

DEVELOPMENT MANAGEMENT COMMITTEE

Minute of Meeting of the Development Management Committee held in the Gannochy Suite, Dewar's Centre, Perth on Wednesday 13 April 2016 at 10.00am.

Present: Councillors T Gray (Convener), B Band (Vice-Convener), H Anderson, R Brock (substituting for Councillor M Barnacle), I Campbell (with the exception of Art. 296(1)(ii)), D Cuthbert, J Giacomazzi, C Gillies, J Kellas, G Laing (substituting for Councillor G Walker) and A Livingstone.

In attendance: N Brian, M Petrie and M Barr (all The Environment Service); G Fogg and Y Oliver (both Corporate and Democratic Services).

Apologies: Councillors M Barnacle, A Gaunt, M Lyle and G Walker.

Councillor T Gray, Convener, Presiding.

292. WELCOME AND APOLOGIES

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

293. DECLARATIONS OF INTEREST

Councillor I Campbell declared a non-financial interest in Art. 296(1)(ii) in terms of the Councillors' Code of Conduct.

294. MINUTE OF PREVIOUS MEETING

The Minute of Meeting of the Development Management Committee of 16 March 2016 (Arts 233-237) was submitted, approved as a correct record and authorised for signature.

295. DEPUTATIONS

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

Planning Application No.
16/00207/FLL

Art. No.
296(1)(ii)

296. APPLICATIONS FOR DETERMINATION

(1) Local Applications

- (i) 16/00158/FLL – INCHTURE – Alterations to outbuilding to form ancillary accommodation at Secret Garden, Kinnaird, Inchture – Report 16/170 – Mrs V Clark**

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 development hereby approved shall remain within the same ownership as the residential property known as Secret Garden and the use shall be solely for the purposes of ancillary accommodation to Secret Garden. The building shall not be let separately to Secret Garden nor shall it be let as holiday accommodation.
3. Prior to the commencement of development, full details of the proposed wall including scaled elevational drawings shall be submitted to and approved in writing by the Planning Authority. The details as approved in writing shall be implemented as part of the site development to the satisfaction of the Council as Planning Authority.

Justification

The proposal is in accordance 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. No work shall be commenced until an application for building warrant has been submitted and approved.

COUNCILLOR I CAMPBELL, HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING APPLICATION, LEFT THE MEETING ROOM AT THIS POINT.

(ii) 16/00207/FLL – ABERFELDY – Erection of a marquee (in retrospect) at Moness House Hotel & Country Club, Aberfeldy – Report 16/171 – Moness Group Ltd

Mr M Reynolds, objector to the application, followed by Mr J McKenzie of Moness Group, on behalf of I MacGregor, agent, addressed the Committee, and, following their representations, withdrew to the public benches.

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

1. **Consent is hereby granted for a limited period until 30 April 2018. The use authorised by this permission shall be discontinued prior to the expiry of the period of consent, the development shall be removed and the site reinstated to its former condition to the satisfaction of the Council as Planning Authority.**
2. **All external lighting to be installed 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.**
3. **The delivery of goods to the premises shall take place between 7am to 7pm Mondays to Saturdays and at no other time.**
4. **Amplified and non-amplified music emanating from the Moness marquee shall not exceed 45dB LAeq (t5min) when measured at the boundary of any residential garden between the hours of 07:00 and 23:00.**
5. **All amplified music continuing beyond 23:00 hours should not be audible within the habitable rooms of nearby residences with windows slightly open.**
6. **All amplified music must be directed through the Zone Array speaker system and the Symetrix Solus process limiter as set out in the Direct Acoustics Noise Control Report (16/00207/4).**
7. **The noise management plan (16/00207/5) must be adhered to at all times, with records kept and made available on request to the Planning Authority. Any future amendments should be agreed in writing with the Council as Planning Authority.**

Justification

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

Informatives

- 1. 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.**
- 2. The applicant is advised that the granting of planning consent does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.**
- 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 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 will be included for 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.**

Amendment (Councillors J Giacobazzi and C Gillies) – Grant, subject to the conditions and informatives as detailed in Report 16/171 but for a period of one year until 30 April 2017 only.

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

5 members voted for the Amendment as follows:

Councillors B Band, R Brock, D Cuthbert, J Giacobazzi and C Gillies.

5 members voted for the Motion as follows:

Councillors T Gray, H Anderson, J Kellas, A Livingstone and G Laing.

In accordance with Standing Order 45, the Convener exercised a casting vote in accordance with the Motion.

Resolved:
Grant, in accordance with the Motion.

COUNCILLOR I CAMPBELL RETURNED TO THE MEETING ROOM AT THIS POINT.

(2) Proposal of Application Notice (PAN)

(i) 16/0003/PAN – CRIEFF – Residential development on Land at Wester Tomaknock, Crieff (LDP Site H57) – Report 16/172

One of the local Members for Ward 6 – Strathearn, requested that, in addition to the issues identified in the Development Quality Manager's report, consideration be given to the Paths Network.