

LRB-2021-07**Planning Application – 20/01424/FLL – Erection of a shed, Cnoc An Fhraoich, Glenalmond, Kinross****INDEX**

(a) Papers submitted by the Applicant (***Pages 3-24***)

(b) Decision Notice (***Pages 27-28***)

Report of Handling (***Pages 29-35***)

Reference Documents (***Pages 37-39***)

(c) Representations (***Pages 41-46***)

LRB-2021-07

**Planning Application – 20/01424/FLL – Erection of a
shed, Cnoc An Fhraoich, Glenalmond, Kinross**

**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 2013

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 ALASTAIR CALDERWOOD

Address CNOC AN FHRADICH
GLENLOMOND
KINROSS

Postcode KY13 9HF

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

PERTH AND KINROSS COUNCIL

Planning authority's application reference number

20/01424/FLL

Site address

SITED, CNOC AN FHRADICH, GLENLOMOND, KINROSS

Description of proposed
development

DEMOLITION OF EXISTING OUTBUILDING AND CRECTION
OF A REPLACEMENT STORAGE BUILDING

Date of application

20/10/20

Date of decision (if any)

3/12/20

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 DIFFICULT TO FULLY APPRECIATE THE NATURE OF THE ISSUES WITHOUT ACTUALLY WITNESSING THE SITE, BUILDING AND SURROUNDING BUILDINGS

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:

Statement

Notice of Review

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 SEE THE ACCOMPANYING DOCUMENT WHICH ADDRESSES
THE VARIOUS ISSUES IN DETAIL.

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

Notice of Review

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.

SINGLE DOCUMENT CONTAINING DETAILED ANSWERS AND
PHOTOGRAPHS

SCAN COPY OF THIS FORM

OS MAP SITE 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

[Redacted Signature]

Date

26/2/20

Planning Application 20/01424/FLL, (Previous application 19/01670/FLL)
Shed - Cnoc an Fhraoich, Glenlomond, Kinross. KY13 9HF.

The existing building is of a single skin construction of 'left over' materials, the walls being a mix of engineering, facing and internal brick and were originally unfinished. It sits within the garden ground of the associated property and 1m inside the western boundary. The area to the west is not part of the communal area of Glenlomond but is owned jointly between Cnoc an Fhraoich and 6 Balgedie Mews. It is currently a workshop and dead storage. However, the majority of the tools that were stored in it now have to be stored in the house due to the dampness associated with this type of construction. Due to the use of unsuitable materials used in the construction, the walls are deteriorating due to water ingress and frost damage. The brick infills are not attached to the brick pillars and the roof is not tied to the walls. Previous use of the building has been as an isolation ward, mortuary, laundry and storage.

The proposed building at Cnoc an Fhraoich, as evidenced in this document meets or exceeds all of the stated policies and negates all of the objections and reasons for refusal. It is in scale, does not over develop the site and would enhance rather than be detrimental to the visual amenity of the immediate area and it will mirror the surrounding buildings in design, style and finish, which at present the existing building does not.

Handling Report.

Background and description of proposal.

Paragraph 1. Whilst Glenlomond is situated within the Lomond Hills Special Landscape Area, the proposed development is within the Glenlomond development envelope therefore development is not restricted to the extent of the greater restrictions of the LHSLA.

Paragraph 2.

- It is stated that the proposal is for a two story building replacing a single story building.
 - The proposal is for a 1.5 story building with the upstairs storage being completely contained within the attic trusses. Additionally the existing building is higher than a single story building would normally be at 3.2m to the eaves and 4.3m to the ridge. Previously there was also a 1.3m tower sited centrally on the ridge.
- It is stated that the building is being extended to 10m by 5m.
 - The existing building has a footprint of 10m by 5m and the proposal is to construct the new building on the existing footprint, there is no increase in the footprint or development of the overall site and no loss of any amenity space around the building or the site as a whole.

PKLDP 2 2019.

Policy 1A – Placemaking

- *Development must contribute positively to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation.*
 - The existing building does not match any of the surrounding buildings or the house associated with it. The proposal is to replace it with a new building that matches both of these in terms of scale, design and finish.
 - In terms of environmental issues. As stated the existing building is single skinned, has no insulation, is damp and very wasteful to attempt to heat. The proposed building required to be designed up to current building standards including all environmental and climate change mitigation measures.
- *The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.*
 - As above the proposed design reflects the design and finish of the buildings in the immediate vicinity as shown in the photographs in appendix 1. The existing building is not of the same style or construction as any of the existing Glenlond Hospital buildings. There has been no mention that any additional landscaping is necessary presumably because the proposal is already situated within a mature garden.

The proposed building meets or exceeds the requirements of Policy 1A

Policy 1B - Placemaking

- *All proposals should meet all the following placemaking criteria:*
- *a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.*
 - The proposed building more accurately matches the style, proportion and finishes of the buildings immediately in the vicinity of it and of those buildings original to Glenlond Hospital bringing greater coherence of the building with the overall style of Glenlond. As the proposal is on the same footprint as the original and there is no increase in footfall or traffic movement, there is no negative impact on the safety regarding access to and egress from the proposed building. Immediate and only access to the building is by way of two doors in the north gable, into the secured private garden of Cnoc an Fhraoich.

- *b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.*
 - The existing and proposed buildings are only visible from the properties that overlook the site. The proposed building is not visible from any public road, footpath or other public space. Glenlomond, as a development, is private and all the land is either in individual private ownership or as resident common property. Both buildings are or will be visible from the northern end of Bishops Hill and West Lomond. The proposed building will have no noticeable difference to those views.
- *c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.*
 - As has already been stated the proposed building is of the same design, scale, massing, materials and finishes and the immediate and wider surroundings. The existing building is not. All original buildings in the area of Glenlomond where the proposed building is sited are whitewash pebble-dash, red roofed and gable ended. They also have a wall of between 1m and 1.3m above the windows before the eaves line. The proposed finishes are a pan tiled roof identical to Cnoc an Fhraoich as one of the only two options acceptable to PKC and the walls are to be of a modern more efficient finish similar in appearance to a whitewash wet dash render.
- *d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.*
 - The proposed building is on the same footprint so retains the existing building lines and elevations of the existing building. The south and west elevations mirror the buildings opposite in both design and scale.
- *e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.*
 - The proposed building does not alter the existing provisions of this requirement.
- *f) Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible.*
 - The building is for domestic and garden storage and use as a workshop. It may be possible to partly convert the upper floor to a workspace should working from home become a more common practice in the future, in particular with reference to the change in attitudes due to covid-19 and the environmental benefits of less vehicular travel. However creating the domestic storage space within the roof space of the proposed building would free up a room within Cnoc an Fhraoich which could fulfill this potential need.
 - The proposed building is designed with the highest levels of insulation in line with building regulations and is finished with a modern and more efficient render system to remove the need for anti-fungal coatings and repainting of the surface on a regular basis thus reducing the environmental impact of these processes.

- The inclusion of the three roof windows and the third window to the east elevation are to provide natural light to the roof space storage area to reduce the need to use electric lighting when accessing the storage. The window at the foot of the stair is for this reason and in the interest of safety.
- *g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.*
 - This proposal is for the replacement, in-situ, of the existing building therefore the contribution, due to the design of the building, and integration into the built landscape will be enhanced.
 - Again, the design has taken into account the existing surrounding buildings and reflects their design. (appendix 1)
 - The existing building is of a design and construction that appears nowhere else in the original or new properties in Glenlomond.
- *h) Incorporate green infrastructure into new developments and make connections where possible to green networks.*
 - The proposed development makes use of the existing access to green infrastructure and networks.
- *i) Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).*
 - The arrangements for this policy will remain unchanged.
- *Sustainable design and construction.*
 - The design and construction use the most recent materials and construction making use of recycled materials where appropriate

The proposed building meets or exceeds the requirements of 1B

Policy 17 - Residential Areas

- *Generally, encouragement will be given to proposals which fall into one or more of the following categories of development and which are:*
 - a) compatible with the amenity and character of the area:*
 - The building proposed mirrors the surrounding buildings in design and scale and replaces the existing unsightly building thus it is not only compatible but improves the character of the area.
 - b) to shopping facilities where it can be shown that they would serve local needs of the area.*
 - Not applicable

- c) *Proposals which will improve the character and environment of the area or village.*
 - As with (a) above the proposed building will enhance the village not detract from it.
- d) *Business, homeworking, tourism or leisure activities*
 - As has already been stated, should the current need for home working become the norm as is being suggested by businesses, there is the possibility, with appropriate permissions including from the resident's association in line with the deed of conditions, to convert a part of the building to a home working facility.
- e) *Proposals for improvements to community and educational facilities*
 - Not applicable

The proposed building meets or exceeds the requirements of Policy 17.

Other Policies.

Mention is made of the Draft Technical guidance to the proposed KLDP 2019 expected to be adopted and now adopted as of November 2019.

- *...features of acceptable developments including outbuildings that should be subordinate to the original building and should not obscure the approach to the house,*
 - The proposed building is smaller than the existing house but of the same proportions as the existing building
 - Because it is on the same footprint it does not obscure the approach to the house.
- *be set back from the frontage,*
 - The proposed building is set back by the same 1m (west), 1.5m (east) and 1.5m (south) from the frontage as the existing building
 - The frontage (east) is on to an area of shared access to Cnoc an Fhraoich and 6 Balgedie Mews only. It is not common property to Glenlomond.
- *be built with materials which respect the house and its surroundings.*
 - The existing building is red brick (painted white) with a timber roof. Cnoc an Fhraoich is white bleached, white chipped dry dash with a red tiled roof. 6 Balgedie Mews is whitewashed wet dash with a red tiled roof. 4 Balgedie Court, 5 Balgedie Mews and Lomond House are finished as for No.6. (these are all of and the only overlooking properties) The proposed building will be using a modern silicon render of a similar profile to the mentioned buildings and will have a red tiled roof identical to Cnoc an Fhraoich.
 - The rainwater goods, window frames and doors will be brown to match Cnoc an Fhraoich.

- *Additionally, development should avoid being located too close to boundaries, overlooking neighbouring properties, dominating or detracting from the appearance of the house.*
 - The proposed building is in the same position as the existing building, is the same footprint as the existing building therefore in the same position relative to boundaries and other properties.
 - Although the roofline will be higher than the existing roof line (required by building regulations) it is not significantly higher, only 800mm higher than the overall roof height including the tower now removed for safety reasons.
 - The proposed building will match the existing house in style and finish, but on a smaller scale, therefore enhance the appearance of the property as a whole.

Policy 39

- The proposed building will have no impact on the landscape as stated at (a) to (g) and is not in one of the 42 SNH defined Wild Land Areas.

Representations.

The exact representation is as follows:

Kinross-shire Civic Trust offers a brief comment on the above application, just to point out that although the proposal is for a shed, the elevations are quite dwelling-like in appearance and the drawing is by a company that provides timber frame houses.

What is being inferred here regarding design, is that it looks more like its surroundings than the existing building. The other suggestion is that it could be used as a dwelling.

- Planning permission would be required for change of use from garden ground to residential
- Planning permission would be required for change of use from storage to residential

Both would be refused by PKC on justifiable grounds, and indeed similar applications have been refused with regard to insufficient amenity ground associated with the the new properties and for traffic, footfall and safety matters.

LDP 2 2019 pg 207

A tight settlement boundary has been drawn to limit any significant future growth because the village has no services or facilities, has a poor access road, and would not be a sustainable location.

- PKC recently permitted the demolition of the most significant remaining buildings of the former hospital and permitted the building of 13 new residential units which does not conform to this statement.

The most recent representation merely states that the design is unaltered and quotes the council reason for refusal. Neither representation actually object to the proposal and there are no other objections.

Furthermore

- there are no drainage facilities associated with this proposed building. This would be required and would require connection to the Glenlomond private sewerage system. Such permission would likely be refused.
- Any change of use or development requires, by title deeds, the consent of all residents. Such consent has been repeatedly refused for other proposed development of garden ground within Glenlomond.

Appraisal

Policy Appraisal.

In this instance, the proposed development is not considered to comply with the relevant provisions of the aforementioned Local Development Plan for reasons mentioned within this report and as such is recommended for refusal.

Visual Amenity, Design and Layout.

- *The age, character, condition and materials used in the construction of the outbuilding is reflective of the former hospital buildings at Glenlomond.*
 - All of the existing buildings are whitewash wet-dash render. The existing building is made from a mix of leftover brick.
 - The existing buildings have a linear outside wall, the existing building is a series of brick pillars and infill single skin brickwork.
 - The majority of the remaining Hospital buildings have gable ends and peirn roofs, the existing building is hipped.
- *The most notable remaining block now converted into residential use, exists to the South, closer to the main access road.*
 - Until the recent planning application granted by PKC the most notable remaining building was the former Levensglenn Nursing Home, now demolished, to be replaced by 13 residential units with significant loss of open amenity ground.
- *A public footpath leading to the Lomond Hills exists to the immediate east of the site and separates the building from the adjoining agricultural land.*
 - The footpath is not public it is a private access to the sewage works, detailed in the property titles as residents common property.

- The public have no right of access to it or across it as the policies associated with Glenlomond fall under the exception stated in the Land Reform (Scotland) Act 2003 s.6(1)(c). To do so would be an offence under the Act and Trespass at common law.
- It is not a public footpath to the Lomond Hills, that is via Dryside Road as indicated by PKC signage, access being either towards Glen Vale to the north or along a field margin to the south east.

In order for this to be a public footpath PKC would have to adopt it, maintain it and also adopt and maintain the access to it within Glenlomond. PKC have regularly insisted this is private from the junction with Dryside Road and not their responsibility, in particular regarding maintenance and snow clearing and have refused to adopt the road therefore there is no public access to the path.

While the principle of replacing the outbuilding is acceptable, the proposal raises several concerns in relation to the

- *scale, proportions*
 - As repeatedly stated the proposed building is of the same footprint as the existing building. Although the roofline has been raised to accommodate the attic storage and primarily to comply with building regulations, (headroom above the full width of a stair) it is not significantly higher than it has been previously.
- *relationship to the site, applicants house, surrounding area and resultant visual impact.*
 - The proposed building is in exactly the same position on the site as the existing building therefore has exactly the same relationship to both the site, the existing house and the surrounding area.
 - The site, formerly plot 9, was the shed sold with a building plot.
 - The footprint of the existing shed was included with and significantly restricted the permitted footprint of Cnoc an Fhraoich therefore was very much associated with the house.
 - The titles show the shed within the boundary of plot 9.
 - The visual impact would be greatly improved.
 - There have been no neighbour objections to the proposed building.
- *The proposed unit is substantially larger in scale and features two floors of storage; each floor would be accessed by separate doors in the gable closest to the applicants' garden to the north.*
 - The double access is for security and practicality.
 - The left hand door access only the upper floor which will be used for the domestic storage – clothing, valuables, musical instrument storage, Christmas decorations, memento's, usual attic storage. It can remain locked, secured and alarmed.
 - The ground floor is for a hobby workshop (motorcycle restoration and woodworking), 'potting shed', garden tools and winter storage of two motorbikes
 - This can remain unlocked for access without compromising the security above.
 - The positioning of the stair is critical to the practical usage of the building and maximising useable space. An internally accessed stair is either impractical or contrary to building regulations.

- *There is approximately a 1.2 metre gap between the top of the windows and the fascia, resulting in a top-heavy appearance which is out of scale and proportion for normal domestic storage purposes.*
 - As detailed above and as shown in the photographs, the 1.2m gap is identical to, and a reflection of, the buildings immediately opposite the proposed building.
 - The existing building is full, the existing property has very limited storage so the use is for “normal domestic storage”? The existing attics in Cnoc an Fhraoich are small and cramped and require to be completely emptied to access items at the far ends.
- *Three ground floor windows and rooflights are proposed on the rear aspect of the unit, with a further two at the front, overlooking the shared access road. The south facing elevation is to be blank.*
 - This will be dealt with in more detail under residential amenity. With the exception of the roof lights and attic storage window, the remaining windows are in the same elevations and similar positions to the existing windows although significantly smaller.
- *The building is considered to be too large for the development site as there will be insufficient remaining amenity space around the replacement unit.*
 - Again as repeatedly stated, the proposed building does not occupy any more of the site than the existing building therefore the surrounding amenity space remains unaltered.
- *The proposed scheme also does not afford a suitable arrangement in relation to layout and connectivity with the applicant's property.*
 - This statement is not rational. The connection to the existing property is exactly the same as with the existing building.
 - It lies within the secured garden ground of the residential property.
 - It is accessed in the same manner as the existing building, from the front door, across the grassed area and car parking space to the shed door.
 - There are no physical barriers between the house and shed.
 - The access door/s are in the same north gable as the existing building.
 - It is in exactly the same position, 15m from the existing residential property. *Overall, the proposed development would have an adverse impact on visual amenity levels by adopting a particularly dominant, harsh and assertive approach, out of keeping with the edge of settlement location and existing building scales. The resulting effect would have a detrimental impact on the character and amenity of the area through its visual appearance and over development of the site.*

Whilst it is accepted that each application is taken on its own merits, I refer to 16/00751/FLL and the photographs below. And the property built in 2018/19 at Glenlomond House.



- This is approximately 150m from the proposed development, is far more prominent on an edge of settlement position, is substantially larger, (in fact larger than Cnoc an Fhraoich)
- It is not finished in an appropriate manner (grey render as opposed to white wet-dash or similar) and replaces a wooden, shiplap, garage.
- It is stated to be a triple car garage with storage above and is very similar in design.
- It can be seen from the Lomond hills and the footpath and cycleway to the Lomond Hills and John Knox's Pulpit known as Dryside Road. The first photograph is taken from this road. The proposed building at Cnoc an Fhraoich can only be seen from the buildings immediately around it and from the first 20m of the private path.

- The windows to the rear are approximately 1.2m below the eaves.
- There are three roof windows.
- There is a door in the gable to give separate access to the upper floor.

Residential Amenity

- *The building if utilised for regular domestic storage purposes which are ancillary to the existing house, is unlikely to impact upon established residential amenity levels.*
 - This contradicts the comments made regarding overdevelopment of the site.
 - This also suggests that the building is not going to be used for domestic storage, the building is purely domestic storage and domestic workshop/garden equipment storage and use.
- *However, the number and size of windows proposed, the two-storey nature of the building and proximity to boundaries is such that there is a potential for overlooking of adjoining land.*
 - Currently there are four windows, two in each of the east and west elevations. (there was originally one in the south elevation which is not being reinstated)
 - The fenestrated area of the existing building is 12.12m², the fenestrated area of the proposed building, including rooflights is 7.68m² a reduction of 2.32m².
 - The specified windows at ground level are smaller than the windows in the existing building. The third, smaller window to the rear will be obscured and is only to allow natural light at the foot of the stair.
 - The roof lights only overlook landlocked agricultural land
 - The attic gable window overlooks the associated garden.
 - The rooflights and gable window are to allow natural light into the attic space.

Landscape

- *The site is located within the Loch Leven and Lomond Hills Special Landscape Area. While no landscape features of merit will be affected within the small site;*
 - This statement is in agreement to what has already been stated.
- *the unit will be clearly visible from the public footpath which runs along the rear of the site, and the building will appear to dominate the pathway and have an adverse impact on the amenity of the surrounding area.*
 - Already explained that this is not a public footpath, it is a private access to the sewerage works and the only right of access is for residents.
 - The proposed building will not dominate the footpath as the roof line will not be significantly higher than that of the existing building.
 - The proposed building will not adversely impact on the amenity of the surrounding area
 - There is no impact on the view of any of the overlooking properties
 - There is no impact on the use of the immediate area

- The new roof line will be lower than the roofline of the associated residential property and will mirror the pitched roof and gables of the associated property.
- The building only features in the first 20m of the 200m access path.
- The dominating feature, the East elevation wall, will only be 400mm higher than the existing wall at 3.6m as opposed to the current 3.2m.
- There will be no impact on the amenity of the common garden of Lomond House

Roads and Access

- *The building is not being used for garaging purposes, there are no garage doors to enable vehicles to enter or exit. As such there is no change to the existing parking or turning provision at the site or applicant's nearby curtilage.*
 - Agreed

Drainage and Flooding

- *The proposals are located within the Loch Leven Catchment Area.*
 - Agreed
- *The plans do not contain any information as to the internal layout as such it is assumed that the development would be purely used for storage purposes and would have no need for services to be installed or WW to be dealt with.*
 - The plans, as submitted, contain floor plans that show all the internal layout detail. This includes all internal walls and the position of the stair.
 - There are no WW drainage requirements. Sewage and rainwater within Glenlomond are all treated in the private treatment plant before the outfall is discharged to the river Eden at Gateside.

Developer Contributions

- *The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.*
 - Agreed

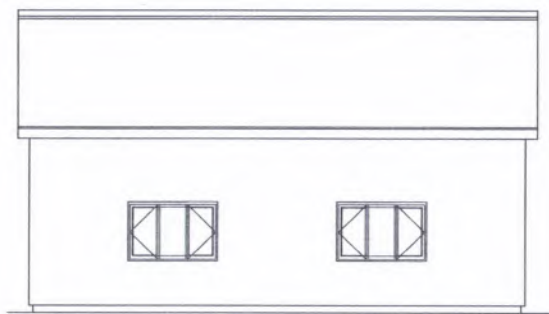
Economic Impact

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

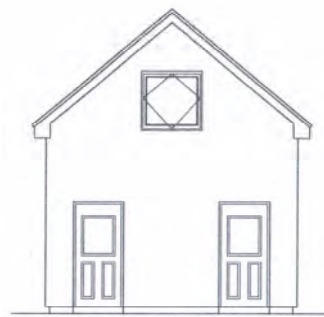
Appendix 1



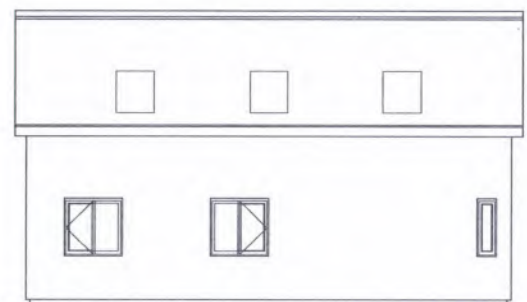
4 Balgedie Court



PROPOSED WEST ELEVATION



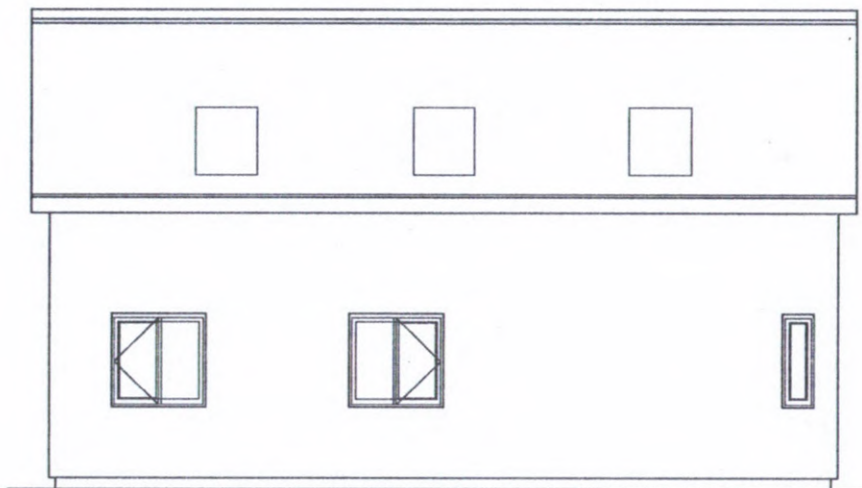
PROPOSED NORTH ELEVATION.



PROPOSED EAST ELEVATION.



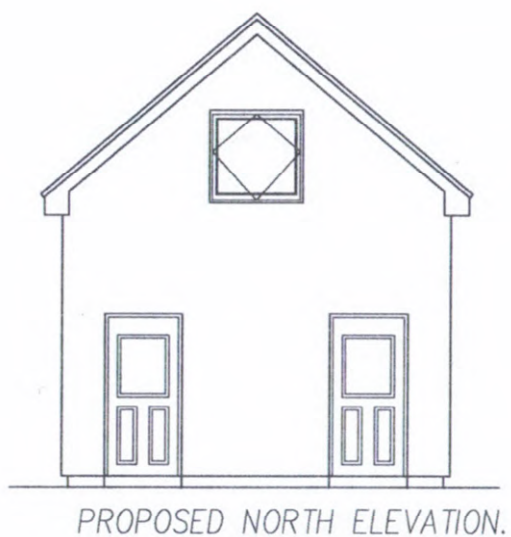
5 Baldedie Mews, west elevation, directly opposite the proposed building



PROPOSED EAST ELEVATION.



6 Baldedie Mews, East Elevation directly opposite the proposed building. Note that everything to the right of the red line is an extension put on when the block was converted in the 1980's and No.6 would have mirrored No. 4.





© Crown copyright and database rights 2020 Ordnance Survey 100048957. The representation of road, track or path is no evidence of a boundary or right of way. The representation of features as lines is no evidence of a property boundary.

Supplied by: www.ukmapcentre.com
Serial No: 196358
Centre Coordinates: 316946,704949
Production Date: 19/10/2020 13:41:51

Shed, Cnoc an Fraoich

LRB-2021-07

**Planning Application – 20/01424/FLL – Erection of a
shed, Cnoc An Fhraoich, Glenalmond, Kinross**

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS



Mr Alastair Calderwood
Cnoc An Fhraoich
Glenlomond
Kinross
KY13 9HF

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **3rd December 2020**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **20/01424/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 20th October 2020 for Planning Permission for **Erection of a shed Cnoc An Fhraoich Glenlomond Kinross KY13 9HF**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposals by virtue of their excessive scale, inappropriate design, proportions, finishes, prominent location, overdevelopment and lack of relationship to existing buildings, would have a detrimental impact on the character and amenity of the surrounding area. Approval would therefore be contrary to The Placemaking Supplementary Guide 2020 and Policies 1A, 1B and 17 of the adopted Perth and Kinross Local Development Plan 2 (2019) which seeks to ensure that proposals contribute positively to the quality of the surrounding built environment by respecting the design, character, appearance and amenity of the place.

Justification

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

Informatives

- 1 There are no relevant Informatives

Notes

The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

01

02

03

REPORT OF HANDLING

DELEGATED REPORT

Ref No	20/01424/FLL	
Ward No	P8- Kinross-shire	
Due Determination Date	19th December 2020	
Report Drafted Date	2nd December 2020	
Report Issued by	DN	Date 02/12/2020

PROPOSAL: Erection of a shed

LOCATION: Cnoc An Fhraoich Glenlomond Kinross KY13 9HF

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

DATE OF SITE VISIT: N/A Due to Covid Restrictions but photos of site taken by previous Case Officer in 2019 have been used.

SITE PHOTOGRAPHS





BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning application relates to an area of land containing a long-established brick built, hipped roofed outbuilding, that is located within the elevated rural settlement of Glenlomond, to the east of Kinross. The site is located within the Loch Leven and Lomond Hills Special Landscape Area.

Consent is being sought to replace the modestly sized, single storey storage building with a larger, two storey, block built, tiled and rendered unit. Plans indicate that the building will be used for storage purposes and extend to around 10 metres in length, 5 metres in width with an overall height of 6.1 metres.

An identical planning application was submitted by the applicant in 2019 which was refused under delegated powers (Planning Ref: 19/01670/FLL). The applicant did not appeal this decision to the Local Review Body.

In accordance with the on-going restrictions of the coronavirus pandemic, the application site has not been visited by the case officer. The application site and its context have, however, been viewed by photographs taken by the previous case officer in 2019. This information means that it is possible and appropriate to determine this application as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

SITE HISTORY

19/01670/FLL Erection of a shed 26 November 2019 Application Refused

PRE-APPLICATION CONSULTATION

None

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area 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, study and visit, and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2 (2019) – Adopted November 2019

The Local Development Plan 2 is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 17: Residential Areas

Policy 39: Landscape

OTHER POLICIES

Placemaking Guide 2020

CONSULTATION RESPONSES

Scottish Water

No objection

REPRESENTATIONS

Kinross-shire Civic Trust objects to the proposals, highlighting that it is the same as the previous application which was refused due to its excessive scale, inappropriate design, proportions and impact on character and amenity of the area.

ADDITIONAL STATEMENTS

Screening Opinion	Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2016 and the adopted Perth and Kinross Local Development Plan 2 (2019).

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

Policy Appraisal

The application site is within an area identified in the adopted Local Development Plan 2 (2019) as a residential area (Glenlomond); therefore, Policy 17 'Residential Areas' is directly applicable along with background placemaking considerations. These policies seek to ensure that new development is compatible with its surroundings and does not result in any negative impacts. Consideration must therefore be given to the design, layout, scale, massing and impacts upon amenity from the proposed outbuilding. Other policies are also directly applicable to ensure that the character and amenity of the area is not compromised.

In this instance, the proposed development is not considered to comply with the relevant provisions of the aforementioned Local Development Plan for reasons mentioned within this report and as such is recommended for refusal.

Visual Amenity, Design and Layout

The age, character, condition and materials used in the construction of the outbuilding is reflective of the former hospital buildings at Glenlomond. The most

notable remaining block now converted into residential use, exists to the South, closer to the main access road. A public footpath leading to the Lomond Hills exists to the immediate east of the site and separates the building from the adjoining agricultural land.

While the principle of replacing the outbuilding is acceptable, the proposal raises several concerns in relation to the scale, proportions, relationship to the site, applicants house, surrounding area and resultant visual impact.

The proposed unit is substantially larger in scale and features two floors of storage; each floor would be accessed by separate doors in the gable closest to the applicants' garden to the north. There is approximately a 1.2 metre gap between the top of the windows and the fascia, resulting in a top-heavy appearance which is out of scale and proportion for normal domestic storage purposes.

Three ground floor windows and rooflights are proposed on the rear aspect of the unit, with a further two at the front, overlooking the shared access road. The south facing elevation is to be blank. The building is considered to be too large for the development site as there will be insufficient remaining amenity space around the replacement unit. The proposed scheme also does not afford a suitable arrangement in relation to layout and connectivity with the applicants property.

Overall, the proposed development would have an adverse impact on visual amenity levels by adopting a particularly dominant, harsh and assertive approach, out of keeping with the edge of settlement location and existing building scales. The resulting effect would have a detrimental impact on the character and amenity of the area through its visual appearance and over development of the site.

Accordingly, the proposals are contrary to Policies 1A, B and 17 of the adopted Local Development Plan 2 (2019), which seek to ensure that developments contribute positively to the quality of the surrounding built environment by respecting the character and amenity of the place.

Residential Amenity

The building, if utilised for regular domestic storage purposes which are ancillary to the existing house, is unlikely to impact upon established residential amenity levels. However, the number and size of windows proposed, the two-storey nature of the building and proximity to boundaries is such that there is a potential for overlooking of adjoining land.

Landscape

The site is located within the Loch Leven and Lomond Hills Special Landscape Area. While no landscape features of merit will be affected within the small site; the unit will be clearly visible from the public footpath which runs along the rear of the site, and the building will appear to dominate the pathway and have an adverse impact on the amenity of the surrounding area.

Roads and Access

The building is not being used for garaging purposes, there are no garage doors to enable vehicles to enter or exit. As such there is no change to the existing parking or turning provision at the site or applicant's nearby curtilage.

Drainage and Flooding

The proposals are located within the Loch Leven Catchment Area. The plans do not contain any information as to the internal layout as such it is assumed that the development would be purely used for storage purposes and would have no need for services to be installed or WW to be dealt with.

Conservation Considerations

There are no issues or concerns in relation to conservation matters.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

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

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered not to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2 (2019). I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

The recommendation for this application has been made within the statutory determination period, however, the processing of this application has been significantly affected by the coronavirus (COVID-19) pandemic restrictions causing a significant delay to its output.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

The proposals by virtue of their excessive scale, inappropriate design, proportions, finishes, prominent location, overdevelopment and lack of relationship to existing buildings, would have a detrimental impact on the character and amenity of the surrounding area. Approval would therefore be contrary to The Placemaking Supplementary Guide 2020 and Policies 1A, 1B and 17 of the adopted Perth and Kinross Local Development Plan 2 (2019) which seeks to ensure that proposals contribute positively to the quality of the surrounding built environment by respecting the design, character, appearance and amenity of the place.

Justification

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

Informatives

None

Procedural Notes

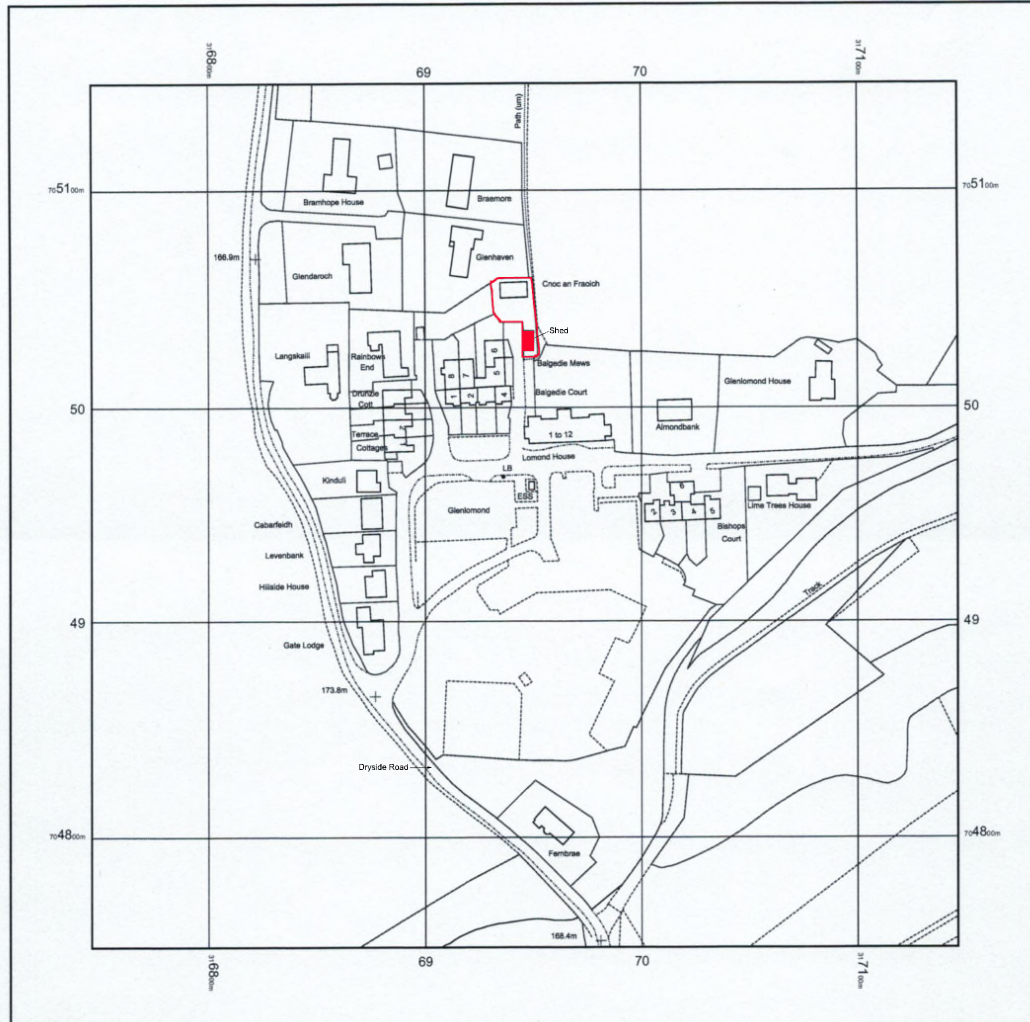
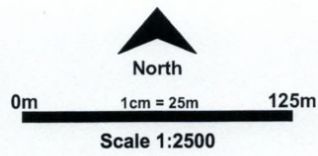
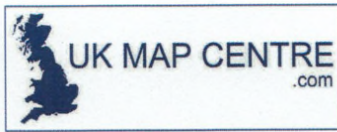
Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01

02

03

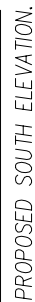
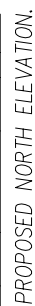
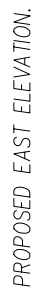


© Crown copyright and database rights 2020 Ordnance Survey 100048957. The representation of road, track or path is no evidence of a boundary or right of way. The representation of features as lines is no evidence of a property boundary.

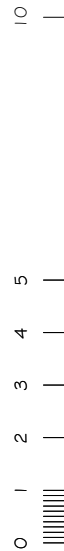
Supplied by: www.ukmapcentre.com
 Serial No: 196358
 Centre Coordinates: 316946, 704949
 Production Date: 19/10/2020 13:41:51

Shed, Cnoc an Fhraoich

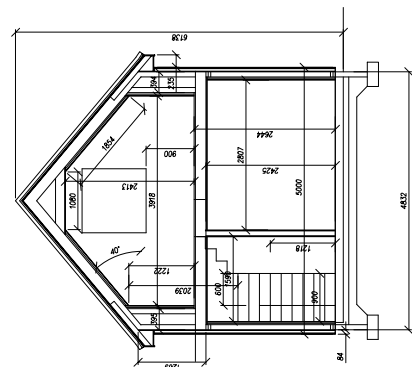




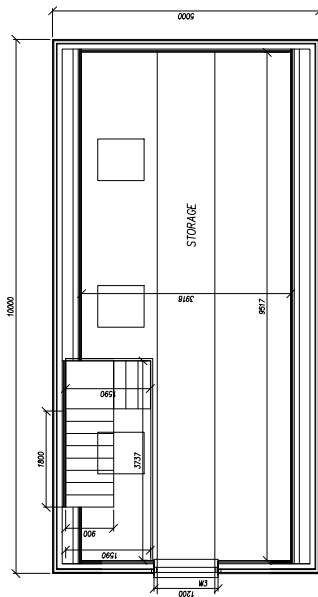
EXTERNAL FINISHES:
EXTERNAL WALLS: OFF WHITE SMOOTH RENDER BY ROWEBB OR EQUAL.
BASE COURSE: BLACK WITH RENDER FINISH TO MATCH RENDER ABOVE.
WINDOWS AND DOORS: BROWN ROSEWOOD UPVC WINDOWS AND DOORS.
ROOFS, FASCIAS: BROWN ROSEWOOD UPVC.
GUTTERS & DOWNPIPES: BLACK UPVC DOWNPIPES AND GUTTERING.
ROOF: RUSSELL PENNINGTON COTTAGE RED TILES TO MATCH EXISTING HOUSE.



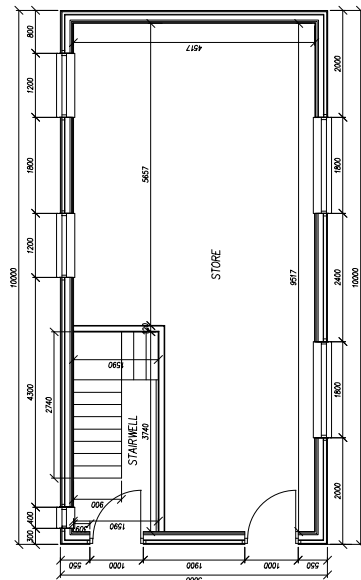
SCALEBAR 1:50 IN METRES.



PROPOSED SECTION A-A.



PROPOSED FIRST FLOOR PLAN.



PROPOSED GROUND FLOOR PLAN.

IF IN DOUBT - ASK!

CLAYMORE
TIMBER FRAME
- with the Extra Edge

COPYRIGHT

THIS DRAWING IS COPYRIGHT OF CLAYMORE TIMBER FRAME LTD
IT IS PROVIDED BY THE COMPANY FOR USE ONLY IN CONNECTION WITH
THE CONSTRUCTION OF THE HOUSE WHICH IT PORTRAYS FROM TIMBER
STRUCTURAL COMPONENTS MANUFACTURED BY THE COMPANY.
REPRODUCTION OF THIS DRAWING IN ANY OTHER WAY IS PROHIBITED.

DATE	REVISION	SIGNED	INITIALS
------	----------	--------	----------

DATE	REMARKS	UNIT/CLASS

3.111 F

FILE
CALDERWOOD-OUTBUILDING.
PLANNING-DRAWING.

FOR-MR- & MRS-CALDERWOOD.
CNOG-AN-FHRAICH
GLENLOMOND-KINROSS

Green by	Plant
GM	CT
Date	24-9-19
Scale	1:50
Drawing No.	24-9-19
Revision	Caludo 2

LRB-2021-07

**Planning Application – 20/01424/FLL – Erection of a
shed, Cnoc An Fhraoich, Glenalmond, Kinross**

REPRESENTATIONS

Monday, 26 October 2020



Local Planner
Planning and Development
Perth and Kinross Council
Perth
PH1 5GD

Dear Sir/Madam

SITE: Cnoc An Fhraoich, Glenlomond, Kinross, KY13 9HF
PLANNING REF: 20/01424/FLL
OUR REF: DSCAS-0025101-CDJ
PROPOSAL: Erection of a shed

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

For all extensions that increase the hard standing area within the property boundary, you must look to limit an increase to your existing discharge rate and volume. Where possible we recommend that you consider alternative rainwater options. All reasonable attempts should be made to limit the flow.

No new connections will be permitted to the public infrastructure. The additional surface water will discharge to the existing private pipework within the site boundary

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Planning Application Team

Development Operations Analyst
developmentoperations@scottishwater.co.uk



SW Public
General
To find out more about connecting your property to the water and waste water supply visit:



43



So, how are we doing?

We'd love to know what we're doing well or could do better. We promise we're listening, [click here](#) to tell us...



Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."



So, how are we doing?

We'd love to know what we're doing well or could do better. We promise we're listening, [click here](#) to tell us...



KINROSS-SHIRE CIVIC TRUST

Helping protect, conserve and develop a better built and natural environment

President – Professor David Munro MBE. Chairman – Mr Alistair Smith.
Secretary – Mrs Eileen Thomas. Treasurer – Mr Ken Miles.

Planning and Development Management
Perth and Kinross Council

by email to: developmentmanagement@pkc.gov.uk

13 November 2020

Dear Sir/Madam

20/01424/FLL Erection of a shed, Cnoc An Fhraoich, Glenlomond, Kinross, KY13 9HF

Kinross-shire Civic Trust objects to the above application.

The proposal appears to be exactly the same as previous application 19/01670/FLL which was refused under delegated powers on 26 November 2019. The reason for refusing 19/01670/FLL was:

“The proposals by virtual of their excessive scale, inappropriate design, proportions, finishes, prominent location, overdevelopment and lack of relationship to existing buildings, would have a detrimental impact on the character and amenity of the surrounding area.”

The previous application was considered under Local Development Plan 1 but the equivalent policies in Local Development Plan 2 would apply to the new application. These are:

- Policy 1A (Placemaking)
- Policy 1Bc (Placemaking)
- Policy 17 (Residential Areas)

Yours faithfully

Kinross-shire Civic Trust

