

# **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

Minute of meeting of the Planning and Development Management Committee held virtually on Wednesday 17 November 2021 at 10.00am.

Present: Councillors R McCall, B Brawn, C Ahern (substituting for I James, M Barnacle, R Brock, T Gray, D Illingworth, T McEwan, C Reid, L Simpson, R Watters, M Williamson and W Wilson.

In Attendance: K Smith, G Bissett, L MacLean and A Belford (all Communities); G Fogg, D Williams, A Brown and M Pasternak (all Corporate and Democratic Services).

Apologies: Councillors I James.

Councillor R McCall, Convener, Presiding.

## **1. WELCOME AND APOLOGIES**

The Convener welcomed everyone present to the meeting and noted apologies 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 Development Management Committee of 20 October 2021 was submitted and approved as a correct record.

## **4. DEPUTATIONS**

There were no deputations to be considered.

THE COMMITTEE AGREED TO HEAR ITEM 5(2)(i) ON THE AGENDA PRIOR TO ITEM 5(1)(i).

## **5. APPLICATIONS FOR DETERMINATION**

### **(2) Application Previously Considered**

- (i) 21/00940/FLL - Change of use and alterations from agricultural buildings to form 8 holiday accommodation units, erection of 3 holiday accommodation units, utility building, formation of access roads, car parking, drainage and associated works, West Gormack Farm, Kinloch, Blairgowrie**

Mr K Smith advised that, following deferral at the last meeting on 20 October 2021, the applicant exercised their right to appeal to the DPEA on the basis of non-determination of the application.

**(1) Local Applications**

**(i) 20/01860/FLL – Erection of a dwellinghouse, land south west of Greenparks, Church Road, Crook of Devon – Report No. 21/208 – Mr D Adams**

**Resolved:**

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

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.  
Reason - To ensure the development is carried out in accordance with the approved drawings and documents.
2. All trees within 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'. Details of these arrangements shall be submitted to and approved in writing by the Planning Authority. Such approved Tree Protection measures shall not be removed, breached or altered without prior written authorisation from the Planning Authority, but shall remain in a functional condition throughout the entire development or as per any phasing plan. If such protection measures are damaged beyond effective functioning then works that may compromise the protection of trees shall cease until the protection can be repaired or replaced with a specification that shall provide a similar degree of protection.  
Reason - To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.
3. Prior to commencement of development hereby approved, a scheme shall be submitted detailing a temporary surface water treatment facility. The scheme as agreed shall run concurrent with the initiation of the development hereby approved and for the duration of construction and shall accord with Sustainable Urban Drainage System principles shall be implemented for the site and maintained for the duration of the approved

development works. The temporary surface water treatment facility shall remain in place until the permanent surface water drainage scheme is implemented.

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

4. Prior to commencement of development hereby approved, a scheme shall be submitted to, and approved in writing by, the Council as Planning Authority that demonstrates how at least 10% of the current carbon emissions reduction set by the Scottish Buildings Standards will be met through the installation and operation of low and zero-carbon technologies. This scheme shall detail for each building: a) the technology types; b) illustrate, through technical calculations, that these will meet at least the 10% reduction; c) their siting and location; and d) ongoing operation and maintenance. Once approved, the development shall be completed in accordance with the approved scheme and no individual unit shall be occupied until the scheme has been installed and operating.

Reason - To embed low and zero-carbon technologies within the development in the interest of environmental sustainability.

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

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

6. The asserted core path FSWY/103 must not be obstructed during building works or on completion of the development. Any damage done to the route and/or the associated signage during building works must be made good before the development is completed or brought into use, whichever is the earlier.

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

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

Reason - In the interests of road safety; to ensure an acceptable standard of construction.

### **Justification**

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

### **Informatives**

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. No work shall be commenced until an application for building warrant has been submitted and approved.
5. The applicant should take note of the information and advice contained within the consultation response from Scottish Water.
6. The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.
7. 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 the Council has two months to consider the information (or four months in the case of a Major planning permission). You should therefore submit the required information more than two months (or four months) before your permission expires. We cannot

guarantee that submissions made within two months (or four months) of the expiry date of your permission will be able to be dealt with before your permission lapses.

8. The applicant and neighbouring proprietors are encouraged to undertake regular maintenance of the private road which provides access and to improve existing surface water drainage arrangements, with related enquires directed to [Flood@pkc.gov.uk](mailto:Flood@pkc.gov.uk) Further the applicant should explore with all parties who have an interest in the private road the potential to upgrade it to a standard suitable for adoption by Perth and Kinross Council as Roads Authority, with related enquires directed to [transportplanning@pkc.gov.uk](mailto:transportplanning@pkc.gov.uk).