscaping and planting scheme shall be fully implemented within six months of the completion of the development and thereafter maintained by the applicants or their successors to the satisfaction of the Planning Authority.
  5. Prior to the commencement of work the applicant shall provide full details of the proposed street lighting scheme for the approval of the Planning Authority.
  6. The chalet caravans hereby approved shall be used for holiday accommodation only and shall not be occupied as the sole or main residence of any occupant.

**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 County 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.

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4. **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. 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 (SEPA).**
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 shall consult with SEPA to confirm the requirements for any private waste water treatment provisions and licencing under the CAR Regulations.**

Amendment (Councillors J Kellas and H Anderson) – Approve with an additional condition: (i) that the chalets are occupied for no more than 75% of any calendar year by the same individual or family group; and (ii) that a record of occupation periods should be kept and available for inspection.

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

11 members voted for the Motion as follows:  
Councillors T Gray, B Band, M Barnacle, R Brock, I Campbell, J Giacobazzi, C Gillies, A Livingstone, M Lyle, G Walker and W Wilson.

2 members voted for Amendment as follows:  
Councillors J Kellas and H Anderson.

Motion – 11 votes

Amendment – 2 votes

**Resolved:**

In accordance with the motion.

- (ii) **15/00455/FLL –GLENALMOND - Erection of agricultural storage shed and associated hardstanding at Tulchan Lodge, Glenalmond, Perth, PH1 3SG – Report 15/204.**

**Resolved:**

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

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 permission.

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2. The agricultural building shall be used for general storage only and at no time for the housing of livestock.
3. No plant or equipment including any ventilation systems shall be installed within the agricultural building, unless otherwise agreed in writing by the 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 therefrom.

**Informatives**

1. This planning permission will only last 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. An application for Building Warrant may be required.
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.

**(iii) 15/00503/FLL – MILNATHORT - Erection of 5 flats and ancillary works, 2 – 12 Wester Loan Milnathort – Report 15/247**

**Motion (Councillors W Wilson and J Giacobazzi) Defer the application for the applicant and officers to provide further information on the flood risk, the design of the proposal and the adequacy of the proposed parking.**

Amendment (Councillors T Gray and J Kellas) – Grant, subject, to the terms and conditions contained in Report 15/247.

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

10 members voted for the Motion as follows:  
Councillors B Band, H Anderson, M Barnacle, R Brock,  
I Campbell, J Giacomazzi, C Gillies, M Lyle, G Walker and  
W Wilson.

3 members voted for Amendment as follows:  
Councillors T Gray, J Kellas and A Livingstone.

Motion – 10 votes

Amendment – 3 votes

**Resolved:**

In accordance with the motion.

- (iv) **15/00518/FLL – BLAIRGOWRIE – Change of use and alterations from school to form 8 dwellinghouses, St Stephens RC Primary School, John Street, Blairgowrie – Report 15/245.**

**Resolved:**

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

1. 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.
2. Prior to commencement of development, further design details, in the form of large scale (1:10 or 1:20), elevation and section drawings, to be submitted to and approved in writing by the Council as Planning Authority:
  - i. New external doors and upper windows in the south-east elevation;
  - ii. External access ramps.
3. Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the further written approval of the Council as Planning Authority. The scheme shall include details of all hard landscaping proposals including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development unless otherwise agreed in writing with this Planning Authority and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme agreed and implemented shall thereafter be maintained to the satisfaction of the Council as Planning Authority.

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4. The existing pedestrian access to the site from Newton Terrace shall be retained for use by residents of the development.

**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 only last 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.

*COUNCILLOR LYLE LEFT THE MEETING AT THIS POINT*

**(3) Proposal of Application Notice**

- (i) **15/00009/PAN – BRIDGE OF EARN – Residential development land 200 metres south east of Hillview, Kintillo Road, Bridge of Earn – Report 15/245.**

Members requested that, in addition to the issues identified in the Development Quality Manager's report, the following issues be addressed in the planning application: (1) transport infrastructure and road safety; and (2) the future provision of primary school education.

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