

# 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 13 December 2023 at 10.10am.

Present: Councillors I Massie, G Stewart, K Allan, B Brawn, D Cuthbert, K Harvey, D Illingworth, I James, B Leishman, Bailie C McLaren, R Watters and Bailie M Williamson.

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

Apologies: Councillor C Reid.

Councillor I Massie, Convener, Presiding.

Due to technical issues the start of the meeting was delayed from 9.30am until 10.10am.

## 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 interest made in terms of the Councillors Code of Conduct.

## 3. MINUTES

The minute of meeting of the Planning and Placemaking Committee of 15 November 2023, be approved.

## 4. DEPUTATIONS

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

<b>Planning Application No.</b>	<b>Item No.</b>
22/02223/AMM	5(1)(i)
23/00833/IPM	5(1)(ii)
23/01294/FLM	5(1)(iii)
22/01815/FLL	5(2)(i)
22/02191/FLL	5(2)(ii)
23/01000/FLL	5(2)(v)
23/01278/LBC	5(2)(vi)
23/01025/FLL	5(2)(vii)

In terms of Standing Order 2.8, Councillor Massie moved to suspend Standing Orders and reduce the time limit of deputations from 10 minutes to 5 minutes each.

A roll call vote was taken as follows.

12 members voted to agree:

Councillors K Allan, B Brawn, D Cuthbert, K Harvey, D Illingworth, I James, B Leishman, I Massie, Bailie C McLaren, G Stewart, R Watters and Bailie M Williamson.

No members voted to disagree and therefore the motion was carried.

## 5. APPLICATIONS FOR DETERMINATION

### (1) Major Applications

- (i) **22/02223/AMM – Erection of 210 dwellinghouses, formation of landscaping, SUDS, and associated works (approval of matters specified in conditions of 16/02127/IPM) (Phase 2A), Scone North, Scone**

Councillor H Anderson, local member; Ms L Martin, objector on behalf of Scone and District Community Council, followed by Mr J Stephen, applicant, addressed the Committee and answered Members' questions.

**Resolved:**

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

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

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

3. The Construction Environment Management Plan (CEMP) submitted to satisfy Condition 19 of planning permission 16/02127/IPM shall be implemented concurrent with the development. The CEMP will remain a dynamic document throughout the duration of construction and until the completion of development. The CEMP can be amended as necessary to meet best

practice in terms of environment or ecology. Any amended document shall be submitted to the Planning Authority as soon as reasonably practicable citing the relevant amendment and appropriate guidance.

Reason: In the interest of protecting environmental quality and of biodiversity.

4. 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 paths (SCON/12 and SCON/13) as part of the development (including timings and resurfacing works post completion) shall be submitted for the written approval of the Council as Planning Authority. The plan as approved shall thereafter be implemented in accordance with the timing identified in the plan.

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

5. Prior to commencement of any hereby approved development, a detailed design showing the location of bus stops shall be submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority, taking into account the requirement to provide a haldo pillar with a live power supply and a hard standing area, suitable for the provision of a three bay bus shelter in future. The applicant shall detail the timing of the delivery of the hardstanding and haldo pillars. The hardstanding area and haldo pillar with a live power supply, as approved in writing, shall be implemented in accordance with the approved details to the satisfaction of the Council as Planning Authority and undertaken at the dates agreed with the Planning Authority.

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

6. All road gullies within 500m of a waterbody or Sustainable Urban Drainage (SUDS) pond shall have wildlife kerbs installed adjacent to the gully.

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).

7. All trees identified for retention and any peripheral trees bounding the site, which may be affected by any element of the approved development and its associated construction, (including land within the blue site area) shall be protected in full accordance with BS 5837: 2012 'Trees in relation to design, demolition and construction'.

Reason: In the interest of tree protection in the interests of biodiversity and amenity of the area.

8. The detailed landscaping and planting proposal specifications as hereby approved shall be undertaken

and delivered commensurate with the residential development elements and thereafter maintained to the satisfaction of the Council as Planning Authority. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar sizes and species 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 and in pursuance of satisfying placemaking policy criteria of the adopted LDP.

9. Prior to the commencement of the development hereby approved, an evaluation for the potential of the site to be affected by contamination by a previous use should be undertaken and as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) will be submitted for consideration by the Council as Planning Authority. If after the preliminary risk assessment identifies the need for further assessment, an intrusive investigation should 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 agreed measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.

Reason: In order to deal with any potential contamination of the site as a result of its former use.

10. The hereby approved development shall not commence until a detailed sustainable urban drainage system (SUDS) has been submitted for the further 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 provide effective drainage for the site.

11. 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 provide effective drainage for the site.

12. 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 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

### **Justification**

The proposals are considered to remain in accordance with the Development Plan and there are no material considerations which justify refusal of the planning application.

### **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 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.

4. 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.
5. The applicant should be advised to contact Perth & Kinross Council Street Lighting Department to obtain technical approval for all street lighting provision.
6. The applicant is reminded that, should any protected species be present a licence may be required from NatureScot to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance.
7. 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. 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, including construction phasing.
9. No work shall be commenced until an application for building warrant has been submitted and approved.
10. There is a continued requirement for a Section 75 legal obligation associated with Planning Permission in Principle 16/02127/IPM, relating to:
  - Community Facility delivery
  - Contribution towards Sports Facilities, including provision towards Sportspitches and pavilion
  - Open Space provision and maintenance
  - Compensatory Tree planting
  - Public Transport movement
  - Affordable Housing
  - Structure Planting delivery.A copy is available to view on the Council's Public Access portal.
11. The occupation threshold of 167 residential units prior to the CTRLR becoming operational, associated with Planning Permission in Principle 16/02127/IPM, remains applicable and enforceable against that permission.
12. The applicant is advised to refer to Perth & Kinross Council's Flood Risk and Flood Risk Assessments Supplementary Guidance, and the CIRIA SuDS manual as it contains advice relevant to your development. Note for future Phase 2B: Due to the topography of Phase 2B cut off drains along the northern boundary of

the development site should be considered in the drainage strategy.

FOLLOWING A 5 MINUTE RECESS, THE COMMITTEE RECONVENED.

- (ii) **23/00833/IPM - Mixed-use development comprising spa and leisure facility, including ancillary food and drink; holiday accommodation including lodges, luxury units and timeshare/vacation ownership properties, extension to hotel central delivery hub for deliveries, staff facilities and relocated greenkeeping services, outdoor pursuits, small-scale residential conversion of existing greenkeepers compound and associated works, including photovoltaic array servicing access, drainage and landscaping, Murrayshall House Hotel, Murrayshall, Perth, PH2 7PH**

Mr D Scott, on behalf of Murrayshall Residents Group, Mr M Butler and Ms C Cooper, and Mr S Hay and Ms M Elphinstone, all objectors to the application, followed by Ms A Ewing, agent on behalf of the applicant, and Mr G Silcock, applicant, addressed the Committee and answered Members' questions.

**Motion (Baillie C McLaren and Councillor D Illingworth)**

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

1. This planning permission in principle will last only for five years from the date of this decision notice, unless the development has been started within that period.  
Reason: In accordance with the terms of Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006.
2. The scale, massing, layout and design of the masterplan and information contained within the supporting documentation to this application as submitted is purely indicative and is not approved.  
Reason: The application is for planning permission in principle only at this stage and details of a layout would be considered in subsequent applications for the Approval of Matters Specified in Conditions.
3. No works in connection with the development hereby approved shall take place until full details of the siting, design, external appearance and landscaping of the development and the means of access serving the development (hereinafter referred to as the 'Approval of Matters Specified Condition' (AMSC)) have been submitted to and approved in writing by the Planning Authority. The specified matters include:
  - (i) an updated masterplan and a phasing plan;

- (ii) 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 phase, relative to existing ground levels and a fixed datum point; details of all cut and fill operations;
- (iii) the siting, design, height and external materials of all buildings, structures, roads and camping areas;
- (iv) the details of all accesses, roads, car parking, vehicle turning facilities, footpaths, cycleways, path connections throughout the development;
- (v) the details of public road widening/improvement and footpath improvement/connections;
- (vi) details of any screen walls/fencing to be provided
- (vii) measures to maximise environmental sustainability through design, orientation and planting or any other means;
- (viii) submission of a landscape plan showing details of all hard and soft landscaping, structure planting and screening associated with the development of each phase;
- (ix) the lighting of all roads and paths;
- (x) the layout of any play areas and the equipment to be installed;
- (xi) details of watercourse alignments and any de-culverting
- (xii) full details of the proposed means of disposal of foul and surface water from the development;
- (xiii) details of car charging points to be provided within the car park;
- (xiv) updated ecological/biodiversity/protected species/breeding bird survey;
- (xv) submission of Construction and Environment Management Plan (CEMP);
- (xvi) archaeological assessment;
- (xvii) noise impact assessment;
- (xviii) air quality impact assessment; and
- (xix) details of waste management provision.

Reason: To ensure that the matters referred to within this Planning Permission is Principle are given full consideration and to accord with the requirements of Section 59 Town and Country Planning (Scotland) Act 1997 (as amended).

4. As part of any application for the Approval of Matters Specified by Condition (AMSC) or detailed application a signing strategy for the development shall be undertaken for the local road network, along with a date for their implementation shall be agreed in writing by the Council as Planning Authority.

Reason: In the interests of road safety.

5. As part of the first application for the Approval of Matters Specified by Condition (AMSC) or detailed application a



detailed design showing mitigation for the public road network to accommodate the development are subject to detailed approval required by the Council as Roads Authority to the satisfaction of the Planning Authority. The vehicular mitigation, as approved in writing, shall be implemented in accordance with the approved details to the satisfaction of the Council as Planning Authority and undertaken prior to commencement of works on site.  
Reason: In the interests of pedestrian and traffic safety.

6. No part of the development shall be occupied until a Travel Plan, aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. The Travel Plan 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 (including the provision of new and/or enhanced sustainable transport access to the site), the system of management, monitoring, review, reporting and the duration of the plan.  
Reason: To promote sustainable transport options.
7. Prior to the commencement of the development hereby approved, the applicant 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 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.

Reason: In the interest of proper site management.

8. 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.

9. 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.

10. 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 transport 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.

11. In pursuance of Condition 3 (vii), (viii) and (xv), as part of any application for the Approval of Matters Specified by Condition (AMSC), an updated woodland/tree survey with clear impact assessment of the proposed development on trees and woodland shall be submitted. The survey shall include measures for the retention of the identified veteran trees.

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

12. In pursuance of Condition 3 (vii) and (viii), as part of any application for the Approval of Matters Specified by Condition (AMSC), a tree protection plan, Arboricultural Impact Assessment and Arboricultural Method Statement shall be submitted.

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

13. In pursuance of Condition 3 (xiv), as part of any application for the Approval of Matters Specified by Condition (AMSC), an ecological survey undertaken by suitably qualified and experienced persons, including specific survey for badger, red squirrel and bats in trees including any licensing requirements shall be submitted.

Reason: In the interests of protecting biodiversity.

14. As part of any application for the Approval of Matters Specified by Condition (AMSC) a Site Biodiversity Action Plan including biodiversity enhancement measures shall be submitted.

Reason: In the interests of protecting and enhancing biodiversity.

15. In pursuance of Condition 3 (ix), as part of any application for the Approval of Matters Specified by Condition (AMSC), information regarding lighting during construction and operation of the site shall be submitted. Development lighting should be low lux-level, downward facing and directed away from hedgerows, treelines and woodland to avoid fragmentation of foraging and commuting opportunities for bats.

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

16. As part of any application for the Approval of Matters Specified by Condition (AMSC) an Invasive Non-Native Species (INNS) Management Plan shall be submitted.

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

17. The detailed design for Areas 2, 8 and 11 shall include a minimum 6m buffer left free of development from the banks of the watercourse. A detailed site layout clearly

annotated with pre- and post-development ground and finished floor levels (mAOD) should be submitted for the subsequent approval of PKC Flooding and Structures in consultation with SEPA.

Reason: In order to take account of the flood risk from the adjacent watercourse.

18. Where relevant, any application for the Approval of Matters Specified by Condition (AMSC) shall include details of any proposed bridges or culverts and these shall be designed with an appropriate freeboard above the 0.5%AEP+CC water level and maintained as such in perpetuity.

Reason: In the interests of flood prevention.

19. In pursuance of Condition 3 (iv) and (v), a landscape plan providing the design, promotion and maintenance standards of all public open space including proposed paths, core paths and rights of way shall be submitted as part of any application for the Approval of Matters Specified by Condition (AMSC). The core paths/rights of way must be respected and incorporated within landscaped public open space green corridors. Existing core paths and rights of way must not be obstructed during construction or on completion. Any diversions to these core paths/rights of way must be created and be available for use prior to any works which would require closure of the existing core path and right of way.

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

20. Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Archaeological Investigation (WSI) which has been submitted by the developer and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust (PKHT). Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. Should the archaeological works, as required by the WSI, identify a requirement for post-excavation analysis, the development as approved shall not be occupied or brought into use until a Post-Excavation Research Design (PERD) has been submitted to and agreed in writing by the Council as Planning Authority, in consultation with PKHT. The PERD shall be carried out in complete accordance with the approved details. Furthermore, the developer shall afford access at all reasonable times to PKHT or a nominated representative and shall allow them to observe work in progress.

Reason: To ensure archaeological monitoring is carried out to safeguard and record any archaeological remains within the development area.

21. Any application for the Approval of Matters Specified by Condition or detailed application on any part of the site within or where it may affect an area covered by a pipeline consultation zone will require the further approval of HSE and the pipeline operators.

Reason: Development and activities within these areas may be limited in the interests of the protection of the public.

22. As part of the first application for approval of matters specified, a Pipeline Protection Scheme shall be submitted to and approved in writing by the Planning Authority in consultation with the HSE and the pipeline operators and HSE. The Pipeline Protection Scheme shall indicate how the development will proceed in relation to the pipelines which cross the application site. It shall include details of any required exclusion zones, details of levels and dimensions of the development in relation to the pipelines, any required pipeline protections, scope of works and work methods including laying of new services and any roads, cycle or footpaths which have the potential to encroach upon the pipelines. The details of the Pipeline Protection Scheme, as approved in writing, shall be implemented as part of the development of the site and maintained as such.

Reason: Development and activities within these areas may be limited in the interests of the protection of the public.

23. In pursuance of Condition 3 (xviii), an updated Noise Impact Assessment (NIA) shall be undertaken by a suitably qualified consultant and submitted to the Planning Authority as part of any application for the Approval of Matters Specified by Condition (AMSC). The NIA should include all noise sources associated with the development and assess impact on neighbouring residential properties.

Reason: In the interests of amenity and to prevent undue noise.

24. Any application for the Approval of Matters Specified by Condition that includes the solar photovoltaic array shall include a Glint and Glare Assessment. The assessment shall be undertaken by a suitably qualified consultant and should be carried out in line with the PagerPower Solar Photovoltaic and Building Development - Glint and Glare 2021 Guidance.

Reason: In the interests of landscape and visual amenity.

25. In pursuance of Condition 3 (xix), an updated Air Quality Impact Assessment (AQIA) shall be undertaken by a suitably qualified consultant and submitted to the

- Planning Authority as part of any application for the Approval of Matters Specified by Condition (AMSC).  
Reason: In the interests of protecting air quality.
26. With the exception of the repurposed building group identified as Area 13 on the masterplan, the development hereby approved shall be used solely for holiday accommodation and shall not be occupied as the sole or main residence of any occupant.  
Reason: In order to clarify the terms of the permission; to control and restrict the use of the buildings.
27. As part of any Approval of Matters Specified by Condition (AMSC) application, an Updated Flood Risk Assessment, shall be submitted for approval of the Council as Planning Authority, in consultation with SEPA where necessary. Thereafter the development shall be fully undertaken in accordance with the agreed Flood Risk Assessment.  
Reason: To reduce flood risk.
28. As part of any Approval of Matters Specified by Condition (AMSC) application, an updated Drainage Strategy including detailed sustainable urban drainage system (SUDS) shall be submitted for approval of the Council as Planning Authority, in consultation with SEPA where necessary. The strategy and 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 provide effective drainage for the site.
29. 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 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.

### **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. Part of the approved development includes 'caravans', i.e. the 'lodges and cabins'. The developer is advised that caravans require to be licensed under the terms of Section 1 of the Caravan Sites and Control of Development Act 1960 and therefore a licence application should be made to Environmental Health. Application forms are available at <https://www.pkc.gov.uk/article/15600/Licence-caravan-site>.
2. The applicant is advised that the granting of planning consent does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
3. Where necessary, no work shall be commenced until an application for building warrant has been submitted and approved.
4. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
5. The granting of planning permission does not stop the continued right of public access along the existing core paths SCON/7, SCON/15 and SCON/50 . An order under the Town and Country Planning (Scotland) Act 1997, Section 208 or an amendment of the Core Path Plan under the Land Reform (Scotland) Act 2003 should be sought in advance of any works authorised by this planning permission being commenced. All relevant approvals should be in place prior to any stopping up and diversion of the core path taking place.
6. The applicant is advised that any proposed signage will require a further application to be submitted for advertisement consent, unless it benefits from express consent as per the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.
7. 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).
8. Advice on the disposal of surface water should be sought at the initial stages of design from Scottish Water and SEPA.

9. 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 consent to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.

FOLLOWING A 10 MINUTE RECESS, THE COMMITTEE RECONVENED.

Amendment (Councillors B Brawn and D Cuthbert)

Refuse, as the proposal is contrary to Policies 8: Rural Business and Diversification and 43: Green Belt of Perth and Kinross Local Development Plan 2 and Policy 8: Green Belts of National Planning Framework 4, due to the location and scale of the proposed development.

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

7 members voted for the Motion as follows:

Councillors D Illingworth, I James, I Massie, Bailie C McLaren, G Stewart, R Watters and Bailie M Williamson.

5 members voted for the Amendment as follows:

Councillors K Allan, B Brawn, D Cuthbert, K Harvey and B Leishman.

**Resolved:**

In accordance with the Motion.

- (iii) **23/01294/FLM - Formation of a 49.9MW solar farm comprising ground mounted solar arrays, inverters, transformers, a substation, security fencing, CCTV cameras, cabling, access tracks and associated works, land 130 metres south east of Coupar Angus Substation, Pleasance Road, Coupar Angus**

Mr D Galloway, Mr and Mrs Button, all objectors to the application, followed by Mr P Phillips, agent on behalf of the applicant via telephone, addressed the Committee and answered Members' questions.

**Resolved:**

**Refuse**, for the following reasons:

1. The development, owing to its size, appearance and location raises significant landscape character and visual impact concerns, failing to contribute positively to the quality of the surrounding built and natural environment. The development is considered contrary to Policies 1A and 1B of the LDP2 2019 as well as the Council's Placemaking Supplementary Guidance.



2. The development, owing to inadequate mitigation in seeking to offset landscape concerns raised, fails to comply with Policy 11 of the National Planning Framework 4.
3. Development and land use change should be compatible with the distinctive characteristics and features of Perth and Kinross's landscapes. The development, owing to its scale, area, and open location, on the main approach roads to Coupar Angus, will erode the local distinctiveness of landscape character at this location significantly impacting the visual integrity of the area. The development is not considered to comply with Policy 39 of the LDP2 2019.
4. The development, owing to its scale, massing, and location may contribute to the cumulative loss of prime agricultural land within a wider setting, whilst also resulting in the loss of food production potential and food security over its lifetime. The development does not comply with NPF4 Policy 5 and LDP2 2019 Policy 50.

THE COMMITTEE TOOK A 45 MINUTE RECESS FOR LUNCH AND RECONVENED AT 2.00PM.

## **(2) Local Applications**

### **(i) 22/01815/FLL - Erection of four dwellings, land 70 metres east of St Madoes Church, St Madoes**

Mr K Stephen, via telephone, followed by Ms A Clark, both objectors to the application, addressed the Committee and answered Members' questions.

#### **Motion (Councillors D Cuthbert and I James)**

Refuse, as the proposal for 4 dwellinghouses neighbouring a church and a graveyard with lairs which continue to be used for burials, fails to contribute positively to the quality of the surrounding built and natural environment contrary to policy 1A and is further contrary to policies 1B (a) and (b): of the Placemaking Policies of Perth and Kinross Local Development Plan 2 (2019).

#### **Amendment (Baillie M Williamson and Councillor I Massie)**

Grant, in accordance with the conditions contained in Report 23/353.

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

In terms of Standing Order 24.1, Councillor B Leishman was not permitted to participate in the taking of a decision, having lost connection during discussion.

6 members voted for the Motion as follows:  
Councillors K Allan, B Brawn, D Cuthbert, K Harvey, I James,  
and R Watters

5 members voted for the Amendment as follows:  
Councillors D Illingworth, I Massie, Bailie C McLaren G Stewart,  
and Bailie M Williamson.

**Resolved:**

In accordance with the Motion.

FOLLOWING A 5 MINUTE RECESS, THE COMMITTEE RECONVENED.

**(ii) 22/02191/FLL - Erection of 5 holiday accommodation units,  
land at Old Hotel Gardens, Kinloch Rannoch**

Dr I Buchan and Mrs G Buchan, objectors to the application,  
followed by Mr C Main, agent on behalf of the applicant,  
addressed the Committee via telephone and answered  
Members' questions.

**Motion (Councillors B Brawn and D Cuthbert)**

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

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. The development hereby approved shall be used solely  
for holiday accommodation and shall not be occupied as  
the sole or main residence of any occupant.  
Reason: In order to clarify the terms of the permission; to  
control and restrict the use of the building.
4. 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 neighbouring  
residential amenity in the area.

5. 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.
6. Prior to the commencement of development a pre-start meeting shall be held with Perth & Kinross Council Enforcement Officer (Trees), and the applicants Arboricultural Consultant & Site Manager to examine completion of pre-emptive tree-works/tree removals, tree protection measures, and agree site management/storage areas/use of non-dig techniques and proprietary ground protection systems. The measures as agreed shall be fully implemented as part of the planning permission.  
Reason: To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.
7. The development shall be undertaken in full compliance with the Tree Protection Plan & Arb Method Statement by Hinshelwood Arboricultural Consultants dated September 2023 submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.  
Reason: To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.
8. Prior to the commencement of development, a reporting schedule for the Arb Consultant shall be submitted to and agreed in writing by Council as Planning Authority.  
Reason: To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.
9. Tree works shall be undertaken in accordance with BS 3998: 2010 Recommendations for Tree Work. Tree works to take cognisance of nesting season and avoid disturbance to nesting birds.  
Reason: To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.
10. Development shall not commence until a detailed Construction Method Statement (CMS) has been submitted to the Council as Planning Authority and agreed in writing. The CMS must identify measures to prevent harmful materials entering the River Tay SAC, which could reduce water quality and lead to a damaging impact on the salmon, otter and lamprey interests. The CMS should include the following:

- (a) pollution prevention safeguards including drainage arrangements and the possible use of siltation traps, settlement tanks and bunds
- (b) storage and disposal of materials including the siting of stockpiles, use of buffer strips and disposal methods
- (c) construction site facilities including extent and location of construction site huts, vehicles, equipment, fuel, chemicals and materials compound
- (d) timing, duration and phasing of construction particularly in relation to salmon and lamprey migration/spawning.

The CMS and mitigations as agreed shall be fully implemented as part of the planning permission.

Reason: In order to ensure the development does not impact negatively on the nearby Special Area of Conservation.

11. 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.

12. Prior to commencement of any development on site, a detailed design for the private access from the public road to the car parking shall be submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority, providing details of its widening and surface finishing. The improves for the private access, as approved in writing, shall be implemented in accordance with the approved details to the satisfaction of the Council as Planning Authority and undertaken prior to the occupation of the first unit.

Reason: In the interests of road safety; to ensure that a satisfactory standard of road is provided timeously in the interest of the amenity of the residents.

13. 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 the Flood Team. 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.

14. The development shall be connected to the existing sewer network within the B846 subject to levels. If a connection cannot be secured details of a private drainage solution including septic tank will be required to be submitted and agreed with the Council as Planning Authority prior to the commencement of development.  
Reason: To ensure the provision of effective drainage for the site.
15. Prior to the commencement of development, a Biodiversity Enhancement Plan shall be submitted to and agreed in writing by Council as Planning Authority. The plan as agreed shall be fully implemented as part of the planning permission.  
Reason: To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

### **Justification**

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

### **Informatives**

1. 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](http://www.ukradon.org) and at <http://shop.bgs.ac.uk/georeports/>.
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 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.
6. Part of the approved development includes holiday accommodation or Short-term Let accommodation (STL). The developer is advised that holiday accommodation and STLs require to be licensed under the terms of Article 3 of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2021 and therefore a licence application should be made to Perth and Kinross Council prior to operation commencing. Further information and application forms are available at <https://www.pkc.gov.uk/shorttermlets>.
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.
9. 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.

10. 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](https://www.pkc.gov.uk/media/48541/Flood-Risk-Flood-Risk-Assessment/pdf/Flood_Risk_Flood_Risk_Assessments_adopted_March21.pdf?m=637647027940470000)

Amendment (Councillors I James and Bailie M Williamson)

Refuse, due to the proposal being an unsatisfactory change of use to holiday accommodation instead of residential accommodation and therefore contrary to Policies 1A and 1B(a) and (b): Placemaking of Perth and Kinross Local Development Plan 2 (2019).

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

7 members voted for the Motion as follows:  
Councillors K Allan, B Brawn, D Cuthbert, D Illingworth, I Massie, G Stewart and R Watters

5 members voted for the Amendment as follows:  
Councillors K Harvey, I James, B Leishman, Bailie C McLaren and Bailie M Williamson.

**Resolved:**

In accordance with the Motion.

BAILIE C MCLAREN TEMPORARILY LEFT THE MEETING AT THIS POINT.

- (iii) **23/00192/FLL – Change of use of vacant land to form EV charging hub and hydrogen refuelling station, including provision of amenity kiosk, charging apparatus and associated works, land 60 metres west of 5 Broxden Avenue, Perth**

**Resolved:**

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

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 occupation or use of any part of the development, a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car shall be submitted to and approved in writing by the Council as Planning Authority, after in consultation with Transport Scotland as the Trunk Road Authority. The Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan.

Reason: To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport.

4. Prior to the commencement of development details of a barrier along the boundary of the trunk road to prevent access to the trunk road shall be submitted to and agreed in writing by of a type approved by the Council as Planning Authority, after in consultation with Transport Scotland as the Trunk Road Authority. The barrier as agreed shall be provided completed prior to the use of the development and shall be maintained by the developer or subsequent owner of the land. along the boundary of the site with the trunk road.

Reason: To minimise interference with the safety and free flow of the traffic on the trunk road; and to minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents.

5. Prior to the commencement of any works development on site, details of the lighting within the site shall be submitted for the approval of the Council as Planning Authority, after in consultation with Transport Scotland as the Trunk Road Authority. Thereafter the lighting as approved shall be implemented prior to bringing into use of the development.

Reason: To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.

6. There shall be no drainage connections to the trunk road drainage system.

Reason: To ensure that the efficiency of the existing drainage network is not affected.

7. 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 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 including confirmation that all vehicles transporting construction material to and from the proposed development shall be sheeted.

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

Reason: In the interest of proper site management.

8. Prior to the commencement of development confirmation of the surface water discharge line connection shall be submitted to and agreed in writing by the Council as

Planning Authority in consultation with the Flood Team. This shall consist of the original arrangement for this discharge and/or agreement from Scottish Water regarding the connection to their system. The connection as agreed shall be implemented as part of the development the site and operational prior to the use of the development hereby approved.

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

### **Justification**

The proposal is in not accordance with LDP2 but complies with NPF4 and is considered to be a justified minor departure from LPD2.

### **Procedural Notes**

1. The planning permission decision notice shall not be issued until such time as the required Developer Contributions have been secured or paid in full.
2. 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. Please use the form attached herewith.
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. Please use the form attached herewith.
3. 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.

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. 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.
5. 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/ldp2floodrisk>

FOLLOWING A 5 MINUTE RECESS, THE COMMITTEE RECONVENED.

- (iv) **23/01095/FLL - Erection of a dwellinghouse, land 20 metres north of The Orchard, Lochty, Almondbank**

It was noted that this application had been withdrawn from this agenda.

- (v) **23/01000/FLL - Part change of use of agricultural building and land to form dog agility/training facility, formation of parking, erection of fencing, installation of lighting and associated works (in retrospect), land north of Glenheart Farm, Glenlomond, Kinross**

Mr C Adams, objector to the application via telephone, followed by Mr N Gray, agent and Ms C Yeaman, applicant, addressed the Committee and answered Members' questions.

**Resolved:**

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

1. The hours of operation shall be restricted to between 1400 hours and 2100 hours Monday to Thursday and 0900 and 1400 hours Friday only.  
Reason: In order to safeguard the residential amenity of the area.

2. The maximum number of dogs per session at any given time shall be 8.  
Reason: In order to safeguard the residential amenity of the area.
3. The submitted and approved Noise Management Plan 'Glenheart Dog Training & Agility- Glenheart Farm' V1.1 dated September 2023 undertaken by Ellendale Environmental plan ref 12 ,which includes hours of operation, maximum dog numbers and measures that will be implemented to adequately control and minimise noise from the premises, including the complaint investigation procedure, shall be fully implemented, and adhered to. The Plan shall be reviewed on a regular basis and/or following receipt of a justified complaint or at the request of the Planning Authority in consultation with Environmental Health.  
Reason: In order to safeguard the residential amenity of the area.
4. In the event, that justified complaints for noise are received by the Council as Planning Authority in consultation with Environmental Health, within 14 days of written request by the Council as Planning Authority, the applicant shall at their own expense employ a consultant to carry out an assessment of noise from the development, with the appointment and methodology to be approved in writing by the Planning Authority. Thereafter, recommendations/mitigation measures along with timescales for implementation will be incorporated into a revised Noise Management Plan (NMP) and submitted to the Planning Authority within 28 days of the assessment.  
Reason: In order to safeguard the residential amenity of the area.
5. The submitted and approved Waste Management Plan dated November 2023 (plan ref 14) shall be implemented to adequately control and minimise odour from the premises. The Plan shall be reviewed on a regular basis and/or following receipt of a justified odour complaint or at the request of the Planning Authority in consultation with Environmental Health.  
Reason: In order to safeguard the residential amenity of the area.
6. Servicing or maintenance at the site shall be carried out between 0700 and 1900 Monday to Friday only.  
Reason: In order to safeguard the residential amenity of the area.
7. 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 road safety; to prevent a possible danger to road users by avoiding excessive glare or brightness.

8. Floodlighting associated with the arena shall be switched off during the hours of 2200 to 0800 hours.

Reason: In order to safeguard the residential amenity of the area.

### **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. 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.
2. Further information on radon gas and the associated reports that can be obtained is available at [www.ukradon.org](http://www.ukradon.org) and <http://shop.bgs.ac.uk/georeports/>.

### **(vi) 23/01278/LBC - Removal of existing bridge and erection of a replacement footbridge, Pitlochry Railway Station, Station Road, Pitlochry**

Provost X McDade, local member, followed by Ms K Howie, objector to the application, addressed the Committee and answered Members' questions.

### **Motion (Baillie M Williamson and Councillor R Watters)**

Refuse, as the proposal is contrary to National Planning Framework 4, Policy 7b: Historic Assets and Places and Perth and Kinross Local Development Plan 2 (2019), Policy 27B: Demolition of Listed Buildings, as the listed footbridge would be removed. This would also adversely impact on the wider railway station. The replacement footbridge in its proposed location has not been justified as an exceptional circumstance for the removal of the existing footbridge.

### **Amendment (Councillors D Illingworth and I Massie)**

Grant, in accordance with the conditions contained in Report 23/358.

In terms of Standing Order 21.5 a roll call vote was taken. Having temporarily left the meeting, Baillie C McLaren did not take part in the vote.

9 members voted for the Motion as follows:  
Councillors K Allan, B Brawn, D Cuthbert, K Harvey, I James,  
B Leishman, G Stewart, R Watters and Bailie M Williamson

2 members voted for the Amendment as follows:  
Councillors D Illingworth and I Massie.

**Resolved:**

In accordance with the Motion.

BAILIE C MCLAREN REJOINED THE MEETING AT THIS POINT.

**(vii) 23/01025/FLL - Part change of use of flat to form short-term let accommodation unit (in retrospect), Flat G, Fiscals House, 3 South Street, Perth, PH2 8NJ**

Mr F Purdie, objector to the application, followed by Ms D Barron, applicant, addressed the Committee and answered Members' questions.

**Resolved:**

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

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. Permission is hereby granted for a limited period until 13 December 2026.  
Reason: In light of the nature of the proposal and in order that the Planning Authority may retain control over the future use of the land.

**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. Part of the approved development includes holiday accommodation or Short-term Let accommodation (STL). The developer is advised that holiday accommodation and STLs require to be licensed under the terms of Article 3 of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2021 and therefore a licence application should be made to Perth and Kinross Council prior to operation commencing. Further information and application forms are available at <https://www.pkc.gov.uk/shorttermlets>.

2. 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 floor plan in the interest of accuracy.

## 6. PROPOSAL OF APPLICATION NOTICES (PAN)

- (i) **23/00014/PAN - Extension to battery energy storage system comprising of 144 additional battery units and associated works, land 130 metres south east of Coupar Angus Substation, Pleasance Road, Coupar Angus**

Councillor Cuthbert requested due consideration be given to the cumulative impact of other similar developments around Coupar Angus and exploration of developer contributions to a community benefit fund or similar.

Councillor Brawn requested due consideration be given to access for emergency vehicles.

The contents of the Report by the Strategic Lead (Economy, Development and Planning) were noted.

- (ii) **23/00015/PAN - Formation of a battery energy storage facility, including welfare and storage units, ancillary structures, control room, switchgear room, steel enclosures containing inverters, security and deer fencing, landscaping and associated works, land 800 metres east of Coupar Angus Substation, Pleasance Road, Coupar Angus**

Councillor Cuthbert requested due consideration be given to the cumulative impact of other similar developments around Coupar Angus and exploration of developer contributions to a community benefit fund or similar.

Councillor James also requested due consideration be given to the cumulative impact of similar developments around Coupar Angus.

The contents of the Report by the Strategic Lead (Economy, Development and Planning) were noted.

- (iii) **23/00016/PAN - Residential development (allocated site H61), land 120 metres west of 10 Cairns Park, New Alyth**

The contents of the Report by the Strategic Lead (Economy, Development and Planning) were noted.