

## DEVELOPMENT MANAGEMENT COMMITTEE

Minute of meeting of the Development Management Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 5 July 2017 at 10.00am.

Present: Councillors M Lyle (Convener), B Brawn (Vice-Convener), H Anderson, B Band, M Barnacle, H Coates (up to and including Art.\*\*3(i)), E Drysdale, T Gray, I James, R McCall, W Robertson (substituting for W Wilson) and R Watters.

In Attendance: Councillors A Bailey, I Campbell and A Forbes (all up to and including Art.\*\*3(i)); N Brian, A Condliffe, M Barr, S Callan, A Deans, D Niven, M Petrie and R Stewart (all The Environment Service); G Fogg and H Rheinallt (both Corporate and Democratic Services).

Apology: Councillor W Wilson.

Councillor M Lyle, Convener, Presiding.

### . WELCOME AND APOLOGIES

The Convener welcomed everyone to the meeting and an apology was noted as above.

### . DECLARATIONS OF INTEREST

There were no Declarations of Interest in terms of the Councillors' Code of Conduct.

### . MINUTE OF PREVIOUS MEETING

The minute of meeting of the Development Management Committee of 24 May 2017 (Arts. 294-299) was submitted, approved as a correct record and authorised for signature.

### . DEPUTATIONS

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

| Planning Application No. | Art. No. |
|--------------------------|----------|
| 16/00999/AMM             | **2(ii)  |
| 16/01491/FLL             | **3(i)   |

### . APPLICATIONS FOR DETERMINATION

#### (1) Applications Previously Considered

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
5 JULY 2017

- (i) **16/00326/FLL – KINNESSWOOD – Part demolition, change of use and extension to hotel to form dwellinghouse, erection of 4 dwellinghouses and associated works at land 40 metres North West of Bonaly Cottage, Main Street, Kinnesswood – Report – 17/244 – Lime Blue Design Build**

**Resolved:**

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

**Conditions**

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning permission.
2. Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth and Kinross Council's Road Development Guide specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.
3. Prior to the development hereby approved being completed or brought into use, turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
4. Prior to the development hereby approved being completed or brought into use a minimum of 2 No. car parking spaces per dwelling shall be provided within the site.
5. Within 6 months of the date of this decision notice, full details of a bin presentation area close to Main Street shall be submitted and approved in writing by the Planning Authority. The details shall ensure that adequate provision for bin collection is provided whilst respecting the character and visual amenity of the Conservation Area. The details, as approved, shall be implemented as part of the site development to the satisfaction of the Planning Authority.
6. Within 6 months of the date of this decision notice, a sample of the proposed natural stone, light buff render, natural slate and composite window materials shall be submitted to and approved in writing by the Planning Authority. The scheme as agreed, shall be implemented prior to the completion or bringing into use of the development, whichever is earlier.
7. Within 6 months of the date of this decision notice, full details of all proposed hard and soft landscaping shall be submitted to and approved in writing by the Planning Authority. The details shall include hedge boundaries to all plots and full details of a planting scheme along the entire south west boundary of the site together with the finishing material of the access track and boundary walls. The

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
5 JULY 2017

details shall include the species, planting density and stock sizes for all planting. The scheme as agreed, shall be implemented prior to the completion or bringing into use of the development, whichever is earlier.

8. All works to buildings or structures that may be used by bats (such as demolition, roof stripping, excavations or building works or associated operations) shall only be carried out under the direction of a licensed bat ecologist to ensure that an offence is not committed.
9. All trenches associated with the development shall be dug with sloping sides. Open pipework/culverts shall be sealed at the end of each working day.
10. Demolition works shall only take place between 1 December and 31 March to reduce the risk of disturbing any bats present to the satisfaction of the Council as Planning Authority.
11. Within 6 months of the date of this decision notice, 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. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.
12. The walls which previously formed the south western end of the Lomond Inn building shall be rebuilt in natural stone to a height of 900mm and be retained as part of the walling for the garden ground/patio of plot 1 to the satisfaction of the Council as Planning Authority. These works should be undertaken as part of the works to develop plot 1 and completed in their entirety prior to the occupation of plot 1.
13. All slates removed from the demolished buildings shall be retained and re-used, where possible, in the new

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
5 JULY 2017

development to the satisfaction of the Council as Planning Authority.

14. The use of replacement UPVC rainwater goods on the former Lomond Inn (plot 1) is not approved. The rainwater goods on plot 1 shall be new cast iron to match the existing or the existing cast iron rain water goods should be retained and repaired where necessary all to the satisfaction of the Council as Planning Authority.

**Justification**

The revised set of conditions ensures the Planning Authority retains control over the submission of the required information to discharge the conditions and ensures that the planning permission which is issued is legally competent given the unfortunate early commencement of development on site.

**(2) Major Applications**

- (i) **16/01861/FLM – RATTRAY – Erection of 217 dwellinghouses, formation of open space, landscaping and associated infrastructure works, Glenalmond Road, Rattray – Report**

This item had been withdrawn from the agenda.

- (ii) **16/00999/AMM – ERROL – Mixed use development comprising of 240 dwellinghouses, garages, commercial and associated infrastructure (approval of matters specified in conditions 13/01823/FLM) at Morris Leslie, Errol Airfield, The Grange, Errol – Report 17/246 – Morris Leslie Limited**

S Callan, Planning Officer, requested that, should the Committee be minded to grant the application, an additional condition 29 be included.

Mr P Symon, objector to the application, Councillor A Bailey, and Councillor A Forbes, followed by Mr McIntyre, agent for the applicant, addressed the Committee and, following their respective representations, withdrew to the public benches.

**Resolved:**

**Grant**, subject to the following terms, conditions and informatives, including an additional condition 29 as undernoted:

**Conditions**

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
5 JULY 2017

2. Prior to the occupation of any residential plot, 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.
3. Prior to the occupation of any residential plot, details of the specification including materials of all footpaths and cycleways shall be submitted to the Planning Authority for further approval. The agreed detail shall thereafter be implemented prior to the completion of the 50<sup>th</sup> dwelling.
4. The detailed landscaping and planting scheme including the sports pitch as approved shall be implemented fully within one calendar year of the commencement of development 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.
5. Prior to the commencement of development a detailed location and layout of the proposed children's play area shall be submitted for the further approval of the Planning Authority. The play area(s) shall be designed, laid out and equipped in accordance with the Planning Authority's current criteria for play area provision within six months of the commencement of development of the site. The play area and its facilities/equipment shall thereafter be maintained to the satisfaction of the Council as Planning Authority.  
For the avoidance of doubt only one equipped play area for 4-8 & 8-14 years which complies with the Council's Play Standards shall be provided within the site. All other proposed play areas should be unequipped.
6. Prior to the commencement of development a detailed delivery and phasing plan shall be as submitted for the approval of the Planning Authority. The agreed detail shall thereafter be fully implemented.  
For the avoidance of doubt the location of the commercial area as shown on the masterplan is in general acceptable but is not fully approved by this permission as they are still indicative at this stage. Further detailed application(s) will be required for the exact scale and design of the structures.
7. The developer shall ensure that during the construction of the development that all surface water is controlled, treated and discharged under the principles of SUDS, as contained in the SUDS Manual (C697) and Site Handbook for the Construction of SUDS (C698) published by CIRIA,

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
5 JULY 2017

- all to the satisfaction of the Council as Flood Authority. On completion of development all as-built records of all SUDS shall be provided to the Council as Planning Authority.
8. The Finished Floor Level of all properties shall be a minimum of 600mm above the 200 year flood level.
  9. All existing trees and hedging within the site and on the boundaries shall be retained. The development shall fully comply with, respect and remain in full accordance with BS5837 2012: *'Trees in relation to construction, demolition and construction. Recommendations'*.
  10. The mitigation measures as described by the Energised Environments Noise Impact Assessment dated 22 December 2016 shall be put in place prior to the occupation of any dwelling house.
  11. 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.
  12. Servicing of and deliveries to any commercial premises shall be carried out between 0700 and 1900 Monday to Sunday and at no other time to the satisfaction of the Council as Planning Authority.
  13. Prior to the commencement of development a Construction Traffic Management Scheme (CTMS) must be submitted for the approval of the Planning Authority. The submission of a Construction Method Statement must also be included in the submission. The Construction Traffic Management Scheme should include the following details:  
Restrictions of construction traffic to approved routes and the measures to be put in place to avoid other routes being used. Heavy construction traffic should avoid the use of Murie, Inchcoonans, Errol, Grange and Inchtur Level Crossings.
  14. Prior to the commencement of development the exact level and location of recycling facilities shall be submitted to and approved by the Planning Authority in consultation with Waste Services. The agreed detail must thereafter be implemented in full prior to the occupation of the first dwelling.
  15. Prior to the commencement of works on site, an evaluation for the potential of the site to be affected by contamination by a previous use should be undertaken. An intrusive investigation should be undertaken to identify:
    - i. The nature, extent and type(s) of contamination on the site

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
5 JULY 2017

- 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.

- 16. No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Planning Authority for approval.
- 17. No works which include the creation of trenches, culverts or the presence of pipes will commence until measures to protect animals from becoming trapped in open excavations and/or pipes and culverts are submitted to and approved in writing by the planning authority. The measures could include, but are not restricted to, creation of sloping escape ramps from trenches and excavations and securely sealing open pipework at the end of each working day.
- 18. If the development hereby approved does not commence or, having commenced, is suspended for more than 12 months within 2 years from the date of the planning decision notice, the approved ecological measures secured through the applicant's Biodiversity Study of April 2016 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of protected species and ii) identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
5 JULY 2017

- writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.
19. Where the approved development is to proceed in a series of phases, further supplementary ecological surveys for protected species shall be undertaken to inform the preparation and implementation of corresponding phases of ecological measures required through the applicants Biodiversity Study of April 2016. The supplementary surveys shall be of an appropriate type for the above habitats and/or species and survey methods shall follow national good practice guidelines.
  20. Prior to the occupation and use of the approved development the applicant shall at his own expense promote a Traffic Regulation Order (TRO) from the site entrance to the existing 30mph zone to the West of the site, on the Station Road approach to Errol.
  21. No part of the development shall be occupied until a Residential Travel Plan (RTP), aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. The RTP will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan.
  22. Prior to the commencement of development details of all external lighting, including both for construction and operational use shall be submitted for the prior approval of the Planning Authority. For the avoidance of doubt the lighting shall be designed to minimise any light pollution.
  23. The developer shall demonstrate that a restriction is to be placed within the title deeds to all residential property confirming the provision of a voluntary agreement to the restriction on access between April – August in sensitive areas adjacent to the reedbeds. Such evidence shall be submitted to the Planning Authority and SNH prior to the commencement of the development on site.
  24. Details relating to the location, design and maintenance of signage by the developer in respect of access to the sensitive areas shall be submitted for the prior approval of the Planning Authority in consultation with SNH before any development commences on site and shall be fully implemented prior to the occupation of any of the units on the site.
  25. Details of the preparation, content and publicity through leaflets relating to the restriction of access to the sensitive areas shall be submitted by the developer for the prior



PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
5 JULY 2017

- approval of the Planning Authority in consultation with SNH and the leaflets as agreed shall be distributed in accordance with a programme to be agreed and implemented in the same timescale.
26. No development shall be occupied on any phase of the site until the local access road network improvements approved under planning application 16/01491/FLL has been implemented and made operational to mitigate the traffic implications of the development, to the satisfaction of the Planning Authority.
  27. Prior to the completion of any residential plot, details of the bus stops shown in the Site Layout Plan shall be submitted to the Council as Planning Authority in consultation with the Council's Public Transport Unit for approval. The agreed detail shall thereafter be implemented prior to the completion of the 50<sup>th</sup> dwelling.
  28. Details relating to the location, design and maintenance of the priority signage at the Inchmichael Cutting shall be submitted for the prior approval of the Planning Authority in consultation with Network Rail before any development commences on site and shall be fully implemented prior to the occupation of any of the units on the site.
  29. Prior to the commencement of any development a detailed specification of the proposed landscape and acoustic bund along the boundary with Errol Granary shall be submitted for the further approval of the Planning Authority. The detail as subsequently approved shall be carried out and completed prior to the occupation of the first dwelling and thereafter maintained.

**Justification**

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

**Procedural Notes**

Section 75 associated with 13/01823/FLM requires to be updated to incorporate open space, play area and sports pitch provision and maintenance. Consent shall not be issued until the Section 75 Agreement has been varied to take account of this application. The legal agreement should be concluded and completed within 4 months of the date of any Committee approval. Failure to conclude a legal agreement within 4 months will result in the planning application being re-assessed through failing to comply with the associated developer contributions policy.

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
5 JULY 2017

**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.
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 38 of the Development Management Procedure (Scotland) Regulations 2008. 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 38 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 Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
6. The applicant is advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
7. The applicants are advised that they must apply to the Roads Authority for construction consent to form a new street. Please contact The Construction and Maintenance

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
5 JULY 2017

Manager, The Environment Service, Perth and Kinross Council, Pullar House, Kinnoull Street, Perth.

8. 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.
9. The applicant is advised that the works may need a license under the Water (Controlled Activities) Regulations 2005 (CAR). The applicant should contact SEPA's Perth Environmental Protection and Improvement Team (Tel: 01738 627989) in regard to this. The applicant should ensure that all works on site comply with the best practice guidelines laid out in SEPA's published Pollution Prevention Guidance, found at [www.sepa.org.uk](http://www.sepa.org.uk).
10. The Council's Public Transport Unit in the Environment Service should be contacted to clarify the bus service requirements for the development.
11. Any further applications should take into account the possible increase of traffic over all Level Crossings in the area and the impacts this may have on the reliability and frequency of the rail service.
12. The presence or absence of protected species, and the extent to which they could be affected by the proposed development, should be established before determination of a planning application in accordance with part 204 of the Scottish Planning Policy.
13. 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.

**(3) Local Applications**

- (i) **16/01491/FLL – ERROL – Formation of access, landscaping and associated works at land South of Fernlea, Eastleys Farm, Errol – Report 17/247 – Morris Leslie Limited**

S Callan, Planning Officer, requested that, should the Committee be minded to grant the application, an additional condition 7 be included.

Mr K Tait and Mr P Symon, objectors to the application, followed by Mr McIntyre, agent for the applicant, addressed the

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
5 JULY 2017

Committee and, following their respective representations, withdrew to the public benches.

Motion (Councillors I James and B Brawn) – Refuse the application for the following reason:

The proposal is contrary to Policy ER5 of the Perth and Kinross Local Development as it results in an unnecessary loss of prime agricultural land, as there are two alternative ways to access the site.

**Amendment (Councillors B Band and E Drysdale) - Grant, subject to the following terms, conditions and informatives, including an additional condition 7 as undernoted:**

**Conditions**

- 1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.**
- 2. Prior to the occupation of any residential plot associated with 16/00999/AMM, details of the specification including materials of the footpath shall be submitted to the Planning Authority for further approval.**
- 3. The detailed tree planting scheme as approved shall be implemented fully within one calendar year of the commencement of development 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.**
- 4. The access road and footpath shall be constructed at existing ground levels only.**
- 5. Prior to the commencement of development a Construction Method Statement (CMS) must be submitted for the approval of the Planning Authority.**
- 6. The access road hereby approved under planning application 16/01491/FLL must be implemented and made operational prior to the occupation of any dwelling approved under 16/00999/AMM.**
- 7. Prior to the commencement of any development a detailed specification of the proposed landscape and acoustic bund along the boundary with Errol Granary shall be submitted for the further approval of the Planning Authority. The detail as subsequently approved shall be carried out and completed prior to**

**the occupation of the first dwelling and thereafter maintained.**

**Justification**

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

**Informatives**

- 1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).**
- 2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.**
- 3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.**
- 4. The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.**
- 5. The applicant is advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.**
- 6. The applicants are advised that they must apply to the Roads Authority for construction consent to form a new street. Please contact The Construction and Maintenance Manager, The Environment Service,**

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
5 JULY 2017

**Perth and Kinross Council, Pullar House, Kinnoull Street, Perth.**

7. **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.**
8. **The applicant is advised that the works may need a license under the Water (Controlled Activities) Regulations 2005 (CAR). The applicant should contact SEPA's Perth Environmental Protection and Improvement Team (Tel: 01738 627989) in regard to this. The applicant should ensure that all works on site comply with the best practice guidelines laid out in SEPA's published Pollution Prevention Guidance, found at [www.sepa.org.uk](http://www.sepa.org.uk).**
9. **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.**

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

7 members voted for the Amendment as follows:

Councillors M Lyle, H Anderson, B Band, M Barnacle, E Drysdale, W Robertson and R Watters.

5 members voted for the Motion as follows:

Councillors B Brawn, H Coates, T Gray, I James and R McCall.

**Resolved:**

In accordance with the Amendment.

COUNCILLORS A BAILEY, I CAMPBELL, H COATES AND A FORBES LEFT THE MEETING AT THIS POINT.

**(4) Proposal of Application Notice (PAN)**

- (i) **17/00004/PAN – PERTH – Commercial development (classes 1, 3, 4, 5, 6 and sui generis (car showroom)) at land South of Target House, Ruthvenfield Road, Inveralmond Industrial Estate, Perth – Report 17/248**

PERTH AND KINROSS COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
5 JULY 2017

Members requested that, in addition to the issues identified by the Interim Head of Planning's report, the following be addressed in the planning application: the importance of ensuring that Castle Brae will not be used as a rat run to/from the proposed development.

- (ii) **17/00005/PAN – PERTH – Residential Development, demolition of buildings, formation of open space, landscaping, car parking, vehicular access and associated works at Former Murray Royal Hospital, Muirhall Road, Perth – Report 17/249**

Members requested that, in addition to the issues identified by the Interim Head of Planning's report, the following be addressed in the planning application: the possibility of the development exacerbating the existing traffic issues at Lochie Brae.

- (iii) **17/00006/PAN – PERTH – Change of use and alterations to building to form residential units, demolition of buildings, formation of open space, landscaping, car parking, vehicular access and associated works at Former Murray Royal Hospital, Muirhall Road, Perth – Report 17/250**

Members requested that, in addition to the issues identified by the Interim Head of Planning's report, the following be addressed in the planning application: the extent of the area covered by the Environmental Impact Assessment due to the impact of potential increased traffic flow in the surrounding area.

~~~~~