

Perth and Kinross Council
Planning & Development Management Committee – 18 October 2017
Report of Handling by Interim Development Quality Manager

Erection of a dwellinghouse (in principle) on land north of Grieves House
Longforgan

Ref. No: 17/01402/IPL

Ward No: P1 - Carse of Gowrie

Summary

This report recommends approval of the application for erection of a dwelling in principle as the development proposal is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which would outweigh the Development Plan.

BACKGROUND AND PROPOSAL

- 1 The application site forms part of the land associated with Grieve's house, formerly part of Snabs farm, which is now a redundant farm unit with the original steading redeveloped into residential uses.
- 2 Snabs farm is located north of the A90, approximately half a mile NW of the village of Longforgan in the Carse of Gowrie. The Snabs Farm grouping comprises eight existing dwellings varying from a listed farmhouse, detached cottages, a converted steading building and a new build semi-detached courtyard development. Snabs farmhouse is a category B listed building.
- 3 The proposed plot extends to approx. 890 sqm, (not including vehicular access) which is not an uncommon single plot size in a rural context. The main plot areas wrap around Grieves cottage to the north and east. The garage/workshop which previously occupied the site has been demolished.
- 4 The site was previously refused planning permission for erection of a dwelling in principle ref 12/01784/IPL. A review was then submitted to the Local Review Body with the application being upheld and permission granted subject to conditions. This permission has since lapsed hence the current application.

NATIONAL POLICY AND GUIDANCE

- 5 The Scottish Government expresses its planning policies through the National Planning Framework (NPF) 3, the National Roads Development Guide 2014, Scottish Planning Policy (SPP) 2014 and Planning Advice Notes (PAN).

National Planning Framework

- 6 The NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. Under the Planning etc (Scotland) Act 2006 this is now a statutory document and material consideration in any planning application. The

document provides a national context for Development Plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

The Scottish Planning Policy 2014

- 7 The Scottish Planning Policy (SPP) was published in June 2014 and sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:
 - The preparation of development plans;
 - The design of development, from initial concept through to delivery; and
 - The determination of planning applications and appeals.
- 8 Of relevance to this application are Paragraphs 109 – 134, which relate to enabling the delivery of New Homes.

DEVELOPMENT PLAN

- 9 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYPlan Strategic Development Plan 2012-2032

- 10 Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *"By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs."*

Perth and Kinross Local Development Plan 2014

- 11 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 12 The LDP sets out a vision statement for the area and states that, *"Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth."*
- 13 The relevant policies are;

PM1A - Placemaking

- 14 Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

Policy PM1B - Placemaking

- 15 All proposals should meet all eight of the placemaking criteria.

Policy PM3 - Infrastructure Contributions

- 16 Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

Policy RD3 - Housing in the Countryside

- 17 The development of single houses or groups of houses which fall within the six identified categories will be supported. One of those categories is development which extends an existing building group into a definable site.

Policy HE2 - Listed Buildings

- 18 There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.

Policy TA1A - Transport Standards and Accessibility Requirements

- 19 Encouragement will be given to the retention and improvement of transport infrastructure identified in the Plan.

Policy TA1B- Transport Standards

- 20 Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

OTHER GUIDANCE

- 21 The following supplementary guidance and documents are of particular importance in the assessment of this application:

Developer Contributions and Affordable Housing 2016

- 22 This document sets out the Council's policy for securing contributions from developers of new homes towards the cost of meeting appropriate infrastructure improvements necessary as a consequence of development. This document also sets out the Council's policy on affordable housing provision.

Housing in the Countryside Guide 2012

- 23 This supplementary guidance is the most recent expression of Council policy towards new housing in the open countryside, and offers support for new housing in the open countryside providing certain criteria can be met. Such criteria include the opportunity for the expansion of existing building groups into definable sites providing that certain criteria can be met.

PLANNING SITE HISTORY

- 24 12/01784/IPL Removal of hardstanding, demolition of garage/workshop and erection of new dwellinghouse (in outline) at Grieve's House, Snabs Farm, Longforgan – Refused under delegated powers in December 2012 with review to LRB granted July 2013.

CONSULTATIONS

EXTERNAL

Scottish Water

- 25 No objections with regards to infrastructure capacity.

Dundee Airport

- 26 No objection as the development would not infringe the safeguarding surfaces for Dundee Airport.

INTERNAL

Transport Planning

- 27 No objection to the proposal.

Environmental Health

- 28 No objection to the proposal but conditions recommended regarding private water supplies. It has been confirmed by Scottish Water that the site is not served by private water supplies and therefore no condition is required.

REPRESENTATIONS

- 29 Seven letters of representation have been lodged raising the following issues:
- Pressure on private water supplies
 - Contrary to Policy
 - Overdevelopment
 - Adverse impact on visual amenity
 - Road safety concerns/traffic volumes
 - Impact on setting of Listed Building
 - Loss of privacy

- 30 The Appraisal section of this report responds to the material planning concerns raised.

ADDITIONAL STATEMENTS

31	Environment Statement	Not required
	Screening Opinion	Not required
	Environmental Impact Assessment	Not required
	Appropriate Assessment	Not required
	Design Statement / Design and Access Statement	Submitted
	Report on Impact or Potential Impact	None

APPRAISAL

- 32 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The determining issues here are whether the proposals comply with Development Plan policy and Supplementary Guidance or if there are other material considerations, which justify a departure from policy.

Policy

- 33 The site lies within the landward area where Policies PM1 Placemaking, RD3 Housing in the Countryside and the associated Housing in the Countryside Supplementary Guidance 2012 are directly applicable.
- 34 The site is not located within a settlement boundary and therefore the principle of developing the site falls to be considered under Policy RD3 Housing in the Countryside and the associated 2012 Guide. Policy RD3 states that development of single houses or groups of houses which fall within at least one of the six identified categories will be supported.
- 35 The proposal was previously assessed under the Perth Area Local Plan 1995 and the 2009 Housing in the Countryside Guide. The Local Review Body (LRB) considered that the site formed part of a building group and additionally accorded with the Category 2 Infill Sites of the 2012 Housing in the Countryside Guide which was adopted prior to the review of the application.
- 36 The building groups category has remained fairly consistent in the last few versions of the Housing the Countryside Policy. The policy states that consent will be granted within building groups where they respect the character, layout and building pattern of the group.
- 37 Category 2 of the Housing in the Countryside Guide allows development of sites in gaps between established houses. The plots created should be comparable in size to the neighbouring residential properties and have a similar road frontage.

- 38 As stated it has previously been considered by the LRB that the principle of development is acceptable in terms of development and as there has been no change in the policy position I consider that the LRB decision is a material consideration thus the principle of development is established.

Design and Layout

- 39 No indicative plans have been submitted. It is considered that a very modest sized and designed dwelling could be accommodated within the site but this would be dealt with at the detailed stage if permission is granted in principle.
- 40 Furthermore conditions were added previously by the LRB to limit the development to single storey and that the dwelling should be situated within the western portions of the plot and should not extend eastwards of the established building line of the property located south and the consented (now built) property to the north of the site. It is proposed to repeat this condition (Condition 2).

Residential Amenity

- 41 As this is a planning in principle application, the siting/design/layout of the development is not under consideration at this stage. However due to the sites dimensions a layout would need to be carefully considered which would offer a suitable residential environment for any future resident, would not result in an unacceptable overlooking or loss of privacy to neighbours and would offer sufficient off street parking provision.
- 42 Visually the site is free from any significant ground contamination although the full history of the use of the garage/workshop is unknown. A watching brief during redevelopment should be undertaken and an informative is proposed accordingly.

Listed Building

- 43 The site is to the north east of the category B listed Snabs Farmhouse and associated steading.
- 44 There has been some development in the vicinity of the listed building. An additional dwellinghouse in the proposed location may be acceptable without a significant further impact on the setting of the listed building.
- 45 It is noted that this application is in principle only and if approved the scale, design and external finishes will require careful consideration through a detailed application to ensure that the development complements the character of the existing buildings.

Water Supplies

- 46 The letters of representation have raised issues related to the water pressure in properties surrounding the site. The application is in principle and Scottish Water has no objection confirming there is sufficient capacity.

- 47 Scottish Water note in their consultation response that a formal connection application would be required once detailed permission is granted. The applicant has also confirmed that the water supply pipework to this site has been provided as part of the development of the new house to the north of the application site.

Road and Access

- 48 The site is accessed via a private track from the public road which serves the eight existing properties in the grouping. It is considered that the addition of one dwelling to the group would not lead to a significant increase in traffic. Parking and turning could be provided within the site. This is detailed in Condition 3.

Developer Contributions

Primary Education

- 49 The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.
- 50 This proposal is within the catchment of Longforgan Primary School which is operating at capacity. A condition will be added to ensure the compliance with the policy at the detailed stage if permission is granted, covered under Condition 5.

Transport Infrastructure

- 51 The Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.
- 52 The application falls within the identified Transport Infrastructure Supplementary Guidance boundary and a condition to reflect this should be attached to any planning application if granted, covered under Condition 6.

Economic Impact

- 53 The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

LEGAL AGREEMENTS

- 54 None required.

DIRECTION BY SCOTTISH MINISTERS

- 55 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30–33 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in, or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 56 In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, it is considered the proposal does comply with the relevant provisions of the adopted plan and there are no material considerations that would justify departing from the Development Plan
- 57 The site previously benefitted from an in principle planning permission and circumstances have not significantly changed. On that basis the application is recommend for approval subject to conditions.

RECOMMENDATION

A Approve, subject to the following conditions:

- 1 The development shall not commence until the following matters have been approved by the Planning Authority through the submission of an application or applications for approval of matters specified in conditions:
- (i) The siting design, height and external materials of all buildings or structures;
 - (ii) Details of vehicular access to the site and the provision of two car parking spaces and turning facilities.
 - (iii) Details of all landscaping, planting, screening and boundary treatment.

Reason - This is a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006.

- 2 In pursuance of Condition 1(i), the physical development shall be:

- (i) Limited to a single storey with any accommodation above ground floor level being contained in the roof space.
- (ii) Situated within the western portions of the plot and shall not extend eastwards of the established building line of the property located to the south and the property to the north of the site.

Reason – In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality. To ensure that the proposed house is of a scale and position to reflect and complement the massing, form and disposition of the existing group of existing and approved buildings at this locality.

3 In pursuance of Condition 1(ii), the scheme shall include:

- (i) Turning facilities to enable all vehicles to enter and leave the application site in a forward gear which shall be formed prior to the occupation of the dwellinghouse.
- (ii) A layout to accommodate a minimum of two car parking spaces which shall be formed prior to the occupation of the dwellinghouse.
- (iii) Suitable storage for waste disposal/collection which shall be formed prior to the occupation of the dwellinghouse.

Reason – In the interests of pedestrian and traffic safety and in the interests of free traffic flow within this building group.

4 In pursuance of condition 1(iii), the scheme shall include;

- (i) The location of new trees, shrubs, hedges, and grassed areas.
- (ii) A schedule of plants to compromise species, plant sizes and proposed numbers and density.
- (iii) The location, design and materials of all hard landscaping works including walls, fences, gates, and any other means of enclosure.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development, or such date as may be agreed in writing with the Planning Authority.

Any planting which, within a period of 5 years from the completion of development, in the opinion of the Planning Authority is dying, has been severely damaged or is becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason – In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality. To assist the integration of the proposed development with the adjoining building group and landscape.

5 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to transport infrastructure, unless otherwise agreed in writing with the Council as Planning Authority.

Reason - To ensure the development is in accordance with the terms of the Perth and Kinross Council Local Development Plan 2014 and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2016.

6 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure

Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to primary education infrastructure, unless otherwise agreed in writing with the Council as Planning Authority.

Reason - To ensure the development is in accordance with the terms of the Perth and Kinross Council Local Development Plan 2014 and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2016.

B JUSTIFICATION

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

C PROCEDURAL NOTES

- 59 None.

D INFORMATIVES

- 1 Application for the approval of matters specified in conditions shall be made before the expiration of 3 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.

The approved development shall be commenced not later than the expiration of 3 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.

- 2 Applicants are advised that should their application for Approval of Matters specified be refused and/or their appeal against such refusal dismissed outwith the three year time limit they are entitled to submit a revised application for Approval of Matters specified within six months after the date of refusal of the earlier application or of the dismissal of an appeal against such refusal.
- 3 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.
- 4 An inspection of the proposed development site did not raise any real concerns, although historical mapping indicates there was previously a nearby use which may have resulted in contamination in the vicinity of the site. The applicant is advised that, given historical uses of the wider area, there may be potential for contamination within the site. Should any contamination be found during the approved works, works should cease and the Land Quality team should be contacted on 01738 475000 or es@pkc.gov.uk for further advice.

Background Papers: 7 letters of representation
Contact Officer: Joanne Ferguson – Ext 75320
Date: 5 October 2017

Anne Condliffe
Interim Development Quality Manager

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