

PLANNING AND PLACEMAKING COMMITTEE

Minute of hybrid meeting of the Planning and Placemaking Committee held in Council Chambers, 2 High Street, Perth on Wednesday 6 July 2022 at 10.00am.

Present: Councillors I Massie, G Stewart, H Anderson, B Brawn, D Cuthbert, E Drysdale, D Illingworth, I James, B Leishman, C McLaren, C Reid, R Watters, and M Williamson.

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

Councillor I Massie, Convener, Presiding.

1. WELCOME AND APOLOGIES

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

2. DECLARATIONS OF INTEREST

Councillor B Leishman declared a non-financial interest in Item 5(2)(i) – 21/01673/FLL.

3. MINUTES

- (i) The minute of meeting of the Planning and Development Management Committee of 13 April 2022 be approved.
- (ii) The minute of hybrid meeting of the Planning and Placemaking Committee of 1 June 2022 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.	Item No.
21/01673/FLL	5(2)(i)
21/02279/FLL	5(2)(iv)

5. APPLICATIONS FOR DETERMINATION

(1) Major Applications

- (i) **21/02284/FLM - Erection of 78 dwellinghouses, formation of SUDS pond, landscaping and associated works, land 90 metres east of 16 Hebridean Gardens, Kincardine Road, Crieff - Report No. 22/160 – Campion Homes Ltd**

Resolved:

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

Conditions**General**

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.

Finishes

2. 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 residential amenity; to ensure a satisfactory standard of local environmental quality.

Landscaping and Biodiversity

3. Prior to the commencement of the development hereby approved, 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.
4. Prior to the commencement of development hereby approved, a Site Biodiversity Action Plan confirming the quantity, locations, techniques, timescales and monitoring arrangements of biodiversity enhancement measures recommended in supporting Preliminary Ecological Appraisal by David Dodds Associates Ltd dated August 2021 shall be submitted for the written agreement of the

Council as Planning Authority. The submission should clearly show how enhancement measures have been incorporated into design schemes and architects' drawings to ensure they are realised. The scheme as subsequently approved shall be carried out and completed to the satisfaction of the Council as Planning Authority.

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

5. The play park shall be implemented as part of the site development programme and completed in full prior to the occupation of the final dwellinghouse, to the satisfaction of the Council as Planning Authority.

Reason - In the interests of the amenity of the area and to ensure the satisfactory implementation of the play area.

Ground Contamination

6. Development shall not commence on site until an evaluation for the potential of the site to be affected by contamination by a previous use has been undertaken and, as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) has been submitted for consideration and accepted by the Council as Planning Authority. If the preliminary risk assessment identifies the need for further assessment, an intrusive investigation shall be undertaken to identify;

- I the nature, extent and type(s) of contamination on the site
- II measures to treat/remove contamination to ensure the site is fit for the use proposed
- III measures to deal with contamination during construction works
- IV condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the measures to decontaminate the site shall be fully implemented in accordance with the scheme subsequently agreed by the Council as Planning Authority. Verification that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

7. Development shall not commence on site until a detailed sustainable urban drainage system (SUDS) has been submitted for the written agreement of the Council as Planning Authority, in consultation with SEPA where necessary. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C753) and the Council's Flood Risk and Flood Risk Assessments Developer Guidance, and shall incorporate source control. All works shall be carried out in accordance with the agreed scheme and be

operational prior to the bringing into use of the development.

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

Transport

8. Prior to the commencement of the development hereby approved, the developer shall submit for the further agreement of the Council as Planning Authority, in consultation with the Roads Authority (Structures), a Construction Traffic Management Scheme (TMS) 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 TMS as approved shall be strictly adhered to during the entire site construction programme.

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 Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. This 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. Please send the required information to us at developmentmanagement@pkc.gov.uk. Please be aware that the Council has two months to consider the information (or four months in the case of a Major planning permission). You should therefore submit the required information more than two months (or four months) before your permission expires. We cannot guarantee that submissions made within two months (or four months) of the expiry date of your permission will be able to be dealt with before your permission lapses.
5. 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.

6. The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.
7. The applicant is advised to refer to Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2021 as it contains advice relevant to your development.
https://www.pkc.gov.uk/media/48541/Flood-Risk-Flood-Risk-Assessment/pdf/Flood_Risk_Flood_Risk_Assessments_adopted_March21.pdf?m=637647027940470000
8. 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. Please note there is a charge for this service and submission cannot be made until the relevant Building Warrant has been approved.
9. 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.
10. No work shall be commenced until an application for building warrant has been submitted and approved.

- (ii) **22/00142/AMM - Approval of matters specified in conditions of permission 16/01348/IPM (erection of 45 dwellinghouses, 3 garages and associated infrastructure (revised design)), land 150 metres south west of Dobbies Garden Centre, East Huntingtower, Perth – Report No. 22/161 – Barratt North Scotland**

Resolved:

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 that the development is carried out in accordance with the plans approved.

2. No later than two months prior to the commencement of development hereby approved, an updated Construction Environment Management Plan (CEMP), incorporating a Construction Method Statement (CMS), a Construction Traffic Management Plan (CTMP), a Site Waste Management Plan (SWMP), a Site Access Management Plan, a Drainage Management Plan (DMP) and Environmental Management Plan (EMP) detailing pollution prevention and control measures for all phases of the felling, construction and operation programmes for Phases 2-5 shall be submitted to and be approved in writing by the Council as Planning Authority, in consultation with Scottish Environment Protection Agency. The CTMP shall identify measures to control the use of any direct access onto the A85 trunk road. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed plan.

The CEMP shall incorporate detailed pollution avoidance and mitigation measures for all construction elements. Thereafter the development shall be fully undertaken in accordance with the CEMP.

Reason - In the interest of protecting environmental quality; to mitigate the adverse impact of development traffic on the safe and efficient operation of the trunk road.

Road and Traffic

3. No dwelling shall be occupied until the agreed level of financial contribution with Transport Scotland to address the impact of the development at the Broxden Roundabout on the A9 trunk road has been paid to Transport Scotland.

Reason - To mitigate the adverse impact of the development on the safe and efficient operation of the trunk road network.

4. In conjunction with Condition 2, and two months 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 Plan (CTMP) 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) 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;
- i) arrangements to ensure that access for emergency service vehicles are not impeded;
- j) monitoring, reporting and implementation arrangements; and
- k) arrangements for dealing with non-compliance.

The CTMP as approved shall be strictly adhered to during the entire site construction programme, to the satisfaction of the Council as Planning Authority.

Reason - In the interests of vehicle and pedestrian safety.

5. Prior to the occupation of any dwellinghouse hereby approved, 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.

Reason - In the interest of vehicle and pedestrian safety and in accordance with the policies of the adopted Perth and Kinross Local Development Plan 2014.

6. Prior to the commencement of development a scheme, including a layout plan and cross-sections, that identifies the location and confirms adequate space within the below ground service zone is available to allow for possible future provision of district heating pipes shall be submitted for the further written agreement of the Council as Planning Authority. The scheme must include timescales and any phasing for provision of the service zone within the site. The agreed scheme shall thereafter be implemented in accordance with the agreed details and timescales.

Reason - To allow district heating to be incorporated within the site at a future date.

Flooding and Drainage

7. Concurrent with the initiation of the development hereby approved, and for the duration of construction, a temporary surface water treatment facility shall be implemented on 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 unless otherwise agreed in writing by the Council as Planning Authority.

Reason - To prevent flood risk; to ensure that the efficiency of the existing drainage network is not affected.

8. Prior to commencement of development, full surface water drainage proposals to identify details proposed to mitigate plots at a level below the road shall be submitted to and approved in writing by the Council as Planning Authority in consultation with the Flood Authority. The details as approved shall be implemented in full, concurrent with development and completed prior to the occupation the relevant dwellinghouse to which the drainage measures relate.

Reason - To alleviate flood risk at affected properties.

External Lighting

9. 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 including the A9 and that light spillage beyond the boundaries of the site is minimised to the satisfaction of the Council as Planning Authority.

Reason - In the interest of residential amenity; to ensure that there will be no distraction or dazzle to drivers on the road, and that the safety of the traffic on the road will not be diminished

Biodiversity and Landscaping

10. Prior to the commencement of the development hereby approved, 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 - In the interest of residential amenity; to ensure that the development integrates within the landscape and with the remaining phases of this residential development.

11. Prior to the commencement of development hereby approved, the applicant shall submit a Preliminary Ecological Appraisal Report for approval by the Council as Planning Authority, in consultation with the Council's Biodiversity Officer. Thereafter, any conclusions and recommendations from this report shall be fully adhered to, respected and undertaken as part of the construction phase of this development.

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).

12. No Trees or Hedgerows within the development site shall be lopped, topped or removed without the prior written authority of the Council as Planning Authority. Prior to the commencement of development hereby approved the applicant shall submit a tree survey and construction plan confirming any tree protection measures or those trees / hedgerows to be removed. All trees/ hedgerows identified for retention shall be protected by suitable fencing in accordance with BS5837 2012 (Trees in Relation to Construction). No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written agreement of the Council as Planning Authority.

Reason - To ensure adequate protection for the trees on the site during the construction, in the interests of the visual amenity of the area become established within five years being replaced in the following planting season with others of a size and species as previously approved.

Noise

13. Construction work shall be limited to Monday to Friday 07:00 to 19:00 and Saturday 08:00 to 13:00 with no noisy works out with these times or at any time on Sundays.

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

14. Prior to the commencement of development hereby approved, the developer shall submit a glazing specification for all windows to bedrooms for the entire development, for the written approval of the planning authority. The windows shall have a minimum sound insulation performance to ensure that first floor bedrooms can achieve the following internal sound levels:

- Daytime 35 dB LAeq,16 hour

- Night time 30 dB LAeq, 8 hour

Thereafter the approved window specification shall be installed to the satisfaction of the Planning Authority, prior to the occupation of each dwelling.

Reason - In the interests of residential amenity.

15. Prior to the commencement of development hereby approved, the developer shall submit a scheme including a plan of the affected properties for the proposed means of ventilation for all bedrooms that are required to be closed to achieve internal sound levels, as detailed below, for the written approval of the Planning Authority. This shall enable each bedroom to be adequately ventilated without the need for opening windows and thus minimising noise ingress. The sound insulation performance for the ventilation system shall have a minimum sound insulation performance to ensure that first floor bedrooms can achieve the following internal sound levels:

- Daytime 35 dB LAeq, 16 hour
- Night time 30 dB LAeq, 8 hour

Thereafter the approved scheme of ventilation shall be installed to the satisfaction of the planning authority prior to the occupation of each dwelling.

Reason - In the interests of residential amenity.

Dust

16. Prior to the commencement of development the applicant shall submit to the Council as Planning Authority, an Air Quality Impact Assessment Report. This report shall confirm all dust management and or mitigation measures to be applied during construction activities. Thereafter, all mitigation measures agreed shall be followed at all times during construction.

Reason - In the interests of residential amenity.

Justification

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure from the relevant policies.

Informatives

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this permission 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.

3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 41 the notice must be:
 - Displayed in a prominent place at or in the vicinity of the site of the development
 - Readily visible to the public
 - Printed on durable material.
5. The applicant is advised that in terms of Sections 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.
6. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 they 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).
7. There is evidence of Hogweed present on the overall site. This is an invasive species which may require a licence from SEPA for its disposal. Advice should be sought from the Scottish Environment Protection Agency (SEPA).
8. Any changes to the approved site layout plan that requires a planning application shall also require a revised noise impact assessment to be submitted to demonstrate that the layout will not adversely affect the resultant noise levels to external and internal amenity spaces.
9. No work shall be commenced until an application for building warrant has been submitted and approved.
10. A felling licence may be required for the removal of the southern boundary woodland. Forestry Commission Scotland should be contacted for advice.

11. The applicant is reminded that this site is still subject to a Section 75 Legal Agreement securing Developer Contribution requirements and other matters, as secured as part of planning permission 16/01348/IPM. This permission continues to be tied by this legal agreement and the associated requirements will continue to apply. The terms of the obligation can be viewed via PKC [Public Access](#) or at the Registers of Scotland (www.ros.gov.uk).

(2) Local Applications

HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEM
COUNCILLOR B LEISHMAN LEFT THE CHAMBERS.

- (i) **21/01673/FLL - Relocation of driving range, erection of golf academy building and shop, formation of parking area, part diversion of core path, landscaping and associated works, Murrayshall House Hotel, Murrayshall, Perth – Report No. 22/162 – Stellar Murrayshall LLP**

Mr G Silcock, on behalf of Murrayshall Country Estate and Ms E Shaw, on behalf of the agent, addressed the Committee and answered members questions.

Resolved:

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. Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site, including the SUDS pond 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 - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

3. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size, species and number to the satisfaction of the Council as Planning Authority.

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, 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.

5. 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 retained and 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 implementation of the tree protection measures outlined in the submitted Tree Survey.

6. The tree protection measures outlined in the approved Tree Survey (doc ref:36), Tree Protection Plan (doc ref: 37) and Tree Protection Specification shall be fully implemented on site for the duration of construction operations.

Reason - To ensure implementation of the tree protection measures outlined in the submitted Tree Survey.

7. The conclusions and recommended action points within the supporting biodiversity survey submitted and hereby approved (doc ref: 33) shall be fully adhered to, respected and undertaken as part of the construction phase of development, to the satisfaction of the Council as Planning Authority.

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

8. Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of

trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day

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).

9. 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 20 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 the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

10. In the event, that justified complaints for noise are received by the Council, the applicant at their own expense, shall employ a consultant to carry out an assessment of noise from the development, with the appointment and methodology to approved in writing by the Planning Authority. Thereafter recommendations/ mitigation measures along with timescales for implementation will be submitted to the Planning Authority within 28 days of the assessment.

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

11. Prior to the commencement of the development hereby approved, full details of the specification and design of all of the lighting on site 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.

Reason – In the interests of visual and residential amenity.

12. 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 the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

13. The hours of operation of external floodlighting shall be restricted to between 0800 and 2300 hours only.

Reason - In the interests of visual and residential amenity.

14. 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 (TMS) 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 the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
- e) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
- f) 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;
- g) details of information signs to inform other road users of construction traffic;
- h) arrangements to ensure that access for emergency service vehicles are not impeded;
- i) co-ordination with other significant developments known to use roads affected by construction traffic;
- j) traffic arrangements in the immediate vicinity of temporary construction compounds;
- k) the provision and installation of traffic counters at the applicant's expense at locations to be agreed prior to the commencement of construction;
- l) monitoring, reporting and implementation arrangements;
- m) arrangements for dealing with non-compliance; and
- n) details of HGV movements to and from the site

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

Reason - In the interests of pedestrian and traffic safety and in the interests of residential amenity.

15. Prior to the commencement of the development hereby approved, a management plan indicating any temporary diversions and associated fencing (including on the east side of the area where the core path is proposed to be diverted from)/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 agreement of the Council as Planning Authority. This plan should demonstrate the temporary measures which are to be put in place until any formal diversion of the core path and right of way is approved. The plan as agreed shall be implemented in accordance with the timings identified in the plan.

Reason - To ensure that public access is maintained at all reasonable times, to the local path network.

16. Prior to the commencement of the development hereby approved, full details of the proposed fencing/signage associated to the final diverted core path route shall be submitted to and approved in writing by the Planning Authority. The signage, as approved in writing, shall be installed as part of the works to form the diversion and shall be installed in full prior to the path diversion being brought into use.

Reason – To ensure provision of appropriate signage on the diverted route to guide users.

17. Prior to the commencement of the development hereby approved, 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 subsequently agreed protective or replacement measures shall be put in place prior to the development being brought into use and shall thereafter be so maintained insofar as it relates to the development hereby approved.

Reason – In order to prevent impact on existing private water supplies.

18. Prior to the occupation/bringing into use of the development hereby approved, full details of any alterations/works to and future use if retained for the existing driving range and associated buildings shall be submitted to and subsequently approved in writing by the Planning Authority. The details, as approved in writing shall be implemented within 6 months of the new driving range being brought into use.

Reason – In the interests of visual amenity and to ensure the character of the Perth Green Belt is not detrimentally impacted upon.

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 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 requiring of a building warrant shall be commenced until an application for building warrant has been submitted and approved.
5. The developer should make contact with the Council's Enforcement Officer (Trees), developmentmanagement@pkc.gov.uk or planningenforcement@pkc.gov.uk to ensure the implementation of the tree protection measures on site.
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 granting of planning permission does not alter the status of the existing core path SCON/7 and right of way 39/7. An order to stop up and divert the affected path under the Town and Country Planning (Scotland) Act 1997, Section 208 or an amendment of the core path under the Land Reform (Scotland) Act 2003, may be required.
8. The applicant shall ensure the private water supply for the dwellinghouse/ development complies with the Water Scotland Act 1980 (Section 63), The Private Water Supplies (Scotland) Regulations 2006 and The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017. Detailed information

regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above Act and Regulations.

9. 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.
10. The applicant is advised that a Scottish Water main is located within the site and the developer should take account of the advice contained within Scottish Water's consultation response dated 19 October 2021 in this regard.
11. The applicant is advised that the granting of planning permission 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.

COUNCILLOR B LEISHMAN RETURNED TO THE CHAMBERS.

- (ii) **21/02187/IPL - Renewal of permission 18/01855/IPL (residential development), land 100 metres north west of Shciehallion, Crook of Devon – Report No. 22/163 – Mr S Shand, Mr N Morrison, Mr R Muir and Mr J Jenkins**

Resolved:

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

Conditions

1. The development shall not commence until the following matters have been approved by the Planning Authority through the submission of an application or applications for approval of matters specified in conditions:
 - a) A detailed levels survey (existing and proposed) and cross sections showing proposed finished ground and floor levels of all buildings forming part of the development, relative to existing ground levels and a fixed datum point;
 - b) The siting, design, height and external materials of all buildings or structures;
 - c) A detailed Otter Survey undertaken by a qualified ecologist.

- d) Details of vehicular access to the site, the provision car parking spaces and turning facilities;
 - e) A detailed specification for the improvements to the surface of the existing shared access from the public road to the entrance of Nine Acres;
 - f) Details of the proposed surface water drainage scheme (SUDs);
 - g) Details of all proposed landscaping, planting, screening and boundary treatment;
 - h) Details of suitable storage for waste disposal/collection;
 - i) A detailed tree survey of all existing trees within and immediately adjacent to the development site.
2. The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2020 in line with Policy 20: Affordable Housing of the Perth & Kinross Local Development Plan 2 (2019), or such subsequent Guidance and Policy which may replace these.
Reason - To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2020.
3. The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2020 in line with Policy 5: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2 (2019) with particular regard to primary education infrastructure, or such subsequent Guidance and Policy which may replace these.
Reason - To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2020.
4. 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.
Reason - This is a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006.

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. Application for the approval of matters specified in conditions shall be made before the expiration of 3 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.
2. The approved development shall be commenced not later than the expiration of 3 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.
3. Applicants are advised that should their application for Approval of Matters specified be refused and/or their appeal against such refusal dismissed outwith the three year time limit they are entitled to submit a revised application for Approval of Matters specified within six months after the date of refusal of the earlier application or of the dismissal of an appeal against such refusal.
4. Records indicate that at least part of the proposed development site lies within a radon affected area where the measurement/monitoring of radon gas and the installation of mitigation measures may be required.
5. Further information on radon gas and the associated reports that can be obtained is available at www.ukradon.org and at <http://shop.bgs.ac.uk/georeports/>.

(iii) 21/02133/AML - Erection of 10 dwellinghouses, 6 garages and associated works (approval of matters specified in conditions of 18/01855/IPL), land to the west of Innerdownie, Crook of Devon – Report No. 22/164 – Mr S Shand

Motion (Councillor R Watters and D Cuthbert)

Refuse, as proposal is contrary to the Local Development Plan 2 (2019), Policies 1A and 1B placemaking, Policy 1B(c) design and density and Policy 17 residential areas.

Amendment (Councillor D Illingworth and I James)

Grant, subject to the conditions, terms and informatives contained in Report 22/164.

In terms of Standing Order 21.5 a roll call vote was taken.

7 members voted in accordance with the Motion as follows:
Councillors B Brawn, D Cuthbert, E Drysdale, B Leishman, C Reid, R Watters and M Williamson.

6 members voted in accordance with the Amendment as follows:
Councillors H Anderson, D Illingworth, I James, I Massie, C McLaren, G Stewart

Resolved:

In accordance with the Motion.

THE COMMITTEE TOOK A 10 MINUTE RECESS.

- (iv) **21/02279/FLL - Change of use, alterations and extension to agricultural steading to form 6 dwellinghouses, erection of 2 dwellinghouses and associated communal and ancillary childings, installation of solar arrays, formation of access road, parking area and associated works, Kinvaid Farm, Moneydie, Perth – Report No. 22/165 – Kisst LTD**

Mr G Black, on behalf of Luncarty, Redgorton and Moneydie Community Council, Mr S Carracher, on behalf of objectors to the application, followed by Mr J Frullani, agent and Mr P Thomson, applicant, addressed the Committee and answered members questions.

Motion (Councillors D Illingworth and H Anderson)

Grant, subject to the conditions, terms and informatives contained in Report 22/165.

Amendment (Councillors I James and E Drysdale)

Refuse, as the proposal is contrary to the Local Development Plan 2 (2019) Policies 1B(b) and 1B(c).

In terms of Standing Order 21.5 a roll call vote was taken.

6 members voted in accordance with the Motion as follows:
Councillors H Anderson, D Illingworth, I Massie, C McLaren, C Reid and G Stewart.

7 members voted in accordance with the Amendment as follows:
Councillors B Brawn, D Cuthbert, E Drysdale, I James,
B Leishman, R Watters and M Williamson

Resolved:

In accordance with the Amendment.

(v) **21/02280/LBC - Alterations and extension to buildings to form 6 dwellinghouses, Kinvaid Farm, Moneydie, Perth – Report No. 22/166 – Kisst LTD**

Resolved:

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. Development shall not commence until the developer has secured an archaeological standing building survey, to be carried out by an independent and suitable qualified archaeological organisation. The scope of the archaeological standing building survey will be set by Perth and Kinross Heritage Trust on behalf of the Council as Planning Authority. The name of archaeological organisation retained by the developer shall be given to the Planning Authority and Perth and Kinross Heritage Trust in writing not less than fourteen days before the commencement date provided in the Notice of Initiation of Development. Copies of the resulting survey shall be deposited in the National Monuments Records for Scotland and in the Perth and Kinross Historic Environment Record upon completion of the survey.

Reason - To ensure an appropriate archaeological standing building survey is carried out and the resulting survey is recorded properly.

3. Prior to the commencement of the development hereby approved, full details of the method and extent of duntaking and reinstatement of stonework and brickwork required in connection with the works to the listed building hereby approved shall be submitted to and agreed in writing by the Council as Planning Authority. The works as agreed shall be implemented as part of the development.

Reason - In the interests of protecting the special character of the Listed Building.

4. Prior to the commencement of the development hereby approved, elevation and section details of the proposed new windows/doors at 1:20 scale shall be submitted to and agreed in writing by the Council as Planning Authority. The windows/doors 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 protecting the special character of the Listed Building.
5. 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 protecting the special character of the Listed Building.

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 listed building consent will last only for 3 years from the date of this decision notice, unless the development has been started within that period (see section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as amended by Section 20 of the Planning etc (Scotland) Act 2006).
2. This is approval of your application Ref no 21/02280/LBC for listed building consent only. It does not include any approval for your related planning application Ref no 21/02279/FLL. No work should commence until planning permission is granted.
3. This listed building consent 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. The Council has two months to consider the information. You should therefore submit the required information more than two months before your consent expires. We cannot guarantee that submissions made within two months of the expiry date of your consent will be able to be dealt with before your consent lapses.
4. No work shall be commenced until an application for building warrant has been submitted and approved.

THE COMMITTEE TOOK A 30 MINUTE RECESS FOR LUNCH AND RECONVENED AT 2.20PM.

- (vi) **22/00140/AML - Erection of a dwellinghouse (approval of matters specified in conditions of 19/01540/IPL), land 20 metres north east of Cairn Cottage, Kinnochtry, Coupar Angus – Report No. 22/167 – Mr G Burke Jr**

Motion (Councillors I Massie and E Drysdale)

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. The existing hedge that runs the length of the eastern boundary shall be retained as part of the development of the site and thereafter maintained to the satisfaction of the Council as Planning Authority.
Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

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. The approved development shall be commenced not later than the expiration of 3 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is 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.
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.
 5. The applicant is advised that the granting of planning permission 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.
 6. The planning permission decision notice shall not be issued until such time as the required Developer Contributions have been secured or paid in full.
 7. 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.

Amendment (Councillors D Illingworth and C Reid)

Grant, subject to the conditions, terms and informatives contained in Report 22/167, along with an additional condition requiring the use of slate tiles.

In terms of Standing Order 21.5 a roll call vote was taken.

5 members voted in accordance with the Motion as follows:
Councillors B Brawn, D Cuthbert, E Drysdale, I James, B Leishman, I Massie, G Stewart, R Watters and M Williamson

4 members voted in accordance with the Amendment as follows:
Councillors H Anderson, D Illingworth, C McLaren, C Reid

Resolved:

In terms with the Motion.

- (vii) **22/00429/FLL - Change of use and alterations to former bank (class 2) to form hot food takeaway and installation of replacement flue, The Royal Bank of Scotland, Drummond Street, Comrie, Crieff – Report No. 22/168 – Mr A Minhas**

Resolved:

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. Servicing of and deliveries to the premises shall be carried out between 0700 and 1900 Monday to Saturday only, with no servicing or deliveries permitted on Sundays.
Reason - In order to safeguard the neighbouring residential amenity in the area.
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 20 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 neighbouring residential amenity in the area.
4. Prior to the development hereby approved being completed or brought into use, an effective ventilation system commensurate with the nature and scale of cooking to be undertaken shall be installed and operated such that cooking odours are not exhausted into or escape into any neighbouring buildings. Thereafter the system shall be maintained.
Reason - In order to safeguard the amenity of occupants of nearby premises and to ensure the provision of a satisfactory ventilation system for the premises.
5. Existing fixing points shall be re-used when installing the replacement flue.
Reason - To avoid further damage to the masonry and to preserve the listed building.

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 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.
5. This is approval of your application Ref no 22/00429/FLL for planning permission only. It does not include any approval for your related Listed Building Consent Ref no 22/00716/LBC. You should therefore not commence work until you have received Listed Building Consent. Carrying out alterations without Listed Building Consent is an offence.
6. The applicant is advised that any proposed signage will require a further application to be submitted for Listed Building Consent and Advertisement Consent.

6 Proposal of Application Notices (PAN)

- (i) **22/00011/PAN - Erection of 2 transformers, control building, associated plan and infrastructure, ancillary facilities, laydown areas, construction compound, siting of welfare/site office units, landscaping and associated works, land 170 metres north west of Studio Cottage, Tummell Bridge – Report No. 22/169**

Councillor Williamson requested that access to the site, a possible traffic management plan and the potential impact of flooding all be considered.

The contents of the Head of Planning & Development's Report were noted.

- (ii) **22/00012/PAN - Residential development with associated landscape framework and infrastructure (in part, allocated site H69), land at Forfar Road, Meikle – Report No. 22/170**

Councillor James requested that consultation takes place with Perth and Kinross Countryside Trust in regard to footpaths.

The contents of the Head of Planning & Development's Report were noted.

- (iii) **22/00014/PAN - Erection of 50 dwellinghouses, formation of SUDS, landscaping, footpaths and associated works (allocated site H24), land 150 metres south-west of Moncur Farm, Moncur Road, Inchtute – Report No. 22/171**

Councillor James requested that noise levels be considered.

The contents of the Head of Planning & Development's Report were noted.