

TCP/11/16(480) – 17/00618/FLL – Erection of a dwellinghouse on land 100 metres North West of Glendy Steading, Glenfarg

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**TCP/11/16(480) – 17/00618/FLL – Erection of a
dwellinghouse on land 100 metres North West of Glendy
Steading, Glenfarg**

**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

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

Yes ☒ No ☐

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

Planning authority Perth and Kinross

Planning authority's application reference number 17/00618/FLL

Site address LAND 100 METRES NORTH WEST OF GLENDY
STEADING, GLENFARG.

Description of proposed development Erection of a DWELLINGHOUSE

Date of application 6/4/2017

Date of decision (if any) 5/6/2017

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:

1. Can the site be viewed entirely from public land? Yes ☐ No ☒
2. Is it possible for the site to be accessed safely, and without barriers to entry? Yes ☒ No ☐

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 ATTACHED STATEMENT OF REVIEW
AND DOCUMENTS

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.

1. Officers Report of Handling – planning application 17/00616/FLL
2. Supporting Planning Statement for planning application at Glendy
3. Site location plan
4. Block plan, sections and first floor plans
5. Elevations and Ground Floor plan
6. Landscape Presentation Plan
7. Landscape Viewpoint 1
8. Landscape Viewpoint 2
9. Landscape Viewpoint 3
10. Landscape Viewpoint 4
11. Landscape Viewpoint 5
12. Landscape Viewpoint 6
13. Landscape Viewpoint 7

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.

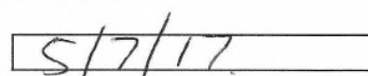
Declaration

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





**PROPOSED HOUSE AT GLENDYBURN STEADING,
GLENFARG FOR MR PHILIP SLOAN AND DR JOANNE
SLOAN**

STATEMENT OF REVIEW

JULY 2017

TMS PLANNING AND DEVELOPMENT SERVICES LTD

SUMMARY OF THE APPLICANTS CASE

Detailed assessment of this residential proposal indicates compliance with the underlying requirements the council's Local Development Plan and Housing in the Countryside Policy. The development has been sympathetically designed to fit the site and surroundings and would be fully sustainable with respect to design, construction and adaptability. The extension of the building group into a readily defined site causes no issues of amenity, visual or residential, and the relationship of the development to the existing building group (including long standing development and more recent construction) meets all relevant functional, amenity and development quality standards. The development would be entirely characteristic of the area.

The alterations to the design and siting of the proposed house following an earlier refusal by officers allows for a direct and sympathetic relationship with the existing Glendy building group while maintaining an appropriate development form/scale with respect to the existing properties in order to protect residential and visual amenity. It is demonstrated in the Landscape Presentation Plan (Document 6) and related Viewpoints (Documents 7 to 13) that the proposed property would fall within the extent of built development in the area and be set within a well-defined established landscape setting.

With respect to Perth and Kinross Council's established Housing in the Countryside Policy the development would fully comply with the "*Building Groups*" category it is clear that the development would extend the existing building group into a site well defined by existing well established landscape features (well above the 1 metre hedge level referred to in PKC's guidance required to provide a well-established landscape feature) and with the rising ground to the rear (south-east) of the property comprising "*a slope forming an immediate backdrop to the site*" and the property set into the rising ground then the house would be fully integrated into the site/landscape framework. There is both a topographical and landscape context for the proposed development which will provide a suitable setting in accordance with the policy requirements.

The applicant is concerned over how the application has been assessed by officers. As set out in the Statement of Review, it appears that the application was not considered on its individual merits, that the views of party's supporting the proposal were ignored (they are not assessed anywhere in the officers Report of Handling (Document 1 refers) despite the comments from objectors being fully addressed), that the earlier decision by the Local Review Body at Easter Glendy was ignored by officers in their assessment, and that the conclusions reached did not properly assess the real level of impact or policy compliance related to the proposals and further added additional reasons for refusal.

In effect, as required by extant policy, the development would safeguard the character of the countryside; support the viability of communities; meet development need in an appropriate location; and ensure that a high standard of siting and design would be achieved. This is a form of development sympathetic to the site, surrounds, landscape, and building grouping; in effect forming a logical and supportable extension to the building grouping within a clearly defined landscape context and one which will help support the expanding agricultural business. No objections to the development have been received from consultees and there is a significant degree of local support. There is no justified reasoning why planning permission should be refused in this case.

1.0 BACKGROUND TO REVIEW

1.1 The planning application subject to this Review was refused by officers under delegated powers on 5th June, 2017. The stated reasons for refusal intimated that: -

- “1. The proposal is contrary to Policy RD3 Housing in the Countryside of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (1) Building Groups. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, Activity (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.*
- 2. The proposal is contrary to Policy PM1A Placemaking of the Perth and Kinross Local Development Plan 2014 as the proposed development would not contribute positively to the quality of the surrounding built and natural environment.*
- 3. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as the proposal would be detrimental to local landscape character and would set a precedent for further development in the area”.*

1.2 An earlier planning application for a house on the site (16/01142/FLL) had also been refused by officers in September, 2016 for the following reasons:-

- “1. The proposal is contrary to Policy RD3 Housing in the Countryside of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (1) Building Groups. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, Activity (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.*
- 2. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014. Due to its scale, design and siting it does not contribute positively to the quality of the surrounding built and natural environment.”*

1.3 The basis of the revised planning application, that subject to this review, arose in response to the earlier refusal of the 2016 planning application and sought to address the issues set out in that decision. The details are set out in the Supporting Planning Statement for the planning application (Document 2 refers). Aside from the issue of the relationship to the existing grouping (addressed below), the case officer was concerned over the siting and design of the proposed house in refusing the earlier application. The house was completely redesigned and relocated within the site which allowed its height to be lowered by circa 3 metres and the house situated closer to the existing building group at Glendy. Despite this, and acceptance by the case officer that specific concerns related to the house design had been addressed, the later planning decision added additional reasons for refusal. In effect, despite improvements to the proposal accepted by the case officer, further concerns were raised. This now suggests, albeit not for the

earlier “less acceptable” version of the proposal, that the revised house now subject to this Review, one sitting circa 3 metres lower, closer to existing houses, and better designed, would have greater impacts on the area. This is clearly nonsense. Landscape impact and precedent are now seen as issues of concern related to the revised proposal albeit not the original? As demonstrated below and in the supporting documentation, these are not reasons to reject the current proposals.

1.4 The addition of further reasons for refusal is clearly counterintuitive but it further highlights some inconsistencies and concerns over how the current planning application has been handled. For example, in the officers report on the original 2016 planning application made reference to incorrect Supplementary Guidance (what was in fact assessed by the officer?) and an objection from the Community Council also factored in the assessment despite the fact that there was no such objection. It is of further concern to the applicant that, having sought to positively address the issues of concern and engage with council officers, the case officer stated in correspondence that *“Due to the previous proposal being refused as being contrary to the development plan I have recommended that this application be refused for similar reasons”* (email dated 7th June, 2017). There is no reasonable basis to conclude that due to an earlier planning application being refused that a revised planning application dealing with the specific issues of concern identified on the earlier planning application should likewise be refused *“Due to the previous proposal being refused as being contrary to the development plan...”*. This indicates that the revised proposal was not actually considered on its own merits – a fundamental requirement of the planning process.

1.5 The applicants concern over the handling of the application and the related assessment leading to the decision to refuse planning permission grew when discussing the details of an earlier planning application for a house at Glendy (09/02223/FLL for Mr and Mrs Malcolm Curtis) with council officers. This planning application was refused by officers but upheld at the Local Review Body (December 2010) and is now constructed and forms part of the building group at Glendy Mill. The officer’s assessment of the Curtis planning application (09/02223/FLL) indicated that: -

“At present the site is an open area of rough grazing land and asides from the south western boundary, the site has no form of mature boundaries. In an attempt to address this issue the applicant has submitted a supporting statement that outlines their intentions to integrate the site within a wider scheme of substantial planting. However the policy states that site must have definable boundaries formed by existing landscaping and as such in this instance the proposals cannot comply with the policy. Furthermore, it could take up to 10 years for the proposed landscaping to mature to a sufficient extent to provide adequate containment to the site”.

1.6 Despite the lack of mature boundaries, the Local Review Body, in the context of the site/surroundings, took the view that the Easter Glendy proposal was acceptable and this outcome can be seen from site inspection. A similar appropriate outcome is considered likely as a result of Mr and Dr Sloan’s proposals. In discussion with officers they considered the decision by the Local Review Body in 2010 to be irrelevant to their assessment of Mr and Dr Sloan’s planning application, despite many of the same issues arising and the substantially better landscape framework for the current proposals as compared with the 2009 planning application. This approach by officers appears to

take no cognisance of the interpretation of planning policy by the Local Review Body, a position which would be unlikely was it related to a decision by a Reporter from the Directorate for Planning and Environmental Appeals. This was a surprise to the applicants.

1.7 It is also noted that the beneficiary of that earlier Local Review Body decision is now one of the main objectors to this planning application. Clearly it will be for Local Review Body members to determine the validity, if any, of this position.

2.0 CONSULTATIONS AND REPRESENTATIONS

2.1 No objections to the planning application were raised from Perth and Kinross Council service departments including those related to Transportation, Regulatory Services, Flooding, and Conservation matters. In addition, no objections were received from external consultees.

2.2 A total of 15 representations were received related to this planning application. Out of these there were **10 letters of support** and 5 objections. With respect to the letters of support these, in short, highlight: -

- the logical nature of the development as part of the existing grouping of buildings at Glendy;
- the fact that there is a clear landscape and built development context for the new house;
- the fit within the landscape - the site lies at a relative low point in the surrounding area set within established landscaping;
- the lack of any negative impacts on the character of the site, the surrounding area or the amenity of existing residents;
- the proposed house is well designed and would fit well within the site;
- the lack of any negative impact on the surrounding countryside;
- the compliance of the development with established Perth and Kinross Council policy;
- the benefits to the emerging agricultural enterprise of an on-site presence (support for new entrants into farming being an need identified by the Scottish Government);
- the extent of investment already made within the site related to the emerging agricultural enterprise and the commitment of Mr and Dr Sloan to the site/local area; and,
- the lack of any downside related to the new house.

2.3 Mr and Dr Sloan fully agree with the above supporting comments.

2.4 With respect to the letters of objection, 5 in total, a number of issues were raised, not all related to material land use planning issues. The main issues are set out briefly below with the applicant's response on each directly below: -

Issue – *The House is not part of or a logical extension to the grouping*

Response – For the reasons set out in the Supporting Planning Statement (Document 2 refers) and in Section 3 below, it is patently clear that there is a defined landscape/topographical context for the proposed house that is readily identified (and can be enhanced as required) such that the house would be readily seen as a logical and justified extension to the building group and where landscape impact, visual amenity and the integrity of the existing grouping (and its residents) would be satisfactorily addressed.

Issue – *The development would result in an unacceptable form of ribbon development*

Response – this claim is totally unfounded due to the form of the development and its relationship to neighbouring development. The officer's Report of Handling on the earlier 2016 planning application also concluded this claim to be incorrect.

Issue – *no requirement for the house for agricultural purposes*

Response – as is clearly set out in the Supporting Planning Statement (Document 2 refers) the basis of support for the proposed house arises from Perth and Kinross Council's existing planning policy related to Building Groups, not agricultural need. The applicant however would consider it beneficial (as set out in the Supporting Planning Statement) to have a house on site in order to assist with his expanding agricultural business.

Issue – *Use of the adjacent yard area by the applicant as part of his building business*

Response – The existing agricultural hub containing the yard area with the stables and storage building is used primarily for agricultural purposes related to Mr Sloan's agricultural business. Materials are stored temporarily on site from time to time, some related to the improvement of the agricultural holding infrastructure, but this is certainly not a builder's yard by another name as appears to be suggested.

Issue – *The scale, design, and orientation of the proposed house is inappropriate*

Response – the house is well designed, is appropriate for a rural setting (including that at Glendy) and would be finished in materials reflective of the site and surroundings. The scale is no larger than those properties adjacent and it is located a sufficient distance from the neighbours in order to have no material impact while still being a logical extension of the grouping into a readily definable area (as was the property at Easter Glendy). The property spacing would be consistent with the established grouping. The resulting development would have no material impacts on the setting or amenity of the grouping or on any individual property.

Issue – *detrimental impact on the landscape*

Response – This is addressed in the supporting information submitted with the planning application. The Alma Consultancy Landscape Presentation Plan (Document 6 refers) and Viewpoints (Documents 7 to 13 refers), along with a visit to the site and surroundings, clearly demonstrates the suitable context for this form of development that presently exists in the immediate area and the lack of any material impacts on the designated landscape area that would arise.

2.5 These are the main issues raised by the third parties along with a range of other issues, not all planning related. It is considered that each of the relevant points can be satisfactorily addressed. It is also noted that there is a good level of local support for the planning application, such support being focused on sound land-use planning reasons and positively supporting the applicant's sensitive approach to the development of the planning application site. This is a form of development sympathetic to the site, surrounds, landscape, and building grouping; in effect forming a logical and supportable extension to the building grouping within a clearly defined landscape context AND one which will help support the expanding agricultural use in this rural site.

3.0 RESPONSE TO OFFICER'S ASSESSMENT/REASONS FOR REFUSAL

3.1 The officers Report of Handling (Document 1) that leads to the delegated decision taken contains assessment/conclusions without the justification to show how they were reached. It also appears to be written from a pre-determined position where only the views of those objecting to the application are considered. With respect to the latter, the Report of Handling (Document 1) in the Section entitled "Representations" states that *"There have been 15 representations received in relation to this application. Five are letters of objection to the application and ten are letters of support"*. The report goes on to list the basis of the 5 letters of objection and fails to consider here or elsewhere in the report the 10 letters of support – Why?

3.2 In the section of the Report of Handling entitled "**Policy Appraisal**" it is stated that: -

"Whilst the existing cluster of buildings around Glendy Mill can be categorised as a building group as outlined within the policy, any extension to a group must respect the layout and building pattern of the group. In this instance it is considered that the proposed site does not relate well to the existing building group. The proposed site extends the group to the south side of the burn and south of the minor road where the ground rises up. This site is somewhat detached from the existing building group. Whilst there is a house on the north side of the minor road this is well integrated into the landscape and is located at a lower elevation. There are strong boundaries to the northeast and northwest of the application site formed by long established hedging and trees. More recent planting has formed two paddocks between the stable and shed buildings at the top of the road and the edge of the building group. This house site is in one of these paddocks. The policy states that consent will be granted for houses which extend the group into definable sites formed by existing topography and or well established landscape features which will provide a suitable setting. In this case the field has been subdivided by recent

hedge planting which in my view does not constitute well established landscape features as required by the policy”.

3.3 Looking at this statement, in effect the basis of the decision taken by officers to refuse planning permission, a number of questions arise: -

- Why is *“it is considered that the proposed site does not relate well to the existing building group?”* when it is patently clear that the proposed house (Document 6 refers) is a similar distance from Glendy Mill as other properties in the existing grouping and it has a well-established landscape context within which the proposed house would nestle.
- How is *“This site ... somewhat detached from the existing building group”*. Reference to the supporting plans, in particular to Document 6 Landscape Presentation Plan, clearly shows this not to be a correct assessment based on the existing building spacing and landscape context.
- It is stated that *“Whilst there is a house on the north side of the minor road this is well integrated into the landscape...”* [that being the house known as Easter Glendy] – this is the house that the planners originally refused as not being part of the group but that they now consider to be *“well integrated into the landscape...”*. This house already sits on the opposite side of the burn from the original properties at Glendy and this in no way weakens its physical or visual relationship to these properties. A similar and entirely satisfactory relationship would be achieved for the house being proposed on the planning application site.
- The Report of Handling acknowledges that *“There are strong boundaries to the northeast and northwest of the application site formed by long established hedging and trees.”* It goes on to state that *“More recent planting has formed two paddocks between the stable and shed buildings at the top of the road and the edge of the building group. This house site is in one of these paddocks”*. The landscaping referred to is well established and, to the south-east, there is also a significant rise in ground levels providing the defined topography within which the proposed house would sit which, in conjunction with the established planting, provides an entirely appropriate setting for the proposed house. The south-west boundary also displays well-established planting. In all respects the landscape containment presently existing (which could be further enhanced if required) is far more established than when consent for the Easter Glendy property was granted in 2010. It can therefore be concluded that, contrary to the officer’s assessment, the proposed house would extend the group into a definable site formed by existing topography and well established landscape features which will provide a suitable setting. The development would therefore comply with established Perth and Kinross Council policy.

3.4 In the section of the Report of Handling entitled **“Design and Layout”** it is stated that: -

“There have been objections to the scale and design of the proposed house and that it is not in keeping with its surroundings and the Glendy settlement. The proposed

house has been reduced in size with a basement level being removed and separate garage proposed rather than one that was originally in a basement area. However I still consider that the proposal would not complement its surroundings, would stand out from the building group and would not be well integrated into its setting”.

Response: - It is unclear from the assessment and indeed the details of the proposals how the proposed house would “...not complement its surroundings, would stand out from the building group and would not be well integrated into its setting”. While the objectors to the application may indeed have made this assertion there are many other parties who expressed a different view on this application whose views appear not to have been considered. In any event, in what way would the house stand out, fail to complement or not be well integrated within the landscape? That simply is not demonstrated anywhere in the report and a reasoned assessment of the facts and circumstances related to this case would suggest an entirely different conclusion to be appropriate.

3.5 In the section of the Report of Handling entitled “**Landscape**” it is stated that: -

“The development of the two sheds at the top of the field has begun to dilute the open, rolling landscape character of the area outside of the Glendy Burn group of buildings and development on the application site, on the slope to the south from the building group, would further dilute this landscape character and would set a precedent for further development in this area”.

Response: - Again, how the development “...would further dilute this landscape character and would set a precedent for further development in this area” is far from clear and certainly not demonstrated or justified. The landscape context is clear for the proposed house; it sits at a relatively low level in the surrounding landform (this is not a prominent location) and it has a clear and established landscape framework on all sides. Any landscape impact would be minimal and would have no material impact on the quality or amenity of the designated Special Landscape Area. The officer’s assessment is completely overstated.

3.6 In the section of the Report of Handling entitled “**Visual Amenity**” it is stated that: -

“The new building will be at a higher level and detached from the existing building group. The proposal would have an adverse visual impact on the setting of the existing group and the general landscape character of the area”.

Response: - None of the buildings within the existing building group are at the same level and each is set away from its neighbour to some extent due to the relatively extensive garden areas associated with each. While the planning application site sits marginally above the adjacent plots, as a result of the rising landform beyond the site, the landscape containment existing, and the distance between the respective properties, this modest level change will be imperceptible from the wider landscape and largely reflects the public road level adjacent. The extensive landscaping to the north-east and north-west would effectively hide the house from these positions with views from the south

viewing the house against the established landscape belts on the boundaries and within the falling ground levels towards the burn. The context for the house with respect to its location within the plot, levels, design, external appearance and related impacts are all appropriate to the site/surrounding and would not have an adverse visual impact on the setting of the existing group or the general landscape character of the area, notwithstanding the officers stated assessment.

3.7 There are clearly fundamental shortcomings in the assessment of the proposals set out in the officer's Report of Handling. The applicant's concern is that this further demonstrates the pre-determined nature of the assessment undertaken which appears to seek to find as many potential reasons as possible to refuse the planning application despite the justification for the conclusions reached not being based on a robust assessment of the proposals and their benefits/impacts.

3.8 With respect to Policy RD3 of the adopted Local Development Plan "*Housing in the Countryside*" (and directly related to Perth and Kinross Council's Housing in the Countryside Guide) there is a requirement for the development to meet one of the defined categories. **With respect to the "*Building Groups*" category it is clear that the development would extend the existing building group into a site well defined by existing well established landscape features (well above the 1 metre hedge level referred to in PKC's guidance required to provide a well established landscape feature) and with the rising ground to the rear (south-east) of the property comprising "*a slope forming an immediate backdrop to the site*" and the property set into the rising ground then the house would be fully integrated into the site/landscape framework. There is both a topographical and landscape context for the proposed development which will provide a suitable setting in accordance with the policy requirements.**

4.0 CONCLUSIONS

4.1 The officers Report of handling and related conclusions are filled with a range of assertions and conclusions which do not stand scrutiny. From seeking to refuse the now constructed dwellinghouse at Easter Glendy (the permission granted at Review by the Local Review Body and given no weight by officers in refusing the current planning application) on the basis, in effect, that it did not form part of the Glendy building group to now conclude that it "*is well integrated into the landscape...*" allows a number of parallels to be drawn with the current planning application proposals. The present proposal has far greater compliance with established Perth and Kinross Council policy than the Easter Glendy proposals enjoyed. The currently proposed house, in fact, has a clear physical relationship to the existing building group and an established landscape context that will allow it to integrate well with the site/surroundings and therefore is fully compliant with existing Local Development Plan policy and Supplementary Guidance.

4.2 Having addressed the concerns related to the Sloan's initial proposal in 2016, the applicant remains surprised that additional reasons for refusal were considered appropriate by the case officer. It was also disappointing that only the letters of representation objecting to the planning application appeared to factor into the assessment of the proposals (as is clearly shown in the Report of Handling (Document 1

refers)). The conclusion stated by the officer that *“Due to the previous proposal being refused as being contrary to the development plan I have recommended that this application be refused for similar reasons”* appears to show that the current proposal was not considered on its individual merits and that the decision was pre-determined. This is clearly of concern to the applicant.

4.3 As outlined above, careful consideration of the earlier refusal occurred in framing the current planning application. The house was relocated within the plot closer to the existing buildings at Glendy, the height of the proposed house was dropped by circa 3 metres and the house design was altered to a more traditional appearance. These alterations combine to materially change the appearance and potential impacts of the proposed house in an entirely positive manner. Set at a relative low point within the surrounding landform/landscape and within the context of rising land to the south-east and well- established landscaping on all sides it is difficult to see how the proposal, based on the current details, would be anything other than compliant with established Perth and Kinross Council policy and acceptable within the site and surroundings.

4.4 With respect to the 3 stated reasons for refusal the following can be concluded: -

1. The proposal would comply with Policy RD3 Housing in the Countryside of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal falls within a readily identifiable established building group
2. The proposal would comply with Policy PM1A Placemaking of the Perth and Kinross Local Development Plan 2014 as the proposed development would fit within the landscape and contribute positively to the quality of the surrounding built and natural environment.
3. The proposal would comply with Policy ER6 of the Perth and Kinross Local Development Plan 2014 as the proposal would be fully compatible with and complementary to local landscape character and would not set a precedent for further development in the area.

APPLICANTS DOCUMENTS

1. Officers Report of Handling – planning application 17/00616/FLL
2. Supporting Planning Statement for planning application at Glendy
3. Site location plan
4. Block plan, sections and first floor plans
5. Elevations and Ground Floor plan
6. Landscape Presentation Plan
7. Landscape Viewpoint 1
8. Landscape Viewpoint 2
9. Landscape Viewpoint 3
10. Landscape Viewpoint 4
11. Landscape Viewpoint 5
12. Landscape Viewpoint 6
13. Landscape Viewpoint 7

PERTH AND KINROSS COUNCIL

Mr Philip Sloan
c/o TMS Planning And Development Services Ltd
Malcolm Smith
Balclune
32 Clune Road
Gowkhall
Scotland
KY12 9NZ

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 5th June 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/00618/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 6th April 2017 for permission for **Erection of a dwellinghouse Land 100 Metres North West Of Glendy Steading Glenfarg** for the reasons undernoted.

Interim Head of Planning

Reasons for Refusal

1. The proposal is contrary to Policy RD3 Housing in the Countryside of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (1) Building Groups. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, Activity (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.
2. The proposal is contrary to Policy PM1A Placemaking of the Perth and Kinross Local Development Plan 2014 as the proposed development would not contribute positively to the quality of the surrounding built and natural environment.
3. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as the proposal would be detrimental to local landscape character and would set a precedent for further development in the area.

Justification

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

The plans 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

17/00618/1

17/00618/2

17/00618/3

17/00618/4

17/00618/5

17/00618/6

17/00618/7

17/00618/8

17/00618/9

17/00618/10

17/00618/11

17/00618/12

REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/00618/FLL	
Ward No	N8- Kinross-shire	
Due Determination Date	05.06.2017	
Case Officer	Persephone Beer	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse

LOCATION: Land 100 Metres North West Of Glendy Steading Glenfarg

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: 24 April 2017

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a dwellinghouse on land 100 metres northwest of Glendy Steading near Duncricvie, Glenfarg.

The proposal is for a detached dwellinghouse with accommodation over two levels. The dwellinghouse would be finished with slate roof tiles, white rendered walls with some stone elements and cedar timber boarding.

This is a revision to a previously refused application for a house on this site. The position of the house and its design has been modified since the previous application was refused.

The site is within the Ochil Hills Special Landscape Area.

SITE HISTORY

16/01142/FLL Erection of a dwellinghouse 2 September 2016 Application Refused

PRE-APPLICATION CONSULTATION

Pre application Reference: 16/00879/PREAPP

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 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

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

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy PM1A - Placemaking

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy PM3 - Infrastructure Contributions

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

Policy RD3 - Housing in the Countryside

The development of single houses or groups of houses which fall within the six identified categories will be supported. This policy does not apply in the Green Belt and is limited within the Lunan Valley Catchment Area.

Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes

Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and they meet the tests set out in the 7 criteria.

Policy HE2 - Listed Buildings

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

OTHER POLICIES

Housing in the Countryside Supplementary Guidance 2012

Developer Contributions Supplementary Guidance 2014

CONSULTATION RESPONSES

External

Glenfarg Community Council
No comments made.

Scottish Water
No comments received.

Shell UK Exploration And Production
Consult Shell UK before laying services.

Internal

Transport Planning
No objection.

Environmental Health
Condition and informative note required with regard to private water supply.

Local Flood Prevention Authority
No comment to make on this application. The site is located out with the SEPA indicative 1 in 200 year flood envelope for the Glendy Burn and would occupy an elevated position.

Contributions Officer
Summary of Requirements

Education: £6,460
Transport Infrastructure: £2,639

Total: £9,099

Conservation
No objections. In terms of impact upon the setting of the category C listed Glendy Mill Bridge to this (revised) development provided that the existing mature tree cover is retained as indicated in the supporting planning statement and on the site plan.

REPRESENTATIONS

There have been 15 representations received in relation to this application. Five are letters of objection to the application and ten are letters of support.

The points raised in the objections are summarised as follows:

- Contrary to Local Development Plan 2014 – policy RD3, Housing in the Countryside Supplementary Guidance, PM1A and PM1B, ER6, – paddock not definable site, principle not accepted, no long established boundaries,
- Would lead to ribbon development/precedent for other development
- Detrimental visual impact – cut into slope, extend building group up the hill, in Ochil Hills SLA, will dominate cluster, unbalance group, roofline higher than Glendy Mill, scale and design are out of keeping,
- No agricultural justification
- No mains water – error in application
- Flood risk from surface water – no SUDS, concern about foul soakaway
- Shed previously approved is not being used for agricultural purposes which was what it was originally approved for. No tree planting where it was supposed to be as part of this proposal. (Note: This is subject to separate investigation)
- Created wide track with building rubble, no confidence that the development will complement and enhance the existing building cluster
- Traffic and road safety – additional traffic on road

The relevant planning issues will be addressed in the appraisal section of the report below.

ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Supporting 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 2012 and the adopted Perth and Kinross Local Development Plan 2014.

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 site is within an area where the housing in the countryside policy (RD3) of the Perth and Kinross Local Development Plan applies. This, along with the associated Housing in the Countryside Guide, is the main policy consideration in the determination of this application.

The main thrust of the policy is to safeguard the character of the countryside; support the viability of communities; meet development needs in appropriate locations; and ensure that high standards of siting and design are achieved.

The Council will support 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:

- (a) Building Groups.
- (b) Infill sites.
- (c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.
- (d) Renovation or replacement of houses.
- (e) Conversion or replacement of redundant non-domestic buildings.
- (f) Development on rural brownfield land.

This policy does not apply in the Green Belt and its application is limited within the Lunan Valley Catchment Area to economic need, conversions or replacement buildings.

The previous application was refused because it did not accord with any of the relevant categories within the housing in the countryside policy. This has not changed as the principle is still considered to be contrary to the housing in the countryside policy. The main consideration is whether the proposal would extend the existing building group into a definable site formed by existing topography and or well established landscape features which will provide a suitable setting. Whilst the existing cluster of buildings around Glendy Mill can be categorised as a building group as outlined within the policy, any extension to a group must respect the layout and building pattern of the group. In this instance it is considered that the proposed site does not relate well to the existing building group. The proposed site extends the group to the south side of the burn and south of the minor road where the ground rises up. This site is somewhat detached from the existing building group. Whilst there is a house on the north side of the minor road this is well integrated into the landscape and is located at a lower elevation. There are strong boundaries to the northeast and northwest of the application site formed by long established hedging and trees. More recent planting has formed two paddocks between the stable and shed buildings at the top of the road and the edge of the building group. This house site is in one of these paddocks. The policy states that consent will be granted for houses which extend the group into definable sites formed by existing topography and or well established landscape

features which will provide a suitable setting. In this case the field has been subdivided by recent hedge planting which in my view does not constitute well established landscape features as required by the policy.

The policy also allows for new houses in the open countryside where a house or group of houses is required either on site or in the locality for a local or key worker associated with either a consented or an established economic activity. The applicant has said that the house would assist in the development of an agricultural business. However it is acknowledged that at this stage the business is not of a sufficient scale to justify a house on the land in terms of the policy and the applicant is already living relatively close to the site, less than 3 kilometres away.

Policy PM1, placemaking and ER6, managing future landscape change are also of relevance.

Design and Layout

The proposed house will have accommodation over two levels and will have a finished floor level of 174.8 metres. An area of ground will be levelled to site the house. The roof ridge at its highest point will be around 7.2 metres in height from ground level. The house position has been moved down the slope from the previous submission and the dwellinghouse is around 3 metres lower in height than previously proposed. The dwellinghouse would be finished with slate roof tiles, white rendered external walls with some stone elements and cedar timber boarding.

There have been objections to the scale and design of the proposed house and that it is not in keeping with its surroundings and the Glendy settlement. The proposed house has been reduced in size with a basement level being removed and separate garage proposed rather than one that was originally in a basement area. However I still consider that the proposal would not complement its surroundings, would stand out from the building group and would not be well integrated into its setting.

There have also been objections suggesting that the development would lead to ribbon development due to the paddock to the north forming another possible building plot. Whilst I would not consider this to be ribbon development I would agree that it could put pressure on the other paddock as a future development site.

Landscape

The site is within the Ochil Hills Special Landscape Area as defined in supplementary landscape guidance associated with policy ER6 of the Local Development Plan. The site is part of an area of grazed agricultural land on the edge of a rolling valley landscape. The general character of this landscape is relatively open with large fields with pockets of development and some planted areas. The small building group around Glendy Mill is well

contained with buildings generally nestling among trees and vegetation. The development of the two sheds at the top of the field has begun to dilute the open, rolling landscape character of the area outside of the Glendy Burn group of buildings and development on the application site, on the slope to the south from the building group, would further dilute this landscape character and would set a precedent for further development in this area.

Residential Amenity

The proposed new house is over 50 metres away from existing residential properties. I would not have any concerns with residential amenity in terms of overlooking or overshadowing of neighbouring properties.

Impact on listed building

Glendy Mill Bridge is a C listed building. The proposal is not expected to have any adverse impact on the setting of this bridge provided the existing mature tree cover is retained.

Visual Amenity

The new building will be at a higher level and detached from the existing building group. The proposal would have an adverse visual impact on the setting of the existing group and the general landscape character of the area.

Roads and Access

The site is accessed from a minor public road that extends as far as the Glendy Burn. A track from the access extends along the base of the fields. The applicant has confirmed that this track is for agricultural purposes. It is quite incongruous and does appear overly large at around 4 metres wide. The agent suggests that this track was started in 2010 and the majority of this track is outwith the application site. Since 2010 when the track was first constructed the permitted development rights with regard to farm tracks has changed and any further work to the track may require the submission of a prior notification application.

Drainage and Flooding

The site is close to the Glendy Burn but there are no objections from the Council's Flood Officer. The new house would connect in to an existing drainage system installed in 2009 when the shed to the south east was constructed. Drainage proposals would be further considered at building warrant stage. The proposal would connect to a private water supply. Environmental Health has requested a condition and informative note with regard to this if the application is approved.

Pipeline Consultation Zone

The site is within the consultation zone for a Shell Pipeline. Shell advise that there is no reason why the development would affect the pipeline servitude

strip however Shell should be consulted prior to laying any services associated with the development that would need to cross the pipeline. HSE has been consulted via the PADI+ system. HSE does not advise against granting consent for this proposal.

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, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.

This proposal is within the catchment of Arngask Primary School. A contribution of £6,460 (1 x £6,460) towards primary education provision is required.

Transport Infrastructure

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 site is within the reduced contributions area. A Transport Infrastructure contribution of £2,639 (1 x £2,639) is required.

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 2012 and the adopted Local Development Plan 2014. 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

Reasons for Recommendation

1 The proposal is contrary to Policy RD3 Housing in the Countryside of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (1) Building Groups. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, Activity (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.

2 The proposal is contrary to Policy PM1A Placemaking of the Perth and Kinross Local Development Plan 2014 as the proposed development would not contribute positively to the quality of the surrounding built and natural environment.

3 The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as the proposal would be detrimental to local landscape character and would set a precedent for further development in the area.

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

17/00618/1

17/00618/2

17/00618/3

17/00618/4

17/00618/5

17/00618/6

17/00618/7

17/00618/8

17/00618/9

17/00618/10

17/00618/11

17/00618/12

Date of Report

2 June 2017



**PROPOSED HOUSE AT GLENDYBURN STEADING,
GLENFARG FOR MR PHILIP SLOAN**

SUPPORTING PLANNING STATEMENT

APRIL 2017

TMS PLANNING AND DEVELOPMENT SERVICES LTD

1.0 BACKGROUND

1.1 This application relates to the erection of a house for the proprietors of Glendyburn Steading, near Glenfarg. The planning application site (circa 2294m²) and related land at Glendyburn Steading presently form part of an established and registered agricultural operation (Holding Number 89/688/0074) comprising circa 5.5 hectares in area (refer combined red and blue areas on the planning application location plan).

1.2 The applicant's agricultural business, covering circa 8.8 hectares at present (comprising 5.5 hectares at Glendy and an additional 3.3 hectares elsewhere), presently has 9 breeding cattle, 8 of which are in calf and therefore by June, 2017 the agricultural business should have 17 cattle. The agricultural business also has 20 sheep which it is planned to lamb in spring 2018. Two miniature ponies are also kept on site at Glendyburn. Over the last few years the agricultural business has been steadily increasing with respect to the number of animals and the overall extent and value of the business operation. Glendyburn Steading, which forms the operational hub of the business, has 2 buildings presently, a livestock building and a structure for the storage of farm machinery, foodstuffs, etc.

1.3 It is accepted that the present agricultural operation is modest, albeit expanding, and is presently supported financially by the applicant. This expanding agricultural operation has started from a modest base but the applicant is building the business towards one which would sustain a sufficient income for a full time employee. This is likely to involve the existing land/operation at Glendy supplemented by additional land purchase/lease over time. Meantime, animal welfare and husbandry, simply good practice for the maintenance of the increasing herd/flock, including the ability to provide care for the animals while lambing and calving, and security considerations all strongly support the establishment of a permanent on-site presence for this expanding enterprise.

1.4 The Scottish Government recognises the need to encourage a younger generation into farming in order to sustain the industry over the coming years and to allow for further diversification in the delivery of quality products and the related economic and environmental benefits that may arise. As concluded in a recent Scottish Government report *"If it is to prosper into the future, farming needs to attract a steady flow of new entrants and young farmers with drive, innovation and entrepreneurial skills. The main incentive for new and young entrants is a profitable industry which has good opportunities. At present, however, farming does not offer sufficient returns or opportunities to attract the numbers of new entrants that the industry needs. The Scottish Government is therefore keen to offer support to new and young entrants so that they can make the most of their business and the opportunities that arise"*.

1.5 While undoubtedly a house on this site would support the existing and expanding agricultural operation (and should be welcomed in this respect), the main

basis of the support for this house can be found in extant Local Development Plan and related supplementary guidance forming Perth and Kinross Council's housing in the countryside policy. The applicant trusts that the alterations to the proposals, following an earlier refusal of planning permission, is sufficient to address stated concern at that stage and to gain support from Perth and Kinross Council.

1.6 This supporting statement should be considered in conjunction with the landscape assessment carried out by Alma Consultancy (Martin Watt BA) as detailed within the Landscape Presentation Plan and 7 Viewpoints/photographs of the site/surroundings also submitted in support of the planning application.

2.0 PREVIOUS PLANNING APPLICATION

2.1 An earlier proposal for a house was refused planning permission by Perth and Kinross Council in September, 2016 for the following reasons: -

"1 The proposal is contrary to Policy RD3 Housing in the Countryside of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (1) Building Groups. It is also considered that the proposal cannot satisfy any of the remaining categories (2) Infill Sites, (3) New Houses in the Open Countryside, Activity (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.

2 The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014. Due to its scale, design and siting it does not contribute positively to the quality of the surrounding built and natural environment and will detract from the visual amenity of the existing building group."

2.2 Following this decision the applicant fully reviewed the issues of concern raised and, resulting from this, the proposals have been completely re-designed. The position of the house within the plot has been altered in order to relate more directly to the existing grouping at Glendy and the house design has likewise been altered to one of a more traditionally proportioned and detailed 1½ storey property with a detached garage structure. The changes are both significant and material to the assessment of the current planning application in that issues of house design and the relationship to the existing building grouping are positively addressed and resolved.

3.0 THE SITE, SURROUNDINGS AND THE PROPOSED DEVELOPMENT

3.1 The planning application site sits directly adjacent to a small hamlet of existing residential properties (4 in total including one directly opposite of relatively recent construction). The houses vary in ages and styles but each retains a rural design feel

and is set within generous gardens. The planning application site lies at the north of the agricultural holding on an area of sloping land with the land rising to the east towards the flatter section of the larger holding which contains the existing livestock and storage buildings (and yard area). The planning application site is contained by established landscaping on all 4 sides (refer Landscape Presentation Plan and related photographs) with access existing at the north-east boundary from a section of public roadway. The landscape planting on 2 sides (north-east and north-west) is in excess of 3 to 5 metres in height while on the remaining boundaries (south-east and south-west) the mix of hedgerows and trees amounts to a height circa 1.5 to 2 metres for the hedge with the individual trees being generally higher. The hedge will be maintained around the existing height.

3.2 The planning application proposes the erection of a single dwellinghouse accessed from the adjacent roadway (north-east) with this access point also being retained as the vehicular access to the adjacent fields forming part of the agricultural holding. The house is partially “dug into” the site slope (sloping upwards to the south-east) and would display a 1½ storey frontage to the north-west, towards Glendy Mill, with the proposed house designed using appropriate proportions, detailing and external finishes (refer house plans). The proposed garage would be “tucked in” to the side of the house, well screened by existing landscaping along the roadside. The Landscape Presentation Plan has assessed the extent of the building grouping at Glendy (referred to as the Glendy Building Circle) and this provides a context for the assessment of the proposed development as part of this grouping. It is also significant that aligning the extent of built development at Glendy in the vicinity of the proposals (taking an alignment to the south-east and south-west of the grouping) shows that the proposed built development comprising the proposed house falls within these projected building lines.

3.3 As part of the development, the existing boundary landscaping would be retained in full thereby retaining the landscape and visual containment from outwith the site and an enhanced setting for the dwellinghouse. Accommodation would be provided on 2 levels (using the roof space) in order to form a family home for the applicants which will also serve the agricultural business operation. Office accommodation is provided for within the development.

4.0 PLANNING POLICY CONTEXT

4.1 The planning policy context for this development proposal includes Scottish Planning Policy, the TAYplan Strategic Development Plan and the Perth and Kinross Local Development Plan. Perth and Kinross Council’s Housing in the Countryside Guide (2012) is also relevant to the proposal and is linked to Policy RD3 “*Housing in the Countryside*” as set out in the adopted Perth and Kinross Local Development Plan. It is

understood that the Housing in the Countryside Guide has now been formally adopted by Perth and Kinross Council as part of the Local Development Plan (2014).

Scottish Planning Policy and TAYplan

4.2 There are no strategic issues raised by this application and therefore the terms of TAYplan will not inform the relevant assessment process. Underlying the adopted Local Development Plan is the commitment in Scottish Planning Policy to the delivery of development in support of communities and the local economy, and the support for development which contributes to sustainable development, including rural businesses.

Perth and Kinross Local Development Plan 2014

4.3 The Local Development Plan sets out a clear policy framework and differentiates certain policy requirements within and outwith defined settlements, the latter being subject to countryside policies in addition to relevant design and infrastructure policy requirements. The site lies adjacent to a grouping of houses not defined as a settlement within the Local Development Plan and therefore is considered, in policy terms, to lie within the designated countryside. Accordingly, the most relevant Local Development Plan policies include: -

Policy RD3 “Housing in the Countryside” indicates that Perth and Kinross Council will support housing development in the countryside provided it falls within at least one of a number of defined categories. This includes development within/adjacent to “Building Groups” and where related to an established rural enterprise/business, among others. This policy (and its assessment) is directly related to Perth and Kinross Council’s Housing in the Countryside Guide as produced in 2012 but “adopted” as part of the Local Development Plan in 2014.

Policies PM1A and PM1B “Placemaking” require that development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption. Specifically, all proposals should meet all the following criteria:

- (a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.
- (b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.
- (c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

(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.

(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.

(f) Buildings and spaces should be designed with future adaptability in mind wherever possible.

(g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.

(h) Incorporate green infrastructure into new developments and make connections where possible to green networks.

Policy ER6 *“Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area’s Landscapes”* requires that *“development and land use change should be compatible with the distinctive characteristics and features of Perth & Kinross’s landscapes”* and that *“development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross”*. Development should: -

(a) not erode local distinctiveness, diversity and quality of Perth and Kinross’s landscape character areas, the historic and cultural dimension of the area’s landscapes, visual and scenic qualities of the landscape, or the quality of landscape experience;

(b) safeguard views, viewpoints and landmarks from development that would detract from their visual integrity, identity or scenic quality;

(c) safeguard the tranquil qualities of the area’s landscapes;

(d) safeguard the relative wildness of the area’s landscapes;

(e) provide high quality standards in landscape design, including landscape enhancement and mitigation schemes when there is an associated impact on a landscape’s qualities;

(f) incorporate measures for protecting and enhancing the ecological, geological, geomorphological, archaeological, historic, cultural and visual amenity elements of the landscape; and

(g) conserve the experience of the night sky in less developed areas of Perth and Kinross through design solutions with low light impact.

Perth and Kinross Council's Housing in the Countryside Guide (2014)

4.4 Perth and Kinross Council's Housing in the Countryside Guide (2014) sets out policy aims to: safeguard the character of the countryside; support the viability of communities; meet development needs in appropriate locations; and ensure that high standards of siting and design are achieved. The Guide confirms that the Council will support 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 a number of defined categories including: -

(1) Building Groups - consent will be granted for houses within building groups provided they do not detract from both the residential and visual amenity of the group. Consent will also be granted for houses which extend the group into definable sites formed by existing topography or well established landscape features which will provide a suitable setting. All proposals must respect the character, layout and building pattern of the group and demonstrate that a high standard of residential amenity can be achieved for the existing and proposed house(s). Proposals which contribute towards ribbon development will not be supported.

(3) New Houses in the Open Countryside – this part of the policy largely supports development where related to a bone fide rural activity which requires residential occupancy on the site as part of the business operation.

4.5 The “*Siting Criteria*” set out in the Housing in the Countryside Guide states that development will be acceptable where, in effect, when viewed from surrounding vantage points, it meets all of the following criteria: -

- a) it blends sympathetically with land form;
- b) it uses existing trees, buildings, slopes or other natural features to provide a backdrop;
- c) it uses an identifiable site, (except in the case of proposals for new country estates) with long established boundaries which must separate the site naturally from the surrounding ground (eg a woodland or group of mature trees) or a slope forming an immediate backdrop to the site;
- d) it does not have a detrimental impact on the surrounding landscape.

4.6 The “*Siting Criteria*” also states that a new house site will not be acceptable if when viewed from surrounding vantage points: -

- a) it occupies a prominent, skyline, top of slope/ridge location;
- b) the site lacks existing mature boundaries (for example, woodland or a group of trees) and

c) is unable to provide a suitable degree of enclosure for a new house in the countryside.

4.7 A list of requirements are set out “*For All Proposals*” which include: -

- Satisfactory access and services should be available or capable of being provided by the developer.
- Encouragement will be given to the incorporation of measures to facilitate home working within new development.
- The proposed development should not conflict with any other policy or proposal in the Local Plan.
- Development proposals should not result in adverse effects, either individually or in combination, on the integrity of Loch Leven.
- The proposal, in terms of scale, layout and design is appropriate to, and has a good fit with, the landscape character of the area in which it is located, and demonstrates a specific design approach to achieve integration with its setting. Buildings should be sympathetic in terms of scale and proportion to other buildings in the locality.

4.8 Perth and Kinross Council's “*Guidance on the siting and design of houses in rural areas*” also provides advice on the stated matters. These requirements are largely covered in the siting and design requirements set out in the Housing in the Countryside Guide.

5.0 PLANNING ASSESSMENT

5.1 The site sits within a defined landscape context (on all sides) with rising land forming a backdrop for the development to the south-east (leading to the existing buildings forming part of the agricultural holding operation). There is no doubt that the site is well established and readily identifiable within a clearly defined landscape setting. The details of the landscape assessment/impact are set out in the supporting information provided by Alma Consultancy. The proposed dwellinghouse displays a design and external appearance suitable for this rural environment with the garden area associated with the property very generous and not dissimilar to other properties in the immediately surrounding area.

5.2 Following the earlier refusal of planning permission, material changes to the form and siting of the proposed house has occurred. This has resulted in the house being more directly related to the extant house grouping at Glendy and a far more sympathetic build form for the house. The landscape assessment submitted with the planning application (Landscape Presentation Plan and related Viewpoints) defines the extent of the Glendy Grouping and the features characteristic of its form and appearance. This assessment concludes that the “...new house proposal is in keeping

with the scale of the existing properties in this area and the patterns of layout". This assessment also concludes that the house is well set in the site's topography and that the extensive landscape setting within the plot provides a suitable context for a new house as part of the Glendy grouping and as part of the wider landscape context.

5.3 With respect to Policy RD3 "*Housing in the Countryside*" (and directly related to Perth and Kinross Council's Housing in the Countryside Guide) there is a requirement for the development to meet one of the defined categories. With respect to the "*Building Groups*" category it is clear that the development would extend the existing building group into a site well defined by existing well established landscape features (well above the 1 metre hedge level referred to in PKC's guidance) and with the rising ground to the rear (south-east) of the property comprising "*a slope forming an immediate backdrop to the site*" and the property set into the rising ground then the house would be fully integrated into the site/landscape framework. There is both a topographical and landscape context for the proposed development which will provide a suitable setting in accordance with the policy requirements. The agricultural business is established and expanding and for good husbandry reasons there is a justification for a residential presence as part of the smallholding. It can therefore also be argued that a justification related to "Economic Activity" also exists and this clearly supports the overall case for the development.

5.4 The development, as demonstrated below, would not detract from the residential or visual amenity of the group and would fully respect the character, layout and building pattern of the group and demonstrate a high standard of residential amenity.

5.5 The "*Siting Criteria*" set out in the Housing in the Countryside Guide states that development will be acceptable where, in effect, when viewed from surrounding vantage points, it would meet specified criteria (paragraph 4.5 above refers). Using the set criteria an assessment of the current proposals reveals that the development WOULD: -

- a) blend sympathetically with the land form;
- b) use existing trees and the rising ground to provide a context/backdrop for the proposed house;
- c) use an identifiable site with long established boundaries which separate the site naturally from the surrounding ground; and
- d) would not have a detrimental impact on the surrounding landscape.

5.6 The "*Siting Criteria*" also states that a new house site will not be acceptable if, when viewed from surrounding vantage points it would result in specified undesirable impacts (paragraph 4.6 above refers). In this case it is clear that the development WOULD NOT: -

- a) occupy a prominent, skyline, top of slope/ridge location;
- b) lack existing mature boundaries as the existing vegetation provides a clearly defined established physical/visual boundaries; or
- c) be unable to provide a suitable degree of enclosure for a new house in the countryside.

5.7 The requirements set out in the Housing in the Countryside Guide “*For All Proposals*” would, as far as relevant to the current proposals, also be satisfactorily addressed (paragraph 4.7 above refers) . To this end it can be concluded that: -

- Satisfactory access and services are available;
- The property can accommodate office based home working;
- The proposed development should not conflict with any other policy or proposal in the Local Development Plan; and
- the proposal, in terms of scale, layout and design is appropriate to, and has a good fit with, the landscape character of the site/area and demonstrates a specific design approach to achieve integration with its setting. The proposed house is designed to be sustainable in construction and use and, additionally, would be sympathetic in terms of scale and proportion to other buildings in the locality.

5.8 Local Development Plan Policies PM1A and PM1B “*Placemaking*” (paragraph 4.3 above refers) are extensively generic design policies set out to cover all potential situations and therefore not all parts are fully relevant to the current proposals. Assessing the proposals against these criteria results in the following conclusions: -

- (a) A sense of identity for the building would be created along with appropriate access from its surroundings.
- (b) the site topography as well as the wider landscape character of the area has been fully considered/addressed.
- (c) The design and density of the development will complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.
- (d) the existing building lines, as appropriate, are respected.
- (e) the development would be safe and accessible.
- (f) the building is designed with future adaptability in mind.
- (g) Existing natural features that contribute to the local townscape will be retained and sensitively integrated into proposals.
- (h) Green infrastructure will be retained (woodland) and further enhanced over time.

5.9 As outlined in paragraph 4.3 above, Local Development Plan Policy ER6 *“Managing Future Landscape Change...”* requires that *“development and land use change should be compatible with the distinctive characteristics and features of Perth & Kinross’s landscapes”* and that *“development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross”*. It is noted that the site lies within the extensive Ochil Hills Special landscape Area in a location directly adjacent to existing development, at a low level within this designated area and well concealed by the existing landscape framework. The development would be well contained by the built and natural form, being nestled by these features at an inconspicuous location and within a wider landscape punctuated by development. Based on all of these factors and on the basis of the development form being proposed it is considered that the development would: -

- (a) not erode local distinctiveness, diversity or the quality of the local landscape, its visual or scenic qualities, or the quality of landscape experience;
- (b) safeguard views, viewpoints and landmarks from development that would detract from their visual integrity, identity or scenic quality;
- (c) safeguard the tranquil qualities of the area’s landscapes by relating the proposed house to an existing building grouping;
- (d) have no material impact on the relative wildness of the area’s landscapes by relating the proposed house to an existing building grouping;
- (e) maintain (provide for) high quality standards in the landscape;
- (f) have no material impact on ecological, geological, geomorphological, archaeological, historic, cultural and visual amenity elements of the landscape; and
- (g) conserve the experience of the night sky in less developed areas of Perth and Kinross by relating the proposed house to an existing building grouping.

5.10 Based on the assessment set out above, it is clear that the development would comply with extant policy requirements at all levels of the planning process, including the specific and detailed requirements set out in Perth and Kinross Council’s Local Development Plan and Housing in the Countryside Guide. The proposals have been reworked to positively address earlier concerns raised and it is considered that these concerns have now been fully addressed by the revised form of the development being proposed. In short, notwithstanding the concerns raised with respects to the earlier proposal, there would be no adverse impact on the setting of the building group or on the landscape character of the area. Rather the setting of the building group would be suitably maintained as would the landscape context/value for the site/local area. The development would comply with the development plan and with the other material considerations outlined, including the Housing in the Countryside Guide.

6.0 CONCLUSIONS

6.1 Detailed assessment of the residential proposal indicates compliance with the underlying requirements of Scottish Planning Policy and with the particular policy context set out in the adopted Perth and Kinross Local Development Plan and the Perth and Kinross Council Housing in the Countryside Guide. The development has been sympathetically re-designed to fit the site and surroundings and would be fully sustainable with respect to design, construction and adaptability. The extension of the building group into a readily defined gap site causes no issues of amenity, visual or residential, and the relationship of the development to the existing building group (including long standing development and development of more recent construction – Easter Glendy) meets all relevant functional, amenity and development quality standards. The development would be entirely characteristic of the area.

6.2 The alterations to the design and siting of the proposed house allows for a more direct and sympathetic relationship to the existing Glendy grouping while maintaining a more appropriate development form/scale with respect to the existing properties in order to protect both residential and visual amenity. It is demonstrated in the Landscaped Presentation Plan and related Viewpoints that the proposed property would fall within the extent/projection of built development in the area within a well-defined landscape context. This meets extant policy requirements with respect to the Building Groups part of the policy with compliance with the stated design, access, infrastructure, etc requirements also fully addressed.

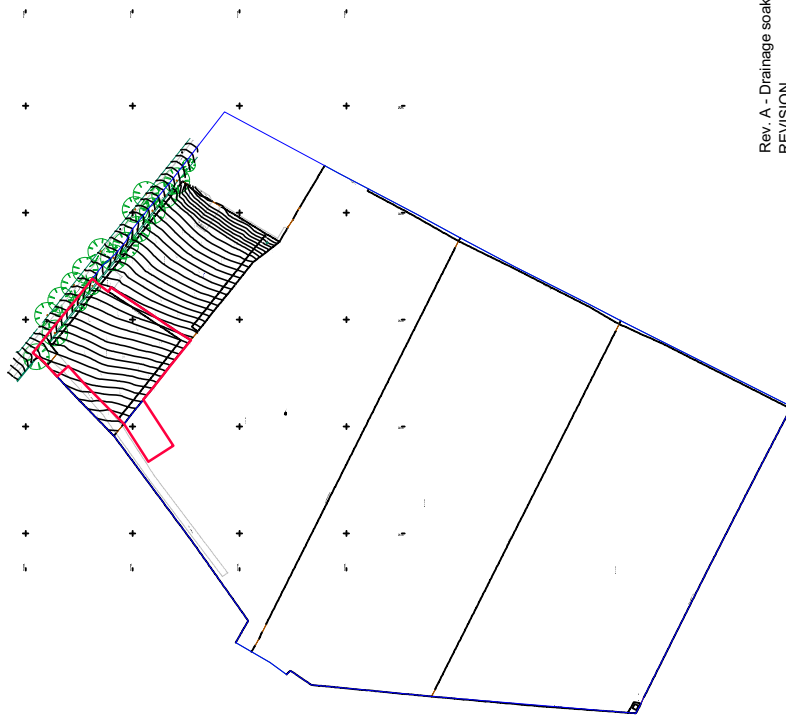
6.3 In effect, as required by extant policy, the development would safeguard the character of the countryside; support the viability of communities; meet development need in an appropriate location; and ensure that a high standard of siting and design would be achieved. The dwellinghouse would also support the current and expanding agricultural business operated by the applicant, this surely being an additional benefit of this development.

6.4 The applicant remains fully prepared to engage with Perth and Kinross Council in order to address any legitimate concerns related to the proposed development. In the event that there are any concerns related to the development then the applicant requests the opportunity to address these prior to any decision being taken on the planning application.



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1:10,000



LOCATION PLAN... 1:2500



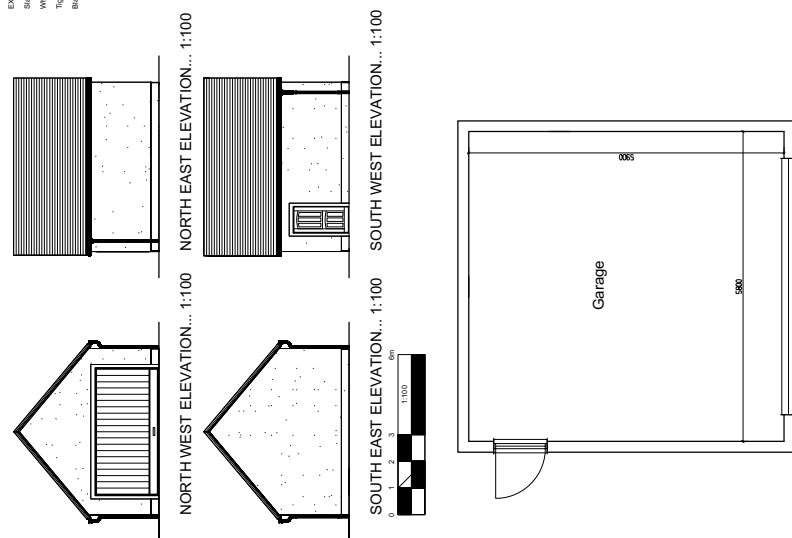
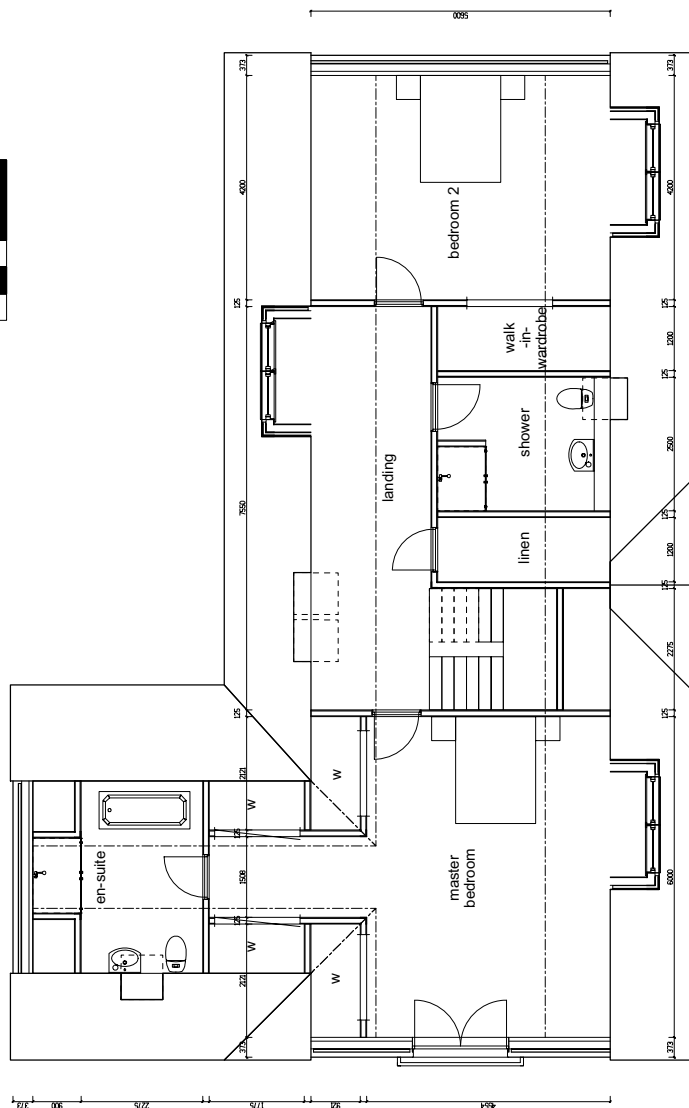
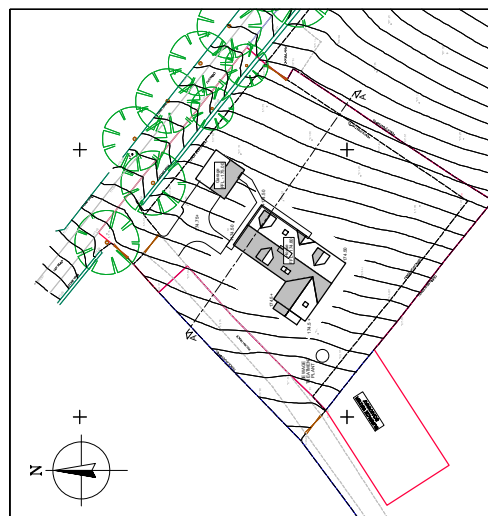
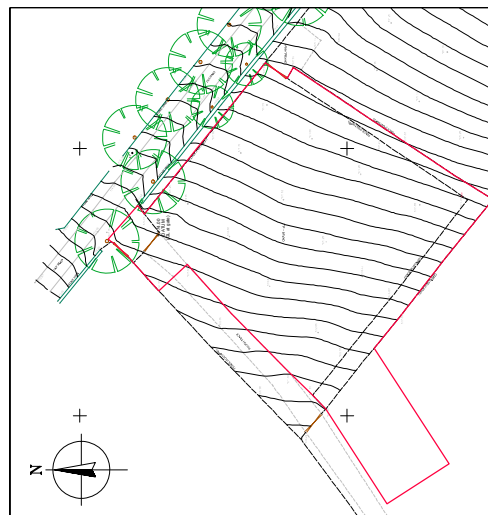
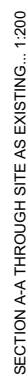
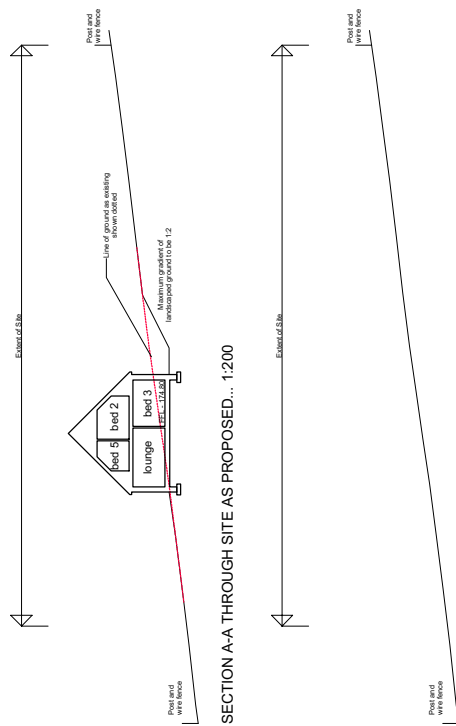
Rev. A - Drainage soak away area included JB 23/06/16
REVISION INT DATE

Greenfields Design Ltd.
architectural and timberframe design consultants

2B Bank Street, Alloa, Clackmannanshire FK10 1HP
tel. 01259 216500 fax. 0870 1231571
email. gfd@greenfieldsdesign.co.uk

Title - LOCATION PLAN
Project - Mr & Mrs P. Sloan
Lower Paddock, Glenfarg

SCALE	1:2500	DRAWN BY	JB
DATE	21/06/2016	DRAWING NO.	11372-13'a
SHEET	A3	PROJECT NAME	Sloa1



	JOB	DATE
Rev. M - Garage details added	JB	15/03/17
Rev. L - Bedroom 2 amended	JB	17/11/16
Rev. K - Dormers added	JB	13/11/16
Rev. J - Canopy roof added	JB	09/11/16
Rev. I - Section as Existing shown	JB	03/11/16
Rev. H - Section as Existing shown	JB	02/11/16
Rev. F - Section and Site as Existing shown	JB	28/06/16
Rev. E - Drainage shown	JB	23/06/16
Rev. D - Bath shown	JB	13/06/16
Rev. C - Client amendments	JB	7/06/16
Rev. B - Client amendments	JB	07/06/16
Rev. A - Client amendments	JB	04/06/16
REVISION	INT	

Greenfields Design Ltd.
architectural and timberframe design consultants

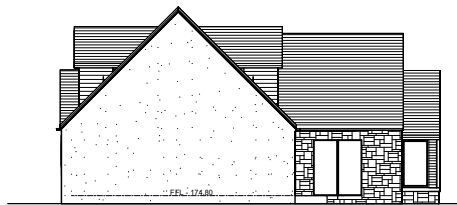
28 Bank Street, Alcoa, Ctdimanhamshire FK10 1HP
tel. 01259 216500 fax. 0870 1231571
email: off@mmenfieldsdesign.co.uk

Title - FIRST FLOOR PLAN
Project - Mr & Mrs P. Sloan
Lower Piedmont Glenfern

14.2	1:50	100-140-175	JB
15	25-05-2016	100-140-182	11372-12m'
15.1	A1	100-140-175-182	Stoa1



SOUTH EAST ELEVATION... 1:100



NORTH EAST ELEVATION... 1:100

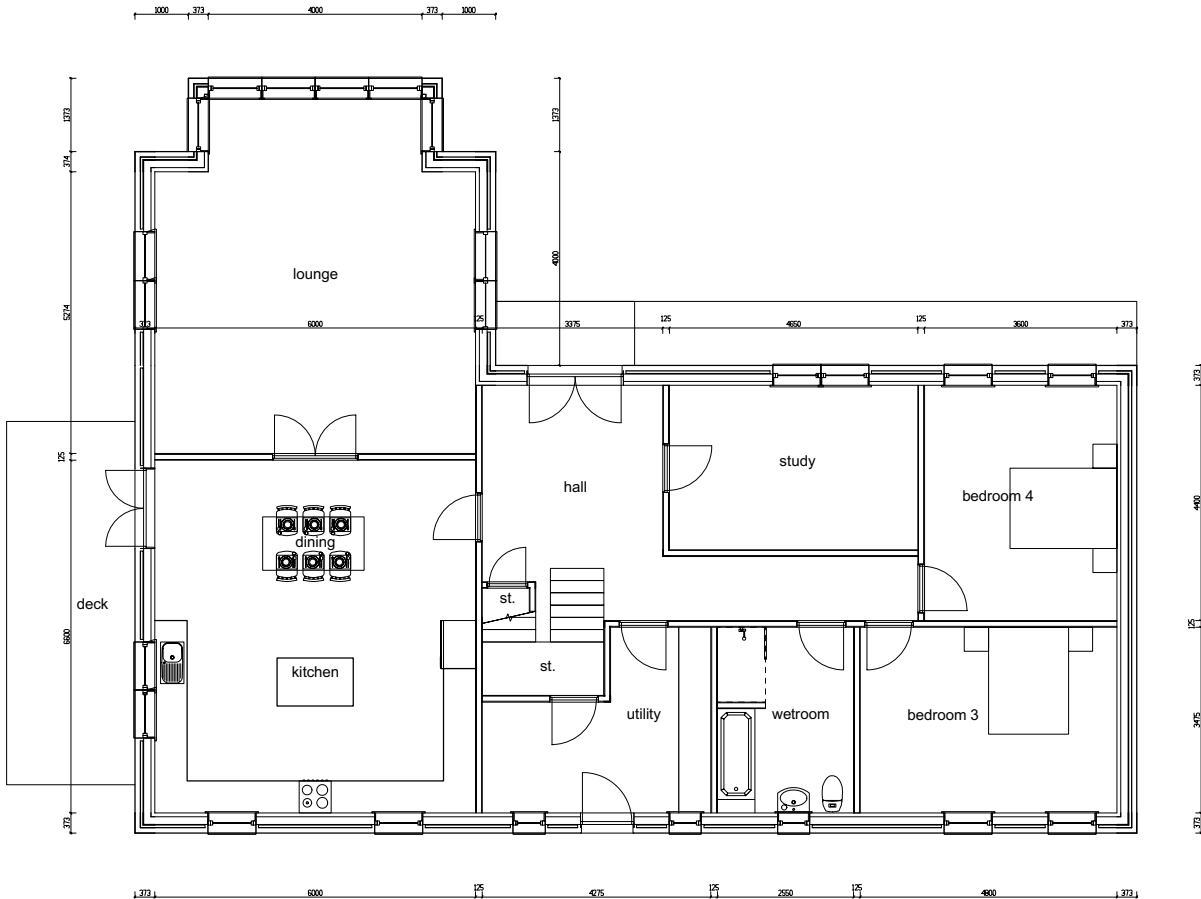
EXTERNAL FINISHES
 Slate roof tiles
 Precast concrete cills with render bands
 White rendered external walls
 Natural stone to external walls as shown.
 Cedar horizontal and vertical timber lining to external walls as shown.
 Tight eaves and verge (No fascia or bargeboard)
 Anthracite uPVC windows.
 Black cast iron gutters and downpipes.



NORTH WEST ELEVATION... 1:100



SOUTH WEST ELEVATION... 1:100



GROUND FLOOR PLAN... 1:50

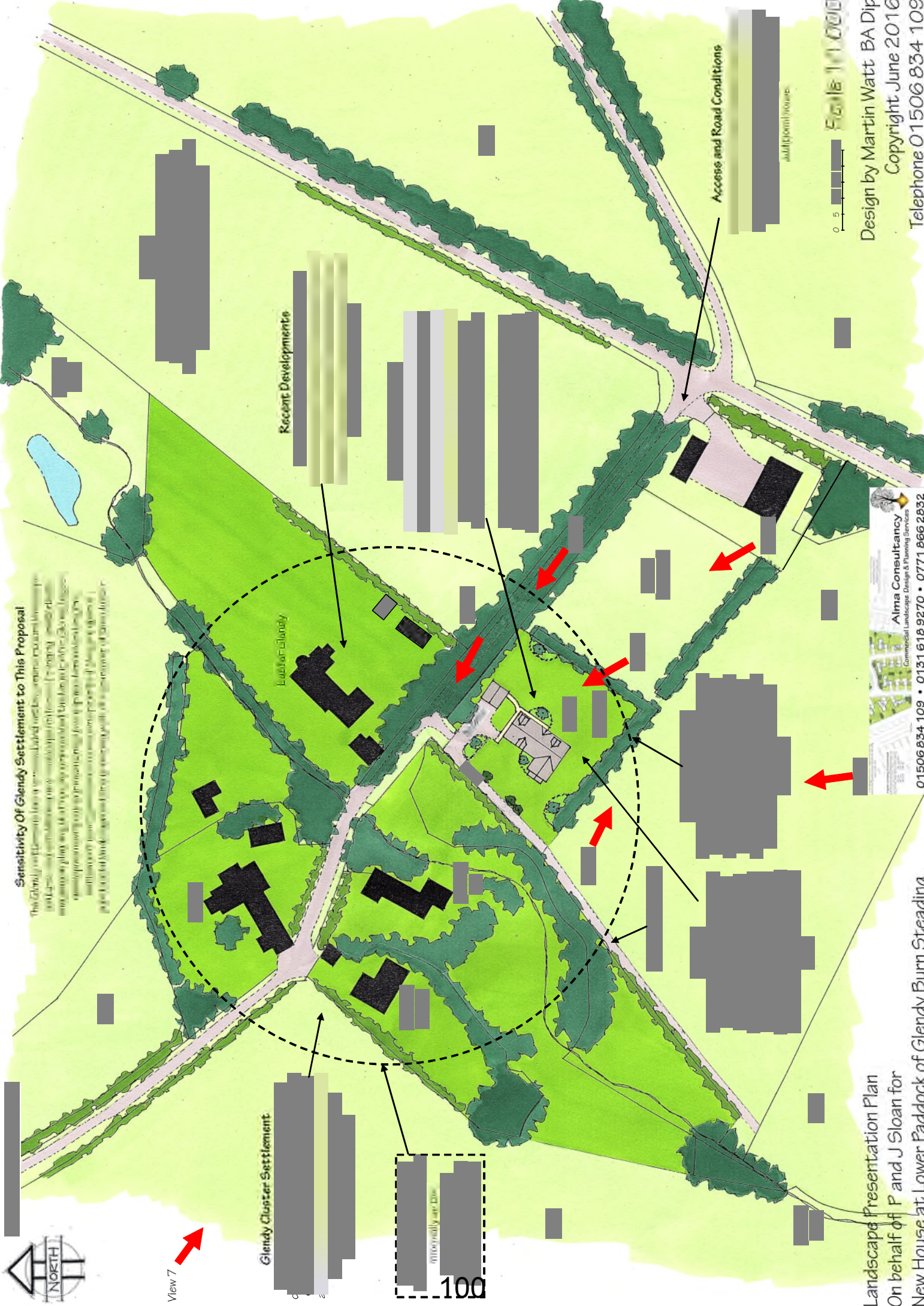


Rev. K - Dimensions added	JB	15/03/17
Rev. J - Bay window added	JB	17/11/16
Rev. H - Dormers added	JB	16/11/16
Rev. G - Canopy roof added	JB	09/11/16
Rev. F - Basement removed	JB	03/11/16
Rev. E - FFL added to elevations	JB	29/06/16
Rev. D - Windows repositioned	JB	17/06/16
Rev. C - Client amendments	JB	17/06/16
Rev. B - Client amendments	JB	07/06/16
Rev. A - Client amendments	JB	05/06/16
REVISION	DATE	

Greenfields Design Ltd.
 architectural and interior design consultants
 28 Bank Street, Alosa, Clackmannanshire FK10 1HP
 tel: 01293 216500 fax: 0870 1231571
 email: gfd@greenfieldsdesign.co.uk

Title - PLANS AND ELEVATIONS
 Project - Mr & Mrs P. Sloan
 Lower Paddock, Glenfarg

SCALE	1:50	DATE	JB
DATE	25/09/2016	PROJECT NO.	11372-11K
FILE	A1	PROJECT NAME	Slee1



Sensitivity Of Glendy Settlement to This Proposal

The Glendy settlement is a well-established residential area, with a mix of housing types and a high level of amenity. The settlement is surrounded by a mix of green spaces, including a large park area to the north and a smaller park area to the south. The settlement is also well-served by a network of roads and paths, which provide easy access to the surrounding area. The settlement is a well-established residential area, with a mix of housing types and a high level of amenity. The settlement is surrounded by a mix of green spaces, including a large park area to the north and a smaller park area to the south. The settlement is also well-served by a network of roads and paths, which provide easy access to the surrounding area.

Glendy Cluster Settlement

Recent Developments

Access and Road Conditions

Additional Notes

Scale 1:1000

Design by Martin Watt BA Dip
Copyright June 2016
Telephone 01506 834 109

Alma Consultancy
Commercial Landscape Design & Planning Services
01506 834 109 • 0131 618 9270 • 0771 866 2832

Landscape Presentation Plan
On behalf of P and J Sloan for
New House at Lower Paddock of Glendy Burn Steading

Glendy Cluster Settlement

The Glendy settlement is one of several small

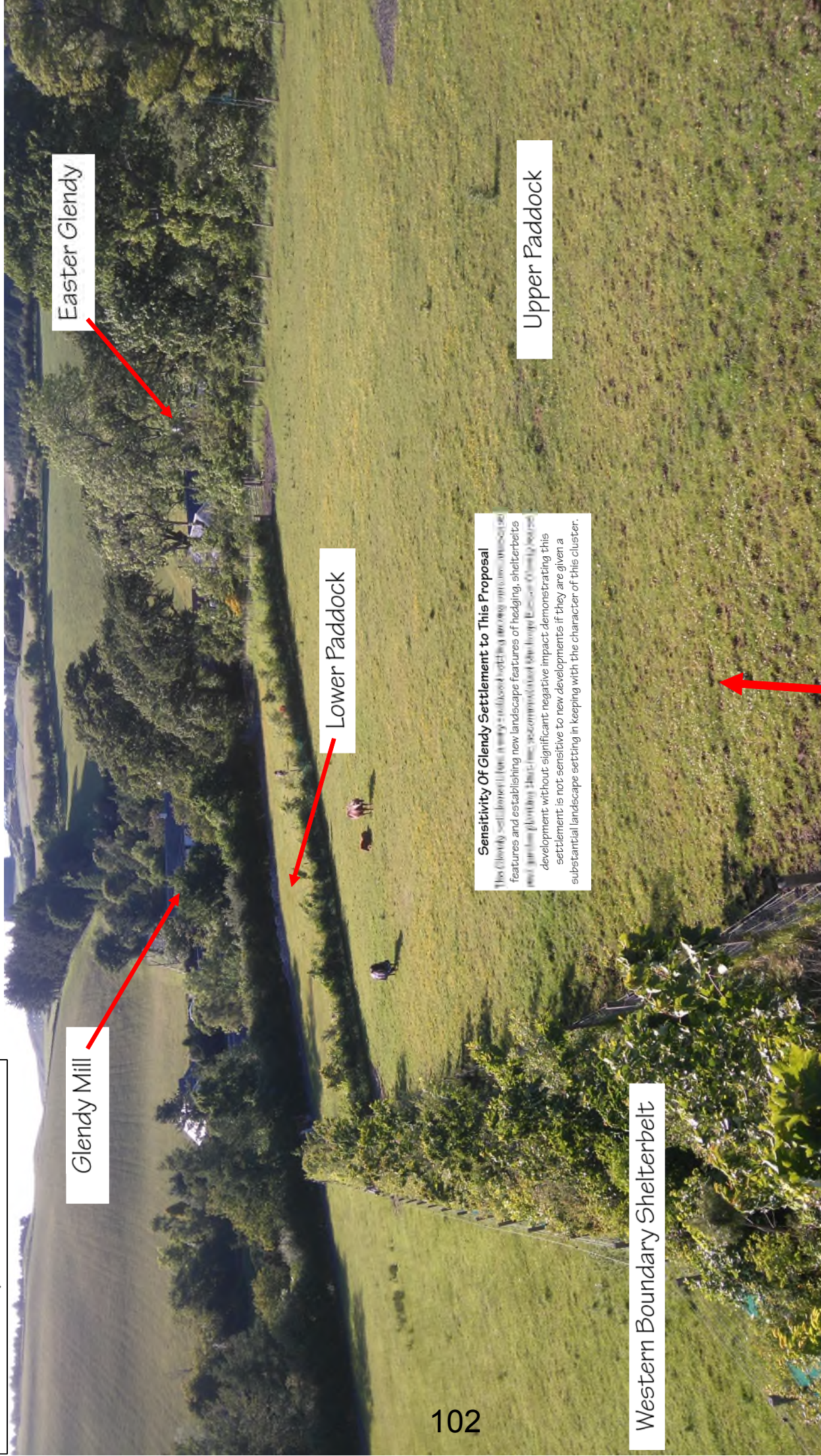


Glendy Mill



Western Boundary Shelterbelt

View 1



View 2

Viewpoint No.3

The Plot

scale of other properties in the settlement with ample space to allow a fitting scale of landscape setting to add to the overall character of the settlement and minimise the impact of the new house.

Glendy Mill

Lower Paddock Access

Easter Glendy

Lower Paddock Plot

Upper Paddock

View 3

Viewpoint No.4

Lower Paddock



Lower Paddock Access



Easter Glendy



Recent Developments

The Easter Glendy house development has strengthened and enhanced the Glendy settlement and proven the suitability of the very similar Lower Paddock Cottage plot to be developed as a further positive addition to the area.

View 4

Viewpoint No.5



Lower Paddock

Easter Glendy Access

Lower Paddock Access

Access and Road Conditions
The area is fairly low and would easily accommodate an additional house.

View 5

Viewpoint No.6

Lower Paddock

Landscape Setting

The proposed plot has a well planted and protected layout of shelterbelts that make a very positive contribution to the setting of the Glendy settlement and offer a secluded setting for a new house in keeping with the character of the settlement

Glendy Burn Steading

Western Boundary Shelterbelt

106

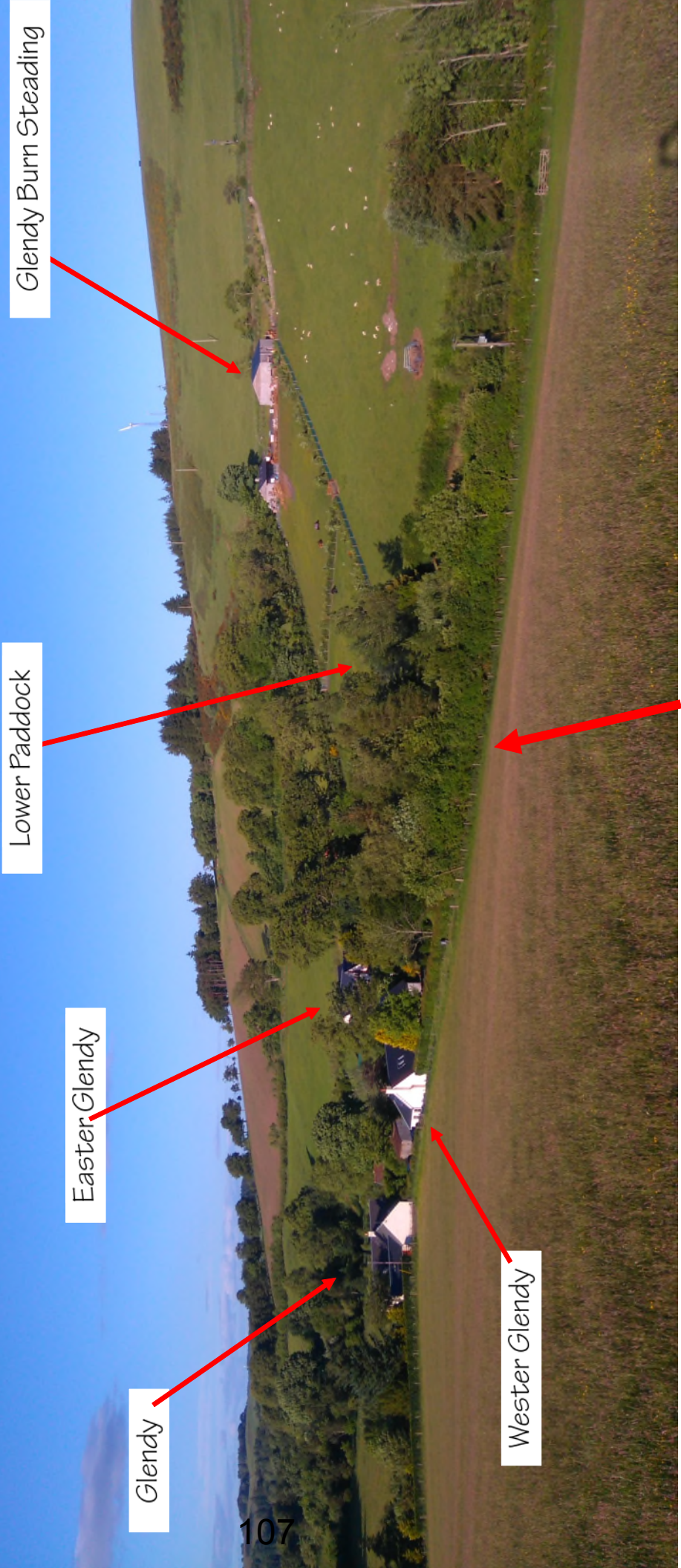
View 6

Landscape Presentation Plan
On behalf of P and J Sloan for
New House at Lower Paddock of Glendy Burn Steading

Viewpoint No.7

Overall

The Glendy settlement is not sensitive to the impact of the Lower Paddock Cottage with it's established and maturing landscape structure because the proposed house is set in the lower half of the plot nearer other houses and less visible.



View 7

TCP/11/16(480) – 17/00618/FLL – Erection of a dwellinghouse on land 100 metres North West of Glendy Steading, Glenfarg

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 71-72)*

REPORT OF HANDLING *(included in applicant's submission, see pages 73-83)*

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 85-107)*

TCP/11/16(480) – 17/00618/FLL – Erection of a dwellinghouse on land 100 metres North West of Glendy Steading, Glenfarg

REPRESENTATIONS

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/00618/FLL	Comments provided by	E McMillan
Service/Section	TES - Flooding	Contact Details	
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 100 Metres North West Of Glendy Steading Glenfarg for Mr Philip Sloan		
Comments on the proposal	<p>I have no comment to make on this application. The site is located out with the SEPA indicative 1 in 200 year flood envelope for the Glendy Burn and would occupy an elevated position.</p>		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	12/4/17		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/00618/FLL	Comments provided by	Nicola Orr
Service/Section	Strategy & Policy	Contact Details	Nicola Orr [REDACTED]
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 100 Metres North West of Glendy Steading, Glenfarg		
Comments on the proposal	<p>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, MAY FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <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, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Arngask 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>This proposal lies within the reduced transport contributions boundary.</p>		
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Education: £6,460 Transport Infrastructure: £2,639</p> <p><u>Total: £9,099</u></p> <p>Phasing</p>		

	<p>It is advised that payment of the contribution should be made up front of release of planning permission. The additional costs to the applicants and time for processing legal agreements for single dwelling applications is not considered to be cost effective to either the Council or applicant.</p> <p>The contribution may be secured by way of a Section 75 Agreement. Please be aware the applicant is liable for the Council's legal expense in addition to their own legal agreement option and the process may take months to complete.</p> <p>If a Section 75 Agreement is entered into the full contribution should be received 10 days after occupation.</p>
Recommended informative(s) for applicant	<p>Payment</p> <p>Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.</p> <p>Methods of Payment</p> <p>On no account should cash be remitted.</p> <p>Scheduled within a legal agreement</p> <p>This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice.</p> <p>NB: The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue.</p> <p>Other methods of payment</p> <p>Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice.</p> <p>Remittance by Cheque</p> <p>The Planning Officer will be informed that payment has been made when a cheque is received. However this will require a period of 14 days from date of receipt before the Planning Officer will be informed that the Planning Decision Notice may be issued.</p> <p>Cheques should be addressed to 'Perth and Kinross Council' and forwarded</p>

	<p>with a covering letter to the following: Perth and Kinross Council Pullar House 35 Kinnoull Street Perth PH15GD</p> <p>Bank Transfers All Bank Transfers should use the following account details; Sort Code: 834700 Account Number: 11571138</p> <p>Education Contributions For Education contributions please quote the following ledger code: 1-30-0060-0001-859136</p> <p>Transport Infrastructure For Transport infrastructure contributions please quote the following ledger code: 1-30-0060-0003-859136</p> <p>Direct Debit The Council operate an electronic direct debit system whereby payments may be made over the phone. To make such a payment please call 01738 475300 in the first instance. When calling please remember to have to hand:</p> <ul style="list-style-type: none"> a) Your card details. b) Whether it is a Debit or Credit card. c) The full amount due. d) The planning application to which the payment relates. e) If you are the applicant or paying on behalf of the applicant. f) Your e-mail address so that a receipt may be issued directly. <p>Indexation All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.</p> <p>Accounting Procedures Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.</p>
Date comments returned	13 April 2017



RECEIVED

24 APR 2017

Mr N Brian
Perth & Kinross Council
Planning
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Shell U.K. Limited
Onshore Pipelines
Orchardbank Industrial Estate
Forfar
Angus DD8 1TD
United Kingdom
Switchboard +44 (0) 1307 462225
Tel +44 (0) 1307 475351
Fax +44 (0) 1307 468522
Internet <http://www.shell.com/eandp>

19th April 2017

Your ref: 17/00618/FLL

Our ref: UPO/W/G/TS/BD/kc

Dear Sir

The Town and Country Planning (Scotland) Act 1997

as Amended by Planning etc (Scotland) Act 2006

Consultation on an Application

**Erection of a Dwellinghouse, Land 100m North West of Glendy Steading, Glenfarg
for Mr Philip Sloan**

Thank you for your recent consultation regarding the above planning application. From the information provided, there is no reason why the development and associated construction works would directly affect our pipeline servitude strip or the safety and integrity of our pipeline. However the developer should be made aware that we should be consulted prior to the laying of any services, associated with the development that would need to cross our pipeline.

I expect that as the development is within the consultation zone for the pipeline, that you may also be seeking advice from the HSE. Should this be so I would be please if you will provide a copy of such advice to me.

Yours faithfully
Shell U.K. Limited

Brian Downes
ROW Inspector (South)

Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 17/00618/FLL

Our ref MA

Date 20 April 2017

Tel No [REDACTED]

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Erection of a dwellinghouse Land 100 metres North West of Glendy Steading Glenfarg fo Mr Philip Sloan

I refer to your letter dated 11 April 2017 in connection with the above application and have the following comments to make.

Water (assessment date – 20/4/17)

Recommendation

I have no objections to the application but recommend the undernoted condition and informatives be included in any given consent.

Comments

The development is for a dwelling house in a rural area with private water supplies (including Glendy Borehole) believed to serve properties in the vicinity. The applicant has indicated that they will connect to the Public Mains water supply but should this prove to be impractical cognisance must be taken of Informative 2 below. To ensure the new development has an adequate and consistently wholesome supply of water and to maintain water quality and supply in the interests of residential amenity and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance please note the following condition and informatives. No public objections relating to the water supply were noted at the date above.

WS00 Condition

Prior to the commencement of the development hereby approved, details of the location and measures proposed for the safeguarding and continued operation, or replacement, of any septic tanks and soakaways, private water sources, private water supply storage facilities and/or private water supply pipes serving properties in the vicinity, sited within and running through the application site, shall be submitted to and approved in writing by the Council as Planning Authority. The subsequently agreed protective or replacement measures shall be put in place prior to the commencement of the development being brought into use and shall thereafter be so maintained insofar as it relates to the development hereby approved.

WAYL - Informative 1

The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.

PWS - Informative 2

The applicant shall ensure the private water supply for the house/ development complies with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.

A handwritten signature in black ink, appearing to be 'M.A.' or similar, located in the left margin of the page.

RECEIVED

28 APR 2017

Shuttlefauld
Glenfarg
Perth
PH2 9QN

Persephone Beer, Case Officer
Perth & Kinross Council
Planning & Development Department
Pullar House
35 Kinnoull Street
Perth
PH1 5GD

26 April 2017

SCANNED

Dear Sirs

Planning Application 17/00618/FLL:

Erection of a dwellinghouse, Land 100 Metres North West Of Glendy Steading Glenfarg

I refer to the above planning application, a re-submission of a previous application (16/01142/FLL) which the council refused last year, and write to object to this new proposal.

The new application is very similar to last year's, albeit the proposed house has been reduced in height by one storey, moved downhill by around 14 metres, a few dormer windows added, etc, and a separate garage added. I believe that the main reason for refusal last time ("The proposal is contrary to Policy RD3 Housing in the Countryside of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012") still holds. The second reason for refusal last time was that "The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014. Due to its scale, design and siting it does not contribute positively to the quality of the surrounding built and natural environment." Again, in my opinion this still holds.

My detailed reasons for objecting are:

- Council guidance¹ states explicitly that **"Proposals which contribute towards ribbon development will not be supported."**
Ribbon development may be defined as "building houses along the routes of communications radiating from a human settlement".
The site is agricultural (grazing) land and the lower of two "paddocks" lying between, but clearly separate from a) the existing small cluster of 4 traditional houses around the Glendy burn and b) the applicant's recently built stables and large "agricultural building" higher up and adjacent to the public road from Glenfarg. The proposed development would lie beside the road to Glendy but sit distinctly outwith the existing small settlement.
The two "paddocks" were fenced off from the original large field shortly after the stable and shed were built about 2010/2011, and were planted around with rudimentary screening. However, the size and positioning of the soakaway created at the time the stable and shed were built, and subsequent road development into the lower paddock, strongly suggest the intention by the applicant (a builder) to develop **both** these "paddocks" into housing plots, which would in my opinion create a ribbon development out of Glendy.
- Council guidance¹ states that a site must have "long established boundaries which must separate the site naturally from the surrounding ground... **The sub-division of a field or other land artificially, for example by post and wire fence or newly planted hedge or tree belt in order to create the site, will not be acceptable.**"
In this proposal, the planted screening hedge is still immature and, in any case, inadequate to provide the scale and type of screening and blending-in which is suggested in the application. The statements and visual representation (eg on the map/plan showing the position of the viewpoints) seek to create the impression of a site which is visually integrated with the existing housing cluster and effectively screened from the rest of the field. It is not – when viewed from the south and south west it is open and the development will be highly obtrusive. It must also be remembered that the view photographs were all taken in summer; in winter the buildings are of course far more visible, as would be the proposed new house.
- The proposal is to cut in to the slope and build a large two-storey, four-bedroom² "cottage" with balcony and decking, and a mixture of external finishes (white render and "natural stone"), in addition to a large garage. It would, in my opinion, have a **detrimental impact on the surrounding landscape** and thus further contravene Council policy and guidance¹.

- The loss of outlook to our farmhouse would impact on our right to enjoy our own property. As stated above, the assertions about screening and landscape integration are misleading. From our home, it would be fully visible from top to bottom, including the balcony on the upper storey. It would not "blend sympathetically with land form" (as advised in ¹) when viewed from our house.
- Whilst I wish the applicant success with his farming activities, I would question the argument that this development is needed for agricultural reasons. It is unclear to me why the applicant would feel he had to live beside a few head of cattle and small flock of sheep, when he has recently built himself and his family a new house little more than one mile away? Other local stock-keepers travel as far or even further to tend their animals, including lambing flocks of hundreds of ewes. Moreover, the "farm" of 5.5 hectares of grazing land (plus 3.3 hectares elsewhere, where presumably he would not be living) would be even smaller and less viable were the house to be built and that land lost to housing.
- Also, if the applicant leases/purchases further land as suggested in the Supporting Statement, unless this was very close to the proposed new house it would not help him resolve the security and husbandry reasons cited as justification for this proposed house – he would have the same situation elsewhere.
- The description of farming activity in the Statement merits some comment. The cattle have only been present seasonally during the past few years, and they run outside. They are not overwintered in the "agricultural building" which seems to be largely used as a workshop/store for building materials. As far as I am aware, the Shetland ponies do not belong to the applicant. Furthermore, it would be extremely unlikely that such a small sheep and cattle grazing enterprise could sustain sufficient income for a full time employee, as indicated in the Statement.
- The applicant's existing "agricultural building" already looks totally out of place, and is unscreened from our property (a view similar to View 7, but viewed from further to the right). The proposed house would be another incongruous development in one of the main views from our house, on what has been for decades traditional farmland. We would have to look up at the fully 2-storey side of the "cottage", with a deck and upper balcony, which would be prominent and obtrusive.
- There would also be a visual impact for residents of Glendy and the many users of the public and Glendy roads – including walkers, cyclists and horse-riders.
- Should this development go ahead, it could set a precedent for further housing developments on this "farm" and ribbon development, and for (sub)urbanising the rural area surrounding Glenfarg.

In summary:

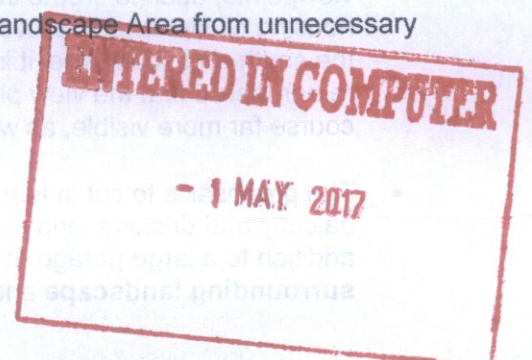
1. As I have said previously directly to the applicant, I object to the unnecessary development of farmland with no recent history of buildings on it, for yet more housing. Indeed this application would appear to contravene the Council's own guidance.
2. As detailed above, I do not accept the argument that this development is needed for agricultural reasons, nor do I believe that it will lead to significant employment.
3. In my opinion, no further buildings should be built on this field. Should this proposal be granted planning permission and go ahead, I foresee plans arising for further developments. The applicant (a builder) has already marked out, fenced and planted the boundary to an upper paddock and could then just make a case for further development here being "infill". This in turn could set a precedent for building yet more houses in the field.

I urge the Council to protect and safeguard the Ochil Hills Special Landscape Area from unnecessary housing development and to refuse this application.

Yours faithfully

[Redacted signature]

Alison Burlison



¹ Perth and Kinross Council: Housing in the Countryside Guide, 2012.

² Or possibly five-bedroom, as indicated by the drawing with "Section A-A through site as proposed".

KINROSS-SHIRE CIVIC TRUST

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

Ashtrees
Wester Balgedie
KINROSS
KY13 9HE

e-mail: [REDACTED]

26th April 2017.

Perth and Kinross Council
Development Control
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Dear Sirs

17/00618 Erection of a dwellinghouse, Land 100 metres North West of Glendy Steading, Glenfarg.

This is a re-application for a dwelling house applied for under number 16/01142 which was rejected by the Council last year.

Reading the Officers' Delegated Report on the reasons for objection, very little has altered and therefore the Trust would support rejection on similar policy grounds.

Yours sincerely

For and on behalf of Kinross-shire Civic Trust
Cc PKC Local Members

RECEIVED

01 MAY 2017

Easter Glendy
Glenfarg
Perthshire
PH2 9QL

27th April 2017

by hand & by email

Development Management
Perth & Kinross Council
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Dear Sirs

17/00618/FLL

Proposed Development by Mr Philip Sloan in field 100m north west of Glendy Steading, Glenfarg, Perthshire

We, Malcolm and Anne Curtis, live at Easter Glendy, one of a small cluster of four houses on the banks of the Glendy Burn, centred on the Glendy Burn bridge and the site of the old Glendy Mill and site of the miller's cottage.

We have received neighbour notification in respect of the above planning application. We believe that the proposed development does not comply with the Local Development Plan 2014. In particular it is contrary to Policy RD3 Building in the Countryside and the Council's Housing in the Countryside Guidelines. More specifically we wish to object to the application on the following grounds:-

1. Siting outwith the Existing Building Group

The proposed house site lies on a steep slope above and outside the boundary of the existing group of houses.

The Planning Guidelines say that consent may be given to extend a Building Group into a defineable site or well established landscape features which provide a suitable setting and that all proposals must respect the character, layout and building pattern of the Group and demonstrate that a high standard of residential amenity can be achieved for the existing and proposed houses.

We do not consider that the proposed development site relates well to the existing Building Group. There is a strong existing boundary to the existing Building Group to the north west of the proposed development site in the form of a very well established hedge and trees. The applicant's proposal would extend the Building Group past this existing boundary southwards and where the ground rises steeply uphill from the existing Building Group.

The applicant has recently formed two small paddocks to the south and uphill from the existing boundary of the Group, and the proposed development site lies within the lower of these 2 paddocks, which have been enclosed with hedging plants. We do not consider that these paddocks are "defineable sites formed by existing topography or well established landscape features", as is required by the Council's policy.

The applicant's Supporting Statement refers to the house at Easter Glendy as being "very similar" to the proposed development in support of his claim that the new house would be a "further positive addition to the area".

We do not agree that the proposed development is similar to Easter Glendy, which lies to the south of the burn, but considerably closer to the burn than the proposed development. The house at Easter Glendy is sited to the north of the line formed by the extension north eastwards of the line of the long established hedge forming the northern boundary of Glendy Mill.

We also wish to point out that, in contrast to the proposed development, the living accommodation at Easter Glendy is all on ground floor level and the roofline was deliberately restricted so as to be no higher than that of Glendy House to the north. The windows of Easter Glendy look away from the other existing houses and the design and building materials are in keeping with the rest of the Building Group.

We also point out that in the applicant's viewpoint photographs the building which is identified as "Glendy Mill (the closest building to the development site)" is in fact Glendy House, which is on the other side of the burn and across the lane from the development site and Glendy Mill. As far as we can see, none of the viewpoint photographs correctly identifies Glendy Mill.

2. Landscape Issues

The development site lies within the Ochil Hills Special Landscape Area, as defined in the landscape guidance associated with policy ER6 of the Local Development Plan. The site is part of an area of grazed fields on the edge of a rolling valley landscape. The existing Building Group is well defined and contained, being tucked in around the burn amongst trees and vegetation. We are most concerned that the development of the site uphill from and outside the existing boundary of the Group will dilute the landscape character of this very special tranquil area and set a precedent for further development in the area.

3. Visual Amenity.

We do not agree that the development site is "a readily defined gap site" as has been claimed in s.6.1 of the applicant's Supporting Statement, and we are concerned that the proposed development would, if consented,

adversely affect both the setting of the existing Building Group and the landscape character of the area.

4. **Residential Amenity**

The proposed new house would lie on a steep slope above Glendy Mill. Although the plans propose that it will be partially dug into the slope, we are concerned that it will dominate the existing cluster of houses all of which are 1 ½ storeys or lower.

5. **Potential Ribbon Development**

The P & KC Planning Guidelines state that proposals which contribute to ribbon development will not be supported.

Our concern is that if consent is given for development outside the boundary of the existing Building Group on the site identified in the applicant's Landscape Assessment Plan as the "Lower Paddock", a precedent will be created for allowing further development in the "Upper Paddock", on the basis that it forms "a gap site" between the new house in Lower Paddock and the applicant's buildings at Glendy Burn Steading – and on the same principle for yet further development on either side of the road, both north and south of the existing Building Group.

6. **Operational Need**

Policy RD3 Housing in the Countryside allows for a new house in the open countryside where the house is required on site or in the locality for a local or key worker associated with an established economic activity.

Mr Sloan's Supporting Statement alludes to this policy in his Supporting Statement and he states that he is running 'an established and expanding agricultural business' from Glendy Burn Steading.

We do not believe the agricultural activity carried on at Glendy Burn Steading meets the criteria which would justify a new house on the development site under policy RD3 because:-

- (a) the amount of land at Glendy Burn Steading (stated to be 5.5ha) even if it were taken in conjunction with a further 3ha (the location of which is not stated) is not sufficient to sustain the level of agricultural activity which would produce sufficient income to justify a full-time employee and indeed this is acknowledged in para 1.3 of the applicant's supporting Statement;
- (b) Mr Sloan suggests that a permanent on site presence is necessary for animal welfare and security reasons. As he has recently built a family home at Drunzie on the other side of the village of Glenfarg, which is a 3 minute drive away from Glendy Burn Steading, we find it difficult to understand the justification of this argument.

- (c) We are also rather puzzled by the statement in para 1.2 of the Supporting Statement to the effect that Glendy Burn Steading is "the operational hub" of the agricultural business with a livestock building and a structure for the storage of farm machinery and foodstuffs. We understand that planning permission was obtained in 2009 to erect a stable block and shed at what is now known as Glendy Burn Steading to serve the adjacent fields which were bought by Mr Sloan. Cattle and sheep have been grazing the fields with 2 miniature ponies, and we understand that the people who owned the ponies had access to the stables, but neither cattle nor sheep have been housed in either of the buildings. The larger building has been used as a workshop for Mr Sloan's building business and the yard used for the storage of building materials.

7. History of Operations at Glendy Burn Steading

As stated above planning consent was obtained in 2009 to erect a stables block and agricultural shed to serve the block of agricultural land bought by Mr Sloan

In the intervening period it has been drawn to the planning department's attention on a number of occasions that the larger building was being used as a workshop for Mr Sloan's building business and the yard for storage of building materials

Mr Sloan installed a large drainage system in the field below the steading, which appeared to be much larger than would have been required for stables and an agricultural shed, and he has also created 2 hedged mini-paddocks parallel to the road leading down to the Glendy Build Group, the lower paddock being the proposed development site.

He has also brought in waste building materials to create a substantial and wide track in the lower paddock leading out into the field to the west.

So far as we can ascertain from the P& KC planning website, no change of use consent has been obtained for the non-agricultural use of the steading site, nor consent for the installation of the drainage system or the track.

Given the history of the site, and in addition to the planning policy reasons stated above, we do not have confidence in the applicant's claim that the proposed development will compliment and enhance the existing cluster of houses at Glendy and the surrounding area.

For the reasons stated above, we ask the Council to refuse this application.

Yours faithfully,

Malcolm & Anne Curtis.

To whom it may concern.

I am writing in connection with the application for planning permission that has been lodged in relation to a proposed house at Glendyburn Steading for Mr Philip Sloan.

I want to object to the application.

I refer to the supporting planning statement.

Sections 2.1 and 2.2 attempt to address the grounds that led to the previous application being refused. In this respect they fail completely. 2.2 comments that the proposals have been "completely redesigned". That is irrelevant. The prior application was refused because amongst other factors, the proposed site "does not relate well to the existing building group". No amount of re-design can change these facts, which are inextricably tied to the location of the site.

Section 3

A telling comment is made by the applicant in the opening sentence of this section. As he states, this development would sit adjacent to the existing hamlet. It would not however sit within it. It would in fact extend the building group in an unbalanced and undesirable manner. I am unclear why the applicant seems to be fixated with the size of the gardens of those of us who constitute the community at Glendy but since he has again referenced them, I again observe that they are no concern of his.

This section also refers to the site having established landscaping on all four sides. This is untrue. The refusal of the previous application specifically considered this issue and concluded that the attempts by the owner to artificially sub divide the field via the use of recently planted shrubs and small trees does not constitute well established landscape features. To suggest in the context of the landscape that these plants could have progressed from failing to satisfy the requirement to now being long established landscape features suggests at best a limited understanding of the concept of long established.

3.2

Fails to address a central point. As the hamlet at Glendy has evolved great thought and care has been exercised to ensure that each ensuing development not only fits visually with the existing developments but crucially that they don't have a negative impact on each other. In short the houses have been designed with sufficient skill to ensure that they all have their own distinct outward aspects and that no one house overlooks another. The proposed development wholly fails to recognise this central theme of the hamlet. It is situated at a higher elevation than all the other properties and it directly overlooks the other properties. It is completely at odds with the existing group, being intrusive and misaligned with the spirit of the hamlet. The proposed development will have a roof line materially higher than the level established by the roof line of Glendy Mill. Consequently it falls foul of sections c and d of Policies PM1A and PM1B.

When Easter Glendy was developed a key tenet of the application was that it would lie within the existing building group. As such a boundary was formed by extending a line in a north easterly direction from the hedge that forms the boundary to the south west of the proposed development. Easter Glendy is constructed to sit within this boundary which was used to define the existing building group. Clearly then, the proposed site in its entirety lies outwith this boundary and the existing building group. This is a boundary that has been previously recognised by the planning department and that remains clearly delineated by the existing hedge.

This section also contains reference to the wholly imaginary Glendy Building Circle. It is an artificial and misleading construct designed to try and persuade the unwary that there is some legitimacy to the argument it purports to support. Let us be clear, there is no such thing as a Glendy Building Circle.

Its use by the applicant serves only to emphasise the incongruity of the proposal with the existing properties.

I note the comments in this section regarding the development of a family home. I am unclear how this ties with the applicant's earlier claims regarding the potential for the site to support a single fulltime employee. Where is this individual to live? Presumably not in a five bedroom family home.

4.2

The proposal fails on each count. It in no way supports the existing community, witness the level of objections. It in no way supports the local economy because, as the applicant acknowledges, his miniature scale agricultural enterprise on site is lossmaking. It doesn't constitute sustainable development because it doesn't fit with the existing building group and it doesn't support a local business because there isn't one to support. It is, as noted, a loss making enterprise.

4.3

Policy ER6. This development is at odds with this policy. This was accepted in the Landscape section of the prior refusal document which noted that; the development of the two sheds at the top of the field has begun to dilute the open, rolling landscape character of the area outside of the Glendy Burn group of buildings and development on the application site, detached from the building group, would further dilute this landscape character and would set a precedent for further development in the area. It is impossible to conclude that the revised application in anyway overcomes these failings.

The misleading nature of the Landscape Viewpoint photographs requires some consideration.

Photo1 : Is taken from the field adjacent to the applicant's proposed development site. It misidentifies Glendy Mill and fails to show the overlooking nature that the proposed site would have on the Mill and the other properties.

Photo 2: Similarly misidentifies Glendy Mill and fails to show the overlooking nature that the proposed site would have on the Mill and the other properties.

Photo 3: Similarly misidentifies Glendy Mill and fails to show the overlooking nature that the proposed site would have on the Mill and the other properties.

Photos 4 and 5: Show the access road that the applicant has installed. As was noted in the previous refusal the road is very wide and incongruous with the proposed development. Additionally and contrary to the claims made in the prior application this road was not completed until almost immediately prior to the submission of the previous planning application. It is unknown whether the appropriate permissions have been sought to construct the road, and equally importantly, whether the correct permissions were sought for the waste material that lies under the top layer of stones.

Photo 6: Demonstrates clearly the fallacy of the suggestion that the site is encased by established boundaries. A few shrubs photographed from ground level do not constitute a long established boundary.

Photo 7: Fails to identify Glendy Mill at all and creates a misleading impression of the impact that the development would have. What it does show however is the elevated nature of the proposed site, the incongruous nature of a property that would overlook all the others and the, already discussed, lack of anything more than a recently created artificial boundary to both the east and south of the site.

The submission lacks any photograph taken from the road to the east of the site. Such a picture would show more clearly how the development would stand out from the existing building group. Unlike the existing building group the development will be highly visible to all who look down the valley and wholly out of keeping with the established development.

4.4

Notes that ribbon development will not be supported.

Consider that the applicant has created a specious and disingenuous argument regarding the alleged Glendy Building Circle in an effort to extend an existing hamlet beyond its well defined boundaries. Note also the presence of the Glendyburn Steading at the top of the hill and the fact that both the proposed development and the steading sit parallel to the access road that runs from the existing building group to the road that lies at the east of the site. Lastly note the creation of the sub divided field that lies directly between the proposed development site and the stables. We have here the definition of ribbon development.

4.5 b

The proposed development fails to satisfy these criteria as it has a backdrop from one aspect only.

4.7

Also ties into an error in the application form itself. The applicant has indicated that he will access mains water. There is no mains water on the site and he has failed to demonstrate how he will provide satisfactory services.

5.2

Suggests that changes have been made to the application which was previously refused. Given the basis of the existing refusal these changes, small as they are, are irrelevant. The refusal made clear that the site was not suitable for development and that remains the case.

5.9

By definition the development would not safeguard the character of the countryside, it would negatively impact on the established community whilst doing nothing to aid its viability. There is no development need in this location, only development want. The proposed development is detached from the existing building group. The proposal would have an adverse visual impact on the setting of the existing group and the general landscape character of the area.

We address the fallacious agricultural argument elsewhere.

With respect to the application itself I am very concerned about the raised flood risk the development will pose for Glendy Mill. Glendy Mill lies immediately to the North West of the proposed development but more importantly it lies immediately downhill. There is already significant water run off that comes from the hill. The situation is exacerbated as a result of the onset of more frequent adverse weather. The development of a house and hard standing immediately above the Mill will remove a very significant area of drainage and worsen an existing problem. It is recognised in the context of urban planning that the creation of areas of hard standing exacerbates the problems caused by inadequate drainage and water run off. In short, the development will cause issues with run off that in the absence of appropriate drainage solutions have the potential to negatively impact on adjacent properties. The applicant has given no indication that he intends to employ the necessary drainage. The applicant has himself had to repair the damage caused to his lower field entry by water runoff and, as such, is aware of the problem. It is therefore notable that the proposal makes no provision for the sustainable drainage of surface water. It is undeniable that the proposal increases the risk of flooding at the Mill. This risk is not theoretical. The applicant has installed a very substantial roadway into the site. During periods of heavy water run off, significant quantities of the stone that comprises the top layer of the road are washed into the

Glendy Mill Garden. In this respect the proposal fails to satisfy the criteria of Policy PM1A – Placemaking.

I am also concerned about the impact of the proposed septic tank. Regardless of where it is positioned the soak away will by definition, move downhill impacting the Mill.

Sections 1.1 through 1.5 deal largely with the hobbyist agricultural activities that occasionally occur on the site. It is clear to anyone with any knowledge of farming that 5.5 hectares is insufficient space to create a successful agricultural enterprise. Indeed the application itself acknowledges that farming is a difficult industry to operate in. To suggest that a successful farming business could be operated from the premises wilfully disregards the fact that the site is too small. Comments that the applicant has other land are irrelevant given the attempt in the application to link the proposed development with activities that occur at this site. There is no possibility, however skilful an operator the applicant may be, that an enterprise could be developed on this site that would require or sustain a full time employee. Indeed the development of a house would worsen the situation as it would further reduce the productive space available to the enterprise.

1.3 attempts to link animal husbandry with the requirement for a permanent human presence. Even casual knowledge of farming tells us that few farmers live as close to the animals as the applicant is suggesting is necessary. Indeed his existing house is closer than many farmers live to their stock. It should also be remembered that lambing and calving occur over a very compressed period in the year and to suggest that a full time presence is required throughout the year just to serve these very short ad hoc periods is disingenuous at best. Also it is worth considering his attempts to link development at this site with his activities elsewhere. How would development here aid his husbandry of stock elsewhere? Lastly, there is a comment suggesting a requirement for additional security. Genuine farmers across the country manage without living in the same field as their stock.

I note that the application refers to the presence of 9 cattle. I also note that the applicant's Response Document of August 2016 also refers to the presence of 9 cattle. It seems that contrary to the assertion in 1.2 the operations have not in fact been steadily expanding.

Glendyburn Steading is referred to as an "operational hub". This is true but it is in no way a hub for agricultural activities, it is a builder's yard. The larger building containing items related to the applicant's building business. The application attempts to portray his visits to the site as being related to the stock that is occasionally present. Any disinterested observer would conclude that this not the case.

It is interesting to note that not only does the applicant not own all the animals he refers to in his application but also that the presence of animals on the site is surprisingly correlated with the timings of his application for planning permissions. This has been the case on both occasions that he has applied for a development on this site.

This proposal fails to satisfy the criteria required to secure planning permission for the following reasons.

Contrary to policy it does not meet the building group criteria of housing in the countryside policy.

It is not contained by landscaping or long established boundaries.

It is ribbon development.

There is no agricultural justification.

The scale and design are out of keeping with the surrounding buildings. It will be overly dominant when viewed against the existing buildings around Glendy which are well integrated in their setting.

The shed at Glendyburn Steading is not being used in compliance with the grounds upon which planning approval was secured. Nor has the tree planting that was a requirement of that approval been started.

Yours sincerely,

Ed Beal and Debbie Duncan

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/00618/FLL	Comments provided by	Richard Welch
Service/Section	Conservation	Contact Details	[REDACTED]
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 100 metres north-west of Glendy Steading, Glenfarg		
Comments on the proposal	In terms of impact upon the setting of the category C listed Glendy Mill Bridge I have no objections to this (revised) development provided that the existing mature tree cover is retained as indicated in the supporting planning statement and on the site plan.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	02.05.2017		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/00618/FLL	Comments provided by	Niall Moran
Service/Section	Transport Planning	Contact Details	
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 100 Metres North West Of Glendy Steading Glenfarg		
Comments on the proposal	Insofar as the Roads matters are concerned I do not object to the proposed development.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	2 May 2017		

RECEIVED

08 MAY 2017



Ross Allan

Poppy Cottage

Main Street

Glenfarg

PH2 9NY

03/05/2017

Planning Application Reference: 17/00618/FLL

ENTERED IN COMPUTER

- 8 MAY 2017

Dear Planning Officers

I wish to lodge my support for the application for a new house at Glendy Burn Steading. This appears both a pleasant and a logical location for a new house. There is an existing access, services are available, it's not too isolated or remote and there is a readily defined setting for the house formed both by established landscaping and the existing houses; it's a really good position for a house with no adverse impacts on the countryside. I like the house design and materials and consider that this will fit well with the existing houses.

I realise there was an earlier refusal of planning permission for this site. I am aware that one of the criteria for passing houses in the countryside is if the house adds to a building group. Surely this is a clear example of this and I cannot see any reason why Perth and Kinross Council can deny this. In fact, I would go as far as saying that if this house doesn't meet the criteria of adding to a building group then no other house will.

Yours truly

A black rectangular redaction box covering the signature of Ross Allan.

Ross Allan

SCANNED

Tracy McManamon

From: Senga Murray - [REDACTED]
Sent: 03 May 2017 19:57
To: Development Management - Generic Email Account
Subject: Reference 17/00618/FLL

Ms A Murray
2McWilliam Place Kinross KY13 8QU

I write regarding the of building of a house in the steading grounds at Glendyburn,

I would like to express my suppose on this application, as I currently have one of my ponies grazing at the steading and having a family home near would give me reassurance that someone is close, it would also benefit Mr Sloan being able to live so close to his working yard and being on hand to look at his own livestock, ilt would also allow this young family the opportunity to get brought up in a natural countryside environment.

A Murray



2nd from same household

Tracy McManamon

SUPPORT

From: Lisa Allison [REDACTED]
Sent: 04 May 2017 18:10
To: Development Management - Generic Email Account
Subject: Letter of support 17/00618/fll

Lisa Allison
Ardblair,
East Blair,
Glenfarg,
Perth,
Ph2 9ql

Dear Planning Officer

Application reference: 17/00618/FLL

I am writing to support this planning application. I live at the end of the small road which runs through Glendy. It's pretty clear, looking at the site and the surroundings, that the proposed house would relate well to the existing houses and extend logically onto the grouping. I have become aware of the earlier concerns expressed by Perth and Kinross Council officers and some local residents and it's patently clear that the revised proposals address all of these issues.

The planning application site is well defined in the landscape, set at a low point in well-established surroundings and the appearance of the house would be ideal for the setting. The development would form a welcome addition to the cluster and I see no reason to reject the proposal.

This planning application should be approved.

Yours sincerely
Lisa Allison
Sent from my iPhone



3rd from same household
SUPPORT

PB.

Tracy McManamon

From: Colin Gourdie <[REDACTED]>
Sent: 04 May 2017 17:39
To: Development Management - Generic Email Account
Subject: Planning application 17/00618/fll

Dear Sir,

I write in support of Mr Sloans planning application.

I feel that the house would blend in with the existing building group and would not detract from either the residential or visual amenity of the settlement.

Regards

Colin Gourdie
Blairmhor
East Blair Farm
Glenfarg
PH2 9ql

ENTERED IN COMPUTER

- 5 MAY 2017

Support

Tracy McManamon

From: Moira Gourdie <[REDACTED]>
Sent: 04 May 2017 17:02
To: Development Management - Generic Email Account
Subject: Support for Planning Application 17/00618/fll. Mr P Sloan

Dear Sir,

We have lived at East Blair Farm for almost 30 years, passing the proposed site numerous times daily. Over this time we have watched, with neighbourly interest and without any concerns or objection, the settlement expand from Glendy Mill and the small Mill Cottage to four extensive houses with various outbuildings.

We wish to support Mr Sloans application, our reasons as follow :

The proposed site is accessed by Public Road and has a long - standing established entrance. It is well screened and development will not reduce appreciation of the surrounding countryside.

The proposed development will not decrease the residential or visual amenity of the existing group but will compliment and balance the settlement since the natural boundary, Glendy Burn, has previously been breached.

The Scottish Government are actively encouraging young people into farming, on holdings of 3 hectares or more. We feel that the commitment the Sloan family have demonstrated, not only financially but physically, to farm their own land and with a detailed plan to expand their farming programme should be supported.

We support this application and hope it meets with Council approval.

Regards,

George and Moira Gourdie

East Blair Farm,

Glenfarg.

A12 9QL



RECEIVED

08 MAY 2017



Mr C Leaburn

Hollybank

Church Brae

Glenfarg

PH2 9NL

04/05/2017

ENTERED IN COMPUTER

- 8 MAY 2017

Application Reference: 17/00618/FLL

To whom it may concern

I don't usually take the time to comments on such matters but I feel the need to in this case. Some of the comments made on the last planning application were bordering scandalous and appear to show a personal objection to people getting on rather than being based on any sound land-use planning reasoning.

Having looked at the drawings for the proposed house I feel it is both sympathetic to the surroundings and in keeping with the cluster.

The house at Easter Glendy was commented upon within the last refusal as being well integrated into the landscape. However may I point out, there was no planting of any scale around this site prior to the planning permission being granted, and there is no reason why this current application would not be integrated as effectively into the established landscape in which it sits. The hamlet of Glendy has now extended across the small river setting a president for the building of a house at Glendy Burn Steading.

It is also interesting to see that the Kinross-shire Civic Trust have once again lodged a letter of objection. This appears to be rather contradictory to previous actions of the Trust, as in 2014 they gave an award to the owners of the recently built house of Easter Glendy.

The following extract is available on line at

http://www.portmoakcw.org.uk/Documents/PressRelease_WoodlandShield_Nov2014.pdf

"A Highly Commended Certificate was presented to Mr & Mrs Malcolm Curtis of Easter Glendy, Glenfarg, who, "over a period of some thirty years, have transformed a derelict mill and a rather barren landscape into a small hamlet, sitting comfortably in a sheltered glen with abundant trees and hedges, rich in wildlife."

May I point out that the owners of Easter Glendy are happily sitting in their new build house objecting and therefore trying to prevent the applicants doing essentially what they have done.


In my opinion, it is important to build houses in the right settings in the countryside and this is a clear example of a natural extension to an already existent building group, which has been extended by 2 new builds in recent times. The earlier opposition from some neighbours seems to be at odds with the earlier extension to the grouping that occurred a few years ago and shows the human spirit at its worst – the "it's okay if it's for me but not for anyone else"

mentality. I also note that one of the previous objectors' letters stated one reason for complaining as being that they could see the proposed house from their dining room window which is approximately 500 metres away! The planners have got to see through this warped reasoning.

For these reasons, I urge the council to support this planning application.

Yours Sincerely

C Leaburn

A redacted signature consisting of a black rectangular box covering the name and any handwritten notes. Above the box is a small orange rectangular mark.

Mr & Mrs Lochtie,

17 St Serfs Road,

Tillicoultry,

FK13 6QH.

4th May 2017.

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

Planning application reference: 17/00618/FLL

To whom it may concern,

Please accept this letter as notice of our support for the recent planning application for Land 100m North West Of Glendy Steading, Glenfarg. My wife and I both grew up in the surrounding area and we still visit weekly and look forward to returning to the area one day soon. We think that the development of this area is the next logical step to grow the existing cluster. The proposed dwelling suits the area well and is, in our opinion, very in-keeping with the surroundings. We also think that any new houses in the area, so long as they are built sympathetically to the surrounding areas as this one would be, can only be a good thing for the economic growth of the surrounding towns and villages.

Yours sincerely,

Mr & Mrs T Lochtie.

James McMaster

Ivybank
Greenbank Rd
Glenfarg
PH2 9NW

Dear Sir/Madam,

I would like to register my support for planning application ref. 17/00618/FLL.

I feel the proposed development is in keeping with the other houses in this growing hamlet and can only serve to improve this small community. The mature and well established landscaping that is already in place will allow continued privacy for the neighbouring properties and the new property alike. Having their home at the site of their agricultural premises would help the family to grow their business which can only be a good thing for the local area as a whole.

Yours Sincerely
James McMaster

Planning and Development
Perth and Kinross Council
Pullar House
Kinnoull Street
Perth
PH1 5GD

4 East Blair Cottage

Glenfarg

PH2 9QL

4th May 2017

Your Reference: 17/00618/FLL

Dear Sirs

Reference to Planning Application 17/00618/FLL Land 100 Metres North West of Glendy Steading, Glenfarg

I object to this proposed Planning Application, that was refused in the first instance last year by Perth and Kinross Council, because of the following reasons:

It is difficult enough for safe passage by horse riders, dog walkers, other walkers and cyclists that frequent this single track road daily past the proposed development. Any additional increase in vehicular traffic would not lend itself to increased safety. There is limited safe refuge on this single track road to avoid vehicular traffic and any traffic increase associated with this development would, in my opinion, exacerbate the safety of all users.

This development has the potential to be a building and agricultural business and suggests that it is already used as the former. Should the development expand further then there is likely to be an increase in heavy lorries and associated machinery.

The entrance to the proposed development appears to have already been created and offers poor visibility onto the single track road, thus creating an additional hazard for horse riders, dog walkers, other walkers and cyclists.

The small community of Glendy would suffer a detrimental effect to its current unique and sympathetic character and not be enhanced by this proposed development, now or in the future, should further building applications be submitted for a ribbon development.

Yours faithfully

Mrs A.C. Pilmer

Comments for Planning Application 17/00618/FLL

Application Summary

Application Number: 17/00618/FLL

Address: Land 100 Metres North West Of Glendy Steading Glenfarg

Proposal: Erection of a dwellinghouse

Case Officer: Persephone Beer

Customer Details

Name: Mrs Heather Prescott

Address: Strawearn House Access Road From Glendy Mill To Glenfarg Reservoir, Glenfarg, Perth And Kinross PH2 9QL

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: We are writing to support Mr & Mrs Sloan's planning application at Glendy Steading. There is an agricultural business that is steadily being built up year upon year, cattle numbers are increasing as are sheep. Some comments that sheds are not used for animals are untrue as we personally know that black and white dairy calves were reared in one. The applicant is actively farming the ground and his need for a property on site is obvious.

We cannot as close neighbours object to the application as it will in no way affect us nor actually many others around it. This proposed dwelling will only add to the recently expanded Glendy area as previously all houses, old and new we're always to one side of the Glendy Burn.

Mr Fenwick Worrell

Tormaukin Grazing

Glendevon

FK14 7JY

Perth and Kinross

04/05/2017

To whom it may concern,

I write in support of the application for a dwelling house at Glendy Burn Steading. As a local farmer who knows and has mentored the Sloan Family I am aware that they are committed to this site and to the local area. It's nice to see a young family investing time and money in their future and in their emerging agricultural business – this is just what the Scottish Government is encouraging and something that Perth and Kinross Council should also welcome with open arms.

I know this area well, and having seen the recent addition of a new build house to the cluster on the other side of the road (Easter Glendy), I feel this planning application site would be a logical extension to the existing small group at Glendy. Over the years the grouping has extended and I can see no reason as to why this next development should not be allowed, based on previous approvals.

It's nice to see a well-designed house using traditional proportions and detailing. The house position, form and appearance would all fit the site and the surrounding area really well. The location is good, its well screened and set in the landscape and well related to the existing hamlet.

I know that Philip was brought up on a farm and was unable to stay in farming on leaving school due to the difficulties of getting started in your own farm. He has worked for years as a bricklayer to get into the financial position to invest into his own agricultural business. Farming is facing difficult times and all rural areas need young people willing to invest their time and money into the future of it. If we do not support planning permission applications for those who actually work in the countryside we face further negative effects on the

farming industry. I can see no reason why this planning application would not be supported and consider that planning permission should be granted.

Yours Sincerely

Fenwick Worrell

Planning Application Reference: 17/00618/FLL

CHX Planning Local Review Body - Generic Email Account

From: Curtis [REDACTED]
Sent: 16 July 2017 22:21
To: CHX Planning Local Review Body - Generic Email Account
Subject: Re: TCP/11/16(480)
Attachments: TCP-11-16(480) - Decision Notice.pdf

Dear Ms Taylor,

Thank you for advising us of Mr Sloan's decision to appeal to the Perth & Kinross Local Review Body against the Council's Decision Notice refusing consent to his application ref 17/00618/FLL.

We stand by the representations contained in our letter of objection and do not wish to make any further comments, other than to confirm that so far as we know there has been no change in circumstances which would justify a departure from the Council's Decision Notice, which we regard as being soundly based on the planning guidelines.

Yours faithfully, Malcolm & Anne Curtis.

Perth & Kinross Council
Local Review Body
Council Building
2 High Street
Perth
PH1 5PH

Shuttlefauld
Glenfarg
Perth
PH2 9QN

19 July 2017

Dear Sirs

**Planning Application 17/00618/FLL:
Erection of a dwellinghouse, Land 100 Metres North West Of Glendy Steading,
Glenfarg**

I refer to the refusal of the above planning application, which I am informed is now subject to review.

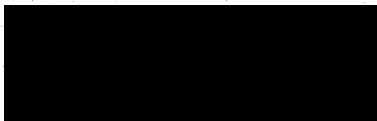
I wrote previously to object on 26 April 2017, and my position remains unchanged.

I would urge the Review Body to uphold the Council's two previous refusal decisions for this application. It is contrary to three of the Council's policies and there is a need to protect the countryside from random, unnecessary and inappropriate development, particularly here in the Ochil Hills Special Landscape Area.

Should it go ahead it could create a dangerous precedent – there is already a second "paddock" delimited in the field which could arguably be developed in the future as "infill" between the proposed new house and the stables and large "agricultural building" recently built by the applicant, a builder to trade.

This "agricultural building" is already an eyesore, unscreened from our property (a view similar to View 7, but viewed from further to the right). The proposed house would be another incongruous and unnecessary development on traditional farmland. From our home, it would be visible from top to bottom, including the balcony on the upper storey. It would certainly not "blend sympathetically with land form" as advised in Perth and Kinross Council's *Housing in the Countryside Guide, 2012*.

Yours faithfully



Alison Burlison

CHX Planning Local Review Body - Generic Email Account

From: I PILMER [REDACTED]
Sent: 24 July 2017 21:12
To: CHX Planning Local Review Body - Generic Email Account
Subject: Re: TCP/11/16(480)

Dear Gillian Taylor

Thank you for your e mail concerning this Planning Topic.

Giving consideration to the further submission by Mr Sloan I believe, in my opinion, that my concerns do not appear to have been addressed. Of course I am disappointed to hear this.

However, I did contact my local Glenfarg Community Council (GCC) Councillor concerning a mention about the GCC and their involvement/lack of involvement concerning this particular planning topic. A GCC Councillor commented that "a GCC objection to the 2016 house planning application was withdrawn due to a misunderstanding and, to demonstrate to all parties, that the GCC would not allow its Councillors' professionalism to be scrutinised. The withdrawn objection had no bearing on the 2016 outcome as confirmed to the GCC.

The latest house planning application in 2017 was raised again with the GCC and its decision was that the most appropriate course of action was not to make any comment. Once again it will not allow its Community Councillors' professionalism to be scrutinised."

The above concludes my comments.

Yours sincerely

Mrs A. C. Pilmer
4 East Blair Cottage
Glenfarg
PH2 9QL



PROPOSED HOUSE AT GLENDYBURN STEADING,
GLENFARG FOR MR PHILIP SLOAN AND DR JOANNE
SLOAN

APPLICANT'S RESPONSE TO ADDITIONAL THIRD
PARTY COMMENTS

JULY 2017

TMS PLANNING AND DEVELOPMENT SERVICES LTD

The applicant has considered the additional comments submitted by 3 of the original objectors to this proposal. Such concerns should be considered against the much greater level of support expressed for the planning application by local residents (10 letters of support). With respect to the three letters the following responses are considered appropriate: -

Letter from Alison Burleson

The 2 earlier decisions referred to are the decision presently leading to this Review and the earlier delegated officer's decision in 2016 (concerns related to which are set out in the applicant's Statement of Review). This is the first time that the Local Review Body has been asked to consider this proposal. The objector fails to mention the house at Easter Glendy which was approved by the Local Review Body against the officers delegated refusal, the fact that officers effectively ignored this Local Review Body decision in refusing Mr and Mrs Sloan's planning application, and the many parallels between the issues raised by the Easter Glendy proposals and this application. The objector also fails to appreciate the significant changes between the 2016 and the current proposal for a new house as part of the Glendy grouping.

The development would be neither random nor inappropriate, it would fully comply with established Local Development Plan policy and Perth and Kinross Council's Supplementary Guidance. The case for the house is not built on necessity but it would, in addition to being policy compliant, meet the domestic and the operational farming needs of a local family and their growing farming business. This position is explained further in the letter from the Sloan family attached to this response. The location of the site at the bottom of a hill, the substantial landscape containment existing, the positioning and design/appearance of the house, and the relationship of the house to its established neighbours all combine to provide a good "fit" within the landscape/local area such as to ensure no adverse impacts in any regards, including on the Special Landscape Area.

There is no real issue of "precedent" as referred to. The planning application site has a unique relationship with the existing Glendy house grouping that is not enjoyed by any other part of the landholding and, significantly, the applicant has no plans now or in the foreseeable future other than to build a family house (as per the current planning application) and to expand his agricultural business. The land immediately adjacent is a paddock in use and required for that purpose. This area of land also shows significant level changes that would remove any practical development potential. This appears an attempt by the objector to foster undue concern – not rational assessment.

The existing agricultural buildings at Glendyburn Steading are of a functional form. They are far more visible in the landscape than any of the Glendy houses, existing or proposed. The proposed development, as indicated, sits adjacent to existing houses and nestled into the established landscape setting and it is quite wrong to label a well sited and designed new house supported by policy and practical agricultural

considerations as “incongruous”. The complainant clearly forgets that at some point her house would have been part of an undeveloped field – does this mean no new houses in a rural area should be allowed after a select few secure theirs?

It is clearly possible, as in this case, to design and integrate a new house as part of the established grouping (as evidenced by the recent development at Easter Glendy). There are no legitimate land use planning reasons, based on extant policy, to reject this proposal.

Letter from Malcolm and Anne Curtis

These objectors reside in the new build property known as Easter Glendy and having supported a new house (theirs) as an addition to the building group they now consider a new house for the Sloan family to be an inappropriate addition? In their further representation they state that “*there has been no change in circumstances which would justify a departure from the Council’s Decision Notice, which we regard as being soundly based on the planning guidelines*”. Remembering that Officers also refused their application based on similar policy considerations and that their application was supported by the Local Review Body, the inconsistency of the position being adopted by these objectors appears abundantly clear.

Letter from Mrs A C Pilmer

This letter states that “*a GCC objection to the 2016 house planning application was withdrawn due to a misunderstanding and, to demonstrate to all parties, that the GCC would not allow its Councillors’ professionalism to be scrutinised. The withdrawn objection had no bearing on the 2016 outcome as confirmed to the GCC*”. The conduct or professionalism of Glenfarg Community Council (GCC) is not of issue for this current planning application BUT the PKC Planning case officer, in refusing the earlier house proposal in 2016, clearly referred to and assessed a GCC objection albeit this, it is understood, was never in fact a position approved by the Community Council (hence the reason it was withdrawn). The objection was withdrawn long before the planning application was considered and therefore the PKC Planning case officer incorrectly considered the terms of this withdrawn letter in making her decision. The applicants remain concerned over the covert nature of what appeared to occur earlier but are of the view that this has no bearing on the current planning application.

CONCLUSIONS

There is far more local support than objection for the Sloan’s house and the underlying basis for some of the negative comments to date appear based on self-interest rather than the appropriate application of land use planning considerations. The case in support of the house is clear and fully justified. The Sloan’s are committed to the site/local area and have set this out in the personal letter attached to this response. We urge you to approve this planning application.

Mr Philip and Dr Joanne Sloan
Dunluce
Drunzie
Glenfarg
Perth
PH2 9PE
29/07/2017

Dear Councillors

May we start this letter by stating that we hope you decide that our planning application should be approved. This appeal culminates in many years of hard work, financial investment but most importantly the dreams and aspirations of our family.

Those who complain against our application emphasise that it is only Philip who is applying and try to depict a builder who wants to develop this site. In reality the application is from the Sloan family. May we make it very clear that this application is for a family home set on a working farm which we are continuing to build into a viable business and someday hope to pass onto our children. There are 5 of us, Philip, Joanne and our 3 young children; Jessica, aged 8, Christina, aged 6 and James, aged 2. Joanne works as a Renal Physician, mainly based in Ninewells but who currently works at the Transplant Unit in Edinburgh. We have dreamt for the past 9 years of growing our farming business which would allow Philip to return to his childhood roots. Philip was born and raised on a farm, but due to the lack of land and funding available to him unfortunately had to pursue a different career when he left school. Through the years we have been able to gradually invest our own money into buying land and animals in order to start to establish our own farm and give our children the same upbringing which Philip had the privilege of.

Contrary to the views of those who do not personally know us, we will continue to pursue the ambitions of our family in establishing our future in farming. Currently we have 17 cattle and 20 sheep and by next year, should our breeding programme have complete success, we will have 26 cattle and lambs from the 20 sheep.

We believe our planning officer has a poor understanding of agricultural activity and has shown no appreciation of how difficult it is for a young couple to become established in farming. This is contrary to what the Scottish government are saying as they are calling for increased support and investment for new entrants to farming. We believe that this family home, when finished, will blend into the cluster of houses at Glendy just as the 2 recent new build houses have.

Although we have come up against many barriers throughout this planning application we as a family maintain our dream of building a family home on our land, raising our children in

the environment of our increasing farming business while investing in the rural economy of Scotland. We would urge and encourage you to support us with this application.

Kind Regards

Philip, Joanne, Jessica, Christina and James Sloan