

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Minute of meeting of the Planning and Development Management Committee held virtually on Tuesday 25 August 2020 at 10.00am.

Present: Councillors R McCall, B Brawn, H Anderson, M Barnacle, T Gray, D Illingworth, I James, C Purves, C Reid, M Williamson and W Wilson.

In Attendance: K Smith, J Scott, A Condliffe, B Nichol, L MacLean, A Rennie, C Elliott, D Williams, A Brown and A Taylor (all Corporate and Democratic Services); J Escott and L Reid (both Housing and Environment); C Wright and B Parker (all IT).

Apologies: Councillors E Drysdale and R Watters.

Councillor R McCall, Convener, Presiding.

1. WELCOME AND APOLOGIES

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

2. DECLARATIONS OF INTEREST

There were no Declarations of Interested made in terms of the Councillors Code of Conduct.

3. MINUTES

The minute of meeting of the Planning and Development Management Committee 29 July 2020 was submitted, approved as a correct record and authorised for signature.

4. DEPUTATIONS

There were no requests for deputations.

5. APPLICATIONS FOR DETERMINATION

(1) Major Application

- (i) 20/00607/FLM - SCONE - Section 42 application to modify Condition 3 (occupancy) of permission 11/00850/FLM, land north of Perth Airport, Scone – Report 20/136 – Morris Leslie Ltd**

Resolved:

Refuse, for the following reasons:

- 1. The Proposal is contrary to the Perth and Kinross Local Development Plan 2 (2019) Policy 6 - Settlements, as the

proposed modification would result in 52 permanent residential dwellings being located outwith any defined settlement boundary as contained in LDP2. There is no operational need or required housing market need for such dwellings at this location. No material considerations submitted by the applicant justify departing from the policy objectives of Local Development Plan 2 (2019) Policy 6 – Settlements.

2. The proposal is contrary to the Perth and Kinross Local Development Plan 2 (2019) Policy 19 – Housing in the Countryside, supported by the Housing in Countryside Supplementary Guidance 2020, as the proposed modification would result in 52 permanent residential dwellings being located within the open countryside and does not meet any of the six housing in the countryside criteria. No material considerations submitted by the applicant justify departing from the policy objectives of Local Development Plan 2 (2019) Policy 19 – Housing in the Countryside and the 2020 Supplementary Guidance on Housing in the Countryside.
3. The proposal is contrary to the Perth and Kinross Local Development Plan 2 (2019) Policy 22 – Particular Needs Housing Accommodation as the proposed modification would result in 52 permanent residential retirement dwellings being located within the open countryside and does not meet any of qualifying criteria as such developments should be located in residential areas where residents have access to local services and facilities and are integrated within the local community. No material consideration submitted by the applicant justify departing from the policy objectives of Local Development Plan 2 (2019) Policy 22 – Particular Needs Housing Accommodation.
4. The proposal is contrary to the Perth and Kinross Local Development Plan 2 (2019) Policy 25 – Housing Mix as the proposed modification to create 52 permanent residential dwellings would not provide an appropriate mix of house types and sizes. No material considerations have been submitted by the applicant justify departing from these policy objectives of Local Development Plan 2 (2019) Policy 25 – Housing Mix.
5. No information has been provided to confirm the arrangements for waste water drainage within the proposed development through a private treatment facility. The applicant has therefore failed to demonstrate that the waste water arrangements for the development are appropriate and that these would accord with Perth and Kinross Local Development Plan 2 (2019) Policy 53: Water Environment and Drainage.
6. No information has been provided to confirm the arrangements of waste service provision, including provision

of waste facilities and a lack of swept path analysis of the approved road layout and its capability to appropriately accommodate refuse vehicles. The applicant has therefore failed to demonstrate that the waste service arrangements for the development are appropriate and that these would accord with Perth and Kinross Local Development Plan 2 (2019) Policy 1B(i): Placemaking and Policy 60B: Transport Standards and Accessibility Requirements – New Development Proposals.

7. No information has been provided to confirm the biodiversity status of the site in terms of woodland and habitats to establish the possible presence of protected species or biodiversity sensitive areas. The applicant has therefore failed to demonstrate that the proposed development has appropriately considered biodiversity matters and that the proposals would accord with Perth and Kinross Local Development Plan 2 (2019) Policy 40: Forestry, Woodland and Trees and Policy 41: Biodiversity.

Justification

The proposal fails to accord with the Development Plan and there are no material considerations to justify a departure from the Development Plan.

(2) Local Applications

- (i) **20/00230/FLL - KELTYBRIDGE - Erection of a dwellinghouse (in part retrospect), land north of Winchester, Main Street, Keltybridge – Report 20/137 – Pelaton Limited**

Resolved:

Grant, subject to the following conditions 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 re-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.

3. Prior to the re-commencement of any works on site, the existing hedge which has a Root Protection Area 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 protect the existing hedge during construction.

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, Fig 5.6 access detail.

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

5. 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.

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. 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 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. 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.
5. The applicant should take note of the information and advice contained within the consultation response from Scottish Water.
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. 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.
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/>

6. PROPOSAL OF APPLICATION NOTICE (PAN)

- (i) **20/00005/PAN - ABERNETHY - Extension of substation, comprising installation of 2 replacement transformers and plan equipment, formation of access track, hardstanding, laydown area, SUDS, associated works and infrastructure at land south of Jamesfield Garden Centre, Abernethy – Report 20/138) – Scottish Hydro Electric Transmission Plc**

Councillor Wilson requested that consideration be given to the access to the site both during the construction and developed phases, water courses and flooding, and the proximity to both the rail network and main road.

Councillor Anderson requested that consideration be given to congested areas on surrounding roads, and noise and light issues particularly during the construction phase.

Members noted the issues identified by the Head of Planning and Developments Report.