

LRB-2021-08
Planning Application – 20/01380/IPL – Erection of a dwellinghouse (in principle), land 30 metres east of Cairnbank, Corsiehill, Perth

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LRB-2021-08

Planning Application – 20/01380/IPL – Erection of a dwellinghouse (in principle), land 30 metres east of Cairnbank, Corsiehill, Perth

**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 MR D. HUTCHISON

Address [REDACTED]

Postcode [REDACTED]

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name MR MARK WILLIAMSON

Address 34 HERMITAGE DRIVE
PERTH

Postcode PH1 2SY

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Fax No

E-mail* markjw10@virginmedia.com

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 & KINROSS COUNCIL

Planning authority's application reference number

20/01380/IPL

Site address

LAND EAST OF CAIRNBANK, CORSIEHILL, PERTH PH2 7BN

Description of proposed
development

ERECTION OF A DWELLINGHOUSE IN PRINCIPLE

Date of application

25/09/2020

Date of decision (if any)

9/12/2020

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:

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 checked="" type="checkbox"/> | <input 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

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.

* SEE SEPARATE STATEMENT

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.

DOC 1. DECISION NOTICE 20/01380/IPL 9 DEC 2020
 DOC 2. LETTER TO MR HUTCHISON FROM HEAD OF DEVELOPMENT CONTROL 17/02/2000
 DOC 3. REPORT OF HANDLING 20/01380/IPL 8/12/2020
 FIG 1. HISTORICAL MAPS & PHOTO
 PHOTOS 1-5 SITE PHOTOS
 PHOTO 6 AERIAL PHOTO INDICATING SITE
 PHOTO 7. WHITE COTTAGE (DEMOLISHED 2000)
 PHOTO 8. INDICATIVE HOUSE TYPES
 FIG 2. INDICATIVE BLOCK 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:

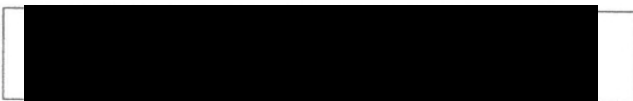
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

27/02/2021

Statement

Notice of Review

Erection of a replacement dwellinghouse (in principle) on land 30 metres east of Cairnbank, Corsiehill, Perth – 20/01380/IPL.

Introduction

This Notice of Review is submitted following the refusal of planning permission under delegated powers on the 9th December 2020 for the erection of a replacement dwellinghouse on a house plot at Corsiehill for Mr Hutchison (Doc 1). The reason for refusal is outlined below being contrary to green belt policy and that it was not considered to comply with Housing in the Countryside criteria:-

The proposal is contrary to Policy 43 Greenbelt of the Perth and Kinross Local Development Plan 2. This policy states that development will only be permitted where it meets one of the criteria set out in the policy. In relation to housing where it complies with criteria (4) or (5) of the Policy 19: Housing in the Countryside and associated Supplementary Guidance, and a positive benefit to the Green Belt can be demonstrated. The proposal does not comply with Category 4 Renovation or replacement housing and is not Category 5 Conversion or Replacement of Redundant Traditional Non-domestic Buildings.

Summary

It will be concluded in the Review Statement that the premise on which the planning policy decision was made, i.e. because there is no dwellinghouse on the Review site, it does not comply with policy, is flawed and should be set aside because it fails to take into consideration and give sufficient weight to the site history of built development and the relevant context, where it was previously recommended by Perth and Kinross Council that White Cottage be demolished without prejudice to the future development potential of the site. The Report of Handling does not acknowledge these important material considerations and their omission is the crux of the Notice of Review.

Background to the proposal

The review site is a 0.091ha area of ground situated within a group of existing dwellinghouses and consists of a plot of land associated with the former dwellinghouse and garden ground at White Cottage, Corsiehill, Perth. (Photos 1-6) White Cottage was a historic property and is indicated on historic maps of the area dating back to at least 1860. (FIG 1 & Photo 7)

The cottage was situated to the front of the site adjacent to the access road. In February 2000 a letter to the landowner Mr Hutchison from Mr Sleith, the Head of Development Control at Perth and Kinross Council at the time, recommended the demolition of White Cottage for safety reasons and also that it was considered *unsightly* and was *detracting from the appearance of the area*. (Doc 2.)

In the letter of 17 February 2000 to Mr Hutchison, Mr Sleith also wrote that:-

"I am aware of the fact that you have been discussing potential development on the ground which you own at Corsiehill, and I would wish to point out that complete demolition of the building will not disadvantage any development potential which the site may have."

Following this letter and with confidence that the demolition of the house would not prejudice the development potential of the site, White Cottage was duly demolished by Mr Hutchison.

In 2005 a detailed application was submitted for the development of a single dwellinghouse on the site, reference 05/00084/FUL. The dwellinghouse in the 2005 application was 1.5 storeys in height with a pitched roof and dormers situated in the level area of square shaped ground to the rear of the plot.

Under application 05/00084/FUL the proposal was assessed under the Housing in the Countryside Policy and the adopted local plan at the time was the Perth Area Local Plan 1995 and the Perth and Kinross Structure Plan 2003.

Despite the fact that this proposal was for a replacement dwellinghouse for White Cottage which was recommended by Mr Sleith to be demolished, planning permission was refused in April 2005, much to the surprise and disappointment of the applicant following the reassurances from the Head of Development Control.

After this refusal and with the onset of the recession there was no further action taken by the applicant until the 2016 application where a modern styled dwelling was proposed to the rear of the site.

In the Perth and Kinross Local Development Plan 2014 the review site and the grouping of houses at Corsiehill were included in the green belt and this designation has been maintained with the review site being within the green belt of the current 2019 local development plan.

Planning History

February 2000 - Letter from the Head of Planning to Mr Hutchison stating that it is recommended that White Cottage is demolished and in doing so it was intimated to the applicant that this will not prejudice any future development potential on the site.

April 2005 – Application for the erection of a replacement dwellinghouse to the rear of the White Cottage site was refused, ref: 05/00084/FUL.

March 2017 – Planning application 16/02240/FLL was refused under delegated powers for a replacement dwellinghouse in the rear garden ground of the former White Cottage.

November 2017 – Notice of Review on the refusal of application 16/02240/FLL for a replacement dwellinghouse was upheld by the Local Review Board.

December 2020 – Planning application 20/01380/IPL for the erection of a replacement dwellinghouse on the site of the former White Cottage at the front of the site was refused under delegated powers.

Current Planning Policy Context

TayPlan 2012-2032

Policy 3: Managing TayPlan's Assets

Where along with protecting employment land, natural and historic assets and finite resources, an aim is to continue to designate green belt boundaries at St Andrews and Perth to protect their settings views and special character and safeguard the countryside from encroachment.

Perth and Kinross Local Development Plan 2019

The application site falls within the designated green belt of the adopted Perth and Kinross Local Development Plan 2019 where the relevant policies are considered:-

Policy 43: Green Belt

Within the area designated as Green Belt, development will only be permitted where it meets one of the following criteria:

- (a) it can be demonstrated that the development either supports an established use, or develops a new business within the Green Belt which has a direct relationship to the land; or
- (b) it can be demonstrated that the development is essential for agriculture, horticulture (including allotments) or forestry operations; or
- (c) it constitutes woodlands or forestry, including community woodlands; or
- (d) it constitutes uses which advance the Council's aims of improving public access to the countryside around Perth, including recreational, educational and outdoor sports; or
- (e) it complies with criteria (4) or (5) of the Policy 19: Housing in the Countryside and associated Supplementary Guidance, and a positive benefit to the Green Belt can be demonstrated; or
- (f) it constitutes essential infrastructure such as roads and other transport infrastructure, masts and telecom equipment, renewable energy developments, or new cemetery provision. The primary consideration will be whether the infrastructure could instead be located on an alternative site which is outwith the Green Belt and a statement may be required identifying the search area and the site options assessed, the details of the existing or proposed activity to which the infrastructure relates, and the reasons as to why a green belt location is essential.

For all proposals development must be appropriate to the overall objectives of the Green Belt to protect and enhance the character, landscape setting and identity of settlements. All proposals for new buildings or extensions to existing buildings must be of a suitable scale and form, located and designed in such a way so as not to detract from the character and landscape setting of the Green Belt. Appropriate measures may be required to mitigate any adverse impact on the character, setting and identity of the locality.

Note: Within the Green Belt the application of Policy 19: Housing in the Countryside is limited to proven economic need, conversion or replacement buildings.

Note: Where a statement is required under criterion (f), the extent of search area will be a matter for agreement between the applicant and the Council. Where the search area only includes land under a single ownership then the search area should include all of the land in that ownership. The site options assessed should include evidence that all appropriate sites within that ownership have been considered.

Policy 1: 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 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 planting works appropriate to the local context and the scale and nature of the development.

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 5: Infrastructure Contributions

Policy 19: Housing in the Countryside

Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development

Policy 43: Green Belt

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

Other policies

Developer Contributions and Affordable Housing Supplementary Guidance September 2016 including guidance on education provision and transport infrastructure.

Placemaking Supplementary Guidance

Housing in the Countryside Policy

Reasons for Refusal and Grounds of the Review

The reasons for the review and matters to be taken into account in the determination of the review refers to the reason for refusal, which states that the proposal is contrary to the Perth and Kinross Local Development Plan 2019 green belt policy and the criteria of the Housing in the Countryside guidance.

The reason for refusal is re-stated below and then followed by the applicant's statement and argument against this reason in support of the review.

The proposal is contrary to Policy 43 Greenbelt of the Perth and Kinross Local Development Plan 2. This policy states that development will only be permitted where it meets one of the criteria set out in the policy. In relation to housing where it complies with criteria (4) or (5) of the Policy 19: Housing in the Countryside and associated Supplementary Guidance, and a positive benefit to the Green Belt can be demonstrated. The proposal does not comply with Category 4 Renovation or

replacement housing and is not Category 5 Conversion or Replacement of Redundant Traditional Non-domestic Buildings.

Grounds of the Review

In the Planning Officer's Report of Handling (Doc 3) it was stated:-

"As detailed above the agent has emphasised that this is a replacement building for a previous cottage that was demolished 20 years ago. The applicant argues that the original building would still be in situ had the planning department not recommended it was demolished and therefore the proposal is for a replacement building which is compliant with the green belt policy.

Policy 43 allows for proposals which comply with Category 4 Renovation or replacement dwellings of the Housing in the Countryside Policy and where a positive benefit to the green belt can be demonstrated. In the case of this proposal, these criteria have not been met as there is no existing dwelling on the site.

The Supplementary Guidance goes on to say that where a house has already been demolished, any subsequent planning application for a replacement house will be assessed under category 6 rather than category 4. The site is unlikely to meet the requirements of category 6 for Brownfield Land but regardless this isn't one of the Housing in Countryside categories that is allowed under the Green Belt policy. Unfortunately, in relation to this site the policy position is very clear and approval would be contrary to both Policy 19 and Policy 43."

As stated in sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 *planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise.*

In this case the site history of White Cottage is a material consideration and the advice given in February 2000 by Perth and Kinross Council has had a material impact on the site owner's ability to realise the development potential of the site.

The Planning Officer's conclusion and policy stance is based on there being no dwellinghouse on the site. This view, while factually correct, does not take into consideration the historical built context of the site and the assurances given by the Planning Authority, irrespective of how long ago these assurances were made.

This context is a material consideration and the policy stance taken in the Report of Handling should be set aside in order to respect the previous recommendations

made to the applicant. It should be noted that there had been a dwellinghouse on the site since at least the 1860s until it was demolished in 2000.

As stated above, this is an application for *a replacement dwellinghouse* on this plot. There was already a dwellinghouse on the site and it was only removed/demolished at the insistence of the Head of Development Control at the time.

The principle of a dwellinghouse on the plot is considered to be acceptable irrespective of whether it is within the green belt or not. The historical maps and photographs submitted confirm the scale and character of the former White Cottage similar in character to the other traditional single storey cottages at Corsiehill – The Cottage and Thistle Cottage.

The proposed dwellinghouse will be traditional in form and designed in such a way that it will not detract from the character and landscape setting of the Green Belt, in accordance with Policy 43. Fig 2 provides an indicative footprint for the replacement dwelling near the front of the site and indicative house types are shown in Photo 8.

Although the Review proposal is in principle the indicative layout shows that a dwellinghouse would be situated within the gable of Cairnbank and there would be no overshadowing or overlooking issues from a proposed single storey dwelling to Cairnbank. Any amenity issues or privacy issues from garden ground to the rear can be mitigated by appropriate boundary fencing at the detailed planning stage.

The review proposal does not constitute development within the 'open' green belt. It is within a building group and will not impact on the integrity of the green belt or threaten its status in being able to achieve its main aims of enhancing the character, landscape setting and identity of settlements.

It will not be detrimental to the character or appearance of Corsiehill being similar in style to existing neighbouring traditional cottages. The neighbouring houses are situated within the green belt and are a mixture of both traditional and modern house types and a traditionally styled dwellinghouse on the Review site will satisfy the placemaking policies of the local development plan and will not affect the character or appearance of the green belt.

Conclusions

It is concluded that the site history of built development and assurances made to the applicant by Perth and Kinross Council to protect the development potential of the site are important material considerations and outweigh the policy conclusions reached in the Report of Handling which are based on the premise *that because there is no existing dwelling on the site, then the Review proposal cannot meet the criteria.*

In this case the policy conclusions reached in the Report of Handling need to be set aside and the Review proposal assessed on the basis of site history, former Council recommendations about the site's potential and whether or not the replacement

dwelling will significantly affect the character or appearance of the existing building group or the green belt.

The review proposal is for a replacement dwellinghouse on the site of the former White Cottage and a traditional, appropriately scaled dwellinghouse on the site will not be detrimental to the appearance or character of the green belt and neighbouring housing. There will be no detrimental impact on existing residential amenity as a result of the proposal.

For the reasons outlined above it is considered that the review proposal for a single dwellinghouse on the site of the former White Cottage is acceptable and it is respectfully requested that the review is upheld.

Mr Don Hutchison
c/o Mark Williamson
34 Hermitage Drive
Perth
PH1 2SY

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice : 9th December 2020

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **20/01380/IPL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 12th October 2020 for permission for **Erection of a dwellinghouse (in principle) Land 30 Metres East Of Cairnbank Corsiehill Perth** for the reasons undernoted.

David Littlejohn
Head of Planning and Development

Reasons for Refusal

- 1 The proposal is contrary to Policy 43 Greenbelt of the Perth and Kinross Local Development Plan 2. This policy states that development will only be permitted where it meets one of the criteria set out in the policy. In relation to housing where it complies with criteria (4) or (5) of the Policy 19: Housing in the Countryside and associated Supplementary Guidance, and a positive benefit to the Green Belt can be demonstrated. The proposal does not comply with Category 4 Renovation or replacement housing and is not Category 5 Conversion or Replacement of Redundant Traditional Non-domestic 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.

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

04

05

06

DOC 2



PO Box 77 2 High Street Perth PH1 5PH Tel:
01738 475000 Fax: 01738 475310 email:
planning@pkc.gov.uk

Contact: Mr I Sleith or Mr B Stanford
Direct Dial: 01738 475303 or 475356

D Hutchison
Greenbank
Muirhall Road
Perth

our ref LC/200/1

Your ref:

Date: 17 February 2000

Dear Sir,
Cottage at Corsiehill, Perth

I am requested by some local residents and by the local Councillor Heather Stewart to request that you give consideration to demolishing the cottage which you own at Corsiehill on the grounds that it is perceived to be dangerous and is unsightly. While I am aware that you have demolished certain parts of the building which were dangerous in the opinion of my Senior Building Control Officer, there nevertheless remains concern that the present condition of the building is prejudicing the safety of adjoining houses and is detracting from the appearance of the area.

I am aware of the fact that you have been discussing potential development on the ground which you own at Corsiehill, and I would wish to point out that complete demolition of the building will not disadvantage any development potential which the site may have.

It is also suggested that I should advise you to consider whether you have adequate Insurance cover on the existing building given that children have recently been noted climbing on the building.

I would be pleased if you would confirm your intentions regarding the building.

Yours faithfully




Ian Sleith
Head of Development & Building Control


IS/RM

DOC 2

Copy to -
Councillor Heather Stewatt
Norman Macleod, Senior Building Control Officer

(FEBRUARY/LC2001 -is DOC)

Denis Munro 

Director 

REPORT OF HANDLING

DELEGATED REPORT

Ref No	20/01380/IPL	
Ward No	P12- Perth City Centre	
Due Determination Date	11th December 2020	
Report Drafted Date	8th December 2020	
Report Issued by	JF	Date 09/12/20

PROPOSAL: Erection of a dwellinghouse (in principle)

LOCATION: Land 30 Metres East Of Cairnbank Corsiehill Perth

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: No site visit due to Covid-19 restrictions previous site visits undertaken.

BACKGROUND AND DESCRIPTION OF PROPOSAL

The application is for erection of a dwelling at Land 30 metres East of Cairnbank, Corsiehill, Perth. The site is located within a small grouping of buildings to the east of Perth out with the settlement boundary.

This application is for erection of a dwelling in principle with an indicative plan submitted showing the location of a dwelling.

An application was submitted in 2016 for the erection of a dwelling which was refused and a review was sought at the Local Review Body and dismissed.

The agent has stated in this and the last application that in 2000 the existing cottage on the site was demolished and that the Head of Development and Building Control, at the time, had advised that complete demotion would not disadvantage any development potential. It must be highlighted that this advice was given in 2000, 20 years ago, and in the intervening time there has been a policy change.

SITE HISTORY

05/00084/FUL Erection of a dwellinghouse 3 May 2005 Application Refused

16/02240/FLL Erection of a dwellinghouse 10 March 2017

PRE-APPLICATION CONSULTATION

Pre application Reference: N/A

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 5: Infrastructure Contributions

Policy 19: Housing in the Countryside

Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development

Policy 43: Green Belt

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

OTHER POLICIES

Placemaking Supplementary Guidance

Housing in the Countryside Policy

Developer Contributions Supplementary Guidance

CONSULTATION RESPONSES

Transport Planning	No objection
Scottish Water	No objection
Development Negotiations Officer	Condition required to cover contributions if approved
Perth Scone Airport	No response within time, site within grouping dwelling would be no higher than existing development
Planning And Housing Strategy	Contrary to Development Plan

REPRESENTATIONS

The following points were raised in the 4 representations received:

- Contrary to policy
- Overdevelopment
- Siting of development
- Disturbance of building work
- Loss of light
- Loss of privacy
- Loss of amenity
- Detrimental impact on residential amenity
- Lack of detail in submission

These issues are addressed in the appraisal section of the report with the exception of disturbance during building works as the application is only in principle.

ADDITIONAL STATEMENTS

Screening Opinion	Not Required
Environmental Impact Assessment (EIA): Environmental Report	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

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 proposal for the erection of a dwelling house in principle at Corsiehill. The site is located out with settlement boundary and within the green belt policy area (Policy 43). As detailed above the agent has emphasised that this is a replacement building for a previous cottage that was demolished 20 years ago. The applicant argues that the original building would still be in situ had the planning department not recommended it was demolished and therefore the proposal is for a replacement building which is compliant with the green belt policy.

Policy 43 allows for proposals which comply with Category 4 Renovation or replacement dwellings of the Housing in the Countryside Policy and where a positive benefit to the green belt can be demonstrated. In the case of this proposal, these criteria have not been met as there is no existing dwelling on the site.

The Supplementary Guidance goes on to say that where a house has already been demolished, any subsequent planning application for a replacement house will be assessed under category 6 rather than category 4. The site is unlikely to meet the requirements of category 6 for Brownfield Land but regardless this isn't one of the Housing in Countryside categories that is allowed under the Green Belt policy. Unfortunately, in relation to this site the policy position is very clear and approval would be contrary to both Policy 19 and Policy 43.

Design and Layout

The application is in principle and no house plans have been submitted, however a photograph of an indicative house type and site plan have been provided. The site plan shows a dwelling of a modest footprint combined with an indicative house type of the same modest form. The site is irregular and narrows towards the street frontage which restricts the development potential of the site. If the principle of development had been accepted then additional plans would have been required to try and address these concerns.

Residential Amenity

As above the site is constrained by the shape and proximity to neighbouring dwellings, notwithstanding the policy concerns it is not clear how a dwelling could be accommodated on the site to maintain the residential amenity of neighbouring properties.

Roads and Access

Transport Planning have no objection to the proposal in principle but as the application is not in detail it is not clear how off street parking and turning could be provided whilst maintaining the position of the cottage at the road edge.

Drainage and Flooding

No drainage or flooding concerns.

Developer Contributions

Primary Education

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 at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.

This proposal is within the catchment of Kinnoull Primary School.

Transport Infrastructure

With reference to the above planning application 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.

The application falls within the identified Transport Infrastructure Supplementary Guidance boundary.

If the application had been recommended for approval, then a condition to reflect this would have been attached to any planning application granted.

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 not considered 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.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

1 The proposal is contrary to Policy 43 Greenbelt of the Perth and Kinross Local Development Plan 2. This policy states that development will only be permitted where it meets one of the criteria set out in the policy. In relation to housing where it complies with criteria (4) or (5) of the Policy 19: Housing in the Countryside and associated Supplementary Guidance, and a positive benefit to the Green Belt can be demonstrated. The proposal does not comply with Category 4 Renovation or replacement housing and is not Category 5 Conversion or Replacement of Redundant Traditional Non-domestic 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.

Informatives

N/A

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01
02
03
04
05
06

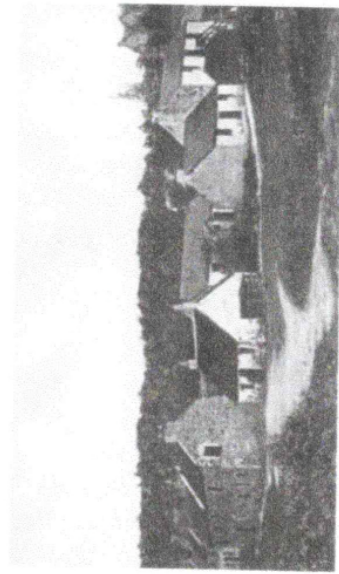
Fig 1.



PRESENT



1932



OLD PHOTO OF CORSEHILL



1901

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6 – Aerial view - Review Site



Photo 7



Photo 8 – Indicative House Types



FIG 2

INDICATIVE BLOCK/SITE PLAN

AREA 90m x 90m

SCALE 1:500 on A4

CENTRE COORDINATES: 313686, 723608



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LRB-2021-08

Planning Application – 20/01380/IPL – Erection of a dwellinghouse (in principle), land 30 metres east of Cairnbank, Corsiehill, Perth

PLANNING DECISION NOTICE *(included in applicant's submission, pages 63-64)*

REPORT OF HANDLING *(included in applicant's submission, pages 67-72)*

REFERENCE DOCUMENTS

SITE LOCATION PLAN
AREA 2 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 313683, 723607



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BLOCK/SITE PLAN
 AREA 90m x 90m
 SCALE 1:500 on A4
 CENTRE COORDINATES: 313686, 723608



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INDICATIVE BLOCK PLAN

Streetwise™



BLOCK/SITE PLAN
AREA 90m x 90m
SCALE 1:500 on A4
CENTRE COORDINATES: 313686, 723608



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Supporting Statement

Erection of a single dwellinghouse in principle on the site of a former cottage on land to the north of Cairnbank, Corsiehill, Perth

Introduction

This is an application in principle for the erection of a dwellinghouse on the site of the former White Cottage and garden ground at Corsiehill, Perth. White Cottage was demolished on the recommendation of the Planning Authority in 2000 (see attached letter). This proposal, similar to the previous applications, is effectively for a replacement dwellinghouse after the demolition of White Cottage.

The application site is a 0.091ha area of ground situated within a grouping of existing dwellinghouses, which are directly adjacent to the application site to the north, south and east. The existing housing around the site consists of a mixture of house types both traditional and more modern in appearance.

When the applicant bought the house plot the former cottage was still standing. A letter to the landowner from the Head of Development Control at Perth and Kinross Council at the time recommended the demolition of White Cottage for safety reasons and it was also considered unsightly and detrimental to the appearance of the surrounding area, presumably because of its dilapidated condition. (see attached photos)

In the letter of 17 February 2000 to the owner Mr Hutchison the Head of Development Control wrote that:-

"I am aware of the fact that you have been discussing potential development on the ground which you own at Corsiehill, and I would wish to point out that complete demolition of the building will not disadvantage any development potential which the site may have" (see attached)

Following receipt of this letter the house was demolished by Mr Hutchison in 2000. The cottage was situated to the front of the site adjacent to the access road. In 2005 a detailed application was refused for the development of a single dwellinghouse on the site, reference 05/00084/FUL, where the dwellinghouse was 1.5 storeys in height and situated to the rear of the plot on the level area of square shaped ground. A more recent application for a modern styled 2 storey dwellinghouse also to the rear of the plot under 16/02240/FLL was refused at Review on the 6 November 2017. In both of the previous applications the dwellinghouses were not situated to the front of the site where the former White Cottage was situated.

Current Planning Policy Context

The Development Plan consists of the TayPlan 2016-2032 and the Perth and Kinross Local Development Plan 2019.

TayPlan 2016-2032

Policy 3: Managing TayPlan's Assets where along with protecting employment land, natural and historic assets and finite resources, continuing to designate greenbelt boundaries at St Andrews and Perth to protect their settings views and special character and safeguard the countryside from encroachment.

Perth and Kinross Local Development Plan 2019

The application site falls within the designated green belt of the adopted Perth and Kinross Local Development Plan 2019 where the relevant policies are considered:-

Policy 43: Green Belt

Within the area designated as Green Belt, development will only be permitted where it meets one of the following criteria:

- (a) it can be demonstrated that the development either supports an established use, or develops a new business within the Green Belt which has a direct relationship to the land; or
- (b) it can be demonstrated that the development is essential for agriculture, horticulture (including allotments) or forestry operations; or
- (c) it constitutes woodlands or forestry, including community woodlands; or
- (d) it constitutes uses which advance the Council's aims of improving public access to the countryside around Perth, including recreational, educational and outdoor sports; or
- (e) it complies with criteria (4) or (5) of the Policy 19: Housing in the Countryside and associated Supplementary Guidance, and a positive benefit to the Green Belt can be demonstrated; or
- (f) it constitutes essential infrastructure such as roads and other transport infrastructure, masts and telecom equipment, renewable energy developments, or new cemetery provision. The primary consideration will be whether the infrastructure could instead be located on an alternative site which is outwith the Green Belt and a statement may be required identifying the search area and the site options assessed, the details of the existing or proposed activity to which the infrastructure relates, and the reasons as to why a green belt location is essential.

For all proposals development must be appropriate to the overall objectives of the Green Belt to protect and enhance the character, landscape setting and identity of settlements. All proposals for new buildings or extensions to existing buildings must be of a suitable scale and form, located and designed in such a way so as not to detract from the character and landscape setting of the Green Belt. Appropriate measures may be required to mitigate any adverse impact on the character, setting and identity of the locality.

Note: Within the Green Belt the application of Policy 19: Housing in the Countryside is limited to proven economic need, conversion or replacement buildings.

Note: Where a statement is required under criterion (f), the extent of search area will be a matter for agreement between the applicant and the Council. Where the search area only includes land under a single ownership then the search area should include all of the land in that ownership. The site options assessed should include evidence that all appropriate sites within that ownership have been considered.

Policy 1: 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 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 planting works appropriate to the local context and the scale and nature of the development.

Other policies

Developer Contributions and Affordable Housing Supplementary Guidance September 2016 including guidance on education provision and transport infrastructure.

Policy Considerations

The previous dwellinghouse White Cottage was in a state of dereliction and poor repair and it was recommended by Perth and Kinross Council that it should be demolished. This was explained above. This application replaces the original dwelling on the site and proposes a similar single storey traditionally designed cottage.

As stated under Policy 43 Green Belt any residential proposal should satisfy either category 4 or 5 of the Council's Housing in the Countryside Guidance. This proposal

is for a replacement dwellinghouse under category 4 of the guidance (N.B - the building would still be standing if it was not recommended by the Council to demolish it, albeit now in a more ruinous condition)

The replacement dwelling must be of a high-quality design appropriate to its setting and the surrounding area, and the scale of the new house should be similar to that of the existing. An indicative footprint shows the proposed position and scale of the dwellinghouse on the site and it is set back from where the original cottage was positioned but on a similar building line as the existing houses. A photograph has also been submitted which is indicative of the style of dwellinghouse which would be proposed on the site. The external materials proposed would be of good quality and appropriate to the context at this location. This house type is similar in scale and character to the original traditional cottage on the site – see photograph of White Cottage. The orientation of the proposed dwelling is the same as the original cottage.

It is considered that the type of dwellinghouse proposed here is modest in scale and a traditional design, which would not have any adverse impact on the character or appearance of the area or the wider landscape character and setting of the green belt, in accordance with Policy 43 of the adopted local plan.

Scale and Design

The indicative block plan submitted and proposed dwellinghouse is considered to be acceptable in terms of scale and design and within the context of the surrounding dwellings at Corsiehill. The indicative traditional design is similar in character to the original dwelling on the site. The proposed dwelling will not have any adverse impact on the character or appearance of the area, in accordance with the Placemaking policies of the local plan.

Residential Amenity

The proposed dwelling will have a large area of garden ground and therefore sufficient amenity space to the rear. The scale of the proposed dwellinghouse and its position within the gable of the neighbouring dwellinghouses will ensure that there are no detrimental overshadowing or privacy issues to neighbouring properties, in accordance with the Placemaking policies of the local plan.

Access and car parking

The proposed dwellinghouse will be set back from the access road and there will be sufficient space on the application site to provide suitable parking in accordance with the Council's road guidance.

Conclusions

It is considered that the principle of providing a dwellinghouse on the site to replace the former cottage is acceptable under category 4 of the Housing in the Countryside Guidance and Policy 43 of the adopted local plan, given the circumstances which resulted in it's demolition. As stated at the time by PKC the demolition of White Cottage will not disadvantage any development potential of the site.

The proposed dwellinghouse will be of an appropriate scale, design and orientation and will not have any detrimental impact on the character, appearance or status of the green belt around Corsiehill. The dwellinghouse will be acceptable in terms of residential amenity and will not have any adverse impact on neighbouring amenity.

For the above reasons it is requested that the proposal is approved.





LRB-2021-08

Planning Application – 20/01380/IPL – Erection of a dwellinghouse (in principle), land 30 metres east of Cairnbank, Corsiehill, Perth

REPRESENTATIONS

Thursday, 22 October 2020



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

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Sir/Madam

SITE: Land 30 Metres East Of Cairnbank, Corsiehill, Perth, PH2 7BN
PLANNING REF: 20/01380/IPL
OUR REF: DSCAS-0024854-RY9
PROPOSAL: Erection of a dwellinghouse (in principle)

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:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the Perth Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- ▶ There is currently sufficient capacity for a foul only connection in the Perth City Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.



SW Public
General

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



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So, how are we doing?

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Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be



adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.

- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ Trade Effluent Discharge from Non Dom Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and



launderettes. Activities not covered include hotels, caravan sites or restaurants.

- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

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

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?

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Tracy McManamon

From: [REDACTED]
Sent: 24 October 2020 16:46
To: Development Management - Generic Email Account
Subject: Fwd: Planning Application Reference 20/01380/IPL

[REDACTED]
To: Development/Management@pkc.gov.uk
Sent: Saturday, 24 Oct, 2020 At 16:38
Subject: Planning Application Reference 20/01380/IPL

Dear Sir/Madam,

I am writing to oppose the proposed building of a dwelling-house by Mr Don Hutchison on the piece of land 30 metres east of Cairnbank, Corsiehill, Perth PH2 7BN. [REDACTED]
[REDACTED]

My reasons for objecting to this building remain the same as they were for Mr Hutchison's last request for planning permission three years ago, namely that this is a designated, green belt area, and there is insufficient space for a large, modern house which will not be in character with this historic part of Kinnoull. Because such a large house would be built on a steep hill, I share the concerns of my immediate neighbours that there is also bound to be movement of earth, stones and water descending the hill which has happened with a previous, large building farther up the hill.

Also, this proposed new build does not meet any of the criteria laid down by Perth and Kinross Council's Planning Department.

If the design of the proposed house was much smaller more in character with its neighbouring houses and cottages I would not object to this piece of land being built upon.

I trust you will take my comments into consideration in your deliberations.

With many thanks,

Yours faithfully,

Dorothy E Cyster.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/01380/IPL	Comments provided by	Bea Nichol
Service/Section	Development Plans	Contact Details	Planning Officer
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 30 Metres East Of Cairnbank Corsiehill Perth		
Comments on the proposal	<p>The proposal for the erection of a dwelling house at Corsiehill is located outwith the Scone settlement and therefore within the green belt policy area. The applicant has emphasised that this is a replacement building for a previous cottage that was demolished 20 years ago. The applicant argues that the original building would still be in situ had the planning department not recommended it was demolished and therefore the proposal is for a replacement building which is compliant with the green belt policy.</p> <p>In terms of it being a replacement building, the applicant has supplied limited evidence of the previous building. Policy 43 allows for proposals which comply with category 4 and where a positive benefit to the green belt can be demonstrated. Category 4 of the Housing in the Countryside Supplementary Guidance allows for the replacement of existing houses or the replacement of a ruinous house providing certain criteria are met. In the case of this proposal, these criteria have not been met. The Supplementary Guidance goes on to say that where a house has already been demolished, any subsequent planning application for a replacement house will be assessed under category 6 rather than category 4. Even if the proposal met the criteria for category 6, however, this isn't one of the Housing in Countryside categories that is allowed under the Green Belt policy. The proposal is therefore not compliant with Policy 19 or Policy 43.</p> <p>I would also raise concerns regarding the lack of information supplied as to the replacement building being proposed. The applicant has supplied a photograph of a house that is clearly a period cottage and has indicated this is the type of house they propose. However, they supply no information as to the views in and out of the site, whether this is an appropriate scale to the existing buildings surrounding this proposal or if they intend to replicate the building exactly or put a modern interpretation on it. I would therefore suggest that the applicant has not supplied enough information for the proposal to be assessed in terms of Policy 1: Placemaking, "Development must contribute positively to the quality of the surrounding built and natural environment" (p.20).</p>		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	03/11/2020		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/01380/IPL	Comments provided by	Mike Lee Transport Planning Officer
Service/Section	Transport Planning	Contact Details	
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 30 Metres East Of Cairnbank Corsiehill Perth		
Comments on the proposal	Insofar as the Roads matters are concerned, I have no objection to this proposal in principle.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	3/12/20		

Re: Planning Application 20/01380/IPL

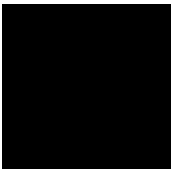
**Erection of a dwellinghouse (in principle) - Land 30 Metres East of Cairnbank Corsiehill
Perth**

It is difficult to make a proper assessment of the proposed planning application without having access to full plans, however we wish to object for the following reasons:

The elevated position of the proposed site may have a negative effect and land slippage may be caused by any excavation, building work and use of heavy machinery – this will impact upon the numerous retaining walls in the area, in particular the retaining wall that forms the boundary of Thistle Cottage and the lower cottages. Previous building work has caused land to move – this is evident in the garden of Thistle Cottage that lies in between the proposed site and the lower cottages.

The proposed location is within protected green belt area and does not meet requirements for building on. It has been more than twenty years since there was a habitable dwelling placed on the land, so the proposed building is not a replacement dwelling.

The building is likely to cause light restriction and privacy issues with neighbouring properties due to the elevated hillside position.



Planning and Development,
Pullar House,
Kinnoull Street,
Perth PH1 5GD

8th November 2020

**Re: Planning Application 20/01380/IPL
Land 30 Metres East Of Cairnbank Corsiehill Perth**

We are writing to object to the above planning application. As set out in detail below, the proposed development does not meet the requirements for building on Green Belt land; it does not replace an existing building; it will overlook existing properties constituting a substantive loss of amenity; and the considerable excavation of foundations that will be required on a sloping site – in very close proximity to an existing building – pose a stability threat to that building. The development will increase housing density and so reduce natural amenity in an area directly joining Kinnoull Woodland park – an area that is widely used for walking and outdoor pursuits by a wide cross-section of residents of Perth. Evidence for these objections is set out below.

The planning application does not fulfill the criteria of the local development plan
Policy 19 supports:

Proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:

(1) Building Groups

(2) Infill sites

(3) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance

(4) Renovation or replacement of houses

(5) Conversion or replacement of redundant non- domestic buildings

(6) Development on rural brownfield land

The application of Policy 19 is limited within the Green Belt to proven economic need, conversions or replacement buildings (Categories 3.3, 4 and 5).

It is explicitly stated that the policy does not apply to the Green Belt unless there is economic need, or conversion or replacement of buildings. Since none of these criteria apply, and the proposed site is fully within the Green Belt, even were the

application to comply with Policy 19, its location on Green Belt land should prevent it going forward.

Further Policy 43 on the Green Belt states:

Within the area designated as Green Belt, development will only be permitted where it meets one of the following criteria:

- (a) it can be demonstrated that the development either supports an established use, or develops a new business within the Green Belt which has a direct relationship to the land; or*
- (b) it can be demonstrated that the development is essential for agriculture, horticulture (including allotments) or forestry operations; or*
- (c) it constitutes woodlands or forestry, including community woodlands; or*
- (d) it constitutes uses which advance the Council's aims of improving public access to the countryside around Perth, including recreational, educational and outdoor sports; or*
- (e) it complies with criteria (4) or (5) of the Policy 19: Housing in the Countryside and associated Supplementary Guidance, and a positive benefit to the Green Belt can be demonstrated; or*
- (f) it constitutes essential infrastructure such as roads and other transport infrastructure, masts and telecom equipment, renewable energy developments, or new cemetery provision. The primary consideration will be whether the infrastructure could instead be located on an alternative site which is outwith the Green Belt and a statement may be required identifying the search area and the site options assessed, the details of the existing or proposed activity to which the infrastructure relates, and the reasons as to why a green belt location is essential.*

For all proposals development must be appropriate to the overall objectives of the Green Belt to protect and enhance the character, landscape setting and identity of settlements.

All proposals for new buildings or extensions to existing buildings must be of a suitable scale and form, located and designed in such a way so as not to detract from the character and landscape setting of the Green Belt. Appropriate measures may be required to mitigate any adverse impact on the character, setting and identity of the locality.

The proposal for a dwelling house clearly fails to meet criteria (a), (b), (c), (d) and (f). It also fails to meet criteria (e), since, with reference to Policy 19, criteria (4) and (5), it is neither the renovation nor replacement of a house; nor is it the conversion of a redundant non-domestic building. We further note that the application makes no attempt to meet with the requirement to “to protect and enhance the character, landscape setting and identity of settlements”: the application is to squeeze a property onto a very narrow site: urban-style housing density is not in the keeping with the character of Green Belt.

We note that the cottage, which it is claimed that this application is to replace, was demolished almost 20 years ago and there are no longer any visible signs of it within the site. We note that *Housing in the Countryside Supplementary Guidance* states that:

*The replacement of a ruinous house will be permitted where **all** of the following criteria are met:*

- 1. There is substantial visible evidence of the structure of the original building above ground level to enable its size and form to be identified, and*
- 2. It is an established site with a good setting and a good 'fit' in the landscape, and*
- 3. The existing/established site boundaries are capable of providing a suitable enclosure for the new house.*

Condition 1 is clearly not met – there is no visible evidence of the original structure. This, alone, is sufficient to mean the application should be rejected. However, as we have argued elsewhere in this letter, the proposal to squeeze a house into a very narrow plot means condition 3, and arguably condition 2 are not met either.

The application for planning permission states that when the White Cottage was demolished the Head of Development and Building Control advised demotion would not disadvantage any future development. It is stated in the Report of Handling for a previous, *rejected* planning application for the same site (16/02240/FLL):

It must be highlighted that this advice was given in 2000, 17 years ago, and in the intervening time there has been a policy change.

It is now 20 years since the advice was given and as shown above, the proposed development does not meet present policy.

Loss of Residential Amenity

The proposed development is to squeeze a property onto a very narrow sliver of land between two existing properties. Since this site is no more than 10m wide at its narrowest point, a dwelling house will inevitably be in very close proximity to existing dwellings. Thus, the development will result in substantive loss of amenity via the loss of privacy for the existing houses, [REDACTED]

We note that although the plot is described as “Land 30m to the East of Cairnbank, Corsiehill, Perth”, this is highly misleading. The proposal is to build a dwelling house on the thinnest part of the plot, directly adjacent the side of [REDACTED] where the front door and main living room window are located. This part of the proposed plot is around 2m from the [REDACTED] on the near boundary, and around 12m from [REDACTED] where the plot for the proposed house has its boundary with the Thistle Cottage plot – a plot width of ten meters. All points of the proposed dwelling will be within [REDACTED].

Ground Instability

Corsiehill has a very shallow depth of soil covering extremely hard bedrock (volcanic dolerite having previously been quarried at Corsiehill). It will therefore be necessary for foundations to be cut out of the rock on a very significantly sloping site. This will cause substantial vibrations that are likely to damage neighbouring properties – which will necessarily be in close proximity given the very narrow nature of the site. Given the 10m width of the proposed site, and a minimum building width of 8m (typical of the smallest dimension of properties in the vicinity), this will put the excavation works within a metre of the boundary of the site on either side and so within 2 to 3m of the [REDACTED]

These excavations also risk damage to local retaining walls – which are vital in this hillside location. One retaining wall is along the boundary of Thistle Cottage with both Winfield and Corsie Cottage, another is along the boundary of Bonnie View with Broadwinds, Hill House, Cairnbank and the proposed plot, and there are further retaining walls within the gardens of Thistle Cottage, Cairnbank, Hill House and Broadwinds. There is a substantive risk that the cutting of foundations will cause at least one of these retaining walls to fail. It should be noted that there is already evidence in the garden of Thistle Cottage of ground movement relating to building of the houses in the 90s which were significantly further away and required less ground excavation.

Increases the Density of Housing

Corsiehill is a loose collection of houses and cottages, which are low density, in keeping with a location adjoining a well-loved and widely used woodland park. The placement of the proposed dwelling house increases the density of the housing within this low-density area. This is not in line with Local Development Plan's requirement to *"to protect and enhance the character, landscape setting and identity of settlements"* within Green Belt.

Insufficient detail of the nature of the building to be erected

The application provides insufficient detail on the nature of the dwelling house to be erected. Crucial details are omitted such as the distance from the edge of the new building to the edge of the very narrow plot. In addition, the height of the building to be erected is not disclosed. These are crucial to understanding the loss of amenity, particularly since [REDACTED] is orientated with its front door and main living room window looking directly onto the proposed site. Further, we note that in a previous application in 2017, the same applicant put in an application, which was rejected, for the same plot for a large, strikingly modernist design of house that was wholly out of keeping with the Green Belt location. We further note that it was proposed that this property have a substantial basement, which would greatly exacerbate the ground instability dangers highlighted above. In this context, more detail of what is proposed is required to demonstrate that this application would *"protect and enhance the character, landscape setting and identity of settlements"* in Green Belt.

In conclusion, we therefore argue that this application roundly fails to show that it would be in keeping with the Green Belt and not detrimental to a much-loved recreational area for the people of Perth: we contend that this application should therefore be rejected.

Best Regards,



Dr Tanya Lake



Prof. Alan Kemp

To: Development Management - Generic Email Account <DevelopmentManagement@pkc.gov.uk>
Subject: Ref 20/01380/IPL - Land 30 Metres East of Cairnbank, Corsiehill, Perth

Dear Sir/Madam

Ref 20/01380/IPL - Land 30 Metres East of Cairnbank, Corsiehill, Perth

I am writing to object to the application to erect a dwellinghouse at the above location.

While I appreciate the proposed dwelling has changed somewhat from previous applications, it is not clear from the documentation exactly where the dwellinghouse will be located, e.g. 'set back from the access road' but doesn't state how far. I feel the information provided is not adequate for me to make fully informed comments, and the information is not as comprehensive as last time.

The supporting information references an *'indicative footprint shows the proposed position and scale of the dwellinghouse on the site and it is set back from where the original cottage was positioned but on a similar building line as the existing houses'*. However I cannot see this supporting information on the online planning system, and 'similar building line' could be referring to any of the existing houses.

If the plans could be presented to show the precise location I may have a different opinion on the application. Please can you consider my comments and also provide a more detailed plan for me to consider.

Lorraine Holden

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Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/01380/IPL	Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 30 Metres East Of Cairnbank Corsiehill Perth		
Comments on the proposal	<p>Primary Education</p> <p>With reference to the above planning application 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 at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of Kinnoull Primary School.</p> <p>Transport Infrastructure</p> <p>With reference to the above planning application 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.</p> <p>The application falls within the identified Transport Infrastructure Supplementary Guidance boundary and a condition to reflect this should be attached to any planning application granted.</p>		
Recommended planning condition(s)	<p>Primary Education</p> <p>CO01 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2020 in line with Policy 5: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2 (2019) with particular regard to primary education infrastructure, or such subsequent Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2020.</p>		

	<p>Transport Infrastructure</p> <p>CO00 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2020 in line with Policy 5: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2 (2019) with particular regard to transport infrastructure, or such subsequent Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2020.</p>
Recommended informative(s) for applicant	N/A
Date comments returned	10 November 2020