

ANGUS COUNCIL

MINUTE of SPECIAL MEETING of the **DEVELOPMENT CONTROL COMMITTEE** held in Arbroath High School on Wednesday 15 January 2003 at 6.00pm.

Present: Councillors STEWART McGLYNN, FRANK ELLIS, IAN ANGUS, BILL CROWE, JACK GIBB, ALISTAIR GRAY, JOHN HENDERSON, ALEX KING, The Hon R J LESLIE MELVILLE, IAN MACKINTOSH, GLENNIS MIDDLETON, BILL MIDDLETON, Depute Provost BRIAN MILNE, Councillors JOY MOWATT, PETER MURPHY, ROB MURRAY, PETER NIELD, GEORGE NORRIE MBE, HELEN OSWALD, KITTY RITCHIE, BILL ROBERTON, RON SCRIMGEOUR, DAVID SELFRIDGE, RICHARD SPEIRS, SHEENA WELSH and SANDY WEST.

Apologies: Apologies for absence were intimated on behalf of Provost Mrs FRANCES E DUNCAN OBE and Councillors DAVID LUMGAIR and ROBERT MYLES.

Councillor McGLYNN, Convener, in the Chair.

1. PROCEDURE

The Convener welcomed those present to this special meeting of the Committee and outlined the procedure for the meeting.

He then asked if there were any declarations of interest.

Councillor King stated, on behalf of the five SNP members representing the Arbroath area, that the Arbroath and District Branch of the SNP had placed a contract for internal alteration work to the Branch's premises at Brothock Bridge, Arbroath, some three months before one of the planning applications had been lodged, with a company, one of whose directors was also a director of the applicants. However, after taking legal advice, the 5 Councillors had concluded that they had no interest to declare in any of the planning applications being considered at this meeting.

A number of members then indicated that they had been lobbied by the applicants.

2. RETAIL PLANNING IN ARBROATH - CONTEXT

With reference to Article 3 of the minute of meeting of this Committee of 3 October 2002, there was submitted [Report No 90/03](#) by the Director of Planning and Transport, the purpose of which was to provide a context for the consideration of the three planning applications for major retail development in Arbroath and the request for the discharge of the Section 75 Agreement at Gravesend, Arbroath.

The Report outlined relevant national planning policy and guidance, and detailed (in Appendix 1) the strategy, policies and proposals of the development plan framework so far as they related to Arbroath and retail development. It also outlined the findings of the Angus Retail Study undertaken by DTZ Piedad and published in April 2002, and included the full Report together with recent representations which had been received in relation to the Retail Study and the Retail Impact Assessments Report (Appendix 2). Angus Council had appointed a retail consultant to review the Retail Impact Assessments submitted in support of the four proposals and a copy of the Consultant's Report on the review of the Assessments was provided as Appendix 3. Finally, the Report also outlined recent planning history and discussed matters of relevance to consideration of the proposals.

The Report stressed that the National Planning Policy Guidance and the Development Plan sought to protect existing town centres which performed a useful function for their community. Retail developments outwith the town centres which would undermine their future vitality and viability should be restricted, but regard should also be paid to the benefits which could arise

from competition between retailers. With this background, a central issue was whether the approval of any or all of the three planning applications and the request to remove the planning restrictions on the former Sainsbury store would achieve the intentions of the Development Plan and the National Planning Policy Guidance.

The Report concluded that there appeared to be an opportunity to introduce additional food retailing on a site which could be made available within the town centre. The scale of the development could be capable of co-existing with the existing main food retailing provision in Arbroath and the town centre. Granting planning permission to any of the planning applications would carry a significant risk for the town centre.

The Director of Planning and Transport gave a presentation on the Report, and answered questions put to him by members.

COUNCILLOR McGLYNN, SECONDED BY COUNCILLOR ELLIS, MOVED THAT THE COMMITTEE:

- (I) NOTES THE INFORMATION IN THE REPORT AND TAKES IT INTO ACCOUNT IN CONSIDERATION OF THE PROPOSALS FOR RETAIL DEVELOPMENT IN ARBROATH; AND
- (II) REFERS TO APPENDIX 1 OF REPORT 90/03, WHICH CONTAINED THE LIST OF PLANNING POLICIES OF RELEVANCE, IN CONSIDERING THE PLANNING APPLICATIONS FOR RETAIL DEVELOPMENT IN ARBROATH.

Councillor King, seconded by Councillor Angus, moved as an amendment that the Committee notes the information in the Report.

On the vote being taken, the members voted:-

For the motion:-

Councillors McGlynn, Ellis, Gibb, Henderson, Leslie Melville, Mackintosh, Glennis Middleton, Bill Middleton, Mowatt, Murphy, Murray, Nield, Norrie, Oswald, Ritchie, Robertson, Scrimgeour and Selfridge (18)

For the amendment:-

Councillors Angus, Crowe, Gray, King, Milne, Speirs, Welsh and West (8).

The motion was declared carried as detailed above.

3. DETERMINATION OF PLANNING APPLICATIONS

There were submitted the following Reports by the Director of Planning and Transport:

- [Report No 91/03](#) detailing a request by Lothian, Borders and Angus Co-operative Society Limited to remove the Section 75 Agreement which restricted the type of goods which could be sold from the vacant retail unit at Gravesend, Arbroath. The request was recommended for approval for the reasons detailed in the Report.
- [Report No 92/03](#) detailing application No 02/00619/FUL for the erection of a food retail outlet (5,487 square metres/59,040 square feet) and ancillary car parking including alterations to existing retail park car parking for McDonalds Estates (Westway) Limited at the Westway Retail Park, Westway, Arbroath. The application was recommended for refusal for the reasons detailed in the Report.
- [Report No 93/03](#) detailing outline application No 02/00557/OUT by Linlathen Developments Limited for the erection of a food retail outlet (5,296 square metres/57,000 square feet) and ancillary car parking including alterations to existing retail park car parking at Wardmill/Dens Road, Arbroath. The application was recommended for refusal for the reasons detailed in the Report.

- [Report No 94/03](#) detailing outline application No 02/00969/OUT by Bett Properties Limited for the erection of a food retail outlet (4,800 square metres/51,668 square feet) and ancillary car parking at the former Westburn Foundry, Cairnie Street, Arbroath. The application was recommended for refusal for the reasons detailed in the Report.

The Director of Planning and Transport gave a short presentation on each of the four proposals, following which members asked a number of questions. Thereafter, the Committee heard representations on behalf of the undernoted applications, following which each speaker answered members' questions:

- Gravesend (former Safeway premises) – Mr Gordon Wilks
- Westway Retail Park – Mr Dan McDonald, Mr Andy King
- Wardmill/Dens Road – Mr Scott McKay
- Westburn Foundry, Cairnie Street – Mr Ian Townsend

(At 8.55pm the Committee agreed, in accordance with Standing Order 20(8), that the meeting should continue until the business was concluded.)

The Committee then proceeded to consider each application in turn, in the following order.

(a) Vacant Retail Unit (Former Safeway Premises), Gravesend, Arbroath – Request For Removal of Section 75 Agreement

COUNCILLOR McGLYNN, SECONDED BY COUNCILLOR ELLIS, MOVED THAT THE REQUEST FOR THE REMOVAL OF THE SECTION 75 AGREEMENT BE APPROVED IN SO FAR AS IT RELATED TO THE TYPE/RANGE OF GOODS THAT MAY BE SOLD FROM THE PREMISES, SUBJECT TO CONCLUSION AND RECORDING OF AN AMENDMENT TO THE AGREEMENT AMONGST ALL RELEVANT PARTIES CONTAINING THE FOLLOWING GENERAL TERMS, ALONG WITH SUCH OTHER OR ADDITIONAL TERMS AS MAY BE CONSIDERED NECESSARY OR EXPEDIENT BY THE DIRECTOR OF LAW AND ADMINISTRATION IN CONSULTATION WITH THE DIRECTOR OF PLANNING AND TRANSPORT:

- (I) THAT NOISE LEVELS EMANATING FROM THE PREMISES SHOULD NOT EXCEED FIVE DB (A) ABOVE AMBIENT AS MEASURED AT THE BOUNDARIES OF THE SITE;
- (II) THAT THERE SHOULD BE NO LOADING OR UNLOADING OF HEAVY GOODS VEHICLES AT THE PREMISES BETWEEN THE HOURS OF 10.00PM AND 6.30AM.

Councillor Nield, seconded by Councillor Norrie, moved, as an amendment, that the application be refused as the opening of the store would increase traffic congestion in the area.

On a vote being taken, the members voted:-

For the motion:-

Councillors McGlynn, Ellis, Angus, Crowe, Gray, Henderson, King, Leslie Melville, Mackintosh, Glennis Middleton, Bill Middleton, Milne, Mowatt, Murphy, Murray, Oswald, Ritchie, Robertson, Scrimgeour, Selfridge, Speirs, Welsh and West (23)

For the amendment:-

Councillors Gibb, Nield and Norrie (3).

The motion was declared carried resulting in the request to remove the Section 75 Agreement being granted.

(b) Westway Retail Park, Westway, Arbroath – Application No 02/00619/FUL

Councillor McGlynn, seconded by Councillor Ellis, moved that the application be refused for the reasons detailed in the Report.

COUNCILLOR KING, SECONDED BY COUNCILLOR MILNE, MOVED AS AN AMENDMENT THAT SUBJECT TO A SECTION 75 AGREEMENT TO PROVIDE FACILITIES FOR NON-CAR TRANSPORT MODES INCLUDING BUS SERVICE FOR THE ENTIRE LIFETIME OF THE STORE, AND SUBJECT ALSO TO THE UNDERNOTED CONDITIONS, THE APPLICATION BE APPROVED FOR THE FOLLOWING REASONS:-

- (i) THERE WAS A NEED FOR ADDITIONAL CHOICE AND COMPETITION IN RELATION TO SUPERSTORE RETAILING IN ARBROATH WHICH WOULD NOT BE FULLY MET BY THE RE-USE OF THE FORMER SAFEWAY STORE AT GRAVESEND;
- (ii) THE CONVENIENCE TURNOVER OF THE WESTWAY STORE WAS ESTIMATED BY THE COUNCIL'S RETAIL CONSULTANT TO BE LOWER THAN THE OTHER TWO PLANNING APPLICATION PROPOSALS AND ACCORDINGLY THE RETAIL IMPACT ON THE CONVENIENCE RETAILERS IN THE TOWN CENTRE WAS ALSO LOWER;
- (iii) THE LOCATION COULD BE MADE MORE ACCESSIBLE BY THE INTRODUCTION OF ADDITIONAL BUS SERVICES; AND
- (iv) THE SITE WAS BEST LOCATED TO CLAW BACK EXPENDITURE WHICH PRESENTLY LEAKED FROM ARBROATH.

Conditions:-

1. That the development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. That no alterations or amendments be made to the details contained in the approved and docqueted plans unless so indicated by conditions attached to this consent or agreed in writing with the planning authority.
3. That prior to the opening of the foodstore the existing Keptie Road/Cairnie Road (A933) junction shall be upgraded to a signalised junction.
4. That prior to the opening of the proposed foodstore the existing Dundee Road (A92) - Westway junction shall be upgraded to the satisfaction of the Director of Planning and Transport.
5. That all details relating to road layout, design, specification, site customer and servicing access, including the provision of street lighting and surface water disposal shall be in accordance with the standards of Angus Council.
6. That a minimum of six covered 'Sheffield' style cycle parking racks shall be provided to serve the foodstore development. Details of the location of the cycle racks, including lighting and signage shall be submitted for the prior approval of the Director of Planning and Transport.
7. That prior to the commencement of any development a minimum of 15 parking spaces for disabled persons vehicles shall be provided within the site to serve the foodstore development, the details of location to be submitted for the prior approval for the Director of Planning and Transport.
8. That prior to the commencement of any development on site a bus lay-by shall be provided on the eastern side of the Westway to the satisfaction of the Director of Planning and Transport.

9. That prior to the commencement of any development on site full details of the covered area for the bus lay-by shall be submitted to and approved by the Director of Planning and Transport.
10. That prior to the commencement of any development on site a contaminated land report be submitted to and approved by the Director of Planning and Transport. The said report shall provide details on the extent of site contamination (if any) and provide measures for remediation. Thereafter any required remediation measures shall be implemented prior to the commencement of any other development on the site.
11. That surface water from the site be disposed of by a Sustainable Urban Drainage System (SUDS).
12. That prior to commencement of any development on the site an archaeological field evaluation shall be undertaken, the details of which shall be submitted to and approved by the Director of Planning and Transport. Thereafter any works required as a consequence of the field evaluation shall be undertaken prior to the commencement of any development on the site.
13. That prior to commencement of any development, details of the means of site enclosure proposed to be used, shall be submitted for the prior approval of the Director of Planning and Transport and shall be erected on or before the completion of the development.
14. That notwithstanding details of the submitted plans, no more than 70% of the net retail floorspace shall be used for the sale of food and convenience goods.
15. That prior to the commencement of any development on site a travel plan to provide facilities for non-car transport modes including improved transport link between the proposed store and the town centre shall be submitted to and approved by the Director of Planning and Transport.

Reasons for conditions:-

1. In order to comply with the requirements of the Town and Country Planning (Scotland) Act 1997.
2. For clarification purposes and for the avoidance of any possible misunderstanding.
3. In the interests of road and pedestrian safety.
4. In the interests of road and pedestrian safety.
5. In the interests of road and pedestrian safety.
6. In order to ensure the provision of adequate facilities for cyclists.
7. In order to ensure the provision of adequate facilities for disabled drivers.
8. To ensure that the site has adequate facilities to meet the requirements of public transport.
9. To ensure that the site has adequate facilities to meet the requirements of public transport.
10. In the interest of public health and safety.
11. To ensure that the site is adequately drained.
12. In order that archaeological interests are safeguarded.

13. In the interest of visual amenity.
14. To retain control over the range of goods sold from the site.
15. In order to ensure the adequate provision of facilities of non-car transport modes.

On a vote being taken, the members voted:-

For the motion:-

Councillors McGlynn, Ellis, Bill Middleton, Ritchie and Selfridge (5)

For the amendment:-

Councillors Angus, Crowe, Gibb, Gray, Henderson, King, Leslie Melville, Mackintosh, Glennis Middleton, Milne, Mowatt, Murphy, Murray, Nield, Norrie, Oswald, Robertson, Scrimgeour, Speirs, Welsh and West (21).

The amendment was accordingly declared carried, and the Committee agreed that the application be referred to the Scottish Ministers as the decision to grant permission for this development marked a significant departure from the Development Plan.

(c) Wardmill/Dens Road, Arbroath - Application 02/00557/OUT

COUNCILLOR MCGLYNN, SECONDED BY COUNCILLOR ELLIS, MOVED THAT THE APPLICATION BE REFUSED FOR THE REASONS DETAILED IN THE REPORT.

Councillor West, seconded by Councillor Henderson, moved as an amendment that , subject to a Section 75 Agreement to provide flood prevention measures within and outwith the application site, and subject also to the undernoted conditions, the application be approved for the following reasons:-

- (i) there was a need for additional choice and competition in relation to superstore retailing in Arbroath which would not be fully met by the re-use of the former Safeway Store at Gravesend;
- (ii) the site was edge of centre and would therefore encourage linked trips to the town centre. This proximity to the town centre and the qualitative improvement would compensate for the adverse retail impact on the town centre; and
- (iii) redevelopment of the area was much needed and was encouraged by the Angus Local Plan.

Conditions:-

1. That notwithstanding the details indicated in the submitted plans the layout is not approved.
2. That prior to the commencement of any development on the site, approval shall be obtained from the planning authority in respect of the following reserved matters:-
 - (a) the siting, size, height, design and external appearance of all buildings proposed within the site;
 - (b) the layout of the site;
 - (c) the proposed means of access to the site;
 - (d) the proposed landscaping within the site.

3. That the consent hereby approved shall provide for a supermarket with a maximum gross floor space of 5300 square metres.
4. That details of the car parking layout, treatment, materials etc. be submitted for the prior approval of the Director of Planning and Transport prior to the commencement of any development on site.
5. That car parking for customers and staff shall be provided within the site in accordance with the standards of Angus Council.
6. That cycle parking facilities for customers shall be provided within the site in accordance with Scottish Office Publication Cycling by Design to the satisfaction of the Director of Planning and Transport.
7. That disabled person parking facilities shall be provided within the site in accordance with the IHT Publication Reducing Mobility Handicaps to the satisfaction of the Director of Planning and Transport.
8. That prior to commencement of any development on site a travel plan to provide facilities for non-car transport modes including provision for public transport arising from the closure of Grant Road in accordance with conditions 9 and 10 and improved pedestrian links between the proposed store and the town centre shall be submitted to and approved by the Director of Planning and Transport.
9. That prior to the commencement of retail use on site improved access arrangements to Burnside Drive roundabout including the provision of an additional arm to Wardmill Road shall be provided to the satisfaction of the Director of Planning and Transport.
10. That prior to the commencement of the use hereby approved the existing Grant Road/Wardmill Road and the Grant Road/Guthrie Port junctions shall be closed off.
11. That visibility sightlines of 4.5 x 60 metres shall be provided at the customer and service accesses on Wardmill Road. Within the above splays nothing shall be erected or permitted to grow in excess of 1050mm in height above the adjacent road channel level.
12. That prior to the commencement of development within the site a photographic record of all buildings including exterior and interior be lodged with the Angus Council Sites and Monuments Records.
13. That noise levels emanating from the premises shall not exceed 5dB(A) above ambient as measured at the boundaries of the site.
14. That prior to commencement of any development on site a contaminated land report be submitted to and approved by the Director of Planning and Transport. The said report shall indicate the extent of site contamination and provide measures for remediation. Thereafter the remediation measures shall be implemented prior to the commencement of any other development on the site.
15. That prior to the commencement of any development on site a flood risk assessment be submitted to and approved by the Director of Planning and Transport.
16. That the flood risk assessment required by condition 15 above should include information in respect of the consideration of routing flood water, the potential impact of the development on adjacent sites with reference to potential flood

risk, as well as details of any proposed compensatory storage. The details of compensatory storage should include an assessment of risks in using a car park area for water storage and include details of proposed emergency procedures.

17. That a Sustainable Urban Drainage System (SUDS) be provided within the site to provide treatment and attenuation of surface run-off from the developed site. Details of the said scheme shall be submitted to the Director of Planning and Transport for approval prior to the commencement of any development on the site.
18. That notwithstanding the details of the submitted application, the percentage of the net floorspace utilised for the sale of non-food goods shall not exceed 15% of the overall net floorspace.
19. That prior to the commencement of the development, details of the means of site enclosure proposed to be used, shall be submitted for the prior approval of the planning authority and be erected on or before completion of the development.
20. That the application for approval of the reserved matters specified herewith shall be made to the Planning Authority before:-
 - (a) the expiration of three years from the date of the grant of outline planning permission;
 - (b) the expiration of six months from the date on which an earlier application for reserved matters approval was refused; or
 - (c) the expiration of six months from the date on which an appeal against such refusal was dismissed, **whichever is the latest;**

Only one application for approval of reserved matters (under (b) or (c) above) may be made after the expiration of a three year period mentioned in sub-section (a).

Reasons for conditions:-

1. The application is for outline consent only.
2. In order to comply with the requirements of the Town and Country Planning (Scotland) Act 1997.
3. In order to clarify the details of the consent to accord with the applicant's submission.
4. In the interests of road and pedestrian safety.
5. In the interests of road and pedestrian safety.
6. In the interest of road and pedestrian safety and to ensure the adequate provision of facilities for cyclists.
7. In the interest of road and pedestrian safety and to ensure the adequate provision of facilities for disabled drivers.

8. In order to ensure the adequate provision of facilities for users of non-car transport modes.
9. In the interests of road and pedestrian safety.
10. In the interests of road and pedestrian safety.
11. In the interests of road and pedestrian safety.
12. In order that archaeological interests are safeguarded.
13. In the interest of residential amenity.
14. In the interest of public health and safety.
15. In the interest of public health and safety.
16. In the interest of public health and safety.
17. To ensure that the site is adequately drained.
18. To retain control over the range of goods sold from the site.
19. In the interest of visual amenity.
20. In order to comply with the requirements of the Town and Country Planning (Scotland) Act 1997.

On a vote being taken, the members voted:-

For the motion:-

Councillors McGlynn, Ellis, Angus, Gray, King, Leslie Melville, Mackintosh, Glennis Middleton, Milne, Mowatt, Murphy, Murray, Nield, Norrie, Robertson, Scrimgeour, Speirs and Welsh (18)

For the amendment:-

Councillors Crowe, Gibb, Henderson, Bill Middleton, Oswald, Ritchie, Selfridge and West (8).

The motion was declared carried resulting in the application being refused for the reasons detailed in the Report.

(d) Former Westburn Foundry, Cairnie Street, Arbroath – Application 02/00969/OUT

COUNCILLOR McGLYNN, SECONDED BY COUNCILLOR ELLIS, MOVED THAT THE APPLICATION BE REFUSED FOR THE REASONS DETAILED IN THE REPORT.

Councillor West, seconded by Councillor Henderson, moved as an amendment that, subject to the undernoted conditions, the application be approved for the following reasons:-

- (i) There was a need for additional choice and competition in relation to superstore retailing in Arbroath which would not be fully met by the re-use of the former Safeway Store at Gravesend.
- (ii) The site was already cleared and redevelopment could start at an early date and would result in a major improvement to the amenity of the area;
- (iii) It would be convenient for customers to have two major superstores in close proximity to each other and the town centre which would more than compensate for its location.

Conditions:-

1. That notwithstanding the details indicated in the submitted plans the layout is not approved.
2. That prior to the commencement of any development on the site, approval shall be obtained from the planning authority in respect of the following reserved matters:-
 - (a) the siting, size, height, design and external appearance of all buildings proposed within the site;
 - (b) the layout of the site;
 - (c) the proposed means of access to the site;
 - (d) the proposed landscaping within the site.
3. That the consent hereby approved shall provide for a supermarket with a maximum gross floor space of 4800 square metres.
4. That details of the parking layout be submitted for the prior approval of the Director of Planning and Transport prior to the commencement of any development on site.
5. That car parking for customers and staff shall be provided within the site in accordance with the standards of Angus Council.
6. That cycle parking facilities for customers shall be provided within the site in accordance with Scottish Office Publication Cycling by Design to the satisfaction of the Director of Planning and Transport.
7. That disabled person parking facilities shall be provided within the site in accordance with the IHT Publication Reducing Mobility Handicaps to the satisfaction of the Director of Planning and Transport.
8. That prior to commencement of any development on site a travel plan to provide facilities for non-car transport modes including improved pedestrian links between the proposed store and the town centre shall be submitted to and approved by the Director of Planning and Transport.

9. That prior to the commencement of retail use on site a roundabout at Cairnie Street/Stobcross and a roundabout at the junction of Stobcross with Wellgate shall be provided to the satisfaction of the Director of Planning and Transport in accordance with the DOT- Design Manual for Roads and Bridges.
10. That prior to the operation of the foodstore a controlled pedestrian crossing be provided on Cairnie Street and an additional bus lay-by be provided on the south side of Cairnie Street and Lochlands Drive.
11. That prior to the operation of the foodstore right turning movements in and out of Ogilvy Place from/onto Cairnie Street shall be prevented.
12. That prior to the commencement of any development on site an archaeological field evaluation shall be undertaken the details of which shall be submitted to and approved by the Director of Planning and Transport. Therefore any works required as a consequence of the field evaluation shall be undertaken prior to the commencement of any development on site.
13. That no loading of heavy goods vehicles take place within the site prior to 6.30 a.m. or after 10 p.m.
14. That noise levels emanating from the premises shall not exceed 5dB(A) above ambient as measured at the boundaries of the site.
15. That prior to commencement of any development on site a contaminated land report be submitted to and approved by the Director of Planning and Transport. The said report shall indicate the extent of site contamination and provide measures for remediation. Thereafter the remediation measures shall be implemented prior to the commencement of any other development on the site.
16. That a Sustainable Urban Drainage System (SUDS) be provided within the site to provide treatment and attenuation of surface run-off from the developed site. Details of the said scheme shall be submitted to the Director of Planning and Transport for approval prior to the commencement of any development on the site.
17. That notwithstanding the details of the submitted application, the percentage of the net floorspace utilised for the sale of non-food goods shall not exceed 15% of the overall net floorspace.
18. That prior to the commencement of the development, details of the means of site enclosure proposed to be used, shall be submitted for the prior approval of the planning authority and be erected on or before completion of the development.
19. That the application for approval of the reserved matters specified herewith shall be made to the Planning Authority before:-
 - (a) the expiration of three years from the date of the grant of outline planning permission;
 - (b) the expiration of six months from the date on which an earlier application for reserved matters approval was refused; or
 - (c) the expiration of six months from the date on which an appeal against such refusal was dismissed, **whichever is the latest;**

Only one application for approval of reserved matters (under (b) or (c) above) may be made after the expiration of a three year period mentioned in sub-section (a).

Reasons for conditions:-

1. The application is for outline consent only.
2. In order to comply with the requirements of the Town and Country Planning (Scotland) Act 1997.
3. In order to clarify the details of the consent to accord with the applicant's submission.
4. In the interests of road and pedestrian safety.
5. In the interests of road and pedestrian safety.
6. In the interests of road and pedestrian safety and to ensure the adequate provision of facilities for cyclists.
7. In the interests of road and pedestrian safety and to ensure the adequate provision of facilities for disabled drivers.
8. In order to ensure the adequate provision of facilities for users of non-car transport modes.
9. In the interests of road and pedestrian safety.
10. In the interests of road and pedestrian safety.
11. In the interests of road and pedestrian safety.
12. In order that archaeological interests are safeguarded.
13. In the interest of residential amenity.
14. In the interest of residential amenity.
15. In the interest of public health and safety.
16. To ensure that the site is adequately drained.
17. To retain control over the range of goods sold from the site.
18. In the interest of visual amenity.
19. In order to comply with the requirements of the Town and Country Planning (Scotland) Act 1997.

On a vote being taken, the members voted:-

For the motion:-

Councillors McGlynn, Ellis, Angus, Crowe, Gibb, Gray, King, Leslie Melville, Mackintosh, Glennis Middleton, Bill Middleton, Milne, Mowatt, Murphy, Murray, Nield, Norrie, Oswald, Ritchie, Robertson, Scrimgeour, Selfridge, Speirs and Welsh (24)

For the amendment:-

Councillors Henderson and West (2).

The motion was declared carried resulting in the application being refused for the reasons detailed in the Report.