

**TCP/11/16(182)**

**Planning Application 11/01827/FLL – Erection of a dwellinghouse at Port An Eilean Hotel, Strathtummel, Pitlochry, PH16 5RU**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**



# NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN  
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)  
(SCOTLAND) REGULATIONS 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

**IMPORTANT: Please read and follow the guidance notes provided when completing this form.**  
**Failure to supply all the relevant information could invalidate your notice of review.**

Use BLOCK CAPITALS if completing in manuscript

## Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

## Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

Mark this box to confirm all contact should be  
through this representative: ☒

\* Do you agree to correspondence regarding your review being sent by e-mail?

Yes ☒ No ☐

Planning authority

Planning authority's application reference number

Site address

Description of proposed  
development

Date of application

Date of decision (if any)

**Note.** This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

**Nature of application**

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
4. Application for approval of matters specified in conditions ☐

**Reasons for seeking review**

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

**Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

1. Further written submissions ☐
2. One or more hearing sessions ☐
3. Site inspection ☒
4. Assessment of review documents only, with no further procedure ☐

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

It is considered that the Local Review Body should inspect the site to fully understand the issue and gain an appreciation of the special architectural qualities of Port An Eilean House.

**Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- |  | Yes                                 | No                                  |
|--|-------------------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

If the Review Body stick to the internal road system serving the Estate there should be no health and safety issues.

**Statement**

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please refer to separate statement in support of this review.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes ☐ No ☒

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

**List of documents and evidence**

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

Statement in Support of review dated 6th April 2012 + Appendices  
 PKC Decision Notice dated 24th January 2012  
 Refused Plans contained in 24th November 2011 Application as follows:

- S106-02B Dwelling existing
- S106-05B Dwelling proposed Plans
- S106-06A Dwelling proposed elevations
- S106-07 Statement (sheets 2of2)
- S106-13A Dwelling Elevations (sheet 1 of 2) colour
- S106-14A Dwelling Elevations (sheet 2 of 2) colour
- S106-16 Boundary Plan

**Note.** The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

**Checklist**

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

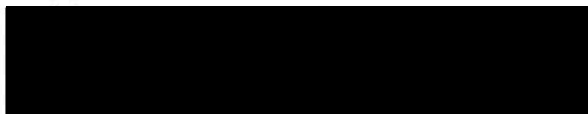
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

**Note.** Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

**Declaration**

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

18th April 2012

## 1. INTRODUCTION

- 1.1 This statement should be read in conjunction with the Notice of Review submitted on the 23<sup>rd</sup> of April 2011 on behalf of Mr I Gray for the erection of a detached dwelling on Port An Eilean Estate. The Planning Application, (11/01827/FLL), was refused by Perth and Kinross Council on 24<sup>th</sup> January 2012.
- 1.2 The proposal sought Planning Permission to create a dwelling to provide accommodation on Port An Eilean Estate for tourist related purposes. The project will remove an area of dereliction which is currently occupied by two unused and dilapidated agricultural buildings.
- 1.3 We strongly contest the Council's reasons for refusal of the Planning Application as set out in Section 2 of this statement.

## 2. PERTH AND KINROSS COUNCIL'S REASONS FOR REFUSAL

- 2.1 The Highland Area Local Plan 2000 (HALP) and the Housing in the Countryside Policy (HICP) includes reference to a number of detailed criteria, which all developments are required to be assessed against. The two reasons for refusal refer to these documents.

Reason 1 states that *"The proposal is contrary to Policy 54 of the Highland Area Local Plan 2000 as the site is not considered to comply with category 5 conversion or replacement of a non domestic building as the buildings are not traditional and the extension is not the subordinate element of the original house."*

Reason 2 states that *"The proposal is contrary to the Council's Housing in the Countryside Policy 2009 in that the proposal does not meet category 5. conversion or Replacement of a Non- Domestic Building as the building is not of traditional form, architectural merit, does not make a positive contribution to the landscape and does not contribute to the local character. The proposal also does not comply with the second part of this policy as the buildings do not form part of a complex of traditional buildings."*

The refusal notice then goes on to justify the refusal by stating the following:

*"The proposal is not in accordance with the Development Plan and there are no material reason which justify departing from the Development Plan."*

## 3. REASONS FOR APPEAL

- 3.1 The PKC Housing in the Countryside Policy (HICP) identifies that small scale housing of brown field land which was formally occupied by buildings may be acceptable where it would remove dereliction or result in a significant environmental improvement. Situated on part of a former agricultural complex the present application could be argued to be a brown field development.
- 3.2 We would highlight the ruinous nature of the two existing agricultural buildings and that they have now come to the end of their current use. The fact that the buildings do not make a positive contribution to the landscape and are derelict is supported by

the enclosed photographs 1, 2 & 3 and the reasons given by PKC in refusing the Application. The Application seeks to remove this dereliction from a site located within a National Scenic Area and thereby enhance the landscape. We consider that this is a material consideration in favour of accepting the proposal. This development should therefore be considered under HICP category (6) Rural Brownfield Land. We therefore do not consider that reason 2 is a valid objection as the development fits into category (6).

- 3.3 The site has previously been flattened out to create a base for the now derelict agricultural buildings and is served by the old road which runs behind the site and makes an ideal location for an additional House within the Estates grounds. The new development is designed to fit into the landscape setting by infilling between the existing buildings. Breaking the roof and wall line will avoid the practicalities of lining up the structures of the two existing buildings while at the same time emphasising that the development is a cohesive grouping of new and existing. The development by utilising the form of the existing agricultural buildings will allow the dwelling to be absorbed into the existing landscape. The use of external timber cladding on the infill structure is of an entirely appropriate scale and will blend into the tree lined landscape which forms a backdrop to the site. The approach that has been taken will allow a house to be constructed with no loss of amenity. We believe that this approach is in line with the statements made in paragraph 94 of the Scottish Planning Policy 2010.
- 3.4 The client is developing the Port An Eilean Estate as a holiday/leisure facility. It will become the venue for hospitality, entertainment, sports and holiday market activities. This Application is part of a long term investment strategy which includes the building of other facilities required to attract tourism. Some of these additional facilities have already received Planning Permission (boat house and water sport facilities) and some are under consideration by PKC at the time of writing this appeal (tennis and five aside football facilities). These plans have already generated employment in the area as the Estate has both maintenance and management staff. We consider that this is a material consideration in favour of accepting the proposal.
- 3.5 This development will result in economic benefits to the local economy. The tourist related business offers the potential to generate further employment opportunities in terms of additional support staff and will benefit local suppliers of a range of products/services. We therefore consider that this Application is supported by Policy 30 of the Highland Area Local Plan as it will improve the range and quality of existing tourist facilities in the surrounding area. We consider that this is a material consideration in favour of accepting the proposal.
- 3.6 The total cost of this project is likely to be in the region of £300,000 -£400,000 all of which would benefit local companies. The infrastructure work and site preparation will generate work for local contractors and provide a significant boost to the local economy in these difficult times
- 3.7 Given the quite exceptional nature of Port An Eilean House and its location in a national scenic area serious consideration should be given to proposed developments which will enhance, protect and conserve its architectural value for future generations (Photographs 4, 5 & 6). Justifying Port An Eilean's existence with a commensurate economic purpose in the tourist industry will help ensure just that.



- 3.8 We believe that this development should be considered under category (a) titled "*Building groups*" contained within Policy 54 of the HALP. The proposal has been incorporated in an existing group and respects the character, layout and building pattern of the existing buildings so as to minimise the impact upon the surrounding environment. It should be noted that the HALP does not place a lower limit on the number of buildings constituting a group. Therefore reason 1 should not be considered to be a valid objection.

#### 4. CONCLUSIONS

- 4.1 Scottish Planning Policy was published by the Scottish Government in February 2010 and in terms of rural development it advocates that Development Plans should support more opportunities for small scale housing development in all rural areas, including new clusters/groups, extensions to existing clusters/groups, replacement housing, plots on which to build individually designed houses, holiday homes and new build or conversion housing which is linked to rural businesses. The Policy mentions that the aim is not to see small settlements lose their identity nor to suburbanise the Scottish countryside but to maintain and improve the viability of communities and to support rural businesses. The Policy identifies those developments which provide employment, particularly where they involve the imaginative and sensitive reuse of previously used land and buildings are to be specifically encouraged by the Development Plan.
- 4.2 The Local Plan recognises that a balance requires to be struck between the need for development and the need to safeguard the valuable environmental assets of the area. In order to carry this function out the Plan identifies that account should be taken between social, economic and environmental considerations. In rejecting the application we believe that proper weight has not been placed on the knock on affect that that this decision will have on the local community's economy. We would therefore ask the Committee to consider this application as part of the process of providing Port An Eilean House with the ability to generate additional employment opportunities in the local area while at the same time securing the future of a quite exceptional building and getting rid of an area of dereliction in the process.
- 4.3 We believe in this particular instance that the material issues we have raised outweigh the grounds for rejection and therefore we would ask the Committee to reconsider the decision and approve the Application.



Photograph 1: view of derelict agricultural buildings form Port An Eilean House



Photograph 2: close up view of derelict agricultural building.





Photograph 3: close up view of derelict agricultural building.



Photograph 4: Port An Eilean House main entrance  
12/04/06





Photograph 5: Port an Eilean House Loch side



Photograph 6: Port An Eilean House Principle elevation lochside

## PERTH AND KINROSS COUNCIL

Mr Ian Gray  
c/o A + G Architects (Perthshire) LLP  
FAO Carmeron Malcolm  
Blair Cottage  
Blair Atholl  
Pitlochry  
PH18 5SG

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD


A & G Architects Ltd PERTHSHIRE			
received 31 JAN 2012			
action by ZIM	file ref S136		
reply	fwd ✓	info	circ
actioned EMAIL TO IAN GRAY DATED 31ST JAN 2012			

Date 24th January 2012

### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: 11/01827/FLL

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 24th November 2011 for permission for **Erection of a dwellinghouse Port An Eilean Hotel Strathtummel Pitlochry PH16 5RU** for the reasons undernoted.

  
Development Quality Manager

### Reasons for Refusal

1. The proposal is contrary to Policy 54 of the Highland Area Local Plan 2000 as the site is not considered to comply with category (c) conversion or replacement of a non domestic building as the buildings are not traditional and the extension is not the subordinate element of the completed house.
2. The proposal is contrary to the Council's Housing in the Countryside Policy 2009 in that the proposal does not meet Category 5. Conversion or Replacement of a Non-Domestic Building criteria as the building is not of traditional form, architectural merit, it does not make a positive contribution to the landscape and does not contribute to local character. The proposal also does not comply with the second part of this policy as the buildings do not form part of a complex of traditional buildings.

## **Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

## **Notes**

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page

### **Plan Reference**

11/01827/1

11/01827/2

11/01827/3

11/01827/4

11/01827/5

11/01827/6

11/01827/7

11/01827/8



## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	11/01827/FLL
Ward No	N4

**PROPOSAL:** Erection of a dwellinghouse

**LOCATION:** Port An Eilean Hotel Strathummel Pitlochry PH16 5RU

**APPLICANT:** Mr Ian Gray

**RECOMMENDATION:** Refuse the application

**SITE INSPECTION:** 15 December 2011

#### OFFICERS REPORT:

The application is for the erection of a dwellinghouse at Port An Eilean, Strathummel. The existing dwelling lies within a large plot running along the loch side and the application site is located about 200m west of the dwelling.

The existing site buildings comprises of two domestic scale derelict buildings located along a grassed track. The two buildings are separated by a distance of approx 12.5m (linked by a ruinous wall) with a combined footprint of 67sq metres approx. The proposal indicates that these single storey buildings are to be retained (or retained in part) and linked by a new build element with two floors of accommodation with the upper floor contained within the roof space served by dormers. The overall footprint of the proposed dwelling is 178sq metres approx. The proposed materials for the dwelling are timber cladding, stone, zinc dormer cladding and slate roof which are all acceptable.

The proposal is assessed under Policy 54 Housing in the Countryside of the HALP in particular category (c) Conversion or replacement of Non-Domestic Buildings. These buildings are not traditional they are of domestic scale and form the appearance of storage sheds/outbuildings additionally the extension is not a subordinate element of the completed house. The dwelling creates 111sq metres of new development it therefore cannot be considered to comply with this part of the policy. The 2009 Housing in the Countryside Policy category 5 Conversion or Replacement of Redundant Non-Domestic Buildings this category states that the building should be traditional form and construction and I cannot consider that these small buildings are of any merit which is required. Furthermore the remainder of this category relates to the conversion of traditional building complexes such as farm steading so this part does not apply.

I am not entirely convinced having seen the buildings that they can be retained and extended and it would appear from the elevation plans that the development is all new build however regardless of this the proposal would still not comply with policy. The agent did seek pre-application advice prior to submission and was advised that a proposal would be unlikely to be supported.

The Biodiversity Officer has recommended conditions regarding bats. Education and Children's Services have no objections on school capacity. Transport Planning have not responded to their consultation but the proposal does not involve a new access to the public road and the new internal access road etc could be covered by condition.

I consider that the proposal is contrary to Policy 54 of the HALP and The Housing in the Countryside Policy 2009 and I therefore recommend the application for refusal.

## **DEVELOPMENT PLAN**

### **H\_002 Highland Development Criteria**

All developments within the Plan area will be judged against the following criteria:-

- (a) The site should have a landscape framework capable of absorbing, and if necessary, screening the development, and where appropriate opportunities for landscape enhancement will be sought.
- (b) In the case of built development, regard should be had to the scale, form, colour, and density of development within the locality.
- (c) The development should be compatible with its surroundings in land use terms and should not result in a significant loss of amenity to the local community.
- (d) The local road network should be capable of absorbing the additional traffic generated by the development and a satisfactory access onto that network provided.
- (e) Where applicable, there should be sufficient spare capacity in drainage, water and education services to cater for the new development.
- (f) The site should be large enough to accommodate the impact of the development satisfactorily in site planning terms.
- (g) Buildings and layouts for new development should be designed so as to be energy efficient.
- (h) Built development should, where possible be located in those settlements which are the subject of inset maps.

### **H\_005 Highland Design**

The Council will require high standards of design for all development in the Plan Area. In particular encouragement will be given to:-

- (a) The use of appropriate and high quality materials.
- (b) Innovative modern design incorporating energy efficient technology and materials.
- (c) Avoidance of the use of extensive underbuilding on steeply sloping sites.
- (d) Ensuring that the proportions of any building are in keeping with its surroundings.
- (e) Ensuring that the development fits its location.

The design principles set out in the Council's Guidance on the Design of Houses in Rural Areas will be used as a guide for all development proposals.

### **H\_054 Highland Housing in the countryside**

The Council will normally only support proposals for the erection of individual houses in the countryside which fall into at least one of the following categories:

#### **RELEVANT SECTION**

##### **(c) Conversion or Replacement of Non-Domestic Buildings**

Consent will be granted for the conversion of non-domestic buildings such as steadings, mills etc to form houses and may be granted for the replacement of such buildings provided the following criteria are met:

##### **(i) Where the building:**

- is of traditional form and construction,
- or is otherwise of architectural merit,
- or makes a positive contribution to the landscape, and its retention is considered beneficial to its surroundings,



- and it is capable of conversion to residential use without requiring major extensions or alterations to its external appearance which would detract from its character or attractiveness, encouragement will be given to its conversion rather than its replacement.
- (ii) Any alteration and extension should be in harmony with the existing building form and any extension of the building should generally be the subordinate rather than the dominant element of the completed house.
- (iii) If the existing building is not worthy of restoration or capable of conversion, its replacement by a new house may be permitted provided:
- sufficient of the existing building remains to enable its size and form to be identified,
  - it is located on an established site with a good landscape setting and a good 'fit' in the landscape and on a site acceptable on planning grounds,
  - the new house is, in essence, a replacement of the existing building, in terms of size, character, building form and constructed of traditional materials, reusing where possible existing materials,
  - the house is a replacement for a well located traditional building rather than, for example, a modern agricultural or industrial building or telephone exchange which are explicitly excluded from this policy.
- (iv) A satisfactory residential environment can be created if the house is to be located adjacent to a working farm, and provided the introduction of a house will not interfere with the continuation of legitimate agricultural and related activities.
- (v) Applications to create more than one house from an existing building will be treated on their merits, with particular attention being given to the need to provide adequate access, privacy and amenity space for each house created.
- (vi) Applications to create more than one house through a replacement building will only be permitted if it can be demonstrated that the original building would have been of sufficient size to have contained more than one house.
- (vii) Applications for conversion of non-domestic property will not be approved within fifteen years of the date of their construction.

#### **OTHER POLICIES**

Housing in the Countryside Policy August 2009

#### **SITE HISTORY**

No site history

#### **CONSULTATIONS/COMMENTS**

Transport Planning	No objection
Scottish Water	No objection
Education And Children's Services	No objection
David Williamson	Bat condition required

#### **TARGET DATE:**

24 January 2012

#### **REPRESENTATIONS RECEIVED:**

Number Received:	No letters received
Summary of issues raised by objectors:	N/A
Response to issues raised by objectors:	N/A

**Additional Statements Received:**

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not required

**Legal Agreement Required:****No**

Summary of terms

N/A

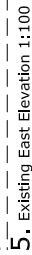
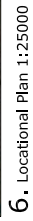
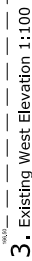
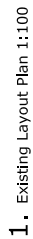
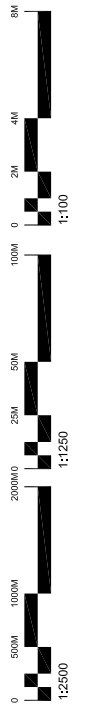
**Direction by Scottish Ministers****No****Reasons:-**

- 1 The proposal is contrary to Policy 54 of the Highland Area Local Plan 2000 as the site is not considered to comply with category (c) conversion or replacement of a non domestic building as the buildings are not traditional and the extension is not the subordinate element of the completed house.
- 2 The proposal is contrary to the Council's Housing in the Countryside Policy 2009 in that the proposal does not meet Category 5. Conversion or Replacement of a Non-Domestic Building criteria as the building is not of traditional form, architectural merit, it does not make a positive contribution to the landscape and does not contribute to local character. The proposal also does not comply with the second part of this policy as the buildings do not form part of a complex of traditional buildings.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

**Notes**



#### 4. Existing Location Plan 1:1250



Blair Cottage ■ Blair Atholl ■ Pitlochry  
Perthshire ■ PH18 5SG  
t: 01796 470400  
f: 01796 481645  
e: email@aandarchitects.com  
w: www.aandarchitects.com

Client:  
Ian Gray  
Port an Eilean  
Loch Tummel  
Pitlochry, Perthshire, PH16 5RU

Project:  
New Detached Dwelling  
Port An Eilean  
Loch Tummel  
Pitlochry, Perthshire, PH16 5RU

Drawing title:  
Existing Plans & Sectional Elevations

Scale(s): <b>See dwg</b>	Print size: <b>A1</b>	First issue: <b>13 10 11</b>	Drawn by: <b>CSM</b>
Job no: <b>S106</b>	Drawing no: <b>02</b>		Rev: <b>B</b>

The site plan shows the Loch Tummel area. A north arrow is located in the top left corner. The plan includes the following features:

- Proposed Development:** A rectangular area outlined in red, containing a building footprint and a parking area with several car symbols.
- Proposed Drive:** A red dashed line indicating a new road layout, with a note: "Proposed Drive to allow contours as shown on the accompanying topographical survey".
- Existing Buildings:**
  - Existing Cottage:** A small building footprint.
  - Porten-Eliasson House:** A larger building footprint.
  - Existing Bathhouse:** A small building footprint.
- Topography:** Contour lines are shown throughout the site, with labels such as 100m, 120m, 140m, 160m, 180m, 200m, 220m, 240m, 260m, 280m, 300m, 320m, 340m, 360m, 380m, 400m, 420m, 440m, 460m, 480m, 500m, 520m, 540m, 560m, 580m, 600m, 620m, 640m, 660m, 680m, 700m, 720m, 740m, 760m, 780m, 800m, 820m, 840m, 860m, 880m, 900m, 920m, 940m, 960m, 980m, 1000m, 1020m, 1040m, 1060m, 1080m, 1100m, 1120m, 1140m, 1160m, 1180m, 1200m, 1220m, 1240m, 1260m, 1280m, 1300m, 1320m, 1340m, 1360m, 1380m, 1400m, 1420m, 1440m, 1460m, 1480m, 1500m, 1520m, 1540m, 1560m, 1580m, 1600m, 1620m, 1640m, 1660m, 1680m, 1700m, 1720m, 1740m, 1760m, 1780m, 1800m, 1820m, 1840m, 1860m, 1880m, 1900m, 1920m, 1940m, 1960m, 1980m, 2000m, 2020m, 2040m, 2060m, 2080m, 2100m, 2120m, 2140m, 2160m, 2180m, 2200m, 2220m, 2240m, 2260m, 2280m, 2300m, 2320m, 2340m, 2360m, 2380m, 2400m, 2420m, 2440m, 2460m, 2480m, 2500m, 2520m, 2540m, 2560m, 2580m, 2600m, 2620m, 2640m, 2660m, 2680m, 2700m, 2720m, 2740m, 2760m, 2780m, 2800m, 2820m, 2840m, 2860m, 2880m, 2900m, 2920m, 2940m, 2960m, 2980m, 3000m, 3020m, 3040m, 3060m, 3080m, 3100m, 3120m, 3140m, 3160m, 3180m, 3200m, 3220m, 3240m, 3260m, 3280m, 3300m, 3320m, 3340m, 3360m, 3380m, 3400m, 3420m, 3440m, 3460m, 3480m, 3500m, 3520m, 3540m, 3560m, 3580m, 3600m, 3620m, 3640m, 3660m, 3680m, 3700m, 3720m, 3740m, 3760m, 3780m, 3800m, 3820m, 3840m, 3860m, 3880m, 3900m, 3920m, 3940m, 3960m, 3980m, 4000m, 4020m, 4040m, 4060m, 4080m, 4100m, 4120m, 4140m, 4160m, 4180m, 4200m, 4220m, 4240m, 4260m, 4280m, 4300m, 4320m, 4340m, 4360m, 4380m, 4400m, 4420m, 4440m, 4460m, 4480m, 4500m, 4520m, 4540m, 4560m, 4580m, 4600m, 4620m, 4640m, 4660m, 4680m, 4700m, 4720m, 4740m, 4760m, 4780m, 4800m, 4820m, 4840m, 4860m, 4880m, 4900m, 4920m, 4940m, 4960m, 4980m, 5000m, 5020m, 5040m, 5060m, 5080m, 5100m, 5120m, 5140m, 5160m, 5180m, 5200m, 5220m, 5240m, 5260m, 5280m, 5300m, 5320m, 5340m, 5360m, 5380m, 5400m, 5420m, 5440m, 5460m, 5480m, 5500m, 5520m, 5540m, 5560m, 5580m, 5600m, 5620m, 5640m, 5660m, 5680m, 5700m, 5720m, 5740m, 5760m, 5780m, 5800m, 5820m, 5840m, 5860m, 5880m, 5900m, 5920m, 5940m, 5960m, 5980m, 6000m, 6020m, 6040m, 6060m, 6080m, 6100m, 6120m, 6140m, 6160m, 6180m, 6200m, 6220m, 6240m, 6260m, 6280m, 6300m, 6320m, 6340m, 6360m, 6380m, 6400m, 6420m, 6440m, 6460m, 6480m, 6500m, 6520m, 6540m, 6560m, 6580m, 6600m, 6620m, 6640m, 6660m, 6680m, 6700m, 6720m, 6740m, 6760m, 6780m, 6800m, 6820m, 6840m, 6860m, 6880m, 6900m, 6920m, 6940m, 6960m, 6980m, 7000m, 7020m, 7040m, 7060m, 7080m, 7100m, 7120m, 7140m, 7160m, 7180m, 7200m, 7220m, 7240m, 7260m, 7280m, 7300m, 7320m, 7340m, 7360m, 7380m, 7400m, 7420m, 7440m, 7460m, 7480m, 7500m, 7520m, 7540m, 7560m, 7580m, 7600m, 7620m, 7640m, 7660m, 7680m, 7700m, 7720m, 7740m, 7760m, 7780m, 7800m, 7820m, 7840m, 7860m, 7880m, 7900m, 7920m, 7940m, 7960m, 7980m, 8000m, 8020m, 8040m, 8060m, 8080m, 8100m, 8120m, 8140m, 8160m, 8180m, 8200m, 8220m, 8240m, 8260m, 8280m, 8300m, 8320m, 8340m, 8360m, 8380m, 8400m, 8420m, 8440m, 8460m, 8480m, 8500m, 8520m, 8540m, 8560m, 8580m, 8600m, 8620m, 8640m, 8660m, 8680m, 8700m, 8720m, 8740m, 8760m, 8780m, 8800m, 8820m, 8840m, 8860m, 8880m, 8900m, 8920m, 8940m, 8960m, 8980m, 9000m, 9020m, 9040m, 9060m, 9080m, 9100m, 9120m, 9140m, 9160m, 9180m, 9200m, 9220m, 9240m, 9260m, 9280m, 9300m, 9320m, 9340m, 9360m, 9380m, 9400m, 9420m, 9440m, 9460m, 9480m, 9500m, 9520m, 9540m, 9560m, 9580m, 9600m, 9620m, 9640m, 9660m, 9680m, 9700m, 9720m, 9740m, 9760m, 9780m, 9800m, 9820m, 9840m, 9860m, 9880m, 9900m, 9920m, 9940m, 9960m, 9980m, 10000m.

It is intended not to landscape the area surrounding the property. Instead the boundary with the surrounding countryside will be left undefined.

This "natural" approach includes for the rebuilding of the existing drystone wall to the rear of the dwelling and paving the terrace in stone flags. The new driveway will be finished off in gravel.

#### 4. Proposed Location Plan 1:1250

## 5. Proposed Layout Plan - 1:200

## PLANNING

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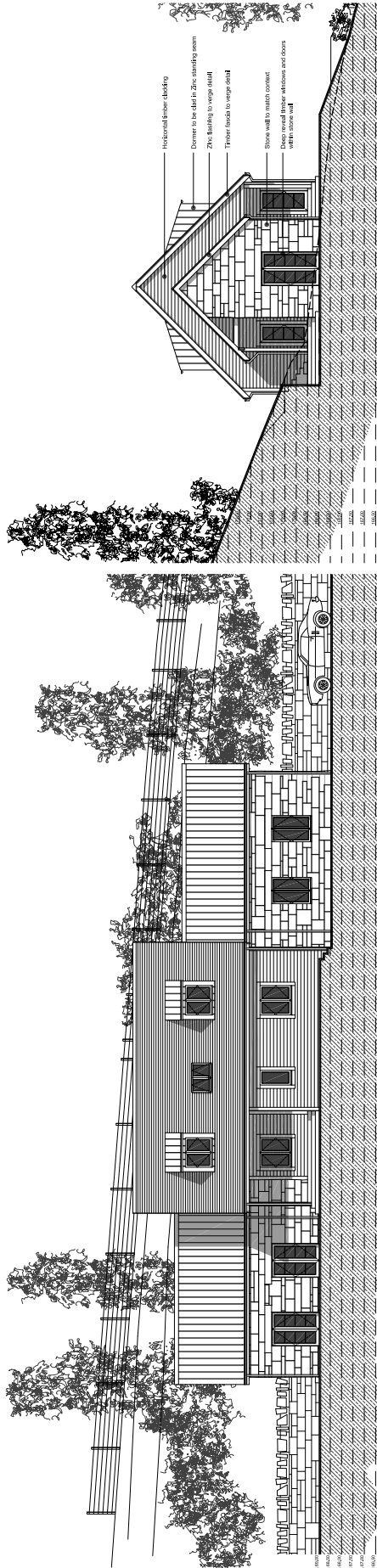
Client:  
Ian Gray  
Port an Eilean, Loch Tummel,  
Billocky, Perthshire, DU16 5D11

Project:	Port an Eilean, Loch Tummel, Dumfriesshire, Dumfriesshire, Dumfriesshire
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Drawing title:  
Proposed Plans

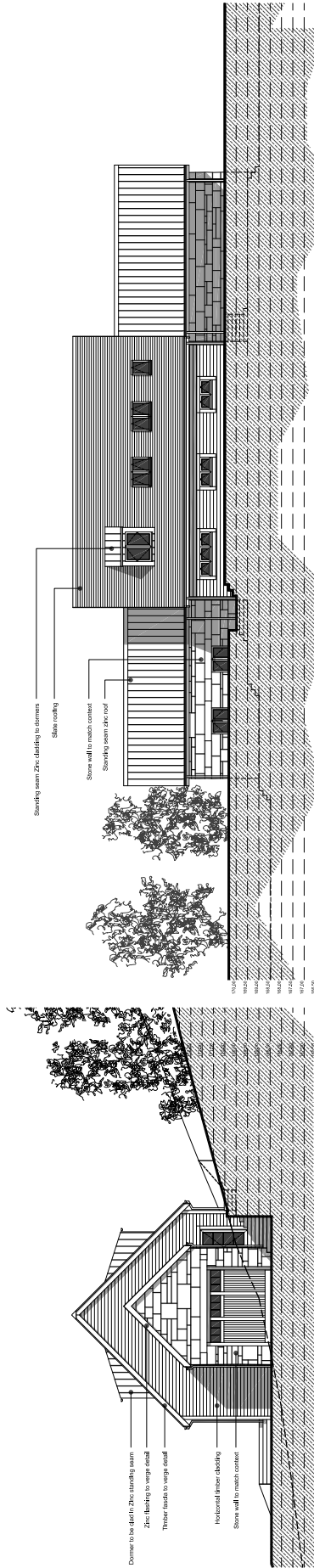
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Job no:		Drawing no:		Rev:
S106		05		B

1. All construction, alterations and new work to be detailed on site.  
2. Drawings not suitable to be printed by A4.  
3. The drawings are for information only and do not constitute a contract.  
4. Any parts of the drawings that are not shown on site are to be taken from the drawings.  
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9. The drawings are for information only and do not constitute a contract.  
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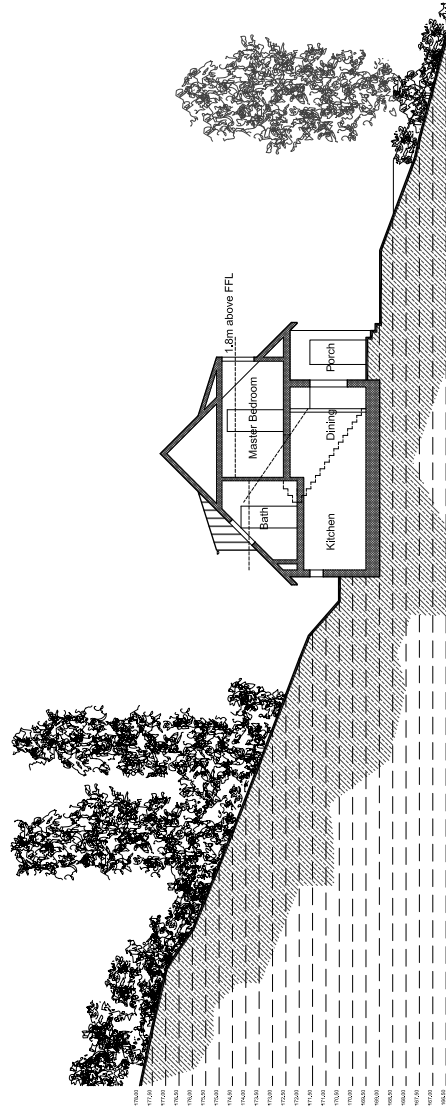
1. Proposed South Elevation

2. Proposed West Elevation



3. Proposed East Elevation

4. Proposed North Elevation



5. Proposed Section

Rev	Date	Description	By	Check
1	20/11/11	Issue for information only	PH	PH

## PLANNING

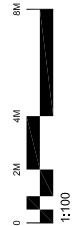
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Name:  
Ian Gray  
Port an Eilean, Loch Tummel,  
Perthshire, Perthshire, PH16 8RU

Project:  
Port an Eilean, Loch Tummel,  
Perthshire, Perthshire, PH16 8RU

Drawing title:  
Proposed Elevations  
Proposed Section

Scale:	Size:	First Issue:	Drawn:	Checked:
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S106	06	Perz		A





The following statement explains why the selected design solution is the most suitable in the circumstances in terms of its design and layout.

(HALP) Policy 2: identifies that the development should have the following characteristics:

- Compatibility with its surroundings and not result in significant loss of amenity.
- Regard to the scale form and density of development in the area.
- Site capable of absorbing and screening the development.
- Located in designated areas for settlement.

Response:

- The setting and design of the house reflects a vernacular style which has been tailored to acknowledge the footprint and form of the existing derelict buildings. By doing so we believe that it complies with this policy.

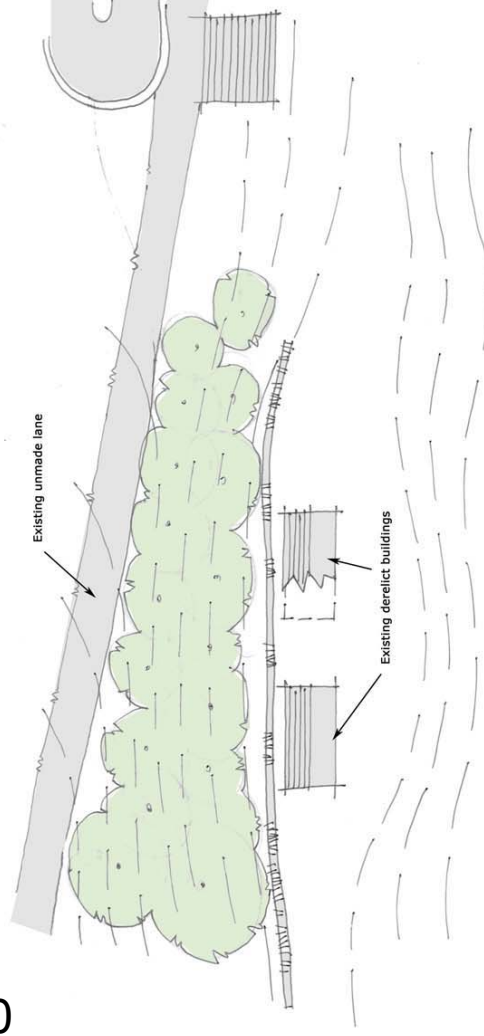
(HALP) Policy 3: identifies that the development should have the following characteristics:

- Conserve landscaped features and a sense of local identity.
- Strengthen and enhance landscape character.

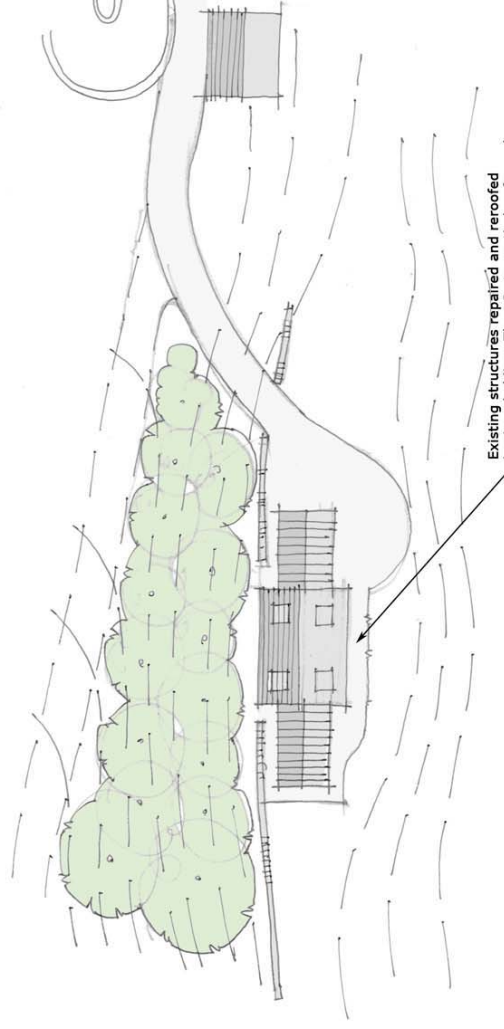
Response:

- Reusing the existing derelict buildings and the random rubble connecting wall will preserve and enhance these derelict features.

720



Sketch of Site Plan as Existing



Sketch of Site Plan as Proposed

(HALP) Policy 5: Identifies that the development should have the following characteristics:

- High quality materials.
- Innovative modern design incorporating energy efficient modern technology.
- Avoid large amounts of under building on the slope.
- Ensure proportions are in keeping with the surroundings.
- Ensure the development fits its location.

Response:

- By using existing on site materials particularly stone and slate this will meet the requirements by reflecting local character and contributing to a sustainable development.
- When viewed from surrounding vantage points the development will comply by;
  - o Blending sympathetically with the land form.
  - o Using existing trees, slopes and the other natural features as a backdrop.
  - o Using an identifiable site with existing buildings and long established boundaries

(HALP) Policy 18: Identifies that the Council will oppose developments which will have an adverse impact on the landscape character and visual amenity of a national scenic area.

Response:

- (HICP 2009) identifies that the conversion or replacement of redundant non domestic dwellings and the formation of houses may be granted under certain circumstances. The new house will create a building which is generally faithful to the design form and materials of the existing buildings and this factor will support compliance.
- The removal of dereliction (the two existing buildings) will result in an environmental improvement which will support compliance with the requirements of this Policy.



(HALP) Policy 54: identifies that the Council will normally only support proposals for the erection of houses in the countryside which fall into one of the following categories:

- Within small groups.
- Development within established groups.
- Renovation or replacement of houses not worthy of retention.
- Conversion or replacement of non domestic buildings.
- Operational need.

Response:

- The detached dwelling falls into the fourth category in that it converts/ replaces existing non domestic buildings.
- The new dwelling will share the internal road system which provides access to the Estate and in doing so it emphasises that it is ancillary accommodation.
- It is the intention to let out both Port An Eilean House , the cottage and the detached dwelling thereby generating local income.

(HALP) Policy 22: identifies that the Council will seek to protect native woodland and encourage and support the expansion of existing native woods and the creation of new ones.

Response:

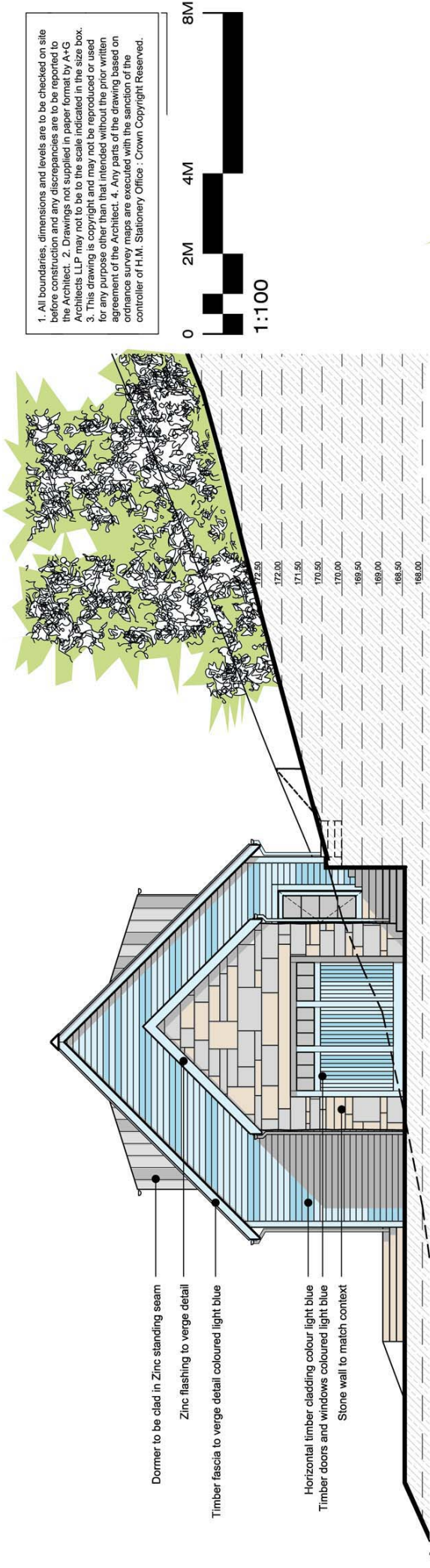
- The development supports (HICP 2009) as the scale, layout and design has a good fit with the landscape character of the area and demonstrates a specific design approach to achieve integration with the woodland setting.

721



Sketch Perspective





1. Proposed East Elevation



2. Proposed South Elevation

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Rev	Date	Description	By	Chk	
A	21 11 11	Deletion of disclaimer do not scale	CSM	CSM	

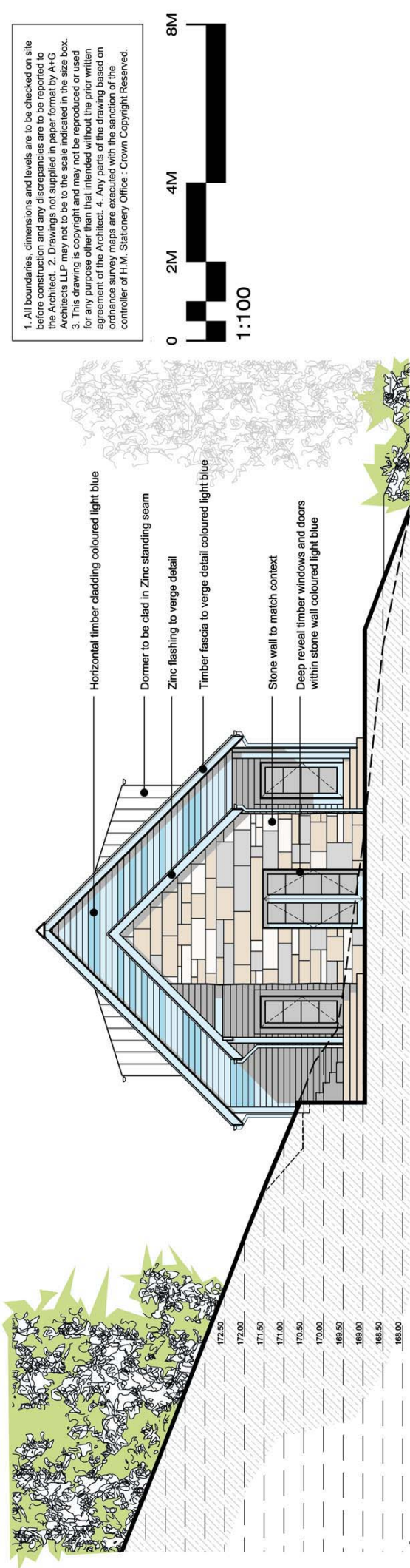
Client:	Project:
Ian Gray Port an Eilean, Loch Tummel	Port an Eilean, Loch Tummel, Pitlochry, Perthshire, PH16 5RU
Drawing:	
Proposed Elevations (Coloured)	
Sheet 1 of 2	

Scale(s):	Size:	First issue:	Drawn:	Checked:
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Job no:	Drawing no:		Rev:	
S106	13		A	

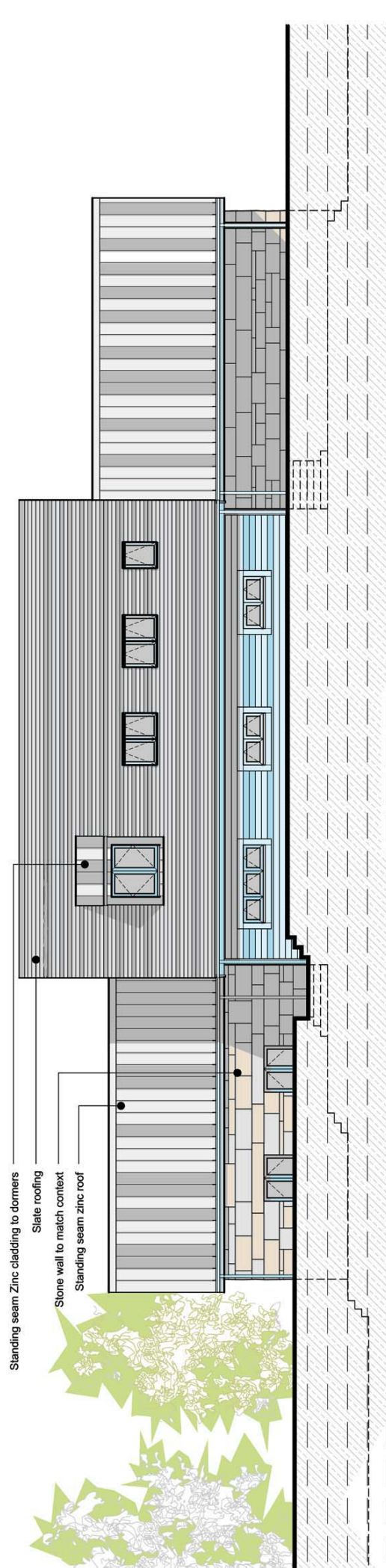
All dimensions and setting out must be checked on site. Use written in preference to scaled dimensions. If in doubt ask.

AG-040-2.2.0





1. Proposed East Elevation



2. Proposed South Elevation

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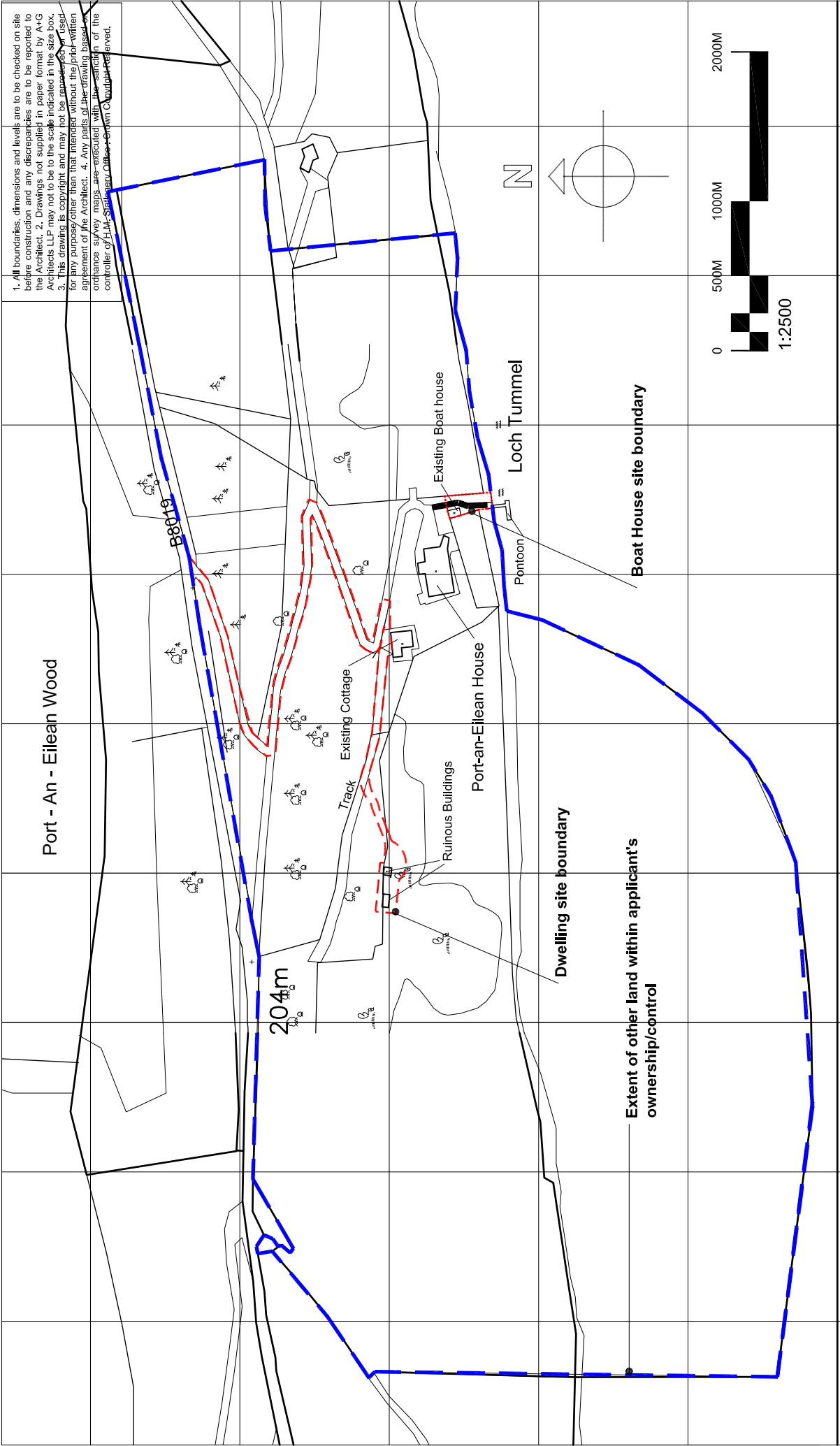
Rev	Date	Description	By	Chk
A	21.11.11	Deletion of disclaimer do not scale	CSM	CSM

**Client:**  
Ian Gray  
Port an Eilean, Loch Tummel  
Pitlochry, Perthshire, PH16 5RU

**Project:**  
Port an Eilean, Loch Tummel,  
Pitlochry, Perthshire, PH16 5RU

**Drawing:**  
Proposed Elevations (Coloured)  
Sheet 2 of 2

Scale(s): 1:100	Size: A3	First issue: 20 10 11	Drawn: CM	Checked: CM
Job no: <b>S106</b>	Drawing no: <b>14</b>	Rev: <b>A</b>		



Scale(s):	Size:	First Issue:	Drawn:	Checked:
1:2500	A3	24 11 11	CM	CM
Job no:	Drawing no:		Rev:	
S106	16			

Client:	Project:
Ian Gray Port an Eilean, Loch Tummel, Pitlochry, Perthshire, PH16 5RU	Port an Eilean, Loch Tummel, Pitlochry, Perthshire, PH16 5RU
Drawing:	
Site Boundary Plan	

Rev	Date	Description	By	Chk

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All dimensions and setting out must be checked on site. Use written in preference to scaled dimensions. If in doubt ask.

**TCP/11/16(182)**

**Planning Application 11/01827/FLL – Erection of a dwellinghouse at Port An Eilean Hotel, Strathtummel, Pitlochry, PH16 5RU**

**PLANNING DECISION NOTICE** (included in applicant's submission, see pages 711-712)

**REPORT OF HANDLING** (included in applicant's submission, see pages 713-716)

**REFERENCE DOCUMENTS** (included in applicant's submission, see pages 717-724)



**TCP/11/16(182)**

**Planning Application 11/01827/FLL – Erection of a dwellinghouse at Port An Eilean Hotel, Strathtummel, Pitlochry, PH16 5RU**

## **REPRESENTATIONS**

- Representation from Biodiversity Officer, dated 15 December 2011



**From:** David Williamson  
**Sent:** 15 December 2011 15:31  
**To:** Joanne Ferguson  
**Subject:** 11/01827/FLL Erection of a dwellinghouse Port An Eilean Hotel Strathtummel Pitlochry PH16 5RU

Joanne,

Looking at this I don't think it is likely that any bats will be present, but due to the proximity to woodland and the loch I would suggest a cautious approach and request the following should be included in any approval.

**Due to the nature of the proposed work it is important to keep in mind the possibility of finding bats when doing work on the existing roof. If bats are found during works, the work should stop immediately and you should contact SNH at Battleby immediately for advice. Building and demolition works should avoid the times of year when bats are most vulnerable to disturbance. The summer months, when bats are in maternity roosts, and the winter months when bats are hibernating, should be avoided. Typically early spring and autumn months are the best times to do work that may affect bats. If you suspect, or discover, that bats are present you should consult SNH for advice. For further information visit the Bat Conservation Trust website <http://www.bats.org.uk/>**

Thanks,

David

*David Williamson  
Biodiversity Officer - Planning and Regeneration  
Perth and Kinross Council  
The Environment Service  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD*

*01738 475278  
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[www.pkc.gov.uk](http://www.pkc.gov.uk)*

*Every Council Officer has a duty under the Nature Conservation (Scotland) Act 2004 to conserve and enhance biodiversity*

