

PERTH AND KINROSS COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
16 APRIL 2014

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 April 2014 at 10.00am.

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

In Attendance: Councillor K Howie; N Brian, A Condliffe, J Thomson, K Steven, C Petrie and A Bendall (all The Environment Service); G Fogg and Y Oliver (both Chief Executive's Service).

Councillor T Gray, Convener, Presiding.

235. WELCOME

The Convener welcomed everyone to the meeting.

236. DECLARATIONS OF INTEREST

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

237. MINUTE OF PREVIOUS MEETING

The Minute of Meeting of the Development Management Committee of 19 March 2014 (Arts.183-187) was submitted, approved as a correct record and authorised for signature.

238. 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
14/00269/AMM	239(1)
12/01959/FLL	239(2)(i)
13/02130/FLL	239(3)(i)

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239. APPLICATIONS FOR DETERMINATION

(1) Major Applications

- (i) 14/00269/AMM – PERTH – Application for Approval of Matters Specified in Conditions 1, 2, 4, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21(b), 22, 23, 24 and 25 of 08/00122/OUT and subsequent Section 42 consent (11/00933/FLM) Cherrybank, Necessity Brae, Perth – Persimmon Homes – Report 14/160**

A Condliffe, Applications Team Leader, requested the Committee that, should they be minded to approve the application, they also approve additional Conditions 19, 20 and 21, as undernoted, following information received from the Council's Flood Team.

Mr P Macari, Agent on behalf of the applicants, addressed the Committee, and, following his representation, withdrew to the public benches.

Resolved:

Grant, subject to the following conditions, with the wording of condition 16 altered from the terms of the Report of Handling strengthened and the additional conditions 19, 20 and 21:

- 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 Prior to the occupation of any residential plot, 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.
- 3 Roads and associated works, including the signalisation of the Necessity Brae/Glasgow Road and the Glasgow Road/Oakbank Place junctions, shall be constructed in conformity with the Council's specifications and to the satisfaction of the Council as Planning Authority prior to the occupation of any residential plot.
- 4 Prior to the occupation of any residential plot, a 3 bay bus shelter to the Council's Public Transport Unit's specification shall be provided on Necessity Brae on the

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development side (north). A corresponding stop shall also be provided on the opposite side of Necessity Brae.

- 5 Prior to the occupation of any residential plot, bus stops on both sides of Glasgow Road shall be provided adjacent to the new pedestrian access point.
- 6 Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable sustainable urban drainage systems to meet the requirements of best management practices.
- 7 A street lighting installation designed to BS 5489 – 1:2013 shall be provided within the site. The type and standard of lighting shall be assessed using the zoning system outline in 'The Institution of Lighting Engineers Guidance Notes for the Reduction of Light Pollution' and be agreed with the Council as Planning Authority'
- 8 Permitted development rights associated with Classes 1A, 1B, 3A and 3B of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any subsequent comparable classes in future legislation relating to development within the curtilage of a dwellinghouse are hereby revoked in full for all semi-detached and terraced dwellings (including house type Portree, Newmore and Newton) of the approved Site Layout Plan.
- 9 For the avoidance of doubt, the proposed external finishing details and composition as currently proposed are not approved as part of this consent. Revised details relating to elevation finishes of the proposed dwellings, including the elevation material composition, specification and colour of the proposed external finishing materials to be applied shall be reviewed in consultation with the Council and thereafter submitted formally for the written approval of the Planning Authority prior to the commencement of the development. The scheme as approved shall thereafter be undertaken and completed commensurate with the subsequent phases of the development.
- 10 For the avoidance of doubt, the proposed external garden walling details are not approved as part of this consent. Revised wall details shall be reviewed in consultation with the Council and thereafter submitted for the written approval of the Planning Authority, prior to the commencement of the development. The revised

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boundary wall details as approved shall thereafter be undertaken and completed commensurate with the subsequent phases of the development.

- 11 The current proposed landscaping, planting scheme and open space maintenance proposals are not fully approved at this stage. A comprehensive scheme shall be re-submitted for further written approval in advance of commencement of development and shall include the following revisions and additions as appropriate:
- Full details of the standard of planting stock proposed, stock selection and stock numbers identified;
 - Link path adjacent to play area shall be re-aligned to more accurately reflect pedestrian desire lines whilst still respecting protected trees;
 - Remove or amend maintenance proposal details to reflect established Council open space policy;
 - As a landscape feature, SUDs scheme details shall be submitted, adopting natural site profiling and planting approach with appropriate security fence details proposed, in consultation with the Council's Public Space Management colleagues;
 - Security fence details to proposed play area shall be omitted (following agreed boundary details for SUDs scheme), integrating the play area within the wider landscape setting;
 - Additional native hedge planting proposals shall be continued round the external boundary parameters of each side of residential plots 54 and 55 (tapering off), as formal site boundary definition.
 - Additional new native hedge planting shall be proposed on the southern site edge, adjacent to external boundaries of residential plots 19 - 22 and part of plot 23 and continued through from the boundary of plots 13, 14 and 15, wrapping round the external boundary elevations of associated plots as one continuous hedge.
- 12 The revised landscaping plan as approved shall thereafter be carried out in accordance with the approved scheme within one calendar year of the commencement of development and thereafter maintained.
- 13 Any planting failing to become established within five years shall be replaced in the following planting season with others of similar sizes and species.

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- 14 The development shall fully comply with and respect the approved Tree Survey recommendations and remain in full accordance with BS5837: *'Trees in relation to construction, demolition and construction. Recommendations'*.
- 15 Full details regarding the siting and re-installation of Public Art elements consisting of Sun Dial and Mosaic, including methodology shall be submitted to the Council for written approval prior to commencement of development. The detailed scheme as approved shall be implemented prior to the occupation of the final phase of development and in advance of the public open space being handed over and formally adopted.
- 16 Full details of proposed site boundary openings forming new pedestrian accesses onto both Glasgow Road and Necessity Brae shall be submitted prior to the commencement of development for further written approval. The opening details as approved shall thereafter be implemented prior to the occupation of any residential plot. In addition, site boundary railings bounding the site shall all be repaired and refurbished to the satisfaction of the Council prior to the occupancy of any residential plot and in advance of the associated public open space being handed over for formal adoption.
- 17 Prior to the occupation of any residential plot, the Scouring Burn (adjacent to the site for a distance of 300m (or length otherwise agreed with the Planning Authority) upstream and downstream 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.
- 18 A detailed, site specific Construction Management Statement (CMS) shall be submitted for written approval by the Council as Planning Authority, prior to the commencement of development. The approved CMS shall thereafter be fully respected and adhered to through the construction phase of the development.
- 19 The final layout and depth of the proposed SUDS pond shall be agreed in writing with the Council as Planning Authority, in consultation with Perth and Kinross Council's Flooding Team. The agreed detail shall thereafter be implemented prior to the completion of development.

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- 20 Additional scour protection shall be proposed at the top section of the SUDS pond at overflow, to be agreed in writing with the Council as Planning Authority, in consultation with Perth and Kinross Council's Flooding Team. The scour protection details as agreed shall thereafter be implemented prior to the completion of development.
- 21 The existing watercourse trash screen at Necessity Brae culvert shall be replaced and upgraded to the satisfaction of the Council as Planning Authority, in consultation with Perth and Kinross Council's Flooding Team (including improved access provision arrangements for long term inspection and maintenance) prior to the completion of 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.

Procedural Note

Consent not to be issued until a Section 75 Agreement has been completed and signed in respect of the following issues: -

- Affordable housing;
- Education contribution;
- Open space provision /maintenance;
- Play area infrastructure provision;
- Transport infrastructure upgrade at Glasgow Road Junction

Informatives

- 1 The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
- 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.

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- 3 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 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 38 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.
- 4 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.
- 5 The applicant is 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.
- 6 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 roadworks. 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.
- 7 No work shall be commenced until an application for building warrant has been submitted and approved.
- 8 Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.

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(2) **Applications Previously Considered**

- (i) **12/01959/FLL – MILNATHORT – Formation of private potable water supply for residential development and erection of infrastructure building at site of former Ochil Hills Hospital, Milnathort - Fossoway LLP – Report 14/161**

Mrs D Thomson, objector to the application, addressed the Committee, and, following her representation, withdrew to the public benches.

Resolved:

Motion (Councillors J Kellas and A Livingstone) – Defer, for the purposes of providing further detailed evidence to justify the use of the boreholes as opposed to the mains supply.

Amendment (Councillors T Gray and I Campbell) – Refuse, on the grounds that the applicant has failed to fully demonstrate that the proposed development would not have an adverse impact on the private potable water supply to local properties and therefore the proposal is not in accordance with Policy 1, Sustainable Development, of the adopted Perth and Kinross Local Development Plan 2014.

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

10 members voted for the Amendment as follows:

Councillors T Gray, B Band, H Anderson, M Barnacle, I Campbell, D Cuthbert, A Gaunt, J Giacomazzi, M Lyle and G Walker.

3 members voted for the Motion as follows:

Councillors C Gillies, J Kellas and A Livingstone.

Amendment - 10 votes Motion - 3 votes

Resolved:

In accordance with the Amendment.

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- (ii) **13/01698/FLL – TROCHRY – Installation of a run-of-river hydroelectric scheme and associated works at River Braan Hydro Scheme, Trochry – RWE npower renewables – Report 14/162**

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.
- 2 The Outline Construction Environmental Management Plan (CEMP) ref 13/01698/26 is not approved. A finalised CEMP which includes a finalised Construction Method Statement (CMS) shall be submitted a minimum of 2 months prior to the commencement of development and implemented to the satisfaction of the Council as Planning Authority until completion of development.
- 3 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 and subsequent restoration of the proposed development. 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 Construction Environmental Management Plan (CEMP) required by Condition 2 aforesaid.
 - 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 CEMP.

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- e) They shall make weekly visits to the development site at a time of their choosing. No notification of this visit is required to be given to the developer or contractor.
- f) They are required to submit a detailed monthly report for the review of the Planning Authority in consultation with the Scottish Environment Protection Agency (SEPA) for the duration of development.
- g) 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.

The above shall be submitted a minimum of 2 months prior to the commencement of development and implemented to the satisfaction of the Council as Planning Authority until completion of development.

- 4 Prior to the commencement of works on the development, the applicant shall submit for the written approval of the Planning Authority a Construction Traffic Management Scheme (TMS) which shall include the following:
- (a) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
 - (b) a code of conduct for HGV drivers to allow for queuing traffic to pass;
 - (c) arrangements for liaison with the Roads Authority regarding winter maintenance;
 - (d) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
 - (e) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
 - (f) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
 - (g) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;
 - (h) details of information signs to inform other road users of construction traffic;

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- (i) arrangements to ensure that access for emergency service vehicles are not impeded;
- (j) co-ordination with other HGV construction traffic known to use roads affected by construction traffic associated with this development;
- (k) traffic arrangements in the immediate vicinity of temporary construction compounds;
- (l) the provision and installation of traffic counters at the applicant's expense at locations to be agreed prior to the commencement of construction;
- (m) monitoring, reporting and implementation arrangements;
- (n) arrangements for dealing with non-compliance; and
- (o) details of HGV movements to and from the site.

The TMS as approved shall be strictly adhered to during the entire site construction programme all to the satisfaction of the Council as Planning Authority unless otherwise agreed in writing.

- 5 Prior to any decommissioning of the site a Decommissioning Method Statement shall be submitted for the approval of the Council as Planning Authority in consultation with Scottish Natural Heritage (SNH). This Method Statement should ensure there is a process in place for ensuring good practice working methods are used for the removal of infrastructure and site restoration.
- 6 Any approved Decommissioning Method Statement shall be implemented and overseen by an independent Environmental Manager who shall have powers similar to the Environmental Manager/Ecological Clerk of Works employed during the construction phase.
- 7 Prior to the commencement of site clearance details of trees to be retained and the comprehensive approach to their protection in accordance with *BS 5837:2012 "Trees in relation to Design, Demolition and Construction"* shall be submitted for the written approval of the Council as Planning Authority. Following tree works the protection scheme shall be installed immediately in accordance with the plan unless phasing has been proposed and approved. The approved Tree Protection measures shall not be removed, breached or altered without prior written authorisation from the local Planning Authority but shall remain in a functional condition throughout the entire development or as per the phasing plan. If such protection measures are damaged beyond effective

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functioning then works that may compromise the protection of trees shall cease until the protection can be repaired or replaced with a specification that shall provide a similar degree of protection.

- 8 Prior to the commencement of development the operator of the hydro scheme shall have written permission from the relevant competent authority to export electricity to the National Electrical Grid. Details of the connection point and methods of connecting to the grid from the powerhouse shall be submitted for approval of the Council as Planning Authority. Thereafter the connection shall be installed in accordance with the approved method.
- 9 Prior to Commencement of Development, a fully detailed landscaping mitigation plan which will ensure there is no net loss of trees associated with the felling required to implement the consent shall be submitted to and approved in writing by the Planning Authority. Measures to protect the new planting from animals should be included. The scheme shall also include appropriate habitat creation and shall take account of the protected species identified in the Environmental Statement. The approved scheme shall be fully implemented to the satisfaction of the Planning Authority no later than the first planting season following the Commissioning of Development. Any plant failures through disease, weather exposure, neglect or damage shall be replaced with equivalent species within one year of such failure.
- 10 In the event the development fails to produce electricity on a commercial basis to the public network for a continuous period of 12 months with no realistic expectation of resumption in the foreseeable future, then, unless otherwise agreed in writing with the Planning Authority, it shall be deemed to have permanently ceased to be required. The Planning Authority shall have due regard to the circumstances surrounding the failure to generate and shall take any decision following discussion with the Company and such other parties it considers appropriate. If the Development is deemed to have ceased to be required the Company shall cause the Development to be decommissioned and the site will be reinstated within a period of eighteen months following the expiry of such period of cessation or within such timescale as agreed in writing by the Planning Authority.

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- 11 Reinstatement shall include the removal of the above ground infrastructure, if considered necessary and restoration of the natural water regime to normal flows, to the written satisfaction of the Planning Authority in consultation with other relevant authorities in accordance with Condition 6.
- 12 Prior to commencement of development, details of the location and measures proposed for the safeguarding and continued operation, or replacement, of any septic tanks and soakaways/private water sources, private water supply storage facilities and/or private water supply pipes serving properties in the vicinity, sited within and running through the application site, shall be submitted to and approved in writing by the Council as Planning Authority. The approved protective or replacement measures shall be put in place before the development commences and shall be so maintained throughout the period of construction.
- 13 All vehicles associated with the development shall park within the designated compound areas only to the satisfaction of the Council as Planning Authority unless otherwise agreed in writing with the Planning Authority.
- 14 The external finish materials are not approved. Prior to the commencement of development full details and samples of the external finishes for the powerhouse and switchhouses shall be submitted for the written approval of the Planning Authority. The details, as approved, shall be implemented as part of the site development and completed in their entirety prior to the development becoming operational.
- 15 Prior to the commencement of development full details of the external transformer fencing shall be submitted for the written approval of the Planning Authority. The details, as approved, shall be implemented as part of the site development and completed in their entirety prior to the development becoming operational.
- 16 Prior to the commencement of development a landscaping plan shall be submitted detailing boundary treatments with the A822. The landscaping, as approved, shall be implemented as part of the site development and completed prior to the development becoming operational.

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- 17 Prior to the operation or bringing into use of the development details of the surface finish and area of hardstanding to be retained between the powerhouse/switchhouse and the A822 shall be agreed in writing by the Council as Planning Authority. The details as agreed shall be implemented prior to the use of the development and maintained thereafter.
- 18 Prior to the commencement of development details of the flood resistant and resilient materials to be incorporated into the design of the powerhouse shall be submitted to and approved in writing by the Planning Authority, thereafter the scheme shall be implemented and maintained in accordance with the approved plans.
- 19 Prior to the commencement of development the applicant shall submit a Public Access Management Plan for the approval of the Council as Planning Authority.
- 20 Prior to the commencement of construction, a full detailed Construction Method Statement giving details of measures to prevent harmful materials entering the watercourses shall be submitted and agreed in writing by the Council as Planning Authority in consultation with SNH and SEPA. The details shall include:
 - a) Pollution prevention safeguards, including drainage arrangements and the possible use of siltation traps, settlement tanks and bunds, their locations, operation and management.
 - b) Storage and disposal of materials, including the siting of stock piles, use of buffer strips and disposal methods.
 - c) Construction site facilities, including extent and location of construction site huts, vehicles, equipment and materials compound.

The details as approved shall be strictly adhered to during the development of the site.

- 21 Prior to the commencement of development a scheme detailing the timing for all blasting and drilling operations for the hereby approved development shall be submitted and approved in writing by the Council as Planning Authority in consultation with Environmental Health. The scheme as approved shall be implemented to the satisfaction of the Council as Planning Authority until completion of development.

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- 22 Power generating equipment shall be acoustically enclosed to attenuate sound therefrom, such that any noise therefrom shall not be detectable in any nearby noise-sensitive property.
- 23 The Powerhouse shall be designed and constructed to the satisfaction of the Planning Authority to ensure that nearby dwellings are not subjected to Vibration Dose Values in excess of 0.2 to 0.4 m/s^{1.75} between 2300 and 0700 hours (as set out in Table 1 of BS 6472-1:2008 Evaluation of human exposure to vibration in buildings) as a result of vibration from plant associated with the application.
- 24 The compensatory storage as shown on approved plan 13/1698/14 shall be implemented prior to the operation of the hereby approved scheme to the satisfaction of the Council as Planning Authority.
- 25 Prior to the commencement of development a pre-construction otter survey will be undertaken to ensure no places of shelter will be destroyed or disturbed during construction. The survey shall be submitted and agreed in writing with the Council as Planning Authority.
- 26 All excavations shall be covered overnight or an exit ramp provided to prevent any mammal becoming trapped. All pipework will have ends capped overnight to prevent any mammal becoming trapped.
- 27 Prior to felling works, a survey to identify red squirrel dreys shall be submitted and agreed in writing with the Council as Planning Authority. Should any dreys be found, a 50m exclusion zone will be required from any works. If this is not possible, a licence will be required from SNH to disturb red squirrels and their dreys.
- 28 Should any works take place between February and August a pre-felling survey shall be undertaken to determine the presence of any breeding birds in the trees to be felled. The survey shall be submitted and agreed in writing with the Council as Planning Authority. Where any active nests are identified a 20m exclusion zone will be required. If Scottish Crossbill is present, the developer must get agreement from SNH on the size of exclusion zone.
- 29 Prior to the commencement of any development on site, the following shall be submitted to the Planning Authority:

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- (a) Details of a bond or other financial instrument which will ensure that sufficient funds are available to meet the remedial cost of restoring the site should the development granted by this permission fail during the construction period.
- (b) Confirmation by an independent Chartered Surveyor (whose appointment for this task has been approved by the Council as Planning Authority) that the amount of the bond or financial instrument is sufficient to meet the remedial cost of restoring the site should the development granted by this permission fail during the construction period.
- 30 The approved bond or financial instrument shall be maintained throughout the construction duration of this permission.

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 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.
- 2 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 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for guidance. According to Regulation 38 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.

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- 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 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 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).
- 6 No work shall be commenced until an application for building warrant has been submitted and approved.
- 8 The applicant should be aware of the regulatory guidelines indicated by SEPA in their consultation response.

(3) Local Applications

(i) 13/02130/FLL – GRANDTULLY – Erection of rafting base including car parking, land NW of Tigh Na Rathaid, Grandtully – M Trail – Report 14/163

N Brian, Development Quality Manager, advised the Committee that access to the proposed site had previously been granted planning consent in 2011 (10/02174/FLL) and remains valid.

Mr J Lochhead, agent on behalf of the applicant, accompanied by Mr M Trail, applicant, followed by Mr W Jackson, Ms P Blanks, on behalf of Mid Atholl, Strathtay and Grandtully Community Council, objectors to the application, addressed the Committee, and, following their respective representations, withdrew to the public benches.

In terms of Standing Order 53, Councillor K Howie, one of the Elected Members representing Ward 4, addressed the Committee, and, following her representation, withdrew to the public benches.

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Motion (Councillors J Kellas and H Anderson) – Refuse, on the grounds that the proposal is contrary to Policies ED3: Rural Business and Diversification and PM1A: Placemaking of the Perth and Kinross Local Development Plan 2014 in that it does not add any value to the area and will have a detrimental effect on the character and amenity of the surrounding landscape.

Amendment (Councillors I Campbell and M Lyle) – Grant, subject to the terms and conditions contained in Report 14/163.

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

5 members voted for the Amendment as follows:

Councillors I Campbell, A Gaunt, C Gillies, A Livingstone and M Lyle.

8 members voted for the Motion as follows:

Councillors T Gray, B Band, H Anderson, M Barnacle, D Cuthbert, J Giacomazzi, J Kellas and G Walker.

Amendment – 5 votes

Motion – 8 votes

Resolved:

In accordance with the Motion.

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