

# PLANNING AND PLACEMAKING COMMITTEE

Minute of hybrid meeting of the Planning and Placemaking Committee held in the Council Chambers, 2 High Street, Perth, on Wednesday 19 April 2023 at 9:30am.

Present: Councillors I Massie and G Stewart, Bailies C Ahern (Substituting for Bailie C McLaren) and M Williamson, Councillors H Anderson, B Brawn, D Cuthbert, E Drysdale, A Forbes (Substituting for Councillor I James), D Illingworth, B Leishman, C Reid and R Watters.

In Attendance: S Panton, L Reid, D Salman, K Smith, and P Williamson (all Communities); A Brown, G Fogg, J Guild and R Ramsay (all Corporate and Democratic Services).

Apologies: Bailie C McLaren and Councillor I James.

Councillor I Massie, Convener, Presiding.

## 1. WELCOME AND APOLOGIES

The Convener welcomed everyone present to the meeting. Apologies were noted as above.

## 2. DECLARATIONS OF INTEREST

Councillor B Brawn declared a non-financial interest in Item 5(2)(i) – 22/01981/FLL.

## 3. MINUTES

The minute of meeting of the Planning and Placemaking Committee of 22 March 2023, be approved.

## 4. DEPUTATIONS

In terms of Standing Order 13, the Committee agreed to hear deputations in relation to the following planning applications:

**Planning Application No.**  
22/00115/FLL

**Item No.**  
5(2)(iii)

## 5. APPLICATIONS FOR DETERMINATION

### (1) Major Applications

- (i) **22/02204/FLM – S42 application to amend Condition 19 and 20 (cycle and scooter parking) of permission 21/00096/FLM, North Muirton Primary School, Uist Place, Perth PH1 3BY**

### **Resolved:**

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

## Conditions

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been lawfully started within that period.  
Reason – This is a Planning Permission in terms of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of the Planning (Scotland) Act 2019.
2. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.  
Reason – To ensure the development is carried out in accordance with the approved drawings and documents.
3. 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 daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.  
Reason – In order to safeguard the residential amenity of the area.
4. 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 a degree that it does not adversely affect the amenity of the neighbouring land.  
Reason – In order to safeguard the residential amenity of the area.
5. The development shall be completed in accordance with the Construction Method Statement (CMS) and a Dust Management Plan (DMP) agreed under permission 21/00096/FLM plan ref 99 and 100.  
Reason – In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.
6. Noisy Construction work shall be limited to Monday to Friday 0700 hours to 1900 hours and Saturday 0800 hours to 1300 hours with no noisy works out with these times or at any time on Sundays or bank holidays.  
Reason – In order to safeguard the residential amenity of the area.
7. The development shall be completed in accordance with the sustainable urban drainage system (SUDS) scheme agreed under permission 21/00096/FLM plan ref 101.  
Reason – To ensure the provision of effective drainage for the site.
8. 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.

Reason – To ensure the provision of effective drainage for the site.

9. Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility which accords with Sustainable Urban Drainage System principles shall be implemented for the site and maintained for the duration of the approved development works. The temporary surface water treatment facility shall remain in place until the permanent surface water drainage scheme is implemented.

Reason – To ensure the appropriate management of construction surface water run-off to minimise flooding and avoid discharge of sediment/pollution to the local water environment or neighbouring property, in the interests of residential and environmental amenity.

10. The development shall be occupied in accordance with the Flood Action Plan agreed under permission 21/00096/FLM plan ref 76.

Reason – The site is located within the 1/200 (0.5% AEP) flood extent and therefore has a medium to high risk of flooding.

11. The Finished Floor Level of the replacement North Muirton Primary School shall be a minimum of 7.55m Above Ordnance Datum, as stated in Section 3.0 of the Flood Risk Assessment dated 11 January 2021 plan ref (prepared by Goodson Associates P13704 - Rev A).

Reason – The site is located within the 1/200 (0.5% AEP) flood extent which has a medium to high risk of flooding and therefore this mitigation is required.

12. The development hereby approved shall be constructed so as to be flood resilient in order to reduce the extent of potential flood damage and thereby reduce repair costs and speed up building restoration should a flood event occur.

Reason – The site is located within the 1/200 (0.5% AEP) flood extent which has a medium to high risk of flooding and therefore this mitigation is required.

13. The conclusions and recommended action points within the supporting biodiversity survey by Direct Ecology dated 2 November 2020 as approved under 21/00096/FLM plan ref 30 submitted and hereby approved, shall be fully adhered to, respected and undertaken as part of the construction phase of development (Particular attention is drawn to Section 8: Impact Assessment).

Reason – In the interests of employing best practice ecology and to ensure there is no adverse impact on any

protected species as identified under the Wildlife and Countryside Act (1981).

14. The development shall be completed in accordance with the details of the location and specification of the swift nest boxes or bricks agreed under permission 21/00096/FLM plan ref 67 -70.

Reason – In the interests of protecting environmental quality and of biodiversity.

15. The development shall be completed in accordance with the details of the location and specification of the swift nest boxes or bricks agreed under permission 21/00096/FLM plan ref 67 -70.

Reason – In the interests of protecting environmental quality and of biodiversity.

16. All trees on site, other than those marked for felling on the approved plans, shall be retained.

Reason – To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

17. Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be protected.

Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.

Reason – To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

18. The detailed landscaping and planting scheme which is hereby approved shall be completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier. The approved scheme shall thereafter be maintained to the satisfaction of the Council as Planning Authority, with any planting which fails to become established within five years being replaced in the following planting season with others of a size and species as previously approved.

Reason – In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme.

19. No part of the development shall be occupied until a School Travel Plan (STP), aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. The STP will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided, the system of

management, monitoring, review, reporting and the duration of the plan.

Reason – To promote sustainable transport options and to meet advice within Scottish Planning Policy on transport.

20. Prior to the occupation or use of the approved development, the temporary agreed cycle storage area (plan ref 126) shall be provided. Thereafter, the secure waterproof cycle parking facility (agreed under reference 21/00096/FLM) for a minimum of 94 cycles, shall be provided prior to the completion of the development.

Reason – To encourage active travel and meet advice within NPF4.

21. Prior to the occupation or use of the approved development, the temporary agreed scooter storage area (plan ref 126) shall be provided. Thereafter, the secure scooter parking facility (agreed under reference 21/00096/FLM) for a minimum of 30 scooter spaces shall be provided prior to the completion of the development.

Reason – To encourage active travel and meet advice within NPF4.

22. Prior to the occupation or use of the approved development a minimum of four electric charge bays shall be provided within the site to the satisfaction of the Council as Planning Authority.

Reason – To encourage the shift to alternative fuelled vehicles.

23. Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type C Figure 5.7 access detail, of Type B Road construction detail. The Type B Road construction detail shall continue into the entrance for a distance of 5 metres from the boundary of the public road surface.

Reason – In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.

24. The development shall be completed in accordance with the Construction Traffic Management Scheme (TMS) agreed under permission 21/00096/FLM plan ref 95, 96, 84, 85, 86, 87, 88, 89, 94, 98.

Reason – In the interests of pedestrian and traffic safety.

### **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. 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. No work shall be commenced until an application for a building warrant has been submitted and approved.
4. SEPA operate an advance flood warning system that helps the Council facilitate the timely closure of the flood gates. The early warning system is supplemented by the Council's telemetry system that monitors various watercourses in the Perth area to provide additional flood warning alarms and river level data.
5. Existing buildings or structures may contain nesting birds between 1st March and 31st August inclusive. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
6. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
7. 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.
8. The applicant should be advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they 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. Please note that a fee is chargeable for the processing of RCC applications.

9. The Street lighting column that is present at the site discussion must be had with the Street Lighting Partnership to obtain the locations of plant and the possible relocation of the lighting column. Contact Mark Gorrie at Perth & Kinross Council Street Lighting Department for further details.
10. 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.

HAVING DECLARED AN INTEREST IN THE FOLLOWING ITEM, COUNCILLOR B BRAWN LEFT THE CHAMBER.

## **(2) Local Applications**

### **(i) 22/01981/FLL – Erection of a dwellinghouse land north of Eskbank, 55 George Street, Blairgowrie PH10 6HP**

#### **Resolved:**

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

#### **Conditions**

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been lawfully started within that period.  
Reason – This is a Planning Permission in terms of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of the Planning (Scotland) Act 2019.
2. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.  
Reason – To ensure the development is carried out in accordance with the approved drawings and documents.
3. Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be

implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason – In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

4. Prior to the commencement of the development hereby approved, 1:10 scaled elevations and sections of all proposed windows and doors shall be submitted to and approved in writing by the Council as Planning Authority. The approved details shall thereafter be implemented in full.

Reason – In order to protect the character and appearance of the Conservation Area

5. Prior to the commencement of the development hereby approved, details of the proposed boundary treatments for the site shall be submitted for the written agreement of the Council as Planning Authority. The scheme as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason – In order to protect the character and appearance of the Conservation Area

6. Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type B Figure 5.6 access detail, of Type A Road construction detail.

Reason – In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.

7. Prior to the development hereby approved being completed or brought into use, the access shall be constructed so that no surface water or surfacing aggregate is discharged onto the public road.

Reason – In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.

8. Prior to the completion or bringing into use of the dwellinghouse hereby approved, whichever is the earlier, one swift brick shall be provided on the North elevation gable end of the building and one bat brick shall be provided on the South elevation gable end of the building, to the satisfaction of the Council as Planning Authority. Thereafter, the bricks shall be retained in a reasonable condition for the life of the development.

Reason – In the interests of protecting environmental quality and of biodiversity.

9. Prior to the development hereby approved being completed or brought into use, all works shall be carried out in accordance with the agreed Drainage Options Report by McGregor McMahon Consulting Engineers dated 10 March 2023 (document reference 08).



Reason – To ensure the provision of effective drainage for the site.

### **Procedural Notes**

The planning permission decision notice shall not be issued until such time as the required Developer Contributions have been secured or paid in full.

In the event the applicant does not either make the required payment within 28 days from the date the agent/applicant is advised of the need for the contributions, or complete a legal agreement for delayed payment within a 4 month period from the date the agent/applicant is advised of the need for the contributions the application may be refused under delegated powers without any further discussion with the applicant.

### **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. 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. No work shall be commenced until an application for building warrant has been submitted and approved.
4. The applicant should take note of the information and advice contained within the consultation response from Scottish Water.
5. The applicant is advised that, in terms of Sections 56 of the Roads (Scotland) Act 1984, he/she/they must obtain from the Council, as Roads Authority, consent to open an existing road or footway prior to the commencement of works. Information on junction types, requirements for Vehicular Access consents (VA1) and application forms are available at [www.pkc.gov.uk/vehicleaccess](http://www.pkc.gov.uk/vehicleaccess). Advice on the disposal of surface water should be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
6. Application for a new postal address should be made via the Street Naming and Numbering page on the Perth & Kinross Council website at [www.pkc.gov.uk/snn](http://www.pkc.gov.uk/snn). Please note there is a charge for this service and submission

cannot be made until the relevant Building Warrant has been approved.

7. This application was varied prior to determination, in accordance with the terms of Section 32A of the Town and Country Planning (Scotland) Act 1997, as amended. The variations incorporate changes to the proposed boundary and drainage arrangements.
8. This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. The required information must be submitted via the ePlanning portal if your original application was lodged that way, otherwise send it to us at [developmentmanagement@pkc.gov.uk](mailto:developmentmanagement@pkc.gov.uk). Please be aware that a fee is payable in respect of each request made, though there is no limit to the number of conditions that can be discharged in a single request. The Fees Charter is available on our website [www.pkc.gov.uk](http://www.pkc.gov.uk). The Council has two months to consider the information. You should therefore submit the required information more than two months before your permission expires. We cannot guarantee that submissions made within two months of the expiry date of your permission will be able to be dealt with before your permission lapses.

COUNCILLOR B BRAUN RETURNED TO THE CHAMBER.

**(ii) 22/02005/FLL – Erection of a dwellinghouse (in part retrospect), land 40 metres north of Easter Achter, Fearnan, Aberfeldy**

**Motion (Councillor D Cuthbert)**

Refuse, as the proposal is contrary to Policy 1B(c) of the Perth and Kinross Local Development Plan 2 (2019), due to the black finish and visibility from Drummond Hill.

In line with Standing Order 18.3, as no seconder to the amendment was forthcoming, the motion subsequently fell.

**Motion (Councillor D Illingworth and B Braun)**

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

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason – To ensure the development is carried out in accordance with the approved drawings and documents.

2. Within six months of the approval of this development, a detailed landscaping and planting scheme for the site shall be submitted for the written agreement of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full 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, whichever is the earlier, 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 as agreed and implemented shall thereafter be maintained to the satisfaction of the Council as Planning Authority.

Reason – To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

3. Prior to the development hereby approved being completed or brought into use, the access shall be constructed so that no surface water or surfacing aggregate is discharged onto the public road.

Reason – In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.

4. Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type B Figure 5.6 access detail with 3 metre radii kerbing, of Type A Road construction detail. The Type A Road construction detail shall continue to the entrance for a minimum distance of 3 metres.

Reason – In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.

### **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. A building warrant is required to be submitted and approved.

3. The applicant should take note of the information and advice contained within the consultation response from Scottish Water.
4. The applicant is advised that, in terms of Sections 56 of the Roads (Scotland) Act 1984, he/she/they must obtain from the Council, as Roads Authority, consent to open an existing road or footway prior to the commencement of works. Information on junction types, requirements for Vehicular Access consents (VA1) and application forms are available at [www.pkc.gov.uk/vehicleaccess](http://www.pkc.gov.uk/vehicleaccess). Advice on the disposal of surface water should be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
5. The applicant is advised that, in terms of Sections 109 of the New Roads and Street Works Act 1991, he/she/they must obtain from the Council, to place, maintain or adjust apparatus in, or under a Road or remove apparatus from a road. Application forms are available at <https://www.pkc.gov.uk/article/14916/Road-and-footway-permits>.
6. The approved stove system shall be installed and thereafter operated and maintained in accordance with the manufacturer's recommendations, such that smoke odours are not exhausted into or escape into any neighbouring dwellings. Failure to do so may result in an investigation and possible action by Environmental Health under the Environmental Protection Act 1990.
7. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
8. This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. The required information must be submitted via the ePlanning portal if your original application was lodged that way, otherwise send it to us at [developmentmanagement@pkc.gov.uk](mailto:developmentmanagement@pkc.gov.uk). Please be aware that a fee is payable in respect of each request made, though there is no limit to the number of conditions that can be discharged in a single request. The Fees Charter is available on our website [www.pkc.gov.uk](http://www.pkc.gov.uk). The Council has two months to consider the information. You should therefore submit the required information more than two months before your permission expires.

We cannot guarantee that submissions made within two months of the expiry date of your permission will be able to be dealt with before your permission lapses.

**Resolved:**

In accordance with the Motion.

**(iii) 23/00115/FLL – Formation of forestry track, Auchingarrich Forest, Comrie**

Ms Gillian Fleming and Councillor Stewart Donaldson, objectors to the application, followed by Mr Gavin Mann, on behalf of the applicant, addressed the Committee and answered Members' questions.

**Motion (Councillors D Illingworth and C Reid)**

Grant, subject to the following conditions, terms and informatives, including a condition to restrict transport movements from 8am onwards only:

**Conditions**

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been lawfully started within that period.  
Reason – This is a Planning Permission in terms of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of the Planning (Scotland) Act 2019.
2. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.  
Reason – To ensure the development is carried out in accordance with the approved drawings and documents.
3. Prior to the commencement of the development hereby approved, the developer shall submit for the further written agreement of the Council as Planning Authority, in consultation with the Roads Authority (Structures), a Construction Traffic Management Scheme (CTMS) which shall include the following:
  - (a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;
  - (b) 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;
  - (c) a code of conduct for HGV drivers to allow for queuing traffic to pass;

- (d) arrangements for liaison with the Roads Authority regarding winter maintenance;
- (e) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
- (f) 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;
- (g) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
- (h) 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;
- (i) details of information signs to inform other road users of construction traffic;
- (j) arrangements to ensure that access for emergency service vehicles are not impeded;
- (k) co-ordination with other significant developments known to use roads affected by construction traffic;
- (l) traffic arrangements in the immediate vicinity of temporary construction compounds;
- (m) the provision and installation of traffic counters at the applicant's expense at locations to be agreed prior to the commencement of construction;
- (n) monitoring, reporting and implementation arrangements;
- (o) arrangements for dealing with non-compliance; and
- (p) details of HGV movements to and from the site.

The CTMS as approved shall be strictly adhered to during the entire site construction programme.

4. Reason – In the interests of pedestrian and traffic safety. The measures contained in approved drawings 09 and 10 for the proposed safeguarding and continued operation, or replacement, of the private water sources, private water supply storage facilities and private water supply pipes serving properties in the vicinity, sited within and running through the application site, shall be put in place prior to the commencement of the development and shall thereafter be so maintained insofar as it relates to the development hereby approved.

Reason – To ensure existing water and drainage infrastructures are not compromised.

5. Prior to the commencement of the development hereby approved, a management plan indicating any temporary diversions and signage needed to facilitate the development and/or any works proposed to the right of way/core path as part of the development shall be submitted for the written agreement of the Council as

Planning Authority. The plan as agreed shall be implemented in accordance with the timings identified in the plan.

Reason – To ensure continued public access to the public paths and in the interests of public safety within the site.

6. Prior to the commencement of the development hereby approved, details of the passing place to be formed on the track, including its width and precise location, shall be submitted for the written agreement of the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason – To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the 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 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. This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. The required information must be submitted via the ePlanning portal if your original application was lodged that way, otherwise send it to us at [developmentmanagement@pkc.gov.uk](mailto:developmentmanagement@pkc.gov.uk). Please be aware that a fee is payable in respect of each request made, though there is no limit to the number of conditions that can be discharged in a single request. The Fees Charter is available on our website [www.pkc.gov.uk](http://www.pkc.gov.uk). The Council has two months to consider the information. You should therefore submit the required information more than two months before your permission expires. We cannot guarantee that submissions made within two months of the expiry date of your permission will be able to be dealt with before your permission lapses.
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.

DRAFT